

11-6-19. Planning commission approval required for construction in area covered by comprehensive plan. Whenever any such municipal council shall have adopted the comprehensive plan of the municipality or any part thereof, then and thenceforth, no street, park, or other public way, ground, place, space, no public building or structure, no public utility, whether publicly or privately owned, if covered by the comprehensive plan or any adopted part thereof, shall be constructed or authorized in the municipality or within its subdivision jurisdiction as defined in § 11-6-26, until and unless the location and extent thereof shall have been submitted to and approved by the planning commission.

Source: SL 1949, ch 198, § 9; SDC Supp 1960, § 45.3309; SL 1966, ch 145; 1975, ch 116, § 13.

Opinions of Attorney General.
Municipal "comprehensive plan," legal status of, Report 1963-64, p.256.

11-6-20. Reasons for planning commission disapproval of construction communicated to municipal council — Vote required for council to overrule. In case of disapproval of any construction or authorization submitted under § 11-6-19, the planning commission shall communicate its reasons to the council, and the council, by vote of not less than two-thirds of its entire membership, shall have the power to overrule such disapproval and, upon such overruling the council or the appropriate board or officer shall have the power to proceed.

Source: SL 1949, ch 198, § 9; SDC Supp 1960, § 45.3309; SL 1966, ch 145.

11-6-21. Action by public bodies other than municipal council having jurisdiction over construction. If the public way, ground, place, space, building, structure, or utility referred to in § 11-6-19 be one the authorization or financing of which does not, under the law or charter provisions governing the same, fall within the province of the council or other body or official of the municipality, then the submission of such to the planning commission shall be by the board or official having such jurisdiction, and the planning commission's disapproval may be overruled by said board by a vote of not less than two-thirds of its entire membership or by said official.

Source: SL 1949, ch 198, § 9; SDC Supp 1960, § 45.3309; SL 1966, ch 145.

11-6-22. Submission and approval of street and public improvement projects. The acceptance, widening, removal, extension, relocation, narrowing, vacation, abandonment, change of use, acquisition of land for any street or other public way, ground, place, property, or structure, shall be subject to submission and approval similar to that provided in §§ 11-6-19 to 11-6-21, inclusive, and the failure to approve may be similarly overruled.

Source: SL 1949, ch 198, § 9; SDC Supp 1960, § 45.3309; SL 1966, ch 145.

11-6-23. Failure of planning commission to act deemed approval of construction. The failure of the planning commission to act within sixty-five days from and after the date of official submission to it shall be deemed approval, unless a longer period be granted by the council or other submitting official.

Source: SL 1949, ch 198, § 9; SDC Supp 1960, § 45.3309; SL 1966, ch 145.