

MINUTES
PENNINGTON COUNTY PLANNING COMMISSION
July 23, 2018 @ 9:00 a.m.

County Commissioners' Meeting Room - Pennington County Administration Building

MEMBERS PRESENT: Rich Marsh, Kathy Johnson, Jim Coleman, Sonny Rivers, Sandra Runde, and Ron Buskerud.

STAFF PRESENT: PJ Conover, Cassie Bolstad, Brittney Molitor, Kristina Proietti, Cody Sack, Michael Hoffmann (SAO) and Jeri Ervin.

ROLL CALL

1. INTRODUCTION AND WELCOME OF NEW PLANNING EMPLOYEES
Conover welcomed new employees to the Planning Department: Kristina Proietti, Planner I, and Cody Sack, Planner, I.

2. APPROVAL OF THE JULY 9, 2018, MINUTES
Moved by Johnson and seconded by Runde to approve the Minutes of the July 9, 2018, Planning Commission meeting. Vote: unanimous 6 to 0.

3. APPROVAL OF THE AGENDA
Moved by Rivers and seconded by Johnson to approve the Agenda of the July 23, 2018, Planning Commission meeting. Vote: unanimous 6 to 0.

Moved by Coleman and seconded by Runde to approve the Consent Calendar of the July 23, 2018, Planning Commission meeting, with the removal of Items #8, #10 and #11. 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 05-14: Desirae Kursave. To review a single-wide manufactured home as a single-family residence in a Suburban Residential District in accordance with Sections 204, 208-C-19 and 510 of the Pennington County Zoning Ordinance.

N1/2 of Lot A of Lot 4; Lot B of Lot 4; Lot C of Lot 4, Section 15, T2N, R8E, BHM, Pennington County, South Dakota.

To approve of the extension of Conditional Use Permit / CU 05-14 with the following eight (8) conditions:

1. That a Building Permit be obtained for any structure exceeding 144 square feet or located on a permanent foundation which requires a site plan to be reviewed and approved by the Planning Director;
2. That a manufactured home measuring at least sixteen (16) feet by eighty (80) feet with a peaked non-reflective type roof and wood or simulated wood-type siding continue to be maintained;
3. That the applicant continues to use the existing approach from Hickory Drive;
4. That the applicant ensures that all natural drainage ways must be maintained and are not blocked;
5. That the property remains free of junk and debris;
6. That the property remains free of unlicensed and/or inoperable vehicles;
7. That the applicant must have a visible address posted at Hickory Drive; and,
8. That this Conditional Use Permit be reviewed in three (3) years, on a complaint basis, or as directed by the Pennington County Planning Commission and/or the Board of Commissioners to verify that all Conditions of Approval are being met.

Vote: unanimous 6 to 0.

5. **CONDITIONAL USE PERMIT REVIEW / CU 16-15:** Tom or Lynne Distler. To review a Recreational Vehicle to be used as a temporary residence while building a single-family residence on the subject property in a Limited Agriculture District in accordance with Sections 206 and 510 of the Pennington County Zoning Ordinance.

Lot 1 of Tract A, Bonnita Subdivision, Section 21, T1S, R7E, BHM, Pennington County, South Dakota.

To continue the review of Conditional Use Permit / CU 16-15 to the October 22, 2018, Planning Commission meeting.

Vote: unanimous 6 to 0.

6. **CONDITIONAL USE PERMIT REVIEW / CU 16-20:** Perry and Vicky Van Newkirk. To review a pole barn constructed prior to a residential structure on the subject property in a Low Density Residential District in accordance with Sections 207 and 510 of the Pennington County Zoning Ordinance.

Lot 48 (includes 48A), Burns Placer 697, Section 14, T1S, R4E, BHM, Pennington County, South Dakota.

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

To continue the review of Conditional Use Permit / CU 16-20 to the September 24, 2018, Planning Commission meeting.

Vote: unanimous 6 to 0.

7. **CONDITIONAL USE PERMIT REVIEW / CU 16-26:** Terry Sager. To review a Recreational Vehicle to be used as temporary living quarters while building a single-family residence on the subject property in a Low Density Residential District in accordance with Sections 207 and 510 of the Pennington County Zoning Ordinance.

Lot 8, Olson Park Subdivision #2, Section 35, T1N, R3E, BHM, Pennington County, South Dakota.

To end Conditional Use Permit / CU 16-26.

Vote: unanimous 6 to 0.

9. **CONDITIONAL USE PERMIT REVIEW / CU 17-25:** Donald Wojciechowski; Lisa Loerzel – Agent. To review for one (1) pole barn and three (3) greenhouse structures in a Suburban Residential District located on the NW1/4NE1/4SW1/4 in Section 31, T1N, R7E, BHM; and to review one (1) pole barn structure in a Suburban Residential District located on the E1/2 GL3, Section 31, T1N, R7E, BHM; and to allow the one (1) pole barn structure to remain on the E1/2 GL3, Section 31, T1N, R7E, BHM, when the principle structure is removed from the property in the future, in accordance with Sections 208 and 510 of the Pennington County Zoning Ordinance.

NW1/4NE1/4SW1/4, and E1/2 GL3, all located in Section 31, T1N, R7E, BHM, Pennington County, South Dakota.

To approve of the extension of Conditional Use Permit / CU 17-25 with the following nine (9) conditions:

1. **That the address, 8374 Miracle Drive, for subject property of lot E1/2 GL3, continue to be posted so it is clearly visible from Miracle Road in accordance with Pennington County Ordinance #20;**

2. That the address, 8368 Miracle Drive, for subject property of lot NW1/4NE1/4SW1/4, continue to be posted so it is clearly visible from Miracle Road in accordance with Pennington County Ordinance #20;
3. 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;
4. That the minimum setback requirements of a Suburban Residential District be continually maintained on the properties, or the appropriate Variance(s) be obtained;
5. That the subject properties remains free of debris and junk vehicles;
6. That the accessory structures be used for personal-use only and no commercial-type uses and not for living space;
7. That the structures are located on the subject properties in accordance with the submitted Site Plan (Exhibit A – Wojciechowski dated July 10, 2017) with the Conditional Use Permit Application;
8. That an approved On-Site Wastewater Construction Permit be obtained, if a new on-site wastewater treatment system is installed; and,
9. That this Conditional Use Permit be reviewed in one (1) year, on a complaint basis, or as directed by the Pennington County Planning Commission and/or Board of Commissioners to verify that all Conditions of Approval are being met.

Vote: unanimous 6 to 0.

12. **CONSTRUCTION PERMIT REVIEW / CP 17-09:** City of Rapid City; Banner Associates – Agent. To review installation of a 12 inch water main to provide water quality and supply looping capabilities to the East Rapid Water Users Region and Rapid City Regional Airport.

Section 13, T1N, R8E, BHM, Pennington County, South Dakota.

To approve of the extension of Construction Permit / CP 17-09 with the following seven (7) conditions:

1. That a South Dakota Department of Environment and Natural Resources General Permits for Storm Water Discharges Associated with Construction Activities be obtained and the Conditions of the Approval of the South Dakota Department of Environment and Natural Resources General Permits

for Storm Water Discharges Associated with Construction Activities be continually met;

2. That the applicant continually maintains and adheres to the Storm Water Pollution Prevention Plan during the period of construction;
3. That erosion control measures, such as seeding and mulching the disturbed area, shall be implemented immediately after the work is completed in the area, but in no case later than 14 days after the Construction Activity has stopped. All erosion control methods (mulch and seed) need to be certified noxious weed-free;
4. That 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 street sweeping on Anderson Road is performed on an as-needed basis by the contractor during the period of construction;
6. That the disturbed areas be re-vegetated as required in Section 507-A(5)(c); 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 6 to 0.

13. **CONDITIONAL USE PERMIT / CU 18-25:** Scott Widvey. To allow for a single-family residence in a Highway Service District in accordance with Sections 210 and 510 of the Pennington County Zoning Ordinance.

Lot B of Lot 1, Rohrer Subdivision, Section 29, T1N, R7E, BHM, Pennington County, South Dakota.

To continue Conditional Use Permit / CU 18-25 to the August 13, 2018, Planning Commission meeting.

Vote: unanimous 6 to 0.

END OF CONSENT AGENDA

8. CONDITIONAL USE PERMIT REVIEW / CU 17-20: Melissa Masters. To review a mobile large animal / home veterinary practice on the subject property in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

NE1/4SW/14, Section 13, T1N, R9E, BHM, Pennington County, South Dakota.

(Continued from the June 25, 2018, Planning Commission meeting.)

Commissioner Runde asked to have this Item removed from the Consent Agenda for discussion.

Staff recommended approval of the extension of Conditional Use Permit / CU 17-20 with ten (10) conditions.

Discussion followed.

Moved by Runde and seconded by Johnson to continue the review of Conditional Use Permit / CU 17-20 until the applicant is able to be present.

All voting aye, the Motion carried 6 to 0.

10. CONSTRUCTION PERMIT REVIEW / CP 99-29: Pete Lien & Sons. To review a Construction Permit in a General Agriculture District in accordance with Section 507 of the Pennington County Zoning Ordinance.

NW1/4NE1/4 (Including Lot B) less Lot A, less Lots 1-3 Feist Add and less south 245 feet of the east 232 feet; vacated Feist Road located in NW1/4NE1/4, Section 20, T2N, R7E, BHM, Pennington County, South Dakota.

Commissioner Marsh asked to have this Item removed from the Consent Agenda to note that he would be abstaining from voting on this Item.

Staff recommended approval of the extension of Construction Permit / CP 99-29 with eight (8) conditions.

Moved by Coleman and seconded by Buskerud to approve of the extension of Construction Permit / CP 99-29 with the following eight (8) conditions:

1. **That the 15 foot high berm continues to be maintained to serve as a buffer between the property to the east and the mining activity;**
2. **That the applicant reclaims the disturbed areas. This includes replacing topsoil, vegetating the disturbed areas, all necessary grading, and all necessary backfilling, which can include the use of clean concrete or brick;**

3. That the conditions of approval of the “Part 70 Air Quality Permit” (Air Quality Permit #28.1143-02) be continually met as required by the South Dakota Department of Environment and Natural Resources;
4. That the conditions of approval of the South Dakota Department of Environment and Natural Resources Mining & Minerals Permits (Mining License #383-100 and Mining Permit #216) be continually met;
5. That a “Haul Road Agreement” be obtained from the Pennington County Highway Department prior to utilizing Hidden Valley Road as a haul road to transport the proposed mining materials;
6. That the conditions of approval of the Industrial Stormwater Permit (Permit #SDR00A560) be continually met as required by the South Dakota Department of Environment and Natural Resources;
7. That the applicant notify the Planning Department if any changes are to take place on the property ninety (90) days prior to the change; and,
8. That the Construction Permit be reviewed in ten (10) years to monitor the impacts of the use on the surrounding land uses.

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

11. CONSTRUCTION PERMIT REVIEW / CP 05-11: Pete Lien & Sons. To review the extension of a Construction Permit for reclamation of the quarry located on the subject property in a General Agriculture District in accordance with Section 507 of the Pennington County Zoning Ordinance.

A portion of the NE1/4 of Section 20 and a portion of the NW1/4 of Section 21, T2N, R7E, BHM, Pennington County, South Dakota.

Commissioner Marsh asked to have this Item removed from the Consent Agenda to note that he would be abstaining from voting on this Item.

Staff recommended approval of the extension of Construction Permit / CP 05-11 with ten (10) conditions.

Moved by Johnson and seconded by Coleman to approve of the extension of Construction Permit / CP 05-11 with the following ten (10) 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 (SDR00A061) be continually met;

2. That the applicant continually maintains and adheres to the Storm Water Pollution Prevention Plan during reclamation;
3. That the conditions of approval of the South Dakota Department of Environment and Natural Resources Title V Air Quality Permit (28.1143-02) be continually met;
4. That any natural drainage ways and paths be continually maintained and culverts added as necessary, in accordance with Pennington County Ordinance #14;
5. That prior to start of any surface disturbance, any required permits from the Rapid City Community Development Department be obtained;
6. That the applicant continues to use the existing approach from Universal Drive to access the site;
7. That the rubble be limited to clean concrete debris, unless approval from the South Dakota Department Environment and Natural Resources is obtained and a copy of the document is provided to the Pennington County Planning and Zoning Department; and,
8. That the applicant continually maintain all required permits allowing for the use of clean fill and rubble with the South Dakota Department of Environment and Natural Resources.
9. That the site shall be revegetated as required in Section 507-A(5)(c); and,
10. That this Construction Permit be reviewed in five (5) years or upon a complaint basis or as directed by Planning Commission or the Board of Commissioners.

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

- 14 SPECIAL CONSIDERATION TO TRAILWOOD VILLAGE PLANNED UNIT DEVELOPMENT / PU 18-03: Heather Jansen-Hilgemeier. A special consideration to PUD 79-02 to reduce the minimum front yard setback from 15 feet to a zero (0) foot setback to allow for a garage in accordance with Section 213 of the Pennington County Zoning Ordinance.

Lot 10, Block 5, Trailwood Village, Section 10, T1N, R8E, BHM, Pennington County, South Dakota.

(Continued from the July 9, 2018, Planning Commission meeting.)

Molitor reviewed the Staff Report indicating the applicant has applied to reduce the front yard setback to allow for the construction of a garage on the subject property.

Staff recommended approval of the Special Consideration to the Trailwood Village Planned Unit Development / PU 18-04 to reduce the minimum front yard setback from fifteen (15) feet to three (3) feet with the following two (2) conditions:

1. That the minimum front yard setback is reduced from fifteen (15) feet to three (3) feet to allow for the construction of a garage; and,
2. That approval of this Special Consideration allows for the construction of a detached garage. All other structures must maintain the setback requirements as outlined in the Trailwood Village PUD or obtain approval of a separate Special Consideration to the Trailwood Village PUD.

Discussion followed.

Moved by Johnson and seconded by Rivers to approve of the Special Consideration to the Trailwood Village Planned Unit Development / PU 18-04 to reduce the minimum front yard setback from fifteen (15) feet to three (3) feet with the following three (3) conditions:

- 1. That the minimum front yard setback is reduced from fifteen (15) feet to three (3) feet to allow for the construction of a garage;**
- 2. That the applicant continue to maintain an 8 foot setback from the West River Electric underground conductor and transformer which is located on the rear property line; and,**
- 3. That approval of this Special Consideration allows for the construction of a detached garage. All other structures must maintain the setback requirements as outlined in the Trailwood Village PUD or obtain approval of a separate Special Consideration to the Trailwood Village PUD.**

All voting aye, the Motion carried 6 to 0.

15. REZONE / RZ 18-04 AND COMPREHENSIVE PLAN AMENDMENT / CA 18-04: Gary Baldwin; Fisk Land Surveying – Agent. To rezone 5.00 acres from Limited Agriculture District to Suburban Residential District and to amend the Pennington County Comprehensive Plan to change the Future Land Use from Limited Agriculture District to Suburban Residential District in accordance with Sections 206, 208, and 508 of the Pennington County Zoning Ordinance.

Tract 2, Berger Subdivision, Section 14, T2N, R8E, BHM, Pennington County, South Dakota.

Conover reviewed the Staff Report indicating the applicant has applied to rezone 5.00 acres from Limited Agriculture District to Suburban Residential District and to amend the Pennington County Comprehensive Plan to change the Future Land Use from Limited Agriculture District to Suburban Residential District.

Staff recommended approval of Rezone / RZ 18-04 and Comprehensive Plan Amendment / CA 18-04.

Discussion followed.

Moved by Runde and seconded by Buskerud to approve of Rezone / RZ 18-04 and Comprehensive Plan Amendment / CA 18-04.

All voting aye, the Motion carried 6 to 0.

16. REZONE / RZ 18-05: Alan or Rosemary Johnson. To rezone 1.04 acres from General Agriculture District to Suburban Residential District in accordance with Sections 205, 208, and 508 of the Pennington County Zoning Ordinance.

Lot A of NE1/4NW/14 and Lot B of NE1/4NW1/4 in Section 14, T1N, R8E, BHM, Pennington County, South Dakota.

Conover reviewed the Staff Report indicating the applicant has applied for a Rezone to rezone 1.04 acres from General Agriculture District to Suburban Residential District.

Staff recommended approval of Rezone / RZ 18-05.

Discussion followed.

Moved by Johnson and seconded by Coleman to approve of Rezone / RZ 18-05.

All voting aye, the Motion carried 6 to 0.

17. LAYOUT PLAT / PL 18-20: Robert Raue; Renner Associates – Agent. To create Lot 3 of Jones Ranch Subdivision in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: SE1/4 less 9.93 acres in SE1/4 and less Jones Ranch Subdivision, Section 36, T1N, R9E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 3, Jones Ranch Subdivision, Section 36, T1N, R9E, BHM, Pennington County, South Dakota.

Bolstad reviewed the Staff Report indicating the applicant has applied for a Layout Plat to create Lot 3 of Jones Ranch Subdivision.

Staff recommended approval of Layout Plat / PL 18-20 with the following ten (10) conditions:

1. That prior to filing the Plat with the Register of Deeds, the proposed lot obtain an approved Lot Size Variance or be Rezoned appropriately;
2. That at the time of new Plat submittal, an easement for the existing irrigation ditch be shown on the Plat, per County Highway Department comments;
3. That at the time of new Plat submittal, the applicant submit documentation stating that power will be constructed with underground construction or a 25-foot utility easement will be required on all lot lines, per West River Electric comments;
4. 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;
5. 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;
6. That the Certifications on the plat be in accordance with § 400.3(1)(n) of the Pennington County Subdivision Regulations;
7. That the applicant ensures that all natural drainage ways are maintained and are not blocked;
8. 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;
9. That the applicant signs the Statement of Understanding within ten (10) business days of approval of Layout Plat / PL 18-20, which is available at the Planning Office; and,
10. That approval of this Layout Plat does not constitute approval of any further applications to be submitted for the above-described property.

Discussion followed.

Moved by Buskerud and seconded by Johnson to approve of Layout Plat / PL 18-20 with the following ten (10) conditions:

- 1. That prior to filing the Plat with the Register of Deeds, the proposed lot obtain an approved Lot Size Variance or be Rezoned appropriately;**

2. That at the time of new Plat submittal, an easement for the existing irrigation ditch be shown on the Plat, per County Highway Department comments;
3. That at the time of new Plat submittal, the applicant submit documentation stating that power will be constructed with underground construction or a 25-foot utility easement will be required on all lot lines, per West River Electric comments;
4. 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;
5. 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;
6. That the Certifications on the plat be in accordance with § 400.3(1)(n) of the Pennington County Subdivision Regulations;
7. That the applicant ensures that all natural drainage ways are maintained and are not blocked;
8. 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;
9. That the applicant signs the Statement of Understanding within ten (10) business days of approval of Layout Plat / PL 18-20, which is available at the Planning Office; and,
10. 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.

18. REZONE / RZ 18-03 AND COMPREHENSIVE PLAN AMENDMENT / CA 18-03: Robert Raue; Renner Associates – Agent. To rezone 5.00 acres from General Agriculture District to Low Density Residential District and to amend the Pennington County Comprehensive Plan to change the Future Land Use from Limited Agriculture District to Low Density Residential District in accordance with Sections 205, 207, and 508 of the Pennington County Zoning Ordinance..

Located on the following metes and bounds description: Commencing at the northwesterly corner of the S416 feet of the E380 feet of the SW1/4 of SE1/4 of SE1/4, Section 36, T1N, R9E, BHM and the point of beginning; Thence, first course: westerly, parallel to the Section Line common to Sections 36, T1N, R9E, BHM, and Section 6, T1S, R10E, BHM, a distance of 568.67 feet±; Thence, second course: southerly, perpendicular to said section line a distance of 383.00 feet ±, to a point on the northerly edge of section line right-of-way; Thence, third course: easterly, along the northerly edge of said section line right-of-way, a distance of 568.67 feet±, to a point on the west boundary of said E380 feet of the SW1/4 of SE1/4 of SE1/4; Thence, fourth course: northerly, along the westerly boundary of said E380 feet of the SW1/4 of SE1/4 of SE1/4, a distance of 383.00 feet±, to the said point of beginning. Said Parcel contains 5.00 acres more or less.

Bolstad reviewed the Staff Report indicating the applicant has applied for a Rezone to rezone 5.00 acres from General Agriculture District to Low Density Residential District and to amend the Pennington County Comprehensive Plan to change the Future Land Use from Limited Agriculture District to Low Density Residential District.

Staff recommended approval of Rezone / RZ 18-03 and Comprehensive Plan Amendment / CA 18-03.

Discussion followed.

Moved by Coleman and seconded by Runde to approve of Rezone / RZ 18-03 and Comprehensive Plan Amendment / CA 18-03.

All voting aye, the Motion carried 6 to 0.

19. CONDITIONAL USE PERMIT / CU 18-24: Plainsview Mobile Manor / Ernest Tschannen; Kristine Forrest – Agent. To bring an existing mobile home park into compliance (Plainsview Mobile Manor) in a Suburban Residential District in accordance with Sections 208, 305, and 510 of the Pennington County Zoning Ordinance.

Tract 2, Plainsview Subdivision, Section 23, T2N, R8E, BHM, Pennington County, South Dakota.

(Continued from the July 9, 2018, Planning Commission meeting.)

Bolstad reviewed the Staff Report indicating the applicant has applied for a Conditional Use Permit to bring an existing mobile home park into compliance (Plainsview Mobile Manor) in a Suburban Residential District.

Staff recommended approval of Conditional Use Permit / CU 18-24 with the following twenty-two (22) conditions:

1. That the uses of the Conditional Use Permit be limited to a maximum of 112 mobile homes spaces with one (1) of the lots acting as the manager's residence;
2. That no mobile homes are allowed to be located on the southernmost seven (7) spaces on the subject property, where no utility hook-ups exist;
3. That the rental home park continually have a caretaker or manager living on-site and the residence be appropriately identified as such;
4. That decks and accessory structures (i.e. garages and sheds) be allowed with the issuance of an approved Floodplain Development Permit and Building Permit;
5. That a minimum 20-foot separation between units (mobile home living space, including attached decks) be maintained;
6. That a minimum 10-foot separation between accessory structures (e.g. garages, sheds) and adjacent residences be maintained;
7. That the minimum setback requirements of a Suburban Residential District be maintained. In addition, a minimum setback of ten (10) feet shall be maintained from all access roads within the mobile home park;
8. That the existing mobile homes (as of the original date of approval of this Conditional Use Permit) be allowed to remain in their current location. New or replacement mobile homes must meet the minimum setback and separation requirements;
9. That all new or replacement mobile homes installed on the property have a peaked, non-reflective type roof and wood or simulated wood-type siding that is continually maintained;
10. That an approved Floodplain Development Permit be obtained *prior* to any work being done within the Special Flood Hazard Area on the subject property (including dirtwork and any structures or additions to existing structures);
11. That the installation of mobile homes on the subject property continually be in conformance with the Pennington County Flood Damage Prevention Ordinance and FEMA P-85;
12. That an approved Building Permit be obtained for each new residence prior to construction and 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 an approved Removal Permit be obtained prior to any mobile home being removed from the property;

14. That mobile homes not be allowed to be stored unoccupied on the subject property;
15. That all lot numbers must be posted in accordance with Pennington County's Ordinance #20, preferably of the same type and style of Lot number. Each number shall measure a minimum of 4" high and be of the same colors, preferably reflective, in approximately the same location on each mobile home;
16. That a minimum of two (2) off-street parking spaces be provided for each residence on the subject property. Each parking space must measure a minimum of nine (9) feet by eighteen (18) feet and be surfaced with gravel, concrete or asphalt and maintained in such a manner that no dust will result from continuous use;
17. That the interior roads be continually maintained in a dust free manner;
18. That a Sign Permit be obtained prior to the installation of any signs on the subject property; all signs must meet the requirements of § 312 of the Pennington County Zoning Ordinance (PCZO);
19. That the property continually remain free of debris and no inoperable or junk vehicles be allowed on the property;
20. That all existing drainage ways be maintained and 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 PCZO § 507(A). This includes any requirements set forth in the Pennington County Stormwater Quality Manual for erosion and sediment measures;
21. That the applicant signs the Statement of Understanding within ten (10) business days of approval of Conditional Use Permit / CU 18-24, which is available at the Planning Office; and,
22. 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.

Commissioner Runde stated she would be abstaining from voting on this item.

Moved by Rivers and seconded by Buskerud to approve of Conditional Use Permit / CU 18-24, and to remove the word "preferably" in Condition #15, with the following twenty-two (22) conditions:

- 1. That the uses of the Conditional Use Permit be limited to a maximum of 112 mobile homes spaces with one (1) of the lots acting as the manager's residence;**
- 2. That no mobile homes are allowed to be located on the southernmost seven (7) spaces on the subject property, where no utility hook-ups exist;**
- 3. That the rental home park continually have a caretaker or manager living on-site and the residence be appropriately identified as such;**
- 4. That decks and accessory structures (i.e. garages and sheds) be allowed with the issuance of an approved Floodplain Development Permit and Building Permit;**
- 5. That a minimum 20-foot separation between units (mobile home living space, including attached decks) be maintained;**
- 6. That a minimum 10-foot separation between accessory structures (e.g. garages, sheds) and adjacent residences be maintained;**
- 7. That the minimum setback requirements of a Suburban Residential District be maintained. In addition, a minimum setback of ten (10) feet shall be maintained from all access roads within the mobile home park;**
- 8. That the existing mobile homes (as of the original date of approval of this Conditional Use Permit) be allowed to remain in their current location. New or replacement mobile homes must meet the minimum setback and separation requirements;**
- 9. That all new or replacement mobile homes installed on the property have a peaked, non-reflective type roof and wood or simulated wood-type siding that is continually maintained;**
- 10. That an approved Floodplain Development Permit be obtained *prior* to any work being done within the Special Flood Hazard Area on the subject property (including dirtwork and any structures or additions to existing structures);**
- 11. That the installation of mobile homes on the subject property continually be in conformance with the Pennington County Flood Damage Prevention Ordinance and FEMA P-85;**
- 12. That an approved Building Permit be obtained for each new residence prior to construction and 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 an approved Removal Permit be obtained prior to any mobile home being removed from the property;
14. That mobile homes not be allowed to be stored unoccupied on the subject property;
15. That all lot numbers must be posted in accordance with Pennington County's Ordinance #20, with the same type and style of Lot number. Each number shall measure a minimum of 4" high and be of the same colors, reflective, in approximately the same location on each mobile home;
16. That a minimum of two (2) off-street parking spaces be provided for each residence on the subject property. Each parking space must measure a minimum of nine (9) feet by eighteen (18) feet and be surfaced with gravel, concrete or asphalt and maintained in such a manner that no dust will result from continuous use;
17. That the interior roads be continually maintained in a dust free manner;
18. That a Sign Permit be obtained prior to the installation of any signs on the subject property; all signs must meet the requirements of § 312 of the Pennington County Zoning Ordinance (PCZO);
19. That the property continually remain free of debris and no inoperable or junk vehicles be allowed on the property;
20. That all existing drainage ways be maintained and 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 PCZO § 507(A). This includes any requirements set forth in the Pennington County Stormwater Quality Manual for erosion and sediment measures;
21. That the applicant signs the Statement of Understanding within ten (10) business days of approval of Conditional Use Permit / CU 18-24, which is available at the Planning Office; and,
22. 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, the Motion carried 5 to 0. Commissioner Runde abstained from voting.

20. COUNTY BOARD REPORT

The Board of Commissioners concurred with the Planning Commission's recommendations from the July 9, 2018, Planning Commission meeting.

21. ITEMS FROM THE PUBLIC

No motions or actions were taken.

22. ITEMS FROM THE STAFF

- A. 2018 SD Planner's Conference (October 17th-18th in Huron). Conover spoke of the SD Planner's Conference in Huron scheduled for October 17th-18th.
- B. On-Site Wastewater Installer Training (October 5th – Rapid City). Conover informed the Planning Commission of the upcoming Installer's Training, which is scheduled for Friday, October 5th at the Journey Museum from 7:30 a.m. to 5:00 p.m.
- C. Planning Commission Packets. Conover discussed the Planning Commission packets and stated that the white binders will be used for all PC Packets and they will be available in the Planning Department for each PC member on the Thursday prior to a scheduled Planning Commission meeting. He further stated that staff incorporated the Zoning Ordinance, Subdivision Regulations, etc. in the black colored binders for each Planning Commission member to use.

23. ITEMS FROM THE MEMBERSHIP

There were no items from membership.

24. ADJOURNMENT

Moved by Coleman and seconded by Johnson to adjourn.

All voting aye, the Motion carried 6 to 0.

The meeting adjourned at 9:56 a.m.

Rich Marsh, First Vice Chairperson