

## Mixed Income Housing: Affordable Building Plan Requirements

Developers that are building affordable units under the Mixed Income Housing Bonus (MIHB) and/or Mixed Income Neighborhoods (/MIN) Overlay District are required to submit Affordable Building Plans. Affordable Building Plans must be approved by the Philadelphia Planning Commission (PCPC) before issuance of a building permit.

This document provides guidance on what is required as part of the Affordable Building Plan submission. To learn more about the Mixed Income Housing programs in general, please visit our website.

### Applicability

All developments that include affordable housing as part of the MIHB and/or /MIN must have a PCPC-approved Affordable Building Plan before issuance of a building permit. 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.

Once the Affordable Building Plan is approved, the Law Department will draft a deed restriction including the approved project plans. You must record the deed restriction with the Records Department and submit proof to the Department of Licenses and Inspections before issuance of your building permit.

**An Affordable Building Plan is not required for a zoning permit. If you choose to make a payment-in-lieu of affordable housing under MIHB, you do not need an Affordable Building Plan to obtain your building permit.**

### Requirements

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

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

PCPC staff may ask for more items about the project if additional clarity is needed. In addition to these items, developments subject to the requirements of the /MIN will also need to submit the following documents in accordance with Section 14-533(7) of the Zoning Code:

- Proof that a **Neighborhood Meeting** was held
- **Economic Opportunity Plan**

### Marketing Plan

To prove that you can market the affordable units to eligible tenants/buyers, you must 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

## 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

## 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

- 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
- Square footage
- Number of bedrooms
- Unit Type (studio, one bedroom, etc.)
- Placement by floor level
- Status as market rate or affordable
- Maximum Area Median Income (AMI) for all affordable units required by the MIHB or /MIN

## 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.

## Legal Description of the Property

This is the official meets and bounds of the property. This can be taken from the recorded deed or drafted and stamped by a surveyor. The Legal Description must be provided in Microsoft Word format.

## 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 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.

## For Questions

You can contact us at [planning.development@phila.gov](mailto: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.