



CITY OF RAPID CITY

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PLANNING DEPARTMENT

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MEMORANDUM

TO: Rapid City Planning Commission

FROM: Bill Lass, Senior Planner

DATE: 8/29/01

RE: Proposed Amendments to Zoning Ordinance Regarding Planned Developments

Staff has identified several potential changes to the Planned Development section of the Zoning Ordinance. Staff is recommending that the Planning Commission authorize Staff to advertise for the following changes to the Zoning Ordinance:

- Size Requirements: City Code currently sets forth minimum size requirements for all types of Planned Developments. A minimum size of one acre is required for Planned Residential Developments, Planned Commercial Developments, Planned Light Industrial Developments and Planned Development Designations. A minimum size of ten acres is required for a Planned Unit Development. Planning Staff believes that these references to minimum sizes should be eliminated. If there is a sound reason to have a Planned Development then Staff believes there is no reason to require a minimum size requirement.
- Recording Planned Developments: Several years ago, and at the direction of the Planning Commission, the Planned Development regulations were revised to require recording of approved Planned Developments at the Pennington County Register of Deeds Office. Planning Staff was working with the previous City Attorney on this issue although the issue remained unresolved at the time that individual left his employment with the City. At the request of the Planning Department, the new Assistant City Attorney Jason Green has now researched this matter and recommended that the requirement be removed from the Zoning Ordinance. Mr. Green determined that State Law does not authorize the recording of such a document.



EQUAL OPPORTUNITY EMPLOYER

- Notice Requirements: There are two sections of the Planned Development Ordinance pertaining to notification requirements that need revision. First, the Initial Development Plan and any Major Amendments to a Planned Development require the applicant to send certified return receipt mailings to all property owners within 150 feet of the Planned Development but requires no notification of property owners within the Planned Development. Staff is recommending that this section be modified so that the first class mail notification of property owners within the Planned Development is also required. Secondly, the Final Development Plan section of the Ordinance currently states that certified return receipt notification of all property owners within the Planned Development and all property owners within 150 feet of the Planned Development must occur. Staff has noted that the costs of such a mailing can become quite burdensome as there are several very large Planned Developments in Rapid City with hundreds of property owners. Staff believes it is appropriate to revise the Code so that the notification for Final Development Plans would require first class mailings to all property owners within Planned Developments. Certified return receipt mailings would still be required to property owners within 150 feet of the perimeter of the Planned Development.
- Consistency with Use on Review Amendments: Currently an amendment to a Use on Review can be granted administratively as a Minimal Amendment if an expansion of less than 20% is being proposed. However, the Code requires a Major Amendment to a Planned Development in the case of *any* expansion. Planning Staff believes it is appropriate to change this requirement so that a 20% expansion in a Planned Development could also be handled through a Minimal Amendment.

Staff looks forward to discussing these proposed changes to the Zoning Ordinance at the September 6, 2001 Planning Commission meeting.