

**MINUTES OF THE
MINNEHAHA COUNTY PLANNING COMMISSION**
November 23, 2015

A meeting of the Planning Commission was held on November 23, at 7:17 p.m. in the Commission Room of the Minnehaha County Administration Building.

COUNTY PLANNING COMMISSION MEMBERS PRESENT: Wayne Steinhauer, Mike Cypher (arrived at 7:22 p.m.), Bonnie Duffy, Becky Randall, Doug Ode, Bill Even, and Jeff Barth.

STAFF PRESENT:

Scott Anderson, Kevin Hoekman, and David Heinold - County Planning

NUMBER OF ATTENDEES: 18

The meeting was chaired by Wayne Steinhauer.

Commissioner Steinhauer called the Minnehaha County Planning Commission meeting to order at 7:17 p.m. Commissioner Cypher arrived at 7:22 p.m.

CONSENT AGENDA

Items number 2 and 6 were placed on the regular agenda for discussion purposes.

A motion was made by Commissioner Even and seconded by Commissioner Duffy to **approve** the consent agenda. The motion passed unanimously, Commissioner Cypher absent.

ITEM 1. Approval of Minutes – October 26, 2015

A motion was made by Commissioner Even and seconded by Commissioner Duffy to **approve** the meeting minutes from October 26, 2015. The motion passed unanimously, Commissioner Cypher absent.

ITEM 3. CONDITIONAL USE PERMIT #15-64 to transfer one building eligibility from Tract 7, SW1/4 SE1/4 & S1/2 SW1/4, Section 1-T102N-R48W, Hokenstad's Addition Pt. Secs. 1 & 12-T102N-R48W to the NE1/4 NE1/4 (Ex. N548' E620.26' & Ex. H-1) & N20 Rds., SE1/4 NE1/4 (Ex. H-1), Section 12-T102N-R48W.

Petitioner: Mike Hokenstad

Property Owner: Gary Hokenstad

Location: Approximately 3 miles southwest of Garretson

Staff Report: Scott Anderson

This would transfer one building eligibility.

General Information:

Legal Description – NE1/4 NE1/4 (Ex. N548' E620.26' & Ex. H-1) & N20 Rds., SE1/4 NE1/4 (Ex. H-1), Section 12-T102N-R48W.

Present Zoning – A1 Agriculture

Existing Land Use – Agriculture

Parcel Size – 17 acres

Staff Report: Scott Anderson

Staff Analysis:

The applicant wants to transfer one building eligibility from the SW ¼ of Section 1 of Brandon Township to the NE ¼ of Section 12 of Brandon Township. The applicant feels the transfer would allow for better agricultural production.

On October 8, 2015, staff conducted a site visit. There is a large confined animal feeding operation located approximately 1/2 mile south of the proposed transfer site. The applicant is moving the eligibilities from very productive crop land to land next to an existing farmstead. The applicant has indicated that the proposed site contains 17 acres of fairly rough pasture with a creek winding through it.

1) The effect upon the use and enjoyment of other property in the immediate vicinity for the uses already permitted, and upon property values in the immediate vicinity.

A right-to-farm notice covenant should be required to notify potential buyers to the realities of locating in an agricultural area before a building permit for a single family residence is issued.

2) The effect upon the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

The transfer of one building eligibility does not increase the number of dwelling units allowed in this section.

3) That utilities, access roads, drainage and/or other necessary facilities are provided.

Rural water is available in the area and a wastewater system will be utilized. The applicant indicated that the proposed building sites will use an existing driveway for access onto 484th Avenue.

4) That the off-street parking and loading requirements are met.

Off-street parking requirements will be provided for once a single-family residence is constructed on the subject property.

5) That measures are taken to control offensive odor, fumes, dust, noise, vibration, and lighting (inclusive of lighted signs), so that none of these will constitute a nuisance.

The proposed conditional use will not cause odor, fumes, dust, noise, vibrations or lighting in any amounts that would constitute a nuisance.

6. Health, safety, general welfare of the public and the Comprehensive Plan.

The health, safety, general welfare of the public will not be impacted by the transfer of one (1) building eligibility. The intent of the Comprehensive Plan will be met, as density zoning will be followed.

Recommendation: Staff finds this conditional use permit request to be consistent with density zoning and recommends **approval** of Conditional Use Permit #15-64.

ACTION

Commissioner Even made a motion to **approve** Conditional Use Permit #15-64 and the motion was seconded by Commissioner Duffy. The motion passed unanimously, Commissioner Cypher absent.

Conditional Use Permit #15-64 – Approved

ITEM 4. CONDITIONAL USE PERMIT #15-65 to exceed 1,200 square feet of total accessory building area – requesting 4,158 sq. ft. on the property legally described as Tract 4 Peterson’s Addition NE1/4 & NE 1/4 SE1/4, Section 26-T103N-R49N.

Petitioner: Sam and Michelle Schimelpfenig

Property Owner: same

Location: 25465 477th Ave. Approximately 5 miles southeast of Baltic

Staff Report: David Heinold

This would allow 4,158 sq. ft. of total accessory building area.

General Information:

Legal Description – Tract 4 Peterson’s Addition, NE1/4 & NE1/4 SE1/4, Section 26-T103N-R49W

Present Zoning – A-1 Agricultural District

Existing Land Use – Residential

Parcel Size – 8.30 Acres

Staff Report: David Heinold

Staff Analysis:

The petitioner is requesting to exceed 1,200 square feet of total accessory building area. The petitioner is requesting to amend condition #1 on Conditional Use Permit #15-62 to allow 4,158 square feet of total accessory building area. According to the Minnehaha County Zoning Ordinance, Section 12.07 (D) states:

(D) Accessory buildings shall not occupy more than thirty (30) percent of the rear yard, subject further to the following limitations:

(1). In the A-1 and RC Districts, the total area of accessory buildings shall not exceed 1,200 square feet when such buildings are located in a subdivision of more than four (4) lots unless a conditional use has been approved.

The petitioner is requesting to construct a 42’x63’ accessory building with a 12-foot lean-to addition for personal storage and as a hobby shop. The increase in size of the proposed structure is to account for additional building floor area and a lean-to shelter on the edge of the building. There was a small shed on the property previously, but was destroyed in the last wind storm. Currently, the petitioner does not have any accessory buildings on the property.

There are several accessory buildings that range from 1,200 sq. ft. to 1,800 sq. ft. on 4-5 acre lots. The property owner at 25397 477th Ave. has a 1,800 sq. ft. pole building about a half mile to the north of the petitioner’s residence. The two 5-acre lots just to the south at 25403 and 25406 477th Ave. have 1,664 and 1,620 sq. ft. of total accessory building area respectively. The property, 25455 477th Ave., immediately to the north of the subject property has 1,500 sq. ft. The largest total accessory building area is located at 47715 254th St., which has about 8,880 sq. ft. on an 11 acre parcel and appears to be used for horses and/or agricultural storage.

On October 11, 2015, staff visited the property and determined that the proposed accessory building size is appropriate for the immediate area. The proposed building will be located on a 8.30 acre parcel.

1) The effect upon the use and enjoyment of other property in the immediate vicinity for the uses already permitted, and upon property values in the immediate vicinity.

There are two other properties within a half-mile of the subject property that have building sizes relatively comparable to the petitioner's requested total accessory building area. One other 10-acre property, not listed on the existing accessory building map, a half mile to north of the subject property has nearly 9,000 square feet of total accessory building area. It is unlikely that the proposed building size will have a detrimental effect on property values in the immediate vicinity. The proposed building will be used for the property owner's personal storage. The area is primarily agricultural with five residential acreages within a half-mile of each other.

2) The effect upon the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

The accessory building may only be used for residential purposes, no commercial or business activities are allowed. Given the size of the other larger accessory buildings, 4,158 sq. ft. of accessory building area would be congruent with the land composition.

3) That utilities, access roads, drainage and/or other necessary facilities are provided.

Access will be provided via an extension of the petitioner's driveway between the house and location for the proposed accessory building. No further infrastructure will need to be provided.

4) That the off-street parking and loading requirements are met.

No off-street parking will be needed with the supplemental area for parking as a result of residential activities. No commercial or business parking will be allowed at any time.

5) That measures are taken to control offensive odor, fumes, dust, noise, vibration, and lighting (inclusive of lighted signs), so that none of these will constitute a nuisance.

No offensive nuisances shall be permitted at any time during use of the proposed accessory structure. The use of lighting should be directed downward on to the property in order to prevent light pollution off site.

6. Health, safety, general welfare of the public and the Comprehensive Plan.

The proposed accessory building should have no effect on the health, safety, and general welfare of the public. The use of the accessory building for private use and storage will create few problems to neighboring properties.

Recommendation:

Staff finds that the requested total accessory building size is relatively comparable to the existing accessory buildings in the immediate vicinity. Staff recommends **approval** of Conditional Use Permit #15-65 with the following conditions:

- 1.) That the total accessory building square footage shall not exceed 4,158 square feet.
- 2.) That the accessory building shall not exceed 35 feet in height.
- 3.) That the building shall be an accessory use to the continued use of the property as a

residential lot.

- 4.) 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.) That all outdoor lighting shall be of a full cutoff and fully-shielded design to prevent direct spillage of light beyond the property boundaries.
- 6.) That a building permit is required prior to construction of the accessory building.

ACTION

Commissioner Even made a motion to **approve** Conditional Use Permit #15-65 and the motion was seconded by Commissioner Duffy. The motion passed unanimously, Commissioner Cypher absent.

Conditional Use Permit #15-65 – Approved

ITEM 5. CONDITIONAL USE PERMIT #15-67 to exceed 1,200 square feet of total accessory building area – requesting 2,520 sq. ft. on the property legally described as Tract C Fiegen’s Addn., S1/2 SE1/4, Section 8-T103N-R48W.

Petitioner: Ellison M. Murray-Cutrer

Property Owner: same

Location: 47969 252nd St. Approximately 2.5 miles west of Garretson

Staff Report: David Heinold

This would allow 2,520 sq. ft. of total accessory building area.

General Information:

Legal Description – Tract C Fiegen’s Addition, S1/2 SE1/4, Section 8-T103N-R48W & N1/2 NE1/4, Section 17-T103N-R48W

Present Zoning – A-1 Agricultural District

Existing Land Use – Residential

Parcel Size – 5 Acres

Staff Report: David Heinold

Staff Analysis:

The petitioner is requesting to exceed 1,200 square feet of total accessory building area. The petitioner is requesting 2,520 square feet of total accessory building area. According to the Minnehaha County Zoning Ordinance, Section 12.07 (D) states:

(D) Accessory buildings shall not occupy more than thirty (30) percent of the rear yard, subject further to the following limitations:

(1). In the A-1 and RC Districts, the total area of accessory buildings shall not exceed 1,200 square feet when such buildings are located in a subdivision of more than four (4) lots unless a conditional use has been approved.

The petitioner is requesting to construct a 40’x63’ metal pole building for personal storage. Currently, the petitioner does not have any accessory buildings on the property.

There are several accessory buildings that range from 1,872 sq. ft. to 2,700 sq. ft. on similar sized lots. The property owner three houses to the west, 47945 252nd St., has approximately 2,700 sq. ft. of storage space dedicated to the detached garage in the southeast corner of the lot that is the largest accessory building in the immediate vicinity. The six-acre lot just to the east at 25194 480th Ave. has 1,872 sq. ft. of total accessory building area.

On October 11, 2015, staff visited the property and determined that the proposed accessory building size is appropriate for the immediate area. The proposed building will be located on a 5 acre parcel.

1) The effect upon the use and enjoyment of other property in the immediate vicinity for the uses already permitted, and upon property values in the immediate vicinity.

There are two other properties within a half-mile of the subject property that have building sizes relatively comparable to the petitioner’s requested total accessory building area. It is unlikely that the proposed building size will have a detrimental effect on property values in the immediate vicinity. The proposed building will be used for the property owner’s personal storage. The area

is primarily agricultural with five residential acreages within a half-mile of each other.

2) The effect upon the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

The accessory building may only be used for residential purposes, no commercial or business activities are allowed. Given the size of the other larger accessory buildings, 2,520 sq. ft. of accessory building area would be congruent with the land composition.

3) That utilities, access roads, drainage and/or other necessary facilities are provided.

Access will be provided via an extension of the petitioner's driveway between the house and location for the proposed accessory building. No further infrastructure will need to be provided.

4) That the off-street parking and loading requirements are met.

No off-street parking will be needed with the supplemental area for parking as a result of residential activities. No commercial or business parking will be allowed at any time.

5) That measures are taken to control offensive odor, fumes, dust, noise, vibration, and lighting (inclusive of lighted signs), so that none of these will constitute a nuisance.

No offensive nuisances shall be permitted at any time during use of the proposed accessory structure. The use of lighting should be directed downward on to the property in order to prevent light pollution off site.

6. Health, safety, general welfare of the public and the Comprehensive Plan.

The proposed accessory building should have no effect on the health, safety, and general welfare of the public. The use of the accessory building for private use and storage will create few problems to neighboring properties.

Recommendation:

Staff finds that the requested total accessory building size is relatively comparable to the existing accessory buildings in the immediate vicinity. Staff recommends **approval** of Conditional Use Permit #15-67 with the following conditions:

- 1.) That the total accessory building square footage shall not exceed 2,520 square feet.
- 2.) That the accessory building shall not exceed 35 feet in height.
- 3.) That the building shall be an accessory use to the continued use of the property as a residential lot.
- 4.) 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.) That all outdoor lighting shall be of a full cutoff and fully-shielded design to prevent direct spillage of light beyond the property boundaries.
- 6.) That a building permit is required prior to construction of the accessory building.

ACTION

Commissioner Even made a motion to **approve** Conditional Use Permit #15-67 and the motion was seconded by Commissioner Duffy. The motion passed unanimously, Commissioner Cypher absent.

Conditional Use Permit #15-67 – Approved

ITEM 7. CONDITIONAL USE PERMIT #15-69 to allow Light Manufacturing – Sheet Metal Shop on the property legally described as Lot 3, Block 2, Green Valley Addition, NE 1/4, Section 12-T102N-R50W.

Petitioner: Jon Burri

Property Owner: same

Location: 47170 Dominic St. Approximately 2 miles north of Sioux Falls

Staff Report: David Heinold

This would allow Light Manufacturing, Sheet Metal Shop.

General Information:

Legal Description – Lot 3, Block 2 Green Valley Addition, NE1/4, Section 12-T102N-R50W

Present Zoning – I-1 Light Industrial District

Existing Land Use – Vacant

Parcel Size – 1.57 Acres

Staff Report: David Heinold

Staff Analysis:

The petitioner, Creative Metal Solutions, is requesting conditional use permit approval for a sheet metal shop. The petitioner has included a narrative that describes that there will not be any outdoor storage on the premises.

The site plan details that the building will be approximately 200 feet long by 100 feet wide with enough space to accommodate the necessary parking spots for each employee, which will only be two employees. Since the proposed business has access off of a hard-surfaced road, all driving and parking areas will need to be hard surfaced in accordance with Section 15.04 Minimum Maintenance and Improvement Standards.

On October 11, 2015, staff visited the property and determined that the proposed use is appropriate for the immediate area. The proposed building and business will be located on a 1.57 acre parcel.

1) The effect upon the use and enjoyment of other property in the immediate vicinity for the uses already permitted, and upon property values in the immediate vicinity.

The Green Valley Addition Industrial Park has seen steady growth in primarily industrial-type business locating along the main subdivision road, Cottonwood Avenue. Within the past year, growth has begun to occur around Dominic St. and Haylie St. consisting of contractor's buildings, a trucking business, storage facilities, and warehousing in the immediate area of the proposed location to allow a sheet metal shop classified as a light manufacturing land use. It is not likely that the addition of another warehouse-type building will cause a negative change in property values in the immediate area.

2) The effect upon the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

The subdivision has already been platted and the lots are zoned for light industrial and some commercial uses, which is expected to continue to see a steady increase in business growth due to the close proximity to Interstate 29 and 90. The remaining area is primarily agricultural land

with a few residential acreages over a half mile away from the subject property.

3) That utilities, access roads, drainage and/or other necessary facilities are provided.

The petitioner plans to utilize an on-site wastewater treatment system for the proposed business operation on the west side of the building denoted on the site plan. The site plan also shows an extension of a water line adjacent to the driveway off of the cul-de-sac at the end of Dominic St. No other facilities will need to be provided at this time.

4) That the off-street parking and loading requirements are met.

The petitioner indicated in the narrative that there will only be two employees, both himself and his business partner. The minimum parking requirement for light manufacturing establishments is two (2) parking spaces for every three employees on maximum shift plus space to accommodate all trucks and other vehicles used in connection with the proposed use. At a minimum, one (1) 16'x20' loading/unloading space should be required adjacent to the building.

5) That measures are taken to control offensive odor, fumes, dust, noise, vibration, and lighting (inclusive of lighted signs), so that none of these will constitute a nuisance.

Staff does not foresee any issues with the proposed sheet metal shop to be located in the industrial park at the northwest corner of the Crooks/Renner exit of I-29 that would otherwise constitute a nuisance for neighboring property owners and tenants. Any lighting on the property should be shoe-box style and direct light downward onto the property in order to prevent light pollution.

6. Health, safety, general welfare of the public and the Comprehensive Plan.

The proposed sheet metal shop building should have no effect on the health, safety, and general welfare of the public with a range of business-type uses from a contractor's shop to trucking business operations within this industrial park. The use of the building as a sheet metal shop will create few problems to neighboring properties.

Recommendation:

Staff finds the proposed use, Light Manufacturing – Sheet Metal Shop, to be an appropriate use for the I-1 Light Industrial District. Since the location for the proposed business is in an area of the county where commercial and industrial uses are encouraged to locate, there should be no nuisances caused by the sheet metal business. Staff recommends **approval** of Conditional Use Permit #15-69 with the following conditions:

- 1.) That CUP #15-69 shall allow the operation of Light Manufacturing, Sheet Metal Shop.
- 2.) That the property shall adhere to the submitted site plan received on 10-23-2015.
- 3.) That a building permit is required prior to the construction of the shop building.
- 4.) That all signage shall be in conformance with Article 16.00 and 17.00 of the 1990 Revised Zoning Ordinance for Minnehaha County.
- 5.) That all driveways, parking lots, and outdoor storage areas shall be in conformance with the requirements of Section 15.04 of the 1990 Revised Zoning Ordinance for Minnehaha County.
- 6.) That all outdoor lighting shall be of a full cutoff and fully-shielded design to prevent direct spillage of light beyond the property boundary.
- 7.) That the Planning & Zoning Department reserves the right to enter and inspect the

trucking business at any time, after proper notice to the owner, to ensure that the property is in full compliance with the conditional use permit conditions of approval and the Minnehaha County Zoning Ordinance.

ACTION

Commissioner Even made a motion to **approve** Conditional Use Permit #15-69 and the motion was seconded by Commissioner Duffy. The motion passed unanimously, Commissioner Cypher absent.

Conditional Use Permit #15-69 – Approved

ITEM 8. CONDITIONAL USE PERMIT #15-70 to exceed 1,200 square feet of total accessory building area – requesting 2,863 sq. ft. on the property legally described as N428’ E902’ NE1/4 NW1/4 & N429’ W264’ NW1/4 NE1/4 (Ex H-1), Section 22-T101N-R52W.

Petitioner: Neal Rabern

Property Owner: same

Location: 45753 265th St. Approximately 7 miles south of Humboldt

Staff Report: David Heinold

This would allow 2,863 sq. ft. of total accessory building area.

General Information:

Legal Description – N429’ E902’ NE1/4 NW1/4 & N429’ W284’ NW1/4 NE1/4 (Ex. H-1), Section 22-T101N-R52W

Present Zoning – A-1 Agricultural District

Existing Land Use – Residential

Parcel Size – 11.30 Acres

Staff Report: David Heinold

Staff Analysis:

The petitioner is requesting to exceed 1,200 square feet of total accessory building area. The petitioner is requesting 2,863 square feet of total accessory building area. According to the Minnehaha County Zoning Ordinance, Section 12.07 (D) states:

(D) Accessory buildings shall not occupy more than thirty (30) percent of the rear yard, subject further to the following limitations:

(1). In the A-1 and RC Districts, the total area of accessory buildings shall not exceed 1,200 square feet when such buildings are located in a subdivision of more than four (4) lots unless a conditional use has been approved.

The petitioner is requesting to construct a 30’x48’ metal pole building for personal storage. Currently, the petitioner has a 16’x13’ shed and 45’x27’ barn on the property.

There are several accessory buildings that range from 832 sq. ft. to 2,364 sq. ft. on similar sized lots in the immediate area. The neighboring property owner, 45729 265th St., directly to the west has approximately 3,981 sq. ft. of total accessory building area between all of the existing sheds.

On October 11, 2015, staff visited the property and determined that the proposed accessory building size is appropriate for the immediate area. The proposed building will be located on a 11.30 acre parcel.

1) The effect upon the use and enjoyment of other property in the immediate vicinity for the uses already permitted, and upon property values in the immediate vicinity.

There is only one other property within a half-mile of the subject property that has building sizes greater than the petitioner’s requested total accessory building area. It is unlikely that the proposed building size will have a detrimental effect on property values in the immediate

vicinity. The proposed building will be used for the property owner's personal storage. The area is primarily agricultural with five residential acreages within a half-mile of each other.

2) The effect upon the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

The accessory building may only be used for residential purposes, no commercial or business activities are allowed. Given the size of the other larger accessory buildings, 2,863 sq. ft. of accessory building area would be congruent with the land composition.

3) That utilities, access roads, drainage and/or other necessary facilities are provided.

Access will be provided via an extension of the petitioner's driveway between the house and location for the proposed accessory building. No further infrastructure will need to be provided.

4) That the off-street parking and loading requirements are met.

No off-street parking will be needed with the supplemental area for parking as a result of residential activities. No commercial or business parking will be allowed at any time.

5) That measures are taken to control offensive odor, fumes, dust, noise, vibration, and lighting (inclusive of lighted signs), so that none of these will constitute a nuisance.

No offensive nuisances shall be permitted at any time during use of the proposed accessory structure. The use of lighting should be directed downward on to the property in order to prevent light pollution off site.

6. Health, safety, general welfare of the public and the Comprehensive Plan.

The proposed accessory building should have no effect on the health, safety, and general welfare of the public. The use of the accessory building for private use and storage will create few problems to neighboring properties.

Recommendation:

Staff finds that the requested total accessory building size is relatively comparable to the existing accessory buildings in the immediate vicinity. Staff recommends **approval** of Conditional Use Permit #15-70 with the following conditions:

- 1.) That the total accessory building square footage shall not exceed 2,863 square feet.
- 2.) That the accessory building shall not exceed 35 feet in height.
- 3.) That the building shall be an accessory use to the continued use of the property as a residential lot.
- 4.) 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.) That all outdoor lighting shall be of a full cutoff and fully-shielded design to prevent direct spillage of light beyond the property boundaries.
- 6.) That a building permit is required prior to construction of the accessory building.

ACTION

Commissioner Even made a motion to **approve** Conditional Use Permit #15-70 and the motion was seconded by Commissioner Duffy. The motion passed unanimously, Commissioner Cypher absent.

Conditional Use Permit #15-70 – Approved

ITEM 9. CONDITIONAL USE PERMIT #15-71 to transfer one building eligibility from the N1/2 SE1/4 to the SW1/4, Section 15-T103N-R49W.

Petitioner: Ryan Sittig

Property Owner: Robert Waagmeester

Location: Approximately 2.5 miles southeast of Baltic

Staff Report: Scott Anderson

This would allow the transfer of one building eligibility.

General Information:

Legal Description – SW ¼ of Section 15, T103N, R49W, Minnehaha County

Present Zoning – A1 Agriculture

Existing Land Use – agriculture

Parcel Size – 30 acres

Staff Report: Scott Anderson

Staff Analysis:

The applicant wants to transfer one (1) landlocked building eligibility from the N ½ SE ¼ of Section 15 of Sverdrup Township to a 30 acre parcel located in the SW ¼ in Section 15 in Sverdrup Township.

On October 5, 2015, staff conducted a site visit. There are no confined animal feeding operations near the proposed transfer. The applicant is moving the eligibility from one productive crop field to a pasture area. There are existing rural acreages located to the east of the subject property. Neither acreages had livestock located on them.

1) The effect upon the use and enjoyment of other property in the immediate vicinity for the uses already permitted, and upon property values in the immediate vicinity.

A right-to-farm notice covenant should be required to notify potential buyers to the realities of locating in an agricultural area.

2) The effect upon the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

The transfer of a building eligibility does not increase the number of dwelling units allowed in this area.

3) That utilities, access roads, drainage and/or other necessary facilities are provided.

Rural water is available in the area and a waste water system will be utilized. The applicant indicated that the proposed building site will use existing right-of-way and share a driveway if possible.

4) That the off-street parking and loading requirements are met.

Off-street parking requirements will be provided for once a single-family residence is constructed on the subject property.

