

Rezoning Information



What is Zoning?

The city of Sioux Falls has been divided up into different residential, commercial, and industrial land use districts or zones. Within these zones, only certain uses are permitted. For instance, in the RS zone, single-family houses, churches, schools, and recreational areas are the only uses automatically permitted. By having these zones, property owners are assured that only compatible uses will locate next to their property.

What is Rezoning?

When a proposed land use is not permitted under the existing zoning, you can petition the City Council to change the zoning on your property. This is accomplished through the series of steps outlined below.

Making Application

Petitions for a zoning change must be obtained at the City Planning Office on ground floor of City Hall. The petition will ask you for the legal description of the property you want to rezone, what the adjacent land uses are, the size of the parcel you want to rezone, and the purpose for rezoning.

There will also be a fee charged for the processing of your petition. Once you have paid this fee and completed the petition by the filing deadline, you will be put on the agenda for the next Planning Commission meeting and given a set of signs to be posted as described later in the text.

The Planning Commission Meeting

The Planning Commission is a group of citizens appointed to make recommendations to the City Council regarding land use changes (rezonings, as well as conditional uses and plats).

At the Planning Commission meeting, the chairperson will announce each agenda item in turn and then ask if the petitioner is present to explain the request. This is when you would state your reasons for the rezoning. The chairperson will also ask if there are people present who wish to speak for or against the rezoning, and they may do so at this time.

After the Planning Commission has heard from the citizens present and discussed the petition among themselves, they will vote to recommend to the City Council to either deny or approve the request. Generally, the Planning Commission bases its decision on a number of things:

- The Comprehensive Plan.
- Adjacent land uses.
- Adjacent zoning districts.
- The nature of the proposed land use.
- The impact such a rezoning would have on the surrounding neighborhood.

Remember, the Planning Commission vote is only a recommendation. The elected officials can, and have, reversed the decision of the Planning Commission.

The City Council Meeting

Two or three weeks after the Planning Commission meeting, your petition will be put on the City Council meeting agenda. At the meeting, the Planning Director will present the Planning Commission's recommendation on your petition. If you have any remarks to make to the City Council, do so at that time. If your petition is approved, the rezoning will not take effect until about 25 days later. If the City Council should vote to deny your request, you must submit a new petition if you want your request to be reconsidered. If the proposal is either entirely or substantially the same, a new petition cannot be reviewed until six months from the date of final action by the City Council.



Protesting Out a Rezoning

Owners of equity in property within 250 feet of the property requested for rezoning can sign a petition to protest a rezoning after it has been approved by the City Council. If 40 percent of the eligible property owners sign and file the protest petition within 20 days after publication of the City Council's approval of your rezoning, the City Council shall review the granting of the rezoning at its next regularly scheduled meeting. If a protest is filed, the ordinance does not become effective unless the ordinance is approved by a resolution by six members of the City Council.

Mailing Notice

City ordinances require that the City send written notification out to property owners within 300 feet of the subject property prior to the hearing. The notice will be postmarked ten days prior to the hearing and will state the time, date, location, and nature of the proposal.

Posting Signs

City ordinances require that four signs announcing a possible zoning change be posted on the property ten days before the Planning Commission hearing. In addition, the City requires that four signs be posted on the property ten days before the City Council meeting. The signs for both meetings will be filled out when you file your petition. Before each meeting, you will receive a certificate verifying that signs have been properly posted that must be signed and returned to the Planning Office prior to the City Council meeting or your item will be removed from the agenda.

The Petitioner's Responsibilities

- File the completed petition for rezoning and pay the filing fee by the filing deadline. Your petition will not be put on the agenda until these steps are complete.
- Post signs for the Planning Commission meeting at least ten days before the meeting to notify adjacent property owners of the proposed change.
- Attend the Planning Commission meeting. Although it is not required that you attend this meeting, many times items are deferred or denied because the Planning Commission has questions the petitioner might have easily answered had they been there.
- Post signs at least ten days prior to the City Council meeting and sign and return the affidavit to the Planning Office. This affidavit must be returned prior to the City Council meeting or your petition will be removed from the agenda.

The following are the City's zoning districts and permitted uses:

Single-Family Residential Districts

RR Single-Family Residential—Rural
RS Single-Family Residential—Suburban
RT-1 Single-Family Residential—Traditional
RCD Residential Cluster Development PUD
RHP Single-Family Residential—Historic Preservation
MH Manufactured Residential Housing

Twin and Townhome Residential Districts

RD-1 Twin Home/Duplex Residential—Suburban
RD-2 Townhome Residential—Suburban
RT-2 Townhome Residential—Traditional

Apartment Residential Districts

RA-1 Apartment Residential—Low Density
RA-2 Apartment Residential—Moderate Density
RA-3 Apartment Residential—High Density

Office/Institutional Districts

O Office
S-1 General Institutional
S-2 Institutional Campus PUD
LW Live-Work

Commercial Districts

C-1 Commercial—Pedestrian-Oriented
C-2 Commercial—Neighborhood and Streetcar
C-3 Commercial—Community
C-4 Commercial—Regional

Industrial Districts

I-1 Light Industrial
I-2 Heavy Industrial
AP Airport

Open Space Districts

CN Conservation
REC Recreation
AG Agriculture

Mixed-Use Districts

Village PUD
Downtown PUD
Pedestrian-Oriented PUD

For more information, contact the City Planning Office at 605-367-8888, or stop by City Center, 231 North Dakota Avenue, Sioux Falls, SD 57104. Visit our web site at www.siouxfalls.org.