

Planning Commission Agenda Item

Subject: Commission Consideration of Ordinance No. 25-03, Zoning Text Amendments to Chapter 24, Subdivision of Land of the Revised Ordinances of the City of Watertown

Meeting: Planning Commission - Mar 20 2025

From: Kristen Bobzien, Interim City Manager/Chief Financial Officer

BACKGROUND INFORMATION:

The proposed updates to Chapter 24, Subdivision of Land, consist mainly of clerical changes. Other notable changes include amendments to §24.0521, Assurances for the Completion of Minimum Improvements, in which the development agreement process has been modified to allow for agreements to be approved for periods of either two (2) or three (3) years, depending on the length of right-of-way being platted and subsequent infrastructure improvements within a subdivision. This length is capped at one (1) linear mile of right-of-way unless otherwise approved by the City Engineer. Extensions to development agreements may be approved on an annual basis at the discretion of the City Council.

In §24.0613, Inspections and Testing, and §24.0802, Completion of Final lift on Street, amendments are proposed that include updated language regarding current inspection policies in order to ensure proper installation and inspections have been completed prior to the final lift of a right-of-way being poured. These proposed amendments take into consideration the discussion that happened at the February 10, 2025, City Council work session. At the meeting, staff, City Council, and developers discussed the development agreement process and where recurring issues in the completion of subdivision developments were forming. The proposed amendments allow for an increase in flexibility for the time of infrastructure completion while setting clear expectations for developers on required inspections.

FINANCIAL CONSIDERATIONS:

N/A

OVERSIGHT / PROJECT RESPONSIBILITY:

Justin Petersen, City Engineer

Lucas Ammann, Civil Engineer II

Brandi Hanten, Community Development Manager

STAFF RECOMMENDATION / SUGGESTED MOTION:

I move to approve Ordinance No. 25-03, Zoning Text Amendments to Chapter 24, Subdivision of Land of the Revised Ordinances of the City of Watertown

ATTACHMENT(S):

[Illustration](#)

[Ordinance No. 25-03](#)

FOR ILLUSTRATION PURPOSES FOR ORDINANCE NO. 25-03

TITLE 24

SUBDIVISION OF LAND

Chapter

[\(back to Table of Contents\)](#)

24.01	Title and Purpose
24.02	Legal Provisions
24.03	Subdivision Plans in General
24.04	Administration and Penalties
24.05	General Requirements and Design Standards
24.06	Subdivision Procedure
24.7 24.07	Final Plat Approval
24.8 24.08	Street Maintenance and Acceptance
24.09	Changes and Variances
24.10	Definitions
24.97	Interpretation, Abrogation and Severability
24.98	Cross-References
24.99	Punishment

**Chapter 24.01
TITLE AND PURPOSE**

[\(back to Title contents\)](#)

24.0101: TITLE

These regulations may be referred to as the 2011 Revised Subdivision Ordinance for the City of Watertown and its area of extraterritorial jurisdiction.

24.0102: PURPOSE

It is the purpose of this ordinance to regulate the subdivision of land so as to coordinate streets with other subdivisions and uses, to provide water and sanitation facilities, drainage and flood control, to foster efficient and orderly urban growth compatible with the natural environment, to minimize cut and fill operations, to prevent premature land subdivision and to conform with the Comprehensive Plan for the City of Watertown and its area of extraterritorial jurisdiction. (Ord 11-18; Add 11-4-11)

**Chapter 24.02
LEGAL PROVISIONS**

[\(back to Title contents\)](#)

24.0201: JURISDICTION

Pursuant to SDCL §11-6, these regulations shall govern the regulation of all subdivisions and the plats of all subdivisions within the corporate limits of the City, and any applicable extraterritorial area. (Ord 11-18; Add 11-4-11)

**Chapter 24.03
SUBDIVISION PLANS IN GENERAL**

[\(back to Title contents\)](#)

24.0301: RECORDING, USE AND SELLING

No person shall transfer or sell any parcel as part of a subdivision plan before a plat of such subdivision has been approved by the City of Watertown and recorded.

1. No person shall subdivide or layout such land in lots, unless by plat, in accordance with state law and the regulations contained herein. Subdivision of any parcel by metes and bound description for the purpose of sale, transfer, or lease with the intent of evading the terms of these regulations is prohibited.
2. No building permit shall be issued for the construction of any building or structure located on a lot subdivided or sold in violation of the provisions of these regulations.
3. No application for variance or conditional use shall be received by the City for any such lot subdivided or sold in violation of the provisions of these regulations. (Ord 11-18; Add 11-4-11)

**Chapter 24.04
ADMINISTRATION AND PENALTIES**

[\(back to Title contents\)](#)

24.0401: ADMINISTRATION

The City Engineer is hereby authorized to enforce these regulations, to interpret them, and to adopt and enforce rules and supplemental regulations in order to administer and clarify their provisions. Any appropriate action may be taken by law or in equity to prevent any violation thereof, to prevent unlawful construction, to recover damages, to correct or abate a violation or to prevent illegal occupancy of a building, structure, or premises. These remedies shall be in addition to the penalties described below. (Ord 11-18; Add 11-4-11)

24.0402: PENALTIES

Any person violating any provision of this title shall be subject to the maximum penalty allowed by law. (Ord 11-18; Add 11-4-11)

Chapter 24.05
GENERAL REQUIREMENTS AND DESIGN STANDARDS

Section

[\(back to Title contents\)](#)

24.0501	General
24.0502	Design Standards
24.0503	Land Suitability
24.0504	Floodplain Management
24.0505	Conformity with Other Plans
24.0506	Relation to Adjoining Street Systems
24.0507	Street Names and Numbers
24.0508	Private Roads; Places
24.0509	Half Streets
24.0510	Sidewalks
24.0511	Blocks
24.0512	Lots
24.0513	Easements
24.0514	Permanent Property Markers
24.0515	Preservation of Natural Features and Amenities
24.0516	Parks, School Sites and other Public Areas
24.0517	Homeowner's and other Associations
24.0518	Drainage
24.0519	Areas Subject to Periodic Inundation
24.0520	Erosion
24.0521	Assurances for the Completion of Minimum Improvements

24.0501: GENERAL

[\(back to Chapter contents\)](#)

The Planning Commission shall require compliance with the following requirements to ensure the orderly development of all property within its platting jurisdiction. (Ord 11-18; Add 11-4-11)

24.0502: DESIGN STANDARDS

[\(back to Chapter contents\)](#)

All public improvements shall be designed in accordance with standard accepted engineering practices, designed in compliance with the Engineering Design Standards and subject to the approval of the City Engineer. (Ord 11-18; Add 11-4-11)

24.0503: LAND SUITABILITY

[\(back to Chapter contents\)](#)

The Planning Commission may find that land sought to be subdivided is unsuitable for development due to high agricultural productivity, flooding, poor drainage, steep slopes, rock formations or other conditions.

The Planning Commission may refuse to approve what it considers scattered or premature subdivision of land by reason of: lack of adequate water supply and sewerage treatment, schools, proper drainage, good roads or other public services which would necessitate an excessive expenditure of public funds for the supply of such services. (Ord 11-18; Add 11-4-11)

24.0504: FLOODPLAIN MANAGEMENT

[\(back to Chapter contents\)](#)

Regulations pertaining to floodplain management are set forth in Title 5 of the Watertown Ordinances. (Ord 11-18; Add 11-4-11)

24.0505: CONFORMITY WITH OTHER PLANS

[\(back to Chapter contents\)](#)

1. All proposed subdivisions shall conform to the adopted Comprehensive Plan.
2. The densities established by the zoning ordinance shall be observed by the subdivider and developer.
3. All thoroughfares in the major street plan shown as crossing or as boundaries of a proposed subdivision are required to be provided in that location and at the right-of-way width designated thereon. (Ord 11-18; Add 11-4-11)

24.0506: RELATION TO ADJOINING STREET SYSTEMS[\(back to Chapter contents\)](#)

The arrangement of streets in new subdivisions shall make provisions for the continuation of the principal existing streets in adjoining areas (or their proper projection where adjoining land is not subdivided) in so far as they may be deemed necessary by the Planning Commission for public requirements. The width of such streets in new subdivisions shall not be less than the minimum width established in the Engineering Design Standards. The street and alley arrangement shall be such as not to cause a hardship to owners of the adjoining properties. In general, provisions should be made for through streets at intervals not exceeding one-half mile, and for street connections to future subdivisions at intervals not less than one quarter mile. Offset streets should be avoided. (Ord 11-18; Add 11-4-11)

24.0507: STREET NAMES AND NUMBERS[\(back to Chapter contents\)](#)

1. Streets in line with existing streets shall bear the names of the existing streets.
2. No street names shall duplicate, contain the same spelling, or sound alike in pronunciation with any existing street. All street names should be kept as short as possible to permit signs to be no longer than thirty six (36) inches.
3. Each lot shall be assigned an address number in accordance with the numbering system now in effect in the City. Where possible, such address shall be established at the time of plat approval.
4. Street name suffixes shall be applied as follows:
 - a. Avenue: a road running east and west
 - b. Street: a road running north and south
 - c. Road: a road running east and west or north and south but which is not appropriate to name as a street or avenue
 - d. Lane: a road running northeast to southwest
 - e. Drive: a road running northwest to southeast
 - f. Trail: a road which wanders in different directions
 - g. Circle: all cul-de-sacs
 - h. Court: a road with two openings which enters and exits on the same road
 - i. Place: all private roads
 - j. Boulevard: a major road, usually an arterial or collector
5. When, due to topography, offsets caused by rectangular surveys, or other physical features, streets become interrupted, quarter line and section line streets shall retain the same name on either side of the irregularities. (Ord 11-18; Add 11-4-11)

24.0508: PRIVATE ROADS; PLACES[\(back to Chapter contents\)](#)

The use of private roads shall be discouraged; however, in cases where a private road is allowed, it shall meet the following requirements:

1. Private streets shall be surfaced by the developer to a width of no less than twenty-~~seven-eight~~ **(2728)** feet ~~four (4) inches back of curb to back of curb~~; and maintained in a passable condition. Greater width may be required when necessary. All private streets must provide a height clearance of fourteen (14) feet six (6) inches as a minimum and are subject to the same grade requirements as public streets.
2. A road maintenance agreement among property owners who will depend on said private street for access will be filed with the plat. This agreement shall affix the legal responsibilities for the repair and maintenance of any private streets and the required signs.
3. The Homeowner's Association shall place street signs on all private streets or ~~to~~-pay the City to place street signs for 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 to render them easily readable at night as well as day; and are subject to the approval of the City Engineer.
4. Buildings located adjacent to a private street shall be addressed and are subject to the approval of the City Engineer.
5. Private streets shall be indicated on the plat with broken lines. Any lots adjacent to a private street shall have their lot lines extended to include the area used for streets.

6. Any private street accepted by the City must provide permanent unobstructed public access to the area it serves.
7. Any plat presented for City approval which shows a private street as a means of access shall provide language in the Owner's Certificate reserving said private street as a permanent unobstructed access easement.
8. The City will not subsequently accept a private street for dedication unless and until it is brought up to City standards, providing adequate right-of-way without requiring variances for setbacks.
9. Alleys
 - a. Alleys are permitted in commercial and industrial districts, except where provision is made for service access, such as off-street loading, unloading and parking consistent with the requirement set forth in the Zoning Ordinance.
 - b. Alleys are permitted in residential districts when design standards and conditions warrant an alternative means of access as approved by the City Engineer. (Ord 11-18; Add 11-4-11)

24.0509: HALF STREETS

[\(back to Chapter contents\)](#)

1. Whenever an existing half street is adjacent to a tract being subdivided, the other half of the street shall be platted with said subdivision.
2. A preliminary plan of a subdivision may show half of a street adjoining property, which has not been subdivided, but no lot abutting on such half street shall have a building permit issued for it until such time as the other half street is dedicated. (Ord 11-18; Add 11-4-11)

24.0510: SIDEWALKS

[\(back to Chapter contents\)](#)

1. Concrete sidewalks shall be constructed along each side of every street shown on the plat in accordance with applicable standards and specifications of the City. Pedestrian ramps meeting the current American with Disabilities Act guidelines shall be installed with the street improvements.
2. The City may waive the installation of sidewalks in Industrial zoned districts.
3. The City may require the installation of sidewalks on lots, whether or not they contain any structure, when the adjacent lots have sidewalks, or when the City determines it is in the best interest of the public.
4. Alternative pedestrian routes may be considered by the Planning Commission in lieu of or in addition to sidewalks. (Ord 11-18; Add 11-4-11)

24.0511: BLOCKS

[\(back to Chapter contents\)](#)

1. The lengths, widths and shapes of blocks shall be determined with due regard to:
 - a. Provisions of adequate building sites suitable to the special needs of the type of use contemplated.
 - b. Need for convenient access, circulation, control and safety of street traffic and utilities.
 - c. Limitations and opportunities of topography.
2. Block lengths shall not exceed one thousand (1,000) feet and shall normally be wide enough to allow two tiers of lots of appropriate depth.
3. Pedestrian walks with a right-of-way not less than ten (10) feet wide, shall be required through blocks where it is deemed to be essential to provide circulation or access to schools, playgrounds, shopping centers and other community facilities. (Ord 11-18; Add 11-4-11)

24.0512: LOTS

[\(back to Chapter contents\)](#)

1. The lot size, width, depth, shape, and orientation and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated. Lot dimensions shall conform to the requirements of the Zoning Ordinance.
2. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide off-street parking and loading for the use contemplated.
3. Corner lots for residential use shall, to the extent possible, have extra width to permit appropriate building setbacks from both streets.

4. Each lot shall be provided with access to a public street or an officially approved place designated by the City Zoning Ordinance.
5. Double frontage lots shall be avoided except where essential to provide separation of residential development from arterial streets or to overcome specific disadvantages of topography and orientation. Along the property line of lots abutting any arterial street or other such disadvantageous feature, no right of access shall be permitted.
6. Side lot lines shall be substantially at right angles to streets except on curves where they shall be radial.
7. All interior lot lines shall be a straight line or a series of straight lines. Curved interior lot lines shall be prohibited. (Ord 11-18; Add 11-4-11)

24.0513: EASEMENTS

[\(back to Chapter contents\)](#)

1. Easements across lots or centered on rear or side lot lines shall be provided for utilities and drainage where necessary and shall conform to the Engineering Design Standards.
2. Whenever any stream or important surface drainage course is located in an area which is being subdivided, the subdivider shall provide an easement along each side of the stream for the purpose of widening, deepening, sloping, improving or protecting the stream or for drainage, parkway or recreational use, the width of which shall be determined by the City Engineer and approved by the Planning Commission.
3. All proposed lots of record shall provide:
 - a. A ten (10) foot utility easement along any side which abuts a public right-of-way;
 - b. A ten (10) foot rear yard utility easement whenever the rear yard abuts another lot; and
 - c. A five (5) foot utility easement for all other lot lines.

