

## ORDINANCE NO. 3962

### AN ORDINANCE TO ALLOW MICROCELL CELLULAR COMMUNICATIONS FACILITIES ON BUILDINGS GREATER THAN OR EQUAL TO 45 FEET OR 5 STORIES IN THE HDR HIGH DENSITY RESIDENTIAL ZONING DISTRICT BY AMENDING SECTION 17.14.020 AND SECTION 17.14.030 OF CHAPTER 17.14 OF THE RAPID CITY MUNICIPAL CODE.

**BE IT ORDAINED** that Section 17.14.020 of Chapter 17.14 of the Rapid City Municipal Code be and is hereby amended to read as follows:

#### **17.14.20 Permitted principal and accessory uses and structures.**

Property and buildings in an HDR high density residential district shall be used only for the following purposes:

- A. Any use permitted and as regulated in the LDR and MDR districts;
- B. High-density apartments;
- C. Townhouses as regulated in Sections 17.50.020, 17.50.030 and 17.50.040.
- D. Cellular communication antenna panels mounted on the sides of buildings greater than or equal to 45 feet or five stories provided such panels do not exceed building height or project more than eighteen inches from the side of the building.

**BE IT FURTHER ORDAINED** that Section 17.14.030 of Chapter 17.14 of the Rapid City Municipal Code be and is hereby amended to read as follows:

#### **17.14.30 Conditional uses.**

The following uses may be allowed as conditional uses by the city council in accordance with provisions contained in Section 17.54.030:

- A. Any in an LDR or MDR district;
- B. Retail business may be conducted in apartment buildings only, for the convenience of the occupants of the building, provided, there shall be no entrance to such place of business except from the inside of the building;
- C. For multiple-family, group homes and assisted living centers, identification signs, not to exceed nine square feet in area, shall be permitted. Such signs shall indicate nothing other than the name and/or address of the premises and the name of the management. Such signs shall be flush with the principal building and may have indirect illumination;
- D. Professional offices;
- E. Group homes, subject to the following:
  - 1. Provide a detailed program and services plan at time of application,
  - 2. Must meet fire, building and health requirements,

3. The council may or may not wish to add the following conditions:
  - a. Standard hours of operation, i.e., standard,
  - b. Supervision, i.e., type and extent,
  - c. Services program to be provided,
  - d. Number of persons,
  - e. Proximity to other group homes,
  - f. Any other condition the council may deem appropriate,

4. Any significant modification in the program and services plan will require a new application;

- F. Parking lots;
1. Such facilities shall be paved,
  2. Such facilities shall in no way be exempted from any of the requirements of this zoning district including, but not limited to, screening, landscaping and signage requirements,
  3. Such facilities shall be permitted only in conjunction with a contiguous use by right or conditional use permit;

G. Townhouses as regulated in Sections 17.50.020, 17.50.030 and 17.50.040;

H. Planned residential developments as regulated in Sections 17.50.050 through 17.50.100;

I. Planned unit developments as regulated in Sections 17.50.050 through 17.50.100.

J. Microcell cellular communications facilities not meeting standards as defined in Section 17.04.483 on buildings greater than or equal to 45 feet or 5 stories.

CITY OF RAPID CITY

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Finance Officer

(SEAL)

First Reading:  
Second Reading:  
Published:  
Effective:

Prepared by: CITY ATTORNEY'S OFFICE