

**NOTICE OF PUBLIC HEARING**

**NOTICE OF PUBLIC HEARING BY MINER COUNTY BOARD OF COUNTY COMMISSIONERS ON PROPOSED AMENDMENT TO PROPOSED ORDINANCE 2020-01 AN ORDINANCE AMENDING "THE ZONING ORDINANCE OF MINER COUNTY" AS ESTABLISHED BY ORDINANCE #04-01 AND ALL AMENDMENTS THERETO, WHICH INCLUDES THE OFFICIAL ZONING MAP, IN ACCORDANCE WITH THE PROVISIONS OF CHAPTERS 11-2, 1967 SDCL, AND AMENDMENTS THEREOF, AND FOR THE REPEAL OF ALL RESOLUTIONS AND ORDINANCES IN CONFLICT HEREWITH**

The Board of Miner County Commissioners will hold a public hearing on Monday, March 23, 2020 at 9:30 a.m. at the Miner County Courthouse, 401 North Main, Howard, South Dakota to consider an amendment to proposed Ordinance 2020-01, An Ordinance amending "The Zoning Ordinance of Miner County" as established by ordinance #04-01 and all amendments thereto, which includes the official zoning map, in accordance with the provisions of chapters 11-2, 1967 SDCL, and amendments thereof, and for the repeal of all resolutions and ordinances in conflict herewith

All those that are interested therein may appear to be heard before the Miner County Board of County Commissioners at said hearing. Following the public hearing the Board of County Commissioners will consider the proposed amendment, then approve or deny Ordinance #2020-01 with or without amendment.

The proposed amendment to Proposed Ordinance 2020-will be made available for public inspection at the Miner County Auditor's Office, 401 North Main, Howard, South Dakota during normal business hours.

Published once at an approximate cost of \_\_\_\_\_

Proposed Amendment to Section 1101.08.05.6 Concentrated Animal Feeding Operation Control Requirement (Amendment is underlined and highlighted yellow)

**Table 1108.01.2  
REQUIRED MINIMUM SEPARATION DISTANCES AND SETBACKS <sup>1,4</sup>**

Number of Animal Units	Under 500 Animal Units	500 to 999 Animal Units	1,000 to 1,999 Animal Units	2,000 to 6,999 Animal Units	Over 7,000 Animal Units
Established Residences <sup>2</sup>	1,320 feet	1,320 feet	2,640 feet	2,640 feet plus 220' for each 1,000 animal units over 2,000 animal units or portions thereof	2,640 feet plus 220' for each 1,000 animal units over 2,000 animal units or portions thereof
Churches, Businesses and Commercially Zoned Areas	1,320 feet	1,320 feet	2,640 feet	2,640 feet plus 220' for each 1,000 animal units over 2,000 animal units or portions thereof	2,640 feet plus 220' for each 1,000 animal units over 2,000 animal units or portions thereof
Incorporated Municipality Limits <sup>3</sup>	1,320 feet	2,640 feet	5,280 feet plus	5,280 feet plus 440' for each 1,000 animal units over 2,000 animal units or portions thereof	5,280 feet plus 440' for each 1,000 animal units over 2,000 animal units or portions thereof
<u>Normal High Water Mark of Lake Carthage</u>	<u>2 miles</u>	<u>2 miles</u>	<u>2 miles</u>	<u>2 miles</u>	<u>2 miles</u>
Established Private Water Well <sup>5</sup>	1,000 feet	1,000 feet	1,000 feet	1,000 feet	1,000 feet
Existing Public Water Well <sup>5,6</sup>	1,000 feet	1,000 feet	1,000 feet	1,000 feet	1,000 feet
Lakes and Streams classified as Fisheries as identified by the State	200 feet	200 feet	500 feet	500 feet	500 feet
Federal, State & County Road ROW					
Confinement	200 feet	200 feet	300 feet	300 feet	300 feet
Open Lot	150 feet	150 feet	150 feet	150 feet	150 feet
Township Road ROW					
Confinement	150 feet	150 feet	150 feet	150 feet	150 feet
Open Lot	150 feet	150 feet	150 feet	150 feet	150 feet

- 1 Two (2) or more CAFOs under common ownership are a single concentrated animal feeding operation if they adjoin each other (within one mile) or if they use a common area or system for disposal of manure. Required setbacks for the two (2) or more CAFOs treated as a single operation shall not be less than the minimum setback required for each operation if said operations were treated as individual operations.
- 2 Established residences do not include any residence established after June 1, 1997 less than one-half (1/2) mile from any Concentrated Animal Feeding Operation which was active at the time of the residence's construction.
- 3 The Board of Adjustment may allow a setback of less than the minimum required provided a written waiver by the entity deriving the benefit of the setback is filed with the application
- 4 The Board of Adjustment may utilize Section 1108.7 to increase or decrease the required setback.
- 5 Setback does not apply to the wells of the CAFO operator.
- 6 Established private water wells refer to wells used as a source of potable water for human consumption for at least one (1) week within one (1) year prior to application date for the proposed CAFO.

Red Line – Current 1 mile setback from City of Carthage (2)

Aqua Line – 3 mile setback from City of Carthage (14)

Blue Line – 1-mile setback from Lake Carthage (2+2=4)

Yellow Line – 2-mile setback from Lake Carthage (2+2+2=6)

Purple Line – 3- mile setback from Lake Carthage (2+2+2+3=9)

