

**DRAFT MINUTES
PENNINGTON COUNTY PLANNING COMMISSION
April 22, 2019 @ 9:00 a.m.**

County Commissioners' Meeting Room - Pennington County Administration Building

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

STAFF PRESENT: PJ Conover, Cassie Bolstad, Brittney Molitor, TJ Doreff, Cody Sack, Jason Theunissen, Michael Hoffman and Tracey Decker (SAO) and Jeri Ervin.

ROLL CALL

1. APPROVAL OF THE APRIL 8, 2019, MINUTES
Moved by Rossknecht and seconded by Runde to approve the Minutes of the April 8, 2019, Planning Commission meeting. Vote: unanimous 6 to 0.

2. APPROVAL OF THE AGENDA
Moved by Runde and seconded by Rivers to approve the Agenda of the April 22, 2019, Planning Commission meeting. Vote: unanimous 6 to 0.

Moved by Johnson and seconded by Rivers to approve the Consent Agenda of the April 22, 2019, Planning Commission meeting, with the removal of Items #8, #11, #12 and #14. 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.

3. CONDITIONAL USE PERMIT REVIEW / CU 13-19: Ken and Cory Tomovick (Stratobowl Vacation Homes, LLC). To review a Recreational Resort to allow for events of 20 people or less in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

Lot 1 of Bonanza Bar MC 970 and the Unplatted Part of Bonanza Bar MC 970 (also in Section 1), Section 12, T1S, R6E, BHM, Pennington County, South Dakota

To continue the review of Conditional Use Permit / CU 13-19 to the May 28, 2019, Planning Commission meeting.

Vote: unanimous 6 to 0.

4. **CONDITIONAL USE PERMIT REVIEW / CU 15-02:** Valerie Naylor. To review an accessory structure, a garage, prior to a primary structure in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

Lots 7 and 8 of Lot 1 of SW1/4SW1/4, Section 14, T1N, R5E, BHM, Pennington County, South Dakota.

To approve of the extension of Conditional Use Permit / CU 15-02 with the following six (6) conditions:

1. **That the accessory structure continually be used for personal use only and no commercial-type uses;**
2. **That the property continues to remain free of debris at all times;**
3. **That the address continually be posted so it is clearly visible from Custer Trails Road in accordance with Pennington County's Ordinance #20;**
4. **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;**
5. **That all natural drainage paths continually be maintained; and,**
6. **That this Conditional Use Permit be reviewed in five (5) years, 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.

5. **CONDITIONAL USE PERMIT REVIEW / CU 16-28:** Chace and Leslie Larsen. To review a Recreation Resort Area on the subject property in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

Midway Fraction Lode MS 2014 (also in Section 28), Section 27, T1S, R5E, BHM, Pennington County, South Dakota.

To approve of the extension of Conditional Use Permit / CU 16-28 with the following eighteen (18) conditions:

1. **That the uses of the Conditional Use Permit continue to be limited to four (4) seasonal rental cabins, an office/laundry facility, and the existing single-family residence to be used as the manager's residence;**

2. That the rental cabins continue to be allowed to operate from May through August of each year;
3. That the address assigned to each individual cabin continue to be posted on the cabin, inside the cabin, and so they are visible from the interior road way and Pink Cabin Road, in accordance with Pennington County's Ordinance #20;
4. That the address for the main house (23935 Pink Cabin Road) continue to be posted on the residence and so that it is visible from both directions of travel on Pink Cabin Road, in accordance to Pennington County's Ordinance #20;
5. That the minimum number of required parking spaces continue to be provided in accordance with Pennington County Zoning Ordinance (PCZO) § 310, which requires one (1) parking space per guest bedroom for each cabin;
6. 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 PCZO;
7. That the applicant maintain all necessary permits from other governing bodies for the operation of the Recreation Resort, including, but not limited to, approval from the South Dakota Department of Health and a Sales Tax License from the South Dakota Department of Revenue;
8. That the applicant maintains an Evacuation (Emergency) Plan and provide copies to all overnight guests in case there is a need to evacuate guests from the property in the event of an emergency and that a copy of said plan continue to be kept on file at the Planning Department;
9. That the property continually remains free of debris and junk vehicles and all structures be well-maintained;
10. That all existing drainage ways continue to be maintained and that erosion control measures be implemented on all disturbed areas so as not to allow any sedimentation of existing drainage ways or bodies of water per PCZO § 507(A). This includes any requirements set forth in the Pennington County Stormwater Quality Manual for erosion and sediment measures;
11. 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;
12. That the Planning Director may allow additional development or construction, which is consistent with the existing development on this

property. Significant changes in the use or impact on adjacent land uses as determined by the Planning Director shall require a review or amendment of this Conditional Use Permit;

13. That the interior access roads leading to the cabins continue to consist of a 16-foot-wide graveled driving surface, at a minimum, to accommodate two-way traffic;
14. That all exterior lighting must continue to be of low level intensity, which does not result in excessive glare upon surrounding neighbors;
15. That a smoke detector continue to be placed in each sleeping room, with a minimum of at least one (1) smoke detector per floor;
16. That portable fire extinguishers continue to be placed on each floor level of each cabin so they are accessible to all guests at all times and the fire extinguishers shall be inspected and tagged annually;
17. That quiet hours for the Recreation Resort continue to be between 10 p.m. and 8 a.m.; and,
18. That this Conditional Use Permit be reviewed in three (3) 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 6 to 0.

6. **CONDITIONAL USE PERMIT REVIEW / CU 16-29:** Highmark, Inc. To review a contractor's storage yard on the subject property during the construction of the Rapid City Southside Sewer Line Project in a Limited Agriculture District in accordance with Sections 206 and 510 of the Pennington County Zoning Ordinance.

NE1/4NE1/4, Section 27, T1N, R8E, BHM, Pennington County, South Dakota.

To end Conditional Use Permit / CU 16-29 with the applicant's concurrence.

Vote: unanimous 6 to 0.

7. **CONDITIONAL USE PERMIT REVIEW / CU 07-11:** Bernard Ness; Ronnie Ness – Agent. To review an auto repair business in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

All Section less Right-of-Way, Section 1, T1N, R9E, BHM, Pennington County, South Dakota.

To continue the review of Conditional Use Permit / CU 07-11 to the July 22, 2019, Planning Commission meeting with the following one (1) condition:

1. That if additional continuations are required beyond July 22, 2019, due to lack of action by the applicant, the applicant shall pay a \$100 fee for each continuation, in accordance with §511(X).

Vote: unanimous 6 to 0.

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

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

To approve of the extension of Conditional Use Permit / CU 17-45 with the following eight (8) conditions:

1. That the lot address (11361 Gillette Prairie Road) continue to be properly posted on the caboose and at the driveway so it is clearly visible from both directions of travel on Gillette Prairie Road, in accordance with Pennington County's Ordinance #20;
2. That the seasonal dwelling (caboose) shall not be used for more than 180 days per calendar year;
3. That a Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be reviewed and approved by the Planning Director;
4. That all future structures meet the minimum required setbacks for a Limited Agriculture District or an approved Setback Variance be obtained prior to Building Permit approval;
5. That the caboose continue to be used for personal use only. No commercial activity and no rentals outside of SDCL 42-18-1(17) shall be permitted;
6. That the property continue to remain free of debris and junk vehicles;
7. That the comments provided by the U.S. Forest Service be adhered to at all times; and,

8. That this Conditional Use Permit be reviewed in two (2) years, 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. **CONDITIONAL USE PERMIT REVIEW / CU 18-30:** Hayden Clark. To review a single-wide mobile home to be used as a single-family residence on the subject property in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

NW1/4, S1/2 less ROW, Section 20, T2N, R17E, BHM, Pennington County, South Dakota.

(Continued from the December 17, 2018, Planning Commission meeting.)

To approve of the extension of Conditional Use Permit / CU 18-30 with the following five (5) conditions:

1. That the single-wide mobile home installed on the property be in compliance with Pennington County Zoning Ordinance § 304;
2. That the single-wide mobile home be assigned an address, which must be posted in accordance with Pennington County Ordinance #20;
3. That the minimum setback requirements of a General Agriculture District be continually maintained on the property;
4. 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; and
5. That this Conditional Use Permit be reviewed in two (2) years, 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. **CONSTRUCTION PERMIT REVIEW / CP 18-04:** Stromer Properties, LLC; Brook Stromer – Agent. To review the construction of a parking area on the subject property.

Lot A2, Bar P-S Subdivision, Section 20, T1N, R9E, BHM, Pennington County, South Dakota.

(Continued from the April 8, 2019, Planning Commission meeting.)

To continue the review of Construction Permit / CP 18-04 to the May 13, 2019, Planning Commission meeting to allow staff more time to contact the applicant.

Vote: unanimous 6 to 0.

15. **MINOR PLAT / PL 18-47 AND SUBDIVISION REGULATIONS VARIANCE / SV 18-14:** Bret and Linda Hilgemann. To create Lots A and B of Nautilus Acres Subdivision #2 and to waive platting requirements in accordance with Sections 400.3 and 700.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Parcel C less Lots H1 and H2 and less 40-foot-wide dedicated right-of-way, Section 17, T2N, R6E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot A and Lot B, Nautilus Acres Subdivision #2, Section 17, T2N, R6E, BHM, Pennington County, South Dakota.

(Continued from the December 17, 2018, Planning Commission meeting.)

To recommend to end Subdivision Regulations Variance / SV 18-14 and Minor Plat / PL 18-47, per the applicant's request.

Vote: unanimous 6 to 0.

END OF CONSENT AGENDA

8. **CONDITIONAL USE PERMIT REVIEW / CU 17-38:** Daniel Johnson, Highmark Properties. To review a multi-family dwelling in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

Lot A of Lot 1 less of Highway 385, Walker Placer MS 551, Section 12, T2S, R4E, BHM, Pennington County, South Dakota.

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

Mr. Dan Johnson, applicant, appeared asked to have this Item removed from the Consent Agenda for discussion.

Staff recommended to continue the review of Conditional Use Permit / CU 17-38 until such time the applicant addresses the inadequate sizing of the on-site wastewater treatment system.

Discussion followed.

Moved by Runde and seconded by Johnson to continue the review of Conditional Use Permit / CU 17-38 until such time the applicant addresses the inadequate sizing of the on-site wastewater treatment system.

All voting aye, the Motion carried 6 to 0.

11. CONDITIONAL USE PERMIT REVIEW / CU 18-38: Daniel Johnson, Highmark Properties, LLC. To review the multi-family dwelling with separate units, Unit 1 and Unit 2, to be used as a Specialty Resort / Vacation Home Rental in a General Agriculture District in accordance with Sections 205, 319, and 510 of the Pennington County Zoning Ordinance.

Lot A of Lot 1 less of Highway 385, Walker Placer MS 551, Section 12, T2S, R4E, BHM, Pennington County, South Dakota.

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

Mr. Dan Johnson, applicant, appeared asked to have this Item removed from the Consent Agenda for discussion.

Staff recommended to continue the review of Conditional Use Permit / CU 18-38 until such time the applicant addresses the inadequate sizing of the on-site wastewater treatment system.

Discussion followed.

Moved by Coleman and seconded by Rivers to continue the review of Conditional Use Permit / CU 18-38 until such time the applicant addresses the inadequate sizing of the on-site wastewater treatment system.

All voting aye, the Motion carried 6 to 0.

12. CONDITIONAL USE PERMIT / CU 19-04: Dean and Patricia Farr. 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 6 Revised, Block D, Edelweiss Mountain Development, Section 17, T1N, R5E, BHM, Pennington County, South Dakota.

Staff asked to have this Item removed from the Consent Agenda for discussion and to amend Condition #1 of the Conditions of Approval.

Staff recommended approval of Conditional Use Permit / CU 19-04 with fourteen (14) conditions.

Discussion followed.

Moved by Rossknecht and seconded by Runde to approve of Conditional Use Permit / CU 19-04 with the following fourteen (14) conditions:

- 1. That the maximum overnight occupancy, per Pennington County Zoning Ordinance (PCZO) § 319(F)(1), be limited to ten (10) people and the maximum daytime occupancy be limited to twenty (20) people, per Pennington County Zoning Ordinance (PCZO) § 319(F)(13);**
- 2. That all necessary permits are obtained prior to any additions and/or alterations to a structure or upgrades/alterations to an on-site wastewater treatment system;**
- 3. That each review of Conditional Use Permit / CU 19-04, be subject to PCZO §511(F)(3), which imposes a \$100 fee per review;**
- 4. 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;**
- 5. That the applicant maintain an Evacuation (Emergency) Plan and provide copies to all overnight guests in case there is a need to evacuate guests from the property in the event of an emergency and that a copy of said plan be kept on file at the Planning Department;**
- 6. That a minimum of four (4) off-street parking spaces be provided on-site, per 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;**
- 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 (225 Danube Lane) be posted on the residence at all times and so it is clearly visible from Danube Lane, 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 Roger Severson, 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; and,
14. That this Conditional Use Permit be reviewed in two (2) years, 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.

14. CONSTRUCTION PERMIT / CP 19-04: Rockerville Gold Town, LLC. To strip off topsoil for exploratory purposes for future development.

E1/2SE1/4SE1/4 South of Hwy 16 Westboundless ROW, Section 14, T1S, R6E, BHM, Pennington County, South Dakota.

Staff asked to have this Item removed from the Consent Agenda for discussion and to add an additional condition to the Conditions of Approval.

Staff originally recommended approval of Construction Permit / CP 19-04 with eleven (11) conditions, but are now recommending approval with twelve (12) conditions.

Moved by Johnson and seconded by Coleman to approve of Construction Permit / CP 19-04 with the following twelve (12) 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 erosion control measures are implemented *immediately* and maintained until the site has been revegetated in accordance with § 507(A)(5)(c);
4. That the disturbed areas be re-vegetated as required in § 507(A)(5)(c);

5. **That the requirements, guidelines, and criteria for stormwater and erosion and sediment control in the Pennington County Stormwater Manual shall be followed;**
6. **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;**
7. **That all natural drainage ways and paths be continually maintained;**
8. **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;**
9. **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;**
10. **That the applicant pay the late charge per Zoning Ordinance Section 511-W-2;**
11. **That the applicant sign a Statement of Understanding within ten (10) days of Permit approval; and,**
12. **That this Construction Permit is reviewed in one (1) year, 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.**

All voting aye, the Motion carried 6 to 0.

16. CONSTRUCTION PERMIT REVIEW / CP 18-12: Brad Nible. To review the excavation and leveling of a hillside for a future residence in accordance with Sections 208 and 507 of the Pennington County Zoning Ordinance.

Lot 2A, Block 6, Harney Peak View Addition, Section 9, T1N, R8E, BHM, Pennington County, South Dakota.

(Continued from the April 8, 2019, Planning Commission meeting.)

Commissioner Rossknecht left the meeting at 10:18 a.m.

Sack reviewed the Staff Report indicating the applicant has applied for a Construction Permit to excavate and level a hillside.

Commissioner Rossknecht returned to the meeting at 10:20 a.m.

Staff recommended to continue the review of Construction Permit / CP 18-12 to the May 13, 2019, Planning Commission meeting with the following sixteen (16) 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;
2. That cut-and-fill slopes be designed and constructed to minimize erosion and design plans submitted to the Pennington County Planning Department for review within 30 days;
3. 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;
4. 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;
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 an engineered plan to stabilize the hillside either by a retaining wall or by sloping the hillside is developed and the design plans submitted to the Pennington County Drainage Engineer for review within 30 days;
8. That sediment from the site is contained in such a manner that sediment does not reach or fill the right-of-way (road ditch). If sediment is deposited in the right-of-way (road ditch) from the construction activity, the owner will be responsible for the removal of sediment from the right-of-way (road ditch) *immediately* after being notified or as discovered by the owner during weekly inspections;
9. 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;

10. 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;
11. 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;
12. That the disturbed areas be re-vegetated as required in § 507(A)(5)(c) of the Pennington County Zoning Ordinance;
13. That the applicant pay two (2) \$100 continuation fees prior to the stop work order being lifted;
14. That any continuation hereafter caused by the applicants failure to meet Conditions of Approval will be fined \$100.00 per continuation in accordance with § 511(X) of the Pennington Counting Zoning Ordinance;
15. That all Conditions of Approval are met and all fees paid for prior to the stop work order being lifted; and,
16. That this Construction Permit be reviewed at the May 13, 2019, Planning Commission meeting to verify that erosion controls have been implemented and progress is being made on engineered design plans.

Discussion followed.

Moved by Rossknect and Johnson to continue the review of Construction Permit / CP 18-12 to the May 13, 2019, Planning Commission meeting with the following sixteen (16) 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;
2. That cut-and-fill slopes be designed and constructed to minimize erosion and design plans submitted to the Pennington County Planning Department for review within 30 days;
3. 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;

4. 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;
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 an engineered plan to stabilize the hillside either by a retaining wall or by sloping the hillside is developed and the design plans submitted to the Pennington County Drainage Engineer for review within 30 days;
8. That sediment from the site is contained in such a manner that sediment does not reach or fill the right-of-way (road ditch). If sediment is deposited in the right-of-way (road ditch) from the construction activity, the owner will be responsible for the removal of sediment from the right-of-way (road ditch) *immediately* after being notified or as discovered by the owner during weekly inspections;
9. 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;
10. 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;
11. 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;
12. That the disturbed areas be re-vegetated as required in § 507(A)(5)(c) of the Pennington County Zoning Ordinance;
13. That the applicant pay two (2) \$100 continuation fees prior to the stop work order being lifted;
14. That any continuation hereafter caused by the applicants failure to meet Conditions of Approval will be fined \$100.00 per continuation in accordance with § 511(X) of the Pennington Counting Zoning Ordinance;

15. **That all Conditions of Approval are met and all fees paid for prior to the stop work order being lifted; and,**
16. **That this Construction Permit be reviewed at the May 13, 2019, Planning Commission meeting to verify that erosion controls have been implemented and progress is being made on engineered design plans.**

All voting aye, the Motion carried 6 to 0.

17. MINOR PLANNED UNIT DEVELOPMENT / PU 19-02: Voorhees Hospitality, LLC / Chuck Voorhees. To amend an existing Planned Unit Development to allow for additional uses on the subject property in accordance with Section 213 of the Pennington County Zoning Ordinance.

Lot 1, Whispering Wind Subdivision, Section 27, T1S, R5E, BHM, Pennington County, South Dakota.

Conover reviewed the Staff Report indicating the applicant has applied for a Minor Planned Unit Development to amend an existing Planned Unit Development to allow for additional uses on the subject property.

Staff recommended approval of Minor Planned Unit Development Amendment / PU 19-02 with the following twenty-five (25) conditions:

1. That the uses allowed with this Planned Unit Development be an eight (8) site RV Park, a five (5) site tent camping area, six (6) attached cabins for rental purposes with restroom facilities, one (1) duplex with a residence and rental unit, one (1) single-family residence, one (1) garage, one (1) low water bridge, one (1) central pavilion, two (2) detached rental cabins, one (1) four-plex, an outdoor meeting space to include a bar area, fireplace, and cooking area, and including any associated improvements;
2. That twenty-five (25) foot setbacks be maintained along all exterior lot lines, which abut properties under different ownership;
3. That each campsite (RV or tent) must include one (1) parking space for a vehicle (in addition to the recreation vehicle, where applicable) and the parking space must be constructed so no portion of the vehicle extends onto any interior roadway;
4. That the interior one-way road shall be a minimum of 15 feet in width and surfaced with gravel (minimum of 4 inches) or concrete or asphalt and maintained in a dust free manner. All other interior roads shall be a minimum of 24 feet in width and surfaced with gravel (minimum of 4 inches) or concrete or asphalt and maintained in a dust free manner;

