

**ORDINANCE # 4094**

**AN ORDINANCE AMENDING ALL REFERENCES TO THE UNIFORM BUILDING CODE OF THE RAPID CITY MUNICIPAL CODE IN CHAPTER 17.**

WHEREAS the City of Rapid City recently adopted a revised building code; and

WHEREAS the City of Rapid City is likely to adopt a different building code in the future; and

WHEREAS certain amendments to the municipal code are necessary to accurately refer to the new building codes.

**NOW THEREFORE BE IT ORDAINED** by the City of Rapid City that Section 17.04.725 of Chapter 17.04 of the Rapid City Municipal Code be deleted in its entirety.

**~~17.04.725 Uniform Building Code.~~**

~~"Uniform Building Code" means the Uniform Building Code, as officially adopted by the city of Rapid City.~~

**BE IT FURTHER ORDAINED** by the City of Rapid City that a new Section 17.04.393 of Chapter 17.04 of the Rapid City Municipal Code, be added to read as follows:

**17.04.393 International Building Codes.**

"International Building Codes" means the International Building Codes, as officially adopted by the City of Rapid City.

**BE IT ORDAINED** by the City of Rapid City that Section 17.38.080 of Chapter 17.38 of the Rapid City Municipal Code be amended to read as follows:

**17.38.080 District classifications.**

Each mobile home in this zoning district shall be classified in one of four districts that affect the minimum area allowed for the district as follows:

A. Type I. Each manufactured home in this district shall meet the following criteria:

1. Minimum width shall be twenty-two feet;
2. Siding type shall be of wood, masonite or wood-appearing material;
3. Roof shall be of a pitched nature with either asphalt or wood shingles;
4. Foundation shall be of a permanent nature with footings, foundation, or basement structure and mechanical/electrical meeting the ~~Uniform Building Code~~ current building codes adopted by the City of Rapid City;
5. Manufactured homes shall meet the manufactured home construction and safety standards promulgated by the United States Department of Housing and Urban Development as of the effective date of the ordinance codified herein;
6. No type I mobile home district shall be created which contains less than three acres of adjacent territory.

B. Type II. Each manufactured home for this district shall meet the following criteria:

1. Manufactured homes can be of single or multiple sections;
2. Siding type shall be of wood, masonite or wood-appearing material;
3. Roof shall be of a pitched nature with either asphalt or wood shingles;
4. Foundations can be:

- a. Of a permanent nature with footings, foundation, or basement structure and ~~mechanical and electrical Uniform Building Code requirements~~ meeting the current electrical, mechanical, and building codes adopted by the City of Rapid City.
  - b. Provided with skirting of material which is not highly combustible as defined by the fire prevention code, installed and maintained in a workmanlike manner continuous around the perimeter of the mobile home from the bottom of the mobile home to the ground and be anchored to the ground to resist tipping and lateral movement in the manner contemplated by the manufactured design;
5. Manufactured homes shall meet the manufactured home construction and safety standards promulgated by the United States Department of Housing and Urban Development as of the effective date of the ordinance codified herein;
6. No type II mobile home district shall be created which contains less than five acres of adjacent territory.
- C. Type III. Each manufactured home for this district shall meet the following criteria:
- 1. Shall meet the mobile home construction and safety standards promulgated by the United States Department of Housing and Urban Development as of the effective date of the ordinance codified herein;
  - 2. Type III manufactured homes shall be allowed in areas defined by Section 17.50.110(C).
- D. Type IV. Each manufactured home for this district shall be classified as a structure built before original HUD construction and safety code and shall be regulated insofar as location by Section 17.50.110(B).

**BE IT ORDAINED** by the City of Rapid City that Section 17.50.110 of Chapter 17.50 of the Rapid City Municipal Code be amended to read as follows:

**17.50.110 Mobile home parks.**

- A. The following property development standards shall apply for all mobile home parks established after the adoption date of this title; however, no mobile home park presently existing shall be expanded except in conformity with this section.
- 1. No parcel of land containing less than five acres and less than twenty-five mobile home spaces, available at time of first occupancy may be used for the purpose permitted in the mobile home park.
  - 2. The mobile home park shall be subject to the density provisions of the district in which it is located, provided, however, there shall be not less than three thousand square feet of lot area for each space provided on the site. This space ratio shall include access roads, automobile parking, accessory building space and recreational area.
  - 3. The mobile home park shall be located on a well-drained site, properly graded to insure rapid drainage and freedom from stagnant pools of water.
  - 4. Yards.
    - a. Each mobile home park shall have a front yard of twenty-five feet extending for the full width of the parcel devoted to the use.
    - b. Each mobile home park shall have a rear yard and a side yard on both sides of the parcel devoted to the use of not less than ten feet.
    - c. Where a side or rear yard abuts a street, the yard shall be not less than twenty-five feet and all yards shall be landscaped and maintained.
  - 5. No building or structure erected or stationed in this park shall have a height greater than one story or fifteen feet.
  - 6. Each mobile home park shall be permitted to display on each street frontage, one identifying sign of a maximum size of twenty square feet. All signs shall be set back twelve and one-half feet from the property line. The sign shall contain thereon only the name and address of the mobile home park and may be lighted by indirect lighting only.
- B. Each mobile home park shall be of sufficient size that, in addition to the trailer, the following areas shall be provided:

1. Each mobile home space shall be at least thirty feet wide and such space shall be clearly defined by permanent markers.
2. There shall be a front yard setback of five feet from all access roads within the mobile home park.
3. Mobile homes shall be harbored on each space so that there shall be at least a twenty-foot clearance between mobile homes or appurtenances, provided, however, with respect to mobile homes parked end-to-end, the end-to-end clearance shall be not less than ten feet. No mobile home shall be located closer than twenty feet from any building within the mobile home park.
4. There shall be at least one paved, off-street parking space for each trailer space, which shall be on the same site as the trailer served, and may be located in the rear or side yard of the trailer space.
5. Each mobile home space shall be provided with a paved patio of at least two hundred square feet and have a storage locker of at least one hundred cubic feet. Storage lockers may be located in locker compounds.

C. General Provisions.

1. There shall be established and maintained within each park an automobile parking area for the use of guests. The number of spaces within this area shall be equal to one for every four trailer sites.
2. Access roads within a mobile home park shall be paved to a width of not less than twenty-four feet. Where access roads are paved to a width of thirty-two feet or more, the required guest parking area shall be waived.
3. Mobile home spaces must abut upon a driveway of not less than twenty feet in width, which shall have unobstructed access to the access road within the mobile home park. Vehicular access shall be provided from a public street, and all dead-end driveways shall include adequate vehicular turning space.
4. A minimum of six inches of compacted gravel, or other suitable pavement material, shall be installed for each trailer space. Size of pads shall be ten feet by forty-five feet or larger.
5. Walkways not less than three feet wide shall be provided from the mobile home spaces to the service buildings.
6. Each mobile home space shall be provided with a water connection and a connection to the city's sanitary sewer lines.
7. Each mobile home park shall be provided with a management office and such service buildings as are necessary.
8. Skirting for mobile homes shall be of noncombustible material only.
9. Trailers, with or without toilet facilities, that cannot be connected to a sanitary sewer line shall not be permitted in a mobile home park.
10. Cabanas and other similar enclosed structures shall be subject to a building permit, and the setback requirements provided for mobile homes.
11. Mobile homes shall not be used for commercial, industrial, or other nonresidential uses within the mobile home parks.

D. Application for Permit.

1. An application for a mobile home park permit shall be as regulated hereunder and as in the ~~Uniform Building Code~~ current building codes adopted by the City of Rapid City.
2. The application for a permit shall be filed with and issued by the building inspector. Each application shall be accompanied by three copies of the plot plan drawn to scale, and prepared by a licensed engineer or architect. Such copies shall be reviewed and approved by the city council, the health department and the building inspector. The following information shall be shown:
  - a. The location and legal description of the proposed mobile home park;
  - b. Plans and specifications of all buildings, improvements and facilities constructed or to be constructed within the mobile home park;
  - c. The proposed use of buildings shown on the site;
  - d. The location and size of all mobile home spaces;
  - e. The location of all points of entry and exit for motor vehicles and internal circulation pattern;
  - f. The location of all landscaping to be provided;
  - g. The location of all lighting standards to be provided;
  - h. The location of all walls and fences and the indication of their height and the materials of their construction;
  - i. The name and address of the applicant;

- j. Such other architectural and engineering data as may be required to permit the building inspector and city council to determine if the provisions of this title are being complied with.
3. A time schedule for development shall be prepared, which shall demonstrate the applicant's readiness and ability to provide the proposed services, and all required improvements and facilities shall be installed within one year.

**BE IT ORDAINED** by the City of Rapid City that Section 17.50.230 of Chapter 17.50 of the Rapid City Municipal Code be amended to read as follows:

**17.50.230 Designated.**

The following uses are deemed to be temporary uses and shall also be subject to the specific regulations and time limits which follow and to the regulations of any district in which such use is located:

- A. Carnival, circus, or tent that exceeds size requirements in subsections H, I, and J of this section. In any nonresidential district, a temporary use permit may be issued for a carnival, circus, or tent but such permit shall be issued for a period not longer than fourteen days. Such a use shall set back from all residential districts a distance of not less than one hundred feet.
- B. Christmas Tree Sale. In any district, a temporary use permit may be issued for the display and open-lot sales of Christmas Trees, but such permit shall be issued for a period of time commencing no earlier than November first and ending prior to January tenth of the following year.
- C. Temporary Contractor's Buildings. In any district, a temporary use permit may be issued for a contractor's temporary office and equipment sheds incidental to a construction project. Such office or shed shall not contain sleeping or cooking accommodations. Such permit shall be valid for the duration of the construction period. Such office or shed shall be removed upon completion of the construction of the structure(s).
- D. Real Estate Sales Office. In any district, a temporary use permit may be issued for a temporary real estate sales office in any new subdivision which has been approved in accordance with the regulations of Rapid City. Such office shall contain no sleeping or cooking accommodations. Such permit shall be valid for that specific office only and any change in temporary office structure shall require a new permit. Such permit shall be otherwise valid for two years, but may be renewed upon expiration thereof. Such temporary sales office shall be required to maintain a twenty-foot clear zone on all sides of the office free from any structure, temporary or permanent.
- E. Mobile Home Sales Office. In any district permitting mobile home sales, a temporary use permit may be used for a temporary sales office on such sales area. Such office shall contain no sleeping or cooking accommodations. Such permit shall be valid for that specific office only and any change in temporary office structure shall require a new permit. Such permit shall be otherwise valid for two years, but may be renewed upon expiration thereof. Such temporary sales office shall be required to maintain a twenty-foot clear zone on all sides of the office free from any structure, temporary or permanent.
- F. Temporary Trailer Parks or Campgrounds.
  1. In any nonresidential or general agricultural district, a temporary use permit may be issued for a period not to exceed thirty days for a temporary trailer park or campground provided such use is required to serve a special event and the following requirements are met:
    - a. A minimum area of one thousand square feet of area per campsite will be provided;
    - b. Sanitary facilities will be provided at a ratio of one toilet for every ten campsites;
    - c. Approved dumpsters or trash receptacles for the collection and removal of trash shall be provided;
    - d. There will be no open fires;
    - e. Full emergency vehicle access to all portions of the campground or trailer park shall be maintained;
    - f. One twenty-four hour security guard shall be provided for every fifty campsites, or fraction thereof, in campgrounds or trailer parks which exceed twenty-five campsites.
  2. For purposes of this subsection, a special event shall be defined as any event occurring within the city, county or a neighboring county which the city council recognizes as such by resolution.
  3. A permit shall be required whenever a gathering of fifteen or more persons for a period exceeding thirty-six hours is proposed. The permit fee shall equal seventy-five dollars.

