

Minutes of the Joint Jurisdiction Committee  
01/09/19

Chairperson Mary Kidwiler called the meeting to order. Committee members Kidwiler, Mike Struck, Lee Ann Pierce, Duane Knutson, Mike Bartley, Ope Niemeyer, Darrell Nelson, Al Heuton, Robert Hexum, Steve Meyer and Robert Hill were present. Luke Muller with First District Association of Local Governments, and Brookings County Commission Department Director Stacy Steffensen were also in attendance.

A quorum was determined to be present.

Knutson moved/Hill seconded that the agenda for the January 9, 2019 Joint Jurisdiction Committee meeting be approved as presented. Motion carried.

Heuton moved/Hexum seconded that the minutes from the December 19, 2018 Joint Jurisdiction Committee meeting be approved as presented. Motion carried.

The committee continued their review of the proposed draft joint jurisdiction ordinance.

Muller briefly reviewed the comments from the prior meeting.

Hill asked about the rural residential zone in the joint jurisdictional area. Muller reviewed the conditions for the rural residential zone. Struck asked to have the drainage language removed. He also added that a rural subdivision will never meet the city's subdivision ordinance regulations. Pierce asked if they have to meet the regulations or, rather, be prepared to meet them if the area is annexed into the city in the future. She agreed that the rural residential zone and the potential for development will not be feasible if it has to meet city standards.

Kidwiler said the committee was tasked to create an ordinance that will allow land to be annexed by the city; not to develop areas that will be fun for people to try to see if a development will work. Meyer said they don't want to create areas that will be a barrier to annexation.

Heuton left the meeting.

Pierce suggested they look at the purposes again. She said one of the purposes of this ordinance is to provide thoughtful planning to bring land into the city. Pierce also said it is to foster a harmonious, convenient, workable relationship among land uses; which she says doesn't mean letting good land sit for thirty to fifty years waiting for the city to grow. Kidwiler noted how much the city has changed in recent decades. She said they cannot say a location will never be developed. Muller said they need to carefully plan where the rural residential area will be. Pierce said it could limit peoples' opportunities potentially.

Bartley discussed the purchase of land by the SDSU Foundation north of town, which could cause issues with the city's growth to the north. Pierce said there will be a bill pending in the legislature to allow SDSU to buy that property. Meyer said that would be a road block.

Struck said he would like to encourage a different development philosophy in the urban reserve area north of town. He said moving that way could happen within the next ten years; developers are looking at other opportunities, rather than south of the city limits. Struck asked if a rural residential zone would be appropriate north of town. If they are able to go north, he said each current residence presents a challenge. He questioned whether they want to create more residences.

The committee discussed the process from rezoning an area from ag to rural residential. Muller said the request would come to the joint Board of Adjustment who would put it on a future agenda where they may or may not discuss the request. If they recommend approval, it would go to both the City and County Planning Commissions, followed by the City Council and County Commission. Pierce said the rezoning request would have to go through five different boards for approval. Struck said he isn't sure the request should start with the Board of Adjustment. He said it could start with the Planning Commissions.

Continuing the discussion on areas zoned rural residential, Muller said they will have issues if they don't have a plan to incorporate those area into the city. Pierce said any rural subdivision developments should sign an annexation agreement. Meyer said they should also agree to build to city standards or once annexed, agree to make the changes that meet city standards. Pierce said there has to be examples by other entities that have already figured this out.

Muller said the group will need to focus on uses and conditions of uses. He said they still need further discussion on feedlots and gravel pits. Muller also asked the group to review draft Article V. He said it mirrors the county's ordinance except for single family residences, CAFOs and gravel pits.

The next meeting was scheduled for Wednesday, February 13, 2019 at 9:30 AM.

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

Submitted by Stacy Steffensen  
Brookings County  
Commission Department Director