

BROOKINGS COUNTY ORDINANCE NO. 2026-02

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF ORDINANCE 2022-05

WHEREAS, BROOKINGS COUNTY, previously adopted Ordinance 2022-05 on December 20, 2022, in accordance with SDCL Chapter 11-2;

WHEREAS, the Brookings County, South Dakota, Board of County Commissioners deems it necessary, for the purpose of promoting the health, safety, and the general welfare of the County, to amend Ordinance 2022-05 by amending Article I General Provisions: Chapter 1.03 Official Joint Jurisdictional Zoning Map: Section 1.03.06; Article IV Administration and Enforcement, Chapter 4.04. Zoning Amendments, Section 4.04.01; Article V Supplemental Requirements for Agricultural Districts, Chapter 5.09. Manufactured Home Regulations, Section 5.09.01

THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BROOKINGS COUNTY, SOUTH DAKOTA: that "Article I General Provisions: Chapter 1.03 Official Joint Jurisdictional Zoning Map: Section 1.03.06; is hereby amended by removing in ~~strike-out font~~ and replacing in *italics and underline font*.

Article I General Provisions: Chapter 1.03 Official Joint Jurisdictional Zoning Map Section 1.03.06. Dissolution of 2022 Joint Zoning Ordinance for Brookings County and the City of Brookings.

The regulations contained herein which establish concurrent zoning jurisdiction shall be in effect unless either the City of Brookings or Brookings County adopts an ordinance dissolving said concurrent jurisdiction and regulations. In order to dissolve the concurrent jurisdiction and these regulations, the county and city planning commissions shall meet jointly and hold at least one (1) public hearing on the proposed dissolution. Notice of the ontime and place of the hearing shall be given at least once by the party proposing the dissolution at least ~~fourteen (14) days~~ *ten (10) days* in advance of the hearing by publication in the legal newspaper of the City of Brookings. Following the public hearing, each planning commission shall submit a recommendation to each respective governing body. If it is the intent of either the County Commission or City Council to proceed with the dissolution of the concurrent jurisdiction and these regulations, said governing body shall hold two (2) readings of the ordinance, with at least one (1) public hearing prior to adoption of said ordinance. Notice of the time and place of the hearing shall be published at least once by either the city or county, as the case may be, at least ~~fourteen (14) days~~ *ten (10) days* in advance of the hearing by publication in their legal newspaper.

THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BROOKINGS COUNTY, SOUTH DAKOTA: that "Article IV Administration and Enforcement, Chapter 4.04. Zoning Amendments, Section 4.04.01; is hereby amended by removing in ~~strike-out font~~ and replacing in *italics and underline font*.

Article IV Administration and Enforcement; Section 4.04.01. Procedures for Zoning Amendments: 3. The following procedure to request a Zoning Amendment or Zoning District Boundary Change shall be followed: 3 c. The respective Planning Commissions shall conduct a joint public hearing for each application which has been processed and forwarded by the County Zoning Officer as provided in this ordinance. The County Zoning

Officer shall cause to be published a notice in the legal newspaper of the City of Brookings, ~~fourteen (14) days~~ ten (10) days prior to each respective public hearing, of the time and place of the public hearing. If the proposed amendment will change the boundaries of a zoning district, the Zoning Officer shall notify all owners of property within two hundred fifty (250) feet of the proposed boundary change by Certified Mail at the expense of the applicant, at least ~~fourteen (14) days~~ ten (10) days before the public hearing of the Planning Commissions.

THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BROOKINGS COUNTY, SOUTH DAKOTA: that "Article V Supplemental Requirements for Agricultural Districts, Chapter 5.09. Manufactured Home Regulations, Section 5.09.01; is hereby amended by removing in ~~strike-out font~~ and replacing in italics and underline font.

Article V Supplemental Requirements for Agricultural Districts: Chapter 5.09 Manufactured Home Regulations: Section 5.09.01 – Manufactured/Mobile Homes: 2 Residences; c) In the absence of the consent of all adjoining landowners as described above, the Joint Board of Adjustment, by a 2/3 majority vote, may authorize the issuance of a building permit for the moving in of a previously occupied residence after a public hearing. Notice of the hearing shall be provided in writing at least ~~fourteen (14) days~~ ten (10) days prior to the hearing to all adjoining landowners, and to all landowners within two hundred (200) feet of the property. In determining whether or not to authorize the permit, the Board shall consider the following: Whether or not the proposed residence is consistent in character with the other residences in the area.

Adopted this 12th day of May 2026.

BOARD OF COMMISSIONERS

First Reading: April 21, 2026
Second Reading: May 12, 2026
Adopted: May 12, 2026
Published: May 22, 2026
Effective date: June 12, 2026

Shawn Hostler, Chairman
Board of Commissioners

ATTEST:

Brookings County Finance Officer