



# CITY OF RAPID CITY

RAPID CITY, SOUTH DAKOTA 57701-2724

## Growth Management Department

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### MEMORANDUM

TO: Chairman and Members of the Public Works Committee

FROM: Brett Limbaugh, Director CPDS

DATE: May 1, 2012

RE: Second Floor Review Committee Recognition

In February the members of the Second Floor Committee determined that they had completed the items identified within the Lehe Report. The Committee has agreed to formally disband and the City would like to acknowledge the members of this committee and thank them for all of their hard work. The members include:

Janelle Fink  
Bill Freytag  
Ron Kroeger  
Jeff Lage  
Jim Mirehouse  
Jerry Shoener  
Pat Tlustos

Together with City Staff the Second Floor Committee created new ordinances designed to streamline the development review process including:

- A complete re-write of Title 16 Subdivisions;
- Revised the Planned Development Overlay District;
- New Planned Unit Development District;
- New Administrative Exceptions Ordinances;
- Consolidation of the City Future Land Use Plan Districts;
- Reviewed changes to the Infrastructure Design Criteria manual;
- Revised the front setback requirements in residential zone districts for garages; and
- Revised the application procedures.



EQUAL HOUSING  
OPPORTUNITY

EQUAL OPPORTUNITY EMPLOYER

Staff has compiled a summary of the recommendations outlined in the Lehe Report shown in **bold** and the progress on these items by the City and the Second Floor Review Committee shown in *italics*.

#### **Recommendations:**

**The City should reorganize the Growth Management Department into a new Department of Planning and Development Services with three major divisions, each managed by a division head which reports directly to the Department Director without the need for an Assistant Director: Planning, Development Review Coordination, and Building Services with reduced number of staff. Merge all engineering functions from the Growth Management Department into the Public Works Department.**

*The Growth Management Department has been renamed to the Community Planning & Development Services Department. The Assistant Director position and one planning position were eliminated in the 2011 Budget. The Department consists of the following three divisions with a division manager including:*

*Building Services Division - Brad Solon, Building Official  
Current Planning Division - Vicki Fisher, Division Manager  
Long Range Planning Division - Patsy Horton, Division Manager*

*The Engineers and Engineering support staff that were included within the Growth Management Department have been transferred to the Engineering Division in the Public Works Department.*

**The new Development Review Coordination Division, established by a permit review process ordinance, would provide administrative services to facilitate development review at a single permit counter, coordinate reviews and approvals, maintain very limited review authority within the Division, basically limited to completeness reviews, and oversee a newly organized Development Review Coordination Team.**

*The Current Planning Division provides the oversight for development review applications and coordinates the activities of the Development Review Team. The Department counters have been re-constructed to provide building, planning, engineering, fire safety, and air quality functions within the same area.*

**The City should publish and maintain a Rapid City Development Review Handbook that sets forth clear, simple, and consistent guidance to applicants for all development review procedures.**

*The Current Planning Staff maintains review procedures sheets for all processes that are available at the counter and on-line. As the new codes and ordinances are adopted the review sheets are modified.*

**The Planning Commission must reduce its load from an average of over 80 items per month to less than 10 per month, which is on par with that of comparable cities. This would, in turn, reduce staff loads and streamline processes. The lengthy Planning Commission agendas, in turn, have a spillover impact to the Council meetings and add unnecessary length to those meetings as well. To accomplish this objective, major changes need to be undertaken, including the following steps:**

- **First, repeal the Future Land Use Plan as a basis for development review decisions but maintain these studies for land use guidance and forecasting purposes only. These plans have evolved into super zoning maps, rather than plan guidance, with overly-detailed and meaningless land use classifications.**

*The land use detail within the various sub-area plans has been consolidated into a single Future Land Use Map. The land use designations have been consolidated into residential, commercial, industrial, public, and flood hazard. A rezoning application that would require a change to the Future Land Use Map is processed concurrently with the rezoning application for a single-fee.*

- **Modify the Planned Development Regulations to be used as methods to add flexibility and encourage creativity in subdivision and site design for large land parcels, rather than adding additional layers of approval and control.**

*The new Planned Development Overlay District, Planned Unit Development District, and Administrative Exceptions Ordinances were adopted by City Council in April 2012. The new Planned Development Overlay District reduces the detail required on the submittal. The process also allows an applicant to skip the Planned Development Designation and Initial Planned Development application processes and proceed to the Final Planned Development application. The a new Planned Unit Development District process allows bulk standards, land uses, and development standards to be tailored to the needs of the developer and approved as a zone district designation rather than merely an overlay district. The Administrative Exception process eliminates the requirement for a variance approval if the modification is less than 20% of the zone district requirement.*

