



**MINUTES OF THE
MINNEHAHA COUNTY PLANNING COMMISSION
October 23, 2023**

A meeting of the Planning Commission was held on October 23, 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, Adam Mohrhauser, and Joe Kippley.

STAFF PRESENT:

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

Bonnie Duffy chaired the meeting and called the Minnehaha County 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 Item 4 was requested to be moved to the regular agenda by Commissioner Ode.

A motion was made to **approve** the consent agenda consisting of Items 1, 2, & 3 by Commissioner Mohrhauser and seconded by Commissioner Ode. The motion passed unanimously with 5 votes in favor and 0 votes against the motion.

ITEM 1. Approval of Minutes – September 25, 2023

As part of the consent agenda, a motion was made by Commissioner Mohrhauser and seconded by Commissioner Ode to **approve** the meeting minutes from September 25, 2023. The motion passed unanimously with 5 votes in favor and 0 votes against the motion.



Consent Agenda

ITEM 2. CONDITIONAL USE PERMIT #23-53 to exceed 3,600 square feet of accessory building area (requesting 9,632 square feet) on the property legally described as Tract 13 Indian Hills Estates N½ Section 8 T101N-R48W Split Rock Township.

Petitioner: Don Bonenberger

Property Owner: Same

Location: 2216 N Indian Hills Trail

Staff Report: Mason Steffen

General Information:

Legal Description – Tract 13 Indian Hills Estates N½ Section 8 T101N-R48W Split Rock Township

Present Zoning – A1 Agricultural

Existing Land Use – Residential Acreage

Parcel Size – 10.00 Acres

Staff Report: Mason Steffen

Staff Analysis: The subject property is located approximately two miles southwest of Brandon, a half mile east of the intersection of N Six Mile Road and E Maple Street. The petitioner is requesting conditional use permit approval to allow 9,632 square feet of total accessory building space. There is already a 30' x 40' detached garage, a 50' x 100' detached garage, and a small 12' x 16' storage shed. The proposed new accessory building would be a 42' x 48' horse barn with a twelve foot lean-to on two sides of the structure, which makes the total square footage of the new building 3,240 square feet.

On October 2, 2023, staff conducted a site visit of the subject property and the surrounding area. This property is located within the Indian Hills Estates subdivision, which is a residential subdivision of large lots between Sioux Falls and Brandon. The subject property is one of the larger properties within this subdivision, and the proposed location of the barn on the property will be several hundred feet from the neighboring property lines. Finally, the proposed 42' x 48' horse barn will be similar in size to several other buildings within this subdivision, and should not impact the neighboring properties.

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.

There should not be any anticipated negative effects upon the use and enjoyment of the residential properties in the immediate vicinity. Property values in the area should also not be negatively impacted due to the personal use of the proposed accessory building. Finally, this proposed building will be screened from the neighboring properties by several rows of trees, and therefore this building should not impact the surrounding area.



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

The proposed site of the accessory building is located in an area surrounded by other similar residential acreages and farmland. There should be no anticipated impacts to the normal and orderly development and improvement of the surrounding vacant farmland or residential acreages. Finally, the proposed size and use of the accessory building is generally compatible with the surrounding area, which consists of large lot residential acreages and farmland.

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

The petitioner will be required to extend all necessary utilities to the structure. The accessory building is accessed by the same driveway as the current buildings on the property. Finally, the addition of this accessory building on the property should not have any negative effects on the drainage of the surrounding area.

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

The subject property is large enough to accommodate the off-street parking requirement. Additionally, this proposed structure is not expected to be used for vehicle storage, but the existing accessory buildings on the site provide ample storage space for vehicles.

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 commercial business or storage will be allowed in the proposed accessory building at any time. Any public nuisance violations will be addressed upon the Planning Department receiving a complaint about the subject property. All outdoor lighting will need to be directed downward onto the property. Lighting must be designed to be fully-shielded and fully-cutoff to prevent light pollution off site.

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

The health, safety, and general welfare of the public will not be negatively affected by the construction of the proposed accessory building. The proposed use will generally fit within the uses of other properties in the rural area, and conforms to the goals of the 2035 Envision Comprehensive Plan.

Recommendation: Staff recommends **approval** of Conditional Use Permit #23-53 with the following conditions:

- 1) That the total accessory building square footage shall not exceed 9,632 square feet.
- 2) That the building shall be an accessory use to the continued use of the property as a residential lot.
- 3) That the building shall not to be used for commercial uses or as a dwelling at any time.
- 4) That all outdoor lighting shall be of a full cutoff and fully-shielded design to prevent direct spillage of light beyond the property boundaries.
- 5) That a building permit shall be required prior to construction of the accessory building.
- 6) 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



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

Action

As part of the consent agenda, a motion was made by Commissioner Mohrhauser and seconded by Commissioner Ode to **approve** Conditional Use Permit #23-53. The motion passed unanimously with 5 votes in favor and 0 votes against the motion.

Conditional Use Permit #23-53 – Approved



ITEM 3. CONDITIONAL USE PERMIT #23-54 to exceed 2,400 square feet of accessory building area (requesting 3,200 square feet) on the property legally described as Tract 1 Albers Addition N½ SE¼ Section 26 T101N-R51W Wall Lake Township.

Petitioner: Christopher Iwen

Property Owner: Same

Location: 26675 Valdez Road

Staff Report: Mason Steffen

General Information:

Legal Description – Tract 1 Albers Addition N½ SE¼ Section 26 T101N-R51W Wall Lake Township

Present Zoning – A1 Agricultural

Existing Land Use – Residential Acreage

Parcel Size – 2.19 Acres

Staff Report: Mason Steffen

Staff Analysis: Since this property is only two acres in size, it is currently limited to 2,400 square feet of accessory building area without a conditional use permit. Earlier this month, the petitioner was approved for a 40' x 60' detached shop building in the northern portion of the property. The petitioner is now requesting conditional use permit approval to allow for an additional shed to the west of the house. Finally, this conditional use permit would allow for this additional shed to be up to 800 square feet in size, but the petitioner has not determined the final dimensions of this building.

On October 2, 2023, staff conducted a site visit of the subject property and the surrounding area. The property is located at the end of Valdez Road on the north side of the Country Villa Estates subdivision, which is a residential subdivision of approximately seventy lots. The subject property is mostly surrounded by farmland, and only has one adjacent neighbor along the south property line. Additionally, the proposed location of the shed for this request will be located to the west of the house, and should not overly impact the use or enjoyment of the property to the south. Finally, allowing 3,200 square feet of accessory building area on this site would be the most within the Country Villa Estates subdivision, however this property is the largest property in the immediate area, and is mostly surrounded by farmland.

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.

There should be no anticipated negative effect upon the use and enjoyment of the residential properties in the immediate vicinity. Property values in the area should also not be negatively impacted due to the personal use of the proposed accessory building.

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



The proposed site of the accessory building is located north of the Country Villa Estates subdivision that has approximately seventy one and half acre lots. Outside of the vacant residential lots within this subdivision, the other vacant land in the area will remain agricultural in use for the foreseeable future. Finally, the proposed area of accessory buildings on this property will not impact the existing agricultural uses in the area, and will generally be compatible to the surrounding properties.

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

The petitioner will be required to extend all necessary utilities to the structure. The accessory building will be accessed by the same driveway as the house. Finally, the addition of another small accessory building on the property should not have any negative effects on the drainage of the surrounding area.

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

The proposed site of the accessory building is large enough to accommodate the off-street parking requirement. This proposed accessory building will also add additional parking and storage to 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.

No commercial business or storage will be allowed in the proposed accessory building at any time. Any public nuisance violations will be addressed upon the Planning Department receiving a complaint about the subject property. All outdoor lighting will need to be directed downward onto the property. Lighting must be designed to be fully-shielded and fully-cutoff to prevent light pollution off site.

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

The health, safety, and general welfare of the public will not be negatively affected by the construction of the proposed accessory building. The proposed use will generally fit within the uses of other properties in the rural area.

Recommendation: Staff recommends **approval** of Conditional Use Permit #23-54 with the following conditions:

- 1) That the total accessory building square footage shall not exceed 3,200 square feet.
- 2) That the building shall be an accessory use to the continued use of the property as a residential lot.
- 3) That the building shall not to be used for commercial uses or as a dwelling at any time.
- 4) That all outdoor lighting shall be of a full cutoff and fully-shielded design to prevent direct spillage of light beyond the property boundaries.
- 5) That a building permit shall be required prior to construction of the accessory building.
- 6) 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 of approval and the Minnehaha County Zoning Ordinance.



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Action

As part of the consent agenda, a motion was made by Commissioner Mohrhauser and seconded by Commissioner Ode to **approve** Conditional Use Permit #23-54. The motion passed unanimously with 5 votes in favor and 0 votes against the motion.

Conditional Use Permit #23-54 – Approved



Regular Agenda

ITEM 4. CONDITIONAL USE PERMIT #23-55 to allow a Motor Vehicle Sales & Repair Shop on the property legally described as Tract 1A Preheim's Addition N½ Section 27 T101-R48W Split Rock Township.

Petitioner: Autobody Specialists

Property Owner: MJ Holdings 23 LLP

Location: 48132 Highway 42

Staff Report: Kevin Hoekman

General Information:

Legal Description – Tract 1A Preheim's Addition N½ Section 27 T101-R48W Split Rock Township

Present Zoning – I1 Light Industrial

Existing Land Use – Office Building

Parcel Size – 1.42 Acres

Staff Report: Kevin Hoekman

Staff Analysis:

This item was brought to staff attention through a complaint that an auto body repair company was storing junk vehicles in front of the building along SD Highway 42. Staff contacted the property owner and the owner of the auto body shop to inform them of the requirement for a conditional use permit for auto body and motor vehicle repair.

The location of the proposed auto body shop and sales is located within the Preheim's Addition between Iverson Crossing and Rowena. The property was rezoned into I1 Industrial zoning district in 2013. The property is located within the Red Rock Corridor Overlay District. The RRCO district includes additional site requirements over typical developments, and it requires buffer yards with trees for differing neighboring uses. This property is already developed, and it will not need any additional buffer yards based on current conditions. The applicant must submit a specific site plan for review of RRCO requirements if this CUP is approved.

The applicant is requesting to operate a motor vehicle repair, body shop, and motor vehicle sales on the described property. A description of the proposed business is provided in the narrative. The business model changed over the years from customers bringing in vehicles to the applicant purchasing damaged vehicles for repair and sale. It is likely the damaged vehicles drew the attention of the individual who raised concerns about the appearance of the property.

The applicant also provided a sketch site plan. The site plan uses a Google image as a base map. No new buildings are planned for the request. Unspecified parking is shown around the east, south, and west sides of the building. Employee parking is provided in the rear of the building to the north. A large portion of the south parking, all of the west parking, and most of the north parking lots are paved with concrete. The east parking area is gravel. The east parking area is also mostly screened from view of the highway with existing spruce trees. The existing screening



and gravel parking area makes the east side of the building ideal for storage of partially dismantled and damaged vehicles compared to the rest of the property.

Staff visited the site on October 11, 2023 and found approximately 20 vehicles on the south side of the building visible from the road. Another 12 vehicles lined the west side of the building. Most of the vehicles on the south side of the property had all parts assembled and appeared to be operational. Several vehicles on the west side of the building had missing bumpers. Several shop workers were present when staff visited the site. They explained that the vehicles to the south were mostly customer vehicles for repair and rotate in and out. Some vehicles sit longer than others depending on parts availability and customer ability to pay for work. The shop workers also explained that the sale of vehicles from the business is mostly done online through online market places, and there is not a typical display lot on the property.

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 proposed auto body shop, motor vehicle repair, and automotive sales will take place on an industrial zoned property where surrounding land uses include warehousing, vacant agriculture, and gravel mining. These uses will not be affected by the proposed automotive work. The highway in front of the building is very busy, and the building has a high profile from the road. Care must be taken to remove potentially offensive items behind the existing screening and building.

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

The immediate area around this property is not likely to be further developed for some time. Nearby properties around Iverson Crossing may grow with additional commercial businesses, and in general, the number of people utilizing SD Highway 42 will increase as highway improvements are completed. This will only increase the profile of the property and neighboring uses.

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

The property is already developed with existing utilities, access roads and facilities. The proposed uses will not affect drainage more than already exists.

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

The ordinance requires a general use building to have one parking space for every 300 square feet. For this structure, 27 parking spaces are required. Based on staff measurements and the vehicles seen in areal imagery, approximately 30 parking spaces are available in the front and west side for the building alone. More paved parking spots are available on the north side where the site plan indicates employee parking is available.

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 property was brought to the attention of staff through a complaint about unsightly junk vehicles stored in front of the building. SD Highway 42 carries significant traffic which travels



by the site every day. The type of concerns related to the proposed motor vehicle repair and sales includes unsightly vehicles and parts storage and potential storage of vehicle fluids such as oils, fuels, and antifreeze. All vehicle fluid must be stored inside to prevent accidental spills in the environment. The unsightly vehicles with parts missing or the parts themselves can easily be stored elsewhere outside where the parts and vehicles can be less visible. Staff suggests that all fully or partially dismantled vehicles shall be stored on the east or north side of the building, with no storage in front of the front wall of the structure. Only operational vehicles for sale, customer vehicles, and worker vehicles shall be allowed to be parked on the south or west side of the property. Screening unsightly vehicles and parts from visibility of the highway will greatly reduce unsightliness for the traveling public.

Trees on the south side of the property screen the property from view. The trees must be maintained in a live condition to maintain the screening capabilities.

Large industrial buildings often have lights which glare onto neighboring properties. This building already exists with this style of lighting. Staff suggests that any replacement outdoor lighting must be cutoff to prevent future glare.

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

The Red Rock Corridor Plan includes an industrial policy that states the county should continue to improve the appearance of existing industrial areas thereby improving the community's image and development potential. By approving the proposed use with restrictive conditions of approval, the county is improving the appearance of the industrial area.

Minnehaha County allows salvage yards in the I1-Light Industrial zoning district with an approved conditional use permit. The applicant is not proposing a salvage yard, however activities of purchasing damaged vehicles and selling them once repaired has many similarities to a salvage yard. Staff recommends limitations should be placed on the property to ensure the use does not evolve into a salvage yard. First, the number of damaged and dismantled vehicles on the site should be limited. As described earlier in the report damaged and dismantled vehicles should be stored behind the building to reduce visibility. Staff suggests that the area on the east side of the building can hold a maximum of 20 vehicles. This 20 vehicles should be the maximum amount of allowed damaged and dismantled vehicles on the lot.

Secondly, salvage yards are typically determined by selling parts from a damaged vehicle. To prevent this property from becoming a salvage operation staff suggests that no used parts be sold from any vehicle on the site.

Finally, there shall be no stacking of vehicles. Stacking vehicles is a common practice for salvage operations to conserve space. The applicant indicates that vehicles will be repaired for sale. If this is the case, stacking of vehicles will only further damage vehicles.

This site is conducive for repair and sales, but the high profile nature of the site near the state highway makes it not desirable for salvage operations. Although staff found parts and dismantled vehicles on the property at the site visit, it did not appear that the property was being used for



salvage purposes. If care is taken to screen dismantled vehicles, damaged vehicles, and vehicle parts, then the proposed use should appear as many other vehicle repair shops already existing within the county.

Recommendation: Staff recommends **approval** of Conditional Use Permit #23-55 with the following conditions:

- 1.) This permit is to allow the repair, auto bodywork for automotive vehicles, and for automotive sales on the property.
- 2.) All fluids and waste materials shall be stored in enclosed containers within a building and disposed of through a proper facility. No dumping or burning of waste fluids or materials will be allowed. No storage of hazardous waste will be allowed.
- 3.) All vehicle parts, equipment, packaging, and similar materials shall be stored inside the building or on the north or east sides of the building. All of this storage must be further back than the south wall of the building.
- 4.) All damaged, dismantled, or partially dismantled vehicles shall be stored inside the building or on the north or east sides of the building. All of this storage must be further back than the south wall of the building.
- 5.) A maximum of 20 damaged, dismantled, or partially dismantled vehicles shall be allowed on the property at any one time.
- 6.) Only full functional vehicles either licensed or displayed for sale can be stored south and west of the building.
- 7.) No parts salvaged from vehicles on site shall be sold directly to customers on or off-site.
- 8.) No vehicles shall be stacked one on top of another at any time.
- 9.) That all 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.
- 10.) That a building permit is required prior to construction of the any building, structure, or sign.
- 11.) An air quality construction permit must be obtained from the DENR for the use of any commercial paint booth.
- 12.) No loading or unloading shall take place in the right-of-way at any time.
- 13.) All trees on the south side of the property must be maintained in living condition. Any tree that dies must be replaced by another spruce tree a minimum of 6 feet tall the next growing season. An eight feet tall section of fence can also replace any dead trees.
- 14.) That the Planning & Zoning Department reserves the right to enter and inspect the property at any time, after proper notice to the owner or operator, to ensure that the property is in full compliance with the conditional use permit conditions of approval and Minnehaha County Zoning Ordinance.

Public Testimony & Discussion

Kevin Hoekman, of county planning staff, explained the staff report and gave a brief overview of the subject property.



Commissioner Ode asked planning staff if a right-to-farm notice could be required as part of this permit. Commissioner Ode explained that he had received concerns from neighbors in the area regarding businesses overtaking farmland, and wanted to know if a right-to-farm could be applied in this case. Kevin Hoekman explained that right-to-farm notices are only required for residential dwellings in the county, and that he would not recommend this as a condition, since there is not a dwelling on the subject property.

Commissioner Ode reiterated that neighbors in this area are concerned with the future of businesses overtaking farmland, and that is why he wanted this item discussed.

Commissioner Duffy also stated that she has concerns about the site, and explained that when she visited the property the dismantled and sales vehicles were not easily distinguished from each other. Commissioner Duffy then asked planning staff if the petitioner was aware of the staff recommended conditions, including the condition requiring the dismantled vehicles to be placed on the east side of the building. Kevin Hoekman explained that he sent the petitioner a copy of the staff report, prior to this meeting, but that he has not been in contact with the petitioner since.

Commissioner Ralston commented that he believes the staff recommended conditions will curb the potential concerns with this property.

Action

A motion was made by Commissioner Ralston and seconded by Commissioner Randall to **approve** Conditional Use Permit #23-55. The motion passed unanimously with 5 votes in favor and 0 votes against the motion.

Conditional Use Permit #23-55 – Approved



ITEM 5. ZONING TEXT AMENDMENT #23-06 to amend the 1990 Revised Zoning Ordinance for Minnehaha County to add Intermodal Shipping Container Regulations.

Petitioner: Minnehaha County

Staff Report: Kevin Hoekman

Staff Report: Kevin Hoekman

Staff Analysis:

Shipping containers are increasingly being used for various purposes including individual storage and as building blocks for construction throughout Minnehaha County. The increasing use of shipping containers is leading to increasing complaints by neighbors concerned about unsightliness of the metal boxes. Regulations regarding the use of shipping containers do not exist in the zoning ordinance, but the most recent building code book includes a section to regulate the use of shipping containers like a building material for larger structures such as sheds and even houses.

Shipping containers are not listed or defined in the current zoning ordinance. The International Residential Building Code defines an intermodal shipping container as a six-sided steel unit originally constructed as a general cargo container used for the transport of goods and materials. Standard sizes are defined through the International Organization for Standardization as 8' x 20' and 8' x 40', but sizes can vary from these standard dimensions.

