

STAFF REPORT

May 9, 2002

No. 02OA006 - Ordinance Amendment

ITEM 49

GENERAL INFORMATION:

PETITIONER City of Rapid City

REQUEST **No. 02OA006 – An Ordinance Amendment amending Section 17.54.030 of the Rapid City Municipal Code pertaining to the procedures for Conditional Use Permits**

REPORT BY Trish Anderson

RECOMMENDATION: Staff recommends that the Ordinance Amendment establishing a time frame for Planning Commission action on a Conditional Use Permit be approved.

GENERAL COMMENTS: At the direction of the City Council, Staff has prepared the draft Ordinance amendment establishing a time frame of sixty days of submission within which the Planning Commission must act on a Conditional Use Permit. If no action is taken at the expiration of the sixty-day time frame, then the Conditional Use Permit is automatically approved. Concerns had been expressed regarding the inability of an applicant to make an appeal if a Conditional Use Permit application is continued repeatedly with no formal action by Planning Commission. Currently, the way the ordinance is written an appeal is not possible until the Planning Commission has taken formal action on a request.

STAFF REVIEW: The sixty-day time frame will provide ample opportunity for review by the Planning Commission, and provide the applicant with a timely option for appeal of a Planning Commission decision. Staff notes that the approval process for subdivision plats establishes a ninety-day time frame for review and a decision. Staff recommends approval of the attached Ordinance amendment.