

NONPROFIT ORGANIZATIONS

A L E R T

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ZONING REGISTRATION NOW EASIER FOR PHILADELPHIA COMMUNITY ORGANIZATIONS

By Joyce C. Sun

Beginning March 25, 2013, community organizations and other nonprofits will find it easier to become registered community organizations for Philadelphia zoning purposes.

Community organizations have informally participated in Philadelphia zoning proceedings for decades, working with City Council members and speaking at Zoning Board of Adjustment hearings. However, the previous Zoning Code did not give community organizations a formal role. As a result, developers were not required to notify community organizations of developments that were taking place “by right” without need of a special exception or variance from the Zoning Board of Adjustment.

Under the current version of the Zoning Code that took effect in 2012, registered community organizations (RCOs) receive written notice of all projects within their boundaries that (i) require issuance of a special exception or a variance, or (ii) do not require a special exemption or variance from the Zoning Board of Adjustment, but are sufficiently large or of a type that they are subject to Civic Design Review. In addition, developers of these projects must meet with all RCOs that are “local registered community organizations” for the area that includes the project site. (Under the Zoning Code, all RCOs are either issue-based or local. Issue-based RCOs include the Bicycle Coalition of Greater Philadelphia and the Philadelphia Parks Alliance, whose geographic areas of concern are larger than a single neighborhood. Local RCOs include the Old City Civic Association and the Center City Residents Association; their geographic areas of concern consist of a single neighborhood.)

Passed by City Council over the veto of Mayor Nutter, Bill 120889 takes effect on March 25, 2013. Beginning March 25, 2013, the process of registering as an RCO will change as follows:

- **Longer registration terms:** RCOs are only required to register once every three years, instead of annually, as previously required. However, organizations must update the City of Philadelphia Planning Commission (Planning Commission) if their contact information or boundaries change.
- **Easier registration:** The Planning Commission is no longer authorized to determine what information is required to register as an RCO. For example, the Planning Commission

implemented regulations and forms requiring local RCOs to provide the names of persons holding leadership positions. Under the new law, the required elements for registration are set forth in § 14-303(12)(a) and do not include provision of the names of persons holding leadership positions.

- **Incorporation unnecessary:** Local RCOs may be Pennsylvania nonprofit corporations, unincorporated associations, or volunteer organizations. Previously, since the regulations implemented by the Planning Commission referenced articles of incorporation and bylaws, some may have had the impression that incorporation was required to be a local RCO.
- **Geographical boundaries and governing documents:** For both local RCOs and issue-based RCOs, the geographical boundaries of the organization do not need to be as described in the organization’s governing documents. Instead, they are as set forth in the registration statement itself. ♦

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