

D. Vacating of Streets and Alleys.

1. The vacating of unimproved streets and alleys shall be pursuant to SDCL 9-45.
2. The vacating of improved streets and alleys shall be pursuant to SDCL 9-45 and shall be subject to review by the City of Hot Springs Planning and Zoning Commission in accordance with the Subdivision Ordinance Section 28.03.04.
3. Streets and alleys may be vacated by the City reserving, however, any easements and right-of-ways presently existing in said street or alley for public utility or drainage purposes.
4. The Petitioner(s) shall, by certified mail, notify all property owners within two hundred feet (200') of the subject property, exclusive of rights-of-way, as to the nature of the request and the time and date and location at which the request will be considered. A list of those property owners and their mailing addresses shall be provided to the City Finance Officer prior to the public hearing on the matter.
5. Upon application, the Petitioner(s) shall place a sign, provided by the City, on or adjacent to the street or alley in question, in clear view of the street identifying that the property is being considered for vacation. The sign shall be placed no less than ten (10) days prior to the public hearing on the matter and shall remain until a decision on the request has been made.

E. Time Limit and Notification.

1. All proposed amendments shall be scheduled for public hearing within forty-five (45) days of receipt of such proposal, unless an extension is mutually agreed upon by the interested parties.
2. All proposed amendments shall be decided by the governing body within sixty (60) days of the public hearing.

28.03.04. Administrative Procedures.

In addition to the requirements established herein, all new plats, re-plats, subdivision plats and the vacating of any improved street, alley or right-of-way shall be reviewed by the City of Hot Springs Planning and Zoning Commission to ensure compliance with the City of Hot Springs Comprehensive Plan.

A. Governing body approval of plats.

1. Minor subdivision:

- a. Application shall be made in the form of a letter of intent outlining the nature and purpose of the subdivision. Such application and required documentation shall be presented to the Zoning Administrator no less than fifteen (15) days prior to the next scheduled meeting of the Commission;
- b. For all properties where changes in the floodplain are proposed, written verification from FEMA that the Letter of Map Revision has been approved;
- c. Sketch plan approval by the Zoning Administrator;
- d. Commission review of proposed subdivision with recommendations to Council within thirty (30) days of review;
- e. Applicant shall submit a final plat and submit mylar, one (1) full-size copy (to scale) and one (1) 11x17 copy, to the Zoning Administrator for Council review.
- f. Approval or disapproval by the common council within thirty (30) days of review.
- g. Recording.

2. Major subdivision:

- a. Application shall be made in the form of a letter of intent outlining the nature and purpose of the subdivision. Such application and required documentation shall be presented to the Zoning Administrator no less than fifteen (15) days prior to the next scheduled meeting of the Commission;

- b. For all properties where changes in the floodplain are proposed, written verification from FEMA that the Letter of Map Revision has been approved;
- c. Sketch plan approval by the Zoning Administrator;
- d. Commission's preliminary review of proposed subdivision. Establish development requirements;
- e. When required by the Commission, submit copies of the plat for distribution and review of applicable utility companies and city, county, state and federal agencies. Such agencies shall have thirty (30) days to respond.
- f. Commission's final review. Recommendation to the common council within thirty (30) days of final review;
- g. Applicant shall submit a final plat and submit mylar, one (1) full-size copy (to scale) and one (1) 11x17 copy, to the Zoning Administrator for Council review.
- h. Approval or disapproval by the common council within thirty (30) days of review;
- i. Recording.