

ATTENTION URBAN FARMERS AND GARDENERS!

Last Thursday, Councilman O'Neil (District 10) introduced amendments to the zoning code that will threaten gardens and farms in CMX-2 districts, or neighborhood commercial mixed use areas.

- *Bill No. 120917 changes the treatment of 15 use subcategories in the CMX-2 district so that these uses are either prohibited or would require a Special Exception from the Zoning Board. Community Gardens and Market Farms are use categories that would be prohibited under the bill.*
- *Bill No. 120916 creates a new commercial mixed-use district – CMX-2.2, which would allow the 15 uses, but would require Council to remap each of the affected areas.*

CMX-2 covers about one-third of all commercial areas in Philadelphia. The amendments would have a significant impact citywide, even though the Councilman's stated goal is to preserve the integrity of his district, which covers the Northeast.

Councilman O'Neil's amendment builds back in the variance system of old and creates significant barriers to existing uses. It requires affirmative remapping in each district, which will take years to accomplish.

The amendment hinders Philadelphia's commitment to urban agriculture. The City of Philadelphia has committed to supporting the preservation and growth of our vibrant urban agriculture sector. The new zoning code incorporates urban agriculture—both community gardening and market farming—as a use category, reflecting its current role as an existing use throughout the City. The zoning code addresses neighborhood concerns by including set of standards for urban agriculture to prevent negative impacts.

The proposed amendment will create a barrier to new urban agriculture projects at the very moment other entities are working to streamline the process and create new opportunities. **As many as one third of Philadelphia's gardens and farms could be affected by these propose changes.**

TAKE ACTION TO PRESERVE THE CURRENT ZONING CODE AND PROTECT URBAN AGRICULTURE IN PHILADELPHIA!

- **Contact your district councilmembers** and ask that they support the current zoning code and oppose the amendment that would threaten urban agriculture.
- **Attend the Rules Committee Hearing** on Tuesday, December 4th at 10:00 AM in Room 400, City Hall.
- **Contact the members of the Rules Committee** to voice your objection and ask them not to vote the bill out of committee: **Councilman Greenlee (Committee Chair), Councilmembers Bass, Tasco, Goode, Green, Henon, Kenney, O'Brien, and Reynolds-Brown.** Contact information is available here: <http://philadelphiacitycouncil.net/council-members/>

- **Testify at the Rules Committee hearing.** If you wish to be on the list to testify, call the office of the committee chair, Councilman Greenlee, at 215-686-3446. Otherwise, you

The new code was the result of extensive deliberation, compromise, and public input. Further, there will be a full review of the code after one year of implementation. **Ask City Council to preserve the new unified and coherent zoning code. We can revisit any questions and concerns after that full year, but reverting to the old system is not the answer for gardening, farming, or any of the other uses these amendments attempt to restrict.**

If you have questions or are interested in testifying, contact the Law Center's Garden Justice Legal Initiative at 267-546-1306 or acahn@pilcop.org

To find out the zoning category for your garden or farm:

<http://www.Phila.gov/Map?#id=757bbd2d07704a9bb684a1e88ca681c9>

For more information about the amendments:

http://www.philly.com/philly/opinion/20121119_DN_Editorial_TWILIGHT_ZONE.html

<http://planphilly.com/o%E2%80%99neill-bills-reclassify-uses-commercial-mixed-use-districts-create-new-district-be-mapped>

<http://planphilly.com/planning-commission-delays-recommendation-o'neill-bills-restricting-uses-commercial-corridors-1>