

**AN ORDINANCE TO AMEND PROVISIONS CONCERNING APPOINTMENTS
TO THE RAPID CITY PLANNING COMMISSION BY AMENDING
SECTIONS 2.60.020 AND 2.60.030 OF THE RAPID CITY MUNICIPAL CODE**

WHEREAS, the Rapid City Planning Commission is charged with adopting a comprehensive plan for development and with supervising the zoning boundaries and related regulations within the City; and

WHEREAS, the City has established the Planning Commission in Rapid City Municipal Code Chapter 2.60; and

WHEREAS, R.C.M.C. Section 2.60.020 sets forth provisions concerning the membership, appointment, and qualifications for Planning Commission members; and

WHEREAS, that ordinance provides that there are 10 members and 2 alternates appointed to the Planning Commission; and

WHEREAS, the Common Council believes it to be in the best interests of the City and of the Planning Commission to reduce the number of Planning Commission members to seven members and two alternates; and

WHEREAS, the Common Council believes that reducing the number of Planning Commission members will ensure that all seats on the Planning Commission are filled at all times and that the membership of the Planning Commission is qualified by knowledge or experience to act in matters pertaining to the development of the City;

WHEREAS, R.C.M.C. 2.60.020 now provides that each ward of the city shall have at least one representative on the Planning Commission and that no appointment shall be made which would result in two or more members being from the same ward; and

WHEREAS, because this ward requirement is contradictory and difficult to fulfill, the Common Council wishes to amend the provision to provide that Planning Commission representation from all wards is desirable and should be one factor in appointments to the Commission, but is not required; and

WHEREAS, the Common Council believes it to be beneficial to the general health, safety, and welfare of the City to amend R.C.M.C. 2.60.020 and 2.60.030 to reduce the number of Planning Commissioners and to alter provisions concerning appointment of Planning Commission members.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City, that Section 2.60.020 is hereby amended to read in its entirety:

2.60.020 Members–Appointment–Qualifications.

A. *Regular members.* The City Planning Commission shall consist of ~~seven~~¹⁰ members appointed by the Mayor, subject to the approval of the Common Council. ~~Nine~~^{Six} of the members shall be resident electors of the city; ~~1~~^{one} of the members shall reside outside the city limits, but within the 3-mile subdivision jurisdiction of the city. Members of the Planning Commission shall be qualified by knowledge or experience to act in matters pertaining to the development and administration of a comprehensive plan of development for the city, and shall not hold any elective office in the municipal government. ~~From and after January 1, 2000, it shall be an objective to have at least 1 member of the Planning Commission be a resident of each of the wards of the city; to that end, no appointment shall be made to the Planning Commission which would result in 2 or more members being from the same ward, if there is no current member who is a resident of 1 of the other wards, provided, nonetheless, that the change of residence of a member of the Planning Commission from one ward to another ward shall not create a vacancy.~~ In appointing members to the Planning Commission, the Mayor and Common Council shall give due regard to the ward in which the members reside in order to encourage geographical diversity on the Commission.

B. *Alternate members.* There will also be appointed ~~2~~^{two} alternate members to the Planning Commission. The alternate members shall be appointed in the same manner as the regular members and shall have the same qualifications. The alternate members must be residents of the city, ~~but may be from any ward.~~ The alternate members should attend every meeting as though they were regular members of the Planning Commission. The alternate members can participate and vote at the meeting only when there is an absence at the meeting that results in less ~~than 10~~^{than seven} members being present. Each alternate member shall be designated as either the first or second alternate, with the first alternate participating to fill the first seat that is vacant, and the second alternate participating if there are any additional vacancies. If a regular member should leave during a meeting and the alternate members are not already participating, then the alternates may fill the seat in the same manner as previously described.

2.60.030 Members–Terms.

~~The term of each Planning Commission member heretofore appointed and currently serving shall be continued until expiration of the original term, or until the members shall have resigned or been removed for cause.~~ Each member appointed to the Planning Commission, including alternate members, shall be appointed for a term of 3 years to expire October 1 of the third year; provided, nonetheless, that the Mayor shall make such appointments for shorter terms as shall be appropriate to establish a pattern whereby the terms of 3 resident members of the Commission expire on October 1 of each year. Effective January 1, 2015, all appointments shall be extended as necessary to conclude on October 1 of the third year.