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Scenic Philadelphia fights back against vote by City Council Rules Committee permitting digital billboards



Scenic Philadelphia drawing of what digital billboards represent to the city. Photo: Courtesy of Scenic Philadelphia.

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By Nicole Contosta
Staff Reporter

On Tuesday, February 24th, seven members of the Philadelphia City Council Rules Committee voted in favor of Urban Experiential Displays (UEDs). If passed by full council, the legislation would create a special zoning overlay allowing certain three-dimensional digital signs on corners near the Philadelphia Convention Center, the Reading Terminal Market and the Avenue of the Arts.

The vote came only a week after the Philadelphia City Planning Commission (PCPC) voted 6-2 against the proposal.

And to Mary Tracy, the President of Scenic Philadelphia, "This legislation strikes a major blow to [the city's] leadership in smart urban planning." City Councilman Bobby Henon, Tracy continued, "has been working with community groups and the sign industry on non-accessory billboard legislation for three years, and this bill will completely exempt this billboard company from whatever laws are passed.

These are six-story flashing, full motion commercial billboards placed in very prominent places. "In 1988 and again in 1991, Philadelphia City Council passed strong billboard control laws based on concerns for driver safety, aesthetic considerations and economic justice.

Imbedded in these laws are council's findings, which laid the foundation for regulating signs." Tracy cited Philadelphia Code 9-602 (1) (b-d): "The excessive number of commercial outdoor advertising signs contribute to visual clutter and detract from the aesthetic beauty of the City of Philadelphia. "The proliferation of commercial outdoor advertising signs contribute to the

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appearance of deterioration in residential, commercial and industrial areas of the City and therefore negatively impact upon the economic viability of these areas. "Said signs jeopardize public safety by distracting pedestrians and to a greater extent passing motorists, since these signs by their nature are erected in areas intended to be seen by drivers of motor vehicles."

In Tracy's opinion, "Despite the gimmicky name of Urban Experiential Displays, these are just giant TV screens that are digital billboards with capacity for full motion video and sound. These sign structures," she argued, "can be as tall as six stories high and three times larger than the 1200 sq. ft. maximum allowed on highways."

The UEDs would be exempt from all laws governing outdoor advertising and accessory signs, even distance protection from busy intersections. "Further, this bill would allow for an essentially unchecked proliferation of outdoor advertising of all shapes and sizes in the core of Center City." And in Tracy's opinion this would "turn on its head the protective restrictions of outdoor advertising we have had in place for 25 years."

To Tracy, the billboard overlay violates restrictions put in place by the Federal Highway Beautification Act (HBA) on roads designated as primary aid highways. "Broad Street is such a highway," Tracy argued, "and the city is obligated to comply with the HBA. The HBA prohibits flashing, intermittent advertising signage within 660 feet of its federal aid highways and limits the size of billboards to under 1200 sq. ft. Thus, the two Broad Street locations proposed in this bill are prohibited under the Federal Highway Beautification Act." And, she emphasized, "Penalties for failure to comply include a ten percent loss of federal transportation funding."

According to Tracy, "Digital billboards are not economic development. They benefit a very select few financially and add nothing unique to our city. The public realm is never enhanced by the addition of outdoor advertising." Unlike the legislation requiring the Market East Sign District to invest 10 million dollars in public improvements before any advertising can be erected, this UED bill promises funding to selected nonprofits."

Tracy also argued against the UEDs' safety. "These signs by their very nature are meant to distract. Twenty-three percent of crashes and near-crashes occurring in metropolitan environments are attributable to eyes off the forward roadway greater than two seconds. Nearly eighty percent of the crashes and sixty-five percent of near crashes were caused by distractions that made the driver look away for up to three seconds. Digital billboards by definition often cause distractions over and above the two-second distraction threshold."

For Tracy, the potential for digital advertising would disrupt the very fabric of Philadelphia. "Our city streets should be the places where we interact with our friends and neighbors, where we engage with the many visitors to Philadelphia," she stressed.

"People will be compelled to visit Center City because of its stores, restaurants, parks, public spaces, and shopping because of a giant digital hand showing ads for cars, casinos, and other reports. "The Philadelphia City Planning Commission saw the need to disapprove it. We are deeply disappointed in the members of the Council for approving this ill-conceived legislation to a full Council vote."

The UED legislation should go to the next few weeks.

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