

Evaluation for June Workshops for Registered Community Organizations (RCOs)



Friday, June 5: 12:30pm

1515 Arch Street, 18th floor, Room 18029

1. Was the format and materials provided for this workshop helpful for your interests?

If Yes- how? *Circled-* (23)

If No- what was missing? (4)

Comments:

- Very good. We can always use more direction, more meetings
- Clear, concise informative
- As a new person to this area, it was a very good intro and basic information. Thank you!
- The training was very helpful because it gave me an update. What was missing is the RCO that doesn't have any connection to my community and don't come to meetings. But have decision rights.
- Comprehensive
- Will be able to review material prior to our neighborhood meetings and use those inserts that apply.
- Good overview of RCO process & responsibilities
- Informative. Good format. Good handouts. Thanks.
- Overall, it was very helpful.
- Good handouts to follow along.
- Good resources that can serve as reference materials in the future.
- Best practices.
- Missing- the tool that a RCO can use to find out if an applicant has contacted affected addresses (converted to question below)
- Informative and helpful!
- Good overview
- Yes, informative! 😊
- I learned things about zoning that I did not know. Missing- I am representing an organization that is in the process of applying. I was expecting more time on the criteria and responsibilities of an RCO.
- Missing- more advantages of being an RCO (turned into a question below)
- It refreshed the information that I was aware of in the past.
- Missing- is funding available to RCOs to complete this mandated activities per the zoning code? (question below)
- This presentation is developer driven. It would be just as helpful to know how the community proceeds to be forward moving with a develop project. I have seen projects that warrant zoning but the developer knows how NOT to post permits and allow notification of the community.

2. Questions:

1. **Are there any consequences for those seeking an appeal of a variance [denial] for ignoring the timeline for notifying RCOs? (something beyond a continuance)**

The ZBA will not hear a case if no meeting has taken place with the RCO (unless the RCO has decided NOT to hold a meeting and has notified ZBA). The RCO can let the ZBA know that they were not notified or were not notified in accordance with the timeline.

2. Owners who rent illegal apartments do not have a certificate of occupancy. Does this mean they are not paying taxes on that income?

You can call “311” to report illegal activity. If there is no C of O for that use, the owner could be fined. It’s possible the owner is not paying local taxes.

3. Who is responsible for notifying RCOs of ZBA decisions?

Unfortunately, no one – the responsibility falls to the RCO to follow up as the notification process is over after the ZBA hearing. RCOs are not notified of the ZBA decisions. However, you can request a copy of the decision from ZBA, or find it online by entering the address into the Property History search box on L+I’s home page, <http://www.phila.gov/li> .

4. What are more advantages of being an RCO?

The primary advantage of registering as an RCO is to receive early notification of projects requiring ZBA action or Civic Design Review. A secondary benefit might be that the requirements for becoming an RCO build a more credible structure for your organization and how you conduct meetings. The activities required of an RCO are part of a regulated process, and should be taken very seriously.

5. What is the potential liability of RCOs? Why is liability insurance required?

Some RCOs pay for D&O (Director & Officers Insurance) to protect their personal assets. RCOs are entering into a regulatory area, which opens them up to possible legal action. We’re checking with the city’s legal department for a more definitive answer...

6. One question I still have is how to inform the ZBA of our decision. It’s not clear to me what email to send our letters to. I call and ask each time, but I have never gotten a general email address.

The address is in your handout- page 5. The email address: RCOZBA@phila.gov and the mailing address is shown on the letter template- page 9. The District Council office and the Planning Commission (rco.notification@phila.gov) should also be copied on these e-mails.

7. What is the tool that a RCO can use to find out if an applicant has contacted affected addresses? What actions can community members take if developers do not provide appropriate notification of affected addresses?

You can ask occupants of “affected” properties if they received notice. If you know that addresses did not receive the required notification, you should include this in your letter to ZBA, or personal testimony at the ZBA hearing.

8. Can you tell me what the document “zoning permit issued on (date) is?” Is it a list of permits that did not need a variance? (don’t understand the question...)

9. Our RCO seems to have a generally understood “policy” that, typically, the RCO does not support variances regarding the conversion of single family dwellings to multifamily dwellings. Existing multifamilies that are seeking to become legal are part of this decision. Can we adopt “policies”? If so, how? What would we need to do?

RCOs can follow informal “policies” or publish “official policies” in their procedures guide or website. It’s important to be able to explain WHY this policy is being followed in the letter of finding to the ZBA, so it doesn’t appear to be an arbitrary or unfair one.

10. Can affected properties be adjusted in consultation with RCO? In Upper Roxborough distances and how properties are configured can require different notifications.