5. That a Floodplain Development Permit shall be submitted for review and approval prior to any work or placement of any structure(s) within the boundaries of the 100-year floodplain;
6. That natural drainage paths be maintained and/or any alterations to the natural drainage paths be adequately compensated for in accordance with the County Drainage Engineer's comments;
7. That natural drainage be diverted around the absorption area for the new on-site wastewater system so as to prevent run-off into Palmer Creek;
8. That the applicant maintain some type of barrier (i.e. fence, boulders) around the on-site wastewater system to prevent any parking and/or camping over top of the on-site wastewater system and that proper setbacks to the on-site wastewater system be maintained;
9. That any new On-site Wastewater systems be installed in accordance with all Department of Environment and Natural Resources regulations, including a minimum 100 foot setback for the absorption area from the high water line of the Palmer Creek;
10. That a minimum ten (10) foot separation be maintained at all times between each RV site;
11. That the internal road network not exceed a maximum of an eight (8) percent grade;
12. That each RV and tent site has a lot number clearly posted and Guests made aware of the complete address should they need to call 9-1-1;
13. That the RV Park conforms to all regulations in Section 306 of the Pennington County Zoning Ordinance;
14. That the applicants conform to all applicable State and County regulations, including those established by the South Dakota Departments of Environmental and Natural Resources and Health;
15. That all other conditions of approval of the original PUD are still valid and applicable to the subject property with the exception of Condition #3 regarding the allowed uses and Condition #10 pertaining to setbacks;
16. That Operating Permits be obtained for all existing on-site wastewater treatment systems on the property;
17. That the applicant notify the Pennington County Onsite Wastewater Specialist concerning the overall plan for the onsite wastewater treatment systems for

review and approval by the Pennington County Environmental Planner and South Dakota Department of Environment and Natural Resources (SD DENR);

18. That the property address be posted so that it is visible from both directions of S. Highway 16, in accordance with Pennington County's Ordinance #20;
19. That each habitable structure be identified with a unique unit number that is posted on the exterior of the cabin, next to the main entrance door, using characters that are reflective and at least 4" in height by 3" wide. Guests at the cabin should be advised or given a card that lists the complete address in the event they need to call 9-1-1;
20. That the new residence have a separate physical address from the existing house, and the address number be posted on the new house in accordance with County Ordinance #20;
21. That an approved Construction Permit be obtained for any land disturbance greater than 10,000 square feet. Construction must meet all the requirements of the Pennington County Stormwater Quality Manual;
22. That the comments provided by the U.S. Forest Service be adhered to at all times;
23. That prior to installation of the low-water bridge, the applicant obtain the proper permits and approvals from all applicable agencies;
24. That prior to selling Beer and Wine on the subject property, the applicant receive the appropriate permits from Pennington County and any other appropriate agency; and,
25. That this Minor Planned Unit Development Amendment be reviewed in two (2) years, on a complaint basis, or as directed by the Pennington County Planning Commission or Board of Commissioners to ensure that all Conditions of Approval are being met.

Discussion followed to add a condition to the Conditions of Approval.

Moved by Johnson and seconded by Coleman to approve of Minor Planned Unit Development Amendment / PU 19-02 with the following twenty-six (26) conditions:

- 1. That the uses allowed with this Planned Unit Development be an eight (8) site RV Park, a five (5) site tent camping area, six (6) attached cabins for rental purposes with restroom facilities, one (1) duplex with a residence and rental unit, one (1) single-family residence, one (1) garage, one (1) low water bridge, one (1) central pavilion, two (2) detached rental cabins, one (1) four-plex, an outdoor meeting space to include a bar area, fireplace, and cooking area, and including any associated improvements;**

2. That twenty-five (25) foot setbacks be maintained along all exterior lot lines, which abut properties under different ownership;
3. That each campsite (RV or tent) must include one (1) parking space for a vehicle (in addition to the recreation vehicle, where applicable) and the parking space must be constructed so no portion of the vehicle extends onto any interior roadway;
4. That the interior one-way road shall be a minimum of 15 feet in width and surfaced with gravel (minimum of 4 inches) or concrete or asphalt and maintained in a dust free manner. All other interior roads shall be a minimum of 24 feet in width and surfaced with gravel (minimum of 4 inches) or concrete or asphalt and maintained in a dust free manner;
5. That a Floodplain Development Permit shall be submitted for review and approval prior to any work or placement of any structure(s) within the boundaries of the 100-year floodplain;
6. That natural drainage paths be maintained and/or any alterations to the natural drainage paths be adequately compensated for in accordance with the County Drainage Engineer's comments;
7. That natural drainage be diverted around the absorption area for the new on-site wastewater system so as to prevent run-off into Palmer Creek;
8. That the applicant maintain some type of barrier (i.e. fence, boulders) around the on-site wastewater system to prevent any parking and/or camping over top of the on-site wastewater system and that proper setbacks to the on-site wastewater system be maintained;
9. That any new On-site Wastewater systems be installed in accordance with all Department of Environment and Natural Resources regulations, including a minimum 100 foot setback for the absorption area from the high water line of the Palmer Creek;
10. That a minimum ten (10) foot separation be maintained at all times between each RV site;
11. That the internal road network not exceed a maximum of an eight (8) percent grade;
12. That each RV and tent site has a lot number clearly posted and Guests made aware of the complete address should they need to call 9-1-1;
13. That the RV Park conforms to all regulations in Section 306 of the Pennington County Zoning Ordinance;

14. That the applicants conform to all applicable State and County regulations, including those established by the South Dakota Departments of Environmental and Natural Resources and Health;
15. That all other conditions of approval of the original PUD are still valid and applicable to the subject property with the exception of Condition #3 regarding the allowed uses and Condition #10 pertaining to setbacks;
16. That Operating Permits be obtained for all existing on-site wastewater treatment systems on the property;
17. That the applicant notify the Pennington County Onsite Wastewater Specialist concerning the overall plan for the onsite wastewater treatment systems for review and approval by the Pennington County Environmental Planner and South Dakota Department of Environment and Natural Resources (SD DENR);
18. That the property address be posted so that it is visible from both directions of S. Highway 16, in accordance with Pennington County's Ordinance #20;
19. That each habitable structure be identified with a unique unit number that is posted on the exterior of the cabin, next to the main entrance door, using characters that are reflective and at least 4" in height by 3" wide. Guests at the cabin should be advised or given a card that lists the complete address in the event they need to call 9-1-1;
20. That the new residence have a separate physical address from the existing house, and the address number be posted on the new house in accordance with County Ordinance #20;
21. That an approved Construction Permit be obtained for any land disturbance greater than 10,000 square feet. Construction must meet all the requirements of the Pennington County Stormwater Quality Manual;
22. That the comments provided by the U.S. Forest Service be adhered to at all times;
23. That prior to installation of the low-water bridge, the applicant obtain the proper permits and approvals from all applicable agencies;
24. That prior to selling Beer and Wine on the subject property, the applicant receive the appropriate permits from Pennington County and any other appropriate agency;

25. **That the Planning Director may allow additional development or construction which is consistent with the existing development on this property. Significant changes in the use or impacts on adjacent land, uses as determined by the Planning Director, shall require an amendment to this Planned Unit Development; and,**
26. **That this Minor Planned Unit Development Amendment be reviewed in two (2) years, on a complaint basis, or as directed by the Pennington County Planning Commission or Board of Commissioners to ensure that all Conditions of Approval are being met.**

All voting aye, the Motion carried 6 to 0.

18. LAYOUT PLAT / LPL 19-07: RG and Judy Hensley. To reconfigure lot lines to create Lot 1 and Lot 2 of Hensley Place in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: The unplatted portion of Lot C of Lot 2, Reno Placer MS #823; Lot 1 of Lot C of Lot 2, Reno Placer MS #812, and Tract 0037 of the NW ¼ of Section 1 and NE¼ of Section 2; Sections 1 and 2 of T2S, R4E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 1 and Lot 2 of Hensley Place, Sections 1 and 2, T2S, R4E, BHM, Pennington County, South Dakota.

Molitor reviewed the Staff Report indicating the applicants have applied for a Layout Plat to reconfigure lot lines to create Lot 1 and Lot 2 of Hensley Place.

Staff recommended approval of Layout Plat / LPL 19-07 with the following fifteen (15) conditions:

1. That at the time of Minor Plat submittal, eight (8) foot 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;
2. That at the time of the Minor Plat submittal, percolation tests and soil profile hole information be submitted for Proposed Lot 2 of Hensley Place for review and approval by the County Environmental Planner, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
3. That at the time of the Minor Plat submittal, the proposed Plat be prepared by a Registered Land Surveyor;
4. That at the time of the Minor Plat submittal, if Proposed Lot 2 uses the existing driveway across Lot 1, that an easement is shown on the Plat across proposed Lot

- 1 or an Approach Permit obtained from County Highway for access off of Reno Gulch Road;
5. That the applicant and/or agent work with the Pennington County Ordinance Enforcement Officer to remedy current violations on the subject property prior to any subsequent submittal (i.e. Building Permit, Plat, Rezone, Conditional Use or Variance).
 6. That prior to any subsequent submittal (i.e. Building Permit, Plat, Rezone, Conditional Use or Variance) the properties are in compliance with Ordinance 106;
 7. That the outhouse(s) are removed from the subject properties prior to any subsequent submittal (i.e. Building Permit, Plat, Rezone, Conditional Use or Variance);
 8. That the existing approach is used for proposed Lot 1 or an Approach Permit obtained from County Highway Department;
 9. That prior to the Plat being recorded with the Register of Deeds, that the proposed lots obtain a Lot Size Variance or be rezoned appropriately;
 10. 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;
 11. That the following is the correct existing legal description and the legal description which should be used in the “formerly” on the plat: Lot 1 of Lot C of Lot 2, Reno Placer MS #812; the unplatted portion of Lot C of Lot 2, Reno Placer MS #823; and Tract 0037 of the NW ¼ of Section 1 and NE ¼ of Section 2, T2S, R4E, BHM, Pennington County, South Dakota;
 12. That prior to the Plat being recorded with the Register of Deeds, a Conditional Use Permit is obtained for the accessory structure on proposed Lot 2 of Hensley Place;
 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; and,

15. 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 Coleman and seconded by Johnson to approve of Layout Plat / LPL 19-07 with the following fifteen (15) conditions:

