ARTICLE 1.00
TITLE AND PURPOSE

SECTIONS: 1.01 Title
1.02 Purpose

1.01 TITLE. These regulations may be referred to as the 1990 Revised Zoning Ordinance for Minnehaha County.

(amended by MC16-55-01)
1.02 PURPOSE. These regulations have been based upon the Minnehaha County Comprehensive Development Plan adopted on December 15, 1998 by the Board of County Commissioners, and are in conformance with Chapter 11-2 of the South Dakota Compiled Laws. These regulations are designed to carry out the goals and objectives of the plan, but especially to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration or scattering of population; and to encourage a distribution of population or mode of land utilization that will facilitate the economical and adequate provision of transportation, water, drainage, sewerage, schools, parks, or other public requirements.

These regulations have been made with reasonable consideration to the character and intensity of the various land uses and the need for public facilities and services that would develop from those uses. These regulations are necessary for the best physical development of the county. The regulations are intended to preserve and protect existing property uses and values against adverse or unharmonious adjacent uses by zoning all unincorporated land except those areas where joint zoning jurisdiction has been granted to a municipality.

ARTICLE 2.00
DISTRICTS AND BOUNDARIES

SECTIONS:
2.01 Application of Regulations and Boundaries
2.02 Districts Designated
2.03 Incorporated by Reference
2.04 Boundaries of Districts; Maps
2.05 Rules Where Uncertainty as to Boundaries Arises
2.06 Vacation of Streets and Roads

2.01 APPLICATION OF REGULATIONS AND BOUNDARIES. The regulations and zoning district boundaries set forth in this ordinance shall apply to all unincorporated land within Minnehaha County except those areas which have been approved for municipal joint zoning jurisdiction. *(amended by MC16-65-03)*

2.02 DISTRICTS DESIGNATED. In order to regulate and restrict the height, number of stories, and size of buildings and other structures; the percentage of a lot that may be occupied; the size of the yards, courts, and other open spaces; the density of population; and the location and use of buildings, structures, and land for trade, industry, residence, or other purposes; the county is hereby divided into the following districts:

A-1	Agricultural	I-1	Light Industrial
RR	Rural Residential	I-2	General Industrial
R-1	Residential	RC	Recreation/Conservation
C	Commercial	PD	Planned Development

The following districts shall be designated as zoning overlay districts, imposing special regulations on the properties that fall within these overlay districts without abrogating the requirements imposed by the underlying land use district regulations:

WS Water Source Protection

2.03 INCORPORATED BY REFERENCE. The following are hereby adopted and incorporated by reference:

(A). The official zoning map(s) of the 1990 Revised Zoning Ordinance, together with all the explanatory matter thereon and attached thereto, is hereby adopted by reference and is declared to be a part of these regulations. The maps shall be filed with the Register of Deeds.

(B). The Flood Insurance Rate Map is hereby adopted by reference and declared to be a part of these regulations. Areas shown as Zone A, AO or A1- A30 on the F.I.R.M. but which are zoned A-1 Agricultural on the zoning map shall be governed by the provisions of the RC Recreation/Conservation District.

(C). The approved plans submitted in conjunction with any Planned Development are hereby adopted by reference and declared to be a part of these regulations.

2.04 BOUNDARIES OF DISTRICTS; MAPS. The boundaries of the districts are shown upon the maps which have been made a part hereof by reference. The various districts and their boundaries which have been designated on these maps shall have the same force and effect as if they were all fully set forth herein.

2.05 RULES WHERE UNCERTAINTY AS TO BOUNDARIES ARISES. Where uncertainty exists with respect to the boundaries of the various districts shown on the maps accompanying and made a part of these regulations by reference, the following rules apply:

(A). The district boundaries are roads unless otherwise shown, and where the districts are bounded approximately by roads, the road shall be construed to be the boundary of the district.

(B). Where the property has been or may hereafter be divided into blocks and platted lots, the district boundary shall be construed to coincide with the nearest platted lot lines; and where the districts are bounded approximately by platted lot lines, the platted lot lines shall be construed to be the boundary of the district, unless the boundaries are otherwise indicated on the maps.

(C). In unplatted property, the district boundary lines shall be determined by use of the scale appearing on the map or the legal description as indicated.

2.06 VACATION OF STREETS AND ROADS. Whenever any street, road or other public way is vacated, the zoning district adjoining each side of such street, road, or other public way is extended to the center of such vacation; and all area included in the vacation shall then and henceforth be subject to the appropriate regulations of the extended districts.

ARTICLE 3.00
A-1 AGRICULTURAL DISTRICT

SECTIONS:
3.01 Intent
3.02 Permissive Uses
3.03 Permitted Special Uses
3.04 Conditional Uses
3.05 Accessory Uses
3.06 Parking Regulations
3.07 Sign Regulations
3.08 Density, Area, Yard and Height Regulations

3.01 INTENT. It shall be the intent of this district to provide for a vigorous agricultural industry by preserving for agricultural production those agricultural lands beyond areas of planned urban development. It is recognized that because of the nature of both agricultural activities and residential subdivisions, that these two uses are generally poor neighbors and therefore a concentration of housing in the A-1 Agricultural District shall be discouraged.

3.02 PERMISSIVE USES. A building or premises shall be permitted to be used for the following purposes in the A-1 Agricultural District:

(A). Agriculture. A building for the storage of agricultural equipment or products shall be allowed provided the following conditions have been met:
1) Ownership of contiguous parcel(s) of not less than forty (40) acres.
2) The property's principal use is devoted to agriculture. *(amended by MC16-90-06 9/12/06)*

(B). A single-family dwelling if the following provisions for building eligibility are met: *(amended by MC16-69-04 3/16/04)*

1). Each quarter-quarter section shall have one building eligibility when all the following conditions are met:

a). There are no other dwellings on the quarter-quarter section.

b). The building site shall be a minimum of one acre.

c). Approval has been granted by the appropriate governing entity for access onto a public road.

d). The remaining portion of the quarter-quarter section is retained as agricultural land or in its present use.

e). Prior to any building permit being issued for any new single family residence located in the A-1 Agriculture District, a Right to Farm Covenant shall be filed on the parcel of land upon which the new structure will be located. Only the following shall constitute a Right to Farm Covenant: "**RIGHT TO FARM NOTICE COVENANT**

You are hereby notified that the property on which you are constructing a structure is in or near agricultural land, agricultural operations or agricultural processing facilities or operations. You may be subject to inconvenience or discomfort from lawful agricultural or agricultural processing facility operations.

Agricultural operations may include, but are not limited to, the following: the cultivation, harvesting, and storage of crops; livestock production; ground rig or aerial application of pesticides or herbicides; the application of fertilizer, including animal waste; the operation of machinery; the application of irrigation water; and other accepted and customary agricultural activities conducted in accordance with Federal, State, and County laws. Discomforts and inconveniences may include, but are not limited to: noise, odors, fumes, dust, smoke, burning, vibrations, insects, rodents, and/or the operation of machinery (including aircraft) during any 24-hour period. If you live near an agricultural area, you should be prepared to accept such inconveniences or discomforts as a normal and necessary aspect of living in an area with a strong rural character and an active agricultural sector. You are also notified that there is the potential for agricultural or agricultural processing operations to expand. This notification shall extend to all landowners, their heirs, successors or assigns and because it is required pursuant to the issuance of a building permit, may not be removed from the record title without consent of the Minnehaha County Planning Commission." *(amended MC16-83-06 5/16/06)*

(C). Elementary or high school.
(D). Historical sites.
(E) Church.
(F). Neighborhood utilities.
(G). Antenna support structure. *(amended by MC16-65-03 10/21/03)*

3.03 PERMITTED SPECIAL USES. A building or premises may be used for the following purposes in the A-1 Agricultural District in conformance with the requirements prescribed herein. A building or premises intended to be used for the following purposes, where the prescribed requirements will not be met, shall obtain a conditional use in conformance with the requirements of Article 19.00: *(amended by MC16-40-98)*

(A). A building eligibility may be used within a farmstead provided: *(amended by MC16-69-04)*

1) The building eligibility exists on property contiguous to and under the same ownership as the farmstead.
2) There will be no more than two dwellings within the farmstead. The residential structure may be a single-family dwelling, manufactured home or mobile home.

(B). Cemetery provided there is an area of 20 acres or more.

(C). Pet cemetery provided there is a minimum area of two acres.

(D). Wind energy conversion system in conformance with Article 12.02.

(E). Off-premise signs in conformance with Article 17.00.

(F). [Reserved.] *(amended by MC16-53-00 5/22/00)*

(G). Greenhouses and nurseries provided there is no retail sale of products conducted on the premises.

(H). A single-family dwelling located on a lot of record in accordance with the following: *(amended by MC16-69-04 03/16/04)*

1) A lot of record consisting of less than 80 acres and containing no other dwellings shall have one building eligibility.
2). A lot of record consisting of 80 acres or more shall qualify for building eligibility as follows:
   a). The acreage of the lot of record shall be divided by 40 acres. The resulting whole number minus the number of existing dwellings shall represent building eligibility.
   b). If there is more than one building eligibility, each additional building site shall be required to obtain a conditional use.
3). Approval has been granted by the appropriate governing entity for access onto a public road.
4). Any parcel conveyed from a lot of record must be a minimum of one acre. The remaining portion of the lot shall be retained as agricultural land or in its present use.

(I). Concentrated Animal Feeding Operation (Class D) provided: *(amended by MC16-18-94, MC16-40-98, and MC16-150-17)*

1). The operation shall either be located in a farmstead, or shall be separated from a dwelling, church, school or business by a minimum distance of 660 feet, a public park by a minimum distance of 1320 feet and a municipality by a minimum distance of 2640 feet.
2). The operation shall be separated from an existing or permitted CAFO by a minimum distance of 660 feet.
3). The operation shall meet the minimum environmental separation requirements of Table 1 in Section 12.10 (F)(1) and manure application requirements of Section 12.10 (G).
4). The operation shall not be in the Water Source Protection Overlay District or a floodplain.
5). All CAFO structures, corrals, and manure containment facilities shall be setback a minimum of 50 feet from any property line.
6). A Zoning Permit shall be obtained which indicates the location and type of Facility and the location and compliance of required setbacks.

(J.) Concentrated animal feeding operation (existing) shall be allowed to expand by provided: *(amended by MC16-40-98 and MC16-75-05 6/28/05 and MC16-89-06 8/19/06 and MC16-150)*

1). The operation is located in a farmstead or property contiguous to, and smaller than, the aforementioned farmstead.

2). The operation shall not be located in the Water Source Protection Overlay District, over a mapped shallow aquifer area, or in a flood plain.
3). The operation shall not exceed 1000 animal units either before or after the expansion.
4). There is conformance with South Dakota Department of Environment and Natural Resources design standards for any newly constructed manure containment facility. A registered professional engineer shall certify the plan specifications and the construction of the facility.
5). Approval by the Planning Director of a manure management plan
6). The operation shall meet the environmental setbacks of Table 1 in Section 12.10 (F).
7). All manure shall be applied in accordance with Section 12.10 (G).
8). The operation is not located within 2640 feet of a municipality.

(K). Telecommunication and broadcast tower in conformance with Article 12.12.
(amended by MC16-53-00 5/22/00, MC16-55-01 3/20/01, MC16-65-03 10/21/03)

(L). Agricultural Tourism in conformance with Section 12.13.
(*amended by MC16-105-09 6/16/09)*

(M) Agricultural Workforce Housing provided:
1) The dwelling structure shall use one residential building eligibility.
2) The agricultural employer must own the residential building eligibility.
3) The dwelling structure shall only be occupied by the agricultural labor force.
4) The dwelling structure shall house no more than 20 persons.
5) When not occupied by the labor force, agricultural workforce housing may be used for any uses accessory to a primary agricultural use.
6) The dwelling structure shall be removed or renovated into a single family dwelling when the agricultural operations cease.
(amended by MC16-127-13 3/19/13)

(N). Aquaculture provided: (*amended by MC16-150-17)*
1). The operation produces less than 20,000 pounds of cold water fish (harvest weight) per year.
2). The operation produces less than 100,000 pounds of warm water fish (harvest weight) per year.
3). The operation shall meet the permit requirements in Section 12.16 (B).
4). Approval by the Planning Director of an aquaculture waste management plan, which has been prepared in conformance with the South Dakota Department of Environment and Natural Resource standards.
5). No retail sales of products produced at the facility is conducted on the premises.
6). A Zoning Permit shall be obtained which indicates the location and type of Facility and the location and compliance of required setbacks.

3.04 CONDITIONAL USES. A building or premises may be used for the following purposes in the A-1 Agricultural District if a conditional use has been obtained in conformance with the requirements of Article 19.00:

(A). Rock, sand, or gravel extraction in conformance with Article 12.08.
(B). Mineral exploration in conformance with Article 12.04.
(C). Airport/heliport.
(D). A single-family dwelling on a parcel which is not a lot of record provided:
  1). The deed to the land or the agreement to convey the parcel was recorded with the Register of Deeds prior to September 27, 1988.
  2). There are no other dwellings located on the parcel, except a parcel of 80 acres or more shall have building eligibility determined as follows:
    a). The acreage of the parcel shall be divided by 40 acres. The resulting whole number minus the number of existing dwellings on the parcel shall represent the building eligibility.
    b). Each building site shall consist of a minimum of one acre.
  3). The building site shall not conflict with other existing or potential land use activities or the prevailing pattern of development.
  4). The soil conditions are acceptable for a building site.
  5). Approval has been granted by the appropriate governing entity for access onto a public road.
(E). Group day care.
(F). Private campground.
(G). Garden center.
(H). Kennel.
(I). Stable.
(J). Produce Stand exceeding 400 square feet in area. (*amended by MC16-105-09 6/16/09)*
(K). Fireworks sales provided the length of sales does not exceed nine (9) days.
(L). Golf course, golf driving range.
(M). Recreation Facility. (*amended by MC16-105-09 6/16/09)*
(N). Trap shoot, rifle range, pistol range.
(O). Public facility owned and operated by a governmental entity.
(P). Farmer's Market. (*amended by MC16-105-09 6/16/09)*
(Q). Bed and breakfast establishment.
(R). Sanitary landfill, solid waste transfer station, rubble dump, commercial compost site. *(amended by MC16-19-94)*
(S). Sewage disposal pond.
(T). Livestock sales barn.
(U). New Class A, B or C Concentrated Animal Feeding Operation in accordance with Article 12.10. *(amended by MC16-40-98 and MC16-150-17)*
(V). Electrical substation.
(W). Public utility facility.
(X). Agriculturally related operations involving the handling, storage and shipping of farm products.
(Y). The transfer of a building eligibility from one parcel to another parcel when all the following conditions are met: *(amended by MC16-69-04 3/16/04)*
  1). The transfer of building eligibility shall occur only between contiguous parcels under the same ownership. For purposes of this section, same ownership means:

Two or more parcels of land owned or controlled by an individual or combination of individuals, corporations, partnerships, or other legal entities; with said owners described uniformly on the deed or other legally binding conveyance of each parcel. *(amended 16-87-06 8/19/06)*

2). Suitability as a building site based on the following factors:
   a). Agricultural productivity of the soil.
   b). Soil limitations.
   c). Orientation of the building site(s) with respect to road circulation and access to public rights-of-way.

3). The minimum lot size shall be one acre but a larger area may be required when soil conditions warrant.

4). The parcel from which the eligibility is transferred shall continue as agricultural land or remain in its present use.

5). Approval has been granted by the appropriate governing entity for access onto a public road.

(Z). Manufactured home in conformance with Article 12.06(C) if there is building eligibility on the parcel.

(AA). Major home occupation in conformance with Sections 12.0302 and 12.0303. *(amended by MC 16-53-00 5/22/00)*

(BB). Facilities for the storage and distribution of anhydrous ammonia. *(amended by MC16-53- 00 5/22/00)*

(CC). Shooting/Hunting Preserve. (*amended by MC16-105-09 6/16/09)*

(DD). Animal Livestock Shelter. *(amended by MC16-107-09 7/21/09)*

(EE). Adaptive reuse. (*amended by MC16-111-10 9/19/10)*

(FF). Solar energy conversion system in conformance with Article 12.15. *(amended by MC16-135-14 7/27/14)*

(GG). Aquaculture that produces more than 20,000 pounds of cold water fish (harvest weight) per year or more than 100,000 pounds of warm water fish (harvest weight) per year in accordance with Article 12.16. *(amended by MC16-150-17)*

3.05 ACCESSORY USES. Accessory uses and buildings permitted in the A-1 Agricultural District are buildings and uses customarily incident to any permitted use in the district.

3.06 PARKING REGULATIONS. All parking within the A-1 Agricultural District shall be regulated in conformance with the provisions of Article 15.00.

3.07 SIGN REGULATIONS. Signs within the A-1 Agricultural District shall be regulated in conformance with the provisions of Article 16.00.

3.08 DENSITY, AREA, YARD AND HEIGHT REGULATIONS. The maximum height and minimum lot requirements within the A-1 Agricultural District shall be as follows:

(A). General Requirements:

Lot area.....	1 acre *
Lot width	125'
Front yard	30' **
Side yard	7'

Rear yard ..... 30'
Maximum height ..... 35' ***

* Unless a larger lot size is required by the granting of a conditional use.
** The front yard on a major arterial street or section line road shall be 50 feet.
*** There shall be no height limit for farm structures or wind energy conversion systems.

(B). There shall be a required front yard on each street of a double frontage lot.

(C). If a lot of record has less area or width than herein required and its boundary lines along the entire length abutted lands under other ownership on November 20, 1973, and have not since been changed, such parcel of land may be used for any use permitted in this district.

(D). Buildings with side yard setbacks less than required herein may have additions erected in line with the existing building and provided further that said additions will be erected no closer to the lot line than the existing building.

(E). Buildings may be located within the required front yard but no closer to the public right-of-way than a legal nonconforming building provided the building is no greater than 150 feet from the nonconforming building.

ARTICLE 4.00
RR RURAL RESIDENTIAL DISTRICT

SECTIONS:
4.01 Intent
4.02 Permissive Uses
4.03 Permitted Special Uses
4.04 Conditional Uses
4.05 Accessory Uses
4.06 Parking Regulations
4.07 Sign Regulations
4.08 Density, Area, Yard and Height Regulations

4.01 INTENT. This district is intended to protect a vigorous agricultural industry by limiting the areas in which the RR Rural Residential District can be used. The RR Rural Residential District, where permitted, shall generally be located where provisions can be made to adequately handle sewage disposal, where the value of the land for agricultural use is marginal, and where the water supply, roads and emergency services are easily and economically available.

4.02 PERMISSIVE USES. A building or premises shall be permitted to be used for the following purposes in the RR Rural Residential District:

(A). Single family dwelling.
(B). Public park, playground or swimming pool.
(C). Neighborhood utilities

4.03. PERMITTED SPECIAL USES. A building or premises may be used for the following purposes in the RR Rural Residential District in conformance with the conditions prescribed therein or by obtaining a Conditional Use for such use in conformance with the requirements of Article 19.00:

(A). Church subject to:
  (1). Said building being adjacent to an arterial street or section line road.

(B). Elementary and high school subject to:
  (1). One of the principle frontages of the premises shall abut upon an arterial or collector street.
  (2). The main building shall be set back 25 feet from the side lot line.

(C). Fowl. A maximum of six fowl, roosters prohibited, may be kept provided the following conditions have been met:
  (1). Domestic, noncommercial use of poultry or fowl.
  (2). Poultry or fowl must be kept in a secure coop, pen, or enclosure from dusk until dawn.
  (3). Any pen, run, cage, hutch, enclosure, coop serving to house or confine fowl shall maintain a distance of:
    i. 10-feet from the property line
    ii. 30-feet from any adjacent residence *(amended by MC16-139-14)*

(D). [Reserved.] *(amended by MC16-53-00)*

4.04 CONDITIONAL USES. A building or premises may be used for the following purposes in the RR Rural Residential District if a Conditional Use for such use has been obtained in conformance with the requirements of Article 19.00:

(A). Mobile home/manufactured home park in conformance with Article 12.06.
(B). Mobile home/manufactured home subdivision in conformance with Article 12.06.
(C). Day care center.
(D). Group day care.
(E). Group home.
(F). Bed and breakfast establishment.
(G). Nursing home.
(H). Cemetery.
(I). Kennel.
(J). Stabling of horses, provided they are owned by the resident of the property and not used as a commercial operation on the property.
(K). Golf course, except miniature course and driving range.
(L). Wind Energy Conversion System in conformance with the requirements of Article 12.02.
(M). Electrical substation.
(N). Public utility facility.
(O). Public facility owned and operated by a governmental entity.
(P). Adaptive reuse. (*amended by MC16-111-10 9/19/10)*

4.05 ACCESSORY USES. Accessory uses and buildings permitted in the RR Rural Residential District are buildings and uses customarily incident to any of the permitted uses in the district.

4.06 PARKING REGULATIONS. All parking within the RR Rural Residential District shall be regulated in conformance with the provisions of Article 15.00.

4.07 SIGN REGULATIONS. Signs within the RR Rural Residential District shall be regulated in conformance with the provisions of Article 16.00.

4.08 DENSITY, AREA, YARD AND HEIGHT REGULATIONS. The maximum height and minimum lot requirements within the RR Rural Residential District shall be as follows:

(A). General requirements:

	All Uses
Density	1 acre *
Lot area	1 acre *
Lot width	125'
Front yard	30' **
Side yard	7'
Rear yard	30'
Maximum height	35'

* Where a central sanitary sewer is available, the required lot area may be reduced to 20,000 square feet.

** The front yard on all major arterial streets or section line roads shall be 50 feet.

(B). There shall be a required front yard on each street of a double frontage lot.

(C). Buildings with side yard setbacks less than required herein, may have additions erected in line with the existing building and provided further that said additions will be erected no closer to the lot line than the existing build ing.

ARTICLE 5.00
R-1 RESIDENTIAL DISTRICT

SECTIONS:
5.01 Intent
5.02 Permissive Uses
5.03 Permitted Special Uses
5.04 Conditional Uses
5.05 Accessory Uses
5.06 Parking Regulations
5.07 Sign Regulations
5.08 Density, Area, Yard and Height Regulations

5.01 INTENT. This district is intended to provide for areas of residential use with a gross density of generally five dwelling units per acre or less. The district permits single family dwellings and such supportive community facilities as parks, playgrounds, schools, libraries and churches. It is intended that this district provide protection for those areas existing as, or planned for, single family neighborhoods. A central sanitary sewer system should be available to serve these developments.

5.02 PERMISSIVE USES. A building or premises shall be permitted to be used for the following purposes in the R-1 Residential District:

(A). Single family dwelling.
(B). Public park, playground or swimming pool.
(C). Neighborhood utilities.

5.03. PERMITTED SPECIAL USES. A building or premises may be used for the following purposes in the R-1 Residential District in conformance with the conditions prescribed herein or by obtaining a Conditional Use for such use in conformance with the requirements of Article 19.00:

(A). Churches:
  (1). One of the principle frontages of the premises shall abut upon an arterial or collector street.
  (2). The main building shall be set back twenty-five feet from the side lot line.

(B). Elementary and high schools:
  (1). One of the principle frontages of the premises shall abut upon an arterial or collector street.
  (2). The main building shall be set back twenty-five feet from the side lot line.

(C). [Reserved.] *(amended by MC16-55-01)*

(D). [Reserved.] *(amended by MC16-53-00)*

5.04 CONDITIONAL USES. A building or premises may be used for the following purposes in the R-1 Residential District if a conditional use for such use has been obtained in conformance with the requirements of Article 19.00:

(A). Multiple dwellings.
(B). Group day care.
(C). Day care center.
(D). Bed and breakfast establishment.
(E). Private lake.
(F). Group home.
(G). Nursing home.
(H). Convent and monastery.
(I). Electrical substation.
(J). Public utility facility.
(K). Adaptive reuse. (*amended by MC16-111-10 9/19/10)*

5.05 ACCESSORY USES. Accessory uses and buildings permitted in the R-1 Residential District are buildings and uses customarily incident to any of the permitted uses in the district.

5.06 PARKING REGULATIONS. Parking within the R-1 Residential District shall be regulated in conformance with the provisions of Article 15.00.

5.07 SIGN REGULATIONS. Signs within the R-1 Residential District shall be regulated in conformance with the provisions of Article 16.00.

5.08 DENSITY, AREA, YARD AND HEIGHT REGULATIONS. The maximum height and minimum lot requirements within the R-1 Residential District shall be as follows:

(A). General requirements:

	All Uses	Corner Lots
Density	7500 sq. ft.	8500 sq. ft.
Lot area	7500 sq. ft.	8500 sq. ft.
Lot width	60'	85'
Front Yard	30'	30' *
Side yard	7' **	7' **
Rear yard	30'	15'
Maximum height ...	35'	35'

* The front yard along the side street side of a corner lot may be reduced to 25 feet.

** The side yard will be required to be increased to 10 feet when the building is three stories in height or more.

(B). The requirements for multiple dwellings shall be determined by the conditional use.

(C). There shall be a required front yard on each street of a double frontage lot.

(D). Buildings with side yard setbacks less than required herein, may have additions erected in line with the existing building and provided further that said additions will be erected no closer to the lot line than the existing building.

ARTICLE 6.00
C COMMERCIAL DISTRICT

SECTIONS:
6.01 Intent
6.02 Permissive Uses
6.03 Permitted Special Uses
6.04 Conditional Uses
6.05 Accessory Uses
6.06 Parking Regulations
6.07 Sign Regulations
6.08 Density, Area, Yard and Height Regulations

6.01 INTENT. This district is intended to provide for a wide variety of commercial uses generally located at major intersections and along major roads. This district will include general commercial uses requiring large land areas, extensive retail operations, and outdoor display.

6.02 PERMISSIVE USES. A building or premises shall be permitted to be used for the following purposes in the C Commercial District:

(A). Office.
(B). Bank or financial institution.
(C). Group day care, day care center, group home.
(D). Mortuary.
(E). Indoor recreational facility.
(F). Nursery or greenhouse.
(G). Church.
(H). Antenna support structure. *(amended by MC16-65-03)*

6.03 PERMITTED SPECIAL USES. A building or premises may be used for the following purposes in the C Commercial District in conformance with the conditions prescribed herein or by obtaining a Conditional Use for such uses in conformance with the requirements of Article 19.00:

(A). Retail sales and trade, personal services, communication facilities, and warehousing provided:

(1). There is no outside storage.
(2). There is no storage of a regulated substance.
(3). The building contains 10,000 square feet of area or less.

(D). Veterinarian clinic provided there is no outside kenneling of dogs.

(E). Frozen food locker provided there is no slaughtering of animals on the premises.

(F). Off-premise signs in conformance with Article 17.00.

(G). Telecommunication and broadcast tower in conformance with Article 12.12. *(amended by MC16-65-03)*

6.04 CONDITIONAL USES. A building or premises may be used for the following purposes in the C Commercial District if a conditional use for such use has been obtained in conformance with the requirements in Article 19.00:

(A). Wholesale trade.
(B). Bar or lounge.
(C). Equipment sales, display and repair.
(D). Motor vehicle sales, display, service and rental.
(E). Auto body shop.
(F). Transportation, including gasoline service station, truck stop, and terminal.
(G). Recycling facility.
(H). Fireworks sales provided sales are conducted from a permanent building when business operations exceed nine (9) days.
(I). Uses which store or handle a regulated substance.
(J). Lumberyard.
(K). Contractor's shop and storage yard.
(L). Car wash.
(M). Airport/heliport.
(N). Hotel or motel.
(O). Hospital.
(P). Motor vehicle repair shop.
(Q). Public utility facility.
(R). Campground.
(S). Commercial recreation facility.
(T). Wind energy conversion system.
(U). [Reserved.] *(amended by MC16-65-03)*
(V). Electrical substation.
(W). Adult use in conformance with Section 12.09. *(amended by MC16-29-95)*
(X). Animal shelter. *(amended by MC 16-81-06)*
(Y). Solar energy conversion system in conformance with Article 12.15. *(amended by MC16-135-14 7/27/14)*

6.05 ACCESSORY USES. Accessory uses permitted in the C Commercial District are accessory buildings and uses customarily incident to any permitted uses in this district.

6.06 PARKING REGULATIONS. Parking within the C Commercial District shall be regulated in conformance with the provisions of Article 15.00.

6.07 SIGN REGULATIONS. Signs within the C Commercial District shall be regulated in conformance with the provisions of Article 16.00.

6.08 DENSITY, AREA, YARD AND HEIGHT REGULATIONS. A maximum height and minimum lot requirements within the C Commercial District shall be as follows:

(A). General Requirements:

	All Uses
Density	----
Lot Area	----
Lot Width	----
Front Yard	30'
Side Yard	10'
Rear Yard	20'
Maximum Height	35'

(B). There shall be a required front yard on each street side of double frontage lots.

(C). There shall be a required front yard on each street side of a corner lot.

(D). Any accessory uses shall be required to comply with the height, front, rear and side yard requirements of the main building.

ARTICLE 7.00
I-1 LIGHT INDUSTRIAL DISTRICT

SECTIONS:
7.01 Intent
7.02 Permissive Uses
7.03 Permitted Special Uses
7.04 Conditional Uses
7.05 Accessory Uses
7.06 Parking Regulations
7.07 Sign Regulations
7.08 Density, Area, Yard and Height Regulations

7.01 INTENT. This district is intended to provide for a number of light manufacturing, wholesale, warehousing, and service uses in an attractive industrial park like setting. These uses do not depend on frequent personal visits from customers or clients and do not include residences, apartments, or commercial uses which are primarily retail in nature. It is the intention of this district to provide high amenity industrial development along the major roads and adjacent to residential areas, while allowing for slightly heavier development in the interior of the industrial areas.

7.02 PERMISSIVE USES. A building or premises shall be permitted to be used for the following purposes in the I-1 Light Industrial District:

(A). Public utility facility, electrical substation.
(B). Antenna support structure. *(amended by MC16-65-03)*
(C). Office.
(D). Bank or financial institution. *(amended by MC16-69-04)*
(E). Indoor recreation facility. *(amended by MC16-69-04)*
(F). Mortuary. *(amended by MC16-69-04)*
(G). Nursery or greenhouse. *(amended by MC16-69-04)*

7.03 PERMITTED SPECIAL USES. A building or premises may be used for the following purposes in the I-1 Light Industrial District in conformance with the conditions prescribed herein or by obtaining a Conditional Use for such use in conformance with the requirements of Article 19.00:

(A). Communication facilities, warehousing and repair services provided:
  (1). There is no outside storage on the premises.
  (2). There is no storage of a regulated substance on the premises.
  (3). The building contains 20,000 square feet of area or less.

(B). Veterinarian clinic provided there is no outside kenneling of animals.

(C). Frozen food locker provided there is no slaughtering of animals on the premises.

(D). Off-premise signs in conformance with Article 17.00.

(E). Telecommunication and broadcast tower in conformance with Article 12.12. *(amended by MC16-65-03) (amended by MC16-69-04)*

(F). Retail sales and trade, personal services, communication facilities, and warehousing provided:

(1). There is no outside storage.

(2). There is no storage of a regulated substance.

7.04 CONDITIONAL USES. A building or premises may be used for the following purposes in the I-1 Light Industrial District if a Conditional Use for such use has been obtained in conformance with the requirements of Article 19.00:

(A). Light manufacturing.

(B). Extraction of rock, sand and gravel in conformance with Article 12.08.

(C). Airport/heliport.

(D). Group day care, day care center, group home. *(amended by MC16-69-04)*

(E). Any conditional use listed in the C Commercial District.

(F). Solar energy conversion system in conformance with Article 12.15. *(amended by MC16-135-14)*

(G). Salvage or junkyard (*amended by MC16-140-15)*

(H). Aquaculture in accordance with Article 12.16. (*amended by MC16-150-17)*

7.05 ACCESSORY USES. Accessory uses and buildings permitted in the I-1 Light Industrial District are accessory buildings and uses customarily incident to any permitted uses in this district.

7.06 PARKING REGULATIONS. Parking within the I-1 Light Industrial District shall be regulated in conformance with the provisions of Article 15.00.

7.07 SIGN REGULATIONS. Signs within the I-1 Light Industrial District shall be regulated in conformance with the provisions of Article 16.00.

7.08 DENSITY, AREA, YARD AND HEIGHT REGULATIONS. The maximum height and minimum lot requirements within the I-1 Light Industrial District shall be as follows:

(A). General requirements:

	All Uses
Density	----
Lot Area	----
Lot Width	----
Front Yard	30'
Side Yard	10'
Rear Yard	20'
Maximum Height	45'

(B). There shall be a required front yard on each street side of a double frontage lot.

(C). There shall be a required front yard on each street side of a corner lot.

ARTICLE 8.00
I-2 GENERAL INDUSTRIAL DISTRICT

SECTIONS:
8.01 Intent
8.02 Permissive Uses
8.03 Permitted Special Uses
8.04 Conditional Uses
8.05 Accessory Uses
8.06 Parking Regulations
8.07 Sign Regulations
8.08 Density, Area, Yard and Height Regulations

8.01 INTENT. This district is intended to provide for heavy industrial uses which may create some nuisance and which are not properly associated with, nor compatible with residential, office, institutional or planned or neighborhood commercial establishments. All uses in this district shall comply with any state regulations regarding noise, emissions, dust, odor, glare, vibration or heat when applicable.

8.02 PERMISSIVE USES. A building or premises shall be permitted to be used for the following purposes in the I-2 General Industrial District:

(A). Public utility facility, electrical substation.
(B). Antenna support structure. *(amended by MC16-65-03)*
(C). Wind energy conversion system.

8.03 PERMITTED SPECIAL USES. A building or premises may be used for the following purposes in the I-2 General Industrial District in conformance with the conditions prescribed herein, or by obtaining a Conditional Use for such use in conformance with the requirements of Article 19.00:

(A). Communication facilities, warehousing and wholesale trade provided:

(1). There is no outside storage on the premises.
(2). There is no storage of a regulated substance on the premises.
(3). The building contains 25,000 square feet of area or less.

(B). Off-premise signs in conformance with Article 17.00.

(C). Telecommunication and broadcast tower in conformance with Article 12.12. *(amended by MC16-65-03)*

8.04 CONDITIONAL USES. A building or premises may be used for the following purposes in the I-2 General Industrial District if a Conditional Use for such use has been obtained in conformance with the requirements of Article 19.00:

(A). General manufacturing.
(B). Stockyards/slaughtering of animals.
(C). Rendering.
(D). Distillation of products.
(E). Refining.
(F). Sanitary landfill, solid waste receiving station.
(G). Paper manufacturing.
(K). Tank farm; petroleum products terminal.
(N). Salvage or junkyard.
(O). Airport/heliport.
(P). Extraction of rock, sand and gravel in conformance with Article 12.08.
(Q). Mineral exploration and development in accordance with Article 12.04.
(R). Any similar use not heretofore specified.
(S). Solar energy conversion system in conformance with Article 12.15. *(amended by MC16-135-14)*
(T). Aquaculture in accordance with Article 12.16. *(amended by MC16-150-17)*

8.05 ACCESSORY USES. Accessory uses and buildings permitted in the I-2 General Industrial District are accessory buildings and uses customarily incident to any permitted uses in this district.

8.06 PARKING REGULATIONS. Parking within the I-2 General Industrial District shall be regulated in conformance with the provisions of Article 15.00.

8.07 SIGN REGULATIONS. Signs within the I-2 General Industrial District shall be regulated in conformance with the provisions of Article 16.00.

8.08 DENSITY, AREA, YARD AND HEIGHT REGULATIONS. The maximum height and minimum lot requirements within the I-2 General Industrial District shall be as follows:

(A). General requirements:

	All Uses
Density	----
Lot Area	----
Lot Width	----
Front Yard	30'
Side Yard	10'
Rear Yard	20'
Maximum Height	55'

ARTICLE 9.00
RC RECREATION/CONSERVATION DISTRICT

SECTIONS:
9.01 Intent
9.02 Permissive Uses
9.03 Permitted Special Uses
9.04 Conditional Uses
9.05 Accessory Uses
9.06 Parking Regulations
9.07 Sign Regulations
9.08 Density, Area, Yard and Height Regulations

9.01 INTENT. This district is intended to protect natural drainage courses in their capacity to carry run-off water, to limit permanent structures and uses of land in areas subject to flooding, to prevent the pollution of underground water supplies (aquifers), to provide open space and natural areas for recreation, and add to the aesthetic quality of the area.

9.02 PERMISSIVE USES. A building or premises shall be permitted to be used for the following purposes in the RC Recreation/Conservation District:

(A). Agriculture. A building for the storage of agricultural equipment or products shall be allowed provided the following conditions have been met:
1) Ownership of contiguous parcel(s) of not less than forty (40) acres.
2) The property's principal use is devoted to agriculture. *(amended by MC16-90-06 9/12/06)*

(B). Public park; forest preserve.

(C). Public golf course.

(D). Historic sites.

(E). A single-family dwelling if the following provisions for building eligibility are met: *(amended by MC16-69-04 3/16/04)*

(1). Each quarter-quarter section shall have one building eligibility when all the following conditions are met:

a). There are no other dwellings on the quarter-quarter section.

b). The building site is not in the 100-year flood plain as identified on the Flood Insurance Rate Map.

c). The building site shall be a minimum of one acre.

d). Approval has been granted by the appropriate governing entity for access onto a public road.

e). The remaining portion of the quarter-quarter section is retained as agricultural land or in its present use.

f). Prior to any building permit being issued for any new single family residence located in the RC Recreation/Conservation District, a Right to Farm Covenant shall be filed on the parcel of land upon which the new structure will be located. Only the following shall constitute a Right to Farm Covenant: "**RIGHT TO FARM NOTICE COVENANT**

You are hereby notified that the property on which you are constructing a structure is in or near agricultural land, agricultural operations or agricultural processing facilities or operations. You may be subject to inconvenience or discomfort from lawful agricultural or agricultural processing facility operations. Agricultural operations may include, but are not limited to, the following: the cultivation, harvesting, and storage of crops; livestock production; ground rig or aerial application of pesticides or herbicides; the application of fertilizer, including animal waste; the operation of machinery; the application of irrigation water; and other accepted and customary agricultural activities conducted in accordance with Federal, State, and County laws. Discomforts and inconveniences may include, but are not limited to: noise, odors, fumes, dust, smoke, burning, vibrations, insects, rodents, and/or the operation of machinery (including aircraft) during any 24-hour period. If you live near an agricultural area, you should be prepared to accept such inconveniences or discomforts as a normal and necessary aspect of living in an area with a strong rural character and an active agricultural sector. You are also notified that there is the potential for agricultural or agricultural processing operations to expand. This notification shall extend to all landowners, their heirs, successors or assigns and because it is required pursuant to the issuance of a building permit, may not be removed from the record title without consent of the Minnehaha County Planning Commission." *(amended by MC16-83-06 5/16/06)*

(F). Antenna support structure. *(amended by MC16-65-03 10/21/03)*

9.03 PERMITTED SPECIAL USES. A building or premises may be used for the following purposes in the RC Recreation/Conservation District in conformance with the conditions prescribed herein, or by obtaining a Conditional Use for such use in conformance with the requirements of Article 19.00:

(A). A single-family dwelling located on a lot of record in accordance with the following: *(amended by MC16-69-04 3/16/04)*

(1). A lot of record consisting of less than 80 acres and containing no other dwellings shall have one eligible building site.

(2). The building site is not in the 100-year flood plain as identified on the Flood Insurance Rate Map.

(3). A lot of record consisting of 80 acres or more shall qualify for building eligibility as follows:

(a). The acreage of the lot of record shall be divided by 40 acres. The resulting whole number minus the number of existing dwellings shall represent building eligibility.

(b). If there is more than one building eligibility, each additional building site shall be required to obtain a conditional use.

(c). Each building site shall consist of a minimum of one acre.

(4). Approval has been granted by the appropriate governing entity for access onto a public road.

(5). Any parcel conveyed from a lot of record must be a minimum of one acre. The remaining portion of the lot shall be retained as agricultural land or in its present use.

(B). A building eligibility may be used within a farmstead provided: *(amended by MC16-69-04 3/16/04)*

(1). The building eligibility exists on property contiguous to and under the same ownership as the farmstead.

(2). There will be no more than two dwellings within the farmstead.

(3). The residential structure may be a single-family dwelling, manufactured home or mobile home.

(4). The residential structure shall not be located in the 100-year flood plain as identified on the Flood Insurance Rate Map.

(C). Plant nursery provided there are no buildings located in the 100 year flood plain as identified on the Flood Insurance Rate Map.

(D). Off-premise signs in conformance with Article 17.00.

(E). Telecommunication and broadcast tower in conformance with Article 12.12. *(amended by MC16-53-00 5/23/00, MC16-65-03 10/21/03)*

(F). Agricultural Tourism in conformance with Section 12.13. *(amended by MC16-105-09 6/16/09)*

9.04 CONDITIONAL USES. A building or premises may be used for the following purposes in the RC Recreation/Conservation District if a Conditional Use for such use has been obtained in conformance with the requirements of Article 19.00:

(A). A single-family dwelling on a parcel which is not a lot of record provided:

(1). The deed to the land or the agreement to convey the parcel was recorded with the Register of Deeds prior to September 27, 1988.

(2). The building site is not in the 100 year floodplain as identified on the Flood Insurance Rate Map.

(3). There are no other dwellings located on the parcel, except a parcel of 80 acres or more shall have building eligibility determined as follows:

(a). The acreage of the parcel shall be divided by 40 acres. The resulting whole number minus the number of existing dwellings on the parcel shall represent the building eligibility.

(b). Each building site shall consist of a minimum of one acre.

(4). The building site shall not conflict with other existing or potential land use activities or the prevailing pattern of development.

(5). The soil conditions are acceptable for a building site.

(6). Approval has been granted by the appropriate governing entity for access onto a public road.

(B). Manufactured home in conformance with Article 12.06(C) if there is building eligibility on the parcel.

(C). Group day care.

(D). Recreation Facility. (*amended by MC16-105-09 6/16/09)*

(E). Day or summer camp.

(F). Rifle and pistol range; trap shoot.

(G). Stable.

(H). Kennel.

(I). Produce Stand exceeding 400 square feet in area. (*amended by MC16-105-09 6/16/09)*

(J). Fireworks sales provided the length of sales does not exceed nine (9) days.

(K). Cemetery.

(L). Fairgrounds.

(M). Rock, sand and gravel extraction in conformance with Article 12.08.

(O). Electrical substation.

(P). Public utility facility.

(Q). Farmer's Market. (*amended by MC16-105-09 6/16/09)*

(R). Major home occupation in conformance with Sections 12.0302 and 12.0303. *(amended by MC16-53-00 5/23/00)*

(S). The transfer of a building eligibility from one parcel to another parcel when all the following conditions are met: *(amended by MC16-69-043/16/04)*

(1). The transfer of building eligibility shall occur only between contiguous parcels under the same ownership. For purposes of this section, same ownership means: Two or more parcels of land owned or controlled by an individual or combination of individuals, corporations, partnerships, or other legal entities; with said owners described uniformly on the deed or other legally binding conveyance of each parcel. *(amended 16-87-06 7/18/06)*

(2). Suitability as a building site based on the following factors:

a). Agricultural productivity of the soil.

b). Soil limitations.

c). Orientation of the building site(s) with respect to road circulation and access to public rights-of-way.

(3). The minimum lot size shall be one acre but a larger area may be required when soil conditions warrant.

(4). The building site is not in the 100-year flood plain as identified on the Flood Insurance Rate Map.

(5). The parcel from which the building eligibility is transferred shall continue as agricultural land or remain in its present use.

(6). Approval has been granted by the appropriate governing entity for access onto a public road.

(T). Agriculturally related operations involving the handling, storage and shipping of farm products. *(amended by MC16-106-09 6/23/09)*

(U). Shooting/Hunting Preserve. (*amended by MC16-105-09 6/16/09)*

(V). Adaptive reuse. (*amended by MC16-111-10 9/19/10)*

(W). Solar energy conversion system in conformance with Article 12.15. *(amended by MC16-135-14)*

9.05 ACCESSORY USES. Accessory uses permitted in the RC Recreation/Conservation District are accessory buildings and uses customarily incident to any permitted uses in this district.

9.06 PARKING REGULATIONS. Parking within the RC Recreation/Conservation District shall be regulated in conformance with the provisions of Article 15.00.

9.07 SIGN REGULATIONS. Signs within the RC Recreation/Conservation District shall be regulated in conformance with the provisions of Article 16.00.

9.08 DENSITY, AREA, YARD AND HEIGHT REGULATIONS. The maximum height and minimum lot requirements within the RC Recreation/Conservation District shall be as follows:

(A). General requirements:

Lot Area	1 acre*
Lot Width	125'
Front Yard	30'**
Side Yard	7'
Rear Yard	30'
Maximum Height	35'***

* Unless a larger lot size is required by the granting of a conditional use.

** The front yard on a major arterial street or section line road shall be 50 feet.

*** There shall be no height limit for accessory farm structures or wind energy conversion systems except in the airport approach zone.

ARTICLE 10.00
PD PLANNED DEVELOPMENT DISTRICT

SECTIONS:
10.01 Intent
10.02 Procedure
10.03 Initial Development Plan
10.04 Final Development Plan
10.05 Amendments
10.06 Planned Development Districts
~~**PD 1 Willow Run PD**~~ (moved to Sioux Falls Joint Jurisdiction Ordinance)
~~**PD 2 West Lyons PD**~~ (Rezoned I-1)
~~**PD 3 Dougherty's PD**~~ (Rezoned R-1)
PD 4 Grevlo's PD
PD 5 High Prairie Ranch PD
PD 6 Pleasant Valley PD
PD 7 Buffalo Ridge PD
~~**PD 8 Lake Shore Luxury Estates PD**~~ (Rezoned A-1)
PD 9 Haight Family PD
~~**PD 10 Thomas PD**~~ (moved to Sioux Falls Joint Jurisdiction Ordinance)
~~**PD 11 Perry Emmet PD**~~ (moved to Sioux Falls Joint Jurisdiction Ordinance)
PD 12 The Meadows PD
PD 13 Waterway Meadows PD
PD 14 Cedar Ridge PD
PD 15 Hoppe PD
PD 16 Hope Harbor PD

10.01 INTENT. It is the intent of this district to provide flexibility from conventional zoning regulations with increased public review for PD Planned Development District projects in order to:

(A). Encourage well planned, efficient development.

(B). Allow a planned and coordinated mix of land uses which are compatible and are harmonious, but previously discouraged by conventional zoning procedures.

(C). Encourage the redevelopment of contiguous large lot parcels into an integrated and orderly subdivision pattern, with particular attention to developing an efficient and coordinated network of internal streets.

(D). Promote the clustering of residential structures and other uses without increasing overall density of the development area in order to preserve unique and natural features such as woodlands, wetlands, natural drainage systems and scenic areas.

(E). Protect sensitive areas and areas with restrictive soil conditions within development areas through clustering of uses on land more suited for building.

(F). Reserve adequate public right-of-way within development areas for the eventual extension of arterial and collector streets, including proper width and spacing of such streets.

(G). Improve communication and cooperation among the County, townships, land developers, and interested residents in the development of agricultural land and redevelopment of existing areas.

It is not the intent of the PD Planned Development District to accommodate or encourage the development of isolated small tracts where adjoining parcels are not considered within an overall development scheme.

10.02 PROCEDURE

(A). Initial Development Plan.

When a petitioner wants to request a rezoning to the Planned Development District, he shall submit his request to the Office of Planning and Zoning, showing the information specified in 10.03 below, a minimum of 30 days prior to the Planning Commission meeting at which consideration is desired. After the planned development request has been reviewed, the Planning Commission shall make a recommendation to the County Commission on the requested rezoning. The County Commission shall then act to approve or deny said request.

This request for rezoning is subject to the requirements for amendment of the zoning regulations specified in Article 20.00. No permit shall be issued within the development until the Final Development Plan is approved and the plat is filed.

(B). Final Development Plan.

Prior to construction on any lots in the planned development, the petitioner shall present a Final Development Plan showing the information specified in 10.04 below, to the Planning Commission, who shall have the sole authority to approve, deny, or amend said plan.

The Final Development Plan may be submitted in conjunction with the Initial Development Plan for concurrent approval on any subareas the developer is ready to commit to a final plan. All the information required for both an Initial and Final Development Plan must be shown for the area submitted for concurrent approval, except that the developer may reference the requirements of one of the traditional zoning districts as the development standard for a particular subarea.

(C). Amendments.

(1). Major Amendments. Major amendments to the Initial and/or Final Development Plan shall be required to be approved as an amendment to the zoning regulations, requiring Planning Commission review, and County Commission approval.

(2). Minor Amendments. Minor amendments to the Initial and/or Final Development Plan shall be required to be approved by the Planning Commission at a hearing. Notice of such hearing shall be given by the posting of a sign on the property.

Minor amendments to the Initial Development Plan may also be made by the submission and approval of a Final Development Plan which is changed from the approved Initial Development Plan. Any such amendments shall be shown as a change from the Initial Development Plan on the Final Development Plan.

(3). Minimal Amendments. Minimal amendments to the Final Development Plan shall be submitted to the Planning Director on a reproducible development plan showing the requested changes. The Planning Director may then approve such change in writing, if he/she deems it appropriate.

10.03 INITIAL DEVELOPMENT PLAN. Upon application for rezoning to the Planned Development District, the petitioner shall present an Initial Development Plan to the Planning Commission for review, and to County Commission for their approval showing the following information:

(A). Project name and legal description.

(B). A preliminary subdivision plan.

(C). The proposed development scheme showing the following information:

(1). The proposed land uses, including the number and type of proposed residential buildings, the proposed number of dwelling units per building, the number and type of any proposed nonresidential buildings and their square footage.

(2). The proposed maximum density of the development, which shall not exceed the density allowed in the traditional zoning districts for similar uses, except where unique physical, environmental or design characteristics make such densities undesirable.

(3). The proposed minimum setbacks which shall be no less than those required in the traditional zoning districts for similar uses, except where

unique physical, environmental or design characteristics make such setbacks undesirable.

(4). The proposed maximum height which shall be no greater than that required in the traditional zoning districts for similar uses, except where unique physical, environmental or design characteristics make such heights undesirable.

(5). Proposed design features illustrating compatibility to the surrounding environment and neighborhood.

(6). Anticipated subarea development sequence.

10.04 FINAL DEVELOPMENT PLAN. Prior to construction on any lots in the Planned Development Zoning District, the petitioner shall present a Final Development Plan to the Planning Commission for their approval. The Final Development Plan shall show the following information:

(A). The subdivision name, the legal description, and the individual project name (if any).

(B). Boundaries of the subarea or subareas submitted for approval superimposed on the map of the Initial Development Plan.

(C). A subdivision plat of the subarea or subareas submitted for approval.

(D). A scale drawing showing the following information will be required for everything except single-family detached dwelling subareas:

(1). Size and location of proposed structures including height and number of units.
(2). Calculated floor area for each structure and a generic listing of the uses within said structure.
(3). Off-street parking lot arrangement designating all parking spaces, off-street loading spaces, and any outdoor trash container spaces.
(4). Any sidewalks, bikeways or other paths.
(5). Landscaping plans showing the type and location of any walls or fences, the placement, size and species of any trees or shrubs, and berms in areas that will be sod or seeded.
(6). All existing and proposed utilities, drainageways, water courses, and location of above ground existing utilities on adjacent property.
(7). Proposed final ground contours.
(8). Existing and proposed uses adjacent to the area.
(9). Documentation of the ownership and maintenance responsibility of any common open spaces, structures, or facilities including private streets.
(10). Any subareas proposed for multiple residential development will be required to provide an open area for recreation. Said open spaces shall not

be included in any required yard, but shall be located in the same subarea it is intended to serve.

(11). Proposed parking and loading spaces which shall be in conformance with Article 15.00, except where unique physical, environmental or design characteristics make such requirements undesirable.

(12). Unless otherwise specified on the Final Development Plan, all development standards shall be the same as those set forth in the traditional zoning districts, which shall be referenced for each subarea as a part of the Final Development Plan. For example: townhouses on Block X shall be developed in conformance with the requirements of the RD Residential District.

10.05 AMENDMENTS.

(A). The following changes in an Initial and/or Final Development Plan are considered major amendments:

(1). Any change in the proposed land uses.
(2). Any major change in the street pattern.
(3). An increase in density above that provided for in (B)(5) below.

(B). Minor Amendments

The following changes in an Initial and/or Final Development Plan are considered minor amendments:

(1). Any adjustment in the size or shape of the building envelope (increasing the height or reducing the building setback).
(2). Major decrease in density.
(3). Any decrease in the size of required open areas.
(4). A minor change in the street pattern.
(5). Any increase in density of a subarea:
- Less than 25% for a subarea with less than eight units.
- Less than 15% for a subarea with between nine and twenty units.
- Less than 8% for a subarea with twenty-one units or more.

(6). Any change in the number of parking spaces.

(C). Minimal Amendments

The following changes in an Initial and/or Final Development Plan are considered minimal amendments:

(1). Any adjustment of a building within a previously established building envelope.
(2). A minor reduction in density.

10.06 PLANNED DEVELOPMENT DISTRICTS. Planned development districts shall be as enumerated below:

(PD 1)
10.0601 WILLOW RUN PLANNED DEVELOPMENT DISTRICT. *(Moved to Sioux Falls Joint Jurisdiction Ordinance)*

(PD 2)
10.0602 WEST LYONS PLANNED DEVELOPMENT DISTRICT. *(Rezoned to the I-1 Light Industrial District by Ordinance MC16-56-01 & MC16-57-01; in Section 17-T103N-R50W)*

(PD 3)
10.0603 DOUGHERTY'S PLANNED DEVELOPMENT DISTRICT. *(Rezoned to R-1 Residential by Ordinance MC-16-50-99; in Section 21-T101N-R51W)*

(PD 4)

10.0604. GREVLOS' PLANNED DEVELOPMENT DISTRICT. The regulations set forth herein or elsewhere in these regulations are the district regulations in Grevlos' Planned Development District. *(Ordinance MC16-4-91; 5/21/91; in Section 4-T101N-R48W)*

(A). SUBAREA A.

(1). USES PERMITTED. A building or premises shall be permitted to be used for the following purposes.

Those uses permitted in the RR Rural Residential zoning district.

(2). ACCESSORY USES. Accessory uses and buildings permitted are those accessory buildings and uses customarily incident to any permitted use in the district. The requirements of Article 13.02 shall also apply.

(3). PARKING REGULATIONS. Parking shall be regulated in conformance with the provisions of the RR Rural Residential zoning district.

(4). SIGN REGULATIONS. Signs shall be regulated in conformance with the provisions of the RR Rural Residential zoning district.

(5). YARD AND HEIGHT REGULATIONS. The yard and height regulations shall be the same as the RR Rural Residential zoning district.

(6). OTHER REGULATIONS. Other regulations for Subarea A shall be:

(a).There shall be only one single-family dwelling in the subarea.

(B). SUBAREA B.

(1). USES PERMITTED. A building or premises shall be permitted to be used for the following purposes.

Those uses permitted in the A-1 Agricultural zoning district.

(2). ACCESSORY USES. Accessory uses and buildings permitted are those accessory buildings and uses customarily incident to any permitted use in the district. The requirements of Article 13.02 shall also apply.

(3). PARKING REGULATIONS. Parking shall be regulated in conformance with the provisions of the A-1 Agricultural zoning district.

(4). SIGN REGULATIONS. Signs shall be regulated in conformance with the provisions of the A-1 Agricultural zoning district.

(5). YARD AND HEIGHT REGULATIONS. The yard and height regulations shall be the same as the A-1 Agricultural zoning district.

(6). OTHER REGULATIONS. Other regulations for Subarea B shall be:

(a). There shall be only one single-family dwelling in the subarea.

(b). No structure shall be located within the floodplain as designated by the Flood Insurance Administration.

(PD 5)

10.0605. HIGH PRAIRIE RANCH PLANNED DEVELOPMENT DISTRICT. The regulations set forth herein or elsewhere in these regulations are the district regulations in the High Prairie Ranch Planned Development District. *(Ordinance MC16-8-92; 6/16/92; in Section 8-T102N-R49W)*

(A). SUBAREA A.

(1). USES PERMITTED. A building or premises shall be permitted to be used for the following purposes.

Permissive uses, permitted special uses and conditional uses of the RR District.

(2). ACCESSORY USES. 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 1200 square feet in area.

(3). PARKING REGULATIONS. Parking shall be regulated in conformance with the provisions of the RR zoning district.

(4). SIGN REGULATIONS. Signs shall be regulated in conformance with the provisions of the RR zoning district.

(5). DENSITY, AREA, YARD AND HEIGHT REGULATIONS. The same requirements shall apply as in the RR zoning district.

(6). OTHER REGULATIONS. Other regulations for Subarea A shall be:

(a.) Subdivision roads shall be private.

(B). SUBAREA B.

(1). USES PERMITTED. A building or premises shall be permitted to be used for the following purposes:

Arena/Horse Stable/Parking/Storage.

(2). ACCESSORY USES. Accessory uses and buildings permitted are those detached accessory buildings and uses customarily incident to any permitted use in the district.

(3). PARKING REGULATIONS. Parking shall be regulated in conformance with the provisions of the RR zoning district.

(4). SIGN REGULATIONS. No on-premise or off-premise signs are permitted in the subarea except those pertaining to use of Subarea B.

(5). DENSITY, AREA, YARD AND HEIGHT REGUALTIONS. The same requirements shall apply as in the RR zoning district.

(C). SUBAREA C.

(1). USES PERMITTED. A building or premises shall be permitted to be used for the following purposes:

Park and recreation facilities.

(2). SIGN REGULATIONS. Signs shall be in conformance with the RC Conservation/Recreation District.

(3). OTHER REGULATIONS. Other regulations for Subarea C shall be:

(a.) Natural features in the subarea shall be retained to the greatest extent possible.

(D). SUBAREA D.

(1). USES PERMITTED. A building or premises shall be permitted to be used for the following purposes:

Permissive uses of the A-1 Agricultural District.

(PD 6)

10.0606 PLEASANT VALLEY PLANNED DEVELOPMENT DISTRICT. The regulations set forth herein or elsewhere in these regulations are the district regulations in the Pleasant Valley Planned Development District. *(Ordinance MC16-9-92; 7/21/92; in Section 29-T103N-R47W)*

(1). USES PERMITTED. A building or premises shall be permitted to be used for the following purposes.

Permissive uses of the RR District.

(2). ACCESSORY USES. 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 1200 square feet in area.

(3). PARKING REGULATIONS. Parking shall be regulated in conformance with the provisions of the RR zoning district.

(4). SIGN REGULATIONS. Signs shall be regulated in conformance with the provisions of the RR zoning district.

(5). DENSITY, AREA, YARD AND HEIGHT REGULATIONS. The same regulations shall apply as in the RR zoning district.

(6). OTHER REGULATIONS. Lot 4 shall not have direct driveway access to the township road.

(PD 7)

10.0607 BUFFALO RIDGE PLANNED DEVELOPMENT DISTRICT. The regulations set forth herein or elsewhere in these regulations are the district regulations in the Buffalo Ridge Planned Development District: *(Ordinance MC16-93-07; 5/15/07; in Section 34-T104N-R47W)*

(1). USES PERMITTED. A building or premises shall be permitted for the following purposes:

Up to a 100 million gallon a year name plate ethanol production facility.

(2). ACCESSORY USES. Accessory uses and buildings permitted in this district are those accessory buildings and uses customarily incidental to any permitted use in the district.

(3). PARKING REGULATIONS. Parking shall be regulated in conformance with the provisions of the I-2 General Industrial District.

(4). SIGN REGULATIONS. The size and location of all on-premise signs shall be shown on th final development plan and shall be regulated in conformance with the provisions on Article 16 On Premise Signs for I-2 Industrial Zoning. Off- Premise signs shall not be allowed.

(5). YARD AND HEIGHT REGULATIONS. The minimum setbacks shall apply to all structures, but not service roads, driveways, utilities (not including utility structures), or railroad tracks.

Required front yard---------- 75'
Required side yard---------- 50'
Required read yard---------- 75'
Maximum Height---------- 70'
Maximum Height of Ancillary structures such as cooling towers, storage bins, vent and exhaust stacks and grain elevators--------- 225'

(6). OTHER REGULATIONS. Other regulations for the entire Buffalo Ridge Planned Development shall be:

(a). That the ethanol facility continually meets or exceeds EPA standards for emissions. An annual air quality report shall be provided to the County Planning Department.

(b). A landscaped berm at least four (4) feet high shall be installed along the entire south and west property boundaries, with the exception of any entrance into the site. Deciduous and/or evergreen trees shall be planted at minimum spacing of 40 feet and shall be a minimum of 1 inch caliper. A complete landscape plan showing the trees, shrubs and grass shall be reviewed and approved by the Planning Director prior to installation and must be installed no less than 6 months after operation of the ethanol facility begins.

(c). All parking and driveway surfaces shall be hard surfaced.

(d). That all existing drainage ways be maintained and that erosion control measures be implemented on all disturbed areas so as not to allow any sedimentation of existing drainage ways or bodies of water.

(e). That reasonable steps shall be taken to reduce light emissions from the facility. All outdoor lights are to be of the shoe-box type that directs light downward. Any lighting required by the FAA shall not exceed the FAA minimum. Flashing white lights shall not be allowed for night time lighting.

(f). That noise emissions be limited to 65 dbl at the property perimeter.

(g). That all necessary wastewater processing permits be obtained from the County and State and continually held in good standing.

(h). That prior to the commencement of any construction, a drainage plan be submitted for review and approval by the Planning Director showing how stormwater will be held and discharged at its current rate.

(i). That a left turning lane be constructed on County Highway 114 to allow for truck traffic to safely enter the plant. The design and construction to be reviewed and approved by the County Highway Superintendent.

(j) That truck deliveries be made between the hours of 7 a.m. to 6p.m. on Mondays through Saturdays.

(PD 8)

10.0608 LAKE SHORE LUXURY ESTATES PLANNED DEVELOPMENT DISTRICT.

(Rezoned to A-1 Agricultural MC16-119-12; 2/23/12)

(PD 9)

10.0609 HAIGHT FAMILY PLANNED DEVELOPMENT DISTRICT. The regulations set forth herein or elsewhere in these regulations are the district regulations in the Haight Family Planned Development District: *(Ordinance 16-95-07; 8/19/07; in the E1/2 Vacated Royal Oaks Road & Tract 1 Indian Hills N1/2 NW1/4 of Section 9-T101N-R48W.)*

(1). USES PERMITTED. A building or premises shall be permitted to be used for the following purposes:
A maximum of two (2) single family dwellings.

(2). ACCESSORY USES. Accessory uses and buildings permitted are those accessory buildings and uses customarily incident to any permitted use allowed in the A-1 Agricultural District.

(3). PARKING REGULATIONS. Parking shall be regulated in conformance with the provisions of the A-1 Agricultural District.

(4). SIGN REGULATIONS. Signs shall be regulated in conformance with the provisions of the A-1 Agricultural District.

(5). DENSITY, AREA, YARD AND HEIGHT REGULATIONS. Density, area, yard and height shall be regulated in conformance with the provisions of the A-1 Agricultural District.

(PD 10)

10.0610 THOMAS PLANNED DEVELOPMENT DISTRICT. *(moved to Sioux Falls Joint Jurisdiction Ordinance)*

(PD 11)

10.0611 PERRY PLANNED DEVELOPMENT DISTRICT. *(moved to Sioux Falls Joint Jurisdiction Ordinance)*

(PD 12)

10.0612 THE MEADOWS PLANNED DEVELOPMENT DISTRICT. The regulations set forth herein or elsewhere in these regulations are the district regulations in The Meadows Planned Development District: *(Ordinance MC16-128-13; 4/18/13; in Section 16-T102N-R51W)*

(A). SUBAREA A.

(1). USES PERMITTED.
(a). Twin home single family dwellings.
(i). Shall not exceed six structures; a total of twelve dwelling units.

(2). ACCESSORY USES.
(a). Detached accessory building area.
(i). Shall not exceed 250 square feet.
(b). Wastewater treatment systems.

(3). DENSITY, AREA, YARD AND HEIGHT REGULATIONS.
(a). Setbacks:
Front Yard – 30 feet minimum
Rear Yard – 30 feet minimum
Side Yard – 30 feet minimum

(b). Height:
35 feet maximum

(4). OTHER REGULATIONS.
(a). Fences are prohibited.
(b). Twin homes shall be plumbed to connect to a sewer system.
(c). Each unit shall have address numbers . Each character shall be not less than 4 inches in height and not less than 0.5 inches in width. They shall be installed on a contrasting background and be plainly visible from the street or road fronting the property.

(B). SUBAREA B.

(1). USES PERMITTED.
(a). Town homes
(i). Shall not exceed thirty-six structures; a total of 145 dwelling units.

(2). ACCESSORY USES.
(a). Hot tubs.
(b). Wastewater treatment systems.

(3). DENSITY, AREA, YARD AND HEIGHT REGULATIONS.

(a). Setbacks:

Front Yard – 25 feet minimum
Rear Yard – 25 feet minimum
Side Yard – 7 feet minimum

(b). Height:

85 feet maximum

(4). OTHER REGULATIONS.

(a). Fences are prohibited.

(b). Town homes shall be plumbed to connect to a sewer system.

(c). Each unit shall have address numbers . Each character shall be not less than 4 inches in height and not less than 0.5 inches in width. They shall be installed on a contrasting background and be plainly visible from the street or road fronting the property.

(C). SUBAREA C.

(1). USES PERMITTED.

(a). Clubhouse

(b). Private recreational facilities.

(2). ACCESSORY USES.

(a). Detached accessory buildings incidental to the permitted uses of Subarea C.

(b). Wastewater treatment systems.

(c). Parking lot.

(3). PARKING REGULATIONS.

(a). Parking shall be restricted to the designated parking lot.

(4). SIGN REGULATIONS.

(a). Limited to signs related to the permitted uses of Subarea C.

(5). DENSITY, AREA, YARD AND HEIGHT REGULATIONS.

(a). Setbacks:

Front Yard – 25 feet minimum
Rear Yard – 10 feet minimum
Side Yard – 5 feet minimum

(b). Height:

35 feet maximum

(D). SUBAREA D.

(1). USES PERMITTED.

(a). Parkway system.
(b). Bio-swales, wetlands and water features.
(c). Biking and Walking trails.
(d). Streets.

(2). ACCESSORY USES.

(a). Those uses customarily incidental to the permitted uses of Subarea D.
(b). Wastewater treatment systems.
(c). Boulevard medians.

(3). PARKING REGULATIONS.

(a). Parking shall be restricted to driveways and to the streets.
(b). Shall conform to the Minnehaha County Zoning Ordinance Section 12.14 Commercial Vehicles and Equipment.

(4). SIGN REGULATIONS.

(a). One neighborhood identification monument sign not to exceed 300 square feet.
(b). Signs related to the permitted uses of Subarea D.

(5). STREETS:

(a). Streets shall be privately owned and maintained.
(b). Streets shall consist of two 16 foot wide paved right-of-ways separated by a 12 foot wide center median.
(c). Streets shall conform to the Minnehaha County Subdivision Ordinance Section 8.04 A, B, & C.
(d). Street name suffixes shall be either Boulevard or Place.

(PD 13)

10.0613 WATERWAY MEADOWS PLANNED DEVELOPMENT DISTRICT. The regulations set forth herein or elsewhere in these regulations are the district regulations in the Waterway Meadows Planned Development District: *(Ordinance MC16-145-15; 12/23/15; in Section 19-T102N-R51W)*

(1). USES PERMITTED. A building or premises shall be permitted to be used for the following purposes:

The existing barn as the principal use of the property. Any changes or additions to the existing barn will require a new Final Development Plan to be reviewed and approved by the Minnehaha County Planning Commission.

(2). ACCESSORY USES. Accessory uses and buildings permitted are those accessory buildings and uses customarily incident to any permitted use allowed in the A-1 Agricultural District.

(3). PARKING REGULATIONS. Parking shall be regulated in conformance with the provisions of the A-1 Agricultural District.

(4). SIGN REGULATIONS. Signs shall be regulated in conformance with the provisions of the A-1 Agricultural District.

(5). DENSITY, AREA, YARD AND HEIGHT REGULATIONS. Density, area, yard and height shall be regulated in conformance with the provisions of the A-1 Agricultural District.

(6). FINAL DEVELOP PLAN. Prior to future additions or any modifications to the barn, a Final Development Plan shall be presented to the Planning Commissions for their approval.

(PD 14)

10.0614 CEDAR RIDGE PLANNED DEVELOPMENT DISTRICT. The regulations set forth herein or elsewhere in these regulations are the district regulations in the Cedar Ridge Planned Development District: *(Ordinance MC16-147-16; 5/22/16; in Section 3-T102N-R49W)*

(A.) SUBAREA A

(1). USES PERMITTED. A building or premises shall be permitted to be used for the following purposes:

Permissive uses, permitted special uses and conditional uses of the RR District.

(2). ACCESSORY USES. Accessory uses and buildings permitted are those accessory buildings and uses customarily incident to any permitted use allowed in the district. No accessory building shall exceed 1200 square feet in area.

(3). PARKING REGULATIONS. Parking shall be regulated in conformance with the provisions of the RR zoning district.

(4). SIGN REGULATIONS. Signs shall be regulated in conformance with the provisions of the RR zoning district.

(5). DENSITY, AREA, YARD AND HEIGHT REGULATIONS. The same requirements shall apply as in the RR zoning district.

(6). OTHER REGULATIONS. Other regulations for Subarea A shall be:

a) Subdivision roads shall be private

b) One sign for use by the Subarea B Stable and Boarding operation shall be allowed at the entrance road along S.D. Highway 115 and shall be limited to 16 square feet in area and 20 feet in height.

(7). FINAL DEVELOP PLAN. Prior to construction of the first new residence in the Cedar Ridge Planned Development District, a Final Development Plan shall be presented to the Planning Commissions for their approval.

(B.) SUBAREA B

(1). USES PERMITTED. A building or premises shall be permitted to be used for the following purposes:

a) Arena/Horse Stable/Parking/Storage.

b) Horse Pasture and associated uses for horse boarding operations.

(2). ACCESSORY USES. Accessory uses and buildings permitted are those accessory buildings and uses customarily incident to any permitted use allowed in the A-1 Agriculture zoning district.

(3). PARKING REGULATIONS. Parking shall be regulated in conformance with the provisions of the A-1 Agriculture zoning district.

(4). SIGN REGULATIONS. Signs shall be regulated in conformance with the provisions of the A-1 Agriculture zoning district.

(5). DENSITY, AREA, YARD AND HEIGHT REGULATIONS. The same requirements shall apply as in the A-1 Agriculture zoning district.

(6). OTHER REGULATIONS. Other regulations for Subarea A shall be:

a) Subdivision roads shall be private

(C). SUBAREA C

(1). USES PERMITTED. A building or premises shall be permitted to be used for the following purposes:

a) Those uses permitted in the A-1 Agriculture zoning district.
b) Stable, limited to pasture boarding and shelter.
c) Maximum of two (2) single family dwellings
d) Recreation Facility

(2). ACCESSORY USES. Accessory uses and buildings permitted are those accessory buildings and uses customarily incident to any permitted use allowed in the A-1 Agriculture zoning district.

(3). PARKING REGULATIONS. Parking shall be regulated in conformance with the provisions of the A-1 Agriculture zoning district.

(4). SIGN REGULATIONS. Signs shall be regulated in conformance with the provisions of the A-1 Agriculture zoning district.

(5). YARD AND HEIGHT REGULATIONS. The same requirements shall apply as in the RR zoning district.

(6). FINAL DEVELOP PLAN. Prior to construction of the recreation facility or any of the allowed permitted uses in the A-1 Agriculture zoning district, a Final Development Plan shall be presented to the Planning Commissions for their approval.

(PD 15)

10.0615 HOPPE PLANNED DEVELOPMENT DISTRICT. The regulations set forth herein or elsewhere in these regulations are the district regulations in the Hoppe Planned Development District: *(Ordinance MC16-154-18; 5/2/18; in Section 32-T101N-R47W)*

HOPPE PLANNED DEVELOPMENT DISTRICT. The regulations set forth herein or elsewhere in these regulations are the district regulations of the Hoppe Planned Development District.

INTENT. This district is intended to provide for a wide variety of commercial uses generally located at major intersections and along major roads. This district will include general commercial uses requiring large land areas, extensive retail operations, outdoor display, and limited residential use.

PERMISSIVE USES. A building or premises shall be permitted to be used for the following purposes in the PD Hoppe Planned Development District:

(1). Office.
(2). Bank or financial institution.
(3). Group day care, day care center, group home.
(4). Mortuary.
(5). Indoor recreational facility.
(6). Nursery or greenhouse.
(7). Church.
(8). Antenna support structure.
(9). Residential - Single Family Dwelling

PERMITTED SPECIAL USES. A building or premises may be used for the following purposes in the PD Hoppe Planned Development District in conformance with the conditions prescribed herein or by obtaining a Conditional Use for such uses in conformance with the requirements of Article 19.00:

(1). Retail sales and trade, contractor's shop, personal services, communication facilities, and warehousing provided:

(1). There is limited outside storage.
(2). There is no storage of a regulated substance.
(3). The building contains 25,000 square feet of area or less.

(2). Veterinarian clinic provided there is no outside kenneling of dogs.

(3). Frozen food locker provided there is no slaughtering of animals on the premises.

(4). Off-premise signs in conformance with Article 17.00.

(5). Telecommunication and broadcast tower in conformance with Article 12.12.

CONDITIONAL USES. A building or premises may be used for the following purposes in the PD Hoppe Planned Development District if a conditional use for such use has been obtained in conformance with the requirements in Article 19.00:

(1). Wholesale trade.
(2). Bar or lounge.
(3). Equipment sales, display and repair.
(4). Motor vehicle sales, display, service and rental.
(5). Auto body shop.
(6). Transportation, including gasoline service station, truck stop, and terminal.
(7). Recycling facility.
(8). Fireworks sales provided sales are conducted from a permanent building when business operations exceed nine (9) days.
(9). Uses which store or handle a regulated substance.
(10). Lumberyard.
(11). Storage yard.
(12). Car wash.
(13). Airport/heliport.
(14). Hotel or motel.
(15). Hospital.
(16). Motor vehicle repair shop.
(17). Public utility facility.
(18). Campground.
(19). Commercial recreation facility.
(20). Wind energy conversion system.
(21). [Reserved.]
(22). Electrical substation.
(23). Adult use in conformance with Section 12.09.
(24). Animal shelter.
(25). Solar energy conversion system in conformance with Article 12.15.

ACCESSORY USES. Accessory uses permitted in the PD Hoppe Planned Development District are accessory buildings and uses customarily incident to any permitted uses in this district.

PARKING REGULATIONS. Parking within the PD Hoppe Planned Development District shall be regulated in conformance with the provisions of Article 11.10.

SIGN REGULATIONS. Signs within the PD Hoppe Planned Development District shall be regulated in conformance with the provisions of Article 11.10.

DENSITY, AREA, YARD AND HEIGHT REGULATIONS. A maximum height and minimum lot requirements within the PD Hoppe Planned Development District shall be as follows:

(1). General Requirements:

	All Uses
Density	4 acres
Lot Area	4 acres
Lot Width	125'
Front Yard	30'
Side Yard	10'
Rear Yard	20'
Maximum Height	35'

(2). There shall be a required front yard on each street side of double frontage lots.

(3). There shall be a required front yard on each street side of a corner lot.

(4). Any accessory uses shall be required to comply with the height, front, rear and side yard requirements of the main building.

(PD-16)

10.0616 HOPE HARBOR PLANNED DEVELOPMENT DISTRICT. The regulations set forth herein or elsewhere are the district regulations in the Hope Harbor Planned Development District: *(Ordinance MC16-153-18; 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