***ORDINANCE 2011 - 10***

***SECOND AMENDMENT OF THE PIEDMONT MUNICIPAL CODE TO REVISE THE CITY OF PIEDMONT AGRICULTURAL AND CONSERVATION DISTRICT***

***BE IT ORDAINED BY THE CITY OF PIEDMONT THERE IS HEREBY ADOPTED THE FOLLOWING PROVIDING FOR AN AMENDMENT BY ADDING THE FOLLOWING SECTION***

**TITLE 16:82**

**AG.1 AGRICULTURAL AND CONSERVATION DISTRICT**

**A. DEFINITION:**

This District is intended to protect agricultural lands and to preserve the natural beauty and open character of forested and other natural growth areas from incompatible land uses.

No temporary Merchants

No Temporary structures in association with temporary merchants are permitted in this district.

**B. PERMITTED USES:**

1. Agricultural uses such as general farming, pasture, grazing, horticulture, viticulture, truck farming, forestry, sod farming, and wild crop harvesting, including roadside stands exclusively for the sale of products raised on the premises, but excluding commercial feed lots. All of the above uses shall be conducted on land without residential structures.
2. Transportation and utility easements, utility substations, alley and public R.O.W.’s.
3. Accessory structures which are utilized for short term storage of products or livestock.

**C. USES PERMITTED ON REVIEW:**

1. Uses on review which are agricultural in nature and do not involve the construction of residential structures or are not harmful in nature to the area may be permitted. in accordance with provisions of the Piedmont Municipal Code.
2. Uses on review which are campgrounds temporary in nature, the running of which is not harmful in nature to the area, may be permitted in accordance with provisions of the Piedmont Municipal Code.

**D. AREA REGULATIONS:**

Any structure or use permitted shall be agricultural in nature.

1. Front Yard: All lots in this district shall have a minimum building set back of fifty feet (50’-0”) from any public R.O.W.
2. Side Yard: All lots in this district shall have a minimum building setback of 50”-0” from any adjoin properly line.
3. Rear Yard: All lots in this district shall have a minimum building setback of not less than 50’-0”.
4. Lot Width: All lots used for this zoning designation shall consist of not less than 10 acres.
5. Lot Area: All lots uses for this zoning designation shall consist of not less than 10 acres.
6. Maximum Lot Coverage: All lots in this district shall not have more than 5% of its total area covered by permanent structures.

**E. HEIGHT REGULATIONS:**

No structure shall exceed two and one-half stories or 50 feet in height.

**F. OFF STREET PARKING:**

No off street parking is required for this district.

**G. FLOOD PLAIN REQUIREMENTS:**

Any structure constructed within this district must have its first floor elevation constructed above the base flood elevation stated on the city’s firm map.

**H. RURAL SERVICE DISTRICT:**

All property located within the Agricultural and Conservation District shall be and is hereby classified as “rural property” as that term is defined in SDCL Chapter 9-21A-2 and shall be construed to be a “rural service district” pursuant to SDCL 9-21A. Consistent with SDCL 9-21A-6, the city hereby determines that the tax levy and assessment value on the agricultural land annexed shall not exceed the average tax levy average assessed value on unannexed agricultural property as defined by SDCL Chapter 9-21A as long as the annexed agricultural land remains rural property as defined by SDCL Ch. 9-21A. The City has determined the following property shall be considered the City’s “rural service district:”

1. Lot 1 of the Northeast Quarter of the Northeast Quarter, less Lot A and less Lot B located in Section 15, Township 3 North, Range 6 East of the Black Hills Meridian, Meade County, South Dakota; and

Lot B in Lot 1 in the Northwest Quarter of the Northeast Quarter and in Lot 1 of the Northeast Quarter of the Northeast Quarter of Section 15, Township 3 North, Range 6 East of the Black Hills Meridian, Meade County, South Dakota.

1. Lot 1 of Stagebarn Canyon Acres located in Section 23, Township 3 North, Range 6 East of the Black Hills Meridian, Meade County, SD.
2. NE1/4NW1/4 less platted portions and right of way located in Section 23, Township 3 North, Range 6 East of the Black Hills Meridian, Meade County, SD.
3. Lot 1 of NW1/4NE1/4 located in Section 23, Township 3 North, Range 6 East of the Black Hills Meridian, Meade County, SD.
4. N1/2NE1/4NE1/4 less parcels, NE1/4NW1/4, NW1/4NE1/4 less lot 1 located in Section 26, Township 3 North, Range 6 East of the Black Hills Meridian, Meade County, SD.
5. Lot 1 of the Northwest Quarter of the Northeast Quarter (NW1/4NE1/4), Section 26, Township 3 North, Range 6 East of the Black Hills Meridian, Meade County, South Dakota.
6. North Half of the Northeast Quarter of the Northeast Quarter (N2NE1/4NE1/4) less parcels, Section 26, Township 3 North, Range 6 East of the Black Hills Meridian, Meade County, South Dakota.
7. Northeast of the Northwest (NENW), Section 26, Township 3 North, Range 6 East of the Black Hills Meridian, Meade County, South Dakota.
8. Northwest Quarter of the Northeast Quarter (NW1/4NE1/4), less Lot 1 in Section 26, Township 3 North, Range 6 East of the Black Hills Meridian, Meade County, South Dakota.
9. Lots SC 2, 3, 4, 5, 6, 7, 8 and 9 of Siouxland Estates in Section 26, Township 3 North, Range 6 East of the Black Hills Meridian, Meade County, South Dakota.

Dated this 17th day of January, 2012.

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Philip C. Anderson

Piedmont Board of Trustees

ATTEST:

BY\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

City of Piedmont Finance Officer

(SEAL)

First Reading: December 20, 2011

Second Reading: January 17, 2012

Published January 25, 2012

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