ORDINANCE MC16-188-26

AN ORDINANCE OF MINNEHAHA COUNTY, SD, AMENDING THE 1990 REVISED ZONING ORDINANCE FOR MINNEHAHA COUNTY BY AMENDING ARTICLE 24.00 FEES.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MINNEHAHA COUNTY, SOUTH DAKOTA, THAT ORDINANCE MC16-90, THE 1990 REVISED ZONING ORDINANCE FOR MINNEHAHA COUNTY IS HEREBY AMENDED AS FOLLOWS:

Section 1. That Article 24.00 FEES, Section 24.02 CHANGE OF ZONE, of the 1990 Revised Zoning Ordinance for Minnehaha County, is hereby amended to read as follows:

24.02 CHANGE OF ZONE.

A fee of $500.00 shall be charged for filing an application to change the zoning classification of property, except to the Planned Development District. If any use, for which a rezoning is required, is commenced prior to the application for a rezoning, the application fee shall be double the regular fee. (amended by MC16-19-94 and MC16-69-04 and MC16-79-05)

(A). Any request by the applicant for a continuation of the rezoning request shall result in an additional fee of $100.00 to offset additional administration costs. This fee shall be paid prior to the date of the continued hearing.

Section 2: That Article 24.00 FEES, Section 24.03 MAJOR AMENDMENT, of the 1990 Revised Zoning Ordinance for Minnehaha County, is hereby amended to read as follows:

24.03 PLANNED DEVELOPMENT DISTRICT ZONING.

A fee of $500.00 plus $100.00 for each subarea shall be charged for the filing of an application to change to the Planned Development District. If any use, for which a rezoning is required, is commenced prior to the application for a rezoning, the application fee shall be double the regular fee. (amended by MC16-19-94 and MC16-69-04 and MC16-79-05)

(A). Planned Development Text Amendment. A fee of $500.00 shall be charged for filing an application to change any text or allowed land uses within an approved Planned Development District.

(B). Final Development Plan. A fee of $200.00 shall be charged for filing an application for a Final Development Plan within a Planned Development District.

1). Major Amendment. A fee of $150.00 shall be charged for the filing of an application for a major amendment to a Planned Development District.

2). Minor Amendment. A fee of $100.00 shall be charged for the filing of an application for a minor amendment to a Planned Development District.

(C). Any request by the applicant for a continuation of a request for rezoning to Planned Development District, a request for a Planned Development Text Amendment, a request for final development plan, a request for a major amendment shall result in an additional fee of $100.00 to offset additional administration costs. This fee shall be paid prior to the date of the continued hearing.

Section 3. That Article 24.00 FEES, Section 24.04 MINOR AMENDMENT, of the 1990 Revised Zoning Ordinance for Minnehaha County, is hereby amended to read as follows:

24.04 Reserved.
(amended by MC16-69-04)

Section 4: That Article 24.00 FEES, Section 24.05 CONDITIONAL USE, of the 1990 Revised Zoning Ordinance for Minnehaha County, is hereby amended to read as follows:

24.05 CONDITIONAL USE.

(A). Except as required in Section 24.05(b) below, a fee of $350.00 shall be charged for filing an application for a conditional use permit in any district.

(B). Transmission Pipeline:

1). A fee of $25,000.00 shall be charged for filing an application for a conditional use permit for a Transmission Pipeline.

2). If a conditional use is granted for a Transmission Pipeline, the Applicant or actual operator or their successors, assigns and agents shall pay to the County an annual fee of $300 per linear mile of pipeline within the County. The fee shall be used to defray the direct and indirect costs associated with general administration and enforcement of this section. The fee shall be payable by January 20th of each year and deposited in the general fund of the County.

(C). If any use, for which a conditional use permit, a major amendment, or a minor amendment is required, is commenced prior to the application for a conditional use permit or amendment, the application fee shall be double the regular fee. (amended by MC16-19-94 and MC16-69-04 and MC16-79-05) (amended by MC16-179-23 8-13-2023)

(D). Conditional Use Amendments.

1). Major Amendment. A fee of $250.00 shall be charged for the filing of an application for a major amendment to a Conditional Use Permit.

2). Minor Amendment. A fee of $100.00 shall be charged for the filing of an application for a minor amendment to a Conditional Use Permit.

(E). Conditional Use Permit Continuations.

1). Any request by the applicant for a continuation of a request for a Conditional Use Permit or a Major Amendment to a Conditional Use Permit shall result in an additional fee of $100.00 to offset additional administration costs. This fee shall be paid prior to the date of the continued hearing.

Section 5: That Article 24.00 FEES, Section 24.06 BOARD OF ADJUSTMENT, of the 1990 Revised Zoning Ordinance for Minnehaha County, is hereby amended to read as follows:

24.06 BOARD OF ADJUSTMENT.

A fee of $350.00 shall be charged for filing a variance application or an appeal to the Zoning Board of Adjustment. (amended by MC16-69-04 and MC16-79-05)

(A). Any request by the applicant for a continuation of a request for a variance or an appeal shall result in an additional fee of $100.00 to offset additional administration costs. This fee shall be paid prior to the date of the continued hearing.

Section 6: That Article 24.00 FEES, Section 24.08 PLANNED DEVELOPMENT DISTRICT, of the 2001 Revised Zoning Ordinance for Minnehaha County and the City of Dell Rapids, is hereby amended to read as follows:

24.08 Reserved.

(amended by MC28-02-04 and MC28-06-05)

Section 7: That Article 24.00 FEES, Section 24.09 AGRICULTURAL TOURISM PERMIT, of the 1990 Revised Zoning Ordinance for Minnehaha County, is hereby amended to read as follows:

24.09 AGRICULTURAL TOURISM PERMIT.

A fee of $250.00 shall be charged for the filing of an agricultural tourism permit. (amended by MC16-105-09 6/16/09)

(A). If the use, for which an agricultural tourism permit is required, is commenced prior to the application for a permit, the application fee shall be double the regular fee.

(B). If the request for an Agricultural Tourism Permit requires a Conditional Use Permit, then the fees within Article 24.05 CONDITIONAL USE shall apply.

Section 8: That Article 24.00 FEES, of the 1990 Revised Zoning Ordinance for Minnehaha County, is hereby amended by adding a new Section 24.10 ZONING ORDINANCE TEXT AMENDMENT as follows:

24.10 ZONING ORDINANCE TEXT AMENDMENT.

A fee of $600.00 shall be charged for the filing of an application to change any text of this zoning ordinance.

(A). Any request by the applicant for a continuation of the Zoning Ordinance Text Amendment request shall result in an additional fee of $100.00 to offset additional administration costs. This fee shall be paid prior to the date of the continued hearing.

Approved This 28 Day of April, 2026

FOR THE COMMISSION:

_____

Dean Karsky, Chair

ATTEST:

_____

Leah Anderson, Auditor

Legal Publication and Meeting Dates

First Reading: April 7, 2026

Notice for Dakota Scout: April 10, 2026

Notice for Brandon Valley Journal: April 15, 2026

Notice for Garretson Gazette: April 16, 2026

Notice for Minnehaha Messenger: April 17, 2026

Second Reading and Final Adoption: April 28, 2026

Fact of Adoption for Dakota Scout: May 1, 2026 and May 8, 2026

Fact of Adoption for Brandon Valley Journal: May 6, 2026 and May 13, 2026

Fact of Adoption for Garretson Gazette: May 7, 2026 and May 14, 2026

Fact of Adoption for Minnehaha Messenger: May 8, 2026 and May 15, 2026

Effective Date of Ordinance: June 3, 2026