5) That measures are taken to control offensive odor, fumes, dust, noise, vibration, and lighting (inclusive of lighted signs), so that none of these will constitute a nuisance.

The proposed conditional use will not cause odor, fumes, dust, noise, vibrations or lighting in any amounts that would constitute a nuisance.

6. Health, safety, general welfare of the public and the Comprehensive Plan.

The health, safety, general welfare of the public will not be impacted by the transfer of a building eligibility. The intent of the Comprehensive Plan will be met, as density zoning will be followed.

Recommendation: Staff finds this conditional use permit request to be consistent with density zoning and recommends **approval** of Conditional Use Permit #15-71 with the following condition:

- 1.) The lot shall be platted and a right-to-farm notice covenant shall be placed on the deed prior to the issuance of a building permit.

ACTION

Commissioner Even made a motion to **approve** Conditional Use Permit #15-71 and the motion was seconded by Commissioner Duffy. The motion passed unanimously, Commissioner Cypher absent.

Conditional Use Permit #15-71 – Approved

ITEM 10. CONDITIONAL USE PERMIT #15-72 to exceed 1,200 square feet of total accessory building area – requesting 3,204 sq. ft. on the property legally described as Lot A, Tract 2 Gaddis Addition, Section 18-T101N-R50W.

Petitioner: Kevin Leisinger

Property Owner: same

Location: 26447 467th Ave. Approximately 1.5 miles west of Sioux Falls

Staff Report: Kevin Hoekman

This would allow 3,204 sq. ft. of total accessory building area.

General Information:

Legal Description – LOT A TRACT 2 GADDIS ADDITION 18 101 50 WAYNE TOWNSHIP

Present Zoning – A1 Agriculture

Existing Land Use – Residential Dwelling

Parcel Size – 4.22

Staff Report: Kevin Hoekman

Staff Analysis:

The property is located approximately one and a half (1.5) miles west of Sioux Falls and one half (½) mile north of SD Highway 42. The site is located within a subdivision of more than four lots which requires a limit 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 a 30 x 50 foot accessory building for personal storage and use. The proposed building will be in the rear yard of the property with an existing 1,704 square foot accessory building. The total requested accessory building is 3,204 square feet. Several other properties in the area have large accessory buildings. The farmstead immediately to the west has several agricultural building and a detached garage to total more than 5,100 square feet. A residential parcel to the southeast has a total of 4,818 square feet. Several smaller buildings are located in the West Acres Subdivision to the southeast of the site.

The site plan indicates that the proposed accessory building would be placed in the rear yard and to the southwest of the existing accessory building. The property has many lines of trees of varying ages that will likely screen the building from view from the right of way. The neighboring property to the south and the west is a farmstead with two dwellings. One dwelling is located along the narrow strip of land that appears to be platted for the driveway. This dwelling is located in close proximity to the proposed accessory building location. A narrow grove of trees will separate the dwelling from the proposed accessory building.

Conditional Use Permit Criteria:

1) The effect upon the use and enjoyment of other property in the immediate vicinity for the uses already permitted, and upon property values in the immediate vicinity.

The construction of the proposed accessory building should have little impact on surrounding

properties. The greatest potential for conflict comes from the close proximity of the proposed accessory building and a neighboring dwelling. The existing line of trees will provide some screening from the land use; therefore, it would be best to ensure that the tree grove is maintained into the future. The site has significant buffer distance from other properties and will have no effect on the agricultural use nearby. The accessory structure shall not be used as a commercial operation at any time.

2) The effect upon the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

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. Several of the similar-sized buildings in the area are located on nearby parcels.

3) That utilities, access roads, drainage, and/or other necessary facilities are provided.

All needed infrastructure is in place, and the proposed accessory building will utilize the existing driveway.

4) That the off-street parking and loading requirements are met.

No off-street parking will be needed as a result of personal activities in this accessory building. No commercial or business parking will be allowed at any time. The driveway to the residence has a gravel surface, and the driveway from the residence to the current accessory building is an asphalt surface.

5) That measures are taken to control offensive odor, fumes, dust, noise, vibration, and lighting (inclusive of lighted signs), so that none of these will constitute a nuisance.

No offensive nuisances shall be permitted at any time during use of the proposed accessory structure. The use of lighting should be directed downward on to the property in order to prevent light pollution off site. No lighting should be directed south towards the neighboring dwelling.

Recommendation:

Staff finds that the proposed building size conforms to the general sizes of other accessory buildings in the area. Staff recommends **approval** of Conditional Use Permit #15-72 with the following conditions:

- 1.) That the total accessory building square footage shall not exceed 3,204 square feet.
- 2.) That a building permit is required prior to construction of the accessory building.
- 3.) That the accessory building shall not exceed 35 feet in height and meet the setback requirements for the zoning district.
- 4.) That an inspection be made on the proposed new accessory building to ensure that the square feet of the floor area of the building does not exceed 3,204 square feet.
- 5.) That only personal residential storage shall be allowed in the building and no commercial uses or commercial storage will be allowed at any time.
- 6.) That all outdoor lighting shall be of a full cutoff and fully-shielded design to prevent direct spillage of light beyond the property boundaries.
- 7.) That the Planning & Zoning Department reserves the right to enter and inspect the accessory building at any time, after proper notice to the owner, to ensure that the

property is in full compliance with the conditional use permit conditions of approval and the Minnehaha County Zoning Ordinance.

ACTION

Commissioner Even made a motion to **approve** Conditional Use Permit #15-72 and the motion was seconded by Commissioner Duffy. The motion passed unanimously, Commissioner Cypher absent.

Conditional Use Permit #15-72 – Approved

ITEM 11. CONDITIONAL USE PERMIT #15-73 to exceed 1,200 square feet of total accessory building area – requesting 4,000 sq. ft. on the property legally described as Tract 3 Sherry Acres Addition, SE1/4 NE1/4, Section 12-T101N-R51W.

Petitioner: Jarrod Smart

Property Owner: Todd Olson

Location: Approximately 5 miles west of Sioux Falls

Staff Report: Kevin Hoekman

This would allow 4,000 sq. ft. of total accessory building area.

General Information:

Legal Description – Tract 3 Sherry Acres Addition, SE ¼ NE 1/4, Section 12-T101N-R51W.

