



CITY OF RAPID CITY

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MEMORANDUM

TO: Chairman and Members of the Planning Commission

FROM: Brett Limbaugh, Director

DATE: December 6, 2012

RE: No. 12OA012 - An Ordinance Adopting a New Section 17.50.340
Regarding Regulations for Fences and Walls.

On August 6, 2012 City Council acknowledged the Staff memorandum concerning the consolidation of the Sign Code Board of Appeals and the Board of Adjustment. Staff has prepared several Municipal Code revisions to accomplish this consolidation. A section on fences and walls has been codified within the Building Code Title 15 and should be moved to the Zoning Ordinance Title 17 to allow the Board of Adjustment to review variances.

The revised fences and walls section is attached to this memorandum and includes deletions highlighted in yellow and additions highlighted in red. Listed below is a brief summary of the major revisions. :

Section 17.50.340(F)

- This section has been revised to eliminate the requirements that fence and wall exceptions must be approved by the City Council. Fence variances will be subject to review by the Board of Adjustment and the administrative amendments sections within the Planned Development Overlay District, Planned Unit Development District, and Administrative Exceptions sections as applicable.
- A new paragraph has been added to permit agricultural property owners to use and maintain barbed wire fencing for properties being used for agricultural purposes.
- A new paragraph has been added to allow higher fences for recreational uses such as tennis courts and baseball fields.



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- The last paragraph in the prohibited fences section J has been moved to section F and allows the Director to permit alternative fencing materials rather than requiring the Council to perform the review and approval.

Recommendation: Staff recommends that the Planning Commission forward the new ordinance sections to City Council with a recommendation to approve.