

ORDINANCE NO. 5691

AN ORDINANCE TO ALLOW SETBACKS TO BE REDUCED FOR EXISTING STRUCTURES AS A RESULT OF DEDICATING RIGHT-OF-WAY OR H LOTS BY ADDING SECTION 17.50.255 TO THE RAPID CITY MUNICIPAL CODE.

WHEREAS, pursuant to SDCL 11-4-1 the City of Rapid City has the authority to regulate and restrict the height, number of stories, size of buildings and other structures, the percentage of a lot that may be occupied, the size of yards, courts and other open spaces, the density of population and the location and use of buildings, structures and land for trade, industry, residence and other purposes; and

WHEREAS, the City has adopted setback requirements for buildings within the designated zoning districts of the City; and

WHEREAS, as a result of the dedication of right-of-way or H lots, existing structures may be in violation of the setback requirements; and

WHEREAS, the City Council deems it to be in the City's best interest to allow setbacks to be reduced for existing structures as a result of dedicating right-of-way or H lots by adding Section 17.50.255 to the Rapid City Municipal Code.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City, that Section 17.50.255 of the Rapid City Municipal Code be added to read as follows:

17.50.255 Reduced setbacks for existing structures.

Whenever, as a result of the dedicating right-of-way or H lots, existing structures no longer conform to the setback requirements of that Zoning District, the setback requirement is hereby reduced as needed to allow the dedication of public right-of-way and/or H lot.

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer

(SEAL)

First Reading:
Second Reading:
Published:
Effective: