

MINUTES
PENNINGTON COUNTY PLANNING COMMISSION
September 28, 2015 @ 9:00 a.m.

County Commissioners' Meeting Room - Pennington County Administration Building

MEMBERS PRESENT: Karen Hall, Sig Zvejnieks, Lori Litzen, Barbara Landers, and Ron Buskerud.

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

ROLL CALL

1. APPROVAL OF THE SEPTEMBER 14, 2015, MINUTES
Moved by Zvejnieks and seconded by Hall to approve the minutes of the September 14, 2015, Planning Commission Meeting. Vote: unanimous (5 to 0).

2. APPROVAL OF THE AGENDA
Moved by Litzen and seconded by Zvejnieks to approve the Agenda of the September 28, 2015, Planning Commission Meeting. Vote: unanimous (5 to 0).

Moved by Landers and seconded by Zvejnieks to approve the Consent Calendar of the September 28, 2015, Planning Commission Meeting. Vote: unanimous (5 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 10-18: Tom Bodensteiner. To review a golf driving range in a Limited Agriculture District in accordance with Sections 206 and 510 of the Pennington County Zoning Ordinance.

Unit 1 and Unit 2, Bodensteiner Farm Condominium, Section 21, T2N, R8E, BHM, Pennington County, South Dakota.

To approve of the extension of Conditional Use Permit / CU 10-18 with the following ten (10) conditions:

1. **That the Conditional Use Permit be limited to a golf driving range only; any expansion beyond this will require the Conditional Use Permit to be reviewed;**

2. That the daily hours of operation continue to be during daylight hours;
3. That the lot address to the golf driving range continue to be clearly posted at the entrance off of Country Road in accordance with Pennington County's Ordinance #20;
4. That prior to the placement of any on-premise signs, the applicant must obtain approval of a Sign Permit;
5. That a Floodplain Development Permit shall be submitted for review and approval prior to any work or placement of any structure within the boundaries of the 100-year floodplain located on the subject property;
6. That all exterior building lighting must be of low level intensity, which does not result in excessive glare upon surrounding neighbors;
7. That a minimum of one (1) off-street parking spaces continue to be provided per every five (5) customers. Each parking space shall measure at least nine (9) feet by 18 feet and shall be kept in a dust free manner;
8. That a permanent means of wastewater disposal be installed at such time use of the driving range warrants it, as determined by the Planning Commission;
9. 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,
10. That this Conditional Use Permit be reviewed in three (3) years, on a complaint basis, or as directed by the Pennington County Planning Commission and/or Board of Commissioners to ensure that all Conditions of Approval are being met.

Vote: unanimous (5 to 0).

4. **CONDITIONAL USE PERMIT REVIEW / CU 12-10:** Tom Bodensteiner. To review a portable sawmill to process bug-wood trees in a Limited Agriculture District in accordance with Sections 206 and 510 of the Pennington County Zoning Ordinance.

Unit 1 and Unit 2, Bodensteiner Farm Condominium, Section 21, T2N, R8E, BHM, Pennington County, South Dakota.

To revoke Conditional Use Permit / CU 12-10 with applicant's concurrence.

Vote: unanimous (5 to 0).

5. **CONDITIONAL USE PERMIT REVIEW / CU 13-16:** Larry Teuber. To review a Guest House in a Limited Agriculture District / Suburban Residential District in accordance with Sections 206, 318, and 510 of the Pennington County Zoning Ordinance.

Lot 2R2, Block 4, Spring Canyon Estates, Section 5, T1S, R7E, BHM, Pennington County, South Dakota.

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

To continue the review of Conditional Use Permit / CU 13-16 to the October 26, 2015, Planning Commission meeting.

Vote: unanimous (5 to 0).

6. **CONDITIONAL USE PERMIT REVIEW / CU 13-18:** Rochford Community Club; Anna Burleson – Agent. To allow a Community Center in a Suburban Residential District in accordance with Sections 208 and 510 of the Pennington County Zoning Ordinance.

Lot 4, Block 2 of Dakota Lode M.S. 2109, and Part of Lot 1 (26' x 60' in NE Corner), Block 3 of Dakota Lode M.S. 2109, Section 23, T2N, R3E, BHM, Pennington County, South Dakota.

To approve of the extension of Conditional Use Permit / CU 13-18 with the following nine (9) conditions:

1. **That information regarding the portable toilet located on-site be made available to the Planning Department upon request, including the name of facility handling the waste, the schedule of the pumping, and pumping receipts;**
2. **That prior to any expansion of the Rochford Community Hall, including issuance of a Building Permit for the proposed addition, the existing on-site wastewater disposal system be reviewed and approved by the South Dakota Department of Environment and Natural Resources;**
3. **That no parking be allowed over the holding tank and the applicant take the necessary measures to ensure this;**
4. **That the outhouse structure continue to be used for storage only and not as a restroom facility, unless a vault privy is installed, in which approval of an On-site Wastewater Construction Permit would be required;**
5. **That a Building Permit be obtained for the proposed addition;**
6. **That a Sign Permit be obtained prior to the installation of any new signs on the property;**

7. That the property not be used for overnight accommodations by any campers or RVs;
8. That the applicant signs the Statement of Understanding within seven (7) business days of approval of the extension of Conditional Use Permit / CU 13-18, which is available at the Planning Office; 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 (5 to 0).

7. **CONDITIONAL USE PERMIT REVIEW / CU 13-20:** Gary Schauer; Jim Peterson – Agent. To review a Vacation Home Rental in a General Agriculture District in accordance with Sections 205, 319, and 510 of the Pennington County Zoning Ordinance.

Part of Sherman Placer MS 821 and Lot A of Sherman Placer MS 821, Section 30, T1S, R5E, BHM, Pennington County, South Dakota.

To revoke Conditional Use Permit / CU 13-20 with the applicant's concurrence.

Vote: unanimous (5 to 0).

8. **CONDITIONAL USE PERMIT REVIEW / CU 13-21:** Aaron Olson. To allow for a Vacation Home Rental in a Suburban Residential District in accordance with Sections 208, 319, and 510 of the Pennington County Zoning Ordinance.

Lot 8 of Tract A, Sunnyside Acres Subdivision, Section 25, T2N, R4E, BHM, Pennington County, South Dakota.

To approve of the extension of Conditional Use Permit / CU 13-21 with the following eight (8) conditions:

1. That the Vacation Home Rental continue to have a maximum overnight occupancy of eight (8) people;
2. That a minimum of three (3) off-street parking spaces continue to be provided and each parking space continue to be 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 address continue to 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;

4. That the applicant continually complies with South Dakota Administrative Rule 44:02:08 which regulates Vacation Home Rentals;
5. That the applicant maintain all the necessary permits from the State pertaining to the use of the Vacation Home Rental;
6. That the applicant continually comply with the Performance Standards outlined in Section 319 of the Zoning Ordinance, which regulates Vacation Home Rentals;
7. That the applicant maintains an Operating Permit, on the subject property, as required by Section 204-J;
8. That an interior informational sign continue to be posted in accordance with the requirements of Section 319-G; and,
9. That this Conditional Use Permit be reviewed in three (3) years, on a complaint basis or as directed by either the Board of Commissioners and/or Planning Commission to verify that all conditions of approval are being met.

Vote: unanimous (5 to 0).

9. **CONDITIONAL USE PERMIT / CU 15-27:** Carol Duncan. To bring into compliance an existing Bed and Breakfast to include special events and to allow the sale of wine and beer in a Low Density Residential District in accordance with Sections 207 and 510 of the Pennington County Zoning Ordinance.

Unplatted PT of NW1/4 NE1/4 and 1/2 Vacant Road adjacent to Section 16, T1N, R6E, BHM, Pennington County, South Dakota.

To continue Conditional Use Permit / CU 15-27 to the October 12, 2015, Planning Commission meeting.

Vote: unanimous (5 to 0).

10. **SUBDIVISION REGULATIONS VARIANCE / SV 15-17:** Rodney Alexander; Renner & Associates – Agent. To waive platting requirements in order to create Lots 1 and 2 of Tin City Lode MS 2504 in accordance with Section 700.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: All, Tin City Lode MS 2504, Section 22, T2S, R4E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lots 1 and 2, Tin City Lode MS 2504, Section 22, T2S, R4E, BHM, Pennington County, South Dakota.

(Continued from the July 13, 2015, Planning Commission meeting.)

To recommend approval of Subdivision Regulations Variance / SV 15-17 to waive submittal of the following: (1) Scale of Plat is 1 inch = 100 feet; (2) To provide percolation test and soil profile hole information on proposed Lot 2; (3) To submit topographical information at five (5) foot contour intervals; (4) To provide Engineered road construction plans for the Easements; (5) To improve roads to Ordinance #14 Standards; and to add the following three (3) conditions:

- 1. That the Easement Road granted by the South Dakota Game, Fish, and Parks and the road through the Access and Utility Easement (as shown on Minor Plat / PL 15-13) to access Lots 1 and 2 of Tin City Lode MS 2504, be improved to a minimum eight-foot-wide gravel road and approved by the South Dakota Game, Fish, and Parks prior to issuance of any Building Permits on the lots;**
- 2. That a Floodplain Development Permit be obtained prior to any work, construction, or disturbance within the designated floodplain boundaries; and**
- 3. That the applicant signs the Statement of Understanding within seven (7) business days of approval of Subdivision Regulations Variance / SV 15-17, which is available at the Planning Office.**

Vote: unanimous (5 to 0).

- 11. REZONE / RZ 15-09 AND COMPREHENSIVE PLAN AMENDMENT CA / 15-09:** Rodney Alexander; Renner & Associates – Agent. To rezone 7.615 acres from General Agriculture District to Low Density Residential District and to amend the Pennington County Comprehensive Plan to change the Future Land Use from General Agriculture District to Low Density Residential District in accordance with Section 508 of the Pennington County Zoning Ordinance.

Located on the following metes and bounds descriptions: Commencing at the northwesterly corner of the Tin City Lode, M.S. 2504, located in Section 22, T2S, R4E, BHM, common to a corner on the southerly boundary of Lot 1 of the NW1/4 of the NE1/4 of Section 22, T2S, R4E, BHM, and the point of beginning; Thence, first course: S 76°20'56" E, along the northerly boundary of said Tin City Lode, common to the southerly boundary of said Lot 1, a distance of 299.56 feet, to the northeasterly corner said Tin City Lode; Thence, second course: S 13°46'22" W, along the easterly boundary of said Tin City Lode, common to the southerly boundary of said Lot 1, a distance of 613.03 feet, to a corner on the southerly boundary of said Lot 1, common to a corner on the northerly boundary of Lot 2 of the W1/2 of the NE1/4 of Section 22, T2S, R4E, BHM; Thence, third course: S 13°39'24" W, along the easterly boundary of said Tin City Lode, common to the northerly boundary of said Lot 2, a distance of 392.89 feet; Thence, fourth course: S 45°00'00" W, a distance of 122.46 feet; Thence, fifth course: S 90°00'00" W, a distance of 134.00 feet; Thence, sixth course: N 48°00'00" W, a distance of 120.00

feet, to a point on the westerly boundary of said Tin City Lode, common to a point on the northerly boundary of said Lot 2; Thence, seventh course: N 13°40'34" E, along the westerly boundary of said Tin City Lode, common to the northerly boundary of said Lot 2, a distance of 744.97 feet, to a corner on the northerly boundary of said Lot 2, common to a corner on the southerly boundary of said Lot 1; Thence, eighth course: N 13°49'06" E along the westerly boundary of said Tin City Lode, common to the southerly boundary of said Lot 1, a distance of 340.17 feet, to the point of beginning. Said parcel contains 7.615 acres, more or less.

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

To recommend approval of Rezone / RZ 15-09 and Comprehensive Plan Amendment / CA 15-09.

Vote: unanimous (5 to 0).

12. **MINOR PLAT / PL 15-22 AND SUBDIVISION REGULATIONS VARIANCE / SV 15-11:** Greg and Cynthia Andrew; Fisk Land Surveying – Agent. To create Lots 6A and 6B, Block 2 of Rolling Hills Estates and to waive platting requirements in accordance with Section 400.3 and 700.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot 6, Block 2, Rolling Hills Estates, Section 10, T1N, R6E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lots 6A and 6B, Block 2, Rolling Hills Estates, Section 10, T1N, R6E, BHM, Pennington County, South Dakota.

To recommend approval of Subdivision Regulations Variance / SV 15-11 to waive submittal of the following: (1) Percolation and Profile hole information (specifically 400.3.1.P); (2) Road Easements and Improvements (Specifically 500.5.1.a.3.a & b), and (3) Water System Requirements (Specifically 500.7); and approval of Minor Plat / PL 15-22 with the following nine (9) conditions:

1. **That prior to filing the Plat with the Register of Deeds, an 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;**
2. **That prior to filing the Plat with the Register of Deeds, major drainage easements for any existing drainage ways be indicated on the plat;**
3. **That prior to filing the Plat with the Register of Deeds, the following major drainage easement note, “All major drainage easements shown hereon shall be kept free of all obstruction including, but not limited to buildings, walls, fences, hedges, trees and shrubs. These easements grant to all public authorities the right to construct, operate, maintain, inspect and repair such improvements and structures as it deems expedient to facilitate drainage from any source.” be added to the plat;**

4. That prior to filing the Plat with the Register of Deeds, engineered road construction plans be submitted for the required improvements or the applicant obtain a Subdivision Regulations Variance waiving this requirement;
5. That prior to the Plat being filed with the Register of Deeds, an Operating Permit be obtained for the existing on-site wastewater treatment systems on Proposed Lot 6A;
6. That prior to filing the Plat with the Register of Deeds, an address be assigned to the single-family residence structure on Proposed Lot 6A and that the placement of both property addresses, for Proposed Lot 6A and Proposed Lot 6B, meets Pennington County Ordinance #20 standards;
7. That prior to filing the Plat with the Register of Deeds, the Certifications on the plat be in accordance with Section 400.3.1.n of the Pennington County Subdivision Regulations;
8. That prior to filing the Plat with the Register of Deeds, the plat meets all necessary requirements of Section 400.2 and/or 400.3 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, or the applicant obtains an approved Subdivision Regulations Variance waiving any of these requirements that are not met; and,
9. That the property owners sign the Statements of Understanding within seven (7) business days of approval for PL15-22 and SV 15-11.

Vote: unanimous (5 to 0).

END OF CONSENT CALENDAR

- 13 CONDITIONAL USE PERMIT / CU 15-25: Rushmore Shadows, LLC; Gene Addink – Agent. To bring into compliance Rushmore Shadows Resort and 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.

(Continued from the September 14, 2015, Planning Commission meeting.)

Molitor reviewed the Staff Report indicating the applicant has applied for a Conditional Use Permit to bring into compliance Rushmore Shadows Resort and to allow for the addition of 45 RV sites to the subject property in a Highway Service District.

Staff recommended approval of Conditional Use Permit / CU 15-25 to allow for a Recreational Resort with the following fifteen (15) conditions:

1. That no more than 194 recreational vehicle sites be allowed. Each recreational vehicle site shall measure a minimum of 40 feet long by 12-foot-wide;
2. That no more than 16 cabins be allowed;
3. That no more than 50 tent sites be allowed;
4. That each site (RV or tent) must include one (1) parking space for a vehicle (in addition to the recreation vehicle, where applicable) and the parking space must be constructed so no portion of the vehicle extends onto any interior roadway;
5. That the applicant maintain some type of barrier (i.e. fence, boulders) around the on-site wastewater system to prevent any parking and/or camping over top of the on-site wastewater system and that proper setbacks to the on-site wastewater system be maintained;
6. That each RV site be equipped with water and electric hook-ups;
7. That each RV site, cabin, or tent site must be equipped with a numbered sign which is attached to a post on or near the cabin or site;
8. That a minimum 10-foot separation be provided between each RV site;
9. That all the interior streets shall be a minimum of 12 feet in width and surfaced with gravel (minimum of 4 inches), concrete or asphalt and maintained in a dust free manner;
10. That any alterations or additions to the on-site wastewater treatment system be reviewed and approved by the South Dakota Department of Environment and Natural Resources and the Pennington County Environmental Planner;
11. That the Recreational Resort conform to all regulations in Section 306 of the Pennington County Zoning Ordinance;
12. That the applicants conform to all applicable State and County regulations, including those established by the South Dakota Departments of Environment and Natural Resources and Health;

13. That a Building Permit be obtained for any new structures exceeding 144 square feet and located on a permanent foundation, which will require a site plan to be reviewed and approved by the Pennington County Planning Director;
14. That the applicant signs the Statement of Understanding within seven (7) business days of approval of the Conditional Use Permit / CU 15-25, which is available at the Planning Office; and,
15. 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.

Discussion followed.

Moved by Zvejnieks and seconded by Litzen to approve of Conditional Use Permit / CU 15-25 to allow for a Recreational Resort with the following fifteen (15) conditions:

- 1. That no more than 194 recreational vehicle sites be allowed. Each recreational vehicle site shall measure a minimum of 40 feet long by 12-foot-wide;**
- 2. That no more than 16 cabins be allowed;**
- 3. That no more than 50 tent sites be allowed;**
- 4. That each site (RV or tent) must include one (1) parking space for a vehicle (in addition to the recreation vehicle, where applicable) and the parking space must be constructed so no portion of the vehicle extends onto any interior roadway;**
- 5. That the applicant maintain some type of barrier (i.e. fence, boulders) around the on-site wastewater system to prevent any parking and/or camping over top of the on-site wastewater system and that proper setbacks to the on-site wastewater system be maintained;**
- 6. That each RV site be equipped with water and electric hook-ups;**
- 7. That each RV site, cabin, or tent site must be equipped with a numbered sign which is attached to a post on or near the cabin or site;**
- 8. That a minimum 10-foot separation be provided between each RV site;**
- 9. That all the interior streets shall be a minimum of 12 feet in width and surfaced with gravel (minimum of 4 inches), concrete or asphalt and maintained in a dust free manner;**

10. That any alterations or additions to the on-site wastewater treatment system be reviewed and approved by the South Dakota Department of Environment and Natural Resources and the Pennington County Environmental Planner;
11. That the Recreational Resort conform to all regulations in Section 306 of the Pennington County Zoning Ordinance;
12. That the applicants conform to all applicable State and County regulations, including those established by the South Dakota Departments of Environment and Natural Resources and Health;
13. That a Building Permit be obtained for any new structures exceeding 144 square feet and located on a permanent foundation, which will require a site plan to be reviewed and approved by the Pennington County Planning Director;
14. That the applicant signs the Statement of Understanding within seven (7) business days of approval of the Conditional Use Permit / CU 15-25, which is available at the Planning Office; and,
15. 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.

All voting aye, the Motion carried 5 to 0.

14. 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.

(Continued from the September 14, 2015, Planning Commission meeting.)

Molitor reviewed the Staff Report indicating the applicant has applied for a Construction Permit 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.

Staff recommended approval of Construction Permit / CP 15-16 with the following nine (9) conditions:

1. That a Notice of Intent (NOI) is submitted to the South Dakota Department of Environment and Natural Resources General Permits for Storm Water Discharges

Associated with Construction Activities within thirty (30) days of approval of CP 15-16;

2. That the conditions of the approval of the South Dakota Department of Environment and Natural Resources General Permits 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 a revised Construction Permit application and Site Plan be submitted for review and approval if major revisions to the original plan are needed;
5. That the requirements, guidelines, and criteria for stormwater and erosion control in the Pennington County Storm Water Manual, or equivalent, shall be followed during construction;
6. That erosion control measures, such as seeding and mulching the disturbed area, shall be implemented immediately after the work is completed in the area, but in no case later than 14 days after the Construction Activity has stopped. All erosion control methods (mulch and seed) need to be certified noxious weed-free;
7. That the disturbed areas be re-vegetated as required in Section 507-A(5)(c);
8. That the applicant sign a Statement of Understanding within seven (7) days of Permit approval; and,
9. That this Construction Permit expires one (1) year from approval date, and may be reviewed on a complaint basis, or as directed by the Planning Commission or Board of Commissioners to verify that all conditions of approval are being met.

Discussion followed.

Moved by Zvejnieks and seconded by Landers to approve of Construction Permit / CP 15-16 with the following nine (9) conditions:

- 1. That a Notice of Intent (NOI) is submitted to the South Dakota Department of Environment and Natural Resources General Permits for Storm Water Discharges Associated with Construction Activities within thirty (30) days of approval of CP 15-16;**
- 2. That the conditions of the approval of the South Dakota Department of Environment and Natural Resources General Permits 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 a revised Construction Permit application and Site Plan be submitted for review and approval if major revisions to the original plan are needed;**
5. **That the requirements, guidelines, and criteria for stormwater and erosion control in the Pennington County Storm Water Manual, or equivalent, shall be followed during construction;**
6. **That erosion control measures, such as seeding and mulching the disturbed area, shall be implemented immediately after the work is completed in the area, but in no case later than 14 days after the Construction Activity has stopped. All erosion control methods (mulch and seed) need to be certified noxious weed-free;**
7. **That the disturbed areas be re-vegetated as required in Section 507-A(5)(c);**
8. **That the applicant sign a Statement of Understanding within seven (7) days of Permit approval; and,**
9. **That this Construction Permit expires one (1) year from approval date, and may be reviewed on a complaint basis, or as directed by the Planning Commission or Board of Commissioners to verify that all conditions of approval are being met.**

All voting aye, the Motion carried 5 to 0.

15. CONDITIONAL USE PERMIT / CU 15-26: Richard or Tammy Burton. To allow an existing accessory structure (a garage) and a new accessory structure (a pole barn) prior to a principle structure on the subject property in a Low Density Residential District in accordance with Sections 207 and 510 of the Pennington County Zoning Ordinance.

NE1/4SW1/4NE1/4; S1/2SW1/4SW1/4NE1/4; SE1/4SW1/4NE1/4; N1/2N1/2NW1/4 SE1/4; Section 29, T2N, R6E, BHM, Pennington County, South Dakota.

Bolstad reviewed the Staff Report indicating the applicants have applied for a Conditional Use Permit to allow an existing accessory structure (a garage) and a new accessory structure (a pole barn) prior to a principle structure on the subject property.

Staff recommended approval of Conditional Use Permit / CU 15-26 with the following nine (9) conditions:

1. That an approved Building Permit be obtained for the existing detached garage, with all applicable fees paid, within five (5) business days of approval of Conditional Use Permit / CU 15-26 or the Conditional Use Permit shall be reviewed and revoked by the Planning Commission;

2. That an approved Building Permit be obtained for the proposed new pole barn prior to placement or construction of the structure, which requires a site plan to be reviewed and approved by the Planning Director;
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 minimum setback requirements of a Low Density Residential District be continually maintained on the property, or the appropriate Variance(s) be obtained;
5. That the subject property remains free of debris and junk vehicles;
6. That the accessory structures be used for personal use only and no commercial-type uses;
7. That an approved On-Site Wastewater Construction Permit be obtained, if a new septic system is installed;
8. That the applicant signs the Statement of Understanding within seven (7) business days of approval of Conditional Use Permit / CU 15-26, 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.

Discussion followed.

Moved by Landers and seconded by Litzen to approve of Conditional Use Permit / CU 15-26 with the following nine (9) conditions:

- 1. That an approved Building Permit be obtained for the existing detached garage, with all applicable fees paid, within five (5) business days of approval of Conditional Use Permit / CU 15-26 or the Conditional Use Permit shall be reviewed and revoked by the Planning Commission;**
- 2. That an approved Building Permit be obtained for the proposed new pole barn prior to placement or construction of the structure, which requires a site plan to be reviewed and approved by the Planning Director;**
- 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 minimum setback requirements of a Low Density Residential District be continually maintained on the property, or the appropriate Variance(s) be obtained;
5. That the subject property remains free of debris and junk vehicles;
6. That the accessory structures be used for personal use only and no commercial-type uses;
7. That an approved On-Site Wastewater Construction Permit be obtained, if a new septic system is installed;
8. That the applicant signs the Statement of Understanding within seven (7) business days of approval of Conditional Use Permit / CU 15-26, 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.

All voting aye, the Motion carried 5 to 0.

16. 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.

(Continued from the September 14, 2015, Planning Commission meeting.)

Bolstad stated this item was continued from the September 14, 2015, Planning Commission meeting in order for staff to contact the applicant to verify the Conditions of Approval of the Conditional Use Permit.

Staff recommended to end Conditional Use Permit / CU 07-34, as the Conditions of Approval were not being met and have never been met, per the applicant.

If the Planning Commission chooses to approve the extension of Conditional Use Permit / CU 07-34, staff recommended the following fifteen (15) conditions:

1. That the residence be occupied by the applicants or a member of the family within one (1) year and that the residence continue to be occupied by the applicants or a family member on a full-time basis;

2. That the home occupation be conducted by members of the family residing full-time on the premises and no more than one (1) additional, full-time person;
3. That the inhabitant(s) of the residence on the subject property be directly involved in the operation of the home occupation;
4. That storage for the home occupation continue to be kept entirely indoors;
5. That a minimum of three (3) off-street parking spaces continue to be provided, and that each parking space shall not be less than one hundred sixty two square feet, or nine (9) feet by eighteen (18) feet, surfaced with gravel, concrete or asphalt and maintained in such a manner that no dust will result from continuous use;
6. That all waste generated by the home occupation be disposed of in an environmentally safe manner in accordance with all applicable County, State and Federal regulations;
7. That if vehicles larger than passenger cars and trucks are used to transport the plants and produce, the applicant submit what types of vehicles will be used for review by the Pennington County Highway Department to determine if improvements are warranted on Pioneer Drive;
8. 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;
9. That the address for the property continue to be properly posted in accordance with Pennington County's Ordinance #20;
10. That prior to the placement of any structure within the 100-year floodplain, a Floodplain Development Permit shall be submitted for review and approval;
11. That the home occupation continue to appear secondary to the primary, residential use of the property;
12. That the applicant only sell goods off-premise and no on-premise retail sales be allowed;
13. That reasonable measures are taken to control odors, fumes, dust, noise, vibration and lighting resulting from the home occupation so as to not constitute a nuisance to the general public;
14. That the applicant signs the Statement of Understanding within seven (7) business days of approval of the extension of Conditional Use Permit / CU 07-34, which is available at the Planning Office; and,

15. 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 Buskerud and seconded by Litzen to end Conditional Use Permit / CU 07-34.

All voting aye, the Motion carried 5 to 0.

17. MINOR PLAT / PL 15-23 AND SUBDIVISION REGULATIONS VARIANCE / SV 15-12: Michael and Diana Day; Fisk Land Surveying – Agent. To combine two lots to create Lot 10R of Deerfield Park Subdivision and to waive platting requirements in accordance with Section 400.3 and 700.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lots 10 and 11, Deerfield Park Subdivision, Section 2, T1S, R3E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 10R, Deerfield Park Subdivision, Section 2, T1S, R3E, BHM, Pennington County, South Dakota.

Bolstad reviewed the Staff Report indicating the applicants have applied for a Minor Plat to combine two lots to create Lot 10R of Deerfield Park Subdivision and to waive platting requirements.

Staff recommended approval of a portion of Subdivision Regulations Variance / SV 15-12 to waive submittal of: (1) Topography at 5-foot contour intervals; and (2) Roadway improvements; and denial of a portion of Subdivision Regulations Variance / SV 15-11 to waive submittal of (3) Percolations tests and soil profiles; and approval of Minor Plat / PL 15-23 with the following six (6) conditions:

1. That prior to filing the Plat with the Register of Deeds, 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 prior to filing the Plat with the Register of Deeds, engineered road construction plans be submitted for the required road improvements, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
3. That prior to filing the Plat with the Register of Deeds, the applicant submits percolations tests and soil profile information to be reviewed and approved by the Environmental Planner, or an approved Subdivision Regulations Variance be obtained waiving this requirement;

4. That prior to filing the Plat with the Register of Deeds, the applicant submits topography for the area at five (5) foot contour intervals, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
5. That the Certifications on the plat be in accordance with Section 400.3.1.n of the Pennington County Subdivision Regulations; and,
6. That the applicant signs the Statement of Understanding within seven (7) business days of approval of Minor Plat / PL 15-23 and Subdivision Regulations Variance / SV 15-12, which is available at the Planning Office.

Discussion followed.

Moved by Zvejnieks and seconded by Litzen to approve of Minor Plat / PL 15-23 with the following six (6) conditions:

- 1. That prior to filing the Plat with the Register of Deeds, 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 prior to filing the Plat with the Register of Deeds, engineered road construction plans be submitted for the required road improvements, or an approved Subdivision Regulations Variance be obtained waiving this requirement;**
- 3. That prior to filing the Plat with the Register of Deeds, the applicant submits percolations tests and soil profile information to be reviewed and approved by the Environmental Planner, or an approved Subdivision Regulations Variance be obtained waiving this requirement;**
- 4. That prior to filing the Plat with the Register of Deeds, the applicant submits topography for the area at five (5) foot contour intervals, or an approved Subdivision Regulations Variance be obtained waiving this requirement;**
- 5. That the Certifications on the plat be in accordance with Section 400.3.1.n of the Pennington County Subdivision Regulations; and,**
- 6. That the applicant signs the Statement of Understanding within seven (7) business days of approval of Minor Plat / PL 15-23 and Subdivision Regulations Variance / SV 15-12, which is available at the Planning Office.**

All voting aye, the Motion carried 5 to 0.

Discussion followed on the Subdivision Regulations Variance requests.

Moved by Landers and seconded by Litzen to approve of Subdivision Regulations Variance / SV 15-12 to waive submittal of the following: (1) Topography at 5-foot contour intervals; and (2) Roadway improvements; and (3) Percolations tests and soil profiles.

All voting, the Motion carried 4 to 1. Commission Zvejnieks voted no.

18. 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.

(Continued from the September 14, 2015, Planning Commission meeting.)

Conover reviewed the Staff Report indicating the applicant has applied a Conditional Use Permit to sell Construction Equipment on the subject property.

Staff recommended Conditional Use Permit 15-20 be continued to the November 9, 2015, Planning Commission meeting with the following three (3) conditions:

1. That the applicant meet with staff, prior to October 16, 2015, to discuss CU 15-20 or Notices of Violation will be sent to the applicant;
2. If additional continuations of CU 15-20 are necessitated by the applicant, each continuation will be subject to Section 511-X; and,
3. If the meeting with staff is not held prior to October 16, 2015, staff will, at the November 9, 2015, Planning Commission meeting recommend that Conditional Use Permit be denied without prejudice. If the applicant wishes to reapply, he will be subject to the applicable fees in Section 513-A.

Discussion followed.

Moved by Litzen and seconded by Zvejnieks to continue Conditional Use Permit 15-20 to the November 9, 2015, Planning Commission meeting with the following three (3) conditions:

1. **That the applicant meet with staff, prior to October 16, 2015, to discuss CU 15-20 or Notices of Violation will be sent to the applicant;**
2. **If additional continuations of CU 15-20 are necessitated by the applicant, each continuation will be subject to Section 511-X; and,**
3. **If the meeting with staff is not held prior to October 16, 2015, staff will, at the November 9, 2015, Planning Commission meeting recommend that**

Conditional Use Permit be denied without prejudice. If the applicant wishes to reapply, he will be subject to the applicable fees in Section 513-A.

All voting aye, the Motion carried 5 to 0

19. MINOR PLAT / PL 15-21: Voorhees Hospitality; Charles “Chuck” Voorhees. To combine lots in order to create Lot 1 of Whispering Winds Subdivision in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: PT Palmer Gulch Placer #690 - Lot 3 Less Hwy RTY; Lot 4A Less Hwy RTY; Lot D of Lot 7 Less Hwy RTY; and Lot 4B Less Hwy RTY, all located in Palmer Gulch Placer MS 690, Section 27, T1S, R5E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 1 of Whispering Winds Subdivision, Section 27, T1S, R5E, BHM, Pennington County, South Dakota.

Bolstad reviewed the Staff Report indicating the applicant has applied for a Minor Plat to combine four lots in order to create Lot 1 of Whispering Winds Subdivision

Staff recommended approval of Minor Plat / PL 15-21 with the following eleven (11) conditions:

1. That prior to filing the Plat with the Register of Deeds, 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 prior to filing the Plat with the Register of Deeds, the applicant submits topography for the area at five (5) foot contour intervals, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
3. That prior to filing the Plat with the Register of Deeds, the applicant submits percolations tests and soil profile information to be reviewed and approved by the Environmental Planner, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
4. That prior to filing the Plat with the Register of Deeds, the “AB” in the title be corrected to say 4B;
5. That prior to filing the Plat with the Register of Deeds, the surveyor and/or applicant verify that the new acreage listed on the Plat is correct, per the comments from the Department of Equalization;
6. That prior to filing the Plat with the Register of Deeds, Operating Permits be issued for all existing on-site wastewater treatment systems on the property;

7. That prior to any work being done within the 100-year floodplain boundaries, the applicant obtain an approved Floodplain Development Permit;
8. That the Certifications on the plat be in accordance with Section 400.3.1.n of the Pennington County Subdivision Regulations;
9. That the comments provided by the U.S. Forest Service be adhered to at all times;
10. That the applicant signs the Statement of Understanding within seven (7) business days of approval of Minor Plat / PL 15-21, which is available at the Planning Office; and,
11. That approval of this Minor Plat does not constitute approval of any further applications submitted for the above-described property.

Discussion followed.

Moved by Litzen and seconded by Landers to approve of Minor Plat / PL 15-21 with eleven (11) conditions.

Discussion further followed.

SUBSTITUTE MOTION: Moved by Buskerud and seconded by Zvejnieks to approve of Minor Plat / PL 15-21 with the following twelve (12) conditions:

- 1. That prior to filing the Plat with the Register of Deeds, 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 prior to filing the Plat with the Register of Deeds, the applicant submits topography for the area at five (5) foot contour intervals, or an approved Subdivision Regulations Variance be obtained waiving this requirement;**
- 3. That prior to filing the Plat with the Register of Deeds, the applicant submits percolations tests and soil profile information to be reviewed and approved by the Environmental Planner, or an approved Subdivision Regulations Variance be obtained waiving this requirement;**
- 4. That prior to filing the Plat with the Register of Deeds, the “AB” in the title be corrected to say 4B;**
- 5. That prior to filing the Plat with the Register of Deeds, the surveyor and/or applicant verify that the new acreage listed on the Plat is correct, per the comments from the Department of Equalization;**

6. That prior to filing the Plat with the Register of Deeds, Operating Permits be issued for all existing on-site wastewater treatment systems on the property;
7. That prior to any work being done within the 100-year floodplain boundaries, the applicant obtain an approved Floodplain Development Permit;
8. That no tent camping is allowed within the 100-year floodplain boundaries;
9. That the Certifications on the plat be in accordance with Section 400.3.1.n of the Pennington County Subdivision Regulations;
10. That the comments provided by the U.S. Forest Service be adhered to at all times;
11. That the applicant signs the Statement of Understanding within seven (7) business days of approval of Minor Plat / PL 15-21, which is available at the Planning Office; and,
12. That approval of this Minor Plat does not constitute approval of any further applications submitted for the above-described property.

All voting aye, the Motion carried 5 to 0

Commissioner Buskerud left the meeting at 9:55 a.m.

Commissioner Buskerud returned to the meeting at 9:56 a.m.

20. MAJOR PLANNED UNIT DEVELOPMENT AMENDMENT / PU 15-04: Voorhees Hospitality; Charles "Chuck" Voorhees. To amend the existing Planned Unit Development to add five new cabins, a new residence, a new garage, a low water bridge, and a central pavilion on the subject property in accordance with Section 213 of the Pennington County Zoning Ordinance.

PT Palmer Gulch Placer #690 - Lot 3 Less Hwy RTY; Lot 4A Less Hwy RTY; Lot D of Lot 7 Less Hwy RTY; and Lot 4B Less Hwy RTY, all located in Palmer Gulch Placer MS 690, Section 27, T1S, R5E, BHM, Pennington County, South Dakota.

Bolstad reviewed the Staff Report indicating the applicant has applied to amend the existing Planned Unit Development to add five new cabins, a new residence, a new garage, a low water bridge, and a central pavilion on the subject property

Staff recommended approval of Major Planned Unit Development Amendment / PUD 15-04 with the following twenty-five (25) conditions:

1. That the uses allowed with this Planned Unit Development be an eight (8) site RV Park, a five (5) site tent camping area, six (6) attached cabins for rental purposes

with restroom facilities, one (1) duplex with a residence and rental unit, one (1) single-family residence, one (1) garage, one (1) low water bridge, one (1) central pavilion, and six (6) detached rental cabins, and any associated improvements;

2. That eight (8) foot setbacks be allowed along all interior (shared) lot lines of the four (4) subject properties and twenty-five (25) foot setbacks be maintained along all exterior lot lines, which abut properties under different ownership;
3. That each campsite (RV or tent) must include one (1) parking space for a vehicle (in addition to the recreation vehicle, where applicable) and the parking space must be constructed so no portion of the vehicle extends onto any interior roadway;
4. That the interior one-way road shall be a minimum of 15 feet in width and surfaced with gravel (minimum of 4 inches) or concrete or asphalt and maintained in a dust free manner. All other interior roads shall be a minimum of 24 feet in width and surfaced with gravel (minimum of 4 inches) or concrete or asphalt and maintained in a dust free manner;
5. That a Floodplain Development Permit shall be submitted for review and approval prior to any work or placement of any structure(s) within the boundaries of the 100-year floodplain;
6. That natural drainage paths be maintained and/or any alterations to the natural drainage paths be adequately compensated for in accordance with the County Drainage Engineer's comments;
7. That natural drainage be diverted around the absorption area for the new on-site wastewater system so as to prevent run-off into Palmer Creek;
8. That the applicant maintain some type of barrier (i.e. fence, boulders) around the on-site wastewater system to prevent any parking and/or camping over top of the on-site wastewater system and that proper setbacks to the on-site wastewater system be maintained;
9. That any new On-site Wastewater systems be installed in accordance with all Department of Environment and Natural Resources regulations, including a minimum 100 foot setback for the absorption area from the high water line of the Palmer Creek;
10. That a minimum ten (10) foot separation be maintained at all times between each RV site;
11. That the internal road network not exceed a maximum of an eight (8) percent grade;

12. That each RV and tent site has a lot number clearly posted and Guests made aware of the complete address should they need to call 9-1-1;
13. That the RV Park conforms to all regulations in Section 306 of the Pennington County Zoning Ordinance;
14. That the applicants conform to all applicable State and County regulations, including those established by the South Dakota Departments of Environmental and Natural Resources and Health;
15. That all other conditions of approval of the original PUD are still valid and applicable to the subject property with the exception of Condition #3 regarding the allowed uses and Condition #10 pertaining to setbacks;
16. That Operating Permits be obtained for all existing on-site wastewater treatment systems on the property;
17. That the applicant notify the Pennington County Environmental Planner of which on-site wastewater treatment system will be abandoned and provide an overall plan of the existing and proposed on-site wastewater treatment systems for review and approval by the Pennington County Environmental Planner and South Dakota Department of Environment and Natural Resources (SD DENR);
18. That the property address be posted so that it is visible from both directions of S. Highway 16, in accordance with Pennington County's Ordinance #20;
19. That each existing and new cabin be identified with a unique unit number that is posted on the exterior of the cabin, next to the main entrance door, using characters that are reflective and at least 4" in height by 3" wide. Guests at the cabin should be advised or given a card that lists the complete address in the event they need to call 9-1-1;
20. That the new residence have a separate physical address from the existing house, and the address number be posted on the new house in accordance with County Ordinance #20;
21. That an approved Construction Permit be obtained for any land disturbance greater than 10,000 square feet. Construction must meet all the requirements of the Pennington County Stormwater Quality Manual;
22. That the comments provided by the U.S. Forest Service be adhered to at all times;
23. That prior to installation of the low-water bridge, the applicant obtain the proper permits and approvals from all applicable agencies;

24. That the applicant signs the Statement of Understanding within seven (7) business days of approval of Major Planned Unit Development Amendment / PUD 15-04, which is available at the Planning Office; and,
25. That this Planned Unit Development Amendment 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 ensure that all Conditions of Approval are being met.

Discussion followed with the applicant discussing the possibility of adding more cabins.

Moved by Zvejnieks and seconded by Litzen to approve of Major Planned Unit Development Amendment / PUD 15-04 with the following twenty-six (26) conditions:

- 1. That the uses allowed with this Planned Unit Development be an eight (8) site RV Park, a five (5) site tent camping area, six (6) attached cabins for rental purposes with restroom facilities, one (1) duplex with a residence and rental unit, one (1) single-family residence, one (1) garage, one (1) low water bridge, one (1) central pavilion, and twelve (12) detached rental cabins, and any associated improvements;**
- 2. That eight (8) foot setbacks be allowed along all interior (shared) lot lines of the four (4) subject properties and twenty-five (25) foot setbacks be maintained along all exterior lot lines, which abut properties under different ownership;**
- 3. That each campsite (RV or tent) must include one (1) parking space for a vehicle (in addition to the recreation vehicle, where applicable) and the parking space must be constructed so no portion of the vehicle extends onto any interior roadway;**
- 4. That the interior one-way road shall be a minimum of 15 feet in width and surfaced with gravel (minimum of 4 inches) or concrete or asphalt and maintained in a dust free manner. All other interior roads shall be a minimum of 24 feet in width and surfaced with gravel (minimum of 4 inches) or concrete or asphalt and maintained in a dust free manner;**
- 5. That a Floodplain Development Permit shall be submitted for review and approval prior to any work or placement of any structure(s) within the boundaries of the 100-year floodplain;**
- 6. That natural drainage paths be maintained and/or any alterations to the natural drainage paths be adequately compensated for in accordance with the County Drainage Engineer's comments;**
- 7. That natural drainage be diverted around the absorption area for the new on-site wastewater system so as to prevent run-off into Palmer Creek;**

8. That the applicant maintain some type of barrier (i.e. fence, boulders) around the on-site wastewater system to prevent any parking and/or camping over top of the on-site wastewater system and that proper setbacks to the on-site wastewater system be maintained;
9. That any new On-site Wastewater systems be installed in accordance with all Department of Environment and Natural Resources regulations, including a minimum 100 foot setback for the absorption area from the high water line of the Palmer Creek;
10. That a minimum ten (10) foot separation be maintained at all times between each RV site;
11. That the internal road network not exceed a maximum of an eight (8) percent grade;
12. That each RV and tent site has a lot number clearly posted and Guests made aware of the complete address should they need to call 9-1-1;
13. That the RV Park conforms to all regulations in Section 306 of the Pennington County Zoning Ordinance;
14. That the applicants conform to all applicable State and County regulations, including those established by the South Dakota Departments of Environmental and Natural Resources and Health;
15. That all other conditions of approval of the original PUD are still valid and applicable to the subject property with the exception of Condition #3 regarding the allowed uses and Condition #10 pertaining to setbacks;
16. That Operating Permits be obtained for all existing on-site wastewater treatment systems on the property;
17. That the applicant notify the Pennington County Environmental Planner of which on-site wastewater treatment system will be abandoned and provide an overall plan of the existing and proposed on-site wastewater treatment systems for review and approval by the Pennington County Environmental Planner and South Dakota Department of Environment and Natural Resources (SD DENR);
18. That the property address be posted so that it is visible from both directions of S. Highway 16, in accordance with Pennington County's Ordinance #20;
19. That each existing and new cabin be identified with a unique unit number that is posted on the exterior of the cabin, next to the main entrance door, using characters that are reflective and at least 4" in height by 3" wide.

Guests at the cabin should be advised or given a card that lists the complete address in the event they need to call 9-1-1;

- 20. That the new residence have a separate physical address from the existing house, and the address number be posted on the new house in accordance with County Ordinance #20;**
- 21. That an approved Construction Permit be obtained for any land disturbance greater than 10,000 square feet. Construction must meet all the requirements of the Pennington County Stormwater Quality Manual;**
- 22. That the comments provided by the U.S. Forest Service be adhered to at all times;**
- 23. That prior to installation of the low-water bridge, the applicant obtain the proper permits and approvals from all applicable agencies;**
- 24. That no tent camping is allowed within the 100-year floodplain boundaries;**
- 25. That the applicant signs the Statement of Understanding within seven (7) business days of approval of Major Planned Unit Development Amendment / PUD 15-04, which is available at the Planning Office; and,**
- 26. That this Planned Unit Development Amendment 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 ensure that all Conditions of Approval are being met.**

All voting aye, the Motion carried 5 to 0.

21. CONSTRUCTION PERMIT / CP 15-01: Keystone Adventures, Inc. To level an area for a helipad and build a road on the subject property in accordance with Section 507 of the Pennington County Zoning Ordinance.

Unplatted Balance of GL 16 less Right-of-Way; Unplatted Balance of GL 21 less Right-of-Way; Section 31, T1S, R6E, BHM, Pennington County, South Dakota.

Molitor stated this is a review of the property owner's Construction Permit to level an area for a helipad and build a road on the subject property.

Staff recommended to continue Construction Permit / CP 15-01 to the November 9, 2015, Planning Commission meeting.

Discussion followed.

Moved by Landers and seconded by Zvejnieks to continue Construction Permit / CP 15-01 to the November 9, 2015, Planning Commission meeting.

All voting aye, the Motion carried 5 to 0.

22. DISCUSSION OF DEFINITION OF TRANSFER (VH RENTAL COMMITTEE).

Conover reviewed the proposed Definition of Transfer, as defined by the VH Rental Committee.

Discussion followed.

23. COUNTY BOARD REPORT

The Board of Commissioners will hear the September 14, 2015, Planning Commission's recommendations at their October 6, 2015, meeting.

24. ITEMS FROM THE PUBLIC

There were no motions or actions taken at this time.

25. ITEMS FROM THE STAFF

A. P&Z New Employee Introductions. Conover introduced Michael King as the new Code/Ordinance Enforcement Officer. Conover also introduced Chutima Supboon as the new Planner I.

B. December Meetings (December 7, 2015, at 9 a.m. and December 21, 2015). Conover reviewed the scheduled meeting dates for December and discussion was held to schedule the December 21st meeting at 1 p.m.

C. VH Rental Committee HOA Information. Conover informed the Planning Commission that the best way to notify members of HOAs would be to advertise in the three designated newspapers.

D. Submittal Application Dates. Conover reviewed the submittal dates for the upcoming 2016 calendar year, noting that submittal deadlines have been moved back one week to allow staff time to research items that are submitted.

26. ITEMS FROM THE MEMBERSHIP

Commissioner Hall thanked staff for a smooth meeting, and also stated she would not be in attendance at the October 12th Planning Commission meeting.

27. ADJOURNMENT

Moved by Litzen and seconded by Zvejnieks to adjourn.

All voting aye, the Motion carried 5 to 0.

The meeting adjourned at 10:34 a.m.

Karen Hall, Chairperson