



**JOINT MINNEHAHA COUNTY & CITY OF DELL RAPIDS  
PLANNING COMMISSION  
MEETING MINUTES**

**AUGUST 23<sup>rd</sup>, 2021**

**MINUTE OF THE JOINT MEETING  
MINNEHAHA COUNTY & DELL RAPIDS PLANNING COMMISSIONS  
AUGUST 23<sup>rd</sup>, 2021**

A joint meeting of the County and City Planning Commission was held on August 23<sup>rd</sup>, 2021 at 7:00 p.m. in the Commission Room of the Minnehaha County Administration Building.

COUNTY PLANNING COMMISSION MEMBERS PRESENT: Bonnie Dufy, Becky Randall, Doug Ode, Mike Ralston, Ryan VanDerVliet, Adam Mohrhauser, and Jeff Barth.

CITY PLANNING COMMISSION MEMBERS PRESENT: Tom Schwebach, Steve Hoff, and Virgil Klein.

**STAFF PRESENT:**

Scott Anderson, Kevin Hoekman, & Mason Steffen – County Planning  
Eric Bogue – Office of the State's Attorney

Bonnie Duffy presided over the meeting. The meeting was called to order at 7:57 p.m. The Dell Rapids Planning Commission was chaired by Tom Schwebach.

The floor was opened for items to be brought from the public which were not on the agenda. Nobody brought forward any items for public input.

**ITEM 1. Approval of Minutes – May 24<sup>th</sup>, 2021**

A motion was made for the County by Commissioner Barth and seconded by Commissioner Ralston to **approve** the minutes for the May 24<sup>th</sup>, 2021 meeting along with Zoning Text Amendment #21-03. The motion **passed** with 5 votes in favor and 1 vote against the motion. Commissioner VanDerVliet voted against the motion.

The same motion was made for the city by Commissioner Hoff and seconded by Commissioner Klein to **approve** the minutes for the May 24<sup>th</sup>, 2021 meeting along with Zoning Text Amendment #21-03. The motion **passed** unanimously.



**ITEM 2. ZONING TEXT AMENDMENT #21-03 to amend the 2001 Revised Joint Zoning Ordinance for Minnehaha County and the City of Dell Rapids to add Medical Cannabis Dispensary Regulations.**

Petitioner: County Planning Staff

Staff Report: Scott Anderson

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**Staff Analysis:** IM-26, the ballot measure approved in November 2020, took effect on July 1, 2021. The South Dakota Department of Health is working through the administrative process and procedures and anticipates the rules will become effective by October 29, 2021. While the State of South Dakota is working on the administrative process, local zoning must be adopted to address the land use issues associated with medical cannabis.

A task force made up of local elected and administrative officials met 3 times in July to discuss how introduction of medical cannabis into our community would be addressed. Based on the general direction from the task force, staff has prepared an ordinance amendment that would allow medical cannabis in the C Commercial and I1 Light Industrial Districts as a Special Permitted Use. This means that if the proposed use meets the criteria set forth in the Zoning Ordinance it would be permitted in those two zoning districts. Those requests not meeting the criteria could seek a Conditional Use Permit. The ordinance amendment also creates a definition for a Medical Cannabis Dispensary or Dispensary.

The proposed zoning ordinance amendment should be effective close to the October 29, 2021 date that the State's rules will go into effect. The County will be adopting a separate ordinance that will address the licensing of a Medical Cannabis Dispensary. The separate ordinance will address the number of licenses issued, the cost, renewal information and transferability among other things.

**Recommendation:** Staff recommends **approval** of Zoning Text Amendment #21-03 adding Articles 6.03(H), 7.03(G), and 26.02(437) to the Joint Minnehaha County and City of Dell Rapids Zoning Ordinance.

**Public Testimony**

Scott Anderson, of county planning staff, presented a brief summary of the staff report. This included explaining the new definition for Medical Cannabis Dispensary, the zoning districts these facilities would be allowed in, and the criteria they must meet in order to qualify as a special permitted use.

**Action**

Commissioner Barth made a motion to **approve** Zoning Text Amendment #21-03 with staff recommend conditions for the county. Commissioner Ralston seconded the motion and commented that he understands that cannabis can be controversial, but that he appreciated the work that went into the ordinance and thinks it does a good job at setting perimeters for the



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facilities. The motion passed with 5 votes in favor and 1 vote against the motion. Commissioner VanDerVliet voted against the motion.

Commissioner Hoff made the same motion for the city, and the motion was seconded by Commissioner Hoff. The motion passed unanimously with 3 votes in favor of the motion.

**Approval** of Zoning Text Amendment #21-03 was recommended by the planning commission.

**Zoning Text Amendment #21-03 – Approval Recommended**

**Old Business**

None.

**New Business**

None.

**Adjourn**

A motion was made to adjourn the joint planning meeting by Commissioner Barth and seconded by Commissioner Ralston. The motion passed unanimously.

The same motion was made for the city by Commissioner Klein and seconded by Commissioner Hoff. The motion passed unanimously.

The meeting was **adjourned** at 8:03 p.m.