

Rapid City Historic Review Process Comparison

Former Process - Under SDCL 11.1 and the Memorandum of Understanding (MOU) with the State Historic Preservation Office (SHPO)		Current Process - Under SDCL 11.1 with no Memorandum Of Understanding (MOU) as described in the proposed ordinance.	
1. A permit is requested for a project involving a historic property. Following a pre-application conference with staff, the applicant submits a review application with all necessary documentation.			
2. All applications requiring an 11.1 Review are reviewed at an HPC meeting which take place the 1 st and 3 rd Friday of each month. *The in-kind replacement of historic siding and asphalt-to-asphalt shingle replacement did not require an 11.1 Review under the MOU.		2. The application is reviewed by the Director/designee. If s/he can determine that the project will have no adverse effect on historic property based on criteria which SHPO has agreed in writing do not constitute adverse effects, the City may issue the permit. End historic review.	✓
3. The HPC reviews the application and provides a recommendation to SHPO on whether or not the proposed work will have an adverse effect by damaging, destroying, or encroaching upon historic property.		3. If s/he cannot determine that the project will have no adverse effect on historic property, the City will notify SHPO using an 11.1 Notification Form. The SHPO will typically be able to respond within 1 – 3 days.	
4. The Director/designee sends the HPC's recommendation to the SHPO. The SHPO has three days to concur with or object to the HPC's finding.		4. If the SHPO determines the project will have no adverse effect, the City may issue the permit. End historic review.	✓
5. If the SHPO determines the project will have no adverse effect, the City may issue the permit. End historic review.	✓	5. If the SHPO determines the project has or may have an adverse effect, they may request a Case Report to document all relevant factors, feasible and prudent alternatives, and planning to minimize harm to the historic property. The applicant may revise the project and reapply (Step 1) or prepare the Case Report as directed by SHPO. All required entities, including the HPC, review and comment on the Case Report.	
6. If the SHPO determines the project has or may have an adverse effect, they may request a Case Report to document all relevant factors, feasible and prudent alternatives, and planning to minimize harm to the historic property. The applicant may revise the project and reapply (Step 1) or prepare the Case Report as directed by SHPO. All required entities, including the HPC, review and comment on the Case Report.		6. The HPC comments on the Case Report at a regularly scheduled meeting.	
7. The HPC comments on the Case Report at a regularly scheduled meeting.		7. The SHPO reviews the Case Report and comments from the HPC concerning the Case Report. The SHPO issues their final comments on the project to the City.	
8. The SHPO reviews the Case Report and comments from the HPC concerning the Case Report. The SHPO issues their final comments on the project to the City.		8. If the SHPO determines the project will not have an adverse effect, the City may issue the permit. End historic review.	✓
9. If the SHPO determines the project will not have an adverse effect, the City may issue the permit. End historic review.	✓	9. If the SHPO determines the project will have an adverse effect, the City cannot issue the permit until the City Council makes a written determination, based upon the consideration of all relevant factors, that there are no feasible and prudent alternatives and that the program includes all possible planning to minimize harm to the historic property, resulting from such use.	
10. If the SHPO determines the project will have an adverse effect, the City cannot issue the permit until the City Council makes a written determination, based upon the consideration of all relevant factors, that there are no feasible and prudent alternatives and that the program includes all possible planning to minimize harm to the historic property, resulting from such use.		10. The applicant goes to the City Council for a final determination. If approved, the City must send notification to the SHPO via certified mail. Ten business days after the SHPO's receipt of the certified mailing the City may issue the permit. End historic review. (If denied by the City Council, the applicant can revise and reapply (Step 1) or does not proceed with the project).	✓
11. The applicant goes to the City Council for a final determination. If approved, the City must send notification to the SHPO via certified mail. Ten business days after the SHPO's receipt of the certified mailing the City may issue the permit. End historic review. (If denied by the City Council, the applicant can revise and reapply (Step 1) or does not proceed with the project).	✓		

✓ Indicates potential for a completed historic review process pursuant to SDCL 1-19A-11.1