

**ORDINANCE NO. 5372**

**AN ORDINANCE ADDING ANTIQUE STORES AS CONDITIONAL USES IN THE NEIGHBORHOOD COMMERCIAL ZONING DISTRICT BY AMENDING SECTION 17.20.030 OF THE RAPID CITY MUNICIPAL CODE.**

WHEREAS, Rapid City has adopted a comprehensive plan and zoning regulations pursuant to the authority granted to it in Chapter 11-4 of the South Dakota Codified Laws; and

WHEREAS, Chapter 17.20 of the Rapid City Municipal Code regulates the City's Neighborhood Commercial Zoning Districts; and

WHEREAS, Antique Stores are not currently an allowed or conditional use in the City's Neighborhood Commercial Zoning District; and

WHEREAS, Antique Stores are an appropriate use, consistent with the other conditional uses currently allowed in the City's Neighborhood Commercial Zoning District; and

WHEREAS, the Common Council of the City of Rapid City has determined that it is in the City's best interests to allow Antique Stores in the City's Neighborhood Commercial Zoning District by amending Section 17.20.030 of the Rapid City Municipal Code.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that, Section 17.20.030 of the Rapid City Municipal Code be and hereby is amended to read as follows:

**17.20.030 Conditional uses.**

- A. New, used and rental car sales:
  - 1. All such facilities shall be paved; and
  - 2. Such facilities shall in no way be exempted from any of the requirements of this zoning district, including but not limited to, screening, landscaping and signage requirements.
- B. Child care centers;
- C. Liquor sales for consumption off the premises; however, if denied, no further application shall be made for the same property within 12 months;
- D. Planned commercial developments as regulated in §§ 17.50.050 through 17.50.100;
- E. Planned unit developments as regulated in §§ 17.50.050 through 17.50.100;

- F. Establishments which prepare food for take-out by customers and/or for delivery. This shall not include drive-in restaurants. Food consumption on the premises shall be permitted, provided that the customer eating areas do not exceed 749 square feet. Such establishments shall be designed to serve primarily the population of the immediate area;
- G. Recreation establishments, including electronic video game arcades and poolrooms, which would intend to serve primarily juvenile and young adult customers;
- H. Drop-off centers for household recyclables; such centers do not involve processing;
- I. Other uses which meet the intent of the district as determined by the Planning Commission. A site plan shall be submitted and approved by the Planning Commission, which includes the following, as applicable:
  - 1. Type of use proposed;
  - 2. Parking and circulation plan;
  - 3. Landscaping plan;
  - 4. Screening plan; and
  - 5. Other information which the Planning Commission may deem necessary to make a determination.
- J. Off-premises signs in accordance with Chapter 15.28 and the requirements of § 17.50.380; and
- K. Microcell wireless communications facilities on poles as defined in § 17.50.400B.
- L. Antique Stores - Retail sale of antique furniture, artwork, and collectible merchandise to the general public with no outside display or storage

(Ord. 5097 (part), 2005: Ord. 3760 (part), 2001: Ord. 3518 (part), 1999: Ord. 3098, 1994: Ord. 3004 (part), 1993: Ord. 2899 (part), 1991: prior code Appendix A, Art. IV (§ 9 (J)))