



Legislation Details (With Text)

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**Type:** Resolution      **Status:** Died due to expiration of legislative council session

**File created:** 2/19/2008      **In control:** Committee on Finance and Law

**On agenda:**      **Final action:** 12/31/2009

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**Effective date:**

**Title:** Resolution authorizing an investigation by the Council of the City of Pittsburgh in accordance with Section 312 of the Home Rule Charter, relative to the granting of a 1,200 square foot LED advertising billboard owned by Lamar Advertising to be placed on the new Grant Street Transportation Center, to determine if the approval was granted without proper process or legal authority as provided for in Title Nine of the Pittsburgh City Code of Ordinances.

**Sponsors:** William Peduto

**Indexes:** Home Rule Charter

**Code sections:**

**Attachments:** 1. 2008-0137.doc

Date	Ver.	Action By	Action	Result
4/24/2008	1	Committee on Finance and Law	TABLED	Pass
3/26/2008	1	Committee on Finance, Law and Purchasing	Held in Committee	Pass
3/20/2008	1	Committee on Hearings	Public Hearing Held	
2/20/2008	1	Committee on Finance, Law and Purchasing	Held for Cablecast Post Agenda	Pass
2/20/2008	1	Committee on Finance, Law and Purchasing	Held for Cablecast Public Hearing	Pass
2/19/2008	1	City Council	Read and referred	
2/19/2008	1	City Council	Waived under Rule 8	Pass

Resolution authorizing an investigation by the Council of the City of Pittsburgh in accordance with Section 312 of the Home Rule Charter, relative to the granting of a 1,200 square foot LED advertising billboard owned by Lamar Advertising to be placed on the new Grant Street Transportation Center, to determine if the approval was granted without proper process or legal authority as provided for in Title Nine of the Pittsburgh City Code of Ordinances.

WHEREAS, the Department of City Planning recently approved a 1,200 square foot LED advertising billboard owned by Lamar Advertising to be placed on the new Grant Street Transportation Center; and

WHEREAS, the approval was made by Zoning Administrator Susan Tymoczko and Urban Redevelopment Authority Director Pat Ford without any hearings before the Zoning Board of Adjustment, Planning Commission, or City Council; and

WHEREAS, Section 921.02.A.1 of the City Code states that, “a nonconforming use may not be enlarged,

expanded or extended to occupy parts of another structure or portions of a site that it did not occupy on the date that it became nonconforming, unless approved by the Zoning Board of Adjustment as a special exception.” A special exception by the Zoning Board of Adjustment requires public participation through a hearing; and

WHEREAS, Section 921.02.A.3 of the City Code states that, “a structure containing a nonconforming use shall not be moved unless the use and structure will comply with all of the regulations that apply in the new location. The Zoning Board of Adjustment may authorize as a special exception a structure containing a nonconforming use to be moved to another location on the same lot only if the Zoning Board of Adjustment determines that such a move will not have the effect of increasing the degree of nonconformity.” In the case that a sign already existed on this parcel, public participation through a hearing before the Zoning Board of Adjustment would still be required; and

WHEREAS, Section 919.02.N of the City Code states that, Nonconforming Advertising Signs, “Shall not be moved to a different location,”; and

WHEREAS, Section 910.01.C.1 of the City Code states that projects in the Golden Triangle District involving exterior alterations in excess of fifty thousand dollars (\$50,000.00), “are subject to Project Development Plan review and approval.” Project Development Plans are reviewed and approved by the Planning Commission at a public hearing; and

WHEREAS, Section 910.01.D.2 of the City Code states that, “Electronic Sign Messages shall be permitted as a Conditional Use in the GT-A and GT-B.” Conditional Use applications must be approved by City Council after a public hearing before City Council; and

WHEREAS, the approval for a advertising sign on a publicly owned building or land is subject to a competitive bidding process and proper notification for a Request for Proposal from all interested parties.

**Be it resolved that the Council of the City of Pittsburgh hereby enacts as follows:**

**Section 1.** The Council of the City of Pittsburgh is hereby authorized to conduct an investigation, in accordance with all provision of Section 312 of the Pittsburgh Home Rule Charter, concerning the granting of a 1,200 square foot LED advertising billboard owned by Lamar Advertising to be placed on the new Grant Street Transportation Center to determine if the approval was granted without proper process or legal authority as provided for in the Pittsburgh City Code of Ordinances.

**Section 2.** Council shall begin an inquiry at a special meeting to determine if there has been a violation of the Code and require the presence of the Mayor, Director of City Planning, Zoning Administrator, Director of the Pittsburgh Parking Authority, and City Solicitor at the hearing.

**Section 3.** Council shall have the ability to obtain its own legal counsel if necessary for this investigation.