

STAFF REPORT
July 23, 2009

No. 09OA005 - Ordinance Amendment to allow Wind Energy Conversion Systems and Microcell Wireless Antennas on poles as Conditional Uses in the Heavy Industrial Zoning District by Amending Section 17.24.030 of the Rapid City Municipal Code **ITEM 9**

GENERAL INFORMATION:

APPLICANT	City of Rapid City
REQUEST	No. 09OA005 - Ordinance Amendment to allow Wind Energy Conversion Systems and Microcell Wireless Antennas on poles as Conditional Uses in the Heavy Industrial Zoning District by Amending Section 17.24.030 of the Rapid City Municipal Code
DATE OF APPLICATION	6/26/2009
REVIEWED BY	Monica Heller

RECOMMENDATION: Staff recommends that the Ordinance Amendment to allow Wind Energy Conversion Systems and Microcell Wireless Antennas on poles as Conditional Uses in the Heavy Industrial Zoning District by Amending Section 17.24.030 of the Rapid City Municipal Code be approved.

GENERAL COMMENTS: This proposed Ordinance Amendment will add two subsections inadvertently removed from section 17.24.030. On August 6, 2001 the City Council approved an Ordinance Amendment to allow wind energy conversion systems as a Use on Review in certain zoning districts, including the Heavy Industrial Zoning District. On October 17, 2005, the City Council approved an Ordinance Amendment to allow microcell wireless antennas on utility poles, telephone poles, utility facilities and light poles as a conditional use in the Heavy Industrial Zoning District. On June 25, 2009, 2008, the Planning Commission authorized staff to advertise for a public hearing on an Ordinance Amendment to allow Wind Energy Conversion Systems and Microcell Wireless Antennas on poles as Conditional Uses in the Heavy Industrial Zoning District by Amending Section 17.24.030 of the Rapid City Municipal Code, as previously approved by the City Council.

STAFF REVIEW: This proposed Ordinance Amendment will add two subsections inadvertently removed from section 17.24.030. On August 6, 2001 the City Council approved an Ordinance Amendment to allow wind energy conversion systems as a Use on Review in certain zoning districts, including the Heavy Industrial Zoning District. On October 17, 2005, the City Council approved an Ordinance Amendment to allow microcell wireless antennas on utility poles, telephone poles, utility facilities and light poles as a conditional use in the Heavy Industrial Zoning District. Staff recommends that the Ordinance Amendment to allow Wind Energy Conversion Systems and Microcell Wireless Antennas on poles as Conditional Uses in the Heavy Industrial Zoning District by Amending Section 17.24.030 of the Rapid City Municipal Code be approved as follows:

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17.24.030 Conditional uses.

- A. The following uses shall be allowed as conditional uses:
1. Acid manufacture;
 2. Blast furnace or coke oven;
 3. Cement, lime, gypsum or plaster of paris manufacture;
 4. Distillation of bones;
 5. Drop-forge industries manufacturing forging with power hammers;
 6. Explosives, manufacture or storage;
 7. Fat rendering, except as an incidental use;
 8. Fertilizer manufacture;
 9. Garbage, offal or dead animals reduction or dumping;
 10. Glue manufacture;
 11. Ore reduction;
 12. Paper and pulp manufacture;
 13. Processing of junk (junkyard), waste, discarded or salvaged materials, machinery or equipment, including automobile wrecking or dismantling, as regulated in § 17.50.160;
 14. Refuse dumps;
 15. Rock, sand or gravel or earth excavation, crushing or distribution;
 16. Saw mill;
 17. Slaughter of animals, including poultry killing or dressing;
 18. Smelting of tin, copper, zinc or iron ores;
 19. Stockyards or feeding pens;
 20. Tannery or the curing or storage of raw hides;
 21. Animal kennels;
 22. Missions, subject to the following:
 - a. 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;
 - b. Must meet fire, building and health requirements; and
 - c. Any significant modification in the program and services plan will require a new application.
 23. Single-family dwelling units and mobile homes subject to the following:
 - a. Only 1 dwelling unit or mobile home is allowed for each industrial site under 1 ownership and/or management;
 - b. The use is incidental to the industrial use and used only for security purposes or as a caretaker residence;
 - c. Approval of the incidental use is obtained by all applicable emergency service organizations; and
 - d. A conditional use will not be granted when another principal or accessory use, with a high hazard industrial occupancy (as defined by the NFPA) is located on the property. A high hazard industrial occupancy includes structures or facilities where there are processes involving highly combustible, highly flammable or explosive materials, or structures where

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materials are likely to burn with extreme rapidity or to produce poisonous fumes or gases. Also included are industrial facilities where flammable liquid are routinely handled, used or stored in large quantities, or those facilities where explosive dust from grain, wood, flour, plastic, aluminum, magnesium or similar materials are produced.

24. Planned industrial developments as regulated in §§ 17.50.050 through 17.50.105.
- B. All other similar uses which the Common Council declares to be special uses; and
 - C. On-premises signs as regulated by Chapter 15.28 of this code.
 - D. Wind energy conversion systems according to the requirement of § 17.50.215; and
 - E. Microcell wireless communications facilities on poles as defined in § 17.50.400B.