Staff brought forward questions for the Planning Commission in May to discuss considerations for regulating shipping containers. Since that discussion, staff prepared a draft ordinance amendment and presented it to the Planning Commission for review. The proposed amendment was generally acceptable and the Planning Commission directed staff to bring a final draft forward for adoption.

The proposed amendments attempt reinforce requirements of the building code for when engineering is required for container and container structures. When shipping containers are used for permanent structures, building permit and code requirements must be met. Furthermore, shipping containers are limited in residential zoning districts to one permitted freestanding container. A conditional use permit is required if more than one shipping container is desired. An exception for a building permit is made to allow shipping containers during construction when a building permit is issued.

Recommendation: Staff recommends **approval** of Zoning Text Amendment #23-06 to amend the 1990 Revised Zoning Ordinance for Minnehaha County to add Intermodal Shipping Container Regulations.

Public Testimony

Kevin Hoekman, of county planning staff, explained the proposed text amendment for intermodal shipping/storage containers to the commission. He also explained several



amendments to the draft text amendment that had been made since the commission received the draft copy. These amendments included updating the definition for intermodal shipping/storage containers, changing “principal use” to “principal building” within Sections (E) (1). (d). & (E) (5), as well as removing Section (E). (7).

Commissioner Kippley asked planning staff how many of these structures are currently in use in the county. Kevin Hoekman explained that the planning office has only received some complaints regarding these structures, but that the county building inspector has kept a list in the past that had more than forty properties with this type of structure. Commissioner Kippley also asked if this ordinance only applies if a person were to add an additional shipping/storage container to their property. Kevin stated that with the proposed amendments to the draft text amendment, this ordinance would not apply to existing structures.

Kevin Hoekman further explained that the commission may consider other amendments to the draft text amendment. One of the potential amendments he explained was a tiered system of parcel sizes within Section (E). (3), which would further limit the number of shipping/storage containers allowed on a property based on the parcel size.

Commissioner Kippley asked if this proposed text amendment only applies if the shipping/storage container is used as an accessory building, and how the county would regulate these structures if they are used as the principal building. Kevin Hoekman explained that this ordinance only applies to accessory buildings. He further stated that if these structures were used as a principal building or as a component to a principal building then that would fall under the county’s existing building code regulations.

Commissioner Kippley asked if this proposed text amendment was modeled after any other jurisdictions, and if this is text amendment is similar to how they handled these types of structures. Kevin Hoekman stated that there was not any local ordinances that this ordinance could be modeled off of, but that he did look at several other state’s ordinances including Nebraska, Montana, and Idaho.

Action

A motion was made to **amend** the draft text amendment with the staff recommend amendments by Commissioner Kippley and seconded by Commissioner Ode. The motion passed unanimously with 5 votes in favor and 0 votes against the motion.

The adopted amendments included updating the definition for intermodal shipping/storage containers, changing “principal use” to “principal building” within Sections (E) (1). (d). & (E) (5), as well as removing Section (E). (7).

A motion was made by Commissioner Ralston and seconded by Commissioner Ode to **approve** the amended zoning text amendment. The motion passed unanimously with 5 votes in favor and 0 votes against the motion.

Zoning Text Amendment #23-06 – Approved



Old Business

Scott Anderson, the County Planning Director, provided an update on two items that were previously heard at the last planning commission meeting. Mr. Anderson explained that Conditional Use Permit #23-51 for Mueller Pallets LLC. had been appealed to the county commission, and was scheduled to be heard again at a meeting on Tuesday October 24, 2023. Mr. Anderson also explained that the petitioner for Rezoning #23-06 had withdrawn their request, prior to the county commission meeting, due to the fact that they had bought a home inside the city of Sioux Falls.

New Business

None.

Adjourn

A motion was made to **adjourn** by Commissioner Kippley and seconded by Commissioner Mohrhauser. The motion was approved unanimously. The meeting was adjourned at 7:33 p.m.