Said easements shall be measured starting from the lot line, then into the lot in question. Said easements shall be depicted on all official plans by broken lines and the particular purpose of the easement shall be clearly indicated thereon. (Ord 17-29; Rev 07-14-17)

4. Lots and easements shall be arranged in such a manner as to eliminate unnecessary jogs or off sets and to facilitate the use of easements for power distribution, telephone service, drainage and water and sewer services.
5. The property owners whose property is subject to such easements shall be responsible for its maintenance. The easements shall be kept clear of any structure, debris, trees, shrubs or landscaping whatsoever except lawn grass which shall be regularly mowed and annual vegetation may be grown thereon. Fences and minor landscaping are permitted obstructions, allowed at sufferance, within utility easements and are wholly prohibited in drainage easements. No utility whose facilities are currently sited, or are being installed, in a utility easement shall be liable for or responsible for the replacement of any portion of fence or minor landscaping that must be removed to accomplish necessary work on utility facilities. (Ord 11-18; Add 11-4-11) (Ord 17-29; Rev 07-14-17)

24.0514: PERMANENT PROPERTY MARKERS

[\(back to Chapter contents\)](#)

All subdivision boundary corners shall be marked with monuments to grade and noted on the subdivision plat. (Ord 11-18; Add 11-4-11)

24.0515: PRESERVATION OF NATURAL FEATURES AND AMENITIES

[\(back to Chapter contents\)](#)

1. Existing features which would add value to residential development or to the community as a whole, such as trees, water courses and similar irreplaceable assets, should be preserved in the design of the subdivision.
2. Sensitive environmental areas as shown on the Comprehensive Plan shall be reviewed with regard to the special character of the area taking into consideration harmonious design, environmental protection and topographical restraints. (Ord 11-18; Add 11-4-11)

24.0516: PARKS, SCHOOL SITES AND OTHER PUBLIC AREAS

[\(back to Chapter contents\)](#)

In conjunction with Title 14, when subdividing property, consideration shall be given to suitable sites for schools, parks, playgrounds and other common areas for public use so as to conform to any recommendations of the official comprehensive plan, school board or park department plans. Any provisions for schools, parks and playgrounds should be indicated on the preliminary plan in order that it may be evaluated. (Ord 11-18; Add 11-4-11)

24.0517: HOMEOWNER'S AND OTHER ASSOCIATIONS

[\(back to Chapter contents\)](#)

Where the subdivision contains park areas, road maintenance systems or other facilities or services which are necessary to or desirable for 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 trust agreement for the proper and continuous maintenance and supervision of such facilities. A final and signed copy of said agreement shall be attached to each and every plat having a facility or service covered by such an agreement. (Ord 11-18; Add 11-4-11)

24.0518: DRAINAGE

[\(back to Chapter contents\)](#)

A drainage plan conforming to the City approved master drainage plan for the area, if any, shall be made for each subdivision by a licensed professional engineer. Provisions shall be made within each subdivision to provide drainage facilities needed within the subdivision taking into account the ultimate development of the tributary area. The storm and sanitary sewer plans shall be made as part of the utility plans. Engineering considerations in subdivisions and other development shall give preferential treatment to gravity flow improvements as opposed to other utilities and improvements.

1. Off-premise drainage easements and improvements may be required to handle the runoff of subdivisions into a natural drainage channel and shall be the responsibility of the developer.
2. Low areas subject to periodic inundation shall not be developed or subdivided unless and until the City Engineer establishes and the Planning Commission establish and/or approve the following:
 - a. The nature of the land use would not lend itself to damage by periodic flooding and inundation; or
 - b. The area may be filled or improved in such a manner as to prevent such periodic inundation; or
 - c. Minimum floor elevations may be established to prevent damage to buildings and structures. Standing water that would contribute to mosquito development is to be eliminated by suitable construction measures.
3. The City Engineer may require whatever additional engineering information deemed necessary to make a decision on subdivisions and other development.
4. Ponds and similar areas will be accepted for maintenance only if approved by the City Council. (Ord 11-18; Add 11-4-11)

24.0519: AREAS SUBJECT TO PERIODIC INUNDATION

[\(back to Chapter contents\)](#)

1. **Flood Zones.** Land areas of such elevation and location to be subject to periodic inundation by flood waters shall not be subdivided or developed except as provided below.
2. **Development Review in Flood Zones.** Proposed subdivisions and proposed new developments shall be reviewed to determine whether such proposals will be reasonably safe from flooding. Any such proposals shall be reviewed to assure that:
 - a. All such proposals are consistent with the need to minimize flood damage within the flood prone area.
 - b. All public utilities and facilities such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage.
 - c. Adequate drainage is provided to reduce exposure to flood hazards.

Source: (Ord 11-18; Add 11-4-11) (Ord 21-32; Rev 8-27-2021)

24.0520: EROSION

[\(back to Chapter contents\)](#)

Measures used to control erosion on a development site shall, as a minimum, meet the standards and specifications of the Codington County Soil and Water Conservation District and the Engineering Design Standards. Stripping of vegetation, re-grading and cut and fill operations should be kept to a minimum, as should the amount of land and the duration of exposure. Whenever feasible, development plans should be made in conformance with topography in order to create the least erosion potential. Similarly, as much as possible natural vegetation shall be retained, protected and supplemented. The City Engineer may require further measures if necessary to prevent erosion on building sites and developments from depositing wastes or sediments on public streets or other property. Every effort shall be made to retain the natural vegetation on all ditches and drainage ways. Ditches and drainage ways will not be disturbed without the approval of the City Engineer's office. (Ord 11-18; Add 11-4-11)

24.0521: ASSURANCES FOR THE COMPLETION OF MINIMUM IMPROVEMENTS

1. No plats of any subdivision shall be approved unless the improvements required by this ordinance have been installed prior to such approval or unless the developer has signed a development agreement to establish the responsibility for the construction of such improvements in a satisfactory manner and within a period specified by the City Council. ~~s~~Such period ~~shall not to exceed~~ two (2) years for subdivisions containing one-half (1/2) linear mile or less of right-of-way development or three (3) years for subdivisions containing more than one-half (1/2) linear mile of right-of-way development. No subdivision shall contain more than one (1) linear mile of right-of-way development unless approved by the City Engineer. The development agreement shall be recorded with the register of deeds at the time of filing the plat. An extension to the performance two (2) year period of the development agreement may be granted at the discretion of the City Council in one (1) year increments. The first extension year shall not incur any fees, but all extensions thereafter shall require an administrative fee of one thousand five hundred (1,500) dollars per year to be paid to the City prior to issuance of the extension. This development agreement shall be recorded with the register of deeds at the time of filing the plat.
2. No building permits shall be issued until agreements have been filed, curb and gutter has been installed and sanitary sewer, storm sewer and water supply lines have been approved. ~~or all required public improvements have been completed and approved.~~ (Ord 11-18; Add 11-4-11).

[\(back to Chapter contents\)](#)

Chapter 24.06 SUBDIVISION PROCEDURE

Section[\(back to Title contents\)](#)

24.0601	The Plat Approval Process
24.0602	Procedure
24.0603	Concept Plan
24.0604	Approval of Concept Plan
24.0605	Effective Period of Concept Plan/Amendments
24.0606	Preliminary Plan
24.0607	Additional Impact Requirements
24.0608	Approval of Preliminary Plan
24.0609	Effective Period of Preliminary Approval
24.0610	Amendments to Preliminary Plan
24.0611	Construction Plans
24.0612	Construction May Begin
24.0613	Inspections and Testing
24.0614	Shop Drawings
24.0615	Record or As-Built Drawings
24.0616	Plat

24.0601: THE PLAT APPROVAL PROCESS[\(back to Chapter contents\)](#)

All proposed subdivision plats must be approved through a three phase development process. All plans and plats referred to in this section shall be prepared by a registered professional engineer and a registered land surveyor in conformity with requirements of state law.

Source: (Ord 11-18; Add 11-4-11)

24.0602: PROCEDURE[\(back to Chapter contents\)](#)

The procedure for review and approval of a subdivision consists of the following phases:

1. Required preparation, submission and approval of a “Concept Plan”.
2. Required preparation, submission and approval of a “Preliminary Plan”.
3. Required preparation, submission and approval of the “Construction Plans” and “Plat”.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21)

24.0603: CONCEPT PLAN[\(back to Chapter contents\)](#)

The purpose of a Concept Plan is for the developer to receive approval from the Planning Commission regarding general requirements, minimum standards of design and required improvements as set forth in this ordinance. This plan includes the entire area the developer intends to subdivide and will show the development phases to be preliminary planned. This plan will aid the developer in preparing a more readily accepted Preliminary Plan for each phase and help prevent revisions in the layout and development of the subdivision. One (1) paper copy and electronic copies of the PDF, DWG and GIS shapefile of a Concept Plan shall be submitted to the Community Development Division to be distributed for review by the Design Review Team. A Concept Plan shall include the following information:

1. General

- a. The proposed name of the subdivision shall not duplicate, be the same in spelling or alike in pronunciation with the name of any other recorded subdivision, unless it is an extension of or adjacent to said subdivision. These names shall be subject to the approval of the Administrative Official.
- b. Names of the additions and subdivisions within the city limits shall read as follows:
 _____ Addition (Subdivision) to the Municipality of Watertown, in the County of Codington, South Dakota.
- c. Names of additions and subdivisions outside the city limits (within jurisdiction) shall read as follows:
 _____ Addition (Subdivision) in the _____ Quarter, Section _____, T _____, R _____, _____ of the 5th P.M. in the County of Codington, South Dakota.

- d. Names of H Lots within the city limits shall read as follows (include Addition if available):

H - in _____ Addition, in the _____ Quarter, Section _____, T _____, R _____, _____ of the 5th P.M. in the County of Codington, South Dakota.

- e. Names, addresses, and telephone numbers of the owner(s), developer(s) and engineer(s).
- f. Vicinity map to scale, showing the locations of the proposed subdivision and other property for at least six hundred sixty (660) feet in every direction.
- g. The legal description(s) and notations stating acreage, scale, north arrow and date of survey.
- h. The names of all adjoining subdivisions. Adjoining un-platted property shall be labeled as such.
- i. Un-platted//undeveloped property surrounding such property being developed shall be included showing connectivity to existing infrastructure: streets, sanitary sewer, water, drainage, or other public infrastructure as applicable within the quarter (1/4) section.
- j. The proposed zoning districts.
- k. A systematic lot and block numbering pattern, complete with proposed lot dimensions and areas.
- l. Locations and widths of all existing and proposed easements.
- m. Locations and sizes of all public facilities, schools, libraries, fire stations, parks, tree masses and other significant natural features.
- n. Any expectations for City reimbursements.
- o. Proposed phasing for development with estimated timelines.
- p. Disclosure of proposed variances.

2. Streets

- a. The general layouts of streets and access points to arterial, collectors, and other adjacent street systems.
- b. The general layout of pedestrian connectivity.
- c. Rights-of-way widths.
- d. SProposed street names and widths from back of curb to back of curb including curb radius dimensions at intersections and cul-de-sacs.
- e. Typical of street sections.

3. Sanitary Sewer

The general layout of the proposed sanitary sewer system including locations of gravity sewers and force mains, lift stations, and connection points to the existing system.

4. Water

The general layout of the proposed water main system including connection points to the existing system. Water systems shall be approved by the City of Watertown Municipal Utilities Department.

5. Drainage and Grading

The proposed drainage and grading plan shall include detailed data for all runoff within the proposed development phase in accordance with the Preliminary Drainage Plan in the adopted Post Construction Stormwater Best Management Practices Manual (Ch. 2.4), also found as an appendix in Chapter 11 in the currently adopted Engineering Design Standards.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21) (Ord 22-01; Rev 3-4-22)

24.0604: APPROVAL OF CONCEPT PLAN

[\(back to Chapter contents\)](#)

After the Community Development Division and Design Review Team have reviewed and approved the Concept Plan, it shall be submitted to the Planning Commission for final approval. A public hearing will be held by the Planning Commission. The approved plan shall be kept on file with the Community Development Division. Approval of the Concept Plan shall indicate approval of the development concept only, and it does not constitute an acceptance or approval of the plat; therefore, no zoning or building permits shall be issued on the approval of the Concept Plan.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21)

24.0605: EFFECTIVE PERIOD OF CONCEPT PLAN/AMENDMENTS[\(back to Chapter contents\)](#)

The approved Concept Plan shall remain effective until all phases of the subdivision are complete. The Community Development Division may request an updated Concept Plan for administrative review and approval when minor changes to the plan are proposed. Minor changes may include, but are not limited to, the following: a change in local street pattern, street name, drainage ways or detention pond location, lot lines, development phases, subdivision name, rights-of-way width, easements, or lot and block numbers. Major changes to an approved Concept Plan shall follow the procedures for approval of a Concept Plan as required in this section. Major changes may include, but are not limited to, the following: a change in arterial or collector street patterns, proposed variances, other public open space locations, an increase in density, or perimeter boundaries.

Source: (Ord 20-32; Rev 1-1-21) (Ord 22-01; Rev 3-4-22)

24.0606: PRELIMINARY PLAN[\(back to Chapter contents\)](#)

A Preliminary Plan for the specific phase of development as outlined by the approved Concept Plan shall be submitted to the Community Development Division to be reviewed and approved by the Design Review Team. One (1) copy on 11"x17" paper and electronic copies of the PDF, DWG and GIS shapefile of the Preliminary Plan shall be submitted. Plan sheets shall be submitted at a maximum scale of one (1) inch equal to one hundred (100) feet (1":100'). The Community Development Division shall review the Preliminary Plan and provide recommendations, along with recommendations from the Design Review Team, to the applicant. Final consideration shall be made by the Community Development Manager within sixty (60) days following submittal.

The Preliminary Plan shall conform with the Engineering Design Standards and shall include all information from the approved Concept Plan as well as the following information:

1. General

- a. Engineer's certificate.
- b. Disclosure of any anticipated supplemental provisions to the General Conditions and Standard Specifications for Public Improvements and the currently adopted Engineering Design Standards.
- c. Adjacent property information: access points, rights-of-way, lot and block lines, easements, city limits, development plans, and any other pertinent information needed for review.
- ~~d. A systematic lot and block numbering pattern, complete with proposed lot dimensions and areas.~~
- ~~e. Proposed zoning districts and minimum setback requirements.~~
- ~~f. Location and widths of all existing and proposed easements.~~
- e. Specify which phase shown on the Concept Plan is being developed.
- g.f. [Mailbox collection point locations as approved by the US Postal Service.](#)

2. Street Plan[\(back to Chapter contents\)](#)

- a. Compliance with the City's Major Street Plan in the currently adopted Comprehensive Land Use Plan.
- b. Access onto city streets shall be in accordance to the currently adopted Engineering Design Standards.
- c. The City has adopted an Access Plan for accesses to U.S. Highways 212 and 81 and South Dakota Highway 20 in conjunction with the State of South Dakota Department of Transportation (SDDOT). Any conflicts with this Plan will need to be first resolved with the SD DOT before they will be considered on a preliminary plan.
- ~~d. Proposed street names and widths from back to back of curb including curb radius dimensions at intersections and cul-de-sacs.~~
- ~~e. Illustrations of typical street sections.~~
- ~~f. Streets and rights-of-way widths.~~
- g.d. Locations and widths of proposed easements.
- ~~h. c.~~ Identification of minor and major collectors with conformance to the currently adopted Engineering Design Standards.
- ~~i. f.~~ Transportation connectivity within the development as well as connectivity with the surrounding properties. This also includes pedestrian connectivity.
- j.g. Consideration of lots that front on an arterial or collector street and proposed access points.
- ~~k. h.~~ Note if access to the development is from a city street, county or state highway.
- ~~l. i.~~ Conformance to traffic calming practices shown in the currently adopted Engineering Design Standards.

m-j. Top back of curb elevations at low end of lots.

3. Sanitary Sewer Plan

[\(back to Chapter contents\)](#)

- a. Compliance with the City's Wastewater Collection System Master Plan, Sanitary Sewer Manual, and Sewer Capacity Study.
- b. Major individual commercial or industrial occupants (if any).
 - (1) Type of sewage produced by major contributors identified above (if atypical).
 - (2) Volume of sewage produced by major contributors identified above (if atypical).
- c. Provide geographic, gradient and capacity serviceability of the proposed development to the existing sewer system. The City Engineer will furnish the design engineer with sewer flows of the existing system upon written request.
- d. Locations, material type, grade and size of proposed gravity sewers, force mains, manholes, lift stations and other sanitary sewer appurtenances.
- e. Estimated flow in planned sewer and future upstream sites (cfs, mgd, or other units).
- f. Type and capacity of proposed lift stations. The capacity of said lift stations shall accommodate adjacent future developments as indicated by the City Engineer.
- g. Locations and widths of proposed easements.
- h. Adequacy of receiving sewer system.
- i. Manhole locations and spacing with manholes numbered.
- j. Flow directions, connections to existing system and extensions to adjacent properties.
- k. Extensions of sanitary sewer to the adjacent upstream users.

4. Water Plan

[\(back to Chapter contents\)](#)

- a. Water systems shall be approved by the City of Watertown Municipal Utilities Department.
- b. Show locations of valves, fire hydrants (including spacing), and other water main appurtenances.
- c. Locations and widths of proposed easements.
- d. Extensions of waterlines to perimeter of the development.
- e. Proposed pipe sizes and materials.

5. Drainage and Grading Plan

[\(back to Chapter contents\)](#)

- a. The drainage and grading plan shall include detailed data for all runoff within the proposed development phase in accordance with the Final Drainage Plan in the adopted Post Construction Stormwater Best Management Practices Manual (Ch. 2.5), also found as an appendix in Chapter 11 in the currently adopted Engineering Design Standards.
- b. Approximate ground water and lowest finished floor elevations shall be shown for buildings. The lowest recommended floor elevations shall be two (2) feet above the normal ground water elevation. Test holes shall determine ground water elevation where applicable. Test hole results shall be provided to the City.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21) (Ord 21-16; Rev 7-16-21) (Ord 22-01; Rev 3-4-22)

24.0607: ADDITIONAL IMPACT REQUIREMENTS

[\(back to Chapter contents\)](#)

The City Engineer may require any or all of the following to be included in the Preliminary Plan:

1. Traffic studies in accordance to Chapter 5.1 of the currently adopted Engineering Design Standards.
2. Information on additional water and sewer loads created by the proposed subdivision including confirmation that existing facilities or proposed additions can accommodate the additional loads is required.
3. A Geotechnical Exploration Report in accordance to Chapter 6 of the currently adopted Engineering Design Standards.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21)

24.0608: APPROVAL OF PRELIMINARY PLAN

[\(back to Chapter contents\)](#)

The preliminary plan shall be submitted to the Community Development Division for approval following review by the Design Review Team. The approved plan shall be kept on file with the Community Development Division. Approval of the preliminary plan shall indicate approval of the development concept only, and it does not constitute an acceptance or approval of the plat; therefore, no zoning or building permits shall be issued on the approval of the

preliminary plan.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21)

24.0609: EFFECTIVE PERIOD OF PRELIMINARY APPROVAL

[\(back to Chapter contents\)](#)

The approval of a Preliminary Plan shall be effective for a period of three (3) years, at the end of which time approval on the subdivision plat or a portion thereof must have been obtained from the City. Any preliminary plan which has not received approval for all or a portion thereof of it within the period of time set forth herein, would require re-submittal of a new plan for preliminary approval subject to any new subdivision regulations. However, before the initial three (3) years has ended, the Developer may, upon written request, receive a three (3) year extension from the Community Development Manager.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21)

24.0610: AMENDMENTS TO PRELIMINARY PLAN

[\(back to Chapter contents\)](#)

Amendments to an approved Preliminary Plan may be made at the discretion of the Community Development Manager. The Community Development Manager may request an updated Preliminary Plan for review and approval when minor changes to the plan are proposed. Minor changes shall include, but are not limited to, a change in local street pattern, street name, lot lines, development phases, drainage ways or detention pond location, subdivision name, rights-of-way width, easements, or lot and block numbers. Major changes to an approved Preliminary Plan shall follow the procedures for approval of a preliminary plan as required in this section. Major changes to an approved Preliminary Plan shall require a revised Concept Plan as detailed in Section 24.0603 and 24.0604. Major changes shall include, but are not limited to, a change in major street pattern, public open space location, or perimeter boundaries.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21) (Ord 22-01; Rev 3-4-22)

24.0611: CONSTRUCTION PLANS

[\(back to Chapter contents\)](#)

Construction Plans shall be submitted to the Community Development Division to be distributed for review and approval. One hard copy on 11"x17" paper and electronic copies of the PDF, DWG, and GIS shapefile shall be submitted. Plan sheets shall be submitted at a maximum scale of one (1) inch equal to forty (40) feet (1":40'). Final consideration and issuance of a Permit to Construct shall be made by the City Engineer within sixty (60) days following submittal.

Construction Plans shall conform to all chapters of the currently adopted Engineering Design Standards. Plans shall include all information from the Preliminary Plan as well as the following:

1. **Final Site Grading Plan.** The drainage and grading plans shall show the existing and proposed contours with intervals of one (1) foot for land with a slope of one percent (1%) or less, intervals to two (2) feet for a slope between one and one-tenth (1.1%) and nine and nine-tenths (9.9%) percent and contours of five (5) feet for land with a slope exceeding ten percent (10%) referenced to City of Watertown datum (established by the NAVD 1988 USGS). The site grading plan shall also show the top-of-foundation elevation and drainage arrows for each lot with lot corner elevations shown. The lowest recommended floor elevations shall be two (2) feet above the normal ground water elevation.
2. **Final Street Grading Plan.** The street grading plan shall show finished street grades shown to an accuracy of one hundredth of a foot (1/100), showing existing conditions and proposed curb grades, and a detailed design for all intersections. Where the developer owns only half the property which makes up a street, and he/she is the first person to request development along said street, he/she shall be responsible for establishing the street grades for said street for approval by the City.
3. **Final Drainage Plan.** The final drainage plan shall include detailed data for all runoff within the proposed development phase in accordance with the adopted Post Construction Stormwater Best Management Practices Manual (Ch. 2.5), also found as an appendix in Chapter 11 in the currently adopted Engineering Design Standards. *(Same requirements as the Drainage and Grading Plan for the Preliminary Plan referenced in Section 24.0606 5.)*
4. **Final Utility Plan.** The utility plan shall show the final storm sewer system and sanitary sewer layout, showing the direction of flow, the manhole locations and their approximate depth to a scale approved by the City Engineer. The utility plan shall also show the final water system layout showing the location of existing water lines and the proposed pipe sizes.
5. **Final Erosion Control Plan.** The erosion control plan must show all proposed land disturbance including areas of excavation, grading, filling, removal and destruction of topsoil and spreading of earth material. Provisions for erosion control during construction must be in accordance with the adopted Erosion and

Sediment Control Best Management Practices including a copy of the NOI and SWPPP, as applicable.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21) (Ord 21-16; Rev 7-16-21)

24.0612: WHEN CONSTRUCTION MAY BEGIN

[\(back to Chapter contents\)](#)

Grading of the proposed subdivision may begin only after a Grading Permit has been issued by the Engineering Division in accordance to Title 5 of the Revised Ordinances of the City of Watertown. A Grading Permit may be issued if a Preliminary Plan for the area has been approved. If the project disturbs one acre or more, a Storm Water Pollution Prevention Plan must be submitted to and approved by the Engineering Division. A copy of the Notice of Intent (NOI) issued by the South Dakota Department of Environment and Natural Resources must also be submitted to the City Engineer prior to Grading Permit issuance.

The installation of water, sanitary sewer and storm sewer lines and the construction of street and drainage requirements may not begin until after Construction Plans have been approved by the City Engineer and a permit to construct has been issued.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21)

24.0613: INSPECTIONS AND TESTING

[\(back to Chapter contents\)](#)

Inspections and testing shall be required as written in the currently adopted Engineering Design Standards. It is the responsibility of the developer to schedule all required testing and to notify the Office of the City Engineer when work is ready for inspections. Density tests must be submitted to the City Engineering Division for review prior to paving the final lift. In the event that the required specifications are not met, construction on the project shall cease until the items that are out of compliance are resolved. Failure to comply with the City's standards may result in a moratorium of building permits and/or other penalties as provided under law.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21)

24.0614: SHOP DRAWINGS

[\(back to Chapter contents\)](#)

Shop drawings shall be submitted in accordance with the currently adopted Engineering Design Standards. Drawings shall be reviewed and approved by the Developer's Engineer prior to submittal to the City Engineer. The attached cover page shall include contact information for the Developer's Engineer in addition to those listed in the currently adopted Engineering Design Standards.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21)

24.0615: RECORD OR AS-BUILT DRAWINGS

[\(back to Chapter contents\)](#)

Record drawings shall be prepared and submitted in accordance with the currently adopted Engineering Design Standards. ~~Two (2) copies on 11"x17" paper and e~~Electronic copies of the PDF, DWG and GIS shapefile shall be submitted. On projects where city-maintained utilities are being constructed, the developer shall be responsible for locating the utilities until record drawings have been approved. Once approved, the City shall assume locating responsibilities.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21)

24.0616: PLAT

[\(back to Chapter contents\)](#)

A Plat shall be submitted to the Community Development Division to be distributed for review. One (1) mylar, two ~~(2)~~ paper copies, and electronic copies of the PDF, DWG and GIS shapefile shall be submitted. Final consideration shall be made by the City Engineer within sixty (60) days following submittal. Copies of the approved plat shall be submitted in accordance with the currently adopted Engineering Design Standards and this chapter.

The Plat shall conform substantially to the Preliminary Plan as approved and may constitute only a portion of the Preliminary Plan, which the developer proposed to record and develop. Plats shall comply with state statutes and shall include the following information:

1. Compliance with the Preliminary Plan for layout of lot, block, right-of-way, and easements.
2. The name of the subdivision shall not duplicate, be the same in spelling or alike in pronunciation with the name of any other recorded subdivision, unless it is an extension of or adjacent to said subdivision.
3. Site location map, north arrow, and basis of bearings.

4. The date, title, scale (minimum scale of one hundred (100) feet to one (1) inch within the city limits, minimum scale of two hundred (200) feet to one (1) inch outside the city limits), north point and legal description of the proposed subdivision, location by quarter section, section, township and range required on plats outside the city limits.
5. The names of all adjacent subdivisions and streets, all previously platted lots to include dimensions and block lines, type of easements, and rights-of-way. Adjoining unplatted property shall be labeled as such.
6. All easements shall be shown indicating size and purpose on new subdivision.
7. A systematic lot and block numbering pattern corresponding to that existing in the City. Lot lines, road names, and the square footage or acreage of all lots shall be included.
8. The location and width of all proposed and existing right-of-way, alleys, and easements, as well as the location of any parks, dedicated drainage ways and railroad right-of-way.
9. The boundary lines of the area being subdivided with accurate angles or bearings and distances tying the perimeter boundaries to the nearest sector corner, other previously described subdivision, or other recognized permanent monuments which shall be accurately described on the plat.
10. Accurate location of all permanent monuments, control points and survey pins, either set or located.
11. An accurate description of any portions of the property intended to be dedicated or granted for public use, labeled as lot and block or tract.
12. For properties within the Special Flood Hazard Area (SFHA), reference the effective Flood Insurance Rate Map (FIRM) date, community and panel number.
13. All dimensions, both linear and angular, necessary for locating the boundaries of the subdivision lots, streets, alleys, easements, and any other area for public or private use. Linear dimensions are to be given to the nearest one one-hundredth (1/100) of a foot.
14. All property lines shall show chords, lengths and radii to the nearest minute and second.
15. Appropriate certifications as required by State statute.
16. Acknowledgment of the owner(s) of the Plat of any restrictions, including dedication to public use of all streets, alleys, parks or other open spaces shown thereon and the granting of easements required.
17. All formal irrevocable offers of dedication for all streets, alleys, parks and other uses as required.
18. Certificates of approval for endorsement by City Engineer and Finance Officer.
19. Development agreements shall be approved by the City Council.
20. Access agreements shall be approved by the City Engineer and SD Department of Transportation, where applicable.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21)

Chapter 24.07
FINAL PLAT APPROVAL

Section

[\(back to Title contents\)](#)

- [24.0701 Plat Approval](#)
- [24.0702 Subdivision Process Exemptions](#)
- [24.0703 Plat Exemptions](#)
- [24.0704 Additional Requirements](#)

24.0701: PLAT APPROVAL

[\(back to Chapter contents\)](#)

1. The Plat shall be considered for final approval only after the City has assurances from the developer fixing responsibility for required improvements. All plats are approved separately by the [Planning](#) Commission and City Council, except as noted below.
2. Pursuant to the authority granted in SDCL §11-3-6 and as authorized by the City Council, the City Engineer may approve plats in lieu of approval by the governing body subject to the following regulations:
 - a. A Preliminary Plan of the subdivision has been approved by the [Planning](#) Commission and the plat is in conformance with the same.
 - b. Lot line revisions so long as the lots created conform to the density requirements of the applicable zoning district.
3. In the event the City Engineer determines that Subsections 1 or 2 have not been complied with, the plat shall be submitted to the [Planning](#) Commission and the City Council for review and approval.
4. When the plat has been approved, the mylar and accompanying documents will be recorded with the Register of Deeds office. All recording fees will be billed to the applicant. (Ord 11-18; Add11-4-11)

24.0702: SUBDIVISION PROCESS EXEMPTIONS

[\(back to Chapter contents\)](#)

To ensure timely review of minor plats and replats (including plats for transfer of ownership) that do not discernibly impact surrounding properties, environmental resources, or public facilities, no concept plan, preliminary plan, or construction plans will be required. Minor plats and replats can be administratively approved by the City Engineer and must comply with all requirements of a plat.

1. Minor Plat Requirements: A minor plat is a plat containing not more than five (5) lots and must meet **ALL OF** the following requirements:
 - a. Does not require the dedication of right-of-way or construction of new streets, except that arterial roadways identified on the Major Street Plan will be required to dedicate the necessary right-of- way;
 - b. Does not create any public improvements other than sidewalks;
 - c. Does not landlock or otherwise impair convenient ingress or egress to or from the rear side of the subject tract or any adjacent property;
 - d. Does not change the grades from the grading plan which was submitted and approved with the original plat or, if the grades are going to be changed, then a grading plan shall be submitted and approved for the minor plat or replat;
 - e. Does not significantly change any plans that have been prepared for the placement of any other utilities in the subdivision;
 - f. Does not adversely affect the remainder of the parcel or adjoining property; and
 - g. Does not conflict with any provision or portion of the growth management plan, official map, zoning ordinance, or these regulations.
 - h. No property involved or created by a minor plat shall be involved in a subsequent minor plat procedure for a period of three (3) years from the date of filing of the original minor plat procedure.
2. Replat: A replat includes all the requirements of a minor plat and shall also include the minor vacation of existing platted lines to achieve either a reconfiguration of the existing recorded plat or change the number of recorded lots in the subdivision only where the perimeter of the tract being replatted is not altered by the replat. Also, a replat shall certify that the platting vacates the existing plat. (Ord 11-18; Add 11-4-11)

24.0703: PLAT EXEMPTIONS[\(back to Chapter contents\)](#)

This section is intended to provide exemptions to city platting rules and regulations. However, exemption of city platting rules and regulations does not exempt the platting requirements of the register of deeds, title company and state law. The following exemptions exist:

1. Cemetery gravesite plats or plots do not have to meet any requirements of this subdivision ordinance as long as land is surveyed, mapped, or diagramed, and subdivided into sections, blocks, lots, individual grave spaces, avenues, walks, and streets, thereby platting or making a map which shall be filed and maintained as a permanent cemetery record. However, all platting requirements of the county register of deeds and state law are still applicable.
2. Government owned parcels. In order to facilitate the transfer of ownership from one owner to a government entity for the use of a public land or facility (e.g., school, park, drainage way, H lots), plats may be exempted by the City Engineer.
3. Boundary line adjustments. The purpose is to provide procedures and criteria for the review and approval of minor adjustments to boundary lines of legal lots or building sites in order to rectify defects in legal descriptions, to allow minor enlargement or reduction of lots to improve or qualify as a building site, to achieve increased setbacks from property lines or sensitive areas, and to correct situations where an established use is located across a lot line, or for other similar purposes. When an application is made for building permits, if the description given for the lots on the building permit application shows the property lines to be different from the platted lot lines, a boundary line adjustment or replat will be required for those lots. A boundary line adjustment shall include a surveyed site plan including all information required for a plat. The survey shall be submitted to the planning office with a title report of the entire parcel. A development lot agreement may also be required to officially join parcels to comply with zoning requirements. If the legal description given does not meet the requirements listed below for a boundary line adjustment, other applicable subdivision ordinance provisions shall be followed.

A boundary line adjustment application:

- a. Shall not result in the creation of an additional lot, parcel, or building site,
 - b. Shall not result in a lot that does not qualify as a building site pursuant to this title;
 - c. Shall not relocate an entire lot from one lot of record to another lot of record;
 - d. Shall not reduce the overall area in a plat or parcel devoted to open space;
 - e. Shall not be inconsistent with any restrictions or conditions of approval for a recorded plat;
 - f. Shall not involve lots which do not have a common boundary;
 - g. Shall not result in the required minimum lot sizes that do not meet the zoning ordinance requirements;
 - h. Shall not result in the creation of a nonconforming setback for any existing building; and
 - i. Shall meet all transfer and recording requirements of the county register of deeds. (Ord 11-18; Add 11-4-11)
4. Condo plats do not have to meet any requirements of this subdivision ordinance as long as land is surveyed, mapped, or diagramed, and subdivided into sections or units and the following requirements are met. If all of the requirements are met then the condo plat can be administratively approved. If not ALL of the requirements are met then the condo plat must be approved separately by the Planning Commission and City Council.
 - a. That a Master Deed or Lease has been prepared in accordance with SDCL §43-15A-4,
 - b. The name of the plat must include the word “condominium” (ex: “Plat of Pine Knoll Condominium” or “Plat of Windhaven, a Condominium”),
 - c. The plat cannot create public streets, alleys or dedicate any area to the public,
 - d. The plat cannot alter any area previously dedicated to the public, nor modify or remove any easements, restrictions, or other encumbrances on the land.
 - e. The construction of the building(s) must meet the International Building Code and the International Fire Code, and
 - f. That the primary structure meets the required setbacks of the proposed zoning designation. (Ord 15-15; Add 06-12-15)

24.0704: ADDITIONAL REQUIREMENTS

[\(back to Chapter contents\)](#)

Additionally, building permits will not be issued on any tract or lot in the subdivision until, where applicable:

1. A Final Plat has been approved.
2. Construction Plans have been approved.
3. The Park Fee is paid or park land donated.
4. The property to receive a permit is platted and officially recorded.
5. Final zoning has been approved. (Ord 11-18; Add 11-4-11)

Chapter 24.08
STREET MAINTENANCE AND ACCEPTANCE

Section

[\(back to Title contents\)](#)

- [24.0801 Maintenance of Gravel Streets under Development](#)
- [24.0802 Completion of Final Lift on Street](#)
- [24.0803 Final Acceptance of Improvements](#)
- [24.0804 Developers Warranty Responsibilities](#)

24.0801: MAINTENANCE OF ~~GRAVEL~~ STREETS UNDER DEVELOPMENT [\(back to Chapter contents\)](#)

For streets under construction the City will provide minimum maintenance and snow removal on gravel and asphalt streets to provide minimum vehicular passage and provide minimum street sweeping on asphalt streets. If there is any damage to manholes, valves, curb and gutter, valley gutters, or other appurtenances, repairs shall be done at the developer's expense. Gravel streets will be allowed through one winter season only. (Ord 11-18; Add 11-4-11)

24.0802: COMPLETION OF FINAL LIFT ON STREET [\(back to Chapter contents\)](#)

Both the sanitary sewer and storm sewer must be televised and accepted by the City prior to paving the final lift. Any corrections needed for either sewer system must also be made prior to paving the final lift. Any disturbance to the paving section for any reason will be the responsibility of the developer to repair.

No sooner than one year after the first lift has been applied or at any time when requested by the City, the developer shall place the final lift of asphalt on the street. Prior to this action, the developer will notify the City and state its intentions. The City Engineering Division will inspect the improvements and make an inspection report to the developer as to the necessary work needed for the project to meet City specifications. This inspection report will encompass all aspects of the water, sanitary sewer, storm sewer, curb and gutter, valley or any other part of the construction as provided for in the preliminary plan as approved. Adjustments or repairs will be the responsibility of the developer and shall be made prior to the placement of the final lift. (Ord 11-18; Add 11-4-11)

24.0803: FINAL ACCEPTANCE OF IMPROVEMENTS [\(back to Chapter contents\)](#)

After the developer deems that all the street and utility improvements have been completed and has placed the final lift of asphalt, the developer will notify the City in writing that the street is completed. The City Engineering Division will then inspect all the improvements and inform the developer of any deficiencies. Any deficiencies shall be remedied by the developer at the developer's expense. Upon the review and recommendation of the The City Engineer, the City Public Works Director will then issue a Certificate of Completion noting any deficiencies and setting a date as to when the one (1) year warranty will end. (Ord 11-18; Add 11-4-11)

24.0804: DEVELOPERS WARRANTY RESPONSIBILITIES [\(back to Chapter contents\)](#)

The developer shall warranty the water, sewer, storm sewer, curb and gutter, valley or any other part of the construction specified in the preliminary plan for a period of one year from the date as stated in the Certificate of Completion.

Prior to the end of the one (1) year warranty period the City Engineer will inspect the improvements and report ~~his~~ findings to the City Council. The City Council shall by resolution confirm or reject the ~~Aeeptance~~ Acceptance Certificate of Acceptance. If confirmed, the developer's responsibility for the improvements end, and the improvements become the responsibility of the City. If any portion is rejected, the developer will repair or replace the rejected portion and a one (1) year warranty period will begin again on the rejected portion and the developer shall again comply with the provisions as stated in this ordinance. (Ord 11-18; Add 11-4-11)

Chapter 24.09
CHANGES AND VARIANCES

Section

[\(back to Title contents\)](#)

[24.0901 Changes or Modifications of Plans](#)

[24.0902 Variances](#)

24.0901: CHANGES OR MODIFICATIONS OF PLANS

[\(back to Chapter contents\)](#)

All modifications to the approved construction plans shall be approved by the City Engineer. The Planning Commission reserves the right to require that any changes or modifications to approved plans that they deem to be major changes or modifications shall require the developer to re-submit the modified plan for review and adoption as herein provided. (Ord 11-18; Add 11-4-11)

24.0902: VARIANCES

[\(back to Chapter contents\)](#)

Requests for variances must be submitted to the Planning Commission and/or the City Council under the procedures set forth in Watertown Ordinances. (Ord 11-18; Add 11-4-11)

Chapter 24.10
DEFINITIONS

24.1001: DEFINITIONS

[\(back to Title contents\)](#)

For the purpose of this title and in order to carry out the provisions and intentions as set forth herein, certain words, terms, and phrases are to be used and interpreted as defined hereinafter. ~~Words used in the present tense shall include the future tense; words in the singular number include the plural and words in the plural number include the singular; the word "person" includes a firm, partnership or corporation as well as an individual; the word "lot" includes the word "plot" or "parcel"; the word "building" includes the word "structure"; the term "shall" is always mandatory and not discretionary; and the word "may" is permissive. The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged or designed to be used or occupied."~~

Access Control Easement: an easement on property adjacent to a street right-of-way prohibiting vehicular access or street curb cuts to such designated property.

Alley: a public or private right-of-way which affords a secondary means of access to property.

~~**Acceptance Certificate:** a certificate issued as acceptance of improvement in developments that will be, after acceptance by the City Council, maintained by the City of Watertown.~~

Block: a tract of land bounded by streets or by a combination of streets, public parks, railroad right-of-ways, shoreline of waterways or municipal boundaries.

Building: any structure for the shelter, support or enclosure of persons, animals, chattels or property of any kind. When separated by party walls without openings, each portion of such building so separated shall be deemed a separate building.

Building Setback Line: a line parallel or approximately parallel to the lot lines at a specified distance therefrom, marking the minimum distance from the lot line that the building may be erected.

~~**Certificate of Acceptance:** a certificate issued as acceptance of improvements in developments that will be, after acceptance by the City Council, maintained by the City of Watertown.~~

~~**Certificate of Completion:** a certificate issued as approval of improvements in developments that will, after approval by the City Public Works Director, constitute the start of a one (1) year warranty period.~~

City Engineer: the person designated by the City Council to furnish engineering assistance for the administration of these regulations.

City, City of Watertown: the City of Watertown, South Dakota.

City Council: the City Council of Watertown, South Dakota, as duly elected.

Condo Plat: a plat detailing the location of a structure(s) which is encumbered by a declaration of condominium covenants or condominium form of ownership.

Construction Standards: construction specifications approved by the City for infrastructure construction.

Comprehensive Plan: the master plan or general plan for the development and improvement of Watertown, South Dakota as adopted by the City Council.

Concept Plan: a basic set of plans indicating the proposed layout of the subdivision to be submitted for approval.

Construction Plan: a set of detailed engineering plans to be used for construction of public infrastructure based on the City's Engineering Design Standards.

Contractor: the person who contracts with an individual or the developer to construct a building on a parcel of land prepared by the developer.

Corner Lot: a lot at the junction of, and fronting on, two or more intersecting streets.

Covenants: those declarations prepared by the developer and intended to be recorded along with the Plat, which may provide for restrictions and controls of land use and development within the subdivision and which shall include a method whereby all private roadways within the subdivision shall be improved and maintained until such time as the obligation thereof may be accepted by the City or another governmental unit.

Cul-de-Sac: a local street with only one outlet having an appropriate terminal for safe and convenient reversal of traffic movement.

Curb Cut: a cut in the curb allowing access to a public street.

Dedicated: a grant of land to the public for perpetual use.

Design Review Team: a group of representatives from each city department, SD DOT, 1st District, Focus Watertown and others affected by the proposed plan.

Developer: any person who converts undeveloped land into legally platted, buildable lots. The developer may or may not be the landowner or the builder of structures that occupy the lots.

[\(back to Title contents\)](#)

Easement: authorization by a property owner for the use by another property owner or the public for specific purposes for any designated part of his property.

Engineering Design Standards: the current engineering design standards for public improvements of the City of Watertown.

Flood Prone Area: a land area adjoining a river, creek, watercourse or lake which is likely to be flooded.

Frontage: that side of a lot abutting on a street regarded as the front of the lot.

H Lot: a lot created via a highway right-of-way plat.

Homeowner's Association: an association of property owners joined together for the purpose of maintaining an area held in common ownership.

Improvements: includes street grading, street surfacing, curb and gutter, water mains and lines, sanitary sewers, storm drainage facilities, culverts or other such installations as designated by the City Council.

Letter of Irrevocable Credit: a guaranteed letter from a bank or savings and loan association stating that if the said improvements are not completed by a developer, the money provided in the letter will be forwarded to the City to complete said improvements.

Lot: one unit of a recorded plat subdivision, or registered land survey having specific boundaries and which has been recorded in the Register of Deeds office, occupied or to be occupied by a building and its accessory buildings and including as a minimum such open spaces as are required under this ordinance and having frontage on a public street.

1. **Corner:** a lot located at the intersection of two or more streets. A lot abutting on a curved street shall be considered a corner lot if straight lines drawn from the foremost points of the side lots to the foremost points of the lot meet at an interior angle of less than one hundred thirty five (135) degrees.
2. **Interior:** a lot other than a corner lot with only one frontage on a street.
3. **Through:** a lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots.

Major Street Plan: the major street plan adopted through the comprehensive plan and as approved by the City Council.

Monument: a boundary marker of concrete, permanently planted and firmly fixed in the ground and placed so that the top of the monument is flush with natural ground.

Owner: the title holder of property, on file at the office of the County Register of Deeds.

Planning Commission: the Planning Commission of Watertown, South Dakota as duly appointed.

Plat: a map, or representation on paper of a piece of land subdivided into lots, parcels, tracts or blocks, including streets, commons and public grounds, if any, all drawn to scale and complete with all irrevocable offers of dedications and filed with the County Register of Deeds.

Preliminary Plan: a set of drawings, including all required information, for review by the Planning Commission.

Re-Plat: a change in a map of an approved or recorded subdivision plat which affects any road layout, area reserved for public use, or lot line.

Right-of-Way: a strip of land occupied by a street, railroad, transmission line, oil or gas pipeline, water lines, storm or sanitary sewer lines, pedestrian walkways or other special use. The use of the term right-of-way for platting purposes shall mean that every right-of-way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels. Rights-of-way shall be dedicated to public use by the owner of the plat on which such right-of-way is

established.

[\(back to Title contents\)](#)

Street: a public way for vehicular traffic whether designated as a street, highway, thoroughfare, parkway, throughway, road, arterial, lane, place or however otherwise designated. The width of a street is measured between right-of-way lines.

1. **Arterial:** a principle traffic artery, more or less continuous across the City, which acts as a principal connecting street with state and federal Highways and includes each street designated as an arterial street on the major street plan.
2. **Collector:** a street intended to move traffic from local streets to arterial streets and highways, including the principal entrance street of residential development and streets for circulation in such developments.
3. **Frontage:** a minor street which runs parallel or adjacent to arterial streets and highways and which serves to reduce the number of access points to arterial streets and highways.
4. **Local:** a street intended to provide access to other streets from individual properties and to provide right-of-way beneath it for various utilities but not intended to be used for through traffic.
5. **Marginal Access:** a street used only for access to a very limited number of lots.
6. **Private:** one that has not been dedicated, but rather reserved as an access easement to property. The private street shall be owned and maintained by the property owners which it serves.

Storm Water Pollution Prevention Plan: in compliance with the State General Permit, the SWPPP is a document which identifies sources and activities at a particular construction site that may contribute pollutants to storm water and commits the operator to specific control measures and time frames to prevent or treat such pollutants.

Structure: anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground, including but not limited to buildings, walls, fences and signs.

Subdivider: a person, corporation, partnership, association, or any group who prepares or causes to be prepared a subdivision plat.

Subdivision: the division of any tract or parcel of land into two or more lots platted for the purpose of transfer of ownership, or building development, whether future or immediate, or any division of land involving a new street or road regardless of parcel size or the number of parcels. (Ord 11-18; Add 11-4-11)

Chapter 24.97
INTERPRETATION, ABROGATION AND SEVERABILITY

24.9701: INTERPRETATION, ABROGATION AND SEVERABILITY

[\(back to Title contents\)](#)

In interpreting and applying the provisions of this ordinance, they shall be held to be the minimum requirements for the promotion of public safety, health and general welfare. It is not the intent of this ordinance to repeal, abrogate or impair any existing easement, covenant or deed restriction. Where these provisions conflict or overlap, whichever imposes the more stringent restrictions shall prevail. ~~All other ordinances inconsistent with this ordinance are hereby repealed to the extent of the inconsistency only. If any section, clause, provision or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall not be affected thereby.~~ (Ord 11-18; Add 11-4-11)

Chapter 24.98
CROSS-REFERENCES

24.9801: CROSS-REFERENCES

[\(back to Title contents\)](#)

Building Inspector, Bond	7.0903
Business Buildings Must Be Rat-Proof and Rat-Free	11.0502
Building Codes and Floodplain Regulations.....	Title 5
Electrical Regulations	Title 9
Plumbing	Title 15
Gas Regulations.....	Title 20
Utilities	Title 20
Zoning	Title 21

Chapter 24.99
PUNISHMENT

24.9901: PUNISHMENT

[\(back to Title contents\)](#)

~~Unless stated otherwise under another chapter of this title, Any person violating any~~ of the provisions of this title shall, upon conviction thereof, be ~~a misdemeanor and punishable~~ by a fine of not more than ~~fivetwo~~ hundred dollars (~~\$5200~~) ~~per violation per day~~ or by imprisonment for not more than thirty (30) days, or by both such fine and imprisonment; and if such violation is of any provision involving a licensee, the City Council may revoke the license of any licensee so convicted.

~~Any violation of this title shall be a misdemeanor and punishable by a fine of not more than two hundred dollars (\$200).~~ In addition, when any work is done without a permit, the violator shall be required to return the premises to the natural condition and upon failure to do so within thirty (30) days after notice in writing, the City may return the premises to the natural condition and assess the cost thereof to the land owner. (E-299-2) (E-679) (Ord 11-18; Add 11-4-11)

Report and Recommendation of City Planning Commission

To the City Council of the City of Watertown, Codington County, South Dakota: The undersigned hereby certifies that the following is a true, correct and complete copy of an Ordinance introduced, fully discussed, and approved and adopted during the duly called meeting of the City Planning Commission held on the 20th day of March 2025:

ORDINANCE NO. 25-03

AN ORDINANCE AMENDING CHAPTER 24 SUBDIVISION OF LAND OF THE REVISED ORDINANCES OF THE CITY OF WATERTOWN

WHEREAS, The City of Watertown amends the provisions related to Title 24 Subdivision of Land Ordinance.

BE IT ORDAINED by the City of Watertown, South Dakota, that the following chapters be amended as follows:

TITLE 24

SUBDIVISION OF LAND

Chapter

([back to Table of Contents](#))

24.01	Title and Purpose
24.02	Legal Provisions
24.03	Subdivision Plans in General
24.04	Administration and Penalties
24.05	General Requirements and Design Standards
24.06	Subdivision Procedure
24.07	Final Plat Approval
24.08	Street Maintenance and Acceptance
24.09	Changes and Variances
24.10	Definitions
24.97	Interpretation, Abrogation and Severability
24.98	Cross-References
24.99	Punishment

**Chapter 24.01
TITLE AND PURPOSE**

[\(back to Title contents\)](#)

24.0101: TITLE

These regulations may be referred to as the 2011 Revised Subdivision Ordinance for the City of Watertown and its area of extraterritorial jurisdiction.

24.0102: PURPOSE

It is the purpose of this ordinance to regulate the subdivision of land so as to coordinate streets with other subdivisions and uses, to provide water and sanitation facilities, drainage and flood control, to foster efficient and orderly urban growth compatible with the natural environment, to minimize cut and fill operations, to prevent premature land subdivision and to conform with the Comprehensive Plan for the City of Watertown and its area of extraterritorial jurisdiction. (Ord 11-18; Add 11-4-11)

**Chapter 24.02
LEGAL PROVISIONS**

[\(back to Title contents\)](#)

24.0201: JURISDICTION

Pursuant to SDCL §11-6, these regulations shall govern the regulation of all subdivisions and the plats of all subdivisions within the corporate limits of the City, and any applicable extraterritorial area. (Ord 11-18; Add 11-4-11)

**Chapter 24.03
SUBDIVISION PLANS IN GENERAL**

[\(back to Title contents\)](#)

24.0301: RECORDING, USE AND SELLING

No person shall transfer or sell any parcel as part of a subdivision plan before a plat of such subdivision has been approved by the City of Watertown and recorded.

1. No person shall subdivide or layout such land in lots, unless by plat, in accordance with state law and the regulations contained herein. Subdivision of any parcel by metes and bound description for the purpose of sale, transfer, or lease with the intent of evading the terms of these regulations is prohibited.
2. No building permit shall be issued for the construction of any building or structure located on a lot subdivided or sold in violation of the provisions of these regulations.
3. No application for variance or conditional use shall be received by the City for any such lot subdivided or sold in violation of the provisions of these regulations. (Ord 11-18; Add 11-4-11)

**Chapter 24.04
ADMINISTRATION AND PENALTIES**

[\(back to Title contents\)](#)

24.0401: ADMINISTRATION

The City Engineer is hereby authorized to enforce these regulations, to interpret them, and to adopt and enforce rules and supplemental regulations in order to administer and clarify their provisions. Any appropriate action may be taken by law or in equity to prevent any violation thereof, to prevent unlawful construction, to recover damages, to correct or abate a violation or to prevent illegal occupancy of a building, structure, or premises. These remedies shall be in addition to the penalties described below. (Ord 11-18; Add 11-4-11)

24.0402: PENALTIES

Any person violating any provision of this title shall be subject to the maximum penalty allowed by law. (Ord 11-18; Add 11-4-11)

Chapter 24.05
GENERAL REQUIREMENTS AND DESIGN STANDARDS

Section

[\(back to Title contents\)](#)

24.0501	General
24.0502	Design Standards
24.0503	Land Suitability
24.0504	Floodplain Management
24.0505	Conformity with Other Plans
24.0506	Relation to Adjoining Street Systems
24.0507	Street Names and Numbers
24.0508	Private Roads; Places
24.0509	Half Streets
24.0510	Sidewalks
24.0511	Blocks
24.0512	Lots
24.0513	Easements
24.0514	Permanent Property Markers
24.0515	Preservation of Natural Features and Amenities
24.0516	Parks, School Sites and other Public Areas
24.0517	Homeowner's and other Associations
24.0518	Drainage
24.0519	Areas Subject to Periodic Inundation
24.0520	Erosion
24.0521	Assurances for the Completion of Minimum Improvements

24.0501: GENERAL

[\(back to Chapter contents\)](#)

The Planning Commission shall require compliance with the following requirements to ensure the orderly development of all property within its platting jurisdiction. (Ord 11-18; Add 11-4-11)

24.0502: DESIGN STANDARDS

[\(back to Chapter contents\)](#)

All public improvements shall be designed in accordance with standard accepted engineering practices, designed in compliance with the Engineering Design Standards and subject to the approval of the City Engineer. (Ord 11-18; Add 11-4-11)

24.0503: LAND SUITABILITY

[\(back to Chapter contents\)](#)

The Planning Commission may find that land sought to be subdivided is unsuitable for development due to high agricultural productivity, flooding, poor drainage, steep slopes, rock formations or other conditions.

The Planning Commission may refuse to approve what it considers scattered or premature subdivision of land by reason of: lack of adequate water supply and sewage treatment, schools, proper drainage, good roads or other public services which would necessitate an excessive expenditure of public funds for the supply of such services. (Ord 11-18; Add 11-4-11)

24.0504: FLOODPLAIN MANAGEMENT

[\(back to Chapter contents\)](#)

Regulations pertaining to floodplain management are set forth in Title 5 of the Watertown Ordinances. (Ord 11-18; Add 11-4-11)

24.0505: CONFORMITY WITH OTHER PLANS

[\(back to Chapter contents\)](#)

1. All proposed subdivisions shall conform to the adopted Comprehensive Plan.
2. The densities established by the zoning ordinance shall be observed by the subdivider and developer.
3. All thoroughfares in the major street plan shown as crossing or as boundaries of a proposed subdivision are required to be provided in that location and at the right-of-way width designated thereon. (Ord 11-18; Add 11-4-11)

24.0506: RELATION TO ADJOINING STREET SYSTEMS[\(back to Chapter contents\)](#)

The arrangement of streets in new subdivisions shall make provisions for the continuation of the principal existing streets in adjoining areas (or their proper projection where adjoining land is not subdivided) in so far as they may be deemed necessary by the Planning Commission for public requirements. The width of such streets in new subdivisions shall not be less than the minimum width established in the Engineering Design Standards. The street and alley arrangement shall be such as not to cause a hardship to owners of the adjoining properties. In general, provisions should be made for through streets at intervals not exceeding one-half mile, and for street connections to future subdivisions at intervals not less than one quarter mile. Offset streets should be avoided. (Ord 11-18; Add 11-4-11)

24.0507: STREET NAMES AND NUMBERS[\(back to Chapter contents\)](#)

1. Streets in line with existing streets shall bear the names of the existing streets.
2. No street names shall duplicate, contain the same spelling, or sound alike in pronunciation with any existing street. All street names should be kept as short as possible to permit signs to be no longer than thirty six (36) inches.
3. Each lot shall be assigned an address number in accordance with the numbering system now in effect in the City. Where possible, such address shall be established at the time of plat approval.
4. Street name suffixes shall be applied as follows:
 - a. Avenue: a road running east and west
 - b. Street: a road running north and south
 - c. Road: a road running east and west or north and south but which is not appropriate to name as a street or avenue
 - d. Lane: a road running northeast to southwest
 - e. Drive: a road running northwest to southeast
 - f. Trail: a road which wanders in different directions
 - g. Circle: all cul-de-sacs
 - h. Court: a road with two openings which enters and exits on the same road
 - i. Place: all private roads
 - j. Boulevard: a major road, usually an arterial or collector
5. When, due to topography, offsets caused by rectangular surveys, or other physical features, streets become interrupted, quarter line and section line streets shall retain the same name on either side of the irregularities. (Ord 11-18; Add 11-4-11)

24.0508: PRIVATE ROADS; PLACES[\(back to Chapter contents\)](#)

The use of private roads shall be discouraged; however, in cases where a private road is allowed, it shall meet the following requirements:

1. Private streets shall be surfaced by the developer to a width of no less than twenty-seven (27) feet four (4) inches back of curb to back of curb and maintained in a passable condition. Greater width may be required when necessary. All private streets must provide a height clearance of fourteen (14) feet six (6) inches as a minimum and are subject to the same grade requirements as public streets.
2. A road maintenance agreement among property owners who will depend on said private street for access will be filed with the plat. This agreement shall affix the legal responsibilities for the repair and maintenance of any private streets and the required signs.
3. The Homeowner's Association shall place street signs on all private streets or pay the City to place street signs for 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 to render them easily readable at night as well as day and are subject to the approval of the City Engineer.
4. Buildings located adjacent to a private street shall be addressed and are subject to the approval of the City Engineer.
5. Private streets shall be indicated on the plat with broken lines. Any lots adjacent to a private street shall have their lot lines extended to include the area used for streets.

6. Any private street accepted by the City must provide permanent unobstructed public access to the area it serves.
7. Any plat presented for City approval which shows a private street as a means of access shall provide language in the Owner's Certificate reserving said private street as a permanent unobstructed access easement.
8. The City will not subsequently accept a private street for dedication unless and until it is brought up to City standards, providing adequate right-of-way without requiring variances for setbacks.
9. Alleys
 - a. Alleys are permitted in commercial and industrial districts, except where provision is made for service access, such as off-street loading, unloading and parking consistent with the requirement set forth in the Zoning Ordinance.
 - b. Alleys are permitted in residential districts when design standards and conditions warrant an alternative means of access as approved by the City Engineer. (Ord 11-18; Add 11-4-11)

24.0509: HALF STREETS

[\(back to Chapter contents\)](#)

1. Whenever an existing half street is adjacent to a tract being subdivided, the other half of the street shall be platted with said subdivision.
2. A preliminary plan of a subdivision may show half of a street adjoining property, which has not been subdivided, but no lot abutting on such half street shall have a building permit issued for it until such time as the other half street is dedicated. (Ord 11-18; Add 11-4-11)

24.0510: SIDEWALKS

[\(back to Chapter contents\)](#)

1. Concrete sidewalks shall be constructed along each side of every street shown on the plat in accordance with applicable standards and specifications of the City. Pedestrian ramps meeting the current American with Disabilities Act guidelines shall be installed with the street improvements.
2. The City may waive the installation of sidewalks in Industrial zoned districts.
3. The City may require the installation of sidewalks on lots, whether or not they contain any structure, when the adjacent lots have sidewalks, or when the City determines it is in the best interest of the public.
4. Alternative pedestrian routes may be considered by the Planning Commission in lieu of or in addition to sidewalks. (Ord 11-18; Add 11-4-11)

24.0511: BLOCKS

[\(back to Chapter contents\)](#)

1. The lengths, widths and shapes of blocks shall be determined with due regard to:
 - a. Provisions of adequate building sites suitable to the special needs of the type of use contemplated.
 - b. Need for convenient access, circulation, control and safety of street traffic and utilities.
 - c. Limitations and opportunities of topography.
2. Block lengths shall not exceed one thousand (1,000) feet and shall normally be wide enough to allow two tiers of lots of appropriate depth.
3. Pedestrian walks with a right-of-way not less than ten (10) feet wide, shall be required through blocks where it is deemed to be essential to provide circulation or access to schools, playgrounds, shopping centers and other community facilities. (Ord 11-18; Add 11-4-11)

24.0512: LOTS

[\(back to Chapter contents\)](#)

1. The lot size, width, depth, shape, and orientation and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated. Lot dimensions shall conform to the requirements of the Zoning Ordinance.
2. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide off-street parking and loading for the use contemplated.
3. Corner lots for residential use shall, to the extent possible, have extra width to permit appropriate building setbacks from both streets.

4. Each lot shall be provided with access to a public street or an officially approved place designated by the City Zoning Ordinance.
5. Double frontage lots shall be avoided except where essential to provide separation of residential development from arterial streets or to overcome specific disadvantages of topography and orientation. Along the property line of lots abutting any arterial street or other such disadvantageous feature, no right of access shall be permitted.
6. Side lot lines shall be substantially at right angles to streets except on curves where they shall be radial.
7. All interior lot lines shall be a straight line or a series of straight lines. Curved interior lot lines shall be prohibited. (Ord 11-18; Add 11-4-11)

24.0513: EASEMENTS

[\(back to Chapter contents\)](#)

1. Easements across lots or centered on rear or side lot lines shall be provided for utilities and drainage where necessary and shall conform to the Engineering Design Standards.
2. Whenever any stream or important surface drainage course is located in an area which is being subdivided, the subdivider shall provide an easement along each side of the stream for the purpose of widening, deepening, sloping, improving or protecting the stream or for drainage, parkway or recreational use, the width of which shall be determined by the City Engineer and approved by the Planning Commission.
3. All proposed lots of record shall provide:
 - a. A ten (10) foot utility easement along any side which abuts a public right-of-way;
 - b. A ten (10) foot rear yard utility easement whenever the rear yard abuts another lot; and
 - c. A five (5) foot utility easement for all other lot lines.

