

**MINUTES**  
**PENNINGTON COUNTY PLANNING COMMISSION**  
**September 14, 2015 @ 9:00 a.m.**

County Commissioners' Meeting Room - Pennington County Administration Building

MEMBERS PRESENT: Karen Hall, Sig Zvejnieks, Jim Coleman, William McCollam, Barbara Landers, and Lyndell Petersen.

STAFF PRESENT: PJ Conover, Brittney Molitor, Cassie Bolstad, Kelsey Rausch, Kinsley Groote, (SAO) and Jeri Ervin.

ROLL CALL

1. APPROVAL OF THE AUGUST 24, 2015, MINUTES  
Moved by Coleman and seconded by McCollam to approve the minutes of the August 24, 2015, Planning Commission Meeting. Vote: unanimous (6 to 0).

2. APPROVAL OF THE AGENDA  
Moved by Zvejnieks and seconded by Landers to approve the Agenda of the September 14, 2015, Planning Commission Meeting. Vote: unanimous (6 to 0).

Moved by Landers and seconded by McCollam to approve the Consent Calendar of the September 14, 2015, Planning Commission Meeting, with the removal of Items #11 and #15. Vote: unanimous (6 to 0).

**CONSENT CALENDAR**

The following items have been placed on the Consent Calendar for action to be taken on all items in accordance with staff's recommendation by a single vote. Any item may be removed from the Consent Calendar, by any Planning Commissioner, staff member, or audience member for separate consideration. The findings of this Planning Commission are recommendations to the Pennington County Board of Commissioners who will make the final decision.

3. CONDITIONAL USE PERMIT REVIEW / CU 00-05: Ralph and Kathleen Stieben.  
To review a seasonal cabin in a Limited Agriculture District in accordance with Section 206-C-19 of the Pennington County Zoning Ordinance.

Lot 1 of Tract 6 Less RTY of Clear Creek Tracts, Section 22, T1N, R5E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 00-05 with the following four (4) conditions:

1. That a Building Permit be obtained for structures exceeding 144 square feet or located on a permanent foundation which will require a site plan to be reviewed and approved by the Planning Director;
2. That the cabin be occupied for 120 days or less each year;
3. That if any changes are proposed to the property or a water supply is identified on the property, an additional gray water disposal system shall be installed that meets with the review and approval of Pennington County; and,
4. That this Conditional Use Permit be reviewed on a complaint basis or as deemed necessary by the Pennington County Planning Commission or the County Board of Commissioners to verify that all Conditions of Approval are being met.

**Vote: unanimous (6 to 0).**

4. **CONDITIONAL USE PERMIT REVIEW / CU 07-31**: Johanna and Eddie Bonds. To review a Bed and Breakfast as a home occupation in a Low Density Residential District in accordance with Sections 207 and 510 of the Pennington County Zoning Ordinance.

Lot 4 (also in Section 3, T2S, R5E) Turbo Subdivision, Section 34, T1S, R5E, BHM, Pennington County, South Dakota.

**To recommend approval of the extension of Conditional Use Permit / CU 07-31 with the following seventeen (17) conditions:**

1. That the applicant continually comply with the Noxious Weed Management Plan provided by the Pennington County Weed and Pest Department;
2. That a minimum of four (4) off-street parking spaces be provided and that each parking space shall not be less than one hundred sixty two square feet, nor less than nine feet by eighteen feet, surfaced with gravel, concrete or asphalt and maintained in a dust free manner;
3. That the applicant ensures the residential character of the property is maintained;
4. That a Building Permit be obtained for any structure exceeding 144 square feet or located on a permanent foundation, which includes the necessary site plans to be reviewed and approved by the Planning Director;
5. That a maximum of six (6) people, including both guests and residents be allowed to stay at the bed and breakfast establishment at one (1) time;

6. That the home occupation be conducted by members of the family residing on the premises and no more than one (1) additional person;
7. That all natural drainage paths are maintained;
8. That a business sign, which directs attention to the home occupation, shall be allowed with an approved Sign Permit. Such sign shall not exceed four (4) square feet in area and shall be limited to one such sign per approved home occupation use. Such sign shall be either a wall sign or a ground sign and shall not be located in any public right-of-ways;
9. That the applicant continually meet the requirements of the South Dakota Department of Environment and Natural Resources (DENR) for the means of wastewater disposal servicing the residence and that any replacement or alterations of this system be reviewed and approved by both the Pennington County Planning Department and DENR;
10. That the address be properly posted on both the residence and at the approach so it be visible in both directions in accordance with Pennington County's Ordinance #20;
11. That the applicant comply with South Dakota Codified Law 34-18-9.4, which regulates bed and breakfast establishments and requires a guest list to be maintained;
12. That the bed and breakfast be continually registered with the South Dakota Department of Health while in operation;
13. That the applicant obtains a Sales Tax License as required by the South Dakota Department of Revenue;
14. That smoke detectors be placed in each sleeping room with a minimum of at least one (1) smoke detector per floor;
15. That a minimum of one (1) 2 A-BC dry chemical fire extinguisher be accessible to all guests at all times on each floor of the structure;
16. That the physical address for the residence be posted in each guest room; and,
17. That this Conditional Use Permit be reviewed on a complaint basis or as deemed necessary by the Planning Commission or County Board to verify that all conditions of approval are being met.

**Vote: unanimous (6 to 0).**

5. **CONDITIONAL USE PERMIT REVIEW / CU 07-34:** James and Susan Norskov. To review a Home Occupation (a greenhouse to grow plants and produce) in a Suburban Residential District in accordance with Sections 208 and 510 of the Pennington County Zoning Ordinance.

Lot 2A and 2B of Lot 2 of Lot H of E1/2SE1/4, Section 9, T1N, R8E, BHM, Pennington County, South Dakota.

**To recommend to continue the review Conditional Use Permit / CU 07-34 to the September 28, 2015, Planning Commission meeting.**

**Vote: unanimous (6 to 0).**

6. **CONDITIONAL USE PERMIT REVIEW / CU 07-46:** John E. Link Trust. To review a wind measurement tower, not to exceed 200 feet in height, in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

The NW1/4, Section 8, T3N, R16E, BHM, Pennington County, South Dakota.

**To recommend to revoke Conditional Use Permit / CU 07-46 with the property owner's concurrence.**

**Vote: unanimous (6 to 0).**

7. **CONDITIONAL USE PERMIT REVIEW / CU 08-39:** Patrick and Marlene Sheeley. To review an accessory structure prior to a primary structure in a Limited Agriculture District in accordance with Sections 206 and 510 of the Pennington County Zoning Ordinance.

Lot 2, Koupal Estates Subdivision, Section 14, T1S, R7E, BHM, Pennington County, South Dakota.

**To recommend approval of the extension of Conditional Use Permit / CU 08-39 with the following nine (9) conditions:**

1. **That a Building Permit be obtained to finish the living quarters in the pole barn prior to the work being started, which requires a site plan to be reviewed and approved by the Planning Director;**
2. **That an approved On-site Wastewater Construction Permit be obtained to install a new septic system to service the living quarters in the pole barn, which requires review and approval by the Pennington County Environmental Planner prior to installation;**

3. That a Building Permit be obtained for any structure exceeding 144 square feet or located on a permanent foundation, which requires a site plan to be reviewed and approved by the Planning Director;
4. That the applicant ensures all natural drainage paths are maintained and not blocked;
5. That the address for the property continue to be posted on the pole barn and at the cul-de-sac in accordance with Pennington County's Ordinance #20;
6. That proper setbacks be maintained for any construction on the property;
7. That the pole barn be used for personal use only and no commercial-type uses;
8. That the pole barn may not be used as a rental on a nightly, weekly, or yearly-basis; and
9. That this Conditional Use Permit be reviewed in two (2) years, on a complaint basis, or as directed by the Pennington County Planning Commission and/or Board of Commissioners to verify that all Conditions of Approval are being met.

**Vote: unanimous (6 to 0).**

8. **CONDITIONAL USE PERMIT REVIEW / CU 12-25:** Marvin and Lila Botz. To review an existing residence to be used as a temporary residence while constructing a new single-family residence in a General Agriculture District / Highway Service District in accordance with Sections 204-D, 205, and 510 of the Pennington County Zoning Ordinance.

Lots 3-4; E1/2SW1/4, SE1/4 less Right-of-Way, Section 30, T1S, R16E, BHM, Pennington County, South Dakota.

**To recommend approval of the extension of Conditional Use Permit / CU 12-25 with the following five (5) conditions:**

1. That the old residence be demolished according to the time frame set forth by the approved Demolition Permit (COBP14-0457) and the applicant notify the Planning Department of such so that this Conditional Use Permit can be revoked;
2. That the existing on-site wastewater treatment system be properly abandoned in accordance with SDAR §74:53:01:11, if it is not intended to continue to be utilized following demolition of the existing house;

3. That the address, 23965 Highway 240, continue to be properly posted at the approach so it is clearly visible from the road in both directions and also be posted on the residence in accordance with Pennington County's Ordinance #20;
4. That a Building Permit be obtained for any structure exceeding 144 square feet or located on a permanent foundation, which requires a site plan to be reviewed and approved by the Planning Director; and,
5. That this Conditional Use Permit be reviewed in one (1) year, on a complaint basis, or as directed by the Pennington County Planning Commission and/or Board of Commissioners to verify that all Conditions of Approval are being met.

**Vote: unanimous (6 to 0).**

9. **CONDITIONAL USE PERMIT REVIEW / CU 13-08:** Bill Whitney / Stanley Johnson Concrete; Larry and Lenora Ruland - Owners. To review a concrete batch plant and aggregate stock pile site in a General Agriculture District to work on the reconstruction project of I-90, east of Wall, in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

The SE1/4SW1/4; S1/2NE1/4SW1/4, Section 24, T1S, R16E, BHM, Pennington County, South Dakota.

**To recommend to revoke Conditional Use Permit / CU 13-08 with the applicant's concurrence.**

**Vote: unanimous (6 to 0).**

10. **CONDITIONAL USE PERMIT / CU 15-20:** Mitch Morris. To allow for Construction Equipment Sales on the subject property in a General Commercial District in accordance with Sections 209 and 510 of the Pennington County Zoning Ordinance.

Lot 1 of NW1/4SE1/4, Section 32, T1N, R8E, BHM, Pennington County, South Dakota.

**To recommend to continue Conditional Use Permit / CU 15-20 to the September 28, 2015, Planning Commission meeting.**

**Vote: unanimous (6 to 0).**

12. **CONDITIONAL USE PERMIT / CU 15-23:** Perry and Gretchen Strombeck. To allow for a caretaker's residence on the subject property in a Low Density Residential District in accordance with Sections 207 and 510 of the Pennington County Zoning Ordinance.

Lot 1, Strombeck Subdivision, Section 34, T1N, R5E, BHM, Pennington County, South Dakota.

**To recommend approval of Conditional Use Permit / CU 15-23 with the following eight (8) conditions:**

- 1. That the addresses for both the existing single-family residence and the proposed caretaker's residence be posted in accordance with Pennington County's Ordinance #20 on each residence and so that they are visible from Horse Creek Road;**
- 2. That an updated doctor's note be provided during each review and that the caretaker's residence be removed from the property once care is no longer needed for Clay Strombeck, either by removing the range to make the space a studio, or by obtaining a second Conditional Use Permit for a Guest House;**
- 3. That prior to issuance of a Building permit for the caretaker's residence, a site plan is submitted showing the caretaker's residence maintains the setback requirements or an approved Setback Variance is obtained;**
- 4. That a Building Permit be obtained for any structure exceeding 144 square feet or located on a permanent foundation which requires a site plan to be reviewed and approved by the Planning Director;**
- 5. That all future structures meet the minimum required setbacks for a Low Density Residential District or an approved Setback Variance be obtained prior to Building Permit approval;**
- 6. That the proposed Caretaker's Residence and new On-Site Wastewater Treatment System be located outside of the 100-year floodplain boundary or an approved Floodplain Development Permit is obtained prior to Building Permit approval;**
- 7. That the applicant signs the Statement of Understanding within seven (7) business days of approval of Conditional Use Permit /CU 15-23, which is available at the Planning Office; and,**
- 8. That this Conditional Use Permit be reviewed in two (2) years, on a complaint basis, or as deemed necessary by the Planning Commission or County Board of Commissioners to verify that all Conditions of Approval are being met.**

**Vote: unanimous (6 to 0).**

13. **CONDITIONAL USE PERMIT / CU 15-24:** Founding Fathers, LLC / Don Perdue. To allow for a new bell tower sign to be 50 feet tall with the total height of the letters to be 35 feet tall in a Highway Service District in accordance with Sections 210 and 510 of the Pennington County Zoning Ordinance.

Lot A of SW1/4SW1/4; Lot A1 of Lot H2 of SW1/4SW1/4; Section 3, T1S, R7E, BHM, Pennington County, South Dakota.

**To recommend approval of Conditional Use Permit / CU 15-24 with the following ten (10) conditions:**

1. **That the applicant obtain approval of a Sign Permit, to be reviewed and approved by the Planning Director, for the proposed on-premise sign prior to placement of the sign on the subject property;**
2. **That a Building Permit be obtained for any structure exceeding 144 square feet or located on a permanent foundation which requires a site plan to be reviewed and approved by the Planning Director;**
3. **That if the on-premise sign is to be illuminated, all lighting must be installed and maintained so as to minimize spillage of light outside of the sign face so as not to create a nuisance and the sign must be effectively shielded to prevent beams or rays from being directed toward any portion of the traveled ways, and must not be of such intensity or brilliance to cause glare or impair the vision of the driver of any motor vehicle or otherwise interfere with any driver's operating of a motor vehicle;**
4. **That the sign must meet a minimum of a five (5) foot setback from the front property line and maintain proper setbacks from all side and rear property lines;**
5. **That the sign conform to all regulations in Section 312 of the Pennington County Zoning Ordinance;**
6. **That the on-premise sign be maintained so as to have an aesthetically pleasing appearance at all times and not appear dilapidated;**
7. **That only on-premise advertising and public information be allowed on the proposed sign and no off-premise advertising be allowed unless otherwise permitted with Pennington County through approval of a Conditional Use Permit;**
8. **That any banners or other signs located on the property which have not been permitted either be removed upon approval of this Conditional Use Permit or permitted immediately;**



9. That the applicant signs a Statement of Understanding within seven (7) business days of approval of Conditional Use Permit #15-24, which is available at the Planning Office; and,
10. That this Conditional Use Permit be reviewed in two (2) years, on a complaint basis, or as deemed necessary by the Planning Commission or Board of Commissioners to verify that all Conditions of Approval are being met.

**Vote: unanimous (6 to 0).**

14. **CONDITIONAL USE PERMIT / CU 15-21:** Dan and Tracey Laher. To allow an accessory structure (a pole barn) prior to a principle residence in a Suburban Residential District in accordance with Sections 208 and 510 of the Pennington County Zoning Ordinance.

Lot 5, Block 1, Jackson Subdivision, Section 9, T2N, R9E, BHM, Pennington County, South Dakota.

**To recommend approval of Conditional Use Permit / CU 15-21 with the following nine (9) conditions:**

1. That an approved Building Permit be obtained for the pole barn prior to placement or construction of the structure, which requires a site plan to be reviewed and approved by the Planning Director;
2. That a Building Permit be obtained for any structure exceeding 144 square feet or located on a permanent foundation, which requires a site plan to be reviewed and approved by the Planning Director;
3. That an address be assigned for the pole barn and that it be posted both on the individual structure and at the end of the driveway so that it is visible from both directions of 225<sup>th</sup> Street, in accordance with Pennington County's Ordinance #20;
4. That the minimum setback requirements of a Suburban Residential District be continually maintained on the property;
5. That the subject property remains free of debris and junk vehicles;
6. That the accessory structure be used for personal use only and no commercial-type uses;
7. That an approved On-Site Wastewater Construction Permit be obtained, if the applicant chooses to install any plumbing within the accessory structure;

8. That the applicant signs the Statement of Understanding within seven (7) business days of approval of Conditional Use Permit / CU 15-21, which is available at the Planning Office; and,
9. That this Conditional Use Permit be reviewed in one (1) year, on a complaint basis, or as directed by the Pennington County Planning Commission and/or Board of Commissioners to verify that all Conditions of Approval are being met.

**Vote: unanimous (6 to 0).**

16. **CONSTRUCTION PERMIT / CP 15-14:** Lazy P6 Land Co. Inc. / Orvill Davis. To continue work initiated under Construction Permit 13-05 and Construction Permit 14-02. The proposed project includes stockpiling of soil for future use, gravel west of Fifth Street, and to level a lot for temporary outdoor storage. This is in addition to the previous request (CP13-05) to install City water and sewer, maintain stock dam, create agriculture access areas, and expand future building platforms.

**To recommend approval of Construction Permit / CP 15-14 with the following ten (10) conditions:**

1. That approval of this Construction Permit does not constitute approval of any further application to be submitted on the above described properties;
2. That the conditions of the approval of the South Dakota Department of Environment and Natural Resources General Permit for Storm Water Discharges Associated with Construction Activities be continually met;
3. That the applicant continually maintains and adheres to the Storm Water Pollution Prevention Plan during the period of construction;
4. That the conditions of approval of the City of Rapid City's Air Quality Permit be continually met;
5. That the work be performed in accordance with the approved Floodplain Development Permit and the Pennington County Flood Damage Prevention Ordinance if work is done within the designated floodplain;
6. That any natural drainage ways and paths be continually maintained;
7. That the requirements, guidelines, and criteria for stormwater and erosion control in the Pennington County Storm Water Manual shall be followed during construction;

8. That upon completion of the project, the disturbed areas shall be reclaimed in accordance with Section 507-A(5)(c) of the Pennington County Zoning Ordinance;
9. That the applicant sign a Statement of Understanding within seven (7) days of Construction Permit approval, which is available at the Planning Office; and,
10. That this Construction Permits expires one (1) year from the approval date or as directed by the Pennington County Board of Commissioners and/or the Pennington County Planning Commission.

**Vote: unanimous (6 to 0).**

17. **CONDITIONAL USE PERMIT / CU 15-25:** Rushmore Shadows, LLC; Gene Addink – Agent. To allow for the addition of 45 RV sites to the subject property in a Highway Service District in accordance with Sections 210 and 510 of the Pennington County Zoning Ordinance.

Tract A Less E350 feet of N900 feet and Tract 3A of Lot 3 of SW1/4SE1/4, located in Section 7, T1S, R7E, BHM, Pennington County, South Dakota.

**To recommend to continue Conditional Use Permit / CU 15-25 to the September 28, 2015, Planning Commission meeting.**

**Vote: unanimous (6 to 0).**

18. **CONSTRUCTION PERMIT / CP 15-16:** Rushmore Shadows, LLC; Gene Addink – Agent. To perform mass grading in order to install a sanitary sewer system and lift station, water main, storm sewer, aggregate base for 45 RV pads and asphalt surfacing.

Tract A Less E350 feet of N900 feet of Busted Five Development Subdivision and Tract 3A of Lot 3 of SW1/4SE1/4, Section 7, T1S, R7E, BHM, Pennington County, South Dakota.

**To recommend to continue Construction Permit / CP 15-16 to the September 28, 2015, Planning Commission meeting.**

**Vote: unanimous (6 to 0).**

19. **CONSTRUCTION PERMIT / CP 15-15:** Flack Trucking, Inc. To continue stockpiling soil, leveling the plowed fields, and removing soil from the property. The disturbed area is being returned to farm ground.

Balance of the W1/2SE1/4 less lot H7; SW1/4 less Lot H6 and less right-of-way, Section 23, T2N, R8E, BHM, Pennington County, South Dakota.

To recommend approval of Construction Permit / CP 15-15 with the following twelve (12) conditions:

1. That the approval of this Construction Permit does not constitute approval of any further application to be submitted on the above described properties;
2. That a Haul Road Agreement from the County Highway Department be obtained, if necessary;
3. That the Conditions of the Approval of the South Dakota Department of Environment and Natural Resources General Permit for Storm Water Discharges Associated with Construction Activities be continually met;
4. That the applicant continually maintains and adheres to the Storm Water Pollution Prevention Plan during the period of construction;
5. That the Conditions of Approval of the City of Rapid City's Air Quality Permit be continually met;
6. That the work be performed in accordance with the approved Floodplain Development Permit and the Pennington County Flood Damage Prevention Ordinance;
7. That the applicant use the south approach off of Bennett Road to access the site;
8. That any natural drainage ways and paths be continually maintained;
9. That any monuments establishing property boundaries be replaced as necessary;
10. That upon completion of the project, the disturbed areas shall be reclaimed in accordance with Section 507-A(5)(c) of the Pennington County Zoning Ordinance;
11. That the applicant sign a Statement of Understanding within seven (7) days of Construction Permit approval, which is available at the Planning Office; and,
12. That this Construction Permits expires one (1) year from the approval date and may be reviewed on a complaint basis, or as directed by the Pennington County Planning Commission or the Board of Commissioners to verify that all Conditions of Approval are being met.

**Vote: unanimous (6 to 0).**

## END OF CONSENT CALENDAR

11. CONDITIONAL USE PERMIT / CU 15-22: Peaceful Valley Hideaway, LLC (William and Valerie Landis); Arlyn Dyce – Agent. To allow for a Vacation Home Rental in a Low Density Residential District in accordance with Sections 207 and 510 of the Pennington County Zoning Ordinance.

Lot C of Lot 2, New York Subdivision, Section 24, T2N, R5E, BHM, Pennington County, South Dakota.

Commissioner Hall asked to have this item removed from the Consent Calendar.

Raush reviewed the Staff Report indicating the applicants have applied for a Conditional Use Permit to allow for a Vacation Home Rental.

Staff had originally recommended to continue Conditional Use Permit / CU 15-22 to the March 14, 2016, Planning Commission meeting, but are now recommending to continue to a December 2015 Planning Commission meeting.

Discussion followed.

Moved by Landers and seconded by Zvejnieks to continue Conditional Use Permit / CU 15-22 to the October 12, 2015, Planning Commission meeting.

Original Motion withdrawn by motion maker.

**SUBSTITUTE MOTION:** Moved by Landers and seconded by McCollam to deny Conditional Use Permit / 15-22.

Staff asked that this item be denied without prejudice to allow the applicant's time to address the violations on the property and to reapply for a Conditional Use Permit for a Vacation Home Rental within one year.

**SUBSTITUTE MOTION:** Moved by Landers and seconded by McCollam to deny Conditional Use Permit / CU 15-22 without prejudice to allow the applicant's time to address the violations on the property and to reapply for a Conditional Use Permit for a Vacation Home Rental within one year.

Discussion followed.

**All voting aye, the Motion carried 6 to 0.**

15. MINOR PLANNED UNIT DEVELOPMENT AMENDMENT / PU 15-03: Merle and Nancy Greseth. To amend the existing Rushmore Ranch Estates Planned Unit Development to reduce the minimum required side yard setback on Tract 48 from 25 feet to 10 feet in order to construct a garage on the subject property in accordance with Section 213 of the Pennington County Zoning Ordinance.

Tract 48 (also in Section 17), Rushmore Ranch Estates, Section 20, T2S, R7E, BHM, Pennington County, South Dakota.

Commissioner Hall asked to have this item removed from the Consent Calendar to discuss the Conditions of Approval regarding setback requirements.

Staff recommended approval of Minor Planned Unit Development Amendment / PU 15-03 with the following fourteen (14) conditions:

1. That the lot described as Well Tract in Phase I be allowed to be subdivided into two (2) lots and that the use of one (1) lot shall be as a Well Tract and the use of the other lot to be as a Fire Station;
2. That no more than four (4) town homes be allowed on Townhouse Lots A-1, A-2, A-3 and A-4 of Tract 57 of Phase III of Rushmore Ranch Estates;
3. That all single-family residences be constructed on lots containing three (3) acres or more;
4. That a minimum of 73 acres of common area be provided;
5. That platting be allowed to occur one (1) block at a time provided that all Subdivision Regulations are met;
6. That a maximum of five (5) commercial structures, each no more than 5000 square feet in area, be allowed in the Neighborhood Commercial area as shown on the site plan;
7. That no structures have wood shakes;
8. That all fire hydrants in the Neighborhood Commercial area in Phase III have adequate flows;
9. That Tract 12 and 14 be allowed to be replatted into one lot at least six (6) acres in size and the remainder of Tracts 12 and 14 be allowed to be used in Phase III;
10. That the Planning Director may allow additional development or construction which is consistent with the proposed development on this property. Significant changes in use or impact on adjacent land uses as determined by the Planning Director shall require an amendment to this Planned Unit Development;

11. That the construction, or placement of structures, including the addition of accessory structures, be allowed through the issuance of a Building Permit which will include necessary site plans to be reviewed and approved by the Planning Director;
12. That all lot widths be a minimum of 100 feet and that all setbacks be twenty-five (25) feet from all property lines;
13. That the setback to the eastern property line of Tract 48 be ten (10) feet for the attached garage only. All other structures shall maintain a twenty-five (25) foot setback; and
14. That this Planned Unit Development shall be reviewed on a complaint basis only, or as directed by the Pennington County Board of Commissioners and/or Planning Commission to determine that all conditions are being met.

