

1ST Reading: June 18, 2024
2nd Reading: July 2, 2024
Date Adopted: July 2, 2024
Date Published: July 11, 2024
Date Effective: July 31, 2024

ORDINANCE 2024-05

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

ARTICLE I – PURPOSE AND JURISDICTION

SECTION 1 – PURPOSE.

Ordinance 2024-05 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 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 8.2 be amended to remove the following definition:

Recreation Facility, Commercial- A place designed and equipped for the conduct of sports, leisure-time activities, and other customary and usual recreational activities, either active or passive and operated as a business and open to the public for a fee.

B. That Section 8.2 be amended to add the following definitions:

Recreation Facility, Public- An indoor or outdoor, or any combination thereof, facility designed to provide recreational and/or social activities where the use thereof is open to the public with or without fees.

Recreation Facility, Private- A privately owned or operated facility designed to provide recreational and/or social activities for its users where the use thereof is restricted to the owners or members with or without fees. This definition includes a residential subdivision operated clubhouse, swimming pool, sports court, and similar facilities.

- C. That Section 3.4.1 be amended to add to Permitted Uses:
Use Use-Specific Standards
 Recreation Facility, Private See Section 5.27
- D. That Section 3.5.1 be amended to add to Permitted Uses:
Use Use-Specific Standards
 Recreation Facility, Private See Section 5.27
- E. That Section 3.6.1 be amended to add to Permitted Uses:
Use Use-Specific Standards
 Recreation Facility, Public or Private See Section 5.27
- F. That Section 3.7.1 be amended to add to Permitted Uses:
Use Use-Specific Standards
 Recreation Facility, Public or Private See Section 5.27
- G. That Section 3.8.1 be amended to add to Permitted Uses:
 Recreational Facility, Public or Private
- H. That Section 3.9.1 be amended to add to Permitted Uses:
 Recreational Facility, Public or Private
- I. That Section 5 (Use-Specific Standards) be amended to add Section 5.27 Private Recreation Facilities to read as follows:

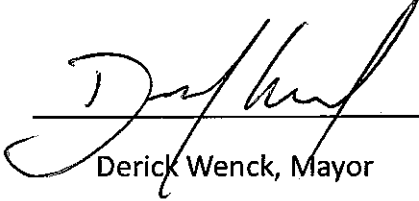
5.27 Private Recreation Facility. Private recreation facilities shall comply with the following standards.

- A. The exteriors of all buildings, including siding and roofing materials, shall match the general aesthetics of the surrounding subdivision. Use of corrugated sheet metal for exterior siding or roofing is prohibited.
- B. All buildings shall meet the minimum setbacks requirements of the zoning district. All park equipment, sports courts, swimming pools, and similar spaces shall be erected no closer than 7' to the side and rear lot lines.
- C. Swimming pools, hot tubs, and spas shall be completely enclosed with a fence, or approved alternative barrier, at least 48" in height. All doors and gates allowing access into the pool area shall be equipped with self-closing and self-latching hardware.
- D. Private recreational facilities shall not be used for dwelling purposes.
- E. All exterior lighting shall be downturned and shielded or shaded to not adversely affect neighboring properties or traffic.

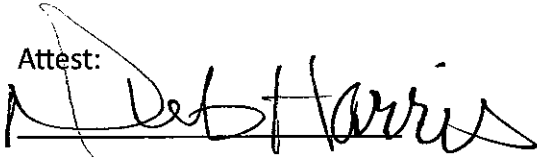
- F. The required number of parking spaces shall conform to the guidelines in Section 4.8. All parking spaces shall be hard surfaced.
- G. All buildings and structures shall be kept neat, orderly, and in good repair. All open spaces shall be maintained with landscaping or grass, except areas paved for driveway or parking.

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

Date Adopted: July 2, 2024


Derick Wenck, Mayor

Attest:



Deb Harris, Finance Officer

