

THE MINNEHAHA COUNTY COMMISSION CONVENED IN JOINT SESSION WITH THE SIOUX FALLS CITY COUNCIL AT 5:00 P.M., July 16, 2007, pursuant to adjournment on July 10, 2007. Commissioners present were: Hajek, Twedt, Barth, Kolbe, and Pekas. Sandy Kinder, Deputy Auditor, was also present.

City Council Members present: Brown, Costello, Jamison, Kavanaugh, Knudson, Litz, and Mayor Munson. Absent: Beninga and Staggers.

Chairman Hajek called the meeting to order.

Commissioner Twedt introduced her grandchildren, Alex and Brooks Watson, from Annapolis, MD.

Alan Graff, Homeless Advisory Board Chairman, introduced Stacey Tieszen as the new Homeless Advisory Board Coordinator.

Scott Anderson, Planning Director, was present for the scheduled hearing to consider text amendments to the 2002 Revised Joint Zoning Ordinance for Minnehaha County and the City of Sioux Falls. Mr. Anderson reviewed the proposed changes which include regulating visibility at intersections, requiring property owners to sign conditional use permit applications, amending violations and penalties, and adopting a new definition. Commissioner Twedt supported comments from the City on the need to use consistent language in the ordinance to match that of the City. MOTION by Twedt, seconded by Pekas to approve Ordinance MC30-15-07. 5 ayes.

#### ORDINANCE MC30-15-07

AN ORDINANCE AMENDING THE 2002 REVISED ZONING ORDINANCE FOR MINNEHAHA COUNTY AND THE CITY OF SIOUX FALLS BY REVISING THE TEXT PERTAINING TO ADDITIONAL USE REGULATIONS, DEFINITIONS, AND CONDITIONAL USE PERMITS.

BE IT ORDAINED BY MINNEHAHA COUNTY, SOUTH DAKOTA:

That Ordinance MC30-02, the 2002 Revised Zoning Ordinance for Minnehaha County and the City of Sioux Falls is hereby amended as follows:

Section 1: That Section 15.10 is hereby amended as follows:

##### 15.10 INTERSECTION SAFETY ZONE

- (A). There shall be no obstructions, such as buildings structures, grain bins, baled agricultural products, farm machinery, vehicles or other objects, not including vegetation, within fifty (50) feet from a State, County, or section line highway right-of-way or thirty (30) feet from a platted right-of-way.
- (B). Intersection Safety Zone Requirements
  - 1) At every intersection of two roads or a road and a railroad right-of-way, there shall be a intersection safety zone triangle. Within the triangle, no obstructions such as structures, parking or vegetation shall be allowed between two and one half (2.5) feet and ten (10) feet above the elevation of the roadway. Agricultural crops, such as corn, are exempt from this regulation. Fences shall conform to Section 12.01 of this ordinance.
  - 2) Such intersection safety zone triangles shall be formed by the intersection centerlines and a line connecting points on the centerlines of the intersection roads or railroad right-of-way one hundred (100) feet distant from the intersecting centerlines.

Section 2: That Section 19.02 (B) is hereby amended as follows:

- (B). Name, address, phone number, and signature of the owner of the property which is the subject of such application.

Section 3: That Section 23.05 is hereby amended as follows:

23.05 VIOLATION AND PENALTY. Violations shall be treated in the manner specified below:

- (a) The owner or agent of a building or premises in or upon which a violation of any provision of these regulations has been committed or shall exist; or the lessee or tenant of an entire building or entire premises in or upon which violation has been committed or shall exist, or the agent, architect, building contractor or any other person who commits, takes part or assists in any violation or who maintains any building or premises in or upon which such violation shall exist, shall be guilty of a misdemeanor and shall be pursuant to SDCL 7-18A-2. Each and every day that such violation continues may constitute a separate offense.

In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained, or any building, structure or land is used in violation of these regulations, the appropriate authorities of Minnehaha County, in addition to other remedies, may institute injunction, mandamus or other appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance or use, or to correct or abate such violation, or to prevent the occupancy of said building, structure or land.

Section 4: That Section 24.02 is hereby amended as follows:

733. INTERSECTION SAFETY ZONE TRIANGLE. A triangular area on corner properties within which the placement of certain structures, materials and the like are imposed under the provisions of this ordinance.

Adopted this 16th day of July, 2007.

MINNEHAHA COUNTY

Anne Hajek, Chair, Board of County Commissioners

ATTEST:

Sandy Kinder, Deputy Auditor

MOTION by Barth, seconded by Twedt to adjourn until 9:00 a.m. on Tuesday, July 17, 2007. 5 ayes.

APPROVED BY THE COMMISSION:

Anne Hajek, Chairman

ATTEST:

Sandy Kinder, Deputy Auditor