

Ordinance 17-026

An ordinance amending the Zoning Ordinance of the City of Brookings and pertaining to fences, walls, and hedges for the purpose of administration of the Zoning Ordinance

Be It Ordained by the Council of the City of Brookings, State of South Dakota: that Chapter 94, Zoning, Section 94-394, Subsection (a) and (b) shall be amended as follows:

I.

Sec. 94-398. - Fences, walls, hedges

(a) *Regulations generally.*

1. Regulations regarding fences and walls are as follows: In all residential districts and on lots used principally for residential purposes in any business or industrial district, privacy fencing utilizing solid board or other similarly designed fences and walls shall not exceed 48 inches in height when located between the front lot line and the principal building. Fences and walls on any other part of a lot may not exceed six feet in height when located within the minimum required setback area. The height of such walls and fences shall be determined by measurement from the ground level at the lowest grade within three feet of either side of such fence or wall.
 - a. Fences, walls, and hedges, shall be a maximum of 30 inches in height in the sight triangle as referenced in Section 94-407.
 - b. Fences with a design that results in 70 percent or more of open space from the grade to the top may be permitted in the required site triangle.
2. Regulations regarding hedges are as follows: In all residential districts and on lots used principally for residential purposes in any business or industrial district, privacy hedges shall not exceed six feet in height when located between the front lot line and the principal building. The height of such hedges shall be determined by measurement from the ground level at the lowest grade within three feet of either side of such hedge.
 - a. Hedges shall be a maximum of 30 inches in height in the sight triangle as referenced in Section 94-407.

(b) *Exceptions.*

1. Fences and walls up to six feet in height may be placed in a front yard opposite the street address of a lot abutting an arterial street where:
 - a. The lot is a double frontage lot; and
 - b. The lot is not adjacent to an alley which accesses onto the arterial street; and
 - c. The lot is not a corner lot; and
 - d. No driveways exit onto the arterial street; and
 - e. The fence or wall is set back four or more feet from the front property line.
2. Fences and walls up to six feet in height may be placed in a front yard opposite the street address of a lot abutting a local or collector street where:
 - a. The lot is a double frontage lot; and

- b. The fence or wall meets the minimum required setback of the district the lot is located in.
- (c) In all business districts, fences up to eight feet in height may be erected within 20 feet of any front property line and up to any side or rear property line. Exception: Fences shall not be erected between a lot line and any areas required to be landscaped. This provision shall not prohibit the screening of outdoor storage of materials and inventory as required by other sections of this chapter.

Amend Section 94-1. Definitions.

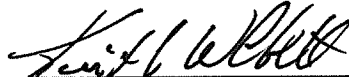
Hedges: a fence or boundary formed by a dense row of shrubs, bushes, or low lying trees.

II.

Any and all ordinances in conflict herewith are hereby repealed.

First Reading: November 28, 2017
Second Reading: December 12, 2017
Third Reading: January 9, 2018
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CITY OF BROOKINGS, SD



Keith W. Corbett, Mayor



Shari Thornes, City Clerk