

Proposed Agenda
WATERTOWN CITY PLAN COMMISSION
City Council Chambers
23 Second Street NE

Thursday, October 10th, 2019

4:15 pm
(Immediately following the
Board of Adjustment Meeting)

Call to Order

Roll Call

1. Invitation for Public Comment Participants Submittal
2. Approval of Agenda
3. Approval of Minutes from the September 19th meeting
4. Commission Consideration of Resolution No. 2019-29, a Zoning Text Amendment to Title 21 of the Revised Ordinances of the City of Watertown Amending Chapters 21.1003 1. Non-Residential Height and Placement Regulations
 - a. Public Hearing
 - b. Commission Action
5. Open Public Comment
6. New Business
 - a. Discussion on Chapter 21.8028 Allowable Signage in Industrial Zones
 - i. Maximum Total Sign Area
 - ii. Wall Area Percentage Allowance for Building Signage
 - b. Rear Transitional Yards in GT-1 Gateway Overlay District
7. Old Business
8. Executive Session
9. Motion to Adjourn

COMMISSION MEMBERS:

Please notify Lori at 882-6202 X 3549 or email: lmarscheider@watertownsd.us
as soon as possible upon receipt of this Agenda if you will **not** be able to attend the meeting.

**OFFICIAL PROCEEDINGS
PLAN COMMISSION
CITY OF WATERTOWN, SD**

September 19th, 2019

Members Present: Kays, Culhane, Oletzke, Hanson
Absent: Dahle, Brink, Stein, Ford, Dargatz-Johnson
Also Present: Pete Boyle, Brandi Hanten, Jill Steiner, Mayor Sarah Caron, Mark Meier, Heath
VonEye, Matt Roby, Jamie Andrews, John Homan, Jim Flippin

Invitation for Public Comment Participants Submittal:

None.

Approval of Agenda:

Motion was made by Oletzke, seconded by Kays. Motion carried unanimously (4-0)

Approval of the Minutes from the August 22nd, 2019 Meeting:

Motion was made by Kays, seconded by Oletzke. Motion carried unanimously (4-0)

Approval of the Minutes from the September 5th, 2019 Meeting:

Motion was made by Oletzke, seconded by Hanson. Motion carried unanimously (4-0)

Commission Recommendation of Revised Urban Renewal Plan

Mayor Sarah Caron explained a committee meeting consisting of council members and staff was held to review the existing Urban Renewal Plan. The committee recommended some changes to the existing plan. They decided on a lower, more uniform rate for the new urban renewal fee. The urban renewal funds will be used to build a park. Culhane expressed support for the plan. The board unanimously agreed to recommend the plan to City Council. (4-0)

Commission Consideration for the Approval of a Preliminary Plan, Resolution No. 2019-18, for The Lakes of Willow Creek Addition, as Submitted by Jamie Andrews, J&J Land Sales LLC, Subject to all Planning Requirements

Hanten explained Jamie Andrews, J&J Land Sales LLC, has submitted a Preliminary Plan for The Lakes of Willow Creek Addition which is just short of a quarter section of property, 157.4 Acres, on the east side of Watertown, north of Willow Creek Drive and west of Interstate-29. This development will have residential, commercial, and mixed use districts throughout to be developed in 7 phases beginning in 2020 and spanning into 2038.

Portions of the property included in this preliminary plan have been previously developed in 2010 when Albin Stromseth owned the property. Areas were annexed and zoned with designations of I-1 Light Industrial, I-2 Heavy Industrial, BP Business Park, and GT-1 Gateway Overlay District, and were platted by the Plat of Stromseth East Side First Addition.

J&J Land Sales took ownership of the property, including much of the entire quarter section, their development has been in the works since 2018, strategizing the best use and functionality through the obstacles this site has presented. A collector route is shown to be established at 28th Street NE which eventually will connect Willow Creek Drive to 3rd Avenue NE. Twenty-Eighth St NE will need to be constructed on City property with the installation of box culverts to cross Willow Creek. The developer will be responsible for all of those costs. The sanitary sewer will be extended from the west from the Dakota Commons development and a lift station will be installed to accommodate for the grade differences. This lift station will be sized only to serve the development as the City was not interested in upsizing and contributing for that additional cost. The developer is requesting reimbursement for constructing the sanitary sewer in 30th Street NE north of 2nd Avenue NE to collect the future sewage flow from the property to the north as well as reimbursement for upsizing the sanitary sewer in 28th Street NE between the pump station and Park View Trail NE and upsizing the sanitary sewer in Park View Trail to collect the future sewage flow from the property to the east. Two-year detention in the Willow Creek drainage basin will be accomplished utilizing the existing gravel pit pond on City property. The capacity of the drainage from the development can be safely detained in the pond without impacting downstream or adjacent properties. The developer's agent had correspondence with the U.S. Army Corp of Engineers (USACE) in regard to jurisdictional wetlands and whether a wetland delineation was necessary for any of the gravel pit pond areas on the site, which they determined it was not. Any wetlands outside of the gravel pits would require a delineation, however, since if

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they are connected to Willow Creek they would be considered jurisdictional and mitigation would be required if any manipulation of the existing wetlands would occur.

The submittal has been reviewed and is complete, meeting all of the preliminary plan subdivision requirements of Title 24 of the Revised Ordinances of the City of Watertown.

Kays asked about the long range plan for improvements to 31st St. Hanten explained when the property adjacent to 31st St is platted they will address the needs of the street at that time.

Andrews explained it will be several years before they get to the residential portion of the development. Kays expressed concerns in regards to who will take the brunt of the costs associated with the development. Hanten explained we may entertain a cost recovery system to build the street, much like the city did with 2nd St NW. She also informed the board she understands the concern that one individual would not be stuck with all the costs associated with the construction of the street.

Jim Flippen, representing Dakota Commons, asked when 3rd Ave NE would be improved? If this development would speed up the process. Hanten explained 3rd Ave NE is set to be the last phase of the development. Kays asked if the city is considering a half street plan? City Engineer, Heath VonEye, explained staff has discussed if we will continue with half streets, however nothing is currently implemented. He further explained this would be discussion we would have when that portion of the development was platted.

Kays motioned to approve. Seconded by Hanson. Motion carried unanimously. (4-0)

Discussion on Proposed C-1 Minimum Lot Area (SF) and Minimum Lot Width Requirements

Ordinance Amendment

Hanten introduced a proposal for an ordinance amendment to the current minimum C-1 lot size requirements. The existing ordinance has a non-applicable minimum lot width. Hanten is proposing to change it to 25'. The current minimum lot area is 10,000 sq. ft. The proposal is to make it a minimum of 625 sq. ft. This would allow all but two downtown parcels to be conforming. Kays questioned if there should be a requirement for street access? VonEye informed the board that currently the ordinance states a platted lot must have access to a city street or an improved private street. Hanten expressed they will look further into this requirement before they bring a formal proposal to the board. No action was taken by the board. The board will revisit the issue at the October 10th, 2019 meeting.

Discussion on Communal Living Ordinance Amendment

Hanten explained the need to revise and add a communal living amendment to the existing ordinance. Currently, the definition is that not more than three people, not related by blood, may live in one dwelling unit. There was also a need to define sororities and fraternities as that was not previously addressed. The new definition for communal living would allow up to six people, not related by blood or law, to live in the same dwelling unit as long as the property applying for such use met the design standards outlined in ordinance. This would be a conditional use in the R-2 district and R-3 district. Kays and Oletzke both questioned what actually defines communal living and what requirements will need to be met to obtain the conditional use. VonEye clarified the intent is focused around the number of individuals rather than what kind of communal space was in the dwelling unit. Kays questioned space needs and parking requirements. Hanten explained we would use design standards and parking requirements, based on the number of bedrooms in the dwelling unit. VonEye discussed the staff has been reviewing many options concerning the requirements and details of the definition. He also stated that the options should be continued to be vetted before a final draft is written. No action was taken.

New Business

No new business.

Old Business

2019 South Dakota Planner's Association Conference

Hanten made another pitch informing the Plan Commission that the annual South Dakota Planner's Association Conference is to be held on October 16th-17th in Brookings, SD. If any Plan Commission/staff member is interested in going to inform Hanten so she is able to book rooms.

**OFFICIAL PROCEEDINGS
PLAN COMMISSION
CITY OF WATERTOWN, SD**

September 19th, 2019

Executive Session

None.

Motion to Adjourn

Motion to adjourn was made by Oletzke, and seconded by Kays. Motion carried unanimously.

Liam Culhane, *Interim* Chairman
Watertown Plan Commission

Request for Plan Commission Action

TO: Watertown Plan Commission
FROM: Brandi Hanten, CFM, Urban Planner
MEETING DATE: October 10th, 2019

Subject:

Commission Consideration of Resolution No. 2019-29, a Zoning Text Amendment to Title 21 of the Revised Ordinances of the City of Watertown Amending Chapters 21.1003 1. Non-Residential Height and Placement Regulations

Background:

Staff started the discussion with the Plan Commission after reviewing downtown properties and the platting requirements for building permit issuance. The current ordinance for the C-1 Community Commercial District makes meeting the minimum square footage requirements difficult because most properties exist as parcels, as they have been further subdivided, but not platted. The current minimum lot area of the C-1 District is 10,000 SF; Only 36% of the downtown parcels would meet that requirement, leaving the remaining 64% of parcels unable to be platted, and subsequently issued a building permit. A minimum lot width is currently not applicable to the C-1 District. Staff feels a minimum should be established.

Staff is proposing to amend Chapter 21.1003 1. by setting a 25' minimum required lot width and amending the 10,000 SF minimum lot area SF to 625 SF. 625 SF was established as a minimum for what a 25'X25' corner lot could potentially be and would meet the requirements. Staff feels this is appropriate to foster orderly development by meeting platting requirements and to accommodate existing properties in their redevelopment/construction efforts.

Suggested Motion:

I move to Recommend Resolution No. 2019-29, a Zoning Text Amendment to Title 21 of the Revised Ordinances of the City of Watertown Amending Chapters 21.1003 1. Non-Residential Height and Placement Regulations

Staff Reference:

Heath VonEye, P.E., City Engineer

History: 09/19/19 Plan Commission Discussion on C-1 Minimum Lot Area and Minimum Lot Width Requirements

10/10/19 Plan Commission Public Hearing (Ordinance Amendment)

Future: 10/21/19 City Council First Reading (Ordinance Amendment)

11/04/19 City Council Public Hearing & Action (Ordinance Amendment)

11/09/19 Published – *If Approved*

11/29/19 Effective

21.1003: NON-RESIDENTIAL HEIGHT AND PLACEMENT REGULATIONS ([back to Chapter contents](#))

1. General Requirements. Except as otherwise specifically provided in this ordinance, no development, use or structure shall exceed the limits specified below. (Ord 18-02; Rev 04-27-18)

	Minimum Density (SF/d.u.) ^a	Minimum Lot Area (SF)	Minimum Required Lot Width	Minimum Required Front Yard	Minimum Required Side Yard	Minimum Required Rear Yard	Maximum Mean Height ^b
A-1 Districts	35 Acres	NA	400'	30'	25'	40'	35'
C-1 Districts	NA	10,000 625	NA 25'	NA	0' or 30' (adj to R)	NA	60'
C-2 Districts	NA	10,000	100'	40'	30'	30'	60'
C-3 Districts	NA	20,000	100'	40'	20'	30'	60'
I-1 Districts	NA	30,000	100'	40'	20'	30'	60'
I-2 Districts	NA	220,000	300'	75'	50'	50'	60'
BP Districts	20 Acres	3 Acres	NA	50'	20'	20'	60'

a d.u. - dwelling unit

b Except where in conflict with aviation restrictions, the following structures or parts thereof are exempt from the height limitations set forth in the zoning districts: barn, silo, chimney, smokestack, spire, flagpole, ventilator, derrick, conveyor, cooling tower, and necessary mechanical appurtenances to the permitted or conditional uses of the districts in which they are located, provided that they are not used for human occupancy. (Ord 06-31; Rev 01-25-07) (Ord 16-13; Rev 10-14-16)

2. Non-Residential Supplemental Provisions

- a. Corner lots shall have two (2) required front yards, zero (0) required rear yard, and two (2) required side yards.
- b. For parcels that have more than two required front yards, the remaining required yards shall be side yards.
- c. The front setback as required above may be modified, at the discretion of the Building Official, where the frontage on the same side of the street is improved with buildings that have observed a lesser depth of front yard than required above. No building or portion thereof shall project beyond a straight line drawn between the point closest to the lake or street line of the building upon either side of the proposed structure within the same block; or, if there are buildings upon only one side, the proposed structure shall observe not less than the same front yard depth as the closest building on that side.
- d. Where a zero lot line development is being proposed in a new subdivision the minimum lot width may be reduced to sixty (60) feet. (E-545-1).
- e. Decks shall observe the same setbacks as primary structures, see Table 21.1003.

