

Unapproved Minutes
Vermillion Planning and Zoning Commission
Monday, May 17, 2021 Special Planning and Zoning Commission Meeting

The special meeting of the Vermillion Planning and Zoning Commission was called to order in the Powell Conference Room at City Hall on May 17, 2021 at 5:00 p.m.

1. Roll Call

City Planning and Zoning Commissioners Present: Fairholm (in person), Fitzgerald (in person), Forseth (in person), Heggstad (5:01 p.m.)(in person), Tuve (in person), Wilson (in person), Iverson (in person).
City Planning and Zoning Commissioners Absent: Gestring, Mrozla
City Staff present: José Domínguez, City Engineer; James Purdy, Assistant City Manager

2. Minutes

a. May 10, 2021 City Planning and Zoning Commission Meeting.

Moved by Commissioner Fairholm to adopt the May 10, 2021 meeting minutes, seconded by Tuve. Motion carried 6-0.

3. Declaration of Conflict of Interest

Forseth noted that he owns investment property in Vermillion.

4. Adoption of the Agenda

Moved by Forseth to adopt the agenda as printed, seconded by Wilson. Motion carried 6-0.

5. Visitors to be Heard

None

6. Public Hearings

a. Ordinance 1434, Amending Title XV Land Usage to Add Chapter 158 Entitled Medical Cannabis Establishments to the City of Vermillion Code of Ordinances.

Dominguez explained that in November 2020 South Dakota voters approved an initiated measure allowing for medical marijuana within the state. The laws regulating this use would take effect in July 1, 2021. Dominguez stated that in order to comply with the new statute the City needs to have regulation to accommodate the new uses.

Dominguez stated that a draft of this ordinance was reviewed by the Commission at the May 10th meeting. At that meeting the Commission recommended removing the medical cannabis dispensaries from the NC-Neighborhood Commercial (NC) and CB-Central Business Districts (CB). Staff removed the use from the NC districts, but left in the CB district for further consideration after City Council discussions eluded to the fact that the use should be allowed in the CB district.

Additionally, Dominguez stated that Staff is proposing a similar approach as those used by the City to regulate alcohol use. That is, having zoning ordinances regulating the location of the use, and also having a permitting process that would regulate the actual use. The Commission only reviews the zoning portion. Dominguez further explained that the City Council would be considering the first reading of this ordinance at the Council meeting later in the day. Dominguez recommended that the Commission recommend the City Council adoption of the zoning amendment.

Iverson opened the floor for public comments.

Commissioner Fairholm expressed concerns with comparing dispensaries with pharmacies, and if dispensaries should be allowed in the CB district. Moved by Fairholm to recommend adoption of the ordinance with the removal of the CB-Central Business district from sections 158.07(A) and (B), seconded by Tuve. Motion carried 4-3.

7. Old Business

None

8. New Business

None

9. Staff Report

None

10. Adjourn

Moved by Forseth to adjourn, seconded by Fairholm. Motion carried 7-0, Iverson declared the meeting adjourned at 5:21 p.m.