

CITY OF RAPID CITY
TRAVEL REQUEST

Person requesting travel Theresa Maule Department Attorney

I hereby request permission to travel for the following purpose: (Give specific nature of business and interest of the City to justify cost involved.)

Zoning & Land Use in South Dakota
Seminars

List all other City employees, if any, making the trip for the same purpose: _____

Place of meeting or destination: Sioux Falls SD

Date of meeting 10-23-03

Date trip to begin 10-22-03 Date trip will end 10-23-03

Method of transportation requested _____

Estimated transportation cost \$ 217.00

Meals 1 days 34.00

Lodging 1 days 45.00

Other costs—description Registration 319.00

Total estimated cost of trip \$ 615.00

Signed [Signature] 01-02-03 Date [Signature] Date 01-02-03
(person requesting travel) (Department Head)

When the cost of the trip will exceed \$500, regardless of the number of employees involved, this section must be signed.

In accordance with the provisions of Rapid City ordinances and travel regulations, consent is hereby given for travel as requested in the foregoing application. Maximum cost of trip authorized is \$ _____

Approved: _____ Date _____
Mayor

When the cost of the trip will exceed \$1,500, regardless of the number of employees involved, Council approval is required.

Approved by Common Council on _____ (Date)

White copy—Mayor

Yellow copy—Finance

Gold copy—Department copy

Critical Issues On The Agenda

9:00 a.m. - 9:45 a.m.

- I. **A Zoning Overview**
— *Mark V. Meierhenry*
- A. **A Zoning Primer**
1. Urban Zoning
 2. Rural Zoning
- B. **Challenging Municipal Land Use Decisions**
- C. **Vested Rights**
- D. **New Zoning Legislation Review**

9:45 a.m. - 10:00 a.m.

Break

10:00 a.m. - 11:15 a.m.

- II. **Current Issues In Zoning And Land Use**
— *Brian J. Donahoe*
- A. **Mobile Telecommunication Towers Under The Federal Communications Act**
- B. **Zoning Control Of Locations For Alcoholic Beverage Establishments**
- C. **Down-Zoning And Amortizing Non-Conforming Use**
- D. **Historical - Cultural Preservation**

11:15 a.m. - 12:00 p.m.

- III. **The Land Subdivision Process**
— *Brian J. Donahoe*
- A. **Statutory Requirements For Plats**
- B. **Municipal Approval Of Subdivisions**
- C. **Dedication Of Streets And Easements**
- D. **Restrictive Covenants**
- E. **Land Planning Jurisdictional Problems**

12:00 p.m. - 1:00 p.m.

Lunch (On Your Own)

1:00 p.m. - 1:45 p.m.

- IV. **Condemnation From Perspective Of The Landowner**
— *Mark V. Meierhenry*
- A. **Overview Of Pre-Condemnation Procedures**
- B. **Negotiating A Modification Of The Taking**
- C. **Legal Process**

1:45 p.m. - 2:00 p.m.

Break

2:00 p.m. - 2:45 p.m.

- V. **Agricultural Zoning: Legal And Practical Considerations**
— *Brian J. Donahoe*
- A. **Statutory Requirements**
- B. **Procedures**
- C. **Zoning Board**
- D. **Board Of Adjustment**
- E. **Judicial review**

2:45 p.m. - 3:15 p.m.

- VI. **Inverse Condemnation**
— *Mark V. Meierhenry*
- A. **Overview**
- B. **Regulatory Taking**
- C. **United States Supreme Court Decisions**
- D. **South Dakota Law**

3:15 p.m. - 4:30 p.m.

- VII. **Question And Answer**
— *Brian J. Donahoe and Mark V. Meierhenry*
- A. **Examples Of Zoning Problems**

The Benefits For You

This seminar is intended to provide practical advice and insight into the zoning and land use process.

Topics to be discussed include:

- **A Zoning Overview**
- **Current Issues In Zoning And Land Use**
- **The Land Subdivision Process**
- **Condemnation From Perspective Of The Landowner**
- **Agricultural Zoning**
- **Inverse Condemnation**

Who Should Attend

This seminar is designed for attorneys, owners, presidents and vice presidents, planners, project managers, engineers, architects, council and board members, property managers, developers, public works directors, zoning board members, principals, surveyors and land use officials.

Written Materials

You will receive a professionally prepared manual at this seminar. This manual has been compiled by the faculty specifically for this seminar.

Audiotapes

The seminar will be audiotaped. If you cannot attend, you may order a set of the audiotapes and the accompanying manual from this program by using the registration form on the back panel. For other related products, refer to the enclosed Lorman Bookstore or visit us online at www.lorman.com. Please allow four to six weeks after the date of the seminar for delivery.

Our Distinguished Faculty

Brian J. Donahoe is a partner in the Sioux Falls law firm of Cutler & Donahoe, LLP. After receiving his B.S. degree from South Dakota State University, Mr. Donahoe went to work as a project manager for a construction and land development group of companies in Hopkinton, Massachusetts. He worked on several subdivision and commercial properties in eastern Massachusetts, assisting in design, approval and development throughout the Metrowest area of the Boston suburbs. He returned to South Dakota and obtained a J.D. degree from the University of South Dakota School of Law. After a clerkship with U.S. District Judge John B. Jones, he entered private practice in Sioux Falls. Cutler & Donahoe, LLP represents a variety of clients in matters relating to construction, land use, development, zoning and condemnation. Mr. Donahoe acts as outside counsel for Dakota, Minnesota & Eastern Railroad Corp. on litigation matters, including eminent domain issues, in South Dakota, Minnesota and Iowa.

Mark V. Meierhenry received his B.A. degree from the University of South Dakota and his J.D. degree from the University of South Dakota School of Law. He served as director of South Dakota Legal Services from 1972-1974. He then went into private practice in Vermillion, South Dakota from 1974-1978. He served as the attorney general of South Dakota from 1978-1986 and then went back into private practice in Sioux Falls, South Dakota from 1987 to present. He is a member of the Second Circuit Bar Association, the United States Supreme Court, the Eighth Circuit Court of Appeals, and the United States District Court for the District of South Dakota. He is certified by the National Board of Trial Advocacy in civil trial advocacy, the certification is the sole accreditation body of the American Bar Association for private civil trial practice. He received the honor of South Dakota Trial Lawyer of the Year in 1996. He is co-author of *The South Dakota Trial Handbook for Lawyers*, published in 1994 by Lawyers Cooperative.

Lorman Education Services reserves the right to modify the agenda and the faculty when circumstances are beyond our control.

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