



Spring Garden to Vine Street, 8th Street to Broad

## **Callowhill Neighborhood Association – Zoning Committee Guidelines**

\*Adopted by the CNA Board of Directors on November 9th, 2020\*

The Callowhill Neighborhood Association (CNA) – Zoning Committee provides a public forum, on an as-needed basis, for review, comment, and discussion of zoning variance appeals, special exception appeals, and civic design review projects within Association boundaries. This document is intended to provide our community and zoning applicants with general information and guidelines about our committee and meetings.

### **1. Purpose**

The purpose and goal of the CNA Zoning Committee is to provide a public forum for review, comment, and discussion of zoning variance and special exception appeals filed within Association boundaries, as well as a forum on projects required to go through the civic design review process. Meetings will be public and afford those most affected by zoning applications a chance to have their opinions heard prior to the consideration of an application by the Philadelphia Zoning Board of Adjustment (ZBA) or Civic Design Review board (CDR).

In keeping with CNA's bylaws, the Zoning Committee will work to enhance the quality of life in the Neighborhood, preserve the Neighborhood's unique historic character, and promote a cohesive community of residents, businesses, and institutions.

### **2. Zoning Committee Membership and Authority**

The Zoning Committee members are nominated by the Zoning Chair(s) or CNA Board President, and must be approved by the Board of Directors.

- o The Zoning Committee Chair, or Co-Chairs, shall be member(s) of the CNA Board of Directors.
- o No committee member can be nominated unless they reside or work within Association boundaries, and until he or she has attended at least two zoning and planning meetings within the preceding 12 months, except in the necessity of an emergency appointment.
- o Any committee member can be removed from the Committee by a majority vote of the board with or without cause.
- o All Committee members serving at the time these guidelines were approved and adopted are assumed to have received Board approval.

### **3. Ethical Policy**

- o Only those members designated by the Zoning Committee or CNA Board are authorized to speak or write on behalf of the organization. Such communication shall be consistent with the positions taken by the Committee and CNA Board.
- o No member shall use their position on the Committee to forge business or professional relations for personal gain, or benefit for a family member or any business entity in which the member has a direct or indirect interest.
- o The Committee serves at the request of the CNA Board of Directors, which is responsible for any changes in structure or leadership.
- o Conflicts of interest may occur. A member with a conflict of interest must inform the Committee Chair(s) of the conflict and refrain from participation in decisions affecting the outcome of the particular case.

### **4. Meeting Schedule and Community Notification**

Per revisions to the Philadelphia Zoning Code that took effect in March, 2014, it is the responsibility of every applicant to contact the zoning committee and request that their project be included on an upcoming meeting agenda. This initial outreach must occur within 10 days of receipt of the notification email from the City Planning Commission. Although CNA receives notice from the Planning Commission as well, Applicants MUST contact us to be placed on the agenda. It is NOT the responsibility of CNA to reach out to every applicant, and your application will not be placed on any zoning committee agenda until outreach from the applicant to CNA takes place. Please note that failure to contact CNA and request a meeting will be reported to the ZBA and Planning Commission at the time of the ZBA appeal hearing.

Initial contact should be made via email to [callowhill@gmail.com](mailto:callowhill@gmail.com) and include the Applicant's name, owner's name, and property address. Initial outreach should also include scanned copies of the application for zoning variance, refusal, and ZBA hearing date/time.

Within three (3) business days of receipt of the initial contact, CNA will provide the applicant with the date and time of the next available public meeting. CNA requests that the Applicant include that meeting information on the notice to property owners required by the Zoning Code.

Please note that it is the responsibility of the applicant to provide notice of the date, place, and time of our public meeting to the neighbors identified by the City Planning Commission. Any failure to do so may result in a request for continuance and/or a rescheduling of our public meeting.

### **5. Documentation and Applicant Requirements**

No less than ten (10) days prior to the Zoning Committee meeting, all documents listed below must be submitted for Committee Review. The Applicant must also bring hard copies for review during the meeting. All plans must be drawn to scale and include all levels of the building, including the basement, even if the application impacts only one level. The required documents are:

- Site plan, including the subject property and its relation to neighboring structures and the closest intersection.
- Building elevation, as proposed
- Floor plan, as proposed
- Site photos of the front, rear, and side (if applicable), showing subject property in relation to adjacent buildings and the block
- Renderings, if available
- Neighborhood notification letter and proof of posting

Please note that failure to provide the Committee with the required documentation may result in the Committee requesting a continuance from the ZBA for the purpose of scheduling a subsequent community meeting after all documentation is appropriately submitted.

## 6. Meeting Procedure

- o CNA's goal as an RCO is to provide the ZBA with an accurate perspective of the community's view of each application, as well as a list of any provisos addressing community concerns.
- o Upon arriving, every attendee must sign-in, providing their name and confirmation of whether they live, work, or own property within the boundaries of CNA. Attendance by Zoning Committee members will also be noted.
- o The Zoning Committee Chair(s) will determine the order in which applications are heard.
- o Each application will begin with a presentation by the applicant. In order to have an application considered, the applicant and property owner must attend the meeting. For complex projects, it is suggested that an architect attend as well.
- o Each applicant presentation should summarize for all attendees the scope of the proposal, the refusals that have been issued, and the specific reason(s) why compliance with the zoning code presents a hardship for the applicant.
- o The Committee will then ask questions of the applicant, as well as moderate questions and comments from meeting attendees. Efforts will be made to solicit opinions from the neighbors closest to the application, but all attendees are encouraged to participate. Committee members may offer their own opinions of the requested variance, in order to enable neighbors to understand the zoning issues involved.
- o If the Committee deems it necessary, it will propose modifications to the application, either necessitating the inclusion of a proviso or a change in the appeal to the ZBA.
- o After the Chair(s) draws discussion of an application to a close, he or she will take a poll of attendee support or opposition to the application, making clear that only those who reside, work, or own property within the boundaries of CNA may vote. All others may be asked to leave while the poll is counted, at the discretion of the Committee.

## 7. Meeting Outcome

- o After the votes have been recorded, the Chair(s) will email the CNA Board with a meeting summary and the recorded vote for each case. The Board shall review the summary and vote, and if any Board member believes that the decision is the result of egregious error or undue influence, or that the zoning meeting failed to conform to the rules and procedures contained herein, that Board member may request, within 24 hours of receipt of the Chair's email, a vote by the full CNA Board regarding the propriety of the decision.
  - If a Board vote is called for, the request for such a vote must include the basis for the vote and must be communicated to the Zoning Chair(s) with sufficient time for a response from the Committee. Input from the Committee and any Board vote must be concluded within 48 hours of the request.
  - Absent a request for a full Board vote, the Committees' decisions will be considered Board-certified 24 hours after the Chair's email has been sent.
- o After the Committee's decision has been certified or modified by the Board, the Committee will alert the applicant of the result, via email, and prepare a letter of non-opposition, non-opposition with provisos, or opposition directed to the Zoning Board of Adjustment, the 1st District Councilperson, and any other relevant party explaining the Committee's decision. This letter will be provided no later than three (3) days before an application's zoning hearing.
- o We note that as a Registered Community Organization, information we provide to the ZBA is advisory. Only the Zoning Board of Adjustment and City Council are empowered to alter the Zoning Code. As a result, everyone in our community is encouraged and invited to attend the property's ZBA hearing in person if they feel that their issues with the property have not been adequately addressed. For more information about a property's ZBA hearing, please call the Philadelphia Zoning Boards Administration Unit at 215.686.2429.

## 8. Meeting Rules of Conduct

- o We ask attendees to keep in mind that the purpose of our public meetings is to have their perspective regarding each application considered and their vote recorded. Zoning meetings are not the appropriate forum to raise issues unrelated to the properties being heard or advance a personal agenda.
- o CNA strives to make its presentations cordial and constructive, and to maximize the opportunity for developers to speak directly with the community. To that end, we ask that all attendees be respectful of the applicants, and each other, while speaking or waiting to speak, and to raise their hand and wait to be acknowledged by the zoning committee before offering comments.
- o Everyone in attendance will have an opportunity to speak. Once you have offered a comment, we ask that you wait until all other attendees have been afforded a chance to speak before offering further comments or questions.
- o Derogatory statements or any disruptive or disrespectful behavior will not be tolerated.