

## Ordinance 22-002

### **An Ordinance amending Chapter 94, Zoning of the City of Brookings pertaining to Section 94-125.7, Residence R-1D Single-Family for the Purposes of Adding Regulations for Single-Family, Small Lot, and Single-Family Zero Feet Side Yard – 2 Units, Small Lot as permitted Special Uses**

Be It Ordained by the Governing Body of the City of Brookings, South Dakota that the Subdivision Regulations be amended as follows:

I.

#### ARTICLE IV. – DISTRICT REGULATIONS

That Section 94-125.7. of Article IV. of the Zoning Regulations shall be amended to read as follows:

#### **Sec. 94-125.7. Residence R-1D single-family.**

- (a) *Intent.* This district is intended to provide for areas of residential use with a gross density of approximately seven dwelling units per acre or less. The district permits single-family detached dwellings, single-family attached dwellings, and supportive community facilities such as parks, playgrounds, schools, and churches.
- (b) *Scope of regulations.* The regulations set forth in this section or set forth elsewhere in this title, when referred to in this section, are the district regulations of the residence R-1D single-family district.
- (c) *Permitted uses.* Single-family dwelling including accessory uses incidental thereto such as private garages, parking areas, etc.
- (d) *Permitted special uses.* A building or premises may be used for the following purposes in conformance with conditions prescribed herein:
  - (1) All permitted special uses and conditions as stated in section 94-124(d) (R-1A).
  - (2) Single-family zero feet side yard dwelling.
    - a. A maximum of two attached dwelling units are permitted.
  - (3) Private school of general instruction.
    - a. One of the frontages of the premises shall abut upon an arterial or collector street.
  - (4) Family day care.
    - a. Restricted to 12 or less children at any one time.
  - (5) Single-family dwelling, small lot.
    - a. One of the frontages of the premises shall abut upon an alley.
    - b. Garages shall be located in the rear yard.
    - c. Access drives prohibited in front yard.
      - i. Exception for corner lots, which shall allow access drives on the street frontage with the greatest length.
      - ii. Access drive width shall not exceed the width of the garage.
  - (6) Single-family zero feet side yard dwelling, small lot.
    - a. A maximum of two attached dwelling units are permitted.

- b. One of the frontages of the premises shall abut upon an alley.
- c. Garages shall be located in the rear yard.
- d. Access drives prohibited in front yard.
  - i. Exception for corner lots, which shall allow access drives on the street frontage with the greatest length.
  - ii. Access drive width shall not exceed the width of the garage.
- (e) *Conditional uses.*
  - (1) Retirement or nursing home;
  - (2) Two-family dwelling;
  - (3) Group home;
  - (4) Major home occupation;
  - (5) Public recreation facility.
- (f) *Density, area, yard and height regulations.* The R-1D district regulations shall be as follows:

	Per Unit Density Sq. Ft.	Min. Lot Area Sq. Ft.	Min. Lot Width	Min. Front Yard	Min Side Yard	Min. Rear Yard	Max. Height
Single-family, small lot	4,500	4,500	40'	10'	5'	10'	35'
Single-family	6,000	6,000	50'	20'	6'	20'	35'
Single-family, 0 feet side yard - 2 units	6,000	12,000	80'	20'	0'	20'	35'
Single-family, 0 feet side yard – 2 units, small lot	4,500	9,000	65'	10'	0' **	10'	35'
Two-family	4,500	9,000	75'	20'	6'	20'	35'
Other allowable uses		10,000	75'	20'	6'	20'	35'

\* Or 6' on non-party wall

\*\* Or 5' on non-party wall

Density per family requirements shall not apply to dormitories, fraternities, sororities, nursing homes or other similar group quarters where no cooking facilities are provided in individual rooms.

- (g) *Accessory uses.* Accessory uses and buildings permitted in the R-1D district are buildings and uses customarily incidental to any of the permitted uses in the district.
- (h) *Parking regulations.* Parking, loading and stacking within the R-1D district shall be in conformance with the regulations set forth in division 4 of article VI of this chapter.
- (i) *Sign regulations.* Signs within the R-1D district shall be in conformance with the regulations set forth in division 5 of article VI of this chapter.
- (j) *Other regulations.* Development within the R-1D district shall be in conformance with the regulations set forth in article II of this chapter.

II.

All ordinances and parts of ordinances in conflict herewith are hereby repealed.

First Reading: January 25, 2022

Second Reading: February 8, 2022

Published:

CITY OF BROOKINGS, SD

---

Oepke G. Niemeyer, Mayor

ATTEST:

---

Bonnie Foster, City Clerk