

Unapproved Minutes  
Council Special Joint Meeting with County Commissioners  
May 15, 2023  
Monday 6:00 p.m.

The special Joint Meeting with Clay County Commissioners and the Vermillion City Council, City of Vermillion, South Dakota was held on Monday, May 15, 2023 at 6:00 p.m. at the City Hall Council chambers.

1. Roll Call

Present: Hellwege, Holland, Humphrey, Jennewein, Letellier, Murra, Price, Ward, Mayor Cole

2. Adoption of Agenda

151-23

Council Member Holland moved approval of the agenda. Council Member Ward seconded the motion. Motion carried 9 to 0. Mayor Cole declared the motion adopted.

3. Visitors to be Heard

4. Public Hearing

A. First Reading of Ordinance 1481 - Amending the 2012 Joint Zoning Regulations for Clay County and the City of Vermillion by Amending Chapter 2 Districts and Boundaries; Section 2.07 Classification of Land Coming Within the Joint Zoning Jurisdiction

Jose Dominguez, City Engineer, reported on the first reading of Ordinance No. 1481. Jose noted that the City and the County governing bodies met June 1, 2022 to discuss how to improve the Joint Zoning agreement between the City and the County. At the conclusion of that meeting, the governing bodies asked staff to bring forward amendments to improve the process for rezoning and possible amendments to the LI: Light Industrial District found in the JJZA.

Jose stated that the City and County Planning and Zoning Commissions met jointly several times in 2022 to discuss possible amendments to the zoning ordinance. The changes discussed would be to Chapters 2, 6, 14, and 19.

Jose noted that on March 27, 2023 the City and County Planning Commissions met to consider the amendments being proposed. After review and public comments, the City's Commission recommended unanimously that the City Council adopt the ordinance as proposed. The County's Planning

Commission made a similar recommendation to the County's Board of Commissioners.

Jose stated that the Joint Jurisdictional Zoning Area (JJZA) was adopted by the County and the City in 2012. The ordinance was created with the intent of allowing the County and the City to each have a say in existing and proposed land uses in an area that would directly impact the City's growth. Jose noted that the JJZA tries to maintain the rural characteristics of the surrounding area, while allowing for some light development. The ordinance's intent, based on the adopted comprehensive plan for the JJZA, is to direct development towards areas within City limits or areas that can be annexed by the City and serviced with municipal infrastructure.

Jose noted that the proposed amendments would create a table that specifies the zoning district a property enters when coming into the JJZA. This would only affect property that is directly affected when the JJZA boundary is enlarged.

Travis Mockler, County Commissioner, questioned the ability for a current business to expand if they were put into the JJZA.

Discussion followed on each county zoning going into the JJZA and how it would coincide with the City.

152-23

Mayor Cole read the title to the above mentioned Ordinance and Council Member Holland moved adoption of the following Resolution:

BE IT RESOLVED that the minutes of this meeting shall show that the title to proposed Ordinance No. 1481 entitled An Ordinance Amending the 2012 Joint Zoning Regulations for Clay County and the City of Vermillion by Amending Chapter 2 Districts and Boundaries; Section 2.07 Classification of Land Coming Within the Joint Zoning Jurisdiction of the City of Vermillion, South Dakota has been read and the Ordinance has been considered to advance to the second reading at this meeting being a regularly called meeting of the Governing Body of the City on this 15th day of May, 2023 at the Council Chambers in City Hall in the manner prescribed by SDCL 9-19-7 as amended.

The motion was seconded by Council Member Humphrey. After discussion the question of adoption of the Resolution was put to a vote of the Governing Body and 9 members voted in favor of and 0 members voted in opposition to the motion. Mayor Cole declared the motion adopted.

B. First Reading of Ordinance 1482 - Amending the 2012 Joint Zoning Regulations for Clay County and the City of Vermillion by Amending

Chapter 6 Light Industrial District; Section 6.01 Permitted Uses; and Section 6.02 Conditional Uses.

Jose Dominguez, City Engineer, reported on the first reading of Ordinance No. 1482. Jose noted that the City and the County governing bodies met June 1, 2022 to discuss how to improve the Joint Zoning agreement between the City and the County. At the conclusion of that meeting, the governing bodies asked staff to bring forward amendments to improve the process for rezoning and possible amendments to the LI: Light Industrial District found in the JJZA.

Jose stated that the City and County Planning and Zoning Commissions met jointly several times in 2022 to discuss possible amendments to the zoning ordinance. The changes discussed would be to Chapters 2, 6, 14, and 19.

Jose noted that on March 27, 2023, the City and County Planning Commissions met to consider the amendments being proposed. After review and public comments, the City's Commission recommended unanimously that the City Council adopt the ordinance as proposed. The County's Planning Commission made a similar recommendation to the County's Board of Commissioners.

Jose stated that the Joint Jurisdictional Zoning Area (JJZA) was adopted by the County and the City in 2012. The ordinance was created with the intent of allowing the County and the City to each have a say in existing and proposed land uses in an area that would directly impact the City's growth. Jose noted that the JJZA tries to maintain the rural characteristics of the surrounding area, while allowing for some light development. The ordinance's intent, based on the adopted comprehensive plan for the JJZA, is to direct development towards areas within City limits or areas that can be annexed by the City and serviced with municipal infrastructure.

