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Oct 9, 2023

City Zoning Commission  
Helena, MT

To Whom It May Concern,

Historically, Lamar Outdoor Advertising has come from a position of working with the cities where we operate our business whenever there have been proposed changes to sign codes; the City of Helena is no exception.

We are particularly concerned by the recent addition of the proposed deadline of 10 years to remove billboards after enactment of the proposed ordinance. This provision not only conflicts with the way the City of Helena has traditionally handled zoning changes and resulting nonconforming uses, but also constitutes a taking under the Montana and U.S. Constitutions. Even if the City of Helena decides to prohibit future billboards, it cannot simply declare current legally existing signs to be illegal and order their removal. Under Sections 11-6-3 and 4 of City's zoning ordinance, a nonconforming building or use is allowed to continue indefinitely as long as it satisfies the other conditions. The City must delete subsection H of the proposed new 11-23-1 to comply with this long-standing and legally required authorization of the indefinite continuation of "nonconforming" uses of property after amendments to the Zoning Code.

Attached you will find the proposed ordinance changes. Highlighted in yellow, you will see the concerns that will affect that outdoor industry as a whole. We have provided questions as well as examples of how the proposed changes will affect the Helena market.

We appreciate the City Zoning Commissions consideration of our concerns regarding the proposed code changes. If adopted, not only will these changes significantly impact our industry but they will also impact numerous local businesses and the many charitable organizations we promote and support on a daily basis.

Thank you again for your consideration.

Lamar of Montana



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