

ORDINANCE NO. 5411

AN ORDINANCE ADDING VERTICAL AXIS WIND TURBINES AS CONDITIONAL USES IN THE MEDIUM DENSITY RESIDENTIAL ZONING DISTRICT BY AMENDING SECTION 17.12.030 OF 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 17.12 of the Rapid City Municipal Code regulates the City's Medium Density Residential Zoning District; and

WHEREAS, Vertical Axis Wind Turbines are not currently an allowed or Conditional Use in the City's Medium Density Residential Zoning District; and

WHEREAS, Vertical Axis Wind Turbines are an appropriate use, consistent with the other conditional uses currently allowed in the City's Medium Density Residential Zoning District; and

WHEREAS, the Common Council of the City of Rapid City has determined that it is in the City's best interests to allow Vertical Axis Wind Turbines as an accessory Conditional Use to a principle Permitted or Conditional Use in the City's Medium Density Residential Zoning District by amending Section 17.12.030 of the Rapid City Municipal Code.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that, Section 17.12.030 of the Rapid City Municipal Code be and hereby is amended to read as follows:

17.12.030 Conditional uses.

The following uses may be allowed as a conditional use permit by the City Council in accordance with provisions contained in § 17.54.030:

- A. Any conditional use in an LDR low density residential district;
- B. Fraternities, sororities and denominational student headquarters;
- C. Mobile home parks, subject to the requirements set forth in § 17.50.110;
- D. Nursing home or home for the aged;
- E. Child care centers;
- F. A planned residential development as regulated in §§ 17.50.020, 17.50.030 and 17.50.040;
- G. Single-family attached dwellings and single-family semidetached dwellings as regulated in §§ 17.50.050 through 17.50.100;
- H. Motel complexes, existing as of the date of the ordinance codified in this title, subject to the requirements set forth in § 17.50.180;
- I. Group homes, subject to the following:
 1. Provide a detailed program and services plan at 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, i.e., standard;
 - b. Supervision, i.e., 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.
- J. Retail business may be conducted in apartment buildings only, for the convenience of the occupants of the building, provided there shall be no entrance to the place of business except from the inside of the building.
- 1. The retail business type shall be limited to those which are listed in § 17.50.350;
 - 2. The Building Inspection Department will be consulted with regard to code requirements; and
 - 3. No outdoor signage shall be allowed.
- K. Townhouses as regulated in §§ 17.50.020, 17.50.030 and 17.50.040;
- L. Planned residential developments as regulated in §§ 17.50.050 through 17.50.100;
- M. Planned unit developments as regulated in §§ 17.50.050 through 17.50.100;
- N. Hotel apartment;
- O. Drop-off centers for household recyclables; such centers do not involve processing;
- P. Microcell wireless communications facilities on poles as defined in § 17.50.400B; and
- Q. Adult day care center.
- R. Vertical Axis Wind Turbines as defined in § 17.50.217

(Ord. 5233, 2007: Ord. 5192, 2006: Ord. 5097 (part), 2005: Ord. 3760 (part), 2001: Ord. 3004 (part), 1993: Ord. 2899 (part), 1991: prior code Appendix A, Art. IV (§3 (C)))