

WHAT IS YOUR

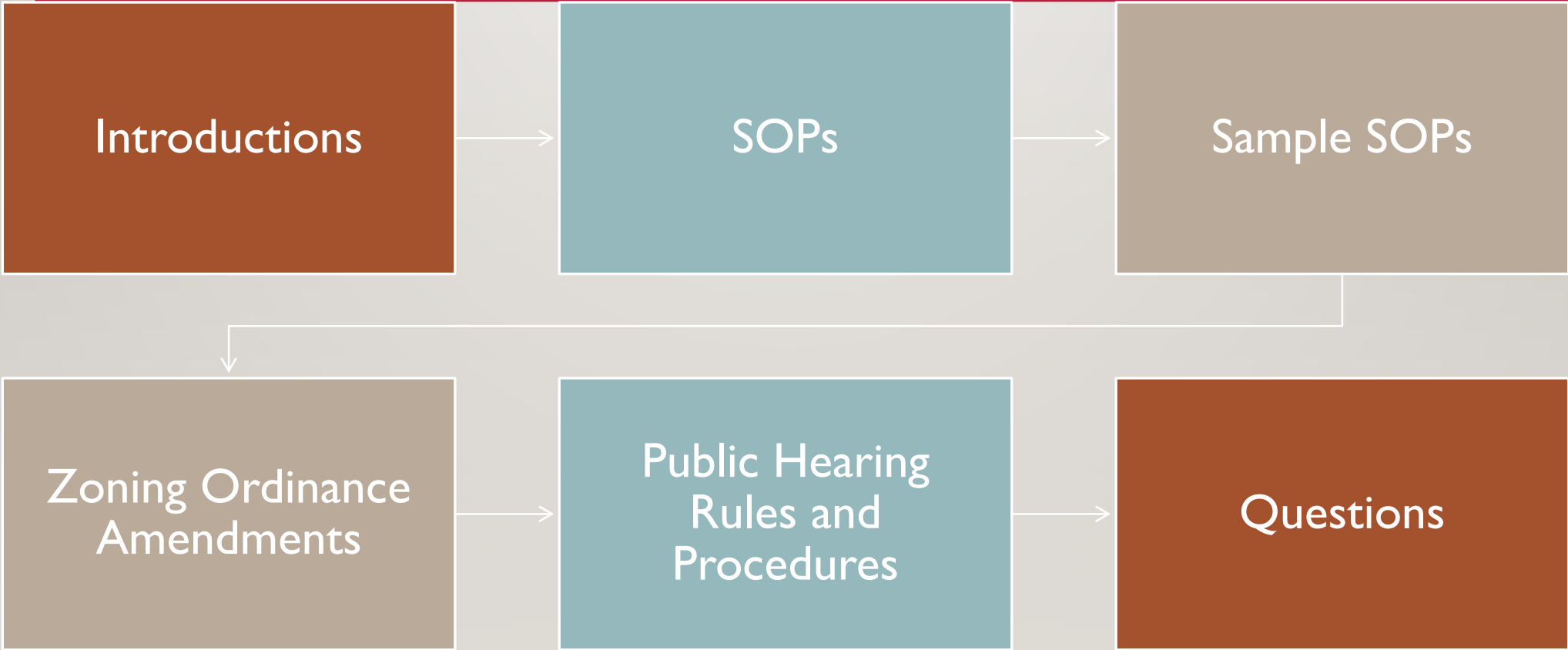
SOP?

2023 SDPA Annual Conference
October 25, 2023

Toby Brown, Lincoln County Planning and Zoning

Sean Hegyi, South Eastern Council of Governments

AGENDA



What issues have we encountered?

- I didn't know and/or we didn't know
 - No one told me to do it that way
 - Someone told me to do it that way
- We have been doing it that way for years
- How are we supposed to do it that way



What are SOPs?

- A standard operating procedure (SOP) is a set of step-by-step instructions compiled by an organization to help staff carry out routine operations. SOPs aim to achieve efficiency, quality output, and uniformity of performance, while reducing miscommunication and failure to comply with regulations.
- If you don't do it the same way every time, you don't do it the same way every time.



What do I do with my SOPs?

- Sign and date them
- Keep them visible
- Continually review and renew them

ZONING PERMITS

Residential, Commercial and Industrial Development Permits (Approx. 5 business days)



Procedure:

1. Application Submittal

- Planner meets with applicant (if applicable).
- Building/Zoning application is received in person, through mail, or online.
- Application is received and verifies all submission requirements are included.
- Application and attachments are put into review for planner(s) and floodplain administrator.

2. Reviewing Process

- Submit application information in Energov.
- Staff reviews application and attachments to make sure the plans meet code.

3. Permitting Process

- Permit is ready within five (5) business days.
- If approved, check approval in Energov.
- If further information or revision is needed, contact applicant to determine compliance or future.
- If refused, notify applicant and write refusal letter.

4. Contact

- Close out permit in Energov.
- Applicant is contacted.
 - By Phone to come pick up.
 - Sent in an email.
 - Sent through US mail.

5. Completion

- If permit is approved, applicant may need building permit (if applicable or over 200 sq. ft.).
- Email Planning Director new sign, new businesses, and change of use permits.

PLANNING COMMISSION

Conditional Uses (Approx. 2 months)



**Please note that grace
period occurs between these
steps**

Procedure:

1. **Pre-Application Meeting**
 - a. Planner sets up meeting with applicant.
2. **Application Submittal**
 - a. Application is received and verifies all submission requirements are included.
 - b. Applications are assigned.
 - c. Enter information into Energov.
3. **Processing and Staff Review**
 - a. Process adjacent and owner notification letters.
 - b. Create base maps (if applicable).
 - c. Conduct site visit and take comprehensive pictures.
 - d. Set up preliminary issues meeting with staff.
 - e. Generate staff report.
 - f. Submit staff report for review to Director.
 - g. Prepare presentation for meeting.
 - h. Send staff report and packet to Board members and legal counsel.
 - i. Upload all associated documents to Civic Clerk.
4. **Public Hearing/Board Action**
 - a. Agenda gets printed.
 - b. Set up Chambers.
 - c. Set up technology.
 - d. Hold Public Hearing.
 - e. Take Minutes.
5. **Confirmation**
 - a. Send out action letter via mail and email (after five (5) day appeal period).
 - b. Upload approved minutes from previous meeting.
 - c. Compile minutes from current meeting.

PLANNING COMMISSION

Zone Change, Text Amendment & Preliminary Development Plan (*Approx. 3-4 months*)



Final Development Plan (*Approx. 2 months*)



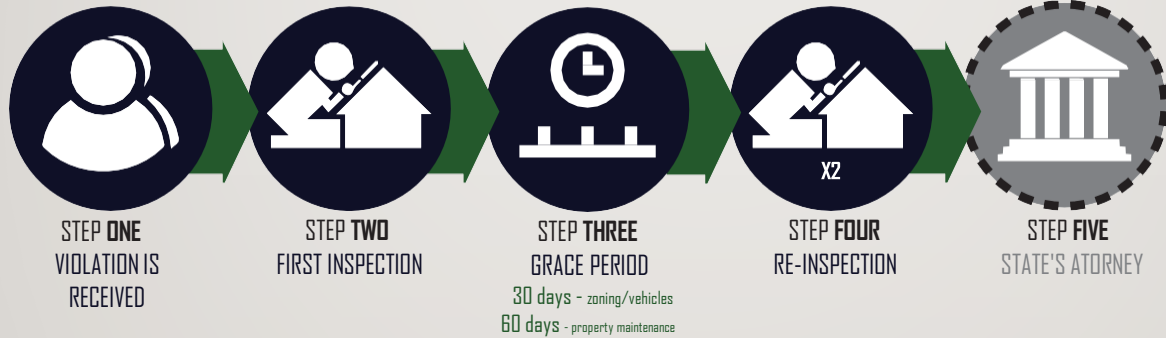
Procedure:

- 1. Pre-Application Meeting**
 - a. Planner sets up meeting with applicant.
- 2. Applicant Submittal**
 - a. Application is received and verification of all submission requirements is conducted.
 - b. Application(s) is assigned.
 - c. Enter information into Energov.
- 3. Processing and Staff Review**
 - a. Process legal notice.
 - b. Process adjacent and owner notification letters.
 - c. Set up preliminary issues meeting with staff.
 - i. Prior to meeting, prepare the following:
 1. Conduct research on applicable items:
 - a. History of site or text proposal
 - b. Current code or land use
 - c. Approved permits or nonconforming uses
 - d. Best practices
 2. Conduct site visit and take comprehensive pictures.
 3. Create base maps of applicable information.
 4. General notes on proposed recommendation with basis.
 - d. Generate staff report.
 - e. Submit staff report for review to Director.
 - f. Prepare presentation for meeting.
 - g. Send staff report and packet to Commission members and legal counsel.
 - h. Upload all associated documents to Civic Clerk.
 - i. Upload approved minutes from previous meeting.
- 4. Public Hearing/Commission Action**
 - a. Agenda gets printed.
 - b. Set up Chambers.
 - c. Set up technology.
 - d. Hold Public Hearing.
 - e. Take Minutes.
 - f. Confirmation letter is sent after hearing.
- 5. Board of Commissioners Hearing and Action**
 - a. Process legal notice.
 - b. Process adjacent and owner notification letters (if applicable).
 - c. Generate staff report.
 - d. Update presentation for meeting.
 - e. Create Resolution.
 - f. Upload to Civic Clerk.
 - g. Hold Hearing.
- 6. Confirmation**
 - a. Send out action letter via mail and email.
 - b. Upload approved minutes from previous meeting.
 - c. Organize files and tidy up loose ends.
 - d. Update ordinance and map (if applicable).
 - e. Record amendment (if applicable).

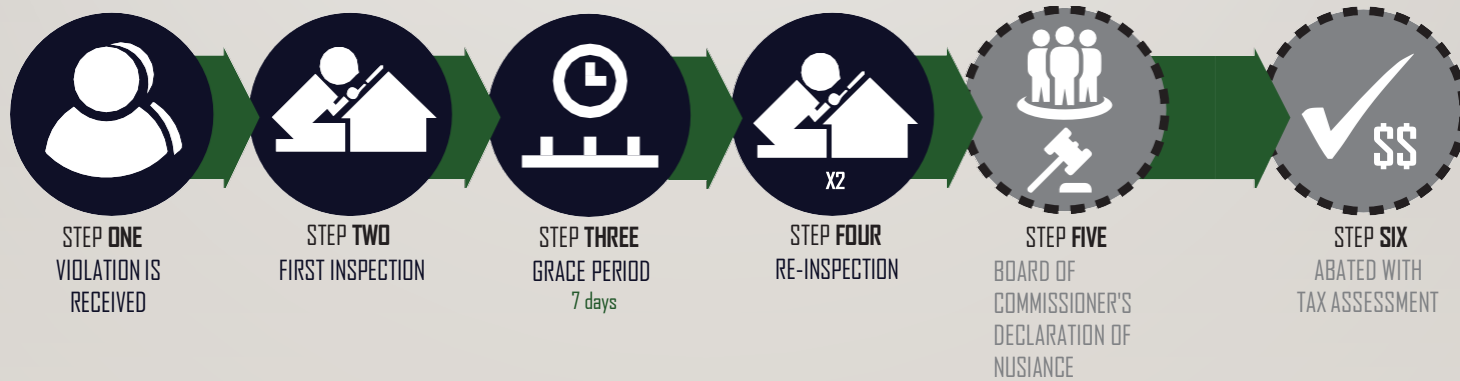
**Please note that Final
Development Plans do not go
in front of Board of Commissioners**

CODE ENFORCEMENT

State's Attorney *(process continued until compliance is achieved)*



Trash, Grass & Weeds Abatement *(process continued until compliance is achieved)*



Procedure:

1. Violation is received by Staff

- a. Verify/enter into Energov.
- b. Background research (if applicable):
 - i. Auditor's site (owner or renter)
 - ii. Previous cases
 - iii. No duplications
 - iv. Verify zoning/vacant regulations
- c. Schedule for inspection.

2. Inspection

- a. Visit site.
- b. Determine violation.
- c. Take photos consistent with memo on taking photos:
 - i. Uploaded into Energov.
- d. Issue NOV (if applicable):
 - i. Post NOV in accordance with memo sent out
 - ii. Take photo of NOV
 - iii. Upload into Energov
 - iv. Mail NOV
- e. Schedule follow up.

3. Follow Up Inspection

- a. Visit Site.
- b. Determine compliance.
- c. Take photos consistent with memo on taking photos:
 - i. Uploaded into Energov.
- d. If non-compliant, send to State's Attorney.

Please note that grace period occurs between these steps

4. Grass and Trash

- a. Abatement process begins:
 - i. Put on nuisance/abatement list.
 - ii. Board of Commissioners approval.
 - iii. Revisit property the Tuesday after Board of Commissioner's meeting.
 - iv. Give property list to contractor.
 - v. Contractor will take photos and fill out logs.
 - vi. Close.
 - vii. Evaluate/add to monitoring loop.

REQUIREMENTS FOR AMENDING THE ZONING ORDINANCE OF COUNTY

- Step 1 Publish a public notice for the proposed amendment – Planning Commission public hearing
- SDCL Reference: § 11-2-29
- “The planning commission shall hold at least one public hearing on any proposed change or modification to the plan or ordinances. Notice of the time and place of the hearing shall be given once at least ten days in advance by publication in a legal newspaper of the county. At the public hearing, any person may appear and request or protest the requested change.”
- Step 2 Planning Commission shall make its recommendation to the County Commission
- Minutes of the public hearing shall be published
 - A Planning Commissioner needs to be present to recommend adoption of the ordinance to the County Commission
- Step 3 Publish a public notice for the proposed amendment – County Commission public hearing
- SDCL Reference: § 11-2-19
- “After receiving the recommendation of the planning commission the board shall hold at least one public hearing on the respective comprehensive plan, zoning ordinance, or subdivision ordinance. Notice of the time and place of the hearings shall be given once at least ten days in advance by publication in a legal newspaper of the county.”
- This public hearing shall be the first reading of the ordinance
 - Minutes of the public hearing shall be published

Step 4 County Commission shall conduct a second reading of the proposed ordinance at least 5 days after the first reading

SDCL Reference: § 7-18A-5

“The title of all ordinances shall be read twice with at least five days intervening between the first and second reading. Any ordinance shall be signed by the chairman of the board or the acting chairman, filed with the county auditor and published once.

However, an ordinance incorporating and adopting comprehensive regulations or a code promulgated, approved, and published by a recognized and established national organization prescribing building, electrical, plumbing, safety, fire, health or milk regulations need not be published in a newspaper, but, upon adoption of such an ordinance, the auditor shall publish a notice of the fact of adoption once a week for two successive weeks.”

Step 5 County publishes a notice of adoption of zoning ordinance twice in successive weeks if publishes in summary – if published in its entirety, only one publication is needed. The zoning ordinance becomes effective 20 days after last publication.

SDCL Reference: § 7-18A-5 [see above]

- Minutes of the meeting shall be published
- The 20 days between notice of adoption and when it becomes effective is a time for citizens to submit a petition of referendum on the ordinance

PUBLIC HEARING RULES AND PROCEDURES

Planning Commission

The purpose of a public hearing is to give everyone the opportunity to express their views, and to provide evidence in support of those views. These opinions and evidence create part of the record, which the Planning Commission relies on for its findings, conclusions, and decisions.

SEQUENCE

- The Planning Commission Chairman states the request of the application or amendment and explains the Public Hearing procedures.
- Late exhibits are presented by staff to the Planning Commission.
- Public comment is limited to 3 minutes per testimony.
- The Planning Commission Chairman will close the Public Hearing.
- After closing public testimony, the Planning Commission will discuss the issue and may question the staff.
- The Planning Commission will discuss all evidence and testimony obtained during the Public Hearing process.
- The Planning Commission will make a decision to APPROVE, APPROVE WITH AMENDMENTS, TABLE or DENY the application or amendment.

GENERAL GUIDELINES

- Any person wishing to speak at the Public Hearing **MUST SIGN THE SIGN UP SHEET.**
- All testimony before the Planning Commission must be given from the podium so that a transcribable record may be made. Spontaneous comments from the floor are not permitted.
- All people who testify must state their name and address.
- When the Public Hearing is officially declared closed by the Planning Commission Chairman, **NO FURTHER PUBLIC TESTIMONY WILL BE ALLOWED.**
- All members of the public will treat others at the Public Hearing with Respect.
- There will be no booing or hissing.
- Only those recognized by the Planning Commission Chairman will be allowed to speak.
- Any persons not following these guidelines may be asked to leave the Public Hearing.

These rules are designed to ensure a fair and orderly decision-making process and to promote public participation in the decisions rendered.



THANK YOU!

