AGENDA
PENNINGTON COUNTY PLANNING COMMISSION
May 13, 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 May 21, 2019, at 10:30 a.m.

ROLL CALL

1. APPROVAL OF THE APRIL 22, 2019, MINUTES

2. APPROVAL OF THE MAY 8, 2019, MINUTES

3. 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.

4. **CONDITIONAL USE PERMIT REVIEW / CU 08-07:** Marilyn Welch. To review a single-wide manufactured home as a single-family residence in a Suburban Residential District in accordance with Sections 208 and 510 of the Pennington County Zoning Ordinance.

   Lot 37, Block 4, Green Valley Estates, Section 23, T1N, R8E, BHM, Pennington County, South Dakota.

   (Continued from the February 11, 2019, Planning Commission meeting.)

   To recommend to continue the review Conditional Use Permit / CU 08-07 to the June 24, 2019, Planning Commission meeting in order to allow the applicant additional time to clean the property and bring it into compliance with Ordinance 106 and Condition #4.

5. **CONDITIONAL USE PERMIT REVIEW / CU 15-05:** Beach House, LLC / Troy Schmidt. To review a Vacation Home Rental in a Low Density Residential District in accordance with Sections 207, 319, and 510 of the Pennington County Zoning Ordinance.

   Lot A-9 Revised, Palmer Gulch Estates, Section 34, T1S, R5E, BHM, Pennington County, South Dakota.

   To recommend approval of the extension of Conditional Use Permit / CU 15-05 with twelve (12) conditions.

6. **CONDITIONAL USE PERMIT REVIEW / CU 15-24**: Founding Fathers, LLC / Don Perdue. To review a bell tower sign to be 50 feet tall with the total height of the letters to be 35 feet tall in a Highway Service District in accordance with Sections 210 and 510 of the Pennington County Zoning Ordinance.

   Lot A of SW1/4SW1/4; Lot A1 of Lot H2 of SW1/4SW1/4; Section 3, T1S, R7E, BHM, Pennington County, South Dakota.

   To recommend approval of the extension of Conditional Use Permit / CU 15-24 with five (5) conditions.

7. **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.

   (Continued from the March 11, 2019, Planning Commission meeting.)

   To recommend to end Conditional Use Permit / CU 16-41.

8. **CONDITIONAL USE PERMIT REVIEW / CU 17-10:** Maurice and Sonja Crowley. To review 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 5, Copper Oaks #2 Subdivision, Section 7, T1S, R7E, BHM, Pennington County, South Dakota.

   To recommend to end Conditional Use Permit / CU 17-10 with the applicant's concurrence.

9. **CONDITIONAL USE PERMIT REVIEW / CU 17-11:** Gerard and Michele Mlinar. To review 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 2A, Battle Creek Mountain Estates Subdivision, Section 17, T2S, R7E, BHM, Pennington County, South Dakota.

   To recommend approval of the extension of Conditional Use Permit / CU 17-11 with fourteen (14) conditions.

10. **CONDITIONAL USE PERMIT REVIEW / CU 17-14:** David and Laura Jones. 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 1R, Forty Oaks Ranch Subdivision, Section 18, T2S, R7E, BHM, Pennington County, South Dakota.

    To recommend approval of the extension of Conditional Use Permit / CU 17-14 with nine (9) conditions.

11. **CONDITIONAL USE PERMIT REVIEW / CU 18-01:** Ron Weifenbach. To review for seasonal retail sales of Class C fireworks in a General Commercial District in accordance with Sections 204-D, 209, and 510 of the Pennington County Zoning Ordinance.

    All, Block 8, Harney Peak View Addition, Section 9, T1N, R8E, BHM, Pennington County, South Dakota.

    To recommend approval of the extension of Conditional Use Permit / CU 18-01 with ten (10) conditions.

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

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

    To recommend approval of the extension of Conditional Use Permit / CU 18-14 with thirteen (13) conditions.

13. **CONDITIONAL USE PERMIT / CU 19-06**: Big Game Storage, LLC; Chris Peterson. To allow a lighted, on-premise sign within 1,500 feet of a residential zoning district/dwelling unit in a General Commercial District in accordance with Sections 209, 312, and 510 of the Pennington County Zoning Ordinance.

    Tract 1 of SE1/4, Section 11, T1N, R6E, BHM, Pennington County, South Dakota.

    To recommend approval of Conditional Use Permit / CU 19-06 with five (5) conditions.

END OF CONSENT AGENDA

14. ROAD NAMING: Fern and Ross Johnson. To name a proposed 30-foot-wide Section Line Right-of-Way providing access to properties located in Sections 29 and 30, T1N, R8E, BHM, Pennington County, South Dakota, to Providence Way.

15. LAYOUT PLAT / LPL 19-09: David Grover. To create Lot 1 of Grover Subdivision in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

    EXISTING LEGAL: Tract A of HES #303 Less Tract Dean, Less Tract Drew and Less ROW, HES #303, Section 32, T1S, R5E, BHM, Pennington County, South Dakota and a portion of existing GL 5 Less Tract Drew of HES #303 and Less ROW, Section 32, T1S, R5E, BHM, Pennington County, South Dakota.

    PROPOSED LEGAL: Lot 1 of Grover Subdivision, Section 32, T1S, R5E, BHM, Pennington County, South Dakota.

16. LAYOUT PLAT / LPL 19-08 AND SUBDIVISION REGULATIONS VARIANCE / SV 19-02: Ryan and Dawn Loraas; Fisk Land Surveying – Agent. To combine two lots to create Lot 4R of Block D, Edelweiss Mountain Development Subdivision and to waive platting requirements in accordance with Sections 400.1 and 700.1 of the Pennington County Subdivision Regulations.

    EXISTING LEGAL: Lot 4 (also in Section 20) and Lot 3 of Block D, Edelweiss Mountain Development Subdivision, Section 17, T1N, R5E, BHM, Pennington County, South Dakota.

    PROPOSED LEGAL: Lot 4R, Block D, Edelweiss Mountain Development Subdivision, Section 17, T1N, R5E, BHM, Pennington County, South Dakota.

17. SUBDIVISION REGULATIONS VARIANCE / SV 19-03: John and Ann Hovdenes; Fisk Land Surveying – Agent. To waive platting requirements in order to create Lots 1 and 2 of Cosmos Subdivision and dedicated Right-of-Way in accordance with Section 700.1 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.

18. REZONE / RZ 19-05 AND COMPREHENSIVE PLAN AMENDMENT / CA 19-05: John and Ann Hovdenes; Fisk Land Surveying – Agent. To rezone 10.89 acres from General Agriculture District to Limited Agriculture District, for proposed Lot 1, and to rezone 6.22 acres from General Agriculture District to General Commercial District, for proposed Lot 2, and to amend the Comprehensive Plan to change the Future Land Use from Planned Unit Development Sensitive to Limited Agriculture District and General Commercial District in accordance with Sections 205, 206, 209, and 508 of the Pennington County Zoning Ordinance.

Located on the following metes and bounds description for proposed Lot 1: A parcel of land located in the Northeast One-Quarter of the Northeast One-Quarter (NE¼NE¼) of Section Thirty Two (32), Township One South (T1S), Range Six East (R6E) of the Black Hills Meridian (BHM), Pennington County, South Dakota more fully described as follows: Commencing at the northeast corner of said Section 32, T1S, R6E, BHM, Pennington County, South Dakota, said point being marked by a US Forest Service aluminum cap; thence, westerly along the north line of said Section 32, North 89°55'58" West a distance of 181.57' more or less to the point of beginning, said point being marked by a rebar with survey cap "LS 6565"; thence, South 11°08'29" West 441.61' more or less to the northeast corner of Tract A of the NE ¼ NE ¼ of said Section 32, T1S, R6E, BHM, Pennington County, South Dakota, said point being marked by a rebar with survey cap "LS 1019"; thence, northwesterly on the northerly line of said Tract A of the NE¼NE¼ of said Section 32, T1S, R6E, BHM, North 78°52'33" West a distance of 361.94 feet more or less to the northwest corner of said Tract A, said point being marked by a rebar with survey cap "LS 1019"; thence, southwesterly along the west line of said Tract A of the NE¼NE¼ of said Section 32, T1S, R6E, BHM and also along the west line of Tract B of the NE¼NE¼ of said Section 32, T1S, R6E, BHM, South 11°09'30" West a distance of 434.30' more or less to a point marked by a rebar with survey cap "LS 6565"; thence, North 76°05'54" West a distance of 23.01 ' more or less to a point marked by a rebar with survey cap "LS 6565"; thence, curving to the right on a curve with a radius of 73.70', a delta of 41°06'00", an arc length of 52.87' and a chord bearing of North 55°32'54" West and chord distance of 51.74' more or less to a point marked by a rebar with survey cap "LS 6565"; thence, North 34°59'54" West a distance of 34.10' more or less to a point marked by a rebar with survey cap "LS 6565"; thence, curving to the left on a curve with a radius of 391.42', a delta of 15°53'00", an arc length of 108.51' and a chord bearing of North 42°56'24" West with a chord distance of 108.16' more or less to a point marked by a rebar with survey cap "LS 6565"; thence, North 50°52'54" East a distance of 122.90' more or less to a point marked by a rebar with survey cap "LS 6565"; thence, curving to the right on a curve with a radius of 999.42', a delta of 16°32'00", an arc length of 288.39' and a chord bearing of North 42°36'54" West and chord distance of 287.39' more or less to a point marked by a rebar with survey cap "LS 6565"; thence, North 34°20'54" West a distance of 133.08' more or less to appoint on the southerly line of Lot 1 of Overby Subdivision, said point being marked by a rebar with survey cap "LS 6565"; thence, easterly and on the south line of said Lot 1 of Overby Subdivision, North 74°22'46" East a distance of 56.06 feet more or less to the southeast corner of said Lot 1 of Overby Subdivision, said point being marked by a rebar with survey cap "LS 6565"; thence, northerly and on the east line of said Lot 1 of Overby Subdivision, North 00°03'16" East a distance of 93.29' more or less to a point on the east line of said Lot 1 of Overby Subdivision, said point being marked by a rebar with survey cap "LS 6565"; thence, northeasterly on the east line of said Lot 1 of Overby Subdivision, North 45°03'16" East a distance of 200.06' more or less to the northeast corner of said Lot 1 of Overby Subdivision, said point being located on the north line of said Section 32, T1S, R6E, BHM and marked by a rebar with survey cap "LS 1019"; thence, east along the north line of said Section 32, T1S, R6E, BHM, South 89°55'58" East a distance of 852.10' more or less to the point of beginning. Said tract of land contains 10.89 acres more or less, Section 32, T1S, R6E, BHM, Pennington County, South Dakota.

LEGAL DESCRIPTION: Located on the following metes and bounds description for proposed Lot 2: A parcel of land located in the Northeast One-Quarter of the Northeast One-Quarter (NE¼NE¼) of Section Thirty Two (32), Township One South (T1S), Range Six East (R6E) of the Black Hills Meridian (BHM), Pennington County, South Dakota more fully described as follows: Commencing at the northeast corner of said Section 32, T1S, R6E, BHM, Pennington County, South Dakota, said point being marked by a US Forest Service aluminum cap, and the point of beginning; thence, southerly along the east line of said section, South 00°04'53" East a distance of 993.33' more or less to a point marked by a rebar with survey cap "LS 6565"; thence, North 89 ° 53' 50" West a distance of 254.84 feet more or less to a point marked by a rebar with survey cap "LS 6565"; thence , curving to the left on a curve with a radius of 321.20', a delta of 26° 07' 58", an arc length of 146.50' and a chord bearing of North 45°33'43" West with a chord distance of 145.23' more or less to a point on the east line of Tract B of the NE1/4NE1/4 of said Section 32, T1S, R6E, BHM, Pennington County, South Dakota, said point being marked by a rebar with survey cap "LS 6565"; thence, northeasterly along the east line of said Tract B and also along the east line of Tract A of the NE ¼ NE ¼ of said Section 32, T1S, R6E, BHM, Pennington County, South Dakota, North 11°08'29" East a distance of 908.52' more or less to a point on the north line of said Section 32, T1S, R6E, BHM, said point being marked by a rebar with survey cap "LS 6565"; thence, easterly on the north line of said Section 32, T1S, R6E, BHM, South 89°55'58" East a distance of 181.57 more or less to the point of beginning. Said tract of land contains 6.22 acres more or less, Section 32, T1S, R6E, BHM, Pennington County, South Dakota.

19. CONDITIONAL USE PERMIT / CU 19-05: Fat Boys, Inc; Bob Fuchs – Agent. To allow for a campground on the subject property to include RV sites, tent camping, cabins, and a motel in a Limited Agriculture District in accordance with Sections 206 and 510 of the Pennington County Zoning Ordinance.

    Lot 1-3 less Lot 1A of Spring Creek Palisades, Section 21, T1S, R5E, BHM, Pennington County, South Dakota.

20. CONDITIONAL USE PERMIT / CU 19-07: Black Hills Kart Racing, LLC / David Price. To allow a dirt track to be used for dirt track kart racing on the subject property in a General Commercial District in accordance with Sections 209 and 510 of the Pennington County Zoning Ordinance.

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

CONSTRUCTION PERMIT AGENDA

21. INTRODUCTION

22. CONSTRUCTION PERMIT REVIEW / CP 98-21: Dakota Stone Company. To review the continued use of and expand the Crook Creek Quarry in accordance with Section 507 of the Pennington County Zoning Ordinance.

    SE1/4SW1/4 of Section 13 and the NE1/4NW1/4 and the NW1/4NE1/4 of Section 24, all located in T2S, R3E, BHM, Pennington County, South Dakota.

23. CONSTRUCTION PERMIT REVIEW / CP 17-03: Mitch Morris. To review the grading of the site and use as a storage area to stockpile soil and concrete debris.

    Lot 1 of SW1/4NE1/4, Section 32, T1N, R8E, BHM, Pennington County, South Dakota.

24. CONSTRUCTION PERMIT REVIEW / CP 18-04: Stromer Properties, LLC; Brook Stromer – Agent. To review the construction of a parking area on the subject property.

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

    (Continued from the April 22, 2019, Planning Commission meeting.)

25. CONSTRUCTION PERMIT REVIEW / 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 February 25, 2019, Planning Commission meeting.)

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

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

    (Continued from the April 22, 2019, Planning Commission meeting.)

27. CONSTRUCTION PERMIT REVIEW / CP 19-01: Site Work Specialists. To review installation of public and private utilities to include water, sanitary sewer, storm sewer, common utility trench (power, communication, and gas). Also includes installation of concrete curb, gutter, and sidewalk; to also include asphalt pavement.

    Tract F of NW1/4 less Murphy ft Subdivision less Murphy Ranch Estates Subdivision and less Right-of-Way, Section 14, T1N, R8E, BHM, Pennington County, South Dakota.

28. CONSTRUCTION PERMIT / CP 19-05: Rimrock Evangelical Free Church. To surface existing gravel parking lots with asphalt pavement, excavation for utilities and improvements. An existing parking area will be used for contractor staging and material storage, staging area will be resurfaced with gravel surfacing at the end of the project. The project includes grading and shaping of the parking area and construction of permanent water quality features.

    Lot 2 Revised of Lot A Revised of SE1/4SE1/4, Section 31, T2N, R6E, BHM, Pennington County, South Dakota.

END OF CONSTRUCTION PERMIT AGENDA

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

    (Continued from the April 22, 2019, Planning Commission meeting.)

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

31. ITEMS FROM THE PUBLIC

32. ITEMS FROM THE STAFF

    A. Building Permit Report.

33. ITEMS FROM THE MEMBERSHIP

34. 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
April 22, 2019 @ 9:00 a.m.
County Commissioners' Meeting Room - Pennington County Administration Building

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

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

ROLL CALL

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

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

Moved by Johnson and seconded by Rivers to approve the Consent Agenda of the April 22, 2019, Planning Commission meeting, with the removal of Items #8, #11, #12 and #14. Vote: unanimous 6 to 0.

CONSENT AGENDA

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

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

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

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

Vote: unanimous 6 to 0.

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

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

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

1. **That the accessory structure continually be used for personal use only and no commercial-type uses;**

2. **That the property continues to remain free of debris at all times;**

3. **That the address continually be posted so it is clearly visible from Custer Trails Road in accordance with Pennington County's Ordinance #20;**

4. **That a Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be reviewed and approved by the Planning Director;**

5. **That all natural drainage paths continually be maintained; and,**

6. **That this Conditional Use Permit be reviewed in five (5) years, on a complaint basis, or as directed by the Pennington County Planning Commission and/or Board of Commissioners to verify that all Conditions of Approval are being met.**

Vote: unanimous 6 to 0.

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

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

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

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

2. That the rental cabins continue to be allowed to operate from May through August of each year;

3. That the address assigned to each individual cabin continue to be posted on the cabin, inside the cabin, and so they are visible from the interior road way and Pink Cabin Road, in accordance with Pennington County's Ordinance #20;

4. That the address for the main house (23935 Pink Cabin Road) continue to be posted on the residence and so that it is visible from both directions of travel on Pink Cabin Road, in accordance to Pennington County's Ordinance #20;

5. That the minimum number of required parking spaces continue to be provided in accordance with Pennington County Zoning Ordinance (PCZO) § 310, which requires one (1) parking space per guest bedroom for each cabin;

6. That a Sign Permit be obtained prior to the installation of any signs on the subject property. All signs must meet the requirements of § 312 of the PCZO;

7. That the applicant maintain all necessary permits from other governing bodies for the operation of the Recreation Resort, including, but not limited to, approval from the South Dakota Department of Health and a Sales Tax License from the South Dakota Department of Revenue;

8. That the applicant maintains an Evacuation (Emergency) Plan and provide copies to all overnight guests in case there is a need to evacuate guests from the property in the event of an emergency and that a copy of said plan continue to be kept on file at the Planning Department;

9. That the property continually remains free of debris and junk vehicles and all structures be well-maintained;

10. That all existing drainage ways continue to be maintained and that erosion control measures be implemented on all disturbed areas so as not to allow any sedimentation of existing drainage ways or bodies of water per PCZO § 507(A). This includes any requirements set forth in the Pennington County Stormwater Quality Manual for erosion and sediment measures;

11. That an approved Building Permit be obtained for any structure(s) exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be reviewed and approved by the Planning Director;

12. That the Planning Director may allow additional development or construction, which is consistent with the existing development on this

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

13. **That the interior access roads leading to the cabins continue to consist of a 16-foot-wide graveled driving surface, at a minimum, to accommodate two-way traffic;**

14. **That all exterior lighting must continue to be of low level intensity, which does not result in excessive glare upon surrounding neighbors;**

15. **That a smoke detector continue to be placed in each sleeping room, with a minimum of at least one (1) smoke detector per floor;**

16. **That portable fire extinguishers continue to be placed on each floor level of each cabin so they are accessible to all guests at all times and the fire extinguishers shall be inspected and tagged annually;**

17. **That quiet hours for the Recreation Resort continue to be between 10 p.m. and 8 a.m.; and,**

18. **That this Conditional Use Permit be reviewed in three (3) years, on a complaint basis, or as deemed necessary by the Pennington County Planning Commission or Board of Commissioners to verify that all Conditions of Approval are being met.**

Vote: unanimous 6 to 0.

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

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

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

Vote: unanimous 6 to 0.

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

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

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

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

Vote: unanimous 6 to 0.

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

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

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

1. **That the lot address (11361 Gillette Prairie Road) continue to be properly posted on the caboose and at the driveway so it is clearly visible from both directions of travel on Gillette Prairie Road, in accordance with Pennington County's Ordinance #20;**

2. **That the seasonal dwelling (caboose) shall not be used for more than 180 days per calendar year;**

3. **That a Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be reviewed and approved by the Planning Director;**

4. **That all future structures meet the minimum required setbacks for a Limited Agriculture District or an approved Setback Variance be obtained prior to Building Permit approval;**

5. **That the caboose continue to be used for personal use only. No commercial activity and no rentals outside of SDCL 42-18-1(17) shall be permitted;**

6. **That the property continue to remain free of debris and junk vehicles;**

7. **That the comments provided by the U.S. Forest Service be adhered to at all times; and,**

8. **That this Conditional Use Permit be reviewed in two (2) years, on a complaint basis, or as directed by the Pennington County Planning Commission or Board of Commissioners to verify that all Conditions of Approval are being met.**

Vote: unanimous 6 to 0.

10. **CONDITIONAL USE PERMIT REVIEW / CU 18-30:** Hayden Clark. To review a single-wide mobile home to be used as a single-family residence on the subject property in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

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

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

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

1. **That the single-wide mobile home installed on the property be in compliance with Pennington County Zoning Ordinance § 304;**

2. **That the single-wide mobile home be assigned an address, which must be posted in accordance with Pennington County Ordinance #20;**

3. **That the minimum setback requirements of a General Agriculture District be continually maintained on the property;**

4. **That an approved Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be reviewed and approved by the Planning Director; and**

5. **That this Conditional Use Permit be reviewed in two (2) years, on a complaint basis, or as directed by the Planning Commission or Board of Commissioners to verify that all Conditions of Approval are being met.**

Vote: unanimous 6 to 0.

13. **CONSTRUCTION PERMIT REVIEW / CP 18-04:** Stromer Properties, LLC; Brook Stromer – Agent. To review the construction of a parking area on the subject property.

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

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

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

Vote: unanimous 6 to 0.

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

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

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

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

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

Vote: unanimous 6 to 0.

END OF CONSENT AGENDA

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

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

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

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

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

Discussion followed.

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

All voting aye, the Motion carried 6 to 0.

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

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

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

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

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

Discussion followed.

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

All voting aye, the Motion carried 6 to 0.

12. CONDITIONAL USE PERMIT / CU 19-04: Dean and Patricia Farr. To allow for a Vacation Home Rental on the subject property in a Suburban Residential District in accordance with Sections 208, 319, and 510 of the Pennington County Zoning Ordinance.

Lot 6 Revised, Block D, Edelweiss Mountain Development, Section 17, T1N, R5E, BHM, Pennington County, South Dakota.

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

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

Discussion followed.

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

1. **That the maximum overnight occupancy, per Pennington County Zoning Ordinance (PCZO) § 319(F)(1), be limited to ten (10) people and the maximum daytime occupancy be limited to twenty (20) people, per Pennington County Zoning Ordinance (PCZO) § 319(F)(13);**

2. **That all necessary permits are obtained prior to any additions and/or alterations to a structure or upgrades/alterations to an on-site wastewater treatment system;**

3. **That each review of Conditional Use Permit / CU 19-04, be subject to PCZO §511(F)(3), which imposes a $100 fee per review;**

4. **That the applicant continually maintain current licenses with the South Dakota Department of Health (Vacation Home License) and the Department of Revenue (Sales Tax License) and that copies of these licenses be provided to the Planning Department upon request;**

5. **That the applicant maintain an Evacuation (Emergency) Plan and provide copies to all overnight guests in case there is a need to evacuate guests from the property in the event of an emergency and that a copy of said plan be kept on file at the Planning Department;**

6. **That a minimum of four (4) off-street parking spaces be provided on-site, per PCZO § 310(A)(9)(gg), with each measuring a minimum of 9-feet by 18-feet and surfaced with gravel, concrete, or asphalt and maintained in a dust-free manner;**

7. **That an interior informational sign be posted in accordance with the requirements of PCZO §319(G), with 9-1-1 and (605) 394-2151 listed as contacts for Fire Department and Sheriff's Office respectively, during operation of the Vacation Home Rental;**

8. **That the lot address (225 Danube Lane) be posted on the residence at all times and so it is clearly visible from Danube Lane, in accordance with Pennington County's Ordinance #20;**

9. **That the applicant ensure the Vacation Home Rental is continually operated in accordance with the requirements of PCZO § 319(F) (Performance Standards) at all times;**

10. **That if the person designated as the Local Contact is ever changed from Roger Severson, the interior informational sign be updated and the applicant re-notify the Planning Director and surrounding landowners within 500 feet via notices sent by First Class Mail;**

11. **That all applicable Federal, State, and local regulations be adhered to at all times, including South Dakota Administrative Rule 44:02:08, which regulates Vacation Home Rentals;**

12. **That an approved Sign Permit be obtained prior to the placement of any sign(s);**

13. **That an approved Building Permit be obtained for any structure(s) exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be reviewed and approved by the Planning Director; and,**

14. **That this Conditional Use Permit be reviewed in two (2) years, on a complaint basis, or as directed by the Pennington County Planning Commission or Board of Commissioners to verify that all Conditions of Approval are being met.**

All voting aye, the Motion carried 6 to 0.

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

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

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

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

Moved by Johnson and seconded by Coleman to approve of Construction Permit / CP 19-04 with the following twelve (12) conditions:

1. **That the applicant continually maintains and adheres to the Storm Water Pollution Prevention Plan during the period of construction and that the requirements, guidelines, and criteria for storm water and erosion control in the Pennington County Storm Water Manual, or equivalent, shall be followed during construction;**

2. **That erosion control measures, such as seeding and mulching the disturbed area, shall be implemented immediately after the work is completed in the area, but in no case later than 14 days after the Construction Activity has stopped. All erosion control methods (mulch and seed) need to be certified noxious weed-free;**

3. **That erosion control measures are implemented *immediately* and maintained until the site has been revegetated in accordance with § 507(A)(5)(c);**

4. **That the disturbed areas be re-vegetated as required in § 507(A)(5)(c);**

5. **That the requirements, guidelines, and criteria for stormwater and erosion and sediment control in the Pennington County Stormwater Manual shall be followed;**

6. **That weed free seed or mulch be used when re-seeding and any equipment coming onto the site is clean of earthen material and noxious weeds;**

7. **That all natural drainage ways and paths be continually maintained;**

8. **That the owner or designee must inspect the site at least once every 7 calendar days or every 14 calendar days and within 24 hours of the end of a storm event that exceeds 0.25 inches or snowmelt that generates runoff. A properly maintained rain gauge must be kept on the site. Inspection reports must be submitted to the Planning Director every month during construction;**

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

10. **That the applicant pay the late charge per Zoning Ordinance Section 511-W-2;**

11. **That the applicant sign a Statement of Understanding within ten (10) days of Permit approval; and,**

12. **That this Construction Permit is reviewed in one (1) year, on a complaint basis, or as directed by the Planning Commission and/or Board of Commissioners to verify that all Conditions of Approval are being met.**

All voting aye, the Motion carried 6 to 0.

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

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

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

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

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

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

Staff recommended to continue the review of Construction Permit / CP 18-12 to the May 13, 2019, Planning Commission meeting with the following sixteen (16) conditions:

1. That erosion control measures are implemented *immediately* and maintained until the site has been revegetated in accordance with § 507(A)(5)(c) of the Pennington County Zoning Ordinance;

2. That cut-and-fill slopes be designed and constructed to minimize erosion and design plans submitted to the Pennington County Planning Department for review within 30 days;

3. That the owner or designee must inspect the site at least once every 7 calendar days or every 14 calendar days and within 24 hours of the end of a storm event that exceeds 0.25 inches or snowmelt that generates runoff. A properly maintained rain gauge must be kept on the site. Inspection reports must be submitted to the Planning Director every month during construction;

4. That failure of the owner or designee to submit Inspection Reports, as required, shall result in the immediate issuance of a Stop Work Order and a review by the Planning Commission to determine if all Conditions of Approval are being met;

5. That the requirements, guidelines, and criteria for storm water and erosion control in the Pennington County Storm Water Manual, or equivalent, shall be followed during construction;

6. That all natural drainage ways and paths be continually maintained;

7. That an engineered plan to stabilize the hillside either by a retaining wall or by sloping the hillside is developed and the design plans submitted to the Pennington County Drainage Engineer for review within 30 days;

8. That sediment from the site is contained in such a manner that sediment does not reach or fill the right-of-way (road ditch). If sediment is deposited in the right-of-way (road ditch) from the construction activity, the owner will be responsible for the removal of sediment from the right-of-way (road ditch) *immediately* after being notified or as discovered by the owner during weekly inspections;

9. That a Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which includes the necessary site plans to be reviewed and approved by the Planning Director;

10. That the requirements, guidelines, and criteria for storm water and erosion control in the Pennington County Storm Water Manual, or equivalent, shall be followed during construction;

11. That erosion control measures, such as seeding and mulching the disturbed area, shall be implemented immediately after the work is completed in the area, but in no case later than 14 days after the Construction Activity has stopped. All erosion control methods (mulch and seed) need to be certified noxious weed-free;

12. That the disturbed areas be re-vegetated as required in § 507(A)(5)(c) of the Pennington County Zoning Ordinance;

13. That the applicant pay two (2) $100 continuation fees prior to the stop work order being lifted;

14. That any continuation hereafter caused by the applicants failure to meet Conditions of Approval will be fined $100.00 per continuation in accordance with § 511(X) of the Pennington Counting Zoning Ordinance;

15. That all Conditions of Approval are met and all fees paid for prior to the stop work order being lifted; and,

16. That this Construction Permit be reviewed at the May 13, 2019, Planning Commission meeting to verify that erosion controls have been implemented and progress is being made on engineered design plans.

Discussion followed.

Moved by Rossknect and Johnson to continue the review of Construction Permit / CP 18-12 to the May 13, 2019, Planning Commission meeting with the following sixteen (16) conditions:

1. That erosion control measures are implemented *immediately* and maintained until the site has been revegetated in accordance with § 507(A)(5)(c) of the Pennington County Zoning Ordinance;

2. That cut-and-fill slopes be designed and constructed to minimize erosion and design plans submitted to the Pennington County Planning Department for review within 30 days;

3. That the owner or designee must inspect the site at least once every 7 calendar days or every 14 calendar days and within 24 hours of the end of a storm event that exceeds 0.25 inches or snowmelt that generates runoff. A properly maintained rain gauge must be kept on the site. Inspection reports must be submitted to the Planning Director every month during construction;

4. **That failure of the owner or designee to submit Inspection Reports, as required, shall result in the immediate issuance of a Stop Work Order and a review by the Planning Commission to determine if all Conditions of Approval are being met;**

5. **That the requirements, guidelines, and criteria for storm water and erosion control in the Pennington County Storm Water Manual, or equivalent, shall be followed during construction;**

6. **That all natural drainage ways and paths be continually maintained;**

7. **That an engineered plan to stabilize the hillside either by a retaining wall or by sloping the hillside is developed and the design plans submitted to the Pennington County Drainage Engineer for review within 30 days;**

8. **That sediment from the site is contained in such a manner that sediment does not reach or fill the right-of-way (road ditch). If sediment is deposited in the right-of-way (road ditch) from the construction activity, the owner will be responsible for the removal of sediment from the right-of-way (road ditch) *immediately* after being notified or as discovered by the owner during weekly inspections;**

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

10. **That the requirements, guidelines, and criteria for storm water and erosion control in the Pennington County Storm Water Manual, or equivalent, shall be followed during construction;**

11. **That erosion control measures, such as seeding and mulching the disturbed area, shall be implemented immediately after the work is completed in the area, but in no case later than 14 days after the Construction Activity has stopped. All erosion control methods (mulch and seed) need to be certified noxious weed-free;**

12. **That the disturbed areas be re-vegetated as required in § 507(A)(5)(c) of the Pennington County Zoning Ordinance;**

13. **That the applicant pay two (2) $100 continuation fees prior to the stop work order being lifted;**

14. **That any continuation hereafter caused by the applicants failure to meet Conditions of Approval will be fined $100.00 per continuation in accordance with § 511(X) of the Pennington Counting Zoning Ordinance;**

15. **That all Conditions of Approval are met and all fees paid for prior to the stop work order being lifted; and,**

16. **That this Construction Permit be reviewed at the May 13, 2019, Planning Commission meeting to verify that erosion controls have been implemented and progress is being made on engineered design plans.**

All voting aye, the Motion carried 6 to 0.

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

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

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

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

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

2. That twenty-five (25) foot setbacks be maintained along all exterior lot lines, which abut properties under different ownership;

3. That each campsite (RV or tent) must include one (1) parking space for a vehicle (in addition to the recreation vehicle, where applicable) and the parking space must be constructed so no portion of the vehicle extends onto any interior roadway;

4. That the interior one-way road shall be a minimum of 15 feet in width and surfaced with gravel (minimum of 4 inches) or concrete or asphalt and maintained in a dust free manner. All other interior roads shall be a minimum of 24 feet in width and surfaced with gravel (minimum of 4 inches) or concrete or asphalt and maintained in a dust free manner;

5. That a Floodplain Development Permit shall be submitted for review and approval prior to any work or placement of any structure(s) within the boundaries of the 100-year floodplain;

6. That natural drainage paths be maintained and/or any alterations to the natural drainage paths be adequately compensated for in accordance with the County Drainage Engineer's comments;

7. That natural drainage be diverted around the absorption area for the new on-site wastewater system so as to prevent run-off into Palmer Creek;

8. That the applicant maintain some type of barrier (i.e. fence, boulders) around the on-site wastewater system to prevent any parking and/or camping over top of the on-site wastewater system and that proper setbacks to the on-site wastewater system be maintained;

9. That any new On-site Wastewater systems be installed in accordance with all Department of Environment and Natural Resources regulations, including a minimum 100 foot setback for the absorption area from the high water line of the Palmer Creek;

10. That a minimum ten (10) foot separation be maintained at all times between each RV site;

11. That the internal road network not exceed a maximum of an eight (8) percent grade;

12. That each RV and tent site has a lot number clearly posted and Guests made aware of the complete address should they need to call 9-1-1;

13. That the RV Park conforms to all regulations in Section 306 of the Pennington County Zoning Ordinance;

14. That the applicants conform to all applicable State and County regulations, including those established by the South Dakota Departments of Environmental and Natural Resources and Health;

15. That all other conditions of approval of the original PUD are still valid and applicable to the subject property with the exception of Condition #3 regarding the allowed uses and Condition #10 pertaining to setbacks;

16. That Operating Permits be obtained for all existing on-site wastewater treatment systems on the property;

17. That the applicant notify the Pennington County Onsite Wastewater Specialist concerning the overall plan for the onsite wastewater treatment systems for

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

18. That the property address be posted so that it is visible from both directions of S. Highway 16, in accordance with Pennington County's Ordinance #20;

19. That each habitable structure be identified with a unique unit number that is posted on the exterior of the cabin, next to the main entrance door, using characters that are reflective and at least 4" in height by 3" wide. Guests at the cabin should be advised or given a card that lists the complete address in the event they need to call 9-1-1;

20. That the new residence have a separate physical address from the existing house, and the address number be posted on the new house in accordance with County Ordinance #20;

21. That an approved Construction Permit be obtained for any land disturbance greater than 10,000 square feet. Construction must meet all the requirements of the Pennington County Stormwater Quality Manual;

22. That the comments provided by the U.S. Forest Service be adhered to at all times;

23. That prior to installation of the low-water bridge, the applicant obtain the proper permits and approvals from all applicable agencies;

24. That prior to selling Beer and Wine on the subject property, the applicant receive the appropriate permits from Pennington County and any other appropriate agency; and,

25. That this Minor Planned Unit Development Amendment be reviewed in two (2) years, on a complaint basis, or as directed by the Pennington County Planning Commission or Board of Commissioners to ensure that all Conditions of Approval are being met.

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

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

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

2. That twenty-five (25) foot setbacks be maintained along all exterior lot lines, which abut properties under different ownership;

3. That each campsite (RV or tent) must include one (1) parking space for a vehicle (in addition to the recreation vehicle, where applicable) and the parking space must be constructed so no portion of the vehicle extends onto any interior roadway;

4. That the interior one-way road shall be a minimum of 15 feet in width and surfaced with gravel (minimum of 4 inches) or concrete or asphalt and maintained in a dust free manner. All other interior roads shall be a minimum of 24 feet in width and surfaced with gravel (minimum of 4 inches) or concrete or asphalt and maintained in a dust free manner;

5. That a Floodplain Development Permit shall be submitted for review and approval prior to any work or placement of any structure(s) within the boundaries of the 100-year floodplain;

6. That natural drainage paths be maintained and/or any alterations to the natural drainage paths be adequately compensated for in accordance with the County Drainage Engineer's comments;

7. That natural drainage be diverted around the absorption area for the new on-site wastewater system so as to prevent run-off into Palmer Creek;

8. That the applicant maintain some type of barrier (i.e. fence, boulders) around the on-site wastewater system to prevent any parking and/or camping over top of the on-site wastewater system and that proper setbacks to the on-site wastewater system be maintained;

9. That any new On-site Wastewater systems be installed in accordance with all Department of Environment and Natural Resources regulations, including a minimum 100 foot setback for the absorption area from the high water line of the Palmer Creek;

10. That a minimum ten (10) foot separation be maintained at all times between each RV site;

11. That the internal road network not exceed a maximum of an eight (8) percent grade;

12. That each RV and tent site has a lot number clearly posted and Guests made aware of the complete address should they need to call 9-1-1;

13. That the RV Park conforms to all regulations in Section 306 of the Pennington County Zoning Ordinance;

14. **That the applicants conform to all applicable State and County regulations, including those established by the South Dakota Departments of Environmental and Natural Resources and Health;**

15. **That all other conditions of approval of the original PUD are still valid and applicable to the subject property with the exception of Condition #3 regarding the allowed uses and Condition #10 pertaining to setbacks;**

16. **That Operating Permits be obtained for all existing on-site wastewater treatment systems on the property;**

17. **That the applicant notify the Pennington County Onsite Wastewater Specialist concerning the overall plan for the onsite wastewater treatment systems for review and approval by the Pennington County Environmental Planner and South Dakota Department of Environment and Natural Resources (SD DENR);**

18. **That the property address be posted so that it is visible from both directions of S. Highway 16, in accordance with Pennington County's Ordinance #20;**

19. **That each habitable structure be identified with a unique unit number that is posted on the exterior of the cabin, next to the main entrance door, using characters that are reflective and at least 4" in height by 3" wide. Guests at the cabin should be advised or given a card that lists the complete address in the event they need to call 9-1-1;**

20. **That the new residence have a separate physical address from the existing house, and the address number be posted on the new house in accordance with County Ordinance #20;**

21. **That an approved Construction Permit be obtained for any land disturbance greater than 10,000 square feet. Construction must meet all the requirements of the Pennington County Stormwater Quality Manual;**

22. **That the comments provided by the U.S. Forest Service be adhered to at all times;**

23. **That prior to installation of the low-water bridge, the applicant obtain the proper permits and approvals from all applicable agencies;**

24. **That prior to selling Beer and Wine on the subject property, the applicant receive the appropriate permits from Pennington County and any other appropriate agency;**

25. **That the Planning Director may allow additional development or construction which is consistent with the existing development on this property. Significant changes in the use or impacts on adjacent land, uses as determined by the Planning Director, shall require an amendment to this Planned Unit Development; and,**

26. **That this Minor Planned Unit Development Amendment be reviewed in two (2) years, on a complaint basis, or as directed by the Pennington County Planning Commission or Board of Commissioners to ensure that all Conditions of Approval are being met.**

All voting aye, the Motion carried 6 to 0.

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

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

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

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

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

1. That at the time of Minor Plat submittal, eight (8) foot Minor Drainage Easements to be dedicated on the interior sides of all lot lines, or an approved Subdivision Regulations Variance be obtained waiving this requirement;

2. That at the time of the Minor Plat submittal, percolation tests and soil profile hole information be submitted for Proposed Lot 2 of Hensley Place for review and approval by the County Environmental Planner, or an approved Subdivision Regulations Variance be obtained waiving this requirement;

3. That at the time of the Minor Plat submittal, the proposed Plat be prepared by a Registered Land Surveyor;

4. That at the time of the Minor Plat submittal, if Proposed Lot 2 uses the existing driveway across Lot 1, that an easement is shown on the Plat across proposed Lot

1 or an Approach Permit obtained from County Highway for access off of Reno Gulch Road;

5. That the applicant and/or agent work with the Pennington County Ordinance Enforcement Officer to remedy current violations on the subject property prior to any subsequent submittal (i.e. Building Permit, Plat, Rezone, Conditional Use or Variance).

6. That prior to any subsequent submittal (i.e. Building Permit, Plat, Rezone, Conditional Use or Variance) the properties are in compliance with Ordinance 106;

7. That the outhouse(s) are removed from the subject properties prior to any subsequent submittal (i.e. Building Permit, Plat, Rezone, Conditional Use or Variance);

8. That the existing approach is used for proposed Lot 1 or an Approach Permit obtained from County Highway Department;

9. That prior to the Plat being recorded with the Register of Deeds, that the proposed lots obtain a Lot Size Variance or be rezoned appropriately;

10. That prior to the Plat being recorded with the Register of Deeds, the plat meets all requirements of Pennington County Subdivision Regulations, or approved Subdivision Regulations Variance(s) be obtained waiving any of these requirements that are not met. Subdivision Regulations shall be submitted per Section 700 of Pennington County Subdivision Regulations;

11. That the following is the correct existing legal description and the legal description which should be used in the "formerly" on the plat: Lot 1 of Lot C of Lot 2, Reno Placer MS #812; the unplatted portion of Lot C of Lot 2, Reno Placer MS #823; and Tract 0037 of the NW ¼ of Section 1 and NE ¼ of Section 2, T2S, R4E, BHM, Pennington County, South Dakota;

12. That prior to the Plat being recorded with the Register of Deeds, a Conditional Use Permit is obtained for the accessory structure on proposed Lot 2 of Hensley Place;

13. That the applicant ensures that all natural drainage ways are maintained and are not blocked;

14. That following platting of the proposed lots, any on-site wastewater treatment system(s) be subject to the requirements of § 204(J) of the Pennington County Zoning Ordinance, including the requirement to obtain an Operating Permit; and,

15. That approval of this Layout Plat does not constitute approval of any further applications to be submitted for the above-described property.

Discussion followed.

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

1. **That at the time of Minor Plat submittal, eight (8) foot Minor Drainage Easements to be dedicated on the interior sides of all lot lines, or an approved Subdivision Regulations Variance be obtained waiving this requirement;**

2. **That at the time of the Minor Plat submittal, percolation tests and soil profile hole information be submitted for Proposed Lot 2 of Hensley Place for review and approval by the County Environmental Planner, or an approved Subdivision Regulations Variance be obtained waiving this requirement;**

3. **That at the time of the Minor Plat submittal, the proposed Plat be prepared by a Registered Land Surveyor;**

4. **That at the time of the Minor Plat submittal, if Proposed Lot 2 uses the existing driveway across Lot 1, that an easement is shown on the Plat across proposed Lot 1 or an Approach Permit obtained from County Highway for access off of Reno Gulch Road;**

5. **That the applicant and/or agent work with the Pennington County Ordinance Enforcement Officer to remedy current violations on the subject property prior to any subsequent submittal (i.e. Building Permit, Plat, Rezone, Conditional Use or Variance).**

6. **That prior to any subsequent submittal (i.e. Building Permit, Plat, Rezone, Conditional Use or Variance) the properties are in compliance with Ordinance 106;**

7. **That the outhouse(s) are removed from the subject properties prior to any subsequent submittal (i.e. Building Permit, Plat, Rezone, Conditional Use or Variance);**

8. **That the existing approach is used for proposed Lot 1 or an Approach Permit obtained from County Highway Department;**

9. **That prior to the Plat being recorded with the Register of Deeds, that the proposed lots obtain a Lot Size Variance or be rezoned appropriately;**

10. **That prior to the Plat being recorded with the Register of Deeds, the plat meets all requirements of Pennington County Subdivision Regulations, or**

approved Subdivision Regulations Variance(s) be obtained waiving any of these requirements that are not met. Subdivision Regulations shall be submitted per Section 700 of Pennington County Subdivision Regulations;

11. **That the following is the correct existing legal description and the legal description which should be used in the "formerly" on the plat: Lot 1 of Lot C of Lot 2, Reno Placer MS #812; the unplatted portion of Lot C of Lot 2, Reno Placer MS #823; and Tract 0037 of the NW ¼ of Section 1 and NE ¼ of Section 2, T2S, R4E, BHM, Pennington County, South Dakota;**

12. **That prior to the Plat being recorded with the Register of Deeds, a Conditional Use Permit is obtained for the accessory structure on proposed Lot 2 of Hensley Place;**

13. **That the applicant ensures that all natural drainage ways are maintained and are not blocked;**

14. **That following platting of the proposed lots, any on-site wastewater treatment system(s) be subject to the requirements of § 204(J) of the Pennington County Zoning Ordinance, including the requirement to obtain an Operating Permit; and,**

15. **That approval of this Layout Plat does not constitute approval of any further applications to be submitted for the above-described property.**

All voting aye, the Motion carried 6 to 0.

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

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

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

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

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

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

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

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

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

Discussion followed.

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

Discussion continued.

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

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

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

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

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

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

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

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

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

Discussion followed.

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

All voting aye, the Motion carried 6 to 0.

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

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

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

Discussion followed.

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

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

All voting aye, the Motion carried 6 to 0.

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

23. ITEMS FROM THE PUBLIC

No motions or actions were taken at this time.

24. ITEMS FROM THE STAFF

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

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

25. ITEMS FROM THE MEMBERSHIP

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

26. ADJOURNMENT

Moved by Coleman and seconded by Rivers to adjourn.

All voting aye, the Motion carried 5 to 0.

The meeting adjourned at 12:58 p.m.

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Rich Marsh, First Vice-Chairperson

DRAFT MINUTES
PENNINGTON COUNTY PLANNING COMMISSION
May 8, 2019 @ 3:00 p.m.
County Commissioners' Meeting Room - Pennington County Administration Building

MEMBERS PRESENT: Travis Lasseter, Rich Marsh, Jim Coleman, Kathy Johnson, Sonny Rivers, Sandra Runde and Gary Drewes.

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

1. ROLL CALL

2. APPROVAL OF THE AGENDA
Moved by Drewes and seconded by Marsh to approve the Agenda of the May 8, 2019, Planning Commission meeting. Vote: unanimous 7 to 0.

3. INTRODUCTION AND STAFF PRESENTATION(S)
No motions or actions were taken at this time.

4. PUBLIC COMMENT PERIOD
No motions or actions were taken at this time.

5. MINING PERMIT / MP 18-02 UNDER PCZO §§ 205(C)(31) and 320 effective on or about March 28, 2018: Croell, Inc. To operate the active Perli Quarry as a rock quarry.

Molitor reviewed the Staff Report indicating the applicant has applied for a Mining Permit, under §§ 205(C)(31) and 320 effective on or about March 28, 2018, to operate the active Perli Quarry as a rock quarry.

Staff recommended approval of Mining Permit / MP 18-02 under §§ 205(C)(31) and 320 effective on or about March 28, 2018, of the PCZO with thirty-five (35) conditions.

Discussion followed.

Commissioner Runde left the meeting at 5:54 p.m.
Commissioner Runde returned to the meeting at 5:56 p.m.

Moved by Coleman and seconded by Marsh to recess. All voting aye, the Motion carried 7 to 0.

Moved by Johnson and seconded by Coleman to reconvene. All voting aye, the Motion carried 7 to 0.

Discussion further continued.

Moved by Marsh and seconded by Drewes to approve of Mining Permit / MP 18-02 under §§ 205(C)(31) and 320 effective on or about March 28, 2018, of the PCZO with the following thirty-eight (38) conditions:

1. **That the conditions of approval of the South Dakota Department of Environment and Natural Resources Mine License be continually met;**

2. **That the applicant cooperates with the South Dakota Department of Transportation (SD DOT) to implement the appropriate safety measures as required by the SD DOT, prior to hauling operations;**

3. **That the applicant submit a copy of the Mine License, issued by the South Dakota Department of Environment and Natural Resources, to the Planning Department and copies of any annual Mine License Reports by December 1st of each year;**

4. **That the conditions of the approval of the South Dakota Department of Environment and Natural Resources General Permit(s) to Operate Under the Air Quality Operating Permit Program and Surface Water Discharge System For Nonmetallic Mineral Processing Plants in South Dakota be continually met;**

5. **That the conditions of the approval of the South Dakota Department of Environment and Natural Resources General Permit for Storm Water Discharges Associated with Industrial Activities be continually met;**

6. **That the conditions of the approval of the South Dakota Department of Environment and Natural Resources Water Permit be continually met;**

7. **That the applicant attempts to contact the property owner of Well No. 1450-2 to perform the required baseline static water testing of the well;**

8. **That any natural drainage ways and paths be continually maintained;**

9. **The requirements, guidelines, and criteria for storm water and erosion control in the Pennington County Storm Water Manual shall be followed;**

10. **That self-contained toilets be maintained on-site: one (1) unit per 50 employees. The self-contained toilets must meet all State and County regulations. The method and schedule of disposal of the solid waste must be in compliance with State and local rules and regulations;**

11. **That Entrance 3 is utilized for all traffic in and out of the site and that Entrance 2 is only used in the event of emergency situations;**

12. That mining operation disturbances and/or equipment are located no closer than 50 feet from the property line;

13. That a cost estimate for reclamation of 10 acres of disturbed mine land is submitted to the Planning Director prior to the hearing in front of the Board of Commissioners;

14. That a bond or surety is submitted in the amount of the reclamation cost estimate approved by the Board of Commissioners within 30 days of approval of this Mining Permit;

15. That a cost estimate for necessary BMPs to mitigate storm water runoff is submitted to the Planning Director in order to determine the surety or bond amount prior to the hearing in front of the Board of Commissioners;

16. That a bond or surety is submitted in the amount of the BMPs cost estimate approved by the Board of Commissioners within 30 days of approval of this Mining Permit;

17. That the site shall be reclaimed in accordance with the Reclamation Plan submitted on September 12, 2018;

18. That if there are any updates to the Reclamation Plan, they are submitted to the Planning Director within 30 days of the change;

19. That the mining operation be in compliance with all federal, state, and local regulations and if any significant enforcement actions are necessary to correct violations relating to the mining operation, the Planning Director shall recommend an inspection of the mining operation in accordance with § 320(J) of the PCZO;

20. That all potential pollutants (as listed in the Storm Water Pollution Prevention Plan) are handled, stored, and cleaned up in accordance with all local, state, and federal guidelines;

21. That a Spill Prevention, Control, and Countermeasure (SPCC) Plan be developed for the site and submitted within 30 days of approval of this Mining Permit;

22. That no junk material, vehicles, or debris is stored on the site at any given time;

23. That berms are constructed in accordance the Drainage and Erosion Control Management Map submitted by the applicant within 180 days of approval of this Mining Permit;

24. **That the addresses be properly and continually posted at Entrance 3 so they are visible in both directions of the approach, in accordance with Pennington County's Ordinance #20;**

25. **That all exterior lights must use hoods and lens that cast light downward;**

26. **That an Emergency Response Plan be developed for the mining operation and reviewed by the Pennington County Fire Administrator within sixty (60) days;**

27. **That Emergency Contact information for the mining operation be kept updated with the Pennington County Emergency Services Communications Center;**

28. **That the location address and related information be updated and maintained in third-party mapping services for the mining operation;**

29. **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;**

30. **The applicant must make every effort practicable to minimize fugitive dust from leaving the site;**

31. **That the hours of the mining operation be from 6 a.m. to 5 p.m. Monday through Saturday;**

32. **That blasting at the site only occur Monday through Friday between 7 a.m. and 5 p.m. and that a reasonable effort is made to notify property owners in occupied dwellings within 1,500 feet of the Permit Limit and the Rockerville Volunteer Fire Department of the scheduled blasts;**

33. **That the applicant's blasting contractor be issued a blaster certificate by the Office of Surface Mining Reclamation and Enforcement or a reciprocating agency (i.e. Wyoming Department of Environmental Quality) and maintain certification at all times;**

34. **That blasting logs be submitted to the Planning Director at a minimum, on a yearly basis;**

35. **That noise testing is performed using a noise dosimeter to verify that the mine is in compliance with all industry recommendations and MSHA regulations and testing information be submitted to the Planning Director at a minimum, on a yearly basis;**

36. **That the applicant sign a Statement of Understanding within ten (10) business days of Mining Permit approval, which is available at the Planning Office;**

37. **That Mining Permit / MP 18-02 expires in (5) years from approval date unless an Application for Mining Permit Renewal is submitted within sixty days of the expiration date and at such time a Notice of Renewal will be completed in accordance with § 320(E)(1) of the PCZO; and,**

38. **That Mining Permit / MP 18-02 may be reviewed in accordance with § 320(J) of the PCZO, or as directed by the Planning Commission and/or the Board of Commissioners to verify that all Conditions of Approval are being met.**

All voting, the Motion carried 5 to 2. Roll Call Vote: Commissioners Marsh, Drewes, Coleman, Lasseter, and Johnson voted yes. Commissioners Runde and Rivers voted no.

6. CONSTRUCTION PERMIT / CP 18-11 UNDER PCZO § 205(B)(17) effective April 26, 2017 and § 507(A) effective September 25, 2013: Croell, Inc. To operate the active Perli Quarry as a rock quarry.

Conover stated that, pursuant to Pennington County Zoning Ordinance § 507 (A) effective September 25, 2013, he hereby approves Construction Permit / CP 18-11 with the following seven (7) conditions:

1. That the conditions of the approval of the South Dakota Department of Environment and Natural Resources General Permit for Storm Water Discharges Associated with Industrial Activities be continually met;

2. That any natural drainage ways and paths be continually maintained;

3. The requirements, guidelines, and criteria for storm water and erosion control in the Pennington County Storm Water Manual shall be followed;

4. That self-contained toilets be maintained on-site: one (1) unit per 50 employees. The self-contained toilets must meet all State and County regulations. The method and schedule of disposal of the solid waste must be in compliance with State and local rules and regulations;

5. That the site shall be re-vegetated as required under § 507(A)(5)(c) and in accordance with the Reclamation Plan submitted by the applicant on September 12, 2018;

6. That the applicant sign a Statement of Understanding within ten (10) business days of Permit approval which is available at the Planning Office; and,

7. That this Construction Permit expires one (1) year from approval date, and may be reviewed on a complaint basis, or as directed by the Planning Commission and/or the Board of Commissioners to verify that all Conditions of Approval are being met.

7. MINING PERMIT / MP 18-03 UNDER PCZO § 507(B) effective on May 1, 2001: Croell, Inc. To operate the active Perli Quarry as a rock quarry.

Chairman Lasseter stated the applicant also applied for Mining Permit / MP 18-03 under PCZO § 507(B) effective on May 1, 2001, to operate the active Perli Quarry as a rock quarry.

Staff recommended approval of Mining Permit / MP 18-03 under § 507(B) effective May 1, 2001, and, as written and in effect prior to the adoption § 320 of the PCZO, with fifteen (15) conditions.

Discussion followed.

Moved by Marsh and seconded Rivers to approve of Mining Permit / MP 18-03 under § 507(B) effective May 1, 2001, and, as written and in effect prior to the adoption § 320 of the PCZO, with seventeen (17) conditions:

1. **That the conditions of approval of the South Dakota Department of Environment and Natural Resources Mine License be continually met;**

2. **That the applicant cooperates with the South Dakota Department of Transportation (SD DOT) to implement the appropriate safety measures as required by the SD DOT, prior to hauling operations;**

3. **That the applicant submit a copy of the Mine License, issued by the South Dakota Department of Environment and Natural Resources, to the Planning Department and copies of any annual Mine License Reports by December 1st of each year;**

4. **That the conditions of the approval of the South Dakota Department of Environment and Natural Resources General Permit to Operate Under the Air Quality Operating Permit Program and Surface Water Discharge System For Nonmetallic Mineral Processing Plants in South Dakota be continually met;**

5. **That the conditions of the approval of the South Dakota Department of Environment and Natural Resources Water Permit be continually met;**

6. **That the Conditions of Approval of Construction Permit / CP 18-11 are continually met;**

7. That Entrance 3 is utilized for all traffic in and out of the site and that Entrance 2 is only used in emergency situations;

8. That the site be reclaimed in accordance with the applicant's Reclamation Plan submitted on September 12, 2018;

9. That the addresses be properly and continually posted at Entrance 3 so they are visible in both directions of the approach, in accordance with Pennington County's Ordinance #20;

10. That Emergency Contact information for the mining operation be kept updated with the Pennington County Emergency Services Communications Center;

11. That the location address and related information be updated and maintained in third-party mapping services for the mining operation;

12. That an Emergency Response Plan be developed for the mining operation and reviewed by the Pennington County Fire Administrator within sixty (60) days;

13. That the hours of the mining operation be from 6 a.m. to 5 p.m. Monday through Saturday;

14. That the applicant submit surety and/or bond in the amount of the cost estimate submitted to and approved by the Planning Director to reclaim no less than ten (10) acres;

15. That if there is a proposed change in operation from this Mining Permit, that the change be submitted to the Planning Director within thirty (30) days and the Mining Permit reviewed and approved by the Planning Commission;

16. That the applicant sign a Statement of Understanding within ten (10) business days of Mining Permit approval, which is available at the Planning Office; and,

17. That this Mining Permit be reviewed in five (5) years from approval date, and may be reviewed 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.

All voting, the Motion carried 5 to 2. Roll Call Vote: Commissioners Marsh, Drewes, Coleman, Lasseter, and Johnson voted yes. Commissioners Runde and Rivers voted no.

7. ADJOURNMENT

Moved by Coleman and seconded by Johnson to adjourn.

All voting aye, the Motion carried 7 to 0.

The meeting adjourned at 8:10 p.m.

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Travis Lasseter, Chairperson

Agenda Item #4
Marilyn Welch
May 13, 2019

4

STAFF REPORT

GENERAL INFORMATION:

REQUEST:	**CONDITIONAL USE PERMIT REVIEW / CU 08-07:** To review a single-wide manufactured home as a single-family residence in a Suburban Residential District in accordance with Sections 208 and 510 of the Pennington County Zoning Ordinance.
OWNER:	Marilyn Welch
OWNER ADDRESS:	5435 Greenwood Lane, Rapid City, SD 57703
LEGAL DESCRIPTION:	Lot 37, Block 4, Green Valley Estates, Section 23, T1N, R8E, BHM, Pennington County, South Dakota.
SITE LOCATION:	5435 Greenwood Lane
TAX ID:	2593
SIZE:	1.00 acre
EXISTING LAND USE:	Residential
ZONING REFERENCE:	§ 208 and 510
CURRENT ZONING:	Suburban Residential District
SURROUNDING ZONING:	
North	Suburban Residential
South	Suburban Residential
East	Suburban Residential
West	Limited Agriculture
PHYSICAL CHARACTERISTICS:	Flat
UTILITIES:	Private
REPORT BY:	Cassie Bolstad

Agenda Item #4
Marilyn Welch
May 13, 2019

RECOMMENDATION: Staff will be recommending to continue the review of Conditional Use Permit / CU 08-07 to the June 24, 2019, Planning Commission meeting.

GENERAL DESCRIPTION:

- January 28, 2008 – Planning Commission originally approved Conditional Use Permit / CU 08-07 with the following six (6) conditions:
    1. That a Building Permit be obtained for any structure exceeding 144 square feet or located on a permanent foundation, which requires a site plan to be reviewed and approved by the Planning Director;
    2. That the applicant limits the number of horses on Lot 37 to one (1) and none on Lot 38;
    3. That the manufactured home continues to have a peaked nonreflective-type roof, and wood or simulated wood-type siding;
    4. That the property remains free of debris and junk vehicles;
    5. That the applicant signs a Statement of Understanding agreeing to the conditions set forth; and,
    6. That this Conditional Use Permit be reviewed in two (2) years or on a complaint basis to determine that all conditions are being met.
- January 26, 2009 – Planning Commission approved the extension of Conditional Use Permit / CU 08-07 with the same six (6) conditions approved in 2008.
- January 10, 2011 – Planning Commission approved the extension of Conditional Use Permit / CU 08-07 with the following five (5) conditions:
    1. That a Building Permit be obtained for any structure exceeding 144 square feet or located on a permanent foundation, which requires a site plan to be reviewed and approved by the Planning Director;
    2. That the applicant limits the number of horses on Lot 37 to one (1);
    3. That the manufactured home continues to have a peaked nonreflective-type roof, and wood or simulated wood-type siding;
    4. That the property remains free of debris and junk vehicles; and,
    5. That this Conditional Use Permit be reviewed in four (4) years or on a complaint basis to determine that all conditions are being met.
- January 26, 2015 – Planning Commission approved the extension of Conditional Use Permit / CU 08-07 with the following five (5) conditions:
    1. That a Building Permit be obtained for any structure exceeding 144 square feet or located on a permanent foundation, which requires a site plan to be reviewed and approved by the Planning Director;
    2. That the applicant limits the number of horses on Lot 37 to one (1);
    3. That the manufactured home continues to have a peaked nonreflective-type roof, and wood or simulated wood-type siding;
    4. That the property remains free of debris and junk vehicles; and,
    5. That this Conditional Use Permit be reviewed in four (4) years, on a complaint basis, or as deemed necessary by either the Pennington County Board of Commissioners and/or Planning Commission to verify that all conditions are being met.

Agenda Item #4
Marilyn Welch
May 13, 2019

EXISTING CONDITIONS:

- Zoned Suburban Residential District.
- 1.00 acre.
- Lot contains:
    - Single-wide mobile home – 2001COBP0774.
    - Storage shed – 2008COBP0252.
    - On-site wastewater treatment system
        - Operating Permit – COOP18-0116.
- The applicant also owns the property directly north of the subject property (Lot 38, Block 4, Green Valley Estates).

ANALYSIS:

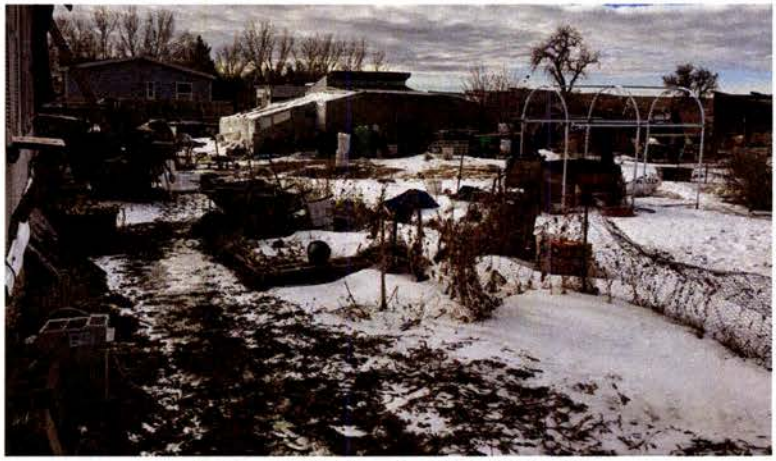
- November 7, 2016 – Ordinance Violation case (COVO16-0281) was opened for junk and vehicles on the property.
    - According to notes in COVO16-0281, a follow-up inspection of the property was performed on December 6, 2016, and it was verified that work was being done to clean the property.
    - The property was again inspected on January 23, 2017, and continued progress was observed; therefore, COVO16-0281 was closed.
- January 31, 2019 – Staff performed a site visit and found:
    - There are inoperable and unlicensed vehicles on the subject property, along with a large amount of debris and junk.
        - This is a violation of Condition #4 of CU 08-07 and Pennington County Ordinance 106.
    - It does not appear that continued progress is being made toward cleaning the property, as was observed in 2016 and 2017.



Inoperable/unlicensed vehicles – Site Visit 01.31.19



Inoperable/unlicensed vehicles – Site Visit 01.31.19



Junk and debris – Site Visit 01.31.19



Junk and debris – Site Visit 01.31.19

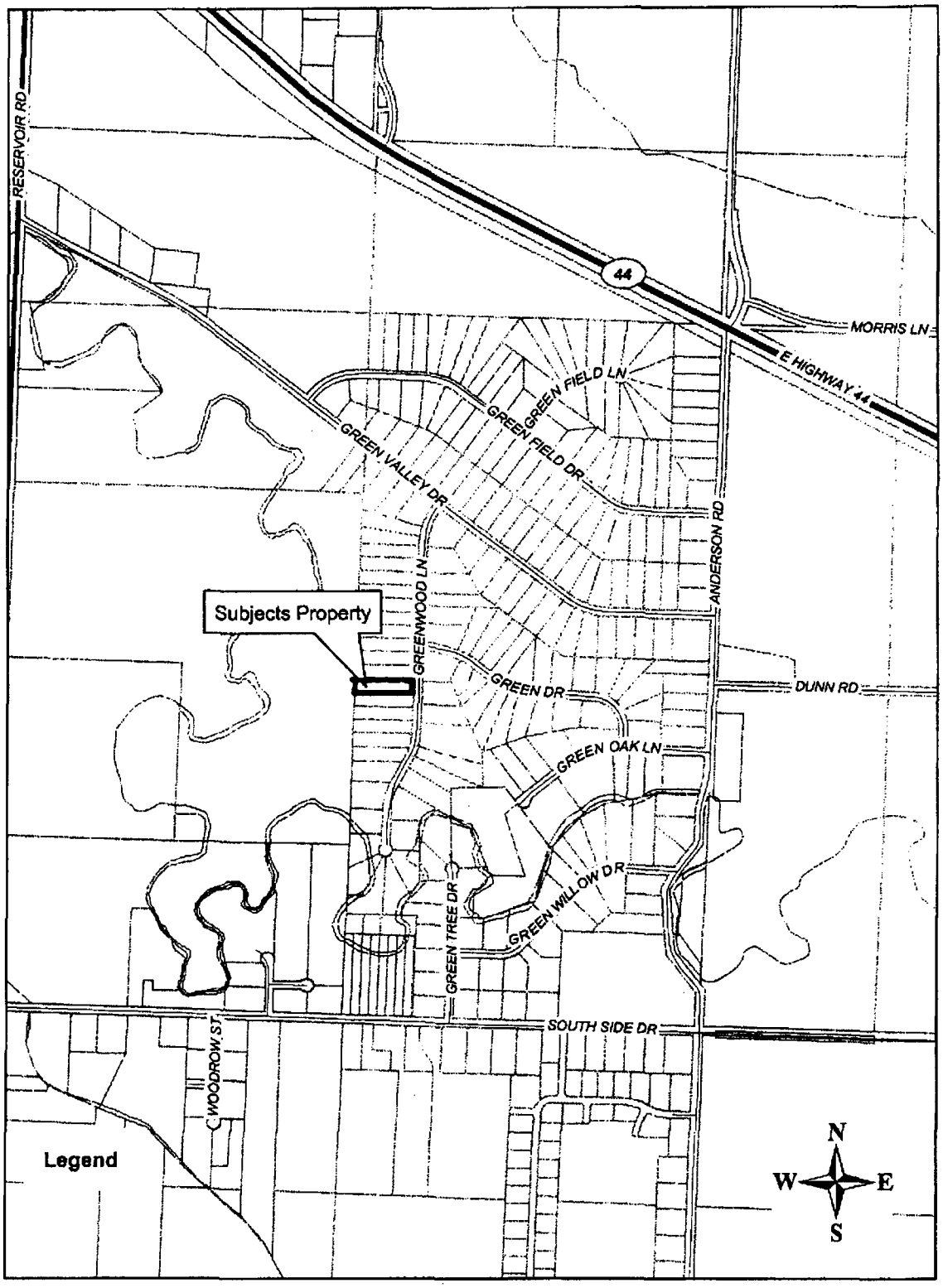
- February 11, 2019 – Planning Commission continued the review of Conditional Use Permit / CU 08-07 to the May 13, 2019, Planning Commission meeting, in order to allow the applicant time to clean the property and bring it into compliance with Ordinance 106 and Condition #4.

UPDATE (For the May 13, 2019, Planning Commission meeting):

- February 14, 2019 – Ordinance Violation case (COVO19-0013) was opened for the Ordinance 106 violations on the subject property.
  - A Notice of Violation was sent to the property owner.
- February 14, 2019 – Ordinance Officer spoke with the property owner's daughter, Lisa, who stated:
  - They had a death in the family and would be out of town for a week.
  - They would work on the property and remove the vehicles the following week.
- March 5, 2019 – Ordinance Enforcement performed a follow-up inspection and spoke with the property owner's daughter, Melissa, who stated:
  - They were making progress, but many of the items were frozen to the ground.
  - Ordinance Enforcement set a follow-up inspection date for the end of the month.
- March 26, 2019 – Ordinance Enforcement performed a follow-up inspection and noted very little progress had been made toward clean-up. Ordinance Enforcement spoke with the property owner, Marilyn, who stated:
  - It was just her and her daughter doing the cleaning and both had injuries at that time.
  - Ordinance Enforcement set a follow-up inspection date one month out.
- April 24, 2019 – Ordinance Enforcement performed a follow-up inspection and noted there were still several abandoned vehicles and numerous items that needed to be disposed of.
  - No contact was made with anyone on the property at this inspection.
  - A Notice of Violation reminder was sent to the property owner.
- At the time of this Staff Report writing, Staff has been unable to perform a follow-up site visit. However, due to the above-noted inspections and the recent weather, Staff recommends to continue the review of CU 08-07 to allow the applicant additional time to clean the property.

RECOMMENDATION: Staff recommends to continue the review of Conditional Use Permit / CU 08-07 to the June 24, 2019, Planning Commission meeting, in order to allow the applicant additional time to clean the property and bring it into compliance with Ordinance 106 and Condition #4.

Conditional Use Applicant/Welch



1,300 650 0 1,300 2,600 3,900 5,200

Feet

Agenda Item #5
Beach House, LLC; Lesia McLaughlin - Agent
May 13, 2019

5

STAFF REPORT

GENERAL INFORMATION:

REQUEST:	**CONDITIONAL USE PERMIT REVIEW / CU 15-05**: To review a Vacation Home Rental in a Low Density Residential District in accordance with Sections 207, 319, and 510 of the Pennington County Zoning Ordinance.
APPLICANT / OWNER:	Beach House, LLC / Troy Schmidt
APPLICANT ADDRESS:	1629 Sandifer Street, Wooster, OH 44691
AGENT:	Lesia McLaughlin
AGENT ADDRESS:	4937 Elmer Street, Rapid City, SD 57703
LOCAL CONTACT:	Lesia McLaughlin
LEGAL DESCRIPTION:	Lot A-9 Revised, Palmer Gulch Estates, Section 34, T1S, R5E, BHM, Pennington County, South Dakota.
SITE LOCATION:	12722 Watson Parker Road.
SIZE:	1.60 acres
TAX ID:	7970
EXISTING LAND USE:	Residential
ZONING REFERENCE:	Sections 207, 319, and 510
CURRENT ZONING:	Low Density Residential District
SURROUNDING ZONING:	
North	Low Density Residential District
South	Low Density Residential District
East	Low Density Residential District
West	Low Density Residential District
PHYSICAL CHARACTERISTICS:	Forested
UTILITIES:	Private

Agenda Item #5
Beach House, LLC; Lesia McLaughlin - Agent
May 13, 2019

REPORT BY: Kristina Proietti

I. PROPOSED RECOMMENDATION

A. Staff will be recommending approval of the extension of Conditional Use Permit / CU 15-05 with twelve (12) conditions.

II. GENERAL DESCRIPTION

A. The applicant, Troy Schmidt (Beach House, LLC Managing Member), requested a Conditional Use Permit to allow an existing three (3) bedroom residence located on the subject property to be used as a Vacation Home Rental (VHR).

B. April 13, 2015 – The Planning Commission approved Conditional Use Permit / CU 15-05 with the following twelve (12) 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 nine (9) people;
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 the applicant 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 prior to operation of the Vacation Home Rental;
4. That a minimum of three (3) off-street parking spaces be provided on-site, each measuring a minimum of nine feet (9) by eighteen feet and surfaced with gravel, concrete, or asphalt and maintained in a dust-free manner;
5. That an interior informational sign be posted in accordance with the requirements of Section 319-G, with 9-1-1 and 394-4139 listed as contacts for Fire Department and Sheriff's Department, during operation of the residence as a VHR;
6. That the lot address be posted at all times so it is clearly visible from Old Hill City Road, in accordance with Ordinance #20;
7. That the applicant ensure the VHR is operated in accordance with the requirements of Section 319-F (Performance Standards) at all times;
8. That prior to any work being conducted within the boundaries of the 100-year floodplain, an approved Floodplain Development Permit be obtained;
9. That if the person designated as the Local Contact is ever changed from Lesia McLaughlin, the interior informational sign be updated and the applicant re-notify the Planning Department and surrounding landowners within 500 feet via notices sent by Certified Mail;

10. 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;
11. That the applicant signs the Statement of Understanding within seven (7) business days of approval of Conditional Use Permit #15-05, which is available at the Planning Office; and,
12. 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 Planning Commission to verify that all conditions are being met.

C. May 9, 2016 – The Planning Commission approved the extension of Conditional Use Permit / CU 15-05 with the following thirteen (13) conditions:
   1. That the maximum overnight occupancy, based on South Dakota Department of Environment and Natural Resources (SD DENR) approval, be limited to six (6) people and the maximum daytime occupancy be limited to nine (9) people;
   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 the applicant 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 prior to operation of the Vacation Home Rental;
   4. That a minimum of three (3) off-street parking spaces continue to be provided on-site, each measuring a minimum of nine (9) feet by eighteen (18) feet and surfaced with gravel, concrete, or asphalt and maintained in a dust-free manner;
   5. That an interior informational sign be posted in accordance with the requirements of Section 319-G, with 9-1-1 and 394-4139 listed as contacts for Fire Department and Sheriff's Department, during operation of the residence as a VHR;
   6. That the lot address be posted on the residence and the approach at all times so it is clearly visible from Old Hill City Road, in accordance with Ordinance #20;
   7. That the applicant ensure the VHR is operated in accordance with the requirements of Section 319-F (Performance Standards) at all times;
   8. That prior to any work being conducted within the boundaries of the Special Flood Hazard area, an approved Floodplain Development Permit be obtained;
   9. That if the person designated as the Local Contact is ever changed from Lesia McLaughlin, the interior informational sign be updated and the applicant re-notify the Planning Department and surrounding landowners within 500 feet via notices sent by Certified Mail; and,

10. 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;
11. That the applicant obtain an approved Building Permit 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;
12. That all necessary permits are obtained prior to any additions to the structure and/or the on-site wastewater treatment system is upgraded; and,
13. That this Conditional Use Permit be reviewed in three (3) years, on a complaint basis, or as directed by the Pennington County Board of Commissioners and/or Planning Commission to verify that all conditions are being met.

III. EXISTING CONDITIONS

A. Zoned Low Density Residential District, minimum three (3) acre lot size.
B. 1.6 acres.
    a. A Variance was approved in 2000 (VA 00-20) to allow a 1.60 acre lot in a Low Density Residential Zoning District.
C. Access to the property consists of a graveled driveway taken (named Watson Parker Road) from Old Hill City Road located in a Dedicated Access Easement (Plat Book 21, page 119).
D. A portion of the property, without the residence, is located within the Special Flood Hazard area.
E. Lot contains:
    a. Single-family residence built in 2003 / 2003COBP0347.
    b. Detached garage built in 2000 / 2000COBP0559.
    c. On-Site Wastewater Treatment System Operating Permit obtained in 2012 / 2012COOP0535.
    d. Shed and well house – no Building Permits required due to their size, less than 144 square feet and not permanently anchored to the ground.

IV. ANALYSIS

A. April 23, 2019 – Staff spoke with the applicant's agent, Lesia McLaughlin, via telephone regarding the review of CU 15-05.
B. May 3, 2019 – Staff performed a site visit and observed that all conditions were being met.



Site photo 5/3/2019.

RECOMMENDATION: Staff recommends approval of the extension of Conditional Use Permit / CU 15-05 with the following twelve (12) conditions:

1. That the maximum overnight occupancy, based on South Dakota Department of Environment and Natural Resources (SD DENR) approval, continue to be limited to six (6) people and the maximum daytime occupancy be limited to nine (9) people;

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 the applicant continue to 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 prior to operation of the Vacation Home Rental;

4. That a minimum of three (3) off-street parking spaces continue to be provided on-site, each measuring a minimum of nine (9) feet by eighteen (18) feet and surfaced with gravel, concrete, or asphalt and maintained in a dust-free manner;

5. That an interior informational sign continue to be posted in accordance with the requirements of Section 319-G, with 9-1-1 and 394-2151 listed as contacts for Fire Department and Sheriff's Department, during operation of the residence as a VHR;

6. That the lot address continue to be posted on the residence and the approach at all times so it is clearly visible from Old Hill City Road, in accordance with Ordinance #20;

7. That the applicant ensure the VHR is operated in accordance with the requirements of Section 319-F (Performance Standards) at all times;

8. That prior to any work being conducted within the boundaries of the Special Flood Hazard area, an approved Floodplain Development Permit be obtained;

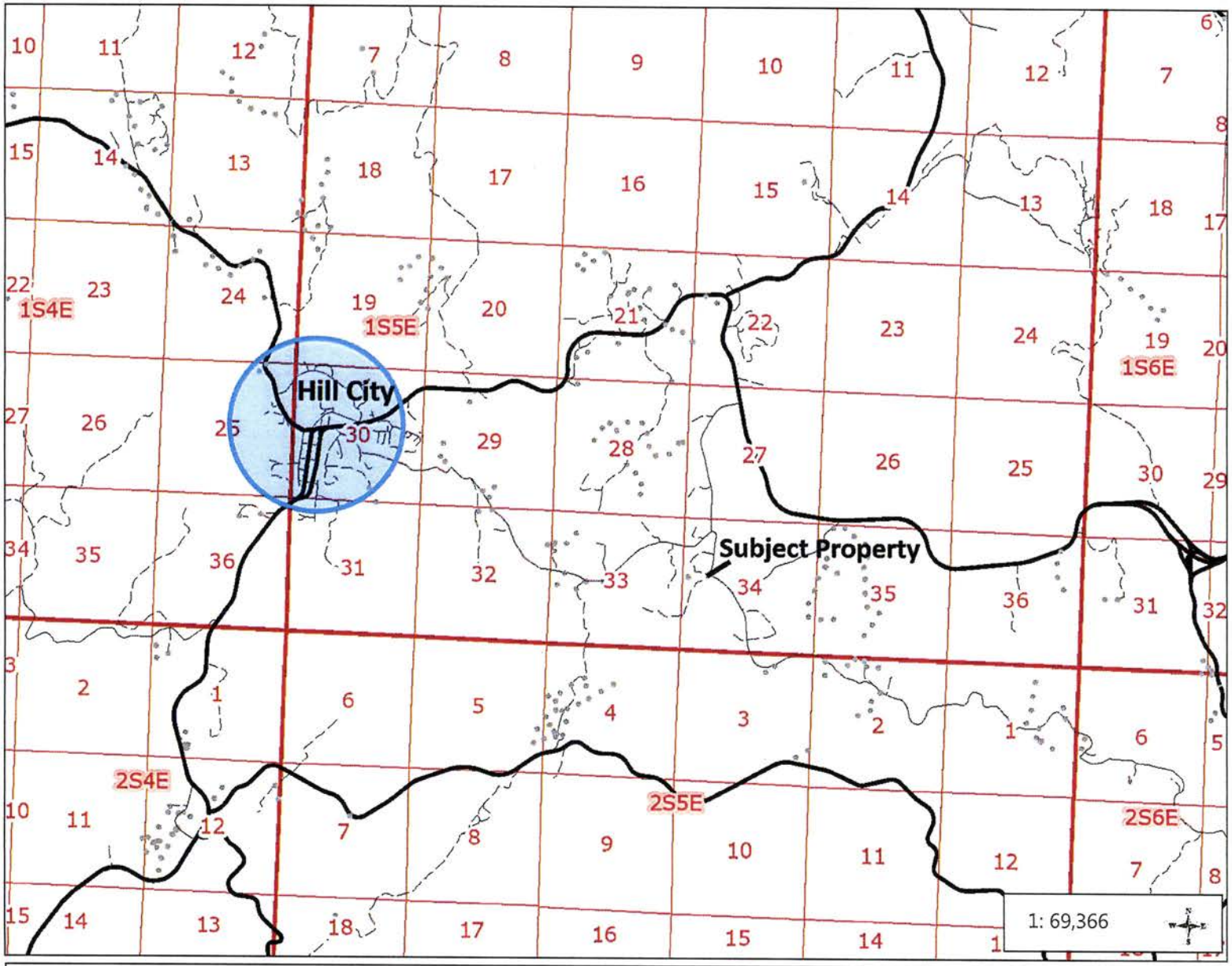
9. That if the person designated as the Local Contact is ever changed from Lesia McLaughlin, the interior informational sign be updated and the applicant re-notify the Planning Department and surrounding landowners within 500 feet via notices sent by First Class Mail;

10. That all applicable Federal, State, and local regulations continue to be adhered to at all times, including South Dakota Administrative Rule 44:02:08, which regulates Vacation Home Rentals;

11. That the applicant obtain an approved Building Permit 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; and,

12. That this Conditional Use Permit be reviewed in five (5) years, on a complaint basis, or as directed by the Pennington County Board of Commissioners and/or Planning Commission to verify that all conditions are being met.

RapidMap Rapid City-Pennington County 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
Townships

Map Notes:

11,560.9 0 5,780.47 11,560.9 Feet

NAD_1983_StatePlane_South_Dakota_South_FIPS_4002_Feet

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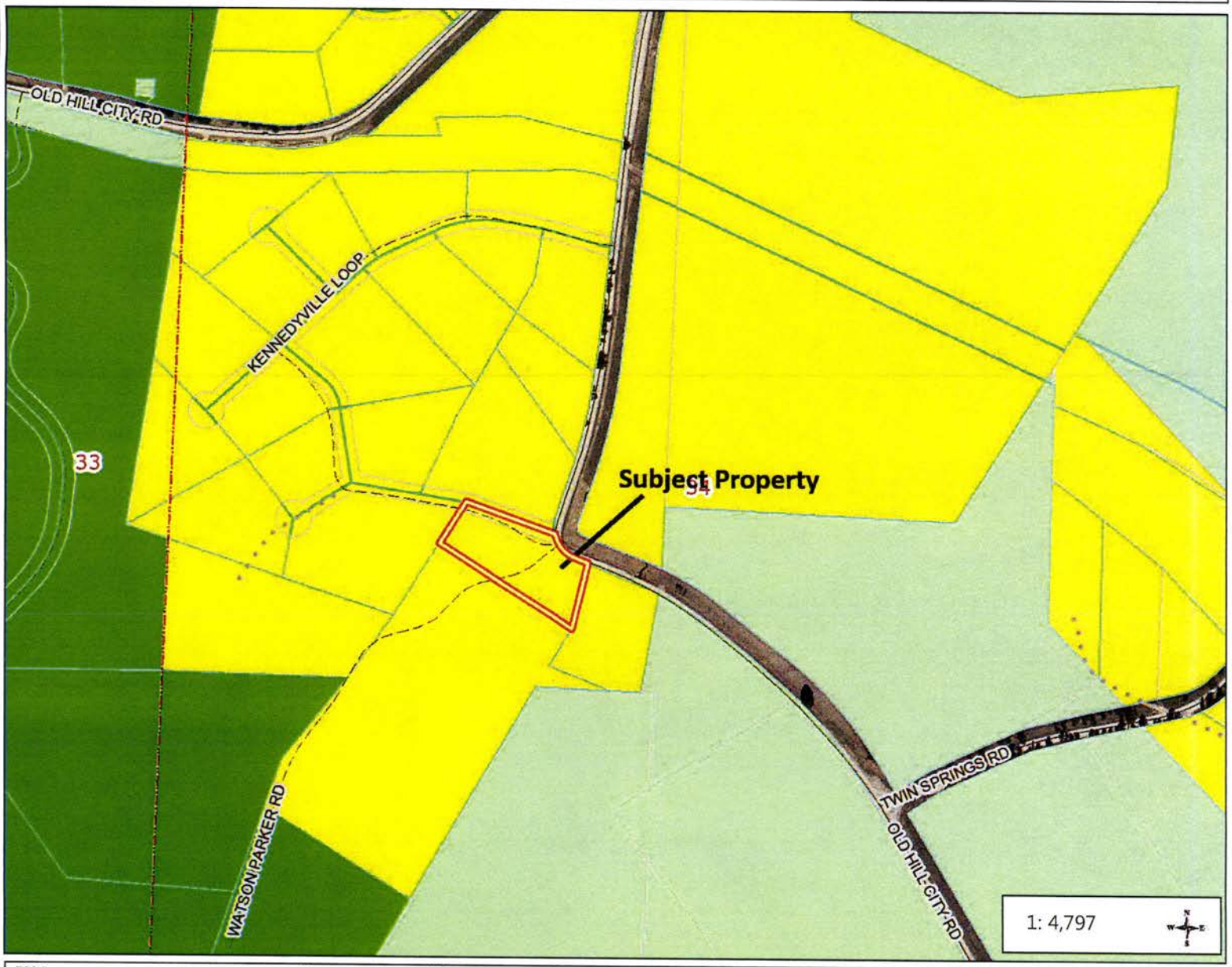
THIS MAP IS NOT TO BE USED FOR NAVIGATION

RapidMap Rapid City-Pennington County GIS



799.5 0 399.75 799.5 Feet

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Legend

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- Unpaved road
- Trail
- Driveway
- Alley
- Unimproved road
- Airport Runway
- Not yet coded

Section Lines 0-25k
- 0
- 7

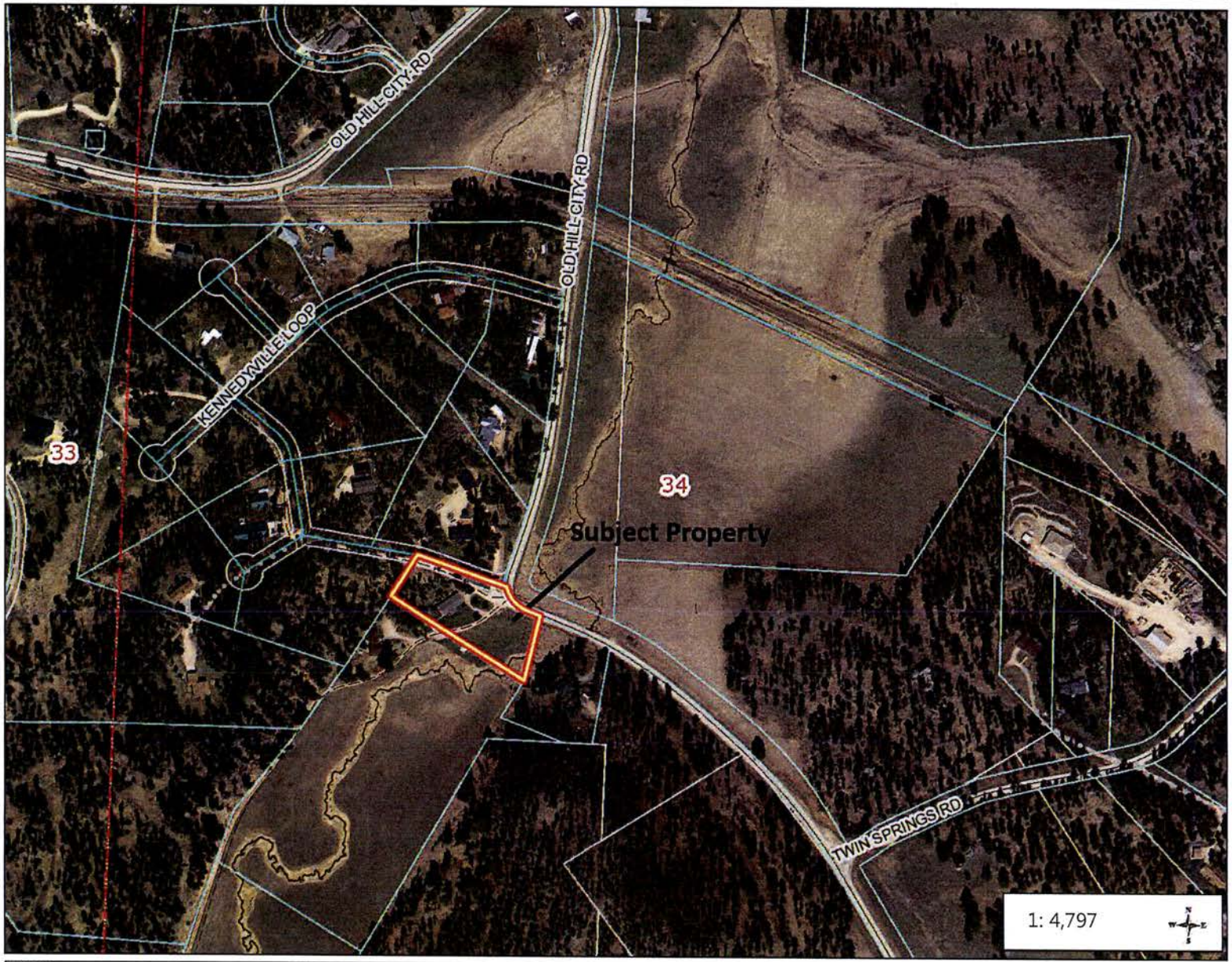
Tax Parcels

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:

RapidMap Rapid City-Pennington County GIS



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- Trail
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- Alley
- Unimproved road
- Airport Runway
- Not yet coded

Section Lines 0-25k
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Tax Parcels

Lot Lines
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- Lot Line
- Parcel Line

Map Notes:

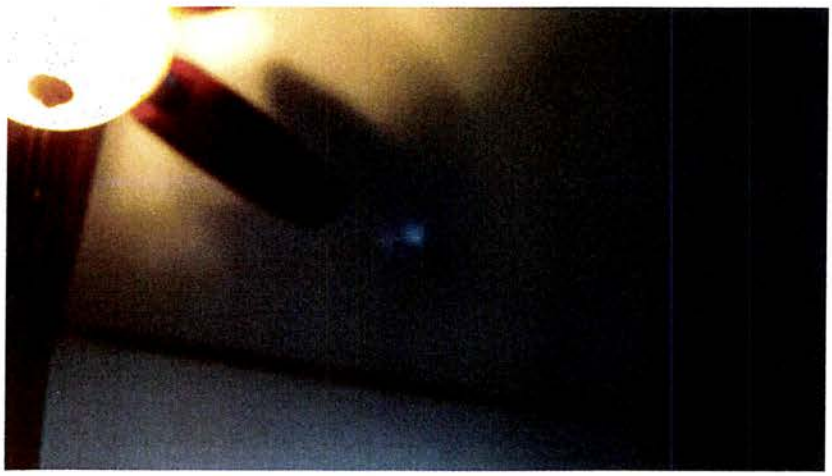
CU 15-05
Site Visit 5.3.2019











SOUTH DAKOTA DEPARTMENT OF HEALTH

LODGING LICENSE

Issued To: BEACH HOUSE LLC

Located At: BEACH HOUSE
12722 WATSON PARKER RD
HILL CITY, SD 57745

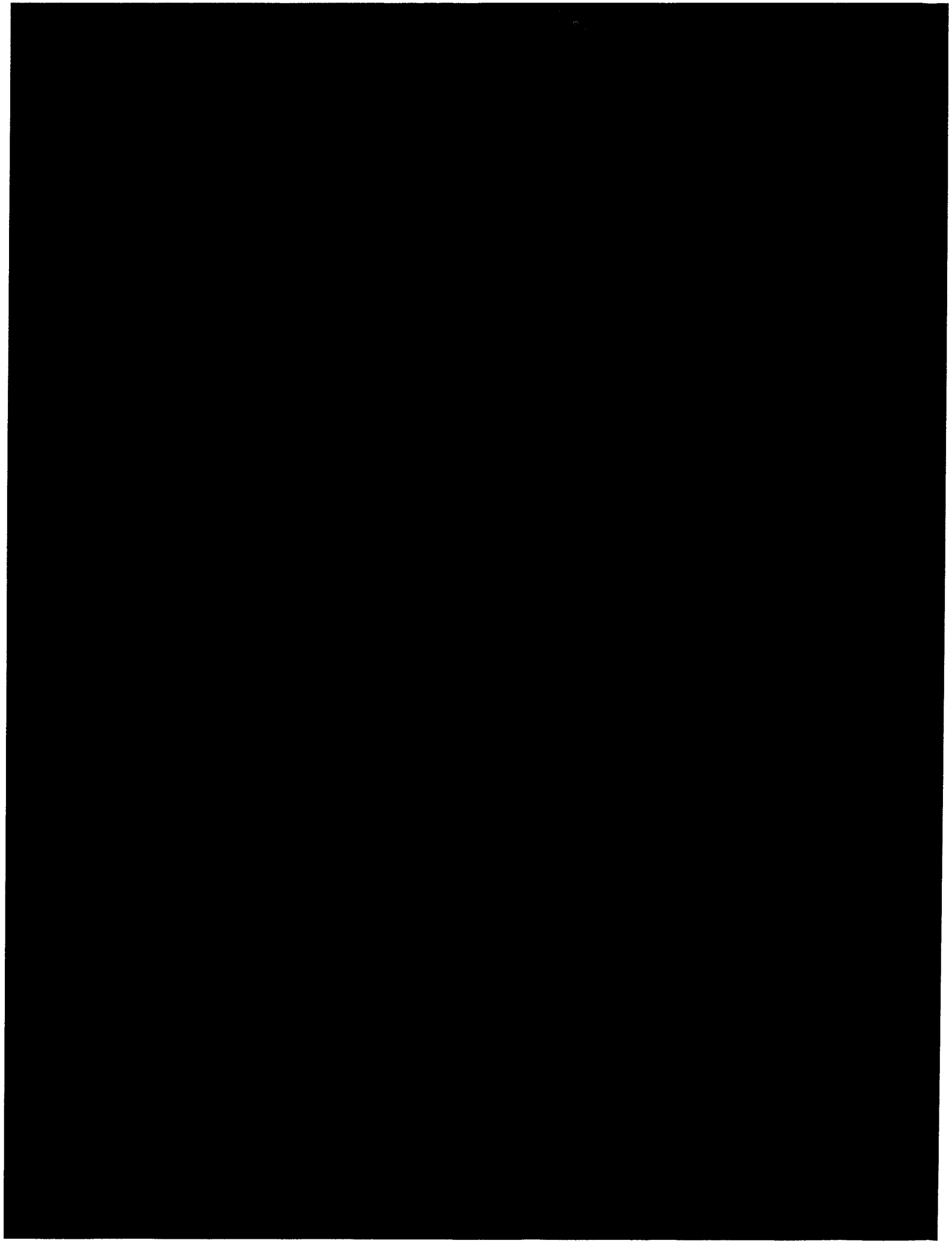
License Type
Vacation Home License

License Number
17552
Number of Units
1
Swimming Pool
0
Spa or Hot Tub
0

Expires
12/31/2019

Kim Malsam-Rysdon
Secretary of Health

License is Not Transferable - Post in the Establishment



Agenda Item #6
Founding Fathers, LLC
May 13, 2019

6

STAFF REPORT

GENERAL INFORMATION:

REQUEST:	**CONDITIONAL USE PERMIT REVIEW / CU 15-24:** To review a bell tower sign to be 50 feet tall with the total height of the letters to be 35 feet tall in a Highway Service District in accordance with § 210 and 510 of the Pennington County Zoning Ordinance.
APPLICANT/ OWNER:	Founding Fathers, LLC / Don Perdue
APPLICANT ADDRESS:	9815 S. Highway 16, Rapid City, SD 57702
LEGAL DESCRIPTION:	Lot A of SW1/4SW1/4; Lot A1 of Lot H2 of SW1/4SW1/4; Section 3, T1S, R7E, BHM, Pennington County, South Dakota.
SITE LOCATION:	9815 S. Highway 16.
SIZE:	9.28 acres
TAX ID:	13100
EXISTING LAND USE:	Commercial Business/Tourist Attraction
ZONING REFERENCE:	§ 210 and 510
CURRENT ZONING:	Highway Service District/ General Agriculture
SURROUNDING ZONING:	
North	Highway Service District
South	Highway Service District
East	Highway Service District
West	General Agriculture District
PHYSICAL CHARACTERISTICS:	Forested / Rock Outcroppings / Portion is flat
UTILITIES:	Private
REPORT BY:	Cassie Bolstad

I. PROPOSED RECOMMENDATION

A. Staff will be recommending approval of the extension of Conditional Use Permit / CU 15-24 with five (5) conditions.

II. GENERAL DESCRIPTION

A. September 14, 2015 – Planning Commission originally approved Conditional Use Permit / CU 15-24 with following ten (10) conditions:

1. That the applicant obtain approval of a Sign Permit, to be reviewed and approved by the Planning Director, for the proposed on-premise sign prior to placement of the sign on the subject property;
2. 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;
3. That if the on-premise sign is to be illuminated, all lighting must be installed and maintained so as to minimize spillage of light outside of the sign face so as not to create a nuisance and the sign must be effectively shielded to prevent beams or rays from being directed toward any portion of the traveled ways, and must not be of such intensity or brilliance to cause glare or impair the vision of the driver of any motor vehicle or otherwise interfere with any driver's operating of a motor vehicle;
4. That the sign must meet a minimum of a five (5) foot setback from the front property line and maintain proper setbacks from all side and rear property lines;
5. That the sign conform to all regulations in Section 312 of the Pennington County Zoning Ordinance;
6. That the on-premise sign be maintained so as to have an aesthetically pleasing appearance at all times and not appear dilapidated;
7. That only on-premise advertising and public information be allowed on the proposed sign and no off-premise advertising be allowed unless otherwise permitted with Pennington County through approval of a Conditional Use Permit;
8. That any banners or other signs located on the property which have not been permitted either be removed upon approval of this Conditional Use Permit or permitted immediately;
9. That the applicant signs a Statement of Understanding within seven (7) business days of approval of Conditional Use Permit #15-24, which is available at the Planning Office; and,
10. That this Conditional Use Permit be reviewed in two (2) years, 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.

B. October 9, 2017 – Planning Commission approved the extension of CU 15-24 with the following seven (7) conditions:
   1. That a Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be reviewed and approved by the Planning Director;
   2. That if any on-premise sign is to be illuminated, all lighting must be installed and maintained so as to minimize spillage of light outside of the sign face so as not to create a nuisance and the sign must be effectively shielded to prevent beams or rays from being directed toward any portion of the traveled ways, and must not be of such intensity or brilliance to cause glare or impair the vision of the driver of any motor vehicle or otherwise interfere with any driver's operating of a motor vehicle;
   3. That a Sign Permit be obtained for any sign on the subject property and must conform to all regulations in Section 312 of the Pennington County Zoning Ordinance;
   4. That all on-premise signs continue to be maintained so as to have an aesthetically pleasing appearance at all times and not appear dilapidated;
   5. That only on-premise advertising and public information be allowed on the bell tower sign, COSP15-0017, and no off-premise advertising be allowed unless otherwise permitted with Pennington County through approval of an approved Conditional Use Permit;
   6. That the applicant signs a Statement of Understanding within seven (7) business days of approval of Conditional Use Permit / CU 15-24, which is available at the Planning Office; and,
   7. That this Conditional Use Permit be reviewed in April 23, 2018, 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.

