

**MINUTES OF THE JOINT MEETING OF
LINCOLN COUNTY & SIOUX FALLS PLANNING COMMISSIONS
August 9, 2017**

COUNTY PLANNING COMMISSION MEMBERS PRESENT: Monty Derausseau, Dave Gillespie, Ron Larson, Darwin Sogn, and Tyler Klatt

CITY PLANNING COMMISSION MEMBERS PRESENT: Kurt Johnson, Andi Anderson, John Paulson, Nick Sershen, and Sharon Chontos

STAFF PRESENT: Toby Brown & Joan Doss - County Planning Jason Bieber - City Planning

PUBLIC PRESENT (sign-in sheet): James Michael.

The County Planning Commission was chaired by Monty Derausseau who presided over the meeting. The City Planning Commission was chaired by Kurt Johnson.

1. CALL TO ORDER

A joint meeting of the County and City Planning Commissions was held on August 9, 2017 at 7:00 p.m. in the Commission Meeting Room of the Lincoln County Courthouse. County Planning Commission Chair Monty Derausseau called the meeting to order at 7:00 p.m.

2. APPROVAL OF JULY 12, 2017 MINUTES

A motion was made for the County by Klatt, and seconded by Sogn, to approve the meeting minutes for July 12, 2017. The motion passed unanimously. Same motion was made for the City by Sershen and seconded by Anderson. The motion passed unanimously.

3. APPROVAL OF AGENDA

A motion was made by the County by Sogn and seconded by Larson to approve the meeting agenda for August 9, 2017. The motion passed unanimously. Same motion was made for the City by Anderson and seconded by Paulson. The motion passed unanimously.

4. CONDITIONAL USE PERMIT #17-007: Request for review and approval of a Conditional Use Permit to allow a Public Utility Facility, building to allow for the transfer of natural gas between Northern Natural Gas and MidAmerican Energy systems. The property is legally described as the North half (N1/2) of the Northwest quarter (NW1/4) of the Northwest quarter (NW1/4), except Lots H 1-2-3, and the Northeast quarter (NE1/4) of the Northwest quarter (NW1/4), except Debultens Addition and Tract A&B and Living Word Addition, in Section 21, Township 100 North, Range 50 West of the 5th Principal Meridian, Lincoln County, South Dakota.

Petitioner: James Michael

Owner: Lorna Debulten

Location: 47219 W 85th St – Sioux Falls

Staff Analysis: Toby Brown

The petitioner is proposing a Public Utility Facility, a 192 square foot building on the existing utility site to facilitate transfer of natural gas between Northern Natural Gas and MidAmerican Energy systems. Staff finds that the petitioner's proposal is reasonable:

1. The proposal would meet the general and specific conditional use permit criteria for public utility facilities.
2. The proposed building would meet all required setbacks.
3. The proposed building is relatively small in size and will facilitate enclosure of items that may be considered unsightly.

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.

Petitioner Response: ““*The building will be similar to the one that is already there and is necessary for function.*”

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

Petitioner Response: “*The use shall not contribute to any negative factors.*”

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.

Petitioner Response: *"The proposed use will not have a negative effect."*

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

Staff Finding: The proposed building will not adversely affect the public or otherwise create a nuisance because the request is consistent with the existing use of the property, the proposal will have a minimal footprint, and the enclosure of the items should address safety and aesthetic concerns overall.

Recommendation: Based upon the information and materials provided by the petitioner, it is the County Planning Staff's opinion that overall, the project generally meets the applicable standards and therefore, staff recommends approval of the request with the following conditions:

1. The property must be developed and maintained in substantial conformance with the site plan received July 19, 2017.
2. That a building permit from Lincoln County is obtained prior to any construction commencing on the site.

Public Comment and Discussion:

Toby Brown presented the staff report, and noted there will be two other buildings constructed, but they would be under the threshold for a building permit and the conditional use permit requirement.

James Michael, the petitioner, noted that the buildings would be necessary to house metering equipment.

Commissioner Derousseau asked for public comment, seeing none, he closed the floor to the public and asked for discussion from the board.

Sershen asked the city when this property would be up for annexation seeing as it was surrounded by the city boundary. Jason noted that it has been identified and will be annexed soon.

Action:

A motion was made for the County by Sogn to approve the Conditional Use Permit #17-007 with the recommended conditions, and was seconded by Klatt. The motion passed unanimously. The same motion was made for the City by Anderson, and was seconded by Serhsen. The motion passed unanimously.

Conditional Use Permit #17-007 – Approved

5. **PUBLIC HEARING:** Review and consideration of a recommendation for adoption of text amendments to the 2006 Joint Zoning Regulations for Lincoln County and the City of Sioux Falls (Section 1.01/158.001 Title, Section 1.02/158.002 Purpose, Section 2.01/158.015 Boundaries of Joint and Platting Jurisdiction and Official Zoning Map).

Staff Analysis: Toby Brown

Toby gave a brief history on the amendments to the Joint Zoning regulations, and showed the areas that would be added to the Joint Jurisdiction area.

Commissioner Derousseau asked for public comment, seeing none, he closed the floor to the public and asked for discussion from the board. Hearing no discussion, he asked for a motion on the amendments.

Action:

A motion was made for the County by Sogn to recommend approval of the amendments as presented, and was seconded by Larson. The motion passed unanimously. The same motion was made for the City by Serhsen, and was seconded by Chontos. The motion passed unanimously.

6. OTHER BUSINESS

7. ADJOURNMENT

A motion was made for the County by Klatt, and was seconded by Gillespie to adjourn at 7:16pm. The motion passed unanimously. Same motion was made for the City by Serhsen, and was seconded by Anderson. The motion passed unanimously.

Respectfully submitted,
Joan Doss
County Planner