

A RESOLUTION ADOPTING A NEW COMPREHENSIVE PLAN FOR THE COUNTY OF MARSHALL, AS PROVIDED FOR IN SDCL 11-2-11 THROUGH 11-2-21

Whereas, Chapter 11-2-11 of South Dakota Codified Law has empowered the County Planning Commission and the Board of Commissioners to prepare a Comprehensive Plan for the development of the County and included municipalities; and

Whereas, the Marshall County Planning Commission has developed a Comprehensive Plan for the future development of Marshall County; and

Whereas, the Marshall County Board of Commissioners has received the Comprehensive Plan from the Planning Commission and has held the required public hearing; and

Whereas, the adoption of the Comprehensive Plan would enhance the responsible development of Marshall County; and

Whereas, the Marshall County Board of Commissioners will be creating and adopting official zoning control as an adjunct to the said Comprehensive Plan; and

Now Therefore, be it resolved by the Board of Commissioners of Marshall County, that the Comprehensive Plan be hereby adopted and effective upon 20 days after the publication of the resolution and summary of the proposed plan.

Signed this 31st day of October, 1995

Publication Date November 8, 1995

Effective Date November 28, 1995

Caroline Christenson  
County Auditor

Valery Jaspur  
Chairman, Marshall County

Publish Nov 8, 1995 - Both PAPERS

NOTICE OF ADOPTION AND SUMMARY  
COMPREHENSIVE PLAN FOR THE COUNTY  
OF MARSHALL

This document is the Comprehensive Plan for Marshall County, adopted pursuant to SDCL 11-2, and is the official policy guide for future development in Marshall County. The written goals and objective policies, along with the land use map, provide guidance for decisions affecting the use and development of land and the expansion of public facilities and services.

The purpose of the Comprehensive Plan include, but are not limited to, the following: to provide for the orderly arrangement of the zones of the County, enabling each zone (residential, commercial, industrial and public) to perform its function economically and with minimum conflict to other zones; to encourage compact, orderly, contiguous growth within the County; to provide ample opportunities for public participation at all stages of the planning and implementation process, including public hearings, rezoning notices, and public awareness campaigns.

The Comprehensive Plan will serve as guide for policy decision making. The Zoning Ordinances, once completed and adopted will serve as an adjunct to the Comprehensive Plan and will be used as the enforcement tool.

*Publish Nov. 8, 1995- Both papers*

ORDINANCE NO. 14

AN ORDINANCE ESTABLISHING ZONING REGULATIONS FOR MARSHALL COUNTY, SOUTH DAKOTA, PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT AND AMENDMENT THEREOF; AND REPEALING ALL ORDINANCES OR PART OF ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF MARSHALL COUNTY, SOUTH DAKOTA:

That this Ordinance establishes zoning regulations for Marshall County, South Dakota, with such regulations being set forth in the document titled Zoning Ordinances; provides restrictions, district boundaries and the creation and separate adoption of a zoning map; provides for the administration, enforcement, and amendment of this Ordinance; and repeals any other ordinance or parts thereof in conflict with this Ordinance. Marshall County is adopting this ordinance in order to protect the public health, safety and general welfare.

First Reading: 5-28-96

Second Reading: 6-4-96

Publication Date: 6-12-96

Effective Date: 7-2-96

  
Marshall County Commission Chair

ATTEST:

  
Marshall County Auditor

*Maps will  
be adopted  
by a separate  
Ordinance*

# **MARSHALL COUNTY COMPREHENSIVE PLAN**

**OCTOBER  
1995**

# THE COMPREHENSIVE PLAN

MARSHALL  
September 1995

SOUTH DAKOTA  
LAND DEVELOPMENT PLAN

## COUNTY COMMISSIONERS:

Valery Jaspers	Eden	Chairman
Lela Olson	Britton	
Maurice Erickson	Langford	
Marion Cusick	Britton	
Sherman Halverson	Veblen	

## PLANNING COMMISSION:

Valery Jaspers	Eden
Lela Olson	Britton
Maurice Erickson	Langford
Marion Cusick	Britton
Sherman Halverson	Veblen

## DATES:

October 3, 1995.....Notice of Public Hearing

October 31, 1995.....Public Hearing Held by County Commission

October 31, 1995.....Resolution Adopted by County Commission

November 8, 1995.....Summary of Plan and Resolution Published

November 28, 1995.....Effective Date (20 days after publication of summary)

The Comprehensive Plan was prepared by the Northeast Council of Governments under the direction of the County Commission and the Marshall County States Attorney.

The Northeast Council of Governments assumes no responsibility for the contents of the Comprehensive Plan. Implementation and enforcement of the Plan is the responsibility of Marshall County.

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## INTRODUCTION

The Marshall County Planning Commission, in its awareness of the problems that exist within the county and within the Northeast South Dakota region, has been working with planning consultants over past thirty years toward the establishment of a sound Land Development Plan for Marshall County.

The purpose of the Comprehensive Plan is to serve as a foundation for and to provide the first step in the planning for the orderly physical development of the county; to serve as a means for coordinating County programs and services; to provide a source of reference to aid in developing coordinated official plans and regulations for the county and municipalities within; and to provide guidelines for promoting a desirable environment for future housing, commerce, industry, agriculture and recreation.

As such, the foremost objective of the Comprehensive Plan is to assure the highest degree of public health, safety and general welfare for the residents of Marshall County. Since the county is conforming to the trend of all rural areas (that is continual losses of population), the major aim of the plan will be directed toward conserving and improving what already exists rather than toward planning land development schemes based on a large influx of population.

In order to avoid misunderstanding and unnecessary legal complications which could jeopardize the total planning program, it is important to maintain a clear distinction between the Land Development Plan itself and the implementation measures. Implementation includes such controls as zoning or land use regulations, subdivision regulations, land acquisition and road programs.

These controls are the tools of the overall Comprehensive Plan and are designed to transform the policies and proposals of the Development Plan into physical development on the ground.

