

State of South Dakota

EIGHTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2009

906Q0537

HOUSE BILL NO. 1169

Introduced by: Representatives Hunt, Faehn, Hunhoff (Bernie), Krebs, McLaughlin, Schlekeway, Thompson, and Verchio and Senators Abdallah, Dempster, Gant, and Miles

1 FOR AN ACT ENTITLED, An Act to revise the certain provisions concerning the regulatory
2 planning and zoning powers of municipalities.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 11-4-1 be amended to read as follows:

5 11-4-1. For the purpose of promoting health, safety, or the general welfare of the community
6 the governing body of any municipality may regulate and restrict the height, number of stories,
7 and size of buildings and other structures; the percentage of lot that may be occupied; the size
8 of the yards, courts, and other open spaces; the density of population; and the location and use
9 of buildings, structures, and land for trade, industry, residence, flood plain, or other purposes.
10 A municipality may enter into an agreement with any landowner specifying the conditions under
11 which the landowner's property may be developed. The agreement may include a requirement
12 on the landowner to either dedicate land or impose a fee, or both, to be used for park or
13 recreational purposes on the landowner's property or adjacent area.

