

STAFF REPORT

April 22, 2004

No. 03UR013 - Conditional Use Permit to allow billboards

ITEM 36

GENERAL INFORMATION:

PETITIONER	Lamar Advertising
REQUEST	No. 03UR013 - Conditional Use Permit to allow billboards
EXISTING LEGAL DESCRIPTION	Tract 1 of Century 21 Subdivision, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	68.87
LOCATION	1400, 1450 and 1600 East North Street
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District
East:	General Commercial District/Light Industrial District
West:	Light Industrial District
PUBLIC UTILITIES	N/A
DATE OF APPLICATION	09/26/2003
REPORT BY	Karen Bulman

RECOMMENDATION: Staff recommends that the Conditional Use Permit to allow billboards be **denied without prejudice at the applicant's request.**

GENERAL COMMENTS: **This staff report has been revised as of April 12, 2004. All revised and/or added text is shown in bold print.** The applicant is proposing to remove three billboards, each 260 square feet in size, and replace them in similar locations with two billboards, each 238 square feet in size. The property is located along East North Street in a General Commercial Zoning District.

STAFF REVIEW: Staff has reviewed this request for a Conditional Use Permit to allow the construction of billboards 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 to expire on December 31st of each year. The applicant must obtain a sign license for each billboard. An off-premise sign license will be issued only if two sign credits are produced for each new off-premise sign. To allow the two billboards to be placed on the

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subject property, four sign credits must be surrendered to the building official.

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. Further, off-premise signs cannot be located in a right-of-way, including any overhang, or obstruct a sight triangle. The location of the proposed billboards does not meet the distance requirements. **The applicant has been working with the property owner for several months, to locate a new site that will meet the requirements of the Sign Code and remain within the existing legal description. At this time, a site has not been determined. Therefore, the applicant is requesting the Conditional Use Permit be denied without prejudice.**