

ORDINANCE MC16-153-18

AN ORDINANCE AMENDING THE 1990 REVISED ZONING ORDINANCE FOR MINNEHAHA COUNTY BY REZONING CERTAIN PROPERTY.

BE IT ORDAINED BY MINNEHAHA COUNTY, SOUTH DAKOTA:

That Ordinance MC16-90, the 1990 Revised Joint Zoning Ordinance for Minnehaha County is hereby amended as follows:

**Section 1: The Official Zoning Map is hereby amended as follows:**

Beginning in the SE corner of Section 9-102-50 Thence W 716', Thence N 510', Then Northeasterly 864', Thence E53' Thence South 1060' to the point of the beginning. Unplatted Property SE ¼ SE ¼ Section 09-120-50 Benton Township, Minnehaha County, SD from the A-1 Agricultural District to the Hope Harbor Planned Development District and the official zoning map referred to in Article 2.03(A) is amended to include the property in the Hope Harbor Planned Development District.

**Section 2: Article 10.06 is amended to add the following:**

HOPE HARBOR PLANNED DEVELOPMENT DISTRICT. The regulations set forth herein or elsewhere are the district regulations in the Hope Harbor Planned Development District: (in Section 9-T102N-R50W)

(A) SUBAREA A

- (1). USES PERMITTED. A building or premises shall be permitted to be used for the following purposes:
  - (a). Single family dwelling not to exceed one per acre of land
  - (b). Group home(s) not to exceed one per acre of land
  
- (2). ACCESSORY USES.
  - (a). Accessory uses and buildings permitted are those detached accessory buildings and uses customarily incident to any permitted use in the district. No accessory building shall exceed 6,000 square feet in area.
  - (b). Accessory Dwelling. A structure or apartment which is detached or attached with a separate entrance for the purpose of temporary or permanent occupancy as a dwelling provided:
    1. no more than one accessory dwelling per primary dwelling.
    2. the accessory dwelling must not exceed 50% of the square foot area of the primary dwelling or 1,000 square feet, whichever is less.
    3. adequate sanitary sewer must be available.

- (3). PARKING REGULATIONS.
  - (a). Parking shall be regulated in conformance with the provisions of article 15.00.
  
- (4). SIGN REGULATIONS.
  - (a). Signs shall be regulated in conformance with the provisions of the RR zoning district.
  - (b). One freestanding sign may be permitted per sub area of the zoning district. Such freestanding sign may not exceed 32 square feet in area of sign face and 20 feet in height.
  
- (5). DENSITY, AREA, YARD AND HEIGHT REGULATIONS. The same requirements shall apply as in the RR zoning district.
  
- (6). OTHER REGULATIONS. Other regulations shall be:
  - (a). The residential density shall not exceed three (3) single-family dwellings.
  - (b). Design, operating, and licensing requirements of appropriate state and federal agencies must be met for all group homes.
  - (c). Three rows of trees must be planted as a buffer along the south boarder of the Hope Harbor Planned Development District. All trees that die must be replaced within one growing season
  - (d). If State regulations require a certification or licensure for the type of group home program, the certificate or licensure must be obtained within one year.

Adopted this 20th day of February, 2018

MINNEHAHA COUNTY

*Cindy Heubergin*  
 Chair, Board of County Commissioners

ATTEST:

*Olivia Larson, Deputy*  
 County Auditor

I <sup>st</sup> Reading	January 30, 2018
Legal Ad. – Argus Leader	February 5, 2018
Minnehaha Messenger	February 7, 2018
Garretson Gazette	February 8, 2018
Public Hearing	February 20, 2018
Fact of Adoption – Argus Leader	February 26, 2018 & March 5, 2018
Minnehaha Messenger	February 28, 2018 & March 7, 2018
Garretson Gazette	March 1, 2018 & March 8, 2018
Effective Date	March 28, 2018

## FACT OF ADOPTION

An ordinance amending the 1990 Revised Zoning Ordinance for Minnehaha County.

The Minnehaha County Board of Commissioners adopted Ordinance MC16-153-18 on February 20, 2018. This ordinance amended Ordinance MC16-90, the 1990 Revised Zoning Ordinance for Minnehaha County by Rezoning the property legally described as Beginning in the SE corner of Section 9-102-50 Thence W 716', Thence N 510', Then Northeasterly 864', Thence E53' Thence South 1060' to the point of the beginning. Unplatted Property SE ¼ SE ¼ Section 09-120-50 Benton Township, Minnehaha County, SD from the A-1 Agricultural District to the Hope Harbor Planned Development District,

The entire ordinance is on file in the office of the County Auditor and available for inspection during regular business hours.

Published twice at the total approximate cost of \_\_\_\_\_.

Robert Litz,  
County Auditor

### **PUBLISH:**

**Argus Leader – February 26, 2018 & March 5, 2018**

**Minnehaha Messenger – February 28, 2018 & March 7, 2018**

**Garretson Gazette – March 1, 2018 & March 8, 2018**