

ORDINANCE NO. 5860

AN ORDINANCE TO AMEND THE REQUIREMENTS FOR CONDITIONAL USE PERMITS FOR OVERSIZED GARAGES BY AMENDING SECTION 17.38.030 OF THE RAPID CITY MUNICIPAL CODE IN THE MOBILE HOME RESIDENTIAL DISTRICT

WHEREAS, the City of Rapid City has adopted municipal ordinance 17.04.315 which concerns private garages; and

WHEREAS that ordinance sets the allowable size for a private garage and provides that a private garage shall not be used for commercial purposes; and

WHEREAS, Rapid City Municipal Code 17.38.030 governs applications for conditional use permits to allow oversized private garages within Mobile Home Residential District areas; and

WHEREAS the Common Council of the City of Rapid City deems it to be in the best interests of the City of Rapid City to amend Ordinance 17.38.030 to remove the requirement that the applicant file a notice with the Register of Deeds limiting the use of the oversized garages to residential purposes only.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that Section 17.38.030 of the Rapid City Municipal Code is hereby amended to read as follows:

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

- 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. Private day nurseries and kindergartens, as regulated in § 17.50.150;
- D. Home occupations as regulation in § 17.50.350;
- E. Public parks, playgrounds and playfields, and neighborhood and municipal buildings and uses in keeping with the character and requirements of the district;
- F. Libraries, museums, and historical monuments or structures;
- G. Utility substations;
- H. Plant nursery in which no building or structure is maintained in connection therewith;

I. 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;

J. Cemeteries;

K. A planned residential development as regulated in §§ 17.50.050 through 17.50.100; and

L. 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; and

4. That the applicant submits a site plan and elevation drawings in addition to information on what types of building material 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.~~

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer

(SEAL)

First Reading:

Second Reading:

Published:

Effective: