

**MINUTES**  
**PENNINGTON COUNTY PLANNING COMMISSION**  
**December 5, 2016 @ 9:00 a.m.**

County Commissioners' Meeting Room - Pennington County Administration Building

MEMBERS PRESENT: Sig Zvejnieks, Lori Litzen, Travis Lasseter, Barbara Landers, Rich Marsh, and Lyndell Petersen.

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

ROLL CALL

1. APPROVAL OF THE NOVEMBER 28, 2016, MINUTES  
**Moved by Lasseter and seconded by Marsh to approve the minutes of the November 28, 2016, Planning Commission Meeting. Vote: unanimous 6 to 0.**

2. APPROVAL OF THE AGENDA  
**Moved by Litzen and seconded by Marsh to approve the Agenda of the December 5, 2016, Planning Commission Meeting. Vote: unanimous 6 to 0.**

**Moved by Landers and seconded by Lasseter to approve the Consent Calendar of the December 5, 2016, Planning Commission Meeting, with the removal of Items #9, #10, #11, #13, 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 14-01:** PLM Investments LLC; Mary L. Riss. To review a single-wide mobile home, as single-family residence, to be located on each of the subject properties in a Suburban Residential District in accordance with Sections 208 and 510 of the Pennington County Zoning Ordinance.

Lot 1 of Lot A of Lot 12; Lot 2 of Lot A of Lot 12; and Lot 3 of Lot A of Lot 12, Plateau Subdivision, Section 10, T1N, R8E, BHM, Pennington County, South Dakota.

**To approve of the extension of Conditional Use Permit / CU 14-01 with the following nine (9) conditions:**

1. That each lot address (4695, 4711 and 4727) continue to be clearly posted, on their respective lots, so as to be visible from both directions on Carol Street in accordance with Pennington County's Ordinance #20;
2. That Removal/Demolition Permits be obtained for each of the single-wide mobile homes prior to approval of a Building Permit for each of the new single-wide mobile homes;
3. That all subject properties continue to remain free of debris and junk vehicles;
4. That each home installed on the property, as replacements for the existing SWMHs, have peaked non-reflective type roofs and wood or simulated wood-type siding that are continually maintained;
5. That the minimum setback requirements of a Suburban Residential District be continually maintained on each property;
6. That two (2) off-street parking spaces be continually provided, on each of the subject properties, in accordance with Section 310 of the Pennington County Zoning Ordinance;
7. That if any land disturbance occurs, erosion, stabilization and sediment control measures (i.e. silt fence, wattles, erosion mats/blankets) be implemented;
8. That the removal/demolition of the two remaining mobile homes (4695 and 4727 Carol Street) need to be completed within ninety (90) days of receiving the Removal/Demolition Permit; and,
9. That this Conditional Use Permit be reviewed in three (3) years, on a complaint basis, or as directed by the Pennington County Board of Commissioners and/or Planning Commission to verify that all conditions of approval are being met.

**Vote: unanimous 6 to 0.**

4. **CONDITIONAL USE PERMIT REVIEW / CU 10-23:** Reynolds and Livingston, LLC. To review a Recreational Vehicle Park with four (4) RV sites in a Highway Service District in accordance with Sections 210 and 510 of the Pennington County Zoning Ordinance.

That portion of Lot 1 located in Pennington County of Boyle Subdivision, Section 7, T2N, R5E, BHM, Pennington County, South Dakota.

(Continued from the September 12, 2016, Planning Commission meeting.)

To approve of the extension of Conditional Use Permit / CU 10-23 with the following twelve (12) conditions:

1. That the Recreational Vehicle (RV) park continues to be limited to four (4) RV sites;
2. That operation of the RV Park continues to not interfere with the functioning or maintenance of Highway 385;
3. That the lot address (22491 Highway 385) be continually posted on the property so it is visible from both directions along Highway 385 in accordance with Pennington County's Ordinance #20;
4. That a minimum of four (4) off-street parking spaces be continually provided on-site and each parking space shall not be less than 162 square feet, the equivalent of nine (9) foot by eighteen (18) foot each, surfaced with gravel, concrete, or asphalt, and maintained in a dust free manner for the RV park;
5. That the applicant obtains approved Sign Permits prior to any signs being placed on the property in accordance with Section 312 of the Pennington County Zoning Ordinance;
6. That the property remains free of debris and junk vehicles;
7. That the applicant continually adheres to Pennington County's Flood Damage Prevention Ordinance at all times and an approved Floodplain Development Permit be obtained prior to any construction or disturbance being done within the designated Special Flood Hazard Area on the subject property;
8. That all natural drainage paths be maintained;
9. That proper setbacks continue to be maintained for all structures located on the property, including 58 feet from the Section Line located along the south lot line or else an approved Setback Variance be obtained;
10. That an approved Building Permit be obtained for any structure(s) exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be reviewed and approved by the Planning Director;
11. That prior to utilizing the existing On-Site Wastewater Treatment System located next to the 40' x 60' pole barn, an Operating Permit be obtained by the property owner; and,
12. That this Conditional Use Permit be reviewed in five (5) years, on a complaint basis, or as deemed necessary by the Pennington County Planning

**Commission or Board of Commissioners to verify that all Conditions of Approval are being met.**

**Vote: unanimous 6 to 0.**

5. **CONDITIONAL USE PERMIT REVIEW / CU 12-05:** Carol and Ken Duncan. To review a multi-family dwelling unit (duplex) into compliance in a Low Density Residential District in accordance with Sections 207 and 510 of the Pennington County Zoning Ordinance.

Lot 1 and 1/2 vacated road less Lot A, Hisega Subdivision, Section 16, T1N, R6E, BHM, Pennington County, South Dakota.

**To approve of the extension of Conditional Use Permit / CU 12-05 with the following six (6) conditions:**

1. **That the property remains free of debris and junk vehicles;**
2. **That a total of four (4) off-street parking spaces measuring nine (9) feet by eighteen (18) feet for the duplex continue to be designated and identified on the subject property;**
3. **That the property address continue to be properly posted at the approach so it be clearly visible from the road and in both directions in accordance with Pennington County's Ordinance #20;**
4. **That an approved Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be reviewed and approved by the Planning Director;**
5. **That this Conditional Use Permit is not valid until the applicant signs the Statement of Understanding (SOU) within ten (10) business days. The SOU is available at the Planning Office; and,**
6. **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.**

6. **CONDITIONAL USE PERMIT REVIEW / CU 15-27:** Carol or Ken Duncan. To review 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.

Lot 1 and 1/2 vacated road less Lot A, Hisega Subdivision, and Unplatted PT of NW1/4 NE1/4 and 1/2 Vacant Road adjacent to Section 16, T1N, R6E, BHM, Pennington County, South Dakota..

**To approve of the extension of Conditional Use Permit / CU 15-27 with the following twenty-four (24) conditions:**

- 1. That the Specialty Resort continue to be for a Bed and Breakfast / Recreational Resort up to ten rooms and events, such as: weddings, receptions, company picnics, family reunions, church functions, bridal and baby showers, Christmas parties and other types of small gatherings similar in nature not to exceed fire code capacity;**
- 2. 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;**
- 3. That the applicants ensure the residential character of the property is continually maintained;**
- 4. That the operation of Hisega Lodge continue to be conducted by members of the family residing on the premises and, also, no more than one (1) additional person;**
- 5. That all natural drainage paths continue to be maintained;**
- 6. That a business sign, which directs attention to Hisega Lodge, shall be allowed with an approved Sign Permit. Such sign shall not exceed six (6) 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;**
- 7. 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;**
- 8. That the applicant continues to maintain an Emergency Plan and provide copies to all overnight guests in case there is a need to evacuate guests from the property in the event of an emergency and that a copy of said plan be kept on file at the Planning Department;**
- 9. That a minimum of 22 parking spaces continue to be provided and maintained in a dust-free manner in accordance with Section 310 of the Pennington County Zoning Ordinance;**

10. That all music being provided for outdoor activities be shut down by 10:00 p.m.;
11. That temporary structures, such as tents and port-a-potties only be erected when needed and not on a permanent basis and that temporary building permits be obtained if necessary;
12. That all exterior lighting continue to be of low level intensity, which does not result in excessive glare upon surrounding neighbors;
13. That the applicants continue to obtain all necessary permits from other governing bodies for operation of the Specialty Resort including, but not limited to, approval from the South Dakota Department of Health for the Bed & Breakfast and Specialty Resort and a Sales Tax License from the South Dakota Department of Revenue;
14. That operable smoke detectors continue to be placed in each sleeping room utilized for Hisega Lodge, a minimum of at least one (1) smoke detector per floor;
15. That a portable fire extinguisher with a minimum 2 A-BC rating continues to be placed on each floor level of Hisega Lodge so it accessible to all guests at all times and the fire extinguisher shall be inspected and tagged annually;
16. That the maximum number of people staying at the Hisega Lodge establishment at one time be in compliance with the South Dakota Lodging Establishments Health and Safety Manual;
17. That the applicants comply with South Dakota Codified Law 34-18-9.4, which regulates Bed and Breakfast establishments and requires a guest list to be maintained;
18. That the physical address for the residence be posted in each guest room utilized for Hisega Lodge;
19. That port-a-potties may be utilized by the guests of the events for wastewater disposal at a ratio of one port-a-potty per 50 guests. Any other means of wastewater disposal will require proper permitting and review of the system by both the Pennington County Planning Department and South Dakota Department of Environment and Natural Resources;
20. That prior to the placement of any on-premise signs, the applicant must obtain approval of a Sign Permit;
21. That the Planning Director may allow additional development or construction, which is consistent with the existing development on this

**property. Significant changes in the use or impacts on adjacent land, uses as determined by the Planning Director, shall require an amendment to this Conditional Use Permit;**

- 22. That Hisega Lodge be allowed to have Retail (on-off sale) Wine/Beer Licenses as regulated by the Pennington County Auditor;**
- 23. That the applicant sign a new Statement of Understanding within ten (10) business days, which is available at the Planning Office; and,**
- 24. That the Conditional Use Permit be reviewed in two (2) years or on a complaint basis, or as deemed necessary by either the Planning Commission or Board of Commissioners.**

**Vote: unanimous 6 to 0.**

- 7. CONDITIONAL USE PERMIT REVIEW / CU 16-14: Ron Toof. To review a Recreational Vehicle to be used as temporary living quarters on the subject property, while the applicant works to replace the single-wide mobile that was destroyed by fire, in a Suburban Residential District, in accordance with Sections 208 and 510 of the Pennington County Zoning Ordinance.**

Lot 7, Block 1, Mesa View Estates Subdivision #1, Section 12, T1N, R8E, BHM, Pennington County, South Dakota.

**To approve of the extension of Conditional Use Permit / CU 16-14 with the following eleven (11) conditions:**

- 1. That a Recreational Vehicle (RV) may be utilized as living quarters on the property for a period of time not to exceed one (1) year from the date of approval of Conditional Use Permit / CU 16-14;**
- 2. That Conditional Use Permit / CU 16-14 will automatically end one (1) year from the date of approval;**
- 3. That there continue to be no more than one (1) Recreational Vehicle (RV) allowed on the subject property;**
- 4. That the Recreational Vehicle (RV) continue to be hooked into the existing on-site wastewater treatment system until the new mobile home is habitable;**
- 5. That an approved Building Permit be obtained prior to placement of a new mobile home on the subject property, which requires a site plan to be reviewed and approved by the Planning Director;**

6. That upon placement or installation of a new mobile home on the subject property, the Recreational Vehicle (RV) will be disconnected from all utilities and may no longer be utilized as living quarters on the subject property;
7. That the address assigned to the property (3200 Raveen Drive) continue to be clearly posted on the Recreational Vehicle (RV) while it is being utilized as living quarters or at the driveway, so as to be visible from both directions on Raveen Drive in accordance with Pennington County's Ordinance #20;
8. That the property continues to remain free of excess debris and junk, in accordance with Pennington County's Ordinance #106;
9. That this Conditional Use Permit is only valid for Lot 7, Block 1, Mesa View Estates Subdivision #1;
10. That a Building Permit be obtained for any structure(s) exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be reviewed and approved by the Planning Director; and,
11. That this Conditional Use Permit be reviewed at the June 12, 2017, Planning Commission meeting, on a complaint basis, or as directed by the Pennington County Planning Commission 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 16-22:** BH Power, Inc. / BH Electric Cooperative; Michael Pogany - Agent. To review a contractor's storage yard for the Teckla-Osage-Rapid City 230kV Transmission Line Project located in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

Tract A less Lot H1, Substation Subdivision, Section 27, T1N, R3E, BHM, Pennington County, South Dakota.

**To approve of the extension of Conditional Use Permit / CU 16-22 with the following eight (8) conditions:**

1. That dust control measures be implemented to reduce the amount of dust from trucks leaving and entering the storage yard;
2. That if chemicals, fuel, and refuse are stored on the site, they have secondary containment;
3. That erosion control measures be implemented around the site to prevent sediment leaving the site;



4. That tracking control measures be implemented at the entrance/exit to Deerfield Road from the storage yard;
5. That adequate space is provided for parking in the storage yard;
6. That upon completion of the project, all equipment, structures, and stockpiles associated with the temporary construction storage yard must be removed;
7. That the site is revegetated as required in Section 507(A) of the Pennington County Zoning Ordinance and the Pennington County Storm Water Quality Manual; and
8. That this Conditional Use Permit be reviewed in August 2017, on a complaint basis, or as directed by the Planning Commission and/or Board of Commissioners to verify that all Conditions of Approval are being met.

**Vote: unanimous 6 to 0.**

12. **PLANNED UNIT DEVELOPMENT REVIEW / PU 05-09:** Richard Sterkel. To review an existing Planned Unit Development in accordance with Sections 213 and 508 of the Pennington County Zoning Ordinance.

Lots 1, 2, and 3 of Morrison Subdivision, Section 14, T1N, R8E, BHM, Pennington County, South Dakota.

(Continued from the November 28, 2016, Planning Commission meeting.)

**To recommend approval of the extension of Planned Unit Development / PU 05-09 with the following fourteen (14) conditions:**

1. That the Planned Unit Development consists of three (3) residential lots;
2. That a minimum of two (2) off-street parking spaces be provided for each residential lot. All off-street parking spaces on the site shall measure at least 9 feet by 18 feet, be surfaced with gravel, concrete, or asphalt and maintained in such a manner that no dust will result from continuous use;
3. That no off-premise signs be allowed within the Planned Unit Development;
4. That a Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which will require a site plan to be reviewed and approved by the Planning Director;

5. That the required minimum setbacks for all structures be the same as allowed in a Suburban Residential District;
6. That all single-family residences will be stick-built and accessory structures complement and area compatible with the single family residence;
7. That each unit has an individual address that must be posted in accordance with Pennington County Ordinance Amendment #20;
8. That prior to any Building Permits being issued to the property, the applicant will submit a septic system designed and signed by a professional engineer for review and approval by the Pennington County Environmental Planner;
9. That if any of the lots cannot support a conventional septic system, that a unconventional septic system, designed by a professional engineer, will need to be submitted and approved by the South Dakota Department of Environment and Natural Resources (DENR);
10. That as soon as a public sewer system is within 400 feet of the Planned Unit Development, or any residence within the Planned Unit Development the residences, existing or proposed must connect to the public sewer system;
11. That all natural drainage, irrigation ditches and laterals must be maintained. Any changes must be done by a professional engineer and reviewed and approved by the Pennington County Drainage Engineer;
12. That any disturbance within the Floodway and/or 100-year floodplain will require that an approved Floodplain Development Permit be obtained;
13. That approval is obtained through the City of Rapid City for the on-site wastewater system, prior to applying for a Building Permit; and,
14. That this Planned Unit Development be reviewed in two (2) years or as deemed necessary by either the Planning Commission, Board of Commissioners, or upon a complaint basis.

**Vote: unanimous 6 to 0.**

14. **MINOR PLANNED UNIT DEVELOPMENT AMENDMENT REVIEW / PU 11-05:** Alan Farley. To review an accessory structure prior to a principal structure in the Spring Creek Acres Planned Unit Development in accordance with Section 213 of the Pennington County Zoning Ordinance.

Tract 43, Spring Creek Acres, Section 3, T2S, R8E, BHM, Pennington County, South Dakota.

To approve of the extension of Minor Planned Unit Development Amendment / PU 11-05 with the following six (6) conditions:

1. That if the accessory structure is to have plumbing installed in the future, an approved On-Site Wastewater Construction Permit be obtained prior to installation of an on-site wastewater treatment system in accordance with Section 204-J of the Pennington County Zoning Ordinance;
2. That a Building Permit be obtained prior to constructing living quarters in the accessory building or a single-family residence on the property, at which time this Minor PUD Amendment may be revoked;
3. That the accessory structure continue to be used for personal storage only and no commercial uses be allowed on the property;
4. That the property continue to remain free of debris and junk vehicles so as not to create a Nuisance on the property;
5. That the address of 24185 Alkan Lane continue to be posted in accordance with Ordinance #20 so that it is visible from both directions of travel along Alkan Lane; and,
6. That this Minor PUD Amendment be reviewed in five (5) years, on a complaint basis, or as directed by the Pennington County Planning Commission or Board of Commissioners to verify that all Conditions of Approval are being met.

**Vote: unanimous 6 to 0.**

16. **CONDITIONAL USE PERMIT / CU 16-36**: Enola Gorham; Patrick Smith – Agent. To allow a multi-family dwelling on the subject property in a Suburban Residential District in accordance with Sections 208 and 510 of the Pennington County Zoning Ordinance.

Lot 7 less Lot H1, Stekl Subdivision, Section 9, T1N, R8E, BHM, Pennington County, South Dakota.

(Continued from the November 28, 2016, Planning Commission meeting.)

**To continue Conditional Use Permit / CU 16-36 to the January 9, 2017, Planning Commission meeting.**

**Vote: unanimous 6 to 0.**

**END OF CONSENT CALENDAR**

9. CONDITIONAL USE PERMIT REVIEW / CU 16-24: BH Power, Inc. / BH Electric Cooperative; Michael Pogany - Agent. To allow a contractor's storage yard for the Teckla-Osage-Rapid City 230kV Transmission Line Project located in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

SW1/4SE1/4, Section 20, T2N, R7E, BHM, Pennington County, South Dakota.

Commissioner Marsh asked that this Item be removed from the Consent Calendar, and he further stated he would be abstaining from voting on this item.

**Moved by Litzen and seconded by Lasseter to approve of the extension of Conditional Use Permit / CU 16-24 with the following nine (9) conditions:**

- 1 That dust control measures be implemented to reduce the amount of dust from trucks leaving and entering the storage yard;**
- 2 That if chemicals, fuel, and refuse are stored on the site, they have secondary containment;**
- 3 That erosion control measures be implemented around the site to prevent sediment leaving the site;**
- 4 That tracking control measures be implemented at the entrance/exit to Hidden Valley Road from the storage yard;**
- 5 That adequate space is provided for parking in the storage yard;**
- 6 That upon completion of the project, all equipment, structures, and stockpiles associated with the temporary construction storage yard must be removed;**
- 7 That the site is revegetated as required in Section 507(A) of the Pennington County Zoning Ordinance and the Pennington County Storm Water Quality Manual;**
- 8 That the conditions of the City of Rapid City Haul Road Agreement for Hidden Valley Road be continually met; and**
- 9 That this Conditional Use Permit be reviewed in August 2017 on a complaint basis, or as directed by the Planning Commission and/or Board of Commissioners to verify that all Conditions of Approval are being met.**

**All voting, the Motion carried 5 to 0. Commissioner Marsh abstained.**

10. CONSTRUCTION PERMIT / CP 16-12: City of Rapid City. To open cut and bore installation of pvc pipe for water main extension for the City of Rapid City, north of Southside Drive to Morris Lane.

Section 19, T1N, R9E and Sections 24 and 25, T1N, R8E, BHM, Pennington County, South Dakota.

Chairman Zvejnieks asked that this Item be removed from the Consent Calendar, and he further stated he would be abstaining from voting on this item.

**Moved by Marsh and seconded by Litzen to approve of Construction Permit / CP 16-12 with the following nine (9) conditions:**

- 1. That a South Dakota Department of Environment and Natural Resources General Permits for Storm Water Discharges Associated with Construction Activities be obtained and 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;**
- 2. That the applicant continually maintains and adheres to the Storm Water Pollution Prevention Plan during the period of construction;**
- 3. 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;**
- 4. That an approved Floodplain Development Permit be obtained for work done within the designed Special Flood Hazard Area prior to commencement of any disturbance;**
- 5. That the requirements, guidelines, and criteria for storm water and erosion control in the Pennington County Storm Water Manual, or equivalent, shall be followed during construction;**
- 6. That the disturbed areas be re-vegetated as required in Section 507-A(5)(c);**
- 7. That during the period of construction, streets are not blocked and all homes are accessible by emergency vehicles;**
- 8. That the applicant sign a Statement of Understanding within ten (10) business 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, the Motion carried 5 to 0. Chairman Zvejnieks abstained.**

11. **CONSTRUCTION PERMIT / CP 16-13:** Talley Construction, Inc. / John Talley. To remove material from an existing pond.

Lot 11R, Wheel Inn #3, Section 2, T1S, R5E, BHM, Pennington County, South Dakota.

Commissioner Lasseter asked that this Item be removed from the Consent Calendar for discussion.

Staff had originally recommended approval of Construction Permit / CP 16-13 with eight (8) conditions, but staff is now recommending the item be continued from the recommended date of December 19, 2016, to the January 9, 2017, Planning Commission meeting in order for staff to work with the applicant and property owner to bring the property into compliance, as the work for the project was done before the Construction Permit had been approved.

Discussion followed.

**Moved by Landers and seconded by Litzen to continue Construction Permit / CP 16-13 to the January 9, 2017, Planning Commission meeting.**

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

13. **PLANNED UNIT DEVELOPMENT REVIEW / PU 06-04:** Cheyenne River Ranchettes. To review an existing Planned Unit Development in accordance with Section 213 of the Pennington County Zoning Ordinance.

Lot 1R, Lot 2R, Lot 3, Lot 4, Lot 5, Lot 6R, Lot 7, and Drainfield Lot, Burlington Estates Subdivision, Section 14, T1S, R4E, BHM, Pennington County, South Dakota.

Staff asked that this Item be removed from the Consent Calendar in order to correct a date of December 18, 2016, to December 18, 2014, on Page 9 of the Staff Report.

**Moved by Marsh and seconded by Litzen to approve of the extension of Planned Unit Development / PU 06-04 with the following nineteen (19) conditions:**

1. **That the Planned Unit Development continually consists of seven (7) lots, with a minimum lot size of 2 acres, and a drainfield lot;**

2. That the Planned Unit Development continually consists of either a single-family residence or a vacation home with accessory structures and all structures are to be stick-built. These lots may be used for a single-family residence or vacation home. No other commercial or industrial use will be allowed;
3. That the maximum occupancy of a single-family residence or vacation home be limited to two (2) people per bedroom, plus two (2) additional people;
4. That the setbacks for the Planned Unit Development continue to be 25 feet from all property lines or an approved Setback Variance be obtained;
5. No structure shall exceed three (3) stories or 35 feet in height except as allowed in Section 204 (F) of the Zoning Ordinance;
6. That each unit continually has smoke/heat detectors and fire extinguishers on each level and two means of escape;
7. That each unit has an individual address that must be continually posted in accordance with Pennington County Ordinance Amendment #20;
8. That a minimum of two (2) parking spaces continue to be provided for each residence measuring at least nine (9) feet by eighteen (18) feet and be maintained in a dust free manner;
9. That an approved Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be reviewed and approved by the Planning Director;
10. That the Planning Director may allow additional development or construction, which is consistent with the existing development on this property. Significant changes in the use or impacts on adjacent land, uses as determined by the Planning Director, shall require an amendment to this Planned Unit Development;
11. That an approved Floodplain Development Permit be obtained prior to any construction or disturbance being done within the designated Special Flood Hazard Area on the subject property;
12. That a Registered Professional Engineer designs any new On-Site Wastewater Treatment Systems, based on soil percolation, soil profile information and possible use as a vacation home;
13. That a Road District continually maintains the interior roads;

14. That the internal roads and parking spaces continually be maintained in a dust free manner, repaired as needed and kept free from snow either by a Road Association, Homeowner's Association, or by the developer;
15. That vacant lots shall be maintained by the owner or sub-developer at the owner or sub-developer's expense, including, but not limited to, mowing, fire safety and control of noxious weeds and insects;
16. That weeds shall be controlled and weed control products shall be in accordance with appropriate local, state and federal laws;
17. That all exterior lighting must be low level subdued intensity, which does not result in excessive glare upon the street, neighboring residential property, or U.S Forest Service Property;
18. That no signs or off-premise signs of any kind shall be displayed to the public view on any lot except an appropriate sign for identification and addressing of the residence be allowed within the Planned Unit Development; and,
19. That this Planned Unit Development be reviewed on a complaint basis, or as directed by the Pennington County 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.

15. **CONDITIONAL USE PERMIT REVIEW / CU 15-20:** Mitch Morris. To review 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 November 14, 2016, Planning Commission meeting.)

Commissioner Lasseter asked that this Item be removed from the Consent Calendar for discussion.

Discussion followed.

**Moved by Litzen and seconded by Landers to continue the review of Conditional Use Permit / CU 15-20 to the January 9, 2017, Planning Commission meeting with three (3) conditions.**

All voting, the Motion carried 6 to 0.



17. COUNTY BOARD REPORT

The Board of Commissioners will hear the November 14th and November 28th Planning Commission's recommendations at their December 6, 2016, Board meeting.

18. ITEMS FROM THE PUBLIC

There were no motions or actions taken at this time.

19. ITEMS FROM THE STAFF

- A. Proposed Wind and Solar Energy Ordinance. Conover spoke of the proposed Wind and Solar Energy Ordinance.
- B. Building Permit Report. Conover reviewed the Building Permit Report for November 2017.
- C. Ordinance Amendment / OA 16-01 – Section 319 VH Rental Ordinance. Conover provided an update regarding the Second Reading.
- D. Planned Unit Development / PU 16-03 – Dan and Nancy Evangelisto. Conover provided an update regarding the Second Reading.
- E. Comprehensive Plan. Conover provided an update to the Planning Commission.
- D. State's Attorney's Office – Civil Department. Deputy State's Attorney, Kinsley Groote, introduce Deputy State's Attorney, Angela Shute, who will be working with the Civil Department in the State's Attorney Office, and she will also be working with the Planning Department.

20. ITEMS FROM THE MEMBERSHIP

Commissioner Lasseter spoke of Planning Commission packets.

Deputy State's Attorney, Kinsley Groote, spoke of ex-parte communication.

21. ADJOURNMENT

**Moved by Litzen and seconded by Lasseter to adjourn.**

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

**The meeting adjourned at 9:43 a.m.**

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Sig Zvejnieks, Chairperson