

ORDINANCE NO. 4029

**AN ORDINANCE TO ESTABLISH NOTIFICATION REQUIREMENTS FOR
REVIEWS CONDUCTED PURSUANT TO SOUTH DAKOTA CODIFIED LAW 11-6-19.**

WHEREAS, the City of Rapid City is required to review certain projects pursuant to South Dakota Codified Law 11-6-19; and,

WHEREAS, the South Dakota Code does not establish any notice requirements for reviews conducted pursuant to South Dakota Codified Law 11-6-19; and,

WHEREAS, the City of Rapid City deems it to be in the best interests of the City to provide notice of public hearing to the property owners in neighborhoods surrounding land subject to a review under South Dakota Codified Law 11-6-19 as well as to the public at large.

NOW THEREFORE BE IT ORDAINED by the City of Rapid City that Section 2.60.195 of the Rapid City Municipal Code is hereby added to read as follows:

2.60.195 Review Conducted Pursuant to SDCL 11-6-19 – Notification Requirements

A fee of two hundred fifty dollars shall be paid by all petitioners for a review conducted pursuant to SDCL 11-6-19. Prior to the Planning Commission’s consideration the petitioner or his designated agent shall provide postal registration data that substantiates petitioner's good faith attempt to mail certified letters with return receipts to all property owners within two hundred fifty feet inclusive of the dedicated public right of way of the site, measured from the perimeter of the lot, lots or portions thereof which contain the area dedicated to the proposed use. Such certified mailings shall include the date set for the hearing before the City Planning Commission and contemplated uses, and shall be on a form provided by the Growth Management Department. Notice of the public hearing on the review will also be published by the City ten days in advance of the hearing date in a legal newspaper of the community. A sign noting the fact that an 11-6-19 Review is pending shall be posted on the site not less than seven days before the public hearing before the planning commission. The sign shall be maintained on the site until final action has been taken on the request or the petition is withdrawn. Approved signs shall be secured from the Growth Management Department who shall require a reasonable deposit sufficient to cover the cost of replacement of such sign or signs and who shall determine the number and location of the sign or signs to be posted on the site addressed in the petition for an 11-6-19 Review.

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer
(SEAL)

First Reading:
Second Reading:
Published:
Effective: