

# Clay County

## *Comprehensive Plan*

*Prepared by the South Eastern Council of Governments at the direction  
of the Planning Commission and County Commission of Clay County*

## **ACKNOWLEDGEMENTS**

This Comprehensive Plan is a compilation of effort by many people, organizations and government entities. This document expresses the great civic pride that exists in Clay County. Through the preparation and adoption of this document, the governing officials of Clay County have expressed their desire for orderly and efficient development in the area.

### **County Commission and Planning Commission**

Planning Commission: Jay Bottolfson, Joe Hubert, Marty Gilbertson, Travis Mockler, Jerry Prentice

Board of County Commissioners Richard Hammond, Travis Mockler, Elizabeth Smith, Phyllis Packard, Micheal Manning

### **Staff**

P&Z Administrator: Drew Gunderson

Auditor: Carri Crum

The South Eastern Council of Governments prepared this document under the direction of the Planning Commission and County Commission of Clay County, South Dakota.

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# I. INTRODUCTION

## A. PURPOSE, AUTHORIZATION AND ADOPTION

### 1. PURPOSE OF THE COMPREHENSIVE PLAN

The Comprehensive Plan is a general guideline. It neither endorses nor prohibits development of a certain kind in a certain area. It is intended to guide Clay County and the City of Vermillion in implementation of zoning regulations, subdivision regulations, capital improvements plans, and other related policies.

There are three primary purposes of this document:

- (1) To address the planning requirements of state law while also providing a sound and logical basis for county growth management strategies; and
- (2) To provide some predictability about the potential land uses and timing of development so that both public and private sectors can make informed decisions in the area of real estate and capital investments.
- (3) To provide the planning commission and county commission with policies for future planning decisions and the methods and justification to control land use through the zoning and subdivision ordinance, the capital improvements program, and other enforcement controls.

### 2. AUTHORIZATION UNDER STATE LAW

Under 11-2-11 of South Dakota Codified Laws, the planning commission of a county is directed to *"The county planning commission may prepare, or cause to be prepared, a comprehensive plan for the county including those municipalities within the county which are either unincorporated or which have requested by resolution of the governing board of such municipality to be included."*

Pursuant to South Dakota Codified Laws 11-2-12 which *"The comprehensive plan shall be for the purpose of protecting and guiding the physical, social, economic, and environmental development of the county; to protect the tax base; to encourage a distribution of population or mode of land utilization that will facilitate the economical and adequate provisions of transportation, roads, water supply, drainage, sanitation, education, recreation, or other public requirements; to lessen governmental expenditure; and to conserve and develop natural resources."*

### 3. DEVELOPMENT AND ADOPTION

The Clay County Commission has adopted this document in accordance with state law. In developing this Comprehensive Plan, the Clay County Planning Commission and a Comprehensive Plan committee have used background research, detailed inventories and assessments, and discussion sessions at several meetings and public hearings. The Comprehensive Plan is a general guideline, and **neither endorses nor prohibits** development of a certain kind in a certain area. It is intended to guide the County in its implementation of zoning regulations, subdivision regulations, capital improvements plans and other related policies.

### 4. AREA OF PLANNING JURISDICTION

The County shall, under South Dakota statutes, have the authority to control development in the entire County with exception of that area located within the Corporate Limits of the municipalities. Each municipality having filed comprehensive plans will work in cooperation with the County to control growth

and development near the city-limits. The City of Vermillion is an exception, wherein the City exercises extraterritorial zoning jurisdiction outside of the established corporate limits.

## **B. INTERGOVERNMENTAL CONSIDERATIONS**

A comprehensive plan affects not only those living in the study area, but also (to some extent) those living and working throughout the Clay County area. As a result, the Planning Commission has taken input from:

1. All incorporated municipalities (3)
  - City of Vermillion
  - Town of Wakonda
  - Town of Irene
  
2. All School Districts within Clay County (6)
  - Vermillion School District
  - Irene-Wakonda School District
  - Gayville-Volin School District
  - Beresford School District
  - \*Centerville School District
  - \* Viborg School District
  
3. Rural Water Systems, Rural Electric Cooperatives and County Solid Waste Management
  - Clay Rural Water System
  - Clay-Union Electric Coop
  - Joint Powers Solid Waste Management
  
4. All Townships within Clay County (12)
  - Glenwood
  - Riverside
  - Star
  - Bethel
  - Pleasant Valley
  - Garfield
  - Prairie Center
  - Spirit Mound
  - Meckling
  - Norway
  - Vermillion
  - Fairview

## **C. APPROPRIATE USE OF THE COMPREHENSIVE PLAN**

South Dakota laws require that zoning districts and regulations must be in accordance with the Comprehensive Plan. It is the intent of this document to show the most appropriate use of land and policies to follow within the study area, based on the potential for growth and development of the county.

## **II. DESCRIPTION OF THE STUDY AREA**

Clay County lies in southeastern South Dakota. It is bounded on the East by Union County, on the West by Yankton County, on the South by the Missouri River and the State of Nebraska, and on the North by Turner and Lincoln Counties. There are 3 incorporated and two unincorporated municipalities within Clay County: Irene, Vermillion, and Wakonda are incorporated. While the towns of Meckling and Burbank are not.

### III. DEMOGRAPHIC CONDITIONS

This Chapter examines aspects of the demographic, social, and economic characteristics of the County. The data in the Chapter comes from the United State Census Bureau decennial census and the 2014-2018 American Community Survey 5-year estimates.

#### A. GENERALLY.

According to the 2010 Census, Clay County gained population from 2000 to 2010. Clay County’s population was 13,864 in 2010, this was a 327 person increase from 2000 or a population gain of 2.4%. According to Census Bureau estimates the population has increased since 2010. There was an estimated population of 13,925 in 2018 which is 61 more people than lived in the County in 2010.

**Table 1. Population History** (source: US Census)

Census Year	Population	% Increase	# Increase
1960	10,810	-	-
1970	12,923	+19.6%	+2,113
1980	13,689	+5.9%	+766
1990	13,186	-3.7%	-503
2000	13,537	+2.7%	+351
2010	13,864	+2.4%	+327
2018*	13,925	+0.4%	+61

\*Source: American Community Survey 2014-2018 5-year estimates

Clay County experienced a lower growth rate between 2010 and 2018 than all the communities within the Count and the State as a whole. The median age of the County is slightly younger than that of the State. The numbers show that the young college population of Vermillion lowers the median age of the whole County. The median income in 2018 in Clay County was \$43,189 which is less than the median for the State. This low amount also seems to be greatly affected by the college population in Vermillion.

**Table 2. Current Demographic Statistics**

	Irene	Vermillion	Wakonda	County	South Dakota
2010 Pop	420	10,571	321	13,864	814,191
2018 Pop	499	10,700	331	13,925	864,289
2010-2018 % Change	+18.8%	+1.2%	+3.1	+0.4%	+6.2%
Median Age (2018)	36.1	23.3	52.6	25.0	25.8
Median Household Income (2018)	\$49,891	\$30,534	\$42,500	\$43,189	\$56,499

Between 2010 and 2018, a gain of 241 people in the 0 to 19-year-old age group was the largest increase within any of the defined age cohorts in Clay County. The County also had gains in the 55 to 74 age range with an increase of 212 people. The largest population loss was in the 20 to 54 age cohort which shrunk by 365 people.

**Table 3. Population by Age**

	<b>0-19</b>	<b>20-54</b>	<b>55-74</b>	<b>75 &amp; Over</b>	<b>Total</b>
2000	3,778	7,596	1,436	727	13,537
2010	3,675	7,513	1,967	709	13,864
2018	3,916	7,148	2,179	682	13,925

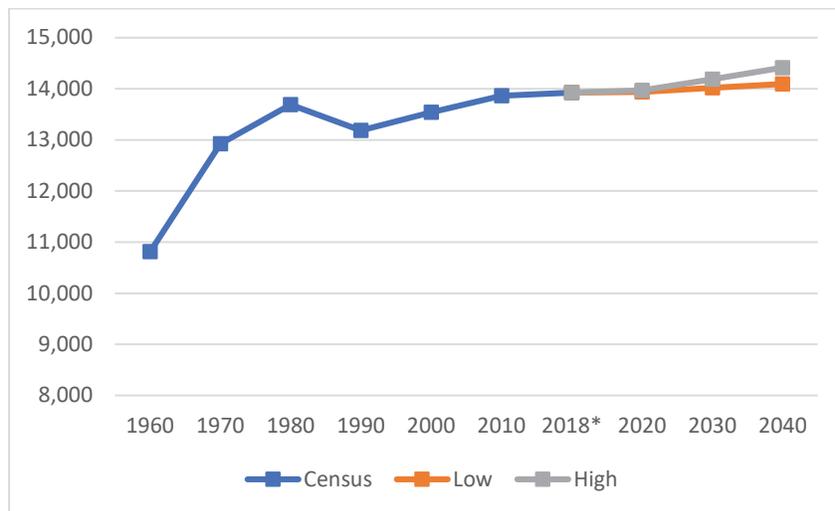
**B. POPULATION PROJECTIONS**

To explore future growth, a forecast of low and high growth rates were used to ensure that they have sufficient plans in place for all future growth scenarios. The rates used in this section were based on the average annual percent change using Census and American Community Survey numbers. The Low is based off the change between 2010 and 2018 and the High was the rate of change between 2000 and 2018.

Based on projections through the study period Clay County will have a population between 14,094 and 14,414 by the year 2040. Estimating future population numbers helps in planning for community services, recreation, public facilities, and conservation needs to adequately serve residents while retaining the essential community character and natural resources.

**Table 4. Population Projections**

<b>Year</b>	<b>Census</b>	<b>Low</b>	<b>High</b>
<b>1960</b>	10,810		
<b>1970</b>	12,923		
<b>1980</b>	13,689		
<b>1990</b>	13,186		
<b>2000</b>	13,537		
<b>2010</b>	13,864		
<b>2018*</b>	13,925	13,925	13,925
<b>2020</b>		13,940	13,969
<b>2030</b>		14,017	14,190
<b>2040</b>		14,094	14,414



## C. ECONOMY

The Clay County economy has historically been very reliant upon the agricultural industry. Agriculture is still very important; however, aspects of the industry have changed over the years and the number of farms has declined. More recent estimates show that Agriculture employment may be stabilizing with an increased number of people participating in this employment type in 2017.

Education services, and health care and social assistance is the largest employment type, primarily due to the University of South Dakota in Vermillion. Retail trade employment types have seen significant increases in recent years, indicating a healthy economy within Clay County.

**Table 5 – Number of Employees by Industry Type**

Industry Type	2010	2014	2017
Agriculture, forestry, fishing and hunting, and mining	337	307	325
Construction	475	328	269
Manufacturing	413	497	416
Wholesale trade	82	109	115
Retail trade	986	969	1,118
Transportation and warehousing, and utilities	214	193	234
Information	128	131	102
Finance and insurance, and real estate and rental and leasing	310	312	219
Professional, scientific, and management, and administrative and waste management services	407	284	421
Educational services, and health care and social assistance	2,717	2,526	2,993
Arts, entertainment, and recreation, and accommodation and food services	759	992	1,021
Other services, except public administration	211	276	208
Public administration	173	217	204

## D. EMPLOYMENT (CIVILIAN)

**Table 6 – Employment and Labor Force**

	Labor Force	Employed	Unemployed	Unemployment Rate	South Dakota Unemployment Rate
<b>2009</b>	7,655	7,348	307	4.0%	4.9%
<b>2014</b>	7,074	6,829	245	3.5%	3.4%
<b>2018</b>	7,250	7,041	209	2.9%	3.0%

\* Labor Market Information Center, SD Dept. of Labor & Regulation in cooperation with U.S. Bureau of Labor Statistics

Steadily declining over the past ten years, Clay County's low unemployment rate is a testament to its strong labor market and economy. Surrounding counties show the following unemployment rates: Lincoln: 2.3% (768 unemployed), Turner: 2.7% (127 unemployed), Union: 3.2% (261 unemployed), and Yankton: 2.6% (312 unemployed).

# IV. INFRASTRUCTURE ASSESSMENT

## A. TRANSPORTATION

Transportation planning for streets and roads begins with understanding the relationship between land use and road network. Streets and roads balance between the functions of mobility and land access. Mobility is the primary function of the interstate highway network. Land access to farms and residences is the primary service of local roads. In between these two extremes mobility and land access vary depending on the function of the road network.

Functional classification is the process of grouping streets and roads into classes according to the function they are intended to provide. Listed below is Clay County’s functional classification system. The classification is according to the rural systems classification as developed by the Federal Highway Administration.

1. **Principal Arterials** - serve longer trips of a statewide or interstate nature, carry the highest traffic volumes, connect larger urban areas, provide minimal land access, and includes both interstate and non-interstate principal arterial highways.
2. **Minor Arterials** - interconnect the principal arterials, provide less mobility and slightly more land access, and distribute travel to smaller towns and major resorts attracting longer trips.
3. **Major Collectors** - provide both land access and traffic circulation connecting county seats not served by arterials and connect intra-county traffic generators like schools, shipping points, county parks, and important mining and agricultural areas.
4. **Minor Collectors** - collect traffic from local roads and bring all developed areas within a reasonable distance of a collector road.
5. **Local Roads** - provide direct access to adjacent land and to the highest classified roads and serve short trips.

