



HERMOSA TOWN BOARD  
WORK SESSION

Tuesday, September 28, 2021 – Following P&Z Meeting

- 1) **ROLL CALL:**
  - A) BOT Roll Call: Flug, Henrichsen, Holsworth, King, & Schumack
  - B) Acknowledgement of other attendees
  
- 2) **CALL FOR CHANGES:**
  - A) Review current agenda items
  - B) Motion to accept the agenda as presented/amended
  
- 3) **WORK SESSION ITEMS**
  - A) ADU's Ordinance
  - B) Permit Processes
  - C) Fee Schedule
  
- 4) **TRUSTEE INPUT:**  
Flug, Henrichsen, Holsworth, King, & Schumack
  
- 5) **ADJOURN:** Motion by \_\_\_\_\_; Second by \_\_\_\_\_ to adjourn the meeting at \_\_\_\_\_ PM

ATTEST:

\_\_\_\_\_  
Gail Boddicker  
Finance Officer

\_\_\_\_\_  
Dan Holsworth  
Town Board President

## 154.02 Definitions

**Accessory dwelling unit (ADU)** is a smaller, independent residential **dwelling unit** located on the same lot as a stand-alone (i.e., detached) single-family home. ADUs go by many different names including **accessory** apartments, secondary suites, granny flats, guest houses, mother-in-law apartments, in-law suites, casitas, etc. To be considered a legal suite, it must **have** its own entrance, kitchen, sleeping, and bathroom facilities. ADUs can be attached or detached. A suite attached to or contained within a principal dwelling unit. Applicable to all adopted UBC Codes, ordinances and zoning regulations as stated in 155.30, 155.31, 155.32, 155.37 and 155.39, but not limited to said ordinances.

**Tiny House On Wheels**, it is generally thought of as a small house, typically sized under 500 square feet. ... This style of **tiny** house is often referred to as a THOW (**tiny house on wheels**). The Town of Hermosa would consider a tiny house on wheels legally a recreational vehicle (RV), A portable or mobile

living unit used for temporary human occupancy away from the place of residence of the occupants, and not constituting the principal place of residence of the occupants, and subject to all ordinances, and zoning regulations as stated in ordinance 155.33, but not limited to said ordinances.

**Tiny houses on skids**, are built on temporary structures – often beams or rails – just like mobile **homes**. They're slid into position, where they stay until they need to be moved. When the time comes to move them, they're loaded onto a large truck or trailer and transported for you. The Town of Hermosa would consider a tiny house on skids, legally a recreational vehicle (RV), A portable or mobile living unit used for temporary human occupancy away from the place of residence of the occupants, and not constituting the principal place of residence of the occupants, and subject to all ordinances, and zoning regulations as stated in ordinance 155.33, but not limited to said ordinances.

**Tiny House Stationary** (homes on a foundation) would be considered an ADU, and applicable to all adopted UBC Codes, ordinances and zoning regulations as stated in 155.30, 155.31, 155.32, 155.37 and 155.39, but not limited to said ordinances.

## SUPPLEMENTARY REGULATIONS

### 155.54 Accessory Dwelling Units

A. One, and only one, accessory dwelling unit shall be allowed on any lot containing a single-family dwelling. An accessory dwelling unit shall not be allowed under this Section 155.54 on a lot that contains more than one dwelling unit. Both the ADU and the primary residence shall comply with all Hermosa ordinances, state Building Code and Fire Code regulations for construction, minimum living space, fire exits and smoke alarms.

B. Except as provided elsewhere in this Section (including ordinance 155.54) in order for a lot to be eligible for an accessory dwelling unit, the lot and all proposed structures and additions to existing structures shall conform to all zoning regulations as follows:

1. Any municipal regulation applicable to single-family dwellings shall also apply to the combination of a principal dwelling unit and an accessory dwelling unit including, but not limited to, lot area, yards, open space, off-street parking, building coverage, and building height.

