



# Rapid City Zoning Board of Adjustment Variance Project Report

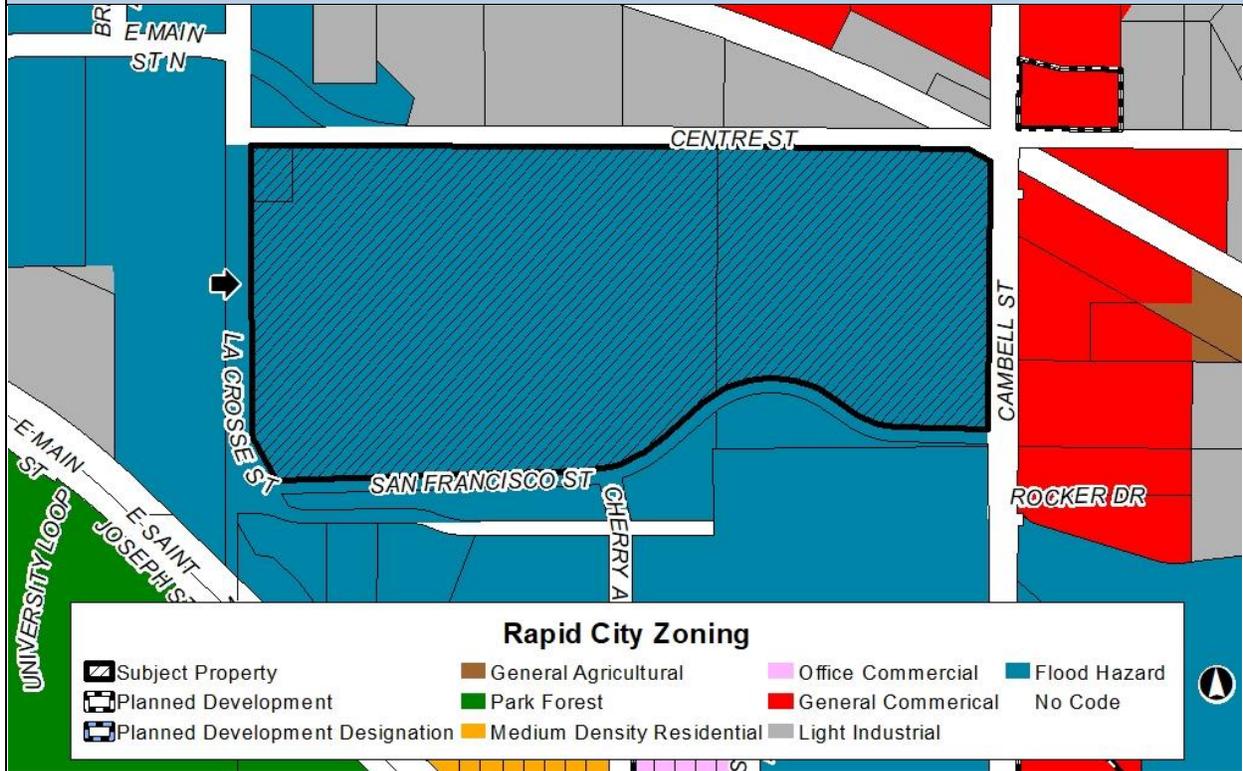
July 8, 2021

<b>Item #2</b>	
<b>Applicant Request(s)</b>	
Case #21VA007 - Variance request to allow a 89.44 square foot LED sign in lieu of a maximum 60 square foot sign	
Companion Case(s): 21UR010 – Major Amendment to a Conditional Use Permit to revise an existing LED sign.	
<b>Development Review Team Recommendation(s)</b>	
Staff recommends that the Variance request to allow an 89.44 square foot LED sign in lieu of a maximum 60 square foot sign be approved.	
<b>Project Summary Brief</b>	
<p>The applicant has submitted a Variance request to allow an 89.44 square foot light emitting diode (LED) reader board sign in lieu of a maximum 60 square foot maximum sign allowed by the Rapid City Municipal Code. The property is located on the eastern portion of the Central States Fairgrounds, adjacent to Cambell Street between Centre Street and San Francisco Street. The subject property is zoned Flood Hazard District and is 22.43 acres in size. The proposed sign is 13.25 feet by 6.75 feet. The existing sign poles will be used. Two other signs, one for the “Central States Fairgrounds” and one for the sponsoring partner, will also be located on the existing sign poles. The sign’s sole purpose is to provide public information such as the time, date, and temperature as well as notices regarding events and happenings at the fairgrounds. There is a companion case to this request, a Major Amendment to a Conditional Use Permit to revise an existing LED sign (21UR010). On-premise signs, including electronic reader board signs, are a permitted use within the Flood Hazard District. However, on August 6, 2020 the Planning Commission approved a Conditional Use Permit (File #21UR006) to allow a 51 square foot LED reader board sign. A stipulation of approval requires that a Major Amendment to the Conditional Use Permit be submitted for review and approval if the sign is enlarged or relocated.</p>	
<b>Applicant Information</b>	
<b>Development Review Team Contacts</b>	
Applicant: Central States Fair, Inc.	Planner: Sarah Hanzel
Property Owner: Pennington County	Engineer: Dan Kools
Architect: N/A	Fire District: Tim Behlings
Engineer: N/A	School District: N/A
Surveyor: N/A	Water/Sewer: Dan Kools
Other: N/A	DOT: Stacy Bartlett
<b>Subject Property Information</b>	
Address/Location	West of Cambell Street between San Francisco Street and Centre Street
Neighborhood	Downtown/Skyline Drive Neighborhood Area
Subdivision	Section 6, T1N, R8E
Land Area	22.43 acres or 977,051 square feet
Existing Buildings	N/A – Central States Fairgrounds parking area
Topography	Rises 10 feet from south to north
Access	Cambell Street
Water Provider	Rapid City
Sewer Provider	Rapid City
Electric/Gas Provider	Black Hills Energy / MDU
Floodplain	500 Year
Other	N/A

### Subject Property and Adjacent Property Designations

	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	FH	P/QP	No Structural Development
Adjacent North	LI	LI	Service Station
Adjacent South	FH	PG	No Structural Development
Adjacent East	GC	MUC	Automotive dealership
Adjacent West	FH	PG	Central States Fairgrounds

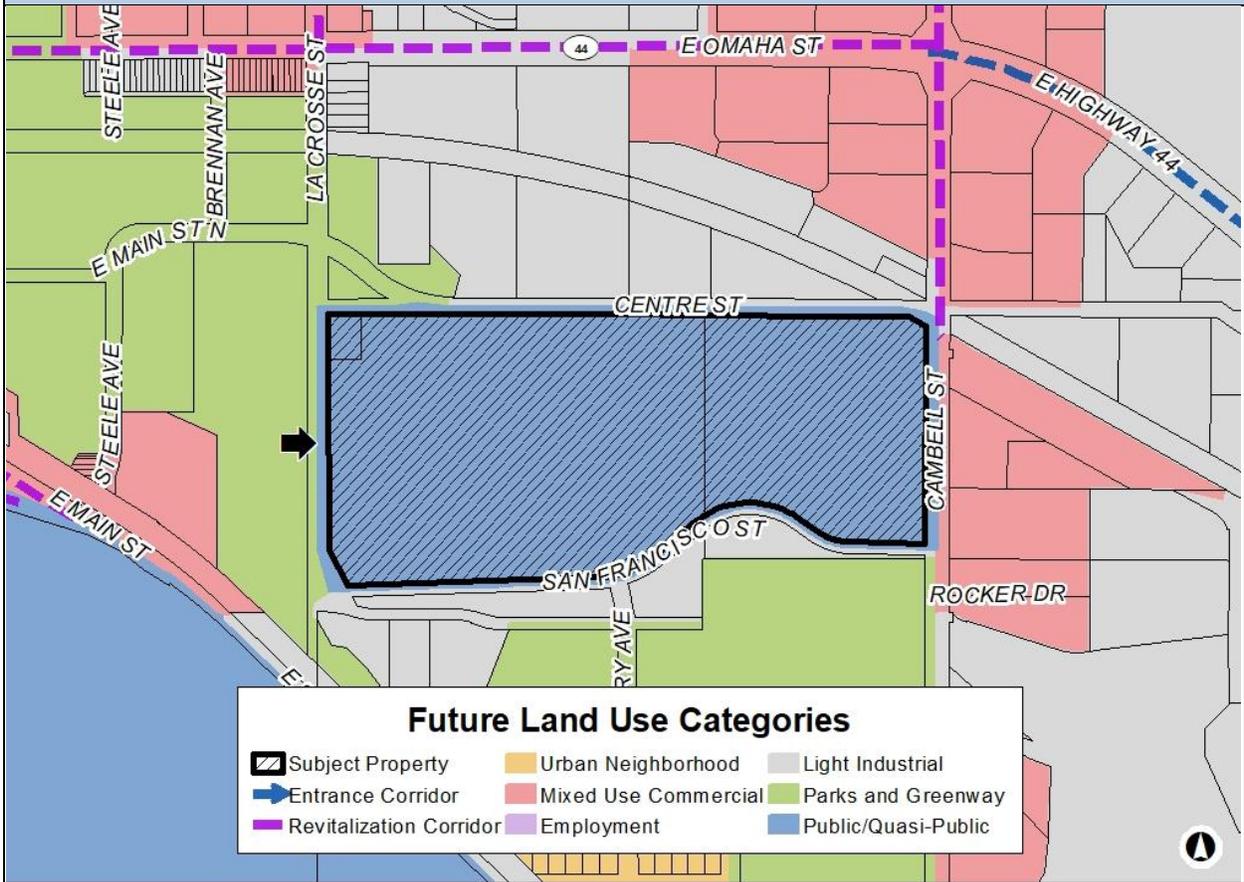
### Zoning Map



### Existing Land Uses



### Comprehensive Plan Future Land Use



**Future Land Use Categories**

Subject Property	Urban Neighborhood	Light Industrial
Entrance Corridor	Mixed Use Commercial	Parks and Greenway
Revitalization Corridor	Employment	Public/Quasi-Public

### Parks or Transportation Plan



### Major Street Plan

Subject Property	Minor arterial	Proposed collector
Collector	Principal arterial	Proposed minor arterial

Relevant Case History			
Case/File#	Date	Request	Action
N/A	N/A	N/A	N/A
Relevant Zoning District Regulations			
Flood Hazard District	Required	Proposed/Existing	
Lot Area	N/A	22.43 acres or 977,051 square feet	
Lot Frontage	N/A	1080 feet (Cambell Street)	
Maximum Building Heights	N/A	N/A	
Maximum Density	N/A	N/A	
Minimum Building Setback:			
• Front	N/A	N/A	
• Rear	N/A	N/A	
• Side	N/A	N/A	
• Street Side	N/A	N/A	
Minimum Landscape Requirements:			
• # of landscape points	N/A	N/A	
• # of landscape islands	N/A	N/A	
Minimum Parking Requirements:			
• # of parking spaces	N/A	N/A	
• # of ADA spaces	N/A	N/A	
Signage	Pursuant to RCMC Section 17.50.100	Proposing 89.44 square feet of LED signage	
Fencing	Pursuant to RCMC Section 17.50.340	None proposed	
Applicant's Justification:			
<b>Pursuant to Chapter 17.54.020.D of the Rapid City Municipal Code, before the Board shall have the authority to grant a Variance, the applicant must adequately address the following criteria:</b>			
Criteria:	Applicants Response (verbatim):		
1. The granting of the variance will not be contrary to the public interest;	The sign's sole purpose is to provide public information such as the time, date, and temperature as well as notices regarding events and happenings at the fairgrounds.		
2. There are special conditions attached to the property that do not generally apply to other properties in the same district;	Correct. 1) The street frontage at the sign location is much more excessive than other properties running over 100 feet long. Also, the speed limit on Cambell makes viewing the sign at its current size problematic.		
3. Owing to special conditions, the literal enforcement of this title will result in unreasonable hardship;	Yes. The sign we are replacing is over 15 years old and the visibility due to higher speed limit on Cambell is poor. Also, this is the only sign Daktronics makes that fits within our pre-existing structure.		
4. By granting the Variance contrary to the provisions of this title, the spirit of this title and the City's Comprehensive Plan will be observed; and	This sign provides event information to the community which drives economic impact in the area.		
5. By granting the variance substantial justice will be done.	Correct. It would allow Central States Fair to display, properly, public information and notices at no expense to the public. The sign would still be much smaller than the monument sign which		

	serves the same public purpose on 5 <sup>th</sup> Street and Mt. Rushmore Road.
--	---

<b>Board of Adjustment Criteria and Findings for Approval</b>	
---	--

<b>Should the Board of Adjustment grant the Variance for LED signage, the following criteria, findings, and conditions of approval would be applicable:</b>	
---	--