Discussion followed.

**Moved by Hall and seconded by Zvejnieks to approve of Minor Planned Unit Development Amendment / PU 15-03 with the following fourteen (14) conditions:**

- 1. That the lot described as Well Tract in Phase I be allowed to be subdivided into two (2) lots and that the use of one (1) lot shall be as a Well Tract and the use of the other lot to be as a Fire Station;**
- 2. That no more than four (4) town homes be allowed on Townhouse Lots A-1, A-2, A-3 and A-4 of Tract 57 of Phase III of Rushmore Ranch Estates;**
- 3. That all single-family residences be constructed on lots containing three (3) acres or more;**
- 4. That a minimum of 73 acres of common area be provided;**
- 5. That platting be allowed to occur one (1) block at a time provided that all Subdivision Regulations are met;**
- 6. That a maximum of five (5) commercial structures, each no more than 5000 square feet in area, be allowed in the Neighborhood Commercial area as shown on the site plan;**
- 7. That no structures have wood shakes;**
- 8. That all fire hydrants in the Neighborhood Commercial area in Phase III have adequate flows;**

9. That Tract 12 and 14 be allowed to be replatted into one lot at least six (6) acres in size and the remainder of Tracts 12 and 14 be allowed to be used in Phase III;
10. That the Planning Director may allow additional development or construction which is consistent with the proposed development on this property. Significant changes in use or impact on adjacent land uses as determined by the Planning Director shall require an amendment to this Planned Unit Development;
11. That the construction, or placement of structures, including the addition of accessory structures, be allowed through the issuance of a Building Permit which will include necessary site plans to be reviewed and approved by the Planning Director;
12. That all lot widths be a minimum of 100 feet and that all setbacks be twenty-five (25) feet from all property lines;
13. That the setback to the eastern property line of Tract 48 be ten (10) feet for the attached garage only. All other structures shall maintain a twenty-five (25) foot setback; and
14. That this Planned Unit Development shall be reviewed on a complaint basis only, or as directed by the Pennington County Board of Commissioners and/or Planning Commission to determine that all conditions are being met.

**All voting aye, the Motion carried 6 to 0.**

20. CONDITIONAL USE PERMIT REVIEW / CU 15-01: Sheri Tonner. To review a single-wide mobile home to be used as a single-family residence while constructing a single-family residence in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

The E1/2SW1/4NE1/4; E1/2W1/2SW1/4NE1/4; W1/2W1/2SE1/4 NE1/4; S1/2SE1/4 NW1/4NE1/4; SE1/4SW1/4NW1/4NE1/4; SW1/4SW1/4NE1/4 NE1/4, Section 16, T1S, R7E, BHM, Pennington County, South Dakota.

(Continued from the August 24, 2015, Planning Commission meeting.)

Bolstad stated this item had been continued from the August 24, 2015, Planning Commission meeting in order for staff to perform a site visit to the subject property.

Staff recommended approval of the extension of Conditional Use Permit / CU 15-01 with the following nine (9) conditions:

1. That the property is kept free of junk and debris;



2. That a Removal Permit be obtained for the existing single-family residence prior to demolition;
3. That a Building Permit be obtained for any structures over 144 square feet or placed on a permanent foundation on the property, which requires a site plan to be reviewed and approved by the Planning Director;
4. That the lot address continue to be clearly posted on the residence and road, so as to be visible from both directions on Windmill Road, in accordance with Pennington County's Ordinance #20;
5. That the mobile home installed on the property continue to have peaked non-reflective type roofs and wood or simulated wood-type siding that are continually maintained;
6. That the minimum setback requirements of a General Agriculture District be continually maintained on the property;
7. That the existing single-family residence not be used for any purpose other than cold storage, with no utilities connected;
8. That the applicant adhere to Zoning Ordinance Section 510-E regarding the time limit on Conditional Use Permit approval; and,
9. That this Conditional Use Permit be reviewed in one (1) year, on a complaint basis, or as directed by the Pennington County Planning Commission and/or Board of Commissioners to verify that all Conditions of Approval are being met.

Discussion followed.

**Moved by McCollam and seconded by Zvejnieks to approve of the extension of Conditional Use Permit / CU 15-01 with the following nine (9) conditions:**

- 1. That the property is kept free of junk and debris;**
- 2. That a Removal Permit be obtained for the existing single-family residence prior to demolition;**
- 3. That a Building Permit be obtained for any structures over 144 square feet or placed on a permanent foundation on the property, which requires a site plan to be reviewed and approved by the Planning Director;**
- 4. That the lot address continue to be clearly posted on the residence and road, so as to be visible from both directions on Windmill Road, in accordance with Pennington County's Ordinance #20;**

5. **That the mobile home installed on the property continue to have peaked non-reflective type roofs and wood or simulated wood-type siding that are continually maintained;**
6. **That the minimum setback requirements of a General Agriculture District be continually maintained on the property;**
7. **That the existing single-family residence not be used for any purpose other than cold storage, with no utilities connected;**
8. **That the applicant adhere to Zoning Ordinance Section 510-E regarding the time limit on Conditional Use Permit approval; and,**
9. **That this Conditional Use Permit be reviewed in one (1) year, on a complaint basis, or as directed by the Pennington County Planning Commission and/or Board of Commissioners to verify that all Conditions of Approval are being met.**

**All voting aye, the Motion carried 6 to 0.**

21. LAYOUT PLAT / PL 15-20: JerrDonn, LLC; Gerald and Donna Grover. To create Lots 2A, 2B, 2C, and 2D of Stratom-Rim Estates in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot 2, Strato-Rim Estates, Section 7, T1S, R7E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lots 2A, 2B, 2C, and 2D of Strato-Rim Estates, Section 7, T1S, R7E, BHM, Pennington County, South Dakota.

Bolstad reviewed the Staff Report indicating the applicants have applied for a Layout Plat in order to create Lots 2A, 2B, 2C, and 2D of Stratom-Rim Estates.

