

CHAPTER 13 – DESIGNATING LEGAL BOUNDARIES

ARTICLE 4 - AGRICULTURAL DISTRICTS

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Section 13-4-101 Legal boundary descriptions for Agricultural District A.

The NE $\frac{1}{4}$, SE $\frac{1}{4}$, NE $\frac{1}{4}$, Section 17-111-79

The E $\frac{1}{2}$, NE $\frac{1}{4}$, NE $\frac{1}{4}$, Section 17-111-79

The W $\frac{1}{2}$, W $\frac{1}{2}$, W $\frac{1}{2}$, Section 16-111-79, less the west 660 feet of Lot T2

Section 19-111-79, east of Missouri River

Section 20-111-79 less Lot 1, King Addition

Section 21-111-79 less Blocks 1, 2 & 8, Des Moines Addition, lying east of Highway 1804 Right of Way and Lots 1 & 2, Hipple Addition E $\frac{1}{2}$ SW $\frac{1}{4}$

Section 22-111-79 less the SW $\frac{1}{4}$, SW $\frac{1}{4}$ and the S $\frac{1}{2}$, SE $\frac{1}{4}$, SW $\frac{1}{4}$, and the south 140 feet of the NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 22-111-79 and the SE $\frac{1}{4}$, SE $\frac{1}{4}$, Section 22-111-79 south of U.S. Highway 14 and 83, Lot A of Section 22-111-79 and the east 831.5 feet of the SE $\frac{1}{4}$, SE $\frac{1}{4}$, Section 22-111-79 north of U.S. Highway 14 and 83

Section 24-111-79 less the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the S $\frac{1}{2}$ SW $\frac{1}{4}$; and less Lots 10-15, Shamrock Commercial Addition in a portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and in a portion of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, both lying S. of Hwy. 14/83.

NE ¼ of Section 26-111-79 less the S ½, S ½, NE ¼ of Section 26-111-79

NW ¼, Section 25-111-79 less the S ½, S ½, NW ¼, Section 25-111-79, and less the N ½, SE ¼, NW ¼ of Section 25-111-79

N ½, NE ¼, Section 25-111-79

E ½, SE ¼, Section 25-111-79 less the N ½, NE ¼, SE ¼, Section 25-111-79

SE ¼ of Section 35-111-79 less the NE ¼, SE ¼, Section 35-111-79

Section 19-111-78

Section 30-111-78

Section 31-111-78

Section 6-110-78

An area beginning at a point 600 feet north of the northerly right of way line of State Highway 34 and the east line of Section 7-110-78; thence north along the east line of Section 7-110-78 to the north line of Section 7-110-78; thence west along said north line of Section 7-110-78 to the east line of Farm Island View Estates; thence south along the east line of Farm Island View Estates a distance of 1,322.51 feet to the southeast boundary of Lot 9, Farm Island View Estates; thence west along the south boundary of Lot 9 a distance of 241' feet; thence southwesterly along the east boundary of Farm Island View Estates a distance of 377.94 feet to a point 600 feet north of the northerly right of way line of State Highway 34; thence easterly along a line parallel to and 600 feet north of the northerly right of way line of State Highway 34 to the westerly line of Dry Run Tracts 8 through 11, thence northerly along said westerly line of Dry Run Tracts 8 through 11 to the northerly line of Dry Run Tracts 11 and 4; thence easterly along the northerly line of Dry Run Tracts 11 and 4 and along the northerly line of T&G Uecker Tract 1 (includes A.S.A. Outlot 8) to the northeast corner of T&G Uecker Tract 1; thence southerly along the east line of T&G Uecker Tract 1 to the southeast corner of T&G Uecker Tract 1; thence westerly along the south line of T&G Uecker Tract 1 to the easterly line of A.S.A. Outlots 1 through 7; thence southerly along said easterly line of A.S.A. Outlots 1 through 7 to a point 600 feet north of the northerly right of way line of State Highway 34; thence easterly along a line parallel to and 600 feet north of the northerly right of way line of State Highway 34 to the place of beginning.

An area beginning at a point 600 feet north of the northerly right of way line of State Highway 34 and the west line of Lot 3 of Metzinger's 1st Addition in Section 12-110-79; thence north along the west line of Lot 3 of Metzinger's 1st Addition to the north line of Section 12-110-79; thence west along the north line of Section 12-110-79 to a point 600 feet north of the northerly right of way line of State Highway 34; thence easterly along a line parallel to and 600 feet north of the northerly right of way line of State Highway 34 to the place of beginning.

An area beginning at a point 600 feet north of the northerly right of way line of State Highway 34 and the west line of Section 1-110-79; thence easterly along a line parallel to and 600 feet north of the

northerly right of way line of State Highway 34 to the south line of Section 1-110-79; thence east along the south line of Section 1-110-79 to the north-south centerline of Section 1-110-79; thence north along the north-south centerline of Section 1-110-79 to the north line of the SW 1/4, SE 1/4, Section 1-110-79; thence east along the north line of the SW 1/4, SE 1/4, Section 1-110-79 to the east line of the W 1/2, SW 1/4, SE 1/4, Section 1-110-79; thence south along the east line of the W 1/2, SW 1/4, SE 1/4, Section 1-110-79 to the south line of Section 1-110-79; thence east along the south line of Section 1-110-79 to the east line of Section 1-110-79; thence north along said east line of Section 1-110-79 to the south line of the N 1/2, NE 1/4, Section 1-110-79; thence west along said south line to the east line of the NW 1/4, NW 1/4, Section 1-110-79; thence north along the east line of the NW 1/4, NW 1/4, Section 1-110-79 to the north line of Section 1-110-79; thence west along said north line of Section 1-110-79 to the west line of Section 1-110-79; thence south along said west line of Section 1-110-79 to the place of beginning.

An area beginning at the northeast corner of Section 2-110-79; thence south along the east line of Section 2-110-79 to a point 200 feet north of the east-west centerline of Section 2-110-79; thence west along a line 200 feet north and parallel to the east-west centerline of Section 2-110-79 a distance of 440 feet; thence south along a line 440 feet west and parallel to the east line of Section 2-110-79 a distance of 695 feet; thence east along a line 495 feet south and parallel to the east-west centerline of Section 2-110-79 to the east line of Section 2-110-79; thence south along the east line of Section 2-110-79 to the south line of Lot 9; thence west along said south line of Lot 9 to the east line of Lot 12; thence north along the east line of Lot 12 to the north line of Lot 12; thence west along the north line of Lots 11 and 12 to the west line of Lot 11; thence north along the west line of Lot 11 extended to the south line of Tract P; thence west 220 feet to the west line of Tract P; thence north 415 feet along the west line of Tract P to the north line of Tract P; thence east 220 feet along the north line of Tract P to the east line of the SW 1/4 of the NE 1/4 of Section 2-110-79; thence north along the east line of the SW 1/4 of the NE 1/4 of Section 2-110-79 to the northeast corner of the SW 1/4 of the NE 1/4 of Section 2-110-79; thence west along the north line of the SW 1/4 of the NE 1/4 of Section 2-110-79 to the north-south centerline of Section 2-110-79; thence north along said north-south centerline of Section 2-110-79 to the north line of Section 2-110-79; thence east along said north line of Section 2-110-79 to the place of beginning.

Source: Ord. No. 1004; Ord. No. 1061, 1981; Ord. No. 1064, 1981; Ord. No. 1078, 1981; Ord. No. 1138, 1984; Ord. No. 1174, 1986; Ord. No. 1202, 1987; Ord. 1274, 1991; Ord. No. 1305, 1992; Ord. No. 1308, 1992; Ord. No. 1321, 1993; Ord. No. 1325, 1993; Ord. 1355, 1994; Ord. 1358, 1995; Ord. 1367, 1995 ; Ord. No 1406, 1997; Ord. 1419, 1998; Ord. No. 1449, 1999; Ord. No. 1458, 1999; Ord. No. 1463, 1999; Ord. No. 1471, 2000; Ord. No. 1494, 2001; Ord. No. 1519, 2002; Ord. No. 1544, 2004; Ord. No. 1668, 2010; Ord. No. 1787, 2018.

Section 13-4-102 Statement of purpose for Agriculture District A.

The Agricultural District A is designed to preserve agricultural lands from encroachment of incompatible uses and to conserve agricultural resources.

Agricultural use of land becomes a non-conforming use when the land is zoned for other purposes. This ordinance intends that such non-conforming use be allowed to continue, if continuous. The fact that an agricultural use exists and will be allowed to continue to exist if continuous should be considered by

other uses moving into an area.

Section 13-4-103 Principal permitted uses.

The following uses are permitted as the principal use of any parcel of property in the Agricultural District A, except for uses excluded when location in Airport Noise Zone A.

1. Uses directly relating to agricultural production and processing practices including processing of products grown on the premises but exclusive of the following:
 - a) Commercial meat packing, slaughtering, rendering and related activities.
 - b) Commercial animal feed lots with a capacity for more than 400 head of livestock which, however, may be allowed as a conditional use.
2. Farm Feed Lots.
3. Commercial animal feed lots with a maximum capacity of 400 head of livestock.
4. Dwellings and mobile home dwellings for owners and employees, normal farm and ranch structures, and residential accessory uses.
5. Outdoor type recreational enterprises which utilize land resources in their natural state.
6. Riding academies, dude ranches and other farm and ranch type recreational enterprises, golf courses, country clubs, automotive race tracks or driving tracks, golf driving ranges, outdoor theaters and similar commercial recreation enterprises.
7. Veterinary clinics.
8. Recreational facilities owned or operated by government or by charitable or religious organizations.
9. Churches, schools, colleges, rest homes, retirement homes and similar facilities, but to include apartment houses.
10. Facilities necessary for the provision of transportation, communication, water, sewerage, electrical energy, and natural gas pipeline and their necessary appurtenances.
11. Sand and gravel pits.

Source: Ord. No. 1105, 1983.

Section 13-4-104 Accessory uses.

The following uses are permitted as accessory to the principal permitted uses in the Agricultural District A.

1. Facilities common to farm and ranch activities, private swimming pools.
2. Roadside stands for the sale of products grown on the premises.
3. Home occupations.
4. Accessory uses common to all residential districts.

Section 13-4-105 Conditional uses.

The following uses are permitted in the Agricultural District after a find by the Board of Adjustment that their mode of conduct and location will not hinder the enjoyment and use of nearby properties and will not disrupt the appropriate use of land and resources of the county:

1. Commercial feed lots with more than 400 head capacity.
2. Quarters for transient labor.
3. Bituminous hot mix plants, concrete batch plants.
4. Cemetery, crematories, mausoleums.
5. Sanitary landfills operated by the City of Pierre.
6. Commercial crop processing plants.

Section 13-4-106 Certain uses lying in Airport Noise Zones declared incompatible and excluded.

Airport noise zone A is a relatively high noise area best suited for agricultural use or industrial use when a high noise level can be tolerated. Any structural development must meet the criteria for height restrictions as well as compatibility.

The following uses are hereby declared incompatible with the purpose of airport noise zone A and are hereby expressly excluded for any part of this district located in airport noise zone A;

1. All residential dwellings.
2. Auditoriums, concert halls, music shells, and outdoor theaters.

3. Churches, schools, colleges, rest homes, retirement homes, and similar facilities.
4. Hospitals and clinics.
5. Office buildings.
6. Mortuaries, funeral homes and funeral chapels.
7. Industrial and manufacturing establishments or other uses which produce smoke interfering with the safe use of the airport.
8. Any other use which would create electrical interference with radio communications between the airport and aircraft, make it difficult for fliers to distinguish between airport lights and others resulting in glare in the eyes of fliers using the airport, impair visibility in the vicinity of the airport.

Airport noise zone B is ordinarily a relatively lower noise area with no restrictions. Hospitals, churches, auditoriums and such should consider sound control in design of facilities if located in this zone and especially if located in areas of this zone closest to the airport. The reason for the establishment of noise zone B is to notify the general public that such an area is in the established airport noise zones and as such may be subjected to noise pollution.

Section 13-4-107 Space limitations.

The following space limitations shall apply to structures and buildings associated with each principal permitted use, each conditional use and each accessory use, except fences and signs:

1. The minimum size for a farm shall be twenty acres.
2. Minimum front yard (setback): Thirty-five (35) feet measured from property line.
3. Minimum setbacks from State Highway 14, 83, 34, & 1804 right of ways shall be thirty-five (35) feet.
4. Minimum rear yard setback: Fifty (50) feet measured from the property line.
5. Minimum side yard space: Twenty-five (25) feet from the property line.
6. All uses established in this zoning district shall provide parking and loading space off the public right-of-way in sufficient quantity to accommodate the normal activities of such uses.

Section 13-4-108 Performance standards.

The following performance standards shall apply to the uses indicated. They shall be

supplemental to and in addition to other provisions applying to the property:

1. Feed lots, corrals or winter quarters, in which animals are kept at a density of over ten head per acre or where feed bunkers or water are placed so that animals naturally tend to bunch up, or poultry houses, or kennels containing more than three dogs over six months of age, shall not be closer than three hundred (300) feet from any lot line adjoining properties which are used for residential, business, or industrial or recreational purposes. (This paragraph does not intend to discriminate against the above agricultural uses existing prior to the zoning for other purposes.)
2. Such corrals shall maintain drainage so as to avoid excessive concentration of contaminated water and such drainage shall be so arranged that contaminated water does not drain into water courses in such manner that it reaches neighboring properties at a concentration noticeable to normal senses.
3. Adequate fly spray shall be applied to all corral areas during fly season and more often if necessary to control the fly population.
4. All dead animals shall be removed within a reasonable length of time.

Section 13-4-109 to 199, inclusive. Reserved

Sections 13-4-201 to 207, inclusive. Agriculture District B - general provisions.

Section 13-4-201 Legal boundary descriptions for Agriculture District B.

SW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 22-111-79

North 495 feet of the east 440 feet of the NE $\frac{1}{4}$, SE $\frac{1}{4}$, Section 2, T110N, R79W

South 200 feet of the east 440 feet of the SE $\frac{1}{4}$, NE $\frac{1}{4}$, Section 2, T110N, R79W

Lots 1 & 2, Hipple Addition, E $\frac{1}{2}$ SW $\frac{1}{4}$, Section 21-111-79

An area commencing at the northeast corner of Lot 25, Fairway Addition, Section 11-110-79; thence southerly along the east line of the Fairway Addition a distance of 2,545.3' feet to the southeast corner of Lot 14, Fairway Addition; thence westerly along the south boundary of Lot 14, Fairway Addition, a distance of 208' feet to the southwest corner of Lot 14, Fairway Addition; thence southerly along the east right of way line of Fairway Drive a distance of 138' feet; thence westerly along the extended south boundary of Lot 13, Fairway Addition, a distance of 274' feet to the southwest corner of Lot 13, Fairway Addition; thence southerly along the west line of government Lot IV to the U.S. Government Take Line; thence easterly along the U.S. Government Take Line of government Lots IV, I, and II to a point on a line, said line being

parallel to and 330' feet westerly of the east line of government Lot II, Section 12-110-79, said point being 330' feet south of the north line of said government Lot II; thence northerly along a line parallel to the east line of said government Lot II to the southerly right of way line of State Highway 34; thence westerly along said southerly right of way line of State Highway 34 to a line parallel to the east line of Lot 25, Fairway Addition; thence southerly along the parallel line a distance of 207.4' feet to the place of beginning at the NE corner of Lot 25, Fairway Addition, Section 12-110-79.

Source: Ord. No. 1004, 1978; Ord. No. 1254, 1990; Ord. No. 1305, 1992; Ord. No. 1308, 1992; Ord. No. 1342, 1994; Ord. 1393, 1997; Ord. No. 1449, 1999; Ord. No. 1657, 2009;

Section 13-4-202 Statement of purpose for Agriculture District B.

The Agriculture District B is to provide an alternative living environment for persons desiring larger acreage than is practical in a city yet generally less acreage than is necessary for agricultural pursuits. It is intended that this district will provide a minimum of public utilities, services or improvements, and a strictly rural type environment as commonly known in terms of open space, odors, noises, dust and self-sufficiency.

Source: Ord. No. 1004, 1978; Ord. No. 1254, 1990; Ord. No. 1342, 1994.

Section 13-4-203 Principal permitted uses.

The following uses are permitted as the principal use of any parcel of property in the Agricultural District B, except for uses excluded when located in Airport Noise Zone A.

1. Agriculture, including horticulture and the raising of field crops and animal husbandry, poultry farms and kennels under performance conditions. No commercial feed lots shall be allowed.
2. Ranch and farm dwellings and normal farm and ranch buildings.
3. Single family dwellings.
4. Mobile home dwellings.
5. Riding academies, dude ranches and other farm and ranch type recreational enterprises.
6. Golf courses and country clubs but not including automotive race tracks or driving tracks, golf driving ranges (except as included in the operation of a golf course or country club of at least nine holes), outdoor theaters or similar commercial recreation enterprises.

7. Home occupations.
8. Sign not over twelve square feet in area identifying the occupants or the activity engaged in on the premises but not including billboards.
9. Recreational facilities owned or operated by government or by charitable or religious organizations.
10. Churches, schools, colleges, and similar facilities.
11. Facilities necessary for the provision of transportation, communication, water, sewerage, electrical energy, and natural gas pipelines and their appurtenances.

Source: Ord. No. 1004, 1978; Ord. No. 1254, 1990; Ord. No. 1342, 1994.

Section 13-4-204 Accessory uses.

The following uses are permitted as accessory to the principal permitted uses in the Agricultural District B.

1. Facilities common to farm and ranch activities.
2. Living quarters for persons regularly employed on premises, but not including labor camps or dwellings for transient labor.

Source: Ord. No. 1004, 1978; Ord. No. 1254, 1990; Ord. No. 1342, 1994.

Section 13-4-205 Certain uses lying in Airport Noise Zones declared incompatible and excluded.

Airport Noise Zone A is relatively high noise area best suited for agricultural use or industrial use when a high noise level can be tolerated. Any structural development must meet the criteria for height restrictions as well as compatibility.

The following uses are hereby declared incompatible with the purpose of Airport Noise Zone A and are hereby expressly excluded for any part of this district located in Airport Noise Zone A:

1. All residential dwellings.
2. Auditoriums, concert halls, music shells, and outdoor theaters.
3. Churches, schools, colleges, rest homes, and similar facilities.
4. Hospitals and clinics.

5. Office buildings.
6. Mortuaries, funeral homes and funeral chapels.
7. Industrial and manufacturing establishments or other uses which produce smoke interfering with the safe use of the airport.
8. Any other use which would create electrical interference with radio communications between the airport and aircraft, make it difficult for fliers to distinguish between airport lights and others, result in glare in the eyes of fliers using the airport, impair visibility in the vicinity of the airport.

Airport Noise Zone B is ordinarily a relatively low noise area with no restrictions. Hospitals, churches, auditoriums and such should consider sound control in design of facilities if located in this zone and especially if located in areas of this zone closest to the airport. The reason for the establishment of Noise Zone B is to notify the general public that such an area is in the established airport noise zones and as such may be subjected to noise pollution.

Source: Ord. No. 1004, 1978; Ord. No. 1254, 1990; Ord. No. 1342, 1994.

Section 13-4-206 Space limitations.

The following space limitations shall apply to structures and buildings associated with each principal permitted use, and each accessory use, except fences and signs:

Building Height Limit

No building shall exceed two and one-half (2 1/2) stories, or thirty-five (35) feet in height.

Required lot area

Not less than two and one-half (2 1/2) acres.

Percentage of lot coverage

All buildings including accessory buildings shall not cover more than twenty-five (25) percent of the area of the lot.

Yard Required

Each lot shall have front, side and rear yards not less than the depths or widths following:

1. Front Yard Depth: Thirty-five (35) feet.
2. Rear Yard Depth: Fifty (50) feet.

3. Side Yard Depth: Twenty-five (25) feet on each side of the building.
4. Minimum set back from State Highway 14, 83, 34 and 1804 right-of-ways shall be thirty-five (35) feet.

Plat Required

A recorded plat is required prior to issuing a building permit for any building under principal permitted uses and accessory uses.

Source: Ord. No. 1004, 1978; Ord. No. 1254, 1990; Ord. No. 1342, 1994.

Section 13-4-207 Performance standards.

