

ORDINANCE NO. 5749

**AN ORDINANCE REDUCING FRONT YARD SETBACKS ON CERTAIN STREET CLASSIFICATIONS IN THE LOW DENSITY RESIDENTIAL DISTRICT TWO BY AMENDING SECTION 17.44.050 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 17.44.050 of the Rapid City Municipal Code.

NOW THEREFORE, BE IT ORDAINED, by the City of Rapid City, that Section 17.44.050 of the Rapid City Municipal Code is hereby amended to read as follows:

**17.44.050 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 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 a single-story dwelling, located on interior lots, side yards shall be not 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-wide 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 front yard of not less than 35 feet and 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 lot line.

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 setback no less than 58 feet from any section line. No set back 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 all dwellings there shall be a minimum lot width of 50 feet at the front building line. The lot shall abut on a public street for a distance of not less than 25 feet.

F. *Intensity of use.*

1. a. For each 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.
  - b. For those dwellings and buildings accessory thereto, not served by a sanitary sewer system, there shall be a lot area of not less than 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.
2. 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 section and the off-street parking areas required by §17.50.270; provided, however, that, the lot area for a church shall not be less than 30,000 square feet.

G. *Maximum lot coverage.*

1. Dwellings and buildings accessory thereto shall cover not more than 30% of the lot area.
2. Churches and other main and accessory buildings shall cover not more than 25% of the lot.

CITY OF RAPID CITY

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Mayor

ATTEST:

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Finance Officer

(SEAL)

First Reading:

Second Reading:

Published:

Effective: