




Zoning Bonuses

L&I's Zoning Webinar Series

1.5 Continuing Education Credits



Zoning Bonuses Webinar

- Topics:
 - Zoning Bonus Basics
 - Specific Bonuses
 - Use the Q&A feature to ask questions.
 - Please keep questions general - no address-specific questions.
 - We will follow-up with any questions that were not answered during the session.
 - The slide deck will be shared and posted on the website.
- 

Zoning Webinar Series



Zoning 101

Feb 28, 2024



Zoning Use
Classifications

April 3, 2024



Zoning
Research

May 8, 2024



Zoning &
eCLIPSE

June 12, 2024



Changes to
Zoning Permits

July 11, 2024



Zoning
Bonuses

Sept 18, 2024



Slide decks of prior sessions can be found on [L&I's website](#).



About L&I

What Does L&I Do?

The Department of Licenses and Inspections (L&I) enforces the City of Philadelphia's construction, fire, zoning, business compliance and property maintenance codes through the issuance of licenses and permits and through building and property inspections. Contractors, business and property owners, landlords, and tenants are all served by L&I.



L&I's Mission & Vision

MISSION

MISSION

The Department of Licenses & Inspections (L&I) enforces the City's codes for the safe and lawful construction and use of buildings.

VISION

VISION

To build and sustain a safer Philadelphia, L&I embraces best practices in technology and customer service. We enable the public to access information, secure required approvals, and comply with building safety requirements in a convenient, reliable, and transparent manner.

VALUES

VALUES


Our core values: Accessibility, Accountability, Consistency, Integrity, Transparency





What Does L&I Do?

As part of our mission, we:

- Review building plans and applications and issue permits in accordance with the City's construction and zoning codes.
 - Inspect construction projects for code compliance.
 - Inspect higher-risk properties for compliance with the Fire Code.
 - Respond to complaints regarding suspected Property Maintenance Code, Fire Code and Business Compliance violations.
 - Inspect, monitor, seal, and demolish vacant and/or dangerous buildings.
 - Issue trade and business licenses, including rental property licenses.
 - Help landlords and tenants understand their responsibilities.
- 



Transparency

One of L&I's core values is transparency. The resources below can be used by the public to access L&I related information and records.

Atlas

<https://atlas.phila.gov/>

- History of permits, licenses, inspections and appeals at any address
- Access zoning information at any address (district, overlays and achieve)


L&I's Website

<https://www.phila.gov/li>

- Detailed descriptions of our services, permit status tracker, access to eCLIPSE, newsletters, FAQs, etc.

Open Data

<https://www.opendataphilly.org/>

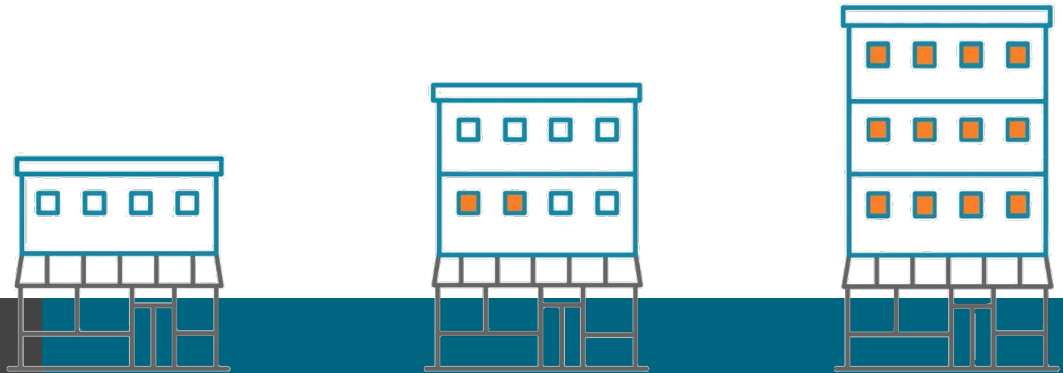
- Download searchable data sets for permits, licenses, appeals, etc.
 - Data can be sorted by council district, census tract, date, status etc.
- 



Basics of Zoning Bonuses

Zoning Bonuses

- Property owners receive benefits for meeting certain public goals.
- By providing certain development or public amenities, property owners may increase:
 - Floor Area
 - Building Height
 - Dwelling Unit Count
- See 14-702 for zoning bonus provisions. Additional restrictions apply in overlays.





Eligibility for Bonuses

Eligibility for Floor Area Bonuses

District	Additional Criteria
RM-2	
RM-3	
RM-4	
RMX-1	
RMX-2	
IRMX	
RMX-3	For all except mixed income housing, property must have: <u>Two street frontages min of 50' wide</u> OR <u>Three street frontages min of 20' wide</u>
CMX-4	
CMX-5	
CMX-3	For all except mixed incoming housing, must be in: Center City Commercial Overlay (and meet street frontage requirements above); Old City Residential Overlay; OR Transit Oriented Development Overlay

Project can utilize multiple bonuses, unless explicitly restricted.

Table 14-702-1: Floor Area Bonus Summary ⁷⁸⁰

Bonus Category	Additional Gross Floor Area, as Percent of Lot Area (see § 14-701(2) (Residential District Dimensional Tables) and § 14-701(3) (Commercial Districts Dimensional Table) for the maximum allowed base floor area ratios for each district.)										
	RM-2	RM-3, RMX-1	RM-4	RMX-2	IRMX	RMX-3	CMX-3 as provided in § 14-702(2)(c) (except in /TOD)	CMX-3 (within /TOD only)	CMX-4	CMX-5	
Public Art (§ 14-702(5))	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	50%	100%	
Public Space (§ 14-702(6))	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Up to 50%	Up to 200%	Up to 400%	
Mixed Income Housing (§ 14-702(7))	Moderate Income	25%	50%	100%	75%	150%	150%	150%	200%	150%	300%
	Low Income	50%	75%	175%	125%	250%	250%	250%	300%	250%	400%
Transit Improvements (§ 14-702(8))	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Up to 100%	Up to 200%	Up to 400%
Underground Accessory Parking and Loading (§ 14-702(9))	N/A	N/A	N/A	N/A	N/A	100%	N/A	50%	200%	200%	
Green Building (§ 14-702(10))	N/A	N/A	N/A	N/A	N/A	N/A	Up to 100%	Up to 100%	Up to 200%	Up to 400%	

Max
100%

Max
250%

Max
250%

Max
700%

Max
800%;1200
% in
CC/UC
FAR area



Eligibility for Height Bonuses

Must meet one of the following:

The property must be within the /ECO overlay district and be subject to the height restrictions of 14-519(4)(b)

The property must be within the /CDO overlay district and be subject to the height restrictions of 14-507(6)(b)

All of the following must apply:

Development must include at least three (3) residential dwelling units.

Meet the conditions of § 14-702(7) by including affordable units on-site in a quantity that satisfies § 14-702(7)(b)(.1)

Property must be RM-1 or CMX-2; OR CMX-1 and be subject to a height limit of 38 ft.



Eligibility for Height Bonuses

Bonus Category		Additional Building Height		
		/CDO	/ECO	RM-1, CMX-1, CMX-2, CMX-2.5
Public Art (§ 14-702(5))		Up to 12 ft.	Up to 12 ft.	N/A
Public Space (§ 14-702(6))		Up to 48 ft.	Up to 24 ft.	N/A
Mixed Income Housing (§ 14-702(7))	Moderate Income	Up to 48 ft.	Up to 48 ft.	7 ft.
	Low Income	Up to 60 ft.	Up to 60 ft.	7 ft.
Transit Improvements (§ 14-702(8))		Up to 72 ft.	N/A	N/A
Green Building (§ 14-702(10))		Up to 36 ft.	Up to 36 ft.	N/A
Trail (§ 14-702(11))		Up to 72 ft.	N/A	N/A
Street Extension (§ 14-702(12))		Up to 72 ft.	N/A	N/A
Retail Space (§ 14-702(13))		Up to 36 ft.	Up to 48 ft.	N/A
Stormwater Management (§ 14-702(14))		Up to 36 ft.	Up to 72 ft.	N/A
Through-Block Connection (§ 14-702(15))		N/A	Up to 48 ft.	N/A

The height bonuses in this § [14-702](#) may be used in combination to earn up to: [787](#)

(.1) 156 ft. of building height in the /CDO overlay; [788](#)

(.2) 84 ft. of building height in the area of the /ECO overlay bounded by 2nd Street, Spring Garden Street, 9th Street, Callowhill Street, 7th Street, Willow Street, American Street, and Noble Street; and [789](#)

(.3) 240 ft. of building height in the area of the /ECO overlay bounded by 2nd Street, Noble Street, American Street, Willow Street, 7th Street, and Callowhill Street.



Eligibility for Height Bonuses

Must meet one of the following:

The property must be within the /ECO overlay district and be subject to the height restrictions of 14-519(4)(b)

The property must be within the /CDO overlay district and be subject to the height restrictions of 14-507(6)(b)

All of the following must apply:

Development must include at least three (3) residential dwelling units.

Meet the conditions of § 14-702(7) by including affordable units on-site in a quantity that satisfies § 14-702(7)(b)(.1)

Property must be RM-1 or CMX-2 OR CMX-1 and be subject to a height limit of 38 ft.





Eligibility for Dwelling Unit Density Bonuses

- Zoning District: The property must be within RM-1, CMX-1, CMX-2, or CMX-2.5 districts.

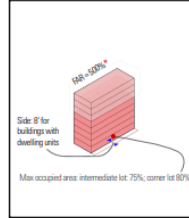


CMX-3

Table 14-701-3: Dimensional Standards for Commercial Districts



Max. Occupied Area	Lot: Intermediate 75% Corner 80%
Min. Side Yard Width	8 ft. if used for buildings containing dwelling units
Max. Floor Area Ratio	500%* With additional bonuses



* Zoning Bonus Summary	CMX-3			
	Additional FAR in Applicable Areas ^{1,2}	Additional Height in /TOD	Additional Height in /CDO	Additional Height in /ECO
Public Art (§14-702(5))	N/A	N/A	Up to 12 ft.	Up to 12 ft.
Public Space (§14-702(6))	N/A	Up to 50%	Up to 48 ft.	Up to 24 ft.
Mixed Income Housing (§14-702(7))	Moderate Income	150%	200%	Up to 48 ft.
	Low Income	250%	300%	Up to 60 ft.
Transit Improvements (§14-702(8))	N/A	Up to 100%	Up to 72 ft.	N/A
Underground Accessory Parking and Loading (§14-702(9))	N/A	50%	N/A	N/A
Green Building (§14-702(10))	Up to 100%	Up to 100%	Up to 36 ft.	Up to 36 ft.
Trail (§14-702(11))	N/A	N/A	Up to 72 ft.	N/A
Street Extension (§14-702(12))	N/A	N/A	Up to 72 ft.	N/A
Retail Space (§14-702(13))	N/A	N/A	Up to 36 ft.	Up to 48 ft.
Stormwater Management (§14-702(14))	N/A	N/A	Up to 36 ft.	Up to 72 ft.
Through-Block Connection (§14-702(15))	N/A	N/A	N/A	Up to 48 ft.

1 The Center City Commercial District Control Area (§14-502(2)(b), 29)
2 The Old City Residential Area, Bridge Approach (§14-502(2)(b), 17)

For bonus restrictions in select geographic areas, see [page 49](#)

[City Planning Quick Zoning Guide](#) outlines available zoning bonus by district.

Always review current [Zoning Code](#) before making application.

Check [City's Council's legislation site](#) and [L&I legislation log](#) for any bills votes out of committee.

Geographic Zoning Bonus Restrictions

/CDO, Fifth District Overlay District § 14-529(4)	In the Fifth Council District, lots shall not be eligible for any floor area, height, or dwelling unit density bonuses pursuant to § 14-702(7) ("Mixed Income Housing") or to § 14-702(16) ("Green Roof"), except as follows: (a) Lots located south of Spring Garden Street where less than fifty percent (50%) of gross floor area will be in residential use shall be eligible for bonuses pursuant to § 14-702(7) ("Mixed Income Housing"), and (b) Lots located south of Spring Garden Street where at least fifty percent (50%) of gross floor area will be in residential use shall be eligible for bonuses pursuant to § 14-702(7) ("Mixed Income Housing"), provided that bonuses may not be earned by entering into a payment in-lieu agreement, as otherwise provided in § 14-702(7)(b)(5).
/CTR, Center City Overlay District - Society Hill § 14-502(10)	In the Society Hill Area, the provisions of § 14-702(16) ("Green Roof") shall not apply.

Zoning Bonus Table

	Prior to Zoning Permit Issuance	Prior to Building Permit Issuance	Prior to Certificate of Occupancy (CO)	Post Construction
Public Art (§14-702(5))	<ul style="list-style-type: none"> Agreement between owner and City posting of financial security between owner and City. §14-702(5)(a), 5) 	<ul style="list-style-type: none"> Art Commission or Art Selection Committee approval letter. §14-702(5)(b) 	-	-
Public Space (§14-702(6))	<ul style="list-style-type: none"> Submit Draft of a Restrictive Covenant. §14-702(6)(c), 2) 	<ul style="list-style-type: none"> Record a Restrictive Covenant. §14-702(6)(c), 2) Planning Commission approval. §14-702(6)(c), 1) 	-	-
Mixed Income Housing (§14-702(7))	<ul style="list-style-type: none"> Submit Mixed Income Housing Zoning Bonus Applicant Acknowledgement Form and obtain approval of Planning and Development. §14-702(7)(d), 1) 	<ul style="list-style-type: none"> Payment Option: Provide proof of payment in the amount identified on Mixed Income Housing Zoning Bonus Applicant Acknowledgement Form. §14-702(7)(d), 2) Affordable Units Option: Provide Affordable Building Plan approved by Department of Planning and Development. §14-702(7)(d), 2)(b) 	<ul style="list-style-type: none"> Affordable Units Option: Designated Affordable Units from the Affordable Building Plan must be Certified for Occupancy. §14-702(7)(e), 3) 	-
Transit Improvements (§14-702(8))	<ul style="list-style-type: none"> Submit letter from appropriate Transit Authority. §14-702(8)(d), 1) Post a bond or letter of credit. §14-702(8)(d), 4) 	-	<ul style="list-style-type: none"> Transit Improvement must be constructed. §14-702(8)(a), 4) 	-
Underground Accessory Parking and Loading (§14-702(9))	-	-	-	-
Green Building (§14-702(10))	<ul style="list-style-type: none"> Documentation from LEED-AP Professional or equivalent. §14-702(10)(a), 1) Signed agreement with City. §14-702(10)(a), 2) 	-	-	<ul style="list-style-type: none"> Proof of LEED Certification. §14-702(10)(a)
Trail (§14-702(11))	<ul style="list-style-type: none"> Trail must connect to existing or planned trail as approved by the Commission. §14-702(11)(a), 1)(d) Post a bond or letter of credit. §14-702(11)(a), 1)(f) Law Department approval of dedication. §14-702(12)(a), 2)(b) 	-	<ul style="list-style-type: none"> Trail must be constructed. §14-702(11)(a), 1)(g), 3) 	-
Street Extension (§14-702(12))	<ul style="list-style-type: none"> Dedication of Land Option: Law Department approval of dedication. §14-702(12)(a), 1)(c) Improvement Option: Post a bond or letter of credit. §14-702(12)(a), 2)(b) 	-	<ul style="list-style-type: none"> Improvement Option: Street Improvement must be constructed. §14-702(12)(a), 2)(g), b) 	-
Retail Space (§14-702(13))	<ul style="list-style-type: none"> Submit a draft of a Restrictive Covenant. §14-702(13)(a), 2) 	<ul style="list-style-type: none"> Record a Restrictive Covenant. §14-702(13)(a), 2) 	-	-
Stormwater Management (§14-702(14))	<ul style="list-style-type: none"> Water Department approval of on-site stormwater management system. §14-702(14)(a), 4) 	<ul style="list-style-type: none"> Record a Deed Restriction with City through Water Department. §14-702(14)(a), 2) 	-	-
Through-Block Connection (§14-702(15))	<ul style="list-style-type: none"> Written agreement between the record owners of the respective lots (potential requirement). §14-702(15)(a), 2) 	-	-	-
Green Roof (§14-702(16))	<ul style="list-style-type: none"> Water Department approval for earth disturbance. §14-702(16)(a), 1)(a), b), (a), 2) & (a), 4) 	<ul style="list-style-type: none"> Record a Deed Restriction with City through Water Department. §14-702(16)(a), 3) 	-	-

Refer to L&I Website for [permit submission requirements](#).



Public Art Bonus

14-702(5)

Public Art Bonus

Public Benefit:

Expand and enrich the public's experience and enjoyment of buildings and public space and to create buildings and public space that is designed and executed with diverse and high quality materials, activities, and furnishings.

Property Owner Benefit:


Additional Gross Floor Area, as Percent of Lot Area		Additional Building Height	
CMX-4	CMX-5	/CDO	/ECO
50%	100%	12 ft.	12 ft.

Note: Cannot also be counted toward public space bonus.



Public Art Bonus

Conditions

- At least 1% of the hard construction costs must be spent on public art.
 - Must provide a financial security that binds you to commissioning and installing the artwork, in the amount of the estimated cost of public art.
 - The art must be installed in a public space as defined by the code.
 - The Art Commission, or an Art Selection Committee subject to approval by the Art Commission, must approve the artist and art.
- 



Public Art Bonus

Permit Approvals

Zoning Permit Approval:

Legal agreement between the property owner and the City (Art Commission) affirming intent to comply with all conditions set forth in Section 14-702(5) the Zoning Code.

Building Permit Approval

Posting of financial security, as set forth in legal agreement
Art Commission or Art Selection Committee approval letter

Contact the Art Commission during planning to review requirements and initiate any legal agreements.





Public Space Bonus

14-702(6)

Public Space Bonus

Public Benefit:

Provides public amenity space to the surrounding community in the form of open space, such as a park or plaza, or a public room within the building.

Property Owner Benefit:

Amount of Public Space as Percentage of Lot Area	Additional Gross Floor Area, as Percentage of Lot Area			Additional Building Height	
	CMX-3 (within /TOD only)	CMX-4	CMX-5	/CDO	/ECO
10 - 15% of lot area	30%	100%	200%	N/A	N/A
16 - 20% of lot area	40%	150%	300%	12 ft.	12 ft.
21 - 30% of lot area	50%	200%	400%	24 ft.	24 ft.
31 - 40% of lot area	50%	200%	400%	36 ft.	24 ft.
41 - 50% of lot area	50%	200%	400%	48 ft.	24 ft.

Note: Cannot also be counted toward public art bonus.




Public Space Bonus

Conditions

Public Space, Includes:

- At least 5,000 SF and open to the sky.
- Accessible and Connected to the sidewalk> At least half of the space must be no more than three feet above the sidewalk
- Include a minimum of 30% of landscaped area and a water feature.
- Open 8:00 AM to 9:00 PM daily.

Public Room, Includes:

- At least 5,000 sq ft of accessible and conditioned space, with a max ceiling height of 24'.
 - Must include access to a public amenity: retail sales, library, exhibit, etc.. AND seating.
 - Open 8:00 AM to 9:00 PM daily.
- 

Public Space Bonus

Conditions (Cont'd)

- Planning Commission must approve to confirm that space will provide public benefit and satisfies the specific design criteria.
- Record a restrictive covenant, approved by the Law Department, requiring that spaces be maintained in accordance with 14-702(6) for the life of the building.

Get a public open space review

Service overview

When developments include public open spaces, they contribute to a lively urban environment. These spaces are often:

- Parks.
- Plazas.
- Public lobbies.

The public open space review considers a proposed development's benefit to the public. It assesses the site's design, amenities, and pedestrian access. If a project qualifies, it may get a [development bonus](#) (2) such as a floor area or height bonus.

You can request a conceptual public open space review in the planning stages of your project. If you decide to claim a bonus as part of your zoning permit application, your project will undergo another public open space review when you apply for a building permit. This will confirm its eligibility.

When you apply for a building permit, the [Department of Licenses and Inspections \(L&I\)](#) will tell you if your project needs a public space review.

Submission requirements and applicable regulations are available on their [website](#).



Public Space Bonus

Permit Requirements

Zoning Permit Approval:

- Identify designated area that demonstrates compliance with applicable requirements
- Provide a draft of the restrictive covenant that will be recorded.

Building Permit Approval

- City Planning Approval of Public Space.
- Copy of recorded restrictive covenant

Contact the City Planning Commission during planning for consultation.





Mixed-Income Housing Bonus

14-702(7)

Mixed-Income Housing Bonus

Public Benefit:

Provides affordable housing options at moderate- and-low income levels for rental or purchase to mitigate shortage of affordable housing options in the City.

Property Owner Benefit:

		Additional Gross Floor Area, as Percent of Lot Area									
		RM-2	RM-3, RMX-1	RM-4	RMX-2	IRMX	RMX-3	CMX-3 as provided in § 14-702(2)(c) (except in /TOD)	CMX-3 (within /TOD only)	CMX-4	CMX-5
Mixed Income Housing (§ 14-702(2))	Moderate Income	25%	50%	100%	75%	150%	150%	150%	200%	150%	300%
	Low Income	50%	75%	175%	125%	250%	250%	250%	300%	250%	400%

Mixed-Income Housing Bonus

Property Owner Benefit (Cont'd):

		Additional Building Height		
		/CDO	/ECO	RM-1, CMX-1, CMX-2
Mixed Income Housing (§ 14-702(7))	Moderate Income	48 ft.	48 ft.	7 ft.
	Low Income	60 ft.	60 ft.	7 ft.

		Housing Unit Density Bonuses (RM-1, CMX-1, CMX-2, or CMX-2.5 only)
Mixed Income Housing (§ 14-702(7))	Moderate Income	25% increase in units permitted
	Low Income	50% increase in units permitted

No of units rounded down to nearest whole number

A property may take advantage of a height bonus, a gross floor area bonus, and a dwelling unit density bonus, either alone or in combination, if so provided by the tables in subsection (.3), below. A property may not take advantage of any one of these bonuses multiple times and may not earn bonuses under both the low-income and moderate-income standards.



Mixed-Income Housing Bonus

Conditions


Affordability Requirements (See DPD FAQ):

Affordability Standards

If you build affordable units, 10% of all units must be affordable and must stay affordable for 50 years. They must be spread throughout the development and of similar quality in size, design, appearance, and energy efficiency as the market-rate units in the development.

Affordable income, rent, and sales prices are based on the AMI. This is reported by the U.S. Department of Housing and Urban Development for the Philadelphia Metropolitan Statistical Area. Occupancy income requirements are based on the actual household size, while rents and sales prices are based on a set household size. The set household size is 1 person for efficiencies and studios and 1.5 people per bedroom for all other unit types. The actual household size does not need to match the set household size.

If a property contains 4 or more affordable units, its sale may be subject to Right to Refusal rules (§ 7-200) consistent with the Philadelphia Code and city-issued regulations and code bulletins.

- Round No of Units Up If a Fraction
 - Must be available to occupy at the same time as market rate units, unless DPD issues an exemption.
 - Must be of comparable size/ quality as market rate and dispersed throughout.
- 

Mixed-Income Housing Bonus

Conditions

Affordability Requirements [\(See DPD FAQ\):](#)

Rental Units:

Affordable rents must be affordable to households earning up to 50% AMI under the low-income bonus or up to 60% AMI under the moderate-income bonus. Rent limits are set at 30% of monthly household income at the required AMI based on the set household size. The gross rent limit includes estimated utility costs. Estimated utility costs by unit type (the "Utility Allowance") must be provided by the owner or property manager with annual compliance documentation. The utility allowance is subtracted from the gross rent limit to determine the maximum monthly rent that can be charged per unit.

To calculate the utility allowance, DPD recommends the utility schedule developed by the Philadelphia Housing Authority (PHA) for the Housing Choice Voucher program. You can find the current PHA utility schedule here: www.pha.phila.gov/housing/housing-choice-voucher/monthly-utility-allowance-and-payments/. HUD also has a utility calculator at www.huduser.gov/portal/resources/utlallowance.html. You must provide a justification for all calculations. The utility allowance is subject to DPD approval.

A household can continue to occupy the unit until they earn more than 100% AMI for low-income units or 120% AMI for moderate income units. A rental unit is only in compliance until the first expiration of a lease occurring after the tenant's income exceeded this limit. After the lease expires, the owner or property manager may raise rent on the existing household's unit at their discretion (taking into account any applicable laws, rules, or policies regarding rent increases) provided that the next available unit of comparable size is made available to a new income-qualified household.

Gross Monthly Rent Limits (2024)

Unit Size (Set Household Size)	Efficiency/ Studio (1)	1 Bedroom (1.5)	2 Bedroom (3)	3 Bedroom (4.5)	4 Bedroom (6)	5 Bedroom (7.5)
Low Income (50% AMI)	\$1,003	\$1,075	\$1,290	\$1,491	\$1,663	\$1,835
Moderate Income (60% AMI)	\$1,204	\$1,290	\$1,548	\$1,789	\$1,996	\$2,202

*If an affordable rental unit is rented to a household with a Section 8 Housing Choice Voucher, the contract rent may, for such period that the Tenant Voucher is in effect, exceed the maximum rent otherwise permitted by this Section.

Rental Unit Income Limits at Household's Initial Occupancy (2024)

Household Size	1 Person	2 Person	3 Person	4 Person	5 Person
Low Income (50% AMI)	\$40,150	\$45,900	\$51,600	\$57,350	\$61,950
Moderate Income (60% AMI)	\$48,180	\$55,080	\$61,920	\$68,820	\$74,340

Rental Unit Income Limit after Household's Initial Occupancy (2024)

Household Size	1 Person	2 Person	3 Person	4 Person	5 Person
Low Income (100% AMI)	\$80,300	\$91,800	\$103,200	\$114,700	\$123,900
Moderate Income (120% AMI)	\$96,360	\$110,160	\$123,840	\$137,640	\$148,680

Owner-Occupied Units:

Owner-occupied units must be affordable to households earning up to 70% AMI under the low-income bonus or up to 80% of AMI under the moderate-income bonus. Affordable owner-occupied units must be sold/resold to one or more members of a household with household earnings up to 70% AMI for low-income units or 80% AMI for moderate income units for 50 years.

The sale and resale price for owner-occupied units are set based on a down payment that is no more than 5% of the purchase price; a fixed-rate 30-year mortgage, with a rate equal to the average monthly rate published by Freddie Mac; and household costs that do not exceed 30% of income at required AMI based on set household size. Household costs include mortgage principal and interest, property taxes, property insurance, and condominium or homeowner association fees.

Owner-Occupied Unit Income Limits at Sale (2024)

Household Size	1 Person	2 Person	3 Person	4 Person	5 Person
Low Income (70% AMI)	\$56,210	\$64,260	\$72,240	\$80,290	\$86,730
Moderate Income (80% AMI)	\$64,240	\$73,440	\$82,560	\$91,760	\$99,120

Mixed-Income Housing Bonus

Conditions

Payment In-Lieu Of (See DPD FAQ):

If you build 10 or more units, or less than 50% of your lot's gross floor area is in residential use, you can make a payment instead of building affordable units. You cannot use the payment option if you want to earn a height bonus in RM-1, CMX-1, or CMX-2.

If you make a payment, the fee changes based on the zoning district and the bonus level. Payments are based on the total gross floor area or dwelling units allowed and not how much gross floor area you use or dwelling units you build.

Zoning District	Bonus Level	Payment Formula
RM-2, RM-3, RM-4, RMX-1, RMX-2, RMX-3, IRMX, CMX-3, CMX-4, CMX-5	Moderate Income	\$11.30 x Total Gross Floor Area Allowed [*]
	Low Income	\$14.60 x Total Gross Floor Area Allowed [*]
RM-1, CMX-1, CMX-2, CMX-2.5	Moderate Income	\$13,600 x Total Dwelling Units Allowed [#]
	Low Income	\$17,700 x Total Dwelling Units Allowed [#]

* Calculation does not include gross floor area earned from other zoning bonuses. In the Special Flood Hazard Area, height bonus payments are calculated on the lesser total gross floor area used or allowed. Different standards apply for the Optional Special Standards the /CDO overlay.

Calculation does not include dwelling units earned from other zoning bonuses.



Mixed-Income Housing Bonus

Permit Requirements

Zoning Permit Approval:

- Must submit [Acknowledgement Form](#) Approved by Department of Planning and Development.

Building Permit Approval

Affordable Units Option:

- Affordable Building Plan approved by Department of Planning and Development.
- Recorded Deed Restriction, as verified by DPD.

Payment Option:

- Provide proof of payment in the amount identified on Mixed Income Housing Zoning

Certificate of Occupancy

- No CO or TCO shall be issued unless affordable units are also ready for occupancy, or an exception is granted by DPD.



Mixed-Income Housing Bonus

Resources:

Name	Description	Released	Format
2024 MIHB Fact SheetPDF	A summary of requirements for the Mixed Income Housing Bonus.	May 17, 2024	PDF
Mixed-Income Neighborhood Overlay Fact SheetPDF	A fact sheet of information and answers to frequently asked questions regarding the Mixed-Income Neighborhood Overlay District.	May 17, 2024	PDF
Mixed Income Housing Bonus Code BulletinPDF	Code bulletin from the Department of Licenses and Inspections (L&I).	July 17, 2019	PDF
Mixed Income Acknowledgement FormPDF	Developers upload this form to their Zoning Permit application if they want to use the Mixed Income Housing Bonus. Before L&I can issue the Zoning Permit, the Philadelphia City Planning Commission (PCPC) must review, sign, and stamp this form to certify the application.	July 13, 2022	PDF
Mixed Income Neighborhood Overlay District Acknowledgement FormPDF	Developers upload this form to their Zoning Permit application if their development is subject to MIN Overlay District requirements. Before L&I can issue the Zoning Permit, PCPC must review, sign, and stamp this form to certify the application.	July 13, 2022	PDF
Declaration of Affordable Housing Covenants (Sample)PDF	Developers must complete and record a legal instrument declaring that affordable units will remain at affordable levels.	September 14, 2022	PDF
Affordable Building Plan RequirementsPDF	Facts and information about building affordable units. To build affordable units, PCPC must approve a developer's Affordable Building Plan before building permits are sought.	July 22, 2024	PDF



Underground Accessory Parking Bonus

14-702(9)



Underground Accessory Parking Bonus

Public Benefit:

Parking located underground allows for better use of street frontage. .

Property Owner Benefit:

Additional Gross Floor Area, as Percentage of Lot Area			
RMX-3	CMX-3 (within /TOD only)	CMX-4	CMX-5
100%	50%	200%	200%





Underground Accessory Parking Bonus


Conditions:

- At least 75% of spaces shall be used as parking accessory to the lot.
- All accessory parking shall be located below grade.
- The GFA of parking areas/ ramps must be at least 50% of 1st floor gfa of building in which it is located.
- Bonus space gained may not be used for additional parking.

Permit Requirements:

Zoning

- Must affirm compliance with zoning permit application.
- 



Green Building or Site Bonus

14-702(10)

Green Building or Site Bonus

Public Benefit:

Reduce negative impacts on environment by using less natural resources and reducing emissions and waster.

Property Owner Benefit:

Level of LEED Certification	Additional Gross Floor Area, as Percentage of Lot Area			Additional Building Height	
	CMX-3 as provided in § 14-702(2)(c)	CMX-4	CMX-5	/CDO	/ECO
Gold	50%	100%	200%	24 ft.	24 ft.
Platinum	100%	200%	400%	36 ft.	36 ft.



Green Building or Site Bonus

Conditions:

- Must Achieve LEED Gold or Platinum certification, depending on bonus.

Permit Requirements:

Zoning

- Enter into legal agreement with City (DPD) committing to compliance and certain milestones.

Building

- Design professional's confirmation that building or site was designed in accordance with appropriate LEED standard, and any other documentation required by agreement.

Certificate of Occupancy

- LEED certification submitted.
 - TCO will be issued to allow for required performance evaluation, as stipulated in legal agreement.
- 



Retail Space Bonus

14-702(13)



Retail Space Bonus

Public Benefit:

Promote growth along commercial corridors in East Callowhill Overlay and Eight District Overlay.

Property Owner Benefit:


Additional Building Height	
/CDO	/ECO
12 ft. per each 5,000 sq. ft. of retail floor area provided, up to maximum of 36 ft.	12 ft. per each 5,000 sq. ft. of retail floor area provided, up to maximum of 48 ft.





Retail Space Bonus

Conditions:

- All portions of each ground floor façade that abuts a sidewalk or public space, other than entrances, exits, and waiting areas, shall have a finished ceiling height of 10.5 ft min and allow for retail sales, commercial services, childcare or libraries, and cultural exhibits.
 - A restrictive covenant must be executed and recorded which requires the space to be occupied only by retail sales, commercial services, childcare or libraries and cultural exhibits uses for 15 years or the life of the building, whichever is less.
- 



Retail Space Bonus

Permit Requirements:

Zoning

- Provide plans that shows the proposed area used to comply with the bonus and note the proposed finished ceiling height.
- Application should include one or more of the following uses: retail sales, commercial services, childcare or libraries and cultural exhibits.
- Submit a draft of a Restrictive Covenant.

Building

- Submit recorded Restrictive Covenant.
- 



Stormwater Management Bonus

14-702(14)

Stormwater Management Bonus

Public Benefit:

Capture rainwater in the event of a storm and reduce overflow and flooding

Property Owner Benefit:

Open Space Management Requirements	Additional Building Height	
	/ECO	/CDO
The stormwater open space meets the requirements of § 14-702(14)(a) and § 14-702(14)(e)	24 ft.	N/A
Street Drainage Management Requirements	Additional Building Height	
	/ECO	/CDO
The stormwater management system meets the requirements of § 14-702(14)(b) and § 14-702(14)(e)	12 ft. for every 20% of street drainage	12 ft.
Surface Feature Requirements	Additional Building Height	
	/ECO	/CDO
The stormwater management system meets the requirements of § 14-702(14)(d) and § 14-702(14)(e)	N/A	12 ft.



Stormwater Management Bonus

Conditions:

- Lot must be located in ECO or CDO overlay and at least 15,000 sq ft.
- Must meet prescribed requirements for managing on-site and/or off-site drainage

Permit Requirements:

Zoning

- PWD conceptual approval

Building

- PWD affirmation of recorded deed restriction.
- 



Green Roof Bonus

14-702(16)



Green Roof Bonus

Public Benefit:

Capture rainwater in the event of a storm and reduce flooding.

Property Owner Benefit:

RM-1, CMX-2, or CMX-2.5:

Increase the number of allowable dwelling units by 25%, rounded down.





Green Roof Bonus

Conditions:

- Building construction requires at least 5,000 sq ft of earth disturbance OR ,for existing/ expanded buildings, the building footprint 5,000 sq. ft. or greater.
- The roof must be partially or completely covered with a green roof meeting [PWD design standards](#).
- The roof must cover at least 60% of the rooftop containing the dwellings.
- The owner must agree to allow access to the City for inspection.

Permit Requirements:

Zoning

- PWD conceptual approval


Building

- PWD affirmation of recorded deed restriction.
- 



Other Bonuses

Transit Improvement	14-702(8)
Trail	14-702(11)
Street Extension	14-702 (12)
Through Block Connection	14-702915)





Filing Applications with Zoning Bonuses

Zoning Applications

- Whether submitted on paper or via eCLIPSE, the bonuses that are proposed should be identified on the application when it is submitted.

eCLIPSE
CITY OF PHILADELPHIA

Zoning Permit ZP-2023-005312 (Draft)

BONUSES

List any Zoning Use and Development Bonuses. For more information, see the Zoning Code.

Add Bonus

LMS Online - Add Bonuses - Google Chrome
eclipse.phila.gov/phillylmsprod/pub/Im

Add Bonuses

Bonus Type

- Green Building or Site
- Green Roof
- Mixed Income Housing
- Public Art
- Public Space
- Retail Space
- Stormwater Management
- Street Extensions
- Through Block Connection
- Trails
- Transit Improvements
- Underground Accessory Parking

Select Clear All Check All

Department of Licenses and Inspections
CITY OF PHILADELPHIA

Job Number: (for office use only)
(ZP - YEAR - NUMBER)

Additional Project Details

Use this section for signage, bonuses, and other review triggers.

(a) Projects with Conditional Approval
 Conditional Zoning Approval was previously issued for this project, provide the permit number here: ZP-201-1-4-111111

(b) Project Summary

(c) Pre-Requisite Approvals

- City Planning Approval (One Parkway Building, 1935 Arch St., 13th Floor)
- Streets Department (Disruptive Services Building, 1401 JFK Blvd., 5th Floor)
Provide the associated Streets Review number for this project, if applicable: SR-210-1-1-111111
- Art Commission (One Parkway Building, 1935 Arch St., 13th Floor)
- Water Department (1700 Market St., 2nd Floor)

(d) Bonuses for Development

- Public Art
- Transit Improvements
- Green Building or Site
- Street Extensions
- Stormwater Management
- Other

Signer	Type	Site	Justification	Type	Accessory or Non-Accessory?
	From Drawing (with signature block)	Signer with their signature and/or print name	Justification (yes or no/conditional)	Print Name (last, first, middle)	

Review Type: Standard Accelerated (Complete and attach the Accelerated Review Agreement Form available on www.cityofphila.gov). Note: Only certain project scopes are eligible for Accelerated Review.

Declaration & Signature

All provisions of the Zoning Code and other City ordinances will be complied with, whether specified herein or not. Plans approved by the Department from a review of this application. I hereby certify that the statements contained herein are true and correct to the best of my knowledge and belief. I further certify that I am authorized by the owner to make the foregoing application, and the before I accept my permit for which this application is made, the owner shall be made aware of all conditions of the permit. I understand that if I knowingly make any false statements herein, I am subject to such penalties as may be prescribed by law or ordinance, including the penalties contained in 19 Pa. C.S. § 4504.

Applicant Signature: _____ Date: ____/____/____

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Resources

L&I Zoning Permit Page

City of Philadelphia Services Programs Departments Tools Publications News

Department of Licenses and Inspections

Home About Licenses Permits & certificates Inspections Appeals Resources

Department of Licenses and Inspections / Permits and certificates / Zoning permits

Zoning permits

The Department of Licenses and Inspections (L&I) issues zoning and change of use approvals in accordance with the Philadelphia Zoning Code.

Jump to:

- [Zoning code](#)
- [Know your zoning district](#)
- [Zoning permits](#)
- [Zoning appeals information](#)
- [Permit Navigator Pilot](#)

Zoning code

The [Philadelphia Zoning Code](#) regulates development and change of use within the city. The current Zoning Code was implemented on August 22, 2012.

Zoning regulations govern:

- Land use
- The height and bulk of buildings
- Population density
- Parking requirements
- Placement of signs
- Character of development on private property
- Development in protected areas and on steep slopes

Zoning permits authorize a particular use of the building or ground. More than one zoning permit may be required before a building permit can be issued by L&I for construction or demolition, or before a Certificate of Occupancy can be issued to occupy a building.

Know your zoning district

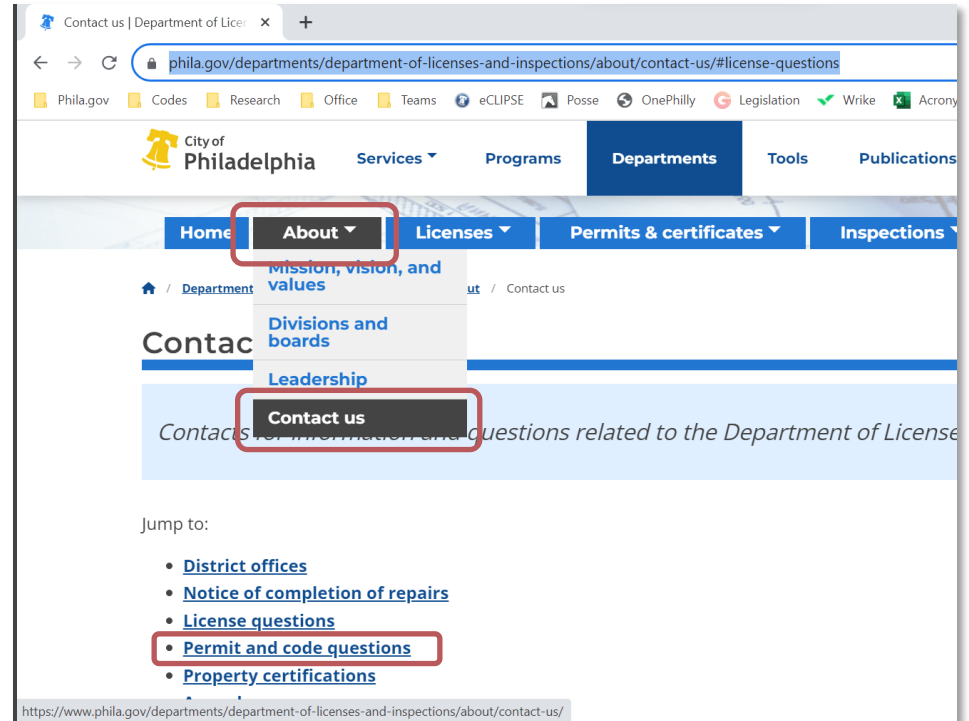
Knowing your zoning district is the first step in the zoning permit or zoning appeal process.

- If you're not sure how your property is zoned, use [Atlas](#) to look it up.
- Use the [Zoning Quick Reference Guide](#) or [Zoning Summary Generator](#) to learn more about the zoning regulations for your property.
- Read the [Philadelphia Zoning Code](#) for more information about zoning.
- You can appeal a zoning decision through the [Zoning Board of Adjustment](#).
- A [Property Sales Certification](#) provides documentation of the zoning classification, last established use in the zoning record, and uncorrected violations.

Below, you'll find zoning permits available through L&I.

Contacting L&I

- L&I's website has multiple resources for contacting the department.
- Hover over “About” then click “Contact Us”
- You can submit questions of schedule appointments





L&I Newsletter

- Stay up to date with L&I related updates by signing up for our newsletter.
- Go to [L&I's website](#) and scroll down to “Sign up for our newsletter”

Sign up for our newsletter

L&I's newsletter helps you stay up-to-date about permits, licenses, and more.



SIGN UP TODAY!



Continuing Education Credits

- Poll must be completed to receive CEU's.
- CEU's will be sent via e-mail with 5 days.





Thank You! Questions?

To build and sustain a safer Philadelphia, L&I embraces best practices in technology and customer service. We enable the public to access information, secure required approvals, and comply with building safety requirements in a convenient, reliable, and transparent manner.

L&I achieves code compliance through collaboration, education, and effective enforcement measures that hold businesses, contractors, and property owners accountable.

