

TITLE 17.07 AGRICULTURAL DISTRICT (AG)

Chapter 17.07 Agricultural District

- 17.0701 Statement of Intent. The intent of the Agricultural District is to protect agricultural lands and lands consisting of natural growth from incompatible land uses in order to preserve land best suited to agricultural uses and land in which the natural environment shall be continued; to limit residential, commercial, and industrial development to those areas where they are best suited for reasons of practicality and service delivery.
- 17.0702 Permitted Principle Uses and Structures. The following principle uses and structures shall be permitted in the Agricultural District:
1. Any form of agriculture including the raising of crops, horticulture, animal husbandry, and poultry husbandry ~~and including commercial feedlots; (see Appendix D)~~
 2. A family farm unit and their normal accessory buildings including mobile homes;
 3. Railroad track right-of-way;
 4. Single-family/two family dwellings and their normal accessory buildings, including mobile homes; and
 5. Home occupations.
- 17.0703 Permitted Accessory Uses and Structures. The following accessory uses and structures shall be permitted in the Agricultural District:
1. Roadside produce stands in conjunction with a bona fide farm operation on the premises;
 2. Artificial lake(s) of three acres or less;
 1. Horticultural endeavors including greenhouses and nurseries; and
 2. Seasonal Fireworks Stands (6-25-08 effective)
- 17.0704 Special Exceptions. After notice and appropriate safeguards, the Board of Adjustment/Planning and Zoning Board may permit the following as special exceptions in the (AG) Agricultural District:
1. Concentrated Animal Feeding Operations (see Appendix D)

2. Fairgrounds, racetracks, and amusement parks;
3. Utility substations;
4. Airports;
5. Golf courses, country clubs and golf driving ranges;
6. Amphitheaters, stadiums, drive-in movies, arenas, and field houses;
7. Go-cart tracks, riding stables, playfields, athletic fields, bowling, swimming pools, and automobile parking;
8. Public parks, public recreational areas, churches, and schools;
9. Operation and maintenance terminal for trucks and other equipment;
10. Sand, gravel, or quarry operation;
10. Sanitary landfill sites in accordance with South Dakota Environmental Protection Agency (EPA) regulations;
11. Cemeteries;
12. Kennels and veterinary operations;
13. Farm-related bulk commodities;
14. Farm-related agriculture business or agricultural processing;
15. Wildlife propagation and game management;
16. Signs, per Title 17.15;
17. High-voltage lines of 343 KV or greater;
18. Hunting Lodges and Bed & Breakfast Inns;
19. Lagoons;
20. Landfills; and
21. Wireless towers. (6-25-08 effective)

- 17.0705 Minimum Lot Requirements. The minimum lot width shall be not less than one hundred fifty (150) feet. The minimum lot area shall be one (1) acre providing the density requirement is met.

In the case of corner lots which do not have reversed frontage, a front yard of the required depth shall be provided in accordance with the prevailing yard pattern and a second front yard of half the depth required generally for front yards in the district shall be provided on the other frontage.

****A plat is required when less than twenty (20) acres are split out of a larger parcel. The plat is then required to be filed with the Director of Equalization according to Title 17.17, Chapters 17.1709 & 17.1710. (Effective 3-07-06)(Updated; effective 11-2-10)*

- 17.0706 Minimum Setback Requirements. All structures shall be set back not less than seventy-five (75) feet from all improved public roads measured from road right-of-way. The minimum side yard and rear yard setback shall each be twenty (20) feet.

- 17.0707 Minimum Shelterbelt Setback. Shelterbelts consisting of one or more rows when parallel to the right-of-way shall be set back in accordance with Appendix C. Replacement trees in existing shelterbelts are exempt from minimum shelterbelt requirements as long as its nonconformance is not increased.

- 17.0708 Approaches. Along all County roads, approaches shall be a minimum of five hundred (500) feet apart. Each side of the road shall constitute a separate road. Before placing or removing any approach the Highway Superintendent must be contacted to see if it is appropriate. Once the Highway Superintendent has been contacted he/she should notify the Zoning Administrator about the approach, for the possible issuance of a building permit, if needed.

- 17.0709 Service Roads. Service roads may be required at the discretion of the Department of Transportation (DOT) and the Planning and Zoning Board.

- 17.0710 Pollution. Upon receiving a formal complaint of pollution caused from animal runoff including, but not limited to, runoff into ditches, into any body of water, or a field not owned by the person or persons causing the pollution, an investigation will be conducted by the Planning and Zoning Board and/or the DENR. If the pollution is caused by a permitted confinement operation, DENR will determine the penalty. If the pollution is caused by a non-permitted confinement operation, the Planning and Zoning Board may require a CAFO permit to be obtained in order to control the pollution and a fine may be assessed to the landowner and/or

the operator. For fine information see Title 17.23, Chapter 17.2302. (6-25-08 effective)

17.0711 Height and Fencing Material Restriction.

(a) No person shall construct, erect or maintain or cause to be constructed, erected or maintained any perimeter fences of any character or material exceeding ten feet in height, unless otherwise permitted or required within this Code. Unslatted chain-link fences and wrought iron fences shall be exempt from the visibility requirements of this section, providing they are kept free of vegetation, debris and any obstacle obscuring vision.

(b) No person may construct, erect, or maintain any electric or electrified fences, nor any fence constructed of barbed wire or concertina wire, nor any fence consisting solely of horizontal metal wires. However, where fences are permitted (whether as of right or as of exception) in this Code, barbed wire or concertina wire may be used atop another fence where (1) the real property on which the fence is installed is zoned commercial, or industrial; and (2) where the barbed wire or concertina wire is at least eight feet above grade