

CHAPTER 13 – DESIGNATING LEGAL BOUNDARIES

ARTICLE 6 - LOCAL BUSINESS DISTRICT

SECTIONS:

Sections 13-6-101 to 109, inclusive. Local Business District - general provisions.

Section 13-6-101. Legal boundary descriptions for the Local Business District.

Section 13-6-102. Statement of purpose for the Local Business District.

Section 13-6-103. Principal permitted uses.

Section 13-6-104. Certain uses declared incompatible and excluded.

Section 13-6-105. Certain uses lying in airport noise zones declared incompatible and excluded.

Section 13-6-106. Accessory uses.

Section 13-6-107. Conditional uses.

Section 13-6-108. Space limitations.

Section 13-6-109. Performance standards.

Section 13-6-110 to 199, inclusive. Reserved.

Sections 13-6-101 to 109, inclusive. Local business district - general provisions.

Section 13-6-101 Legal boundary descriptions for the local business district.

Lot 2 of Metzinger's 1st Addition in the N ½ N ½ of Section 12-110-79.

East ½, east ½, southwest ¼, Section 23-111-79 south of U.S. Highway 14 and 83

Blocks 1, 2 & 8, Des Moines Addition, lying east of Highway 1804 Right of Way, Section 21-111-79.

SE ¼, SE ¼, NE ¼, Section 17-111-79

Lot A and B in the SE ¼ of Section 23-111-79.

SW ¼ of the NW ¼, the W. 338' of the NW ¼ NW ¼, the S ½ of the NE ¼ NW ¼, (*this includes Lots 1, 7 & 8 of the All Business subdivision*), the SE ¼ of the NW ¼ lying N. of Hwy. 14/83, the NW ¼ of the SW ¼, the S ½ of the SW ¼, and the easterly portion of Lots 10-15, Shamrock Commercial Addition, in a portion of the NE ¼ SW ¼ and in a portion of the SE ¼ NW ¼ lying south of Hwy 14/83, all in Section 24-111-79.

The West 660 feet of Lot T2 of the W ½, W ½, W ½, Section 16-111-79

Lot 51, Shamrock Addition, NE ¼, Section 23-111-79

Block 1 of Thomsen's Subdivision

Source: Ord. No. 1004; Ord. No. 1061, 1981; Ord. No. 1078, 1982; Ord. No. 1138, 1984; Ord. No. 1174, 1986; Ord. 1274, 1991; Ord. No. 1321, 1992; Ord. No. 1321, 1993; No. 1325, 1993; Ord. No. 1355, 1994; Ord. No. 1358, 1995; Ord. 1419, 1998; Ord. No. 1463, 1999; Ord. 1479, 2000; Ord. No. 1494, 2001; Ord. No. 1503, 2001; Ord. No. 1668, 2010; Ord. No. 1707, 2012.

Section 13-6-102 Statement of purpose for the Local Business District.

To provide commercial areas for a wide variety of retail and service establishments which can function most satisfactorily in an area directly related to a major vehicular circulation route due to the nature of the merchandise handled, the display space required, the method of transport required, and primary dependence on vehicular access.

Source: Ord. 1442, 1999.

Section 13-6-103 Principal permitted uses, except for uses excluded when located in Airport Noise Zone A.

The following principal uses and structures shall be permitted in the Local Business District:

1. Car wash
2. Drive-in food service
3. Educational facility
4. Financial institution
5. Gas dispensing station
6. Grocery

7. Hotel/Motel
8. Indoor or outdoor recreation facility
9. Mini storage facility (4,000 sq. ft. or less)
10. Office
11. Parking facility or lot
12. Personal and health service store
13. Public transportation facility
14. Public utility facility
15. Railroad through and spur tracks
16. Retail or service store
17. Small animal clinics (excluding exterior kennels)
18. Other light retail and service establishments approved by the Planning Commission, except those uses enumerated in another district.

Source: Ord. No. 1105, 1983; Ord. 1442, 1999.

Section 13-6-104 Certain uses declared incompatible and excluded.

The following uses are hereby declared incompatible with the purpose of the local business district and are hereby expressly excluded:

1. Drive-in theaters.
2. Warehouses.
3. Petroleum bulk storage plants.
4. Cannabis establishments.

Source: Ord. No. 1105, 1983; Ord. No. 1835, 2021;

Section 13-6-105 Certain uses lying in Airport Noise Zones declared incompatible and excluded.

Airport noise zone A is a relatively high noise area best suited for agricultural use or industrial use when a high noise level can be tolerated. Any structural development must meet the criteria for height restrictions as well as compatibility.

The following uses are hereby declared incompatible with the purpose of airport noise zone A and are hereby expressly excluded for any part of this district located in airport noise zone A:

1. All residential dwellings
2. Churches, schools, colleges, rest homes, retirement homes, and similar facilities.
4. Hospitals and clinics.
5. Office buildings.
6. Mortuaries, funeral homes, and funeral chapels.
7. Industrial and manufacturing establishments or other uses which produce smoke interfering with the safe use of the airport.
8. Any other use which would create electrical interference with radio communications between the airport and aircraft, make it difficult for fliers to distinguish between airport lights and others, result in glare in the eyes of fliers using the airport, impair visibility in the vicinity of the airport.

Airport noise zone B is ordinarily a relatively low noise area with no restrictions. Hospitals, churches, auditoriums and such should consider sound control in design of facilities if located in this zone and especially if located in areas of this zone closest to the airport. The reason for the establishment of noise zone B is to notify the general public that such an area is in the established airport noise zones and as such may be subjected to noise pollution.

Section 13-6-106 Accessory uses.

The following accessory uses are permitted, subject to further restrictions or liberalizations which are imposed by a specific district.

1. Private garages and private parking areas.
2. Private swimming pools exclusively for the use of residents of the premises and their non-paying guests and subject to any other regulations or ordinances of the City.
3. The parking of one unoccupied trailer designed for recreational use and not to exceed 30 feet in length, within a building, or in the open in a rear yard but subject to any permits required by law or ordinance.

4. The storage of two pleasure boats within a building, or in the open in the rear yard.
5. Other accessories normally appurtenant to uses permitted in this district.

Source: Ord. 1442, 1999.

Section 13-6-107 Conditional uses.

1. Assembly and packaging
2. Automobile sales, service & storage
3. Building material sales
4. Drop-off, buyback or transfer site for recyclables
5. Contractor shop and storage yard
6. Daycare facility
7. Frozen food locker
8. Feed & seed store
9. Freight handling
10. Implement sales & service
11. Kennel
12. Light manufacturing or processing
13. Mixed business/residential use
14. Mobile home parks
15. Multiple family dwellings

Source: Ord. 1442, 1999.

Section 13-6-108 Space limitations.

Building Height

No building shall exceed seventy-five (75) feet.

Required Lot Area

Not less than 1 acre. Exceptions: 1) Uses not requiring sewage and waste disposal systems shall have an area not less than ten thousand sq. ft. and 2) Some permitted uses may be required to have a larger amount of land under State of South Dakota regulations governing sewage and waste disposal systems.

Percentage of Lot Coverage

All buildings including accessory buildings shall not cover more than eighty (80) percent of the area of the lot.

Yards required

Each lot shall have front, side and rear yards of not less than the depth or widths following:

1. Front yard depth - forty (40) feet.
2. Rear yard depth - twenty (20) feet.
3. Side yard width - twenty (20) feet, except on corner lots on which the side set back shall be not less than forty (40) feet unless approved by the Board of Adjustment.

Source: Ord. 1292, 1992.

Section 13-6-109 Performance standards.

1. Multiple family dwellings granted a conditional use permit shall comply with all regulations of the multiple family district. Only one building for living purposes shall be permitted on one zoning lot except as otherwise provided herein. Conditional uses shall be in conformity with their respective districts.
2. Off-street parking and loading shall be provided for all uses established in this district unless otherwise specified herein. All drive-in type restaurants shall provide adequate off street space for the maneuvering and parking of patrons' vehicles.
3. Automobile repair shops and filling stations shall be subject to the following provisions.
 - a. No repair work is performed out-of-doors.
 - b. Pumps, lubrication or other devices shall be at least twenty (20) feet from any street line.
 - c. All gasoline, liquefied petroleum gas, fuel, oil or similar substances, that are for resale

shall be stored underground.

d. All automobile parts, dismantled vehicles and similar articles shall be stored within a building.

4. Mixed business/residential uses granted a conditional use permit shall not include the construction of a business building in the yard of a residence or within an existing residence.

5. Transmission towers are limited to 35 feet high.

6. Service or access roads may be required at the discretion of the Planning Commission. Property required to create service or access roads will be provided by the property owner or developer. Service or access roads will be developed to normal city street standards. Service or access that will carry truck traffic will be developed to carry such traffic without pavement or sub-base breakup. The Planning Commission will approve development plans for service or access roads.

Source: Ord. 1442, 1999.

Section 13-6-110 to 199, inclusive. Reserved