

Draft

ORDINANCE NO. 5279

AN ORDINANCE AMENDING SECTION 17.22.030 OF CHAPTER 17.22 OF THE RAPID CITY MUNICIPAL CODE BY REVISING THE LETTERING OF SUBSECTION 17.22.030 (J) TO ALLOW CELLULAR COMMUNICATION AND RADIO AND TELEVISION STATION TRANSMISSION TOWERS, AND MINOR ACCESSORY STRUCTURES AS A CONDITIONAL USE TO SUBSECTION 17.22.030 (M)

WHEREAS, pursuant to the authority granted to it by Chapter 11-4 of the South Dakota Codified Laws Rapid City has adopted zoning regulations identifying conditional uses permitted in all zoning districts; and

WHEREAS, cellular communication and radio television transmission towers and minor accessory structures as a Conditional Use in the Light Industrial Zoning District was approved by the City Council on September 4, 2001 under Section 17.22.030 (J); and

WHEREAS, off premise signs as a Conditional Use in the Light Industrial Zoning District was approved by the City Council on May 20, 2002 under Section 17.22.030 (J); and

WHEREAS, communication towers and off premise signs are currently allowed as a conditional use in Section 17.22.030 under subsection J; and

WHEREAS, a correction on the lettering is necessary to correct the Rapid City Municipal Code; and

WHEREAS, the City of Rapid City deems it to be in the City's best interest to amend Section 17.22.030 of the Rapid City Municipal Code by revising Cellular Communication and Radio Television Transmission Towers and Minor Accessory Structures as a conditional use in the City's Light Industrial Zoning District from letter (J) to letter (M).

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that Section 17.22.030 of the Rapid City Municipal Code be and hereby is amended to read as follows:

17.22.030 Conditional Uses

A. Single-family residences, subject to the following:

1. Only 1 dwelling unit shall be permitted on each light industrial site under 1 ownership and/or management; and

2. The residential use shall be incidental to the light industrial use and for the purpose of providing security therefor.

B. Animal kennels;

C. Missions, subject to the following:

1. Provide a detailed program and services plan at time of application, including but not limited to, hours of operation and type and extent of supervision;

2. Must meet fire, building and health requirements; and

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

D. Child care centers. In order to be considered for a conditional use in the light industrial zoning district, a child care center must be included, incidental to, or associated with a permitted principal use which is located in close proximity to the proposed child care center site;

E. Churches and similar places of worship, subject to the following:

1. Services, classes and other similar activities involving groups of more than 50 persons shall not be conducted on a regular basis between 7:00 a.m. and 5:00 p.m. on any weekday, Monday through Friday;

2. Youth classes and other similar activities shall not be conducted on a regular basis between 7:00 a.m. and 5:00 p.m. on any weekday, Monday through Friday;

3. No dormitory or residence shall be maintained on the subject property, provided, however, a single caretaker apartment may be permitted within the principal structure;

4. Such church or similar place of worship shall only occupy existing structures; no substantial new construction shall be undertaken to accommodate such church or place of worship;

5. All church parking requirements as to number and size of stalls and paving shall be met; and

6. The applicant for a conditional use for a church or similar place of worship shall file with the Planning Department a detailed program of its services and activities, including hours of operation and methods of separating on-lot industrial traffic from church traffic and parking. The applicant shall further demonstrate that use of the proposed site for such purposes will not significantly conflict with the use of other property located in the zoning district or in adjacent areas.

F. Business and vocational schools;

G. Planned commercial developments as regulated in §§ 17.50.050 through 17.50.100;

H. Community corrections facility;

I. Planned industrial developments as regulated in §§ 17.50.050 through 17.50.105;

J. Off-premises signs in accordance with Chapter 15.28 and the requirements of § 17.50.380;

K. Wind energy conversion systems according to the requirements of § 17.50.215; and

L. Microcell wireless communications facilities on poles as defined in § 17.50.400B; and

M. Cellular communication and radio and television station transmission towers, and minor accessory structures.

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer

(SEAL)
First Reading:
Second Reading:
Published:
Effective: