

MINUTES OF THE
RAPID CITY PLANNING COMMISSION
Work Session
July 14, 2014
2:15 p.m. to 4:00 p.m.

MEMBERS PRESENT: Erik Braun, John Brewer, Karen Bulman, Jan Swank. Amanda

STAFF PRESENT: Brett Limbaugh, Carla Cushman, Hanzel Hanzel, Patsy Horton and Andrea Wolff

OTHERS PRESENT: Jody Speck, Shawn Krull, Jean Kessloff, Bill Kessloff, Sally Shelton, Shawn Krull and Darrel Shoemaker

Limbaugh called the meeting to order at 2:15 p.m.

Limbaugh provided a brief overview for why this work session was being held stating that the Planning Commission had many questions when reviewing the proposed ordinance during the July 9, 2015 Planning Commission meeting and this meeting was to provide a forum for those questions to be addressed.

Cushman reviewed the Ordinance that was before the Planning Commission at the July 9, 2015 Planning Commission meeting saying that no changes have been made since the July 9, 2015 version. Cushman reviewed the ordinance changes starting with the movement of the Historic Preservation review section from Chapter 2 of the Rapid City Municipal Code to Chapter 17 of the Rapid City Municipal Code. This change requires that all of the references to Chapter 2 are stricken and that the necessary definitions be added to the definition section of Chapter 17. Cushman stated that she would be amending the ordinance to remove the language referencing the expansion of Historic District boundaries because the Historic District boundaries are not being changed with this ordinance. Cushman stated that the language regarding the Overlay Zone District would be removed and addressed in a second phase or amendment at a later date.

Cushman briefly reviewed the additional definitions and the Secretary of Interior's Standards for the Treatment of Historic Properties and the language that references methods, policies, technical notes, preservation briefs and guidelines used by the National Parks Service and the President's Advisory Council on Historic Preservation. Cushman said they would change this from "these include" to "additional guidance is available in these documents". Discussion followed regarding the language and the reason for its inclusion including that this is part of State definitions for Historic Review. Bill Kessloff clarified that the standards are nationwide and not solely to our area. Jean Kessloff clarified that the guidelines are to be used to help understand the regional standards.

Cushman clarified that ordinance language would clearly state that the Zoning Board of Adjustment and Planning Commission have no review or oversight over the Historic Preservation Commission. In response to a question as to why the ordinance was moved from Chapter 2 to Chapter 17 of the Rapid City Municipal Code, Limbaugh stated that the move is to allow for the future Overlay Zoning District, which is a zoning process and therefore must be in Chapter 17, and to place all of the planning related boards, bodies

and commissions within Chapter 17 of the Rapid City Municipal Code. Discussion followed addressing the sections, language and layout of the ordinance.

Cushman reviewed the additional language noting that the powers and duties of the Historic Preservation Committee changed from six to nine, that the membership changed from seven members with two alternates, to six members with three alternates, and that the makeup of the membership includes specific qualifications required by State law. Krull reviewed what that professional representation encompasses. Discussion followed regarding appointments and review process.

Cushman reviewed the previous process that was established by an MOU between the State Historic Preservation Office and the city. She stated that this MOU expired at the end of 2014 and no new agreement has been initiated. Hanzel reviewed the existing review processes that required all applications to be reviewed. She noted that 75% of applications had a no adverse effect ruling. Hanzel said that since the beginning of the year staff has been reviewing applications with the State Historic Preservation Office and to date this process has been proceeding well. Hanzel reviewed the report currently available on the City's web page that summarizes the projects submitted and findings. Discussion followed on the review process and decision of what qualifies for an 11.1 Review for both interior and exterior requests.

Hanzel stated that applications identified with adverse effects are referred to the Historic Preservation Committee. If the applicant does not wish to consider options and alternatives suggested by staff, then a case report is prepared that goes to the Historic Preservation Commission for comments. The case report is then forwarded to Legal Finance and then to City Council with the final decision made by City Council.

Discussion followed regarding how the review process would be effected under the new ordinance and who should be completing the review and the extent of that review.

Cushman stated that Ordinance No. 6032 is scheduled to be on the July 23, 2015 Planning Commission agenda and that the agreed upon revisions requested today will be included in the ordinance linked to that agenda item.

Hanzel clarified that in the absence of an approved resolution stating which items could be approved by staff all applications are being sent to State Historic Preservation Office for review and will be until the resolution is approved.

The meeting adjourned at 4:00 p.m..