Present Zoning – A1 Agricultural

Existing Land Use – Vacant

Parcel Size – 20.77

Staff Report: Kevin Hoekman

Staff Analysis:

The property is located approximately four (4) miles southeast of Hartford and four (4) miles west of Sioux Falls. The site is located within a subdivision of more than four lots which requires a limit 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 a 50 x 80 foot (4,000 sq. ft.) accessory building for personal storage and use. The parcel that the proposed building will be located is over 20 acres in size with an irregular rear yard. The proposed building location is in the northwest corner of the lot which appears to be west of a large grove of trees. The property is currently undeveloped. A single family dwelling will have to be permitted/built prior to the permitting/construction of the accessory building. The property owner also owns the neighboring parcel to the west. The combined parcels have an acreage of approximately 120 acres. The intended use of the building is however not for agricultural storage. Since the storage use is not agricultural, the proposed structure requires a conditional use permit.

Several other properties in the area have large accessory buildings. A 7,200 square foot horse barn was built approximately 1,500 feet away on a nearby non-agricultural parcel. Another parcel a little further to the east has the same size building for personal storage along with several other accessory buildings. Although not quite as large two properties to the northwest of the site have significant accessory square footage of 3,889 square feet and 2,340 square feet.

Conditional Use Permit Criteria:

1) The effect upon the use and enjoyment of other property in the immediate vicinity for the uses already permitted, and upon property values in the immediate vicinity.

The construction of the proposed accessory building should have little impact on surrounding properties. Building would be most visible from the north where there is significant buffer to the nearest neighbor. The existing line of trees will provide some screening to the west of the proposed land use. The site has significant buffer distance from other properties and will have no effect on the agricultural use nearby. The accessory structure shall not be used as a commercial operation at any time, and the proposed accessory building shall be accessory to a primary dwelling structure.

2) The effect upon the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

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 as there are several similar-sized buildings in the area on nearby parcels.

3) That utilities, access roads, drainage, and/or other necessary facilities are provided.

All needed infrastructure is in place, and the proposed accessory building will utilize the existing driveway. The current driveway for the parcel is currently a narrow dirt driveway. Wall Lake Township should inspect and permit any expansion of the driveway prior to the construction of the single family dwelling.

4) That the off-street parking and loading requirements are met.

No off-street parking will be needed as a result of personal activities in this accessory building. No commercial or business parking will be allowed at any time.

5) That measures are taken to control offensive odor, fumes, dust, noise, vibration, and lighting (inclusive of lighted signs), so that none of these will constitute a nuisance.

No offensive nuisances shall be permitted at any time during use of the proposed accessory structure. The use of lighting should be directed downward on to the property in order to prevent light pollution off site. No lighting should be directed south towards the neighboring dwelling.

Recommendation:

Staff finds that the proposed building size conforms to the general sizes of other accessory buildings in the area. Staff recommends **approval** of Conditional Use Permit #15-73 with the following conditions:

- 1.) That the total accessory building square footage shall not exceed 4,000 square feet.
- 2.) That a building permit is required prior to construction of the accessory building.
- 3.) That the accessory building shall not exceed 35 feet in height and meet the setback requirements for the zoning district.
- 4.) That an inspection be made on the proposed new accessory building to ensure that the square feet of the floor area of the building does not exceed 4,000 square feet.

- 5.) That only personal residential storage shall be allowed in the building and no commercial uses or commercial storage will be allowed at any time.
- 6.) That all outdoor lighting shall be of a full cutoff and fully-shielded design to prevent direct spillage of light beyond the property boundaries.
- 7.) A driveway permit shall be obtained from Wall Lake Township prior to obtaining a building permit for the accessory structure.
- 8.) The building permit for a single family dwelling must be obtained prior to the permit for the proposed accessory building.
- 9.) The accessory building shall be accessory to the primary use of the property as a single family residence. If the single family residence is not constructed before the expiration of its building permit or the residence is removed, the accessory building must be removed.
- 10.) That the Planning & Zoning Department reserves the right to enter and inspect the accessory building at any time, after proper notice to the owner, to ensure that the property is in full compliance with the conditional use permit conditions of approval and the Minnehaha County Zoning Ordinance.

ACTION

Commissioner Even made a motion to **approve** Conditional Use Permit #15-73 and the motion was seconded by Commissioner Duffy. The motion passed unanimously, Commissioner Cypher absent.

Conditional Use Permit #15-73 – Approved

Regular Agenda

ITEM 2. AGRICULTURAL TOURISM PERMIT #15-02 to allow a Farm Experience Operation and to exceed 1,200 square feet of total accessory building area – requesting 2,100 sq. ft. on the property legally described as Tract 5 Schaap & Wehde Tracts, SW1/4, Section 18-T103N-R49W.

Petitioner: Lora Roberts

Property Owner: Lora Bertelsen

Location: 47216 253rd St. Approximately 2.5 miles southwest of Baltic

Staff Report: David Heinold

This would allow a Farm Experience Operation, petting zoo & other activities and allow 2,100 square feet of total accessory building area.

General Information:

Legal Description – Tract 5 and 7 Schaap & Wehde Tracts, SW1/4, Section 18-T103N-R49W

Present Zoning – A-1 Agricultural District

Existing Land Use – Residential

Parcel Size – 12 Acres

Staff Report: David Heinold

Staff Analysis:

The petitioner is requesting to allow a farm experience operation and exceed 1,200 square feet of total accessory building area. The petitioner is requesting 2,100 square feet of total accessory building area. According to the Minnehaha County Zoning Ordinance, Section 12.07 (D) states:

(D) Accessory buildings shall not occupy more than thirty (30) percent of the rear yard, subject further to the following limitations:

- (1). In the A-1 and RC Districts, the total area of accessory buildings shall not exceed 1,200 square feet when such buildings are located in a subdivision of more than four (4) lots unless a conditional use has been approved.

This Agricultural Tours Permit Application has two related parts. One part is a request for a farm experience operation where a barn will be constructed to be a meeting place for small group gatherings of approximately 50 people at a time. The petitioner verbally described the gatherings to be birthday type gatherings where activities are themed around agriculture and small petting zoo type animals. The building will contain a bathroom with a separate septic system and parking will be located to the south of the building along the driveway. The hours of operation for the farm-related gatherings will be between the hours of 10 am – 9 pm.

The second part of the request is in regards to the size of the proposed barn to hold the events, animals, and equipment used for the farm experience operation. The petitioner is requesting a new 36' x 45' building (1,620 square feet). The site already has a 20' x 20' hoop shed. The total

requested square footage for accessory buildings is 2,100 square feet. Several properties in the immediate vicinity have buildings larger than the requested square footage. The attached accessory building sizes map shows a range from 1,400 sq. ft. to 4,536 sq. ft.

Staff has not received any additional documentation from the petitioner regarding what was submitted for review and discussed at the October 26, 2015 Planning Commission meeting.

1) The effect upon the use and enjoyment of other property in the immediate vicinity for the uses already permitted, and upon property values in the immediate vicinity.

There are a few residential acreages in the immediate vicinity, but the land is primarily agricultural crop and pasture land. The construction of 1,620 sq. ft. and the proposed use of the property as farm experience operation will likely not detract from the uses already permitted in the surrounding area or have an impact on property values.

2) The effect upon the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

The development of the approximately 12 acre parcel as a farm experience operation will blend well with existing agricultural operations and residential acreages. The future development of the surrounding area will likely not change significantly due to the construction of 1,620 sq. ft. pole barn and use as a farm experience operation other than slight residential growth, which is entirely determined by the number of available building eligibilities.

3) That utilities, access roads, drainage and/or other necessary facilities are provided.

All needed infrastructure is in place. No other new infrastructure is required.

4) That the off-street parking and loading requirements are met.

The proposed use is not specified in the parking and loading regulations of the Zoning Ordinance. The farm experience operation would be classified in the recreation type category which requires one parking space per 100 square feet, or sixteen (16) spaces for this portion of the building. It appears as if the site includes enough area to comply with this requirement.

5) That measures are taken to control offensive odor, fumes, dust, noise, vibration, and lighting (inclusive of lighted signs), so that none of these will constitute a nuisance.

No offensive nuisances shall be permitted at any time during use of the petting zoo and farm-related gathering space. The use of lighting should be directed downward on to the property in order to prevent light pollution off site.

6. Health, safety, general welfare of the public and the Comprehensive Plan.

The presence of an agricultural tourism use, such as a petting zoo and farm-related gathering space will likely not have an effect on the health, safety, and general welfare of the public.

Certain types of Ag Tourism Permits, including farm-related activities, allow special events. Special events may bring in large amounts of people, traffic, and potential noise to the area. Any special events shall meet requirements of Article 12.13 (G).

Recommendation:

Staff finds that the proposed use is consistent with the intent of the agricultural tourism ordinance and conforms to goals and policies of the Envision 2035 Comprehensive Plan. Staff recommends **approval** of Ag Tourism Permit #15-02 to allow farm experience operation with the following conditions:

- 1.) That the total accessory building square footage shall not exceed 2,100 square feet.
- 2.) The farm experience operation shall be secondary to the principle use of the property as residential. If the residential use ceases, the farm experience operation shall cease.
- 3.) The owner or occupant of the dwelling shall be engaged in the farm experience operation occupation. The farm experience operation shall have a limit of two full-time, non-resident employees, not to exceed four (4) full-time employees on site.
- 4.) The total signage for the operation shall meet the provisions of Article 12.13 (E) and (F) of the 1990 Revised Zoning Ordinance for Minnehaha County.
- 5.) That prior to any special event or festival the applicant shall follow the provisions of Article 12.13 (G) of the 1990 Revised Zoning Ordinance for Minnehaha County.
- 6.) All outside lighting shall be of a style that directs light downward and prevent light spillage onto adjacent properties.
- 7.) The petting zoo shall be considered an accessory use to the farm experience operation. The applicant shall maintain a Sales Tax License.
- 8.) A building permit is required before any permanent signs are to be erected.
- 9.) A minimum of 16 off-street parking spaces meeting the requirements of Article 15 of the Zoning Ordinance be provided for the farm experience operation facility.
- 10.) Retail sales of agricultural tourism products in Article 12.13 (B) 6) c) shall remain an accessory to the farm experience operation.
- 11.) Food concessions shall meet the requirements of Article 12.13 (B) 6) d) and be accessory to the farm experience operation.
- 12.) That the Planning & Zoning Department reserves the right to enter and inspect the farm experience operation at any time, after proper notice to the owner, to ensure that the property is in full compliance with the conditional use permit conditions of approval and the Minnehaha County Zoning Ordinance.

PUBLIC TESTIMONY

David Heinold, Planner I, briefly mentioned the request for a Farm Experience Operation and larger accessory building size. Staff noted that the petitioner contacted the planning office to request deferral of Agricultural Tourism Permit #15-02 because of the lack of notification and personal reasons related to the ability to attend the planning commission meeting.

Commissioner Steinhauer hoped to hear more about the Agricultural Tourism Permit request, but called for public testimony.

No one wished to provide public testimony at the public hearing.

Commissioner Steinhauer closed the floor to the public testimony.

DISCUSSION

Commissioner Cypher indicated that the planning commission acknowledge the request for deferral because of improper notification and the petitioner unable to represent themselves at the public hearing.

ACTION

Commissioner Cypher made a motion to **defer** Agricultural Tourism Permit #15-02 until the January 26, 2016 Planning Commission meeting and the motion was seconded by Commissioner Barth. The motion passed unanimously.

Agricultural Tourism Permit #15-02 – Deferred until January 26, 2016

ITEM 6. CONDITIONAL USE PERMIT #15-68 to transfer two building eligibilities.

Petitioner: Irene Warner

Property Owner: same

Location: 47360 Meadowland St. Approximately 4.5 miles south of Baltic

Staff Report: Kevin Hoekman

This would allow the transfer of two building eligibilities.

General Information:

Legal Description – TRACT 2 (EX PT TR 4 PETERSON'S SUBD N1/2) & TRACT 4 NE1/4 29 103 49 SVERDRUP TOWNSHIP

Present Zoning – RC – Recreation/Conservation District

Existing Land Use – Farmstead

Parcel Size – 34.5 acres

Staff Report: Kevin Hoekman

Staff Analysis:

The property is located approximately 4.5 miles south of Baltic and 1.5 miles west southwest of Midway Station. The parcel that would receive the proposed transfer is located on either side of the Big Sioux River. Approximately 10 acres on the west side of the river includes an existing farmstead that is located outside of the floodplain. The farmstead has one building eligibility that is locked and one boiling eligibility that is available on a small tract of land in the southwest portion of the site. The result of the proposed transfer would be four building eligibilities on the receiving parcel. The road to get to the property can only be accessed from the west because the bridge is closed. The request to transfer two building eligibilities is a result of planning of the estate of Myrtle Brekke.

