

From: [Cromwell, Nicole](#)
To: [Kelly Strobel](#); [Plecker, Monica](#); [Friday, Wyeth](#); [Allison Carley](#)
Subject: RE: [EXTERNAL] Re: Permit # PLNX-23-00301 Charlene Street
Date: Monday, March 6, 2023 11:45:00 AM
Attachments: [YC Section 27-1400 Signs.pdf](#)
[YC Sec 27-1621 Sign Permits.pdf](#)
[YC Sec 27-1615 Administrative Appeal.pdf](#)

Hello Kelly and Allison,

Monica and I have had three discussions on this location.

I am sorry for the delay in response.

While the City Zoning code provides for EMD display on off-premise (billboard) signs, the County Zoning code does not provide this specific language.

The County sign code applies to this location since it is outside the city limits.

The property is in a County zone district – Heavy Commercial (CX) - that allows off-premise signs.

When the County updated its sign code in 2020, it did not include the same language regarding EMD technology as the City sign code update. The previous County sign code also did not allow EMD on off-premise signs. The city and county sign codes were different. County off-premise signs are also not subject to the City's off-premise sign moratorium and limitation on new off-premise signs. The County sign code allows off-premise signs in several zone districts and within the Interstate Corridor. The County sign code only applies to off-premise signs within the zoning jurisdiction.

A plain reading and interpretation of the County code indicates this is not an allowed type of display technology on off-premise signs in the County.

I have attached the relevant County zoning code sections – Sec. 27-1400 (sign code), subsection 27-1405.C describes EMD signs and restrictions; subsection 27-1409 are the off-premise sign regulations.

If you disagree with this interpretation, you may appeal the decision to the County Board of Adjustment.

I have included the sign permit administrative review regulations at Sec 27-1621 and Sec 27-1615 on Administrative Appeals of this determination.

Monica can discuss with you the refunding of any permit fees already submitted for the sign.

An appeal of this administrative decision has a County application fee of \$182.

I am sorry the decision is not for approval, but a clear reading of the code does not allow this technology on off-premise signs at this time.

Sincerely yours,



Nicole Cromwell
Zoning Coordinator
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ATTENTION: Please use cromwelln@billingsmt.gov, emails sent to cromwelln@ci.billings.mt.us will be rejected and not delivered after January 31, 2023.

From: Kelly Strobel <kstrobel@lamar.com>

Sent: Monday, March 6, 2023 8:24 AM

To: Cromwell, Nicole <CromwellN@billingsmt.gov>; Plecker, Monica <PleckerM@billingsmt.gov>; Friday, Wyeth <FridayW@billingsmt.gov>; Allison Carley <ACarley@lamar.com>

Subject: [EXTERNAL] Re: Permit # PLNX-23-00301 Charlene Street

Good morning, Hope the weekend went well,
I am following up on this permit application (PLNX-23-00301) that was submitted over a month ago. Can I please get a status up date on where it's at, all the fees have been paid.
Thank you
Have a Great Week
Kelly

On Wed, Mar 1, 2023 at 10:48 AM Kelly Strobel <kstrobel@lamar.com> wrote:

Good morning I am following up on this permit that was submitted a month ago, all the fees have been paid.
Can I please get an update? If we are good can I please get the MDOT portion that was uploaded so that I can get the MDOT permit submitted. From time of approval on both City and State, our lead time for delivery is around 10-12 weeks.
Thank you, Have a great day
Kelly

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[Redacted]

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