

## ORDINANCE NO. 774

## AN ORDINANCE AMENDING CHAPTER 44, ZONING, OF THE CITY OF BOX ELDER MUNICIPAL CODE

**WHEREAS**, the Municipal Code of the City of Box Elder provides zoning within its municipal boundaries; and

**WHEREAS**, the City of Box Elder finds it necessary to modify Chapter 44 of the municipal code which addresses zoning within the city; and

**WHEREAS**, this ordinance supersedes and replaces all previous ordinances and resolutions hereto relating to the subject matter hereof.

**NOW, THEREFORE, BE IT ORDAINED** by the governing body of the City of Box Elder, that the City of Box Elder Municipal Code be amended to read as follows (new language shall be indicated by underscore, and language to be deleted shall be indicated by strike-through):

**Chapter 44 Zoning****Sec 44-61 Zoning Districts And The Zoning Map**

- a. For the purpose of promoting the public health, safety, morals, convenience and the general welfare of the community, the City of Box Elder, South Dakota is divided into districts, each being of such number, shape, kind, area, common unity of purpose and adaptability of use that are deemed most suitable to carry out the purpose of this article.
- b. The City's adopted zoning districts are as follows:

<i>Name of Zoning District</i>	<i>District Code</i>
Agricultural district	AG
Park land	PK
Public land	PUB
Low density residential	R-1

Moderate density residential	R-2
Multi-family Residential	R-3
High Density Residential	R-4
Light general commercial	GC
Highway service	HS
General light industrial	GLID
Heavy industrial	HID
Open space or floodway district	OS-1
Planned development	PD
Mixed use <del>overlay</del> district <del>zone</del>	MU
<u>Rural Residential</u>	<u>RR</u>
<u>Neighborhood Commercial</u>	<u>NC</u>
<u>Commercial Flex</u>	<u>C-FX</u>
Air installation compatible use overlay zone	AICUZ

#### **DIVISION 44-III-2 SPECIFIC DISTRICTS**

Sec 44-83 Agricultural District (~~AGD~~)  
 Sec 44-84 Park Land Zoning (PK)  
 Sec 44-85 Public Land District (PUB)  
 Sec 44-86 Low Density Residential District I (R-1)  
 Sec 44-87 Moderate Density Residential District II (R-2)  
 Sec 44-88 Multi-Family Residential (R-3)  
 Sec 44-89 High Density Residential (R-4)  
 Sec 44-90 General Commercial District (GC)  
 Sec 44-91 Highway Service (HS)  
 Sec 44-92 General Light Industrial District (GLID)  
 Sec 44-93 Heavy Industrial District (HID)  
 Sec 44-94 Open Space Or Floodway District (OS-1)  
 Sec 44-95 Mixed Use ~~Zoning~~ District ~~Overlay Zone~~ (MU)  
 Sec 44-96 Planned Development District (PD)

Sec 44-97 Rural Residential (RR)  
Sec 44-98 Neighborhood Commercial (NC)  
Sec 44-99 Commercial Flex (C-FX)

**Sec 44-83 Agricultural District (AGD)**

c. *Development Standards.*

AGRICULTURAL DISTRICT (AGD)

**Sec 44-86 Low Density Residential District I (R-1)**

c - *Development Standards.*

LOW DENSITY RESIDENTIAL DISTRICT 1 (R-1)

Minimum Lot Size	10,000 Square Feet <u>3.1</u> Acres if not served by City water and sanitary sewer.
------------------	--

**Sec 44-87 Moderate Density Residential District II (R-2)**

C - *Development Standards.*

MODERATE DENSITY RESIDENTIAL DISTRICT II (R-2)

Minimum Lot Size	7,000 Square Feet 6,000 Square Feet for Townhouse <u>3.1</u> Acres if not served by City water and sanitary sewer.
------------------	--

**Sec 44-95 Mixed Use Zoning District Overlay Zone (MU)**

- a. *Purpose.* The mixed use ~~zoning district~~ ~~overlay zone~~ will ~~be the most urban atmosphere within the City. Projects will be three dimensional, with pedestrian oriented places that layer compatible land uses, public amenities, and utilities together at various scales and intensities. These variety of uses will allow for people to live, work, play, and shop in one place, which over time will make the area a destination for people from other neighborhoods, provide areas where commercial and residential uses may be developed together on the same lot or in the same structure. This district is intended to encourage walkable, mixed use activity centers that support both neighborhood and community needs.~~ Mixed uses may include the following forms:

1. Vertical mixed use building, where different uses are combined and integrated within the same building.

2. Horizontal mixed use, which combines and integrates ~~single-use buildings on distinct parcels in a range of land use within a typical one (1) block radius.~~residential and commercial on the same lot.
3. ~~Mixed use walkable neighborhoods, where an infinite number of various possibilities may be achieved by combining vertical and horizontal use. Uses are typically mixed with an area that is located ideally within a five (5) to ten (10) minute walking center.~~
- b. ~~Concept plan and development agreement required. All projects within the MU overlay zone shall submit a concept plan and enter into a development agreement with the City. The concept plan and development agreement must be approved by the City Council concurrently with the rezone request. The concept plan and agreement shall include the square footage of all proposed uses and the number of proposed residential units. Colored concepts plans and exterior elevations shall be included as exhibits in the development agreement. The development agreement shall require that the commercial component of the project may not be omitted.~~
- c. ~~Planning Commission and City Council Consideration. In considering approval of the concept plan and development agreement for the MU overlay zone, the Planning Commission and City Council shall consider:~~
  1. ~~Design. The design, exterior materials, housing type and quality of buildings and their relationship to the site and their relationship to development beyond the boundaries of the development.~~
  2. ~~Streets, Traffic, Parking. Which streets shall be public and which shall be private, the entrances and exits to the development and the provisions for internal and external traffic circulation and off-street parking.~~
  3. ~~Landscaping, Screening. The landscaping and screening as related to the several uses with the development as a means of its integration into its surroundings.~~
  4. ~~Density. The residential density of the proposed development and its distribution as compared with the residential density of the surrounding lands, either existing or as indicated on the City's zoning map or Comprehensive Plan as being a desirable future residential density.~~
- d.b. ~~Permitted uses. The MU overlay zoning district shall be used in conjunction with the underlying zoning district, thereby permitting the same land uses as the underlying base zoning district, except those uses that may be specifically excluded by the City in the development agreement. See Appendix A, Land Use Matrix.~~
- c. ~~General regulations. Development Standards~~

MIXED USE DISTRICT (MU)

<u>Minimum Lot Size</u>	<u>8,000 square feet</u>
<u>Minimum Lot Frontage (Width)</u>	<u>65 feet</u>
<u>Minimum Setbacks:</u>	
<u>Front Yard</u>	<u>25 feet; exception: 0 feet where located in a commercial corridor with sidewalk frontage</u>

<u>Interior Side Yard</u>	<u>10 feet; 25 feet when abutting residential</u>
<u>Exterior Side Yard</u>	<u>20 feet</u>
<u>Rear Yard</u>	<u>25 feet; 35 feet for structures over 45 feet in height</u>
<u>Maximum Building Coverage Ratio</u>	<u>70%</u>
<u>Maximum Structure Height</u>	<u>75 feet set</u>

e.

