

ORDINANCE

AN ORDINANCE AMENDING CHAPTER 17.04 OF THE RAPID CITY MUNICIPAL ORDINANCE BY ADDING NEW SECTION 17.04.483 DEFINING MICROCELL CELLULAR COMMUNICATIONS FACILITIES; AND AMENDING SECTIONS 17.16.020, 17.18.020, 17.34.020, 17.36.020, 17.46.020, 17.48.020 AND 17.56.020 OF CHAPTERS 17.16, 17.18, 17.34, 17.36, 17.46, 17.48 AND 17.56 OF THE RAPID CITY MUNICIPAL CODE BY ADDING MICROCELLULAR CELLULAR COMMUNICATION FACILITIES MEETING CERTAIN STANDARDS TO THE LIST OF USES PERMITTED AND AMENDING SECTIONS 17.16.030, 17.18.030, 17.34.030, 17.36.040, 17.46.030, 17.48.030, AND 17.56.030 OF CHAPTERS 17.16, 17.18, 17.34, 17.36, 17.46, 17.48 AND 17.56 OF THE RAPID CITY MUNICIPAL CODE BY ADDING MICROCELLULAR CELLULAR COMMUNICATION FACILITIES NOT MEETING CERTAIN STANDARDS TO THE LIST OF USES PERMITTED ON REVIEW.

BE IT ORDAINED that Chapter 17.04 of the Rapid City Municipal Code be and is hereby amended by adding a new Section 17.04.483 defining Microcell Cellular Communications Facilities as follows:

17.04.483 "Microcell" Cellular Communications Facilities.

"Microcell" means cellular communications facilities providing communications coverage to a geographically limited and specifically defined area (e.g. a topographically constrained area due to natural or urban built environment). Such facilities are integrated with standard cellular technology (i.e. a macrocell) to provide wireless communication services to the public. The installation of such facilities shall be allowed on the top of existing buildings as a permitted use in certain zoning districts if all of the following criteria are met (otherwise a Use on Review Permit shall be required):

1. No new antenna tower is erected (and the microcell facility is located on an buildings in compliance with this subsection).
2. No antenna shall be located within 30 inches of any space occupied by or available to the public.
3. No antenna shall exceed 6 square feet in area.
4. The equipment shelter associated with a microcell site may not exceed 100 square feet in floor area.
5. The antenna may be mounted on a roof only if the height of the antenna at the highest point does not exceed the horizontal distance from the antenna to the nearest edge of the rooftop.
6. Façade mounted antenna may not exceed five feet above the façade to which it is attached with a maximum projection of eighteen inches.
7. Façade mounted antenna and supporting electrical and mechanical equipment must be the same color as the supporting structure so as to make the antenna and related equipment as unobtrusive as possible.

8. "Any microcell facility and related structures shall be situated in such a way that no interference with fire fighting apparatus or emergency access or exits shall results".

9. "No more than two microcell antennae and related accessory structures shall be located on any single building rooftop".

10. All necessary plans , specifications and structural calculations shall be submitted to the Building Official and if necessary, a building permit application shall be approved prior to the construction of the microcell facility.

BE IT FURTHER ORDAINED that Section 17.16.020 Subsection (23) of Chapter 17.16 of the Rapid City Municipal Code be and is hereby amended to read as follows:

17.16.020 Uses Permitted.

23. Microcell cellular communications facilities as defined in 17.04.483.

BE IT FURTHER ORDAINED that Section 17.18.020 Subsection (30) of Chapter 17.18 of the Rapid City Municipal Code be and is hereby amended to read as follows:

17.18.020 Uses Permitted.

30. Microcell cellular communications facilities as defined in 17.04.483.

BE IT FURTHER ORDAINED that Section 17.34.020 Subsection (I) of Chapter 17.34 of the Rapid City Municipal Code be and is hereby amended to read as follows:

17.34.020 Uses Permitted.

I. Microcell cellular communications facilities as defined in 17.04.483.

BE IT FURTHER ORDAINED that Section 17.36.020 Subsection (D) of Chapter 17.36 of the Rapid City Municipal Code be and is hereby amended to read as follows:

17.36.020 Uses Permitted.

D. Microcell cellular communications facilities as defined in 17.04.483.

BE IT FURTHER ORDAINED that Section 17.46.020 Subsection (K) of Chapter 17.46 of the Rapid City Municipal Code be and is hereby amended to read as follows:

17.46.020 Uses Permitted.

K. Microcell cellular communications facilities as defined in 17.04.483.

BE IT FURTHER ORDAINED that Section 17.48.020 Subsection (33) of Chapter 17.48 of the Rapid City Municipal Code be and is hereby amended to read as follows:

17.48.020 Uses Permitted.

33. Microcell cellular communications facilities as defined in 17.04.483.

BE IT FURTHER ORDAINED that Section 17.56.020 Subsection (F) of Chapter 17.56 of the Rapid City Municipal Code be and is hereby amended to read as follows:

17.56.020 Uses Permitted.

F. Microcell cellular communications facilities as defined in 17.04.483.

BE IT FURTHER ORDAINED that Section 17.16.030 Subsection (N) of Chapter 17.16 of the Rapid City Municipal Code be and is hereby amended to read as follows:

17.16.030 Uses Permitted on Review.

N. Microcell cellular communications facilities not meeting standards as defined in 17.04.483.

BE IT FURTHER ORDAINED that Section 17.18.030 Subsection (29) of Chapter 17.18 of the Rapid City Municipal Code be and is hereby amended to read as follows:

17.18.030 Uses Permitted on Review.

29. Microcell cellular communications facilities not meeting standards as defined in 17.04.483.

BE IT FURTHER ORDAINED that Section 17.34.030 Subsection (M) of Chapter 17.34 of the Rapid City Municipal Code be and is hereby amended to read as follows:

17.34.030 Uses Permitted on Review.

M. Microcell cellular communications facilities not meeting standards as defined in 17.04.483.

BE IT FURTHER ORDAINED that Section 17.36.040 Subsection (C) of Chapter 17.36 of the Rapid City Municipal Code be and is hereby amended to read as follows:

17.36.040 Uses Permitted on Review.

C. Microcell cellular communications facilities not meeting standards as defined in 17.04.483.

BE IT FURTHER ORDAINED that Section 17.46.030 Subsection (27) of Chapter 17.46 of the Rapid City Municipal Code be and is hereby amended to read as follows:

17.46.030 Uses Permitted on Review.

27. Microcell cellular communications facilities not meeting standards as defined in 17.04.483.

BE IT FURTHER ORDAINED that Section 17.48.030 Subsection (B) of Chapter 17.48 of the Rapid City Municipal Code be and is hereby amended to read as follows:

17.48.030 Uses Permitted on Review.

B. Microcell cellular communications facilities not meeting standards as defined in 17.04.483.

BE IT FURTHER ORDAINED that Section 17.56.030 Subsection (J) of Chapter 17.56 of the Rapid City Municipal Code be and is hereby amended to read as follows:

17.56.030 Uses Permitted on Review.

J. Microcell cellular communications facilities not meeting standards as defined in 17.04.483.

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer

(SEAL)

First Reading:
Second Reading:
Published:
Effective: