

STAFF REPORT

May 23, 2002

No. 02OA006 - Ordinance Amendment

ITEM 16

GENERAL INFORMATION:

PETITIONER City of Rapid City

REQUEST **No. 02OA006 – An Ordinance Amendment amending Section 17.54.030 of the Rapid City Municipal Code pertaining to the procedures for Conditional Use Permits**

REPORT BY Trish Anderson

RECOMMENDATION: Staff recommends that the Ordinance Amendment establishing a time frame for Planning Commission action on a Conditional Use Permit be approved.

GENERAL COMMENTS: **The Planning Commission had requested that the ordinance be revised to allow the applicant to request a waiver of the sixty-day review period. The Assistant City Attorney has drafted the requested revision and it is included in the attached draft ordinance.** At the direction of the City Council, Staff has prepared the draft Ordinance Amendment establishing a time frame of sixty days of submission within which the Planning Commission must act on a Conditional Use Permit. If no action is taken at the expiration of the sixty-day time frame, then the Conditional Use Permit is automatically approved. Concerns had been expressed regarding the inability of an applicant to make an appeal if a Conditional Use Permit application is continued repeatedly with no formal action by Planning Commission.

STAFF REVIEW: The sixty-day time frame will provide ample opportunity for review by the Planning Commission, and provide the applicant with a timely option for appeal of a Planning Commission decision. Staff notes that the approval process for subdivision plats establishes a ninety-day time frame for review and a decision. Staff recommends approval of the attached Ordinance Amendment.