1. ~~Mixed uses required.~~ One hundred percent (100%) residential projects are prohibited.
2. ~~Site development standards.~~ Site development standards such as minimum lot size, frontage, setbacks, coverage, and building heights may vary from the underlying zoning district development standards.
  - a. ~~Development standards are to be suggested by the developer with the final determination to be made by the City Council upon recommendation by the Planning Commission.~~
  - b. ~~Unless otherwise approved in the development agreement, the development standards for the underlying zoning district shall apply. Variation shall not be allowed unless the developer provides creative site design, design innovation, additional open space or amenities deemed by the Council to be in excess of the requirements of this Code.~~
3. ~~Building orientation.~~ Primary building orientation shall be toward the street. Buildings that are open to the public and are within thirty feet (30') of the street shall have an entrance for pedestrians from the street to the building interior. This entrance shall be designed to be attractive and functional, be a distinctive and prominent element of the architectural design, and shall be open to the public during business hours.
4. ~~Building aesthetics.~~ Buildings shall incorporate exterior lighting and changes in mass, surface, or finish to give emphasis to entrances. Wherever practical, buildings shall incorporate arcades, roofs, alcoves, porticos, and awnings that protect pedestrians from weather. Buildings shall provide a clear visual division between floors. The top floor of any building shall contain a distinctive finish, consisting of a roof, cornice, or other architectural termination.
5. ~~Building equipment, refuse areas.~~ Trash storage areas, mechanical equipment, transformers, utility meters, and similar devices are not permitted to be visible from the street. Where site constraints would otherwise force these uses into visible locations, they shall be screened by decorative walls, earthen berms, landscaping, or architectural treatments capable of screening views from streets and sidewalks. In rooftop locations, mechanical equipment shall be screened by roof components, parapets, cornices, or other architectural features.

Commented [MN1]: Do we need to include a reference to the setback for interior side yards when the building is over 45' tall?

Commented [LP2R1]: No - this has been removed.

- ~~6. Common space on-site amenities. The project shall develop common space on site amenities proportionate to and in relation to the scale and resident demographics of the proposed project. Amenities include, but are not limited to:
  - a. Water amenities: pools, hot tubs, steam rooms;
  - b. Sport amenities: tennis, pickleball, basketball courts;
  - c. Community gathering amenities: play structures, village greens, pavilions, outdoor kitchens; and
  - d. Other amenities deemed appropriate by the Planning Commission and City Council.~~
- ~~7. Utilities. All new utility transmission lines shall be placed underground.~~
- ~~8. Pedestrian and vehicle circulation and connectivity. Public rights of way shall be wide enough to incorporate bike lanes and sidewalks. Whenever possible proposed developments in the MU overlay zone shall design walkways and trails to connect with larger area walkways and trail systems. Public seating and bicycle racks shall be provided near entrances to buildings or groups of buildings.~~
- ~~9. Parking. Parking shall be provided in accordance with the requirements of Article V of this chapter. Parking areas shall be located at the rear or side of buildings. Parking may not be located between a building and the street. Where feasible, pedestrian walkways shall be incorporated into parking lots of any size. Parking lots with more than one hundred (100) spaces shall be divided by landscaped areas including a walkway. Parking requirements may be reduced by the City Council upon recommendation of the Planning Commission if it can be shown that shared parking is a viable alternative with the development plan.~~
- ~~10. Truck loading. All truck loading (i.e. pick up and deliveries) shall be provided at the rear or side of buildings.~~

~~Floodplain requirements. Any development within the flood area must comply with the city flood damage prevention regulations as set forth in this Code.~~

~~d. Temporary structures~~

- ~~1. Temporary canopies, tents, awnings, etc., may be set up on a temporary basis, but in no case shall they be utilized on a permanent basis for storage or storage of motor vehicles.~~
  - ~~2. Temporary structures may not be erected for a period of time of more than three (3) days unless otherwise approved by the City Council or utilized for personal greenhouses producing agricultural products for personal use, or temporary structures incidental to active on-site residential construction projects.~~
- ~~e. Off-street parking required. See Article V. Off-street parking for additional regulations.~~
- ~~f. Floodplain requirements. See Chapter 12, Article II. Flood Damage Prevention and Control for requirements.~~
- ~~g. Landscaping. Landscaping shall be provided in quality and quantities as provided in this chapter.~~

#### Sec 44-97 Rural Residential (RR)

##### a. General Description

1. This district is intended to provide areas for low-density residential development in a rural setting. The purpose of this district is to maintain a rural character with larger lots, reduced building coverage, and allowances for limited agricultural and accessory uses.

b. Permitted, conditional, or prohibited uses. See Appendix A Land Use Matrix

##### c. Development Standards.

#### RURAL RESIDENTIAL (RR)

<u>Minimum Lot Size</u>	<u>3 Acres</u>
<u>Minimum Lot Frontage (Width)</u>	<u>150 feet</u>
<u>Minimum Setbacks:</u>	
<u>Front Yard</u>	<u>50 feet</u>
<u>Interior Side Yard</u>	<u>25 feet</u>
<u>Exterior Side Yard</u>	<u>25 feet</u>
<u>Rear Yard</u>	<u>50 feet</u>
<u>Maximum Building Coverage Ratio</u>	<u>25%</u>
<u>Maximum Structure Height</u>	<u>11 feet (2 ½ stories)</u>

11.

##### d. Temporary structures

1. Temporary canopies, tents, awnings, etc., may be set up on a temporary basis, but in no case shall they be utilized on a permanent basis for storage or storage of motor vehicles.

2. Temporary structures may not be erected for a period of time of more than three (3) days unless otherwise approved by the City Council or utilized for personal greenhouses producing agricultural products for personal use, or temporary structures incidental to active on-site residential construction projects.

e. Off-street parking required. See Article V. Off-street parking for additional regulations.

f. Floodplain requirements. See Chapter 12, Article II. Flood Damage Prevention and Control for requirements.

#### Sec 44-98 Neighborhood Commercial (NC)

##### a. General Description

1. This district is intended to provide small to moderate scale commercial and civic uses that serve surrounding residential neighborhoods and act as a transition between residential and more intensive commercial districts. Development is intended to be compatible in scale and character with adjacent residential areas, with additional buffering where required.

b. Permitted, conditional, or prohibited uses. See Appendix A Land Use Matrix

##### c. Development Standards.

#### Neighborhood Commercial (NC)

<u>Minimum Lot Size</u>	<u>8,000 square feet</u>
-------------------------	--------------------------

Commented [MN3]: It looks like the numbering is off in this section. This 2 and 3 could be b and c, and then the numbers following the table should be fixed also.

Commented [LP4R3]: Fixed

<u>Minimum Lot Frontage (Width)</u>	<u>65 feet</u>
<u>Minimum Setbacks:</u>	
<u>Front Yard</u>	<u>20 feet</u>
<u>Interior Side Yard</u>	<u>15 feet, 25 feet abutting residential**</u> <u>**landscape buffer may be required</u>
<u>Exterior Side Yard</u>	<u>20 feet</u>
<u>Rear Yard</u>	<u>20 feet; 25 feet abutting residential**</u> <u>**landscape buffer may be required</u>
<u>Maximum Building Coverage Ratio</u>	<u>65%</u>
<u>Maximum Structure Height</u>	<u>d. feet (2 stories)</u>

d. Temporary structures

3. Temporary canopies, tents, awnings, etc., may be set up on a temporary basis, but in no case shall they be utilized on a permanent basis for storage or storage of motor vehicles.
4. Temporary structures may not be erected for a period of time of more than three (3) days unless otherwise approved by the City Council or utilized for personal greenhouses producing agricultural products for personal use, or temporary structures incidental to active on-site residential construction projects.
  - a. Off-street parking required. See Article V. Off-street parking for additional regulations.
- e. Floodplain requirements. See Chapter 12, Article II. Flood Damage Prevention and Control for requirements.
- f. Landscaping. Landscaping shall be provided in quality and quantities as provided in this chapter.

**Sec 44-99 Commercial Flex (C-FX)**

a. General Description

1. This district is intended to provide flexibility in the design of commercial developments that do not conform to the City's standard commercial zoning districts but are not large enough or complex enough to require a Planned Development. The intent of this district is to allow innovative site designs, alternative layouts, and a mix of commercial activities where the City Council determines that proposed public benefits outweigh deviations from standard zoning requirements.

b. Permitted, conditional, or prohibited uses. See Appendix A Land Use Matrix

c. Development Standards.

Commercial Flex (C-FX)

Development standards in the C-FX District shall be established through the rezoning process and documented in the approving ordinance. Applications for rezoning to C-FX shall include a concept plan identifying the following, at a minimum:

- a. Proposed land uses and general intensity.

**Commented [MN5]:** Could you please provide an example of how this will work?

**Commented [LP6R5]:** An example would be a 4-acre sit. where a developer proposes multiple building styles such as boutique shops, restaurants and such on individual lots wit a shared parking lot and a central plaza. This layout would not fit under our General Commercial or Highway Service standards. Under C-FX, the developer would submit a concept plan, staff would prepare a staff report, Planning Commission would review and give their recommendation and City Council would be the final decision of what the standards for this development would be. That ordinance would then document the approved setbacks, parking arrangement, and plaza requirement, making them enforceable just like other zoning standards. I don't know that the ordinance is the best place to capture that. Would you prefer we handle this differently, or would you like to discuss further how best to document the approved standards?

- b. Site layout including building placement and orientation.
- c. Parking, circulation, and access points.
- d. Landscaping, open space, and screening.
- e. Proposed building heights and coverage.
- f. Signage concept.
- g. Utility service and stormwater management approach.

The City Council may approve deviations from Standards such as minimum lot size, density, setbacks, parking, signage, and other dimensional regulations may be approved by the City Council where the applicant demonstrates that the development provides public benefits and maintains overall compatibility with the surrounding community.

Examples of public benefits that may be considered include, but are not limited to:

- 1 – Enhanced architectural design materials.
- 2 – Streetscape improvements and landscaping beyond minimum requirements.
- 3 – Shared or structured parking arrangements that reduce surface parking areas.
- 4 – Trail, sidewalk, or bike connections extending beyond the site.
- 5- Screening of service areas, outdoor storage, and loading areas.
- 6- Stormwater management features that provide usable open space or ecological function.
- 7- Driveway consolidation or access management that improves traffic flow and safety.
- 8 – Incorporation of public or civic amenities such as plazas or community spaces.
- 9 – Signage plans that improve corridor character and reduce visual clutter.

#### d. Process

Applications for rezoning to C-FX shall include a concept plan as outlined above. The City Council may approve, modify, or deny the request based on consistency with the Comprehensive Plan, compatibility with surrounding development, and the extent of public benefits provided. Approved standards shall be documented.

#### e. Temporary structures

- 1. Temporary canopies, tents, awnings, etc., may be set up on a temporary basis, but in no case shall they be utilized on a permanent basis for storage or storage of motor vehicles.
- 2. Temporary structures may not be erected for a period of time of more than three (3) days unless otherwise approved by the City Council or utilized for personal greenhouses producing agricultural products for personal use, or temporary structures incidental to active on-site residential construction projects.
- f. Off-street parking required. See Article V. Off-street parking for additional regulations.
- g. Floodplain requirements. See Chapter 12, Article II. Flood Damage Prevention and Control for requirements.

**Commented [MN7]:** Where are the standards that may be deviated from set out?

**Commented [LP8R7]:** The intent is that C-FX does not create new baseline standards but instead provides a process where the City Council can establish standards through the rezoning ordinance. The "deviations" would be from standards already found in Chapter 44, such as lot size and setbacks from the General Commercial or Highway Service districts. Would you prefer we explicitly tie this district to an existing commercial district as a baseline, or adjust the language so that instead of saying "may approve deviations," it states that "standards such as lot size, setbacks, parking, signage, and density will be outlined in the adopting ordinance"?

**Commented [MN9R7]:** See what you think of the updated language?

h. Landscaping. Landscaping shall be provided in quality and quantities as provided in this chapter.

#### **Sec 44-176 Landscape Regulations**

- a. *Purpose.* These regulations aim to enhance public safety, aesthetic quality, and environmental conditions by establishing standards for landscaping that contribute to stormwater management, reduce heat, and create attractive public spaces.
- b. Landscaping Required Applicability. Landscaping is required for all new developments, including parking areas for fifty (50) vehicles or more, and when expanding or modifying existing structure.
  - ~~1.~~ Landscaping requirements are exempt for all residential developments, except apartment complexes
  - 1.
  2. Agricultural (AG), Park Land (PK), Public Land (PUB), Open Space/Floodway (OS-1): landscaping not required except for screening parking, storage, or non-ag structures visible from public ROW.
  3. Planned Development (PD): landscaping per approved PD plan supersedes base standards.
  - ~~b.4.~~ Exceptions. In circumstances where strict application of these landscaping standards would be impractical, inconsistent with the purpose of the underlying zoning district, or would create an undue hardship, the Planning Commission may approve an alternative landscaping plan. Any approved alternative plan must demonstrate that it provides equivalent or greater aesthetic, environmental, and buffering benefits compared to the otherwise applicable standards.
- c. *Landscape Requirements.* The following requirements are considered to be a minimum and shall be approved on the basis of a landscape plan submitted by the applicant to the city, accompanied, when required, by a guarantee approved by the city attorney, and installed as per the approved plan.
  1. All required landscaping shall comply with the intent and purpose of these regulations.
  2. A maximum of twenty-five (25) percent of the required landscaping may be within the public right-of-way provided that it does not impede upon standard operations of public infrastructure.
  3. Arterial or collector street right-of-way landscaping shall be limited to shrubs, ground cover, or turf. Xeriscaping or other approved low-water landscaping techniques may also be permitted where appropriate.
  4. Parking lots of fifty (50) spaces and greater shall provide interior planter areas at a ratio of two hundred (200) square feet for every fifty (50) spaces. These interior planter areas shall provide a minimum of one (1) tree with shrubs, ground cover and/or mulch covering the base. Each parking space shall not be greater than

Commented [MN10]: What is this meant to capture?

Commented [LP11R10]: This section is meant to give the Planning Commission a way to handle unique situations where the landscaping rules don't fit well. The intent is not to waive requirements, but to allow an alternate plan if it can show equal or better results. I have revised the language to clarify this.

one hundred and twenty (120) feet from either the perimeter of the parking lot or an interior planter area.

a. Parking Lot Buffer Areas: a setback of at least five (5) feet shall be provided between the parking surface and property line where a parking lot abuts neighboring residentially used property.

Exception: Where a screen fence or wall is provided, the required setback may be reduced to two (2) feet.

Parking Lot Screening: A fence, wall, berm, or shrubbery at least four feet in height and of a character necessary for adequate screening of a parking lot from adjacent residentially used property shall be provided. Where the residential property is across from the right-of-way from a parking area, screening shall be provided in all cases except when the right-of-way is an arterial street.

4. Berms or other landscaping techniques may be used for all or part of the screening requirement and may be incorporated into the required setback area. Berms shall have a maximum grade of three feet horizontal to one-foot vertical and shall be sodded or planted with other acceptable living ground cover, or treated with approved xeriscaping/low-water landscaping techniques that provide adequate coverage and stabilization.

5. Screening Dumpsters: All outside dumpsters or other garbage receptacles on the site shall be screened by an opaque fence or wall at a minimum of six feet in height.

6. Landscape Buffers. Where nonresidential uses abut residentially used or zoned property, a landscaped buffer shall be provided within the required setback. Buffers shall have a minimum width of ten (10) feet and shall include a combination of trees, shrubs, berms, fencing, and/or approved xeriscaping or low-water landscaping techniques that achieve effective screening and transition between uses. Alternative buffer designs may be approved if they meet the intent of this section.

6.7. \_\_\_\_\_ The amount and type of material shall be based on a point system determined by the square footage of the lot not covered by a building, where one (1) square foot is equal to one (1) point. In phased development, the building official or planning commission will determine the lot area for the purpose of this article. Trees, shrubs, grass, and ground cover, both existing and proposed, shall receive points toward landscape requirements according to the following table.

~~7.1. \_\_\_\_\_ Landscaping requirements are exempt for all residential developments, except apartment complexes~~

**d. General Requirements**

1. *Landscape Plan Approval: A landscape plan is required, ideally prepared by a landscape professional. The plan should include the following:*

1. Plot plan showing all existing and proposed landscape elements.
  2. The irrigation system ~~shall be detailed, showing the layout, system components, and water delivery specifics~~ should be water-efficient, using low-volume systems (drop, bubbler, or other approved water conserving methods).
  3. Specifications for the types, locations, and sizes of all proposed plant materials.
  4. These plans must be approved prior to issuance of a building permit.
2. *Installation.* All landscaping shall be to accepted good planting procedures. All required landscaping shall be installed as per the plans submitted.
1. Trees used in parking lots shall be placed far enough back from the curb to accommodate the automobile overhang, eliminating potential contact of the automobiles with the tree.
  2. When planters are utilized in or around a parking lot, a surface area shall be made available for aeration and water infiltration commensurate with the mature spread of the utilized tree types; ensuring the tree remains viable.
  3. Trees on the interior of parking lots shall be deciduous shade trees. These trees grow larger, are hardier, and provide a greater aesthetic and environmental benefits in the location than Conifers. Conifers and ornamentals are of greatest value as fence foliage in perimeter and buffer areas.
  4. Curb stops or some form of physical barrier shall be installed around plant material located within the parking lot, preventing possible damage to plant material. Stormwater runoff from parking lot areas may be collected and directed in such a manner as to provide a source of water for landscaping.
  5. Trees shall be located such that mature height and spread will not interfere with overhead power lines.
  6. Evergreen trees shall be avoided in areas where mature trees will create hazardous interruption of views to traffic or where they will create hazardous snow drifting on the parking lot, roadway, or public right-of-way.
  7. Irrigation systems should be water-efficient, using low volume systems (drip, bubbler).
  8. Plant types utilized shall be suited to the conditions of the location to minimize maintenance and irrigation needs. Approved plant types may include turf, shrubs, groundcover, native grasses, drought-tolerant plants, and xeriscaping materials. Approved plant types are listed in 34-111-2.
8. Exception Process: Alternative landscape plans, including full or partial xeriscaping/low water approaches, may be approved by the Planning & Zoning Director and Public Works Director or their designees, upon finding that the plan

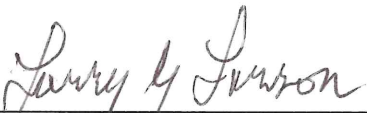
meets the intent of these regulations by providing equivalent stormwater, aesthetic, and environmental benefits.

3. *Planting Criteria*

1. Trees (deciduous) Planted for the required landscaping in this section shall be a minimum of 1 1/2-inch caliper, 12 inches above grade, measured immediately after planting. Trees shall be of a species having an average mature crown spread greater than fifteen (15) feet. A list of potential tree types may be found in the City's Tree Plan.
2. Trees (evergreen) shall be a minimum height of four (4) feet measured immediately after planting.
3. Groundcovers shall be planted in such a manner as to present a finished appearance and reasonably complete coverage within one (1) year after planting.
4. Shrubs shall be a minimum of one (1) foot in height when measured immediately after planting.
5. Synthetic lawns/plants shall not be used in lieu of plant requirements.
6. Xeriscaping and Zeroscaping plans ~~may be permitted upon review of the City.~~are permitted upon approval through the exception process above.

PASSED AND APPROVED ON FIRST READING this 4 day of November, 2025

PASSED, APPROVED AND ADOPTED ON SECOND AND FINAL READING this 18 day of November, 2025.

  
\_\_\_\_\_  
Larry Larson, Mayor

ATTEST:

  
\_\_\_\_\_  
Renee Baker, Finance Officer

(SEAL)



ATTESTATION

I, Chaz Kokesh, the City Clerk of the City of Box Elder, South Dakota, do hereby attest and state the above ordinance was published on November 26 2025 in the manner required by law and that all procedures required by the State of South Dakota law were complied with. This ordinance shall become effective on December 15 2025.

  
\_\_\_\_\_  
Chaz Kokesh, City Clerk