<b>Criteria:</b> N/A	<b>Findings:</b> N/A
1. Variances shall not be granted to allow a land use otherwise excluded from the particular district in which requested.	The subject property is zoned Flood Hazard District and is approximately 22.43 acres in size. On-premise signs, including electronic reader board signs, are a permitted use within the Flood Hazard District. However, the Fairgrounds are a Conditional Use in the Flood Hazard District. On August 6, 2020 the Planning Commission approved a Conditional Use Permit (File #21UR006) to allow a 51 square foot LED reader board sign. A stipulation of approval requires that a Major Amendment to the Conditional Use Permit be submitted for review and approval if the sign is enlarged or relocated.
2. Variances granted under the provisions of this section should be the minimum adjustment necessary for the reasonable use of the land.	The applicant proposes to utilize the existing sign poles. The proposed LED reader board sign is 89.44 square feet. The applicant has indicated this is the only size sign that the supplier makes that will fit in the existing sign structure. In addition, the larger sign will be utilized to provide public notice of events at the Fairgrounds, similar to the large size sign the City utilizes at the Monument (Civic Center).
3. The variance is in harmony with the general purposes and intent of the zoning ordinance and will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the comprehensive plan for development.	The Rapid City Municipal Code requires that LED reader boards only display static messages. Full motion graphics and video are prohibited. In addition static copy may be changed at a minimum interval of 8 seconds. Any sign that is equipped with LED must be equipped with automatic dimming technology that automatically adjusts the display's brightness based upon ambient light conditions. These requirements help to ensure that these signs will not be injurious to the adjacent land uses or the travelling public. In addition, this segment of Cambell Street is not designated as a Revitalization Corridor or Entrance Corridor on the City's Future Land Use Plan.
4. Variances may be granted where special circumstances or conditions (such as lot size or dimension, topography or existing building location), fully described in the findings of the Board, do not apply generally in the district.	The proposed sign is located on the eastern portion of the Pennington County Fairgrounds that is adjacent to Cambell Street. The posted speed limit for this section of roadway is 40 miles per hour. The Central States Fair has a zoning designation of Flood Hazard, and lot frontage totaling 1,080 feet for this portion of the property. A majority of the adjacent property is zoned light industrial or General Commercial, with substantially less frontage. The larger sign is more legible at faster speeds experienced along this corridor. The Central States Fair is a publicly owned community asset that is providing a service to the public in the form of information and public messaging.

<b>Board of Adjustment Criteria and Findings for Denial</b>	
---	--

<b>Should the Board of Adjustment decide to deny the Variance, the following criteria would be applicable:</b>	
--	--

<b>Criteria:</b>	<b>Findings:</b>
1. For reasons fully set forth in the findings of the Board, the aforesaid circumstances or conditions are such that the strict application of the	Reasonable use of the land exists without the expansion of an LED reader board sign. The applicant mentions that limited sizes are available in the existing sign structure. As such the economic hardship of designing a new sign structure to accommodate a smaller LED reader board sign does not meet the criteria for approval.

provisions of this title would deprive the applicant of reasonable use of his or her land. Mere loss in value shall not constitute a deprivation of reasonable use so as to justify a variance.

**Summary of Findings**

The applicant has submitted a Variance request to allow an 89.44 square foot LED reader board sign in lieu of a maximum 60 square foot sign allowed by the Rapid City Municipal Code. Staff has reviewed the application pursuant to 17.54.040 of the Rapid City Municipal Code and the goals, policies, and objectives of the adopted Comprehensive Plan. Two other signs, one for the “Central States Fairgrounds” and one for the sponsoring partner, will also be located on the existing sign poles. The property is located on the eastern portion of the Central States Fairgrounds, adjacent to Cambell Street between Centre Street and San Francisco Street. The posted speed limit for this section of roadway is 40 miles per hour. The larger sign is more legible at faster speeds experienced along this corridor. This segment of Cambell Street is not designated as a Revitalization Corridor or Entrance Corridor on the City’s Future Land Use Plan. The subject property is zoned Flood Hazard District and is 22.43 acres in size. The sign’s sole purpose is to provide public information such as the time, date, and temperature as well as notices regarding events and happenings at the fairgrounds. The applicant has indicated this is the only size sign that the supplier makes that will fit in the existing sign structure. The Rapid City Municipal Code requires that LED reader boards only display static messages. Full motion graphics and video are prohibited. In addition static copy may be changed at a minimum interval of 8 seconds. Any sign that is equipped with LED must be equipped with automatic dimming technology that automatically adjusts the display’s brightness based upon ambient light conditions. The Central States Fair is a publicly owned community asset that is providing a service to the public in the form of information and public messaging.

**Staff recommends that if the Zoning Board of Adjustment determines the use is appropriate, then the Variance request to allow an 89.44 square foot LED sign in lieu of a maximum 60 square foot sign shall be approved.**