

MINUTES
PENNINGTON COUNTY PLANNING COMMISSION
June 11, 2018 @ 9:00 a.m.

County Commissioners' Meeting Room - Pennington County Administration Building

MEMBERS PRESENT: Travis Lassetter, Kathy Johnson, Rich Marsh, Bill McCollam, Lori Litzen, and Lloyd LaCroix.

STAFF PRESENT: Brittney Molitor, Frank Waisath, Michaele Hoffmann (SAO), and Jeri Ervin.

ROLL CALL

1. APPROVAL OF THE MAY 29, 2018, MINUTES
Moved by Marsh and seconded by McCollam to approve the Minutes of the May 29, 2018, Planning Commission meeting. Vote: unanimous 6 to 0.
2. APPROVAL OF THE JUNE 4, 2018, MINUTES
Moved by Litzen and seconded by Johnson to approve the Minutes of the June 4, 2018, Planning Commission meeting. Vote: unanimous 6 to 0.
3. APPROVAL OF AGENDA
Moved by Marsh and seconded by McCollam to approve the Agenda of the June 11, 2018, Planning Commission meeting. Vote: unanimous 6 to 0.

Moved by Litzen and seconded by McCollam to approve the Consent Calendar of the June 11, 2018, Planning Commission meeting. Vote: unanimous 6 to 0.

CONSENT AGENDA

The following items have been placed on the Consent Agenda 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 Agenda, 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.

4. **CONDITIONAL USE PERMIT REVIEW / CU 16-09:** Ken Nash. To review two (2) new off-premises signs within 1,500 feet of a residential zoning district / dwelling unit in a Highway Service District and a General Agriculture District in accordance with Sections 205, 210 and 510 of the Pennington County Zoning Ordinance.

S1/2SW1/4 Less NE1/4NE1/4SE1/4SW1/4, less Lot A of SW1/4SW1/4, less Lot 1 Pankratz Subd, less that PT of SW1/4SW1/4 lying N and W of Hwy Lots, less Lots H1, H2, H3 and ROW; NE1/4 NE1/4SW1/4SE1/4, Section 22, T1S, R6E, BHM, Pennington County, South Dakota.

To approve of the extension of Conditional Use Permit / CU 16-09 with the following five (5) conditions:

1. That both off-premise signs continually conform to all regulations in § 312 of the Pennington County Zoning Ordinance (PCZO) at all times;
2. That the signs be continually maintained so as to have an aesthetically pleasing appearance at all times and not appear dilapidated;
3. That the installation of any signs on the property requires a separate Sign Permit to be obtained and this Conditional Use Permit reviewed and amended;
4. That if the applicant decides to illuminate either off-premise sign, this Conditional Use Permit shall be revoked and the applicant will need to apply for a new Conditional Use Permit; and,
5. That this Conditional Use Permit be reviewed in three (3) years, as deemed necessary by the Pennington County Planning Commission or Board of Commissioners, or on a complaint basis to verify that all Conditionals of Approval are being met.

Vote: unanimous 6 to 0.

5. **CONDITIONAL USE PERMIT REVIEW / CU 17-28:** Laura Pankratz; Ken Nash – Agent. To review three (3) existing signs to be relocated on the subject property, to allow for the three (3) existing signs to be located within 1,500 feet of a residential zoning district/dwelling unit, and to allow for the three (3) existing signs to be located closer to each than the requirement of no signs shall be located no closer than 1,500 feet from all other signs in a Highway Service District in accordance with Sections 210, 312, and 510 of the Pennington County Zoning Ordinance.

S1/2SW1/4 Less NE1/4NE1/4SE1/4SW1/4, less Lot A of SW1/4SW1/4, less Lot 1 Pankratz Subd, less that PT of SW1/4SW1/4 lying N and W of Hwy Lots, less Lots H1, H2, H3 and ROW; NE1/4 NE1/4SW1/4SE1/4, Section 22, T1S, R6E, BHM, Pennington County, South Dakota.

To approve of the extension of Conditional Use Permit / CU 17-28 with the following eight (8) conditions:

1. That the applicant is allowed two signs to be the required 1,500 feet apart (according to the site plan submitted) and the angle of the V-shaped signs be no greater than twenty-five (25) degrees, the angle of the previously existing V-shaped signs on the subject property;
2. That the two (2) signs continue to conform to all regulations in § 312 of the Pennington County Zoning Ordinance, with the exception of those specifically addressed within CU 17-28;

3. That the signs be continually maintained so as to have an aesthetically pleasing appearance at all times and not appear dilapidated;
4. That the installation of any other signs(s) on the property requires a separate Sign Permit to be obtained and this Conditional Use Permit amended;
5. That the two (2) signs not be illuminated unless a Conditional Use Permit is approved to allow for such use;
6. That the overall height of the two sign(s), including ground clearance, not exceed 30 feet and the maximum display area not exceed 250 square feet on each face;
7. That the two sign(s) must continually meet a minimum of a five (5) foot setback from the front property line and twenty-five (25) foot setbacks from all side and rear property lines. Also, that no part of the sign(s) or infrastructure(s) be located in any right-of-way; and,
8. That this Conditional Use Permit be reviewed in three (3) years, as deemed necessary by the Pennington County Planning Commission or Board of Commissioners, or on a complaint basis to verify that all Conditionals of Approval are being met.

Vote: unanimous 6 to 0.

6. **CONDITIONAL USE PERMIT / CU 18-11:** Lori Nore. 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 9, Feay Reder Subdivision, Section 36, T1N, R6E, BHM, Pennington County, South Dakota.

(Continued from the May 29, 2018, Planning Commission meeting.)

To approve of the withdrawal of Conditional Use Permit / CU 18-11 with the applicant's concurrence.

Vote: unanimous 6 to 0.

7. **CONDITIONAL USE PERMIT / CU 18-13:** Randy Wirtzfeld. To allow a 12 x 12 cabin to be occupied on a seasonal basis on the subject property, not to be occupied more than 180 days per calendar year, in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

All, Brule Lode MS 993, Section 36, T2N, R3E, BHM, Pennington County, South Dakota.

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

1. That the applicant submit a Building Permit, with all applicable fees paid, for the existing 12' x 12' cabin within ten (10) business days of approval of Conditional Use Permit / CU 18-13;
2. That the lot address assigned to the property upon Building Permit submittal be properly posted in accordance with Pennington County's Ordinance #20;
3. That the seasonal cabin may not be occupied more than 180 days per calendar year;
4. That a port-a-potty be present on the subject property while the cabin is occupied and the port-a-potty be pumped and maintained as needed to prevent effluent and "blue juice" from reaching the ground. Pump records must be provided to the Planning Department upon request;
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 the minimum setbacks requirements for a General Agriculture District be continually maintained on the subject property, or an approved Setback Variance be obtained;
7. That the cabin be used for personal use only. No commercial activity or renting shall be permitted;
8. That the applicant signs a Statement of Understanding within ten (10) business days of approval of Conditional Use Permit / CU 18-13, which is available at the Planning Office; and,
9. That this Conditional Use Permit be reviewed in one (1) year, on a complaint basis, or as directed by the Pennington County Planning Commission or Board of Commissioners to verify that all Conditions of Approval are being met.

Vote: unanimous 6 to 0.

8. **CONDITIONAL USE PERMIT / CU 18-15:** Koenig Family Trust (Sheila Watkins); Edelweiss Mountain Lodging - Agent. To allow an existing residence to be used as a Vacation Home Rental on the subject property in a Suburban Residential District in accordance with Sections 208, 319, and 510 of the Pennington County Zoning Ordinance.

Lot A, Edelweiss Mountain Development, Section 17, T1N, R5E, BHM, Pennington County.

To approve of Conditional Use Permit / CU 18-15 with the following fifteen (15) conditions:

- 1. That the maximum overnight occupancy be limited to twelve (12) people and the maximum daytime occupancy be limited to eighteen (18);**
- 2. That each review of Conditional Use Permit / CU 18-15, be subject to Pennington County Zoning Ordinance (PCZO) § 511(F)(3), which imposes a \$100 fee per review;**
- 3. That the applicant continually 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 upon request;**
- 4. That the applicant continually 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;**
- 5. That a minimum of four (4) off-street parking spaces be provided on-site, per PCZO § 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;**
- 6. That the interior information sign be corrected in accordance with comments from Emergency Services (9-1-1) prior to posting or operation of the Vacation Home Rental;**
- 7. That an interior informational sign be posted in accordance with the requirements of PCZO §319(G), with 9-1-1 and (605) 394-2151 listed as contacts for Fire Department and Sheriff's Office respectively, during operation of the Vacation Home Rental;**
- 8. That the lot address (190 Swiss Drive) be posted on the residence at all times and so it is clearly visible from Swiss Drive, in accordance with Pennington County's Ordinance #20;**
- 9. That the applicant ensure the Vacation Home Rental is continually operated in accordance with the requirements of PCZO § 319(F) (Performance Standards) at all times;**
- 10. That if the person designated as the Local Contact is ever changed from Edelweiss Mountain Lodging, the interior informational sign be updated and the applicant re-notify the Planning Director and surrounding landowners within 500 feet via notices sent by First Class 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 Sign Permit be obtained prior to the placement of any sign(s);
13. 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;
14. That the applicant signs the Statement of Understanding within ten (10) business days of approval of Conditional Use Permit / CU 18-15, which is available at the Planning Office; and,
15. That this Conditional Use Permit be reviewed in one (1) year, on a complaint basis, or as directed by the Pennington County Planning Commission or Board of Commissioners to verify that all Conditions of Approval are being met.

Vote: unanimous 6 to 0.

9. **CONDITIONAL USE PERMIT / CU 18-16:** David and Karen Maudlin. To allow an existing residence to be used as 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..

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

To approve of Conditional Use Permit / CU 18-16 with the following seventeen (17) conditions:

1. That Conditional Use Permit / CU 08-20 be ended and the property no longer be utilized as a Bed and Breakfast;
2. That the maximum overnight occupancy, based on SD DENR approval, be limited to six (6) people and the maximum daytime occupancy be limited to twelve (12) people, per Pennington County Zoning Ordinance (PCZO) § 319(F)(13);
3. 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;

4. That all necessary permits are obtained prior to any additions and/or alterations to the structure or upgrades/alterations to the on-site wastewater treatment system;
5. That each review of Conditional Use Permit / CU 18-16, be subject to PCZO § 511(F)(3), which imposes a \$100 fee per review;
6. That the applicant continually 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 upon request;
7. That the applicant continually 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;
8. That a minimum of three (3) off-street parking spaces be provided on-site, per PCZO § 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;
9. That an interior informational sign be posted in accordance with the requirements of PCZO §319(G), with 9-1-1 and (605) 394-2151 listed as contacts for Fire Department and Sheriff's Office respectively, during operation of the Vacation Home Rental;
10. That the lot address (12754 Devin Court) be posted on the residence at all times and so it is clearly visible from Devin Court, in accordance with Pennington County's Ordinance #20;
11. That the applicant ensure the Vacation Home Rental is continually operated in accordance with the requirements of PCZO § 319(F) (Performance Standards) at all times;
12. That if the person designated as the Local Contact is ever changed from David Maudlin, the interior informational sign be updated and the applicant re-notify the Planning Director and surrounding landowners within 500 feet via notices sent by First Class Mail;
13. 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;
14. That an approved Sign Permit be obtained prior to the placement of any sign(s);

15. 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;
16. That the applicant signs the Statement of Understanding within ten (10) business days of approval of Conditional Use Permit / CU 18-16, which is available at the Planning Office; and,
17. 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.

10. **LAYOUT PLAT / PL 18-07:** Kenneth Smith. To reconfigure lots lines to create Lot AR, Lot C, and Lot D of Block 2 in the Original Townsite of Caputa in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot 1-3; Lot A (replat of Lot 4-8 of Block 2); Lot 9-12; and Lot 1-3 RTY all located in Block 2, Original Townsite of Caputa, Section 9, T1S, R9E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot AR; Lot C; and Lot D all located in Block 2, Original Townsite of Caputa, Section 9, T1S, R9E, BHM, Pennington County, South Dakota.

(Continued from the April 23, 2018, Planning Commission meeting.)

To recommend to continue Layout Plat / PL 18-07 to the September 10, 2018, Planning Commission meeting to allow the applicant time to obtain the necessary signatures, with the following three (3) conditions:

1. That the applicant submit the signed applications for Layout Plat / 18-07 so that Staff can move forward with the necessary review of the applicant's proposal;
2. If additional continuations of PL 18-07 are required, each continuation will be subject to Section 511-X; and,
3. That the applicant signs the Statement of Understanding (SOU) for Layout Plat / PL 18-07 Plan within ten (10) business days of approval. The SOU is available at the Planning Department.

Vote: unanimous 6 to 0.

11. **ROAD NAMING:** Laredo Holdings, LLC. To name a proposed 66-foot-wide Public Right-of-Way providing access to property located in Section 33, T2N, R10E, BHM, Pennington County, South Dakota, to Lasso Lane.

To recommend approval of the Road Naming of Lasso Lane.

Vote: unanimous 6 to 0.

12. **ROAD NAMING:** Laredo Holdings, LLC. To name a proposed 66-foot-wide Public Right -of-Way providing access to property located in Section 33, T2N, R10E, BHM, Pennington County, South Dakota, to High Noon Court.

To recommend approval of the Road Naming of High Noon Court.

Vote: unanimous 6 to 0.

13. **MINOR PLAT / PL 18-15 AND SUBDIVISION REGULATIONS VARIANCE / SV 18-05:** Laura Pankratz; Ken Nash – Agent. To create Lots 2, 3, 4, and 5 of Pankratz Subdivision and to waive platting requirements in accordance with Section 400.3 and Section 700.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: S1/2SW1/4 Less NE1/4NE1/4SE1/4SW1/4, less Lot A of SW1/4SW1/4, less Lot 1 Pankratz Subd, less that PT of SW1/4SW1/4 lying N and W of Hwy Lots, less Lots H1, H2, H3 and ROW; NE1/4 NE1/4SW1/4SE1/4, Section 22, T1S, R6E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lots 2, 3, 4, and 5 of Pankratz Subdivision, Section 22, T1S, R6E, BHM, Pennington County, South Dakota.

To recommend approval of Subdivision Regulations Variance / SV 18-05 to waive submittal of percolation test and profile hole information and dedication of 8’ utility and drainage easements where the billboard signs currently exist; and approval of Minor Plat / PL 18-15 with the following eight (8) conditions:

1. **That at the time of Minor Plat submittal, eight (8) foot minor drainage and utility easements be dedicated on the interior sides of all lot lines, or an approved Subdivision Regulations Variance be obtained waiving this requirement;**
2. **That at the time of Minor Plat submittal, the applicant submits percolation tests and soil profile information for the proposed lots and the unplatted remainder, to be reviewed and approved by the County Environmental Planner, or an approved Subdivision Regulations Variance be obtained waiving this requirement;**
3. **That at the time the Plat is filed with the Register of Deeds, the indicated “66’ Access Easement(s)” continue to appear on the Plat;**

4. That the applicant ensures that all natural drainage ways are maintained and are not blocked;
5. That existing and future addresses be properly posted on structures in accordance with Pennington County's Ordinance #20;
6. That the Certifications on the plat be in accordance with Section 400.3.1.n of the Pennington County Subdivision Regulations;
7. That prior to the Plat being recorded with the Register of Deeds, the plat meets all other applicable requirements of the Pennington County Subdivision Regulations, or an approved Subdivision Regulations Variance be obtained waiving any of these requirements that are not met; and,
8. That prior to the Plat being filed with the Register of Deeds, the applicant signs the Statement of Understanding (SOU) within ten (10) business days of approval of Minor Plat / PL 18-15. The SOU is available at the Planning Office.

Vote: unanimous 6 to 0.

14. **MINING PERMIT / MP 18-01:** Pennington County Highway Department. To mine gravel for road maintenance in an area north of Wall in accordance with Section 320 of the Pennington County Zoning Ordinance.

GL 5-8; SW1/4; NW1/4SE1/4; S1/2SE1/4, Section 36, T6N, R16E; and, GL 9 and 11; SE1/4SW1/4; SE1/4, Section 31, T6N, R17E, BHM, Pennington County, South Dakota.

To recommend approval of Mining Permit / MP 18-01 with the following fourteen (14) conditions:

1. That the conditions of the approval of the South Dakota Department of Environment and Natural Resources General Permit for Storm Water Discharges Associated with Industrial Activities be continually met;
2. That the applicant continually maintains and adheres to the Storm Water Pollution Prevention Plan during the Mining Activity;
3. That the conditions of approval of the South Dakota Department of Environment and Natural Resources Mining & Minerals Permits (Mining License #45-036) be continually met;
4. That the applicant submit a copy of the annual Mine License Report and a copy of the Mine License to the Planning Director when it is renewed;
5. That the conditions of the approval of the South Dakota Department of Environment and Natural Resources General Permit to Operate Under the Air Quality Operating Permit Program and Surface Water Discharge

System For Nonmetallic Mineral Processing Plants in South Dakota be continually met;

- 6. That any natural drainage ways and paths be continually maintained and culverts added as necessary, in accordance with Pennington County Ordinance #14;**
- 7. That erosion control measures be implemented around the stockpiles to prevent sediment from leaving the site and, in addition, any disturbed areas must have acceptable erosion control measures to prevent surface erosion and sediment leaving the site or entering drainage ways;**
- 8. That site inspections be done at least once every 7 calendar days or once every 14 calendars days and within 24 hours of precipitation that exceeds 0.25 inches or snowmelt that generates runoff;**
- 9. That if mining activity is within 50 feet of the Cheyenne River, a 50-foot undisturbed, natural buffer must be provided and maintained at all times;**
- 10. That mining activity must not cause a rise in the surface water elevation in the potential Special Flood Hazard Area;**
- 11. That self-contained toilets be maintained on-site: one (1) unit per 50 employees. The self-contained toilets must meet all State and County regulations. The method and schedule of disposal of the solid waste must be in compliance with State and local rules and regulations;**
- 12. That an address be posted in large numbers at the entrance to the pit in accordance with Ordinance #20;**
- 13. That the site shall be revegetated as required in § 507(A)(5)(c) or as required by the South Dakota DENR; and,**
- 14. That this Mining Permit is valid for five (5) years from the approval date, and this Permit may be reviewed and/or revoked in accordance with § 320(J) and § 320(K) of the Pennington County Zoning Ordinance.**

Vote: unanimous 6 to 0.

END OF CONSENT AGENDA

15. LAYOUT PLAT / PL 18-14: Schriener Investment / Shane Schriener. To create Lots 1-8 of Keystone Wye Subdivision in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: All of Crown Point Lode MS 1258; All of Bay Horse Lode MS 1258; All of Buffalo Fraction Lode MS 1258; and All of Bellevue Lode MS 1258, all located in Section 32, T1S, R6E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lots 1-8 of Keystone Wye Subdivision, Section 32, T1S, R6E, BHM, Pennington County, South Dakota.

Molitor reviewed the Staff Report indicating the applicant has applied for a Layout Plat to create Lots 1-8 of Keystone Wye Subdivision.

Staff recommended approval of Layout Plat / PL 18-14 with the following sixteen (16) conditions:

1. That prior to filing the Plat with the Register of Deeds, the proposed lots obtain approved Lot Size Variances or be Rezoned appropriately;
2. That prior to filing the Plat with the Register of Deeds, an approved Construction Permit be obtained for the access road that was constructed through the subject properties, with the appropriate waivers for any road standards that are not or will not be met;
3. That prior to new Plat submittal, the applicant provide alternate proposed road names for the Access Easement identified as "Twin Drive" to 9-1-1 for review and the road name approved by 9-1-1 be added to the Plat;
4. That at the time of new Plat submittal, the applicant submit a Road Naming application, with a 9-1-1 approved road name, to be approved by the Pennington County Board of Commissioners;
5. That at the time of new Plat submittal, the proposed Access Easement be increased to 66-feet per Pennington County Subdivision Regulations, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
6. That at the time of new Plat submittal, an Owner's Certificate be added for Genesis Capital LLC, per Register of Deeds and Department of Equalization comments;
7. That at the time of new Plat submittal, the Certificates that have reference to the Town of New Underwood be corrected;
8. That at the time of new Plat submittal, the following corrections and additions be made, per Department of Equalization comments; the names of the underlying Lodes be added to the Plat; the annotation near the northeast corner of Lot 5 be

corrected, so that it is legible; and, the distances and bearings of the proposed Access Easement be added to the Plat;

9. That prior to new Plat submittal, the surveyor verify the acreage of the existing Bay Horse Lode and the total acreage of the proposed Plat, per Department of Equalization comments;
10. That at the time of new Plat submittal, eight (8) foot Minor Drainage and Utility Easements be dedicated on the interior sides of all lot lines, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
11. That at the time of new Plat submittal, the plat meets all requirements of § 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;
12. That the Certifications on the plat be in accordance with § 400.3.1.n of the Pennington County Subdivision Regulations;
13. That the applicant ensures that all natural drainage ways are maintained and are not blocked;
14. That following platting of the proposed lots, any on-site wastewater treatment system(s) be subject to the requirements of § 204(J) of the Pennington County Zoning Ordinance, including the requirement to obtain an Operating Permit;
15. That the applicant signs the Statement of Understanding within ten (10) business days of approval of Layout Plat / PL 18-14, which is available at the Planning Office; and,
16. That approval of this Layout Plat does not constitute approval of any further applications to be submitted for the above-described property.

Moved by McCollam and seconded by Johnson to approve of Layout Plat / PL 18-14 with the following sixteen (16) conditions:

- 1. That prior to filing the Plat with the Register of Deeds, the proposed lots obtain approved Lot Size Variances or be Rezoned appropriately;**
- 2. That prior to filing the Plat with the Register of Deeds, an approved Construction Permit be obtained for the access road that was constructed through the subject properties, with the appropriate waivers for any road standards that are not or will not be met;**
- 3. That prior to new Plat submittal, the applicant provide alternate proposed road names for the Access Easement identified as “Twin Drive” to 9-1-1 for review and the road name approved by 9-1-1 be added to the Plat;**

4. That at the time of new Plat submittal, the applicant submit a Road Naming application, with a 9-1-1 approved road name, to be approved by the Pennington County Board of Commissioners;
5. That at the time of new Plat submittal, the proposed Access Easement be increased to 66-feet per Pennington County Subdivision Regulations, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
6. That at the time of new Plat submittal, an Owner's Certificate be added for Genesis Capital LLC, per Register of Deeds and Department of Equalization comments;
7. That at the time of new Plat submittal, the Certificates that have reference to the Town of New Underwood be corrected;
8. That at the time of new Plat submittal, the following corrections and additions be made, per Department of Equalization comments; the names of the underlying Lodes be added to the Plat; the annotation near the northeast corner of Lot 5 be corrected, so that it is legible; and, the distances and bearings of the proposed Access Easement be added to the Plat;
9. That prior to new Plat submittal, the surveyor verify the acreage of the existing Bay Horse Lode and the total acreage of the proposed Plat, per Department of Equalization comments;
10. That at the time of new Plat submittal, eight (8) foot Minor Drainage and Utility Easements be dedicated on the interior sides of all lot lines, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
11. That at the time of new Plat submittal, the plat meets all requirements of § 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;
12. That the Certifications on the plat be in accordance with § 400.3.1.n of the Pennington County Subdivision Regulations;
13. That the applicant ensures that all natural drainage ways are maintained and are not blocked;
14. That following platting of the proposed lots, any on-site wastewater treatment system(s) be subject to the requirements of § 204(J) of the Pennington County Zoning Ordinance, including the requirement to obtain an Operating Permit;

15. That the applicant signs the Statement of Understanding within ten (10) business days of approval of Layout Plat / PL 18-14, which is available at the Planning Office; and,
16. That approval of this Layout Plat does not constitute approval of any further applications to be submitted for the above-described property.

All voting aye, the Motion carried 6 to 0.

16. LAYOUT PLAT / PL 18-13: Ralph and Sandra Kruse. To create Lots A and B of Lot 2 of Lot B of Lot 4 of Iowa Placer MS No. 636 in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot 2 of Lot B of Lot 4 (also in Section 35-T1S-R4E) Iowa Placer MS 636, Section 1, T2S, R4E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lots A and B of Lot 2 of Lot B of Lot 4, Iowa Placer MS 636, Section 1, T2S, R4E, BHM, Pennington County, South Dakota.

Molitor reviewed the Staff Report indicating the applicant has applied for a Layout Plat to create Lots A and B of Lot 2 of Lot B of Lot 4 of Iowa Placer MS No. 636.

Staff recommended approval of Layout Plat / PL 18-13 with the following nine (9) conditions:

1. That at the time of new Plat submittal, the Plat heading and proposed legal descriptions be corrected in accordance with Register of Deeds comments;
2. That at the time of new Plat submittal, eight (8) foot Minor Drainage and Utility Easements be dedicated on the interior sides of all lot lines, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
3. That at the time of new Plat submittal, the Special Flood Hazard Area be corrected to reflect the updated 2013 FIRM map;
4. That at the time of new Plat submittal, the plat meets all requirements of § 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;
5. That the Certifications on the plat be in accordance with § 400.3.1.n of the Pennington County Subdivision Regulations;
6. That the applicant ensures that all natural drainage ways are maintained and are not blocked;

7. That percolation test and soil profile information is provided for Proposed Lot 2, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
8. That the applicant signs the Statement of Understanding within ten (10) business days of approval of Layout Plat / PL 18-13, which is available at the Planning Office; and,
9. That approval of this Layout Plat does not constitute approval of any further applications to be submitted for the above-described property.

Moved by McCollam and seconded by Marsh to approve of Layout Plat / PL 18-13 with the following nine (9) conditions:

- 1. That at the time of new Plat submittal, the Plat heading and proposed legal descriptions be corrected in accordance with Register of Deeds comments;**
- 2. That at the time of new Plat submittal, eight (8) foot Minor Drainage and Utility Easements be dedicated on the interior sides of all lot lines, or an approved Subdivision Regulations Variance be obtained waiving this requirement;**
- 3. That at the time of new Plat submittal, the Special Flood Hazard Area be corrected to reflect the updated 2013 FIRM map;**
- 4. That at the time of new Plat submittal, the plat meets all requirements of § 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;**
- 5. That the Certifications on the plat be in accordance with § 400.3.1.n of the Pennington County Subdivision Regulations;**
- 6. That the applicant ensures that all natural drainage ways are maintained and are not blocked;**
- 7. That percolation test and soil profile information is provided for Proposed Lot 2, or an approved Subdivision Regulations Variance be obtained waiving this requirement;**
- 8. That the applicant signs the Statement of Understanding within ten (10) business days of approval of Layout Plat / PL 18-13, which is available at the Planning Office; and,**
- 9. That approval of this Layout Plat does not constitute approval of any further applications to be submitted for the above-described property.**

All voting aye, the Motion carried 6 to 0.

17. CONDITIONAL USE PERMIT / CU 18-14: All American Sales; Doug Bellinger - Agent. To allow for seasonal retail sales of Class C Fireworks in a Heavy Industrial District in accordance with Sections 204, 212, and 510 of the Pennington County Zoning Ordinance.

Lots A and B of Tract B of SW1/4 Less Lot H3 of said Lot B, including Lot H2 of Tract B, Section 27, T2N, R8E, BHM, Pennington County, South Dakota.

Molitor reviewed the Staff Report indicating the applicant has applied for a Conditional Use Permit to allow for seasonal retail sales of Class C Fireworks in a Heavy Industrial District.

Staff recommended approval of Conditional Use Permit / CU 18-14 with the following fifteen (15) conditions:

1. That prior to operation, the applicant submit all necessary permits/licenses from other governing bodies for operation of the Class C Fireworks, including, but not limited to: written approval from the South Dakota State Fire Marshal's office and a Sales Tax License from the South Dakota Department of Revenue;
2. That prior to the next review of CU 18-14, the wood debris located across the train tracks, behind Woodstock Supply, be completely removed or CU 18-14 automatically end and the applicant work with County Planning Staff to verify compliance;
3. That a separate address be assigned to the existing structure where fireworks are being sold and that the new address be posted in accordance with Pennington County Ordinance #20;
4. That the proposed use be limited to: seasonal retail sales of Class C fireworks;
5. That the sale of fireworks be limited to June 10th to July 5th of each year and from the hours of 7 a.m. to 12 a.m.;
6. That a minimum of 25 parking spaces be provided on-site, each parking space must be a minimum of 9 feet x 18 feet and be maintained in a dust free manner;
7. That a minimum of one (1) port-a-potty be available to the public and be accessible for pumping and/or removal when necessary, if the existing facilities in the structure are not accessible by the public;
8. That the applicant ensures the safety of the customers by providing adequate security, fire protection, and a phone available to the public in case of an emergency;
9. That no parking be along the frontage road;

10. That the applicant obtains approved Sign Permits prior to any signs being placed on the property, in accordance with § 312 of the Pennington County Zoning Ordinance (PCZO);
11. That temporary structures (which may require temporary Building Permits), such as tents and port-a-potties, only be erected when needed and not on a permanent basis;
12. That the applicant not start selling fireworks until after the period of appeals for CU 18-14 has expired;
13. That no fireworks be stored on the subject property outside of June 10th - July 5th of each year;
14. That the applicant sign a Statement of Understanding within ten (10) business days of approval of Conditional Use Permit / CU 18-14, which is available at the Planning Office; and,
15. That this Conditional Use Permit be reviewed no later than the second meeting in May 2019 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.

Discussion followed.

Moved by Marsh and seconded by Litzen to approve of Conditional Use Permit / CU 18-14 with the following fourteen (14) conditions:

- 1. That prior to operation, the applicant submit all necessary permits/licenses from other governing bodies for operation of the Class C Fireworks, including, but not limited to: written approval from the South Dakota State Fire Marshal's office and a Sales Tax License from the South Dakota Department of Revenue;**
- 2. That a separate address be assigned to the existing structure where fireworks are being sold and that the new address be posted in accordance with Pennington County Ordinance #20;**
- 3. That the proposed use be limited to: seasonal retail sales of Class C fireworks;**
- 4. That the sale of fireworks be limited to June 10th to July 5th of each year and from the hours of 7 a.m. to 12 a.m.;**
- 5. That a minimum of 25 parking spaces be provided on-site, each parking space must be a minimum of 9 feet x 18 feet and be maintained in a dust free manner;**

6. That a minimum of two (2) port-a-potty be available to the public and be accessible for pumping and/or removal when necessary, if the existing facilities in the structure are not accessible by the public;
7. That the applicant ensures the safety of the customers by providing adequate security, fire protection, and a phone available to the public in case of an emergency;
8. That no parking be along the frontage road;
9. That the applicant obtains approved Sign Permits prior to any signs being placed on the property, in accordance with § 312 of the Pennington County Zoning Ordinance (PCZO);
10. That temporary structures (which may require temporary Building Permits), such as tents and port-a-potties, only be erected when needed and not on a permanent basis;
11. That the applicant not start selling fireworks until after the period of appeals for CU 18-14 has expired;
12. That no fireworks be stored on the subject property outside of June 10th - July 15th of each year;
13. That the applicant sign a Statement of Understanding within ten (10) business days of approval of Conditional Use Permit / CU 18-14, which is available at the Planning Office; and,
14. That this Conditional Use Permit be reviewed no later than the second meeting in May 2019 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.

18. CONDITIONAL USE PERMIT / CU 18-17: James and Laura Rogers. To allow a temporary labor camp on the subject property in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

Lot 10, Moon Ranch Subdivision, Section 33, T1S, R1E, BHM, Pennington County, South Dakota.

Molitor reviewed the Staff Report indicating the applicants have applied for a Conditional Use Permit to allow a temporary labor camp on the subject property in a General Agriculture District.

Staff recommended approval of Conditional Use Permit / CU 18-17 with the following ten (10) conditions:

1. That prior to September 2018, the applicant apply for the necessary Building Permits to bring the subject property into compliance;
2. That the addition of any future structures will require a review and possible Amendment of CU 18-17, prior to any new structures being placed on the subject property;
3. That the new addresses assigned to the property upon Building Permit submittal, be properly posted in accordance with Pennington County's Ordinance #20 and road signs posted as required;
4. That the seasonal Labor Camp may not be occupied more than 180 days per calendar year;
5. That the applicant submit all pump receipts (current and future) to the County Environmental Planner within two (2) weeks of the holding tank being pumped;
6. 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;
7. That the minimum setbacks requirements for a General Agriculture District be continually maintained on the subject property, or an approved Setback Variance be obtained;
8. That the cabins be used for personal use only. No commercial activity or renting shall be permitted;
9. That the applicant signs a Statement of Understanding within ten (10) business days of approval of Conditional Use Permit / CU 18-17, which is available at the Planning Office; and,
10. 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.

Discussion followed.

Moved by Marsh and seconded by McCollam to approve of Conditional Use Permit 18-17.

Discussion further followed to address Recreational Vehicles on the property.

SUBSTITUTE MOTION: Moved by Marsh and seconded by McCollam to approve of Conditional Use Permit / CU 18-17 with the following ten (10) conditions:

- 1. That prior to September 2018, the applicant apply for the necessary Building**

Permits to bring the subject property into compliance;

- 2. That the addition of any future structures will require a review and possible Amendment of CU 18-17, prior to any new structures being placed on the subject property;**
- 3. That the new addresses assigned to the property upon Building Permit submittal, be properly posted in accordance with Pennington County's Ordinance #20 and road signs posted as required;**
- 4. That the seasonal Labor Camp may not be occupied more than 180 days per calendar year;**
- 5. That the applicant submit all pump receipts (current and future) to the County Environmental Planner within two (2) weeks of the holding tank being pumped;**
- 6. 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;**
- 7. That the minimum setbacks requirements for a General Agriculture District be continually maintained on the subject property, or an approved Setback Variance be obtained;**
- 8. That the cabins and Recreational Vehicles be used for personal use only. No commercial activity or renting shall be permitted;**
- 9. That the applicant signs a Statement of Understanding within ten (10) business days of approval of Conditional Use Permit / CU 18-17, which is available at the Planning Office; and,**
- 10. 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.**

All voting aye, the Motion carried 6 to 0.