A Major Street Plan includes a hierarchy of street classifications for use in identifying and prioritizing the transportation needs of Clay County. The Major Street Plan will be listed as **Map 1. Table 7** identifies the transportation maintenance and improvement projects for the next five years, as outlined in the Statewide Transportation Improvement Program (STIP).

**TABLE 7 – TRANSPORTATION MAINTENANCE AND IMPROVEMENT PROJECTS**

Year of	Location	Project	Project Action Length (in miles)	Source
2021	Bridge 14-150-006 0.6mi S & 15mi E of Irene	Structure and approach grading	N/A	Tentative 2021-2024 STIP
2021	SD 46 from west of SD 19 to west of I-29	Mill, AC resurfacing, AC surfacing	8.2 mi	Tentative 2021-2024 STIP
2021	SD 46 from Irene to west of SD 19	Mill, AC resurfacing, AC surfacing	9.4	Tentative 2021-2024 STIP

2021	SD 19, SD 50	Rout and Seal		Tentative 2021-2024 STIP
2021	SD 19, SD 50	Asphalt surface treatment		Tentative 2021-2024 STIP
2021	469 <sup>th</sup> Ave (White Street) in Burbank	Signals	N/A	Tentative 2021-2024 STIP
2022	Bridge 4.1mi S of Vermillion, over Missouri River	Anchor bolts, joints, epoxy, chip seal	N/A	Tentative 2021-2024 STIP
2022	Bridge on SD 19 near Vermillion over Missouri River	Underwater bridge inspections	N/A	Tentative 2021-2024 STIP

**B. WATER FACILITIES**

Since its creation in 1975, Clay Rural Water System (CRWS) has been providing water to all of Clay County, two-thirds of Union County (northwest portion), a portion of Yankton County and very little of rural Lincoln and Turner Counties.

CRWS is composed of two Water Treatment Plants (one in Clay County and one in Union County), one ground storage reservoir, six water towers, five booster stations and two interconnect systems. One of these interconnect systems is located in the Vermillion area while the other is located near the I-29 Beresford exit. CRWS is dependent upon the interconnect systems for reserve water supply when peak levels of use occur.

Incorporated municipalities receiving CRWS services include Wakonda and Gayville. The unincorporated areas of Meckling and Burbank are also serviced by CRWS. In southern Union County, the System serves four housing developments around McCook Lake and several rural hookups.

**C. WASTEWATER FACILITIES**

No rural sanitary districts currently exist in Clay County, nor are any planned for the twenty-year study period. Irene, Wakonda and Vermillion all use lagoons for their wastewater services. A lift station is used for all three lagoons. Vermillion also uses a mechanical plant to facilitate their sewer services. The unincorporated areas of Burbank and Meckling use septic tanks.

**D. SOLID WASTE MANAGEMENT**

In 1976, a joint effort by Clay County and the City of Vermillion selected and developed a landfill site on the Bluff Road four miles north of Vermillion. In 1991/92, this site officially closed, and a new expansion site opened directly to the east of the first site. The new expansion site, engineered under Federal and State regulations, and is approved by the South Dakota Department of Environment and Natural Resources (DENR). The construction and operation of the current landfill site meets State of South Dakota rules and regulations as accepted for state primacy by federal EPA. The SD Department of Environment and Natural Resources inspects the site annually. The landfill expects to provide solid waste disposal until approximately 2080.

The Missouri Valley Recycling Center is a drop-off facility provided through the cooperative effort of cities and counties in southeastern South Dakota. The facility is available to the public and businesses located in Clay and Yankton County, as well as portions of Union County, and operated through the Joint Powers Solid Waste Authority. The sale of the materials and landfill fees supports the recycling center.

## **E. RURAL ELECTRIC**

Clay-Union Electric Corporation was established around 1935 by a group of rural residents who were trying to improve the quality of life for their families. Clay-Union Electric helped provide an economic boost that would play a vital role in establishing a rural economy for future generations. Clay-Union Electric provides cost base services to members who are mostly residents of Clay, Union and Yankton counties. Municipalities serviced by Clay-Union Electric include Meckling, Gayville, Volin, Wakonda, Burbank, Vermillion and Yankton.

Clay-Union Electric is part of a three-tiered system of Electric Cooperatives that provide a balanced supply of traditional generation along with a growing renewable portfolio. The Cooperative family is positioned to serve all kinds of residential and commercial development with safe and reliable service through its redundant transmission network.

Clay-Union Electric continues to convert its distribution network from overhead to underground while planning for future growth within its defined service territory. We expect growth in developments along the Missouri River and the Highway corridors and will support our members continually expanding needs. Clay-Union will provide financial assistance through our Rural Electric Economic Development fund to help the growing need for affordable housing developments in our service territory.



# V. ENVIRONMENTAL CONSTRAINTS

This Chapter examines the presence of environmental constraints to provide background reference information for County leaders which they may consult when making decisions regarding future development. It should be noted that environmental constraints identified in this Chapter, including but not limited to wetlands identified on the National Wetland Inventory, floodplains identified by the Federal Emergency Management Agency (FEMA), and soil limitations as identified by Natural Resources Conservation Service (NRCS) will present constraints to future development. Some significant natural features/areas exist in the County.

## A. Physical Geography

Clay County lies in south eastern South Dakota along the Missouri River. The topography of Clay County is gently primarily flat to gently rolling. Elevations gently slope toward the Vermillion River basin and there is a pronounced bluff in the lower third of the County that open to a large and extremely flat basin extending toward the Missouri River. If the small area of river basin bluff is avoided there are few areas of steep slope in the County that could impact development.

## B. Floodplains

Floodplains are areas adjacent to creeks, rivers and lakes that are subject to periodic inundation. This inundation can be caused by rapid snowmelt, heavy rain, or a combination of both. Any development in floodplain or floodways, also known as special flood hazard zones, needs to be carefully considered so as not to increase the duration or extent of a potential flood event. FEMA has identified areas of special flood hazard in the County, primarily in the basins of the Vermillion River and the Clay Creek ditch. There are numerous smaller areas of floodplain in the smaller creeks that feed into these waterways and also in old oxbows left behind near the Missouri as that river has shifted over time. The floodplains of Clay County are shown in Figure #. It is important to note that the floodplain depicted in **Map 2** is the preliminary updated extent released from FEMA in 2019. Though this data is not what is currently adopted it is important to show the most up to date information to protect residents into the future.

## C. Wetlands

The *National Wetlands Inventory* was used to identify the general location of wetlands. These are considered areas of high constraint and importance because of their value for habitat, groundwater recharge, and surface water storage and filtration. They are generally regulated by State and Federal agencies. These natural resources provide a number of functions that are important to the health and welfare of the community. The wetlands of Clay County are shown on **Map 2**.

## D. Soils

There may be some developmental concerns in Clay County, due to soil constraints. Development should be limited due to environmental constraints such as high water, poor drainage, and unstable soils. Poor surface drainage causes storm drainage and street maintenance problems, while the high-water table creates problems with basement sumps and septic drain fields. A map of septic tank absorption fields for Clay County is located on **Map 3**. The map indicates areas which may pose limitations for septic tanks. The

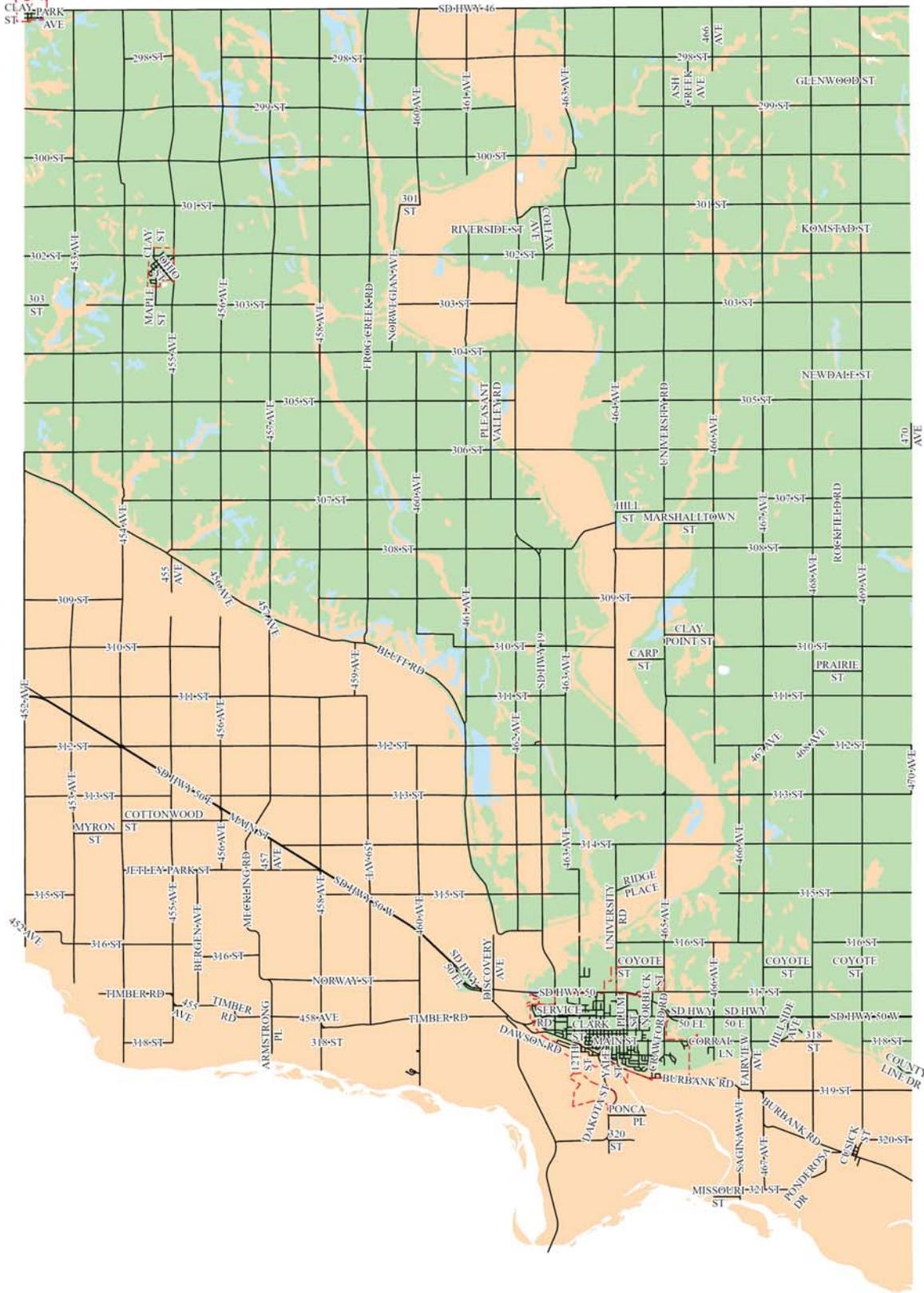
United States Department of Agriculture, Natural Resource Conservation Service defined the absorption fields on **Map 3** via the Web Soil Service. Very Limited soils (indicated in peach) represent soil properties or site features that are so unfavorable or so difficult to overcome that special design, significant increases in construction costs, and possibly increased maintenance are required. Somewhat Limited soils (indicated in green) represent soil properties or site features that are not favorable for the indicated use (septic tank installation) and special planning, design, or maintenance is needed to overcome or minimize the limitations.

In addition to septic concerns, soils can cause limitations on the ability to construct buildings. **Map 4** shows the soil limitations as they pertain to residential dwellings and small commercial dwellings. Severe limitations are illustrated in peach and represent those soils that would require special design to overcome. Most of these soils are impacted by likelihood of the location to flood. Somewhat Limited soils (green) represent soil properties or site features that are not favorable for the indicated use and special planning, design, or maintenance may be needed to overcome or minimize the limitations. Not Limited soils (blue) indicate land that would likely encounter no development issues due to the soil's properties.

A Shallow Water Aquifer Materials map is provided on **Map 5** for a broader spectrum of geological reference. This map was created using data from the South Dakota Geological Survey of depth to first detected aquifer material.

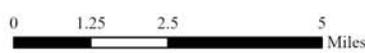


CLAY PARK  
ST. AVE



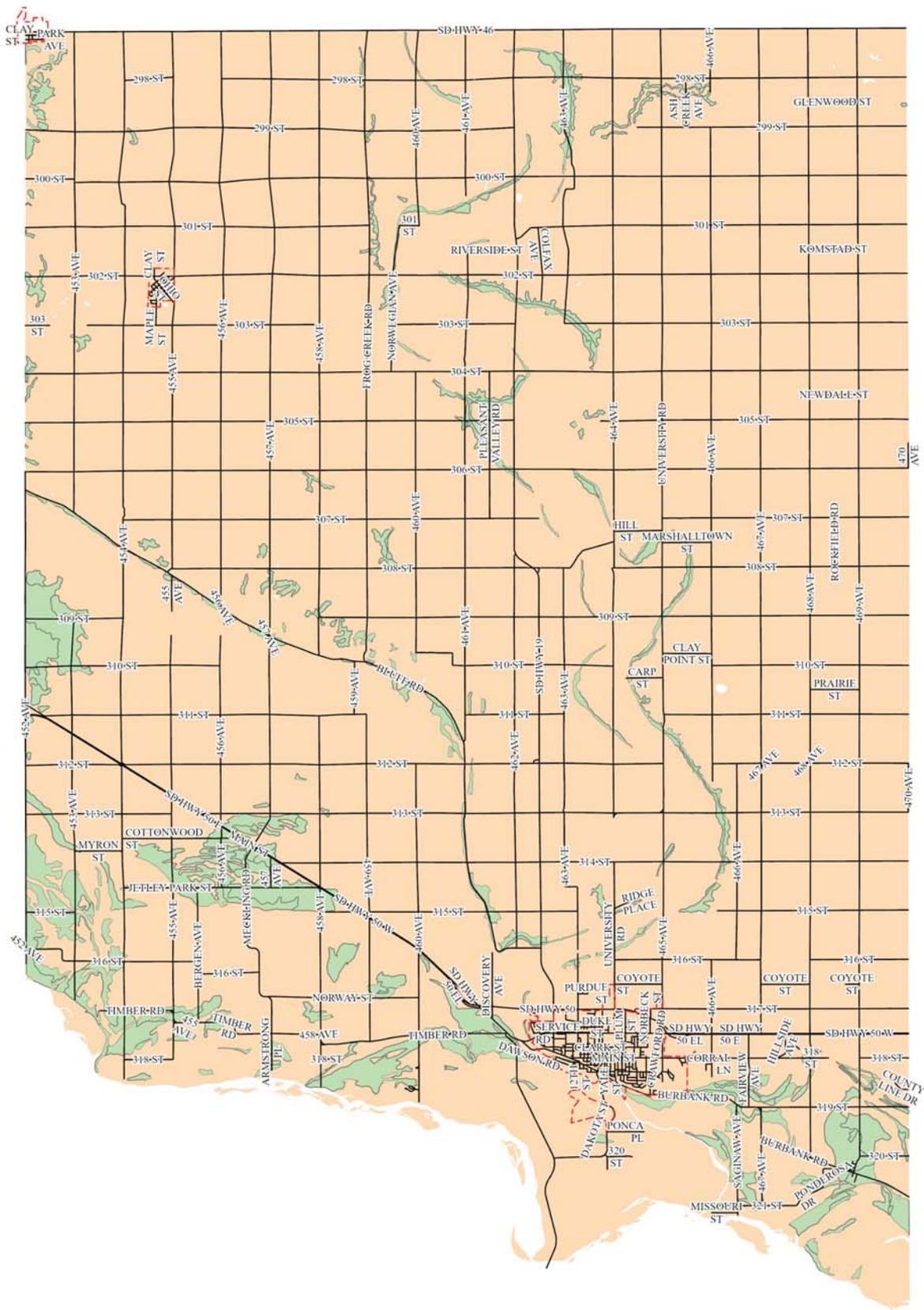
**Soil Limitations  
on Small Buildings**

