

CHAPTER 17.10: LDR-1 LOW DENSITY RESIDENTIAL DISTRICT 1

Section

- 17.10.010 General description.
- 17.10.020 Permitted principal and accessory uses and structures.
- 17.10.030 Conditional uses.
- 17.10.040 Temporary uses.
- 17.10.050 Area regulations.
- 17.10.060 Height regulations.
- 17.10.070 Off-street parking.
- 17.10.080 Flood fringe building district.

17.10.010 General description.

This district is intended to be used for single-family residential development with low population densities. Additional permitted uses, by review of the Common Council, include related noncommercial, recreational, religious and educational facilities normally required to provide the basis elements of a balanced and attractive residential area.

(Prior code Appendix A, Art. IV (§ 2 (A)))

17.10.020 Permitted principal and accessory uses and structures.

Property and buildings in an LDR district shall be used only for the following purposes:

- A. Detached single-family dwellings, but not including trailer houses or mobile homes;
- B. Temporary buildings for uses incidental to construction work, which buildings shall be immediately adjacent to the construction work and which buildings shall be removed upon completion or abandonment of the construction work;

C. Transportation and utility easements, alleys and rights-of-way;

D. Accessory uses and buildings, provided such uses are incidental to the principal use and do not include any activity commonly conducted as a business. Any accessory building shall be located on the same lot with the principal building;

E. Signs, as regulated by Chapter 15.28 of this code;

F. Agricultural crops (not to be sold), and not the raising of farm animals or poultry;

G. Home occupation as regulated in § 17.50.350; and

H. Family day care centers. (Ord. 2899 (part), 1991: prior code Appendix A Art. IV (§ 2 (B)))

17.10.030 Conditional uses.

The following uses may be permitted as a conditional use by the Common Council in accordance with provisions contained in § 17.54.030 of this title:

- A. Churches or similar places of worship, with accessory structures, but not including missions or revival tents;
- B. Elementary or high schools, public or private;
- C. Child care centers;

34 Rapid City - Zoning

D. Public parks, playgrounds and playfields, and neighborhood and municipal buildings and uses ~~in keeping with the character and requirements of the district~~

E. Libraries, museums, and historical monuments or structures;

F. Utility substations;

~~G. Plant nursery in which no building or structure is maintained in connection therewith;~~

~~H.G.~~ Golf courses, or country clubs with adjacent grounds of not less than 60 acres, but not including miniature courses and driving tees operated for commercial purposes;

~~I. Cemeteries;~~

~~J.H.~~ Planned residential developments as regulated by §§ 17.50.050 through 17.50.100 of this title;

~~K.I.~~ Planned unit developments as regulated in §§ 17.50.050 through 17.50.100 of this title;

~~L.J.~~ Group homes, subject to the following:

1. Provide a detailed program and services plan at the 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, such as, standard

b. Supervision, such as, 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;

M. Bed and breakfast facility, subject to the following:

1. Off-street parking shall be provided in accordance with § 17.50.260;

2. Evidence of registration with the state Department of Health shall be provided;

3. The bed and breakfast may display 1 sign not more than 2 square feet in area listing the name of the facility. The sign shall be prepared with earthtone colors and shall complement the neighborhood;

4. Any sign lighting shall be from indirect sources which are shielded or hooded to limit adverse affects to neighborhood properties; and

5. The Council may consider the size, proximity to commercial services in making a determination as to whether or not a bed and breakfast is appropriate.

N. Private residential garage which does not meet the definition of private garage subject to the following:

1. That the proposed garage is consistent with the residential character of the property on which it is located and with the surrounding neighborhood;

2. That the proposed garage shall be used only for residential purposes incidental to the principal use of the property;

3. The landscaping or fencing may be required to screen the garage from neighboring properties;

4. That the applicant submits a site plan and elevation drawings in addition to information on what types of building materials will be used for the garage; and

5. That the applicant shall file a notice with the register of deeds indicating that the garage only be used for residential purposes.

O. Assisted living center that is licensed by the state and contains not more than 16 units.

,(Ord. 3872 (part), 2002: Ord. 3760 (part), 2001: Ord. 3198 (part), 1995: Ord. 2964 (part), 1992: Ord. 2899 (part), 1991: prior code Appendix A, Art. IV (§ 2 (C)))

17.10.040 Temporary uses.

A. The Common Council shall have discretion to issue temporary use permits for a period. not to exceed 1 year to allow a use permitted in general commercial and/or other residential districts, provided the Council finds that the following criteria are met; 2 reapplications would be allowed, but not necessarily approved:

1. The structure for which the temporary use permit is to be granted is vacant and is expected to remain vacant if the temporary use permit is not granted;

2. All area, setback and parking requirements of the low density residential and general commercial zoning districts are met without the granting of a variance;

3. The proposed use does not produce more noise, dust, odor, vibration or blast than uses specifically permitted in residential zoning districts;

4. The property for which the temporary use is allowed must border general commercially zoned property at least on 1 side.

B. The procedure for granting temporary use permits under this section shall be the same procedure as for authorizing conditional _ use permits as established under § 17.54.030.

(Ord. 3760 (part), 2001: prior code Appendix A, Art. IV (§ 2 (H)))

17.10.050 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. Dwellings and detached garages shall be set back not less than 25 feet from the front property line.

2. 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 set back no less than 58 feet from any section line. No setback 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. (Ord. 3744 (part), 2001: Ord. 2863 (part), 1991: prior code Appendix A, Art. IV (§ 2 (D)))

17.10.060 Height regulations.

No main building shall exceed 2½ stories or 35 feet in height, except as provided in § 17.50.260. Accessory buildings shall not exceed 15 feet in height. (Prior code Appendix A, Art. IV (§ 2 (E)))

17.10.070 Off-street parking.

As regulated in § 17.50.270.
(Prior code Appendix A, Art. IV (§ 2 (F)))

17.10.080 Flood fringe building district.

Any land that is within the flood fringe building district as provided for in Chapter 15.32 of this code must comply with the additional requirements of that district.
(Prior code Appendix A, Art. IV (§ 2 (G)))