

ORDINANCE NO. ____

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

WHEREAS,

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NOW THEREFORE, BE IT ORDAINED, by the City of Rapid City, that Section 17.16.030 of the Rapid City Municipal Code is hereby amended to read as follows:

Section 17.16.030 Conditional uses.

- A. Filling station, repair garages and carwash establishments;
- B. Missions, subject to the following:
 - 1. Provide a detailed program and services plan at time of application, including but not limited to, hours of operation, and type and extent of supervision;
 - 2. Must meet fire, building and health requirements;
 - 3. Any significant modification in the program and services plan will require a new application; and
 - 4. Missions shall not be located in the downtown historical district.
- C. Churches or similar places of worship, but not including missions or revival tents;
- D. Child care centers;
- E. Planned commercial developments as regulated in §§ 17.50.050 through 17.50.100;
- F. Planned unit developments as regulated in §§ 17.50.050 through 17.50.100;
- G. Group homes, subject to the following:

1. Provide a detailed program and services plan at time of application;
2. Must meet fire, building and health requirements;
3. The Council may or may not wish to add the following conditions:
 - a. Standard hours of operation;
 - b. Supervision, i.e., type and extent;
 - c. Services and program to be provided;
 - d. Number of persons;
 - e. Proximity to other group homes; and
 - f. Any other condition the Council may deem appropriate.
4. Any significant modification in the program and services plan will require a new application;
- H. Fraternities, sororities and denominational student headquarters;
- I. On-sale liquor establishments;
- J. Hotels and motels with on-sale liquor establishments;
- K. Adult day care centers subject to, but not limited to, the following considerations:
 1. Proximity to major arterial;
 2. Proximity to recreation facilities;
 3. Traffic generated by the center;
 4. Hours of operation of the center;
 5. Existing or potential levels of air and noise pollution in the area;
 6. Access from the center to adjacent areas which are used for commercial and industrial purposes;
 7. Appropriateness of outdoor recreation areas. If outdoor recreational areas are permitted, fencing shall be not less than 42 inches in height;

- 8. Type of vehicular traffic common to the area; and
- 9. Any other requirements Council may deem appropriate.

L. Assisted living centers;

M. Libraries;

N. Art centers; and

O. Microcell wireless communications facilities on poles as defined in § 17.50.400B.

P. 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:

1. The amount of wine the winery is allowed to sell or distribute in one year is limited to 150,000 gallons;

2. Authorization under this use shall allow on-off sale of wine as per State Law; and,

3. 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.

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer

(SEAL)

First Reading:

Second Reading:

Published:

Effective: