

**MINUTES**  
**PENNINGTON COUNTY PLANNING COMMISSION**  
**December 18, 2017 @ 2:00 p.m.**

County Commissioners' Meeting Room - Pennington County Administration Building

MEMBERS PRESENT: Travis Lasseter, Lori Litzen, Rich Marsh, Sonny Rivers, and Ron Buskerud.

STAFF PRESENT: PJ Conover, Brittney Molitor, Amy Riddering, Frank Waisath, Angela Shute (SAO), and Jeri Ervin.

ROLL CALL

1. APPROVAL OF THE DECEMBER 11, 2017, MINUTES  
**Moved by Litzen and seconded by Rivers to approve the Minutes of the December 11, 2017, Planning Commission meeting. Vote: unanimous 5 to 0.**

2. APPROVAL OF THE AGENDA  
**Moved by Rivers and seconded by Buskerud to approve the Agenda of the December 18, 2017, Planning Commission meeting. Vote: unanimous 5 to 0.**

**Moved by Marsh and seconded by Litzen to approve the Consent Calendar of the December 18, 2017, Planning Commission meeting, with the removal of Item #7. 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. **CONSTRUCTION PERMIT / CP 17-14:** Cody Schad. To bring into compliance the portion of the road constructed outside of the Section Line Right-of-Way and to satisfy a Condition of Approval for CS16-02.

E1/2SW1/4NW1/4 LESS ROW; W1/2SW1/4 NW1/4 and Lot 28, Copper Oaks #1, all located in Section 8, T1S, R7E, BHM, Pennington County, South Dakota.

**To approve of Construction Permit / CP 17-14 with the following seven (7) conditions:**

1. 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;
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, be implemented immediately after the work is completed in the area, but in no case later than 14 days after Construction Activity has stopped. All erosion control methods (e.g. mulch and seed) need to be certified noxious weed-free;
4. 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;
5. That the disturbed areas be re-vegetated as required in Section 507-A(5)(c);
6. That the applicant sign a Statement of Understanding within ten (10) days of Permit approval; and,
7. 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.

**Vote: unanimous 5 to 0.**

4. **CONDITIONAL USE PERMIT / CU 17-41:** Pluemjit Aaron (Little). To allow an existing structure (restaurant) to be used as a single-family residence 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 Lot J, Weaver Townsite, Section 8, T2N, R9E, BHM, Pennington County, South Dakota.

**To approve of Conditional Use Permit / CU 17-41 with the following eight (8) conditions:**

1. That an approved Floodplain Development Permit be obtained *prior* to any disturbance within the regulated Special Flood Hazard Area on the subject property;
2. That the existing single-wide mobile home be allowed to remain on the subject property, provided that it is strictly utilized for storage purposes only

and is not utilized as living quarters. The existing single-wide mobile home shall not be replaced or utilized as living quarters, unless a separate Conditional Use Permit is obtained for such use;

3. That a 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;
4. That the minimum setback requirements of a General Commercial 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, in accordance with Pennington County's Ordinance #106;
6. That the assigned address (370 225<sup>th</sup> Street) be posted on the residence and so that it is visible from 225<sup>th</sup> Street, in accordance to Pennington County's Ordinance #20;
7. That the applicant signs the Statement of Understanding within ten (10) business days of approval of Conditional Use Permit / CU 17-41, which is available at the Planning Office; and,
8. That this Conditional Use Permit be reviewed in one (1) year, 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 5 to 0.**

5. **CONDITIONAL USE PERMIT / CU 17-42:** Kyle and Kristina Volmer. To live in a Recreational Vehicle while building a single-family residence on the subject property in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

SE1/4 of GL4, Section 7, T1N, R13E, BHM, Pennington County, South Dakota.

**To approve of Conditional Use Permit / CU 17-42 with the following twelve (12) conditions:**

1. That there be no more than one (1) Recreational Vehicle (RV) allowed to be utilized as living quarters on the subject property during construction of the single-family residence;
2. That the address for the property be clearly posted on the Recreational Vehicle (RV) while it is being utilized as living quarters. Once the single-

**family residence is complete, the address must be posted on the residence and at the driveway so as to be visible from 231<sup>st</sup> St, in accordance with Pennington County's Ordinance #20;**

- 3. That the Recreational Vehicle (RV) being used as a temporary residence be hooked into the approved On-Site Wastewater Treatment System until the single-family residence is habitable;**
- 4. That the minimum setback requirements of a General Agriculture District be continually maintained on the subject property, or an approved Setback Variance be obtained;**
- 5. That an approved Floodplain Development Permit be obtained prior to any disturbance within the boundaries the Special Flood Hazard Area located on the subject property;**
- 6. That the subject property remains free of debris and junk vehicles, in accordance with Ordinance #106;**
- 7. That a private access easement to cross the neighboring property (GL 1-2; W1/2 of GL 3; W1/2 of GL 4) to complete the access to the subject property be filed with the Register of Deeds prior to application of a Building Permit for the proposed single-family residence;**
- 8. 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;**
- 9. That upon completion of the single-family residence 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;**
- 10. That the applicant notify the Planning Department when the new residence is habitable, so that this Conditional Use Permit may be ended;**
- 11. That the applicant signs the Statement of Understanding within ten (10) business days of Conditional Use Permit / CU 17-42, which is available at the Planning Office; and,**
- 12. That this Conditional Use Permit be reviewed in one (1) year, 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 5 to 0.**

6. **CONDITIONAL USE PERMIT REVIEW / CU 16-33:** Clinton Nulle. To review a single-wide mobile home to be used as a permanent single-family residence on the subject property in a Suburban Residential District in accordance with Sections 208 and 510 of the Pennington County Zoning Ordinance.

Lot 5C of Lot DR of Lot 6 of Lot L, Nelson Acres Subdivision, Section 23, T2N, R8E, BHM, Pennington County, South Dakota.

(Continued September 25, 2017, Planning Commission meeting.)

**To recommend to continue the review of Conditional Use Permit / CU 16-33 to the June 11, 2018, Planning Commission meeting to allow the applicant more time to bring the property into compliance.**

**Vote: unanimous 5 to 0.**

#### **END OF CONSENT CALENDAR**

7. **MINOR PLANNED UNIT DEVELOPMENT AMENDMENT / PU 17-12:** Jeremy Cummings. To amend the existing Planned Unit Development to allow a gunsmithing business on the subject property in accordance with Section 213 of the Pennington County Zoning Ordinance.

Lot 1, Block 3, Prairiefire Subdivision, Section 26, T1N, R8E, BHM, Pennington County, South Dakota.

Staff asked to have this Item removed from the Consent Calendar to recommend continuing to the January 2, 2018, Planning Commission meeting to allow staff more time to perform additional research. Staff had originally recommended Minor Planned Unit Development Amendment be continued to the January 8, 2018, Planning Commission meeting, but the applicant is unavailable to be at this meeting.

**Moved by Marsh and seconded by Rivers to continue Minor Planned Unit Development Amendment / PU 17-12 to January 22, 2018, meeting to allow staff more time to perform additional research.**

**All voting aye, the Motion carried 5 to 0.**

8. **MINOR PLANNED UNIT DEVELOPMENT AMENDMENT / PU 17-10:** Cliff Janis. To amend the existing Planned Unit Development to allow a single-wide mobile home as a dwelling unit on the subject property in accordance with Section 213 of the Pennington County Zoning Ordinance.

Tract 2, KWA Subdivision, Section 1, T1N, R8E, BHM, Pennington County, South Dakota.

(Continued from the December 4, 2017, Planning Commission meeting.)

Riddering stated this Item was continued from the December 4, 2017, Planning Commission meeting to allow staff time to meet with the applicant to address fire suppression for the existing structure, as indicated by the original Conditions of Approval of Planned Unit Development / PU 01-05.

Staff recommended approval of Minor Planned Unit Development Amendment / PU 17-10 with the following eleven (11) conditions:

1. That prior to County Board approval of the Planned Unit Development, a comprehensive drainage plan showing the post development flows be submitted to the County Drainage Engineer for review and approval;
2. That prior to County Board approval of the Planned Unit Development, the sight distance be measured for all approaches onto Radar Hill Road to insure adequacy;
3. That two means of ingress/egress be provided to the residential development and the neighborhood commercial area;
4. That prior to County Board approval of the Planned Unit Development, a plan indicating a central water system with fire hydrants and gallon per minute flows in accordance with the Uniform Fire Code for the residential and commercial areas be submitted to the Fire Coordinator for review and approval;
5. That a maximum of fifty-one (51) dwelling units be constructed on the forty acre parcel;
6. That a maximum of ten (10) acres be utilized for neighborhood commercial uses;
7. Neighborhood commercial uses shall be limited to: convenience store with gas facilities, screened outdoor storage, enclosed storage units, food markets including bakery goods and delicatessen goods, meat market, drug store, book store, tobacco store, vanity goods store, pharmacy, banks, barber shops and beauty shops, dry cleaning business, gift shops, self-service laundries, shoe repair, professional and business offices, veterinary clinic, package liquor sales (to be consumed off premise), hardware or home improvement retail establishments, video rentals, child care facility, restaurant with a bar and casino, clothing stores and postal substation;
8. That each residential lot shall be a minimum of 24,000 square feet in size exclusive of any access easements;

9. That each new residence either be provided with a minimum 1,500 gallon septic tank or connected to a municipal sewer system;
10. That a drainfield reserve area be provided for each residential or commercial lot. This reserve area can be shown on a building permit or on the plat of the lot; and,
11. That a single-wide mobile home be allowed as a dwelling unit for Tract 2 of KWA Subdivision provided that approved Building Permits are obtained and the addressing regulations of Ordinance #20 are followed.

Discussion followed.

**Moved by Marsh and seconded by Buskerud to deny without prejudice Minor Planned Unit Development Amendment / PU 17-10 and the applicant works with the Planning Department to apply for a Major Planned Unit Development Amendment.**

**All voting aye, the Motion carried 5 to 0.**

9. CONDITIONAL USE PERMIT REVIEW / CU 17-39: Colonial Pine Hills Sanitary District/Jim Martin. To review an office building on the subject property to serve the Colonial Pine Hills Sanitary District in a Suburban Residential District in accordance with Sections 208 and 510 of the Pennington County Zoning Ordinance.

Lot 1B, Block 1, Whispering Pines Subdivision, Section 32, T1N, R7E, BHM, Pennington County, South Dakota.

Riddering stated this is a review of the applicant's Conditional Use Permit to allow an office building on the subject property to serve the Colonial Pine Hills Sanitary District in a Suburban Residential District.

Staff recommended approval of the extension of Conditional Use Permit / CU 17-39 with the following eleven (11) conditions:

1. That a 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;
2. That the applicant adhere to all necessary County, State, and Federal regulations, and maintains the necessary permits to conduct the business;
3. That the structure only be allowed as an administration office to be used by members of the Colonial Pine Hills Sanitary District and not as a residence;

4. That all aspects of the business be conducted entirely within an enclosed structure and no stock in-trade shall be displayed outside the enclosed structure;
5. That reasonable measures are taken to control odors, fumes, dust, noise, vibration, and lighting resulting from the business so as to not constitute a nuisance to the general public;
6. That the applicant takes reasonable measures to prevent the disposal of materials into the on-site wastewater treatment system;
7. That the address for the property be properly posted in accordance with Pennington County's Ordinance #20;
8. That the off-street parking requirements for professional offices be followed at all times, per Pennington County Zoning Ordinance Section 310-A-9-b;
9. That a Sign Permit be obtained for any sign on the subject property and must conform to all regulations in Section 312 of the Pennington County Zoning Ordinance;
10. That the applicant signs the Statement of Understanding within ten (10) business days of approval of Conditional Use Permit / CU 17-39, which is available at the Planning Department; and,
11. That this Conditional Use Permit be reviewed in one (1) year, on a complaint basis, or so deemed necessary by the Planning Commission or Board of Commissioners to verify that all Conditions of Approval are being met.

Discussion followed.

**Moved by Litzen and seconded by Marsh to approve of the extension of Conditional Use Permit / CU 17-39 with the following eleven (11) conditions:**

- 1. That a 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;**
- 2. That the applicant adhere to all necessary County, State, and Federal regulations, and maintains the necessary permits to conduct the business;**
- 3. That the structure only be allowed as an administration office to be used by members of the Colonial Pine Hills Sanitary District and not as a residence;**
- 4. That all aspects of the business be conducted entirely within an enclosed structure and no stock in-trade shall be displayed outside the enclosed structure;**



5. That reasonable measures are taken to control odors, fumes, dust, noise, vibration, and lighting resulting from the business so as to not constitute a nuisance to the general public;
6. That the applicant takes reasonable measures to prevent the disposal of materials into the on-site wastewater treatment system;
7. That the address for the property be properly posted in accordance with Pennington County's Ordinance #20;
8. That the off-street parking requirements for professional offices be followed at all times, per Pennington County Zoning Ordinance Section 310-A-9-b;
9. That a Sign Permit be obtained for any sign on the subject property and must conform to all regulations in Section 312 of the Pennington County Zoning Ordinance;
10. That the applicant signs the Statement of Understanding within ten (10) business days of approval of Conditional Use Permit / CU 17-39, which is available at the Planning Department; and,
11. That this Conditional Use Permit be reviewed in one (1) year, on a complaint basis, or so deemed necessary 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.**

10. MINOR PLANNED UNIT DEVELOPMENT AMENDMENT / PU 17-11: Matt and Julianne Arena. To amend the existing Sheridan Lake Highlands Planned Unit Development to reduce the minimum required setback from 25 feet to 5 feet on the east and west property lines in order to build a detached garage on the subject property in accordance with Section 213 of the Pennington County Zoning Ordinance.

Lot 4, Block 1, Sheridan Lake Highlands, Section 35, T1N, R6E, BHM, Pennington County, South Dakota.

Conover reviewed the Staff Report indicating the applicants have applied for a Minor Planned Unit Development Amendment to amend the existing Sheridan Lake Highlands Planned Unit Development to reduce the minimum required setback from 25 feet to 5 feet on the east and west property lines in order to build a detached garage on the subject property.

Conover further stated that staff originally recommended approval of Minor Planned Unit Development Amendment / PU 17-11 with five (5) conditions, but are now recommending approval with six (6) conditions; and, the condition state: "That the

applicant supply the Planning Department Director with an as-built site plan, upon completion, to ascertain that the detached garage is constructed per the Building Permit proposed site plan.”

Discussion followed.

**Moved by Marsh and seconded by Litzen to continue Minor Planned Unit Development Amendment / PU 17-11 to the January 8, 2018, Planning Commission meeting in order to allow the applicant time to submit an as-built site plan for the proposed detached garage.**

**All voting aye, the Motion carried 5 to 0.**

11. CONDITIONAL USE PERMIT / CU 17-43: Under Canvas, Inc.; Jeremy Budge. To allow a Recreational Resort (glamping) on the subject property in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

GL 6; SE1/4NW1/4; N1/2SW1/4; Section 16, T2S, R6E, BHM, Pennington County, South Dakota.

Conover reviewed the Staff Report indicating the applicant has applied for a Conditional Use Permit to a Recreational Resort (glamping) on the subject property in a General Agriculture District.

Staff recommended approval of Conditional Use Permit / CU 17-43 with the following twenty-seven (27) conditions:

1. That “Temporary” shall mean those structures, systems, and/or tents established for a fixed period of time with the intent that such structure, system, and/or tent will be removed or disassembled upon expiration of the fixed period of time unless permission is granted by way of a review of CU 17-43;
2. That the uses of the Conditional Use Permit be limited to: 80 temporary tent sites with tents, 18 temporary tipis, 8’ wide cart paths, temporary tents for a lobby, outdoor dining, two (2) communal bathroom facilities with sinks/showers, management office, yoga deck, tent or other structure for laundry and housekeeping, fire pits, and to allow for the coordination of off-site recreational pursuits, from an on or off site location;
3. That an approved Temporary Building Permit be obtained for each tent site prior to construction and for any temporary 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;

4. That an approved Building Permit be obtained for any non-temporary 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;
5. That an approved Building Permit be obtained for any use of Alternative Energy Systems on the subject property, in accordance with Section 317 of the Pennington County Zoning Ordinance;
6. That the minimum required setbacks of a General Agriculture District and the minimum required setback of fifty-eight (58) feet to the Section Line on the western border of the subject property be continually maintained on the subject property, or approved Setback Variance(s) be obtained;
7. That an address or addresses be assigned to the subject property, along with other identifying road names or tent site numbers, per the County Addressing Coordinator and 9-1-1 Emergency Management, and posted in accordance with Pennington County's Ordinance #20. Road naming will require additional approvals from Pennington County;
8. That an approved On-Site Wastewater Construction Permit be obtained prior to any on-site wastewater treatment system being installed on the subject property, which will also require review and approval by the South Dakota Department of Environmental and Natural Resources;
9. That the interior access roads leading to the tent sites consist of, at a minimum, a 24-foot-wide graveled driving surface to accommodate two-way traffic;
10. That the minimum of 130 parking spaces be provided in accordance with Pennington County Zoning Ordinance Section 310;
11. That a Sign Permit be obtained prior to the installation of any signs on the subject property. All signs must meet the requirements of Section 312 of the Pennington County Zoning Ordinance;
12. That prior to the operation of the Recreational Resort, the applicant obtains all necessary permits from other governing bodies for the operation of the Recreation Resort, including, but not limited to, approval from the South Dakota Department of Health and a Sales Tax License from the South Dakota Department of Revenue;
13. That the applicant maintains an Evacuation (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 and updated, by the Operator, as needed, and provided at the time of each review of CU 17-43;

14. That the property remains free of debris and junk vehicles and all structures be well-maintained;
15. That all existing drainage ways be maintained and that erosion control measures be implemented on all disturbed areas so as not to allow any sedimentation of existing drainage ways or bodies of water per Pennington County Zoning Ordinance Section 507-A. This includes any requirements set forth in the Pennington County Stormwater Quality Manual for erosion and sediment measures;
16. That all exterior lighting must be of low level intensity, which does not result in excessive glare upon surrounding neighbors;
17. That the recommendations from the Fire Administrator be adhered to at all times;
18. That quiet hours for the Recreational Resort be between 10 p.m. and 8 a.m.;
19. That the applicant works with the South Dakota Division of Wildland Fire Suppression-Urban Interface Technician on any required Fire Mitigation Plans;
20. That emergency turn-arounds be provided on-site, per Pennington County Fire Administrator recommendations;
21. That the applicant is aware of and adheres to all Forest Service requirements;
22. That the applicant comply with SDCL 34-18, which regulates Lodging and Food Service Establishments and Campgrounds;
23. That the applicant comply with all State requirements for well digging and permitting and provide the Pennington County Planning Director a copy of all approvals prior to the operation of the Recreation Resort;
24. That prior to obtaining a Building Permit, the applicant have the well water tested to determine quality and quantity sufficient enough to sustain the proposed Recreation Resort water usage;
25. 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 impact on adjacent land uses as determined by the Planning Director shall require a review or amendment of this Conditional Use Permit;
26. That the applicant signs the Statement of Understanding within ten (10) business days of approval of Conditional Use Permit / CU 17-43, which is available at the Planning Office; and,

27. That this Conditional Use Permit be reviewed in June of 2018, 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.

Commissioner Litzen stated she would be abstaining from voting on this Item.

Discussion followed.

**Moved by Rivers and seconded by Marsh to approve of Conditional Use Permit / CU 17-43 with the following twenty-seven (27) conditions:**

1. That “Temporary” shall mean those structures, systems, and/or tents established for a fixed period of time with the intent that such structure, system, and/or tent will be removed or disassembled upon expiration of the fixed period of time unless permission is granted by way of a review of CU 17-43;
2. That the uses of the Conditional Use Permit be limited to: 80 temporary tent sites with tents, 18 temporary tips, 8’ wide cart paths, temporary tents for a lobby, outdoor dining, two (2) communal bathroom facilities with sinks/showers, management office, yoga deck, tent or other structure for laundry and housekeeping, fire pits, and to allow for the coordination of off-site recreational pursuits, from an on or off site location;
3. That an approved Temporary Building Permit be obtained for each tent site prior to construction and for any temporary 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;
4. That an approved Building Permit be obtained for any non-temporary 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;
5. That an approved Building Permit be obtained for any use of Alternative Energy Systems on the subject property, in accordance with Section 317 of the Pennington County Zoning Ordinance;
6. That the minimum required setbacks of a General Agriculture District and the minimum required setback of fifty-eight (58) feet to the Section Line on the western border of the subject property be continually maintained on the subject property, or approved Setback Variance(s) be obtained;
7. That an address or addresses be assigned to the subject property, along with other identifying road names or tent site numbers, per the County Addressing Coordinator and 9-1-1 Emergency Management, and posted in

accordance with Pennington County's Ordinance #20. Road naming will require additional approvals from Pennington County;

8. That an approved On-Site Wastewater Construction Permit be obtained prior to any on-site wastewater treatment system being installed on the subject property, which will also require review and approval by the South Dakota Department of Environmental and Natural Resources;
9. That the interior access roads leading to the tent sites consist of, at a minimum, a 24-foot-wide graveled driving surface to accommodate two-way traffic;
10. That the minimum of 130 parking spaces be provided in accordance with Pennington County Zoning Ordinance Section 310;
11. That a Sign Permit be obtained prior to the installation of any signs on the subject property. All signs must meet the requirements of Section 312 of the Pennington County Zoning Ordinance;
12. That prior to the operation of the Recreational Resort, the applicant obtains all necessary permits from other governing bodies for the operation of the Recreation Resort, including, but not limited to, approval from the South Dakota Department of Health and a Sales Tax License from the South Dakota Department of Revenue;
13. That the applicant maintains an Evacuation (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 and updated, by the Operator, as needed, and provided at the time of each review of CU 17-43;
14. That the property remains free of debris and junk vehicles and all structures be well-maintained;
15. That all existing drainage ways be maintained and that erosion control measures be implemented on all disturbed areas so as not to allow any sedimentation of existing drainage ways or bodies of water per Pennington County Zoning Ordinance Section 507-A. This includes any requirements set forth in the Pennington County Stormwater Quality Manual for erosion and sediment measures;
16. That all exterior lighting must be of low level intensity, which does not result in excessive glare upon surrounding neighbors;
17. That the recommendations from the Fire Administrator be adhered to at all times;

18. That quiet hours for the Recreational Resort be between 10 p.m. and 8 a.m.;
19. That the applicant works with the South Dakota Division of Wildland Fire Suppression-Urban Interface Technician on any required Fire Mitigation Plans;
20. That emergency turn-arounds be provided on-site, per Pennington County Fire Administrator recommendations;
21. That the applicant is aware of and adheres to all Forest Service requirements;
22. That the applicant comply with SDCL 34-18, which regulates Lodging and Food Service Establishments and Campgrounds;
23. That the applicant comply with all State requirements for well digging and permitting and provide the Pennington County Planning Director a copy of all approvals prior to the operation of the Recreation Resort;
24. That prior to obtaining a Building Permit, the applicant have the well water tested to determine quality and quantity sufficient enough to sustain the proposed Recreation Resort water usage;
25. 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 impact on adjacent land uses as determined by the Planning Director shall require a review or amendment of this Conditional Use Permit;
26. That the applicant signs the Statement of Understanding within ten (10) business days of approval of Conditional Use Permit / CU 17-43, which is available at the Planning Office; and,
27. That this Conditional Use Permit be reviewed in June of 2018, 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.

**All voting, the Motion carried 4 to 0. Commissioner Litzen abstained from voting.**

12. ORDINANCE AMENDMENT / OA 17-02: Pennington County. To amend Section 103 “Definitions”; Section 205-B-17 “General Agriculture District”; Section 212-B-12 “Heavy Industrial District”; Section 507-B “Mining Permits”; Section 511 “Fees” and to add Section 320 “Mining Operation” of the Pennington County Zoning Ordinance.

Molitor reviewed the Staff Report indicating this is an Ordinance Amendment to amend Section 103 “Definitions”; Section 205-B-17 “General Agriculture District”; Section 212-B-12 “Heavy Industrial District”; Section 507-B “Mining Permits”; Section 511 “Fees” of the Pennington County Zoning Ordinance and to add Section 320 “Mining Operation” to the Pennington County Zoning Ordinance.

Staff recommended approval of Ordinance Amendment / OA 17-02.

Discussion followed.

**Moved by Rivers and seconded by Marsh to continue Ordinance Amendment / OA 17-02 to the January 8, 2018, Planning Commission meeting in order for the committee to meet and discuss any proposed changes to the Draft Ordinance Amendment that were heard at the Planning Commission meeting.**

**All voting aye, the Motion carried 5 to 0.**

Commissioner Buskerud left the meeting at 3:43 p.m.

13. COUNTY BOARD REPORT

The Board of Commissioners will hear the Planning Commission’s recommendations from the Monday, December 4<sup>th</sup> meeting at the December 19<sup>th</sup> BOC meeting.

The Board of Commissioners will hear today’s Planning Commission’s recommendations at their January 2, 2018, BOC meeting.

Vacation of Plat / VP 17-01 (Walter Horton). This item was heard at the December 5<sup>th</sup> BOC meeting, at the request of the applicant, and the Motion to approve passed 4 to 1.

EXISTING LEGAL: Lot 5 (also in Sections 27 and 21), Moon Ranch Subdivision, Section 28, T1S, R1E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: H.E.S. 551 in Sections 21, 27, and 28, T1S, R1E; less Lot 6 of Moon Ranch Subdivision, BHM, Pennington County, South Dakota.

14. ITEMS FROM THE PUBLIC

No motions or actions were taken at this time.

15. ITEMS FROM THE STAFF

A. Update – Section 204-G “Special Animal Keeping Regulations” Committee. Conover informed the Planning Commission of the appointments to the Committee and stated the first meeting is scheduled for Monday, January 15<sup>th</sup> at 9 a.m.



- B. New County Policy & Procedure – Appointment Process for Committees/Boards. Conover spoke of the County’s appointment process for committees / boards.
- C. Planning Commission Packets. Conover discussed paperless packets for Planning Commission meetings.

16. ITEMS FROM THE MEMBERSHIP

Chairman Lasseter spoke of Ordinance Amendment / OA 17-02.

Commissioner Litzen stated she will be appearing by Skype for the January and February 2018 meetings.

17. ADJOURNMENT

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

**All voting aye, the Motion carried 4 to 0.**

**The meeting adjourned at 3:56 p.m.**

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Travis Lasseter, Chairperson