

Ordinance No. 6561

**AN ORDINANCE TO AMEND SECTIONS 17.12.050, 17.12.070, AND 17.40.050
OF THE RAPID CITY MUNICIPAL CODE
RELATING TO THE HEIGHT OF CERTAIN STRUCTURES**

WHEREAS, the City of Rapid City has the power to enact ordinances, enforce its ordinances, and exercise jurisdiction over all territory within its corporate limits for the purpose of promoting the health, safety, morals, and general welfare of the community pursuant to state statute, including but not limited to SDCL Title 9 generally; and

WHEREAS, pursuant to the authority granted to it by Chapter 11-4 of the South Dakota Codified Laws, the City of Rapid City has established zoning districts and enumerated uses permitted and conditional uses in each district; and

WHEREAS, the Common Council of the City of Rapid City deems it to be in the City's best interests to amend the height restrictions in certain sections of the Rapid City Municipal Code to increase the maximum allowable height of certain buildings within the Medium Density Residential District and the Office Commercial District and to correct some setback restrictions that are based upon building height or number of stories.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that Subsection A.3. of Section 17.12.050 of the Rapid City Municipal Code is hereby amended to read as follows:

17.12.050 Area regulations.

...

3. *Subcollector street rights-of-way or lane/place street rights-of-way.*
 - a. For single-family, townhome and 2-family dwellings, the minimum depth of the front yard shall be 20 feet.
 - b. For multiple-family and assisted living centers not exceeding ~~5~~three stories or ~~45~~40 feet in height, the minimum depth of the front yard shall be 25 feet.
 - ~~e. For multiple-family and assisted living centers having a greater height than 5 stories or 45 feet, the minimum depth of the front yard shall be 35 feet.~~
 - ~~d~~c. Side loaded garages (attached to the dwelling) shall be set back not less than 15 feet from the front property line.
 - ~~e~~d. All other main and accessory structures, including churches, shall be set back not less than 35 feet from the front property line.

BE IT FURTHER ORDAINED by the City of Rapid City that Section 17.12.070 of the Rapid City Municipal Code is amended to read in its entirety as follows:

17.12.070 Height regulations.

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RAPID CITY DEPARTMENT OF
COMMUNITY DEVELOPMENT

A. No main building shall exceed three stories or ~~thirty-five~~40 feet in height, except as provided in Section 17.50.260.

B. Accessory buildings shall not exceed ~~fifteen~~15 feet in height.

BE IT FURTHER ORDAINED by the City of Rapid City that Section 17.40.050 of the Rapid City Municipal Code is amended to read in its entirety as follows:

17.40.050 Height regulations.

No building or structure shall exceed 3 stories or ~~35~~40 feet in height. Accessory structures shall not exceed 15 feet in height.

CITY OF RAPID CITY

Steve Allender, Mayor

ATTEST:

Tracy Davis, Interim Finance Director

(SEAL)

First Reading:
Second Reading:
Published:
Effective: