

**SUBDIVISION OF LAND, DEVELOPMENT, AND IMPROVEMENTS  
MEADE COUNTY ORDINANCE 20**

**REVISED: MAY 2022**

**AN ORDINANCE OF MEADE COUNTY, SOUTH DAKOTA PROVIDING REGULATIONS FOR THE  
SUBDIVISION OF LAND, DEVELOPMENT, AND IMPROVEMENTS. THIS REVISION REPLACES ALL  
PREVIOUS REVISIONS OF ORDINANCE 20**

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# MEADE COUNTY ORDINANCE 20

AN ORDINANCE OF MEADE COUNTY, SOUTH DAKOTA PROVIDING REGULATIONS FOR THE SUBDIVISION OF LAND, DEVELOPMENT, AND IMPROVEMENTS. THIS REVISION REPLACES ORDINANCE 6 AND AMENDS ORDINANCE 20. THE GOVERNING BODY OF MEADE COUNTY DOES ORDAIN AS FOLLOWS

## ARTICLE 1. GENERAL PROVISIONS

### 1.1 AUTHORITY

Pursuant to the authority granted by 1967 SDCL 11-2 as amended; the following regulations are hereby adopted by the County Commissioners of Meade County, South Dakota.

### 1.2 PURPOSE

It is the purpose of this Ordinance to promote the safety, health, convenience and general welfare; to encourage the use of lands and natural resources in the County in accordance with their character, adaptability, and suitability for particular purposes; to conserve economic stability and property values; to facilitate adequate provision for street and roadways, sewerage and drainage, water supply and distribution, educational and other public resources, by establishing herein requirements for community development in accordance with these objectives and by providing for the enforcement of such requirements.

These regulations are adopted to help provide for the harmonious development of the County and its environments; for the coordination of streets within subdivisions with other existing or planned streets; for adequate open spaces for traffic, recreation, light and air; and for distribution of population and traffic which will tend to create conditions favorable to health, safety, and convenience through the provisions for an adequate scale of streets or roads, sanitation, water, utility and other improvements as land is subdivided.

### 1.3 JURISDICTION

These regulations shall govern all subdivisions of land under the jurisdiction of the County of Meade. Subdivisions governed are hereinafter defined under Article II.

## ARTICLE 2. DEFINITIONS

**ABANDONED DWELLINGS:** Any abandoned dwelling or building that is determined to be uninhabitable or structurally unsound based on the International Building Code must be demolished or removed within 90 days of a Notice of Violation from the Department of Equalization & Planning. (This does not apply to Registered Historical Buildings or Agricultural properties of 73 acres or more).

**ACCELERATION LANE:** A speed change lane, including taper, for the purpose of enabling a vehicle entering a roadway to increase its speed to a rate at which it can safely merge with through traffic.

**ADVANCED TREATMENT UNIT WASTEWATER SYSTEM (ATU):** Small biological treatment systems used to treat wastewater to a higher degree than a traditional septic system.

**ALLEY:** A minor public way having a narrow ROW and affording a secondary means of access to abutting properties.

**APARTMENT COMPLEX:** A set of buildings containing multiple apartments and ancillary functions, (as a development).

**AUDITOR:** The duly elected auditor of Meade County, South Dakota.

**BOND (Performance):** A guarantee for the completion of construction of any and all infrastructure necessary to meet the requirements set forth in this subdivision ordinance. Such guarantee may be in the form of a surety bond, certificate of deposit, cashier's check, irrevocable letter of credit, or cash to be held by the Meade County Treasurer.

**BUILDING AREA:** The contiguous space remaining on a lot or tract devoted to structures and an on-site wastewater system and compliance with the required setbacks, all easements, and Right-Of-Ways.

**BUILDING CODE:** Meade County implemented the most current edition of the International Building Code, including Appendix C and Appendix I and the most current edition of the International Residential Code, as published by the International Code Council Inc., and amendments and additions thereto as through and within Ordinance 34.

**BUILDING PERMIT:** Refer to Ordinance 34.

**BUILDING INSPECTIONS:** Refer to Ordinance 34.

**BUILDING ENVELOPE:** The area inside a platted lot showing all required setbacks designated for a building.

**BUSINESS CORE AREA:** An area within a *Commercial* subdivision that provides the public with convenient centralized business services proximate to ample parking. These services may include but are not limited to the following: retail stores, municipal or utility offices, restaurants – both walk in and drive up, medical services, office and professional, banks or credit unions, financial services, accounting, real estate, department stores, and strip malls.

**CAPACITY PLAN:** The plans for both the community water system and wastewater disposal systems. The plans must show the technical, managerial, and the financial capacity of the systems. Technical capacity shall show the functionality of design. Managerial shows staff needed and operation requirements. Financial capacity shows the ability to acquire and manage sufficient financial resources to allow the system to achieve and maintain SDDANR compliance.

**CARETAKER RESIDENCE:** A single-family residential unit or dwelling, placed on a commercial lot larger than three acres, for the sole purpose of overseeing and/or caring for a licensed campground or mobile home park.

**CENTRAL SEWER:** Refer to Ordinance 33

**CENTRALIZED PRIVATE WATER SYSTEM:** Shall be defined as a system serving potable water for 2-14 separately platted lots and less than 25 individuals; Refer to Ordinance 33.

**CMP:** Corrugated Metal Pipe (used mainly for culverts)

**CRP:** Concrete Reinforced Pipe (used mainly for culverts)

**COMMUNITY WATER SYSTEM:** (CWS) A system for the provision to the community/public of water for human consumption through pipes or other constructed conveyances. Such system must be designed for at least 15 service connections or regularly serve of at least 25 individuals. It shall be considered a CWS and must meet the 1996 EPA Safe Drinking Water Act. (May also be referred to as central water system; refer to Ordinance 33)

**COMMERCIAL LOT:** A lot for commercial use only.

**COMMISSION:** Elected Commissioners (or governing body), that govern Meade County, SD.

**CONDOMINIUM:** A multiple-family dwelling in which the individual dwelling units are owned separately, while the lot they occupy along with other common grounds is owned jointly or by a third party.

**CONVENTIONAL ON-SITE WASTEWATER TREATMENT SYSTEM:** A treatment system composed of a septic tank followed by an absorption system.

**CORNER LOT:** A lot of which at least two adjoining sides abut for their full lengths on a street, providing that the interior angle at the intersection of the two such sides is less than 135 degrees.

**COVERAGE:** The lot area covered or occupied by all buildings located therein, including the area covered by all roof overhangs.

**DECELERATION LANE:** A speed changing lane, including taper, for the purpose of enabling a vehicle to leave the through traffic lane at a speed equal to or slightly less than the speed of traffic in the through lane and to decelerate to a stop or to execute a slow speed turn.

**DEDICATED PUBLIC RIGHT-OF-WAY (ROW):** Property set aside for public use without compensation. Primarily used to accommodate motorized and non-motorized transportation, parking, or utilities.

**DEFENSIBLE SPACE:** Lots or tracts in Mountainous Subdivisions must have at least 100' of space surrounding any structure that is Lean, Clean and Green. The objective of Defensible Space is to reduce the wildfire threat within the wildland/urban interface (WUI) to any structure by changing the characteristics of the surrounding vegetation.

- Lean – Cut back tree branches, within 15' of a chimney.
- Clean – Remove all dead plant material from around the structure; this includes dead leaves, dry grass and even stacked firewood.
- Green – Plant fire-resistant vegetation that is healthy and green throughout the year. Large, leafy, hardwood trees should be pruned so that the lowest branches are at least 8-10' high to prevent a fire on the ground from spreading up to the treetops. Within the defensible space, remove and do not plant flammable plants that contain resins, oils and wax that burn readily: ornamental junipers, yaupon holly, red cedar, and young pine. A basal density of 70 trees per acre must be maintained within a 200' radius of any structure

**SDDANR:** South Dakota Department of Agriculture and Natural Resources

**DESIGNATED FLOOD ZONE** – A mapped floodway either by FEMA or by an engineered study.

**DEVELOPMENTAL LOT:** Two or more lots or portions of lots with continuous frontage in single ownership of record prior to March 21, 1980 where all or part of the lots do not meet the requirements established for lot width and area, which for the purposes of this Ordinance shall be considered to be an undivided lot.

**DOUBLE FRONTAGE LOT:** A lot which runs through a block from street to street excluding the side dimension of a corner lot.

**DRAINAGE PLAN:** A plan showing existing and/or proposed drainage and flow direction.

**DRAINAGE STUDY:** A technical study showing drainage management throughout the subdivision including engineering calculations for sizing culverts including stormwater retention (if applicable) which must show pre-development and post-development flows and technical information on how the stormwater runoff will be metered to reach pre-development conditions. (See Ordinance 52).

**DWELLING:** A building or portion thereof used for residential purposes (may also be referred to as a residence).

**DWELLING UNIT:** One or more rooms and a single kitchen with a bathroom designed as a unit for occupancy by only one family for cooking, living and sleeping purposes; (may also be referred to as "single family residence").

**EASEMENT:** A right to land generally established in a real estate document or on a recorded plat to permit the use of land by the public, a corporation, utility company, or a particular person(s) for specified uses.

**ENGINEER:** South Dakota state licensed professional engineer.

**EQUALIZATION & PLANNING OFFICE:** Meade County Equalization and Planning Director or his/her assignees.

**EROSION CONTROL AND SEEDING:** Refer to Ordinance 10.

**FAMILY CARE UNIT:** A temporary single-family residence used exclusively for the housing of a family member in need of care.

**FINAL PLAT:** A plat of a tract of land which meets the requirements of these regulations and is in form for recording in the office of the Register of Deeds.

**FLOODPLAIN:** The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than 1' (see Meade Co. Flood Damage Prevention Ordinance 9).

**FRONT LOT LINE:** The line separating said lot from the street.

**FUEL BREAK:** A strategically located strip or block of land varying in width, on which some vegetation has been modified to reduce the rate of fire spread to provide a safe place for fire fighters to work and where fires may be more readily controlled. A fuel break usually provides all wheel drive access and an advantageous area for quickly and safely constructing and manning a fire line.

**GEOTECHNICAL REPORT:** An assessment of the existing geological conditions of a site. Must be completed by a South Dakota Licensed Geotechnical Engineer.

**GOVERNING BODY:** The duly elected officials of a corporate political entity (Commission or County Commissioners), to whom authority is given to make, adopt, and amend subdivision regulations.

**HEALTH DEPARTMENT:** South Dakota Department of Health

**HEIGHT:** The vertical distance from the highest point on a structure, excepting any chimney or antenna on a building, to the average ground level of the grade where the walls or other structural elements intersect the ground.

**IN-LAW SUITE:** Refer to Ordinance 34

**INTERNATIONAL FIRE CODE:** Meade County has accepted the most current version of the International Fire Code to be the compliant standard along with the applicable South Dakota State Statutes and Administrative Rules which are applied throughout all the unincorporated boundary of Meade County.

**LOT:** A platted parcel of land that is or may be occupied by a single principal structure and accessory buildings, which may be intended for transfer of ownership or building development.

**LOT AREA:** The total horizontal area included within the lot lines.

**LOT DEPTH:** The average distance from the street line of the lot to its rear line, measured in the general direction of the sidelines of the lot.

**LOT LINES:** The lines bounding a lot as defined herein.

**LOT WIDTH:** The width of a lot at the building setback line measured at right angles to its depth.

**MAJOR ROAD PLAN:** Refer to Meade County Transportation Plan.

**MASTER PLAN:** A plan showing all provisional platting and future platting of any subdivision and indicating the proposed designated uses.

- An approved Master Plan shall provide a detailed plan showing the following (if applicable):
  - Lot layout, showing proposed lot lines.
  - Parking and traffic lanes (streets, roads, deceleration, and left turn lanes), showing ample parking for density.
  - Pedestrian walkways and/or sidewalks to allow access from parking area including ADA requirements.
  - Any other amenities including lighting, signage, monuments, landscaping or greenways, courtyards, or special pedestrian features.
  - Each subdivision type must be clearly labeled.
  - Location and utilization of centralized systems and all other proposed utilities.

**MATERIAL SAFETY DATA SHEET (MSDS):** A form containing data regarding the properties of a particular substance. An important component of product stewardship and workplace safety, it is intended to provide workers and emergency personnel with procedures for handling or working with that substance in a safe manner, and includes information such as physical data (melting point, boiling point, flash point, etc.), toxicity, health effects, first aid, reactivity, storage, disposal, protective equipment, and spill handling procedures.

**MEADE COUNTY COMPREHENSIVE PLAN:** Any legal part or element of the Comprehensive Plan of the County of Meade. This may include but is not limited to Subdivision Ordinance, Flood Ordinance, Community Facilities Plan, Capital Improvements Program, Land Use Plan, Commercial District, Hazard Mitigation Plan, and Industrial District.

**MINOR PLATS:** Minor plats are defined as three platted lots or less.

**MOBILE HOME/MANUFACTURED HOUSING:** A moveable or portable unit, designed and constructed to be towed and temporarily or permanently based on its chassis (comprised of frame and wheels), and designed to be connected to utilities for year-round occupancy. The term shall include: (a) units containing parts that may be folded, collapsed or telescoped when being towed and that may be expanded to provide additional cubic capacity and (b) units composed of two or more separately towable components designed to be joined into one integral unit capable of being separated again into components for repeated towing. The terms shall include units to be used for residential, commercial, educational or industrial purposes, excluding recreational vehicles. Such manufactured housing has a steel undercarriage as a necessary structural component.

**MOBILE HOME PARK:** Any parcel of land platted or designed whereupon two or more mobile or manufactured homes as herein defined that are or intended to be placed, located or maintained including all accessory buildings used or intended to be used as part of the equipment thereof. In the mobile home park, all land is intended to be held in common ownership, with individual mobile home spaces rented to residents.

**MOBILE HOME SPACE:** A plot of ground within a mobile home park which is designed as the location for one mobile home and any customary accessory use thereof.

**MOBILE HOME SUBDIVISION:** Any parcel of land, subdivided according to Meade County's Subdivision Ordinances, which has been permitted to locate mobile homes. The mobile home subdivision is intended to be an area where lots are sold to individual mobile homeowners. Mobile home subdivisions are subject to all restrictions of the district in which they are located.

**MODULAR HOUSING:** A factory produced residential housing structure transported to the building site. Such homes must meet local building codes and may be transported on a steel undercarriage. The undercarriage is not a necessary structural component and can be removed so the structure can be placed

on a foundation.

**MOUNTAINOUS SUBDIVISIONS:** Subdivisions located within the unincorporated boundary of Meade County, South Dakota which have contours for any given cross section of the subdivisions which indicate an average cross slope greater than 10%.

**MULTIPLE DWELLING:** A structure designed or used for residential occupancy by two or more families living independently of each other.

**MULTI-RESIDENTIAL STRUCTURES:** Includes condominiums, duplexes, townhomes, (and similar) and apartment buildings.

**OCCUPIED DWELLINGS:** No dwelling can be occupied or lived in without an approved Water System or Well and an approved On-Site Wastewater System or connected to an SDDANR approved and functional Central Wastewater System, within the unincorporated boundary of Meade County in accordance with Ordinance 33.

**ORDINANCE 9:** Regulation for Flood Damage Prevention ordinance.

**ORDINANCE 10:** Meade County Roads, Streets and Highway Systems ordinance.

**ORDINANCE 24:** Signs and Billboards ordinance.

**ORDINANCE 33:** Wastewater Treatment and Water Systems ordinance.

**ORDINANCE 34:** Building Code and Construction Enforcement ordinance.

**ORDINANCE 52:** Meade County Storm Water Management and Water Quality ordinance.

**OWNER'S SURVEYOR OR ENGINEER:** The registered Land Surveyor or the Civil Engineer registered and in good standing with the State Board of Registration of South Dakota who is the agent of the owner of land which is proposed to be subdivided or which is in the process of being subdivided.

**PARKING LOT:** An off-street facility including parking spaces along with adequate provision for drives and aisles for maneuvering and giving access and for entrance and exit, all laid out in a way to be usable for the parking of more than three automobiles. There must be one space that is in compliance with the American Disability Act; 28 CFR; Part 36. See requirements in Appendix "A".

**PARKING SPACE:** An off-street space available for the parking of one motor vehicle and having an area of not less than 200 SF nor less than 10' wide by 20' long, exclusive of passageways and driveways appurtenant thereto and giving access thereto and having direct access to a street or ROW, or per the American Disability Act; 28 CFR; Part 26 referenced above.

**PLANNING BOARD:** The Planning Commissioners appointed by the Commission (governing body) for Meade County, South Dakota.

**PRELIMINARY PLAT:** The map or maps of a proposed subdivision and specified supporting materials, drawn and submitted in accordance with the requirements of this Ordinance, to permit the evaluation of the proposal prior to detailed engineering and design.

**PRIMARY ROAD** – The main ingress/egress road into a subdivision that intersects an existing established public road or established county section line road that has been improved to county technical standards which are referenced in Ordinance 10, being the main egress/ingress into a subdivision.

**PRIVATE ACCESS EASEMENT:** A legal or equitable right acquired by the owner of one piece of land (the dominant estate) for private access over another's land (the servient estate); refer to Ordinance 10.



**PUBLIC UTILITIES:** Definition of "public utility". As used in §§ 49-34-11.1 to 49-34-11.4, inclusive, the term "public utility" means a corporation, its lessees, its trustees and receivers, operating, maintaining or controlling in this state after July 1, 1967, equipment or facilities for the production, generation, transmission or distribution at retail of gas or electric service for the public and in the transmission and distribution using, or having a right to use, public roads, streets, alleys, or other public ways for the purpose of constructing, using, operating or maintaining wires, pipes, conduits or other facilities, which corporation is organized under the provisions of chapter 49-33 or is qualified in accordance with the provisions of §§ 47-1A-1501 to 47-1A-1532, inclusive, as a foreign corporation authorized to transact business in this state.

**PUBLIC WATER SYSTEM:** (PWS) is a system for the provision to the public of water for human consumption through pipes or other constructed conveyances. Such system must be designed for 15 or more service connections (one per platted lot) or regularly serve at least 25 individuals, it shall be considered a PWS and must meet the 1996 EPA Safe Drinking Water Act; refer to Ordinance 33.

**REGISTER OF DEEDS:** The duly elected or appointed Register of Deeds of Meade County, South Dakota.

**RESIDENTIAL DWELLING:** A single-family residence containing one or more rooms, a kitchen with at least one bathroom designed for cooking, living and sleeping purposes; (may also be referred to as "single family residence").

**RURAL WATER SYSTEM:** Large-scale, non-profit water systems designed to transport water for human consumption through pipes or other constructed conveyances that tend to be more centralized than Community Water Systems and Private Water Systems, often serving multiple communities or subdivisions.

**SALVAGE YARD:** Any tract of land, establishment or place which is used for storing, keeping, buying or selling wrecked, scrapped, ruined, or dismantled motor vehicles, motor vehicle parts or junk upon which three or more such motor vehicles, which cannot be operated under their own power, which are not being restored to operable condition, and which are kept or stored for a period of 30 days or more.

- *Junked motor vehicle:* a motor vehicle that does not display a current license plate and either:
  - Is partially dismantled or wrecked; or
  - Cannot be self-propelled or moved in the manner in which it originally was intended to move; or
  - Is more than five years old and appears to be worth less than \$500.00
  - Exception for hobby re-builder/restorers or mechanics that have a variance for a home business.

**SEPTIC TANK AND SEPTIC SYSTEMS:** Refer to Ordinance 33.

**SETBACK:** The required distance between every structure and any lot line on the lot on which it is located.

**SIDE LOT LINE:** Any lot line which meets the end of a front lot line or any other lot line.

**SKETCH PLAN:** The sketch map or maps of a proposed subdivision, drawn and submitted in accordance with the requirements of this ordinance, to evaluate feasibility and design characteristics at an early stage in the planning.

**STANDARD SPECIFICATIONS:** The specifications that have been adopted by the Commission within Ordinance 10.

**STREET:** A tract of land dedicated to public use, which affords the primary means of access to the abutting property, but excluding private driveways serving only one parcel of land, refer to Ordinance 10.

**SUBDIVIDER:** The person(s), firm(s), or corporation(s), owning land in the process of creating a subdivision of said land.

**SUBDIVISION:** The division of any tract or parcel of land by plat or other instrument of conveyance into

two or more lots, sites, or other divisions thereof. (The Commission may waive any or all subdivision regulations, should they conclude that such a division should be excluded from the above.)

**TOWNHOUSE:** Single-family, attached residences consisting of three or more units. Units will not have units above or below them, will have individual exterior entrances, and will have no more than two walls that are common with adjacent units.

**TRAFFIC IMPACT STUDY (TIS):** A traffic impact study provides estimated traffic generated from a proposed use(s), along with peak hour estimates and directional distribution to reveal the proposed use(s) impact on a county road.

**TWO-FAMILY DWELLING/DUPLEX:** A structure designed or used for residential occupancy by two families living independently of each other, exclusive of auto or trailer courts or camps, hotels or resort type hotels.

**UTILITIES:** Municipal and franchised utilities.

**UTILITY LOT:** Platted lot used exclusively for the placement of utilities, public works, wells, water storage, sewer systems, electrical substations, high pressure gas stations, and any other utility services approved by the Meade County Governing Board. Such lots are only intended to be improved with the utility and a small service shed not to exceed 600 SF.

**WATER AND WASTEWATER CAPACITY PLAN:** The plans for both the community water system and wastewater disposal systems. The plans must show the technical, managerial, and the financial capacity of the systems. Technical capacity shall show the functionality of design. Managerial shows staff needed and operation requirements. Financial capacity shows the ability to acquire and manage sufficient financial resources to allow the system to achieve and maintain SDDANR compliance.

**YARD:** An open space between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward except where otherwise specifically provided in this Ordinance that a building or structure may be located in a portion of a yard required for a principal structure. In measuring a yard for the purpose of determining the width of the side yard, the depth of the front yard or the depth of a rear yard, the shortest horizontal distance between the lot line and the principal structure shall be used.

**YARD, FRONT:** An open unoccupied space on the same lot with a principal structure extending the full width of the lot and situated between the street line and the front line of the building projected to the side line of the lot. The depth of the front yard shall be measured between the front line of the building and the street line.

**YARD, REAR:** A space on the same lot with the principal structure, between the rear line of the structure and the rear line of the lot and extending the full width of the lot, which is unoccupied except for permitted accessory structures.

**YARD, SIDE:** An open unoccupied space on the same lot with the building and the sideline of the lot and extending from the front yard to the rear yard. Any lot lines not a rear line or a front line is a sideline.

## ARTICLE 3. EXEMPTIONS

### 3.1 SECONDARY DWELLING

- 3.1.1 A *secondary dwelling* may be permitted on a single parcel without platting if the one or more of the following conditions are met. All other ordinance requirements must be adhered to.
- 3.1.2 There is a medical hardship need for a temporary dwelling. A variance will be required.
- 3.1.3 If an agricultural property, as classified by tax status, under single ownership is 160 contiguous acres or greater, a maximum of four residential dwellings may be permitted without the requirement of platting. All structures and septic systems must be at least 100 lineal feet apart.
- 3.1.4 The secondary dwelling meets all In-Law Suite requirements.

### 3.2 PRIMARY DWELLING

- 3.2.1 One *primary dwelling* may be permitted on a single parcel without platting if the property is an aliquot 40 acres or greater or is a Governmental Lot. All other requirements in this ordinance must still be adhered to.

## ARTICLE 4. SUBDIVISION CLASSIFICATIONS

- 4.1 A **high-density** subdivision is created when the division of land which creates a single tract of land of less than one acres but not less than 10,000 SF. A central sewage system and community (public) water system shall be required.
- 4.2 A **modified high-density** subdivision is created by the division of land that creates a single tract of land no more than three acres, but not less than one acre. Must consist of a minimum of four platted lots per subdivision. This requirement is with the understanding the soils within the proposed subdivision are conducive to on-site wastewater systems.
- 4.3 A **medium density** subdivision is created by the division of land which results in a single tract of land of more than three acres, but less than nine acres.
- 4.4 A **low-density** subdivision is created by the division of land, which results in a single tract of land of more than nine acres or more, but less than 40 acres.
- 4.5 A **rural residential** subdivision is created by the division of land, which results in a single tract of land over 40 acres.
- 4.6 A **commercial** subdivision, consisting of **more than one lot or tract, being** one acre or more in size, is created for the sole purpose of constructing a commercial structure or use. The requirements for such subdivision are delineated in Article V. No residential structures are permitted in any subdivision lot designed as commercial, except where the commercial lot is developed as a mobile home park, state licensed campgrounds, motel and/or hotel.
- 4.7 A **multi -residential** subdivision for the exclusive use of condominiums, duplexes, townhomes, (and similar), and apartment buildings.
- 4.8 A **mixed density** subdivision is created when a mixture of subdivision density types are combined into a single subdivision. Requirements for the entire subdivision will be based on the highest density subdivision type.

**4.9 A mountainous subdivision** is any subdivision located within the unincorporated boundary of Meade County, South Dakota which has contours for any given cross section of the subdivision which indicate an average cross slope greater than 10%.

## **ARTICLE 5. SUBDIVISION REQUIRED IMPROVEMENTS BY TYPE**

### **5.1 DEVELOPER REQUIREMENTS**

The subdivider (developer) is required to install or construct the improvements hereinafter before receiving approval of his/her final plat or prior to having released the bonds or other securities which guarantee such required improvements. All improvements required under these regulations shall be constructed in accordance with specifications and under the inspection of the Meade County Equalization and Planning Office. All public and private water mains, sanitary sewers, laterals and storm sewers shall be installed as necessary to prevent the future cutting of pavement of any street, sidewalk, or other required pavement. All residential dwelling units shall be hooked up or serviced by both approved water and sewer facilities. Such approval shall come from Meade County. Building Permits will be issued in accordance with Ordinance 34.

Periodic Subdivision Construction Progress Inspections will be required to assure they are being constructed per Ordinance 20 and in accordance with any requirements or variances granted by the Meade County Planning Board or approved by the Commission. Any and all inspection costs are to be the responsibility of the developer. The number of inspections will be based on the number of improvements required or proposed for the subdivision. There will be a minimum of one inspection per new subdivision. All inspections will be paid for by the developer and the cost is set by Resolution of the Commission.

**5.1.1 High density** subdivisions shall be required to have the following: *(10,000+ sq. ft.)*

**5.1.1.1** A central sewage system serving all of the lots to be platted which has been approved in accordance with Ordinance 33 and the Meade County Planning Board.

**5.1.1.2** Geotechnical soil borings must be completed by a geotechnical engineer with one soil boring hole at a depth of at least 15' deep per every 12 lots unless otherwise recommended that additional depth or additional soil borings based on soil conditions are needed by the geotechnical engineer.

**5.1.1.3** Fire protection per Ordinance 33 requirements.

**5.1.1.4** A community (public) water system serving all platted lots and approved by the county in accordance with the SDDANR and Ordinance 33.

**5.1.1.5** The developer is required to construct asphalt and/or concrete surface streets and roads with concrete curb and gutter, within a dedicated ROW of 66' and requiring a driving surface of not less than 32' measured from curb back to curb back.

**5.1.1.6** Order and place street signs on all platted streets and roads per Highway Department standard specifications which must be paid for by the developer.

**5.1.1.7** Concrete sidewalks of not less than 4' wide, must also be installed by the developer or builder (with Planning Board approval), on both sides of the street or road as described under Section 6.20.

**5.1.2 Modified High density** subdivisions shall be required to have the following: *(1 to 3 acres)*

**5.1.2.1** Minimum of five platted lots per subdivision plat.

**5.1.2.2** Proof submitted that soils and lot size of each lot would support a private sewage system meeting the requirement set forth by Meade County Ordinance 33.

- 5.1.2.3 A public or community water system serving all platted lots and approved by the county and in compliance with the SDDANR and Ordinance 33.
  - 5.1.2.4 Geotechnical soil borings must be completed by a geotechnical engineer with one soil boring hole at a depth of at least 15' deep per every six lots unless otherwise recommended that additional depth or additional soil borings based on soil conditions are needed by the geotechnical engineer.
  - 5.1.2.5 Fire protection per Ordinance 33 requirements (If Applicable).
  - 5.1.2.6 28' wide gravel surface streets and roads, with a dedicated public ROW of 66' and a driving surface of not less than 24' wide including a 2' shoulder on each side; 6" thickness of gravel with 2' shoulders per Ordinance 10.
  - 5.1.2.7 Street signs on all platted streets and roads which must be paid for by the developer.
  - 5.1.2.8 Standard absorption fields and septic tanks per Meade County Ordinance 33 may be installed on a one-to-three-acre lot if the average percolation test is between 5 and 60 minutes per inch. Drainfields must meet requirements of Ordinance 33.
  - 5.1.2.9 Must not be in "High Noise Areas" greater than (65) dba, per Ellsworth Air Force Base AICUZ (Air Installations Compatible Use Zones).
  - 5.1.2.10 Curb & Gutter and a paved road surface may be required unless the drainage study indicates that drainage can be managed by shallower ditches with CMP or CRP culverts.
- 5.1.3 Medium density** subdivisions shall be required to have the following: **(3 to 9 acres)**
- 5.1.3.1 At a minimum, documentation must be submitted that soils and lot size of each lot would support a private sewage system meeting the requirements set forth by Ordinance 33.
  - 5.1.3.2 Geotechnical soil borings must be completed by a geotechnical engineer with one soil boring hole at a depth of at least 15' deep per every four lots unless otherwise recommended that additional depth or additional soil borings based on soil conditions are needed by the geotechnical engineer.
  - 5.1.3.3 Fire protection per Ordinance 33 requirements (If Applicable).
  - 5.1.3.4 A community or private water system serving all platted lots in accordance with Ordinance 33.
  - 5.1.3.5 28' wide gravel streets and roads, with a dedicated ROW of 66' and a driving surface of not less than 24' with a gravel thickness of 6" minimum with 2' shoulders and other requirements of Ordinance 10.
  - 5.1.3.6 Order and place street signs on all platted streets and roads per Ordinance 10 which must be paid for by the developer.
- 5.1.4 Low density** subdivisions shall be required to have the following: **(9 to 40 acres)**
- 5.1.4.1 28' wide gravel streets and roads with a dedicated ROW of 66' and a driving surface of not less than 24' with a gravel thickness of 6" minimum with 2' shoulders and other requirements of Ordinance 10.

- 5.1.4.2 Fire protection per Ordinance 33 requirements (If Applicable).
  - 5.1.4.3 Order and place street signs on all platted streets and roads per Ordinance 10 which must be paid for by the developer.
  - 5.1.4.4 Absorption fields or drainfields must meet the requirements of Ordinance 33.
- 5.1.5 Rural Residential** subdivisions shall be required to have the following: **(40 + acres)**
- 5.1.5.1 28' wide gravel streets and roads having a dedicated ROW of 66' and a driving surface of not less than 24' with a gravel thickness of 6" minimum with 2' shoulders and other requirements of Ordinance 10.
  - 5.1.5.2 Order and place street signs on all platted streets and roads per Ordinance 10 which must be paid for by the developer
  - 5.1.5.3 Fire protection per Ordinance 33 requirements (If Applicable).
  - 5.1.5.4 Contiguous properties of 40 acres or more need not be platted if they can be described by aliquot legal description. However, the legal description must contain one quarter of a quarter section. (i.e. NW1/4SW1/4.) The property must abut an improved section line ROW or other legal access approved by this planning board.
  - 5.1.5.5 Absorption fields or drainfields must meet the requirements of Ordinance 33.
- 5.1.6 Commercial** subdivisions shall be required to have the following:
- 5.1.6.1 A central or approved sewage system serving any lot(s) to be platted which has been approved by the county in accordance with Ordinance 33.
  - 5.1.6.2 Geotechnical soil borings must be completed by a geotechnical engineer with one soil boring hole at a depth of at least 25' deep per every lot unless otherwise recommended that additional depth or additional soil borings based on soil conditions are needed by the geotechnical engineer.
  - 5.1.6.3 Fire protection per Ordinance 33 requirements.
  - 5.1.6.4 Requires 32' wide driveway approaches.
  - 5.1.6.5 Commercial lots may be considered for exceptions of front, side and rear setbacks. A developer may only invoke a zero-foot setback if the following conditions are met.
    - 5.1.6.5.1 The adjoining lots must all be commercial.
    - 5.1.6.5.2 Utility easements are easily accessible to all lots.
    - 5.1.6.5.3 No safety issues or visibility concerns are evident.
    - 5.1.6.5.4 A water system serving all platted lots approved by county in accordance with the SDDANR;
      - 5.1.6.5.4.1 If a Public or a Community Water System, (CWS), is within 300' of the proposed subdivision, the developer must make a reasonable attempt to join or become

party to the existing CWS. Copies of such attempt or agreement will be made available to the planning board and must be in accordance with Ordinance 33.

- 5.1.6.5.5 The developer may be required to construct asphalt and/or concrete surface streets/roads with concrete curb and gutter, within a dedicated ROW of 66' and a driving surface of not less than 32' measured from curb back to curb back.
- 5.1.6.5.6 Order and place street signs on all platted streets and roads per Ordinance 10 which must be paid for by the developer.
- 5.1.6.5.7 Concrete sidewalks of not less than 4' wide, must also be installed by the developer or builder (with Planning Board approval) on both sides of the street and to each occupied structure as described under Section 6.20.
- 5.1.6.5.8 The developer or builder shall construct asphalt or concrete parking spaces including ADA parking space(s), determined by a South Dakota State Licensed Architect or Engineer per business or structure based on projected future use. Each parking space shall have a minimum size of 10' X 20'.
- 5.1.6.5.9 Retail or service facilities must have adequate parking for the projected customer base. This number shall be determined by a South Dakota State Licensed Architect or Engineer.
- 5.1.6.5.10 Street lighting must be installed street as per Section 6.19 requirements.
- 5.1.6.5.11 Parking lot lighting will also be required to be determined by a South Dakota Licensed Architect or Engineer.
- 5.1.6.5.12 Individual commercial lots shall follow the requirements set forth within Ordinance 34.

**5.1.7 Multi-residential subdivisions** shall be required to have the following: *(1 + acres)*

- 5.1.7.1 A central or approved sewage system serving all of the lots to be platted which has been approved by the county in accordance with the SDDANR and must meet Ordinance 33. A community water system serving all platted lots must meet Ordinance 33 and be in compliance with the SDDANR.
- 5.1.7.2 Order and place street signs on all platted streets and roads per Ordinance 10 which must be paid for by the developer.
- 5.1.7.3 Geotechnical soil borings must be completed by a geotechnical engineer with one soil boring hole at a depth of at least 25' deep per every four lots unless otherwise recommended that additional depth or additional soil borings based on soil conditions are needed by the geotechnical engineer
- 5.1.7.4 Fire protection per Ordinance 33 requirements.
- 5.1.7.5 Concrete sidewalks of not less than 4' wide must also be installed by the developer or builder (with Planning Board Approval) along both sides of all internal streets and to each multi-residential structure as described under Section 6.20.
- 5.1.7.6 The developer or contractor is required to construct asphalt or concrete parking spaces including ADA parking spaces determined by a South Dakota State Licensed Architect or Engineer. Each parking space shall have a minimum size of 10'X20'.

- 5.1.7.7 Lot size shall be based on a minimum of one acre for the first dwelling unit (apartments or condos) and an additional one acre minimum for each unit thereafter. Two-unit twin homes and Townhomes may be separated by a common lot line on two separate lots, however, each separate unit must have its own wastewater system meeting all requirements of Ordinance 33. Townhomes or condos will require an entity who will be responsible for all maintenance in common areas (yard, driveways, sewers, etc.).
- 5.1.7.8 The developer is required to construct a 32' wide asphalt and/or concrete surface streets or roads within the development, placed within a 66' wide dedicated public ROW.
- 5.1.7.9 Order and place street signs on all platted streets and roads per Highway Department specifications which must be paid for by the developer.
- 5.1.7.10 Street lighting must be installed as per Section 6.19 requirements.
- 5.1.7.11 Parking lot lighting will also be required and must be determined by a South Dakota Licensed Architect or Engineer.
- 5.1.8 **Mountainous Subdivisions** must follow the requirements of the ordinance based on the density and type of subdivision being platted.
- 5.1.8.1 Roads or streets within a Mountainous Subdivision may have a maximum road grade of 12% with the notification of the local Fire Department, review of the planning board, and the approval of the Commission. All roads and streets must be designed by a Professional Engineer and construction activities must be overseen by a South Dakota Licensed Professional Engineer or representative thereof along with other requirements of Ordinance 10, however alternative design proposals will be considered for Mountainous Subdivision Roads.
- 5.1.8.2 Order and place street signs on all platted streets and roads per Ordinance 10 which must be paid for by the developer.
- 5.1.8.3 Fire protection per Ordinance 33 requirements (If Applicable).
- 5.1.8.4 Lots or tracts in Mountainous Subdivisions must have at least 100' of space surrounding any structure that is Lean, Clean and Green. The objective of Defensible Space is to reduce the wildfire threat within the wildland/urban interface (WUI) to any structure by changing the characteristics of the surrounding vegetation.
- 5.1.8.4.1 Lean – Cut back tree branches, within 15' of a chimney.
- 5.1.8.4.2 Clean – Remove all dead plant material from around the structure; this includes dead leaves, dry grass and even stacked firewood.
- 5.1.8.4.3 Green – Plant fire-resistant vegetation that is healthy and green throughout the year. Large, leafy, hardwood trees should be pruned so that the lowest branches are at least 8' to 10' high to prevent a fire on the ground from spreading up to the treetops. Within the defensible space, remove and do not plant flammable plants that contain resins, oils and wax that burn readily: ornamental junipers, yaupon holly, red cedar, and young pine. A basal density of 70 trees per acre must be maintained within a 200' radius of any structure.
- 5.1.9 **Mixed Density Subdivisions** must follow the requirements of the ordinance based on the density and type of subdivision being platted. Density will be determined by the size of the highest density lots within the subdivision.



