Mixed-Income Housing Bonus: Affordable Building Plans

The mixed-income housing bonus is for developers who add affordable dwellings to their projects or pay into a fund that supports affordable housing. In return, the developments get more floor area, height, and/or dwelling units.

Developers apply for the mixed-income bonus with the Department of Planning and Development (DPD) through the Philadelphia Planning Commission (PCPC). PCPC must review any required Affordable Building Plans.

Do I need an Affordable Building Plan?

If you want to build affordable units to take advantage of the bonus, PCPC will need to review your affordable housing plan before you get a building permit. PCPC will also need to certify tenants and buyers are eligible before initial lease-up or before initial sale. The code standard for compliance can be found in the Philadelphia Code in Section 14-702(7)(b)(4). The code requires an even and equitable distribution of affordable units by size, type, and location throughout the project. To assess compliance with the code provision, the affordable building plan submission package must include everything identified in the “Project Plans and Units” section of this document.

You do not need an Affordable Building Plan to get a zoning permit. If you choose to make a payment instead of providing affordable units, you do not need an Affordable Building Plan to obtain your building permit.

What do I submit?

If you are building affordable units, you will need to submit these items to PCPC before you get a building permit:

- A Marketing Plan
- A Comparable Design Statement
- Project Plans with Building Elevations & Unit Table
- A Phasing Timeline (if applicable)
- Legal Description of the Property
- An Acknowledgment of Potential Penalties

If PCPC staff is unable to understand certain aspects of the project they may ask for more items about the project to review.

What is the Marketing Plan?

You must prove that you can market the affordable units to eligible tenants/buyers. Your marketing plan should include any efforts to:

- Provide the City and its partner organizations with early notice about affordable units
- Advertise affordable units in newspapers and on their websites
- Notify housing and development related organizations near the project
- Advertise in grocery stores, employment centers, places of worship, or other relevant locations
What is the Comparable Design Statement?

Your design professional must submit a written statement certifying that the affordable units will be the same as or comparable to market-rate units in:

- Exterior and interior design
- Size
- Appearance
- Building materials and finishes
- Construction quality
- Energy efficiency

What are the Project Plans & Unit Table?

The Project Plans should support your design professional's comparable design statement that the affordable units are comparable to the market rate units. You must also prove that affordable units are reasonably disbursed throughout the development. If market-rate units differ from unit to unit, affordable units must differ in the same way.

You need to submit the following Project Plans and they must show the items listed below:

**Site Plan and Building Plans**
- Floor plans of the entire project. Affordable Units should be highlighted and labeled.
- Access to common areas, lobbies, and open spaces for residents.
- Vertical circulation to dwelling units.
- Property lines and context including streets, sidewalks, curb lines, curb cuts, drive aisles, adjacent buildings, existing and proposed landscaping. Zoning plans containing this information is sufficient.
- Vehicular access locations, including parking and loading.
- Adjacent properties including building footprints and points of entry.
- All market rate and affordable unit locations on all floor levels.
- Common amenities or open spaces not shown on the site plan or ground floor plan.
- Potential nuisances, which may include dumpsters, elevators, and sources of unwanted noise or odors.

**Elevation Plans**
- Building elevations of all facades and exposures.
- Exterior materials illustrated and labeled.
- Clearly marked windows with all operable panes and sizes listed.

**Typical Unit Plans**
- Size, location, and configuration of bathrooms, bedrooms, kitchens, living rooms, and dining rooms. (Each type of market-rate and affordable unit must be shown.)
- Description of interior finishes, fixtures, and equipment, including equipment used for heating, venting, and air conditioning (HVAC). It is not necessary to provide this information if these items are identical between market rate and affordable units.

**Statement**
- Provide a signed statement of acknowledgement of comparable design standards.

You must also submit a **Unit Table** for all dwelling units on the property. For each unit, this table should only include:

- Unit ID numbers consistent with plans
- The square footage
- The number of bedrooms
- Unit Type (studio, one bedroom, etc.)
- Placement by floor level
- Status as market rate or affordable
- If an affordable unit pursuant to this bonus, the maximum Area Median Income (AMI) must be listed

What is the Phasing Timeline?

If you plan to phase your development, your phasing timeline must be approved by PCPC. The phasing timeline must include the timing of any temporary certificates of occupancy. The timeline must also show the market-rate and affordable units that will be completed in each phase.
What is the Legal Description of the Property?

This is the official meets and bound of the property. This can be taken from the recorded deed or drafted and stamped by a surveyors. The Legal Description should be provided in Microsoft Word format if possible.

What is the Acknowledgment of Potential Penalties?

The applicant must acknowledge in a statement that they understand the potential legal penalties if they do not follow the approved Affordable Building Plan.

What Happens After my Affordable Build Plan is Approved?

You must record a deed restriction on the property that is approved by DPD and the Law Department before you get your building permit. The Records Department receipt of payment and the recorded deed restriction must be submitted to the Department of Licenses and Inspections. DPD can provide the form of deed restriction expected to be executed.

What if I want to change my plans?

Changes to a project may require DPD approval of a new or modified Affordable Building Plan. Changes may also need new permits or a newly executed and recorded deed restriction which could delay your project. Contact DPD right away if your plans change after you get your building permit or record your deed restriction.

What if I have Questions?

You can contact us at: planning.development@phila.gov.

Disclaimer

Affordable housing must be provided and payments in lieu must be made in a manner consistent with the Philadelphia Code, City-issued regulations, and code bulletins. If this document conflicts with any adopted regulation, ordinance, or code, the adopted regulation, ordinance, or code will govern.