

Minutes

Monday, February 23, 2009



Land Use Committee

5:13 p.m.
Carnegie Town Hall
235 W. 10th Street

Members Present: Greg Jamison, Bob Litz and Kermit Staggers

Staff Present: Denise D. Tucker, CMC, Assistant City Clerk

Guests: Mike Cooper, Director of Planning and Building Services; Erica Beck, Senior Planner; J. Pat Costello, City Council Member; and Jeanne Gerken, citizen.

1. Call to Order

A. Committee Chair Greg Jamison called the meeting to order at 5:13 p.m.

2. Approval of Minutes

A. A motion was made by Litz and seconded by Staggers to approve the January 26, 2009, minutes. Jamison called for a voice vote. All committee members voted yes. **Motion Passed.**

3. Discussion

A. Update on proposed ordinance revision for an application for a rezone request, by Mike Cooper, Director of Planning and Building Services

- Mike Cooper, Director of Planning and Building Services, provided Rezoning Petition handouts to the Land Use Committee. He said, the first handout is one that they have already modified to reflect previous discussions with the Land Use Committee. The handout reflects when there is more than one property owner involved there needs to be a place for the signature of additional property owners. The second sheet provides for multiple property owner signatures.
 - Cooper mentioned that in regards to re-notification of property owners with the Sanford rezoning project, no one wants to have it reconsidered.
 - Two versions of language to amend the current Zoning ordinance were presented.
 - Jamison questioned what if there is a case where the property owner may not be living at the property, in the case of a rental home or a trust. He asked how that would be handled. Cooper said they would make an attempt to notify the owner.
 - Erica Beck, Senior Planner, said typically with a trust there is an owner/manager. Cooper said they have the authorization to sign documents.
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MINUTES - Land Use Committee

February 23, 2009, at 5:13 p.m.

Page 2

- Jamison said, this text is what they wanted. "It's something to get us going." Cooper said, "For all practical purposes we are already implementing the requirement for signatures."

Debra A. Owen, City Clerk, arrived to the meeting at 5:17 p.m.

- Committee Member Bob Litz and Council Member J. Pat Costello both liked the proposed amendment verbiage of, "The applicant shall ensure that all impacted property owners have been notified, and provide evidence of such action at the time of application."
- Owen said, the proposed revision puts the "onus on the applicant and not the Planning Department."
- Litz made a motion to add to Chapter 15.61 the following verbiage, "The applicant shall ensure that all impacted property owners have been notified, and provide evidence of such action at the time of application." Staggers seconded the motion. A voice vote was taken and all members present voted yes. **Motion passed.**
- The amendment will be a recommendation from the Land Use Committee to the City Council.

4. Open Discussion

There was none.

5. Adjournment at 5:22 p.m.

- A. A motion was made by Litz and seconded by Jamison to adjourn. Jamison called for a voice vote. All committee members present voted yes. **Motion Passed.**

Denise D. Tucker, CMC
Assistant City Clerk

Office Use Only

Location: _____ PC Action: _____
Checked By: _____ CC Date: _____
Given Signs: _____ CC Action: _____
Site Plan: _____ Effective Date: _____
Add'l Reports: _____ Purpose: _____
PC Date: _____

Petition No.: _____
Date: _____
Receipt No.: _____
Filing Fee: _____
(nonrefundable)

Rezoning Petition

To the City Council
Carnegie Town Hall, Sioux Falls, SD

Mayor and Council Members:

I/We, the undersigned, do hereby petition the Mayor and the City Council of Sioux Falls, SD, to change the use districts and rezone property as follows:

Legal Description (Please print or type: _____

General Location or Street Address: _____

From the _____ District to the _____ District

Purpose: _____

Size of Parcel (in acres) _____ Existing Land Use: _____

Surrounding Land Use: North: _____ East: _____
South: _____ West: _____

Is your request located within 600' of a church, school, or public park? Yes No *

*If yes, as applicant you shall deliver a copy of the rezoning request to the designated representative of any church, school, or public park located within 600' of the subject property.

Acknowledgement

I understand that this petition/application, if approved, applies only to the land use and is not approval or assurance of compliance with any other City regulation, code, or ordinance. Any information, technical assistance, or review comments by any City official are intended solely as informal guidance, and are neither a determination of compliance nor binding on any agency with code enforcement responsibilities or the City.

Company: _____

Petitioner Name (Print): _____

Signature: _____

Date: _____ Phone: _____

Address: _____

City _____ State _____ Zip _____

(Please complete below if owner is different than above.
Please provide a separate list for additional property owners.)

Company: _____

Current Owner's Name (Print): _____

Signature: _____

Date: _____ Phone: _____

Address: _____

City _____ State _____ Zip _____

The conduction of a neighborhood meeting is highly recommended.

(Please complete below if owner is different than above.
Please provide a separate list for additional property owners.)

Company: _____
Current Owner's Name (Print): _____
Signature: _____
Date: _____ Phone: _____
Address: _____
City _____ State _____ Zip _____

The conduction of a neighborhood meeting is highly recommended.

(Please complete below if owner is different than above.
Please provide a separate list for additional property owners.)

Company: _____
Current Owner's Name (Print): _____
Signature: _____
Date: _____ Phone: _____
Address: _____
City _____ State _____ Zip _____

The conduction of a neighborhood meeting is highly recommended.

(Please complete below if owner is different than above.
Please provide a separate list for additional property owners.)

Company: _____
Current Owner's Name (Print): _____
Signature: _____
Date: _____ Phone: _____
Address: _____
City _____ State _____ Zip _____

The conduction of a neighborhood meeting is highly recommended.

(Please complete below if owner is different than above.
Please provide a separate list for additional property owners.)

Company: _____
Current Owner's Name (Print): _____
Signature: _____
Date: _____ Phone: _____
Address: _____
City _____ State _____ Zip _____

The conduction of a neighborhood meeting is highly recommended.

CHAPTER 15.61 CHANGE OF ZONE

15.61.010 Application to city or by city for zoning change.

Any person, firm or corporation desiring a change in regulations, restrictions or boundaries of the zoning map of any property from one zoning district classification to another zoning district classification under this chapter shall make application for such change to the planning commission in writing and by filing such written application with the department of planning and building services of the City of Sioux Falls, requesting a change in zoning district classification. Such application shall be provided by the planning department and be completed in full by the applicant. The applicant shall ensure that all impacted property owners have been notified, and provide evidence of such action at the time of application.

The city council may from time to time on its own motion, after public notice and hearing, and after a report by the planning commission, amend, supplement or change the boundaries or regulations herein or subsequently established.

PART II REVISED ORDINANCES**APPENDIX B ZONING ORDINANCE*****CHAPTER 15.61 CHANGE OF ZONE****15.61.010 Application to city or by city for zoning change.**

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The city council may from time to time on its own motion, after public notice and hearing, and after a report by the planning commission, amend, supplement or change the boundaries or regulations herein or subsequently established.