

**ORDINANCE NO.**

**AN ORDINANCE ADDING TOWING COMPANY AS A PERMITTED USE BY AMENDING SECTION 17.22.020 OF THE RAPID CITY MUNICIPAL CODE.**

WHEREAS, pursuant to the authority granted to it by Chapter 11-4 of the South Dakota Codified Laws Rapid City has adopted zoning regulations identifying uses permitted in all zoning districts; and

WHEREAS, towing companies are not currently allowed as a permitted or conditional use in any of the zoning districts; and

WHEREAS, towing companies serve an important function and should be allowed as a permitted use within an appropriate zoning district; and

WHEREAS, on April 18, 2005, the City Council approved a Determination of Use to authorize towing companies as a permitted use in Light Industrial Zoning Districts; and

WHEREAS, the City of Rapid City deems it to be in the City's best interest to amend Section 17.22.020 of the Rapid City Municipal Code by adding "Towing Company" as a permitted use in the City's Light Industrial Zoning District.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that Section 17.22.020 of the Rapid City Municipal Code be and hereby is amended to read as follows:

**17.22.020 Uses Permitted.**

Property and buildings in the LI light industrial district shall be used only for the following purposes:

- A. A retail or service use only when it directly serves or is auxiliary to the needs of industrial plants or employees thereof;
- B. No residential use shall be permitted in the LI light industrial district;
- C. Any of the following uses:
  - 1. On-premises sign as regulated in Chapter 15.28 of this code,
  - 2. Building material sales yard and lumberyard, including the sale of rock, sand, gravel, and the like as an incidental part of the main business, including a concrete batch plant of a transit mix plant,
  - 3. Contractor's equipment storage yard or plant, or rental of equipment commonly used by contractors,
  - 4. Freighting or trucking yard or terminal,
  - 5. Outdoor storage facilities for class III combustible liquids, coal, coke, building materials, sand, gravel, stone, lumber, open storage of construction contractor's equipment and supplies shall be screened by seven-foot obscuring fence, wall or mass

plantings, or otherwise so located as not to be obnoxious to the orderly appearance of the district,

6. Public utility service yard or electrical receiving or transforming station,
7. Auction house, except for sale of livestock,
8. Tire recapping or retreading,
9. New and used car, truck, motorcycle, snowmobile and boat sales and rentals. Repair shall be permitted as an accessory use to such establishments providing that all body and/or mechanical repair work shall be completed within an enclosed area. All inoperable vehicles shall be stored within a side yard or rear yard which is screened with an opaque fence at least six feet in height. The number of inoperable vehicles stored within a screened yard shall not exceed one per four hundred square feet of building floor area used for vehicle repair. A minimum of two inoperable vehicles per establishment shall be permitted to be stored in a screened yard,
10. Farm implement and machinery new and used sales,
11. Mobile home sales and services,
12. Prefabricated and shell house sales,
13. Mini-warehousing storage facilities where security fencing and screen fencing shall not exceed six feet in height and shall be constructed of wood, decorative block or chain link fence with slats, outdoor storage yards shall be screened from view from surrounding properties, landscaping shall be in accordance with the city's landscaping ordinance,
14. Retail and distribution establishments including sales, display and show rooms and lots,
15. Carwashes,
16. Commercial parking lots and garages,
17. Offices, studios, clinics and laboratories,
18. Financial institutions,
19. Printing and secretarial services,
20. Mail and parcel services,
21. The manufacture and retail sale of firearms and ammunition, provided, that the operation in compliance with the fire code as adopted,
22. Garden centers and sod farms,
23. Manufacture of ammunition and retail sale of firearms and ammunition,
24. Commercial indoor recreational uses including gymnasiums, ice skating rinks and similar establishments,
25. Construction plan review center,
26. Crematorium;
27. Holding rooms with no overnight detention.
28. Towing Company; provided that all towed vehicles are stored either within a building or in an area outside of a required front yard setback, and screened with at least a six foot high opaque fence.

D. The following uses when conducted within a completed enclosed building:

1. The manufacture, compounding, processing, packaging or treatment of such products as bakery goods, candy, cosmetics, dairy products, drugs, perfumes, pharmaceuticals, perfumed toilet soaps, toiletries and food products,
2. The manufacture, compounding, assembling or treatment of articles of merchandise from the following previously prepared materials: aluminum, bone, cellophane, canvas,

cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semiprecious metals or stones, shell, rubber, textiles, tin, iron, steel, wood (excluding saw mill), yard, and paint not involving a boiling process,

3. The manufacture of pottery and figurines or other similar ceramic products, using only previously pulverized clay, and kilns fired only by electricity or gas,

4. The manufacture and maintenance of electric and neon signs, commercial advertising structures, light sheet metal products, including heating and ventilating ducts and equipment, cornices, eaves and the like,

5. The manufacture of musical instruments, toys, novelties, and rubber and metal stamps,

6. Automobile assembling, painting, upholstering, rebuilding, reconditioning, body and fender work, truck repairing and overhauling, tire retreading or recapping, and battery manufacturing,

7. The sale, storage and sorting of junk, waste, discarded or salvaged materials, machinery or equipment, but not including processing,

8. Blacksmith shop and machine shop,

9. Foundry casting, lightweight nonferrous metal not causing noxious fumes or odors,

10. Planing mill,

11. Wholesale or warehouse enterprise,

12. Veterinary establishments; provided, that all animals shall be kept inside soundproof, air-conditioned buildings;

E. Other uses of the same general character as those previously listed deemed appropriate by the city council;

F. Buildings, structures and uses accessory and customarily incidental to any of the previously mentioned uses;

G. Service establishments and filling stations, not to include vehicle repair. Repair shall be permitted as an accessory use to such establishments providing that all body and/or repair work shall be completed within an enclosed area. All inoperable vehicles shall be stored within a building or within a side or rear yard which is screened with an opaque fence at least six feet in height. The number of inoperable vehicles stored within a screened yard shall not exceed one per four hundred square feet of building floor space used for vehicle repair. A minimum of two inoperable vehicles per establishment shall be permitted to be stored in a screened yard;

H. Vehicle repair establishments, provided, that all body and/or mechanical repair work shall be completed within an enclosed area. All inoperable vehicles shall be stored within a building or within a side or rear yard which is screened with an opaque fence at least six feet in height. The number of inoperable vehicles stored within a screened yard shall not exceed one per four hundred square feet of building floor area used for vehicle repair. A minimum of two inoperable vehicles per establishment shall be permitted to be stored in a screened yard.