- 1. That at the time of Minor Plat submittal, eight (8) foot 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;**
- 2. That at the time of the Minor Plat submittal, percolation tests and soil profile hole information be submitted for Proposed Lot 2 of Hensley Place for review and approval by the County Environmental Planner, or an approved Subdivision Regulations Variance be obtained waiving this requirement;**
- 3. That at the time of the Minor Plat submittal, the proposed Plat be prepared by a Registered Land Surveyor;**
- 4. That at the time of the Minor Plat submittal, if Proposed Lot 2 uses the existing driveway across Lot 1, that an easement is shown on the Plat across proposed Lot 1 or an Approach Permit obtained from County Highway for access off of Reno Gulch Road;**
- 5. That the applicant and/or agent work with the Pennington County Ordinance Enforcement Officer to remedy current violations on the subject property prior to any subsequent submittal (i.e. Building Permit, Plat, Rezone, Conditional Use or Variance).**
- 6. That prior to any subsequent submittal (i.e. Building Permit, Plat, Rezone, Conditional Use or Variance) the properties are in compliance with Ordinance 106;**
- 7. That the outhouse(s) are removed from the subject properties prior to any subsequent submittal (i.e. Building Permit, Plat, Rezone, Conditional Use or Variance);**
- 8. That the existing approach is used for proposed Lot 1 or an Approach Permit obtained from County Highway Department;**
- 9. That prior to the Plat being recorded with the Register of Deeds, that the proposed lots obtain a Lot Size Variance or be rezoned appropriately;**
- 10. 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;

11. That the following is the correct existing legal description and the legal description which should be used in the “formerly” on the plat: Lot 1 of Lot C of Lot 2, Reno Placer MS #812; the unplatted portion of Lot C of Lot 2, Reno Placer MS #823; and Tract 0037 of the NW ¼ of Section 1 and NE ¼ of Section 2, T2S, R4E, BHM, Pennington County, South Dakota;
12. That prior to the Plat being recorded with the Register of Deeds, a Conditional Use Permit is obtained for the accessory structure on proposed Lot 2 of Hensley Place;
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; and,
15. 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.

Moved by Coleman and seconded by Johnson to recess. All voting aye, the Motion carried 6 to 0.

Moved by Johnson and seconded by Rivers to reconvene. All voting aye, the Motion carried 6 to 0.

19. REZONE / RZ 19-02 AND COMPREHENSIVE PLAN AMENDMENT / CA 19-02: Borglum Historical Center, Inc., Duane Pankratz; Ken Nash – Agent. To rezone 19.419 acres from General Agriculture District to Highway Service District, for proposed Lot 1, and to rezone 1.953 acres from General Agriculture District to Highway Service District, for proposed Lot 2, and to amend the Comprehensive Plan to change the Future Land Use from Low Density Residential District to Highway Service District in accordance with Sections 205, 207, 210, and 508 of the Pennington County Zoning Ordinance.

Located on the following metes and bounds description for proposed Lot 1: Commencing at the Section ¼ Corner common to Sections 13 and 14, T1S, R6E, BHM, common to the northeasterly corner of Lot 13 of Stratmeyer Addition, and common to the southwesterly corner of Lot 4 Revised of Stratmeyer Addition, and the point of beginning; Thence, first course: N 89°28'35" E, along the section ¼ line of said Section

13, common to the southerly boundary of said Lot 4 Revised, a distance of 788.89', to the southeasterly corner of said Lot 4 Revised, common to the southwesterly corner of Lot 9 of Stratmeyer Addition; Thence, second course: N 89°16'43" E, along the section ¼ line of said Section 13, common to the southerly boundary of said Lot 9, a distance of 150.29', to the southeasterly corner of said Lot 9, common to the southwesterly corner of Lot 5 of Stratmeyer Addition; Thence, third course: N 89°27'28" E, along the section ¼ line of said Section 13, common to the southerly boundary of said Lot 5, a distance of 378.55', to the southeasterly corner of said Lot 5, common to a point on the Section 1/16th Line, common to a point on the westerly boundary of Lot 1 of BTP Subdivision; Thence, fourth course: S 00°05'41" E, along the said Section 1/16th line, common to the westerly boundary of said Lot 1, a distance of 107.12, to the southwesterly corner of said Lot 1, common to a point on the northerly edge of US Highway 16 right-of-way; Thence, fifth course: S 40°55'54" W, along the northerly edge of said right-of-way, a distance of 176.94'; Thence, sixth course: N 49°04'06" W a distance of 57.00'; Thence, seventh course: S 40°55'54" W a distance of 252.61'; Thence, eighth course: S 47°32'31" W a distance of 471.73'; Thence, ninth course: S 58°43'08" W a distance of 359.10'; Thence, tenth course: S 62°31'10" W a distance of 383.76', to a point on the section line common to said Sections 13 and 14, common to a point on the easterly boundary of Tract A Revised of Hull Subdivision; Thence eleventh course: N 00°07'28" E, along the section line common to said Sections 13 and 14, common to the easterly boundary of said Tract A Revised, a distance of 402.40, to the northeasterly corner of said Tract A Revised; Thence twelfth course: N 00°01'51" W, along the section line common to said Sections 13 and 14, a distance of 150.60', to the southeasterly corner of said Lot 13; Thence thirteenth course: N 00°08'21" E, along the section line common to said Sections 13 and 14, common to the easterly boundary of said Lot 13, distance of 510.62', to the said point of beginning. Said Parcel contains 19.419 acres more or less, Section 13, T1S, R6E, BHM, Pennington County, South Dakota.

Located on the following metes and bounds description for proposed Lot 2: Commencing at the southwesterly corner of Tract A Revised of Hull Subdivision, common to a point on the section line common to Sections 13 and 14, T1S, R6E, BHM, and the point of beginning; Thence, first course: N 00°07'28" E, along easterly boundary of said Tract A Revised, common to said section line, a distance of 64.32'; Thence, second course: N 62°31'10" E a distance of 383.76'; Thence, third course: N 58°43'08" E a distance of 359.10'; Thence, fourth course: N 47°32'31" E a distance of 471.73'; Thence, fifth course: N 40°55'54" E a distance of 252.61'; Thence, sixth course: S 49°04'06" E a distance of 57.00', to a point on the northerly edge of US Highway 16 right-of-way; Thence, seventh course: S 40°55'54" W, along the northerly edge of said right-of-way, a distance of 255.91'; Thence, eighth course: S 47°32'31" W, along the northerly edge of said right-of-way, a distance of 480.60'; Thence, ninth course: S 58°43'08" W, along the northerly edge of said right-of-way, a distance of 366.57'; Thence, tenth course: S 62°31'10" W, along the northerly edge of said right-of way, a distance of 415.46', to the said point of beginning. Said Parcel contains 1.953 acres more or less, Section 13, T1S, R6E, BHM, Pennington County, South Dakota.

(Continued from the April 8, 2019, Planning Commission meeting.)

Molitor reviewed the Staff Report indicating the applicant has applied to rezone 19.419 acres from General Agriculture District to Highway Service District, for proposed Lot 1, and to rezone 1.953 acres from General Agriculture District to Highway Service District, for proposed Lot 2, and to amend the Comprehensive Plan to change the Future Land Use from Low Density Residential District to Highway Service District.

Staff recommended approval of Rezone / RZ 19-02 and Comprehensive Plan Amendment / CA 19-02.

Discussion followed.

Commissioner Rivers left the meeting at 11:33 a.m.
Commissioner Rivers returned to the meeting at 11:35 a.m.

Discussion continued.

Commissioner Rossknecht left the meeting at 11:55 a.m.

Moved by Coleman and seconded by Rivers to approve of Rezone / RZ 19-02 and Comprehensive Plan Amendment / CA 19-02.

Commissioner Rossknecht returned to the meeting 11:56 a.m.

All voting, the Motion to approve failed 3 to 3. Roll call vote: Commissioners Marsh, Rossknecht, and Coleman voted yes. Commissioners Johnson, Runde, and Rivers voted no.

20. REZONE / RZ 19-04 AND COMPREHENSIVE PLAN AMENDMENT / CA 19-04:
Patrick Foley. To rezone 15.69 acres from Limited Agriculture District to General Commercial District and to amend the Pennington County Comprehensive Plan to change the Future Land Use from Limited Agriculture District to General Commercial District in accordance with Sections 206, 209, and 508 of the Pennington County Zoning Ordinance.

SW1/4NW1/4SW1/4; and Lot 2 of NE1/4SE1/4; Lot AB of NE1/4SE1/4; That PT of Lot 1 of NE1/4SE1/4 Lying East of Hwy 79, located in Sections 4 and 5, T1S, R8E, BHM, Pennington County, South Dakota.

Theunissen reviewed the Staff Report indicating the applicant has applied to rezone 15.69 acres from Limited Agriculture District to General Commercial District and to amend the Pennington County Comprehensive Plan to change the Future Land Use from Limited Agriculture District to General Commercial District.

Staff is seeking guidance from the Planning Commission on how to proceed with Rezone / RZ 19-04 and Comprehensive Plan Amendment / CA 19-04, as the applicant's request

appears to be in harmony with the current surrounding zoning; however, Mr. Foley has Ordinance 106 Violations on the properties.

Discussion followed.

Moved by Runde and seconded by Johnson to approve of Rezone / RZ 19-04 and Comprehensive Plan Amendment / CA 19-04.

All voting aye, the Motion carried 6 to 0.

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

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

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

Discussion followed.

Moved by Rivers and seconded by Coleman to continue Ordinance Amendment / OA 19-01 to the May 13, 2019, Planning Commission meeting.

SUBSTITUTE MOTION: Moved by Rivers and seconded by Coleman to continue Ordinance Amendment / OA 19-01 to the May 13, 2019, Planning Commission meeting, and, if needed, to the May 28, 2019, Planning Commission meeting.

All voting aye, the Motion carried 6 to 0.

22. COUNTY BOARD REPORT
The Board of Commissioners concurred with the Planning Commission's recommendations from the April 8 2019, Planning Commission meeting.

23. ITEMS FROM THE PUBLIC

No motions or actions were taken at this time.

24. ITEMS FROM THE STAFF

- A. Special Planning Commission Meeting Wednesday, May 8th at 3 p.m. Conover spoke of the upcoming Special Planning Commission meeting scheduled for Wednesday, May 8, 2019, at 3 p.m.
- B. SD DOT Sediment and Erosion Control Training. Conover discussed the training that staff recently went to regarding sediment and erosion control.

Commissioner Runde left the meeting at 12:55 p.m.

25. ITEMS FROM THE MEMBERSHIP

Commissioner Johnson stated she is scheduled for jury duty in May and will keep staff informed if she is not available for any Planning Commission meetings. Commissioner Runde will not be at the May 13th PC Meeting.

26. ADJOURNMENT

Moved by Coleman and seconded by Rivers to adjourn.

All voting aye, the Motion carried 5 to 0.

The meeting adjourned at 12:58 p.m.

Rich Marsh, First Vice-Chairperson