



## Pennington County Planning & Zoning Pennington County, South Dakota

### COMPREHENSIVE PLAN AMENDMENT PROCESS

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#### **APPLICABILITY**

A Comprehensive Plan Amendment changes a parcel's zoning district on the Future Land Use map contained in the Comprehensive Plan. A Comprehensive Plan Amendment may be filed by an individual landowner or by at least 20 percent of the landowners, as defined in SDCL 11-2-28, in the zoning district or districts requesting the change. A Comprehensive Plan Amendment is required if a Rezone Amendment is filed and the requested change is not in harmony with the Comprehensive Plan.

#### **APPLICATION REQUIREMENTS**

A *pre-meeting* with Planning Staff is required prior to submittal of a Comprehensive Plan Amendment application. A list of the minimum required elements is located on the following page: Comprehensive Plan Amendment Application Checklist.

#### **APPROVAL PROCESS**

The application form and required materials for a Comprehensive Plan Amendment must be submitted to the Pennington County Planning Department. A complete application shall include: the application form (attached) and the non-refundable application fee.

After submittal of all the application materials and the required fee, the Planning Department will prepare a list of names and addresses of those persons who own land within 500 feet of the subject property, including contract for deed buyers. The applicant will be provided with the list and "Notice of Public Hearing" letter. The letter must be sent to all listed property owners by certified mail at least 10 days prior to the date of the public hearing.

#### **APPROVAL PROCESS CONTINUED**

A Notice of Public Hearing sign will be provided by the Planning Office. The sign must be posted on the property in such a manner that it is visible from the road, which provides access to the property. The sign must be posted no less than 10 days prior to the date of the Planning Commission hearing and must remain posted until final action by the Board of Commissioners.

Upon receipt of a complete application (including application fee) and proper notice to adjoining landowners, the Planning Commission will hold a public hearing on the application. Notice of time and place of hearing must be given at least 10 days in advance by publication in the legal newspapers of the County.

It is recommended the petitioner or a representative attend the Planning Commission meeting to answer any questions. The Planning Commission's action is in the form of a recommendation to the County Board of Commissioners.

The Comprehensive Plan Amendment request is then heard at a Board of Commissioner's meeting. The Board may approve, continue, or deny the request. The Board of Commissioner's action is final, although their decision may be appealed through the Circuit Court. If approved, the Comprehensive Plan Amendment request does not take effect until 20 days after a Notice of Fact of Adoption has been published once in a legal newspaper of the County.



**Pennington County Planning & Zoning**  
**Pennington County, South Dakota**

**COMPREHENSIVE PLAN AMENDMENT APPLICATION CHECKLIST**

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Pre-application Meeting Date with Planning Staff is scheduled on:\_\_\_\_\_.

Completed Application Form

Site Plan

Legal Description

Permit Application Fee:

Application fee - \$350.00

Publication costs - \$150.00 (may exceed \$150 due to lengthy legal description)

Property owner's list - \$ 20.00

Sign fee - \$ 25.00

\$545.00 Total

**COMPREHENSIVE PLAN  
AMENDMENT APPLICATION**

**PENNINGTON COUNTY PLANNING DEPARTMENT**  
130 Kansas City St., Suite 200, Rapid City, SD 57701  
Phone: (605) 394-2186 Fax: (605) 394-6016

1. APPLICANT \_\_\_\_\_ DAYTIME PHONE: \_\_\_\_\_  
MAILING ADDRESS: \_\_\_\_\_  
EMAIL ADDRESS: \_\_\_\_\_  
AUTHORIZED AGENT: \_\_\_\_\_ DAYTIME PHONE: \_\_\_\_\_  
MAILING ADDRESS: \_\_\_\_\_  
OWNER: \_\_\_\_\_ DAYTIME PHONE: \_\_\_\_\_  
MAILING ADDRESS: \_\_\_\_\_

2. REQUESTED CHANGE OF DESIGNATED FUTURE LAND USE:  
FROM: \_\_\_\_\_ TO: \_\_\_\_\_ INVOLVING \_\_\_\_\_ ACRES  
LEGAL DESCRIPTION: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
LANDMARK LOCATION: \_\_\_\_\_  
REASON BEING: \_\_\_\_\_  
EXISTING LAND USE: \_\_\_\_\_ PROPOSED LAND USE: \_\_\_\_\_  
ZONING ORDINANCE REFERENCE: \_\_\_\_\_  
SITE ZONING: \_\_\_\_\_  
PHYSICAL CHARACTERISTICS: \_\_\_\_\_

3. THE OWNER, APPLICANT, OR AUTHORIZED AGENT, ACKNOWLEDGES: That he/she has read and received a copy of the instruction sheet and this application form concerning the filing and hearing of this matter; that he/she authorizes the Pennington County Planning Department staff and designees to enter onto and inspect the above-described property, and that he/she has been advised of the fee requirements.

Signature of APPLICANT or AGENT:  
(requires owner authorization)

Signature of LANDOWNER:

\_\_\_\_\_

\_\_\_\_\_

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_\_.

Subscribed and sworn to before me this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public for the State of South Dakota  
My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public for the State of South Dakota  
My Commission Expires: \_\_\_\_\_

4. DATE / TIME OF:  
PLANNING COMMISSION HEARING: \_\_\_\_\_ LOCATION: \_\_\_\_\_  
COUNTY COMMISSION HEARING: \_\_\_\_\_ LOCATION: \_\_\_\_\_

5. PUBLIC HEARING NOTICES TO BE SENT BY AND SIGN TO BE POSTED BY: \_\_\_\_\_