- Not Limited
- Somewhat Limited
- Very Limited



# Clay County Comprehensive Plan Map 3 Soil Limitations for Small Buildings





**Soil Limitations**  
**Septic Tank Absorption**

- Somewhat Limited
- Very Limited

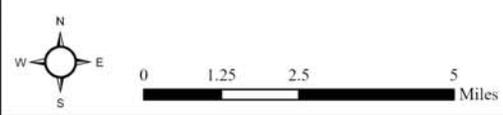
# Clay County

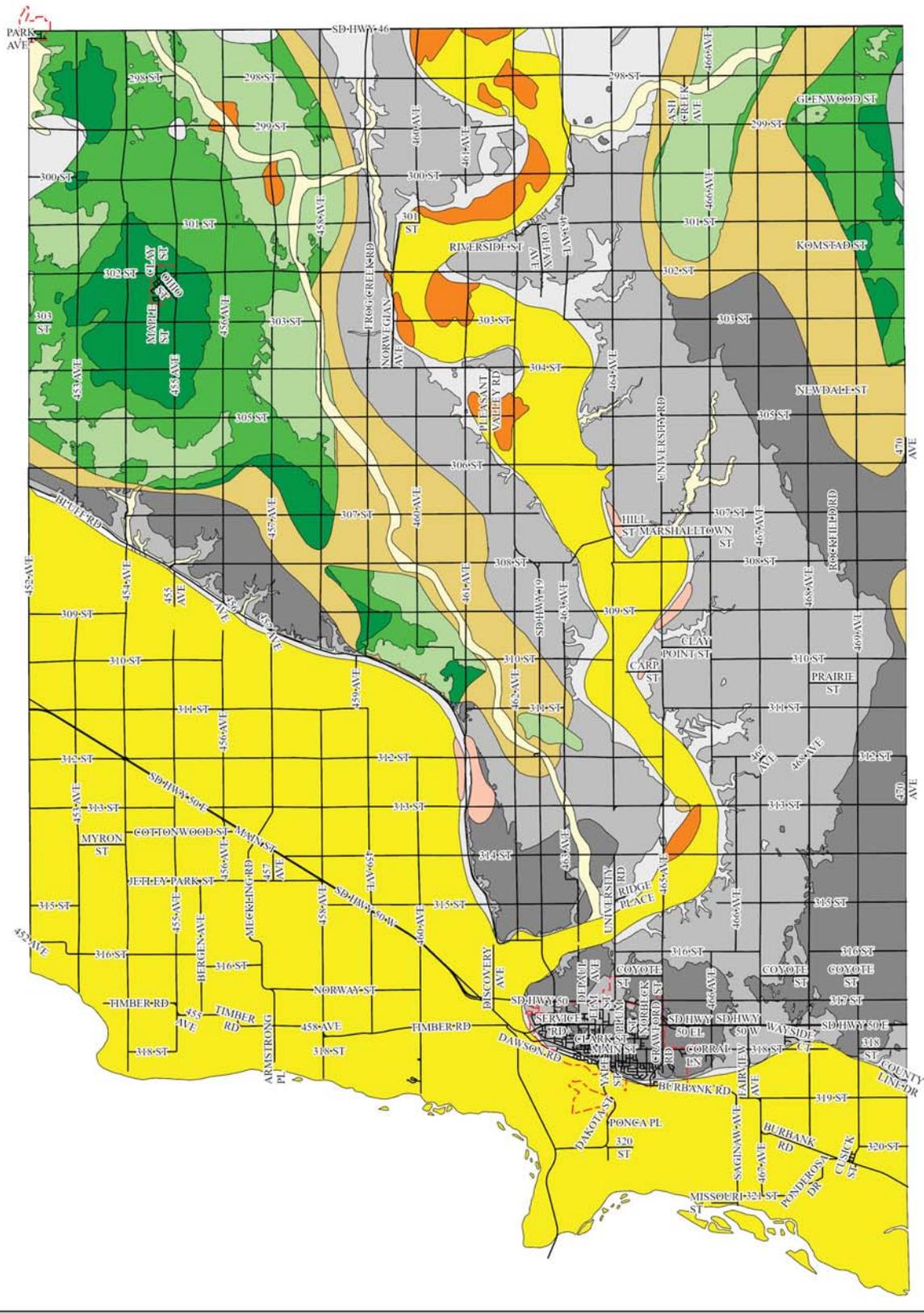
## Comprehensive Plan

### Map 4

#### Septic Tank

#### Absorption Fields





**Aquifer Materials**

- Alluvium
- Outwash
- Alluvium-No Aquifer
- Eolian Sands
- Niobrara Formation 0-50
- Niobrara Formation 50-100
- Sand and Gravel 0-50
- Sand and Gravel 50-100
- Sand and Gravel 100+
- Dakota Formation 100+



**Clay County  
Comprehensive Plan  
Map 5  
Aquifer Materials**



# VI. EXISTING LAND USE

## A. EVALUATION OF LAND USE IN CLAY COUNTY

Most of the land in Clay County is dominated by agricultural uses. However, there are some industrial & commercial areas along the major highway corridors. Farmsteads and rural acreages are dotted throughout the country with higher density rural residential located through the southern third of the county.

## B. CATEGORIES OF LAND USE IN CLAY COUNTY

To simplify preparation of this plan, land uses have been grouped into different categories for Clay County. Some examples follow:

**(1) Rural Residential**

**(2) Agricultural**

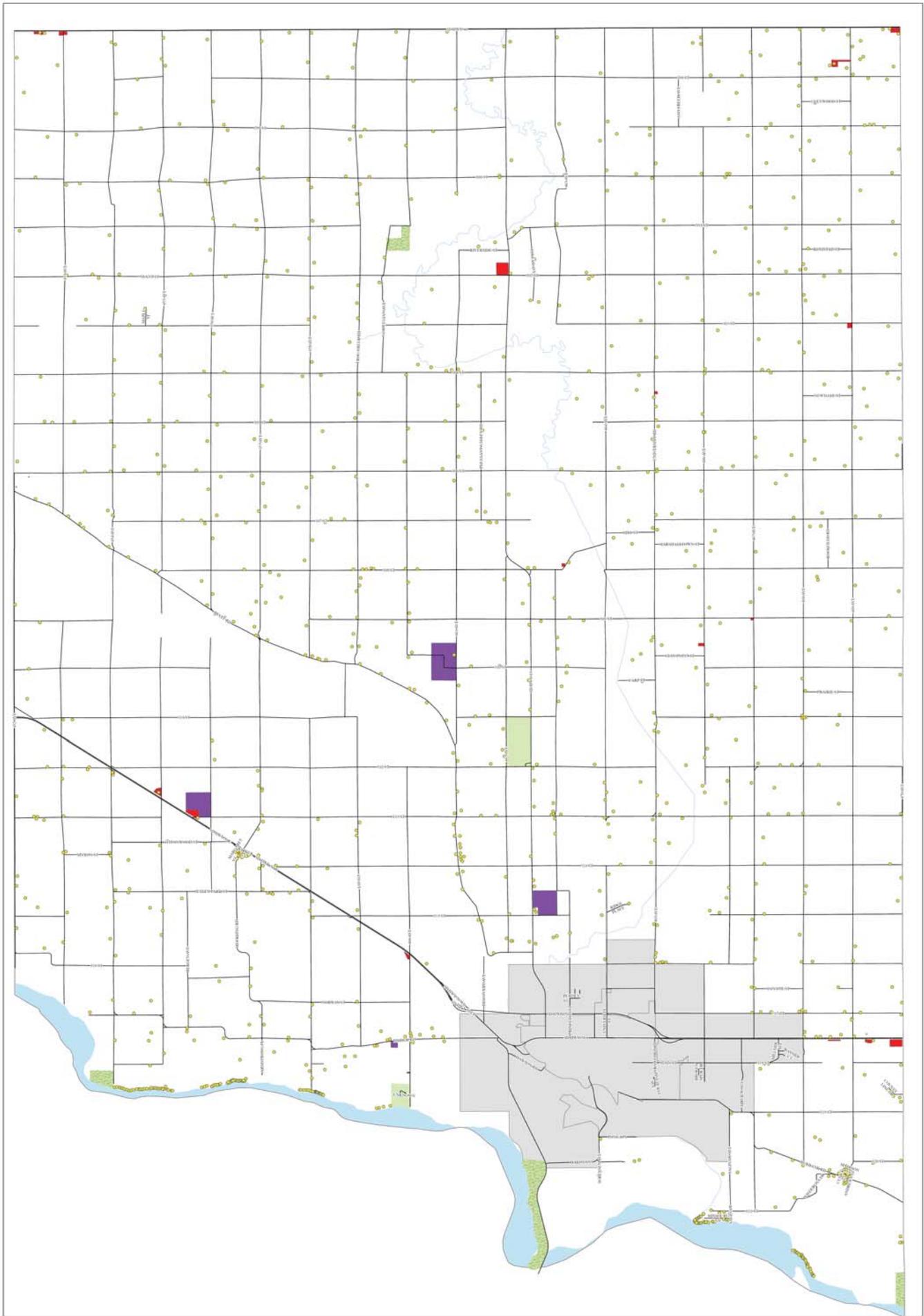
**(3) Commercial**

**(4) Light Industrial**

**(5) General Industrial**

**(6) Parks/Recreation**

A map of **current land uses** in Clay County is included on **Map 6**.



- Current Land Use**
- Residence    □ Agriculture
  - Commercial    ■ State Parks
  - Industrial    ■ Game Production Areas

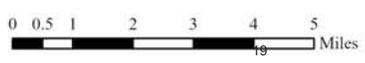
Clay County  
 Comprehensive Plan  
 Map 6  
 Current Land Use





**Legend**

- Transition Area
- Agricultural Area
- Major Highway Corridor Area
- Joint Zoning Jurisdiction
- State Parks
- Game Production Areas
- City Limits (2020)



# Clay County

## Comprehensive Plan

### Map 7

#### Future Land Use



# VII. PLANNING POLICY FRAMEWORK

Clay County will adopt this Comprehensive Plan to provide a framework for specific future land-use and growth management policies and recommendations. It is designed to be a dynamic and flexible process to accommodate the changing needs of a growing rural and urban population, yet steady enough to allow for reasonable long-term investment strategies by both public and private sectors.

