

Unapproved Minutes  
Vermillion Planning Commission  
Tuesday February 8, 2011 Special Meeting

A special meeting of the Vermillion Planning Commission was called to order in the conference room at City Hall on February 8, 2011 at 5:30 p.m.

1. Roll Call

Present: Fairholm, Forseth, Gruhn, Howe, Reasoner, Tuve and Iverson.  
Absent: Flanagan and Muenster.

Also present were members of the City Council, José Dominguez, City Engineer, Andy Colvin, Assistant to the City Manager, John Prescott, City Manager and Mike Carlson, Finance Officer.

2. Adoption of the Agenda

Moved by Forseth to adopt the agenda, seconded by Tuve. Motion carried 7-0.

3. Education Session

a. Future Land Use Map

Assistant to the City Manager, Andy Colvin, reported that SECOG has recommended adopting a future land use map prior to moving forward with adoption of the proposed Joint Jurisdictional Ordinance with Clay County. The City's Comprehensive Plan currently has no mention of land use categories outside of City limits since the plan focused more on infill. The future land use map will serve as a guide for the Planning Commission and City Council to make policy decisions within the joint jurisdictional area and 3 mile platting jurisdiction. Discussion followed on the future land use map noting two areas where the map will need to have the urban reserve area extended to agree with the proposed joint jurisdictional area. Andy stated that the process for the adoption of the future land use map will be a public hearing before the Planning Commission followed by a public hearing before the City Council.

b. Vermillion/Clay County Joint Jurisdictional Ordinance

Assistant to the City Manager, Andy Colvin reported that the County and City have been working on a joint jurisdictional ordinance to replace the existing extraterritorial ordinance. Following the joint meeting of the County Commission and City Council, a committee was formed to draft a joint jurisdictional ordinance and to work to come to agreement on land use issues and processes. The committee was made up of two members from the County Commission, County Planning Commission, City Council and City Planning Commission. Andy noted that the draft ordinance is a work in progress and is urban in nature compared to a County ordinance. Discussion followed. It was noted that the proposed ordinance provides for the County to issue building permits and do inspections in this area but the County has not adopted a building code or hired an inspector. Discussion followed on the need to have construction conform to a building code and for inspections be done during construction in this area because, as the city grows, these would be the structures annexed into the city. As an option, the County and City could enter into an agreement whereby the City Building Inspector did the inspection in this

area for residential, commercial, industrial and planned developments while the County could do inspections for agricultural structures. The consensus of the group was to have the members of the joint committee report the need for a building code to be adopted by the County and that a plan is in place for construction inspection in the joint jurisdictional area before a joint jurisdictional ordinance could be adopted.

According to reports from the committee meetings, it was suggested that an ex-officio member from the City Planning Commission be on the County Planning Commission which is similar to USD having an individual attend the City Planning Commission meetings.

There was discussion on Section 17 that listed the individual fees noting that in order to change items in the joint jurisdictional ordinance it will require both the County and City to adopt an ordinance. The consensus was to have the joint committee work on removing the fees from the ordinance and refer to the fee schedule adopted by the entity that collects the fee.

The group discussed how the boundaries of the joint jurisdictional area would change following an annexation. Andy noted that there was a section that stated the entities shall amend the joint jurisdictional area following annexation to have the same area.

As to zoning in the joint jurisdictional area, Andy noted that existing zoning districts will need to be updated on a new map so that existing residential, commercial and industrial uses will be properly zoned and non-conforming uses are avoided.

Andy reviewed flow charts developed to be used for conditional use permits, variances and zone changes. It was noted that variances would go directly to the City Council and County Commission while conditional use and zone changes would first go to the Planning Commission. There was discussion on whether the Planning Commission should also review and make recommendations on variances in City limits. Mayor Powell requested that the Policies and Procedures Committee review the need for the Planning Commission to review and report on variance requests.

As to the adoption of the joint jurisdictional ordinance, Andy stated that respective Planning Commissions would hold public hearings then forward a recommendation to their respective governing bodies that would separately have first reading of the ordinance. Then a joint County/City public hearing would be held when each entity would approve the second reading of the ordinance.

Discussion followed on the joint jurisdictional map and it was noted that the members of the joint committee have developed the boundaries and that the boundaries, as shown on the map, would be final for now.

### 3. Adjourn

Moved by Howe to adjourn, seconded by Fairholm. Motion carried 7-0.

Chairman Iverson declared the meeting adjourned 7:16 p.m.