21.1004: NON-RESIDENTIAL HEIGHT & PLACEMENT REGULATIONS FOR ACCESSORY STRUCTURES

[\(back to Chapter contents\)](#)

1. General Requirements. Except as otherwise specifically provided in the ordinance, accessory uses shall meet the standards specified below.

	Maximum Height	Minimum Setbacks		
		Front	Side	Rear
A-1 Districts	40'	30'	25'	40'
C-1 Districts	30'	30'	30'	30'
C-2 Districts	30'	30'	10'	10'
C-3 Districts	30'	35'	20'	10'
I-1 Districts	40'	40'	25'	25'
I-2 Districts	40'	75'	50'	50'

2. General Provisions for Non-Residential Accessory Uses

- a. All conditional uses. If a permit to construct an accessory structure is requested; and such structure will be accessory to a primary structure or use previously granted a conditional use; the permit may only be issued as a conditional use by the Board of Adjustment. (Ord 08-11; Rev 07-11-08)
- b. Only specifically authorized accessory uses are allowed. No accessory use shall be permitted in any district unless such use is specifically authorized by this ordinance. No accessory use shall be deemed to be authorized by this ordinance unless such use is in fact subordinate to and on the same zoning lot with the principal use in conjunction with which it is maintained.
- c. Location of accessory uses, building and structures. No accessory use, building or structure permitted by this ordinance may be located in a required front yard except by Conditional Use permit. No accessory building and no structure, equipment or material of any kind may be located in a required primary structure side yard, unless such accessory observes a lesser setback. (Ord 04-04; Rev 03-26-04)
- d. Structures shall not be located in or over any easement.

3. Non-Residential Accessory Use Provisions

Any accessory use customarily incidental to the principal permitted use or conditional use shall be permitted, except those uses specifically prohibited in the district. (Ord 08-11; Rev 07-11-08)

Report and Recommendation of City Plan Commission

To the City Council of the City of Watertown, Codington County, South Dakota:

The undersigned hereby certifies that the following is a true, correct and complete copy of a Resolution introduced, fully discussed, and approved and adopted during the duly called meeting of the City Plan Commission held on the 10th day of October, 2019:

RESOLUTION NO. 2019-29

A RESOLUTION AMENDING SECTION 21.1003 1. NON-RESIDENTIAL HEIGHT AND PLACEMENT REGULATIONS FOR THE C-1 DISTRICT MINIMUM LOT AREA AND WIDTH REQUIREMENTS

BE IT RESOLVED by the Plan Commission of the City of Watertown, South Dakota, that an amendment to Section 21.1003 1. of the Revised Ordinances of the City of Watertown as follows:

21.1003: NON-RESIDENTIAL HEIGHT AND PLACEMENT REGULATIONS [\(back to Chapter contents\)](#)

1. General Requirements. Except as otherwise specifically provided in this ordinance, no development, use or structure shall exceed the limits specified below. (Ord 18-02; Rev 04-27-18)

	Minimum Density (SF/d.u.) ^a	Minimum Lot Area (SF)	Minimum Required Lot Width	Minimum Required Front Yard	Minimum Required Side Yard	Minimum Required Rear Yard	Maximum Mean Height ^b
C-1 Districts	NA	625	25'	NA	0' or 30' (adj to R)	NA	60'
C-2 Districts	NA	10,000	100'	40'	30'	30'	60'
C-3 Districts	NA	20,000	100'	40'	20'	30'	60'
I-1 Districts	NA	30,000	100'	40'	20'	30'	60'
I-2 Districts	NA	220,000	300'	75'	50'	50'	60'
BP Districts	20 Acres	3 Acres	NA	50'	20'	20'	60'

a d.u. - dwelling unit

b Except where in conflict with aviation restrictions, the following structures or parts thereof are exempt from the height limitations set forth in the zoning districts: barn, silo, chimney, smokestack, spire, flagpole, ventilator, derrick, conveyor, cooling tower, and necessary mechanical appurtenances to the permitted or conditional uses of the districts in which they are located, provided that they are not used for human occupancy. (Ord 06-31; Rev 01-25-07) (Ord 16-13; Rev 10-14-16)

I hereby certify that the above Resolution 2019-29 was duly adopted by the City Plan Commission of the City of Watertown.

Dated this 10th day of October, 2019.

Blake Dahle, Chairman
City Plan Commission