



City of Aberdeen Planning Commission Agenda

6:00 p.m. Regular Meeting

March 17, 2026

City Council Chambers

123 South Lincoln Street

Aberdeen, South Dakota 57401

I. Call to Order

II. Roll Call

III. Approval of Minutes

- 1) February 17, 2025

IV. Open Forum 6:00-6:05 P.M. (SEE FORMAT GUIDELINES AT END OF AGENDA)

V. Old Business

VI. New Business

- 1) Petition to Rezone from (A-1) Agricultural District to (R-2) Medium Density Residential District described as “Lot 12, Gugel’s First Subdivision, in the SW¼ of Section 6, Township 123 North, Range 63 West of the 5th P.M., Brown County, South Dakota,” (a.k.a. 903 25th Avenue NE – vacant lot one block north of Holgate Middle School).
- 2) Petition to Rezone from (R-2) Medium Density Residential District to (M) Municipal, State, and County Use District described as “Lot 1, Simmons School Subdivision, in the SW¼ of Section 24, Township 123 North, Range 64 West of the 5th P.M., Brown County, South Dakota,” (a.k.a. 1400 Third Street South – Simmons Middle & Elementary Schools).
- 3) Tax Increment Finance District No. 45 Proposal
- 4) An ordinance amending the sign regulations of the Aberdeen City Code.
- 5) Preliminary and Final Plat described as “Lot 1, Krause First Addition to the City of Aberdeen, in the SE¼ of Section 13, Township 123 North, Range 64 West of the 5th P.M., Brown County, South Dakota,” (a.k.a. 416 Kline Street South – ½ block south of First Presbyterian Church)

VII. Other Business

VIII. Adjournment

FORMAT GUIDELINES:

- 1) *Open forum provides an opportunity for the public to address the Aberdeen City Planning Commission with questions, concerns or comments on items, which are not on the agenda. Citizens are asked to sign up to speak prior to the open forum portion of the meeting. Open forum will be limited to 10 minutes (if no one is in attendance for the open forum, the regular meeting may begin) unless a majority of the Aberdeen City Planning Commission agrees to extend the time period. The open forum may not be used to make personal attacks, to air personality grievances, to make political endorsements, or for political campaign purposes. Open forum will not be used as a time for problem solving or reacting to the comments made, but, rather for hearing the citizen for informational purposes. The Aberdeen City Planning Commission may respond with request for city management to follow up and report back on any issue raised during the public address time. A presentation may not exceed two minutes in duration.*
- 2) *ADA Compliance: The City of Aberdeen fully subscribes to the provisions of the American’s With Disabilities Act. If you desire to attend this public meeting and are need of special accommodations, please notify the City Community Development Office at least 8 hours prior to the meeting so appropriate auxiliary aids and services can be made available. The Aberdeen City Planning Commission meets monthly on the third Tuesday of each month.*
- 3) *A copy of the subject matter on the Aberdeen City Planning Commission meeting agenda is available for public distribution at the City Community Development Office and available on the City’s website @ www.aberdeen.sd.us.*

MINUTES
ABERDEEN CITY PLANNING COMMISSION
February 17, 2026

The City Planning Commission was called to order by Chairman Dean Marske. Members present at roll call were Marske, Fjeldheim, Rux, Mitchell and Zens. Also, present were Ken Hubbart, Community Development Director, Eric Miller, City Planner, Paula Nelson, City Planner and Emily Ellingson, Planning Commission Secretary.

Fjeldheim moved, and Zens seconded, to approve the Aberdeen City Planning Commission Minutes of November 18, 2025, all members voting aye, the motion carried.

OPEN FORUM – No one was present.

There being no old business, Acting Chairman Marske began with new business as follows:

- 1) An ordinance amending the sign regulations of the Aberdeen City Code. This item was removed from the agenda.
- 2) Petition to Rezone from(R-3) High Density Residential District to (M) Municipal, State, and County Use District described as “Lot 7, Block 6, HAPI 2nd North Aberdeen Subdivision, in the NW¼ of Section 6, Township 123 North, Range 63 West of the 5th P.M., Brown County, South Dakota,” (a.k.a. 3304 Harrison Street North – city park and holding pond in the NE corner of HAPI North Subdivisions). Eric Miller stated the petitioner is requesting this petition to rezone in order to bring the property into a district that is consistent with its municipal use as the future site of a city park and an existing water retention pond. Following discussion, Rux moved, and Zens seconded to approve this item. Upon roll call, all members voting aye, the motion carried.
- 3) Petition to Rezone from (R-2) Medium Density Residential District to (M) Municipal, State, and County Use District described as “Lot 2, 2nd Replat of Southaven First Addition to the City of Aberdeen, in the NW¼ of Section 30, Township 123 North, Range 63 West of the 5th P.M., Brown County, South Dakota,” (a.k.a. 2006 Lawson Street South – future city park, south of First Baptist Church). Eric Miller stated the petitioner is requesting this petition to rezone in order to bring the property into a district that is consistent with its municipal use as the future site of a city park. Following discussion, Fjeldheim moved, and Mitchell seconded to approve this item. Upon roll call, all members voting aye, the motion carried.
- 4) Petition to Rezone from (I-1) Industrial Park District to (M) Municipal, State, and County Use District described as “Lot 1, NE Water Tower Addition to the City of Aberdeen, in the NE¼ of the NW¼ of Sections 16, Township 123 North, Range 63 West of the 5th P.M., Brown County, South Dakota,” (a.k.a 4406 Eighth Avenue NE – new water tower east of 3-M). Eric Miller stated the petitioner is requesting this petition to rezone in order to bring the property into a district that is consistent with its municipal use as the future site of a city water tower. Following discussion, Rux moved, and Zens seconded to approve this item. Upon roll call, all members voting aye, the motion carried.
- 5) Permission to install new super graphic signs in a (C-3) Central Business District. Eric Miller stated the petitioner is requesting to allow two previously painted super graphic signs/murals to remain on the west side of the building. These murals were painted several years ago and went unnoticed until recently. Super graphic signs or murals are allowed provided they do not directly advertise the business where they are located, and their value is purely artistic and require permission from the City Planning Commission and City Council. As these were previously painted, this request is to bring their existence into compliance with City Zoning Code. Following discussion, Fjeldheim moved, and Rux seconded, to approve this item with the following stipulation: (1) The super graphics are maintained in accordance with Sec. 60-341(g) of the Aberdeen City Code. Upon roll call, all members voting aye, the motion carried.

OTHER BUSINESS:

1) Election of Officers

Marske opened nominations by nominating Ward Schumacher for Chairman. Mitchell seconded the nomination. There being no further nominations for Chairman, all members voting aye to elect Ward Schumacher as Chairman, the motion carried.

Mitchell opened nominations by nominating Clint Rux for Vice-Chairman. Fjeldheim seconded the nomination. There being no further nominations for Vice-Chairman, all members voting aye to elect Clint Rux as Vice-Chairman, the motion carried.

There being no further business before the Commission, Rux moved, and Mitchell seconded, to adjourn the meeting, all members voting aye, the motion carried.

Submitted by,



Emily Ellingson
Planning Commission Secretary
February 17, 2026



Aberdeen City Planning Commission

Staff Report

Rezone A-1 to R-2

Meeting Date: **March 17, 2026**

Agenda Item #1

GENERAL INFORMATION

PETITIONER	Thomas Miller
REQUEST	Rezone from (A-1) Agricultural District to (R-2) Medium Density Residential District
LEGAL DESCRIPTION	Lot 12, Gugel's First Subdivision, in the SW ¹ / ₄ of Section 6, Township 123 North, Range 63 West of the 5th P.M., Brown County, South Dakota
LOCATION	903 25 th Avenue NE – vacant lot one block north of Holgate Middle School
EXISTING ZONING	Agricultural District
PROPOSED ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District / Special Density Residential District
South:	Medium Density Residential District
East:	Medium Density Residential District / Special Density Residential District
West:	Medium Density Residential District
PUBLIC UTILITIES	City Water and Sewer
REPORTED BY	Eric Miller

RECOMMENDATION: Staff recommends approval of this petition to rezone.

GENERAL COMMENTS: The petitioner is requesting this petition to rezone in order to bring the property into a district that is consistent with its size and will allow for future single-family residential development.

REVIEW: Staff have reviewed this petition to rezone and concur with its approval.



Petition to Rezone Planning Commission

123 South Lincoln Street
Aberdeen, SD 57401
605-626-7017

The Planning Commission Board meets the 3rd Tuesday of each month at 6:00 P.M. or 7:00 P.M. in the Council Chambers on the first floor of City Hall. Fees: \$250.00

Mayor and City Council:

I/We, the undersigned, do hereby petition the City Council of Aberdeen, South Dakota, to rezone property as follows:

Petitioner Information					
Petitioner/Title/(s):	Thomas Miller				
Phone:	630-390-5189				
Mailing Address:	5 W Melgaard Rd, Apt 3				
City:	Aberdeen	State:	SD	Zip:	57401

Property Information					
Address/Location:	903 25th Ave NE, Aberdeen, SD 57401				
Legal Description:	Lot 12, Gugels First Subdivision in the SW 1/4 of Sec. 6 - T123N - R63W				
Current Zoning:	A-1	Proposed Zoning:	R-2	PAID FEB 17 2026 CITY FINANCE OFFICE ABERDEEN, SOUTH DAKOTA	
Size of Parcel:	1.03 Acres				
Existing Land Use:	None				

Purpose of Petition	
Plan to put a house on the property and live there.	

	2/16/2026
Signature	Date

Office Use Only					
Ordinance No:	26-03-01				
Date:	2/17/26	Receipt #	R01562028	Fee:	250.00
Sign Issued <input checked="" type="checkbox"/>	Site Plan <input type="checkbox"/>				
PC Meeting:	3/17/26	1 st Reading:	3/23	2 nd Reading/Final Adoption:	4/16/26
Received By:	EM				



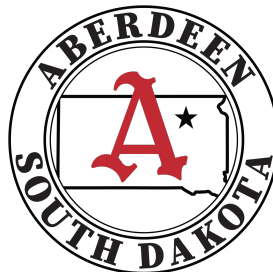
Rezone Proposal

Address: 903 25th Ave NE

Legal Description: Lot 12, Gugel's First Subdivision in the SW1/4 of Sec. 6-T123N-R63W Addition.

Current Zoning: A-1 (Agricultural District)

Proposed Zoning: R-2 (Medium Density Residential)



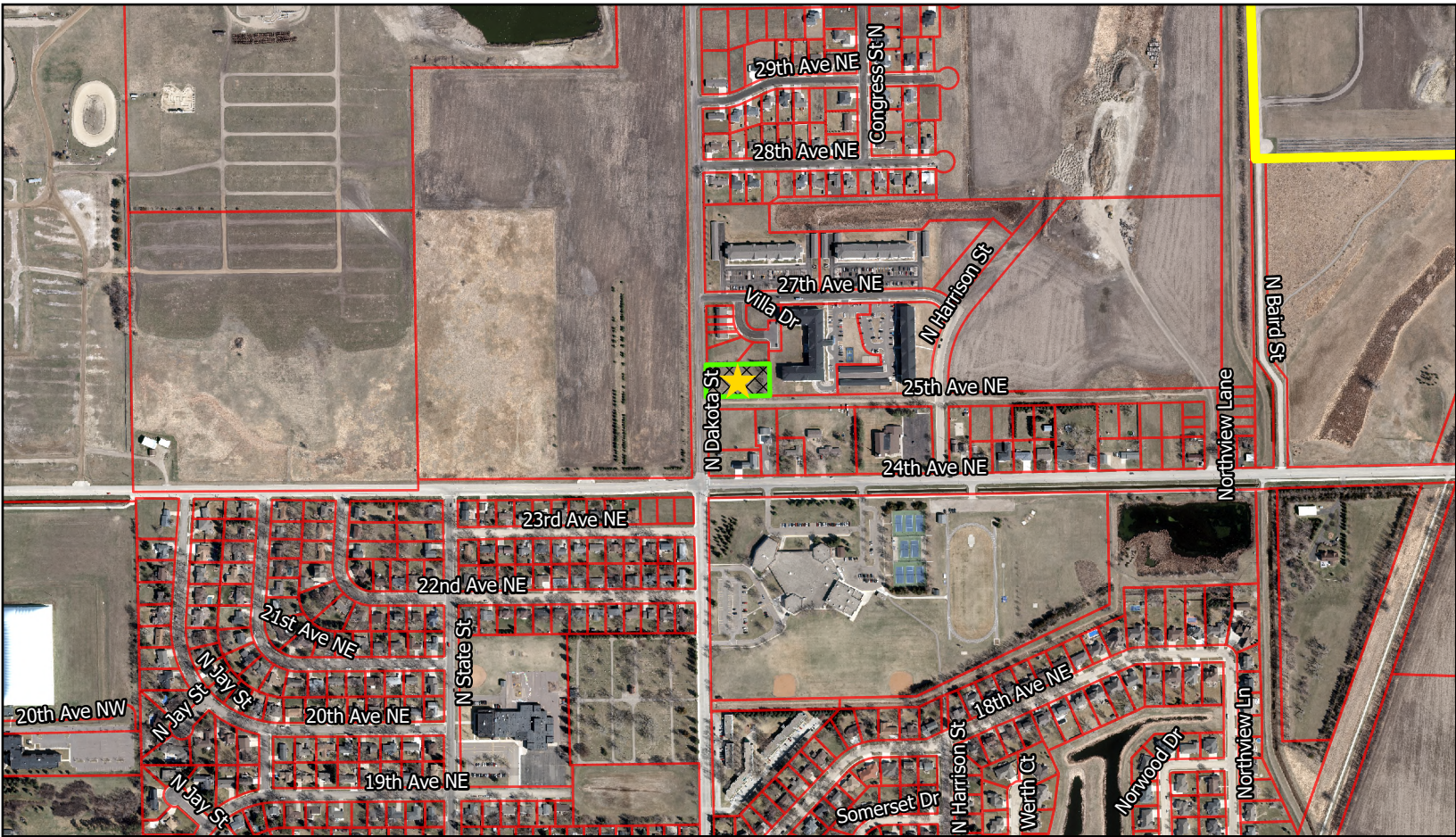
Ordinance No: 26-03-01 Date: 2/19/2026

For Advisory purposes only; not a legal document.

Rezone Overview

Address: 903 25th Ave NE

Legal Description: Lot 12, Gugel's First Subdivision in the SW1/4 of Sec. 6-T123N-R63W Addition.



For Advisory purposes only; not a legal document.



Aberdeen City Planning Commission

Staff Report

Rezone R-2 to M

Meeting Date: **March 17, 2026**

Agenda Item #2

GENERAL INFORMATION

PETITIONER	Aberdeen School District No. 6-1
REQUEST	Rezone from (R-2) Medium Density Residential District to (M) Municipal, State, and County Use District
LEGAL DESCRIPTION	Lot 1, Simmons School Subdivision, in the SW ¹ / ₄ of Section 24, Township 123 North, Range 64 West of the 5th P.M., Brown County, South Dakota
LOCATION	1400 Third Street South – Simmons Middle & Elementary Schools
EXISTING ZONING	Medium Density Residential District
PROPOSED ZONING	Municipal, State, and County Use District
SURROUNDING ZONING	
North:	Medium Density Residential District & Unrestricted Industrial District
South:	Medium Density Residential District
East:	Medium Density Residential District
West:	Medium Density Residential District
PUBLIC UTILITIES	City Water and Sewer
REPORTED BY	Eric Miller

RECOMMENDATION: Staff recommends approval of this petition to rezone.

GENERAL COMMENTS: The petitioner is requesting this petition to rezone in order to bring the property into a district that is consistent with its use as a public educational institution. This will allow for a more streamlined process for any future improvements to the campus.

REVIEW: Staff have reviewed this petition to rezone and concur with its approval.



Petition to Rezone Planning Commission

123 South Lincoln Street
Aberdeen, SD 57401
605-626-7017

The Planning Commission Board meets the 3rd Tuesday of each month at 6:00 P.M. or 7:00 P.M. in the Council Chambers on the first floor of City Hall. Fees: \$250.00

Mayor and City Council:

I/We, the undersigned, do hereby petition the City Council of Aberdeen, South Dakota, to rezone property as follows:

Petitioner Information				
Petitioner/Title/(s):	Aberdeen School District No. 6-1			
Phone:				
Mailing Address:	1224 S. Third St.			
City:	Aberdeen	State:	SD	Zip: 57401

Property Information			
Address/Location:	1400 Third Street S.		
Legal Description:	Lot 1, Simmon's School Subdivision in the SW 1/4 Sect. 24 - T123N - R64W of the 5 th PM, Brown County, South Dakota		
Current Zoning:	R-2	Proposed Zoning:	M
Size of Parcel:	20.29 acres		
Existing Land Use:	Elementary and Middle School.		

Purpose of Petition	
Signature	Date
<i>Ben Simmon</i>	2/11/26

Office Use Only					
Ordinance No:	26-03-02				
Date:	2/19/26	Receipt #	N/A	Fee:	N/A
Sign Issued <input type="checkbox"/>	Site Plan <input type="checkbox"/>				
PC Meeting:	3/17/26	1 st Reading:	3/23/26	2 nd Reading/Final Adoption:	4/6/26
Received By:	EM				



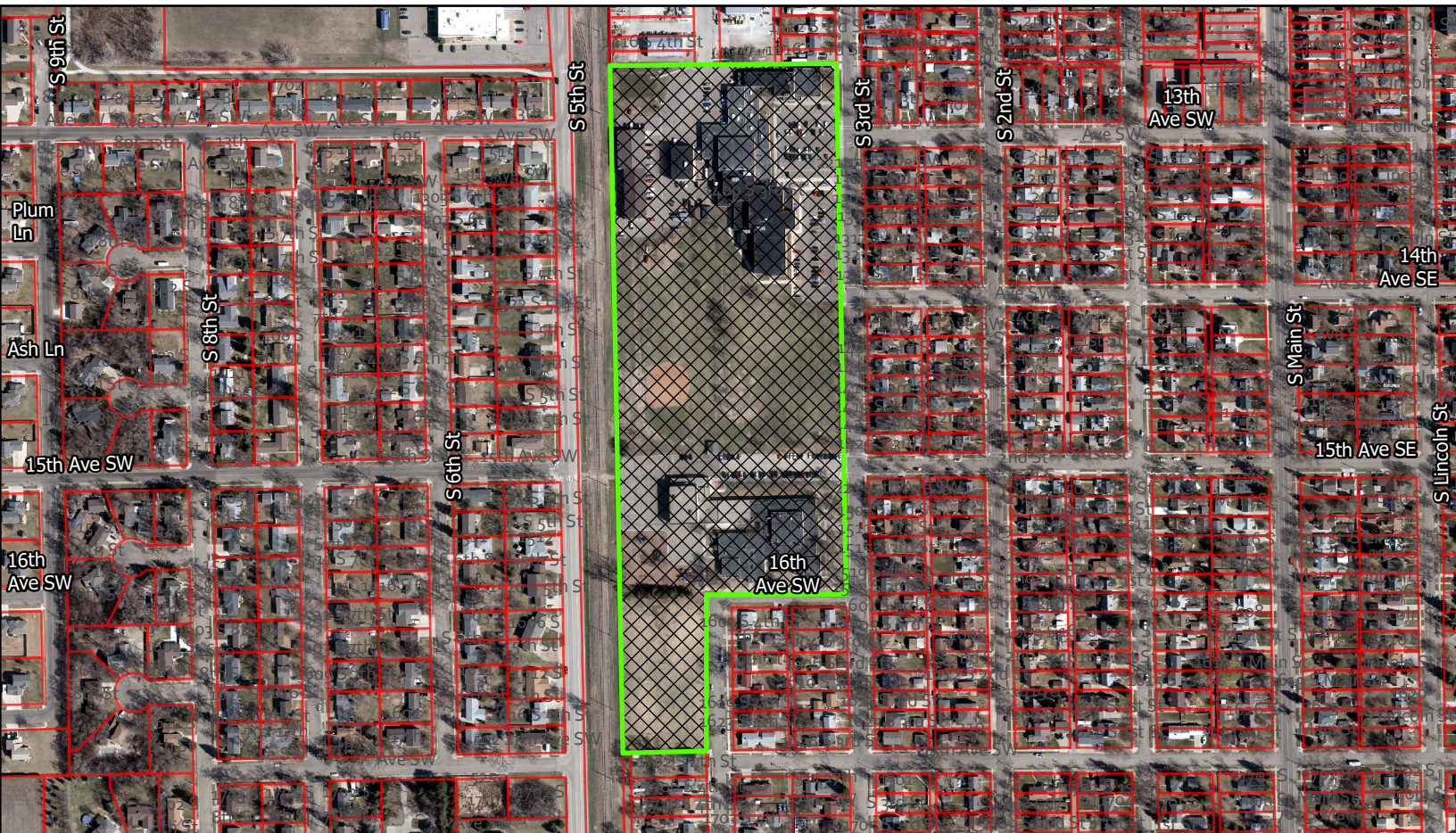
Rezone Proposal

Address: 1400 3rd St S.

Legal Description: Lot 1, Simmon's School Subdivision in the SW1/4 Sect. 24-T213N-R64W of the 5th PM, Brown County, South Dakota.

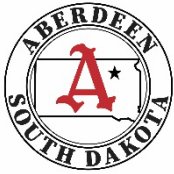
Current Zoning: R-2 (Medium Density Residential)

Proposed Zoning: M (Municipal, state and county use district)



Ordinance No: 26-03-02 Date: 2/23/2026

For Advisory purposes only; not a legal document.



Aberdeen City Planning Commission

Staff Report

Tax Increment Finance District No. 45 Proposal

Meeting Date: **March 17, 2026**

Agenda Item #3

GENERAL INFORMATION

PETITIONER	Aberdeen Development Corporation
REQUEST	Tax Increment Finance District No. 45 Proposal
LEGAL DESCRIPTION	Lot 2, Wagner Holdings Second Addition and Lots 1- 3, Wagner Holdings Third Addition to the City of Aberdeen in the W½ of Section 17, Township 123 North, Range 63 West of the 5th P.M., Brown County, South Dakota
LOCATION	See ‘Exhibit 2’ within the Project Plan
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District & Unrestricted Industrial District
South:	Medium Density Residential District, High Density Residential District, & Neighborhood Commercial District
East:	Municipal, State, and County Use District & Unrestricted Industrial District
West:	Unrestricted Industrial District
PUBLIC UTILITIES	City Water and Sewer
REPORTED BY	Eric Miller

RECOMMENDATION: Staff recommends approval of the Tax increment Finance District No. 45 proposal.

GENERAL COMMENTS: The petitioner is requesting this economic development Tax Increment Finance District (TIF) with the intent of creating a new business/industrial park. This TIF is intended to pay for certain infrastructure construction expenses, improvements, professional/engineering, and financing costs necessary to build the 56.55-acre Roosevelt Park Development west of the current industrial park. As submitted, the TIF No. 45 Project Plan appears to satisfy the requirements set forth in South Dakota Codified Law.

REVIEW: Staff have reviewed this Tax Increment Finance District No. 45 Proposal and concur with its approval.

Project Plan

Tax Incremental Finance District Number 45

City of Aberdeen, South Dakota

THIS DOCUMENT SUBMITTED BY:

Aberdeen Development Corporation
506 Main Street South, Suite #2
Aberdeen, SD 57401
605-229-5335

Statement Objectives

1. To increase the amount of industrial property subject to taxation by the City, Aberdeen School District, Brown County, and other taxing jurisdictions to provide them additional revenues for the services and programs they provide.
2. Provide financing necessary for the orderly and beneficial development of the district.
3. Encourage development of blighted areas in a manner compatible with the City Plan.
4. Expand Aberdeen's industrial park to provide employment opportunities compatible with other planning and development goals.

Narrative

Tax Increment Financing ("TIF") is an incentive offered by local governments to attract private development and investment. New investment creates new jobs, more customers, and in turn, more investment opportunity. TIF can also retain existing businesses that might otherwise find more attractive options elsewhere. The jobs and additional investment, both private and public, mean more revenue for the community. TIF helps to overcome the extraordinary costs that often prevent redevelopment and private investment from occurring in difficult to develop areas of the community. As a result, the TIF District itself improves and property values increase.

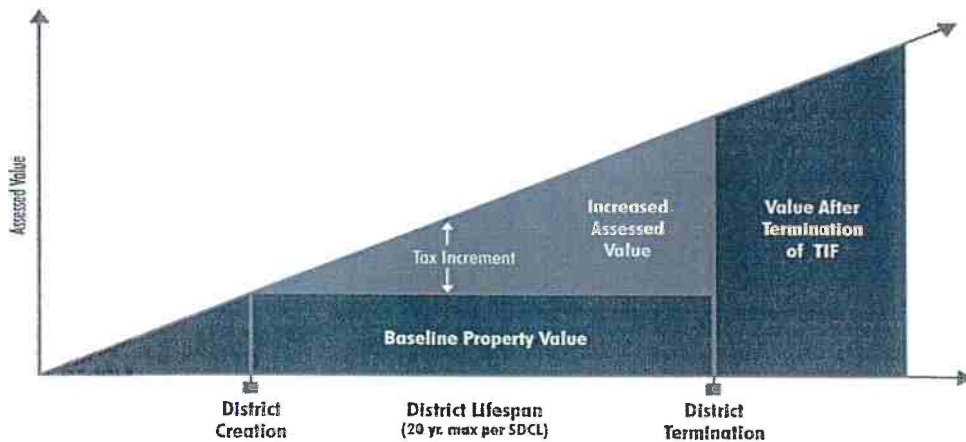
In Aberdeen, TIF funding has been used for the following purposes: to stimulate economic development in the community by assisting projects that promote the long-term economic vitality of Aberdeen; to encourage the redevelopment of deteriorated, or otherwise blighted property; and, to stimulate increased private investment in areas that would have otherwise remained undeveloped or under-developed and which will, in the long-term, provide a significant source of additional tax revenues to all taxing entities.

Specifically, money for improvements and other incentives is generated from the growth in property tax revenues the "tax increment." A tax increment is the difference between the amount of property tax revenue generated from property within the TIF District before TIF District designation and the amount of property tax revenue generated from the same property within the TIF District after TIF Designation and improvements occur. Property taxes collected on properties included in the TIF at the time of its designation continue to be distributed to the school districts, county, and all other taxing districts in the same manner as if the TIF District did not exist. Only property taxes collected as a result of the incremental increase in the value of these properties after formation of the TIF District are available for use by the City to fund project costs in the TIF District. The graph that follows depicts this concept.

The Aberdeen Development Corporation is a nonprofit corporation formed on December 5, 1955 for the sole purpose of fostering economic development in Aberdeen and the surrounding area. For over 70 years, ADC has worked as part of a larger ongoing economic development effort to bring new businesses to Aberdeen and retain existing businesses and help them grow. It has done this in a variety of ways that have evolved to meet Aberdeen's needs and business' ever-changing requirements. ADC was instrumental in bringing the AGP soybean plant to Aberdeen, the largest new construction in South Dakota history at the time. It has also built commercial space to allow businesses to move in quickly. And it has built two very successful industrial parks. The east business park, directly south of the AGP plant, and the original business park, west of 3M. ADC designed and built these parks to give businesses a place to build and room to grow.

The concept worked well because both parks are full. ADC has no land in either park to offer to a new or expanding business. TIF 45 is directly west and adjacent to the original business park. Expanding the park in this manner allows Industrial Avenue to be extended and serve as a mile-long corridor of business-friendly building locations giving access to both Roosevelt Street on the west side and Brown County Highway 19 on the east side. This project will convert land that has been vacant for years into 15 business sized lot served by paved streets and city utilities. Most importantly, TIF 45 gives Aberdeen one of the most important resources for further economic development, land ready for businesses. ADC expects the new Roosevelt Business Park to fill quickly and has already identified the future Rivett Business Park north of 3M as the next location to develop for businesses. TIF 45 will allow ADC to continue its long history of nonprofit economic development in Aberdeen.

Tax Increment Finance Diagram



As set forth in South Dakota Codified Law, Chapter 11-9, a local government can designate a specific area within its boundaries as a redevelopment area appropriate for a TIF district and prepare a plan for development. TIF projects must be approved by the City Planning Commission and the City Council.

Plan Purpose and General Definitions

TIF #45 will be for economic development. The District and Project “includes any area where there is or will be one or more businesses engaged in any activity defined as commercial or industrial by the governing body that has zoning authority over the land contained within the tax increment financing district” as specified in SDCL 13-13-10.2 and 13-13-10.10. It satisfies the requirements for a Tax Increment Finance District as specified in SDCL Chapter 11-9. The plan will describe the boundaries of the TIF District, estimated costs, feasibility and fiscal impact of the Tax Increment Finance District, and conformance with development guidelines of the City of Aberdeen relating to TIFs in general.

This tax increment district is intended to pay for certain infrastructure construction expenses, improvements, professional/engineering, and financing costs necessary to build the 56.55-acre Roosevelt Park Development (Project”) west of the current industrial park.

This Project will benefit Aberdeen in many ways. An expanded industrial park will attract new businesses to the area with the prospect of additional jobs and additional higher paying jobs. The Developer intends to hire local contractors for the infrastructure construction if the bidding process allows. All infrastructure construction will exceed Aberdeen City Code requirements.

The Developer will incur significant costs in bringing utilities to the expanded industrial park and constructing the public streets and sewers within the proposed Project area. This TIF, will allow the Developer to recoup some of the costs and stimulate future development in Aberdeen. Construction of the Project will not occur without the proposed TIF due to the costs associated with such a large project. By granting TIF #45, Aberdeen will allow a large blighted open area of land to be developed, provide additional workforce opportunities for the citizens of Aberdeen. Furthermore, this Project will stimulate the general economic prosperity of the region through job creation, increased tax revenue, and support of economic development strategies.

Below are the are the definitions of certain terms found in this Project Plan:

"Base Value" or "Tax Incremental Base Value" means the aggregate assessed value of all taxable property located within a Tax Incremental District on the date the District is created, as determined by SDCL § 11-9-20.

"Blighted" means property that meets any of the criteria as defined and established by SDCL § 11-9-9.

"Developer" means any individual or entity responsible for carrying out any portion of the projects listed in the TIF plan, including both expenses considered eligible for TIF reimbursement, and any other costs associated with private projects within the plan.

"Project Development Agreement" means any agreement which is binding between the City and one or more Developers and which specifies the duties, responsibilities, and obligations of all parties relative to the implementation of this plan. The agreement commits the Developer to complete listed projects and commits the City to payments of tax increment revenues to the developer(s), among other items. The agreement can include contingency and performance provisions.

"Project Costs" means any expenditure or monetary obligations by the City of Aberdeen, whether made, estimated to be made, incurred or estimated to be incurred, which are listed as Project Costs herein will include any costs incidental thereto but diminished by any income, special assessments, or other revenues, other than tax increments, received, or reasonably expected to be received, by the City of Aberdeen in connection with the implementation of this plan.

"Public Works" means the Infrastructure Improvements, the acquisition by purchase or condemnation of real and personal property within the Tax Incremental District and the sale, lease, or other disposition of such property to private individuals, partnerships, corporations, or other entities at a price less than the cost of such acquisition which benefit or further the health, safety, welfare and economic development of the City and Project Costs.

"Taxable Property" all real taxable property located in a Tax Incremental District.

"Tax Incremental District" a contiguous geographic area within the City of Aberdeen defined and created by resolution of the governing body and named "City of Aberdeen Tax Incremental District Number Forty-five" ("TIF #45").

"Tax Increment Valuation" is the total value of the Tax Incremental District minus the tax incremental base pursuant to § 11-9-19.

All other definitions in SDCL 11-9 will apply.

**Legal Description of Properties
Within TIF #45**

The real property included within TIF #45 is legally described as follows:

Parcel ID #30698 LT 1 WAGNER HOLDINGS 3RD ADD W1/2 17-123-63

Parcel ID #30699 LT 2 WAGNER HOLDINGS 3RD ADD W1/2 17-123-63

Parcel ID #30700 LT 3 WAGNER HOLDINGS 3RD ADD W1/2 17-123-63

Parcel ID #26954 LT 2 WAGNER HOLDINGS 2ND ADD W1/2 17-123-63

The boundaries of TIF #45 do not overlap with any other Tax Incremental Districts.

Aberdeen Taxable Value

State law requires that tax increment districts cannot exceed 10% of the taxable value of the City of Aberdeen. The base value of the taxable property in TIF #45 is approximately \$453,906.

Given the addition of TIF #45, the cumulative base value of active TIF tax increment districts in Aberdeen will not exceed 10% of Aberdeen’s taxable value.

Type and Amount of Public Works or Improvements

In accordance with SDCL § 11-9-13 the following table lists type and estimated costs of the Public Works or Improvements:

Type	Amount
Project Capital Costs - SDCL § 11-9-15 (1)*	\$5,532,562
Financing Costs (Est. 6.5%) - SDCL § 11-9-15 (2)	\$3,510,892
Professional Costs - SDCL § 11-9-15 (4)	\$25,000
Administrative Costs - SDCL § 11-9-15 (5)	\$30,000
Organizational Costs - SDCL § 11-9-15 (7)	<u>\$2,000</u>
TIF-Eligible Expenses Total	\$9,100,454
<i>TIF Requested</i>	<i>\$5,519,000</i>

*See **Exhibit 1** attached hereto for an itemization of the project costs SDCL 11-9-15(1) authorizes the developer to pay using TIF funds.

*The City reserves the right to move project costs from one category to another without requiring an amendment to the plan.

All eligible Project Capital Costs will be expended by the Developer within five years of establishment of TIF #45 by the City Council.

The eligible capital, financing, other costs, and fees total \$9,100,454 and Developer is requesting tax increment financing in amount of \$5,519,000. ADC has applied for an EDA grant to help cover the construction cost and, if awarded, that grant plus local contributions plus TIF 45 funds will allow ADC to move forward with the Roosevelt Business Park.

But ADC has rare opportunity to capture additional money for Aberdeen. Governor Rhoden recently awarded ADC Future Funds for the express purpose of purchasing the land for the future Rivett Business Park. While this award is significant, it is not enough for ADC to commit to the purchase; without additional funding, ADC will need to return the Future Funds. But TIF can serve as the necessary additional funding. If Aberdeen grants ADC the full TIF 45 funding requested,

ADC can stack some of the TIF funding with the Future Funds money and purchase the Rivett land. This is a great windfall for Aberdeen because it will allow ADC to use it future funds to recruit and retain businesses instead of buying land. Even if the City Aberdeen determines the grants and local funds should be used to offset the project costs, the City can still recognize the Rivett Business Park expenses as "...necessary...to stimulate and develop the general economic welfare and prosperity of the state" and grant ADC the additional TIF funds as authorized by SDCL 11-9-15(8). This is a very low-cost opportunity for the City to help ADC secure land for future growth and development.

After all construction is complete, the tax increment will be approximately \$310,347. The increment will increase to \$473,988 in the final year of payout. The projected payout will be no greater than 20 years. All obligations of the City are contingent on the Developer signing the Developer Agreement.

If eligible Project Costs, in sum, exceed the total value set forth above, an amendment to the project plan in accordance with SDCL §11-9-23 will be required.

Economic Feasibility Study

Current Valuation. TIF #45 is proposed for creation in accordance with SDCL 11-9-2 to 11-9-10. A boundary map showing the land included in TIF #45 District is attached hereto as **Exhibit 2**. The proposed land included has a current assessed value of \$453,906, as shown in the table below. This number represents the Base Value of the TIF #45 District.

Parcel ID	2024 Taxable Assessed Value
30698	\$100,023
30699	\$285,300
30700	\$45,716
26954	\$22,867
Base Valuation Total	\$453,906

The feasibility of the project is based upon using tax increment financing to fund the TIF eligible "Project Costs" which are estimated to be \$9,100,454.

With tax increment financing, the current real property tax assessed value of all properties in tax increment financing district is established as the "base value." As development in the tax increment financing district increases the assessed values of the redeveloped properties, a portion of the additional tax revenue generated by the increase in assessed value over the base value is set aside and committed to the reimbursement of approved project costs.

The estimated tax increment resulting from the completed improvements is shown in the table attached hereto as **Exhibit 3**. Exhibit 3 indicates that the TIF will pay for the Project Costs and financing. The study concludes that the proposed project is feasible.

Financing Method

Developer expects to complete Project construction within nine months from the start of construction. Construction is anticipated to begin in first quarter and be completed by end of the year. The Developer intends to obtain financing at an interest rate not to exceed 6.5% to fund the

Project Costs set forth in the TIF. The TIF Project Costs will be segregated, and tax increment will be used to fund the project costs.

The Developer will enter into a Developer Agreement with the City to remit TIF revenue to the Developer for eligible Project Costs identified within the plan. TIF Eligible Project Costs and expenditures will be paid out of the loan secured by the Developer as they are initially incurred. There will be no advances by the City, unless contemplated in a Developer Agreement. The City may reimburse itself for administrative and professional costs from the tax increments as defined in the Development Agreement between the City and the Developer.

Fiscal Impact on Taxing Authorities

During the reimbursement phase (that can last up to 20 years from the date TIF #45 is created), the anticipated annual increase in taxes is expected to reimburse the Developer and is expected to have an immense positive fiscal impact on all entities levying taxes upon property in TIF #45 District.

Total Tax Mill Levy	19.529	% of Levy
Brown County	3.868	19.81%
School District	10.268	52.57%
James River Valley Water District	0.056	0.29%
City of Aberdeen	5.337	27.33%

The Project will likely generate the following anticipated annual property tax revenue (as shown cumulatively and by taxing entity) and be allocated to the TIF District. A beginning-course average revenue in 2026 is used for illustration and an end-course average revenue in 2046 is used for illustration.

Total Tax Payment (2025 due 2026)	\$8,897
Brown County	\$1,762
School District	\$4,677
James River Valley Water District	\$26
City of Aberdeen	\$2,432

Total Tax Payment (2046)	\$482,885
Brown County	\$95,660
School District	\$253,853
James River Valley Water District	\$1,400
City of Aberdeen	\$131,972

Finding of Blight/Economic Benefits Statement

A significant portion of the areas contained in Tax Incremental District Number 45 act as an economic constraint on the general economic and welfare of the state in its present condition and use. Further, pursuant to SDCL Section 11-9-8, the City of Aberdeen must include findings in the aforementioned resolution: (a) that either the area within the district is “blighted” (as further defined in SDCL Section 11-9-9) or that the planned improvements “will stimulate and develop the general economic welfare of the state through the promotion and advancement of industrial, commercial, manufacturing, agricultural or natural resources”; and (b) that the planned improvements within the District are “likely to enhance significantly the value of all of the other real property in the District”.

Property Description. The property is currently an open field. This area is blighted, as defined by SDCL § 11-9-9, and SDCL § 11-9-10, due to a variety of reasons:

1. Predominance of defective or inadequate street layouts;
2. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
3. Conditions exist which endanger life or property by fire or other causes;
4. Unsanitary or unsafe conditions; and
5. It is an area predominantly open and which, because of obsolete platting, diversity or ownership, deterioration of structures or site improvements, or otherwise, substantially impairs the City's growth.

Granting the proposed TIF enables the highest and best use of the property, which ultimately increases the amount of taxes the taxing entities will receive at the conclusion of the TIF. In the event the TIF fails to pass, this project will not move forward as currently designed due to the financial constraints and limitations associated with developing the property. The development of Project will not occur significantly reducing the benefit to Aberdeen. The properties' highest and best use lies with the Project to increase job opportunities for Aberdeen's growing population, give purpose, and utilize a blighted large undeveloped open field within the City of Aberdeen.

Summary. In addition to the above reasons, statutory requirements are met because the property within the proposed District satisfies the requirements established in SDCL Section 11-9-8 in that it will "stimulate and develop the general economic and welfare of the state" and "will significantly enhance the value of substantially all real property in the district."

Changes to the City of Aberdeen Master Plan, Map, Building Codes, and Ordinances

In accordance with SDCL §11-9-16(4), there are no changes needed in the City of Aberdeen Master Plan, Map, Building Codes, and ordinances. Proposed structures and improvements within the boundaries of TIF #45 District will be in compliance with all applicable building, fire and zoning codes of the City of Aberdeen.

List of Estimated Non-Project Costs

The total cost to build-out the Roosevelt Park Development is estimated at \$27,478,177. After deducting the TIF eligible amount of \$9,100,454 the non-TIF-eligible costs are \$18,377,723.

Statement of Displacement and Relocation Plan

As required by SDCL §11-9-16(6), no persons or families will be displaced by the Project. Additionally, no persons or families reside on the premises. Therefore, no relocation plan is needed.

Project Statement as to Zoning and Property Use Impact

In addition to the matters required pursuant to SDCL § 11-9-13, the following is submitted as part of the project plans as required by SDCL §11-9-16:

1. The property is presently zoned as R-2. The property will have to be rezoned as I-2 for a proper zoning designation for the purposes enumerated and outlined in the project plan. A map showing the zoning is attached as **Exhibit 4**.
2. An existing conditions map is attached as **Exhibit 5**. TIF #45 District is currently a large open field within city limits.
3. A map showing the proposed improvements and uses is attached as **Exhibit 6**.

