

ORDINANCE # 2008-05

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF THE 1980 REVISED JOINT JURISDICTION AREA ZONING ORDINANCE

WHEREAS, BROOKINGS COUNTY has previously adopted the 1980 Joint Jurisdiction Area Zoning Ordinance; and

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 the 1980 Joint Jurisdiction Area Zoning Ordinance.

THEREFORE, BE IT ORDAINED BY BROOKINGS COUNTY, SOUTH DAKOTA, that the 1980 Joint Jurisdiction Area Zoning Ordinance be amended as follows:

SECTION A. Article II. Definitions: be changed by adding the following:

Section 200.385

Stable, Private: Any lot or building or part thereon where horses or other equine animals are maintained, trained or cared for by the landowner for the sole purpose of pleasure.

Section 200.386

Stable, Riding: Any lot or building or part thereon where horses or any equine animals are maintained, boarded, trained or cared for in return for remuneration.

SECTION B. Article IV. Agricultural, Residential, Floodplain and Aquifer Districts, Section 410. Residence R-1A single family, Section 412. Uses allowed as special exceptions by the Board of Adjustment: be changed by adding the following:

.9 Private Stables shall be established on lots with a minimum area of one and one-half acres. Three-quarters of one acre of land shall be provided for each horse located thereon. No pasture shall be located within the required front yard setback and no horse shall be allowed to be kept or corralled within 100 feet of any building used for human habitation other than by the owner of such animal. No fencing shall be made of barbwire or connected to an electrical current.

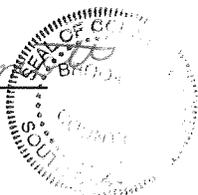
SECTION C. In all respects the 1980 Joint Jurisdiction Area Zoning Ordinance shall remain unchanged and is hereby re-ordained.

FIRST READING: March 11, 2008

SECOND READING: March 18, 2008

Deanna L. Stanton
Chairperson, Brookings County
Board of County Commissioners

TEST: *Janice K. Williams*
Brookings County Auditor



TO: The Members of the County Commission

DATE: March 12, 2008

SUBJECT: Staff Report for March 18, 2008 agenda items.

PREPARED BY: R. Hill, Zoning Director

Item 1: 2nd Reading on Ordinance #2008-03:

Facts:

#1. This Ordinance is amending our building codes from Live Load of 40 pounds to the proper term of 40 pounds Ground Snow Load.

#2. Other changes are paragraph numbers.

Discussion:

The term Ground Snow Load was not in the original ordinance. This was an oversight. The ordinance's original intent was for it to read Ground Snow Load. One of the original intentions of the Building Code ordinance was to protect structures, such as barns, from heavy snow fall. An engineer from Banners Associates visited my office with concerns of the wording and my office was also contacted by Morton Buildings informing us of the improper wording in the ordinance.

This change was recommended by the Brookings County Planning Commission on March 4th, 2008 at a regularly scheduled meeting.

Recommendation(s): I would recommend approval of the Ordinance.

Item 2: 2nd Reading on Ordinance #2008-04:

Facts:

#1. This Ordinance is amending our 1997 Zoning Ordinance.

#2. Only Conditional Use #5 is being changed.

Discussion:

If a citizen wants to crush rock I currently have to advertise for a Conditional Use Permit #5. Rock crushers, concrete and asphalt mixing plants; we get several calls telling us they don't want an asphalt plant near us.

We are asking to subdivide #5 into 5A, 5B and 5C so that we can correctly advertise what is being asked, i.e. a rock crusher or an asphalt plant or a concrete plant.

This change was recommended by the Brookings County Planning Commission on March 4th, 2008 at a regularly scheduled meeting.

Recommendation(s): I would recommend approval of the Ordinance.

Item 3: 2nd Reading on Ordinance #2008-05:

Facts:

#1. This Ordinance amendment was introduced by the City of Brookings Planning Commission.

#2. It only affects the Joint Jurisdictional Area around the City of Brookings.

Discussion:

The Joint Jurisdictional Area Ordinance is dated 1980 and it needs a major revision. This is not a major revision. It was brought before a Joint City/County Zoning meeting on March 4th, 2008 and approved by both Boards by ballot vote.

Recommendation(s): I would recommend approval of the Ordinance.

Respectfully submitted,

Robert W. Hill

Robert W. Hill
Planning and Zoning Director

Enclosures:
None