Pennington County fully subscribes to the Americans with Disabilities Act. If you desire to attend this public meeting and are in need of accommodations, please notify the Commissioners’ Office at (605) 394-2171 at least 24 hours prior to the meeting so that appropriate services and auxiliary aids are available.

Welcome to the December 18th, 2019 Board of Commissioners Special Meeting. Please silence cell phones, pagers and other electronic communication devices.
Agendas are located at the back of the Chambers.

1. Call to Order
2. Moment of Silent Reflection
3. Pledge of Allegiance
4. Review and Approve Agenda


6. Adjourn
MEMORANDUM

TO: Board of Commissioners

FROM: P.J. Conover, Director

DATE: December 04, 2019

RE: Item A: Public Hearing - Amendment of Pennington County Comprehensive Plan

TODAY’S OBJECTIVE: Today’s hearing is to collect public feedback on the proposed Pennington County Comprehensive Plan “View to 2040” document and for the Board of Commissioners to discuss the document and suggest changes.

GENERAL DESCRIPTION: On December 20, 2016, the Board of Commissioners approved an agreement for professional services between Pennington County and Matrix Design Group, Inc. for a rewrite of the Pennington County Comprehensive Plan. Matrix Design Group, Inc. (Rick Rust, Consultant) is contracted to assist Pennington County in the updating, amending, and adoption process of the new Pennington County Comprehensive Plan; this document is referred to as the “View to 2040” document.

To understand the purpose of a Comprehensive Plan, consider a quote from the document itself, “The purpose of the Pennington County Comprehensive Plan is to guide government officials, residents, and developers in sound decision-making about current and future development of Pennington County. The Comprehensive Plan is an advisory document that provides a framework for land use decisions, public service expansions, economic development, resource management, and the general growth of the county. This plan serves as a guide that should be used to gauge short-term and current decisions against the long-range vision that has been developed.”

AVAILABILITY FOR COMMENT:
Since the creation of the first draft, the “View to 2040” document has been available for viewing at the Auditors Department, Commissioner’s Office, Planning Department, Pennington County Home Page, the Planning Department’s Web Page and on the official View to 2040 website at viewto2040.com.

REVIEW AND COMMENTS:
Starting in early 2017, consultants held no less than 30 scheduled face-to-face meetings with Elected Officials and Staff from: Pennington County, Rapid City, Box Elder, Keystone, Hill City, Wall, and Ellsworth Airforce Base to collect comments and opinions to help produce a draft document for Public Review. To collect more information, the consultants held a total of 15 public meetings between March 2017 and June 2018 in Rapid City, Wall, Keystone and Hill City. Taking into account the comments from the 45+ meetings mentioned-above and comments received from the viewto2040.com website and various emails, the consultants produced the first View to 2040 draft document. The Planning Commission held multiple public hearings to review and take comment on

In August of this year, Matrix Design Group updated the “View to 2040” document was made available for public viewing and comment at the Auditors Department, Commissioner’s Office, Planning Department, Pennington County Website (home page and Planning Department page), and on the official “View to 2040” website at viewto2040.com.

As of the date of this memo, the Board of Commissioners have designated two days for public hearings on the proposed Pennington County Comprehensive Plan “View to 2040” document. Those hearing dates are Wednesday, December 04, 2019 and Wednesday, December 18, 2019, with both meetings commencing at 9:00 a.m.
The Pennington County Board of Commissioners met at 9:00 a.m. on Wednesday, December 4, 2019, in the Commission Chambers in the County Administration Building, Rapid City, South Dakota. Chair Deb Haddock called the meeting to order with the following Commissioners present: Mark DiSanto, Gary Drewes, Lloyd LaCroix and Ron Rossknecht.

REVIEW AND APPROVE AGENDA
MOVED by Drewes and seconded by LaCroix to approve the agenda as presented. Vote: Unanimous.

PUBLIC HEARING AMENDMENT OF PENNINGTON COUNTY COMPREHENSIVE PLAN:
SECTION 1 - INTRODUCTION
MOVED by LaCroix and seconded by DiSanto to approve Section 1 - Introduction. Vote: Unanimous.

SECTION 2 PLANNING FRAMEWORK
MOVED by Drewes and seconded by DiSanto to approve Section 2 - Planning Framework. Vote: Unanimous.

SECTION 3 LAND USE & HOUSING ELEMENT
MOVED by LaCroix and seconded by DiSanto to approve Section 3 with the amended change to page 3-13 - LUH 9.1 to read the County shall maintain the Comprehensive Plan as needed to ensure that it reflects the needs and desires of landowners and those who live, work & vacation in Pennington County. Vote: Unanimous.

SECTION 4 – ECONOMIC DEVELOPMENT
MOVED by DiSanto and seconded by LaCroix to approve Section 4 with the amended change on page 4-3, under Tourism that staff work with Matrix to incorporate language of other activities in the Black Hills area to include the Mickelson Trail, etc. Vote: Unanimous.

SECTION 5 – AGRICULTURAL OVERVIEW
MOVED by DiSanto and seconded by Drewes to amend Section 5 with the change on page 5-1 under Production Enhancement, 1st paragraph last sentence to read Additionally, hay and corn for feed are also prevalent. Vote: Unanimous.

MOVED by LaCroix and seconded by Drewes to approve Section 5. Vote: Unanimous.

SECTION 6 – TRANSPORTATION & CIRCULATION ELEMENT
MOVED by Drewes and seconded by LaCroix to approve Section 6 – with the addition of South Rochford Road added to the Scenic Byways and designated as a local road. Vote: Unanimous.

SECTION 7 – PUBLIC SERVICES & FACILITIES ELEMENT
MOVED by LaCroix and seconded by Haddock to approve Section 7 with the amended change to page 7-2 under Wastewater, to include language regarding which waste water systems are available for use. Vote: Unanimous.

SECTION 8 – RECREATION, OPEN SPACE & TOURISM ELEMENT
MOVED by DiSanto and seconded by Drewes to approve Section 8 with the addition of language on page 8-2 under Tourism to include a Recreation Section and to identify golf courses, major streams & lakes, etc. The Board also encouraged similar language to be added in Section 2-2. Vote: Unanimous.
SECTION 9 – HEALTH & SAFETY ELEMENT
MOVED by Drewes and seconded by LaCroix to approve Section 9. Vote: Unanimous.

MOVED by LaCroix and seconded by DiSanto to take a five-minute break. Vote: Unanimous.

SECTION 10 – NATURAL & CULTURAL RESOURCES ELEMENT
MOVED by Drewes and seconded by DiSanto to approve Section 10 with the understanding that the wording will be worked on for the second meeting. Vote: Unanimous.

SECTION 11 – IMPLEMENTATION PROGRAM
MOVED by Drewes and seconded by LaCroix to approve Section 11. Vote: Unanimous.

ADJOURN
MOVED by Drewes and seconded by LaCroix to adjourn the meeting. Vote: Unanimous. There being no further business, the meeting adjourned at 11:27 a.m.

/s/ Cindy Mohler, Auditor
Published once at an approximate cost of _.
Publish December 18, 2019
MEMORANDUM

To: Board of Commissioners
From: Brittney Molitor, Interim Planning Director
Date: December 17, 2019
RE: Planned Unit Developments – Comprehensive Plan

Planned Unit Developments

Staff disfavors Planned Unit Developments as a zoning district for the following reasons:

1. Costly to implement.
2. May create public perception of favoritism.
3. Difficult to enforce.
4. May result in nonconformity with surrounding land uses inconsistent with the Comprehensive Plan.

However, Planned Unit Developments may be used as a tool and approved as a Conditional Use under standards of review articulated in the Zoning Ordinance. In future revision of PCZO § 213 ("PUD Planned Unit Development District"), the County may create the desired flexibility to allow desired use of property.
2.2 Focus Areas – BH Focus Area (pg. 2-2):

(Under issues and opportunities)

Tourism opportunities. The uncrowded natural and man-made features of the Black Hills are ideal for any outdoor enthusiast. Hiking, biking, skiing, rock climbing, hunting, fishing, kayaking and canoeing are just several examples of the many activities the Black Hills has to offer. With several lakes, countless streams, endless miles of hiking and biking trails, and scenic views, the Black Hills is a prime destination for tourism.
4.1 Economic Development Element – Tourism (pg. 4-3):

The tourism economy is prominent in Pennington County – tourism attracts businesses and employment opportunities which operate primarily from April to October and seasonally during the winter months to accommodate tourism activities the tourist season. During this time, there is an influx of jobs and population throughout the county. It will be important for the County to leverage its tourism assets in the coming years to continue to grow the tourism industry in Pennington County. The Black Hills area is a multi-use destination for tourists offering activities ranging from fishing, hiking, camping, biking, skiing, and horseback riding to rock climbing, kayaking and wildlife viewing. Tourist draws such as like the Mount Rushmore National Memorial, events like the Sturgis Motorcycle Rally, Mickelson Trail and the proximity of the Rapid City Regional Airport, are all assets that can be leveraged to the County's advantage.
7.1 Infrastructure Overview

Wastewater

Wastewater treatment systems are regulated through Section 204-J of the County Zoning Ordinance. There are several options for on-site wastewater treatment in Pennington County. These include absorption trenches and beds, at-grade systems, mound system, and evapotranspiration systems. In addition, incinerator and composting toilets are allowed in remote areas and at small seasonal cabins. Through Section 204-J, all on-site wastewater treatment systems are required to obtain an operating permit showing the system does not have an adverse impact upon public health and the environment.
8.1 Recreation, Open Space & Tourism Element – (pg. 8-2):

(under Tourism)

**Lakes, Rivers & Streams**

The unique geology of the Black Hills, combined with its striking scenery, tranquil creeks and streams, create the perfect atmosphere for fly fishing. There are several manmade lakes that offer great opportunities such as fishing, boating, wake boarding and water skiing. Several lakes in the Black Hills include Pactola Reservoir, Sheridan Lake, Deerfield Lake, and Sylvan Lake which are fed by creeks and streams such as Rapid Creek and Spring Creek.

**Trails & Golf Courses**

The Black Hills National Forest contains over 450 miles of world class hiking, biking, and running trails ranging in length and difficulty for all ages and abilities. The Mickelson Trail extends 108 miles from Edgemont, South Dakota to Deadwood, South Dakota and it utilized by both tourists and locals. Biking, walking and running are popular activities along the trail.

Golf courses in the hills twist in and out of pine forests, across streams and open up to beautiful mountain views. Both tourists and locals play these courses for much of the summer and fall seasons to enjoy the beauty and scenery that the Black Hills have to offer during a round of golf. Some of Americas top courses are right here in the heart of the Black Hills.
10.2 Goals and Policies – Goal NRC-5 (pg. 10-5):

Mining operations in Pennington County will be reclaimed in a legally and financially feasible, productive manner, according to best practices designed to restore the site to an appropriate land use.
Molitor Brittney

From: Guffey Scott
Sent: Friday, December 13, 2019 10:20 AM
To: Molitor Brittney
Subject: Pennington County Comprehensive Plan Comments

Brittney,

Below are some comments for the Pennington County Comprehensive Plan:

- In Chapter 10, under 10.1 recommend adding language about the state noxious weed laws and aquatic invasive species.

South Dakota codified laws under chapter 38-22 and Administrative Rule 12:62 outline the state laws that protect the state’s natural resources and agricultural lands from non-native and native invasive species. The Pennington County Weed & Pest Board is authorized by state statute to implement state laws and develop programs to protect Pennington County from these threats. Currently the state declared noxious weeds are Leafy spurge (Euphorbic esula), Canada Thistle (Cirsium arvense), Perennial saw thistle (Sonchus arvensis), Hoary cress (Cardaria draba), Russian knapweed (Centaurea repens), Purple loosestrife (Lythrum salicaria), Salt cedar (Tamarix aphylla, T. chinensis, T. parviflora and T. ramosissima) and Gypsy moth (Lymantria dispar) is currently the only state declared pest. Prairie dogs can be considered a pest if they meet the conditions outlined in state statute 38-22-1.2. In addition to the state declared noxious weed and pest list, counties are able to list additional locally declared noxious weeds and or pests. The current noxious weeds on Pennington County’s list are Absinth wormwood (Artemisia absinthium), Common tansy (Tanacetum vulgare), Houndstongue (Cynoglossum officinale), Oxeye daisy (Leucanthemum vulgare), Puncturevine (Tribulus terrestris), Spotted knapweed (Centaurea maculosa), Sulfur cinquefoil (Potentilla recta) and Japanese beetle (Popillia japonica) is currently the only locally declared pest. In South Dakota if your land is infested with state or local declared noxious weeds or pests.

To protect waterways and lakes, South Dakota Administrative Rule 41:10:04:01, lists the declared aquatic invasive species in the state. The current aquatic invasive species declared in South Dakota for fish species are Black carp, Bighead carp, Blotched snakehead, Common carp, European rudd, Giant snakehead, Grass carp, Northern snakehead, Silver carp, and Western mosquitofish. Plant species are Brittle naiad, Common reed, Curly pondweed, Didymo, Eurasian water-milfoil, Flowering rush, Purple loosestrife, and Starry stonewort. Invertebrates species are Asian clam, New Zealand mudsnail, Quagga mussel, Red rimmed melania, Red swamp crayfish, Rusty crayfish, and Zebra mussel.

- In Chapter 10, under 10.2 in Goal NCR-2, recommend changing NCR-2.1 to read:

The County shall ensure the protection of environmentally sensitive wildlife and plant life, including those species designated as rare, threatened, and/or endangered by the Federal and/or South Dakota state government, through compatible land use development and enforcement of state and local invasive species laws.

- In Chapter 10, under 10.2 in Goal NCR-2, recommend changing NCR-2.6 to read:

The County shall encourage the planting a diversity of native trees, shrubs, and grasslands in order to preserve the visual integrity of the landscape, provide habitat conditions suitable for native vegetation and wildlife, and ensure that a maximum number and variety of well-adapted plants are maintained.
- In Chapter 10, under 10.2, recommend adding Goal NCR-7 and to read:

Goal NCR-7 Pennington County's natural and agricultural resources are protected from invasive species.

NRC-7.1 Any gravel, timber, hay, or any other earthen material removed from the property should be free of noxious weed plant material and/or seeds.

NRC-7.2 Any equipment used in disturbing the ground on the property should be cleaned of any soil or earthen material before leaving the property.

NRC-7.3 Any disturbed ground should be re-seeded with a native, agricultural producing or ornamental lawn grass mix seed.

NRC-7.4 All landowners should use an intergraded noxious weed plan for controlling existing noxious weeds on the property to prevent the spread onto neighboring properties.

NRC-7.5 Any watercraft leaving the water should be drained and free of any vegetation.

Let me know if you would like the comments in a memo or formal letter.

Thank you,

Scott Guffey
Pennington County Natural Resources Director
3607 Cambell Street, Rapid City, SD 57701
(605) 394-5320 office phone
(605) 391-1926 cell phone
scottg@pennco.org