

ORDINANCE NO. B2022-01-05

**#B2022-01-05, AN ORDINANCE AMENDING ORDINANCE B2022-01, AN ORDINANCE ESTABLISHING ZONING REGULATIONS FOR DEUEL COUNTY, SOUTH DAKOTA, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF, IN ACCORDANCE WITH THE PROVISIONS OF CHAPTERS 11-2, 1967 SDCL, AND AMENDMENTS THEREOF, AND FOR THE REPEAL OF ALL RESOLUTIONS AND ORDINANCES IN CONFLICT HEREWITH.**

BE IT ORDAINED by the Board of County Commissioners of Deuel County, South Dakota: that Article XI, "Zoning Districts," Section 1103 "LP" Lake Park, Section 1103.06. Minimum Lot Area and Yard Regulations, adopted by Ordinance B2022-01, as amended, of the Zoning Ordinance of Deuel County be amended by adding language in bold and underline and removing strikeout language:

4. Each building shall be set back not less than fifty (50) feet from the established normal high-water mark ~~and or have a rear yard of fifty (50) feet.~~ **On lots not adjacent to the lake each building shall** have a rear yard **set back** of fifty ~~(50)~~ **25** feet.

BE IT ORDAINED by the Board of County Commissioners of Deuel County, South Dakota: that Article XI, "Zoning Districts," Section 1103 "LP" Lake Park, Section 1103.04. Special Permitted Uses, adopted by Ordinance B2022-01, as amended, of the Zoning Ordinance of Deuel County be amended by adding language in bold and underline and removing strikeout language:

1. Camper on a lot with or without a principal structure for a specific time period, ~~subject to receiving permission from adjoining landowners~~ **must have permission of sixty-six (66) percent of the adjoining landowners.**

BE IT FURTHER ORDAINED by the Board of County Commissioners of Deuel County, South Dakota: that Article XII, "GENERAL REGULATIONS" Section 1208 Shelterbelt Setback Requirements, adopted by Ordinance B2022-01, as amended in B2022-01-04, of the Zoning Ordinance of Deuel County be amended by adding language in bold and underline and removing strikeout language:

7. Shade trees, ornamental trees or shrubs generally used for landscaping and windbreak are allowed in a controlled area. The controlled area is defined as the area within one hundred (100) feet of homes or farm buildings, but not closer to the right-of-way than fifty (50) feet. Except for the following, plantings within the controlled area are exempt from this regulation. ~~Six or more trees in a row are not allowed with the controlled area.~~ **The maximum number of trees in the controlled area is six (6) in a row.** Deciduous trees which are spotted or staggered within the controlled area can be no closer than twenty (20) feet. Conifer trees which are spotted or staggered within the controlled area can be no closer than twenty-five (25) feet. The distance between trees shall be determined by measuring distance between tree trunks. See Figure 1208.3.

BE IT FURTHER ORDAINED by the Board of County Commissioners of Deuel County, South Dakota: that Article XI, "Zoning Districts" Section 1101. "A" Agricultural District, Section 1101.03. Special Permitted Uses adopted by Ordinance B2022-01, as amended, of the Zoning Ordinance of Deuel County be amended by adding language in bold and underline language:

1. Camper on a lot with or without a principal structure for a specific time period, ~~subject to receiving permission from adjoining landowners~~ **must have permission of sixty-six (66) percent of the adjoining landowners.**

This ordinance shall become effective upon the date of publication of this notice in the official newspaper, thereby repealing all ordinances or parts thereof in conflict herewith unless a referendum in timely involved prior thereto.

1st Reading: November 21, 2023

2nd Reading: December 5, 2023

Adopted: December 5, 2023

Published: December 13, 2023

Effective: January 1, 2024