



Conditional Use Permit Procedure

Application fee of \$200 plus notification fee per parcel of property within 300 feet of the subject property

A conditional use permit allows a use that requires special consideration at a location when it is shown that such use is appropriate for the location and will comply with the intent of the zoning district when the specified conditions are met. Approval of a conditional use permit by the Planning Commission and City Council is required before the property owner(s) may proceed with any changes to the use of the property or obtain any related building or development permits.

Information and Materials Required:

1. A completed application signed by the property owner(s) and their designee (if applicable);
2. Vicinity Map;
3. Intended use of the site;
4. Site plan including the position, size & use of all structures, improvements and facilities to be constructed/reconstructed;
5. Location of all points of ingress and egress and internal traffic circulation pattern;
6. Parking, landscape, lighting and drainage plans (if applicable);
7. Additional architectural and engineering data may be required by the Planning Director.

Procedure:

1. Application shall be submitted to the City per the approved submittal schedule.
2. After Planning staff has documented that a complete submittal has been filed with the City, Planning Department staff will place the request on the Planning Commission agenda per the approved submittal schedule and provide notice of the required public hearing to the public and owners of property within three hundred (300) feet of the subject property.
3. The Planning Commission will hold a hearing, review the request and make its recommendation to the City Council within thirty (30) days of said hearing. Planning staff will submit the Commission recommendation for City Council consideration.
4. The City Council will act on the conditional use permit within thirty (30) days of the date of the recommendation by the Planning Commission.

Suspended Timelines:

If the Planning Director determines that the application for the conditional use permit does not contain the specified and required information, the review timeline shall be suspended, and the owner and/or designated agent shall be notified of the deficiency. When complete and sufficient information is provided by the owner and/or designated agent, the review timeline shall be re-engaged, with an additional five (5) working days added to the remaining balance of the review timeline. Applications suspended for more than ninety (90) consecutive days shall be denied by the Planning Director.

When the owner and/or designated agent do not concur with the City regarding the information required for the conditional use permit and/or a suspended timeline, the applicant may request an appeal in consideration of the disputed item(s) be filed to the Planning Commission. The Planning Commission may uphold or approve of the Planning Directors decision, overrule the decision, and/or deny the application in its entirety.

Exercise of Conditional Use Permit:

Approval of the conditional use permit shall be effective for twelve (12) months from the date of approval by the City Council. A conditional use permit is considered exercised when the use has been established or when a building permit has been issued and substantial construction accomplished. When such use is abandoned or discontinued for a period of one year, it shall not be reestablished without authorization by the Council. The permit shall be revoked when the use is not in compliance with the conditions imposed by Council.



Planning Department
 420 Villa Drive, Box Elder, SD 57719
 Phone: 605-923-1404 Fax: 605-923-4264
 This institution is an equal opportunity provider

Application for Planning and Zoning Action

I/We, the undersigned, do hereby submit an application to the City of Box Elder, to take such actions as may be required by the Ordinances of the City of Box Elder, South Dakota to allow the proposed development or action for the property described below:

Application Type:		
Zoning/Land Use	Subdivision	Planned Development
Rezoning	Layout Plan	Initial Plan
Conditional Use Permit	Preliminary Subdivision Plan	Final Plan
Zoning Variance	Minor Plat	Major Amendment
Floodplain Development Permit	Final Plat	Minor Amendment
Grading Permit	Subdivision Variance	
Other:	Vacation of Easement	
	Vacation of ROW/Section Line	
Legal Description:		
Location:		Size:
Request Proposed (attached additional pages if necessary):		

Petitioner/Agent Information

Company: _____
 Name: _____
 Address: _____
 City, State, Zip: _____

Phone: _____
 E-Mail: _____

Property Owner Information

Company: _____
 Name: _____
 Address: _____
 City, State, Zip: _____

Phone: _____
 E-Mail: _____

Acknowledgement – I/We hereby acknowledge that I/we have familiarized ourselves with the rules and regulations to the preparation of this application and the information is true and complete to the best of our knowledge.

Owner

Signature: _____
 Date: _____
 Title: _____
 (Required for Corporations, Partnerships, LLC & Other)

Petitioner/Agent

Signature: _____
 Date: _____
 Title: _____
 (Required for Corporations, Partnerships, LLC & Other)

Office Use Only			
Date Filed:		Invoice #:	
PC Date:		RC Publication Date:	
PC Action:		Signs Placed:	
Council Action:			