PHILADELPHIA CITY PLANNING COMMISSION

Report to the City Planning Commission
On the June 6, 2016
Public Hearing on PCPC Regulations

June 14, 2016

INTRODUCTION AND BACKGROUND

On March 15, 2016 and April 19, 2016, the Philadelphia City Planning Commission (PCPC) adopted regulations concerning its procedures under the powers granted by the Philadelphia Home Rule Charter, as well as additional duties and responsibilities specified in the Philadelphia Code. The revisions to the regulations adopted by the City Planning Commission at these two meetings are reflected in five of the sixteen existing sections outlining the Commission's policies and procedures:

1. DECLARATION OF AUTHORITY AND PURPOSE
8 REVIEW OF MASTER PLANS
9 REVIEW OF ZONING AND BUILDING PERMIT APPLICATIONS
10 CIVIC DESIGN REVIEW
12 REGISTERED COMMUNITY ORGANIZATIONS

The proposed changes were thematically grouped into four sets of changes for separate review by the Commission: 1) Civic Design Review (CDR) and Major Amendments to Master Plan District; 2) Steep Slope Regulations; 3) CDR Sustainability Checklist; and 4) Registered Community Organizations (RCO) Regulations. All four sets of revisions were presented to the Commission on March 15, 2016, at which time the first three were adopted, while the proposed regulations for Registered Community Organizations were tabled until April 19th. The proposed changes for the regulations for Registered Community Organizations were revised in response to testimony heard at this meeting, as well as in response to a public outreach process described in greater detail in the next section. The revised set of regulations for this section was presented to the Commission on April 19, 2016 and was adopted at that meeting.

Under the terms of Section 8-407 of the Philadelphia Home Rule Charter, the Law Department subsequently approved these regulations, and they were filed with the Department of Records for a 30-day public review and comment period. The Charter specifies that during this period, any person affected by the regulations shall be afforded a public hearing before the promulgating body and the City Solicitor.

The Commission received requests for a hearing on the adopted regulations for Civic Design Review (CDR) and Major Amendments to Master Plan Districts and for Steep Slopes within the 30-day public inspection and comment period that followed their adoption in March. Subsequently, the Commission received requests for a hearing on the adopted regulations for Registered Community Organizations (RCO) within the 30-day public inspection and comment period that followed adoption in April. As a result, a combined hearing on these three sets of changes to PCPC regulations was convened by the City Planning Commission on June 6, 2016.

The Home Rule Charter further requires that a report of the hearing, reaffirming the regulations or modifying them with the approval of the Law Department, again be filed with the Department of Records. The regulations become effective on the tenth day following the filing of the report.

This document constitutes the report of the public hearing on City Planning Commission regulations. It begins by describing the civic outreach process used to review and receive feedback on the regulations. Then, comments made at or in advance of the June 6th public hearing are grouped by the thematic set of changes proposed. For each section, the hearing comments are summarized, staff findings reported, and recommendations given. Where changes to the adopted regulations are recommended, suggested revisions, modifications, or clarifications to the relevant text are listed, with deleted language indicated in ~~strikethrough~~ font, and material added shown in *underlined italics.* Both "markup" and "clean" versions of the regulations are attached as appendices to this report.

CIVIC OUTREACH AND PUBLIC REVIEW PROCESS

Prior to conducting the June 6th hearing on the adopted regulations, the PCPC staff provided several opportunities for public review and comment, especially for Section 12 on Registered Community Organizations (RCO), which received the greatest interest. Over a period of three months, the staff made successive draft versions available via the City Planning Commission website and through direct e-mail and mailings to one or more representatives of each of the 270 RCOs registered at the time of the hearing. Printed copies of the proposed regulations were made available upon request.

Based on the comments received from this public review – via letter, e-mail, and at staff-convened stakeholder meetings – the regulations for Registered Community Organizations (RCO) were refined and edited before being presented to the Commission for adoption on April 19, 2016. The timeline for the civic outreach and public review process for these regulations is summarized below:

- **March 2016** — Drafts of revised regulations were written by staff, in consultation with various City Council Offices and City agencies, including the Law Department, the Department of Licenses and Inspections, the Commission on Human Relations, and the Office of the Inspector General.
- **March 11, 2016** — Draft regulations were reviewed and approved by Law Department
- **March 15, 2016** — Four sets of changes to regulations were presented for adoption to the City Planning Commission; those related to Civic Design Review (CDR) and Major Amendments to Master Plan District; Steep Slope Regulations; and CDR Sustainability Checklist were adopted.
- **March 17, 2016** — Law Department approval was received via memo from Brendan O'Rourke, Divisional Deputy Solicitor, and transmitted to the Records Department for filing and advertising the three sets of adopted changes to regulations. The Records Department acknowledged receipt of the three sets of adopted changes to regulations via memo from Jeanne Reedy, Administrative Services Director, Records Department.
- **March-April 2016** — Through multiple communications, one or more contacts from each of the 270 RCOs were e-mailed or mailed successive drafts of proposed regulations, asked to call, e-mail, or mail with comments, and invited to two feedback sessions. Drafts were also posted on the PCPC website. Staff received significant comments. Substantial revisions to the proposed regulations were made in response. The Department of Records received requests to hold a public hearing on the regulations for Civic Design Review (CDR) & Major Amendments to Master Plan District and Steep Slope Regulations.
- **April 7, 2016** — Two 90-minute feedback sessions were held for regulations relating to Registered Community Organizations, where oral and written testimony were accepted.
- **April 18, 2016** — Draft regulations reviewed and approved by Law Department
- **April 19, 2016** — Registered Community Organizations (RCO) regulations were presented for adoption to the City Planning Commission and adopted. Law Department approval received via memo from Brendan O'Rourke, Interim Deputy Solicitor, and transmitted to the Records Department for filing and advertising the adopted changes to Registered Community Organizations (RCO) regulations.

- **April 20, 2016** — The Records Department acknowledged receipt of the adopted changes to regulations concerning RCOs via memo from Jeanne Reedy, Administrative Services Director, Records Department;

- **April-May 2016** — The Department of Records received several requests to hold a public hearing on the regulations for Registered Community Organizations (RCO).

- **May 13 2016** — Date of hearing was finalized for June 6th and advertised by e-mail to RCOs and other parties

- **May 27 2016** — All parties requesting a public hearing were notified of the June 6th hearing date

- **June 6, 2016** — The public hearing on the adopted PCPC Regulations was held on the 18th floor (Room 18029) of the One Parkway Building, 1515 Arch Street, Philadelphia

- **June 6-9, 2016** — PCPC staff reviewed and revised the regulations based on public hearing comments.

- **June 10, 2016** — Law Department approval was received for revised regulations. Revised regulations were posted on the City Planning Commission website

SUMMARY OF PUBLIC HEARING COMMENTS BY THEMATIC CHANGES PROPOSED

CIVIC DESIGN REVIEW (CDR) AND MAJOR AMENDMENTS TO MASTER PLAN DISTRICT

1) **Summary of Public Comments: The agenda for CDR shall be posted at least three days prior to the meeting.**

Staff Finding: The CDR agenda is available on the City Planning Commission website twelve days before the meeting in most cases. However, the agenda for CDR is based on the ability for applicants to submit needed documentation.

Staff Recommendation: No change to regulations is recommended.

2) **Summary of Public Comments: Under the current Code there are two seats for RCO representatives on the CDR Committee. When more than two RCOs apply to be the representatives it is at the discretion of the Executive Director to choose two representatives from the nominees. It is requested that the Executive Director allow the nominees to work amongst themselves to reduce the number of nominees to the two that are allowed. If the RCOs cannot not agree on 2 nominees the Executive Director may decide.**

Staff Finding: The City Planning Commission staff agrees that the Executive Director can work with the affected RCOs in cases of more than two nominees are received for the two seats allotted to community representatives on the CDR Committee. If the Executive Director has not heard a decision from the affected RCOs within three days of the hearing, he may choose two representatives from the nominees.

Staff Recommendation: The staff recommends revising the section 10.3.4.3 to read as follows:

10.3.4.3 If the Executive Director receives more nominations than there are available Local RCO representative seats, the Executive Director shall *ask submitting nominees to decide amongst themselves whom the two representatives will be. If a decision is not made at a point three days from the date of the scheduled CDR meeting, then the Executive Director shall* select the representatives from among the nominees.

3) **Summary of Public Comments: Indicate clearly defined open spaces as restricted for use by building occupants and visitors only; or, indicate clearly defined open spaces as for use by general public in 10.6.3.6.**

Staff Finding: Public open space is already defined in the code in §14-203(254) as "Space within a lot or building that is open and made available to the public and that is designed and intended to be used by the general public. The space may consist of open space, enclosed public space, public rooms, gardens, or connector public space."

Staff Recommendation: No change to regulations is recommended.

STEEP SLOPE REGULATIONS

1) **Summary of Public Comments: The proposed regulations would delegate too much discretionary authority to the PCPC staff on steep slope applications, thereby removing the opportunity for public input, both individually and at the RCO level, from a hearing on these applications held by the Zoning Board of Adjustment. This would make the process less transparent.**

Staff Finding: The City Planning Commission staff always strives for maximum inclusion in decisions that affect the community. Even though many of the steep slope applications that the staff reviews are routine, very small in scale, and with little environmental impact, it is not staff's intention to have less transparency, either real or perceived.

Staff Recommendation: Withdraw the changes to the Steep Slopes regulations in their entirety.

REGISTERED COMMUNITY ORGANIZATIONS (RCO)

1) **Summary of Public Comments: There were several comments included in oral and written testimony that alleged insufficient notice and opportunity for comment, requesting that these regulations be discarded and that the process begin anew**

Staff Finding: As noted in the timeline above, in addition to this hearing and the City Planning Commission meeting at which this report will be presented, these regulations were previously presented for comment and review at the March and April 2016 City Planning Commission meetings. In addition, all RCOs were invited to two public listening sessions, which attracted a total of 58 attendees and which resulted in significant revisions to the proposed regulations. E-mail and letters were sent to all RCO representatives on March 24th, April 6th, and May 16th- each of these included an updated draft of the proposed regulations, notification of one or more of these meetings, and an invitation to comment on the regulations during these meetings and/or via phone, e-mail, or postal mail. A final e-mail "blast" was sent the week prior to the hearing, which was attended by 54 members of the public. Combined, approximately 7 hours of oral testimony was taken in these settings, and dozens of pages of testimony was received. Much of the testimony and commentary received has already been considered and incorporated in the draft of regulations that was considered at the hearing; additional changes are being recommended below as a result of testimony received at, or in advance of, the public hearing. Consequently, the City Planning Commission staff finds there is no cause to discard these regulations and being the process anew.

Staff Recommendation: No change to adopted regulations is recommended.

2) **Summary of Public Comments: Written testimony included the recommendation that the agreement to Standards of Conduct referenced in section 12.3.5.9 be included in the registration materials and not offered as a separate document.**

Staff Finding: While the intent was that this section be implemented exactly as recommended in the testimony, the staff feels that it is unfair to include this provision while the current registration period is open, but section 12.5 is still under review. Consequently, this agreement was not included in the application materials distributed to RCOs and other organizations and was replaced by a separate, non-binding and non-required agreement to abide by a set of RCO Rights and Responsibilities. In addition, the application period was extended by one month, to July 31st, 2016 to allow organizations the opportunity to submit materials after the finalization of these regulations.

Staff Recommendation: The staff recommends revising sections 12.3.1 and 12.3.5 to read as follows:

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 Executive Director may, at his or her discretion, extend this registration period.* 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. *The Executive Director may, at his or her discretion, extend this registration period. If an RCO's*

registration status is due to expire during a given year and it does not submit a renewal application that is approved by the Commission, it will be removed from the registry at the close of that renewal period. An organization that allows its RCO status to lapse may reapply as a new organization during a subsequent ~~new~~ registration period.

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:

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~~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~~*9* The Executive Director may request additional application materials deemed necessary to properly evaluate an RCO registration request.

3) Summary of Public Comments: On March 3, 2016, Bill No. 160177 was introduced by City Council, which included the following text:

> ***The Commission is authorized to promulgate regulations to implement the provisions of this § 14-303(11A). Such regulations shall include standards of conduct concerning the operation of RCOs. Upon a determination by the Commission that an organization has failed to operate within such standards of conduct, the Commission may, in accordance with its regulations, suspend or revoke an organization's RCO registration.***

However, at the time of this report, this bill has not yet been passed. Following the adoption of these regulations for RCOs by the City Planning Commission on April 19th, the Law Department provided staff with a revised opinion that it cannot suspend or revoke an organization's RCO registration without explicit legislative authority, such as would have been given through Bill 160177.

In addition, there were several requests for additional detail on the procedures outlined in sections 12.5.1.3, 12.5.2.3, and 12.5.3.2. These included including a more articulated, tiered system of consequences; a formal intake process for complaints; standards of evidence; an appeals process; a set timeline and notification process, and the inclusion of references to the federal Fair Housing Act

Staff Finding: Given the revised opinion from the Law Department, staff recommends revising the regulations to make it clear that the City Planning Commission will not have the authority to suspend or revoke the registration status of RCOs for most circumstances articulated in these regulations, unless granted that authority through legislative action. However, it is intent of the City Planning Commission that the Standards of Conduct included in its regulations be primarily used to support positive RCO practices. Given that RCOs are critical to the City Planning Commission's mission for community notification and engagement in planning issues, but range widely in their capacity, it is intended that every opportunity be given for an RCO to succeed. A pre-set, tiered system of consequences would require that the City Planning Commission adopt a more punitive posture than is desired.

Likewise, because the nature and severity of violations is so varied and staff capacity for investigation so limited, a set timeframe, articulated standard of evidence, and single means of intake of complaints is not practicable and should not be codified within these regulations. Instead, the City Planning Commission will work cooperatively with other entities, such as the Law Department, the Commission on Human Relations, and the Office of the Inspector General to ensure both thoroughness and fairness in any investigative process. The provision of an appeals process will help to ensure transparency in these processes.

Staff Recommendation: The staff recommends revising section 12.5 to read as follows:

12.5. RCO Standards of Conduct.

12.5.1. Requirements other than those Enumerated

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12.5.1.2 Any 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. *The authority of the Executive Director to suspend the registration of an RCO pursuant to this subsection is subject to the Philadelphia Code and any additional grant of authority created through an ordinance enacted by the Philadelphia City Council.*

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12.5.2 Procedural Requirements

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12.5.2.3 Following any incident of an RCO's failure to follow *the* procedural requirements of this section, the Commission shall notify the RCO in writing of such failure. *If an RCO* ~~Three~~ fail~~ure~~s to follow *the* procedur~~e~~*al requirements of this subsection three (3) or more times* ~~by the RCO~~ during its two-year registration period, *that RCO* ~~shall~~ *may be* 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. *The authority of the Executive Director to suspend the registration of an RCO pursuant to this subsection is subject to the Philadelphia Code and any additional grant of authority created through an ordinance enacted by the Philadelphia City Council.*

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 *or federal Fair Housing Act*.

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 *or federal Fair Housing Act* 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. *The authority of the Executive Director to suspend the registration of an RCO pursuant to this subsection is subject to the Philadelphia Code and any additional grant of authority created through an ordinance enacted by the Philadelphia City Council.*

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4) Summary of Public Comments: Written testimony included the request that RCOs be allowed to register with "TBA" listed as their meeting location.

Staff Finding: This is permitted by the Zoning Code and not explicitly disallowed by current regulations.

Staff Recommendation: To match what is stated in the Zoning Code, the staff recommends revising section 12.3.5.7 to read as follows:

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

5) Summary of Public Comments: A comment submitted in written testimony suggested that an appeals process is necessary for the denial of RCO applications

Staff Finding: Staff believes this is a reasonable request that can help ensure a fair and transparent process for registration.

Staff Recommendation: The staff recommends revising section 12.3.6 to read as follows:

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.

12.3.6.1 If an organization's registration request has been denied, it may, within 10 days of written notice, request a review for appeal by the Chair of the Commission. The Chair may either affirm the decision of the Executive Director or refer the appeal for review by the full Commission.

12.3.6.2 If an appeal is so referred by the Chair, it will be scheduled for consideration at a regularly scheduled meeting of the Commission within 60 days of the original notice to the organization that its application has been denied.

6) Summary of Public Comments: There were a large number of comments included in oral and written testimony that expressed concerns regarding conflict of interests within and among RCOs, especially as pertaining to the review of zoning appeals, applications for special exceptions, and projects for Civic Design Review

Staff Finding: The Commission has not been granted the authority to dictate whether a given individual or group may be permitted to participate in the operations of multiple RCOs. In addition, it has not been granted the authority to regulate the conduct of meetings, including the circumstances of when an individual would be required to recuse him or herself from whether or not specific individuals may preside. However, because the staff feels this is an important issue, it does recommend the addition of advisory language to its regulations.

Staff Recommendation: To match what is stated in the Zoning Code, the staff recommends revising section 12.2.2 and 12.4.2 to read as follows:

~~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.~~

12.4.2 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.

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12.4.2.3 Conflict of Interest. Any RCO submitting a project for zoning approval or employed in a professional capacity in reference to the project should not serve as a Coordinating RCO for that project.

12.4.2.4 In such case that an individual in a leadership position of an RCO has a financial interest in the outcome of an application being reviewed by that RCO, the

Commission recommends that the RCO require the disclosure of this interest during the public meeting, and include this in the text of its letter to the ZBA or CDR Committee. The Commission also recommends that said individual be excluded from participation in the review of that application.

7) Summary of Public Comments: There were a large number of comments included in oral and written testimony that addressed procedures and requirements that are articulated clearly and explicitly in the Zoning Code. These included:

- The term of an RCO's registration (2-years).
- The process by which Coordinating RCOs are selected in cases where a property falls within the boundaries of multiple RCOs
- The method by which the affected addresses that the applicant must notifiy is determined
- The triggers that begin the 45-day window within which an RCO must hold a public meting
- The inclusion of political Wards, Special Services Districts (SSDs), and Neighborhood Improvement Districts (NIDs) as organizations eligible for registration as RCOs
- The exemption of Wards, SSDs, and NIDs from registration requirements applied to other organizations
- The option provided to District Council offices of convening the public meeting in cases where there is no affected RCO

Staff Finding: PCPC cannot amend its regulations in a means that contradicts that which is stated in the Zoning Code. PCPC's current regulations on these issues largely mirrors that of the Zoning Code and, as such, revisions would result in an unlawful conflict between the two documents.

Staff Recommendation: No change to adopted regulations is recommended.

8) Summary of Public Comments: There were a large number of comments included in oral and written testimony concerning issues for which the Zoning Code does not provide implied or explicit regulatory authority to the City Planning Commission. These included:

- Requiring applications to provide notice in situations other than those articulated by the Code (such as when meetings are rescheduled after the initial notice has been delivered or additional meetings are scheduled)
- Requiring that meetings be scheduled at least 7 days after notification from the City Planning Commission
- Imposing a requirement that RCO leadership attend mandatory trainings
- Regulating any aspect of any additional voluntary meetings convened by RCOs and/or applicants
- Determining the size of the boundaries of RCOs, except in the manner stated by the Code (that they include a maximum of 20,000 parcels)
- Requiring a specific leadership structure for RCOs (e.g. an executive board) or a specific process by which leadership is chosen.
- Regulating the degree to which RCOs cooperate and share information except in the scheduling of meetings
- Regulating how meetings are conducted, including the degree to which any other affected RCOs participate, how meeting rules and procedures are adopted, and how, or whether, votes are taken

Staff Finding: The City Planning Commission can only adopt regulations such as are necessary to implement the various statutes of the Zoning Code. Without accompanying legislative changes, it does not have the authority to adopt regulations on the topics listed above.

Staff Recommendation: No change to adopted regulations is recommended.

9) Summary of Public Comments: There were several suggestions included in oral and written testimony that are not practicable without additional provision of budgetary resources. These included:

- That the registration period for RCOs be open indefinitely and that applications be accepted on a rolling basis.
- That the City Planning Commission provide significantly expanded training for RCOs and organize/sponsor events that celebrate and demonstrate appreciation for the work done by RCOs.

Staff Finding: Lacking the budgetary resources to address these resource-intensive proposals, staff does not believe they should be included in its regulations.

Staff Recommendation: No change to adopted regulations is recommended.

10) Summary of Public Comments: There were several comments included in oral and written testimony concerning issues entirely outside the purview of the City Planning Commission. These included:

- Requirements of notification of decisions made by the Zoning Board of Adjustment (including both continuances and the designation of "must appear") or of appeals to, or decisions by, a Court of Law
- Changes in the format of regulatory changes accepted by the Department of Records
- Dictating that another entity, outside the City of Philadelphia, be required to hear any appeals regarding the removal of RCOs
- The elimination of Expedited hearings by the Zoning Board of Adjustment
- That the City Planning Commission should focus on fighting the proliferation of drugs, dereliction in collecting taxes, enforcing agreed upon provisos, and citing many of the businesses that routinely fall violate the Zoning Code or with L&I, specifically excessive signage, illegal rentals, or nonconforming uses

Staff Finding: The City Planning Commission cannot adopt regulations on behalf of other agencies or outside entities and cannot adopt regulations requiring that it address issues that are clearly outside of its delegated mission and purview

Staff Recommendation: No change to adopted regulations is recommended.

11) Summary of Public Comments: There were several comments included in oral and written testimony protesting regulatory changes that are not under consideration. These included the regulation of speech at public meetings and the ability of the Executive Director to engage in capital punishment of RCOs.

Staff Finding: The City Planning Commission does not propose to include either of these issues in its regulations

Staff Recommendation: No change to regulations is recommended.

APPENDEX A:
REVISIONS TO ADOPTED REGULATIONS

1. DECLARATION OF AUTHORITY AND PURPOSE

1.1. Authority

The City Planning Commission is established by §§3-100 and 3-800 of the Philadelphia Home Rule Charter. The City Planning Commission has those powers set forth in Article IV, Chapter 6 of the Philadelphia Home Rule Charter and additional duties and responsibilities as provided in The Philadelphia Code.

1.2. Prior Regulations Superseded

All regulations heretofore adopted by the City Planning Commission are hereby superseded.

1.3. Purpose

No provision of this section shall add to or detract from a power, duty, or responsibility granted to the City Planning Commission by the Philadelphia Home Rule Charter or The Philadelphia Code. In the case of any conflict between the provisions of this Subsection 1.3 and other provisions of the Philadelphia Home Rule Charter or The Philadelphia Code, the provisions of the Philadelphia Home Rule Charter or The Philadelphia Code shall govern.

1.3.1. The City Planning Commission is responsible for guiding the orderly growth and development of the City of Philadelphia. The City Planning Commission's charter-mandated powers include the preparation of:

1.3.1.1 A Comprehensive Plan, also referred to as the Physical Development Plan of the City, and its modifications;

1.3.1.2 The Capital Program and Budget;

1.3.1.3 Proposed zoning ordinances and amendments;

1.3.1.4 Regulations concerning the subdivision of land; and

1.3.1.5 Recommendations on legislation affecting zoning, the Comprehensive Plan, the capital program, plans of streets, land subdivision, or the purchase or sale of real estate.

1.3.2. The Philadelphia Code assigns certain duties and responsibilities to the City Planning Commission, including the following:

1.3.2.1 Reviewing and issuing prerequisite approvals or recommendations on certain zoning and building permit applications, pursuant to Title 14;

1.3.2.2 Approving minor amendments to master plans, pursuant to Title 14;

1.3.2.3 Making recommendations to the Zoning Board of Adjustment on variances and special exceptions, pursuant to Title 14;

1.3.2.4 Maintaining a registry of community organizations, pursuant to Title 14;

1.3.2.5 Preparing regulations concerning Civic Design Review, pursuant to Title 14;

1.3.2.6 Reviewing nominations of new Neighborhood Conservation Overlay (/NCO) zoning districts, pursuant to Title 14; and

1.3.2.7 Promulgating regulations for the implementation of §17-111 of The Philadelphia Code (Energy Efficiency and Environmental Design in Construction of Buildings) requiring every City contract for the design or construction of a large City public works project to meet minimum energy efficiency requirements, including requirements intended to ensure that a finished project will achieve a silver-level LEED rating.

1.3.2.8 Promulgating regulations concerning the Civic Design Review requirements for certain major amendments to master plans, pursuant to Title 14.

1.3.3. In accordance with the Pennsylvania Urban Redevelopment Law (Act of May. 24, 1945, P.L. 991, No. 385, as amended), the City Planning Commission is responsible for designating blight certification areas, preparing redevelopment area plans, and issuing recommendations on urban renewal plans, redevelopment proposals, and redevelopment agreements prepared by the Philadelphia Redevelopment Authority.

1.3.4. In addition to the administrative and regulatory duties specified in subsections 1.3.1 through 1.3.3, above, the City Planning Commission fulfills an advocacy and support function to the City and the public on issues such as economic development, transportation, neighborhood planning, housing, and urban design.

***** Sections 2 through 7 Omitted *****

8. REVIEW OF MASTER PLANS

8.1. Authority and Delegations to the Executive Director

The Executive Director is hereby authorized to approve, on behalf of the Commission, minor amendments to master plans in order to fulfill the Commission's duties pursuant to the Zoning Code.

8.2. Submission Requirements

All master plans required by the Zoning Code to establish a new Master Plan District shall include the following:

8.2.1. A Statement of Existing Conditions that describes the existing context of the proposed Master Plan District and its surrounding areas. The Statement of Existing Conditions may include, but is not limited to:

8.2.1.1 Local, state or national historic designations.

8.2.1.2 A description of surrounding land use and density patterns.

8.2.1.3 A description of the natural environment, including topographic conditions and any floodplains, wetlands, or other sensitive habitats present in the area.

8.2.1.4 A description of existing parking and traffic conditions.

8.2.2. Statement of Impacts of Proposed New Conditions that describes the potential impacts of the Master Plan District on the elements presented in the Statement of Existing Conditions. The Statement of Impacts of Proposed New Conditions should indicate any proposed mitigation measures.

8.2.3. Site Plan with the following information recorded on the Site Plan:

8.2.3.1 Extent, boundaries and area of the proposed district;

8.2.3.2 If there are multiple land owners within the proposed district area, the existing ownership of land;

8.2.3.3 Proposed changes to the existing confirmed street layout within or surrounding the boundaries of the district;

8.2.3.4 Total proposed maximum gross floor area;

8.2.3.5 Total area and type of open space;

8.2.3.6 Setback lines from watercourses;

8.2.3.7 Occupied area, gross floor area and height of each structure, existing and proposed, within the district;

8.2.3.8 Use of each structure, existing and proposed, within the district;

8.2.3.9 Size and location of all parking areas;

8.2.3.10 Size and location of all driveways leading thereto;

8.2.3.11 Size and location of all other private driveways or streets intended to be used by automobiles;

8.2.3.12 Size and location of all off-street loading; and

8.2.3.13 Size and location of any signage.

8.2.4. Complete Streets Handbook Checklist.

8.2.5. The Executive Director may request additional materials as he or she deems necessary to guarantee that the proposed Master Plan is substantially consistent with the stated purposes of the district.

8.2.6. For Special Purpose Institutional (SP-INS) districts, the Site Plan required by Subsection 8.2.3, above, shall additionally indicate the area(s) to be designated commercial and a specified list of uses within each commercial area.

8.2.7. For Special Purpose Sports Stadium (SP-STA) Districts, the Master Plan submission shall additionally include a parking and circulation plan showing the

size, capacity and use of all buildings and structures proposed and existing on the lot.

8.2.8. For Special Purpose Entertainment (SP-ENT) districts, the Master Plan submission shall additionally include the following:

8.2.8.1 A landscape plan.

8.2.8.2 A transportation management plan that details:

.1 Internal circulation systems,

.2 External access points,

.3 Pedestrian flows, including to and from parking facilities,

.4 Estimates of levels of service on sidewalks and internal roads, and

.5 A traffic and parking study prepared by a licensed traffic engineer, assessing the impacts of new traffic generated by the proposal on roadway and intersection capacity, public transit and other bus operations, and pedestrian and bicycle circulation and safety.

8.2.8.3 A parking management plan describing the proposed policy on and resources for parking for patrons, employees and managers, and anticipated traffic and parking management resources.

8.2.8.4 Any recommendations on intersection improvements, new roadway construction, or widening of existing roadways, if required, and any traffic buffers to protect residential areas, including the manner of funding such improvements by the developer.

8.3. Submission Requirements for Amendments to Master Plans

8.3.1. For minor amendments, as defined by the Zoning Code, the proposed changes shall be indicated on a copy of the adopted site plan for the master plan district. Upon Commission approval of the minor amendment, the site plan with the approved changes shall become the adopted site plan for the Master Plan District.

8.3.2. For major amendments, as defined by the Zoning Code, the amendment shall be accompanied by a revised site plan. Except for Master Plan Districts established as of August 21, 2012, the major amendment shall also be accompanied by a revised Statement of Impacts of Proposed New Conditions.

8.4. Criteria for Required Civic Design Review of Major Amendments to Master Plans

Major amendments, as defined by the Zoning Code, shall be subject to civic design review pursuant to Zoning Code and Section 10 of these Regulations, provided the amendment meets the criteria of both subsections 8.4.1 and 8.4.2 below.

8.4.1. One or more of the following applies to the major amendment:

8.4.1.1 The amendment increases the gross floor area by more than 25,000 sq. ft.;

8.4.1.2 The amendment changes the proposed building footprints by more than 25,000 sq. ft.;

8.4.1.3 The amendment includes a rezoning of more than 25,000 sq. ft. of land into the master plan.

8.4.2. The Executive Director and the Chair of the CDR Committee agree that the amendment significantly impacts the public realm within the Master Plan District or the surrounding area and that civic design review would be in the best interests of the City. Significant impacts to the public realm may include modifications to the connectivity, functionality, character, or utilization of sidewalks, public spaces, streets, and public and community facilities.

***** Section 9 Omitted *****

10. CIVIC DESIGN REVIEW

10.1. Authority

The Civic Design Review Committee is authorized by the Zoning Code to review zoning permit applications for any development that meets the criteria established therein.

10.2. Civic Design Review Committee

Except where the Commission is acting as the CDR Committee, pursuant to the Zoning Code:

10.2.1. The CDR Committee consists of seven members, as set forth by the Zoning Code.

10.2.2. A quorum of the CDR Committee shall consist of four members. A majority of the members present at the time of voting is required to issue a CDR Committee recommendation.

10.2.3. The CDR Committee shall meet monthly, or as required. Pursuant to the Zoning Code, the CDR Committee shall post web notice of its meetings at least 15 days prior to each meeting.

10.2.4. The CDR Committee shall be guided by the Zoning Code and Section 10.6 of these Regulations when reviewing developments required to undergo civic design review as provided in The Zoning Code.

10.3 Recommended Qualifications for CDR Committee Members

The Executive Director may recommend candidates to the Mayor for appointment to the CDR Committee as follows:

10.3.1 Each member recommended to serve in the seat designated for an architect or landscape architect should be a certified professional registered in the Commonwealth of Pennsylvania.

10.3.2 Each member recommended to serve in the seat designated for an urban design professional or developer should be recognized by peers to possess extensive knowledge of their practice area.

10.3.3 The member recommended to serve in the civic association review seat should have (1) experience in architecture, planning, urban design, or development, and (2) experience reviewing development plans on behalf of a community organization. Persons satisfying this criterion may include, but are not limited to, persons who serve or have served on a zoning, land use, or similar committee of a community organization.

10.3.4 The Local RCO whose registered boundaries include the Civic Design Review project will select a representative to serve on the CDR Committee.

10.3.4.1 At least one week before the date of the scheduled Civic Design Review meeting for the project, the Local RCO(s) shall nominate a representative to the Executive Director.

10.3.4.2 If there is more than one Local RCO whose boundaries include the project site, the Local RCOs may select up to two representatives.

10.3.4.3 If the Executive Director receives more nominations than there are available Local RCO representative seats, the Executive Director shall *ask submitting nominees to decide amongst themselves whom the two representatives will be. If a decision is not made at a point three days from the date of the scheduled CDR meeting, then the Executive Director shall* select the representative(s) from among the nominees.

10.4. Procedure

10.4.1. The Executive Director shall review the application and determine its completeness pursuant to the submission requirements delineated in subsection 10.5, below. The Executive Director shall forward the completed application to the CDR Committee.

10.4.2. The CDR Committee shall keep a summary of its recommendations made at each meeting and shall forward its recommendations to the Executive Director.

10.4.3. The Executive Director shall post the recommendations of the CDR Committee on the Commission's website, as required by the Zoning Code.

10.5. Submission Requirements

10.5.1. Applicants must submit a digital .PDF file and 10 bound color copies of the following in 11" x 17" format, except items in subsections 10.5.1.5 through 10.5.1.13 shall not apply to applicants of new master plan districts or major amendments to master plans:

10.5.1.1 A site survey indicating the current conditions of the proposed development site conducted by a licensed surveyor or engineer. A plan illustrating the current conditions of the proposed development site. Refer to Section 8.2.3 of these regulations for the information to be included on the site plan.

10.5.1.2 Complete Streets Handbook Checklist.

10.5.1.3 Photographs of the proposed building site and immediate area and aerial photographs in plan and oblique views.

10.5.1.4 Site plan, drawn to a scale where all elements of the streetscape are discernible and the relationship of outside spaces to inside spaces can be understood. The site plan must include all existing street elements such as utility poles, traffic signs, handicapped ramps, fire hydrants, street lights, bollards, benches, bicycle racks, and other street furniture.

10.5.1.5 Ground floor plan, drawn to a scale where the relationship of outside spaces to inside spaces can be understood. The ground floor plan must show all building entrances and exits and vehicle loading and unloading areas.

10.5.1.6 Landscape plan, drawn to a scale where all elements of the streetscape are discernible and the relationship of outside spaces to inside spaces can be understood.

10.5.1.7 Elevations drawn to scale of all sides of the proposed building(s) with all exterior materials labeled.

10.5.1.8 Site sections (minimum of two) showing the relationships to adjacent buildings and spaces.

10.5.1.9 Perspective renderings (minimum of two views including at least one at street-level perspective). Exterior materials must be depicted in the renderings.

10.5.1.10 3D digital or physical massing model that shows the proposed development within the context of surrounding buildings.

10.5.1.11 The Commission's Sustainability Questionnaire. In addition to the Sustainability Questionnaire, applicants applying for LEED certification, or certification by another green building or neighborhood development rating system, may also submit additional materials that detail the credits for which they are applying.

10.5.1.12 A written description of the building materials and their textures and colors. The CDR Committee may request material samples as it deems necessary to evaluate the project.

10.5.1.13 If applicable, the submissions required to demonstrate compliance with the sky plane controls of the Zoning Code, as provided in subsection 9.3 of these Regulations.

10.5.1.14 The Executive Director may request additional materials as he or she deems necessary to assist the Civic Design Review Committee in their evaluation of the project proposal.

10.6. Review Guidelines

The CDR Committee shall consider the impacts on the public realm in accordance with the Zoning Code. The CDR Committee shall apply the guidelines set forth in this Subsection 10.6 to evaluate each project and to make its advisory recommendation. For reviews of new Master Plan Districts and major amendments to master plans, the guidelines regarding architectural elements of individual buildings or facades may not apply. These CDR Guidelines are intended to supplement the form and design standards in the Zoning Code. Should there be a conflict between the regulations of this Subsection 10.6 and the Zoning Code, the provisions of the Zoning Code shall prevail.

10.6.1. General Intent. Civic Design Review is focused on the assessment of the proposed characteristics and quality of the public realm that is an integral part of any large development project. The “public realm” is defined as sidewalks, public spaces, streets, and public and community facilities. In addition, Civic Design Review will address the way in which a large proposed development may have an impact on its neighborhood. The Civic Design Review process does not lend itself to precise quantifiable certainty, requiring members of the CDR Committee to use their professional expertise and judgment in rendering advisory action.

10.6.2. Purpose. Projects that are subject to Civic Design Review, pursuant to the Zoning Code, are encouraged to:

10.6.2.1 Enhance the city’s streets and sidewalks, which represent the greatest percentage of its public realm, to function well, and promote vitality and activity;

10.6.2.2 Reinforce desirable urban features found within the surrounding area, such as siting patterns, massing arrangements and streetscape characteristics; and, if appropriate provides buffers and screens between the proposed building(s) and the adjacent area;

10.6.2.3 Maximize the utility of open space, which may be either public or private, and visible to the public;

10.6.2.4 Design site characteristics and building features to help reduce energy use and greenhouse gas emissions, manage stormwater runoff, conserve water and preserve natural habitats;

10.6.2.5 Promote pedestrian interest, safety and comfort by creating attractive and serviceable walkways and pedestrian routes;

10.6.2.6 Promote the safe and efficient circulation of bicyclists and motorists;

10.6.2.7 Promote the use of public transit;

10.6.2.8 Integrate accessibility for persons with disabilities; and

10.6.2.9 Minimize the adverse visual impact of vehicular service areas, while providing safe and ample access for emergency and delivery vehicles.

10.6.3. The site design of a project is encouraged to:

10.6.3.1 Where feasible, re-establish or continue the existing street and sidewalk grid.

10.6.3.2 Maintain adequate sidewalk widths in accordance with the Commission's Pedestrian and Bicycle Plan to ensure pedestrian clear zone widths.

10.6.3.3 Locate surface parking lots behind buildings.

10.6.3.4 Provide vehicular access and access to service areas, such as those from dumpsters, loading docks and mechanical equipment, from smaller service streets or alleys. Landscaping and walls may be used to screen service areas from view.

10.6.3.5 Include clearly defined pedestrian connections from buildings and parking areas to public streets.

10.6.3.6 Incorporate quality public open spaces and pedestrian networks between buildings.

10.6.4. The building design is encouraged to:

10.6.4.1 Construct buildings to the street line, match the prevailing setback on the block, or set back buildings to accommodate public space.

10.6.4.2 Define building entrances by an easily recognizable architectural element in the façade that leads the pedestrian to an entryway.

10.6.4.3 Maximize ground floor transparency through generous fenestration.

10.6.4.4 Incorporate windows, as well as materials and architectural details, into street-facing building facades to articulate the building in order to provide an interesting pedestrian experience.

10.6.5. The parking design is encouraged to:

10.6.5.1 Break up surface parking lots into smaller "cells," "pods," or "modules" by buildings, landscaping and pedestrian paths.

10.6.5.2 Provide shared parking and shared driveway entrances and exits whenever possible.

10.6.5.3 Construct multi-level parking structures instead of large surface parking lots, where possible.

10.6.5.4 Include ground-floor commercial uses in parking structures, where possible. Above-ground screening devices, such as architectural articulation including

baffles, screens, and landscaped walls are encouraged.

10.6.6. The design of public open space is encouraged to:

10.6.6.1 Be visible from the sidewalk.

10.6.6.2 Include direct access from adjacent streets, allow for multiple points of entry, and where applicable, integrate public transit stops or stations.

10.6.6.3 Incorporate amenities such as benches, seats, tables, fountains, drinking fountains, and interpretive historical markers.

10.6.7. The project is encouraged to integrate sustainable design elements that:

10.6.7.1 Reuse the existing building stock when possible.

10.6.7.2 Incorporate existing on-site natural habitats and landscape elements into the project design.

10.6.7.3 Incorporate functional storm water control features such as rain gardens, swales, and green roofs to store, slow and/or reduce rainwater runoff from the site.

10.6.7.4 Site and mass buildings to maximize daylight for exterior spaces and minimize shading on adjacent sites.

***** Remainder of Regulations Omitted *****

9. REVIEW OF ZONING AND BUILDING PERMIT APPLICATIONS

* * *

~~9.6. Reviews for properties in areas of Steep Slope Protection.~~

~~Zoning permit applications submitted for review to the City Planning Commission as a pre-requisite review approval pursuant to **§14-301(3)(c)(.1)(.j)** of the Philadelphia Code, may be considered exempt from the provisions of **§14-704(2)**, if one of the following conditions, as determined by the staff, is met:~~

~~9.6.1. Maintenance, repair, renovation, or structural alteration of an existing structure that does not increase the impact to, encroach further within, or further alter a steep slope area.~~

~~9.6.2. Rebuilding or replacing structures that are destroyed or rendered unusable by fire or an act of God or a third party over which the owner has no control provided that action toward the rebuilding or replacement is commenced within three years of the destruction, that the rebuilding or replacement is diligently pursued, and that the new construction or related activity does not further encroach into, or increase the impact to, or further alter, a steep slope area.~~

~~9.6.3. Installation or construction in improved public road rights-of-ways, and replacement, operation, repair or alteration of all natural gas, cable communications, telephone facilities, public utility lines, pipes, mains, equipment or appurtenances.~~

~~9.6.4. If the intrusion into the steep slope area benefits the public, as with trails providing access to parks, creeks, or wetlands.~~

~~9.6.5. All other reviews of applications where disturbance of slopes exceeding 25% and not covered by exemptions 9.6.1 through 9.6.4 must provide the following information for consideration by the City Planning Commission for exemption:~~

~~9.6.5.1. The applicant shall demonstrate: the projects has no practicable alternative to the work with less impact on the steep slope exists; and the work does not pose an unreasonable threat to the public health, safety or welfare, or to the environment, on or off the property.~~

~~9.6.5.2. The applicant shall demonstrate protection of existing vegetation and trees pursuant to a tree and vegetation plan consistent with best management practices. The plan shall be prepared by a qualified expert with experience related to the type of steep slope area where work will occur. In steep slope areas the plan shall also be approved by a geotechnical engineer or geologist licensed in the State of Pennsylvania with experience in analyzing geological hazards related to slope stability and vegetation removal on steep slopes.~~

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 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, development, 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 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.

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 Executive Director may, at his or her discretion, extend this registration period.* 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. *The Executive Director may, at his or her discretion, extend this registration period. If an RCO's registration status is due to expire during a given year and it does not submit a renewal application that is approved by the Commission, it will be removed from the registry at the close of that renewal period.* 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 organization's adopted statement of purpose;

12.3.5.4 The organization's governing rules or bylaws, including the organization's geographic boundaries and a description of its leadership selection process;

12.3.5.5 A description or illustration of the boundaries of the organization's geographic area of concern;

12.3.5.6 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;

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

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;~~

12.3.5.~~10~~*9* 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.

12.3.6.1 If an organization's registration request has been denied, it may, within 10 days of written notice, request a review for appeal by the Chair of the Commission. The Chair may either affirm the decision of the Executive Director or refer the appeal for review by the full Commission.

12.3.6.2 If an appeal is so referred by the Chair, it will be scheduled for consideration at a regularly scheduled meeting of the Commission within 60 days of the original notice to the organization that its application has been denied.

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 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.

12.4.2.3 Conflict of Interest. Any RCO submitting a project for zoning approval or employed in a professional capacity in reference to the project should not serve as a Coordinating RCO for that project.

12.4.2.4 In such case that an individual in a leadership position of an RCO has a financial interest in the outcome of an application being reviewed by that RCO, the Commission recommends that the RCO require the disclosure of this interest during the public

meeting, and include this in the text of its letter to the ZBA or CDR Committee. The Commission also recommends that said individual be excluded from participation in the review of that application.

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 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 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.

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 Any 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. *The authority of the Executive Director to suspend the registration of an RCO pursuant to this subsection is subject to the Philadelphia Code and any additional grant of authority created through an ordinance enacted by the Philadelphia City Council.*

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 *the* procedural requirements of this section, the Commission shall notify the RCO in writing of such failure. *If an RCO* ~~Three~~ fail~~ure~~s to follow *the* procedur~~e~~*al requirements of this subsection three (3) or more times* ~~by the RCO~~ during its two-year registration period, *that RCO* ~~shall~~ *may be* 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. *The authority of the Executive Director to suspend the registration of an RCO pursuant to this subsection is subject to the Philadelphia Code and any additional grant of authority created through an ordinance enacted by the Philadelphia City Council.*

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 *or federal Fair Housing Act*.

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 *or federal Fair Housing Act* 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. *The authority of the Executive Director to suspend the registration of an RCO pursuant to this subsection is subject to the Philadelphia Code and any additional grant of authority created through an ordinance enacted by the Philadelphia City Council.*

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.

APPENDEX B:
PROPOSED REGULATIONS (UNMARKED)

1. DECLARATION OF AUTHORITY AND PURPOSE

1.1. Authority

The City Planning Commission is established by §§3-100 and 3-800 of the Philadelphia Home Rule Charter. The City Planning Commission has those powers set forth in Article IV, Chapter 6 of the Philadelphia Home Rule Charter and additional duties and responsibilities as provided in The Philadelphia Code.

1.2. Prior Regulations Superseded

All regulations heretofore adopted by the City Planning Commission are hereby superseded.

1.3. Purpose

No provision of this section shall add to or detract from a power, duty, or responsibility granted to the City Planning Commission by the Philadelphia Home Rule Charter or The Philadelphia Code. In the case of any conflict between the provisions of this Subsection 1.3 and other provisions of the Philadelphia Home Rule Charter or The Philadelphia Code, the provisions of the Philadelphia Home Rule Charter or The Philadelphia Code shall govern.

1.3.1. The City Planning Commission is responsible for guiding the orderly growth and development of the City of Philadelphia. The City Planning Commission's charter-mandated powers include the preparation of:

1.3.1.1 A Comprehensive Plan, also referred to as the Physical Development Plan of the City, and its modifications;

1.3.1.2 The Capital Program and Budget;

1.3.1.3 Proposed zoning ordinances and amendments;

1.3.1.4 Regulations concerning the subdivision of land; and

1.3.1.5 Recommendations on legislation affecting zoning, the Comprehensive Plan, the capital program, plans of streets, land subdivision, or the purchase or sale of real estate.

1.3.2. The Philadelphia Code assigns certain duties and responsibilities to the City Planning Commission, including the following:

1.3.2.1 Reviewing and issuing prerequisite approvals or recommendations on certain zoning and building permit applications, pursuant to Title 14;

1.3.2.2 Approving minor amendments to master plans, pursuant to Title 14;

1.3.2.3 Making recommendations to the Zoning Board of Adjustment on variances and special exceptions, pursuant to Title 14;

1.3.2.4 Maintaining a registry of community organizations, pursuant to Title 14;

1.3.2.5 Preparing regulations concerning Civic Design Review, pursuant to Title 14;

1.3.2.6 Reviewing nominations of new Neighborhood Conservation Overlay (/NCO) zoning districts, pursuant to Title 14; and

1.3.2.7 Promulgating regulations for the implementation of §17-111 of The Philadelphia Code (Energy Efficiency and Environmental Design in Construction of Buildings) requiring every City contract for the design or construction of a large City public works project to meet minimum energy efficiency requirements, including requirements intended to ensure that a finished project will achieve a silver-level LEED rating.

1.3.2.8 Promulgating regulations concerning the Civic Design Review requirements for certain major amendments to master plans, pursuant to Title 14.

1.3.3. In accordance with the Pennsylvania Urban Redevelopment Law (Act of May. 24, 1945, P.L. 991, No. 385, as amended), the City Planning Commission is responsible for designating blight certification areas, preparing redevelopment area plans, and issuing recommendations on urban renewal plans, redevelopment proposals, and redevelopment agreements prepared by the Philadelphia Redevelopment Authority.

1.3.4. In addition to the administrative and regulatory duties specified in subsections 1.3.1 through 1.3.3, above, the City Planning Commission fulfills an advocacy and support function to the City and the public on issues such as economic development, transportation, neighborhood planning, housing, and urban design.

***** Sections 2 through 7 Omitted *****

8. REVIEW OF MASTER PLANS

8.1. Authority and Delegations to the Executive Director

The Executive Director is hereby authorized to approve, on behalf of the Commission, minor amendments to master plans in order to fulfill the Commission's duties pursuant to the Zoning Code.

8.2. Submission Requirements

All master plans required by the Zoning Code to establish a new Master Plan District shall include the following:

8.2.1. A Statement of Existing Conditions that describes the existing context of the proposed Master Plan District and its surrounding areas. The Statement of Existing Conditions may include, but is not limited to:

8.2.1.1 Local, state or national historic designations.

8.2.1.2 A description of surrounding land use and density patterns.

8.2.1.3 A description of the natural environment, including topographic conditions and any floodplains, wetlands, or other sensitive habitats present in the area.

8.2.1.4 A description of existing parking and traffic conditions.

8.2.2. Statement of Impacts of Proposed New Conditions that describes the potential impacts of the Master Plan District on the elements presented in the Statement of Existing Conditions. The Statement of Impacts of Proposed New Conditions should indicate any proposed mitigation measures.

