

STAFF REPORT

October 4, 2001

No. 01OA018 - Ordinance Amendment - Setbacks from Section Line Highway **ITEM 19**

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	No. 01OA018 - Ordinance Amendment - Setbacks from Section Line Highway
LEGAL DESCRIPTION	An Ordinance amending Chapters 17.08, 17.10, 17.12, 17.14, 17.18, 17.20, 17.22, 17.24, 17.28, 17.30, 17.32, 17.34, 17.36, 17.38, 17.40, 17.42, 17.44, 17.46, 17.48 and 17.56 by establishing new subsections pertaining to required building setbacks from section lines in the Park Forest, Low Density Residential –1, Medium Density Residential, High Density Residential, General Commercial, Neighborhood Commercial, Light Industrial, Heavy Industrial, Flood Hazard, Shopping Center – 1, Shopping Center –2, General Agricultural, Hotel-Motel, Mobile Home Residential, Office Commercial, Mining and Earth Extraction, Low Density Residential – 2, Public, Civic Center, and Business Park Zoning Districts
REPORT BY	Bill Lass

RECOMMENDATION: Staff recommends that the Ordinance Amendment be approved.

GENERAL COMMENTS: The Planning Commission on September 6, 2001 authorized Staff to advertise for changes to the Zoning Ordinance which will establish setbacks from section lines. Currently the Zoning Ordinance does not require building setbacks from section lines. This has resulted in buildings being constructed immediately next to future roadways built within the section line. In order to remedy this, the proposed Ordinance amendment (see attached) sets forth a minimum building setback of fifty-eight feet (58') from a section line. The fifty-eight feet will accommodate one-half of a section line which is thirty-three feet (33') wide plus an additional twenty-five foot setback which is a typical front yard setback in most zoning districts. The attached drawing more fully explains this issue.

STAFF REVIEW: Staff has reviewed the proposed Ordinance amendment and is recommending approval. The Ordinance has been modeled closely after provisions from the Pennington County Zoning Ordinance which has operated well for a number of years. Staff believes the Ordinance amendment is needed to prevent further encroachments onto future roadways.