

**ORDINANCE NO. 5569**

**AN ORDINANCE TO ALLOW FOR THE CONVERSION OF AN ON-PREMISES SIGN TO OFF-PREMISES SIGN FOR MORE THAN ONE PARCEL BY AMENDING SUBSECTION Q OF SECTION 15.28.050 OF THE RAPID CITY MUNICIPAL CODE.**

WHEREAS, the City's Sign Code classifies advertising signs as either on-premises or off-premises signs; and

WHEREAS, the Sign Code provides a procedure whereby application may be made to convert an on-premises sign to an off-premises sign under certain circumstances; and

WHEREAS, the Sign Code allows only one parcel to be benefitted by the conversion of an on-premises sign to an off-premises sign; and

WHEREAS, the Common Council of the City of Rapid City has determined that it is in the City's best interests to amend the Sign Code to allow more than one parcel to be benefitted by the conversion of an on-premises sign to an off-premises sign by amending Section 15.28.050 of the Rapid City Municipal Code.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that Section 15.28.050 of the RCMC be amended to read as follows:

Q. No on-premises signs shall be converted to an off-premises sign, unless all of the requirements of this code are satisfied. Notwithstanding this subsection, on-premises signs may be converted to off-premise signs if all of the following criteria are satisfied:

1. The sign that is being converted must be a legal, pre-existing, on-premises sign.
2. The conversion of the sign from an on-premises sign to an off-premises must be the result of the subdivision of an existing platted parcel of land.
3. The Rapid City Common Council determines, based on the totality of the circumstances taking into consideration the size, location, height and design of the current sign, and the location and topography of the parcel being served by the sign, that allowing the existing sign to remain will not be contrary to the public interest and will be in the best interests of justice.
4. The process for getting approval to convert a legal on-premises sign to an off-premises sign under this exception is as follows:
  - a. Application to convert the sign from an on-premises sign to an off-premises sign must be submitted to the Sign Code Board of Appeals who shall review the application for compliance with the mandatory criteria and after having reviewed the application shall forward a recommendation for approval or denial to the Rapid City Common Council;

b. The Rapid City Common Council shall review the application, along with the recommendation of the Sign Code Board of Appeals, and must determine that all the mandatory criteria are met prior to granting its approval for the conversion of the sign from on-premises to off-premises;

c. The decision to allow the conversion of an on-premises sign to an off-premises sign is within the sole discretion of the Common Council and its decision on the issue is final.

5. Additional regulations that apply to converted signs:

a. At the time the application for conversion of the existing sign is submitted, the applicant must designate a up to two specific parcels which the sign will serve. The converted sign will be treated as an on-premises sign for the businesses located on the designated parcels; and

b. The converted off-premises sign may not be expanded or structurally altered in any way except that advertising copy may be altered; and

c. The converted off-premises sign shall not ever be eligible for off-premises sign credits; and

d. At such time as the use of the property being served by the converted off-premises sign changes, the face of the converted off-premises sign ~~must be removed~~ may be changed to advertise that new use.

CITY OF RAPID CITY

\_\_\_\_\_  
Mayor

ATTEST:

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

(SEAL)

First Reading:  
Second Reading:  
Published:  
Effective: