

<u>Joint Minnehaha County & City of Sioux Falls Planning Commission Regular Meeting Agenda</u>
<u>Monday, October 27, 2025 Meeting starts at 7:00 p.m.</u>
<u>415 N. Dakota Ave. on the 3rd Floor in the Commission Meeting Room</u>

**County Planning
Commissioners**

Bonnie Duffy
Becky Randall
Adam Mohrhauser
Cindy Heiberger
Mike Ralston
Ryan VanDerVliet
Joe Kippley

Planning Staff

Scott Anderson
Kevin Hoekman
Mason Steffen

**Office of the
State’s Attorney**

Eric Bogue

MEETING NOTES:

Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Minnehaha County Planning Office at 367-4204 or TDD 367-4220 by 10:00 am Friday preceding the meeting to make any necessary arrangements.

CONSENT AGENDA ITEMS:

Items on the consent agenda are perceived to be non-controversial and meet all the requirements of the codes and regulations. The consent agenda will be acted on in one motion with no public hearing on the items, unless a member of the public, the Commission or staff, requests the item be removed from the consent agenda. The Chair will read each item and ask if there are any objections from the audience. If so, please raise your hand and ask that the item be placed on the regular agenda. Any items remaining on the Consent Agenda will be approved by the Planning Commission, with the conditions recommended by staff.

REGULAR AGENDA ITEMS:

Members of the public should understand that Planning Commissioners may be unable to thoroughly review and consider materials delivered the day of the hearing. The order of business for the regular agenda shall be:

- | | | |
|---------------------------|-----------------------|----------------------------|
| A) Staff Presentation | C) Public Comments* | E) Public Testimony Closed |
| B) Applicant Presentation | D) Applicant Response | F) Commission Discussion |

INSTRUCTIONS FOR PUBLIC COMMENT:

- * Each member of the public will be limited to five minutes of public comment per item and will only be allowed to address the commission once per item, unless they are called upon to answer additional questions from the commissioners.

JOINT CITY OF SIOUX FALLS PLANNING COMMISSIONERS

Bradyn Neises	John Paulson	Janet Kittams	Mike Gray
Dana Fisher	Erica Mullaly	Aaron Norman	Erik Nyberg
Dave Van Nieuwenhuyzen			

JOINT CITY OF SIOUX FALLS PLANNING STAFF

Karla Resendiz

PUBLIC INPUT ON NON-AGENDA ITEMS

Members of the public who wish to speak on an item not listed on the agenda will have five minutes per person to address the Planning Commissions.

CONSENT AGENDA

ITEM 1. Approval of Minutes - July 28, 2025

ITEM 2. CONDITIONAL USE PERMIT #25-63 to transfer seven (7) building eligibilities from the NW¼ NE¼ (Ex. H-2 & Ex. E120') Section 17; Tract 3 Cas SW¼ NE¼ (Ex. E120') Section 17; Tract 2 Cas NE¼ (Ex. 2 Acres of East Side (Drainage Ditch) & Ex. E120' Tract 2 (Ex. Lot B Tract 2) Section 17; Tract 4 Cas SE¼ NW¼ Section 17; Tract 5 Cas SE¼ NW¼ (Ex. Lot A) Section 17; Tract 1 Cas NW¼ (Ex. Lot A) Section 17; SW¼ NW¼ (Ex. Tract 6) Section 17 to the SE¼ NE¼ Section 18 all within T102N-R49W Mapleton Township.

Petitioner: Marlene Mekvold Estate by Leann Niebuhr

Property Owner: Same

Location: Approximately 1 mile southeast of the Crooks/Renner Exit

Staff Report: Kevin Hoekman

REGULAR AGENDA

ITEM 3. CONDITIONAL USE PERMIT #25-61 to allow a Bed & Breakfast Establishment on the property legally described as Tract 3 Andy's Acres NE¼ SW¼ Section 23 T102N-R49W Mapleton Township.

Petitioner: Friendly Neighbor LLC

Property Owner: Same

Location: 47644 Slip Up Creek Road

Staff Report: Scott Anderson

ITEM 4. Old Business

ITEM 5. New Business

ADJOURN.



**JOINT MINNEHAHA COUNTY & CITY OF SIOUX FALLS
PLANNING COMMISSION
MEETING MINUTES**

JULY 28, 2025

**MINUTES OF THE JOINT
MINNEHAHA COUNTY & SIOUX FALLS PLANNING COMMISSIONS
July 28, 2025**

A joint meeting of the County and City Planning Commissions was held on July 28, 2025, at 7:00 p.m. in the Commission Room of the Minnehaha County Administration Building.

COUNTY PLANNING COMMISSION MEMBERS' PRESENT: Commissioners Bonnie Duffy, Mike Ralston, Adam Mohrhauser, Ryan VanDerVliet, Cindy Heiberger, and Joe Kippley.

CITY PLANNING COMMISSION MEMBERS PRESENT: Erik Nyberg, Mike Gray, Dana Fisher, John Paulson, & Dave Van Nieuwenhuyzen.

STAFF PRESENT:

Scott Anderson, Kevin Hoekman, & Mason Steffen – County Planning
Eric Bogue – States Attorney's Office
Karla Resendiz – City Planning

The County Planning Commission was chaired by Commissioner Bonnie Duffy. The City Planning Commission was chaired by Commissioner Erik Nyberg.

Chair Duffy called the Joint Minnehaha County and City of Sioux Falls Planning Commission meeting to order at 7:00 p.m.

PUBLIC COMMENT

Commissioner Duffy opened the floor for public comment and nobody moved to speak.

Consent Agenda

Commissioner Duffy read each item on the consent agenda and no items were requested to be moved to the regular agenda.

A motion was made for the County by Commissioner Ralston and seconded by Commissioner Kippley to **approve** the consent agenda consisting of Items 1 & 2. The motion passed unanimously with 5 votes in favor and 0 votes against the motion.

The same motion was made for the City by Commissioner Fisher and seconded by Commissioner Paulson to **approve** the consent agenda consisting of Items 1 & 2. The motion passed unanimously with 4 votes in favor and 0 votes against the motion.



**JOINT MINNEHAHA COUNTY & CITY OF SIOUX FALLS
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ITEM 1. Approval of Minutes – May 19, 2025

As part of the consent agenda, a motion was made for the County by Commissioner Ralston and seconded by Commissioner Kippley to **approve** the meeting minutes from May 19, 2025. The motion passed unanimously with 5 votes in favor and 0 votes against the motion.

The same motion was made for the City by Commissioner Fisher and seconded by Commissioner Paulson to **approve** the meeting minutes from May 19, 2025. The motion passed unanimously with 4 votes in favor and 0 votes against the motion.



Consent Agenda

ITEM 2. CONDITIONAL USE PERMIT #25-40 to exceed 1,600 square feet of accessory building space (requesting 3,760 square feet) on the property legally described as Lot 2 Tract 1 (Ex. H-1 & H-2) SW¼ Section 22 T102N-R49W Mapleton Township.

Petitioner: John Muchow
Property Owner: Same
Location: 6324 N Cliff Avenue
Staff Report: Kevin Hoekman

General Information:

Legal Description – Lot 2 Tract 1 (Ex. H-1 & H-2) SW¼ Section 22 T102N-R49W Mapleton Township
Present Zoning – A-1 Agricultural
Existing Land Use – Residential Acreage
Parcel Size – .82 Acres

Staff Report: Kevin Hoekman

Staff Analysis:

The petitioner is requesting to construct a 40' by 48' building on the property. In May of this year, the joint Planning Commission approved 3,040 square feet of accessory building space on this property. The original plan was to build an addition onto the existing detached garage. The petitioner explained to staff that the plan for a building addition does not work now that more details regarding construction requirements are available. The new request will be an entire separate building in about the same area of the yard as the previously approved CUP request. The property has two existing accessory buildings, and the total building area with the new request will be 3,760 square feet. A conditional use permit is required before construction of accessory building area greater than 1,600 square feet.

The location of the property is approximately 750 feet north of Cliff Avenue and E 72nd Steet N. Across the street is a residential subdivision, and a manufactured home park nearly surrounds the rest of the lot. The neighbor directly north of property is a single family residential acreage.

The petitioner submitted a site plan to support the application for this conditional use permit. The proposed accessory building will be located to the east of the east accessory building. The driveway expands out in the rear yard to provide access to the two detached accessory buildings. There is no attached garage for the house, and the smaller accessory building currently serves like a garage.

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 property is located within a subdivision of many residential properties and a manufactured home park. To the south of the property is a multi unit garage used for the manufactured home park. The property to the north of the site also has two accessory buildings in the rear yard. This proposed land use will blend with neighboring properties.

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

The property is located within a subdivision of residential properties and land uses. The proposed accessory building will be used for personal storage and use. No business or business storage will be allowed in the accessory building at any time. The area is already mostly developed and new development will likely take place as additions to existing properties and occasional replacement units. The proposed accessory building will not likely change how things develop in the future.

