

STAFF REPORT

October 25, 2001

No. 010A021 - Ordinance Amendment

ITEM 38

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	No. 010A021 - Ordinance Amendment
LEGAL DESCRIPTION	An Ordinance amending Chapter 17.18.020 of the Rapid City Municipal Code to allow outdoor firewood storage and sales lot as a Use On Review in the General Commercial Zoning District
REPORT BY	Bill Lass

RECOMMENDATION: Staff recommends that the Ordinance Amendment be approved only if the Planning Commission finds that the proposed use is appropriate in the General Commercial Zoning District.

GENERAL COMMENTS: The Planning Commission on October 4, 2001 authorized Staff to advertise for amendments to the Zoning Ordinance to allow firewood sales and storage as a Use on Review in the General Commercial Zoning District. The action of the Planning Commission followed a request by the Corner Stone Rescue Mission to develop a program whereby unemployed people at the mission could obtain an income through cutting, sorting, storing and selling firewood.

STAFF REVIEW: As directed by the Planning Commission, Staff has prepared the proposed Ordinance amendment (see attached).

Staff has noted that typically land uses such as this would be limited to the Light Industrial or Heavy Industrial Zoning District. These two zoning districts allow as a permitted use and only within an enclosed building: *"The manufacture, compounding, assembling or treatment of articles of merchandise from the following previously prepared materials: aluminum, bone, ... iron, steel, wood (excluding saw mill)...."* Sawmills are allowed only as a Use on Review in the Heavy Industrial Zoning District. Furthermore, Chapter 17.18.020(1) states that in the General Commercial Zoning District *"...yards for storage of new or used building materials or yards for any scrap or salvage operations, or for storage or display of any scrap, salvage or secondhand materials"* are prohibited. Even General Commercial uses such as *"antique and used furniture sales"* and *"craft and flea markets"* are allowed only if they are completely indoors.

There are two land uses which are somewhat similar to the firewood sales facility which are already allowed in the General Commercial Zoning District. *"Building materials sales yard and lumber yards; provided, that all outdoor storage shall be screened by a seven-foot fence, wall or mass planting;"* is allowed as a permitted use. *"Sign contractor shops"* are allowed as a Use on Review provided that all outdoor storage be screened by a six-foot high fence, wall or mass planting.

Staff is concerned with the prospect of locating firewood sales facilities in General

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Commercial Zoning Districts. Staff believes there is great potential for adverse impacts due to noise and aesthetic concerns. The draft Ordinance (see attached) does specifically prohibit the use of chain saws which will help mitigate these adverse impacts. Furthermore, the Use on Review process will allow the City to attach other applicable stipulations to help mitigate any expected adverse impacts.

Due to the concerns outlined, Staff is not comfortable recommending approval of this Ordinance amendment. The Planning Commission may recommend approval of this Ordinance amendment if they believe that firewood storage and sales is an appropriate Use On Review in the General Commercial Zoning District.