

MINUTES
PENNINGTON COUNTY PLANNING COMMISSION
March 11, 2019 @ 9:00 a.m.

County Commissioners' Meeting Room - Pennington County Administration Building

MEMBERS PRESENT: Travis Lasseter, Sonny Rivers, Sandra Runde, Deb Hadcock, and Mark DiSanto.

STAFF PRESENT: PJ Conover, Cassie Bolstad, Brittney Molitor, Kristina Proietti, Cody Sack, Jason Theunissen, Michaele Hoffman (SAO) and Jeri Ervin.

ROLL CALL

1. APPROVAL OF THE FEBRUARY 25, 2019, MINUTES
Moved by DiSanto and seconded by Rivers to approve the Minutes of the February 25, 2019, Planning Commission meeting, with a correction to change the Motion for approval of the Consent Agenda, as Commissioner Runde was not present at the February 25, 2019, Planning Commission meeting. Vote: unanimous 5 to 0.

2. APPROVAL OF THE AGENDA
Moved by Hadcock and seconded by Runde to approve the Agenda of the March 11, 2019, Planning Commission meeting. Vote: unanimous 5 to 0.

Moved by Runde and seconded by Rivers to approve the Consent Agenda of the March 11, 2019, Planning Commission meeting. Vote: unanimous 5 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.

3. **CONDITIONAL USE PERMIT REVIEW / CU 10-03:** Michael Howe. To review a dog/cat boarding kennel in a Limited Agriculture District in accordance with Sections 206 and 510 of the Pennington County Zoning Ordinance.

Lot 1, Engesser Subdivision, Section 24, T1N, R8E, BHM, Pennington County, South Dakota.

(Continued from the January 14, 2019, Planning Commission meeting.)

To approve of the extension of Conditional Use Permit / CU 10-03 with the following eleven (11) conditions:

1. That the Conditional Use Permit be limited to a dog and cat boarding kennel only and that a maximum of two (2) additional employees not residing on the premises may be employed by the home occupation. Any expansion beyond this will require an amendment for this Conditional Use Permit to be applied for;
2. That the boarding of dogs/cats not exceed a maximum of 30 animals at one time. Any additional animals would require a review by the Planning Department and an amendment to the Conditional Use Permit;
3. That reasonable measures continue to be taken to control odors and noises produced by the dogs so as to not constitute a nuisance to the general public;
4. That the applicant continues to adhere to all necessary County, State and Federal regulations, including those of the Environmental Protection Agency (EPA) and maintain the necessary permits to conduct the organization's activities;
5. That the address, 8507 Dunn Road, continue to be posted both at the approach to the property and on the primary structure itself in accordance with Ordinance #20;
6. That prior to the placement of any on-premise signs, the applicant must obtain approval of a Sign Permit;
7. That a Floodplain Development Permit shall be submitted for review and approval prior to any work or placement of any structure within the boundaries of the 100-year floodplain;
8. That a minimum of eight (8) off-street parking spaces continue to be provided. Each parking space shall measure at least nine (9) feet by 18-feet and shall be kept in a dust free manner;
9. That a Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground located on a permanent foundation, which requires a site plan to be reviewed and approved by the Planning Director;
10. That any change in the use or expansion of the kennel, would require approval by the Humane Society and, at a minimum, a review by the Planning Department. This Conditional Use Permit may need to be re-advertised and new notices resent if the change or expansion requires a hearing in front of the Planning Commission; and,

11. **That this Conditional Use Permit be reviewed in one (1) year, on a complaint basis, or by the Planning Commission and/or Board of Commissioners to ensure that all Conditions of Approval are being met.**

Vote: unanimous 5 to 0.

4. **CONDITIONAL USE PERMIT REVIEW / CU 16-01:** Daniel Elliott. To review living in an existing cabin while building a new single-family residence on the subject property in a General Agriculture District in accordance with Sections 205, 318, and 510 of the Pennington County Zoning Ordinance.

All, Rubesite Lode MS 1987, Section 22, T1N, R6E, BHM, Pennington County, South Dakota.

To continue the review of Conditional Use Permit / CU 16-01 to the April 8, 2019, Planning Commission meeting with the following one (1) condition:

1. **That any more than one continuation caused by the applicant's failure to meet Conditions of Approval will be fined \$100.00 per continuation in accordance with PCZO § 511(X) of the Pennington County Zoning Ordinance.**

Vote: unanimous 5 to 0.

5. **CONDITIONAL USE PERMIT REVIEW / CU 16-41:** Robert and Glenda Frank. 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 5, Harrington Subdivision, Section 19, T2S, R7E, BHM, Pennington County, South Dakota.

To continue the review of Conditional Use Permit / CU 16-41 to the May 13, 2019, Planning Commission meeting with the following one (1) condition:

1. **That if additional Continuations are required beyond May 13, 2019, due to the applicant's failure to meet conditions of approval, the applicant shall be required to pay \$100.00 per continuation, in accordance with PCZO § 511(X).**

Vote: unanimous 5 to 0.

6. **MINOR PLANNED UNIT DEVELOPMENT AMENDMENT REVIEW / PU 14-05:** Joni Peterson. To review the existing Trailwood Planned Unit Development to allow for a home occupation, a salon business in the basement of the residence, on the subject property in accordance with Sections 213 of the Pennington County Zoning Ordinance.

Lot 17, Block 21, Trailwood Village, Section 10, T1N, R8E, BHM, Pennington County, South Dakota.

To approve of the extension of Minor Planned Unit Development Amendment / PU 14-05 with the following eight (8) conditions:

1. **That a Building Permit be obtained for structures exceeding 144 square feet or permanently anchored to the ground which will require a site plan to be reviewed and approved by the Planning Director;**
2. **That no off-premise signs be allowed within the Planned Unit Development;**
3. **That hours of operation will be Monday through Thursday 10 a.m. to 5 p.m., with an occasional late appointment after hours;**
4. **That there will be only one (1) additional full-time employee;**
5. **That there be a minimum of two (2) off street parking spaces available at all times;**
6. **That applicant will adhere to all requirements of the South Dakota Cosmetology Commission and County requirements, including all Planned Unit Development requirements, and maintains the necessary permits to conduct the business;**
7. **That if the amount of waste generated from the salon exceeds 10,000 gallons per month, Rapid Valley Sanitary District and the City of Rapid City must be notified. Any pretreatment required by above agencies must be adhered to; and,**
8. **That the Planned Unit Development be reviewed in five (5) years, on a complaint basis, or as deemed necessary by the Pennington County Planning Commission or Board of Commissioners to verify that all Conditions of Approval are being met.**

Vote: unanimous 5 to 0.

7. **CONSTRUCTION PERMIT / CP 19-03**: Mike and Kimberly Van Loan. To level and grade a road to be utilized as a driveway for future construction of a single-family residence.

Tract A of SW1/4SW1/4, Section 8, T1N, R7E, BHM, Pennington County, South Dakota.

To approve of Construction Permit / CP 19-03 with the following ten (10) conditions:

1. **That the applicant continually maintains and adheres to the Storm Water Pollution Prevention Plan during the period of construction and 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;**
2. **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;**
3. **That the disturbed areas be re-vegetated as required in §507(A)(5)(c);**
4. **That the requirements, guidelines, and criteria for stormwater and erosion and sediment control in the Pennington County Stormwater Manual shall be followed;**
5. **That weed free seed or mulch be used when re-seeding and any equipment coming onto the site is clean of earthen material and noxious weeds;**
6. **That all natural drainage ways and paths be continually maintained;**
7. **That the owner or designee must inspect the site at least once every 7 calendar days or every 14 calendar days and within 24 hours of the end of a storm event that exceeds 0.25 inches or snowmelt that generates runoff. A properly maintained rain gauge must be kept on the site. Inspection reports must be submitted to the Planning Director every month during construction;**
8. **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;**
9. **That the applicant sign a Statement of Understanding within ten (10) days of Permit approval; and,**

10. That this Construction Permit is reviewed in four (4) months, on a complaint basis, or as directed by the Planning Commission and/or Board of Commissioners to verify that all Conditions of Approval are being met.

Vote: unanimous 5 to 0.

8. **CONSTRUCTION PERMIT REVIEW / CP 19-02:** Site Work Specialists, Inc. To review constructing a graveled access road to and onto the subject property, to include minimal tree removal, grading, gravel, seeding, and culverts, and to add a common utility trench for power and communications.

NE1/4NE1/4, Section 7, T1N, R7E, BHM, Pennington County, South Dakota.

To approve of the extension of Construction Permit / CP 19-02 with the following thirteen (13) conditions:

1. That erosion control measures are implemented ***immediately*** and maintained until the site has been revegetated in accordance with § 507(A)(5)(c) of the Pennington county Zoning Ordinance (PCZO);
2. That all erosion control measures submitted with the Construction Permit application be implemented prior to the Stop Work Order being lifted;
3. That the applicant continually maintains and adheres to the Storm Water Pollution Prevention Plan;
4. That the owner or designee must inspect the site at least once every 7 calendar days or every 14 calendar days and within 24 hours of the end of a storm event that exceeds 0.25 inches or snowmelt that generates runoff. A properly maintained rain gauge must be kept on the site. Inspection reports must be submitted by the contractor to the Planning Director every month during construction;
5. That the requirements, guidelines, and criteria for storm water and erosion control in the Pennington County Storm Water Manual, or equivalent, shall be followed during construction;
6. That all natural drainage ways and paths be continually maintained;
7. That failure of the owner or designee to submit Inspection Reports, as required, shall result in the immediate issuance of a Stop Work Order and a review by the Planning Commission to determine if all Conditions of Approval are being met;

8. 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;
9. 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;
10. That the disturbed areas be re-vegetated as required in § 507(A)(5)(c) of the PCZO;
11. That any more than one continuation caused by the applicants failure to meet Conditions of Approval will be charged \$100.00 per continuation in accordance with § 511(X) of the PCZO;
12. That the applicant and the landowner sign a Statement of Understanding within ten (10) business days of approval of Construction Permit / CP 19-02, which is available at the Planning Office; and,
13. That this Construction Permit be reviewed at the May 28, 2019, Planning Commission meeting, or on a complaint basis, or as directed by the Planning Commission and/or the Board of Commissioners to verify that all Conditions of Approval are being met.

Vote: unanimous 5 to 0.

9. **MINOR PLAT / MPL 19-03:** Sam Fischer; Fisk Land Surveying – Agent. To combine two lots to create Lot 1 of RTHV Subdivision in accordance with Section 400.3 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: All of Ridge Top Lodge MS 2072 and All of Highview Lode MS 2072, all located in Section 31, T1S, R6E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 1 of RTHV Subdivision, Section 31, T1S, R6E, BHM, Pennington County, South Dakota.

To recommend approval of Minor Plat / MPL 19-03 with the following four (4) conditions:

1. That prior to filing the Plat with the Register of Deeds, a minimum eight (8) foot utility and minor drainage easement be dedicated on the interior sides of all lot lines, or an approved Subdivision Regulations Variance be obtained waiving this requirement;

2. That prior to the Plat being recorded with the Register of Deeds, the plat meets all requirements of Pennington County Subdivision Regulations, or approved Subdivision Regulations Variance(s) be obtained waiving any of these requirements that are not met. Subdivision Regulations shall be submitted per Section 700 of Pennington County Subdivision Regulations;
3. That the applicant ensures that all natural drainage ways are maintained and are not blocked; and,
4. That following platting of the proposed Lot, 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.

Vote: unanimous 5 to 0.

END OF CONSENT AGENDA

10. CONDITIONAL USE PERMIT / CU 19-02: Greg and Angelina Anderson. To allow for 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 8, Block 2, Whispering Pines Subdivision, Section 32, T1N, R7E, BHM, Pennington County, South Dakota.

Proietti reviewed the Staff Report indicating the applicant has applied for a Conditional Use Permit to allow a Vacation Home Rental in a Suburban Residential District.

Staff recommended approval of Conditional Use Permit / CU 19-02 with the following fifteen (15) conditions:

1. 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);
2. That if an addition is constructed and/or the on-site wastewater treatment system is upgraded in the future, this Conditional Use Permit be reviewed so that the maximum occupancy may be adjusted accordingly, which will require approval from SD DENR;
3. That all necessary permits are obtained prior to any additions and/or alterations to the structure or upgrades/alterations to the on-site wastewater treatment system;

4. That each review of Conditional Use Permit / CU 19-02, be subject to PCZO §511(F)(3), which imposes a \$100 fee per review;
5. 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;
6. That the applicant maintain an Evacuation (Emergency) Plan and provide copies to all overnight guests in case there is a need to evacuate guests from the property in the event of an emergency and that a copy of said plan be kept on file at the Planning Department;
7. 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;
8. 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;
9. That the lot address (8107 Croyle Court) be posted on the residence at all times and so it is clearly visible from Croyle Court, in accordance with Pennington County's Ordinance #20;
10. 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;
11. That if the person designated as the Local Contact is ever changed from Greg Anderson, 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;
12. 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;
13. That an approved Sign Permit be obtained prior to the placement of any sign(s);
14. 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; 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.

Discussion followed.

Moved by Hadcock and seconded by Runde to approve of Conditional Use Permit / CU 19-02 with the following fifteen (15) conditions:

1. 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);
2. That if an addition is constructed and/or the on-site wastewater treatment system is upgraded in the future, this Conditional Use Permit be reviewed so that the maximum occupancy may be adjusted accordingly, which will require approval from SD DENR;
3. That all necessary permits are obtained prior to any additions and/or alterations to the structure or upgrades/alterations to the on-site wastewater treatment system;
4. That each review of Conditional Use Permit / CU 19-02, be subject to PCZO §511(F)(3), which imposes a \$100 fee per review;
5. 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;
6. That the applicant maintain an Evacuation (Emergency) Plan and provide copies to all overnight guests in case there is a need to evacuate guests from the property in the event of an emergency and that a copy of said plan be kept on file at the Planning Department;
7. 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;
8. 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;

9. That the lot address (8107 Croyle Court) be posted on the residence at all times and so it is clearly visible from Croyle Court, in accordance with Pennington County's Ordinance #20;
10. 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;
11. That if the person designated as the Local Contact is ever changed from Greg Anderson, 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;
12. 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;
13. That an approved Sign Permit be obtained prior to the placement of any sign(s);
14. 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; 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.

All voting aye, the Motion carried 5 to 0.

11. LAYOUT PLAT / LPL 19-04: John and Ann Hovdenes; Fisk Land Surveying – Agent. To create Lots 1 and 2 of Cosmos Subdivision and dedicated Right-of-Way in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: UNPLAT PT of N1/2NE1/4NE1/4 Lying N of HWY; UNPLAT PT of N1/2S1/2NE1/4NE1/4 Lying N of HWY, Section 32, T1S, R6E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lots 1 and 2 of Cosmos Subdivision and dedicated Right-of-Way, Section 32, T1S, R6E, BHM, Pennington County, South Dakota.

Conover reviewed the Staff Report indicating the applicant has applied for a Layout Plat to create Lots 1 and 2 of Cosmos Subdivision.

Staff recommended approval of Layout Plat / LPL 19-04 with the following nine (9) conditions:

1. That at the time of the Minor Plat submittal, the proposed Plat continue to be prepared by a Registered Land Surveyor or Engineer;
2. That at the time of Minor Plat submittal, eight (8) foot Utility and Minor Drainage Easements to 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 the Minor Plat submittal, percolation tests and soil profile hole information be submitted for the proposed lot for review and approval, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
4. That at the time of Minor Plat submittal, the plat meets all requirements of Pennington County Subdivision Regulations, or approved Subdivision Regulations Variance(s) be obtained waiving any of these requirements that are not met. Subdivision Regulations shall be submitted per Section 700 of Pennington County Subdivision Regulations;
5. That prior to any work being done on the existing property or Lot 1 or Lot 2 of Cosmos Subdivision, the landowners contact the Pennington County Planning Department first, to see what Permits, if any, are required;
6. That the applicant ensures that all natural drainage ways are maintained and are not blocked;
7. 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;
8. That prior to the Plat being recorded with the Register of Deeds, proposed Lot 1 and Lot 2 of Cosmos Subdivision be in compliance with Pennington County Zoning Ordinances; and
9. 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 DiSanto and seconded by Rivers to approve of Layout Plat / LPL 19-04 with the following nine (9) conditions:

- 1. That at the time of the Minor Plat submittal, the proposed Plat continue to be prepared by a Registered Land Surveyor or Engineer;**

2. That at the time of Minor Plat submittal, eight (8) foot Utility and Minor Drainage Easements to 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 the Minor Plat submittal, percolation tests and soil profile hole information be submitted for the proposed lot for review and approval, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
4. That at the time of Minor Plat submittal, the plat meets all requirements of Pennington County Subdivision Regulations, or approved Subdivision Regulations Variance(s) be obtained waiving any of these requirements that are not met. Subdivision Regulations shall be submitted per Section 700 of Pennington County Subdivision Regulations;
5. That prior to any work being done on the existing property or Lot 1 or Lot 2 of Cosmos Subdivision, the landowners contact the Pennington County Planning Department first, to see what Permits, if any, are required;
6. That the applicant ensures that all natural drainage ways are maintained and are not blocked;
7. 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;
8. That prior to the Plat being recorded with the Register of Deeds, proposed Lot 1 and Lot 2 of Cosmos Subdivision be in compliance with Pennington County Zoning Ordinances; 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, the Motion carried 4 to 1. Commissioner Hadcock voted no.

12. SUBDIVISION REGULATIONS VARIANCE / SV 18-15: Schriener Investments / Shane Schriener. To waive platting requirements to create Lots 1-8 of Keystone Wye Subdivision in accordance with Section 700.1 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.

(Continued from the February 25, 2019, Planning Commission meeting.)

Bolstad stated this Item was continued from the February 25, 2019, Planning Commission meeting, and further noted the applicant applied to waive platting requirements to create Lots 1-8 of Keystone Wye Subdivision.