## **LAND USE DEVELOPMENT**

### **LAND USE TRENDS:**

Before stepping into the various phases of land development within the county, it is necessary to ascertain the trends developing in the different categories of land use within the area. The establishment of these trends in the more developed or highly urbanized areas bears greater significance than it does in a rural area such as Marshall County. For instance, in the future Marshall County may be faced with having to locate industrial businesses on large tracts of land near improved and easily accessible transportation facilities. They may then be confronted with providing large volumes of water to run these industries.

In addition, the county will be faced with an increase in residential development. The development west of Britton along State Highway 10 and the increasing number of seasonal dwellings along the major lakes are areas which will need guidance throughout the planning period to provide for the health, safety and general welfare of the population.

### **RESIDENTIAL LAND USE:**

When referring to residential development in Marshall County we must think in terms of four specific types: 1) Residential development within municipalities; 2) Non-seasonal residences outside the municipalities; 3) Seasonal cottages situated around the lakes; and 4) Rural-farm dwellings. Types one and two are very closely related and are more or less governed by the following factors: 1) availability of suitable land; 2) accessibility of available land; 3) relation of this available land to employment centers; 4) preference of people for type of living space; and 5) whether or not they can afford what they prefer.

Types two and three will probably generate the most concern to this plan since type one is basically the responsibility and concern of the municipality which have their own regulations.

Farm residential development is governed by farm policy and trends. The major problem regarding this type of development has to do with the removal of such structures once they become vacant and dilapidated.

### **COMMERCIAL LAND USE:**

Commercial ventures in the rural area should continue to increase as the demand for seasonal cottages and recreational activities continues to develop. Guidance should be employed in their development to insure proper location, design standards, minimum ecological damage and so forth.



#### **INDUSTRIAL LAND USE:**

Industrial land use includes all manufacturing enterprises plus nonmanufacturing industries such as railroad rights-of-way and terminal facilities. Extractive operations are also included in industrial land use.

The railroads in the county will become less able to compete with other forms of transportation, and much of the trackage in Marshall County appears headed for abandonment before the end of the planning period. Small industries not dependent on rail transportation could find a home in Marshall County, and provisions for potential sites will be considered in this land development plan.

#### **PUBLIC AND SEMIPUBLIC LAND USE:**

Public facility development can be expected to increase in the future as the need for park and recreation areas, government facilities and other such uses continue to increase.

#### **STREETS, HIGHWAYS AND RIGHTS-OF-WAY:**

Changes in acreage of streets and roads are directly related to residential and recreational development. Past development utilized a gridiron pattern which demanded more acreage in streets than do the recent types of development. As a result of new developments in the recreational or residential land use, new roads will undoubtedly have to be constructed.

Proper design of the development will insure the ultimate use of the land as well as allowing for some variety in street design and for good overall esthetics.

#### **AGRICULTURAL LAND USE:**

The total agricultural land within the county will not change to any appreciable degree in the future. The main concern of these agricultural lands will be to deal with the conservation treatment needs of the agricultural acreage. The acreage needs as to agricultural, pasture and rangelands are set forth in the South Dakota Conservation Needs Inventory which has recently been published. Copies of the report may be obtained from the Soil Conservation Service office in Huron.

#### **PLANNING GOALS AND PRINCIPLES:**

One of the initial phases in the planning process is the formulation of development goals. These goals must be based upon the true needs of the

county. To formulate goals for the sole purpose of having something to put down on paper is absurd. The goals must be realistic, relevant, and within the realm of attainability.

There are two general areas for which development goals must be formulated: (1) economic development and (2) physical development. Every effort should be made to create a viable economy for Marshall County that will provide a livelihood for all of its residents and an adequate tax base for the County. The natural resources of the County must be protected; their development must be in a manner which will not be detrimental to the county. Conservation practices must be instituted in all parts of the County.

All growth must be logically planned. It should be related to and integrated with the natural environment not superimposed over it. Development should be designed in a manner which contributes to the most desirable living environment for all of the citizens.

#### **FACTORS INFLUENCING LAND USE:**

Basic to the location of any particular land use are the decisions to the land owner. The persons having control of ownership may exercise their rights to develop or not to develop their land. As such, this plan recognizes that there are physical, social and economic forces which influence the decisions of the property owner.

As is true in any area, much of the land is suitable for more than one type of use. Agricultural land is suited to residential, recreational or industrial use. Some areas are suited for both recreational and residential use. Therefore, in order to determine the best use to which a particular site may be put, other factors which influence land use locations must be examined.

Accessibility of the site and the necessity for various modes of transportation are factors which govern land use location. While an elementary school should be within walking distance of its "in-town" pupils, a shopping center should be readily available by automobile. Industry requires accessibility to mode of transportation most suited to move its products as well as accessibility to a labor force.

An adequate supporting population within a defined service area is another factor to be considered in the location of certain types of land uses. Most land uses usually serve other uses and benefit by access and proximity to those uses. The optimum location of a land use is at a point where it can best serve all other uses, usually central within the particular service area in question. For example, an elementary school is best located at the approximate center of the neighborhood it serves, an area large enough to contain enough children to support the school. A shopping center should be economically sound if it serves an area not otherwise served and which contains an adequate supporting population.

View and/or proximity to attractive water areas are other factors which may affect the location of residential or recreational properties. Private development interests take advantage of these factors in the development of residential properties -- it is the concern of public agencies to reserve enough of such land to meet the recreational requirements of the general public for such areas.

The social, economic and political makeup of a particular area may influence the location of certain types of land use, particularly if other factors are equal. For example, an industry in choosing between sites which otherwise may have similar characteristics, may choose the political jurisdiction wherein there is a tax advantage or some other economic incentive. However, since such factors are subject to change and may not remain constant over a period of time, they have been given less weight in the development of a concept and policies for the county.

Finally, there are community restrictions and goals which are controlled directly or indirectly by public bodies and which may blend, modify, or even completely change the normal factors affecting land use patterns. Such influences may include legal controls, cooperative agreement and capital improvement programs.

# TRANSPORTATION INFRASTRUCTURE

## TRANSPORTATION POLICIES:

The highway system in Marshall County is relatively simple. State and County roads make up the bulk of the transportation network, with the exception of city-owned streets. No new thoroughfares or limited-access highways through the County are contemplated.

At the local level, the major element of the transportation network is the street system. Since all roads cannot perform all functions equally well, it has been the practice to classify streets and highways according to the function they perform. Thus, a controlled access highway carries large volume of traffic at high speeds. The State Highways in Marshall County also perform this function, although the volume of traffic is not so great as on an Interstate. At the other extreme, local streets provide direct access to each adjoining land parcel, but are completely incapable of accommodating high speed, high volume traffic. Between these extremities lies a wide range of street and highway types.

Highways and streets also influence types of land use. The position, shape and extent of various land uses are so closely related to the location and type of street and highway service available that it is impossible to consider one without the other. Development along highways must be controlled in order to minimize conflict and congestion.

The primary highway system must accommodate fairly high traffic volumes moving at relatively high speeds. The greatest hazard to continual traffic flow is crossing and entering traffic which the development of abutting land brings about. Commercially developed areas must not be designed so as to provide a single access for each enterprise, but should be provided with a common means of ingress and egress, or a service road, depending on the sparseness of the development. These type of developments should most logically be grouped in the recreational areas of the county and not merely strung haphazardly along the principal traffic routes.

Finally, transportation routes should have adequate reserved right-of-way to accommodate expected, as well as existing, traffic volumes.

## RECOMMENDED HIGHWAY PLAN:

The highway plan for Marshall County will not be vastly different than that which currently exists. State Highway 10 will continue to serve as the primary thoroughfare for east-west traffic within the County, while State Highways 25 and 27 will continue to serve as secondary thoroughfares for north - south travelers. Again it is to be pointed out that these traffic routes should serve the future volumes of traffic adequately without any major changes; however, it is very essential that the surface on these highways be kept in the best condition.

The major proposal, then, is for a service highway through the lakes region. This low-speed highway would allow the traveler to leave the main highway and take his time viewing this attractive area.

Additional recommendations include applying hard surfacing to several roads in the county to 1) provide good travel lines to the major highways in the county, and 2) to facilitate the long - range school plan.

The proposed north - south collectors (north of State Highway 10) could promote more commercial trade for Britton. Residents of southern North Dakota would have good improved roads bringing them to Highway 10 and directly into Britton.

Along with the other proposed collectors, these road improvements would provide better facilities for school busses, thus facilitating the School Plan.

## **PUBLIC UTILITIES INFRASTRUCTURE**

### **PUBLIC UTILITIES SERVICE:**

This section will present the policy statements concerning utilities and updating of some of the municipal plans as well as recommend or propose sanitary sewer and/or water districts around the developed lakes within the County. The Planning Commission, aware of the dangers of pollution and the need for adequate sewer and water service, present the policies recommended regarding public utilities services based on the following objective:

Adequate public water and sewer utilities should be provided for the safety and convenience of existing developed areas and as a guiding stimulus for future land development activity.

### **POLICY FOR PUBLIC UTILITY SERVICE:**

The immediate and future extension or expansion of water and sewer utilities shall be based upon population density or upon intensity of land use for industrial and commercial areas.

A desirable objective for the county is the establishment of safe and adequate water supplies and the collection and treatment of sewage for all developed areas within. In the municipalities these objectives have, on the whole, been met. All of the incorporated areas within the County are served by water systems, and only Lake City is without a sewer system. The desire to meet adequate utility needs in all of the developed areas must be balanced by the economic feasibility of installation.

With this in mind, future utilities plans anticipate new services in only the more intensely developed portions of the County. Water and Sewer plans for the developed areas of the County will be based upon (1) Upgrading the existing facilities to provide for improved utility service within the communities; and (2) recommending water and sewer systems for the developed areas around Roy, Clear, Buffalo, Cottonwood, Red Iron and Four-Mile Lakes.

Safe and adequate water and sewer utilities shall be provided in growth areas and in low density residential development safe adequate water and sewer utilities shall be maintained in isolated areas which cannot be served feasibly with public utilities.

Population density or intensity of land use establishes the feasibility of water and sewer utility installations. Sewer or water lines cannot be installed in areas of very sparse or scattered population as there would be too few users per mile of pipe to justify installation costs. In the majority of the County, excluding municipalities and lake shore development, it is assumed that water and sewer systems will primarily be individual wells and septic tanks. Where septic tanks are used, it is mandatory that soil percolation tests be made to prove that the soil is

satisfactory for the safe absorption of effluent. Sufficient area per dwelling must be maintained so that no contamination of water supplies develops from individuals residing too close to each other in septic tank areas.

The Brown, Day and Marshall Rural Water System has taken necessary steps to provide Marshall County with adequate drinking water. Their services will continue to be developed and throughout Marshall County, thereby eliminating the use of contaminated drinking water systems. Immediate steps must be taken to eliminate inadequate sewage disposal practices. Any suspected contamination by faulty septic tanks or drain fields must be inspected and corrected. Individual municipalities should investigate and reserve appropriate areas for future water supplies.

As has been previously cited, not all of the developed areas in the County will be served by sanitary sewage system. In these areas, septic tanks will undoubtedly be used. The Planning Commission strongly supports land use controls and inspection and testing programs to insure adequate on-lot disposal. In areas of the County where the Department of Health may have revealed existing or potential health problems created by faulty on-lot sewage disposal system, the Planning Commission supports and recommends strong and positive action to eliminate these situations.

#### **RECOMMENDED UTILITIES PLAN:**

##### **Local Municipalities**

Since municipalities are responsible for the welfare and safety of their citizens, every effort should be made to improve the utility systems. Items to consider are quantity and the quality of water; condition of utility lines and related factors which determine the adequacy of fire protection; future water supplies; and adequate means of sewage disposal.

##### **County**

The County Planning Commission should work with the County Commissioners and State Board of Health in investigating sources of pollution and to enforce policies for eliminating such pollution. It is further desirable that efforts continue with BDM Rural Water System to provide safe drinking water. In addition, continue to make use of James River Water Development District. Membership should continue to be secure and active participation encouraged.

## **PUBLIC FACILITIES INFRASTRUCTURE**

### **PUBLIC FACILITIES DEVELOPMENT:**

Public facilities such as schools, parks, municipal buildings and the like should be located to adequately and conveniently serve the needs of the citizens of Marshall County, and the need for such facilities should be determined in advance so they may be provided at a minimum expenditure of public funds.

