

# 2024 Joint Jurisdiction Comprehensive Plan for Vermillion and Clay County

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*Prepared by the South Eastern Council of Governments at the direction of the Planning  
Commissions of Vermillion and Clay County.*

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Map 1 – Joint Jurisdiction Boundary Map

Map 2 – Floodplain

Map 3 – Wetlands

Map 4 – Future Land Use Map

Map 5 – Major Street Plan

# Chapter 1 – Introduction

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## **A. PURPOSE, AUTHORIZATION, AND ADOPTION**

The relationships that exist between local, regional, State, and federal government entities are complex and interwoven. The efforts of these units of government must be coordinated to minimize incompatible endeavors and to promote efficient cooperation.

Long-range planning and joint decision-making is necessary to ensure that future urban development makes an orderly transition from the rural areas, and to preserve the rural areas beyond the urban service boundary. This promotes orderly growth, helps to minimize conflicts between urban and rural areas, keeps the growth of the city concentrated, and effectively manages the increased costs of providing public services such as water and sewer mains, road maintenance, storm water drainage, gas lines, and electrical lines.

South Dakota Codified Laws enable municipalities to adopt zoning regulations for areas within their corporate limits. To encourage communication and cooperation between cities and counties, South Dakota Codified Law enables a municipality to exercise zoning powers outside of the municipality's boundaries with the approval of the County. In 2011, the City of Vermillion and Clay County created an extra-territorial Joint Jurisdiction agreement. For the Joint Jurisdiction Zoning Area ("JJZA"), the City of Vermillion and Clay County jointly administer this jurisdiction for land use and zoning.

The Joint Jurisdiction 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 the City of Vermillion and Clay County in implementation of zoning regulations, subdivision regulations, capital improvement plans, and other related policies within the JJZA.

There are three primary purposes for this document:

- 1) To address the planning requirements of state law while also providing a sound and logical basis for JJZA growth management strategies;
- 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 around real estate and capital investments; and
- 3) To provide the Clay County Commission, Vermillion City Council, and both planning commissions with policies for the future planning decisions and the methods and justification to control land use through the zoning and

subdivision ordinances, the capital improvement programs, and other enforcement controls.

## **B. AREA OF PLANNING JURISDICTION**

Chapter 11-6-10 of the South Dakota Codified Laws allows for an incorporated municipality and a board of county commissioners to jointly exercise the comprehensive planning and zoning powers that were granted in chapters 11-2, 11-4, and 11-6. While the JJZA extends beyond the municipal city limits, it may not exceed six miles. SDCL 11-6-10. The agreed upon boundaries of the JJZA are shown in **Map 1**.

# Chapter 2 – Planning and Development

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## **A. ENVIRONMENT AND GEOGRAPHY**

Vermillion is located in the southeastern portion of South Dakota. The City is approximately one (1) mile from the Missouri River, which is also the political state boundary with Nebraska. The Vermillion River flows through portions of the JJZA area. While Vermillion is on generally level ground, there is a rapid decrease in elevation to the south and west (the “Bluffs”) to the Vermillion River. The Bluffs are mostly within the JJZA.

There are floodplain hazards along the Vermillion River and the Missouri River, though the Missouri River is outside of the JJZA. A wetland area is also located in northeastern Vermillion along the SD 50 Bypass.

The Floodplain Map (**Map 2**) and Wetlands Map (**Map 3**) are provided for reference.

## **B. LAND USE POLICY**

The current area of the JJZA is dominated by agricultural uses with many rural residential structures that have been constructed over the past 40 years. A land-use dilemma is the rural/urban fringe area along and near the city limits of Vermillion. Both Clay County and the City of Vermillion desire to cooperate near all city limit boundaries in order to promote orderly growth.

The Land Use Plan seeks to balance the needs and desires of the residents, employees, and businesses within Vermillion and the JJZA. The Comprehensive Plan uses the following categories to define the preferred physical development of the JJZA:

- Residential
- Commercial
- Industrial
- Public/Institutional
- Future Growth Reserve

The Future Land Use Map (Map 4) shows the preferred land use for all property within the JJZA. Further, this map lays the foundation for land use controls that are used by both the City and County to implement this Comprehensive Plan within the JJZA. A review of the

Future Land Use Map should be reviewed when necessary to ensure enough land is available for the anticipated land use needs within the JJZA and expanding City limits.

The Future Land Use Map is attached as **Map 4** and Vermillion's Major Street Plan is attached as **Map 5**.

The following sections are intended to provide a general explanation of the goals and policies for each of these land use categories within the JJZA.

## **Residential**

Within the JJZA, Clay County and Vermillion seek to offer housing opportunities to residents in all stages of life and income. To achieve their vision, Clay County and Vermillion desire to establish a variety of residential land uses within the JJZA.

### *Goals for Residential*

Clay County and Vermillion seek to achieve the following goals through the implementation of the land use plan for residential:

- Promote single-family detached housing within the JJZA.
- Facilitate the location, character, and phasing of residential growth and development for annexation.
- Promote development that is safe, healthy, livable, and compatible with adjacent land uses.
- Establish a system of open spaces that connect to each other and to residential neighborhoods.
- Address the density and affordability for housing.

### *Policies for Residential*

Implementation of the land use plan for residential will be guided by the following policies:

- Encourage future residential development to address the need for affordable housing.
- Integrate residential areas with park, trail, and open space features.
- Encourage a Planned Development District (PDD) approach to development.

## **Commercial**

Commercial uses should be concentrated where access and visibility are good. Some examples of businesses that fall into the commercial category include personal services, child care facilities, dental and medial offices, business services, grocery stores, general merchandise stores, gas stations, and restaurants.

### *Goals for Commercial*

Clay County and Vermillion seek to achieve the following goals through the implementation of the land use plan for commercial:

- Provide attractive, inviting, quality retail shopping and commercial services that are convenient to existing and future residents and visitors.
- Provide a wide range of goods and services for residents and visitors.
- Provide safe and convenient multi-modal movements to and within future commercial areas.

### *Policies for Commercial*

Implementation of the land use plan for commercial will be guided by the following policies:

- Locate small commercial centers at convenient road intersections.
- Ensure convenient and safe access to roadways and buffer impacts on existing and future residential land use.
- Require development of neighborhood convenience uses to be part of a Planned Development District (PDD).

## **Industrial**

The JJZA has an adequate supply of land available, which is conveniently located along or readily accessible to South Dakota Highway 50 where future office, industrial, and business campus development should occur.

Because of the community's highway exposure, the perceptions people will have of the community as they pass by will be greatly influenced by what they see. Careful consideration should be given to the appearance of proposed development.

Generally, uses that are intended to be accommodated in industrial areas include business, industrial, or technology parks, warehousing, limited and general manufacturing, light industry and heavy industry, and wholesale business.

### *Goals for Industrial*

Clay County and Vermillion seek to achieve the following goals through the implementation of the land use plan for industrial:

- Provide diverse employment opportunities for current and future residents.
- Retain existing businesses and allow for expansion opportunities.
- Create opportunities for high-quality development within the JJZA.
- Create higher-paying employment opportunities that match the skills of the area workforce.

### *Policies for Industrial*

Implementation of the land use plan for industrial will be guided by the following policies:

- Promote well-planned office/business park areas close to amenities for business/industrial development to attract high quality businesses.
- Guide high profile business development near major intersections along the highway.
- Facilitate development of a business or industrial park on remaining vacant commercial and industrial land.

## **Public**

This category includes religious institutions, municipal and county facilities, utilities, libraries, and schools.

### *Goals for Public*

Clay County and Vermillion seek to achieve the following goals through the implementation of the land use plan for public:



- Provide high-quality public services that maintain the quality of life for residents and visitors.
- Plan for the development of public infrastructure needed to meet the demands of Vermillion’s future population growth.

### *Policies for Public*

Implementation of the land use plan for public will be guided by the following policies:

- Update plans for municipal facilities to reserve land uses in the JJZA for public uses.

## **Future Growth Reserve**

Future Growth Reserve acts as a planning area for future urban development and intended to preserve the ability to extend urban services to future growth areas. In the interim, land use patterns should reflect agricultural uses rather than scattered subdivisions.

### *Goals for Future Growth Reserve*

Clay County and Vermillion seek to achieve the following goals through the implementation of the land use plan for future growth reserve:

- Ensure orderly and well-planned expansion of future urban services.
- Maintain the rural lifestyle and character of the future growth reserve area until such time that urban development is planned to occur.

## **C. PLANNING STRATEGY**

Clay County and Vermillion are 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. Implementation of the JJZA Comprehensive Plan will require a values-based approach to ensure investment of limited resources in an equitable and timely manner. This section provides the foundation to build a sustainable economy that will retain, cultivate, and attract quality jobs for residents and future residents of Clay County and Vermillion. The following goals, objectives, and policies will guide the Clay County and Vermillion in

making decisions within the JJZA. These goals, objectives, and policies are the basis for enforcement of the zoning ordinances of the JJZA.

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

- Objective 1. Separate structures for health and safety purposes.
- Objective 2. Ensure structures and landscaping do not obstruct visibility at intersections.
- Objective 3. Design local roads to emphasize land access and safety.
- Objective 4. Promote safe, convenient, and coordinated facilities for alternative means of transportation.

**Goal #2.** Support Municipal Expansion

- Objective 1. Acknowledge annexation is the preferred method of expansion.
- Objective 2. Strengthen routine communication between Clay County and Vermillion.
- Objective 3. Modify the JJZA area as municipal boundaries expand to account for future growth.
- Objective 4. Consider utilizing existing businesses and utility providers to support future growth in accordance with state law.

**Goal #3.** Enhance the Visual Quality

- Objective 1. Ensure that the aesthetic of all uses enhance the JJZA as an attractive area.
- Objective 2. Encourage the appropriate siting and concentration of uses and structures.
- Objective 3. Encourage the planting of trees, shrubs, and other types of landscaping.

**Goal #4.** Promote Development Compatible with Nearby Uses

Objective 1. Maintain appropriate buffers and separation between non-compatible uses.

Objective 2. Minimize the negative impacts of concentrated animal feeding operations through, but not limited to, the use of odor and manure management, separation/setback distances, and other performance standards that promote the health, welfare, and safety of the community.

**Goal #5.** Promote Safe, Healthy, and Active Lifestyles within the Community

Objective 1. Promote the development of accessible parks that may serve the entire community.

Objective 2. Minimize ingress and egress access points along major roadways in the interest of safety and mobility.

Objective 3. Improve access to parks and community centers to promote active, healthy lifestyles and social interactions.

Objective 4. Cooperate with local organizations, non-profits, and public groups to address shared needs in the community.

**Goal #6.** Preserve the Function and Character of the Surrounding Rural Areas

Objective 1. Discourage scattered residential, commercial, or industrial development.

Objective 2. Encourage land use planning tools to guide development.



# Chapter 3 – Plan Implementation

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## **A. INTRODUCTION**

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 improvement plans, annexation studies, and community involvement. The JJZA Comprehensive Plan is a cooperative effort between Clay County and Vermillion to balance Clay County's historic and natural resources with Vermillion's growth and development into unincorporated areas. The JJZA Comprehensive Plan is a continual public process to identify the needs of the community and its people within the JJZA.

## **B. LOCAL GOVERNING AND ADVISORY BOARDS**

The JJZA is a mutual agreement between Clay County and Vermillion to jointly enforce zoning regulations within an agreed upon area. The main implementors of a Comprehensive Plan are the advisory boards (Clay County Planning Commission and Vermillion Planning Commission) and the governing bodies (Clay County Commissioners and Vermillion City Council). It is the responsibility of the governing bodies to encourage progress of the Comprehensive Plan by utilizing all tools available to promote orderly growth and development. With public input, the advisory boards and governing bodies may create a balance between industry, commerce, and housing.

## **C. LOCAL REGULATORY TOOLS**

Zoning regulations are the most common regulatory tool to advance the goals and policies of a Comprehensive Plan. The Joint Zoning Regulations for Clay County and City of Vermillion regulate land use activities within the agreed upon boundary of the JJZA. This Comprehensive Plan stresses the importance of avoiding scattered and sprawled development within the JJZA.

## **D. PLANNING PROCESS**

Circumstances will continue to change in the future and the JJZA Comprehensive Plan will require modifications and refinements to be up-to-date and current. Some proposals may be found to be unworkable and new factors may emerge. Changes that emerge towards the JJZA Comprehensive Plan should be documented and considered during any future JJZA Comprehensive Plan update. As change occurs within the JJZA, Vermillion's needs for future municipal expansion and development should remain a central theme. This plan's importance lies with the commitment of citizens to agree on Vermillion's purpose for their future growth, and to apply the consensus of the community to achieve the purpose of the plan.

When appropriate, the Clay County Planning Commission and Vermillion Planning Commission should jointly review the status of efforts to implement the JJZA Comprehensive Plan. Significant actions and accomplishments, as well as recommendations for needed changes may be documented.

Vermillion citizens and residents within the JJZA shared in developing this plan's goals, objectives, and proposals by participating in public meetings and public surveys. Many ideas and comments contributed by citizens during the plan's development were incorporated and shaped the resulting proposals and recommendations. The public must continue to be involved in implementing and maintaining the JJZA Comprehensive Plan. Methods and activities for public participation should be chosen and designed to achieve meaningful and effective involvement.

## **E. ANNEXATION**

Problems may occur when urban growth takes place in scattered and inappropriate areas next to agriculture and rural residential properties. Problems may include increased traffic, noise for rural residential properties, and increased groundwater pollution from septic tanks. As Vermillion grows, it is imperative that joint decision making involves Clay County in the process. Long range planning and joint decision making is necessary to ensure that future urban development makes an orderly transition from rural areas to urban areas while balancing the needs of those currently living, working, or owning property within the JJZA boundary.

Through the JJZA Comprehensive Plan, both Clay County and Vermillion recognize that land use decisions and transportation planning may have extra-jurisdictional impacts and that intergovernmental cooperation is effective to deal with impacts and opportunities that may impact more than a local jurisdictional boundary. To best achieve the goals of the JJZA Comprehensive Plan, Clay County and Vermillion are committed to discuss future developments and possible annexations with one another. Clay County is encouraged to attend any public hearings relating to future annexations of Vermillion.

As Vermillion annexes land and expands its city limits, the JJZA boundary may need to be reviewed. Clay County and Vermillion intend to meet periodically to discuss possible amendments to the JJZA boundary and annexations occur.

## **F. CAPITAL IMPROVEMENT PLANNING**

The purpose of capital improvement planning is to provide local government officials with a guide for budgeting major improvements that will benefit the community. Before considering future development within the JJZA, Vermillion must review its current infrastructure and identify deficiencies that need correction prior to development. It is the intention of Vermillion to upgrade portions of existing utilities and transportation routes on an ongoing basis.