ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 17.50.185 OF THE RAPID CITY MUNICIPAL CODE RELATING TO THE MAXIMUM DISTANCE BETWEEN ON SALE LIQUOR ESTABLISHMENTS ADJACENT TO RESIDENTIAL ZONING DISTRICTS

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

WHEREAS, Rapid City has established procedures for Conditional Use Permits in Chapter 17.50 Article I of the Rapid City Municipal Code; and

WHEREAS, Chapter 17.50.185 establishes the requirements for the Conditional Use Permit procedure for on-sale liquor establishments; and

WHEREAS, the City of Rapid City deems it to be in the City's best interest to amend Section 17.50.185 of the Rapid City Municipal Code by amending the procedures for on-sale liquor establishments by adding a distance requirement of a 500 foot radius under a Conditional Use Permit procedure.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that Section 17.50.185 of the Rapid City Municipal Code be and hereby is amended to read as follows:

17.50.185

An on-sale liquor establishment must be issued if:
  A. The requested use will not adversely affect the use of any place used for religious worship, school, park, playground or similar use within a five hundred foot radius.
  B. The requested use will not be located less than five hundred feet from a ~~is sufficiently buffered~~ ~~with respect to~~ residential district as measured from the property line of the proposed use and the property line of the residentially zoned property. ~~areas so as not to adversely affect such areas~~.
  C. The proposed use will not create an undue concentration of similar uses, so as to cause blight, deterioration or substantially diminish or impair property values.
  D. The proposed use complies with the standards of Section 5.12.140 and 17.54.030 of this code.

CITY OF RAPID CITY

_____
Mayor

ATTEST:

_____
Finance Officer
(SEAL)
First Reading:
Second Reading:
Published:
Effective: