

STAFF REPORT
February 22, 2007

No. 07OA002 - Ordinance Amendment to add Chapter 16.24.015 to allow exceptions to be granted to the City of Rapid City's Lot length to width requirements.

ITEM 22

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	No. 07OA002 - Ordinance Amendment to add Chapter 16.24.015 to allow exceptions to be granted to the City of Rapid City's lot length to lot width requirements.
DATE OF APPLICATION	2/12/2007
REVIEWED BY	Jonathan Smith

RECOMMENDATION: Staff recommends that the Ordinance Amendment to add Section 16.24.015 to allow exceptions to be granted to the City of Rapid City's lot length to width requirements be approved.

GENERAL COMMENTS: Section 16.12.190 (G) of the Rapid City Municipal Code addresses lot width to lot length ratio. Currently the code reads "For lots in residential districts having a width of not more than 150 feet, the lot length shall not be greater than twice the lot width". Applicants are required to obtain a Variance to the Subdivision Regulations if a proposed lot does not meet these requirements.

On December 14, 2006 the City of Rapid City Council Development Committee unanimously recommended the approval of an ordinance amendment that would establish a process by which exceptions could be granted to the City's lot length to lot width requirements, rather than have the applicant pursue a Variance to the Subdivision Regulations.

STAFF REVIEW: Staff has reviewed the request to amend Chapter 16.24. and has submitted an ordinance amendment for Planning Commission. Staff feels that there are specific conditions present in certain projects that it would not be detrimental to the community if an exception was granted instead of obtaining a Variance to the Subdivision Regulations. The Growth Management Director or their designee would grant or deny the exception based on topography, existing and adjacent land use, existing and future streets, and sound urban planning principles in general.

The Director of Growth Management or their designee shall have thirteen working days to grant or deny the exception. The applicant shall appeal any denial by the Growth Management Department by submitting a written appeal within seven working days of the written denial. All appeals of exceptions shall be placed on the next scheduled Public Works Committee agenda for review. The City Council shall have final approval as to if the exception is granted or denied. All exceptions shall be kept on log in the Growth Management Department and shall be public record. Staff feels that the process of

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requesting an exception rather than obtaining a Variance will stream line the approval process while still protecting the community. The City Attorney's staff has prepared an ordinance amendment to add Section 16.24.015.

Staff recommends that the Ordinance Amendment adding Section 16.24.015 to allow exceptions to be granted to the City of Rapid City's lot length to lot width requirements be approved.

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