The petitioner would like to transfer two building eligibilities from two different parcels. The northern parcel is legally described as TRACT 2 (EX TR A BREKKE ADDN SW1/4 NW1/4 & EX VAC TR A-5 NW1/4) NW1/4 29 103 49 SVERDRUP TOWNSHIP. This parcel will have no remaining building eligibilities. The southern parcel is legally described as the W1/2 SW1/4 29 103 49 SVERDRUP TOWNSHIP. The Building Eligibility located on the NW ¼ SW ¼ is proposed to be moved while building eligibility located on the SW ¼ SW ¼ is proposed to remain on the parcel. The proposed transfer would preserve farmland by clustering the eligibilities with the existing farmstead to create a development along the river. This can also reduce the access points for driveways onto the township roads.

Conditional Use Permit Criteria:

1) The effect upon the use and enjoyment of other property in the surrounding area for the uses already permitted, and upon property values within the surrounding area.

A right-to-farm notice covenant should be required to notify potential buyers to the realities of locating in an agricultural area.

2) The effect upon the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

The clustering of eligibilities would help preserve farmland in the future as development pressures continue. In addition, the cluster will benefit future agriculture as development will not create situations of discontinuous farmland.

3) That utilities, access roads, drainage, and/or other necessary facilities are provided.

No other extra utilities or services will be required for this site to utilize the building eligibilities. The transfer allows for the potential for sharing a driveway access. The road that serves the receiving parcel is a dead end road because of the closed bridge. The dead end road should not affect the potential for development.

4) That the off-street parking and loading requirements are met.

The off-street parking requirements will be provided for once single-family residences are constructed on the subject property.

5) That measures are taken to control offensive odor, fumes, dust, noise, vibration, and lighting (inclusive of lighted signs), so that none of these will constitute a nuisance.

The proposed conditional use will not cause odor, fumes, dust, noise, vibrations or lighting in any amounts that would constitute a nuisance.

6) Health, safety, general welfare of the public and the Comprehensive Plan.

The proposed conditional use will have little to no effect on the health, safety and general welfare of the public. Placing building eligibilities in this location allows for residential uses to be clustered together and prevents the conversion of productive agricultural land.

Recommendation:

Staff finds this conditional use permit request to be consistent with density zoning and the comprehensive plan. Staff recommends **approval** of Conditional Use Permit #15-68 with the following conditions:

1. A right-to-farm notice covenant shall be placed on the deed prior to the issuance of a building permit for all single family dwellings.
2. A preliminary subdivision plan is required to be submitted prior to platting.
3. Lots must be platted prior to building permits being issued.

PUBLIC TESTIMONY

Kevin Hoekman, Planner I, presented a brief overview of the staff report and analysis.

Commissioner Duffy asked if this is one a gravel road and if the petitioner would be required to utilize a shared driveway. Staff explained that it is on a gravel road and the shared drive option would be contingent on platting the lots, which could entail a cul-de-sac or shared drive.

Commissioner Duffy asked who maintains the gravel road and staff noted that the township performs maintenance on the road that the petitioner would access the proposed lots.

Irene Warner's, applicant, sister spoke on her behalf and wanted a chance to discuss the item because she wanted to make sure everything was set.

Pat Cannon, 707 W. Batcheller Ln., stated that he is not concerned about the transfer of building eligibility request, but wanted to attend the meeting to get more information. Mr. Cannon and his family, who own land north of the petitioner's property, have been trying to decide what to do with the land.

Commissioner Steinhauer asked if Mr. Cannon had any specific concerns with the request and he discussed that he does not foresee any issues with the proposed transfer of building eligibility.

Commissioner Steinhauer called for an applicant response and additional public testimony.

No one wished to provide public testimony at the public hearing.

Commissioner Steinhauer closed the floor to the public testimony.

DISCUSSION

The planning commission discussed the request and considered a motion.

ACTION

Commissioner Barth made a motion to **approve** Conditional Use Permit #15-68 and the motion was seconded by Commissioner Ode. The motion passed unanimously.

Conditional Use Permit #15-68 – Approved

Old Business

None.

New Business

Scott Anderson, Planning Director, briefed the planning commission on the staff work plan for 2016. The work plan will consist of implementing the mandated MS4 stormwater management ordinance and program for areas primarily outlying the City of Sioux Falls, revisions to the sign ordinance based on the most recent United States Supreme Court case ruling (Reed vs. Town of Gilbert), updating and adopting the new Floodplain maps for recently affected areas of the area within unincorporated Minnehaha County, and reviewing and setting up a public forum for revising the concentrated animal feeding operation ordinance requirements. Staff stressed the need to establish open forum for public input similar to the Envision 2035 Comprehensive Plan, which could include setting up a task force committee made up of several different citizens representing all areas of the county.

Commissioner Cypher shortly discussed an issue with the lighting as well as the hard surfacing requirements at the storage unit complex on the east side of the I-29 Crooks/Renner exit. Staff explained that they have met with Mr. Tiaht about putting together a paving plan that would have the requirement met within a few years. Commissioner Cypher reiterated that Mr. Tiaht does not have any downward facing lighting on the storage units and Commissioner Steinhauer concurred that light pollution is indeed an issue that we continue to face with many different businesses, which he pointed to one specific business on the north side of Hartford that completely lights up the sky with no downward directional lighting to prevent any light from spilling off site.

Mr. Anderson discussed the most recent MCEDA/LCEDA Annual Meeting where they celebrated the economic development accomplishments over the past year and individuals who have made positive contributions to the economic success of the region. He also announced that Wayne Steinhauer's term is up on the planning commission and that he cannot apply because of conflicting duties, so a call for applications to fill the vacancy on the planning commission for a few more weeks. Planning staff presented Commissioner Steinhauer with a certificate for his years of service on the Minnehaha County Planning Commission.

Commissioner Barth asked Commissioner Steinhauer what he enjoyed the most about the time spent on the planning commission. Commissioner Steinhauer pointed out that he believes the single most important thing that truly sets Minnehaha County apart from any other was the creation of the density zoning ordinance, which has helped managed residential growth over the past thirty years to maintain an unparalleled quality of life that is one step above many other counties.

Adjourn

A motion was made to **adjourn** by Commissioner Barth and seconded by Commissioner Even. The motion passed unanimously.