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COUNCIL OF THE CITY OF PHILADELPHIA

COMMITTEE ON RULES

- - -

Thursday, December 8, 2005.

9:50 a.m.

- - -

Room 400, City Hall

Philadelphia, Pennsylvania

- - -

BILL NO. 051143 - Ordinance amending Section
10-112 of the Philadelphia Code, entitled
"Keeping Farm Animals."

BILL NO. 051094 - Ordinance to amend The
Philadelphia Zoning Maps by changing
designations of certain areas bounded by
Frankford Ave., Carteret Dr., St. Denis Dr.,
Poquessing Creek, I-95, and Grant Ave.

- - -

PRESENT:

ANNA C. VERNA, Chair
BLONDELL REYNOLDS BROWN
JACK KELLY
JAMES F. KENNEY
DARRELL L. CLARKE
DONNA REED MILLER

- - -

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I N D E X

BILL NO.	PAGE
051143 Aaron Finestone, Technical Staff, City Council-----	3
051094 William Kramer, Senior Zoning Planner, City Planning Department-----	9
- - -	
PUBLIC MEETING-----	11

- - -

1 BILL NO. 051143 - 12/8/05

2 PRESIDENT Verna: Good morning. I
3 do apologize for the delay. This is a Public
4 Hearing of the Rules Committee.

5 I would ask Mr. McPherson to please
6 read Bill No. 051143.

7 MR. McPHERSON: An Ordinance
8 amending Section 10-112 of The Philadelphia
9 Code, entitled "Keeping Farm Animals," by
10 deleting the provision permitting the keeping
11 of farm animals on parcels of 3 acres or more.

12 PRESIDENT Verna: Good morning.
13 Please identify yourself for the record.

14 MR. AARON FINESTONE: Aaron
15 Finestone, City Council Technical Staff. I am
16 here for Councilman O'Neill.

17 About a year and a half ago Council
18 passed a bill which outlawed farm animals.
19 The bill defined "farm animals," that they do
20 not include horses. Basically, we are
21 speaking about chickens and similar animals.

22 At that time there was an exemption
23 for parcels of 3 acres or more. Councilman
24 O'Neill had been mistakenly told that there
25 was a 3-acre farm in his district. He has

1 BILL NO. 051143 - 12/8/05

2 found that not to be the case. And,
3 therefore, this bill would delete that 3-acre
4 exemption. This is a corrective amendment.

5 PRESIDENT VERNA: Thank you.

6 The Chair recognizes Councilman
7 Kenney.

8 COUNCILMAN KENNEY: Mr. Finestone,
9 does this apply to commercial property, too,
10 or just residentially zoned property?

11 MR. FINESTONE: Everywhere.

12 COUNCILMAN KENNEY: Thank you.

13 PRESIDENT VERNA: All right. I
14 would like the record to certainly reflect
15 that we have a quorum. To my extreme right we
16 have Councilwoman Miller, next to her is
17 Councilman Kenney, to my extreme left
18 Councilwoman Brown, Councilman Kelly,
19 Councilman Clarke.

20 MR. FINESTONE: Councilman O'Neill
21 would like a suspension of the Rules in this
22 matter.

23 PRESIDENT VERNA: I think that we
24 would have to get some consensus here before
25 we decide that we are going to suspend Rules.

1 BILL NO. 051143 - 12/8/05

2 Do we have someone from the Health
3 Department to testify on this?

4 Do we have anyone at all to testify
5 on this bill?

6 COUNCILWOMAN MILLER: I have a
7 question.

8 PRESIDENT VERNA: The Chair
9 recognizes Councilwoman Miller.

10 COUNCILWOMAN MILLER: Good morning.
11 Thank you.

12 Mr. Finestone, the provision that
13 you are actually trying to delete is that you
14 cannot have a farm animal, whether you have 3
15 acres or more?

16 MR. FINESTONE: If today's bill is
17 passed by Council, you cannot have a farm
18 animal anywhere in the city, regardless of the
19 number of acres.

20 COUNCILWOMAN MILLER: I'm not really
21 sure what's happening geographically in the
22 city, but does this mean that there would be
23 no farms permitted in the City of
24 Philadelphia?

25 MR. FINESTONE: I don't know if

1 BILL NO. 051143 - 12/8/05

2 there are any farms.

3 COUNCILWOMAN MILLER: I'm not sure.

4 I have no idea.

5 MR. FINESTONE: There is an
6 exemption. I am aware of the Fox Chase farm,
7 which is affiliated with the school district
8 and the Saul School on Henry Avenue. There is
9 an educational exemption.

10 COUNCILWOMAN MILLER: Okay.

11 MR. FINESTONE: So those two farms
12 would not be covered.

13 COUNCILWOMAN MILLER: Thank you.

14 PRESIDENT Verna: This certainly
15 would apply for the entire city, not just the
16 10th Councilmanic District?

17 MR. FINESTONE: That's correct.

18 PRESIDENT Verna: Are there any
19 other questions or comments?

20 The Chair recognizes Councilman
21 Clarke.

22 COUNCILMAN CLARKE: Thank you, Madam
23 President.

24 Madam President, understanding that
25 there is the problem, I actually had some

1 BILL NO. 051143 - 12/8/05
2 earlier conversations with Councilman O'Neill
3 about some issues up in his district.

4 I am concerned about parts of the
5 district that I represent, particularly the
6 newer part of my district in Kensington and
7 Fishtown, where a number of individuals
8 cultivate these animals, and it has not been a
9 problem.

10 So I am a little concerned about the
11 broad nature of this bill at this time,
12 because it could impact areas in my district
13 that it is not in fact a problem. I think
14 some people would be concerned about it.

15 So I am a little --

16 MR. FINESTONE: If there is concern,
17 Councilman has suggested that I ask to hold
18 the bill, if there is concern amongst the
19 committee.

20 COUNCILMAN CLARKE: I can speak for
21 myself personally. If I was able to talk to
22 the Councilman and his staff about the broad
23 nature of the bill, and some of the things
24 that are going on.

25 I'm sure that there are some members

1 BILL NO. 051143 - 12/8/05
2 within the community that are involved in this
3 issue that would have a little dialogue with
4 them before I would be comfortable with voting
5 on the bill.

6 So if you can hold it, it would be
7 helpful to me personally.

8 MR. FINESTONE: Okay.

9 PRESIDENT Verna: Thank you very
10 much.

11 MR. FINESTONE: That's consistent
12 with what he instructed me.

13 PRESIDENT Verna: Thank you very
14 much.

15 MR. FINESTONE: Thank you very much.

16 PRESIDENT Verna: Any other
17 questions or comments from members of the
18 committee?

19 Seeing none. Do we have anyone else
20 to testify on this bill?

21 I would, therefore, ask Mr.
22 McPherson to read the title of Bill No.
23 051094.

24 MR. McPHERSON: An Ordinance to
25 amend the Philadelphia Zoning Maps by changing

1 BILL NO. 051094 - 12/8/05
2 the zoning designation of certain areas of
3 land located within an area bounded by
4 Frankford Avenue, Carteret Drive, St. Denis
5 Drive, the Poquessing Creek, I-95 Expressway,
6 and Grant Avenue.

7 PRESIDENT VERNA: Good morning.
8 Please identify yourself for the record and
9 proceed with your testimony.

10 MR. WILLIAM KRAMER: Good morning.
11 My name is William Kramer. I am the Senior
12 Zoning Planner in the Development Planning
13 Division of the City Planning Commission. I
14 am here to testify on Bill 051094.

15 This bill was introduced by
16 Councilwoman Krajewski and Councilman O'Neill
17 on November 17, 2005. This bill amends the
18 zoning maps of the city by changing the zoning
19 designation of land along Grant Avenue from a
20 zoning designation of R3 residential, to a
21 designation of IDD, Institutional Development
22 District.

23 The Holy Family University owns this
24 quarter acre of land, and they are requesting
25 the rezoning to incorporate it into the master

1 BILL NO. 051094 - 12/8/05

2 plan of their campus.

3 At this time the only revision of
4 the master plan for the University is for the
5 inclusion of this land into the district. Any
6 future development of this site will require a
7 separate revision to the master plan for the
8 University.

9 Bill 051094 is scheduled for
10 consideration by the Planning Commission at
11 its meeting of December 15 of 2005. At that
12 meeting the Planning Commission staff will be
13 recommending that the bill be approved.

14 I would be happy to answer any
15 questions of the committee.

16 PRESIDENT VERNA: Thank you very
17 much.

18 Are there any questions from members
19 of the committee? Thank you.

20 Do we have anyone else to testify on
21 this bill?

22 Seeing none, this will conclude our
23 Public Hearing.

24 (Public Hearing adjourned.)

25 - - -

1 PUBLIC MEETING
2 COUNCIL OF THE CITY OF PHILADELPHIA
3 PUBLIC MEETING
4 of the
5 COMMITTEE ON RULES
6 - - -
7 Thursday, December 8, 2005
8 - - -
9 Public Meeting conducted by the
10 Committee on Rules, held in Room 400, City
11 Hall, Philadelphia, Pennsylvania, on the above
12 date, to consider action on the following:
13 BILLS 051143, 051094
14 - - -
15 PRESENT:
16 ANNA C. VERNA, Chair
17 BLONDELL REYNOLDS BROWN
18 JACK KELLY
19 JAMES F. KENNEY
20 DARRELL L. CLARKE
21 DONNA REED MILLER
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1 PUBLIC MEETING

2 PRESIDENT Verna: We will now go
3 into our public meeting.

4 And the Chair recognizes Councilman
5 Clarke regarding Bill No. 051143.

6 COUNCILMAN CLARKE: Thank you, Madam
7 President.

8 Madam President, I move that Bill
9 No. 051143 be held at the request of the
10 committee.

11 (Duly seconded.)

12 PRESIDENT Verna: It has been moved
13 and properly seconded that Bill No. 051143 be
14 held.

15 All in favor will signify by saying
16 aye.

17 Those opposed?

18 The ayes have it, the motion
19 carries.

20 Again the Chair recognizes
21 Councilman Clarke regarding Bill No. 051094.

22 COUNCILMAN CLARKE: Madam President,
23 I move that Bill No. 051094 be reported out of
24 Committee with a favorable recommendation,
25 also a request for Rules suspension to permit

1 PUBLIC MEETING

2 first reading at our next session of Council.

3 (Duly seconded.)

4 PRESIDENT VERNA: It has been moved
5 and properly seconded that Bill No. 051094 be
6 reported out of committee with a favorable
7 recommendation, also a recommendation that the
8 Rules of Council be suspended so as to permit
9 first reading at our next session of Council.

10 All in favor will please indicate by
11 saying aye.

12 Those opposed?

13 The ayes have it, the motion
14 carries.

15 And that concludes the Public
16 Meeting of the Committee on Rules. Thank you
17 very much.

18 And to our guests that are very
19 familiar to us, we certainly want to welcome
20 them. We will be going into caucus and we
21 will be out quite shortly.

22 (Public Meeting adjourned at 10:00
23 a.m.)

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C E R T I F I C A T I O N

I HEREBY CERTIFY that the
foregoing proceedings of the Council of the
City of Philadelphia of Thursday, December 8,
2005, were reported fully and accurately by
me, and that this is a correct transcript of
same.

RE: COMMITTEE ON RULES

DEBRA A. WHITEHEAD