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

The property has access onto N. Cliff Avenue, and it has a turn around area for vehicles in the rear yard with the accessory buildings. Since the property is existing, all utilities needed for the accessory building can be extended from what is there. There are no plans to alter the drainage of the property.

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

The proposed accessory building will not increase the amount of required parking for the 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.

An accessory building does not typically create nuisance odor, fumes, dust, noise, vibration, and lighting. The property will still need to comply with the public nuisance ordinance. In addition, staff recommends that no business or business storage is allowed to take place in the building. All new or replacement outdoor lighting should be directed downward and cutoff so that light does not glare onto neighboring properties.

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

The building will meet all the required setbacks to property lines and buildings in the area, The proposed building generally conforms to the goals and policies of the 2045 Envision Comprehensive Plan. This proposed request is amending an already approved accessory building request. The proposed accessory building should not overly impact any future uses of the property.

Recommendation: Staff recommends approval of Conditional Use Permit #25-40 with the following conditions:

- 1) The building location shall adhere to the submitted site plan.
- 2) The total area of all accessory buildings may not exceed 3,760 square feet.



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- 3) That the building shall be an accessory use to the continued use of the property as a residential lot.
- 4) The building shall not to be used for commercial uses, storage, or as a residential dwelling at any time.
- 5) That any new or replacement 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.
- 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

As part of the consent agenda, a motion was made for the County by Commissioner Ralston and seconded by Commissioner Kippley to **approve** Conditional Use Permit #25-40 with the staff recommended conditions. The motion passed unanimously with 5 votes in favor and 0 votes against the motion.

The same motion was made for the City by Commissioner Fisher and seconded by Commissioner Paulson to **approve** Conditional Use Permit #25-40 with the staff recommended conditions. The motion passed unanimously with 4 votes in favor and 0 votes against the motion.

Conditional Use Permit #25-40 – Approved



Regular Agenda

ITEM 3. CONDITIONAL USE PERMIT #25-42 to amend CUP #19-33 for a Rubble Dump (Tree Grinding Operation) on the properties legally described as the N400' S433' E700' W766' SW¼ Section 14 and the S445' N478' E820' W886' NW¼ Section 23 all within T102N-R49W Mapleton Township.

Petitioner: Eric Willadsen

Property Owner: Michael Williams Living Trust

Location: 25898 476th Avenue

Staff Report: Kevin Hoekman

General Information:

Legal Description – N400' S433' E700' W766' SW¼ Section 14 and the S445' N478' E820' W886' NW¼ Section 23 all within T102N-R49W Mapleton Township

Present Zoning – A-1 Agricultural

Existing Land Use – Rubble Dump

Parcel Size – 14.8 Acres

Staff Report: Kevin Hoekman

Staff Analysis:

The subject property is located north of Sioux Falls along County Highway 125. The closest residential development is Andy's Acres approximately ½ mile south of the wood grinding operation. The tree grinding rubble dump site is already operating under Conditional Use Permit #19-33. This request is to allow an expansion of the site to include a portion of the property to the south. The expanded area is intended to be used only as equipment storage, and no wood storage or grinding will take place outside of the original site. The layout of the original site is planned to remain the same.

The business on the property is named Delta Wood Products, and it processes tree debris and dry wood products such as wood pallets into chips and mulch to be used as fuel for the production of ethanol at off-site locations. Wood products fit within Minnehaha County's definition for rubble, but no other rubble materials are accepted at the site.

This request is in part a response to a complaint received by Minnehaha County staff that the business was accepting treated wood. I visited the site on April 4, 2025 and I was also contacted by Aurora Krom from the DANR Waste Management Program. The DANR received the same concern of treated wood being processed on the site. Between my visit and the DANR visit, I found that equipment was being stored in the former farmstead on the property south of the grinding site and that glued wood products such as plywood are being included in the grinding operation. The currently approved CUP includes a condition that states that only clean, untreated, unpainted, and unstained wood shall be accepted for processing. No other materials shall be accepted. The letter received by the DANR explains that glued wood products are treated wood products. The petitioner disagrees with the definition that glued wood products should be considered a treated wood.



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Glued wood products should not be allowed within the wood processing stream with the current set of conditions prohibiting treated wood. The petitioner may request the DANR to permit some glued and painted wood products that is called “blended wood products” with approval of a “Beneficial Use Letter.” Planning staff intends to adjust the condition to allow blended wood products processing with approval of a beneficial use letter by the DANR. If the beneficial use letter is not received or pursued, the petitioner will need to do greater enforcement of restricting what materials are accepted at the drop off locations.

County planning staff visited the site on July 8th, 2025 Val Zitirka, the owner of Delta Wood Products, was present at the site visit. He explained how there were a couple years when the volume of materials was very large, and they have caught up to a more normal operation level. While we were talking, a contractor was just finishing unloading a pile of wood and some of the wood was painted. Val spoke with the contractor and stated that painted wood was not accepted. He told me that he did not recognize the contractor and that it is difficult to enforce 100% clean wood. He said that they already remove lots of garbage that is left behind in the materials too. He explained that there are cameras available if there is a major violation, but it does not work well for him to do further enforcement on small load violations. In addition to the small pile of painted wood, there were pallets made with plywood scattered throughout the pile. Without a beneficial use letter from the DANR, the petitioner will need to be more strict in the materials accepted at the facility.

The petitioner submitted a site plan to support the application for the amendment of the wood grinding operation. The stockpiling and grinding operations are planned to remain the same as the previous permit. The new area to the south is labeled for the uses as equipment storage only. There is a gate at the driveway access to the property, and the gate has been moved back to reduce potential problems with a trailer extending into the highway while the gate is opening. A berm with trees is shown on the site plan to provide screening of the wood stockpiling and grinding area. The berm is present, but there appears to be trees missing along the north half of the berm. The missing trees need to be replaced. The equipment storage area is shown on the site plan to be located in an area of the property that has an existing shelter belt of trees. This site plan works to prevent direct sight lines to the equipment from the highway. All equipment storage should be located east of the existing shelter belt as depicted in the site plan.

The conditional use permit issued in 2019 included a sunset condition that the operation must stop by January 31, 2029. Nothing in the application or submitted materials requests additional time for the tree grinding operation. The current site plan is appropriate for the remaining four years of the permit; however, if the petitioner intends on staying at the property longer, then additional considerations should be made. Hard surfacing is typically required for industrial properties to prevent mud and debris from entering the public rights-of-way. The county has required hard surfacing for wood grinding facilities. If the operation is to continue beyond four remaining years staff suggest hard surfacing should be required for the first 150 feet of the driveway. The Joint Planning Commission may extend the duration of the sunset for the permit, but a hard surface requirement should be added if the time is extended.



Staff from the City of Sioux Falls reviewed the permit request and provided comments. The comment letter recommends approval with consideration of the included comments.

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.

This request is for an expansion of an existing land use to allow for equipment storage. Staff has not received any known concerns regarding the land use from neighboring property owners. All concerns about the use have been from other contractors and business owners who have concerns about fairness with the conditional use permit process. Mapleton Township raised concern regarding the land use generating additional traffic on E. 84th Street N. The Joint Planning Commission may consider requiring the petitioner to designate a haul route for company trucks. A condition for a company truck route would not affect third party trucks.

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

When the tree grinding operation was approved in 2019, a sunset condition was placed on it with the understanding that Sioux Falls city limits are expanding, and the land use may create conflicts as urban land uses expand north. The condition use permit is approve through 2029, and the current application does not include a request to extend the sun set. The land use will not likely affect future development over the next four years.

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

The proposed land use is an expansion of an existing use. All utilities are already present and drainage is planned to remain the same. The property has access directly onto County Highway 125. The driveway access includes a gate that is setback from the road to accommodate a vehicle and trailer. The driveway currently has a gravel surface. If the petitioner intends to stay at the site longer than the four remaining years of the permit, then the front part of the driveway should be hard surfaced to reduce even further material from getting dragged into the right-of-way.

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

The property is large enough to accommodate many vehicles. This request will expand the storage area for equipment and vehicles for the company. No loading or unloading is allowed within the right-of-way.

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 primary nuisance concerns for the land use are noise and visual sight. The grinding machine was operating during the staff site visit. The noise was quiet enough that it did not impede the conversation with Val Zitirka.

The land use requires that piles of tree debris and piles of pallets and dry wood be staked for some time. The piles are unsightly. The land use is over 1,300 feet away from the nearest residential property. The site plan includes a berm with trees planted to screen the site of the tree



and it utilizes an existing shelter belt to screen the proposed equipment storage area. The berm between the county highway and the storage piles appears to be missing some of the trees shown on the site plan. The petitioner should replace the dead or missing trees to allow for the trees to grow for screening purposes. Using aerial imagery and Google Street View, staff estimates about seven trees are missing from the line.

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

The proposed expansion of a wood grinding operation to include land for equipment storage will create no significant changes to the health, safety, and general welfare of the public. The sunset in the conditions will require further review of the land use in the future if the property is to remain as a wood grinding operation after January 31st, 2029. The sunset requirement is further included in the Minnehaha County solid waste permit for the site. A review of the solid waste permit will also be required prior to extending the CUP beyond the sunset.

The operation is currently permitted to process clean untreated wood. If the petitioner and operator wishes to include other materials such as glued or painted wood, then the petitioner will need to submit the request to the DANR for a Beneficial Use Letter. If additional material is permitted by the DANR then a new solid waste permit must be obtained from Minnehaha County.

Recommendation: Staff recommends **approval** of Conditional Use Permit #25-42 with the following conditions:

- 1) The property shall adhere to the submitted site plan including installation of berm and trees. Any trees that are depicted in the site plan that have died must be replaced.
- 2) Equipment storage on the site shall be limited to the wood storage and grinding area on the SW ¼ of Section 14-102-49 and the area east of the existing tree shelter belt as depicted on the site plan in the N ½ NW ¼ of Section 23-102-49.
- 3) The process of grinding wood shall take place during the hours of 8:00 am through 7:00 pm on Monday through Saturday.
- 4) All driveways on the site must be gravel surface.
- 5) Only clean, untreated, unpainted, unglued, and unstained wood shall be accepted for processing. No other materials shall be accepted without a Beneficial Use Letter.
- 6) The petitioner shall obtain a “Beneficial Use Letter” and any other required permits from the State Department of Agriculture and Natural Resources for this site, prior to the acceptance of any blended wood waste. All blended wood waste accepted at the site shall meet all of the regulations and requirements of the SD DANR. This shall be in addition to the already approved clean wood waste accepted at the site.
- 7) The operation must maintain a gate or a person on the site during drop off hours to prevent dumping of non-wood products.
- 8) A driveway permit must be obtained from the County Highway Department.
- 9) The operation will be allowed to operate under the conditions of this permit until January 31st, 2029. The business owner will be required to obtain another conditional use permit before this date if they wish to continue operating at this location.



- 10) That the Planning & Zoning Department reserves the right to enter and inspect the site 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 & Discussion

Kevin Hoekman, of county planning staff, presented the staff report and recommendation to the commission.

Commissioner Kippley asked staff about the township concerns with traffic on E 84th Street N and what a haul road agreement would entail. Kevin explained that the commission could designate County Highway 125 as the sole haul route for the operation, which would prohibit any vehicles owned by the operator from using E 84th Street N. Kevin also explained that this would not stop customers to the site from using E 84th Street N.

Commissioner Heiberger asked if staff expects any additional traffic to the site with the expansion request. Planning staff stated that the purpose of the request is mostly to allow for additional vehicle storage, and that the petitioner does not expect to significantly expand the amount of wood processed.

Commissioner Fisher asked if the wood from the site is recycled and if staff could better explain the purpose of the site. Kevin Hoekman showed pictures of the site and explained that wood is grinded on the site and then sent to POET to be used as a fuel source.

The petitioner, Eric Willadsen, was present and addressed the commission with his comments on the request. Mr. Willadsen explained that most of the wood processed on the site is tree debris, but a minimal amount of treated wood is brought to the site that is hard to filter out. He further stated that the petitioner planted new screening trees last fall that did not survive the winter, and that the operator's trucks do not use E 84th Street N. Finally, he asked if the commission could extend the sunset date for the permit beyond the current 2029 deadline.

Commissioner Heiberger asked the petitioner if they anticipate any traffic increase with the expansion. Mr. Willadsen explained that this expansion is mostly for vehicle storage and a truck turnaround, so the expansion will not significantly increase traffic.

Don Ahlschlager, a Mapleton Township Supervisor, explained to the commission that he missed the meeting for the original permit in 2019, and that he would like the operator to help with maintenance costs on E 84th Street N. He stated that customers to the site use this road as a shortcut instead of using 258th Street, which is paved. Finally, he explained that other conditional use permits in Mapleton Township are required to help pay a portion of road maintenance costs.

Mark Renner, of 25851 476th Avenue, Sioux Falls, SD, addressed the commission with his concerns on the proposed expansion. Mr. Renner stated that he owns the property to the west of the operation and that the site has caused issues on E 84th Street N. He explained that trucks in the area travel at a high speed and have almost caused several accidents. Finally, he commented



that since the site began operation there has been an increase in nails on the road that have caused many flat tires.

Commissioner Ralston asked planning staff how a haul road would be set up and if the commission needs to add a condition regarding the haul road. Planning staff explained that a condition could be added that the petitioner is required to obtain a haul road agreement with the township, and then the specifics of that agreement would be figured out between the operator and the township.

Commissioner Heiberger asked the petitioner if they would be willing to work with the township on a haul road agreement. Eric Willadsen reiterated that the operator's trucks do not use E 84th Street N, but that they would willing to work with the township on this issue.

Commissioner Ralston commented that he believes everyone agrees that the operation provides a service to the county. Commissioner Ralston further stated that he approves of the existing conditions, but that he would like to add an eleventh condition requiring a haul road agreement with the township.

Action

A motion was made for the County by Commissioner Ralston and seconded by Commissioner Heiberger to **approve** Conditional Use Permit #25-42 with the eleven amended conditions. The motion passed unanimously with 5 votes in favor and 0 votes against the motion.

The same motion was made for the City by Commissioner Fisher and seconded by Commissioner Van Nieuwenhuyzen to **approve** Conditional Use Permit #25-42 with the eleven amended conditions. The motion passed unanimously with 4 votes in favor and 0 votes against the motion.

Conditional Use Permit #25-42 – Approved with the following conditions:

- 1) The property shall adhere to the submitted site plan including installation of berm and trees. Any trees that are depicted in the site plan that have died must be replaced.
- 2) Equipment storage on the site shall be limited to the wood storage and grinding area on the SW ¼ of Section 14-102-49 and the area east of the existing tree shelter belt as depicted on the site plan in the N ½ NW ¼ of Section 23-102-49.
- 3) The process of grinding wood shall take place during the hours of 8:00 am through 7:00 pm on Monday through Saturday.
- 4) All driveways on the site must be gravel surface.
- 5) Only clean, untreated, unpainted, unglued, and unstained wood shall be accepted for processing. No other materials shall be accepted without a Beneficial Use Letter.
- 6) The petitioner shall obtain a “Beneficial Use Letter” and any other required permits from the State Department of Agriculture and Natural Resources for this site, prior to the acceptance of any blended wood waste. All blended wood waste accepted at the site shall meet all of the regulations and requirements of the SD DANR. This shall be in addition to the already approved clean wood waste accepted at the site.



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- 7) The operation must maintain a gate or a person on the site during drop off hours to prevent dumping of non-wood products.
- 8) A driveway permit must be obtained from the County Highway Department.
- 9) The operation will be allowed to operate under the conditions of this permit until January 31st, 2029. The business owner will be required to obtain another conditional use permit before this date if they wish to continue operating at this location.
- 10) That the Planning & Zoning Department reserves the right to enter and inspect the site 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.
- 11) That the operator shall obtain a Haul Road Agreement with Mapleton Township and that that agreement shall be followed continually.



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Old Business

None.

New Business

None.

Adjourn

A motion was made for the County by Commissioner Heiberger and seconded by Commissioner VanDerVliet to **adjourn**. The motion passed unanimously.

The same motion was made for the City by Commissioner Fisher and seconded by Commissioner Van Nieuwenhuyzen to **adjourn**. The motion passed unanimously.

The meeting was **adjourned** at 7:40 p.m.



ITEM 2. CONDITIONAL USE PERMIT #25-63 to transfer seven (7) building eligibilities from the NW¹/₄ NE¹/₄ (Ex. H-2 & Ex. E120') Section 17; Tract 3 Cas SW¹/₄ NE¹/₄ (Ex. E120') Section 17; Tract 2 Cas NE¹/₄ (Ex. 2 Acres of East Side (Drainage Ditch) & Ex. E120' Tract 2 (Ex. Lot B Tract 2) Section 17; Tract 4 Cas SE¹/₄ NW¹/₄ Section 17; Tract 5 Cas SE¹/₄ NW¹/₄ (Ex. Lot A) Section 17; Tract 1 Cas NW¹/₄ (Ex. Lot A) Section 17; SW¹/₄ NW¹/₄ (Ex. Tract 6) Section 17 to the SE¹/₄ NE¹/₄ Section 18 all within T102N-R49W Mapleton Township.

Petitioner: Marlene Mekvold Estate by Leann Niebuhr

Property Owner: Same

Location: Approximately 1 mile southeast of the Crooks/Renner Exit

Staff Report: Kevin Hoekman

General Information:

Legal Description – SE¹/₄ NE¹/₄ Section 18 T102N-R49W Mapleton Township

Present Zoning – A-1 Agricultural

Existing Land Use – Farmland

Parcel Size – 40.00 Acres

Staff Report: Kevin Hoekman

Staff Analysis:

The petitioner is requesting to transfer seven building eligibilities from various connected parcels to a quarter quarter section overlooking the Big Sioux River. The seven transferred building eligibilities will joint one building eligibility that already exists on the quarter quarter section for a total of eight usable building eligibilities on the receiving parcel. Transferring one or more building eligibilities requires approval of a conditional use permit.

The application includes a completed questionnaire that provides some details of the properties involved. The proposed transfer will move building eligibilities out of the floodway to a mor marketable location overlooking the Big Sioux River. The receiving location is mostly hilly and has minimal tillable farm land. The applicant explains in the questionnaire that there is no current plan for how the lots will be developed or how properties will be accessed. This transfer will likely be the first in a series of transfers as several other occupied residences are unoccupied and the dwelling removed.

Sioux Falls Planning Department staff provided comments regarding the proposed transfer. The comments are included with this report. Development on the property must adhere to Sioux Falls Design Standards and Subdivision Ordinance. There will be extra scrutiny for street access from Kiwanis Avenue because of arterial designation. And the property is not currently located within any growth tear area of the approved development plan.

The Minnehaha County Planning Department was notified that the receiving parcel has an abandoned cemetery on it. County records indicate native artifacts and remains may be in the area as well. Staff spoke with Gaylord Helmbrecht about the cemetery. He stated that the cemetery is surrounded by fencing and graves are marked. He is not aware of any further gravesites outside of the marked areas. He also stated that it would be good to have a better



access road to the site, because the current pass is difficult to drive. This proposed transfer is the first step in the process for development. Staff is requesting a condition for preliminary plan and platted lots for the development. Any questions regarding locations of the cemetery or possible native remains must be addressed before approval of the preliminary plan.

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 receiving parcels are located on the high bank of the Big Sioux River. The immediate area is composed of agricultural crop land, but many residential properties exist within a half mile of the property. The area residential properties include a large residential development of approximately 50 houses. Developing the residential building eligibilities in this location will have little effect on the uses currently permitted in the area.

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

The property is located within the transition area of the 2045 Comprehensive Plan for Minnehaha County. It is outside of any growth tiers for development within the City of Sioux Falls, but it is close to land planned for light industrial development west of Kiwanis Avenue. The residential development will not likely affect industrial development, and it will likely be many years before municipal residential development happens in the area. The proposed development may lead other large property owners to do similar developments by moving building eligibilities outside of the floodplain.

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

The receiving parcel has no utilities or access roads, and the application does not include plans for development of the property. Since the transfer will create a development potential of eight residential properties, platting of each property will be a requirement, and a preliminary development plan will be required for further review. The preliminary development plan will need to show how the proposed development will have access to the highway, and how the development will meet both the county and city subdivision ordinance requirements. Highway access will also need to be approved by the County Highway Department. The applicant should be aware that the county subdivision ordinance requires subdivision roads to be hard surfaced. Minimum road standards can be found within Article 8 of the 1993 Revised Subdivision Ordinance for Minnehaha County.

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

Off street parking requirements will be met on each parcel at the time building permits are requested for each dwelling.

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 transfer will result in a subdivision of residential properties. Residential properties typically do not create nuisances, and each property will need to comply with the Public Nuisance Ordinance. The road for the development will be required to be hard surfaced, and this



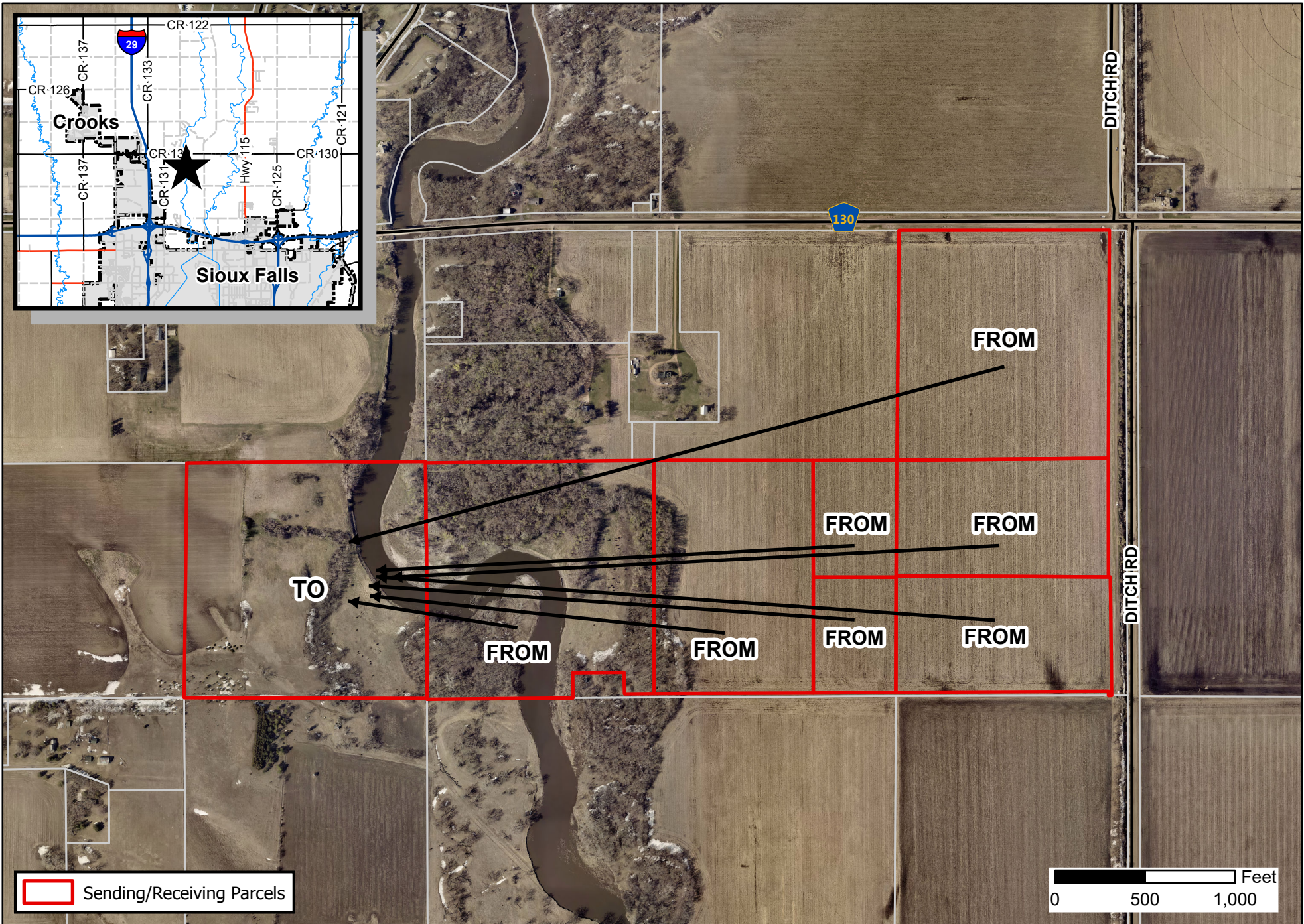
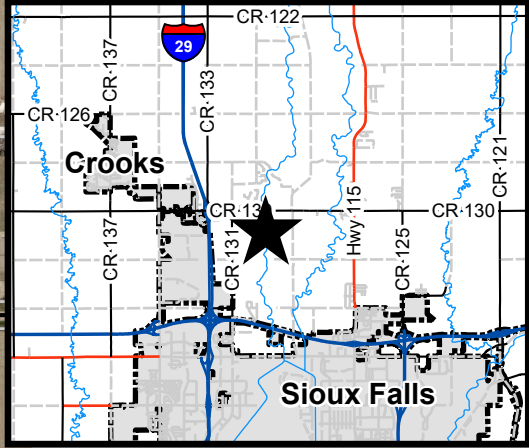
will reduce concerns for dust from the development.

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

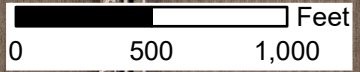
The proposed transfer meets standards of the comprehensive plan. It will also remove several building eligibilities out of the floodplain to a location better suited for development. The floodplain will be preserved as agricultural land.

Recommendation: Staff recommends **approval** of Conditional Use Permit #25-63 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 a single-family dwelling.
- 2) All lots must be platted prior to a building permit for a single family dwelling will be issued.
- 3) A preliminary subdivision plan must be approved prior to platting any lots for the subdivision. The preliminary plan must address and protect both cemetery and any possible native remains on the site.



 Sending/Receiving Parcels



Map Date:
September 26, 2025

Transfer Building Eligibility 25-63



DISCLAIMER: This drawing is not a legally recorded map or a survey and is not intended to be used as such. It is a compilation of information located in various City and County offices. The City of Sioux Falls and Minnehaha County are not responsible for any errors in the drawing.

