



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

### CONDITIONAL USE PERMIT PROCESS

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#### **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.



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

**CONDITIONAL USE PERMIT APPLICATION CHECKLIST**

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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

**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: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
E-MAIL ADDRESS: \_\_\_\_\_  
AUTHORIZED AGENT: \_\_\_\_\_ DAYTIME PHONE: \_\_\_\_\_  
MAILING ADDRESS: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
OWNER: \_\_\_\_\_ DAYTIME PHONE: \_\_\_\_\_  
MAILING ADDRESS: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

2. REQUESTED USE: \_\_\_\_\_  
LEGAL DESCRIPTION: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ INVOLVING \_\_\_\_\_ ACRES  
ADDRESS: \_\_\_\_\_  
LANDMARK LOCATION: \_\_\_\_\_  
EXISTING LAND USE: \_\_\_\_\_  
SITE ZONING: \_\_\_\_\_ PHYSICAL CHARACTERISTICS: \_\_\_\_\_  
SURROUNDING ZONING: NORTH \_\_\_\_\_ SOUTH \_\_\_\_\_ EAST \_\_\_\_\_ WEST \_\_\_\_\_  
UTILITIES:  PUBLIC OR COMMUNITY: \_\_\_\_\_ (list provider)  
 PRIVATE\*: Septic Tank Size: \_\_\_\_\_ gallons Drainfield Size: \_\_\_\_\_ feet  
\* An Operating Permit is required to be obtained for any existing on-site wastewater treatment system **prior** to submittal of the Conditional Use Permit Application.  
WATER SOURCE:  Well  Cistern

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. PLANNING COMMISSION HEARING Date: \_\_\_\_\_ Time: \_\_\_\_\_  
LOCATION: Pennington County Commissioner's Meeting Room

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