

REZONING PROPERTY

All land in the unincorporated portions of Minnehaha County is divided into various zoning districts. These districts allow for a separation between differing and possibly conflicting land uses. Each zoning district has certain uses that are considered permissive and allowed by right in the district, permitted special uses that may be allowed only if certain conditions are met, and conditional uses which must be evaluated on a case-by-case basis by the Minnehaha County Planning Commission. Following is a sample of the zoning districts and the permitted uses;

- A-1 Agriculture – farming, low-density residential to avoid conflicts with agriculture
- RR Rural Residential – subdivision of single-family homes with a minimum lot size of 1 acre.
- R-1 Residential – Single-family residences on smaller lots when central sewer is available.
- C Commercial – Offices, retail and wholesale, warehousing
- I-1 Light Industrial – Light manufacturing
- I-2 General Industrial – Heavier manufacturing with a greater potential for dust, noise or odor
- RC Recreation/Conservation – Agriculture or park uses in flood plains
- PD Planned Development -- Allows a well-planned mix of compatible land uses
- WS Water Source Protection Overlay – Applies added regulations over the shallow aquifer in order to protect the area's water supply.

There are three steps to the rezoning process. These include hearings before both the Planning Commission and County Commission, and publication of the approved rezoning in the official newspapers of the county.

The application fee for a rezoning is \$350. The fee and completed application form must be submitted by the application date 3-1/2 week before a Planning Commission meeting. The Planning Commission typically meets the fourth Monday of each month (except December and holidays). If a use is started without first obtaining the rezoning, the property owner may be allowed to apply for the required rezoning, however, a \$350 penalty fee must be added to the regular application fee. That fee, like the application fee, is non-refundable.

The applicant will be provided with a notification sign that must be posted on the property at least one week before the meeting. State law also requires that you 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 will provide a sample letter and with the names and addresses of the abutting landowners. The applicant must provide proof of this mailing to the Planning Department. At the meeting the Planning Commission will hear background information from staff, take testimony from both proponents and opponents of the application, and then take action to recommend approval or denial of the application. The Planning Commission decision is only a recommendation to the County Commission.

The County Commission hearing on the item will be held on the third Tuesday of the following month. The County Commission hearing will follow a format similar to that of the Planning Commission meeting. After hearing background information from staff taking testimony from both proponents and opponents the commission will make a decision to either approve or deny the rezoning request. Once approved, a notice of the ordinance amendment will be published in the official county newspapers and will become effective 20 days following the final publication.

**REZONING
APPLICATION CHECKLIST**

- Complete application form
- \$350 permit application fee.



\$350.00 Minnehaha County _____
Sioux Falls Joint _____
Dell Rapids Joint _____

REZONING APPLICATION

Minnehaha County
Office of Planning and Zoning
Administration Building, 415 N. Dakota Ave.
Sioux Falls, SD 57104
Phone: 605-367-4204
Fax: 605-367-7413
Website: www.minnehahacounty.org/dept/pl/pl.aspx

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

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

Legal Description: _____

Parcel Size _____ General Address: _____

From the _____ District

To the _____ District

Purpose: _____

Petitioner (Print): _____

Signature: _____

Date: _____ Phone: _____

Address: _____

City State Zip

Owner (Print): _____

If different than above

Signature: _____

Date: _____ Phone: _____

Address: _____

City State Zip

Office use only
Location _____
Checked by _____
Given Signs _____
Site Plan _____
Add'l Reports _____
PC Date _____
PC Action _____
CC Date _____
CC Action _____
Effective Date _____
Purpose _____

Hearing Date Scheduled: _____ Time: _____

Property must be posted at least 5 days & letters sent at least 7 days prior to hearing.