**File #:** 241132, **Version:** 0

Amending Title 21 of The Philadelphia Code, to add a new Chapter entitled "Empowering Communities for Cultural Preservation and Community Controlled Development" and thereby defining the boundaries of the Chinatown Growth Initiative area; providing for and establishing the procedure for a Right of First Refusal for a land trust managed and operated by the Philadelphia Chinatown Development Corporation with regard to certain publicly owned properties within the Chinatown Growth Initiative area; identifying certain properties subject to the Right of First Refusal; establishing use and stewardship requirements for properties the land trust acquires; and authorizing the City to implement and enforce the requirements of the Chapter, all under certain terms and conditions.

WHEREAS, Chinatown is a unique cultural and historical residential and mixed-use community It is a center of commerce, community services, and cultural traditions that must be preserved and protected from displacement, speculative development, and the loss of cultural integrity; and

WHEREAS, The Council wishes to ensure that community members have meaningful control over the development and disposition of property in Chinatown so as to promote long-term affordability, cultural preservation, and support for local businesses; and

WHEREAS, The City seeks to ensure the long-term preservation of Chinatown's cultural heritage, prevent displacement of residents and locally owned businesses, and promote equitable development and affordable housing opportunities; and

WHEREAS, a land trust will help maintain permanent affordability, preserve cultural identity, and ensure community stewardship of land and property; and

WHEREAS, The Philadelphia Chinatown Development Corporation has a longstanding commitment to serving Chinatown, upholding its cultural traditions, and promoting equitable community development; and

WHEREAS, Providing a Right of First Refusal with regard to publicly-owned properties within Chinatown to a land trust operated by the Philadelphia Chinatown Development Corporation as trustee and manager will empower the community to guide its development, preserve affordability, and maintain cultural integrity; and

WHEREAS, The Council finds that these measures are necessary and appropriate to promote the general welfare, consistent with the City's home rule powers and public purposes; now therefore

*THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS*

SECTION 1. Title 21 of The Philadelphia Code is amended to add a Chapter 21-700 entitled "Empowering Communities for Cultural Preservation and Community Controlled Development," which reads as follows:

*CHAPTER 21-700. Empowering Communities for Cultural Preservation and Community Controlled Development*

*§ 21-701. Definitions.*

*For the purposes of this Chapter, the following definitions apply:*

*(1) Chinatown Growth Initiative Area. Inc. The geographic area bounded by Spring Garden Street, 13th Street, Filbert Street, and 7th Street.*

*(2) Chinatown Land Trust. A nonprofit, community-based organization incorporated to acquire, hold, and steward land and improvements for the benefit of the community, ensuring long-term affordability of residential and commercial properties.*

*(3) Publicly-Owned Property. Any real property owned now or in the future by the City, a City-related agency, authority, or entity, or any property subject to City control, including but not limited to properties owned by the Philadelphia Land Bank, Philadelphia Redevelopment Authority, or another quasi-public agency.*

*(4) Right of First Refusal. The legally enforceable right of the Chinatown Land Trust, through PCDC as Trustee and Manager, to purchase property before the City or its agencies or quasi-public entities accept an offer from any other prospective purchaser.*

*§ 21-702. Right of First Refusal.*

*(1) The Right of First Refusal established by this Chapter shall apply to all publicly-owned properties within the Chinatown Growth Initiative Area, whether owned at the time of enactment of this Ordinance or acquired thereafter, including, but not limited to, the following properties: 227-37 N 11th Street; 1101-05 Race Street; 800 Race Street; 700-734 Race Street; 133-37 N 10th Street; 823-29 Cherry Street; and 831-35 Cherry Street.*

*(2) If the City desires to sell any publicly-owned property within the Chinatown Growth Initiative Area, it shall offer PCDC, as Trustee and Manager of the Chinatown Land trust, an opportunity to purchase the property, at a price and upon terms commensurate with its appraised fair market value or as otherwise determined by the City's established property disposition policies, before offering the property for to sale any other purchaser.*

*(3) PCDC shall have a period of not less than ninety (90) days to decide whether to purchase a property offered to it for purchase as provided in subsection (2). If PCDC, acting as Trustee and Manager of the Chinatown Land Trust, elects to purchase the property, it shall so notify the City in writing within the specified time period. The City shall then enter into good faith negotiations and proceed to convey the property to the Land Trust, subject to any terms and conditions required by law.*

*(4) If PCDC elects not to purchase a property offered for sale as provided in subsection (2), the City may sell the property to another person.*

*(5) The provisions of Chapter 16-400 shall not apply to the sale or transfer of any property within the Chinatown Growth Initiative Area unless the requirements of this Chapter have first been satisfied.*

*§ 21-703. Use and Stewardship Requirements.*

*(1) The Chinatown Land Trust and PCDC shall maintain and develop any properties they acquire pursuant to this Chapter in a manner that ensures the long-term affordability and cultural preservation of the property.*



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*Residential units shall be subject to permanent affordability covenants benefiting income-eligible households and commercial units shall prioritize small, local, and culturally significant businesses to the extent permitted by law.*

*(2) The Chinatown Land Trust and PCDC shall develop a community engagement process that gives residents and stakeholders the opportunity to provide input on property use and development priorities.*

*§ 21-704. Implementation and Enforcement.*

*(1) Whatever City department the Mayor shall designate as being responsible for the implementation of this Chapter is authorized to promulgate regulations, procedures, and guidelines as necessary to further the purposes and provisions of this Chapter.*

*(2) The Law Department is authorized take such action as may be necessary to enforce compliance with this Chapter, including seeking injunctive relief or other appropriate remedies.*

SECTION 2. This Ordinance shall take effect immediately upon enactment. The provisions contained herein shall apply to all property dispositions initiated after the effective date.



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