

Ordinance No. 5881

**AN ORDINANCE AMENDING PORTIONS OF CHAPTER 17.50 AND SECTION 17.50.010 REGARDING THE CHAPTER TITLE (CHAPTER 17.50: SUPPLEMENTARY REGULATIONS APPLICABLE TO SOME OR ALL DISTRICTS), ARTICLE I TITLE (ARTICLE I. DEVELOPMENT STANDARDS FOR CONDITIONAL USES), AND GENERAL REGULATIONS SECTION AND ADOPTING NEW CHAPTER TITLE (CHAPTER 17.50: SUPPLEMENTARY REGULATIONS), ARTICLE TITLE (ARTICLE I. DEVELOPMENT REQUIREMENTS AND STANDARDS FOR CONDITIONAL USES, PLANNED DEVELOPMENT OVERLAY DISTRICTS, PLANNED UNIT DEVELOPMENT ZONING DISTRICTS, AND ADMINISTRATIVE EXCEPTIONS), AND GENERAL PROVISIONS SECTION IN SECTION 17.50.010 OF THE RAPID CITY MUNICIPAL CODE**

WHEREAS, the City of Rapid City has adopted regulations in Chapter 17.50 concerning supplementary regulations for zoning districts; and

WHEREAS, the Common Council wishes to change the title of Chapter 17.50 and the title of Article I within that chapter to better reflect the contents of those sections; and

WHEREAS, the City wishes to update the general provisions found in Section 17.50.010 to better define the purposes of the provisions in Chapter 17.50 concerning Planned Development Overlay Districts, Planned Unit Development Zoning Districts, and Administrative Exceptions.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that the title of Chapter 17.50, title of Article I within 17.50, and Section 17.50.010 are hereby amended as follows:

17.50: Supplementary ~~Rr~~regulations ~~applicable to some or all districts~~ **applicable to some or all districts**

Article I. Development **Requirements and Standards for Conditional Uses, Planned Development Overlay Districts, Planned Unit Development Zoning Districts, and Administrative Exceptions.**

~~17.50.010 Generally Provisions.~~

~~17.50.020 Townhouses General requirements.~~

~~17.50.030 Townhouses Standard requirements.~~

~~17.50.040 Townhouses Procedure.~~

~~17.50.050 Planned Development Overlay District (PD).~~

~~17.50.060 Planned Unit Development (PUD) Zoning District.~~

~~17.50.070 Administrative exceptions.~~

~~17.50.080 **Reserved** Reserved Signage.~~

~~17.50.090 **Reserved** Reserved Off Premises Signage.~~

~~17.50.100 **Reserved** Reserved On Premises Signage.~~

- ~~17.50.105 Reserved.~~
- ~~17.50.110 Manufactured home parks.~~
- ~~17.50.120 Cemetery.~~
- ~~17.50.130 Drive in theater.~~
- ~~17.50.140 Public and private utilities and services.~~
- ~~17.50.150 Child care centers.~~
- ~~17.50.160 Automobile wrecking and junkyards.~~
- ~~17.50.170 Recreational fads.~~
- ~~17.50.180 Motel complex.~~
- ~~17.50.185 On-sale liquor establishment.~~
- ~~17.50.186 Sexually oriented businesses.~~

*Article II. Accessory Uses*

- ~~17.50.190 General regulations.~~
- ~~17.50.200 General provisions.~~
- ~~17.50.210 Permitted accessory structures.~~
- ~~17.50.215 Wind energy conversion systems.~~
- ~~17.50.217 Vertical axis wind turbines.~~

*Article III. Temporary Uses*

- ~~17.50.220 General regulations.~~
- ~~17.50.225 Temporary overnight recreational vehicle parking.~~
- ~~17.50.230 Designated uses.~~
- ~~17.50.240 Permit application.~~

*Article IV. Development Requirements*

- ~~17.50.250 Yard, building setback and open space exceptions.~~
- ~~17.50.260 Height.~~
- ~~17.50.270 Minimum off-street parking requirements.~~
- ~~17.50.280 Storage and parking of trailers and commercial vehicles.~~
- ~~17.50.290 Off-street loading and unloading requirements.~~
- ~~17.50.300 Landscape regulations.~~
- ~~17.50.310 Lighting.~~
- ~~17.50.320 Swimming pools.~~
- ~~17.50.330 Tents.~~
- ~~17.50.335 Sight triangles.~~
- ~~17.50.340 Fences and Walls.~~

*Article V. Specific Uses*

- ~~17.50.340 Gasoline service stations.~~
- ~~17.50.350 Home occupations.~~
- ~~17.50.360 Garage sales.~~

~~17.50.380 Off premises signage as a conditional use.~~ ~~17.50.380 Off premises signage as a conditional use.~~

~~17.50.400 Microcell wireless communications facilities.~~ 17.50.010 Generally Provisions

A. Purpose. In order to accomplish the general purpose of this title it is necessary to give special consideration to certain uses because they are unique in nature, require large land areas, are potentially incompatible with existing development, or because the effects of the uses cannot definitely be foreseen.

B. 1. The Conditional Uses set out in this article shall be subject to compliance with the regulations in this article and with the procedure for authorizing conditional uses as set forth in § 17.54.030.

2. The Planned Development Overlay District allows the Planning Commission to approve an application containing amendments to the development standards in the underlying zone district chapter. The Planned Development Overlay District shall not be used to add additional land uses that are not listed as permitted uses or conditional uses within the underlying zone district. As applicable an application for a Conditional Use Permit and Planned Development Overlay District may be combined into the same application provided the underlying zone district lists the proposed use or uses as a Conditional Use. Planned Development Overlay Districts shall be subject to compliance with the regulations in this article and with the procedure for authorizing conditional uses as set forth in § 17.54.030 as applicable.

3. The Planned Unit Development Zoning District allows for the rezoning of property to allow land uses and development standards not listed within any of the specific zone districts within this Title. Planned Unit Development applications shall be subject to compliance with the regulations in this article and with the procedure for rezoning property as set forth in § 17.54.040 as applicable.

4. The Administrative Exceptions section applies to all zone districts allows the Director of Community Planning & Development Services to approve applications for minor amendments to the development standards in all zoning districts within this Title. Administrative exceptions shall be subject to compliance with the regulations in this article.

EB. The uses set out in this article shall also be subject to compliance with the regulations for building in the flood fringe building district if the lands concerned lie within the flood fringe building district.

CITY OF RAPID CITY

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Mayor

ATTEST:

Finance Officer

(SEAL)

First Reading:

Second Reading:

Published:

Effective: