

ORDINANCE NO. B2022-01-11

#B2022-01-11, 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 XII, "General Requirements," 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:

Section 1248. Essential Services:

Section 1248.01. Applicability.

The requirements of these regulations shall apply to overhead electrical transmission lines with a voltage greater than 345 kV

Section 1248.02 Federal and State Requirements.

Essential Services shall meet or exceed standards and regulations of the South Dakota State Statutes and any other agency of federal or state government with the authority to regulate Essential Services;

Section 1248.03. General Provisions.

1. Setback Requirements

- a. Transmission lines with voltage greater than 345 kV must have a setback of 2,000 feet from any inhabited residence in all Zoning Districts. This includes, but is not limited to, support structures greater than 100 feet tall or the base diameter of 25 feet or wing span of 30 feet.**
- b. Exception: The Board of Adjustment may allow a reduction or waiver of this setback when the applicant obtains the written consent of the owner(s) of the inhabited residence(s) located within the required setback distance.**

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 1101.04 Conditional 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:

12. Essential service ~~;~~ **provided they meet the requirements of Section 1248;**

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 is timely involved prior thereto.

1st Reading: March 3, 2026
2nd Reading: March 17, 2026
Adopted: March 17, 2026
Published: March 25, 2026
Effective: April 14, 2026