

Legislation Text

File #: 110602, **Version:** 0

September 8, 2011

**To The President and Members of
The Council of the City of Philadelphia:**

For the following reasons, I am returning to your Honorable Body without my signature Bill No. 110306, which was passed by Council at its session on June 16, 2011.

Bill No. 110306 would authorize a currently unlawful non-accessory billboard located in the vicinity of Morris Street and Columbus Boulevard. The bill would also allow for the sign's projection of digital electronic messages, a use not currently permitted under the City's Zoning Code.

The laws regarding the permitted erection and uses of billboards are clearly addressed in the Code. The owners of this particular billboard have maintained it in violation of the Code for several years. In response to City enforcement action, the owners sought to obtain a variance through the ZBA and the courts, which efforts were unsuccessful. After failing in those efforts, the owners sought a change in the law applicable solely to the property where the sign is located through Bill 110306.

Despite a recommendation from the Planning Commission that the Bill be disapproved, Council nonetheless passed the bill in order to allow this otherwise unlawful billboard. This type of "one-off" zoning is detrimental to the City's planning efforts. Restrictions on outdoor advertising in the Zoning Code were adopted for a reason. Relaxing those restrictions one property at a time undermines the purpose of the Zoning Code and damages the City's efforts to create a consistent and predictable zoning environment.

I am therefore returning Bill No. 110306 to you without my signature.

Respectfully,
Michael A. Nutter,
Mayor