

Planning Commission Regulations (Section 12)

12. REGISTERED COMMUNITY ORGANIZATIONS (RCOs)

12.1 Registry

12.1.1 Pursuant to the Zoning Code, the Commission shall maintain a registry of community organizations. This duty shall be delegated to the Executive Director.

12.1.2 The Executive Director shall post the registry on the Commission's website, which shall indicate the geographic boundaries of all RCOs and provide contact information for each RCO.

12.2 Qualifying Criteria

12.2.1 Registered Community Organizations (RCOs). Except for ward political committees [and]or Pennsylvania municipal authorities that serve as either a neighborhood improvement district management association or special services district per § 14-303(11A)(a)(.1) of the Zoning Code, an RCO must meet the minimum criteria established by § 14-303(11A) of the Zoning Code. To qualify as an RCO, each organization shall have:

12.2.1.1 An adopted statement of purpose concerning land use, zoning, [or a similar subject such as planning,] development, [revitalization, and]or preservation, as well as rules or bylaws governing organizational operations;

12.2.1.2 A geographic area of concern encompassing no more than 20,000 parcels, as defined by the Philadelphia Department of Records;

12.2.1.3 Boundaries delimiting this geographic area of concern that are consistent with the organization's governing rules or bylaws;

12.2.1.4 Organizational membership drawn from residents, property owners, business owners or operators, or tenants from the organization's geographic area of concern as defined in its governing rules or bylaws and without discrimination against any class protected under the Philadelphia Fair Practices Ordinance;

12.2.1.5 Leadership of the organization, or its committee that presides over public RCO meetings, chosen by the body at large comprised of the organization's membership and chosen consistent with a [with a description of organization's] leadership selection process included in [its] the organization's governing rules or bylaws;

12.2.1.6 Meetings open to the general public and scheduled on a regular basis, but not less than once per calendar quarter. These meetings shall be announced publicly through media such as flyers, newsletters, newspaper notice, electronic or social media.

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12.2.2 Conflict of Interest. Any RCO submitting a project for zoning approval or employed in a professional capacity in reference to the project shall not serve as an applicable RCO for that project.

12.3 Registration

12.3.1 Organizations shall apply for RCO registration with the Commission as specified in § 14-303(11A) of the Zoning Code.

12.3.2 New Registration Period. The Commission shall accept applications for new RCO registrations requests between June 1st and June 30th of each year, except for the initial registration of RCOs required to implement the RCO provisions of the Zoning Code by March 1, 2014]. The term of an RCO registration is two years.

12.3.3 Registration Renewal Period. The Commission shall accept applications for RCO registration renewal between June 1st and June 30th of each year. An organization that allows its RCO status to lapse may reapply as a new organization during a subsequent new registration period.

12.3.4 New registration and registration renewal submissions must include a completed application form. *The application form will be provided by the Commission.*

12.3.5 New registration and renewal applications for any organization that is not a ward political committee or Pennsylvania municipal authority that serves as either a neighborhood improvement district management association or special services district must also include the following and all supplemental information required in order to be considered complete:

12.3.5.1 The organization's official name and street address;

12.3.5.2 The name of the organization's primary contact person;

[12.3.5.3 The name of the organization's representative for the Civic Design Review process;]

12.3.5.[4]3 The organization's adopted statement of purpose;

12.3.5.[5]4 The organization's governing rules or bylaws, including the organization's geographic boundaries and a description of its leadership selection process;

12.3.5.[6]5 A description or illustration of the boundaries of the organization's geographic area of concern;

12.3.5.[7]6 The organization's preferred means of notification via e-mail or regular mail, and the provision of an electronic or postal mail address at which the organization is to be contacted;

12.3.5.[8]7 The location and a schedule of the organization's public meetings for its two-year term of registration. All meetings must be announced publicly through media such as flyers, newsletters, newspaper notice, electronic or social media;

12.3.5.[9]8 An example of a notice used by the organization to publicly announce [its]a meeting[s];

12.3.5.9 *A signed agreement that the organization and any committee of the organization that presides over public RCO meetings (as applicable) agrees to operate in compliance with the requirements of the Zoning Code and the regulations of the Commission, including the standards of conduct as described in section 12.5 of these regulations;*

12.3.5.10 The Executive Director may request additional application materials deemed necessary to properly evaluate an RCO registration request.

12.3.6 As specified by § 14-303(11A)(c) of the Zoning Code, the Executive Director shall make eligibility determinations and notify an organization as to whether its registration request has been granted or denied. If denied, the reason(s) for this action shall be in writing.

12.3.7 Organizations whose registration requests have been denied may submit revised or amended applications for reevaluation at the discretion of the Executive Director.

12.3.8 An RCO may submit a written request to the Executive Director *or* to correct or update their registration information at any time.

12.3.9 *The Commission may suspend or revoke an organization's RCO registration if it is found that information provided by an RCO during the registration process was deliberately falsified*

12.4 Meetings with Registered Community Organizations Required by the Zoning Code

12.4.1 Commission Notification to Zoning Permit Applicants. Within seven (7) days following an applicant's appeal to the Zoning Board of Adjustment for a variance or special exception or a *finding by the Department of L&I [finding] or the Commission* that Civic Design Review is required, the Commission shall notify the applicant, and copy the District Councilmember and each applicable RCO, of the following:

12.4.1.1 The neighborhood notice and meeting requirements of § 14-303(12) of the Zoning Code;

12.4.1.2 Contact information for each RCO whose boundaries include the applicant's property, and the name of the "Coordinating RCO" (see 12.4.2 below concerning the selection of a Coordinating RCO);

12.4.1.3 Contact information for the District Councilmember whose district includes the applicant's property;

12.4.1.4 A list of all property addresses that the applicant must notify per § 14-303(12)(b)(.4)(.a) of the Zoning Code, namely: 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 feet of the applicant's property.

12.4.2 Selection of a Coordinating RCO. If the applicant's property is located within the geographic boundaries of more than one RCO, the Executive Director shall request the District Councilmember to select a "Coordinating RCO" prior to Commission notification of the Zoning Permit Applicant as specified in 12.4.1 above.

12.4.2.1 If a Coordinating RCO is not selected by the District Councilmember within six (6) days of this request, the Executive Director shall select the Coordinating RCO.

12.4.2.2 If there is no RCO whose geographic boundaries include the applicant's property, then the District Councilmember, or an organization designated by the District Councilmember, shall serve as the Coordinating RCO.

12.4.3 Zoning Permit Applicant Notification to RCOs and Others. Within ten (10) days following the Commission's notice to an applicant as detailed in 12.4.1 above, the applicant shall notify each applicable RCO the District Councilmember, the Executive Director, the Zoning Board of Adjustment or Civic Design Review Committee (as applicable), and each property address provided by the Commission to the applicant as specified in 12.4.1.4 above. The content of this notice shall comply with § 14-303(12)(d)(.2) of the Zoning Code.

12.4.4 RCO Meeting Requirements. As required by §14-303(12)(e) of the Zoning Code, RCO meetings with applicants must be open to the general public. In consultation with the applicant and other [applicable] RCOs *whose registered boundaries include the applicant's property*, the Coordinating RCO shall set the date, time, and place of the public meeting to review the applicant's proposal. The Coordinating RCO shall provide notification to community members, *other RCOs whose registered boundaries include the applicant's property*, and other stakeholders of the date, time, and place of this RCO meeting.

12.4.4.1 The RCO meeting shall be scheduled within 45 days following an applicant's appeal to the Zoning Board of Adjustment or the Department of L&I's finding that Civic Design Review is required.

12.4.4.1.1 This meeting shall only take place after the applicant has completed the notification requirements described in 12.4.3.

12.4.4.1.2 If the applicant has not completed the notification requirements described in 12.4.3. prior to the scheduled meeting date, the meeting will be

postponed or reconvened at a later date within 45 days of the applicant having completed said notification requirements. In such case, the Coordinating RCO will not be found to be in violation of section 12.5.

12.4.4.1.3 Notwithstanding any failure by the applicant to provide required notification, the RCO meeting may take place after this 45-day period only if the applicant is provided the opportunity to meet within the 45-day period, but voluntarily agrees to a later date.

12.4.4.2 If no RCO meeting is held within the 45-day timeframe, the Coordinating RCO shall submit to the Zoning Board of Adjustment or Civic Design Review Committee (as applicable), the [Executive Director]Commission, and the District Councilmember, written documentation of efforts made to schedule the required[a] meeting with the applicant and an explanation as to why the RCO and the applicant did not convene the meeting[why no meeting was held].

12.4.5 Documentation Requirements Following the RCO Meeting. [Within seven (7) days following the RCO meeting]At least 2 days prior to the hearing by the Zoning Board of Adjustment or meeting of the Civic Design Review Committee, the Coordinating RCO shall [prepare a "meeting summary form,"] complete the Meeting Summary Form, provided by the Commission, accompanied by a written statement documenting any and all actions taken at the meeting. Other participating RCOs may also submit a meeting summary form, written statement, or both a summary form and a written statement. The form and written statement shall be submitted to the applicant, [Executive Director] the Commission, the Zoning Board of Adjustment or Civic Design Review Committee (as applicable), and the District Councilmember.

[12.4.6 Failure to Submit an RCO Meeting Summary Form]

12.5. RCO Standards of Conduct.

12.5.1. Requirements other than those Enumerated

12.5.1.1 RCOs and applicants shall fulfill the obligations enumerated in these regulations and the Zoning Code. The fulfillment of such obligations, shall not be made contingent on any requirements other than those enumerated in these regulations or the Zoning Code.

12.5.1.2 An RCO that attempts to place upon applicants any requirements not enumerated in these regulations or the Zoning Code, including but not limited to the solicitation of payment or services, either financial or in-kind, from an applicant or other party, as condition of fulfilling its obligations outlined in these regulations and the Zoning Code may, at the discretion of the Executive Director and in consultation with the office of the Inspector General, have its RCO registration suspended or revoked.

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12.5.1.3 An RCO that conditions its support of a variance or special exception on the applicant's participation in an agreement designed to bestow a benefit to the geographic area that the RCO represents shall not be found to be in violation of 12.5.1.1, provided that the RCO's fulfillment of the obligations enumerated in these regulations and the Zoning Code are not made contingent on the applicant's participation in said agreement. Upon request of the Commission, the terms of any community benefits agreement shall be disclosed to the Office of the Inspector General.

12.5.2 Procedural Requirements

12.5.2.1 An RCO shall fulfill the procedural requirements of these regulations and the Zoning Code.

12.5.2.2 If an RCO acts in violation of the procedures in the Commission's regulations or the Zoning Code, it may be subject to penalty, including the suspension or revocation of the organization's RCO registration. These violations include, but are not limited to:

12.5.2.2.1 Non-responsiveness to applicants;

12.5.2.2.2 Failure to coordinate meetings with other RCOs whose registered boundaries include the applicant's property;

12.5.2.2.3 Failure to publicize meetings;

12.5.2.2.4 Failure to hold meetings within 45 days of an appeal, notwithstanding the conditions described in 12.4.4.1;

12.5.2.2.5 Failure to submit the Meeting Summary Form and a written statement in a timely manner to all required parties

12.5.2.3 Following any incident of an RCO's failure to follow procedural requirements of this section, [T]he Commission shall notify the [Coordinating] RCO in writing of such[its] failure [to submit a RCO meeting summary form]. Three failures to follow procedure by the [Coordinating] RCO [to submit a required meeting summary form] during its two-year registration period shall subject the RCO to a possible [result in the organization's suspension for] one (1) year suspension of the RCO's registration. Any such suspension shall be at the discretion of the Executive Director.

12.5.3 Non-Discrimination

12.5.3.1 RCOs shall perform the activities described in these regulations or the Zoning Code without discrimination against any applicant or other participant or participating member of the public because of race, color, religion, age, national origin, sex, sexual orientation, gender identity, disability, or any other class protected under the Philadelphia Fair Practices Ordinance.

12.5.3.2 Any RCO that discriminates against any applicant or other participant or participating member of the public because of race, color, religion, age, national origin, sex, sexual orientation, gender identity, disability, or any other class protected under the Philadelphia Fair Practices Ordinance in the performance of activities described in these regulations or the Zoning Code may, at the discretion of the Executive Director, have its RCO registration suspended or revoked.

12.5.4 Appeals. Any decision made by the Executive Director to suspend or revoke an RCO's registration status may be appealed for review at a meeting of the Commission.

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12.2.1.5 Leadership of the organization, or its committee that presides over public RCO meetings, chosen by the body at large comprised of the organization's membership, and chosen consistent with a leadership selection process included in the organization's governing rules or bylaws;

12.2.1.6 Meetings open to the general public and scheduled on a regular basis, but not less than once per calendar quarter. These meetings shall be announced publicly through media such as flyers, newsletters, newspaper notice, electronic or social media.

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12.3.5.8 An example of a notice used by the organization to publicly announce a meeting;

12.3.5.9 A signed agreement that the organization and any committee of the organization that presides over public RCO meetings (as applicable) agrees to operate in compliance with the requirements of the Zoning Code and the regulations of the Commission, including the standards of conduct as described in section 12.5 of these regulations;

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12.4.1.2 Contact information for each RCO whose boundaries include the applicant's property, and the name of the "Coordinating RCO" (see 12.4.2 below concerning the selection of a Coordinating RCO);

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12.4.1.3 Contact information for the District Councilmember whose district includes the applicant's property;

12.4.1.4 A list of all property addresses that the applicant must notify per § 14-303(12)(b)(4)(a) of the Zoning Code, namely: 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 feet of the applicant's property.

