PLANNED DEVELOPMENT DISTRICT REZONING

A Planned Development District (PD) allows a mix of compatible land uses that would not typically be allowed with traditional zoning districts. Any rezoning to a PD District, just as with a typical rezoning, must conform fully to the county comprehensive development plan. The rezoning to a PD district allows the creation of a customized zoning district with a unique set of zoning regulations. Any necessary separation between various uses is accomplished by designating various subareas within the development.

Within the joint area around Dell Rapids, there are three steps to the rezoning process. These include 1) a public hearing before the joint Minnehaha County and Dell Rapids Planning Commissions, 2) a hearing before the joint County Commission and Dell Rapids City Commission, and 3) publication of the approved rezoning in the official newspapers of the county. An application packet includes an application form (attached), the required application fee and an initial development plan which includes the following information:

A. Project name and legal description.
B. A preliminary subdivision plan including proposed subareas and boundaries.
C. The proposed development scheme showing the following information:
    1) The proposed land uses, including the number and type of any buildings.
    2) The proposed density of the development, not to exceed the density in traditional districts.
    3) The proposed building setbacks, not less than those required for traditional zoning districts
    4) The proposed maximum height, not to exceed the height allowed in traditional districts.
    5) Proposed design features to show compatibility with the surrounding neighborhoods.
    6) Anticipated subarea development sequence.

The application fee for a planned development rezoning is $350 plus $50 for each subarea shown in the initial development plan. If a use is started without first obtaining the rezoning, the property owner may be allowed to apply for the required rezoning. In such cases, however, a penalty fee equal to the original application fee must be added to the regular application fee. That fee, like the application fee, is non-refundable.

The Planning Commissions typically meet the fourth Monday of each month (except December and holidays). The application deadline for the meeting is 30 days before the meeting. The applicant must post a notification sign on the property at least one week before the meeting. State law also requires that the applicant notify abutting property owners of the date and time of the meeting by registered mail at least one week before the meeting. The Planning Department provides the notification sign, a sample notification letter, and a list of the names and addresses of the abutting landowners. The applicant must provide the Planning Department with proof of the mailing. At the meeting, the Planning Commissions will take testimony on the request and then take action to recommend approval or denial of the application. The Planning Commissions' decision serves as a recommendation to the Minnehaha County Commission and Dell Rapids City Commission.

The County Commission and City Commission hearing on the item will be held on the third Tuesday of the following month. After taking testimony the County and City Commissions will make a decision to either approve or deny the rezoning request.

Once approved, a notice of the ordinance amendment is published in the official county newspaper and becomes effective 20 days following the final publication.

If the Commissions approve the rezoning, they also approve the specific zoning regulations for the Planned Development District. Before the applicant can start the development, however, they must prepare a final plan for approval by the joint Planning Commissions.

PLANNED DEVELOPMENT REZONING
APPLICATION CHECKLIST

☐ Complete application form

☐ Initial Development plan including:

- Project name and legal description.
- Preliminary subdivision plan with proposed subareas.
- Proposed development plan with:
    - Proposed land uses, number and type of residential buildings, and number, type and size of nonresidential buildings.
    - Proposed density of the development.
    - Proposed building setbacks.
    - Proposed maximum height of structures and features.
    - Proposed design features showing compatibility with neighborhood.
    - Anticipated subarea development sequence.

☐ Permit application fee ($350 plus $50 for each subarea).

REZONING APPLICATION (for a Planned Development)

Minnehaha County Planning Department, 415 N. Dakota Avenue, Sioux Falls, SD 57104, (605)367-4204

Legal Description: _____

_____

_____

From the _____ **District**

To the _____ **District**

Purpose: _____

_____

_____

_____

I/We, the undersigned, do hereby petition to change the zoning classification of the above described property and authorize representatives of Minnehaha County to enter the property now and in the future for inspection purposes.

Petitioner (Print): _____

Signature: _____

Date: _____ Daytime Phone: _____

Address: _____

_____

City *State* *Zip*

Email: _____

_____ Minnehaha County

_____ Sioux Falls Joint

_____ Dell Rapids Joint

Owner (Print): _____

If different than above

Signature: _____

Date: _____ Daytime Phone: _____

Address: _____

_____

City *State* *Zip*

Petition No.:	
Date:	
Filing Fee:	
Receipt No.:	

FILING FEE IS NON-REFUNDABLE