

## **Conditional Use Permit Application Submittal Requirements (Lincoln County and Sioux Falls Joint Zoning Area)**

Conditional uses are those land uses listed in the Zoning Ordinance for each district “that would not be appropriate generally or without restriction throughout the zoning district, but which if controlled, would promote the public health, safety and welfare”. An application is presented in front of the Planning Commission at a public hearing to determine potential effects and to apply conditions to the permit or deny the application if necessary. A conditional use shall also be considered by the Planning Commission if the applicant is unable to meet all the required conditions for a permitted special use as listed under the applicable zoning district in the ordinance.

### **Step One – Application:**

The Conditional Use Permitting process can be complex. It is highly recommended that the applicant contact the Planning and Zoning Department prior to making your application. In addition, please refer to the criteria for granting requests. Review this information carefully to ensure that your proposal will meet the minimum ordinance requirements for application.

All required items must be submitted to and reviewed by Planning and Zoning Department staff approximately four (4) weeks prior to the meeting date. Incomplete applications will not be accepted.

The following are the minimum submittal requirements:

- A completed and signed application form.
- An accurate site plan of the property.
- A detailed narrative, explaining the request.
- A \$250.00 non-refundable application fee.

The Planning and Zoning Department will provide a sign to be posted on or near the property, as required by the Zoning Ordinance.

### **Step Two – Public Hearing:**

The Planning Commission meets jointly with the City of Sioux Falls Planning Commission on the second Wednesday of the month, beginning at 6:30 p.m., in the Commissioner’s Meeting Room at the Lincoln County Courthouse. Meeting dates that conflict with Lincoln County Holidays will be rescheduled to the day after the holiday. In order for your request to be considered, you or someone representing you must be present at the meeting.

The decision of the Planning Commission on a conditional use permit may be appealed to the Board of County Commissioners and the Sioux Falls City Council. The applicant or any other person aggrieved by the decision shall file a written appeal with the Planning and Zoning Department within five (5) working days of the decision.

### **Step Three – Compliance:**

If approved, you will be required to maintain compliance with all terms, conditions or requirements placed on a conditional use permit by the Planning Commission. Any non-compliance is sufficient cause to subject the permit to review and possible revocation by the Planning Commission.



## **Conditional Use Permit Application Checklist**

- Conditional Use Permit Application. Application must be signed by the applicant and the property owner.
- An accurate site plan of the property drawn to scale. Please refer to the page “Site Plan Guidelines”.
- A detailed narrative, explaining the request. The narrative should provide an in-depth explanation of the proposed request, addressing the following items (if applicable): hours of operation, number of expected employees and/or customers, location and size of proposed buildings and signs, and any other pertinent information regarding the request.
- \$250 non-refundable application fee. This fee does not include the fee for any associated building/zoning permit(s), which may be required.



## CONDITIONAL USE PERMIT APPLICATION

Permit Number: \_\_\_\_\_

Address or General Location: \_\_\_\_\_

Legal Description: \_\_\_\_\_

Parcel Size: \_\_\_\_\_ Current Zoning District: \_\_\_\_\_

Description of the Request \_\_\_\_\_

Please see <https://maps.lincolncountysd.org/parcel-browser/> for property attribute information.

*I swear that all information submitted by me (or my agent representing me) as part of this request is true, correct, accurate and complete to the best of my knowledge. I hereby authorize the Lincoln County Planning Director and/or authorized agent to enter upon property subject to this application to gather information pertinent to this application.*

**Applicant (Print)** \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Mailing Address:

\_\_\_\_\_  
Street City State Zip

**Owner (if different than above)** \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Mailing Address:

\_\_\_\_\_  
Street City State Zip

**Office Use Only**

Date application completed and filed w/ department: \_\_\_\_\_

Ordinance Section: \_\_\_\_\_

## Site Plan Guidelines

### (Lincoln County and Sioux Falls Joint Zoning Area)

In accordance with Section 155.202 of the Lincoln County Code of Ordinances:

Except when waived by the Planning Director, each application for a conditional use permit shall be accompanied by a site plan showing the following information:

- (A) The legal description of the property.
- (B) The name of the project and/or business.
- (C) The scale and north arrow.
- (D) All existing and proposed buildings and additions.
- (E) Dimensions of all buildings.
- (F) Distance from all building lines to the property lines at the closest points.
- (G) Building height and number of stories.
- (H) Dimensions of all property lines.
- (I) Parking lot or spaces, designating each space, lot dimensions, stalls and aisles.
- (J) Screening; showing the height, location, and type of material to be used.
- (K) Name and location of all adjacent roads, waterways and other public places. Any conditional use permit which has been approved shall conform in all ways to the site plans submitted. In the event that changes have been stipulated on the plan as part of the approval of the conditional use permit, the conditional use permit shall conform to the plan in all ways except for the stipulated changes.

### **Zoning Districts Setback Requirements**

<p><b>A-1 Agricultural:</b> Front Yard: 30 feet* 50 feet (major arterial street or section line road)* Side Yard: 7 feet Rear Yard: 30 feet</p>	<p><b>RR Rural Residential:</b> Front Yard: 30 feet* 50 feet (major arterial street or section line road)* Side Yard: 7 feet Rear Yard: 30 feet</p>	<p><b>C Commercial &amp; I-1 Light Industrial:</b> Front Yard: 30 feet* Side Yard: 10 feet Rear Yard: 20 feet</p>
<p><b>RC Recreation/ Conservation:</b> Front Yard: 30 feet* 50 feet (major arterial street or section line road)* Side Yard: 7 feet Rear Yard: 30 feet</p>	<p><b>I-2 General Industrial:</b> Front Yard: 30 feet* Side Yard: 10 feet Rear Yard: 20 feet</p>	<p><b>Height Regulations:</b> A-1, RR, C, and RC: 35feet I-1: 45 feet I-2: 55 feet <i>Additional restrictions may apply</i></p>

\*Front yard setbacks are measured from the road right-of-way line.