## GROWTH MANAGEMENT STRATEGY

The following **Goals and Guiding Policies** should provide direction to Clay County's decision-making process on an ongoing basis. These Objectives and Policy Guidelines, together with the current Zoning Map and Major Street Plan, form the Comprehensive Plan for Clay County. The Clay County Future Land Use Map includes the following planned areas as described in the Planning Policy Framework:

1. Transition Area
2. Agricultural Area
3. Major Highway Corridor Future Development Area

Within each area, specific future land uses are identified to be followed as a part of the implementation process of Clay County. The "Future Land Use Map" is on **Map 7**.

## **TRANSITION AREA POLICY GUIDELINES**

The area of urban development consists of lands along the urban fringe where new development may occur in the future. This area is designated on the Future Land Use Map as "Transition Area". The following are policy guidelines through which the Cities of Irene, Wakonda, and Clay County can use to promote orderly and attractive growth. The "Transition Area" surrounding Vermillion is under a Joint Jurisdiction Zoning agreement and has its own Comprehensive Plan laying out development goals for this area.

**GOAL:** Help and assist municipalities in planning for expansion.

### **GUIDING POLICIES**

1. In Clay County, annexation is the preferred method of extending a City's land-use restrictions beyond its existing corporate limits. At the same time, the County can help communities to achieve their development goals.
2. When beneficial to Clay County, allow annexation.
3. Maintain an adequate supply of development land within the urban service area at all times.
4. Encourage that new development be compatible with existing adjacent development. If commercial or industrial uses develop near residential, soften the transition through zoning policies designed to create additional buffers.
5. Avoid driveway entrances on arterial streets and wherever possible, on collector streets.
6. Reduce visual clutter and safety hazards by encouraging aesthetic standards and design requirements to maintain and improve the County's visual appeal and image (including but not limited to towers and signage).
7. Maintain the current high standards for concentrated animal feedlot operations, including but not limited to odor and manure management, separation/setback distances, and other performance standards.

## **AGRICULTURAL AREA POLICY GUIDELINES**

The areas designated on the Future Land Use Map as "Agricultural Area" have been and are projected to continue being agriculturally dominated areas. Both city residents and the farming community have a fundamental interest in preventing scattered and haphazard development patterns in this area. The limitation of future urban and rural conflicts is important to all citizen's quality of life. Conflicts to be mitigated include increased noise, traffic, flooding and erosion from storm drainage, road maintenance concerns, odors, and groundwater pollution from septic systems.

The future land use plan encourages most large commercial and large industrial development to locate within cities or along the major highway corridors. However, there may be the potential for low-intensity commercial growth in the agricultural area. Ideally, these low-intensity commercial operations should locate along paved County roads. But with instruments like township road haul agreements, these operations may be located in other parts of the County.

## **GUIDING POLICIES:**

1. Maintain a residential density of not more than one building site per 2 acres. In addition, every effort should be made, when reasonable, to cluster the residential uses and preserve the remaining area to agricultural activities and open space.
2. Allow higher density residential (1-acre) development *if* the following standards are complied with:
  - a). Septic tank installation
  - b). Private road agreements
  - c). Rural water system agreements
  - d). No adverse environmental impacts
  - e). No impacts to farming community (i.e. location to animal confinements)
  - f). Agreements to right-to-farm of all residents
  - g). Less than one-acre residential development shall be allowed if the following conditions are met:
    - 1) pending the use of advanced sewer systems
    - 2) compliance with sections a-g.
3. When considering the location of agri-business, commercial, and industrial developments there should be consideration for road infrastructure, utility access, drainage, environmental impact, and safety.
4. Limit construction on sites which are environmentally unsuited for buildings or septic systems through the 2 acres rule, limiting residential rezoning, or providing a sewage treatment system.
5. Provide public services and facilities at a level sufficient to meet the needs of the County's agricultural population and an anticipated growth in the major highway corridors development.
6. Maintain an addressing system to create consistency for safety and convenience of businesses, visitors, and local citizens.
7. Preserve the environmental quality of the county while encouraging economic development that is environmentally sensitive.
8. Design driveway access points with public and highway safety in mind.
9. Preserve adequate rights-of-way for future arterial traffic routes.
10. Reduce visual clutter and safety hazards by encouraging aesthetic standards and design requirements to maintain and improve the county's visual appeal and image (including but not limited to towers and signage).

## **MAJOR HIGHWAY CORRIDOR FUTURE DEVELOPMENT AREA POLICY GUIDELINES**

This Comprehensive Plan intends to encourage the development of commercial and industrial operations along the major highway corridors of South Dakota Highways 50, 19, and 46. Through planned development and use of the zoning & subdivision regulations, the major highway corridors of Clay County can offer more business opportunities in the area.

## **GUIDING POLICIES:**

1. Encourage planned development of businesses (particularly agriculturally oriented) along the designated major highway corridor development area.
2. When possible, locate these commercial and industrial uses along the major highways and their respective interchanges. Such uses should be developed in a nodal pattern and geared to the support of highway users.
3. Promote development patterns which maintain the safety and carrying capacity of major roads.
4. Prior to development along the major highway corridor future development area, it should be proven that such construction is compatible with the area's soil types and other environmental factors.

# VIII. PLANNING STRATEGY

Clay County has committed to shape the future of the community to enhance economic development and maintain a high quality of life for all citizens of the community. The following goals, objectives and policies will guide the County Commission and are the basis for regulations contained within Clay County's zoning and subdivision ordinances.

## Goal 1. Ensure the Health and Safety of Citizens

### Objective 1 – Separate structures for health and safety

Policy 1 - All setbacks will be beyond requirements for fire code

Policy 2 - Ensure buildings and structures do not encroach on residential building air space

Policy 3 – Maintain current setbacks from animal confinement operations

Policy 4 - Allow adjustments to setbacks for additions to existing non-conforming structures that do not encroach closer to the lot line than the existing building

### Objective 2 - Design lots and blocks to emphasize cost efficiency and community values

Policy 1 - Review the lot and block designs based upon subdivision design standards

### Objective 3 – All streets need adequate visibility at intersections and driveways

Policy 1 - Ensure adequate visibility at intersections by ensuring structures and fences do not obstruct the view of intersecting traffic

Policy 2 - Provide an adequate setback for shelter belts

### Objective 4 - Design local streets to emphasize land access and safety

Policy 1 - All non-section line roads will be managed by a private road association, or by a township, only should said township agrees to accept the street

### Objective 5 – Design major streets to emphasize mobility and safety

Policy 1 - Preserve adequate right-of-way for future arterial traffic routes, collectors and service roads

