

**ORDINANCE #3773**

**AN ORDINANCE AMENDING SECTIONS 17.16.020 (17); 17.18.020 (12); 17.18.030 (29); 17.22.020; 17.22.030 (J); 17.24.020 B (2); 17.24.030 (C); AND ADDING SECTION 17.50.380 TO CHAPTER 17.50 OF THE RAPID CITY MUNICIPAL CODE REGARDING OFF-PREMISE SIGNS AS USES ON REVIEW.**

**BE IT ORDAINED** by the City of Rapid City that Section 17.16.020 of Chapter 17.16 of the Rapid City Municipal Code be amended by amending 17.16.020 Subsection 17 to read as follows:

**17.16.020 Uses permitted**

17. ~~Outdoor advertising~~ On-premises signs as regulated by ~~City ordinance Chapter 15.28 of this Code;~~

**BE IT FURTHER ORDAINED** by the City of Rapid City that Section 17.18.020 of Chapter 17.18 of the Rapid City Municipal Code be amended by amending 17.18.020 Subsection 12 to read as follows:

**17.18.020 Uses permitted.**

12. ~~Outdoor advertising~~ On premises signs as regulated by Chapter 15.28 of this eCode;

**BE IT FURTHER ORDAINED** by the City of Rapid City that Section 17.18.030 of Chapter 17.18 of the Rapid City Municipal Code be amended by adding 17.18.030 Subsection 29 to read as follows:

**17.18.030 Uses permitted on review.**

30. Off-premises signs as regulated by Chapter 15.28 of this Code and in accordance with the requirements of Chapter 17.50.380.

**BE IT FURTHER ORDAINED** by the City of Rapid City that Section 17.22.020 of Chapter 17.22 of the Rapid City Municipal Code be amended to read as follows:

**17.22.020 Uses permitted.**

Property and buildings in the LI light industrial district shall be used only for the following purposes:

A. A retail or service use only when it directly serves or is auxiliary to the needs of industrial plants or employees thereof;

B. No residential use shall be permitted in the LI light industrial district;

C. Any of the following uses:

1. ~~Business sign regulated in Chapter 15.28.9 of this code~~ On-premises signs as regulated by Chapter 15.28 of this Code;
2. Building material sales yard and lumberyard, including the sale of rock, sand, gravel, and the like as an incidental part of the main business, including a concrete batch plant of a transit mix plant,
3. Contractor's equipment storage yard or plant, or rental of equipment commonly used by contractors,
4. Freightling or trucking yard or terminal,
5. Outdoor storage facilities for class III combustible liquids, coal, coke, building materials, sand, gravel, stone, lumber; open storage of construction contractor's equipment and supplies shall be screened by seven-foot obscuring fence, wall or mass plantings, or otherwise so located as not to be obnoxious to the orderly appearance of the district,
6. Public utility service yard or electrical receiving or transforming station,
7. Auction house, except for sale of livestock,
8. Tire recapping or retreading,
9. New and used car, truck, motorcycle, snowmobile and boat sales and rentals. Repair shall be permitted as an accessory use to such establishments providing that all body and/or mechanical repair work shall be completed within an enclosed area. All inoperable vehicles shall be stored within a side yard or rear yard which is screened with an opaque fence at least six feet in height. The number of inoperable vehicles stored within a screened yard shall not exceed one per four hundred square feet of building floor area used for vehicle repair. A minimum of two inoperable vehicles per establishment shall be permitted to be stored in a screened yard,
10. Farm implement and machinery new and used sales,
11. Mobile home sales and services,
12. Prefabricated and shell house sales,
13. Mini-warehousing storage facilities where security fencing and screen fencing shall not exceed six feet in height and shall be constructed of wood, decorative block, or chain link fence with slats; outdoor storage yards shall be screened from view from surrounding properties; landscaping shall be in accordance with the city's landscaping ordinance,
14. Retail and distribution establishments including sales, display and show rooms and lots,
15. Carwashes,
16. Commercial parking lots and garages,
17. Offices, studios, clinics and laboratories,
18. Financial institutions,
19. Printing and secretarial services,
20. Mail and parcel services,
- ~~21. Outdoor advertising as regulated in Chapter 15.28 of this code,~~
- ~~22.~~ 21. The manufacture and retail sale of firearms and ammunition; provided, that the operation is in compliance with the fire code as adopted,
- ~~23.~~ 22. Garden centers and sod farms;
- ~~24.~~ 23. Manufacture of ammunition and retail sale of firearms and ammunition;
- ~~25.~~ 24. Commercial indoor recreational uses including gymnasiums, ice skating rinks, and similar establishments;
- ~~26.~~ 25. Construction plan review center;
- ~~27.~~ 26. Crematorium;

~~28.~~ 27. Holding rooms with no overnight detention.

D. The following uses when conducted within a completed enclosed building:

1. The manufacture, compounding, processing, packaging or treatment of such products as bakery goods, candy, cosmetics, dairy products, drugs, perfumes, pharmaceuticals, perfumed toilet soaps, toiletries and food products,
2. The manufacture, compounding, assembling or treatment of articles of merchandise from the following previously prepared materials: aluminum, bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semiprecious metals or stones, shell, rubber, textiles, tin, iron, steel, wood (excluding saw mill), yard, and paint not involving a boiling process,
3. The manufacture of pottery and figurines or other similar ceramic products, using only previously pulverized clay, and kilns fired only by electricity or gas,
4. The manufacture and maintenance of electric and neon signs, commercial advertising structures, light sheet metal products, including heating and ventilating ducts and equipment, cornices, eaves and the like,
5. The manufacture of musical instruments, toys, novelties, and rubber and metal stamps,
6. Automobile assembling, painting, upholstering, rebuilding, reconditioning, body and fender work, truck repairing and overhauling, tire retreading or recapping, and battery manufacturing,
7. The sale, storage and sorting of junk, waste, discarded or salvaged materials, machinery or equipment, but not including processing,
8. Blacksmith shop and machine shop,
9. Foundry casting, lightweight nonferrous metal not causing noxious fumes or odors,
10. Planing mill,
11. Wholesale or warehouse enterprise
12. Veterinary establishments; provided, that all animals shall be kept inside soundproof, air-conditioned buildings;

E. Other uses of the same general character as those previously listed deemed appropriate by the city council;

F. Buildings, structures and uses accessory and customarily incidental to any of the previously mentioned uses,

G. Service establishments and filling stations, not to include vehicle repair. Repair shall be permitted as an accessory use to such establishments providing that all body and/or repair work shall be completed within an enclosed area. All inoperable vehicles shall be stored within a building or within a side or rear yard which is screened with an opaque fence at least six feet in height. The number of inoperable vehicles stored within a screened yard shall not exceed one per four hundred square feet of building floor space used for vehicle repair. A minimum of two inoperable vehicles per establishment shall be permitted to be stored in a screened yard;

H. Vehicle repair establishments, provided, that all body and/or mechanical repair work shall be completed within an enclosed area. All inoperable vehicles shall be stored within a building or within a side or rear yard which is screened with an opaque fence at least six feet in height. The number of inoperable vehicles stored within a screened yard shall not exceed one per four hundred square feet of building floor area used for vehicle repair. A minimum of two inoperable vehicles per establishment shall be permitted to be stored in a screened yard.

**BE IT FURTHER ORDAINED** by the City of Rapid City that Section 17.22.030 of Chapter 17.22 of the Rapid City Municipal Code be amended by adding 17.22.030 Subsection J to read as follows:

**17.22.030 Uses permitted on review.**

J. Off-premises signs in accordance with Chapter 15.28 of this Code and in accordance with the requirements of Chapter 17.50.380.

**BE IT FURTHER ORDAINED** by the City of Rapid City that Section 17.24.020 of Chapter 17.24 of the Rapid City Municipal Code be amended by amending 17.24.020 Subsection B (2) to read as follows:

**17.24.020 Uses permitted.**

B. Any of the following uses:

2. ~~Business sign as regulated in Chapter 15.28 of this code~~ On-premises signs as regulated by Chapter 15.28 of this Code,

**BE IT FURTHER ORDAINED** by the City of Rapid City that Section 17.24.030 of Chapter 17.24 of the Rapid City Municipal Code be amended by adding 17.24.030 Subsection C to read as follows:

**17.24.030 Uses permitted on review.**

C. Off-premise signs in accordance with Chapter 15.28 of this Code and in accordance with the requirements of Chapter 17.50.380.

**BE IT FURTHER ORDAINED** by the City of Rapid City that Chapter 17.50 of the Rapid City Municipal Code be amended by adding Section 17.50.380 to read as follows:

**17.50.380 Off-Premise Signage as a Use on Review.**

A. Submittal Requirements. In addition to the requirements set forth in the Chapter 15.28 of this Code, and Section 17.54.030, all applications for uses on review for off-premise signage shall include the following:

1. Site plan drawn to scale showing proposed sign location, adjacent property lines, distance to nearest surrounding off-premise signage, and other such data and information as may be required by the Planning Director or her designee;

2. If necessary, the applicant shall submit a drawing prepared by a professional land surveyor identifying the proposed sign location and distances to the nearest adjacent off-premise signs;

3. If applicable, a letter from the South Dakota Department of Transportation indicating that all state requirements are being met;

4. A site-specific, engineered stamped drawing for the sign structure.

5. An elevation drawing of the sign showing all sign features, including, but not limited to, the post, sign structure, sign face, and lighting.

B. Criteria for Review. The following criteria shall be considered in considering applications for uses on review for off-premise advertising:

1. The minimum requirements of the City Sign Code;
2. The standard requirements for all Uses on Review set forth in Chapter 17.54.030;
3. Size of the proposed off-premise sign;
4. Spacing from adjacent off-premise signs;
5. Density of off-premise signs in the neighborhood;
6. Height of the off-premise sign;
7. Proposed lighting;
8. Impacts upon significant urban or natural viewsheds;
9. Impacts upon nearby residences;
10. Location with respect to any major community entryways, historic property, parks, schools, churches, playgrounds, or similar public and recreational uses; and,
11. Other criteria deemed pertinent to the review of the Use on Review.

CITY OF RAPID CITY

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Finance Officer

(SEAL)

First Reading:

Second Reading:

Published:

Effective: