

**MINUTES**  
**PENNINGTON COUNTY PLANNING COMMISSION**  
**January 8, 2018 @ 9:00 a.m.**

County Commissioners' Meeting Room - Pennington County Administration Building

MEMBERS PRESENT: Travis Lasseter, Kathy Johnson, Lori Litzen (Skype), Rich Marsh, Sonny Rivers, and Deb Hadcock.

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

ROLL CALL

1. APPROVAL OF THE DECEMBER 18, 2017, MINUTES  
**Moved by Marsh and seconded by Johnson to approve the Minutes of the December 18, 2017, Planning Commission meeting. Roll Call Vote: Marsh – aye, Hadcock – aye, Litzen – aye, Lasseter – aye, and Johnson – aye. Roll Call Vote: unanimous 5 to 0.**
  
2. APPROVAL OF THE AGENDA  
**Moved by Johnson and seconded by Marsh to approve the Agenda of the January 8, 2018, Planning Commission meeting. Roll Call Vote: Marsh – aye, Hadcock – aye, Litzen – aye, Lasseter – aye, and Johnson – aye. Roll Call Vote: unanimous 5 to 0.**

Commissioner Rivers appeared at the meeting at 9:03 a.m.

**Moved by Marsh and seconded by Johnson to approve the Consent Calendar of the January 8, 2018, Planning Commission meeting, with the removal of Items #5 and #6. Roll Call Vote: Marsh – aye, Hadcock – aye, Litzen – aye, Lasseter – aye, Johnson – aye, and Rivers - aye. Roll Call 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 / CU 17-44: Jeff Miller. To allow for a Vacation Home Rental on the subject property in a Low Density Residential District in accordance with Sections 207, 319, and 510 of the Pennington County Zoning Ordinance.

Tract 1, Annie Lode MS 1721, Section 22, T1S, R5E, BHM, Pennington County, South Dakota.

**To approve of Conditional Use Permit / CU 17-44 with the following sixteen (16) conditions:**

- 1. That the maximum overnight occupancy, based on SD DENR approval, be limited to eight (8) people and the maximum daytime occupancy be limited to sixteen (16) people, per Pennington County Zoning Ordinance Section 319-F-13;**
- 2. That if an addition is constructed and/or the on-site wastewater treatment system is upgraded in the future, this Conditional Use Permit be reviewed so that the maximum occupancy may be adjusted accordingly, which will require approval from SD DENR;**
- 3. That all necessary permits are obtained prior to any additions to the structure or upgrades/alterations to the on-site wastewater treatment system;**
- 4. That the applicant maintain current licenses with the South Dakota Department of Health (Vacation Home License) and the Department of Revenue (Sales Tax License) and that copies of these licenses be provided to the Planning Department, prior to operation of the Vacation Home Rental;**
- 5. That the applicant maintain 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;**
- 6. That a minimum of four (4) off-street parking spaces be provided on-site, per Pennington County Zoning Ordinance Section 310-A-9-gg, with each measuring a minimum of 9-feet by 18-feet and surfaced with gravel, concrete, or asphalt and maintained in a dust-free manner;**
- 7. That an interior informational sign be posted in accordance with the requirements of Pennington County Zoning Ordinance Section 319-G, with 9-1-1 and (605) 394-4139 listed as contacts for Fire Department and Sheriff's Department, during operation of the Vacation Home Rental;**
- 8. That the lot address (23826 Highway 385) be posted on the residence at all times and at the driveway so that it is clearly visible from both directions of travel on Highway 385, in accordance with Pennington County's Ordinance #20;**
- 9. That the applicant ensure the Vacation Home Rental is operated in accordance with the requirements of Pennington County Zoning Ordinance Section 319-F (Performance Standards) at all times;**

