

## DAG SAYS “YES” TO THE 2024 PHILADELPHIA PRIMARY BALLOT QUESTION

The DAG Steering Committee stands in strong support of a “Yes” vote on the 2024 Philadelphia Primary Ballot Question, full language below:

*Should the Philadelphia Home Rule Charter be amended to require the City to provide indemnification and defense of registered community organizations in connection with claims made against them arising directly out of their lawful participation in the City's zoning variance process.*

Registered community organizations (RCOs) are largely composed of volunteers, but they play a critical role in the zoning process, primarily through their participation in the required meetings with developers that are part of the review of requests for zoning variances. RCOs are thus often thrown onto the firing line, whether they want to be or not. Their responsibility to represent community interests may entail serious legal jeopardy, often in the form of SLAPP suits<sup>1</sup>, when community opinion on a proposed project differs from that of a developer.

Because RCOs are required agents of the city in the zoning process, as the Ballot Question states, they should receive protections like those that other city agencies and employees enjoy. Whether or not so much pressure and responsibility should be placed on their shoulders remains an open and significant question. However, while we work towards a more equitable process, one that hopefully includes greater participation from the Philadelphia City Planning Commission (PCPC), it is important that these protections be put in place.

Indemnification alone will not solve the issues at play with RCO participation in the zoning process. Having community involvement in the zoning process is laudable, yet to make sure this participation is as consistent and informed as possible, it is critical that the city implements a clear set of rules and regulations for RCOs to follow and provides training, so that they can uphold the standard of “lawful participation,” as stated in the ballot question. In the Citizens Planning Institute, the education and outreach arm of the PCPC, Philadelphia already has an agency focused on this work.

For the sake of this program, and the development outcomes that arise from their involvement, we need to support RCOs in becoming well-informed advocates for excellent and equitable design and development.

*The DAG Steering Committee*

*The Design Advocacy Group (DAG) is a public forum and advocate for design quality and equity in the planning, architecture, preservation, and physical development of Philadelphia. <https://designadvocacy.org/>*

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<sup>1</sup> Strategic Lawsuit Against Public Participation (SLAPP suit) refers to lawsuits brought by individuals and entities to dissuade their critics from continuing to produce negative publicity. By definition, SLAPP suits do not have any true legal claims against the critics.