

City Planning Department



Memo

To: Cranston City Plan Commission
From: Gregory Guertin, Senior Planner
Date: March 27th, 2023
Re: Use Variance – billboard conversion

Owner: Garfield Ave Foods, LLC
Applicant: Garfield Ave Foods, LLC
Location: 110 Garfield Ave, AP 7, Lots 2561-, 2593-97, 3768
Zone: M-2 General Industry
FLU: Residential less than 10.89 Units Per Acre

Owner: Lamar Central Outdoor via TLC Properties, Inc
Applicant: Lamar Central Outdoor via TLC Properties, Inc
Location: 30 Budlong Road, AP 11, Lot 1870
Zone: (Split Zone) M-1 Restricted Industry, C-1 Office Business, A-6 Residential
FLU: Industrial, Neighborhood Commercial/Services, Single Family Residential

SPECIAL USE PERMIT: Any request for a Billboard in an M-2 zone requires a Special Use Permit per the Schedule of Uses. [17.20.30 – Schedule of Uses]

DIMENSIONAL VARIANCE: Any request for an LED/animated signage triggers a dimensional variance application because it is not a type of sign our code allows regardless of the sign's size or location. [17.72.101 Signs]

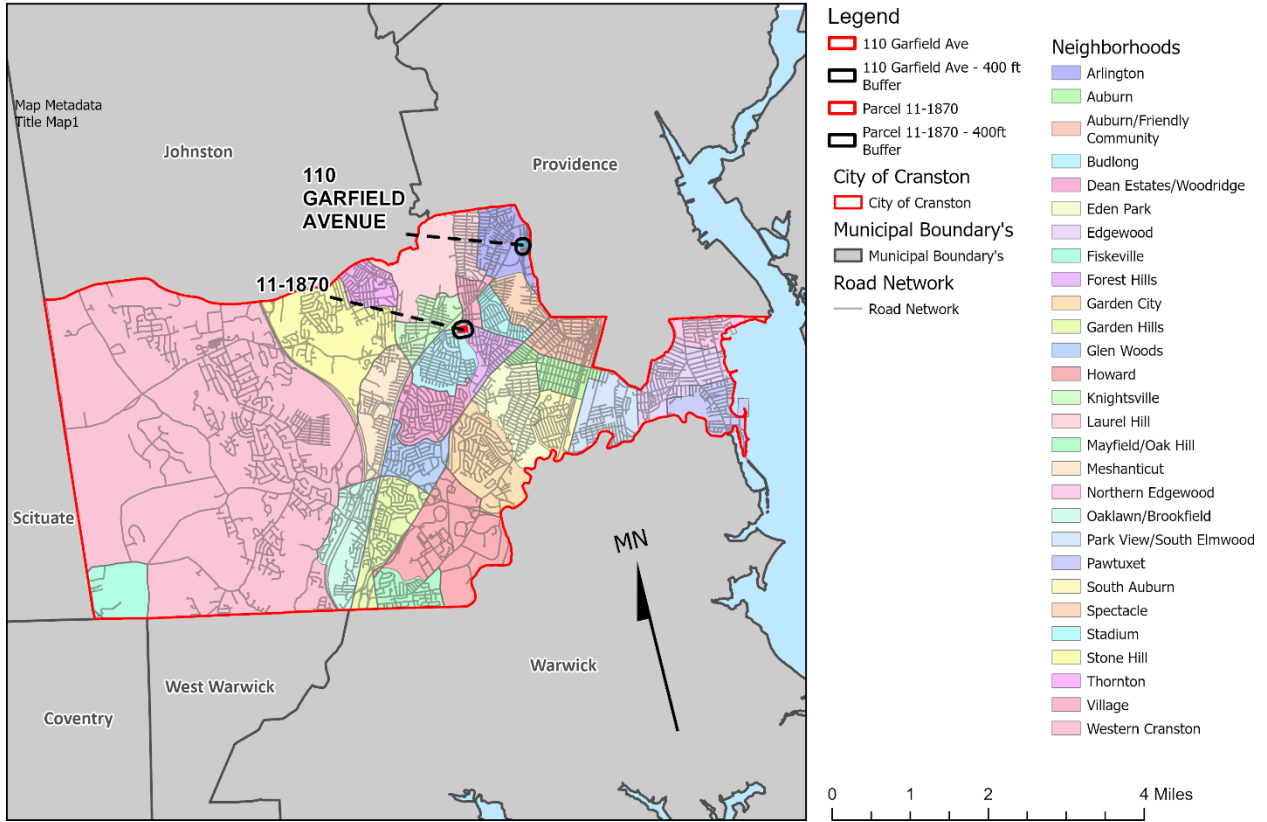
In consultation with the City's legal counsel, it is understood that the request for a special use permit in conjunction with a dimensional variance must be reviewed at the scale of a **Use Variance Request** in order to move the request forward.

The applicant has submitted an additional application which offers the removal of an LED billboard owned by the applicant, located at 30 Budlong Road in exchange for the right to install an LED billboard owned by the applicant, located at 110 Garfield Avenue. This would result in a static billboard at 30 Budlong Road and an LED billboard at 110 Garfield Avenue.

For the purposes of this memo, the billboard located at 110 Garfield Avenue will be referred to as "Billboard A" and the billboard located at 30 Budlong Road will be referred to as "Billboard B."

LOCATION

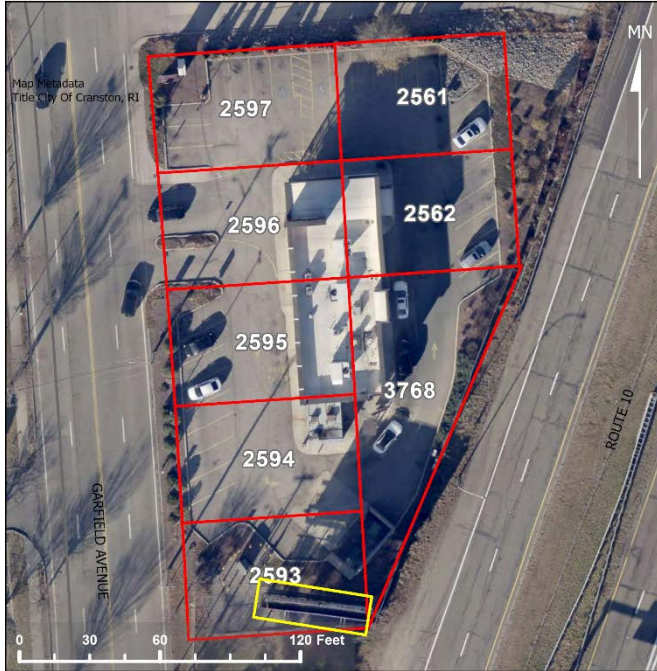
THIS MAP IS TO BE USED FOR PLANNING PURPOSES ONLY



110 Garfield Ave Maps & Graphics

AERIAL VIEW

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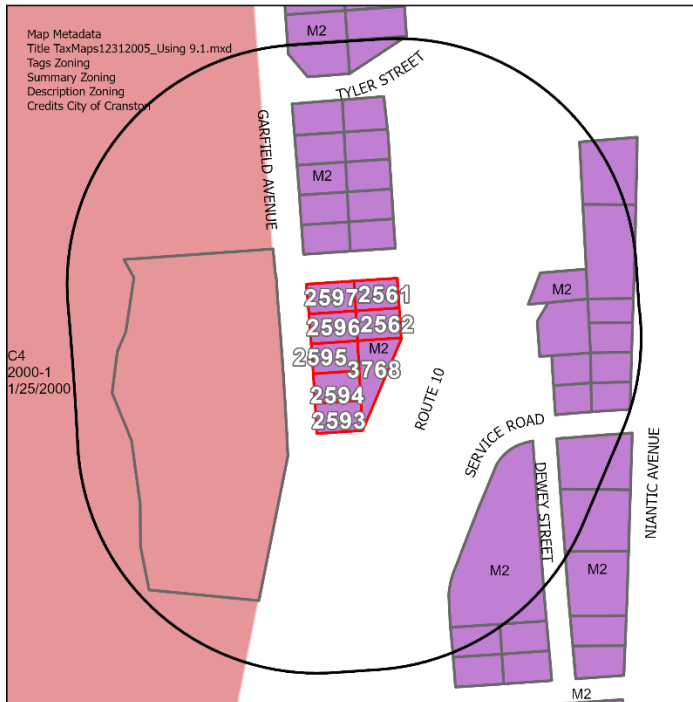
Legend

- Citywide Parcels
- 110 Garfield Ave
- 110 Garfield Ave - 400 ft Buffer



ZONING

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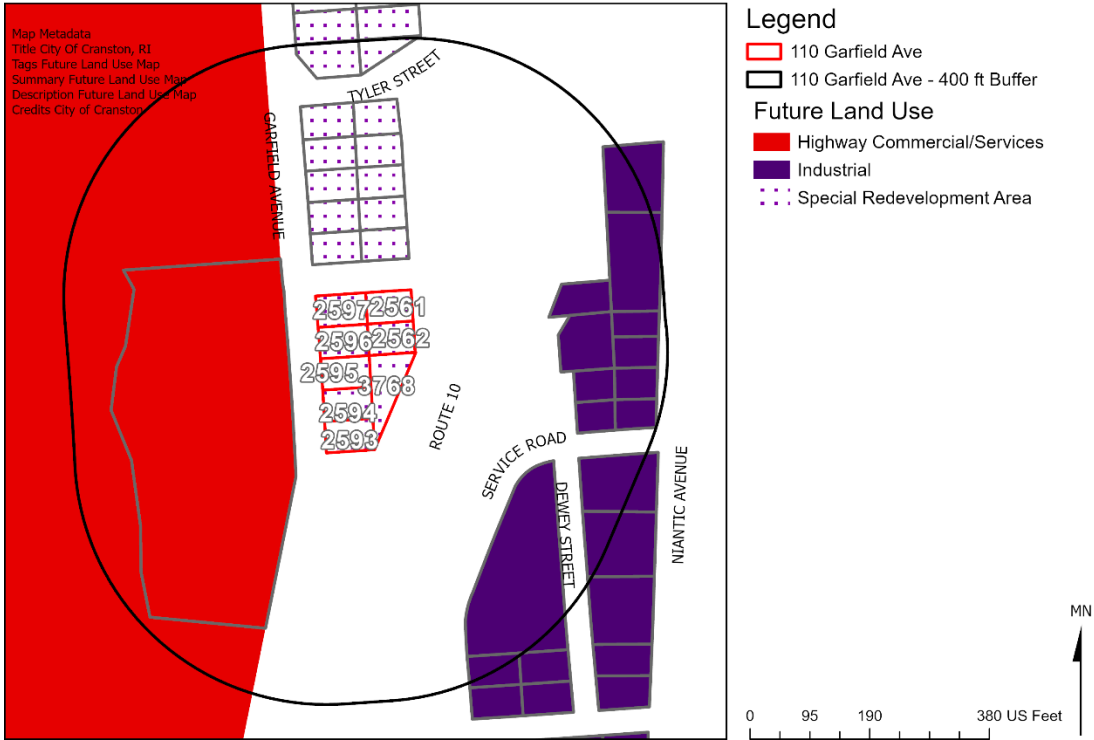


Legend

- 110 Garfield Ave
 - 110 Garfield Ave - 400 ft Buffer
 - Citywide Parcels
- Zoning
- C4
 - M2

FUTURE LAND USE

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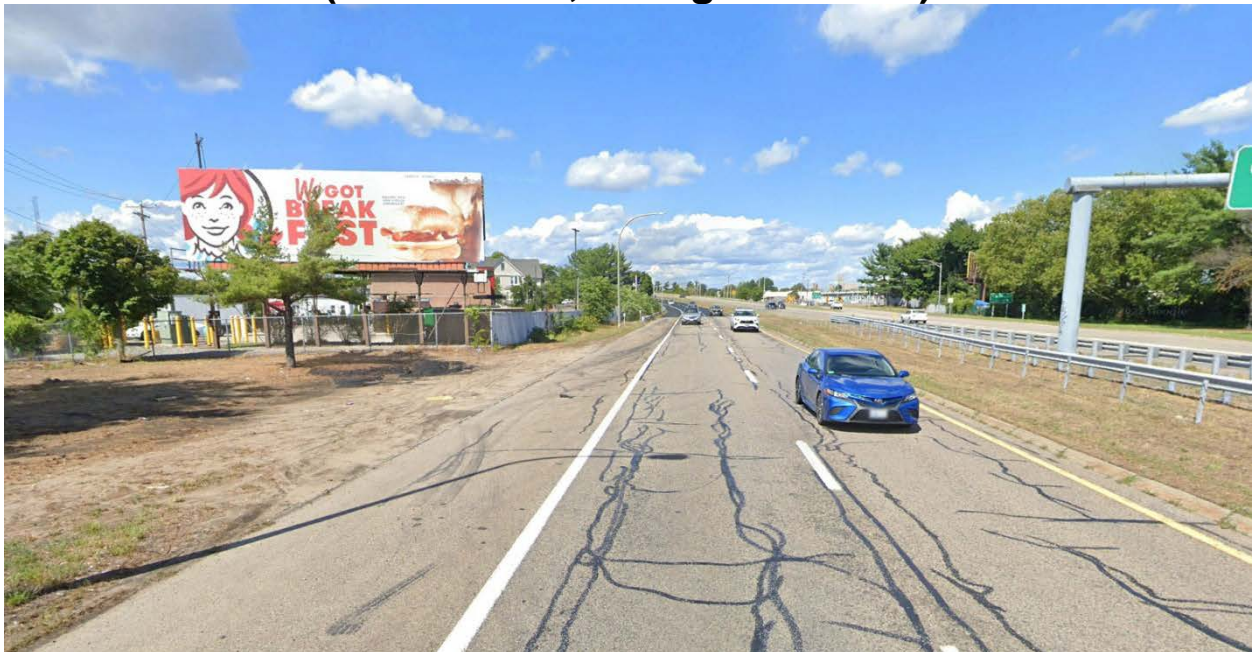
STREET VIEW (from Garfield Ave)



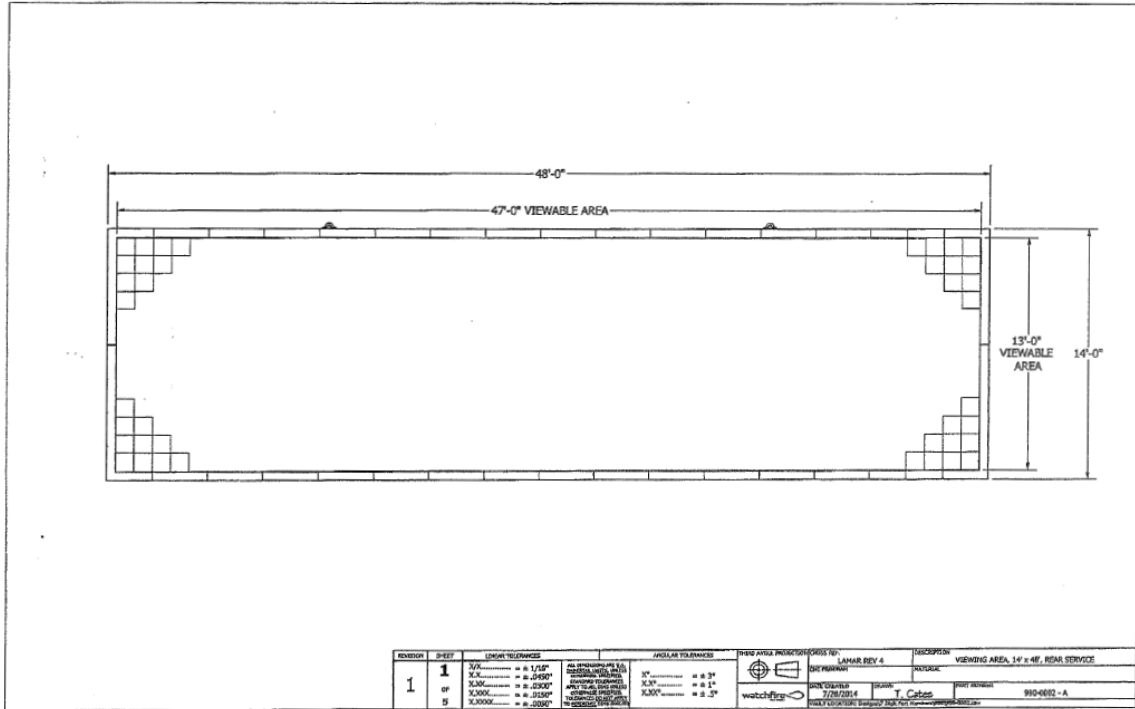
**STREET VIEW OF PROPOSED DIGITAL BILLBOARD A
(From RT 10, facing southwest)**



**STREET VIEW OF PROPOSED DIGITAL BILLBOARD A
(From RT 10, facing northeast)**



PROPOSED DIGITAL BILLBOARD DIMENSIONS



EXISTING CONDITIONS/OTHER SIGNS ON PROPERTY



30 Budlong Road Maps & Graphics

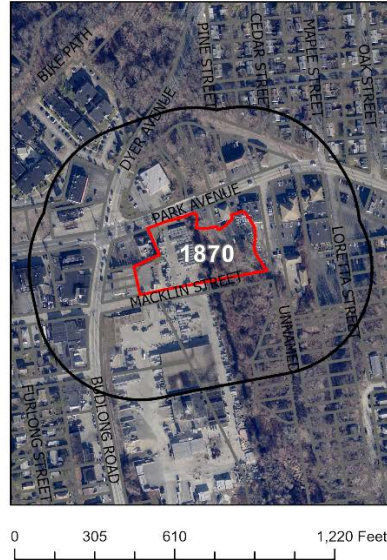
AERIAL VIEW

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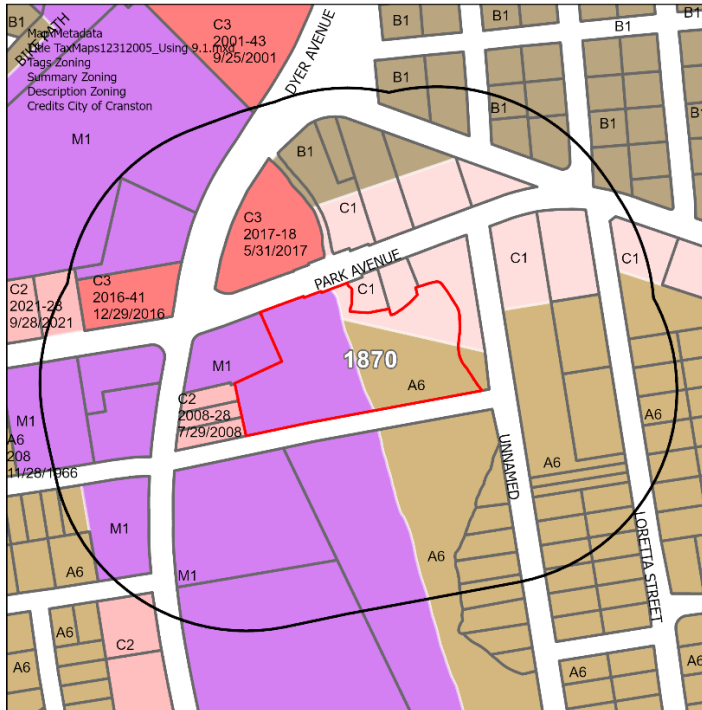
Legend

