

Unapproved Minutes  
Vermillion Planning and Zoning Commission  
Monday, January 24, 2022 Joint Planning and Zoning Commission Meeting

The joint meeting of the Vermillion Planning and Zoning Commission and the Clay County Planning Commission was called to order in the Council Chamber at City Hall on January 24, 2022 at 5:30 p.m.

1. Roll Call

City Planning and Zoning Commissioners Present: Fairholm, Fitzgerald, Forseth, Gestring, Merrigan, Steele, Tuve, Wilson.

City Planning and Zoning Commissioners Absent: Heggstad

City Staff present: José Domínguez, City Engineer; Stone Conley, Assistant City Manager

2. Minutes

a. December 27, 2021 Joint Planning and Zoning Commission Meeting.

Moved by Commissioner Gestring to adopt the December 27, 2021 meeting minutes, seconded by Fitzgerald. Motion carried 8-0.

3. Declaration of Conflict of Interest

Forseth noted that he owns investment property in Vermillion.

4. Adoption of the Agenda

Moved by Tuve to adopt the agenda as published, seconded by Wilson. Motion carried 8-0.

5. Visitors to be Heard

None.

6. Public Hearings

a. Ordinance 1456 to amend Title XV, Land Usage; Chapter 155 Zoning Regulations; Section 155.026 rezoning a portion of Lot E of Lot 1 in the NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ , 18-92-51, 5th P.M., City of Vermillion, Clay County, South Dakota from the R-4 Manufactured Housing District to the R-2 Residential District.

Dominguez presented the agenda memo from the City's Planning and Zoning Commission packet for the rezone of the parcel from R-4 Manufactured Housing District to the R-2 Residential District. Dominguez stated that the applicant is in the process of replatting the area to be rezoned and that prior to the rezone being approved the area will be replatted. Staff recommended the area to be rezoned from the R-4 Manufactured Housing District to the R-2 Residential District.

Forseth opened the floor to public comment.

A resident of the Plum Vista Mobile home park asked if the rezoned would have a negative effect on the trailer court. Dominguez replied

that rezoning the existing duplex will not negatively affect the remaining portions of the trailer court.

Mr. Gary Marshall (1719 E. Main), owner of a neighboring property asked if the rezoning would negatively impact properties outside of the trailer court. Dominguez stated that the rezone should not negatively impact adjacent properties since the use, and building, are existing.

Discussion followed.

Moved by Gestring to recommend that the City Council approve the proposed rezoning as recommended by Staff, seconded by Wilson. Motion carried 8-0.

- b. Ordinance 1454 to amend the 2012 Joint Zoning Regulations for Clay County and the City of Vermillion by Amending Chapter 6 LI: Light Industrial District, Purpose; Section 6.02 Conditional Uses; and Section 6.02 Applicable Standards.

Dominguez presented the agenda memo from the City's Planning and Zoning Commission packet for the amendment of the LI: Light Industrial District. The amendments being proposed would add "grain terminal/grain processing" and "agribusiness" to the conditional uses and reword the purpose of the district to better describe the uses not allowed. Staff recommended that the proposed amendments to the LI: Light Industrial district be approved.

Forseth opened the floor to public comment.

Mr. Kevin Myron (1919 W. Cherry) gave a brief history of the existing use at the Ag Opportunities property on the west edge of the City limits. Mr. Myron stated that he is in favor of the proposed amendment.

Commissioner Fairholm asked for a point of order and stated clarified that the item for discussion is a zoning amendment to all the LI: Light Industrial district and not a rezone of Mr. Myron's property.

Mr. Scott Schemp (1800 Vonnice) asked the Commission to clarify if the item for discussion was the rezoning of 1919 W. Cherry or an amendment to the LI: Light Industrial District uses. Dominguez stated that the discussion item was the amendment to the zoning district and that a rezone would happen later.

Discussion followed.

Moved by Merrigan to recommend that the City Council approve the proposed amendments to the LI: Light Industrial district in the Joint Zoning Regulations for Clay County and the City of Vermillion, seconded by Tuve. Motion carried 8-0.

- c. Ordinance 1455 to amend the 2012 Joint Zoning Regulations for Clay County and the City of Vermillion by Amending Chapter 3 A-1: Agricultural District; Section 3.02 Conditional Uses; and Section 3.02 Applicable Standards.

Dominguez presented the agenda memo from the City's Planning and Zoning Commission packet for the amendment of the A-1: Agricultural District. The amendments being proposed would add "telecommunications tower" to the conditional uses. Staff recommended that the proposed amendment to the A-1: Agricultural district be approved.

Forseth opened the floor to public comment.

Discussion followed.

Moved by Tuve to recommend that the City Council approve the proposed amendment to the A-1: Agricultural district in the Joint Zoning Regulations for Clay County and the City of Vermillion, seconded by Steele. Motion carried 8-0.

7. Old Business

None.

8. New Business

None

9. Staff Report

None

10. Adjourn

Moved by Fitzgerald to adjourn, seconded by Fairholm. Motion carried 8-0, Forseth declared the meeting adjourned at 6:02 p.m.