



CITY OF RAPID CITY

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MEMORANDUM

TO: Rapid City Planning Commission

FROM: Marcia Elkins, Director

DATE: December 6, 2007

RE: Advantages and Disadvantages of Expanding City's Platting Jurisdiction

The Rapid City Council has requested that the Planning Commission review the advantages and disadvantages of expanding the City's Platting Jurisdiction into Meade County and bring forth a recommendation. Outlined below is some background information for consideration by the Planning Commission. The intent of providing this information is to assist the Planning Commission in reviewing the advantages and disadvantages and assist the Commission in bringing forth a recommendation.

Statutory Authority

The City of Rapid City currently exercises three mile subdivision review or platting jurisdiction within Pennington County pursuant to the provisions of 11-6-26 SDCL. This provision of State Statute allows a municipality that has adopted a major street plan and filed a certified copy of the plan with the Register of Deeds, to review all subdivision plats within three miles of the corporate limits. If two municipalities lie such that the extraterritorial jurisdictions overlap, the boundary lies half way between the two municipalities.

Pursuant to this provision, the City of Rapid City could, with no concurrence from an adjacent City or County, extend the three mile platting jurisdiction into Meade County. The adopted major street plan filed at the Register of Deeds Office currently extends into Meade County. If the City of Rapid City chooses to extend their platting jurisdiction into Meade County, the City Council would simply need to adopt such a resolution.

There are other joint jurisdictional options available under the statutes, including joint city-county zoning jurisdictions and intergovernmental agreements.



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Advantages

As with the current three mile platting jurisdiction, the City can bring a higher level of planning to the area. To date, Meade County has not adopted a major street plan for the County. There is an effort being undertaken currently in conjunction with the South Dakota Department of Transportation to develop a Major Street Plan. Meade County currently has a two page Comprehensive Plan. No zoning is adopted currently in Meade County, although the County has implemented some limited density and use provisions through their Subdivision Standards. By exercising the three mile platting jurisdiction and implementing several basic planning tools including a more extensive comprehensive plan, future land use plan and a Major Street Plan, the overall level of planning for the area could be raised.

This higher level of planning and resulting regulation could improve the design and quality of development and insure that adequate infrastructure is in place. Planning for road way improvements could be improved with the provision of additional information regarding Meade County development and projection of the impacts of the in-coming vehicular trip rates on Rapid City's traffic network. Better planning and the provision of better quality and complete infrastructure could insure that at such time as the City determines it is appropriate to annex into these areas, there is adequate infrastructure in place to facilitate the provision of municipal services to support the urban density of development. Implementation of City subdivision regulations could also lessen the potential that large lot development strangles the expansion of the municipality in the long term. Right of way corridors could be protected insuring that adequate roadways can be developed in the future without excessive costs associated with the purchase of buildings or other improvements. Further, it could insure that adequate storm drainage improvements are installed in conjunction with the development to protect downstream landowners. Better coordination of floodplain issues with downstream areas lying within the corporate limits of Rapid City could occur as platting is reviewed. Expanded utility planning would benefit the long term growth of the area. The provision of sanitary sewer facilities installed to City standards could provide added protection for the ground water sources serving Rapid City and areas to the south and east.

Review of residential subdivision development in the areas surrounding Ellsworth Air Force Base could provide greater protection for the base and its missions.

Disadvantages

The expanded area will result in additional applications resulting in a greater work load for staff, the Planning Commission and the City Council. More significant is the need for new planning studies and plans to be created in areas where little or no planning has occurred. The access to information and data is more limited. Meade County is developing a GIS system; however, this is a new program with a different scale of aerial photographic data available. Basic land information and deeds must be obtained in Sturgis requiring additional staff time to physically access the data. A new plat data base for existing land records would need to be created to insure staff has physical access to plat documents. Significantly more staff time would be required resulting in the need for additional FTE with no significant source of expanded revenues off-setting those expenses. Significant additional resources, time, money and manpower would be required.

The City of Rapid City's exercising of the three mile platting jurisdiction could negatively impact Meade County's current land use regulations. In a somewhat unorthodox manner, Meade County has implemented density standards and more typical zoning standards through their subdivision ordinance. The application of those development standards would most likely be eliminated if

Rapid City Planning Commission

December 6, 2007

Page 3

Rapid City extended their platting jurisdiction. Meade County would have to either implement more traditional zoning, utilize "district zoning" standards or the standards would no longer apply. Coordination with Meade County would be required to avoid these unintended consequences.

Greater coordination with an additional County Commission and County staff would be required, duplicating the efforts required with Pennington County. Because of the lack of previous planning and land use regulation in the area, the political acceptability of land use regulations may be significantly lower than in areas where regulations have been established for 35 years, as in Pennington County. Greater public education and outreach would be required.

One of the conclusions of the Extraterritorial Task Force work in 1991 was that there needed to be greater agreement between Pennington County and Rapid City regarding the standards and policies for development in the urban growth area. The attempt to coordinate development review with a joint city-county planning office was stymied by the lack of agreement between the City Council and County Commission on the appropriate policies and standards for development. As stated in the Task Force Conclusions, "With a cooperative agreement relative to the standards and policies for development in the urban growth area, jurisdictional issues become less divisive." The divide between the generally accepted development policies and standards is far greater between the City of Rapid City and Meade County. Unless the issues are resolved on a policy level, the expansion of the Rapid City Three Mile Platting Jurisdiction into Meade County is potentially very controversial and divisive. Significant efforts would be required to narrow that divide and build a greater community consensus on development issues.

The State of South Dakota in conjunction with the Moving Forward with Ellsworth Task Force is currently working with a consulting firm on developing plans and planning strategies for the area surrounding Ellsworth Air Force Base. One of their goals is to provide recommendations on how to improve the level of planning and the development standards for this area. Discussions have specifically addressed how to eliminate to the greatest degree possible the disparities between the various jurisdictions. It may be appropriate to delay any action to extend the City of Rapid City's three mile platting jurisdiction into Meade County until the consultant has had an opportunity to prepare their recommendations and the various jurisdictions have had an opportunity to take steps to adopt those recommendations.

The information contained here is intended as a starting place for discussion. Hopefully, the information will generate extensive dialogue as the Planning Commission reviews the issue and prepares to make a recommendation on the matter to the City Council.