

ORDINANCE 1445

AN ORDINANCE AMENDING CITY OF VERMILLION CODE OF ORDINANCES TITLE XV, LAND USAGE, CHAPTER 155, ZONING REGULATIONS, SECTION 155.008, DEFINITIONS, REMOVE AND REPLACE THE TERM “PUBLIC SERVICE FACILITY” WITH A NEW DEFINITION AND INCLUDE A NEW DEFINITION FOR A “LAW ENFORCEMENT FACILITY WITH THE ABILITY TO HOUSE INCARCERATED PERSONS”; AND TO INCLUDE THE USE OF “LAW ENFORCEMENT FACILITY WITH THE ABILITY TO HOUSE INCARCERATED PERSONS” AS A PERMITTED USE IN SECTION 155.036, CB CENTRAL BUSINESS DISTRICT, AND IN SECTION 155.037, GB GENERAL BUSINESS DISTRICT; AND AS A CONDITIONAL USE IN SECTION 155.032, R-T RESIDENTIAL DISTRICT, AND IN SECTION 155.033, R-2 RESIDENTIAL DISTRICT, AND IN SECTION 155.034, R-3 RESIDENTIAL DISTRICT.

BE IT ORDAINED, by the Governing Body of the City of Vermillion, South Dakota that the following section of Chapter 155 be amended by removing and replacing the definition of “Public Service Facility,” and adding the new definition for “Law Enforcement Facility with the Ability to House Incarcerated Persons.” All other portions of section 155.008 will remain as they are. Following is the amendment:

§155.008 DEFINITIONS.

Law Enforcement Facility with the Ability to House Incarcerated Persons. A government facility consisting of a law enforcement facility that also houses incarcerated persons.

Public Service Facility. Government facilities and uses that provide an essential public purpose or service including, but not limited to, a law enforcement facility without the ability to house incarcerated persons, judicial court, fire station, ambulance service, transit or transportation transfer station, or office, but not including public utility or treatment stations, maintenance facilities, or sanitary landfills.

BE IT ORDAINED, by the Governing Body of the City of Vermillion, South Dakota that the following section of Chapter 155 be amended by including the use of “Law Enforcement Facility with the Ability to House Incarcerated Persons” as a conditional use within section 155.032 R-T Residential District. All other portions of section 155.032 will remain as they are. Following is the amendment:

§155.032 R-T RESIDENTIAL DISTRICT.

(B) CONDITIONAL USES.

<i>Conditional Use</i>	<i>Applicable Standards</i>
Law Enforcement Facility with the Ability to House Incarcerated Persons	§155.070, 155.095(A)

BE IT ORDAINED, by the Governing Body of the City of Vermillion, South Dakota that the following section of Chapter 155 be amended by including the use of “Law Enforcement Facility with the Ability to House Incarcerated Persons” as a conditional use within section 155.033 R-2 Residential District. All other portions of section 155.033 will remain as they are. Following is the amendment:

§155.033 R-2 RESIDENTIAL DISTRICT.

(B) CONDITIONAL USES.

<i>Conditional Use</i>	<i>Applicable Standards</i>
Law Enforcement Facility with the Ability to House Incarcerated Persons	§155.070, 155.095(A)

BE IT ORDAINED, by the Governing Body of the City of Vermillion, South Dakota that the following section of Chapter 155 be amended by including the use of “Law Enforcement Facility with the Ability to House Incarcerated Persons” as a conditional use within section 155.034 R-3 Residential District. All other portions of section 155.034 will remain as they are. Following is the amendment:

§155.034 R-3 RESIDENTIAL DISTRICT.

(B) CONDITIONAL USES.

<i>Conditional Use</i>	<i>Applicable Standards</i>
Law Enforcement Facility with the Ability to House Incarcerated Persons	§155.070, 155.095(A)

BE IT ORDAINED, by the Governing Body of the City of Vermillion, South Dakota that the following section of Chapter 155 be amended by including the use of “Law Enforcement Facility with the Ability to House Incarcerated Persons” as a permitted use within section 155.036 CB Central Business District. All other portions of section 155.036 will remain as they are. Following is the amendment:

§155.036 CB CENTRAL BUSINESS DISTRICT.

(A) PERMITTED USES.

<i>Permitted Use</i>	<i>Applicable Standards</i>
Law Enforcement Facility with the Ability to House Incarcerated Persons	One of the principal frontages shall abut upon an arterial or collector street as defined by the city’s major street plan map. §155.070

BE IT ORDAINED, by the Governing Body of the City of Vermillion, South Dakota that the following section of Chapter 155 be amended by including the use of “Law Enforcement Facility with the Ability to House Incarcerated Persons” as a permitted use within section 155.037 GB General Business District. All other portions of section 155.037 will remain as they are. Following is the amendment:

§155.037 GB GENERAL BUSINESS DISTRICT.

(A) PERMITTED USES.

<i>Permitted Use</i>	<i>Applicable Standards</i>
Law Enforcement Facility with the Ability to House Incarcerated Persons	One of the principal frontages shall abut upon an arterial or collector street as defined by the city’s major street plan map. §155.070, 155.073

Dated at Vermillion, South Dakota this 6th day of December, 2021

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

BY *Kelsey Collier-Wise*
Kelsey Collier-Wise, Mayor

ATTEST:

BY *Katie E. Redden*
Katie E. Redden, Finance Officer

First Reading: November 15, 2021
Second Reading: December 6, 2021
Published: December 17, 2021
Effective: January 7, 2022

