

**CITY OF BROOKINGS/BROOKINGS COUNTY
JOINT JURISDICTION ZONING ORDINANCE
TABLE OF CONTENTS**

ARTICLE I	General Provisions	2
Chapter 1.01	Title and Application	2
Section 1.01.01	Title	2
Section 1.01.02	Jurisdiction	2
Section 1.01.03	Purpose	2
Chapter 1.02	Ordinance Provisions	3
Section 1.02.01	Provisions of Ordinance Declared to be Minimum Requirements	3
Section 1.02.02	Purpose of Section Titles	3
Section 1.02.03	Violation and Penalty.....	3
Section 1.02.04	Separability Clause	4
Section 1.02.05	Repeal of Conflicting Ordinances	4
Section 1.02.06	Effective Date	4
Section 1.02.07	Saving Clause	5
Chapter 1.03	Official Joint Jurisdictional Zoning Map	5
Section 1.03.01	Official Joint Jurisdictional Zoning Map	5
Section 1.03.02	Amendment of the Official Joint Jurisdictional Zoning Map	5
Section 1.03.03	Interpretation of District Boundaries	5
Section 1.03.04	Changes and/or Replacement of Official Joint Jurisdictional Zoning Map.....	6
Section 1.03.05	Classification of Land Coming Within the Area of Joint Zoning Authority	6
Chapter 1.04	Dissolution of 2019 Joint Zoning Ordinance for Brookings County and the City of Brookings	7
ARTICLE II	Definitions.....	8
ARTICLE III	District Regulations	31
Chapter 3.01	Application of District Regulations	31
Section 3.01.01	Application of District Regulations	31

Chapter 3.02	Nonconforming Uses.....	31
Section 3.02.01	Purpose and Intent.....	31
Section 3.02.02	Continuation of Nonconforming Uses.....	31
Section 3.02.03	Use Becoming Nonconforming by Change in Law or Boundaries	31
Section 3.02.04	Extension or Enlargement	31
Section 3.02.05	Restoration After Damage.....	32
Section 3.02.06	Repairs and Maintenance	32
Section 3.02.07	Unsafe Nonconforming Use	32
Section 3.02.08	Discontinue of Nonconforming Use	32
Section 3.02.09	Effect on Use Which is Illegal Under Prior Law.....	32
Section 3.02.10	Powers of the Planning Commission/Board of Adjustment	32
Section 3.02.11	Continuation of Nonstandard Uses	32
Section 3.02.12	Nonconforming Lots of Record.....	33
Chapter 3.03	Zoning Districts.....	33
Section 3.03.01	Districts.....	33
Section 3.03.02	Prohibited Uses	34
Chapter 3.04	"A" Agricultural Land District.....	35
Section 3.04.01	Permitted Uses.....	35
Section 3.04.02	Conditional Uses	35
Section 3.04.03	Area Regulations/Easements.....	37
Chapter 3.05	Flood Damage Prevention Overlay District.....	40
Section 3.05.01	Statutory Authorization, Findings of Fact, Purpose and Objectives.....	40
Section 3.05.02	Methods of Reducing Flood Losses	41
Section 3.05.03	Reserved	41
Section 3.05.04	General Provisions	41
Section 3.05.05	Administration.....	42
Section 3.05.06	Provisions for Flood Hazard Reduction	44
Section 3.05.07	Penalties for Noncompliance.....	47
Chapter 3.06	Aquifer Protection.....	49
Section 3.06.01	Purpose	49
Section 3.06.02	Reserved	49

Section 3.06.03	Establishment and Delineation of Aquifer Protection Overlay Zones	49
Section 3.06.04	Zone A – Aquifer Critical Impact Zone	50
Section 3.06.04.01	Permitted Uses in Zone A	50
Section 3.06.04.02	Conditional Uses in Zone A.....	50
Section 3.06.04.03	Prohibited Uses in Zone A.....	50
Section 3.06.05	Zone B – Aquifer Secondary Impact Zones	50
Section 3.06.05.01	Permitted Uses in Zone B	51
Section 3.06.05.02	Conditional Uses in Zone B.....	51
Section 3.06.05.03	Prohibited Use in Zone B	51
Section 3.06.06	Performance Standards	51
Section 3.06.07	Prohibited Accessory Uses.....	53
Section 3.06.08	Grant of Permit, Alteration of Use	53
Section 3.06.08	Exceptions.....	54
Section 3.06.09	Limitation of County Liability.....	54
Section 3.06.10	Underlying Zones	54
Chapter 3.07	“TR” Transmission Pipeline (Risk Reduction) Overlay District	55
ARTICLE IV	Administration.....	56
Chapter 4.01	Applicability	56
Chapter 4.02	Planning Commission.....	56
Section 4.02.01	Establishment.....	56
Section 4.02.02	Meetings of the Planning Commission	56
Chapter 4.03	Board of Adjustment.....	56
Section 4.03.01	Establishment.....	56
Section 4.03.02	Procedures for Meetings	57
Section 4.03.03	Powers and Duties of the Board.....	57
Section 4.03.04	Reapplication.....	57
Chapter 4.04	Zoning Amendments	58
Section 4.04.01	Procedures for Zoning Amendments.....	58
Section 4.04.02	Reapplication.....	59
ARTICLE V	Supplemental Requirements for Agricultural and Rural Residential Districts	60
Chapter 5.01	Applicability	60

Chapter 5.02	Vision Clearance On Corner Lots.....	60
Chapter 5.03	Permanent Foundations Required for Dwellings	60
Chapter 5.04	Utility Easements.....	61
Chapter 5.05	Erection of More Than One Principal Structure On A Lot.....	61
Chapter 5.06	Structures to Have Access	61
Chapter 5.07	Minimum Water and Sewer Requirements.....	61
Chapter 5.08	Refuse	62
Chapter 5.09	Manufactured Home Regulations	63
Section 5.09.01	Manufactured/Mobile Homes	63
Chapter 5.10	Yards	63
Section 5.10.01	Yards, Reduction in Size	63
Section 5.10.02	Additional Yard Requirements.....	63
Section 5.10.03	Exceptions to Yard Requirements	63
Chapter 5.11	Accessory Buildings	63
Chapter 5.12	Signs	64
Section 5.12.01	Prohibited Signs	64
Section 5.12.02	Permitted Signs.....	64
Chapter 5.13	Moved in Buildings	65
Chapter 5.14	Shelterbelt Setback Requirements.....	65
Chapter 5.15	Existing Farmstead Exemptions	67
Section 5.15.01	Existing Farmsteads	67
Section 5.15.02	Existing Farmstead Exemption “A” as a Permitted Use	67
Section 5.15.03	Existing Farmstead Exemption “B” as a Permitted Use	68
Section 5.15.04	Existing Farmstead Exemption “C” as a Permitted Use	69

Chapter 5.17	Fences.....	70
Section 5.17.01	Permit Required	70
Section 5.17.02	Location/Construction Requirements	70
Chapter 5.19	Agricultural Tourism	70
Section 5.19.01	Intent	70
Section 5.19.02	Application Requirements	71
Section 5.19.03	Agricultural Tourism Uses	71
Section 5.19.04	Parking	73
Section 5.19.05	Signs	73
Chapter 5.20	Animal Units on Small Acreages	73
Chapter 5.21	Residence on Small Acreages	73
Chapter 5.22	Concentrated Animal Feeding Operations	74
Section 5.22.01	Animal Units Equivalent to Animal Species.....	74
Section 5.22.02	Classes of Concentrated Animal Feeding Operations.....	76
Section 5.22.03	Concentrated Animal Feeding Operation Permit Requirements	76
Section 5.22.04	Concentrated Animal Feeding Operation Control Requirements	77
Chapter 5.31	Sand, Gravel or Quarry Operation; Rock Crushers; Mineral Exploration and Development and Concrete and Asphalt Mixing Plants Requirements	83
Section 5.31.01	Application.....	83
Section 5.31.02	State and Federal Requirements	83
Section 5.31.03	Setbacks.....	84
Section 5.31.04	General Provisions	84
Chapter 5.39	Right to Farm Notice Covenant	86

LIST OF TABLES

Table 3.04.03.1	37
Table 3.04.03.2	38
Table 5.12.02.2	65
Table 5.21.2	73
Table 5.22.1	74
Table 5.22.05.6	80

LIST OF FIGURES

Figure 5.15.03	72
Figure 5.15.04	69