

STAFF REPORT

January 10, 2002

No. 010A025 - Ordinance Amendment

ITEM 31

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	No. 010A026 - Ordinance Amendment
DESCRIPTION	An Ordinance Amending Sections 17.16.020(17); 17.18.020(12); 17.18.030(29); 17.22.020; 17.22.030(J); 17.24.020B(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
REPORT BY	Marcia Elkins

RECOMMENDATION:

Staff recommends that the Ordinance Amendment be approved.

GENERAL COMMENTS: On June 21, 2001, the Rapid City Planning Commission considered amendments to various sections of the Rapid City Municipal Code to require approval of a Use On Review for Off-Premise Signs. (Copies of the staff report provided in June are attached for your reference.) At that time the Planning Commission voted five to two in favor of recommending approval of the ordinance. On June 27, 2001, the Rapid City Legal and Finance Committee considered the Planning Commission's recommendation and the proposed ordinance. The Committee's motion to approve failed on a zero to six vote.

At the December 3, 2001 City Council meeting, the Council requested that the ordinance requiring a Use on Review for billboards be brought before the Committee for further review. The construction of a number of large billboards within the community had raised a number of concerns with the lack of a public hearing process for the review of off-premise advertising signs. In particular, concerns had been raised with the location of a large billboard blocking an adjacent businesses' on-premise advertising sign.

At the subsequent committee meeting, the Committee approved the ordinance. The ordinance was approved on First Reading at the December 17, 2001 Council meeting. Because of the statutory requirements for review by the Planning Commission of amendments to the Zoning Ordinance, this item must once again be considered by the Planning Commission at a formal public hearing.

STAFF REVIEW: The proposed ordinance provides that off-premise advertising would become a use on review/conditional use. In addition, the proposed ordinance provides for the use on review/conditional uses to be evaluated based on the following criteria:

- 1) At a minimum, all requirements of the Sign Code would need to be met;
- 2) Additional restrictions necessary to mitigate any adverse impacts caused by the off-premise signage could be imposed according to Chapter 17.54.030 of the Municipal Code. This is the section under which all use on reviews/conditional uses are evaluated.
- 3) Additional restrictions specific to off-premise signage could be imposed as set forth in

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the draft ordinance. These restrictions could limit sign attributes such as size, height, spacing, lighting, etc. The purpose of these further restrictions would be to mitigate any adverse impacts that off-premise signage could have on adjacent residential, historic, public or recreational land uses.

Additionally, the proposed ordinance would insure that adjacent property owners are notified of the request and will have the opportunity to evaluate the impact of the sign on their property. Further, area landowners will have the opportunity to testify before the Planning Commission and City Council regarding the impact of the proposed off-premise advertising signs on their existing signs as well as their property values.

Based on the Planning Commission and City Council's previous actions along with the information presented here, Staff recommends approval of the proposed ordinance amendment to require a use on review/conditional use permit for off-premise advertising.