4. A campsite shall contain a maximum of ten persons.
- G. Seasonal Greenhouse or Garden Shop. In any nonresidential zoning district, a temporary use permit may be issued for a seasonal greenhouse or garden shop, but such permit shall be issued for a period of not longer than ninety days. Seasonal greenhouses and garden shops are exempt from any maximum floor area requirement. Seasonal greenhouses or garden shops shall conform to the clear sight triangle, setback and parking requirements of subsection I of this section.
- H. Other Temporary Retail Business or Structure. In shopping center 1 (SC-1), shopping center 2 (SC-2), general commercial (GC) and neighborhood commercial (NC) zoning districts licenses may be issued to the operator of a fourteen-day temporary business in accordance with the following provisions:
  1. Temporary structures may not exceed two hundred square feet in floor area nor exceed fifteen feet in height.
  2. All temporary businesses or structures must provide proof that the requirements of the Rapid City Municipal Code, South Dakota Department of Revenue, South Dakota Department of Health, South Dakota Electrical Code and the South Dakota State Plumbing Code for licensing, plumbing and electrical are being met.
  3. A temporary use or structure may occupy a development lot for not more than fourteen days and shall vacate the lot for a period of one hundred and eighty days.
  4. The fee for a temporary business or use permit is fifty dollars. Businesses participating in a craft fair or festival or a flea market regulated under Chapter 5.32 of this code are exempt from the temporary use license fee.
  5. All temporary structures shall contain approved toilet facilities or shall have contracted with the owners of permanent toilet facilities within three hundred feet for employee access to the facilities. Operations that include prepared foods or beverages shall provide or have contracted for access to approved toilet facilities by customers of the business.
  6. All temporary structures and displays shall be located outside of clear sight triangles at streets, alleys and driveways. The leg of a clear sight triangle along a public street shall be seventy feet in length. The leg of a clear sight triangle along an alley or driveway shall be twenty-five feet in length.
  7. All temporary structures and displays shall be located outside of the front yard setbacks.
  8. All temporary business operators shall provide a minimum of two off-street parking spaces. Additional parking may be required upon review by the planning director in accordance with Section 17.50.270(E) of this code. Access to and circulation upon the site shall be subject to review. The temporary use or parking may not occupy an area required for parking for another use.
  9. Each temporary business may display one sign to advertise the business. The sign shall be in compliance with the Rapid City sign code, except that the sign may be no larger than eight square feet.
- I. Other Seasonal Retail Business or Structure. In shopping center 1 (SC-1) and shopping center 2 (SC-2) zoning districts and on general commercial (GC) zoned developmental lots with a minimum of twenty-five thousand square feet of paved parking, licenses may be issued to the operator of a seasonal retail business or structure following the approval of a use on review. A seasonal retail business or structure may occupy a developmental lot for not more than three months in accordance with the following provisions:
  1. Seasonal retail structures may not exceed two hundred square feet in floor area nor exceed fifteen feet in height.
  2. All seasonal retail businesses or structures must provide proof that the requirements of the Rapid City Municipal Code, South Dakota Department of Revenue, South Dakota Department of Health, South Dakota Electrical Code and the South Dakota State Plumbing Code for licensing, plumbing and electrical are being met.
  3. A seasonal retail business or structure shall occupy a developmental lot for not more than ninety days and shall vacate the lot for a period of one hundred eighty days.
  4. The fee for a seasonal retail business or structure permit is fifty dollars.
  5. All seasonal retail businesses or structures shall contain approved toilet facilities or shall have contracted with the owners of permanent toilet facilities within three hundred feet for employee access to the facilities. Operations that include prepared food or beverages shall provide or have contracted for access to approved toilet facilities by customers of the business.
  6. All seasonal retail structures and displays shall be located outside of clear sight triangles at streets, alleys and driveways. The leg of a clear sight triangle along a public street shall be seventy feet in length. The leg of a clear sight triangle along an alley or driveway shall be twenty-five feet in length.

7. All seasonal retail structures and displays shall be located outside of the front yard setbacks.
  8. All seasonal retail business or structure operators shall provide a minimum of two off-street parking spaces. Additional parking may be required upon review by the planning director in accordance with Section 17.50.270(E) of this code. Access to and circulation upon the site shall be subject to review. The seasonal retail business or structure or parking may not occupy an area required for parking for another use.
  9. Each seasonal retail business or structure may display one sign to advertise the business. The sign shall be in compliance with the Rapid City sign code, except that the sign may be no larger than eight square feet.
- J. Other Continuous Retail Business or Structure. In shopping center 1 (SC-1) and shopping center 2 (SC-2) zoning districts and on general commercial (GC) zoned developmental lots with a minimum of twenty-five thousand square feet of paved parking, licenses may be issued to the operator of a year-round retail business or structure not able to meet the ~~Uniform Building Code~~ current building codes, as adopted by the City of Rapid City, following the approval of a use on review. A continuous retail business or structure may occupy a developmental lot in accordance with the following provisions:
1. Structures may not exceed two hundred square feet in floor area nor exceed fifteen feet in height.
  2. All continuous retail businesses or structures must provide proof that the requirements of the South Dakota Department of Revenue, South Dakota Department of Health, South Dakota Electrical Code and the South Dakota State Plumbing Code for licensing, plumbing and electrical are being met.
  3. The fee for a continuous retail business or structure permit is fifty dollars.
  4. All continuous retail businesses or structures shall contain approved toilet facilities or shall have contracted with the owners of permanent toilet facilities within three hundred feet for employee access to the facilities. Operations that include prepared food or beverages shall provide or have contracted for access to approved toilet facilities by customers of the business.
  5. All continuous retail structures and displays shall be located outside of clear sight triangles at streets, alleys and driveways. The leg of a clear sight triangle along a public street shall be seventy feet in length. The leg of a clear sight triangle along an alley or driveway shall be twenty-five feet in length.
  6. All continuous retail businesses shall be located outside of the front yard setback.
  7. All continuous retail structures shall be anchored to safeguard against movement from high winds or floodwaters in accordance with plans prepared by a professional engineer and approved by the city building official.
  8. All continuous retail business or structure operators shall provide a minimum of two off-street parking spaces. Additional parking may be required upon review by the planning director in accordance with Section 17.50.270(E) of this code. Access to and circulation upon the site shall be subject to review. The continuous retail business or structure or parking may not occupy an area required for parking for another use.
  9. Each continuous retail business or structure may display one sign to advertise the business. The sign shall be in compliance with the Rapid City sign code, except that the sign may be no larger than eight square feet.
  10. The use on review for a continuous retail business shall be valid for a period of two years. At the conclusion of the second year of operation the continuous retail business shall either come into full compliance with the ~~Uniform Building Code~~ current building codes adopted by the City of Rapid City or cease operation and vacate the developmental lot.
- K. Farmer's Market. A farmer's market, as defined in Section 17.04.263 may be conducted in any nonresidential zoning district subject to such conditions and limitations as the council may direct in designating such farmer's market as a community activity.

**BE IT ORDAINED** by the City of Rapid City that Section 17.50.250 of Chapter 17.50 of the Rapid City Municipal Code be amended to read as follows:

**17.50.250 Yard, building setback and open space exceptions.**

The following requirements are intended to provide exceptions or qualify and supplement, as the case may be, the specific district regulations set forth in Chapters 17.08 through 17.48 of this code:

- A. No yard, open space or lot area required for a building or structure shall, during its life, be occupied by any other building or structure except:
1. Awnings and canopies, as provided for in the ~~Uniform Building Code~~ current building codes adopted by the City of Rapid City;
  2. Bay windows and chimneys, not to exceed two feet;
  3. Driveways, curbs, sidewalks and steps, provided, however, steps or stairs to a dwelling, non-enclosed, not to exceed six feet;
  4. Fences, walls and hedges, subject to the regulations as set forth in this section;
  5. Flagpoles;
  6. Garbage disposal equipment, nonpermanent;
  7. Landscape features, planting boxes and recreational equipment;
  8. Overhanging roof, eave, gutter, cornice or other architectural feature, not to exceed three feet. Open fire escapes may extend into any required yard not more than six feet;
  9. Parking space subject to the regulations set forth in Section 17.50.270;
  10. Signs, subject to the regulations set forth in Chapter 15.28 of this code;
  11. Terraces (open) and porches (nonenclosed) not to exceed six feet;
  12. Trees, shrubs, flowers and other plants subject to the vision requirements in this section.
- B. The following regulations provide for the maximum safety of persons using sidewalks and streets, and for the maximum enjoyment of the use of property:
1. No object may intrude into the sight triangle as provided in Chapter 17.50.335.
  2. In any required front yard, except as provided in subsection (B)(1) of this section, no fence, wall, hedge or yard ornament shall be permitted which materially impedes vision across such yard above the height of three and one-half feet.
- C. The purpose here is to clarify certain conditions pertaining to the use of lots and access points.
1. In residential districts, if twenty-five percent or more of the lots on one side of the street between two intersecting streets are improved with buildings all of which have observed an average setback line of greater than twenty-five feet, and no building varies more than five feet from this average setback line, then no building shall be erected closer to the street line than the minimum setback so established by the existing buildings; but, this regulation shall not require a front yard of a greater depth than fifty feet.
  2. Lots having frontage on more than one street shall provide the required front yards along those streets.
  3. Division of a Lot. No recorded lot shall be divided into two or more lots unless such division results in the creation of lots each of which conforms to all of the applicable regulations of the district in which the property is located. No reduction in the size of a recorded lot below the minimum requirements of this title shall be permitted.
  4. Dwellings on Small Lots. Where there are existing recorded lots which do not meet the minimum lot area requirement, single-family dwellings may be constructed as long as a side yard shall be not less than four feet and the sum of the side yards shall be not less than twelve feet and as long as all other requirements, except lot size, are met.
  5. Principal Uses Without Buildings. Where a permitted use of land involves no structures, such use, excluding agricultural uses, shall nonetheless comply with all yards and minimum lot area requirements applicable to the district in which located, as well as obtain any other license or permit applicable to that particular use.
  6. No dwelling shall be erected on a lot which does not abut on at least one street for at least twenty-five feet. A street shall form the direct and primary means of ingress and egress for all dwelling units. Alleys, where they exist, shall form only a secondary means of ingress and egress.
  7. An attached garage which faces on a street shall not be located closer than twenty-five feet to the street right-of-way line. A detached private garage which faces on a street shall not be located closer than thirty-five feet to the street right-of-way line.
  8. Accessory buildings shall not be located closer than thirty-five feet from the street right-of-way line.
  9. Provisions for Wheelchair Ramps. The growth management director may authorize an exception to allow a wheelchair ramp within a required setback in compliance with the following criteria:
    - a. The applicant has submitted a letter from a licensed physician specifying that the wheelchair ramp is necessary to accommodate a resident of the property;

- b. The wheelchair ramp shall be designed so as to encroach into the required setback the minimum distance feasible;
- c. The wheelchair ramp shall not encroach into any recorded easement or into public right-of-way;
- d. The encroachment into the required setback shall be removed when the individual requiring the wheelchair ramp no longer resides on the property or the wheelchair ramp is no longer required; and
- e. The wheelchair ramp shall be designed and constructed in accordance with the applicable provisions of the Americans with Disabilities Act (ADA).

**BE IT ORDAINED** by the City of Rapid City that Section 17.50.270 of Chapter 17.50 of the Rapid City Municipal Code be amended to read as follows:

**17.50.270 Minimum off-street parking requirements.**

- A. Duty to Provide and Maintain Off-Street Parking Spaces.
  - 1. It is the duty of the owner or occupant of any real property outside the central business district (CBD), jointly and severally, to provide off-street parking in accordance with the standards established by this chapter. However, any parking that is optionally provided in the central business district must comply with subsection H, Parking for Persons with Disabilities, of this section.
  - 2. Every building, or portion of building hereafter erected, and every initiation or expansion of use involving an existing building, shall be provided with permanently maintained parking space as provided in this chapter.
  - 3. Prior to the issuance of a building permit for a multilevel parking facility, a planned commercial development (PCD) or planned light industrial development (PLID) shall be approved. As a part of the planned development review, pursuant to Sections 17.50.100 and 17.50.105 of this code, the Rapid City planning commission or Rapid City council may impose specific design or compatibility standards.
- B. Initiation and Expansion of Use. Every building, structure or use with parking facilities which does not conform to the requirements of this title shall conform with the provisions of this section when a use is initiated or expanded.
  - 1. A use is initiated when:
    - a. A building or structure is erected;
    - b. An existing property, structure, or portion thereof, changes from one standard industrial classification (SIC) two-digit code classification to another; or
    - c. An existing property, structure or portion thereof, other than a single-family or duplex structure, is occupied after an intervening vacancy of at least one year.
  - 2. A use is expanded when:
    - a. An existing building or structure is enlarged by twenty percent or more with respect to square feet of gross floor area (SFGFA);
    - b. An existing building or structure is modified internally to accommodate an increased occupant load of twenty percent or more, as determined by the ~~Uniform Building Code adopted in Chapter 15.12 of this code~~ current building codes adopted by the City of Rapid City;
    - c. A use is expanded by twenty percent or more as measured by area, employees, rooms, seats, dwelling units or occupants; or
    - d. A garage or carport is added to the structure.
- C. Permit Required. A building permit is required for the construction or development of an off-street parking facility.
- D. Minimum Required Off-Street Parking Spaces. The minimum number of off-street parking spaces shall be determined in accordance with the following table of parking spaces required:

Table 17.50.270 (D) TABLE OF PARKING SPACES REQUIRED<sup>a</sup>  
(SFGFA--Square Feet Gross Floor Area)<sup>e</sup>



**Land Use Building Type****Parking Spaces Required**

|   |   |
|---|---|
| Assembly/Banquet Hall                               | 25.00 per 1,000 SFGFA   |
| Auto Repair With Gas Sales                          | 13.00 per 1,000 SFGFA   |
| Auto Repair Without Gas Sales                       | 10.00 per 1,000 SFGFA   |
| Auto Sales, New or Used                             | 3.00 per 1,000 SFGFA  |
| Auto Towing, Body Repair and Painting               | 4.00 per 1,000 SFGFA  |
| Bank/Savings and Loan Office                        | 4.30 per 1,000 SFGFA  |
| Bank/Savings and Loan<br>(With Drive-Up Teller)     | 4.00 per 1,000 SFGFA<br>plus 03.00 per drive-through<br>laned                   |
| Child Care  |   |
| Day Care Center                                     | 1.00 per full-time equivalent<br>staff plus .1 per child and<br>unloading zonec |
| Family Child Care                                   | 1.00 per nonresident full-time<br>equivalent staff                              |
| Church/Synagogue                                    | 0.25 per each seat or 18” of<br>linear bench                                    |
| Cleaners, Retail                                    | 1.66 per 1,000 SFGFA  |
| Cocktail Lounge/Nightclub/Tavern/Bar                | 10.00 per 1,000 SFGFA   |
| Convenience Store With Gas Sales                    | 11.50 per 1,000 SFGFAd  |
| Convenience Store Without Gas Sales                 | 7.50 per 1,000 SFGFA  |
| Discount Store                                      | 4.45 per 1,000 SFGFA  |
| Drive-through (specialty, film ATM,<br>carwash)     | 3.00 per drive through laned  |
| Funeral Home  | 7.00 per 1,000 SFGFA  |
| Furniture Store                                     | 2.60 per 1,000 SFGFA  |
| Hardware Store/Home Center                          | 3.20 per 1,000 SFGFA  |
| High Technology Industrial Production<br>Facilities | 1.05 per 1,000 SFGFA  |
| Hospital  | 2.00 per bed  |
| Hotel/Motel   | 1.00 per room   |
| Industrial Structures:                              |   |
| Less than 100,000 SFGFA                             | 2.10 per 1,000 SFGFA  |
| 100,000 to 199,000 SFGFA                            | 1.75 per 1,000 SFGFA  |
| 200,000 to 399,000 SFGFA                            | 1.60 per 1,000 SFGFA  |
| 400,000 to 499,000 SFGFA                            | 1.80 per 1,000 SFGFA  |
| 500,000 and greater SFGFA                           | 2.00 per 1,000 SFGFA  |
| Laundromat  | 5.00 per 1,000 SFGFA  |
| Library   | 2.20 per 1,000 SFGFA  |
| Liquor Store (off sale)                             | 4.00 per 1,000 SFGFA  |
| Lumberyard/Mart                                     | 1.60 per 1,000 SFGFA  |
| Manufacturing                                       | 2.10 per 1,000 SFGFA  |
| Manufacturing, Jewelry                              | 10.00 per 1,000 SFGFA   |
| Medical Clinic Office                               | 4.00 per 1,000 SFGFA  |

|                                    |  |
|------------------------------------|--|
| Mobile Home Sales, New or Used     | 5.00 per site  |
| Museum                             | 3.30 per 1,000 SFGFA                                     |
| Nursing Home                       | 0.50 per room  |
| Office                             | 5.00 per 1,000 SFGFA                                     |
| Office, Undivided Common Work Area | 8.00 per 1,000 SFGFA                                     |
| Pawnshop                           | 4.00 per 1,000 SFGFA                                     |
| Public Utility/Sewage Treatment    | 2.50 per 1,000 SFGFA                                     |
| Recreational:                      |  |
| Bowling Alley                      | 5.50 per lane  |
| Miniature Golf                     | 2.00 per hole  |
| Recreation Center                  | 4.00 per 1,000 SFGFA                                     |
| Recreation Fad                     | 20.00 per 1,000 SFGFA                                    |
| Roller/Ice Skating Rink            | 5.00 per 1,000 SFGFA                                     |
| Sports Club/Health Spa             | 7.00 per 1,000 SFGFA                                     |
| Sports Stadium, Auditorium         | 0.33 per seat or 18" linear bench                        |
| Swimming Club, Pool                | 1.00 per 150 square feet water area                      |
| Tennis/Racquet Club                | 0.40 per 1,000 SFGFA                                     |
| Residential Uses:                  |  |
| Assisted Living Center Room        | 0.33 per unit  |
| Assisted Living Center Suite       | 0.50 per unit  |
| Apartment Complex                  | 1.50 per dwelling unit                                   |
| Condominium                        | 2.00 per dwelling unit                                   |
| Dormitory                          | 1.00 per sleeping room                                   |
| Duplex                             | 2.00 per dwelling unit                                   |
| Elderly Housing                    | 0.50 per dwelling unit                                   |
| Fraternity/Sorority                | 1.00 per member at maximum occupant load                 |
| Mobile Home Park                   | 2.00 per unit  |
| Single-Family/Duplex/Townhouse     | 2.00 per dwelling unit                                   |
| Skilled Nursing Home               | 0.25 per unit plus 1 per shift employee                  |
| Restaurant, Drive-in               | 11.00 per 1,000 SFGFA plus 01.00 per serving stall       |
| Restaurant, Fast Food              | 11.00 per 1,000 SFGFA plus 07.00 per drive-through laned |
| Restaurant, Table Service          | 11.00 per 1,000 SFGFA                                    |
| Retail Sales/Service               | 5.00 per 1,000 SFGFA                                     |
| Schools                            |  |
| Preschool                          | 1.40 per employee/staff                                  |
| Grade School                       | 1.40 per employee/staff                                  |
| Middle School                      | 1.00 per employee/staff plus 00.04 per student capacity  |
| Senior High Schools                | 1.00 per employee/staff plus 00.33 per student capacity  |

|   |   |
|---|---|
| Junior/Community/Tech College or University | 0.50 per student capacity   |
| Shopping Center I and Shopping Center II    | 4.50 per 1,000 SFGFA  |
| Supermarket                                 | 5.00 per 1,000 SFGFA  |
| Theaters                                    | 1.00 per 4 fixed seats  |
| Used or Secondhand Sales                    | 3.00 per 1,000 SF of display/storage area including outside display   |
| Warehousing                                 | 0.25 per 1,000 SFGFA  |
| Warehousing, Ministorage                    | 30 feet of circulation aisle width immediately adjacent to area of building(s) with controlled access stalls or locker. |

Table 17.50.270 (D) Notes:

- (a) Numbers include spaces required for employee and staff parking.
- (b) Parking spaces used for customer and employee parking exclusive of automobile display area.
- (c) Passenger unloading zones shall not conflict with parking stalls or aisles and shall have adequate ingress and egress.
- (d) Stacking in drive-through lanes shall count as one space per twenty-three linear feet of striped stacking lane. Service windows or bays shall not be counted as stacking.
- (e) Square footage shall be the total square footage of the combined usable floors as measured by outside building dimensions.
- (f) Automotive repair business indoor and outdoor vehicle storage or repair areas that are not accessible to the public are exempt from the aisle width and access requirements of this chapter. Proposed vehicle storage or repair areas must be designated on the lot site plan and building floor plan.

E. Parking Requirements for Uses Not Specified.

1. Where the parking requirements for a use are not specifically defined herein, the parking requirements for such use shall be determined by the planning director. Such determination shall be based upon Parking Generation published by the Institute of Transportation Engineers (ITE).
2. Where new construction is proposed in a commercial or industrial district, but no definite use is specified, parking requirements shall be calculated as follows:
  - a. Commercial district: five parking spaces per one thousand square feet gross floor area;
  - b. Industrial district: one and three-quarters parking spaces per one thousand square feet gross floor area.
3. When a use is to be initiated or changed in any vacant or occupied building or portion thereof the parking required for the combined uses shall be reviewed by the planning department, based upon this title and Parking Generation published by the Institute of Transportation Engineers (ITE). The determination of the planning department shall establish the total number of parking spaces required.

