

ORDINANCE NO. 731

AN ORDINANCE OF THE CITY OF HARTFORD, SD, AMENDING THE 2016 REVISED HARTFORD ZONING REGULATIONS BY AMENDING CHAPTER 6.03, NC: NEIGHBORHOOD COMMERCIAL DISTRICT, LOT AND YARD REGULATIONS; CHAPTER 7.03, CC: COMMUNITY COMMERCIAL DISTRICT, LOT AND YARD REGULATIONS; CHAPTER 8.03, RC: REGIONAL COMMERCIAL DISTRICT, LOT AND YARD REGULATIONS; CHAPTER 9.03, CB: CENTRAL BUSINESS DISTRICT, LOT AND YARD REGULATIONS; CHAPTER 10.03, LI: LIGHT INDUSTRIAL DISTRICT, LOT AND YARD REGULATIONS; CHAPTER 11.03, HI: HEAVY INDUSTRIAL DISTRICT, LOT AND YARD REGULATIONS

BE IT ORDAINED BY THE CITY OF HARTFORD, SD:

Section 1. That Chapter 6.03 of the 2016 Revised Hartford Zoning Regulations is hereby amended to include the following:

All measurements shall be taken from the lot line to the building line (see definitions).

<i>Minimum Lot Area</i>	<i>Lot Width</i>	<i>Front Yard</i>	<i>Side Yard</i>	<i>Rear Yard</i>	<i>Maximum Height</i>
10,000 sq. ft.	100 feet	25 feet see #1, #2, #3, #4	15 feet see #4	30 feet	35 feet

Exceptions

#1 There shall be a required front yard on each street side of a double-frontage lot. There shall be a required front yard on each street side of a corner lot.

#2 One required front yard may be reduced to 20 feet on corner lots. The street upon which the property is addressed must have a front yard setback of 25 feet.

#3 Zero lot line option: Commercial buildings held in common ownership, adjoined by common walls, and located on a single lot shall observe the standard setback rules prescribed above. However, the lot may be subdivided into separate lots upon which individually owned commercial buildings are located if the lots to be created through the subdivision process are individually platted. In such event, the setbacks for the individually platted lots shall be as follows:

- a) Front Yard Setback(s): Zero (0) feet.
- b) Rear Yard Setback(s): Zero (0) feet.
- c) Side Yard Setback(s): Zero (0) feet.

Commercial buildings composed of two (2) or more individually platted lots already utilizing the zero lot line option described above shall not be considered Non-Conforming pursuant to Chapter 14.

This exception only applies if the individually platted lots are surrounded by either: (1) a space commonly owned by the owners of the individually platted lots; (2) a common space surrounding the individually platted lots that is entirely owned by the owner or owners of an individually platted lot; or (3) a common space owned by a third party through which all owners of individually platted lots have applicable access. The common space surrounding the individually platted lots shall meet all applicable requirements found in the Lot and Yard Regulations table above.

#4 See also Adjustment to Yard Regulations (Chapter 13) and Non-Conforming and Non-Standard Uses (Chapter 14) for other specific exceptions.

Section 2. That Chapter 7.03 of the 2016 Revised Hartford Zoning Regulations is hereby amended to include the following:

All measurements shall be taken from the lot line to the building line (see definitions).

<i>Minimum Lot Area</i>	<i>Lot Width</i>	<i>Front Yard</i>	<i>Side Yard</i>	<i>Rear Yard</i>	<i>Maximum Height</i>
10,000 sq. ft.	100 feet	25 feet see #1, #2, #3	15 feet see #3	20 feet	45 feet

Exceptions

#1 There shall be a required front yard on each street side of a double-frontage lot, except if one of the street sides is an interstate highway in which case that side shall be considered a rear yard. There shall be a required front yard on each street side of a corner lot.

#2 Zero lot line option: Commercial buildings held in common ownership, adjoined by common walls, and located on a single lot shall observe the standard setback rules prescribed above. However, the lot may be subdivided into separate lots upon which individually owned commercial buildings are located if the lots to be created through the subdivision process are individually platted. In such event, the setbacks for the individually platted lots shall be as follows:

- a) Front Yard Setback(s): Zero (0) feet.
- b) Rear Yard Setback(s): Zero (0) feet.
- c) Side Yard Setback(s): Zero (0) feet.

Commercial buildings composed of two (2) or more individually platted lots already utilizing the zero lot line option described above shall not be considered Non-Conforming pursuant to Chapter 14.

This exception only applies if the individually platted lots are surrounded by either: (1) a space commonly owned by the owners of the individually platted lots; (2) a common space surrounding the individually platted lots that is entirely owned by the owner or owners of an individually platted lot; or (3) a common space owned by a third party through which all owners of individually platted lots have applicable access. The common space surrounding the individually platted lots shall meet all applicable requirements found in the Lot and Yard Regulations table above.

#3 See also Adjustment to Yard Regulations (Chapter 13) and Non-Conforming and Non-Standard Uses (Chapter 14) for other specific exceptions.

Section 3. That Chapter 8.03 of the 2016 Revised Hartford Zoning Regulations is hereby amended to include the following:

<i>Minimum Lot Area</i>	<i>Lot Width</i>	<i>Front Yard</i>	<i>Side Yard</i>	<i>Rear Yard</i>	<i>Maximum Height</i>
10,000 sq. ft.	150 feet	30 feet see #1, #3, #4	20 feet see #4	20 feet	45 feet see #2

Exceptions

#1 There shall be a required front yard on each street side of a double-frontage lot, except if one of the street sides is an interstate highway in which case that side shall be considered a rear yard. There shall be a required front yard on each street side of a corner lot.

#2 A conditional use permit will be required for any structure having a maximum height exceeding 45 feet. (See 19.01)

#3 Zero lot line option: Commercial buildings held in common ownership, adjoined by common walls, and located on a single lot shall observe the standard setback rules prescribed above. However, the lot may be subdivided into separate lots upon which individually owned commercial buildings are located if the lots to be created through the subdivision process are individually platted. In such event, the setbacks for the individually platted lots shall be as follows:

- a) Front Yard Setback(s): Zero (0) feet.
- b) Rear Yard Setback(s): Zero (0) feet.
- c) Side Yard Setback(s): Zero (0) feet.

Commercial buildings composed of two (2) or more individually platted lots already utilizing the zero lot line option described above shall not be considered Non-Conforming pursuant to Chapter 14.

This exception only applies if the individually platted lots are surrounded by either: (1) a space commonly owned by the owners of the individually platted lots; (2) a common space

surrounding the individually platted lots that is entirely owned by the owner or owners of an individually platted lot; or (3) a common space owned by a third party through which all owners of individually platted lots have applicable access. The common space surrounding the individually platted lots shall meet all applicable requirements found in the Lot and Yard Regulations table above.

#4 See also Adjustment to Yard Regulations (Chapter 13) and Non-Conforming and Non-Standard Uses (Chapter 14) for other specific exceptions.

Section 4. That Chapter 9.03 of the 2016 Revised Hartford Zoning Regulations is hereby amended to include the following:

<i>Minimum Lot Area</i>	<i>Lot Width</i>	<i>Front Yard</i>	<i>Side Yard</i>	<i>Rear Yard</i>	<i>Maximum Height</i>
10,000 sq. ft.	22 feet	Varies see #1, #2, #3, #4	None see #2, #4	Varies see #1	None

#1 The average front and rear yard setback existing on each street shall apply.

#2 No storage units shall be allowed on or abutting Main Avenue. Setbacks on front and side yards abutting streets shall be 7 feet off the property line.

#3 Zero lot line option: Commercial buildings held in common ownership, adjoined by common walls, and located on a single lot shall observe the standard setback rules prescribed above. However, the lot may be subdivided into separate lots upon which individually owned commercial buildings are located if the lots to be created through the subdivision process are individually platted. In such event, the setbacks for the individually platted lots shall be as follows:

- a) Front Yard Setback(s): Zero (0) feet.
- b) Rear Yard Setback(s): Zero (0) feet.
- c) Side Yard Setback(s): Zero (0) feet.

Commercial buildings composed of two (2) or more individually platted lots already utilizing the zero lot line option described above shall not be considered Non-Conforming pursuant to Chapter 14.

This exception only applies if the individually platted lots are surrounded by either: (1) a space commonly owned by the owners of the individually platted lots; (2) a common space surrounding the individually platted lots that is entirely owned by the owner or owners of an individually platted lot; or (3) a common space owned by a third party through which all owners of individually platted lots have applicable access. The common space surrounding the individually platted lots shall meet all applicable requirements found in the Lot and Yard Regulations table above.

#4 See also Adjustment to Yard Regulations (Chapter 13) and Non-Conforming and Non-Standard Uses (Chapter 14) for other specific exceptions.

Section 5. That Chapter 10.03 of the 2016 Revised Hartford Zoning Regulations is hereby amended to include the following:

	Lot Area	Lot Width	Front Yard	Side Yard	Rear Yard	Maximum Height
All Uses	10,000 sq. ft.	75 feet	25 feet see #4, #5, #7	10 feet see #2, #5	5 feet see #3	45 feet see #1

Exceptions

- #1 A conditional use permit will be required for any structure having a maximum height exceeding 45 feet. (see 19.01)
- #2 A side yard of 15 feet shall be required where a lot is adjacent to or abuts a residential district.
- #3 A rear yard of 25 feet shall be required where a lot is adjacent to or abuts a residential district.
- #4 There shall be a required front yard on each street side of a double-frontage lot. There shall be a required front yard on each street side of a corner lot.
- #5 See also Adjustment to Yard Regulations (Chapter 13) and Non-Conforming and Non-Standard Uses (Chapter 14) for other specific exceptions.
- #6 Waste water treatment facilities are exempt from minimum yard or set back requirements.
- #7 Zero lot line option: Commercial buildings held in common ownership, adjoined by common walls, and located on a single lot shall observe the standard setback rules prescribed above. However, the lot may be subdivided into separate lots upon which individually owned commercial buildings are located if the lots to be created through the subdivision process are individually platted. In such event, the setbacks for the individually platted lots shall be as follows:
 - a) Front Yard Setback(s): Zero (0) feet.
 - d) Rear Yard Setback(s): Zero (0) feet.
 - e) Side Yard Setback(s): Zero (0) feet.

Commercial buildings composed of two (2) or more individually platted lots already utilizing the zero lot line option described above shall not be considered Non-Conforming pursuant to Chapter 14.

This exception only applies if the individually platted lots are surrounded by either: (1) a space commonly owned by the owners of the individually platted lots; (2) a common space surrounding the individually platted lots that is entirely owned by the owner or owners of an individually platted lot; or (3) a common space owned by a third party through which all owners of individually platted lots have applicable access. The common space surrounding the individually platted lots shall meet all applicable requirements found in the Lot and Yard Regulations table above.

Section 6. That Chapter 11.03 of the 2016 Revised Hartford Zoning Regulations is hereby amended to include the following:

	Lot Area	Lot Width	Front Yard	Side Yard	Rear Yard	Maximum Height
All Uses	10,000 sq. ft.	NA	25 feet see #4, #5, #6	5 feet see #2, #5	5 feet see #3	55 feet see #1

Exceptions

- #1 A conditional use permit will be required for any structure having a maximum height exceeding 55 feet. (See 19.01)
- #2 A side yard of 20 feet shall be required where a lot is adjacent to or abuts a residential district.
- #3 A rear yard of 25 feet shall be required where a lot is adjacent to or abuts a residential district.
- #4 There shall be a required front yard on each street side of a double-frontage lot. There shall be a required front yard on each street side of a corner lot.
- #5 See also Adjustment to Yard Regulations (Chapter 13) and Non-Conforming and Non-Standard Uses (Chapter 14) for other specific exceptions.
- #6 Zero lot line option: Commercial buildings held in common ownership, adjoined by common walls, and located on a single lot shall observe the standard setback rules prescribed above. However, the lot may be subdivided into separate lots upon which individually owned commercial buildings are located if the lots to be created through the subdivision process are individually platted. In such event, the setbacks for the individually platted lots shall be as follows:

- a) Front Yard Setback(s): Zero (0) feet.

- f) Rear Yard Setback(s): Zero (0) feet.
- g) Side Yard Setback(s): Zero (0) feet.

Commercial buildings composed of two (2) or more individually platted lots already utilizing the zero lot line option described above shall not be considered Non-Conforming pursuant to Chapter 14.

This exception only applies if the individually platted lots are surrounded by either: (1) a space commonly owned by the owners of the individually platted lots; (2) a common space surrounding the individually platted lots that is entirely owned by the owner or owners of an individually platted lot; or (3) a common space owned by a third party through which all owners of individually platted lots have applicable access. The common space surrounding the individually platted lots shall meet all applicable requirements found in the Lot and Yard Regulations table above.

Adopted this 19th day of April, 2022.

Arden Jones, Mayor

ATTEST:

Karen Wiber
Finance Officer, City of Hartford

(Seal)

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