

STAFF REPORT

July 26, 2001

No. 010A011 - Ordinance amending subsection B (1) of Section 17.54.202 of Chapter 17.54 of the Rapid City Municipal Code pertaining to the Notice of time given to hold a public hearing **ITEM 39**

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	No. 010A011 - Ordinance amending subsection B (1) of Section 17.54.202 of Chapter 17.54 of the Rapid City Municipal Code pertaining to the Notice of time given to hold a public hearing
REPORT BY	Bill Lass

RECOMMENDATION: Staff recommends that the Ordinance amending subsection B (1) of Section 17.54.202 of Chapter 17.54 of the Rapid City Municipal Code pertaining to the Notice of time given to hold a public hearing be approved.

GENERAL COMMENTS: This amendment to the Zoning Ordinance is necessary to bring that portion of the Zoning Ordinance dealing with Zoning Variances into compliance with South Dakota Codified Law. Section 17.54.020(B)(1) of City Code requires the Rapid City Zoning Board of Adjustment to give seven days notice prior to holding a public hearing on an application. However, South Dakota Codified Law 11-4-21 now requires ten days of notice prior to the hearing. The State legislature rewrote the state law in 1999, changing the prior requirement of "reasonable notice" to the ten days.

STAFF REVIEW: Staff has reviewed this proposed Zoning Ordinance amendment and is recommending approval. The amendment is necessary to ensure compliance with State Law.