



Pennington County Planning & Zoning Pennington County, South Dakota

CONDITIONAL USE PERMIT PROCESS

APPLICABILITY

Within each zoning district there are uses that are allowed by right. However, due to special characteristics attendant to their operation, other uses may be permitted in a zoning district subject to evaluation and approval by the Planning Commission. A Permit is required for any use identified in the Zoning Ordinance as a Conditional Use. Due to public health, safety and welfare concerns, some Conditional Uses may be regulated by specific ordinance. Conditional Uses not regulated by specific ordinance are considered and decided under Section 510.

APPLICATION REQUIREMENTS

A *pre-meeting* with Planning Staff is required prior to submittal of a Conditional Use Permit Application. Conditional Use Permit requests must be submitted according to the requirements in Section 510 of the Zoning Ordinance. A list of the minimum required elements is located on the following page: Conditional Use Permit Application Checklist. The County Zoning Ordinance may have additional requirements, depending on the zoning district.

APPROVAL PROCESS

The application form and required materials for a Conditional Use Permit must be submitted to the Planning Department. A complete application shall include: the application form (attached), all materials required by the Zoning Ordinance, and the non-refundable application fee.

APPROVAL PROCESS CONTINUED

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. 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.

A Notice of Public Hearing sign will be provided by the Planning Department. 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 hearing and must remain posted until final action by the Planning Commission.

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.

The Planning Commission may approve, continue, or deny the request. The Planning Commission’s action is final, although their decision may be appealed through the Circuit Court. If approved, the Conditional Use Permit request does not take effect until 30 days after the approval date.



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CONDITIONAL USE PERMIT APPLICATION CHECKLIST

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

Completed Application Form

Site Plan showing:

- Location of all existing buildings or structures (including setbacks)
- Well(s)
- On-site wastewater treatment systems
- Recorded easements
- Driveway
- Special Flood Hazard Area
- Any existing or proposed utilities and their location

Permit Application Fee:

Application fee -	\$380.00
Publication costs -	\$120.00 (may exceed \$120 due to lengthy legal description)
Property owner's list -	\$ 20.00
Sign fee -	<u>\$ 25.00</u>
	\$545.00 Total

CONDITIONAL USE PERMIT APPLICATION

Tax ID: _____

Planning Commission Meeting Date: _____

Fee Paid: _____

Public Hearing Notices To Be Sent By and Sign to Be Posted By: _____

1. Contact Information:

Applicant: _____ Daytime Phone: _____

Mailing Address: _____

(Street or P.O. Box)

(City, State, Zip)

E-mail Address: _____

Landowner: _____ Daytime Phone: _____

Mailing Address: _____

E-mail Address: _____

Authorized Agent: _____ Daytime Phone: _____

Mailing Address: _____

E-mail Address: _____

2. Property Information:

Existing Legal Description: _____

_____ BHM, Pennington County, South Dakota.

Current Zoning: _____ Acreage: _____ Utilities: _____

Physical Description (Flat/hilly): _____

Landmark Location (Nearest Intersection) or Address: _____

Surrounding Zoning: North: _____ South: _____ East: _____ West: _____

Land Use: Residential Mixed-Use Commercial Industrial Other: _____

3. Requested Use:

Accessory Dwelling Unit Home Occupation Recreational Vehicle Park Caregiver Residence

Contractor's Storage Multi-Family Residence Efficiency Dwelling Bed and Breakfast

Temporary Living Quarters Caretaker's Residence Other

Description of request: _____

4. Signature(s):

The Owner, Applicant or Authorized Agent acknowledges and agrees that he or she (1) has read and received a copy of the instruction sheets and this application form concerning the filing and hearing of this matter, (2) authorizes the Pennington County Planning & Zoning Department Staff and designees to enter onto and inspect the above-described property, and, (3) has been advised of the fee requirements. (*Owner's Signature is required on all applications.*)

Signature of LANDOWNER:

DATE: _____

Subscribed and sworn to before me this _____ day of _____, 2025.

Notary Public for the State of South Dakota

My Commission Expires: _____

(SEAL)

Signature of APPLICANT or AGENT:

DATE: _____

Subscribed and sworn to before me this _____ day of _____, 2025.

Notary Public for the State of South Dakota

My Commission Expires: _____

(SEAL)