

**ORDINANCE NO. 5775**

**AN ORDINANCE ADDING COLLEGES AND UNIVERSITIES AS A CONDITIONAL USE IN THE MEDIUM DENSITY RESIDENTIAL ZONING DISTRICT BY AMENDING SECTION 17.12.030 OF THE RAPID CITY MUNICIPAL CODE.**

WHEREAS, the City of Rapid City has adopted comprehensive regulations regarding the use and development of land pursuant to SDCL 11-4-1; and

WHEREAS, Section 17.12.030 of the Rapid City Municipal Code establishes conditional uses within the Medium Density Residential Zoning District; and

WHEREAS, colleges and universities are not currently an allowed or conditional use within the Medium Density Residential Zoning District; and

WHEREAS, City staff has reviewed the appropriateness of colleges and universities within the Medium Density Residential Zoning District and can support adding them to the conditional uses allowed within the district; and

WHEREAS, the Planning Commission has approved recommending the proposed ordinance to the City Council; and

WHEREAS, the City Council finds that it is in the best interests of the City to add colleges and universities as a conditional use within the City's Medium Density Residential Zoning District by amending Section 17.12.030 of the Rapid City Municipal Code.

NOW THEREFORE, BE IT ORDAINED, by the City of Rapid City, that Section 17.12.030 of the Rapid City Municipal Code is hereby amended to read as follows:

**17.12.030 Conditional uses.**

The following uses may be allowed as a conditional use permit by the City Council in accordance with provisions contained in § 17.54.030:

- A. Any conditional use in an LDR low density residential district;
- B. Fraternities, sororities and denominational student headquarters;
- C. Mobile home parks, subject to the requirements set forth in § 17.50.110;
- D. Nursing home or home for the aged;
- E. Child care centers;

F. A planned residential development as regulated in §§ 17.50.020, 17.50.030 and 17.50.040;

G. Single-family attached dwellings and single-family semidetached dwellings as regulated in §§ 17.50.050 through 17.50.100;

H. Motel complexes, existing as of the date of the ordinance codified in this title, subject to the requirements set forth in § 17.50.180;

I. Group homes, subject to the following:

1. Provide a detailed program and services plan at time of application;
2. Must meet fire, building and health requirements;
3. The Council may or may not wish to add the following conditions:
  - a. Standard hours of operation, i.e., standard;
  - b. Supervision, i.e., type and extent;
  - c. Services and program to be provided;
  - d. Number of persons;
  - e. Proximity to other group homes; and
  - f. Any other condition the Council may deem appropriate.
4. Any significant modification in the program and services plan will require a new application.

J. Retail business may be conducted in apartment buildings only, for the convenience of the occupants of the building, provided there shall be no entrance to the place of business except from the inside of the building.

1. The retail business type shall be limited to those which are listed in § 17.50.350;
2. The Building Inspection Department will be consulted with regard to code requirements; and
3. No outdoor signage shall be allowed.

K. Townhouses as regulated in §§ 17.50.020, 17.50.030 and 17.50.040;

- L. Planned residential developments as regulated in §§ 17.50.050 through 17.50.100;
- M. Planned unit developments as regulated in §§ 17.50.050 through 17.50.100;
- N. Hotel apartment;
- O. Drop-off centers for household recyclables; such centers do not involve processing;
- P. Microcell wireless communications facilities on poles as defined in § 17.50.400B; and
- Q. Adult day care center; and
- R. Vertical axis wind turbines as defined in § 17.50.217.

S. Privately owned colleges and universities subject to, but not limited to, the following considerations:

1. Site Plan in accordance with Section 17.54.030(A)1;

2. An operational plan to include but not limited to:

a. Hours of operation;

b. Maximum number of students, faculty, and other employees;

c. Outdoor activities operation plan;

d. Student housing plan, if applicable;

e. Retail component, if applicable;

f. A development phasing program;

g. Description of proposed land uses;

h. The impact on the neighborhood of noise, odor, smoke, dust, air and water pollution and the degree to which equipment or other methods will mitigate any probable adverse impacts of the proposed use on existing adjacent uses.

3. Traffic and transportation analysis to include but not limited to:

a. Existing traffic flows and projected traffic generated by the proposed use;

b. Proposed pedestrian and vehicular access;

c. Public transportation options

d. Existing and proposed street network;

e. Circulation and parking, including that related to bicycles and other unpowered vehicles and provisions for handicapped persons.

4. Development Engineering documents as required:

a. Domestic and fire supply and demand requirements (estimated);

b. Sanitary sewer flow estimate;

c. Storm water analysis and report.

CITY OF RAPID CITY

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Mayor

ATTEST:

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Finance Officer

(SEAL)

First Reading:

Second Reading:

Published:

Effective: