

ORDINANCE # 3797

AN ORDINANCE ADDING "PET STORES" AS A PERMITTED USE IN CERTAIN ZONING DISTRICTS BY AMENDING SECTION 17.04 OF THE RAPID CITY MUNICIPAL CODE BY ADDING A NEW SECTION 17.04.547 AND AMENDING SECTIONS 17.18.020(30), 17.30.020(B)(1), AND 17.32.020(B)(1).

BE IT ORDAINED by the City of Rapid City that Chapter 17.04.400 of the Rapid City Municipal Code be amended to read as follows:

“Kennel” means any lot or premises or portion thereof where four or more dogs, cats, rabbits or other household/domesticated animals, six months of age or older, are maintained, boarded, bred, or cared for, in return for any compensation, or are kept for the purpose of sale. A retail store meeting the definition of pet store as contained in Chapter 17.04.547 is not a kennel for purposes of zoning”.

BE IT FURTHER ORDAINED by the City of Rapid City that the following definition be added to Chapter 17.04.547:

“Pet store” means a retail facility providing for the sale of animals and accessory products. A pet store does not include the boarding or breeding of animals for compensation.

BE IT FURTHER ORDAINED by the City of Rapid City that Chapter 17.18.020 amended to read as follows

The following uses shall be permitted in the GC general commercial district:

1. Retail and distribution establishments including the manufacture, compounding, processing, packaging or treatment of products for human consumption; sales and display rooms and lots, not including yards for storage of new or used building materials or yards for any scrap or salvage operations, or for storage or display of any scrap, salvage or secondhand materials. The storage, display and sale of used, repossessed or traded-in merchandise incidental to a retail operation engaged primarily in the sale of new merchandise is permitted;
2. Eating establishments, including drive-in establishments and fast-food restaurants;
3. Service and repair establishments, not to include vehicle repair establishments;
4. Personal service establishments, including barber and beauty shops, shoe repair shops, funeral homes, cleaning, dyeing, laundry, medical and/or dental clinics or offices, pressing, dressmaking, tailoring and garment repair shops with processing on the premises;
5. Hotels, motels and manager's residence of motels, rooming and boarding houses, and restaurants;

6. Commercial recreational structures and uses, such as theaters, bowling alleys, poolrooms, but not including miniature golf courses, driving ranges, and similar uses;
7. Commercial parking lots and garages;
8. Offices, studios, clinics and laboratories;
9. Financial institutions;
10. Private clubs and lodges, except on-sale liquor establishments;
11. Utility substations;
12. Outdoor advertising as regulated by Chapter 15.28 of this code;
13. Art galleries and museums;
14. Veterinary establishments; provided, that all animals shall be kept inside soundproof, air-conditioned buildings;
15. Building materials sales yard and lumber yards; provided, that all outdoor storage shall be screened by a seven-foot fence, wall or mass planting;
16. New and used car, truck, motorcycle, snowmobile and boat sales and rentals. Repair shall be permitted as an accessory use to such establishments providing that all body and/or mechanical repair work shall be completed within an enclosed area. All inoperable vehicles shall be stored within a side yard or rear yard which is screened with an opaque fence at least six feet in height. The number of inoperable vehicles stored within a screened yard shall not exceed one per four hundred square feet of building floor area used for vehicle repair. A minimum of two inoperable vehicles per establishment shall be permitted to be stored in a screened yard;
17. Public buildings and grounds other than elementary or high schools;
18. Churches;
19. Business and vocational schools not involving operations of an industrial character;
20. Wholesale and distributing centers not involving over five thousand square feet for storage of wares to be wholesaled or distributed, nor the use of any delivery vehicle rated at more than one and one-half ton capacity, nor a total of more than five delivery vehicles;
21. Dwelling units above ground floor and dwelling units other than above ground floor to provide residences for managers of motels, and other uses and structures which are customarily accessory to and clearly incidental to permitted or permissible uses and structures;
22. Any other store or shop for retail trade or for rendering personal, professional or business service which does not produce more noise, dust, odor, vibration, blast or traffic than those previously enumerated in this section;
23. Travel parks as permitted by the Rapid City travel park ordinance;
24. Service establishments and filling stations, not to include vehicle repair. Repair shall be permitted as an accessory use to such establishments providing that all body and/or repair work shall be completed within an enclosed area. All inoperable vehicles shall be stored within a building or within a side or rear yard which is screened with an opaque fence at least six feet in height. The number of inoperable vehicles stored within a screened yard shall not exceed one per four hundred square

feet of building floor space used for vehicle repair. A minimum of two inoperable vehicles per establishment shall be permitted to be stored in a screened yard;

25. Vehicle repair establishments, provided, that all body and/or mechanical repair work shall be completed within an enclosed area. All inoperable vehicles shall be stored within a building or within a side or rear yard which is screened with an opaque fence at least six feet in height. The number of inoperable vehicles stored within a screened yard shall not exceed one per four hundred square feet of building floor area used for vehicle repair. A minimum of two inoperable vehicles per establishment shall be permitted to be stored in a screened yard;

26. Hotel apartment;

27. Drop off centers for household recyclables; said centers do not involve processing;

28. Garden centers, provided that all outdoor storage be screened with a six foot fence or wall;

29. Hospitals.

30. Microcell cellular communications facilities as defined in 17.04.483.

31. Indoor used or second-hand merchandise sales provided that merchandise that is for sale, stored or displayed cannot be located outside.

32. Pet stores.

BE IT FURTHER ORDAINED by the City of Rapid City that Chapter 17.30.020, (B) (1) be amended to read as follows:

B. Any of the following uses may be permitted:

1. Antique shop;

Apparel store, family, children, men or women;

Appliance store;

Artist supplies;

Automobile parking lot;

Bakery goods store;

Bank;

Barbershop;

Beauty shop;

Book or stationery store;

Camera shop;

Candy store;

Catering establishment;

Cleaning and pressing collection station;

Curio shop;

Dairy products or ice cream store;

Delicatessen;

Drugstore or fountain;

Dry goods store;

Florist shop;

Furniture store;
Garden centers;
Gift shop;
Grocery store;
Hardware store;
Help-yourself laundry;
Jewelry store;
Meat market;
Medical facility;
Music store;
Newspaper or magazine sales;
Notions store;
Office supply store;
Off-sale liquor and beer;
Optometrist sales and service;
Paint and decorating shop;
Pet store;
Pharmacy;
Photographer studio;
Radio and television sales and service;
Restaurant;
Sewing machine sales and service;
Shoe store or repair shop;
Sod farms;
Specialty shop for women;
Sporting goods sales;
Supermarket;
Tailor shop;
Theaters;
Toy store;
Variety store;

BE IT FURTHER ORDAINED by the City of Rapid City that Chapter 17.32.020 (B) (1) be amended to read as follows:

B. Any of the following uses may be permitted:

1. Antique shop;
Apparel store, family, children, men or women;
Appliance store;
Artist supplies;
Automobile parking lot;
Bakery goods store;

Bank;
Barbershop;
Beauty shop;
Book or stationery store;
Camera shop;
Candy store;
Catering establishment;
Cleaning and pressing collection station;
Curio shop;
Dairy products or ice cream store;
Delicatessen;
Department store;
Drugstore or fountain;
Dry goods store;
Florist shop;
Furniture store;
Garden centers;
Gift shop;
Grocery store;
Hardware store;
Help-yourself laundry;
Jewelry store;
Meat market;
Medical facility;
Music store;
Newspaper or magazine sales;
Notions store;
Office supply store;
Off-sale liquor and beer;
Optometrist sales and service;
Paint and decorating shop;
Pet store;
Pharmacy;
Photographer studio;
Radio and television sales and service;
Restaurant;
Sewing machine sales and service;
Shoe store or repair shop;
Sod farms;
Specialty shop for women;
Sporting goods sales;
Supermarket;
Tailor shop;
Theaters;
Toy store;

Variety store;

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer

(SEAL)

First Reading:

Second Reading:

Published:

Effective: