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Planning and Zoning Rural South Dakota

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Planning
and
Zoning

Rural

South Dakota

COOPERATIVE EXTENSION SERVICE
SOUTH DAKOTA STATE UNIVERSITY
UNITED STATES DEPARTMENT OF AGRICULTURE

Planning and Zoning

Rural South Dakota

by F. F. KERR

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Rural Zoning New in South Dakota

Rural zoning, a relatively new concept in area development, is claiming the interest of South Dakotans mainly because land is in demand for uses other than agriculture.

Two important physical changes have had much to do with creating new demands for land use in recent years. (1) creation of the Great Lakes of South Dakota as a result of building four main-stem dams on the Missouri River and (2) construction of north-south and east-west interstate highways.

Land is in demand for lake shore development and service installations along interstate highways. Also a pressure for new land uses is developing around cities and larger towns.

Proper rural planning and zoning allows orderly development of lake shores, highway services and suburban areas, and gives South Dakotans a tool to assist in maintaining the scenic beauty of the state. The new highways and the Great Lakes of South Dakota will attract many people to the state for the first time. What they see will determine to a large extent how long they stay, how many times they return, and how much money they contribute to the South Dakota economy.

Planning

If a county were to adopt a zoning ordinance without benefit of planning, the people would be saying, in effect, "We are not interested in making our county a better and more satisfying place in which to live. We just want to keep it from getting any worse than it is now." We might call this *zoning for status quo*.

Such zoning is virtually prohibited by South Dakota law since the law states that a county planning commission shall prepare a comprehensive plan and the necessary controls (zoning ordinances, etc.) to implement it. The law further states, "The comprehensive plan shall be for the purpose of protecting and guiding the physical development of the county;

to protect the tax base; to encourage a distribution of population or mode of land-utilization that will facilitate the economical and adequate provisions of transportation, roads, water supply, drainage, sanitation, education, recreation, or other public requirements; to lessen governmental expenditures; and to conserve and develop natural resources."

The above quote from the state law clearly indicates that the scope of the comprehensive plan can, and should, be broad. Physical and human resources, government, public requirements and public satisfactions should all be considered in development of the plan.

Zoning Ordinances

A plan by itself can accomplish very little. The zoning ordinances or other controls provide the tools for *putting the plan into effect*. When the plan and its controls are adopted by the electorate, county government is thereby given the power to enforce the control measures. The enforcement of the controls serves to implement the plan since it encourages the developments called for in the plan.

The Planning Process

The planning process consists of 5 parts.

PART 1

Collect facts regarding *physical* and *human resources* available in the county.

Under physical resources, data is needed on soil, water, timberland, roads, industries, minerals, railways, airlines, wetlands, wildlife, public utilities, public lands, private lands, tax delinquent land and others.

Human resources data includes population, population distribution, age groups, educational levels by age groups, present occupation by age groups, incomes in various occupational groupings, in-migration, out-migration, schools, churches, local governmental structures and others that may be of importance locally.

Usually 70 to 80 per cent of data needed to establish these facts may be found in local offices: the county agent, work unit conservationist, ASCS office manager, county superintendent of schools, county assessor and county highway engineer.

PART 2

After gathering facts, available resources must be analyzed to determine strengths and weaknesses. For example: What are capabilities of various soils? What is the present soil fertility level? Is the water supply adequate for present needs and can it be expanded—if so, where? How much tax delinquent land, and why is it delinquent? What percent of the population is in nonproductive age groups (the very young and very old)? What age groups are leaving or entering the county? Is there sufficient quality school facilities? What kind of vocational training is being offered? Is it the right kind? Would an unused water resource return a greater income to the people of the community if used for irrigation, for industry, or for recreation? How adequately will these and other resources support the people that will probably be here 10 or 20 years from now? What will the population likely be in 10 or 20 years?

This process of making projections, analyzing available resources and scrutinizing strengths and weaknesses will begin to give direction to the all important. . . .

PART 3

In this step—the selection of goals—care must be taken to select goals that are realistic. They should take advantage of resource strengths brought out in Part 2 and, where feasible, strengthen resource weaknesses made evident by Part 2. They should *not* be based on wishful thinking.

Examples of goals are listed below but a county should not attempt to fit itself to them. On the contrary, goals must be selected that fit the resources of the county.

- Prevent land waste.
- Encourage industry.
- Save most productive lands for agriculture.
- Preserve wildlife habitat.
- Keep housing off flood plains.
- Preserve and develop recreational lands.
- Maintain scenic areas.
- Pollution abatement.
- Prevent “sprawling” population.
- Protect or improve the tax base.

PART 4

Prepare a plan to reach these goals. This involves drawing boundaries of use districts (commercial, residential, recreational, agricultural, and others),

preparing control measures, holding hearings, re-writing as necessary until a plan emerges that will encourage the realization of selected goals.

The plan should be as long range as is practical and as all-inclusive as possible. In addition to the usual use districts mentioned above, highways, water resources developments, schools, medical facilities, parks and wildlife areas all need to be considered.

PART 5

Keeping the plan up to date. Plans and ordinances must be updated periodically as conditions change. Sometimes even goals may be advantageously changed. Planning is, therefore, a continuing process.

Planning Responsibility

Planning is the responsibility of the County Planning Commission, appointed by the Board of County Commissioners. One member of the planning commission is also a county commissioner.

Planning commissions often seek help from Citizens Planning Committees or from hired professional planners or from both.

Planning is a time-consuming job if it is to be well done. The advisability of hiring professional help will be discussed in the next paragraph but whether or not such help is sought, an organization similar to the following should be considered.

County Planning Commission

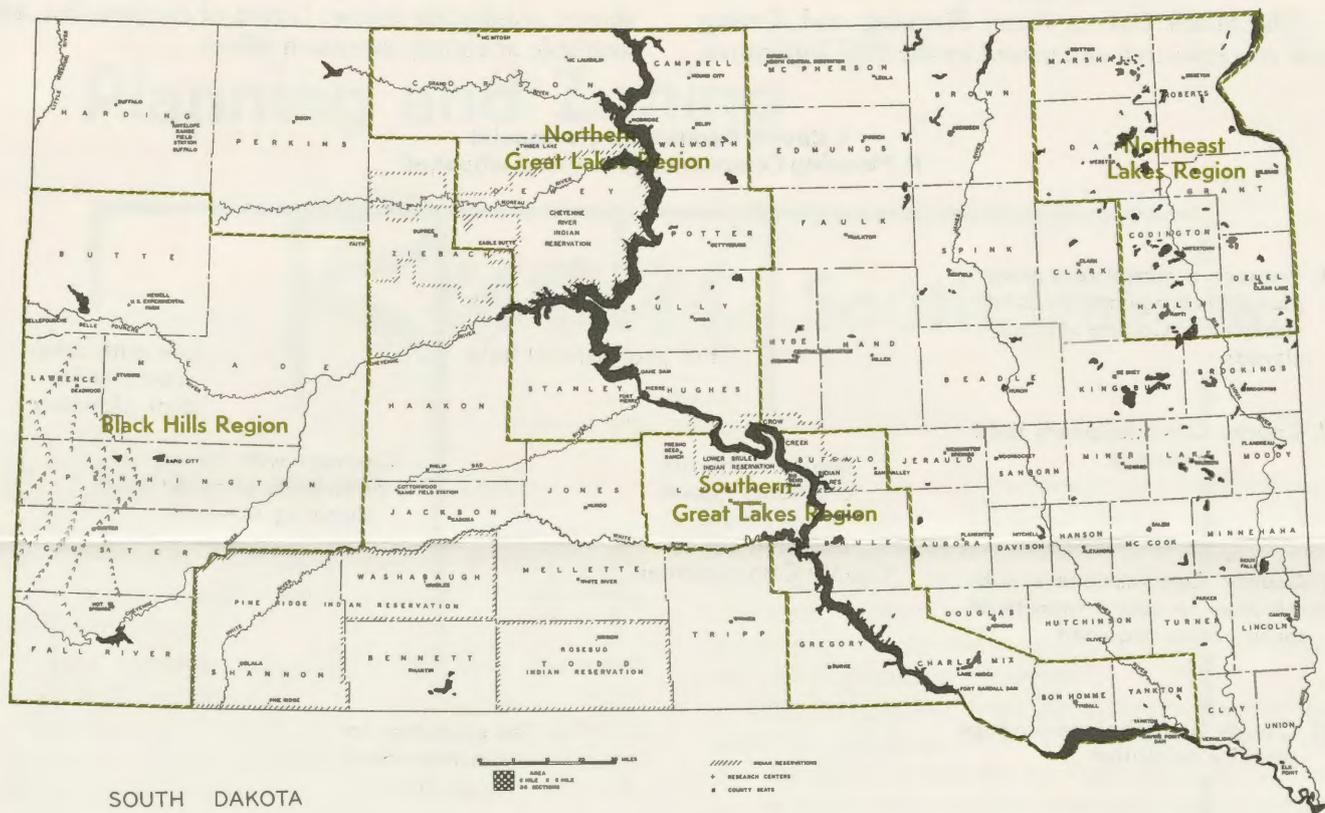
Citizens Committee

Representatives from:

Farm Organizations
Chambers of Commerce
Womens Organizations
Extension Boards
Ministerial Ass'ns.
Developed Ass'ns.
ASCS Committeemen
Wildlife Clubs
Power Suppliers
Service Clubs
Soil & Water Organizations
Others as needed

Technical Sub-Committee

County Extension Agents
Work Unit Conservationist
ASCS Office Manager
County Assessor
County Highway Engineer
County Superintendent of
Schools
County FHA
Others as needed



Map 1. Blocks of counties with a common resource that lends itself well to joint planning.

Under this organization the County Planning Commission remains the responsible party. The Citizens Committee serves as an *advisory and idea group*. Since they represent almost every interest group in the county, they are in a good position to reflect the wants and needs of all people.

The Technical Sub-Committee has much factual data available to them. They are therefore in a good position to furnish data that will determine the validity of any proposed idea.

Professional Planner

Section 701 of the Federal Housing Act of 1954, as amended, provides that two-thirds of the planning costs may be paid for from federal funds. Generally these funds are used to help defray the cost of hiring a professional planner. Most South Dakota counties would qualify for 701 funds.

Should a professional planner be hired? This decision should not be made in haste. First, form an organization such as outlined in the preceding section. This group should make an attempt to go through the planning process. Doing so will indicate whether professional help is needed or not. Even if professional help is to be hired, the above-mentioned

group should pursue the planning process far enough to determine realistic goals. The planner will want to know what the county goals are.

Generally speaking, if there is a large number of *different* physical resources in the county to be considered and/or if there is a high degree of competition among different interests for the use of the *same* land, professional help is probably needed. If the opposite is true, the local organization may be able to do an acceptable job assuming that they are able to devote a reasonable amount of time to it.

The State Planning Agency, Pierre, South Dakota, can furnish lists of approved professional planners. The planners are from private planning and engineering firms.

Multi-County Planning

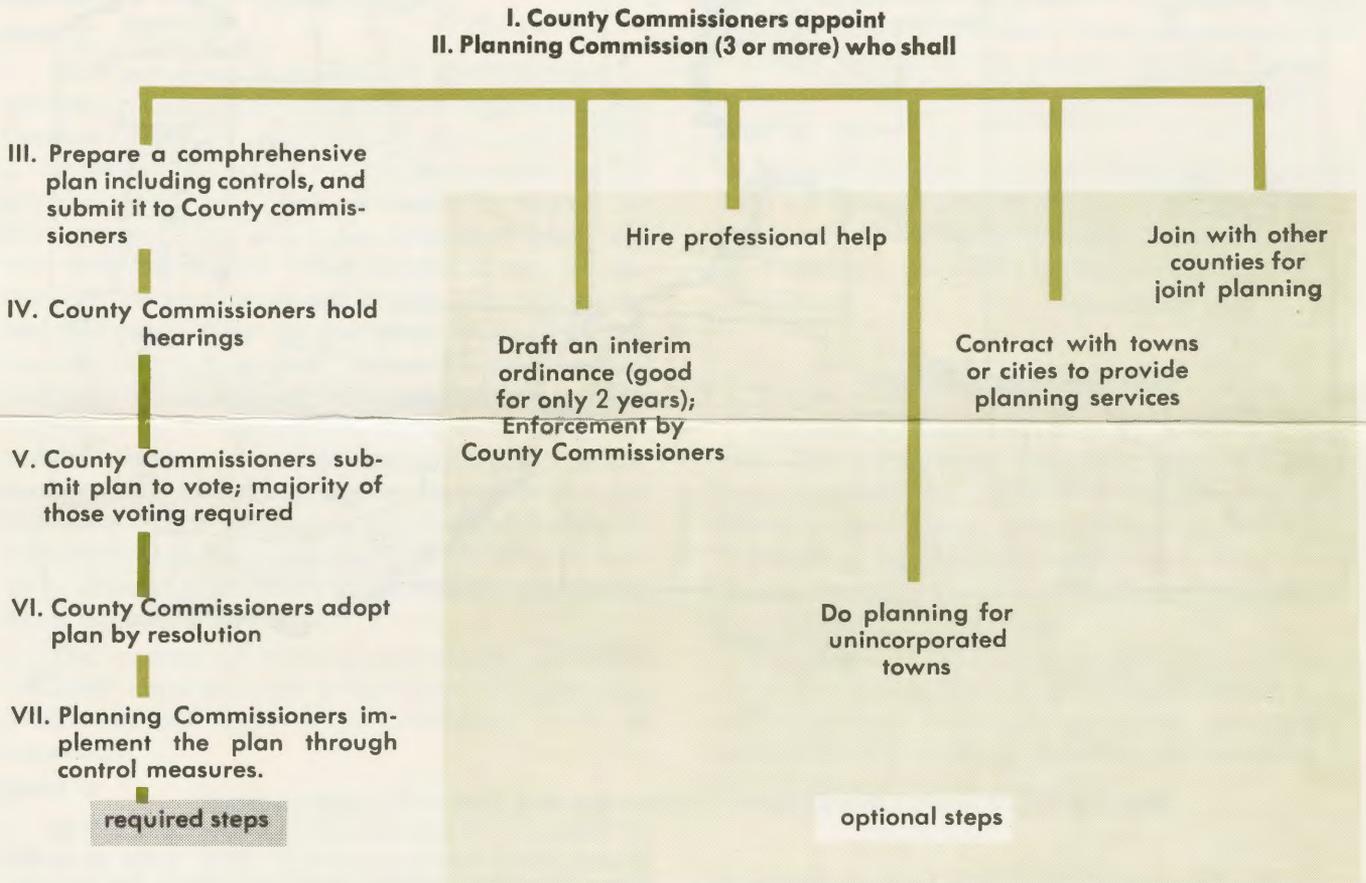
Groups of counties may plan together. This approach frequently offers definite advantages if counties have one or more physical resources in common. It would be necessary, however, for each county to enforce the control measures separately.

The map shows blocks of counties having a common resource that lends itself well to joint planning.

State Law

The South Dakota Rural Planning and Zoning Law was rewritten and passed by the 1967 legislature,

effective July 1, 1967. The necessary legal steps are shown graphically below. Copies of the new law are available at county extension offices.



NOTE: Only main steps are shown here; consult the law for details.

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