

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

County Commissioners' Meeting Room - Pennington County Administration Building

Recommendations of the Planning Commission on items from this agenda will be considered by the Board of Commissioners at their regular meeting on March 19, 2019, at 10:30 a.m.

ROLL CALL

1. APPROVAL OF THE FEBRUARY 25, 2019, MINUTES
2. APPROVAL OF THE AGENDA

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 recommend approval of the extension of Conditional Use Permit / CU 10-03 with eleven (11) conditions.

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

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

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 recommend approval of the extension of Minor Planned Unit Development Amendment / PU 14-05 with eight (8) conditions.

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 recommend approval of Construction Permit / CP 19-03 with ten (10) conditions.

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 recommend approval of the extension of Construction Permit / CP 19-02 with thirteen (13) conditions.

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 four (4) conditions.

END OF CONSENT AGENDA

10. **CONDITIONAL USE PERMIT / CU 17-22:** 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.

11. **LAYOUT PLAT / LPL 19-04:** John and Ann Hovdenes; Fisk Land Surveyng – 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.

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.)

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.)

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 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

16. ITEMS FROM THE STAFF

- A. Building Permit Report.
- B. Mailings to Landowners/Applicants/Agents for Public Hearings.

17. ITEMS FROM THE MEMBERSHIP

18. ADJOURNMENT

ADA Compliance: Pennington County fully subscribes to the provisions of the Americans with Disabilities Act. If you desire to attend this public meeting and are in need of special accommodations, please notify the Planning Department so that appropriate auxiliary aids and services are available.

**DRAFT MINUTES
PENNINGTON COUNTY PLANNING COMMISSION
February 25, 2019 @ 9:00 a.m.**

County Commissioners' Meeting Room - Pennington County Administration Building

MEMBERS PRESENT: Travis Lasseter, Kathy Johnson, Rich Marsh, Jim Coleman, and Lloyd LaCroix.

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

ROLL CALL

1. APPROVAL OF THE FEBRUARY 11, 2019, MINUTES
Moved by Marsh and seconded by Johnson to approve the Minutes of the February 11, 2019, Planning Commission meeting. Vote: unanimous 5 to 0.

2. APPROVAL OF THE AGENDA
Moved by Johnson and seconded by Marsh to approve the Agenda of the February 25, 2019, Planning Commission meeting. Vote: unanimous 5 to 0.

Moved by Runde and seconded by Marsh to approve the Consent Agenda of the February 25, 2019, Planning Commission meeting, with the removal of Item #14. 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 00-09: Performance Development Group. To review a 300 foot stealth monopole communications tower and equipment shed in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

BLL located in SW1/4SE1/4, Section 30, T2N, R13E, BHM, Pennington County, South Dakota.

To approve of the extension of Conditional Use Permit / CU 00-09 with the following seven (7) conditions:

1. **That Building Permits be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which include necessary site plans to be reviewed and approved by the Planning Director;**

2. That a security fence continues to be maintained around the tower and accessory structures in accordance with Section 316 of the Zoning Ordinance;
3. That the address is posted in accordance with Ordinance #20;
4. That a minimum of two (2) off-street parking spaces continue to be provided. Each space shall measure at least nine (9) feet by eighteen (18) feet and be maintained in a dust free manner;
5. That the setbacks from the property lines and all utilities be maintained for all structures located on the property;
6. That the driving surface for the access road be a minimum of 14 feet wide and maintained in a dust free manner; and,
7. That this Conditional Use Permit be reviewed on a complaint basis only.

Vote: unanimous 5 to 0.

4. **CONDITIONAL USE PERMIT REVIEW / CU 98-42:** Prairie Acres, LLC. To review a mobile home park in a Suburban Residential District in accordance with Sections 208 and 510 of the Pennington County Zoning Ordinance.

The E1/2W1/2SE1/4SW1/4, E1/2SE1/4SW1/4, Section 17, T2N, R8E, BHM, Pennington County, South Dakota.

(Continued from the November 13, 2018, Planning Commission meeting.)

To approve of the extension of Conditional Use Permit / CU 98-42 with the following sixteen (16) conditions:

1. That the mobile home park continue to have a maximum of 118 mobile home spaces;
2. That each mobile home space be allowed one (1) mobile home, manufactured home or modular home (single-wide or double-wide);
3. That the mobile homes existing at the time of original Conditional Use Permit approval (January 19, 1999) be allowed to remain in their present location and that replacement mobile homes have a minimum 20 foot separation between units and a minimum 25 foot front yard setback from Country Road;
4. That decks and accessory structures be allowed upon the issuance of a Building Permit;

5. That each structure, with the exception of carports, shall have a front yard setback of ten (10) feet from all access roads within the mobile home park;
6. That a carport shall be allowed over each existing parking pad within the mobile home park, with the issuance of a Building Permit. Each carport shall not exceed the existing parking pad size and shall not be enclosed on more than two (2) sides. Carports must maintain a minimum 25 foot setback from Country Road or obtain an approved Setback Variance;
7. That the mobile home park have a rear yard and a side yard on both sides of the parcel of not less than ten (10) feet;
8. That each mobile home space continue to have a minimum of two (2) off-street parking spaces and that each parking space shall not be less than one hundred sixty two (162) square feet, nor nine (9) feet by eighteen (18) feet, surfaced with gravel, concrete or asphalt and maintained in such a manner that no dust will result from continuous use;
9. That the lot numbers continue to be posted at each entrance road with four (4) inch reflective letters;
10. That a Floodplain Development Permit be obtained prior to the construction or development, including the replacement of existing mobile homes and revisions and/or expansions on the wastewater system, within the area on the property located in a federally designated floodplain;
11. That prior to the start of construction on the revisions and/or expansion of the wastewater system, a Construction Permit be obtained;
12. That any expansion of the lagoon area or future development adjacent to the existing lagoon area, require that the existing four (4) foot high chain link fence be extended to continue as a buffer between the lagoon area and the mobile home park and/or future development on adjacent properties;
13. That prior to the placement of mobile homes, a Building Permit, which will include necessary site plans, shall be submitted for approval by the Planning Director;
14. That the addition of accessory structures (i.e., decks, sheds) shall be allowed through the issuance of full fee Building Permits, which include necessary site plans to be reviewed and approved by the Planning Director;
15. That the mobile home park continue to be provided with a Management Office; and,
16. That this Conditional Use Permit be reviewed in three (3) years, on a complaint basis only, or as deemed necessary by the Pennington County

Planning Commission or Board of Commissioners to ensure all Conditions of Approval are being met.

Vote: unanimous 5 to 0.

5. **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 47 Revised, Burns Placer MS 697, Section 14, T1S, R4E, BHM, Pennington County, South Dakota.

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

To end Conditional Use Permit / CU 16-20, as it is no longer needed.

Vote: unanimous 5 to 0.

6. **CONDITIONAL USE PERMIT REVIEW / CU 16-25:** Alvin and Sharon Gullickson. To review a Vacation Home Rental on the subject property in a Low Density Residential District in accordance with Sections 207-C-18, 319, and 510 of the Pennington County Zoning Ordinance.

Tract 4, Annie Lode MS 1721, Section 21, T1S, R5E, BHM, Pennington County, South Dakota.

To approve of the extension of Conditional Use Permit / CU 16-25 with the following fifteen (15) conditions:

1. **That the maximum overnight occupancy, based on SD DENR approval, continue to 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 or the on-site wastewater treatment system is upgraded in the future, this Conditional Use Permit be reviewed so that the maximum occupancy may be adjusted accordingly, which will require approval from SD DENR;**
3. **That all necessary permits are obtained prior to any additions to the structure or upgrades/alterations to the on-site wastewater treatment system;**
4. **That the applicants 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 applicants continually maintain an Evacuation (Emergency) Plan and provide copies to all overnight guests in case there is a need to evacuate guests from the property in the event of an emergency and that a copy of said plan be kept on file at the Planning Department;
6. That a minimum of three (3) off-street parking spaces continue to 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 or signs continue to 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. The interior informational sign must also contain a color map illustrating the Special Flood Hazard Area, as determined by FEMA;
8. That the lot address continue to be posted on the residence at all times and so that it is clearly visible from Highway 385, in accordance with Pennington County's Ordinance #20;
9. That the applicants ensure the Vacation Home Rental is continually operated in accordance with the requirements of PCZO § 319(F) (Performance Standards) at all times;
10. That if the person designated as the Local Contact is ever changed from Edelweiss Mountain Lodging, the interior informational sign be updated and the applicant re-notify the Planning Director and surrounding landowners within 500 feet via notices sent by First Class Mail;
11. That all applicable Federal, State, and local regulations be adhered to at all times, including South Dakota Administrative Rule 44:02:08, which regulates Vacation Home Rentals;
12. That an approved Sign Permit be obtained prior to the placement of any on-premise sign(s);
13. That an approved Building Permit be obtained for any structure(s) exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be reviewed and approved by the Planning Director;
14. That the applicants continually adhere to requirements and restrictions set forth by the U.S. Forest Service; and,
15. That this Conditional Use Permit be reviewed in three (3) 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 5 to 0.

7. **CONDITIONAL USE PERMIT REVIEW / CU 16-31:** Black Hills Raptor Center. To review a bird education and health facility on the subject property in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

S800 feet of E350 feet of NE1/4SE1/4 less Right-of-Way, Section 35, T1N, R9E, BHM, Pennington County, South Dakota.

To approve of the extension of Conditional Use Permit / CU 16-31 with the following thirteen (13) conditions:

1. That once issued, the addresses be posted at the approach to the property and on the primary structures they are assigned to in accordance with Ordinance #20;
2. That prior to the approval of any Building Permit(s), the applicant obtain written approval from the South Dakota Department of Transportation that all necessary requirements have been met for the proposed shared access;
3. The prior to the approval of a Building Permit, the applicant meet with the Fire Chief for the Rapid Valley Volunteer Fire Department to discuss and finalize a Fire Response Plan (FRP). The applicant is to provide the Planning Director a copy of the FRP for inclusion in the file for CU 16-31;
4. That the Conditional Use be limited to: a maximum of one hundred and twenty (120) visitors at any one time, inclusive of Special Events; no more than twenty (20) volunteers at any one time, inclusive of Special Events; Single-Family Caretaker's Residence, Garage and out-building; Clinic Building (not to exceed a total of 3,000 square feet); Semi-heated mews (not to exceed a total of 1,120 square feet); Unheated mews (not to exceed a total of 1,120 square feet); Storage and hallway to exterior of mews (not to exceed a total of 840 square feet); Cold storage (not to exceed a total of 1,000 square feet); Heated Storage / workshop (not to exceed a total of 500 square feet); Three (3) Rehab pods (not to exceed a total of 1,600 square feet total); Pole Barn used for flights (not to exceed a total of 6,000 square feet); Residence (not to exceed 1300 square feet); Garage (not to exceed 576 square feet); and, an education center (not to exceed 2000 square feet). Any expansion beyond the allowed use will require a review of this Conditional Use Permit;
5. That during construction, Section 507-A of the Pennington County Zoning Ordinance be followed. This includes any requirements set forth in the Pennington County Storm Water Quality Manual which include, but are not limited to, erosion and sediment control measures (Section 100), water quality capture volume (Section 202), and post construction Storm Water Quality Best Management Practices (Section 203);

6. That the number of birds allowed on the property, at any given time, for care and/or exhibit, be determined by the applicant's Permit(s) from State and Federal permitting agencies;
7. That the applicant obtain approval from the South Dakota Department of Environment and Natural Resources, prior to the issuance of a Building Permit for the Onsite Wastewater Treatment system;
8. That the applicant adheres to all necessary local, state, and federal regulations and maintains the necessary permits to conduct the organization's activities;
9. That reasonable measures are taken to control odor and noise produced by the use so as to not constitute a nuisance to the general public;
10. That the applicant be limited to one (1) sign advertising the Center that meets Section 312 requirements of the Pennington County Zoning Ordinance;
11. That a minimum of twenty-eight (28) off-street parking spaces be provided. Each parking space shall measure at least nine (9) feet by eighteen (18) feet and shall be kept in a dust free manner and the parking lot be designed and built to allow for the safe ingress and egress of a forty-five (45) foot vehicle;
12. That a Building Permit be obtained for any structure 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; and,
13. That Conditional Use Permit / CU 16-31 be reviewed in two (2) years, 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. **CONDITIONAL USE PERMIT REVIEW / CU 16-38:** Tom and Terri Haggerty. To review a townhome on the subject property in a Suburban Residential District in accordance with Sections 208 and 510 of the Pennington County Zoning Ordinance.

Lot E3-E6; Lot F1-F6; Lot G1 Except That Portion of Said Lot Lying East of Co Rd; Lot G2-G5; Lot H5, Warren Lamb Subdivision, Section 18, T1N, R7E, BHM, Pennington County, South Dakota.

To end Conditional Use Permit / CU 16-38, with the applicant's concurrence, as the use for which the Conditional Use Permit was granted has not been established in accordance with § 510(E)(1)(b) of the Pennington County Zoning Ordinance.

Vote: unanimous 5 to 0.

9. **CONDITIONAL USE PERMIT REVIEW / CU 17-22:** Pamela Phillips. To review a single-wide mobile to be used as a permanent, single-family residence on the subject property in a Suburban Residential District in accordance with Sections 208 and 510 of the Pennington County Zoning Ordinance.

Lot 49A of Lot D, Sweetbriar Heights Subdivision, Section 10, T1N, R8E, BHM, Pennington County, South Dakota.

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

To continue the review of Conditional Use Permit / CU 17-22 to the March 25, 2019, Planning Commission meeting.

Vote: unanimous 5 to 0.

10. **CONDITIONAL USE PERMIT REVIEW / CU 17-40:** Richard Burton. To review a caretaker's residence on the subject property in a Low Density Residential District in accordance with Sections 207 and 510 of the Pennington County Zoning Ordinance.

NE1/4SW1/4NE1/4; S1/2SW1/4SW1/4NE1/4; SE1/4SW1/4NE1/4; N1/2N1/2NW1/4 SE1/4; Section 29, T2N, R6E, BHM, Pennington County, South Dakota.

To approve of the extension of Conditional Use Permit / CU 17-40 with the following six (6) conditions:

1. **That the addresses for both the existing single-family residence and the proposed caretaker's residence be posted on each residence and at the driveway(s), in accordance with Pennington County's Ordinance #20;**
2. **That an approved Building Permit be obtained for the caretaker's residence and 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;**
3. **That the minimum setback requirements of a Low Density Residential District be continually maintained on the property or a setback Variance be obtained;**
4. **That the subject property remains free of debris and junk vehicles;**
5. **That once care is no longer needed, the caretaker's residence be converted to a studio or storage, be removed from the subject property, or the subject property be subdivided so that each residence is on a separate lot; and,**
6. **That this Conditional Use Permit be reviewed on October 28, 2019, 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.

11. **CONDITIONAL USE PERMIT REVIEW / CU 17-48:** Alvin and Sharon Gullickson. To review a Vacation Home Rental on the subject property in a General Agriculture District in accordance with Sections 205, 319, and 510 of the Pennington County Zoning Ordinance.

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

To approve of the extension of Conditional Use Permit / CU 17-48 with the following fourteen (14) conditions:

1. That the maximum overnight occupancy continue to be, based on SD DENR approval, be limited to six (6) people and the maximum daytime occupancy be limited to twelve (12) people, per PCZO §319(F)(13);
2. That if the on-site wastewater treatment system is upgraded in the future, this Conditional Use Permit be reviewed so that the maximum occupancy may be adjusted accordingly, which will require approval from SD DENR;
3. That all necessary permits are obtained prior to any additions to the structure or upgrades/alterations to the on-site wastewater treatment system;
4. That the applicants 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 applicants 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 three (3) off-street parking spaces continue to 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 or signs continue to 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 address continue to be properly posted on both the residence and at the approach so it be visible in both directions in accordance with Pennington County's Ordinance #20;

9. That the applicants ensure the Vacation Home Rental is operated in accordance with the requirements of PCZO §319(F) (Performance Standards) at all times;
10. That if the person designated as the Local Contact is ever changed from Edelweiss Mountain Lodging the interior informational sign be updated and the applicant re-notify the Planning Director and surrounding landowners within 500 feet via notices sent by First Class Mail;
11. That all applicable Federal, State, and local regulations be adhered to at all times, including South Dakota Administrative Rule 44:02:08, which regulates Vacation Home Rentals;
12. That an approved Sign Permit be obtained prior to the placement of any on-premise 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 three (3) 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 5 to 0.

12. **CONDITIONAL USE PERMIT REVIEW / CU 17-50**: Benjamin Shilling. To review a gunsmithing business on the subject property in a Limited Agriculture District in accordance with Sections 207 and 510 of the Pennington County Zoning Ordinance.

Lot 5, Hidden Springs Ranchettes #2, Section 31, T2N, R9E, BHM, Pennington County, South Dakota.

(Continued from the January 28, 2019, Planning Commission meeting.)

To approve of the extension of Conditional Use Permit / CU 17-50 with the following twelve (12) conditions:

1. That a Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored, which requires a site plan to be reviewed and approved by the Planning Director;
2. That the gunsmithing and service business shall be operated completely within the existing detached shop;
3. That no business sign be posted on the property;

4. That no on-premise retail sales be allowed;
5. That the home occupation, including all associated storage, continue to be conducted entirely indoors;
6. That the applicant continually comply with all applicable local, state, and federal laws and a current copy of the applicant's Federal Firearms License from the U.S. Bureau of ATF be kept on file with the Planning Department;
7. That the address continue to be properly posted on both the residence and at the approach so it is visible in both directions from 229th Street in accordance with Pennington County's Ordinance #20;
8. That the applicant continually maintains an Excise Sales Tax License as required by the South Dakota Department of Revenue;
9. That reasonable measures are taken to control odors, fumes, dust, noise, vibration and lighting resulting from the home occupation so as to not constitute a nuisance to the general public;
10. That the applicant takes reasonable measures to prevent the disposal of materials into the on-site wastewater treatment system;
11. That the Conditional Use Permit shall be revoked upon sale or transfer of the subject property; and,
12. That this Conditional Use Permit be reviewed in three (3) years, or on a complaint basis, or as deemed necessary by the Planning Commission or Board of Commissioners to verify that all conditions of approval are being met.

Vote: unanimous 5 to 0.

13. **CONDITIONAL USE PERMIT REVIEW / CU 18-26**: Kelly and Brenda Hansen. To review a Recreational Vehicle to be used for no more than 180 calendar days on the subject property and to also review the Recreational Vehicle to be used as temporary living quarters 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 3, Block 3, Pactola Estates, Section 17, T1N, R5E, BHM, Pennington County, South Dakota.

To approve of the extension of Conditional Use Permit / CU 18-26 with the following fourteen (14) conditions:

1. That there be no more than one (1) Recreational Vehicle allowed to be utilized as living quarters on the subject property (Lot 3, Block 3 of Pactola Estates) at any time;

2. That an approved On-Site Wastewater Treatment System be installed and have a final inspection by June 3, 2019;
3. That prior to use, the RV being used as living quarters be hooked into an approved On-Site Wastewater Treatment System until the single-family residence is habitable;
4. That the applicant continue to work with South Dakota Wildland Fire to develop a Fire Mitigation Plan and a copy of the plan be provided to the Planning Department;
5. That a Building Permit application for the proposed single-family residence be approved prior to September 2021, or CU 18-26 shall automatically end;
6. That the address assigned for the property be clearly posted on the Recreational Vehicle (RV) while it is being utilized as living quarters, in accordance with Pennington County's Ordinance #20;
7. That the RV be used as living quarters for no more than 180 days in a calendar year;
8. That the minimum setback requirements of a Limited Agriculture District be continually maintained on the subject property, or an approved Setback Variance be obtained;
9. That the subject property remains free of debris and junk vehicles, in accordance with Ordinance #106;
10. 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;
11. That upon expiration of a of a Building Permit for the proposed single-family residence, the RV will be disconnected from all utilities and no longer be utilized as living quarters on the subject property;
12. That the applicant notify the Planning Department if the new residence is habitable prior to the expiration of the Building Permit, so that this Conditional Use Permit may be end;
13. That 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 § 511(X) of the Pennington County Zoning Ordinance; and,
14. That this Conditional Use Permit be reviewed at the June 10, 2019, Planning Commission meeting, 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.

15. **CONSTRUCTION PERMIT / CP 19-02:** Site Work Specialists, Inc. To construct a graveled access road to and onto the subject property, to include minimal tree removal, grading, gravel, seeding, and culverts.

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

To approve of Construction Permit / CP 19-02 with the following fourteen (14) 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 during the period of construction;
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 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 the applicant or landowner pay a penalty fee in accordance with § 511(W)(2) of the PCZO prior to the Stop Work Order being lifted;
12. That any more than one continuation caused by the applicants failure to meet Conditions of Approval will be fined \$100.00 per continuation in accordance with § 511(X) of the PCZO;
13. 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,
14. That this Construction Permit be reviewed at the April 8, 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.

END OF CONSENT AGENDA

14. CONDITIONAL USE PERMIT / CU 19-01: NMMC, Inc; Terry Saylor. To allow for a Vacation Home Rental on the subject property in a Low Density Residential District in accordance with Sections 207, 319, and 510 of the Pennington County Zoning Ordinance.

Lot A, Miller Subdivision #2, Section 15, T2N, R6E, BHM, Pennington County, South Dakota.

Staff asked to have this Item removed from the Consent Agenda to discussion amending language in Staff's recommendation.

Staff recommended to continue Conditional Use Permit / CU 19-01 to the July 22, 2019, Planning Commission meeting to allow the applicant time to address outstanding issues, with one (1) condition.

Conover stated that, in the Staff Report, the condition is noted as number two and it needs to be changed to a number one to reflect condition number one.

Moved by Johnson and seconded by Marsh to continue Conditional Use Permit / CU 19-01 to the July 22, 2019, Planning Commission meeting to allow the applicant time to address outstanding issues, 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).**

All voting aye, the Motion carried 5 to 0.

16. MAJOR PLANNED UNIT DEVELOPMENT AMENDMENT REVIEW / PU 17-04: Kelly Development / Ryan Kelly. To review the existing Planned Unit Development in accordance with Section 213 of the Pennington County Zoning Ordinance.

Lots 3-6, Block, 4, Sheridan Lake Highlands, Section 4, T1S, R6E, BHM, Pennington County, South Dakota.

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

Conover stated this Item was continued from the January 14th Planning Commission meeting to address the Planning Commissioner's concerns of the applicant's Planned Unit Development.

Staff recommended approval of the extension of Major Planned Unit Development Amendment / PU 17-04 with twenty (20) conditions.

Discussion followed.

Moved by Johnson and seconded by Marsh to approve of the extension of Major Planned Unit Development Amendment / PU 17-04 with the following twenty (20) conditions:

- 1. That the Planned Unit Development consists of no more than four (4) residential lots;**
- 2. That the minimum size of the residential lots be two (2) acres;**
- 3. That proposed Lots 3 – 6 of Block 4 of Sheridan Lake Highlands Subdivision have areas for a single-family residence, accessory structures, and two (2) drainfields sites;**
- 4. That a minimum of two (2) off-street parking spaces be provided for each residential lot. All off-street parking spaces on the site shall measure at least nine (9) feet by eighteen (18) feet, be surfaced with gravel, concrete, or asphalt and maintained in such a manner that no dust will result from continuous use;**
- 5. That no off-premise signs be allowed within the Planned Unit Development;**

6. 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;
7. That an approved Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be reviewed and approved by the Planning Director;
8. That no lot is permitted to take access off of Sheridan Lake Road;
9. That the required minimum setbacks for all structures be a minimum of 25-feet from all property lines;
10. That each unit has an individual address that must be posted in accordance with Pennington County Ordinance Amendment #20;
11. That subject lots within this PU 17-04 remain part of the Sheridan Lake Highlands Road District and that proposed Lots 3 – 6 of Block 4 of Sheridan Lake Highlands, remain part of the Homeowners Association created for Sheridan Lake Highlands;
12. That any plat of the subject property show the continuation of Rockwood Road adjoining Sawmill Road and that this area of land be dedicated as an access easement with a width of 66-feet;
13. That prior to applying for any future plats within this Planned Unit Development, the applicant submits to the Sheridan Lake Highlands Road District and Pennington County Planning Department revised road and drainage plans. Pennington County Planning Staff will forward the plans to the Pennington County Highway Department for their review;
14. That the applicant signs and complies with the Pennington County Noxious Weed Management Plan for proposed Lots 3 – 6 of Block 4 of Sheridan Lake Highlands Subdivision, if required by the Pennington County Natural Resources Director;
15. That any portion of proposed Lots 3 – 6 of Block 4 of Sheridan Lake Highlands Subdivision lying within the Rapid City platting jurisdiction be platted through both Pennington County and the City of Rapid City;
16. That due to the possibility of poor soil conditions and negative environmental impacts, no On-Site Wastewater Permits be issued for proposed Lots 3 – 6 of Block 4 of Sheridan Lake Highlands prior to the Pennington County Environmental Planner approving the type and location of such system. This may include the use of Aqua Safe septic tanks. The Pennington County

Environmental Planning Supervisor may, at his or her discretion, require a Registered Professional Engineer to approve of and sign off the percolation tests and septic system design;

- 17. That the existing 60-foot x 126-foot structure (built in 1987) be allowed on Lot 4 of Block 4 of Sheridan Lake Highlands Subdivision, that no items be left outside of the structure that would constitute a public nuisance, and that all future structures meet current Pennington County Zoning Ordinance Standards;**
- 18. That no private wells will be drilled on any individual lots;**
- 19. That the applicant signs the Statement of Understanding (SOU) for this Major Planned Unit Development Amendment, within ten (10) days of its approval. The SOU is available at the Pennington County Planning Department; and,**
- 20. That this Planned Unit Development be reviewed in two (2) years or upon a complaint basis, or as directed by the 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.

- 17. CONSTRUCTION PERMIT / CP 18-10: Cross Country Real Estate. To grade in order to flatten the area to receive 4" gravel for a new parking lot.**

Unplatted Portion of S1/2SW1/4NW1/4; PT of NW1/4SW1/4 N and E of HWY ROW less that PT within Rapid City Boundary, Section 10, T1N, R8E, BHM, Pennington County, South Dakota.

(Continued from the January 28, 2019, Planning Commission meeting.)

Conover reviewed the Staff Report indicating the applicant has applied for a Construction Permit to grade in order to flatten the area to receive 4" gravel for a new parking lot.

Staff recommended denial of Construction Permit / CP 18-10.

Conover further stated the agent is requesting a continuance to no later than the June 24, 2019, Planning Commission meeting.

Discussion followed.

Moved by Marsh and seconded by Coleman to continue Construction Permit / CP 18-10 to no later than the June 24, 2019, Planning Commission meeting.

All voting aye, the Motion carried 5 to 0.

18. 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 January 14, 2019, Planning Commission meeting.)

Bolstad reviewed the Staff Report indicating the applicant has applied for a Subdivision Regulations Variance 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 Marsh and seconded by Coleman to continue Subdivision Regulations Variance / SV 18-15 the March 11, 2019, Planning Commission meeting.

All voting, the Motion carried 4 to 1. Commissioner Johnson voted no.

19. REZONE / RZ 18-11 AND COMPREHENSIVE PLAN AMENDMENT / CA 18-10: Schriener Investments / Shane Schriener. To rezone 29.02 acres from General Agriculture District to Low Density Residential District and to amend the Comprehensive Plan to change the Future Land Use from Planned Unit Development Sensitive to Low Density Residential District in accordance with Sections 205, 207, and 508 of the Pennington County Zoning Ordinance.

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.

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

Bolstad reviewed the Staff Report indicating the applicant has applied for a Rezone to rezone 29.02 acres from General Agriculture District to Low Density Residential District and to amend the Comprehensive Plan to change the Future Land Use from Planned Unit Development Sensitive to Low Density Residential District.

Staff is seeking guidance from the Planning Commission on how to proceed with Rezone / RZ 18-11, as the applicant's request is in harmony with the lot sizes proposed through the platting process; however, it is not in harmony with the current surrounding zoning in the area.

Staff recommended denial of Comprehensive Plan Amendment / CA 18-10.

Discussion followed.

Moved by Johnson and seconded by LaCroix to deny Rezone / RZ 18-11 and Comprehensive Plan Amendment / CA 18-10.

Motion to deny Rezone / RZ 18-11 withdrawn by Johnson and LaCroix.

Moved by Marsh and seconded by LaCroix to approve Rezone / RZ 18-11. Roll call vote: Marsh-yes; Coleman-no; Lasseter-yes; Johnson-no; and LaCroix-yes. Motion to approve failed 3 to 2.

Moved by Marsh and seconded by Coleman to deny Comprehensive Plan Amendment / CA 18-10.

Motion to deny Comprehensive Plan Amendment / CA 18-10 withdrawn by Marsh and Coleman.

Moved by Marsh and seconded by Johnson to approve of Comprehensive Plan Amendment / CA 18-10.

All voting, the Motion to approve failed 5 to 0.

Moved by Marsh and seconded by Lasseter to recess for five minutes. All voting aye, the Motion carried 5 to 0.

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

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

(Continued from the January 28, 2019, Planning Commission meeting.)

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

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

Moved by LaCroix and seconded by Johnson to approve Section 1-1. All voting aye, the Motion carried 5 to 0.

Moved by Marsh and seconded by Johnson to approve Section 1-2. All voting aye, the Motion carried 5 to 0.

Moved by Marsh and seconded by Johnson to approve Section 1-3 through Section 1.6. All voting aye, the Motion carried 5 to 0.

Moved by Johnson and seconded by Marsh to approve Section 2 with recommended changes.

Substitute Motion: Moved by Johnson and seconded by Marsh to approve and include the recommended changes / comments that apply to Section 2, from the Comment List 8 through 12. All voting aye, the Motion carried 5 to 0.

Moved by Marsh and seconded by Coleman to approve recommended changes to Section 3. All voting aye, the Motion carried 5 to 0.

Moved by Marsh and seconded by Coleman to continue Ordinance Amendment / OA 19-01 to the March 11, 2019, meeting to consider the amendment / adoption of the Comprehensive Plan.

All voting aye, the Motion carried 5 to 0.

21. COUNTY BOARD REPORT

The Board of Commissioners concurred with the Planning Commission's recommendations from the February 11, 2019, meeting. The Second Reading of Rezone 18-12 and Comprehensive Plan Amendment 18-11 (Borglum Historical Center, Inc., Duane Pankratz; Ken Nash – Agent) was continued to the March 5th Board of Commissioner's meeting.

22. ITEMS FROM THE PUBLIC

There were no motions or actions taken.

23. ITEMS FROM THE STAFF

- A. SDACC Workshop. Conover informed the Planning Commission that the SDPA and SDCCA will be providing a training opportunity in Pierre on Wednesday, March 13, 2019, at 2 p.m. The training will cover topics to include: Validity of County Zoning Regulations, How to Run an effective Board of Adjustment Meeting, Conflicts of Interest and Ex-Parte Contacts and a Planners Roundtable to discuss CAFOs, Wind Towers, etc.
- B. New Planning Department Employee. Conover introduced Jason Theunissen as the new Planner II.

24. ITEMS FROM THE MEMBERSHIP

Commissioner Marsh stated that he may be gone for the March 11th meeting. Commissioners Johnson and Coleman will not be at the March 11th meeting.

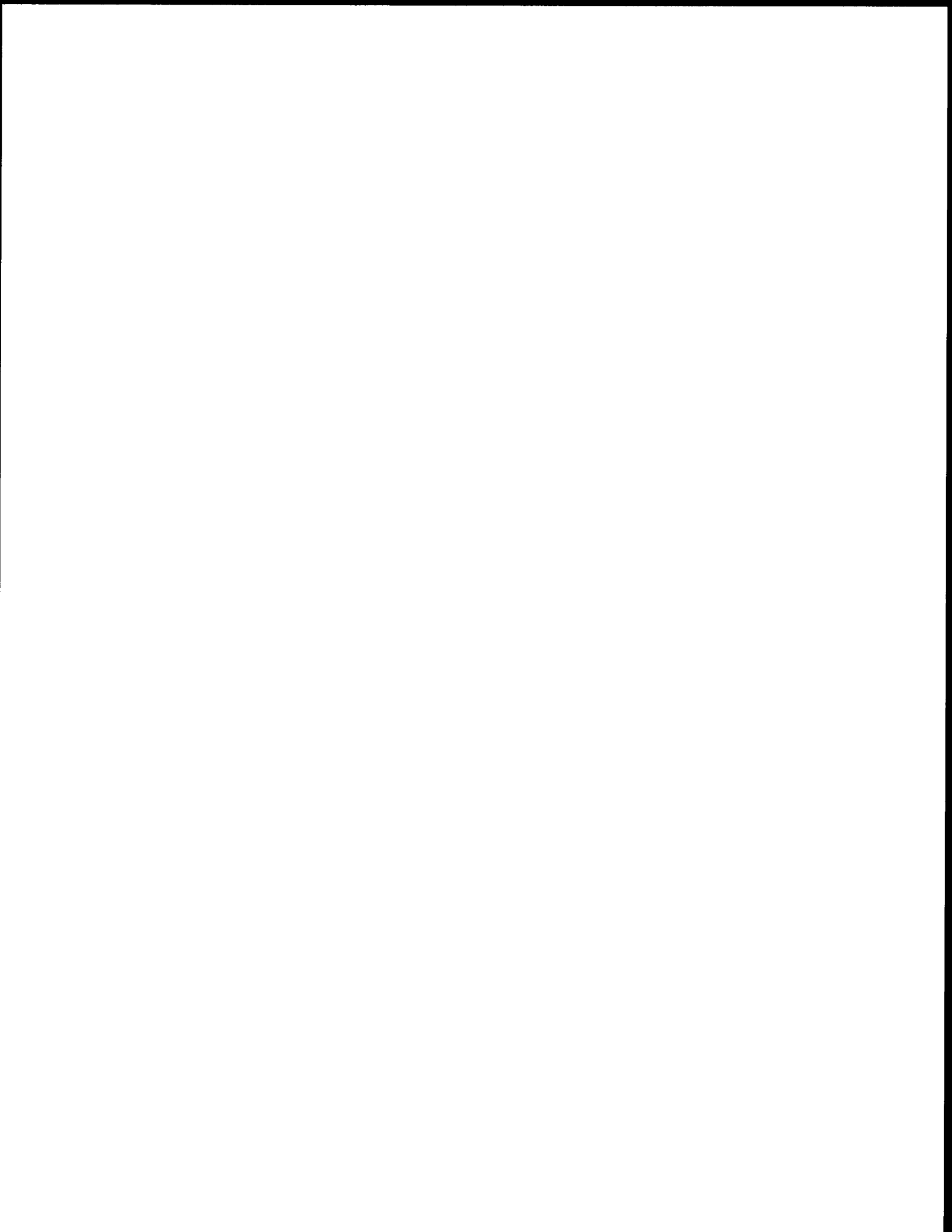
25. ADJOURNMENT

Moved by Marsh and seconded by Johnson to adjourn.

All voting aye, the Motion carried 5 to 0.

The meeting adjourned at 12:09 p.m.

Travis Lasseter, Chairperson



STAFF REPORT

GENERAL INFORMATION:

REQUEST: **CONDITIONAL USE PERMIT REVIEW / CU 10-03:** 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.

OWNER: Mike and Stacy Howe

OWNER ADDRESS: 8507 Dunn Road. Rapid City, SD 57703

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

SITE LOCATION: 8507 Dunn Road: approximately one-tenth (1/10) of a mile west of the intersection of Radar Hill Road and Dunn Road.

SIZE: 10.01 acres

TAX ID: 62795

EXISTING LAND USE: Residential

ZONING REFERENCE: Sections 206 and 510

CURRENT ZONING: Limited Agriculture District

SURROUNDING ZONING:

North	General Agriculture District
South	Limited Agriculture District
East	Limited Agriculture District
West	General Agriculture District

PHYSICAL CHARACTERISTICS: Prairie/flat

UTILITIES: Private

REPORT BY: Cody Sack

I. PROPOSED RECOMMENDATION

- A. Staff recommends approval of the extension of Conditional Use Permit / CU 10-03 with eleven (11) conditions.

II. GENERAL DESCRIPTION

- A. February 28, 2010 – The Planning Commission originally approved Conditional Use Permit / CU 10-03 with the following twelve (12) 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 the Conditional Use Permit to be reviewed;
 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 are 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 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, 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 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 the applicant obtains an approved On-Site Wastewater Construction Permit for a septic system designed to handle the conditional use prior to the issuance of a Building Permit and that the means of wastewater disposal also be approved by the South Dakota Department of Environment and Natural Resources;
 10. 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;

11. That this Conditional Use Permit is not valid until the applicant signs the Statement of Understanding, which is available at the Planning Office; and,
 12. That this Conditional Use Permit be reviewed in one (1) year or on a complaint basis to ensure that all conditions are being met.
- B. February 28, 2011 – The Planning Commission approved the extension of Conditional Use Permit / CU 10-03 with ten (10) 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 the Conditional Use Permit to be reviewed;
 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 are 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 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, 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 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 located on a permanent foundation, which requires a site plan to be reviewed and approved by the Planning Director; and,
 10. That this Conditional Use Permit be reviewed in five (5) years or on a complaint basis to ensure that all conditions are being met.
- C. February 22, 2016 – The Planning Commission approved the extension of Conditional Use Permit / CU 10-03 with ten (10) 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 the Conditional Use Permit to be reviewed;
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; and,
 10. That this Conditional Use Permit be reviewed on a complaint basis only or by the Planning Commission and/or Board of Commissioners to ensure that all Conditions of Approval are being met.
- D. January 14, 2019 – The Planning Commission continued CU 10-03 to the March 11, 2019, Planning Commission meeting to allow the applicant time to apply for a new Conditional Use Permit, if he chose to increase his uses.

III. EXISTING CONDITIONS

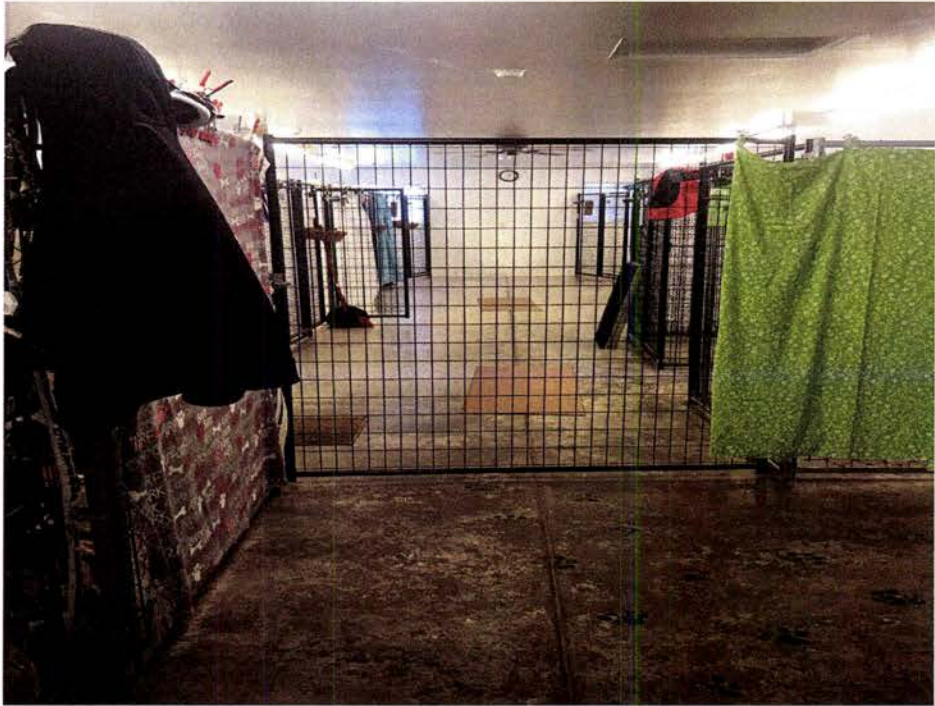
- A. 10 Acres.
- B. Zoned Limited Agriculture District.
- C. Access from an approach off of Dunn Road.
- D. Special Flood Hazard Area.
 1. 100 and 500 year floodplain.
 2. Includes Floodway.

- E. Lot contains:
 - 1. Single-family residence- COBP08-0610.
 - 2. Dog Kennel- COBP10-0266.
 - 3. Overhang on dog kennel- COBP18-0582.
 - 4. Two individual septic systems- COOP16-0375 and COOP16-0376.
 - a. One for the kennel and one for the residence
 - 5. Fenced in play area and walkouts for dogs.
 - a. All fences are under eight (8) feet in height and do not require a Building Permit.

IV. ANALYSIS

- A. December 14, 2018- The new property owner contacted the Planning Department to update his kennel license with the Humane Society.
 - 1. The owner of the property has changed since the last review.
 - 2. For this reason staff required a review of CU 10-03.
- B. January 4, 2019- Staff conducted a site visit and found the following:
 - 1. The Kennel appeared to be clean and well maintained.
 - 2. The applicant has added walkouts for animals to go outside.
 - 3. No noises could be heard outside the kennel.
 - a. *Staff Comment: When walking into the kennel, the dogs did start to bark but stopped when people had left the room.*
 - b. No odors could be detected outside.
 - 4. Staff had a conversation with the owner, who stated:
 - a. He would like to expand the size of his kennel.
 - b. He would like to be able to board more than just dogs and cats and would like to increase the number of animals able to be boarded at the kennel.
 - i. *Staff Comment: Any change to the number of animals and the type of animal being boarded will need to be approved by the Humane Society and the applicant will need to amend the CUP and resend notices.*
 - c. The Applicants would also like to expand the use to allow a pet groomer on the property in the future.
 - i. *Staff Comment: Any change in use of CU 10-03 would require an amendment to the CUP and the applicant will need to re-advertise the Conditional Use Permit and re-send notices.*
- C. As of this report, staff has not received any complaints about the kennel.
- D. February 27, 2019 – Staff contacted the applicant, Michael Howe, who stated:
 - 1. He was going to speak with the Humane Society to try and increase his use to allow more types and the number of animals allowed to be boarded at the kennel.
 - a. *Staff Comment: The applicant is aware that he will need to apply for a new Conditional Use Permit to increase his use.*

Agenda Item #3
Mike & Stacy Howe
March 11, 2019



Site Visit (01/04/19)



Site Visit (01/04/19)

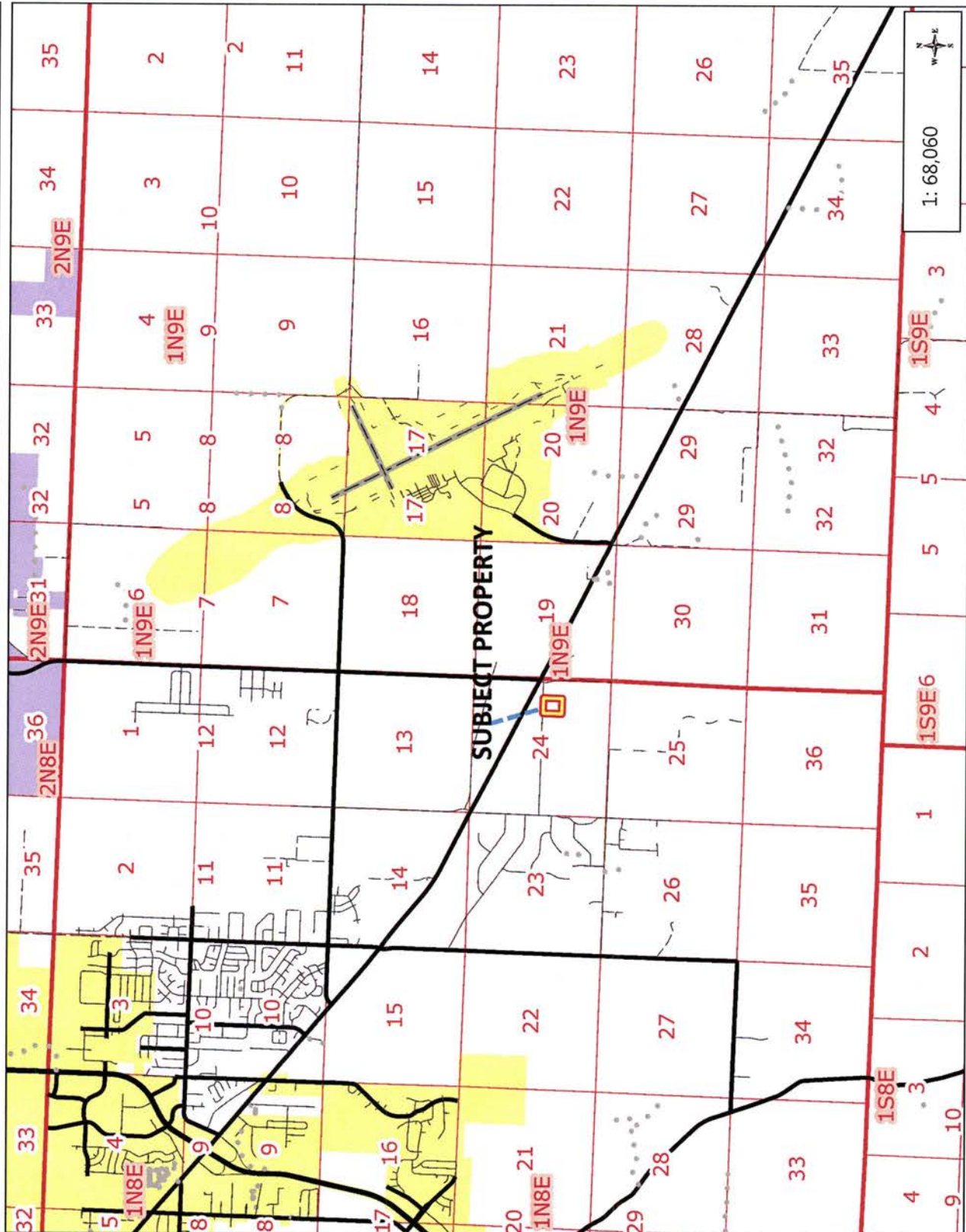
RECOMMENDATION: Staff recommends approval of the extension of Conditional Use Permit / CU 10-03 with the following eleven (11) conditions:

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.

Legend

- Roads**
 - Interstate
 - US highway
 - SD highway
 - County highway
 - Main road
 - Minor arterial
 - Collector
 - Ramp
 - Paved road
 - Unpaved road
 - Trail
 - Driveway
 - Alley
 - Unimproved road
 - Airport Runway
 - Not yet coded
- PLSS
- Townships
- City Limits
 - BOX ELDER
 - ELLSWORTH AFB
 - HILL CITY
 - KEYSTONE
 - NEW UNDERWOOD
 - QUINN
 - RAPID CITY
 - WALL
 - WASTA

Map Notes:



11,343.3 0 5,671.64 11,343.3 Feet 1: 68,060

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

© City of Rapid City GIS

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Legend

- Roads**
- Interstate
 - US highway
 - SD highway
 - County highway
 - Main road
 - Minor arterial
 - Collector
 - Ramp
 - Paved road
 - Unpaved road
 - Trail
 - Driveway
 - Alley
 - Unimproved road
 - Airport Runway
 - Not yet coded
- Section Lines 0-25k**
- 0
 - 7
- Tax Parcels**
- Lot Lines
 - <Null>
 - Lot Line
 - Parcel Line



1: 2,127



354.5 Feet

177.24

0

354.5

This map is a user generated static output from an internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Map Notes:



Agenda Item #4
Daniel Elliott
March 11, 2019

4

STAFF REPORT

GENERAL INFORMATION:

REQUEST: **CONDITIONAL USE PERMIT REVIEW/ CU 16-01:** To review living in an existing cabin while building a new single-family residence on the subject property and to also allow the existing cabin to remain on the property to be used as a Guest House once the single-family residence is complete in a General Agriculture District in accordance with Sections 205, 318, and 510 of the Pennington County Zoning Ordinance.

APPLICANT/ OWNER: Daniel Elliott and George Elliott

APPLICANT ADDRESS: 13250 Victoria Lake Road, Rapid City, SD 57702

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

SITE LOCATION: 13250 Victoria Lake Road; approximately 4.25 miles northwest of the intersection of Sheridan Lake Road and Victoria Lake Road.

SIZE: 15.11 acres

TAX ID: 5191

EXISTING LAND USE: Cabin / Residential

ZONING REFERENCE: Sections 205, 318, and 510

CURRENT ZONING: General Agriculture District

SURROUNDING ZONING:

North	General Agriculture District
South	General Agriculture District
East	General Agriculture District
West	General Agriculture District

PHYSICAL CHARACTERISTICS: Forested

UTILITIES: Private

Agenda Item #4
Daniel Elliott
March 11, 2019

REPORT BY: Kristina Proietti

PROPOSED RECOMMENDATION: Staff will be recommending to continue the review of Conditional Use Permit / CU 16-01 to the April 8, 2019, Planning Commission meeting.

I. GENERAL DESCRIPTION:

- A. January 25, 2016 – The applicant, Daniel Elliott, applied for a Conditional Use Permit to allow the use of an existing residence as a temporary residence, while building a new single-family residence and to allow the use of the existing residence as a Guest House once the new residence is finished.
- B. March 3, 2016 – The applicant amended the Conditional Use Permit request to live in an existing cabin while building a new single-family residence on the subject property.
- C. March 28, 2016 – Planning Commission approved Conditional Use Permit / CU 16-01 with the following eight (8) conditions:
 1. 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;
 2. That the address be clearly posted on the new residence and end of the driveway, so as to be visible from both directions of Victoria Lake Road, in accordance with Pennington County's Ordinance #20;
 3. That upon completion of the new single-family residence, the range is removed from the cabin, so as to remove the living quarters and convert the cabin into storage only, or remove the cabin completely from the property;
 4. That the applicant notify the Planning Department when the new single-family residence is complete and allow staff to verify that the living quarters have been removed from the cabin;
 5. That the comments provided by the U.S. Forest Service be adhered to at all times;
 6. That the minimum setback requirements of a General Agriculture District be continually maintained on the property;
 7. That the applicant sign a Statement of Understanding within ten (10) business days of approval of Conditional Use Permit #16-01, which is available at the Planning Office; and,
 8. That this Conditional Use Permit be reviewed in one (1) year, on a complaint basis, or as directed by the Pennington County Board of Commissioners and/or the Pennington County Planning Commission to verify that all Conditions of Approval are being met.

II. EXISTING CONDITIONS:

- A. Zoned General Agriculture District.
- B. 15.11 acres.
 - 1. The lot was platted in 1909 as a Mineral Survey (Rubesite Lode MS 1987).
 - 2. The lot size is legal non-conforming.
- C. Access is off of Victoria Lake Road via a Forest Service FLPMA access easement.



Figure 4: Victoria Lake Road

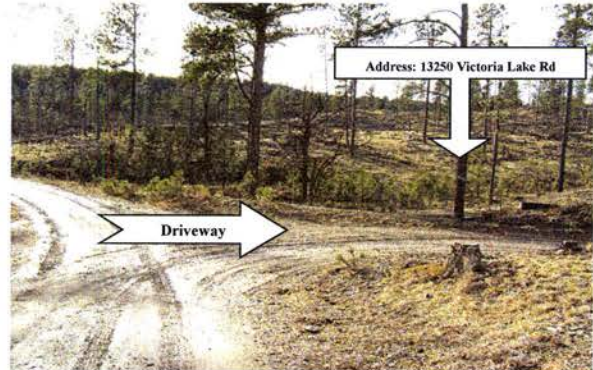


Figure 5: Driveway and the address

- D. Lot contains:
 - 1. 496 square foot single-family residence (2004COBP0505).
 - 2. On-Site Wastewater Treatment System (2009COSD0062).
 - a. On-Site Wastewater Treatment Operating Permit (COOP15-0379).
 - 3. 16' x 16' shed (COBP15-0379).
 - 4. Small shed on skids that does not meet the minimum square footage requiring a Building Permit (144 sq. ft.).
 - 5. 16' x 16' (COBP16-0018).
 - 6. A single-family residence with an attached garage, and a covered deck – Currently under construction (COBP16-0112).
 - 7. 22' x 32' residence addition, a 4' x 8' breezeway, and an attached garage – Currently under construction (COBP16-0507).

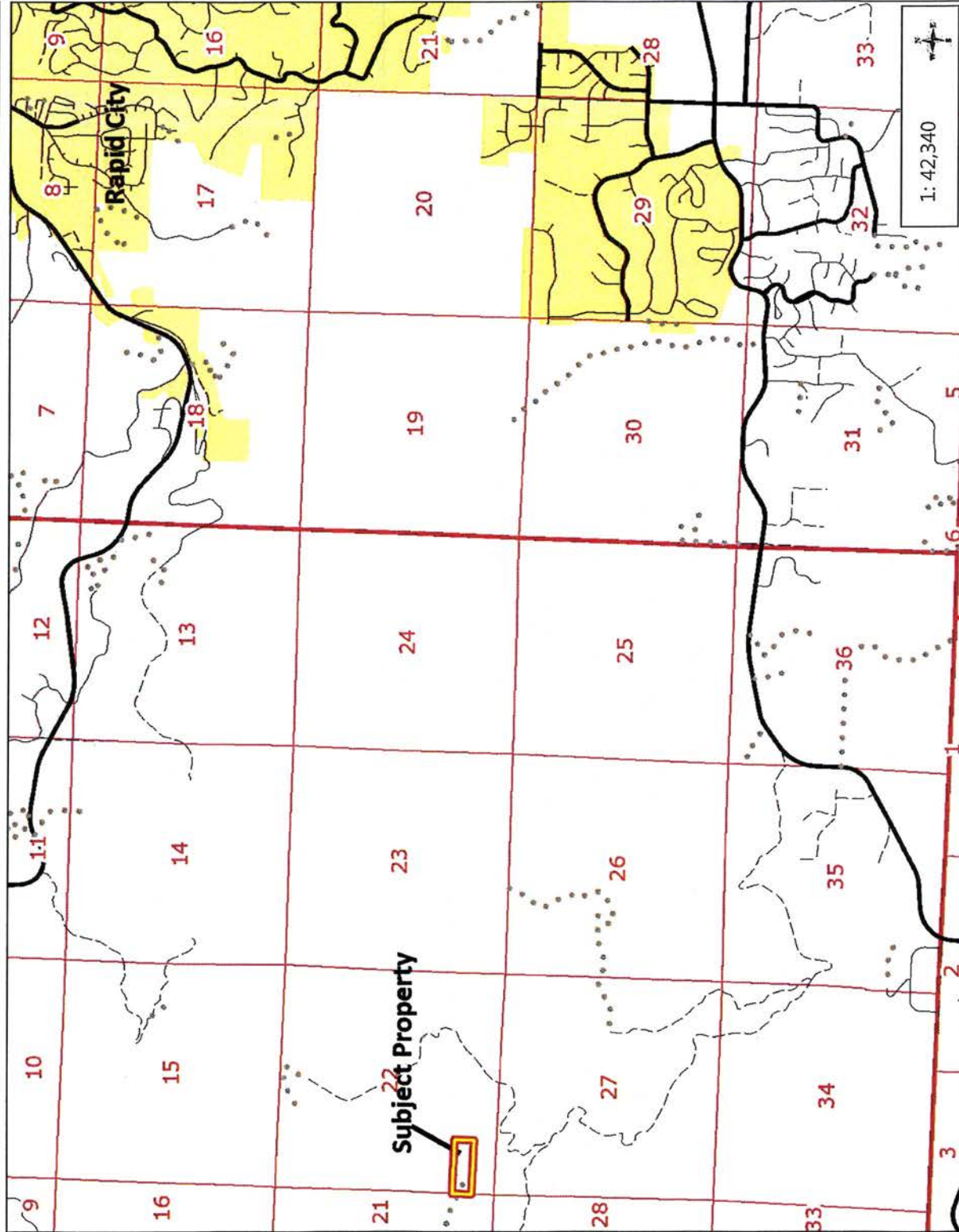
III. ANALYSIS:

- A. Staff will be recommending to continue the review of Conditional Use Permit / CU 16-01 to allow the property to come into compliance.
- B. Staff sent Mr. Elliott a letter on November 2, 2018, in regards to discrepancies on two of their Building Permits: COBP16-0112 and COBP16-0507, as plans appear to differ from what was built. We have yet to hear anything back from Mr. Elliott; therefore, staff is requesting for a continuation of this Conditional Use Permit to allow for one more mailing in regards to the building discrepancies.

Agenda Item #4
Daniel Elliott
March 11, 2019

RECOMMENDATION: Staff recommends 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 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.



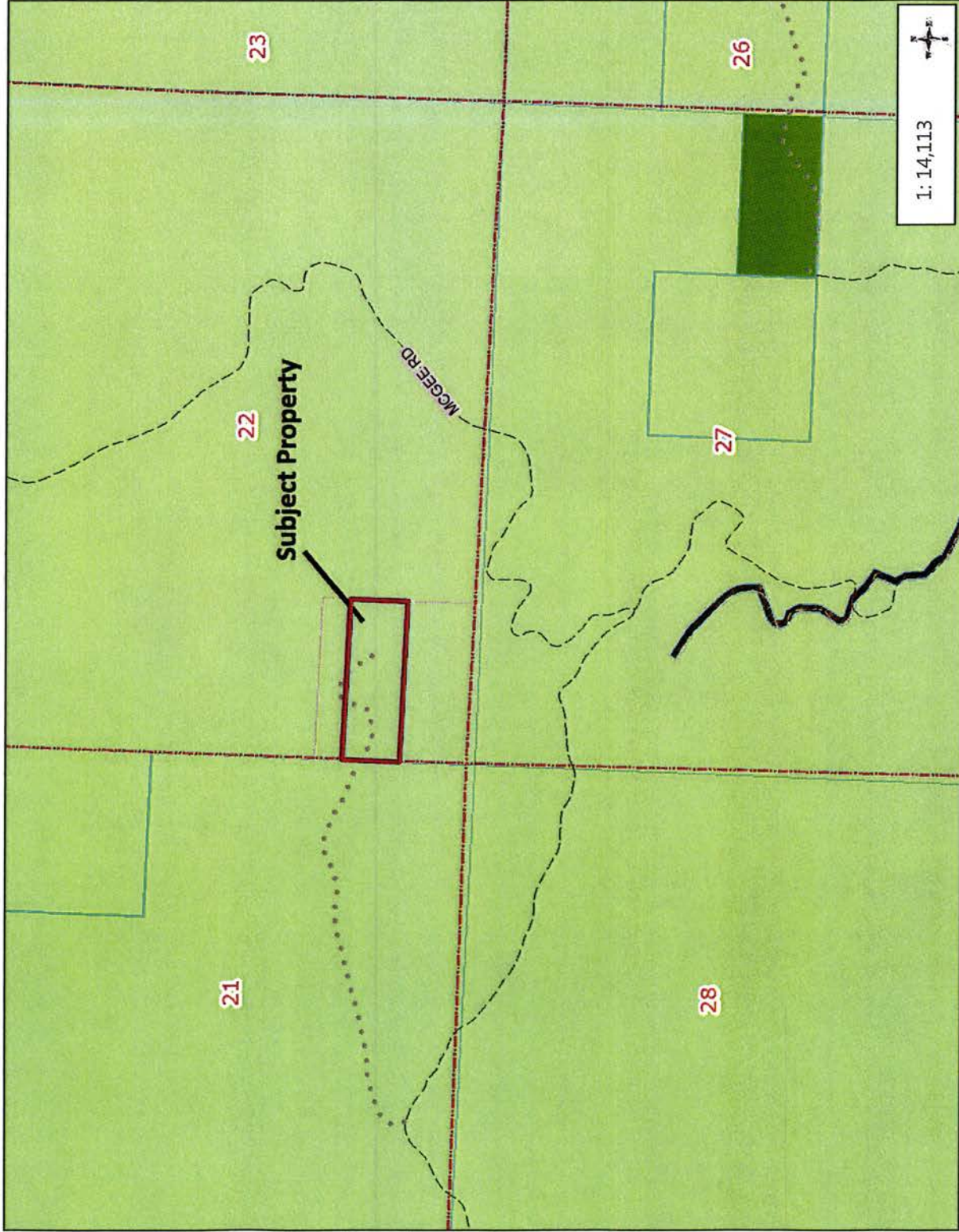
Legend

- Roads**
- Interstate
 - US highway
 - SD highway
 - County highway
 - Main road
 - Minor arterial
 - Collector
 - Ramp
 - Paved road
 - Unpaved road
 - Trail
 - Driveway
 - Alley
 - Unimproved road
 - Airport Runway
 - Not yet coded
- PLSS**
- Townships
 - City Limits
 - BOX ELDER
 - ELLSWORTH AFB
 - HILL CITY
 - KEYSTONE
 - NEW UNDERWOOD
 - QUINN
 - RAPID CITY
 - WALL
 - WASTA

Map Notes:

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



1: 14,113

Legend

Roads

- Interstate
- US highway
- SD highway
- County highway
- Main road
- Minor arterial
- Collector
- Ramp
- Paved road
- Unpaved road
- Trail
- Driveway
- Alley
- Unimproved road
- Airport Runway
- Not yet coded

Section Lines 0-25k

- 0
- 7

Tax Parcels

Lot Lines

- <Null>
- Lot Line
- Parcel Line

Pennington County Zoning

- General Agriculture
- General Commercial
- Heavy Industrial
- Highway Services
- Limited Agriculture
- Low Density Residential
- Light Industrial
- Planned Unit Development

Map Notes:

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

2,352.2 0 1,176.10 2,352.2 Feet

NAD_1983_2011_StatePlane_South_Dakota_South_FIPS_4002_Ft_US
© City of Rapid City GIS



1: 14,113

0 1,176.10 2,352.2 Feet

2,352.2

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

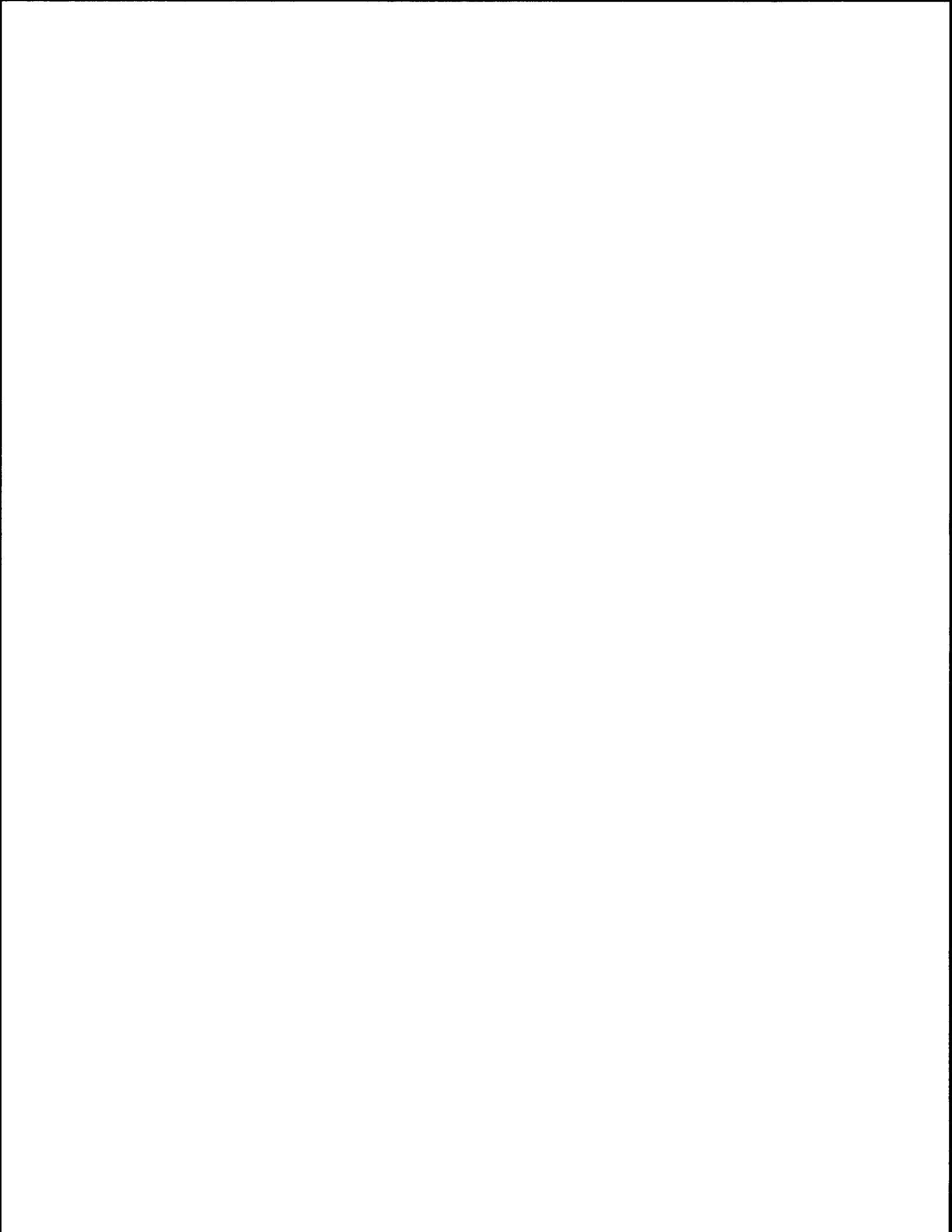
THIS MAP IS NOT TO BE USED FOR NAVIGATION

NAD_1983_2011_StatePlane_South_Dakota_South_FIPS_4002_Ft_US
© City of Rapid City GIS

Legend

- Roads**
- Interstate
 - US highway
 - SD highway
 - County highway
 - Main road
 - Minor arterial
 - Collector
 - Ramp
 - Paved road
 - Unpaved road
 - Trail
 - Driveway
 - Alley
 - Unimproved road
 - Airport Runway
 - Not yet coded
- Section Lines 0-25k**
- 0
 - 7
- Tax Parcels**
- Lot Lines**
- <Null>
 - Lot Line
 - Parcel Line

Map Notes:



STAFF REPORT

GENERAL INFORMATION:

REQUEST: **CONDITIONAL USE PERMIT REVIEW / CU 16-41**: 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.

APPLICANT / OWNER: Robert and Glenda Frank

APPLICANT ADDRESS: 1512 131st Avenue, Lake Park, IA 51347

LEGAL DESCRIPTION: Lot 5, Harrington Subdivision, Section 19, T2S, R7E, BHM, Pennington County, South Dakota.

SITE LOCATION: 24424 Milo Lane; approximately ¼ mile from the intersection of Highway 40 and Battle View Road, at the end of Milo Lane.

SIZE: 5.00 acres

TAX ID: 51481

EXISTING LAND USE: Vacant

ZONING REFERENCE: Sections 207 and 510

CURRENT ZONING: Low Density Residential District

SURROUNDING ZONING:

North	Low Density Residential District
South	General Agriculture District
East	Low Density Residential District
West	General Agriculture District

PHYSICAL CHARACTERISTICS: Forested / Hills

UTILITIES: Private

REPORT BY: Jason Theunissen

I. PROPOSED RECOMMENDATION

- A. Staff will be recommending to continue the review of Conditional Use Permit / CU 16-41 to the May 13, 2019, Planning Commission meeting with one (1) condition.

II. GENERAL DESCRIPTION

- A. On December 19, 2016, the Planning Commission approved Conditional Use Permit / CU 16-41 with the following fourteen (14) conditions:
1. That no more than one (1) Recreational Vehicle (RV) be allowed to be utilized as living quarters on the subject property during construction of the 32' x 40' garage with living quarters;
 2. That the address (24424 Milo Lane) be posted near the RV during the construction of the 32' x 40' garage with living quarters and on the living quarters once it is completed so that it is visible from Milo Lane in accordance with Pennington County's Ordinance #20;
 3. That the RV being used as a temporary residence be hooked into the On-Site Wastewater Treatment system until 32' x 40' garage with living quarters is habitable;
 4. That upon completion of the 32' x 40' garage with living quarters on the subject property, the RV will either be removed from the subject property or may only be allowed to be stored on the property, must be disconnected from all utilities and may no longer be utilized as living quarters on the subject property;
 5. That the applicant notifies the Planning Department when the 32' x 40' garage with living quarters is habitable, so that this Conditional Use Permit may be ended;
 6. That prior to the applicants applying a Building Permit for a single-family residence on the subject property in the future, the living quarters in the 32' x 40' garage be removed or the necessary permits obtained, and the applicants notify the Planning Department of such;
 7. That an approved Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be reviewed and approved by the Planning Director;
 8. That the minimum setback requirements of a Low Density Residential District and Section Line be maintained on the subject property, or a Setback Variance be obtained;
 9. That the subject property remains free of debris and junk vehicles;
 10. That the applicants contact the County Fire Administrator for information on fire mitigation, fire sprinklers, and the use of noncombustible building materials;
 11. That at least two (2) off-street parking spaces be provided on the subject property, in accordance with the Pennington County Zoning Ordinance Section 3 10;

12. That the applicant is aware of and adheres to the above-mentioned comments provided by the U.S. Forest Service at all times;
 13. That the applicant sign the statement of understanding within ten (10) business days of approval of Conditional Use Permit / CU 16-41, which is available at the Planning Department; and,
 14. That this Conditional Use Permit be reviewed in one (1) year, 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.
- B. On December 4, 2017, the Planning Commission approved the extension of CU 16-41 with the following fourteen (14) conditions:
1. That no more than one (1) Recreational Vehicle (RV) be allowed to be utilized as living quarters on the subject property during construction of the 32' x 40' garage with living quarters;
 2. That the address (24424 Milo Lane) be posted near the RV during the construction of the 32' x 40' garage with living quarters and on the living quarters once it is completed so that it is visible from Milo Lane in accordance with Pennington County's Ordinance #20;
 3. That the RV being used as a temporary residence be hooked into the On-Site Wastewater Treatment system until 32' x 40' garage with living quarters is habitable;
 4. That upon completion of the 32' x 40' garage with living quarters on the subject property or expiration of COBP 16-0391, whichever comes first, the RV will either be removed from the subject property or may only be allowed to be stored on the property, must be disconnected from all utilities and may no longer be utilized as living quarters on the subject property;
 5. That the applicant notifies the Planning Department when the 32' x 40' garage with living quarters is habitable, so that this Conditional Use Permit may be ended;
 6. That prior to the applicants applying a Building Permit for a single-family residence on the subject property in the future, the living quarters in the 32' x 40' garage be removed or the necessary permits obtained, and the applicants notify the Planning Department of such;
 7. That an approved Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be reviewed and approved by the Planning Director;
 8. That COBP16-0391 be amended or an additional approved Building Permit be obtained to include the to include the second story space;
 9. That the minimum setback requirements of a Low Density Residential District and Section Line be maintained on the subject property, or a Setback Variance be obtained;
 10. That the subject property remains free of debris and junk vehicles;

11. That the applicants contact the County Fire Administrator for information on fire mitigation, fire sprinklers, and the use of noncombustible building materials;
 12. That at least two (2) off-street parking spaces be provided on the subject property, in accordance with the Pennington County Zoning Ordinance Section 3 10;
 13. That the applicant is aware of and adheres to the above-mentioned comments provided by the U.S. Forest Service at all times; and,
 14. That this Conditional Use Permit be reviewed in one (1) year, 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.
- C. December 3, 2018, the Planning Commission approved the extension of CU 16-41 with the following thirteen (13) conditions:
1. That no more than one (1) Recreational Vehicle (RV) be allowed to be utilized as living quarters on the subject property during construction of the 32' x 40' garage with living quarters;
 2. That the address (24424 Milo Lane) continue to be posted near the RV during the construction of the 32' x 40' garage with living quarters and on the living quarters once it is completed so that it is visible from Milo Lane in accordance with Pennington County's Ordinance #20;
 3. That the RV being used as a temporary residence be hooked into the On-Site Wastewater Treatment system until 32' x 40' garage with living quarters is habitable;
 4. That upon completion of the 32' x 40' garage with living quarters on the subject property or expiration of COBP16-0391, on March 12, 2019, whichever comes first, the RV will either be removed from the subject property or may only be allowed to be stored on the property, must be disconnected from all utilities, and may no longer be utilized as living quarters on the subject property;
 5. That should the applicant wish to build a single-family residence, the mound system will need to be expanded and the garage with living quarters will need to be converted storage space, a studio, or an additional Conditional Use Permit must be obtained to allow for the second residence;
 6. That the applicant notifies the Planning Department when the 32' x 40' garage with living quarters is habitable, so that this Conditional Use Permit may be ended;
 7. That prior to the applicants applying for a Building Permit for a single-family residence on the subject property in the future, the living quarters in the 32' x 40' garage be removed or the necessary permits obtained, and the applicants notify the Planning Department of such;

8. 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;
9. That the minimum setback requirements of a Low Density Residential District and Section Line be maintained on the subject property, or a Setback Variance be obtained;
10. That the subject property remains free of debris and junk vehicles;
11. That at least two (2) off-street parking spaces be provided on the subject property, in accordance with the Pennington County Zoning Ordinance Section 310;
12. That the applicants contact and adhere to the County Fire Administrator for information on fire mitigation, fire sprinklers, and the use of noncombustible building materials; and,
13. That this Conditional Use Permit be reviewed in March 2019, 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.

III. EXISTING CONDITIONS

- A. Low Density Residential Zoning District.
- B. 5 acres.
 1. Plat Book 28, Page 196
- C. Lot Contains:
 1. An installed mound on-site wastewater treatment system, approved by SD DENR.
 2. The system will service a three (3) bedroom home and shop with living quarters.
- D. Building Permit for a 32' x 40' garage as living quarters (COBP16-0391) has been approved.
 1. Building Permit (COBP16-0391) was amended on February 2, 2018, to include the finished loft area.
 2. Building Permit (COBP16-0391) was extended from August 25, 2018, and expires on March 12, 2019.
- E. One 10' x 10' shed, due to its size no Building Permit is required.

IV. ANALYSIS

- A. On February 28, 2019, and March 5, 2019, Staff spoke with applicant via phone.
 1. The applicant indicated the RV is not currently being utilized as living quarters and that the garage is now habitable with supplied gas, electric, and sewer utilities.
 2. The applicant stated that future visits to the subject property will include them living in the garage living quarters and not the RV.

3. The applicant indicated that the RV will be removed within the next two weeks.
 - a. The recommended continuation of CU 16-41 will allow the applicant time to remove the RV and Staff to verify, then subsequently end the CUP.
- B. On March 6, 2019, Staff performed a site visit to the subject property.
 1. Staff verified that the RV was not currently being occupied but was connected to electricity.
 2. Staff verified construction of the 32' x 40' garage. The exterior appeared to be complete, minus siding.



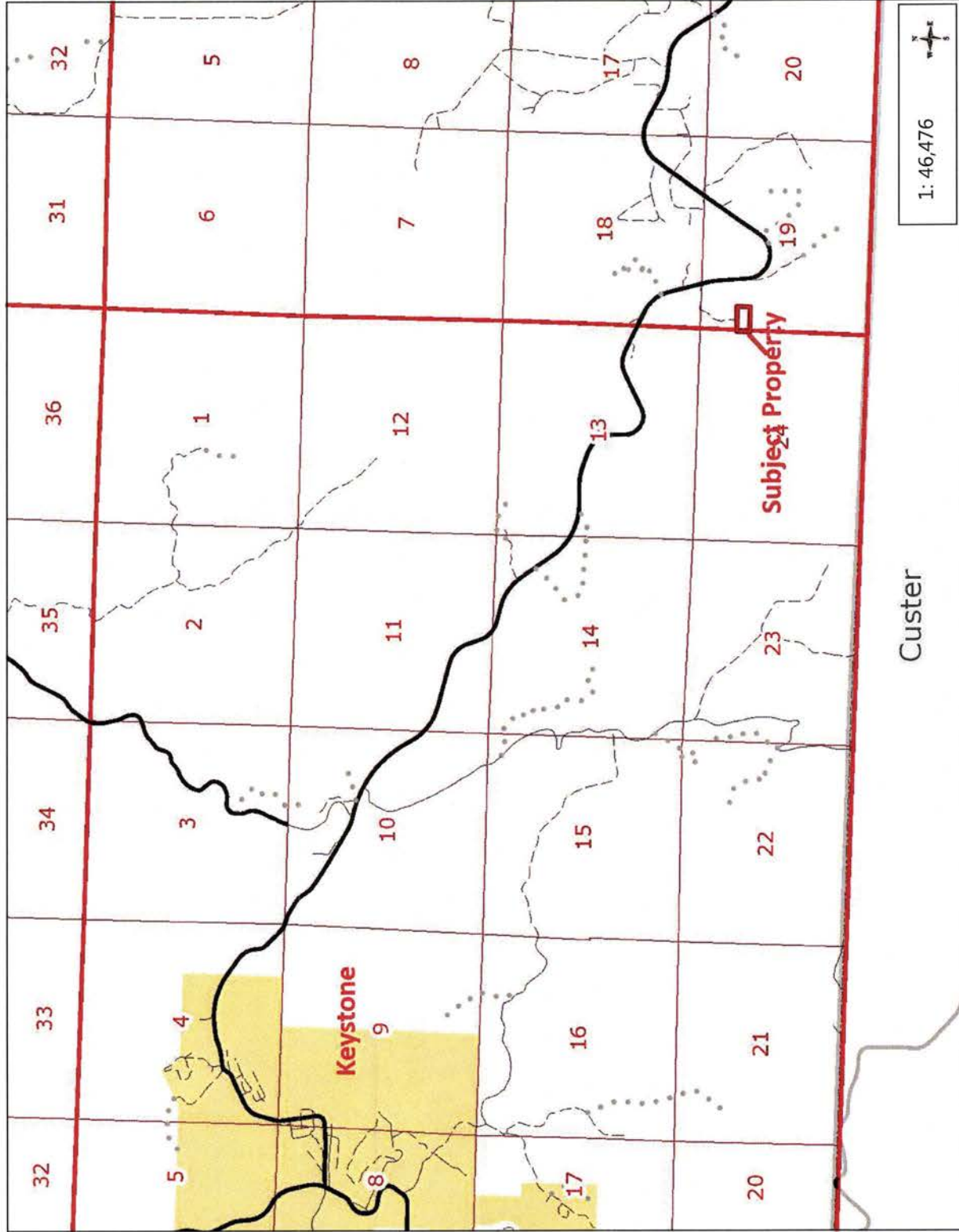
3. Staff noted the address had not been posted on either the RV or garage – Condition #3.

Agenda Item #5
Robert and Glenda Frank
March 11, 2019

- C. It appeared all other Conditions of Approval were being met.
- D. Staff has not received any complaints regarding Conditional Use Permit / CU 16-41.

RECOMMENDATION: Staff recommends 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).



Custer

1:46,476



7,746.0 0 3,872.98 7,746.0 Feet

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

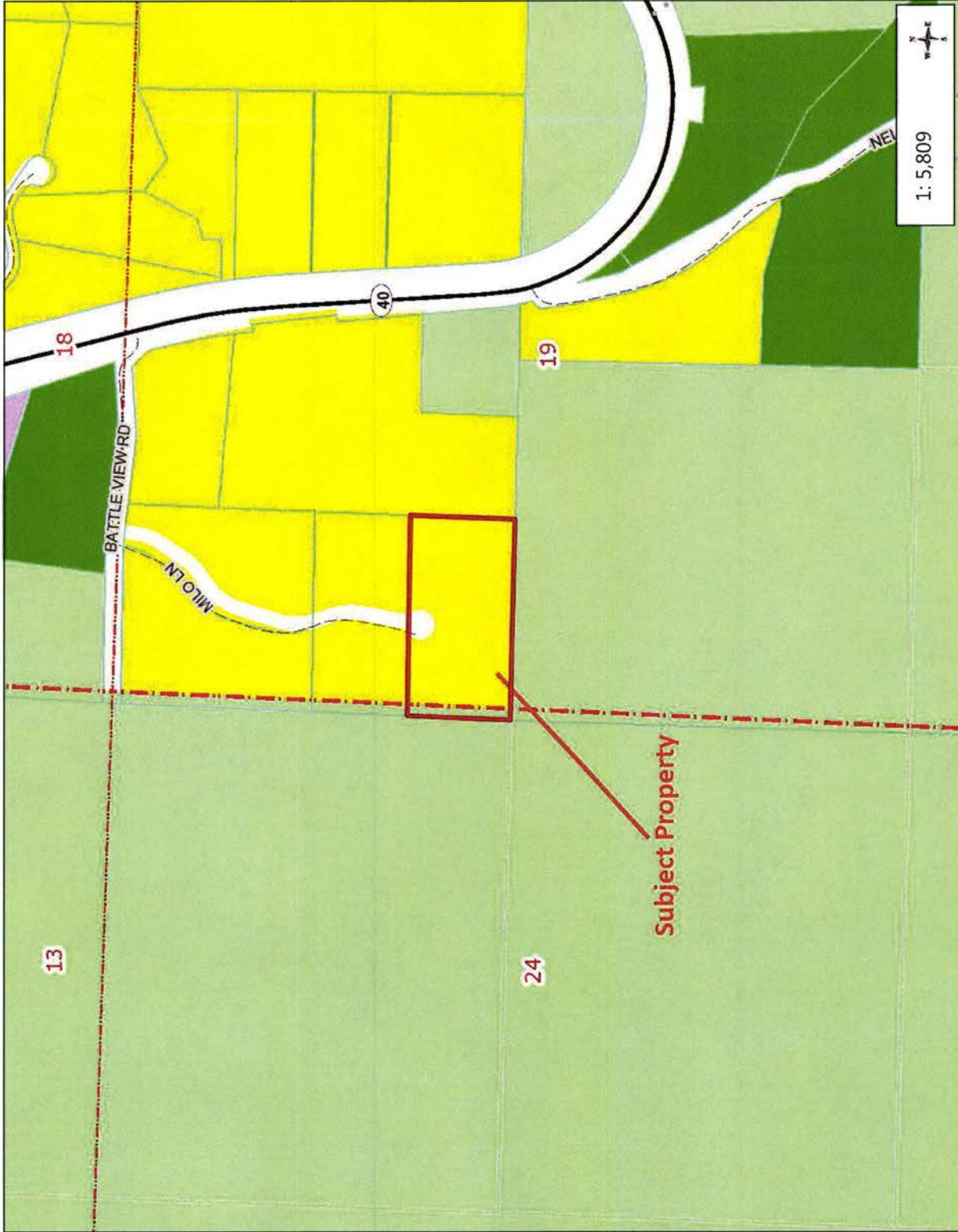
NAD_1983_2011_StatePlane_South_Dakota_South_FIPS_4002_Ft_US
© City of Rapid City GIS

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Legend

- Roads**
- Interstate
 - US highway
 - SD highway
 - County highway
 - Main road
 - Minor arterial
 - Collector
 - Ramp
 - Paved road
 - Unpaved road
 - Trail
 - Driveway
 - Alley
 - Unimproved road
 - Airport Runway
 - Not yet coded
- PLSS
- Townships
- City Limits
- BOX ELDER
 - ELLSWORTH AFB
 - HILL CITY
 - KEYSTONE
 - NEW UNDERWOOD
 - QUINN
 - RAPID CITY
 - WALL
 - WASTA

Map Notes:



1: 5,809



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

NAD_1983_2011_StatePlane_South_Dakota_South_FIPS_4002_FL_US
© City of Rapid City GIS

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Legend

Roads

- Interstate
- US highway
- SD highway
- County highway
- Main road
- Minor arterial
- Collector
- Ramp
- Paved road
- Unpaved road
- Trail
- Driveway
- Alley
- Unimproved road
- Airport Runway
- Not yet coded

Section Lines 0-25k

- 0
- 7

Tax Parcels

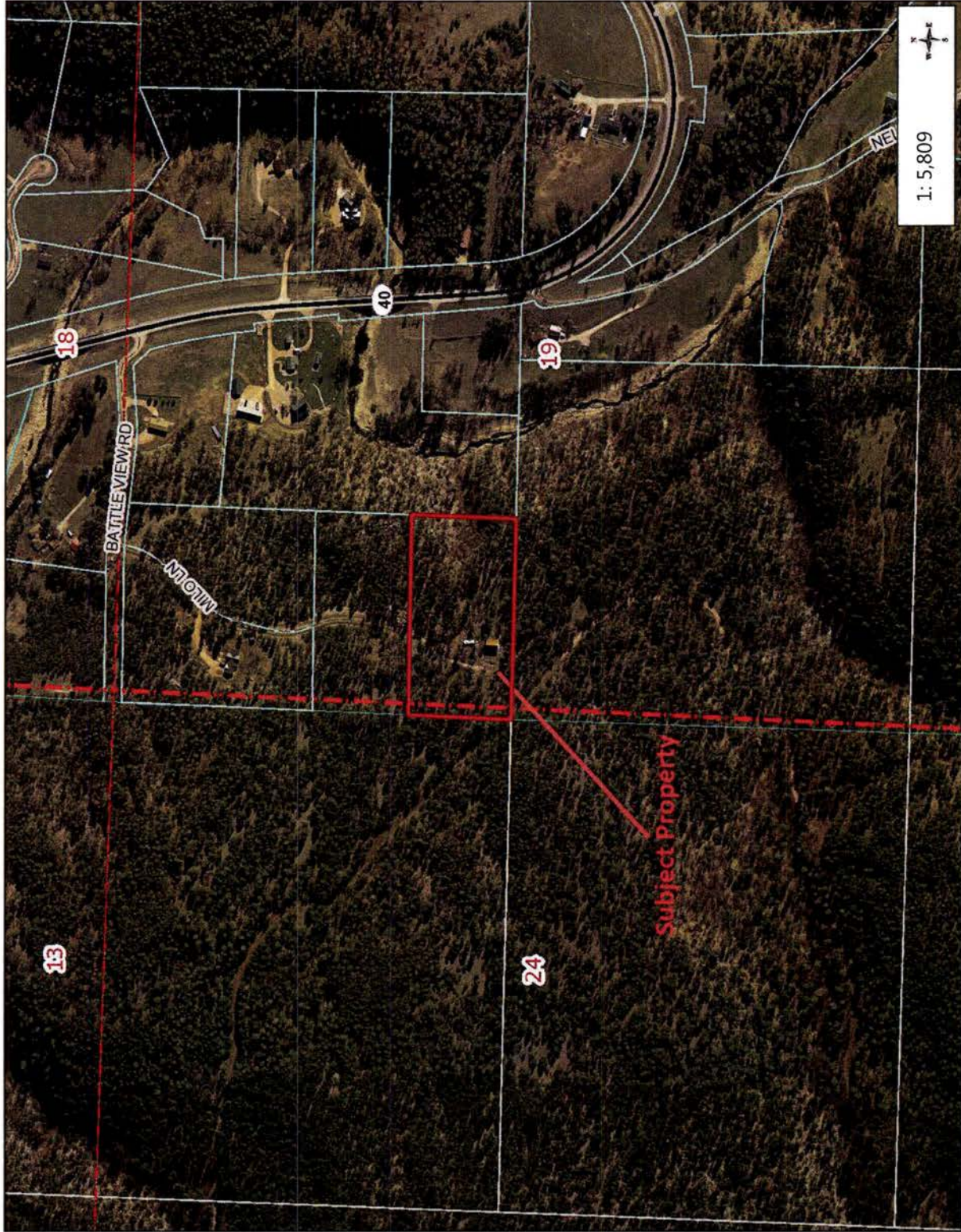
Lot Lines

- <Null>
- Lot Line
- Parcel Line

Pennington County Zoning

- General Agriculture
- General Commercial
- Heavy Industrial
- Highway Services
- Limited Agriculture
- Low Density Residential
- Light Industrial
- Planned Unit Development

Map Notes:



1: 5,809

Legend

- Roads
 - Interstate
 - US highway
 - SD highway
 - County highway
 - Main road
 - Minor arterial
 - Collector
 - Ramp
 - Paved road
 - Unpaved road
 - Trail
 - Driveway
 - Alley
 - Unimproved road
 - Airport Runway
 - Not yet coded
- Section Lines 0-25k
 - 0
 - 7
- Tax Parcels
- Lot Lines
 - <Null>
 - Lot Line
 - Parcel Line

Map Notes:

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

968.2 0 484.12 968.2 Feet

NAD_1983_2011_StatePlane_South_Dakota_South_FIPS_4002_Ft_US

© City of Rapid City GIS

Agenda Item #6
Joni Peterson
March 11, 2019

6

STAFF REPORT

GENERAL INFORMATION:

REQUEST:

MINOR PLANNED UNIT DEVELOPMENT AMENDMENT REVIEW / PU 14-05: 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 Section 213 of the Pennington County Zoning Ordinance.

APPLICANT / OWNER:

Joni Peterson

APPLICANT ADDRESS:

3023 Quad Court, Rapid City, SD 57703

LEGAL DESCRIPTION:

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

SITE LOCATION:

3023 Quad Court

SIZE:

0.24 acre

TAX ID:

57833

EXISTING LAND USE:

Residential

ZONING REFERENCE:

Section 213

CURRENT ZONING:

Planned Unit Development District

SURROUNDING ZONING:

North	Planned Unit Development District
South	Planned Unit Development District
East	Planned Unit Development District
West	Planned Unit Development District

PHYSICAL CHARACTERISTICS: Flat

UTILITIES: Public

REPORT BY: Jason Theunissen

I. PROPOSED RECOMMENDATION

- A. Staff will be recommending approval of the extension of Minor Planned Unit Development Amendment / PU 14-05 with eight (8) conditions.

II. GENERAL DESCRIPTION

- A. January 12, 2015 – The Planning Commission approved 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 located on a permanent foundation 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 Friday 8am to 5pm, and 8am to 4pm on every other Saturday, 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 and maintains the necessary permits to conduct the business; and,
7. That if the amount of waste generated from salon exceeds 10, 000 gallons per month, Rapid Valley Sanitary District and City of Rapid City must be notified. Any pretreatment required by above agencies must be adhered to.
8. That the Planned Unit Development be reviewed in one (1) year, on a complaint basis, or as deemed necessary by the Pennington County Planning Commission or County Board.

- B. March 14, 2016 – The Planning Commission approved 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 located on a permanent foundation 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 Friday 8 a.m. to 5 p.m. and 8 a.m. to 4 p.m. on every Saturday, 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 three (3) years, on a complaint basis, or as deemed necessary by the Pennington County Planning Commission or County Board.

III. EXISTING CONDITIONS

- A. Zoned Planned Unit Development District.
- B. 0.24 Acre.
- C. No Special Flood Hazard Area.
- D. Lot Contains:
 1. Single-family Residence with attached garage – 2004COBP0687.

IV. ANALYSIS

- A. February 28, 2019 – Staff spoke with Rapid Valley Sanitary District via telephone (605-393-1050) and verified that they have no concerns regarding waste from the subject property – Condition #7.
- B. March 5, 2019 – Staff performed a site visit and spoke with the applicant, Joni Peterson.
 1. The applicant has a South Dakota Cosmetology License as a cosmetologist (CO-00602-2019) and currently possesses a South Dakota Cosmetology License for this location as a cosmetology salon (CS-07495-2016, with certificate of annual inspection dated 11-13-2018) – Condition #6.
 2. The subject property has garage parking for two (2) vehicles, outdoor parking (driveway) for five (5) vehicles, and end of cul-de-sac parking for two (2) additional vehicles, if needed – Condition #5.



3. The applicant currently has one licensed booth renter – Condition #4.
4. There is a sign posted on the house – Condition #2.



Photos taken on March 5, 2019 by Jason Theunissen, Planner II

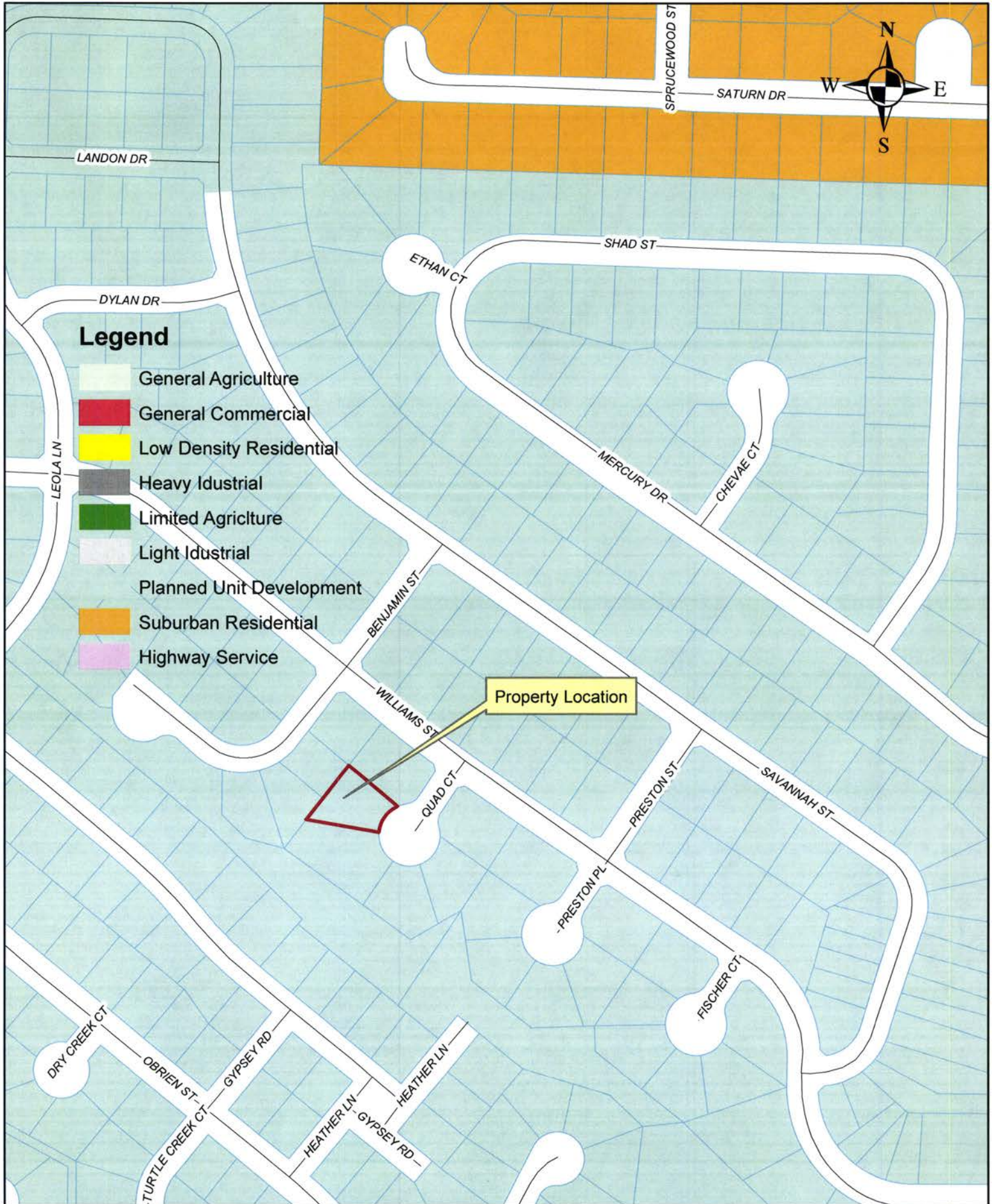
5. The applicant discussed hours of operation.
 - a. The applicant stated she no longer works Saturdays and has decreased her hours to Monday through Thursday 10 a.m. to 5 p.m., with occasional appointments after hours – Condition #3.
 - b. Staff will be recommending to amend Condition #3 to reflect the new hours.

6. It appeared all other Conditions of Approval were being met.
7. Staff has not received any complaints regarding Minor Planned Unit Development Amendment / PU 14-05.

RECOMMENDATION: Staff recommends approval 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.

Minor PUD Amendment - Peterson

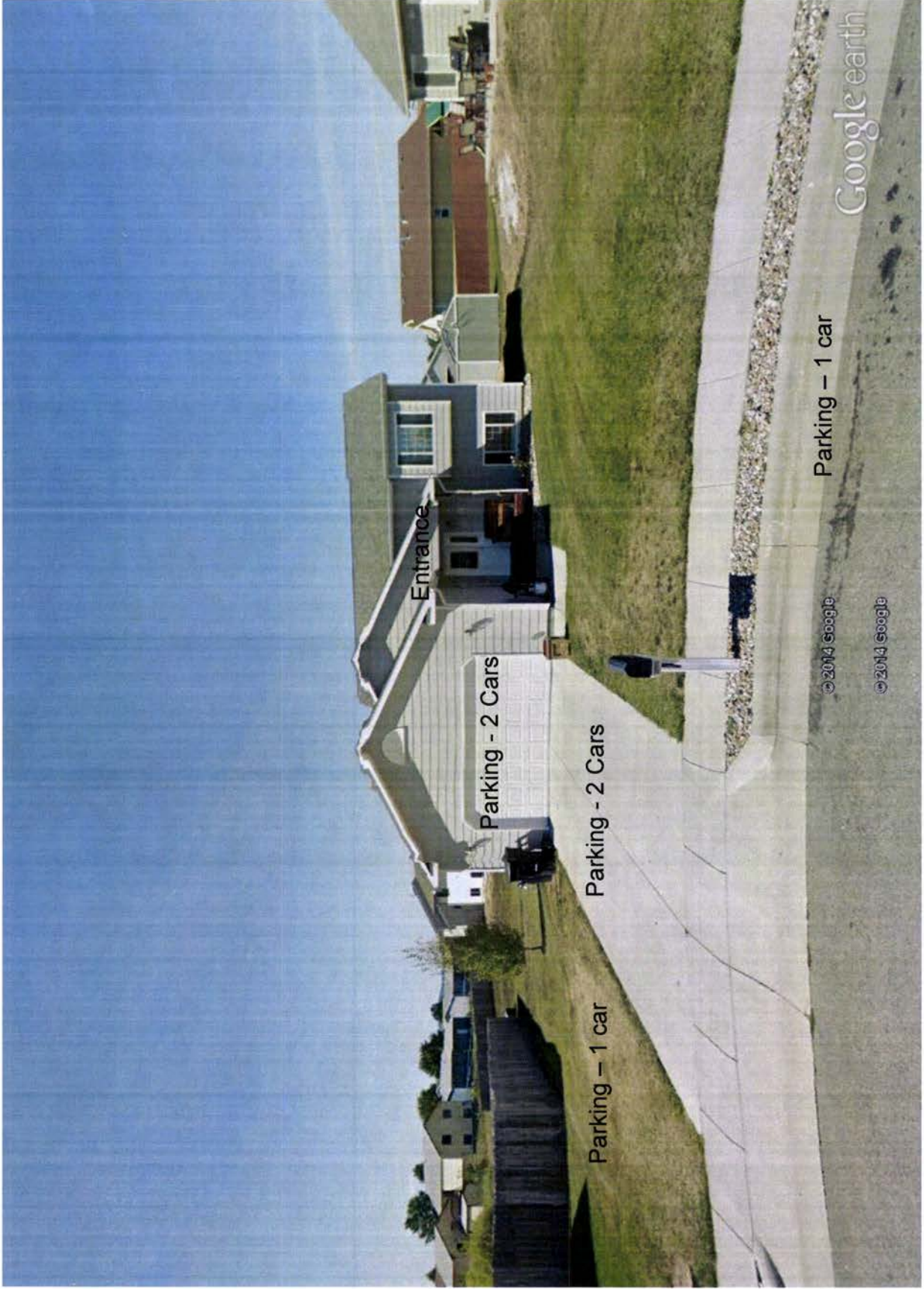


0 0.0225 0.045 0.09 0.135 0.18 Miles

Minor PUD Amendment - Peterson



0 0.0225 0.045 0.09 0.135 0.18 Miles



Entrance

Parking - 2 Cars

Parking - 2 Cars

Parking - 1 car

Parking - 1 car

© 2014 Google

© 2014 Google

Google earth

Agenda Item #7
Mike and Kimberly Van Loan
March 11, 2019

7

STAFF REPORT

GENERAL INFORMATION:

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

APPLICANT: Mike and Kimberly Van Loan

APPLICANT ADDRESS: 22931 Forest Road, Rapid City, SD 57702

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

SITE LOCATION: West of Rapid City on W. Highway 44, near Norman Roost Road.

SIZE: 18.14 acres

TAX ID: 10942

EXISTING LAND USE: Vacant

ZONING REFERENCE: Section 507

CURRENT ZONING: Limited Agriculture District

SURROUNDING ZONING:

North	Limited Agriculture District
South	City Limits of Rapid City
	Suburban Residential District
East	Limited Agriculture District
West	General Agriculture District

PHYSICAL CHARACTERISTICS: Forested / Rock outcroppings

UTILITIES: None

REPORT BY: Cody Sack

I. PROPOSED RECOMMENDATION

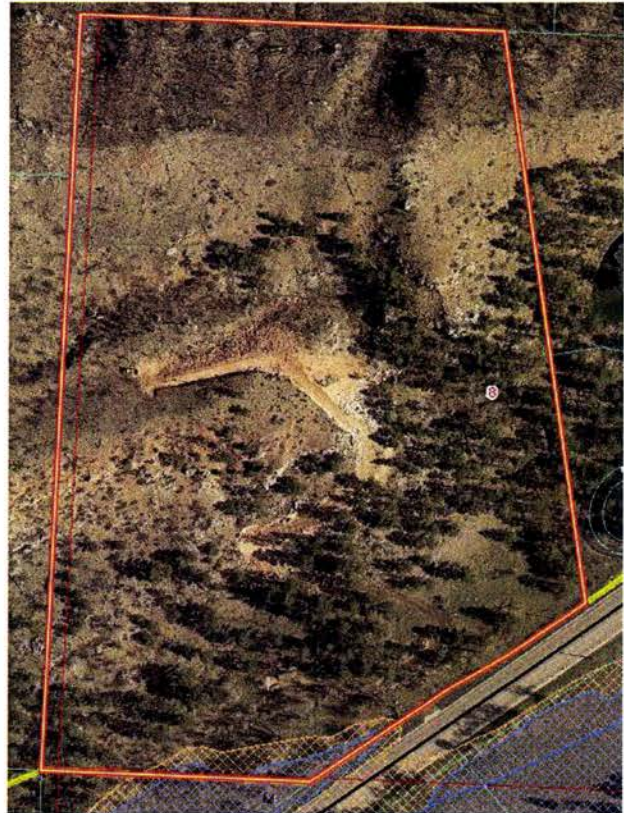
- A. Staff will be recommending approval of Construction Permit / CP 19-03 with ten (10) conditions.

II. GENERAL DESCRIPTION

- A. The applicant, Mike Van Loan, applied for a Construction Permit to level and grade a road to be utilized as a driveway for future construction of a single-family residence.
- B. See attached site plan.

III. EXISTING CONDITIONS

- A. Limited Agriculture District.
- B. 18.14 acres.
- C. Lot is vacant of any structures.
- D. County Environmental Violation (COEV19-0014).
 - 1. Over 10,000 square feet of dirt work without a Construction Permit.
- E. Special Flood Plan Hazard Area.
 - 1. 100 year flood.
 - 2. 500 year flood.



Floodplain Map

IV. REQUEST FOR COMMENT

- A. County Highway Department.
 - 1. Highway Department has no comments since access is from SD 44 and drainage is addressed.
- B. County Fire Administrator.
 - 1. No comments received.
- C. County Environmental Supervisor.
 - 1. That the requirements, guidelines, and criteria for storm water and erosion control in the Pennington County Storm Water Manual shall be followed during construction.

2. The Storm Water Quality Manual requires that an owner must inspect the site at least once every 7 days. Inspection reports must be submitted to the Planning Director every month during 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. The site shall be re-vegetated as required in § 507(A)(5)(c).
- D. County Environmental Planner.
1. There is Special Flood Plain Hazard area on the subject property, but it appears that the disturbance is in the 500 year floodplain and not in the 100 year floodplain.
 2. The applicant needs to follow the Pennington County Zoning Ordinance (PCZO) §507 and the Pennington County Stormwater Manual.
- E. County Ordinance Enforcement.
1. Ordinance Enforcement has no objections.
- F. County Natural Resource Director.
1. I would recommend certified weed free seed to be used for revegetation.
- G. Emergency Services (9-1-1).
1. No comments here.
- H. Rapid City Engineering (3-mile Platting)
1. It appears the driveway does not meet safe street criteria, but as long as it remains as a driveway on private property Rapid City Engineering has no concerns.
- I. SD Department of Transportation.
1. No comments received.

V. ANALYSIS

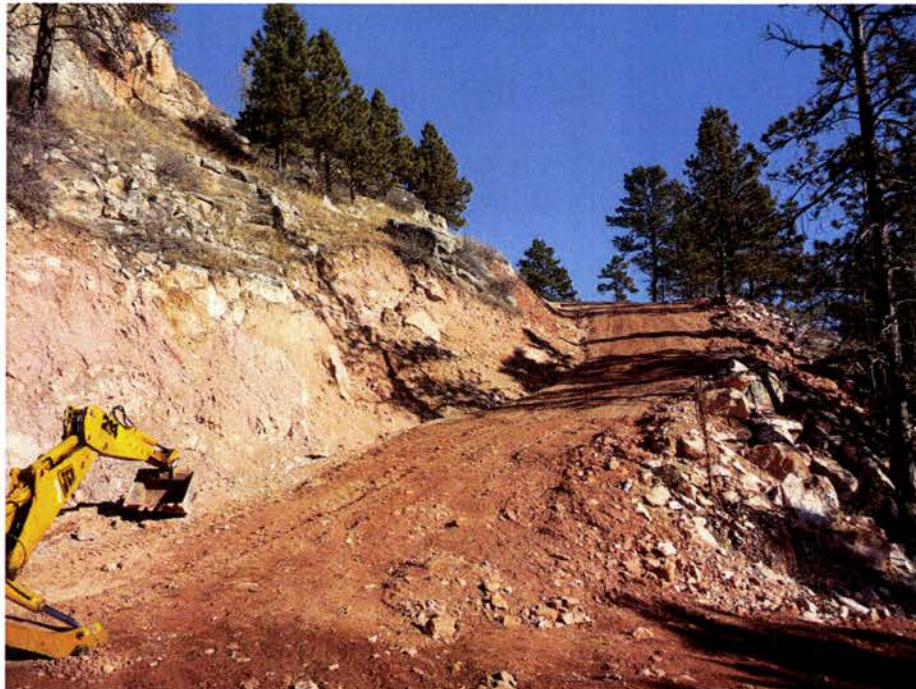
- A. February 13, 2019 – staff opened a Violation (COEV19- 0014) on the subject property.
 1. A violation letter was sent to the land owners.
- B. February 18, 2019 – the applicant applied for a Construction Permit.
 1. Paid a penalty fee per §511(W)(2).
- C. March 1, 2019 - Staff conducted a site visit and found:
 1. A driveway being constructed to access a future residence.
 2. It appeared to staff that no work had recently taken place.
 3. Staff had a conversation with the applicant, who stated:
 - a. He was hoping to have the road completed by August 2019.

Agenda Item #7
Mike and Kimberly Van Loan
March 11, 2019

- b. He is constructing a ditch alongside the road that will be either hydro seeded or filled with rock to stabilize the site and to help with drainage.
- D. It does not appear to Staff that construction has taken place in any of the regulated flood zones.



Department of Equalization (DOE)(12/18/18)

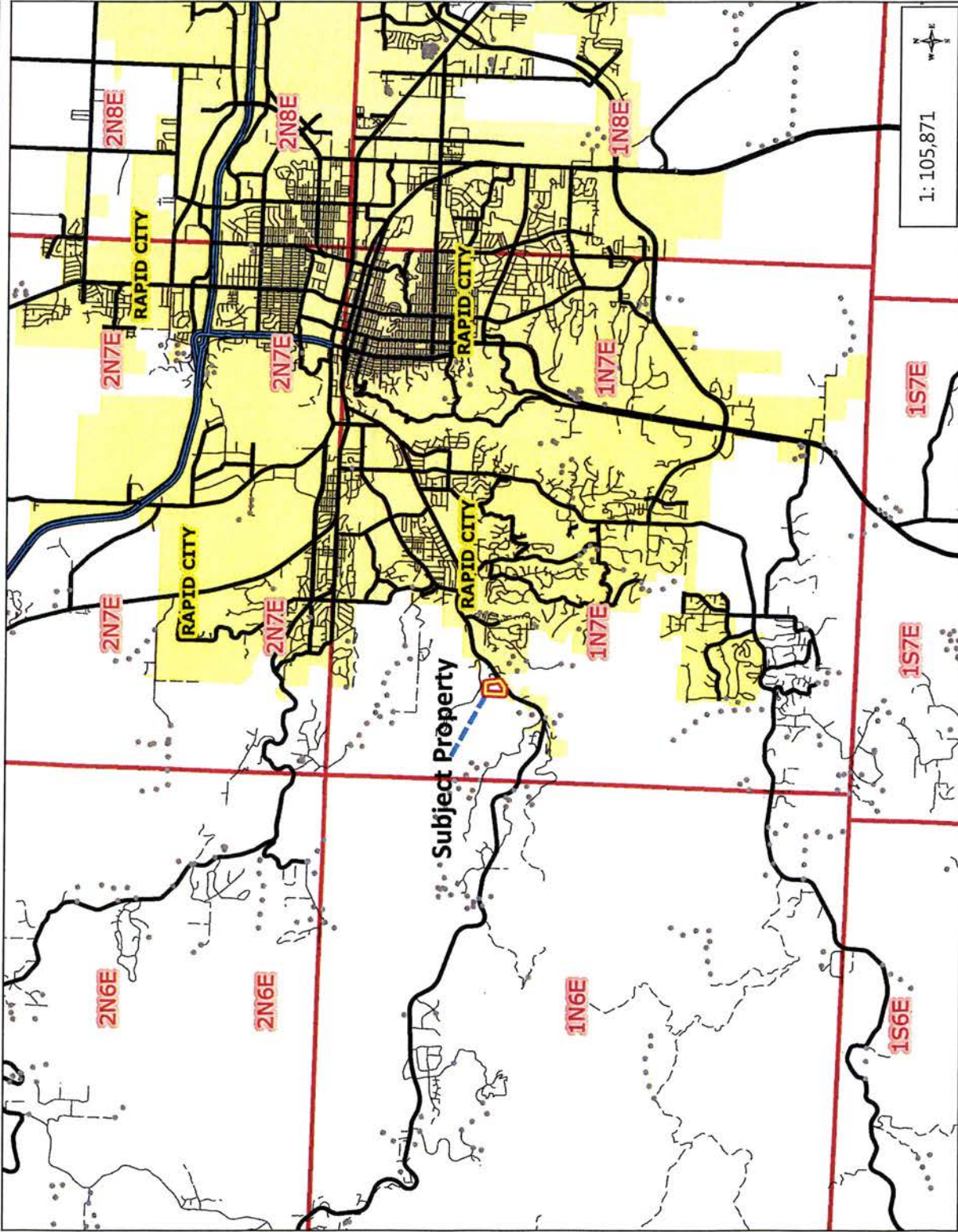


DOE Site Visit (12/18/18)

Agenda Item #7
Mike and Kimberly Van Loan
March 11, 2019

RECOMMENDATION: Staff recommends approval 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.



1: 105,871



17,645.1 0 8,822.55 17,645.1 Feet

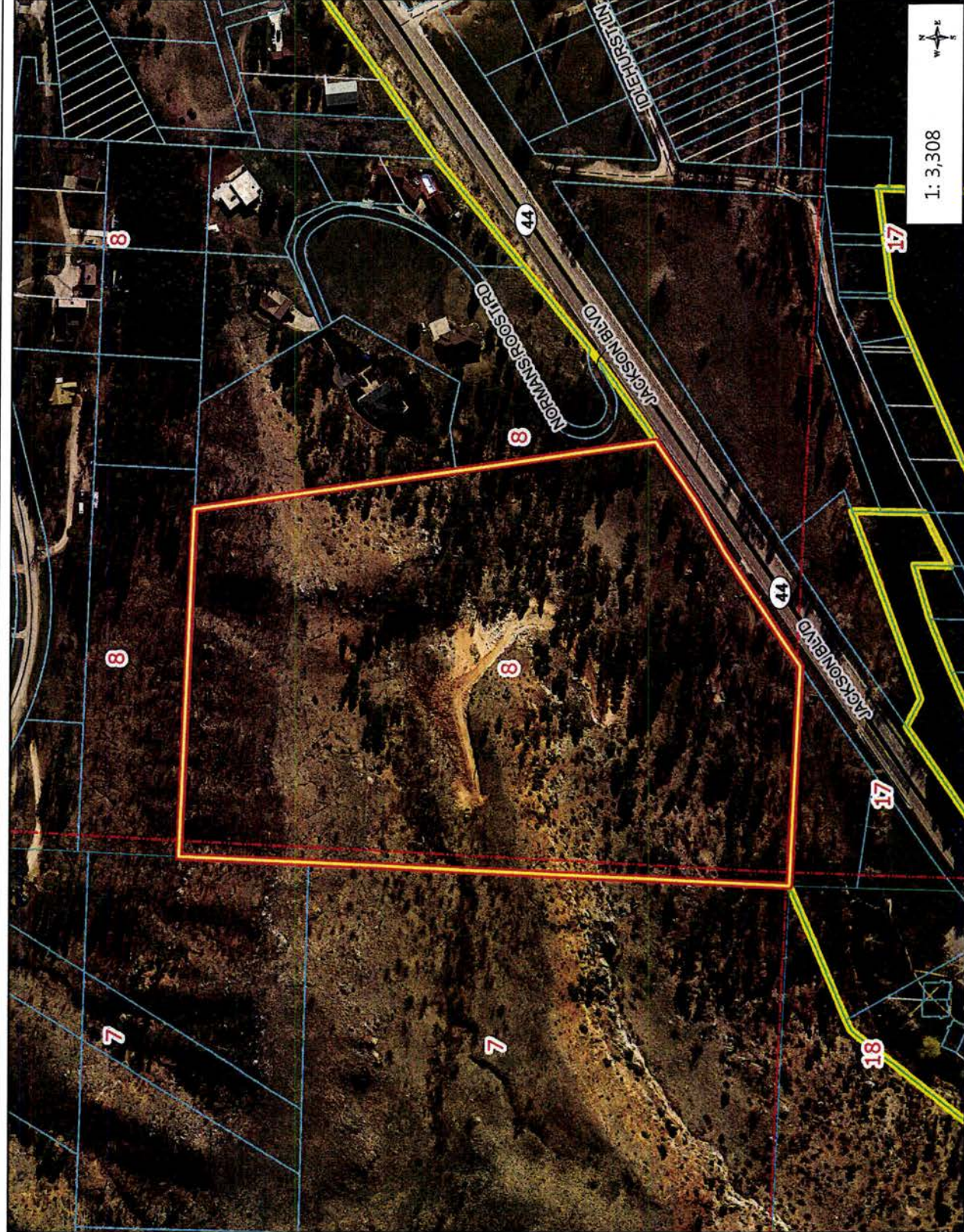
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

NAD_1983_2011_StatePlane_South_Dakota_South_FIPS_4002_Ft_US
© City of Rapid City GIS

Legend

- Roads**
- Interstate
 - US highway
 - SD highway
 - County highway
 - Main road
 - Minor arterial
 - Collector
 - Ramp
 - Paved road
 - Unpaved road
 - Trail
 - Driveway
 - Alley
 - Unimproved road
 - Airport Runway
 - Not yet coded
- Townships**
- BOX ELDER
 - ELLSWORTH AFB
 - HILL CITY
 - KEYSTONE
 - NEW UNDERWOOD
 - QUINN
 - RAPID CITY
 - WALL
 - WASTA
- City Limits**
- BOX ELDER
 - ELLSWORTH AFB
 - HILL CITY
 - KEYSTONE
 - NEW UNDERWOOD
 - QUINN
 - RAPID CITY
 - WALL
 - WASTA

Map Notes:



1: 3,308



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

551.4
 NAD_1983_2011_StatePlane_South_Dakota_South_FIPS_4002_Ft_US
 © City of Rapid City GIS

Legend

- Roads**
- Interstate
 - US highway
 - SD highway
 - County highway
 - Main road
 - Minor arterial
 - Collector
 - Ramp
 - Paved road
 - Unpaved road
 - Trail
 - Driveway
 - Alley
 - Unimproved road
 - Airport Runway
 - Not yet coded

Section Lines 0-25k

- 0
- 7

Tax Parcels

- Lot Lines
- <Null>
- Lot Line
- Parcel Line

Map Notes:

FEB 21 2019

Legend

- Roads**
- Interstate
 - US Highway
 - SD Highway
 - County highway
 - Main road
 - Minor arterial
 - Collector
 - Ramp
 - Paved road
 - Unpaved road
 - Unimproved road
 - Trail
 - Airport Runway
 - Not yet coded
- Section Lines 0-25k**
- 0
 - 7



Tax Parcels

Lot Lines

- <Null>
- Lot Line
- Parcel Line



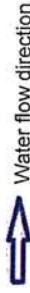
Silt Fence



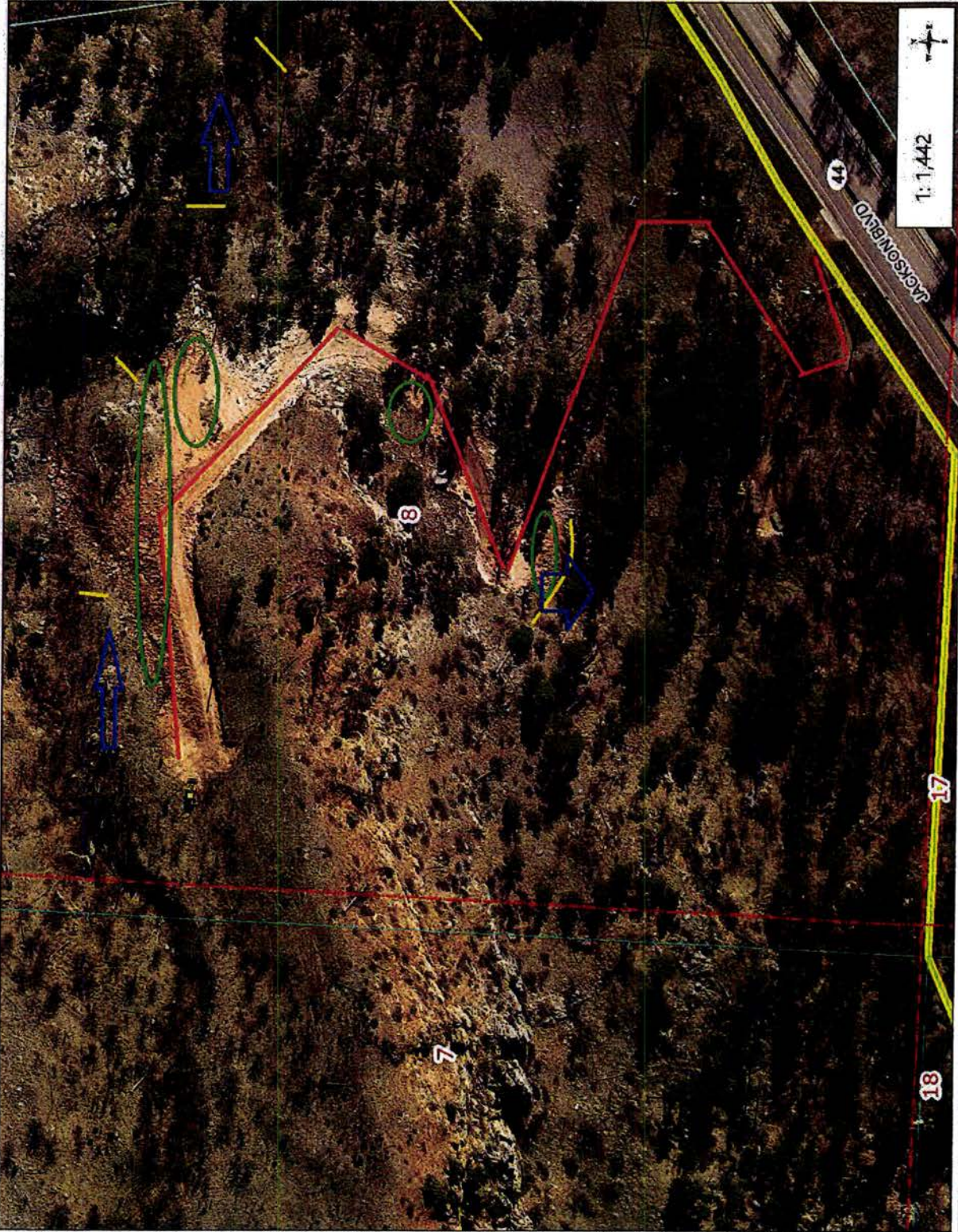
Road Direction



Hydroseed



Water flow direction



1:1,442



240.3 0 120.15 240.3 Feet

This map is a user generated static output from an internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

NAD_1983_2011_StatePlane_South_Dakota_South_FIPS_4002_FT_US
© Rapid City-Pennington County GIS Division

Map Notes:

STAFF REPORT

GENERAL INFORMATION:

REQUEST: CONSTRUCTION PERMIT REVIEW / CP 19-02: 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.

APPLICANT/CONTRACTOR: Site Work Specialists

APPLICANT ADDRESS: P.O. Box 7504, Rapid City, SD 57709

LANDOWNER: Tim and Laurel Danley

OWNER ADDRESS: 5027 Carriage Hills Drive, Rapid City, SD 57702

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

SITE LOCATION: West of Rapid City located off of National Guard Road.

SIZE: 40 acres

TAX ID: 10911

EXISTING LAND USE: Vacant

ZONING REFERENCE: Section 507

CURRENT ZONING: Suburban Residential District

SURROUNDING ZONING:
North General Agriculture District
South General Agriculture District
East Limited Agriculture District
West General Agriculture District

PHYSICAL CHARACTERISTICS: Forested / Hills

UTILITIES: None

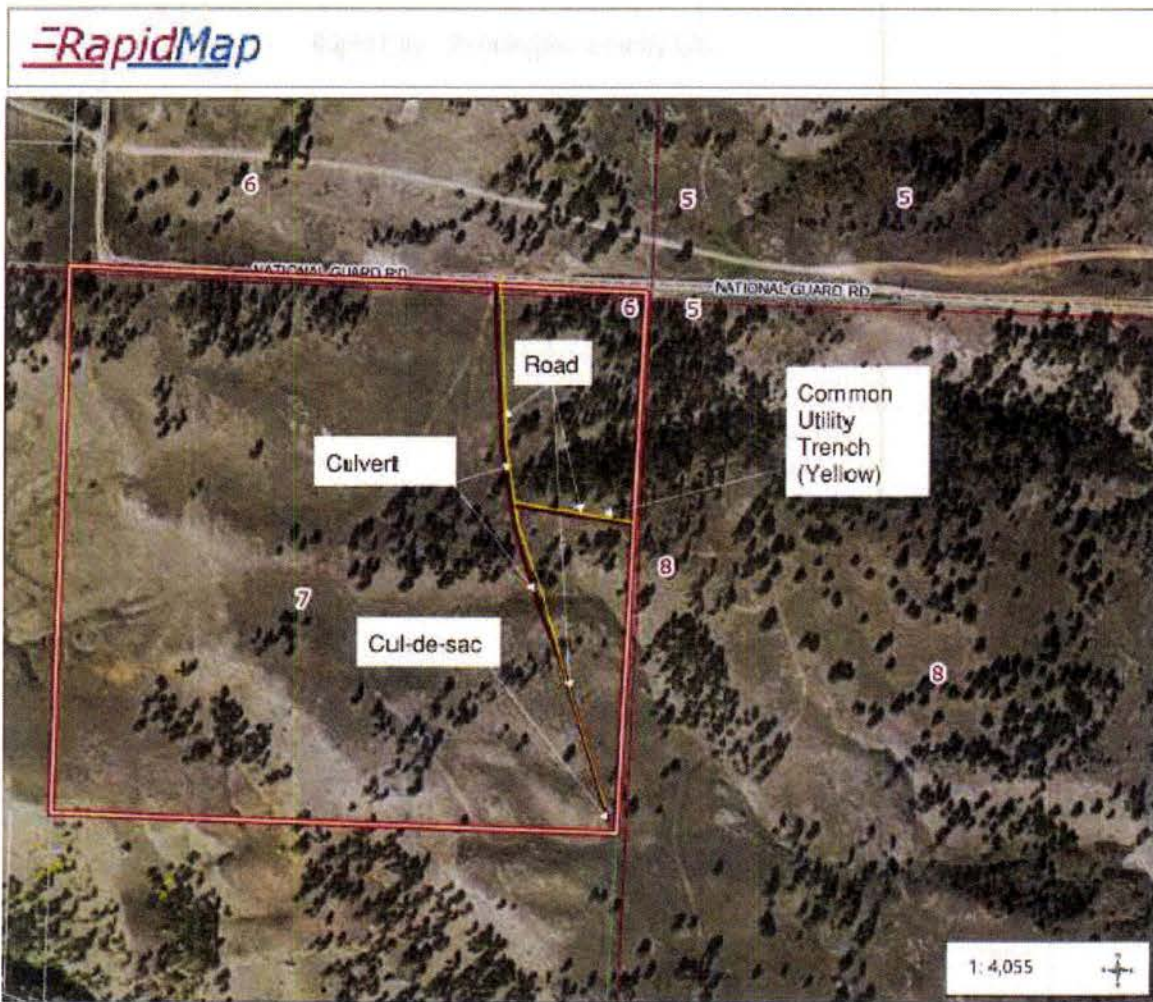
REPORT BY: Cody Sack

I. PROPOSED RECOMMENDATION

- A. Staff will be recommending approval of the extension of Construction Permit / CP 19-02 with thirteen (13) conditions.

II. GENERAL DESCRIPTION

- A. The applicant, Site Works Specialists, applied for a Construction Permit to construct 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.
 - 1. A Stop Work Order was issued on February 1, 2019.



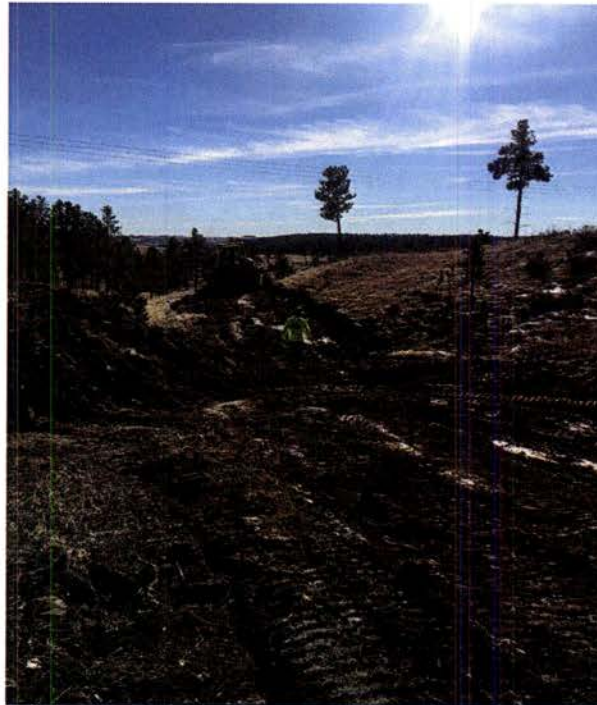
Site Plan

III. EXISTING CONDITIONS

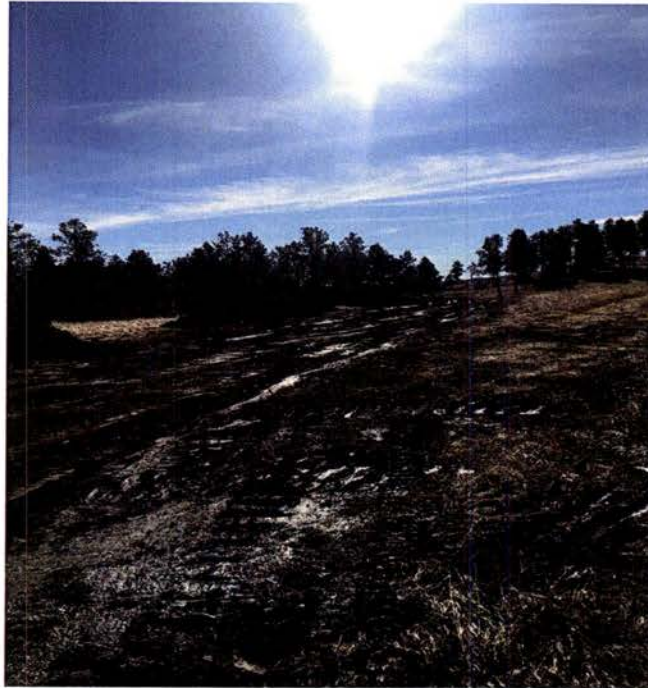
- A. Zoned General Agricultural District.
- B. 40 acres.
- C. Vacant.
- D. No Special Flood Hazard Area.
- E. Violation for disturbing over 10,000 square feet with at Construction Permit (COVO19-0012).
 - 1. A Stop Work Order was issued.
- F. Access of National Guard Road.

IV. ANALYSIS

- A. January 31, 2019 – Staff received a complaint about possible construction activity at the subject property.
- B. February 1, 2019 the following events happened:
 - 1. Ordinance Enforcement performed a site visit and found:
 - a. Construction of a road had commenced without an approved Construction Permit.
 - 2. Staff contacted the applicant who stated that they would come in and apply for a Construction Permit.
 - 3. The applicant applied for a Construction Permit to build an access road on the subject property.
 - 4. Staff issued a Stop Work Order to the applicants at the time they applied for the Construction Permit.



Site Visit (2/1/19)



Site Visit (2/1/19)

- C. Through review of the application, Staff found that the owner listed on the application was not the Owner of Record.
- D. February 11, 2019 – The applicants resubmitted the Construction Permit application to reflect the current Owner of Record.
- E. February 11, 2019 – Staff conducted a site visit and found:
 - 1. Construction activity appeared to have stopped.
- F. The applicants have indicated that construction will be completed by March 25, 2019, and that disturbed areas will be reseeded and covered with straw.
- G. February 25, 2019 – the Planning Commission approved Construction Permit / CP 19-02 with the following fourteen (14) 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 during the period of construction;
 - 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

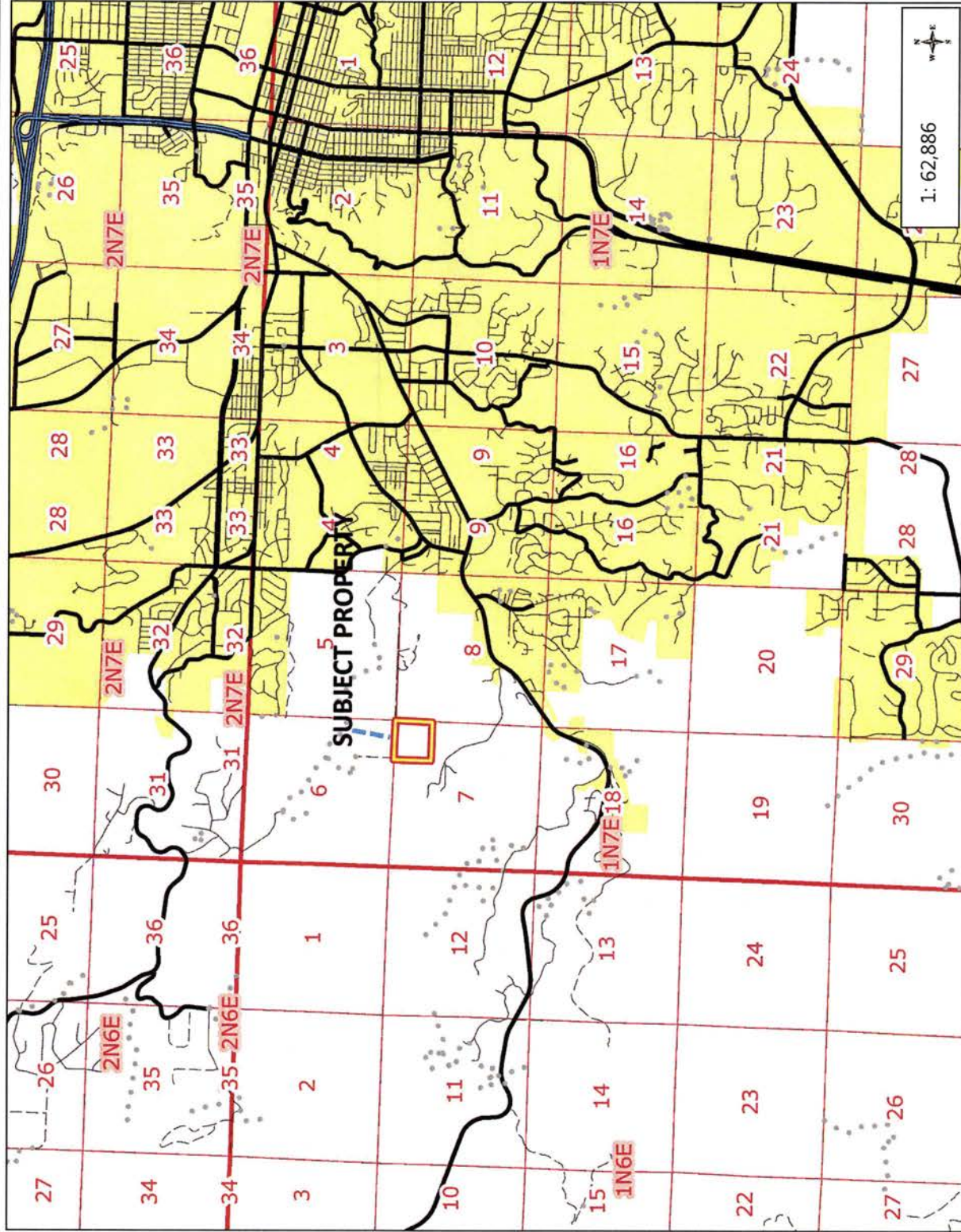
- generates runoff. A properly maintained rain gauge must be kept on the site. Inspection reports must be submitted to the Planning Director every month during construction;
5. That the requirements, guidelines, and criteria for storm water and erosion control in the Pennington County Storm Water Manual, 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 the applicant or landowner pay a penalty fee in accordance with § 511(W)(2) of the PCZO prior to the Stop Work Order being lifted;
 12. That any more than one continuation caused by the applicants failure to meet Conditions of Approval will be fined \$100.00 per continuation in accordance with § 511(X) of the PCZO;
 13. 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,
 14. That this Construction Permit be reviewed at the April 8, 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.
- H. March 5, 2019 – the applicants requested to add a utility trench for power and communication to the Construction Permit.
1. The trench will be placed within the already disturbed area.
- I. The applicant has paid the penalty fee per Condition #11.
1. Staff has removed Condition #11.

RECOMMENDATION: Staff recommends approval 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;

Agenda Item #8
Site Work Specialists, Inc.
March 11, 2019

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.



1: 62,886

10,480.9 0 5,240.46 10,480.9 Feet

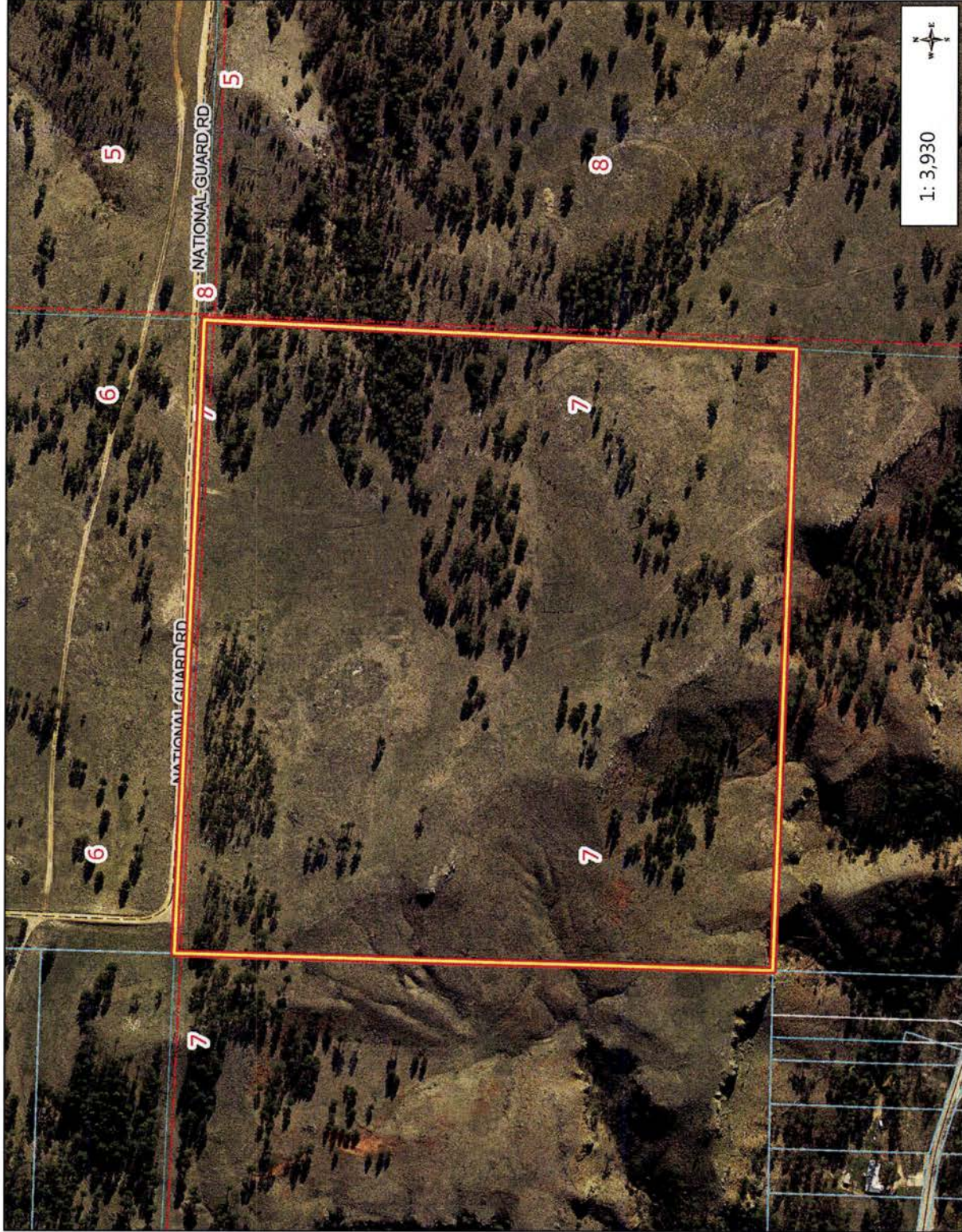
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

NAD_1983_2011_StatePlane_South_Dakota_South_FIPS_4002_Ft_US
 © City of Rapid City GIS

Legend

- Roads**
- Interstate
 - US highway
 - SD highway
 - County highway
 - Main road
 - Minor arterial
 - Collector
 - Ramp
 - Paved road
 - Unpaved road
 - Trail
 - Driveway
 - Alley
 - Unimproved road
 - Airport Runway
 - Not yet coded
- PLSS**
- PLSS
- Townships**
- BOX ELDER
 - ELLSWORTH AFB
 - HILL CITY
 - KEYSTONE
 - NEW UNDERWOOD
 - QUINN
 - RAPID CITY
 - WALL
 - WASTA
- City Limits**
- City Limits

Map Notes:



1: 3,930

655.1 0 327.53 655.1 Feet

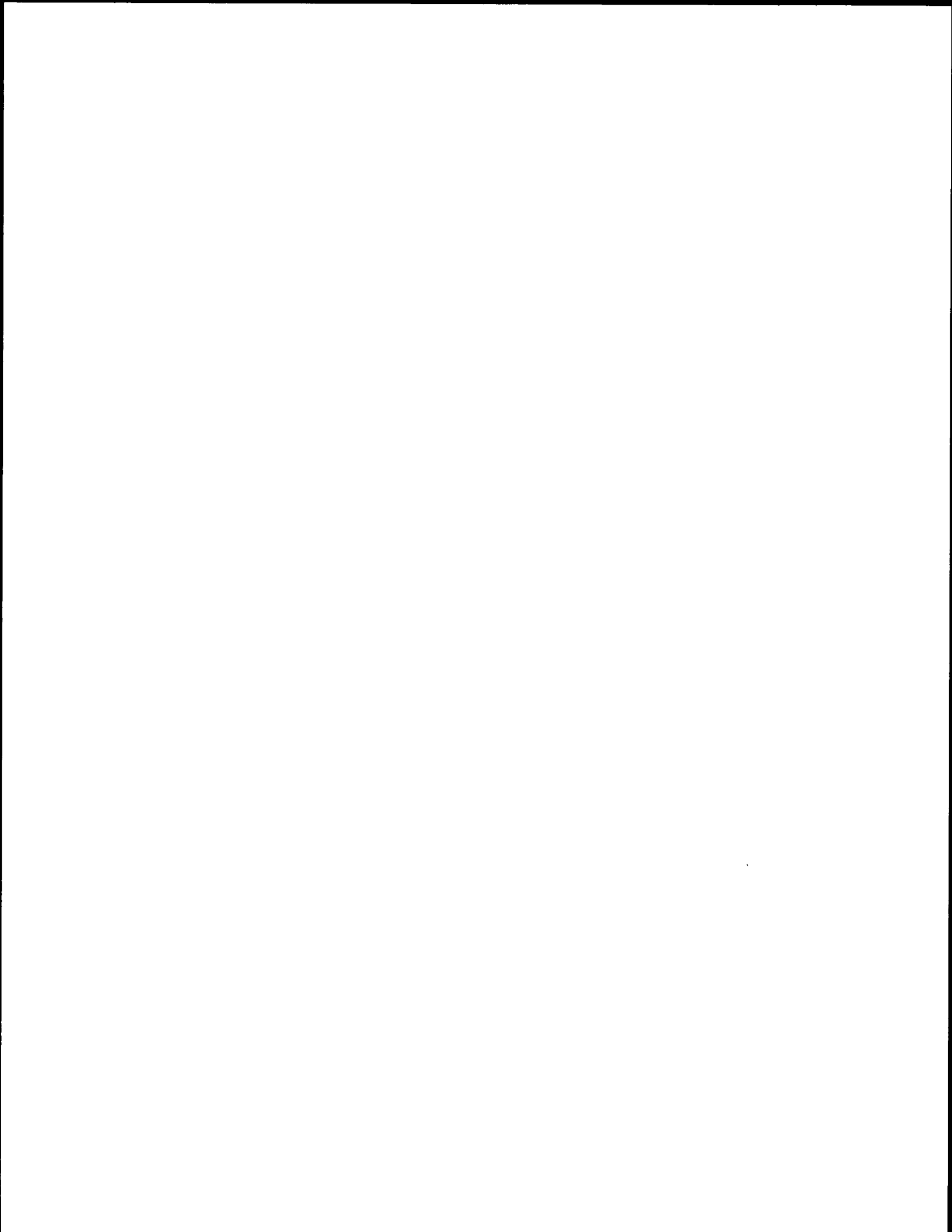
NAD_1983_2011_StatePlane_South_Dakota_South_FIPS_4002_Ft_US
© City of Rapid City GIS

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Legend

- Roads**
- Interstate
- US highway
- SD highway
- County highway
- Main road
- Minor arterial
- Collector
- Ramp
- Paved road
- Unpaved road
- Trail
- Driveway
- Alley
- Unimproved road
- Airport Runway
- Not yet coded
- Section Lines 0-25k
- 0
- 7
- Tax Parcels
- Lot Lines
- <Null>
- Lot Line
- Parcel Line

Map Notes:



STAFF REPORT

GENERAL INFORMATION:

REQUEST: **MINOR PLAT / MPL 19-03:** To combine two lots to create Lot 1 of RTHV Subdivision in accordance with Section 400.3 of the Pennington County Subdivision Regulations.

APPLICANT: Sam Fischer / Fischer Development

APPLICANT ADDRESS: P.O. Box 523, Rapid City, SD 57709

SURVEYOR / AGENT: Fisk Land Surveying

SURVEYOR ADDRESS: P.O. Box 8154, Rapid City, SD 57709

LEGAL DESCRIPTION: **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.

SITE LOCATION: South of the intersection of S. Highway 16 and Trixie Lane.

SIZE: 40.33 acres

TAX ID: 44451 / 44452

EXISTING LAND USE: Vacant

SUBDIVISION REGULATIONS REFERENCE: § 400.3

CURRENT ZONING: General Agriculture District

SURROUNDING ZONING:

North	General Agriculture District
South	General Agriculture District
East	General Agriculture District
West	General Agriculture District

Agenda Item #9
Sam Fischer; Fisk Land Surveying - Agent
March 11, 2019

PHYSICAL CHARACTERISTICS: Forested / Hills

UTILITIES: None

REPORT BY: Brittney Molitor

I. PROPOSED RECOMMENDATION

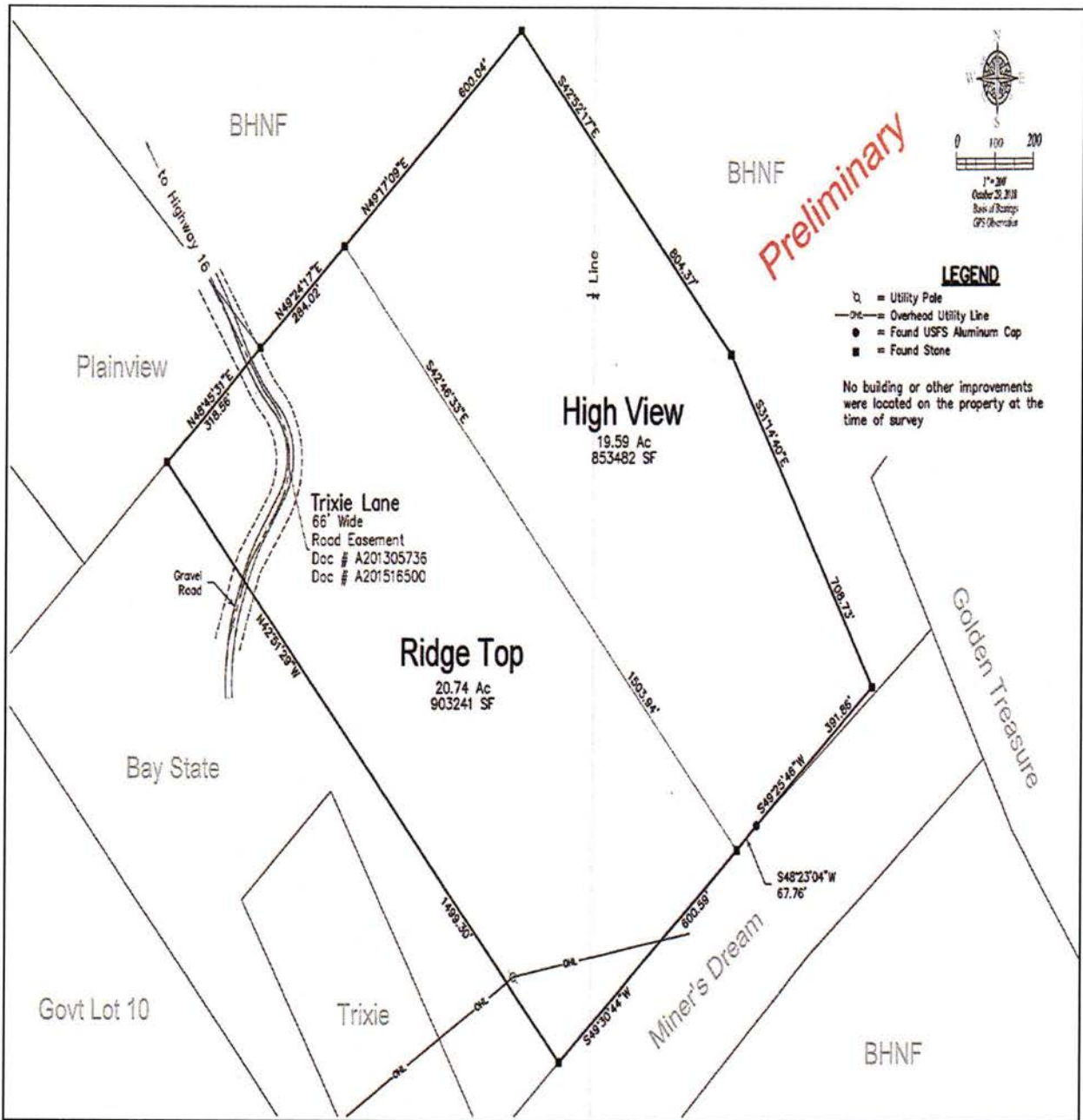
- A. Staff will be recommending approval of Minor Plat / MPL 19-03 with four (4) conditions.

II. GENERAL DESCRIPTION

- A. The applicant, Samuel E. Fischer, is requesting this Minor Plat to consolidate two (2) lots into one (1) lot.
- B. The applicant requested a Subdivision Regulations Variance to waive the following platting requirements:
1. Percolation tests and soil profile hole information.
 2. Topographic map at 5-foot contour intervals.
 3. Plat at 1" = 100' scale.
 4. Road improvements and design standards.
 5. Length of dead end road.
 6. Intermediate turnarounds.

III. EXISTING CONDITIONS

- A. ALL of Ridge Top Lode MS 2072
1. Zoned General Agriculture District, 40 acre minimum.
 2. Is 20.65 acres – Legal Non-Conforming in a General Agriculture District.
 3. Vacant of any structures.
 4. No Special Flood Hazard Area.
 5. 66-foot-wide Road Easement for Trixie Lane – Document A201305736 and A201516500.
- B. ALL of Highview Lode MS 2072
1. Zoned General Agriculture District, 40 acre minimum.
 2. Is 19.53 acres – Legal Non-Conforming in a General Agriculture District.
 3. Vacant of any structures.
 4. No Special Flood Hazard Area.



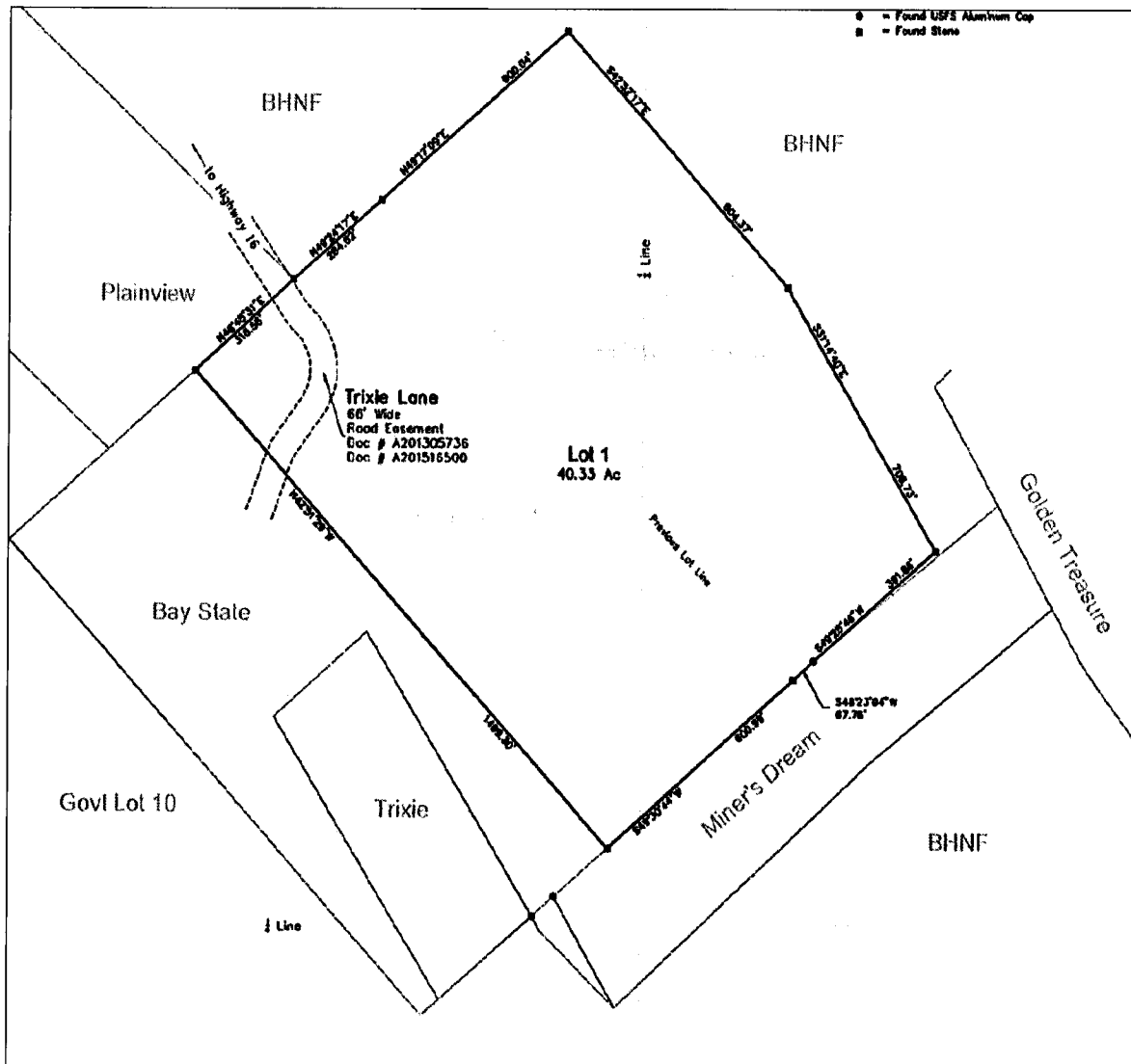
Existing Conditions

IV. PROPOSED LOT

- A. Lot 1 of RTHV Subdivision
 - 1. Zoned General Agriculture District, 40 acre minimum.
 - 2. Is 40.33 acres.
 - 3. Vacant of any structures.
 - 4. No Special Flood Hazard Area.

Agenda Item #9
Sam Fischer; Fisk Land Surveying - Agent
March 11, 2019

5. 66-foot-wide Road Easement for Trixie Lane – Document
A201305736 and A201516500.



Portion of proposed Plat

- V. **REQUEST FOR COMMENT (Some Comments carried over from PL 18-46)**
- A. County Highway Department
 - 1. Highway Department has no comments.
 - B. County Fire Administrator
 - 1. No comments received.
 - C. County Natural Resource Director
 - 1. No objections.
 - D. County Environmental Planning Supervisor
 - 1. There is no Special Flood Hazard Area on the subject properties.

- E. County Environmental Planner
 - 1. I have no concerns with the current proposal.
- F. County Ordinance Enforcement
 - 1. Ordinance Enforcement has no objections.
- G. County Addressing Coordinator
 - 1. No comments received.
- H. Register of Deeds
 - 1. Proposed legal description and subdivision name are acceptable.
 - 2. Plat heading is acceptable.
 - 3. Certificates appear to be the required state statutes.
- I. Department of Equalization
 - 1. Looks ok at this time.
- J. Emergency Services (9-1-1)
 - 1. No comments here.
- K. Black Hills Electric Cooperative
 - 1. Black Hills Electric Cooperative has no comments on this layout plat.
- L. United States Forest Service
 - 1. No comments received.

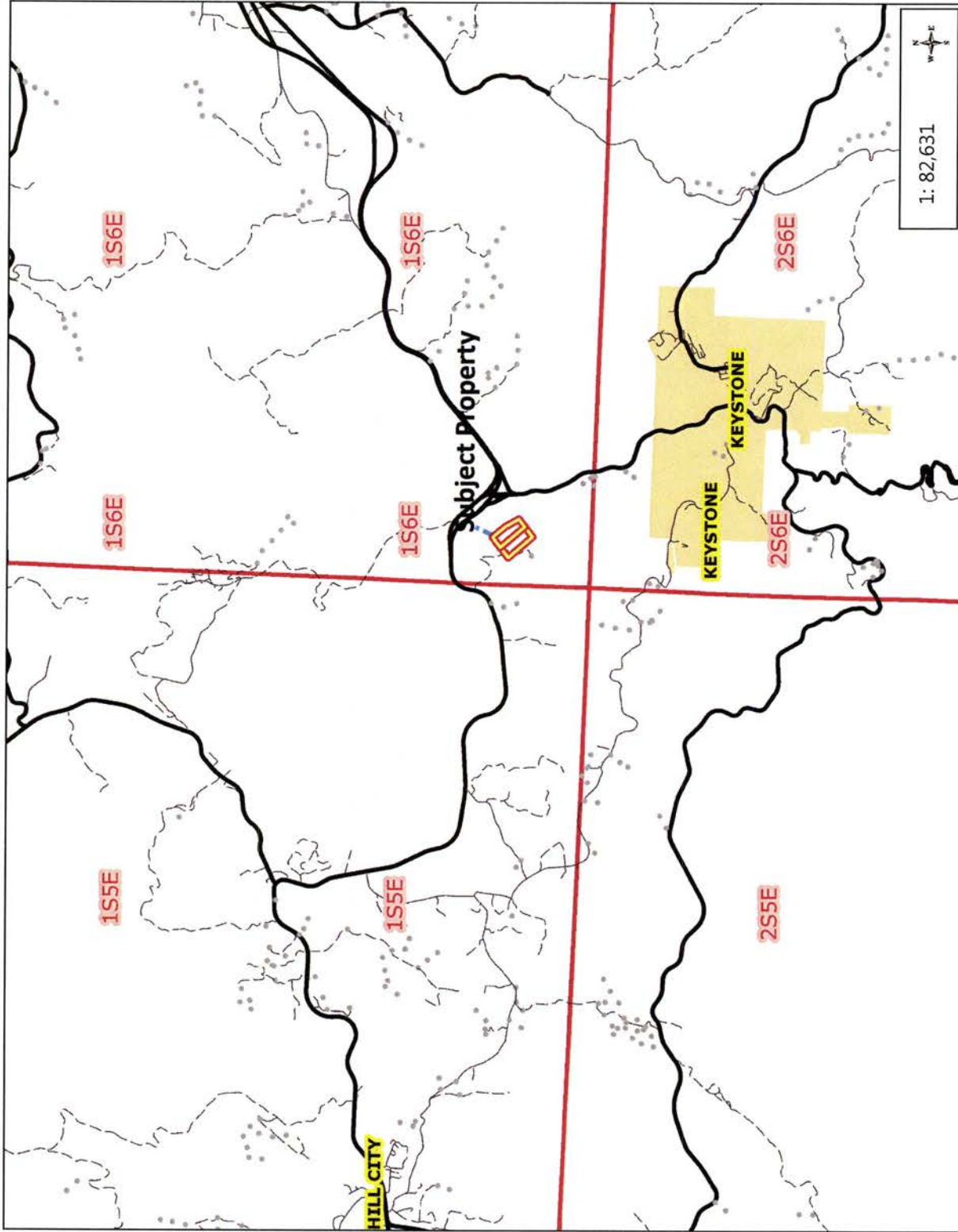
VI. ANALYSIS

- A. On December 17, 2018, the Planning Commission approved Layout Plat / PL 18-46 with the following eight (8) conditions:
 - 1. That at the time of Minor Plat submittal, eight (8) foot Minor Drainage and Utility Easements be dedicated on the interior sides of all lot lines, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
 - 2. That at the time of Minor Plat submittal, the plat meets all the 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;
 - 3. That the Certifications on the plat be in accordance with § 400.3(1)(n) of the Pennington County Subdivision Regulations and as deemed appropriate by the Register of Deeds;
 - 4. That at the time of a Minor Plat submittal, the plat meets all necessary requirements of § 500 of the Pennington County Subdivision Regulations, or approved Subdivision Regulations Variance(s) be obtained waiving any of these requirements;
 - 5. That the applicant ensures that all natural drainage ways are maintained and are not blocked and that all necessary drainage ways are properly noted on plats;
 - 6. 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;

7. That the applicant signs the Statement of Understanding (SOU) within ten (10) business days of Board of Commissioner approval of Layout Plat / PL 18-46. The SOU is available at the Planning Office; and,
 8. That approval of this Layout Plat does not constitute approval of any further applications to be submitted for the above-described property.
- B. On December 17, 2018, the Planning Commission approved the following Subdivision Regulations Variance / SV 18-12:
1. Percolation tests and soil profile hole information;
 2. Topographic map at 5-foot contour intervals;
 3. Plat at 1" = 100' scale;
 4. Road improvements and design standards;
 5. Length of dead end road; and,
 6. Intermediate turnarounds.
- C. On January 2, 2019, the Board of Commissioners concurred with the Planning Commission's recommendation for approval of Layout Plat / PL 18-46 and Subdivision Regulations Variance / SV 18-12.
- D. Staff reviewed this request and determined that the Conditions of Approval of Layout Plat / PL 18-46 have been met.

RECOMMENDATION: Staff recommends 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.



1: 82,631

13,771.9 0 6,885.96 13,771.9 Feet

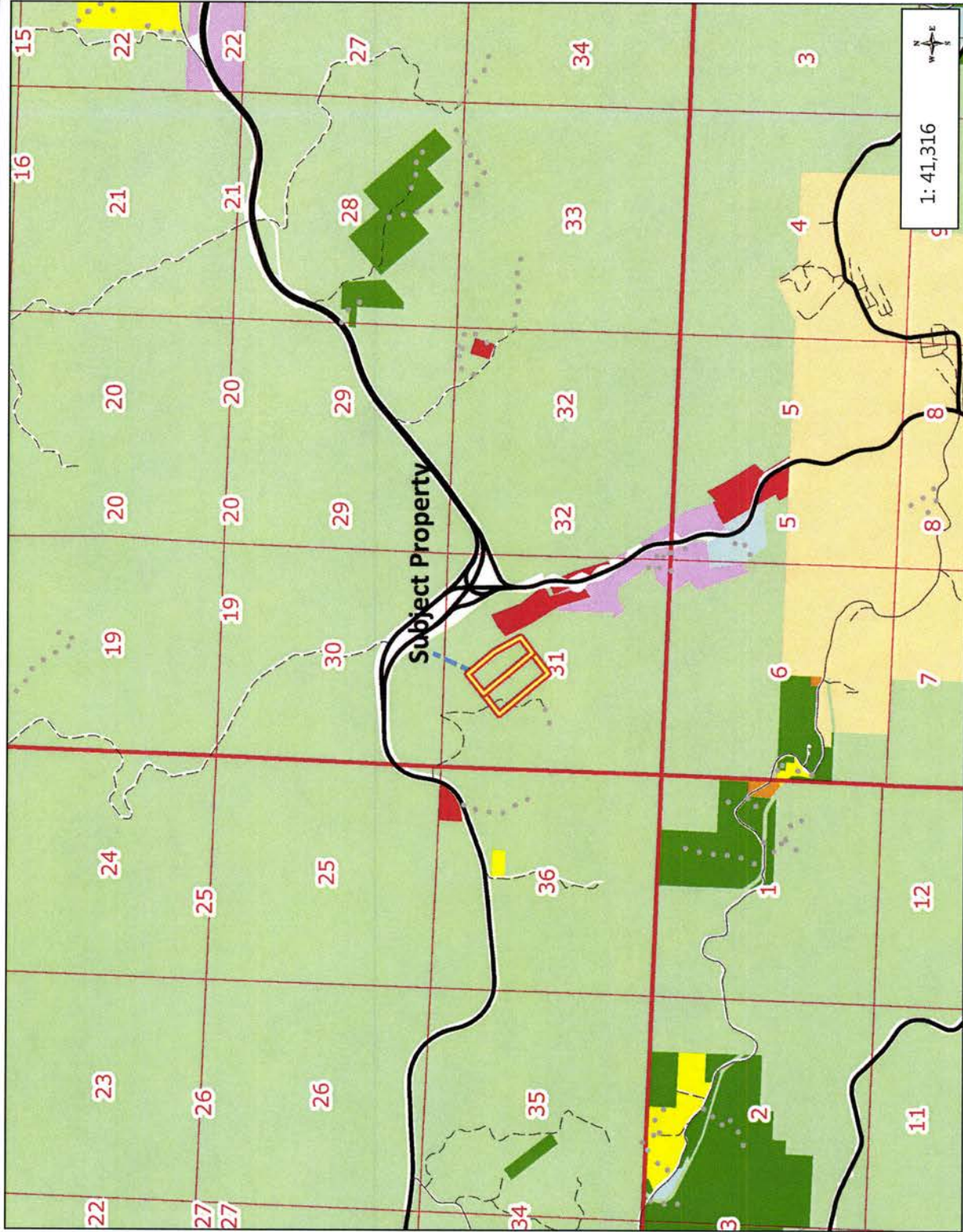
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

NAD_1983_2011_StatePlane_South_Dakota_South_FIPS_4002_Ft_US
 © City of Rapid City GIS

Legend

- Roads**
- Interstate
 - US highway
 - SD highway
 - County highway
 - Main road
 - Minor arterial
 - Collector
 - Ramp
 - Paved road
 - Unpaved road
 - Trail
 - Driveway
 - Alley
 - Unimproved road
 - Airport Runway
 - Not yet coded
- Townships**
- BOX ELDER
 - ELLSWORTH AFB
 - HILL CITY
 - KEYSTONE
 - NEW UNDERWOOD
 - QUINN
 - RAPID CITY
 - WALL
 - WASTA
- City Limits**
- Not yet coded

Map Notes:



1: 41,316

6,886.0 3,442.98 6,886.0 Feet

NAD_1983_2011_StatePlane_South_Dakota_South_FIPS_4002_Ft_US
© City of Rapid City GIS

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Legend

Roads

- Interstate
- US highway
- SD highway
- County highway
- Main road
- Minor arterial
- Collector
- Ramp
- Paved road
- Unpaved road
- Trail
- Driveway
- Alley
- Unimproved road
- Airport Runway
- Not yet coded

PLSS

Townships

City Limits

- BOX ELDER
- ELLSWORTH AFB
- HILL CITY
- KEYSTONE
- NEW UNDERWOOD
- QUINN
- RAPID CITY
- WALL
- WASTA

Pennington County Zoning

- General Agriculture
- General Commercial
- Heavy Industrial
- Highway Services

Map Notes:



1: 5,164

860.7 430.37 860.7 Feet

NAD_1983_2011_StatePlane_South_Dakota_South_FIPS_4002_Ft_US
© City of Rapid City GIS

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Legend

- Roads**
- Interstate
 - US highway
 - SD highway
 - County highway
 - Main road
 - Minor arterial
 - Collector
 - Ramp
 - Paved road
 - Unpaved road
 - Trail
 - Driveway
 - Alley
 - Unimproved road
 - Airport Runway
 - Not yet coded

Section Lines 0-25k

- 0
- 7

Tax Parcels

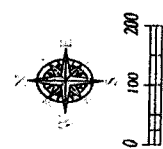
- Lot Lines**
- <Null>
 - Lot Line
 - Parcel Line

Map Notes:

Fisk Land Surveying & Consulting Engineers, Inc.
 1022 Main Street (P.O. Box 8154)
 Rapid City, South Dakota 57709
 (605) 346-1338 www.fisklandsurveying.com

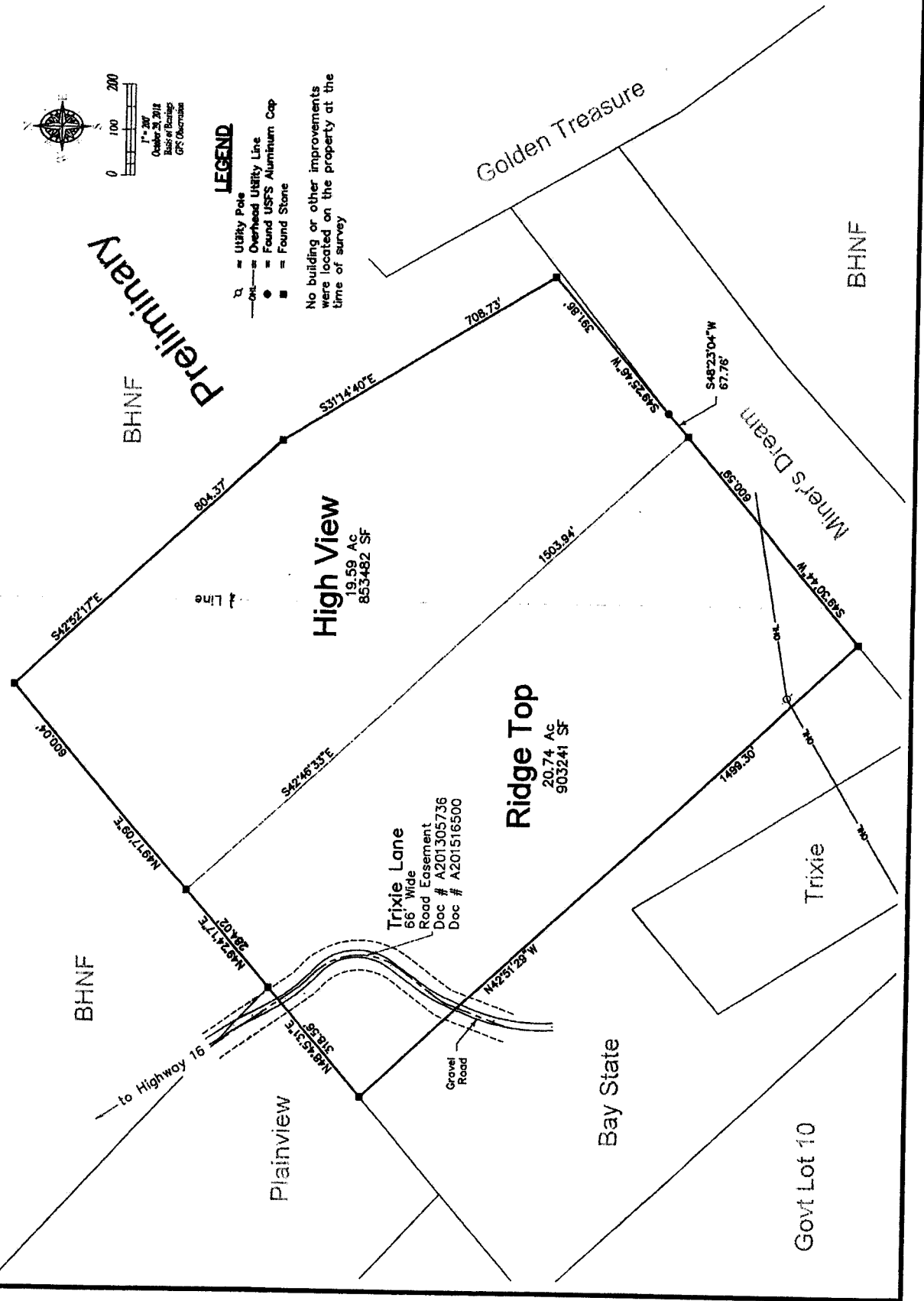
Boundary Survey and Site Plan
 Proposed Lot 1, Ridgletop Highway,
 High View Lode and Ridge Top Lode,
 Mineral Survey 2072, Section 31,
 T1S, R6E, BHM, Pennington County, South Dakota

Surveyed by: CD/JH	Date: 10/23-24/2018	Drawn by: CDD	Checked by: JF	Revisions
Site Plan				1
of				1
Project No.				18-10-11



LEGEND

- = Utility Pole
 - = Overhead Utility Line
 - = Found USFS Aluminum Cap
 - = Found Stone
- No building or other improvements were located on the property at the time of survey



Plat of Lot 1 RTHV Subdivision
 (formerly all of High View Lode and Ridge Top Lode, M.S. 2072)
 located in Section 31, T1S, R6E, BHM,
 Pennington County, South Dakota

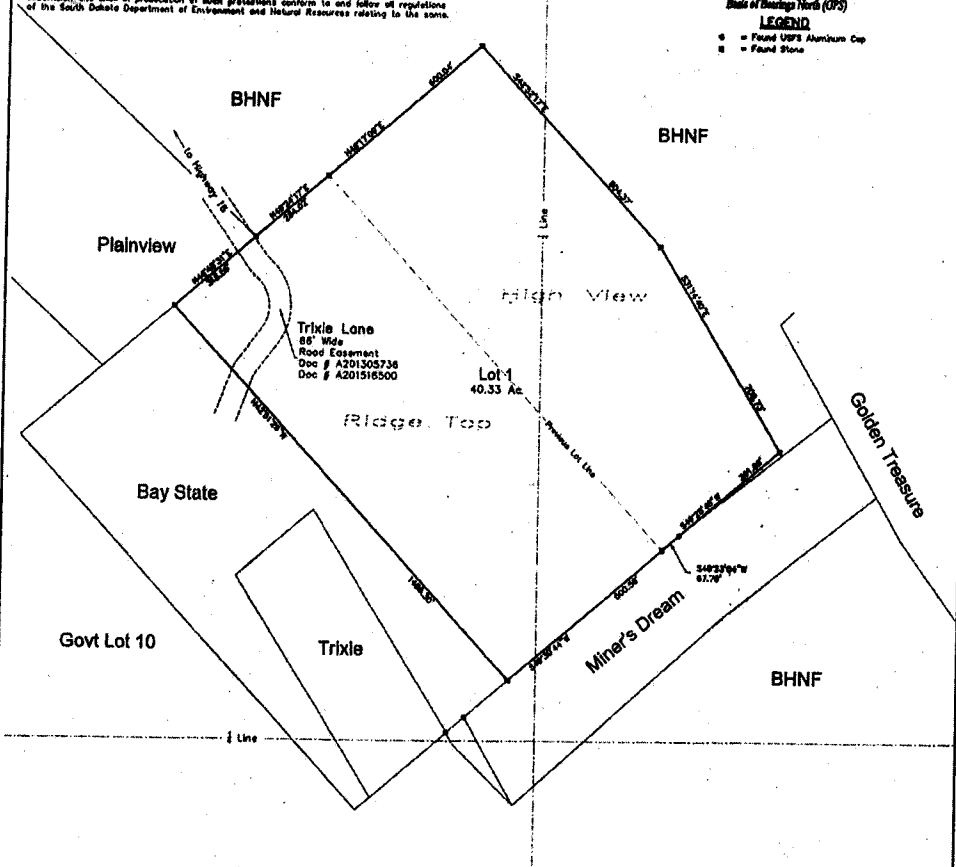
Prepared by
 The Land Service
 a Division of FISHER, Inc.
 P.O. Box 204
 Rapid City, SD 57702
 (605) 342-1522
 Project # 18-15-11

EASEMENTS

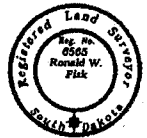
Utility & Minor Drainage Easements on the interior side of all lot lines

Water Protection Statement

Pursuant to SDCL 11-3-3.1 and 11-3-3.2, the developer of the property described within this plat shall be responsible for protecting any waters of the state, including groundwater, located adjacent to or within such platted area from pollution from sewage from such subdivision and shall in prosecution of such protection conform to and follow all regulations of the South Dakota Department of Environment and Natural Resources relating to the same.



CERTIFICATE OF SURVEYOR
 State of South Dakota County of Pennington §
 I, Ronald W. Fish, Registered Land Surveyor No. 6565 in the State of South Dakota, do hereby certify that being authorized, I made the survey and this plat of the land shown and described herein and that the same is, in all things, true and correct to the best of my knowledge and belief.
 In Witness Whereof, I have hereunto set my hand and official seal
 Dated this 25 day of OCTOBER, 2018.
 Ronald W. Fish
 Registered Land Surveyor No. 6565



CERTIFICATE OF HIGHWAY OR STREET AUTHORITY
 State of South Dakota County of Pennington §
 The location of the proposed lot lines with respect to the Highway or Street as shown herein is hereby approved. Any easements or access to the Highway or Street will remain as shown.
 Dated this _____ day of _____, 20__.

CERTIFICATE AND ACKNOWLEDGEMENT OF OWNERSHIP
 State of South Dakota County of Pennington §
 I, Samuel E. Fischer, Member of Fisher Development, LLC, do hereby certify that Fisher Development, LLC is the owner of the above described land, and that I do authorize and do hereby approve the survey and subdivision, and creation and recording of the plat, and that development of this land shall conform to all existing applicable zoning, subdivision, and zoning and setback control regulations.
 Signed: Samuel E. Fischer
 Samuel E. Fischer - Member

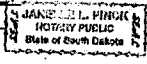
CERTIFICATE OF COUNTY TREASURER
 State of South Dakota County of Pennington §
 I, Treasurer of Pennington County, do hereby certify that all taxes which are due upon the land described herein are fully paid according to the records of my office.
 Dated this _____ day of _____, 20__.

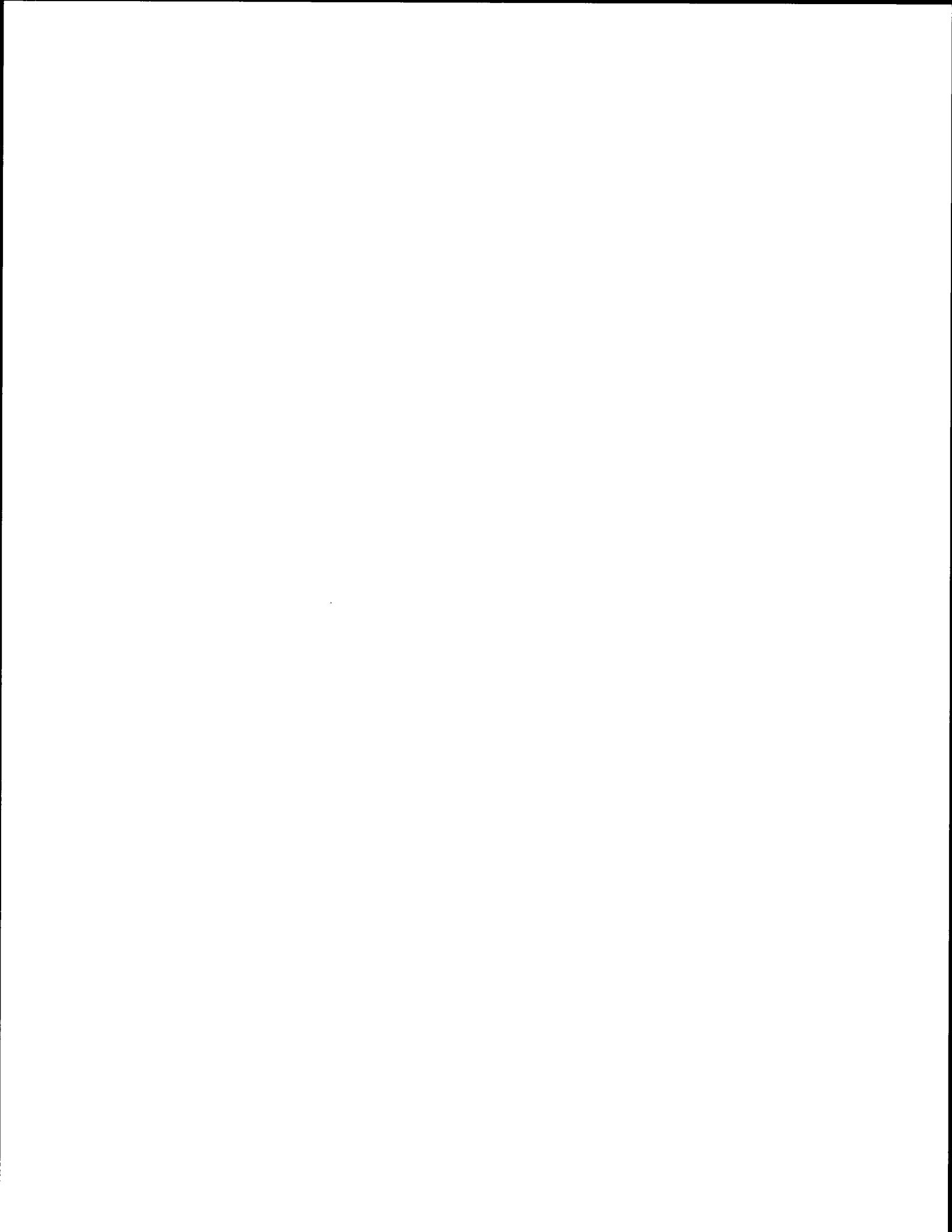
On this _____ day of FEBRUARY, 2019, before me, a Notary Public, personally appeared Samuel E. Fischer, known to me to be the person described in the foregoing instrument attesting to me that he is a Member of Fisher Development LLC and acknowledged to me that he signed the same.
 My Commission Expires 2-12-2024

RESOLUTION BY GOVERNING BOARD
 State of South Dakota County of Pennington §
 I, the Auditor of Pennington County, do hereby certify that at an official meeting held on the _____ day of _____, 20__, the County Commissioners by resolution did approve the plat as shown and described.
 Pennington County Auditor / Notary

CERTIFICATE OF DIRECTOR OF EQUALIZATION
 State of South Dakota County of Pennington §
 I, Director of Equalization of Pennington County, do hereby certify that I have on record in my office a copy of the within described plat.
 Director of Equalization of Pennington County
 Approved: _____
 Date: _____

CERTIFICATE OF THE REGISTER OF DEEDS
 State of South Dakota County of Pennington §
 Filed this _____ day of _____, 20__.
 Document Number _____
 Register of Deeds of Pennington County





STAFF REPORT

GENERAL INFORMATION:

REQUEST: **CONDITIONAL USE PERMIT / CU 19-02:** 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.

APPLICANT: Greg and Angelina Anderson

APPLICANT ADDRESS: 8103 Croyle Avenue, Rapid City, SD 57702

LOCAL CONTACT: Jonna Kandolin

LEGAL DESCRIPTION: Lot 8, Block 2, Whispering Pines Subdivision, Section 32, T1N, R7E, BHM, Pennington County, South Dakota.

SITE LOCATION: 8107 Croyle Avenue, at the intersection of Croyle Avenue and Croyle Court.

SIZE: 1.43 acres

TAX ID: 19143

EXISTING LAND USE: Residential

ZONING REFERENCE: § 208, 319, and 510

CURRENT ZONING: Suburban Residential District

SURROUNDING ZONING:

North	Suburban Residential District
South	Suburban Residential District
East	Suburban Residential District
West	Suburban Residential District

PHYSICAL CHARACTERISTICS: Flat / Trees

UTILITIES: Public

REPORT BY: Kristina Proietti

I. PROPOSED RECOMMENDATION

- A. Staff will be recommending approval of Conditional Use Permit / CU 19-02 with fifteen (15) conditions.

II. GENERAL DESCRIPTION

- A. The applicant, Greg Anderson, is requesting a Conditional Use Permit to allow an existing three (3) bedroom residence to be used as a Vacation Home Rental on the subject property.

III. EXISTING CONDITIONS

- A. Zoned Suburban Residential District
- B. 1.43 acres.
- C. Access of off Croyle Court.
 - 1. Located within the Croyle Court Road District.
 - 2. Located within the Colonial Pine Hills Sanitary District
- D. No Special Flood Hazard Area.
- E. Lot contains:
 - 1. Single-family residence built in 1977 / BP 3723.
 - 2. The original deck was removed and replaced in 2012: Building Permits COBP12-0208 and COBP12-0209.

IV. REQUEST FOR COMMENT

- A. County Highway Department
 - 1. Highway Department has no comments since this is in the Croyle Road District, off street parking is provided, and drainage isn't impacted.
- B. Emergency Services (9-1-1)
 - 1. House number appears to be posted on the home in accordance with Pennington County Ordinance #20, so no concerns here.
- C. Rapid City Public Works
 - 1. The problem that I see here is there will be way more people than six sleeping there. The house is in CPHSD so I don't have any additional information on the septic but it does seem to be approved for 3 bedrooms or 6 people.
- D. County Natural Resources Director
 - 1. No objections.
- E. County Environmental Planning Supervisor
 - 1. The Special Flood Hazard Area on the property has not been studied.
- F. County Addressing Coordinator
 - 1. An address will be assigned upon Building Permit submittal. The address must be posted at the access to the property while the pole barn is being built, in accordance with Pennington County's Ordinance #20.
- G. County Environmental Planner
 - 1. Rapid City 1-mile.

V. CONSIDERATIONS FOR CONDITIONAL USE PERMIT REQUEST

A. The Zoning Ordinance lists five (5) factors that the Planning Commission may consider in their review of Conditional Use Permit applications. They are as follows:

1. **The effect upon the use and enjoyment of the other property in the immediate vicinity for the uses already permitted, and upon property values within the immediate vicinity.**
 1. The proposed use for the Single Family Residence as a Vacation Home Rental should not affect the use and enjoyment of other property in the immediate vicinity for the uses already permitted, and upon property values in the surrounding properties.
2. **The effect upon the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.**
 1. It appears that by allowing this Conditional Use Permit, the use should not affect the normal, orderly development or improvement of any surrounding vacant property in the area.
3. **That utilities, access roads, drainage, and/or other necessary facilities are provided.**
 1. The proposed use of the existing Single Family Residence should not require any utilities or facilities that are not already in place. Access is to be provided off of Croyle Court. Lastly, staff has no drainage concerns relating specifically to the applicant's request at this time.
4. **That the off-street parking and loading requirements of these Zoning Ordinances are met.**
 - i. Pennington County Zoning Ordinance § 310(A)(9)(gg) requires one (1) off-street parking spaces per bedroom. It appears that adequate parking is provided on the subject property.
5. **That measures are taken to control offensive odor, fumes, dust, noise, vibration, and lighting (inclusive of lighted signs), so that none of these will constitute a nuisance.**
 1. The proposed Conditional Use, by its very nature, should have limited odor, fumes, dust, noise, vibrations, and intrusive lighting. The applicant should take care so the proposed use does not create the above-listed elements in any amount that would constitute a nuisance.

VI. ANALYSIS

- A. February 5, 2019 – Greg Anderson applied for Conditional Use Permit / CU 19-02 requesting the use of a Single Family Residence to be used as a Vacation Home Rental on the subject property in a Suburban Residential District.
- B. § 207(C)(18) of the Pennington County Zoning Ordinance (PCZO) lists “Vacation Home Rental in accordance with Section 319” as a Conditional Use in a Suburban Residential District.
- C. § 319(B) states:
 1. “As long as the subject property for the VHR is a minimum of 1-acre with a combination of acceptable Public and/or Private Systems, as determined by the South Dakota Department of Health and the Pennington County Planning Department; VHRs are permitted with approval of a Conditional Use Permit in:
 1. General Agriculture Zoning Districts;
 2. Limited Agriculture Zoning Districts;
 3. Low Density Residential Zoning Districts; and,
 4. Suburban Residential Zoning Districts.”
- D. The applicant has complied with all of the application and submittal requirements for a VHR, as listed in PCZO §319, including the following:
 1. Complete application and floor plans.
 2. South Dakota Department of Revenue Sales Tax License.
 3. South Dakota Department of Health Lodging License – expires July 9, 2019.
 4. Local contact: Jonna Kandolin.
 5. Approval from SD DENR – received December 21, 2018.



March 1, 2019 site photo.



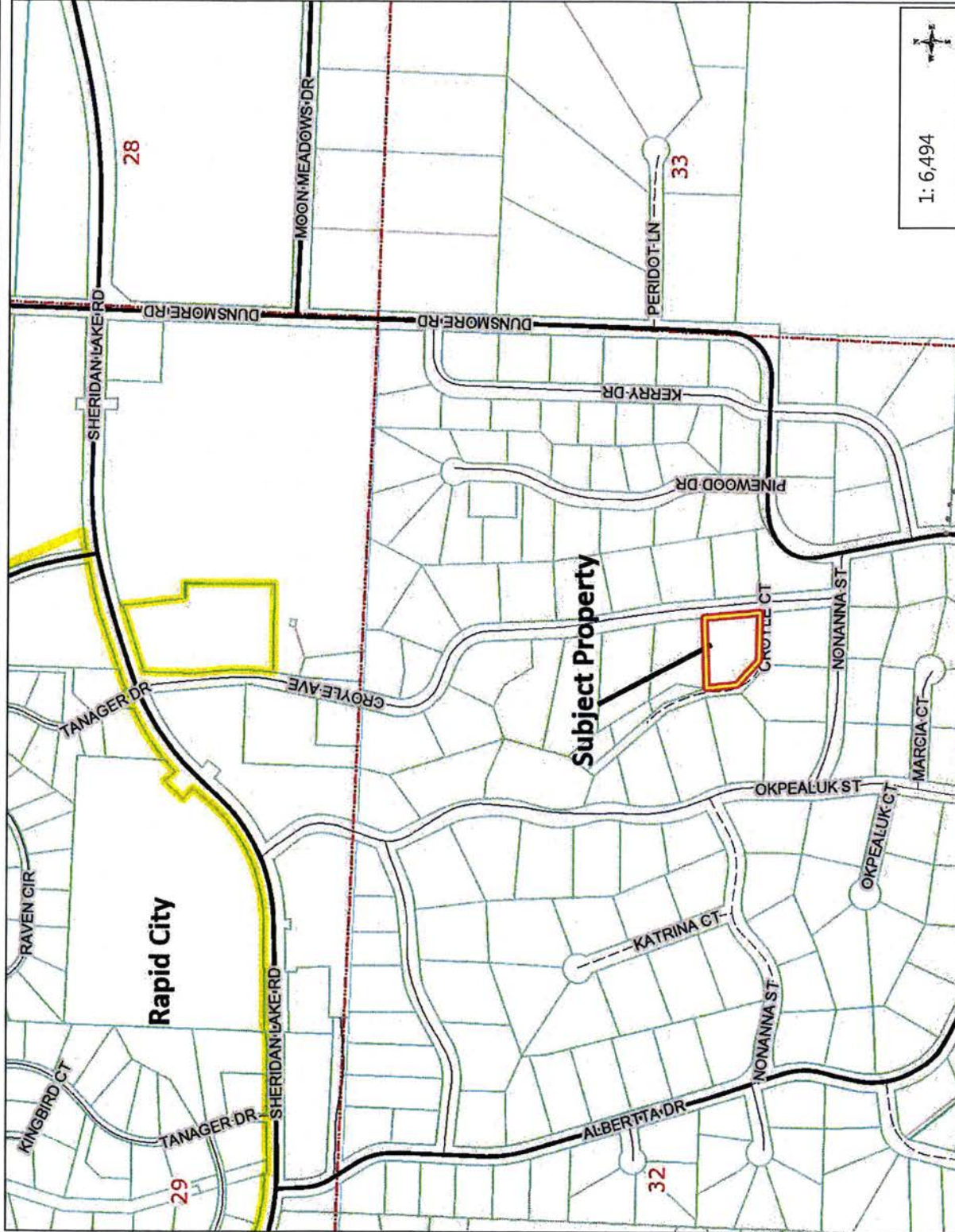
March 1, 2019 site photo.

RECOMMENDATION: Staff recommends 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;

Agenda Item #10
Greg and Angelina Anderson
March 11, 2019

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.



1:6,494

1,082.3 Feet

541.17

0

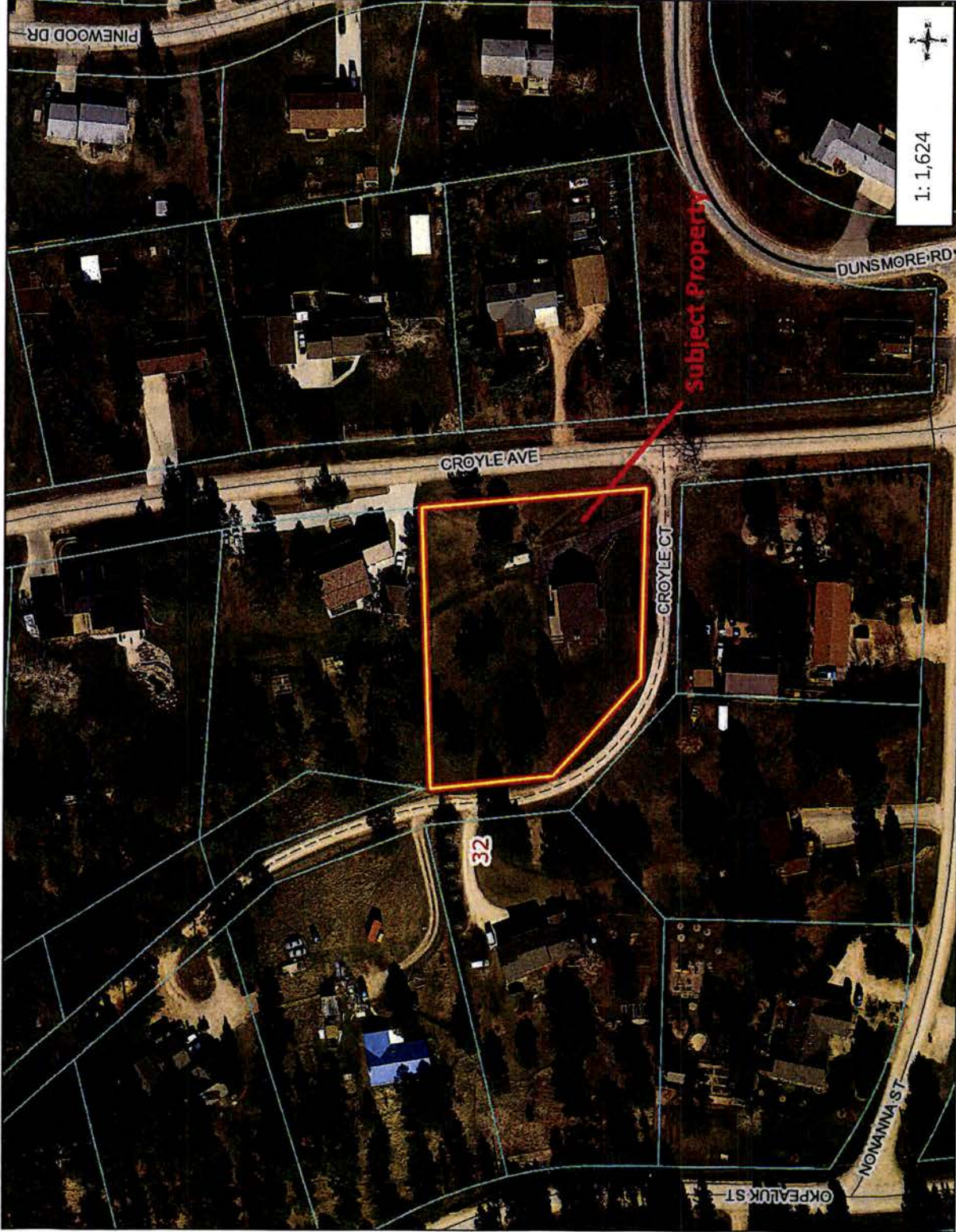
1,082.3

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Legend

- Roads**
- Interstate
- US highway
- SD highway
- County highway
- Main road
- Minor arterial
- Collector
- Ramp
- Paved road
- Unpaved road
- Trail
- Driveway
- Alley
- Unimproved road
- Airport Runway
- Not yet coded
- Section Lines 0-25k
- 0
- 7
- Tax Parcels
- Lot Lines
- <Null>
- Lot Line
- Parcel Line

Map Notes:



1: 1,624

270.6 135.29 270.6 Feet

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

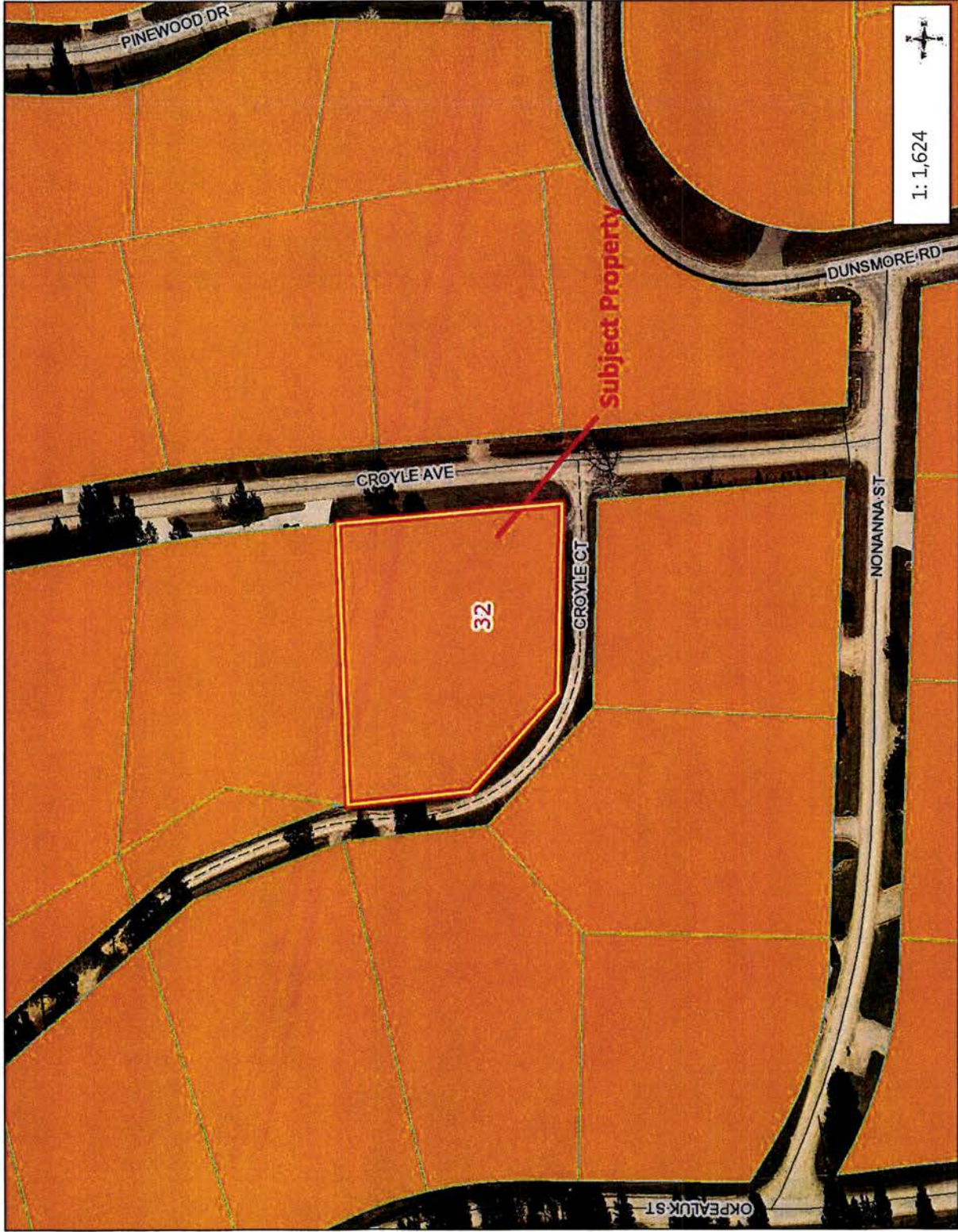
THIS MAP IS NOT TO BE USED FOR NAVIGATION

NAD_1983_2011_StatePlane_South_Dakota_South_FIPS_4002_Ft_US
 © City of Rapid City GIS

Legend

- Roads**
- Interstate
 - US highway
 - SD highway
 - County highway
 - Main road
 - Minor arterial
 - Collector
 - Ramp
 - Paved road
 - Unpaved road
 - Trail
 - Driveway
 - Alley
 - Unimproved road
 - Airport Runway
 - Not yet coded
- Section Lines 0-25k**
- 0
 - 7
- Tax Parcels**
- Lot Lines**
- <Null>
 - Lot Line
 - Parcel Line

Map Notes:



1: 1,624



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

NAD_1983_2011_StatePlane_South_Dakota_South_FIPS_4002_Ft_US

© City of Rapid City GIS

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Legend

Roads

- Interstate
- US highway
- SD highway
- County highway
- Main road
- Minor arterial
- Collector
- Ramp
- Paved road
- Unpaved road
- Trail
- Driveway
- Alley
- Unimproved road
- Airport Runway
- Not yet coded

Section Lines 0-25k

- 0
- 7

Tax Parcels

Lot Lines

- <Null>
- Lot Line
- Parcel Line

Pennington County Zoning

- General Agriculture
- General Commercial
- Heavy Industrial
- Highway Services
- Limited Agriculture
- Low Density Residential
- Light Industrial
- Planned Unit Development

Map Notes:

VACATION HOME RENTAL (VHR)
CHECKLIST and SUPPLEMENTAL APPLICATION

APPLICATION REQUIREMENTS:

- Site plan depicting the layout of the property, including all existing and proposed structures with setbacks, wells and/or water lines, on-site wastewater treatment system and/or sanitary sewer lines, and on-site parking spaces.
- An interior diagram/plan of the VHR.
- The maximum number of overnight occupants.
- Acknowledgement from the Owner that the VHR meets all Fire Safety Standards for Vacation Home Establishments requirements in accordance with current South Dakota Codified Laws.
- Specifications of the existing wastewater treatment system.
- Copy of Covenants, if applicable.
- Copy of approval letter from SD DENR for the on-site wastewater treatment system (for existing systems only).
- Copy of approved Operating Permit, from the Planning & Zoning Department, for the on-site wastewater treatment system (for existing systems only).
- A copy of the Vacation Home Rental License or Application from the South Dakota Department of Health. At the time of issuance of the Vacation Home Rental License from the South Dakota Department of Health, a copy of the license shall be furnished to the Planning Department.

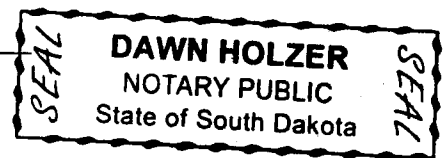
LOCAL CONTACT INFORMATION:

Name: Jonna Kandolin Primary Contact Number: 605-580-3853
Mailing Address: 717 W. Minnesota St.
City: Rapid City State: SD Zip Code: 57701

***The Local Contact can file an application for a CUP, with the Owner's signature notarized on the CUP Application, but the CUP shall only be issued to the Owner of the VHR.

Jonna Kandolin
Signature of Local Contact

1/31/19
Date



Subscribed and sworn to before me this 31 day of January, 2019.

Dawn Holzer
Notary Public for the State of South Dakota

My Commission Expires
April 11, 2019
My Commission Expires

5 February 2019

To Whom it May Concern,

The home at 8107 Croyle Ave, Rapid City, SD meets all fire safety standards for vacation homes as set down in South Dakota Codified Laws.

It's maximum overnight occupancy is currently 6 persons.

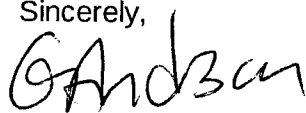
While I am the owner, the property will be managed by:

Jonna Kandolin
Deadwood Connections
717 W. Minnesota St.
Rapid City, SD 57701

They will be responsible for all collections and tax payments.

My family and I live next door to this property and will be very aware of and responsive to any disruptions from renters.

Sincerely,

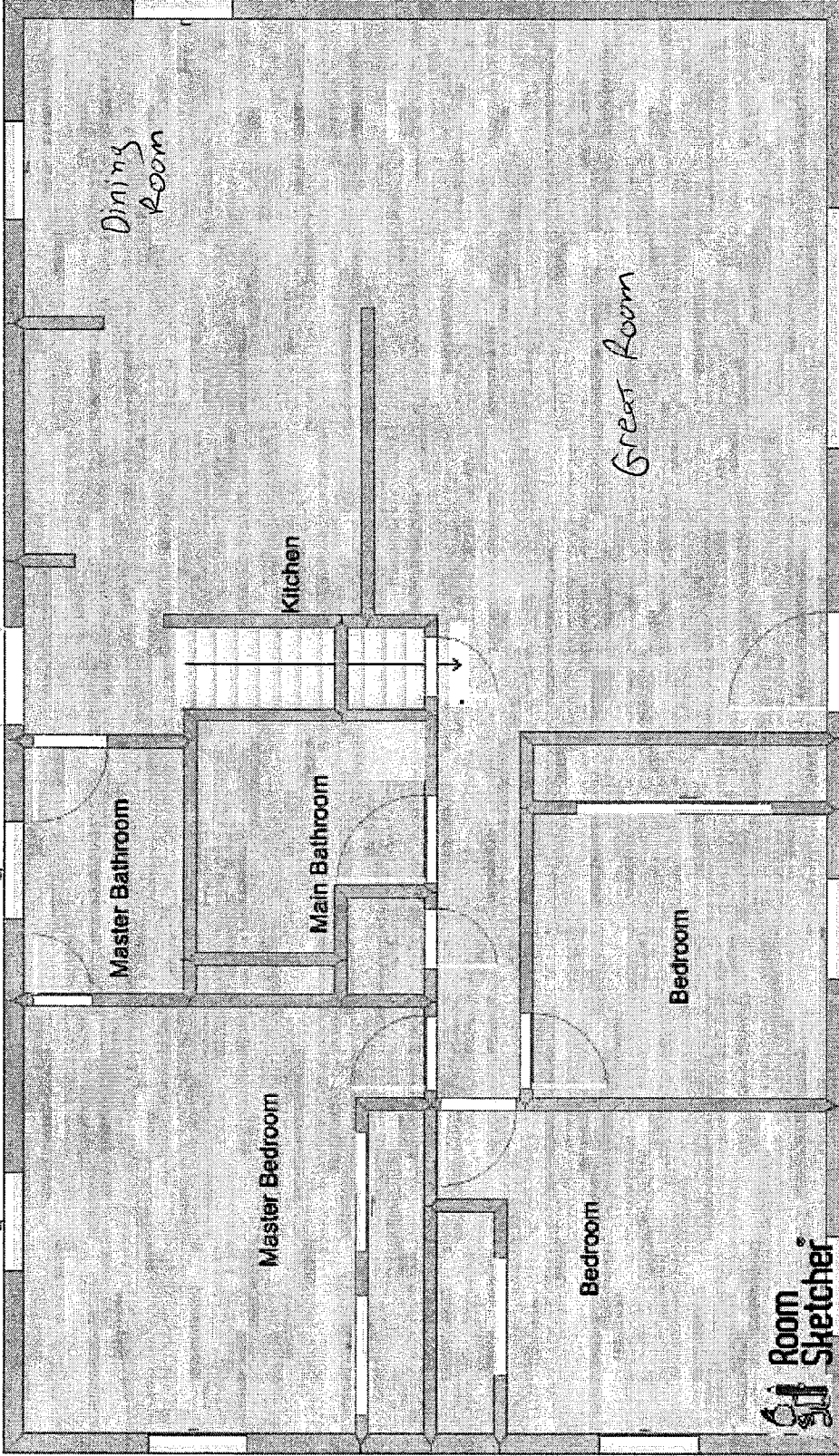
A handwritten signature in black ink that reads "G Anderson". The signature is written in a cursive, slightly slanted style.

Greg Anderson
Homeowner

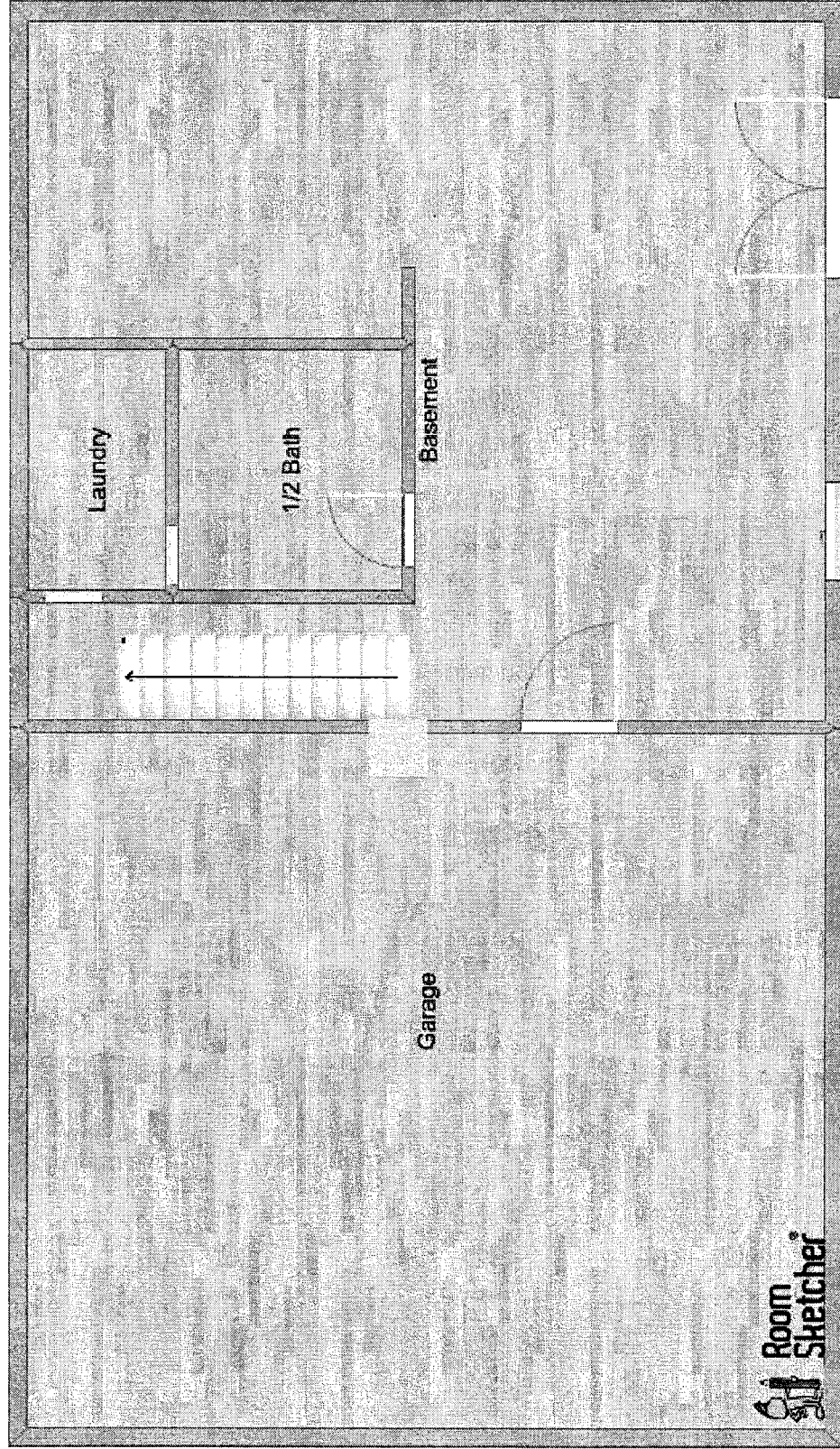
12/4/2018

Main Floor
8107 Croyle Ave
Rapid City, SD 57702

RoomSketcher® Home Designer



Basement
8107 Cicyle Ave
Rapid City, SD
57702





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

December 21, 2018

Gregory Anderson
8103 Croyle Avenue
Rapid City, SD 57702

RE: On-site wastewater system for a vacation rental located at 8107 Croyle Avenue, Rapid City,
SD

Dear Mr. Anderson:

The South Dakota Department of Environment and Natural Resources is in receipt of your request for approval of an existing wastewater system that serves a home located on Lot 8, Block 2, Whispering Pines Subdivision, Section 32, Township 1 North, Range 7 East, Pennington County, South Dakota. The request has been reviewed for compliance with South Dakota's "Individual and Small On-Site Wastewater Systems" regulations.

The following information was used in making the determination.

- Based on Pennington County records the present home was built in 1977 and was a three bedroom home. The septic system was review and approved by the county at the time of construction.
- After checking with Pennington County and our files we find no history of problems with the existing wastewater system.

Based on the information provided by Pennington County we consider this wastewater system approved for a maximum daily flow of 360 gallons, until such time as the system is altered or fails. This would be sufficient for up to 6 persons per night staying at this vacation rental.

The lifetime of this system is dependent upon proper construction and regularly scheduled maintenance.

Sincerely,

Kent R. Woodmansey, P.E.
Engineering Manager
(605) 773-3351

cc: TJ Doreff, Pennington County Planning
Bill Chalcraft, Administrator DOH – Robert Hayes Bldg.



**SOUTH DAKOTA
DEPARTMENT OF HEALTH
PROVISIONAL LODGING LICENSE**



Issued To: GREG ANDERSON

License Type
Vacation Home License

Located At:

WHISPERING GRACE RETREAT
8107 CROYLE AVE
RAPID CITY, SD 57702

License Number

20913

Number of Units

1

Swimming Pool

0

Spa or Hot Tub

0

PROVISIONAL: Pending installation of
at least one conforming egress window
in each main floor sleeping room by
07/09/2019.

Expires

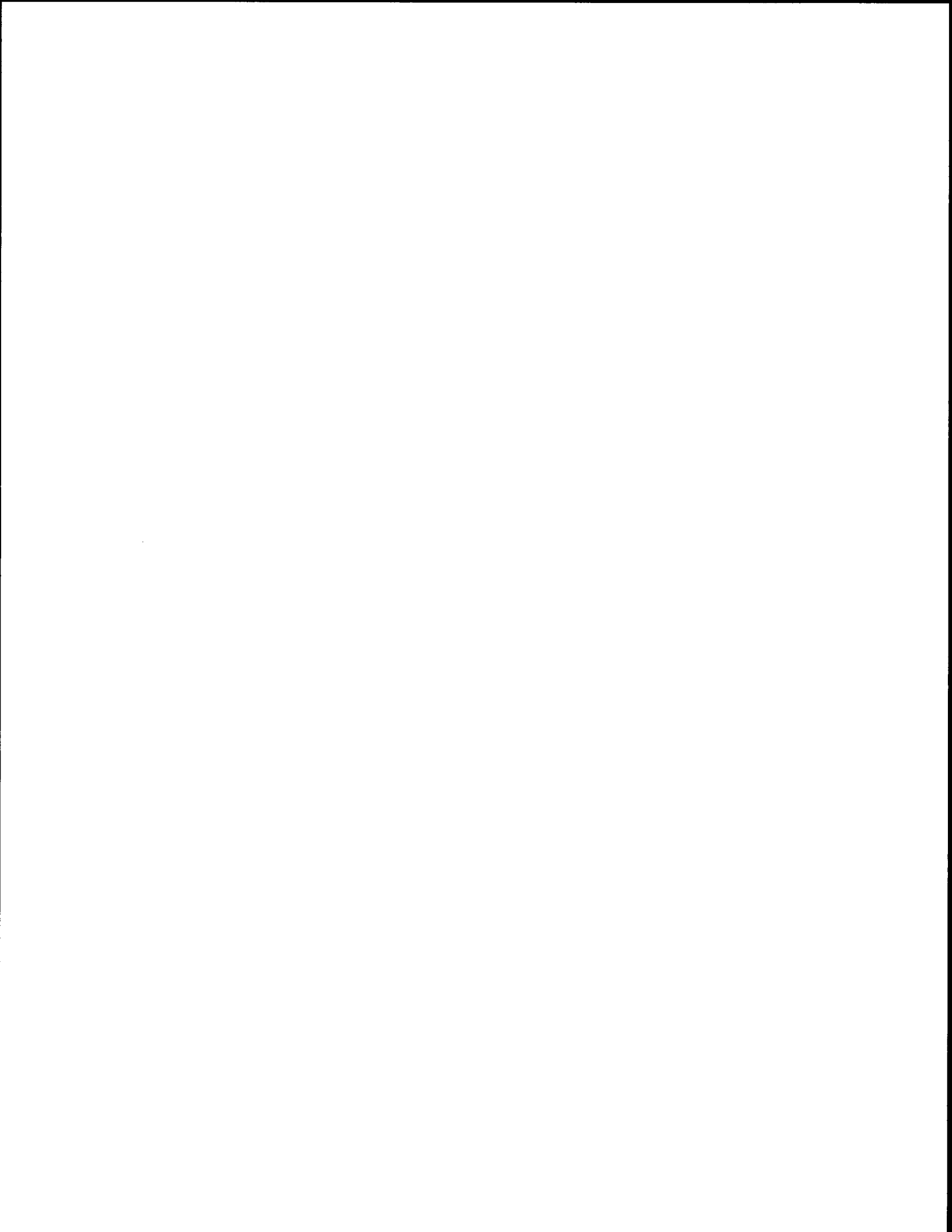
7/9/2019

Kim Malsam-Rydon

Secretary of Health

License is Not Transferable - Post in the Establishment

PROVISIONAL



STAFF REPORT

GENERAL INFORMATION:

REQUEST: LAYOUT PLAT / LPL 19-04: 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.

APPLICANT: John and Ann Hovdenes

APPLICANT ADDRESS: 24024 Cosmos Road, Rapid City, SD 57702

AGENT: Fisk Land Surveying

AGENT ADDRESS: P.O. Box 8154, Rapid City, SD 57709

LEGAL DESCRIPTION: **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.

SITE LOCATION: 24024 Cosmos Road; located off of S. Highway 16 on Cosmos Road.

SIZE: 17.57 acres

TAX ID: 44921

EXISTING LAND USE: Residential

SUBDIVISION REGULATIONS REFERENCE: § 400.1

CURRENT ZONING: General Agriculture District

Agenda Item # 11
John and Ann Hovdenes; Fisk Land Surveying - Agent
March 11, 2019

SURROUNDING ZONING:

North	General Agriculture District
South	General Commercial District
East	General Agriculture District
West	General Agriculture District

PHYSICAL CHARACTERISTICS: Forested / Hills

UTILITIES: Private

REPORT BY: P.J. Conover

I. PROPOSED RECOMMENDATION

- A. Staff will be recommending approval of Layout Plat / LPL 19-04 with nine (9) conditions.

II. GENERAL DESCRIPTION

- A. The applicants, John and Ann Hovdenes, have applied for a Subdivision Layout Plat to create proposed Lot 1 (10.89 acres) and Lot 2 (6.22 acres) of Cosmos Subdivision and to dedicate approximately an additional 16,311-feet of Right-of-Way (ROW) to Cosmos Road.
 1. The proposed additional ROW exists within the Cosmos Road District and is not part of the County's Highway System.
- B. The purpose of the subdivision is for the transfer of proposed Lot 2 to the owners of the Cosmos Mystery Area for a proposed expansion of the Cosmos Mystery Area parking.

III. EXISTING CONDITIONS

- A. 17.57 acres.
- B. General Agriculture – existing Zoning District.
 1. 40 acre minimum lot size.
- C. Planned Unit Development Sensitive – Future Land Use Zoning District.
- D. No Special Flood Hazard Area.
- E. Access off of Cosmos Road, which takes access off of S. Highway 16.
- F. Forest Road Special Use Permit (PAH588).
 1. PAH588 is for that portion of Cosmos Road (approximately 0.35 mile) between the existing Cosmos Road District and S. Highway 16.
 2. Expires: December 31, 2033.
 3. Exhibit A – Vicinity Map – Page 10 of 23 of PAH588, is included with this Staff Report.
- G. Located within the Cosmos Road District.

- H. Existing Easements:
 - 1. 30' Private Driveway – Plat Book 15, Page 202.
 - 2. 30' Wide ROW Easement – Plat Book 8, Page 104.
 - 3. 16' Wide Easement to Well – Plat Book 5, Page 202.
 - 4. 50' Wide Leased Property for Tower & Guys – Plat Book 23, Page 163.
 - 5. 50' Wide Easement for Access, Plat Book 23 Page 163, and 20' Wide Easement for Power.
 - 6. 50' Wide Easement for Access and Utilities to the NW1/4 NW1/4 Section 33, Plat Book Page 23, Page 163.
- I. Single-Family Residence – built in 1963 per Department of Equalization (DOE) records.
- J. 2010COSD0066 – Onsite Wastewater Treatment System Construction Permit.
- K. COOP14-0051 – OSWTS Operating Permit.
- L. County Building Permit / COBP14-0130 – 19' x 28' Living Room Addition to existing SFR
- M. COBP14-0156 – Removal of 24' x 36' Double Wide Mobile Home.
 - 1. Mobile Home placed on property in 1977.
- N. COBP18-0629 – Detached 32' x 44' garage.
- O. Per DOE Records:
 - 1. 320 ft² - tool shed built in 1962.
 - 2. 720 ft² - detached three stall detached residential garage built in 1979.
 - a. This structure appears to be 6.1' from the property line.
 - i. Due to the year of construction, this three stall detached residential garage is considered legal non-conforming for setbacks and shall be considered under Section 401 of the Pennington County Zoning Ordinance (PCZO).
 - ii. It appears, on the proposed Layout Plat, that eight (8) foot Utility and Minor Drainage Easements (UMDE) are being dedicated on the interior of all lot lines, which will create an Easement Encroachment Violation.
 - iii. Site Plans (Page 1 & 2), showing all existing structures, in relation to existing lot lines are included with this Staff Report.
 - 3. 266 ft² - tool shed built in 1982.
 - 4. 280 ft² - tool shed built in 1982.
 - 5. 192 ft² - tool shed built in 1991.

Agenda Item # 11

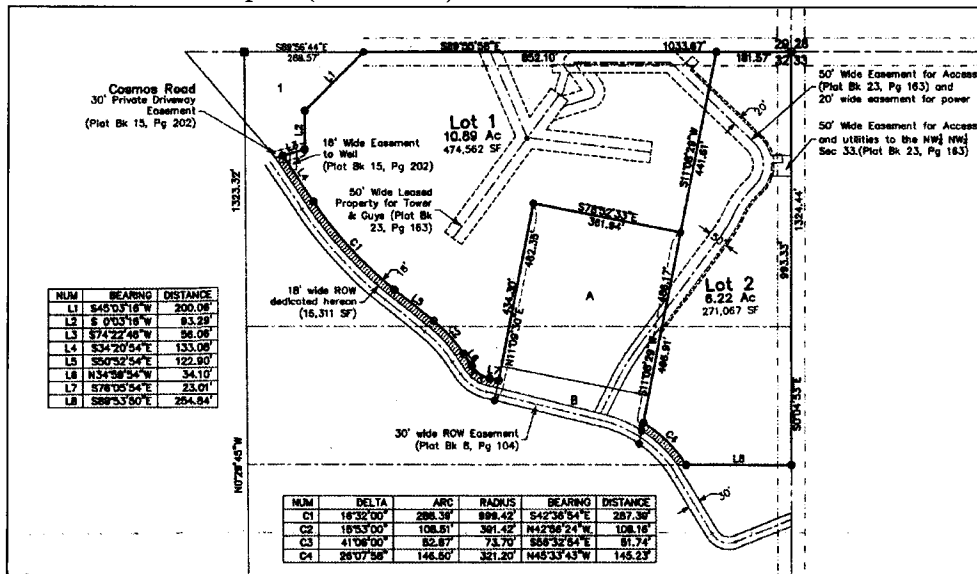
John and Ann Hovdenes; Fisk Land Surveying - Agent

March 11, 2019

- P. Telecommunication Facility / Communications Tower.
 - 1. September 1, 1988 – Conditional Use Permit / CU88-34 (for a Communications Tower) is approved by the Board of Commissioners with no conditions.
 - 2. CU88-34 has never been reviewed.
 - 3. County Building Permits associated with CU88-34.
 - a. #8372; 2004COBP0207; COBP14-0060; COBP16-0279; COBP17-0224; COBP17-0591; and COBP18-0730: Antenna upgrades and Additions.
 - b. COBP17-0590 – Removal of three AT&T Antenna's.

IV. PROPOSED LOTS AND CONDITIONS

- A. Lot 1
 - 1. 10.89 acres.
 - 2. To include all information contained within Section III of this Staff Report (LPL19-04) , with the exception of Section III(H)(5) & (6).
- B. Lot 2
 - 1. 6.22 acres.
 - 2. Vacant of any structures.
 - 3. Containing easements as noted in Section III(H)(5) & (6) of this Staff Report (LPL19-04).



A PORTION OF PROPOSED PLAT – PREPARED BY RONALD W. FISK (01.14.19)

V. REQUEST FOR COMMENT

- A. County Fire Administrator, Emergency Services (9-1-1); County Sheriff's Department; Cosmos Road District; and Western Wireless.
 - 1. No comments received.
- B. County Highway Department
 - 1. Highway Department has no comments since this is in the Cosmos Road District and drainage isn't altered.

Agenda Item # 11

John and Ann Hovdenes; Fisk Land Surveying - Agent

March 11, 2019

- C. County Environmental Planning Supervisor
 - 1. There is no Special Flood Hazard Area on the subject properties.
- D. County Environmental Planner
 - 1. The owner of the lot currently has a valid Operating Permit (COOP15-0051). I have no concerns with the current proposal, however, if the applicant wishes to install a septic system on either proposed lot, all rules of Pennington County Zoning Ordinance [Section] 204-J must be followed.
- E. County Ordinance Enforcement
 - 1. Ordinance Enforcement has no objection.
- F. County Natural Resources
 - 1. No objections.
- G. Register of Deeds
 - 1. Proposed subdivision name is acceptable.
 - 2. Plat heading is acceptable.
 - 3. Certificates appear to be the required certificates per state statute.
- H. Department of Equalization
 - 1. This looks good at this time.
- I. South Dakota Department of Transportation
 - 1. SDDOT has not comment.
- J. Black Hills Electric Cooperative
 - 1. Black Hills Electric Cooperative has no comments on this Subdivision Layout.
- K. U.S. Forest Service
 - 1. The Forest Service has no objections to the Hovdenes Subdivision Plat or the Layout Plan.
 - 2. That portion of the Cosmos Road located on private property should be maintained to Pennington County Highway standards; that portion of the Cosmos Road located on National Forest System lands should be maintained to Forest Service standards and be in compliance with the Cosmos Road District, Forest Road Special Use Permit.
 - 3. The Forest Service worked with the Cosmos Road District (Terry Graber, President Cosmos Road District) regarding a FLPMA Forest Road Special Use Permit, PAH588 that provides access across National Forest System lands to the private property on National Forest System Road (NFSR) 464. This Forest Road Special Use Permit was signed on 07/26/2017 and has an expiration of 12/31/2033 (see attached for details).
 - 4. The Forest Service will not approve a secondary access across National Forest System lands to the private property.
 - 5. Protect all posted boundary line corners, signs and bearing tress.
 - 6. Adhere to the setback requirements along the posted boundary between National Forest System lands and private property.

Agenda Item # 11

John and Ann Hovdenes; Fisk Land Surveying - Agent

March 11, 2019

7. Protect all known stream courses, ponds and riparian areas located on National Forest System lands.
8. No resource damage to occur on National Forest System lands.
9. All proposed drain fields, leach lines or septic systems will need to be located on private property and not located on or drain or leach onto National Forest System lands.
10. All construction materials, supplies, trash or garbage will not be located or dumped on National Forest System lands.
11. Public roads in this area of the Black Hills National Forest are classified as "Roads Open to All Vehicles" per the latest version of the Motor Vehicle Use Map.
12. No motorized trailheads or motorized trails or motorized roads are planned or scheduled for this portion of the Black Hills National Forest.
13. No motorized trails for ATV, motorcycles or ORV will be authorized from private property unto National Forest System lands (USFS does not want unauthorized trails constructed on National Forest System lands).

14. **ANALYSIS**

- A. The proposed subdivision will create two (2) new lots out of one (1) parent parcel.
- B. The Cosmos Road District utilizes Forest Road Special Use Permit, PAH588, for ingress and egress onto S. Highway 16.
 1. PAH588 expires on December 31, 2033.
- C. The dedication of additional ROW, as proposed on the Plat, is located entirely within the Cosmos Road District and is not part of the County's Highway System.
- D. Under Subdivision Regulations Section 500.5(1)(a), ROWs must be improved as required under existing Subdivision Regulations, IF, such ROW is dedicated as **public** ROW.
 1. Staff conducted a search of all Plats associated with Cosmos Road, back to its creation in 1961. Staff cannot locate any reference to Cosmos Road as a **public** ROW, only as a ROW.
- E. The National Forest Service suggest that Cosmos Road be maintained to County Highway Standards.
- F. The Pennington County Planning Department suggests that the South Dakota Department of Transportation and/or Pennington County Highway Department laws, rules, ordinances, and regulations be complied with. (Section 500.1 Pennington County Subdivision Regulations).
 1. See Pennington County Ordinance #14.

Agenda Item # 11

John and Ann Hovdenes; Fisk Land Surveying - Agent

March 11, 2019

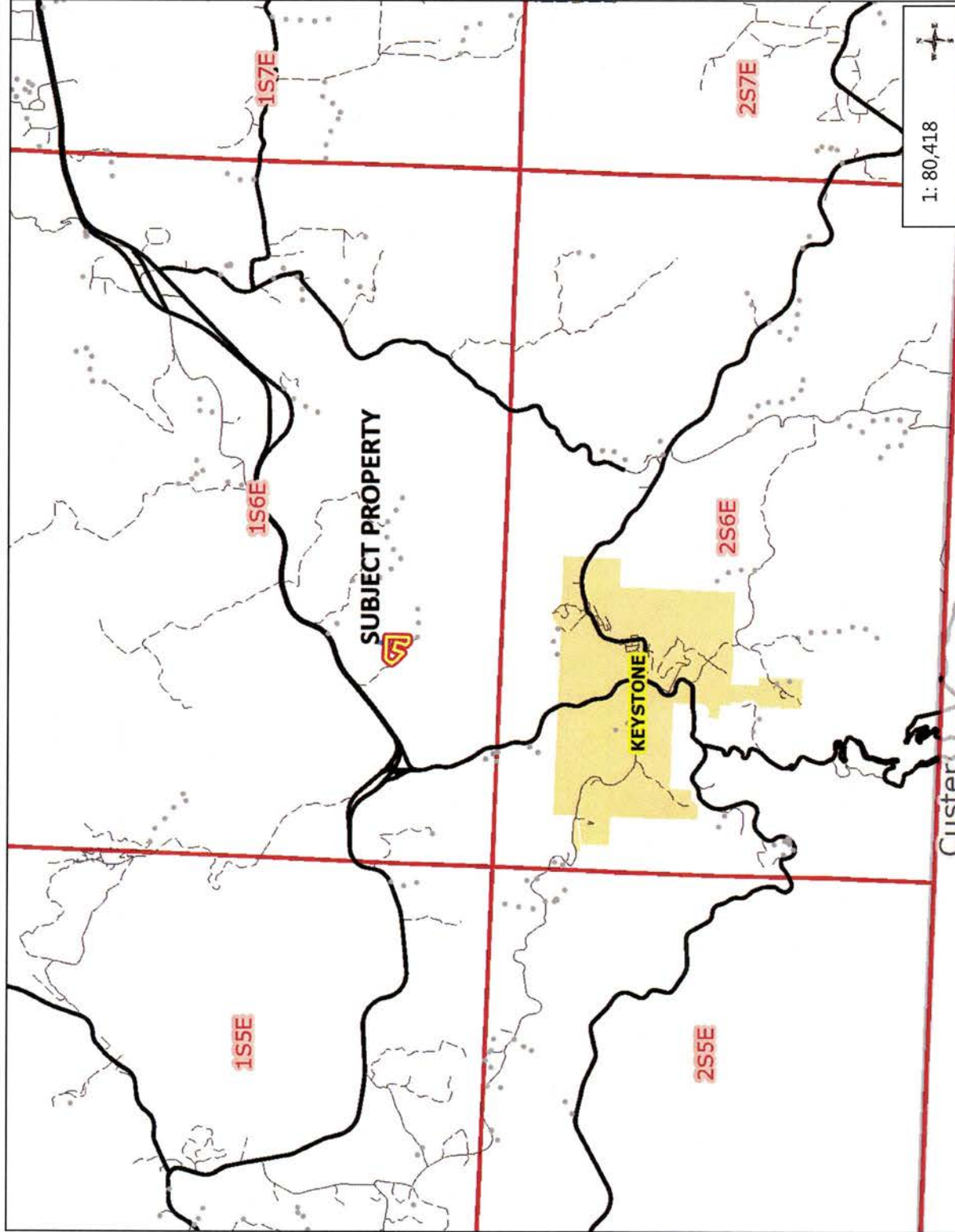
- G. The proposed subdivision, if approved, will create two (2) new lots which are not in conformance with the Pennington County Zoning Ordinance.
 - 1. The Landowner(s) shall either apply for a Lot Size Variance or a Rezone/Comprehensive Plan Amendment to bring the properties into compliance.
- H. The addition of a proposed eight (8) foot Utility and Minor Drainage (UMDE) Easement, on the interior of all lot lines is a requirement of Pennington County Subdivision Regulations Section 500.4(9)(a).
 - 1. If approved, an existing legal non-conforming, for setbacks, three (3) stall detached garage will encroach into the newly created eight (8) foot UMDE and will need to be brought into compliance (for easement encroachment) prior to the plat being recorded with the Register of Deeds.
- I. That current and future landowners become aware that additional Permits may be required for work done on the existing property or proposed Lot 1 and 2 of Cosmos Subdivision.
- J. For the purposes of a Layout Plat, staff finds no significant issues with the applicant's request.
 - 1. A Layout Plat is an informal preliminary review of the proposed subdivision for general scope and conditions, which might affect the plat.

RECOMMENDATION: Staff recommends 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;

Agenda Item # 11
John and Ann Hovdenes; Fisk Land Surveying - Agent
March 11, 2019

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.



1: 80,418

13,403.0 0 6,701.49 13,403.0 Feet

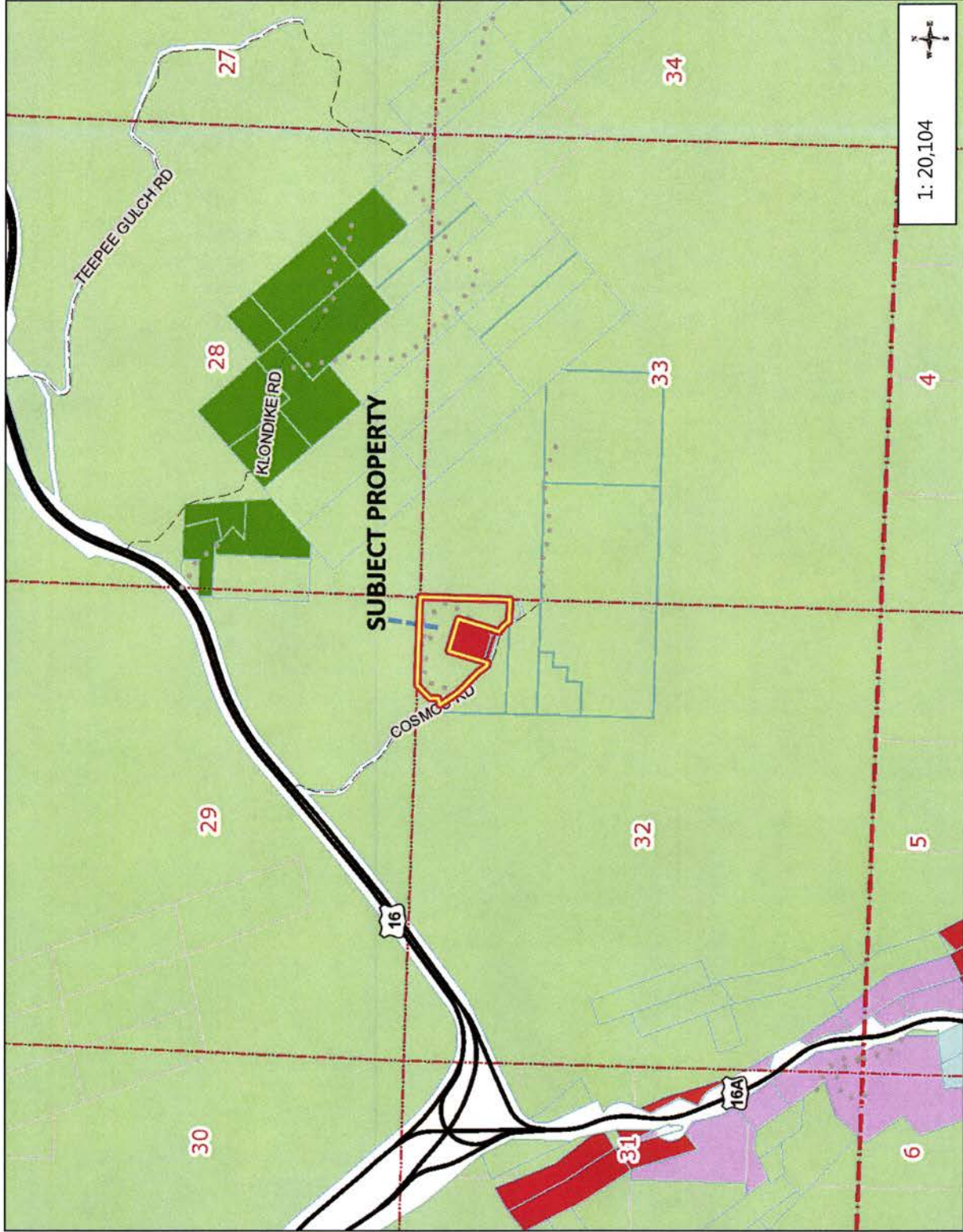
NAD_1983_2011_StatePlane_South_Dakota_South_FIPS_4002_FT_US
© City of Rapid City GIS

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Legend

- Roads**
- Interstate
 - US highway
 - SD highway
 - County highway
 - Main road
 - Minor arterial
 - Collector
 - Ramp
 - Paved road
 - Unpaved road
 - Trail
 - Driveway
 - Alley
 - Unimproved road
 - Airport Runway
 - Not yet coded
- Townships**
- BOX ELDER
 - ELLSWORTH AFB
 - HILL CITY
 - KEYSTONE
 - NEW UNDERWOOD
 - QUINN
 - RAPID CITY
 - WALL
 - WASTA
- City Limits**
- KEYSTONE

Map Notes:



1: 20,104

3,350.7 0 1,675.37 3,350.7 Feet

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

NAD_1983_2011_StatePlane_South_Dakota_South_FIPS_4002_FL_US

© City of Rapid City GIS

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Legend

Roads

- Interstate
- US highway
- SD highway
- County highway
- Main road
- Minor arterial
- Collector
- Ramp
- Paved road
- Unpaved road
- Trail
- Driveway
- Alley
- Unimproved road
- Airport Runway
- Not yet coded

Section Lines 0-25k

- 0
- 7

Tax Parcels

- Lot Lines
- <Null>
- Lot Line
- Parcel Line

Pennington County Zoning

- General Agriculture
- General Commercial
- Heavy Industrial
- Highway Services
- Limited Agriculture
- Low Density Residential
- Light Industrial
- Planned Unit Development

Map Notes:

Legend

Roads

- Interstate
- US highway
- SD highway
- County highway
- Main road
- Minor arterial
- Collector
- Ramp
- Paved road
- Unpaved road
- Trail
- Driveway
- Alley
- Unimproved road
- Airport Runway
- Not yet coded

Section Lines 0-25k

- 0
- 7

Tax Parcels

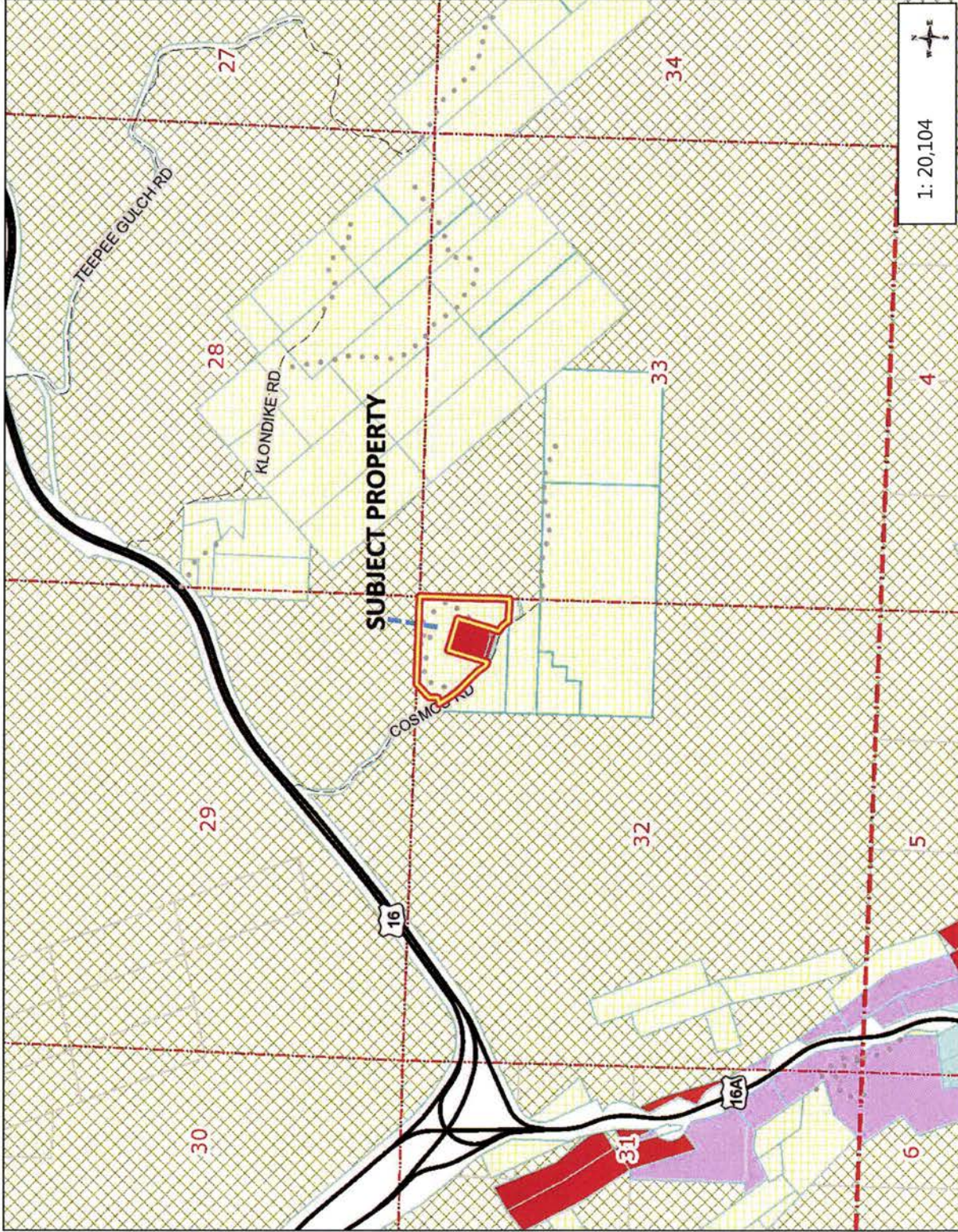
Lot Lines

- <Null>
- Lot Line
- Parcel Line

Pennington County FLU

- NO CODE
- GENERAL AGRICULTURE
- LIMITED AGRICULTURE
- LOW DENSITY RESIDENTIAL
- SUBURBAN RESIDENTIAL
- PLANNED UNIT DEVELOPMENT
- HIGHWAY SERVICE
- GENERAL COMMERCIAL

Map Notes:



1: 20,104



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



1: 2,836

Legend

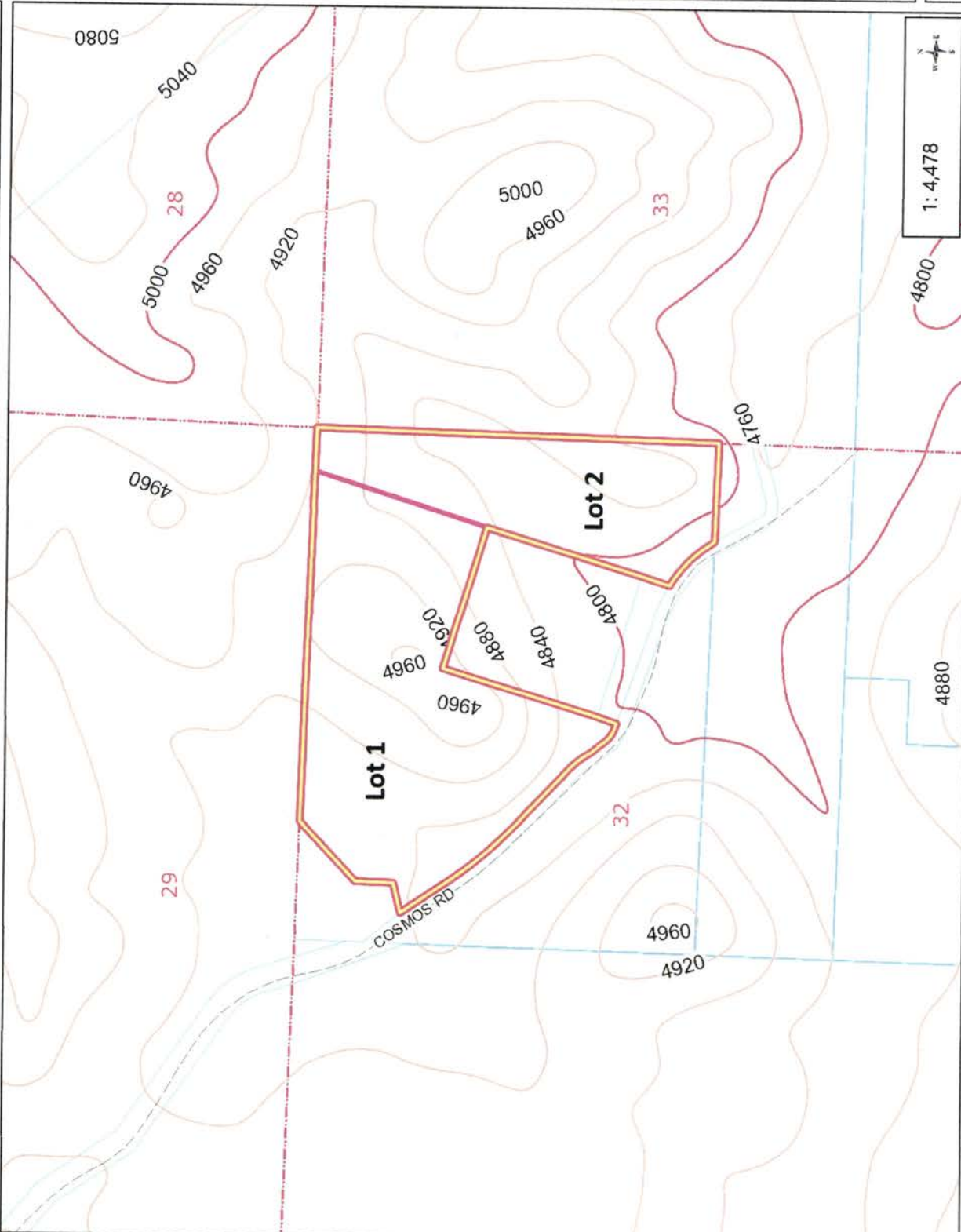
- Roads**
 - Interstate
 - US highway
 - SD highway
 - County highway
 - Main road
 - Minor arterial
 - Collector
 - Ramp
 - Paved road
 - Unpaved road
 - Trail
 - Driveway
 - Alley
 - Unimproved road
 - Airport Runway
 - Not yet coded
- Section Lines 0-25k**
 - 0
 - 7
- Tax Parcels**
- Lot Lines**
 - <Null>
 - Lot Line
 - Parcel Line

Map Notes:

472.6 0 236.32 472.6 Feet
NAD_1983_2011_StatePlane_South_Dakota_South_FIPS_4002_FT_US
© City of Rapid City GIS

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



Legend

- Roads**
 - Interstate
 - US highway
 - SD highway
 - County highway
 - Main road
 - Minor arterial
 - Collector
 - Ramp
 - Paved road
 - Unpaved road
 - Unimproved road
 - Trail
 - Airport Runway
 - Not yet coded
- USGS Contours (NAVD88)**
 - Index
 - Intermediate
- Section Lines 0-25k**
 - 0
 - 7
- Tax Parcels**
 - Lot Lines
 - <Null>
 - Lot Line
 - Parcel Line

Map Notes:

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

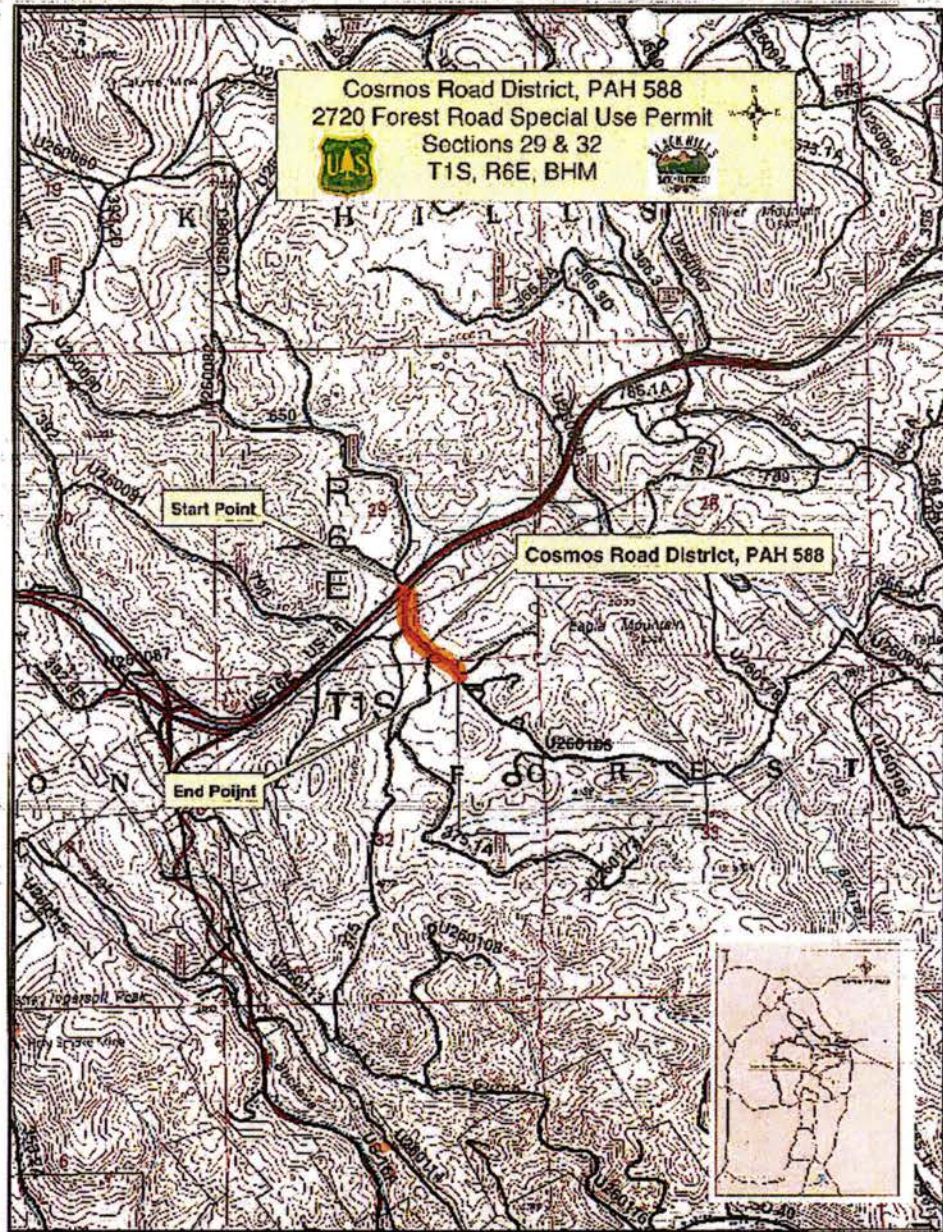
Scale: 1: 4,478

Scale bar: 0, 373.19, 746.4 Feet

746.4

NAD_1983_2011_StatePlane_South_Dakota_South_FIPS_4002_Ft_US
© Rapid City-Pennington County GIS Division

Exhibit A
Vicinity Map

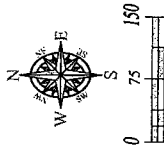
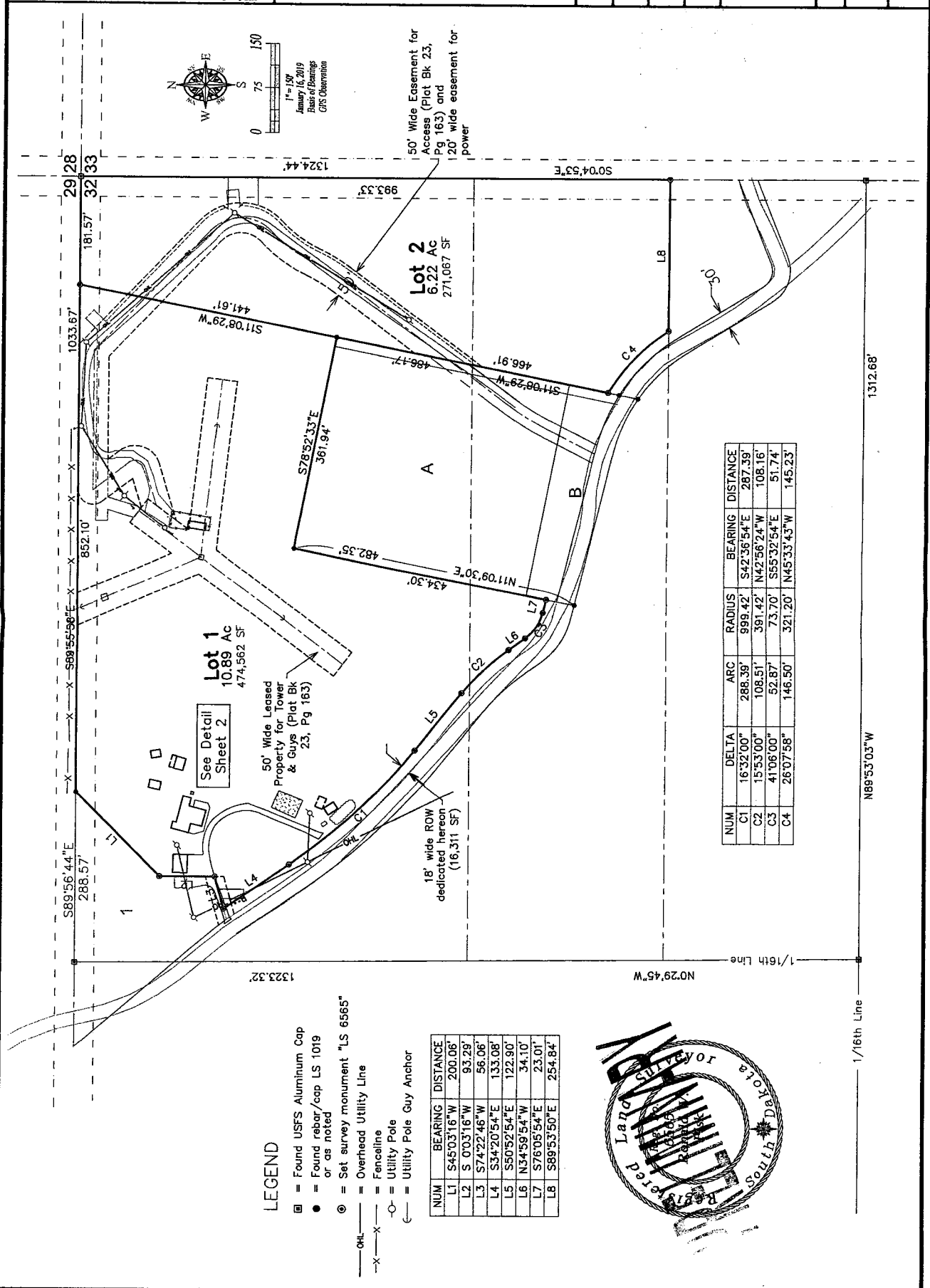


Fisk Land Surveying & Consulting Engineers, Inc

1022 Main Street (P.O. Box 8154)
Rapid City, South Dakota 57709
(605) 348-1538
fsc@fisklandsurveying.com

**Site Map and Layout for Proposed
Cosmos Subdivision - John Hovdenes
Pennington County, South Dakota**

Surveyed by: CDD	Date 12-19-18	Drawn by: RWF	Checked by: JF	Revisions
Site Map @ 1"=150'				
1 of 2				
Project No. 18-12-02				

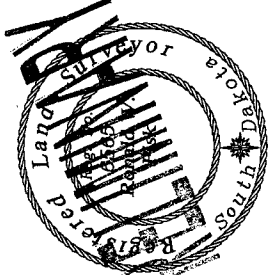


NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
C1	16°32'00"	288.39'	999.42'	S42°36'54"E	287.39'
C2	15°53'00"	108.51'	391.42'	N42°56'24"W	108.16'
C3	41°06'00"	52.87'	73.70'	S55°32'54"E	51.74'
C4	26°07'58"	146.50'	321.20'	N45°33'43"W	145.23'

LEGEND

- ☐ = Found USFS Aluminum Cap
- = Found rebar/cap LS 1019 or as noted
- ⊙ = Set survey monument "LS 6565"
- = Overhead Utility Line
- X— = Fenceline
- = Utility Pole
- ←○← = Utility Pole Guy Anchor

NUM	BEARING	DISTANCE
L1	S45°03'16"W	200.06'
L2	S 0°03'16"W	93.29'
L3	S74°22'46"W	56.06'
L4	S34°20'54"E	133.08'
L5	S50°52'54"E	122.80'
L6	N34°59'54"W	34.10'
L7	S76°05'54"E	23.01'
L8	S89°53'50"E	254.84'



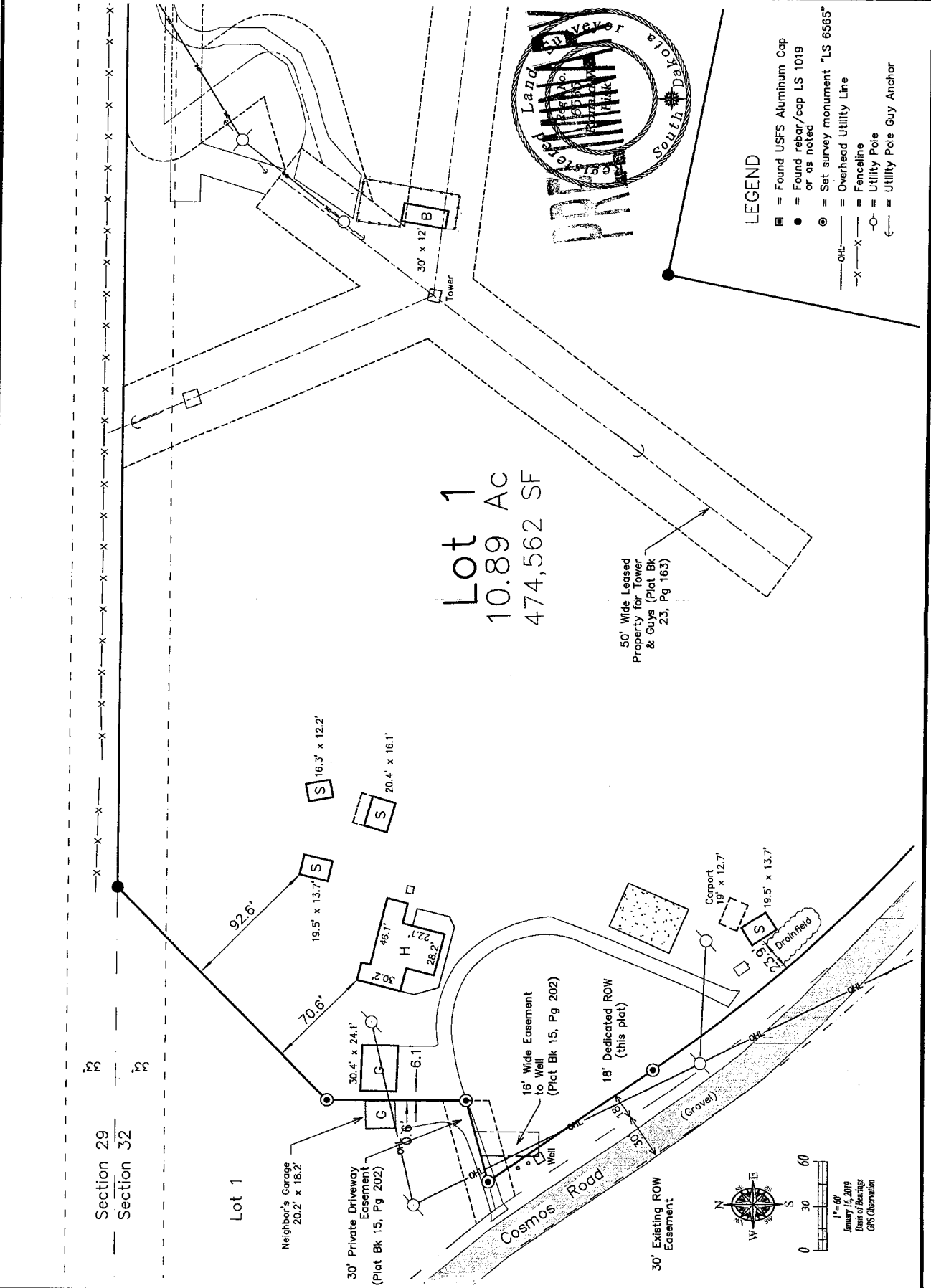
Fisk Land Surveying & Consulting Engineers, Inc

1022 Main Street (P.O. Box 8154)
 Rapid City, South Dakota 57709
 (605) 348-1518 janelite@fisklandsurveying.com

**Site Map and Layout for Proposed
 Cosmos Subdivision - John Hovdenes
 Pennington County, South Dakota**

Surveyed by:	CDD
Date:	12-19-18
Drawn by:	RWF
Checked by:	JF
Revisions:	

Site Map	①
Scale	1" = 60'
Sheet	2 of 2
Project No.	18-12-02



Plat of Lots 1 & 2 of Cosmos Subdivision and Dedicated Right-of-Way
 (formerly the unplatted portion of N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ Lying North of Highway and the unplatted portion of the N $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ lying North of Highway, Sec. 32, T1S, R6E, BHM) located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 32, T1S, R6E, BHM, Pennington County, South Dakota

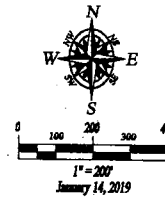
Prepared by
 Pac Land Surveying
 & Consulting Engineers, Inc.
 P.O. Box 8154
 Rapid City, SD 57708
 (605) 348-1338
 Project # 18-12-02

EASEMENTS

Utility & Minor Drainage Easements: 8' on the interior side of all lot lines

Water Protection Statement

Pursuant to SDCL 11-3-8.1 and 11-3-2, the developer of the property described within this plat shall be responsible for protecting any waters of the state, including groundwater, located adjacent to or within each platted area from pollution from sewage from such subdivision and shall in prosecution of such protections conform to and follow all regulations of the South Dakota Department of Environment and Natural Resources relating to the same.

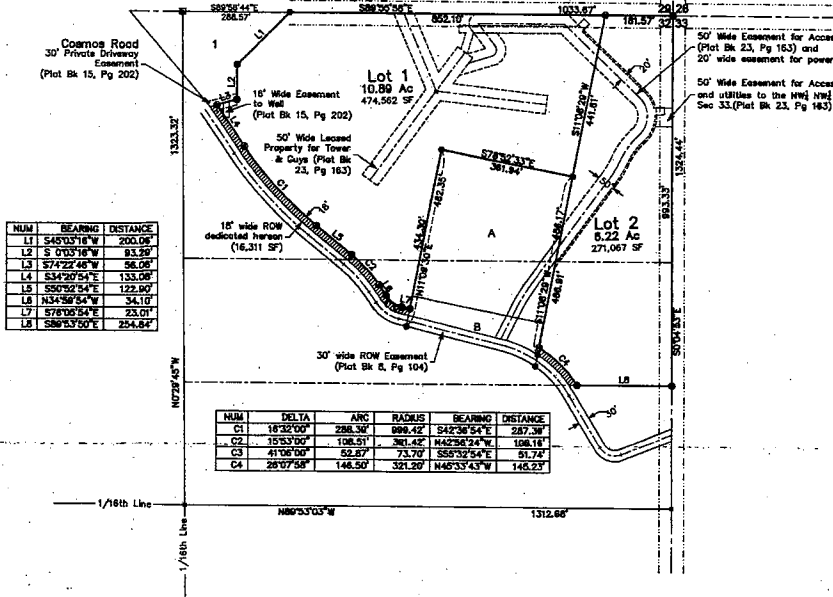


Basis of Bearings North (GPS)

LEGEND

- ⊙ = Set survey monument 'LS 6565'
- ⊠ = Found USFS Aluminum Cop
- = Found rebar/cap LS 1019 or as noted

PRELIMINARY



NUM	BEARING	DISTANCE
L1	S45°03'16"W	200.06'
L2	S 0°03'16"W	83.29'
L3	S74°22'46"W	56.06'
L4	S34°20'54"E	133.08'
L5	S55°22'54"E	122.80'
L6	N34°26'54"W	24.10'
L7	S76°00'54"E	23.01'
L8	S86°13'50"E	254.84'

NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
C1	18°22'20"	286.30'	698.42'	S42°28'54"E	287.30'
C2	10°53'20"	106.51'	361.42'	N42°52'24"W	106.18'
C3	41°08'00"	52.87'	73.70'	S55°32'54"E	51.74'
C4	25°07'58"	148.50'	321.20'	N45°33'43"W	145.23'

CERTIFICATE OF SURVEYOR
 State of South Dakota County of Pennington §

I, Ronald W. Flak, Registered Land Surveyor No. 8585 in the State of South Dakota, do hereby certify that being an authorized, I made the survey and within plot of the land shown and described hereon and that the same is, in all things, true and correct to the best of my knowledge and belief.

In Witness Whereof, I have hereunto set my hand and official seal
 Dated this _____ day of _____, 20____.

Ronald W. Flak
 Registered Land Surveyor No. 8585



CERTIFICATE OF HIGHWAY OR STREET AUTHORITY
 State of South Dakota County of Pennington §

The location of the proposed lot lines with respect to the Highway or Street as shown hereon is hereby approved. Any approaches or access to the Highway or Street will require additional approval.

Dated this _____ day of _____, 20____.

Highway/Street Authority

CERTIFICATE OF COUNTY TREASURER
 State of South Dakota County of Pennington §

I, Treasurer of Pennington County, do hereby certify that all taxes which are due upon the within described lands are fully paid according to the records of my office.

Dated this _____ day of _____, 20____.

RESOLUTION BY GOVERNING BOARD
 State of South Dakota County of Pennington §

I, the Auditor of Pennington County, do hereby certify that an official meeting held on the _____ day of _____, 20____, the County Commissioners by resolution did approve the plat as shown and described.

Pennington County Auditor / Deputy

CERTIFICATE OF THE REGISTER OF DEEDS
 State of South Dakota County of Pennington §

Filed this _____ day of _____, 20____
 Document Number _____

Register of Deeds of Pennington County

CERTIFICATE AND ACKNOWLEDGEMENT OF OWNERSHIP
 State of South Dakota County of Pennington §

We, John Hovdenes and Ann Hovdenes, do hereby certify that we are the owners of the above described land, and that we did authorize and do hereby approve the survey and within plot of said land, and that development of this land shall conform to all existing applicable zoning, subdivision, and erosion and sediment control regulations.

John Hovdenes - Owner _____ Ann Hovdenes - Owner _____

On this _____ day of _____, 20____, before me, a Notary Public, personally appeared John Hovdenes and Ann Hovdenes, known to me to be the persons described in the foregoing instrument and acknowledged to me that they signed the same.

Notary Public _____
 My Commission Expires _____

CERTIFICATE OF DIRECTOR OF EQUALIZATION
 State of South Dakota County of Pennington §

I, Director of Equalization of Pennington County, do hereby certify that I have on record in my office a copy of the within described plat.

Director of Equalization of Pennington County

Approved _____
 Date _____

STAFF REPORT

GENERAL INFORMATION:

REQUEST: **SUBDIVISION REGULATIONS VARIANCE / SV 18-15:** 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.

APPLICANT: Schriner Investments / Shane Schriner

APPLICANT ADDRESS: P.O. Box 555, Hill City, SD 57745

SURVEYOR: Sperlich Consulting

SURVEYOR ADDRESS: 821 Columbus St., Ste. 1, Rapid City, SD 57701

LEGAL DESCRIPTION: 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.

SITE LOCATION: North of Keystone, along Highway 16A.

SIZE: 29.02 acres

TAX ID: 44242 / 44243 / 44244 / 44245

EXISTING LAND USE: Vacant

SUBDIVISION REGULATIONS REFERENCE: § 700.1

CURRENT ZONING: General Agriculture District

SURROUNDING ZONING:

North	General Agriculture District
South	General Agriculture District
East	General Agriculture District
West	General Agriculture District

PHYSICAL CHARACTERISTICS: Forested / Hills

UTILITIES: None

REPORT BY: Cassie Bolstad

I. PROPOSED RECOMMENDATION

- A. Staff will be recommending approval of a portion of Subdivision Regulations Variance / SV 18-15 and denial of a portion of Subdivision Regulations Variance / SV 18-15.

II. GENERAL DESCRIPTION

- A. The applicant, Shriner Investments (Shane Schriner), is in the process of subdividing the four (4) existing lots (Mining Lodes) into eight (8) lots.
- B. The applicant has submitted a Subdivision Regulations Variance request to waive the following 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 an exception to not install guardrail on slopes with a slope greater than 4:1;
 4. 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;
 5. To allow vertical curves to be less than 100 feet; and,
 6. To not perform percolation tests and provide soil profile hole information before platting.

III. EXISTING CONDITIONS

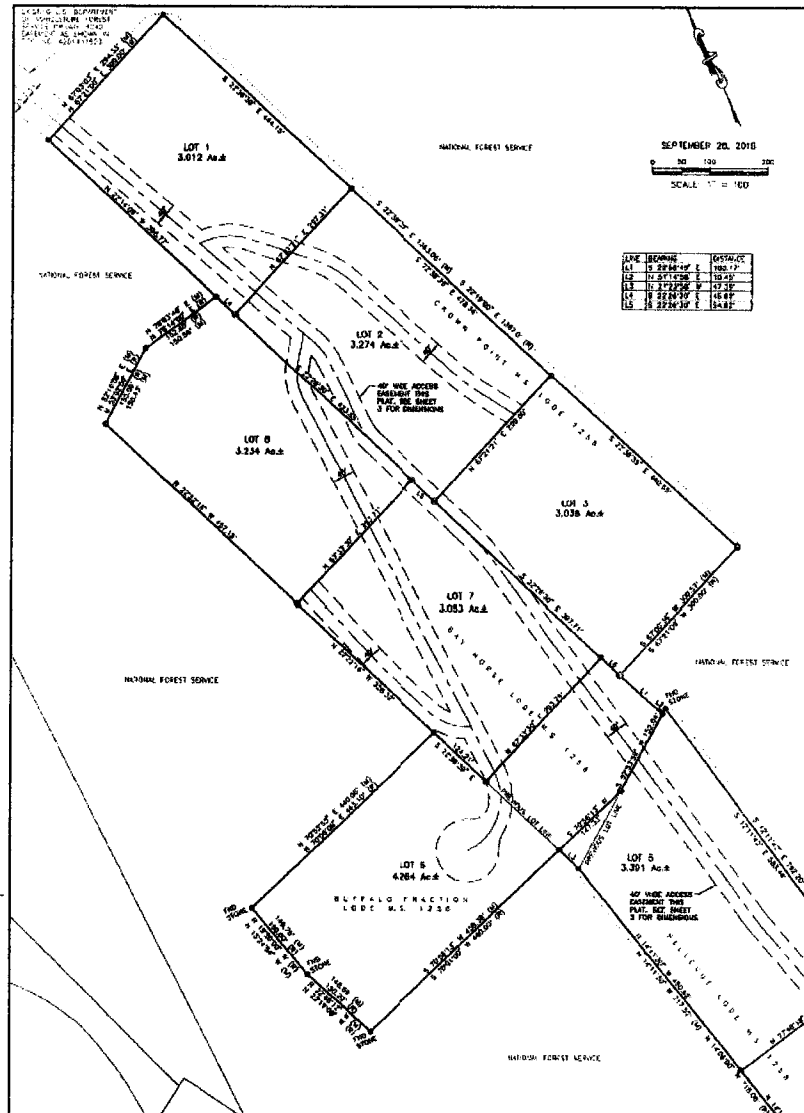
- A. Four (4) separate lots.
- B. All existing lots are currently zoned General Agriculture District.
 1. Future Land Use (FLU) designation is Planned Unit Development Sensitive.
- C. No Special Flood Hazard Area on the existing properties.
- D. All four (4) existing properties are currently vacant.
- E. All of Crown Point Lode M.S. 1258
 1. 9.41 acres.

Agenda Item #12
 Schriener Investments (Shane Schriener)
 March 11, 2019

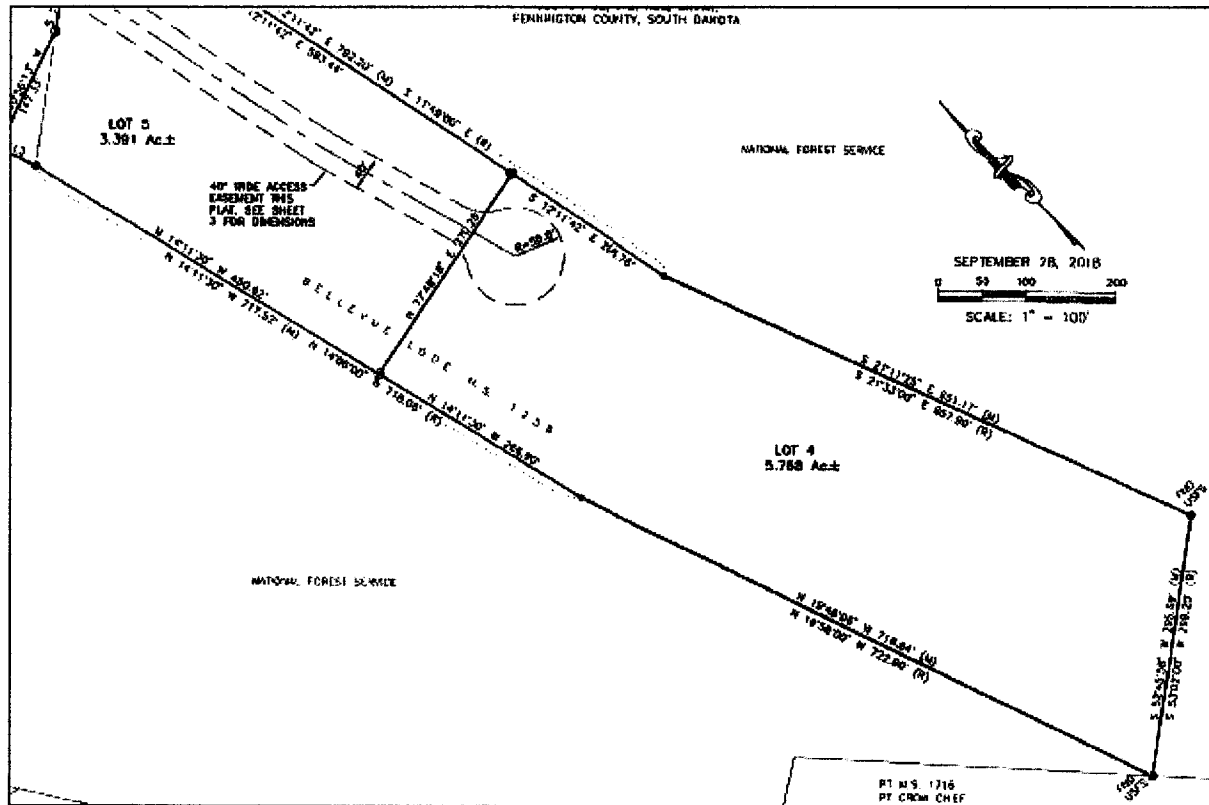
- F. All of Bay Horse Lode M.S. 1258
 - 1. 7.24 acres.
- G. All of Buffalo Fraction Lode M.S. 1258
 - 1. 3.13 acres.
- H. All of Bellevue Lode M.S. 1258
 - 1. 9.24 acres.

IV. PROPOSED LOTS (Lots 1-8 of Keystone Wye Subdivision)

- A. Lot 1
 - 1. 3.012 acres ±
- B. Lot 2
 - 1. 3.274 acres ±
- C. Lot 3
 - 1. 3.038 acres ±
- D. Lot 4
 - 1. 5.768 acres ±
- E. Lot 5
 - 1. 3.391 acres ±
- F. Lot 6
 - 1. 4.264 acres ±
- G. Lot 7
 - 1. 3.053 acres ±
- H. Lot 8
 - 1. 3.234 acres ±
- I. A 40-foot-wide Access Easement is proposed on the Plat to provide access to the eight (8) lots.
- J. A 55-foot radius turnaround is noted on both proposed Lots 4 and 6.



Proposed subdivision -
 Sperlich Consulting
 (September 28, 2018)



Proposed Subdivision – Sperlich Consulting (September 28, 2018)

V. REQUEST FOR COMMENT

- A. County Highway Department
 - 1. The roads in this development serve only the development and are therefore classified as local roads. Pennington County Subdivision Regulations define the requirements for local roads and not the American Association of State Highway and Transportation Officials (AASHTO) “A Policy on Geometric Design of Highways and Streets.” AASHTO is referenced in the Subdivision Regulations for minor and major arterials only and is not applicable in this development.
- B. County Fire Administrator
 - 1. No comments received.
- C. County Environmental Planning Supervisor
 - 1. There is no Special Flood Hazard Area on the subject properties.
- D. County Environmental Planner
 - 1. All rules of Pennington County Zoning Ordinance Section 204(J) must be followed when a septic is installed on any of the proposed lots.
- E. County Ordinance Enforcement
 - 1. There is an open Ordinance Violation (COVO16-0061) for the existing road that was constructed without a Construction Permit. Condition #2 of Preliminary Plat / PL 18-34, states “That prior to

- filing the Plat with the Register of Deeds, an approved Construction Permit be obtained for the access road that was constructed through the subject properties, with the appropriate waivers for any road standards that are not or will not be met.”
2. Once an approved Construction Permit is obtained for the access road, COVO16-0061 can be closed.
- F. County Addressing Coordinator
1. As more than five (5) lots are being platted, the applicant is naming the access easement in order to provide enough addresses for all lots that could potentially be developed and occupied. All future addresses must be posted in accordance with Pennington County’s Ordinance #20.
- G. Emergency Services (9-1-1)
1. If approved, they will need to add the road name labels for each ROW that they have already had reviewed by 911, prior to Final Plat approval.
- H. U.S. Forest Service
1. The Forest Service is currently working with Shane Schriner (Schriner Investments, LLC) on a FLPMA Private Road Easement transfer from Crown Point Road District to Schriner Investments, LLC that will provide legal access to the private property.
 2. The Forest Service will not approve a secondary access across National Forest System lands to the private property.
 3. Protect all posted boundary line corners, signs and bearing tress.
 4. Adhere to the setback requirements along the posted boundary between National Forest System lands and private property.
 5. Protect all known stream courses, ponds and riparian areas located on National Forest System lands.
 6. No resource damage to occur on National Forest System lands.
 7. All proposed drain fields, leach lines or septic systems will need to be located on private property and not located on or drain or leach onto National Forest System lands.
 8. All construction materials, supplies, trash or garbage will not be located or dumped on National Forest System lands.
 9. Public roads in this area of the Black Hills National Forest are classified as “Roads Open to Highway Legal Vehicles Only” and “Highways, US, State” per the latest version of the Motor Vehicle Use Map.
 10. No motorized trailheads or motorized trails or motorized roads are planned or scheduled for this portion of the Black Hills National Forest.
 11. No motorized trails for ATV, motorcycles or ORV will be authorized from private property unto National Forest System lands (USFS does not want unauthorized trails constructed on National Forest System lands).

VI. BACKGROUND

- A. June 19, 2018 – Board of Commissioners approved Layout Plat / PL 18-14 to create Lots 1-8 of Keystone Wye Subdivision with the following sixteen (16) conditions:
1. That prior to filing the Plat with the Register of Deeds, the proposed lots obtain approved Lot Size Variances or be Rezoned appropriately;
 2. That prior to filing the Plat with the Register of Deeds, an approved Construction Permit be obtained for the access road that was constructed through the subject properties, with the appropriate waivers for any road standards that are not or will not be met;
 3. That prior to new Plat submittal, the applicant provide alternate proposed road names for the Access Easement identified as “Twin Drive” to 9-1-1 for review and the road name approved by 9-1-1 be added to the Plat;
 4. That at the time of new Plat submittal, the applicant submit a Road Naming application, with a 9-1-1 approved road name, to be approved by the Pennington County Board of Commissioners;
 5. That at the time of new Plat submittal, the proposed Access Easement be increased to 66-feet per Pennington County Subdivision Regulations, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
 6. That at the time of new Plat submittal, an Owner’s Certificate be added for Genesis Capital LLC, per Register of Deeds and Department of Equalization comments;
 7. That at the time of new Plat submittal, the Certificates that have reference to the Town of New Underwood be corrected;
 8. That at the time of new Plat submittal, the following corrections and additions be made, per Department of Equalization comments; the names of the underlying Lodes be added to the Plat; the annotation near the northeast corner of Lot 5 be corrected, so that it is legible; and, the distances and bearings of the proposed Access Easement be added to the Plat;
 9. That prior to new Plat submittal, the surveyor verify the acreage of the existing Bay Horse Lode and the total acreage of the proposed Plat, per Department of Equalization comments;
 10. That at the time of new Plat submittal, eight (8) foot Minor Drainage and Utility Easements be dedicated on the interior sides of all lot lines, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
 11. That at the time of new Plat submittal, the plat meets all requirements of § 400.3 of the Pennington County Subdivision Regulations, or an approved Subdivision Regulations Variance be obtained waiving any of these requirements that are not met;

12. That the Certifications on the plat be in accordance with § 400.3.1.n of the Pennington County Subdivision Regulations;
 13. That the applicant ensures that all natural drainage ways are maintained and are not blocked;
 14. That following platting of the proposed lots, any on-site wastewater treatment system(s) be subject to the requirements of § 204(J) of the Pennington County Zoning Ordinance, including the requirement to obtain an Operating Permit;
 15. That the applicant signs the Statement of Understanding within ten (10) business days of approval of Layout Plat / PL 18-14, which is available at the Planning Office; and,
 16. That approval of this Layout Plat does not constitute approval of any further applications to be submitted for the above-described property.
- B. November 20, 2018 – Board of Commissioners approved Preliminary Plat / PL 18-34 to create Lots 1-8 of Keystone Wye Subdivision with the following fourteen (14) conditions:
1. That prior to filing the Plat with the Register of Deeds, the proposed lots obtain approved Lot Size Variances or be Rezoned appropriately;
 2. That prior to filing the Plat with the Register of Deeds, an approved Construction Permit be obtained for the access road that was constructed through the subject properties, with the appropriate waivers for any road standards that are not or will not be met;
 3. That prior to Final Plat submittal, the applicant contact Emergency Services to determine if multiple road names are required for the proposed roadway system. In addition, the applicant submit proposed road names to Emergency Services for review and the approved name(s) be added to the Plat;
 4. That prior to filing the Plat with the Register of Deeds, the applicant submit a Road Naming application, with 9-1-1 approved road name(s), to be approved by the Pennington County Board of Commissioners;
 5. That at the time of Final Plat submittal, the following changes be made to the proposed Access Easement, per Highway Department comments, and the roadway meet all applicable Subdivision Regulations or an approved Subdivision Regulations Variance be obtained waiving any requirements that are not met:
 - a. The road be designed and built to the local/collector road standards in Table 1 of Subdivision Regulations 500.5(1)(a)(3)(b), which requires 66' wide Right-of-Way and 24' wide gravel surface;
 - b. The maximum grade be 12%, with an allowance for 17% for a maximum distance of 500 feet;

Agenda Item #18
Schriner Investments (Shane Schriner)
February 25, 2019

- c. The inslopes be 4:1 or flatter or guardrail be installed wherever the slope is steeper than 4:1;
 - d. Intersections not be less than a 75° angle and have at least a 100' tangent before a curve;
 - e. Vertical curves be a minimum of 100' or 20' for every 1% algebraic difference in grade, whichever is greater.
 6. That at the time of Final Plat submittal, an Owner's Certificate be added for Genesis Capital LLC, per Department of Equalization comments;
 7. That prior to Final Plat submittal, the surveyor verify the total acreage of the proposed Plat, per Department of Equalization comments;
 8. That at the time of Final Plat submittal, the Certifications on the plat be in accordance with § 400.3(1)(n) of the Pennington County Subdivision Regulations;
 9. That at the time of Final 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;
 10. That at the time of Final 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;
 11. That the applicant ensures that all natural drainage ways are maintained and are not blocked;
 12. 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 Operating Permits;
 13. That the applicant signs the Statement of Understanding within ten (10) business days of approval of Preliminary Plat / PL 18-34, which is available at the Planning Office; and,
 14. That approval of this Preliminary Plat does not constitute approval of any further applications to be submitted for the above-described properties.
- C. The applicant has also submitted Rezone and Comprehensive Plan Amendment requests (RZ 18-11 and CA 18-10) to rezone the subject properties to Low Density Residential District and change the Future Land Use.
 1. On January 14, 2019, the Planning Commission continued RZ 18-11 and CA 18-10 to the February 25, 2019, Planning Commission meeting.

VII. ANALYSIS

- A. With this request, the applicant is requesting to waive the following 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 an exception to not install guardrail on slopes with a slope greater than 4:1;
 - 4. 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;
 - 5. To allow vertical curves to be less than 100 feet; and,
 - 6. To not perform percolation tests and provide soil profile hole information before platting.
- B. A detailed explanation of the requested waivers was submitted by the surveyor, Sperlich Consulting, and is included with this Staff Report.
- C. If approved, the applicant's Subdivision Regulations Variance request will satisfy Condition #5 of Preliminary Plat / PL 18-34.
- D. January 14, 2019 – The Planning Commission continued Subdivision Regulations Variance / SV 18-15 to the February 25, 2019, Planning Commission meeting.
- E. February 4, 2019 – Staff received documents from the agent, Sperlich Consulting. The documents submitted include:
 - 1. Exhibits of the existing access road and the proposed access road;
 - 2. Depiction of “distance to helicopter” (Keystone Adventures);
 - 3. Exhibits and photo of Calumet Road – to be used as a comparison to the proposed road;
 - 4. Updated road improvement plans.
 - a. All of the submitted documents are included with this Staff Report.
- F. February 5, 2019 – Board of Commissioners approved the applicant's four (4) Road Naming requests to name the access roads within the proposed development.
- G. February 18, 2019 – Staff received an email from a neighboring property owner with regard to the applicant's requests.
 - 1. A copy of the email is included with this Staff Report.
 - 2. Staff has also included information relating to “the Jacob CUP denial for the request for the heliport next to LDR”, as indicated in the email.

VIII. UPDATE (For the March 11, 2019, Planning Commission meeting)

- A. February 25, 2019 – Planning Commission continued Subdivision Regulations Variance / SV 18-15 to the March 11, 2019, Planning Commission meeting.

Agenda Item #18
Schriner Investments (Shane Schriner)
February 25, 2019

- B. March 5, 2019 – Board of Commissioners approved the First Reading and Public Hearing of Rezone / RZ 18-11 to rezone the subject properties from General Agriculture District to Low Density Residential District.
 - 1. The Board of Commissioners denied Comprehensive Plan Amendment / CA 18-10 to change the Future Land Use from PUD Sensitive to Low Density Residential District.
- C. March 6, 2019 – Staff received an updated exhibit from Sperlich Consulting showing proposed guardrail locations.
 - 1. A copy of the exhibit is included with this Staff Report.

RECOMMENDATION #1: Staff recommends 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.


RECOMMENDATION #2: Staff recommends 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.

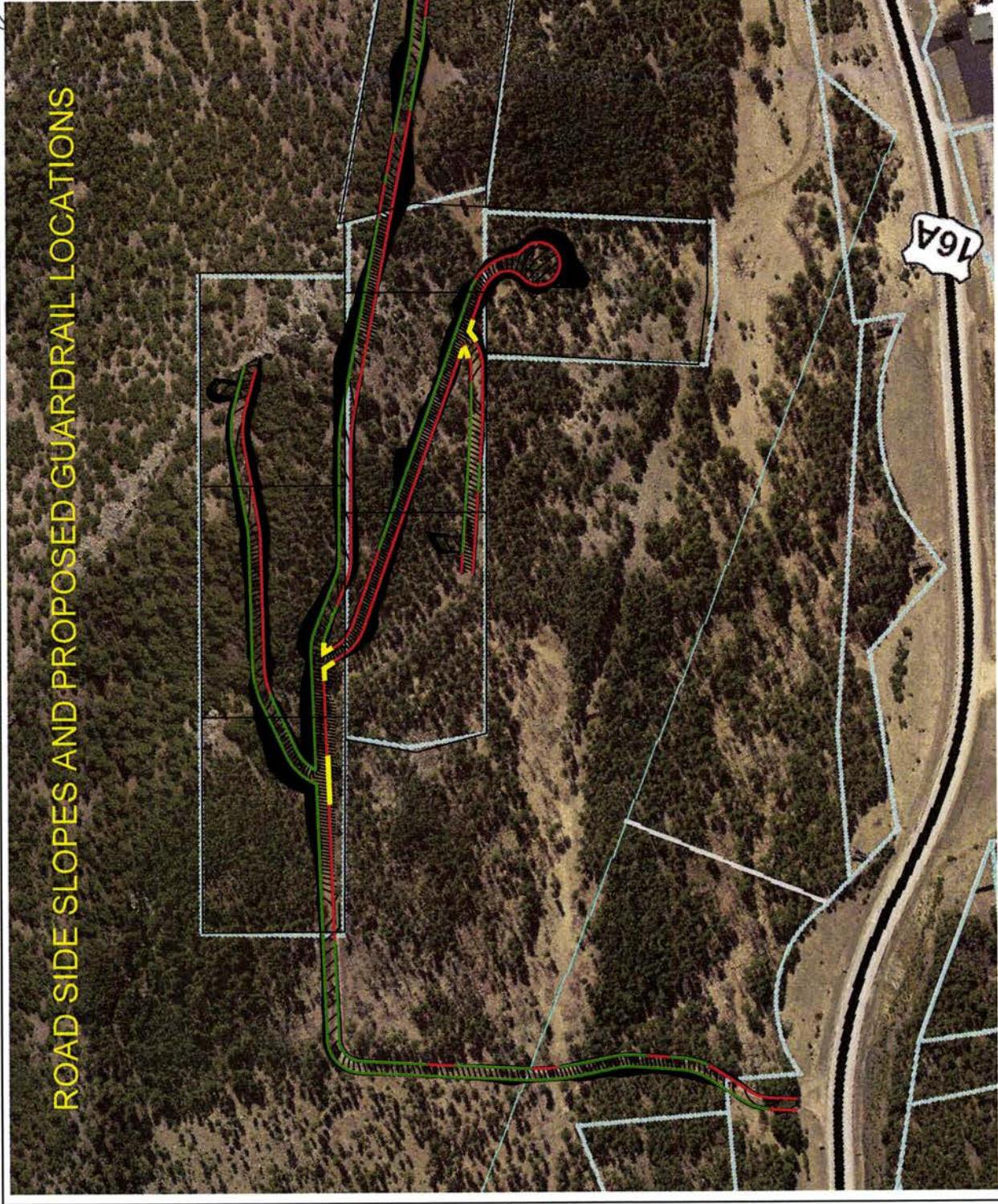
RECEIVED
MAR 06 2019

ROAD SIDE SLOPES AND PROPOSED GUARDRAIL LOCATIONS

JANUARY 15, 2019
SCALE 1" = 100'



- CUT SLOPE
- FILL SLOPE
- GUARDRAIL LOCATION



SPERLICH
Consulting, Inc.
821 Columbia St. Suite 1 Rapid City SD 57701
E-MAIL: info@sperrlich.com
TELEPHONE: 605-721-4040
Engineering, Surveying, Planning

PRELIMINARY
NOT FOR
CONSTRUCTION
CITY REVIEW
ONLY

DATE	REVISION

LEGAL DESCRIPTION:
SECTION 20, T14N, R10W,
BLACK HILLS COUNTY, SOUTH DAKOTA
SECTION 20, T14N, R10W,
BLACK HILLS COUNTY, SOUTH DAKOTA
SECTION 20, T14N, R10W,
BLACK HILLS COUNTY, SOUTH DAKOTA

PROPOSED ROADS
**ROAD SIDE SLOPES AND
PROPOSED GUARDRAIL LOCATIONS**

PROJECT NUMBER: 3584
SHEET 1 / 1

Wye Subdivision – Subdivision Variance Request

- 1. Allow the use of a 40 foot wide easement in lieu of a 66 foot wide right-of-way.**

Reason for Request #1:

The proposed Wye Subdivision will serve 8 residential lots. No municipal water or sewer services will be provided in the road easement. This eliminates the need for additional width within the easement. Additionally, the proposed access road will consist of a twenty-four (24) foot wide gravel section with two (2) feet of shoulder on either side. Six (6) feet of easement will remain on either side of the road surface if future improvements are necessary.

- 2. Allow the maximum grade of a road to be 15% for approximately 900 feet.**

Reason for Request #2:

The proposed Wye Subdivision is located in a hilly/mountainous area of the Black Hills. The existing terrain of the area consists of forested areas with steep slopes. The horizontal alignment of the proposed roads were adjusted to minimize the need for steep slopes along the road. Though the horizontal alignments minimized the steep slopes, some areas do require a grade higher than 12%. The maximum grade proposed in the Wye Subdivision is 15% for approximately 900 feet. Per the recommendations of the AASHTO Geometric Design of Street and Highways, a rural road can have up to a 16-17% grade in mountainous areas. Because of this recommendation and that the roads will only be utilized by the residents of the Wye Subdivision, it was felt that 15% grade is not excessive for this area. (see attached exhibits)

- 3. Allow an exception to not install guardrail on slopes with a slope greater than a 4(h):1(v).**

Reason for Request #3:

The roads within the Wye Subdivision will service only eight (8) residential properties with no thru traffic. Due to the minimal amount of traffic that would circulate through the subdivision, it is felt that full developed road requirements are not necessary. Additionally, looking at other gravel roads in the Black Hills, a majority of them have no guardrail installed even when steep slopes are present. Attached is a typical Black Hills forest road that is a thru road open to the public with no guardrail installed.

- 4. Allow the angle between road intersections to be less than 75 degrees and allow a tangent between intersections to be less than 100 feet.**

Reason for Request #4:

The multiple roads contained in the Wye Subdivision are positioned to conform to the steep terrain of the area. Though a 90 degree intersection angle is desirable, the use of 90 degree intersections with 100' legs would result in excessive fills and cuts along the road sections. Additionally, the AASHTO Geometric Design of Street and Highways recommends up to a 60 degree angle at intersections. The intersections laid out for the Wye Subdivision are all between 60-90 degrees. Furthermore, the proposed roads will be private for the residents of the 8 lots and be contained in private access easements and not a public right-of-way.

5. Allow vertical curves to be less than 100 feet.

Reason for Request #5:

The roads have been designed utilizing the AASHTO Geometric Design of Street and Highways. All roads were designed and comply with vertical crests and sags assuming a 20 mph speed limit. Only the road accessing Lot 7 and Lot 8 utilizes a design speed of 15 mph due to the topography restraints of the area. Please note the use of the AASHTO guides for vertical curves is utilized by the City of Rapid City and the SDDOT as applicable design guidelines. (see attached exhibits)

6. To not perform percolation tests and provide soil profile information before platting.

Reason for Request #6:

Because no building location has been provided by the owner at this time on any of the proposed lots for Wye Subdivision, it would be more pertinent when a building permit is applied for to request a percolation test for septic system sizing. The minimum area of the proposed LDR lots is 3.0 acres, a future property owner has many possible locations for a building and the percolation test performed this early may not actually reflect the soil conditions at a future proposed building site. This may result in a future septic system being undersized. A site specific percolation test is requested at the time of a building permit to adequately size the system for the proposed soil conditions.

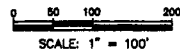
PLAT OF
**LOTS 1 THROUGH 8,
 KEYSTONE WYE SUBDIVISION**

(formerly all of Crown Point Lode MS 1258, Bay Horse Lode MS 1258, Buffalo Fraction Lode MS 1258, and Bellevue Lode M.S. 1258, all located in the W $\frac{1}{2}$ of Section 32, T19, R8E, B.H.M.)

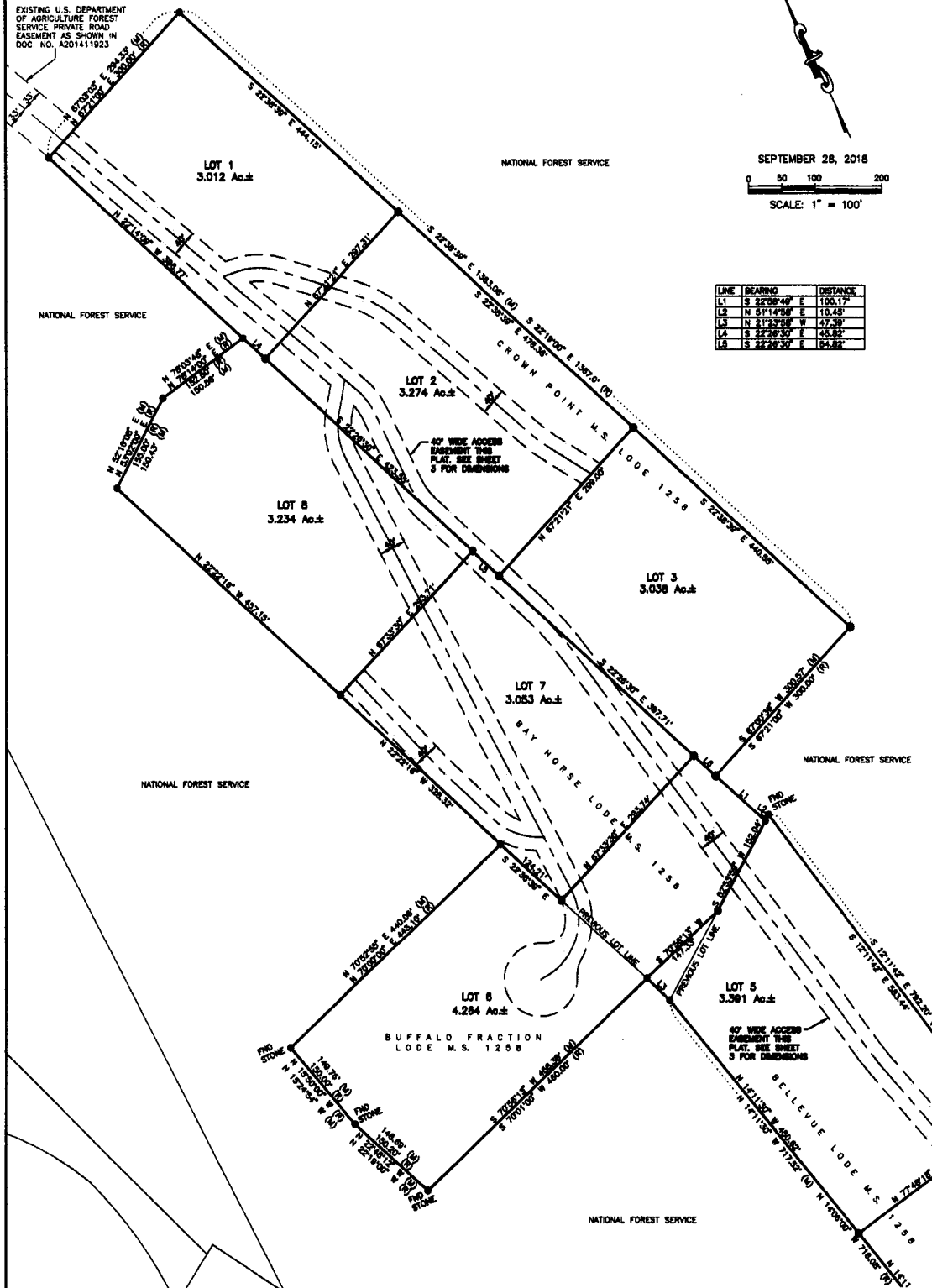
LOCATED IN THE W $\frac{1}{2}$
 SECTION 32, T19, R8E, B.H.M.,
 PENNINGTON COUNTY, SOUTH DAKOTA

EXISTING U.S. DEPARTMENT
 OF AGRICULTURE FOREST
 SERVICE PRIVATE ROAD
 EASEMENT AS SHOWN IN
 DOC. NO. A201411923

SEPTEMBER 28, 2018



LINE	BEARING	DISTANCE
L1	S 22°26'49" E	105.17'
L2	N 51°14'56" E	10.43'
L3	N 21°23'08" W	47.30'
L4	S 22°26'30" E	45.82'
L5	S 22°26'30" E	84.82'



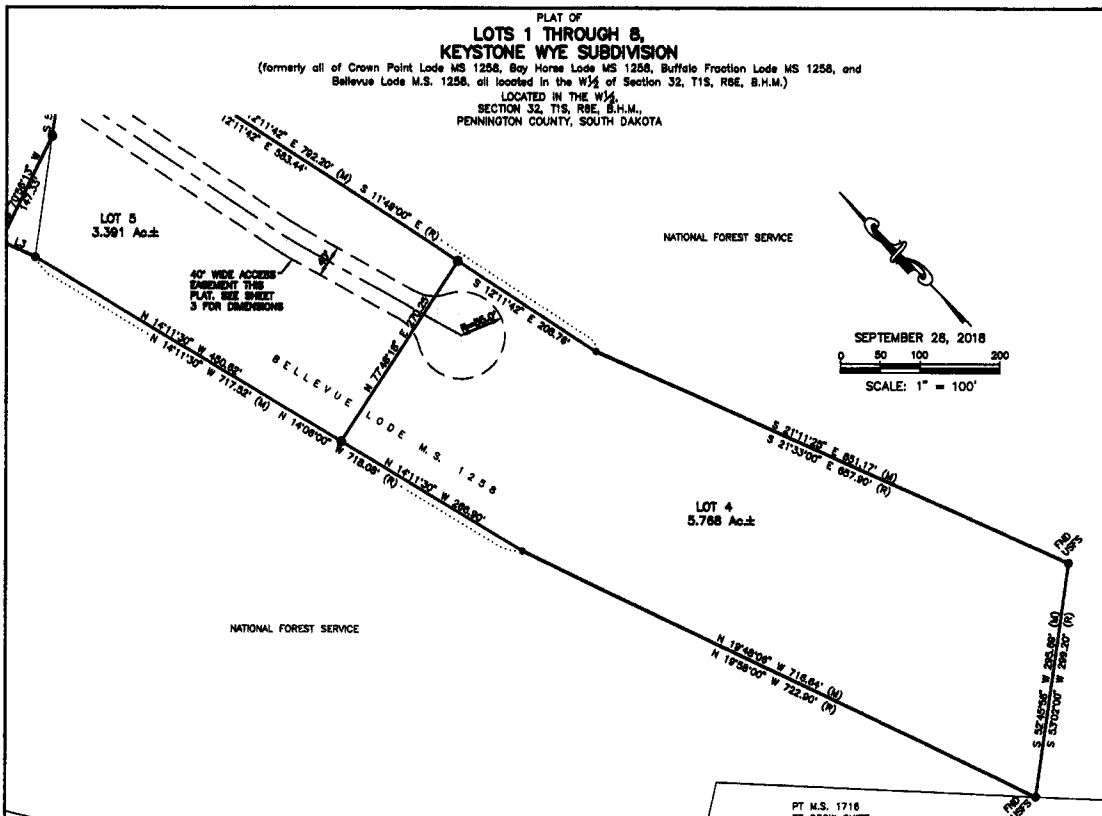
NOTES:

- Denotes 3/8" rebar with survey cap marked "Janis LS 11700"
- Denotes Found Survey Monument LS 1771 unless otherwise noted
- (N) Denotes Measured in previous plot or description.
- (M) Denotes Measured this survey.
- CB Denotes Chord Bearing
- CD Denotes Chord Distance

Basis of Bearings Geodetic North determined by Global Positioning (GPS)
 Utility and Minor Drainage Easements: If on the interior sides of all lot lines, except where major drainage easements exist.

Any major drainage easement shown hereon shall be kept free of all obstructions including but not limited to buildings, walls, fences, hedges, trees and shrubs. These easements grant to all public authorities the right to construct, operate, maintain, inspect, and repair such improvements and structures as it deems expedient to facilitate drainage from any source.

SHEET 1 OF 3



CERTIFICATE OF OWNERSHIP
State of South Dakota
County of Pennington s.s.

I, _____, do hereby certify that I am a Member of SCHRINER INVESTMENTS L.L.C., a South Dakota Limited Liability Corporation, and the owner of the land shown and described hereon; that the survey was done at my request for the purposes indicated hereon; that I do hereby approve the survey and within plot of said land; and that the development of this land shall conform to all existing applicable zoning, subdivision, and erosion and sediment control regulations.

Any land shown on the within plot as dedicated to public right of way is hereby dedicated to public use and public utility use as such, forever, but such dedication shall not be construed to be a donation of the fee of such land.

In witness whereof, I have set my hand and seal.

Owner: SCHRINER INVESTMENTS, L.L.C.

Member

On the _____ day of _____, 20____, before me, a Notary Public, personally appeared _____ known to me to be the person(s) described in the foregoing instrument and acknowledged to me that they signed the same.

Notary Public: _____

My Commission Expires: _____

CERTIFICATE OF FINANCE OFFICER
State of South Dakota
County of Pennington s.s.

I, Finance Officer of the Town of New Underwood, do hereby certify that all special assessments which are liens upon the within described lands are fully paid according to the records of my office.

Dated this _____ day of _____, 20____.

Finance Officer of the Town of New Underwood

CERTIFICATE OF PLANNING DIRECTOR
State of South Dakota
County of Pennington s.s.

I, Planning Director of Pennington County, have reviewed this plat and have found it to conform to all of the Subdivision requirements of the Pennington Subdivision Regulations and, as such, I have approved this Plat as a Final Plat.

Dated this _____ day of _____, 20____.

Pennington County Planning Director

CERTIFICATE BY COUNTY AUDITOR
State of South Dakota
County of Pennington s.s.

I, Auditor of Pennington County, do hereby certify that the Pennington County Planning Director has reviewed and approved this Final Plat as shown hereon.

Dated this _____ day of _____, 20____.

Pennington County Auditor/Deputy

CERTIFICATE OF DIRECTOR OF EQUALIZATION

I, Director of Equalization of Pennington County, do hereby certify that I have on record, in my office, a copy of the within described plat.

Dated this _____ day of _____, 20____.

Director of Equalization of Pennington County

CERTIFICATE OF SURVEYOR
State of South Dakota
County of Pennington s.s.

I, Jeffrey L. Janis, Registered Land Surveyor No. 11700 in the State of South Dakota, do hereby certify that at the request of the owner(s) listed hereon, I have surveyed the tract of land shown, and to the best of my knowledge and belief, the within plot is a representation of said survey. Easements or restrictions of miscellaneous record or private agreements that are not known to me are not shown hereon.

In witness whereof, I have hereunto set my hand and seal.

Jeffrey L. Janis, Registered Land Surveyor

Date

RESOLUTION OF GOVERNING BOARD
State of South Dakota
County of Pennington s.s.

I, Finance Officer of the Town of New Underwood, do hereby certify that an official meeting held on _____, 20____, the Common Council, by resolution, did approve the plat as shown hereon.

Finance Officer of the Town of New Underwood

FLOODPLAIN STATEMENT

Floodplain Statement

The 100-year floodplain, as shown hereon, is based on the elevations identified in the Flood Insurance Rate Map Number 4610X00850H, Effective Date June 3, 2013, or as graphically depicted on said map in unshaded areas. The floodplain information shown hereon serves as constructive notice that certain flood hazards exist on portions of the subject property. The location of the floodplain, as shown hereon, may be subject to change.

WATER PROTECTION STATEMENT

Water Protection Statement

Pursuant to SDCL 11-3-8.1 and 11-3-2, the developer of the property described within this plat shall be responsible for protection any waters of the state, including groundwater, located adjacent to or within such platted area from pollution from sewage from such subdivision and shall in prosecution of such protections conform to and follow all regulations of the South Dakota Department of Environment and Natural Resources relating to the same.

CERTIFICATE OF STREET AUTHORITY

The location of the proposed property lines abutting the County or State Highway, or the County Road, as shown hereon, is hereby approved. Any change in the location of the proposed access shall require additional approval.

Approved: _____

Date: _____

CERTIFICATE OF COUNTY TREASURER

I, Treasurer of Pennington County, do hereby certify that all taxes, which are liens upon the within described lands, are fully paid, according to the records of my office.

Dated this _____ day of _____, 20____.

Treasurer of Pennington County

CERTIFICATE OF REGISTER OF DEEDS
State of South Dakota
County of Pennington s.s.

Filed this _____ day of _____, 20____, at _____ o'clock _____ M.

In Document No. _____

Fee: \$ _____

Register of Deeds



A POLICY ON GEOMETRIC DESIGN OF



HIGHWAYS AND STREETS

2001



FOURTH EDITION

AMERICAN ASSOCIATION OF STATE HIGHWAY
AND TRANSPORTATION OFFICIALS

Metric			US Customary		
Design speed (km/h)	Design passing sight distance (m)	Rate of vertical curvature, K^a (m/%)	Design speed (mph)	Design passing sight distance (ft)	Rate of vertical curvature, K^a (ft/%)
30	200	46	20	710	180
40	270	84	25	900	289
50	345	138	30	1090	424
60	410	195	35	1280	585
70	485	272	40	1470	772
80	540	338	45	1625	943
90	615	438	50	1835	1203
100	670	520	55	1985	1407
			60	2135	1628

^a Rate of vertical curvature, K , is the length of curve per percent algebraic difference in the intersecting grades (i.e., $K = L/A$). (See Chapter 3 for details.)

Exhibit 5-3. Design Controls for Crest Vertical Curves Based on Passing Sight Distance

Grades

Suggested maximum grades for local rural roads are shown in Exhibit 5-4.

Request # 2

Type of terrain	Metric									US Customary								
	Maximum grade (%) for specified design speed (km/h)									Maximum grade (%) for specified design speed (mph)								
	20	30	40	50	60	70	80	90	100	15	20	25	30	40	45	50	55	60
Level	9	8	7	7	7	7	6	6	5	9	8	7	7	7	7	6	6	5
Rolling	12	11	11	10	10	9	8	7	6	12	11	11	10	10	9	8	7	6
Mountainous	17	16	15	14	13	12	10	10	-	17	16	15	14	13	12	10	10	-

Exhibit 5-4. Maximum Grades for Local Rural Roads

Alignment

Alignment between control points should be designed to be as favorable as possible consistent with the environmental impact, topography, terrain, design traffic volume, and the amount of reasonably obtainable right-of-way. Sudden changes between curves of widely different radii or between long tangents and sharp curves should be avoided. Where practical, the design should include passing opportunities. Where crest vertical curves and horizontal curves occur together, there should be greater than minimum sight distance to ensure that the horizontal curves are visible to approaching drivers.

the opposing lane. Also, the traffic control devices at the intersection may be located outside the driver's line of sight, resulting in the need to install advanced signing.

Another method of realigning a road that originally intersected another road at an acute angle is to make an offset intersection, as shown in Exhibits 9-18C and 9-18D. Only a single curve is introduced on each crossroad leg, but crossing vehicles must turn onto the major road and then reenter the minor road. (The terms "major road" and "minor road" are used here to indicate the relative importance of the roads that pass through the intersection rather than their functional classification.)

Realignment of the minor road, as shown in Exhibit 9-18C, provides poor access continuity because a crossing vehicle must reenter the minor road by making a left turn off the major highway. This design arrangement should only be used where traffic on the minor road is moderate, the anticipated minor road destinations are local, and the through traffic on the minor road is low.

Where the alignment of the minor road is as shown in Exhibit 9-18D, access continuity is better because a crossing vehicle first turns left onto the major road (e.g., a maneuver that can be done by waiting for an opening in the through-traffic stream) and then turns right to reenter the minor road, thus interfering little with through traffic on the major road.

Once a decision has been made to realign a minor road that intersects a major road at an acute angle, the angle of the realigned intersection should be as close to 90 degrees as practical. **Although a right-angle crossing is normally desired, some deviation from a 90-degree angle is permissible. Reconstructing an intersection to provide an angle of at least 60 degrees provides most of the benefits of a 90-degree intersection angle while reducing the right-of-way takings and construction costs often associated with providing a right-angle intersection.** The width of the roadway on the approach curves should be consistent with Exhibit 9-31 in order to reduce the potential for encroachment on adjacent lanes.

Where a large portion of the traffic from the minor road turns onto the major road, rather than continuing across the major road, the offset-intersection design may be advantageous regardless of the right or left entry. A road alignment that intersects two other roads at their junction to form an intersection with five or more legs should also be avoided.

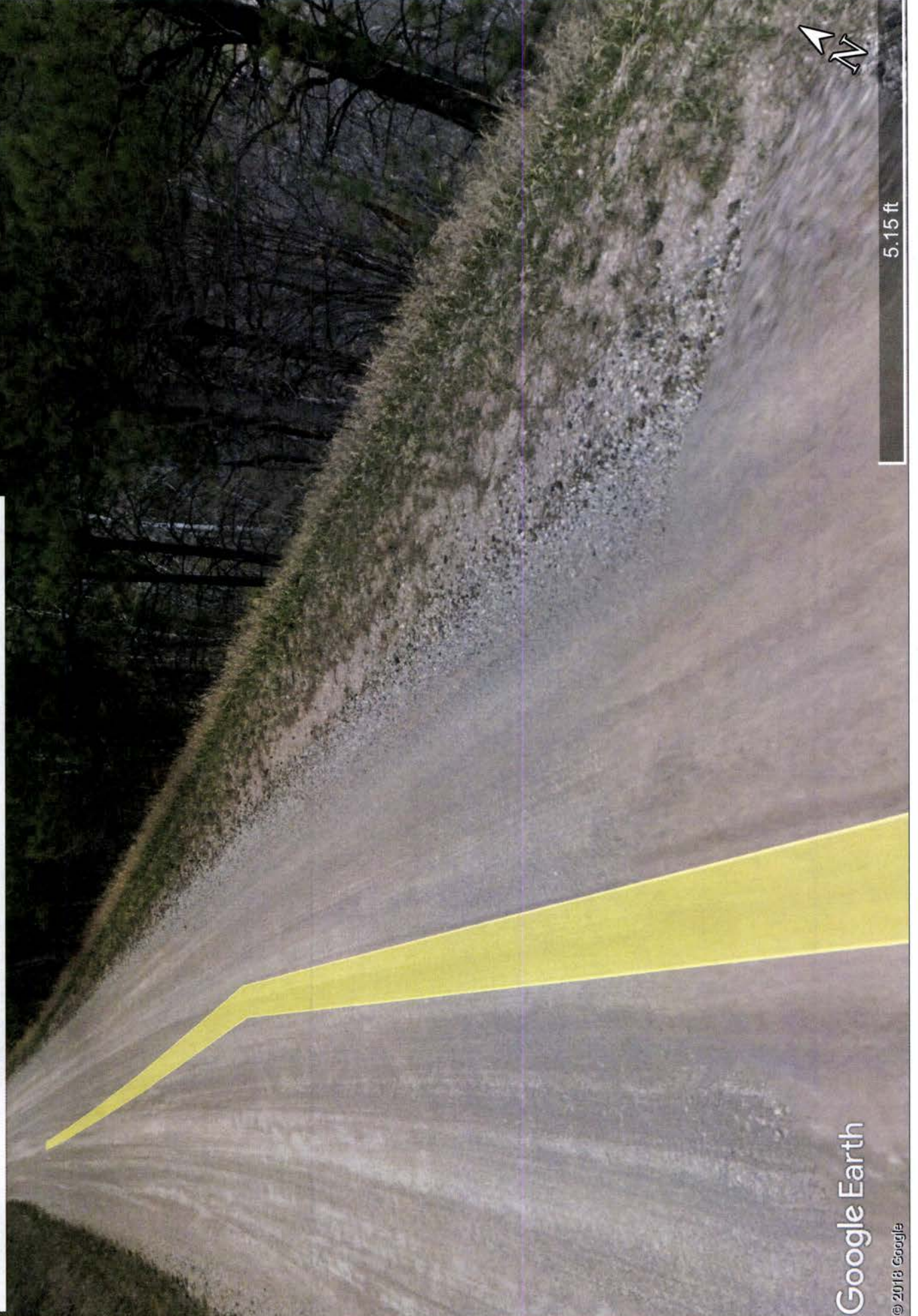
Intersections on sharp curves should be avoided wherever practical because the superelevation and widening of pavements on curves complicate the intersection design and may reduce sight distance.

Where the major road curves and a minor road is located along a tangent to that curve, it is desirable to realign the minor road, as shown in Exhibit 9-18E, to guide traffic onto the main highway and improve the visibility at the point of intersection. This practice may have the disadvantage of adverse superelevation for turning vehicles and may need further study where curves have high superelevation rates and where the minor-road approach has adverse grades and a sight distance restriction due to the grade line.

request #3

BH Forest Road

Typical Black Hills Forest road section with no guardrail with sideslopes greater than 4(H):1(V).



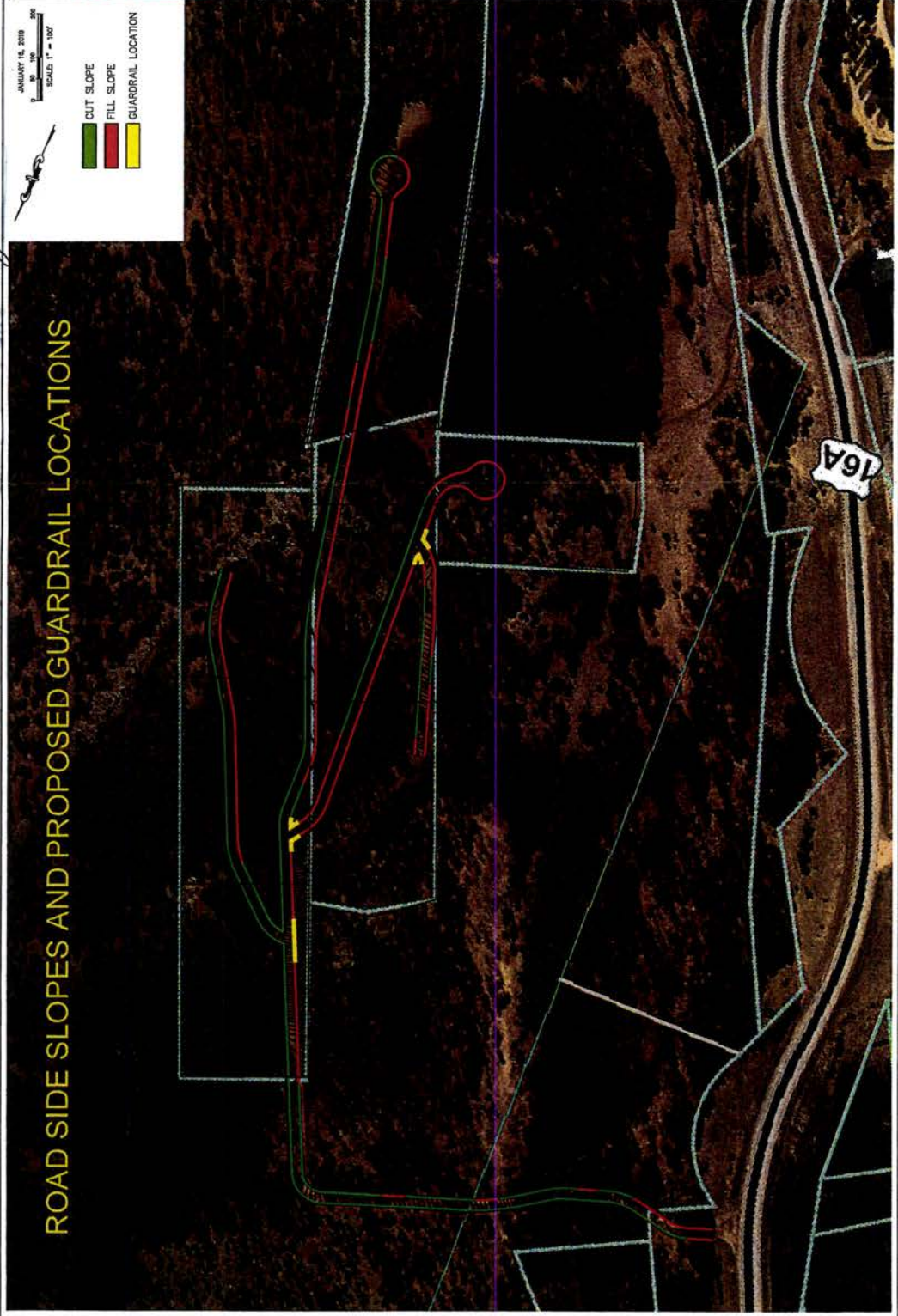
Google Earth

© 2018 Google

5.15 ft

RECEIVED
MAR 06 2019

ROAD SIDE SLOPES AND PROPOSED GUARDRAIL LOCATIONS



SPERLICH Consulting, Inc.
Engineering Services Division
11111 W. 10th Avenue, Suite 100
Denver, CO 80233
TEL: (303) 751-4040
FAX: (303) 751-4040

PROPOSED ROADS
ROAD SIDE SLOPES AND PROPOSED GUARDRAIL LOCATIONS

LEGAL DESCRIPTION

DATE

REVISIONS

NOT FOR CONSTRUCTION ONLY CITY REVIEW

PROJECT NO. 3654
SHEET 1 / 1

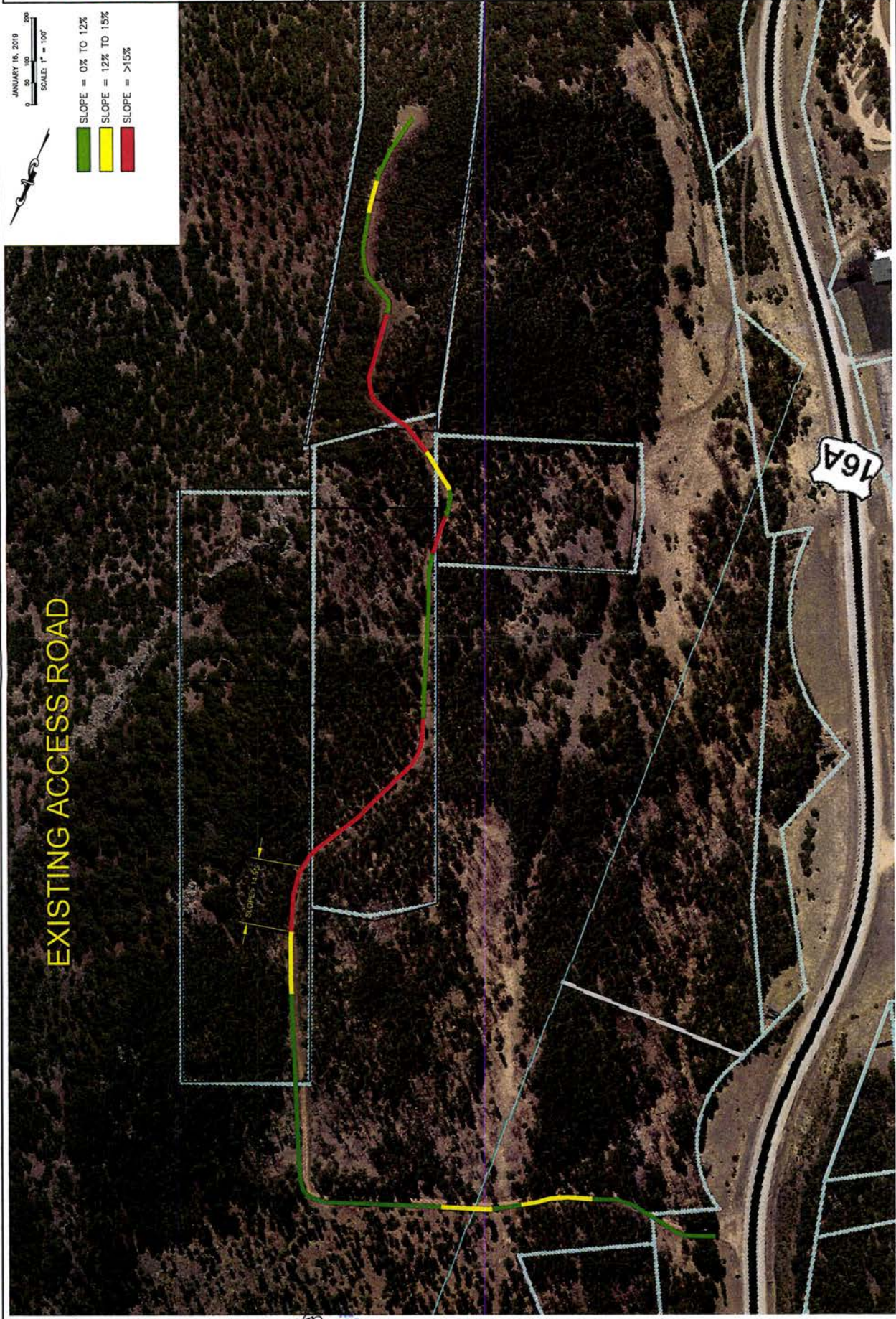
ROAD SLOPE EXHIBIT
EXISTING ACCESS ROAD

LEGAL DESCRIPTION:
LOT 1 TRACT A
SECTION 26, T4S, R10E, S44E
RABENHORN COUNTY, NEBRASKA
STARTED BY: [blank]
DRAWN BY: [blank]

REVISIONS	DATE	BY

PRELIMINARY
NOT FOR
CONSTRUCTION
CITY REVIEW
ONLY

SPEERLICH
Consulting, Inc.
821 Columbus St. Suite 1 Rapid City, SD 57701
TEL: (605) 721-4040
E-MAIL: info@speerlichconsulting.com
Engineering, Surveying, Planning



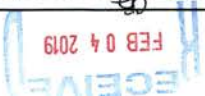
JANUARY 16, 2019
SCALE: 1" = 100'

- SLOPE = 0% TO 12%
- SLOPE = 12% TO 15%
- SLOPE >= 15%

EXISTING ACCESS ROAD

16A

FEB 04 2019



DISTANCE TO HELICOPTER
PROPOSED SUBDIVISION

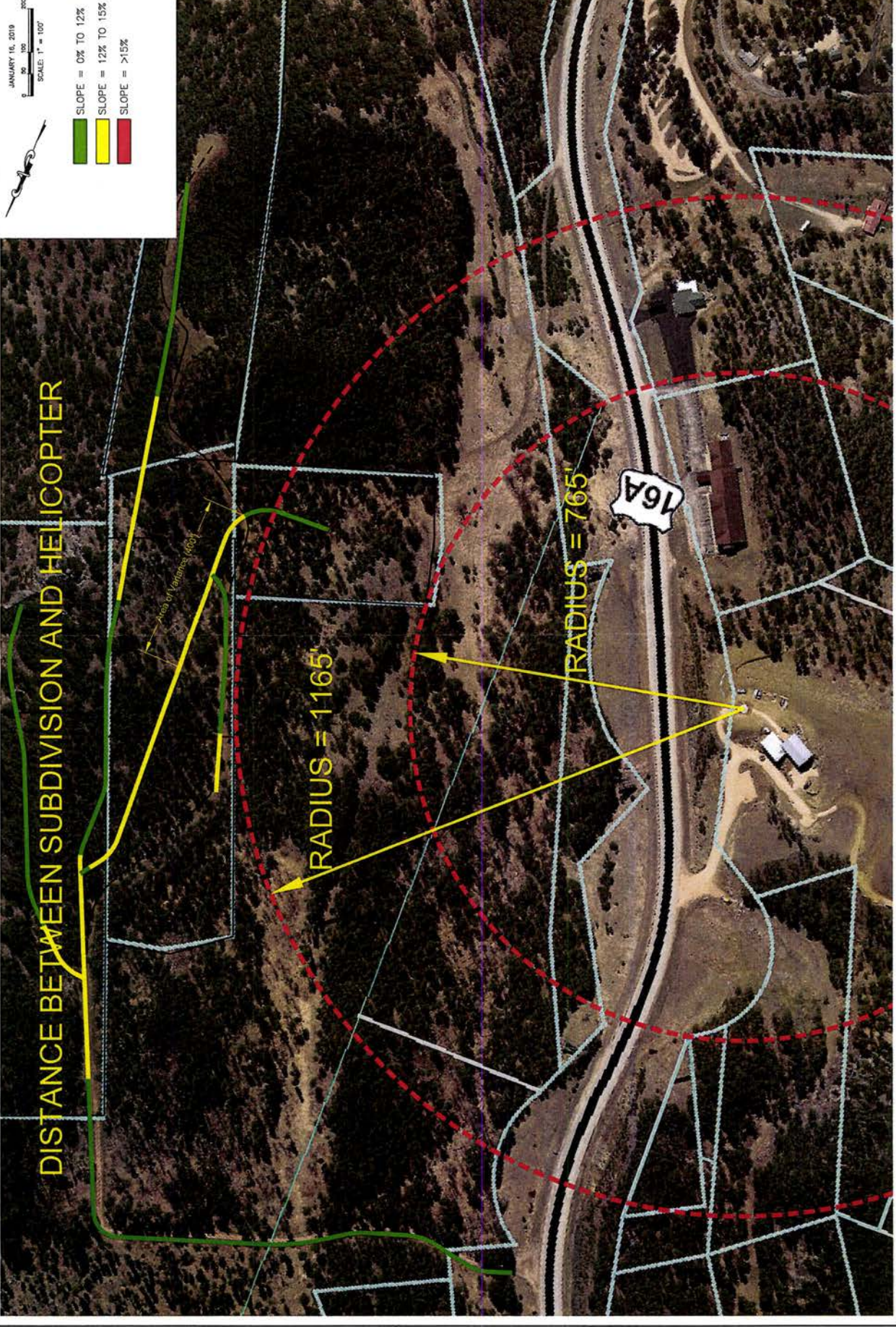
DATE	REVISION

LEGAL DESCRIPTION	

DATE	REVISION

PRELIMINARY
NOT FOR
CONSTRUCTION
CITY REVIEW
ONLY

SPERLICH
Consulting, Inc.
821 Columbus St. Suite 1 Rapid City SD 57701
TEL: (605) 725-4000
E-MAIL: info@sperlichconsulting.com
Engineering, Surveying, Planning



DISTANCE BETWEEN SUBDIVISION AND HELICOPTER

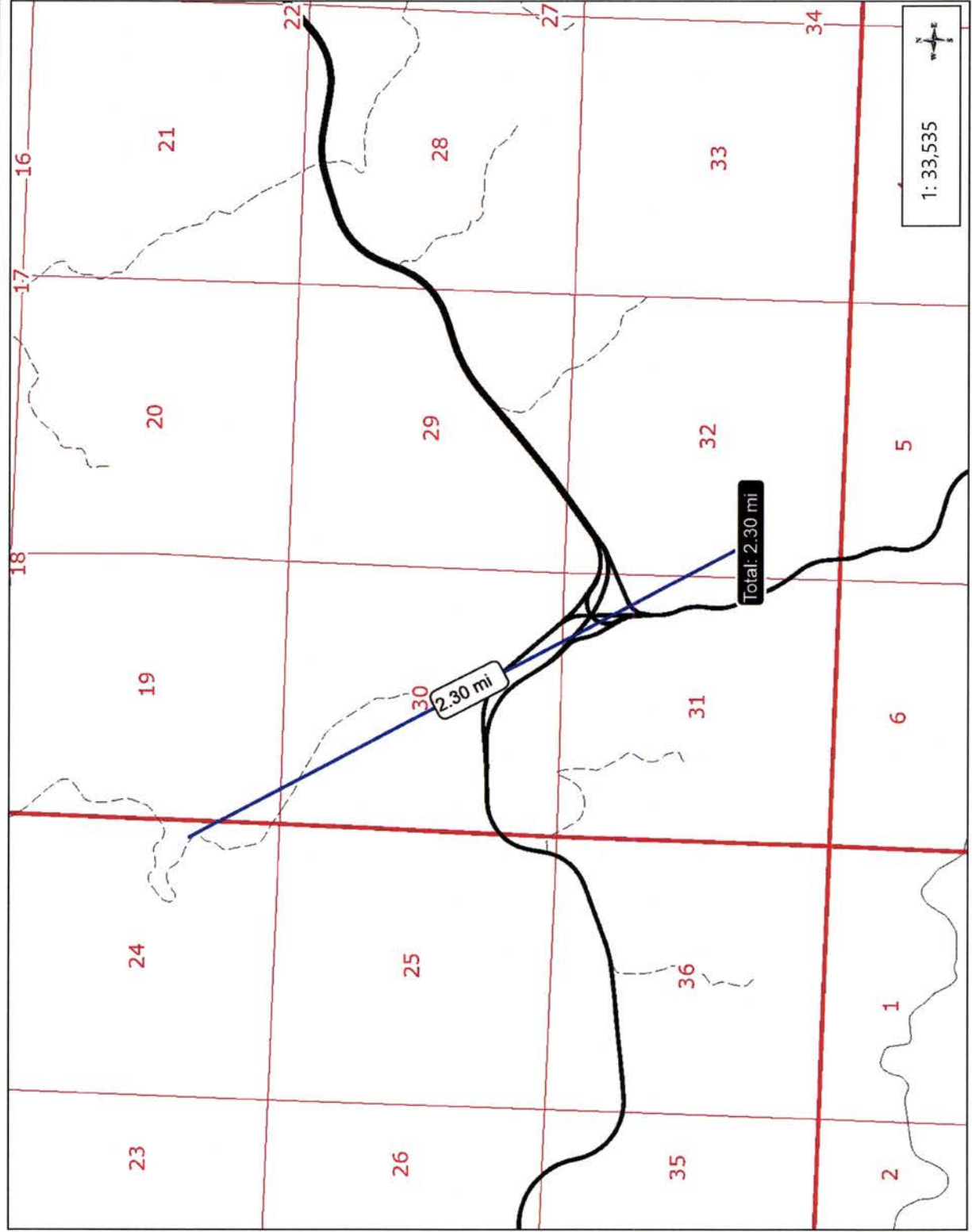
RADIUS = 1165'

RADIUS = 765'

Area of Interest (AOI)

- SLOPE = 0% TO 12%
- SLOPE = 12% TO 15%
- SLOPE = >15%

JANUARY 16, 2019
SCALE: 1" = 100'



5,589.1 0 2,794.55 5,589.1 Feet

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

NAD_1983_2011_StatePlane_South_Dakota_South_FIPS_4002_FLUS

© Rapid City-Pennington County GIS Division

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Legend

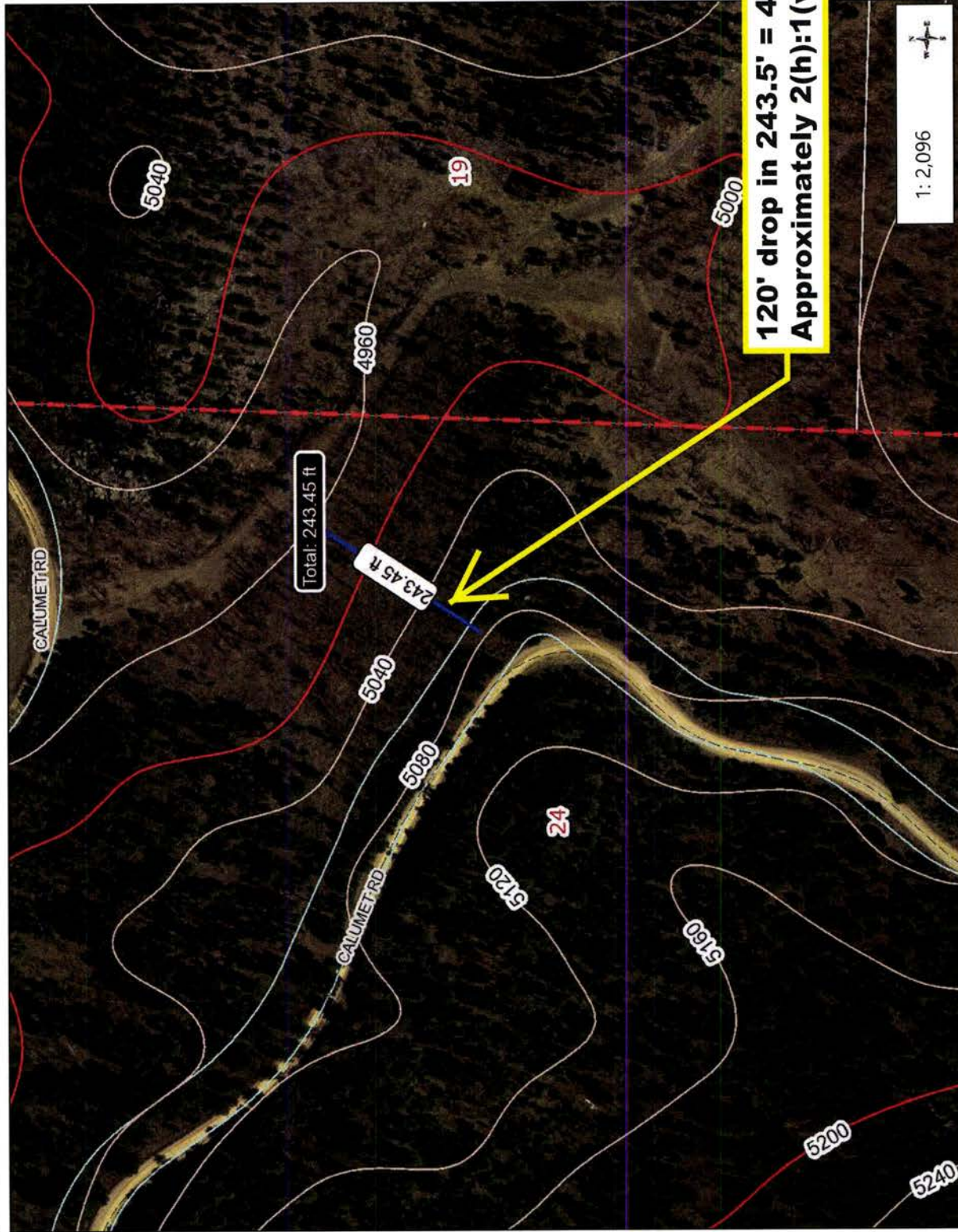
- Roads**
- Interstate
 - US highway
 - SD highway
 - County highway
 - Main road
 - Minor arterial
 - Collector
 - Ramp
 - Paved road
 - Unpaved road
 - Unimproved road
 - Trail
 - Airport Runway
 - Not yet coded
- PLSS**
- Townships
 - City Limits
- City Limits**
- BOX ELDER
 - ELLSWORTH AFB
 - HILL CITY
 - HILL CITY
 - KEYSTONE
 - NEW UNDERWOOD
 - QUINN
 - RAPID CITY
 - WALL
 - WASTA

RECEIVED

FEB 04 2019

BY: *CB*

Map Notes:



1: 2,096

Legend

Roads

- Interstate
- US highway
- SD highway
- County highway
- Main road
- Minor arterial
- Collector
- Ramp
- Paved road
- Unpaved road
- Unimproved road
- Trail
- Airport Runway
- Not yet coded

USGS Contours (NAVD88)

- Index
- Intermediate
- Section Lines 0-25k
- 0
- 7

Tax Parcels

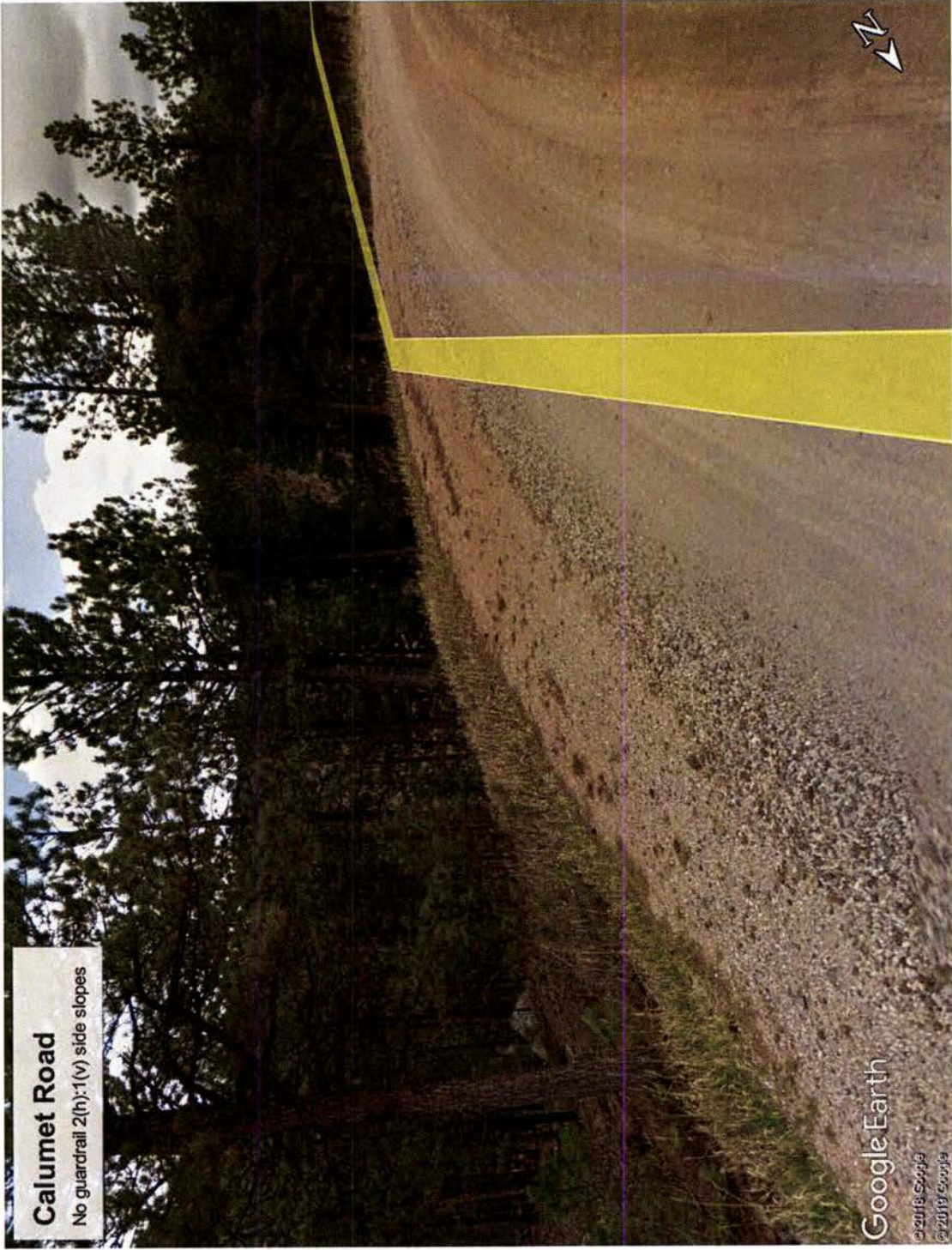
- Lot Lines
- <Null>
- Lot Line
- Parcel Line

Map Notes:

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

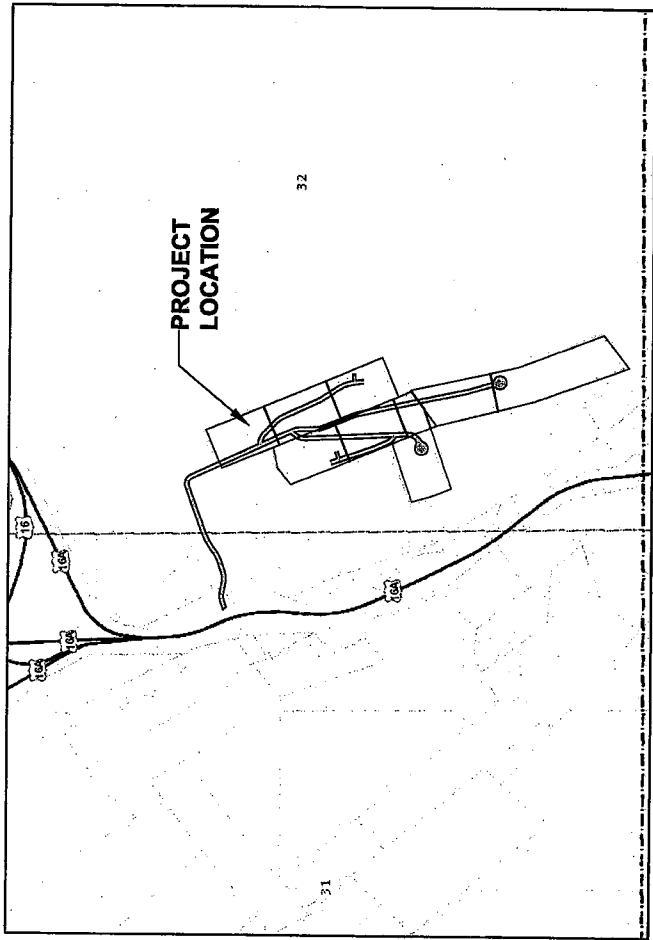




Calumet Road
No guardrail 2(h):1(v) side slopes

STREET IMPROVEMENTS KEYSTONE WYE SUBDIVISION PENNINGTON COUNTY, SOUTH DAKOTA

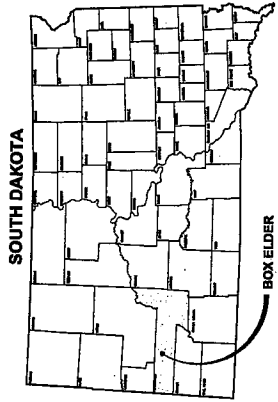
FEB 04 2019
CB



PROJECT LOCATION MAP NOT TO SCALE

INDEX OF SHEETS

- 1.1 COVER SHEET
- 1.2 GENERAL NOTES
- 2.1-2.3 PRELIMINARY PLAN
- 3.1-3.2 DETAILED TOPOGRAPHIC MAP
- 3.3-3.4 GRADING PLAN
- 4.1 TYPICAL STREET SECTIONS
- 5.1-5.7 MAIN ROAD: STREET PLAN AND PROFILE
- 5.8-5.9 ROAD 1: STREET PLAN AND PROFILE
- 5.10-5.12 ROAD 2: STREET PLAN AND PROFILE
- 5.13 ROAD 3: STREET PLAN AND PROFILE



SOUTH DAKOTA

BOX ELDER



SPERLICH
Consulting, Inc.
221 Columbia St. Suite 1 Rapid City SD 57701
E-MAIL: info@sperrlich.com
TELE: (605) 721-4040
Engineering Surveying Planning



REVISIONS

NO.	DATE	REVISION

LEGAL DESCRIPTION:
Lot 1 Section 34
Township 58N
Range 10W
Pennington County, South Dakota

COVER SHEET

PROJECT 3594
SHEET 1.1

SPERLICH
Consulting, Inc.
828 Columbia St., Suite 101
E-MAIL: info@sperryconsulting.com
TELEPHONE: 724-4340
Engineering Surveying Planning



NO.	DATE	REVISION

LEGAL DESCRIPTION:
LOTT 1 TRACT 2
KEYSTONE WASTE SUBDIVISION
AS SHOWN ON THE PLAN
RECORDED IN THE RECORDS OF
DEEDS OF THE COUNTY OF MONROE,
PENNSYLVANIA, BOOK 15228
PAGE 10

PROJECT NUMBER 3584
SHEET 3.3

GRADING PLAN

OCTOBER 1, 2018
SCALE: 1" = 80'

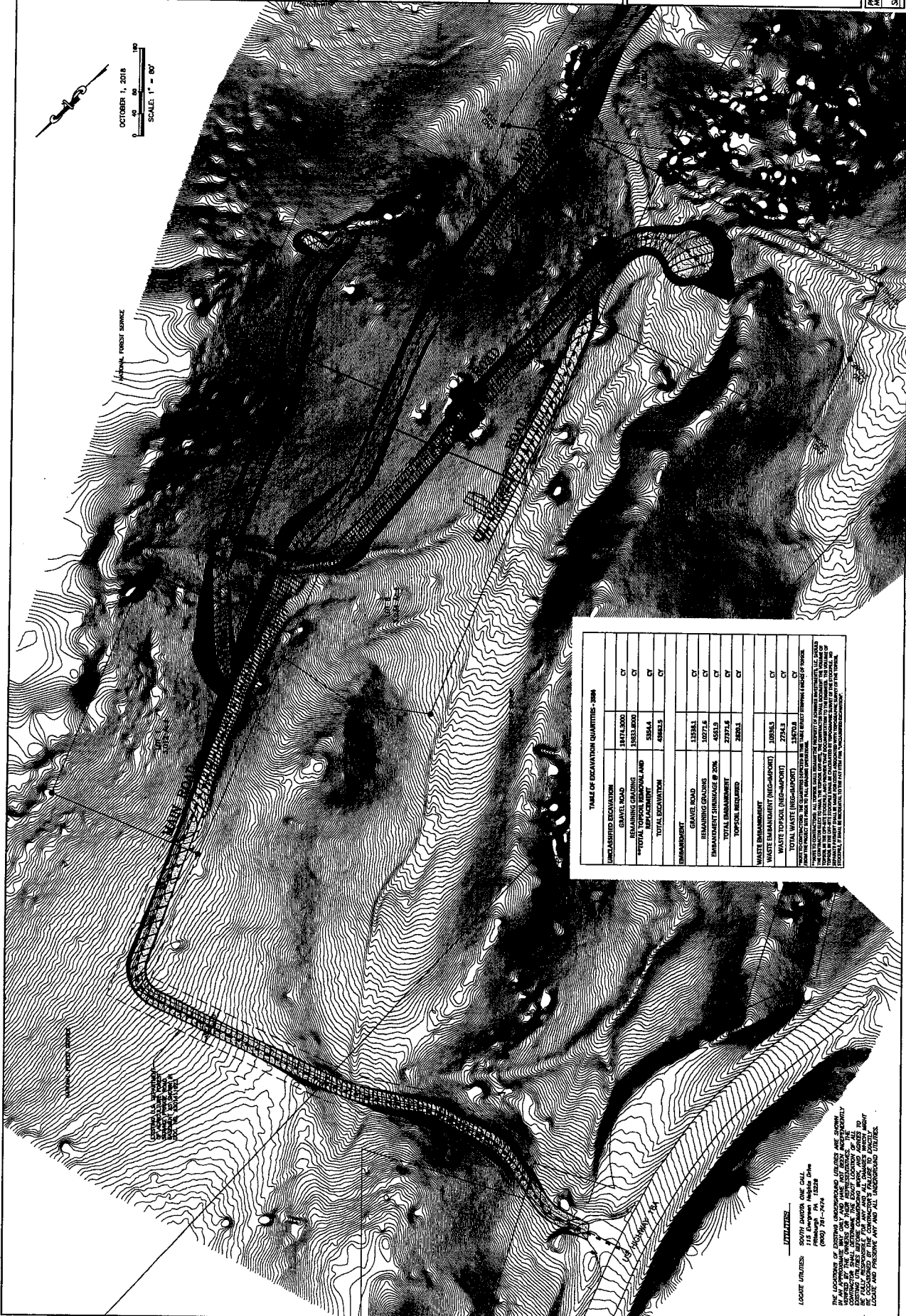


TABLE OF EXCAVATION QUANTITIES - 2018

UNCLASSIFIED EXCAVATION	1847,000	CY
GRAVEL ROAD	2,963,616	CY
REMAINING GRADING	2,963,616	CY
VERTICAL TOPSOIL REMOVAL AND	28,263	CY
TOTAL EXCAVATION	4,842,495	CY
EMBANKMENT	1,538,811	CY
GRAVEL ROAD	1,027,616	CY
REMAINING GRADING	4,842,495	CY
EMBANKMENT SURFACE @ 20%	2,373,616	CY
TOTAL EMBANKMENT	2,861,043	CY
TOPSOIL RECLAIMED	28,263	CY
WASTE EMBANKMENT	1,038,616	CY
WASTE TO SOIL (NEG-IMPACT)	273,616	CY
TOTAL WASTE (NEG-IMPACT)	1,312,232	CY

NOTES:
1. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
2. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
3. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
4. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
5. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
6. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
7. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
8. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
9. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
10. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
11. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
12. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
13. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
14. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
15. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
16. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
17. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
18. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
19. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
20. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
21. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
22. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
23. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
24. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
25. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
26. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
27. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
28. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
29. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
30. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
31. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
32. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
33. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
34. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
35. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
36. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
37. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
38. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
39. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
40. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
41. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
42. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
43. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
44. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
45. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
46. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
47. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
48. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
49. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
50. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
51. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
52. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
53. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
54. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
55. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
56. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
57. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
58. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
59. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
60. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
61. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
62. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
63. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
64. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
65. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
66. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
67. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
68. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
69. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
70. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
71. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
72. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
73. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
74. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
75. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
76. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
77. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
78. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
79. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
80. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
81. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
82. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
83. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
84. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
85. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
86. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
87. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
88. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
89. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
90. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
91. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
92. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
93. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
94. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
95. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
96. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
97. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
98. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
99. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.
100. QUANTITIES ARE BASED ON THE FINAL GRADING PLAN.

LOCUS UTILITIES
SOUTH SHANNON ONE CALL
800-488-6868
PITTSBURGH, PA 15228
(412) 791-7474

THE LOCATIONS OF EXISTING UNDEGRADED UTILITIES ARE SHOWN
ON THIS PLAN. THE LOCATION OF ANY NEW UTILITIES IS THE
PROPERTY OF THE USER OF THIS PLAN. THE USER OF THIS
PLAN SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION OF
EXISTING UTILITIES AND FOR OBTAINING NECESSARY PERMITS
AND APPROVALS FROM THE APPROPRIATE AGENCIES AND
AUTHORITIES BEFORE CONSTRUCTION. THE USER OF THIS
PLAN SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION OF
EXISTING UTILITIES AND FOR OBTAINING NECESSARY PERMITS
AND APPROVALS FROM THE APPROPRIATE AGENCIES AND
AUTHORITIES BEFORE CONSTRUCTION.

PROJECT NUMBER 3584
SHEET 34

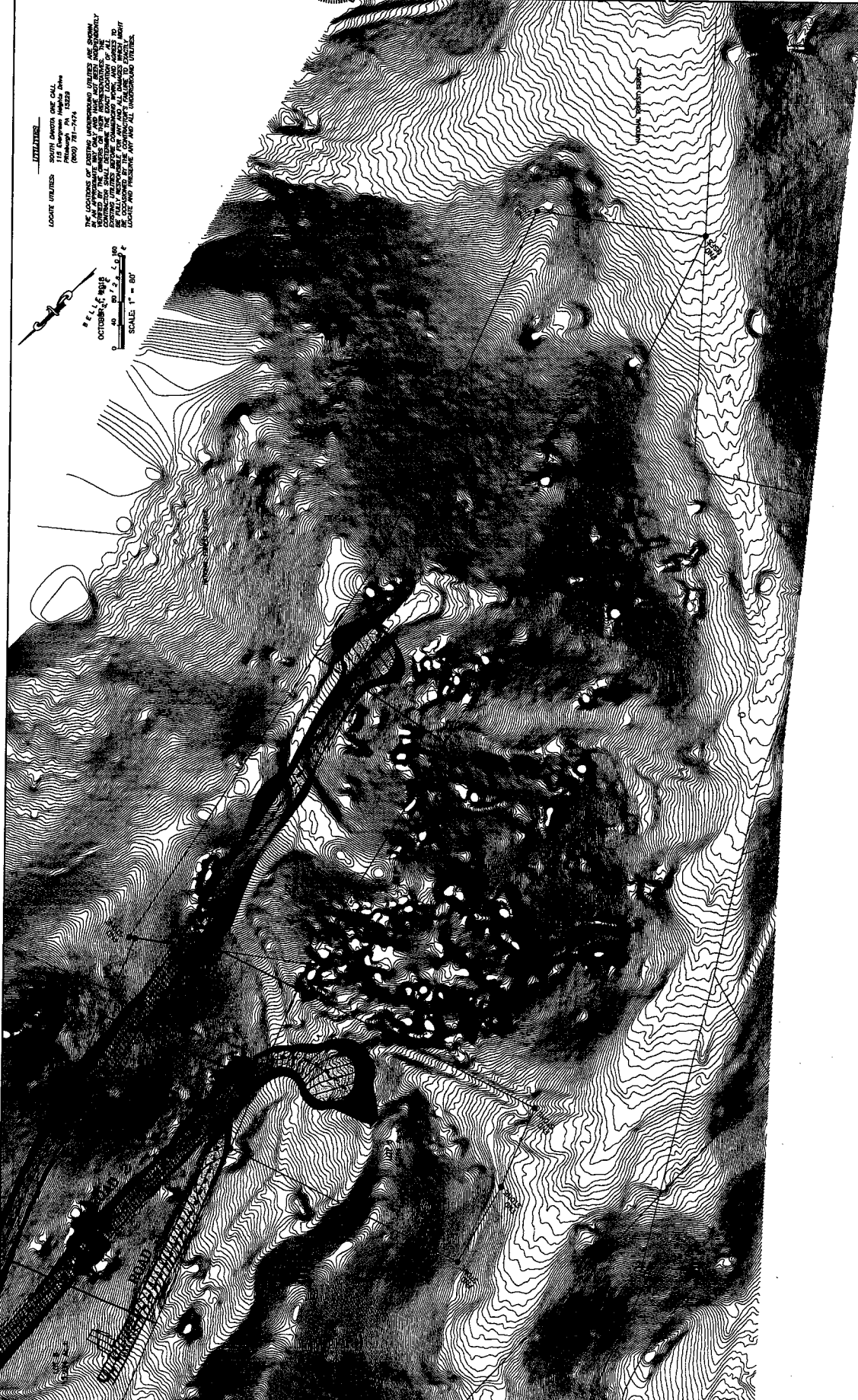
GRADING PLAN
KEYSTONE WYE SUBDIVISION

LEGAL DESCRIPTION:
Lot 1 Section 8
Township 10 North
Range 12 West
County of York, PA

DATE	
REVISIONS	

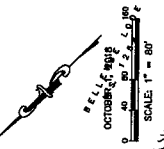


SPERLICH
Consulting, Inc.
821 Columbus St. Suite 1
Ridgely, PA 17087
E-MAIL: info@sperry.com
TEL: (717) 721-4040
Engineering, Surveying, Planning



LITERATURE
LOCATE UTILITIES: 315711 DAVENPORT ONE CALL
PROVISIONS: PA 12324
(800) 781-7474

BY ALL APPLICANTS: ALL UTILITIES LOCATED AND SHOWN
HEREON ARE BASED ON THE RECORD DRAWINGS AND SURVEY
CONDUCTED BY THE ENGINEER/CONSULTANT IN
OCTOBER 2004. THE ENGINEER/CONSULTANT HAS
NOT CONDUCTED A FIELD SURVEY TO VERIFY THE
EXISTENCE AND DEPTH OF ALL UTILITIES SHOWN ON THIS
DRAWING AND WILL NOT BE RESPONSIBLE FOR DAMAGE TO UTILITIES.



SPERLICH
Consulting, Inc.
221 Columbia St. Suite 1 Rapid City, SD 57701
TEL: (605) 721-4040
E-MAIL: info@sperrlichconsulting.com
Engineering Surveying Planning

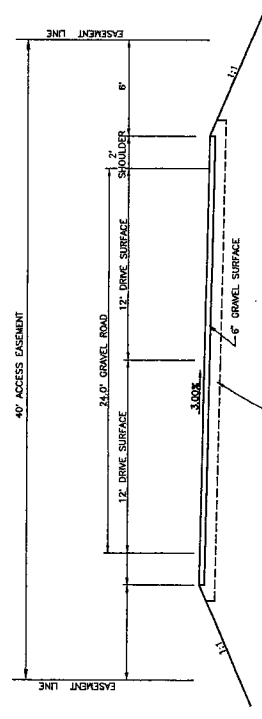


DATE	REVISION

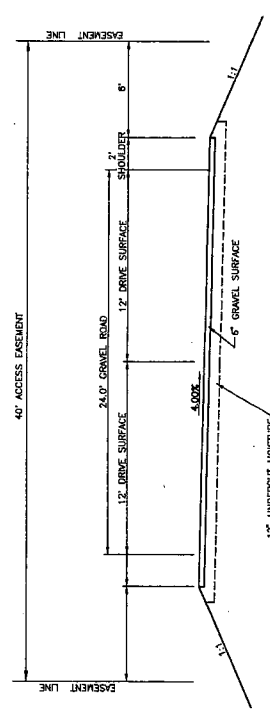
LEGAL DESCRIPTION:
 LOT 1 BOUNDARY L.
 SECTION 16 T12N R10W S10E
 BLACK HILLS COUNTY, SOUTH DAKOTA
 SECTION 16 T12N R10W S10E
 BLOCK 1000
 SUBDIVISION OF THE
 SOUTHERN S.D. STATE
 BANK & TRUST CO.
 PLAT 27, 28, 29, 30, 31, 32
 PLAT 27, 28, 29, 30, 31, 32

TYPICAL STREET SECTION
 KEYSTONE WYE SUBDIVISION

PROJECT NUMBER 35804
 SHEET 4.1



MAIN ROAD, ROAD 1 & ROAD 2



ROAD 3

SPERLICH
Consulting, Inc.
221 Columbus St. Suite 100
Rapid City, SD 57701
TELEPHONE: 605/342-4040
FAX: 605/342-4041
E-MAIL: info@sperrlich.com

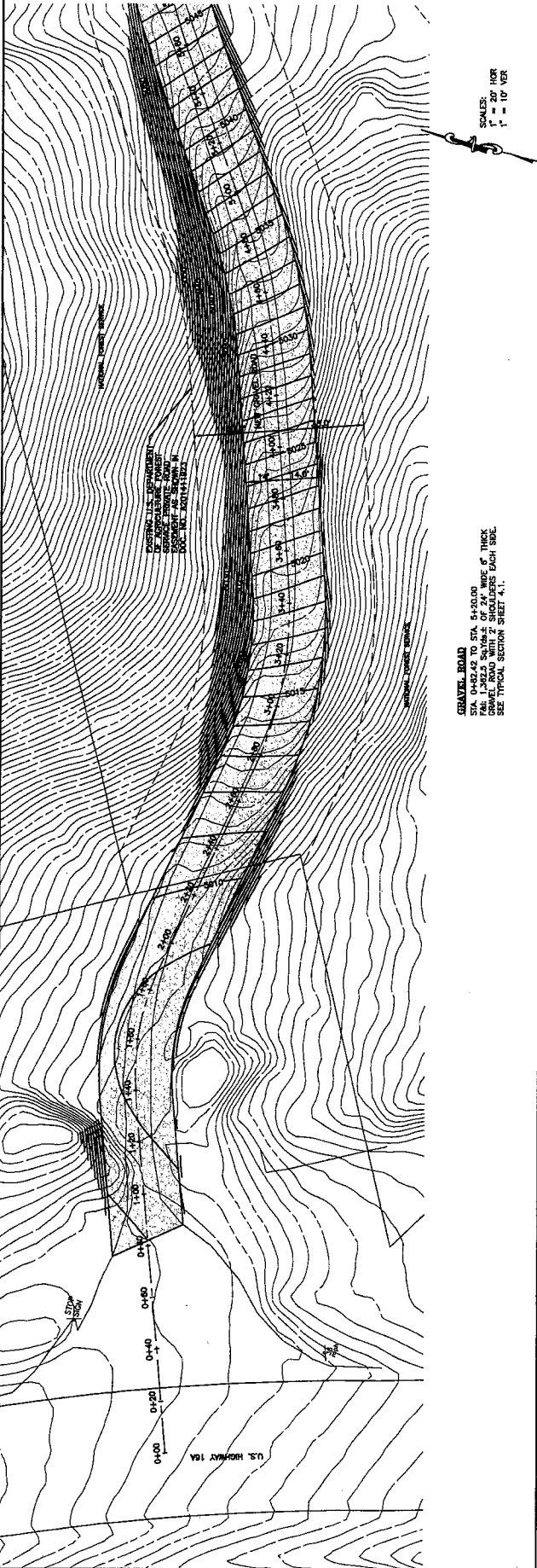


DATE	REVISION

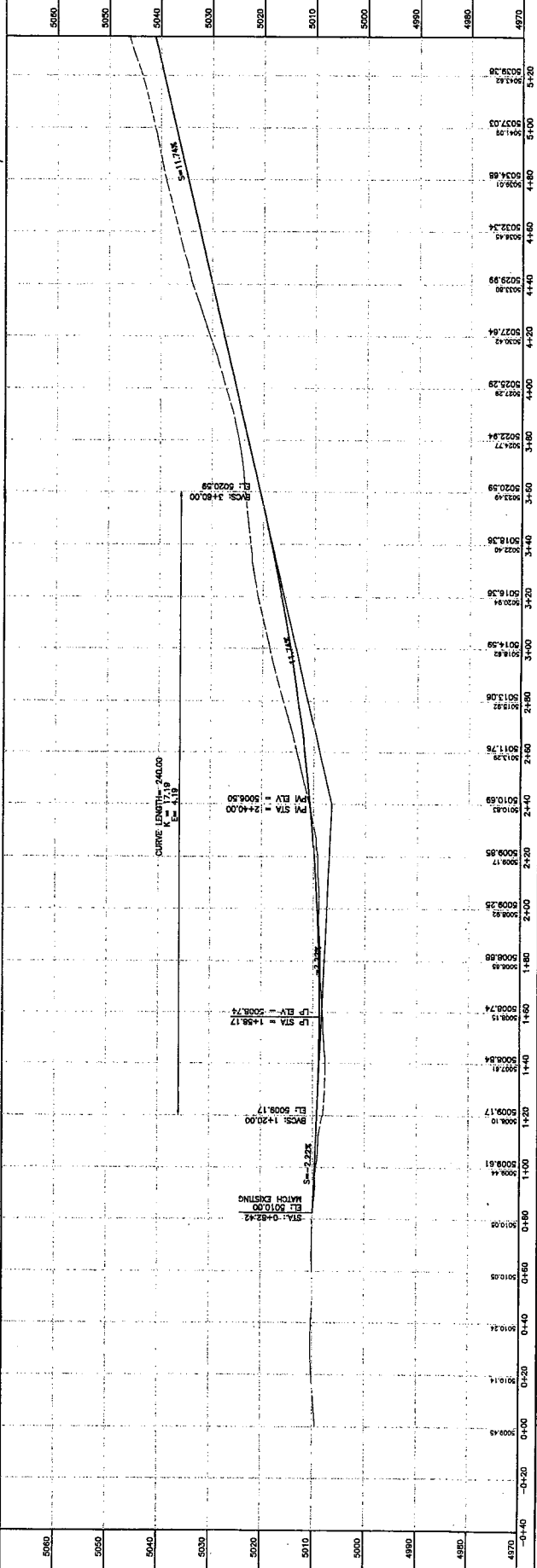
LEGAL DESCRIPTION
SECTION 16, TOWNSHIP 100N, RANGE 65W, BLACK HILLS NATIONAL MONUMENT, S.D.
SECTION 16, TOWNSHIP 100N, RANGE 65W, BLACK HILLS NATIONAL MONUMENT, S.D.

STREET PLAN AND PROFILE
MAIN ROAD
STA. 0+40.00 TO STA. 5+20.00

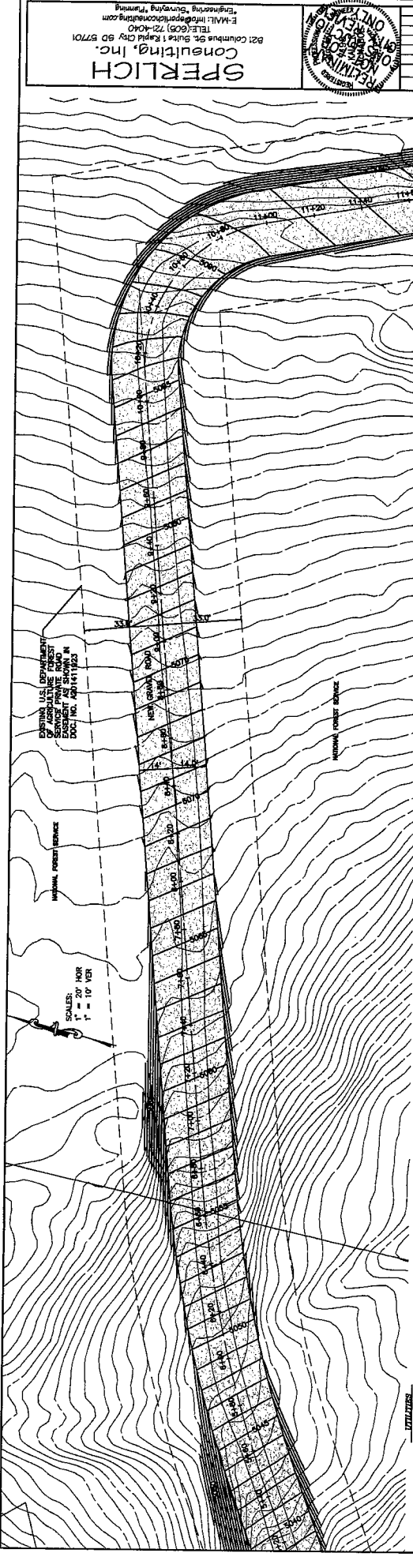
PROJECT NO. 3584
SHEET 5.1



GRAVEL ROAD
STA. 0+42.22 TO STA. 5+43.00
6' WIDE & 6' THICK
GRAVEL ROAD WITH 2' SHOULDERS EACH SIDE
SEE TYPICAL SECTION SHEET 4.1.



STATION	ELEVATION
0+40	5010.00
0+42	5010.00
0+44	5010.24
0+46	5010.00
0+48	5009.86
0+50	5009.61
0+52	5009.45
0+54	5009.25
0+56	5009.08
0+58	5008.88
0+60	5008.68
0+62	5008.48
0+64	5008.28
0+66	5008.08
0+68	5007.88
0+70	5007.68
0+72	5007.48
0+74	5007.28
0+76	5007.08
0+78	5006.88
0+80	5006.68
0+82	5006.48
0+84	5006.28
0+86	5006.08
0+88	5005.88
0+90	5005.68
0+92	5005.48
0+94	5005.28
0+96	5005.08
0+98	5004.88
1+00	5004.68
1+02	5004.48
1+04	5004.28
1+06	5004.08
1+08	5003.88
1+10	5003.68
1+12	5003.48
1+14	5003.28
1+16	5003.08
1+18	5002.88
1+20	5002.68
1+22	5002.48
1+24	5002.28
1+26	5002.08
1+28	5001.88
1+30	5001.68
1+32	5001.48
1+34	5001.28
1+36	5001.08
1+38	5000.88
1+40	5000.68
1+42	5000.48
1+44	5000.28
1+46	5000.08
1+48	4999.88
1+50	4999.68
1+52	4999.48
1+54	4999.28
1+56	4999.08
1+58	4998.88
1+60	4998.68
1+62	4998.48
1+64	4998.28
1+66	4998.08
1+68	4997.88
1+70	4997.68
1+72	4997.48
1+74	4997.28
1+76	4997.08
1+78	4996.88
1+80	4996.68
1+82	4996.48
1+84	4996.28
1+86	4996.08
1+88	4995.88
1+90	4995.68
1+92	4995.48
1+94	4995.28
1+96	4995.08
1+98	4994.88
2+00	4994.68
2+02	4994.48
2+04	4994.28
2+06	4994.08
2+08	4993.88
2+10	4993.68
2+12	4993.48
2+14	4993.28
2+16	4993.08
2+18	4992.88
2+20	4992.68
2+22	4992.48
2+24	4992.28
2+26	4992.08
2+28	4991.88
2+30	4991.68
2+32	4991.48
2+34	4991.28
2+36	4991.08
2+38	4990.88
2+40	4990.68
2+42	4990.48
2+44	4990.28
2+46	4990.08
2+48	4989.88
2+50	4989.68
2+52	4989.48
2+54	4989.28
2+56	4989.08
2+58	4988.88
2+60	4988.68
2+62	4988.48
2+64	4988.28
2+66	4988.08
2+68	4987.88
2+70	4987.68
2+72	4987.48
2+74	4987.28
2+76	4987.08
2+78	4986.88
2+80	4986.68
2+82	4986.48
2+84	4986.28
2+86	4986.08
2+88	4985.88
2+90	4985.68
2+92	4985.48
2+94	4985.28
2+96	4985.08
2+98	4984.88
3+00	4984.68
3+02	4984.48
3+04	4984.28
3+06	4984.08
3+08	4983.88
3+10	4983.68
3+12	4983.48
3+14	4983.28
3+16	4983.08
3+18	4982.88
3+20	4982.68
3+22	4982.48
3+24	4982.28
3+26	4982.08
3+28	4981.88
3+30	4981.68
3+32	4981.48
3+34	4981.28
3+36	4981.08
3+38	4980.88
3+40	4980.68
3+42	4980.48
3+44	4980.28
3+46	4980.08
3+48	4979.88
3+50	4979.68
3+52	4979.48
3+54	4979.28
3+56	4979.08
3+58	4978.88
3+60	4978.68
3+62	4978.48
3+64	4978.28
3+66	4978.08
3+68	4977.88
3+70	4977.68
3+72	4977.48
3+74	4977.28
3+76	4977.08
3+78	4976.88
3+80	4976.68
3+82	4976.48
3+84	4976.28
3+86	4976.08
3+88	4975.88
3+90	4975.68
3+92	4975.48
3+94	4975.28
3+96	4975.08
3+98	4974.88
4+00	4974.68
4+02	4974.48
4+04	4974.28
4+06	4974.08
4+08	4973.88
4+10	4973.68
4+12	4973.48
4+14	4973.28
4+16	4973.08
4+18	4972.88
4+20	4972.68
4+22	4972.48
4+24	4972.28
4+26	4972.08
4+28	4971.88
4+30	4971.68
4+32	4971.48
4+34	4971.28
4+36	4971.08
4+38	4970.88
4+40	4970.68
4+42	4970.48
4+44	4970.28
4+46	4970.08
4+48	4969.88
4+50	4969.68
4+52	4969.48
4+54	4969.28
4+56	4969.08
4+58	4968.88
4+60	4968.68
4+62	4968.48
4+64	4968.28
4+66	4968.08
4+68	4967.88
4+70	4967.68
4+72	4967.48
4+74	4967.28
4+76	4967.08
4+78	4966.88
4+80	4966.68
4+82	4966.48
4+84	4966.28
4+86	4966.08
4+88	4965.88
4+90	4965.68
4+92	4965.48
4+94	4965.28
4+96	4965.08
4+98	4964.88
5+00	4964.68
5+02	4964.48
5+04	4964.28
5+06	4964.08
5+08	4963.88
5+10	4963.68
5+12	4963.48
5+14	4963.28
5+16	4963.08
5+18	4962.88
5+20	4962.68



STATION	ELEVATION
5+20	5028.38
5+22	5010.82
5+40	5041.73
5+42	5041.08
5+44	5041.16
5+46	5041.16
5+48	5041.16
5+50	5041.16
5+52	5041.16
5+54	5041.16
5+56	5041.16
5+58	5041.16
5+60	5041.16
5+62	5041.16
5+64	5041.16
5+66	5041.16
5+68	5041.16
5+70	5041.16
5+72	5041.16
5+74	5041.16
5+76	5041.16
5+78	5041.16
5+80	5041.16
5+82	5041.16
5+84	5041.16
5+86	5041.16
5+88	5041.16
5+90	5041.16
5+92	5041.16
5+94	5041.16
5+96	5041.16
5+98	5041.16
6+00	5041.16
6+02	5041.16
6+04	5041.16
6+06	5041.16
6+08	5041.16
6+10	5041.16
6+12	5041.16
6+14	5041.16
6+16	5041.16
6+18	5041.16
6+20	5041.16
6+22	5041.16
6+24	5041.16
6+26	5041.16
6+28	5041.16
6+30	5041.16
6+32	5041.16
6+34	5041.16
6+36	5041.16
6+38	5041.16
6+40	5041.16
6+42	5041.16
6+44	5041.16
6+46	5041.16
6+48	5041.16
6+50	5041.16
6+52	5041.16
6+54	5041.16
6+56	5041.16
6+58	5041.16
6+60	5041.16
6+62	5041.16
6+64	5041.16
6+66	5041.16
6+68	5041.16
6+70	5041.16
6+72	5041.16
6+74	5041.16
6+76	5041.16
6+78	5041.16
6+80	5041.16
6+82	5041.16
6+84	5041.16
6+86	5041.16
6+88	5041.16
6+90	5041.16
6+92	5041.16
6+94	5041.16
6+96	5041.16
6+98	5041.16
7+00	5041.16
7+02	5041.16
7+04	5041.16
7+06	5041.16
7+08	5041.16
7+10	5041.16
7+12	5041.16
7+14	5041.16
7+16	5041.16
7+18	5041.16
7+20	5041.16
7+22	5041.16
7+24	5041.16
7+26	5041.16
7+28	5041.16
7+30	5041.16
7+32	5041.16
7+34	5041.16
7+36	5041.16
7+38	5041.16
7+40	5041.16
7+42	5041.16
7+44	5041.16
7+46	5041.16
7+48	5041.16
7+50	5041.16
7+52	5041.16
7+54	5041.16
7+56	5041.16
7+58	5041.16
7+60	5041.16
7+62	5041.16
7+64	5041.16
7+66	5041.16
7+68	5041.16
7+70	5041.16
7+72	5041.16
7+74	5041.16
7+76	5041.16
7+78	5041.16
7+80	5041.16
7+82	5041.16
7+84	5041.16
7+86	5041.16
7+88	5041.16
7+90	5041.16
7+92	5041.16
7+94	5041.16
7+96	5041.16
7+98	5041.16
8+00	5041.16
8+02	5041.16
8+04	5041.16
8+06	5041.16
8+08	5041.16
8+10	5041.16
8+12	5041.16
8+14	5041.16
8+16	5041.16
8+18	5041.16
8+20	5041.16
8+22	5041.16
8+24	5041.16
8+26	5041.16
8+28	5041.16
8+30	5041.16
8+32	5041.16
8+34	5041.16
8+36	5041.16
8+38	5041.16
8+40	5041.16
8+42	5041.16
8+44	5041.16
8+46	5041.16
8+48	5041.16
8+50	5041.16
8+52	5041.16
8+54	5041.16
8+56	5041.16
8+58	5041.16
8+60	5041.16
8+62	5041.16
8+64	5041.16
8+66	5041.16
8+68	5041.16
8+70	5041.16
8+72	5041.16
8+74	5041.16
8+76	5041.16
8+78	5041.16
8+80	5041.16
8+82	5041.16
8+84	5041.16
8+86	5041.16
8+88	5041.16
8+90	5041.16
8+92	5041.16
8+94	5041.16
8+96	5041.16
8+98	5041.16
9+00	5041.16
9+02	5041.16
9+04	5041.16
9+06	5041.16
9+08	5041.16
9+10	5041.16
9+12	5041.16
9+14	5041.16
9+16	5041.16
9+18	5041.16
9+20	5041.16
9+22	5041.16
9+24	5041.16
9+26	5041.16
9+28	5041.16
9+30	5041.16
9+32	5041.16
9+34	5041.16
9+36	5041.16
9+38	5041.16
9+40	5041.16
9+42	5041.16
9+44	5041.16
9+46	5041.16
9+48	5041.16
9+50	5041.16
9+52	5041.16
9+54	5041.16
9+56	5041.16
9+58	5041.16
9+60	5041.16
9+62	5041.16
9+64	5041.16
9+66	5041.16
9+68	5041.16
9+70	5041.16
9+72	5041.16
9+74	5041.16
9+76	5041.16
9+78	5041.16
9+80	5041.16
9+82	5041.16
9+84	5041.16
9+86	5041.16
9+88	5041.16
9+90	5041.16
9+92	5041.16
9+94	5041.16
9+96	5041.16
9+98	5041.16
10+00	5041.16
10+02	5041.16
10+04	5041.16
10+06	5041.16
10+08	5041.16
10+10	5041.16
10+12	5041.16
10+14	5041.16
10+16	5041.16
10+18	5041.16
10+20	5041.16
10+22	5041.16
10+24	5041.16
10+26	5041.16
10+28	5041.16
10+30	5041.16
10+32	5041.16
10+34	5041.16
10+36	5041.16
10+38	5041.16
10+40	5041.16
10+42	5041.16
10+44	5041.16
10+46	5041.16
10+48	5041.16
10+50	5041.16
10+52	5041.16
10+54	5041.16
10+56	5041.16
10+58	5041.16
10+60	5041.16
10+62	5041.16
10+64	5041.16
10+66	5041.16
10+68	5041.16
10+70	5041.16
10+72	5041.16
10+74	5041.16
10+76	5041.16
10+78	5041.16
10+80	5041.16
10+82	5041.16
10+84	5041.16
10+86	5041.16
10+88	5041.16
10+90	5041.16
10+92	5041.16
10+94	5041.16
10+96	5041.16
10+98	5041.16
11+00	5041.16

GRAVEL ROAD
 STA. 10+80.00
 PAV. 1.7423 53.04% ± OF 24" WIDE 6" THICK
 CONCRETE ROAD WITH 2 SHOULDER EACH SIDE.
 SEE TYPICAL SECTION SHEET 41.

LOCATE UTILITIES
 SOUTH DAKOTA ONE CALL
 800 368 5822
 (605) 781-7474

THE LOCATIONS OF UTILITIES SHOWN ON THESE PLANS ARE SHOWN IN APPROXIMATE ONLY AND ARE NOT TO BE CONSIDERED AS A GUARANTEE OF ANY KIND. THE CONTRACTOR SHALL VERIFY THE EXACT LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES TO ANY UTILITIES LOCATED AND MAINTAINED BY ANY AND ALL LANDOWNERS AND UTILITIES.

CURVE LENGTH = 30.00
 PVI STA = 8+30.00
 ELEVATION = 5023.30
 BVC STA = 8+15.00
 ELEVATION = 5023.32
 EVC STA = 8+45.00
 ELEVATION = 5023.28

CURVE LENGTH = 40.00
 PVI STA = 10+20.00
 ELEVATION = 5088.25
 BVC STA = 10+00.00
 ELEVATION = 5088.25
 EVC STA = 10+40.00
 ELEVATION = 5088.25

STREET PLAN AND PROFILE
 STA. 5+20.00 TO STA. 10+80.00
 MAIN ROAD

PROJECT NO. 3584
 SHEET 5.2

SPEERLICH CONSULTING, Inc.
 821 Columbia St. Suite 1 Rapid City, SD 57701
 E-MAIL: info@speerlichconsulting.com
 TEL: (605) 721-1040
 Engineering Surveying Planning

REGISTERED PROFESSIONAL ENGINEER
 STATE OF SOUTH DAKOTA
 LICENSE NO. 1567

NO.	DATE	REVISIONS

LEGAL DESCRIPTION
 SECTION 16 & 17 TOWNSHIP 45 N RANGE 10 W
 COUNTY OF SIOUX SOUTH DAKOTA
 PROJECT NO. 3584
 SHEET 5.2

SPEERLICH
 Consulting, Inc.
 821 Columbia St., Suite 500
 York, PA 17403
 TEL: (717) 766-1000
 FAX: (717) 766-1001
 E-MAIL: info@speerlich.com
 Engineering, Surveying, Planning

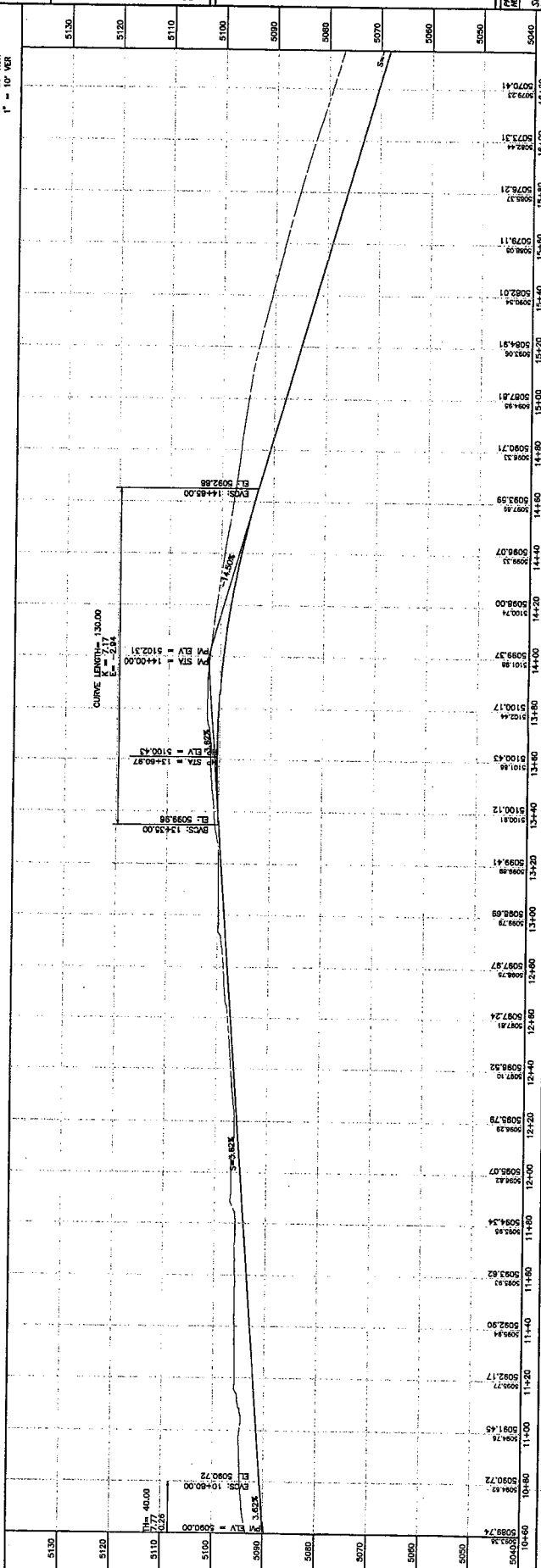
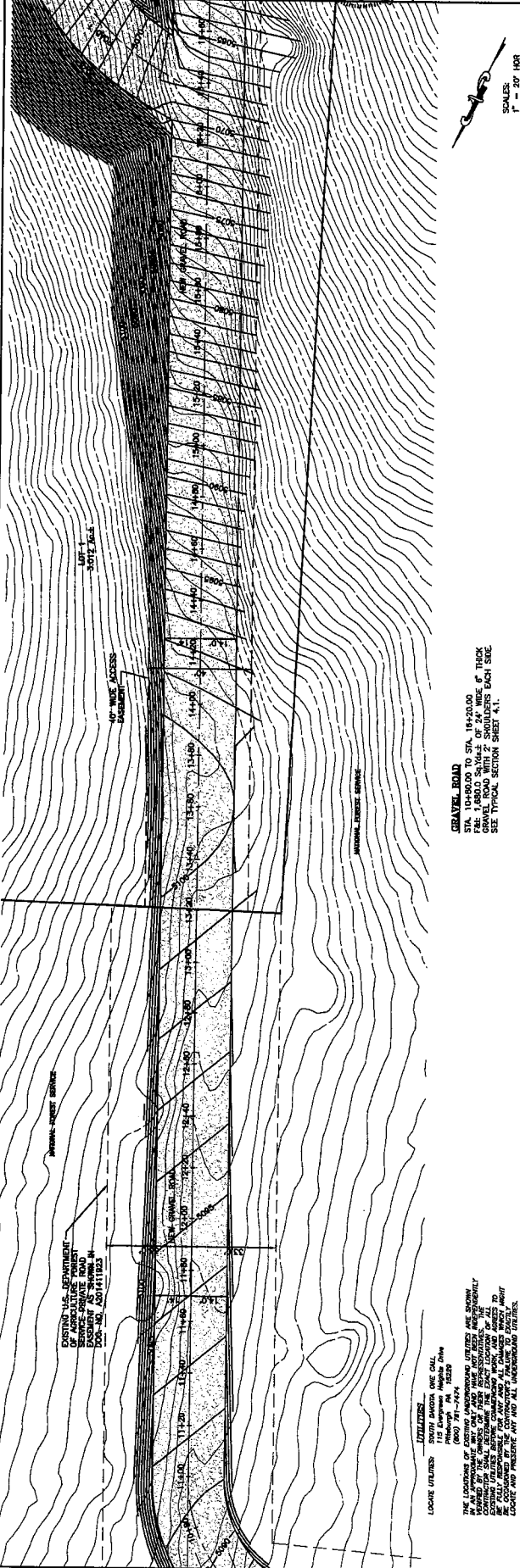


NO.	DATE	REVISION

LEGAL DESCRIPTION
 PARCELS 1 & 2
 LOCATED IN THE 2ND
 SECTION 28, TOWNSHIP
 15N, RANGE 11W, PA
 15N 15 28 11W PA
 15N 15 28 11W PA

STREET PLAN AND PROFILE
 STA 10+80.00 TO STA 16+20.00
 MAIN ROAD

PROJECT NUMBER: 35184
 SHEET: 5.3



GRAVEL ROAD
 STA 10+80.00 TO STA 16+20.00
 FOR: 1,680.00 SQ. YARD OF 24" WIDE OF THICK
 GRAVEL ROAD WITH 2' SHOULDERS EACH SIDE
 SEE TYPICAL SECTION SHEET 4.1.

LOCATE UTILITIES
 FROM DRAWING AND CALL
 8000 W. 15TH AVE
 PITTSBURGH, PA 15205
 412-261-7400

THE LOCATIONS OF CONDUIT AND UNDERGROUND UTILITIES ARE SHOWN
 AS APPROXIMATE ONLY. THE EXACT LOCATION OF ALL UTILITIES
 SHOULD BE DETERMINED BY THE CONTRACTOR PRIOR TO CONSTRUCTION.
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY
 PERMITS AND RIGHTS OF WAY FROM THE APPROPRIATE AGENCIES.
 LOCATE AND PRESERVE ALL EXISTING UNDERGROUND UTILITIES.

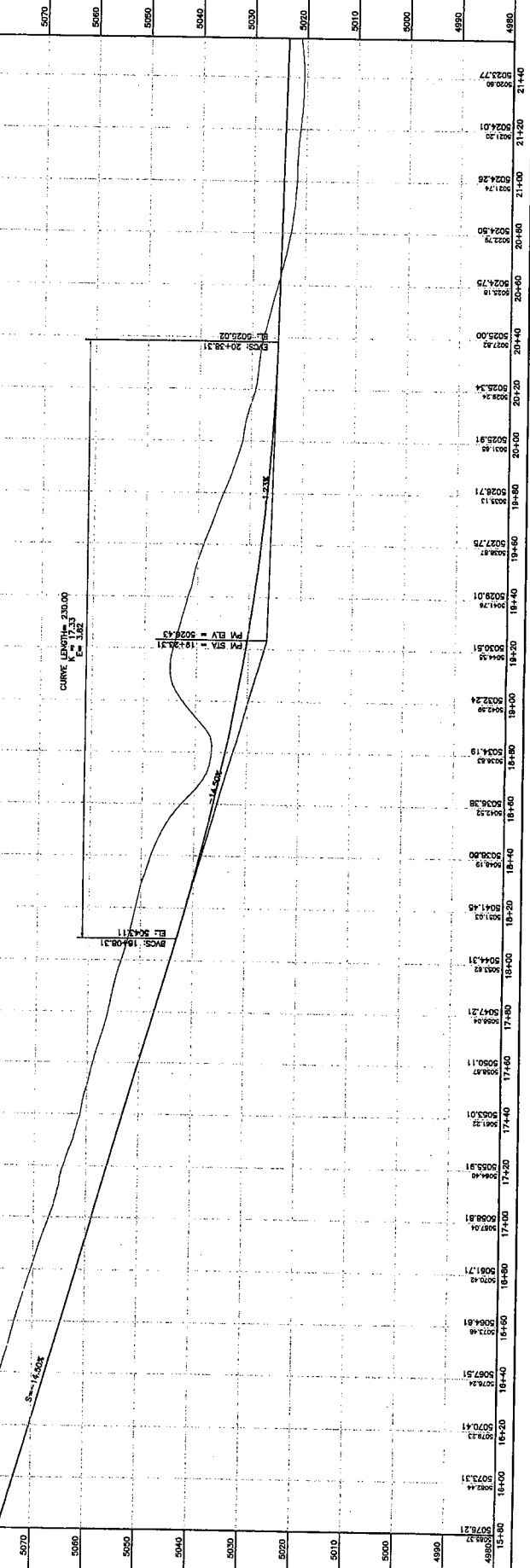
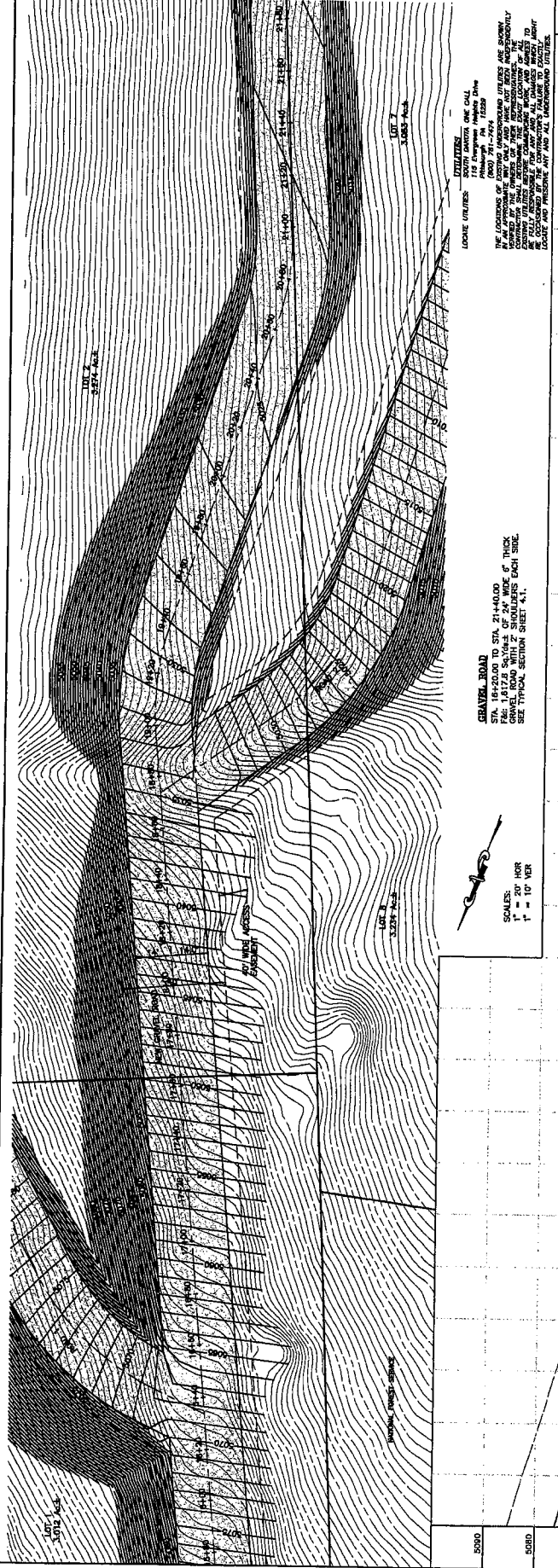
PAINTING U.S. DEPARTMENT
 OF TRANSPORTATION
 SERVICE PRIVATE ROAD
 200-367-4200
 200-367-4200



DATE	REVISIONS

STREET PLAN AND PROFILE
MAIN ROAD
STA. 16+20.00 TO STA. 21+40.00

PROJECT	3554
SHEET	5.4



STATION	ELEVATION (FEET)
15+80	5076.21
16+00	5082.44
16+20	5073.31
16+40	5070.41
16+60	5076.51
16+80	5076.81
17+00	5068.81
17+20	5055.91
17+40	5053.01
17+60	5058.87
17+80	5077.21
18+00	5067.82
18+20	5041.46
18+40	5048.19
18+60	5038.80
18+80	5042.53
19+00	5034.38
19+20	5032.24
19+40	5030.51
19+60	5041.28
19+80	5028.01
20+00	5037.75
20+20	5033.13
20+40	5028.71
20+60	5025.91
20+80	5025.34
21+00	5025.00
21+20	5024.26
21+40	5023.77



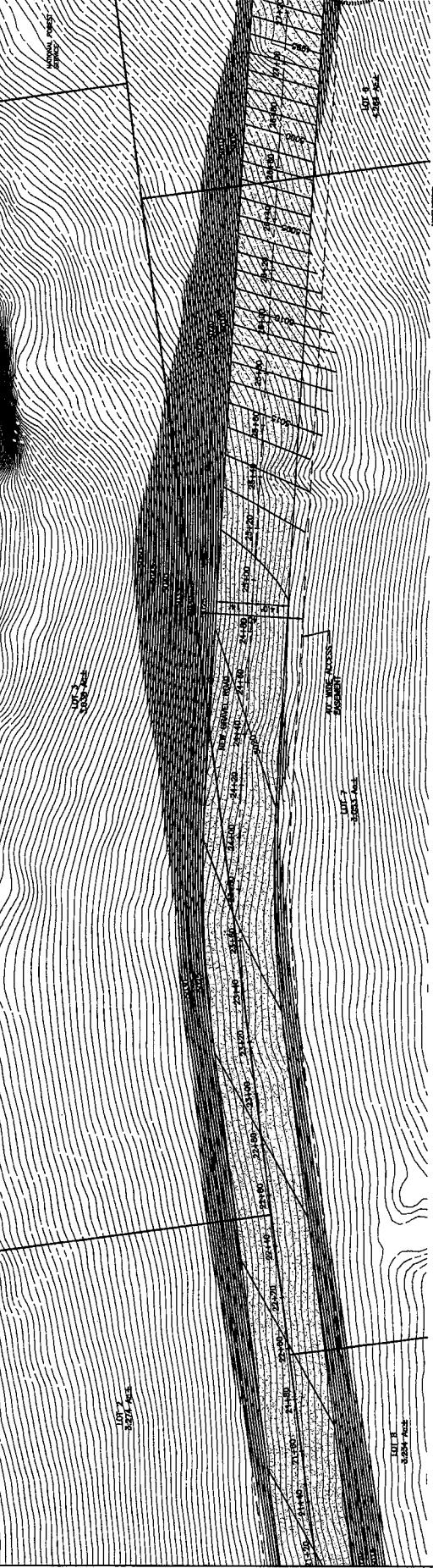
NO.	DATE	REVISIONS

LEGAL DESCRIPTION

STREET PLAN AND PROFILE

STA 21+40.00 TO STA. 26+60.00
MAIN ROAD

PROJECT NO. 3564
SHEET 5 OF 5



UTILITIES

GAS UTILITY: 12" Easement, Mainline Drive, P.O. Box 1529, Richmond, VA 23134.

WATER UTILITY: 12" Easement, Mainline Drive, P.O. Box 1529, Richmond, VA 23134.

ELECTRIC UTILITY: 12" Easement, Mainline Drive, P.O. Box 1529, Richmond, VA 23134.

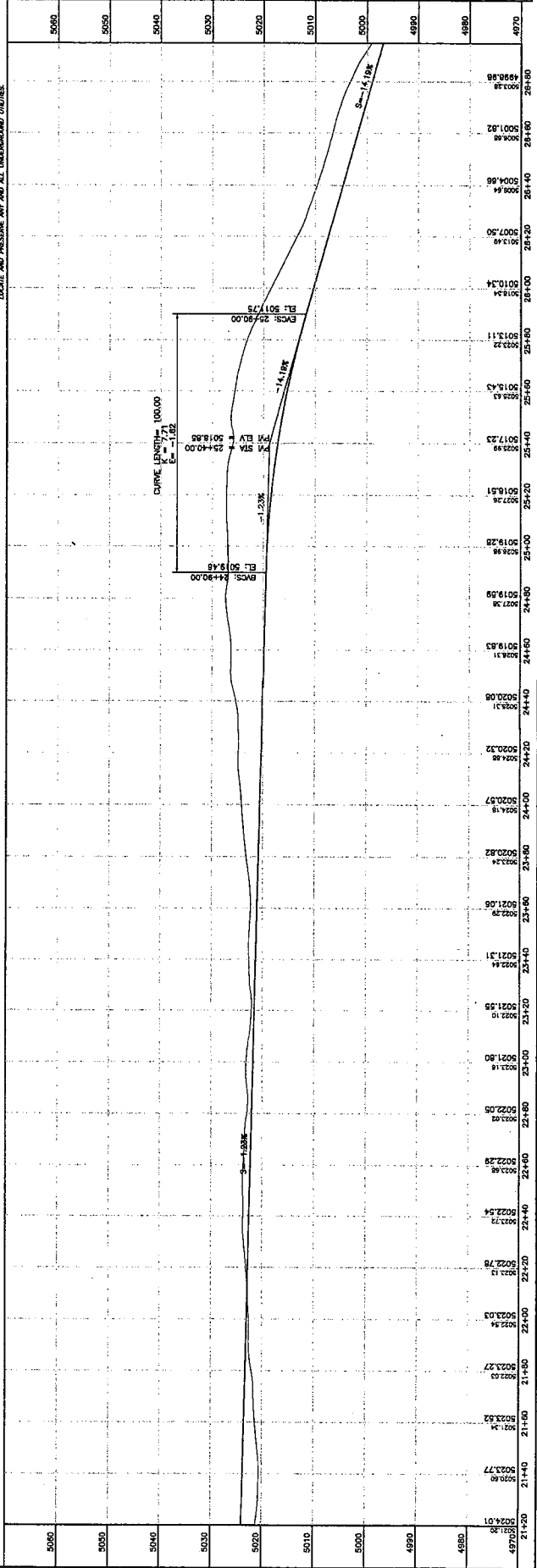
SEWER UTILITY: 12" Easement, Mainline Drive, P.O. Box 1529, Richmond, VA 23134.

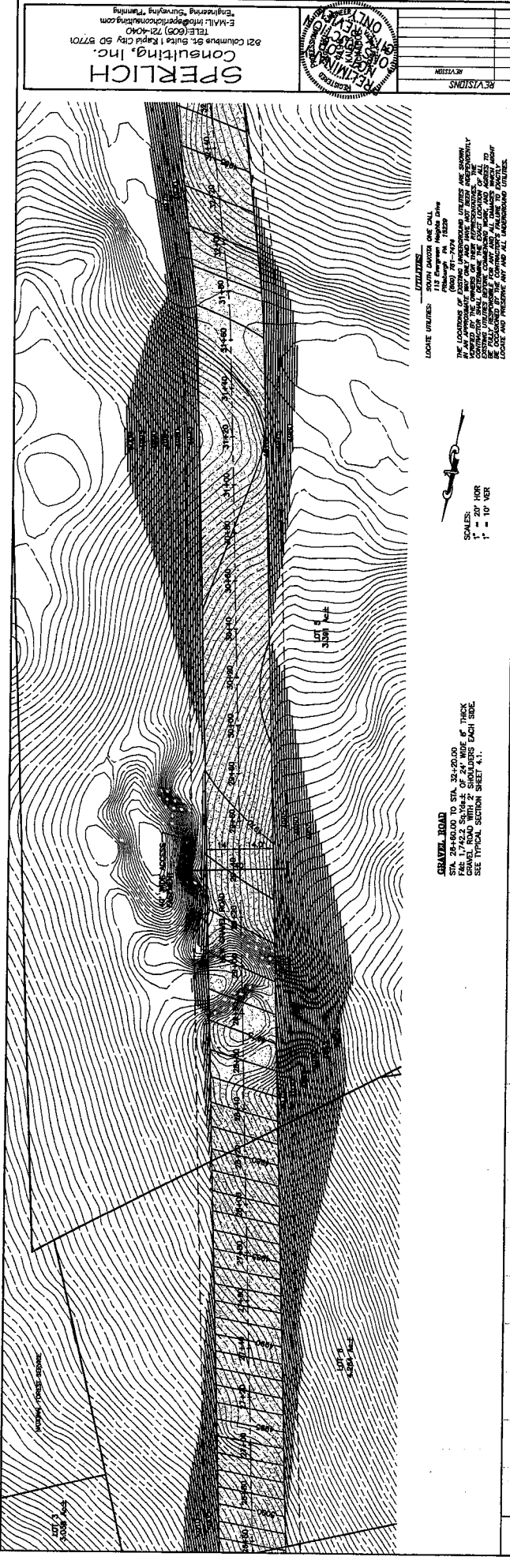
TELEPHONE UTILITY: 12" Easement, Mainline Drive, P.O. Box 1529, Richmond, VA 23134.

ALL UTILITIES ARE SHOWN AS SHOWN BY THE OWNERS AND ARE NOT TO BE VERIFIED BY THE ENGINEER. THE ENGINEER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE OWNERS. THE ENGINEER IS NOT TO BE HELD RESPONSIBLE FOR ANY DAMAGES, LOSSES, INJURIES, OR DEATHS RESULTING FROM THE USE OF THIS INFORMATION, WHETHER OR NOT SUCH DAMAGES, LOSSES, INJURIES, OR DEATHS COULD HAVE BEEN PREVENTED BY THE EXERCISE OF REASONABLE CARE AND PRUDENT JUDGMENT.

GRAVEL ROAD

STA 21+40.00 TO STA. 26+60.00
ROAD WIDTH: 24' TO 30'
SLOPE: 3% TO 5%
SEE TYPICAL SECTION SHEET 4.1.





STATION	ELEVATION	STATION	ELEVATION
26+00	5001.82	30+00	4999.24
26+10	4999.98	30+10	4999.20
26+20	4998.14	30+20	4998.87
26+30	4995.31	30+30	4998.58
26+40	4992.47	30+40	4998.30
26+50	4989.64	30+50	4998.04
26+60	4986.81	30+60	4997.78
26+70	4983.98	30+70	4997.53
26+80	4981.15	30+80	4997.28
26+90	4978.32	30+90	4997.03
27+00	4975.49	31+00	4996.78
27+10	4972.66	31+10	4996.53
27+20	4969.83	31+20	4996.28
27+30	4967.00	31+30	4996.03
27+40	4964.17	31+40	4995.78
27+50	4961.34	31+50	4995.53
27+60	4958.51	31+60	4995.28
27+70	4955.68	31+70	4995.03
27+80	4952.85	31+80	4994.78
27+90	4950.02	31+90	4994.53
28+00	4947.19	32+00	4994.28
28+10	4944.36		
28+20	4941.53		
28+30	4938.70		
28+40	4935.87		
28+50	4933.04		
28+60	4930.21		
28+70	4927.38		
28+80	4924.55		
28+90	4921.72		
29+00	4918.89		
29+10	4916.06		
29+20	4913.23		
29+30	4910.40		
29+40	4907.57		
29+50	4904.74		
29+60	4901.91		
29+70	4899.08		
29+80	4896.25		
29+90	4893.42		
30+00	4890.59		
30+10	4887.76		
30+20	4884.93		
30+30	4882.10		
30+40	4879.27		
30+50	4876.44		
30+60	4873.61		
30+70	4870.78		
30+80	4867.95		
30+90	4865.12		
31+00	4862.29		
31+10	4859.46		
31+20	4856.63		
31+30	4853.80		
31+40	4850.97		
31+50	4848.14		
31+60	4845.31		
31+70	4842.48		
31+80	4839.65		
31+90	4836.82		
32+00	4833.99		

GRAVEL ROAD
 STA. 26+60.00 TO STA. 32+20.00
 GRAVEL ROAD WITH 2' SHOULDERS EACH SIDE.
 SEE TYPICAL SECTION SHEET 4.1.

UTILITIES
 LOCATE UTILITIES: SOUTH DAVEN ONE CALL
 1-800-368-5888
 (800) 368-5888
 721-0400
 231 Columbus St., Suite 1 Rapid City, SD 57701
 E-MAIL: info@sperrlich.com
 Engineering, Surveying, Planning

NOTES
 1. ALL DIMENSIONS UNLESS OTHERWISE SPECIFIED ARE IN FEET AND DECIMALS THEREOF.
 2. THE LOCATION OF ALL UTILITIES SHALL BE DETERMINED BY THE CONTRACTOR.
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND RIGHTS OF WAY.
 4. ALL DIMENSIONS SHALL BE TO THE CENTERLINE OF THE ROAD UNLESS OTHERWISE SPECIFIED.
 5. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
 6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES.
 7. THE CONTRACTOR SHALL MAINTAIN ALL EXISTING UTILITIES.
 8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL EROSION CONTROL MEASURES.
 9. THE CONTRACTOR SHALL MAINTAIN ALL EXISTING UTILITIES.
 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL EROSION CONTROL MEASURES.

LEGAL DESCRIPTION

SECTION 14, T42N, R10E, S14W
 SECTION 15, T42N, R10E, S14W
 SECTION 16, T42N, R10E, S14W
 SECTION 17, T42N, R10E, S14W
 SECTION 18, T42N, R10E, S14W
 SECTION 19, T42N, R10E, S14W
 SECTION 20, T42N, R10E, S14W
 SECTION 21, T42N, R10E, S14W
 SECTION 22, T42N, R10E, S14W
 SECTION 23, T42N, R10E, S14W
 SECTION 24, T42N, R10E, S14W
 SECTION 25, T42N, R10E, S14W
 SECTION 26, T42N, R10E, S14W
 SECTION 27, T42N, R10E, S14W
 SECTION 28, T42N, R10E, S14W
 SECTION 29, T42N, R10E, S14W
 SECTION 30, T42N, R10E, S14W
 SECTION 31, T42N, R10E, S14W
 SECTION 32, T42N, R10E, S14W

SCALES:
 1" = 20' HOR
 1" = 10' VER

GRAVEL ROAD
 STA. 26+60.00 TO STA. 32+20.00
 GRAVEL ROAD WITH 2' SHOULDERS EACH SIDE.
 SEE TYPICAL SECTION SHEET 4.1.

UTILITIES
 LOCATE UTILITIES: SOUTH DAVEN ONE CALL
 1-800-368-5888
 (800) 368-5888
 721-0400
 231 Columbus St., Suite 1 Rapid City, SD 57701
 E-MAIL: info@sperrlich.com
 Engineering, Surveying, Planning

LEGAL DESCRIPTION

SECTION 14, T42N, R10E, S14W
 SECTION 15, T42N, R10E, S14W
 SECTION 16, T42N, R10E, S14W
 SECTION 17, T42N, R10E, S14W
 SECTION 18, T42N, R10E, S14W
 SECTION 19, T42N, R10E, S14W
 SECTION 20, T42N, R10E, S14W
 SECTION 21, T42N, R10E, S14W
 SECTION 22, T42N, R10E, S14W
 SECTION 23, T42N, R10E, S14W
 SECTION 24, T42N, R10E, S14W
 SECTION 25, T42N, R10E, S14W
 SECTION 26, T42N, R10E, S14W
 SECTION 27, T42N, R10E, S14W
 SECTION 28, T42N, R10E, S14W
 SECTION 29, T42N, R10E, S14W
 SECTION 30, T42N, R10E, S14W
 SECTION 31, T42N, R10E, S14W
 SECTION 32, T42N, R10E, S14W

SCALES:
 1" = 20' HOR
 1" = 10' VER

GRAVEL ROAD
 STA. 26+60.00 TO STA. 32+20.00
 GRAVEL ROAD WITH 2' SHOULDERS EACH SIDE.
 SEE TYPICAL SECTION SHEET 4.1.

UTILITIES
 LOCATE UTILITIES: SOUTH DAVEN ONE CALL
 1-800-368-5888
 (800) 368-5888
 721-0400
 231 Columbus St., Suite 1 Rapid City, SD 57701
 E-MAIL: info@sperrlich.com
 Engineering, Surveying, Planning

GRAVEL ROAD
 STA. 26+60.00 TO STA. 32+20.00
 GRAVEL ROAD WITH 2' SHOULDERS EACH SIDE.
 SEE TYPICAL SECTION SHEET 4.1.

UTILITIES
 LOCATE UTILITIES: SOUTH DAVEN ONE CALL
 1-800-368-5888
 (800) 368-5888
 721-0400
 231 Columbus St., Suite 1 Rapid City, SD 57701
 E-MAIL: info@sperrlich.com
 Engineering, Surveying, Planning

LEGAL DESCRIPTION

SECTION 14, T42N, R10E, S14W
 SECTION 15, T42N, R10E, S14W
 SECTION 16, T42N, R10E, S14W
 SECTION 17, T42N, R10E, S14W
 SECTION 18, T42N, R10E, S14W
 SECTION 19, T42N, R10E, S14W
 SECTION 20, T42N, R10E, S14W
 SECTION 21, T42N, R10E, S14W
 SECTION 22, T42N, R10E, S14W
 SECTION 23, T42N, R10E, S14W
 SECTION 24, T42N, R10E, S14W
 SECTION 25, T42N, R10E, S14W
 SECTION 26, T42N, R10E, S14W
 SECTION 27, T42N, R10E, S14W
 SECTION 28, T42N, R10E, S14W
 SECTION 29, T42N, R10E, S14W
 SECTION 30, T42N, R10E, S14W
 SECTION 31, T42N, R10E, S14W
 SECTION 32, T42N, R10E, S14W

SCALES:
 1" = 20' HOR
 1" = 10' VER

GRAVEL ROAD
 STA. 26+60.00 TO STA. 32+20.00
 GRAVEL ROAD WITH 2' SHOULDERS EACH SIDE.
 SEE TYPICAL SECTION SHEET 4.1.

UTILITIES
 LOCATE UTILITIES: SOUTH DAVEN ONE CALL
 1-800-368-5888
 (800) 368-5888
 721-0400
 231 Columbus St., Suite 1 Rapid City, SD 57701
 E-MAIL: info@sperrlich.com
 Engineering, Surveying, Planning

LEGAL DESCRIPTION

SECTION 14, T42N, R10E, S14W
 SECTION 15, T42N, R10E, S14W
 SECTION 16, T42N, R10E, S14W
 SECTION 17, T42N, R10E, S14W
 SECTION 18, T42N, R10E, S14W
 SECTION 19, T42N, R10E, S14W
 SECTION 20, T42N, R10E, S14W
 SECTION 21, T42N, R10E, S14W
 SECTION 22, T42N, R10E, S14W
 SECTION 23, T42N, R10E, S14W
 SECTION 24, T42N, R10E, S14W
 SECTION 25, T42N, R10E, S14W
 SECTION 26, T42N, R10E, S14W
 SECTION 27, T42N, R10E, S14W
 SECTION 28, T42N, R10E, S14W
 SECTION 29, T42N, R10E, S14W
 SECTION 30, T42N, R10E, S14W
 SECTION 31, T42N, R10E, S14W
 SECTION 32, T42N, R10E, S14W

SCALES:
 1" = 20' HOR
 1" = 10' VER

GRAVEL ROAD
 STA. 26+60.00 TO STA. 32+20.00
 GRAVEL ROAD WITH 2' SHOULDERS EACH SIDE.
 SEE TYPICAL SECTION SHEET 4.1.

UTILITIES
 LOCATE UTILITIES: SOUTH DAVEN ONE CALL
 1-800-368-5888
 (800) 368-5888
 721-0400
 231 Columbus St., Suite 1 Rapid City, SD 57701
 E-MAIL: info@sperrlich.com
 Engineering, Surveying, Planning

LEGAL DESCRIPTION

SECTION 14, T42N, R10E, S14W
 SECTION 15, T42N, R10E, S14W
 SECTION 16, T42N, R10E, S14W
 SECTION 17, T42N, R10E, S14W
 SECTION 18, T42N, R10E, S14W
 SECTION 19, T42N, R10E, S14W
 SECTION 20, T42N, R10E, S14W
 SECTION 21, T42N, R10E, S14W
 SECTION 22, T42N, R10E, S14W
 SECTION 23, T42N, R10E, S14W
 SECTION 24, T42N, R10E, S14W
 SECTION 25, T42N, R10E, S14W
 SECTION 26, T42N, R10E, S14W
 SECTION 27, T42N, R10E, S14W
 SECTION 28, T42N, R10E, S14W
 SECTION 29, T42N, R10E, S14W
 SECTION 30, T42N, R10E, S14W
 SECTION 31, T42N, R10E, S14W
 SECTION 32, T42N, R10E, S14W

SCALES:
 1" = 20' HOR
 1" = 10' VER

GRAVEL ROAD
 STA. 26+60.00 TO STA. 32+20.00
 GRAVEL ROAD WITH 2' SHOULDERS EACH SIDE.
 SEE TYPICAL SECTION SHEET 4.1.

UTILITIES
 LOCATE UTILITIES: SOUTH DAVEN ONE CALL
 1-800-368-5888
 (800) 368-5888
 721-0400
 231 Columbus St., Suite 1 Rapid City, SD 57701
 E-MAIL: info@sperrlich.com
 Engineering, Surveying, Planning

LEGAL DESCRIPTION

SECTION 14, T42N, R10E, S14W
 SECTION 15, T42N, R10E, S14W
 SECTION 16, T42N, R10E, S14W
 SECTION 17, T42N, R10E, S14W
 SECTION 18, T42N, R10E, S14W
 SECTION 19, T42N, R10E, S14W
 SECTION 20, T42N, R10E, S14W
 SECTION 21, T42N, R10E, S14W
 SECTION 22, T42N, R10E, S14W
 SECTION 23, T42N, R10E, S14W
 SECTION 24, T42N, R10E, S14W
 SECTION 25, T42N, R10E, S14W
 SECTION 26, T42N, R10E, S14W
 SECTION 27, T42N, R10E, S14W
 SECTION 28, T42N, R10E, S14W
 SECTION 29, T42N, R10E, S14W
 SECTION 30, T42N, R10E, S14W
 SECTION 31, T42N, R10E, S14W
 SECTION 32, T42N, R10E, S14W

SCALES:
 1" = 20' HOR
 1" = 10' VER

SPERLICH
Consulting, Inc.
821 Columbia St. Suite 1 Rapid City, SD 57701
E-MAIL: info@sperrlichconsulting.com
TEL: (605) 721-4040

Engineering Surveying Planning



NO.	DATE	REVISIONS

STREET PLAN AND PROFILE
MAIN ROAD
STA. 32+20.00 TO STA. 34+87.48

PROJECT NO. 12345
SHEET 5.7

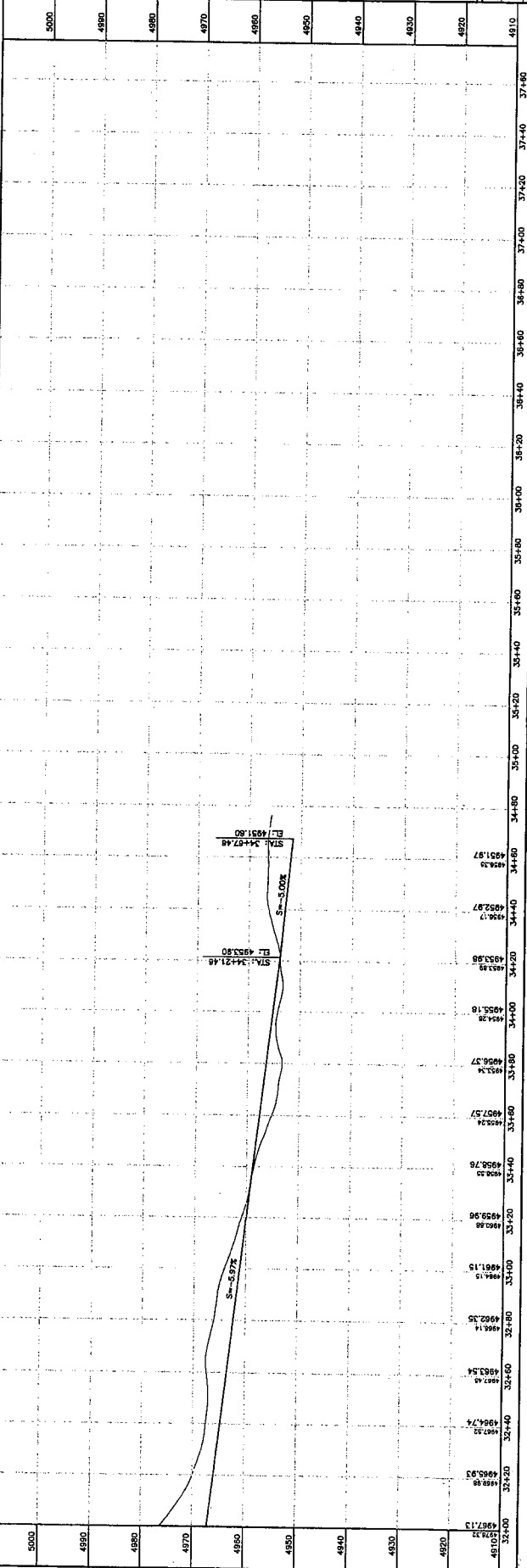


GRAVEL ROAD
STA. 32+20.00 TO STA. 34+87.48
SEE TYPICAL SECTION SHEET 4.1.

GRAVEL ROAD
STATIONING: 32+20 TO 37+48
SEE TYPICAL SECTION SHEET 4.1.

SCALE:
1" = 20' HOR
1" = 10' VER

NOTES:
1. THE LOCATION OF ANY EXISTING UNDERGROUND UTILITIES AND SHOWN ON THIS PLAN SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY EASEMENTS AND RIGHTS-OF-WAY FROM THE ADJACENT PROPERTY OWNERS.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.



STATION	ELEVATION
32+20	4967.13
32+40	4968.33
32+60	4964.74
32+80	4961.48
33+00	4963.54
33+20	4962.35
33+40	4961.15
33+60	4960.86
33+80	4960.76
34+00	4960.54
34+20	4960.57
34+40	4960.34
34+60	4960.37
34+80	4960.28
35+00	4960.18
35+20	4960.38
35+40	4960.17
35+60	4960.27
35+80	4960.35
36+00	4960.28
36+20	4960.38
36+40	4960.28
36+60	4960.35
36+80	4960.28
37+00	4960.35
37+20	4960.28
37+40	4960.35
37+48	4960.28

SPEERLICH
 Consulting, Inc.
 221 Columbia St., Suite 1, Rapid City, SD 57701
 TEL: (605) 221-0400
 E-MAIL: info@speerlich.com
 Engineering, Surveying, Planning

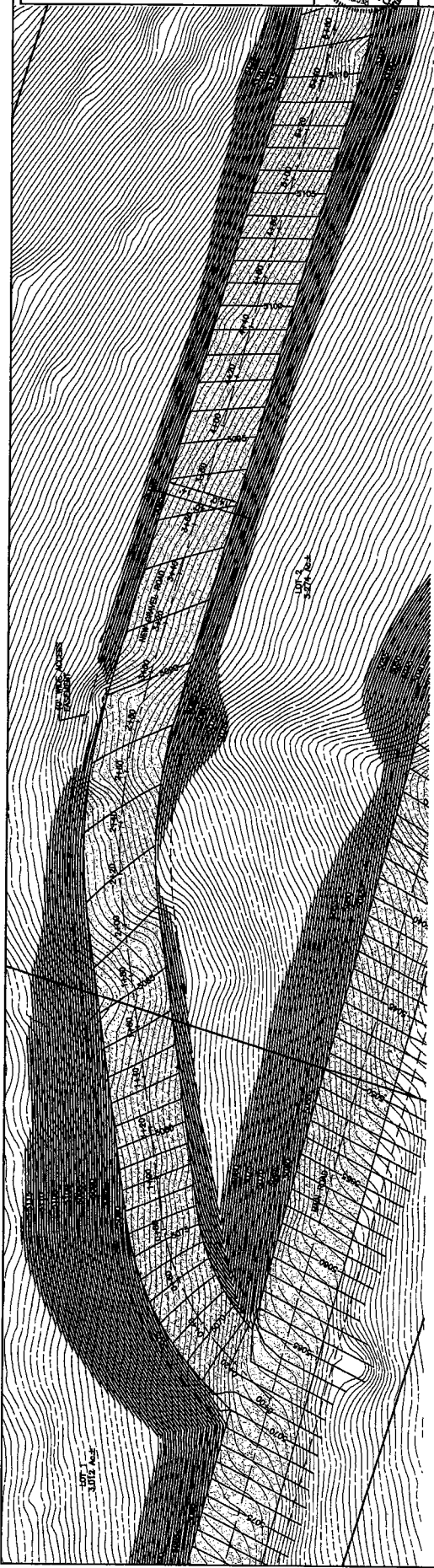


DATE	REVISIONS

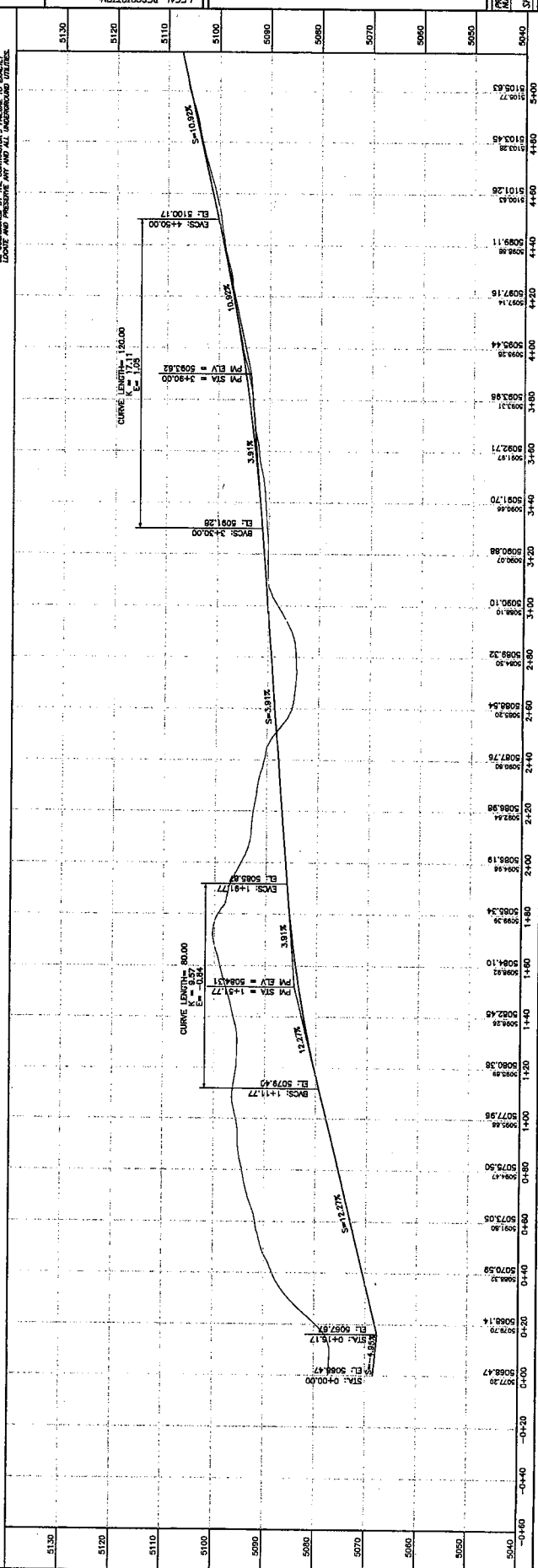
LEGAL DESCRIPTION
 SECTION 27, 33, 34
 TOWNSHIP 10N, RANGE 65W
 SIOUX COUNTY, SOUTH DAKOTA

STREET PLAN AND PROFILE
 ROAD 1
 STA 0+00.00 TO STA 5+00.00

PROJECT NUMBER: 3584
 SHEET: 5.8



NOTES
 1. THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE SHOWN BY THE DASHED LINE AND THE PROPOSED UNDERGROUND UTILITIES ARE SHOWN BY THE SOLID LINE. THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE SHOWN BY THE DASHED LINE AND THE PROPOSED UNDERGROUND UTILITIES ARE SHOWN BY THE SOLID LINE. THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE SHOWN BY THE DASHED LINE AND THE PROPOSED UNDERGROUND UTILITIES ARE SHOWN BY THE SOLID LINE.

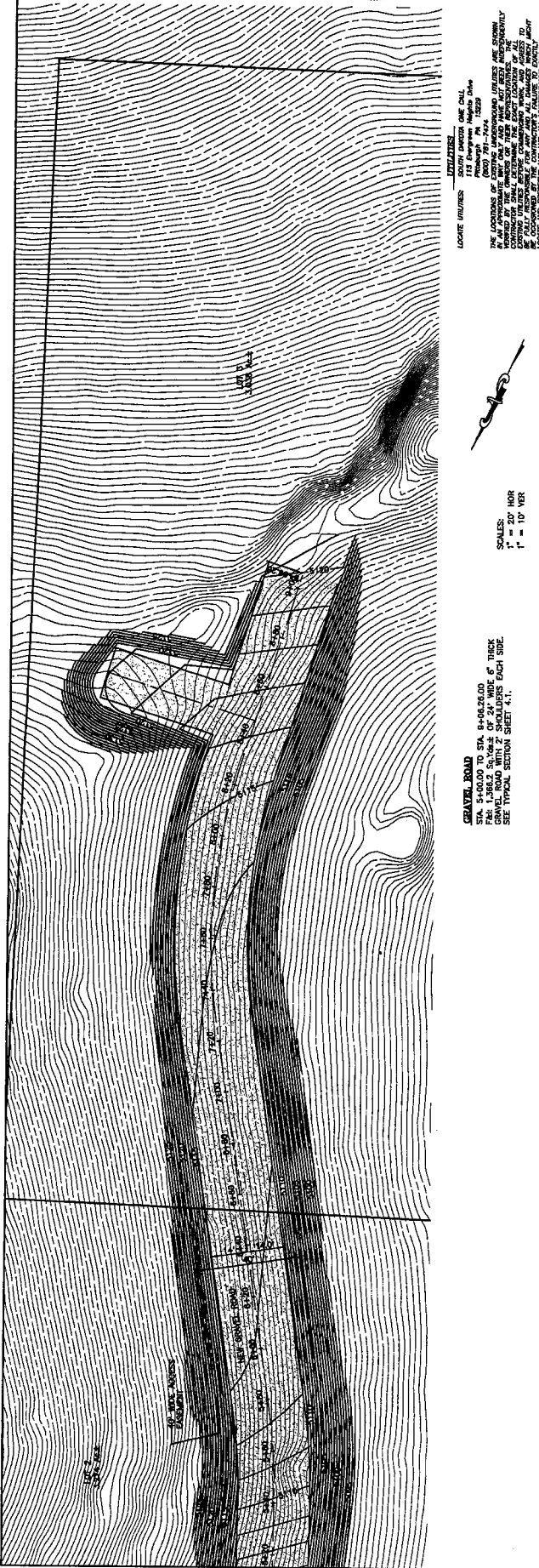




NO.	DATE	REVISIONS

LEGAL DESCRIPTION

STREET PLAN AND PROFILE
STA. 5+00.00 TO STA. 9+06.26
ROAD 1

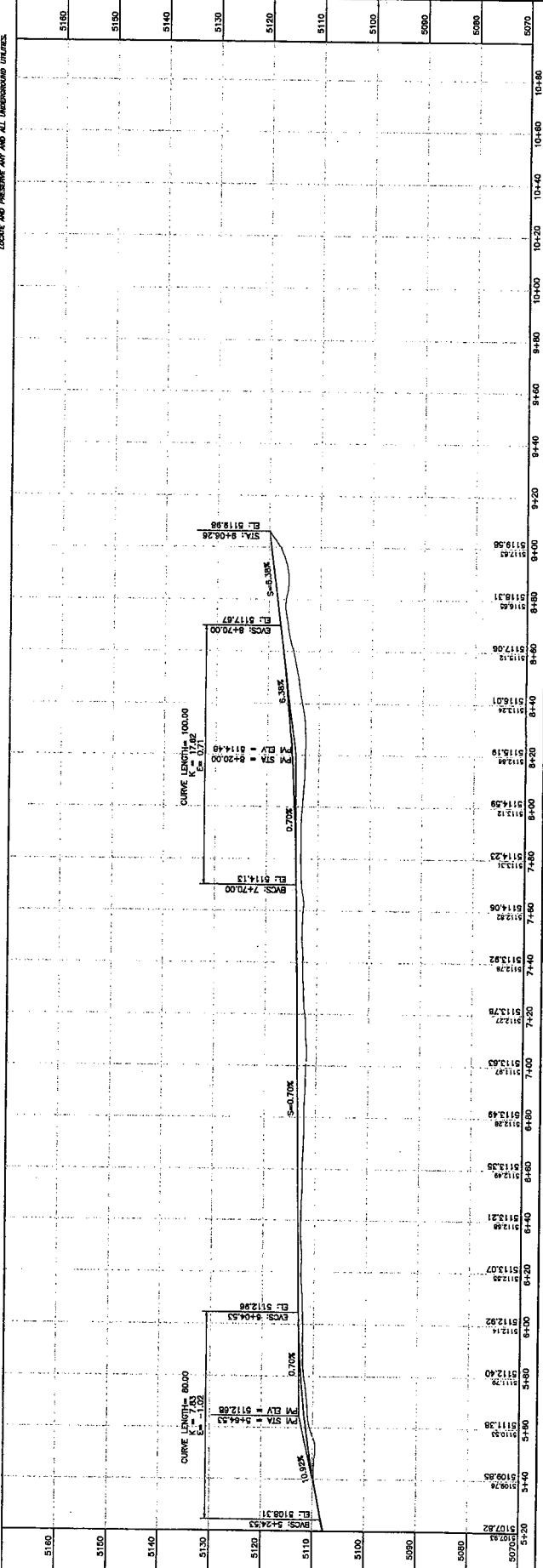


UTILITIES
LOOK UP UTILITIES. SHOW EXISTING ONE CALL.
12" WATER MAIN 15' DEEP
3" GAS MAIN 15' DEEP
1" ELECTRIC MAIN 15' DEEP
4" SANITARY SEWER 15' DEEP
4" WATER MAIN 15' DEEP

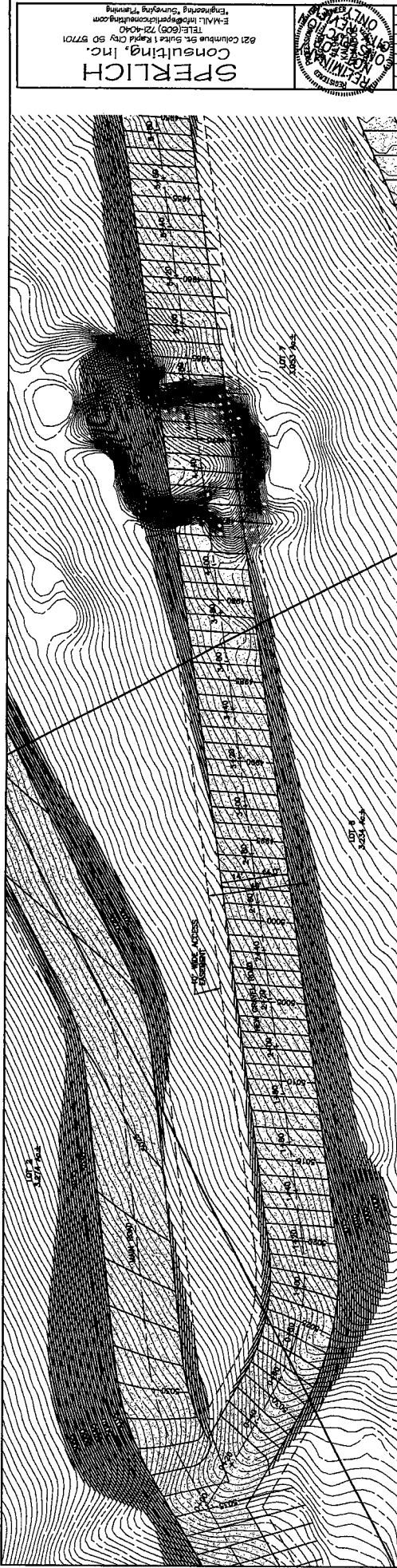
THE LOCATIONS OF ALL UTILITIES SHOWN ON THIS PLAN ARE APPROXIMATE. THE USER SHALL VERIFY THE LOCATION OF ALL UTILITIES BY FIELD SURVEY. THE USER SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL UTILITIES. THE USER SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL UTILITIES. THE USER SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL UTILITIES.

GRAVEL ROAD
STA. 5+00.00 TO STA. 9+06.26
24' WIDE GRAVEL ROAD WITH 2' SHOULDERS EACH SIDE.
SEE TYPICAL SECTION SHEET 4.1.

SCALES:
1" = 20' HOR
1" = 10' VERT



STATION	ELEVATION
5+00	5100
5+10	5100
5+20	5102.32
5+30	5109.86
5+40	5111.38
5+50	5112.40
5+60	5112.82
5+70	5113.07
5+80	5113.21
5+90	5113.35
6+00	5113.49
6+10	5113.63
6+20	5113.78
6+30	5113.92
6+40	5114.06
6+50	5114.20
6+60	5114.34
6+70	5114.48
6+80	5114.62
6+90	5114.76
7+00	5114.90
7+10	5115.04
7+20	5115.18
7+30	5115.32
7+40	5115.46
7+50	5115.60
7+60	5115.74
7+70	5115.88
7+80	5116.02
7+90	5116.16
8+00	5116.30
8+10	5116.44
8+20	5116.58
8+30	5116.72
8+40	5116.86
8+50	5117.00
8+60	5117.14
8+70	5117.28
8+80	5117.42
8+90	5117.56
9+00	5117.70
9+06.26	5117.84

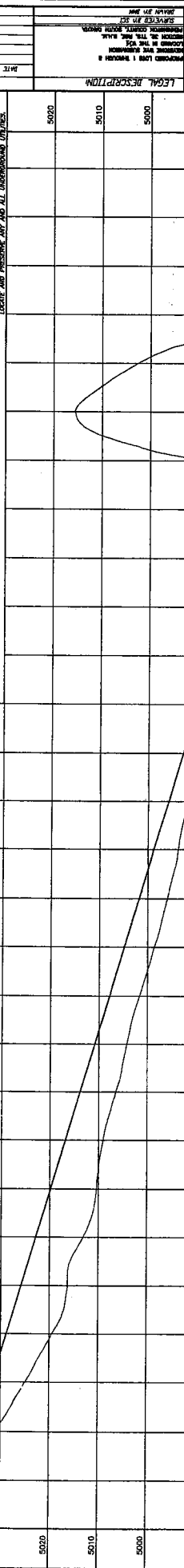


GRAVEL ROAD
 STA. 0+00.00 TO STA. 5+40.00
 F&B: 1,823.7' (WIDTH OF 24' WIDE OF THICK GRAVEL ROAD WITH 2' SHOULDERS EACH SIDE. SEE THICK SECTION SHEET 411.)

SCALE:
 1" = 10' HOR.
 1" = 10' VER.

LOCATE UTILITIES: SOUTH DAVENPORT ONE CALL (800) 761-7674
 PHILADELPHIA, PA 19122

THE LOCATIONS OF UTILITIES SHOWN ON THIS PLAN ARE APPROXIMATE. CONTRACTOR SHALL VERIFY THE EXACT LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY AND ALL DAMAGES TO UTILITIES CAUSED BY THE CONSTRUCTION OF THIS PROJECT AND SHALL MAINTAIN ALL UTILITIES IN FULL SERVICE AT ALL TIMES.



STATION	ELEVATION (FEET)
0+00	5024.82
0+20	5033.92
0+40	5031.82
0+60	5028.82
0+80	5022.82
1+00	5013.92
1+20	5019.82
1+40	5018.82
1+60	5013.82
1+80	5010.82
2+00	5007.82
2+20	5004.82
2+40	5001.82
2+60	4998.82
2+80	4995.82
3+00	4992.82
3+20	4989.82
3+40	4986.82
3+60	4983.82
3+80	4980.82
4+00	4977.82
4+20	4974.82
4+40	4971.82
4+60	4968.82
4+80	4965.82
5+00	4962.82
5+20	4959.82
5+40	4956.82

LEGAL DESCRIPTION
 SECTION 18 & 19 TOWNSHIP 3 NORTH RANGE 10 WEST COUNTY OF BOON WILLIAMSBURG, VIRGINIA

REVISIONS
 DATE: _____
 REVISION: _____

PROJECT NUMBER: 3584
SHEET: 5.10

STREET PLAN AND PROFILE
 STA. 0+00.00 TO STA. 5+40.00
 ROAD 2

SOUTH DAVENPORT ONE CALL
 PHILADELPHIA, PA 19122
 (800) 761-7674

SPERLICH CONSULTING, INC.
 821 Columbia St. Suite 1 Room 404
 Philadelphia, PA 19106
 TEL: (610) 721-4040
 E-MAIL: info@sperllichconsulting.com
 Engineering Surveying Training

SPERLICH
Consulting, Inc.
821 Columbia Blvd. Suite 1 Rapid City, SD 57701
TEL: (605) 721-4040
E-MAIL: info@sperrlich.com
"Engineering Surveying Planning"



DATE	REVISIONS

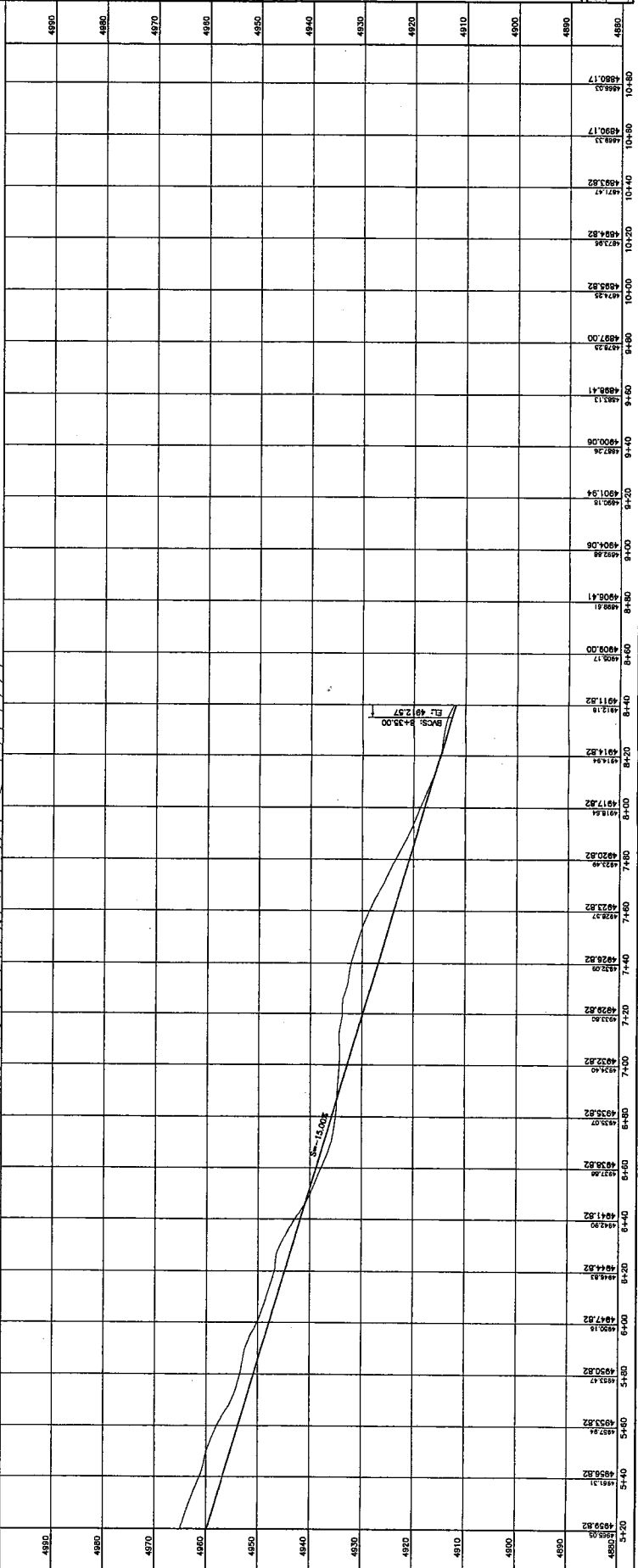
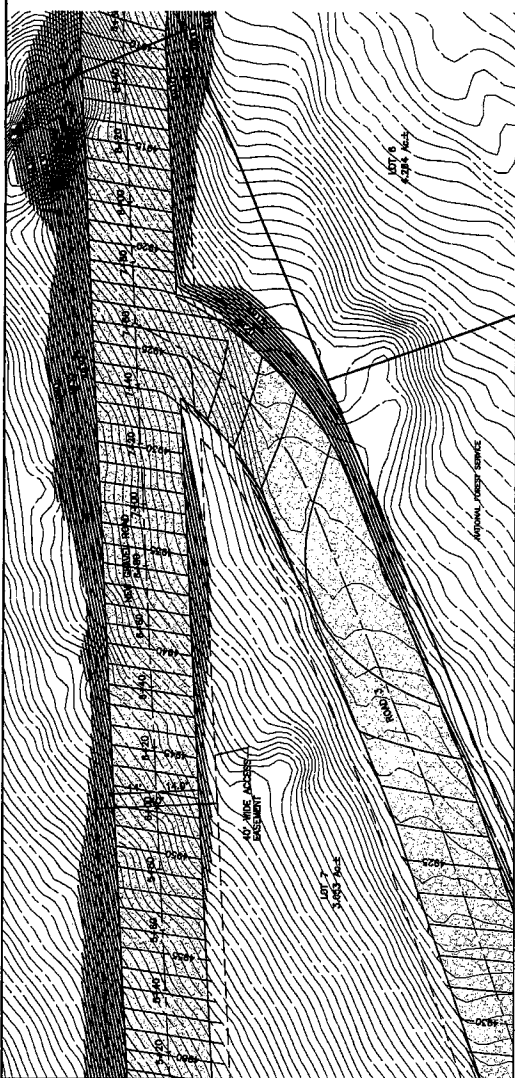
STREET PLAN AND PROFILE
STA. 5+40.00 TO STA. 8+20.00
ROAD 2

SHEET 5.11
PROJECT 3584

NOTICE
THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN BY THE DASHED LINES ON THESE PLANS. THE EXISTING UTILITIES HAVE BEEN LOCATED BY THE CONTRACTOR'S FIELD SURVEY AND ARE NOT NECESSARILY SHOWN TO SCALE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UNDERGROUND UTILITIES.

GRAVEL ROAD
STA. 5+40.00 TO STA. 8+20.00
FILL: 8" MIN. OF 24" WIDE 6" THICK
SUBGRADE: 4" MIN. OF 24" WIDE 6" THICK
SEE UTILITY SECTION SHEET 5.11.

SCALE:
1" = 20' HOR
1" = 10' VER



STREET PLAN AND PROFILE
STA 8+20.00 TO STA 11+18.83
ROAD 2

LEGAL DESCRIPTION

APPROVED FOR THE PROJECT BY THE ENGINEER

DATE: _____

REVISIONS:

REVISIONS

NO.	DATE	REVISIONS

SPERLICH Consulting, Inc.
821 Columbia St. Suite 1 Rapid City, SD 57701
TEL: (605) 721-0400
E-MAIL: info@sperllich.com
Engineering Consulting Firm



NOTES:

1. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE SPECIFIED.

2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AND STATE AUTHORITIES.

3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AND STATE AUTHORITIES.

4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AND STATE AUTHORITIES.

5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AND STATE AUTHORITIES.

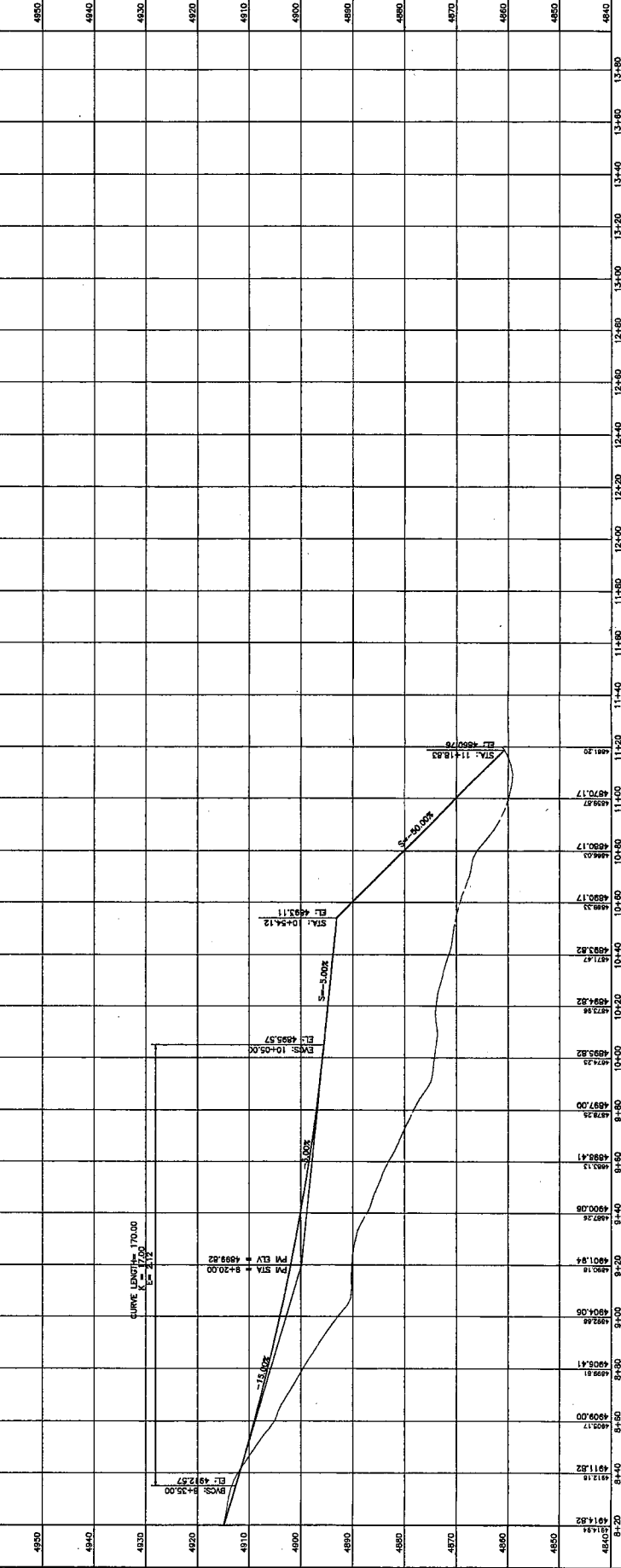
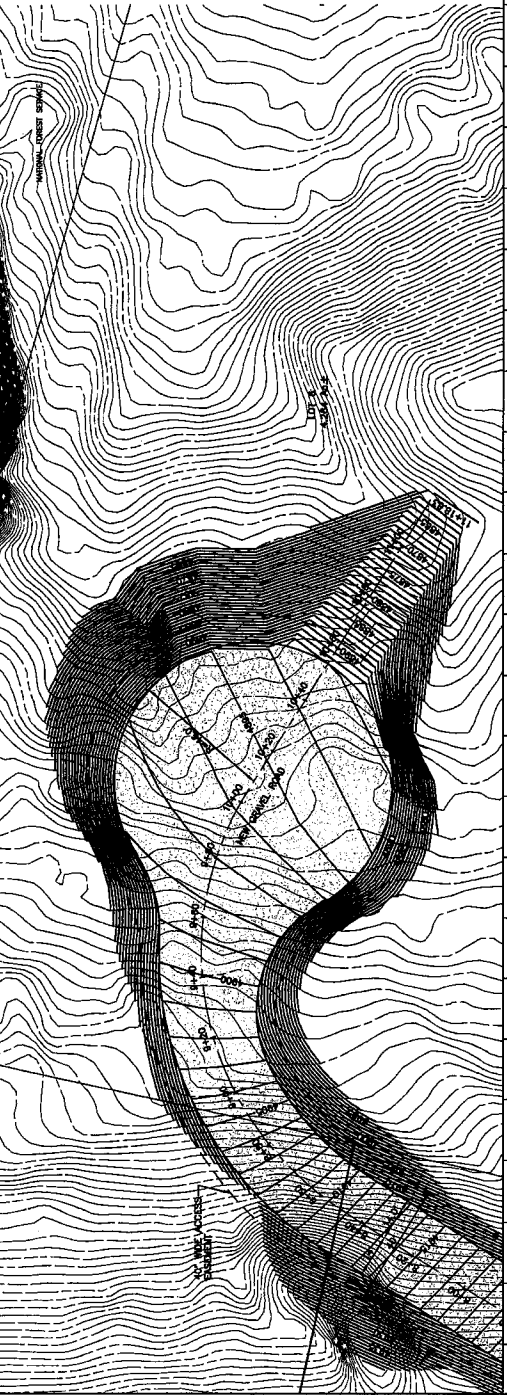
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AND STATE AUTHORITIES.

7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AND STATE AUTHORITIES.

8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AND STATE AUTHORITIES.

9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AND STATE AUTHORITIES.

10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AND STATE AUTHORITIES.



SPERLICH
Consulting, Inc.
251 Columbus St. Suite 1 Rapid City SD 57701
TEL: (605) 721-1040
E-MAIL: info@sperrlich.com
Engineering - Surveying - Planning

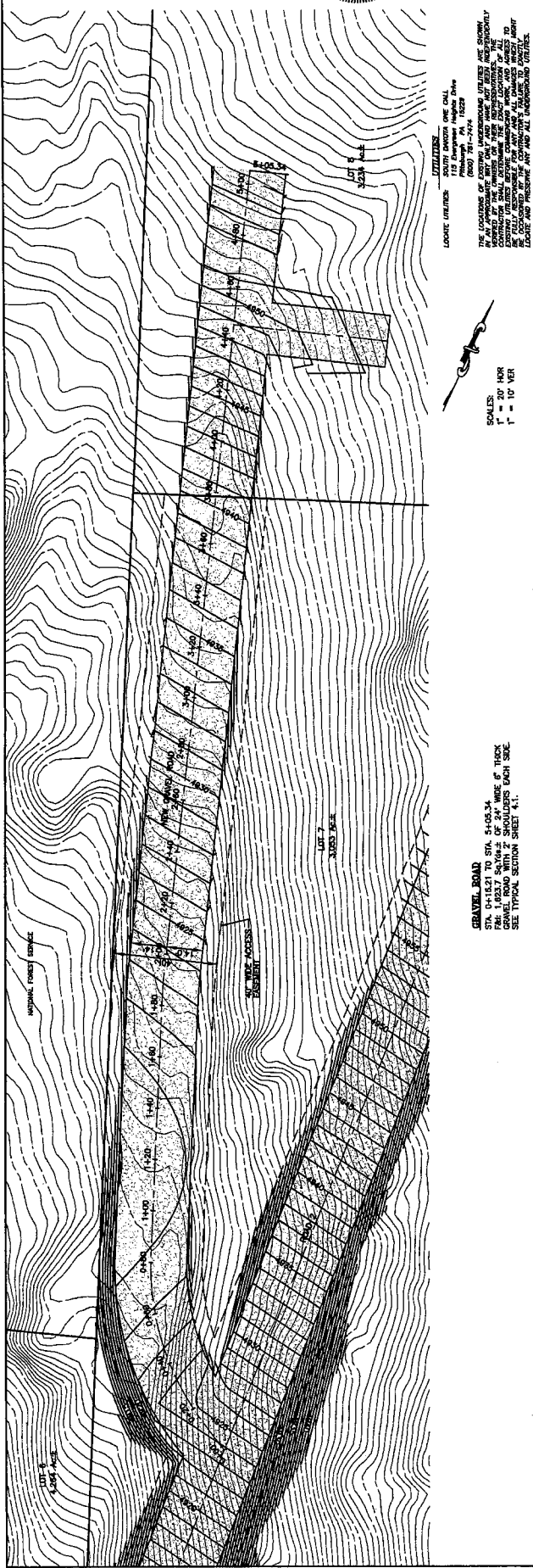


DATE	REVISIONS

LEGAL DESCRIPTION
 PARCELS LOTS 1 THROUGH 8
 SECTION 16 T14N R14W
 SIOUX COUNTY, SOUTH DAKOTA
 DRAWN BY: JCL
 CHECKED BY: JCL

STREET PLAN AND PROFILE
 STA. 0+00.00 TO STA. 5+05.34
 ROAD 3

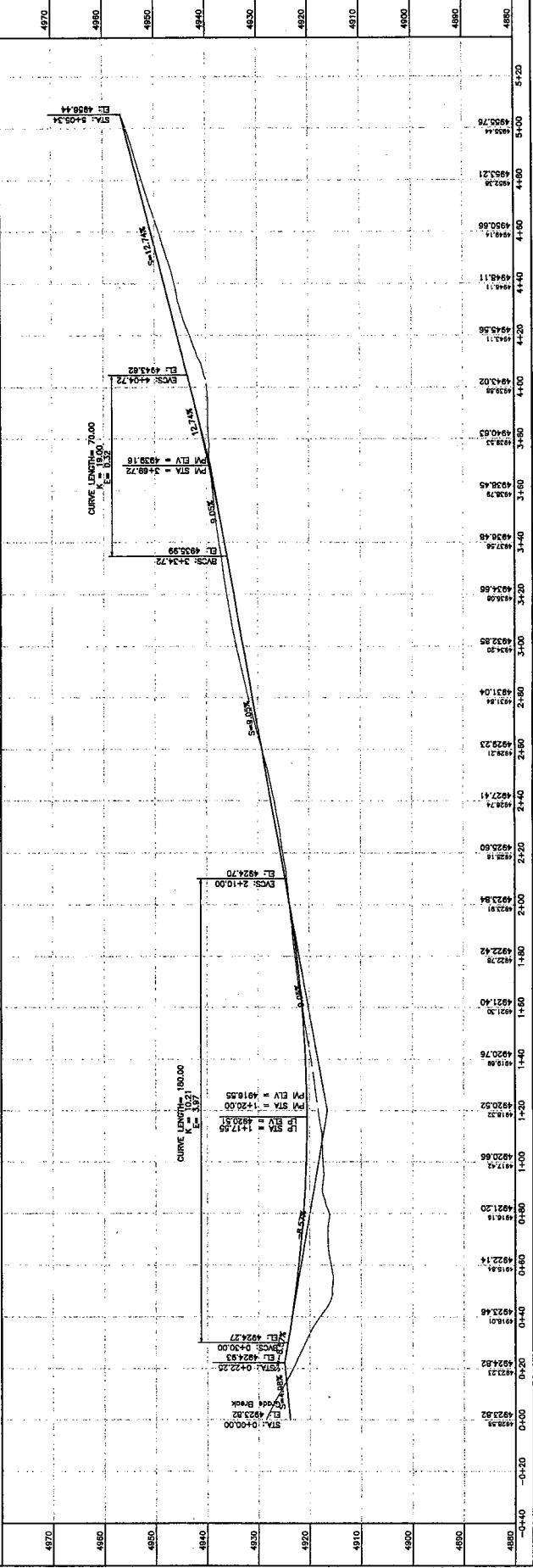
PROJECT NO. 3554
 SHEET 5.13



GRAVEL ROAD
 STA. 5+05.34
 PAV. 1'-23.7" 5'-0.4" ± OF 24" WIDE 6" THICK
 GRAVEL ROAD WITH 2' SHOULDERS EACH SIDE
 SEE TYPICAL SECTION SHEET 4.1.

LOGIC CRUISE - SOUTH DAKOTA ONE CALL
 112 S. Broadway Highway Drive
 Rapid City, SD 57701
 (605) 781-7474

NOTES
 1" = 50' HOR
 1" = 10' VER



Bolstad Cassie

From: Andy Busse <andrew.c.busse@gmail.com>
Sent: Monday, February 18, 2019 5:13 PM
To: Bolstad Cassie
Subject: Shriner Variance and Rezone

CAUTION: This email is from an outside source. Use caution before opening attachments, clicking links or providing confidential information.

Cassie,

Good evening,

As per our conversation, can you please include in the staff report, the precedence set by the County on the Jacob CUP denial for the request for the heliport next to the LDR, a statement of incompatibility of the LDR next to Highway Service, and the difficulty septic systems pose in that immediate area?

Thanks,

Andrew

CONDITIONAL USE PERMIT APPLICATION
PENNINGTON COUNTY, SOUTH DAKOTA

Cu 11-10

1. APPLICANT: Michael Jacob DAYTIME PHONE: (605) 673-2163
MAILING ADDRESS: 24564 Hwy 16/385 City: CUSTER State: SD Zip Code: 57730
AUTHORIZED AGENT: SAA DAYTIME PHONE: _____
MAILING ADDRESS: _____ City: _____ State: _____ Zip Code: _____
OWNER: LAURA PAURRATZ DAYTIME PHONE: (605) 359-9224
MAILING ADDRESS: P.O.B 650 City: KEYSTONE State: SD Zip Code: 57751

2. REQUESTED USE: COMMERCIAL TOURIST Attraction - HELICOPTER TOURS

LEGAL DESCRIPTION: SEE ATTACHED LEGAL DESCRIPTION

_____ INVOLVING 6 ACRES

ADDRESS: _____
LANDMARK LOCATION: S.E. of INTERSECTION Boulder Hill Rd. & Silver Mt. Rd.

EXISTING LAND USE: VACANT

SITE ZONING: Gov. Ag - Hwy Ser. PHYSICAL CHARACTERISTICS: Sloping / part. wooded

SURROUNDING ZONING: NORTH G. Ag SOUTH G. Ag EAST G. Ag WEST G. Ag / Hwy Ser.

UTILITIES: PUBLIC: BH Elec. Co. op (list provider)

PRIVATE: Septic Tank size: to be estab gallons Drainfield size: to be estab feet

Water Source: Well Cistern

3. THE OWNER, APPLICANT, OR AUTHORIZED AGENT, ACKNOWLEDGES: That he / she has read and received a copy of the instruction sheet and this application form concerning the filing and hearing of this matter; that he / she authorizes the Pennington County Planning Department staff and designees to enter onto and inspect the above-described property, and that he / she has been advised of the fee requirements and they have been paid on _____.

Signature of APPLICANT or AGENT:
(requires owner authorization)

Signature of LANDOWNER:

DATE: 04/01/11

DATE: 04/01/11

Subscribed and sworn to before me this 01
day of APRIL, 2011.

Subscribed and sworn to before me this
day of APRIL

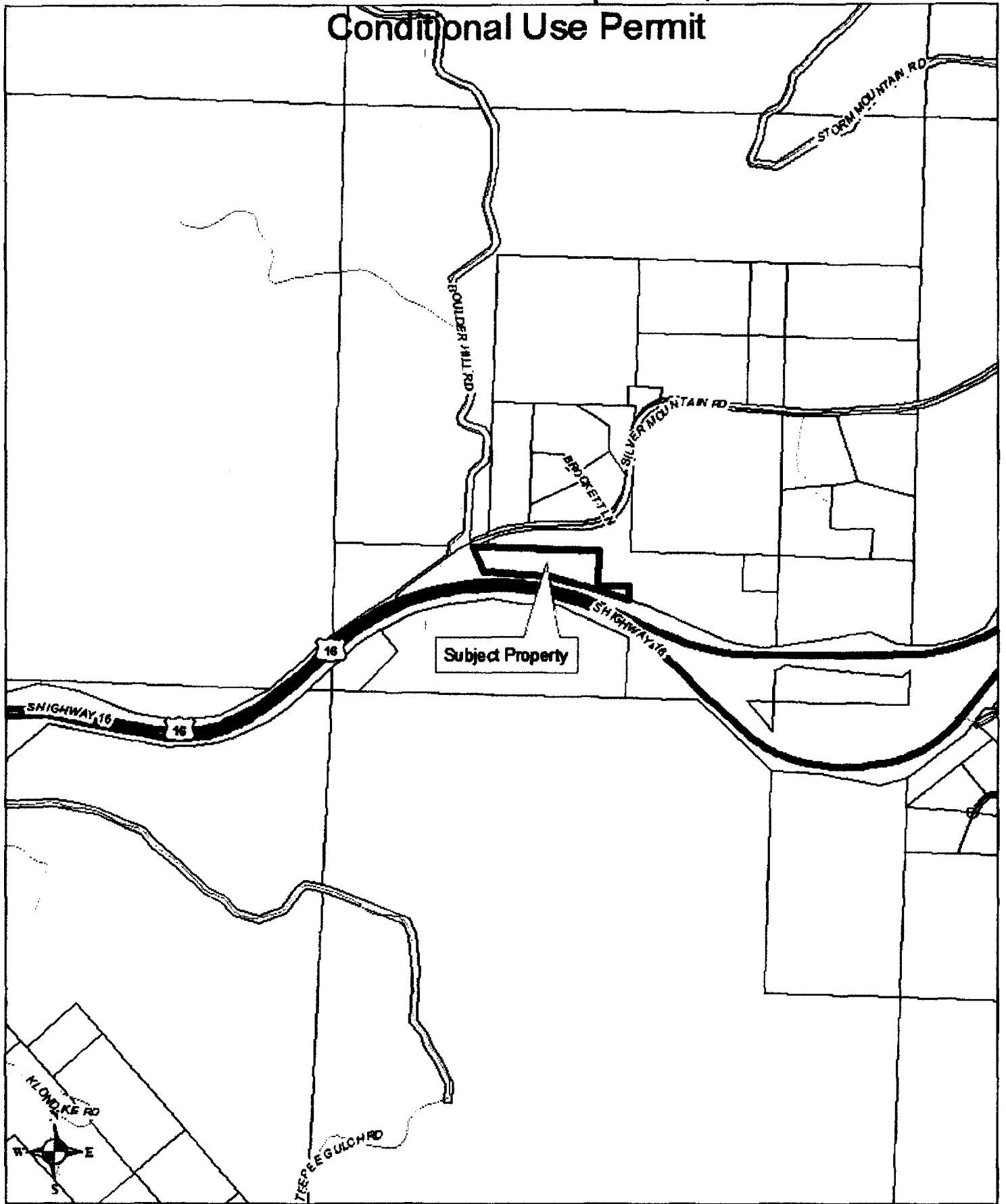


Notary Public for the State of South Dakota
My Commission Expires: MAY 13, 2014

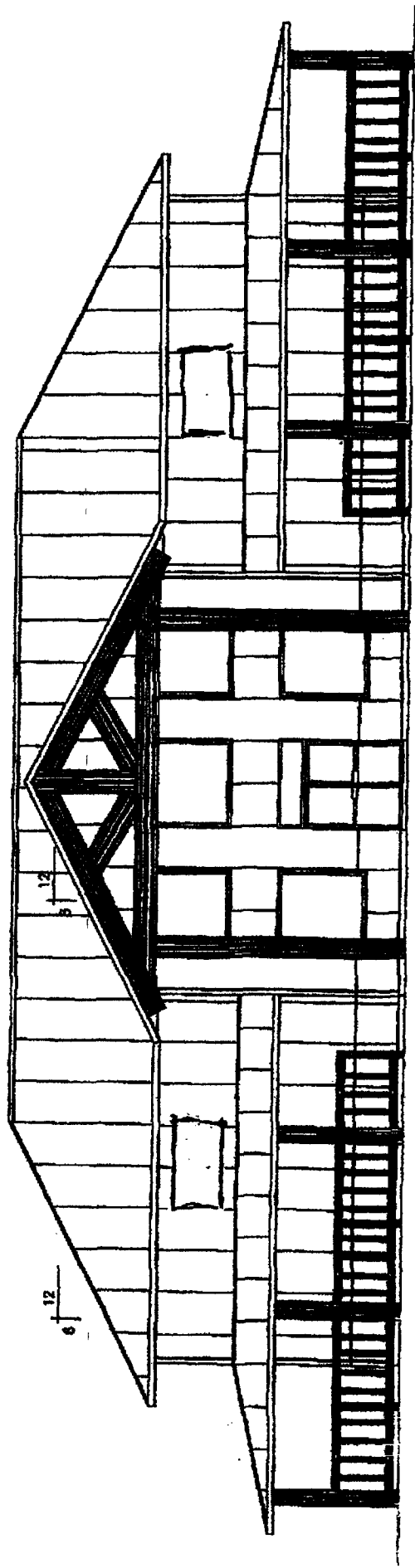
Notary Public for the State of South Dakota
My Commission Expires: MAY 13, 2014

4. DATE / TIME OF PLANNING COMMISSION HEARING: _____ LOCATION: _____

Tenderfoot Creek Properties, LLC Conditional Use Permit



0 0.05 0.1 0.2 0.3 0.4 Miles



FRONT SIDE -
FACING Silver Mt. Road

April 5, 2011

To: Mr. Dan Jennissen, Pennington Co. Planning Dept.

Re: Conditional Use Permit- Tenderfoot Creek Properties, LLC, RZ 10-05

Mr. Jennissen,

Pursuant to our recent conversation regarding the conditional use permit referenced above, I respectfully submit the following information for your consideration.

Our intended use for this property is the construction of a seasonal tourist attraction which includes aerial tours of the area. It is our intention to operate seven days a week from approximately May 15th through September 30th annually, with hours of operation being 9:00am – 7:00pm, weather permitting. We will have no nighttime operation and no living facilities. We anticipate a maximum of 60 flights daily which relates to approximately four (4) vehicles per hour, but with the area involved we could realistically accommodate several times the anticipated number of vehicles estimated. Waste water plans are in the planning stage at this time and we are working with the SD Dept. of Transportation to finalize access from Highway 16. Our final construction plans will be submitted to your office upon their completion and in accordance with building permit requirements. Thank you for your consideration in this matter and I look forward to working with you on this project.

Best Regards, Michael Jacob

STAFF REPORT

GENERAL INFORMATION:

REQUEST: CONDITIONAL USE PERMIT / CU 11-10: To allow a commercial helicopter tour business in accordance with Sections 210 and 510 of the Pennington County Zoning Ordinance.

APPLICANT: Tenderfoot Creek Properties/Michael Jacob

APPLICANT ADDRESS: 24564 Highway 16/385, Custer, SD 57730

AGENT: Centerline

AGENT ADDRESS: P.O. Box 7597, Rapid City, SD 57709

OWNER: Laura Pankratz

OWNER ADDRESS: P.O. Box 650, Keystone, SD 57751

LEGAL DESCRIPTION: Located on the following metes and bounds description: Commencing from the S1/16 corner of Section 22, T1S, R6E, B.H.M. consisting of an aluminum Forest Service cap. Thence S0°08'10"E and basis of bearing from Highway Plat filed in Hwy Book 4 Page 194 a distance of 329.86' to the Point of Beginning. Thence, first course, S0°08'10"E a distance of 101.80' to a point on the Highway 16 right-of-way. Thence, second course along the highway right-of-way, N77°09'00"W a distance of 186.62' to the PC of third course along the highway right-of way, a non-tangent left-hand curve with a radius of 2391.83', a central angle of 28°33'56", a length of 1192.48', a chord bearing of N81°22'11"W and a chord distance of 1180.17' to a 5/8" rebar with a Wendland #4224 cap. Thence, fourth course along the highway right-of-way N27°32'19"W a distance of 224.99' to a 5/8" rebar with a Wendland #4224 cap. Thence, fifth course, N89°29'18"E a distance of 137.24' to the SW1/16 corner consisting of an aluminum Forest Service cap. Thence, sixth course, N89°27'44"E a distance of 985.93' to a point. Thence, seventh course, S0°07'41"E a distance of 329.89' to a point. Thence, eighth course, N89°27'23"E a distance of 328.70' to the Point of Beginning. Said parcel containing 6.0054 acres more or less, in accordance with Section 508 of the Pennington County Zoning Ordinance.

SITE LOCATION: Southeast of the intersection of Boulder Hill Road and Silver Mountain Road.

SIZE: 6.00 acres

EXISTING LAND USE: Vacant

Agenda Item #13
Tenderfoot Creek Properties; Michael Jacob
May 9, 2011
Page 2

ZONING REFERENCE: Sections 210 and 510

CURRENT ZONING: General Agriculture District

SURROUNDING ZONING:

North	General Agriculture/Low Density Residential District
South	General Agriculture District
East	General Agriculture District
West	General Agriculture/Highway Service District

PHYSICAL CHARACTERISTICS: Sloping/partially wooded

UTILITIES: None

REPORT BY: Dan Jennissen

GENERAL DESCRIPTION: The applicant has submitted a Conditional Use Permit (CUP) request to allow for the operation of a seasonal helicopter tour business on the subject property.

ANALYSIS: Staff visited the subject property on January 12, 2011; the subject property is approximately six (6) acres and currently zoned General Agriculture District. On April 5, 2011, County Board approved Rezoning request RZ10-05 to rezone the property from General Agriculture District to Highway Service District. County Board also approved CA10-05 to amend the Comprehensive Plan to change the Future Land Use from Planned Unit Development Sensitive to Highway Service District. The rezoning will not take affect until May 11, 2011.

The six acres is currently part of a parcel that is split into four (4) sections. It is divided by Highway 16, Silver Mountain Road and a 19.02 acre lot. The property west of the intersection of Highway 16 and Silver Mountain road is approximately ten (10) acres. The property east of this intersection is approximately seven (7) acres. The property south of the intersection is approximately thirty-seven (37) acres and the property furthest east is approximately two (2) acres.

The surrounding land uses consists of Forest Service to the west and south. The zoning to the east is General Agriculture District. The zoning to the north consists primarily of Low Density Residential and Limited Agriculture District. The property directly to the west of the thirty-seven acre piece, south of Highway 16, is zoned Highway Service and consists of recreational cabins. This property is approximately two miles west of Rockerville, which has zoning of Highway Service Zoning Districts and Commercial Planned Unit Developments.

Agenda Item #13

Tenderfoot Creek Properties; Michael Jacob

May 9, 2011

Page 3

The applicant has indicated that the seasonal tourist attraction is to include aerial tours of the area. He has stated he would like to operate seven days a week from approximately May 15th through September 30th with hours of operation from 9:00 am to 7:00 pm. He stated the maximum number of flights to be 60 daily.

The Conditional Use Permit was routed through the interdepartmental review process. Comments from the referral agencies are as follows:

Pennington County Highway Department: The Highway Department will not grant access onto Silver Mountain Road. The applicant must get access from Highway 16 utilizing the existing field entrance and median crossover. The use appears to conflict with the existing LDR Zoning in the area.

Pennington County Fire Coordinator: Have concerns about access on Highway 16. If the Federal Aviation Agency approves, ok with Fire. Must have written approval from FCC prior to operation.

Pennington County Ordinance Officer: No nuisance on property.

Pennington County Sheriff: None.

Pennington County Environmental Planner: An On-Site Wastewater Construction Permit will be required with percolation tests, including an eight (8) foot soil profile hole, to be performed and the profile hole be inspected by the Pennington County Environmental Planner. The applicant must first apply for and receive an approved On-Site Wastewater Construction Permit prior to issuance of a Building Permit for the structure. The applicant will also need to submit the proposed system design and specifications to the South Dakota Department of Environment and Natural Resources for their review and approval.

The On-Site Wastewater System will need to be inspected by the Pennington County Environmental Planner prior to any backfilling of the system.

I do not foresee any further environmental concerns with the applicant's request

Pennington County Weed and Pest: Appears noxious weed free.

South Dakota Department of Transportation: No comment.

FAA: An email was sent from the FAA and is attached for review.

U.S. Forest Service: None since access is off of Highway 16.

The Pennington County Highway Department has indicated that access cannot be taken from Silver Mountain Road. At the time the rezoning request was being reviewed, South Dakota Department of Transportation indicated that access can be taken from Highway 16 with some alterations. They stated that the current intersection of Silver Mountain Road and Highway 16 is unsafe and should be re-designed and moved to a safer location. The Final Plans of the changes have not yet been implemented and may not for several years.

The Environmental Planner has indicated that an On-Site Wastewater Construction Permit will be required with percolation tests, including an eight (8) foot soil profile hole, and the applicant will also need to submit the proposed system design and specifications to the South Dakota Department of Environment and Natural Resources for their review and approval. Prior to issuance of a Building Permit for the proposed structure, the applicant must submit an On-Site Wastewater Construction Permit for the installation of an on-site wastewater system.

Patricia L. Dressler, Environmental Protection Specialist/Airspace Specialist for the FAA, stated that Mr. Jacob has submitted a FAA Form 7480-1, Notice of Landing Area Proposal to the FAA for the proposed Helipad. The FAA is now in the process of conducting an airspace case study for the proposed site. She said the study may take from 30 to 60 days for the report to be finished. She has indicated that this is just a study and not approval or disapproval for the proposed helipad. She stated that "It is a determination with respect to the safe and efficient use of the navigable airspace by aircraft and with respect to the safety of persons and property on the ground."

No other significant issues were identified through the interdepartmental reviewing process.

Section 510 of the Zoning Ordinance lists five (5) factors that the Planning Commission may consider in their review of Conditional Use Permit applications. They are as follows:

- 1. The effect upon the use and enjoyment of other property in the immediate vicinity for the uses already permitted, and upon property values within the immediate vicinity.**

It appears that, by allowing this Conditional Use Permit, it could have a negative effect on the use and enjoyment of other properties in the immediate vicinity. The applicant has indicated when taking off and landing from the subject property, he does not fly directly over any single-family residences. The nearest residence is located approximately 750 feet from the proposed helipads. Noise from the helipad could have a significant impact on the use and enjoyment of property in the immediate area.

A conversation with Harvey Kistler, Deputy Director of the Department of Equalization, stated that the location of a helipad will most likely negatively affect property values in the area.

2. The effect upon the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

The predominant uses in the area consists of U.S. Forest Service land, residential, agricultural and some commercial. Vacant land in the area consists of larger tracts of land owned by private landowners. The proposed use could significantly affect the development of adjacent properties. The helipad will produce noise and turbulence from the helicopters landing and taking off. It appears that this Conditional Use Permit could have a significant effect on the normal, orderly development or improvement of the surrounding vacant properties due to the noise and possible dust from the proposed use.

3. That utilities, access roads, drainage, and/or other necessary facilities are provided.

An approach exists off of South Dakota Highway 16. SDDOT typically requires an Approach Permit for the change in use. Current access to the property is located on a curve on Highway 16, which has traffic speeds at this location of 65 miles per hour. With the current access to the property, tourist access to the property could be difficult. Staff would recommend a minimum of a deceleration lane and acceleration lane be installed prior to operation of the proposed use. With the current access, staff believes access is not adequate for the proposed use and could pose a safety issue for the traveling public.

4. That the off-street parking and loading requirements are met.

The applicant has submitted a site plan and a narrative noting parking and internal traffic patterns. The site plan appears to provide for adequate off-street parking and loading requirements.

5. That measures are taken to control offensive odor, fumes, dust, noise, vibration, and lighting (inclusive of lighted signs), so that none of these will constitute a nuisance.

Mr. Jacob has indicated that he would be doing a maximum of 60 flights per day from the property. A helicopter landing and taking off will produce noise, fumes and vibration that could constitute a nuisance. The applicant has indicated the flight patterns will not be directly over any of the residences in the area to reduce the impact of the use to the area.

Agenda Item #13
Tenderfoot Creek Properties; Michael Jacob
May 9, 2011
Page 6

Staff believes it will be difficult to implement mitigation measures to eliminate noise to that it not be a nuisance to the surrounding land owners. Also, because the location of the helipad will most likely affect property values in the area, staff believes this is not a use that is compatible to the area and that this Conditional Use Permit should be denied given the close proximity of residential uses in the area.

RECOMMENDATION: Staff recommends denial of Conditional Use Permit CU 11-10 due to the close proximity of residences in the area, the possible negative effect on property values in the area, the nuisance due to the noise created with the helipad and the current inadequate access to the property.

**MINUTES
PENNINGTON COUNTY PLANNING COMMISSION
May 9, 2011 @ 9:00 a.m.**

County Commissioners' Meeting Room - Pennington County Courthouse

MEMBERS PRESENT: Jeff Hoffmann, Charlie Johnson, Jim Coleman, Karen Hall, Ron Buskerud, and Ken Davis.

STAFF PRESENT: Dan Jennissen, Mandi Schmierer, Lysann Zeller, and Jeri Ervin.

ROLL CALL

1. **APPROVAL OF THE APRIL 25, 2011, MINUTES**
Moved by Johnson and seconded by Hall to approve the minutes of the April 25, 2011, Planning Commission meeting. Vote: unanimous (6 to 0).

2. **APPROVAL OF THE AGENDA**
Moved by Hall and seconded by Coleman to approve the May 9, 2011, Planning Commission Agenda, including the Consent Calendar, with the removal of Items #4, #5 and #8. Vote: unanimous (6 to 0).

CONSENT CALENDAR

The following items have been placed on the Consent Calendar for action to be taken on all items in accordance with staff's recommendation by a single vote. Any item may be removed from the Consent Calendar by any Planning Commissioner, staff member, or audience member for separate consideration. The findings of this Planning Commission are recommendations to the Pennington County Board of Commissioners who will make the final decision.

3. **CONDITIONAL USE PERMIT REVIEW / CU 96-14:** Mark Hirsch. To review a manufactured home as a caretaker's residence in a Suburban Residential District in accordance with Section 208-C of the Pennington County Zoning Ordinance.

Lot 3 of Tract 2 in NW1/4, Section 31, T1N, R7E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 96-14 with the following five (5) conditions:

1. That Building Permits be obtained for any structure exceeding 144 square feet or located on a permanent foundation, which includes the necessary site plans to be reviewed and approved by the Planning Director;

2. That the manufactured home continues to have wood, hardboard or simulated wood siding;

Commissioner Johnson asked Mr. Bialota what his intentions would be if the property is not approved with a firing range on it.

Mr. Bialota responded that the use is allowed as a commercial-type use. He added that an indoor range would be a complete bullet entrapment with no chance of the bullets escaping, creating a hazardous issue.

Commissioner Johnson expressed concern with the fire range and conditions not being in place to help regulate it.

Jennissen indicated that a shooting range is not listed in the Zoning Ordinance, but it is being considered as a commercial use operated within an enclosed structure.

Discussion further followed on the close proximity to residential areas, noise, and the use of the building as an indoor shooting range.

Commissioner Davis asked Mr. Bialota if the item was continued for two weeks, could he come back with information to provide to the Planning Commission on what he exactly he intends to do.

Mr. Bialota added that he does have a Business Plan in place and would be happy to share this with the Planning Commission. He noted that there is a sale pending, based upon approval of the Rezone.

Commissioner Hoffmann commented that he is unable to support approval of the application at this time.

Commissioner Johnson also supported the recommendation to continue this item for two weeks.

Moved by Johnson and seconded Hall to continue Rezone 11-04 and Comprehensive Plan Amendment 11-02 to the May 23, 2011, Planning Commission meeting.

Jennissen added that the question here is to approve or not approve rezoning the property to Light Industrial District. Only when and if it is approved, the applicant can apply for a Conditional Use Permit to allow a shooting range and then conditions can be placed on it.

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

The Planning Commission recessed at 10:25 a.m.

The Planning Commission reconvened at 10:33 a.m.

13. CONDITIONAL USE PERMIT / CU 11-10: Tenderfoot Creek Properties/Michael Jacob. To allow a commercial helicopter tour business in accordance with Sections 210 and 510 of the Pennington County Zoning Ordinance.

Located on the following metes and bounds description: Commencing from the S1/16 corner of Section 22, T1S, R6E, B.H.M. consisting of an aluminum Forest Service cap. Thence S0°08'10"E and basis of bearing from Highway Plat filed in Hwy Book 4 Page 194 a distance of 329.86' to the Point of Beginning. Thence, first course, S0°08'10"E a distance of 101.80' to a point on the Highway 16 right-of-way. Thence, second course along the highway right-of-way, N77°09'00"W a distance of 186.62' to the PC of third course along the highway right-of way, a non-tangent left-hand curve with a radius of 2391.83', a central angle of 28°33'56", a length of 1192.48', a chord bearing of N81°22'11"W and a chord distance of 1180.17' to a 5/8" rebar with a Wendland #4224 cap. Thence, fourth course along the highway right-of-way N27°32'19"W a distance of 224.99' to a 5/8" rebar with a Wendland #4224 cap. Thence, fifth course, N89°29'18"E a distance of 137.24' to the SW1/16 corner consisting of an aluminum Forest Service cap. Thence, sixth course, N89°27'44"E a distance of 985.93' to a point. Thence, seventh course, S0°07'41"E a distance of 329.89' to a point. Thence, eighth course, N89°27'23"E a distance of 328.70' to the Point of Beginning. Said parcel containing 6.0054 acres more or less, in accordance with Section 508 of the Pennington County Zoning Ordinance.

Jennissen reviewed the Staff Report indicating the applicant has applied for a Conditional Use Permit to allow for the operation of a seasonal helicopter tour business.

Staff recommended denial of Conditional Use Permit 11-10, due to the close proximity of residences in the area, the possible negative effect on property values in the area, the nuisance due to the noise created by the helipad and the current inadequate access to the property.

Commissioner Johnson spoke of comments from the Deputy Director of Equalization and the helipad negatively affecting property values.

Jennissen responded that the Director of Equalization, Shannon Rittberger, could address those comments.

Commissioner Davis wanted to know if Connie Ferguson was at the meeting. He then reviewed her comments in her letter with her, and the Planning Commissioners, to clarify the comments.

Ms. Connie Ferguson appeared and discussed her comments.

Commissioner Johnson wanted to know if Mr. Rittberger would be surprised if there is another helipad and the value of the house went up.

Mr. Rittberger responded no and explained that the business does not exist at this time and, in his opinion, he really doesn't know how this will affect property values in the area. He stated the Deputy Director offered his opinion that it could negatively impact property values. Mr. Rittberger noted he has a different opinion of how the use may affect property values. Could it affect property values, he stated yes it could. The

Planning Commission and County Board are the ones who have to look at this and anticipate what could happen in the future.

Commissioner Coleman wanted to know if housing prices would go up because there is a helipad there now.

Mr. Rittberger stated probably not.

Mr. Michael Jacob, applicant, appeared and commented that he has addressed all concerns in prior appearances and Highway 16 is a tourist corridor and attraction area. The DOT has given him the permit to gain access to the property, and he does not believe noise is an issue and this can be evaluated by the current operation.

Commissioner Buskerud discussed DOT access and wanted to know where it will be taken from.

Mr. Jacob noted that the building and helipad will be located very close to Highway 16. The access will come into a parking area and the DOT would like have a turnaround and comeback out with right traffic exiting on Highway 16.

Commissioner Johnson spoke of the sound tests done in Keystone.

Mr. Jacob added that the sound testing showed traffic in downtown Keystone was louder than his helicopter.

Commissioner Johnson also spoke of pending lawsuits.

Mr. Jacob added that he does not own the property located in Keystone and the operation has been in use for over 40 years, but one of the hotel owners and another State Senator has filed a lawsuit.

Commissioner Johnson wanted to know if the plaintiffs are located very close to the subject property.

Mr. Jacob indicated that the hotel is located only 60 feet from the current helipad.

Commissioner Coleman wanted to know if the operation of the helipad was in place, prior to the hotel being built.

Mr. Jacob stated yes.

Commissioner Coleman noted the applicant is going to move his helicopter from the noisy environment in Keystone and place it by Highway 16 and he wanted to know if the noise level would be higher at the site.

Mr. Jacob responded that he didn't personally believe so with the exception of taking off and landing, and added that their helicopters are significantly lower in noise than the hospital helicopter and they strive to be good neighbors.

Ms. Ericka Olson, attorney representing landowners in the area, appeared and spoke of the impact this business would have on the livelihood of the surrounding landowners. There are two important issues to consider - safety and noise. She further spoke of highway traffic use, the hours of operation, noise decibels, FAA requirements, flight plans, the type of helicopters the applicant will be using, wind patterns and crosswinds, fuel tanks and fuel storage and possible contamination to the spring and water in the area, the negative affect on property values, quietness to the area for families, visual and audible attraction creating a safety hazard, turning lanes, air quality, and the use not being regulated. Ms. Olson also noted that most National Monuments do not allow aircraft in their air space and also stated the distance from her clients' properties to the subject property are within a distance of 1,500 feet. The landowners believe they will be bearing the cost of the applicant's proposed used because of safety, noise, and negative property values and feels the impact is too great and requested the Conditional Use Permit be denied.

Commissioner Johnson wanted to know how many landowners she represents.

Ms. Olson indicated there are over 30 property owners, some are joint owners.

Commissioner Johnson spoke of the noise study in Keystone and asked Ms. Olson to explain her comments regarding the 34 percent was three times the normal and 18 percent was two times the normal.

Mrs. Olson addressed this and indicated that part of the study was done at 60 feet from the helipad in Keystone and the helicopter increased the noise in the area by 37 decibels and the other location was 800 feet from the helipad and the noise was increased by 18 decibels.

Commissioner Johnson questioned who paid for the study.

Mrs. Olson stated the city of Keystone did the study and she believes that Mr. Jacob knew it was going on and the information provided, indicated what was measured and what was found.

Mrs. Marilyn Bolt, homeowner and business owner on Silver Mountain Road, appeared and stated she has a small lodging business at her residence, which is approved, and she stated noise does affect a lodging business. She added that the tourists comment on the quietness and beautifulness of the area. She believes the helicopters fly lower at this site than in Keystone and feels this would affect her business and property values. She also expressed concern with safety issues: visualization safety, turning lanes, and traffic.

Mr. Allan McCoy, landowner in Sun Country Estates, appeared and stated other landowners, besides the ones who have retained counsel, are also opposed to the request to allow a helipad. The noise is of great a concern and he can hear the train whistle from the 1880 Train in Keystone from his property and he can hear some passenger jets from his property just to show how quiet it is in the area. He also hears motorcycles inside his

house during the Sturgis Rally Week. He spoke of the proposed use and stated it will decrease his quality of life and his property values.

Mr. Ted Brockett, trustee of property immediately adjacent to the subject property, appeared and provided a brief history of the property. He further spoke of noise levels, access, and safety concerns. At Rapid City Regional there may be only one a day. He also noted that he is opposed to the 60 flights a day and would not have a problem with only one flight a day. He spoke of the frequency of the flights, access, and safety concerns. He stated that the family intends to retire at the property one day and they do not want a helicopter to listen to everyday. He cannot believe that a helicopter doesn't affect property values. The approaches from both directions are downhill and the constant stream of traffic is a hum.

Mr. Matt Jackson, landowner in Sun Country Estates, appeared and spoke in opposition to the proposed application. He stated the homeowners bought because of the quietness of the area and he requested that this request be denied.

Mr. Ross Neiman, landowner, appeared and stated Mr. Jacob has only owned the Keystone business since 2008, not prior to that.

Mr. Chuck McClain, landowner, appeared and spoke in opposition to the proposed request and provided the Planning Commission with other counties' established helipad sites. They limit flights from 5 to 10 a day and some will allow only operation out of an airport. He stated there are springs located across the helipad site and expressed concern with storage of diesel fuel and other contaminants to the spring and having it impacted. He also spoke of wind patterns and asked that this request be denied.

Mr. Jacob responded to concerns and stated he is regulated to flight routes, flight altitude, and flight times. He further spoke of his hours of operation and the type of helicopters he operates and he also reviewed the flight patterns.

Commissioner Hoffmann responded and stated that the impact to the homeowners in the area too is great and recommended this item be continued to the June 13, 2011, Planning Commission meeting in order for staff to receive comments from the FAA in review of the proposed use.

Moved by Hoffmann and seconded by Johnson to continue Conditional Use Permit 11-10 to the June 13, 2011, Planning Commission meeting.

Commissioner Buskerud noted that his concern is the ingress/egress from Highway 16.

Commissioner Davis commented that he is opposed to continuing this item.

SUBSTITUTE MOTION: Moved by Davis and seconded by Hall to deny Conditional Use Permit 11-01.

Commissioner Hoffmann stated he would support the motion to deny.

Commissioner Johnson spoke of safety and noise and stated he would support the motion to deny.

All voting aye, the Motion carried 6 to 0.

14. COUNTY BOARD REPORT

The Board of Commissioners concurred with the Planning Commissions' recommendations from the April 25, 2011, Planning Commission meeting.

15. ITEMS FROM THE PUBLIC

Mr. George Ferebee appeared and stated that he asked at the last meeting if those of us who are not in the government, to have our comments in the minutes either eliminated or quoted verbatim. It didn't happen and he is making the request again. He stated the public has no way to object to the minutes and there are things said in the minutes that are not accurate and are incomplete from the last two meetings. Once again, he is repeating his request to eliminate all comments or quote them verbatim and don't paraphrase.

Jennissen noted the minutes from the last two meetings were taken by staff: Jeri Ervin and Lysann Zeller.

Commissioner Hoffmann questioned if the State's Attorney could look at the minutes to make sure they are being done properly.

Jennissen responded that, legally, all that needs to be recorded is the Motion, according to State Law, and added that it has been a benefit to the public to add the discussion of the items in the minutes.

Commissioner Coleman stated that Mr. Ferbee is putting the Planning Commission in a situation of whether to have just the bare bones, Motions only, which he feels is not very constructive, or every single comment which almost would require a Court Reporter. One could then argue that a few things were dropped and that seems to be the standard that is suggested here. He feels this is far too expensive, outrageous, and impractical. We have to decide if we are going to serve the public by handing them an informative set of minutes that will tell them some of the arguments or whether we have a set of minutes that are unconstructive. He feels it would be an unfortunate step to take.

Commissioner Davis asked if the minutes are published in the newspaper.

Staff stated the minutes are not published in the newspaper, but they are placed on-line and in a binder for public viewing at the Planning Office, and also included with the Board of Commissioners' packets.

Mr. George Ferebee stated once again, we the public, you, as an appointed official and elected official, are part of the government, and you have the right to object to the minutes and we the public don't. He added that all he is saying is those of us in the public, don't have no regress, so either quote us or leave us out. He further stated that the

May 9, 2011

TO: PENN. CO. PLANNING DEPT.

FROM: MICHAEL JACOB, PRES. RUSHMORE HELICOPTERS

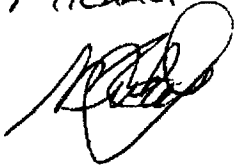
REF: PLANNING COMMISSION DECISION (11-10) of 5/9/2011

To Whom It May Concern.

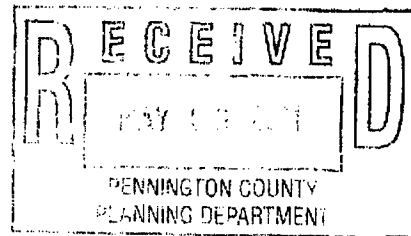
PLEASE ACCEPT THIS LETTER REQUESTING APPEAL
OF THE C.U.P. DECISION ON THIS DATE.

THANK YOU FOR YOUR CONSIDERATION IN THIS MATTER.

MICHAEL JACOB, PRES. RUSHMORE HELICOPTERS, INC



5/9/2011



May 17, 2011

**PENNINGTON COUNTY
BOARD OF COMMISSIONERS MEETING
MAY 17, 2011**

A meeting of the Pennington County Board of Commissioners was held on Tuesday, May 17, 2011, in the Commissioners' meeting room of the Pennington County Courthouse. Chairman Ken Davis called the meeting to order at 9:00 a.m. with the following commissioners present: Ron Buskerud, Don Holloway, Lyndell Petersen and Nancy Trautman.

E. APPEAL OF CONDITIONAL USE PERMIT / CU 11-10: Tenderfoot Creek Properties/Michael Jacob. To allow a commercial helicopter tour business in accordance with Sections 210 and 510 of the Pennington County Zoning Ordinance.

Located on the following metes and bounds description: Commencing from the S1/16 corner of Section 22, T1S, R6E, B.H.M. consisting of an aluminum Forest Service cap. Thence S0°08'10"E and basis of bearing from Highway Plat filed in Hwy Book 4 Page 194 a distance of 329.86' to the Point of Beginning. Thence, first course, S0°08'10"E a distance of 101.80' to a point on the Highway 16 right-of-way. Thence, second course along the highway right-of-way, N77°09'00"W a distance of 186.62' to the PC of third course along the highway right-of way, a non-tangent left-hand curve with a radius of 2391.83', a central angle of 28°33'56", a length of 1192.48', a chord bearing of N81°22'11"W and a chord distance of 1180.17' to a 5/8" rebar with a Wendland #4224 cap. Thence, fourth course along the highway right-of-way N27°32'19"W a distance of 224.99' to a 5/8" rebar with a Wendland #4224 cap. Thence, fifth course, N89°29'18"E a distance of 137.24' to the SW1/16 corner consisting of an aluminum Forest Service cap. Thence, sixth course, N89°27'44"E a distance of 985.93' to a point. Thence, seventh course, S0°07'41"E a distance of 329.89' to a point. Thence, eighth course, N89°27'23"E a distance of 328.70' to the Point of Beginning. Said parcel containing 6.0054 acres more or less, in accordance with Section 508 of the Pennington County Zoning Ordinance.

MOVED by Davis and seconded by Buskerud to deny the appeal of Conditional Use Permit / CU 11-10. Roll Call Vote: Davis – aye, Buskerud – aye, Holloway – aye, Trautman – no, Petersen – no.

Cu 11-23

CONDITIONAL USE PERMIT APPLICATION PENNINGTON COUNTY, SOUTH DAKOTA

1. APPLICANT: TENLORFOOT CREEK PROPERTIES, LLC DAYTIME PHONE: 605-673-2163
 MAILING ADDRESS: 24564 Hwy 16/305 City: CUSTER State: SD Zip Code: 57730
 AUTHORIZED AGENT: MICHAEL JACOB DAYTIME PHONE: 605-673-2163
 MAILING ADDRESS: SAA City: CUSTER State: SD Zip Code: 57730
 OWNER: LAURA PAUKRATZ DAYTIME PHONE: 605-359-9224
 MAILING ADDRESS: P.O.B. 650 City: KEYSTONE State: SD Zip Code: 57751

2. REQUESTED USE: Helicopter Aerial Tour business (SEASONAL)

LEGAL DESCRIPTION: SEE ATTACHED METES AND BOUNDS

INVOLVING 6.05 ACRES

ADDRESS: _____

LANDMARK LOCATION: Silver Mt. Road & Hwy 16

EXISTING LAND USE: None

SITE ZONING: Hwy SERVICES PHYSICAL CHARACTERISTICS: _____

SURROUNDING ZONING: NORTH Gen Ag SOUTH Gen Ag EAST Gen Ag WEST Gen Ag

UTILITIES: PUBLIC: _____ (list provider)

PRIVATE: Septic Tank size: To be determined gallons Drainfield size: To be determined feet

Water Source: Well Cistern

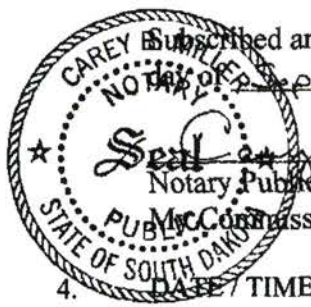
3. THE OWNER, APPLICANT, OR AUTHORIZED AGENT, ACKNOWLEDGES: That he / she has read and received a copy of the instruction sheet and this application form concerning the filing and hearing of this matter; that he / she authorizes the Pennington County Planning Department staff and designees to enter onto and inspect the above-described property, and that he / she has been advised of the fee requirements and they have been paid on _____.

Signature of APPLICANT OR AGENT:
(requires owner authorization)

DATE: 9/24/2011

Signature of LANDOWNER:

DATE: 9/24/11



Subscribed and sworn to before me this 28 day of Sept, 2011.

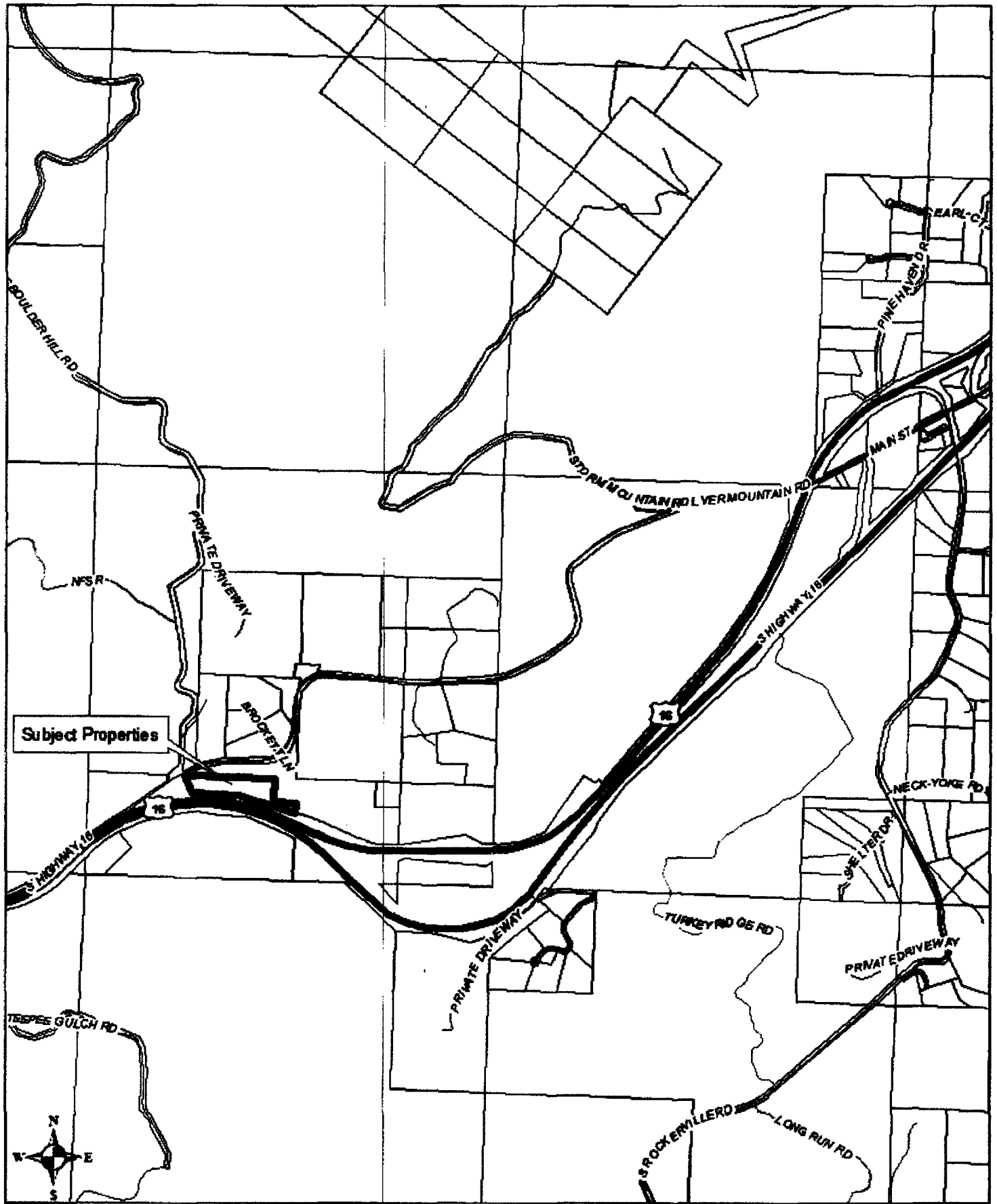
B Meeta
Notary Public for the State of South Dakota
My Commission Expires: 10-28-2012

Subscribed and sworn to before me this 28th day of Sept, 2011.

Shelley A. Dykstra
NOTARY PUBLIC
State of South Dakota
Notary Public for the State of South Dakota
My Commission Expires: August 24, 2012

DATE / TIME OF PLANNING COMMISSION HEARING: Oct 24, 2011 LOCATION: 9:00 AM

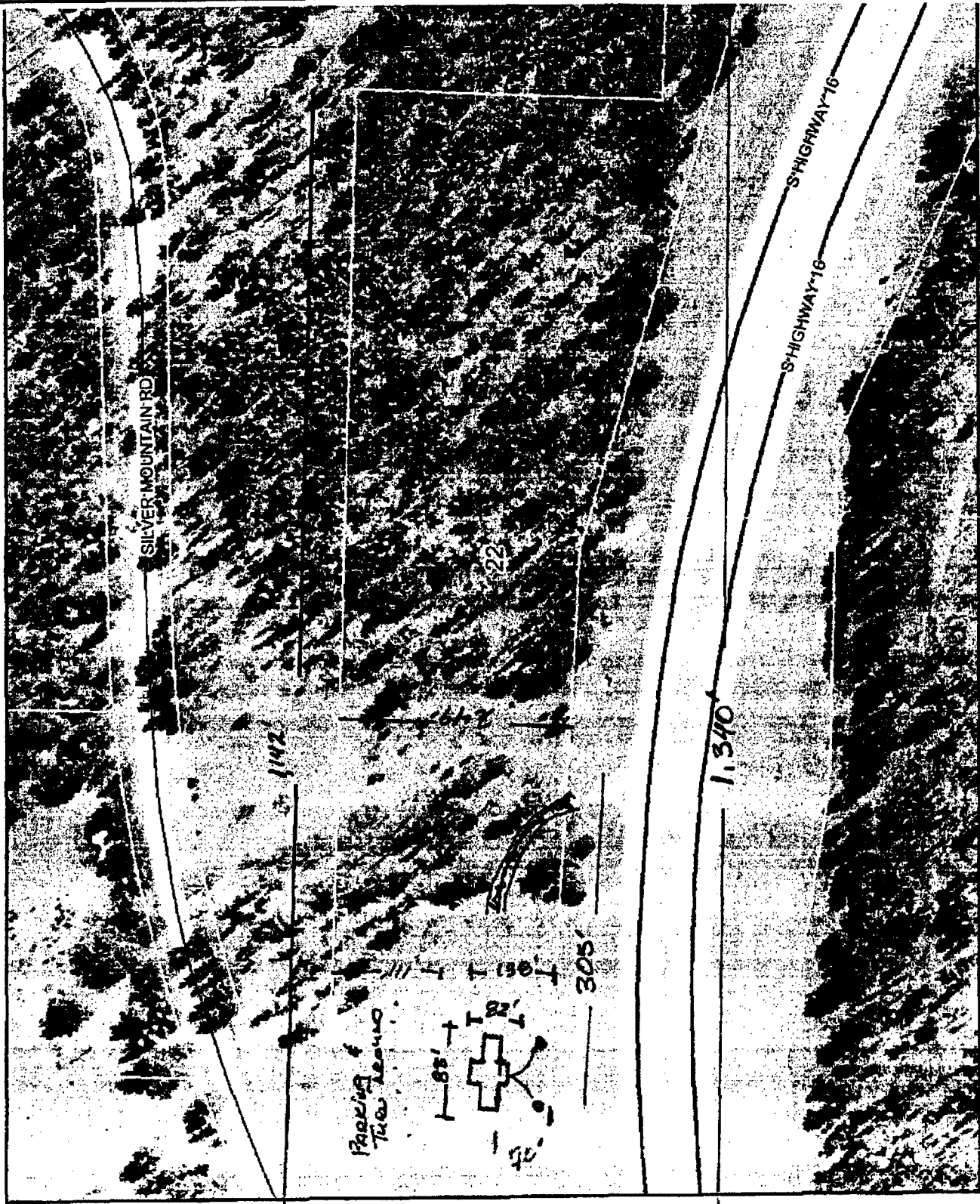
Michael Jacobs Conditional Use Permit



Subject Properties



0 0.1 0.2 0.4 0.6 0.8 Miles



STAFF REPORT

GENERAL INFORMATION:

REQUEST: CONDITIONAL USE PERMIT / CU 11-23: To allow a commercial helicopter tour business in a Highway Service District in accordance with Sections 210 and 510 of the Pennington County Zoning Ordinance.

APPLICANT: Tenderfoot Creek Properties/Michael Jacob

APPLICANT ADDRESS: 24564 Highway 16/385, Custer, SD 57730

AGENT: Centerline

AGENT ADDRESS: P.O. Box 7597, Rapid City, SD 57709

OWNER: Laura Pankratz/Michael Jacobs

OWNER ADDRESS: P.O. Box 650, Keystone, SD 57751

LEGAL DESCRIPTION: Located on the following metes and bounds description: Commencing from the S1/16 corner of Section 22, T1S, R6E, B.H.M. consisting of an aluminum Forest Service cap. Thence S0°08'10"E and basis of bearing from Highway Plat filed in Hwy Book 4 Page 194 a distance of 329.86' to the Point of Beginning. Thence, first course, S0°08'10"E a distance of 101.80' to a point on the Highway 16 right-of-way. Thence, second course along the highway right-of-way, N77°09'00"W a distance of 186.62' to the PC of third course along the highway right-of-way, a non-tangent left-hand curve with a radius of 2391.83', a central angle of 28°33'56", a length of 1192.48', a chord bearing of N81°22'11"W and a chord distance of 1180.17' to a 5/8" rebar with a Wendland #4224 cap. Thence, fourth course along the highway right-of-way N27°32'19"W a distance of 224.99' to a 5/8" rebar with a Wendland #4224 cap. Thence, fifth course, N89°29'18"E a distance of 137.24' to the SW1/16 corner consisting of an aluminum Forest Service cap. Thence, sixth course, N89°27'44"E a distance of 985.93' to a point. Thence, seventh course, S0°07'41"E a distance of 329.89' to a point. Thence, eighth course, N89°27'23"E a distance of 328.70' to the Point of Beginning. Said parcel containing 6.0054 acres more or less, in accordance with Section 508 of the Pennington County Zoning Ordinance.

SITE LOCATION: Southeast of the intersection of Boulder Hill Road and Silver Mountain Road.

SIZE: 6.00 acres

EXISTING LAND USE: Vacant

ZONING REFERENCE: Sections 210 and 510

CURRENT ZONING: Highway Service District

SURROUNDING ZONING:

North	General Agriculture/Low Density Residential District
South	General Agriculture District
East	General Agriculture District
West	General Agriculture/Highway Service District

PHYSICAL CHARACTERISTICS: Sloping/partially wooded

UTILITIES: None

REPORT BY: Dan Jennissen

GENERAL DESCRIPTION: The applicant has submitted a Conditional Use Permit (CUP) request to allow for the operation of a seasonal helicopter tour business on the subject property. This is the second request by the applicant to locate a helipad on the same property. On May 6, 2011, CU11-10 was denied by the Planning Commission and on May 9, 2011, the applicant appealed the decision of the Planning Commission and on May 17, 2011, County Board denied CU11-10, affirming the Planning Commission's decision. The applicant has submitted CU11-23 on the same property with no changes from the original application.

ANALYSIS: Staff visited the subject property back in January of 2011; the subject property is approximately six (6) acres and was recently rezoned from General Agriculture District to Highway Service District on April 5, 2011.

The six acres is currently part of a parcel that is split into four (4) sections. It is divided by Highway 16, Silver Mountain Road and a 19.02 acre lot. The property west of the intersection of Highway 16 and Silver Mountain road is approximately ten (10) acres. The property east of this intersection is approximately seven (7) acres. The property south of the intersection is approximately thirty-seven (37) acres and the property furthest east is approximately two (2) acres.

The surrounding land uses consists of Forest Service to the west and south. The zoning to the east is General Agriculture District. The zoning to the north consists primarily of Low Density Residential and Limited Agriculture District. The property directly to the west of the thirty-seven acre piece, south of Highway 16, is zoned Highway Service and consists of recreational cabins. This property is approximately two miles west of

Agenda Item #16
Tenderfoot Creek Properties; Michael Jacob
November 14, 2011
Page 3

Rockerville, which has zoning of Highway Service Zoning Districts and Commercial Planned Unit Developments.

As noted back in May of 2011, the applicant stated the seasonal tourist attraction is to include aerial tours of the area. He also stated he would like to operate seven days a week from approximately May 15th through September 30th with hours of operation from 9:00 a.m. to 7:00 p.m., and possibly have a maximum number of flights up to 60 daily.

The Conditional Use Permit was routed through the interdepartmental review process. Comments from the referral agencies are as follows:

Pennington County Highway Department: The Highway Department will not grant access onto Silver Mountain Road. Access should be from Highway 16 utilizing the existing field entrance and median cross over. This use appears to conflict with the existing LDR zoning the area.

Pennington County Fire Coordinator: Have concerns about access on Highway 16. If the Federal Aviation Agency approves, ok with Fire. Must have written approval from FCC prior to operation.

Pennington County Ordinance Officer: No nuisances on property.

Pennington County Sheriff: None.

Pennington County Environmental Planner: An On-Site Wastewater Construction Permit will be required with percolation tests, including an eight (8) foot soil profile hole, to be performed and the profile hole be inspected by the Pennington County Environmental Planner. The applicant must first apply for and receive an approved On-Site Wastewater Construction Permit prior to issuance of a Building Permit for the structure. The applicant will also need to submit the proposed system design and specifications to the South Dakota Department of Environment and Natural Resources for their review and approval.

The On-Site Wastewater System will need to be inspected by the Pennington County Environmental Planner prior to any backfilling of the system.

I do not foresee any further environmental concerns with the applicant's request

Pennington County Weed and Pest: Appears noxious weed free.

South Dakota Department of Transportation: Applicant agrees to dedicate right-of-way as shown on attachment in order to relocate Silver Mountain Road connection to location of this drive. Also, should applicant acquire property north of current Pankratz property, also agree to dedicate right-of-way across this parcel as well existing Silver Mountain

Agenda Item #16

Tenderfoot Creek Properties; Michael Jacob

November 14, 2011

Page 4

Road. Access to Highway 16 will be eliminated once new Silver Mountain Road access is constructed. Provide Eastbound left turn lane. Design to be approved By SDDOT.

FAA: A conversation on October 19, 2011, with Patricia Dressler, Environmental Protection Specialist with the FAA, indicated that the FAA Form 7480-1, Notice of Landing Area Proposal has not yet been completed. Ms. Dressler indicated that it should be completed within the next two weeks.

U.S. Forest Service: No access through BHNH.

Pennington County Water Protection Coordinator: The subject property does not contain 100-year floodplain (FIRM panel #1150B).

A Construction Permit may be required for any disturbance greater than or equal to 10,000 square feet. If the disturbance on the property is greater than or equal to 10,000 square feet, implementation of Best Management Practices (BMPs) are required as indicated in Section 507-A of the Zoning Ordinance. In addition, the BMPs must follow the guidelines set forth in the Pennington County Storm Water Quality Manual. The applicant will also need to take appropriate measures to protect all drainage ways and limit runoff from the subject property by implementing proper BMPs prior to any land disturbance. The applicant must reclaim the disturbed areas as required in Section 507-A of the Zoning Ordinance.

If the disturbance on the property is in excess of one (1) acre a DENR Stormwater Permit is also required.

The Pennington County Highway Department has indicated that access cannot be taken from Silver Mountain Road. At the time the rezoning request was being reviewed, South Dakota Department of Transportation indicated that access can be taken from Highway 16 with some alterations. The SDDOT stated that an eastbound left turn lane (design approved by SDDOT) should be installed.

The Environmental Planner has indicated that an On-Site Wastewater Construction Permit will be required with percolation tests, including an eight (8) foot soil profile hole, and the applicant will also need to submit the proposed system design and specifications to the South Dakota Department of Environment and Natural Resources for their review and approval. Prior to issuance of a Building Permit for the proposed structure, the applicant must submit an On-Site Wastewater Construction Permit for the installation of an on-site wastewater system.

Patricia L. Dressler, Environmental Protection Specialist/Airspace Specialist for the FAA, stated that Mr. Jacob has submitted a FAA Form 7480-1, Notice of Landing Area Proposal to the FAA for the proposed Helipad. She expected the review to be completed within the next few weeks. She previously stated that the review is a "determination with

respect to the safe and efficient use of the navigable airspace by aircraft and with respect to the safety of persons and property on the ground.”

No other significant issues were identified through the interdepartmental reviewing process.

Section 510 of the Zoning Ordinance lists five (5) factors that the Planning Commission may consider in their review of Conditional Use Permit applications. They are as follows:

1. **The effect upon the use and enjoyment of other property in the immediate vicinity for the uses already permitted, and upon property values within the immediate vicinity.**

It appears that, by allowing this Conditional Use Permit, it could have a negative effect on the use and enjoyment of other properties in the immediate vicinity, even though when taking off and landing from the subject property, he will not fly directly over any single-family residences. The nearest residence is located approximately 750 feet from the proposed helipad. Noise from the helipad could have an impact on the use and enjoyment of property in the immediate area.

2. **The effect upon the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.**

The predominant uses in the area consist of U.S. Forest Service land, residential, agricultural and some commercial. Vacant land in the area consists of larger tracts of land owned by private landowners and the U.S. Forest Service. The proposed use could affect the development of adjacent properties. The helipad will produce noise and turbulence from helicopters landing and taking off. It appears that this Conditional Use Permit could have a significant effect on the normal, orderly development or improvement of the surrounding vacant properties, due to the noise and possible dust from the proposed use.

A conversation with the Custer County Planning Director, David Green, indicated that they have received no formal complaints in the last 4.5 years regarding the helipad, located in Custer County along Highway 16/385. However, he noted that the helipad has been located in that location for approximately ten years.

3. **That utilities, access roads, drainage, and/or other necessary facilities are provided.**

An approach exists off of South Dakota Highway 16. The SDDOT typically requires an Approach Permit for the change in use. Current access to the property is located on a curve on Highway 16, which has traffic speeds at this location of 65 miles per hour.

With the current access to the property, tourist access to the property could be difficult. The SDDOT indicated that access can be taken from Highway 16 with some alterations and noted that an eastbound left turn lane (design approved by SDDOT) should be installed.

4. That the off-street parking and loading requirements are met.

The applicant has submitted a site plan and a narrative noting parking and internal traffic patterns. The site plan appears to provide for adequate off-street parking and loading requirements.

5. That measures are taken to control offensive odor, fumes, dust, noise, vibration, and lighting (inclusive of lighted signs), so that none of these will constitute a nuisance.

Mr. Jacob has indicated that he would be performing a maximum of 60 flights per day from the property. A helicopter landing and taking off will produce noise, fumes and vibration that could constitute a nuisance. The applicant also stated the flight patterns will not be directly over any of the residences in the area in order to reduce the impact of the use to the area.

Staff believes it will be difficult to implement mitigation measures to eliminate noise so as not to be a nuisance to the surrounding land owners. Staff believes this is not a use that is compatible to the area and that this Conditional Use Permit should be denied, given the close proximity of residential homes in the area.

Staff has also not received the FAA Form 7480-1 regarding the proposed helipad. Patricia L. Dressler, Environmental Protection Specialist/Airspace Specialist for the FAA, stated that Mr. Jacob has submitted the FAA Form 7480-1, Notice of Landing Area Proposal to the FAA for the proposed Helipad, but has not yet completed the review.

The Planning Commission and County already denied the proposed helipad back in May of this year. The applicant has submitted the same application with no changes. Staff still believes the proposed use is not compatible with the area.

RECOMMENDATION: Staff recommends denial of Conditional Use Permit CU 11-23, due to the close proximity of residences in the area, the possible negative effect on properties in the area, the nuisance due to the noise created with the helipad, and the current inadequate access to the property.

However, if Planning Commission or County Board of Commissioners approves CU11-23, staff recommends the following twenty-two (22) conditions be included in the Conditions of Approval:

1. That this Conditional Use Permit allow for the operation of two helipads, two reciprocating helicopters supporting buildings and fueling area. Any further expansion will require the Conditional Use Permit to be amended;
2. That the hours of operation for the helipad be from 10:00 a.m. to 5:00 p.m. Monday thru Friday and 11:00 a.m. to 5:00 p.m. Saturday and Sunday;
3. That the seasonal helicopter tour business only be conducted from May 1st thru September 30th;
4. That the number of flights be limited to a maximum of four (4) an hour;
5. That signs be posted along Highway 16 indicating low flying aircraft within 30-days of approval;
6. That prior to operation of a helicopter tour business, an On-site Wastewater Treatment System be installed;
7. That the applicant adheres to FAA rules and regulations at all times;
8. That the applicant notifies the Planning Department upon the sale of the property, so that a review of the Conditional Use Permit may be done;
9. That prior to operation of a helicopter tour business, the applicant provide ten (10) parking spaces and be constructed in accordance with Section 310-B of the Pennington County Zoning Ordinance;
10. That fuel storage on the property be approved and meet South Dakota Department of Environment and Natural Resources (SDDENR) and the Environmental Protection Agency requirements;
11. That prior to operation of a helicopter tour business, the applicant construct a four foot berm and six foot fence along the north property line and landscape the area for sound mitigation;
12. That prior to operation of a helicopter tour business, a left turn lane be constructed on the East bound traffic lane that is approved by South Dakota Department of Transportation;
13. That the applicant agrees to dedicate right-of-way thru property for future reconstruction of the intersection of Silver Mountain Road and U.S. Highway 16 as recommended by South Dakota Department of Transportation;

Agenda Item #16

Tenderfoot Creek Properties; Michael Jacob

November 14, 2011

Page 8

14. That Sign Permits be obtained for any new signage and that it meet the requirements of Section 312 of the Pennington County Zoning Ordinance;
15. That the lot address be clearly posted so it is visible from both directions along Highway 16 in accordance with Pennington County's Ordinance #20;
16. That access to the helipads be limited during hours of operation to employees and customers escorted by employees;
17. That a lateral distance of no less than 50 feet be maintained between the fuel storage area and the Final Approach and Takeoff area;
18. That a minimum of two fire extinguishers be available at all times (size and type to be determined by the Pennington County Fire Coordinator);
19. That access to the property be from Highway 16 and not Silver Mountain Road;
20. That all exterior lighting shall direct light away from adjoining properties and shall be pointed/shielded downward to minimize upward glare;
21. That this Conditional Use Permit be reviewed in one (1) year or on a complaint basis to verify that all conditions of approval are being met; and,
22. That this Conditional Use Permit is not valid until the applicant signs the Statement of Understanding, which is available at the Planning Office.

**MINUTES
PENNINGTON COUNTY PLANNING COMMISSION**

November 14, 2011 @ 9:00 a.m.

County Commissioners' Meeting Room - Pennington County Courthouse

MEMBERS PRESENT: Charlie Johnson, Jim Coleman, Lori Litzen, Sig Zvejnieks, Ron Buskerud and Ken Davis.

STAFF PRESENT: Dan Jennissen, Mandi Schmierer, Lysann Zeller, Kelsey Rausch, and Jeri Ervin.

ROLL CALL

1. **APPROVAL OF THE OCTOBER 24, 2011, MINUTES**
Moved by Coleman and seconded by Zvejnieks to approve the minutes of the October 24, 2011, Planning Commission meeting with a correction on page 7 to change 720 feet to 20 feet. Vote: unanimous (6 to 0).

2. **APPROVAL OF THE AGENDA**
Moved by Davis and seconded by Zvejnieks to approve the November 14, 2011, Planning Commission Agenda, including the Consent Calendar, with the removal of Items #4 and #6. Vote: unanimous (6 to 0).

CONSENT CALENDAR

The following items have been placed on the Consent Calendar for action to be taken on all items in accordance with staff's recommendation by a single vote. Any item may be removed from the Consent Calendar, by any Planning Commissioner, staff member, or audience member for separate consideration. The findings of this Planning Commission are recommendations to the Pennington County Board of Commissioners who will make the final decision.

16. **CONDITIONAL USE PERMIT / CU 11-23:** Tenderfoot Creek Properties/Michael Jacob. To allow a commercial helicopter tour business in a Highway Service District in accordance with Sections 210 and 510 of the Pennington County Zoning Ordinance.

Located on the following metes and bounds description: Commencing from the S1/16 corner of Section 22, T1S, R6E, B.H.M. consisting of an aluminum Forest Service cap. Thence S0°08'10"E and basis of bearing from Highway Plat filed in Hwy Book 4 Page 194 a distance of 329.86' to the Point of Beginning. Thence, first course, S0°08'10"E a distance of 101.80' to a point on the Highway 16 right-of-way. Thence, second course along the highway right-of-way, N77°09'00"W a distance of 186.62' to the PC of third course along the highway right-of way, a non-tangent left-hand curve with a radius of 2391.83', a central angle of 28°33'56", a length of 1192.48', a chord bearing of N81°22'11"W and a chord distance of 1180.17' to a 5/8" rebar with a Wendland #4224 cap. Thence, fourth course along the highway right-of-way N27°32'19"W a distance of

224.99' to a 5/8" rebar with a Wendland #4224 cap. Thence, fifth course, N89°29'18"E a distance of 137.24' to the SW1/16 corner consisting of an aluminum Forest Service cap. Thence, sixth course, N89°27'44"E a distance of 985.93' to a point. Thence, seventh course, S0°07'41"E a distance of 329.89' to a point. Thence, eighth course, N89°27'23"E a distance of 328.70' to the Point of Beginning. Said parcel containing 6.0054 acres more or less, in accordance with Section 508 of the Pennington County Zoning Ordinance.

(Continued from the October 24, 2011, Planning Commission meeting.)

Jennissen stated this item was continued from the October 24, 2011, Planning Commission meeting in order for staff to draft conditions for the proposed Conditional Use Permit.

Jennissen further added that the applicant has submitted a Conditional Use Permit (CUP) request to allow for the operation of a seasonal helicopter tour business on the subject property. This is the second request by the applicant to locate a helipad on the same property. On May 6, 2011, CU11-10 was denied by the Planning Commission and on May 9, 2011, the applicant appealed the decision of the Planning Commission and on May 17, 2011, County Board denied CU11-10, affirming the Planning Commission's decision. The applicant has submitted CU11-23 on the same property with no changes from the original application.

Staff recommended denial of Conditional Use Permit 11-23, due to the close proximity of residences in the area, the possible negative effect on properties in the area, the nuisance due to the noise created with the helipad, and the current inadequate access to the property.

Several neighboring landowners (LaDonna Niemann, Dr. Rebecca Liese, Mr. Al McCoy, Mr. Eli Rodolph, Erika Olson – attorney representing and appearing on behalf of other landowners, Mr. Martin Severson, Mrs. Mary Boyer, Mrs. Marilyn Bolt, and Mr. Matt Jackson) appeared to speak in opposition of the proposed use. They addressed their property values being negatively impacted, health and safety hazards not only from the noise of the helicopter but also a distraction to drivers from Highway 16, health stressors from the noise of the helicopter, the peace and quietness of the area will be affected by the noise and noise pollution from the helicopter will be created, their quality of life will be affected, it is located too close to residential areas, creating conflicting land uses (zoning of the land) in the County and it is not in the best interest of the County, the noise sound will carry out into the residential areas, and a business owner of a Bed and Breakfast in the area spoke of losing business because of the noise from the helicopter. She stated that her customers do not want to listen to noise; they want to enjoy the quietness of the Black Hills.

Mr. Larry Walker appeared and added that he sold his property in Custer where Mr. Jacob also operates another helicopter business. He noted there was nothing that he had

to add in the Disclosure Form about a helicopter business being located next to the property.

Ms. Laura Pankratz appeared and said that the helicopter business in Keystone did not affect her reservations and people enjoyed watching it.

Mr. Mike Jacobs, applicant, appeared and said he did invite everyone to the property to view the operation of the helicopter so that they could judge the impact the helicopter business may have on the neighborhood. He further discussed his hours of operation, flight records, and working with the FAA, etc.

Commissioner Litzen asked Mr. Jacobs about the hours of operation.

Mr. Jacob said he would like to operate between the hours of 9 a.m. and 6 p.m.

Commissioner Litzen further asked Mr. Jacobs to describe the most intense noise from the helicopter.

Mr. Jacobs said the noise would be intense for about six seconds during take off and when landing.

Commissioner Zvejnieks spoke of the applicant constructing a left turn lane on the east bound traffic land, which must be approved by the DOT. He asked Mr. Jacobs if he would be constructing this.

Mr. Jacobs commented that he had proposed other alternatives and one was to block off the median during the summer months. He added that the long-term goal of the DOT is to reconstruct the whole area. He doesn't think it is fair he would have to provide the financial support to do this, since he's providing safety for everybody else. He feels there are other long-term solutions to benefit everyone, but he would do what he would need to do to make it a safe approach.

Moved by Coleman and seconded by Buskerud to deny Conditional Use Permit 11-23.

Commissioner Johnson read a letter from Commissioner Hall, for the record, addressing her concerns of the proposed use and the five criteria when considering a Conditional Use Permit.

Commissioner Davis called the Question. Moved by Davis and seconded by Zvejnieks to call the Question. Vote on Question. Motion failed 4 to 2. Commissioners Coleman and Buskerud voted no.

Commissioner Coleman spoke of the natural and physical presence of the Black Hills and how it will be perceived and how people will be able to enjoy it. He further discussed if the proposed use is appropriate to the area, traffic issues, safety hazards, noise,

environmental safety, the helicopter being a distracting presence and an irritation to the property owners in the area. He further noted that he will be voting in favor of the Motion to deny the Conditional Use Permit.

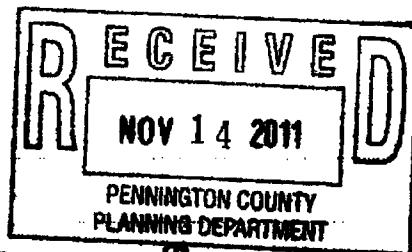
Commissioner Buskerud also spoke of the proposed use and if it is appropriate for the area. He further discussed property values, safety hazards, health issues, noise and privacy. He also stated he will be voting in favor of the Motion to deny the Conditional Use Permit.

Commissioner Zvejnieks concurred with Commissioners Coleman and Buskerud and stated he would not want a helicopter next to his property because of the noise. It is not an appropriate use for the area.

Commissioner Johnson spoke of the allowed uses in a Highway Service Zoning District, Highway 16 and access, concerns of the Planning Commission and landowners and stated that he feels the request is within the Zoning Ordinance guidelines.

Roll call vote on Original Motion to deny: Zvejnieks aye, Busekerud aye, Coleman aye, Johnson no, Davis aye, and Litzen no. Motion to deny passed 4 to 2.

Nov. 14, 2011



TO: PENN. CO. PLANNING DEPT. &
PENN. CO. PLANNING COMMISSION

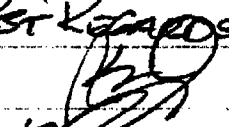
FROM: MICHAEL JACOB, MANAGER
TOURNEFORT CREEK PROPERTIES, LLC

RE: C.U.P. DENIAL - APPEAL OF DECISION

TO WHOM IT MAY CONCERN:

By virtue of this letter, I hereby
appeal the decision of the P.C.
planning commission and the meeting
held Nov. 14, 2011

BEST REGARDS,


MICHAEL JACOB

December 6, 2011

**PENNINGTON COUNTY
BOARD OF COMMISSIONERS MEETING
DECEMBER 6, 2011**

A meeting of the Pennington County Board of Commissioners was held on Tuesday, December 6, 2011, in the Commissioners' meeting room of the Pennington County Courthouse. Chairperson Ken Davis called the meeting to order at 9:00 a.m. with the following Commissioners present: Ron Buskerud, Don Holloway, Lyndell Petersen and Nancy Trautman.

T. APPEAL OF CONDITIONAL USE PERMIT / CU 11-23: Tenderfoot Creek Properties/Michael Jacob. To allow a commercial helicopter tour business in a Highway Service District in accordance with Sections 210 and 510 of the Pennington County Zoning Ordinance.

Located on the following metes and bounds description: Commencing from the S1/16 corner of Section 22, T1S, R6E, B.H.M. consisting of an aluminum Forest Service cap. Thence S0°08'10"E and basis of bearing from Highway Plat filed in Hwy Book 4 Page 194 a distance of 329.86' to the Point of Beginning. Thence, first course, S0°08'10"E a distance of 101.80' to a point on the Highway 16 right-of-way. Thence, second course along the highway right-of-way, N77°09'00"W a distance of 186.62' to the PC of third course along the highway right-of way, a non-tangent left-hand curve with a radius of 2391.83', a central angle of 28°33'56", a length of 1192.48', a chord bearing of N81°22'11"W and a chord distance of 1180.17' to a 5/8" rebar with a Wendland #4224 cap. Thence, fourth course along the highway right-of-way N27°32'19"W a distance of 224.99' to a 5/8" rebar with a Wendland #4224 cap. Thence, fifth course, N89°29'18"E a distance of 137.24' to the SW1/16 corner consisting of an aluminum Forest Service cap. Thence, sixth course, N89°27'44"E a distance of 985.93' to a point. Thence, seventh course, S0°07'41"E a distance of 329.89' to a point. Thence, eighth course, N89°27'23"E a distance of 328.70' to the Point of Beginning. Said parcel containing 6.0054 acres more or less, in accordance with Section 508 of the Pennington County Zoning Ordinance.

MOVED by Davis and seconded by Buskerud to deny the appeal of Conditional Use Permit / CU 11-23. Roll Call Vote: Petersen – no, Davis- aye, Buskerud – aye, Holloway – aye, Trautman - aye. The motion carried 4-1.

STAFF REPORT

GENERAL INFORMATION:

REQUEST: ORDINANCE AMENDMENT / OA 19-01: To amend/adopt the Pennington County Comprehensive Plan.

REPORT BY: P.J. Conover

GENERAL DESCRIPTION: On December 20, 2016, the Board of Commissioners approved an agreement for professional services between Pennington County and Matrix Design Group, Inc. Matrix Design Group, Inc. is contracted to assist Pennington County in the updating and amendment/adoption of the Pennington County Comprehensive Plan (View to 2040).

To understand the purpose of a Comprehensive Plan and what it is, consider a quote from the View to 2040 document itself, *“The purpose of the Pennington County Comprehensive Plan is to guide government officials, residents, and developers in sound decision-making about current and future development of Pennington County. The Comprehensive Plan is an advisory document that provides a framework for land use decisions, public service expansions, economic development, resource management, and the general growth of the county. This plan serves as a guide that should be used to gauge short-term and current decisions against the long-range vision that has been developed.”*

EXISTING TEXT:

The existing Pennington County Comprehensive Plan is available for viewing at the Planning Department and online by going to the Planning Department’s website.

PROPOSED TEXT:

The proposed text is contained within the Public Review Draft. The Public Review Draft (July 2018) of the View to 2040 Comprehensive Plan has been available for public viewing and input:

- 1) www.viewto2040.com;
- 2) Planning Department; and,
- 3) Planning Department’s website.

REVIEW AND COMMENTS:

Starting in early 2017, consultants held no less than thirty (30) scheduled face-to-face meetings with Elected Officials and Staff from: Pennington County, Rapid City, Box Elder, Keystone, Hill City, Wall, and Ellsworth Airforce Base to collect comments and opinions to help produce a draft document for Public Review. To collect more information, the consultants held a total of fifteen (15) meetings between March 2017 and June 2018 in Rapid City, Wall, Keystone and Hill City. Along with comments received from the viewto2040.com website and various emails, the consultants produced the current document.

ANALYSIS:

Prior to the hearings of the Pennington County Comprehensive Plan (View to 2040) document before the Board of Commissioners, the Planning Commission should consider all comments received thus far, relative to the current Public Review Draft and all future comments from public hearings. After the Planning Commission has taken action to make a recommendation to the Board of Commissioners, dates will be determined for hearings at the Board level. The final action taken by the Board of Commissioners will create a plan that is to serve Pennington County for the next twenty (20) years, as the document that guides government officials, residents, and developers to reach the development goals and aspirations of Pennington County.

Approval of a Comprehensive Plan is only the beginning. There are additional amendments/adoptions of existing adjunct documents (Zoning Ordinance, Flood Damage Prevention Ordinance, Subdivision Regulations, etc.) that will need to be discussed and brought in-line with a new Comprehensive Plan - View to 2040. These adjunct documents are the "directions" that Pennington County follows to reach the goals and aspirations as set forth in the Comprehensive Plan - View to 2040.

NEXT STEPS

Staff recommends the following step for Comprehensive Plan - View to 2040:

1. That the Planning Commission discuss and make recommendations as necessary while moving with Ordinance Amendment / OA 19-01 - Comprehensive Plan - View to 2040.

**PENNINGTON COUNTY
COMPREHENSIVE PLAN**

PENNINGTON COUNTY



"PRIDE IN THE PAST; FAITH IN THE FUTURE"

AUGUST 2003

**Pennington County
Comprehensive Plan**

County Commission

Ken Davis, Chairperson

**Delores Coffing
Lyle Hendrickson**

**James Kjerstad
Gale Holbrook**

Planning Commission

Linda Peterson, Chairperson

**Bob Brandt
Tim Pfisterer
John Herr**

**E.L. "Gene" Deyo
Russell Stewart**

**Rodney Meador (past contributing member)
Dick Murray (past contributing member)
Richard Morris (past contributing member)**

**Prepared by Pennington County
Planning Department**

**Scott A. Anderson, Director
Daniel Jennissen, Planner III
Douglas Baldwin, Planner I
Jeri Ervin, Assistant To**

The Planning Commission conducted a public hearing on this plan on July 28, 2003, and voted to present the plan to the Board of County Commissioners with a recommendation for adoption. Following a public hearing, the plan was adopted by ordinance of the Board of County Commissioners on August 12, 2003.

TABLE OF CONTENTS
Pennington County Comprehensive Plan

1.0 INTRODUCTION	1
1.1 Setting and Location	1
1.2 Local Planning History	2
1.3 Purpose and Meaning of Comprehensive Planning	2
2.0 HISTORY	3
3.0 POPULATION	5
3.1 Introduction.....	5
3.2 Population Trends	5
3.3 Housing Trends.....	7
3.4 Future Population and Employment	7
4.0 ENVIRONMENTAL RESOURCES.....	10
4.1 Introduction.....	10
4.2 Water Resources	11
4.3 Flood Plain Areas.....	15
4.4 Soil Resources.....	16
4.5 Slope And Topography	19
4.6 Wildfire Interface.....	20
4.7 Wildlife Interface.....	21
5.0 TRANSPORTATION.....	22
5.1 Major Improvements.....	24
5.2 Alternate Means Of Transportation	26
5.3 Conclusion	27
6.0 FUTURE LAND USE	33
6.1 Agricultural Land Use	34
6.2 Residential Land Use	34
6.3 Commercial Land Use	37
6.4 Industrial Land Use.....	38

Comprehensive Plan



Pennington County Comprehensive Plan
VIEW TO 2040

Public Review Draft
July 2018



Lars Plougmann: View of the Ranch from the Post at Sunset. CC BY SA 2.0; Flickr.com



Pennington County Comprehensive Plan
VIEW TO 2040



Pennington County Comprehensive Plan
VIEW TO 2040

Public Review Draft

Prepared for:



130 Kansas City St. Suite 200
Rapid City, SD 57701

Prepared by:



July 2018

ACKNOWLEDGEMENTS

Pennington County Board of Commissioners

- ▶ Ron Rossknecht District 1
- ▶ Lloyd LaCroix..... District 2
- ▶ Deb Hadcock, Chair District 3
- ▶ Mark DiSanto..... District 4
- ▶ Gary Drewes, Vice Chair District 5

Planning Commission

- ▶ Jim Coleman
- ▶ Kathryn Johnson
- ▶ Travis Lasseter
- ▶ Rich Marsh
- ▶ Sonny Rivers
- ▶ Sandra Runde

County Staff

- ▶ Cassie Bolstad Assistant Planning Director
- ▶ P.J. Conover Planning Director
- ▶ Jerome Harvey..... County Fire Administrator
- ▶ Holli Hennies..... Commission Office Manager
- ▶ Michaela Hoffman Deputy State's Attorney
- ▶ Brittney Molitor Environmental Planning Supervisor
- ▶ Julie Pearson..... Auditor
- ▶ Shannon Rittberger Director of Equalization
- ▶ Dustin Willett..... Director Emergency Management

Other Jurisdictions and Organizations

Pennington County would like to thank the following jurisdictions and organizations for their active involvement in this process.

- ▶ Black Hills State University – Rapid City
- ▶ City of Box Elder
- ▶ City of Rapid City
- ▶ City of Hill City
- ▶ Town of Keystone
- ▶ Town of Wall

Public Input

Pennington County would like to thank the members of the public who gave their time and energies in assisting in the development of the Comprehensive Plan by participating in the community workshops and corresponding with members of the Board of Commissioners and Planning Commission.



Project Consultant



Celeste Werner, AICP
Project Director

Rick Rust, AICP, GISP
Project Manager

Felipe Zubia, AICP
Senior Planner



Table of Contents

1.	Introduction.....	1-1
1.1	Purpose of a Comprehensive Plan	1-1
1.2	Comprehensive Plan Process	1-2
1.3	Regional and Local Context.....	1-2
1.4	Community Engagement Process	1-5
1.5	Comprehensive Plan Maintenance.....	1-5
1.6	Comprehensive Plan Organization	1-6
2.	Planning Framework.....	2-1
2.1	Vision Statement	2-1
2.2	Focus Areas	2-2
3.	Land Use & Housing Element	3-1
3.1	Land Use Designations and Standards	3-1
3.2	Land Use Overview	3-8
3.3	Goals and Policies.....	3-10



VIEW TO 2040

4.	Economic Development Element.....	4-1
4.1	Economic Development Overview.....	4-1
4.2	Goals and Policies.....	4-4
5.	Agricultural Element.....	5-1
5.1	Agricultural Overview.....	5-1
5.2	Goals and Policies.....	5-2
6.	Transportation & Circulation Element.....	6-1
6.1	Transportation & Circulation Overview.....	6-1
6.2	Goals and Policies.....	6-9
7.	Public Services & Facilities Element.....	7-1
7.1	Infrastructure Overview.....	7-1
7.2	Public Safety Overview.....	7-5
7.3	Public Facilities Overview.....	7-5
7.4	Goals and Policies.....	7-6
8.	Recreation, Open Space & Tourism Element.....	8-1
8.1	Recreation, Open Space and Tourism Overview.....	8-1
8.2	Goals and Policies.....	8-7
9.	Health & Safety Element.....	9-1
9.1	Health & Safety Overview.....	9-1
9.2	Goals and Policies.....	9-10
10.	Natural & Cultural Resources Element.....	10-1
10.1	Natural & Cultural Resources Overview.....	10-1
10.2	Goals and Policies.....	10-2
11.	Implementation Program.....	11-1

Figures

Figure 1-1	Planning Areas.....	1-3
Figure 2-1	Black Hills.....	2-3
Figure 2-2	Central Pennington.....	2-5
Figure 2-3	Eastern Plains	2-7
Figure 3-1	2040 Future Land Use	3-15
Figure 6-1	Transportation – Black Hills.....	6-3
Figure 6-2	Transportation – Central Pennington.....	6-5
Figure 6-3	Transportation – Eastern Plains	6-7
Figure 7-1	Public Facilities	7-3
Figure 8-1	Parks and Recreation Locations	8-3
Figure 8-2	Federal and State Lands	8-5
Figure 9-1	Flood Potential Map.....	9-3
Figure 9-2	Wildfires, 1984 to 2015	9-5
Figure 9-3	Ellsworth AFB Study Area MCA	9-9

Tables

Table 3-1	Land Use Designations	3-3
Table 4-1	Top Employers.....	4-2
Table 10-1	Federal Land in Pennington County	10-1

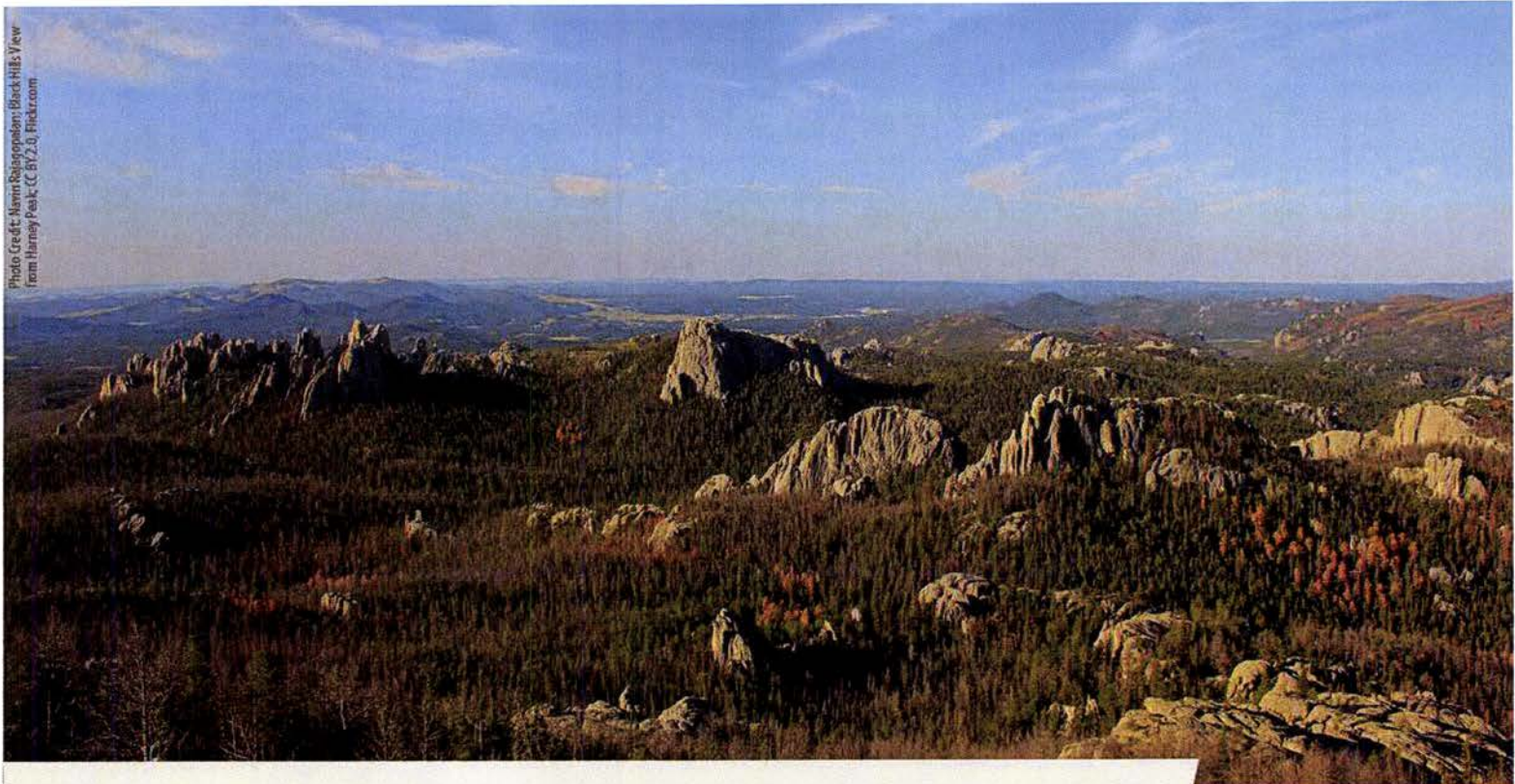


Photo Credit: Nanna Rajagopalan; Black Hills View from Harney Peak, CC BY 2.0, Flickr.com

Introduction

1

1.1 Purpose of a Comprehensive Plan

The purpose of the Pennington County Comprehensive Plan is to guide government officials, residents, and developers in sound decision-making about current and future development of Pennington County. The Comprehensive Plan is an advisory document that provides a framework for land use decisions, public service expansions, economic development, resource management, and the general growth of the county. This plan serves as a guide that should be used to gauge short-term and current decisions against the long-range vision that has been developed.

The Comprehensive Plan has three defining features:

- ▶ **General.** The Comprehensive Plan provides general guidance that will be used to direct land use and resource decisions.
- ▶ **Comprehensive.** The Comprehensive Plan covers a wide range of social, economic, infrastructure, and natural resource topics. Topics include economic development, land use, housing, transportation, agriculture, and public services and facilities.
- ▶ **Long-Range.** The Comprehensive Plan provides guidance on reaching a vision 20 or more years in the future. To achieve the vision, implementation actions are included that address both immediate and long-term needs.



VIEW TO 2040

1.2 Comprehensive Plan Process

The process for developing the Comprehensive Plan occurred in seven tasks that build on each other. Several opportunities for residents to provide ideas and help guide the future of the community were included in the development of the Plan.

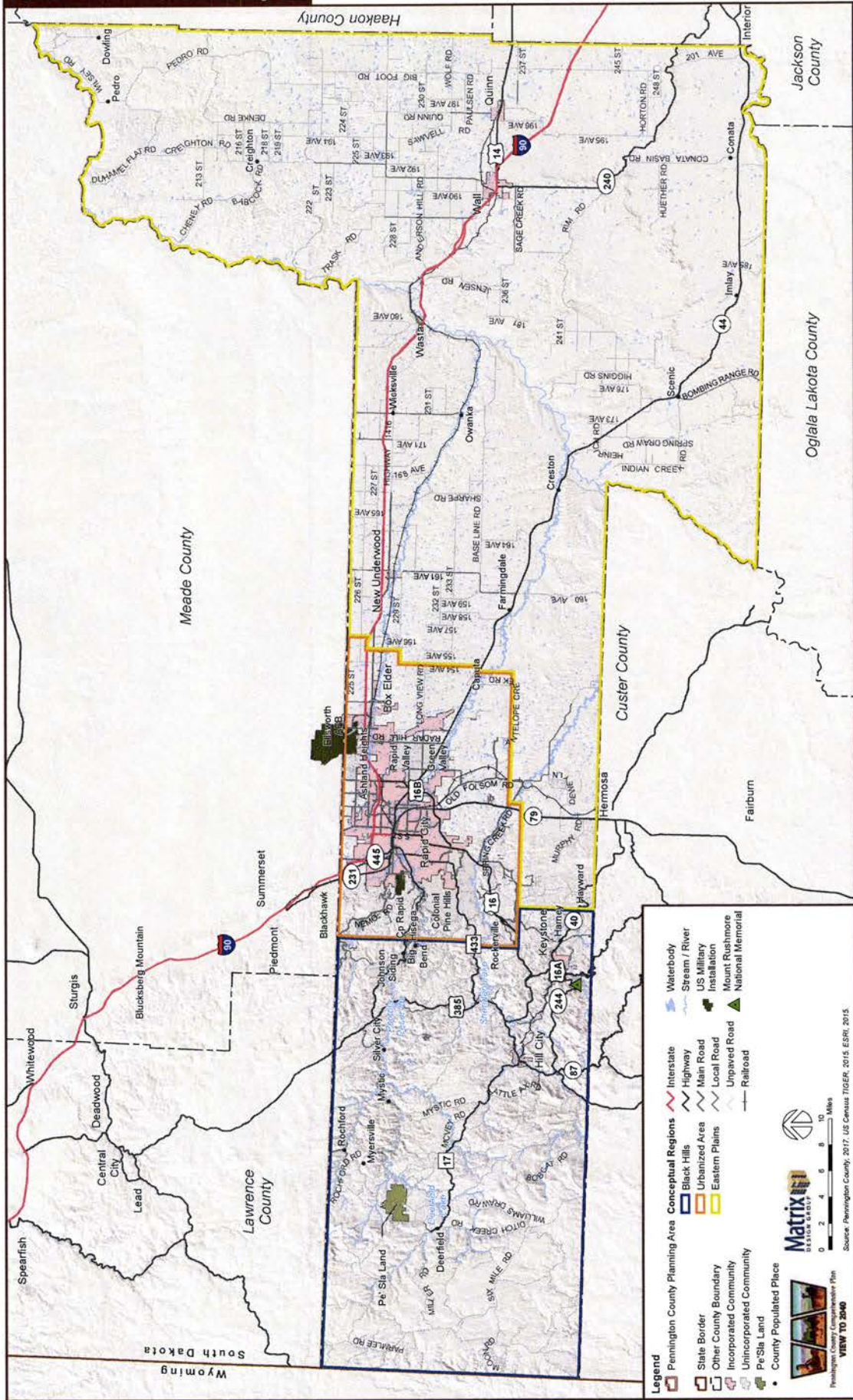
- ▶ **Task 1: Project Management.** Task 1 laid the foundation for the planning process by refining the specifics of the Comprehensive Plan update, including the scope of work, schedule, and project branding. This task also covered project management during the development of the Comprehensive Plan, including meetings with County staff and elected and appointed officials.
- ▶ **Task 2: Public Participation and Communication.** This task covered the setup and implementation of the public participation process and aimed to engage members of the public in the development of the Comprehensive Plan. As public participation is integral to the success of this planning process, Task 2 spanned the entire length of the project, ending in the final adoption of the Comprehensive Plan.
- ▶ **Task 3: Community Assessment.** During Task 3, the first set of public workshops were held and interviews with community leaders and stakeholders were conducted. The workshops and interviews focused on identifying opportunities and challenges to be addressed in the Comprehensive Plan. An overall community assessment, including assessment of socioeconomic and demographic data, was conducted during this task.
- ▶ **Task 4: Framework Document.** A range of document formatting possibilities were reviewed with County staff during Task 4, resulting in a finalized outline and format for the Comprehensive Plan that suits the desires and needs of the County.
- ▶ **Task 5: Development of Draft Strategies, Policies, and the Implementation Plan.** Task 5 involved developing land use and policy alternative scenarios. Each alternative was also evaluated based on responsiveness to key issues, opportunities, and the vision statement developed. Once alternatives were reviewed, the preferred policy and land use alternative was used as the basis of the Comprehensive Plan.
- ▶ **Task 6: Plan Document Development.** As a result of the work completed in earlier tasks, a public draft Comprehensive Plan was prepared and circulated for public review.
- ▶ **Task 7: Formal Adoption Process.** During this task, the public, Planning Commission, and Board of Commissioners reviewed the Draft Comprehensive Plan, culminating in final adoption. A series of public hearings were held and following review and comments, the final draft version of the Comprehensive Plan was prepared for final review and action by the Planning Commission (recommendation to the Board) and County Board of Commissioners (final adoption).

1.3 Regional and Local Context

Pennington County is located in the western part of South Dakota, bordering the state of Wyoming to the west, Custer County to the south, Meade County to the north, and Haakon and Jackson Counties to the east. Pennington County covers 2,782 square miles, of which over 1,500 square miles fall within the County's planning jurisdiction. This equates to approximately 56% of the total county area, the remaining percentage falling within the 14 incorporated communities' planning areas. The planning area is shown on Figure 1-1.

Figure 1-1

Planning Area



1.4 Community Engagement Process

One of the most important components of a Comprehensive Plan update is public engagement. Participation by a broad range of interests increases the likelihood that the plan's goals and policies will be based on community consensus, which increases the likelihood for successful implementation of the plan. Gaining public input was achieved through the following engagement efforts:

- ▶ **Board of Commissioners / Planning Commission Updates.** During the preparation of the Comprehensive Plan, three update sessions were held with the Board of Commissioners to review ideas and gain insight from the Commissioners. One of these sessions included attendance and participation by the Planning Commission. This input was used in the development of the draft Comprehensive Plan which was then presented to the Planning Commission.
- ▶ **Public Workshops.** A total of five public workshop sets were held throughout the update process to invite the public to engage in activities that influenced the development of the Comprehensive Plan. Each workshop set was held in three locations, over three nights, to provide easier opportunities to engage in the update process. For each set, a workshop was held in the Black Hills area, the Rapid City/Box Elder area, and the eastern grasslands area.
- ▶ **Stakeholder Interviews.** Interviews were held with County Commissioners, Planning Commissioners, County staff members, and key business and community leaders to gain insights on important factors that should be considered during the planning process.
- ▶ **Informational Brochures.** Three informational brochures were created to give the public relevant information regarding the update process. Brochures were distributed during public workshops as well as posted on the project website.
- ▶ **Project Website.** A dedicated project website was developed and maintained for the Comprehensive Plan to provide interested parties with information, studies, documents, and meeting dates associated with the Comprehensive Plan (www.viewto2040.com).

1.5 Comprehensive Plan Maintenance

Chapter 11-2 of the South Dakota Codified Laws provides the framework for comprehensive planning within the State of South Dakota. Specifically, this chapter provides the power for municipalities and counties to prepare a Comprehensive Plan with an aim of protecting and guiding the development of the municipality or county.



VIEW TO 2040

1.6 Comprehensive Plan Organization

This Comprehensive Plan is made up of 11 chapters. Chapters 1 and 2 provide introductory information that assists in the use of the Comprehensive Plan.

- ▶ Chapter 1: Introduction
- ▶ Chapter 2: Planning Framework

Chapters 3 – 10 are the topical chapters within the Comprehensive Plan that contain the policy guidance that will be used to guide the County’s planning and resource decision-making process. These topical chapters are referred to as “elements”. Each element contains a series of goals and policies that are labeled using an acronym for that element. These elements and their acronyms are as follows:

- ▶ Chapter 3: Land Use & Housing Element (LUH)
- ▶ Chapter 4: Economic Development Element (ED)
- ▶ Chapter 5: Agricultural Element (AG)
- ▶ Chapter 6: Transportation & Circulation Element (TC)
- ▶ Chapter 7: Public Services & Facilities Element (PSF)
- ▶ Chapter 8: Recreation, Open Space & Tourism Element (ROST)
- ▶ Chapter 9: Health & Safety Element (HS)
- ▶ Chapter 10: Natural & Cultural Resources Element (NCR)
- ▶ Chapter 11: Implementation Program

Pennington County has a diverse natural landscape and the Comprehensive Plan has been designed to reflect the diverse needs of the different natural landscapes. To better tailor the Comprehensive Plan to the unique needs of the county, each policy is marked with an icon to represent the natural landscape and geographic area that policy applies. Each policy will show one, two, or three icons to represent the geographic area of the county that policy applies.



Black Hills Focus Area

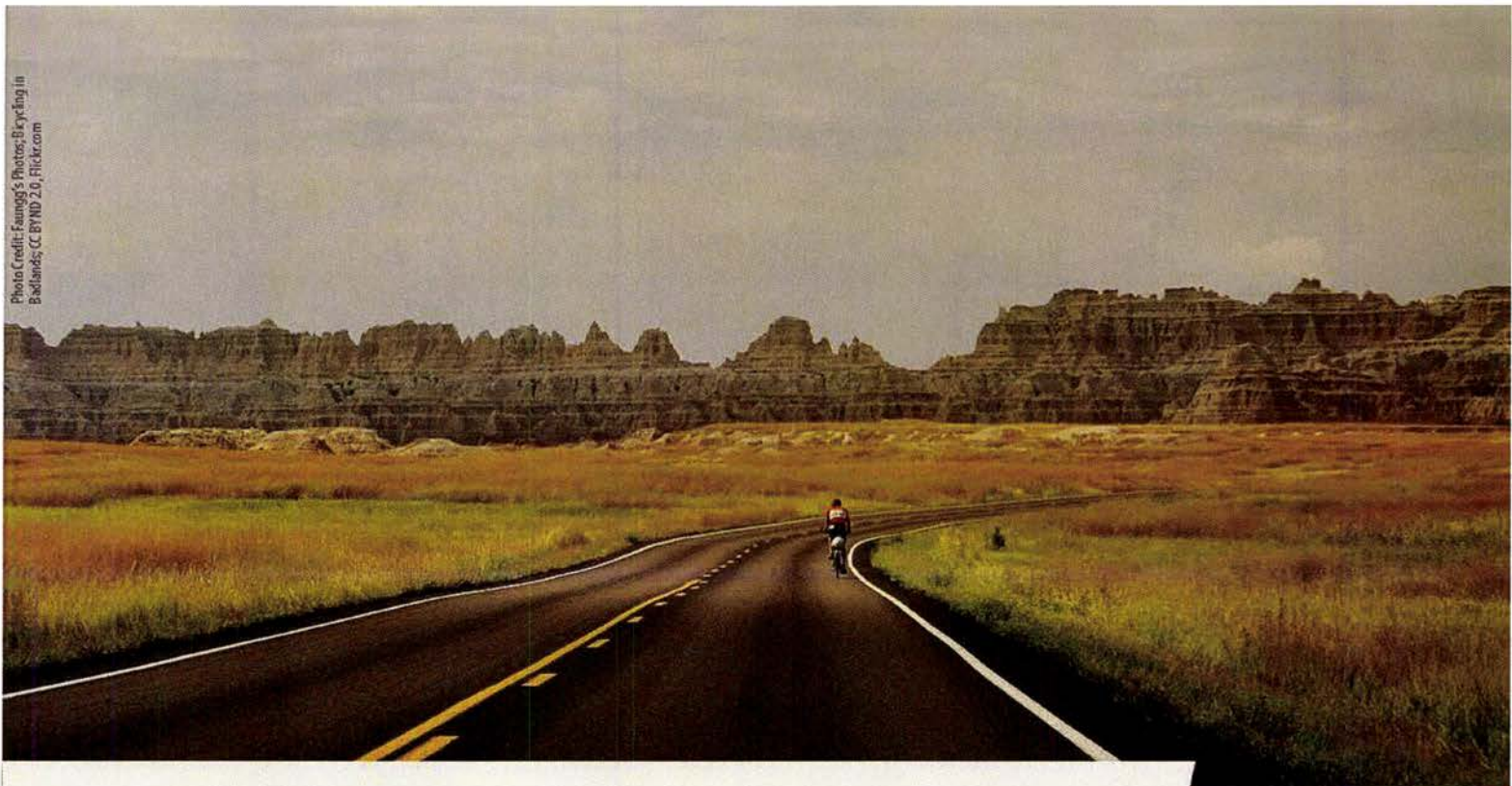


Central Pennington Focus Area



Eastern Plains Focus Area

A description of each focus area, and maps showing their locations, are included in Chapter 2. For the purpose of implementation of this Comprehensive Plan, each policy includes the term “shall”, which provides specific and certain guidance for development, or “should”, which signifies a less rigid directive.



Planning Framework

2

This chapter provides the planning framework which shapes the focus and intent of the Comprehensive Plan. This is partly done through the establishment of a vision statement, as seen in section 2.1. The planning framework is also established through a more detailed description of the natural landscapes identified in Chapter 1. This detailed description is provided in section 2.2, where the natural areas are classified in one of three focus areas.

2.1 Vision Statement

A vision statement describes a future ideal state and articulates the shared aspirations of the county including residents, property owners, leadership, and other stakeholders. This vision statement, developed through the community engagement described in Chapter 1, not only provides inspiration and guidance for the Plan, but also reflects the key values upon which all goals, policies, and implementation actions within this Comprehensive Plan support. The vision statement for the Comprehensive Plan is as follows:

Pennington County is a unique part of South Dakota that is built on a sense of community and a frontier spirit. We pride ourselves on protecting the natural, cultural, and historic resources that help define our social identity and values. The County continues to grow in a manner that maintains water and air quality, improves career and housing opportunities, and retains our excellent schools and quality of life.



VIEW TO 2040

2.2 Focus Areas

Due to Pennington County's diverse terrain and character, the county can be geographically described as three unique geographic areas. In the Comprehensive Plan, these three areas are called "Focus Areas". In Chapters 3-10, the policies presented are designated by Focus Area to apply policy that is applicable to each area. The three Focus Areas are listed below and defined in the remainder of this chapter.

- ▶ Black Hills Focus Area (Figure 2-1)
- ▶ Central Pennington Focus Area (Figure 2-2)
- ▶ Eastern Plains Focus Area (Figure 2-3)

Black Hills Focus Area

Location

The Black Hills Focus Area is defined as the portion of Pennington County that is west of the Rapid City Area Metropolitan Planning Organization (MPO) boundary. Much of the area is within the Black Hills National Forest. Major transportation facilities include Highways 16 and 44, which run primarily east-west and connect the area into the Rapid City urban area. Highway 385 runs through the Black Hills areas in a north-south orientation. The area contains two incorporated cities (Keystone and Hill City) and several unincorporated communities.

Issues and Opportunities

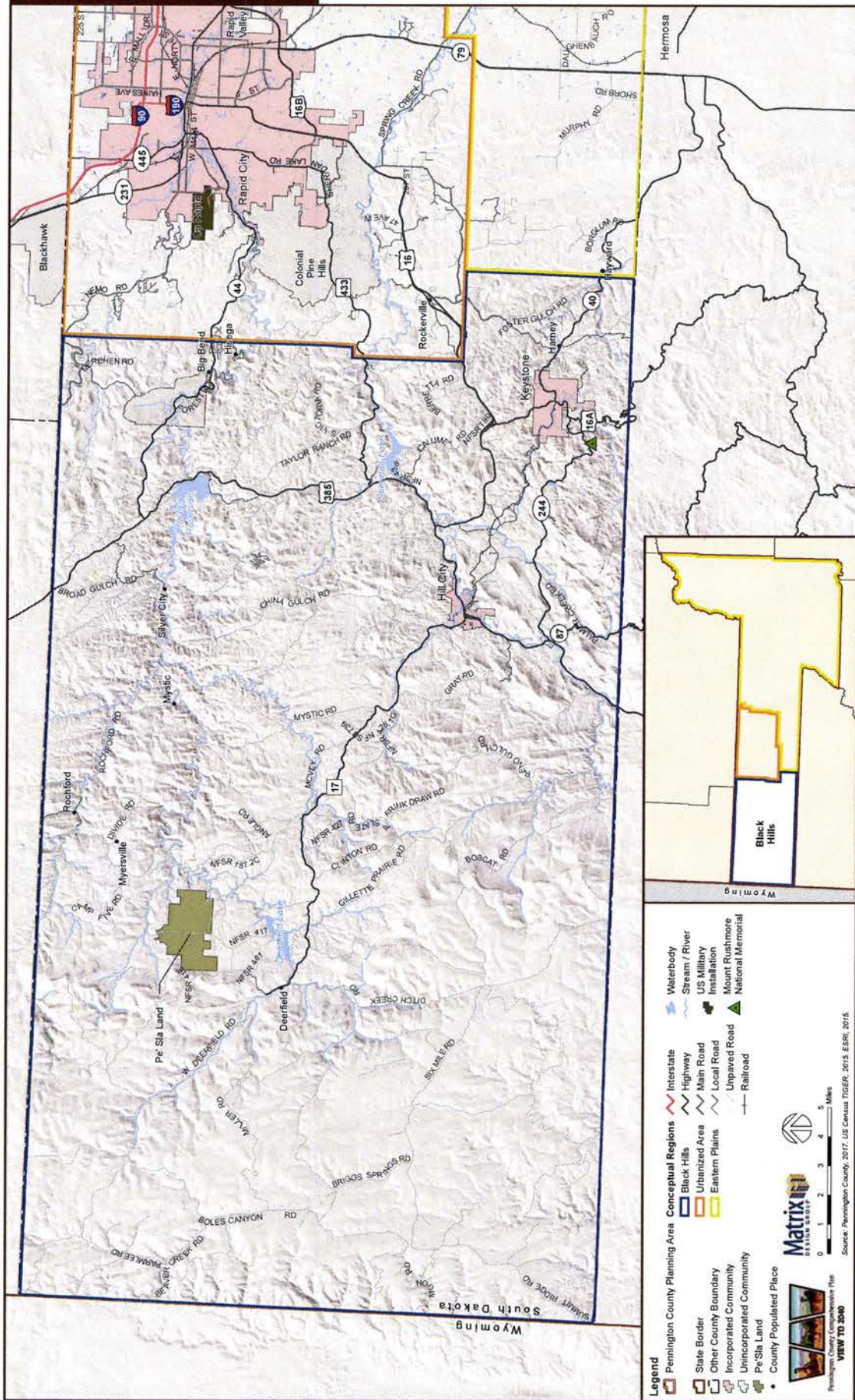
The character for the Black Hills is built from the forest landscapes which provide natural resources as well as opportunities for tourism. Once a major gold rush site, mining and timber harvesting are still active in the area. The largest economic sector in the area is tourism. Tourism is anchored by Mount Rushmore National Memorial but is supported with a wide-range of historic, natural environment, and attraction-based tourism opportunities. While tourism is a major economic driver, it is also very seasonal, leading to issues associated with a shortage of year-round employment opportunities and competition for housing.

Future Land Uses

Land use in this area is focused on tourism commercial in communities and along highways and rural residential uses in the hill areas. This area will primarily have a focus on low density residential to ensure that the natural character remains intact as growth occurs.

Figure 2-1

Black Hills



Legend

- Pennington County Planning Area
- Conceptual Regions
 - Black Hills
 - Urbanized Area
 - Eastern Plains
- Interstate
- Highway
- Main Road
- Local Road
- Unpaved Road
- Railroad
- State Border
- Other County Boundary
- Incorporated Community
- Unincorporated Community
- Pe'Sia Land
- County Populated Place
- Waterbody
- Stream / River
- US Military Installation
- Mount Rushmore National Memorial

Matrix
PLANNING AREA

0 1 2 3 4 5
Miles

Source: Pennington County, 2017 US Census TIGER, 2015 ESRI, 2015

VIEW TO 3040

Pennington County Comprehensive Plan

Figure 2-2 Central Pennington

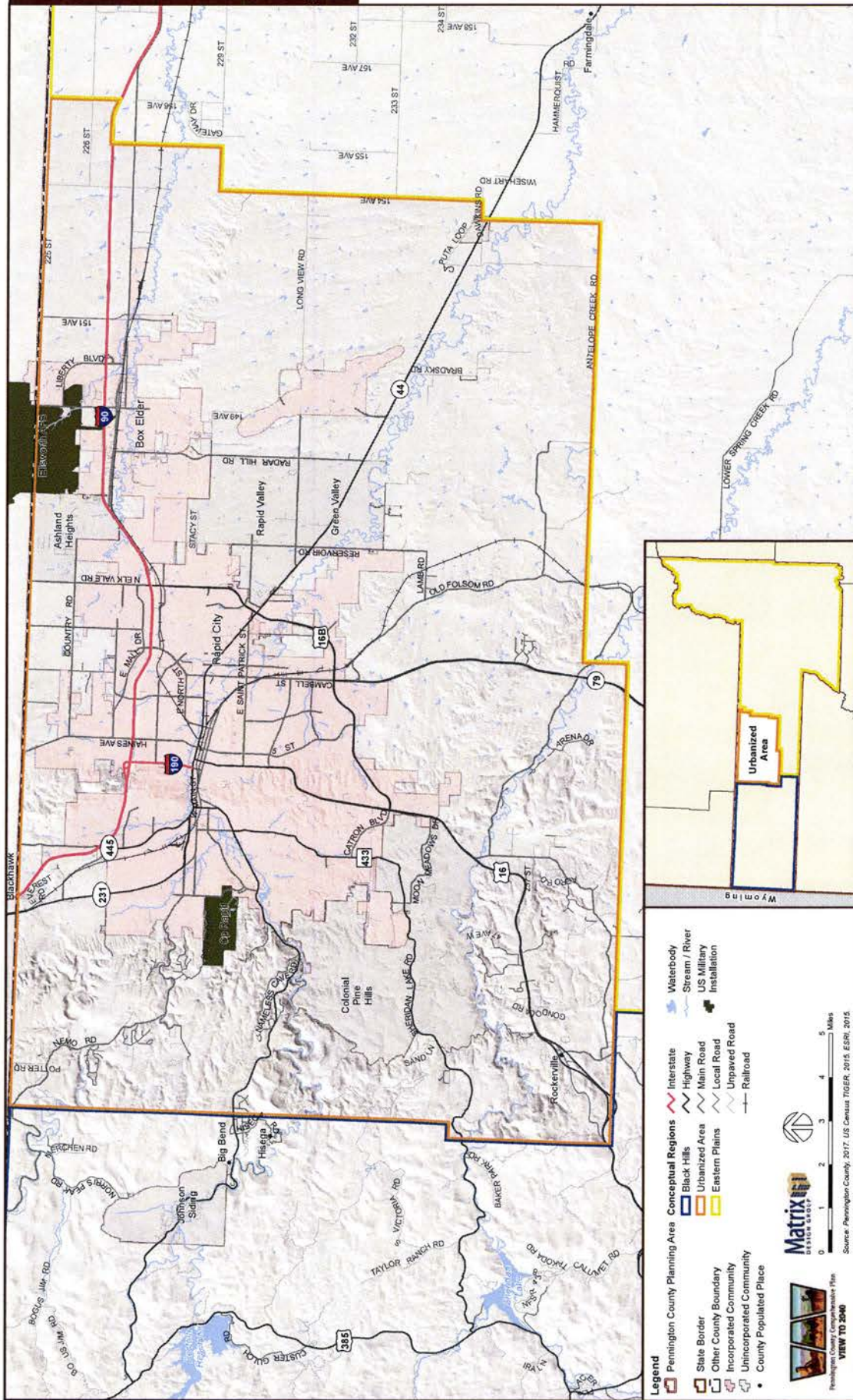
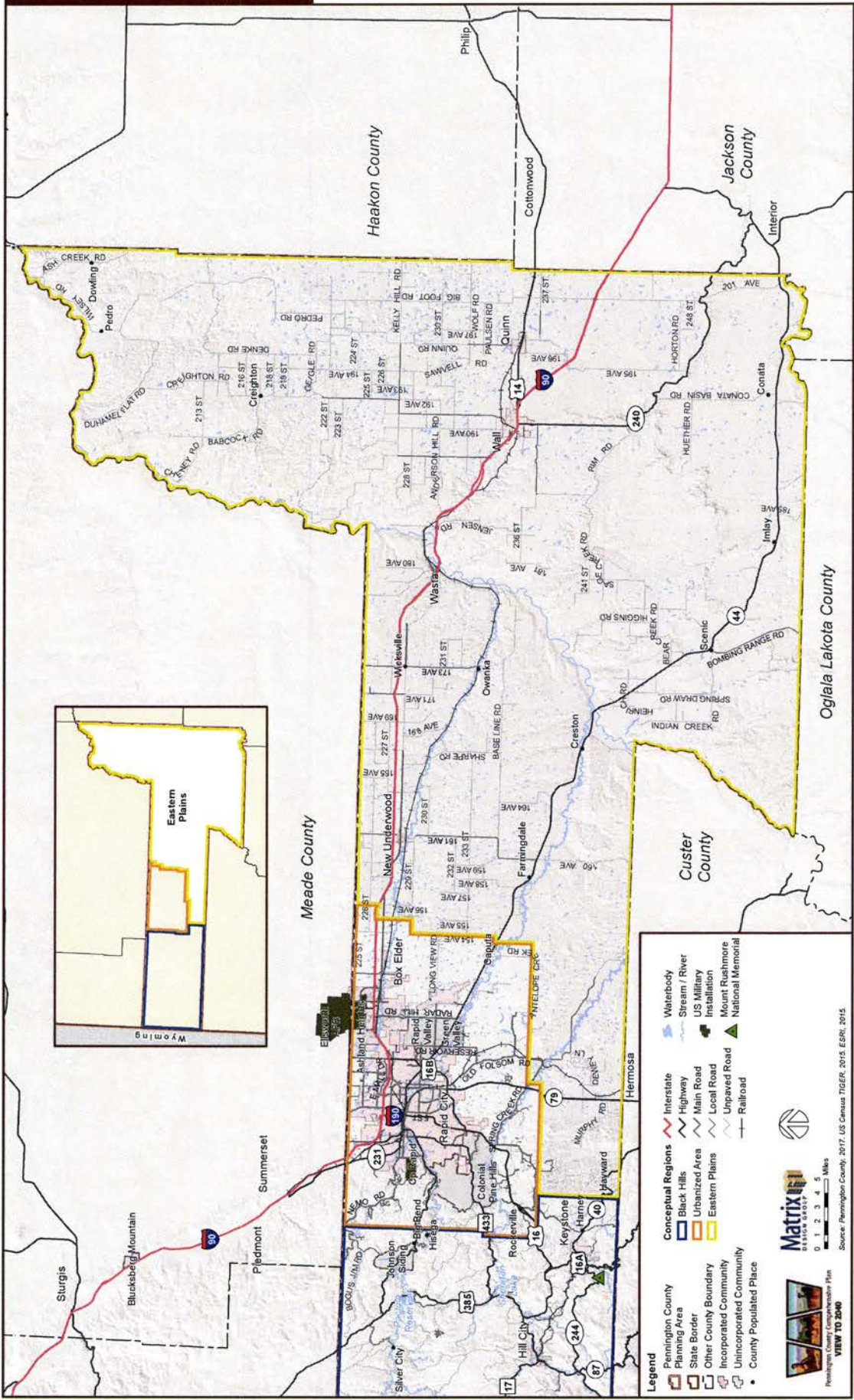


Figure 2-3 Eastern Plains



Legend

- Pennington County Planning Area
- State Border
- Other County Boundary
- Incorporated Community
- Unincorporated Community
- County Populated Place

Conceptual Regions

- Black Hills
- Urbanized Area
- Eastern Plains
- KeyStone Harne

Waterbody

- Stream / River
- US Military Installation
- Mount Rushmore National Memorial

Infrastructure

- Interstate
- Highway
- Main Road
- Local Road
- Unpaved Road
- Railroad

Matrix DESIGN GROUP
0 1 2 3 4 5 Miles
VIEW TO 2040

Source: Pennington County, 2017; US Census TIGER, 2015; ESRI, 2015

Central Pennington Focus Area

Location

The Central Pennington Focus Area consists of the Rapid City / Box Elder metropolitan area, as defined by the boundary of the Rapid City Area MPO boundary and including Ellsworth Air Force Base (AFB).

Issues and Opportunities

The central portion of the county is more urban by nature and heavily influenced by the two incorporated cities in this Focus Area: Rapid City and Box Elder. Both cities have been growing steadily in recent history and are expected to continue to grow into the future. This growth is primarily through the annexation of unincorporated county areas into the city limits, although some infill development is occurring. This continued growth makes planning for the unincorporated fringe areas challenging.

Opportunities in the unincorporated county areas are largely driven by proximity to the two cities as new residential development seeks to capture a rural lifestyle within close commuting distance to the jobs within the cities. In unincorporated areas, challenges are often faced with provision and maintenance of infrastructure (roads, water, and wastewater) and other community support services (like fire and Sheriff services).

Ellsworth AFB is a significant economic driver in Pennington County, as is the Rapid City Regional Airport. While both facilities are positive influences on the county, they also require protections to ensure long-term compatibility between new development and air operations.

Future Land Uses

Due to the large employment base and population in this Focus Area, residential growth in the unincorporated areas surrounding Rapid City and Box Elder will continue. This growth will require joint planning between with cities and the County in order to provide growth that fits the needs of all county residents, current and future. The area will need to focus on providing an appropriate mix of housing, with the cities providing higher density residential opportunities while the unincorporated areas focus on more rural transitional housing and continued support for industrial, agricultural, and resource management. Additionally, there are some parts of the unincorporated areas on the outside of the urban core that are compatible for industrial uses, including mining operations.



VIEW TO 2040

Eastern Plains Focus Area

Location

The Eastern Plains Focus Area comprises the eastern half of the county starting to the east of the Rapid City Area MPO boundary and extending east to the County line. The major transportation facility in this area is Interstate 90 (I-90) which links this area into the Rapid City metropolitan area. Highway 44 is also a key east-west linkage. The area contains four incorporated cities (New Underwood, Quinn, Wall, and Wasta) and a number of unincorporated communities. This Focus Area is also home to the Badlands National Park and Buffalo Gap National Grasslands which bring tourism into the eastern portion of the county.

Issues and Opportunities

The eastern end of Pennington County has long been an agricultural-oriented area, with communities growing to support families working the land in this area. The Badlands National Park and the Buffalo Gap National Grasslands attract tourism to the area, as does the City of Wall. Opportunities for tourism growth into the area exist, and planning should support this development, not only in communities, but also to the destinations that are visited.

The availability of housing that is affordable to families in the area is a key issue to be addressed. Key opportunities relate to enhancing tourism opportunities and capture as well as enhancements to the agricultural economy by promoting agricultural processing and value-added products.

Future Land Use

Due to the nature of the Eastern Plains, the unincorporated portions of the Focus Area will continue to have Agriculture and Open Space as the dominant features. There are opportunities to expand residential and some commercial surrounding existing communities, particularly areas that have good access to I-90.



Land Use & Housing Element

3

The Land Use and Housing Element represents a general blueprint for the future development of Pennington County. This element sets forth a pattern for the orderly development of land within the county. This element provides a balance of residential, commercial, industrial, and agricultural and open space lands designed to meet the future needs of the county.

3.1 Land Use Designations and Standards

Future Land Use Map

The most recognizable feature of the Comprehensive Plan is the Future Land Use Map (FLUM). The FLUM is the figure that designates the location of the various land use designations in the county. The Pennington County FLUM is shown on Figure 3-1 included at the end of this chapter.



It is typical for the Future Land Use and Transportation Maps to be updated over time. Please check with the Pennington County Planning Department to ensure you have the current version.

A copy of the Future Land Use Map and Transportation Maps are available from Pennington County by download from the County's website.



VIEW TO 2040

Land Use Designations within Pennington County

The Comprehensive Plan FLUM includes residential, commercial, industrial, and other land use designations that depict the types of land uses that will be allowed within the unincorporated portions of Pennington County. Table 3-1 describes each land use designation along with their corresponding development standards, as follows:

- ▶ **Designation.** This column provides the name of each designation.
- ▶ **Code/Color.** To the right of each name is the color that is assigned to this designation on the County's FLUM and the acronym used when referring to this designation.
- ▶ **Description.** In this column is a description of the purpose and application of each designation, followed by a general list of types of uses that could be allowed in that designation. The County's Zoning Regulations provide further refinement and expansion of the list of uses allowed on any given property. For any given site, not all uses listed may be appropriate for a given property due to location, adjacent uses, other applicable Comprehensive Plan policies, or site-specific issues.
- ▶ **Maximum Density.** For residential designations, a maximum density is provided, expressed as dwelling units per acre (du/ac).
- ▶ **Minimum Lot Size.** For all uses, a minimum lot size is provided.

For land within the incorporated city limits of a community, please consult with that jurisdiction's comprehensive plan and zoning ordinance regarding allowed land uses and development requirements.

Zoning Ordinance Consistency

Each future land use category is directly related to one or more of the zoning districts provided in the Pennington County Zoning Ordinance. The compatible zoning districts for each future land use designation are included in Table 3-1.

Table 3-1 Land Use Designations

Designation	Code/ Color	Land Use Description	Maximum Density	Minimum Lot Size
Agricultural Designations				
Agriculture Compatible Zoning: A-1, A-2	AG	Purpose and Application The Agriculture designation denotes areas that have large tracts of land dedicated to agricultural uses or resource utilization uses. Allowed Uses <ul style="list-style-type: none"> ▶ All agricultural uses, including grazing, field crops, haying, animal production, or similar, and associated support facilities ▶ Mining and forestry production and processing ▶ Single family, large lot residential ▶ Single family attached dwellings ▶ Accessory secondary dwelling units ▶ Staff housing (minimum 40-acre lot size) 	1 du / 10 ac (.1 du/ac)	10 ac
Residential Designations				
Ranchette Residential Compatible Zoning: A-2	RCH	Purpose and Application The Ranchette category is intended to be a "bridge" between Rural Residential and Agriculture designations. Allowed Uses <ul style="list-style-type: none"> ▶ Single family, large lot residential ▶ Accessory secondary dwelling units ▶ Public and quasi-public uses (e.g., parks, schools, churches) ▶ Agricultural uses ▶ Storage 	1 du / 5 ac (.2 du/ac)	5 ac
Rural Residential Compatible Zoning: LDR	RCH	Purpose and Application The Rural Residential designation denotes areas that have large-lot residential development in natural areas, agricultural areas, or surrounding open space areas. Generally, these lots have private on-site wastewater systems. The method of obtaining drinking water varies between public water systems, private wells, and collecting water in cisterns. Allowed Uses <ul style="list-style-type: none"> ▶ Single family, large lot residential ▶ Accessory secondary dwelling units ▶ Public and quasi-public uses (e.g., parks, schools, churches) ▶ Agricultural uses ▶ Storage 	1 du / 3 ac	3 ac



VIEW TO 2040

Designation	Code/ Color	Land Use Description	Maximum Density	Minimum Lot Size
Low Density Residential Compatible Zoning: SRD	LDR	Purpose and Application The Low Density Residential designation denotes areas of semi-rural residential uses on ½ acre minimum lots. These are areas where higher density development may not be suitable due to topography, geology, or drainage. Allowed Uses <ul style="list-style-type: none"> ▶ Single-family detached dwellings ▶ Accessory secondary dwelling units ▶ Public and quasi-public uses (e.g., parks, schools, churches) ▶ Agricultural uses 	2 du / ac	20,000 sf
Suburban Residential Compatible Zoning: SRD, GC	SR	Purpose and Application The Suburban Residential designation provides for a suburban lifestyle with single-family residential communities. This land use designation may also include other land uses that support neighborhood functions and contribute to the livability of neighborhoods, such as neighborhood scaled shops, parks, religious institutions, and small offices. Allowed Uses <ul style="list-style-type: none"> ▶ Single family detached dwellings ▶ Single family attached dwellings ▶ Accessory secondary dwelling units ▶ Public and quasi-public uses (e.g., parks, schools, churches) ▶ Assisted living facility ▶ Neighborhood scaled shops and small offices 	6 du / ac	6,500 sf
Urban Residential Compatible Zoning: SRD, GC	UR	Purpose and Application The Urban Residential designation provides for higher density residential development. These are generally areas surrounding the more urban development of Rapid City. This designation provides for both single-family and multi-family dwellings that may include multi-story structures. Allowed Uses <ul style="list-style-type: none"> ▶ Single family detached dwellings ▶ Single family attached dwellings ▶ Multi-family dwellings ▶ Accessory secondary dwelling units ▶ Public and quasi-public uses (e.g., parks, schools, churches) ▶ Assisted living facility 	16 du / ac	6,500 sf

Designation	Code/ Color	Land Use Description	Maximum Density	Minimum Lot Size
Planned Unit Development Compatible Zoning: PUD	PUD	<p>Purpose and Application</p> <p>The Planned Unit Development designation is to allow districts in which ingenuity, imagination, and design efforts on the part of the builders, architects, site planners, and developers can produce desirable residential developments that are designed to include open space areas, protect natural resources, design around hazards (such as flood zones), and provide a unique mix of housing that best meets the needs of the County.</p> <p>Allowed Uses</p> <ul style="list-style-type: none"> ▶ Single family detached dwellings, duplexes, triplexes, fourplexes, apartments, townhomes ▶ Public and quasi-public uses (e.g., parks, schools, churches) ▶ Resort development features ▶ Neighborhood scaled shops and small offices ▶ Agricultural uses and open space 	n/a	n/a



VIEW TO 2040

Designation	Code/ Color	Land Use Description	Maximum Density	Minimum Lot Size
Commercial Designations				
Commercial Compatible Zoning: GC	C	Purpose and Application The Neighborhood Commercial designation denotes areas of development aimed to fulfill the day-to-day needs of the year-round population. Development should be scaled to be complimentary to surrounding neighborhoods. Allowed Uses <ul style="list-style-type: none"> ▶ Retail uses ▶ Restaurants ▶ Banks and other services ▶ Public and quasi-public uses ▶ Community services ▶ Professional offices and services 	n/a	20,000 sf
Highway Services Compatible Zoning: HS	HS	Purpose and Application The Commercial designation denotes areas of commercial development oriented towards tourist-related activities. Allowed Uses <ul style="list-style-type: none"> ▶ Retail uses (small through large-format) ▶ Hotels and motels ▶ Service stations and repair facilities ▶ Restaurants ▶ Banks and other services ▶ Retail services serving needs of travelers ▶ Recreational / tourism uses ▶ Public and quasi-public uses ▶ Community services ▶ Professional offices 	n/a	20,000 sf

Designation	Code/ Color	Land Use Description	Maximum Density	Minimum Lot Size
Industrial Designations				
Light Industrial Compatible Zoning: LI	LI	Purpose and Application The Light Industrial designation denotes areas of industrial development that do not create compatibility issues with neighboring land uses. These areas should have adequate transportation and services infrastructure to support development. Allowed Uses <ul style="list-style-type: none"> ▶ Industrial uses ▶ Retail uses ▶ Personal services and offices ▶ Public and quasi-public uses ▶ Research and development ▶ Wholesaling, warehousing, distribution ▶ Light motor vehicle repair and sales ▶ Indoor storage and warehousing ▶ Utilities 	n/a	20,000 sf
Heavy Industrial Compatible Zoning: HI	HI	Purpose and Application The Heavy Industrial designation denotes areas of industrial development that require isolation from other types of land uses. The uses in this district are generally of a higher intensity than those in the Light Industrial designation. Allowed Uses <ul style="list-style-type: none"> ▶ Industrial uses (requiring yard storage and fabrication) ▶ Wholesaling (requiring yard storage and assembly) ▶ Warehousing (requiring yard storage), bulk storage ▶ Mining activities and processing ▶ Public and quasi-public uses ▶ Research and development ▶ Wholesaling, warehousing, distribution ▶ Heavy motor vehicle repair ▶ Utilities 	n/a	20,000 sf



VIEW TO 2040

Designation	Code/ Color	Land Use Description	Maximum Density	Minimum Lot Size
Other Designations				
Open Space Compatible Zoning: A-1, A-2	OS	Purpose and Application The Open Space designation provides for low-intensity uses that maintain open vistas, protect natural resources, and provide access to public lands. Allowed Uses <ul style="list-style-type: none"> ▶ All agricultural uses, including grazing, field crops, haying, animal production, or similar and appropriate support facilities ▶ Mining and forestry production and processing ▶ Golf courses, recreational, and equestrian uses ▶ Habitat protection, watershed management ▶ Public and quasi-public uses ▶ Single family, large lot residential (minimum 5-acre lot) ▶ Areas typically unsuitable for human occupation due to public health and safety hazards, such as floodways, unstable soils, and other environmentally-sensitive features 	n/a	No minimum for agriculture and natural areas 5 acre minimum for developed sites
Native American Lands Compatible Zoning: n/a	NAL	Purpose and Application The Native American Lands designation applies to lands held in trust by the Bureau of Indian Affairs over which the County has no land use jurisdiction. The County encourages planned uses on these lands that are compatible with surrounding areas. Allowed Uses <ul style="list-style-type: none"> ▶ n/a 	n/a	n/a

Notes:

du = dwelling unit(s)

ac = acre

sf = square foot

3.2 Land Use Overview

Animal Keeping

While a normal aspect of lands designated for agriculture, animal keeping (non-domestic, farm animals) in residential areas can raise concerns, depending on lot sizes and proximity to other uses. There is a need to modify guidelines for animal keeping in residential areas to include standards that are clearer and define the types and quantities of animals being kept on residentially-designated properties.

Housing

The quality, diversity, and affordability of housing are factors that support growth and enhance the quality of life in the county. In some areas of the county, there is a general lack of housing diversity, meaning that the housing price and type options are limited within unincorporated areas of the county.

Recent residential growth trends show that the general distribution of housing is located around the urban area surrounding Rapid City and Box Elder and in the foothill regions of the Black Hills. This trend is projected to continue, making it important to ensure diverse housing options in these areas. While these areas are forecasted for the majority of future residential growth, there is a need for affordable and diverse housing options in all three Focus Areas.

Mining

Mining activities in Pennington County include aggregate and mineral mining. Most of the mining operations are for sand and gravel, which makes up 81% of the total acres mined. Many of the mining operations occur in the foothill areas of the Black Hills along I-90. Sand and gravel operations are also prominent in the Eastern Plains, northwest of Scenic. While mining is an important component to the county's economy, it is important to ensure that mining activities are balanced with natural open space. This includes evaluating impacts to erosion and pollution.

Agriculture

Agriculture is a predominant land use in the county, especially in the Eastern Plains Focus Area, and will be continued under the current Comprehensive Plan. Maintaining a viable agricultural land use base is an important component to maintaining the county's heritage and economy. Agricultural uses are designated on the FLUM under a single "Agriculture" designation, with further definition of minimum lot sizes being established in the Zoning Ordinance. The single designation in the Comprehensive Plan will allow greater flexibility in the use of land. This consolidation to a single designation does not impact tax advantages for productive agriculture parcels.

Additional information regarding agriculture in Pennington County is found in Chapter 5, Agriculture.

Public Facilities

While the County does not provide any wastewater treatment services, it does regulate on-site wastewater treatment systems (such as septic systems) in unincorporated areas. As the county has a variety of soils and varying depths to groundwater systems, it is important to ensure on-site systems are installed and operated appropriately to protect water quality and the environment.

For unincorporated areas within 1-mile of Rapid City municipal area, connections to sanitary sewer service are required.

Military Compatibility

There are two military installations in Pennington County: Camp Rapid, part of the South Dakota National Guard, and Ellsworth Air Force Base (AFB). Although both are military property; thus, not under the jurisdiction of Pennington County, it is important to ensure that land uses surrounding the installations are compatible with the military mission and operations. One method to do this is through a Military Influence Area (MIA). The 2016 Ellsworth AFB Joint Land Use Study (JLUS) provides guidance related to compatibility and encroachment issues for this base. More information regarding the operations at Ellsworth AFB are discussed in Chapter 9, Health and Safety.

Building Codes

Currently, Pennington County does not have an established set of building codes that determine construction practices for structures, and the County does not inspect new construction. The adoption of standards, such as the International Building Code, can establish standards for new structures as well as remodeling of existing buildings.



VIEW TO 2040

Floodplains

There are various floodplains and floodways designated throughout the county (see Chapter 9 in the Existing Conditions Report for locations). In 2018, 57,118 acres in Pennington County were identified as being within a 100-year floodplain, which includes locations in all three Focus Areas. Due to the potential hazards associated with structures in a floodway.

3.3 Goals and Policies

Goal LUH-1

The County has a well-balanced mix of agricultural, residential, commercial, and industrial land uses.



LUH-1.1 The County should strive to encourage a mix of land uses in and surrounding communities and cities in the county.



LUH-1.2 The County shall encourage the development of small neighborhood convenience and grocery uses immediately surrounding residential land uses in cities and towns to meet the everyday shopping and personal needs of residents.



LUH-1.3 Travel-oriented tourist commercial uses (e.g., entertainment, commercial recreation, lodging, restaurants, fuel) shall be located in areas where traffic patterns are oriented to major arterials and highways. Exceptions may be granted for resort or retreat related developments that are sited based on unique natural features.

Goal LUH-2

The County has a diverse housing stock that meets the needs of all county residents.



LUH-2.1 The County should encourage a range of housing sizes, costs, and densities within subdivisions and PUDs that meet the housing needs of current and future residents of all ages.



LUH-2.2 The County should encourage the development of accessory dwelling units on properties with adequate size as a means to enhance the availability of more cost-effective housing choices.



LUH-2.3 The County should encourage high density residential development (greater than 6 dwelling units per acre) to locate adjacent to city limits and in areas that can be served by community infrastructure.



LUH-2.4 The County should consider the provision of incentives for the development of affordable housing, including density bonuses, expedited permitting, and fee waivers.



LUH-2.5 Multi-family development should provide appropriate buffers and/or setbacks when adjacent to existing single-family residential uses.



LUH-2.6 Residential uses with different densities or character should incorporate appropriate transitions to reduce potential negative impacts.

Goal LUH-3

The county has attractive, stable, and safe residential areas.



LUH-3.1 The County shall encourage residential infill development in cities and unincorporated communities in order to promote the existing infrastructure.



LUH-3.2 The County should provide for stable neighborhoods by minimizing adverse effects from conflicting land uses.



LUH-3.3 The County should enhance animal keeping regulations to ensure compability between adjacent residential uses (non-agricultural land use designations only).

Goal LUH-4

Land uses in Pennington County are compatible with Ellsworth AFB and Rapid City Regional Airport operations.



LUH-4.1 The County should define and maintain a Military Influence Area (MIA) overlay on the FLUM and Zoning map, which will be defined based on noise and safety guidance from the current Air Installation Compatible Use Zone (AICUZ) study and Ellsworth AFB Joint Land Use Study (JLUS).



LUH-4.2 The County should ensure that land use density / intensity within the MIA remains consistent with the land use guidance contained in the current AICUZ and JLUS.



LUH-4.3 The County should promote opportunities to attract industries that support military or aviation. This could be done through public-private partnerships, incubators, or other similar processes.



LUH-4.4 The County should work with the City of Rapid City to ensure development around the Rapid City Regional Airport is consistent with current and future air operations and does not impede the ability to extend the airport's main runway in the future.

Goal LUH-5

Buildings in Pennington County are designed, constructed, and maintained for safety.



LUH-5.1 The County should establish a comprehensive building code.



LUH-5.2 The County should require building inspections for all new residential, commercial, and industrial structures. Structures exempted from this policy are those which have agricultural use associated with property that qualifies for a property tax reduction.



LUH-5.3 The County will require that all mobile homes or modular homes placed in the county must meet International Residential Code requirements.



VIEW TO 2040

Goal LUH-6

New development in Pennington County is designed to enhance protection of the area’s natural beauty.



LUH-6.1 New, non-residential development should incorporate design components that are less impacting on the natural environment.



LUH-6.2 New, non-residential development should minimize light pollution off-site by incorporating dark sky protections, like shielded lights.



LUH-6.3 Uses with different densities, intensities and / or character should incorporate appropriate transitions to reduce potential negative impacts. Appropriate transitions may include but are not limited to, varied lot sizes, landscape buffers, setbacks, as well as roadway and building design.



LUH-6.4 New development requiring a County discretionary permit shall be planned and designed to maintain the scenic open space character of the Black Hills and rangelands, including view corridors of highways. New development shall utilize natural landforms and vegetation in the least visually disruptive way possible, and use design, construction and maintenance techniques that minimize the visibility of structures on hilltops, hillsides, ridgelines, steep slopes, and canyons. The County should consider the protections of scenic resources as part of project reviews.



LUH-6.5 The County will encourage proposed residential subdivisions to be clustered onto portions of the site that are more suitable to accommodating the development, and shall require access either directly onto a public road or via a privately-maintained road designed to meet County road standards.



LUH-6.6 The County shall ensure that commercial storage facilities, including “mini” storage, indoor and outdoor storage facilities, contractors materials storage areas, and industrial storage areas are screened from view through landscape buffers or other natural landscapes. This does not apply to AG designated areas.

Goal LUH-7

The County fosters cooperation with cities and other governmental agencies in Pennington County and adjacent jurisdictions.



LUH-7.1 The County should consider current and future development (per adopted comprehensive plans) when considering proposals for future development in unincorporated areas.



LUH-7.2 The County should promote coordination with municipalities for development within platting jurisdictional areas.



LUH-7.3 The County will support growth that is compatible with adopted municipal comprehensive plans.



LUH-7.4 The County will encourage residential subdivisions to be located in cities or unincorporated communities where adequate services, such as water sanitary sewer and utilities are available.



LUH-7.5 The County should proactively communicate with other governmental organizations on planning issues of mutual concern.



LUH-7.6 The County should work with federal land management agencies to help ensure their planning processes account for private land concerns and public access to federal lands.

Goal LUH-8

The County encourages energy conservation in new and existing developments.



LUH-8.1 The County shall encourage the use of solar energy, solar hot water panels, and other energy conservation and efficiency features in new construction and renovation of existing structures in accordance with State law.



LUH-8.2 The County should coordinate with local utility providers to provide public education on energy conservation programs.



LUH-8.3 The County shall support efforts, when appropriately sited, for the development and use of alternative energy resources, including wind, solar, geothermal, bio-fuels and co-generation.



LUH-8.4 The County shall continue to integrate energy efficiency and conservation into all County functions.

Goal LUH-9

The County should provide on-going administration and implementation of the Pennington County Comprehensive Plan.

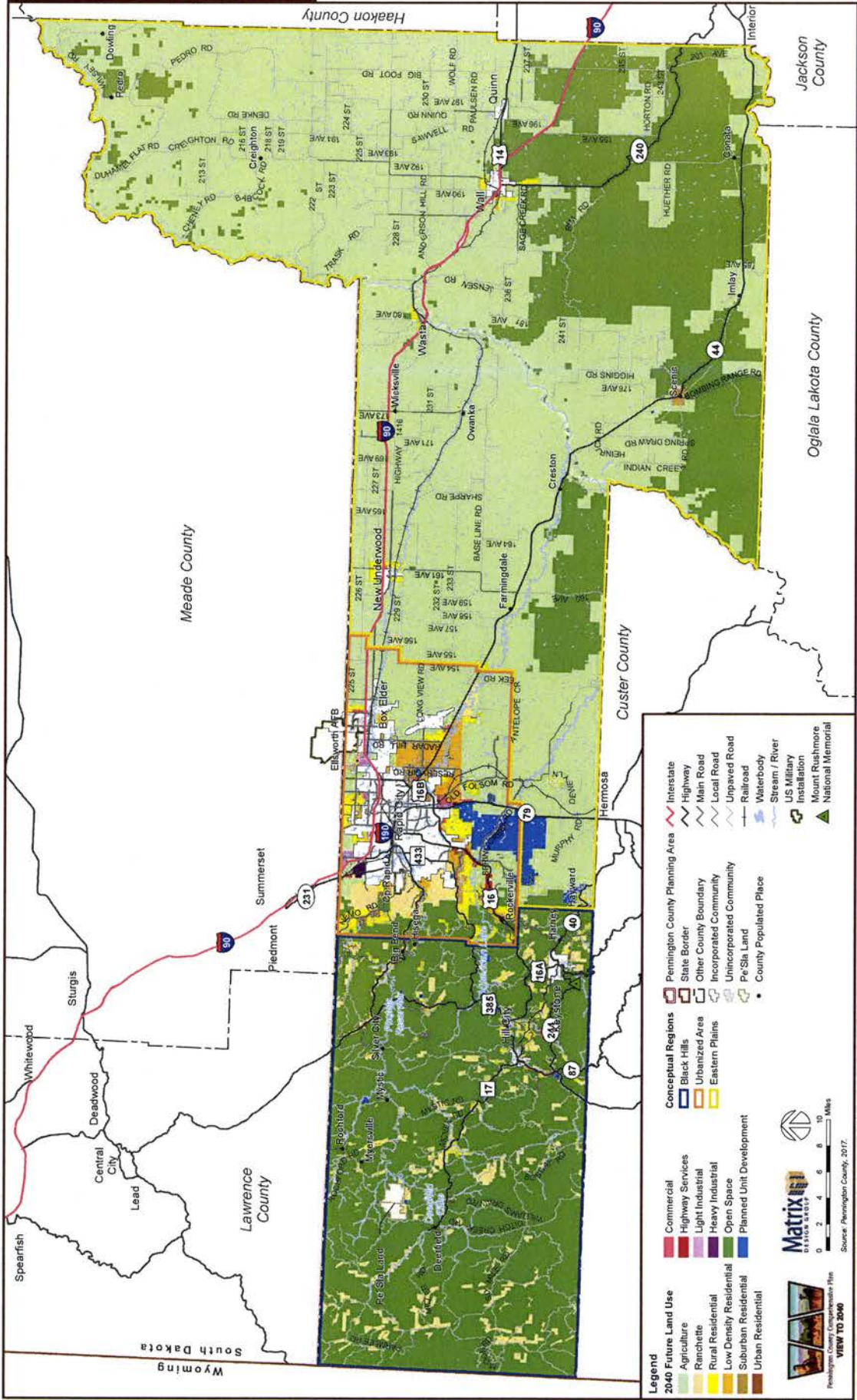


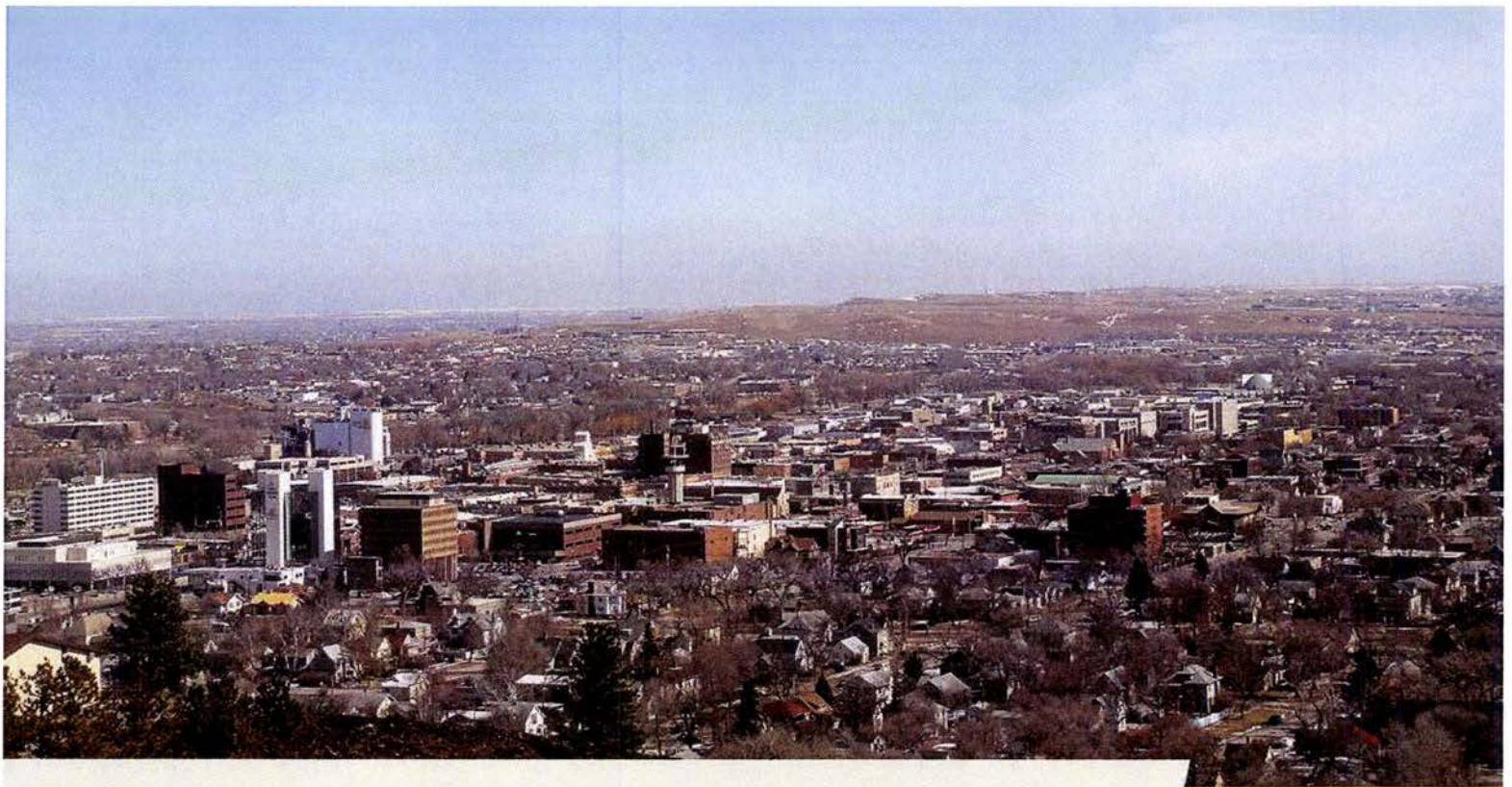
LUH-9.1 The County shall maintain the Comprehensive Plan as needed to ensure that it reflects the needs and desires of those who live, work, and vacation in Pennington County.



LUH-9.2 The County shall review and revise other County planning documents to ensure consistency with the Comprehensive Plan.

Figure 3-1 2040 Future Land Use





Economic Development Element

4

4.1 Economic Development Overview

Economic development, in terms of a Comprehensive Plan, focuses on improving the economic well-being of residents and businesses. Efforts are typically oriented around creating or retaining jobs, growing incomes, business development and retention, and growing the County's tax base. This is often done by recruiting new businesses, expanding existing businesses, or assisting in start-up businesses. When attracting businesses to the county it is important that a wide-range of industries are considered to provide for a well-rounded economy that is not solely reliant on a single industry.

In this element, the historical growth trends of residential development are examined. This provides an understanding of where people are choosing to live within the county; thereby, identifying concentrations of an established workforce. Additionally, the concentration of existing jobs is examined; thereby, identifying locations where industry clusters would allow employers to draw productive advantage from proximity and connections to other employers.

Four economic development elements will also be examined that are paramount to the county. These are tourism, value-added agriculture, the Rapid City Regional Airport, and Ellsworth Air Force Base (AFB). These elements were identified as key economic drivers for Pennington County by County staff and participants in the public outreach efforts that went into formulating this Comprehensive Plan.



VIEW TO 2040

Existing Workforce

Most residential development within the county has occurred in the Central Pennington Focus Area. This area constitutes the highest concentration of the county workforce. The Black Hills and Eastern Plains have some residential development, although it is primarily low density.

Employment Nodes

Employment nodes are areas throughout the county that have a high concentration of jobs. The location of employment nodes may look similar to the location of recent residential developments, which is to be expected. Often, employers locate where there is a workforce present; furthermore, residential development spurs commercial development which creates jobs in retail and other service sectors.

Rapid City has the highest concentration of jobs in Pennington County. Specifically, the highest concentration of jobs per square mile is in the Rapid City downtown area and near the Rapid City Regional Hospital. Employment densities in these areas are greater than 10,000 jobs per square mile.

Table 4-1 lists the top employers within Pennington County. Of the top employers, 76% are located in Rapid City. The major employer that is not located in Rapid City is Ellsworth AFB, which is the second highest employer (4,519 jobs) and an employment node on its own.

Table 4-1. Top Employers

Employer	Industry	Employees	Location
Regional Health	Healthcare	4,983	Rapid City
Ellsworth Air Force Base	Military, Civilian	4,519	Box Elder
Federal Government	Government	2,912	Rapid City
City of Rapid City	Government	2,197	Rapid City
Rapid City Area Schools	Education	1,755	Rapid City
State of South Dakota	Government	1,217	Rapid City
Walmart/Sam's Club	Retail	1,029	Rapid City
South Dakota National Guard	Military	1,025	Rapid City

Source: Rapid City Chamber of Commerce

Employment nodes disperse when outside of Rapid City. In the areas surrounding Rapid City, job densities range between 5 and 680 jobs per square mile. This is the same range of jobs in other incorporated cities, such as Hill City, New Underwood, Keystone, and Wall. In these cities, there are multiple nodes with this range of jobs.

Once outside of the cities, and into the unincorporated county, there are generally areas of low to no employment. There are some scattered areas of employment outside of cities, such as northeast of Wall, east of New Underwood, and surrounding the cities in the Black Hills. This employment is limited with job densities ranging between 5 to 680 jobs per square mile.

Tourism

The tourism economy is prominent in Pennington County, attracting businesses and employment opportunities that operate primarily from April to October to accommodate the tourist season. During this time, there is an influx of jobs and population throughout the County. It will be important for the County to leverage its tourism assets in the coming years to continue to grow the tourism industry within Pennington County. Tourist draws like the Mount Rushmore National Memorial, events like the Sturgis Motorcycle Rally, and the proximity of the Rapid City Regional Airport are all assets that can be leveraged to the County's advantage.

Value-Added Agriculture

Agriculture is the predominant land use present in the Eastern Plains Focus Area and has been so for the majority of Pennington County's history. This is due to the availability of large grassland ranges, fertile soils, and favorable land slope present in the region. Much of the agricultural land in the Eastern Plains are devoted to raising livestock (predominately cattle) and growing crops (predominately wheat and winter wheat).

The County can grow its agricultural economy through the enhancement of value-added agriculture. Value-added agriculture includes processes that change the physical state of an agricultural product into a form that enhances its value, such as milling wheat into flour. As a result of the change in physical state or the manner in which the agricultural commodity or product is produced and packaged, the customer base for the commodity or product is expanded and a greater portion of revenue derived from the processing and sales of the product remains in the county.

Rapid City Regional Airport

Another key economic driver in Pennington County is the Rapid City Regional Airport. The airport provides scheduled passenger, charter, and commercial freight flights. Opportunities to expand service at the airport can have a direct benefit to the tourism economy, particularly by expanded marketing to cities that offer direct flights to Rapid City Regional Airport. But beyond this, the airport can support types of uses / businesses that rely on or support an airport environment, including technology-oriented companies, warehousing, and limited manufacturing. Uses near the airport should complement and support the business functions of the airport and not infringe upon the long-term potential of the regional airport.

Ellsworth Air Force Base

Ellsworth AFB serves as a large economic driver for the county. In 2014, Ellsworth AFB had a regional economic impact of over \$300 million. This impact can be broken down among traditional categories that are used to measure economic impact. The categories are annual payroll, annual expenditures, and an estimated dollar value of jobs created from base operations and expenditures

The County should support the continued mission of Ellsworth AFB through proper compatibility planning and the addition of industries that bolster base operations. Such industries include aerospace and incubator industries. Black Hills State University could also be integrated with Ellsworth AFB by offering an incubator program on their campus.



VIEW TO 2040

4.2 Goals and Policies

Goal ED-1

The County has a diverse and strong local economy that sustains long-term prosperity for residents and businesses.



ED-1.1 The County should ensure that water infrastructure is sufficient in urbanized areas to support the needs and growth of businesses and industry.



ED-1.2 The County should identify available and appropriate incentives to encourage business attraction.



ED-1.3 The County should encourage development of businesses and industries oriented toward differing segments of the marketplace.



ED-1.4 The County should consider developing a business retention program.



ED-1.5 The County should work cooperatively with cities, Meade County, and other local and regional economic development entities, such as South Dakota Ellsworth Development Authority (SDEDA), to expand and improve the economic base of Pennington County.

Goal ED-2

The County has a range of educational opportunities for workforce development.



ED-2.1 The County should work with local businesses to identify training program needs and options to fill those needs in the county.



ED-2.2 The County should work with Black Hills State University to share information on employment needs, internship opportunities, and further prepare graduates for the workplace.

Goal ED-3

Pennington County attracts diverse industries that are considerate of the natural environment.



ED-3.1 The County should work to attract industries that are compatible with the sensitive environment, such as business that have low water consumption.



ED-3.2 The County should provide incentives to attract clean, environmentally-friendly businesses.

Goal ED-4

Pennington County supports the growth of existing industries.



ED-4.1 The County should continue to attract tourism-related businesses to support and expand tourism offerings, attractions, and facilities.



ED-4.2 The County should research and pursue grant funding to increase tourism and other business opportunities and to support new industry.



ED-4.3 The County should establish a joint tourism task force involving local, regional and state governmental agencies, as well as non-governmental organizations. The intent of this task force should be to establish and implement a long-term strategic plan to grow the number of visitors to southwestern South Dakota.



ED-4.4 The County should seek value-added agriculture opportunities in the Eastern Plains.



ED-4.5 The County should work with other adjacent counties and other regional economic development entities, to expand and improve the economic base of Pennington County, especially related to Ellsworth AFB, National Parks, and agriculture.

Goal ED-5

Pennington County supports Ellsworth AFB and the Rapid City Regional Airport.



ED-5.1 The County should continue to support Ellsworth AFB and Rapid City Regional Airport as economic drivers by establishing a planning notification when developing area near the airport.



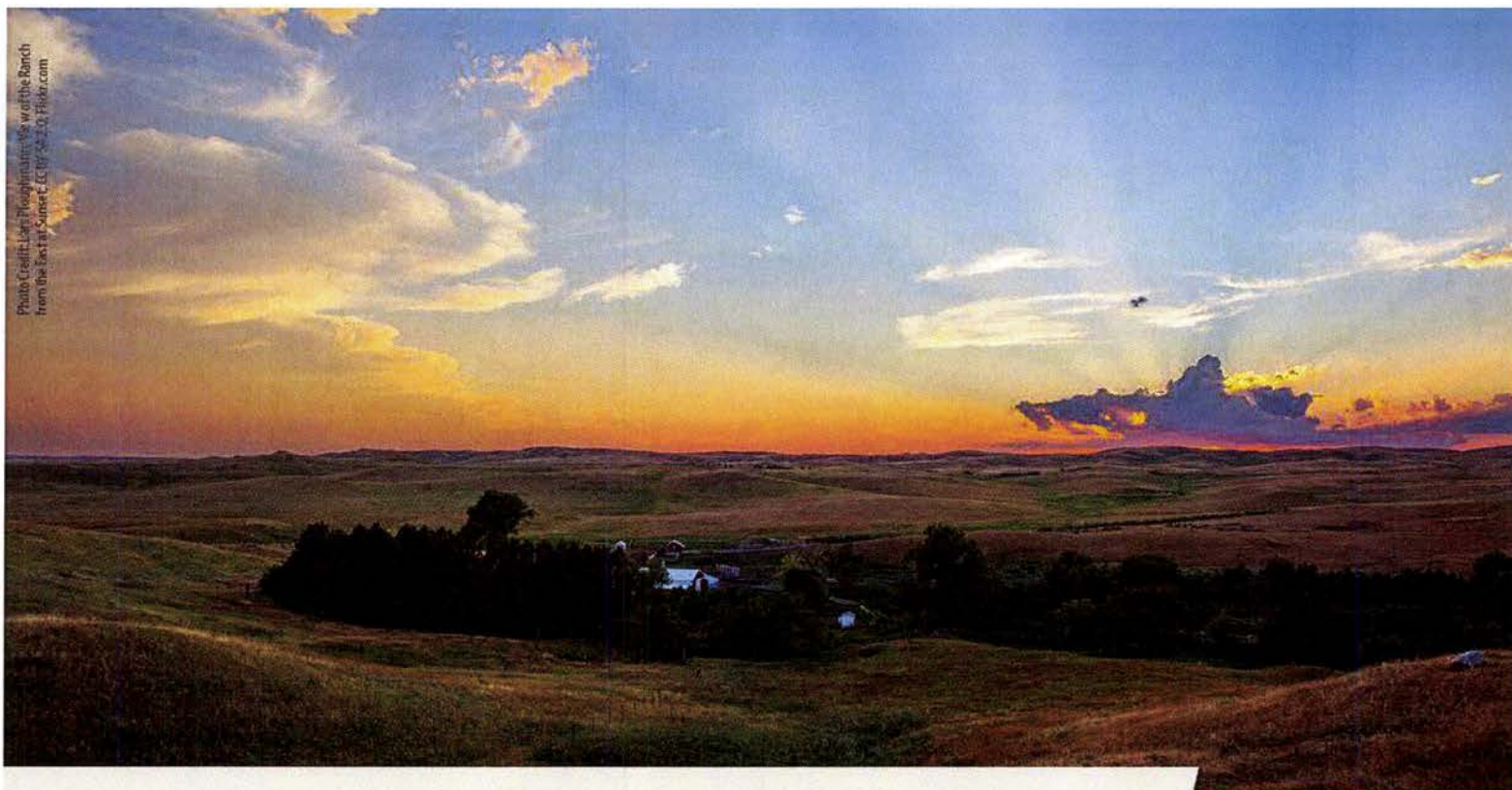
ED-5.2 The County should require disclosure statements for any residential development within or adjacent to airport noise contours.



ED-5.3 The County should support the development of compatible industries around Rapid City Regional Airport, such as aerospace and energy technology-oriented companies, warehousing, and limited manufacturing.



ED-5.4 The County should partner with Ellsworth AFB to develop aerospace and incubator industries that could support the installation.



Agricultural Element

5

5.1 Agricultural Overview

Agricultural uses are an important part of Pennington County's heritage. These uses are located throughout the county, but are a more dominant land use in the Eastern Plains Focus Area. In total, 52.3% of the county's land area, or 893,090 acres, is designated Agriculture in the future land use map. While the amount of agricultural land has decreased in recent years, agriculture continues to be influential throughout the county and in South Dakota as a whole. Additionally, although the total land area for agriculture has decreased, individual agriculture businesses have grown, indicating that agriculture continues to have a significant part in Pennington County's current economy and will continue to be important economic driver in the future.

Production Enhancement

Agriculture in Pennington County comprises both crop and livestock operations. In 2012, most of the farmland was pastureland, with about one-fifth comprised of cropland. The top livestock in Pennington County is cattle and calves (93%). The top crops in the county is wheat for grain (34%) and winter wheat for grain (30%). Additionally, hay and corn for grain are also prevalent.

While these livestock and crop operations contribute greatly to the economy and overall heritage of the county, there is also a need to expand value-added agriculture opportunities. "Value-added", for agricultural, refers to uses or facilities that increase the value of agricultural products over the cost of the raw agricultural inputs, such as canning, drying, freezing, or packaging agricultural produce for ultimate sale to consumers. This type of agriculture production is the next step in the process and introduce new industry into the county and create new employment opportunities.



VIEW TO 2040

The County allows such value-added agricultural industry through the Zoning Ordinance; however, these uses are generally found in the Industrial zoning categories. Value-added agriculture is further expanded upon in Chapter 4, Economic Development.

Compatibility

Agriculture is a dominant land use in the county, making it important to consider the effects that future development can have on agriculture and its associated operations. Agricultural land can become fragmented if non-agricultural developments become scattered throughout an agricultural area. While some residential, commercial, and industrial uses may be present to support the agricultural industry, agricultural land in the Eastern Plains should be planned to prevent incompatible encroachment of urbanization.

5.2 Goals and Policies

Goal AG-1

Pennington County promotes the long-term preservation of productive and potentially-productive agricultural lands and to accommodate agricultural-support services and agriculturally-related activities that support the viability of agriculture and further the county’s economic development goals.



AG-1.1 The County shall maintain agriculture as the primary land use in the Eastern Plains Focus Area of the county, not only in recognition of the economic importance of agriculture, but also in terms of agriculture’s real contribution to the conservation the county’s heritage, open space, and natural resources.



AG-1.2 The County shall allow by discretionary permit within the Eastern Plains Focus Area, agriculturally-related uses, including value-added processing facilities, and certain non-agricultural uses. Approval of these and similar uses in areas with an Agriculture (AG) land use designation shall be subject to the following criteria:

- ▶ The use shall provide a needed service to the surrounding agricultural area which cannot be provided more efficiently within urban areas or which requires location in a non-urban area because of unusual site requirements or operational characteristics;
- ▶ The use should not be sited on productive agricultural lands if less productive land is available in the vicinity;
- ▶ The operational or physical characteristics of the use shall not have a detrimental impact on water resources or the use or management of surrounding properties within at least one-quarter (1/4) mile radius; and
- ▶ A probable workforce should be located nearby or be readily available.



AG-1.3 The County shall support accelerated development of high-value-added food processing industries through accelerated permit processing, where appropriate.



AG-1.4 The County shall direct urban development away from valuable agricultural lands to cities and unincorporated communities where public facilities and infrastructure are available.



AG-1.5 The County shall seek to protect and enhance surface water and groundwater resources critical to agriculture.



AG-1.6 The County shall generally condition discretionary permits for residential subdivisions within or adjacent to agricultural areas in the Eastern Plains Focus Area to record a Right-to-Farm Notice with the plat or subdivision map, which will be an acknowledgment that residents in the area should be prepared to accept the inconveniences and discomfort associated with normal ranch and farm activities and that an established agricultural operation shall not be considered a nuisance due to changes in the surrounding area.



AG-1.7 The County should encourage traditions that celebrate the County's agricultural heritage through cultural activities, the arts, and special events.



AG-1.8 The County should continue to provide property tax incentives for agriculture property owners that meet the criteria for agricultural land classification determined by the County Commission in accordance with SDLC 10-6-31.3.



AG-1.9 The County should ensure that properties in agricultural designations meet the minimum lot size requirements in order to support appropriate farming and ranching activities.



AG-1.10 The County should work with local farmers to identify additional opportunities for value-added agriculture.



AG-1.11 The County should provide services and facilities to support the needs of agricultural uses.



AG-1.12 The County will support the expansion of agricultural tourism that helps maintain sites in agricultural production, provided these activities do not negatively impact on-going agricultural operations on adjacent lands.



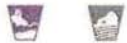
VIEW TO 2040

Goal AG-2

Agricultural uses are compatible with surrounding land uses.



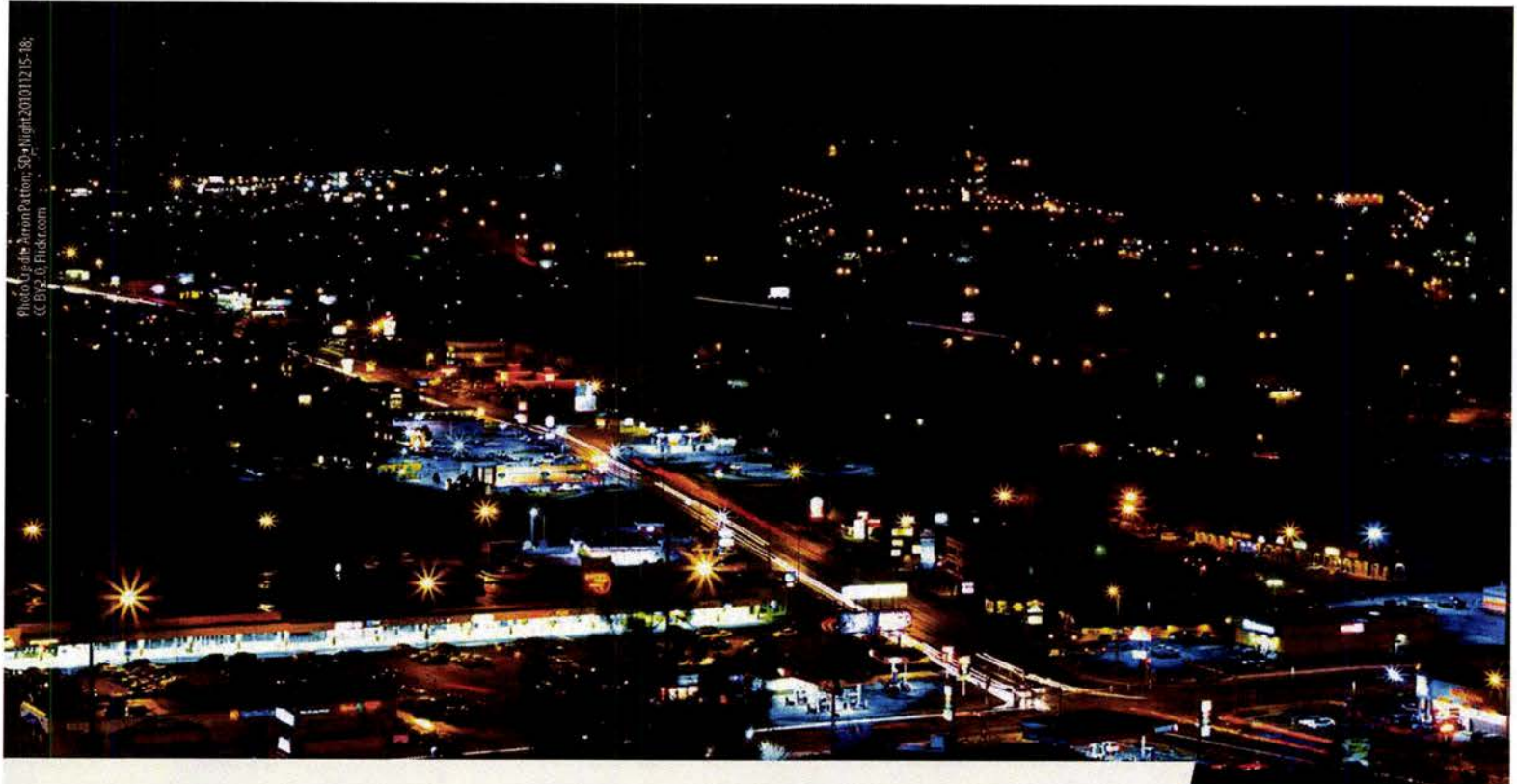
AG-2.1 The County should consider encouraging SD Senate Bill 66, which provides property owners a tax incentive for creating riparian buffer strips if the property adjoins one of the eligible lakes or streams.



AG-2.2 The County should ensure that high impact agricultural processes, such as timber production, have low impacts on surrounding sensitive land uses, such as residential land uses.



AG-2.3 The County should consider the placement of agricultural related future developments, such as residential, commercial, and industrial, during the development review process to ensure that agricultural areas do not become fragmented.



Transportation & Circulation Element

6

6.1 Transportation & Circulation Overview

Transportation System

A modern, safe, and efficient transportation system is essential to the economic growth and overall quality of life of an area. The County's circulation system should enhance mobility by integrating various modes of travel, including vehicles, pedestrians, bicycles, and public transportation. The system should also provide an integrated transportation system that serves all segments of the population as well, including the school age children, the elderly, and persons with disabilities.

The transportation network in Pennington County supports more robust system usage and conditions due to agricultural trucks and equipment, heavy truck usage on highways and county roads, heavy tourism usage, and weather exposure. These conditions place a heavy burden on roadway conditions in the county. As such, roadway maintenance has been identified as one of the major issues detracting from residents' quality of life. Recent attempts to fund improvements and maintenance through a wheel tax were voted down in 2016. Loss of the wheel tax made the County ineligible for state Bridge Improvement Grant (BIG) funds that would provide additional financial assistance to improve roadway conditions.

The circulation system in Pennington County is based on a system of major and minor arterial roads, collector roads, and local roads. The major arterials that contain the highest capacity traffic through Pennington County include



VIEW TO 2040

Interstate 90 (I-90), US Highway 16, US Highway 385, South Dakota Route (SD) 79, and SD 44. Maintenance of these facilities is funded through federal or state monies. The other classifications are considered local roads and are maintained by the Pennington County Highway Department. In addition to County-maintained roads, there are 143 road districts within the County, which are established by landowners to use local taxes within their district's jurisdiction to maintain district roadways.

The transportation system in Pennington County are shown for each Focus Area on Figure 6-1, 6-2, and 6-3.

Tourism Traffic

During tourism season (April – October each year), transportation demands increase notably at the Rapid City Regional Airport and on highways and roadways throughout the county, especially near key attractions, such as Mount Rushmore. Additionally, the City of Sturgis, South Dakota (approximately 40 miles northwest of Rapid City) is well-known for holding the annual Sturgis Motorcycle Rally, which is one of the largest motor events in the world. In 2015, this annual event set its attendance record of approximately 739,000 visitors, many of which fly through Rapid City Regional Airport and travel the roads of Pennington County.

Scenic Byways

The Scenic Byways Program recognizes those roadways which exhibit the State's unique character and beauty. Individuals, organizations and local governments may identify roadways with truly distinctive qualities and nominate them for State Scenic Byway designation. Routes which display scenic, cultural, geologic, wildlife habitat or other aesthetic features are eligible for consideration. In Pennington County, the only State Scenic Byway is the Peter Norbeck Scenic Byway, a 68-mile double loop in the Black Hills, just south of Keystone and Hill City.

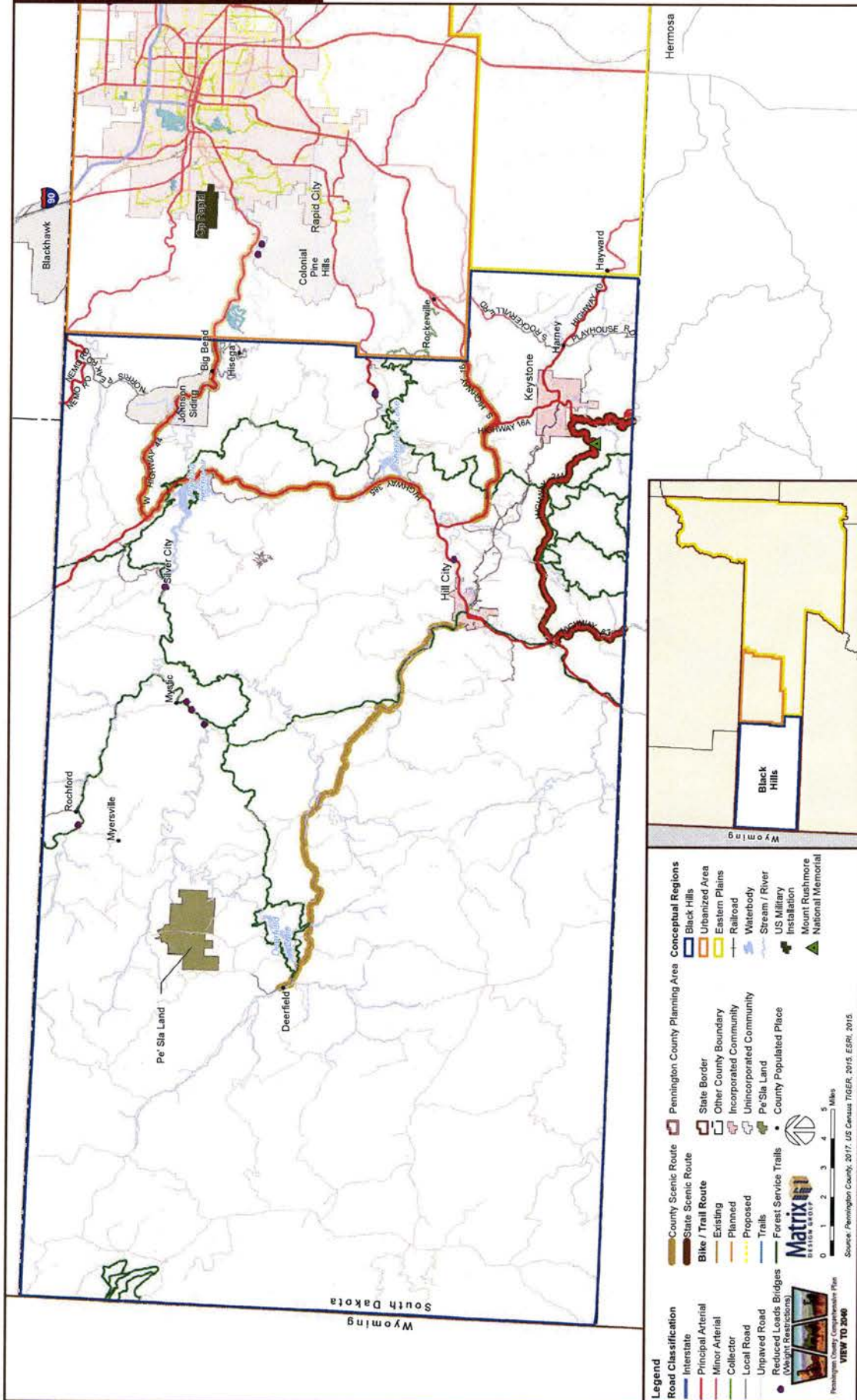


Trails and Bicycle Systems

Pennington County does not own or maintain any trails or bike routes, but there are some existing, planned, and proposed bike routes and trails in Rapid City. The US Forest Service also owns and maintains trails through the Black Hills National Forest, including the Mickelson Trail and Centennial Trail.

Bicyclists in unincorporated Pennington County largely use roadways and paths for recreational and commuting purposes.

Figure 6-1 Transportation - Black Hills



Legend

Road Classification

- Interstate
- Principal Arterial
- Minor Arterial
- Collector
- Local Road
- Unpaved Road
- Reduced Loads Bridges

County Scenic Route

- County Scenic Route
- State Scenic Route

Bike / Trail Route

- Existing
- Planned
- Proposed
- Trails
- Forest Service Trails

Pennington County Planning Area

- Pennington County Planning Area
- State Border
- Other County Boundary
- Incorporated Community
- Unincorporated Community
- Pe'Sia Land
- County Populated Place

Conceptual Regions

- Black Hills
- Urbanized Area
- Eastern Plains
- Railroad
- Waterbody
- Stream / River
- US Military Installation
- Mount Rushmore National Memorial

Matrix

0 1 2 3 4 5 Miles

Source: Pennington County, 2017; US Census TIGER, 2015; ESRI, 2015

Pennington County Comprehensive Plan
VIEW TO 2040

Figure 6-2 Transportation - Central Pennington

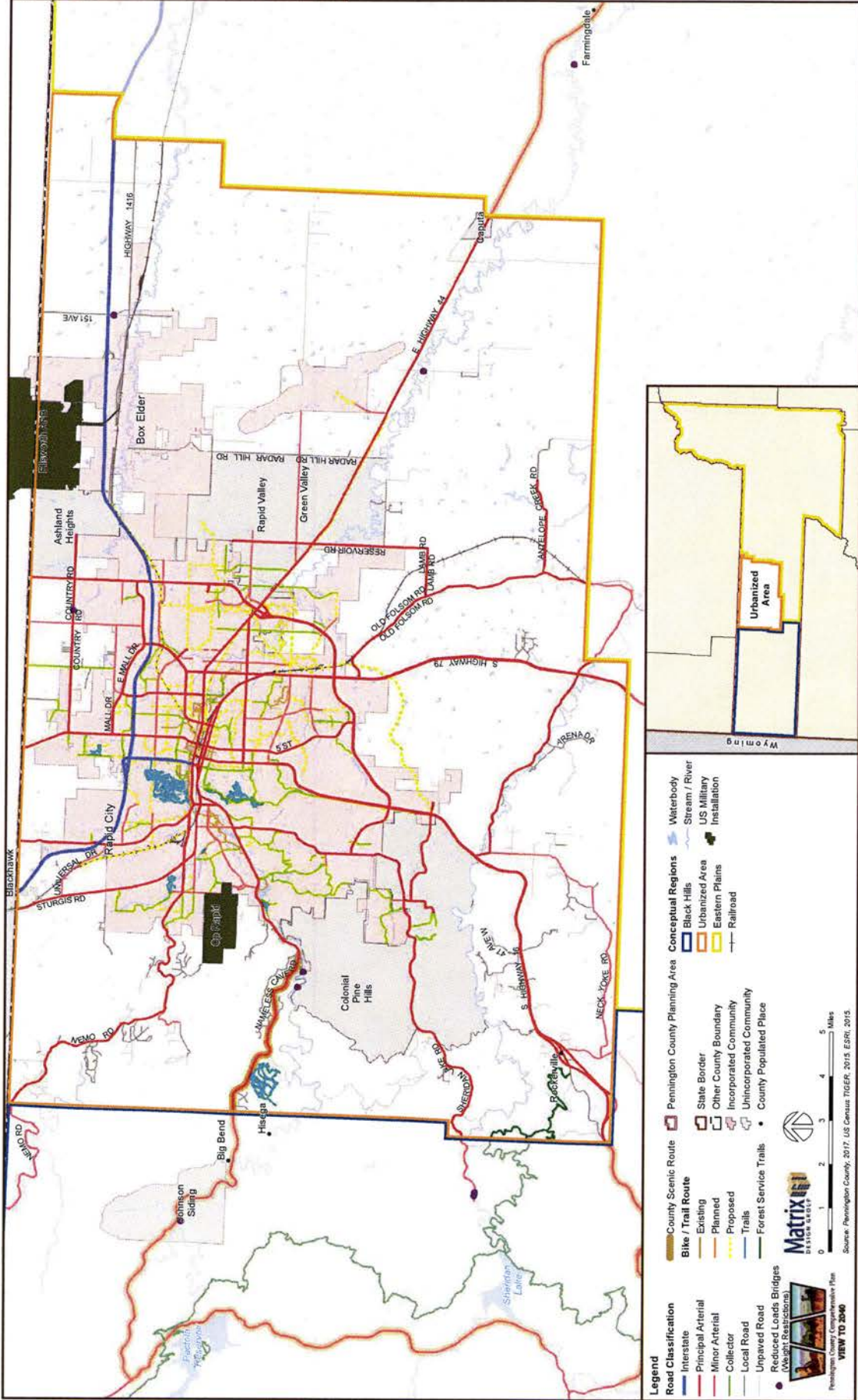
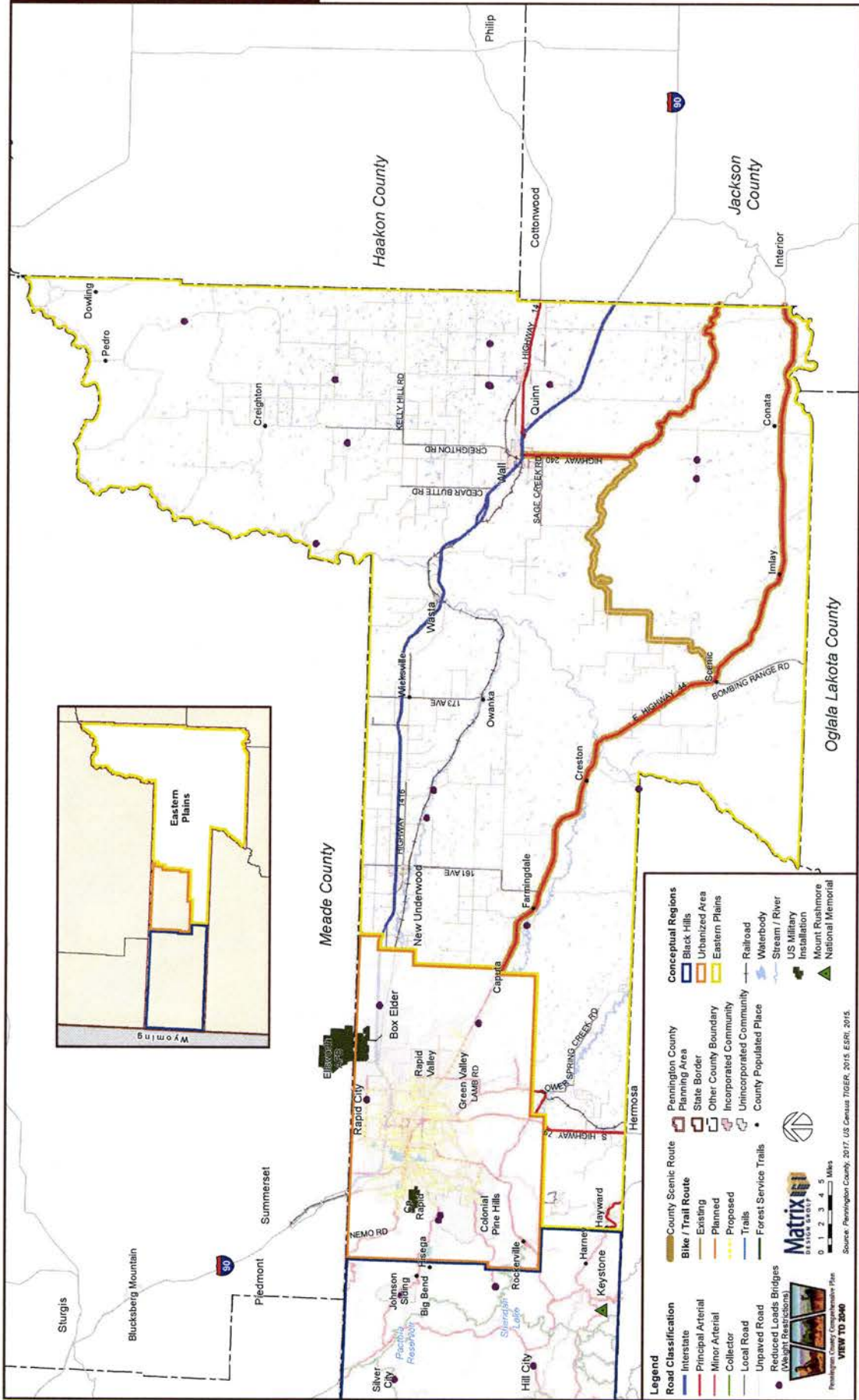


Figure 6-3 Transportation - Eastern Plains








Public Transportation

Pennington County does not provide any public transportation services or participate in any public transportation programs. As such, all public transportation found in the county is provided by incorporated municipalities or private businesses. Rapid City has three different public transit services: Rapid Ride, Dial-A-Ride, and City View Trolley that provide more than 400,000 annual passenger trips.

Rapid City Regional Airport

Another integral part of Pennington County’s transportation infrastructure is the Rapid City Regional Airport, located seven miles east of Rapid City along SD 44. The Rapid City Regional Airport provides regularly scheduled passenger, charter, and commercial freight services. In 2016, the Rapid City Regional Airport had 272,537 total enplanements, which is over a 3% growth from 2015. A large portion of this travel is from tourists visiting the various natural and culture sites throughout Pennington County, including the Mount Rushmore National Memorial, Black Hills National Forest, and Badlands National Park.

6.2 Goals and Policies

Goal TC-1	Pennington County maintains a safe and efficient transportation network for its residents and visitors.	
	TC-1.1	The County should continue to identify and pursue grants and other funding sources to supplement the County’s available maintenance funding.
	TC-1.2	The County should pursue grants and other funding sources to enhance transportation diversity (pedestrian, bicycle, and public transportation facilities) and access to all portions of the county population.
	TC-1.3	The County should enhance bicycle safety as part of future roadway maintenance projects.
	TC-1.4	The County shall coordinate transportation plans and projects with the various federal, state, and local jurisdictions and agencies within the County, including, but not limited to, the US National Park Service, US Forest Service, Department of Defense, Bureau of Land Management, South Dakota Department of Transportation (SDDOT), and Rapid City.
	TC-1.5	The County should seek opportunities to incorporate new technologies into their transportation system.



VIEW TO 2040

Goal TC-2 Pennington County features a multimodal transportation network.



TC-2.1 The County should work with SDDOT, the US Forest Service, and US National Park Service to create a bicycle route connecting the Black Hills National Forest to the Badlands National Park and Buffalo Gap National Grassland.

TC-2.2 The County should promote a bicycle advocacy program to encourage bicycling as a viable daily form of transportation and recreation throughout the County.



TC-2.3 The County should support alternative transportation options for traveling tourists, including both public and private transportation methods of transporting tourists to and from various destinations within Pennington County.



Goal TC-3 The Rapid City Regional Airport is an expanding commercial passenger and freight airport that supports both tourism and economic development.



TC-3.1 The County should support efforts to improve and expand upon the Rapid City Regional Airport.



TC-3.2 The County shall work with Rapid City to improve north / south roadway access and circulation from the Rapid City Regional Airport to South Dakota Highway 44 in order to support expanded operations.

Goal TC-4 Enhanced wayfinding and signage throughout Pennington County helps efficiently guide visitors to their destinations while improving upon the overall aesthetics of the County.



TC-4.1 The County should develop a wayfinding signage program along major transportation routes to provide clear and simple directions to visitors to easily find their destinations within the County. Additionally, the wayfinding signage program should feature unique, identifiable branding that portrays and embraces Pennington County's character and enhances upon the overall aesthetics of the area.



TC-4.2 The County should work with the local municipalities and federal agencies to help implement the wayfinding signage program through identifying strategic locations for signs.



TC-4.3 The County should implement a signage ordinance that regulates the type, size, location, and special effects of commercial signs, and ensure commercial signage is consistent with the community character.

Goal TC-5

The County offers scenic views for travelers along the county's roads and highways.



TC-5.1 The County shall protect views of natural and working landscapes along the county's highways and roads by maintaining a designated system of County Scenic Routes and State Scenic Byways. This will include the following.

- ▶ Require development along eligible State Scenic Byway corridors to adhere to land use and design standards and guidelines required by the State Scenic Byway Program;
- ▶ Support and encourage citizen initiatives working for formal designation of eligible segments of as State Scenic Highways.
- ▶ Formalize a system of County Scenic Routes throughout the county; and
- ▶ Require development located within County Scenic Route corridors to adhere to local design guidelines and standards designed to protect significant scenic resources by:
 - Maintaining the rural character of roadway rights-of-ways, highway signage, and related roadway and structure design;
 - Protecting primary viewsheds from development;
 - Prohibiting development of highway commercial projects that do not respond to their physical or cultural context; and
 - Featuring the community centers/main streets of the gateway communities of Hill City and Keystone.



TC-5.2 The County shall use the county's scenic roads and highways to connect cultural landscapes, historic landmarks and communities, and points of interest including:

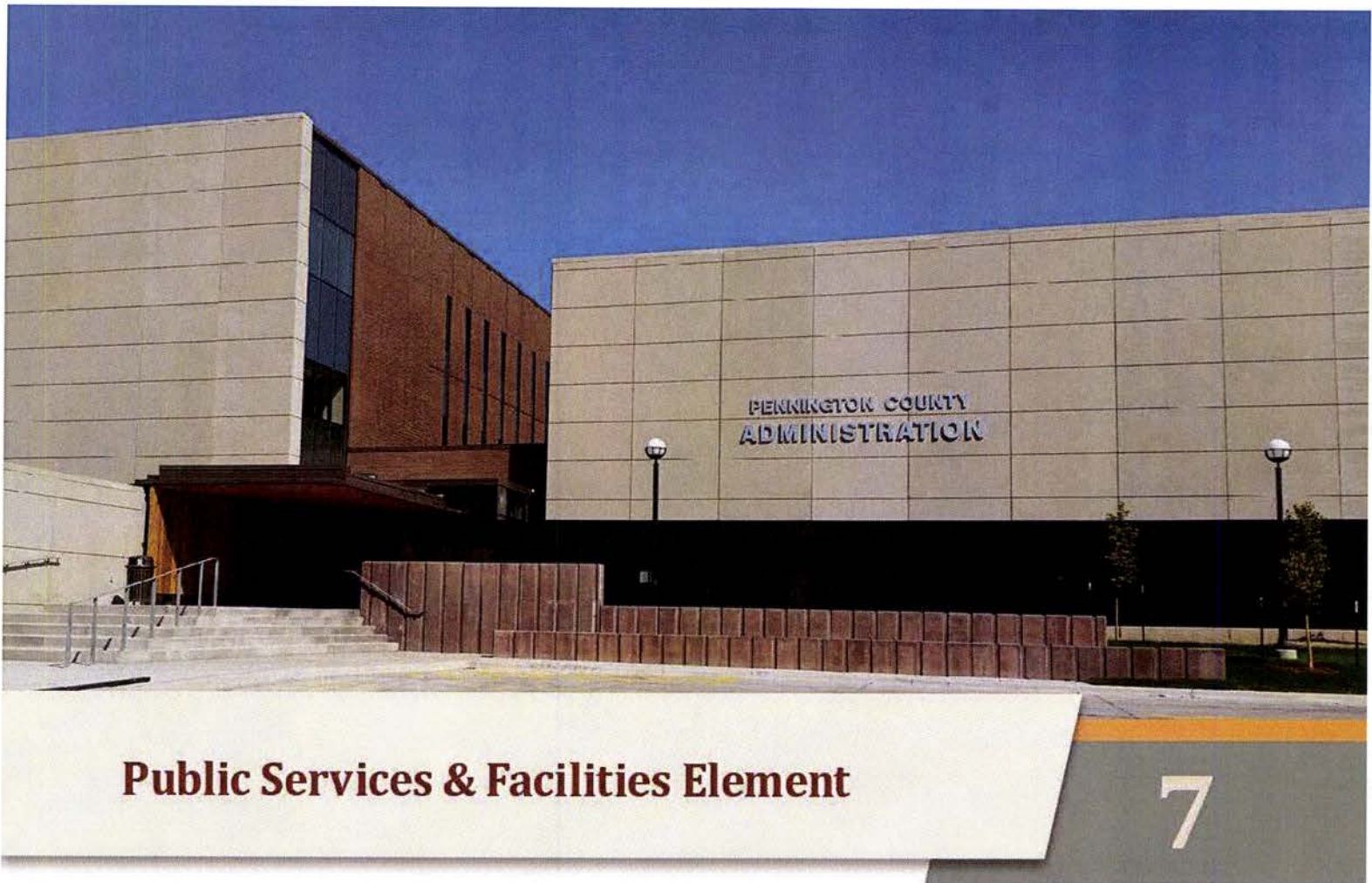
- ▶ Historic travel routes and trails;
- ▶ Historic settlements;
- ▶ Historic places, events, sites, buildings and structures;
- ▶ Prehistoric and archeological features; and
- ▶ Majestic trees, vistas, streetscapes and parks.



TC-5.3 The County shall work with SDDOT and property owners to limit billboards and other forms of off-site advertising along State Scenic Byways and County Scenic Routes.



TC-5.4 The County shall seek to reduce the number of billboards along State Scenic Byways and County Scenic Routes.



Public Services & Facilities Element

7

A variety of entities provide public services and facilities in Pennington County, including county, state, and federal agencies, special districts, and the private sector. With such a range of entities, it is important to maintain a high degree of coordination to help ensure levels of service are sustained and facilities / infrastructure are provided that keep pace with development.

The quality and capabilities of the public services and facilities offered can enhance the livability and economic potential within the county. This Element provides a policy framework to guide the County and other service providers in delivering the services and facilities needed to contribute to the overall high quality of life enjoyed in Pennington County. Public facilities are shown on Figure 7-1.

7.1 Infrastructure Overview

Water Supply

The County is not a potable water supplier; as such, unincorporated communities and individual developments within the county receive water from a water district or individual wells. The majority of the potable water in Pennington County comes from groundwater. Most of Pennington County is underlain with one or more aquifers that yield water of varying quality. The aquifers within the county capable of supplying sufficient quantities of water to support municipal and industrial growth are the Deadwood, Madison, Minnelusa, Minnekahta, and Inyan Kara Aquifers.



VIEW TO 2040

Water Districts

There are two water development districts within Pennington County: the West River Water District and the West Dakota Water District. Water districts promote the conservation, development, and proper management of water resources.

Storm Water

Storm water management is important in maintaining local water quality. Storm water discharge can affect the quality of water as it can carry pollutants into local waterways and percolate into the county's groundwater resources. According to the United States Environmental Protection Agency (EPA), Pennington County is considered a regulated small municipal separate storm sewer system (MS4). An MS4 is a conveyance system that is comprised of drainage systems, catch basins, gutters, storm drains, and man-made channels.

Through EPA regulations, MS4s are required to develop and implement a storm water management plan (SWMP) to address storm water issues. Pennington County's most recent SWMP was updated in 2016 and is jointly managed by the County's Planning and Highway departments.

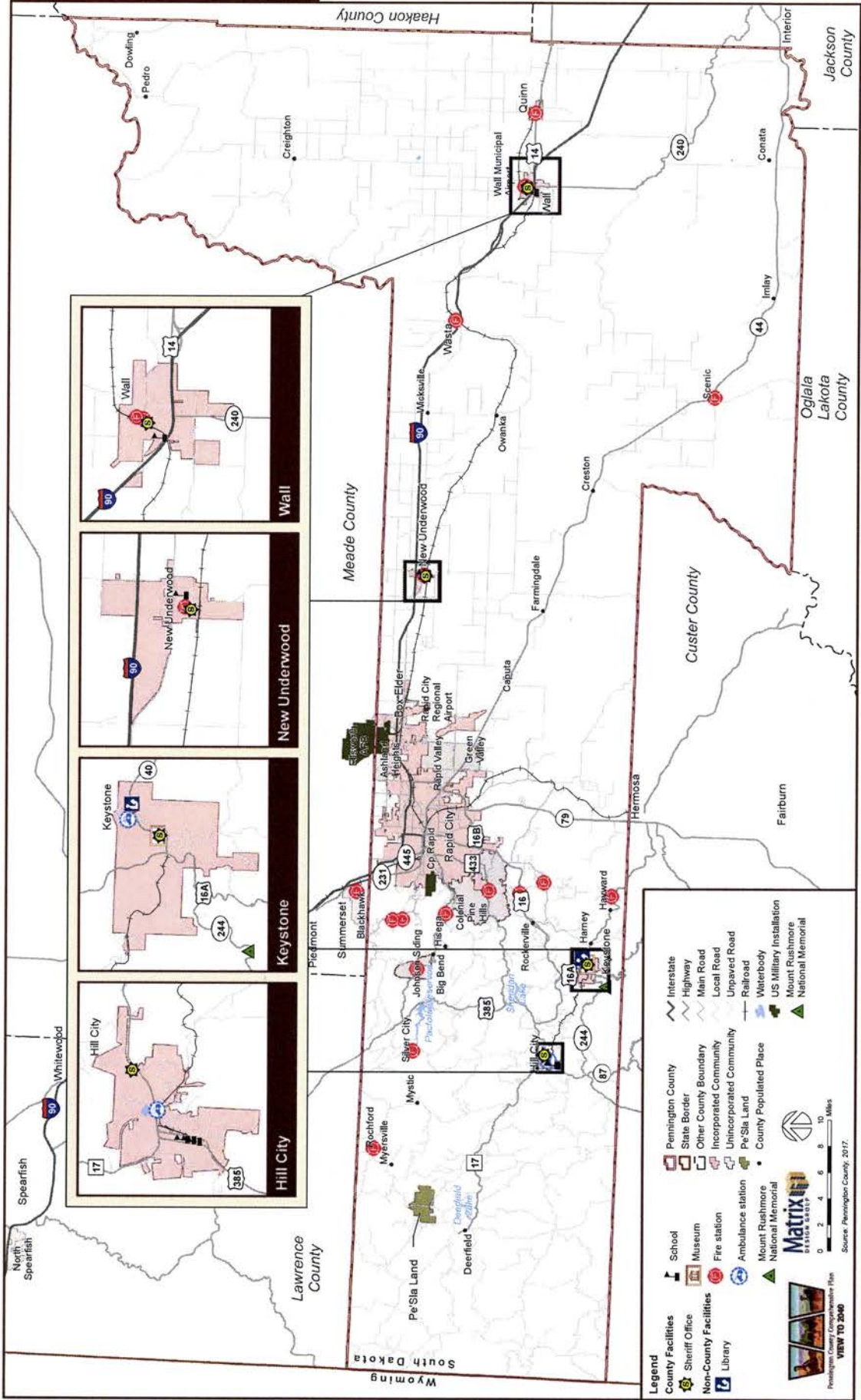
Wastewater

The County does not provide wastewater treatment services; however, the County does regulate on-site wastewater treatment systems present in unincorporated areas. Wastewater treatment systems are regulated through Section 204-J of the County Zoning Ordinance. Through Section 204-J, all on-site wastewater treatment systems are required to obtain an operating permit showing the system does not have an adverse impact upon public health and the environment. Sanitary Districts exist in the county, but primarily within the Rapid City 1-mile on-site wastewater treatment system buffer area.

Presently, only Rapid Valley Sanitary District, Cedar Gulch Sanitary District, and Rapid Canyon Sanitary District have sewer collection systems that ultimately go into Rapid City's wastewater treatment plant. All other sanitary districts have individual treatment and discharge systems.

An issue that was identified during the planning process was the adequacy of on-site wastewater treatment system inspections from the County. Section 204-J of the County Zoning Ordinance states that an operating permit for an on-site wastewater treatment system is valid for 6 years. The ordinance provides no guidance on system maintenance, inspection requirements, or pumping requirements. Malfunctioning or damaged on-site wastewater treatment system can cause environmental damage to the surrounding area and contaminate the water supply. Common problems with on-site wastewater treatment system include tree root damage, ground movement, and collapsed baffles / damaged dip pipes.

Figure 7-1 Public Facilities



7.2 Public Safety Overview

Fire

Pennington County is served by 21 volunteer fire departments and one full-time fire department. According to County staff, there are over 450 volunteer fire fighters in Pennington County. Providing fire protection in rural, forested areas is not the same as fire protection within a city. Response times to fire emergencies are generally slower, the road

network may not allow easy access to the fire, and substandard roads may not accommodate current firefighting apparatus. As the county continues to grow and develop, efforts should be made to mitigate fire dangers in rural areas.

Emergency Management

The Emergency Management Department serves as the countywide agency overseeing the planning, response, recovery, and mitigation of any disasters or emergencies that occur within Pennington County. The department operates out of the Emergency Operation Center (EOC) located in the Pennington County Administrative Building in Rapid City.

7.3 Public Facilities Overview

According to the 2010 Facilities Master Plan, Pennington County occupies 482,692 square feet of facility space. The majority of county administrative buildings are centrally located in Rapid City. As the County has experienced consistent growth over the past 40 years, the need for additional space to accommodate County departments and agencies has increased. The 2010 Facilities Master Plan projects the need for a total of 683,954 square feet of facility space by the year 2025.

Libraries

Pennington County does not have any library facilities. However, the County does provide over \$450,000 on a yearly basis to support municipal libraries present in incorporated communities. There are five public libraries within the county, Hill City, Keystone, and Wall each has one library and Rapid City has two. There are also a number of non-public libraries in Pennington County, including the Holbrook Library at Ellsworth Air Force Base and campus libraries at educational facilities within the county.

Schools

Pennington County has a robust inventory of education facilities that contribute to the quality of life and economic strength of the community. Within the county there are five public school districts with 41 total public schools. Pennington County also has several post-secondary options for those seeking higher education. Post-secondary schools within the county include Black Hills State University – Rapid City, South Dakota School of Mines and Technology, Western Dakota Technical Institute, John Witherspoon College, Black Hills Beauty College, and National American University.



VIEW TO 2040

7.4 Goals and Policies

Goal PSF-1

The County protects its water resources.



PSF-1.1 The County should coordinate with state, federal, and local resource management agencies to preserve and improve the quality of surface water and groundwater.



PSF-1.2 The County should require wells and water sources to be buffered from high pollution sources, such as mining and other heavy industrial activities.



PSF-1.3 The County should consider the impacts to surface water and groundwater quality in the consideration for approval of all development.



PSF-1.4 The County should educate the public about water quality, sources, scarcity, and conservation methods.

Goal PSF-2

Storm drainage facilities are of adequate size and location to serve the needs of the County and enhance public safety.



PSF-2.1 The County should encourage stormwater facility designs that minimize drainage concentrations, impervious coverage, and avoid floodplain areas, where feasible.



PSF-2.2 The County should require the provision of erosion control measures as part of new development to minimize sedimentation of streams and drainage channels.



PSF-2.3 The County should coordinate stormwater drainage and flood management with the Federal Emergency Management Agency (FEMA) and other appropriate South Dakota and local agencies.

Goal PSF-3

On-site wastewater treatment systems in the County are well-maintained and protect the County's water resources.



PSF-3.1 The County should encourage developments to connect into public wastewater treatment systems when available.



PSF-3.2 The County should not allow on-site wastewater treatment system to be installed on lots less than 1 acre in size or where soil and site conditions are not adequate to provide appropriate disposal.



PSF-3.3 The County should require on-site wastewater treatment systems to be inspected at least once every 3 years.



PSF-3.4 The County should provide on-site wastewater treatment system tank inspectors in-house, rather than requiring residents to find a local pumper.



PSF-3.5 The County should require tanks to be pumped whenever the top of the sludge layer is less than 12 inches below the bottom of the outlet baffle or whenever the bottom of the scum layer is less than three inches above the bottom of the outlet baffle. When a garbage disposal is used, the on-site wastewater treatment system tank should be pumped at least once per year.



PSF-3.6 The County should consider on-site wastewater treatment system risks to the natural environment and require applicants to ensure protection of natural resources when planning for future on-site wastewater treatment systems.

Goal PSF-4

The County actively supports and enhances fire and emergency response services.



PSF-4.1 The County should consider codifying the Fire Resistant Building Requirements and Firewise Landscaping guidelines from the Community Wildfire Protection Plan.



PSF-4.2 The County shall regularly update the Community Wildfire Protection Plan with updated design guidelines and methods for educating the public of fire hazards.



PSF-4.3 The County should work with the Federal government to better manage fuel loads on federally-owned land



PSF-4.4 The County should update the House Number Placement Ordinance (Ordinance #20) to ensure that the design and placement of the building numbers are visible to assist with emergency response.



PSF-4.5 The County should evaluate the need for additional equipment and volunteer firefighters within Pennington County.



PSF-4.6 The County shall continue to regularly update its Emergency Operations Plan.



PSF-4.7 The County shall work to enhance and increase enrollment in the Community Emergency Response Team (CERT) program.

Goal PSF-5

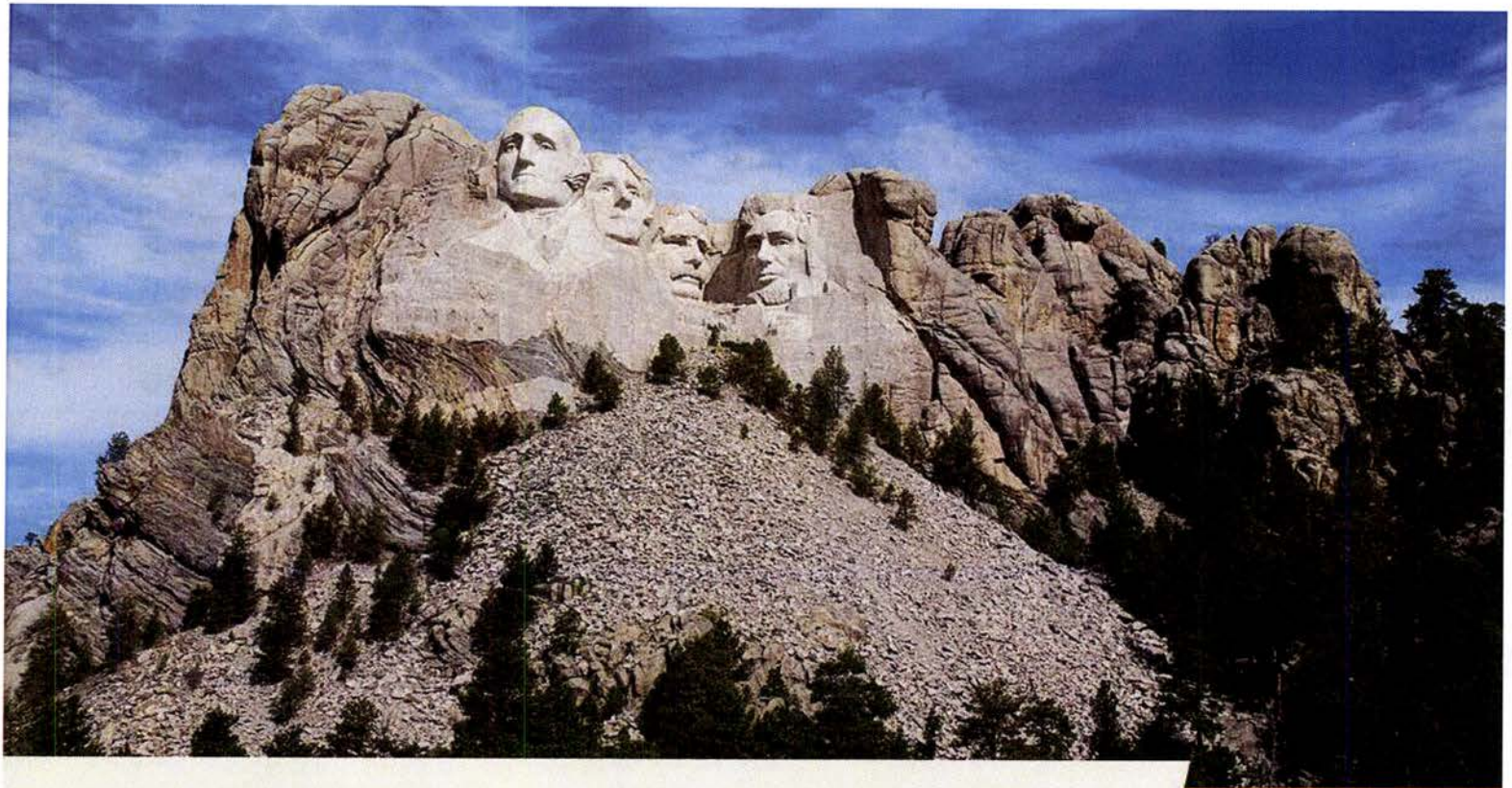
The County has adequate public facilities to provide for its residents.



PSF-5.1 The County should evaluate the facility needs identified in the 2010 Facilities Master Plan to plan for future facility expansion.



PSF-5.2 The County should identify additional funding sources to support municipal facilities like libraries, recreation facilities, and museums.



Recreation, Open Space & Tourism Element

8

8.1 Recreation, Open Space and Tourism Overview

Recreation opportunities and open spaces in Pennington County provide areas for residents to engage in healthy lifestyles, enjoy the natural wonders and vistas in the county, and provide outdoor areas to gather other residents and visitors. Outdoor opportunities can be found in the two National Parks, the National Grasslands and Forests, and other open spaces within the county. These federally managed lands and other community and private recreation areas provide great options for recreation for residents and draw significant tourism to the county each year.

Community Parks

Pennington County does not have its own parks facilities; however, the cities and towns within the county have community-owned parks that are available for all county residents. Most of the community park facilities are found in Rapid City. The City of Rapid City has a Parks and Recreation Department that is responsible for the maintenance and operation of 34 parks, comprising 1,650 acres. The City also has designated greenways located along Rapid Creek. The greenways have minimal development and consist mainly of native vegetation along the creek. Parks are shown on Figure 8-1.

Federal Lands

There are large areas of open spaces in Pennington County that are administered by the U.S. Department of Agriculture (USDA), Forest Service, and the National Park Service, totaling 609,902 acres. Federal lands are shown on Figure 8-2.



VIEW TO 2040

Badlands National Park

Badland National Park (NP) is 244,000 acres, approximately half of which is in Pennington County. The Badlands NP attracts tourists who visit to view wildlife and participate in various recreational opportunities, such as camping, hiking, and bicycling. There are 16 miles of hiking trails in addition to backcountry hiking. Bicycling opportunities are available on designated paved, gravel, and dirt roads, but bicycles are not permitted on hiking trails or in the backcountry areas. Developed camp sites and backcountry camping are both available at the Park.

Black Hills National Forest

Among the federally owned lands is the Black Hills National Forest in western Pennington County. The National Forest is a tourist destination, attracting millions of visitors every year. Within the forest, there are picnic areas, campgrounds, over 350 miles of trails, and many other recreation opportunities, such as mountain biking, off-highway vehicle roads, hunting, and fishing. Through the Pactola Visitor Center, located west of Rapid City on Highway 385, visitors can learn about the cultural history of the Black Hills.

Key destinations and attractions include the George S. Mickelson Trail, Centennial Trail, Black Elk Peak (the highest natural point in the state), and Mount Rushmore National Memorial.

Buffalo Gap National Grassland

Buffalo Gap National Grassland is one of the 20 National Grasslands in the U.S. The Grassland is administered by the USDA Forest Service. There is one visitor center, located in the City of Wall. Within the national grassland there are opportunities for bicycling, camping, hiking, horse riding, hunting, nature viewing, and areas for rockhounding.

Minuteman Missile National Historic Site

Located in Pennington and Jackson Counties, the National Historic Site consists of three facilities: a main office, a launch control center, and a missile silo/launch facility. The last two facilities were formerly operated by the 66th Strategic Missile Squadron of the 44th Strategic Missile Wing, headquartered at Ellsworth Air Force Base.

Mount Rushmore National Memorial

Located in the Black Hills National Forest, Mount Rushmore attracts approximately three million visitors every year, mainly during the summer months of June, July, and August. The memorial is lit in the evening during Evening Lighting Ceremonies from the end of May to the end of September, extending the use of the facilities into the evening.

Tourism

Tourism is one of the key industries within Pennington County. Anchored by the federal lands described earlier, the tourism attractions within the county (federal lands and private attractions) draw in millions of tourists every year and provide significant business and employment opportunities. Some of the notable private attractions are listed below.

Wine Trail

Highway 385 is considered the "wine trail" area in South Dakota. The trail connects Hill City's Prairie Berry Winery, Naked Winery, and Stone Faces Winery to the Belle Joli Winery and Schade Winery in Deadwood. The 50-mile drive passes through forested glens and meadowlands, as well as providing roadside views of Pactola Reservoir and Sheridan Lake.

Figure 8-1 Parks and Recreation Locations

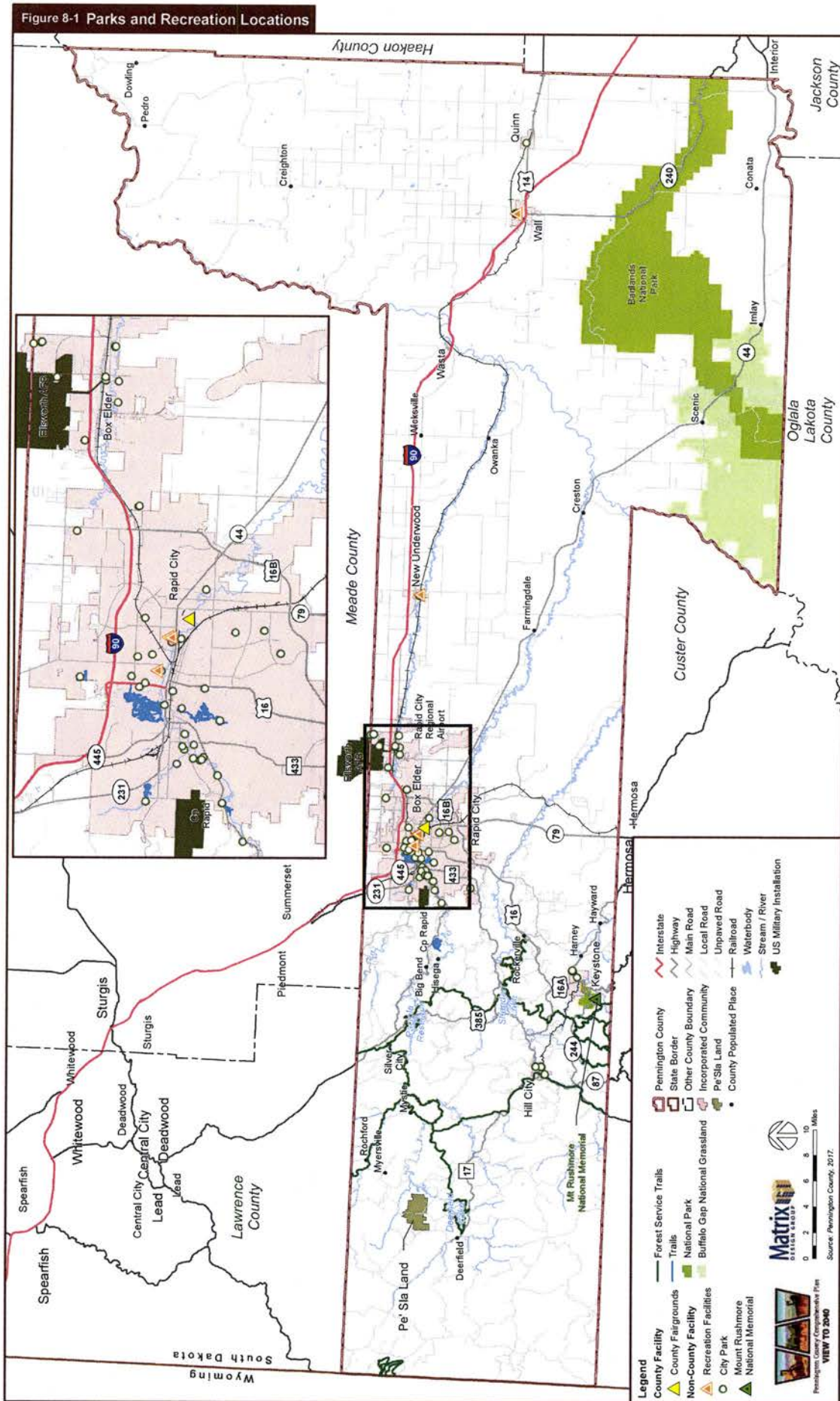
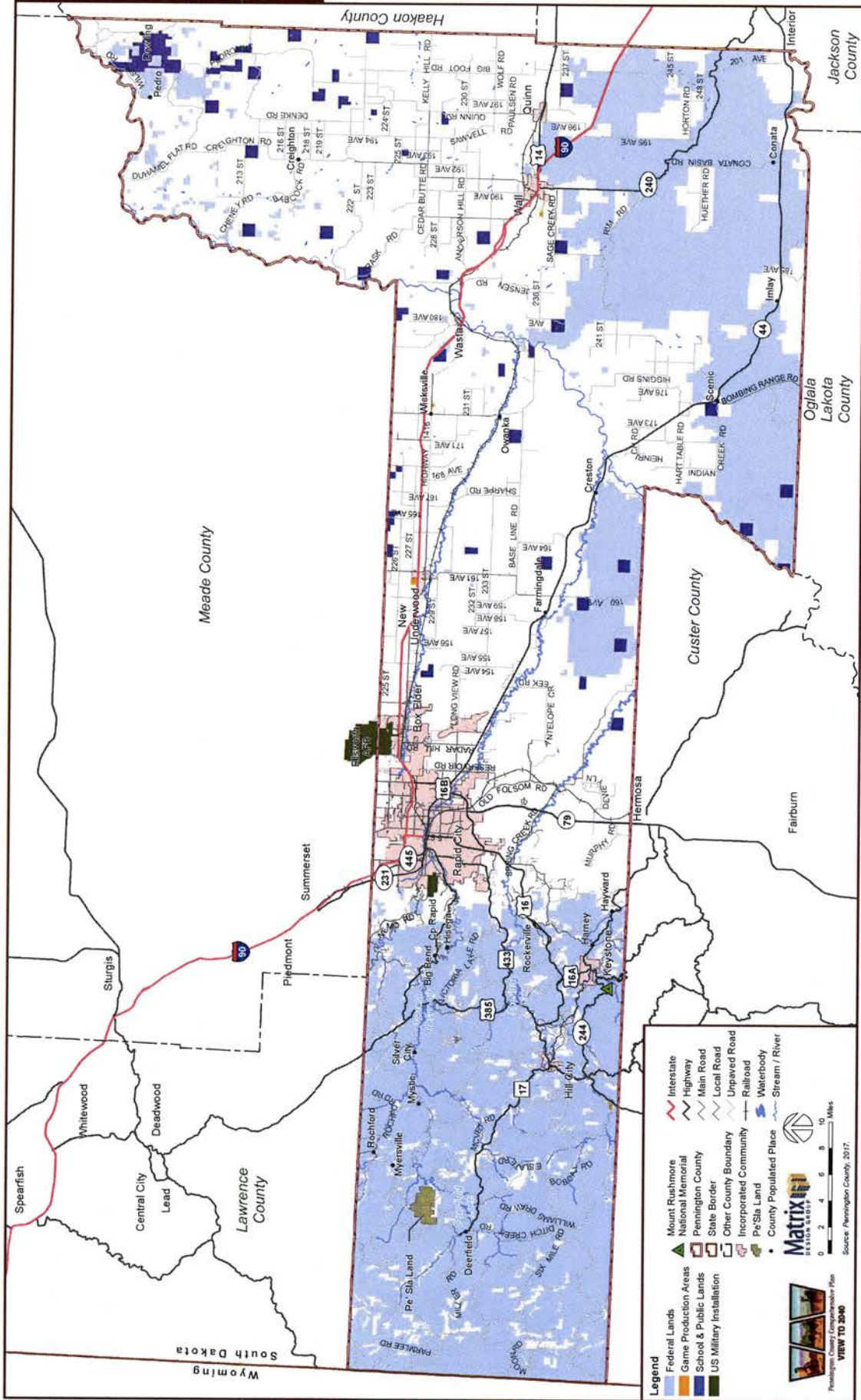


Figure 8-2 Federal and State Lands



Wall Drug Store

Wall Drug Store first opened in 1931 by husband and wife Ted and Dorothy Husted. The store started as a single storefront but has since expanded to cover nearly an entire city block. Within the drug store complex is a café, western art gallery, pharmacy museum, travelers chapel, gift shop, and dozens of other specialty shops. The store has become a major tourist attraction for the City of Wall and Pennington County, attracting over a million visitors every year.

Sturgis Motorcycle Rally

Every year, the City of Sturgis (located 28 miles northwest of Rapid City) hosts the Sturgis Motorcycle Rally. The rally is a weeklong event, drawing hundreds of thousands of attendees. The rally had its highest attendance in 2015 with 739,000 attendees. The rally includes numerous concerts, a 5k run, motorcycle rally, more than 100 food vendors, tattoo contest, and the Mayor’s pub crawl. While the City of Sturgis is outside of Pennington County, many of the attendees of the motorcycle rally stay in Pennington County, utilize shopping and dining options in the county, and visit the tourist sites located in the county.

8.2 Goals and Policies

Goal ROST-1

The County supports, maintains, and enhances public lands.



ROST-1.1 The County should ensure roadways and accessways to public lands like Mount Rushmore National Memorial are safe and easy to traverse.



ROST-1.2 The County should work with SDDOT and local cities to develop and support a unified, county-wide wayfinding program.



ROST-1.3 The County should work with the National Forest Service and National Park Service to routinely coordinate on upcoming plans and program changes that could have benefits or challenges that the other entities should address.

Goal ROST-2

The County cooperates with federal and state agencies, tribal governments, cities, and private land managers regarding open space and the tourism economy.



ROST-2.1 The County should explore methods to fund an open space system that meets the needs of county residents and visitors.



ROST-2.2 The County should support private land managers, management agencies, and citizen groups in their maintenance efforts of recreational opportunities



Health & Safety Element

9

9.1 Health & Safety Overview

Providing for the community health, safety and security is an important and central function of government. This Element provides policies related to the protection of the community through the provision of public safety and protections from hazards in the man-made and natural environment.

The unique geography of Pennington County creates natural hazards, such as flooding and wildfire. Man-made hazards also exist within the community including air operations, solid waste disposal and hazardous materials. As the county becomes more populated, it will be more important to manage these impacts to protect public health and safety.

Flood Hazards

The hazards posed by flooding can be a significant threat to the safety of residents and visitors, in addition to potential risks and damage to buildings and property. Effective stormwater management policies, through programs, regulations and partnerships with local jurisdictions, are essential to reducing flood risk potential.

There are various floodplains and floodways throughout the county. Floodplains include lowlands adjacent to river channels, streams, and other bodies of water that become inundated during natural precipitation events. Floodplains provide space for the dispersal of water when bodies of water are flooded. This allows for temporary water storage until the flood water can be drained naturally. Currently, there are 57,118 acres in Pennington County within the 100-year floodplain, which are shown on Figure 9-1.



VIEW TO 2040

According to the United States Environmental Planning Agency (EPA), Pennington County is considered a regulated small municipal separate storm sewer system (MS4), which is comprised of drainage systems, catch basins, gutters, storm drains, and man-made channels. Through EPA regulations, MS4s are required to develop and implement a storm water management plan (SWMP) to address storm water issues. Pennington County's most recent SWMP was updated in 2016 and is jointly managed by the County's Planning and Highway Departments.

Wildfires

Fire can cause significant losses to life, property, and the environment. Wildfires (or wild land fires) can occur in both urban and rural settings and constitute a significant public safety threat. Urban fire hazards result from the materials, size and spacing of buildings, and from the materials, equipment, and activities they contain. Additional factors influencing fire safety include access, available water volume and pressure, and response times for firefighters. Fire hazards in rural areas combine these factors with distance, topography, and natural vegetation. The term "wildland" describes areas characterized by lower density development, with concentrations of natural vegetation and steeper slopes.

Forests and grasslands are defining characteristics of rural and natural areas in Pennington County, making them a risk to wildland fires. Additionally, new development increases fire potential in remote areas. Containing wildfires in rural areas is a challenge due to natural landscapes and rural rugged roads that may create barriers to access and firefighting apparatus use.

Since 1984, there have been 12 wildfires in the county that exceed 1,000 acres. Collectively, these 12 fires burned approximately 120,000 acres, which includes land in Pennington and adjacent counties. These fires have occurred in the Black Hills on the western side of the county. Figure 9-2 shows the wildfire locations from 1984 through 2015.

Existing Fire Services

Pennington County is served by 21 volunteer fire departments and one full-time fire department, with over 450 volunteer firefighters. The Rapid City Fire Department (RCFD) serves as the one full-time fire department in the county. In addition to providing fire suppression services, RCFD also provides emergency medical service (EMS) to the community. The department employs 135 professionals, including 127 emergency responders and 7 civilian staff. Providing fire protection in rural forested areas presents unique challenges including slower response times, limited access and substandard roads not designed to accommodate fire department apparatus. As growth and development continues, mitigation and management of fire dangers is a central community safety element.

Pennington County Fire Administration supports the volunteer fire departments throughout the county. The administration provides the following support to volunteer fire departments:

- ▶ Workman's compensation to volunteer firefighters in the county.
- ▶ Vehicle liability insurance for all fire vehicles owned by Pennington County or volunteer departments
- ▶ Assistance in purchasing firefighting equipment and training of volunteer fire departments
- ▶ Advise the Pennington County Board of Commissioners on fire related activities
- ▶ Serve as liaison between law enforcement agencies, state and national agencies and other counties and other fire departments.

Figure 9-1 Flood Potential Map

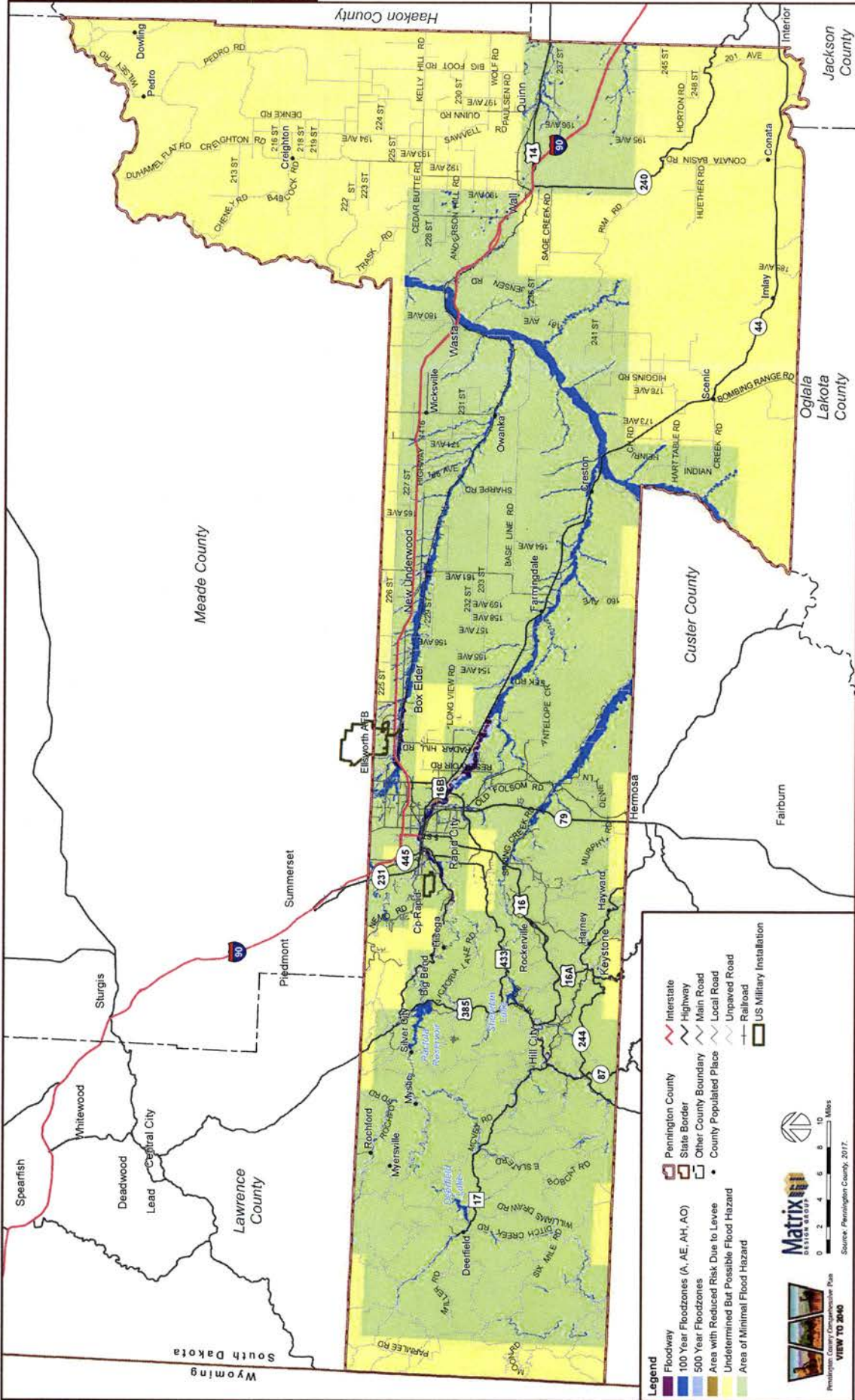
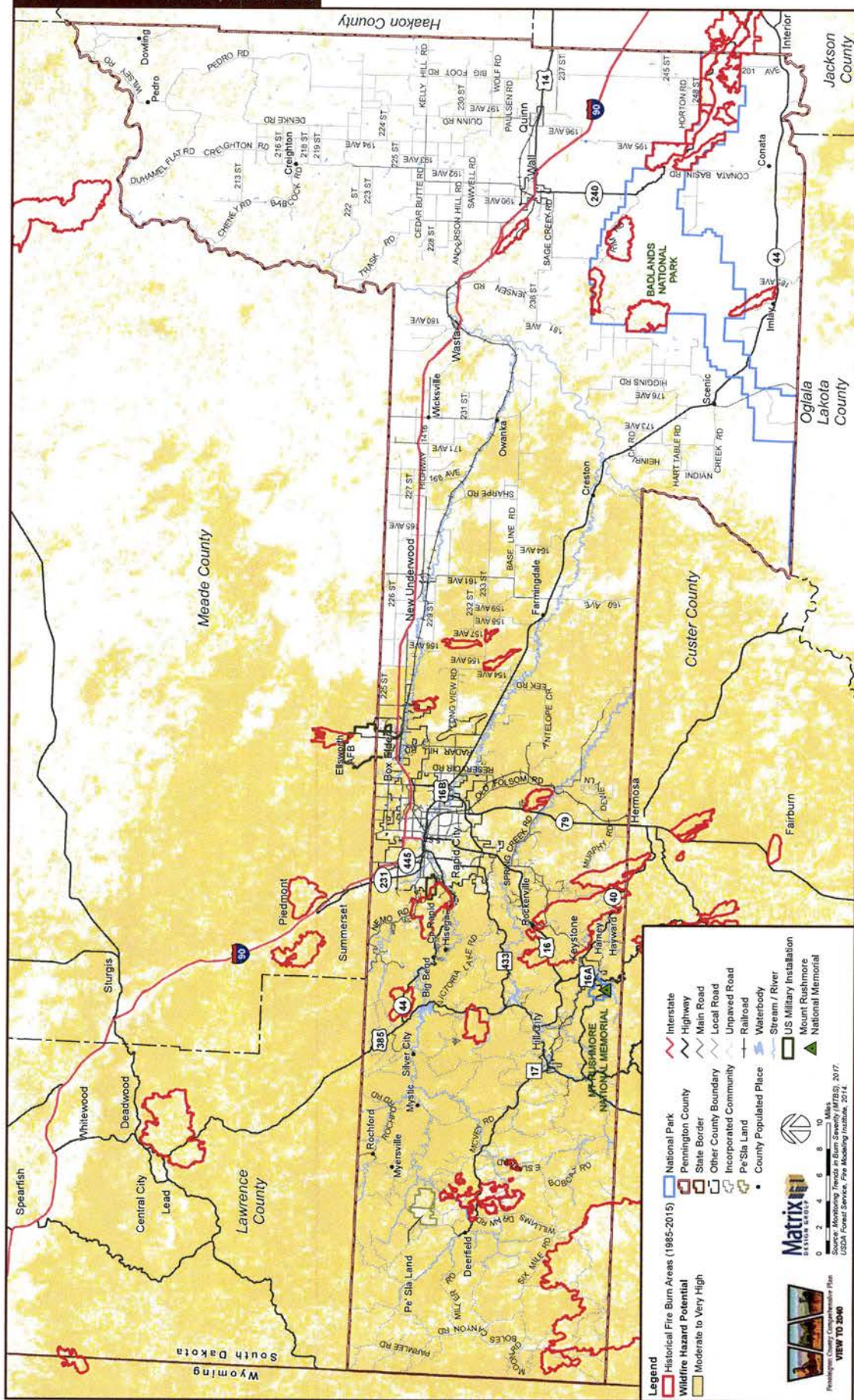


Figure 9-2 Wildfires, 1984 to 2015



Pennington County Fire Administration supports the volunteer fire departments throughout the county. The administration provides the following support to volunteer fire departments:

- ▶ Workman's compensation to volunteer firefighters in the county.
- ▶ Vehicle liability insurance for all fire vehicles owned by Pennington County or volunteer departments
- ▶ Assistance in purchasing firefighting equipment and training of volunteer fire departments
- ▶ Advise the Pennington County Board of Commissioners on fire related activities
- ▶ Serve as liaison between law enforcement agencies, state and national agencies and other counties and other fire departments.

Search and Rescue

Pennington County Search and Rescue (PCSAR) is a non-profit, all volunteer organization formed in 1972. PCSAR members are trained in vehicle and machinery extrication, vertical rescue, search, wilderness rescue, mass casualty, trench rescue, emergency building shoring, winter rescue and diver support. The PCSAR is on call 24-hours a day, every day and averages approximately 100 calls annually.

Emergency Management

The Emergency Management Department serves as the County agency responsible for planning, response, recovery and mitigation of any disasters or emergencies that occur within Pennington County. The department operates out of the Emergency Operation Center (EOC) located in the Pennington County Administrative Building in Rapid City.

The Emergency Management Department prepares a Pre-Disaster Mitigation Plan (PDM) that identifies hazards and vulnerabilities in the region. The PDM helps determine solutions to reduce the potential threats to life and property. The plan supports informed decision-making directed towards avoiding future risks and implementing activities or projects that will reduce the risks associated with natural hazards.

Pennington County's Emergency Management Department employs methods to provide public warnings and hazard information as follows:

- ▶ Public warning messages including severe weather warnings, civil disturbances, hazardous chemical leaks, and evacuation notices.
- ▶ Outdoor warning sirens used for all hazardous emergencies.
- ▶ Weather radio including National Oceanic and Atmospheric Administration (NOAA) broadcasts tracking hazardous weather systems.
- ▶ Wireless emergency alerts providing text messages warning of public hazards.
- ▶ Emergency Alert System (EAS) providing federal communication during national public hazard emergencies.



VIEW TO 2040

Hazardous Materials/Solid Waste Disposal

Efficient and safe collection, management, reduction and disposal of hazardous/solid wastes protects the public health and safety, conserves energy and protects natural resources. Proper and safe handling of hazardous/solid wastes is essential for promoting the health and safety of County residents.

Hazardous materials include substances that are corrosive, poisonous, flammable, reactive and have the potential to threaten human health or the environment. Threats to human health and the environment occur when these materials are improperly stored, treated, transported, or disposed. Hazardous materials are found in various products and can be used during the production of goods.

The Pennington County Local Emergency Planning Committee addresses hazardous material planning with assistance from Pennington County Emergency Management. The committee was created through the Superfund Amendment and Reauthorization Act of 1986 (SARA), which planning for emergencies, including the release of hazardous chemicals.

At present, there are 177 hazardous waste sites in the county, the majority located in Rapid City. There is only one Superfund site, which is Ellsworth Air Force Base. While hazardous materials can be found in commercial and industrial sites, they are also prevalent in households. Common hazardous waste items include: aerosol cans, antifreeze, bleach, car batteries, gasoline, oil-based paint, pesticides and herbicides, pharmaceuticals, and pool chemicals.

Due to hazards found at home, the County educates residents on proper hazardous waste storage and disposal. The County also hosts Household Hazardous Waste events where household hazardous waste is collected and safely disposed.

Military Compatibility

Pennington County is the proud home to Ellsworth Air Force Base (AFB), a B-1 bomber training base under the 28th Bomb Wing and an important national defense asset. As with other airports, military operations can create health and safety impacts to the larger community if incompatible development is allowed to occur near the base. Development decisions by Pennington County can impact the installation, creating land use conflicts which can negatively impact community safety, economic development and sustainment of the mission at Ellsworth AFB.

The County, South Dakota Ellsworth Development Authority (SDEDA), Ellsworth AFB, and other partner jurisdictions participated in a Joint Land Use Study (JLUS), a compatibility planning process intended to identify existing and future compatibility issues between the base and the surrounding community. The Ellsworth AFB JLUS, completed in 2016, contained a discussion of compatibility issues and a set of actions that can be taken to mitigate or avoid compatibility issues.

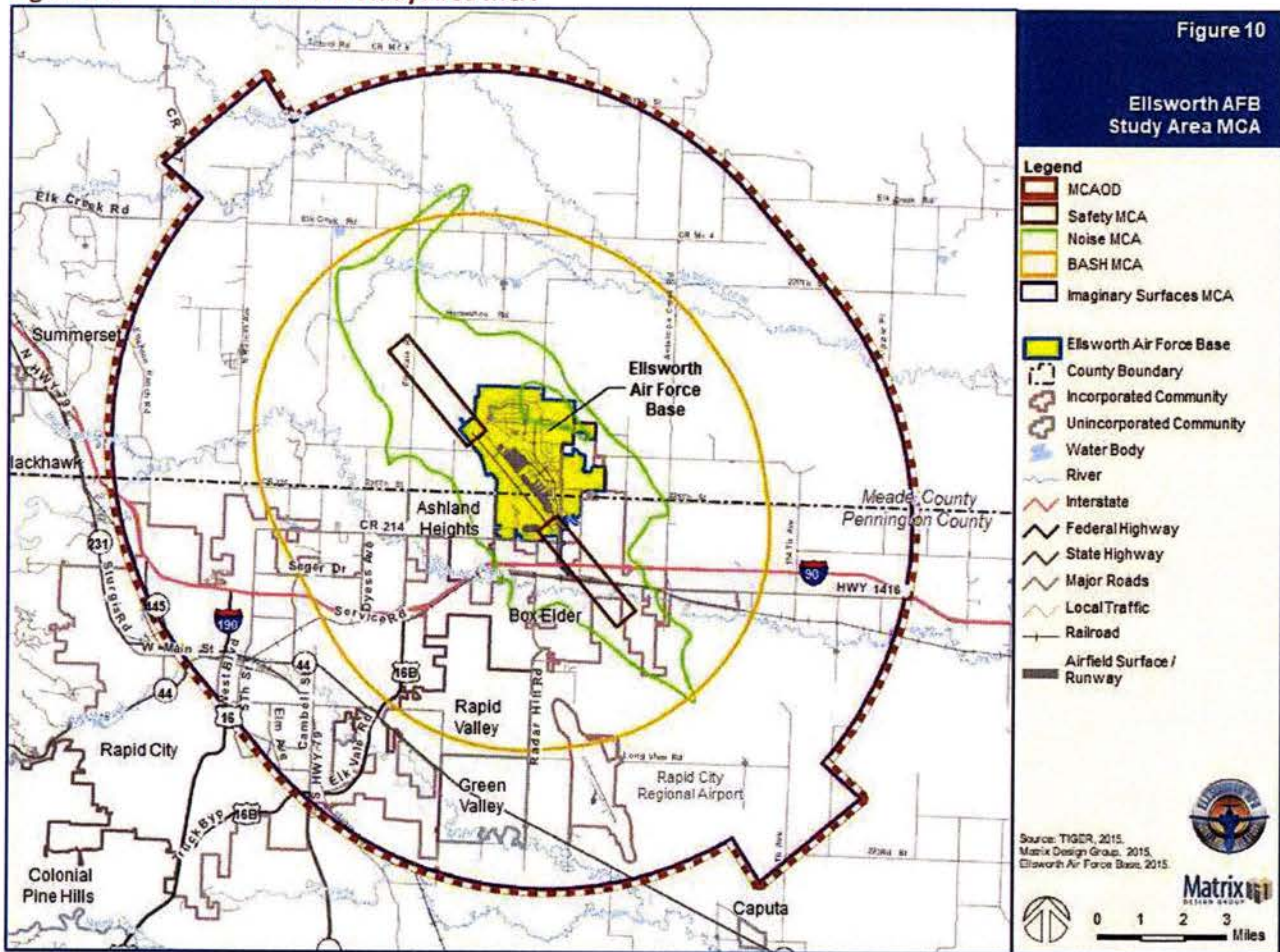
Key issues addressed in the JLUS typically are associated with one of seven Military Compatibility Areas (MCA):

- ▶ Airfield Approach and Departure Flight Tracks
- ▶ Imaginary Surfaces
- ▶ Airfield Accident Potential Zones
- ▶ Aircraft Noise Contours

- ▶ Airspace Control
- ▶ Part 77 Vertical Obstruction Compliance
- ▶ Bird / Wildlife Aircraft Strike Hazard (BASH) Relevancy Area

These areas are shown on Figure 9-3.

Figure 9-3 Ellsworth AFB Study Area MCA





VIEW TO 2040

9.2 Goals and Policies

Goal HS-1

The county has a safe and efficient stormwater management system.



HS-1.1 The County should maintain its eligibility in the National Flood Insurance Program (NFIP) through enforcement of the Flood Damage Prevention Ordinance, resulting in discounted flood insurance.



HS-1.2 The County should ensure new development includes appropriate stormwater runoff control measures to minimize discharge of urban pollutants (such as automotive oil and grease) into area drainage ways.



HS-1.3 The County shall continue to administer and implement the Stormwater Management Plan and provide for an updated plan, when warranted.



HS-1.4 The County should ensure stormwater detention basins are designed in a manner which promotes public safety and to provide for recreational use where feasible.



HS-1.5 The County should coordinate stormwater drainage and flood management with the Federal Emergency Management Agency (FEMA) and other appropriate South Dakota and local agencies.



HS-1.6 The County should updates its Zoning Ordinance to include a flood hazard overlay to provide use and development guidance on properties potentially subject to flood hazards.



HS-1.7 The County should require adequate provision of erosion control measures as part of new development to minimize sedimentation of streams and drainage channels.



HS-1.8 The County should encourage stormwater designs that minimize drainage concentrations, impervious coverage, and avoidance of floodplain areas, where feasible, and are designed to provide a natural water course appearance.



HS-1.9 The County should ensure that the siting of critical emergency response facilities, such as hospitals, public safety facilities, emergency operations centers and other emergency service facilities have minimal exposure to flooding or other site specific hazards and risks.



HS-1.10 The County should evaluate methods of and encourage the use of sustainable stormwater management, such as cisterns, pervious pavements, vegetative roofs, and the utilization of natural waterways.

Goal HS-2

The County has reduced wildfire risk potential through construction programs and partnerships with other agencies.



HS-2.1 The County should consider codifying the Fire Resistive Building Material Requirements and Firewise Landscape Guidelines from the Community Wildfire Protection Plan.



HS-2.2 The County should regularly update the Community Wildfire Protection Plan with updated guidelines and methods for educating the public of wildfire hazards.



HS-2.3 The County should work with the federal government to better manage fuel loads on federally-owned land.



HS-2.4 The County should update the House Number Placement Ordinance (Ordinance #20) to ensure that the design and placement of building numbers are visible to assist with emergency response.



HS-2.5 The County should evaluate the need for additional equipment and volunteer firefighters within Pennington County.



HS-2.6 The County should continue to coordinate wildfire and other emergency response services with other jurisdictions, service agencies, voluntary organizations, and state and federal agencies.



HS-2.7 The County will promote fire prevention programs and increase overall public awareness of wildfire hazards.



HS-2.8 The County should identify and promote public awareness of emergency evacuation routes.



HS-2.9 The County shall work to enhance and increase enrollment in the Community Emergency Response TEAM (CERT) program.



VIEW TO 2040

Goal HS-3

The county has proper storage and disposal of hazardous wastes and reduction of the overall risks associated with hazardous materials.



HS-3.1 The County will continue emergency planning for hazardous materials through the Pennington County Local Emergency Planning Committee with assistance from Pennington County Emergency Management.



HS-3.2 The County should participate, as appropriate, in the remediation of hazardous waste sites in the county.



HS-3.3 The County will continue to educate residents on how to properly store and dispose of hazardous wastes, including the County website and publically available education materials.



HS-3.4 The County will continue to host Household Hazardous Waste events in which household hazardous waste is collected from residents for proper disposal.



HS-3.5 The County should work with solid waste providers to provide an educational program promoting the reduction and recycling of solid wastes.



HS-3.6 The County should encourage the recycling of construction debris.



HS-3.7 The County should use recycled materials and products where economically feasible.



HS-3.8 The County should conduct safety inspections for fire and hazardous material violations in commercial, industrial, and residential buildings.



HS-3.9 The County should encourage and participate in voluntary inspections of residential homes, particularly those occupied by the elderly or handicapped, including education on the proper use of residential smoke detectors.



HS-3.10 The County should expand and keep current safety-related information and update the County's safety and emergency plans as new information becomes available.



HS-3.11 The County should obtain information about the location, type and nature of fire and toxic hazards and use the information in its preparedness and response actions.

Goal HS-4

Improve and maintain air quality in the County through enhanced monitoring and updated standards.



HS-4.1 The County should work with and support the South Dakota Department of Environment and Natural Resources (DENR) to update the South Dakota Ambient Air Monitoring Plan to incorporate performance metrics for achieving and maintaining attainment in Rapid City and throughout the county.



HS-4.2 The County should update its Fugitive Dust Control Plan to reflect current technology in dust control measures and incorporate coordination with Ellsworth AFB.



HS-4.3 The County should work with other JLUS Study Area communities and Ellsworth AFB to develop an air quality working group to enhance partnerships on air quality issues and develop training programs for reducing emissions and maintaining levels of attainment.

Goal HS-5

To facilitate effective communication, information sharing, planning, and coordination between Pennington County, Ellsworth AFB, other JLUS partners.



HS-5.1 In conjunction with Ellsworth AFB and other JLUS partners, establish and participate in the JLUS Coordination Committee to oversee the implementation of JLUS recommendations and enhance long-term coordination on military compatibility issues.



HS-5.2 The County should participate through the JLUS Coordination Committee to develop and maintain a GIS clearinghouse to share GIS data to enable long-term compatibility planning.



HS-5.3 The County should work with Ellsworth AFB and JLUS partners to develop procedures for project and plan review and coordination.



HS-5.4 The County should work with Ellsworth AFB and JLUS partners to better inform the public on the protection of Ellsworth AFB and compatibility planning efforts.



VIEW TO 2040

Goal HS-6

The County provides a regulatory framework that supports military compatibility.



- HS-6.1** The County should implement the findings and recommendations of the Ellsworth AFB JLUS through adoption of new ordinances, policies and other regulations specified in the JLUS.

Goal HS-7

To ensure new development is compatible with the continued function and operation of Ellsworth AFB and protecting public safety.



- HS-7.1** The County shall ensure that all proposed land uses and development are consistent with the land use compatibility policies and criteria of the Ellsworth AFB JLUS.



- HS-7.2** The County should not allow development in areas where risks to potential health and safety cannot be mitigated.



- HS-7.3** Future development near the Ellsworth AFB Commercial Gate shall incorporate additional landscaping screening materials to reduce visibility of sensitive areas north and west of the base.

Goal HS-8

To provide for infrastructure planning and resources to address compatibility issues impacting the mission and operations at Ellsworth AFB.



- HS-8.1** The County should work with Ellsworth AFB to facilitate the expansion of County Road 214, including possible participation with the base through a Public-Public Private-Public (P4 initiative) to fund remediation of the contaminated site.



- HS-8.2** The County should coordinate studies, design and construction of infrastructure improvements in order to leverage resources, reduce development and promote compatible development with the base.



- HS-8.3** In conjunction with Ellsworth AFB and other partner JLUS jurisdictions, explore funding for acquisition or placing easement(s) over land that is part of the Primary Surface and located outside the Ellsworth AFB fence line.



- HS-8.4** The County should work with the utility provider to develop a feasibility study to determine the potential to relocate or underground the facilities in the base Accident Potential Zones.

Goal HS-9

To promote community safety through education, programs and initiatives.



HS-9.1 The County should encourage crime prevention and defensible space through design principles (such as those employed through Crime Prevention Through Environmental Design – CPTED), Neighborhood Watch Programs, and other appropriate methods to enhance public safety.



HS-9.2 The County shall continue to ensure the safety of citizens through enforcement of codes and ordinances.



HS-9.3 The County shall continue to have new development applications to be reviewed by the Sherriff’s Office to provide recommendations to enhance public safety.



HS-9.4 The County should continue to promote public awareness and prevention of fire hazards through fire and life safety education within elementary and secondary education facilities.



HS-9.5 The County should promote fire prevention and life safety practices through community relations and special events such as the annual Fire Prevention Week activities.



HS-9.6 The County shall review new development applications to assess potential impacts to fire protection services and the need for additional or expanded services.



HS-9.7 The County shall review new development applications to ensure adequate access for emergency vehicles, particularly evacuation routes, as appropriate.



HS-9.8 The County shall maintain and update the Emergency Operations Plan at established regular intervals.



HS-9.9 The County should prepare a disaster response plan to enhance readiness in the event of a major disaster.



HS-9.10 The County should identify emergency evacuation routes and effectively communicate the information to the public.



HS-9.11 The County should continue to evaluate, develop, and practice emergency response plans in light of changing natural and man-made risks and hazards, in coordination with other counties, organizations, state and federal agencies.



HS-9.12 The County should identify any vulnerable populations, such as the elderly or people with special needs, for priority evacuation assistance.



Natural & Cultural Resources Element

10

10.1 Natural & Cultural Resources Overview

Pennington County is home to an abundance of iconic natural and cultural resources, including the Mount Rushmore National Memorial, Black Hills National Forest, Badlands National Park, Cheyenne River, and Pe' Sla along with many others. Conserving these vital natural and cultural resources is critical to support a scenic, high-quality environment for residents and visitors.

Pennington County contains over 772,000 acres, or approximately 43% of the county area, of federally protected lands. These lands provide open space and recreational resources as well as management and protection of a range of natural resources, including habitat for various animal and plant species, including two United States Fish and Wildlife Services federally listed endangered species—the Whooping Crane and Least Tern. Table 10-1 summarizes the various federally-managed lands in Pennington County.

Table 10-1. Federal Land in Pennington County

Federal Land	Agency	Acres
Badlands National Park	US National Park Service	95,931
Black Hills National Forest	US Forest Service	451,361
Buffalo Gap National Grassland	US Forest Service	207,233
Ellsworth Air Force Base	Department of Defense	1,458
Other	Bureau of Land Management	16,341

Source: U.S. Geological Survey, 2017; Pennington County, 2017.



VIEW TO 2040

The Cheyenne River is the only major waterway that flows through Pennington County. Rapid Creek and Spring Creek are both minor waterways that flow through the County. Rapid Creek travels through Rapid City and is used for recreation, such as fishing. Spring Creek is contaminated with an exceedance of fecal coliform and E. coli, rendering it unsafe for immersion recreation. However, the County launched the Spring Creek 319 Project with the goal of bringing the creek into compliance with both bacteria.

Pennington County contains five groundwater aquifers that provide an estimated total of 254 million acre-feet of stored recoverable water. These five aquifers are the Deadwood, Madison, Minnelusa, Minnekahta, and Inyan Kara aquifers.

The geology of Pennington County also provides valuable natural resources. The County contains 189 mining sites of which 105 are currently active, comprising over 16,000 acres. The primary mined materials are sand, gravel, and limestone.

The history and culture of Pennington County has been influenced by diverse cultures from the original Native American tribes, through American settlers, to current residents. There are two culturally significant Native American sites and four federally listed historical sites on the National Register of Historic Places (NRHP) that reflect this history.

The two culturally significant Native American sites are the Pine Ridge Reservation (partially in the southern edge of Pennington County) and Pe' Sla. Pe' Sla consists of approximately 2,000 acres in the Black Hills National Forest and is known as the "heart of everything" by the Oceti Sakowin, the traditional name for the Great Sioux Nation. The four sites on the NRHP are the Mount Rushmore National Memorial, Josef and Marie Kudrna Homestead and Ranch, Sitting Bull Crystal Cavern Dance Pavilion, and Bridge No. 52-575-383. Mount Rushmore is a major national asset located within the Black Hills National Forest. For more information about the Mount Rushmore National Memorial, see Section 8, Recreation, Open Space, and Tourism Element.

10.2 Goals and Policies

Goal NCR-1

Pennington County maintains a close working relationship with the federal agencies that maintain the national park and forest lands within Pennington County.



NCR-1.1 The County should regularly contact the US Forest Service and US National Parks Service to receive updates on the natural resource management and other plans within the county.

Goal NCR-2

Pennington County's natural and cultural resources are conserved and enhanced to ensure a continued high-quality environment for both residents and visitors well into the future.



NCR-2.1 The County shall ensure the protection of environmentally sensitive wildlife and plant life, including those species designated as rare, threatened, and/or endangered by the Federal government, through compatible land use development.



NCR-2.2 When reviewing development proposals, the County shall encourage cluster development in areas with moderate to high potential for sensitive habitats.



NCR-2.3 The County should coordinate with local municipalities to ensure future growth plans do not impact the natural environment nor contribute to unplanned urban sprawl.



NCR-2.4 The County shall support the preservation and management of wetland and riparian plant communities for passive recreation, groundwater recharge, and wildlife habitats.



NCR-2.5 The County should require buffer setbacks from natural waterways, wetlands, riparian areas and other critical natural resources within the county. These buffers should be sufficient to assure the continued existence of the resource in their natural state.



NCR-2.6 The County shall encourage the planting of native trees, shrubs, and grasslands in order to preserve the visual integrity of the landscape, provide habitat conditions suitable for native vegetation and wildlife, and ensure that a maximum number and variety of well-adapted plants are maintained.

Goal NCR-3

Wildlife corridors through Pennington County are protected and preserved to enhance wildlife movement throughout the County.



NCR-3.1 The County should identify and protect wildlife corridors through Pennington County, and encourage development to preserve and buffer such corridors.



NCR-3.2 The County should promote greenways and linear open spaces within floodplain areas to support wildlife movement through riparian habitats.

Goal NCR-4

Spring Creek is restored as a healthy and safe water resource viable for recreation.



NCR-4.1 The County shall continue to support the Spring Creek Watershed 319 Project and implement the recommended best management practices to meet standards for fecal coliform / E. coli.



NCR-4.2 The County should promote Low Impact Development (LID) practices to limit developments impact on Spring Creek's water quality.



NCR-4.3 The County should educate the community on the importance of the Spring Creek Watershed and how the public can help reduce contaminants from the creek.



VIEW TO 2040

Goal NCR-5

Pennington County's aquifers continue to provide clean drinking water to its current and future residents and visitors.



NCR-5.1 The County shall provide educational materials on best practices for developing within and near aquifer recharge areas.



NCR-5.2 In areas over aquifers, the County shall encourage the reduction of impervious surfaces approved with new developments and encourage the use of techniques to enhance infiltration and protect water quality, such as use of bio-swales.



NCR-5.3 The County shall carefully review development over the aquifers area to determine that soils are adequate for on-site wastewater disposal system.

Goal NCR-6

Mining operations throughout Pennington County are reclaimed following excavation in a manner that does not detract from the County's natural environment.



NCR-6.1 As part of permit review process, the County will work with applicants to minimize the adverse effects on environmental features such as water quality and quantity, air quality, flood plains, biological resources, archaeological and cultural resources, viewsheds and aesthetic factors.



NCR-6.2 As part of permit review process, the County will work with applicants to manage and minimize potential hazards and nuisances of mining activities to persons and properties in the area during extraction, processing, and reclamation operations.



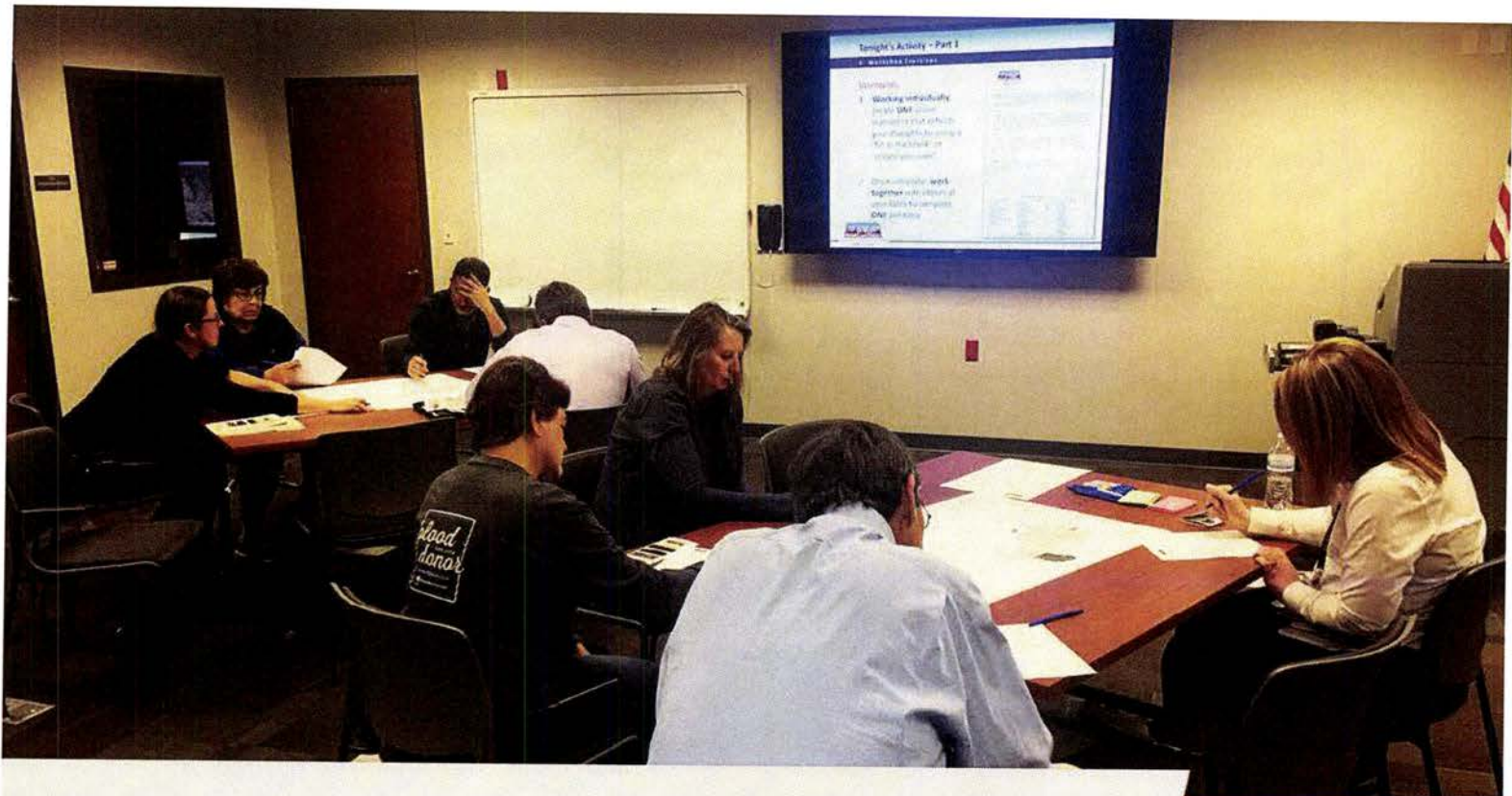
NCR-6.3 The County will encourage the development of mineral deposits in a manner compatible with surrounding land uses.



NCR-6.4 All surface mines in the County, unless otherwise exempted, shall be subject to reclamation plans that meet SMARA requirements. Reclamation procedures shall restore the site for future beneficial use of the land consistent with the Pennington County Comprehensive Plan, subsequent to the completion of surface mining activities. Mine reclamation costs shall be borne by the mine operator, and guaranteed by financial assurances set aside for restoration procedures.



NCR-6.5 All mining operations in the County shall be required to take precautions to avoid contamination from wastes or incidents related to the storage and disposal of hazardous materials, or general operating activities at the site.



Implementation Program

11

To help ensure that appropriate actions are taken to implement the Comprehensive Plan, a set of implementation actions are provided. An implementation action is a specific measure, program, procedure, or technique that carries out the goals and policies contained in each element of the Pennington County Comprehensive Plan.

The following pages contain the implementation actions. Each item describes the action to be taken, a reference to the goal it supports, and the timeline in which the action is expected to be initiated. Timelines are:

- ▶ **Short-Term** (start 1-3 years after adoption),
- ▶ **Mid-Term** (start 4 – 7 years after adoption),
- ▶ **Long-Term** (start 8 or more years after adoption), and
- ▶ **On-Going** items that will require work by the County over the duration of the Comprehensive Plan.



VIEW TO 2040

Action Number	Implementation Action	Relevant Goal	Short-Term	Mid-Term	Long-Term	On-Going
1	The County should amend the Zoning Ordinance to be consistent with the residential densities set forth in the Comprehensive Plan.	LUH-2	■			
2	The County should consider including alternative homes, such as tiny homes into the Zoning Ordinance.	LUH-2	■			
3	The County should develop standards in the Zoning Ordinance for accessory dwelling units designed to encourage the development of housing that is affordable. Adding provisions for "by right" development should be considered.	LUH-2	■			
4	The County should update the Zoning Ordinance relative to non-domestic animal keeping on residential designations. This should include standards for: <ul style="list-style-type: none"> ▶ Definition of non-domestic animals, ▶ Classifications of animals, and ▶ Limits on number of animals based on zoning district, lot size, and type of animal. 	LUH-3	■			
5	The County shall adopt a current version of the International Building Code and implement its use in new construction.	LUH-5		■		
6	The County shall update the Zoning Ordinance to include restrictions/specifications on the placement and size of signage and the use of digital/LED billboards in areas with scenic resources.	LUH-6 TC-4	■			
7	The County should amend the Zoning Ordinance to allow a range of value-added agricultural uses in the A-1 and A-2 zoning districts.	AG-1	■			
8	The County shall develop a Right-to-Farm ordinance designed to protect agricultural land uses from conflicts with non-agricultural uses, as well as to help purchasers and residents understand the inconveniences that may occur as the natural result of living in or near agricultural areas.	AG-1		■		
9	The County should evaluate another Wheel Tax ballot for voter approval.	TC-1	■			
10	The County shall ensure Americans with Disabilities Act compliance along all pedestrian paths.	TC-1				■

Implementation Program

11

Action Number	Implementation Action	Relevant Goal	Short-Term	Mid-Term	Long-Term	On-Going
11	The County should provide, at minimum, four-foot-width paved shoulders along all arterial and collector streets, particularly along the entire length of US Highway 385, US Highway 16, and SD 44 where there are no proposed off-road trails or side paths.	TC-1				■
12	The County should update their Master Transportation Plan every five years.	TC-1				■
13	The County shall continue to update and implement its Stormwater Management Plan.	PSF-2				■
14	The County, in coordination with other agencies, should assess air quality on a continual basis and prevention of air quality degradation through the enactment of long term preventative measures and maintaining awareness of the different categories of pollutants.	HS-4				■
15	The County should develop a Memorandum of Understanding with Ellsworth AFB formalizing the development notification and review process to facilitate identification and resolution of potential conflicts early in the development review process.	HS-5	■			
16	The County should develop a Memorandum of Understanding through the Rapid City Area Metropolitan Planning Organization to delineate roles and responsibilities of the JLUS Coordination Committee member agencies.	HS-5	■			
17	In conjunction with the JLUS Coordination Committee, the County should develop procedures to facilitate the review and comment on planning documents from Ellsworth AFB.	HS-5	■			
18	In conjunction with the JLUS Coordination Committee, the County should establish notification and communication procedures relative to changes in operations which warrant public notification.	HS-5	■			



VIEW TO 2040

Action Number	Implementation Action	Relevant Goal	Short-Term	Mid-Term	Long-Term	On-Going
19	In conjunction with the JLUS Coordination Committee, the County should consider a Memorandum of Understanding with Ellsworth AFB to define the roles and responsibilities of the County and Ellsworth AFB relative to addressing compatibility issues and coordination and communication on infrastructure planning, water resources planning and economic development.	HS-5	■			
20	The County should develop and disseminate through appropriate methods, information which enhanced public awareness and understanding of federal regulations regarding the private use and operation of unmanned drones near the base.	HS-5	■			■
21	The County should consider developing a program that provides guidance on sound attenuation standards for retrofitting existing residential and commercial buildings, including identification of possible grant opportunities available to residents.	HS-5	■			■
22	The County should develop and implement an awareness and educational program to inform residents and land owners on compatible solutions and techniques to reduce bird air strike hazards.	HS-5	■			■
23	The County should work with Ellsworth AFB in the development and dissemination of public awareness and educational material on vibrations caused by air flight operations.	HS-5	■			■
24	The County should amend the Zoning Ordinance and Zoning Map to incorporate Military Compatibility Areas with subzones and land use regulations addressing noise, safety, bird air strikes and imaginary surfaces.	HS-6	■			
25	The County should develop standards to restrict/prevent new mobile homes or manufactured homes in the noise subzone of the Military Compatibility Area (MCA).	HS-6	■			

Action Number	Implementation Action	Relevant Goal	Short-Term	Mid-Term	Long-Term	On-Going
26	The County should amend the Zoning Ordinance to include the recommended guidelines from the Air Compatible Use Zone (AICUZ) Report for noise sensitive land uses, including guidance for recommended land uses in the Clear Zones (CZ) and Accident Potential Zones (APZ).	HS-6	■			
27	The County should amend the Zoning Ordinance to provide an overlay zoning district to reflect aviation easements which result in compatible development and reduction in the risk profile for impacted properties.	HS-6	■			
28	The County should amend the Zoning Ordinance to incorporate the VOAA and establish height restrictions in compliance with FAA and DoD guidance for imaginary surfaces.	HS-6	■			
29	The County should develop and enact a Comprehensive Plan and Zoning Ordinance amendment to incorporate new AICUZ studies that are released to the public. This will include modifications to: <ul style="list-style-type: none"> ▶ The Military Influence Area (MIA) on the Comprehensive Plan and Zoning map. ▶ Modifications to land use designations and zoning regulations to reflect land use and safety guidance in the current AICUZ study. ▶ Modification of other planning tools and procedures to reflect changes in the new AICUZ studies. 	HS-6				■
30	The County should develop and enact a Zoning Ordinance amendment to incorporate military compatibility guidelines for renewable energy development.	HS-7	■			



VIEW TO 2040

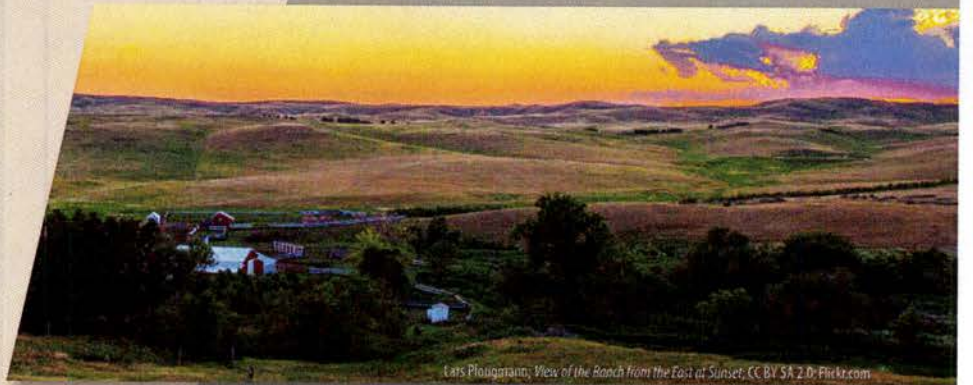
Action Number	Implementation Action	Relevant Goal	Short-Term	Mid-Term	Long-Term	On-Going
31	The County should identify and map wildlife corridors in Pennington County by working with USFS, USFWS, state universities, and other available resources.	NCR-3				■
32	The County shall continue to regularly monitor the water quality of Spring Creek.	NCR-4				■
33	The County shall regularly monitor water quality within its five aquifers.	NCR-5				■
34	The County should require appropriate bonding to ensure remediation and restoration.	NCR-6				■



Pennington County Comprehensive Plan
VIEW TO 2040



Pennington County Comprehensive Plan
VIEW TO 2040



Matrix 
DESIGN GROUP

Lars Plougmann, View of the Ranch from the East at Sunset, CC BY SA 2.0: Flickr.com