### **POLICY FOR PUBLIC FACILITIES DEVELOPMENT -- SCHOOLS:**

Future school planning should, among other things, be based upon the financial capability of the districts to support a quality educational program and to build and maintain functional physical plants. Of the three districts in Marshall County, only Britton has the combination of physical plant and assessed valuation sufficient to provide a complete basic program.

#### **Assessed Valuation in Millions - 1994**

Britton	119,358,502
Langford	37,666,023
Veblen	28,301,186

Irrespective of its assessed valuation, any school district is destined to face financial difficulty under present law. However, every district should be supported by a minimum property valuation of ten million and preferably fifteen million dollars.

Cooperation between school, county and state officials will be necessary for planning financially sound, workable and serviceable consolidated districts where cooperation and sharing of services became economically feasible.

### **RECOMMENDED SCHOOL PLAN:**

#### **DISTRICT REORGANIZATION**

Langford and Veblen face certain financial difficulties in the near future which can be eased through further reorganization. The Langford district needs to absorb some additional territory while the Veblen district should become part of a larger district.

### **OTHER PUBLIC FACILITIES:**

The County must expand its service to local municipalities in providing professional assistance on control and coordination of development. It is



evident that the communities of Marshall County are not financially capable of providing many of the essential services needed. As such, it falls upon the County to provide them. These services include not only planning, but also park and recreation development, urban renewal, review of subdivision proposals, administration of land use controls, enforcement of building and housing codes and such other services as might prove workable and desirable.

The County is obligated to provide the best possible facilities to meet the above responsibilities. Public facilities such as the County Courthouse and County Jail should be improved and maintained to provide a high level of convenient and adequate service. The recommendations of the Planning Commission aimed at improving County Public facilities follow under the Public Facilities Plan. Recommended improvements are shown on the Public Facilities Plan Map.

Strict controls must be maintained to prevent unhealthful and inadequate refuse disposal practices within the County. At the present time, no serious problems have developed in this regard. There are phases of the refuse disposal technique presently used that do create problems, however. These have to do with wind and smoke. With uncontrolled dumping, wind scatters the lighter-weight refuse around the countryside outside the dump areas. Smoke from burning dump refuse is a problem which is daily coming to the front in our nations fight against pollution. These problems may seem insignificant; but when multiplied by the number of refuse disposal areas throughout the country that utilize burning, this turns out to be an important source of pollution.

#### **RECOMMENDED PUBLIC FACILITIES PLAN:**

The improvement or expansion of the following public facilities should be considered by municipal officials and Board of County Commissioners.

- 1) County Courthouse and Public Safety Building Remodeling and expansion of the County Courthouse is a very apparent need. The facility may look to be expanded to meet the increasing needs of government. Expansion to the existing structure would not only provide more space for the governmental staff presently employed, but would also provide additional storage space for records that must be kept from year to year. It would also provide the opportunity for combining the City - County administration in one building.

The need for a Public Safety Building is emphasized. Such a facility has been created and has relieved some of the pressure on the existing courthouse as well as alleviating some of the shortcomings of other public facilities in Britton. In the future, such a facility could include offices for city, county and state police, Justice of the Peace, district conservation officers, fire department, County rescue squad, law library, Jail and hearing room, and a combined civil defense - Communications center which could serve as an Emergency Operations Center.

- 2) County Fire Districts - With the small number of communities in the county and the vast rural area and lake development, fire protection is inadequate. Fire districts could be established within the County, positioning substations at strategic points to reduce traveling time in case of fire.

An example of such a district can be seen in the Eden - Lake City Area. By designating Eden as the main fire fighting unit in the district and establishing a substation in Lake City, the substation unit could be at the scene of a fire, say at Clear Lake or in the Turtle-foot lake area and be fighting it before units from Eden or Veblen could even reach the scene. Financial support for such an endeavor could be gained by instituting a mill levy for the fire district. Possible federal programs for financial assistance should also be investigated. Should interest along these lines develop, a meeting with the State Fire Marshal asking for his recommendations is suggested.

- 3) Regional Bookmobile - To supplement the public and school libraries in the County and to be able to provide opportunity for all residents of the County, efforts should be made to provide bookmobile service throughout the County.
- 4) Sanitary Landfill - With increased restrictions regarding landfills, three regional landfills have been developed in the region; Brown, Roberts, and Walworth Counties. The County is encouraged to utilize one of these sites for disposal. In addition the county will be promoting recycling efforts in accordance with the state and federal government regulations. Also, communities within the county are eligible to construct and operate restricted use site which accept construction debris and yard waste.
- 5) Public Housing - Housing in Marshall County's Communities is no different than in any other community, county or state. There are definitely housing needs which have to be met. Adequate housing for each and every family is an acclaimed goal of our government today. Housing needs basically entail two different types -- low-rent housing for the elderly and low rent housing for those in the low to moderate income brackets.

Different housing programs are sponsored through the Department of Housing and Urban Development (HUD) and through the Federal Housing Authority (F.H.A.) and Rural Economic and Community Development. The various programs should be examined, considered and implemented to meet the needs of the communities.

6) Police Protection

- A. Langford: Room should be made in the municipal building for the police department and efforts should be made toward purchasing a community owned patrol car equipped with radio communications capable of connecting into the County and state radio network.
- B. Veblen: Efforts should be made toward providing a city owned police car.
- C. Another possibility for more efficiency in law enforcement may be through a county-wide law enforcement program involving the sheriff's office. Further information on this aspect can be provided by State Law Enforcement Agencies.

## RECREATIONAL INFRASTRUCTURE

### PARKS, OPEN SPACE, AND OTHER OUTDOOR RECREATION FACILITIES:

A broad range of park and other outdoor recreation opportunities should be provided within Marshall County to meet local needs and supply vacation and tourist attractions.

Recreation plays a vital role in the life of modern day America. With the increasing availability of personal and family leisure time, overwhelming demands are being placed upon existing public recreation resources. The concern of public planning agencies must be directed toward providing these facilities both to municipal and non-municipal areas within the County.

The eastern half of the County has the natural characteristics for providing additional recreation for local residents as well as for tourists, provided these characteristics are properly handled and developed.

Public outdoor recreation requires a number of types of facilities. Well-rounded recreation provides playfield areas for younger age groups as well as more passive facilities for persons in the upper age brackets. Water oriented recreation is of prime importance to the County and should continually be re-evaluated to further enhance the well-rounded County-wide program.

Some of the facilities developed to meet local needs might have appeal also to tourists. There should be no attempt to separate locally-oriented facilities from those designated to attract tourists. However, the provision of the types of recreational resources needed to accommodate tourists patronage is generally beyond the capabilities of local agencies. As such, the planning program must continue to involve the Game, Fish and Parks in assuming the major responsibility for developing parks for use by residents of the region as well as for people from out-of-state. A combination of State and County efforts toward this desired outcome is necessary.

Stated in broad terms, it should be the goal of the Marshall County Planning Commission to attempt to achieve some kind of balance regarding acquisition of land and provision of additional facilities among the State, the County, the B.I.A. and local units of government.

Roy Lake State Park is currently in operation, and Siche Hollow State Park is being further developed. Long range planning for such parks and recreational areas is essential in order that the necessary funds for their construction or improvement may be procured through local efforts matched by Federal and State participation.

It is not the direct responsibility of the Marshall County Planning Commission to devise a program of proposed recreational facilities for each of the local municipalities which are currently deficient in this aspect. It is hoped that the local governments will undertake more detailed planning for their respective communities. A summary of more immediate recreational needs is included in the Recommended Recreation Plan.

The Planning Commission recommends the expansion of existing State Game Lands to preserve the natural character of land adjacent to these protected areas. Any areas in the County which are unsuited to profitable agriculture should be investigated for the possibility of use as land for the propagation of wildlife or at least maintenance of their present open state. Recreational facilities should equal or exceed the minimum standards acceptable for contemporary recreational areas.

School sites are so located as to be central to as many children as possible. They have restrooms and other equipment already provided which can be used for recreational activities during non-school hours. The economics of using such site and facilities for two purposes is a policy recommendation of this plan.

#### **RECOMMENDED RECREATION PLAN:**

In order that the increasing demands for recreational facilities within the County be met, the County Planning Commission should work with the County Commissioners, who in turn should work with and through the State and B.I.A. in an effort to provide the facilities necessary for meeting the demand.

All of these recommendations take time. Therefore, the planning must be done now; the land acquisitions must be taken as private land is available for sale; and then the actual development of the area can begin.

## COUNTY BEAUTIFICATION AND AMENITY PLAN

### POLICIES FOR COMMUNITY AMENITY:

The following statements and recommendations reflect the general objective and policies concerned with making the county and its communities a better place to live. Individuals, community clubs and organizations, local municipal officials and the county government should cooperate to provide a visually attractive, man-made environment throughout Marshall County's community and rural areas. Also, local municipalities are strongly urged to adopt regulations to eliminate present and prevent future blighted conditions.

Community amenity, or the quality of a community which makes people desire to live in it, stems from a number of factors. The policies and recommendations stated previously in the report have been established as aids for the improvement of Marshall County's amenity.

These aids include highway improvements, new or improved public facilities and utilities, additional park and recreational facilities, proper land use plan and additional ecological measures. In order that these proposals be implemented, individual communities and their residents must be willing to do their share in the county-wide improvement plan.

There is one particular aspect of this plan in which individual citizen participation is urgently needed. This important aspect is concerned with the elimination and prevention of blight. Blight is a form of deterioration which involves several factors. Improper maintenance and owner neglect are factors which lead to the continued deterioration of individual buildings, groups of buildings and in some instances, entire neighborhoods. Blight can and does present problems proportionately as severe in small communities as in larger towns, and therefore is something which must be eliminated. Blight is noted to a degree in all of Marshall County's communities and is evidenced by the housing survey noted in the Background Report.

The cooperation of local municipalities and their citizens is essential if blight is to be eliminated. The future progress of the county depends more upon the desire of its residents for such progress than upon any other single factor. The means and plans for amenity exist -- it is up to the citizens and elected officials to see that amenity is realized. Local municipalities are encouraged to investigate the use of Federal Urban Renewal programs to help eliminate blighted and deteriorating neighborhoods.

Three major types of urban renewal programs are briefly discussed below:

- 1) Complete clearance: In this type of renewal, areas which are too severely blighted or rundown to be saved are completely removed.

After clearance, the property is usually sold to a private developer who adds improvements. As in all types of renewal, property owners who are displaced are paid fair market value for their land, and displaced residents are assisted in relocating in safe, sanitary housing.

- 2) Rehabilitation: This form of renewal is aimed at providing funds for remodeling structures which are basically sound into more efficient and contemporary quarters for individual homes, apartments or commercial establishments.
- 3) Conservation: Renewal conservation programs are basically those which deal with minor repairs such as painting and general clean-up to restore deteriorating neighborhoods and to prevent them from deteriorating any further.

Renewal treatment should be thoroughly investigated and used wherever and whenever it is feasible. The financing of such programs can come from a federal advance for planning, and no commitment from the local municipality as to its involvement in the renewal program is necessary until detailed facts are available and have been presented to community and township officials and citizens.

The County communities and townships should constantly strive to enhance and beautify their physical character. There are numerous means of improving the appearance of a community and no effort should be considered so slight as to be ignored. The following is a list of items which are relatively easy to accomplish, yet add significantly to the community.

1. Regular cleaning and flushing of hard-surfaced streets and proper maintenance of County and municipal buildings.
2. Beautification efforts such as tree, shrubbery and flower planters in the business district.
3. Control of billboards and signs in developed areas and along highways.
4. Clean-up campaigns sponsored by civic organizations.
5. Adequate campaigns, in many cases sponsored and conducted by such groups as girl and boy scouts, to pick up litter along the highways and other public areas within the County.
6. Proper screening of unsightly junkyards.
7. Installation of underground electrical and communication utilities in all new developments.

