

STAFF REPORT

June 20, 2002

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**No. 02OA011 - Ordinance Amendment - Notification Requirements**

**ITEM 25**

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GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	<b>No. 02OA011 - Ordinance Amendment - Notification Requirements</b>
EXISTING LEGAL DESCRIPTION	An Ordinance to establish a uniform requirement for notification of property owners for Planning Department hearings by amending Sections 17.50.060, 17.54.020, 17.54.030, 17.54.0404 and 15.32.240 of the Rapid City Municipal Code
DATE OF APPLICATION	05/24/2002
REPORT BY	Trish Anderson

RECOMMENDATION: Staff recommends approval of the ordinance amendment changing the notification requirements from 150 feet excluding right-of-way to 250 feet including right-of-way for all applications.

GENERAL COMMENTS: The Zoning Ordinance requires that for Planned Developments, Conditional Use Permits, Rezones, Variances and Special Exceptions to Flood Area Construction Regulations the owners of property located within 150 feet excluding right-of-way be notified. The notification requirement for an on-sale liquor establishment is 250 feet excluding the right-of-way. Currently the Pennington County Department of Equalization provides these lists for a fee of \$20 per list. Staff is recommending that the distance be modified from 150 feet excluding rights-of-way to 250 feet including rights-of-way, for all applications, including on-sale liquor establishments. The change would allow the planning staff to generate the property owner lists internally using the Geographic Information System. Generating the lists internally would lead to a more efficient process, greater accuracy, better customer service and the potential for providing the mailing labels for applicants for the same or a slightly higher fee than is charged now. There would be a minimal change in the overall area notified for most applications.

Currently after an application for one of the aforementioned actions is submitted, staff contacts the Department of Equalization for the property owner list. The Director of Equalization's staff hand generates the notification area and prepares the list. The list is returned to the Planning Office and staff. The process typically takes three or four days and the \$20 fee paid by the applicant is forwarded to the Department of Equalization. The applicant then hand addresses the requisite number of certified notifications and mails them out. The generation of these lists internally, made possible by the Geographic Information System and the establishment of a uniform distance for all types of applications, could save applicants time and effort.

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STAFF REVIEW: Staff recommends approval of the ordinance amendment.(The City Attorney's Office has indicated that a Draft Ordinance will be available on June 17, 2002. At that time a copy will be distributed to the Planning Commission and a link on the internet will be provided)