Minnehaha County Planning & Zoning

**TRANSFER OF BUILDING ELIGIBILITY
APPLICATION QUESTIONNAIRE**

In reviewing an application for the transfer of a building eligibility, the Planning Commission considers the impact this action will have on established farming operations, the preservation of prime farm land, the potential number of driveways, and possible future transfer requests in the area.

To aid the Commission in their review, the following questionnaire must be completed and returned with the conditional use permit application.

Office Use only	
Petition #:	<u>25-63</u>
Date:	_____
Name:	_____
From MPID:	_____
To MPID:	_____

List the reasons the new building site(s) is a better location for a dwelling than the current location.

Moving eligibilities out of the floodplain/flood way.

How does the current location compare in terms of agricultural use (i.e. crop/pasture) and production capability to the land where the transfer is proposed?

New location has a lot of Elevation change so about 20% of the parcel is tillable cropland.

How long have you owned the property? Have you informed your neighbors about the proposed eligibility transfer? *Land has been in the family for generations. Have not contacted all neighbors at this point.*

Will the transfer have a positive or negative impact on agricultural operations? Are there any concentrated animal feeding operations (feedlots) located within one mile of the building site? If yes, identify location and type. *Should not have a large impact either way. Not aware of any feeding operations.*

Will shared driveways be used to reduce the number of road access points and has the appropriate government agency been contacted concerning access to the roadway? *Have not gotten that far, but plans are to work with engineers and appropriate gov agencies to plan appropriately.*

Do you have other building eligibilities that could be transferred? If yes, how many and what are your plans for those eligibilities? *Yes, Potentially three more eligibilities. two are currently in use but in the floodplain. Plan is to work with occupants to relocate and then move those out of the floodplain as well.*



Administration Building, 3rd Floor
415 N. Dakota Avenue, Sioux Falls, SD 57104
Strong Foundation. Strong Future.
Equal Opportunity Employer and Service Provider

P: (605)367-4204
minnehahacounty.gov



October 8, 2025

Minnehaha County Planning and Zoning
415 N. Dakota Avenue
Sioux Falls, SD 57104

Subject: Joint Jurisdiction Planning Commission CUP 25-63. Conditional Use Permit to transfer building eligibilities.

- This transfer is consider step one, moving forward, all development of this property will have to adhere to the Sioux Falls Design Standards and Subdivision Ordinances
- 258th Street is an arterial street with 50 ft of ROW required with development. Access restrictions will apply on 258th Street. A street network for this area will need to be explored. Both are arterial streets and would have access restrictions to 1/4 mile locations.
- Property is outside current growth Tier areas. An approved development plan would be required to support future platting and platting fee's may be applicable per zoning classification.

The City of Sioux Falls recommends approval of this application and consideration of the above-mentioned comments

Sincerely,

Karla Resendiz
Urban Planner
City Center
231 North Dakota Avenue



ITEM 3. CONDITIONAL USE PERMIT #25-61 to allow a Bed & Breakfast Establishment on the property legally described as Tract 3 Andy’s Acres NE¼ SW¼ Section 23 T102N-R49W Mapleton Township.

Petitioner: Friendly Neighbor LLC
Property Owner: Same
Location: 47644 Slip Up Creek Road
Staff Report: Scott Anderson

General Information:

Legal Description – Tract 3 Andy’s Acres NE¼ SW¼ Section 23 T102N-R49W
Mapleton Township
Present Zoning – A-1 Agricultural
Existing Land Use – Residential Acreage
Parcel Size – .74 Acres

Staff Report: Scott Anderson

Staff Analysis: The applicant is seeking a conditional use permit to allow the residence at 47644 Slip Up Creek Road to be used as a bed and breakfast establishment. The existing residence has six (6) bedrooms, five (5) bathrooms, and two (2) kitchens spread out over two levels. In addition, there is a three-stall attached garage and detached double stall garage, along with the concrete driveway leading up to the garages and additional gravel parking area in the back of the property. The applicant has included a short narrative that explains more about the proposed bed and breakfast establishment and their vision for the home which is included for the Planning Commission’s review. The applicant has also submitted a certificate from the city of Sioux Falls for the “Residential Rental Property Training Program”.

On October 1, 2025, staff conducted a site visit. The area consists of a residential development. There are approximately 35 residences in Andy’s Acres. The Mapleton Golf Course and Mapleton Heights subdivision is being constructed directly to the southeast of the subject property. The clubhouse and guest housing are clearly visible from the subject property. The property owner met staff on site and provided a comprehensive tour of the property. During the site visit, staff recommended that should the conditional use permit be granted, that they would strongly encourage that a fencing condition be added to provide some privacy and security to the neighbors and better delineating the property boundaries.

The City of Sioux Falls has also reviewed the proposed bed and breakfast use. They commented that if it was in the Sioux Falls, a sprinkler system would be required. Additional comments were made about the future road network in the area and potential changes. The City comments are included for review. The City will not be providing a recommendation on the proposed use.

On January 23, 2023, the Joint Planning Commission denied a conditional use permit request to operate a bed and breakfast establishment on the subject property. The applicant applied for a conditional use permit to operate a bed and breakfast on the subject property after being contacted by the Planning Department upon receiving a zoning complaint. At that time, there



was no definition for a vacation home rental/short-term rental nor was that use identified in the zoning ordinance. A bed and breakfast establishment was the land use that best fit what the applicant was requesting, and an application was submitted.

After the Planning Commission action on January 23, 2023, the applicant did not appeal the recommended denial and continued to operate short-term rentals from the subject property. Two additional zoning enforcement letters were sent to the applicant requesting the use to cease. In August of 2023, the County Commission authorized the States Attorney to proceed with legal action to enforce the Zoning Ordinance. A trial was held on November 30 and December 12, 2023. On December 15, 2023, Judge Houwman issued a preliminary injunction against Don't Ask Holdings. A final injunction was issued stopping the applicant from using the property as a short-term rental without meeting the proper zoning requirements.

The applicant applied for a short-term rental, CUP #24-01, on November 30, 2023, which was the day an ordinance amendment addressing Vacation Home Rental/Short-Term Rental became effective. CUP #24-01 was heard by the Joint Planning Commissions on January 22, 2024, and denied. The applicant appealed the Joint Planning Commissions' decision and on February 27, 2024, an appeal hearing for CUP #24-01 was held by the Joint Minnehaha County Commission and Sioux Falls City Council. After due consideration, Conditional Use Permit #24-01 was denied.

The applicant applied for a short-term rental, CUP #25-30 and the request was heard by the Joint Planning Commissions on May 19, 2025, and denied. The applicant appealed the Joint Planning Commissions' decision and on June 24, 2025, an appeal hearing for CUP #25-30 was held by the Joint Minnehaha County Commission and Sioux Falls City Council. After due consideration, Conditional Use Permit #25-30 was denied. The applicant has now applied for new proposed use for the site as a bed and breakfast.

The Joint Zoning Ordinance defines a Bed and Breakfast Establishment as:

83. BED AND BREAKFAST ESTABLISHMENT. A bed and breakfast accommodation may provide no more than ten bedrooms for guests (exclusive of the living quarters of the owner or operator). Guests at a bed and breakfast accommodation may stay up to fourteen consecutive days provided that the bed and breakfast accommodation may only offer a daily rate and shall not offer weekly or bi-weekly rates. A bed and breakfast accommodation may include kitchen and dining facilities to furnish meals for guests only. Food preparation within a guest bedroom is prohibited. A bed and breakfast accommodation may not include a restaurant, banquet facilities or similar services. *(amended 08/17/09 By MC30-02)*

For this application, the applicant has indicated that there will be a full-time on-site manager that will occupy a small sleeping room off the garage. The on-site manager will ensure that the house rules are met and provide breakfast if the property owner decides to offer a breakfast.



The applicant has provided a written narrative for the “Friendly Neighbor Bed & Breakfast”, which is included for the review. Also included in the information submitted by the applicant is the rental agreement that any potential renter will need to agree to and sign. The rental agreement is also included for review.

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.

It is likely that the proposed use will not impact the property values in the neighborhood. It is likely that the construction of this residence in 2019 increased the property values in the area, as the house is quite large and has a value that exceeds most houses in the subdivision.

The proposed use as a bed and breakfast will have an effect upon the use and enjoyment of the properties in the immediate vicinity. During 2023, the Minnehaha County Planning Department received more than 25 complaints on the use of the property. The complaints ranged from noise and traffic after 11 p.m., use of fireworks by renters, party buses unload guests after midnight, garbage on the site, traffic and lighting. The neighboring property owners have called the Minnehaha County sheriff to address noise. These issues were reported to the Planning Department on nearly a weekly basis by several of the area residents. These complaints represent how the property is likely to be used and operated in the future and will continue to cause neighborhood conflict. The request to establish a bed and breakfast establishment at this property could have a negative impact on the use and enjoyment of the properties in the immediate vicinity. Should the Planning Commissions wish to allow this use, conditions limiting the number of guests, check-in times and quiet times may mitigate some of the impacts. It should also be noted that the applicant now lives approximately 2,000 feet east of the subject property and would likely not want nuisance renters in his own neighborhood. The close proximity of the property and on site management will allow for better monitoring of use.

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

This area is now adjacent to the north side of the city limits of Sioux Falls. The 2040 Future Land Use map has been changed to “Live/Work”. The subject property is part of the Andy’s Acres Subdivision. This subdivision is located to the north, east and west of the subject property. The area to the southeast has recently been rezoned as the Mapleton Golf Course Planned Development and is currently under construction. The Mapleton Planned Development allows for a lodge type structure which is under construction and soon to be operational. This Lodge will have 12 units. The development and construction of the Mapleton Golf Course have changed the uses of the area. The new Mapleton Golf Course has added a resort/recreational land use into the area. Continued residential development called Mapleton Heights is under construction. The roads and infrastructure are being constructed. A bed and breakfast establishment could be more reflective of the changing land use patterns in the area. The Laurel Ridge Events Center is also along the south side of Slip Up Creek Road approximately ½ mile to the east. Furthermore, the newly developed Veteran’s Cemetery is located to the northeast.



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

The property is already developed with a single-family dwelling and street access onto Slip Up Creek Road. Slip Up Creek Road was recently paved and is now on the County's highway system and maintained by the County Highway Department. No new utilities will be needed, and drainage will not change on the site.

This property is located on a rural lot with an on-site wastewater disposal system designed for 600 gallons per day of water usage. The Planning Commission and the Petitioner should be aware that the proposed use may create water usage problems for the property. The Zoning Ordinance allows a maximum occupancy of three people per bedroom for a total of 18 people on site at any one time. The USGS.gov website estimates that the average daily water usage for a person is 80 to 100 gallons. If each person at the house uses 80 gallons of water the system could only support 7.5 people. Even if average water use per person is divided in half (such as the state on-site wastewater design requirement for a rooming house), the septic system will not support 18 people. The Planning Commission should consider the total maximum occupancy of the property and how the proposed occupancy might impact the septic system.

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

Article 16 of the Joint Zoning Ordinance provides parking guidelines. A bed and breakfast use and any parking requirements are not specifically identified in Article 16. The recently adopted parking requirements for short-term rentals require 1 parking space per guest bedroom. The applicant has indicated that six (6) bedrooms are to be used. Staff recommends following the standard for short-term rentals and the applicant should provide six (6) off street parking spaces if the use is approved. There are five (5) garage spaces and the driveway approach to the garages. This could meet a proposed six (6) parking space requirements.

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.

As noted, the conditions of the area are changing. A major resort use is being developed to the southeast. Furthermore, the construction of Mapleton Heights, which will continue to change the land use dynamics of the area. Therefore, staff is neutral on whether a bed and breakfast is an appropriate land use on the subject property and will make no recommendation to approve or deny the request. The Planning Commission could attempt to limit any potential nuisance issues with conditions should approval be considered. Items to consider for mitigation would be noise and traffic at typically quiet times such as between 11 pm and 7 am, trash, screening fences, berms, landscaping and the amount and type of security lighting. The applicant now lives approximately 2,000 feet to the east along Slip Up Creek Road. The owners nearby location and on-site management may allow for better monitoring of a proposed bed and breakfast.

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

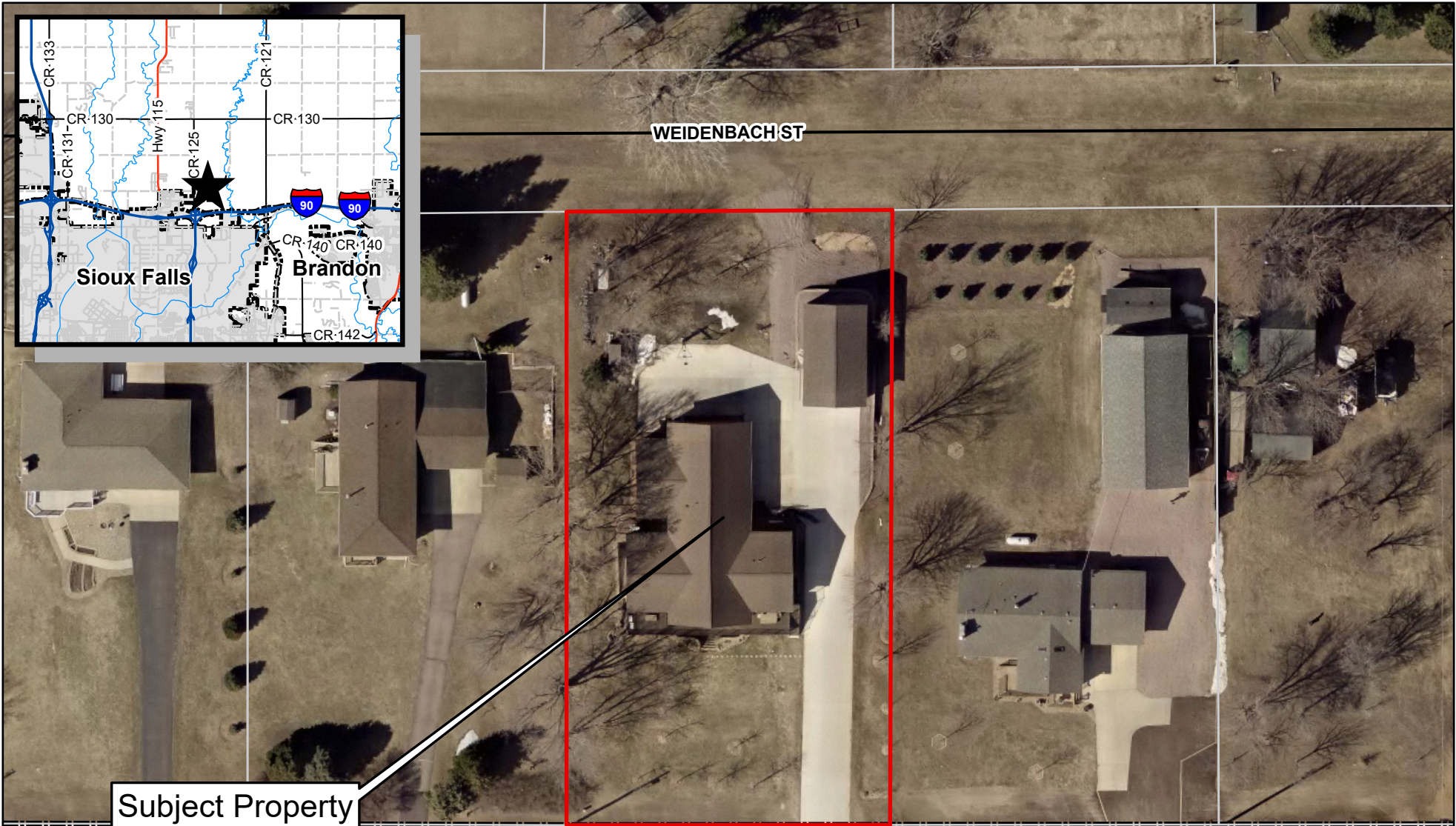
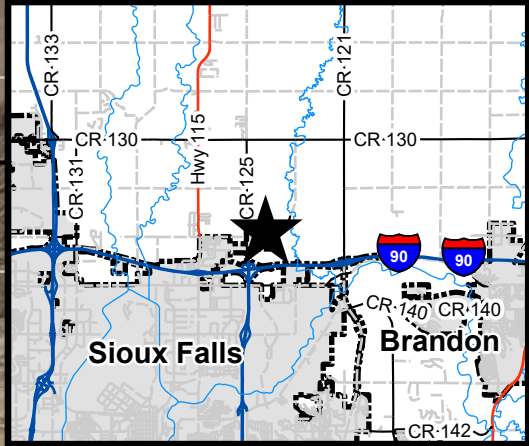
The general welfare of the public and compatible land uses is of concern. The proposed use could have potential health issues with an under designed wastewater system, the safety of the public is at risk with guests using the property arriving to the site late in the evening or early morning hours after celebrating events and potentially impaired by alcohol. The Comprehensive Plan indicates that it should reflect the collective goals and values of the current residents and



future generations. The land uses in the area, however, are changing. With these changes, the proposed use may become more acceptable.

The Joint Planning Commissions may deny a conditional use permit when not in harmony with the purpose and intent of the Zoning Ordinance. Article 1.00 of the Joint Zoning Ordinance states: “The regulations are intended to preserve and protect *existing* property uses and values against adverse or unharmonious adjacent uses...” (italics and bolding added). Throughout 2023 the subject property was used as a short-term rental and staff received nearly weekly complaints from many neighbors. The neighborhood concerns and complaints would indicate that the proposed use may be an unharmonious adjacent land use to the existing residential development in the area. The changing nature of the area, however, might be more congruent to new land uses in the future. The Planning Commissions can take testimony from all sides and make a determination.