**RECOMMENDED AMENITY PLAN:**

1. Form a County Redevelopment Authority to make urban renewal possible. This is the responsibility of the Board of County Commissioners and the County Planning Commission.
2. The County should also adopt the latest editions of the electrical and plumbing codes -- and enforce them.
3. Proper control of development at the county level should be handled through the adoption of land use and subdivision regulations.
4. Local Municipalities should:
  - A. Initiate community beautification programs.
  - B. Encourage property owners to repair or remove blighted structures. Often only minor repairs are necessary. However, in cases where citizens refuse to cooperate in repairing badly rundown structures, condemnation action may have to be initiated.
  - C. Adopt and enforce building, plumbing and electrical codes to insure against future blight from inadequate construction.
  - D. Adopt land use and subdivision regulations to prevent future land use patterns in which incompatible uses can lead to deterioration. In this respect local municipalities should seek assistance from the County Planning Commission.



## COUNTY SOIL DETERMINATIONS AND INFORMATION

### IMPROVEMENTS NEEDED -- BY SOIL GROUPS

For information concerning the soil structure of Marshall County, further reference should be made to the Soil Survey of Marshall County. The manual can be obtained from the Soil Conservation Service in Marshall County.

## CAPITAL IMPROVEMENT PROGRAMMING

Capital or public improvements are major projects which require the expenditure of public funds over and above annual operating expenses for the purchase, construction or replacement of the physical assets within a given area. The purchase of land may be considered a capital improvement when it will be put to use for the general public. The acquisition or construction of public facilities is also a capital improvement.

Capital improvements programming is the preparation and updating of a proposed schedule of public works and related equipment to be built or purchased by local government during the next few years. To be effective, it should cover the County's entire range of public facility and service requirements. All future projects should be listed in order of construction priority, together with cost estimates and the anticipated means of financing each project.

The capital improvement program should be based on the area's Land Development Plan. The land acquisition and construction activities of all neighboring and overlapping jurisdictions -- (municipalities, counties, special districts, authorities and even the state) -- should also be considered in the capital improvements program whenever possible.

A six-year programming period is generally considered to be most suitable. Two or three years is too short for effective programming because planning and financing of major facilities usually takes a longer period of time. By the same token, a period of seven or more years may project the program too far into the future to be of practical value.

Counties can derive considerable benefits from a systematic approach to planning capital projects. These benefits are dependent upon a strong legislative commitment to the program and firm executive leadership in carrying it out. Of considerable importance, also, is the cooperation of other local governmental units whose programs are interrelated.

Some of the more significant advantages of capital improvements include:

1. **Focusing Attention on Goals, Needs and Capabilities:** Capital improvements can be brought into line with long-range objectives, anticipated growth and financial capabilities. By planning ahead for projects, those that are most needed or desired will be considered first. Maximum satisfaction will thereby be gained from the money spent.
2. **Achieving Optimum Use of the Taxpayer's Dollar:** Advance programming of public works on an orderly basis will help avoid the possibility of costly mistakes. The program should guide local officials in making sound annual budget decisions. In addition, a listing of anticipated future construction projects may encourage the selection and acquisition of needed land well in advance of actual construction and lower cost.

3. **Serving Wider Overall Interests:** The capital improvements program, once accepted, keeps the public informed about future construction plans within the area and helps reduce the pressures on local officials for projects far down the priority list. In addition, knowledge about the future physical needs of the area and the financial ability of the local government to fulfill these needs is a valuable aid to private investors.
4. **Encouraging More Efficient Governmental Administration:** Coordination of capital improvements programming by the agencies of the city and county can reduce the probability of scheduling problems, conflicting and/or overlapping projects, and over-emphasis on any governmental function. Work can be more effectively scheduled and available personnel and equipment more efficiently used when it is known in advance what, where, and when projects are to be undertaken.
5. **Improving the Basis for Intergovernmental and Regional Cooperation:** Capital improvements programming offers public officials of all governmental units -- (city, county and special districts) -- an opportunity to plan the location, timing and financing of needed improvements in the interest of the area as a whole. Furthermore, because many public works services and facilities do not stop at the city or county boundaries, adequate planning and cooperation by the various agencies through a capital improvements program can reduce duplication of effort and cost of such projects and avoid public inconvenience.
6. **Maintaining a Sound Financial Program:** Sharp changes in the tax structure and bonded indebtedness may be avoided when the projects to be constructed are spaced over a number of years. Where there is ample time for planning, the most economical means of financing each project can be selected in advance. Keeping planned projects within the financial capacity of the planning area helps to preserve its credit rating and makes the area more attractive to business and industry.
7. **Enhancing Opportunities for Participation in Federal or State Grant-In-Aid Programs:** There are many federal and state programs that local governments may consult for help in planning, construction and financing of capital improvements. The preparation of a capital improvements program improves the government's chances of obtaining such aid.

Assignment of responsibilities for capital improvements programming varies from community to community, depending upon the form of government, level of staffing and other local conditions. Some public improvements will undoubtedly require funds in excess of the normal revenues gained through local taxes. Financial options are available for financing these programs as they are needed. Such sources include:

1. General obligation bonds, which may be issued by the local government. Retirement of such bonds is usually between five and twenty years. Principal and interest are paid from a mill levy against the assessed valuation of property within the community. The safe limit for general obligation bonds is usually held at 10 percent of the assessed property valuation. General obligation bonds can be sold to finance permanent types of improvements such as schools, municipal buildings, parks and recreational facilities. Such bonds require the approval of the electorate and are issued as either sinking fund, or, more commonly, serial bonds.
2. Revenue bonds are frequently sold for such projects as water and sewage systems, stadiums, swimming pools, airports and other revenue producing facilities. Such bonds usually are not included in state -- imposed debt limits, as are general obligation bonds, because they are not backed by the full faith and credit of the local jurisdiction. For the same reason, interest rates are almost always higher than are general obligation bond interest rates, and voter approval is seldom required. However, care must be taken to assure that estimated net earnings of the new facilities are realistic.
3. Lease-Purchase dictates that the local government prepare specifications for a needed public works project and take steps to have it constructed by a private company or authority. The facility is then leased by the municipality at an annual or monthly rental. At the end of the lease period, the title to the facility can be conveyed to the municipality without any future payments. The rental over the years will have paid the total original cost plus interest. Localities in some states have used this method to avoid the necessity for calling bond elections or to avoid debt limits. This type of financing has sometimes proved to be excessively costly. In addition, its legality has been questioned in some states; in others the obligation is considered as part of the municipal debt.
4. Authorities and/or special districts are created in most cases to manage facilities that are sponsored by user charges. Water and sewage systems and toll roads are examples of such facilities. Special districts with power to tax are also created for the purpose of issuing bonds and constructing facilities that may not be self-supporting. Sometimes they are necessary to avoid restrictive debt limits. The authority device may offer a convenient method of financing interjurisdictional facilities;

however, its use also creates many problems. Chief among these is the scattering of governmental responsibility. Moreover, it must be remembered that the debt incurred by an authority or special district is still a part of a community's total financial obligation even when it is not counted as a portion of the debt limit of general purpose government.

5. Special assessments finance public works that benefit certain properties more than others. Local improvements often financed by this method include street paving, sanitary sewers and water mains.

6. Joint financing should be considered when it is felt certain projects are equally beneficial to other governmental agencies, authorities or special districts. Such cooperation may bring about projects that would otherwise have to be deferred for many years and, thus, can result in better service and lower costs for the area.

In addition to revenues raised locally, funds for certain programs are available from the State and Federal Governments.

## MARSHALL COUNTY DEVELOPMENT CONCEPT:

There are several ways that an area can develop resulting in a number of land use patterns. The one pertaining specifically to Marshall County is that of centralization. Centralization assumes that a large part of the population will be contained within a relatively compact urban area with a minimum amount of outward growth. When carried out to its purest form, it involves a single major center for business and culture at the core with functionally related suburban outlets of business. Radial developments of industry and commerce generally concentrate along major transportation systems within the urban area. Large expanses of open space land outside the urban area are close at hand and accessible to that urban area. This form of urban structure works well if the total population contained therein remains relatively small, or if the higher population densities can be healthfully accommodated on the land.

Britton is and will continue to be the dominant urban center in the county. Even if it were to expand to twice its size, there would still be ample open area surrounding the community. The other communities, primarily Langford, Veblen, Lake City, and Eden will continue to serve as convenience trade and residential centers. The remainder of the county will be devoted to agriculture, recreation and seasonal dwellings.

### DEVELOPMENT POLICIES:

Along with the various land development maps, development policies are also set forth. These development policies have been carefully determined in order to translate goals and concepts into generalized mapped proposals. Furthermore, these policies provide a guide for short range decisions, specific recommendations and detailed regulations.

The use of policy statements will encourage consistency in administrative actions and development control and will promote efficiency in handling frequently encountered problems. Policy statements also provide a framework for the Land Development Plan, clarify the objectives of various implementing measures, and provide source for public reference. The development policy statements contained in this plan are not to be considered legal controls in themselves, but as guides to be applied to local conditions.

Development policy statements are used in formulating the Land Development Maps, as locational criteria for uses too detailed to place on a map, and as a guide in areas too undeveloped to logically express in detailed map form. Therefore, the different sections of this plan will contain policy statements accompanied by maps depicting the various land uses to the degree that these uses can presently be determined.

#### **LAND DEVELOPMENT POLICIES:**

Land and its uses comprise the core of a Comprehensive Plan for they affect all activity and development. Sound land use practices can make the difference between a good life and an unpleasant one.

There are numerous evidences of poor land use control within the County. Blight, pollution and improper site planning are just a few. The time to curb these problems is now -- before the severity of the problems gets totally out of hand. Therefore, the Planning Commission has formulated certain policies pertaining to land development and the related areas of public facilities and utilities. The policies are based on the following premises:

1. Marshall County's land is vulnerable to detrimental land development activities.
2. Development is basically desirable and inevitable and must be accommodated.
3. Uncontrolled growth is eventually destructive and disruptive.
4. Sound land development can avert land use conflicts and ensure enhancement of the total County environment.
5. Planned growth in conjunction with sound and fair development controls is more desirable than unplanned and uncontrolled growth.

From the above premises, this general policy on land development has evolved:

The Planning Commission shall strongly support and encourage order and beauty in the development of Marshall County's environment for the convenience and pleasure of present citizens and future residents through sound land development practices and the provision of adequate public utilities and facilities.

#### **TYPES AND PATTERNS OF DEVELOPMENT:**

The policy statements and specific recommendations of the Planning Commission are intended to fulfill the goals of the following general objective concerning the types and patterns of land development that will occur within Marshall County.

Future land development should be of a type that will enhance and complement existing land uses. Furthermore, development should be of a character that will contribute to the livability and the general betterment of the environment in the County and its municipalities within the County.

#### **POLICIES FOR TYPES AND PATTERNS OF DEVELOPMENT:**

Future land development types and patterns shall be consistent with the basic controls of land use and subdivision regulations, and shall complement the logical, harmonious and efficient pattern of future County growth. Past mistakes cannot easily be corrected, but when the problems that caused these mistakes are recognized, a future land development plan can form a more cohesive and efficient structure. Future land uses should occur in a harmonious arrangement within compact neighborhood units. Also, high standards of development are strongly encouraged for these future residential communities.

Generally, the future pattern of growth is a more logical continuation of present developmental trends. Britton will be the central urban area with the most potential for growth. Various types of development should occur within the communities or on their immediate fringes. Strategic properties suitable for industrial development shall be viewed with the idea of encouraging the establishment of clean, stable, diversified industries.

Again, the potential for industrial development lies along major transportation routes. Should the opportunity for more than one industry arise within the County, it would be best to group them. The establishment of a well-planned Industrial Park can provide the utilities and facilities required by industry in a compact, single location satisfactory to all. Such a park would eliminate the added expense of utility extensions.

Commercial development shall be controlled and guided to minimize adverse influences on adjacent roads or land values. Existing commercial uses shall be properly maintained, and new commercial uses shall be encouraged to locate in functionally designed centers with safe and adequate highway access.

The plan recommends the general limiting of additional commercial uses within the County (exclusive of any within municipal limits) to those areas immediately adjacent to the communities, or at intersections of major highways, or at logical locations to facilitate the lake developments. The majority of commercial development will no doubt be within the municipalities, but considerable endeavors will likely be noted around the major developed lakes.

Rural Marshall County shall be protected through land use controls regulating signs, slopes, water areas, residential development density, and recreational and agricultural activities. The Plan anticipates that the vast majority of the County will remain in its present agricultural state, with land use and subdivision regulations providing adequate control of any low-density development that may occur. Land use and Subdivision Regulations shall be adopted to protect residential property values, County and municipal improvements, and to insure a stable, attractive and efficient over-all environment.



The basic purpose of the Land Development Plan and the Zoning Ordinances are to look ahead in arranging land uses, so that the individual property owner may then be protected from encroachment of activities which are not compatible with their property. In addition, their investments may be protected from the unreasonable actions of persons or interests acting beyond their control.

Land developers and investment interests will be encouraged to utilize advanced designs to achieve greater variety in subdivision layout. Modern day subdivisions should not only provide variety of design and be pleasantly livable, but should also cost less to construct than traditional neighborhood types. Also, residential developers shall be encouraged to incorporate adequate public facilities and open space into new developments.

To permit and encourage the best possible growth of new areas, the Planning Commission recognizes and accepts the need for flexibility in the design of subdivisions. Such provisions for flexibility are incorporated in the land use and subdivision regulations. These Land Use Regulations fall along the line of a Planned Unit Development. All developers have much more flexibility of design under the covenants and usable land use regulations than they have with strict zoning ordinance where they are required to adhere to the standards established.

#### **MUNICIPAL LAND DEVELOPMENT POLICIES:**

The policies, recommendations and maps for the future development of Marshall County have been presented in the foregoing sections. Each of the various phases analyzed and recommended proposals for the development of highways, community facilities, utilities, parks, recreation and conservation -- all of which pertain to land - use.

The following maps cite the recommendations for the communities. Discussion of these recommendations may be found under the "Recommended Plan" sections.

One method of protecting these rural areas is through land use controls and subdivision regulations. Such controls and regulations should be adopted and enforced in order to restrict the activities in these areas predominately to agriculture and single-family homes with adequate septic tank systems.

The evidence of the indiscriminate exploitation of natural resources is currently present throughout the County. The presence of lake pollution, cluttered areas within the communities, erosion, and roadside litter testify to man's tendency to take his resources and natural beauty for granted and to take corrective action only when these natural assets have reached a critically low level. Such activities as junk yards would have to comply with strict regulations so they do not present obtrusive elements of the landscape.

The Planning Commission includes more in the realm of conservation than merely the wise use of natural resources. It will also strive for the provision of a sound total environment through the preservation of natural beauty and the elimination of blighted areas.

Measures must be taken to control pollution, erosion and flooding in the County. Such controls should include septic tank regulations, establishment of sanitary districts, enforcement of a pollution abatement program, encouragement of proper agricultural practices and construction of flood control dams.

#### **BUSINESS AND COMMERCIAL DEVELOPMENT POLICIES:**

When determining land necessary for business and commercial purposes, two types of growth must be considered: that of the resident population, and of the tourist population. With the resident population decreasing in the County, the need for additional commercial ventures within the communities should be encouraged. However, the increasing number of residential summer cottages and the growth in tourist trade during the summer months, makes imperative the need for development of commercial establishments in the lakes area. As with all types of future developments, land set aside for commercial purposes too far in advance of its development may remove that land from other possible useful purposes or may lead to spotty development within the area.

Highway oriented businesses should be functionally convenient to intersections of major arterials, but must be developed so as not to create difficulties at intersections. Unlimited highway access points must also be avoided. The extension of highway-oriented business in strips along arterial traffic ways shall be encouraged to provide access roads or "thru strips," or limited access.

#### **INDUSTRIAL DEVELOPMENT POLICIES:**

Although it has previously been pointed out that industry will probably never become of great importance in Marshall County, that possibility is always there. It is our goal in South Dakota to curb all phases of pollution. With this in mind it is a responsibility of this plan to set up some policies for industrial development. All potential industries shall be thoroughly examined as to the type and amount of pollution their operations will emit.

Whether its for an individual enterprise or for a planned industrial park, enough land should be provided with adequate space for industrial operations, future expansion, off-street parking and loading and unloading.

Industrial areas should be functionally related to the transportation system that handles the raw materials, finished product and commuting workers. At best, industries should be grouped and located so that they may be adequately served by major utilities.

In order that residential areas may be free from industrial traffic, industrial areas shall be located with access provided only to major transportation routes which include railroad lines. Also, industrial areas should be located where they can be served by the necessary major utility lines.

#### **RECOMMENDED LAND DEVELOPMENT PLAN:**

##### **County**

1. Encourage and assist growing communities, such as Britton, in establishing Land Use and Subdivision Regulations.
2. Assist developers and local municipal officials in understanding the advantages of advanced developmental design and make them aware of Soil Survey which should be used as a guide to proper land development.
3. Promote future development of the County along the lines of the Land Development Plan.

##### **Local Municipalities**

1. Where feasible, initiate and maintain strong and active Planning Commissions.
2. Promote community - wide clean-up campaigns.
3. Adopt Land Use and Subdivision Regulations.

PAST PLANNING COMMISSION AND COUNTY COMMISSIONERS

MARSHALL

SOUTH DAKOTA July 1972

LAND DEVELOPMENT PLAN

ATTACHMENTS

FUTURE LAND USE MAPS

COUNTY COMMISSIONERS:

William Schlekewy

Donald Naddy

Vincent Malm

Gilford Hill

Adolph Unger

Eden

Britton

Langford

Veblen

Britton

Chairman

PLANNING COMMISSION:

Raymond Carson

Adolph Unger

Curtis Jones

Al Tobkin

Cornelius Keintz

Richard F. Durland

Langford

Britton

Britton

Veblen

Eden

Chairman

Britton County Extension Agent and Acting Secretary

**ATTACHMENTS**  
**FUTURE LAND USE MAPS**