2. An attached accessory dwelling unit is permitted on existing nonconforming lots and within existing nonconforming buildings as long as there is no increase in building height or

building footprint for any portion of the existing building and no increase to the nonconformity.

E. All accessory dwelling units shall comply with the following standards:

1. The principal dwelling unit and the accessory dwelling unit shall not be separated in ownership (including by condominium ownership).
2. Either the principal dwelling unit or the accessory dwelling unit shall be occupied by the owner of the dwelling as his or her principal place of residence. The owner shall provide documentation demonstrating to the satisfaction of the City that one of the units is his or her principal place of residence.
3. When the property is owned by one or more trusts, one of the dwelling units shall be the principal place of residence of the beneficiary (ies) of the trust(s).
4. Neither the principal dwelling unit nor the accessory dwelling unit shall be used for any business, except that the property owner may have a home occupation use in the unit that he or she occupies as allowed or permitted elsewhere in this Ordinance.
5. Where municipal sewer service is not provided, the septic system shall meet, Water Supply and Pollution Control requirements (as per DENR regulations) for the combined system demand for total occupancy of the premises.

F. An attached accessory dwelling unit (AADU) shall comply with the following additional standards:

1. An interior door shall be provided between the principal dwelling unit and the accessory dwelling unit.
2. The accessory dwelling unit shall not have more than two bedrooms and shall not be larger than 750 sq. ft. gross floor area. For the purpose of this provision, gross floor area shall not include existing storage space, shared entries, or other spaces not exclusive to the accessory dwelling unit.
3. Any exterior changes to the single-family dwelling shall maintain the appearance of a single-family dwelling. If there are two or more doors in the front of the dwelling, one door shall be designed as the principal entrance and the other doors shall be designed to appear to be secondary.

G. A detached accessory dwelling unit (DADU) shall comply with the following additional standards:

1. In a General Residence district, the combination of the principal dwelling and the DADU shall comply with the minimum lot area per dwelling unit specified for the district.
2. The DADU shall not have more than two bedrooms and shall not be larger than 750 sq. ft. gross floor area; except that the maximum gross floor area shall be 1,000 sq. ft. if the lot area is 2 acres or more. Not covering more than 40% of available land.

3. The DADU shall be separated from the single-family dwelling by at least 20 feet.

H. Before granting a conditional use permit for an attached or detached ADU, the Planning Board shall make the following findings:

1. Exterior design of the ADU is consistent with the existing principal dwelling on the lot. 10.814.62 The site plan provides adequate and appropriate open space; landscaping and off-street parking for both the ADU and the primary dwelling.

2. The ADU will maintain a compatible relationship to adjacent properties in terms of location, design, and off-street parking layout, and will not significantly reduce the privacy of adjacent properties.

3. The ADU will not result in excessive noise, traffic or parking congestion.

I. A certificate of use issued by the Planning Department is required to verify compliance with the standards of this Section, including the owner occupancy and principal residency requirements. Said certificate shall be issued by the Planning Department upon issuance of a certificate of occupancy by the Inspection Department and shall be renewed annually.

186-2434

### TELEPHONE DIRECTORY

Town Office ----- (605)255-4291  
Town Office Fax----- (605)255-4094  
Sheriff's Department  
Sheriff Daggett ----- (605)391-4598  
Deputy Westergard ----- (605)360-3030

### Public Works

Chuck Ferguson ----- (605)390-0045  
State Electrical Inspector (605)773-3573  
State Plumbing Inspector (605)773-3429  
(All interior plumbing is required to be inspected by the state)

