

**ORDINANCE NO. 5076**

**AN ORDINANCE TO ESTABLISH THE CANYON LAKE OVERLAY ZONING DISTRICT BY ADDING CHAPTER 17.58 TO TITLE 17 OF THE RAPID CITY MUNICIPAL CODE**

WHEREAS, pursuant to SDCL 11-4-1 the City of Rapid City has the authority to regulate and restrict the height, number of stories, size of buildings and other structures, the percentage of a lot that may be occupied, the size of yards, courts and other open spaces, the density of population and the location and use of buildings, structures and land for trade, industry, residence and other purposes; and

WHEREAS, the area known bounded by Canyon Lake Drive on the North and West, Jackson Boulevard on the South and 32<sup>nd</sup> Street on the East is commonly known as the Canyon Lake Neighborhood; and

WHEREAS, the current residences located in the Canyon Lake Neighborhood are predominately single family residences; and

WHEREAS, the land within the Canyon Lake Neighborhood is predominately zoned as medium density residential; and

WHEREAS, multiple family structures are a permitted use in a medium density residential zoning district; and

WHEREAS, the introduction of multiple family structures into an environment consisting primarily of single family residences can have a potentially negative impact on the already existing neighborhood and result in conflict; and

WHEREAS, the adoption of additional zoning regulations that minimize the impact of new development in already existing neighborhoods can minimize the negative impact of new development and help to mitigate conflict; and

WHEREAS, the City of Rapid City deems it to be in the City's best interest to amend Title 17 of the Rapid City Municipal Code by adding Chapter 17.58.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that Title 17 of the Rapid City Municipal Code be amended by adding Chapter 17.58 to read as follows:

Chapter 17.58

**CANYON LAKE OVERLAY ZONING DISTRICT**

**Sections:**

- 17.58.010 General description.**
- 17.58.020 Boundaries.**
- 17.58.030 Area set back regulations.**
- 17.58.040 Landscaping.**
- 17.58.050 Screening.**
- 17.58.060 Density.**
- 17.58.070 Lighting.**
- 17.58.080 Parking.**
- 17.58.090 Streets.**
- 17.58.100 Snow removal areas.**
- 17.58.110 Garbage removal areas.**
- 17.58.120 Planned residential development.**

**17.58.010 General description.**

The Canyon Lake Overlay Zoning District is added as an overlay district to the existing Medium Density Residential District, Park Forest District, Public District, Neighborhood Commercial District, Office Commercial District and General Commercial District. All provisions of the underlying district are applicable. If the Canyon Lake Overlay Zoning District imposes a greater restriction than the underlying zoning district regulations, the Canyon Lake Overlay Zoning District shall control. This district is intended to preserve and enhance the unique residential character of the Canyon Lake Neighborhood by establishing special standards that address access, site development, landscaping and parking.

**17.58.020 Boundaries.**

The Canyon Lake Overlay Zoning District will be bound on the north and west by Canyon Lake Drive, on the east by 32<sup>nd</sup> Street, and on the south by Jackson Boulevard.

**17.58.030 Area set back regulations.**

All buildings shall be set back from street right-of-way lines and lot lines as follows:

A. Low Density Residential Districts:

1. Front yard: Dwellings and detached garages shall be set back not less than twenty-five feet from the front property line.
2. Side yard: For a single-story dwelling, located on interior lots, side yards shall be not less than eight feet in width. For dwellings of two stories or more, there shall be a side yard requirement of not less than twelve feet. When a structure is determined to be one story for a minimum distance of twelve feet from the side wall an eight-foot-side yard shall be allowed. Lots having frontage on more than one street shall provide the required front yards along those streets.
3. Rear yard: For main buildings there shall be a rear yard of not less than twenty-five feet.

B. Medium Density Residential Districts:

1. Front yard: Single or double family dwellings shall have the same front yard regulations as Low Density Residential Districts. For multifamily structures of three or more units, the front yard setback shall be set back not less than twenty-five feet from the front property line.
2. Side yard: Single or duplex family dwellings shall have the same side yard regulations as Low Density Residential Districts. For a single story multifamily structure of three or more units, there shall be a side yard setback of not less than eight feet. For multifamily dwellings of three or more units of two stories or more, there shall be a side yard requirement of not less than fifteen feet. For multifamily structures of three or more with more than a two story building, the side yard setback shall be the mandatory setback for a two story building plus one extra foot of setback per extra three feet in building height.
3. Rear yard: Single or duplex family dwellings shall have the same rear yard regulations as Low Density Residential Districts. For multifamily dwellings of three or more, the rear yard setback shall be not less than twenty-five feet.

C. Park Forest District:

1. Front yard: Dwellings and detached garages shall be set back not less than twenty-five feet from the front property line.
2. Side yard: For a single-story dwelling, located on interior lots, side yards shall not be less than thirty feet in width.
3. Rear yard: For main buildings there shall be a rear yard of not less than fifty feet.

D. Public District:

1. Front yard: All buildings shall be set back a minimum of twenty-five feet from the front property line.
2. Side yard: No building shall be located closer than twenty-five feet to the side lot line.
3. Rear yard: No building shall be located closer than twenty-five feet to the rear lot line.

E. Neighborhood Commercial District:

1. Front yard: All buildings shall be set back from the street right-of-way lines not less than twenty-five feet.
2. Side yard: On the side of a lot adjoining a residential district there shall be a side yard of not less than twenty-five feet. There shall be a side yard setback from an intersection street of not less than twenty-five feet.
3. Rear yard: There shall be a rear yard, alley, service court or combination thereof, of not less than thirty feet in depth, and all of the service areas of all buildings shall be completely screened from public view with permanent ornamental screening materials.

F. Office Commercial District:

1. Front yard: All buildings shall be set back a minimum of twenty-five feet from the front property line.

2. Side yard: No building shall be located closer than twenty-five feet to a side property line, except when the side lot line abuts a commercial district.
  3. Rear yard: No building shall be located closer than twenty-five feet to the rear lot line, except when the rear lot line abuts a commercial district.
- G. General Commercial District:
1. Front yard: All buildings shall be set back a minimum of twenty-five feet from the front property line.
  2. 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.
  3. 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.

**17.58.040 Landscaping.**

- A. For single family and two family structures, no landscaping is required.
- B. For multifamily structures of three or more units located adjacent to single family/duplex/townhouse dwellings, landscaping shall be provided as per Chapter 17.50.300 of the Rapid City Municipal Code. Landscaping shall be maintained in a live vegetative state. .
- C. For any multifamily structures of three or more units, a streetscape landscaping buffer of ten feet in the front yard setback shall be required to include a minimum of 10% of the required landscaping points.
- D. All other structures shall meet the landscaping required in the respective zoning districts.

**17.58.050 Screening.**

- A. For any multi-family dwelling of three or more units, a six foot screening fence shall be placed along the side and rear yards located adjacent to single family/duplex/townhouse dwellings. The finished side shall face the adjacent single family/duplex/townhouse property. The screening fence shall be maintained in good condition and shall consist of an opaque fence not to include chain link fencing with slats. The six foot screening fence shall not be located in the front yard or street side setback.
- B. For any multifamily structure of three or more units, heating and cooling systems are to be screened if adjacent to single family dwellings. Screening may consist of shrubs, berms, fences or other appropriate materials.

**17.58.060 Density.**

For any multi-family dwelling of three or more units, the lot size for each additional unit shall be 2000 square feet per dwelling unit.

**17.58.070 Lighting.**

A. All outdoor lighting shall be reflected within the property boundaries so as to not shine onto adjoining properties and rights-of-ways and to not be a hazard to the passing motorist or constitute a nuisance of any kind.

B. There shall be no lit signage for residential uses and no internally lit signs for all other uses.

**17.58.080 Parking.**

All multi-family dwelling units shall provide a minimum of two off street parking spaces per dwelling unit. For multi-family dwelling units of four and above, there shall be additional guest parking space as provided in the following chart:

Dwelling units	Guest Parking Spaces
4-7	1
8-11	2
12-15	3
16-19	4
20-23	5
24-27	6
28 + units	1 additional per 4 dwelling

**17.58.090 Streets.**

For any multi-family dwelling of three or more units, the street providing access to the project shall comply with the street design criteria manual.

**17.58.100 Snow removal areas.**

For any multi-family dwelling of three or more units, a snow removal area shall be designated that will not interfere with the normal requirements for parking or landscaping.

**17.58.110 Garbage collection areas.**

For any multi-family dwelling of three or more units, a garbage collection area shall be designated. The designated garbage collection area shall be screened.

**17.58.120 Planned residential development.**

A Planned Residential Development shall be submitted for review and approval by the Planning Commission for any multi-family dwelling structure of three or more units.