## **ARTICLE 6. SUBDIVISION IMPROVEMENT DESIGN STANDARDS**

### **6.1 CONFORMITY TO MEADE COUNTY COMPREHENSIVE PLAN**

- 6.1.1 All proposed subdivisions shall satisfy the goals of the Meade County Comprehensive Plan.
- 6.1.2 The subdivider and developer shall observe the densities established by Ordinance 20.
- 6.1.3 All wastewater disposal systems, regardless of density levels, shall be installed by an SDDANR "Certified Wastewater Installer" and licensed by the county.
- 6.1.4 The subdivider and/or developer shall provide on-site professional inspection by a SD Licensed Professional Engineer at all critical junctures during the construction of infrastructure improvements constructed within a subdivision of 30 lots or more based on the master plan at the subdivider and/or developer's cost. The county will also inspect each improvement required in accordance with final plat and applicable county ordinances at a cost per each inspection for an improvement set by resolution of the Commission.

### **6.2 FIRE PREVENTION**

- 6.2.1 Fire protection for all subdivisions shall conform to Meade County Ordinance 33 requirements.
- 6.2.2 Subdivisions that contain residential, commercial, industrial, or other buildings will conform to all requirements of the most current version of the National Fire Protection Act (NFPA 101) and the South Dakota Fire Codes. (Residential sprinkler requirements have been exempted).
- 6.2.3 Buildings will be so situated to prevent any possible interference with fire equipment.
- 6.2.4 In the case of multiple buildings in a single lot, in a high-density type or multi-residential subdivision, county and/or the local fire department approved fire lanes will be provided and will not be blocked.
- 6.2.5 Access roads and interior street plans will be compatible with fire prevention requirements.
- 6.2.6 Adequate escape (emergency) routes will be provided and marked.
- 6.2.7 Temporary buildings, decorative fences or other impediments will not block escape routes.
- 6.2.8 Fire hydrants shall be placed at no more than 400' intervals in all high, and in modified, or medium density type subdivisions (if applicable).
- 6.2.9 All fire hydrants, if required, in all subdivisions shall be accessibly located. The fire district in which the proposed subdivision is to be located shall be notified by the developer as to the location and specifications of all hydrants within the subdivision. Such plans are subject to fire department review and subject to the approval of the Meade County Planning Board. In the event the proposed subdivision is not within the boundary of a fire district, approval must be obtained from the local fire department.

### **6.3 MANUFACTURED OR MOBILE HOME PARKS**

- 6.3.1 High Density Manufactured or Mobile home lots:

**6.3.1.1** Single wide type mobile home must have a minimum lot size of 2,400 sft, a double wide or triple wide manufactured home must have a minimum lot size of 3,600 sft.

**6.3.2 Low Density Manufactured or Mobile Home**

**6.3.2.1** 10,000 SF or more

**6.3.3** To handle the placement of mobile homes not on permanent foundations, a manufactured or mobile home park may be established. Two or more manufactured or mobile homes on a single parcel of land shall constitute a Manufactured or Mobile Home Park. Mobile home parks must be presented to the Planning Board for approval.

**6.3.4** Detailed plans are required which at a minimum must show the layout of lots, parking, internal street, potable water distribution, wastewater system(s), common areas, mailbox locations, bus stops, setbacks for structures, covenants for the park, and all other requirements within this ordinance for staff and the Planning Board to make an informed decision.

**6.3.4.1** The detailed site plan shall show the following:

**6.3.4.1.1** There shall be a front yard setback of 25' from all access roads within the mobile home park.

**6.3.4.1.2** Minimum distance between units shall be 20'.

**6.3.4.1.3** Maximum lot coverage shall be 50%

**6.3.4.1.4** There shall be at least two paved or gravel off street parking spaces for each mobile home space, each parking space shall be 10' x 20'

**6.3.4.1.5** Where a side or rear yard abuts a street, the yard shall be not less than 25' wide along the street.

**6.3.4.1.6** Each mobile home park shall have a rear yard and a side yard on both sides of the parcel of not less than 10'.

**6.3.4.2** Common recreation space may be provided for recreational activities. The common recreation space shall not be less than 2000 SF.

**6.3.4.3** Utility Service connections, including any necessary easements, shall be indicated on the development plan along with water availability.

**6.3.4.4** Sewage facilities must be a central sewer or similar system approved by the county in accordance with Ordinance 33 and the SDDANR.

**6.4 UTILITY OR WELL LOT**

**6.4.1** A nine-acre tract is required by Meade County for placement of a private domestic water well, except for an existing lot less than nine acres that cannot be connected to a public or centralized water system; documentation of such is required to be submitted to the Equalization and Planning Office and the request will be placed on the Planning Board Agenda as a variance. This requirement does not apply to wells being drilled for Rural Water System providers.

6.4.2 Minimum lot size 20' X 20'

6.4.3 All utility or well lots shall have an access and utility easement of at least 20' wide.

## 6.5 PUBLIC USE AND RECREATION

6.5.1 All sites reserved for public use as recreation area shall be dedicated to the Homeowners Association, or a governmental and/or taxing entity, (including water boards), whose responsibility it shall be to maintain and determine its full use for recreation purpose. The area so designated must meet the approval of the Commission.

6.5.2 All sites for schools that are located within a proposed subdivision shall be dedicated to the county or the school district.

## 6.6 BLOCKS

6.6.1 Block lengths shall not exceed 1,320', except where streets loop or are intersected by other accesses and shall normally be wide enough to allow two tiers of lots of appropriate depth.

## 6.7 LOTS

6.7.1 Lot dimensions shall conform to the requirements of this ordinance and shall not be so irregular in nature to cause confusion or hardship in setback location, utility easements or property line maintenance.

6.7.2 The corners of all lots and the beginning and endings of all curves on property lines shall be accurately marked on the ground with 5/8" to 1 1/4" diameter iron rods or pipes at least 18" long, in accordance with survey laws of South Dakota.

6.7.3 Lot size shall be according to the minimum lot size requirements of this ordinance based on density, except in no case shall a lot be less than 10,000 SF.

6.7.4 Corner lots for residential use shall have extra width to permit appropriate building setback from both streets.

6.7.5 Each lot shall be provided with access to a street/road.

6.7.6 No lot shall have a width of less than 100' at point 30' back from front lot line unless it is off a cul-de-sac and then the minimum width is 85' at a point 30' back from the front lot line.

6.7.7 All lots shall be platted to the edge of the ROW. Any newly dedicated Public ROW must be platted out of the lot. Platting to the centerline will require a variance.

6.7.8 All platted lots or tracts shall have a contiguous buildable area over 20,000 SF except in areas of central sewer.

## 6.8 SETBACKS

6.8.1 The minimum distance between any structure and a ROW line shall be 25'.

6.8.2 The minimum distance between any structure and the rear property line shall be 25'.

- 6.8.3 The minimum distance between any permanent structure and the side property line measured from edge of the eave to the property line, shall be 8'.
- 6.8.4 On a corner lot, the street side minimum setback shall be 25'.
- 6.8.5 Setback distance from any active railroad lines shall be 25'.
- 6.8.6 All newly developed lots in any density level subdivision, which abut or are common to any section line or public ROW, to be platted to the edge of such section line ROW.
- 6.8.7 A 25-foot setback is required from the edge of any drainage easement.
- 6.8.8 All setbacks shall be measured from the edge of such ROW. At no time shall any permanent structures encroach into such ROW.

## **6.9 STREETS AND ROADS**

- 6.9.1 Minimum street/road construction technical standards shall be according to Ordinance 10.
- 6.9.2 The arrangement, character, extent, location and grade of all streets and roads shall be in accordance with good land planning principles and shall be considered in their relation to existing and planned streets, to topographical conditions, orientation to vistas, to public convenience and safety, and in appropriate relation to the proposed uses of land to be served by such streets.
- 6.9.3 The street pattern shall lead traffic toward collector or arterial roads/streets, as classified by Meade County's current Transportation Plan, however, the number of streets which would tend to promote congestion converging upon any one point shall be held to a minimum. Creation of a 'Five-Points' intersections shall not be permitted.
- 6.9.4 The street pattern shall be in conformity with a plan for the most advantageous development of the entire neighboring area. Sufficient proposed streets shall be extended as far as the boundary lines of the tract to be subdivided in to ensure normal circulation of traffic within the proposed subdivision and the vicinity. Land abutting a proposed subdivision shall not be land-locked by the proposed subdivision, a provision for access via a public ROW must be provided.
- 6.9.5 For multi-phased developments, Meade County may require reserved Public ROW for any future phases or isolated tracts of land.
- 6.9.6 Driveway Approach Permits outside of municipal boundaries and road or sanitary districts must be obtained for all new driveways per Ordinance 10, permit costs are set by resolution of the Commission.
- 6.9.7 All new road construction within section line ROW shall have prior approval of the Commission. Ordinance 10 will specify the design and technical standards for new construction. It shall be the responsibility of the subdivider/developer to notify by certified mail all adjacent landowners of the effected section line, per Ordinance 10, as to the scope of the development and the date the Commission will review the plat/plans. Meade County may assist in producing such list, but the accuracy and cost shall be the responsibility of the developer/owner. A copy of such notification letter shall be reviewed and approved by the Equalization and Planning Office prior to mailing.

- 6.9.8 Ditches and all disturbed surface soils of all newly constructed roads must be hydroseeded. Alternative methods of revegetation may be accepted by the Highway Department with Planning Board approval.
- 6.9.9 Where any newly constructed road intersects an existing road, the approach of the new road must have the same surface type of the road that is being intersected to the edge of the ROW of the road that is being intersected.
- 6.9.10 Unusable reserve strips controlling access to streets shall be prohibited. Land shall not be subdivided in a manner, which omits part of the original tract to avoid drainage improvements.
- 6.9.11 Where there is a dedicated or platted half-street adjacent to the tract to be subdivided, the other half shall be platted. No new half-streets shall be permitted.

## **6.10 SECONDARY AND ADDITIONAL ACCESS ROADS**

- 6.10.1 A Primary Road that is a dead-end road with only one point of access into a subdivision. The maximum allowable length of a Primary Road shall be 1,320'. The length of a Primary dead-end road or road system shall be the cumulative distance of the entire road system measured from the intersection of the centerlines of the dead-end road and the intersecting existing public road (with a minimum of a 66' dedicated public ROW) to the center of the cul-de-sac provided at the terminus of the road or road system. Looped roads which connect to a Primary dead-end road within the road system of a subdivision does not constitute as a secondary access road, unless the loop road is accepted by the Planning Board and approved by the Commission. If the maximum allowable length of the road cannot be met, a secondary access road must be constructed by the developer.
- 6.10.2 Any subdivision that has planned 20 platted lots or more according to the Master Plan, that has a Primary Access Road with a 28' wide gravel road, must have a Secondary Access Road constructed by the developer, spaced, when possible, at 1,000' minimum from the center of the Primary Access Road or a Secondary Access Road that enters a different public road separate from the Primary Access Road. The distance requirement can be waived by the Planning Board with the approval of the County Commission if the shape of the subdivision or topography makes it impractical to comply. In such instances, the road junctions shall be located as far apart as possible.
- 6.10.3 In addition to the Secondary Road requirement of this ordinance, Meade County may require additional ingress/egress roads for proposed subdivisions, based on public safety, the projected amount of traffic, and other technical factors.

## **6.11 ACCESS TO UNPLATTED ABUTTING PROPERTIES**

- 6.11.1 When a proposed multiple lot development abuts unplatted land or a future development phase of the same development, stub streets must be provided to provide access to abutting properties or to logically extend the street system into the surrounding areas. All street stubs should be provided with a temporary turnaround or cul-de-sac, and the restoration of the temporary turnaround or cul-de-sac, and extension of the stub street should be the responsibility of any future developer of the abutting land that does not have future accesses per Meade County Ordinances. A stub street is a street segment, which terminates at the boundary of a subdivision or site plan. The purpose of stub streets is to ultimately connect to abutting property when it is developed.

- 6.11.2** As an alternative to extending a street as a stub street within a subdivision to undeveloped property, the Planning Board may recommend a reserve lot or a permanent public easement for a future public road or street as an option. The width of the lot or the easement must be in accordance with Ordinance 10 and the current Meade County Transportation Plan. The reserve lot or easement must be clearly labeled on the plat as follows, "For future road/street use only."

## **6.12 ROAD AND STREET MAINTENANCE**

- 6.12.1** Before the Final Approval of a proposed Subdivision of four lots or more where a new road is being platted, or if the subdivision has the potential of platting four lots or more, maintenance on any road/street improvements must be the responsibility of an established Homeowners Association or governmental entity. The developer shall assume full responsibility for repairs and maintenance of the road/street improvements until one of the aforementioned is established and assumes the entire responsibility of road/street maintenance. The developer shall present an estimated yearly maintenance plan with associated costs and a transition plan to turn over the maintenance responsibility for review by planning staff and Planning Board.
- 6.12.2** New subdivisions which access a public road being maintained by others (except a County Maintained Road) will need to enter into a long-term maintenance agreement with the party currently maintaining the road which must be approved by the Planning Board and the Commission.
- 6.12.3** The existing Homeowner's Association or governmental entity, or private party shall be reasonably compensated for the use of the existing road. A developer may request a variance if the requirements set forth by the existing Homeowner's Association governmental entity, or private party are believed to be unreasonable.
- 6.12.4** Where a new proposed subdivision borders an existing narrow road, the developer shall be required to improve and dedicate land if necessary and shall widen the existing narrow road. Such roads and streets shall be improved by the applicant at his/her own expense, to the full width as required by Ordinance 10 and the Meade County Transportation Plan.

## **6.13 PRIVATE ACCESS ROADS**

- 6.13.1** Private Access Roads shall be constructed in accordance with Ordinance No. 10 and must be located within a 66-foot-wide Private Access Easement which must be shown on a plat. Private Access Roads and Easements must be reserved as a permanent unobstructed access. Said roadways are for vehicular and pedestrian travel for the purpose of access to the abutting properties, subdivisions of four or less properties. It is understood that the Owner or Developer, their lessees and assignees have the responsibility with respect to maintaining said private roadway and shall at their own cost and expense keep and preserve said private roadways at all times in a good condition of repair and maintenance. Said easement is to run with the land.
- 6.13.2** Any plat presented for approval which shows a private access road as a means of access shall provide language in the Owner's Certificate in accordance with this section of the ordinance reserving the private road for permanent unobstructed access to abutting properties and establishing private responsibility for maintenance of the roads. (Except for a driveway to a single residence).
- 6.13.3** An Owner's Certificate stating the following must be placed on plats with Private Access Roads:

**6.13.3.1** We also certify that construction and maintenance, of (name of roads) as shown on said plat shall be provided by (name) in accordance with the plat filed with the Meade County Register of Deeds and said roads shall be kept and preserved at all times in a good condition of repair and maintenance for a permanent unobstructed access to abutting properties, maximum of four properties. This shall remain in effect until a government taxing entity or Homeowners Association accepts the maintenance of said roads. Said grant is to run with the land

#### **6.14 SIGNAGE**

- 6.14.1** The subdivider shall install approved street name signs per Ordinance 10 at all intersections in accordance with the Meade County Highway Department.
- 6.14.2** Traffic regulatory signs shall be posted in residential subdivisions and speed limits will be enforced. Signs must meet the Meade County Highway Department specifications and must meet Ordinance 10 requirements; it is the responsibility of the subdivider, developer and/or the homeowners association or road district for installation and maintenance of subdivision signs. Speed limits shall be determined and approved by the Highway Superintendent.
- 6.14.3** The Equalization and Planning Office and/or Highway Department will inspect the signs after they are installed.

#### **6.15 MAILBOXES**

- 6.15.1** To promote roadway safety, ease of maintenance, and traffic service consideration all mailboxes installation must meet the requirements of the U.S. Postal Services and those set forth in this ordinance.
- 6.15.2** No mailbox or newspaper delivery box will be allowed to exist within the County's right-of-way if it interferes with the traveling public or the function, maintenance, safety, or operation of the county roadway system. A mailbox installation, as determined by Meade County, which does not conform to the provisions of this regulation, is prohibited.
- 6.15.3** The roadside face of the mailbox shall be offset the following distance:
  - 6.15.3.1** Paved Road - the width of the shoulder plus 4'.
  - 6.15.3.2** Gravel Road – 4' from the edge of the traveled portion of the roadway.
  - 6.15.3.3** Curbed Street – 1' from the face of the curb.
- 6.15.4** The Meade County Planning Board, in conjunction with the U.S. Postal Service may determine the location and density levels for multiple mailbox or cluster box locations. Mail stop locations or easements shall be placed adjacent to approved roadways and be at least 8' in width and sufficient length for safe approach and departure. Mail stop turn outs may be used in conjunction with school bus stops.
- 6.15.5** Guidelines for mailbox and supporting structures shall be found within the publication of "A Guide for Erecting Mailboxes on Highways" by the American Association of State Highway and Transportation Officials. Unsafe or hazardous mailboxes in county ROW will be removed at owner's expense.

- 6.15.6** Subject to state laws and regulations, curbside or roadside mailboxes must be placed to allow safe and convenient delivery by carriers without leaving their vehicles.
- 6.15.7** The box must be on the right-hand side of the road in the direction of travel of the carriers on any new rural route or highway contract route, in all cases where traffic conditions are dangerous for the carriers to drive to the left to reach the box, or where their doing so would violate traffic laws and regulations.
- 6.15.8** Customers must keep the approach to their mailboxes clear of obstructions to allow safe access for delivery. If USPS employees are impeded in reaching a mail receptacle, the postmaster may withdraw delivery service.
- 6.15.9** Cluster-Type Mailboxes for central point delivery service are required for all Subdivisions with four lots or more and where the Meade County Highway Superintendent or the U.S. Postal Service deems it necessary. All Cluster-Type mailbox structures must be in a separate easement outside of the ROW of the street or road. The approach area in front of each mailbox must be surfaced with the same compacted material as the street or road it adjoins, along the front area where the box is located. The mailbox easement must extend a minimum of 20' in each direction longitudinally measured from the center of the mailbox and wide enough to keep vehicle off the travel lane of the street/road. It must be completed in a manner to allow the mail carrier vehicle to safely enter to place the mail and exit onto the county road or street. The Cluster-Type Unit will be placed as not to encroach in front of the adjoining properties and placed far enough away from an intersection not to cause a sight distance problem. Cluster-Type Mailbox Units may be placed in Bus Turnouts if a bus turnout exists.
- 6.15.10** Mailbox supporting structures that are made of masonry or stucco materials shall not be larger than 2'X2' in cross section, including all bands, rowlocks and trim, nor taller than 5' above the street or road surface. The bottom of the mailbox shall be located 42" above the street or road surface. No other structures, including planters or flower boxes, may be attached to the mailboxes.
- 6.15.11** Each mailbox is required to have the address number clearly posted on both sides of the box/structure or on the front if at the end of a cul-de-sac. Address numbers shall be in accordance with Meade County Ordinance 23.
- 6.15.12** Any County approval of any such mailbox structure shall be based solely upon a determination that such structure conforms to the criteria set forth herein, and shall not constitute a representation to any person, by implication or otherwise, that such structure poses no risk of injury to third persons. The County of Meade assumes no responsibility or liability for damage to the structure, mailboxes, or for damage to property or injury to person.

## **6.16 BUS TURNOUT (BUS STOP)**

- 6.16.1** A Bus Turnout is a specially constructed area out of the travel lane of a street or county road. Turn-Outs provide an area of safety for students loading and unloading that does not interfere with traffic flows on the street or county road. Bus Turnouts are utilized where on-street parking does not exist. Where on-street parking exists, the bus stop can be in a length of pavement outside the travel lane contiguous with on-street parking, where cars are prohibited from parking. (Ref. Meade County Bus Turnout Plan – Typical)
- 6.16.2** Bus turnouts may be required on subdivisions of 15 lots or more unless the school or bus service company does not desire a turnout for the proposed subdivision. This must be confirmed via a



written statement or letter from the school or bus service company. When bus turnouts are located off a gravel road, the bus turn-out should be constructed on a subbase compacted to 95% of the standard proctor and 6" of gravel base compacted to 95% of the standard proctor, for a driving surface. Bus turnouts must be constructed out of the same surface material as the streets/roads within the subdivision designed for a standard school bus. Additional bus turnouts may be required for every 60 lots platted or less depending on the subdivision layout, to be finally approved by Commission.

**6.16.3** When determining appropriate school bus stops, students should not be loaded or unloaded on a steep grade or on a curve. There should be a clear view of the road in each direction for at least 500' in each direction.

**6.17 INTERSECTIONS**

**6.17.1** Submission of a grading plan showing existing conditions and a detailed design for intersections which are either unusual, or are located on difficult terrain, may be required by the County Highway Superintendent and must be in accordance with Ordinance 10.

**6.17.2** Acute angles at street intersections are to be avoided insofar as possible but in no case will an angle of less than 80 degrees be permitted.

**6.17.3** Intersections of local residential streets with arterial streets shall be held to a minimum and must be at right angles at the intersections.

**6.17.4** Property lines at arterial street intersections shall be rounded with a radius of 25'. An increased radius shall be required when the angle of intersection involves an arterial street.

**6.17.5** Roadway and curb intersections shall be made concentric and shall be rounded by a radius of not less than 25'.

**6.18 ALLEYS**

**6.18.1** Alleys shall have minimum of 20' of ROW and shall be dedicated to the public.

**6.18.2** Alleys are not permitted in Medium and Rural density residential subdivisions

**6.19 STREET/ROAD LIGHTING**

**6.19.1** High Density, commercial, or multi-family subdivisions shall have street lighting at all intersections, as minimum per table below:

STREET CLASSIFICATION	LAMP INTENSITY	MOUNTING HEIGHT
<b>RESIDENTIAL AREAS</b>		
Local	150 Watt LED Luminaire	13 Feet
Cul-de-sac	150 Watt LED Luminaire	13 Feet
Collector	250 Watt LED Luminaire	30 Feet
Arterial	*1.0 IES	40 Feet
<b>COMMERCIAL</b>		
Local	*0.9 IES	30 Feet
Cul-de-sac	*0.9 IES	30 Feet
Collector	*1.2 IES	30 Feet
Arterial	*2.0 IES	40 Feet

## **6.20 SIDEWALKS AND CROSSWALKS**

- 6.20.1** Concrete sidewalks, no less than 4' wide, shall be constructed on both sides of all streets when required by this ordinance, and the sidewalk must be located 3' from the back of the curb to the nearest edge of the sidewalk. All sidewalks must conform to the American Disabilities Act.
- 6.20.2** Pedestrian crosswalks, not less than 10' wide, may be required where deemed essential to provide circulation or access to schools, playgrounds, shopping centers, bus stops and other community facilities.

## **6.21 APPROVED NAMING**

- 6.21.1** All Subdivisions and streets shall be named. Subdivision and street names must be approved through the Equalization and Planning Office.
- 6.21.2** Subdivision names and apartment complex project names shall not duplicate or be confused with existing names. Subdivision and apartment complex project names are subject to approval by the Equalization and Planning Department.

## **6.22 EASEMENTS**

- 6.22.1** Easements across lots or centered on rear or side lot lines shall be provided for utilities and drainage where necessary and shall not be less than 16' wide total unless otherwise approved by the Commission.
- 6.22.2** Where a subdivision is traversed by a water course, drainage way, or stream, there shall be provided a permanent storm water drainage easement or ROW conforming substantially to the lines of such existing or planned drainage way. The width of such drainage easement or ROW shall conform substantially to the lines of such existing or planned drainage way and shall be sufficient to contain the ultimate channel and maintenance way for the tributary area upstream. The owner is required to have a South Dakota Licensed Professional Engineer or Registered Land Surveyor to determine the magnitude of the drainage way. All proposed structures shall require at least a 25' setback from the edge of any natural or major drainage.
- 6.22.3** Lots and easements shall be arranged in such a manner as to eliminate unnecessary jogs or offsets and to facilitate the use of easements for power distribution, telephone service, drainage, water, sewer services and other utilities.

## **6.23 DRAINAGE AND INNUNDATION**

- 6.23.1** All structures shall conform to Meade County Regulations for Flood Damage Prevention, Ordinance 9. All residential dwellings lowest floor level, including basements, must be at least one 1' above the base flood elevation. Any construction that is in a designated floodplain or floodway fringe must first have an approved Floodplain Development Permit before any construction activities begin.
- 6.23.2** The owner's professional engineer, surveyor, certified hydrologist, or certified hydrogeologist shall make a drainage plan (if the Equalization and Planning Office or Planning Board deems it appropriate, requirement may be waived), for the proposed subdivision. Adequate provisions shall be made within each subdivision to provide drainage facilities needed within the subdivision, taking into account the ultimate development of the tributary area, where applicable.

