



City of Laramie

Planning Division
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**LARAMIE PLANNING COMMISSION
(SITTING AS THE LARAMIE BOARD OF ADJUSTMENT)
February 10, 2025
STAFF REPORT**

FILE: VAR-24-07: Lamar Advertising Digital Billboard Variance Request from sections of LMC 15.14.120.E.2.c.

REQUEST: A variance request from LMC 15.14.120.E.2.c(xii) to allow a Digital Billboard (Electronic Messaging Center) in the B2 Business zoning district, where such signs are currently prohibited.

PROJECT LOCATION: 2130 East Grand Ave.

OWNER: LSCC Holdings, LLC

PURPOSE: To request approval for the replacement of an existing static billboard with an Electronic Messaging Center (EMC).

CURRENT ZONING: B2 (Business) Zoning District

PREPARED BY: Philipp Gabathuler, AICP, Planning Manager

STAFF RECOMMENDED MOTION:

Move to **deny** the requested variance from Laramie Municipal Code (LMC) 15.14.120.E.2.c(xii) to permit the installation of a Digital Billboard at 2130 East Grand Ave, based on findings of fact and conclusions of law, as outlined below.

APPLICABLE CODE SECTIONS

LMC 15.06.060.D – Variances
LMC 15.14.120.E.2.c(xii) – Sign Regulations

Authority for consideration and granting of variances is found in LMC §15.06.060.D [Variances]. The variance process is intended to provide limited relief from the requirements of this code in those cases where strict application of a particular requirement will create a practical difficulty or unnecessary hardship prohibiting the use of land in a manner otherwise allowed under this code. It is not intended that variances be granted merely to remove inconveniences or financial burdens that the requirements of this code may impose on property owners in general. Rather, it is intended to provide relief where the requirements of this code render the land difficult or impossible to use because of some unique physical attribute of the property itself or some other factor unique to the property for which the variance is requested. State and/or federal laws or requirements may not be varied by the city.

BACKGROUND/DISCUSSION:

The variance request under consideration pertains to Lamar Advertising's proposal to replace an existing static billboard with a Digital Billboard, also known as an Electronic Messaging Center (EMC), at 2130 East Grand Avenue. This location is situated within the B2 Business zoning district,

where such signs are currently prohibited under Laramie Municipal Code (LMC) 15.14.120.D.2.iv. The Planning Division's recommendation to deny this variance is based on a comprehensive evaluation of multiple factors that align with the city's development policies, zoning regulations, and community standards.

1. **Incompatibility with Current Zoning Regulations:** Laramie's existing sign code was designed to ensure that the B2 Business zoning district maintains a coherent and visually appealing streetscape. According to LMC 15.14.120.D.2.iv—pole-style freestanding signs, including pole-style billboards are prohibited in this district to protect the visual character and quality of the commercial area. The sign at 2130 East Grand Ave. is a non-conforming sign and cannot be altered in any way accordance with LMC 15.14.120.H. These regulations were established to promote an environment conducive to pedestrian activity and business vitality without the visual disruption of digital advertising. Approving this variance would conflict with the intent of these zoning laws, potentially undermining the district's aesthetic integrity and setting a precedent for similar requests.
2. **Visual and Environmental Concerns:** Digital billboards, such as the proposed electronic message center (EMC), have a significant impact on both the visual environment and overall community aesthetic. The introduction of electronic billboards with rapidly changing displays increases light pollution and detracts from the visual quality of the area. Laramie's code restricts EMC brightness to ensure minimal disturbance to nearby areas, especially where commercial zones border residential districts. The proposed sign would also be considered an "Off-Premise EMC) which is prohibited in the B2 zoning district in accordance with LMC 15.14.120.G.4.
3. **Precedent and Community Impact:** While Lamar Advertising references a previously granted variance for an EMC used by Albany County for public information, it is critical to distinguish that this past variance (VAR-24-03) served a public, non-commercial purpose and was part of a monument sign with a display area of 75 square feet. Granting this variance could lead to a slippery slope, inviting other commercial billboard companies to seek similar variances and eroding the city's regulatory stance on billboards. This would potentially create an environment where the proliferation of digital signage compromises community standards and diminishes the unique character of Laramie's business districts.
4. **Alignment with Planning Goals and Policy Directives:** Laramie's Comprehensive Plan and various strategic documents, such as the "3,2,1 3rd St. Plan" and the Historic Downtown Laramie Design Guidelines, emphasize maintaining a balance between development and aesthetic cohesion. These policies discourage billboard expansions, especially outside designated corridors such as I-80, to preserve the visual integrity of commercial and mixed-use areas. Billboards outside of the I-80 corridor were designated as non-conforming uses citywide in 2009, reflecting the city's commitment to controlling visual clutter and fostering an environment that supports tourism and community well-being. Allowing this variance would not only contradict the goals of these plans but could also compromise the broader objectives aimed at maintaining Laramie's small-town charm and cohesive business landscape.

5. **Broader Implications and Community Standards:** The growth of digital advertising and its potential impacts have been well-documented. Without stringent controls, digital billboards can become prominent sources of visual pollution, detracting from a city's aesthetic appeal and affecting how residents and visitors perceive the community. Insights from organizations such as Scenic America highlight that controlling billboard proliferation and light pollution contributes positively to local economies. A visually appealing community fosters a better quality of life and encourages both economic activity and tourism. Allowing digital billboards in areas that were not intended for such displays can diminish these benefits and counteract efforts to create a welcoming environment for residents and visitors alike.
6. **Future Considerations and Code Amendments:** Lamar Advertising has filed a text amendment which is pursuing a formal code amendment to permit digital billboards in specific areas along Grand Avenue and 3rd Street. During recent discussions, Planning Commission members expressed apprehension regarding alterations to current regulations due to concerns about increased visual clutter and potential requests for additional billboard allowances in sensitive areas. Any such amendments would need to be assessed through a comprehensive public process to ensure alignment with the city's broader planning and community goals.

Conclusion: The proposed variance to allow the installation of a Digital Billboard at 2130 East Grand Avenue does not meet the criteria for approval under LMC 15.06.060.D (Variances). The variance conflicts with established zoning regulations, poses risks to the visual and environmental quality of the area, and sets an unwelcome precedent that could affect the broader community's character and cohesion. As such, the Planning Division recommends denial of the variance request to uphold the standards set forth in the city's municipal code and to support the long-term vision for Laramie's development. These considerations underscore the need to maintain consistent and well-enforced sign regulations that reflect the city's commitment to a visually harmonious and appealing community.

DEPARTMENT REVIEW:

This application was routed to relevant City departments for review and comment. No concerns were raised regarding safety, access, or other technical issues. However, the City's Planning Division finds that the request does not meet the required criteria for granting a variance, particularly in regard to the special conditions required for relief.

FINDINGS OF FACT FOR VARIANCE:

Pursuant to LMC 15.06.060.D [Specific Review Procedures – Variances], the Board of Adjustment must find that all of the following criteria have been met to approve the variance:

- (a) **Special circumstances or conditions exist that are peculiar to the land or building for which the adjustment is sought.**

Staff Response: The applicant has not demonstrated that any unique or special conditions exist for the property at 2130 East Grand Ave. The lot is neither irregular in shape nor constrained by topographical conditions that would prevent the use of a standard static billboard. The desire to transition to an EMC is a business decision, not a condition peculiar to the land or building.

(b) The strict application of the code would deprive the applicant of the reasonable use of the land or building.

Staff Response: Denial of this variance would not deprive the applicant of reasonable use of the land. The existing static billboard can continue to be used for both commercial and public messaging without requiring an EMC. The prohibition of EMCs in the B2 zoning district applies to all properties within this district and is intended to maintain community standards for signage.

(c) The strict application of the code would deprive the applicant of access to alternative forms of energy.

Staff Response: Not applicable. This variance request does not involve alternative energy access.

(d) The granting of the variance is necessary for the reasonable use thereof and is the minimum adjustment that will accomplish this purpose.

Staff Response: The requested variance is not the minimum adjustment necessary for reasonable use of the property. The current static billboard provides adequate opportunities for advertising and public messaging. Allowing an EMC would significantly alter the character of signage in the B2 district and is not a minimal adjustment.

(e) The granting of the variance is in harmony with the general purposes and intent of the code and will not be injurious to the neighborhood or detrimental to the public welfare.

Staff Response: The introduction of a digital billboard in this location would not be in harmony with the general purpose of the sign regulations outlined in the Unified Development Code. The purpose of restricting EMCs is to minimize visual clutter and protect the aesthetic character of Laramie's commercial corridors. A digital billboard in this prominent location could negatively impact the visual environment, potentially creating a distraction for motorists and detracting from the neighborhood's overall character.

(f) The variance, if granted, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially impair the use or development of adjacent property.

Staff Response: Granting the variance would alter the essential character of the area by introducing digital signage into a district where it is currently prohibited. This could set a precedent for other businesses in the B2 district, undermining the purpose of the existing sign regulations.

PUBLIC COMMENTS:

Legal notice was published in the Laramie Boomerang on November 8, 2024. Letters were sent to surrounding property owners within 300 feet of the subject property on November 11, 2024. Staff received one verbal comment against the variance by citizen Karen Voigt at the November 25, 2024 Planning Commission meeting.

ALTERNATIVES:

1. Approve the variance as submitted by the applicant, based on findings of fact and conclusions of law.
2. Approve the variance with conditions, based on findings of fact and conclusions of law.
3. Deny the variance based on findings of denial. (Staff Recommendation)
4. Postpone the variance until issues identified during the meeting can be resolved.

CONCLUSION OF FINDINGS AND STAFF RECOMMENDATION/ BOARD OF ADJUSTMENT OPTIONS:

The findings required to approve the variance as detailed in this staff report have not been met. Therefore:

Move to deny the requested variance from Laramie Municipal Code LMC 15.14.120.E.2.c(xii), to install a Digital Billboard at 2130 East Grand Ave, based on the findings of fact and conclusions of law.

ATTACHMENTS:

- 1 – Vicinity Map
- 2 – Applicant's Variance Request Letter