

**TOWN OF WENTWORTH
NOTICE OF ADOPTION**

Notice is hereby given that Ordinance #2022-286.01 was duly adopted by the Wentworth Town Board on May 16, 2022 and will become effective on June 9, 2022.

ORDINANCE #2022-286.01

ORDINANCE 2022-286.01, AN ORDINANCE ENTITLED, AN ORDINANCE TO AMEND ORDINANCE 286, AN ORDINANCE ESTABLISHING ZONING REGULATIONS FOR THE TOWN OF WENTWORTH, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF, IN ACCORDANCE WITH THE PROVISIONS OF CHAPTERS 11-4 AND 11-6, 1967 SDCL, AND AMENDMENTS THEREOF, AND FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED by the Town Board of the Town of Wentworth, South Dakota:

That Section 2.04.05 of the Zoning Ordinance of the Town of Wentworth, as amended, adopted by Ordinance 286, on 7/12/1999, be amended to allow the following as a Special Exception A – Agricultural District:

#12. Extended Home Occupation.

BE IT FURTHER ORDAINED by the Town Board of the Town of Wentworth, South Dakota:

That Article IV of the Zoning Ordinance of the Town of Wentworth as amended, adopted by Ordinance 286, on 7/12/1999, be amended to add the following Chapter:

CHAPTER 4.15. EXTENDED HOME OCCUPATION.

There are significant differences between home occupations conducted in residential dwellings on small tracts and those which may be operated in an accessory structure on the same property as a residential dwelling. The nature of resources available for use, the benefits and disadvantages created by home occupations, and the problems generated necessitate a distinction between home occupations and extended home occupations. Each concept is based on supplementing income, but due to density of development and different requirements on the placement of accessory structures extended home occupations typically require unique considerations. For the aforesaid reasons, certain types of uses may be permitted as extended home occupations in certain districts provided certain considerations are made.

1. For the purpose of this section, provided all requirements are met, the following shall be considered extended home occupations:
 - a. Personal services;
 - b. Finance, insurance and real estate services;
 - c. Sale of products grown or produced by the residents of the property;
 - d. Light manufacturing/repair/other services provided all performance standards are met or exceeded;
 - e. Custom processing on a lot zoned "Agriculture District" subject to Chapter 4.16

2. Performance Standards

- a. An extended home occupation may not be changed to another extended home occupation except by the issuance of a separate special exception permit.
- b. Individuals engaged in such occupation shall consist of family members residing on the premises and up to one (1) non-family employee.
- c. There shall be no change in the outside appearance of the buildings or premises, or other visible evidence of the conduct of such home occupation other than one on-premise sign, not to exceed sixteen (16) square feet in area, non-illuminated.
- d. The only retail sales allowed shall consist of the sale of commodities/products prepared on the premises in connection with such occupation or activity.
- e. There shall be no outdoor storage of materials, vehicles, etc. related to the extended home occupation unless the aforementioned storage is placed behind a fence approved by the Board of Adjustment.
- f. Extended home occupations shall be conducted in an accessory building.
- g. No traffic shall be generated by such extended home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need of parking generated by the conduct of such extended home occupation shall be provided off the street and other than in a required front yard.
- h. No equipment or process shall be used in such extended home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.

BE IT FURTHER ORDAINED by the Town Board of the Town of Wentworth, South Dakota:

That Article IV of the Zoning Ordinance of the Town of Wentworth as amended, adopted by Ordinance 286, on 7/12/1999, be amended to add the following Chapter:

CHAPTER 4.16. CUSTOM PROCESSING.

Section 4.16.1. General Conditions.

1. The following are general conditions to govern Custom Processing activities:
 - a. There is no slaughtering of animals on site.
 - b. The transport of animals and by-products shall be pursuant to the conditions set forth in the Special Exception Permit issued by the Board of Adjustment.
 - c. The facility must have all necessary federal and state licenses and approvals, and comply with all state and federal health and safety regulations.
 - d. The facility hours of operations shall be pursuant to those set forth in the Special Exception Permit issued by Board of Adjustment.
 - e. Waste byproducts (sewage, processed and unprocessed animal parts, manure, entrails, blood, hides and bones) shall be disposed of in accordance with all applicable federal, state, and local regulations. Waste shall be stored in airtight containers and shall be confined in fully enclosed structures.
 - f. All loading and unloading areas shall be reasonably screened from view from adjacent properties and public rights of way.

Section 4.16.2. Required Information for Custom Processing Special Exception Permit

1. Owner's name, address and telephone number.
2. Legal description of site and site plan.
3. Maximum number and type of animals to be processed in a 24-hour period.
4. Management plan for fly and odor control.
5. Waste byproduct plan.
6. Information on ability to meet designated setback requirements, including site plan.
7. Proof of any required State or Federal permits/licenses.
8. Any other information as contained in the application and requested by the Administrative Official or the Board of Adjustment.

BE IT FURTHER ORDAINED by the Town Board of the Town of Wentworth, South Dakota:

That Article V of the Zoning Ordinance of the Town of Wentworth as amended, adopted by Ordinance 286, on 7/12/1999, be amended to add the following definitions:

Custom Processing. "Custom Processing" means eviscerating, dressing, or processing an animal or processing meat products.

Extended Home Occupation. A home occupation conducted outside of the residence and/or in an accessory building.