



Spearfish Planning Commission

Agenda

Tuesday, March 3rd, 2020 - 3:00 PM

Meeting Location: City Hall City Council Chambers, 625 N Fifth Street, Spearfish SD 57783

A. Call To Order

B. Roll Call

C. Approve the Minutes from February 18th, 2020

D. Declaration of Conflicts of Interest

E. Items for Action

1. **Request:** Approve an amendment to the Revised Ordinances of the City of Spearfish, Appendix - A. Zoning, Article V. Supplementary Regulations, Section 3. Minimum off-street parking requirements

Location: Citywide

Applicant: City of Spearfish

Action: Hold a public hearing and make a recommendation to the City Council

F. City Council Update

G. Public Comment

Public comments are welcome at this time, however, no action will be taken.

H. Adjournment



Spearfish Planning Commission
Regular Session Minutes
February 18th, 2020

The Spearfish Planning Commission met in regular session on Tuesday, February 18th, 2020 at 3:00 p.m. in the council chambers at Spearfish City Hall. Chairman Kruskamp called the meeting to order at 3:00 pm. Roll call was taken with the following members present: Toby Bordewyk, Larry Vavruska, Greg Kruskamp, Drew Skjoldal, and Bob Meyer. Absent: Barbara Zwetzig and Meghan Byrum. Also present: City Planner Jayna Watson and Assistant City Planner Daniel Van Holland.

APPROVAL OF MINUTES:

Meyer moved, Vavruska seconded and all voted to approve the minutes of the February 4th, 2020 Planning Commission meeting.

DECLARATIONS OF CONFLICTS OF INTEREST:

Kruskamp called for any potential conflicts of interest to be identified. No conflicts were expressed.

- 1. Request: Amend the C-1 Central Commercial parking requirements**
Location: C-1 zoning districts
Applicant: City of Spearfish

Watson explained the current draft of the proposal and its changes, summarized the input session held on February 12th, 2020, and explained the history of the proposal to the public. Van Holland summarized data collected to determine a parking impact limit and the methodology used. Discussion was held on the applicability of the data, whether the impact limit was too restrictive, and if the applicant should be responsible for determining impact. Discussion was also held on after-hours parking, potential spillover into residential zones, whether on-street spaces would be on a “first-come-first-serve” basis for projects, language used throughout the text, if the public hearing was an effective means of preventing projects that overly burden residential zones, and if use should be reviewed for each project. Kruskamp opened the floor for public hearing. The following persons offered testimony in support: Jared Capp, Jason Schuldt, Racheal Headley, Clair Donovan, and Nathan Hoogshagen. John Dale stated his concerns with the proposal. The public hearing was closed at approximately 4:11 p.m. **Meyer moved, Vavruska seconded and the Planning Commission voted 3-1, with Bordewyk dissenting, to recommend approval including the addition of a new optional criterion “5” stating: “other proposals deemed to have a significant public benefit”, the deletion of the phrase “an increase in” to be replaced with “a” in line 1.a.2 to read “a building permit value that...”, and to delete the last sentence in line 1.a.4 regarding land owner permission.**

- 2. Request: Approve an amendment to the Revised Ordinances of the City of Spearfish, Appendix A – Zoning, Article V. Supplementary Regulations, Section 3. Minimum off-street parking requirements**
Location: Citywide
Applicant: City of Spearfish

Van Holland explained that staff had found two inconsistencies in the current code and how staff believed they could be fixed to make the code more consistent. Discussion was held on the proposed changes. **Vavruska moved, Bordewyk seconded and all voted to set a public hearing for March 4th, 2020.**

CITY COUNCIL UPDATE:

Watson reported on the items that were to go before the City Council on Tuesday February 18th, 2020, following the Commission meeting. Watson presented the Commissioners with gifts from the City Council as a thank you to the Planning Commission.

PUBLIC COMMENT:

Joe Jorgenson thanked the Commission for making better use of the PA system. John Dale thanked the Commission for taking comments.



ADJOURNMENT:

There being no further business to come before the commission, Kruskamp adjourned the meeting at approximately 4:28 p.m.



Spearfish Planning Commission Staff Report

Meeting Location: City Council Chamber, 625 Fifth Street, Spearfish SD 57783

Staff Contacts:

Jayna Watson, City Planner, 605-717-1122; jayna.watson@cityofspearfish.com

Daniel Van Holland, Assistant City Planner, 605-717-1126; daniel.vanholland@cityofspearfish.com

MEETING DATE AND TIME:	Tuesday, March 3rd, 2020; 3:00 P.M.
APPLICANT:	City of Spearfish
REQUEST:	Approve an amendment the City Code Appendix A Zoning, Article V, Supplementary Regulations, Section 3. Minimum off-street parking requirements
ACTION:	Hold a public hearing and make recommendation to the City Council
LOCATION:	City-wide

BACKGROUND AND HISTORY/SUMMARY:

Article VI, Section 5.B of the Zoning Code states, “Text amendment requests shall be filed with the zoning administrator. Requests may be initiated by the planning commission or city council.” Per the preamble of Article VI, Section 5 “This ordinance may be amended, supplemented, revised or repealed from time to time as conditions warrant...” if it, per Section 5.A.1:

- a. Be necessary because of substantially changed or changing conditions of the area and district affected, or in the ordinance generally.
- b. Be consistent with the intent and purposes of the ordinance.
- c. Not directly or indirectly adversely affect any other part of the ordinance.
- d. Be consistent with and not in conflict with the Spearfish comprehensive plan.

Staff has identified two inconsistencies with the current section on parking and is proposing to amend the code to fix this.

PROPOSAL DETAILS:

Article V, Section 3.A.2.h sets a minimum depth of 23 feet from the sidewalk for parking spaces that connect to local roads in residential districts. This conflicts with Article IV, Section 2.D.1.b, which sets a minimum distance of 20 feet from the public sidewalk for garage doors. This 20 foot distance was addressed in the recent amendment to the R1 district that pertained to the 12 foot setback when a lot is adjacent to the 100 foot right of way. Staff was unable to find any specific reason for the extra 3 feet and would recommend making these regulations more uniform. As the length of a parking stall in a standard parking lot is set at 19 feet per Article V, Section 3.A.1, the 20 foot maximum is more consistent with this other regulation as well. Staff recommends changing the depth to 20 feet in Article V, Section 3.A.2.h.

Article V, Section 3.A.2.i regulates parking access for lots abutting arterial and collector streets. Staff recommends repealing this section, as it is more in line with traffic control than with zoning and land use, which is not consistent with the intent and purpose of the Zoning Ordinance. The location and placement of driveway access to and from a major street are addressed in the new engineering standards and specifications manual which will be completed this spring.

PUBLIC COMMENT: No public comment has been received.

STAFF RECOMMENDATION: Approve

Article V. Supplementary Regulations, Section 3. Minimum off-street parking requirements.

No land shall be used or occupied; no structure shall be erected, altered, used or occupied, and no use shall be operated unless off-street parking facilities, in at least the amount required, are provided or available, and maintained in the manner set forth. Uses existing on the effective date of this ordinance shall not be reduced below the requirements of this section.

Off-street parking facilities shall be provided and maintained as required in this section for any addition to or the extension or enlargement of a use of land or building which existed on the effective date of this ordinance. The provisions and maintenance of the off street parking facilities required shall be the joint and several responsibility of the operator and owner of the use and the operator or owner of the land on which, or the structure in which it is located.

A. *Minimum requirements.*

2. *Maintenance.* Off-street parking facilities shall be constructed, maintained and operated in accordance with the following specifications:

h. In residential districts, parking spaces accessed by local roads and required by this ordinance shall be located and designed with a minimum of twenty-~~three~~ (20~~3~~) feet or sufficient depth from the back of the sidewalk so that there will be no vehicle encroachment over the public sidewalk.

~~i. If a parking facility accesses a collector street, major arterial or minor arterial as designated by the major street plan map that functionally classifies streets in the city, or if by reasons of topography as determined by the planning commission, the facility shall have a controlled access with a designated entrance and exit, and sufficient maneuvering space on the interior of the lot to preclude the necessity of vehicles backing onto the street.~~

(FOR REFERENCE, NO CHANGE PROPOSED)

Article IV. District Regulations, Section 2. R1 single-family residential district.

D. *Area regulations.* All setbacks shall be measured from the property line.

1. *Front setback.*

- a. Twenty-five (25) feet.
- b. If a lot abuts a one-hundred (100) foot wide public right-of-way, the front setback may be a minimum of twelve (12) feet and *provided that a garage door facing the street is a minimum of twenty (20) feet from the public sidewalk.*