



CITY OF RAPID CITY

RAPID CITY, SOUTH DAKOTA 57701-2724

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MEMORANDUM

TO: Planning Commission

FROM: Vicki L. Fisher, Planning Manager

DATE: September 15, 2010

RE: Ordinance amendment(s) addressing setback reductions resulting from the dedication of right-of-way or H Lots

In order to streamline the platting process, staff has reviewed the option of amending the Ordinance to allow reductions in setbacks that occur as a result of dedicating right-of-way. In particular, Chapter 16.12.010 of the Rapid City Municipal Code states that when a property is being platted, all streets must provide the minimum right-of-way widths as specified within the City's Street Design Criteria Manual. In some instances, additional right-of-way is required within an established development when the streets do not currently meet the minimum right-of-way requirements. Subsequently, as a result of dedicating the additional right-of-way, some of the existing structures no longer meet the minimum setback requirements as established in Chapter 17 of the Rapid City Municipal Code. When this occurs, the applicant must obtain a Variance from the Zoning Board of Adjustment to reduce the setback requirement or obtain approval of a Planned Development to reduce the setback or the structure must be removed from the setback. In the past, these Variances have been approved noting that it is in the public's best interest to obtain the right-of-way for future street, pedestrian and utility improvements if needed.

Staff recommends that the Rapid City Municipal Code be amended to allow setback(s) to be reduced for existing structures as a result of dedicating right-of-way and/or H Lots. Staff is requesting that the Planning Commission authorize staff to advertise public hearings to consider amendments to Chapter 17 as noted.

Staff Recommendation: Authorize staff to advertise public hearings to consider amendments to Chapter 17 of the Rapid City Municipal Code to allow setback(s) to be reduced for existing structures as a result of dedicating right-of-way and/or H Lots.



EQUAL OPPORTUNITY EMPLOYER