### OTHER SERVICES

**Black Hills Electric Co-Op** \_\_\_\_\_ (605)4461

**Mount Rushmore Telephone** \_\_\_\_\_ (605)4771

**Hermosa Elementary & Middle School**  
11 4<sup>th</sup> Street, Hermosa, South Dakota  
**Phone:** (605) 255-4345

**Custer County Courthouse** (605)673-4461  
420 Mount Rushmore Road  
Custer, SD 57730-1934

**South Dakota One Call 811**

**Location of Utilities**-----1-800-781-7474

### EMERGENCY CALLS: 911

### SET BACKS & LIMITATIONS

#### Permit Application Forms

**Found on-line at** \_\_\_\_\_

<https://www.hermosasd.com/>

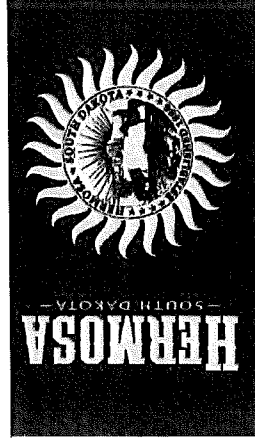
#### Downloadable & Printable

- Variance Application.pdf
- Zoning Application.pdf
- Conditional Use Permit
- Demolition Permit
- Flood Plain Dev Permit Application
- Manufactured Home Moving Permit Application
- New Customer Forms
- Sewer Tap Application
- Sign Permit Application
- Subdivision Plat Application
- Transient Vendors & Peddlers Application
- Water Tap Application
- Residential Building Permit Application
- Commercial Building Permit
- Digging Grading Permit
- Informational Permit
- Work in the Right of Way Permit

#### Subdividing & Platting Reference Sheet

#### Setbacks, Applicable to Zoning District

Front \_\_\_\_\_ (20'/25')  
Rear \_\_\_\_\_ (5'/8'/15')  
Sides \_\_\_\_\_ (8'/10'/25')



## TOWN OF HERMOSA

**Where the Hills and the Prairie Meet**

Town of Hermosa  
PO Box 298  
230 Main St.  
Hermosa SD 57744

Phone: (605) 255-4291  
Fax: (605) 255-4094  
Email: [town@hermosasd.com](mailto:town@hermosasd.com)  
Office House:

Monday - Friday 8am-5pm

# BUILDING PERMITS

## Hermosa Planning & Zoning

"No person shall erect, alter, wreck or move any building or any part thereof without first securing a permit therefore."  
Applicants should stop at Town Office to complete the required application and submit the proper fee.

Is this in the floodplain? Yes - You will need a Flood Plain Development Permit for any and all work done in the flood plain.

### REQUIREMENTS FOR NEW RESIDENTIAL CONSTRUCTION

1. Two (2) sets of plans for the project - one to be returned to the builder after review and approval.

#### Plans to include:

- Elevations of structure
- Floor Plan - include all areas to be finished - designate rooms
- Footing/Foundation Plan - Engineering may be required as per soils recommendations and tests
- Window schedule
- Cross-section of detail-footings and roof and stair detail
- Identify specific construction details, attic, basement or crawl space access, etc.
- Site Plan to scale.

2. Current survey of building lot.

3. List of contractors.

- builder
- concrete
- electrician
- plumber
- mechanical

**Excavator**

### REQUIREMENTS FOR COMMERCIAL REMODELING

1. Floor plan of the remodel and or addition.

2. List of contractors.

- builder
- concrete
- electrician
- plumber
- mechanical

**Excavator**

3. Construction costs.

Note: Additional plans may be required depending on the complexity of the project.

### REQUIREMENTS FOR NEW COMMERCIAL CONSTRUCTION

1. Is this in the floodplain?
2. Two (2) sets of plans for the project one to be returned to the builder after review and approval.

#### Plans to include:

- Elevations of structure
- Floor Plan - include all areas to be finished - designate rooms
- Footing/Foundation Plan - Engineering may be required as per soils recommendations and tests
- Window schedule
- Cross-section of detail-footings and roof and stair detail
- Identify specific construction details, smoke detection, draft stops, attic and crawl space access, fire rated doors, etc.

3. Current survey of building lot & site plan to scale.

4. List of contractors.

- builder
- concrete
- electrician
- plumber
- mechanical

5. Site plan to include proper off-street parking, Inside Load Capacity (seating) access to the property and a complete drainage plan. A professional engineer may be required to prepare plans as per state law.

After a permit is recommended for approval by the Planning Department, it goes to the Hermosa Board of Trustees for final consideration. This whole process may take up to a month, or longer for subdivisions, platting, or annexations.

# POLICY #2 FEES & PAYMENTS

## 2.1 Fee Schedule

Item Description:	Price:	Additional:
Abatement Fee	40.00	*plus actual cost
Copies - Per page	0.25	
Copies - Of Bound Ordinance	5.00	*each ordinance
Copies - Meeting Tapes	10.00	
Fax - Local <span style="float: right;">1st page</span>	1.00	0.50
Fax - Long Distance <span style="float: right;">1st page</span>	2.00	1.00
Pet Registration - Spayed or Neutered per pet	6.00	6.00
Pet Registration - Non spayed or Non Neutered per pet	12.00	12.00
Notary Service	5.00	

Other:		
Building Permit Violation - Per Day	100.00	
<b>Commercial Remodeling Permit</b>	-	
Contractor's Permit (Per Year)	50.00	
Demolition Permit	25.00	
Digging / Grading Permit (see Grading/Digging Permit)	35.00	
Mobile Home Operating Permit 1st Trailer/additional	100.00	20.00
Moving Permit	85.00	
Abatement Fee	40.00	+ Actual Cost
Register Of Deeds Filing Fee (1st and Additional pages)	60.00	5.00
Sign Permit - Permanent	50.00	
Sign Permit - Temporary	-	
Stop Work Order	250.00	
Variance Application	750.00	
<b>Vendor Permit - Transient - 7 Day, 1 Month, or 1 Year</b>	<b>10.00</b>	<b>\$25 (7day) \$50 (1yr)</b>
Zoning / Rezoning Application *	350.00	*
*	(\$100 Down)	(\$250 upon apprvl)

*Conditional Use Permit  
per Bobbie 11-13-18*

*50<sup>00</sup>*

*→ This variance application is for all variances. Submit payment w/ application  
i no refund if turned down. - 2-1-19 - per Bq.  
Garden Meters - 140<sup>00</sup> per Chuck; they own them. 6-11-19 15*

<b>Liquor / Malt Beverage Licensing:</b>		
Liquor Retail On-Off Sale (Jan - Dec)	Operating Agree	
Liquor Package Off-Sale (Jan - Dec)	300.00	
Wine Retail On Sale (Jan - Dec)	500.00	
Malt Beverage Retail On-Off Sale (Jul - Jun)	300.00	
Operating Agreement (per month)	350.00	5% lqr purchases
Temporary Malt Beverage License (Per Day) + Admin Fee	50.00	50.00
Transporter License Application - SEND TO STATE DIRECTLY	25.00	

<b>Building Permit Sq. Footage Fees</b>		
Fee for first \$500 valuation (additional = per extra \$100)	15.00	2.00
Fee for first \$2,000 valuation (additional = per extra \$1,000)	45.00	9.00
Fee for first \$25,000 valuation (additional = per extra \$1,000)	252.00	6.50
Fee for first \$50,000 valuation (additional = per extra \$1,000)	414.50	4.50
Residential Review by Engineer	At Cost	
Commercial Review by Engineer (1st & additional)	At Cost	
Subdivision Plan Review by Engineer	At Cost	
Building Permit Violation (per DAY)	100.00	

<b>Occupancy &amp; Type:</b>	<b>Cost per Square Foot</b>	<b>Modified Construction Value</b>
		<b>84 % per Sq Ft</b>
Single Family Residential	67.30	56.53
Residential Finished Basement	20.10	16.88
Residential Unfinished Basement	14.60	12.26
Deck	8.80	7.39
Covered Deck/Porch/Shed	12.85	10.79
Carport	16.60	13.94
Garage	24.30	20.41
Mfg. Mobile, Modular	30.00	25.20
Multi-family Residential	72.30	60.73
Commercial	72.30	60.73

