



# CITY OF RAPID CITY

RAPID CITY, SOUTH DAKOTA 57701-2724

## OFFICE OF THE CITY ATTORNEY

300 Sixth Street

Carla R. Cushman, Assistant City Attorney  
City web: [www.rcgov.org](http://www.rcgov.org)

Phone: 605-394-4140  
Fax: 605-394-6633  
e-mail: [carla.cushman@rcgov.org](mailto:carla.cushman@rcgov.org)

### MEMORANDUM

TO: Planning Commission

FROM: Carla Cushman, Assistant City Attorney

DATE: January 25, 2018

RE: Ordinance No. 6220 *An Ordinance to Amend the Zoning Code to Adopt the Title of Community Development Department and to Clarify Certain Use Provisions in Zoning Districts*

Ordinance 6220 is a straightforward ordinance to clean up and make consistent some portions of our zoning code. The ordinance adopts the new name of the Community Development Department and addresses inconsistencies and redundancies in the permitted and conditional uses in residential zoning districts. What follows is a summary of the changes made in Ordinance 6220:

- Updated the name of the department to Community Development Department.
- Removed unnecessary language that rights of way and easements are permitted uses in these districts.
- Included consistent language about accessory uses and buildings that are allowed except for business activities.
- Adopted language in the conditional use sections that recognizes that both Planning Commission and the Council grant conditional use permits, depending on the circumstances. The current ordinance implies that all CUPs are granted by the Council, when actually Council only grants CUPs when the Planning Commission's decision is appealed.

- Removed language about temporary constructions buildings in 17.10.020 because these structures are regulated in RCMC Chapter 17.50.230.C.
- Clarified that signage allowed in these districts is for home occupations.
- Adopted consistent language for the conditional use of churches and other places of worship.
- Updated obsolete references to mobile homes and trailer homes, private day nurseries and kindergartens and replaced them with proper terms under the code of manufactured homes and child care centers.

If you have any questions, please call me at 394-4140 or email [carla.cushman@rcgov.org](mailto:carla.cushman@rcgov.org).