



Legislation Text

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Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by revising Section 14-303(12), entitled "Neighborhood Notice and Meetings," by establishing new minimum qualifications for Registered Community Organizations, adjusting the requirements for notification and meetings, and amending the procedures regarding re-registration of Registered Community Organizations, and Section 14-304(5), entitled "Civic Design Review," by changing the composition of the Civic Design Review Committee; 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 by repealing §14-303(12) ("Neighborhood Notice and Meetings") in its entirety, and by further amending Title 14, as follows:

TITLE 14. ZONING AND PLANNING

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CHAPTER 14-300. ADMINISTRATION AND PROCEDURES

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§ 14-303. Common Procedures and Requirements.

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(11A) Registered Community Organizations. An organization that seeks recognition as a Registered Community Organization ("RCO") for purposes of §14-303(12) ("Neighborhood Notice and Meetings") must first register with the Commission in accordance with the provisions of this §14-303(11A).

(a) The Commission will only register an organization as an RCO if the organization:

(.1) Is a volunteer organization, a Pennsylvania nonprofit corporation, an unincorporated association, a Pennsylvania municipal authority that either serves as a Neighborhood Improvement District Management Association or is itself a Special Services District, or a political committee that represents the members of a political party within a ward (such Pennsylvania municipal authorities and ward political committees are not required to satisfy any additional requirements set forth in subsections (.2) through (.7) of this subsection (a));

(.2) Has adopted a statement of purpose for the organization concerning land use, zoning, or similar subject;

(.3) Has a geographic area of concern that encompasses no more than twenty-thousand (20,000) parcels, except that parcels under the jurisdiction of DPR shall not be counted as parcels for the purposes of this subsection;

(.4) Has registered boundaries that are consistent with the geographic boundaries set forth in the

organization's governing rules;

(.5) Conducts open meetings on a regularly scheduled basis;

(.6) Publicly announces its meetings through media such as flyers, newsletters, newspaper notice, or electronic or social media; and

(.7) Has a leadership chosen by the body at large.

(b) An organization shall file a registration request with the Commission on a form provided by the Commission, which shall include the following:

(.1) The organization's official name and address;

(.2) The name of a contact person;

(.3) The name of a person designated to participate in the Civic Design Review process, if applicable;

(.4) The boundaries of the organization's geographic area of concern. The boundaries of a municipal authority that serves as a Neighborhood Improvement District Management Association shall be considered to be the boundaries of the Neighborhood Improvement District; the boundaries of a municipal authority that is itself a Special Services District shall be considered to be the boundaries of the Special Services District; and the boundaries of a ward political committee shall be considered to be the boundaries of the ward;

(.5) Whether the organization wishes to be notified of applications in its geographic area of concern electronically or by mail;

(.6) The address of the location at which the organization routinely conducts meetings, provided that if the organization does not have a location at which it routinely conducts meetings, the organization shall indicate that meetings are not held at a routine location within the boundaries of the organization's geographic area of concern; and

(.7) Such other information as may be required by the regulations of the Commission.

(c) After review of a registration request form, the Commission shall register an organization as an RCO if it finds that the organization meets the requirements of subsection (a). The Commission shall notify an organization whether its registration request has been granted. If the organization's request has been denied, the Commission must clearly state, in written form, the reason for such denial. The denial of an application shall not preclude an organization from reapplying during the next or any subsequent registration period.

(d) The registration of an organization as an RCO shall remain valid for two years. An RCO may re-register with the Commission for additional two year periods, on re-registration forms provided by the Commission.

(e) An RCO must promptly inform the Commission of any changes to the information provided on a registration or re-registration request form.

(12) Neighborhood Notice and Meetings.

(a) *Applicability. This subsection (12) applies to applications that:*

- (.1) *Require Zoning Board approval of a special exception under §14-303(7) (Special Exception Approval);*
- (.2) *Require Zoning Board approval of a zoning variance under §14-303(8) (Zoning Variances); or*
- (.3) *Meet the requirements for Civic Design Review in §14-304(5) (Civic Design Review).*

(b) *Required Notice From the Planning Commission to Applicants and Others. Within seven days after an appeal has been filed with the Zoning Board for approval of a special exception or variance, or after the notification by L&I to an applicant that an application will require review under the Civic Design Review Process, the Commission shall provide notice to the applicant, with a copy to each RCO whose registered boundaries include the applicant's property and to the district councilmember whose district includes the applicant's property, of:*

(.1) *The requirements of this subsection (12);*

(.2) *Contact information for each Registered Community Organization ("RCO") whose registered boundaries include the applicant's property, and the name of the RCO or RCOs that will serve as the "Coordinating RCO" for the application, selected as follows:*

(.a) *If there is only one RCO whose registered boundaries include the applicant's property, that RCO shall be the Coordinating RCO.*

(.b) *If there is more than one RCO whose registered boundaries include the applicant's property, the district councilmember whose district includes the applicant's property shall select one of those RCOs as the Coordinating RCO, or may select two or more RCOs whose registered boundaries include the applicant's property to serve jointly as the Coordinating RCO.*

(.c) *If there is no RCO whose registered boundaries include the applicant's property, then the district councilmember or an organization designated by that district councilmember shall serve as the Coordinating RCO.*

(.d) *The Commission shall promptly advise the district councilmember of the need to select a Coordinating RCO under subsection (.b) or (.c), and shall not send notice under this section until it has received the district councilmember's selection. However, if the time for providing notice is about to expire before the Commission receives such selection, the Commission shall select a Coordinating RCO from among the RCOs whose registered boundaries include the applicant's property (or, if subsection (.c) is at issue, shall select the district councilmember as the Coordinating RCO), and shall include in the notice the fact that the Coordinating RCO was designated by the Commission.*

(.3) *Contact information for the district councilmember whose district includes the applicant's property; and*

(.4) *A list of properties that the applicant will need to notify under subsection (d), as follows:*

(.a) *Every property on the same block as the applicant's property; every property on the blockface across the street from any frontage of the applicant's property; and every property any portion of which is within 200 ft. of the applicant's property.*

(c) *Additional Electronic Notice From The Commission.*

(1) The Commission shall provide an electronic copy of the notice it provides to applicants under subsection (b) to any organization that requests such notice and provides the Commission with an email address to which such notices can be sent.

(d) Initial Notice from the Applicant to RCOs and Others.

(1) Within ten days after receiving the notice provided by the Commission under subsection (b), an applicant must provide written notice of its application to:

(a) Each RCO whose boundaries include the applicant's property, as set forth in the notice provided by the Commission under subsection (b);

(b) The district councilmember whose district includes the applicant's property;

(c) The owner, managing agent or other responsible person at every property on the list provided to the applicant by the Commission under subsection (b). Notice under this subparagraph (.c) shall be sent by regular mail or hand delivery; if there is no evident owner, managing agent or other responsible person on the property, notice may be satisfied by placement at or in the front door;

(d) The Commission; and

(e) The Zoning Board or Civic Design Review Committee, as applicable.

(2) The notice required by this subsection (d) shall contain the following:

(a) The name and address of the applicant;

(b) The name and contact information of all RCOs and the name of the Coordinating RCO, as listed in the notice provided by the Commission under subsection (b);

(c) The location where copies of the application and any related information submitted by the applicant can be obtained;

(d) A description of the property involved by general vicinity, street address, size, and nearest cross street, and the zoning district in which the property is located;

(e) A description of the nature, scope, and purpose of the application and the type of permit, approval, or variance being sought;

(f) The date, time and place of the public meeting to be convened by the Coordinating RCO to discuss the application, but if the Coordinating RCO has not yet set the date, time and place of such public meeting, then the applicant shall instead include the following statement in the notice: "A PUBLIC MEETING TO DISCUSS THIS PROPOSAL WILL BE CONVENED BY THE COORDINATING RCO, BUT THE DATE, TIME AND PLACE OF THAT PUBLIC MEETING HAS NOT YET BEEN SET. PLEASE CONTACT THE COORDINATING RCO OR YOUR DISTRICT COUNCILPERSON FOR MORE INFORMATION ABOUT THE PUBLIC MEETING.";

(g) The following statement: "IF YOU HAVE RECEIVED THIS NOTICE AS THE OWNER, MANAGING AGENT, OR OTHER RESPONSIBLE PERSON AT A MULTI-UNIT BUILDING, YOU ARE REQUESTED TO POST THIS NOTICE AT A PROMINENT PLACE IN A COMMON AREA OF YOUR BUILDING."

(h) The name and contact information of the district councilperson; and

(i) Any additional information required by L&I, the Zoning Board, or the Commission for the proposed application.

(e) Neighborhood Meeting and Documentation Requirements.

(1) After receiving notice from the applicant under subsection (d), the Coordinating RCO, after consultation with the applicant and all other Registered Community Organizations whose registered geographical boundaries include the applicant's property, shall set the time, date and place of a public meeting to discuss the applicant's proposal, and shall notify the applicant and all other Registered Community Organizations whose registered geographical boundaries include the applicant's property of those details. The meeting shall be scheduled for a date that is within 45 days after the applicant filed the appeal to the Zoning Board for approval of a special exception or variance or within 45 days after the applicant has been notified by L&I that an application will require review under the Civic Design Review Process, as applicable.

(2) The Coordinating RCO shall convene the public meeting at the scheduled time, date and place. The applicant or a representative of the applicant must attend the meeting. In addition to that public meeting, the district councilmember whose district includes the subject property may convene additional meetings.

(3) The Coordinating RCO must provide to the Zoning Board or Civic Design Review Committee, as applicable, to the Commission, and to the district councilmember whose district includes the subject property, written documentation of the public meeting; or, if no meeting was held within the required 45-day timeframe, written documentation of the efforts made to schedule the meeting with the applicant.

(4) After the public meeting has been held, the Coordinating RCO shall prepare a meeting summary form, documenting any and all actions taken at the meeting. The Coordinating RCO shall provide a copy of the form to the Commission and to the district councilmember whose district includes the subject property. The Commission shall make the meeting summary form available to the public, upon request. The Commission shall notify an RCO if it fails to submit such documentation, and after an RCO fails to submit such documentation as required with respect to two public meetings, a third failure to submit such documentation shall result in the RCO losing RCO status for a period of one year.

(5) Neither the Zoning Board nor the Civic Design Review Committee shall conduct any public meetings on an application until the earlier of: (i) the applicant and the Coordinating RCO have completed all actions required by this subsection (e); or (ii) 45 days have elapsed since the applicant filed the appeal to the Zoning Board or was notified by L&I that the application required review under the Civic Design Review Process, as applicable, except that if an applicant fails to provide the notice required by subsection (d), then such 45 day period shall be measured from the date the required notice is in fact provided.

(f) If an application requires both Civic Design Review and Zoning Board approval, the applicant is required to comply with the requirements of this subsection (12) only once. A second meeting is not required following Civic Design Review and before action by the Zoning Board.

(g) *Regulations.* The Commission is authorized to promulgate regulations to implement the provisions of this subsection (12).

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§ 14-304. Specific Procedures.

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(5) Civic Design Review.

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(a) Civic Design Review Committee.

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(.2) *Composition.* The Civic Design Review Committee shall be composed of two Pennsylvania-licensed architects, one Pennsylvania-licensed landscape architect, one urban design professional, one developer or builder, one person with experience reviewing projects on behalf of civic associations, including a person who previously served or currently serves on a zoning, land use, or similar committee of a Registered Community Organization, and one rotating seat for a representative of a [Local] Registered Community Organization whose boundaries include the applicant's property, except that in the case of multiple overlapping [Local] Registered Community Organizations, there shall be up to two seats, one for each [Local] Registered Community Organization, and at the discretion of the district councilperson, one seat to be occupied by a designee of the district councilperson whose district includes the application property. A member of the Commission will be the Chair of the Civic Design Review Committee and will fill one of the designated positions. The Executive Director of the Commission (or appointed designee) will advise the Civic Design Review Committee but will have no vote.

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SECTION 2. *Effective Date.* This Ordinance shall take effect March 1, 2014, subject to the following:

(a) No organization that had registered as a "Registered Community Organization" ("RCO") under the provisions of §14-303(12)(a) of The Philadelphia Code as that Section existed before the amendments in Section 1 took effect shall be recognized as an RCO after March 1, 2014 unless the organization re-registers and qualifies as an RCO under the provisions of §14-303(11A) as added by Section 1.

(b) Upon the date this ordinance becomes law, the City Planning Commission is authorized to accept and act upon RCO registration requests under the provisions of §14-303(11A) as added by Section 1, provided that such registrations shall not become effective before March 1, 2014.

Explanation:

[Brackets] indicate matter deleted.
Italics indicate new matter added.