F. General Requirements. The following general requirements shall apply to all parking spaces and areas:

1. Size and Access. Each off-street parking space shall be rectangular, and not less than nine feet in width and eighteen feet in length regardless of the angle of parking. Each commercial or multiple-family parking space shall be served by an aisle which meets or exceeds the standards set forth in these regulations. When curbs or curb stops are employed, up to two feet of the stall length may overhang the curb. Stalls may overhang sidewalks provided four-foot wide usable sidewalks are retained and public rights-of-way are not encroached upon.
2. Aisle Length. Parking lot aisles of over one hundred fifty feet in length shall have either an approved method of emergency vehicle egress deemed acceptable by the Rapid City Fire Marshal or a turnaround which will accommodate a thirty-foot vehicle with a forty-two-foot turning radius.

TABLE 17.50.270(F) (2) REQUIRED MINIMUM OFF-STREET  
PARKING DIMENSIONS

| Parking<br>Angle<br>(Degrees) | Stall Length | Stall Width | Aisle Width |           |
|-------------------------------|--------------|-------------|-------------|-----------|
|                               |              |             | (One-Way)   | (Two-Way) |
| 90°                           | 18'          | 9'          | 26'         | 26'       |
| 60°                           | 18'          | 9'          | 18'         | 20'       |
| 45°                           | 18'          | 9'          | 12'         | 20'       |
| 30°                           | 18'          | 9'          | 10'         | 20'       |
| 0°<br>(parallel)              | 22'          | 9'          | 10'         | 20'       |

Exception: Ninety-degree parking immediately off an alley requires ten feet by twenty feet stalls and the aisle width of twenty feet being provided by the alley.

3. Locations.

- a. Off-street parking facilities shall be located outside the public right-of-way and as hereinafter specified.
- b. Parking facilities shall either be provided on the same parcel as the use it is to serve or within three hundred feet from the building's primary entrance or use it is to serve, using established sidewalks and crossings. Such distance shall be the walking distance measured from the nearest point of the parking facility to the building's primary entrance that such facility is required to serve.

4. Clear Sight Triangles. Parking spaces and areas shall not be allowed which would obstruct the required sight triangle as provided in Chapter 17.50.335 when such parking space or area is being occupied.

5. Mixed Occupancies in a Building. In the case of mixed uses in a building or on a lot, the total requirements for off-street parking facilities shall be the sum of the requirements for the various uses computed separately. Off-street parking facilities for one use shall not be considered as providing required parking facilities for any other use except as hereinafter specified for shared use.

6. Shared Parking Facilities.

- a. The building inspection department upon application by the owner or lessee of any property and after review of the application by the planning director, may authorize the shared use of parking facilities under the conditions specified in this section:
  - i. Not more than fifty percent of the parking facilities required by this title will be provided by the shared parking facility;
  - ii. No substantial conflict in the operating hours of the buildings or uses for which the shared use of the parking facility is proposed will occur;
  - iii. The building or use utilizing the shared parking facilities is located within three hundred feet of such parking facility using established sidewalks and crosswalks where available.
- b. Parking using shared off-street parking facilities shall evidence agreement for such shared use by a proper legal instrument approved by the city attorney as to form and content. Copies of such instrument, when approved as conforming to the provisions of this section, shall be filed in the building inspection department and copies thereof filed with the planning department.

G. Use and Maintenance of Off-Street Parking Area. Off-street parking space shall be maintained in accordance with the following specifications:

1. Entrances and Exits.

- a. Driveways and curb cuts for ingress and egress shall be built in accordance with the engineering division's curb cut policy and as approved by the city engineer or his designee and in accordance with the city's off-street parking requirements. Entrances and exits shall in no case be less than ten feet nor more than forty feet in width or fourteen feet in vertical clearance.
- b. Unpaved access to parking facilities is not permitted except for single-family and duplex uses. All commercial and industrial uses intending to utilize an unimproved access for parking facilities shall bear the cost of paving the access way to city minimum construction standards. This

- requirement is subject to waiver by common council only in cases where paving continuity would not be achieved and gravel segments would remain.
2. Circulation. Circulation within a parking area shall be such that a vehicle entering the parking area need not enter a public right-of-way to reach another aisle and that a vehicle need not enter a public right-of-way backwards. This provision shall not apply to off-street parking required for one or two-family dwelling units.
  3. Surfacing. Off-street parking areas shall be paved and maintained so as to eliminate dust or mud. Paved parking facilities shall comply with standards established in Ordinance 1976, as approved by the common council on October 9, 1980, as administered by the city engineer, and on file in the finance office.
  4. Dust Palliative. All commercial, light industrial and heavy industrial uses which involve outdoor storage shall apply a dust palliative approved by the city engineer to all unpaved areas utilized for storage. An approved dust palliative shall be applied annually or as directed by the engineering division. Vehicle or equipment maneuvering areas and approaches to permanent loading docks shall be paved as set forth in "Minimum Standards for Construction of Parking Lots," June 16, 1980.
  5. Drainage. Off-street parking areas shall be graded and drained as to dispose of all surface water with drainage directed toward curb cuts when possible. Parking facilities may be designed to function as metered stormwater detention facilities, when in connection with a master drainage plan and as approved by the city engineering division.
  6. Markings. Except for one and two-family uses, all parking facilities shall be marked with striping paint as shown on the approved building permit. Aisles, approach lanes, stalls, handicapped stalls and designated no parking areas shall be clearly marked with direction arrows, lines and symbols to assure the safe and efficient movement of vehicles. "Clearly marked" is defined as displaying a visibly-defined edge. Whenever parking lots are re-striped, any parking facility which does not meet the standards set forth in subsections (H)(4)--(H)(6) of this section shall be made to comply with subsections (H)(4)--(H)(6) of this section involving parking for persons with disabilities.
  7. Border, Barricades, Screening and Landscaping. Off-street parking areas shall conform to the regulations set forth in the landscape ordinance, Section 17.50.300. Tree planting in the right-of-way is permitted as provided in Section 12.40.090 of this code, landscape requirements.
    - a. Every parking area that abuts a public or private sidewalk, public right-of-way, or building entrance or exit shall be provided with a wheel guard or curbs not less than six inches in height which shall be securely installed and maintained.
    - b. Every multiple-family or commercial parking area on a lot that abuts a single-family residential lot along a side lot line shall be set back a distance of not less than twelve feet. Not less than fifty percent of the required landscaping for the subject lot shall be placed within the parking lot or within twenty feet of the parking lot.
    - c. Every parking area on a lot which abuts the rear lot line of a lot within single-family residential district shall be set back a distance of not less than fifteen feet. Fifty percent or more of the required landscaping for the subject lot shall be located in the parking lot or within twenty feet of the parking lot.
    - d. Landscaping proposed to be located in the right-of-way between the property line and the street section may be applied to the requirements of the landscape ordinance in an amount not to exceed twenty-five percent of the total landscaping points required as determined pursuant to the formula in the landscape ordinance.
  8. Lighting. All parking areas except single-family residential shall be provided with lighting when evening usage is anticipated. The lighting shall be arranged so as to provide security and to reflect light toward the parking area.
  9. Bond for Completion. When the required off-street parking area cannot be paved at the time of issuance of the certificate of occupancy, the chief building official shall require a surety in an amount equal to the estimated cost of paving and improvements which will provide for and secure through an improvements agreement the paving completion within one paving season. All bonds and other methods of guarantee shall be approved by the city attorney.
- H. Parking for Persons with Disabilities.
1. Provision of Parking. In addition to the general requirements for parking provided for under subsection G of this section, accessible parking facilities for persons with disabilities shall be provided in

accordance with this subsection. Accessible parking for a particular building must be located on the shortest accessible route of travel from adjacent parking to an accessible entrance. If there are multiple accessible entrances to the building, the accessible spaces must be dispersed and located closest to the accessible entrances. For parking facilities which do not serve a specific use or building, the accessible parking shall be located on the shortest accessible route to the nearest accessible pedestrian entrance to the parking facility. Accessible spaces may be provided off-site in accordance with this chapter as long as accessibility is not jeopardized.

2. Accessible Route. A minimum of one accessible route meeting the requirements of this section must be provided between the building's accessible entrance and the accessible parking spaces, passenger loading zones, and public streets or sidewalks. An accessible route shall meet the following requirements:
  - a. To the maximum extent feasible, it shall coincide with the route for the general public;
  - b. It shall have a minimum clear width of thirty-six inches. If an obstruction turnaround is required then the minimum clear width must be provided as shown in Figures H.2(b)-1 and H.2(b)-2 of the technical drawings on file in the city planning department;
  - c. Passing spaces are required if the accessible route is less than sixty inches wide. Passing spaces shall be at least sixty inches by sixty inches and spaced at no more than two hundred foot intervals. A T-intersection of two walks is an acceptable passing space (see Figure H.2(c)-1 of the technical drawings on file in the city planning department);
  - d. A minimum of eighty inches of vertical headroom along the route must be provided. If less than eighty inches of vertical headroom exists in any area adjoining the accessible route, then barriers must be provided to warn blind or visually-impaired individuals (see Figures H.2(d)-1, and H.2(d)-2 of the technical drawings on file in the city planning department);
  - e. The ground surface of the accessible route shall be stable, firm and slip resistant. The accessible route may not include stairs, steps, or escalators. Changes in level of less than one-quarter inch do not require edge treatment. Changes in level between one-quarter and one-half inch shall be beveled with a slope no greater than 1:2. Changes in level greater than one-half inch shall require a ramp at least thirty-six inches wide and complying with all other ramp requirements (subsection (H)(3) of this section). Surface treatments involving carpeting or grating must meet specific ADA requirements;
  - f. An accessible route with a running slope of greater than 1:20 is a ramp and shall have a maximum slope of 1:12 and a minimum width of thirty-six inches and shall comply with all other ramp requirements (subsection (H)(3) of this section). Nowhere along the accessible route shall the cross slope exceed 1:50;
  - g. Curb ramps must be provided wherever an accessible route crosses a curb. Slope of curb ramps must be the least possible with a maximum slope for new construction of 1:12 and a maximum rise for any run of thirty inches. Curb ramps and exterior ramps to be constructed in areas which preclude the use of a 1:12 slope may have reduced slopes and rises as follows: (a) a slope between 1:10 and 1:12 is allowed for a maximum rise of six inches; and (b) a slope between 1:8 and 1:10 is allowed for a maximum rise of three inches. A slope steeper than 1:8 is not allowed (see Figures H.2(g)-1 through H.2(g)-4 of the technical drawings on file in the city planning department). The minimum clear width of a ramp shall be thirty-six inches. Ramps shall have level landings at the top and bottom of each ramp and each ramp run. These landings shall: (a) be twice as wide as the ramp run leading to it; (b) landing length shall be at least sixty inches clear; (c) if ramps change directions then the landing size shall be sixty by sixty inches; (d) if a doorway is located at a landing then the area in front of the doorway shall comply with 4.13.6 of ADA. Handrails shall be provided in compliance with 4.8.5 of ADA if a ramp run has a rise greater than six inches or a horizontal projection greater than seventy-two inches.
3. Ramps. The least possible slope shall be used for any ramp. The maximum rise for any run shall be thirty inches. The maximum slope for any new ramp shall be 1:12 unless otherwise allowed by this code. Curb ramps and other exterior ramps constructed in areas where space limitations prevent a 1:12 slope may have slopes and rises as follows: (a) a slope between 1:10 and 1:12 is allowed for a maximum rise of six inches; (b) a slope between 1:8 and 1:10 is allowed for a maximum rise of three inches. No slope steeper than 1:8 is allowed.

The minimum clear width of a ramp shall be thirty-six inches. Ramps shall have level landings at the top and bottom of each ramp and each ramp run. These landings shall: (a) be twice as wide as the ramp run leading to it; (b) landing length shall be at least sixty inches clear; (c) if ramps change directions then the landing size shall be sixty by sixty inches; (d) if a doorway is located at a landing, the area in front of the doorway shall comply with 4.15.6 of ADA. Handrails shall be provided in compliance with 4.8.5 of ADA if a ramp run has a rise greater than six inches or a horizontal projection greater than seventy-two inches.

4. Spaces Required.

- a. The following number of off-street parking spaces, based on the total required parking, are to be reserved for exclusive use by persons with disabilities. One in every eight accessible spaces but always at least one space must be van accessible. Parking spaces for persons with disabilities may be counted toward the total number of parking spaces required for the use.