The following performance standards shall apply to the uses indicated. They shall be supplemental to and in addition to other provisions applying to the property:

1. Feed lots, corrals, or winter quarters in which animals are kept at a density of over ten head per acre or where feed bunkers or water are placed so that animals naturally tend to bunch up, or poultry houses, or kennels containing more than three dogs over six months of age, shall not be closer than 300 feet from any line adjoining properties which are used for residential, commercial, manufacturing or recreational purposes.
2. Such feed lots, or corrals, shall maintain drainage, so as to avoid excessive concentration of contaminated water and such drainage shall be so arranged that contaminated water does not drain into watercourses in such a manner that it reaches neighboring properties at a concentration noticeable to normal senses.
3. Manure in such feed lots or corrals shall not be allowed to accumulate to objectionable proportions.
4. Adequate insect spray shall be applied to all of the feeding area during fly season as often as necessary to control the fly population.
5. All dead animals shall be removed within a reasonable length of time.
6. Feed shall be limited to fresh materials and shall not include sour silage, sugar beet pulp, pauch manure, garbage, or other materials which may have a tendency to create objectionable odors.
7. Parking and loading spaces sufficient to meet all reasonable demands for such space shall be provided off the public right-of-way.

Source: Ord. No. 1004, 1978; Ord. No. 1254, 1990; Ord. No. 1342, 1994.

Section 13-4-208 to 299, inclusive. Reserved

Sections 13-4-301 to 307, inclusive. Agriculture District C - general provisions

Section 13-4-301 Legal boundary descriptions for Agriculture District C.

West ½ Section 23-111-79 lying north of U.S. Highway 14 and 83 and the west 727.49' of the NE ¼, Section 23-111-79.

W ½, SW ¼, SE ¼, Section 1-110-79

Commencing at the northeast corner of government Lot IV, Section 11-110-79; thence southerly along the east line of said government Lot IV a distance of 1320 feet to the place of beginning; thence westerly parallel to the north line of said government Lot IV a distance of 660 feet; thence north 67 degrees 30' west to the west line of Fairway Subdivision extended; thence north along said west line of Fairway Subdivision and its extension to the southerly right of way line of State Highway 34; thence easterly along said southerly right of way line of State Highway 34 to the east line of Section 11-110-79; thence south along said east line of Section 11-110-79 to the place of beginning.

Commencing at the northeast corner of government Lot IV, Section 11-110-79; thence southerly along the east line of said government Lot IV a distance of 1320 feet to the place of beginning; thence westerly parallel to the north line of said government Lot IV a distance of 660 feet; thence north 67 30 degrees west to the west line of Fairway Subdivision, extended; thence north along said west line of Fairway Subdivision and its extension to the south property line of Lot 13, Fairway Subdivision; thence east along the south property line of Lot 13, Fairway Subdivision to the east right of way line of Fairway Drive; thence north along the east right of way line of Fairway Drive to the south property line of Lot 14, Fairway Subdivision; thence east along the south property line of Lot 14, Fairway Subdivision to the east property line of Fairway Subdivision; thence north along the east property line of Fairway Subdivision to the north property line of Lot 25, Fairway Subdivision; thence northwesterly along the north property lines of Lots 1 and 25, Fairway Subdivision, and Lot 9, Hillsvie Subdivision, to the east property line of Lot 2, Hillsvie Subdivision; thence north along the east property line of Lots 1 and 2, Hillsvie Subdivision, to the southerly right of way line of State Highway 34; thence easterly along said southerly right of way line of State Highway 34 to the east line of Section 11-110-79; thence south along said east line of Section 11-110-79 to the place of beginning.

Blocks 2 and 3, Thomsen's Subdivision

An area beginning at a point at the intersection of the east line of Section 8-110-78 and the north line of State Highway 34; thence westerly along said northerly right of way line of State Highway 34 to the east line of Block 2, Thomsen's Subdivision; thence north along said east line of Block 2, Thomsen's Subdivision to the north line of Section 12-110-79; thence easterly along the northerly line of Section

12-110-79 and along the northerly line of Section 7-110-78 to the northeast corner of Block 5, Farm Island View Estates; thence south along the east line of Farm Island View Estates to the southeast corner of Lot 9, Block 1, Farm Island View Estates; thence west a distance 240.59 feet along the south line of Lot 9, Block 1, Farm Island View Estates; thence southwesterly along the east line of Lot 8, Block 1, Farm Island View Estates to a point 600 feet north of the northerly right-of-way line of State Highway 34; thence easterly along said line parallel to and 600 feet north of the northerly right of way line of State Highway 34 to the westerly line of Lots 9, 10 and 11, Dry Run Tracts; thence northerly along the westerly line of Lots 9, 10 and 11, Dry Run Tracts to the north line of Lot 11, Dry Run Tracts; thence easterly along said north line of Lots 11 and 4, Dry Run Tracts and along the north line of T&G Uecker Tract 1 (includes A.S.A Outlot 8), to the northeast corner of T&G Uecker Tract 1; thence southerly along the east line of T&G Uecker Tract 1 to the southeast corner of T&G Uecker Tract 1; thence westerly along the south line of T&G Tract 1 to the easterly line of A.S.A. Out-lots 1 through 7; thence southerly along the easterly line of A.S.A. Out-lots 1 through 7 to a line said line being parallel to and 600 feet north of the northerly right of way line of State Highway 34; thence easterly along said line parallel to and 600 feet north of the northerly right of way line of State Highway 34 to the east line of Section 8-110-78; thence south along the east line of Section 8-110-78 to the point of beginning. (This includes Farm Island View Estates in the NW ¼ Section 7-110-78.)

Lot 1, King Addition, in NE ¼, NW ¼, Section 20-111-79

Lots 1-50, Shamrock Addition, NE ¼, Section 23-111-79.

The E ½, E ½, SE ¼, Section 17-111-79 including the east 137.93' of Lot 4 and Lots 1-3, Sunset Meadows Addition.

Lot 3 of Metzinger's 1st Addition, a subdivision of the N ½ N ½ of Section 12-110-79.

Source: Ord. No. 1004, 1978; Ord. No. 1138, 1984; Ord. No. 1202, 1987; Ord. No. 1342, 1994; Ord. No. 1367, 1995; Ord. No. 1412, 1997; Ord. No. 1458, 1999; Ord. No. 1463, 1999; Ord. No. 1471, 2000; Ord. No. 1494, 2001; Ord. No. 1519, 2002; Ord. No. 1544, 2004; Ord. No. 1787, 2018.

Section 13-4-302 Statement of purpose for Agriculture District C.

The Agriculture District C is to provide an alternative living environment for persons desiring larger acreage than is practical in a city yet generally less acreage than is necessary for agricultural pursuits. It is intended that this district will provide a minimum of public utilities, services or improvements, and a strictly rural type environment as commonly known in terms of open space, odors, noises, dust and self sufficiency.

Source: Ord. No. 1004, 1978; Ord. No. 1342, 1994.

Section 13-4-303 Principal permitted uses.

The following uses are permitted as the principal use of any parcel of property in the Agricultural

District C, except for uses excluded when located in Airport Noise Zone A.

1. Agriculture, including horticulture and the raising of field crops and animal husbandry, poultry farms and kennels under performance conditions. No commercial feedlots shall be allowed.
2. Ranch and farm dwellings and normal farm and ranch buildings.
3. Single family dwellings.
4. Mobile home dwellings.
5. Riding academies, dude ranches and other farm and ranch type recreational enterprises.
6. Golf courses and country clubs but not including automotive race traces or driving tracks, golf driving ranges (except as included in the operation of a golf course or country club of at least nine holes), outdoor theaters or similar commercial recreation enterprises.
7. Home occupation.
8. Sign not over twelve square feet in area identifying the occupants or the activity engaged in on the premises but not including billboards.
9. Recreational facilities owned or operated by government or by charitable or religious organizations.
10. Churches, schools, colleges, and similar facilities.
11. Facilities necessary for the provision of transportation, communication, water, sewerage, electrical energy, and natural gas pipelines and their appurtenances.

Source: Ord. No. 1004, 1978; Ord. No. 1342, 1994.

Section 13-4-304 Accessory uses.

The following uses are permitted as accessory to the principal permitted uses in the Agricultural District C.

1. Facilities common to farm and ranch activities.
2. Living quarters for persons regularly employed on premises, but not including labor camps or dwellings for transient labor.

Source: Ord. No. 1004, 1978; Ord. No. 1342, 1994.

Section 13-4-305 Certain uses lying in Airport Noise Zones declared incompatible and excluded.

Airport Noise Zone A is a relatively high noise area best suited for agricultural use or industrial use when a high noise level can be tolerated. Any structural development must meet the criteria for height restrictions as well as compatibility.

The following uses are hereby declared incompatible with the purpose of airport noise zone A and are hereby expressly excluded for any part of this district located in Airport Noise Zone A:

1. All residential dwellings.
2. Auditoriums, concert halls, music shells, and outdoor theaters.
3. Churches, schools, colleges, rest homes, and similar facilities.
4. Hospitals and clinics.
5. Office buildings.
6. Mortuaries, funeral homes and funeral chapels.
7. Industrial and manufacturing establishments or other uses which produce smoke interfering with the safe use of the airport.
8. Any other use which would create electrical interference with radio communications between the airport and aircraft, make it difficult for fliers to distinguish between airport lights and others, result in glare in the eyes of fliers using the airport, impair visibility in the vicinity of the airport.

Airport Noise Zone B is ordinarily a relatively low noise area with no restrictions. Hospitals, churches, auditoriums and such should consider sound control in design of facilities if located in this zone and especially if located in areas of this zone closest to the airport. The reason for the establishment of Noise Zone B is to notify the general public that such an area is in the established airport noise zones and as such may be subjected to noise pollution.

Source: Ord. No. 1004, 1978; Ord. No. 1342, 1994.

Section 13-4-306 Space limitations.

The following space limitations shall apply to structures and buildings associated with each principal permitted use, and each accessory use, except fences and signs:

Building Height Limit

No building shall exceed two and one-half (2 1/2) stories, or thirty-five (35) feet in height.

Required Lot Area

Not less than forty-three thousand five hundred sixty (43,560) square feet (1 acre). Some permitted uses may be required to have a larger amount of land under state of South Dakota regulations governing sewage and waste disposal systems.

Percentage of Lot Coverage

All buildings including accessory buildings shall not cover more than twenty-five (25) percent of the area of the lot.

Yards Required

Each lot shall have front side and rear yards not less than the depths or widths following:

1. Front Yard Depth: Thirty-five (35) feet.
2. Rear Yard Depth: Fifty (50) feet.
3. Side Yard Width: Fifteen (15) feet on each side of the building.
4. Minimum set back from State Highways 14, 83, 34 & 1804 right-of-ways shall be seventy-five (75) feet.

Source: Ord. No. 1004, 1978; Ord. No. 1342, 1994; Ord. No. 1708, 2012.

Section 13-4-307 Performance standards.

The following performance standards shall apply to the uses indicated. They shall be supplemental to and in addition to other provisions applying to the property:

1. Feed lots, corrals, or winter quarters in which animals are kept at a density of over ten head per acre or where feed bunkers or water are placed so that animals naturally tend to bunch up, or poultry houses, or kennels containing more than three dogs over six months of age, shall not be closer than 300 feet from any line adjoining properties which are used for residential, commercial, manufacturing or recreational purposes.
2. Such feed lots, or corrals, shall maintain drainage, so as to avoid excessive concentration of contaminated water and such drainage shall be so arranged that contaminated water does not drain into watercourses in such a manner that it reaches neighboring properties at a concentration noticeable to normal senses.
3. Manure in such feed lots or corrals shall not be allowed to accumulate to objectionable proportions.

4. Adequate insect spray shall be applied to all of the feeding area during fly season as often as necessary to control the fly population.

5. All dead animals shall be removed within a reasonable length of time.

6. Feed shall be limited to fresh materials and shall not include sour silage, sugar beet pulp, paunch manure, garbage, or other materials which may have a tendency to create objectionable odors.

7. Parking and loading spaces sufficient to meet all reasonable demands for such space shall be provided off the public right-of-way.

Source: Ord. No. 1004, 1978; Ord. No. 1342, 1994.

Section 13-4-308 to 399, inclusive. Reserved