

ORDINANCE NO. 5690

AN ORDINANCE TO REQUIRE THE CONSTRUCTION OF A SIDEWALK FROM A STRUCTURE TO THE RIGHT-OF-WAY BY ADDING SECTION 17.50.305 TO THE RAPID CITY MUNICIPAL CODE.

WHEREAS, Rapid City has adopted a comprehensive plan and zoning regulations pursuant to the authority granted to it in Chapter 11-4 of the South Dakota Codified Laws; and

WHEREAS, Chapter 17.50 of the Rapid City Municipal Code regulates Supplementary Regulations Applicable to Some or All Districts; and

WHEREAS, a sidewalk connection from the primary entrance of all non-residential buildings to a sidewalk located along an adjacent public roadway is not currently required; and

WHEREAS, the Common Council of the City of Rapid City has determined that it is in the City's best interests to require a minimum of one sidewalk connection from a sidewalk located along a public roadway to the primary entrance of all non-residential buildings by adding Section 17.50.305 of the Rapid City Municipal Code.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that, Section 17.50.305 of the Rapid City Municipal Code be and hereby is amended to read as follows:

17.50.305 Minimum pedestrian access requirement.

- A. Duty to provide and maintain pedestrian access.
1. All non-residential buildings will be required to have a minimum of one sidewalk connection from a sidewalk located along a public roadway to the entrance of the primary structure. (A painted crosswalk may only be used for sidewalk crossing within drive aisles.) If no sidewalk exists along the public roadway(s) the development must also construct sidewalk(s) along the full length of the site's property line(s) abutting public roadways within the existing or proposed public right-of-way.
 2. The sidewalk shall be designed and constructed in accordance with the applicable provisions of the Americans with Disabilities Act (ADA).
 3. Every building, or portion of building hereafter erected, and every initiation or expansion of use involving an existing building, shall be provided with permanently maintained pedestrian access as provided in this chapter.
- B. Initiation and expansion of use. Every building, structure or use which does not conform to the requirements of this title shall conform with the provisions of this section when a use is initiated or expanded
1. A use is initiated when:
 - a. A building or structure is erected;
 2. A use is expanded when:
 - a. An existing building or structure is enlarged by 20% or more with respect to square feet of gross floor area (SFGFA);

- b. An existing building or structure is modified internally to accommodate an increased occupant load of 20% or more, as determined by the current building codes adopted by the City of Rapid City;
- c. A use is expanded by 20% or more as measured by area, employees, rooms, seats, dwelling units or occupants.

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer

(SEAL)

First Reading:

Second Reading:

Published:

Effective: