

**CHAPTER 4.02 – “CI” - COMMERCIAL/ INDUSTRIAL DISTRICTS**

**Purpose**

The "CI" District is intended for commercial and industrial uses which due to their size and nature require highway access to a county, state, or federal road.

**Section 4.02.01 - Permitted Use**

Permitted uses in the "A" Agricultural District except residential dwellings, are listed below:

1. Agricultural activities and farm related buildings, including Class D but excluding Classes A, B, and C Concentrated Animal Feeding Operations;
2. Single family residences including manufactured, mobile and modular homes;
3. Fisheries services and game propagation areas;
4. Orchards, tree farms, truck gardening, nurseries and greenhouses;
5. Public parks and recreation areas;
6. Institution farms;
7. Agricultural research facility;
8. Signs;
9. Accessory uses and structures.

**Section 4.02.02 - Conditional Uses**

1. Implement sales and service;
2. Truck terminals and freight warehouses;
3. Seed sales and grain storage, fertilizer and chemical storage and sales;
4. Highway and street maintenance shops;
5. Welding and machine shops;
6. Gas stations, oil and liquid propane stations including bulk stations;
7. Public utility and public service structure including substations, gas regulator stations, community equipment buildings, pumping stations, and reservoirs;
8. Livestock sales;
9. Contractors' shops and yards;

## COMMERCIAL/ INDUSTRIAL DISTRICTS

10. Wholesale distributing companies;
11. Restaurants, bar/taverns;
12. Motels;
13. Wireless telecommunication towers and facilities provided they meet requirements of Chapter 5.36
14. Convenience store/service stations.
15. Freestanding sign area greater than one hundred sixty (160) square feet.
16. Light manufacturing.
17. Agricultural product processing facilities including but not be limited to ethanol Plants and corn/soybean processing.
18. Conditional Uses in the "A" Agricultural District except residential dwellings, and as listed below:
  - a. Commercial public entertainment enterprises not normally accommodated in commercial areas, including but not limited to, the following: music concerts, rodeos, tractor pulls, and animal and vehicle races. See Chapter 5.23;
  - b. Contractors' shops and yards. See Chapter 5.39;
  - c. Commercial Game lodge; non-residential use. See Chapter 5.25;
  - d. Golf course, golf driving range;
  - e. Holiday tree farms. See Section 5.19.03.5;
  - f. Junk/salvage/recycling yards. See Chapter 5.26;
  - g. Livestock sale barns. See Chapter 5.22
  - h. Private campground; See Chapter 5.38
  - i. Private Wind Energy Conversion System (PWECS) provided they meet the requirements of Chapter 5.29;
  - j. Rock crushers; and concrete and asphalt mixing plants. See Chapter 5.31;
  - k. Seasonal retail stands, including garden produce and fireworks stands;
  - l. Sewage (domestic) treatment plants. See Chapter 5.33;
  - m. Shooting ranges. See Chapter 5.34;
  - n. Stables, dog/cat kennels;

**COMMERCIAL/ INDUSTRIAL DISTRICTS**

- o. Veterinary clinics;
  - p. Wineries. See Section 5.19.03.4;
  - q. Wireless telecommunication towers See Chapter 5.36.
19. Aviation facilities; including airstrips.
20. Commercial Storage units.
21. Medical Cannabis Dispensary. (Ordinance No. 2021-08)

**Section 4.02.03 - Highway Access**

All property in the "CI" District must have access to a County, State, or Federal road.

**Section 4.02.04 - Area Regulations**

Minimum lot area, maximum building height, and minimum yard requirements shall be regulated in accordance with the following tables:

1.

	Minimum Lot Area	Maximum Height (A)	Maximum Lot Coverage
Permitted Uses	3 Acres	50'	25%
Other Conditional Uses	To be determined by the Board of Adjustment		

- A. *[Exception to maximum height]* The Zoning Official may allow heights to exceed fifty (50) feet for the following:
- i. Agricultural bulk storage structures and associated loading/unloading equipment.
  - ii. Chimneys, smokestacks, and cooling towers.
  - iii. Wireless Telecommunications Towers and Facilities.
  - iv. Wind Energy Systems, Private Wind Energy Systems.
  - v. Others as determined by the Board of Adjustment.

**COMMERCIAL/ INDUSTRIAL DISTRICTS**

2.

	Minimum Front Yard (A)	Minimum Rear Yard	Minimum Side Yard	Minimum Side or Rear Yard Adjacent to Residential Use or "A" – Agricultural Zoning District
Permitted Uses	100'	50'	50'	100'
Signs	1'	10'	10'	10'
Conditional Uses	To be determined by the Board of Adjustment			

A. In no case shall an accessory building be located or extend into the front yard.

3. Access. For all proposed uses and structures adjacent to a State highway, an access permit from the State of South Dakota Department of Transportation shall be required prior to the filing of a plat or the issuance of a building/use permit.
4. Lot Area. Lot area shall be determined by need, setback, side yards, rear yards, parking requirements, freight handling requirements, building site and future expansion; however, in no case shall a lot have less than three (3) acres.

An applicant for a Conditional Use shall provide a proposed site plan which can be reviewed by the County Zoning Commission. For commercial and industrial uses, buildings shall occupy no more than twenty-five (25) percent of the lot.

5. Storage. All outdoor storage within five hundred (500) feet of a residential dwelling must be completely enclosed in a building or by a solid walled fence at least two (2) feet above the highest point of the stock pile which fence shall be maintained in safe and good repair. The County may require asphalt or concrete surfacing of parking lots.
6. Parking. Each lot shall provide off-street parking. Number of parking spaces shall be determined by the Board of Adjustment. Trees used for landscaping within a paved parking lot are exempt from minimum front, rear and side yard requirements for shelterbelts.

**Section 4.02.05 - Performance Standards**

1. Noise. All noise shall be muffled so as not to be objectionable due to intermittence, beat frequency or shrillness.
2. Air Pollution. State emission standards shall be met by all possible sources of air pollution. In any case, there shall not be discharged from any sources whatsoever such quantities of air contaminants, smoke or detriment, nuisance or annoyance to any considerable number of persons or to the public in general to endanger the comfort, health or safety of any such considerable number of persons or have a natural tendency to cause injury or damage to business, vegetation or property.
3. Odor. The emission of odorous matter in such quantities as to be readily detectable at any point along lot lines or to produce a public nuisance or hazard beyond lot lines is prohibited.
4. Glare, Heat or Radiation. Every use shall be so operated that there is no emission of heat, glare or radiation visible or discernable beyond the property line.
5. Vibration. Every use shall be so operated that the ground vibration inherently and recurrently generated is not perceptible, without instruments, at any point on the property line.
6. Sewage and Liquid Wastes. No operation shall be carried on which involves the discharge into a sewer, watercourse, river or the ground of liquid wastes of any radioactive nature, or liquid wastes of chemical nature, which are detrimental to normal sewage plant operations or corrosive or damaging to sewer pipes and installations.
7. Fire Hazard. All flammable substances involved in any activity or use, shall be handled in conformance with the standard of the National Board of Fire Underwriters and any additional regulations that may from time to time be adopted by the County Commissioners
8. Physical Appearance. All operations shall be carried on within an enclosed building except that new or operable equipment may be displayed or stored in the open and waste materials stored in enclosed containers not readily visible from the street.