

# Planning Commission Agenda Memo

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

**Meeting:** October 6, 2020

**Subject:** Amendment to Chapter 51, Subdivision Regulations,  
Pertaining to Section 51-42, 51-64, and 51-65

**Person(s) Responsible:** Mike Struck, Community Development Director

**Summary:**

The City of Brookings is seeking approval of an amendment to the Subdivision Regulations pertaining to public street acceptance and drainage requirements.

**Background:**

The first part of the proposed amendment is cleaning up language in the existing ordinance to ensure accurate cross-referencing of ordinances as well as ensuring requirements are placed in the appropriate sections of the ordinance.

The proposal is to move language in 51-42 to section 51-65 as the language is more appropriate in this area. The cross referencing of the second change is a language clean up issue as the Premises Identification was changed during a recodification process and was inadvertently missed. This cleanup provides accurate cross-referencing of ordinances.

The third proposed change pertains to 51-64 Street Standards and identifies the process for accepting public streets from a developer. The proposal would require a developer's engineer to sign off that the streets and associated work was constructed in accordance with the approved plans and specifications. This will help provide accountability for the workmanship of improvements anticipated to be turned over to the City and prior to the City accepting such improvements, the developer's engineer certifies the improvements were completed in accordance with approved plans and specifications. The Transfer of Ownership certificate acknowledges a specific date and initiates the start of the developer's warranty period on such improvements.

The fourth proposed change is adding the language removed from section 51-42 into section 51-65, which creates consistency within the subdivision ordinance.

The fifth proposed change clarifies section (d) as pertaining to drainage easements as well as providing clarification on restrictions within a drainage easement. Specifically, this would allow the City to require the removal of structures within a drainage easement.

**Item Details:**

The ordinance amendment cleans up portions of the ordinance that are no longer applicable and provides clarity on the public street acceptance process and drainage easement requirements.

**Options and Recommendation:**

The Planning Commission has the following options:

1. Approve as presented
2. Approve as amended
3. Deny

The Development Review Team (DRT) recommends approval of the ordinance amendment.

**Supporting Documentation:**

1. Notice
2. Memo
3. Ordinance – Marked Up
4. Ordinance – Clean