

CITY OF JAMESTOWN
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MINUTES
Planning Commission –June 12, 2023 - 8:00 a.m.

MEMBERS PRESENT: Bayer, Cairy, Hillerud, Ritter, Trautman, Ostlie

MEMBERS ABSENT: Frye, Rath, Paulson

OTHERS PRESENT: Dalugama, Blackmore, Domek, Michel, CM Steele, CM Kamlitz, Harmstead (SRF), Hafner, Christensen (JFD)

1. Chairman Hillerud opened the meeting. Trautman made a motion to approve the minutes from the May 8, 2023, Planning Commission meeting. Seconded by Ritter. Roll Call. 6 ayes, 0 nays, 3 absent. Motion carried.
2. **PUBLIC HEARING:** The Major Subdivision, Final Plat of West Ridge Estates, Replat of Lots 24-28, Block 2 of Beverly Hills Sixth Addition, and a Portion of the SW $\frac{1}{4}$ of Section 35, Within the South $\frac{1}{2}$ of Section 35, T140N, R64W, Jamestown, North Dakota. The property is located at 1205 11th Ave SW, Jamestown, North Dakota.

Scott Harmstead, SRF, gave staff report on the final plat. The applicant has applied to replat lots 24-28, Block 2 of Beverly Hills Sixth Addition and a portion of the SW $\frac{1}{4}$ of Section 35, T140N, R64W with the intention to develop twin homes on the property. The plat would create six (6) developable lots. Each of the shared/interior lot boundary lines would be the centerline of the shared housing wall. The preliminary plat was approved by the Planning Commission on May 8, 2023. Staff have not received any comments on the plat. The proposed lots are zoned R-1-A (One Family Residential District and Duplex or Two-Family Residential District), a portion of the plat is zoned R-2 (One to Six Family Residential District); this plat would dedicate this area as right-of-way for 11th Ave SW, including a turn-around/cul-de-sac to standard. The platted area is currently vacant.

There was some issues that arose with the preliminary plat within the Zoning Ordinance. This City is currently in the process of amending its zoning ordinance to provide a setback exception for interior lot lines used to separate twin or town home units within the same building. In addition, the ordinance amendment will clarify definitions for single-family attached and detached dwelling units, two-family dwellings or duplexes and multiple family dwellings. This will be discussed next on today's agenda.

The proposed lots would have a single access on 11th Ave SW, which is a collector street. The plat would dedicate right-of-way at the end of 11th Ave for a turnaround to provide emergency vehicle access. There should be minimal traffic impacts expected. A storm water management plan is not required for the proposed subdivision.

The new property description would be Lots 1-6, Block 1 of West Ridge Estates Addition, City of Jamestown, North Dakota.

Staff's suggested motion is to accept the findings of staff and the recommendation of the Planning and Zoning Commission and approve the final plat for West Ridge Estates.

Chairman Hillerud opened the public hearing. There was no one present for the hearing. Hillerud closed the public hearing. The text amendment is next on the agenda for discussion. Tom Blackmore, Zoning Administrator wanted to make the Planning Commission aware that the City Attorney's office is currently working on creating an abstract for City property adjacent to this subdivision to dedicate the cul-de-sac. The title of opinion is not finished at this time due to the Legal description but is also being worked on at this time as well. This should be finished by the Committee meeting at the end of the month or by the City Council meeting on July 3, 2023.

Trautman made a motion to accept the findings of staff and recommends approving the final plat for West Ridge Estates, being within the Southwest ¼ of Section 35, within the south ½ of Section 35, Township 140 North, Range 64 West, City of Jamestown, North Dakota. Seconded by Ritter. No further discussion. Roll call. 6 ayes, 0 nays, 3 absent. Motion carried.

3. **DISCUSSION:** Text Amendments—Appendix C (Zoning Regulation)

Harmstead, SRF, gave staff report on the text amendment proposal.

1. Section 2.2—Definitions
 - a. Revised definitions for one-family detached, one-family attached, and two-family dwellings.
2. Article 4—Base Zoning Districts, Sections 4.5-4.7, and Section 4.19
 - a. The proposed setback exception for attached one-family dwellings or town/twin homes, in the R-1A, R-2, R-2A and R-3 Districts that allows for a 0-foot side yard setback for interior lot lines along where a shared wall is constructed.
3. Section 6.4—Zoning and Land Use Table
 - a. Table amended to incorporate revised definitions.

The proposed changes to Section 2.2 (see proposed changes in red)

Dwelling, one-family attached (proposed definition): A single-family dwelling unit constructed in a group of two (2) or more attached dwelling units, where each unit is located on an individual lot, has individual utilities, and is separated from the other unit(s) from the foundation to the roof by a double wall. One-family attached dwelling may be referred to as townhomes, which contain two (2) or more attached units, or town homes, which contain two (2) attached units.

Dwelling, one-family detached (proposed definition): A detached building containing one (1) dwelling unit.

Dwelling, two-family (proposed definition): A building containing two (2) dwelling units, one lot, sometimes referred to as a duplex. The dwelling units have separate entrances and may be separated vertically (two-stories) or horizontally (one-story).

The proposed changes to Article 4 (see proposed changes in red)

Section 4-5-C. Lot, Height, Area, and Yard Setback Requirements (R-2 District)

Minimum Yard Setbacks

Side (interior lot line) - 10% of lot width, but not less than six (6) feet or more than twelve (12) feet **(See exception 4.19)**

Section 4-6-C (R-2A) and 4-7-C (R-3)

Same change as above

Section 4-19- Development Exceptions

D. Side Yard Exception for Attached One-Family Dwellings

For attached one-family dwellings such as town homes and twin homes, there is no minimum setback requirement for interior lot lines along which a shared wall is constructed to separate dwelling units.

The proposed changes to Section 6.4 (*Zoning and Land Use Table*) will change “One-Family Dwelling, Non-Farm” to “One-Family Dwelling, Detached” and “One-Family, Attached” will be added, showing this is permitted in R-1A, R-2, R-2A, and R3.

	USE CATEGORY	USE	POC	R1	R1-A	R2	R2-A	R3	RM
	Single Family	One-Family Dwelling, Farm	P						
		One-Family Dwelling, Non-Farm Detached	SUP	P	P	P	P	P	
		One-Family Dwelling, Attached				P	P	P	
	Two-Family	Two-Family Dwelling			P	P	P	P	
	Multi Family	Multifamily Residential, Max 12 Units					P		
		Multifamily Residential, Max 6 Units				P			
		Multifamily Residential, Min 4 Units							
		Multifamily Residential, Min 8 Units							

Harmstead stated this proposed text amendment covers all related sections that have had issues in the ordinance related to townhomes. Blackmore explained that the text amendment brought forth today was for discussion purposes and that this will come back to the Planning Commission as a public hearing if the Commission is satisfied with the changes being proposed.

Chairman Hillerud made a motion to accept the findings of staff and recommendation of the Planning Commission and approve the text amendments of Section 2.2, Sections 4-5, 4-6, 4-7, 4-19, and Section 6.4 of appendix C to clarify definitions and standards for various dwelling types. Seconded by Trautman. No further discussion. Roll call. 6 ayes, 0 nays, 3 absent. Motion carried.

- Chairman Hillerud called for a motion to adjourn. Trautman made a motion. Seconded by Ritter. All in favor. Meeting adjourned.