



Outdoor Park and Recreation Land Protection Ordinance

Presented by
Philadelphia Commission on Parks and
Recreation (PaRC)

September 22, 2010

Why develop this ordinance?

- Park and recreation lands are valuable to the City and its citizens and need appropriate protection
- No written guidelines or policies exist regarding conveyance of park and recreation land
- City Charter amendment creating the new Commission requires it to adopt standards and guidelines for conveyance of park and recreation land
- Mayor requested Commission to develop these standards and guidelines as legislation

Ten months in the making

- Assessed current policies and directives
- Examined procedures guiding past park and recreation land transactions
- Reviewed “Best Practices” from other municipalities
- Consulted with City Law Department and City Council legal staff
- Held one-on-one discussions with Mayor, City Council members and their staffs

Benefits of this ordinance

- Sets goal for “no net loss of park and recreation land”
- Establishes a predictable, transparent process
- Establishes project assessment criteria for all interested parties in transfer process
- Utilizes known “Best Practices” for parkland transfer
- Incorporates state law standards

Proposed ordinance: What's covered?

- Outdoor park and recreation land
- Owned by City of Philadelphia under the jurisdiction of Dept. of Park and Recreation (“DPR”)
- Owned now or acquired in future

examples: woods, trails, picnic areas, lawns, gardens, recreation paths, athletic fields, outdoor fountains and plazas, horseback riding areas, tennis courts, basketball courts, playgrounds

Land not covered by ordinance

- Buildings and other structures of the DPR
- Property under the jurisdiction of other City departments:
 - e.g. Public Property, Water Department
- Property under the jurisdiction of other agencies:
 - e.g. RDA, PIDC, PHA
- Land covered by master lease with PAID

When does ordinance come into play?

- When City Council approval is required for:
 - Proposed transfers -- such as leases, licenses and concessions
 - Proposed changes in physical characteristics or use of the land

What is exempt from ordinance?

- Administration-initiated changes of use
- Renewals of existing leases with same terms
- Utility sub-surface easements or stormwater facilities
- Modifications to roads
- Adaptive reuse of structures requiring only de minimus increase in impervious coverage

Categories of transfers

- Changes to another legally permitted park or recreation use
 - Requires Alternatives Analysis
 - Does not require substitute land
- Changes to non-park or recreation use
 - Only allowed if “original use of land is no longer practicable or possible and has ceased to serve the public interest”
 - Requires Alternatives Analysis
 - Requires substitute land

Outline of transfer process

- Transfer applicant prepares an Alternatives Analysis and provides copy to Commission and City Council
- Commission reviews Alternatives Analysis
- Commission makes recommendation on transfer to Mayor, City Council
- City Council holds public hearing on bill authorizing transfer
- City Council approves or denies bill

Limits of ordinance

- Legislators can reject Commission's recommendation regarding proposed transfer

Communications with the community

- Public release of ordinance at Commission meeting on 9/22/10
- Posted on Parks and Recreation Website 9/23/10
- Invite comments and questions from community via:
 - Email: parksandreccommission@phila.gov
 - Blog: <http://parksandreccommission.blogspot.com/>
 - Public testimony and Commission response to public comments and questions at 10/27/10 Commission meeting at Free Library
 - Commission meeting to vote on final ordinance on 11/17/10 at Free Library