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12.4.2.1 If a Coordinating RCO is not selected by the District Councilmember within six (6) days of this request, the Executive Director shall select the Coordinating RCO.

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12.4.4.1 The RCO meeting shall be scheduled within 45 days following an applicant's appeal to the Zoning Board of Adjustment or the Department of L&I's finding that Civic Design Review is required.

12.4.4.1.1 This meeting shall only take place after the applicant has completed the notification requirements described in 12.4.3.

12.4.4.1.2 If the applicant has not completed the notification requirements described in 12.4.3. prior to the scheduled meeting date, the meeting will be

postponed or reconvened at a later date within 45 days of the applicant having completed said notification requirements. In such case, the Coordinating RCO will not be found to be in violation of section 12.5.

12.4.4.1.3 Notwithstanding any failure by the applicant to provide required notification, the RCO meeting may take place after this 45-day period only if the applicant is provided the opportunity to meet within the 45-day period, but voluntarily agrees to a later date.

12.4.4.2 If no RCO meeting is held within the 45-day timeframe, the Coordinating RCO shall submit to the Zoning Board of Adjustment or Civic Design Review Committee (as applicable), the Commission, and the District Councilmember, written documentation of efforts made to schedule the required meeting with the applicant and an explanation as to why the RCO and the applicant did not convene the meeting.

12.4.5 Documentation Requirements Following the RCO Meeting. At least 2 days prior to the hearing by the Zoning Board of Adjustment or meeting of the Civic Design Review Committee, the Coordinating RCO shall complete the Meeting Summary Form, provided by the Commission, accompanied by a written statement documenting any and all actions taken at the meeting. Other participating RCOs may also submit a meeting summary form, written statement or both a summary form and a written statement. The form and written statement shall be submitted to the applicant, the Commission, the Zoning Board of Adjustment or Civic Design Review Committee (as applicable), and the District Councilmember.

12.5. RCO Standards of Conduct.

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12.5.1.2 An RCO that attempts to place upon applicants any requirements not enumerated in these regulations or the Zoning Code, including but not limited to the solicitation of payment or services, either financial or in-kind, from an applicant or other party, as condition of fulfilling its obligations outlined in these regulations and the Zoning Code may, at the discretion of the Executive Director and in consultation with the office of the Inspector General, have its RCO registration suspended or revoked.

12.5.1.3 An RCO that conditions its support of a variance or special exception on the applicant's participation in an agreement designed to bestow a benefit to the geographic area that the RCO represents shall not be found to be in violation of 12.5.1.1, provided that the RCO's fulfillment of the obligations enumerated in these

regulations and the Zoning Code are not made contingent on the applicant's participation in said agreement. Upon request of the Commission, the terms of any community benefits agreement shall be disclosed to the Office of the Inspector General.

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12.5.2.2.4 Failure to hold meetings within 45 days of an appeal, notwithstanding the conditions described in 12.4.4.1;

12.5.2.2.5 Failure to submit the Meeting Summary Form and a written statement in a timely manner to all required parties

12.5.2.3 Following any incident of an RCO's failure to follow procedural requirements of this section, the Commission shall notify the RCO in writing of such failure. Three failures to follow procedure by the RCO during its two-year registration period shall subject the RCO to a possible one (1) year suspension of the RCO's registration. Any such suspension shall be at the discretion of the Executive Director.

12.5.3 Non-Discrimination

12.5.3.1 RCOs shall perform the activities described in these regulations or the Zoning Code without discrimination against any applicant or other participant or participating member of the public because of race, color, religion, age, national origin, sex, sexual orientation, gender identity, disability, or any other class protected under the Philadelphia Fair Practices Ordinance.

12.5.3.2 Any RCO that discriminates against any applicant or other participant or participating member of the public because of race, color, religion, age, national origin, sex, sexual orientation, gender identity, disability, or any other class protected under the Philadelphia Fair Practices Ordinance in the performance of activities described in these regulations or the Zoning Code may, at the discretion of the Executive Director, have its RCO registration suspended or revoked.

12.5.4 Appeals. Any decision made by the Executive Director to suspend or revoke an RCO's registration status may be appealed for review at a meeting of the Commission.

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