

ORDINANCE NO. 5747

AN ORDINANCE REDUCING FRONT YARD SETBACKS ON CERTAIN STREET CLASSIFICATIONS IN THE GENERAL AGRICULTURAL DISTRICT BY AMENDING SECTION 17.34.040 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 17.34.040 of the Rapid City Municipal Code.

NOW THEREFORE, BE IT ORDAINED, by the City of Rapid City, that Section 17.34.040 of the Rapid City Municipal Code is hereby amended to read as follows:

17.34.040 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.~~ ~~All buildings shall be set back from street right-of-way lines to comply with the following front yard requirements:~~

1. ~~The minimum depth of the front yard shall be 25 feet, and an accessory building shall not be located nearer than 35 feet from the front property line.~~

~~2. If 25% or more of the lots on 1 side of the street between 2 intersecting streets are improved with buildings all of which have observed an average setback line of greater than 25 feet, and no building varies more than 5 feet from this average setback line, then no building shall be erected closer to the street line than the minimum setback so established by existing buildings; but this regulation shall not require a front yard of greater depth than 40 feet.~~

~~3. When a yard has double frontage the front yard requirements shall be provided on both streets.~~

1. Arterial Streets.

a. Dwellings and detached garages shall be set back not less than 25 feet from the front property line.

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

2. Collector Streets.

a. Dwellings and detached garages shall be set back not less than 25 feet from the front property line.

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

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

3. Subcollector Street or Lane/Place Streets

a. Dwellings and detached garages shall be set back not less than 20 feet from the front property line.

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

c. 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 dwellings of 1 story located on interior lots, there shall be a side yard on each side of the main building of not less than 8 feet and of not less than 12 feet for dwellings of more than 1 story. For unattached buildings of accessory use there shall

be a side yard of not less than 8 feet; provided, however, that, unattached 1-story buildings of accessory use shall not be required to set back more than 5 feet from an interior side lot line when all parts of the accessory building are located not less than 90 feet from the front property line.

2. Churches and main and accessory buildings, other than dwellings, and buildings accessory to dwellings, shall set back from all exterior and interior side lot lines a distance of not less than 35 feet.

C. *Rear yard.* There shall be a rear yard for a main building of not less than 25 feet or 20% of the depth of the lot, whichever is smaller. Unattached buildings of accessory use may be located in the rear yard of a main building, but shall not be closer than 5 feet from the rear property line.

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.* For dwellings there shall be a minimum lot width of 65 feet at the front building line, and the lot shall abut on a street for a distance of not less than 25 feet.

F. *Intensity of use.*

1. For each dwelling and buildings accessory thereto, there shall be a lot area of not less than 20 acres.

2. For churches and main and accessory buildings other than dwellings and buildings accessory to dwellings, the lot area shall be adequate to provide the yard areas required by this section and the off-street parking areas required in §17.50.270 of this title.

G. *Coverage.* Main and accessory buildings shall not cover more than 25% of the lot area on interior lots, and 30% of the lot area on corner lots. Accessory buildings shall not cover more than 20% of the rear yard.

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer

(SEAL)

First Reading:
Second Reading:
Published:
Effective: