

Minutes of the Joint Jurisdiction Committee
03/28/18

Chairperson Mary Kidwiler called the meeting to order. Committee members Mike Bartley, Robert Hexum, Mary Kidwiler, Steve Meyer, Darrel Nelson, Ope Niemeyer, Lee Ann Pierce, Mike Struck, Duane Knutson, Scott Mohror and Greg Fargen were present. Others in attendance were Luke Muller and Thomas Nealon with First District Association of Local Governments, Brookings County Development Deputy Director Richard Haugen, and Brookings County Commission Department Director Stacy Steffensen.

A quorum was determined to be present.

The agenda was amended, switching items five and six. Knutson moved/ Niemeyer seconded that the agenda for the March 28, 2018 Joint Jurisdiction Committee meeting be approved as amended. Motion carried.

Struck moved/Meyer seconded that the minutes from the February 28, 2018 Joint Jurisdiction Committee meeting be approved as presented. Motion carried.

City of Brookings Community Development Director and committee member Mike Struck updated the group on the city's proposed comprehensive plan. He reviewed the future land use map and explained the process for approving the plan. Struck said they've looked at density issues and needs within neighborhoods, in addition to having employment opportunities close to where people live. He also reviewed the city's boundary lines and explained some of the environmental constraints due to the surrounding floodplain.

Struck also discussed the area designated as urban reserve. He said these areas are in the 20-year growth plan. Struck said once the area south of town has been developed, the next area they are looking at is to the north of the current city limits, south of 207th Street. He said the city would like to refrain from developing that area or be careful with what types of uses are allowed until the city is ready to grow into that area. Nelson asked what uses they want to exclude. Struck said the city would like that area to stay as existing cropland and would be opposed to lining the area with small acreages. He said their main interest is trying to prevent what has happened in River Ridge, Bridal Estates and University Estates. Struck said the city doesn't have the cooperation of residents in those areas to be annexed into the city or to develop using urban standards. He said it is more economically feasible to develop to the south, but they have to work around those current developed areas.

Pierce said it is important to look at the urban reserve area. She said the city's proposed comp plan discourages large lot development unless they are planned as build through lots. Muller explained that build through means they are readily connectible to the grid in the future. He said the plan discourages acreage development, as it would be an ineffective use of the land for future development.

Pierce asked if they could require certain permitting conditions in this area, noting that it will be annexed into the city in the future. Muller said an annexation agreement or a subdivision agreement would be the best way to handle it, but he said there are court cases on how long those agreements are valid.

Pierce asked if the city is recommending no subdivision development in the urban reserve area. Struck said that is the city's recommendation at this time. He said it would be expensive to bring it up to city standards when they would want to annex. Pierce asked where subdivision development could be allowed within the joint jurisdictional area. She said there is interest in doing that in the county; also to assist with affordable housing issues. Struck said a subdivision may be considered affordable now, but would get very costly to retrofit if it doesn't meet city standards. He said it can cost \$20,000 for the addition of a storm sewer, for instance. Struck gave the example of the city of Aurora's growth where no storm sewer was installed. He said the road is already starting to break up and it's only 10 years old. Struck also said the city will require homes be built higher than the roadway. He said if they're built to the wrong elevation, it could be impossible to connect to city water and sewer in the future.

Mohror said they have those issues in University Estates now. He said that area was quoted \$3.5 million to get to Brookings Municipal Utilities' standards. Mohror said that cost would have to be shared by only 55 homes. He said that it isn't going to happen when you start a subdivision with septic systems.

Knutson said affordable housing used to be the older homes. He said that now affordable housing is brand new homes. Bartley said expectations have changed. Kidwiler agreed that expectations are different now. She said they are going to have to get dense with housing and get away from the prairie mentality that we need a lot of space. Pierce said there were 32 houses for sale in Brookings last week. She said she spoke with a couple that has been looking for a year for a middle income home. Pierce said they need more housing options; it affects workforce development; it affects the economy of Brookings.

Pierce said she isn't opposed to what Struck is saying, but she said they aren't giving developers an opportunity to look at those areas while waiting for the city, potentially for a long time, while land goes undeveloped. Pierce said developers won't build if they can't sell. But, she said they're going to run out of space and then where will people live. Struck said developers go to areas where they can build and make money. He said that's south right now. Struck said they will eventually move north, but they will want them to build to city standards.

Fargen asked what the city can do to take the lead to make land developable. Meyer said that's an interesting concept. He said the original focus is usually on utilities. However, Meyer said it's hard to charge existing rate payers when development won't benefit them. He said when a community funds projects for economic development, they have to be careful and transparent. Meyer said they have to make sure they aren't benefitting one developer versus the community as a whole. Fargen asked about

bonding. Meyer said their one source of revenue is existing users and they cannot finance anything that won't benefit the existing users. Pierce said BMU transfers approximately \$2 million to the city each year. She noted that those funds wouldn't be tied to BMU's regulations, just the city council's budgetary considerations.

Pierce said the other important thing to consider is the county's exceptions; for instance, not being able to build on less than 35 acres. She asked if that would continue. Struck said he doesn't have an issue with that.

Muller reviewed the Brookings County Land Use Plan. He said that plan helped establish the Joint Jurisdiction Committee. He also reviewed the different definitions of density and how they were different from the county to the city.

Struck asked if there is a specific joint jurisdictional area set of standards to build to, different than city standards, who would pay to update those standards when the city annexed an area. Muller said generally things would be built to city standards. Struck said an annexation agreement could also reserve right-of-way for city utilities, then a homeowner would have to pay to connect to the main line. Muller said fire protection, hydrants, would also have to be considered in a rural subdivision.

Muller said the county's plan is to leave the ag areas for rural economic development, farming. He said there are policies for commercial and industrial development, but those are typically intended to be within city limits or to an agreed upon area in the joint jurisdictional area.

Muller reviewed the existing land use survey of the joint jurisdictional area. He said 89% has an agricultural use. Muller said they counted 698 residential uses in the joint jurisdictional area. Struck said his initial observation is that there are a lot of potential obstructions and they will have to work through each of those. He said people have a financial commitment in each of those areas. Muller agreed that it is a lot to work around.

Meyer said it would be helpful to show the aquifer protection layer on the maps. Muller said they can show that as a constraint layer.

Muller also reviewed maps showing non-ag/non-residential uses, such as mining, businesses and storage units. He also showed maps of residences and manufactured homes. Kidwiler said manufactured homes are going to be considered affordable housing. She said if those aren't allowed in the joint jurisdictional area, where will those people go. Struck said the city is looking into what to do with the aging mobile home parks. He said they are looking at the tiny home concept and other alternatives. Struck noted that there is a homeless population in the community; there are people living in storage units in town.

Muller presented a map that shows Concentrated Animal Feeding Operations, or CAFOs, in the joint jurisdictional area. He said the definition of CAFO in that area is

one animal that stomps down grass to dirt, including horses, cows, pigs, sheep and other animals. Other animals include donkeys, pheasants and dog kennels. Muller also had maps that showed locations of stables and home occupations.

Muller said any uses not listed in the ag zone will have to be discussed and a decision will need to be made if those non-conforming uses will be allowed, will have to be rezoned or if they want them to go away altogether. Muller also asked about what the group considers book- end uses; uses that are currently in the joint jurisdictional area that they will have to build around. He said these include feedlots, landfills, and gravel pits. Niemeyer said the aquifer protection area would also be a book-end use

Pierce asked if they can divide the joint jurisdictional area into districts that would have different rules. Muller said they could create different zoning districts.

Muller said they will need to define their intent and process how to handle these issues.

The next meeting was set for Wednesday, April 11, 2018 at 9:00 AM.

Struck moved/Bartley seconded a motion to adjourn. Motion carried.

Submitted by Stacy Steffensen
Brookings County
Commission Department Director