

Minnehaha County Planning & Zoning

HIGHWAY VACATION APPLICATION PACKET

Under South Dakota law the Minnehaha County Commission has power to vacate or change highways within the rural portions of the county. In addition to what may commonly be considered to be highways, such as parts of state, federal or county highway systems, the term “highway” also includes streets, alleys, township roads, private roads, or any route that is legally open to the public for vehicular travel. When a road is vacated, the road right-of-way is split down the center and ownership of the property is transferred to the owners of the adjacent properties.

APPLICATION REQUIREMENTS

A petition to vacate a highway must be signed by two voters registered in the township in which the proposed road vacation is located. The petition (see attached form) must include a specific description of the portion of road which is proposed for vacation. The description must include the beginning and end points of the vacated portion of road. A description might read as “that portion of road X from the east right-of-way boundary of Avenue Y to the west right-of-way boundary of Avenue W.” The petition must also include the descriptions of properties through which the vacated road passes and the names of

the owners of those properties. There is a \$250 non-refundable application fee that must accompany any petition to vacate a road.

APPROVAL PROCESS

Upon receiving the petition to vacate a roadway, the Planning Department will schedule a hearing before the County Commission. The petitioner(s) will be notified of the meeting time and date and must attend the meeting or have their representative appear on their behalf. The County Commission must determine if the public interest will be better served by the proposed vacating or changing of the highway prior to approving any road vacation.

If the highway proposed for vacation lies within the joint zoning area around Dell Rapids or the joint zoning area around Sioux Falls, the Planning Department will schedule a joint hearing before the County Commission and either the Dell Rapids City Commission or the Sioux Falls City Council, as appropriate. Street vacations in those joint areas must be approved by both the County Commission and the City Commission or Council.



Administration Building, 3rd Floor
415 N. Dakota Avenue, Sioux Falls, SD 57104

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**PLAT VACATION
APPLICATION CHECKLIST**

- Complete application form.
 - Description of the specific portion of road to be vacated
 - Description of properties through which the vacated road passes along with property owner's names and addresses

- \$250 Non-refundable application fee.



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PETITION TO VACATE A HIGHWAY

Application #:	_____
Date:	_____
Filing Fee:	\$250 _____
Receipt #	_____

Pursuant to the provisions of SDCL 31-3-6 and 31-3-44, the undersigned voters of _____ Township hereby petition the Board of County Commissioners of Minnehaha County to vacate the following highway: (State the beginning, course, and termination of the highway to be vacated:

Names, Signatures, and Addresses of legal voters (minimum of two township voters required):

Names of the owners of property through which the highway passes:

Contact Applicant: (print) _____

Signature: _____ Date: _____

Daytime Phone: _____

Address: _____

City: _____ State: _____ Zip: _____

Email Address: (not required) _____

By submitting this request to vacate a plat the property owner authorizes representatives of Minnehaha County to enter the property now and in the future for inspection purposes.

FILING FEE IS NON-REFUNDABLE



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