

Understanding SB 157: Growing South Dakota's Communities

MYTH: This bill takes away local control.

FACT: This legislation protects local control. A majority vote ensures that the local community gets to make decisions, not a fringe few.

MYTH: This bill repeals existing zoning standards adopted by a county.

FACT: Nothing in this bill affects current or future zoning standards established by a county.

MYTH: This bill takes away local ability to appeal a conditional use permit.

FACT: This isn't accurate. The bill defines a person aggrieved using established case law to ensure those with a legitimate concern have standing to appeal.

MYTH: This bill requires counties to follow a special use permit for consideration of new projects.

FACT: This isn't accurate. This bill provides more clarity on how a county may adopt special permitted use criteria. Counties that require zoning may either follow the conditional use permit or allow certain projects that meet county established criteria to be approved via a special permitted use. The special permitted use is an existing county option.

MYTH: This bill takes away public input for a conditional use permit.

FACT: Nothing in this bill changes public input or public notice.

MYTH: The bill removes environmental protections.

FACT: Nothing in this bill amends the environmental standards the state or counties must adhere to in permitting and inspecting projects.