Respectfully Submitted,
Aberdeen Development Corporation.

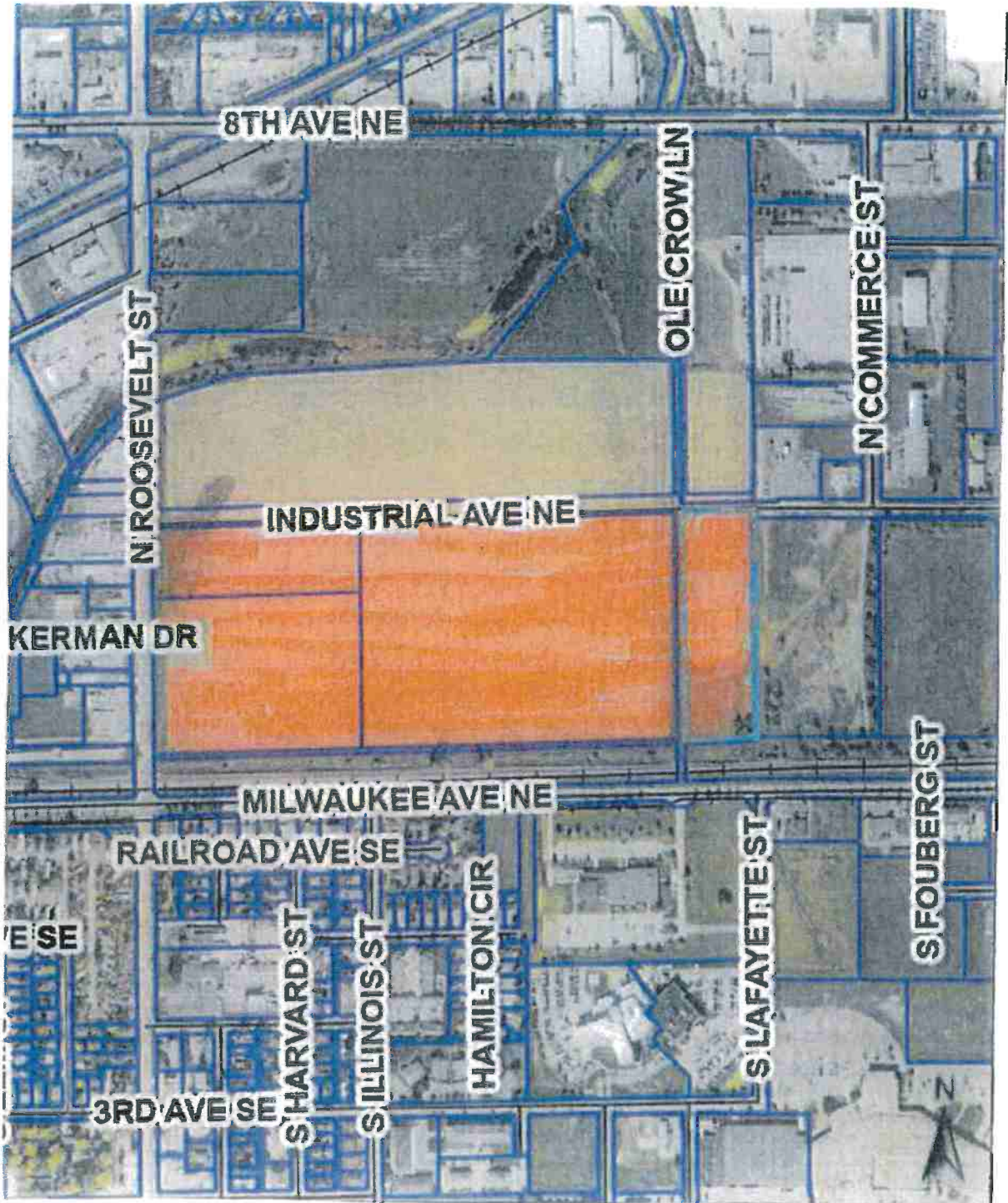
EXHIBIT 1
Costs Breakdown
Aberdeen Development Corporation Roosevelt Park Project Costs

Infrastructure Preliminary Base Bid

1	Mobilization	\$457,000
2	Remove and Dispose of Asphalt Surfacing	\$1,800
3	Remove and Dispose of Concrete Street Surfacing (Roosevelt St.)	\$4,480
4	Remove and Dispose of Concrete Curb and Gutter	\$1,440
5	Remove and Replace Concrete Sidewalk	\$7,280
6	Strip and Stockpile Topsoil (18" depth)	\$81,480
7	Unclassified Excavation	\$140,000
8	12" Scarify and Recomact in Streets	\$65,331
9	Geotextile Separator Fabric	\$35,000
10	Reinforcing Geogrid (under 3.5" Asphalt/9" Gravel Roads)	\$91,000
11	Granular Base Course (12" depth under Asphalt)	\$336,927
12	Asphalt Concrete (4.5" depth)	\$1,063,125
13	Bituminous Tack Coat	\$18,000
14	24" Curb and Gutter	\$246,400
15	6" Reinforced Concrete Filler	\$43,200
16	Concrete Street Repair of Roosevelt (w/Fast Track concrete)	\$28,000
17	Topsoiling from Stockpile (8" depth)	\$130,368
18	2' x 3' Inlet w/ Tyle B Frame and Grate	\$157,980
19	3' x 4' Inlet w/ Type B Frame and Grate	\$110,096
20	15" RCP Storm Stewer Piping	\$135,520
21	18" RCP Storm Stewer Piping	\$172,000
22	24" RCP Storm Stewer Piping	\$157,500
23	24" RCP Storm Sewer Flared End	\$3,022
24	Cap Storm Sewer for Future Use	\$3,200
25	Storm Crossing Under 72" Storm	\$15,000
26	10" C900 PVC Watermain Piping	\$464,625
27	6" C900 PVC Watermain Piping	\$30,800
28	10" Saddle w/ 2 Corp. Stop	\$21,000
29	2" Water Service Line	\$25,200
30	2" Curb Stop w/ Box	\$11,200
31	Connect 10" Mains to Existing Watermain (Saddle tap w/Valve)	\$70,500
32	10" DI Tee	\$4,000
33	10" x 6" x 10" DI Tee	\$24,000
34	10" Gate Valve w/Box	\$33,000
35	6" Gate Valve w/Box	\$30,000
36	6" Fire Hydrant w/ Steamer	\$65,000
37	PVC Casing Pipe	\$16,500
38	Watermain Crossing Under 72" Storm	\$20,000
39	12" PVC Sanitary Sewer Piping	\$249,150
40	8" PVC Sanitary Sewer Piping	\$198,900

41	6" PVC Sanitary Sewer Service Piping	\$28,000
42	Sanitary Sewer Wye	\$9,800
43	6" PVC Cleanout	\$8,400
44	48" Sanitary Sewer Manhole	\$69,000
45	Extra Depth Manhole	\$20,800
46	Sanitary Sewer Manhole Testing	\$9,600
47	Displacement and Deflection Testing on Sanitary Sewer Piping	\$13,312
48	Clean, Televis and Video Report of Sanitary Sewer Piping	\$13,312
49	Gravity and Sewer Infiltration/Exfiltration/Air Testing	\$13,312
50	Sanitary Sewer Crossing Under 72" Storm	\$15,000
51	Connect to Existing Sewer Manhole	\$3,500
52	Inlet Protection	\$5,500
53	Silt Fence	\$10,000
54	Grass Seeding, Fertilizing, and Mulching	\$36,000
55	Stabilized Rock Construction Entrance	\$5,000
	Project Costs	\$5,029,562
	Construction Contingency (10%)	\$503,000
	Total Project Cost	\$5,532,562

EXHIBIT 2
TIF District Boundary Map



Year of Improv.	Structures Built	Cumulative Determined Valuation	Year Valued (on Nov 1st)	Assessed Valuation	Tax Assessed	Year Assessed (on Mar 1st)	Year Payable	Tax Payable	Tax Increment	Project Cost Bal. after Increment	Financing Expense	TIF Year
2026	2	\$453,906	2025	\$453,906	\$8,897	2026	2027	\$8,897	\$0	\$5,519,000	\$222,235	1
2027	2	\$5,233,804	2026	\$5,233,804	\$102,583	2027	2028	\$102,583	\$93,686	\$2,100,000	\$230,591	2
2028	2	\$7,390,818	2027	\$7,390,818	\$144,860	2028	2029	\$144,860	\$135,963	\$3,419,000	\$236,741	3
2029	3	\$9,612,542	2028	\$9,612,542	\$188,406	2029	2030	\$188,406	\$179,509	\$3,699,408	\$240,462	4
2030	3	\$12,900,919	2029	\$12,900,919	\$252,858	2030	2031	\$252,858	\$243,961	\$3,695,909	\$240,234	5
2031	0	\$16,287,946	2030	\$16,287,946	\$319,244	2031	2032	\$319,244	\$310,347	\$3,625,795	\$235,677	6
2032	0	\$17,279,882	2032	\$17,279,882	\$328,821	2032	2033	\$328,821	\$319,924	\$3,541,548	\$230,201	7
2033	0	\$17,798,279	2033	\$17,798,279	\$338,686	2033	2034	\$338,686	\$329,789	\$3,441,959	\$223,727	8
2034	0	\$18,332,227	2034	\$18,332,227	\$348,846	2034	2035	\$348,846	\$339,950	\$3,325,737	\$216,173	9
2035	0	\$18,882,194	2035	\$18,882,194	\$359,312	2035	2036	\$359,312	\$350,415	\$3,191,494	\$207,447	10
2036	0	\$19,448,660	2036	\$19,448,660	\$370,091	2036	2037	\$370,091	\$361,194	\$3,037,747	\$197,454	11
2037	0	\$20,032,119	2037	\$20,032,119	\$381,194	2037	2038	\$381,194	\$372,297	\$2,862,904	\$186,089	12
2038	0	\$20,633,083	2038	\$20,633,083	\$392,630	2038	2039	\$392,630	\$383,733	\$2,665,259	\$173,242	13
2039	0	\$21,252,075	2039	\$21,252,075	\$404,408	2039	2040	\$404,408	\$395,512	\$2,442,989	\$158,794	14
2040	0	\$21,889,638	2040	\$21,889,638	\$416,541	2040	2041	\$416,541	\$407,644	\$2,194,139	\$142,619	15
2041	0	\$22,546,327	2041	\$22,546,327	\$429,037	2041	2042	\$429,037	\$420,140	\$1,916,618	\$124,580	16
2042	0	\$23,222,717	2042	\$23,222,717	\$441,908	2042	2043	\$441,908	\$433,011	\$1,608,187	\$104,532	17
2043	0	\$23,919,398	2043	\$23,919,398	\$455,165	2043	2044	\$455,165	\$446,269	\$1,266,450	\$82,319	18
2044	0	\$24,636,980	2044	\$24,636,980	\$468,820	2044	2045	\$468,820	\$459,924	\$888,846	\$57,775	19
2045	0	\$25,376,089	2045	\$25,376,089	\$482,885	2045	2046	\$482,885	\$473,988	\$472,633	\$0	20
										Cum. Finance Cost	\$3,510,892	
										Cum. Increment	\$6,457,259	

Non-Owner Occ. Mill Levy	0.02
Equalization Factor	0.98
Annual Interest Rate	0.065

EXHIBIT 4
City of Aberdeen Zoning Map

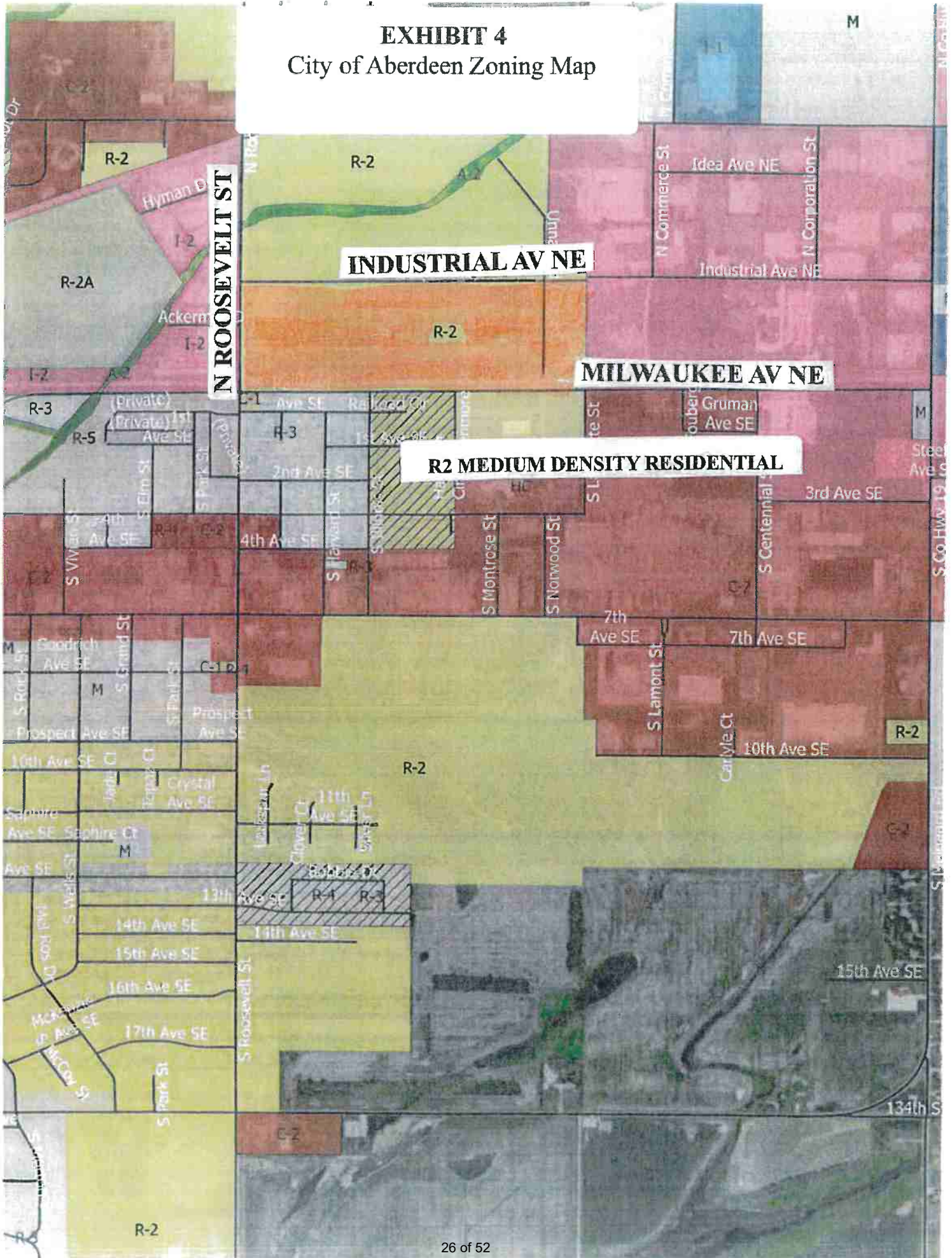


EXHIBIT 5
Existing Conditions Map

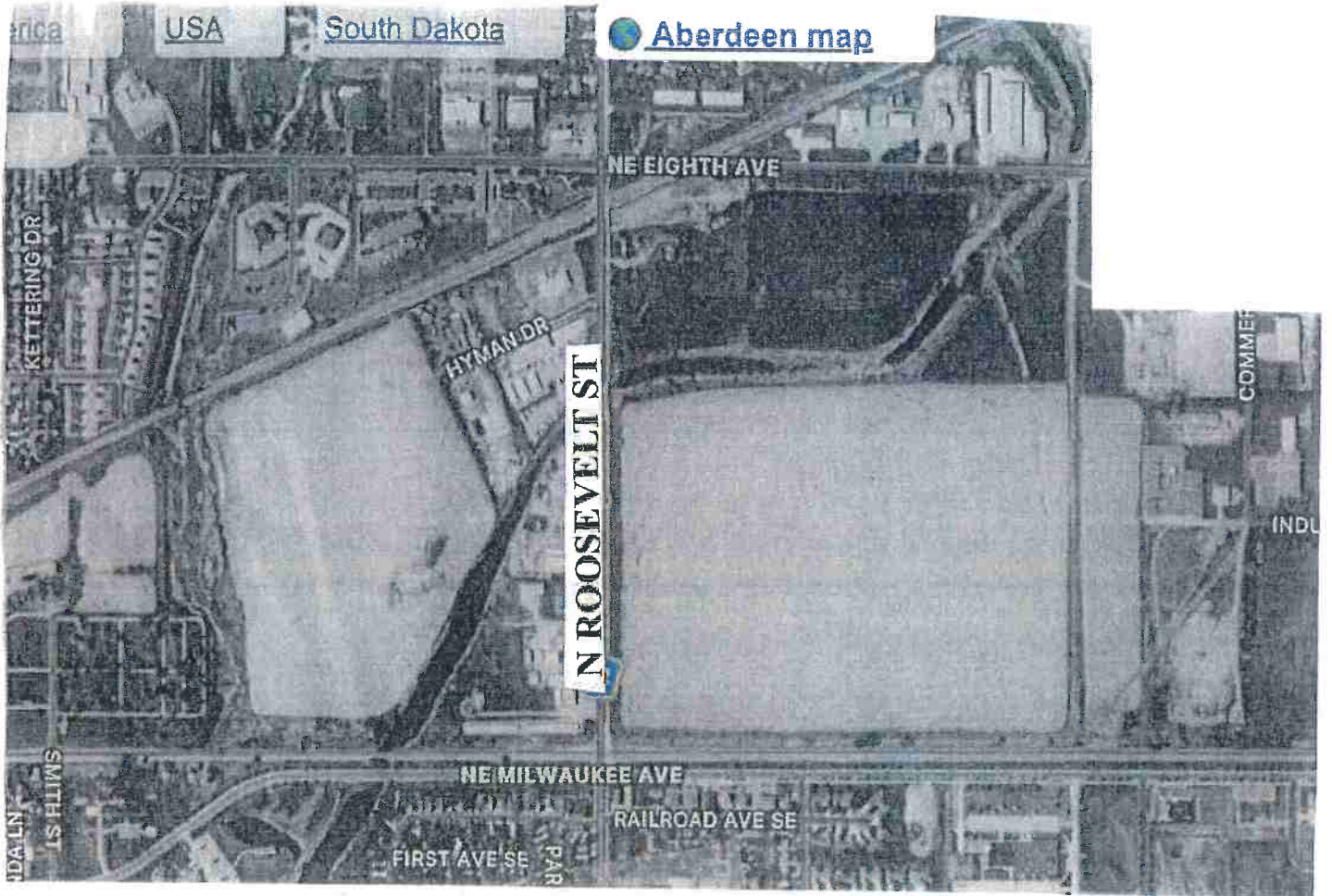
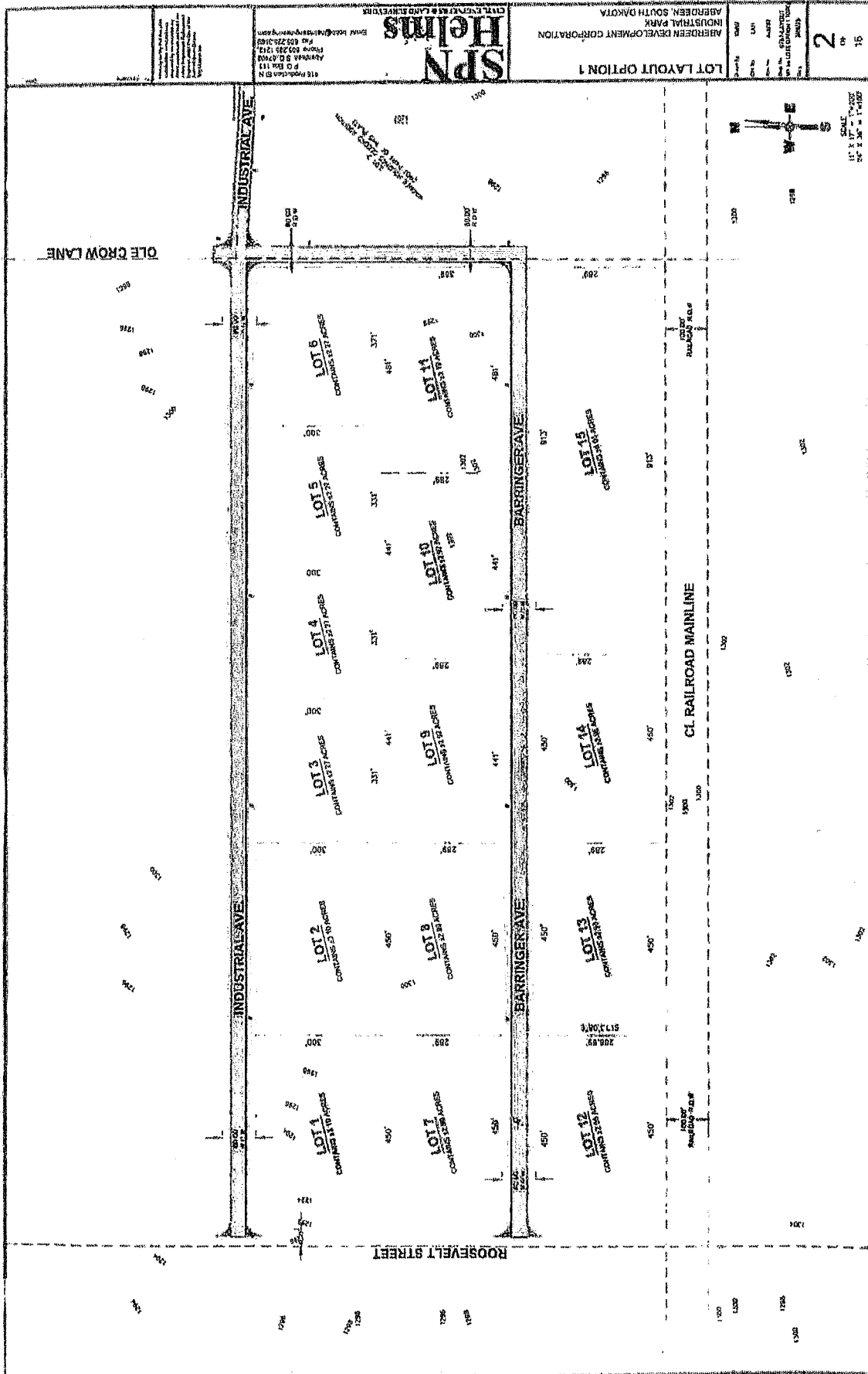


EXHIBIT 6
Proposed Improvements and Uses
Site Layout





Aberdeen City Planning Commission

Staff Report

Ordinance 26-03-05

Meeting Date: **March 17, 2026**

Agenda Item #4

GENERAL INFORMATION

PETITIONER	City of Aberdeen
REQUEST	An ordinance amending the sign regulations of the Aberdeen City Code
REPORTED BY	Eric Miller

RECOMMENDATION: Staff recommends approval of this Ordinance.

GENERAL COMMENTS: This Ordinance is requested to amend the sign regulations in Chapter 60 of the Aberdeen City Code. This is a comprehensive amendment to the sign regulations of the Aberdeen City Code including cleanup of grammar, clarifying language of regulations, and removal of unused, outdated, or redundant language; these amendments are requested in order to make the interpretation and implementation of the regulations easier for property owners and staff alike. The most significant changes to the sign code include the following: allowing for off-premises signs in the A-1 (Agricultural) District as a land use secondary to agriculture, clarifying the definition of “Institutional Sign” and increasing the allowable sizes of these signs, eliminating the additional 25 feet setback for digital off-premises signs versus static off-premises signs, increasing the maximum size of off-premise signs from 275 sq. ft. to 300 sq. ft., creating an allowance for a sign identifying a commercial project on an active construction site, increasing the size of signs for residential subdivisions under development, increasing the duration portable signs may be displayed and allowing for non-rigid materials to be used for a portable sign making it easier for businesses to advertise sales or special events, and to create a definition and provision for the installation of “Neighborhood Signs” to identify completed residential subdivisions.

REVIEW: Staff have reviewed this Ordinance and concur with its approval.

Review & Recommendation of Planning
Commission: March 17, 2026
Public Hearing: _____
First Reading: _____
Second Reading: _____
Final Adoption: _____
Published: _____
Effective Date: _____

ORDINANCE NO. 26-03-05

**AN ORDINANCE AMENDING THE SIGN REGULATIONS
OF THE ABERDEEN CITY CODE**

WHEREAS, the City Council of the City of Aberdeen is charged with providing for the health, safety, and property of its citizens, and does so through the comprehensive zoning regulations adopted at Chapter 60 - ZONING of the Aberdeen City Code; and

WHEREAS, the Community Development Department conducted a comprehensive review of the sign regulations in Chapter 60 and determined that certain updates and adjustments were necessary to alleviate unnecessary burdens upon businesses and property owners in the municipality; and

WHEREAS, Section 60-286 provides that no amendment, supplement, or change to Chapter 60 shall become effective unless it shall have been proposed by, or shall first have been submitted to, the planning and zoning commission for review and recommendation; and

WHEREAS, pursuant to Sec. 60-286, the City of Aberdeen planning and zoning commission held a public hearing on March 17, 2026, upon notice properly given, to study and report on the proposed amendment to the Zoning ordinance, and thereafter approved and recommended adoption of the amendment by the City Council; and

WHEREAS, the City Council has determined that the following amendment will bring the ordinance into compliance with state law.

BE IT ORDAINED BY THE CITY OF ABERDEEN, SD, THAT THE FOLLOWING CHANGES AND ADDITIONS SHALL BE MADE TO THE ABERDEEN CITY CODE:

1. Section 60-1 and Sections 60-339 through 344 are hereby amended with underline indicating text to be added and ~~striketrough~~ indicating text to be deleted and the remainder of Chapter 60 – ZONING to be left unaffected:

Sec. 60-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Sign type means canopy, freestanding, projecting wall, roof, wall, wall/roof, ~~and blade~~ and channel letter signs. The term "sign type" pertains to the location of a sign on a property or structure, and the method of support or attachment as follows:

- (1) *Canopy sign.* A canopy sign includes awnings and marquees. An overhead covering projecting from and attached to a building, and the attachments thereto.
- (2) *Freestanding sign.* A freestanding sign is structurally self-supporting and not attached to any other structure.
- (3) ~~Projection~~*Projecting wall sign.* A ~~projection~~*projecting* wall sign is attached to and supported by a building, projecting more than 12 inches from the wall to which it is attached. A projecting wall sign shall not extend above the roofline.
- (4) *Roof sign.* A roof sign is erected above the roofline of a building and which is wholly supported by the building.
- (5) *Wall sign.* A wall sign is a rigid sign affixed to an exterior wall of a building and which projects 12 or fewer inches from the wall.
- (6) *Wall/roof sign.* A wall/roof sign is a projecting wall sign which projects above the roofline of a building and which is wholly supported by the building.
- (7) ~~Blade sign. An attached sign oriented perpendicular to the face of the building which any part of the sign projects more than 12 inches and does not include a canopy sign or awning sign.~~Channel letter sign. A 3-dimensional sign where each letter, number, or symbol is a separate, individual unit.

Sign use means the way in which a sign is used based on the function of the sign and/or its relationship to the property on which it is located as follows:

- (1) *Area identification sign.* The term "area identification" means a sign erected to identify a group of five or more commercial or industrial activities located either within a single structure or a planned commercial area by identifying the structure or the area. The structure or area must be identifiable as a unit through common ownership or management of the building, utilities and/or common facilities (i.e., parking, open space, mall, etc.).

- (2) *Business sign.* The term "business sign" means ~~an on-premises~~ sign used to identify a commercial or industrial activity.
- (3) *Construction sign.* The term "construction sign" means a temporary sign erected to identify the contractors, designers, and/or financial institutions involved in a major construction project.
- (4) *Farmstead sign.* The term "farmstead sign" means a sign erected to identify the owner and/or occupant of a farmstead and/or any unique agricultural products available at the farmstead.
- (5) *Home occupation sign.* The term "home occupation sign" means a sign erected to identify a home occupation as defined in this section.
- (6) *Institutional sign.* The term "institutional sign" means a sign erected to identify an institutional activity including, but not limited to, educational facilities, religious institutions, healthcare facilities, government and public services, and similar uses.
- (7) *Nonconforming business sign.* The term "nonconforming business sign" means a sign erected to identify a nonconforming business as defined in this section.
- (8) *Off-premises sign.* The term "off-premises sign" means a sign which directs attention to a commodity, activity, service, or business activity not exclusively related to the premises where such a sign is located or to which it is attached.
- (9) *On-premises sign.* The term "on-premises sign" means a sign which directs attention to a commodity, activity, service, or business offered or conducted on the same premises as the sign is located.
- (10) *Residential identification sign.* The term "residential identification sign" means a sign which is showing the address and/or name of the occupants of a residential building.
- (11) *Subdivision sign.* The term "subdivision sign" means a temporary sign advertising the sale of platted lots in a subdivision being actively developed as evidenced by buildings under construction or constructed, and/or streets opened.
- (12) *Neighborhood sign.* The term "neighborhood sign" means a sign erected to indicate a unique residential neighborhood or neighborhoods that share a commonality in subdivision, developer, or other aspect.

...

Sec. 60-339. Purpose and intent.

The purpose of this article is to establish a set of standards for the fabrication, erection and use of signs, symbols, markings, or advertising devices within the city zoning jurisdiction. Those standards are designed to protect and promote the general welfare, health and safety of persons within the community, and to aid and assist in the development and promotion of business and industry by providing regulations which allow and encourage creativity, effectiveness, and flexibility in the design and use of such devices.

Sec. 60-340. District regulations.

(a) *A-1 agricultural district.* In the agricultural district, all signs must comply with the following:

- (1) *Residential identification.* One wall sign not more than two square feet per unit.
- (2) *Institutional and nonconforming business signs.* One wall sign not more than ~~36~~50 square feet or one freestanding sign not more than ~~24-32~~ square feet nor more than ~~15-20~~ feet high.
- (3) *Farmstead and business signs.* One wall sign not more than 50 square feet or one freestanding sign not more than 32 square feet nor more than 20 feet high.
- (4) *Area identification signs.* One wall sign not more than ~~24-50~~ square feet or one freestanding sign not more than 24 square feet nor more than 12 feet high.
- (5) *Setback.* No sign may be closer than 30 feet to any property line.
- (6) *Off-premises signs.* Off-premises signs are ~~prohibited~~allowed in accordance with section 60-341(a).

(b) *A-2 green belt district.* In the green belt district, all signs must comply with the following:

- (1) Except as specified here, signs erected in the green belt district shall comply with the regulations of the abutting districts on the respective side of the watercourses.
- (2) No sign structure shall be permitted which is inconsistent with the flood protection characteristics specified for the green belt district in section 60-52.
- (3) Off-premises signs are prohibited.

(c) *R-1, R-2, R-3 low, medium and high density residential districts.* In these districts, all signs must comply with the following:

- (1) *Residential identification.* One wall sign not more than two square feet per unit.
- (2) *Institutional and nonconforming business identification signs.* One wall sign not more than ~~36-50~~ square feet, or one freestanding or projecting wall sign not more than ~~46-32~~ square feet, or a combination of a wall sign and one other sign mentioned totaling not more than ~~36-50~~ square feet. Maximum height shall be the eave or bottom of the second story window, whichever is lower. Allowable sign size requirements may be doubled when property is at least one acre in size.
- (3) *Area identification signs.* One sign not more than 24 square feet nor more than 12 feet high.
- (4) *Home occupation sign.* One nonilluminated wall sign not more than eight square feet.

- (5) *Setback.* No sign may be closer than ten feet to any property line.
- (6) *Off-premises signs.* Off-premises signs are prohibited.
- (d) *R-4 special density residential district.* In the R-4 district, all signs must comply with the following:
 - (1) Only signs allowed in R-1, R-2, or R-3 districts shall be allowed for residential uses in R-4 districts.
 - (2) Nonresidential uses shall comply with the sign requirements for the district they are in.
- (e) *R-5 trailers, trailer parks and planned residential area (trailers).* In R-5 districts, only signs allowed in the R-1, R-2 or R-3 district shall be allowed.
- (f) *C-1 neighborhood commercial district.* In C-1 districts, all signs must comply with the following:
 - (1) *Business signs.* A total sign area of two square feet for each linear foot of frontage shall be allowed. Where there is multiple frontage, an additional sign area of one square foot for each additional linear foot of frontage shall be allowed. No more than two square feet of sign area for each linear foot of frontage shall be allowed to face any frontage.
 - a. Only wall, projecting wall or freestanding signs may be used.
 - b. Freestanding signs shall not exceed 50 square feet nor 20 feet in height.
 - c. Projecting wall signs shall not exceed 40 square feet.
 - d. Each property may display one freestanding sign or one projecting sign.
 - (2) *Institutional and nonbusiness signs.* Institutional and nonbusiness signs shall comply with sign regulations for R-1, R-2, or R-3 residential districts.
 - (3) *Area identification signs.* One freestanding sign per development; not to exceed 100 square feet nor 20 feet in height.
 - (4) *Setback.* No sign may be closer than ten feet to any property line.
 - (5) *Off-premises signs.* Off-premises signs are prohibited.
 - (g) *C-2 highway commercial.* In C-2 districts, all signs must comply with the following:
 - (1) *Business signs.* A sign area of two square feet for each linear foot of frontage shall be allowed. If the building has multiple frontages, an additional sign area of one square foot for each additional linear foot of frontage shall be allowed.
 - a. All sign types are allowed in the C-2 districts.

b. Each property may display ~~either one freestanding or one roof~~ sign.

c. Each property may display one roof sign.

de. Each property may display either one projecting wall sign or one wall/roof sign.

ed. Freestanding and roof signs shall not exceed 150 square feet in area nor 30 feet in height ~~abovegrade~~above grade. For freestanding signs, an additional 45 percent of the sign area may be added for decorative framing, brickwork, or similar facade applications; provided however, that such additional area may not include advertising of any type.

fe. Projecting wall and wall/roof signs shall not exceed 40 square feet in area.

gf. Projecting wall signs shall not extend above the eave or ~~20-30~~ feet ~~abovegrade~~above grade whichever is less.

hg. Wall/roof signs shall not exceed 30 feet in height ~~abovegrade~~above grade.

ih. On frontages exceeding 150 feet but less than 200 feet the allowable freestanding sign size may be increased by 50 percent and height ~~increased by~~ 20 percent. On frontages exceeding 200 feet allowable freestanding sign size may be doubled and height increased 30 percent.

~~(2) Institutional and nonbusiness signs. Institutional and nonbusiness signs shall comply with the sign regulations for R-1, R-2, or R-3 residential districts.~~

(23) *Area identification signs.* One freestanding sign per commercial development, provided that no other freestanding sign is displayed on the same property with the following restrictions:

a. Maximum size shall be 650 square feet.

b. Maximum height shall be 50 feet.

c. Minimum 20-foot setback ~~Shall be set back a minimum of 20 feet~~ from any property line.

(34) *Setback.* No sign shall be closer than ten feet from any property line.

(45) *Off-premises signs.* Off-premises signs are allowed as per section 60-341(a).

(h) *C-3 Central business district.* In the central business district, all signs must comply with the following:

(1) *Business signs.*

a. Signs attached to the building equaling 20 percent of the building face area or 100 square feet, whichever is greater; not higher than the roofline.

- b. Projecting signs may not exceed 50 percent of the allowable sign area.
 - c. One freestanding sign up to 100 square feet; not higher than 30 feet; ~~not closer than 50 feet to another freestanding sign;~~ not closer than five feet from any property line.
 - d. For freestanding signs installed along U.S. Highway 12 (6th Avenue), an additional 45 percent of the sign area may be added for decorative framing, brickwork, or similar facade applications; provided, however, that such additional area may not include advertising of any type.
- (2) *Area identification.*
- a. One freestanding sign per commercial development, provided that no other freestanding sign is displayed on the property.
 - 1. Maximum size shall be 200 square feet.
 - 2. Maximum height shall be 30 feet.
 - 3. ~~Minimum 10-foot setback~~ Shall be setback a minimum of ten feet from any property line.
- (3) *Residential signs.* Only signs allowed in R-1, R-2 or R-3 districts shall be allowed for residential uses.
- (4) *Off-premises signs.* Off-premises signs may be allowed as a special exception.
- (i) *I-1 industrial park district.* In industrial park districts, all signs must comply with the following:
- (1) *Area identification signs.*
- a. One freestanding sign up to 400 square feet per side of sign area; one per major thoroughfare.
 - b. Maximum height of 35 feet.
 - c. Minimum 20-foot setback from property line.
- (2) *Business identification signs.*
- a. One freestanding sign up to 100 square feet of sign area; maximum height of 20 feet.
 - b. Wall sign up to 20 percent of the building face.
 - c. Minimum 20-foot setback from property line.
- (3) *Off-premises signs.* Off-premises signs are not allowed.

(j) *I-2 unrestricted industrial district.* In unrestricted industrial districts, all signs must comply with the following:

(1) *Area identification signs.*

- a. One freestanding sign up to 400 square feet per side of sign area.
- b. Maximum height of 35 feet.
- c. Minimum 20-foot setback from property line.

(2) *Business identification signs.*

- a. A total sign area of two square feet for each linear foot of frontage shall be allowed. If the building has multiple ~~frontage~~frontages, an additional one square foot for each additional linear foot of frontage shall be allowed.
- b. All types of on-premises signs are allowed.
- c. Minimum 20-foot setback from property line.

(3) *Off-premises signs.* Off-premises signs are allowed as per section 60-341(a).

(k) *M-AG mini-agricultural district.* In M-AG district, only signs allowed in the A-1 district shall be allowed.

(l) *R-2A manufactured housing medium density residential district.* In R-2A district, only signs allowed in the R-1, R-2, or R-3 districts shall be allowed.

(m) *HC health care district.* In HC district, only signs allowed in the C-2 district shall be allowed.

Sec. 60-341. General regulations applicable to all districts.

(a) *Off-premises signs.*

(1) An off-premises sign and its accessory structures are recognized as a legitimate business enterprise and shall be the only permitted land use of a lot, excluding any permissible form of agriculture.

(2) Off-premises signs shall be allowed only in areas designated as A-1 agricultural district, C-2 highway commercial district, ~~or~~ I-2 unrestricted industrial district, or as a special exception in a C-3 central business district, except that no off-premises signs or advertising shall be permitted within 300 feet of the road right-of-way on First Avenue Southeast/Milwaukee Avenue from South Main Street to Brown County Highway 19.

- a. Off-premises signs are prohibited within a 150-foot radius of any residential district, ~~park, school, hospital, library~~ or any designated architectural, historic, or scenic area.

- b. All off-premises signs shall have a minimum setback of 20 feet from any property line.
 - c. Off-premises signs shall not be displayed closer than a 600-foot radius to any other off-premises sign structure.
- (3) Size of off-premises signs.
- a. Maximum size shall not exceed 275-300 square feet per side of sign area. Each side of a back-to-back or V-type sign structure shall be figured separately. An additional 25 square feet shall be allowed for cutouts or extensions to accommodate special artwork.
 - b. No more than two signs may be displayed on one sign structure.
 - c. Maximum height shall be 40 feet above grade at the center of the adjoining street.
 - d. Minimum height shall be 12 feet above grade at the center of the adjoining street.
- (4) Location to access point.
- a. ~~Static e~~Off-premises signs shall not be located closer than 50 feet to any intersection of public street rights-of-way nor access point (driveway, approach, etc.) to a public street.
 - ~~b. Off-premises electronic message board signs shall not be located closer than 75 feet to any intersection of public street rights-of-way.~~
- (5) Illumination.
- a. Off-premises signs which utilize animation and blinking, flashing, intermittent, or moving lights are prohibited, except that electronic message board signs are permitted subject to the requirements set forth at subsection (e)(6).
 - b. Off-premises signs shall not be illuminated so as to interfere with vehicular or pedestrian traffic in any way.
 - c. Off-premises signs shall not be so illuminated that it interferes with the effectiveness of, or obscures, an official traffic sign, device or signal.
 - d. Off-premises signs that are not electronic message board signs shall be illuminated only by white colored light.
- (6) Only freestanding wall or roof signs are permitted.
- ~~(7) Every owner or lessor of an off-premises illuminated or electronic message board sign, on a form prescribed by the planning and zoning director, shall irrevocably appoint either a resident of the city or the planning and zoning director to be the owner's or lessor's agent to receive and comply with demands for immediate~~

~~compliance from the zoning inspector and to receive service of process in any enforcement action or proceeding against the sign owner or lessor which arises under this article.~~

(b) *Signs permitted in all districts.* Subject to the conditions of this article, the following signs shall be permitted in all zoning districts:

- (1) *Construction signs.* One sign shall be permitted for all building contractors, one for all professional firms, ~~and~~ one for all lending institutions on -sites under construction, or one identifying the project being constructed. Not more than three signs shall be permitted on one site. All signs shall be removed no later than 14 days after the completion of the project. Each sign shall not exceed 32 square feet or ten feet high.
- (2) *Subdivision signs.* One temporary subdivision identification sign not exceeding 24 32 square feet in area nor 12 feet in height may be allowed for each residential development of 20 or more lots or dwelling units. Only the name of the development, ~~and~~ the name and contact information of the developer, and the primary real estate agency shall be allowed.
- (3) *Street banners.* Street banners advertising a public event may be displayed 14 days prior to and must be removed within seven days after the public event. The display and location of street banners are subject to the discretion of the city council. A sign permit shall not be required.
- (4) *Church, public bulletin boards.* Church and other public bulletin boards not exceeding 12 square feet in area shall be allowed.
- (5) *Private traffic signs.* Private traffic signs may be erected to direct traffic into and out of private parking area or drive-in service facilities where traffic congestion would result in undue confusion or hazard. The sign may be a maximum size of 12 square feet and seven feet high. The minimum setback shall be two feet from any property line. In addition to traffic directional information, the name and/or symbol of the activity may be displayed to identify the property. Internal illumination is allowed.
- (6) *Temporary banners.* Subject to the conditions of this article, temporary banners shall be allowed in all commercial and industrial zoning districts provided that the following conditions are met:
 - a. Temporary banners must be securely fastened to a structure.
 - b. Each business or person may display only one banner for commercial advertising at any given time.
 - c. Temporary banners may not be larger than 125 square feet.
 - d. No part of any temporary banner used for commercial purposes may extend into the public right-of-way.

- e. A temporary banner shall be defined as a nonrigid sign or device which directs attention to a commodity, activity, service or business offered or conducted on the same premises as a sign or device is located and that contains letters, symbols, numbers or a combination of these which can be seen from a right-of-way of a street or highway.
- (7) Temporary Portable signs. Except as otherwise provided in this section, temporary portable signs may only be displayed in the commercial and industrial districts for 15-35 permit days per calendar year at any one business location. A separate permit shall be required for each sign.
- a. Permits may be issued for terms of 72 hours 7 consecutive days and permit holders will be charged with the full term of which the permit is issued. Subsequent permits shall not be issued until 14 days have elapsed following the expiration of the permit. Permits for two or more temporary portable signs may be issued at a particular business location if the permits are of equal duration and run concurrently.
 - b. Temporary Portable signs shall be secured against overturning, ~~and engineered drawings shall be submitted at the time of application insuring an installation process to be followed which will allow the portable sign to withstand 90 mph ground wind speeds,~~ shall meet all applicable setbacks for the zone in which it is located and shall not be located within the triangular area formed by the intersection of street right-of-way lines and a straight line connecting points on said street right-of-way line each of which is 35 feet distance from the point of intersection, shall not exceed 32 square feet in area, and shall be in compliance with all other applicable codes regarding signs.
- (8) Neighborhood signs. Neighborhood signs may be installed to identify only the name of the associated neighborhood or subdivision. The sign may be a maximum of 12 square feet and 7 feet high. They must be installed on private property and at least 10' feet from any property line.
- (c) *Exempted signs.* The following signs are generally exempted from the provisions of this article:
- (1) Public signs. Signs of a noncommercial nature and in the public interest, erected by, or on the order of, a public officer in the performance of his or her public duty. Such signs include traffic control signs, street signs, warning signs, railroad crossing signs and signs directing the public to public facilities or events.
 - (2) Signs of public service companies for the purpose of safety.
 - (3) Memorial plaques, cornerstones, historical tablets and the like.
 - (4) Temporary political campaign signs, provided that they do not exceed six square feet in size and are neither displayed more than 10 days before absentee voting begins in the primary or general to which they pertain nor seven days after such election.

- (5) Temporary real estate signs pertaining only to the sale, lease or rental of the premises upon which they are displayed. Only one sign is allowed per street frontage and each sign shall not exceed eight square feet and shall not be illuminated.
- (6) Residential dwellings may display one sign showing only the name and address of the occupant. The sign shall not exceed two square feet and may be internally illuminated.

~~(7) Gasoline price signs. Gasoline dispensing stations may display one sign per property displaying only the price of gasoline and/or diesel fuel. Said sign shall be firmly attached to a structure and shall not be mobile. Such signs shall not exceed 12 square feet and shall not be illuminated.~~

(87) Official Brown County fair signs, provided ~~that~~ they do not exceed six square feet in size and are neither displayed more than ~~60~~30 days before nor seven days after the fair.

~~(8) Rummage/yard sale signs, provided that they shall not exceed 6 square feet, shall not be illuminated, and are placed only on private property; no signs may be placed in public right-of-way or on public property. Signs shall not be displayed for more than 4 consecutive days and must be removed upon completion of the event advertised.~~

(d) *Prohibited signs.* The following signs are prohibited and shall be removed upon notice from ~~the building department~~any official of the city:

- (1) Signs which imitate an official traffic sign or signal and which contain the words "stop," "go slow," "caution," "danger," "warning," or similar words except as necessary to control traffic upon private property.
- (2) Signs which are of a size, location, movement, content, coloring, or manner of illuminations which may be confused with or construed as a traffic control device or which hide from view any traffic, street sign, or signal or which obstruct the view in any direction at a street or road intersection.
- (3) Signs which contain or consist of pennants, ribbons, streamers, spinners, strings of lightbulbs or similar moving devices.
- (4) Signs which are attached in any manner to utility poles, trees, fences, or other signs. No signs may be placed in public right-of-way or on public property and infrastructure.
- (5) Signs affixed to permanent supporting structures which are in addition to signs specifically designed for said supporting structures, i.e., parasitic signs.
- (6) Signs not affixed to permanent foundations, ~~all portable signs~~ and all temporary signs not in conformity with the provisions of this article.
- (7) Signs, constructed of rigid materials, which swing or otherwise noticeably move as a result of wind pressure because of its manner of suspension or attachment.

(e) *Illumination.* All illuminated signs, whether on-premises or off-premises, shall comply with the following:

- (1) Internal illumination is allowed in all zoning districts.
- (2) External illumination is allowed only in commercial and/or industrial zoning districts.
- (3) The light from any illuminated sign or billboard or from any light source, including the interior of a building, shall be so shielded, shaded or directed so that the light intensity shall not adversely affect surrounding or facing premises nor adversely affect the safe vision of operators of vehicles on public or private roads.
- (4) No sign shall have blinking, flashing, pulsating or fluttering lights or other illuminating devices which have a changing light operated to create an appearance or illusion of writing, printing or movement except for movement showing the date, time and/or temperature exclusively. In the C-2, C-3 and/or I-2 districts, additional information and blinking or flashing illumination may be allowed as a special exception.
- (5) Every illuminated sign shall comply with Illuminating Engineering Society of North America-based standards and may not have an illuminance that exceeds 0.3 foot-candles above ambient light as measured using a foot-candle meter or similar device at the prescribed distance depending upon sign area measured as follows:

Area of Sign (Square Feet)	Measurement Distance (Feet)
< 240	150
241 to 380	200
381 to 670	250
> 670	350

- (6) Electronic message board signs.
 - a. Except as otherwise provided in this section, electronic message board signs may be displayed for church and public/private school use in all zoning districts as a special exception and as long as the sign is located on the lot in which the church or school is located. All electronic message board signs shall be in compliance with all other applicable codes regarding signs.
 - b. In the C-2 and I-2 districts, electronic message board signs are a permitted use, provided that such signs do not interfere with traffic safety, and may not be confused with or construed as a traffic control device. All electronic message board signs in the C-2 and I-2 districts shall be in compliance with all other applicable codes regarding signs.
 - c. Except as otherwise provided in this section, electronic message board signs may be displayed in the C-3 district along U.S. Highway 12 (6th

Avenue) as a special exception and as long as the sign is located on the lot on which the business is located. All electronic message board signs in the C-3 district along U.S. Highway 12 (6th Avenue) shall be in compliance with all other applicable codes regarding signs.

- d. The minimum display time shall be six seconds, with the entire message static for the duration of the display time. Message changes must be instantaneous and may not employ fade dissolve, scrolling, or other effects. ~~Electronic message board signs shall not be operated to display a message or graphic that is entirely red or blue in color. Monochrome electronic message board signs shall be limited to utilizing only amber colored lights.~~
- e. All electronic message board signs shall comply with Illuminating Engineering Society of North America-based standards, shall be equipped with dimming controls that automatically adjust the sign brightness in direct correlation with ambient light conditions, and may not have an illuminance that exceeds 0.3 foot-candles above ambient light as measured using a foot-candle meter or similar device at the prescribed distance depending upon sign area.
 - 1. The measurement distance shall be as follows:

Area of Sign (Square Feet)	Measurement Distance (Feet)
10	32
15	39
20	45
25	50
30	55
35	59
40	63
45	67
50	71
55	74
60	77
65	81
70	84
75	87
80	89
85	92
90	95
95	97
100	100

For signs with an area in square feet other than or greater than those specifically listed in the table in this section, the measurement distance may be calculated with the following formula:

The square root of the product of the sign area multiplied by 100.

(Example for 12 square foot sign area:

12 square feet x 100 = 1,200

The square root of 1,200 is 34.6

Measurement distance is 34.6 feet)

- f. All electronic message board signs shall be equipped with a power supply shutoff readily accessible at all times to the zoning inspector and capable of being locked out by the zoning inspector.
- (7) Illuminance measurements shall be performed as follows:
- a. The tester shall take the initial measurement by standing at ground level and aiming a foot-candle meter directly at the sign at least 30 minutes after sunset or 30 minutes before sunrise. The measurement will be taken as close as possible to the above prescribed distance from the sign face measured.
 - b. After the initial measurement has been taken, the tester shall measure and determine the ambient light conditions with the illuminated sign off or displaying all black copy. The ambient light reading shall be taken with the same foot-candle meter at the same height and location used to establish the initial measurement.
- (f) *Movement.*
- (1) Movement may be allowed as a special exception only in C-2, C-3 and/or I-2 districts.
 - ~~(2) Only circular movement on a plane horizontal to a vertical plane shall be allowed.~~
 - ~~(3) Movement must be by mechanical means. Wind-blown devices are not allowed.~~
- (g) *Painted wall signs.* Allowed only in commercial and/or industrial ~~C-3 and/or I-2~~ zoning districts ~~as special exceptions.~~
- (1) Only on-premises signs are allowed.
 - (2) Shall be repainted a minimum of once every three years, or as required as evidenced by chipping or faded paint.
 - (3) Nonconforming or abandoned signs shall not be repainted, and shall be totally removed within 90 days after notice of required maintenance has been given.
- (h) *Super graphics.* Allowed only in commercial and/or industrial zoning districts.
- (1) Super graphics shall be allowed only after public hearing and approval by the city planning commission and city council.

- (2) Super graphics shall be allowed solely on their artistic value and compatibility with their surroundings.
- (3) Super graphics shall be subject to the same maintenance requirements as painted wall signs.

(i) *Sign maintenance.* Unless otherwise noted, all signs within the city zoning jurisdiction shall comply with the following standards:

- (1) All signs shall be kept in proper repair and maintenance, and the areas around them kept free of debris, weeds, and any other blighting or nuisance factors. The surface of all signs must be repainted whenever deemed necessary, as evidenced by paint fading, chipping or discoloration. The owner of a sign shall be responsible for its maintenance.
- (2) On-premises signs shall be removed from the building and property within 30 days after the business or activity advertised is terminated. However, where the termination is temporary in nature the existing sign structures may be used to advertise the sale, lease, or rent of the property, provided that all advertising material related to the previous occupant is removed.
- (3) Off-premises signs shall be removed within 30 days of abandonment of the sign as evidenced by termination of the activity or product advertised, or the lack of an advertising message for a period exceeding 60 consecutive days.
- (4) Should any sign within the city zoning jurisdiction be found to be unsafe or insecure, or a menace to the public or is not kept in proper repair and maintenance, or has been constructed or erected in violation of the provisions of this article, the sign owner or property owner shall be given written notice of the violation. The owner shall then be given 14 days from the date of notice to bring the sign into compliance with the terms of this article. Should the owner fail to comply with the notice given, the city shall remove the sign in violation and recover all costs involved by the legal means most convenient to the city.

(j) *Variances and special exceptions.*

- (1) Variances and special exceptions shall be granted only in accordance with the procedures established in this article.
- (2) Special exceptions shall be considered only for those situations specifically designated in this article.

(k) *General sign location.* These provisions shall apply to all signs in all locations unless more restrictive regulations are specified in a zoning district. Then the most restrictive provisions shall apply.

- (1) *Wall signs.* Wall signs may be located anywhere on any wall of a building, except that, above the first floor, no window or part of a window shall be situated within the surface area of the supporting structure of such sign, nor shall any window or part of a window be covered. Flat wall signs may extend above the roofline of a structure only where the top of said sign is no more than four feet above the top of

the uppermost window and/or door openings of said wall on a one story building only. In the case of a multistory building which has screening enclosing elevators, shafts, stairs, walls or heating and air conditioning units, a wall sign may be permitted within the area of screening.

(2) *Projecting wall signs.* Any one tenant with frontage on a public right-of-way and with direct ground floor access to the right-of-way may display one projecting wall sign.

a. Projection shall be subject to the absolute limits of eight feet from the face of a building and two feet from the back of the curb, the maximum projection of a projecting wall sign shall be determined by the distance of the sign from any neighboring property.