Recommendation: Staff puts forth a “**NO RECOMMENDATION**” for Conditional Use Permit #25-61.

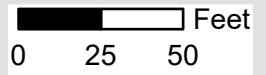


Subject Property



Sioux Falls

Subject Property



Map Date:
September 04, 2025

Conditional Use Permit 25-61



DISCLAIMER : This drawing is not a legally recorded map or a survey and is not intended to be used as such. It is a compilation of information located in various City and County offices. The City of Sioux Falls and Minnehaha County are not responsible for any errors in the drawing.

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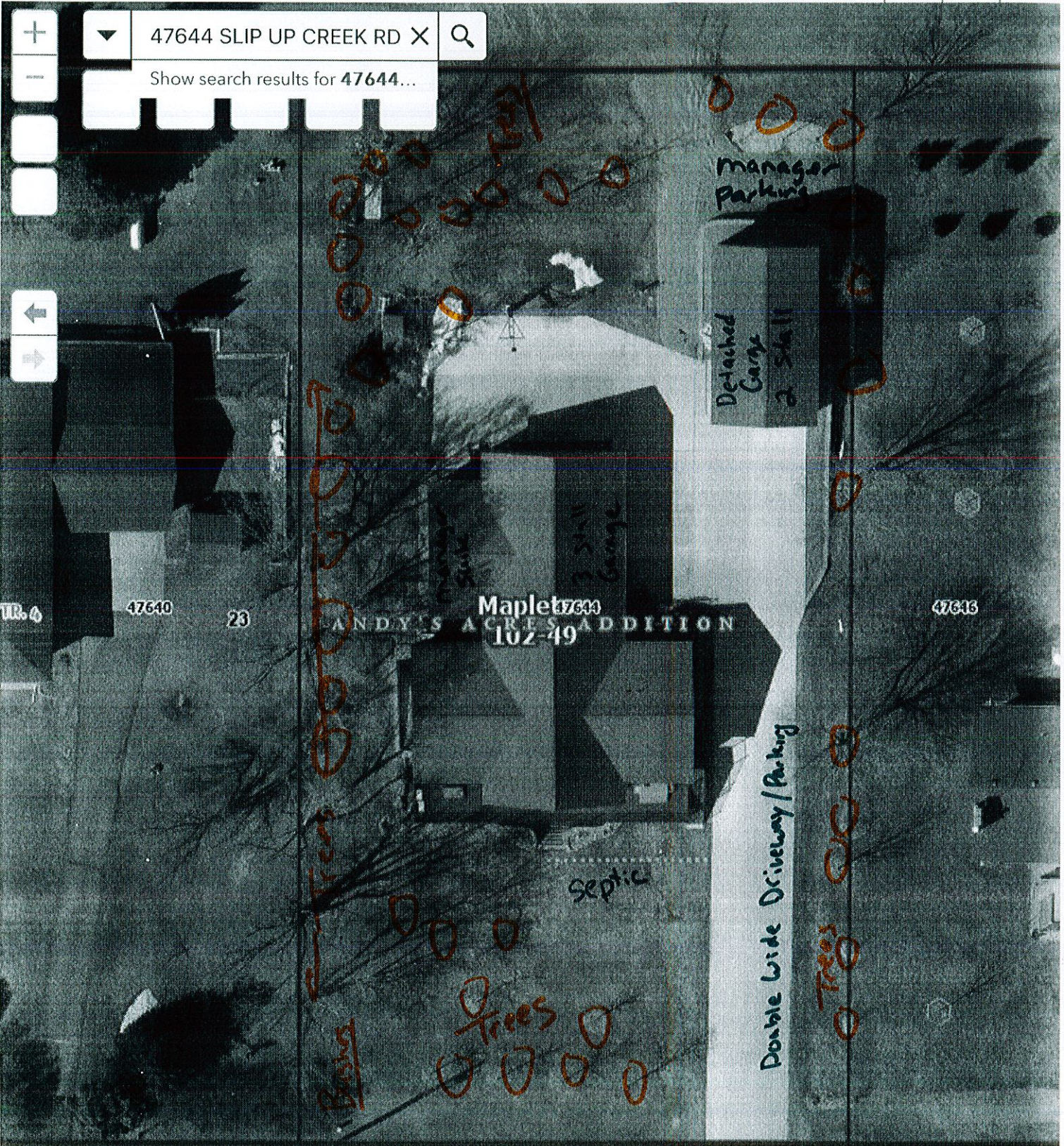
North ↑



MinnEmap

Minnehaha County, South Dakota

User Guide Sioux Falls



40ft
 -96.683 43.621 Degrees
 City limits Sioux Falls
 Sioux Falls, Esri Canada, Esri, HERE, Garmin,...

South ↓

Paved Slip up creek

Written Narrative for Bed and Breakfast for 47644 Slip Up Creek Road

Business Name: Friendly Neighbor Bed and Breakfast

We are planning to break the house into an upstairs and a downstairs with a permanent locked door that guests will not have access to unlock. This will limit the guest sizes to 9 as each floor has three bedrooms. We also will have an on site manager that will live on site in the studio attached to the back of the garage. This will ensure all guest limits, house rules, etc to be followed.

Our on site manager will handle the lawn and snow on the property as well as cleaning and maintaining the bed and breakfast.

We will meet SDCL 34-18-9.1. **Definition of terms related to bed and breakfast establishments.**

Terms as used in §§ 34-18-9.1 to 34-18-9.4, inclusive, mean:

- (1) "Bed and breakfast establishment," any building or buildings run by an operator which is used to provide accommodations for a charge to the public, with at most five rental units for up to an average of ten guests per night and in which family style meals are provided;
- (2) "Family style meal," any meal ordered by persons staying at a bed and breakfast establishment which is served from common food service containers, as long as any food not consumed by those persons is not reused;
- (3) "Operator," the owner or the owner's agent, who is required to reside in the bed and breakfast establishment or on contiguous property.

We will meet Minnehaha County / City of Sioux Falls Joint Ordinance Definition:

BED AND BREAKFAST ESTABLISHMENT. A bed and breakfast accommodation may provide no more than ten bedrooms for guests (exclusive of the living quarters of the owner or operator). Guests at a bed and breakfast accommodation may stay up to fourteen consecutive days provided that the bed and breakfast accommodation may only offer a daily rate and shall not offer weekly or bi-weekly rates. A bed and breakfast accommodation may include kitchen and dining facilities to furnish meals for guests only. Food preparation within a guest bedroom is prohibited. A bed and breakfast accommodation may not include a restaurant, banquet facilities or similar services. (*amended 08/17/09 By MC30-02*)

We do not plan on holding special events.

All guests will be required to be listed on a lease with a signed lease agreement.

A photo copy of a government issued ID will be required.

Security cameras are installed on the exterior of the building.

Name and contact information will be posted on the exterior door.

Off street parking requirements are easily met with a total of 5 stall garages plus a large double wide paved driveway in addition to an attached paved basketball court that can be used for parking.

At first no on premise or off premise sign to be constructed but in the future we want the ability to have them in accordance to all sign regulations within the Joint Jurisdiction Ordinances.

There will not be outdoor fires allowed by the guest in order to ensure guests spend their evening inside the house.

Trash bins to have lids and be placed to the south of the detached garage to accommodate surrounding neighbors.

Sounds monitors to be installed inside both floors to ensure the house rules about volume are monitored.

We have one hot tub, one basketball hoop, one deck and this is all the house has for entertainment outdoors.

Each floor has laundry (washer and dryer).

Each floor has a full kitchen.

Trees, shrubs, bushes to be maintained by the property manager in order to maintain well screened from the neighbors.

No parking and or usage unless for pulling through the non-maintained road to the north in order to maintain good relations with the neighbors.

No overnight camping/staying allowed in tents, campers, trailers etc.

No outdoor music shall be allowed after 10pm.

All outdoor lighting shall be of a full cutoff and fully-shielded design to prevent direct spillage of light beyond property boundaries.

Detached garage will be mostly used for property management (snow blower, plow truck, shovels, extra supplies, etc)

Contact information to be publicly available at 605-525-5005 and friendlyneighbor47644@gmail.com

Septic has been inspected and designed to meet this need. If the need arises pumping will be our responsibility.

We are on Minnehaha County Rural water and they have the capacity to meet this demand. We currently do not plan to irrigate the grass.

We are on Excel Electric only, no propane or natural gas, and they have the capacity to meet this demand.

We feel this is a great location next to the lodge at Mapleton Golf Club (course and soon to be complete lodge), Veteran Cemetery, Laurel Ridge Barn, and new multiple zoning development in the area. We are literally across the street from the city of Sioux Falls City Limits. Our southern border on our property touches the city.

This is on a paved Minnehaha County Highway, with our entire driveway and parking fully hard surface and concrete. No parking will be allowed on Slip Up Creek Road.

