

**ARTICLE 20.00
CHANGE OF ZONE**

20.01 APPLICATION TO COUNTY OR BY COUNTY FOR ZONING CHANGE. Any person, firm, or corporation desiring a change in regulations, restrictions, or boundaries of the zoning map of any property from one zoning district classification to another zoning district classification under this ordinance, shall make application for such change with the Office of Planning and Zoning. Such application form shall be provided by the Office and be completed in full by the applicant.

The Board of County Commissioners may from time to time on its own motion, after public notice and hearing, and after a recommendation by the Planning Commission amend, supplement, or change the boundaries or regulations herein or subsequently established.

20.02 FEES. Upon the filing of any application for a zoning district classification change with the Office of Planning and Zoning, the applicant shall pay to the County the appropriate fee as designated in Article 24.00.

20.03 PLANNING COMMISSION HEARING. Upon the filing of an application and payment of the fee, the Office of Planning and Zoning shall set a date for public hearing at which time the Planning Commission will consider such requests for a change in zoning district classification. The date for a public hearing shall be a day when the Planning Commission is regularly scheduled to meet.

- (A). **LEGAL NOTICE.** The Planning Director shall cause to be published a legal notice as required in SDCL 11-2-29.
- (B). **SIGNS.** A sign(s) to be provided by the Office of Planning and Zoning shall be posted on or near the property at least five days prior to the scheduled hearing.
- (C). **PLANNING COMMISSION RECOMMENDATION.** The Planning Commission shall consider all applications for zoning district classification changes and make a recommendation to the Board of County Commissioners.

20.04 BOARD HEARING. The Board of County Commissioners shall conduct a public hearing on all applications which have been forwarded to them from the Planning Commission.

- (A). **LEGAL NOTICE.** The Board shall cause to be published a legal notice as required in SDCL 11-2-19.

- (B). **SIGNS.** A sign(s) to be provided by the Office of Planning and Zoning shall be posted on or near the property at least five days prior to the scheduled hearing.
- (C). **HEARING.** Upon the day of such public hearing, the Board shall review the decisions and recommendations of the Planning Commission on all applications. The Board, in making its determination on such applications, may make changes in the zoning map in accordance with or in rejection or modification of the recommendations of the Planning Commission.

20.05 REAPPLICATION. No application requesting a zoning district classification change on any property whose application includes any such property either entirely or substantially the same as that which has been denied by the Board, shall again be considered by the Planning Commission before the expiration of six months from the date of the final action of the Board.