

## REZONING PROPERTY

All land in the Sioux Falls joint area 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.
- RS-1 Residential – Up to five dwelling units per acre when central sewer is available.
- RS-2 Residential – Up to seven dwelling units per acre when central sewer is available.
- RD Residential – Up to fourteen dwelling units per acre, including duplexes, when central sewer is available.
- RA-1 Residential – Up to seventeen dwelling units per acre, including apartment houses, 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 the joint Minnehaha County and

Sioux Falls Planning Commissions, the County Commission and City Council, 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 Commissions typically meet 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 joint Planning Commissions 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 Commissions' decisions are only a recommendation to the County Commission and the City Council.

The County Commission and City Council hearing on the item will be held on the third Monday of the following month. The hearing will follow a format similar to that of the Planning Commissions' 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.