Drainage and flood control facilities shall be provided in conformity with the Flood Control Ordinance 9 of Meade County.

- 6.23.3** The storm and sanitary sewer plan shall be made prior to other utility plans. Engineering considerations in subdivisions and other development shall give preferential treatment to gravity flow improvements as opposed to other utilities and improvements.
- 6.23.4** Surface water shall not be carried across or around any intersection. Driveways shall not inhibit or restrict the flow of surface water. It shall be the responsibility of each lot owner to install and maintain a culvert under the driveway when construction commences per Meade County ordinances and specifications.
- 6.23.5** The subdivider/developer shall construct an adequate drainage system to handle a 25-year storm event at a minimum, including open ditches, pipes, culverts, intersectional drains, drop inlets, etc., for the proper drainage of all surface water. Cross drains shall be provided to accommodate all-natural water flow and they shall be of sufficient length to permit full width roadways and required slopes including flared ends. Rip-Rap must be placed where it is required to prevent erosion.
- 6.23.6** All culverts used for drainage management that cross a road or dedicated public ROW shall have a flared end sections on both ends of the culvert. This excludes driveway approaches.
- 6.23.7** Off premise drainage easements and improvements may be required to handle the runoff of subdivisions into a natural or man-made drainage channel or retention pond.
- 6.23.8** Low areas subject to known and/or documented periodic inundation shall not be developed or subdivided except in compliance with the flood prone terms of the Flood Ordinance 9 of Meade County. Areas of pooling will be considered flood prone or flood areas.
- 6.23.9** The nature of the land use should not in itself impede surface water runoff and would not be subject to appreciable damage by inundation.
- 6.23.10** Natural Drainage ways, width and length must be shown on the plat and must be shown as a drainage easement.
- 6.23.11** Areas that are proposed to be filled or improved must be constructed in such a manner as to prevent such periodic inundation, provided that such fill does not retard the flow of surface waters or result in increasing the water level endangering life and property of others and is compliant with Ordinance 9.
- 6.23.12** Ordinance 9, Flood Prevention Ordinance, must be followed. Minimum floor elevations must be established above the 1% 100-year flood plain to prevent damage to buildings and structures. If no Base Flood Elevations are available for proposed subdivisions, the developer and/or property owner must hire a registered engineer or surveyor at their cost, to establish the Base Flood Elevations, which must be submitted to planning for review.
- 6.23.13** The County Equalization and Planning Office, Planning Board or Commission may require additional engineering information necessary to make an informed decision on subdivisions and other development which are in areas of questionable drainage.
- 6.23.14** Storm Sewers shall be designed in accordance with engineering practices and are subject to approval by the county.

**6.23.15** Natural drainage ways shall not be filled in without a professional engineered study and plan on drainage management which must be reviewed by planning staff, the Planning Board, and approved by Commission.

## **6.24 GRADING**

**6.24.1** All grading work shall be designed and conducted in the following manner:

**6.24.1.1** Use natural drainage ways for drainage where possible and shall not cause or increase erosion conditions within or adjoining the site

**6.24.1.2** Minimize earth settlement problems

**6.24.1.3** Minimize erosion – (Also see Ordinance 52).

**6.24.1.3.1** Adequate measures shall be taken by the developer to assure that excessive dust from construction activities is not allowed to create a nuisance or to otherwise adversely affect the area adjacent to the construction site.

**6.24.1.3.2** Site rubbish and debris caused by clearing operations shall be removed from the site leaving the site in safe and cleared condition.

**6.24.1.3.3** Building material debris and other rubbish shall not be allowed to blow on adjacent property and must be taken care of daily.

**6.24.1.3.4** New or used materials must be anchored or otherwise contained at all times

**6.24.1.3.5** Before dirt work is started that disturbs one acre or more in size, an Earth Disturbance Permit is required by Meade County (Ordinance 52), and a Storm Water Pollution Prevention Plan (SWPPP) and Stormwater Permit is required by the SDDANR; a copy of the SWPPP and Stormwater Permit must be submitted to Meade County Planning Department at time the Stormwater Management permit is applied for. (See Ordinance 52)

## **ARTICLE 7. PROCEDURE AND REQUIRED SUBMISSION MATERIAL**

### **7.1 PLAT REPRESENTATION**

The Equalization and Planning Office will not represent the subdivider at the planning board meetings. Presentation of all plats, variances, Forms of Intent, or supplemental information thereof must be presented by the subdivider/developer or his/her representative.

### **7.2 FORM OF INTENT**

#### **7.2.1 PROCEDURE**

**7.2.1.1** A Form of Intent submission is not required for platting but is highly recommended for any proposed High Density, Modified High Density, Multi-Residential, Commercial, High-Density Commercial, Mountainous, or Mixed-Density Subdivision.

**7.2.1.2** An Application for a Form of Intent by the applicant concerning the tract of land to be subdivided in sufficient detail to clearly indicate the nature and purpose of the subdivision must be submitted to the Equalization and Planning Office. The Form of Intent must be scheduled through the Equalization and Planning Office and will be heard by the Planning Board. No action is taken on a Form of Intent and therefore, notification requirements by

the property owner are not required, however, the property owner must appear and present the Form of Intent to the Planning Board.

**7.2.2 REQUIRED SUBMISSION MATERIALS:** *Each of the following items must be submitted to the Equalization and Planning Office on or before the meeting submission deadline. Any incomplete preliminary plat submissions will be pushed to the following meeting.*

**7.2.2.1** One completed application.

**7.2.2.2** One **location sketch** shall be submitted. The sketch shall show the accurate boundary of the subdivision and the location of internal streets and their relation to nearby streets. The Meade County Planning Board shall approve scope and size of vicinity shown in sketch.

**7.2.2.3** The sub-divider or owner's surveyor/engineer must submit a sketch plan to the Equalization and Planning Office. The sketch plan shall include the following items:

**7.2.2.3.1** A map showing the general location of the property proposed to be subdivided which clearly shows the property boundary and its relation to surrounding development including property lines, roads, utilities, if any are present in the vicinity, and water courses with tributary drainage areas.

**7.2.2.3.2** Contours from available data.

**7.2.2.3.3** A layout of lots, streets, parks and open spaces indicating general scaled dimensions. The layout shall be prepared at a scale no less than 400' to the inch to permit an accurate delineation of conditions.

**7.2.2.3.4** In the case of a mountain subdivision, a preliminary grading plan and definition of the amount and location of forest cover shall be required. Where applicable, the location of all fuel breaks shall be shown.

## **7.3 PRELIMINARY PLAT**

### **7.3.1 PROCEDURE**

**7.3.1.1** Preliminary plats, a fully completed Meade County Planning Application, and all required submission materials (see below) must be submitted to the Equalization and Planning Office by Close of Business (COB) 14 days prior to the date of the meeting.

**7.3.1.2** When officially submitted, complete per this ordinance, and received, the Planning Board shall have a minimum of 30 days but not to exceed 60 days in which to review, prepare and submit its recommendation and the plat(s) to the Commission however, the owner subdivider/developer may request an extension of time.

**7.3.1.3** The planning board shall review the preliminary plat to determine if it is consistent with the requirements set forth per Meade County ordinances and will make a recommendation of the preliminary plat which is in accordance with the intent, requirements, and criteria specified in the applicable ordinances.

**7.3.1.4** If satisfactory, the plat and recommendation will be forwarded for approval to the Commission. At the time of submission, application or plat fee shall be collected in the amount stated in the fee schedule established by resolution of the Commission.

**7.3.1.5** Approval of a preliminary plat shall be effective for one year from the date of approval by the Commission. Extension beyond the one-year limitation for a period of not to exceed no more than three months may be provided upon agreement between the Commission, Planning Board, and the developer with the developer submitting a formal request to the Planning Board to grant the extension.

**7.3.1.6** Following approval of the preliminary plat, the subdivider may proceed with the approved grading and installation of improvements.

**7.3.1.7** After improvements are made, or an approved financial guarantee is in place with Planning Staff, the subdivider shall prepare a final plat for submission to the Planning Board.

**7.3.1.7.1** **REQUIRED SUBMISSION MATERIALS:** *Each of the following items must be submitted to the Equalization and Planning Office on or before the meeting submission deadline. Any incomplete preliminary plat submissions will be pushed to the following meeting.*

**7.3.1.7.1.1 Meade County Planning Application:** A fully completed Planning Application must be submitted. All applications must be signed and dated.

**7.3.1.7.1.2 Notification Letter and Certified Mail Receipt:** Certified letters must be sent to all adjacent landowners, including landowners across public or private roads, no less than 14 calendar days before the scheduled meeting. A certified mail receipt for each letter sent must be submitted with the preliminary plat application.

**7.3.1.7.1.3 Drainage Plan:** A drainage plan showing existing drainage and flow direction is required for all plats.

**7.3.1.7.1.4 Notification to Surrounding Districts (if applicable):** Proof of notification or approval from any applicable homeowner's associations, sanitary districts, water districts, etc. is required.

**7.3.1.7.1.5 Utility Provider Agreement:** Written approval from any utility companies that will be providing services to the property is required.

**7.3.1.7.1.6 Geotechnical Reports:** Boring holes must be a minimum of 15', however, planning staff may request additional depth if there are known concerns with subsurface soil conditions. The number of holes to be drilled shall be dependent per upon the subdivision type. All holes must be drilled with a hollow stem auger and must use a split-spoon or Shelby tube sampling method. If there are soil concerns, additional holes may be requested by planning staff based on the recommendations of the Geotechnical Engineer. If the soil borings indicate that expansive soils or groundwater is present within the subsurface soils within the planned subdivision which would potentially impact foundations of future structures and/or on-site wastewater systems, the Planning Staff may request that a note be placed on new plats that stating that "Geotechnical borings and a report with recommendations, be prepared by a South Dakota Licensed Geotechnical Engineer for each lot within the subdivision, with the recommendation of the Planning Board and the approval of the Commission.

**7.3.1.7.1.7 A Master Plan** for all Multi-Phased Developments is required.

- 7.3.1.7.1.7.1 A Master Plan shall be made of the entire area proposed for development before and after final grading is completed. Such a plan shall show the proposed street and drainage pattern.
- 7.3.1.7.1.7.2 Where property to be subdivided borders adjacent land under the same ownership that could be further subdivided, a written agreement to refrain from further subdivision for 12 months must be submitted unless a Master Plan is submitted
- 7.3.1.7.1.7.3 The developer shall notify all existing homeowners within the subdivision if changes are made to the Master Plan.
- 7.3.1.7.1.8 **Preliminary Plat:** One hard copy and one digital copy of the preliminary plat prepared by a registered land surveyor with the following information must be submitted:
  - 7.3.1.7.1.8.1 Date, north point, and scale. Scale shall be legible.
  - 7.3.1.7.1.8.2 A Meade County approved subdivision name, former legal description, and a correct new legal description.
  - 7.3.1.7.1.8.3 A "Prepared By" statement, including the surveyor's name, South Dakota Registered Land Surveyors License No. and Stamp and date signed along with the required Signature Certificates, (shall be obtained from the Equalization and Planning Office).
  - 7.3.1.7.1.8.4 Signature blocks for Meade County Treasurer, Director of Equalization Planning Commission, Auditor, Highway or Street Authority, Register of Deeds, and Owners.
  - 7.3.1.7.1.8.5 Purpose, location, and width of all easements must be clearly illustrated on the plat. All plats must clearly illustrate whether an easement is proposed or existing. If the easement already exists, the Plat Book and Page must be stated.
  - 7.3.1.7.1.8.6 Location and acreage of all surrounding **public land** including land owned by United States Forest Service and Bureau of Land Management shall be shown on the plat.
  - 7.3.1.7.1.8.7 Street ROW, pedestrian ways, lots, reservations, parks, open space and any other areas to be dedicated to public use must be shown on the plat and must include acreage contained in each.
  - 7.3.1.7.1.8.8 All access roads, to include interior streets of subdivisions, shall be designated as "Dedicated Public Right of Way". In the case of access to a single platted lot, the Planning Board may lessen the requirement to "Private Access Easement." In doing so, the developer must supply documentation that no further development will occur which will require shared access. A Private Access Easement may be accepted as long as the easement serves four or fewer building sites, lots, or dwellings or any combination thereof.