**Required Number of Accessible Spaces**

| <b>Total Parking in Lot</b> | <b>Required Minimum # of Accessible Spaces</b> |
|-----------------------------|--|
| 1 to 25                     | 1  |
| 26 to 50                    | 2  |
| 51 to 75                    | 3  |
| 76 to 100                   | 4  |
| 101 to 150                  | 5  |
| 151 to 200                  | 6  |
| 201 to 300                  | 7  |
| 301 to 400                  | 8  |
| 401 to 500                  | 9  |
| 501 to 1,000                | 2% of total spaces                             |
| 1,001 and over              | 20 plus 1 for each 100 over 1,000              |

Notes:

1. The required number of accessible spaces for out-patient medical facilities shall be ten percent of the total number of parking spaces.
2. The required number of accessible spaces for facilities that specialize in treatment or services for persons with mobility impairments shall be twenty percent of the total number of parking spaces.
5. Signage. Accessible parking spaces shall be designated as reserved by a sign showing the symbol of accessibility (see Figure H.5-1 of the technical drawings on file in the city planning department). Van accessible parking shall include this symbol of accessibility sign plus an additional “Van-Accessible” sign mounted below the symbol of accessibility sign. (see Figure H.5-2 of the technical drawings on file in the city planning department). Such signs must be located so they cannot be obscured by a vehicle parked in the space and so they are visible from the driver’s seat of the vehicle parked in the space. Such signs must be located on a permanent supporting post or on an adjacent wall.
6. Parking Spaces.
  - a. Accessible Parking Spaces. Accessible parking spaces must be a minimum of ninety-six inches in width. Parking access aisles shall be part of an accessible route to the building or facility entrance. Two accessible parking spaces may share a common access aisle. Parking spaces may not exceed a 1:50 slope in all directions. Accessible parking spaces may be angled as long as all other requirements specified in this section are met (see Figure H.6a-1 of the technical drawings on file in the city planning department). Access aisles adjacent to accessible spaces shall be a minimum of sixty inches in width. The spaces shall be eighteen feet in length.
  - b. Van Accessible Parking Spaces. Van accessible spaces shall be a minimum of ninety-six inches wide and eighteen feet in length and shall be served by an access aisle a minimum of ninety-six inches wide.

The access aisle for a van-accessible space must be located on the driver's right hand side of the van as it would be parked in the space. The minimum vertical clearance for van accessible spaces and vehicle routes between van-accessible spaces and the site entrance/exit shall be ninety-eight inches. A sign alerting van users to the presence of the wider aisle is required but the space is not restricted to vans. Parking spaces may not exceed a 1:50 slope in all directions. Van accessible parking spaces may be angled as long as all other requirements specified in this section are met (see figure H.6b-2 of the technical drawings on file in the city planning department). A van accessible space and an accessible space may share an access aisle as long as that aisle is at least ninety-six inches wide.

c. Parking Access Aisles. Parking access aisles must be part of the accessible route to the building and must comply with the accessible route requirements (subsection (H)(2) of this section). Vehicle overhang may not reduce the required width of an accessible route.

d. Universal Parking. An alternative to the provision of separate van accessible spaces is the provision of "universal parking." Universal parking spaces shall be one hundred thirty-two inches wide with a sixty inch wide access aisle. These stalls do not have to be signed separately for van-accessibility but do need to meet signage requirements set forth in subsection (H)(5) of this section.

7. Protruding Objects. Objects projecting from walls with their leading edges between twenty-seven inches and eighty inches above the finished floor shall protrude no more than four inches into walks, passageways or aisles (see Figure H.7-1 of the technical drawings on file in the city planning department). Objects mounted with their leading edges at or below twenty-seven inches above the finished floor may protrude any amount (see Figures H.2d-1 and H.7-1 of the technical drawings on file in the city planning department). Freestanding objects mounted on posts or pylons may overhang a maximum of twelve inches from twenty-seven inches to eighty inches above the ground or finished floor. Protruding objects shall not reduce the clear width of an accessible route or maneuvering space (see Figure H.7-2 of the technical drawings on file in the city planning department).

8. Passenger Loading Zones. Passenger loading zones shall provide an access aisle at least sixty inches wide and twenty feet long adjacent and parallel to the vehicle pull-up space. If there are curbs between the access aisle and the vehicle pull-up space, then a curb ramp complying with subsection (H)(3) of this section shall be provided. Vehicle standing spaces and access aisles shall be level with surface slopes not exceeding 1:50 (two percent) in all directions. Any loading zone must maintain a minimum of one hundred fourteen inches of vertical headroom. This one hundred fourteen inch clearance is also required along at least one vehicle route from the passenger loading zone to the site entrance and exit. For purposes of this chapter, valet parking areas shall meet the same requirements as passenger loading zones.

9. Addition of Accessible Parking in Existing Parking Lot. Whenever a parking facility which does not meet the requirements of subsections (H)(4), (H)(5) or (H)(6) of this section is re-striped, or when existing parking markings are to be repainted, such parking markings shall be altered to conform to the requirements of subsections (H)(4), (H)(5) or (H)(6) of this section. If the entity providing the parking facility is required to eliminate one or more parking spaces to comply with this provision, such elimination shall be permitted without requiring a variance to the parking requirements.

a. This provision shall apply only to parking facilities providing for four (4) or more parking stalls.

b. Nothing in this section shall be construed to require the reconstructions of any parking lot to achieve the requisite slope required in the construction of a new parking facility.

I. Residential Requirements. New single-family residential off-street parking shall consist of a driveway, garage, or combination thereof. The parking areas shall be paved to accommodate at least two off-street parking spaces of nine feet by eighteen feet each. The hard surface improvements on driveways must begin at the street or curb line and either extend to the garage or parking slab or a minimum of fifty feet. All portions of the required paving for parking shall be outside of the public right-of-way.

**BE IT ORDAINED** by the City of Rapid City that Section 17.52.030 of Chapter 17.52 of the Rapid City Municipal Code be amended to read as follows:



**17.52.030 Continuation and change of use.**

The legal nonconforming use of a legal nonconforming building or structure may be continued, except in all residential districts, and a legal nonconforming building or structure which was arranged and designed, and which is used for a use permitted only in a commercial or industrial district, shall be removed or it shall be altered and converted to a legal conforming building or structure designed and used for a use permitted in the district in which it is located, within one year after the termination of the respective periods of time set out hereinafter. Such periods shall be computed from the effective date of the ordinance codified herein. The following are established as the reasonable periods for amortization of the normal, useful life of each class of building and type of construction above the foundations, the types of construction being defined and specified in the ~~Uniform Building Code~~ current building codes adopted by the City of Rapid City:

- A. Type I fire resistive construction, thirty years;
- B. Type II heavy timber construction, twenty-five years;
- C. Type III ordinary masonry construction, twenty years;
- D. Type IV metal frame construction, twelve years;
- E. Type V wood frame construction, seven years;

**BE IT ORDAINED** by the City of Rapid City that Section 17.54.050 of Chapter 17.54 of the Rapid City Municipal Code be amended to read as follows:

**17.54.050 Certificate of occupancy.**

No new building shall be occupied and no change in occupancy of a building or part of a building shall be made until after the building inspector shall have issued a certificate of occupancy therefore as regulated in the ~~Uniform Building Code~~ current building codes adopted by the City of Rapid City.

CITY OF RAPID CITY

\_\_\_\_\_  
Mayor

ATTEST:

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

(SEAL)