

ORDINANCE NO.

AN ORDINANCE ADDING RACE TRACKS WITH ON-SALE LIQUOR ESTABLISHMENT AND PLANNED DEVELOPMENTS AS CONDITIONAL USES IN THE GENERAL AGRICULTURE ZONING DISTRICT BY AMENDING SECTION 17.34.030 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, Race Tracks with On-Sale Liquor Establishments, Ordinance #5313, was added to the General Agriculture Zoning District as a Conditional Use on August 6, 2007; and

WHEREAS, Banquet Halls with On-Sale Liquor Establishments, Ordinance #5361, was added to the General Agriculture Zoning District as a Conditional Use on February 4, 2008 and inadvertently over-wrote the race track use in the ordinance; and

WHEREAS, Planned Developments as regulated in Chapter 17.50.050 through 17.50.105, Ordinance #5431, was added to the General Agriculture Zoning District as a Conditional Use on November 3, 2008; and

WHEREAS, Removing Public Parks/Playgrounds as a Conditional Use, Ordinance #5442, was approved November 17, 2008, and the list of Conditional Uses in the General Agriculture District was renumbered and Planned Developments was inadvertently removed; and

WHEREAS, both Race Tracks with On-Sale Liquor Establishment and Planned Development as regulated in Chapter 17.50.050 through 17.50.105 have been inadvertently dropped from the Rapid City Municipal Code but are understood to be included; and

WHEREAS, the City of Rapid City deems it to be in the City's best interest to amend Section 17.34.030 of the Rapid City Municipal Code by adding "Race Tracks with On-Sale Liquor Establishment" and Planned Developments as Regulated in Chapter 17.50.050 through 17.50.105" as a Conditional Use in the General Agriculture Zoning District.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that Section 17.34.030 of the Rapid City Municipal Code be and hereby is amended to read as follows:

17.34.030 Conditional uses.

The following may be permitted as conditional uses by the City Council, in accordance with the provisions contained in § [17.54.030](#);

- A. Lodge hall, veterans organization, service organization;
- B. Airplane landing field;
- C. Cemetery;
- D. Kennel;
- E. Radio and television station and transmission tower;
- F. Stable, public;
- G. Private day nurseries and kindergartens as regulated in § [17.50.150](#);
- H. Historical monuments or structures;
- I. Community corrections facility;
- J. Country clubs with on-sale liquor establishments;
- K. Veterinary clinics; and
- L. Microcell wireless communications facilities on poles as defined in §[17.50.400B](#).
- M. Banquet halls with on sale liquor establishments.
- N. Race Tracks with on-sale liquor establishment.
- O. Planned Developments as regulated in Chapter 17.50.050 through 17.50.105.

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer
(SEAL)

First Reading:
Second Reading:
Published:
Effective:

