

Fishtown District Zoning Committee Charter

1. **Committee Purpose:** The expressed purpose of the Zoning Committee, as much as reasonably possible, shall be to:
 - a. Set and implement Fishtown District RCO procedures, maintain meeting records & ZBA letters, and represent Fishtown District at ZBA hearings
 - b. Both (1) function as the first point of contact for and (2) represent BID constituents to potential zoning applicants; Work with applicants to (1) facilitate and (2) ready for presentation to neighbors, projects planned for spaces of a residential, commercial, or industrial nature that fall within the boundaries of Fishtown District RCO
 - c. Create a set of guidelines or recommendations for appropriate development and highly sought uses for the District and work to organize constituencies of support behind a shared vision for our corridors' growth. The committee has a fundamental job of fostering sustainable growth by enforcing a healthy balance of large and small businesses and continuing to assist in attracting unique businesses that contribute a new aspect to the corridor. Advocate to policymakers for changes to the Philadelphia Zoning Code that are a benefit to our assessment payers and overall community
2. **Structure & Composition:**
 - a. The Zoning Committee shall consist of Fishtown District Board Members, assessment paying members, Advisory Board Members, and Executive Staff. The committee shall have a maximum of 15 members
 - b. The Zoning Committee shall have a Chairperson who will serve as the primary Committee Contact in addition to Executive Staff; the chairperson shall be a member of the Board of Directors, and appointed by the Board of Directors
 - c. In the case where more that 15 eligible members are interested in joining the Zoning Committee a special election will be held and the Board of Directors will vote to elect 15 members to serve as the Zoning Committee. These elections will not be held more than once annually. The rest of the unelected interested members will be placed on a waiting list for consideration at a future election or should a position be vacated. The BOD shall reserve the right to nominate appointees for a vacant position on the ZC, in the event there is not a wait list.
 - d. Those individuals meeting the criteria in Section 2a who desire to serve on the ZC, shall notify Executive BID Staff for inclusion.
 - e. All ZC members shall abide by the following conditions of membership:
 - i. All participants, in assuming ZC membership, agree to be present at each of the monthly meetings when applicable, to accept and execute the duties of the positions assigned to them
 - ii. ZC membership shall be, and remain on, a purely voluntary basis. Members shall be free to step down at any point. Barring exigent circumstances requiring a ZC member's need to immediately remove him/herself from the ZC, members wishing to step down shall be asked to

notify the EC in writing of such a decision with (1) a minimum of 30 days prior notice.

- f. Involuntary Removal from ZC: i. Any ZC member who: 1. Unexcused absence from three (3) regularly scheduled committee meetings within the preceding 60 days; or violates the terms of this Committee Charter will be subject to removal from the Zoning Committee. The Zoning Committee must vote and approve prior to implementing an involuntary removal.

3. Conflict of Interest & Member Recusal

- a. Recusal from Participation: Any ZC member who is an “Interested Party” as defined as any party with an ownership, fiduciary monetary investment, and/or stakeholder interest in the project, in the project is responsible for notifying the ZC of the conflict before business with the Developer(s) in question begins, or as soon as the ZC member becomes aware of the project and conflict.
- b. An Interested Party who is also a ZC member shall recuse themselves from all discussions of and shall not cast a vote on any project put forth by any person/s or group with whom the ZC member is an Interested Party. All recusals must be publicly stated and recorded in the meeting minutes.
- c. Notwithstanding the foregoing, no ZC member shall be permitted to represent a Development at ZCM or CM level(s).
- d. Recusal from meeting chairmanship a. The EC shall recuse him/herself from chairing any ZCM for which the same conditions stated above apply. In these cases, the Executive Staff will serve as the meeting Chair.

4. Meetings (Zoning Committee Meetings, Pre-screensers, and Community Meetings)

- a. Zoning Committee Meetings:
 - i. The Zoning Committee shall meet regularly in addition to RCO Community Meetings for the purposes of: setting Fishtown District RCO procedures, advocating to policymakers for changes to the Philadelphia Zoning Code that are a benefit to our assessment payers and overall community, and developing other standards and guidelines for development, use and design in the Fishtown Kensington area.
 - ii. Written record of these meetings will be kept, attendance listed, and made available to stakeholders upon request
 - iii. Meeting minutes will also be sent to the Board of Directors for regular review
- b. Pre-screening Meetings
 - i. When desired, the Zoning Committee shall meet with interested zoning applicants prior to their scheduled RCO Community Meeting. The purpose of the pre-screening process is to:
 - 1. Determine whether the Developer is requesting a zoning change, a zoning variance, community review for a CDR meeting, or an Informational Meeting
 - 2. Determine the appropriate next steps for the project
 - 3. Determine the need and timing for scheduling a CM for the project

4. Ensure that Developers have adequate information in order to schedule the CM.
 - ii. No vote of project support or opposition will be taken at Pre-screening Meetings
 - c. Community Meetings
 - i. Scheduling:
 1. In an effort to maximize community knowledge and participation, CMs shall be regularized and standardized when and wherever possible.
 2. In an effort to promote general accessibility, CMs shall be held virtually via Zoom Meetings:
 - a. These Meetings will be open to the public, however all attendees will be muted upon entry.
 - b. Community Meetings will be facilitated by the Zoning Committee Chair with assistance from Executive Staff
 - ii. Neighborhood notification: In an effort to maximize community notification, CMs shall be posted on the Fishtown District website and included in our social media channels and email newsletter
 - iii. Meeting Structure:
 1. Each Presenting case will have 30 minutes allotted within the community Meeting to be structured as follows:
 - a. Introduction of the case, reading of the refusal, clarification of zoning base district and variance(s) requested (by ZCC)
 - b. 10 minutes for presentation of the project (by applicant)
 - c. 10 minutes question and answer with applicant
 - d. (Optional, up to ZC discretion)10 minute community discussion without applicant presence.
 2. Voting will be conducted at the end of the entire meeting, not after each case presented.
 3. Applicants (and any other representatives with family ties or monetary stakes in the project) will be asked to leave the zoom meeting room for the private discussion portion, they may request to rejoin the Zoom meeting and the host will let the applicant back in once the private discussion is complete and we have moved on to the next case.
 4. Attendees can submit questions for the presenter at anytime during the presentation or question and answer session via the chat function. Staff and zoning chair will then relay these questions to the presenter. The Zoning Committee may use their best judgement in determining whether a submitted question is appropriate for the case in question and may choose to skip submitted questions deemed repetitive or inappropriate. Impolite/unruly neighbors will be removed from the Zoom meeting.

- iv. Voter verification process:
 - 1. All neighbors wishing to vote must be determined to be an Eligible Voter prior to the end of neighbor participation of each CM.
 - 2. Eligible Voters are determined to be one of the following:
 - a. Business Owner Voter
 - b. Property Owner Voter
 - c. Zoning Committee Member Voter
 - d. BID residential voter
 - 3. All eligible voters must provide a registered BID address. The zoning Committee may ask for proof of residency/ownership through documentation such as a photo ID, mortgage or tax bill. Each individual can only cast one vote. In addition, only one vote per type per BID address will be counted. For example if a single address is owned by two individuals only one of their votes shall be counted. Non-eligible voters may attend the community meetings and are still able to express their opinion using our voting form, but unverified votes will not be counted in the reported tally.
 - 4. Voting will be conducted via google form, tallied, and announced at the end of the meeting. The first page of the google form will serve as a sign-in and eligibility verification. Each voter will have to submit their name, email address, and BID address in order to cast their vote. Voting will be reviewed by the Executive staff and/or Zoning Committee Chair.
 - 5. The voting results will be reviewed by the Zoning Committee in order to inform the organization's final position on the case. The Zoning Committee is responsible for the ultimate decision subject to Board approval.

5. Evaluating "Hardship"

The Fishtown District Zoning Committee feels strongly that the goal of the zoning process should be to advocate for the best use of a parcel. We recognize that variances are to only be requested in the case of hardship or other inability to build to the stated base code. However this principle assumes a specificity that frankly the zoning code as written does not provide. To that end we recognize zoning code constraints as applied to a specific parcel as an acceptable hardship in evaluating the request for zoning code variances.

6. Letters to the ZBA

As an RCO, The Fishtown District Zoning Committee may elect to send an official letter of support or opposition to the Zoning Board of Adjustment in regards to a specific zoning case in the District. In practice these letters will communicate the organization's stance and not that of any individual stakeholders. In the case of a close vote the Zoning Committee may elect to

send a letter of no decision instead detailing the context of the discussion at the community meeting.