

STAFF REPORT
April 5, 2007

No. 07OA004 - Ordinance Amendment to amend Section 17.22.030 of Chapter 17.22 of the Rapid City Municipal Code by adding a new subsection 17.22.030(M) to allow Cellular Communication and radio and television station transmission towers and minor accessory structures as a Conditional Use in Light Industrial Zoning District

ITEM 27

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	No. 07OA004 - Ordinance Amendment to amend Section 17.22.030 of Chapter 17.22 of the Rapid City Municipal Code by adding a new Subsection 17.22.030 (M) to allow Cellular Communication and radio and television station transmission towers and minor accessory structures as a Conditional Use in Light Industrial Zoning District
DATE OF APPLICATION	3/9/2007
REVIEWED BY	Karen Bulman

RECOMMENDATION: Staff recommends that the Ordinance Amendment to amend Section 17.22.030 of Chapter 17.22 of the Rapid City Municipal Code by revising Subsection (J) to allow Cellular Communication and radio and television station transmission towers and minor accessory structures as a Conditional Use in Light Industrial Zoning District to a new Subsection (M) be approved.

GENERAL COMMENTS: On September 4, 2001, an Ordinance Amendment (01OA013) was approved by the City Council as Subsection (J) to allow cellular communication and radio and television station transmission towers and minor accessory structures as a Conditional Use in the Light Industrial Zoning District. On May 20, 2002, a separate Ordinance Amendment (01OA025) was processed for off premise signs for several zoning districts including Subsection (J) under Conditional Uses in the Light Industrial Zoning District. The City Attorney's staff has determined that both amendments are currently valid regulations. However, only the latest amendment for off premise signs is visible in the Rapid City Municipal Code.

STAFF REVIEW: During review of a recent application for an Ordinance Amendment to add communication towers and antennas as a Conditional Use in the Heavy Industrial and Light Industrial Zoning District (07OA003), it was noted that the use is allowed as a Conditional Use in the Light Industrial Zoning District as approved by the City Council in September 2001. This Ordinance Amendment will correct the duplication of the two Subsection (J)'s by revising Section 17.22.030 of the Rapid City Municipal Code by changing the letter of Subsection (J) for the Conditional Use for communication towers and antennas in the Light Industrial Zoning District to Subsection (M).

Staff recommends approval of the Ordinance Amendment to revise Chapter 17.22.030 of the Rapid City Municipal Code by revising Subsection (J) to allow Cellular Communication

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and radio and television station transmission towers and minor accessory structures as a Conditional Use in Light Industrial Zoning Districts to Subsection (M).