

STAFF REPORT  
July 5, 2007

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**No. 07OA005 - Ordinance Amendment to add "Race Track with an on-sale liquor establishment" as a Conditional Use in the General Agriculture Zoning District**

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**ITEM 26**

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	<b>No. 07OA005 - Ordinance Amendment to add "Race Track with an on-sale liquor establishment" as a Conditional Use in the General Agriculture Zoning District</b>
DATE OF APPLICATION	5/24/2007
REVIEWED BY	Karen Bulman / Mary Bosworth

RECOMMENDATION: Staff recommends that the Ordinance Amendment to Chapter 17.34.030 to add **"Race Track with on-sale liquor establishment" as a Conditional Use in the General Agriculture Zoning District** be approved.

GENERAL COMMENTS: **This staff report has been revised as of June 25, 2007. All revised and/or added text is shown in bold print. This application was continued at the June 21, 2007 Planning Commission meeting to allow the application to be legally advertised to add "Race Track with on-sale liquor establishment" as a Conditional Use in the General Agriculture Zoning District.** Staff received a request to amend the Zoning Ordinance to allow race tracks in the General Agriculture Zoning District. Currently, race tracks are not allowed in any Zoning District as a Permitted use or a Conditional Use. On May 24, 2007, the Planning Commission directed staff to prepare an ordinance amendment to allow race tracks as a Conditional Use in the General Agriculture Zoning District.

STAFF REVIEW: Staff has reviewed the request to amend Section 17.34.030 of the Rapid City Municipal Code. The original request had indicated that alcohol would be served at the race track. The legal advertising sent to the Rapid City Journal did not include on-sale liquor establishment in the title. As such, staff is recommending that this item be continued to the July 5, 2007 Planning Commission meeting so that the Ordinance Amendment can be legally advertised to include the on-sale liquor establishment in conjunction with the race track. **This application has been legally advertised in the Rapid City Journal to include "Race Track with on-sale liquor establishment" in the title.**

**Currently, there is no zoning district that specifically allows race tracks in the Rapid City Municipal Code. The General Agriculture District is intended to provide for land situated on the fringe of the urban area that is used for agricultural purposes, but will be undergoing urbanization in the future. Permitted uses include single-family dwellings, churches, public schools, agricultural crops, raising farm animals, Country Clubs without on-sale liquor establishment, golf course, park or playground, garden centers, sod farms, utilities, signs, municipal use, home occupations, and microcell cellular communication facilities. The Conditional Use Permits in the District include service organizations, public parks or playgrounds, airplane landing field, cemetery,**

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kennels, community corrections facility, veterinary clinics, public stables, historic monuments, private nurseries and kindergartens, country clubs with on-sale liquor establishments, radio and television stations and towers, and microcell cellular communications facilities not meeting standards. A race track with an on-sale liquor establishment appears to be appropriate within the diverse uses listed as a Conditional Use in the General Agriculture District.

The General Agriculture District has larger acreages, agriculture uses and low residential densities. The potential impacts associated with a race track may not interfere with agriculture uses and, due to the lot size, may be located a sufficient distance from any residential structure or other uses in the Agriculture District. It appears that the General Agriculture District is appropriate for race tracks.

As noted above, a country club with on-sale liquor is currently a Conditional Use. Similarly, this proposed Amendment would allow alcohol sales accessory to the race track use. The Conditional Use Permit process will insure that possible adverse affects of the alcohol use are reviewed and addressed.

The operation of a race track has the potential for significant impacts on adjacent land uses including noise, traffic, dust, bright lights and liquor use issues. The Conditional Use Permit process will allow the Planning Commission to review any potential sites for appropriateness as a race track use and a process for mitigating any potential impacts that may develop with a race track.

Staff recommends that the Ordinance Amendment to Chapter 17.34.030 to add “race track with an on-sale liquor establishment” as a Conditional Use in the General Agriculture Zoning District be approved.