

**CITY COUNCIL
STAFF REPORT
MAY 20, 2024**

**1155 EAST RICHARDS STREET
ELECTRONIC MESSAGE DISPLAY SIGN – CONDITIONAL USE PERMIT**

CASE NUMBER: CUP 001-24

PREPARED BY: Heidi McCullough, Planning Technician

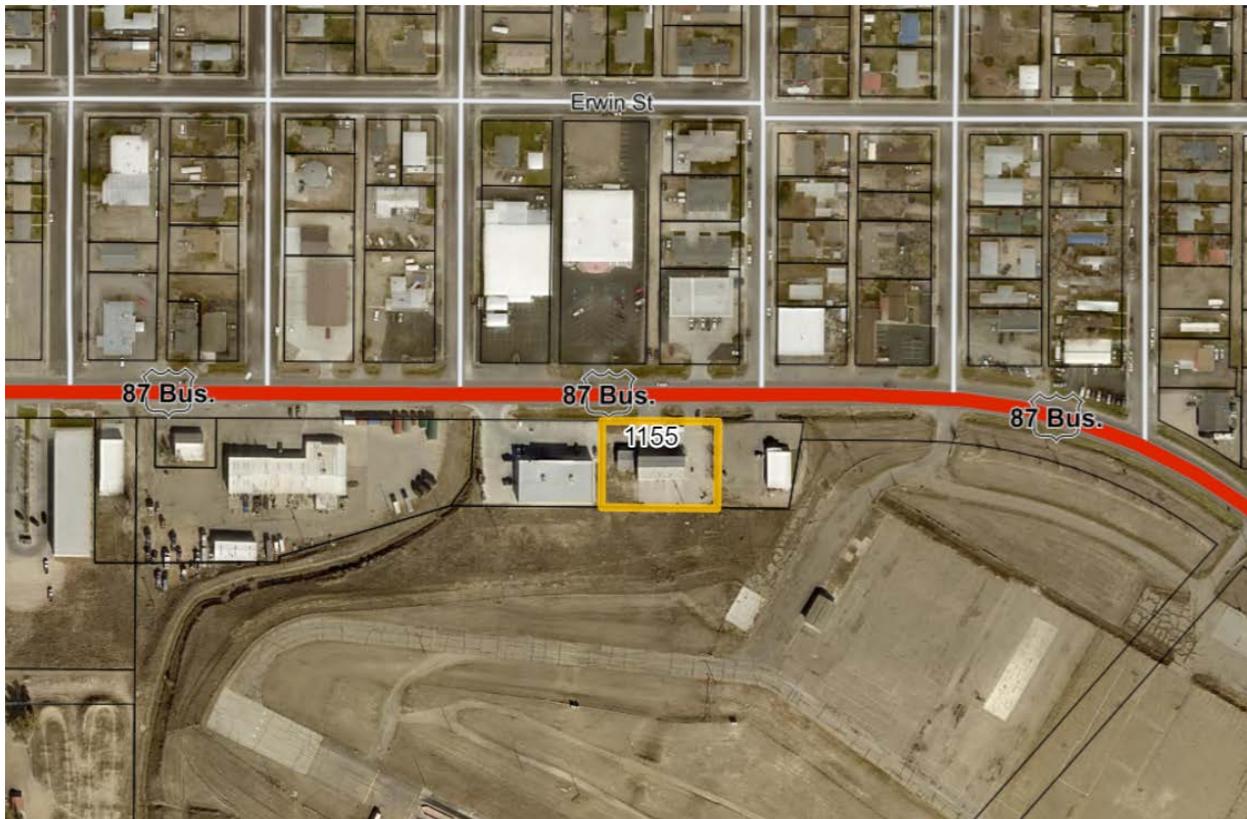
MEETING DATES: May 20, 2024 – Planning Commission
May 28, 2024 – City Council

REQUEST: Conditional Use Permit, B-2 General Business Zone

PURPOSE: To install an electronic message display sign.

RECOMMENDATION: The Community Development Department recommends approval of this conditional use permit to allow for the installation of an electronic message board sign in a B-2 General Business zone at 1155 East Richards Street with staff recommendations.

VICINITY MAP:



OWNER: Let'er Buck Car Wash, LLC
David Wills (Partner)
21 Mountain Brook #4
Sheridan, WY 82801

APPLICANT: Sign Products, Inc.
Tom Gross
1425 Monad Road
Billings, MT 59101

LOCATION:

- (1) Legal Description: Old Airport Subdivision, Lot 2
- (2) General Location: The proposed site is located on the south side of East Richards Street between Jackson Street and South 11th Street.
- (3) Address: 1155 East Richards Street, Douglas, WY

SIZE: 0.69 Acres

ZONING: B-2 General Business



ZONING DATA: The property is currently zoned B-2 General Business Zoning District. This district is “intended to provide for commercial uses that create a use intensity transition between residential neighborhoods and light industrial uses.”

Council approval of a conditional use permit for this type of sign is a requirement of the Unified Land Development Code, due to its possible impact on neighboring properties or as a distraction to vehicle traffic.