I personally live 0.4 miles away and drive past this property multiple times a day.

We own, operate, and manage a short term rental in the City of Sioux Falls. This is called Family Camp and we have a team of neighbors that help us clean, mow, pull weeds, and maintain the property.

We have gone through City of Sioux Falls landlord training and have received our permit.

We own 15+ properties including short term rentals, long term rentals, duplex, mobile homes, as well as commercial property and we feel very confident that by having an on site manager we will be able to successfully operate a bed and breakfast.

We are an active member in a rental group that shares resources for landlords.

I have personally mentored 4 people about being a landlord. 1 has 5 duplexes, 1 has 1 single family home, and the other 2 are hoping to become landlords in the near future.



RESIDENTIAL RENTAL PROPERTY TRAINING PROGRAM

This hereby certifies

TYLER CHILDRESS

(Name)

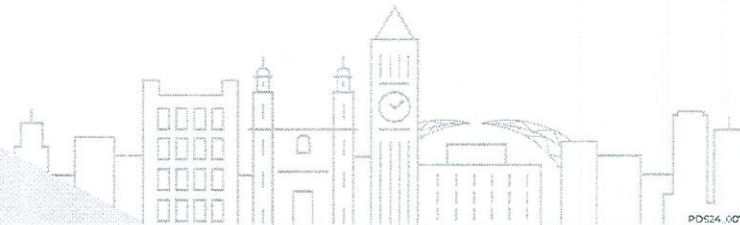
on behalf of

(Company/Organization)

*has successfully completed the required one-time
Property Manager/Owner Training administered by the City of Sioux Falls.
This certificate should be included in the residential rental permit application.*

DATE OF COMPLETION: 01/30/2024

Cory Fickbohm
SIGNED



POS24.007



**SOUTH DAKOTA
DEPARTMENT OF HEALTH
LODGING LICENSE**



Issued To: DONT ASK HOLDINGS LLC

License Type
Vacation Home License

Located At: FAMILY CAMP-SF
2108 E TAMARAC DR
SIOUX FALLS, SD 57103

License Number

26616

Number of Units

1

Swimming Pool

0

Spa or Hot Tub

0

Expires

12/31/2025

Secretary of Health

License is Not Transferable - Post in the Establishment

STATE DEPARTMENT OF HEALTH
OFFICE OF HEALTH PROTECTION
600 EAST CAPITOL AVENUE
PIERRE, SOUTH DAKOTA 57501-2536

RETURN SERVICE REQUESTED

FAMILY CAMP-SF
47677 SLIP UP CREEK RD
SIOUX FALLS, SD 57104

Friendly Neighbor Bed and Breakfast Rental Agreement

Once we have your rental agreement back, a picture of your photo ID, and you are fully paid, in the morning we will send you the address and key code to enter the property.

We do have security cameras in public areas.

Thank you again for renting with us and we look forward to your arrival in our house! If you have any questions we recommend using the platform of choice you booked with; however we do have texting support at 605-525-5005.

Sincerely,
Friendly Neighbor, LLC

We have an on site manager to make sure all lease rules are followed.

Client agrees to occupy the property peacefully, abide by the property rules attached, to leave the property in neat order at the end of client's occupancy and to comply with the terms attached. We recommend taking the lodging insurance that most marketplaces offer to help insure no additional costs are incurred. This includes the cost of any damage, breakage, or missing items. Property is expected to be left in a neat state of cleanliness upon client's departure. Client agrees to be responsible for the inventory of all items which may be broken, damaged or missing and for all debts or charges not included in the rental price that client insures during occupancy. Client is fully responsible for any damage they cause and agree to reimburse any potential damages exceeding the rental protection policy.

Responsibility: Don't Ask Holdings LLC DBA Friendly Neighbor LLC are not responsible for any physical injuries caused to client and or party members during their stay at the property. Client agrees to not hold Don't Ask Holdings, LLC responsible or liable for any acts or outcomes connected with their use and occupancy of the property, including and loss, damage, injury, damages or losses of property. Client agrees to hold Don't Ask Holdings, LLC harmless from any claim from other members of the client's party and accepts the sole responsibility for any loss, damage, injury, or inconvenience of other members of their party, family, or guests.

If you find any problems with the property, you are required to report them the same day or arrival. The number of guests is limited to the maximum occupancy of the property. You must be of legal age to rent. It is the client's responsibility to notify Don't Ask Holdings, LLC of any address or phone number change. Any rental amount paid is non-refundable for any and all reasons. There are no refunds for early departures. No subletting allowed.

Detailed Items:

1. Inside is a no smoking zone.
2. Pet fees are required and strictly enforced.
3. Max guest counts are enforced.

4. We do not allow events, large gatherings, or parties
5. All parking must be on our legal parcel, must be on a hard surface, and must not be on any public roads or access.
6. Quiet hours are strictly enforced.

By signing below you have read, understand, and agree on all terms of the lease, the house rules, and the hot tub safety rules.

Please sign and return this document along with a copy of your photo id. Through the marketplace used or emailed to friendlyneighbor47644@gmail.com

We recommend insurance for your stay. Please refer to your marketplace of choice or your homeowners policy writer to get an insurance policy in place. Without insurance you are held liable for any and all damages. No inflatables allowed.

Signature:

Date:

House Rules

Check-in Time 4:00 pm

Check-out Time 11:00 am

No smoking allowed inside at any time.

Pets with Pet Fee allowed only on tiled or concrete surfaces. Not allowed on wood, carpet, rugs, or furniture. Pet Damage/Messes will be required to be paid unless your renter's insurance covers this.

Never Leave Fireplaces Unattended

No Outside Fires Allowed.

Garbage is Required To Be In Trash Bags

Pets Allowed with PET FEE in the garage only. No Pets allowed inside the house.

Follow all shower and hot tub rules.

Upon departure:

Dishes need to be clean and put away in cabinets.

Please place soiled sheets and towels in the laundry area. (keep them on same level)

Leave comforters and blankets in bedrooms.

Place garbage in bags by the hot tub deck. (Ground by Electrical Box) - Garbage is offsite.

Leave AC or Heat On.

Make sure all doors and windows are locked.

Must pick up all cigarette butts and all items brought with.

Text 605-525-5005 when completely checked out.

Leave Hot Tub Heat On

Hot Tub Safety Rules

Always shower before and after entering the hot tub.

Please remove lotions before entering the hot tub.

No glass containers in or around the tub.
Please limit time to no more than 15 minutes.
Keep head above water at all times.
Do not use it if you are pregnant.
Do not drink alcohol before or while you are in the hot tub.
When the hot tub is not in use, please place the cover back on.
Fees of \$150 will be charged if the hot tub needs drained & refilled after your stay.
Use Hot Tub at your own risk: Don't Ask Holdings, LLC is not responsible for accidents that occur from use of the hot tub.

South Dakota Codified Law Requires us to get the following information:

1. Full Name:

2. Number in Party:

3. Permanent Residence Address:

4. Date In:

5. Date Out:

6. Daily Rate:

7. Motor Vehicle License Number:

Signature: _____

Printed Name: _____

Date: _____

October 8, 2025

Minnehaha County Planning and Zoning
415 N. Dakota Avenue
Sioux Falls, SD 57104

Subject: Joint Jurisdiction Planning Commission CUP #25-61 to allow a Bed & Breakfast establishment.

These comments are informational only and reflect current Bed & Breakfast establishment requirements within the City of Sioux Falls:

Building Services: If this property was in the city limits, a change in use permit would be required to change this single-family structure to a commercial bed and breakfast (R-1 commercial occupancy). A fire sprinkler system would be required. Additional comments would be made at time of plan review submittal based on information provided.

Access: Applicant is advised there are street network changes planned for this area due to the golf course. If applicant has questions, they need to contact DGR Engineering.

BED AND BREAKFAST ESTABLISHMENT. An owner-occupied single-family detached dwelling registered or licensed by the state of South Dakota as a lodging establishment in which a portion of the dwelling is operated to provide accommodations for a charge to the public. An operator of a bed and breakfast shall accommodate no more than five bedrooms with an average of not to exceed ten guests per night in which family-style meals are provided.

- Such establishments should be located where there will be minimal impact on surrounding residential properties and should comply with the following conditions:
- Bed and breakfast establishments shall be an accessory use within an owner-occupied principal dwelling.
- The dwelling shall provide a minimum 1,800 square feet of floor area.
- Shall be in compliance with applicable state laws including South Dakota department of health lodging licensing and provide a smoke detector in each sleeping room.
- Off-street parking requirements shall be one-half space per guest room and shall be in addition to the total number of parking spaces required. Off-site parking may be acceptable if permitted parking facilities are within 500 feet.

Because bed & breakfast rental regulations differ between the City of Sioux Falls and Minnehaha County, City staff is following the County's lead and will not be providing a recommendation

Sincerely,
Karla Resendiz
Urban Planner
605-367-8895