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**AGENDA, JOINT CITY COUNCIL/COUNTY COMMISSION MEETING  
TUESDAY, OCTOBER 23, 2018, AT 8:45 A.M.  
BROWN COUNTY COMMISSION CHAMBERS, 25 MARKET ST., COUNTY COURTHOUSE. 1<sup>ST</sup> FLOOR**

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1. ROLL CALL
  
2. ORDINANCE NO. 18-10-02 (480) – ORDINANCE TO REZONE FROM (M) DISTRICT, (A-1) DISTRICT, AND (A-2) DISTRICT TO (M) DISTRICT AND (A-2) DISTRICT  
LOT 2, SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION FIRST SUBDIVISION IN THE  
NW ¼ OF SEC. 22, T123N, R64W OF THE 5<sup>TH</sup> P.M., BROWN COUNTY, SD (2609 HWY. 12 W.)  
POSSIBLE FIRST READING OF ORDINANCE NO. 18-10-02
  
3. ADJOURN

City of Aberdeen  
Request for Council Action

Agenda Item No.	<b>2</b>	Meeting Date:	October 23, 2018 (1 <sup>st</sup> Reading) October 30, 2018 (2 <sup>nd</sup> Reading)
Agenda Section	New Business – Oct. 23, 2018 Old Business – Oct. 30, 2018	Originating Dept:	Planning and Zoning
Resolution	NA		
Ordinance	18-10-02 (480)	Prepared by:	Eric Miller, Planner
No. of Attachments	4	Presented by:	Brett Bill, Planning and Zoning Director/Building Official

Item:

Rezone from (M) Municipal, State and County Use District, (A-1) Agricultural District and (A-2) Green Belt District to (M) Municipal, State and County Use District and (A-2) Green Belt District – 2609 Highway #12 West – State of South Dakota.

City Manager’s Proposed Action:

Motion by \_\_\_\_\_, Second by \_\_\_\_\_ to approve first/second reading of the proposed petition to rezone.

Overview:

The petitioner is requesting this petition to rezone in order to eliminate split zoning that was caused by combining multiple adjacent parcels into one. This petition to rezone was approved by the Joint City/County Planning Commission on Oct. 16, 2018 with the stipulations that the accompanying plat must be approved and filed with the Brown County Register of Deeds.

Issues/Alternatives to Consider:

The Joint City/County Planning Commission has approved this petition to rezone with the stipulations that the accompanying plat must be approved and filed with the Brown County Register of Deeds.

Budgetary/Fiscal Issues:

None.

Attachments:

- Staff Report.
- Petition to Rezone.
- Map of Proposed Rezone.
- Ordinance.

STAFF REPORT  
October 16, 2018

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**PETITION TO REZONE M, A-1, & A-2 TO M & A-2**

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GENERAL INFORMATION

PETITIONER	The State of South Dakota
REQUEST	<b>Rezone from (M) Municipal, State, &amp; County Use District, (A-1) Agricultural District and (A-2) Green Belt District to (M) Municipal, State, &amp; County Use District and (A-2) Green Belt District</b>
LEGAL DESCRIPTION	Proposed Lot 2, South Dakota Department of Transportation First Subdivision in the NW¼ of Sec. 22-T123N-R64W of the 5 <sup>th</sup> P.M., Brown County, South Dakota.
LOCATION	2609 Highway 12 West
EXISTING ZONING	Municipal, State, & County Use District, Agricultural District, and Green Belt District
PROPOSED ZONING	Municipal, State, & County Use District and Green Belt District
SURROUNDING ZONING	
North:	Unrestricted Industrial District, Agricultural District & Green Belt District
South:	Municipal, State, & County Use District, Green Belt District and Highway Commercial District
East:	Highway Commercial District & Medium Density Residential District
West:	Municipal, State, & County Use District and Green Belt District
PUBLIC UTILITIES	WEB Water
REPORTED BY	Eric Miller

RECOMMENDATION: Staff recommends approval of this petition to rezone.

GENERAL COMMENTS: The petitioner is requesting this petition to rezone in order to eliminate split zoning that was caused by combining multiple adjacent parcels into one.

REVIEW: Staff have reviewed this petition to rezone and concur with its approval.

**REZONE PETITION (THREE-MILE JURISDICTION)**

To the City Council  
 City Hall  
 Aberdeen, SD 57401

Petition No:	_____
Date:	<u>9-20-18</u>
Receipt No:	_____
Filing Fee:	<u>N/A</u> (non-refundable)
Order/Res No:	<u>18-70-02 (480)</u>

Mayor and City Council:

I/We the undersigned, do hereby petition the City Council of Aberdeen, South Dakota, to rezone property as follows:

Legal Description (Please print in black ink or type):

Proposed Lot 2, South Dakota Department of Transportation First  
Subdivision in the NW 1/4 of Sect 22 - T123N - R64W of the 5<sup>th</sup> PM,  
Brown County, South Dakota.

From the M + A-1 & A-2 District  
 To the M & A-2 District

General Area Location or Street Address: 2609 Hwy 12 W

Purpose of Petition: Eliminate split zoning caused by consolidating adjacent  
parcels of land.

Size of Parcel: 13.99 acres

Existing Land Use: DOT.

**Petitioner (Print):** Mark Peterson  
**Signature:** *Mark Peterson*  
**Title:** Region Operations Engineer  
**Date:** 9/21/18 **Phone:** 605-380-8983  
**Address:** 2735 W. Highway 12  
Aberdeen SD 57401  
 City State Zip

**Owner (Print):** \_\_\_\_\_  
 (If different than above)

**Signature:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Date:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**Address:** \_\_\_\_\_

City State Zip

Checked by:	<u><i>[Signature]</i></u>
Given Sign:	<u><i>[Signature]</i></u>
Exhibit A:	_____
Site Plan:	_____
PC Meeting:	<u>10/16/18</u>
1st Reading:	<u>10/23/18</u>
2nd Reading/Final	<u>10/30/18</u>
Adoption:	<u>10/30/18</u>

(Additional Signatures may be submitted on separate page)

# Rezone Proposal

Legal Description: Proposed Lot 2, South Dakota Department of Transportation First Subdivision in the NW 1/4 of Sec.22-T123N-R64W in the 5th P.M., Brown County, South Dakota.

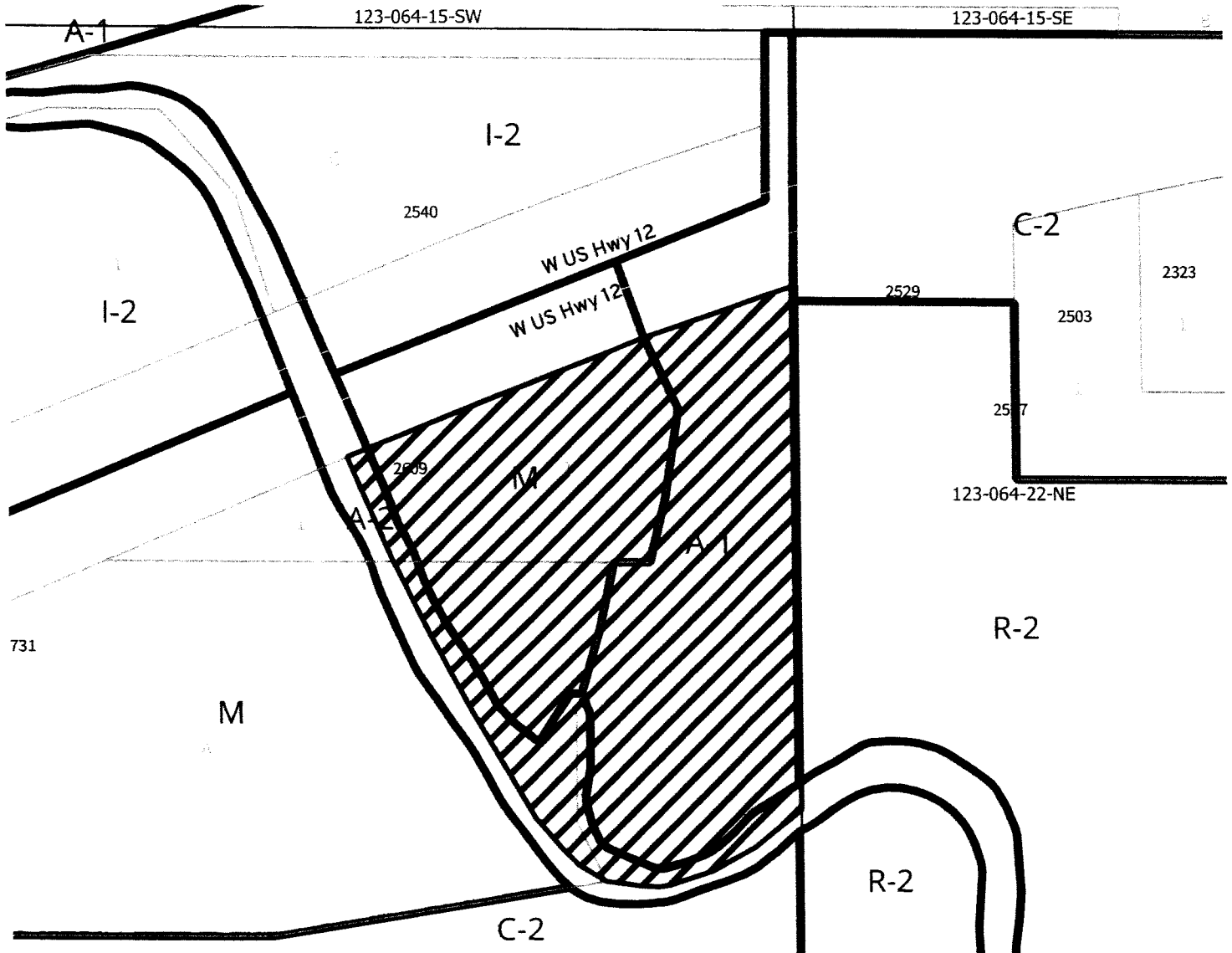
Current Zoning: M, A-2, & A-1

Purpose of petition: Eliminate split zoning caused by consolidating adjacent parcels of land.

General Location: 2609 Highway 12 W.

Existing Use: Department of Transportation

**Proposed Zoning: A-2(Green Belt) and M (Municipal, State, and County Use)**



Area rezoned: 13.99 acres



ORDINANCE NO. 18-10-02  
AN ORDINANCE AMENDING ORDINANCE NO. 1164 TO  
REZONE CERTAIN DESCRIBED PROPERTY

BE IT ORDAINED by the Aberdeen City Council, Brown County, South Dakota, that the petition to amend Ordinance No. 1164 to rezone the following described property filed by Mark Peterson, SD DOT Region Operations Engineer for the State of South Dakota, is hereby granted and Ordinance No. 1164 is hereby amended to change the zoning on the following described property from (M) Municipal, State, and County Use District, (A-1) Agricultural District, and (A-2) Green Belt District to (M) Municipal, State, and County Use District and (A-2) Green Belt District, said property is described as follows:

Lot 2, South Dakota Department of Transportation First Subdivision in the NW ¼ of Section 22, T123N, R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota  
(2609 Hwy 12 West)

BE IT FURTHER ORDAINED by the Aberdeen City Council, Brown County, Aberdeen South Dakota, that the zoning official for the City of Aberdeen is hereby authorized to change the official zoning map for the City of Aberdeen to reflect this Ordinance.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Finance Officer

Notice of Hearing October 4, 11, and 18, 2018

Passed First Reading \_\_\_\_\_

Passed Second Reading \_\_\_\_\_

Adopted \_\_\_\_\_

Published \_\_\_\_\_

Effective Date \_\_\_\_\_