

City Council Agenda Memo

From: Mike Struck, Community Development Director

Meeting: November 15, 2022

Subject: Resolution 22-088: Area of Joint Zoning – Land Use Plans

Person(s) Responsible: Mike Struck, Community Development Director

Summary:

The City Council & County Commission will hold a joint public hearing on the adoption of Land Use Plans for the Joint Jurisdiction Zoning Area.

Background:

The City of Brookings and Brookings County adopted a Joint Jurisdiction Zoning Ordinance in 1980 to share zoning authority for the unincorporated area surrounding the City of Brookings. The 1980 ordinance has had very few amendments over the years and has not kept pace with development trends and best practices. The City and County agreed to update the Joint Jurisdiction Zoning Ordinance and created a Committee to assist in the process. The Joint Jurisdiction Committee was comprised of 13 members, with 7 members representing the County and 6 members representing the City. The Committee commenced work on the ordinance update on November 20, 2017. First District Association of Local Governments guided the process and conducted a current land use inventory to identify the types of uses located with the current and proposed Joint Jurisdiction Land Use Area.

The Committee worked on the ordinance until September 19, 2019 in which the Committee voted to recommend the updated Joint Jurisdiction Zoning Ordinance to the respective Planning Commissions of the City and County for consideration. The City and County Planning Commissions held their first joint meetings to review on the recommendation of the Joint Jurisdiction Zoning Committee on December 2, 2019. The Planning Commissions met jointly in early 2020 and paused meetings on the ordinance update until September 7, 2021 due to a pandemic. The Planning Commissions continued working through the ordinance and agreed upon the ordinance language on June 13, 2022 and on the Joint Jurisdiction Zoning Area boundaries on October 4, 2022.

Throughout the process of updating the ordinance and boundaries, the Planning Commissions have reviewed land uses, growth patterns, and future land uses within the proposed joint jurisdiction area. Consistent with SDCL 11-2, 11-4, and 11-6, the respective City and County Planning Commissions are to hold a public hearing and recommend adoption of the Comprehensive Land Use Plans for the area included in the

joint jurisdiction zoning area. The public hearing of the Planning Commissions was held on November 1, 2022 and the respective Planning Commissions recommend adoption of the land use plans for the joint jurisdiction area.

Item Details:

Pursuant to SDCL 11-2, 11-4, and 11-6, the respective City and County Planning Commissions are to hold a public hearing and recommend adoption of the Comprehensive Land Use Plans for the area included in the joint jurisdiction zoning area. The recommendations are forwarded to the City Council and County Commission for consideration and adoption of a land use plan applicable to the area of joint zoning authority. The land use plans applicable to the area of joint zoning authority consist of the following:

- 2016 Brookings County Comprehensive Land Use Plan and Amendments thereto
- 2018 City of Brookings Comprehensive Plan and Amendments thereto

To comply with the statutory requirements, the City Council and County Commission will need to adopt the 2016 Brookings County Comprehensive Land Use Plan and Amendments thereto and the 2018 City of Brookings Comprehensive Plan and Amendments thereto. Combined, the two Comprehensive Land Use Plans address the area of joint zoning authority.

Legal Consideration:

The City Attorney and Brookings County States Attorney have reviewed the Land Use Plans for the area of Joint Zoning Authority as well as the Joint Jurisdiction Zoning Ordinance.

Strategic Plan Consideration:

The joint jurisdiction zoning authority is consistent with Goal C. Service and Innovation Excellence by continuing to expand upon Intergovernmental Relations and Policy Shaping.

Financial Consideration:

None.

Options and Recommendation:

The City Council has the following options:

1. Approve as presented
2. Amend
3. Deny
4. Move the item to a study session
5. Discuss / take no action / table

The Planning Commission voted 7-0 recommending adoption of the land use plans. Staff recommends approval.

Supporting Documentation:

Memo

Resolution

Legal Notice

Joint Planning Commission Minutes

Joint Jurisdiction Boundary

[2016 Brookings County Comprehensive Land Use Plan](#)

[2018 City of Brookings Comprehensive Plan](#)