8.2.3. Site Plan with the following information recorded on the Site Plan:

8.2.3.1 Extent, boundaries and area of the proposed district;

8.2.3.2 If there are multiple land owners within the proposed district area, the existing ownership of land;

8.2.3.3 Proposed changes to the existing confirmed street layout within or surrounding the boundaries of the district;

8.2.3.4 Total proposed maximum gross floor area;

8.2.3.5 Total area and type of open space;

8.2.3.6 Setback lines from watercourses;

8.2.3.7 Occupied area, gross floor area and height of each structure, existing and proposed, within the district;

8.2.3.8 Use of each structure, existing and proposed, within the district;

8.2.3.9 Size and location of all parking areas;

8.2.3.10 Size and location of all driveways leading thereto;

8.2.3.11 Size and location of all other private driveways or streets intended to be used by automobiles;

8.2.3.12 Size and location of all off-street loading; and

8.2.3.13 Size and location of any signage.

8.2.4. Complete Streets Handbook Checklist.

8.2.5. The Executive Director may request additional materials as he or she deems necessary to guarantee that the proposed Master Plan is substantially consistent with the stated purposes of the district.

8.2.6. For Special Purpose Institutional (SP-INS) districts, the Site Plan required by Subsection 8.2.3, above, shall additionally indicate the area(s) to be designated commercial and a specified list of uses within each commercial area.

8.2.7. For Special Purpose Sports Stadium (SP-STA) Districts, the Master Plan submission shall additionally include a parking and circulation plan showing the

size, capacity and use of all buildings and structures proposed and existing on the lot.

8.2.8. For Special Purpose Entertainment (SP-ENT) districts, the Master Plan submission shall additionally include the following:

8.2.8.1 A landscape plan.

8.2.8.2 A transportation management plan that details:

.1 Internal circulation systems,

.2 External access points,

.3 Pedestrian flows, including to and from parking facilities,

.4 Estimates of levels of service on sidewalks and internal roads, and

.5 A traffic and parking study prepared by a licensed traffic engineer, assessing the impacts of new traffic generated by the proposal on roadway and intersection capacity, public transit and other bus operations, and pedestrian and bicycle circulation and safety.

8.2.8.3 A parking management plan describing the proposed policy on and resources for parking for patrons, employees and managers, and anticipated traffic and parking management resources.

8.2.8.4 Any recommendations on intersection improvements, new roadway construction, or widening of existing roadways, if required, and any traffic buffers to protect residential areas, including the manner of funding such improvements by the developer.

8.3. Submission Requirements for Amendments to Master Plans

8.3.1. For minor amendments, as defined by the Zoning Code, the proposed changes shall be indicated on a copy of the adopted site plan for the master plan district. Upon Commission approval of the minor amendment, the site plan with the approved changes shall become the adopted site plan for the Master Plan District.

8.3.2. For major amendments, as defined by the Zoning Code, the amendment shall be accompanied by a revised site plan. Except for Master Plan Districts established as of August 21, 2012, the major amendment shall also be accompanied by a revised Statement of Impacts of Proposed New Conditions.

8.4. Criteria for Required Civic Design Review of Major Amendments to Master Plans

Major amendments, as defined by the Zoning Code, shall be subject to civic design review pursuant to Zoning Code and Section 10 of these Regulations, provided the amendment meets the criteria of both subsections 8.4.1 and 8.4.2 below.

8.4.1. One or more of the following applies to the major amendment:

8.4.1.1 The amendment increases the gross floor area by more than 25,000 sq. ft.;

8.4.1.2 The amendment changes the proposed building footprints by more than 25,000 sq. ft.;

8.4.1.3 The amendment includes a rezoning of more than 25,000 sq. ft. of land into the master plan.

8.4.2. The Executive Director and the Chair of the CDR Committee agree that the amendment significantly impacts the public realm within the Master Plan District or the surrounding area and that civic design review would be in the best interests of the City. Significant impacts to the public realm may include modifications to the connectivity, functionality, character, or utilization of sidewalks, public spaces, streets, and public and community facilities.

***** Section 9 Omitted *****

10. CIVIC DESIGN REVIEW

10.1. Authority

The Civic Design Review Committee is authorized by the Zoning Code to review zoning permit applications for any development that meets the criteria established therein.

10.2. Civic Design Review Committee

Except where the Commission is acting as the CDR Committee, pursuant to the Zoning Code:

10.2.1. The CDR Committee consists of seven members, as set forth by the Zoning Code.

10.2.2. A quorum of the CDR Committee shall consist of four members. A majority of the members present at the time of voting is required to issue a CDR Committee recommendation.

10.2.3. The CDR Committee shall meet monthly, or as required. Pursuant to the Zoning Code, the CDR Committee shall post web notice of its meetings at least 15 days prior to each meeting.

10.2.4. The CDR Committee shall be guided by the Zoning Code and Section 10.6 of these Regulations when reviewing developments required to undergo civic design review as provided in The Zoning Code.

10.3 Recommended Qualifications for CDR Committee Members

The Executive Director may recommend candidates to the Mayor for appointment to the CDR Committee as follows:

10.3.1 Each member recommended to serve in the seat designated for an architect or landscape architect should be a certified professional registered in the Commonwealth of Pennsylvania.

10.3.2 Each member recommended to serve in the seat designated for an urban design professional or developer should be recognized by peers to possess extensive knowledge of their practice area.

10.3.3 The member recommended to serve in the civic association review seat should have (1) experience in architecture, planning, urban design, or development, and (2) experience reviewing development plans on behalf of a community organization. Persons satisfying this criterion may include, but are not limited to, persons who serve or have served on a zoning, land use, or similar committee of a community organization.

10.3.4 The Local RCO whose registered boundaries include the Civic Design Review project will select a representative to serve on the CDR Committee.

10.3.4.1 At least one week before the date of the scheduled Civic Design Review meeting for the project, the Local RCO(s) shall nominate a representative to the Executive Director.

10.3.4.2 If there is more than one Local RCO whose boundaries include the project site, the Local RCOs may select up to two representatives.

10.3.4.3 If the Executive Director receives more nominations than there are available Local RCO representative seats, the Executive Director shall ask submitting nominees to decide amongst themselves whom the two representatives will be. If a decision is not made at a point three days from the date of the scheduled CDR meeting, then the Executive Director shall select the representative(s) from among the nominees.

10.4. Procedure

10.4.1. The Executive Director shall review the application and determine its completeness pursuant to the submission requirements delineated in subsection 10.5, below. The Executive Director shall forward the completed application to the CDR Committee.

10.4.2. The CDR Committee shall keep a summary of its recommendations made at each meeting and shall forward its recommendations to the Executive Director.

10.4.3. The Executive Director shall post the recommendations of the CDR Committee on the Commission's website, as required by the Zoning Code.

10.5. Submission Requirements

10.5.1. Applicants must submit a digital .PDF file and 10 bound color copies of the following in 11" x 17" format, except items in subsections 10.5.1.5 through 10.5.1.13 shall not apply to applicants of new master plan districts or major amendments to master plans:

10.5.1.1 A site survey indicating the current conditions of the proposed development site conducted by a licensed surveyor or engineer. A plan illustrating the current conditions of the proposed development site. Refer to Section 8.2.3 of these regulations for the information to be included on the site plan.

10.5.1.2 Complete Streets Handbook Checklist.

10.5.1.3 Photographs of the proposed building site and immediate area and aerial photographs in plan and oblique views.

10.5.1.4 Site plan, drawn to a scale where all elements of the streetscape are discernible and the relationship of outside spaces to inside spaces can be understood. The site plan must include all existing street elements such as utility poles, traffic signs, handicapped ramps, fire hydrants, street lights, bollards, benches, bicycle racks, and other street furniture.

10.5.1.5 Ground floor plan, drawn to a scale where the relationship of outside spaces to inside spaces can be understood. The ground floor plan must show all building entrances and exits and vehicle loading and unloading areas.

10.5.1.6 Landscape plan, drawn to a scale where all elements of the streetscape are discernible and the relationship of outside spaces to inside spaces can be understood.

10.5.1.7 Elevations drawn to scale of all sides of the proposed building(s) with all exterior materials labeled.

10.5.1.8 Site sections (minimum of two) showing the relationships to adjacent buildings and spaces.

10.5.1.9 Perspective renderings (minimum of two views including at least one at street-level perspective). Exterior materials must be depicted in the renderings.

10.5.1.10 3D digital or physical massing model that shows the proposed development within the context of surrounding buildings.

10.5.1.11 The Commission's Sustainability Questionnaire. In addition to the Sustainability Questionnaire, applicants applying for LEED certification, or certification by another green building or neighborhood development rating system, may also submit additional materials that detail the credits for which they are applying.

10.5.1.12 A written description of the building materials and their textures and colors. The CDR Committee may request material samples as it deems necessary to evaluate the project.

10.5.1.13 If applicable, the submissions required to demonstrate compliance with the sky plane controls of the Zoning Code, as provided in subsection 9.3 of these Regulations.

10.5.1.14 The Executive Director may request additional materials as he or she deems necessary to assist the Civic Design Review Committee in their evaluation of the project proposal.

10.6. Review Guidelines

The CDR Committee shall consider the impacts on the public realm in accordance with the Zoning Code. The CDR Committee shall apply the guidelines set forth in this Subsection 10.6 to evaluate each project and to make its advisory recommendation. For reviews of new Master Plan Districts and major amendments to master plans, the guidelines regarding architectural elements of individual buildings or facades may not apply. These CDR Guidelines are intended to supplement the form and design standards in the Zoning Code. Should there be a conflict between the regulations of this Subsection 10.6 and the Zoning Code, the provisions of the Zoning Code shall prevail.

10.6.1. General Intent. Civic Design Review is focused on the assessment of the proposed characteristics and quality of the public realm that is an integral part of any large development project. The “public realm” is defined as sidewalks, public spaces, streets, and public and community facilities. In addition, Civic Design Review will address the way in which a large proposed development may have an impact on its neighborhood. The Civic Design Review process does not lend itself to precise quantifiable certainty, requiring members of the CDR Committee to use their professional expertise and judgment in rendering advisory action.

10.6.2. Purpose. Projects that are subject to Civic Design Review, pursuant to the Zoning Code, are encouraged to:

10.6.2.1 Enhance the city’s streets and sidewalks, which represent the greatest percentage of its public realm, to function well, and promote vitality and activity;

10.6.2.2 Reinforce desirable urban features found within the surrounding area, such as siting patterns, massing arrangements and streetscape characteristics; and, if appropriate provides buffers and screens between the proposed building(s) and the adjacent area;

10.6.2.3 Maximize the utility of open space, which may be either public or private, and visible to the public;

10.6.2.4 Design site characteristics and building features to help reduce energy use and greenhouse gas emissions, manage stormwater runoff, conserve water and preserve natural habitats;

10.6.2.5 Promote pedestrian interest, safety and comfort by creating attractive and serviceable walkways and pedestrian routes;

10.6.2.6 Promote the safe and efficient circulation of bicyclists and motorists;

10.6.2.7 Promote the use of public transit;

10.6.2.8 Integrate accessibility for persons with disabilities; and

10.6.2.9 Minimize the adverse visual impact of vehicular service areas, while providing safe and ample access for emergency and delivery vehicles.

10.6.3. The site design of a project is encouraged to:

10.6.3.1 Where feasible, re-establish or continue the existing street and sidewalk grid.

10.6.3.2 Maintain adequate sidewalk widths in accordance with the Commission's Pedestrian and Bicycle Plan to ensure pedestrian clear zone widths.

10.6.3.3 Locate surface parking lots behind buildings.

10.6.3.4 Provide vehicular access and access to service areas, such as those from dumpsters, loading docks and mechanical equipment, from smaller service streets or alleys. Landscaping and walls may be used to screen service areas from view.

10.6.3.5 Include clearly defined pedestrian connections from buildings and parking areas to public streets.

10.6.3.6 Incorporate quality public open spaces and pedestrian networks between buildings.

10.6.4. The building design is encouraged to:

10.6.4.1 Construct buildings to the street line, match the prevailing setback on the block, or set back buildings to accommodate public space.

10.6.4.2 Define building entrances by an easily recognizable architectural element in the façade that leads the pedestrian to an entryway.

10.6.4.3 Maximize ground floor transparency through generous fenestration.

10.6.4.4 Incorporate windows, as well as materials and architectural details, into street-facing building facades to articulate the building in order to provide an interesting pedestrian experience.

10.6.5. The parking design is encouraged to:

10.6.5.1 Break up surface parking lots into smaller "cells," "pods," or "modules" by buildings, landscaping and pedestrian paths.

10.6.5.2 Provide shared parking and shared driveway entrances and exits whenever possible.

10.6.5.3 Construct multi-level parking structures instead of large surface parking lots, where possible.

10.6.5.4 Include ground-floor commercial uses in parking structures, where possible. Above-ground screening devices, such as architectural articulation including

baffles, screens, and landscaped walls are encouraged.

10.6.6. The design of public open space is encouraged to:

10.6.6.1 Be visible from the sidewalk.

10.6.6.2 Include direct access from adjacent streets, allow for multiple points of entry, and where applicable, integrate public transit stops or stations.

10.6.6.3 Incorporate amenities such as benches, seats, tables, fountains, drinking fountains, and interpretive historical markers.

10.6.7. The project is encouraged to integrate sustainable design elements that:

10.6.7.1 Reuse the existing building stock when possible.

10.6.7.2 Incorporate existing on-site natural habitats and landscape elements into the project design.

10.6.7.3 Incorporate functional storm water control features such as rain gardens, swales, and green roofs to store, slow and/or reduce rainwater runoff from the site.

10.6.7.4 Site and mass buildings to maximize daylight for exterior spaces and minimize shading on adjacent sites.

***** Remainder of Regulations Omitted *****

9. REVIEW OF ZONING AND BUILDING PERMIT APPLICATIONS

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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 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, development, 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 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.

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. The Executive Director may, at his or her discretion, extend this registration period. 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. The Executive Director may, at his or her discretion, extend this registration period. If an RCO's registration status is due to expire during a given year and it does not submit a renewal application that is approved by the Commission, it will be removed from the registry at the close of that renewal period. An organization that allows its RCO status to lapse may reapply as a new organization during a subsequent 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 organization's adopted statement of purpose;

12.3.5.4 The organization's governing rules or bylaws, including the organization's geographic boundaries and a description of its leadership selection process;

12.3.5.5 A description or illustration of the boundaries of the organization's geographic area of concern;

12.3.5.6 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;

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

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

12.3.5.9 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.

12.3.6.1 If an organization's registration request has been denied, it may, within 10 days of written notice, request a review for appeal by the Chair of the Commission. The Chair may either affirm the decision of the Executive Director or refer the appeal for review by the full Commission.

12.3.6.2 If an appeal is so referred by the Chair, it will be scheduled for consideration at a regularly scheduled meeting of the Commission within 60 days of the original notice to the organization that its application has been denied.

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 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.

12.4.2.3 Conflict of Interest. Any RCO submitting a project for zoning approval or employed in a professional capacity in reference to the project should not serve as a Coordinating RCO for that project.

12.4.2.4 In such case that an individual in a leadership position of an RCO has a financial interest in the outcome of an application being reviewed by that RCO, the Commission recommends that the RCO require the disclosure of this interest during the public meeting, and include this in the text of its letter to the ZBA or CDR Committee. The Commission also recommends that said individual be excluded from participation in the review of that application.

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 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 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.

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 Any 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. The authority of the Executive Director to suspend the registration of an RCO pursuant to this subsection is subject to the Philadelphia Code and any additional grant of authority created through an ordinance enacted by the Philadelphia City Council.

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 the procedural requirements of this section, the Commission shall notify the RCO in writing of such failure. If an RCO fails to follow procedural requirements of this subsection three (3) or more times during its two-year registration period, that RCO may be subject to a one (1) year suspension of the RCO's registration. Any such suspension shall be at the discretion of the Executive Director. The authority of the Executive Director to suspend the registration of an RCO pursuant to this subsection is subject to the Philadelphia Code and any additional grant of authority created through an ordinance enacted by the Philadelphia City Council.

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 or federal Fair Housing Act.

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 or federal Fair Housing Act 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. The authority of the Executive Director to suspend the registration of an RCO pursuant to this subsection is subject to the Philadelphia Code and any additional grant of authority created through an ordinance enacted by the Philadelphia City Council.

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.

REPORT ADDENDUM

This report and its recommended modifications to PCPC regulations were presented to the City Planning Commission at its regularly scheduled meeting of June 14, 2016. The PCPC staff recommended that the report be adopted with the stated modifications to the regulations.

[outcome of meeting and any further changes]

With the approval of the Law Department, this hearing report will be filed with the Department of Records. The regulations will become effective on the tenth day following the filing of the report.