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First District Association of Local Governments

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Will Your Community be Ready for the 2010 Census?

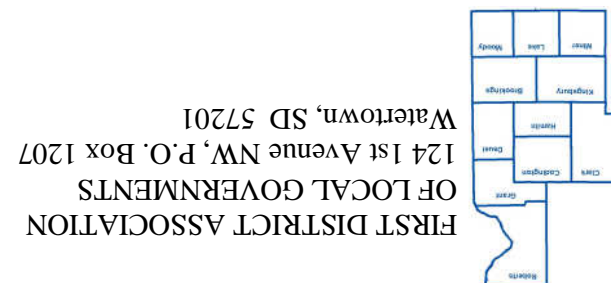
The Local Update of Census Addresses Program (LUCA) is a decennial census geographic partnership program that will allow the U.S. Census Bureau to benefit from local knowledge in developing its Master Address File for the 2010 Decennial Census and as subsequent use for yearly ongoing household surveys.

Tribal, state, and local governments can contribute to a complete enumeration of their communities by reviewing and updating the list of housing units and group quarters addresses that the Census Bureau will use to deliver 2010 Decennial Census questionnaires within their communities.



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FIRST DISTRICT NEWS

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**Planning and Zoning News
2008 Legislative Overview**

While there may have been more planning and zoning issues dealt with in previous legislative sessions, this year's session included four bills that specifically dealt with several elements of planning and zoning enabling legislation.

HB 1244 was a bill that would have required county planning and zoning commissioners to publish their meeting minutes. Opponents of the bill felt that because the planning commission is a recommendation board to the county commission, any decision by the planning commission regarding plats and ordinance amendments would be presented in the minutes of the county commission. Regarding the minutes of the zoning boards or boards of adjustment decisions, opponents felt that, due to the voluminous nature of the minutes of those meetings, it would be an unfounded mandate and economic burden on the counties. The bill was deferred to the 36th legislative day on an 8-5 vote.



SB 163 was a bill that further refined the requirements necessary to initiate a change to the comprehensive plan or zoning ordinance. Previously, SDCL 1-2-28 required at least 30 percent of landowners in a given zoning district(s) to initiate such change. SB 163 defines a landowner to not only be "any person who owns land in the county as evidenced by the records in the office of the register of deeds," but also is registered to vote in the zoning district requesting the change. Say for example, if someone wanted to initiate a change to the zoning ordinance in Codington County requiring greater separation distances between gravel pits and residences in the agricultural zone, said person would have to obtain signatures from at least 30 percent of the landowners in

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the agricultural district, and said landowners must be registered to vote in Codington County in order to have the petition to change be valid. SB 163 was unanimously passed by both houses and signed by the Governor.

SB 98 and **HB 1151** both dealt with adult uses and prescribed statewide standards for locating and operating adult use businesses. The Senate Local Government Committee deferred SB 98 to the 36th legislative day on a 4-3 vote. HB 1151 establishes operating hours for adult uses (closed between 2:00 a.m. and 8:00 a.m. Monday through Saturday and 2:00 a.m. and 12:00 p.m. on Sundays). The bill also requires a one-quarter mile separation distance from schools, churches, playgrounds, recreational facilities, child welfare agencies and residences. Proponents of the bill stated that the bill grandfathers all existing adult uses existing on or before June 30, 2008. Further, proponents state that the bill allows counties and municipalities to pass any ordinance regarding adult uses. Opponents of the bill felt that the state shouldn't be getting involved in local land use decision-making efforts, and that the bill could present legal liabilities for the state. Other opponents felt the form of the bill was conflicting, because the bill allows for communities and counties to pass any ordinance relating to adult use businesses, but what happens when a county or community passes a bill that is less restrictive than state law? Both houses approved the bill on a 2-1 vote, and the bill was signed by the Governor.

FAMILY DENTAL CENTER & WATERTOWN FAMILY EYECARE CONSTRUCT NEW FACILITY



Pictured Above: Ross Schulte, D.D.S. and Aimee Schulte, OD

First District Development Company (FDDC), along with Plains Commerce Bank of Watertown, South Dakota, recently completed a loan package for Ross K. Schulte, D.D.S., P.C., and Aimee M. Schulte, OD, P.C. FDDC utilized its Intermediary Relending Program (IRP) to assist Family Dental Center and Watertown Family Eyecare with their equipment financing. The newly constructed building was funded through an SBA 504 loan, provided by FDDC, and a conventional loan, provided by Plains Commerce Bank. Ross and Aimee's businesses share the facility, which is located on 19th Street in Watertown.

Ross Schulte is the owner and operator of Family Dental Center. Ross graduated from the University of Nebraska Medical Center. After graduation, Ross began his dental career at the Canton Dental Clinic and then relocated to Watertown and purchased Cliff Spieker's practice in 2002. Previously, Ross was operating out of the rental space where Spieker had been since the 1980s. Joining Ross at his practice is Dr. Erika Zink. With the equipment loan proceeds, Ross purchased digital x-ray cameras the size of an ink pen, and completed the build-outs for ten operatories.

Aimee Schulte is the owner and operator of Watertown Family Eyecare. Since graduating from Pacific University College of Optometry, Aimee has been working as an independent contractor. Most recently, she had been commuting from Watertown to Brookings working part-time. With proceeds from her equipment loans, Aimee was able to purchase equipment putting her on the cutting edge of optometry in Watertown. Her equipment purchases include a retina camera and pretest equipment to computerize all exam information, which automatically transfers data to the exam room. Her office is virtually paperless, which will significantly decrease errors made during the transcription process.

First District Regional Survey Results

The purpose of the 2008 Regional Development Survey was to determine regional needs in cities, counties, and economic development organizations in the First District. The report fulfills requirements of a contract with the Governor's Office of Economic Development (GOED). It is also needed to identify community and regional needs for the annual Comprehensive Economic Development Strategy (CEDS) report required by the Economic Development Administration.



The survey was divided into four sections. The first section pertained to the needs of communities and counties; the second section dealt with economic issues; the third focused on services provided by First District; and the last section pertained to regional issues. The four-part survey was distributed to 11 counties 75 cities, and 36 economic development corporations in the First District. The vast majority of respondents to the regional survey gave First District high marks in its performance and services. However, there is still room for improvement, and First District continues to strive for excellence.

The following is a summary of the survey results.

Top 10 Local Priorities Identified by Municipalities

Rank	Issue
#1	Road and/or street improvements
#2	Sewer system improvements
#3	New housing construction
#4	Clean-up/appearance improvements
#5	Outdoor park and/or recreation improvements
#6	Main Street building renovation
#6	Fire protection facilities and/or equipment
#8	City beautification needs
#9	Housing rehabilitation
#10	Water system improvements

Top 10 Local Priorities Identified by Counties

#1	Road/street improvements
#2	Health care facility improvements
#3	Housing rehabilitation
#4	Water system improvements
#4	New housing
#5	Sewer system improvements
#5	Industrial park improvements
#5	Disaster prevention and planning
#9	Energy system improvements
#10	Law enforcement facilities or equipment

Top 10 Local Priorities Identified by Economic Development Corporations

#1	New housing construction
#2	Housing rehabilitation
#3	Industrial park improvements
#3	Indoor recreation improvements
#5	Water system improvements
#6	Sewer system improvements
#6	Clean-up/appearance improvements
#6	Main Street building renovation
#6	Road/street improvements
#6	City beautification needs