

STAFF REPORT

November 21, 2002

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**No. 02OA018 - Ordinance Amendment - Fees, Timetables and Notification Procedures for Comprehensive Plan Amendments** **ITEM 41**

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GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	<b>No. 02OA018 - Ordinance Amendment - to establish Fees, Timetables, Criteria and Notification Procedures for Comprehensive Plan Amendments</b>
DATE OF APPLICATION	10/11/2002
REPORT BY	Trish Anderson

RECOMMENDATION: Staff recommends that the Ordinance Amendment to establish criteria, fees, timetables and notification procedures for Comprehensive Plan Amendments be approved.

GENERAL COMMENTS: The comprehensive plan serves as a guide for public and private development and land use decisions. The City of Rapid City has adopted several comprehensive plans for the city and areas within the three-mile platting jurisdiction. There are approved plans for the South Robbinsdale, Elk Vale, Northeast Area, North Rapid, and Southwest Connector neighborhoods. Draft plans for the remainder of the fourteen neighborhoods are in various stages of preparation. Staff, at the direction of Planning Commission has drafted a chapter to be added to the Rapid City Municipal Code that would establish fees, a timetable, and notification procedures for comprehensive plan amendments similar to the procedure used for rezoning requests. Staff has also drafted criteria for evaluation of plan amendments to insure consistency and thoroughness in review. The proposed criteria are as follows:

- (a) the proposed change is consistent with the policies and overall intent of the comprehensive plan;
- (b) the proposed change is warranted by changed conditions within the neighborhood surrounding and including the subject property;
- (c) the proposed amendment is compatible with existing and proposed uses surrounding the subject land;
- (d) the proposed amendment will result in a logical and orderly development pattern;
- (e) the proposed amendment does not significantly adversely affect the environment, services, facilities, and transportation; and,
- (f) the proposed amendment shall not adversely affect any other part of the city, nor shall any direct or indirect adverse effects result from such amendment.

Additionally, staff has included a provision in the section on public notification giving the Planning Director authority to convene a neighborhood meeting to present and discuss a proposed comprehensive plan amendment of known controversy and/or significant neighborhood impacts. The Future Land Use Committee, the Planning Commission and

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staff have conducted extensive public outreach and held numerous neighborhood meetings prior to adoption of each of the land use plans. Staff believes it is important to continue the high level of citizen participation as the plans evolve over time.

STAFF REVIEW: The process used by staff to date to evaluate comprehensive plan requests has typically considered many of the issues mentioned in the evaluation criteria. A review of recommendations on previous staff reports found the decisions made were in alignment with the draft criteria. However, the adoption of an official process will provide a clear consistent guideline for processing these requests and provide applicants with a known framework within which their requests will be evaluated. Further, the establishment of the \$250 fee and notification procedures may discourage repeat comprehensive plan amendment requests that have already been reviewed and denied by both the Planning Commission and City Council.

Staff notes that the Rapid City Planning Department processes comprehensive plan amendment requests throughout the year. This is not the case with other communities, many of whom only amend their plans twice a year. This practice reduces the potential for incremental land use changes to result in unintended policy shifts. The Planning Commission may wish to consider whether or not they feel it is appropriate to utilize a limited schedule for the review of such requests. Staff recommends approval of this ordinance.