

## **Ordinance #328**

**An ordinance amending Ordinance #261, An ordinance establishing zoning regulations for the Town of Hayti, SD, and amendments thereof, in accordance with the provisions of chapters 11-4 and 11-6, 1967 SDCL, and amendments thereof, and for the repeal of all resolutions and ordinances in conflict herewith.**

BE IT ORDAINED by the City Council of the Town of Hayti, South Dakota that Chapter 2.04 "A" Agricultural District", Section 2.04.03 "Special Permitted Uses" adopted by Ordinance 261, as amended, of the Zoning Ordinance of the Town of Hayti be amended by adding the language in bold and underline:

### **Section 2.04.03 Special Permitted Uses:**

**The following uses and structures shall be permitted Special Permitted Use in the "A" Agricultural District.**

#### **1. Shop-style dwellings (subject to Chapter 4.22)**

BE IT FURTHER ORDAINED by the City Council of the Town of Hayti, South Dakota that Chapter 2.05 "R1" Single Family Residential District, Section 2.065.03 "Special Permitted Uses" adopted by Ordinance 261, as amended, of the Zoning Ordinance of the Town of Hayti be amended by adding the language in bold and underline:

### **Section 2.05.03 Special Permitted Uses:**

**The following uses and structures shall be permitted Special Permitted Use in the "R1" Single Family Residential District.**

#### **1. Shop-style dwelling subject to See Chapter 4.22;**

BE IT FURTHER ORDAINED by the City Council of the Town of Hayti, South Dakota that Article IV "Supplemental Regulations" adopted by Ordinance 261, as amended, of the Zoning Ordinance of the Town of Hayti be amended by adding the language in bold and underline:

### **CHAPTER 4.22 SHOP-STYLE DWELLING STANDARDS.**

**Shop-style dwellings may only be permitted provided the following conditions are met:**

- 1. The construction of shop-style dwellings shall meet the requirements of Chapter 4.12 Permanent Foundations Required for Dwellings;**
- 2. Shop-style dwellings shall have a gross floor area of not less than fifty (50) percent of the structure dedicated to dwelling purposes;**
  - i. Gross area is the sum of the gross horizontal area of all floors of a building measured from the exterior walls, but not including the basement or attic areas not intended for living space.**
- 3. The owner of the building must actively reside in the living area of the structure a minimum of six months a year;**
- 4. The owner of the building may not lease any or all portion of the building to any other person;**
- 5. The storage/garage area must be completely within the enclosed building;**
- 6. There must be separate outside entrances for the living area and storage/garage area;**
- 7. The separation wall between the storage/garage and living area shall be 5/8 inch fire-code drywall;**

- 8. The living area must include a full kitchen, living area, full bathroom, at least one bedroom and laundry facilities;
- 9. Shop-style dwellings do not include structures with corrugated steel siding.
- 10. Shop-style dwellings shall include more than one roof-line.
- 11. Shop-style dwellings are required to obtain written consent of one hundred (100) percent of property owners owning property immediately adjacent (excluding streets and alleys) to the proposed building site and of fifty (50) percent of the property owners within two hundred fifty (250) feet (excluding streets and alleys) of said proposed shop-style dwelling property line.
- 12. Figures 4.22.5.a and 4.22.5.b (below) includes examples of dwellings which may meet the definition of "Shop-style dwellings" and the conditions of Chapter 4.22:

Figure 4.22.5.a

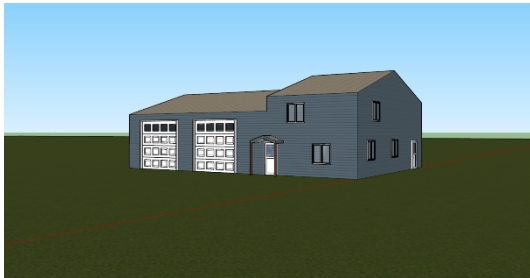


Figure 4.22.5.b



- 12. Figure 4.22.6.a and 4.22.6.b (below) includes examples of dwellings that either do not meet the definition of "Shop-style dwellings" or they do not meet all of the requirements of Chapter 4.22:

Figure 4.22.6.a



Figure 4.22.6.b



Adopted this \_\_\_\_ day of \_\_\_\_\_, 2023.

ATTEST:

\_\_\_\_\_  
 Chairperson  
 Town of Hayti

\_\_\_\_\_  
 Hayti Finance Officer

1<sup>st</sup> Reading : July 12, 2023  
 2<sup>nd</sup> Reading: July 19, 2023  
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