

AN ORDINANCE ADDING SECTION 320 – ROAD NAMING TO THE PENNINGTON COUNTY ZONING ORDINANCE

Sections 103, 320, and 511 of the Pennington County Zoning Ordinance and Section 500.5-5. of the Pennington County Subdivision Regulations are hereby amended to add new definitions, amend an existing Section, add a Road Naming Section, and add a Road Naming on Plats Section, as follows:

Amend Section 103 (Zoning Ordinance): Add Definitions

ROAD NAMING (SECTION 320):

ADDRESSING COORDINATOR: Person designated in the Pennington County Planning Department to assign new lot addresses, change lot addresses and assist in the Road Naming process outlined in Section 320.

CHANGE OF ADDRESS: Process whereby the Addressing Coordinator changes a physical lot address to facilitate location identification of a property. The property owner is notified in writing by the Addressing Coordinator that the lot address has been changed (letter shall be sent to the property owner at their address on record with the Department of Equalization). Other relevant agencies are also notified in writing of the address change and all County records are updated to reflect the address change.

ROAD NAME SIGN: A sign used to clearly identify the name of a road, typically installed on a post at the intersection of two or more roads. The Pennington County Highway Department shall have the authority to regulate all Road Name Signs in the unincorporated areas of Pennington County.

Add Section 320 (Zoning Ordinance) – Road Naming

A. Purpose: To provide a consistent and comprehensive approach to the naming of roads in the unincorporated areas of Pennington County in order to ensure accurate and unique road names for the purposes of locating property, facilitating Emergency Services response, and promoting efficient mail delivery to residences and businesses.

For the purpose of this Section, an “affected property owner” shall be considered to be any property owner taking access off of the subject road proposed to be named or renamed.

B. Road Name Standards: All road names shall comply with South Dakota Administration Rule 50-02-03 (Rural Addressing) and the Postal Addressing Standards adopted by the United States Postal Service.

C. Road Naming Criteria:

1. The road must be a rights-of-way or easement. Private ways or driveways shall not be named.

2. The road provides access to multiple addressable structures (generally five (5) or more) and naming of the road is appropriate in order to facilitate addressing of existing or future structures in accordance with the purpose of this Section.
3. Road name changes shall only be considered to correct spelling, to eliminate duplication with other road names, to eliminate confusion as a result of road layout, or as otherwise deemed necessary in accordance with the purpose of this Section.
4. All affected property owners have agreed to the proposed road naming or road name change initiated by a private property owner; in the case that all affected property owners do not agree, approval must be obtained from the Planning Commission to proceed with the Road Naming application prior to submittal.
5. The proposed road name has been reviewed and approved by the Emergency Services Communication Center to ensure it is not a duplicate or similar-sounding to an existing road name in Pennington County, including its municipalities, or, where applicable, the surrounding Counties.

D. Procedure for Naming a Road:

1. Privately-Initiated:
 - a. A Road Naming Application shall be submitted by an affected property owner. Only one (1) road may be proposed to be named per application and the fees for the necessary Road Name Signs shall be provided at the time of application submittal. In the case where there are other property owners affected by the proposed road naming or road name change, a petition must be submitted demonstrating the written consent of all affected property owners, unless otherwise allowed by the Planning Commission, in accordance with Section 320-C-4.
 - b. The proposed road naming shall be reviewed by the Addressing Coordinator to ensure its compliance with the Road Naming Criteria listed in this Section.
 - c. If the Road Naming Application is deemed acceptable, a public hearing of the item shall be scheduled for review by the Planning Commission at a regularly scheduled meeting, no less than nineteen (19) days following submittal of the Application.
 - d. In the case where there are affected property owners not in agreement with the proposed road naming or road name change, written notification shall be sent by the Addressing Coordinator to those property owners in accordance with the process described in Section 320-D-2-b.
2. County-Initiated:

- a. In the case where a road name issue or associated addressing issue has been identified by the County, the Addressing Coordinator shall propose a road name in accordance with the Road Naming Criteria in this Section.
 - b. Written notification of the proposed road naming or road name change request shall be sent by the Addressing Coordinator to all affected property owners by first-class mail to their mailing address on record with the Department of Equalization at least ten (10) days prior to the hearing of the item at a scheduled Planning Commission meeting.
3. The Addressing Coordinator shall then draft a Road Naming Petition to be reviewed by the Planning Commission.
 4. A person aggrieved by the proposed road naming or road name change request may appear at the established public hearing or submit their objections in writing.
 5. The Planning Commission shall review and take action on the Road Naming Petition. The decision of the Planning Commission shall be considered final unless appealed to the County Board of Commissioners. The applicant, or any other person aggrieved by the decision of the Planning Commission, may file a written appeal with the Planning Department within five (5) working days of the Planning Commission's decision. Following filing of an appeal, the Road Name Petition shall be forwarded to the County Board for review. The County Board shall vote to uphold, overrule, or amend the decision of the Planning Commission.
 6. If the Road Name Petition is approved:
 - a. A Resolution will be drafted by the Addressing Coordinator to be signed by the Chairperson of the Planning Commission, or County Board in the case where the road naming was appealed, and recorded at the Register of Deeds.
 - b. The Addressing Coordinator shall submit a request to the County Highway Department to create and install the appropriate Road Name Sign(s). In the case where the Addressing Coordinator initiated the road naming or road name change request, Pennington County shall incur the cost(s) associated with the creation and installation of the Road Name Sign(s).
 - c. Following installation of the Road Name Sign(s), the Addressing Coordinator will conduct the proper Change of Addresses for the affected property owners, if necessary.
 - d. Notice shall also be sent to the appropriate Fire Department, Ambulance Service, where applicable, and Sheriff's Office notifying them of the new road name and its location.
 - e. Any costs incurred, as a result of the road naming or a road name change and associated Change of Addresses, shall be the responsibility of the individual property owner(s) and not Pennington County.

7. If the Road Name Petition is not approved, the Addressing Coordinator will determine if there is a need for the road to be named or renamed and will work with the applicant, if necessary, to devise a new road name and submit a new Road Naming Application. In this case, the initial Road Naming Application fee shall not be refundable, but the fees for the Road Name Sign(s) are refundable or may be transferred to a new Road Naming Application.

E. Road Naming Application – The following shall be required:

1. Name, address, phone number, and signature of applicant;
2. Proposed road name and two alternative road names;
3. Written explanation of proposed road naming or road name change request;
4. Documentation showing proof of easement, where applicable;
5. Map showing the location and number of Road Name Signs needed to properly mark the road (final location and number to be approved by the Addressing Coordinator);
6. Signed petition of all affected property owners, including their addresses and phone numbers, where applicable; and,
7. Road Naming Application and Road Name Sign(s) fees (see Section 511-Fees).

F. Waiver: In the case where special circumstances exist, the Planning Commission, or County Board, at their discretion, may waive any requirement of this Section, particularly in the case where these requirements conflict with those regulations adopted by an incorporated municipality, road district, or township.

Amend Section 511 (Zoning Ordinance): Add Road Naming Application Fee, Cost for Road Name Signs, and Re-Letter Existing, Subsequent Fees

T. Road Naming:

1. Application: \$100.00
2. Road Name Sign (1): \$350.00
 - a. Additional Road Name Sign (1): \$325.00 (must be for the same road or located in same development as the initial Road Name Sign)

~~T~~.U. Tax Increment Financing District Submittal: \$1,000.00

~~U~~.V. Sign Deposit: *(see existing text in Section 511-U)*

~~V~~.W. Notice of Violation: *(see existing text in Section 511-V)*

~~W~~.X. Late Charges: *(see existing text in Section 511-W)*

~~X~~.Y. Continuances: *(see existing text in Section 511-X)*

Add Section 500.5-5. (Subdivision Regulations): Road Naming on Plats

All Road Naming shall be done in accordance with the Road Name Standards and Road Naming Criteria set forth in Section 320 of the Zoning Ordinance.

a. New Road Names:

1. In the case where it is determined new or existing road(s) must be named as a result of platting, and there are no other affected property owners other than the applicant(s) conducting the platting, the new road name(s) may be identified on the plat (See Section 320 of the Zoning Ordinance for a description of an “affected property owner”). The new road name(s) shall be reviewed and approved by the Emergency Services Communication Center and the Addressing Coordinator prior to approval of the Final or Minor Plat to ensure compliance with Section 320 of the Zoning Ordinance.
2. In the case where it is determined new or existing road(s) must be named as a result of platting, and it will affect property owners other than the applicant(s) conducting the platting, a Road Name Application must be submitted in accordance with the requirements of Section 320 of the Zoning Ordinance. If the road name is approved prior to Final or Minor Plat approval, the new road name shall be identified on the plat.

b. Road Name Changes: Road names shall not be changed on a plat document except for clarification purposes (i.e. spelling or road type correction). If an applicant otherwise desires to change a road name, a Road Naming Application must be submitted in accordance with the requirements of Section 320 of the Zoning Ordinance. If the road name change is approved prior to Final or Minor Plat approval, the new road name shall be identified on the plat.

c. Road Name Signs: All roads being named or renamed on a plat shall be required to be properly marked with Road Name Sign(s), which shall be created and installed by the County Highway Department, at the expense of the applicant. For existing or newly constructed roads, the fees for Road Name Sign(s) shall be paid prior to filing of the Final or Minor Plat at the Register of Deeds. In the case where the road(s) have not yet been constructed, the estimated expense for the creation and installation of the necessary Road Name Sign(s), as determined by the County Highway Department, may be included in a bond or surety for required road improvements. Following posting of the Road Name Sign(s), the Addressing Coordinator shall make any necessary Change of Addresses for the affected property owners. Notice shall also be sent to the appropriate Fire Department, Ambulance Service, where applicable, and Sheriff’s Office notifying them of the new road name and its location.