- Citywide Parcels
- Parcel 11-1870
- Parcel 11-1870 - 400ft Buffer



ZONING

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Legend

- Parcel 11-1870
- Parcel 11-1870 - 400ft Buffer
- Citywide Parcels

Zoning

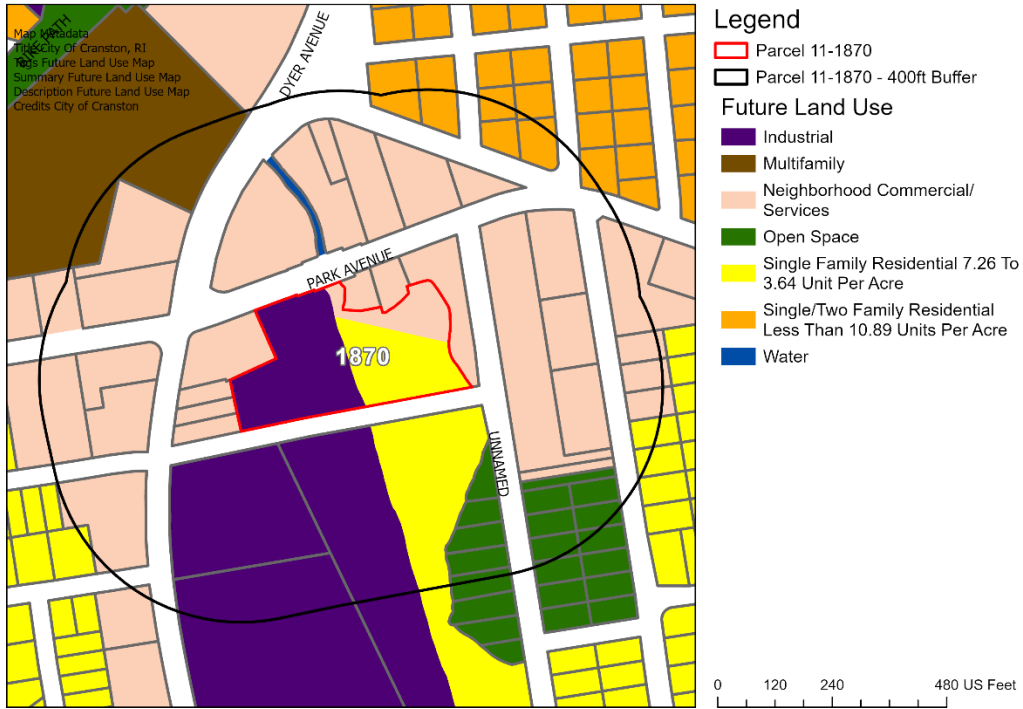
- A6
- B1
- C1
- C2
- C3
- M1

MN

0 115 230 460 US Feet

FUTURE LAND USE

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STREET VIEW OF EXISTING DIGITAL BILLBOARD B (From Park Ave, facing east)



FINDINGS OF FACT:

- The applicant proposes to convert an existing static billboard (Billboard A) into a digital, LED billboard while retaining existing dimensions (14' x 48') of the billboard itself.
- Electronic LED message signs of any type are not permitted in the zoning code in any zone. Per Zoning Sect 17.72.010.G. [Signs Prohibited Under This Section]: *“All signs not expressly permitted under this section or exempt from regulation hereunder in accordance with the previous section are prohibited in the city.”*
- Billboard A is located between Garfield Avenue and the Southbound side of Route 10.
- Billboard A can be seen from the Southbound travel lanes on Route 10.
- The applicant itemized specific relief requests in their application form, namely the following elements:
 - Permitted Uses (Section 17.20.130 – Modifications (A))
 - “A modification may be requested for adjustments or deviations not exceeding twenty-five (25) percent of any of the requirements of dimensional or quantitative requirements of parking, signs, landscaping and other similar requirements of this section, yet excluding the moving of lot lines and lot area and density which are subject to the requirements of this section.”
 - The applicant, Garfield Ave Foods, LLC, proposes to convert an existing static billboard into a digital, LED billboard while retaining existing dimensions (14' x 48') of the billboard itself.
 - Other LED billboards have been approved and installed in the City of Cranston and another LED billboard is already located approximately ½ a mile south of proposed Billboard A, located on a property abutting the Southbound travel lanes of Route 10.
 - The applicant has provided a detailed narrative summarizing the grounds for the requested relief per Zoning Section 17.92.010. The grounds for relief listed therein pertain to the specific requirements set forth and to be followed by the Zoning Board of Review per Rhode Island General Law and the City’s Code of Ordinances. As a reminder, staff’s analysis and subsequent recommendation are based on the applications consistency with the Cranston Comprehensive Plan and it’s compatibility with the surrounding neighborhood.