19. CONDITIONAL USE PERMIT / CU 18-04: Shelby Johnson and Jakob Woodland. To allow for a Specialty/Recreational Resort and event venue to include: music events, weddings, markets, seasonal festivities, community events, festivals, rental space, tent rental, bed and breakfast, vacation rental, and art retail store in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

S1/2SW1/4; Section 21, T2N, R17E, BHM, Pennington County, South Dakota.

(Continued from the May 29, 2018, Planning Commission meeting.)

Molitor reviewed the Staff Report indicating the applicants have applied for a Conditional Use Permit to for a Specialty/Recreational Resort and event venue to include: music events, weddings, markets, seasonal festivities, community events, festivals, rental space, tent rental, bed and breakfast, vacation rental, and art retail store in a General Agriculture District.

Based on the comments from the Fire Coordinator, there are still some safety concerns relative to the property. If the Planning Commission chooses to approve Conditional Use Permit / CU 18-04, Staff recommends the following twenty (20) conditions be included:

1. That prior to operation, the applicant meet with the Fire Administrator and Planning Director, on-site, to address the safety concerns uncovered during the Fire Administrator's site visit;
2. That the Specialty Resort be allowed to operate between May 1st and January 1st of each year;
3. That there be no more than one (1) event per day, with no more than one-hundred (100) patrons on the subject property for any single event at any single time and no more than 50 patrons are allowed in the loft area at any one time;
4. That CU 18-04 be limited to the following uses, operating days, and operating hours as listed below:
 - a. Live music events.
 - i. No more than three (3) days per week.
 - ii. 9:00 a.m. – Midnight / Friday and Saturday.
 - iii. 9:00 a.m. – 10:00 p.m. / Sunday – Thursday.
 - b. Weddings
 - i. Seven days a week.
 - ii. 9:00 a.m. – Midnight / Friday and Saturday.
 - iii. 9:00 a.m. – 10:00 p.m. / Sunday – Thursday.
 - c. Caterers / Food Trucks
 - i. Allowed for all events.
 - d. Markets
 - i. Seven days a week.
 - ii. Farmers Markets, Art markets and other comparable Markets.
 - iii. 9:00 a.m. – 9:00 p.m.
 - e. Community Events
 - i. Seven days a week.
 - ii. Reunions, funerals, graduations, fundraisers, outdoor/sporting events, cultural events, art showcases/gallery, beer/wine events and other comparable Community Events.
 - iii. 9:00 a.m. – Midnight / Friday and Saturday.
 - iv. 9:00 a.m. – 10:00 p.m. / Sunday – Thursday
 - f. Beer and wine sales
 - i. 9:00 a.m. – Midnight / Friday and Saturday.

- ii. 9:00 a.m. – 10:00 p.m. / Sunday – Thursday.
 - g. Rental space
 - i. Seven days a week.
 - ii. Educational and Instructional Classes, Creative space and other comparable uses.
 - iii. 9:00 a.m. – Midnight / Friday and Saturday.
 - iv. 9:00 a.m. – 10:00 p.m. / Sunday – Thursday
- 5. That a Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which includes the necessary site plans to be reviewed and approved by the Planning Director;
- 6. That the landowner and/or applicant receive and maintain all Local, State, and Federal Permits, Licenses, Inspections etc. required for each use prior to establishing each use on the subject property. Including, but not limited to: Beer and Wine Sales, Building Permits, and Sales Tax Licenses and copies be provided to the Planning Department;
- 7. That the applicant and landowner ensure the agricultural character of the property is maintained;
- 8. That daily and event operations of the specialty resort be conducted by family and/or employees only, not to exceed four (4) total;
- 9. That all natural drainage paths be continually maintained;
- 10. That the applicant be allowed to apply for signs, per Pennington County Zoning Ordinance §312;
- 11. That all current and future addresses be properly and continually posted on all structures (including temporary tent structures), in accordance with Pennington County's Ordinance #20;
- 12. That the applicant maintain an Emergency Evacuation Plan and that a copy of said plan be kept on-file at the Planning Department and reviewed along with CU 18-04, or at a greater frequency if required by the County Fire Administrator;
- 13. That the applicant utilize the second approach approved by the Board of Commissioners and utilize the one-way option as proposed. In addition, a minimum of 28 parking spaces be provided on-site (as proposed by the applicant), each measuring a minimum of 9 feet by 18 feet and maintained in a dust-free manner in accordance with Pennington County Zoning Ordinance § 310, including all applicable, Local, State, and Federal requirements.
- 14. That the intensity and duration of sound from any and all sources are in compliance with South Dakota Codified Law 22-18-35;

15. That quite hours be 10:00 p.m. – 9:00 a.m. Sunday through Thursday and Midnight – 9:00 a.m. Friday and Saturday;
16. That all exterior lighting must be of low level intensity, which does not result in excessive glare upon surrounding neighbors;
17. That temporary port-a-potties only be placed on the subject property when needed, not to exceed ten (10) continuous months in any calendar year and 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;
18. That the Planning Director has the final determination on the interpretation of conflicting Conditions of Approval, and the applicant, if not in concurrence with the Planning Director's decision, may request a hearing before the Planning Commission;
19. That the applicants sign a Statement of Understanding (SOU) within ten (10) days of the approval of Conditional Use Permit / CU 18-04. The SOU is available at the Planning Department; and,
20. That this Conditional Use Permit be reviewed in one (1) year, on a complaint basis or as deemed necessary by either the Planning Commission or Board of Commissioners to ascertain all the Conditions of Approval are being met.

Discussion followed.

Moved by Johnson and seconded by Litzen to approve of Conditional Use Permit / CU 18-04 with the following nineteen (19) conditions:

- 1. That prior to operation, the applicant meet with the Fire Administrator and Planning Director, on-site, to address the safety concerns uncovered during the Fire Administrator's site visit;**
- 2. That the Specialty Resort be allowed to operate between May 1st and January 1st of each year;**
- 3. That there be no more than one (1) event per day, with no more than one-hundred (100) patrons on the subject property for any single event at any single time and no more than 50 patrons are allowed in the loft area at any one time;**
- 4. That CU 18-04 be limited to the following uses, operating days, and operating hours as listed below:**
 - a. Live music events.**
 - i. No more than three (3) days per week.**

- ii. 9:00 a.m. – Midnight / Friday and Saturday.
 - iii. 9:00 a.m. – 10:00 p.m. / Sunday – Thursday.
 - b. Weddings
 - i. Seven days a week.
 - ii. 9:00 a.m. – Midnight / Friday and Saturday.
 - iii. 9:00 a.m. – 10:00 p.m. / Sunday – Thursday.
 - c. Caterers / Food Trucks
 - i. Allowed for all events.
 - d. Markets
 - i. Seven days a week.
 - ii. Farmers Markets, Art markets and other comparable Markets.
 - iii. 9:00 a.m. – 9:00 p.m.
 - e. Community Events
 - i. Seven days a week.
 - ii. Reunions, funerals, graduations, fundraisers, outdoor/sporting events, cultural events, art showcases/gallery, beer/wine events and other comparable Community Events.
 - iii. 9:00 a.m. – Midnight / Friday and Saturday.
 - iv. 9:00 a.m. – 10:00 p.m. / Sunday – Thursday
 - f. Beer and wine sales
 - i. 9:00 a.m. – Midnight / Friday and Saturday.
 - ii. 9:00 a.m. – 10:00 p.m. / Sunday – Thursday.
 - g. Rental space
 - i. Seven days a week.
 - ii. Educational and Instructional Classes, Creative space and other comparable uses.
 - iii. 9:00 a.m. – Midnight / Friday and Saturday.
 - iv. 9:00 a.m. – 10:00 p.m. / Sunday – Thursday

5. That a Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which includes the necessary site plans to be reviewed and approved by the Planning Director;
6. That the landowner and/or applicant receive and maintain all Local, State, and Federal Permits, Licenses, Inspections etc. required for each use prior to establishing each use on the subject property. Including, but not limited to: Beer and Wine Sales, Building Permits, and Sales Tax Licenses and copies be provided to the Planning Department;
7. That the applicant and landowner ensure the agricultural character of the property is maintained;
8. That daily and event operations of the specialty resort be conducted by family and/or employees only, not to exceed four (4) total;
9. That all natural drainage paths be continually maintained;

10. That the applicant be allowed to apply for signs, per Pennington County Zoning Ordinance §312;
11. That all current and future addresses be properly and continually posted on all structures (including temporary tent structures), in accordance with Pennington County's Ordinance #20;
12. That the applicant maintain an Emergency Evacuation Plan and that a copy of said plan be kept on-file at the Planning Department and reviewed along with CU 18-04, or at a greater frequency if required by the County Fire Administrator;
13. That the applicant utilize the second approach approved by the Board of Commissioners and utilize the one-way option as proposed. In addition, a minimum of 28 parking spaces be provided on-site (as proposed by the applicant), each measuring a minimum of 9 feet by 18 feet and maintained in a dust-free manner in accordance with Pennington County Zoning Ordinance § 310, including all applicable, Local, State, and Federal requirements.
14. That the intensity and duration of sound from any and all sources are in compliance with South Dakota Codified Law 22-18-35;
15. That quiet hours be 10:00 p.m. – 9:00 a.m. Sunday through Thursday and Midnight – 9:00 a.m. Friday and Saturday;
16. That all exterior lighting must be of low level intensity, which does not result in excessive glare upon surrounding neighbors;
17. That temporary port-a-potties only be placed on the subject property when needed, not to exceed ten (10) continuous months in any calendar year and 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;
18. That the applicants sign a Statement of Understanding (SOU) within ten (10) days of the approval of Conditional Use Permit / CU 18-04. The SOU is available at the Planning Department; and,
19. That this Conditional Use Permit be reviewed in one (1) year, on a complaint basis or as deemed necessary by either the Planning Commission or Board of Commissioners to ascertain all the Conditions of Approval are being met.

All voting aye, the Motion carried 6 to 0.

20. COUNTY BOARD REPORT

The Board of Commissioners heard the Planning Commission's recommendations from their May 14th and May 29th meetings at the June 7, 2018, Board of Commissioner's meeting.

PRELIMINARY PLAT / PL 18-09 AND SUBDIVISION REGULATIONS VARIANCE / SV 18-02: Eric and Heidi Henriksen; Sperlich Consulting – Agent. To create Lots 1-10 of Bromegrass Subdivision and to waive platting requirements was approved by the Board.

REZONE / RZ 18-02 AND COMPREHENSIVE PLAN AMENDMENT / CA 18-02: Eric and Heidi Henriksen; Sperlich Consulting – Agent. This item continued to the June 19, 2018, Board of Commissioner's meeting.

21. ITEMS FROM THE PUBLIC

No motions or actions were taken at this time.

22. ITEMS FROM THE STAFF

A. Building Permit Report. Molitor reviewed the Building Permit Report for May 2018.

23. ITEMS FROM THE MEMBERSHIP

There were no items from the membership.

24. ADJOURNMENT

Moved by Marsh and seconded by Johnson to adjourn.

All voting aye, the Motion carried 6 to 0.

The meeting adjourned at 10:05 a.m.

Travis Lasseter, Chairperson