

ORDINANCE NO. 5746

AN ORDINANCE REDUCING FRONT YARD SETBACKS ON CERTAIN STREET CLASSIFICATIONS IN THE HIGH DENSITY RESIDENTIAL DISTRICT BY AMENDING SECTION 17.14.040 OF THE RAPID CITY MUNICIPAL CODE.

WHEREAS, pursuant to the authority granted to it in SDCL 11-4-1, the City of Rapid City (the "City") has adopted a zoning ordinance which in part regulates the size of yards and the location and use of buildings; and

WHEREAS, the Second Floor Review Committee (the "Committee") has been reviewing existing ordinances and processes in order to provide recommendations to the Planning Commission and the City Council regarding potential increase in efficiencies in development review actions; and

WHEREAS, based on the Committee's review, it appears many planned residential development applications have been submitted to reduce front building setback requirements; and

WHEREAS, the Committee has recommended certain front yard setbacks in residential zoning districts be reduced; and

WHEREAS, the reduced setbacks recommended by the Committee are consistent with setbacks that are currently being approved by the Planning Commission as part of planned residential developments; and

WHEREAS, adopting the Committee's recommended setbacks is likely to decrease the need for planned residential developments and thereby increase the efficiency of development review actions; and

WHEREAS, the Common Council of the City of Rapid City deems it to be in the City's best interests to adopt the Committee's recommendations and approve the reduced setbacks by amending Section 17.14.040 of the Rapid City Municipal Code.

NOW THEREFORE, BE IT ORDAINED, by the City of Rapid City, that Section 17.14.040 of the Rapid City Municipal Code is hereby amended to read as follows:

17.14.040 Area regulations.

All buildings shall be set back from street right-of-way lines and lot lines to comply with the following yard requirements:

A. *Front yard.*

1. Arterial street rights-of-way.

a. For single-family, 2-family and multiple-family and assisted living centers not exceeding 5 stories or 45 feet in height, the minimum depth of the front yard shall be 25 feet.

b. For multiple-family and assisted living centers having a height 5 stories or 45 feet, the minimum depth of the front yard shall be 35 feet.

c. Churches and other main and accessory buildings, as regulated in the MDR district.

2. Collector street rights-of-way.

a. For single-family, 2-family and multiple-family and assisted living centers not exceeding 5 stories or 45 feet in height, the minimum depth of the front yard shall be 25 feet.

b. For multiple-family and assisted living centers having a greater height than 5 stories or 45 feet, the minimum depth of the front yard shall be 35 feet.

c. Side loaded garages (attached to the dwelling) shall be set back not less than 20 feet from the front property line.

d. All other main and accessory structures, including churches, be set back not less than 35 feet from the front property line.

3. Subcollector street rights-of-way or lane/place street rights-of-way.

a. For single-family, 2-family and multiple-family and assisted living centers not exceeding 5 stories or 45 feet in height, the minimum depth of the front yard shall be 20 feet.

b. For multiple-family and assisted living centers having a greater height than 5 stories or 45 feet, the minimum depth of the front yard shall be 35 feet.

c. Side loaded garages (attached to the dwelling) shall be set back not less than 15 feet from the front property line.

d. All other main and accessory structures, including churches, shall be set back not less than 35 feet from the front property line.

B. *Side yard.*

1. For single-story dwellings, side yard requirements shall be the same as for the MDR district.

2. For multiple-family and assisted living centers not exceeding 5 stories or 45 feet in height, there shall be a side yard of not less than 12 feet.

3. For multiple-family and assisted living centers ~~not~~ exceeding 5 stories or 45 feet in height, there shall be a side yard of not less than 16 feet.

4. All other side yard requirements shall be the same as in the MDR district.

C. *Rear yard.*

1. For single-family, 2-family, multiple-family and assisted living centers not exceeding 5 stories or 45 feet in height, the minimum depth of the rear yard shall be 25 feet.

2. For multiple-family structures and assisted living centers having a greater height than 5 stories or 45 feet, the minimum depth of the rear yard shall be 30 feet.

3. Unattached buildings of accessory use shall not be located closer to any rear lot line than 5 feet.

D. *Setback from section lines.* Principal and accessory buildings and structures shall be set back no less than 58 feet from any section line. No setback is required from any legally vacated section line; however, if the vacated section line forms a property line, the applicable side, rear or front yard setbacks shall be observed.

E. *Lot width.* Same as for the MDR district.

F. *Intensity of use.*

1. The lot area requirement for single and 2-family dwellings shall be in accordance with the MDR district.

2. a. For multiple-family structures or assisted living centers that do not exceed 5 stories or 45 feet in height, the lot area requirements shall be not less than 6,000 square feet plus an additional 1,500 square feet for each dwelling unit or 650 square feet for each assisted living room or suite.

b. For multiple-family or assisted living centers that exceed 5 stories or 45 feet in height, the lot area requirements shall be not less than 6,000 square feet plus an additional 750 square feet for each dwelling unit or 320 square feet for each assisted living room or suite.

c. For those structures which provide off-street parking within the main building, the lot area requirement may be reduced 200 square feet per dwelling unit.

G. *Maximum lot coverage.*

1. Maximum lot coverage or building coverage is the portion of net residential land area taken up by buildings. It is obvious that if buildings cover too large a percentage of land, insufficient outdoor space will remain for various uses conducive to health, and this lack of space may also result in inadequate arrangements for circulation.

2. The maximum lot area which may be covered by main buildings shall be as follows:

Residential Structures	Maximum Net Building Coverage
Less than 45 feet or 5 stories in height	30%
Greater than or equal to 45 feet or 5 stories in height	25%

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer

(SEAL)

First Reading:
Second Reading:
Published:
Effective: