

STAFF REPORT

May 9, 2002

No. 02OA002 - Ordinance Amendment

ITEM 12

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	No. 02OA002 - Ordinance Amendment
EXISTING LEGAL DESCRIPTION	An Ordinance amending Chapter 16.08 of the Rapid City Municipal Code by adding Chapter 16.08.035 pertaining to Administrative Approval of Final Plats
DATE OF APPLICATION	01/11/2002
REPORT BY	Trish Anderson

RECOMMENDATION: **Staff recommends that the Ordinance Amendment be approved.**

GENERAL COMMENTS: **This Ordinance Amendment had previously been continued to allow for additional research and to allow time for a courtesy letter to be sent out to area engineering and surveying firms; both tasks have been completed.**

In their meeting of December 6, 2001, the Planning Commission directed staff to advertise for ordinance amendments regarding Administrative Approval of Final Plats. Under the current procedures, Final Plats are frequently continued on City Council agendas for a number of meetings to allow the applicant time to meet the stipulations identified in the Preliminary Plat stage. Often applicants can be delayed for any number of reasons including the weather and financing. The repetition of having incomplete Final Plats appear over and over again on City Council agendas results in burdensome agendas for the City Council and is time consuming for the developers.

In the November meeting, some Planning Commissioners expressed concern that the administrative approval of Final Plats would lead to loss of control by the Planning Commission. However, all the substantive issues are addressed during the Layout and Preliminary Plat stage and typically discussed at Planning Commission meetings prior to approval. The draft ordinance as written only allows for minimal changes that may result from part of the Preliminary Plat approval, and minor changes such as changes in dimensions or angles. The minor changes must not change in any way the overall scope of the plat, and must be approved by both the Planning Director and the Public Works Director. This process is similar to the building permitting process already administered by the City. Staff also notes that that both Sioux Falls and **Brookings** use this method to expedite approval of Final Plats.

Concerns were also expressed over the necessity of an appeals process. An applicant could disagree over the interpretation of a stipulation of approval. The ordinance establishes an appeal process.

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STAFF REVIEW: This new procedure will significantly reduce the time required to obtain Final Plat approval and will thus also result in an improvement in public service delivery. Staff estimates that this procedure will save applicants a minimum of 39 days as their applications for Final Plat will no longer be subject to the scheduled submittal deadlines and subsequent approval process.

Staff sent out 79 letters to engineering and surveying firms in the Rapid City area. The letter provided information on the proposed ordinance amendment and the date of the Planning Commission meeting where the amendment will be discussed. Staff has received several favorable comments from developers supporting this effort to streamline and expedite the submission review process. Staff recommends approval of the attached ordinance.