Jose noted that the proposed amendments would move uses that may be seen as offensive by adjoining residential uses from "permitted" to "conditional." Moving the uses into the conditional use category would require having a public hearing for the proposed use. This would allow the public to comment on the proposed use and, if necessary, for the Planning Commissions to place conditions on the proposed use. Jose stated that only two uses are recommended to be removed, one is the "Billboard Signs" and the other is "Storage Facility." This is because the signs are addressed in Chapter 152 of the 2008 Revised Code of Ordinances of the City of Vermillion, and "Storage Facility" is already allowed in the district as a "warehouse, mini-warehouse."

153-23

Mayor Cole read the title to the above mentioned Ordinance and Council Member Holland moved adoption of the following Resolution:

BE IT RESOLVED that the minutes of this meeting shall show that the title to proposed Ordinance No. 1482 entitled An Ordinance Amending the 2012 Joint Zoning Regulations for Clay County and the City of Vermillion by Amending Chapter 6 Light Industrial District; Section 6.01 Permitted Uses; and Section 6.02 Conditional Uses of the City of Vermillion, South Dakota has been read and the Ordinance has been considered to move forward to the second reading at this meeting being a regularly called meeting of the Governing Body of the City on this 15th day of May, 2023 at the Council Chambers in City Hall in the manner prescribed by SDCL 9-19-7 as amended.

The motion was seconded by Council Member Humphrey. After discussion the question of adoption of the Resolution was put to a vote of the Governing Body and 9 members voted in favor of and 0 members voted in opposition to the motion. Mayor Cole declared the motion adopted.

C. First Reading of Ordinance 1483 - Amending the 2012 Joint Zoning Regulations for Clay County and the City of Vermillion by Amending Chapter 19 Definitions; Section 19.02 Definitions.

Jose Dominguez, City Engineer, reported on the first reading of Ordinance No. 1483. Jose noted that the City and the County governing bodies met June 1, 2022 to discuss how to improve the Joint Zoning agreement between the City and the County. At the conclusion of that meeting, the governing bodies asked staff to bring forward amendments to improve the process for rezoning and possible amendments to the LI: Light Industrial District found in the JJZA.

Jose stated that the City and County Planning and Zoning Commissions met jointly several times in 2022 to discuss possible amendments to the zoning ordinance. The changes discussed would be to Chapters 2, 6, 14, and 19.

Jose noted that on March 27, 2023 the City and County Planning Commissions met to consider the amendments being proposed. After review and public comments, the City's Commission recommended unanimously that the City Council adopt the ordinance as proposed. The County's Planning Commission made a similar recommendation to the County's Board of Commissioners.

Jose stated that the Joint Jurisdictional Zoning Area (JJZA) was adopted by the County and the City in 2012. The ordinance was created with the intent of allowing the County and the City to each have a say

in existing and proposed land uses in an area that would directly impact the City's growth. Jose noted that the JJZA tries to maintain the rural characteristics of the surrounding area, while allowing for some light development. The ordinance's intent, based on the adopted comprehensive plan for the JJZA, is to direct development towards areas within City limits or areas that can be annexed by the City and serviced with municipal infrastructure.

Jose stated that the proposed amendments would add definitions to uses found in the LI: Light Industrial District that are currently not defined. These are: frozen food locker; grain processing; lumberyard; mini-warehouse; and truck repair, sales, and service. Additionally, the definition for agriculture, concentrated animal feeding-operation, farm implement dealer, and storage facility are being modified to better describe their intent.

154-23

Mayor Cole read the title to the above mentioned Ordinance and Council Member Ward moved adoption of the following Resolution:

BE IT RESOLVED that the minutes of this meeting shall show that the title to proposed Ordinance No. 1483 entitled An Ordinance Amending the 2012 Joint Zoning Regulations for Clay County and the City of Vermillion by Amending Chapter 19 Definitions; Section 19.02 Definitions of the City of Vermillion, South Dakota has been read and the Ordinance has been considered to move forward to the second reading at this meeting being a regularly called meeting of the Governing Body of the City on this 15th day of May, 2023 at the Council Chambers in City Hall in the manner prescribed by SDCL 9-19-7 as amended.

The motion was seconded by Council Member Price. After discussion the question of adoption of the Resolution was put to a vote of the Governing Body and 9 members voted in favor of and 0 members voted in opposition to the motion. Mayor Cole declared the motion adopted.

7. Adjourn

155-23

Council Member Holland moved to adjourn the Council special session at 6:48 p.m. Council Member Ward seconded the motion. Motion carried 9 to 0. Mayor Cole declared the motion adopted.

Dated at Vermillion, South Dakota this 15th day of May, 2023.

THE GOVERNING BODY OF THE CITY  
OF VERMILLION, SOUTH DAKOTA

BY \_\_\_\_\_  
Jonathan D. Cole, Mayor

ATTEST:

BY \_\_\_\_\_  
Katie E Redden, Finance Officer

Published once at the approximate cost of \_\_\_\_\_.