

ORDINANCE NO. 5677

**AN ORDINANCE AMENDING THE CENTRAL BUSINESS ZONING DISTRICT BY ADDING
“OTHER TEMPORARY, SEASONAL, AND CONTINUOUS RETAIL BUSINESS OR
STRUCTURE” AS A PERMITTED USE IN
CHAPTER 17.16.020 OF THE RAPID CITY MUNICIPAL CODE**

WHEREAS, pursuant to the authority granted to it by Chapter 11-4 of the South Dakota Codified Laws, Rapid City has adopted zoning regulations identifying uses permitted in all zoning districts; and

WHEREAS, Chapter 17.50 of the Rapid City Municipal Code identifies the regulations for temporary uses; and

WHEREAS, Chapter 17.16.020 identifies the uses permitted in the Central Business Zoning District; and

WHEREAS, the addition of “Other temporary, seasonal, and continuous retail business or structure” as a permitted use will allow these uses to be held in the Central Business District; and

WHEREAS, the City of Rapid City deems it to be in the City’s best interest to amend Chapter 17.16.020 of the Rapid City Municipal Code by adding, “Other temporary, seasonal, and continuous retail business or structure”, as a permitted use.

NOW THEREFORE BE IT ORDAINED by the City of Rapid City that Section 17.16.020 of the Rapid City Municipal Code be and hereby is amended to read as follows:

17.16.020 Uses permitted.

The following uses shall be permitted in the CB central business district:

1. Retail stores, sales and display rooms and shops;
2. Offices;
3. Hotels and motels without on-sale liquor establishments;
4. Financial institutions;
5. Eating and drinking establishments, except drive-in establishments and on-sale liquor establishments;

6. Personal service establishments;
7. Business service establishments;
8. Commercial, job and newspaper printing;
9. Establishments offering repair services on items brought in by customers;
10. Amusement and recreation establishments, except on-sale liquor establishments;
11. Wholesaling from sample stocks only, provided that no manufacturing or storage for distribution shall be permitted on the premises;
12. Private business schools, studios, vocational schools not involving processes of light or heavy industrial nature;
13. Laboratories and establishments for production and repair of jewelry, eyeglasses, hearing aids, prosthetic appliances, dental appliances and light electronic component assembly, subject to the following:
 - a. No more than 20 employees are employed during any work shift;
 - b. Any toxic, explosive, flammable, corrosive, etiologic, radioactive or other restricted material shall be stored, used and disposed of in accordance with all applicable building, fire and safety codes; and
 - c. The operation shall not generate any offensive noise, smoke, dust or heat noticeable beyond the premises.
14. Clubs and lodges, except on-sale liquor establishments;
15. Parking garages and parking lots;
16. Utility substations;
17. On-premises signs as regulated by Chapter 15.28 of this code;
18. Other uses and structures which are customarily accessory and clearly incidental to permitted uses and structures not prohibited under § 17.16.040;
19. Any other store or shop for retail trade or for rendering personal, professional or business service which does not produce more noise, odor, dust, vibration, blast or traffic than those enumerated in the preceding subsections;
20. Apartment units;
21. Single-family and 2-family dwellings shall be permitted only when constructed above the ground floor and within the same building as the other principal use on a lot;

22. Hotel apartment; ~~and~~

23. Microcell wireless communications facilities on buildings as defined in § 17.50.400A-~~1~~;
and

24. Other temporary, seasonal, and continuous retail business or structure as defined in Chapters 17.50.230.H, I, and J.

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer

(SEAL)

First Reading:

Second Reading:

Effective: