

## **NOTICE OF HEARING**

TO: City of Mitchell Planning Commission, Mayor Bob Everson, City of Mitchell Common Council, and the General Public.

You are hereby notified that the following proposed ordinance will be heard and considered by the City Planning Commission on Monday, January 27, 2020 at 12:00 pm (Noon) and the City Council will consider first reading on Monday, February 3, 2020 at 6:00 pm and second reading and adoption of the ordinance will be held on Tuesday, February 18, 2020 at 6:00 pm. All meetings will be held in the Council Chambers, City Hall, 612 N Main St, Mitchell, South Dakota. All interested parties may attend the public hearings and provide testimony.

### **ORDINANCE NO.**

AN ORDINANCE CHANGING THE DISTRICT CLASSIFICATION OF THE REAL PROPERTY CURRENTLY DESCRIBED AS; Lots D-1 and R-1 in the NW ¼ of Section 23, T 103 N, R 60 W, Platted Various, City of Mitchell, Davison County, South Dakota from (UD) Urban Development District to The Planned Development District known as Ridge View on Foster Planned Development District and Irregular Tract 1 except Lot “NWPS” in the NW ¼ of Section 23, T 103 N, R 60 W, Platted Various, City of Mitchell, Davison County, South Dakota and the North 183 feet of Irregular Tract 2 in the NW ¼ of Section 23, T 103 N, R 60 W, Platted Various, City of Mitchell, Davison County, South Dakota from R4 High Density Residential District to The Planned Development District known as Ridge View on Foster Planned Development District.

The real property herein presently described will be platted and recorded with the Davison County Register of Deeds will be legally described as; Block 1, Block 2, Lots 1 through 19, Block 3, Lots 1 through 8, Block 4; Lots 1 and 2, Block 5, Lots 1 through 12, Block 6; Nagle Lane, Nursia Drive, and Peace Place, All in the Ridge View Foster Addition in the NW ¼ of Section 23, T 103 N, R 60 W of the 5<sup>th</sup> P.M., City of Mitchell, Davison County, South Dakota in which will in its entirety be within the district classification known as The Ridge View on Foster Planned Development District.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA:

Section 1: That the district classification of the real property currently described; Lots D-1 and R-1 in the NW ¼ of Section 23, T 103 N, R 60 W, Platted Various, City of Mitchell, Davison County, South Dakota from (UD) Urban Development District to The Planned Development District known as Ridge View on Foster Planned Development District and Irregular Tract 1 except Lot “NWPS” in the NW ¼ of Section 23, T 103 N, R 60 W, Platted Various, City of Mitchell, Davison County, South Dakota and the North 183 feet of Irregular Tract 2 in the NW ¼ of Section 23, T 103 N, R 60 W, Platted Various, City of Mitchell, Davison County, South Dakota and from R4 High Density Residential District to The Planned Development District known as Ridge View on Foster Planned Development District.

The real property herein presently described will be platted and recorded with the Davison County Register of Deeds will be legally described as; Block 1, Block 2, Lots 1 through 19, Block 3, Lots 1 through 8, Block 4; Lots 1 and 2, Block 5, Lots 1 through 12, Block 6; Nagle Lane, Nursia Drive, and Peace Place, All in Ridge View on Foster Addition in the NW ¼ of Section 23, T 103 N, R 60 W of the 5<sup>th</sup> P.M., City of Mitchell, Davison County, South Dakota in which will in its entirety be within the district classification known as Ridge View on Foster Planned Development District and to be identified by exhibit hereto attached to this ordinance.

- A. Purpose: This Planned Development District is intended for residential opportunities and provide for a variety of densities that provide the efficient and diverse utilization of land. Subareas A and C may provide non-residential activities that will compliment yet have minimum impact on the residential properties located within the district.
- B. Scope: The regulations set forth in this ordinance or elsewhere in the City of Mitchell Municipal Code when referred to in this ordinance are the district regulations that shall be governed within the Ridge View on Foster Planned Development District.

Subarea A. As identified in the exhibit hereto attached to this ordinance:

- A. Permitted Uses:
  - a. Single Family Dwelling
  - b. Multi-Family Dwelling
  - c. Bed & Breakfast
  - d. Lodging House
  - e. Retail Services and Trade within a principal building under 5,000 square feet
  - f. Coffeehouse
  - g. Financial Institutions
  - h. Business Service
  - i. Professional Office Facility
  - j. Private Club
  - k. Personal Health Service
  - l. Personal Service
  - m. Parks and playgrounds
  - n. Open Space
- B. Conditional Uses
  - a. Convenience Store
  - b. Hospice Residential Facility
  - c. Supportive Living
  - d. Indoor Recreational Services
  - e. Home Occupations
  - f. Family Residential Child Care

- C. Accessory Uses:
  - a. Accessory buildings for the permitted and conditional uses
  - b. Home Occupations, unless the criteria set forth in 10-56-2 is not met.
- D. Parking Regulations
  - a. Parking regulations within the Planned Development District shall comply the City of Mitchell Zoning Code
- E. Sign Regulations
  - a. The placement and installations of signs shall comply with Title 9 of the City of Mitchell Municipal Code
- F. Maximum Building Height
  - a. No principal building shall exceed two and one-half stories or 35 feet in height.
  - b. No accessory building shall exceed 20 feet in height
- G. Maximum Coverage
  - a. No more than 70% of the zoning lot area shall be covered with structures on real property intended for residential uses. For non-residential uses, there will be no requirement.
  - b. No accessory building shall exceed 1,250 square feet in area.
- H. Minimum Zoning Lot Area and Width
  - a. The minimum zoning lot area shall not be less than 2,500 square feet and a minimum zoning lot width of 25 feet for structures used only for residential purposes. Non-residential structures or structures including both residential and non-residential uses there will not be a minimum zoning lot area and width requirement.
- I. Minimum Yard Requirements, only applicable for structures used for residential properties exclusively. Not applicable for non-residential or structures housing both residential and non-residential uses.
  - a. Front Yard: 5 feet
  - b. Back Yard: 20 feet
  - c. Side Yard: 3 feet
  - d. Side Yard on a Corner: 15 feet

Subarea B as referenced in the Exhibit hereto attached to this ordinance:

- A. Permitted Uses:
  - a. Single Family Dwellings
  - b. Open Spaces
  - c. Parks and Playgrounds
- B. Conditional Uses:
  - a. Two-family dwellings
  - b. Family Residential Child Care
  - c. Home Occupations

- C. Accessory Uses:
  - a. Accessory buildings for permitted and conditional uses
  - b. Home Occupations, unless the criteria set forth in 10-56-2 is not met.
- D. Parking Regulations
  - a. Parking with the Planned Development District shall comply with the City of Mitchell Zoning Code
- E. Sign Regulations
  - a. The placement and installation of signs shall comply with Title 9, City of Mitchell Municipal Code
- F. Maximum Building Height
  - a. No principal building shall exceed two and one-half stories or 35 feet in height
  - b. No accessory building shall exceed 20 feet in height
- G. Maximum Zoning Lot Coverage
  - a. No more than seventy-five percent (75%) of the zoning lot area shall be covered with structures
  - b. No accessory building shall exceed 1,250 square feet in area
- H. Minimum Yard Requirements
  - a. Front Yard 25 feet
  - b. Back Yard 25 feet
  - c. Side Yard 3 feet
  - d. Side Yard on a corner 15 feet

Subarea C as reference in the exhibit hereto attached to this ordinance:

- A. Permitted Uses:
  - a. Single Family Dwellings
  - b. Open Spaces
  - c. Parks and Playgrounds
- B. Conditional Uses:
  - a. Multi-Family Dwellings
  - b. Childcare center, preschool, nursery
  - c. Family Residential Child Care
  - d. Home Occupations
- C. Accessory Uses:
  - a. Accessory buildings for the permitted and conditional uses
  - b. Home Occupations, unless the criteria set forth in 10-56-2 is not met.
- D. Parking Regulations:
  - a. Parking with the Planned Development shall comply with the City of Mitchell Zoning Code
- E. Sign Regulations:
  - a. The placement and installation of signs shall comply with Title 9, City of Mitchell Municipal Code

- F. Maximum Building Height:
  - a. No principal building shall exceed two and one-half stories or 35 feet in height.
  - b. No accessory building shall exceed 20 feet in height
- G. Maximum Coverage:
  - a. No more than seventy-five percent (75%) of the zoning lot area shall be covered with structures.
  - b. No accessory buildings shall exceed 1,250 square feet in area.
- H. Minimum Yard Requirements:
  - a. Front yard 5 feet
  - b. Back yard 25 feet
  - c. Side yard 3 feet
  - d. Side Yard on a corner 15 feet

Subarea D as reference in the exhibit hereto attached to this ordinance:

- A. Permitted Uses
  - a. Single Family Dwellings
  - b. Multi-Family Dwellings
  - c. Open Spaces
  - d. Parks and Playgrounds
- B. Conditional Uses:
  - a. Family Residential Day Care
  - b. Home Occupations
- C. Accessory Uses:
  - a. Accessory buildings for permitted and conditional uses
  - b. Home Occupations, unless the criteria set forth in 10-56-2 is not met.
- D. Parking Regulations
  - a. Parking within this Planned Development District shall comply with the City of Mitchell Zoning Code.
- E. Sign Regulations:
  - a. The placement and installation of signs shall comply with Title 9, City of Mitchell Municipal Code
- F. Maximum Building Height:
  - a. No principal building shall exceed two and one half stories or 35 feet in height
  - b. No accessory building shall exceed 20 feet in height
- G. Maximum Coverage
  - a. No more than ninety 90% of the zoning lot area shall be covered with structures.
  - b. No accessory building shall exceed 250 square feet in area

H. Minimum Zoning Lot Area and Width

- a. The minimum zoning lot area shall be no less than 5,000 square feet and a minimum zoning lot width of 30 feet

I. Minimum Yard Requirements:

- a. Front yard 10 feet
- b. Back yard 20 feet
- c. Side yard 3 feet for end dwelling structures units, common walls will be required on interior dwelling units.

Supplemental Regulations:

- A. The design standards set forth in the City of Mitchell Municipal Code in regards the installation of paved street improvements may be waived by City Council.

Section 2. That district classifications of the real property described in this ordinance are hereafter to be changed and the official zoning map to reflect the new district classification.

Section 3. The City Finance Officer shall publish notice of this ordinance, and the same shall become effective 20 days after the completed publication thereof, unless the referendum.

Passed and approved this the \_\_\_\_\_ day of \_\_\_\_\_ 2020.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
FINANCE OFFICER

FIRST READING: February 3, 2020  
SECOND READING: February 18, 2020  
ADOPTION: February 18, 2020

Publish three times: January 16 and 23, 2020, February 6, 2020  
Approximate Costs: