

**** ATTENTION LAWRENCE COUNTY CITIZENS ****

IMMEDIATE ACTION NEEDED! EMAIL LAWRENCE COUNTY COMMISSIONERS TO OPPOSE ORDINANCE 24-05 at

commissioners@lawrence.sd.us

*Send emails before the next Commissioners meeting on **Nov. 26th** when they are expected to pass this Ordinance. Emails do not need to be lengthy. Read information below.*

ORDINANCE 24-05 WILL AMEND THE LAWRENCE COUNTY ZONING ORDINANCE TO GIVE THE BOARD OF ADJUSTMENT AUTHORITY TO APPROVE CONDITIONAL USE PERMITS.

Why Is This Important?

Currently, Conditional Use Permits are first approved or rejected by the Lawrence County Planning & Zoning Committee. Their decision is then sent to the County Commissioners for a vote to approve or reject it. If voters do not agree with the decision rendered by the five Board of Commissioners, they may submit a petition with a minimum 1,111 signatures from Lawrence County registered voters to place the referendum on a ballot for a vote by Lawrence County citizens.

Ordinance 24-05 changes this process. If passed, the commissioners delegate their responsibility to approve or reject Conditional Use Permits, for all zoning classifications, to the *established* Board of Adjustment. Members of this board are appointed by the commissioners, who appointed themselves. **Decisions made by the Board of Adjustment are NOT subject to referendum initiatives.** Therefore, with this change, the commissioners will have **authoritarian power to permanently abolish our right “to petition the Government for a redress of grievances”** - (First Amendment to the Constitution of the United States)

The Board of Commissioners said this change is mandated by SD state law. However, they cannot or will not provide the specific law to prove their assertion.

Further, if the Future Land Use Map is adopted, the Board of Adjustment will use their new authority to approve Conditional Use Permits in areas identified on this map.

What Can Citizens of Lawrence County Do?

1. **Attend** the second reading of Ordinance 24-05 on **Nov 26th @ 9:15**. Although the commissioners stated no public comment will be permitted at this meeting, we need to attend so they see their constituents are engaged.
2. **Email letters before Nov 26th** opposing this ordinance to: commissioners@lawrence.sd.us People and companies who financially benefit from approval of this ordinance have already submitted their favorable letters. Passage of this measure promotes expediency by eliminating our right to petition our local government. It's imperative to outnumber those in favor by a large margin to (hopefully) **AVOID** having to submit a petition against this ordinance during the holiday season, due within 20 days from their vote of approval.

To illustrate, below are the Conditional Use Permits that may be allowed on land zoned (A-1) General AGRICULTURE:

1. Kennels, grooming, boarding, vet clinics and animal shelters
2. Churches, religious structures
3. Schools
4. Golf Courses
5. Fairgrounds and community centers
6. Fire stations
7. Antennas, microwave and communication towers
8. Rental storage units, garages, buildings
9. Temporary Second Residence as per Chapter 10-Additional Use Regulations, Article 13 Temporary Second Residences (Amended ORD 11-01: 05/20/2011)
10. Bed & Breakfast
11. Specialty resort
12. Organized group camps
13. Commercial gun and archery ranges
14. Fish hatcheries
15. Water treatment, purification, storage, pumping, solid waste disposal sites
16. Mineral exploration
17. Mineral extraction
18. Light manufacturing of agricultural products
19. Commercial indoor/outdoor arenas
20. Commercial outdoor recreation, e.g. paintball, dude ranch, BMX track, motocross, and mud bogging
21. Commercial sawmill/molding mill
22. Campground
23. Eating and drinking establishments
24. Auto repair, maintenance shop, welding shop, trucking, drilling, sheet metal
25. Wildlife sanctuary
26. Airports with FAA regulations
27. Commercial feed lots
28. Livestock auction yards
29. Drilling for oil or natural gas
30. Small and Large Scale Sand, Gravel or Rock Extractive Industry Extraction
(Amended ORD 16-03: 07/21/2017)
31. Utility substations
32. Small and Large Wind Energy System per Chapter 10, Article 1-Small and Large Wind Energy System
33. Personal Use Airstrip/Heliport if the location of airstrip/heliport is at least 500' from the outer perimeter of the parcel(s) (Amended ORD 13-01: 05/02/2013)
34. Restricted Use Solid Waste Disposal Facility (Amended ORD 17-02: 09/29/2017)

Who are on these county boards?

Planning & Zoning Board Members:

- Travis Schenk, Chair
- Rick Tysdal, Vice-Chair, Lawrence County Commission Representative
- Eric Jennings, Lawrence County Commission Representative
- Richard Sleep, Lawrence County Commission Representative (Alternate)
- Timm Comer
- TJ Ewing (Bob Ewing's son)
- Michael Whalen
- Kelly Fuller, Secretary

Board of Commissioners:

- Bob Ewing - Chair
- Brandon Flanagan - Vice-Chair
- Eric Jennings
- Richard Sleep
- Rick Tysdal

Board of Adjustment (appointed by County Commissioners):

- Bob Ewing – Chair
- Brandon Flanagan – Vice Chair
- Eric Jennings
- Richard Sleep
- Rick Tysdal

Thank you for keeping Lawrence County Commissioners accountable!