

ORDINANCE # _____

AN ORDINANCE AMENDING SECTION 16.08.030 CHAPTER 16.08 OF THE RAPID CITY MUNICIPAL CODE BY REPLACING THE LOT SPLIT PROCEDURES AS SET FORTH IN THE SUBDIVISION REGULATIONS WITH *MINOR PLAT* PROCEDURES.

BE IT ORDAINED by the City of Rapid City that Section 16.08.030 Chapter 16.08 of the Rapid City Municipal Code be amended by revising existing subsections and adding thereto new subsections to read as follows:

16.08.030 ~~Lot Splits~~ **Minor Plats**

A. The purpose of this section is to allow **five or fewer platted or unplatted parcels** ~~a previously platted parcel~~ to be replatted into ~~three~~ **five** or fewer lots without being subject to the procedural provisions of the **full** subdivision regulations ~~as outlined in Section 16.04.020 (Chapter 16)~~.

1. The ~~lot split~~ **Minor Plat** procedure is to combine all of the requirements of the preliminary plat and final plat into one administrative review period.

2. This exemption from the ~~procedure~~ **procedural** requirements shall in no manner constitute an exemption from any of the design standards or requirements outlined in the subdivision regulations.

3. Applicability of ~~the lot split~~ **Minor Plat** procedure to a specific case shall be determined ~~by the Planning Commission~~ **by the criteria set forth in this section.**

B. ~~Lot splits~~ **Minor Plats** will be administered under the following regulations:

1. No ~~lot split~~ **Minor Plat** shall involve at any stage of the procedure more than ~~three~~ **five** lots.

2. No property involved or created by a ~~lot split~~ **Minor Plat** shall be involved in a ~~lot split~~ **subsequent Minor Plat** procedure for a period of one year from the **date of filing effective date** of the original ~~lot split~~ **Minor Plat** procedure.

3. No ~~lot split~~ **Minor Plat** shall be approved in any case in which the extension of public water, sewer or streets **or any other physical improvement (with the exception of the installation of public sidewalks)** is required by the Subdivision Regulations.

4. **No Minor Plat shall be approved in any case in which a variance to the Subdivision Ordinance has been applied for in accordance with Chapter 16.24 of Rapid City Municipal Code.**

5. **No Minor Plat shall be approved unless it complies with all existing City land use regulations, the adopted Comprehensive Plan and its policies, and the adopted Zoning Ordinance.**

6. **No Minor Plat shall be approved unless it complies with all applicable local, state, and federal policies and laws.**

7. **No Minor Plat shall dedicate any right of way.**

C. **Application Requirements:**

1. **The applicant for a Minor Plat must submit a mylar and seven copies of the proposed Minor Plat to the City.**

2. An accurate survey of the existing ~~parcel~~ **parcel(s)** in the proposed ~~lot split~~ **Minor Plat** shall be prepared by a **state-registered** land surveyor, ~~registered by the~~

~~state and submitted by the applicant to the planning commission for its consideration~~
Planning Director or his/her designated representative.

3. A topographic map with contour intervals of not more than five feet shall be required unless, in the opinion of the city engineer, such a topographic map shall reasonably be deemed to be unnecessary in the overall consideration of the request. (Prior code Appendix B (Art. III, Sec.3))

4. **The applicant is required to submit all information that is normally required with a plat application according to Chapter 16 of City Code.**

5. **The Planning Director and Public Works Director or their designated representatives shall not approve the Minor Plat until all platting requirements are met.**

6. **A Minor Plat shall be considered as approved by the City only after the Planning Director and Public Works Director have signed the plat and the City Finance Officer has certified the same.**

D. City Action on Minor Plat Application:

1. **Within thirteen working days after receiving the Minor Plat application, the City shall either approve or disapprove of the Minor Plat application. If, however, at any such time it is determined that insufficient information has been submitted to adequately review such application, the application shall be deemed withdrawn. The application may be resubmitted at anytime thereafter with the thirteen day time period beginning anew upon resubmission.**

E. Appeals:

1. **Any person having submitted a Minor Plat application to the City and having said application accepted by the City, may upon having such application denied by the Planning Director and/or Public Works Director or their designated representatives, appeal such decision to the City Council.**

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer

(SEAL)

First Reading:
Second Reading:
Published:
Effective: