Ordinance #05-18

**ORDINANCE #05-18, AN ORDINANCE AMENDING SECTION 1.03.01 THE OFFICIAL ZONING MAP, AN ORDINANCE AMENDING #2011-2, AN ORDINANCE AMENDING ORDINANCE #2005-1, AN ORDINANCE ESTABLISHING COMPREHENSIVE ZONING REGULATIONS FOR HAMLIN COUNTY, SOUTH DAKOTA, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF, PURSUANT TO SDCL 11-2, 1967, AND AMENDMENTS THEREOF, AND FOR THE REPEAL OF ALL RESOLUTIONS AND/OR ORDINANCES IN CONFLICT HEREWITH.**

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HAMLIN COUNTY, SOUTH DAKOTA: that Section 1.03.01, The Official Zoning Map which was adopted by Ordinance #2005-1, on April 5, 2005 as amended, of the Zoning Ordinance of Hamlin County be amended to classify the following property(s):

Portion of Hudy Addition in SE ¼ of Section 36, Township 113N, Range 53W of the 5th P.M., Hamlin County, South Dakota (Norden Township).

Government Lot 7 EXCEPT Lots 1, 2, 3 and Block 1, Peterson Addition in Section 36, Township 113N, Range 53W of the 5th P.M., Hamlin County, South Dakota (Norden Township).

Portion of S ½ & SE ¼ and NE ¼ & SE ¼ EXCEPT Lot 1 Dollar General, Block 1 Spilde Addition, and Block 1 Bjorklund Addition of the 5th P.M., Hamlin County, South Dakota (Norden Township).

from “A” Agricultural Zoning District to “LP1” Lake Park 1 Zoning District. (Norden Township)

To “LP 1” Lake Park 1 Zoning District from “A” Agricultural Zoning District

Passed and adopted this 18th day of December 2018.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Chairperson

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Auditor

This ordinance shall become effective 20 days after the last publication of this notice.

Dated this \_\_ day of \_\_\_\_, 20\_

Auditor, Hamlin County, South Dakota

Dated: \_\_\_\_\_\_, 20\_

Ordinance #06-18

**ORDINANCE 06-18, AN ORDINANCE AMENDING #2011-2, AN ORDINANCE AMENDING ORDINANCE #2005-1, AN ORDINANCE ESTABLISHING COMPREHENSIVE ZONING REGULATIONS FOR HAMLIN COUNTY, SOUTH DAKOTA, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF, PURSUANT TO SDCL 11-2, 1967, AND AMENDMENTS THEREOF, AND FOR THE REPEAL OF ALL RESOLUTIONS AND/OR ORDINANCES IN CONFLICT HEREWITH.**

**BE IT ORDAINED** by the Hamlin County, South Dakota that Section 3.04.04 “Conditional Uses” be amended by including the following definitions:

**Agricultural District (Section 3.04.04: Conditional Uses):**

36. Agribusiness Activities

**BE IT ORDAINED** by the Hamlin County, South Dakota that Chapter 5.35 be amended to include the following new section:

**Chapter ­­5.35 Agribusiness Activities**

**Section 5.35.01. Intent**

**Agribusiness activities include identified commercial activities involving the handling, storage, processing and shipping of farm products. Agribusiness activities are operated as a principle use on a property, and are not operated accessory to residential uses. The following commercial activities may be considered agribusiness activities if operated in accordance with the requirements contained in Section 5.35.02:**

1. **Custom fertilizer/herbicide application;**
2. **Custom planting;**
3. **Custom harvesting;**
4. **Grain storage;**
5. **Processing of products raised or grown by the landowner or operator.**

**Supplemental Regulations/Requirements**

**Section 5.35.02 Requirements**

1. **Agribusiness activities must have access to a concrete or bituminous asphalt, or gravel street.**
2. **Operators of agribusiness activities shall enter into and comply with a haul road agreement for the applicable streets if deemed necessary by the applicable road authority for the maintenance of identified haul routes attendant to the operation of the proposed business.**
3. **Lighting on the site shall be limited to downward directed lights or other lighting customarily used for agricultural operations.**
4. **The number, size, and illumination standards for signs shall be determined by the Board of Adjustment.**
5. **No equipment or process shall be used in such extended home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.**
6. **All vehicles and equipment stored outside shall be operable.**
7. **Permits for Agribusiness activities are specific to a single use listed in Section. An agribusiness activity may only be changed to another agribusiness activity if specifically authorized by the Board of Adjustment.**
8. **Permits for Agribusiness activities may be transferred, unless otherwise stated by the Board of Adjustment.**

**Section 5.35.03: Applications.**

1. **Application for Agribusiness activities shall be filed with the zoning officer. The application shall contain the following:**
2. **The address of the property and the legal description.**
3. **The name of the project and/or business.**
4. **Physical dimensions and locations of the property, existing structures, and proposed structures**
5. **A detailed description of what activities will occur on the entire property**
6. **Distance from all building lines to the property lines at the closest points**
7. **Maximum number of employees expected to be employed at the site.**
8. **Hours of operation. (If it is expected that hours of operation will vary depending upon the season, the applicant should state minimum and maximum hours of operation and when those minimum and maximum hours are expected.)**
9. **Number and type of vehicles expected to use the site each day.**
10. **Parking lots or spaces; designate each space, give dimensions of the lot, stalls and aisles (if applicable).**
11. **Names and locations of proposed haul roads.**
12. **Proposed grading and drainage pattern.**
13. **Phasing plan for development (if more than one phase is planned).**
14. **Any other information required to determine compliance with this Chapter**

Passed and adopted this 18th day of December 2018.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Chairperson

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Auditor

This ordinance shall become effective 20 days after the last publication of this notice.

Dated this \_\_ day of \_\_\_\_, 20\_

Auditor, Hamlin County, South Dakota

Dated: \_\_\_\_\_\_, 20\_\_