

Agenda

Yankton County Commission

6:00 PM, Tuesday, August 31, 2021
Commission Chamber
Yankton County Government Center

DOCUMENTS WILL BE AVAILABLE AT AUDITOR'S OFFICE FOR REVIEW BEGINNING
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Meeting chaired by: Joe Healy, Co-Chair

Call to order: 06:00 PM **PLEDGE OF ALLEGIANCE**

Roll Call: _____ Cheri Loest _____ Don Kettering

_____ Wanda Howey-Fox _____ Dan Klimisch

_____ Cherie Hoffman _____ Dennis Michael _____ Kristi Schultz

_____ Cathy Weiss _____ Chris Barkl _____ Joseph Healy

AGENDA ITEMS

No.	Time	Item Description	Presenter
03	06:00 PM	Abstain Financial Conflict of Interest (SDCL 6-1-17) Non-Financial Interest-Must State Reason for Abstaining	Commissioner Healy
04	06:03 PM	Approval of Agenda	
05	06:05 PM	Public comment is a time for persons to address this body on any subject. No action may be taken on a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action will be taken. Each person has up to three minutes to speak. There shall be no personal attacks against the members of this body, county staff, individual, or organizations. The Chair has the authority to enforce this policy. Failure to adhere to these rules may result in forfeiture of the remaining speaking time.	Public Comment
06	06:10 PM	<ul style="list-style-type: none">Ordinance #21-ZN-06 An Ordinance Amending the Yankton County Zoning Ordinance Definitions, Article 5, and Article 10 and Article 11 and all Amendments Thereto, Regarding Regulation of Medical Cannabis Establishments in Yankton County in Accordance with	

the Provision of Chapter 11-2, 1967 SDCL, and Amendments Thereof, and for the Repeal of all Resolutions and Ordinances in Conflict Therewith

1. Public Hearing: Planning Commission and Board of County Commissioners
 2. Planning Commission Resolution Recommending Approval of Ordinance #21-ZN-06
 3. First Reading of Ordinance #21-ZN-06
 4. Set Second Reading Date
- Adjourn

Public Comment

ORDINANCE #21-ZN-06

AN ORDINANCE AMENDING THE YANKTON COUNTY ZONING ORDINANCE DEFINITIONS, ARTICLE 5, ARTICLE 10 AND ARTICLE 11 AND ALL AMENDMENTS THERETO, REGARDING REGULATION OF MEDICAL CANNABIS ESTABLISHMENTS IN YANKTON COUNTY IN ACCORDANCE WITH THE PROVISION OF CHAPTER 11-2, 1967 SDCL, AND AMENDMENTS THEREOF, AND FOR THE REPEAL OF ALL RESOLUTIONS AND ORDINANCES IN CONFLICT THEREWITH

BE IT ORDAINED BY THE COUNTY COMMISSION OF YANKTON COUNTY, SOUTH DAKOTA AS FOLLOWS:

The Definitions Section shall be amended to add the following definitions:

CANNABIS (or MARIJUANA): all parts of any plant of the genus cannabis, whether growing or not; the seeds thereof; and every compound, manufacture, salt, derivative, mixture, or preparation of such plant or its seeds. The term does not include fiber produced from the mature stalks of the plant, or oil or cake made from the seeds of the plant, or the resin when extracted from any part of the plant or cannabidiol in a drug product approved by the United States Food and Drug Administration. The term does not include the plant Cannabis sativa L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than three-tenths of one percent on a dry weight basis.

CANNABIS CULTIVATION FACILITY: a legally licensed entity that acquires, possesses, cultivates, delivers, transfers, transports, supplies, or sells cannabis and related supplies to a cannabis establishment.

CANNABIS DISPENSARY: a legally licensed entity that acquires, possesses, stores, delivers, transfers, transports, sells, supplies, or dispenses cannabis, cannabis products, paraphernalia, or related supplies and educational materials.

CANNABIS PRODUCT MANUFACTURING FACILITY: a legally licensed entity that acquires, possesses, manufactures, delivers, transfers, transports, supplies, or sells cannabis products to a cannabis dispensary.

CANNABIS TESTING FACILITY: a legally licensed entity legally authorized to analyze the safety and potency of cannabis.

CANNABIS ESTABLISHMENT: a cannabis cultivation facility, a cannabis testing facility, a cannabis product manufacturing facility, or a cannabis dispensary.

NON-LICENSED CANNABIS ESTABLISHMENT: an entity which would otherwise meet the definition of a cannabis establishment but which is not legally licensed.

BE IT FURTHER ORDAINED THAT:

Article 10: Commercial District (C) shall be amended as follows:

Section 1003 Permitted Principal Uses and Structures shall be amended to include

27. Cannabis Cultivation Facility

28. Cannabis Dispensary

29. Cannabis Product Manufacturing Facility

30. Cannabis Testing Facility

BE IT FURTHER ORDAINED THAT:

Article 11: Lakeside Commercial District (LC) shall be amended as follows:

Section 1103 Permitted Principal Uses and Structures shall be amended to include

20. Cannabis Cultivation Facility

21. Cannabis Dispensary

22. Cannabis Product Manufacturing Facility

23. Cannabis Testing Facility

BE IT FURTHER ORDAINED THAT:

Article 5: Agricultural District (AG) shall be amended as follows:

Section 503 Permitted Principal Uses and Structures shall be amended to include

13. Cannabis Cultivation Facility

14. Cannabis Dispensary

15. Cannabis Product Manufacturing Facility

16. Cannabis Testing Facility

Saving Clause.

Should any section, clause, or provision of this ordinance be declared by the Courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Effective Clause.

This ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

Adopted by majority vote of the Yankton County Board of Commissioners in regular session this

____ day____, 2021.

Cheri Loest, Chairperson

Attest:

Patty Hojem
County Auditor

First Reading: _____

Second Reading: _____

Adoption: _____

Published: _____