



GRANT COUNTY SOUTH DAKOTA
PLANNING AND ZONING OFFICE
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Minutes from the Grant County Planning Commission February 13th, 2023

Planning Commission members present: Mark Leddy, Nancy Johnson, John Seffrood, Mike Mach, Tom Pillatzki, Richard Hansen, and Jim Berg.

Alternate(s) present: Don Weber, Jeff McCulloch

Planning Commission board members absent: none

Others present: Todd Kays (First District), and Steve Berkner (Grant County Planning Commission officer.)

Meeting Date: Monday, February 13th, 2023

Meeting Time: 4 P.M. In-person in the Community Room in the basement of the Courthouse.

1. Acting Chairperson Leddy calls the Planning Commission meeting to order at 4:00 with a full quorum of 7 board members and 2 alternates present.
2. Leddy asks if there are any citizens who wish to be heard or if an item should be added to the agenda where no one was present.
3. Leddy asks for a motion to add items or make changes to the agenda. With no changes or amendments offered Mach made a first to accept the agenda as presented with Johnson making a second. Motion passes unanimously, 7-0.
4. Leddy calls for a motion to accept the Planning Commission minutes from December 5th, 2022. Motion made by Mach for those changes with a second by Hansen. Motion passes unanimously, 7-0.
5. Leddy asks for a motion to elect new officers to the Planning Commission and Board of Adjustments for 2023 where Mach makes a motion to keep both Leddy as Chairperson and Johnson as Vice-Chairperson. Berg makes a second. No discussion followed. Voice vote was unanimous, 7-0.

6. Moving on to the next item on the agenda Leddy asked Kays to lead a discussion on possible topics and timelines for making changes or amendments to the County's Zoning Ordinance.

Kays led off the discussion with stating that now that the County's Comprehensive Plan had been reviewed and updated that it was time to consider some of the possible County Zoning Ordinance changes discussed during that review process.

Kays cautioned that with any zoning ordinance change or modification that it was important to consider "is that ordinance change going to stand up to a possible referendum challenge if it is seen as moving in the wrong direction."

Kays said other things to consider is that each ordinance change needs to be done in simple revisions concentrating on one specific area, or section, of the ordinance at a time so that if it is successfully challenged and overturned in a referendum vote only THAT portion of the zoning ordinance is affected where for a period of one year no changes can be made to the area of the zoning ordinance.

Another thing Kays said to consider when making ordinance changes was to be aware of the timing of that change as if it is successfully brought to a referendum vote by an opposition that gathers enough signatures that the county is then responsible to hold an actual referendum vote or special election within so many days which can cost the county upwards to \$15,000, or more, if it is a standalone election not run at the same time as other regularly scheduled county wide elections. Kays said it is smartest to consider making those ordinance changes within the precise timeframe of the next scheduled regular county election to avoid non-budgeted election costs to the county.

Kays then led a discussion amongst the Planning Commission on if the County should review and make changes to the existing County CAFO ordinance, especially as it related to distance setbacks and expanding animal unites under certain conditions, where he said that any zoning change or amendment concerning CAFOs would most likely be challenged via a referendum and that the board needed to be aware that if any changes are made that they would be closely reviewed by the public and should make sense.

Kays added that that didn't mean the CAFO ordinance shouldn't be reviewed, it was just that the last time that happened the discussion took place over many years and was often very contentious and unfortunately ended up as a compromised CAFO ordinance that would be hard to amend without pushback even if the changes are all good.

Planning commission member Berg left the meeting at 5:00.

Over the next couple of meetings Kays asked the board to think about what areas of the County's Zoning Ordinance needed to be amended or changed where he said within a couple of months FEMA would be reviewing the County's Flood Ordinances as part of their updating County floodplain maps where the County will be required to accept FEMA's

minimum flood ordinance outline if the County wants its citizens to remain eligible for special National Flood Insurance Program flood insurance rates.

7. With no more discussion that the next meeting was set for 4:00, March 13th. Leddy asked for a motion to adjourn with Pillatzki making that motion. Seffrood made the second. Vote carries unanimously 6-0.

Meeting ends at 5:15

Steve Berkner
Planning and Zoning Administrator
Grant County

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