



CITY OF RAPID CITY

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Community Planning & Development Services

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MEMORANDUM

TO: Chairman and Members of the Planning Commission

FROM: Brett Limbaugh, Director

DATE: October 21, 2011

RE: No. 110A012 - An Ordinance Adopting New Subdivision Regulations by Amending Chapter 16 of the Rapid City Municipal Code.

Staff has been working with the Second Floor Review Committee over the last several months to revise the subdivision regulations within Chapter 16 of the Rapid City Municipal Code. A final draft has been prepared for review by the Planning Commission and is attached to this memorandum. The new ordinance changes require restructuring the ordinance layout and content to such an extent that a redlined document was not practical. As a result Staff is recommending that the old subdivision ordinance be completely repealed in favor of the new ordinance. The new ordinance is divided into six chapters as follows:

General Provisions - The first chapter establishes the purpose, authority, jurisdiction, exceptions, responsibilities and general provisions of the subdivision ordinance.

Application Procedures - The second chapter outlines the specific application procedures including timelines. The Preliminary Subdivision Plan will require Planning Commission and City Council approval. By state law the vacation of right-of-way and section line highways require City Council approval. The remainder of the subdivision procedures including Layout Plat, Minor Plat, Final Plat, Consolidation and Lot Line Adjustments, Vacation of Easements, and Plat Errors and Omissions will be approved administratively by City Staff.

Specifications for Submittal Documents - The third chapter contains the submittal requirements for each process. The basic requirements have been consolidated and the Department of Community Planning & Development Services will create handouts with specific subdivision plat format requirements rather than listing these details within the ordinance.



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Standards for Improvements – Chapter four is a consolidation of the subdivision standards. The previous ordinance contained specific design criteria for the layout and design of the subdivision including standards for public and private infrastructure. In many instances an applicant could not comply with all of the design standards and a variance application was required that included public hearings. The new subdivision ordinance eliminates the need for variances because the majority of the standards have been removed from the subdivision ordinance and placed within the City Engineering ordinances and/or design criteria manuals. If an applicant cannot meet an Engineering standard then an exception can be approved administratively by the Department of Public Works and Department of Community Planning & Development Services. An appeal from a denial would be sent to the City Council.

Definitions – Chapter 5 is the definitions section that has been revised and moved to the back of the subdivision ordinance.

Application Fees – Chapter 6 removes the fees in favor of a fee resolution. The previous ordinance codified application fees within the ordinance and required an ordinance amendment if the City needed to revise or add a fee. The new subdivision ordinance allows the fees for subdivisions to be approved by City Council by resolution. A resolution is a preferred method for establishing fees because it allows the fees to be added, eliminated, or revised by City Council on an annual basis without an amendment to the Municipal Code. Staff is in the process of preparing a single resolution containing all fees charged by the Department of Community Planning & Development Services.

Recommendation: Staff and the Second Floor Review Committee recommend that the Planning Commission forward the new subdivision ordinance to City Council with a recommendation to approve.