

AN ORDINANCE TO AMEND PROVISIONS OF THE RAPID CITY MUNICIPAL CODE RELATING TO THE STORAGE AND PARKING OF CERTAIN VEHICLES AND TRAILERS

WHEREAS, the City of Rapid City has adopted zoning regulations in Title 17 of the Rapid City Municipal Code to regulate uses and property within the various zoning districts; and

WHEREAS, the City of Rapid City has enacted ordinances governing the storage and parking of trailers and motor vehicles upon the streets of the City; and

WHEREAS, the Common Council of the City of Rapid City deems it to be in the City's best interests to amend and combine these provisions; and

WHEREAS, the Common Council believes that these amended provisions regulating the storage and parking of trailers and motor vehicles within the jurisdiction of the City are in the interest of the general health, safety, and welfare of the City and its citizens.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that Section 10.40.190 of the Rapid City Municipal Code is hereby repealed.

~~10.40.190 Storage and parking of trucks, trailers and commercial vehicles.~~

~~—A. Purpose. The purpose of this section is to minimize adverse aesthetic impacts that large vehicles have in residential zoning districts by limiting the type of the vehicles, their size and the number of the vehicles.~~

~~—B. Allowed storage. Vehicles and trailers of all types, including commercial, travel, boat, camping, storage and hauling, shall not be parked or stored on any lot occupied by a dwelling or on any lot in any residential, commercial or industrial district except in accordance with the below provisions. The parking of vehicles which do not meet the below provisions shall be allowed only if the vehicle is temporarily parked in conjunction with provision of service to that property.~~

~~—1. Number. Only 1 vehicle used principally for commercial purposes shall be permitted on each property in a residential zoning district, provided no other provisions of this section are violated.~~

~~—2. Vehicle size. Vehicles parked in residential districts shall not exceed any of the following:~~

~~— a. A Gross Vehicle Weight Rating (GVWR) of 12,000 lbs. or more;~~

~~— b. A height of 7 feet from top to bottom; or~~

~~— c. A length of 22 feet from front to back. The height measurement excludes racks less than 4 feet in height. These restrictions shall not apply to recreational vehicles. For the purposes of the measurement of vehicle dimensions, the height of a vehicle shall be the vertical distance between the lowest part of the tires of the measured vehicle to the top of the highest part of the vehicle. The length of a vehicle shall be the horizontal distance between the front edge of the vehicle to the rear edge of the vehicle. For purposes of these measurements, accessories, attachments and materials fixed or carried upon such vehicle shall be considered part of the vehicle, with the exception of aerial antennas.~~

~~— 3. Commercial vehicles hauling explosive, toxic or hazardous materials. Commercial vehicles used for hauling explosives, gasoline, liquefied petroleum products, toxic or hazardous materials shall not be stored in or adjacent to a residential district. Parking is permitted only for the purposes of unloading or dispensing.~~

~~— 4. Clear sight triangle. At no time shall a motor vehicle, recreational vehicle, travel trailer or hauling trailer be parked in the boulevard, across a sidewalk, or within the required sight triangle as provided in § 17.50.335.~~

~~— 5. Parking of vehicles. Any vehicle which does not meet the above provisions, and is used for the storage or transport of merchandise, equipment or business supplies shall be located on a commercial or industrial lot which contains an existing principal structure. Such a vehicle shall be screened by a 6-foot opaque fence or plant materials from any abutting residential lots or housed in an enclosed building.~~

BE IT FURTHER ORDAINED by the City of Rapid City that Section 17.50.280 of the Rapid City Municipal Code is hereby amended to read in its entirety as follows:

17.50.280 Storage and parking of vehicles and trailers and ~~commercial vehicles~~.

A. For any vehicle or trailer that is used principally for commercial purposes, it is unlawful for any person to store or park more than one such vehicle or trailer outside of a fully enclosed garage on any lot in a residential zoning district or in any right-of-way in a residential zoning district.

B. Unless the vehicle or trailer is parked or stored in a fully enclosed garage, it is unlawful for any person to store or park a vehicle or trailer on any lot in a residential zoning district or in any right-of-way in a residential zoning district that exceeds any of the following:

a. A Gross Vehicle Weight Rating (GVWR) of 12,000 lbs. or more for a vehicle;

b. A Gross Trailer Weight Rating (GTWR) over 5,000 lbs. for a trailer;

c. A height of 10 feet from top to bottom; or

d. A length of 22 feet from front to back.

The restrictions in subsection B. shall not apply to recreational vehicles. For purposes of this section, a recreational vehicle is defined as a motor vehicle or trailer, including a motorhome, campervan, travel trailer, camper trailer, popup camper, or truck camper, designed primarily for use as temporary living quarters for recreational, camping, travel, or seasonal use.

For the purposes of the measurement of vehicle or trailer dimensions, the height of a vehicle or trailer shall be the vertical distance between the lowest part of the tires of the measured vehicle or trailer to the top of the highest part of the vehicle or trailer. The length of a vehicle or trailer shall be the horizontal distance between the front edge of the vehicle or trailer to the rear edge of the vehicle or trailer. For purposes of these measurements, accessories, attachments and materials fixed or carried upon such vehicle or trailer, including boats, shall be considered part of the vehicle or trailer, with the exception of aerial antennas and wakeboard towers. For purposes of this section, a wakeboard tower is defined as a tower designed to elevate the pulling position of an attached rope, allowing a rider utilizing the rope to launch and stay in the air longer reducing the pull downwards. A wakeboard tower includes accessories, such as racks, speakers, lights, and mirrors, attached to the tower.

C. It is unlawful for any person to store or park a commercial vehicle or trailer used for hauling explosives, gasoline, liquefied petroleum products, toxic or hazardous materials in a residential zoning district, on any lot that is adjacent to a residential zoning district, or in any right-of-way that is adjacent to a residential zoning district, unless the vehicle or trailer is temporarily parked for the purpose of unloading or dispensing.

D. Up to five vehicles and/or trailers may be temporarily parked in a residential zoning district in conjunction with provision of service to a lot in a residential zoning district pursuant to one of the following situations:

1. For construction activities that do not require a building permit where the construction activities are 14 calendar days or less;

2. Where a building permit has been issued, for construction activities but no longer than 180 days after the building permit is first issued;

3. For delivery services, including mail, parcel, furniture, and appliance delivery;

4. For vehicle towing services;

5. For landscaping services, including tree trimming or removal services, where the services are 7 calendar days or less;

6. For household moving services, where the services are 7 calendar days or less; and

7. For emergency services.

If no more than five vehicles and/or trailers are temporarily parked in a residential zoning district in conjunction with provision of service to a lot in a residential zoning district pursuant to one of

the situations in subsection D.1. through D.7., then the provisions in subsections A. through C. of § 17.50.280 are not applicable to those vehicles and/or trailers that are temporarily parked.

E. It is unlawful for any person to store or park a vehicle or trailer in any right-of-way that does not have affixed thereto an unexpired license plate.

F. It is unlawful for any person to store or park a vehicle or trailer in violation of any other section of the Rapid City Municipal Code. The storage and parking of any vehicle or trailer must also be in compliance with all other sections of the Rapid City Municipal Code.

G. It is unlawful for any person to store or park a vehicle or trailer in the boulevard, across a sidewalk, or within the required sight triangle as provided in § 17.50.335.

H. It is unlawful for any person to store or park a recreational vehicle or trailer in an off-street parking stall that is required by the Rapid City Municipal Code to be a parking stall for a passenger vehicle.

I. For any lot occupied by a dwelling or any lot in a residential or commercial zoning district, it is unlawful for any person to store or park a vehicle or trailer on the lot if the vehicle or trailer, when combined with the principal and accessory buildings, occupies more of the lot than allowed for under the district lot coverage provisions.

J. For any lot occupied by a dwelling or any lot in a residential or commercial zoning district, it is unlawful for any person to store or park a vehicle or trailer on the lot unless the vehicle or trailer is stored or parked on a graveled or hard surfaced parking or storage pad in order to eliminate dust, mud, and weeds. Parking areas that are required to be paved pursuant to § 17.50.270.I. may serve as parking/storage pads as long as the parking areas are as large in length and width as the vehicle or trailer.

K. For any lot occupied by a dwelling or any lot in a residential or commercial zoning district, it is unlawful for any vehicle or trailer that is to remain stationary for more than 72 hours to serve as temporary or permanent sleeping quarters for any person.

L. The provisions in this section shall not apply to vehicles or trailers utilized by the City and its contractors or by any public or private utility and its contractors in the course of a City or utility project.

~~—A. Allowed storage. Vehicles and trailers of all types, including commercial, travel, boat, camping, storage and hauling, shall not be parked or stored on any lot occupied by a dwelling or on any lot in any residential or commercial district except in accordance with the following provisions and with Section 10.40.200:~~

~~—1. Stall Location. All recreational vehicles, travel trailers and hauling trailers shall be parked or stored behind front yard setback line(s) when they are to remain stationary for more than seventy two hours. The vehicle(s) and trailer(s), when combined with the principal and accessory buildings, shall not occupy more of the lot than allowed for under the district lot~~

~~coverage provisions. Further, vehicle and/or trailer parking/storage pads shall be graveled or hard surfaced to eliminate dust, mud or weeds. Vehicles which are to remain stationary for more than seventy-two hours shall not serve as temporary or permanent sleeping quarters for any person.~~

~~—2. Parking Conflicts. Off street parking stalls required for passenger vehicles shall not be occupied by recreational vehicles, travel trailers or hauling trailers, resulting in increased on-street parking.~~

~~—3. Clear Sight Triangle. At no time shall a motor vehicle, recreational vehicle, travel trailer or hauling trailer be parked in the boulevard, across a sidewalk, or within the 10 foot clear sight triangle as described in § 17.50.270.~~

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer

(SEAL)

First Reading:
Second Reading:
Published:
Effective: