

ORDINANCE NO. - 5968

AN ORDINANCE REQUIRING THAT A STANDARDIZED DEVELOPMENT AGREEMENT BE ENTERED INTO IN CONJUNCTION WITH SUBMITTAL OF DEVELOPMENT ENGINEERING PLANS AND REQUIRING A FULLY EXECUTED DEVELOPMENT AGREEMENT AS A CONDITION OF APPROVAL FOR A FINAL PLAT BY AMENDING CHAPTER 16.12 OF THE RAPID CITY MUNICIPAL CODE

WHEREAS, the City has adopted regulations governing the subdivision of land within the City pursuant to SDCL 11-6-27; and

WHEREAS, the City Council appointed a committee to review the City's subdivision regulations and bring forward changes if necessary; and

WHEREAS, based on the recommendations of this committee, the City's subdivision regulations went through a substantial revision which was approved in 2012; and

WHEREAS, one of the recommendations of this group was the adoption of a development agreement which would be entered into between the City and a sub-divider of land which would govern the construction of the public improvements required by approval of the plat and would establish the process for review and approval so that there were clear expectations of what each party was required to do and everyone was following the same rules; and

WHEREAS, since approval of the revisions of the City's subdivision ordinances, a sub-committee consisting of members of the development community and City staff has been meeting to draft a standard development agreement for the City; and

WHEREAS, the standard development agreement recommended by this group was approved by the City Council on May 6, 2013; and

WHEREAS, City staff recommends that the requirement to enter into this agreement be specifically incorporated into the City's subdivision regulations; and

WHEREAS, the City Council of the City of Rapid City finds that it is in the best interests of the City to include the requirement to enter into a standardized development agreement prior to approval of a final plat in the City's subdivision regulations.

NOW THEREFORE, BE IT ORDAINED, by the City of Rapid City that Chapter 16.12 of the Rapid City Municipal Code be amended to read as follows:

16.12.010 General specifications for submittal documents.

The Director shall prepare written materials to assist applicants with the creation of subdivision plats and supporting plat application documents that comply with city, state and federal requirements. At a minimum these materials shall specify:

- A. The format of the subdivision plat, subdivision application, and supporting documents.
- B. The number of copies of the subdivision plat and supporting documents necessary for distribution, review, and recording as required by the city and Pennington County.

16.12.020 Layout plan.

A.—The following information is required for layout plans:

A1. A completed and signed application;

B2. Site plan;

C3. Vicinity map;

D4. Lot configurations with approximate areas designated in square feet and the location of streets within the subdivision boundary;

E5. Topography at 5-foot contour intervals; and

F6. Adjacent development information including property lines, roads, and watercourses.

16.12.030 Preliminary subdivision plan.

The following information is required for preliminary subdivision plans:

A. A completed and signed application;

B. Site plan showing existing development and proposed subdivision lot layout;

C. Vicinity map;

D. Lot configurations with areas designated in acres and square feet and the location of streets within the subdivision boundary;

E. Topography at 5-foot contour intervals;

F. Land uses;

G. Street layout;

H. Sidewalks and walkways;

I. General utility layout;

J. Initial grading plan;

- K. Drainage areas;
- L. Master plan;
- M. Phasing plan; and
- N. Traffic impact study, if applicable.

16.12.040 Development engineering plans.

The following information is required for development engineering plans:

- A. A completed and signed application and fees;
- B. Plat including lot configurations, lot areas, easements, and signature blocks;
- C. Street plan and profiles;
- D. Utility design for water and sanitary sewer services;
- E. Utility distribution plan;
- F. Drainage report;
- G. Storm drainage plans;
- H. Flood zones;
- I. Sidewalks and walkways;
- J. Cost estimate for subdivision improvements; ~~and~~
- K. A standard development agreement with the City; and
- ~~K~~L. Additional public agency permits or agreements as required.

16.12.050 Final plat.

The following information is required for final plats of subdivisions:

- A. A completed and signed application;
- B. Signed mylar of the plat document;
- C. A fully executed development agreement in a form approved by the City;

CD. Surety for subdivision improvements; and

DE. Inspection fees.

6.12.060 Minor plat.

The following information is required for minor plats of subdivisions:

- A. A completed and signed application and fees;
- B. Site plan showing existing development and proposed subdivision lot layout;
- C. Vicinity map;
- D. Lot configurations with areas designated in acres and square feet;
- E. Topography at 5-foot contours;
- F. Easement locations (standard, required and previously platted); and
- G. Signed mylar of the plat document.

16.12.070 Lot line adjustment and consolidation plat.

The following information is required for lot line adjustments and consolidation plats:

- A. A completed and signed application and fees;
- B. Vicinity map;
- C. Site plan (to scale);
- D. Lot configurations and areas;
- E. Easement locations (standard, required and previously platted); and
- F. Signed mylar of the plat document.

16.12.080 Vacation of easements.

The following information is required for vacation of easements:

- A. A completed and signed application and fees;

B. Copies of a site plan showing all the existing development including building footprints, driveways, curb cuts, utility service lines, sidewalks, and the like. The site plan must be drawn to a scale such as 1"=10' or 1"=20'. One copy of the site plan at 8-1/2" x 11" must be furnished;

C. The original vacation instrument shall be prepared by a licensed professional land surveyor and titled "Exhibit A." The vacation instrument shall include the book and page number of the original document dedicating or granting the easement;

D. *Vacation of drainage easement.* The applicant shall submit a drainage report prepared by a licensed professional engineer. The report shall determine the impact of the proposed vacation on the existing and future drainage;

E. *Vacation of utility easement.* The applicant shall submit letters from the utility companies consenting to the proposed vacation;

F. *Vacation of access easement.* The application shall be signed by all affected property owners requesting vacation of an access easement; and

G. *Vacation of planting screen and non-access easement.* The applicant shall submit a site plan with the locations of the existing and adjacent approach locations, spacing and clearance, and street intersections as indicated in the Infrastructure Design Criteria Manual.

16.12.090 Vacation of public right-of-way and vacation of section line highway.

The following information is required for vacation of public right-of-way and vacation of section line highway:

A. A completed and signed application and fees;

B. Petition of vacation signed by property owners;

C. Configuration and dimensions of the area being vacated;

D. Lot configurations and areas adjacent to the vacated right-of-way; and

E. Exhibit "A" prepared by a licensed professional land surveyor showing area of vacation.

CITY OF RAPID CITY

Sam Kooiker, Mayor

ATTEST:

Pauline Sumption, Finance Officer
(SEAL)

First Reading:
Second Reading:
Published:
Effective: