

# City Council Agenda Item Memo

**From:** Ryan Miller, City Planner

**Council Meeting:** June 24, 2025 / July 8, 2025

**Subject:** Ordinance 25-013: an Ordinance to Change the Zoning within the City of Brookings (the East 1 Acre of Rudebusch Addition Easterly 2 Acres of Lot 1 in NE1/4 of Sec 4, T109N, R50W, also known as 1809 West 20<sup>th</sup> Street South, from Joint Jurisdiction Agriculture District to Joint Jurisdiction Residence R-1A Single-Family District).

**Presenter:** Mike Struck, Community Development Director

## **Summary and Recommended Action:**

Richard & Donna Rudebusch have submitted a petition to rezone the East 1 Acre of Rudebusch Addition Easterly 2 Acres of Lot 1 in NE1/4 of Section 4, T109N, R50W, also known as 1809 West 20<sup>th</sup> Street South. The request is to rezone the area from Joint Jurisdiction Agriculture to Joint Jurisdiction Residence R-1A Single Family. The Development Review Team does not support the petition to rezone. The Planning Commission voted 5-3 to recommend denial.

## **Item Details:**

1809 West 20<sup>th</sup> Street South is a two-acre lot located along West 20<sup>th</sup> Street South. The lot has two access drives and is located within the 100-year floodplain (zone A). The lot is located in the Joint Jurisdiction Agriculture District and previously included a residential use. The residential use has been removed for over one year. Any future use must comply with the current zoning requirements.

The property owner has a purchase agreement with a prospective buyer for the east acre of the property, which is contingent on that half of the property being rezoned to a Residence R-1A Single Family District for the purposes of building a single-family dwelling. In the Joint Jurisdiction Agriculture District, a minimum of 35-acres is required for a single-family slab on grade dwelling. The JJ R-1A District would allow a single-family dwelling on a lot with a minimum of 15,000 square feet in area and 100-feet in width.

The Future Land Use Map from the City of Brookings' 2040 Comprehensive Plan describes the area as Open/Floodplain. The Future Land Use map should be interpreted generally and is not intended to provide the specificity or the rigidity of a zoning map or engineering document. The map should provide guidance for the zoning map. From the Comprehensive Plan, the 100-year floodplain is an area prone to inundation by a 100-year flood event (an event with a 1% annual probability, or that over

the course of a 30-year mortgage, has a 26% chance of being flooded at least once). These areas are severely limited from development and are subject to many additional requirements. It is difficult to mitigate these issues responsibly, and the extent of these areas should continue to be studied. Development should not occur in the 100-year floodplain unless the impact can be responsibly mitigated.

The prospective rezone area is also located within the South Development Policy Area of the Comprehensive Plan, which states a limited amount of larger lot or acreage development may occur in areas where the water table is high. However, municipal sewer may be required to ensure groundwater quality.

Any development of the east acre of the lot would require fill to remove the building location from the floodplain, along with the addition of compensatory storage back to the floodplain on a 1:1 basis from what is filled. Because the property is in a Zone A Floodplain, a floodplain study would be required to determine the base flood elevation. An approved Floodplain Permit would be required for both the rezone and building permits. Preliminary and final plats would be required prior to issuing permits. A grading permit would also be required.

The dwelling is unlikely to connect to municipal sewer without a lift station due to its location downhill from the nearest existing sanitary sewer line. An alternative sanitary sewer option which maintains groundwater quality would be necessary. The state would regulate any septic system type and surrounding fill. The dwelling would use rural water. The Fire Department would be required to grant an exception to the Fire Code requiring hydrants within one mile of the city limits during the permitting phase.

Joint Jurisdiction rezones are submitted to Brookings County who sets the public hearing for the Joint City and County Planning Commission meeting. The Joint Planning Commission makes a recommendation to approve or deny the request. That recommendation is made to both the City Council and County Commission who must both affirm any recommendation to approve a rezone in the Joint Jurisdiction Area.

**Legal Consideration:**

None.

**Strategic Plan Consideration:**

Economic Growth – The City of Brookings will support effective diversified community investment and equitable opportunities for prosperity.

**Financial Consideration:**

None.

**Supporting Documentation:**

Ordinance

Hearing Notice – City Council

Hearing Notice – Planning Commission

Planning Commission Minutes

Petition to Rezone

Location Map

Zoning Map

Future Land Use Map

Floodplain Map