

**CITY OF FREEMAN  
ORDINANCE No. 2021-10**

**AN ORDINANCE AMENDING: Article 2, Section 203; Article 4, Sections 407 and 411; and Article 5, Sections 507 and 511 of “The Official Zoning Ordinance of the City of Freeman, Hutchinson County, South Dakota”:**

**BE IT ORDAINED BY THE CITY OF FREEMAN, SOUTH DAKOTA, THAT THE FOLLOWING SECTIONS OF THE OFFICIAL ZONING ORDINANCE OF THE CITY OF FREEMAN, HUTCHINSON COUNTY, SOUTH DAKOTA, AS SET FORTH IN APPENDIX A OF TITLE 17 – ZONING, of the MUNICIPAL ORDINANCES FOR THE CITY OF FREEMAN SOUTH DAKOTA, ARE HEREBY AMENDED AS FOLLOWS:**

Article 2 Section 203 Terms is amended to add the following definition:

**“Motor Vehicle – As such term is used in these zoning regulations: Any vehicle that can be licensed by the State of South Dakota for use on public highways, or any vehicle that, in its original form, could be licensed to be used on public highways.”**

Article 4 Section 407 Conditional Uses is amended, so as to add an additional conditional use:

**“Parking over the allowed specified motor-vehicles, major recreational equipment and other non-licensable equipment.”**

Article 5 Section 507 Conditional Uses is amended, so as to add an additional conditional use:

**“Parking over the allowed specified motor-vehicles, major recreational equipment and other non-licensable equipment.”**

Article 4 Section 411 (R-1) Prohibited Uses and Structures is amended to read as follows:

**“Front Yard Parking: Parking in the front yard is limited to 24 hours. To be used only for construction, loading/unloading and snow removal.**

**Side Yard Parking: Side yard parking must maintain the required side-setback and the parking stall shall consist of asphalt, cement, crushed-rock, or gravel and meet the stall size specified in Article 13 of the Freeman Zoning Ordinance. Side yard parking may not exceed one licensed motor-vehicle, major recreation equipment or licensed trailer. Temporary parking is limited to 24 hours; To be used for construction, loading/unloading and snow removal no; permanent stall is required.**

**Rear Yard Parking: Rear yard parking must maintain the required side and rear yard setback; no permanent stall is required. Parking is restricted to two motor-**

vehicles and two trailers the maximum numbers include major recreation equipment and other non-licensable equipment.

**Right-of-way Parking:** Right-of-Way parking is allowed by licensed vehicles only and must be completely off the roadway. At no time is parking allowed in the ‘visibility triangle’, as that term is defined by the Freeman City Ordinances.

**Commercial Vehicle Parking:** At no time may a commercial vehicle rated over 6.75-ton GVWR capacity be parked permanently in the front, side, rear, or right-of-way.

The parking restrictions set forth herein, do not apply to improved parking stalls which are in existence as of July 1, 2021. All uses and structures which are not specifically permitted as principal, accessory, or conditional uses or approved as such within the provisions of Sections 403, 405 or 407 are prohibited.”

Article 5 Section 511 (R-2) Prohibited Uses and Structures is amended to read as follows:

**“Front Yard Parking:** Parking in the front yard is limited to 24 hours. To be used only for construction, loading/unloading and snow removal.

**Side Yard Parking:** Side yard parking must maintain the required side-setback and the parking stall shall consist of asphalt, cement, crushed-rock, or gravel and meet the stall size specified in Article 13 of the Freeman Zoning Ordinance. Side yard parking may not exceed one licensed motor-vehicle, major recreation equipment or licensed trailer. Temporary parking is limited to 24 hours; To be used for construction, loading/unloading and snow removal no; permanent stall is required.

**Rear Yard Parking:** Rear yard parking must maintain the required side and rear yard setback; no permanent stall is required. Parking is restricted to two motor-vehicles and two trailers the maximum numbers include major recreation equipment and other non-licensable equipment.

**Right-of-way Parking:** Right-of-Way parking is allowed by licensed vehicles only and must be completely off the roadway. At no time is parking allowed in the ‘visibility triangle’, as that term is defined by the Freeman City Ordinances.

**Commercial Vehicle Parking:** At no time may a commercial vehicle rated over 6.75-ton GVWR capacity be parked permanently in the front, side, rear, or right-of-way.

The parking restrictions set forth herein, do not apply to improved parking stalls which are in existence as of July 1, 2021. All uses and structures which are not specifically permitted as principal, accessory, or conditional uses or approved as such within the provisions of Sections 503, 505 or 507 are prohibited.”

Dated this 8<sup>th</sup> day of July, 2021.

First Reading: June 15, 2021

Second Reading and Adoption: July 26, 2021

Ayes: \_\_\_\_ Nays: \_\_\_\_ Absent: \_\_\_\_

Publication: August 5, 2021

Effective Date: August 25, 2021

Signed By: \_\_\_\_\_

Mayor

ATTEST:

\_\_\_\_\_  
City Finance Officer

(SEAL)