



**CITY OF  
BELLE FOURCHE  
ENGINEERING DEPARTMENT**

511 6<sup>th</sup> Avenue  
Belle Fourche, SD 57717  
Phone: 605-892-3006  
Office Hours:  
7:00 am – 4:00 PM  
Monday - Friday  
[www.bellefourche.org](http://www.bellefourche.org)

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## Conditional Use Permits/Home Occupations

Conditions Use Permits are permits that allow exceptions for an owner to use their property in specific ways that are not explicitly permitted use for that property's designated zoning district, but rather, are listed under the conditional use section of that zoning districts ordinances.

Home Occupations allow exceptions for an owner to use their primary living quarters as a commercial working environment. The most common home occupation is Family Day Cares.

### **Advertisements and Signs:**

Conditional Use Permits and Home Occupations are required to be advertised two (2) separate times in the Black Hills Pioneer newspaper as legal public notices - the first notice advertising for a public hearing at the corresponding Planning & Zoning meeting, and the second notice advertising for a public hearing at the corresponding City Council meeting. The Engineering Department will provide the owner/applicant dates and times of the Planning & Zoning meeting and corresponding City Council meetings.

The owners/applicant are required to place a metal sign, issued by the Engineering Department, on the property where it can be seen from the street beginning the day the first public notice is advertised. The sign must be returned to the Engineering Department after the corresponding City Council meeting.

### **Costs:**

Conditional Use Permit fee: \$225.00

Sign Deposit fee: \$125.00

*The payments must be separate checks.*

\*the sign deposit check will be held at the Engineering Department office until the sign is returned\*

### **Conditional Use Permit/Home Occupation Process:**

1. The owner/applicant of a Belle Fourche property schedules an appointment with the City Engineers to discuss and request the conditional Use/Home Occupation.
2. After discussion, the City Engineers will either encourage or discourage the conditional use/home occupation. If they encourage it, they believe the conditional use/home occupation is reasonable and fits within the requirements so that when they propose it to the Planning & Zoning Commission, the conditional use/home occupation will pass and thus be proposed to the City Council for a final vote. If they discourage it, they believe the conditional use/home occupation is in some way unreasonable and does not fit within the requirements so that when they propose it to the Planning & Zoning Commission,

the conditional use/home occupation will not pass. If they do not encourage it, the City Engineers will explain either what changes would need to be made to the request, or why they believe it cannot be done at all.

3. If the engineers encourage the conditional use/home occupation, the owner/applicant will fill out a conditional use/home occupation application and submit the signed and completed application to the Engineering Department with an accompanying site plan of the conditional use/home occupation that has been approved by the City Engineers (application is down below). If the applicant is not the legal owner of the property, both applicant and owner must sign the designated areas of the application. If the applicant is the legal owner of the property, they will sign both designated areas.
4. Once the application and corresponding site plan have been submitted to the Engineering Department, the Engineering Department will collect payment for the conditional use/home occupation and corresponding sign deposit (see costs above.) The Engineering Department will put the Conditional Use/Home Occupation request on the next available Planning & Zoning agenda (please check the "Submission Dates for Planning & Zoning" link for agenda deadlines.) The Engineering Department will then issue the designated metal sign to the owner/applicant and provide instruction for the sign placement and provide the dates and times of the advertisements, Planning & Zoning meeting, and corresponding City Council meeting. *\*Owners are not required to attend either meeting, but are encouraged to do so in case of any questions, concerns or requests of clarification \**
5. Once the conditional use/home occupation passes through both Planning & Zoning and City Council, the applicant must return the issued sign in order to be given their sign deposit check back.
6. The conditional use/home occupation will be effective as soon as the council meeting is adjourned.

**Notice for Day Cares:**

The day care must be licensed with the State of South Dakota to be considered for a conditional use permit/home occupation.