No, “affected properties” are defined in the code and can’t be changed, to ensure uniform treatment and fairness.

11. How do RCOs receive training on the zoning code?

These RCO workshops are presently the only “training” available. Ask people in your organization (or others) if there is someone who has more experience in using the code who may be willing to help with this. Many zoning committee members apply to the CPI course for more extensive information on the planning & development processes. [citizensplanninginstitute.org]

12. Are RCO position letters available to the public?

You can contact the ZBA and request these.

13. Are there any circumstances where an applicant does NOT receive orange zoning notice?

If no appeal is being filed to ZBA, [project is “by right”] there is no notice required.

14. If you see a business/residence in your community that’s questionable in start up, how do you get the process started?

If you mean under construction(?)—again, that’s a building code issue. If there is no permit, you can report an illegal activity to “311”.

15. If an RCO can decide a public meeting is NOT necessary- does RCO have to inform affected addresses?

No, notification to affected addresses is done by the “applicant”. The applicant has to notify them and either say that there will be no meeting, as determined by the RCO, or that no decision has yet been made- in either case, contact information for the RCO is provided.

16. Recommendation: Once the ZBA receives the letter or fax from RCO- it would be great if the RCO could get confirmation of receipt of documents.

That would be reassuring, yes. We will forward this request.

17. Floor area ratio (FAR) – how would I find out about the exception to the FAR, when a developer is touting out transit-oriented development (TOD): What is the TOD calculations?

There are presently no TOD districts mapped so these overlay requirements have no legal standing- See §14-513 of the code. However there are bonuses available for transit-connected projects. See Table 14-702-1 “Floor Area Bonus Summary”- “Transit Improvements” bonus category. (§14-702(8) for a full description)

18. Is funding available to RCOs to complete this mandated activities per the zoning code?

This legislation was enacted by Council. Talk to your Councilperson about your needs to fulfill the responsibilities as an RCO, or look for funding from other community stakeholders.

Beginning Questions:

1. Define affected properties radius?

Affected properties include all properties on the same block, those on the opposing blockface, and those within a 200' radius from edges of the property.

2. How can RCOs learn ZBA decision outcomes?

Request a copy of the decision from ZBA, or find it online on the "violations" map about a week after the decision. Search by address.

3. How does RCO take community input into their decision?

As you see in the handout- "Sample RCO Zoning committee policies and procedures", RCOs can do this in different ways. It's up to the individual RCO to determine the best way to do this, but it does need to be clear and in writing HOW you will do this, to ensure equal and fair treatment for all cases.

4. Selection of coordinating RCO with overlapping boundaries

The coordinating RCO is selected by the District Council office whose boundaries include the project location. If they do not make a selection within seven days of the appeal's filing date, the Planning Commission must select the coordinating RCO.

5. Developer notifications to RCOs- how to enforce?

Let the ZBA know in writing that you were not notified. ZBA cannot hear the case until the public meeting with the RCO(s) has taken place. The ZBA requests this notification at least one day prior to the hearing date.

6. RCO capacity issues (do they meet the criteria)

It's important to understand the requirements of serving as an RCO in order to comply with the regulations and keep the legal process moving. Any individual or group can submit a letter to the ZBA. Registration does NOT establish any greater influence over Zoning Board decisions. If you are aware of an RCO who is not performing their responsibilities, contact your Council person or the Planning Commission. [mason.austin@phila.gov]

7. L&I's enforcement on rulings

If you are aware of illegal activities, you should report them by calling "311" or notifying L&I directly.

8. RCO criteria

The list of criteria is in the "Workshop" handout" page 2.

9. RCO liability

(see question #5 in the first group of questions...)

Evaluation for June Workshops for Registered Community Organizations (RCOs)



Monday, June 8: 6:00pm

1515 Arch Street, 18th floor, Room 18029

1. Was the format and materials provided for this workshop helpful for your interests?

If Yes- how? *Circled-* (44)

If No- what was missing? (1)

Comments:

