



Special Meeting Agenda

City Council

5:30 p.m. Special Meeting

Joint Hearing with Clay County Commission

Monday, July 18, 2016

City Council Chambers-City Hall

25 Center Street

Vermillion, South Dakota 57069

1. **Roll Call**
2. **Pledge of Allegiance**
3. **Adoption of the Agenda**
4. **Public Hearing** – Ordinance 1344 - Amending Appendix A, 2012 Joint Zoning Regulations for Clay County and the City of Vermillion, Chapter 2, Section 2.03(A) Zoning Map, by including certain real property in the Aquifer Protection Overlay Zone A, Aquifer Critical Impact Zones.
5. **Adjourn**

Access the City Council Agenda on the web – www.vermillion.us

Addressing the Council: Persons addressing the Council shall use the microphone at the podium. Please state your name and address. Presentations are limited to 5 minutes. For those who do not appear on the agenda, no decision is to be expected at this time.

Meeting Assistance: If you require assistance, alternative formats and/or accessible locations consistent with the Americans with Disabilities Act, please contact the City Manager's Office at 677-7050 at least 3 working days prior to the meeting.

Council Meetings: City Council regular meetings are held the first and third Monday of each month at 7:00 p.m. If a meeting falls on a City holiday, the meeting will be scheduled for the following Tuesday.

Live Broadcasts of Council Meetings on Cable Channel: Regular City Council meetings are broadcast live on Cable Channel 3.

As a courtesy to others, we ask that cellular phones and pagers be turned off during the meeting.

Council Agenda Memo

From: Andy Colvin, Assistant City Manager

Meeting: July 18, 2016

Subject: Second Reading of Ordinance 1344 – Amending Appendix A, 2012 Joint Zoning Regulations for Clay County and the City of Vermillion, Chapter 2, Section 2.03(A) Zoning Map, by including certain real property in the Aquifer Protection Overlay Zone A – Aquifer Critical Impact Zones

Presenter: Cindy Aden, Planning and Zoning Director

Background: Clay County received a request from the Lewis and Clark Regional Water System (LCRWS) to rezone parcels of land to an Aquifer Protection Overlay (APO) Zone. The purpose of the zone is to protect the quality of water sources from environmental contamination. A portion of the area is located within the joint jurisdictional zoning area. The joint planning commissions considered the amendment on March 29th and voted to table the amendment to a future meeting. The joint planning commissions met again on May 9th and recommended approval to the respective governing bodies. The action to table stemmed from questions about some of the definitions and the potential impact on existing uses.

Discussion: The base zone of the area will remain Agricultural; however, the overlay provides for additional restrictions on the allowed uses. For example, concentrated animal feeding operations, junk yards, contaminated soil dumps and cemeteries are examples of prohibited uses.

The City Council approved first reading of the Ordinance on June 20, 2016.

Financial Consideration: None, other than the required publication costs.

Conclusion/Recommendations: The City Council is asked to take public comment and consider adoption of the ordinance. Staff would recommend approval of the ordinance. In order for the ordinance to be implemented, an affirmative vote of both the City Council and County Commission is required. A roll call vote is needed with the second reading of the ordinance.

ORDINANCE NO. 1344

AN ORDINANCE AMENDING APPENDIX A, 2012 JOINT ZONING REGULATIONS FOR CLAY COUNTY AND THE CITY OF VERMILLION, CHAPTER 2, SECTION 2.03(A) ZONING MAP, BY INCLUDING CERTAIN REAL PROPERTY IN THE AQUIFER PROTECTION OVERLAY ZONE A, AQUIFER CRITICAL IMPACT ZONES.

BE IT ORDAINED, BY THE GOVERNING BODY OF VERMILLION, SOUTH DAKOTA:

That Section 2.03(A) is hereby amended as follows:

That Sections 1 and 2 (South), 25, 26, 34, 35, and 36 of Vermillion Township, Clay County, South Dakota is included in the Aquifer Protection Overlay Zone A, Aquifer Critical Impact Zones, and the official zoning map referred to in Section 2.03(A) of the 2012 Joint Zoning Regulations for Clay County and the City Of Vermillion, is amended to include such land in such zone.

Dated at Vermillion, South Dakota this 18th day of July 2016.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

By _____
John E. (Jack) Powell, Mayor

ATTEST:

By _____
Michael D. Carlson, Finance Officer

First Reading: June 20, 2016
Second Reading: July 18, 2016
Publication: July 29, 2016
Effective Date: August 18, 2016

Zone A Exhibit

Clay County and City of Vermillion
Joint Jurisdictional Area

Legend

Zoning Districts

-  A-1 Agricultural
-  RR Rural Residential
-  C Commercial
-  LI Light Industrial
-  HI Heavy Industrial
-  NRC Natural Resource Conservation
-  Zone A

Other Features

-  Joint Jurisdictional Area
-  (Excluding Incorporated Area of the City of Vermillion)
-  City Limits (2011)
-  Roads
-  Railroad
-  Creeks, Rivers & Lakes

