

MINUTES

Tuesday, March 6, 2018

Informational City Council Meeting 4:00 PM

Carnegie Town Hall

Sioux Falls City Council

235 West 10th Street

Members Present: Christine M. Erickson, Rick Kiley, Greg Neitzert, Rex Roling, Marshall Selberg, Pat Starr, Theresa Stehly

Members Absent: Michelle Erpenbach and Mike T. Huether

1. Call To Order

Council Chair Rick Kiley called the meeting to order at 4 p.m.

2. Staff Report

A. Tom Greco, City Clerk

Tom Greco, City Clerk, provided an update on ballots, voter registration, and important dates.

B. Jim David, Operations Manager

Jim David, Operations Manager, provided an update on the Legislative Session schedule, SB 84-Settlement Disclosure, SB 98-911 Surcharge, and SB 91-State Veterans Cemetery.

3. City Council Open Discussion

Council Member Greg Neitzert spoke about the "Community Matters!" event featuring Charles Marohn with Strong Towns. Neitzert also served as one of three round table panelists following Marohn's presentation. He encouraged others to watch the video of the event. He also spoke about the animal ordinance particularly with regard to exotic animals and noted his desire to revisit the ordinance to ensure it is current.

Council Member Theresa Stehly spoke about her concerns with the Downtown Parking Ramp project and stated her intention to pursue an ordinance to repeal the Bond Ordinance (Ordinance No. 119-17), which was adopted in December, 2017.

Council Chair Rick Kiley noted the ongoing Summit League Tournament and wished all South Dakota teams good luck.

Council Vice Chair Christine M. Erickson provided an update on SB 169 - An act to revise certain provisions regarding confections that contain alcohol and to declare an emergency, noting that it was passed by the State Senate and House.

4. Presentations

What Works Cities - Open Data Initiative by Sue Quanbeck Etten, Director of A. Central Services; and, Lauri Sohl, GIS Manager

Presentation: Approximately 15 minutes followed by discussion

Sue Quanbeck Etten, Director of Central Services, opened the presentation by explaining what "open data" is; how cities are using data to make better

decisions; and, the City's recent and ongoing open data efforts. Lauri Sohl, GIS Manager, first explained data sharing history and then provided an overview of the City's Open Data Portal. The portal is accessible through the City's main webpage and data sets are grouped into several different categories. She used the category "property" as an example to show what types of data are available and how the datasets can be used. Adam Roach, Community Development, then spoke about the What Works City initiative by explaining how the City became involved, other partners the City has worked with, and project goals.

Discussion followed about: partnering with the counties; frequency of data updates; how the data is hosted; and how to request data followed.

City Noise Ordinance by Alicia Collura, Assistant Director of Public Health; B. Galen Smidt, Assistant Police Chief; and, Mike Cooper, Director of Planning & Building Services

Presentation: Approximately 20 minutes followed by discussion

Alicia Collura, Assistant Director of Public Health, provided an overview of the City Noise Ordinance by first identifying sound level limits by land use category (commercial or business and residential.) She noted that Downtown is designated as Mixed Use, meaning the most restrictive use (between commercial/business and residential) is used as the standard when measuring sound for compliance. She also explained the test used for measuring compliance. She completed her portion of presentation by discussing noise cases handled by Health since 2015. She was Galen Smidt, Assistant Police Chief, provided statistics for Police noise cases and an overview of the process to handle noise complaints. When a complaint is received, the Police Department will first make all attempts to have the violator fix the issue through voluntary compliance; he stated nearly all cases are handled successfully this way. In case where voluntary compliance does not occur, then a citation will be issued. Mike Cooper, Director of Planning & Building Services, provided historical perspective on Downtown specifically as it pertains to zoning and land use development. He explained that the 2014 Shape Places Zoning Ordinance provides for the same types of uses as the previous 1983 Zoning Ordinance. He briefly explained those uses. Cooper also showed several slides that highlight the different types of land uses in Downtown.

Discussion followed about: the need to balance uses in Downtown; how Downtown residential noise requirements may differ from other residential areas throughout the City; administration of the L90-90% test for compliance; the need for special permits for noise; who can issue citations and the fine associated with them; City jurisdiction over train noise; the code enforcement process; clarification of the number of cases handled by Health and Police; the citation appeal process; consistency in enforcement and application of the noise ordinance; building standards as they relate to noise; how construction permits are handled with respect to noise; and measurement of ambient sound Downtown.

Proposed Shape Places Zoning Ordinance Amendments by Jeff Schmitt, C. Chief Planning and Zoning Official

Presentation: Approximately 10 minutes followed by discussion

Jeff Schmitt, Chief Planning and Zoning Official, spoke about proposed ordinance amendments to improve regulations at motor vehicle sales, display, and rental lots; the proposed changes do not include retail lots. Proposed changes distinguish between lots near residential areas and those not near residential areas. Schmitt also explained proposed changes to the numbers of and standards for parking spaces as well as Conditional Use standards.

Proposed changes to the On-Premise signs ordinance are intended to ensure regulations assure content neutrality of the signs. Schmitt explained that the proposed changes would eliminate content-specific sign references within the ordinance by distinguishing between commercial and noncommercial signage. He explained current exemptions and proposed exemptions by showing examples of noncommercial and commercial yard signs, each in residential and non-residential forms. Schmitt concluded by discussing proposed Electronic Message Sign ordinance changes to reflect practices over the recent years.

Discussion followed about: standards for Electronic Message Signs; the use of "noncommercial" and "commercial" terminology in the current ordinance; clarification of the term "content neutral;" the duration which yard signs may be out; permit requirements; potential drawbacks, if any, of the proposed changes; and parking standards.

D. Subdivision Ordinance Update by Sam Trebilcock, Transportation Planner  
Presentation: Approximately 15 minutes followed by discussion

Sam Trebilcock, Transportation Planner, noted that the proposed standards update was first introduced to the Council in April 2017, and reviewed the update process. The purpose of the proposed ordinance is to: regulate land; coordinate street roads and utilities with other subdivisions; coordinate Zoning Ordinance and Engineering Design Standards; and to provide consistency with Shape Sioux Falls, the Long-Range Transportation Plan, and the Complete Street Policy. Trebilcock explained the Neighborhood Street Visual Survey, which was completed in the Spring of 2017, provided an analysis of the results, and summarized the comments. Proposed ordinance changes focus on: private streets; complete streets-street connections; complete streets-new bike trails; flag pole lots; Preliminary Plan conditional approval; structure or building outlines; allowance for online subdivision reviews; creation of consistency with state platting law; and addressing lot and block standards earlier in the process-during the preliminary plan.

Discussion followed about: the survey results; whether or not the proposed changes include sidewalks; placement of sidewalks; street connections; development strategies; reception of the proposed changes by various construction organizations in the City; citizen responsibilities for private streets; street connection easements; and driveway construction.

## 5. Adjournment

Council Chair Rick Kiley adjourned the meeting at 6:20 p.m.

Thomas M. Greco

City Clerk