1. The allowable maximum projection shall be determined by the following formula:

Projection Formula

$$M = B + I$$

When:

M = Maximum projection of not more than eight feet

B = Base projection (four feet) the allowable projection regardless of location along frontage

I = L/P (four feet) increase over base projection of not more than four feet

F = Property frontage along one street right-of-way

N = Number of adjoining properties exclusive of street right-of-way

P = F/N (point or area of maximum projection) that point on a property which is the greatest distance from neighboring properties, or any area which is 50 feet or more from any neighboring property

L = Proposed sign location measured as the shortest distance from a neighboring property

2. Projecting wall signs may project over public right-of-way only where there is no required building setback, and no projection is allowed over the rights-of-way of U.S. Highway 12 or 281.
 - b. No projecting wall sign shall project above roofline.
 - c. Projecting wall signs shall have a minimum clearance of ten feet over a sidewalk and 18 feet over any street, alley or driveway.
- (3) *Freestanding signs.* A maximum of one freestanding sign per street frontage shall be allowed provided that the building setback is a minimum of 30 feet from the property line. No freestanding sign shall be erected or maintained or so placed that any portion of such sign will be within 30 feet of any corner formed by the intersection of any two streets, rights-of-way, or a street right-of-way and the right-of-way of any railroad intersecting said street unless said freestanding sign and support complies with the following requirements:
 - a. No portion of said sign shall be less than 12 feet above grade.
 - b. Open space between bottom of the sign and grade below shall be free of obstruction except for necessary supports.
 - c. Supporting members shall be of such size and spacing so as not to materially obstruct view of said intersection.
- (4) *Roof sign.* ~~Roof signs shall be allowed only on one story buildings.~~
 - a. The maximum height of roof signs shall not exceed ten feet above the roofline of a ~~one story~~ building.
 - b. All roof signs must be set back a distance of at least four feet from all the outside walls of the building on or over which they are located. It is the intention of this provision to provide a clear passageway around the sign.
 - c. All roof signs shall be installed or erected in such a manner that there shall be no visible support structure.
- (5) *Wall/roof signs.* Wall/roof signs shall meet all requirements of both projecting wall signs and roof signs.
- (6) *Canopy signs.* Canopy signs are of two types differentiated primarily by function. Awnings or canopies are designed primarily to provide protection from the elements. Marquees are designed primarily to display changeable messages.
 - a. Awnings and canopies may be used by all types of establishments in all surroundings. Only individual cut-out letters and/or symbols may be attached to, painted, stenciled, or otherwise placed on these devices; except that each ground floor activity may display one pedestrian-oriented sign visible from beneath the awning or canopy provided that it does not exceed six square feet in area and is a minimum of seven feet ~~abovegrade~~above grade. Awnings and canopies may extend to within one

foot horizontally of the curb face and may have a minimum height of seven feet from the lowest point, exclusive of supports and braces, on the canopy or awning to the top of the curb.

- b. Marquees shall be subject to the same standards as awnings and canopies with the following exceptions:
 1. Only the following activities may display a marquee: motion picture theaters and facilities featuring eating, drinking and/or entertainment, ~~which seat 200 or more persons for a single performance or activity.~~
 2. The number of items of information in changeable copy shall not be included in the limits set in section 60-342(b).

Sec. 60-343. Permits, fees and inspection.

(a) Unless specifically excluded from these permit requirements, all signs erected within the city and ~~three miles thereof~~ any extraterritorial jurisdiction shall require a zoning permit for signs prior to construction. A zoning permit for signs shall be required in addition to any other applicable permits, and shall state or have attached thereto the following information:

- (1) The name and address of the applicant;
- (2) All information required to determine compliance with the provisions of this article; and
- (3) The name of the person, firm, or corporation erecting the sign.

(b) Every applicant, before being granted a permit, shall pay a fee for each sign to be erected.

- (1) The zoning permit for signs fee shall be as provided in the city fee schedule on file in the office of the finance officer.
- (2) Upon any substantial alteration, replacement, face change or relocation; other than routine maintenance of a sign shall constitute a new sign requiring a zoning permit for signs.
- (3) If a sign is erected without first obtaining a zoning permit for signs, said sign shall be deemed to be illegal and shall be removed within 14 calendar days of receipt of written notification from the planning and zoning department.

(c) Should any sign, for which a permit has been issued, not be erected within 120 days of the issuance of the permit, such permit shall expire and fees previously paid shall not be refunded.

Sec. 60-344. Legal nonconforming signs.

(a) *Notification of nonconformance.* After the enactment of the ordinance from which this article is derived, the administrator shall, as soon as practicable, survey the zoning jurisdiction

and identify the signs which do not conform to the requirements of this article. Upon determination that a sign is nonconforming, the administrator shall use reasonable efforts to so notify either personally or in writing the user or owner of the property on which the sign is located of the following:

- (1) The sign's nonconformity; and
- (2) Whether the sign is eligible for characterization either as legal nonconforming or unlawful.

(b) *Signs eligible for characterization as legal nonconforming.* Any sign located within the zoning jurisdiction on the date of adoption of the ordinance from which this article is derived, which does not conform with the provisions of this article, is eligible for characterization as a legal nonconforming sign and is permitted, provided it also meets the following requirements:

- (1) The sign erected under a permit issued under the ordinances in effect at the date of erection.
- (2) The sign is properly maintained, and is not prohibited or otherwise to be discontinued or removed under the provisions of this article.

(c) *Loss of legal nonconforming status.* A legal nonconforming sign shall immediately lose its legal nonconforming designation if:

- (1) The sign is altered in any way in structure or copy (except for changeable copy signs and normal maintenance), which tends to or makes the sign less in compliance with the requirements of this article than it was before the alteration;
- (2) The sign is relocated;
- (3) The sign is replaced; or
- (4) Upon the occurrence of situations in subsections (c)(1) through (3) of this section, the sign shall be immediately brought into compliance with this article with a new permit secured therefor, or shall be removed.

(d) *Legal nonconforming sign maintenance and repair.* Nothing in this section shall relieve the owner or user of a legal nonconforming sign or owner of the property on which the legal nonconforming sign is located from the provisions of this article regarding safety, maintenance and repair of signs; provided, however, that any repainting, cleaning and other normal maintenance or repair of the sign or sign structure shall not modify the sign structure or copy in any way which makes it more nonconforming or the sign shall lose its legal nonconforming status.

(e) *Conversion of existing nonconforming off-premises sign to electronic message board sign.* Notwithstanding any other provision of this Code, any existing static off-premises sign structure constructed as a result of a permit or board of zoning adjustment approval prior to September 11, 2019, shall be considered a legal sign and may be converted to an electronic message board sign structure, by the current permit holder, at the same height and location of the sign cabinet as it currently exists, as long as such sign is brought into compliance with all other current sign ordinances; provided, however, that no static off-premises sign closer than 150

feet to a residential area may be converted to an electronic message board sign, unless such sign was previously granted a closer distance variance from such residential area, and no converted electronic message board sign structure may be displayed closer than 600 feet to any other off-premises electronic message board sign structure. A converted electronic message board sign shall comply with all other provisions of the Code. A ~~sign building permit~~zoning permit for signs is required to make the conversion allowed by this subsection.

2. Severability. The provisions of this ordinance are severable. If any provision of this ordinance or the application thereof to any person or circumstance is held to be invalid, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application.

3. Effective Date. The City Finance Officer shall cause this ordinance to be published in the official newspaper in clean text with all deletions and additions incorporated therein and footnotes omitted. This ordinance shall become effective twenty (20) days after the completed publication, unless the referendum is invoked.

ATTEST:

Travis Schaunaman, Mayor

Jordan McQuillen, Finance Officer

[SEAL]



Aberdeen City Planning Commission

Staff Report

Preliminary and Final Plat

Meeting Date: **March 17, 2026**

Agenda Item #5

GENERAL INFORMATION

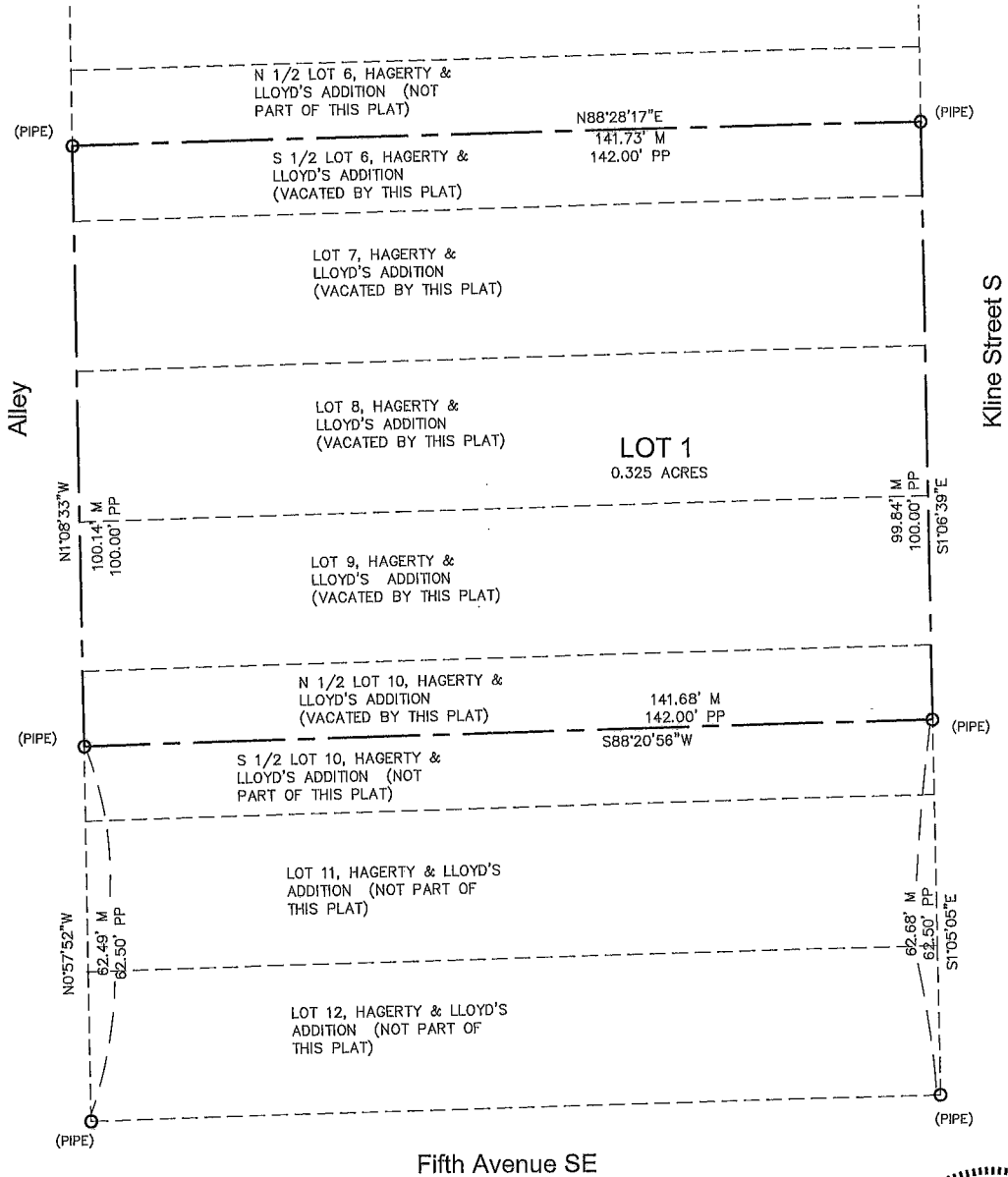
PETITIONER	Kenneth Kim Krause
REQUEST	Preliminary and Final Plat
LEGAL DESCRIPTION	Lot 1, Krause First Addition to the City of Aberdeen, in the SE $\frac{1}{4}$ of Section 13, Township 123 North, Range 64 West of the 5th P.M., Brown County, South Dakota
LOCATION	416 Kline Street South – $\frac{1}{2}$ block south of First Presbyterian Church
EXISTING ZONING	High Density Residential District
SURROUNDING ZONING	
North:	High Density Residential District
South:	High Density Residential District
East:	High Density Residential District
West:	High Density Residential District
PUBLIC UTILITIES	City Water and Sewer
REPORTED BY	Eric Miller

RECOMMENDATION: Staff recommends approval of this preliminary and final plat.

GENERAL COMMENTS: The petitioner is requesting this preliminary and final plat to allow for an addition to be constructed to their residence. Permits have been obtained and the work has been completed.

REVIEW: Staff have reviewed this preliminary and final plat and concur with its approval.

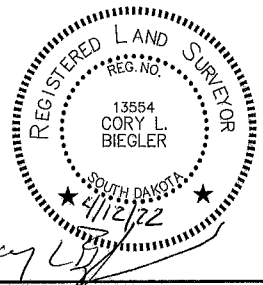
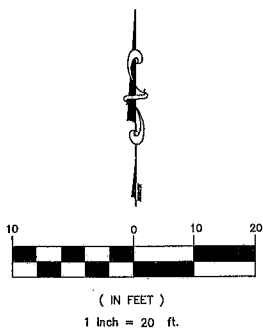
PLAT OF KRAUSE FIRST ADDITION TO THE CITY OF ABERDEEN, IN THE SE 1/4 OF SECTION 13-T123N-R64W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA



LEGEND
 ○ FOUND PROPERTY CORNER
 (M) MEASURED DISTANCE
 (PP) PREVIOUSLY PLATTED DISTANCE

BASIS OF BEARINGS

SD STATE PLANE NORTH ZONE
NAD 83 (2011) US SURVEY FEET
DISTANCES ARE GROUND



Helm & Associates
 416 PRODUCTION STREET N.
 P.O. Box 111
 Aberdeen, S.D. 57401
 Phone: 605.225.1212
 Fax: 605.225.3189
 CIVIL ENGINEERS & LAND SURVEYORS

DWG. 8662-LS BY: GSK SHEET 1 OF 3