- **Establish administrative approval authority by a designated staff person for all subdivision plat approvals, as authorized by Section 11-3-6 of the South Dakota Code of Laws.**

*The new subdivision ordinance was adopted by City Council in February 2012 and allows all but the Preliminary Subdivision document and Public Right-of-Way Vacation processes to be approved administratively. The Second Floor Committee wanted the Preliminary Subdivision to be reviewed by the Planning Commission and approved by the City Council to provide some assurances prior to the creation of the Final Plat and Development Engineering Plans. The State requires all public right-of-way to be approved by Council so this could not be changed to an administrative approval. The new ordinance also transferred nearly all of the design requirements to Chapters 12 and 13 of the Municipal Code. This transfer will allow the City Engineer to approve an Exception to the design requirement administratively rather than requiring a subdivision variance approval to be reviewed by Planning Commission and approved by City Council.*

- **Modify the Conditional Use Permit authority of the zoning ordinance by granting special exception use approvals to the Zoning Board of Adjustment, allowing some of the conditional uses as permitted uses, subject to supplemental use regulations, allowing the uses as permitted uses, or prohibiting the uses all together. These conditional use listings are unusually long and need to be reduced.**

*Staff is in the process of creating a land use table containing the zone district designation along the top and a list of land uses along the vertical axis. Within the table a particular land use will be labeled as either a use-by-right, conditional use, excluded use or use permitted by exception. This table can be inserted into the revised zoning ordinance and/or distributed by the Department. The first draft of the table is under review.*

**The City should initiate a meaningful and visionary process of comprehensive planning using the existing Future Land Use Plans as a basis for a reinvigorated plan. The new plan should reflect community values and long term goals for future growth and development, along with infrastructure and facilities required to accommodate future demands. The current plan primarily serves as a means of land use control. Continue the new comprehensive planning process with a process to modernize all land use and development controls into a comprehensive Unified Development Ordinance designed to implement the plan goals and objectives.**

*The City will need to prepare an RFP for a consultant to perform the public outreach and preparation of a consolidated Comprehensive Plan. These efforts require intensive staff and public input and can take up to two years to complete. Funding sources for this effort will need to be approved by City Council through the future budgeting process.*

**City planning staff should make full use of GIS capabilities to support planning, development review, and building inspections. Of primary importance is a GIS database of the City's zoning records and a digital zoning map.**

*The City GIS system is available to the public on-line and a more robust version is available to City Staff for use in the development review process. The zoning map has been incorporated into the GIS and is available.*

**The City should fully automate the permitting and development review processes by installing and maintaining a comprehensive permit management software program that is directly linked and integrated into the City's GIS database. As the system develops over time, an —E-Permits|| option could allow public access to file development review and building permit applications on line, monitor the progress of application review and approval, and communicate directly with City staff to resolve any application issues.**

*The City has contracted with CRW to install an automated permit and inspection software system that will be operated by both the City and Pennington County. Staff continues to work with the vendor on the installation and expects the system to be fully implemented by the end of May 2012.*

**The Development Review Team should be reorganized into a Development Review Coordination Team with a mission to coordinate and streamline development application reviews and approvals.**

*The Development Review Team has been reorganized and continues to hold weekly meetings to review land use applications. Staff will be working on an electronic submittal and review process in 2012 to further streamline the referral process and eliminate the need for paper documents and subsequent scanning by Staff.*

**The City should actively recruit and retain professionally qualified planners as vacancies occur and maintain nationally competitive salaries.**

*Over the last several months the City has filled several vacant planning positions with professionally qualified staff. Robert Loroco and Fletcher Lacock have been hired to fill two vacant planner positions in the Current Planning Division. Both Robert and Fletcher have Masters Degrees in Urban Planning from the University of Iowa and University of Wisconsin respectively. The Building Services Division recently filled the vacant Air Quality Specialist position by hiring Kristen Cowan who has worked on Air Quality issues for the Regional Council of Governments in Kansas City. Kristen also has a Masters Degree in Urban Planning from the University of Kansas. The City is in the process of hiring another planner with a Masters Degree in Urban Planning to fill the vacant Transportation Planner position.*