

CITY OF HARRISBURG ORDINANCE #2019-21,
TO AMEND THE ZONING REGULATIONS

BE IT ORDAINED by the City Council of the City of Harrisburg as follows:

ARTICLE I – PURPOSE AND JURISDICTION

SECTION 1 – PURPOSE.

Ordinance #2019-21 is an ordinance to amend the Zoning Regulations of the City of Harrisburg. The City Council of the City of Harrisburg has deemed these regulations and controls to be reasonable and reasonably related to the purpose of promoting the health, safety, and general welfare of the City of Harrisburg.

SECTION 2 – JURISDICTION.

This Ordinance shall govern all territory within the statutory jurisdiction of the City of Harrisburg, South Dakota.

SECTION 3 – SEVERABILITY AND SEPARABILITY.

Should any Article, Section, Subsection, or Provision of this Ordinance be found to be or declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of the Ordinance as a whole or any part thereof, other than the portion so declared to be invalid or unconstitutional.

ARTICLE II – AMENDMENTS TO CHAPTER 9.02: ZONING REGULATIONS

A. That Section 2.6 be amended to read:

The Official Zoning Map for the City, dated February 1, 2020, is hereby adopted by reference and declared to be a part of these regulations.

B. That Section 3.8 (General Business District) be amended to move “Vehicle sales or rental establishments” from 3.8.1 Permitted Uses to 3.8.2 Conditional Uses.

C. That Section 3.9 (Light Industrial District) be amended to amended to move “Vehicle sales or rental establishments” from 3.9.1 Permitted Uses to 3.9.2 Conditional Uses.

D. That Section 5.24, Vehicle sales or rental establishments, be amended to revise paragraph K to read as follows and to also add an additional paragraph:

The Commission must approve a site plan for the establishment as part of the CUP approval.

A minimum of five paved parking stalls for customer and employee use, in addition to one parking stall for each vehicle offered for sale

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or rental, must be provided as the minimum off-street parking requirement for the establishment. In cases where the establishment shares a lot or parking area with other business, industrial, or residential establishments or uses, the minimum off-street parking stall requirements for those other establishments or uses cannot be used for the sale or rental of the establishment's vehicles.

BE IT FURTHER ORDAINED by the City Council of the City of Harrisburg that this Ordinance shall become effective in accordance to law.

CITY OF HARRISBURG

ATTEST:

Mayor Julie Burke-Van Luvanee

Finance Officer Mary McClung

(SEAL)

First Reading: December 16, 2019
Second Reading: January 7, 2020
Published: January 16, 2020
Effective: February 6, 2020