

ORDINANCE NO. 5745

AN ORDINANCE REDUCING FRONT YARD SETBACKS ON CERTAIN STREET CLASSIFICATIONS IN THE MEDIUM DENSITY RESIDENTIAL DISTRICT BY AMENDING SECTION 17.12.050 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 17.12.050 of the Rapid City Municipal Code.

NOW THEREFORE, BE IT ORDAINED, by the City of Rapid City, that Section 17.12.050 of the Rapid City Municipal Code is hereby amended to read as follows:

17.12.050 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. 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 street rights-of-way.

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

a. For single-family, townhome and 2-family dwellings, the minimum depth of the front yard shall be 20 feet.

b. For 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.

c. 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.

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

e. 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 a single-story dwelling, located on interior lots, side yards shall not be less than 8 feet in width. For dwellings of 2 stories or more there shall be a side yard requirement of not less than 12 feet. When a structure is determined to be 1 story for a minimum distance of 12 feet from the side wall, an 8-foot side yard shall be allowed. Lots having frontage on more than 1 street shall provide the required front yards along those streets.

2. 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 more than 90 feet behind the front property line. Accessory buildings on corner lots shall maintain a 35-foot setback on both front and side streets.

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

C. Rear yard.

1. For main buildings, there shall be a rear yard of not less than 25 feet.

2. 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.

1. For single- and 2-family dwellings there shall be a minimum lot width of 50 feet at the front building line.

2. For multiple-family dwellings there shall be a minimum lot width of 100 feet at the front building line.

F. Intensity of use.

1. For each single-family dwelling and building accessory thereto, served by a sanitary sewer system, there shall be a lot area of not less than 6,500 square feet.

2. For each 2-family dwelling there shall be a lot area of not less than 8,000 square feet.

3. For multiple-family structures, there shall be a lot area of not less than 5,000 square feet plus an additional 1,500 square feet for each multiple-family unit or assisted living suite or room. For those structures which provide all required off-street parking within the main structure, the lot area requirement may be reduced 280 square feet per unit.

4. a. For those single-family dwellings and buildings accessory thereto, not served by a sanitary sewer system, there shall be a minimum lot area of 1 acre; however, the Health Department may, because of an adequate soil

percolation test, permit a lesser area, but in no case less than 20,000 square feet.

b. For 2-family dwellings and buildings accessory thereto, not served by a sanitary sewer system, there shall be a minimum lot area of 1½ acres; however, the Health Department may, because of an adequate soil percolation test, permit a lesser area, but in no case less than 20,000 square feet.

5. For churches and other 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 chapter and the off-street parking areas required in §17.50.270; provided, however, that, the lot for a church shall not be less than 30,000 square feet.

G. *Maximum lot coverage.* Main and accessory buildings shall cover not more than 30% of the lot area.

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer

(SEAL)

First Reading:

Second Reading:

Published:

Effective: