Ordinance 25-XXX

An Ordinance amending the Subdivisions Regulations of the City of Brookings and pertaining to Article VI. Subdivision Improvements and Design Standards for the purposes of administration of the Subdivision Regulations

Be It Ordained by the City Council of the City of Brookings, State of South Dakota: that Chapter 51, Subdivision Regulations shall be amended as follows:

Section 1.

ARTICLE VI. SUBDIVISION IMPROVEMENTS AND DESIGN STANDARDS

Sec. 51-61. Streets and Circulation

(a) Connectivity of Streets, Sidewalks, and Trails. Subdivisions shall provide for continuation and extension of arterial, collector and local streets, sidewalks and trails in order to ensure connectivity between neighborhoods, multiple travel routes resulting in the diffusion and distribution of traffic, efficient routes for public and emergency services, and to provide direct and continuous vehicular and pedestrian travel routes to neighborhood destinations.

(1) The arrangement of streets, sidewalks and trails in a new subdivision shall conform to the major street plan and master trails plan and provisions shall be made for the continuation of existing streets, sidewalks, and trails in adjoining areas or their proper projection where adjoining land is not subdivided. There will be occasions when new streets and trails are proposed which were not included in the major street plan or master trails plan. When this occurs, the major street plan or master trails plan may be amended to include these new streets and trails.

(2) In general, provisions should be made for a collector street every half mile, and there should be a street connecting adjacent subdivisions at appropriate intervals where topographical and land use considerations permit. The arrangement of all streets and alleys shall be such as not to cause a hardship to owners of adjoining property when they plat their own land and seek to provide for convenient access to it.

(3) In undeveloped or vacant areas, streets, sidewalks and trails shall be identified and classified through the transportation planning process. The location of major streets shall conform to the major street plan.

Sec. 51-62. Streets, sidewalks, and trails design.

All public street improvements, including pavement width, street grades, alignment and visibility, and intersections shall be designed in accordance with standard accepted engineering practice and are subject to the approval of the city engineer. All public street facilities shall be designed in compliance with the engineering design standards manual and the Brookings Area Master Transportation Plan.

Sec. 51-64. Street standards.

(a) The developer shall be responsible for dedication of street right-of-way widths according to the major street plan and not less than as follows:

Street Type	Right-of-Way in Feet
Arterials	
Minor	80

Major	100
Collectors	70
Locals	60
Frontage roads	50
Culs-de-sac	60 (radius)
Alleys	20

(d) Culs-de-sacs will be allowed where one or more of the following criteria have been met for the reasonable development of a subdivision:

(1) Physical site conditions warrant a cul-de-sac. Physical site conditions include, but are not limited to:

a. Steep slopes or hills.
b. Natural barriers such as bodies of water, rock outcrops, or cliffs.
c. For the purposes of this chapter, man-made features do not constitute a physical site condition that warrants approval of a cul-de-sac.

(2) A through street is not physically feasible or desirable due to environmental considerations, access limitations along adjacent arterial streets, or where other unusual features prevent the extension of the street to the property line or the interconnection to other streets within or abutting the subdivisions.

The maximum length of a cul-de-sac shall be 400 feet measured along the centerline, between the radius point of the turnaround and the right-of-way line of the abutting street. Temporary turnarounds may also be required by the city engineer on dead-end streets that will eventually be continued.

(g) Private streets or roads, if allowed, shall meet the following requirements:

(2) The property owner(s) or agent shall place street signs on all private streets at the locations the city engineer deems necessary for the safety and convenience of the public. Street signs shall be of such a style and material as specified in the Public Works – Engineering Specifications for street signs to ensure they are easily readable at night as well as day, and are subject to the approval of the city engineer.

(7) The city will not subsequently accept a private street or road for dedication unless and until it is brought to city standards, which provides adequate rights-of-way without requiring variances for setbacks. In addition, all streets considered for acceptance must be inspected by a licensed engineer and deemed to have a Pavement Condition Index of 80 or higher, unless otherwise agreed to by the Public Works-Engineering Division.

(h) When the traffic impact of one or more proposed property developments indicates that the public safety can be better served by the use of mutual access easements, the following requirements shall be observed:

(4) Mutual access easement areas shall be paved by the owner or developer and maintained in an all-weather passable condition. Designs for mutual access easements must be approved by the city engineer.

(j) Secondary access is required for all residential subdivisions as hereinafter provided:

(1) Each residential subdivision with a projected trip generation of over 400 vehicle trips per day shall have a secondary access. The trip generation count is determined within the area accessible by a single primary access.

(2) The number of vehicle trips per day for purposes of the trip generation count shall be determined by the following:

a. Single family unit—10 trips per day.

b. Each apartment unit—7 trips per day.

c. Condominium/townhouse unit—6 trips per day.

d. Mobile home units—5 trips per day.

e. Elderly housing units—3 trips per day.

f. Residential PDD or mixed use—7 trips per day.

(3) No additional platting shall be allowed in any area exceeding 400 vehicle trips per day unless a secondary access is constructed or the planning commission has granted a variance as provided in ordinance section 51-84.

(4) Subdivisions which received preliminary plat approval prior to the adoption of this regulation shall be exempt from this requirement for the lots shown on the approved preliminary plat. Preliminary plats which are revised subsequent to adoption of this ordinance are subject to the provisions of this ordinance.

(5) If the density of the residential subdivision is unknown at the time of platting, the maximum density in the zoning district shall be used in calculating the vehicle trips per day.

(k) Street acceptance and transfer of ownership to the City:

(1) The developer shall be responsible for constructing the street to the City approved plans and specifications.

(2) Before the street can be accepted and ownership of the street is transferred to the City the developer shall be responsible for the following:

a. Retain a licensed professional engineer with responsibilities which will permit the engineer to provide a professional opinion that the construction of the streets and associated work was constructed in general accordance with the approved plans and specifications.

b. Construct street utilities and storm sewer in the street the winter prior to paving of the street.

c. Upon completion of street construction, or a segment of street construction, and prior to the street maintenance responsibilities being transferred to the city, the developer shall submit to the city engineer:

1. A certificate of completion signed by the developer's engineer stating that in their opinion, the streets and associated work were constructed in general accordance with the approved plans and specifications.
2. Warranty security in the amount of ten percent of the engineer's estimate of construction based on the approved plans and specifications subject to the certificate of completion for the duration of one year, naming the City of Brookings as the additional insured.

d. Upon receipt of the certificate of completion and warranty security, the city engineer shall determine acceptability of these submittals and site conditions within 30 days of the submission of the documents.

e. Upon review and approval of the certificate of completion, warranty security and site conditions, the city engineer shall issue a transfer of street ownership certificate for the specific segments of streets listed on the certificate of completion which satisfy these requirements, provided:

1. The three-year warranty period shall begin upon the date of the transfer of street ownership.

(3) Once the street is accepted by the City, the developer shall be held responsible for the street workmanship, materials, deterioration or any other deficiencies for a period of three years.

During this three-year period:

a. The developer shall be responsible for repairing and/or replacing all street deficiencies at no cost to the city within 180 days of notice of deficiency by the city engineer. The city may extend the time required by this section on written request by the developer, showing that circumstances beyond the control of the developer have prevented or delayed street repair or restoration.

b. The city shall have the final approval as to whether adequate repair and restoration has been completed by the developer after repairs are completed. In the event the developer fails to repair or restore the affected street in a manner acceptable to the city, the city shall have the right, after allowing the developer a reasonable period to complete the repair and restoration, to make such repairs and restoration, and the developer shall pay the costs incurred by the city for such actions.

c. The city may also apply the warranty security required in subsection 51-64 (k) to the developer's obligation to pay the costs incurred by the city to repair and restore the street. The developer shall remain obligated to the city for any costs of street repair and restoration which are not covered by the warranty security.

Sec. 51-65. Land design and improvements.

(1) Blocks.

(b) Block lengths shall not exceed 1,000 feet, have intersecting streets, and shall normally be wide enough to allow two tiers of lots of an appropriate depth.

Exception(s): i. Civic type uses may exceed the maximum block length as determined by the City Engineer.

ii. Based upon a traffic impact study for commercial and industrial areas, the City Engineer determines the transportation network functions at an acceptable level of service to support longer block lengths.

(6) Maintenance agreements. Where a subdivision contains sewers, lift stations, water supply systems, park areas, road systems, drainage systems/basins, or other facilities or services which are necessary to the area, and which are of common use or benefit and which are not accepted for maintenance by an existing public agency, provisions shall be made by written agreement for the proper and continuous maintenance and supervision of such facilities. A signed copy of the agreement shall accompany every plat having a facility or service covered by such an agreement.

Section 2.

Any and all ordinances in conflict herewith are hereby repealed.

FIRST READING:
SECOND READING:
PUBLISHED:

CITY OF BROOKINGS, SOUTH DAKOTA

ATTEST: Oepke G. Niemeyer, Mayor

Bonnie Foster, City Clerk