

Yankton County Planning and Zoning Commission Minutes for Working Meeting  
on June 17<sup>th</sup> 2019

The Meeting was called to order at 6:30 pm. Members present were as follows: Michael Welch, Dan Klimisch, Donna Freng, Dennis Michaels, Greg Hansen, John Harper and Chair Kristi Schultz.

Members Zane Williams and Joe Healy were absent.

The Zoning Board Members discussed and came to an agreement to propose amending the Zoning Ordinance by increasing the maximum size and sidewall height currently allowed in the Yankton County Zoning Ordinance. This determination was made due to the increasing amount of requests by County residents requesting larger buildings to meet their needs. We analyzed data from the last 10 years in a previous Zoning meeting and determined what increases we believe will best serve the citizens of Yankton County. The proposed changes are outlined below for amending the size limits for Accessory Structures.

Section 605 Zoned R-1, Low Density Rural Residential

Currently limited to 2000 sq ft with a sidewall height limit of 14 feet

Increase to 4000 sq ft, with a 16 foot sidewall height allowed.

Section 705 Zoned R-2 Moderate Density Rural Residential

Currently limited to 1200 sq ft, with a sidewall limit of 12 feet

Increase to 2400 sq ft, with a 14 foot sidewall height allowed.

Section 805 Zoned R-2 High Density Rural Residential

Currently limited to 800 sq ft, with a 10 foot sidewall limit

Increase to 1600 sq ft, with a 12 foot sidewall height allowed.

This proposed change is contingent on the building meeting all of the setbacks in order to qualify for this increase in size limits. If an applicant wishes to build a building larger than these proposed limits, the applicant may apply for a Conditional Use Permit and these applications will be brought before the Planning and Zoning Board, send out proper notice to their neighbors, etc. and follow all of the rules of the CUP process to be evaluated on a case by case basis.

This should greatly reduce the number of variances needed to be processed by the Zoning Administrator and heard by the Planning and Zoning Board and Board of Adjustment.

In accordance with updating the Sections 605 (Zone R-1), Section 705 (Zone R-2) and Section 805 (Zone R-3), we also need to update the language in Section 607, Section 707 and Section 807 to allow for buildings of a larger size as a Conditional Use, by adding a bullet point to each section as follows:

Article 6 Section 607 Conditional Uses

17. Accessory Structures exceeding 4000 square feet and/or exceeding a sidewall height of 16 feet.

Article 7 Section 707 Conditional Uses

13. Accessory Structures exceeding 2400 square feet and/or exceeding a sidewall height of 14 feet.

Article 8 Section 807 Conditional Uses

9. Accessory Structures exceeding 1600 square feet and/or exceeding a sidewall height of 12 feet.

The Planning and Zoning Board also discussed the need to change the definition of Accessory Building on page 1 of the Definitions section of the Ordinance. We recommend deleting the following phrases from lines 2 and 3, “is less than one hundred (100) percent of the area of the largest floor of the principal building,” and also delete “at least ten (10) feet” from lines 3 and 4 of the same definition.

The Planning and Zoning Board discussed the possibility of increasing the fees paid to Yankton County for building permits, variances and conditional use permits, as they do not cover the cost of performing these services at the current level of pricing. Fees have not changed since 2004.

The Planning and Zoning Board recommend that Article 1 Section 101 have the following sentence added on page 34 of the current Zoning Ordinance: An Official Copy of “The Official Zoning Ordinance of Yankton County” shall be kept updated and located in the following offices of Yankton County, the Yankton County Auditor’s Office, Yankton County Register of Deeds Office and the Yankton County Planning and Zoning Office. The Yankton County Zoning Ordinance is also available to the public on the Yankton County website online in accordance with SDCL #7-18A-25.1.

It was also suggested that similar language be added to section 4 regarding the Official Yankton County Zoning Map. It was felt this is needed not only for public access, but for security reasons.

It is requested by the Yankton County Planning and Zoning Board Chair that updating the Ordinance be added to the administrative part of the Planning and Zoning Meeting Agendas until further notice. This concluded our meeting at approximately 8:30 pm.