- Very thorough in the time allotted; a lot of information made available
- Introduction; community board questions, expectations, handouts
- Good materials with many references
- To the point; on the \$\$
- The handouts were helpful for following the presentation
- Share email/websites for samples in handout (print too small)
- Great meeting got a lot out of it. I have a good idea for how to do it better.
- Refresher course for me- it was GREAT!!
- Zoning issues; dimensional variance; civic design review- good
- Would like to know about residential development – keeping people in their own homes
- Very detailed materials and many ways to access.
- Information presented was truly needed. RCO ethics reminder was very relevant and important.
- Quick Reference Guide; resources & tools; RCO workshops information; zoning and use variances
- I am new to community engagement. It's nice to know the "playbook". Hope to see if people in my community play by the rules.
- CPI explained RCO responsibilities, provided case studies and resources. Thank you.
- New info on what are RCO responsibilities
- It gave very good information and answered the questions that I would have.
- Yes, even though I had heard a lot of this before, it was still useful. Donna is a huge asset for PCPC.
- Answered most questions.
- Illuminated in-depth the various roles of RCO, developers, city agencies and RCOs. *Needs small groups to address specific concerns.
- All various roles, who to contact, registration, everything was helpful, but may have other questions as I start my process.
- Organized with interesting needed information.
- I'm new in my position so everything presented tonight was helpful.
- Well-state agenda and good handouts.
- Lots of info, a little hard to follow at times because it was so dense but the handouts seem very comprehensive and I'm sure I will be referencing them in the future.
- Provided outline and info.
- Very informative. (Everything is hard to read. It's a lot of reading.)
- Good review and clarification of the zoning review and RCO process; useful templates for meetings & letters
- Good overview (wish the website for RCO info was more updated)

- We are a current RCO and it was a good refresher training.
- Excellent explained the what and why's of the entire process. Great info- maybe condense info a little and refer people to websites (save our trees)
- The meeting summary form template and things to consider when review proposal plans will help streamline my organization process.
- Excellent overview, thanks
- Yes, there was more info.
- It was very informative.
- It answered some questions I had.
- I learned about the community's right to hold a meeting and what types of developments deems a RCO meeting.
- Questions were answered, additional information was given "written" outside of the powerpoint.
- Succinct, informative and organized! Love the visual packet of zoning codes; contact info would have been nice.
- Quick reference zoning code guide! So good!
- Wealth of information and solutions.

2. Questions:

1. Is there any flexibility to the 45 day requirement? (to hold the meeting with developer)

You can request an extension only if the developer is willing to agree to this. If you anticipate a problem with meeting the timeline during certain periods of the year, please work with other organizations so that you can ensure a public meeting is held and let your District Councilperson's office know.

2. Best way to report L&I violations ie: illegal rentals (rooming houses, etc.)

Calling "311" is the best way, so an inspector can visit the property and issue a fine, if needed.

3. Can an "approval with provisos" include small changes to the dimensional or use variance, or does that trigger a new application?

If the ZBA issues approval with "provisos", that does not generally require that a new application be filed.

4. Who determines the coordinating RCO if the case is in more than one Council manic district.

It's exceedingly rare that this would happen, but in this case, the affected District Councilperson offices would work together to determine the coordinating RCO.

5. Where can I find a list of all coordinating RCOs? Who is in charge of designating meeting space?

The coordinating RCO is selected for each individual case. There is generally not one RCO which always serves as the coordinating one. The coordinating RCO is identified in the notification letter that goes to all affected RCOs. The coordinating RCO is in charge of logistics.

6. Do non-coordinating RCOs have to attend CDR? If no coordinating meeting held what can neighbors do if they disagree. If a non coordinating RCO does not agree with the coordinating RCO can they submit letter or ask that their research be included? Can a coordinating RCO deny submitted opinions from other RCOs?

*The Civic Design Review Committee meeting is open to the public. Anyone can attend and provide testimony. On the Committee, there is one rotating seat for a representative of a Registered Community Organization whose boundaries include the applicant's property, except that in the case of multiple overlapping Registered Community Organizations, there are **up to** two seats, one for each 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. [§ 14-304 (5)]*

The Committee cannot hear the case until AFTER the developer has first met with the affected RCOs. Anyone can submit a letter or testify at the public meeting.

7. Can we get a copy of the sample meeting summary letter?

A letter “template” is in your “Workshop” handout- page 9. There is a sample letter in the handout “Zoning and Use Variances, Step-by Step”.

8. How many people are selected for the CDR entity?

(See answer to question #6)

Beginning Questions:

1. What to do with coordinating RCOs who don't do their job?

Provide written documentation of deficiencies in a letter to the ZBA. Notify the District Councilperson and the Planning Commission: mason.austin@phila.gov. Three failures by a coordinating RCO to submit a required meeting summary form during its 2-year registration period shall result in the organization's suspension for one year.

2. Notification for “by right”

No notification is required for “by right” projects.

3. Smallest geographic area for RCO?

There is no minimum size requirement.

4. Unclear who is coordinating RCO?

The coordinating RCO is identified in the notification letter, along with the names of the other RCOs. If you are aware of appeals projects within your boundaries, it's a good idea to reach out to the other RCOs which share your boundaries and maintain good communications with each other.