

Ordinance 19-020

An Ordinance amending the Zoning Ordinance of the City of Brookings and pertaining to Planned Development Districts for the purposes of administration of the Zoning Ordinance

Be It Ordained by the City Council of the City of Brookings, State of South Dakota: that Chapter 94, Zoning, Section 94-163, Subsections (e), (g), and (h) shall be amended as follows:

Section 1.

Sec. 94-163 – Planned development district (“PDD”).

- (e) Initial development plan.
 - (3) (f) The proposed setbacks and buffer zone regulations.

- (g) Rezoning of PDD’s and Amendments. Requests for amending the underlying zoning district or to allow a use that has been specifically removed by the ordinance establishing the PDD, shall follow the process outlined in 94-7. Other changes within a PDD shall be submitted as an overlay on the initial or final development plan. Amendments shall be classified as follows:
 - (1) Initial Development Plan Amendments. The following changes are considered amendments to an Initial Development Plan:
 - a. Any change in the proposed use(s) of land or buildings that results in a 20 percent net increase in the balance of residential or commercial square footage.
 - b. A major change in the street plan.
 - c. An increase of 20 percent or more in the total density of the development.
 - d. Any decrease to the setbacks or buffer zones.
 - e. An increase of 10 percent or greater in the building height.
 - (2) Final Development Plan Amendments. The following changes are considered amendments to a Final Development Plan:
 - a. Any adjustment exceeding 10 percent in the dimensions of a building (length, width) or location.
 - b. Any change in the number or location of access drives.
 - c. Any decrease exceeding ten percent in required landscape areas, or other open areas.
 - d. A minor change in the street plan.
 - e. Any increase of less than 20 percent in the density of any area or subarea.
 - f. Any major change in the exterior design features of a building.
 - g. A change in the size or location of freestanding signs.
 - h. Any change in the proposed use(s) of land or buildings that results in less than a 20 percent net increase in the balance of residential or commercial square footage.
 - i. Any increase or decrease of 10 percent or greater in the number of parking spaces.

- (3) Minimal amendments. The following changes are considered minimal amendments to a final development plan:
- a. Any minor adjustment within a building which involves a more intensive use.
 - b. Any change in the location of outdoor lighting, sidewalks or bikeways, recreation areas or loading docks.
 - c. Any adjustment less than 10 percent in the dimensions of a building (length, width) or location.
 - d. An increase or decrease of less than 10 percent in the number of parking spaces.
- (h) *Procedure for amendments.* Amendments to the PDD shall be subject to the following review procedures.
- (1) *Initial Development Plan Amendments.* Amendments to the initial development plan must be reviewed by the planning commission and approved by a motion of the city council at a hearing for which notice has been published in the legal newspaper of the city at least one week prior to the city council hearing.
 - (2) *Final Development Plan Amendments.* Amendments to the final development plan must be approved by the planning commission at a hearing for which notice has been published in the legal newspaper of the city at least one week prior to the planning commission meeting.
 - (3) *Minimal amendments.* Minimal amendments to the final development plan shall be submitted to the community development department on a reproducible development plan showing the requested changes. The community development department may then approve these proposed changes in writing if the proposed changes are appropriate.

Section 2.

Any and all ordinances in conflict herewith are hereby repealed.

First Reading: November 26, 2019
Second Reading: December 10, 2019
Published: December 13, 2019

CITY OF BROOKINGS, SD



Keith W. Corbett, Mayor

ATTEST:




Bonnie Foster, City Clerk