

STAFF REPORT

September 26, 2002

No. 02OA015 - Ordinance Amendment - Public Notification Requirements ITEM 41

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	No. 02OA015 - Ordinance Amendment - Public Notification Requirements
EXISTING LEGAL DESCRIPTION	An Ordinance Amendment to modify the public notification requirements for Planned Developments by amending Section 17.50.060 of the Rapid City Municipal Code
DATE OF APPLICATION	08/30/2002
REPORT BY	Trish Anderson

RECOMMENDATION: Staff recommends that the Ordinance Amendment amending the notification requirements for Planned Developments be approved.

GENERAL COMMENTS: A recent amendment to the zoning ordinance approved July 15, 2002 by City Council established the notification distance for Planned Developments to 250 feet including public right-of-way. Unfortunately when this ordinance amendment was adopted, it was adopted with a codification error. The area to be notified (250 feet including public right-of-way) was correctly stated in the ordinance; however, other recent amendments to the Planned Development procedure section (17.50.060) were omitted. The amendment did not include the requirement of notification by first class mail to property owners within the Planned Development. Nor did it include the requirements regarding the securing and posting of the sign for the Planned Development site. Both of these amendments were approved by City Council in November 2001. This amendment will correct that error as well as bring that section up to date with more recent changes.

Other changes to the Planned Development procedure section include omitting the reference that states that a public hearing must be held by City Council. Planned Development applications are subject to the same procedures as Conditional Use applications. The Conditional Use section (17.54.030) was recently amended to omit reference to City Council and give the Planning Commission the authority to make the final decision on Conditional Uses, except in cases of appeal.

STAFF REVIEW: This ordinance amendment will incorporate already approved ordinances and make a few other minor changes to make the Planned Development and Conditional Use sections consistent. Staff recommends approval of this ordinance.

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