

# CHAPTER 17.44. HC: HIGHWAY COMMERCIAL DISTRICT

## CHAPTER 17.44 - HC: HIGHWAY COMMERCIAL DISTRICT

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**17.44.1 Purpose.** The purpose of this district is to provide a commercial area for those establishments serving the general shopping needs of the trade area, with specific attention to more intensive uses found along Interstate 29 and other major thoroughfares.

**17.44.2 Permitted Uses.** Lots within the HC District may be used for one (1) or more of the following principal land uses:

- A. Bank or financial institution.
- B. Bar, tavern, and/or cocktail lounge.
- C. Car wash.
- D. Commercial/Vocational school.
- E. Convenience store.
- F. Day care center.
- G. Elementary school; middle or high school; or a combination thereof.
- H. Emergency shelter.
- I. Funeral home/mortuary.
- J. Greenhouse/nursery.
- K. Hotel, inn, or motel.
- L. Hospital or medical clinic.

- M. House of worship.
- N. Office.
- O. Medical Cannabis Dispensary
- P. Meeting hall and/or social club.
- Q. Motor vehicle parking lot.
- R. Motor vehicle repair shop.
- S. Motor vehicle service station.
- T. Motor vehicle sales, display, service, and/or rental.
- U. Personal service business.
- V. Post office or other government building.
- W. Public park, playground, trails, or swimming pool.
- X. Public service facility.
- Y. Restaurant.
- Z. Retail service or trade business.
- AA. Theater.
- AA. Undeveloped land.
- BB. Veterinary clinic, small animal.

**17.443 Conditional Uses.** One (1) or more of the following principal land uses may be allowed after review and approval of a conditional use permit by the Board of Adjustment:

- A. Adult oriented business in conformance with SDCL 11-12 as modified herein.
- B. Big box retail, large.
- C. Big box retail, medium.
- D. Big box retail, small.
- E. Brew pub.
- F. Building, construction, farm, and/or industrial equipment sales, display, service, and/or rental.

- G. Campground.
- H. College/University.
- I. Commercial kennel.
- J. Consumer storage building.
- K. Farm store/Feed store.
- L. Golf course, driving range, or country club.
- M. Limited production processing.
- N. Microbrewery in conjunction with a restaurant.
- O. Miniature golf course.
- P. Motor vehicle body shop.
- Q. Public utility facility.
- R. Recreational facility.
- S. Theater.
- T. Truck and freight terminal.
- U. Veterinary clinic, large animal.
- V. Warehouse or storage house used for the warehousing or storage of non-hazardous products and materials.
- W. Wholesale merchandise sales and storage house for commercial warehousing and storage of non-hazardous materials either in mass or bulk.

**17.444 Prohibited Principal Land Uses.** Unless authorized pursuant to Chapter 17.08.01 (A)(1)(a), all other principal land uses which are not specifically listed above as either a Permitted or Conditional Use shall be prohibited in the HCDistrict.

**17.445 Accessory Buildings, Structures, and Land Uses.** Accessory buildings, structures, and land uses within the HC District shall be regulated in conformance with the provisions of Chapter 17.68.01.

**17.446 Fence Regulations.** Fences within the HC District shall be regulated in conformance with the provisions of Chapter 17.68.02.

**17.447 Off-Street Parking Regulations.** Off-street parking within the HC District shall be

regulated in conformance with the provisions of Chapter 17.68.09.

**17.44.8 Sign Regulations.** Signs within the HC District shall be regulated in conformance with the provisions of Chapter 17.68.08.

**17.44.9 Lot Area, Yard, and Structure Height Regulations.** The maximum height and minimum lot area, width, and setback requirements within the HC District shall be as follows:

	<b>Minimum Lot Area</b>	<b>Minimum Lot Width</b>	<b>Front Yard Setback</b>	<b>Side Yard Setback</b>	<b>Rear Yard Setback</b>	<b>Maximum Structure Height</b>
<b>All uses</b>	NA see #1	NA see #1	40 ft. see #1, #3	10 ft. see #1	20 ft. see #1, #2	45 ft. see #1

**Exceptions**

- #1 Unless an alternative lot size, lot width, setbacks, and/or structure heights are required by the granting of a conditional use permit.
- #2 A rear yard of twenty-five (25) feet shall be required where a lot is adjacent to or abuts a residential district.
- #3 There shall be a required front yard on each street side of a double frontage lot. There shall be a required front yard on each street side of a corner lot.
- #4 See also Adjustments to Yard Regulations (Chapter 17.72) and Non-Conforming Uses and Non-Standard Lots (Chapter 17.76) for other specific exceptions.

**17.44.10 Maximum Ground Coverage (Impervious Surfaces).** The sum total of the ground area covered by all structures including, but not limited to, patios, driveways, sidewalks, off-street parking, or other water impermeable structures shall not exceed eighty percent (80%) of the lot on which the structures are located within the HC District.

**17.44.11 Additional Regulations Applicable to All Buildings and Uses in the HC District.** To be a Permitted or Conditional Use in the HC District, such use must meet the following performance standards:

- A. No operation shall involve the use or storage of highly flammable gases, liquids, or other fire hazards. This provision shall not prohibit the use of normal heating fuels, gasoline, motor fuels, or welding gasses.
- B. Activities shall be prohibited which emit air contaminants, smoke, odors, gasses, noise, or vibrations which are evident beyond the lot lines of the lot upon which such activity is to be located.