- 7.3.1.7.1.8.9** Lot numbers and block numbers clearly identifying each parcel of land and the dimensions of all lots. Platting of individual lots crossing county boundaries is discouraged. Block boundaries may cross a county boundary. Numbering shall be subject to the approval of the Meade County Planning Director or staff.
- 7.3.1.7.1.8.10** The boundary lines of the subdivision including distances and angles or bearings, and all section lines. The names of all adjoining subdivisions, their acreage and street layout, or a description of unplatted areas, to include acreage of unplatted areas.
- 7.3.1.7.1.8.11** The length of all straight lines, angle of intersection, length of curves and radius. All dimensions and all bearings of each lot shall also be shown thereon. All dimensions shall be shown in feet and decimals of a foot to a minimum of one decimal place and bearings shall be in degrees, minutes and seconds, along with the Basis of Bearing. The boundaries of the property locations, scales and true north shall be shown. The acreage of each lot to a minimum of two decimal places and the remaining acreage of all unplatted property remaining from the platted portion
- 7.3.1.7.1.8.12** The improvements the owner (developer) proposes to make off premises, outside the boundaries of the proposed subdivision, pursuant to the development of the subdivision, shall be clearly noted on the preliminary plat. These improvements shall relate to drainage, utilities, water distribution systems, sewer systems, roads, utilities, and other improvements necessary to permit development in the subdivision
- 7.3.1.7.1.8.13** Building envelope showing the minimum building or setback line may be required on all lots and other sites; however, a surveyor note containing the setback requirement is acceptable.
- 7.3.1.7.1.8.14** Floodplain or area of Historical Flooding
- 7.3.1.7.1.8.15** Any portion of the land in or adjacent to the subdivision subject to known or an official record of periodic inundation by storm drainage, overflow, or ponding shall be clearly shown and identified on the plat.
- 7.3.1.7.1.8.16** Planning staff may require that specific site restrictions be clearly stated on the plat.
- 7.3.1.7.1.8.17** The street(s) platted shall contain the following information:
  - 7.3.1.7.1.8.17.1** Location of all streets in subdivisions which are proposed. Location of existing or proposed streets adjacent to the subdivision.
  - 7.3.1.7.1.8.17.2** Widths of existing and proposed public ROW or easements.
  - 7.3.1.7.1.8.17.3** Street names which have been approved by the Equalization & Planning Office.
  - 7.3.1.7.1.8.17.4** Topography at 20' contour intervals (on a separate sheet if available).



**7.3.1.7.1.8.17.5** Plan and profile of all proposed streets (on a separate sheet if applicable).

**7.3.1.7.1.8.17.6** Location of proposed sidewalks and crosswalks.

**7.3.1.7.1.8.17.7** Curve data and line length and bearing for the centerline of each street.

## **7.4 FINAL PLAT**

### **7.4.1 PROCEDURE**

**7.4.1.1** All final plats shall be prepared meeting the requirements of all applicable ordinances and submitted to the Equalization and Planning Office by Close of Business at least 14 days prior to the next regular meeting of the Meade County Planning Board, at which the plats will be considered.

**7.4.1.2** No final subdivision plat or deed shall be approved or submitted to the Register of Deeds until the required improvements are constructed in a satisfactory manner and approved by the County Planning Department and/or Highway Department. In lieu of such prior construction, the planning board may accept a receipt for monies deposited in an escrow account with the Meade County Treasurer. Security bonds, certificates of deposit, irrevocable letter of credit, (with copy of bank note) may be substituted at the discretion of the Equalization and Planning Office in an amount equal to 130% of the total estimated project costs of the required infrastructure improvements as evident by an engineer's estimate and/or contractor's reasonable bid price. Whereby improvements shall be made and utilities installed without cost to the county in the event of default of the subdivider. Said security bond or account shall have a time limit imposed with the approval of the Commission. Building permits will not be issued until all the improvements are complete and inspected and approved by the county that were shown on the Final Plat or supporting documents including the signed Developers Agreement, at the time of approval.

**7.4.1.3** All property taxes on the parent parcel of land (the area of land being subdivided), must be paid for the entire year that the taxes are due before the final plat can be submitted to the Planning Staff to be placed on the Planning Meeting Agenda.

**7.4.1.4** Final plats that contain more than eight lots must be approved by the Commission by Resolution which requires a 20-day waiting period after the publication of the Official Commission minutes before the final plat can be recorded in the Register of Deeds. If no decision is made, the plat shall be sent back to the Planning Board.

**7.4.1.5** The Commission shall have maximum of 45 days to approve or disapprove the final plat after receipt of the Planning Board recommendation.

**7.4.1.6** If eight lots or less, the Planning Staff shall submit the approved final plat to the Office of the Register of Deeds to be recorded. The recording fee shall be paid by the subdivider in advance at the time of the final plat submittal along with the platting fees.

## **7.4.2 REQUIRED SUBMISSION MATERIALS**

**7.4.2.1 Subdivision Improvements:** All subdivision improvements must either be completely constructed to Meade County technical standards or Guarantee in Lieu must be provided to the Office of Equalization and Planning prior to Final Plat approval.

**7.4.2.2 Cost Estimate and Developer's Agreement:** For any subdivision that requires improvements that cannot be completely built prior to Final Plat approval, a detailed itemized cost estimate of all required improvements, guarantee in lieu, and signed must be submitted to the Equalization and Planning Office.

**7.4.2.3 Plat Fee Check:** A check for the platting and recording fee must be submitted prior to final plat approval.

**7.4.2.4 Additional Documentation:** If the property proposed for development involves areas where, in the view of the planning board, the soils characteristics, terrain, natural and man-made drainage, geology, ground cover or its location impose unusual requirements, Planning Board may request supplementary data to demonstrate the feasibility of subdividing the land. If applicable, the following documentation must be provided 14 days prior to review of the Final Plat:

**7.4.2.4.1 A Traffic Impact Study or a Traffic Operational Analysis** may be required by the Planning Staff with approval of the Planning Board. If required, a Traffic Impact Study or a Traffic Operational Analysis must be completed by a South Dakota Licensed Professional Engineer according to AASHTO which is a requirement for subdivisions that have or plan to have 50 lots or more and/or which would cause an increase traffic load of an average of 400 vpd, which shall be used to determine whether a deceleration, acceleration and/or a separate left and right-turn lanes may be required exiting or entering entrances to the subdivision development off of an existing public road. If a Profession Engineer determines that additional lanes are needed to provide traffic safety, the developer may need to dedicate additional right-of-way to accommodate the need for auxiliary lanes and construct the auxiliary lanes in conjunction with the county per the engineering study. Auxiliary lanes shall be designed by a South Dakota Licensed Professional Engineer.

**7.4.2.4.2 A Drainage Plan** may be required showing drainage management throughout the subdivision including engineering calculations for sizing culverts including stormwater retention (if applicable) which must show pre-development and post-development flows and technical information on how the stormwater runoff will be metered to reach pre-development conditions. Additionally, the plan must include the following information from a South Dakota Licensed Professional Engineer:

**7.4.2.4.2.1** Location of proposed drainage ways, streams and ponds in the subdivision.

**7.4.2.4.2.2** Location, size and invert elevations of proposed drainage structures including culverts, bridges, pipes, drop inlets and top elevations of headwalls, etc.

**7.4.2.4.2.3** Area of land contributing runoff to each drainage structures.

**7.4.2.4.2.4** Location of easements and ROW for drainage ways and Maintenance of access thereof.

- 7.4.2.4.2.5 Typical cross-section of each drainage way
  - 7.4.2.4.2.6 Direction of water flow throughout the subdivision.
  - 7.4.2.4.2.7 Existing and proposed contour lines for the surface water drainage system, including any major alteration to the existing drainage pattern. Drainageways and detention ponds shall be designed per Ordinance 52 requirements. The contour interval shall be detailed so the final drainage pattern is adequately illustrated.
  - 7.4.2.4.2.8 The boundaries shown of all drainage easements and detention ponds. A maintenance agreement for the upkeep of the detention ponds shall be filed with the plat, if applicable. Individual lot drainage shall conform with the general surface drainage pattern for the area. Drainage shall be designed to avoid a concentration of storm drainage water from each lot to adjacent lots.
- 7.4.2.4.3 Sanitary Sewer Plan (If Applicable)** shall contain the following information:
- 7.4.2.4.3.1 Location and size of all existing and proposed sewers in the subdivision and tie points of the subdivisions. Location of sewer laterals.
  - 7.4.2.4.3.2 Direction of flow of each sewer line.
  - 7.4.2.4.3.3 Location of each manhole and other sewerage system appurtenances including lift stations and treatment plants.
  - 7.4.2.4.3.4 Profile of sewerage system.
  - 7.4.2.4.3.5 Capacity plan showing the technical, managerial, and financial capabilities for continued long term operation of water and if applicable, sewer.
  - 7.4.2.4.3.6 Meade County may request additional plans at any density level when it is evident it serves the interest of the public.
  - 7.4.2.4.3.7 Other requirements of Ordinance 33.
- 7.4.2.4.4 The Water Distribution Plan (If Applicable)** shall contain the location and size of the water distribution system including pipes, valves and fittings, hydrants, high pressure pumping equipment, etc. in accordance with Ordinance 33 from a South Dakota Licensed Professional Engineer. The location of wells shall meet the requirements of the SDDANR including obtaining a Water Rights Permit if the well output is over 18 gallons per minute.
- 7.4.2.4.5 Private Well Productivity Report.** If well produces over 25 gallons per minute, an SDDANR issued Water Rights Permit is required. A copy of the permit must be submitted to the Equalization and Planning Office.
- 7.4.2.4.6 Community Well or Public System Source, Reliability, Water Quality Report**
- 7.4.2.4.7 100-year 1% floodplain information** and panel number, if applicable, (FEMA)
- 7.4.2.4.8 Covenants and Agreements.**

**7.4.2.4.9 Capacity Plan (If Applicable):** The county requires plans for both the community water system and centralized wastewater disposal systems for subdivisions. For subdivisions that are 8 lots or more, the plans must show the technical, managerial, and the financial capacity of the systems. Technical capacity shall show the functionality of design. Managerial shows staff needed and operation requirements (if applicable). Financial capacity shows the ability to acquire and manage sufficient financial resources to allow the system to achieve and maintain SDDANR compliance, including the estimated monthly fees per household (or unit for multi-residential for water systems and also centralized sewer system if applicable).

**7.4.2.4.10 Homeowners Association & membership requirements (If Applicable)**

**7.4.2.4.11 Water District Association agreement and membership requirements (If Applicable).**

**7.4.2.4.12 Sanitary District Association & membership requirements, if applicable.**

**7.4.2.4.13 Paving District Association & membership requirements, if applicable.**

**7.4.2.4.14 Township Organization or Improvement District organizational documents, if applicable.** If the property proposed for development involves areas where soils characteristics, terrain, natural and man-made drainage, geology, ground cover or its location impose unusual requirements, the applicant/developer must provide **supplementary data to demonstrate the feasibility of subdividing the land.**

**7.4.2.5 Final Plat:** The original or reproducible final plat shall be drawn in waterproof black ink upon tracing Mylar, drafting linen, matte film 15" x 26", 11" x 17", or 8.5" x 14". The scale shall be legible, and each signature shall be made with permanent ink.

**7.4.2.5.1** One mylar copy and one digital copy of the final plat must be submitted to planning staff 14 days before the meeting.

**7.4.2.5.2** Upon submittal to the Equalization and Planning Office, the mylar must have signatures from the Surveyor, Meade County Treasurer, Highway or Street Authority, and Owners. Signatures for the remaining signature blocks are collected after final plat approval by planning staff.

### **7.4.3 PLAT VACATION**

**7.4.3.1** Plats will be vacated according to South Dakota Codified Law 11-3-16; 11-3-20.1 to 20.4; 11-3-21.1 to 24.1.

**7.4.3.2** Petition for plat vacation must be filed with the auditor. The Planning Office also requires a submitted copy to review. Fees for a plat vacation will be set by resolution of the Commission. The Planning Office will collect the fee including the recording fee when the information is submitted.

### **7.4.4 SECTION LINE RIGHT-OF-WAY VACATION**

**7.4.4.1** The procedures to vacate or relocate a section line right-of-way will be in accordance with South Dakota Codified Law Title 31-3-6. Fees to vacate or relocate a section line right-of-way will be set by resolution of the Commission.

- 7.4.4.2 All landowners adjacent to the affected portion of section line shall be notified with a letter sent via certified mail no less than 14 days prior to the date of the public hearing.

## **ARTICLE 8. VARIANCES**

**8.1 PROCEDURE** The Meade County Board of Adjustments shall hear requests for variances from the terms of this ordinance. The Board of Adjustments has the right to attach such conditions to variances as it deems necessary to further the purposes and objectives of this ordinance. The Board of Adjustments shall have the authority to make their decision on all variance applications that are brought before them. Variance Fees are set by Resolution of the Commission and all fees are available for review within Meade County's Fee Schedule. The person claiming the Variance has the burden of showing:

- 8.1.1 That the granting of the Variance will not be contrary to the public interest.
- 8.1.2 That the literal enforcement of the Ordinance will result in unnecessary hardship.
- 8.1.3 That by granting the Variance contrary to the provisions of the Ordinance the spirit of the ordinance will be observed; and
- 8.1.4 That by granting the Variance, justice will be done.

### **8.2 REQUIRED SUBMISSION MATERIALS**

- 8.2.1 A letter stating the request for variance has been given to all adjacent landowners including landowners across public or private roads. A copy of such notification letter shall be reviewed and approved by one of the Planning Staff prior to mailing.
- 8.2.2 It shall be the responsibility of the applicant to notify all adjacent landowners by certified mail at least 14 calendar days before the Planning Board meeting. The Planning Board acts as the Board of Adjustment. Notification to all adjacent landowners must state the scope of the variance and the date the Planning Board, acting as the Board of Adjustment, will review the variance application. Meade County may assist in producing the list of adjacent landowners, but the accuracy and cost shall be the responsibility of the applicant. A certified mail receipt containing the recipient's name for each letter sent, must be submitted to the Equalization and Planning Office with the variance application and fee.
- 8.2.3 The applicant for non-hardship variances will be responsible to place a "Variance Requested Sign" (14) days prior to the regularly scheduled planning board meeting once they are placed on the Planning Meeting Agenda. The "Variance Requested Sign" must be placed facing the most traveled road or street where it can be easily read by those who drive past the applicant's property. The "Variance Requested Sign" must be installed by the property owner. The sign shall be returned to the Equalization and Planning Department on the date of their scheduled appearance at the scheduled Board of Adjustment/Planning Meeting. There is a deposit for the sign due when the sign is picked up from the Equalization and Planning Office. Failure to return the sign may result in a denial of the variance being requested and/or a fine and the applicant will forfeit their deposit. It will be the responsibility of the applicant to pay for the sign if it is damaged. The amount of the deposit and fines are set by resolution of the Commission.

### **8.3 SECONDARY DWELLING MEDICAL HARDSHIP VARIANCE**

- 8.3.1** Secondary Temporary Dwelling variance for a medical hardship requires that an application be completed and submitted and if approved by the Commission, is good for only one year, and must be updated annually.
- 8.3.2** The property owner must be able to submit written documentation to substantiate the necessity for the variance.
- 8.3.3** It shall be the property owner's responsibility to renew application on an annual basis for a Second Temporary Dwelling, and failure to do so shall constitute a violation of this Ordinance, and the Second Temporary Dwelling must be removed.
- 8.3.4** Once the medical hardship ceases to exist, the temporary dwelling unit must be removed
- 8.3.5** No secondary temporary dwelling shall be placed on a permanent foundation.

## **ARTICLE 9. PENALTIES**

### **9.1 PENALTIES FOR TRANSFERRING LOT IN UNAPPROVED SUBDIVISIONS**

- 9.1.1** The owner or agent of the owner of any land located within Meade County being found in violation of any of the regulations of this ordinance shall be subject to an action for injunctive relief brought by Meade County. The Commission may recover the same penalty by civil action in any court of competent jurisdiction, according to SDCL (11 2 34).
- 9.1.2** If, at any time during the course of completion of subdivisions, construction, or any other development authorized under the provisions of this ordinance, the Commission becomes aware of impracticable procedures, unforeseen circumstances, or other cogent situations not compatible with the intent of this ordinance, a statement of Policy will be issued. This statement of Policy will govern the continuance of the problem area and/or any other projects requiring the application of the same.
- 9.1.3** A statement of Policy will govern any given situation or peculiar problem area for a given period of time, not to exceed 12 consecutive months.

### **9.2 PENALTIES FOR VIOLATION OF THE SUBDIVISION ORDINANCE**

- 9.2.1** In addition to other remedies set forth in this ordinance, violation of this ordinance may be punishable by 30 days imprisonment in a county jail or a \$500.00 fine, or both; each day in violation may be deemed a separate offense which will be reviewed by the States Attorney's Office and determined in a Court of Law.
- 9.2.2** The provisions of this ordinance shall be administered and enforced by a County Ordinance Enforcement Officer appointed by the Commission, who shall have the power to make inspections of the premises necessary to carry out duties in enforcement of the ordinance.
- 9.2.3** The Office of Equalization and Planning shall have the power to appoint deputies to assist in duties, such deputies to be approved by the Commission.
- 9.2.4** The County Ordinance Enforcement Officer, and any deputies appointed, shall have authority to issue an ordinance violation notice which shall specify, in addition to other information at the discretion of such officer, the following:

9.2.4.1 Date of the violation.

9.2.4.2 Nature of the violation.

9.2.4.3 Amount of fine associated with the violation.

9.2.4.4 Date the individual is required to appear in court unless the designated fine is paid prior thereto.

9.2.4.5 Signature, or noted refusal to sign, of the violator.

9.2.5 An ordinance violation notice issued under authority of this ordinance shall be enforced as a proceeding before a magistrate court.

9.2.6 An injunction may be requested via the State's Attorney.

#### ARTICLE 10. SEVERABILITY AND SEPARABILITY

10.1 Should any Article, Section, Sub section or Provision of these Subdivision Regulations be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the Subdivision Ordinance as a whole or any part thereof other than the part so declared to be invalid or unconstitutional.

#### ARTICLE 11. EFFECTIVE DATE

11.1 This Ordinance shall be effective twenty (20) days following completed publication. Upon becoming effective, all prior Ordinances are revoked.

Dated at Sturgis, South Dakota, this 24<sup>th</sup> day of May 2022.

Chairperson: \_\_\_\_\_

Meade County Commissioner

Attested: \_\_\_\_\_

Meade County Auditor



**Ordinance 20**

First Reading: Aug. 5, through Oct. 7, 1998  
Second Reading: November 5, 1998  
Adopted: November 5, 1998  
Published: November 18 & 25, 21 & 28, 1998  
Effective date: December 18, 1998

**First Revision**

Second Reading: January 3, 2001  
Adopted: January 3, 2001  
Published: January 13, 17, 20, & 24, 2001  
Effective date: February 13, 2001

**Second Revision**

First Reading: May 2, 2001  
Second Reading: June 6, 2001  
Adopted: June 6, 2001  
Published: June 13, - 20, 2001

**Third Revision**

First Reading: May 2<sup>nd</sup>, 2007  
Second Reading: June 6<sup>th</sup>, 2007  
Adopted: June 6<sup>th</sup>, 2007  
Effective Date: July 10<sup>th</sup>, 2007

**Fourth Revision**

Second Reading: September 3, 2008  
Adopted: September 3,  
2008 Published:  
Effective Date:

**Fifth Revision**

First Reading: Sept. 2, 2009  
Continued 1<sup>st</sup> Reading: Oct. 7 2009  
Second Reading: November 3, 2009  
Adopted: November 3, 2009  
Publish Date: Nov. 11 & 18, 2009  
Effective Date: December 8<sup>th</sup>, 2009



**Sixth Revision**

First Reading: March 1, 2005

Second Reading: April 5, 2005

Adopted: July 11<sup>th</sup>, 2012

Published: April 9, - 13, 2005

Effective date: May 3, 2005

**Seventh Revision**

First Reading: July 6, 2005

Continued First Reading: July 27, 2005

Second Reading: August 3, 2005

Adopted: August 3, 2005

Published: August 8 & August 10,  
2005

Effective date: August 30, 2005

**Eighth Revision**

First Reading: December 7, 2005

Second Reading: January 4, 2006

Adopted: January 4, 2006

Published: January 7 & 11, 2006

Effective date: January 31, 2006

**Ninth Revision**

Public Hearing: July 11, 2012

Adopted: July 11, 2012

Published: July 25 & August 1, 2012

Effective date: August 21, 2012

**Thirteenth Revision**

Planning Board Public Hearing: May 2<sup>nd</sup>, 2022

First Reading: May 10<sup>th</sup>, 2022

Second Reading: May 24<sup>th</sup>, 2022

Adopted: May 24<sup>th</sup>, 2022

Published: June 8<sup>th</sup> & 15<sup>th</sup>, 2022

Effective date: July 5<sup>th</sup>, 2022

**Tenth Revision**

Planning Board Public Hearing: October 11<sup>th</sup>, 2016

First Reading: November 23<sup>rd</sup>, 2016

Second Reading Adopted: December 28<sup>th</sup>, 2016

Published: January 11<sup>th</sup> & 18<sup>th</sup>, 2017

Effective date February 7<sup>th</sup>, 2017

**Eleventh Revision**

Planning Board Public Hearing

First Reading: March 28<sup>th</sup>, 2018

Second Reading: May 9<sup>th</sup>, 2018

Adopted: May 9<sup>th</sup>, 2018

Published: May 23<sup>rd</sup> & 30<sup>th</sup>,  
2018

Effective date: June 19<sup>th</sup>, 2018

**Twelfth Revision**

Planning Board Public Hearing: May 3<sup>rd</sup>, 2021

First Reading: August 24<sup>th</sup>, 2021

Second Reading: September 15,  
2021

Adopted: September 15, 2021

Published: September 29, 2021  
& October 6, 2021

Effective date: October 12, 2021

## APPENDIX A

### ADA Handicap Accessible Parking Regulations:

When parking is provided for the public, designated accessible parking spaces must be provided, if doing so is readily achievable.

An accessible parking space must have space for the vehicle and an additional space located either to the right or to the left of the space that serves as an access aisle. This aisle is needed to permit a person using a wheelchair, electric scooter, or other mobility device to get out of their car or van.

- \* A sign with the international symbol of accessibility must be located in front of the parking space and mounted high enough so it is not hidden by a vehicle parked in the space. There are no ADA requirements or specifications for a painted handicap logo on the parking pavement.

- \* Accessible parking spaces should be the spaces closest to the accessible entrance and be located on level ground. If it is not readily achievable to locate accessible parking in the closest spaces due to sloped pavement or other existing conditions, then the closest level area should be selected.

- \* An accessible route must be provided between the access aisle and the accessible building entrance. This route must have no steps or steeply sloped surfaces and it must have a firm, stable, slip-resistant surface.

- \* Van Accessible Spaces must have an access aisle that is at least 8' wide and be designated by a sign with the international symbol and "van accessible." There should be a vertical clearance of at least (98) inches on the vehicular route to the space, at the parking space, and along the vehicular route to an exit. A Van Accessible Parking Space (1 of 8) of all accessible parking spaces, but at least one, must be van accessible. Although designated a van accessible space, cars may use the space too). Provide a parking space that is at least 8' wide. There should be at least a 98" high clearance at the parking space, the adjacent access aisle and along the vehicular route to the space and vehicular exit. Install a sign with the international symbol of accessibility and "van accessible" and mount it high enough so it is not hidden by the vehicle parked in the space. Locate parking space and access aisle so that they are relatively level (1:50 maximum slope in all directions is recommended if readily achievable) Provide an access aisle that is at least 8' wide next to the van parking space to permit a person using a wheelchair or scooter to exit or enter a van with a side-mounted lift.

- \* Provide an accessible route to the accessible entrance to the building - a marked crosswalk may be needed if route crosses vehicular traffic.

- \* Accessible parking spaces for cars must have an access aisle that is at least 5' wide. The other features are the same as for vans, except that the sign designating the parking space only has an international symbol of accessibility, and there is no requirement for a minimum vertical height.

- \* The number of accessible parking spaces that should be provided is based on the total number of parking spaces that you provide. (See chart below).

- \* If you provide only one accessible parking space, it must be a van accessible space. In facilities where more than one accessible parking space is required, one of eight accessible parking spaces must be van accessible. Where parking is provided in several locations near building entrances, the accessible parking should also be dispersed, if doing so is readily achievable. Since van accessible parking spaces are provided in limited numbers, it is often not possible to disperse the van accessible parking spaces.

\*Locate accessible parking spaces as close as possible to the accessible entrances and on an accessible route to the building. Locate parking space and access aisle on relatively level ground (1:50 maximum slope in all directions).

### Location

Accessible handicapped parking must be located on the shortest accessible route to the accessible entrance. Provide a marked access aisle if person is required to cross vehicular traffic.

### Minimum Number

One in every eight, but not less than one, parking space must be van accessible with a designated handicap sign and an access aisle 96" wide.

Total Spaces in Lot    Accessible Spaces Required

1-25	1 van
26-50	1 std. + 1 van
51 - 75	2 std. + 1 van
76-100	3 std. + 1 van
101-150	4 std. + 1 van
151-200	5 std. + 1 van
201-300	6 std. + 1 van
301-400	7 std. + 1 van
401-500	7 std. + 2 van
501-1000	2% of total spaces*
1001 and over	20 + (1 per 100 over 1000)*

Standard Accessible (std.) parking space is 8' minimum + 5' access aisle.

\* One in every eight accessible parking spaces must be a van accessible space with an 8' wide access aisle.