Staff recommended approval of Layout Plat / PL 15-20 with the following fourteen (14) conditions:

1. That at the time of Preliminary Plat submittal, eight (8) foot minor drainage and utility easements be dedicated on the interior sides of all lot lines or an approved Subdivision Regulations Variance be obtained waiving this requirement;
2. That at the time of Preliminary Plat submittal, the applicant submits percolation tests and soil profile information for Proposed Lot 1 to be reviewed and approved by the County Environmental Planner, or the applicant obtains an approved Subdivision Regulations Variance waiving this requirement;

3. That at the time of Preliminary Plat submittal, the plat meets all the requirements of Section 400.2 of the Pennington County Subdivision Regulations, including, but not limited to, the Plat be scaled at not more than one (1) inch equals one hundred (100) feet, location of access easements, location of Section Line Rights-of-Way, and topographic information be provided of the subject property at five (5) foot contour intervals, or the applicant obtains an approved Subdivision Regulations Variance waiving any of these requirements that are not met;
4. That at the time of Preliminary Plat submittal, the applicant dedicate a 40-foot-wide access easement to serve Proposed Lots 2B, 2C, and 2D, or the applicant obtains an approved Subdivision Regulations Variance waiving this requirement;
5. That at the time of Preliminary Plat submittal, the applicant provide engineered road construction plans for road improvements, including width and surface requirements that meet Pennington County's Ordinance #14 standards, or the applicant obtains an approved Subdivision Regulations Variance waiving this requirement;
6. That the Certifications on the plat be in accordance with Section 400.3.1.n of the Pennington County Subdivision Regulations;
7. That at the time of Preliminary Plat submittal, the plat heading be corrected to read Lots 2A, 2B, 2C, and 2D of Strato-Rim Estates (Formerly Lot 2 of Strato-Rim Estates), as directed by the Register of Deeds;
8. That at the time of Preliminary Plat submittal, the title and the annotation on the Section Line in the drawing be corrected to read Section 7 rather than Section 17;
9. That at the time of Preliminary Plat submittal, the applicant provide a certified survey verifying setbacks of the existing structures on the property;
10. That an approved Setback Variance be obtained to resolve any setback issues, prior to submittal for the Preliminary Plat;
11. That prior to filing the Final Plat with the Register of Deeds, proposed Lot 2C be rezoned or the applicant obtain an approved Conditional Use Permit to allow the existing single-family residence in a Highway Service District;
12. That a Building Permit be obtained for any structure exceeding 144 square feet or located on a permanent foundation, which requires a site plan to be reviewed and approved by the Planning Director;
13. That the applicant signs the Statement of Understanding within seven (7) business days of approval of Layout Plat / PL 15-20, which is available at the Planning Office; and,

14. That approval of this Layout Plat does not constitute approval of any further applications to be submitted for the above-described property.

Discussion followed.

**Moved by Coleman and seconded by McCollam to approve of Layout Plat / PL 15-20 with the following fourteen (14) conditions:**

- 1. That at the time of Preliminary Plat submittal, eight (8) foot minor drainage and utility easements be dedicated on the interior sides of all lot lines or an approved Subdivision Regulations Variance be obtained waiving this requirement;**
- 2. That at the time of Preliminary Plat submittal, the applicant submits percolation tests and soil profile information for Proposed Lot 1 to be reviewed and approved by the County Environmental Planner, or the applicant obtains an approved Subdivision Regulations Variance waiving this requirement;**
- 3. That at the time of Preliminary Plat submittal, the plat meets all the requirements of Section 400.2 of the Pennington County Subdivision Regulations, including, but not limited to, the Plat be scaled at not more than one (1) inch equals one hundred (100) feet, location of access easements, location of Section Line Rights-of-Way, and topographic information be provided of the subject property at five (5) foot contour intervals, or the applicant obtains an approved Subdivision Regulations Variance waiving any of these requirements that are not met;**
- 4. That at the time of Preliminary Plat submittal, the applicant dedicate a 40-foot-wide access easement to serve Proposed Lots 2B, 2C, and 2D, or the applicant obtains an approved Subdivision Regulations Variance waiving this requirement;**
- 5. That at the time of Preliminary Plat submittal, the applicant provide engineered road construction plans for road improvements, including width and surface requirements that meet Pennington County's Ordinance #14 standards, or the applicant obtains an approved Subdivision Regulations Variance waiving this requirement;**
- 6. That the Certifications on the plat be in accordance with Section 400.3.1.n of the Pennington County Subdivision Regulations;**
- 7. That at the time of Preliminary Plat submittal, the plat heading be corrected to read Lots 2A, 2B, 2C, and 2D of Strato-Rim Estates (Formerly Lot 2 of Strato-Rim Estates), as directed by the Register of Deeds;**

8. That at the time of Preliminary Plat submittal, the title and the annotation on the Section Line in the drawing be corrected to read Section 7 rather than Section 17;
9. That at the time of Preliminary Plat submittal, the applicant provide a certified survey verifying setbacks of the existing structures on the property;
10. That an approved Setback Variance be obtained to resolve any setback issues, prior to submittal for the Preliminary Plat;
11. That prior to filing the Final Plat with the Register of Deeds, proposed Lot 2C be rezoned or the applicant obtain an approved Conditional Use Permit to allow the existing single-family residence in a Highway Service District;
12. That a Building Permit be obtained for any structure exceeding 144 square feet or located on a permanent foundation, which requires a site plan to be reviewed and approved by the Planning Director;
13. That the applicant signs the Statement of Understanding within seven (7) business days of approval of Layout Plat / PL 15-20, which is available at the Planning Office; and,
14. That approval of this Layout Plat does not constitute approval of any further applications to be submitted for the above-described property.

All voting aye, the Motion carried 6 to 0.

22. CONDITIONAL USE PERMIT / CU 15-18: Rapid Valley United Methodist Church; Doug Nix – Agent. To illuminate an existing on-premise sign within 1,500 feet of a residential zoning district/dwelling unit in a Limited Agriculture District in accordance with Sections 206 and 510 of the Pennington County Zoning Ordinance.

Lot A in NE1/4, Section 15, T1N, R8E, BHM, Pennington County, South Dakota.

(Continued from the August 24, 2015, Planning Commission meeting.)

Conover reviewed the Staff Report indicating the applicants have applied for a Conditional Use Permit to allow an existing on-premise sign to be illuminated within 1,500 feet of a residential zoning district/dwelling unit.

Staff recommended approval of Conditional Use Permit / CU 15-18 with the following seven (7) conditions:

1. That all lighting be installed and maintained so as to minimize spillage of light outside of the sign face so as not to create a nuisance and the sign must be effectively shielded to prevent beams or rays from being directed toward any

portion of the traveled ways, and must not be of such intensity or brilliance to cause glare or impair the vision of the driver of any motor vehicle or otherwise interfere with any driver's operation of a motor vehicle;

2. That a Sign Permit be obtained for any on-premise signs, which requires a site plan to be reviewed and approved by the Planning Director;
3. That the sign conform to all regulations in Section 312 of the Pennington County Zoning Ordinance;
4. That the sign must meet a minimum of a five (5) foot setback from the front property lines and maintain proper setbacks from all side and rear property lines;
5. That the sign be maintained so as to have an aesthetically pleasing appearance at all times and not appear dilapidated;
6. That the applicant sign a Statement of Understanding, within seven (7) business after the time for appeals has elapsed. The Statement of Understanding will be available in the Planning Department; and,
7. That this Conditional Use Permit be reviewed in one (1) year, on a complaint basis or as deemed necessary by either the Planning Commission or Board of Commissioners to verify that all conditions of approval are being met.

Discussion followed.

**Moved by Coleman and seconded by Landers to approve of Conditional Use Permit / CU 15-18 with the following seven (7) conditions:**

- 1. That all lighting be installed and maintained so as to minimize spillage of light outside of the sign face so as not to create a nuisance and the sign must be effectively shielded to prevent beams or rays from being directed toward any portion of the traveled ways, and must not be of such intensity or brilliance to cause glare or impair the vision of the driver of any motor vehicle or otherwise interfere with any driver's operation of a motor vehicle;**
- 2. That a Sign Permit be obtained for any on-premise signs, which requires a site plan to be reviewed and approved by the Planning Director;**
- 3. That the sign conform to all regulations in Section 312 of the Pennington County Zoning Ordinance;**
- 4. That the sign must meet a minimum of a five (5) foot setback from the front property lines and maintain proper setbacks from all side and rear property lines;**

5. That the sign be maintained so as to have an aesthetically pleasing appearance at all times and not appear dilapidated;
6. That the applicant sign a Statement of Understanding, within seven (7) business after the time for appeals has elapsed. The Statement of Understanding will be available in the Planning Department; and,
7. That this Conditional Use Permit be reviewed in one (1) year, on a complaint basis or as deemed necessary by either the Planning Commission or Board of Commissioners to verify that all conditions of approval are being met.

All voting aye, the Motion carried 6 to 0.

23. MINOR PLAT / PL 15-18 AND SUBDIVISION REGULATIONS VARIANCE / SV 15-09: Cleon and Adare Diers. To reconfigure lot lines to create Lot 1 Revised of Diers Subdivision and to waive platting requirements in accordance with Sections 400.3 and 700.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot 1; Diers Subdivision, Section 19, T2S, R7E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 1 Revised; Diers Subdivision, Section 19, T2S, R7E, BHM, Pennington County, South Dakota.

Conover reviewed the Staff Report indicating the applicants have applied to reconfigure lot lines to create Lot 1 Revised of Diers Subdivision and to waive platting requirements.

Staff recommended approval of Subdivision Regulations Variance / SV 15-09 to waive submittal of the following items: 1. Percolation Tests and Profile Hole information; 2. Engineered Road and Construction Plans; 3. Eight (8) foot Minor Drainage and Utility Easements along all interior lot lines; 4. Topographical information at 5-foot contour intervals; 5. Extra Right-of-Way dedication; and, 6. Not to improve the road to a 24-foot driving surface.

Staff recommended approval of Minor Plat / PL 15-18 with the following seven (7) conditions:

1. That prior to the plat being filed with the Register of Deeds, the Plat heading be corrected per the comments from the Register of Deeds Office;
2. That prior to the plat being filed with the Register of Deeds, the landowner obtain an approved Building Permit, with applicable penalty fees, for the equipment building;
3. That prior to the plat being filed with the Register of Deeds, the .17 acre parcel be rezoned to Limited Agriculture District;

4. That prior to the plat being filed with the Register of Deeds, an Operating Permit be obtained for the on-site wastewater treatment system serving the structure located at 24450 Nellie Lane;
5. That an approved Approach Permit be obtained from the Nellie Lane Road District for the additional approach;
6. That the property address be posted in accordance with Pennington County's Ordinance #20; and,
7. That prior to the plat being filed with the Register of Deeds office, the applicants sign the Statement of Understanding within seven (7) business days of approval of Minor Plat / PL 15-18 and Subdivision Regulations Variance / SV 15-09, which is available at the Planning Office.

Discussion followed.

**Moved by Zvejnieks and seconded by McCollam to approve of Minor Plat / PL 15-18 with the following seven (7) conditions:**

- 1. That prior to the plat being filed with the Register of Deeds, the Plat heading be corrected per the comments from the Register of Deeds Office;**
- 2. That prior to the plat being filed with the Register of Deeds, the landowner obtain an approved Building Permit, with applicable penalty fees, for the equipment building unless research shows the building was located on the subject property prior to 1994;**
- 3. That prior to the plat being filed with the Register of Deeds, the .17 acre parcel be rezoned to Limited Agriculture District;**
- 4. That prior to the plat being filed with the Register of Deeds, an Operating Permit be obtained for the on-site wastewater treatment system serving the structure located at 24450 Nellie Lane;**
- 5. That an approved Approach Permit be obtained from the Nellie Lane Road District for the additional approach;**
- 6. That the property address be posted in accordance with Pennington County's Ordinance #20; and,**
- 7. That prior to the plat being filed with the Register of Deeds office, the applicants sign the Statement of Understanding within seven (7) business days of approval of Minor Plat / PL 15-18 and Subdivision Regulations Variance / SV 15-09, which is available at the Planning Office.**



**All voting aye, the Motion carried 6 to 0.**

**Moved by Zvejnieks and seconded by McCollam to approve of Subdivision Regulations Variance / SV 15-09 to waive submittal of the following items: 1. Percolation Tests and Profile Hole information; 2. Engineered Road and Construction Plans; 3. Eight (8) foot Minor Drainage and Utility Easements along all interior lot lines; 4. Topographical information at 5-foot contour intervals; 5. Extra Right-of-Way dedication; and, 6. Not to improve the road to a 24-foot driving surface.**

**All voting aye, the Motion carried 6 to 0.**

24. REZONE / RZ 15-11: Cleon and Adare Diers. To rezone 0.17 acre from General Agriculture District to Limited Agriculture District in accordance with Section 508 of the Pennington County Zoning Ordinance.

Commencing from the southwest corner of Lot 1 of Diers Subdivision located in section 19, T2S, R7E, B.H.M. – Pennington County, South Dakota, thence S89°46'38"E a distance of 658.61. to the Point of Beginning, thence N89°49'17"E a distance of 173.64', thence through a right-hand non-tangent curve with a radius of 930.00', a length of 42.33', a chord bearing of S20°44'21"E and a chord length of 42.32', thence S89°06'04"W a distance of 188.76', thence N0°09'32"E a distance of 42.00' to the Point of Beginning. Said parcel containing 0.17 acres more or less.

Conover reviewed the Staff Report indicating the applicants have applied to rezone 0.17 acre from General Agriculture District to Limited Agriculture District.

Staff recommended approval of Rezone / RZ 15-11 to rezone 0.17 acre from General Agriculture District to Limited Agriculture District.

Discussion followed.

**Moved by Landers and seconded by McCollam to approve of Rezone / RZ 15-11 to rezone 0.17 acre from General Agriculture District to Limited Agriculture District.**

**All voting aye, the Motion carried 6 to 0.**

25. MINOR PLAT / PL 15-19 AND SUBDIVISION REGULATIONS VARIANCE / SV 15-10: Elvira Gilles; Davis Engineering – Agent. To create Tract A of Gillies Addition and to waive platting requirements in accordance with Sections 400.3 and 700.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: W1/2NW1/4SW1/4; W1/2E1/2NW1/4SW1/4; E100 feet of N200 feet of S365 feet OF NW1/4SW1/4; S1/2SE1/4SE1/4 NW1/4SW1/4; N200 feet of S365 feet of NE1/4SW1/4; N1/2SE1/4 LESS W1/2NW1/4 NW1/4SE1/4, LESS S1/2S1/2S1/2N1/2SE1/4, and Less HARRIS ADDN; SW1/4SW1/4 LESS S297 ft.

PROPOSED LEGAL: Tract A of Gillies Addition, Section 16, T1S, R7E, BHM, Pennington County, South Dakota.

Conover reviewed the Staff Report indicating the applicant has applied for a Minor Plat to create Tract A of Gillies Addition and to waive platting requirements. The purpose of the lot creation is for a land trade with Pacifica Loan Pool, LLC, who own property to the north of the subject property.

Staff recommended approval of a portion of Subdivision Regulations Variances / SV 15-10 to waive submittal of the following items: 1. 1" = 100' map scale on plat; 2. Twenty-four foot gravel driving surface, road improvements and engineered road construction plans for Section Line Right-of-Way; and, 3. Submittal of topographical information at five (5) foot contour intervals.

Staff recommended of a portion of Subdivision Regulations Variance / SV 15-10 to waive submittal of the following items: 1. Percolation and profile hole information prior to filing the plat; and, 2. Any other requirement for Subdivision Regulations.

Staff recommended approval of Minor Plat / PL 15-19 with the following three (3) conditions:

1. That prior to filing the Plat with the Register of Deeds, percolation and profile hole information be submitted to the Water Protection Coordinator and/or Environmental Planner for review and approval;
2. That prior to filing the Plat with the Register of Deeds, the Pennington County Ordinance Officer meet the applicant and/or agent on the property to determine what violations may exist on the subject property and if so, come to an agreement on reconciliation;
3. That the applicant signs the Statement of Understanding within seven (7) business days of approval of Minor Plat / PL 15-19 and Subdivision Regulations Variance / SV 15-10, which is available at the Planning Office.

Discussion followed.

**Moved by McCollam and seconded by Coleman to approve of a portion of Subdivision Regulations Variance / SV 15-10 to waive submittal of the following items: 1. 1" = 100' map scale on plat; 2. Twenty-four foot gravel driving surface, road improvements and engineered road construction plans for Section Line Right-of-Way; and, 3. Submittal of topographical information at five (5) foot contour intervals; and denial of a portion of Subdivision Regulations Variance / SV 15-10 to waive submittal of the following items: 1. Percolation and profile hole information prior to filing the plat; and, 2. Any other requirement for Subdivision Regulations.**

**All voting aye, the Motion carried 6 to 0.**

**Moved by Zvejnieks and seconded by McCollam to approve of Minor Plat / PL 15-19 with the following three (3) conditions:**

- 1. That prior to filing the Plat with the Register of Deeds, percolation and profile hole information be submitted to the Water Protection Coordinator and/or Environmental Planner for review and approval;**
- 2. That prior to filing the Plat with the Register of Deeds, the Pennington County Ordinance Officer meet the applicant and/or agent on the property to determine what violations may exist on the subject property and if so, come to an agreement on reconciliation;**
- 3. That the applicant signs the Statement of Understanding within seven (7) business days of approval of Minor Plat / PL 15-19 and Subdivision Regulations Variance / SV 15-10, which is available at the Planning Office.**

**All voting aye, the Motion carried 6 to 0.**

26. COUNTY BOARD REPORT

The Board of Commissioners concurred with the Planning Commission's recommendations from the August 28, 2015, Planning Commission meeting.

27. ITEMS FROM THE PUBLIC

No motions or actions were taken at this time.

28. ITEMS FROM THE STAFF

A. Building Permit Report. Conover reviewed the August 2015 Building Permit Report.

B. VH Rental Committee. Conover updated the Planning Commission on the VH Rental Committee meeting held on Thursday, September 10<sup>th</sup>. The next meeting is scheduled for Wednesday, September 30<sup>th</sup> at 2 p.m.

Discussion of the definition of Transfer in Section 319. This item will be placed on the Agenda for the next scheduled Planning Commission meeting for discussion.

29. ITEMS FROM THE MEMBERSHIP

There were no items from the membership.

30. ADJOURNMENT

**Moved by Zvejnieks and seconded by Coleman to adjourn.**

**All voting aye, the Motion carried 6 to 0.**

**The meeting adjourned at 10:29 a.m.**

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Karen Hall, Chairperson