EXISTING LAND USE: Commercial

PROPOSED USE: Same

SURROUNDING LAND USE:	ZONING	ANNEXATION STATUS
North: Commercial Retail	B-2	City
South: Commercial Vacant	B-2	City
East: Commercial Retail	B-2	City
West: Commercial Retail	B-2	City

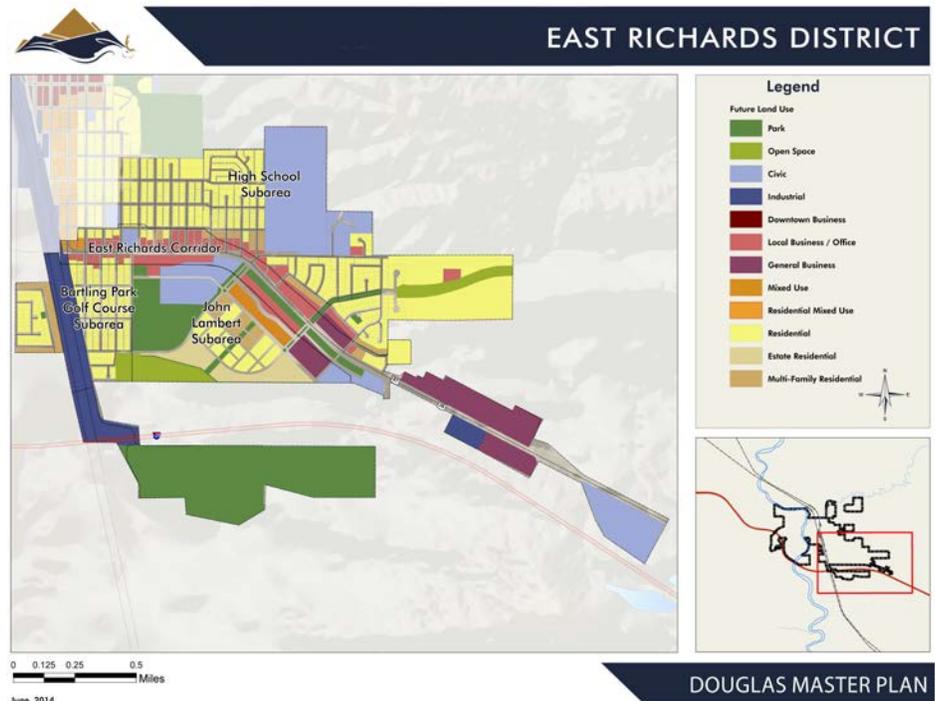
DESCRIPTION OF SITE: The property has been vacant recently, but in the past operated as a car wash and lube facility. There was previously an Electronic Message Display sign in this location.

2014 MASTER PLAN:

The property is designated as part of East Richards Corridor Subarea of the East Richards District.

Per the Master Plan, this area “serves as the southern entryway to the Douglas. The area includes an eclectic mix of highway commercial, residential neighborhoods, civic uses, parks and large areas of vacant lands.”

The proposed use of this property conforms to the future land use designation.



FY2023 STRATEGIC DOING: Electronic message signs, outside of City use, are not referenced in the FY2023 Strategic Doing as Key Performance Indicator (KPI).

STAFF ANALYSIS: The existing electronic message unit will be used and the sign on top will be refaced.

The proposed message board must meet the conditions attached to signs of this type as defined by the Unified Land Development Code and enumerated in the staff recommendation, per written confirmation from the sign contractor.

There are several mitigating issues in the Douglas Municipal Code to consider in reviewing this application.

1. Total signage in a B-2 General Business Zone is limited to a maximum area of four hundred (400) square feet, unless otherwise allowed by the City Council. The proposed sign is just under nineteen (19) square feet and the electronic message unit is approximately twenty-one (21) square feet.
2. Electronic Message displays are required to meet all of the conditions enumerated in the staff recommendation.



The proposed location of the message sign is on the northwest corner of the property on an existing nonconforming monument sign, providing good visibility to area pedestrian and vehicle traffic on East Richards Street.

The sign is not within the zone setbacks (10 feet from the property line); however, it is considered legally nonconforming as it predates the changes to the Municipal Code. The modification does not meet the definition of a “Substantial Alteration” and therefore can be approved.

STAFF RECOMMENDATION: The Community Development Department recommends approval of the request for a conditional use permit to allow the installation of an electronic message board sign at the subject property with the following conditions:

1. The sign may not exceed the proposed 21 square feet for the electronic message display.
2. Each message on an electronic message display shall be displayed for at least four (4) to eight (8) seconds.
3. The transition between messages display shall be instantaneous. Transitional effects shall be limited to instant (slideshow), fade, dissolve, circle out, diamond out, jaws, zoom, wipe left, wipe right, scroll, and travel.
4. The electronic message display shall be equipped with technology that automatically dims the electronic message displays according to ambient light conditions to a luminance or nighttime brightness level of up to five hundred (500) NIT, which will result in a reduction of display brightness between five (5) percent and twenty-five (25) percent, depending on the resolution of the sign. Documentation shall be provided from the sign manufacturer which verifies compliance with auto dimming and brightness requirements.
5. The electronic message display shall be equipped with the ability to be shut off within twenty-four (24) hours of malfunctioning. Signs under repair shall be shut off.

PLANNING & ZONING COMMISSION RECOMMENDATION: At their regular meeting on May 20, 2024, the Douglas Planning and Zoning commission voted unanimously to recommend approval of the request for a conditional use permit to allow the installation of an electronic message board sign at the subject property with the following conditions:

6. The sign may not exceed the proposed 21 square feet for the electronic message display.
7. Each message on an electronic message display shall be displayed for at least four (4) to eight (8) seconds.
8. The transition between messages display shall be instantaneous. Transitional effects shall be limited to instant (slideshow), fade, dissolve, circle out, diamond out, jaws, zoom, wipe left, wipe right, scroll, and travel.
9. The electronic message display shall be equipped with technology that automatically dims the electronic message displays according to ambient light conditions to a luminance or nighttime brightness level of up to five hundred (500) NIT, which will result in a reduction of display brightness between five (5) percent and twenty-five (25) percent, depending on the resolution of the sign. Documentation shall be provided from the sign manufacturer which verifies compliance with auto dimming and brightness requirements.
10. The electronic message display shall be equipped with the ability to be shut off within twenty-four (24) hours of malfunctioning. Signs under repair shall be shut off.