10. That if the person designated as the Local Contact is ever changed from LeeAnn Jensen, the interior informational sign be updated and the applicant re-notify the Planning Department and surrounding landowners within 500 feet via notices sent by Certified Mail;
11. That all applicable Federal, State, and local regulations be adhered to at all times, including South Dakota Administrative Rule 44:02:08, which regulates Vacation Home Rentals;
12. 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;
13. That the proper permits be obtained prior to utilizing the fire pits on the property and all fire restrictions be followed at all times;
14. That if the subject property is sold, the applicant must notify the Planning Department at least twenty (20) days prior to the date of the transfer, pay the VHR Conditional Use Permit Review Fee and have the new owner meet all of the conditions of Section 319-C-b or Conditional Use Permit / CU 17-44 end at the time of the sale;
15. That the applicant signs the Statement of Understanding within ten (10) business days of approval of Conditional Use Permit / CU 17-44, which is available at the Planning Office; and,
16. 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 6 to 0.**

4. **CONDITIONAL USE PERMIT / CU 17-45:** Gold Run III, LLC (Greg Wittenberg); Andrew Scull - Agent. To allow an existing caboose to be used as a seasonal dwelling on the subject property in a Limited Agriculture District in accordance with Sections 206 and 510 of the Pennington County Zoning Ordinance.

All Less Gold Run Park and Less Lot 1 of Hobart Subdivision located in Sections 5 and Sections 9, Matt Placer MS 1417, Section 8, T1S, R3E, BHM, Pennington County, South Dakota.

**To approve of Conditional Use Permit / CU 17-45 with the following eleven (11) conditions:**

1. That a Building Permit and On-Site Wastewater Treatment System Construction Permit be obtained, with all applicable fees paid, for the existing caboose and on-site wastewater treatment system within sixty (60) days of approval of Conditional Use Permit / CU 17-45;
2. That prior to approval of a Building Permit for the existing caboose, the applicant obtain an approved Setback Variance *or* the caboose be relocated to meet the minimum required setback and an updated survey be provided to the Planning Department showing the location of the caboose;
3. That the lot address (when assigned) be properly posted on the caboose and at the driveway so it is clearly visible from both directions of travel on Gillette Prairie Road, in accordance with Pennington County's Ordinance #20;
4. That the seasonal dwelling (caboose) may not be used for more than 180 days per calendar year;
5. 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;
6. That all future structures meet the minimum required setbacks for a Limited Agriculture District or an approved Setback Variance be obtained prior to Building Permit approval;
7. That the caboose be used for personal use only. No commercial activity shall be permitted;
8. That the property remains free of debris and junk vehicles;
9. That the comments provided by the U.S. Forest Service be adhered to at all times;
10. That the applicant signs a Statement of Understanding within ten (10) business days of approval of Conditional Use Permit / CU 17-45, which is available at the Planning Office; and,
11. That this Conditional Use Permit be reviewed at the March 26, 2018, 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.**

7. **CONDITIONAL USE PERMIT / CU 17-48:** Vaco Vacation Rentals/Carson Goodwin; Alvin and Sharon Gullickson - Owner. To allow a Vacation Home Rental on the subject property in a General Agriculture District in accordance with Sections 205, 319, and 510 of the Pennington County Zoning Ordinance.

Lot 12 less E100 feet and all of 13; Clear Creek Placer MS 1184, Section 22, T1N, R5E, BHM, Pennington County, South Dakota.

**To continue Conditional Use Permit / CU 17-48 to the January 22, 2018, Planning Commission meeting.**

**Vote: unanimous 6 to 0.**

8. **VACATION OF MINOR DRAINAGE AND UTILITY EASEMENT / VE 17-05:** Paul and Rebecca Freidel. To vacate a 30 foot portion of a Minor Drainage and Utility Easement to bring an existing single-family residence with deck into compliance on the subject property.

Lot 6, Cedar Gulch Subdivision, Section 4, T1S, R9E, BHM, Pennington County, South Dakota.

**To recommend approval of Vacation of Minor Drainage and Utility Easement / VE 17-05 with the following four (4) conditions:**

1. **That prior to filing the exhibit with the Register of Deeds, the Surveyor write a date on his seal or complete the date in the exhibit heading;**
2. **That all necessary resolutions and exhibits vacating the easement be recorded by the applicant at the Register of Deeds Office;**
3. **That Vacation of Minor Drainage and Utility Easement / VE 17-05 only allow for the vacation of 30-feet of the platted Minor Drainage and Utility Easement where the existing residence is located. Any additional encroachments into the easement will require separate Vacation of Easement approval(s); and,**
4. **That the applicant signs a Statement of Understanding within ten (10) business days of approval of Vacation of Minor Drainage and Utility Easement / VE 17-05, which is available at the Planning Office.**

**Vote: unanimous 6 to 0.**

9. **MINOR PLAT / PL 17-46:** Aanenson Four, LLC; Richard Huffman – Agent. To combine four lots to create Lot A of Aanenson Subdivision in accordance with Section 400.3 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot 18 and the W40' of Lot 19 in Big Bend Placer MS 1442; The W40' of Lot A of Lot 19 in Fort Meade Placer MS 244; Lot 17 Revised of Lot A of Big Bend Placer MS 1442; and Tract 0010 less Lot 1 of Rehwaldt Subdivision, all located in Section 8, T1N, R6E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot A of Aanenson Subdivision, Section 8, T1N, R6E, BHM, Pennington County, South Dakota.

**To recommend approval of Minor Plat / PL 17-46 with the following ten (10) conditions:**

1. **That prior to filing the Plat with the Register of Deeds, the applicant provide proof that the November 7, 2017, denial of Variance / VA 17-17 was reversed, or the applicant provide an updated survey showing the fireplace/pizza oven was moved to meet the required setback, or the fireplace/pizza oven be removed;**
2. **That prior to filing the Plat with Register of Deeds, the existing propane tank be relocated in accordance with recommendations from the County Fire Administrator. The relocation must be verified by Planning Staff and approved by the County Fire Administrator;**
3. **That prior to filing the Plat with the Register of Deeds, the landowner or agent obtain Building Permits, with all applicable fees paid, for existing structures that have not yet been permitted;**
4. **That upon filing the Plat with the Register of Deeds, eight (8) foot Minor Drainage and Utility Easements continue to be dedicated on the interior sides of all lot lines, or an approved Subdivision Regulations Variance be obtained waiving this requirement;**
5. **That upon filing the Plat with the Register of Deeds, the plat meets all the requirements of Section 400.3 of the Pennington County Subdivision Regulations, or an approved Subdivision Regulations Variance be obtained waiving any of these requirements that are not met;**
6. **That the Certifications on the plat be in accordance with Section 400.3.1.n of the Pennington County Subdivision Regulations;**
7. **That the address (23069 Thunderhead Falls Road) be properly posted on the existing residence so it is visible from Thunderhead Falls Road, in accordance with Pennington County's Ordinance #20;**

8. That the applicant ensures that all natural drainage ways are maintained and are not blocked;
9. That following platting of the proposed lot, any on-site wastewater treatment system(s) be subject to the requirements of Section 204-J of the Pennington County Zoning Ordinance, including the requirement to obtain an Operating Permit; and,
10. That the applicant signs the Statement of Understanding within ten (10) business days of approval of Minor Plat / PL 17-46, which is available at the Planning Office.

**Vote: unanimous 6 to 0.**

10. **MINOR PLAT / PL 17-47:** JKRR Properties, LLC; Ryan Kaski. To reconfigure lot lines to create Lot 6R, Block 9, Sunset Ranch in accordance with Section 400.3 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot 5 and Lot 6, Block 9, Sunset Ranch; Section 5, T1N, R10E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 6R, Block 9, Sunset Ranch; Section 5, T1N, R10E, BHM, Pennington County, South Dakota.

**To recommend approval of Minor Plat / PL 17-47 with the following seven (7) conditions:**

1. That prior to the Plat being recorded with the Register of Deeds, a minimum of 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 waiving this requirement;
2. That prior to the Plat being recorded with the Register of Deeds, the Plat meets all necessary requirements of Section 400.3 of the Pennington County Subdivision Regulations, or an approved Subdivision Regulations Variance(s) be obtained waiving any of these requirements;
3. That the address be continually posted on the residence constructed on the proposed lots in accordance with Pennington County's Ordinance #20;
4. That the applicant continually ensures that all natural drainage ways are maintained and are not blocked and that all necessary drainage ways are properly noted on plats;

5. 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;
6. That prior to the Plat being recorded with the Register of Deeds, the following note continues to appear on the plat: “All persons applying for a Pennington County Building Permit will need to provide an engineered septic system plan to be reviewed and approved by the Pennington County Environmental Planner. A reserve drainfield area will be shown when a Building Permit is applied for on any of the lots”; and,
7. That the applicant signs the Statement of Understanding (SOU) within ten (10) business days of Board of Commissioner approval of Minor Plat / PL 17-47. The SOU is available at the Planning Office.

**Vote: unanimous 6 to 0.**

11. **MINOR PLAT / PL 17-48:** JKRK Properties, LLC; Ryan Kaski. To reconfigure lot lines to create Lot 7R, Block 8, Sunset Ranch in accordance with Section 400.3 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot 7, Block 8, Sunset Ranch; and, GL 3; GL 4 Less Sunset Ranch and Less ROW; N1/2S1/2NW1/4, all located in Section 4, T1N, R10E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 7R, Block 8, Sunset Ranch, Section 4, T1N, R10E, BHM, Pennington County, South Dakota.

**To recommend approval of Minor Plat / PL 17-48 with the following seven (7) conditions:**

1. That prior to the Plat being recorded with the Register of Deeds, a minimum of 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 waiving this requirement;
2. That prior to the Plat being recorded with the Register of Deeds, the Plat meets all necessary requirements of Section 400.3 of the Pennington County Subdivision Regulations, or an approved Subdivision Regulations Variance(s) be obtained waiving any of these requirements;
3. That the address be continually posted on the residence constructed on the proposed lots in accordance with Pennington County’s Ordinance #20;



4. That the applicant continually ensures that all natural drainage ways are maintained and are not blocked and that all necessary drainage ways are properly noted on plats;
5. 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;
6. That prior to the Plat being recorded with the Register of Deeds, the following note continues to appear on the plat: “All persons applying for a Pennington County Building Permit will need to provide an engineered septic system plan to be reviewed and approved by the Pennington County Environmental Planner. A reserve drainfield area will be shown when a Building Permit is applied for on any of the lots”; and,
7. That the applicant signs the Statement of Understanding (SOU) within ten (10) business days of Board of Commissioner approval of Minor Plat / PL 17-48. The SOU is available at the Planning Office.

**Vote: unanimous 6 to 0.**

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

5. CONDITIONAL USE PERMIT / CU 17-46: Matt and Donna Bowen. To live in an existing residence while building a new 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.

W1/2; S1/2SE1/4 Less Lot H1, Section 36, T2S, R13E, BHM, Pennington County, South Dakota.

Staff asked to have this Item removed from the Consent Calendar to note that the word “continue” was in the recommendation.

**Moved by Marsh and seconded by Hadcock to continue Conditional Use Permit / CU 17-46 to a future Planning Commission meeting, no later than February 26, 2018, to allow the applicant more time to bring the property into compliance**

**Roll Call Vote: Marsh – aye, Hadcock – aye, Litzen – aye, Lasseter – aye, Johnson – aye, and Rivers - aye. Motion carried 6 to 0.**

6. **CONDITIONAL USE PERMIT / CU 17-47:** Harriet Kelley. To allow a Recreational Vehicle to be used as temporary living quarters on the subject property, during the summer months, in a Low Density Residential District in accordance with Sections 207 and 510 of the Pennington County Zoning Ordinance.

Lot 1 of Lot A of Government Lot 2 of the NW1/4NE1/4, Section 2, T2S, R5E, BHM, Pennington County, South Dakota.

A member of the public appeared and asked to have this Item removed from the Consent Calendar to state that they are in favor of the applicant's request for a Conditional Use Permit.

Staff recommended approval of Conditional Use Permit / CU 17-47 with twelve (12) conditions.

**Moved by Johnson and seconded by Marsh to approve of Conditional Use Permit / CU 17-47 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, and the second existing RV be used strictly for storage;**
2. **That the one (1) Recreational Vehicle (RV) shall only be used seasonally between May 1<sup>st</sup> and October 1<sup>st</sup> of each year;**
3. **That an address be assigned and clearly posted on the Recreational Vehicle (RV) while it is being utilized as living quarters during the seasonal restrictions. The address must be posted on the residence and at the driveway so as to be visible from Leaky Valley Road, in accordance with Pennington County's Ordinance #20;**
4. **That the Recreational Vehicle (RV) being used as a temporary residence be hooked into the approved On-Site Wastewater Treatment System;**
5. **That the minimum setback requirements of a Low Density Residential District be continually maintained on the subject property, or an approved Setback Variance be obtained;**
6. **That the subject property remains free of debris and junk vehicles, in accordance with Ordinance #106;**
7. **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;**

8. **That the Recreational Vehicle (RV) shall be disconnected from all utilities and may no longer be utilized as living quarters on the subject property upon end of the seasonal use;**
9. **That the Recreational Vehicle (RV) is for personal use only and shall not be rented at any time;**
10. **That the applicant obtain a current Operating Permit for the On-Site Wastewater Treatment System (OSWTS) within ninety (90) days of the approval of CU 17-47;**
11. **That the applicant signs the Statement of Understanding within ten (10) business days of Conditional Use Permit / CU 17-47, which is available at the Planning Office; and,**
12. **That this Conditional Use Permit be reviewed June 11, 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.**

**Roll Call Vote: Marsh – aye, Hadcock – aye, Litzen – aye, Lasseter – aye, Johnson – aye, and Rivers - aye. Motion carried 6 to 0.**

12. 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.

(Continued from the December 18, 2017, Planning Commission meeting.)

Bolstad stated this Item was continued from the December 18, 2017, Planning Commission meeting to allow the applicant time to submit an as-built site plan for the proposed detached garage.

Staff recommended approval of Minor Planned Unit Development Amendment / PU 17-11 with the following six (6) conditions:

1. That the Conditions of Approval of Planned Unit Development / PU 05-14 be continually adhered to;
2. That the east side yard setback for Lot 4, Block 1 of Sheridan Lake Highlands be twenty (20) feet for the proposed detached garage *only*. All other structures must

maintain a twenty-five (25) foot setback or obtain separate Minor Planned Unit Development Amendments;

3. That an approved Building Permit be obtained for the proposed detached garage prior to construction, which requires a site plan to be reviewed and approved by the Planning Director;
4. 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;
5. That the applicant sign a Statement of Understanding within ten (10) business days of approval of Minor Planned Unit Development Amendment / PU 17-11, which is available at the Planning Office; and,
6. That this Minor Planned Unit Development Amendment be reviewed on a complaint basis only or as directed by the Pennington County Board of Commissioners or Planning Commission to determine that all Conditions of Approval are being met.

Discussion followed.

**Moved by Marsh and seconded by Rivers to approve of Minor Planned Unit Development Amendment / PU 17-11 with the following six (6) conditions:**

- 1. That the Conditions of Approval of Planned Unit Development / PU 05-14 be continually adhered to;**
- 2. That the east side yard setback for Lot 4, Block 1 of Sheridan Lake Highlands be twenty (20) feet for the proposed detached garage *only*. All other structures must maintain a twenty-five (25) foot setback or obtain separate Minor Planned Unit Development Amendments;**
- 3. That an approved Building Permit be obtained for the proposed detached garage prior to construction, which requires a site plan to be reviewed and approved by the Planning Director;**
- 4. 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;**
- 5. That the applicant sign a Statement of Understanding within ten (10) business days of approval of Minor Planned Unit Development Amendment / PU 17-11, which is available at the Planning Office; and,**

6. **That this Minor Planned Unit Development Amendment be reviewed on a complaint basis only or as directed by the Pennington County Board of Commissioners or Planning Commission to determine that all Conditions of Approval are being met.**

**Roll Call Vote: Marsh – aye, Hadcock – aye, Litzen – aye, Lasseter – aye, Johnson – No, and Rivers - aye. Motion carried 5 to 1.**

13. REZONE / RZ 17-11 AND COMPREHENSIVE PLAN AMENDMENT / CA 17-10: Kory Weisbeck. To rezone 20.00 acres from General Agriculture District to Suburban Residential District and to amend the Pennington County Comprehensive Plan to change the Future Land Use from PUD Sensitive to Suburban Residential District in accordance with Sections 205, 208, and 508 of the Pennington County Subdivision Regulations.

N1/2S1/2SW1/4SW1/4; N83.5 feet of E200 feet and N179.6 feet of W1120 feet in the S1/2S1/2SW1/4SW1/4; and S246.5 feet of E200 feet and S150.4 feet of W1120 feet in the S1/2S1/2SW1/4SW1/4, all located in Section 15, T2N, R6E, BHM, Pennington County, South Dakota.

Conover reviewed the Staff Report indicating the applicant has applied to rezone 20 acres from General Agriculture District to Suburban Residential District and to amend the Pennington County Comprehensive Plan to change the Future Land Use from PUD Sensitive to Suburban Residential District

Staff recommended approval of Rezone / RZ 17-11 and Comprehensive Plan Amendment / CA 17-10.

Discussion followed.

Moved by Hadcock and seconded by River to approve of Rezone / RZ 17-11 and Comprehensive Plan Amendment / CA 17-10.

**Roll Call Vote: Marsh – aye, Hadcock – aye, Litzen – aye, Lasseter – aye, Johnson – No, and Rivers - aye. Motion carried 5 to 1.**

14. 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.

(Continued from the December 18, 2017, Planning Commission meeting.)

Molitor stated this Item was continued from the December 18, 2017, Planning Commission meeting in order for the committee to meet and discuss any proposed changes to the Draft Ordinance Amendment that were presented.

Molitor further stated that, due to unforeseen circumstances, the committee was not able to meet, but will be meeting on Tuesday, January 9<sup>th</sup> and asked that a Special Planning Commission meeting be scheduled to allow more time for discussion of the Draft Ordinance Amendment.

Discussion followed.

**Moved by Litzen and seconded by Hadcock to schedule a Special Planning Commission meeting for Wednesday, January 17, 2018, at 9 a.m. and to continue Ordinance Amendment / OA 17-02 to the January 17, 2018, Planning Commission meeting.**

**Roll Call Vote: Marsh – aye, Hadcock – aye, Litzen – aye, Lasseter – aye, Johnson – aye, and Rivers - aye. Motion carried 6 to 0.**

15. SPECIAL MEETINGS FOR ORDINANCE AMENDMENT / OA 17-02: Pennington County. Additional Public Hearings (Planning Commission) for Ordinance Amendment / OA 17-02.

Conover spoke of adding additional Planning Commission meetings before January 31, 2018, for discussion of Ordinance Amendment / OA 17-02.

16. COUNTY BOARD REPORT  
The Board of Commissioners concurred with the Planning Commission's recommendations from their December 4, 2017, Planning Commission meeting.

17. ITEMS FROM THE PUBLIC

No motions or actions were taken at this time.

18. ITEMS FROM THE STAFF

- A. Building Permit Report. Conover reviewed the Building Permit Report for December 2017.
- B. Special Animal Keeping Committee. Conover stated the committee will meet on Monday, January 15<sup>th</sup> at 9 a.m. in the Planning Department.
- C. Update: Chair and Vice-Chair of Board of Commissioner's. Conover stated that Commissioner LaCroix is Chair and Mark DiSanto is Vice Chair.

19. ITEMS FROM THE MEMBERSHIP

Commissioner Johnson spoke of Matrix Consulting and wanted to know when the Draft Report would be ready.

20. ADJOURNMENT

**Moved by Marsh and seconded by Hadcock to adjourn.**

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

**The meeting adjourned at 9:37 a.m.**

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Travis Lasseter, Chairperson