City of Philadelphia

Legislation Text

File #: 240610, **Version:** 0

Amending Section 14-500 of The Philadelphia Code, entitled "Overlay Zoning Districts," by amending Section 14-524, entitled "/FDO, Fourth District Overlay District." to add provisions related to affordable housing, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1.   Title 14 of The Philadelphia Code is hereby amended to read as follows:

*   *   *

TITLE 14. ZONING AND PLANNING

*   *   *

CHAPTER 14-500. OVERLAY ZONING DISTRICTS

*   *   *

§ 14-524. /FDO, Fourth District Overlay District.

*   *   *

(1)   Applicability.

The Fourth District Overlay District applies to lots located within the following subareas set forth below:

*   *   *

(d) Affordable Housing Area

The properties located at 3939 Conshohocken Avenue and 3901 Conshohocken Avenue

*   *   *

(5) Affordable Housing Area

(a)   Use Regulations. The following standards shall apply in addition to those of the applicable base zoning district:

(.1) At least 40% of all dwelling units (rounded up, if fractional), or seventy-seven units,

whichever is greater, shall be provided and maintained as affordable on the same site as all other dwelling units.

(.2) Any development that has received or will receive government financial assistance conditioned upon the provision of 51% or more units meeting affordability standards of a government program shall not be required to meet the requirements of subsections (.1) above.

(b) Affordability. Affordable dwelling and sleeping units required shall be provided under the following standards. For the purposes of this section, a household shall consist of every person who lives or intends to live in the unit, regardless of age, dependency status, or relationship. The imputed household size for determining unit affordability and occupancy requirements of this section shall be equal to 1.5 people per each bedroom in the unit, except for studios, efficiencies, and sleeping units for which the imputed household size is 1 person.

(.1) Affordable rental units shall:

(a) Have total monthly costs (including rent and utility costs) that do not exceed thirty percent (30%) of gross monthly income for households earning up to twenty percent (20%) of the Area Median Income (AMI), adjusted for household size, as reported by the U.S. Department of Housing and Urban Development (HUD) for the Philadelphia Metropolitan Statistical Area;

(b) Be occupied by households earning up to twenty percent (20%) of the Area Median Income (AMI), adjusted by household size, as reported by HUD for the Philadelphia Metropolitan Statistical Area at the time of the household's initial occupancy of the unit; and

(c) At no time be occupied by households earning greater than forty percent (40%) of the Area Median Income (AMI), adjusted by household size, as reported by HUD for the Philadelphia Metropolitan Statistical Area; provided that, in the event the income of a tenant is found by the Department of Planning and Development to exceed the maximum income provided for by this subsection (iii), a tenant shall nonetheless be deemed in compliance with this subsection (iii) until the first expiration of a lease occurring after the tenant's income first exceeded the maximum permitted by this subsection (iii). The Department of Planning and Development may waive this requirement upon a showing of exceptional circumstances.

(.2) The standards of § 14-702(7)(b)(.2) through (.5) shall apply.

(.3) Applicants shall be encouraged to partner with community development corporations and other community-based organizations in developing and executing plans for marketing units and evaluating the qualifications of potential occupants.

(.4) Compliance check, remedies, and regulations of § 14-702(7)(d) through (g) shall apply.

(.5) Licenses and Inspections and the Fair Chance Housing Commission are authorized to promulgate such regulations as are necessary and appropriate to implement the

provisions of this section.

SECTION 2. This Ordinance shall take effect immediately.