Said easements shall be measured starting from the lot line, then into the lot in question. Said easements shall be depicted on all official plans by broken lines and the particular purpose of the easement shall be clearly indicated thereon. (Ord 17-29; Rev 07-14-17)

4. Lots and easements shall be arranged in such a manner as to eliminate unnecessary jogs or off sets and to facilitate the use of easements for power distribution, telephone service, drainage and water and sewer services.
5. The property owners whose property is subject to such easements shall be responsible for its maintenance. The easements shall be kept clear of any structure, debris, trees, shrubs or landscaping whatsoever except lawn grass which shall be regularly mowed and annual vegetation may be grown thereon. Fences and minor landscaping are permitted obstructions, allowed at sufferance, within utility easements and are wholly prohibited in drainage easements. No utility whose facilities are currently sited, or are being installed, in a utility easement shall be liable for or responsible for the replacement of any portion of fence or minor landscaping that must be removed to accomplish necessary work on utility facilities. (Ord 11-18; Add 11-4-11) (Ord 17-29; Rev 07-14-17)

24.0514: PERMANENT PROPERTY MARKERS

[\(back to Chapter contents\)](#)

All subdivision boundary corners shall be marked with monuments to grade and noted on the subdivision plat. (Ord 11-18; Add 11-4-11)

24.0515: PRESERVATION OF NATURAL FEATURES AND AMENITIES

[\(back to Chapter contents\)](#)

1. Existing features which would add value to residential development or to the community as a whole, such as trees, water courses and similar irreplaceable assets, should be preserved in the design of the subdivision.
2. Sensitive environmental areas as shown on the Comprehensive Plan shall be reviewed with regard to the special character of the area taking into consideration harmonious design, environmental protection and topographical restraints. (Ord 11-18; Add 11-4-11)

24.0516: PARKS, SCHOOL SITES AND OTHER PUBLIC AREAS

[\(back to Chapter contents\)](#)

In conjunction with Title 14, when subdividing property, consideration shall be given to suitable sites for schools, parks, playgrounds and other common areas for public use so as to conform to any recommendations of the official comprehensive plan, school board or park department plans. Any provisions for schools, parks and playgrounds should be indicated on the preliminary plan in order that it may be evaluated. (Ord 11-18; Add 11-4-11)

24.0517: HOMEOWNER'S AND OTHER ASSOCIATIONS

[\(back to Chapter contents\)](#)

Where the subdivision contains park areas, road maintenance systems or other facilities or services which are necessary to or desirable for 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 trust agreement for the proper and continuous maintenance and supervision of such facilities. A final and signed copy of said agreement shall be attached to each and every plat having a facility or service covered by such an agreement. (Ord 11-18; Add 11-4-11)

24.0518: DRAINAGE

[\(back to Chapter contents\)](#)

A drainage plan conforming to the City approved master drainage plan for the area, if any, shall be made for each subdivision by a licensed professional engineer. Provisions shall be made within each subdivision to provide drainage facilities needed within the subdivision taking into account the ultimate development of the tributary area. The storm and sanitary sewer plans shall be made as part of the utility plans. Engineering considerations in subdivisions and other development shall give preferential treatment to gravity flow improvements as opposed to other utilities and improvements.

1. Off-premise drainage easements and improvements may be required to handle the runoff of subdivisions into a natural drainage channel and shall be the responsibility of the developer.
2. Low areas subject to periodic inundation shall not be developed or subdivided unless and until the City Engineer establishes and the Planning Commission establish and/or approve the following:
 - a. The nature of the land use would not lend itself to damage by periodic flooding and inundation; or
 - b. The area may be filled or improved in such a manner as to prevent such periodic inundation; or
 - c. Minimum floor elevations may be established to prevent damage to buildings and structures. Standing water that would contribute to mosquito development is to be eliminated by suitable construction measures.
3. The City Engineer may require whatever additional engineering information deemed necessary to make a decision on subdivisions and other development.
4. Ponds and similar areas will be accepted for maintenance only if approved by the City Council. (Ord 11-18; Add 11-4-11)

24.0519: AREAS SUBJECT TO PERIODIC INUNDATION

[\(back to Chapter contents\)](#)

1. **Flood Zones.** Land areas of such elevation and location to be subject to periodic inundation by flood waters shall not be subdivided or developed except as provided below.
2. **Development Review in Flood Zones.** Proposed subdivisions and proposed new developments shall be reviewed to determine whether such proposals will be reasonably safe from flooding. Any such proposals shall be reviewed to assure that:
 - a. All such proposals are consistent with the need to minimize flood damage within the flood prone area.
 - b. All public utilities and facilities such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage.
 - c. Adequate drainage is provided to reduce exposure to flood hazards.

Source: (Ord 11-18; Add 11-4-11) (Ord 21-32; Rev 8-27-2021)

24.0520: EROSION

[\(back to Chapter contents\)](#)

Measures used to control erosion on a development site shall, as a minimum, meet the standards and specifications of the Codington County Soil and Water Conservation District and the Engineering Design Standards. Stripping of vegetation, re-grading and cut and fill operations should be kept to a minimum, as should the amount of land and the duration of exposure. Whenever feasible, development plans should be made in conformance with topography in order to create the least erosion potential. Similarly, as much as possible natural vegetation shall be retained, protected and supplemented. The City Engineer may require further measures if necessary to prevent erosion on building sites and developments from depositing wastes or sediments on public streets or other property. Every effort shall be made to retain the natural vegetation on all ditches and drainage ways. Ditches and drainage ways will not be disturbed without the approval of the City Engineer's office. (Ord 11-18; Add 11-4-11)

24.0521: ASSURANCES FOR THE COMPLETION OF MINIMUM IMPROVEMENTS

1. No plats of any subdivision shall be approved unless the improvements required by this ordinance have been installed prior to such approval or unless the developer has signed a development agreement to establish the responsibility for the construction of such improvements in a satisfactory manner and within a period specified by the City Council. Such period shall not exceed two (2) years for subdivisions containing one-half (1/2) linear mile or less of right-of-way development or three (3) years for subdivisions containing more than one-half (1/2) linear mile of right-of-way development. No subdivision shall contain more than one (1) linear mile of right-of-way development unless approved by the City Engineer. The development agreement shall be recorded with the register of deeds at the time of filing the plat. Extensions to the performance period of the development agreement may be granted at the discretion of the City Council in one (1) year increments. The first extension year shall not incur any fees, but all extensions thereafter shall require an administrative fee of one thousand five hundred (1,500) dollars per year to be paid to the City prior to issuance of the extension.
2. No building permits shall be issued until agreements have been filed, curb and gutter has been installed and sanitary sewer, storm sewer and water supply lines have been approved.. (Ord 11-18; Add 11-4-11).

[\(back to Chapter contents\)](#)

**Chapter 24.06
SUBDIVISION PROCEDURE**

Section

[\(back to Title contents\)](#)

24.0601	The Plat Approval Process
24.0602	Procedure
24.0603	Concept Plan
24.0604	Approval of Concept Plan
24.0605	Effective Period of Concept Plan/Amendments
24.0606	Preliminary Plan
24.0607	Additional Impact Requirements
24.0608	Approval of Preliminary Plan
24.0609	Effective Period of Preliminary Approval
24.0610	Amendments to Preliminary Plan
24.0611	Construction Plans
24.0612	Construction May Begin
24.0613	Inspections and Testing
24.0614	Shop Drawings
24.0615	Record or As-Built Drawings
24.0616	Plat

24.0601: THE PLAT APPROVAL PROCESS

[\(back to Chapter contents\)](#)

All proposed subdivision plats must be approved through a three phase development process. All plans and plats referred to in this section shall be prepared by a registered professional engineer and a registered land surveyor in conformity with requirements of state law.

Source: (Ord 11-18; Add 11-4-11)

24.0602: PROCEDURE

[\(back to Chapter contents\)](#)

The procedure for review and approval of a subdivision consists of the following phases:

1. Required preparation, submission and approval of a “Concept Plan”.
2. Required preparation, submission and approval of a “Preliminary Plan”.
3. Required preparation, submission and approval of the “Construction Plans” and “Plat”.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21)

24.0603: CONCEPT PLAN

[\(back to Chapter contents\)](#)

The purpose of a Concept Plan is for the developer to receive approval from the Planning Commission regarding general requirements, minimum standards of design and required improvements as set forth in this ordinance. This plan includes the entire area the developer intends to subdivide and will show the development phases to be preliminary planned. This plan will aid the developer in preparing a more readily accepted Preliminary Plan for each phase and help prevent revisions in the layout and development of the subdivision. One (1) paper copy and electronic copies of the PDF, DWG and GIS shapefile of a Concept Plan shall be submitted to the Community Development Division to be distributed for review by the Design Review Team. A Concept Plan shall include the following information:

1. General

- a. The proposed name of the subdivision shall not duplicate, be the same in spelling or alike in pronunciation with the name of any other recorded subdivision, unless it is an extension of or adjacent to said subdivision. These names shall be subject to the approval of the Administrative Official.
- b. Names of the additions and subdivisions within the city limits shall read as follows:
 _____ Addition (Subdivision) to the Municipality of Watertown, in the County of Codington, South Dakota.
- c. Names of additions and subdivisions outside the city limits (within jurisdiction) shall read as follows:
 _____ Addition (Subdivision) in the _____ Quarter, Section _____, T _____, R _____, _____ of the 5th P.M. in the County of Codington, South Dakota.

- d. Names of H Lots within the city limits shall read as follows (include Addition if available):

H - in _____ Addition, in the _____ Quarter, Section _____, T _____, R _____, _____ of the
5th P.M. in the County of Codington, South Dakota.

- e. Names, addresses, and telephone numbers of the owner(s), developer(s) and engineer(s).
- f. Vicinity map to scale, showing the locations of the proposed subdivision and other property for at least six hundred sixty (660) feet in every direction.
- g. The legal description(s) and notations stating acreage, scale, north arrow and date of survey.
- h. The names of all adjoining subdivisions. Adjoining un-platted property shall be labeled as such.
- i. Un-platted//undeveloped property surrounding such property being developed shall be included showing connectivity to existing infrastructure: streets, sanitary sewer, water, drainage, or other public infrastructure as applicable within the quarter (¼) section.
- j. The proposed zoning districts.
- k. A systematic lot and block numbering pattern, complete with proposed lot dimensions and areas.
- l. Locations and widths of all existing and proposed easements.
- m. Locations and sizes of all public facilities, schools, libraries, fire stations, parks, tree masses and other significant natural features.
- n. Any expectations for City reimbursements.
- o. Proposed phasing for development with estimated timelines.
- p. Disclosure of proposed variances.

2. Streets

- a. The general layouts of streets and access points to arterial, collectors, and other adjacent street systems.
- b. The general layout of pedestrian connectivity.
- c. Rights-of-way widths.
- d. Proposed street names and widths from back of curb to back of curb including curb radius dimensions at intersections and cul-de-sacs.
- e. Typical street sections.

3. Sanitary Sewer

The general layout of the proposed sanitary sewer system including locations of gravity sewers and force mains, lift stations, and connection points to the existing system.

4. Water

The general layout of the proposed water main system including connection points to the existing system. Water systems shall be approved by the City of Watertown Municipal Utilities Department.

5. Drainage and Grading

The proposed drainage and grading plan shall include detailed data for all runoff within the proposed development phase in accordance with the Preliminary Drainage Plan in the adopted Post Construction Stormwater Best Management Practices Manual (Ch. 2.4), also found as an appendix in Chapter 11 in the currently adopted Engineering Design Standards.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21) (Ord 22-01; Rev 3-4-22)

24.0604: APPROVAL OF CONCEPT PLAN

[\(back to Chapter contents\)](#)

After the Community Development Division and Design Review Team have reviewed and approved the Concept Plan, it shall be submitted to the Planning Commission for final approval. A public hearing will be held by the Planning Commission. The approved plan shall be kept on file with the Community Development Division. Approval of the Concept Plan shall indicate approval of the development concept only, and it does not constitute an acceptance or approval of the plat; therefore, no zoning or building permits shall be issued on the approval of the Concept Plan.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21)

24.0605: EFFECTIVE PERIOD OF CONCEPT PLAN/AMENDMENTS[\(back to Chapter contents\)](#)

The approved Concept Plan shall remain effective until all phases of the subdivision are complete. The Community Development Division may request an updated Concept Plan for administrative review and approval when minor changes to the plan are proposed. Minor changes may include, but are not limited to, the following: a change in local street pattern, street name, drainage ways or detention pond location, lot lines, development phases, subdivision name, rights-of-way width, easements, or lot and block numbers. Major changes to an approved Concept Plan shall follow the procedures for approval of a Concept Plan as required in this section. Major changes may include, but are not limited to, the following: a change in arterial or collector street patterns, proposed variances, other public open space locations, an increase in density, or perimeter boundaries.

Source: (Ord 20-32; Rev 1-1-21) (Ord 22-01; Rev 3-4-22)

24.0606: PRELIMINARY PLAN[\(back to Chapter contents\)](#)

A Preliminary Plan for the specific phase of development as outlined by the approved Concept Plan shall be submitted to the Community Development Division to be reviewed and approved by the Design Review Team. One (1) copy on 11"x17" paper and electronic copies of the PDF, DWG and GIS shapefile of the Preliminary Plan shall be submitted. Plan sheets shall be submitted at a maximum scale of one (1) inch equal to one hundred (100) feet (1":100'). The Community Development Division shall review the Preliminary Plan and provide recommendations, along with recommendations from the Design Review Team, to the applicant. Final consideration shall be made by the Community Development Manager within sixty (60) days following submittal.

The Preliminary Plan shall conform with the Engineering Design Standards and shall include all information from the approved Concept Plan as well as the following information:

1. General

- a. Engineer's certificate.
- b. Disclosure of any anticipated supplemental provisions to the General Conditions and Standard Specifications for Public Improvements and the currently adopted Engineering Design Standards.
- c. Adjacent property information: access points, rights-of-way, lot and block lines, easements, city limits, development plans, and any other pertinent information needed for review.
- d. Minimum setback requirements.
- e. Specify which phase shown on the Concept Plan is being developed.
- f. Mailbox collection point locations as approved by the US Postal Service.

2. Street Plan[\(back to Chapter contents\)](#)

- a. Compliance with the City's Major Street Plan in the currently adopted Comprehensive Land Use Plan.
- b. Access onto city streets shall be in accordance to the currently adopted Engineering Design Standards.
- c. The City has adopted an Access Plan for accesses to U.S. Highways 212 and 81 and South Dakota Highway 20 in conjunction with the State of South Dakota Department of Transportation (SDDOT). Any conflicts with this Plan will need to be first resolved with the SD DOT before they will be considered on a preliminary plan.
- d. Locations and widths of proposed easements.
- e. Identification of minor and major collectors with conformance to the currently adopted Engineering Design Standards.
- f. Transportation connectivity within the development as well as connectivity with the surrounding properties. This also includes pedestrian connectivity.
- g. Consideration of lots that front on an arterial or collector street and proposed access points.
- h. Note if access to the development is from a city street, county or state highway.
- i. Conformance to traffic calming practices shown in the currently adopted Engineering Design Standards.
- j. Top back of curb elevations at low end of lots.

3. Sanitary Sewer Plan[\(back to Chapter contents\)](#)

- a. Compliance with the City's Wastewater Collection System Master Plan, Sanitary Sewer Manual, and Sewer Capacity Study.
- b. Major individual commercial or industrial occupants (if any).
 - (1) Type of sewage produced by major contributors identified above (if atypical).