<b>Floodplain Development Permit + Reviews</b>		
Minor Review by Flood Plain Administrator	100.00	
Residential (1st Lot / each additional lot)	250.00	100.00
Commercial Lot	500.00	

<b>Grading / Digging Permit + Review (If Required)</b>	35.00	
Single Residential Review by Engineer	At Cost	
Commercial Review by Engineer	At Cost	
Subdivision Review by Engineer	At Cost	
<b>Inspection Services by Town Engineer</b>		
Residential	At Cost	
Commercial	At Cost	
Deposit Requirement for Non-compliance Inspection	At Cost	
* non-compliance work billed at engineer's hourly rate	90.00	(up to \$165 ph)

<b>Plat/Subdivision Application + Review (If Required)</b>		
Application Permit	75.00	
Professional Review-Single/Multiple Lots (Prelim. & Final)	At Cost	
<b>Sewer Tap Fees:</b> <i>Non-refundable</i> <i>SEWER TAP APPLICATION</i>	<i>50.00</i>	
Residential	600.00	<i>New 2021 1000.00</i>
Commercial	850.00	<i>2000.00</i>
<b>Water Tap Fees:</b>		<i>New 2021</i>
<del>3/4" size pipe Residential</del>	<del>250.00</del>	
1" size pipe Residential	375.00	1000.00
1 1/2" size pipe Residential	500.00	1000.00
2" size pipe Residential	750.00	1250.00
3/4" size pipe Commercial	500.00	
1" size pipe Commercial	750.00	2000.00
1 1/2" size pipe Commercial	1,000.00	2000.00
2" size pipe Commercial	1,500.00	2500.00
<b>Utility Rates</b>		
Residential In-Town Water	21.00	3.75
Residential Out-Town Water	40.00	7.00
Commercial In-Town Water	40.00	3.75
Commercial Out-Town Water	50.00	7.00
Residential In-Town Sewer	21.00	1.25
Residential Out-Town Sewer	40.00	3.75
Commercial In-Town Sewer	40.00	2.50
Commercial Out-Town Sewer	40.00	4.50
Garbage (per Toter)	19.00	

DOT Surcharge	3.00	
Well Surcharge	3.50	
Late Fees (applied on or after the 20th of each month)	30.00	
Home Owner Deposit	125.00	
Renter Deposit	125.00	
Landlord Deposit	125.00	Floating
Contractor/Builder Deposit	125.00	Floating
Home Owner - Reconnect Fee	50.00	+ Penalty Deposit
Renter - Reconnect Fee	50.00	+ Penalty Deposit
Landlord - Reconnect Fee	50.00	+ Penalty Deposit
Penalty Deposit	50.00	
Unauthorized Reconnect/Disconnect Fine	250.00	
<i>Commercial</i> Bulk Water Treated (3,000 or more)	50.00	7.00
Bulk Water Treated Small ( under 1,000 )	20.00	10.00 per thousand <i>or</i>
Bulk Water Untreated (1,000 or more)	20.00	10.00

**\*\* UTILITY DEPOSITS TO BE RETURNED FOLLOWING THE FINAL PAYMENT OF THE FINAL BILLING ON THE ACCOUNT \*\***

## 2.2 Hand Check Policy

The Finance Officer shall be designated and allowed to process and create checks having been approved through regular contract procedures or annual payroll budget approval. These checks may include, but are not limited to, payroll, rent, public works contract, lease payments, and loan payments. These checks may be processed and issued at the appropriate time during the month, between regularly scheduled Board of Trustees meetings.

All hand checks shall be reported at the next meeting of the Board for final approval.

*Per 3-24-2020 BOT Meeting, \$40<sup>00</sup> per state statute is approved to penalize bad checks.*