

**MINUTES OF THE JOINT MEETING
MINNEHAHA COUNTY & SIOUX FALLS PLANNING COMMISSIONS
November 25, 2013**

A joint meeting of the County and City Planning Commissions was held on November 25, 2013 at 7:00 p.m. in the Commission Room of the Minnehaha County Administration Building.

COUNTY PLANNING COMMISSION MEMBERS PRESENT: Susie O'Hara, Bonnie Duffy, Mike Cypher, Becky Randall, Mark Rogen and Jeff Barth.

CITY PLANNING COMMISSION MEMBERS PRESENT: Denny Pierson, Andy Anderson, Nicholas Sershen, Larry Luetke, and Steve Gaspar.

STAFF PRESENT:

Scott Anderson and David Heinold - County Planning
Diane de Koeyer and Jason Bieber – City Planning

The County Planning Commission Chair Susie O'Hara presided over the meeting. The City Planning Commission was chaired by Steve Gaspar.

CONSENT AGENDA

A motion was made for the City by Commissioner Anderson and seconded by Commissioner Pierson to **approve** the consent agenda. The motion passed unanimously. Same motion for the County by Commissioner Rogen and seconded by Commissioner Steinhauer. The motion passed unanimously.

ITEM 1. Approval of Minutes – October 28, 2013

A motion was made for the City by Commissioner Anderson and seconded by Commissioner Pierson to **approve** the meeting minutes from October 28, 2013. The motion passed unanimously. Same motion for the County by Commissioner Rogen and seconded by Commissioner Steinhauer. The motion passed unanimously.

ITEM 2. ZONING TEXT AMENDMENT #13-05 to allow the keeping of fowl in the RR Rural Residential District, Article 4.00 of the 2002 Revised Joint Zoning Ordinance for Minnehaha County and the City of Sioux Falls.

Petitioner: Nalini Payer
Staff Report: Scott Anderson

Staff Report: Scott Anderson

Staff Analysis: A citizen is proposing an ordinance amendment that would add a use as a conditional use in the RR Rural Residential District and provide a new definition for "Fowl" in Section 24.02 Definitions.

The proposed Ordinance Amendment dealing with the keeping of fowl came through an application submitted by Nalini Payer. While investigating a complaint about brush and debris on property owned by Payer, staff became aware of pet fowl kept by the Payer family. Staff

contacted the Payers and indicated that the keeping of chickens and ducks was not permitted in the RR District and that the birds would need to be removed. The Payers indicated that the ducks and chickens were their children's pets and that they wanted to keep them. Staff worked with the Payer family, suggesting an Ordinance Amendment, which they submitted.

The proposed amendment is relatively comparable to the recently adopted revisions to the City of Sioux Falls Ordinances, which allows the keeping of fowl and then describes fowl as Galliformes gallus (heavy-bodied ground-feeding birds, which includes turkey, grouse, chicken, New and Old World quail, ptarmigan, partridge and pheasant), Gallinaceous (heavy-bodied largely terrestrial birds including the pheasants, turkeys, grouse, and the common domestic chicken), and Anseriformes (waterfowl). The proposed Ordinance Amendment would allow up to six (6) fowl with no roosters allowed. This is similar to established standards used by the City of Sioux Falls. Ordinance Amendment #13-05 also creates a definition of "Fowl", which is also similar to the definition used by the City.

A copy of the proposed Ordinance is attached for review. It provides the new definition for "Fowl", and adds (n) Keeping Fowl as a conditional use in the RR Rural Residential District.

Recommendation Staff recommended **approval** of the Joint Zoning Text Amendment #13-05 adding (n) Keeping Fowl provided the maximum number not exceed 6 fowl with no roosters to Section 404 Conditional Uses and adding "317. Fowl" to Section 24.02.

ACTION

A motion was made for the City by Commissioner Anderson and seconded by Commissioner Pierson to **approve** Zoning Text Amendment #13-05. The motion passed unanimously. Same motion for the County by Commissioner Rogen and seconded by Commissioner Steinhauer. The motion passed unanimously.

Zoning Text Amendment #13-05 – Approved

ITEM 3. REZONING #13-08 to rezone from the A-1 Zoning District to the I-1 Zoning District in West 14 Acres (Ex H-1 & Ex Rocky Ridge II Addn) of NE1/4 NW1/4 Section 22-T101N-R50W.

Petitioner: Daniel Aesoph

Property Owner: DNA Properties

Location: 8101 W. 12th St. West Sioux Falls

Staff Report: Scott Anderson

This would allow future industrial or commercial development.

Staff Report: Scott Anderson

Staff Analysis

The applicant has been working closely with City Planning staff to discuss annexation of this parcel. Staff continues to work with the applicant on how to best develop this site. The rezoning request is not ready to move forward at this time, as the proposed zoning may change or the site may be annexed into city limits.

Recommendation: Staff recommended that the hearing on Rezoning #13-08 be **continued** to the January 27, 2013 Joint Planning Commission meeting in order to allow additional time for city staff and the applicant to meet and discuss all of the options for this property.

ACTION

A motion was made for the City by Commissioner Anderson and seconded by Commissioner Pierson to **continue** Rezoning #13-08. The motion passed unanimously. Same motion for the County by Commissioner Rogen and seconded by Commissioner Steinhauer. The motion passed unanimously.

Rezoning #13-08 – Continued