



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

SEPTEMBER 25, 2023

**MINUTES OF THE JOINT MEETING
MINNEHAHA COUNTY & SIOUX FALLS PLANNING COMMISSIONS
September 25, 2023**

A joint meeting of the County and City Planning Commissions was held on September 25, 2023 at 7:00 p.m. in the Commission Room of the Minnehaha County Administration Building.

COUNTY PLANNING COMMISSION MEMBERS PRESENT: Commissioners Bonnie Duffy, Becky Randall, Mike Ralston, Doug Ode, Ryan VanDerVliet, Adam Mohrhauser, and Joe Kippley.

CITY PLANNING COMMISSION MEMBERS PRESENT: Janet Kittams, Erica Mullaly, John Paulson, Mike Gray, and Aaron Norman.

STAFF PRESENT:

Scott Anderson, Kevin Hoekman, & Mason Steffen – County Planning
Maggie Gillespie – States Attorney's Office
Albert Schmidt – City Planning

The County Planning Commission was chaired by Commissioner Bonnie Duffy. The City Planning Commission was chaired by Commissioner Janet Kittams.

Chair Duffy called the Joint Minnehaha County and City of Sioux Falls Planning Commission meeting to order at 7:19 p.m.

PUBLIC COMMENT

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

ITEM 1. Approval of Minutes – July 24, 2023

A motion was made for the County by Commissioner Kippley and seconded by Commissioner VanDerVliet to **approve** the meeting minutes from July 24, 2023. The motion passed unanimously with 6 votes in favor of the motion and 0 votes against the motion.

The same motion was made for the City by Commissioner Paulson and seconded by Commissioner Mullaly to **approve** the meeting minutes from July 24, 2023. The motion passed unanimously with 4 votes in favor and 0 votes against the motion.



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ITEM 2. ZONING TEXT AMENDMENT #23-05 to amend the Revised Joint Zoning Ordinance for Minnehaha County and the City of Sioux Falls to add Vacation Home/Short Term Rental Regulations.

Petitioner: County Planning Staff

Staff Report: Scott Anderson

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Staff Analysis:

The need to address, accommodate and regulate vacation homes and short-term rentals has come to light over the past several months. This use will continue to present itself throughout the county and this proposed ordinance amendment attempts to provide a fair framework on how the use can be accommodated.

A previous ordinance amendment attempted to address this use through the permitted special use process. The process would have allowed the use to occur when specific criteria was met. The permitted special use track was approved by the Joint Planning Commission but when heard by the joint elected officials was denied and direction given to staff to remand the process back to the Planning Commission to be administered through a conditional use permit process. The elected officials indicated that the ability to recall and/or revoke a conditional use permit was necessary and this ability is not available through a permitted special use.

The ordinance amendment identifies vacation homes and short-term rentals as a use that should be handled through the conditional use permit process. It identifies specific zoning districts where the use will be allowed as a conditional use. The proposed text amendment sets up criteria that the petitioner will need to meet for a conditional use and creates a definition for a vacation home/short term rental.

The Planning Commissions have heard from both concerned citizens and advocates of this use throughout the hearing process. Areas of concern that have been discussed at past meetings include a registry and complaints procedure. Staff believes that this is not necessary. The proposed amendment would require that current owner and any manager information be kept current at the Planning Department and at the rental. Furthermore, the property owner information is always available through the Director of Equalization's tax data base. There has also been discussion on the need for a complaints process. This process already exists. When conditions of a conditional use permit are not being met, the public can and does contact the Planning Department. This will start a review process on the complaint which can lead up to the revocation of the conditional use permit and legal enforcement of the Zoning Ordinance.

The criteria proposed by staff attempts to be fair to the applicant and surrounding neighborhood in order that the use can be compatible. The proposed ordinance sets guidelines for the number of occupants per bedroom and requires minimum parking requirements. The contact information for the owner/manager will required to be posted on site and provided to the Planning Department for issues to be addressed by both renters and planning staff.



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Recommendation: Staff recommends **approval** of Zoning Text Amendment #23-04 adding Articles 3.04(aa), 4.04(o), 5.04(i), 6.04(i), 7.04(j), 8.04(i), 13.04(p), 15.18, and 24.02(733A) to the Revised Joint Zoning Ordinance for Minnehaha County and the City of Sioux Falls.

Public Testimony

Scott Anderson, the County Planning Director, explained the proposed ordinance and recommendation to the planning commission. Mr. Anderson explained that the previous ordinance for short term rentals that was approved by this commission was remanded back to this body by the elected County Commission and City Council. Mr. Anderson explained that the elected body indicated that they would prefer to handle short term rentals in the joint area as conditional uses, and therefore this proposed ordinance reflects that intent.

No members of the audience spoke to the planning commission regarding this proposed text amendment.

Commissioner Ralston commented that this proposed ordinance closely mirrors the existing regulations for short-term rentals within the county ordinance. Commissioner Ralston also commented that having the two zoning ordinances be similar to each other makes the most sense.

Action

A motion was made for the County by Commissioner Ralston to **recommend approval** of Zoning Text Amendment #23-05. The motion was seconded by Commissioner Kippley. The motion passed unanimously with 6 votes in favor and 0 votes against the motion.

The same motion was made for the City by Commissioner Paulson to **recommend approval** of Zoning Text Amendment #23-05. The motion was seconded by Commissioner Norman. The motion passed unanimously with 4 votes in favor and 0 votes against the motion.

Zoning Text Amendment #23-05 – Approval Recommended



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Old Business

None

New Business

None

Adjourn

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

The same motion to **adjourn** was made for the City by Commissioner Norman and seconded by Commissioner Mullaly. The motion passed unanimously.

The meeting was **adjourned** at 7:27 p.m.