

**Ordinance 22-040**

**An Ordinance amending Chapter 94, Zoning of the City of Brookings pertaining to Sections 94-131, 94-132, 94-133, 94-134, 94-135, 94-135.5, 94-136, 94-137, 94-161, and 94-399.1 for the purposes of Amending the Maximum Allowable Heights in the B-1, B-2, B-2A, B-3, B-4, B-5, I-1, I-1R and I-2 Districts and Associated Bufferyard Requirements.**

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 the following sections of Article IV of the Zoning Regulations shall be amended to read as follows:

**Sec. 94-131. Business B-1 central district.**

(f) *Density, area, yard and height regulations.* The B-1 district regulations are as follows:

	Density Sq. Ft.	Min. Lot Area Sq. Ft.	Min. Lot Width	Min. Front Yard	Min. Side Yard	Min. Rear Yard	Max. Height
All uses					*	20 feet*	50 feet 60 feet

\*Refer to section 94-399.1 bufferyards.

**Sec. 94-132. Business B-2 district.**

(f) *Density, area, yard and height regulations.* The density, area, yard and height regulations in the B-2 district are as follows:

	Density Sq. Ft.	Min. Lot Area Sq. Ft.	Min. Lot Width	Min. Front Yard	Min. Side Yard	Min. Rear Yard	Max. Height
Commercial uses		15,000	100 feet	25 feet	5 feet*	20 feet*	45 feet 60 feet
Other allowable uses		15,000	100 feet	25 feet	7 feet**	20 feet	45 feet 60 feet

\*Refer to section 94-399.1 bufferyards.

\*\*The side yard will be required to be increased to ten feet if the building is three or more stories in height.

**Sec. 94-133. Business B-2A office district.**

(f) *Density, area, yard and height regulations.* The B-2A district regulations are as follows:

	Density Sq. Ft.	Min. Lot Area Sq. Ft.	Min. Lot Width	Min. Front Yard	Min. Side Yard	Min. Rear Yard	Max. Height
All uses				25 feet	5 feet*	20 feet*	<del>35 feet</del> 60 feet

\*Refer to section 94-399.1 bufferyards.

**Sec. 94-134. Business B-3 heavy district.**

(f) *Density, area, yard and height regulations.* The B-3 district regulations are as follows:

	Density Sq. Ft.	Min. Lot Area Sq. Ft.	Min. Lot Width	Min. Front Yard	Min. Side Yard	Min. Rear Yard	Max. Height
All uses				20 feet	5 feet*	20 feet*	<del>45 feet</del> 60 feet

\*Refer to section 94-399.1 bufferyards.

**Sec. 94-135. Business B-4 highway district.**

(f) *Density, area, yard and height regulations.* The B-4 district regulations are as follows:

	Density Sq. Ft.	Min. Lot Area Sq. Ft.	Min. Lot Width	Min. Front Yard	Min. Side Yard	Min. Rear Yard	Max. Height
All uses		40,000*	200 feet**	50 feet	25 feet***	30 feet***	<del>50 feet</del> N/A***

\*A lot fronting on a service road or non-arterial right-of-way must have a minimum lot area of 30,000 square feet.

\*\*A lot fronting on a service road or non-arterial right-of-way must have a minimum lot width of 150 feet.

\*\*\*Refer to section 94-399.1 bufferyards.

**Sec. 94-135.5. Business B-5 planned research and business district.**

(f) *Density, area, yard and height regulations.* The density, area, yard and height regulations in the B-5 district are as follows:

	Density Sq. Ft.	Min. Lot Area Sq. Ft.	Min. Lot Width	Min. Front Yard*	Min. Side Yard	Min. Rear Yard	Max. Height
All uses				40 feet	25 feet**	30 feet**	<del>60 feet</del> N/A**

\*The yard abutting Interstate 29 shall be considered a front yard.

\*\*Refer to section 94-399.1 bufferyards.

**Sec. 94-136. Industrial I-1 light district.**

(f) *Density, area, yard and height regulations.* The I-1 district regulations are as follows:

	Density Sq. Ft.	Min. Lot Area Sq. Ft.	Min. Lot Width	Min. Front Yard	Min. Side Yard	Min. Rear Yard	Max. Height
All uses				20 feet	20 feet*	20 feet*	50 feet

							N/A*
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\*Refer to section 94-399.1 bufferyards.

**Sec. 94-137. Industrial I-2 heavy district.**

(f) *Density, area, yard and height regulations.* The I-2 district regulations are as follows:

	Density Sq. Ft.	Min. Lot Area Sq. Ft.	Min. Lot Width	Min. Front Yard	Min. Side Yard	Min. Rear Yard	Max. Height
All uses				40 feet	20 feet*	20 feet*	50 feet N/A*

\*Refer to section 94-399.1 bufferyards.

**Sec. 94-161. Industrial I-1R restricted district.**

(f) *Density, area, yard and height regulations.* The I-1R district regulations are as follows:

	Lot Coverage	Min. Lot Area Sq. Ft.	Min. Lot Width	Min. Front Yard	Min. Side Yard	Min. Rear Yard	Max. Height
All uses	35%*			60 feet***	50 feet**	50 feet**	50 feet N/A**

\*Buildings used solely for storage and/or warehousing operations may occupy no more than 50 percent of the area of the lot.

\*\*Refer to section 94-399.1 bufferyards.

\*\*\*The yard area abutting Interstate 29 shall be considered a rear yard.

II.

ARTICLE VI. – SUPPLEMENTAL REGULATIONS

That the following sections of Article VI of the Zoning Regulations shall be amended to read as follows:

**Sec. 94-399.1. Bufferyards.**

(d) *Bufferyard requirements.*

(1) Bufferyards are required in accordance with the following table.

Table 1.1

	Zoning of Abutting Land	Proposed Buildings over 30' in Height	Proposed Buildings over 60' in Height	Solid Fence/Wall or Continuous Shrubs
Zoning of Proposed Development	R-1, R-1A, R-1B, R-1C, R-1D, R-2, R-3, R-3A, RMH	R-1, R-1A, R-1B, R-1C, R-1D, R-2, R-3, R-3A, RMH		R-1, R-1A, R-1B, R-1C, R-1D, R-2, R-3, R-3A, RMH
B-1	Type A or type <del>E</del> F	Type B or type <del>E</del> F	N/A	N/A
B-2	Type B or type <del>F</del> G	Type C or type <del>F</del> G	N/A	N/A
B-2A	Type A or type <del>D</del> E	Type C or type <del>F</del> G	N/A	N/A
R-B4	Type A or type <del>D</del> E	Type C or type <del>F</del> G	N/A	N/A
B-3	Type C or type <del>G</del> H	Type C or type <del>G</del> H	N/A	6' required
B-4	Type C or type <del>F</del> G	Type C or type <del>F</del> G	Type D or type I	6' required

B-5	Type C or type F G	Type C or type F G	Type D or type I	N/A
I-1, I-1R	Type C or type G H	Type C or type G H	Type D or type J	6' required
I-2	Type C or type G H	Type C or type G H	Type D or type J	6' required
*R-3, R-3A, R-B4		Type B or type F G	N/A	N/A

\*Applicable only to structures over 30 feet in height.

- (2) *Bufferyard types.* The following bufferyard types are hereby established and shall provide the requirements for each type of bufferyard referenced in table 1.1. The table prescribes the minimum widths and landscaping for bufferyards.

Table 1.2

Bufferyard Types	Minimum Buffer from Parking Lot	Minimum Buffer to Structure	Plantings per 100 lineal feet or fraction thereof per Bufferyard
Type A	10'	20'	3 trees and 10 shrubs
Type B	15'	25'	5 trees and 10 shrubs
Type C	20'	30'	6 trees and 14 shrubs
Type D	30'	45'	6 trees and 14 shrubs
Type D E	25'	25'	greenspace
Type E F	30'	30'	greenspace
Type F G	40'	40'	greenspace
Type G H	50'	50'	greenspace
Type I	60'	60'	greenspace
Type J	75'	75'	greenspace

### III.

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

First Reading: November 22, 2022  
 Second Reading: December 13, 2022  
 Published: December 16, 2022

CITY OF BROOKINGS, SD

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 Oepke "Ope" Niemeyer, Mayor

ATTEST:

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 Bonnie Foster, City Clerk