- (2) Volume of sewage produced by major contributors identified above (if atypical).
- c. Provide geographic, gradient and capacity serviceability of the proposed development to the existing sewer system. The City Engineer will furnish the design engineer with sewer flows of the existing system upon written request.
 - d. Locations, material type, grade and size of proposed gravity sewers, force mains, manholes, lift stations and other sanitary sewer appurtenances.
 - e. Estimated flow in planned sewer and future upstream sites (cfs, mgd, or other units).
 - f. Type and capacity of proposed lift stations. The capacity of said lift stations shall accommodate adjacent future developments as indicated by the City Engineer.
 - g. Locations and widths of proposed easements.
 - h. Adequacy of receiving sewer system.
 - i. Manhole locations and spacing with manholes numbered.
 - j. Flow directions, connections to existing system and extensions to adjacent properties.
 - k. Extensions of sanitary sewer to the adjacent upstream users.
4. **Water Plan** [\(back to Chapter contents\)](#)
- a. Water systems shall be approved by the City of Watertown Municipal Utilities Department.
 - b. Show locations of valves, fire hydrants (including spacing), and other water main appurtenances.
 - c. Locations and widths of proposed easements.
 - d. Extensions of waterlines to perimeter of the development.
 - e. Proposed pipe sizes and materials.
5. **Drainage and Grading Plan** [\(back to Chapter contents\)](#)
- a. The drainage and grading plan shall include detailed data for all runoff within the proposed development phase in accordance with the Final Drainage Plan in the adopted Post Construction Stormwater Best Management Practices Manual (Ch. 2.5), also found as an appendix in Chapter 11 in the currently adopted Engineering Design Standards.
 - b. Approximate ground water and lowest finished floor elevations shall be shown for buildings. The lowest recommended floor elevations shall be two (2) feet above the normal ground water elevation. Test holes shall determine ground water elevation where applicable. Test hole results shall be provided to the City.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21) (Ord 21-16; Rev 7-16-21) (Ord 22-01; Rev 3-4-22)

24.0607: ADDITIONAL IMPACT REQUIREMENTS [\(back to Chapter contents\)](#)

The City Engineer may require any or all of the following to be included in the Preliminary Plan:

1. Traffic studies in accordance to Chapter 5.1 of the currently adopted Engineering Design Standards.
2. Information on additional water and sewer loads created by the proposed subdivision including confirmation that existing facilities or proposed additions can accommodate the additional loads is required.
3. A Geotechnical Exploration Report in accordance to Chapter 6 of the currently adopted Engineering Design Standards.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21)

24.0608: APPROVAL OF PRELIMINARY PLAN [\(back to Chapter contents\)](#)

The preliminary plan shall be submitted to the Community Development Division for approval following review by the Design Review Team. The approved plan shall be kept on file with the Community Development Division. Approval of the preliminary plan shall indicate approval of the development concept only, and it does not constitute an acceptance or approval of the plat; therefore, no zoning or building permits shall be issued on the approval of the preliminary plan.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21)

24.0609: EFFECTIVE PERIOD OF PRELIMINARY APPROVAL[\(back to Chapter contents\)](#)

The approval of a Preliminary Plan shall be effective for a period of three (3) years, at the end of which time approval on the subdivision plat or a portion thereof must have been obtained from the City. Any preliminary plan which has not received approval for all or a portion thereof of it within the period of time set forth herein, would require re-submittal of a new plan for preliminary approval subject to any new subdivision regulations. However, before the initial three (3) years has ended, the Developer may, upon written request, receive a three (3) year extension from the Community Development Manager.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21)

24.0610: AMENDMENTS TO PRELIMINARY PLAN[\(back to Chapter contents\)](#)

Amendments to an approved Preliminary Plan may be made at the discretion of the Community Development Manager. The Community Development Manager may request an updated Preliminary Plan for review and approval when minor changes to the plan are proposed. Minor changes shall include, but are not limited to, a change in local street pattern, street name, lot lines, development phases, drainage ways or detention pond location, subdivision name, rights-of-way width, easements, or lot and block numbers. Major changes to an approved Preliminary Plan shall follow the procedures for approval of a preliminary plan as required in this section. Major changes to an approved Preliminary Plan shall require a revised Concept Plan as detailed in Section 24.0603 and 24.0604. Major changes shall include, but are not limited to, a change in major street pattern, public open space location, or perimeter boundaries.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21) (Ord 22-01; Rev 3-4-22)

24.0611: CONSTRUCTION PLANS[\(back to Chapter contents\)](#)

Construction Plans shall be submitted to the Community Development Division to be distributed for review and approval. One hard copy on 11"x17" paper and electronic copies of the PDF, DWG, and GIS shapefile shall be submitted. Plan sheets shall be submitted at a maximum scale of one (1) inch equal to forty (40) feet (1":40'). Final consideration and issuance of a Permit to Construct shall be made by the City Engineer within sixty (60) days following submittal.

Construction Plans shall conform to all chapters of the currently adopted Engineering Design Standards. Plans shall include all information from the Preliminary Plan as well as the following:

1. **Final Site Grading Plan.** The drainage and grading plans shall show the existing and proposed contours with intervals of one (1) foot for land with a slope of one percent (1%) or less, intervals to two (2) feet for a slope between one and one-tenth (1.1%) and nine and nine-tenths (9.9%) percent and contours of five (5) feet for land with a slope exceeding ten percent (10%) referenced to City of Watertown datum (established by the NAVD 1988 USGS). The site grading plan shall also show the top-of-foundation elevation and drainage arrows for each lot with lot corner elevations shown. The lowest recommended floor elevations shall be two (2) feet above the normal ground water elevation.
2. **Final Street Grading Plan.** The street grading plan shall show finished street grades shown to an accuracy of one hundredth of a foot (1/100), showing existing conditions and proposed curb grades, and a detailed design for all intersections. Where the developer owns only half the property which makes up a street, and he/she is the first person to request development along said street, he/she shall be responsible for establishing the street grades for said street for approval by the City.
3. **Final Drainage Plan.** The final drainage plan shall include detailed data for all runoff within the proposed development phase in accordance with the adopted Post Construction Stormwater Best Management Practices Manual (Ch. 2.5), also found as an appendix in Chapter 11 in the currently adopted Engineering Design Standards. *(Same requirements as the Drainage and Grading Plan for the Preliminary Plan referenced in Section 24.0606 5.)*
4. **Final Utility Plan.** The utility plan shall show the final storm sewer system and sanitary sewer layout, showing the direction of flow, the manhole locations and their approximate depth to a scale approved by the City Engineer. The utility plan shall also show the final water system layout showing the location of existing water lines and the proposed pipe sizes.
5. **Final Erosion Control Plan.** The erosion control plan must show all proposed land disturbance including areas of excavation, grading, filling, removal and destruction of topsoil and spreading of earth material. Provisions for erosion control during construction must be in accordance with the adopted Erosion and Sediment Control Best Management Practices including a copy of the NOI and SWPPP, as applicable.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21) (Ord 21-16; Rev 7-16-21)

24.0612: WHEN CONSTRUCTION MAY BEGIN[\(back to Chapter contents\)](#)

Grading of the proposed subdivision may begin only after a Grading Permit has been issued by the Engineering Division in accordance to Title 5 of the Revised Ordinances of the City of Watertown. A Grading Permit may be issued if a Preliminary Plan for the area has been approved. If the project disturbs one acre or more, a Storm Water Pollution Prevention Plan must be submitted to and approved by the Engineering Division. A copy of the Notice of Intent (NOI) issued by the South Dakota Department of Environment and Natural Resources must also be submitted to the City Engineer prior to Grading Permit issuance.

The installation of water, sanitary sewer and storm sewer lines and the construction of street and drainage requirements may not begin until after Construction Plans have been approved by the City Engineer and a permit to construct has been issued.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21)

24.0613: INSPECTIONS AND TESTING[\(back to Chapter contents\)](#)

Inspections and testing shall be required as written in the currently adopted Engineering Design Standards. It is the responsibility of the developer to schedule all required testing and to notify the Office of the City Engineer when work is ready for inspections. Density tests must be submitted to the City Engineering Division for review prior to paving the final lift. In the event that the required specifications are not met, construction on the project shall cease until the items that are out of compliance are resolved. Failure to comply with the City's standards may result in a moratorium of building permits and/or other penalties as provided under law.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21)

24.0614: SHOP DRAWINGS[\(back to Chapter contents\)](#)

Shop drawings shall be submitted in accordance with the currently adopted Engineering Design Standards. Drawings shall be reviewed and approved by the Developer's Engineer prior to submittal to the City Engineer. The attached cover page shall include contact information for the Developer's Engineer in addition to those listed in the currently adopted Engineering Design Standards.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21)

24.0615: RECORD OR AS-BUILT DRAWINGS[\(back to Chapter contents\)](#)

Record drawings shall be prepared and submitted in accordance with the currently adopted Engineering Design Standards. Electronic copies of the PDF, DWG and GIS shapefile shall be submitted. On projects where city-maintained utilities are being constructed, the developer shall be responsible for locating the utilities until record drawings have been approved. Once approved, the City shall assume locating responsibilities.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21)

24.0616: PLAT[\(back to Chapter contents\)](#)

A Plat shall be submitted to the Community Development Division to be distributed for review. One (1) mylar, two (2) paper copies, and electronic copies of the PDF, DWG and GIS shapefile shall be submitted. Final consideration shall be made by the City Engineer within sixty (60) days following submittal. Copies of the approved plat shall be submitted in accordance with the currently adopted Engineering Design Standards and this chapter.

The Plat shall conform substantially to the Preliminary Plan as approved and may constitute only a portion of the Preliminary Plan, which the developer proposed to record and develop. Plats shall comply with state statutes and shall include the following information:

1. Compliance with the Preliminary Plan for layout of lot, block, right-of-way, and easements.
2. The name of the subdivision shall not duplicate, be the same in spelling or alike in pronunciation with the name of any other recorded subdivision, unless it is an extension of or adjacent to said subdivision.
3. Site location map, north arrow, and basis of bearings.
4. The date, title, scale (minimum scale of one hundred (100) feet to one (1) inch within the city limits, minimum scale of two hundred (200) feet to one (1) inch outside the city limits), north point and legal description of the proposed subdivision, location by quarter section, section, township and range required on plats outside the city limits.

5. The names of all adjacent subdivisions and streets, all previously platted lots to include dimensions and block lines, type of easements, and rights-of-way. Adjoining unplatted property shall be labeled as such.
6. All easements shall be shown indicating size and purpose on new subdivision.
7. A systematic lot and block numbering pattern corresponding to that existing in the City. Lot lines, road names, and the square footage or acreage of all lots shall be included.
8. The location and width of all proposed and existing right-of-way, alleys, and easements, as well as the location of any parks, dedicated drainage ways and railroad right-of-way.
9. The boundary lines of the area being subdivided with accurate angles or bearings and distances tying the perimeter boundaries to the nearest sector corner, other previously described subdivision, or other recognized permanent monuments which shall be accurately described on the plat.
10. Accurate location of all permanent monuments, control points and survey pins, either set or located.
11. An accurate description of any portions of the property intended to be dedicated or granted for public use, labeled as lot and block or tract.
12. For properties within the Special Flood Hazard Area (SFHA), reference the effective Flood Insurance Rate Map (FIRM) date, community and panel number.
13. All dimensions, both linear and angular, necessary for locating the boundaries of the subdivision lots, streets, alleys, easements, and any other area for public or private use. Linear dimensions are to be given to the nearest one one-hundredth (1/100) of a foot.
14. All property lines shall show chords, lengths and radii to the nearest minute and second.
15. Appropriate certifications as required by State statute.
16. Acknowledgment of the owner(s) of the Plat of any restrictions, including dedication to public use of all streets, alleys, parks or other open spaces shown thereon and the granting of easements required.
17. All formal irrevocable offers of dedication for all streets, alleys, parks and other uses as required.
18. Certificates of approval for endorsement by City Engineer and Finance Officer.
19. Development agreements shall be approved by the City Council.
20. Access agreements shall be approved by the City Engineer and SD Department of Transportation, where applicable.

Source: (Ord 11-18; Add 11-4-11) (Ord 20-32; Rev 1-1-21)

Chapter 24.07
FINAL PLAT APPROVAL

Section

[\(back to Title contents\)](#)

- [24.0701 Plat Approval](#)
- [24.0702 Subdivision Process Exemptions](#)
- [24.0703 Plat Exemptions](#)
- [24.0704 Additional Requirements](#)

24.0701: PLAT APPROVAL

[\(back to Chapter contents\)](#)

1. The Plat shall be considered for final approval only after the City has assurances from the developer fixing responsibility for required improvements. All plats are approved separately by the Planning Commission and City Council, except as noted below.
2. Pursuant to the authority granted in SDCL §11-3-6 and as authorized by the City Council, the City Engineer may approve plats in lieu of approval by the governing body subject to the following regulations:
 - a. A Preliminary Plan of the subdivision has been approved by the Planning Commission and the plat is in conformance with the same.
 - b. Lot line revisions so long as the lots created conform to the density requirements of the applicable zoning district.
3. In the event the City Engineer determines that Subsections 1 or 2 have not been complied with, the plat shall be submitted to the Planning Commission and the City Council for review and approval.
4. When the plat has been approved, the mylar and accompanying documents will be recorded with the Register of Deeds office. All recording fees will be billed to the applicant. (Ord 11-18; Add 11-4-11)

24.0702: SUBDIVISION PROCESS EXEMPTIONS

[\(back to Chapter contents\)](#)

To ensure timely review of minor plats and replats (including plats for transfer of ownership) that do not discernibly impact surrounding properties, environmental resources, or public facilities, no concept plan, preliminary plan, or construction plans will be required. Minor plats and replats can be administratively approved by the City Engineer and must comply with all requirements of a plat.

1. Minor Plat Requirements: A minor plat is a plat containing not more than five (5) lots and must meet **ALL OF** the following requirements:
 - a. Does not require the dedication of right-of-way or construction of new streets, except that arterial roadways identified on the Major Street Plan will be required to dedicate the necessary right-of- way;
 - b. Does not create any public improvements other than sidewalks;
 - c. Does not landlock or otherwise impair convenient ingress or egress to or from the rear side of the subject tract or any adjacent property;
 - d. Does not change the grades from the grading plan which was submitted and approved with the original plat or, if the grades are going to be changed, then a grading plan shall be submitted and approved for the minor plat or replat;
 - e. Does not significantly change any plans that have been prepared for the placement of any other utilities in the subdivision;
 - f. Does not adversely affect the remainder of the parcel or adjoining property; and
 - g. Does not conflict with any provision or portion of the growth management plan, official map, zoning ordinance, or these regulations.
 - h. No property involved or created by a minor plat shall be involved in a subsequent minor plat procedure for a period of three (3) years from the date of filing of the original minor plat procedure.
2. Replat: A replat includes all the requirements of a minor plat and shall also include the minor vacation of existing platted lines to achieve either a reconfiguration of the existing recorded plat or change the number of recorded lots in the subdivision only where the perimeter of the tract being replatted is not altered by the replat. Also, a replat shall certify that the platting vacates the existing plat. (Ord 11-18; Add 11-4-11)

24.0703: PLAT EXEMPTIONS[\(back to Chapter contents\)](#)

This section is intended to provide exemptions to city platting rules and regulations. However, exemption of city platting rules and regulations does not exempt the platting requirements of the register of deeds, title company and state law. The following exemptions exist:

1. Cemetery gravesite plats or plots do not have to meet any requirements of this subdivision ordinance as long as land is surveyed, mapped, or diagramed, and subdivided into sections, blocks, lots, individual grave spaces, avenues, walks, and streets, thereby platting or making a map which shall be filed and maintained as a permanent cemetery record. However, all platting requirements of the county register of deeds and state law are still applicable.
2. Government owned parcels. In order to facilitate the transfer of ownership from one owner to a government entity for the use of a public land or facility (e.g., school, park, drainage way, H lots), plats may be exempted by the City Engineer.
3. Boundary line adjustments. The purpose is to provide procedures and criteria for the review and approval of minor adjustments to boundary lines of legal lots or building sites in order to rectify defects in legal descriptions, to allow minor enlargement or reduction of lots to improve or qualify as a building site, to achieve increased setbacks from property lines or sensitive areas, and to correct situations where an established use is located across a lot line, or for other similar purposes. When an application is made for building permits, if the description given for the lots on the building permit application shows the property lines to be different from the platted lot lines, a boundary line adjustment or replat will be required for those lots. A boundary line adjustment shall include a surveyed site plan including all information required for a plat. The survey shall be submitted to the planning office with a title report of the entire parcel. A development lot agreement may also be required to officially join parcels to comply with zoning requirements. If the legal description given does not meet the requirements listed below for a boundary line adjustment, other applicable subdivision ordinance provisions shall be followed.

A boundary line adjustment application:

- a. Shall not result in the creation of an additional lot, parcel, or building site,
 - b. Shall not result in a lot that does not qualify as a building site pursuant to this title;
 - c. Shall not relocate an entire lot from one lot of record to another lot of record;
 - d. Shall not reduce the overall area in a plat or parcel devoted to open space;
 - e. Shall not be inconsistent with any restrictions or conditions of approval for a recorded plat;
 - f. Shall not involve lots which do not have a common boundary;
 - g. Shall not result in the required minimum lot sizes that do not meet the zoning ordinance requirements;
 - h. Shall not result in the creation of a nonconforming setback for any existing building; and
 - i. Shall meet all transfer and recording requirements of the county register of deeds. (Ord 11-18; Add 11-4-11)
4. Condo plats do not have to meet any requirements of this subdivision ordinance as long as land is surveyed, mapped, or diagramed, and subdivided into sections or units and the following requirements are met. If all of the requirements are met then the condo plat can be administratively approved. If not ALL of the requirements are met then the condo plat must be approved separately by the Planning Commission and City Council.
 - a. That a Master Deed or Lease has been prepared in accordance with SDCL §43-15A-4,
 - b. The name of the plat must include the word “condominium” (ex: “Plat of Pine Knoll Condominium” or “Plat of Windhaven, a Condominium”),
 - c. The plat cannot create public streets, alleys or dedicate any area to the public,
 - d. The plat cannot alter any area previously dedicated to the public, nor modify or remove any easements, restrictions, or other encumbrances on the land.
 - e. The construction of the building(s) must meet the International Building Code and the International Fire Code, and
 - f. That the primary structure meets the required setbacks of the proposed zoning designation. (Ord 15-15; Add 06-12-15)

24.0704: ADDITIONAL REQUIREMENTS

[\(back to Chapter contents\)](#)

Additionally, building permits will not be issued on any tract or lot in the subdivision until, where applicable:

1. A Final Plat has been approved.
2. Construction Plans have been approved.
3. The Park Fee is paid or park land donated.
4. The property to receive a permit is platted and officially recorded.
5. Final zoning has been approved. (Ord 11-18; Add 11-4-11)

Chapter 24.08
STREET MAINTENANCE AND ACCEPTANCE

Section

[\(back to Title contents\)](#)

- [24.0801 Maintenance of Gravel Streets under Development](#)
- [24.0802 Completion of Final Lift on Street](#)
- [24.0803 Final Acceptance of Improvements](#)
- [24.0804 Developers Warranty Responsibilities](#)

24.0801: MAINTENANCE OF STREETS UNDER DEVELOPMENT

[\(back to Chapter contents\)](#)

For streets under construction the City will provide minimum maintenance and snow removal on gravel and asphalt streets to provide minimum vehicular passage and provide minimum street sweeping on asphalt streets. If there is any damage to manholes, valves, curb and gutter, valley gutters or other appurtenances, repairs shall be done at the developer's expense. Gravel streets will be allowed through one winter season only. (Ord 11-18; Add 11-4-11)

24.0802: COMPLETION OF FINAL LIFT ON STREET

[\(back to Chapter contents\)](#)

Both the sanitary sewer and storm sewer must be televised and accepted by the City prior to paving the final lift. Any corrections needed for either sewer system must also be made prior to paving the final lift. Any disturbance to the paving section for any reason will be the responsibility of the developer to repair.

No sooner than one year after the first lift has been applied or at any time when requested by the City, the developer shall place the final lift of asphalt on the street. Prior to this action, the developer will notify the City and state its intentions. The City Engineering Division will inspect the improvements and make an inspection report to the developer as to the necessary work needed for the project to meet City specifications. This inspection report will encompass all aspects of the water, sanitary sewer, storm sewer, curb and gutter, valley or any other part of the construction as provided for in the preliminary plan as approved. Adjustments or repairs will be the responsibility of the developer and shall be made prior to the placement of the final lift. (Ord 11-18; Add 11-4-11)

24.0803: FINAL ACCEPTANCE OF IMPROVEMENTS

[\(back to Chapter contents\)](#)

After the developer deems that all the street and utility improvements have been completed and has placed the final lift of asphalt, the developer will notify the City in writing that the street is completed. The City Engineering Division will then inspect all the improvements and inform the developer of any deficiencies. Any deficiencies shall be remedied by the developer at the developer's expense. The City Engineer will then issue a Certificate of Completion noting any deficiencies and setting a date as to when the one (1) year warranty will end. (Ord 11-18; Add 11-4-11)

24.0804: DEVELOPERS WARRANTY RESPONSIBILITIES

[\(back to Chapter contents\)](#)

The developer shall warranty the water, sewer, storm sewer, curb and gutter, valley or any other part of the construction specified in the preliminary plan for a period of one year from the date as stated in the Certificate of Completion.

Prior to the end of the one (1) year warranty period the City Engineer will inspect the improvements and report findings to the City Council. The City Council shall by resolution confirm or reject the Certificate of Acceptance. If confirmed, the developer's responsibility for the improvements end, and the improvements become the responsibility of the City. If any portion is rejected, the developer will repair or replace the rejected portion and a one (1) year warranty period will begin again on the rejected portion and the developer shall again comply with the provisions as stated in this ordinance. (Ord 11-18; Add 11-4-11)

Chapter 24.09
CHANGES AND VARIANCES

Section

[\(back to Title contents\)](#)

[24.0901 Changes or Modifications of Plans](#)

[24.0902 Variances](#)

24.0901: CHANGES OR MODIFICATIONS OF PLANS

[\(back to Chapter contents\)](#)

All modifications to the approved construction plans shall be approved by the City Engineer. The Planning Commission reserves the right to require that any changes or modifications to approved plans that they deem to be major changes or modifications shall require the developer to re-submit the modified plan for review and adoption as herein provided. (Ord 11-18; Add 11-4-11)

24.0902: VARIANCES

[\(back to Chapter contents\)](#)

Requests for variances must be submitted to the Planning Commission and/or the City Council under the procedures set forth in Watertown Ordinances. (Ord 11-18; Add 11-4-11)

Chapter 24.10
DEFINITIONS

24.1001: DEFINITIONS

[\(back to Title contents\)](#)

For the purpose of this title and in order to carry out the provisions and intentions as set forth herein, certain words, terms, and phrases are to be used and interpreted as defined hereinafter.

Access Control Easement: an easement on property adjacent to a street right-of-way prohibiting vehicular access or street curb cuts to such designated property.

Alley: a public or private right-of-way which affords a secondary means of access to property.

Block: a tract of land bounded by streets or by a combination of streets, public parks, railroad right-of-ways, shoreline of waterways or municipal boundaries.

Building: any structure for the shelter, support or enclosure of persons, animals, chattels or property of any kind. When separated by party walls without openings, each portion of such building so separated shall be deemed a separate building.

Building Setback Line: a line parallel or approximately parallel to the lot lines at a specified distance therefrom, marking the minimum distance from the lot line that the building may be erected.

Certificate of Acceptance: a certificate issued as acceptance of improvements in developments that will be, after acceptance by the City Council, maintained by the City of Watertown.

Certificate of Completion: a certificate issued as approval of improvements in developments that will, after approval by the City Public Works Director, constitute the start of a one (1) year warranty period.

City Engineer: the person designated by the City Council to furnish engineering assistance for the administration of these regulations.

City, City of Watertown: the City of Watertown, South Dakota.

City Council: the City Council of Watertown, South Dakota, as duly elected.

Condo Plat: a plat detailing the location of a structure(s) which is encumbered by a declaration of condominium covenants or condominium form of ownership.

Construction Standards: construction specifications approved by the City for infrastructure construction.

Comprehensive Plan: the master plan or general plan for the development and improvement of Watertown, South Dakota as adopted by the City Council.

Concept Plan: a basic set of plans indicating the proposed layout of the subdivision to be submitted for approval.

Construction Plan: a set of detailed engineering plans to be used for construction of public infrastructure based on the City's Engineering Design Standards.

Contractor: the person who contracts with an individual or the developer to construct a building on a parcel of land prepared by the developer.

Corner Lot: a lot at the junction of, and fronting on, two or more intersecting streets.

Covenants: those declarations prepared by the developer and intended to be recorded along with the Plat, which may provide for restrictions and controls of land use and development within the subdivision and which shall include a method whereby all private roadways within the subdivision shall be improved and maintained until such time as the obligation thereof may be accepted by the City or another governmental unit.

Cul-de-Sac: a local street with only one outlet having an appropriate terminal for safe and convenient reversal of traffic movement.

Curb Cut: a cut in the curb allowing access to a public street.

Dedicated: a grant of land to the public for perpetual use.

Design Review Team: a group of representatives from each city department, SD DOT, 1st District, Focus Watertown and others affected by the proposed plan.

Developer: any person who converts undeveloped land into legally platted, buildable lots. The developer may or may

not be the landowner or the builder of structures that occupy the lots.

[\(back to Title contents\)](#)

Easement: authorization by a property owner for the use by another property owner or the public for specific purposes for any designated part of his property.

Engineering Design Standards: the current engineering design standards for public improvements of the City of Watertown.

Flood Prone Area: a land area adjoining a river, creek, watercourse or lake which is likely to be flooded.

Frontage: that side of a lot abutting on a street regarded as the front of the lot.

H Lot: a lot created via a highway right-of-way plat.

Homeowner's Association: an association of property owners joined together for the purpose of maintaining an area held in common ownership.

Improvements: includes street grading, street surfacing, curb and gutter, water mains and lines, sanitary sewers, storm drainage facilities, culverts or other such installations as designated by the City Council.

Letter of Irrevocable Credit: a guaranteed letter from a bank or savings and loan association stating that if the said improvements are not completed by a developer, the money provided in the letter will be forwarded to the City to complete said improvements.

Lot: one unit of a recorded plat subdivision, or registered land survey having specific boundaries and which has been recorded in the Register of Deeds office, occupied or to be occupied by a building and its accessory buildings and including as a minimum such open spaces as are required under this ordinance and having frontage on a public street.

1. **Corner:** a lot located at the intersection of two or more streets. A lot abutting on a curved street shall be considered a corner lot if straight lines drawn from the foremost points of the side lots to the foremost points of the lot meet at an interior angle of less than one hundred thirty five (135) degrees.
2. **Interior:** a lot other than a corner lot with only one frontage on a street.
3. **Through:** a lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots.

Major Street Plan: the major street plan adopted through the comprehensive plan and as approved by the City Council.

Monument: a boundary marker of concrete, permanently planted and firmly fixed in the ground and placed so that the top of the monument is flush with natural ground.

Owner: the title holder of property, on file at the office of the County Register of Deeds.

Planning Commission: the Planning Commission of Watertown, South Dakota as duly appointed.

Plat: a map, or representation on paper of a piece of land subdivided into lots, parcels, tracts or blocks, including streets, commons and public grounds, if any, all drawn to scale and complete with all irrevocable offers of dedications and filed with the County Register of Deeds.

Preliminary Plan: a set of drawings, including all required information, for review by the Planning Commission.

Re-Plat: a change in a map of an approved or recorded subdivision plat which affects any road layout, area reserved for public use, or lot line.

Right-of-Way: a strip of land occupied by a street, railroad, transmission line, oil or gas pipeline, water lines, storm or sanitary sewer lines, pedestrian walkways or other special use. The use of the term right-of-way for platting purposes shall mean that every right-of-way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels. Rights-of-way shall be dedicated to public use by the owner of the plat on which such right-of-way is established.

[\(back to Title contents\)](#)

Street: a public way for vehicular traffic whether designated as a street, highway, thoroughfare, parkway, throughway, road, arterial, lane, place or however otherwise designated. The width of a street is measured between right-of-way lines.

1. **Arterial:** a principle traffic artery, more or less continuous across the City, which acts as a principal connecting street with state and federal Highways and includes each street designated as an arterial street on the major street plan.
2. **Collector:** a street intended to move traffic from local streets to arterial streets and highways, including the principal entrance street of residential development and streets for circulation in such developments.
3. **Frontage:** a minor street which runs parallel or adjacent to arterial streets and highways and which serves to reduce the number of access points to arterial streets and highways.
4. **Local:** a street intended to provide access to other streets from individual properties and to provide right-of-way beneath it for various utilities but not intended to be used for through traffic.
5. **Marginal Access:** a street used only for access to a very limited number of lots.
6. **Private:** one that has not been dedicated, but rather reserved as an access easement to property. The private street shall be owned and maintained by the property owners which it serves.

Storm Water Pollution Prevention Plan: in compliance with the State General Permit, the SWPPP is a document which identifies sources and activities at a particular construction site that may contribute pollutants to storm water and commits the operator to specific control measures and time frames to prevent or treat such pollutants.

Structure: anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground, including but not limited to buildings, walls, fences and signs.

Subdivider: a person, corporation, partnership, association, or any group who prepares or causes to be prepared a subdivision plat.

Subdivision: the division of any tract or parcel of land into two or more lots platted for the purpose of transfer of ownership, or building development, whether future or immediate, or any division of land involving a new street or road regardless of parcel size or the number of parcels. (Ord 11-18; Add 11-4-11)

Chapter 24.97
INTERPRETATION, ABROGATION AND SEVERABILITY

24.9701: INTERPRETATION, ABROGATION AND SEVERABILITY

[\(back to Title contents\)](#)

In interpreting and applying the provisions of this ordinance, they shall be held to be the minimum requirements for the promotion of public safety, health and general welfare. It is not the intent of this ordinance to repeal, abrogate or impair any existing easement, covenant or deed restriction. Where these provisions conflict or overlap, whichever imposes the more stringent restrictions shall prevail.. (Ord 11-18; Add 11-4-11)

Chapter 24.98
CROSS-REFERENCES

24.9801: CROSS-REFERENCES

[\(back to Title contents\)](#)

Building Inspector, Bond	7.0903
Business Buildings Must Be Rat-Proof and Rat-Free	11.0502
Building Codes and Floodplain Regulations.....	Title 5
Electrical Regulations	Title 9
Plumbing	Title 15
Gas Regulations.....	Title 20
Utilities	Title 20
Zoning	Title 21

Chapter 24.99
PUNISHMENT

24.9901: PUNISHMENT

[\(back to Title contents\)](#)

Unless stated otherwise under another chapter of this title, any violation of the provisions of this title shall, upon conviction thereof, be a misdemeanor and punishable by a fine of not more than five hundred dollars (\$500) per violation per day or by imprisonment for not more than thirty (30) days, or by both such fine and imprisonment; and if such violation is of any provision involving a licensee, the City Council may revoke the license of any licensee so convicted.

In addition, when any work is done without a permit, the violator shall be required to return the premises to the natural condition and upon failure to do so within thirty (30) days after notice in writing, the City may return the premises to the natural condition and assess the cost thereof to the land owner. (E-299-2) (E-679) (Ord 11-18; Add 11-4-11)

The above and foregoing Ordinance was moved for adoption by Alderperson _____, seconded by Alderperson _____, and upon voice vote motion carried, whereupon the Mayor declared the Ordinance duly passed and adopted.

I certify that Ordinance No. 25-03 was published in the Watertown Public Opinion, the official newspaper of said City, on the ____ day of _____, 2025.

Kristen Bobzien, Chief Financial Officer

First Reading: April 7, 2025
Second Reading: April 21, 2025
Published: April 26, 2025

Effective: May 20, 2025

City of Watertown

Attest:

Kristen Bobzien
Chief Financial Officer

Ried Holien
Mayor