

STAFF REPORT

February 5, 2004

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**No. 03UR014 - Conditional Use Permit to allow a billboard**

**ITEM 18**

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GENERAL INFORMATION:

PETITIONER	Lamar Advertising
REQUEST	<b>No. 03UR014 - Conditional Use Permit to allow a billboard</b>
EXISTING LEGAL DESCRIPTION	Tract NW 66 less Lot H1; balance of Lots 12 through 16 less Lot H1 and the north 10 feet of vacated alley adjacent to Lots 12 through 16 less Lot H1, Block 66, Original Town of Rapid City, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.38 acres
LOCATION	308 5th Street
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	Light Industrial District
South:	General Commercial District
East:	General Commercial District
West:	General Commercial District
PUBLIC UTILITIES	N/A
DATE OF APPLICATION	09/29/2003
REPORT BY	Karen Bulman

RECOMMENDATION:

Staff recommends that the Conditional Use Permit to allow a billboard be approved with the following stipulations:

Building Inspection Division Recommendations:

1. The applicant shall apply for sign credits prior to removal of the existing signs;
2. A sign license shall be obtained prior to construction;

Transportation Planning Division Recommendations:

3. The sign may not obstruct sight triangles or encroach into the road right-of-way;

Urban Planning Division Recommendations:

4. The provisions of Chapter 15.28 of the Rapid City Municipal Code must be continually

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- met; and,  
5. A sign license must be obtained yearly.

**GENERAL COMMENTS:** The Conditional Use Permit to allow a billboard was originally approved at the October 23, 2003 Planning Commission meeting. Upon review, Staff was made aware that this application was not properly advertised. Therefore, this application must be brought before the Planning Commission for consideration after proper legal notification has been given. Staff has notified the surrounding neighbors, a sign has been posted and legal advertising was completed on January 22, 2004.

The applicant proposes to remove two existing off-premise billboards, each 260 square feet in size and replace them with one 238 square foot back to back off-premise billboard. The first existing billboard is located on 5<sup>th</sup> Street south of the intersection of 5<sup>th</sup> Street and Omaha Street. The second existing billboard is located on Omaha Street, east of the intersection of 5<sup>th</sup> Street and Omaha Street. The new billboard will be located on the same site as the second existing billboard, on Omaha Street, east of the intersection of 5<sup>th</sup> Street and Omaha Street. The sign location is on property that is zoned General Commercial District.

The billboard will have a two foot deep walkway on each side and will have 400 watt Panel View Holophane brand fixtures on each side. The sign will be located on a single brown steel twenty inch diameter pole.

**STAFF REVIEW:** Staff has reviewed this request for a Conditional Use Permit to allow the construction of a billboard and has the following concerns:

**Sign license:** Every off-premise sign must have a sign license issued by the Building Official on a yearly basis, which expires on December 31<sup>st</sup> of each year.

**Location:** The applicant must obtain a permit from South Dakota Department of Transportation for any work in the right-of-way. Off-premise signs must be located at least fifty feet from any on-premise sign. Off-premise signs must be located at least five hundred feet from any other off-premise sign and at least one thousand feet from the nearest off-premise sign as measured by the distance over a public road. Off-premise signs cannot be located in a right-of-way, including any overhang, or obstruct a sight triangle. The location of the proposed billboard meets these requirements.

The required sign has been posted on the property indicating that a Conditional Use Permit has been requested. As of this writing, the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the February 5, 2004 Planning Commission meeting if these requirements have not been met. Staff has received no inquiries or objections regarding this request. Staff has reviewed this application for a Conditional Use Permit to allow the construction of a billboard and recommends approval with the identified stipulations.

STAFF REPORT

October 23, 2003

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