

Yankton County Planning Commission  
January 15, 2019

The monthly meeting of the Yankton County Planning Commission was called to order by Chairperson Michael Welsh at 7:00 p.m. on January 15, 2019.

Members present at call to order: Guthmiller, Healy, Becker, Klimisch, Gudahl, Williams, Koenigs, and Welch.

Members absent: Kretsinger.

This was the time and place to review and approve the minutes from December 11, 2018.

Action 11519A: Moved by Gudahl, second by Williams to approve the December 11, 2018 minutes as written.

By voice vote, all members present voted aye.

Motion carried.

Subdivision Preliminary Plat Consideration:

Todd Knodel / Greg Ryken

Lots 3 & 4, Tract A, Law Overlook Subdivision, SW1/4, SE1/4, S7, & NE1/4, S18-T93N-R56W and Lots 1 – 5, Tract B, Law Overlook Subdivision, NE1/4, S18-T93N-R56W, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The E911 address is TBA Okie Dokie Lane, Yankton, SD.

Action 11519B: Moved by Becker, second by Gudahl to recommend approval of the preliminary plat described as: Lots 3 & 4, Tract A, Law Overlook Subdivision, SW1/4, SE1/4, S7, & NE1/4, S18-T93N-R56W and Lots 1 – 5, Tract B, Law Overlook Subdivision, NE1/4, S18-T93N-R56W, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The E911 address is TBA Okie Dokie Lane, Yankton, SD.

By roll call vote, all members present voted aye.

Motion carried.

Planning Commission chairman, Mike Welch, explained the public comment period implemented on July 1, 2018. The session will be provided at the meeting. Please sign the speaker sheet in the back of the room prior to speaking.

This was the time and place for discussion regarding variances and Conditional Use Permits in Yankton County. Mr. Welch began the discussion with accessory structures and swimming pools. He stated regulations are in place to limit, prevent or control specific activity. As Yankton County evolves the reasons for the regulation may become more prominent or it may become obsolete. In review of the current ordinance regulations it becomes apparent accessory structures and swimming pools are not reflecting the community expectations or needs.

Zoning Administrator, Pat Garrity, discussed the need to understand zoning districts and the purpose / intent of the various zoning districts. The Agriculture District is a large area in Yankton County which is currently experiencing land use conflicts between production farm citizens and residential / small acreage citizens. The Planning Commission could look at creating multiple agriculture sub-districts which regulate conflicting land uses in higher density rural residential areas. An example can be Agriculture District A1 which allows extensive agriculture uses

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(Animal Feeding Operations, large scale row crop production, limited residential density), Agriculture District A2 which allows less intensive agriculture uses (crop production, small scale animal production, low residential density) and Agriculture District A3 which allows increased residential uses and minor agriculture uses (crops, orchards, organic local food production, moderate residential density).

Mr. Welch called for public comment regarding the zoning ordinance review.

Paige Herrig stated the commission needs to respect various opinions regarding accessory structures and the intended use. The property values of all citizens must be acknowledged and property rights for citizens need to be evaluated when making ordinance regulations.

Dan Grant stated the Planning Commission and Board of Adjustment must follow the ordinance as written and be consistent in application of the regulations.

Dan Klimisch stated the Planning Commission needs to begin work on the zoning ordinance and provide amendments to stop the frequency of variances issued by the county. Planning Commission discussed areas which need attention in the zoning ordinance. The zoning ordinance discussion provided the following items to be reviewed in future meetings.

- Variance analysis
- Accessory structure
- Agriculture District, Commercial District and Rural Transitional District Lot Requirements
- Agriculture District and Commercial District Yard Requirements
- Wireless Communications Facilities
- Wind Energy Systems

Public comment period.

No comment.

Action 11519C: Moved by Gudahl, seconded by Koenigs for adjournment.

By voice vote, all members present voted aye.

Motion carried.

**The next meeting of the Yankton County Planning Commission will be held at 7:00 P.M. Tuesday, February 12, 2019.**

Respectfully submitted:  
Patrick Garrity AICP  
Zoning Administrator