

Minutes

Monday, September 28, 2009



Land Use Committee

4:28 p.m.
Carnegie Town Hall
235 W. 10th Street

Members Present: Greg Jamison, Bob Litz and Kermit Staggers

Staff Present: Debra A. Owen, City Clerk; and Denise D. Tucker, CMC, Assistant City Clerk

Guests: Shawna Goldammer, Jeff Schmitt, David Fritz, Jerry Noonan, Patrick A. Kirschman, Duane Spader, Michelle Erpenbach, Megan Luther, Bob O'Connell, and City Councilors Kenny Anderson Jr. and J. Pat Costello.

1. Call to Order

A. Committee Chair Kermit Staggers called the meeting to order at 4:28 p.m.

2. Approval of Minutes

A. Staggers asked Owen to look into the Residential Sprinkler Ordinance. The Land Use Committee voted at their June 29th meeting to send the ordinance to the City Council with a recommendation of disapproval. The item was withdrawn by the city's administration and was never calendared for a City Council meeting. Staggers would like to know what the proper procedure is since official action was taken.

A motion was made by Jamison and seconded by Litz to approve the June 29, 2009, minutes. Staggers called for a voice vote. All committee members voted yes. **Motion Passed.**

3. Discussion

A. Campground Ordinance by Shawna Goldammer, Zoning Enforcement Manager; and Jeff Schmitt, Assistant Director of Planning and Building Services

- Staggers stated the procedures that would be followed for the discussion. He then asked Shawna Goldammer, Zoning Enforcement Manager, to explain the history behind the ordinance revision. She said they were asked by a campground owner to look at the requirements for campgrounds. The campground owner had concerns about the amount of regulations for setbacks and the requirement that someone couldn't be in a campground for more than 30 days in any one calendar year.
 - Goldammer said research showed that the current campground ordinance hadn't been amended since the 1970s Zoning Ordinance. She said there have been many
-

MINUTES - Land Use Committee

September 28, 2009, at 4:28 p.m.

Page 2

- discussions regarding the proposed ordinance, which has had many revisions. It was brought to the Planning Commission to be amended, forwarded to the City Council, and then deferred to the Land Use Committee. Goldammer said the ordinance is close to a final draft and that they would like to bring it to the City Council.
- The new version of the amended ordinance was discussed. Goldammer explained the changes, which included: striking out the definition of travel trailer and replacing it with a camping unit. Goldammer said there was a significant reduction in setback requirements. She stated that they have been working with the three private campgrounds in Sioux Falls.
 - Duane Spader, owner of KOA campground, is opposed to the campground ordinance. He said this ordinance would have a dramatic effect in the future of the campground. Spader said he has owned a campground since 1973. And he has had three years of losses, which he attributes to Planning and Zoning processes.
 - Spader provided background on the ordinance. He is opposed to the ordinance because of the way that it is drafted and feels it demonstrates a lack of understanding of the industry.
 - Litz pointed out that most of the items Spader was concerned about, in reference to a version of the ordinance from February 27, 2009, have been stricken from the current version of the ordinance.
 - Spader continued to express his objections. He later complimented the staff on a better proposal but said there is work that still needs to be done. He said he would like to be part of the solution in revising the ordinance.
 - Staggers mentioned that the Planning Commission has voted two times on two different campground ordinances. Goldammer said this is the third proposal and it has not gone before the Planning Commission.
 - David Fritz, owner of Westwick Motel and RV Park, said he had two concerns: propane tanks and rear yard setbacks. He said he spoke to Goldammer about propane tanks and thought there should be a limit of 100 pounds. Fritz said he thought 25 feet was a long way to come in from the rear yard for a setback. He said he would lose half his campground with that requirement.
 - In addition, Fritz said he would like to see the four week limit rule for staying at a campground changed to 180 days, like the State regulation.
 - Staggers asked which campground owner brought forward the ordinance change request. Goldammer said it was Steve Craig, former owner of the Westwick, who wanted to change the regulation to consider campers as dwelling units for up to 180 days.
 - Staggers asked, "Why are we involved in this?" He said there are State regulations and wondered if the City should get out of the business of regulating campsites. Goldammer said the issue is relative to land use matters. Staggers said maybe we should just say comply with State law.
 - Litz asked who enforces the campground regulations for the State. Goldammer said it is the State Health Department and they contract with local Health Departments for inspections of campgrounds.
 - Discussion occurred on propane tanks, rear setbacks and access roads.
 - Litz suggested that a committee be formed, with people in the industry who are experts in the field, to develop a workable solution. Staggers said, with State regulations, he hasn't been convinced that they need this ordinance. He added that they have had a good discussion on the topic.

MINUTES - Land Use Committee

September 28, 2009, at 4:28 p.m.

Page 3

- Spader and Fritz discussed what they were opposed to with the ordinance.
- Jamison asked Goldammer and Schmitt to make changes to the ordinance based on today's discussion. It was decided that they would revisit the ordinance at the Land Use Committee's January meeting.

4. Open Discussion

There was none.

5. Adjournment at 6:08 p.m.

Committee Chair Stagers adjourned the meeting at 6:08 p.m.

Denise D. Tucker, CMC
Assistant City Clerk

1st Reading: _____
2nd Reading: _____
Date Adopted: _____
Date Published: _____
Effective Date: _____

DRAFT FOR DISCUSSION PURPOSES

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY AMENDING APPENDIX B, ZONING ORDINANCE, REGARDING CAMPGROUNDS AND CAMPING UNITS.

BE IT ORDAINED BY THE CITY OF SIOUX FALLS, SD:

Section 1. That Subsection (634) of Section 15.03.020 of Appendix B, Zoning Ordinance of the Revised Ordinances of Sioux Falls, SD, is hereby repealed.

~~(634) *Travel trailer:* Means any of the following:~~

- ~~(1) *Travel trailer:* A vehicular, portable structure built on a chassis, designed to be used as temporary dwelling for travel, recreational, and vacation uses, permanently identified "travel trailer" by the manufacturer of the trailer and, when factory equipped for the road, it shall have a body width not exceeding eight feet, and a body length not exceeding 30 feet.~~
- ~~(2) *Pickup coach:* A structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation and vacation.~~
- ~~(3) *Motor home:* A portable, temporary dwelling to be used for travel, recreation and vacation, constructed as any integral part of a self-propelled vehicle.~~
- ~~(4) *Camping trailer:* A canvas, folding structure, mounted on wheels and designed for travel, recreation and vacation use.~~

Section 2. That Subsection (125) of Section 15.03.020 of Appendix B, Zoning Ordinance of the Revised Ordinances of Sioux Falls, SD, is hereby added to read as follows:

(125) *Camping unit:* Includes travel trailers, pickup coaches or campers, motor homes, camping trailers, tents, and similar forms of portable shelter used for recreational purposes.

Section 3. That Subsection 154 of Section 15.59 of Appendix B, Zoning Ordinance of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

15.59.154. *Campground:*

~~Campgrounds for tents, tent trailers and recreational vehicles should be sited with consideration for access to the property. The campground should be designed to minimize the impact from adjacent major thoroughfares. In addition, the following conditions shall be complied with:~~

- ~~(a) Each campsite shall contain at least 2,000 square feet.~~
- ~~(b) The campgrounds shall be supplied with a water supply and sewage disposal facilities, including washing, toilets and similar facilities, all of which meet all applicable city codes and regulations.~~
- ~~(c) A side yard of 50 feet and a front yard of 100 feet shall be maintained on the campground; provided, however, that the 100 foot front yard requirement may be waived if the front yard abuts on a public street which has a right of way width of 200 feet or more.~~
- ~~(d) The access to public roads and highways shall be paved or surfaced in a similar manner to the adjacent public roads and shall be approved by the city.~~
- ~~(e) Access roads shall be provided to each campsite and all access roads shall have a minimum unobstructed width of 14 feet for all one-way roads, and 20 feet for all two-way roads.~~
- ~~(f) No campground may be occupied by the same person or persons for more than 30 days in any one calendar year.~~
- ~~(g) Reserved.~~
- ~~(h) All special permits issued under this section are temporary and valid only during the period that the campground and associated facilities comply with the provisions of this title and all other applicable ordinances and regulations.~~
- ~~(i) All campground operators shall keep accurate records as to the length of time a person stays in the campground, and shall make said records available to any city official upon request.~~

Campgrounds shall conform to the South Dakota Department of Health requirements for campgrounds. Travel parks for camping units within the urbanized area of the Sioux Falls city limits should be sited with consideration for vehicular access. The campground should be designed to minimize the impact from adjacent major streets and highways.

- (a) There shall not be less than 1,500 square feet for each camping space provided in the campgrounds. Spaces shall be located to provide for convenient vehicular ingress and egress and appropriate maneuvering room. Each space will be provided with a number or letter to facilitate location by emergency vehicles.

- (b) The campgrounds shall be supplied with a water supply and sewage disposal facilities, including washing, toilets, and similar facilities that conform to Appendix E—Manufactured/Mobile Home Parks and Recreational Vehicle Parks of the Uniform Plumbing Code.
- (c) Electrically equipped sites shall provide electrical connections which meet Article 55—Recreational Vehicle and Recreational Vehicle Parks—of the National Electrical Code.
- (d) Supplemental LP tanks shall not be permitted to be connected to any camping unit.
- (e) Yards adjacent to a public street shall be a minimum of 50 feet in depth. On corner lots, one yard may be reduced to 25 feet. Side yards shall be a minimum of 10 feet and rear yards shall be a minimum of 25 feet.
- (f) The access to public roads and highways shall be paved or surfaced in a similar manner to the adjacent public roads and shall be approved by the city.

Section 4. That Subsection 124 of Section 15.03.020 of Appendix B, Zoning Ordinance of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

(124) Campground; travel trailer parking area: Shall mean a plot of ground for public use upon which two or more campsites are located, established, maintained, advertised or held out to the public, to be a place where camping units can be located and occupied as temporary living quarters. A plot of ground for parking camping units that are only occupied for travel and recreational uses.

Section 5. That Subsection (p) Section 15.31.030 of Appendix B, Zoning Ordinance of the Revised Ordinances of Sioux Falls, SD, is hereby repealed.

~~(p) Campground in conformance with 15.59.154.~~

Date adopted: _____

Mayor

ATTEST:

City Clerk