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ORDINANCE NO. 2231-23-406

AN ORDINANCE TO ADD SECTION 23.46.018 TO CHAPTER 23.46 OF TITLE 23 OF ORDINANCE IN REVISION NO. 850, COMMONLY KNOWN AS THE MUNICIPAL CODE OF THE CITY OF HURON, SOUTH DAKOTA, PERTAINING TO ZONING – JOINT JURISDICTIONAL AREA REGULATIONS - R5 MULTIPLE FAMILY RESIDENTIAL DISTRICT.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF HURON, SOUTH DAKOTA:

That Section 23.46.018 of Chapter 23.46 of Title 23 of Ordinance in Revision No. 850 be added to read as follows:

23.46.018 - "R-5" Multiple Family Residential District in the Joint Jurisdiction Area

- A. Permitted principal uses. All uses must meet the required off-street parking requirements as per section 23.36 Off Street Parking and Loading of the City of Huron ordinances. Within any "R-5" multiple family use district, no structure or land shall be used except for one or more of the following uses:
1. Multiple family dwelling structure;
 2. Clinics for human care or nursing facility provided the site shall contain not less than three hundred square feet of lot area for each person to be accommodated;
 3. Offices of general nature.
 4. Funeral homes and mortuaries;
 5. Motels and motor hotels provided the site shall contain not less than six hundred square feet of lot area per rental unit; and
 6. Child care facilities, Class II.
- B. Accessory uses. Within any "R-5" multiple family district, the following uses shall be permitted accessory uses:
1. Accessory Buildings.
- C. Height, lot widths and yard requirements. The following minimum requirements shall be observed:
1. No limit on height of structure;
 2. Front yard shall be twenty-five feet or more;
 3. A side yard shall be one-fourth the height of the building or ten feet, whichever is greater;
 4. A side yard abutting a street shall not be less than twenty feet in width;
 5. Courts (inner or outer) and light wells shall be a minimum width of one-half the sum of the heights of the two tallest abutting wings of the building;
 6. Rear yard shall be twenty-five feet;
 7. Lot area per dwelling unit:
 - (a) If one through two stories, then two times the minimum floor area required,
 - (b) If three through six stories, then one and one-half times the minimum floor area required,
 - (c) If seven stories or more, then one times the minimum floor area required;
 8. In no case may any structure except for fences be constructed in utility easement areas along front, side or rear property lines. A fence shall be required between a multi-family or commercial use if abutting an "R" zone;

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D. Area requirements for dwelling units. Area requirements for dwelling units shall be as follows:

1. Each efficiency apartment shall have not less than four hundred square feet of floor area;
2. Each apartment having one bedroom shall have not less than five hundred square feet of floor area;
3. Each apartment having two bedrooms shall have not less than six hundred square feet of floor area;
4. Any apartment having more than two bedrooms shall have six hundred square feet of floor area plus at least one hundred twenty square feet in addition thereto for each bedroom in excess of two;
5. Floor area shall be that area for exclusive use of the occupant.

Moved by Drew Weinreis, seconded by Rich Bragg to approve the second reading of Ordinance No. 2231-23-406 this 6th day of December, 2021. FOR: Bryan Smith, Drew Weinreis, Rich Bragg, and Gary Harrington. ABSENT: Mark Robish. CARRIED.

Gary Harrington, Mayor

Attest: Pullynn Carey, Finance Director