## Goal 2. Protect Natural Resources

### Objective 1 - Retain runoff with open drainage systems

Policy 1 - Any development should be platted to incorporate as natural drainage as possible

### Objective 2 - Create greenways and linear open spaces within floodplain areas

Policy 1 – Follow the Floodplain Ordinance to control development within the floodplain areas as designated by the Federal Emergency Management Agency map on file with Clay County

Objective 3 - Design around significant wetlands

Policy 1 - Encourage development to utilize wetlands as a part of the natural drainage basin

Objective 4 - Monitor development on steep slopes

Policy 1 - All subdivision review should require developments to locate off steep slope areas and minimize stripping of vegetation for erosion control

Objective 5 - Preserve and enhance Missouri River riparian areas

Policy 1 - The County values the preservation of Missouri River riparian habitat for the natural and scenic qualities of the Missouri National Recreational River and encourages development that preserves and enhances these areas

**Goal 3. Enhance the Visual Quality of the County**

Objective 1 - Separate heavy industrial and residential uses

Policy 1 - When considering the location of commercial & industrial development, the County should use setbacks to minimize conflict with nearby residences.

Objective 2 - Soften the look of all uses to enhance the county's image as an attractive place

Policy 1 - Setbacks will provide reasonable separation for rural living in agricultural areas

Objective 3 - Encourage the appropriate siting and concentration of uses and structures.

Policy 1 – Enact appropriate guidelines for development through zoning and subdivision ordinances

Objective 4 - Residential zoning districts established prior to development

Objective 5 - Encourage the planting of trees and shrubs.

# IX. PLAN IMPLEMENTATION

The best possible way to implement a comprehensive plan is to utilize all of the administrative tools available in order to influence development in a positive manner. There are many tools which can be utilized, including zoning regulations, subdivision regulations, policy plans, capital improvements plans, annexation studies, and well-rounded community involvement.

**Local Governing and Advisory Boards.** Circumstances will continue to change in the future, and the Clay County Comprehensive Plan will require modifications and refinements to be kept up-to-date and current. Some of its proposals will be found unworkable and other solutions will continue to emerge. Changes that are needed should be carefully noted and thoroughly considered as part of Annual Plan Updates and Major Plan Revisions. As change occurs, however, Clay County's vision should remain the central theme and provide a unifying element. This plan's importance lies in the commitment of citizens to agree on the County's purpose for the future, and to apply that consensus in continuing efforts that focus on betterment of the area.

## *Annual Plan Amendment Process*

Annual plan amendments, when necessary, will provide opportunity for relatively minor plan updates and revisions such as: changes in land use plan designations; implementation actions for identified goals, objectives and policies; and review of plan consistency with ordinances and regulations. A plan amendment should be prepared and distributed in the form of an addendum to the adopted Comprehensive Plan. Identifying potential plan amendments should be an ongoing process by the Planning Commission throughout the year; input from the general public should be solicited for any and all plan amendments. Proposed plan amendments should be reviewed and approved by the Planning Commission with final approval from the County Commission, mirroring the initial adoption of this Comprehensive Plan; plan amendments shall be in the form of a resolution.

## *Major Updates of the Comprehensive Plan*

Major updating of the Comprehensive Plan should occur every five to ten years. These updates will ensure renewal and continued utility of the Comprehensive Plan for use by the Planning Commission and County Commission. Annual plan amendments from previous years should be incorporated into the next major plan update. Plan updates will be a significant undertaking involving County officials, the Planning Commission, a steering committee and citizens. The result of major plan updates will be a "new" comprehensive plan for the County, including new identification of up-to-date goals, objectives, policies and implementation actions.

**The Continuous Planning Process.** The key players in the implementation of a Comprehensive Plan are the Planning Commission and the County Commission. It is the duty of the governing bodies of Clay County and its municipalities to encourage progress by utilizing all of the tools available, so that orderly growth and development can take place. With public input, the Planning Commission and the County Commission can create a balance between industry, commerce, and housing, and can utilize all of the resources available to facilitate civic improvement.

**Zoning Regulations.** Zoning is the most commonly used legal mechanism to achieve the goals and policies of a comprehensive plan. The County's zoning ordinance regulates land use activities in the unincorporated area. The Comprehensive Plan stresses the importance of avoiding scattered and sprawl development in the rural area.

**Joint Zoning.** South Dakota Codified Laws allow counties and cities of the state to enter into joint planning and zoning agreements. While working in a joint manner can be beneficial to both the county and the municipality, the granting of joint jurisdictional power is at the county commissions discretion and is not a right of the municipality. Should a joint planning and zoning agreement be approved it should be

regularly updated to maintain uniformity with the county ordinance and incorporate changes based on the Growth Management Plans adopted by the municipality.

*Procedural Requirements for Joint Zoning Requests.*

To ensure that any authorization of joint zoning jurisdiction is constitutionally defensible, the county has set forth the following requirements to be met by a municipality proposing joint zoning control outside corporate boundaries.

1. The municipality must have adopted a comprehensive plan or updated a previously adopted plan within the past three years. The plan shall include the following elements:
  - a. Population component, including past and present trends, and projected population for the 20-year planning period shown in five-year increments.
  - b. Forecast of land consumption during the planning period for residential, commercial and industrial uses based on projected population.
  - c. Location and supply of vacant developable land presently within corporate limits and the classification of these areas for residential, commercial or industrial use.
  - d. Net land area required beyond the corporate limits during the planning period.
  - e. Feasibility and timetable for extending municipal utilities to serve future development areas.
2. The municipality shall present their comprehensive plan to the Clay County Planning/Zoning Administrator. The Clay County Planning/Zoning Administrator shall review the document for completeness and accuracy before making a recommendation to the Planning Commission. The plan shall include the proposed boundary of the joint jurisdiction.
3. The Planning Commission shall make a recommendation to the Board of County Commissioners as to the need for joint jurisdiction. The Planning Commission may recommend a different boundary or recommend denial of the municipal request.
4. If the Board authorizes joint zoning jurisdiction for a municipality, the county and city planning commissions shall meet jointly to propose a zoning ordinance for the area. The zoning ordinance should conform as much as possible to the existing zoning regulations of the county. Administration of the regulations should rest with the county.
5. Joint action by the county and city in adopting the ordinance shall constitute the agreement for the joint zoning jurisdiction.

*Dissolution of Joint Jurisdiction Regulations*

State law fails to address the procedure necessary to terminate a previously agreed upon joint jurisdiction. It is assumed that this can be accomplished by mutual agreement of the county and city or the county can unilaterally terminate an existing joint jurisdiction on the basis that State law requires both entities to approve a substantially identical zoning ordinance. If the county does not agree with the city on a zoning ordinance, there can be no joint jurisdiction.