

STAFF REPORT

June 7, 2001

---

**No. 010A004 – Ordinance Amendment – Fencing/Retaining Walls      ITEM 3**

---

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	<b>No. 010A004 - Ordinance Amendment - Fencing and Retaining Walls</b>
DESCRIPTION	An Ordinance amending Chapter 15.40 of the Rapid City Municipal Code by: setting forth definitions for "retaining wall" and "height"; by allowing fences and walls to be constructed on top of retaining walls in certain zoning districts and according to certain requirements; and, by requiring guard rails on top of retaining walls as required by the Building Code.
REPORT BY	Bill Lass

RECOMMENDATION: Staff recommends that the Ordinance Amendment regarding fencing and retaining walls be approved.

GENERAL COMMENTS: The City Council requested that the Planning Staff research the issues related to allowing the construction of fences on top of retaining walls. Currently, the Municipal Code does not allow the construction of a fence on top of a retaining wall if the retaining wall already meets or exceeds the maximum allowable height for a fence. After review by the Planning Commission and City Council on several occasions, the Planning Commission directed staff to advertise the attached ordinance amendments allowing fences or walls to be constructed directly on top of retaining walls. The highlights of the proposed Ordinance Amendment (attached) are as follows:

- Allows fences to be constructed on top of a retaining wall irregardless of the retaining wall height. The only restriction is that the fence on top of the retaining wall must meet the maximum fence height requirements of the Municipal Code.
- Sets forth a definition for "retaining wall."
- Requires that guard rails be installed on retaining walls as required by the Uniform Building Code.

One important point to note, is that the Municipal Code does not set forth a maximum height requirement for retaining walls. As a result, there will be no maximum overall height of the combined fence and retaining wall structure.

STAFF REVIEW: Based on the direction from the Planning Commission, Staff is recommending approval of the attached ordinance. The proposed amendments will allow greater flexibility for individuals constructing combined fence and retaining wall structures.

STAFF REPORT

June 7, 2001

---

**No. 01OA004 – Ordinance Amendment – Fencing/Retaining Walls      ITEM 3**

---