

**CITY OF TEA
ORDINANCE NO. 159**

AN ORDINANCE TO AMEND SECTION 11.04 OF THE ZONING ORDINANCE OF THE CITY OF TEA:

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMON COUNCIL OF THE CITY OF TEA, SOUTH DAKOTA:

1. THAT SECTION 11.04 A. GENERAL CONDITIONS OF THE ZONING ORDINANCE OF THE CITY OF TEA BE AMENDED TO READ AS FOLLOWS:

11.04 OFF-STREET PARKING

1. Parking shall be accessory to the permitted primary use of the property; therefore, the resident or an authorized visitor of the property on which the vehicles are parked must own the vehicles.
2. A person may not park a motor vehicle in the front yard or side yard of a residential property, except in:
 - A. the front yard necessary for hard surface driveways; or
 - B. a paved or non-organic dustless parking side yard space depicted on a approved site plan; or
 - C. a parking space adjacent to a driveway that when measured with the driveway is not wider than 50 percent of the minimum lot width established by the zoning district.
3. All front yard driveway parking spaces shall be hard surfaced with asphalt, concrete or equivalent and conform to the prescribed standards with the City's Engineering and Design Standards.
4. Parking spaces in rear yards shall be allowed only by conditional use permit in the R-1 and R-3 districts. Parking spaces in rear yards shall be allowed in a R-2 district with an approved site plan.
5. The paved surface and vehicle shall be a minimum of two feet from the property line.
6. Except in conjunction with a legal nonconforming business it is unlawful for any person to park, store, leave, or permit the parking, storing or leaving of any commercial vehicle in a NRC, R-1, R-2, or R-3 Zoning District, unless the vehicle is parked in connection with the performance of a service. The transferring of refuse from a smaller satellite vehicle to a larger packer garbage truck is prohibited.

7. All parking, loading, and maneuvering and drive areas thereto shall be hard surfaced with asphalt or concrete in GB and CB Zoning Districts. Unless otherwise provided in this ordinance, this section (7) shall not apply to the R-1 District.

2. THAT SECTION 19.02 DEFINITIONS OF THE ZONING ORDINANCE OF THE CITY OF TEA BE AMENDED TO INCLUDE THE FOLLOWING DEFINITIONS:

1. DRIVEWAY. A continuous area adjacent to a curb cut providing vehicular access between a street and an off-street parking area, including a circular driveway.
2. NON-ORGANIC DUSTLESS MATERIAL. Defined as Crushed asphalt and Concrete, Landscape River Rock or equivalent. Sand and gravel are prohibited.

Dated this 1st day of November, 2004


John M. Lawler, Mayor

Attest:


Dawn R. Murphy, Finance Officer

First Reading: October 18, 2004
Second Reading: November 1, 2004
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Effective: December 7, 2004