

**MINUTES OF THE JOINT MEETING
LINCOLN COUNTY & SIOUX FALLS PLANNING COMMISSIONS
October 12, 2016**

A joint meeting of the County and City Planning Commissions was held on October 12, 2016 at 7:00 p.m. in the Commission Meeting Room of the Lincoln County Courthouse.

COUNTY PLANNING COMMISSION MEMBERS PRESENT: Ron Albers, Dan King, Tyler Klatt, Ron Larson, Gary Pashby, and Darwin Sogn.

CITY PLANNING COMMISSION MEMBERS PRESENT: Sean Ervin, Steve Gaspar, Andi Anderson, Kurt Johnson, and Nick Sershen.

STAFF PRESENT: Toby Brown and Joan Doss - County Planning
Albert Schmitt - City Planning

PUBLIC PRESENT (from sign-in sheet): Winnie Peterson, Karen Johnson, Chris Johnson

The County Planning Commission was chaired by Ron Albers who presided over the meeting. The City Planning Commission was chaired by Steve Gaspar.

1. CALL TO ORDER

Planning Commission Chair Ron Albers called the meeting to order at 7:00 p.m.

2. APPROVAL OF AGENDA

A motion was made by the County by Commissioner Pashby and seconded by Commissioner Sogn to approve the meeting agenda for July 13, 2016. The motion passed unanimously. Same motion was made for the City by Commissioner Anderson and seconded by Commissioner Sershen. The motion passed unanimously.

3. APPROVAL OF JULY 13, 2016 MINUTES

A motion was made by the County by Commissioner Sogn and seconded by Commissioner Klatt to approve the meeting minutes for July 13, 2016. The motion passed unanimously. Same motion was made for the City by Commissioner Anderson and seconded by Commissioner Sershen to approve the meeting minutes for July 13, 2016. The motion passed unanimously.

4. CONDITIONAL USE PERMIT #16-003: To exceed 1,200 sq. ft. of total accessory building area – requesting an additional 3,200 sq. ft. for a total of 4,580 sq. ft.

Legal Description: E 144' Lot 4, N 147' & W 13.58' S 208.71' Lot 5, S1/2 Vacated Street, Supreme Acres, SW1/4, Section 18-T100N, R50W.

<i>Petitioner:</i>	Chris and Karen Johnson
<i>Property Owner:</i>	Same
<i>Location:</i>	47012 85 th Street - Sioux Falls

Staff Report: Toby Brown

Staff Analysis:

The property is located at 47012 85th Street and is in the A-1 Agricultural zoning district. The site is located within a subdivision of more than four lots which limits the size of accessory buildings to 1,200 sq. ft. unless approval for a larger size is obtained through the conditional use permit process.

The petitioner would like to construct an 80 x 40 foot (3,200 sq. ft.) accessory building for personal storage and use. The proposed building will be on the northern end of a 2-acre parcel. The property already has a Quonset which is 1,380 square feet in size. The combined total square footage for existing and the proposed accessory buildings is 4,580 square feet in size.

The site plan indicates that the proposed accessory building would be placed to the northeast of the residence. The location of the proposed accessory building is currently partially a rough surface gravel surfaced area for driveway and maneuvering. The adjacent properties that have single-family dwellings have established trees surrounding the single-family dwelling.

Section 19.07 of the 2006 Joint Zoning Regulations for Lincoln County and the City of Sioux Falls provides review criteria for conditional use permits.

A. The impact of the proposed use on adjacent properties shall be a major consideration. The proposed use should be generally compatible with adjacent properties and other properties in the district.

The construction of the proposed accessory building will not substantially impair the appropriate use or development of adjacent property. The existing Quonset and distance from the road will provide screening from neighboring land uses. Adjacent properties also have existing mature trees.

B. Measures shall be taken to ensure that the proposed use does not alter the general character of the area or neighborhood.

The accessory structure may only be used for residential purposes, no commercial or business activities are allowed. The proposed structure is compatible to the area that is composed primarily of large lot developments. Several of the similar-sized buildings in the area are located on nearby parcels. This area will face development pressure as the City of Sioux Falls expands towards 85th Street. Some existing properties in the immediate vicinity, including an adjacent property, have been acquired for redevelopment.

C. The effects of noise, odor, traffic, air and water pollution, and other negative factors shall be eliminated or controlled through the use of screening, setbacks, and orientation.

The proposed accessory building will not substantially produce excessive noise, odor, traffic, air and water pollution or other negative factors.

D. The proposed use shall not adversely affect the public.

The proposed accessory building should not have any negative effects on the health, safety, or general welfare of the public.

According to the 2035 Future Land Use Map within the Shape Sioux Falls Comprehensive Plan this area is located within a future Regional Employment Center node. This area should expect significant commercial, office and multi-family residential development and redevelopment if the I-29 interchange is approved. The City of Sioux Falls staff do not oppose the additional accessory building; however, the applicant should be aware of the future significant commercial uses and traffic in the immediate area.

Recommendation: Based upon the information and materials provided by the applicant and the staff analysis in the staff report, staff supports the conditional use permit request. Therefore, staff recommends approval of Conditional Use Permit 16-JJCUP-003 to allow an additional 3,200 sq. ft. accessory building, with the following conditions:

1. That the total accessory building square footage shall not exceed 4,580 square feet.
2. That a building permit from Lincoln County is required prior to construction of the accessory building.
3. That only personal residential storage shall be allowed in the building and no commercial uses or commercial storage will be allowed at any time.

Public Comment:

Toby Brown of the County Planning Department presented the staff report.

Chris and Karen Johnson, the petitioners, noted that they fully understood the conditions of the permit.

Commissioner Albers asked if the county commission members had any questions or discussion. No comments or questions were voiced. Commissioner Gaspar asked if the city commission members had any questions or comments, none were voiced.

Commissioner Albers asked for public comment, none were voiced. Commissioner Albers then closed the floor to public testimony.

Discussion:

None.

Action:

A motion was made to approve Conditional Use Permit #16-003 with the recommended conditions for the County by Commissioner Pashby and seconded by Commissioner Larson. The motion passed unanimously. Same motion was made for the City by Commissioner Anderson and seconded by Commissioner Johnson. The motion passed unanimously.

Conditional Use Permit #16-003– Approved with the following conditions:

1. That the total accessory building square footage shall not exceed 4,580 square feet.
2. That a building permit from Lincoln County is required prior to construction of the accessory building.
3. That only personal residential storage shall be allowed in the building and no commercial uses or commercial storage will be allowed at any time.

5. **JOINT JURISDICTIONAL COMPREHENSIVE PLAN (2035 SHAPE SIOUX FALLS COMPREHENSIVE PLAN) AMENDMENTS** - Public hearing and consider recommendation for adoption.

Staff Report: Albert Schmitt

Summary:

Albert Schmitt of the City Planning Department presented a PowerPoint presentation detailing the modifications to the Shape Sioux Falls Comprehensive Plan. He noted the main change would be extending the Joint Jurisdiction area to meet up with Harrisburg and close the current gap between the two cities.

Discussion:

Commissioner Albers asked if the county commission members had any questions or discussion. Commissioner King asked for clarification on the southern boundary by Tea. Mr. Schmitt noted that the southern boundary would be 85th St. Commissioner Gaspar asked if the city commission members had any questions or comments, none were voiced.

No public comments were voiced.

Action:

A motion was made to recommend adoption of the Comprehensive Plan for the County by Commissioner Pashby and seconded by Commissioner Larson. The motion passed 5-1 with Commissioner King dissenting. Same motion was made for the City by Commissioner Sershen and seconded by Commissioner Johnson. The motion passed unanimously.

6. OTHER BUSINESS

None.

7. ADJOURN

A motion was made for the County by Commissioner Klatt and seconded by Commissioner Larson to adjourn at 7:20pm. Same motion was made for the City by Commissioner Anderson and seconded by Commissioner Johnson. The motion passed unanimously.