

**ARTICLE 20.00
CHANGE OF ZONE**

- SECTIONS: 20.01 Application to County or by County for Zoning Change
20.02 Fees
20.03 Planning Commission Hearing
20.04 Hearing by Board and City Council
20.05 Reapplication

20.01 APPLICATION TO COUNTY OR BY COUNTY FOR ZONING CHANGE. Any person, firm, or corporation desiring a change in regulations, restrictions, or boundaries of the zoning map of any property from one zoning district classification to another zoning district classification under this ordinance, shall make application for such change with the County Office of Planning and Zoning. Such application form shall be provided by the Office and be completed in full by the applicant.

The Board of County Commissioners and the Dell Rapids City Council may from time to time on its own motion, after public notice and hearing, and after a recommendation by the Planning Commissions amend, supplement, or change the boundaries or regulations herein or subsequently established.

20.02 FEES. Upon the filing of any application for a zoning district classification change with the County Office of Planning and Zoning, the applicant shall pay to the County the appropriate fee as designated in Article 24.00.

20.03 PLANNING COMMISSION HEARING. Upon the filing of an application and payment of the fee, the County Office of Planning and Zoning shall set a date for public hearing at which time the Minnehaha County Planning Commission and the Dell Rapids Planning Commission shall meet jointly to consider such requests for a change in zoning district classification. The date for a public hearing shall be a day when the County Planning Commission is regularly scheduled to meet.

- (A). SIGNS. A sign(s) to be provided by the County Office of Planning and Zoning shall be posted on or near the property at least five days prior to the scheduled hearing.
- (B). RECOMMENDATIONS FROM PLANNING COMMISSIONS. The County and City Planning Commissions shall, respectively, consider all applications for zoning district classification changes and make a recommendation to the Board of County Commissioners and City Council.

20.04 HEARING BY THE BOARD AND CITY COUNCIL. The Board of County Commissioners and City Council shall jointly conduct a public hearing on all applications which have been processed and forwarded to them for public hearing as provided in these regulations.

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- (A). SIGNS. A sign(s) to be provided by the County Office of Planning and Zoning shall be posted on or near the property at least five days prior to the scheduled hearing.

- (B). HEARING. Upon the day of such public hearing, the Board of County Commissioners and City Council shall review the decisions and recommendations of their respective Planning Commission on all applications. The Board of County Commissioners and the City Council must each vote in favor of the proposed action before any changes or modifications are made in the regulations, restrictions or zoning map.

20.05 REAPPLICATION. No application requesting a zoning district classification change on any property whose application includes any such property either entirely or substantially the same as that which has been denied by the Board of County Commissioners and City Council, shall again be considered by the Planning Commissions before the expiration of six months from the date of the final action of the Board.