

ORDINANCE NO. 5066

**AN ORDINANCE ADDING CHAPTER 17.60, AIRPORT ZONING DISTRICT,
TO TITLE 17 OF THE RAPID CITY MUNICIPAL CODE.**

WHEREAS, pursuant to § 9-4-14 of the South Dakota Codified Laws, the City of Rapid City has annexed the Rapid City Regional Airport; and

WHEREAS, pursuant to Chapter 11-4 of the South Dakota Codified Laws, the City of Rapid City has the authority to establish zoning regulations for the municipality; and

WHEREAS, the City of Rapid City does not currently have a zoning designation for airports; and

WHEREAS, it is necessary for the City of Rapid City to adopt a zoning designation which classifies and regulates the use of land on, and in the immediate vicinity of, airports in order to protect the health, safety and general welfare of the public.

NOW, THEREFORE, BE IT ORDAINED by the City of Rapid City that the Rapid City Municipal Code is hereby amended by adding Chapter 17.60 to read as follows:

Chapter 17.60

AIRPORT ZONING DISTRICT

Sections:

- 17.60.010** **General description.**
- 17.60.020** **Airport zoning map.**
- 17.60.030** **Permitted uses.**
- 17.60.040** **Conditional uses.**
- 17.60.050** **Area regulations.**
- 17.60.060** **Off-street parking.**
- 17.60.070** **Non-conforming uses.**
- 17.60.080** **Airport encroachment area.**
- 17.60.090** **Height regulations.**
- 17.60.100** **Use regulations.**

17.60.010 **General description.**

This ~~airport~~ district is ~~established~~ intended to provide regulations for the safe operation of aircraft into and out of the Rapid City Regional Airport.

~~17.60.020 — Airport zoning map.~~

~~The city hereby adopts an official airport zoning map, included in the official zoning maps of the city.~~

17.60.030 Permitted uses.

Property and buildings in the Temporary Airport Zoning District shall be used only for the following purposes:

- A. Agriculture;
- B. Airport terminals and hangers;
- C. Airport runways, including approach-departure areas, and helipads;
- D. Fire stations;
- E. Transportation and utility easements and rights-of-way;
- F. Accessory uses and buildings, provided such uses are incidental to the principal use;
- G. On-premise signs, as regulated by Chapter 15.28 of this code;
- H. Government buildings and uses incidental to the principal use;
- I. Private terminals and accessory buildings;
- J. Car rental;
- K. Commercial parking lots;
- L. South Dakota Air National Guard and accessory uses.

17.60.040 Conditional uses.

- A. Planned commercial developments as regulated in Sections 17.50.050 through 17.50.100 of this code;
- B. Wholesale and distribution centers not otherwise authorized by Section 17.60.030 of this code;
- C. Retail business or structure not otherwise authorized by Section 17.60.030 of this code;

- D. Seasonal retail business or structure;
- E. Off-premise signs as regulated by Chapter 15.28 and in accordance with the requirements of Section 17.50.380.

17.60.050 Area regulations.

The following shall apply to all uses permitted in this district:

- A. Front Yard. All buildings shall set back a minimum of twenty-five feet from the front property line.
- B. Side Yard. No side yard is required except that the width of a side yard which abuts a residential district shall not be less than twenty-five feet.
- C. Rear Yard. Where a commercial building is to be serviced from the rear, there shall be provided an alleyway, service court, rear yard, or combination thereof of not less than thirty feet in depth. The depth of a rear yard which abuts a residential district shall be not less than fifteen feet. In all other cases no rear yard is required.
- D. Set Back from Section Lines. Principal and accessory buildings and structures shall be set back no less than fifty-eight feet from any section line. No set back is required from any legally vacated section line; however, if the vacated section line forms a property line, the applicable side, rear or front yard setbacks shall be observed.

17.60.060 Off-street parking.

As regulated in Section 17.50.270.

17.60.070 Nonconforming uses.

No preexisting nonconforming structure, tree, or use shall be replaced, rebuilt, altered, allowed to grow higher or replanted so as to constitute a greater airport hazard than it was on the date the ordinance from which this article derives was adopted.

17.60.080 Airport encroachment area.

There is hereby created an airport encroachment area which consists of runway area zones, approach-departure zones, transition zones, horizontal zone, and conical zone, which are adopted by the Airport Improvement Plan and defined in the Federal Aviation Regulation Part 77.25 and includes the following zones:

- A. Runway Area Zones. Runway area zones are established along the runways.

- B. Approach Departure Zones. Approach-departure zones are established beyond and outward from the landing thresholds and departure limits of the runways.
- C. Transition Zones. Transition zones are established along both sides of all runways and approach-departure zones.
- D. Horizontal Zone. A horizontal zone is established which has as its outer boundary a line beyond the airport property line.
- E. Conical Zone. A conical zone is established as the land lying under the approach surface. The conical zone commences at the periphery of the horizontal zone and extends outward and upward at a slope of twenty to one for a horizontal distance of four thousand feet as set forth in Section 77.25 of the Federal Aviation Regulations.

17.60.090 Height regulations.

No structure, tree or other use of land shall be permitted which exceeds the height limit established by each of the Encroachment zones.

17.60.100 Use regulations.

Notwithstanding any other provisions of this article, no use may be made of any land within any runway area zone, approach-departure zone, horizontal zone, conical zone or transition zone in any manner as to create electrical interference with the radio or radar communication or navigation aids between the airport and aircraft; make it difficult for air crews to distinguish between airport lights and others; result in glare in the eyes of air crews using the airport; impair visibility in the vicinity of the airport; or otherwise endanger the landing, taking off or maneuvering of aircraft within these zones.