Staff recommended approval of the portion of Subdivision Regulations Variance / SV 18-15 to waive the following five (5) platting requirements:

1. To allow the use of a 40-foot-wide easement in lieu of a 66-foot-wide Right-of-Way;
2. To allow the maximum grade of a road to be 15% for approximately 900 feet;
3. To allow the angle between road intersections to be less than 75 degrees and allow a tangent between intersections to be less than 100 feet;
4. To allow vertical curves to be less than 100 feet; and,
5. To not perform percolation tests and provide soil profile hole information before platting.

Staff recommended denial of the portion of Subdivision Regulations Variance / SV 18-15 to waive the following one (1) platting requirement:

1. To allow an exception to not install guardrail on slopes with a slope greater than 4:1.

Discussion followed.

Moved by Hadcock and seconded by DiSanto to approve the portion of Subdivision Regulations Variance / SV 18-15 to waive the following five (5) platting requirements:

- 1. To allow the use of a 40-foot-wide easement in lieu of a 66-foot-wide Right-of-Way;**
- 2. To allow the maximum grade of a road to be 15% for approximately 900 feet;**
- 3. To allow the angle between road intersections to be less than 75 degrees and allow a tangent between intersections to be less than 100 feet;**

4. **To allow vertical curves to be less than 100 feet; and,**
5. **To not perform percolation tests and provide soil profile hole information before platting.**

All voting aye, the Motion carried 5 to 0.

The Planning Commission did not take action on Staff's Recommendation No. 2, as the applicant submitted documentation showing where guardrails will be placed on the road system for proposed Lots 1-8 of Keystone Wye Subdivision.

13. ORDINANCE AMENDMENT / OA 19-01: Pennington County. To consider the amendment / adoption of the Comprehensive Plan.

(Continued from the February 25, 2019, Planning Commission meeting.)

Conover reviewed that this is an Ordinance Amendment to amend/adopt the Pennington County Comprehensive Plan.

Discussion followed.

Commissioner DiSanto left the meeting at 9:45 a.m.

Moved by Hadcock and seconded by Rivers to take a five minute recess. All voting aye, the Motion carried 4 to 0.

Commissioner DiSanto returned to the meeting at 9:50 a.m.

Moved by Rivers and seconded by Runde to reconvene. All voting aye, the Motion carried 5 to 0.

Discussion further followed to review each Section / Chapter and make recommended changes.

Moved by DiSanto and seconded by Runde to approve recommended changes to portions of Section 4, Section 5, and Section 6 of the Comprehensive Plan for Ordinance Amendment / OA 19-01. All voting aye, the Motion carried 5 to 0.

Moved by Hadcock and seconded by DiSanto to continue Ordinance Amendment / OA 19-01 to the March 25, 2019, Planning Commission meeting to consider the amendment / adoption of the Comprehensive Plan.

All voting aye, the Motion carried 5 to 0.

14. COUNTY BOARD REPORT

The Board of Commissioners concurred with the Planning Commission's recommendations from the February 25, 2019, meeting with exception of Rezone 18-11 and Comprehensive Plan Amendment 18-10 to rezone 29.02 acres from General Agriculture District to Low Density Residential District (Schriner Investments / Shane Schriner). The Board approved Rezone 18-11 with a condition that a warranty deed get registered with the Register of Deeds, and the Comprehensive Plan Amendment 18-10 was denied.

The Second Reading of Rezone 18-12 and Comprehensive Plan Amendment 18-11 (Borglum Historical Center, Inc., Duane Pankratz; Ken Nash – Agent) was denied without prejudice and to come back and request Highway Service zoning.

The Appeal of Conditional Use Permit Review / CU 17-30: Daniel Johnson, Highmark Properties, LLC. To allow a multi-family residence to be used as a Vacation Home Rental was approved to grant CU 17-30 for the multi-family residence to be used as a vacation home rental for one year.

15. ITEMS FROM THE PUBLIC

No motions or actions were taken at this time.

16. ITEMS FROM THE STAFF

- A. Building Permit Report. Conover reviewed the Building Permit Report for February 2019.
- B. Mailings to Landowners/Applicants/Agents for Public Hearings. Conover discussed mailing only the meeting agendas to Landowners/Applicants/Agents for Public Hearings.

17. ITEMS FROM THE MEMBERSHIP

There were no items from the membership.

18. ADJOURNMENT

Moved by DiSanto and seconded by Hadcock to adjourn.

All voting aye, the Motion carried 5 to 0.

The meeting adjourned at 11:46 a.m.

Travis Lasseter, Chairperson