



CITY OF RAPID CITY

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MEMORANDUM

TO: Chairman and Members of the Planning Commission

FROM: Brett Limbaugh, Director

DATE: March 22, 2012

RE: No. 120A003 - An Ordinance repealing sections 17.50.050 through 17.50.105 Regarding Planned Developments and Adopting New Planned Development Overlay District, Planned Unit Development Zoning District, and Administrative Exceptions Regulations.

Staff has been working with the Second Floor Review Committee over the last several months to revise the subdivision regulations within Title 16 and certain sections of the Zoning Ordinance within Title 17 of the Rapid City Municipal Code. The Planning Commission forwarded a favorable recommendation of the subdivision regulations in October and City Council subsequently approved the ordinance.

Staff has prepared a final draft of the new Planned Development Overlay Zone District, Planned Unit Development Zoning District and added an Administrative Exceptions section. The new ordinance changes required restructuring the ordinance layout and content of sections 17.50.050 through 17.50.105 to such an extent that a redlined document was not practical. As a result, Staff is recommending that the old sections be completely repealed in favor of the new ordinance sections. The new ordinance sections have been written to streamline the application processes for developments that cannot meet the strict requirements of a standard zone district. The following outline highlights the major changes to the ordinance sections:

Section 17.50.050 Planned Development Overlay District (PD)

- The new ordinance replaces the existing PDD, PRD, PUD, PCD, PLID and PID designations with a PD designation but allows previously approved projects to remain unless the owner requests a change;



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- Does not require a Planned Development Designation PDD or Initial PD if a developer wants to proceed directly to a Final PD;
- Allows a Conditional Use Permit to be filed in conjunction with the PD application;
- Clarifies that a PD application allows the developer to vary from the building and zoning standards within the underlying zone district but is not used to further permit or restrict land use designations within the underlying district;
- Simplifies the application requirements and information required within the PDD, Initial PD, and Final PD applications rather than requiring full site plan details;
- Initial and Final PD applications can be processed concurrently and are approved by the Planning Commission. An appeal of the Planning Commission decision would be heard by the City Council;
- Criteria used by the Staff, Planning Commission and City Council, if applicable, to approve or deny an Initial and/or Final PD are clearly defined in Section 17.50.050 F. 5; and
- Minor amendments to an approved PD may be approved by the Director of Community Planning & Development Services provided the amendment(s) comply with the guidelines within Section 17.50.050 G.

Section 17.50.060 Planned Unit Development (PUD) Zoning District

- The Planned Unit Development Section has been separated from the old ordinance and is now a separate section because this will allow a developer to zone a property as a separate PUD zoning district rather than as an overlay district;
- Because a rezoning must be approved by City Council, the Planning Commission will be required to make a recommendation to City Council rather than approve the application;
- The first step in the process requires a developer to submit a PUD Concept Plan that is reviewed by Staff. This process allows the Staff to review the proposal and notify the applicant of any potential issues before proceeding to the second phase. The PUD Concept Plan is not approved by staff and allows the applicant to resubmit in order to obtain additional input prior to preparing a PUD Zoning Document;
- The second step requires the developer to submit a PUD Zoning Document containing more detailed information regarding the land uses and design standards proposed for the property. The PUD Zone Document is divided into six sections or sheets containing a cover sheet, land use plan, bulk and development standards table(s), land use table, public improvements, and specific design and architectural standards;
- An approved PUD Zoning Document is used by the developer to subdivide and develop the property in the same manner as any other zoning district chapter in the Zoning Ordinance; and
- Minor amendments to an approved PUD Zone Document may be approved by the Director of Community Planning & Development Services provided the amendment(s) comply with the guidelines within Section 17.50.060 F.

Section 17.50.070 Administrative Exceptions

- This section will allow minor deviations from all zone districts to be approved by the Director of Community Planning & Development Services provided the amendment(s) comply with the guidelines within Section 17.50.070 C;
- The Director is not required to approve the exception and any denial would be subject to the Board of Adjustment process; and
- The Director would follow criteria outlined in Section 17.50.070 E. in rendering a decision.

Recommendation: Staff and the Second Floor Review Committee recommend that the Planning Commission forward the new ordinance sections to City Council with a recommendation to approve.