ANALYSIS:

- Digital LED billboards can be visually overwhelming and may create a sense of clutter or sensory overload for passerby drivers. This can detract from the overall visual aesthetic of an area, even if it is an industrial zone located near a highway. It is in planning staff’s view that LED billboards detract from the overall visual aesthetic of the City of Cranston.
- LED billboards can be very bright, contributing to light pollution and may disrupt the natural environment, including waterways, or wildlife habitats.

- There are no guidelines for signage development that would allow the LED billboard to fit in with the existing commercial centers or highway/arterial commercial areas. Therefore, the installation of the billboard is inconsistent with the Comprehensive Plan's economic development goals and policies.
- The applicant provided multiple "Exhibits" with the intent on answering the question "Does the change in technology of the sign face cause a decrease in safety relative to present conditions?"
 - Staff has reviewed the documents provided by the applicant and has found a comprehensive review of the FHWA study (identified as "Exhibit 2") by the Engineering firm "Veridian Group."
 - Staff has also reviewed an additional document entitled "Compendium of a Decade's Worth of Research Studies on Distraction from Digital Billboards..." that was prepared for the California State Department of Transportation Legal Division on October 16, 2020." by the Engineering firm "Veridian Group."
 - These documents and their findings are worth considering as they contradict both the statement by the applicant that digital LED billboards do not present a legitimate safety concern and the supplemental materials provided by the applicant. Links to the documents are provided here:
 - [Compendium of a Decade's Worth of Research Studies on Distraction from Digital Billboards](#)
 - [Critique of FHWA digital billboard safety study](#)
- The installation of any digital LED billboard in the City of Cranston contradicts several goals and policies within the City's Comprehensive Plan such as:
 - LUP-1.4: The installation of a digital LED billboard would likely result in the continued loss of scenic views and may negatively impact wildlife habitats specifically in and around Tongue Pond.
 - LUP-8.1 and LUP-8.2: These goals seek to amend commercial zoning along major arterial corridors to prevent strip development and protect open space corridors along major water bodies and wetlands. The installation of a digital LED billboard would likely contribute to strip development along a major road, which is inconsistent with these policies due to its proximity to both a commercial and industrial area and a water body/wetland.
 - CG-1A: The installation of a digital LED billboard could potentially create a distraction for drivers and affect traffic safety, which could contradict the goal of maintaining an efficient flow of traffic and the policy of maintaining the functional integrity of roadways.
- Upon further review, staff could not find any language within the Cranston Comprehensive Plan that provides for any additional policy direction to suggest that the proposed signage is appropriate at this location. Therefore, this application is viewed as

inconsistent with the Comprehensive Plan.

- Staff does find that the offer of removing Billboard B and replacing it with a static billboard as a condition of approval for the installation of the LED billboard located at 110 Garfield Avenue to be a positive addition to the applicant's submission.

RECOMMENDATION:

Due to the findings that the proposed application is inconsistent with the Cranston Comprehensive Plan, incompatible with the surrounding area and that there are potential safety concerns with Digital LED billboards, staff recommends the Plan Commission forward a **negative recommendation** on the application to the Zoning Board of Review.

Staff would also like to note that any **positive consideration** of this matter should include review of the following conditions of approval:

1. The LED billboard located at 30 Budlong Road shall be removed within 6 months of this approval.
2. LED billboards shall be prohibited from 30 Budlong Road in perpetuity.
3. The approved LED billboard shall not have any animations.
4. The frequency at which images are changing shall be limited to 1 minute.
5. The digital ambient brightness shall adhere to state and federal regulations on the matter.