

Legislation Text

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Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," to revise certain provisions of Chapter 14-702, entitled "Floor Area, Height, and Housing Unit Density Bonuses," by amending the provisions for Mixed Income 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 14-700. DEVELOPMENT STANDARDS

* * *

§ 14-702. Floor Area, Height, and Housing Unit Density Bonuses.

* * *

(7) Mixed Income Housing

* * *

(b) Criteria.

A floor area, height, or housing unit density bonus, as applicable, may be earned *for developments where at least 50% of the gross floor area will be in residential use* (i) by providing affordable housing, provided that the project meets the standards set forth in subparagraphs (.1) through (.5), below; or (ii) if the owner of the property enters into a payment-in-lieu agreement that meets the standards set forth in subparagraph (.6), below. *For developments where less than 50% of gross floor area will be in residential use, these bonuses may be earned, as applicable, if the owner of the property enters into a payment-in-lieu agreement that meets the standards set forth in subparagraph (.6), below.* This bonus *provided for in this subsection (7) ("Mixed Income Housing")* is not available for developments of subsidized housing where 51% or more of the dwelling units will be affordable under any of the definitions set forth in subsection (a) ("Affordability"), *above*. [above, and is not available for developments where less than 50% of gross floor area will be in residential use except for property located in the area bounded by 20th Street, Arch Street, Cuthbert Street, a line parallel to 20th Street that extends north 32 feet from a point located on Cuthbert Street 282.5 feet from the northwest corner of 20th Street and Cuthbert Street, a line beginning at the foregoing point and extending 68.54 feet to the east parallel to Arch Street to a point and a line parallel to 20th Street beginning at the foregoing point and extending north 114.5 feet to the south side of Arch Street.]

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- (.6) The applicable bonus shall be available to a property if the owner enters into a binding agreement with the Department of Planning and Development pursuant to which the owner has tendered to the City, prior to the issuance of a building permit, a payment in lieu of providing affordable housing; and the Department of Planning and Development has [agreed] *agreed, for any development where at least 50% of the gross floor area will be in residential use*, to use such money for the purposes set forth in § 21-1605 ("Trust Fund Assets Held in the Non-Recording Fee [Sub-Fund".] *Sub-Fund*"), and, *for any development where less than 50% of the gross floor area will be in residential use, for the purposes set forth in § 21-1603 ("Creation, Distribution and Use of the Trust Fund's Assets")*.

Explanation:

[Brackets] indicate matter deleted.

Italics indicate new matter added.