

STAFF REPORT
September 8, 2011

**No. 110A011 - an Ordinance to allow a Winery as a Conditional Use
in the Central Business District by amending Section 17.16.030 of
the Rapid City Municipal Code**

ITEM 5

GENERAL INFORMATION:

APPLICANT	Bob Fuchs - Firehouse Brewing Co.
REQUEST	No. 110A011 - an Ordinance to allow a Winery as a Conditional Use in the Central Business District by amending Section 17.16.030 of the Rapid City Municipal Code
DATE OF APPLICATION	8/8/2011
REVIEWED BY	Fletcher Lacock / Brandon Quiett

RECOMMENDATION:

Staff recommends that the an Ordinance to allow a Winery as a Conditional Use in the Central Business District by amending Section 17.16.030 of the Rapid City Municipal Code be approved.

GENERAL COMMENTS:

The applicant proposes opening a winery in the Central Business District. Currently, the Rapid City Municipal Code Chapter 17.16.030 does not include a winery as an allowed or conditional use in the Central Business District. In order to provide for a process to conditionally approve a winery in the Central Business District, the applicant is requesting that the Rapid City Municipal Code be amended to include a winery as a conditional use in the Central Business District.

STAFF REVIEW:

Staff has reviewed the Ordinance Amendment and has noted the following considerations:

Chapter 17: Chapter 17.16 concerns the Central Business District and states that "(t)his district forms the metropolitan center for commercial, financial, professional, governmental and cultural activities." Chapter 17.16.030 outlines the Conditional Uses for the Central Business District that require approval of a Conditional Use Permit. The Criteria for Review of a Conditional Use Permit are located in Chapter 17.54.030(E).

Staff recommends that Chapter 17.16.030 be amended as follows:

Wineries: Facilities for the production of table, sparkling, and sacramental wines or other wines, as defined in SDCL Chapter 35-12, including storage, bottling and distribution and related administrative offices and functions such as on-site tasting facilities subject to the following regulations:

- a. The amount of wine the winery is allowed to sell or distribute in one year is limited to 150,000 gallons;
- b. Authorization under this use shall allow on-off sale of wine as per State Law; and,

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- c. Accessory uses to a winery specifically include, but are not necessarily limited to, the serving of food and/or operation of a restaurant; the selling of glassware, wine literature and accessories, and/or food products.