

# Campaign for Healthier Food And Greener Spaces

## *Make Your Voice Heard Against Council Bill 120917!*

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In November 2012, Councilman Brian O'Neill introduced Council Bill 120917, which amends Philadelphia's new zoning code to restrict and prohibit several uses in "commercial mixed use districts" (zoned CMX-2 and 2.5). The bill has been amended, but still requires all market farms and community gardens on CMX-2 to obtain a "special exception." Bill 120917 creates new and unnecessary barriers to gardening and farming in Philadelphia, putting at least twenty percent of existent garden and farm parcels at risk of fines and sanctions.

### Today's Philadelphia needs healthier food and greener spaces

Community gardens and market farms give us exactly that, with proven benefits to the long-term health, safety, welfare, and sustainability of our neighborhoods. Gardens and farms:

- Create opportunities for leadership development, job training, and intergenerational community building
- Promote self reliance and healthy, active lifestyles that combat diabetes and obesity
- Build safer, healthier, and greener environments in our most blighted areas
- Improve access to and consumption of healthy, affordable, and culturally appropriate food (people who grow food are more likely to eat it!)
- Provide critical resources for environmental stewardship and stormwater management

### This Bill Hurts Market Farms and Community Gardens

Bill 120917 applies to one third of all commercial land in the City (CMX-2).

It could negatively affect twenty percent of parcels where Philadelphians are currently gardening. Since this bill is considered a "pending ordinance," it has already gone into effect, even before the full Council vote, meaning twenty percent of Philadelphia's market farms and community gardens are at risk of sanctions and fines right now.

In Philadelphia, gardens have long been important social and cultural spaces and the cornerstone of vacant land stewardship. If this bill succeeds, many people from youth to seniors engaged in projects engaged in projects that are national models will suddenly find their work in jeopardy.

### This Bill Makes Philadelphia Less Sustainable

Philadelphia strives to be the "Greenest City" in the country, and our nationally acclaimed Greenworks goals call for increasing access to healthy food and green space. But Bill 120917 does the opposite, creating obstacles to greener and healthier communities just when the City and countless residents and community-based organizations are working to increase access to fresh, local food and create innovative solutions to our vacant land problem.

As cities across the nation look for ways to support urban agriculture, this bill moves against the tide of progress and threatens Philadelphia's position as a leader in this area.

### This Bill Undermines Philadelphia's Newly Reformed Zoning Code

After years of work, Philadelphia's new zoning code is receiving national acclaim as a model of good government. In fact, the American Planning Association has just announced that Philadelphia's Integrated Planning and Zoning Process will receive the APA's 2013 National Planning Excellence Award for a Best Practice. This bill starts to undo much of what makes the code such a success, dismantling efforts to create walkable, mixed use, sustainable communities. Councilman O'Neill's amendments slow progress without offering a reason why.

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## Requiring Special Exceptions will Hinder Gardens and Farms

To acquire a special exception, an applicant must apply and pay a fee to the Zoning Board of Adjustment; provide adequate notice to the local Registered Community Organizations, near neighbors and the District Councilperson; and post notice on the property for 21 days prior to the hearing. At the hearing, an applicant must demonstrate that the proposed use is consistent with the zoning code and any applicable standards for the use. If there is any testimony at the hearing from the community that the impacts would be more than normally expected from that use, the applicant must provide evidence to overcome such testimony. Starting in August of 2012, the new zoning code allowed community gardens and market farms in CMX-2 and 2.5 by right, while building in parameters to prevent negative impacts on neighbors. It created a structure under which gardens and farms could finally be in compliance. Community building is an essential component of gardening and farming throughout Philadelphia. The special exception process does not add value; it just foists administrative burden, time, and expense on already overburdened community groups.

### Make your voice heard!

Let council members know that healthier food and greener spaces for Philadelphia matter.

- **Contact your district councilmember and each of the at-large council members.** Contact information is available here: <http://philadelphiacitycouncil.net/council-members>
- **Ask that Council vote down City Council Bill 120917.** We want to:
  - Fully reinstate community gardening and market farming as allowable uses and safeguard existent gardens and farms in CMX-2;
  - Remove restrictions that stand in the way of building sustainable mixed use commercial corridors, such as limits on residential options and small businesses in CMX-2; and
  - Keep the zoning code intact and rely on the one-year review to address concerns.
- **Attend the City Council vote on this bill on January 24, 2013 in Council Chambers.**
- **Ask Council President Clarke and Councilman O'Neill to provide copies of any proposed amendments for public consideration prior to the full vote.**

*Community gardens and market farms are not the problem. They do not compete with other allowable uses in our neighborhoods. The alternative is nonuse – more vacant lots and more blight.*

Participating organizations include:

- Weavers Way Co-op
- Landmarks' Grumblethorpe Historic House and Garden
- Urban Tree Connection
- Wyck House Urban Farm
- Guild House West
- Emerald Street Urban Farm
- Norris Square Neighborhood Project
- African American United Fund
- HIAS Pennsylvania

For more information and updates, visit:

<http://pilcop.org/take-action-to-protect-urban-agriculture-in-philadelphia/>

<https://www.facebook.com/phillygreenandhealthy>