C. May 14, 2018 – Planning Commission approved the extension of CU 15-24 with the following five (5) conditions:
   1. That a Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be reviewed and approved by the Planning Director;
   2. That a Sign Permit be obtained for any sign on the subject property and must conform to all regulations in § 312 of the Pennington County Zoning Ordinance;
   3. That all on-premise signs continue to be maintained so as to have an aesthetically pleasing appearance at all times and not appear dilapidated;
   4. That only on-premise advertising and public information be allowed on the bell tower sign, COSP15-0017, and no off-premise advertising be allowed unless otherwise permitted with Pennington County through approval of an approved Conditional Use Permit; and,

5. That this Conditional Use Permit be reviewed in one (1) year, 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.

III. EXISTING CONDITIONS

A. 9.28 acres.
B. Highway Service Zoning District and General Agriculture District.
C. Lot contains:
   1. COSP91-20 – Both on-premise and off-premise signs 48' x 8' double 'V' shaped sign.
      a. This is a legal nonconforming sign under the Pennington County Zoning Ordinance (PCZO) and must adhere to § 312(A)(20).
   2. COBP13-0280 – Replica of Independence Hall.
      a. Variance / VA 13-08 to allow for the 126' structure in a Highway Service District was approved by the Board of Commissioners on June 18, 2013.
   3. COSP14-002 – On-premise sign that was never built.
   4. COSP14-003 – On-premise sign that was never built.
      a. Variance / VA 14-11 to allow for a 3' set back to the side yard property line was approved by the Board of Commissioners on May 6, 2014.
   5. COSP14-0016 – On-premise two-face sign totaling 250 square feet.
   6. COSP15-0017 – On-premise bell tower sign with two-faces.
      a. Conditional Use Permit / CU 15-24 to allow for a 50' tall sign in Highway Service District.
   7. COSP17-0019 – On-premise, 8'x 4' two-face sign located at the entrance to the property.
   8. COSP17-0020 – On premise, 8' x 4' banner located at the base of COSP15-0017.
   9. COSP17-0021 – On-premise, 1.5' x 7.7' two-face sign attached to COSP14-0016.
   10. COBP17-0586 – 60' x 23.7' carport/covering for the musket shooting range.
   11. COBP17-0587 – 11.3' x 12' shed with attached 11.3' x 4' deck.

IV. ANALYSIS

A. May 2, 2019 – Staff performed a site visit to the subject property.
   1. It appears that the subject property and the signage on the property are the same as observed during the last review of CU 15-24.
   2. It appears that the Conditions of Approval of CU 15-24 are being met.
B. Staff has not received any complaints or concerns regarding the subject property or Conditional Use Permit / CU 15-24.



Staff photo of the subject property.



Staff photo of the subject property.

RECOMMENDATION: Staff recommends approval of the extension of Conditional Use Permit / CU 15-24 with the following five (5) conditions:

1. That a Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be reviewed and approved by the Planning Director;

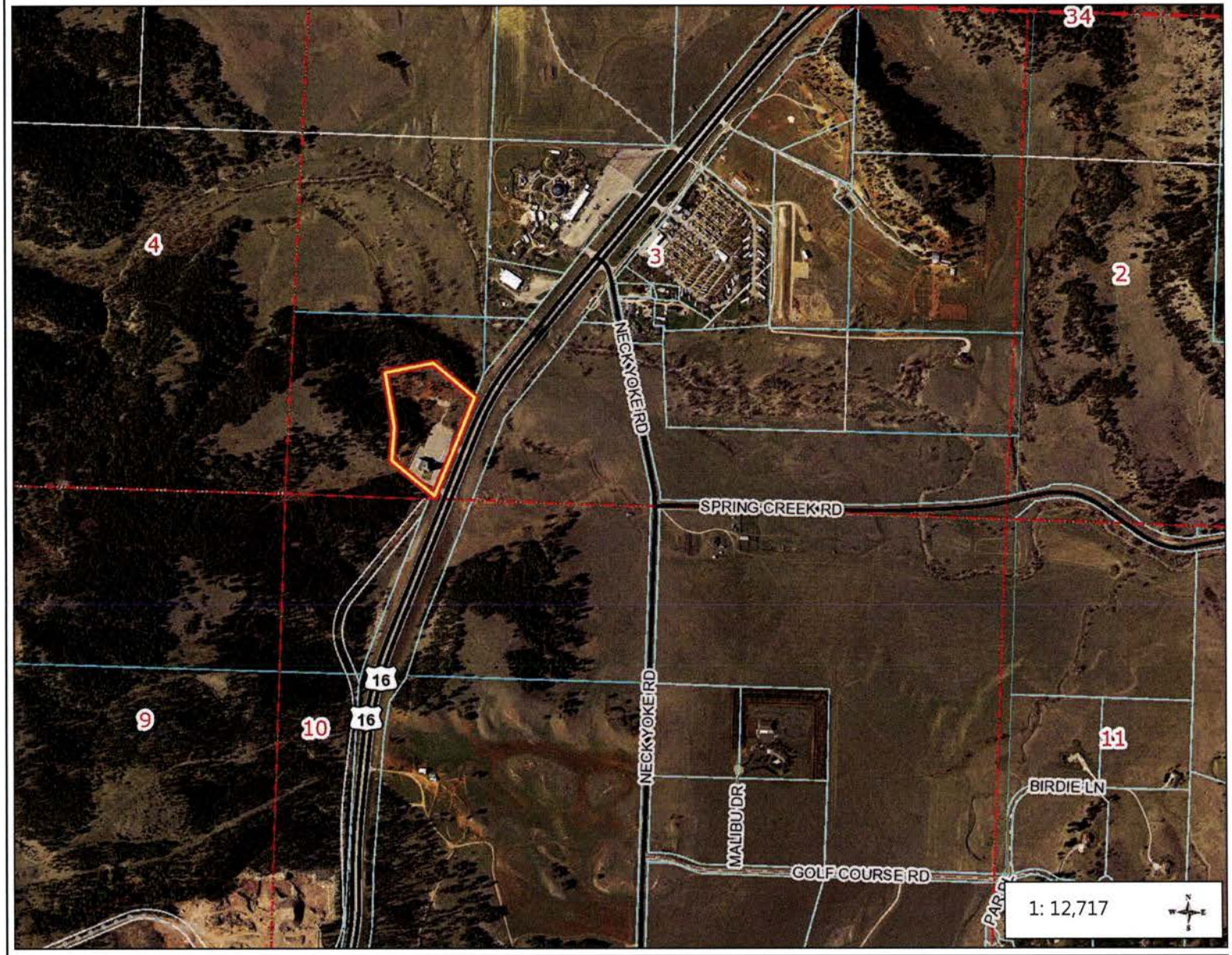
2. That a Sign Permit be obtained for any sign on the subject property and must conform to all regulations in § 312 of the Pennington County Zoning Ordinance;

3. That all signs continue to be maintained so as to have an aesthetically pleasing appearance at all times and not appear dilapidated;

4. That only on-premise advertising and public information be allowed on the bell tower sign, COSP15-0017, and no off-premise advertising be allowed unless otherwise permitted with Pennington County through approval of an approved Conditional Use Permit; and,

5. That this Conditional Use Permit be reviewed in three (3) years, 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.

RapidMap Rapid City-Pennington County GIS



Legend

Roads
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- Paved road
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- 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:

2,119.5 0 1,059.75 2,119.5 Feet

NAD_1983_StatePlane_South_Dakota_South_FIPS_4002_Feet

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Agenda Item #7
Robert and Glenda Frank
May 13, 2019

7

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 end Conditional Use Permit / CU 16-41.

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 310;
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 County Building Permit #16-0391 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 310;
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.

D. March 11, 2019, the Planning Commission approved to continue the review of CU 16-41 with 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).

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 South Dakota Department of Environment and Natural Resources.
   2. The system will service a three (3) bedroom home and shop with living quarters.
D. COBP16-0391: Approved August 24, 2016, for a 32' x 40' garage.
   1. Amended on February 2, 2018, to include the finished loft area.
   2. Extended from August 25, 2018, and expired on March 12, 2019.
E. A 10' x 10' shed, due to its size no Building Permit is required.

IV. ANALYSIS

A. On April 26, 2019, Staff performed a site visit to the subject property.
   1. Staff validated the RV was not currently being occupied and was disconnected from all utilities.

2. Staff verified construction of the 32' x 40' garage. The exterior appeared to be complete, minus siding.
3. On May 1, 2019, Staff spoke with the applicant, Robert Frank, via phone and confirmed completion of the 32' x 40' garage with living quarters on the subject property and that the RV 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. Mr. Frank expressed his desire to end Conditional Use Permit / CU 16-41.



RV Disconnected from Utilities. Site visit 4/26/2019, Jason Theunissen Planner II

RECOMMENDATION: Staff recommends to end Conditional Use Permit / CU 16-41.

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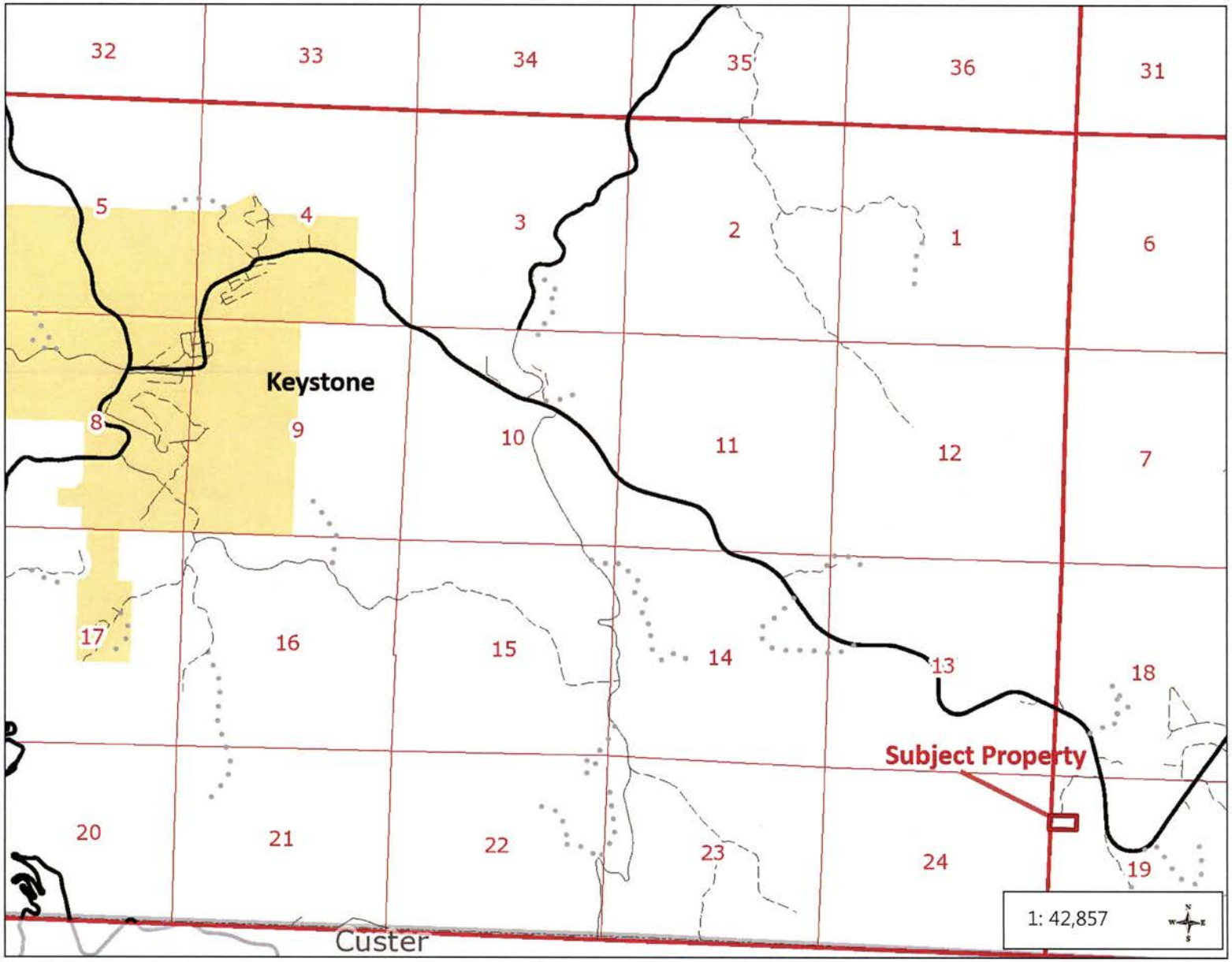

Legend

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:

7,142.9 0 3,571.45 7,142.9 Feet

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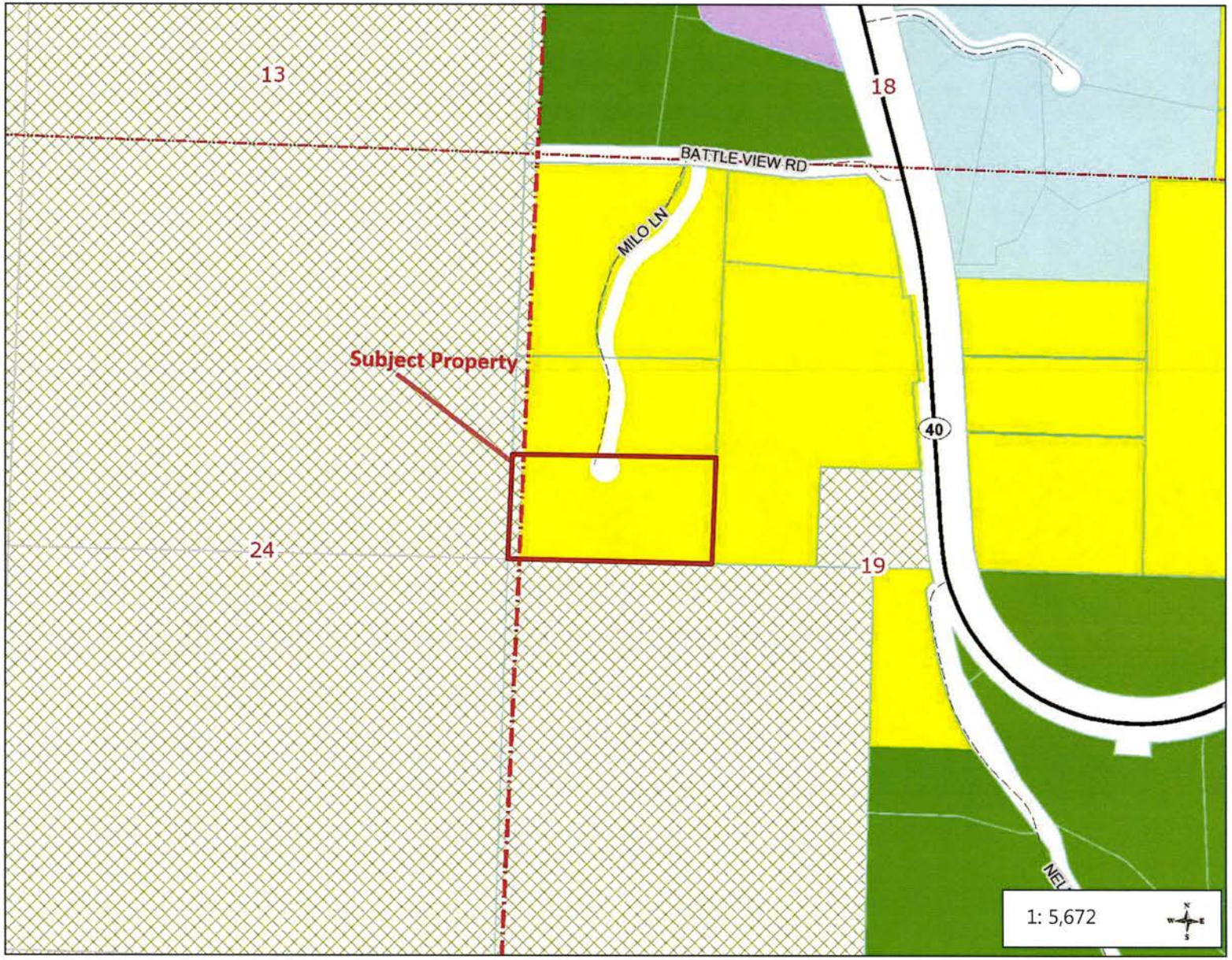
RapidMap Rapid City-Pennington County GIS



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- Trail
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- Alley
- Unimproved road
- Airport Runway
- Not yet coded

Section Lines 0-25k
- 0
- 7

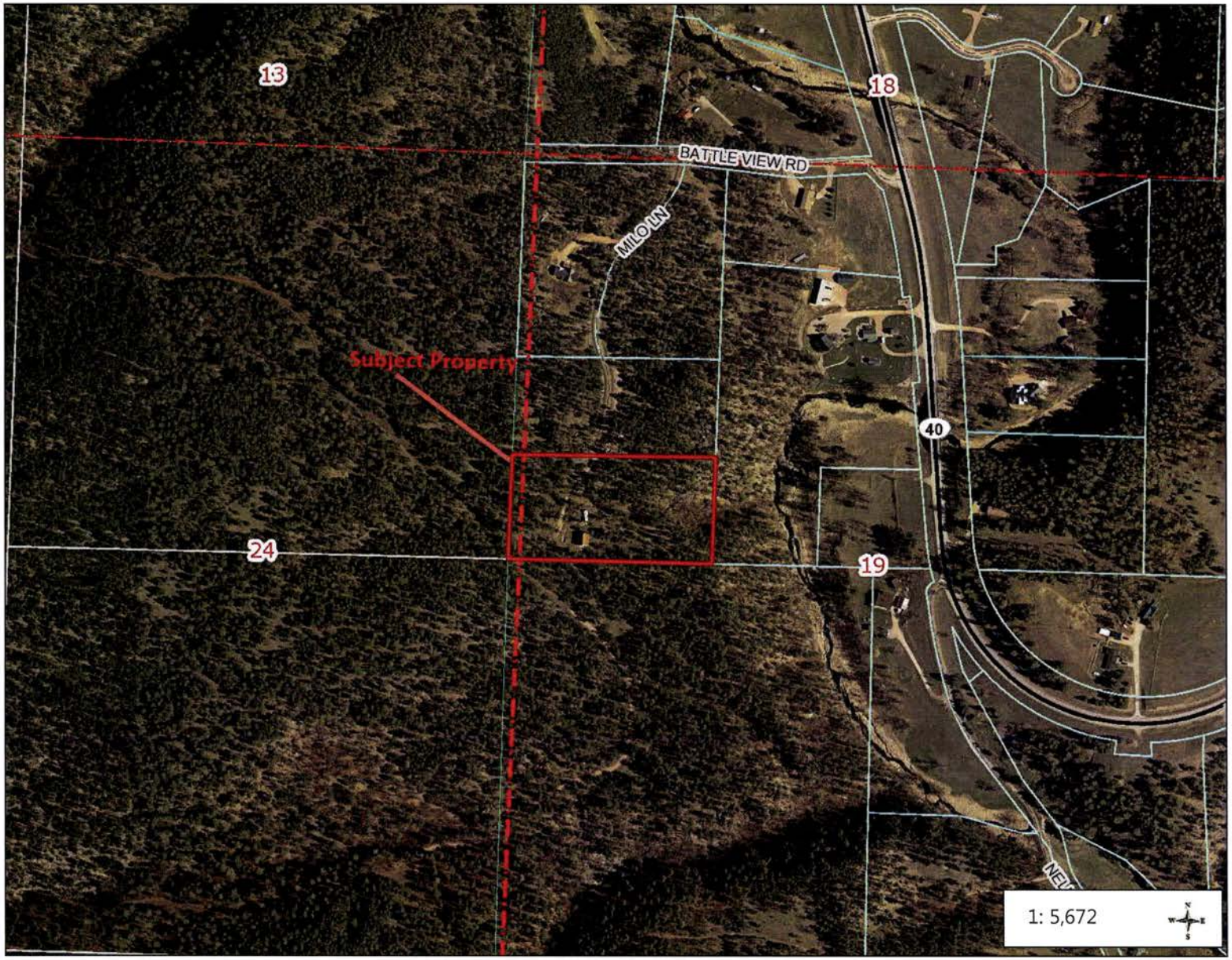
Tax Parcels

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:

RapidMap Rapid City-Pennington County GIS



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Section Lines 0-25k
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- 7

Tax Parcels

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

Map Notes:

Agenda Item #8
Maurice and Sonja Crowley
May 13, 2019

8

STAFF REPORT

GENERAL INFORMATION:

REQUEST:	**CONDITIONAL USE PERMIT REVIEW / CU 17-10**: To review 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:	Maurice and Sonja Crowley
APPLICANT ADDRESS:	13657 Silver Fox Spur, Rapid City, SD 57702
LEGAL DESCRIPTION:	Lot 5, Copper Oaks #2 Subdivision, Section 7, T1S, R7E, BHM, Pennington County, South Dakota.
SITE LOCATION:	13657 Silver Fox Spur; northwest of the intersection of Wilderness Canyon Road and Silver Fox Spur.
SIZE:	1.5 acres
TAX ID:	39846
EXISTING LAND USE:	Residential
ZONING REFERENCE:	§ 208, 319, and 510
CURRENT ZONING:	Suburban Residential District
SURROUNDING ZONING:	
North	Low Density Residential District
South	Suburban Residential District
East	Suburban Residential District
West	Suburban Residential District
PHYSICAL CHARACTERISTICS:	Rolling Hills / Trees
UTILITIES:	Private septic / Public water
REPORT BY:	Kristina Proietti

Agenda Item #8
Maurice and Sonja Crowley
May 13, 2019

I. PROPOSED RECOMMENDATION

A. Staff will be recommending to end Conditional Use Permit / CU 17-10, with the applicant's concurrence.

II. GENERAL DESCRIPTION

A. The applicants, Maurice and Sonja Crowley, applied for a Conditional Use Permit to allow an existing four (4) bedroom residence to be used as a Vacation Home Rental on the subject property.

III. EXISTING CONDITIONS

A. Zoned Suburban Residential District.
B. 1.5 acres.
C. Access off of Silver Fox Spur via an existing approach.
D. Lot contains:
    1. Single-family residence with attached garage – Building Permit #7513.
        a. 30' x 40' attached garage – 1993COBP0084.
        b. Addition to single-family residence (addition of one bedroom and walkway) – 2009COBP0264.
    2. On-site wastewater treatment system
        a. Operating Permit – COOP16-0299.

IV. HISTORY

A. June 12, 2017 – Planning Commission approved Conditional Use Permit / CU 17-10 with the following fourteen (14) 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 Section 319-F-13;
    2. That if an addition to the structure 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 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, prior to operation of the Vacation Home Rental;

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 current copy of said plan be kept on file at the Planning Department;
6. That a minimum of four (4) off-street parking spaces be provided on-site, per Pennington County Zoning Ordinance Section 310-A-9-gg, with each measuring a minimum of 9-feet by 18-feet and surfaced with gravel, concrete, or asphalt and maintained in a dust-free manner;
7. That an interior informational sign be posted in accordance with the requirements of Pennington County Zoning Ordinance Section 319-G, with 9-1-1 and (605) 394-4139 listed as contacts for Fire Department and Sheriff's Department; to include information that there is only one means of ingress/egress; no trespassing on neighboring property owner's properties; be aware of rattle snakes in the area, and also be aware of fire danger and the subject property topography, during operation of the Vacation Home Rental;
8. That the lot address (13657 Silver Fox Spur) be posted on the residence at all times and at the driveway so that it is clearly visible from both directions of travel on Silver Fox Spur, 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 Pennington County Zoning Ordinance Section 319-F (Performance Standards) at all times;
10. That if the person designated as the Local Contact is ever changed from either Bailee Goodwin or Carson Goodwin, the interior informational sign be updated and the applicant re-notify the Planning Department and surrounding landowners within 500 feet via notices sent by Certified 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 (VHR);
12. 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;
13. That the applicant signs the Statement of Understanding within ten (10) business days of approval of Conditional Use Permit / CU 17-10, which is available at the Planning Office; and,
14. That this Conditional Use Permit be reviewed in six (6) months, 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.

B. June 12, 2018 – Planning Commission approved the extension of Conditional Use Permit / CU 17-10 with the following fourteen (14) 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 to the structure 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 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, prior to operation of the Vacation Home Rental;
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 current copy of said plan be kept on file at the Planning Department;
6. That a minimum of four (4) 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 continue to be posted in accordance with the requirements of PCZO § 319(G), with 9-1-1 and (605) 394-4139 listed as contacts for Fire Department and Sheriff's Department; to include information that there is only one means of ingress/egress; no trespassing on neighboring property owner's properties; be aware of rattle snakes in the area, and also be aware of fire danger and the subject property topography, during operation of the Vacation Home Rental;
8. That the lot address (13657 Silver Fox Spur) continue to be posted on the residence at all times and at the driveway so that it is clearly visible from both directions of travel on Silver Fox Spur, in accordance with Pennington County's Ordinance #20;
9. That the applicants ensure the Vacation Home Rental is operated in at all times;

10. That if the person designated as the Local Contact is ever changed from either Maurice Crowley or Sonja Crowley, the interior informational sign be updated and the applicant re-notify the Planning Department 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 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;
13. That the applicant signs the Statement of Understanding within ten (10) business days of approval of the extension of Conditional Use Permit / CU 17-10, which is available at the Planning Office; and,
14. 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.

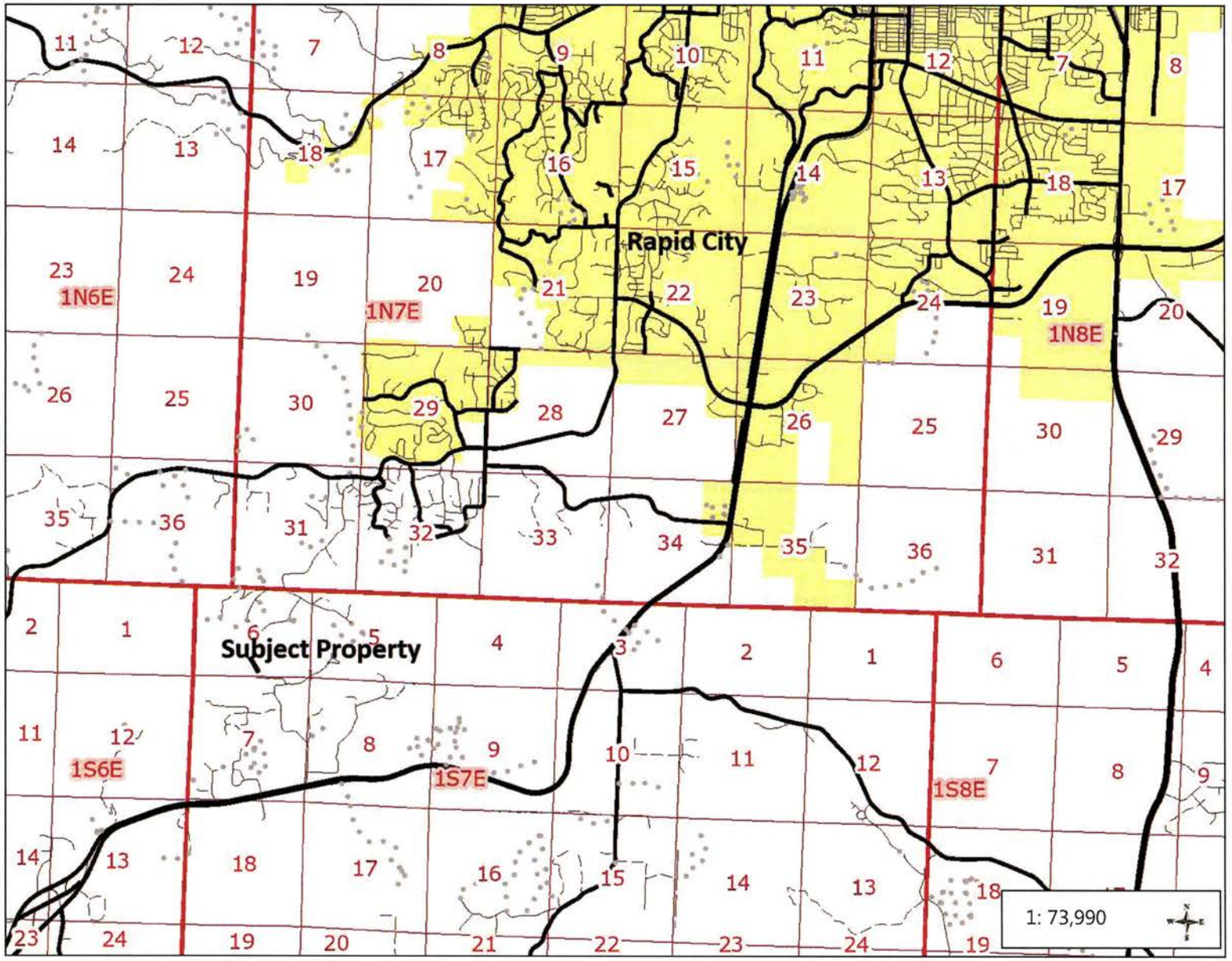
V. ANALYSIS

A. Staff spoke with Mr. and Mrs. Crowley on April 22, 2019, they stated they have decided to end the use of Conditional Use Permit / CU 17-10 since a Local Contact within 50 miles of the VHR was unable to be established, and because they have not been advertising or utilizing the residence as a Vacation Home Rental.

RECOMMENDATION: Staff will be recommending to end Conditional Use Permit / CU 17-10, with the applicant's concurrence.

RapidMap

Rapid City-Pennington County GIS



Legend

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PLSS

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

Map Notes:

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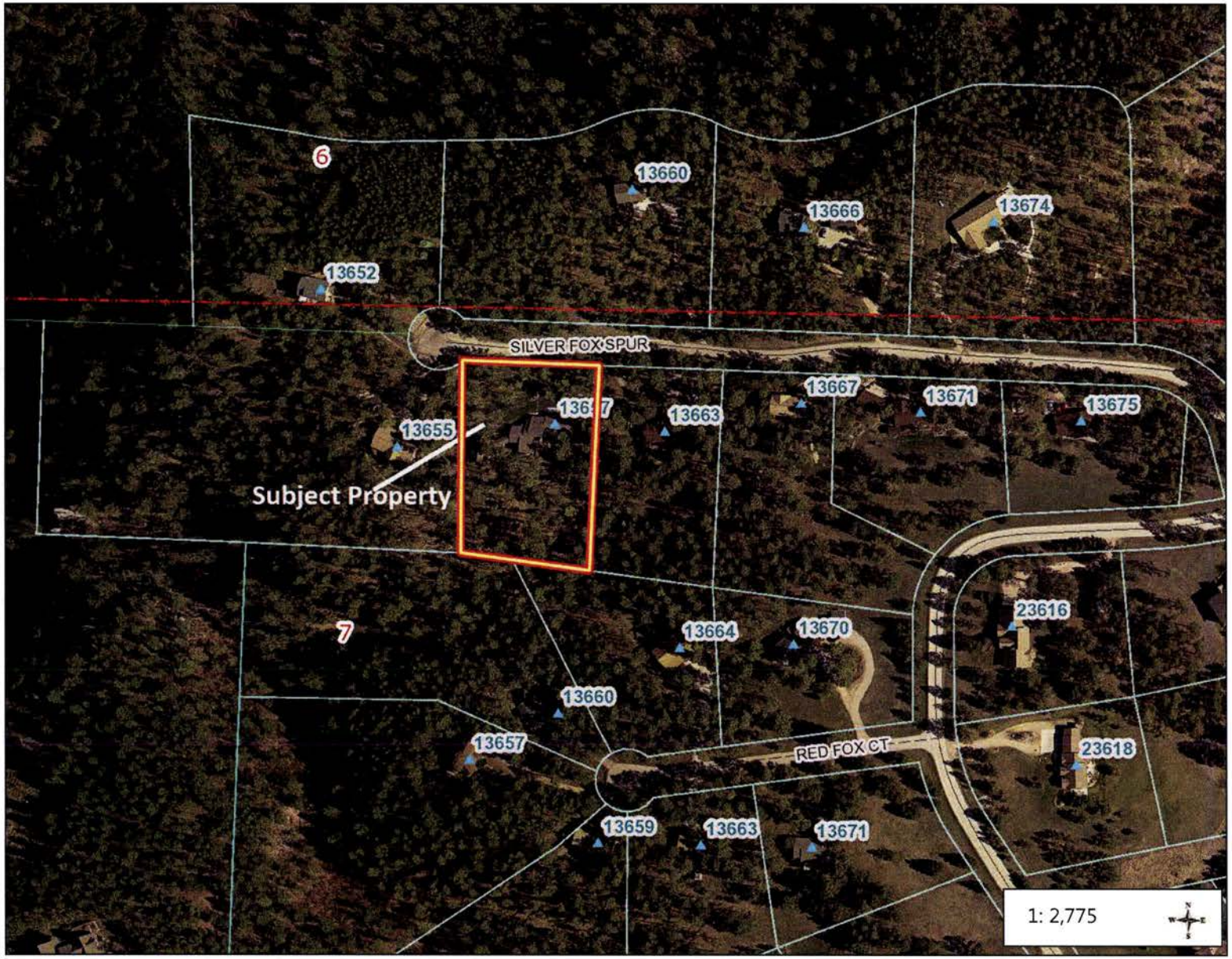

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- Paved road
- Unpaved road
- Trail
- Driveway
- Alley
- Unimproved road
- Airport Runway
- Not yet coded

Address Points

Section Lines 0-25k
- 0
- 7

Tax Parcels

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

Map Notes:

Proietti Kristina

From: I would <sdsurvivr@aol.com>
Sent: Monday, May 06, 2019 3:57 PM
To: Proietti Kristina
Subject: Crowley Property

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

Kristina:

We are sending you this e-mail to confirm we will not be renting our home located at 13657 Silver Fox Spur as Vacation Rental Property in 2019.

Thank you

Maurice and Sonja Crowley

Agenda Item #9
Gerard and Michele Mlinar
May 13, 2019

9

STAFF REPORT

GENERAL INFORMATION:

REQUEST:	**CONDITIONAL USE PERMIT REVIEW / CU 17-11**: To review 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.
APPLICANT:	Gerard and Michele Mlinar
APPLICANT ADDRESS:	13704 Highway 40, Keystone, SD 57751
LOCAL CONTACT:	Gerard Mlinar
LEGAL DESCRIPTION:	Lot 2A, Battle Creek Mountain Estates Subdivision, Section 17, T2S, R7E, BHM, Pennington County, South Dakota.
SITE LOCATION:	13704 Highway 40; approximately .25 mile west of the intersection of Highway 40 and Rushmore Ranch Road.
SIZE:	3.02 acres
TAX ID:	65805
EXISTING LAND USE:	Residential
ZONING REFERENCE:	§ 207, 319, and 510
CURRENT ZONING:	Low Density Residential District
SURROUNDING ZONING:	
North	Low Density Residential District
South	Low Density Residential District
East	Low Density Residential District
West	Low Density Residential District
PHYSICAL CHARACTERISTICS:	Hills
UTILITIES:	Private

Agenda Item #9
Gerard and Michele Mlinar
May 13, 2019

REPORT BY: Jason Theunissen

I. PROPOSED RECOMMENDATION

A. Staff will be recommending approval of the extension of Conditional Use Permit / CU 17-11 with thirteen (14) conditions.

II. GENERAL DESCRIPTION

A. On May 22, 2017, the Planning Commission approved Conditional Use Permit / CU 17-11 with the following fourteen (14) conditions:

1. That the maximum overnight occupancy, based on SD DENR approval, be limited to eight (8) people and the maximum daytime occupancy be limited to sixteen (16) people, per Pennington County Zoning Ordinance Section 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 South Dakota Department of Environment and Natural Resources (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, prior to operation of the Vacation Home Rental;
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 be provided on-site, per Pennington County Zoning Ordinance Section 310-A-9-gg, with each measuring a minimum of 9-feet by 18-feet and surfaced with gravel, concrete, or asphalt and maintained in a dust-free manner;
7. That an interior informational sign be posted in accordance with the requirements of Pennington County Zoning Ordinance Section 319-G, with 9-1-1 and (605) 394-4139 listed as contacts for Fire Department and Sheriff's Department, during operation of the Vacation Home Rental;
8. That the lot address (13704 Highway 40) be posted on the residence at all times and at the driveway so that it is clearly visible from both directions of travel on Highway 40, 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 Pennington County Zoning Ordinance Section 319-F (Performance Standards) at all times;
10. That if the person designated as the Local Contact is ever changed from Bailee Goodwin or Carson Goodwin, the interior informational sign be updated and the applicant re-notify the Planning Department and surrounding landowners within 500 feet via notices sent by Certified 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 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;
13. That the applicant signs the Statement of Understanding within ten (10) business days of approval of Conditional Use Permit / CU 17-11, which is available at the Planning Office; and,
14. 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.

B. On May 14, 2018, the Planning Commission approved Conditional Use Permit / CU 17-11 with the following fourteen (14) conditions:
1. That the maximum overnight occupancy, based on SD DENR approval, be limited to eight (8) people and the maximum daytime occupancy be limited to sixteen (16) 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 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, prior to operation of the Vacation Home Rental;
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 be provided on-site, per Pennington County Zoning Ordinance §310(A)(9)(gg), with each measuring a minimum of 9-feet by 18-feet and surfaced with gravel, concrete, or asphalt and maintained in a dust-free manner;
7. That an interior informational sign be posted in accordance with the requirements of PCZO §319(G), with 9-1-1 and (605) 394-4139 listed as contacts for Fire Department and Sheriff's Department, during operation of the Vacation Home Rental;
8. That the lot address (13704 Highway 40) be posted on the residence at all times and at the driveway so that it is clearly visible from both directions of travel on Highway 40, 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 Gerard Milnar, the interior informational sign be updated and the applicant re-notify the Planning Department 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 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;
13. That the applicant signs the Statement of Understanding within ten (10) business days of approval of Conditional Use Permit / CU 17-11, which is available at the Planning Office; and,
14. 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.

III. EXISTING CONDITIONS

A. Zoned Low Density Residential District, minimum three (3) acre lot size.
B. 3.02 acres.
C. Access of Highway 40 via an existing approach.
D. Lot contains:
    1. Single-family residence with attached garage, deck, porch, and pergola – COBP15-0338.
    2. On-site wastewater treatment system – COSD15-0065.
        a. Operating Permit – COOP15-0577.

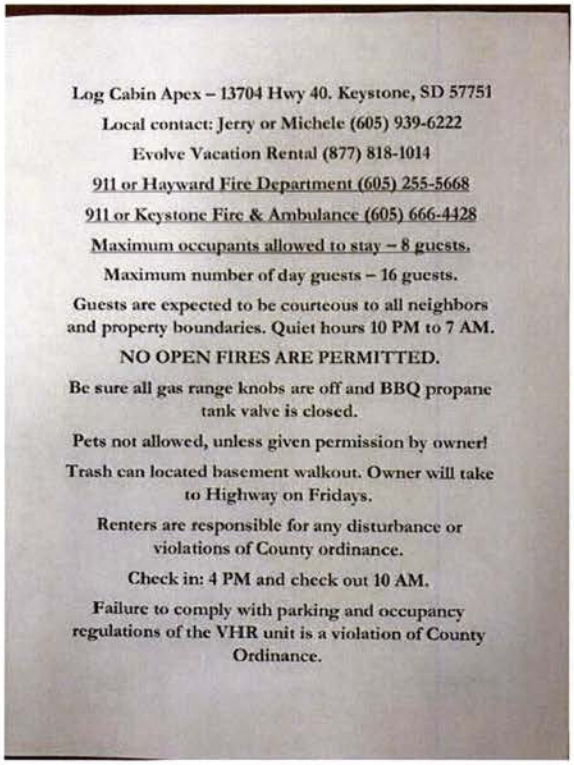
IV. ANALYSIS

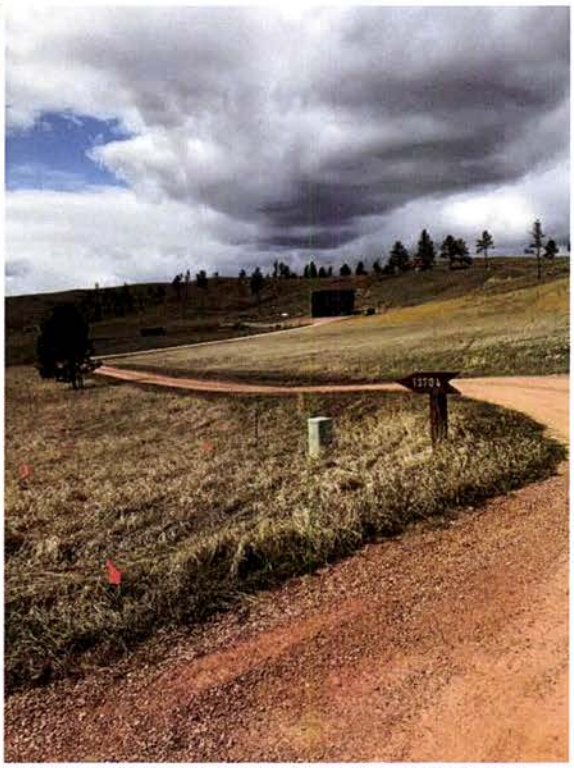
A. On April 17, 2019, Staff performed a site visit to the subject property.
   1. Staff met with he property owner, Gerard Mlinar and validated/discussed the following:
      a. Maximum overnight occupancy be limited to eight (8) people and the maximum daytime occupancy be limited to sixteen (16) people (Condition #1).
      b. Current licenses with the South Dakota Department of Health (Vacation Home License) and the Department of Revenue (Sales Tax License) (Condition #4).
      c. Interior informational sign is posted in accordance with the requirements of PCZO § 319(G) (Condition #7).
      d. That the Vacation Home Rental is operated in accordance with the requirements of PCZO § 319(F) (Performance Standards) at all times (Condition #9).

B. Pennington County Planning and Zoning no longer requires Statements of Understanding for this type of permit. Therefore, Staff has removed Condition #14.

C. At the time of this report, Staff has not received any complaints regarding CU 17-11.

D. Remaining Conditions of Approval appeared to be met.





Interior Information Sign and Posted Address. Site visit 4/17/2019, Jason Theunissen Planner II



VHR Exterior. Site visit 4/17/2019, Jason Theunissen Planner II

RECOMMENDATION: Staff recommends approval of the extension of Conditional Use Permit / CU 17-11 with the following thirteen (14) conditions:

1. That the maximum overnight occupancy, based on SD DENR approval, continue to be limited to eight (8) people and the maximum daytime occupancy be limited to sixteen (16) 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 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, prior to operation of the Vacation Home Rental;

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 continue to be posted in accordance with the requirements of PCZO § 319(G), with 9-1-1 and (605) 394-4139 listed as contacts for Fire Department and Sheriff's Department, during operation of the Vacation Home Rental;

8. That the lot address (13704 Highway 40) continue to be posted on the residence at all times and at the driveway so that it is clearly visible from both directions of travel on Highway 40, 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 Gerard Mlinar, the interior informational sign be updated and the applicant re-notify the Planning Department 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;

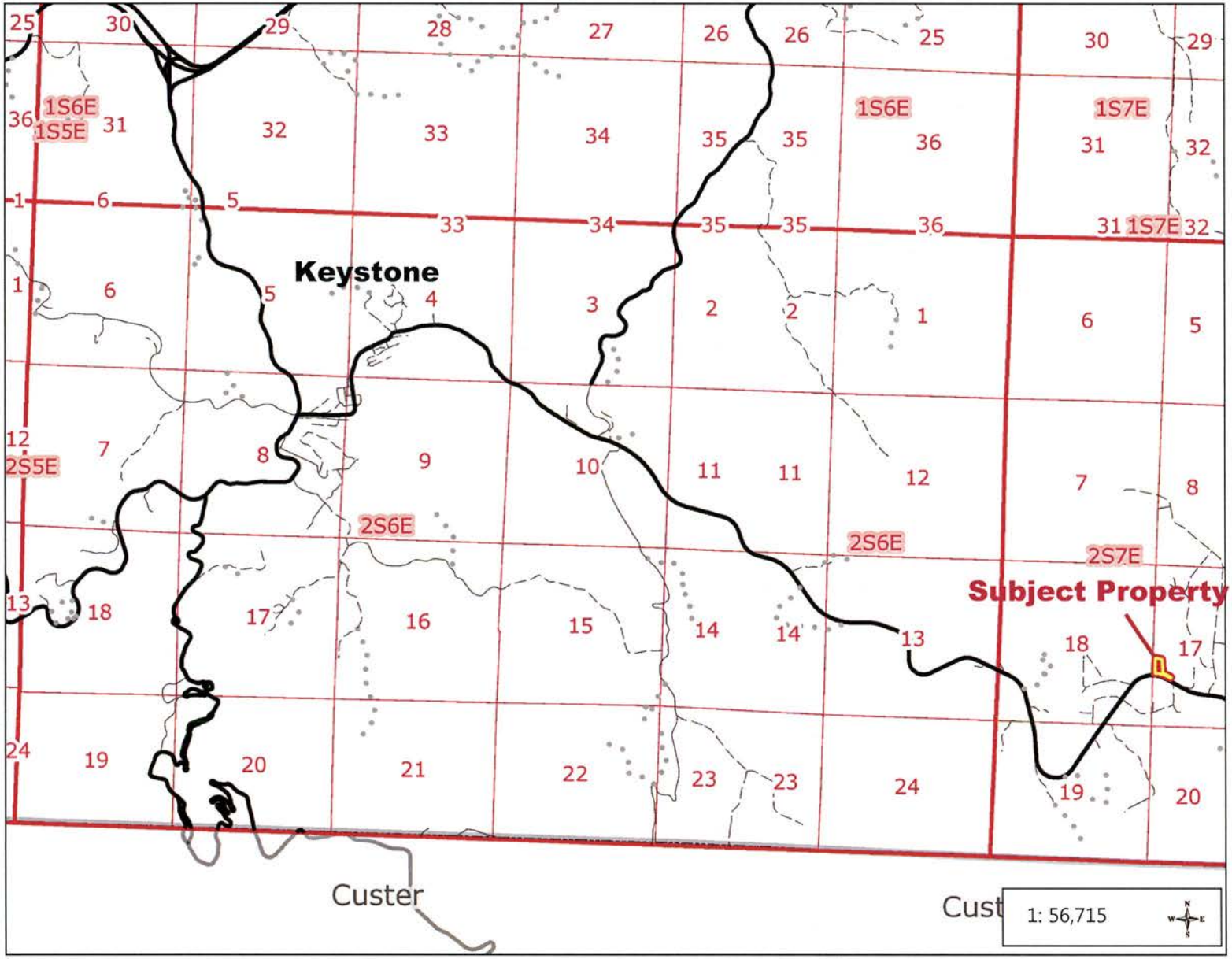
12. That an approved Building Permit be obtained for any structure(s) exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be reviewed and approved by the Planning Director;

13. That each review of Conditional Use Permit / CU 17-11, be subject to PCZO § 511(F)(4), which imposes a $100 fee per review; and,

14. That this Conditional Use Permit be reviewed in two (2) years, on a complaint basis, or as directed by the Pennington County Planning Commission or Board of Commissioners to verify that all Conditions of Approval are being met.

RapidMap

CU 17-11 SITE MAP



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

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

Map Notes:

9,452.4 0 4,726.21 9,452.4 Feet

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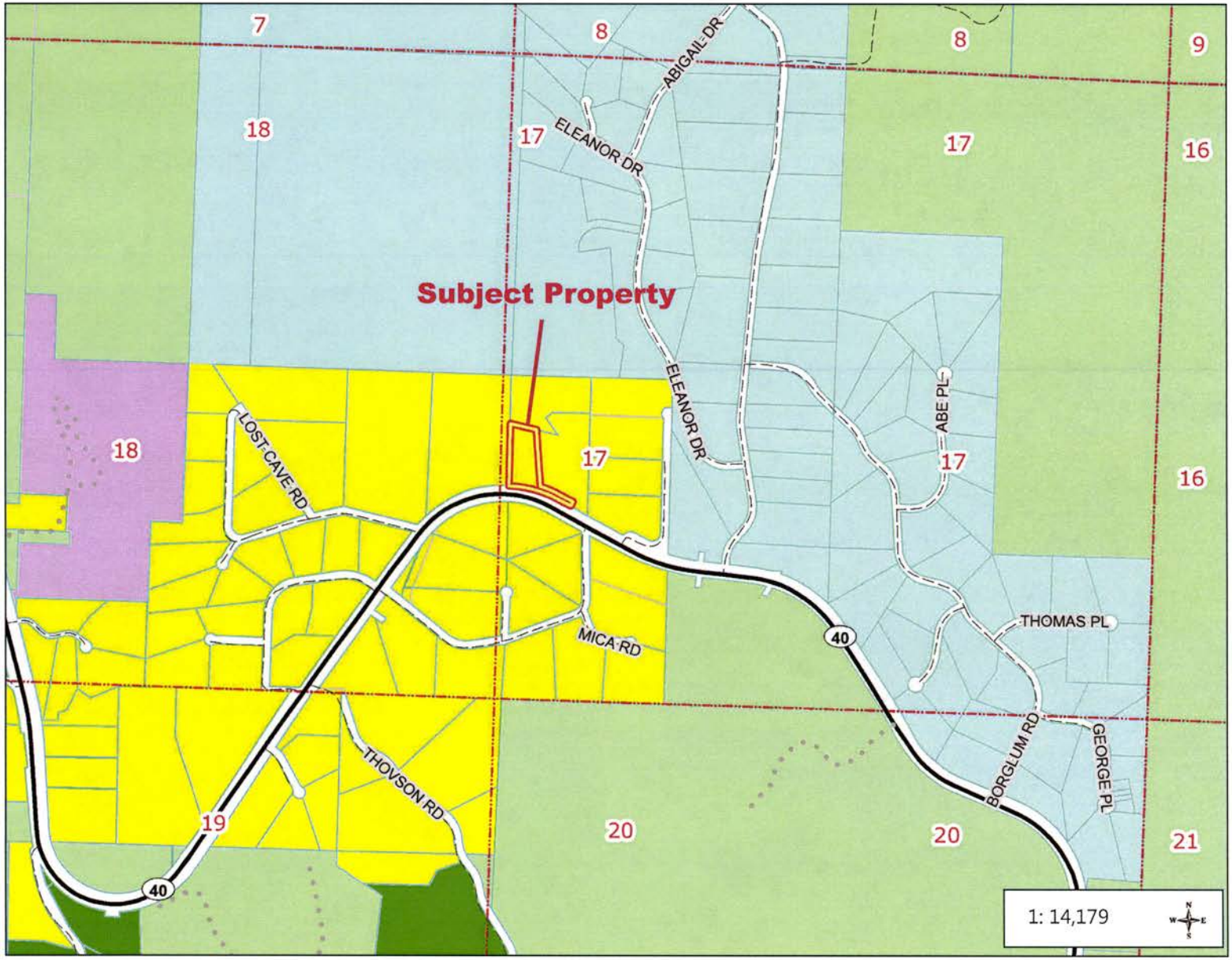
RapidMap

CU 17-11 ZONING MAP



Legend

Roads
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- 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:

2,363.1 0 1,181.55 2,363.1 Feet

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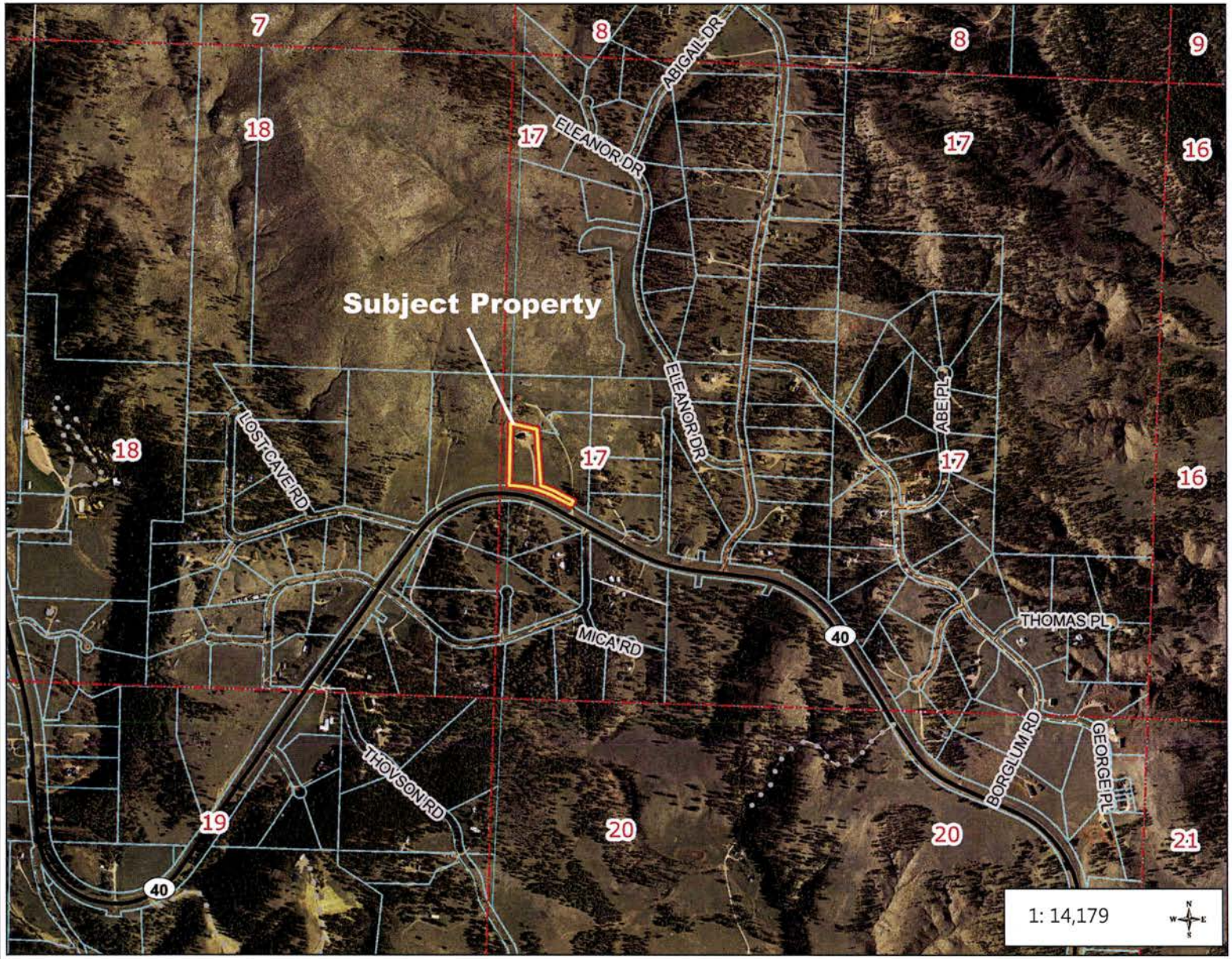
CU 17-11 Aerial MAP



Legend

Roads
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- 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:

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NAD_1983_StatePlane_South_Dakota_South_FIPS_4002_Feet

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Agenda Item #10
David and Laura Jones
May 13, 2019

10

STAFF REPORT

GENERAL INFORMATION:

REQUEST:	**CONDITIONAL USE PERMIT REVIEW / CU 17-14:** 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 § 207 and 510 of the Pennington County Zoning Ordinance.
APPLICANT:	David and Laura Jones
APPLICANT ADDRESS:	13630 Twisted Oak Trail, Keystone, SD 57751
LEGAL DESCRIPTION:	Lot 1R, Forty Oaks Ranch Subdivision, Section 18, T2S, R7E, BHM, Pennington County, South Dakota.
SITE LOCATION:	13630 Twisted Oak Trail; located near the intersection of Highway 40 and Twisted Oak Trail.
SIZE:	3.02 acres
TAX ID:	68985
EXISTING LAND USE:	Residential
ZONING REFERENCE:	§ 207 and 510
CURRENT ZONING:	Low Density Residential District
SURROUNDING ZONING:	
North	Highway Service District
South	Low Density Residential District
East	Low Density Residential District
West	Highway Service District
PHYSICAL CHARACTERISTICS:	Flat
UTILITIES:	Private
REPORT BY:	Kristina Proietti

I. PROPOSED RECOMMENDATION

A. Staff will be recommending approval of the extension of Conditional Use Permit / CU 17-14 with nine (9) conditions.

II. GENERAL DESCRIPTION

A. The applicants, David and Laura Jones, requested a Conditional Use Permit to allow a Recreational Vehicle to be used as temporary living quarters while building a single-family residence (SFR) on the subject property.

B. May 22, 2017 – Planning Commission approved Conditional Use Permit / CU 17-14 with the following ten (10) conditions:

1. That there be no more than one (1) Recreational Vehicle (RV) allowed to be utilized as living quarters on the subject property during construction of the single-family residence;
2. That the address for the property (13630 Twisted Oak Trail) be clearly posted on the Recreational Vehicle (RV) while it is being utilized as living quarters. Once the single-family residence is complete, the address must be posted on the residence and at the driveway so as to be visible from Twisted Oak Trail, in accordance with Pennington County's Ordinance #20;
3. That the Recreational Vehicle (RV) being used as a temporary residence be hooked into the approved On-Site Wastewater Treatment System until the single-family residence is habitable;
4. That the minimum setback requirements of a Low Density Residential District be continually maintained on the subject property, or an approved Setback Variance be obtained;
5. That the subject property remains free of debris and junk vehicles, in accordance with Ordinance #106;
6. 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;
7. That upon completion of the single-family residence on the subject property, the Recreational Vehicle (RV) will be disconnected from all utilities and may no longer be utilized as living quarters on the subject property;
8. That the applicant notify the Planning Department when the new residence is habitable, so that this Conditional Use Permit may be ended;
9. That the applicant signs the Statement of Understanding within ten (10) business days of Conditional Use Permit / CU 17-14, which is available at the Planning Office; and,
10. That this Conditional Use Permit be reviewed in one (1) year, on a complaint basis, or as deemed necessary by the Pennington County Planning Commission or Board of Commissioners to verify that all Conditions of Approval are being met.

B. May 14, 2018 – Planning Commission approved the extension of Conditional Use Permit / CU 17-14 with the following nine (9) conditions:
   1. That there be no more than one (1) Recreational Vehicle (RV) allowed to be utilized as living quarters on the subject property during construction of the single-family residence;
   2. That the address for the property (13630 Twisted Oak Trail) be clearly posted on the Recreational Vehicle (RV) while it is being utilized as living quarters. Once the single-family residence is complete, the address must be posted on the residence and at the driveway so as to be visible from Twisted Oak Trail, in accordance with Pennington County's Ordinance #20;
   3. That the Recreational Vehicle (RV) being used as a temporary residence continue to be hooked into the approved On-Site Wastewater Treatment System until the single-family residence is habitable;
   4. That the minimum setback requirements of a Low Density Residential District be continually maintained on the subject property, or an approved Setback Variance be obtained;
   5. That the subject property continually remains free of debris and junk vehicles, in accordance with Ordinance #106:
   6. 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;
   7. That upon completion of the single-family residence on the subject property, the Recreational Vehicle (RV) will be disconnected from all utilities and may no longer be utilized as living quarters on the subject property;
   8. That the applicant notify the Planning Department when the new residence is habitable, so that this Conditional Use Permit may be ended; and,
   9. That this Conditional Use Permit be reviewed in one (1) year, 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.

III. EXISTING CONDITIONS

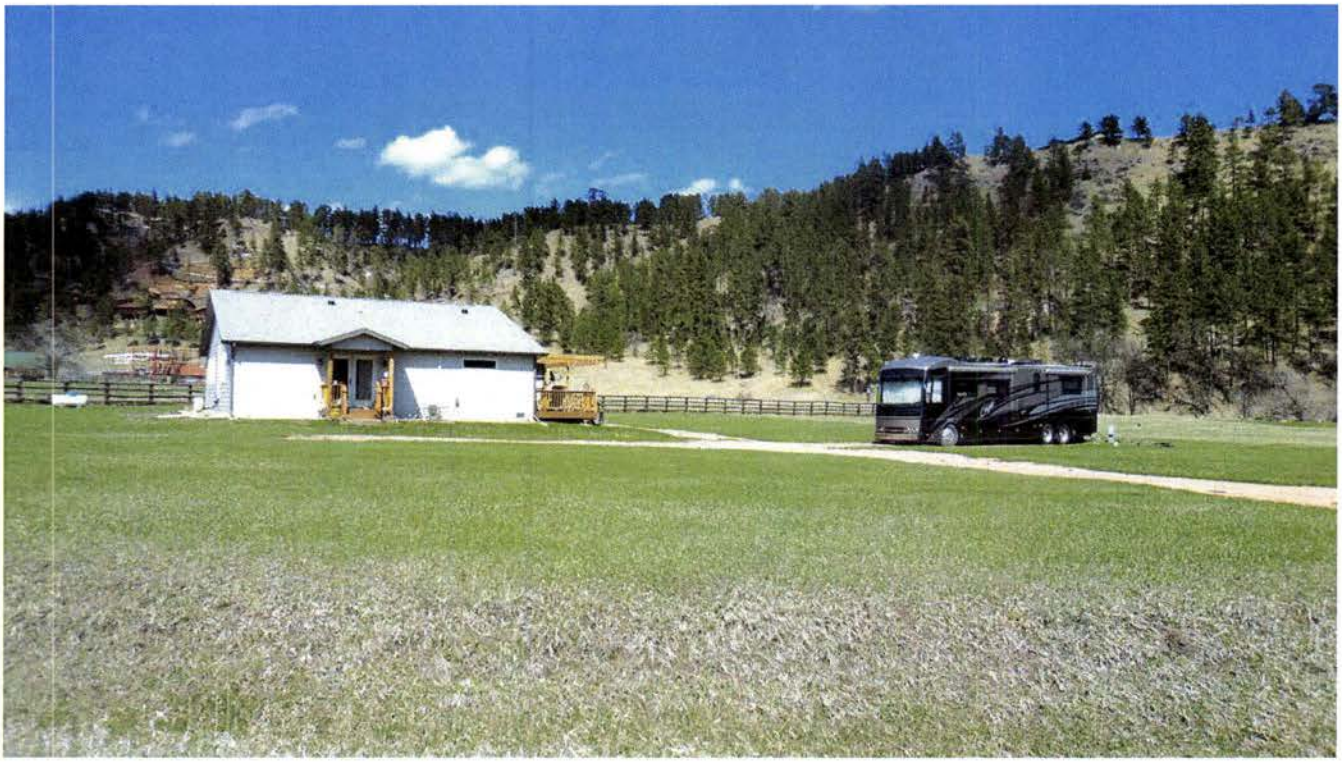
A. Zoned Low Density Residential District, minimum three (3) acre lot size.
B. 3.02 acres.
C. Access off of Twisted Oak Trail via an approved approach.
D. Located within the Twisted Oak Trail Road District.
E. Lot contains:
   1. Single-family residence with attached garage, County Building Permit / COBP17-0118.

2. On-site wastewater treatment system Construction Permit / COSD16-0105.
3. RV as temporary living quarters.

IV. ANALYSIS

A. April 23, 2019 – Staff performed a site visit and met with Mr. Jones to verify that:

1. The single-family residence is built; however, it is not fully habitable due to the bathrooms and bedrooms not being completed.
2. The RV is still being utilized as the main living quarters on the property.
3. Mr. Jones stated they are still utilizing the RV as living quarters at this time, but hopes to be finished with the SFR within the year.
4. Pennington County considers a single-family residence finished once the exterior has been completed. The applicant does need further time to finish the interior, therefore staff is requesting to review this Conditional Use Permit / CU17-14 in November 2019.



Site visit – 04/23/2019.

RECOMMENDATION: Staff recommends approval of the extension of Conditional Use Permit / CU 17-14 with the following nine (9) conditions:

1. That there be no more than one (1) Recreational Vehicle (RV) allowed to be utilized as living quarters on the subject property during construction of the single-family residence;

2. That the address for the property (13630 Twisted Oak Trail) be clearly posted on the Recreational Vehicle (RV) while it is being utilized as living quarters. As well as posted on the residence and at the driveway so as to be visible from Twisted Oak Trail, in accordance with Pennington County's Ordinance #20;

3. That the Recreational Vehicle (RV) being used as a temporary residence continue to be hooked into the approved On-Site Wastewater Treatment System until the single-family residence is habitable;

4. That the minimum setback requirements of a Low Density Residential District be continually maintained on the subject property, or an approved Setback Variance be obtained;

5. That the subject property continually remains free of debris and junk vehicles, in accordance with Ordinance #106;

6. 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;

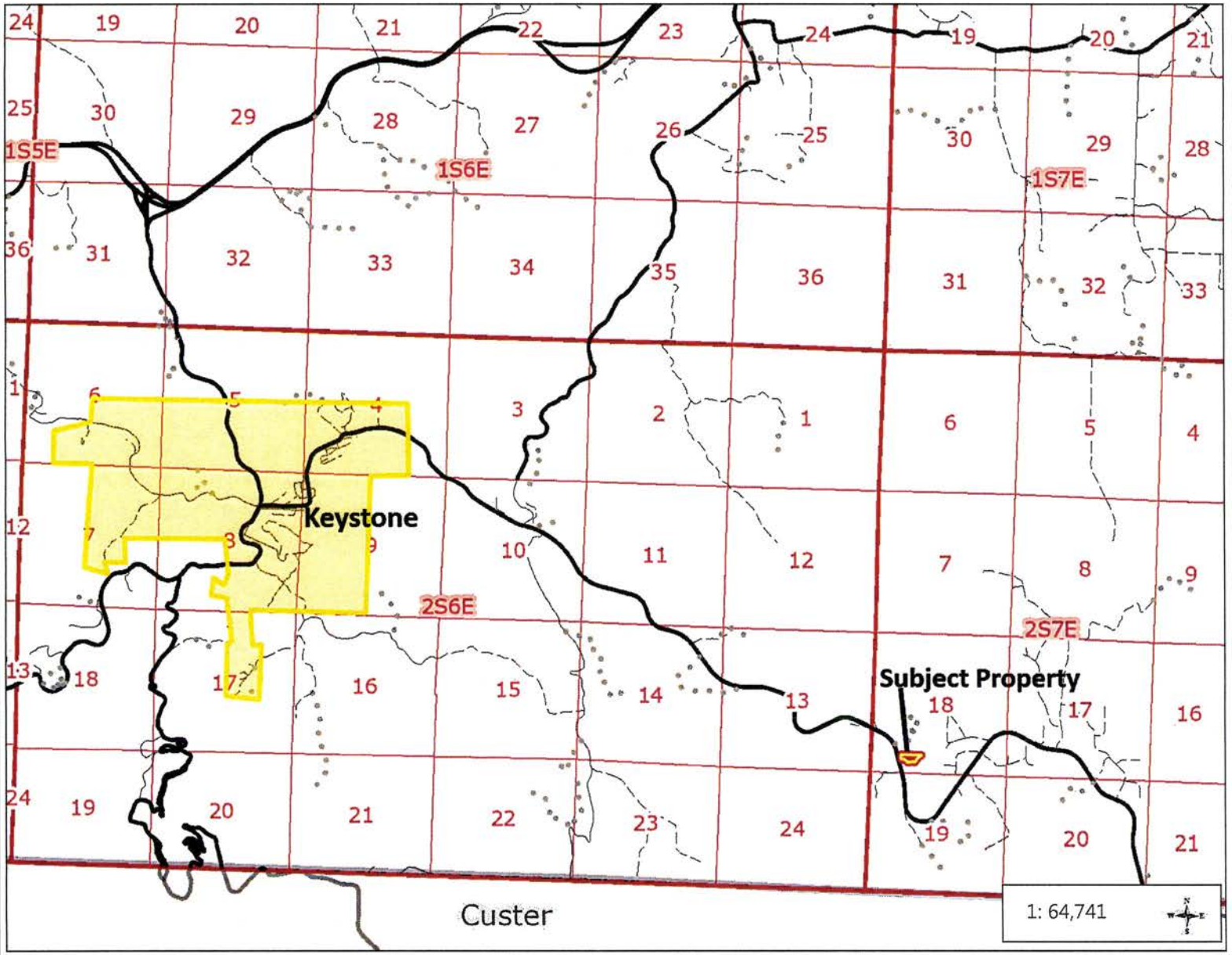
7. That upon completion of the single-family residence on the subject property, the Recreational Vehicle (RV) will be disconnected from all utilities and may no longer be utilized as living quarters on the subject property;

8. That the applicant notify the Planning Department when the new residence is habitable, so that this Conditional Use Permit may be ended; and,

9. That this Conditional Use Permit be reviewed in November of 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.

RapidMap

Rapid City-Pennington County GIS



Legend

Roads
- Interstate
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- SD highway
- County highway
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- Trail
- Driveway
- Alley
- Unimproved road
- Airport Runway
- Not yet coded

PLSS

Townships

Tax Parcels

Lot Lines
- <Null>
- Lot Line
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City Boundaries
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- ELLSWORTH AFB
- HILL CITY
- KEYSTONE
- NEW UNDERWOOD
- QUINN
- RAPID CITY
- WALL
- WASTA

Map Notes:

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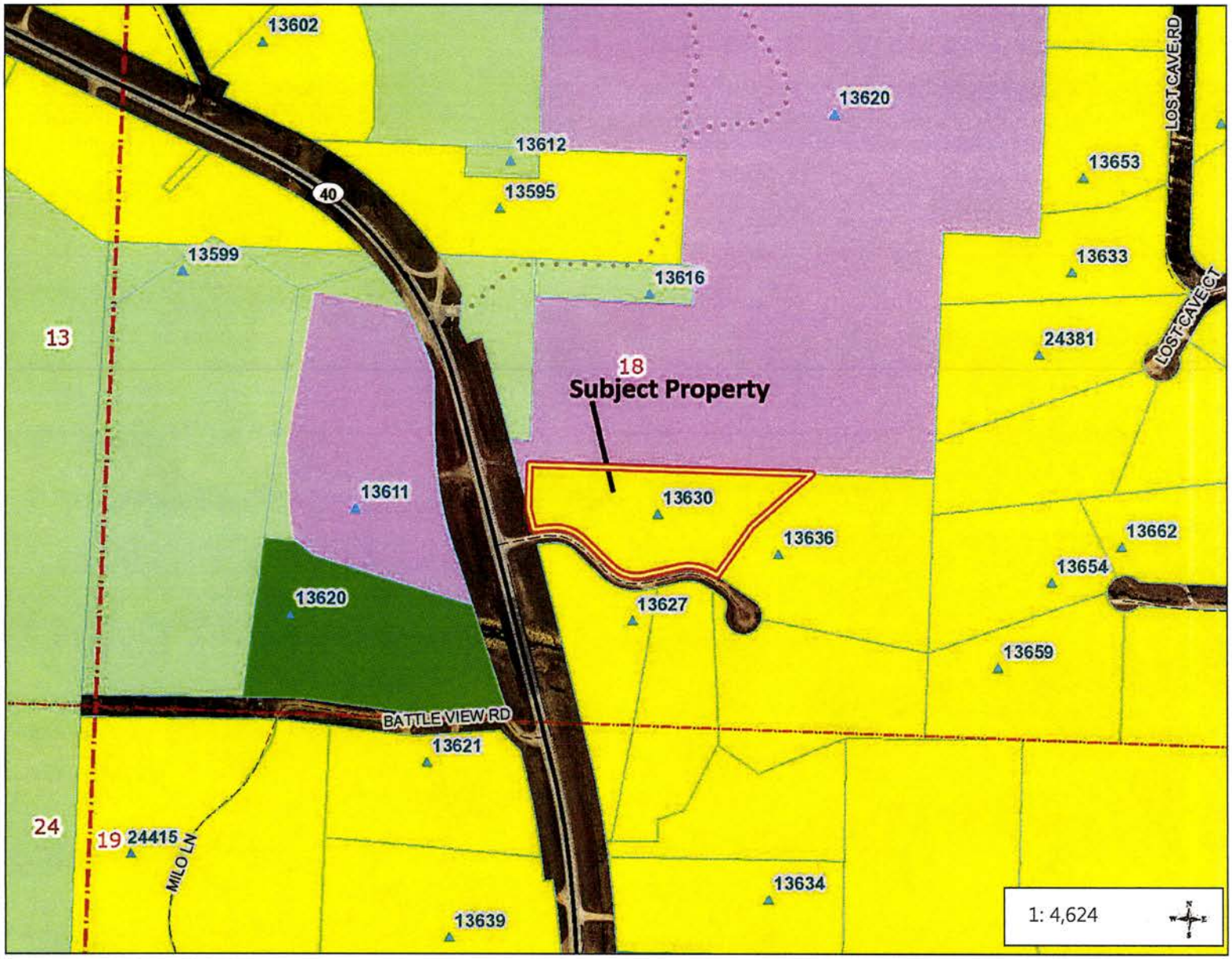
RapidMap Rapid City-Pennington County GIS



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- Airport Runway
- Not yet coded

Address Points

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

Map Notes:

770.7 0 385.36 770.7 Feet

NAD_1983_StatePlane_South_Dakota_South_FIPS_4002_Feet

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RapidMap Rapid City-Pennington County GIS



770.7 0 385.36 770.7 Feet

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Legend

Roads
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- Ramp
- Paved road
- Unpaved road
- Trail
- Driveway
- Alley
- Unimproved road
- Airport Runway
- Not yet coded

Address Points

Section Lines 0-25k
- 0
- 7

Tax Parcels

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

Map Notes:

Agenda Item #11
Ron Weifenbach
May 13, 2019

11

STAFF REPORT

GENERAL INFORMATION:

REQUEST:	**CONDITIONAL USE PERMIT REVIEW / CU 18-01**: To review a Conditional Use Permit for retail sales of Class C fireworks in a General Commercial District in accordance with Sections 204-D, 209, and 510 of the Pennington County Zoning Ordinance.
APPLICANT:	Ron Weifenbach
APPLICANT ADDRESS:	4153 Augusta Drive, Rapid City, SD 57703
OWNER:	Main Street Motors, Inc. / Robert Reagan
OWNER ADDRESS:	3900 School Drive, Rapid City, SD 57703
LEGAL DESCRIPTION:	All, Block 8, Harney Peak View Addition, Section 9, T1N, R8E, BHM, Pennington County, South Dakota.
SITE LOCATION:	3900 School Drive; located off of E. Highway 44 and Jolly Lane.
SIZE:	0.83 acres
TAX ID:	2973
EXISTING LAND USE:	Car Sales
ZONING REFERENCE:	§ 204(D), 209, and 510
CURRENT ZONING:	General Commercial District
SURROUNDING ZONING:	
North	Suburban Residential District
South	City Limits of Rapid City
East	General Commercial District
West	City Limits of Rapid City Suburban Residential District
PHYSICAL CHARACTERISTICS:	Flat / Sloping

Agenda Item #11
Ron Weifenbach
May 13, 2019

UTILITIES: Public (Rapid Valley Sanitary District)

REPORT BY: Brittney Molitor

I. PROPOSED RECOMMENDATION

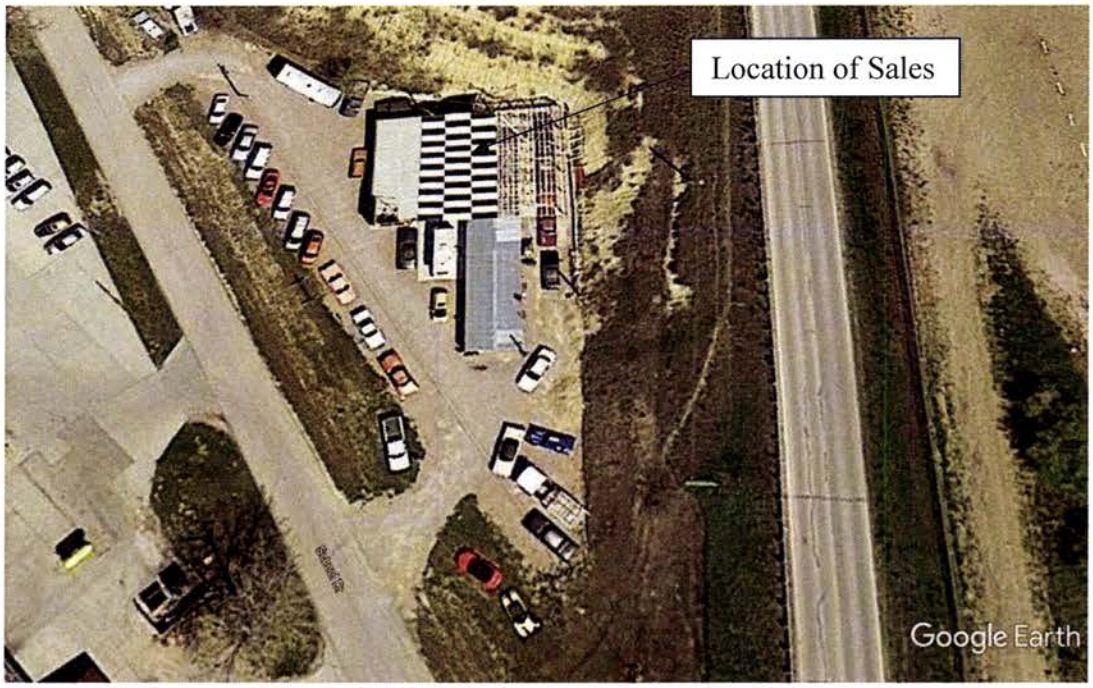
A. Staff will be recommending approval of the extension of Conditional Use Permit / CU 18-01 with ten (10) conditions.

II. GENERAL DESCRIPTION

A. The applicant, Ron Weifenbach, requested a Conditional Use Permit to allow for seasonal fireworks sales within an existing building in a General Commercial Zoning District.

III. EXISTING CONDITIONS

A. Zoned General Commercial District.
B. 0.83 acre.
C. Conditional Use Permit / CU 84-44 was approved on October 9, 1984 to allow a 20-foot by 100-foot storage facility.
    1. Staff will place this Conditional Use Permit on a future Planning Commission Agenda to end it as it is no longer needed.
D. Lot contains:
    1. 20' x 100' Storage Building – built in 1984 according to Conditional Use Permit / CU 84-44.
    2. Storage Building – Built in 1998.
        a. 1998COBP0520 – 20-foot by 50-foot storage building.
        b. COBP17-0563 – Removal Permit for a 20-foot by 50-foot building.
    3. Carport – built in 2015
        a. COBP15-0530 – 20-foot by 66-foot carport structure.
    4. Office Space – Built in 2017.
        a. COBP17-0569 – 16-foot by 40-foot second story office area.



Updated photo from Google Earth ~ 5/4/2017



Photo from School Drive.

IV. BACKGROUND

A. January 10, 2018 – Applicant filed a Conditional Use Permit request with the Planning Department.

B. February 2, 2018 – Staff performed a site visit to the property.
   1. It appeared that there were several cars parked along the road on the subject property.
   2. There were two structures on the property.

C. March 7, 2018 – The applicant submitted a parking plan, maximum number of customers per day, and number of employees to the Planning Department.

D. March 7, 2018 – Staff performed a site visit to the property and found the following:
   1. Property was being utilized for used car sales.
      i. Several cars were parked on the property.
   2. There were two structures on the property.
   3. One of the structures has a carport over it and a second story addition. The other is a smaller building utilized as a sales office.

E. There appears to be ample room for parking, however, at the time of the site visit, there were a number of cars for sale on the lot.
   1. According to PCZO § 310, the required number of parking spaces for 100 customers is 20 (one space per five customers) and one space for every two employees.

F. SDCL 34:37:2 requires a License from the Department of Public Safety for the sale of fireworks.

G. SDCL 34:37:10 allows a fireworks sales establishment to operate from June 27th to July 5th and during the hours of 7 a.m. to 12 a.m.

H. On March 12, 2018, the Planning Commission approved Conditional Use Permit / CU 18-01 with the following eleven (11) conditions:
   1. That the proposed use be limited to: seasonal retail sales of Class C fireworks;
   2. That the sale of fireworks be limited to June 27th to July 5th and from the hours of 7 a.m. to 12 a.m.;
   3. That a minimum of 21 parking spaces be provided, each parking space must be a minimum of 9 feet x 18 feet and be maintained in a dust free manner;
   4. That a minimum of one (1) port-a-potty be available to the public and be accessible for pumping and or removal when necessary, if the existing facilities in the structure are not accessible by the public;
   5. That the applicant also ensures the safety of the customers by providing adequate security, fire protection, and a phone available to the public in case of an emergency;
   6. That no parking be located within the right-of-way of School Drive and Jolly Lane;

7. That the applicant obtains approved Sign Permits prior to any signs being placed on the property, in accordance with § 312 of the Pennington County Zoning Ordinance (PCZO);
8. That the applicant obtain all necessary permits/licenses from other governing bodies for operation of the Class C Fireworks, including, but not limited to: approval from the South Dakota State Fire Marshal's office and a Sales Tax License from the South Dakota Department of Revenue;
9. That temporary structures (which may require temporary Building Permits), such as tents and port-a-potties, only be erected when needed and not on a permanent basis;
10. That the applicant sign a Statement of Understanding within ten (10) business days of approval of Conditional Use Permit / CU 18-01, which is available at the Planning Office; and,
11. That this Conditional Use Permit be reviewed at the May 14, 2018, Planning Commission meeting to verify that all necessary Permits have been obtained from the State of South Dakota pertaining to the sale of Class C Fireworks.

J. April 11, 2018 – The applicant submitted two (2) South Dakota Fireworks Licenses. One was for retail sales from June 27, 2018 to July 5, 2018 and one for retail sales from December 28, 2018 to January 1, 2019.
   1. These licenses must be updated annually to maintain compliance with this Conditional Use Permit.

K. May 12, 2018 – Planning Commission approved the extension of Conditional Use Permit / CU 18-01 with the following ten (10) conditions:
   1. That the proposed use be limited to: seasonal retail sales of Class C fireworks;
   2. That the sale of fireworks be limited to June 27th to July 5th and from the hours of 7 a.m. to 12 a.m. and December 28, 2018 to January 1, 2019 from the hours of 7 a.m. to 12 a.m.;
   3. That a minimum of 21 parking spaces be provided, each parking space must be a minimum of 9 feet x 18 feet and be maintained in a dust free manner;
   4. That a minimum of one (1) port-a-potty be available to the public and be accessible for pumping and or removal when necessary, if the existing facilities in the structure are not accessible by the public;
   5. That the applicant also ensures the safety of the customers by providing adequate security, fire protection, and a phone available to the public in case of an emergency;
   6. That no parking be located within the right-of-way of School Drive and Jolly Lane;
   7. That the applicant obtains approved Sign Permits prior to any signs being placed on the property, in accordance with § 312 of the Pennington County Zoning Ordinance (PCZO);

8. That the applicant obtain all necessary permits/licenses from other governing bodies for operation of the Class C Fireworks, including, but not limited to: approval from the South Dakota State Fire Marshal's office and a Sales Tax License from the South Dakota Department of Revenue;
9. That temporary structures (which may require temporary Building Permits), such as tents and port-a-potties, only be erected when needed and not on a permanent basis; and
10. That this Conditional Use Permit be reviewed at the May 13, 2019, Planning Commission meeting to verify that all necessary Permits have been obtained from the State of South Dakota pertaining to the sale of Class C Fireworks; or as directed by the Planning Commission or Board of Commissioners or on a complaint basis.

V. ANALYSIS

A. SDCL 34:37:2 requires a License from the Department of Public Safety for the sale of fireworks.
B. SDCL 34:37:10 allows a fireworks sales establishment to operate from June 27th to July 5th and during the hours of 7 a.m. to 12 a.m.
   1. These licenses must be updated annually to maintain compliance with this Conditional Use Permit.
   2. The applicant is currently unavailable and will submit copies of updated licenses prior to operation in June 2019.

RECOMMENDATION: Staff recommends approval of the extension of Conditional Use Permit / CU 18-01 with the following ten (10) conditions:

1. That the proposed use be limited to: seasonal retail sales of Class C fireworks;

2. That the sale of fireworks be limited to June 27th to July 5th and from the hours of 7 a.m. to 12 a.m. and December 28 to January 1 from the hours of 7 a.m. to 12 a.m.;

3. That a minimum of 21 parking spaces be provided, each parking space must be a minimum of 9 feet x 18 feet and be maintained in a dust free manner;

4. That a minimum of one (1) port-a-potty be available to the public and be accessible for pumping and or removal when necessary, if the existing facilities in the structure are not accessible by the public;

5. That the applicant also ensures the safety of the customers by providing adequate security, fire protection, and a phone available to the public in case of an emergency;

6. That no parking be located within the right-of-way of School Drive and Jolly Lane;

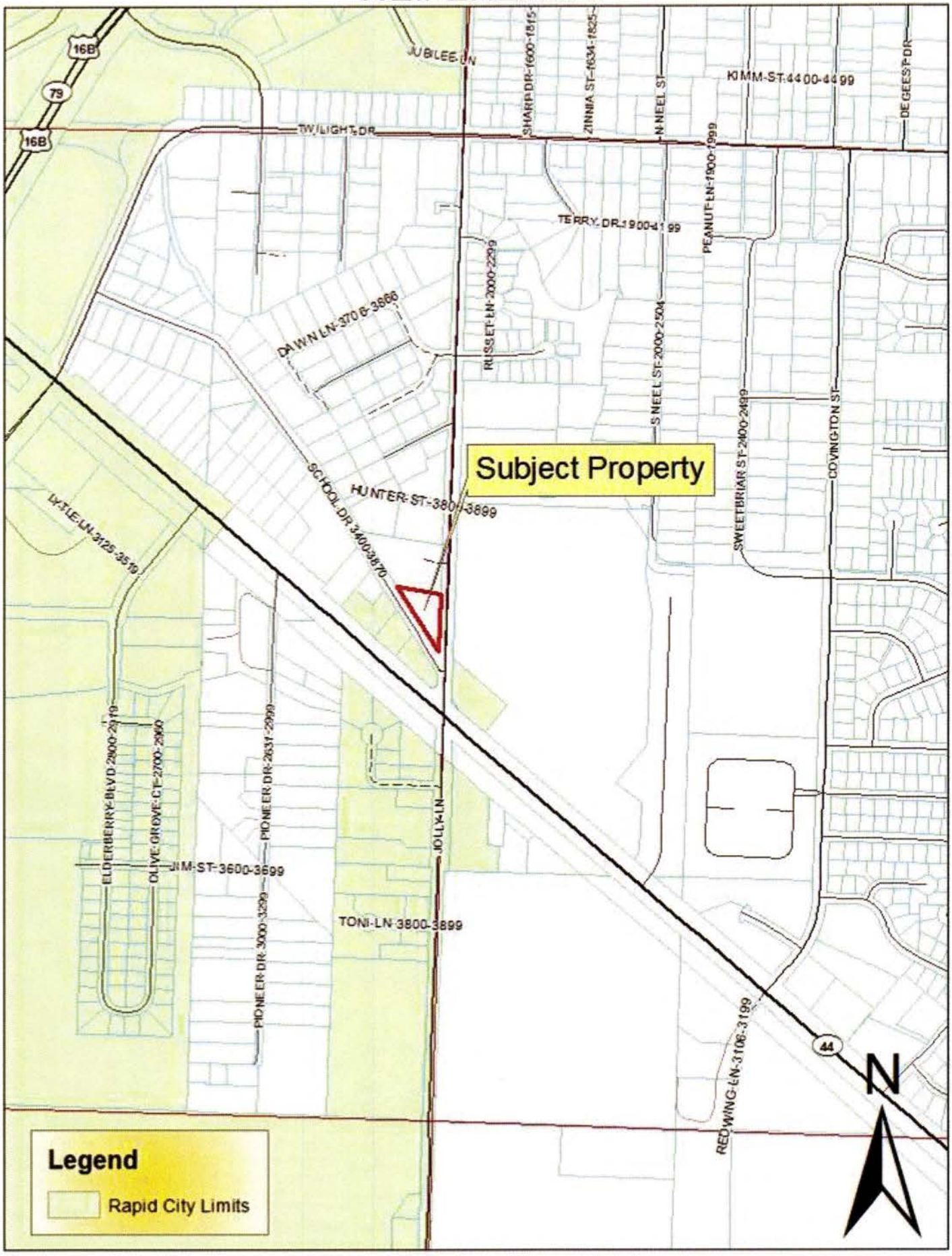
7. That the applicant obtains approved Sign Permits prior to any signs being placed on the property, in accordance with § 312 of the Pennington County Zoning Ordinance (PCZO);

8. That the applicant obtain all necessary permits/licenses from other governing bodies for operation of the Class C Fireworks, including, but not limited to: approval from the South Dakota State Fire Marshal's office and a Sales Tax License from the South Dakota Department of Revenue;

9. That temporary structures (which may require temporary Building Permits), such as tents and port-a-potties, only be erected when needed and not on a permanent basis; and,

10. That this Conditional Use Permit be reviewed at the June 10, 2019, Planning Commission meeting to verify that all necessary Permits have been obtained from the State of South Dakota pertaining to the sale of Class C Fireworks; or as directed by the Planning Commission or Board of Commissioners or on a complaint basis.

WEIFENBACH


16B
79
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JUBILEE LN
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SHARP DR 1600-1815
ZINNIA ST 1634-1825
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KIMM ST 4400-4499
DEGEEST DR
TERRY DR 1900-1999
PEANUT LN 1900-1999
RUSSET LN 2000-2299
DAWN LN 3706-3866
S NEEL ST 2000-2504
SWEETBRIAR ST 2400-2499
COVINGTON ST
Subject Property
HUNTER ST 3801-3899
SCHOOL DR 3400-3870
WYLIE LN 3125-3519
ELDERBERRY BLVD 2900-2919
OLIVE GROVE CIR 2700-2900
JIM ST 3600-3699
PIONEER DR 2631-2999
PIONEER DR 3000-3299
JOLLY LN
TONI LN 3800-3899
REDWING LN 3106-3199
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Agenda Item #12
All American Sales; Doug Bellinger - Agent
May 13, 2019

12

STAFF REPORT

GENERAL INFORMATION:

REQUEST:	**CONDITIONAL USE PERMIT REVIEW / CU 18-14**: To review seasonal retail sales of Class C Fireworks in a Heavy Industrial District in accordance with Sections 204, 212, and 510 of the Pennington County Zoning Ordinance.
APPLICANT:	All American Sales; Doug Bellinger - Agent
APPLICANT ADDRESS:	4505 S. Interstate 90 Service Road Rapid City, SD, 57703
LEGAL DESCRIPTION:	Lot A and B of Tract B of SW1/4 Less Lot H3 of said Lot B, including Lot H2 of Tract B, Section 27, T2N, R8E, BHM, Pennington County, South Dakota.
SITE LOCATION:	4705 S. Interstate 90 Service Road.
SIZE:	6.23 acres
TAX ID:	15170
EXISTING LAND USE:	Wood Stock Supply Service
ZONING REFERENCE:	Sections 204, 212, and 510
CURRENT ZONING:	Heavy Industrial District
SURROUNDING ZONING:	
North	City Limits of Box Elder
South	City Limits of Rapid City
East	City Limits of Box Elder
West	City Limits of Box Elder
PHYSICAL CHARACTERISTICS:	Flat
UTILITIES:	City Sewer and Water
REPORT BY:	Jason Theunissen

Agenda Item #12
All American Sales; Doug Bellinger - Agent
May 13, 2019

I. PROPOSED RECOMMENDATION

A. Staff will be recommending approval of the extension of Conditional Use Permit / CU 18-14 with thirteen (13) conditions.

II. GENERAL DESCRIPTION

A. On June 11, 2018, CU 18-14 was approved by Planning Commission with the following fourteen (14) conditions:

1. That prior to operation, the applicant submit all necessary permits/licenses from other governing bodies for operation of the Class C Fireworks, including, but not limited to: written approval from the South Dakota State Fire Marshal's office and a Sales Tax License from the South Dakota Department of Revenue;
2. That a separate address be assigned to the existing structure where fireworks are being sold and that the new address be posted in accordance with Pennington County Ordinance #20;
3. That the proposed use be limited to: seasonal retail sales of Class C fireworks;
4. That the sale of fireworks be limited to June 10th to July 5th of each year and from the hours of 7 a.m. to 12 a.m.;
5. That a minimum of 25 parking spaces be provided on-site, each parking space must be a minimum of 9 feet x 18 feet and be maintained in a dust free manner;
6. That a minimum of two (2) port-a-potty be available to the public and be accessible for pumping and/or removal when necessary, if the existing facilities in the structure are not accessible by the public;
7. That the applicant ensures the safety of the customers by providing adequate security, fire protection, and a phone available to the public in case of an emergency;
8. That no parking be along the frontage road;
9. That the applicant obtains approved Sign Permits prior to any signs being placed on the property, in accordance with § 312 of the Pennington County Zoning Ordinance (PCZO);
10. That temporary structures (which may require temporary Building Permits), such as tents and port-a-potties, only be erected when needed and not on a permanent basis;
11. That the applicant not start selling fireworks until after the period of appeals for CU 18-14 has expired;
12. That no fireworks be stored on the subject property outside of June 10th – July 15th of each year;
13. That the applicant sign a Statement of Understanding within ten (10) business days of approval of Conditional Use Permit / CU 18-14, which is available at the Planning Office; and,
14. That this Conditional Use Permit be reviewed no later than the second meeting in May 2019 on a complaint basis, or as directed by

the Pennington County Planning Commission or Board of Commissioners to verify that all Conditions of Approval are being met.

III. EXISTING CONDITIONS

A. Zoned Heavy Industrial District.
B. 6.23 acres.
C. County Island surrounded by the City of Box Elder (3-sides) and the City of Rapid City (1-side).
D. Location of Wood Stock Supply.
E. Access if off of frontage road South Interstate 90 Service Road.
F. No Special Flood Hazard Area on the subject property.
G. Within both the City of Rapid City and City of Box Elder platting jurisdictions.
H. Within the City of Rapid City septic jurisdiction.
I. Lot Contains:
    1. 32,000 ft^2 storage warehouse.
        a. Constructed in 1952, per Department of Equalization records.
        b. Addition via Pennington County Building Permit / COBP12-0243.
    2. 9,216 ft^2 storage warehouse.
        a. Constructed via Pennington County Building Permit / COBP17-0125.
        b. Warehouse is divided by an interior wall that separates a mechanical business (Unit 2) from the permitted fireworks operation (Unit 1).



Assigned Addressing



Posted Addressing, 5/7/2019

3. Pennington County Ordinance Violations:
   a. COVO17-0152: Opened June 30, 2019 for "No Conditional Use Permit for Fireworks and Sign" – Closed October 10, 2017.
   b. COVO16-0016: Opened February 24, 2016 for "No Building Permit for Tent / Waste Wood Hazard" – Closed February 26, 2016.
   c. 2005SOVO0017: Opened November 8, 2005 for "Five On-Premise Signs Without Permit" – Closed November 8, 2005.

IV. ANALYSIS

A. On April 23, 2019, Staff performed a site visit to the subject property.
   1. Staff met with the agent, Doug Bellinger and property owner Andrew Vig, and discussed the following:
      a. That written State Fire Marshal approval was provided and that SD Sales Tax License was obtained for 2019 (Condition #1).
         Staff Comment: Copies of all required licenses are on file with the Planning and Zoning office.
      b. That an address (4707 South Interstate 90 Service Road, Unit 1 and Unit 2) is posted on the existing structure (Condition #2).
      c. That the proposed use is only for seasonal retail sales of Class C fireworks (Condition #3).
      d. That the sale of fireworks be limited to June 10th to July 5th of each year and from the hours of 7 a.m. to 12 a.m. (Condition #4). Mr. Bellinger requested that fireworks sales

be allowed to commence on June 1st, as SDCL 34-37-2.2. permits sales to out-of-state residents beginning May 1st, with a Special Retail Fireworks License.
Staff Comment: Mr. Bellinger has obtained the Special Retail Fireworks license therefore, Staff recommends amending this Condition to reflect this date change – email request is attached to this staff report.

e. That the applicant will ensure the safety of customers by providing adequate security, fire protection, and having a phone available in case of emergency (Condition #7).

f. That no fireworks will be stored on the property outside of June 10th – July 15th of each year (Condition #12). Mr. Bellinger requested that the fireworks be stored on the property beginning May 1st.
Staff Comment: Staff recommends amending Condition #13 to reflect this change – email request is attached to this staff report.

g. Staff also noted an auto repair business operating in the north half of the building (Unit 2). On April 26, 2019, Mr. Vig stated via telephone that hot work will not be performed by the auto repair business when fireworks are present in Unit 1.
Staff Comment: Staff is adding a condition to address hot work.

B. Pennington County Planning and Zoning no longer requires Statements of Understanding for this type of permit. Therefore, Staff has removed Condition #14.

C. At the time of this report, Staff has not received any complaints regarding CU 18-14.

D. Remaining Conditions of Approval appeared to be met.



Site visit 4/23/2019, Jason Theunissen Planner II



Site visit 4/23/2019, Jason Theunissen Planner II



Site visit 4/23/2019, Jason Theunissen Planner II



Site visit 4/23/2019, Jason Theunissen Planner II

RECOMMENDATION: Staff recommends approval of the extension of Conditional Use Permit / CU 18-14 with the following thirteen (13) conditions:

1. That prior to operation, the applicant submit all necessary permits/licenses from other governing bodies for operation of the Class C Fireworks, including, but not

limited to: written approval from the South Dakota State Fire Marshal's office and a Sales Tax License from the South Dakota Department of Revenue;

2. That the address, 4707 South Interstate 90 Service Road, Unit 1 and Unit 2, be posted in accordance with Pennington County Ordinance #20;

3. That the proposed use be limited to: seasonal retail sales of Class C fireworks;

4. That the sale of fireworks be limited to June 1st to July 5th of each year and from the hours of 7 a.m. to 12 a.m.;

5. That a minimum of 25 parking spaces be provided on-site, each parking space must be a minimum of 9 feet x 18 feet and be maintained in a dust free manner;
6. That a minimum of one (2) port-a-potty be available to the public and be accessible for pumping and/or removal when necessary, if the existing facilities in the structure are not accessible by the public;

7. That the applicant ensures the safety of the customers by providing adequate security, fire protection, and a phone available to the public in case of an emergency;

8. That no parking be along the frontage road;

9. That the applicant obtains approved Sign Permits prior to any signs being placed on the property, in accordance with § 312 of the Pennington County Zoning Ordinance (PCZO);

10. That temporary structures (which may require temporary Building Permits), such as tents and port-a-potties, only be erected when needed and not on a permanent basis;

11. That no hot work (any activity or process that involves open flames or that generates sparks or heat) occurs in the same building when fireworks are present;

12. That no fireworks be stored on the subject property outside of May 1st – July 15th of each year; and,

13. That this Conditional Use Permit be reviewed no later than the second meeting in May 2020 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.

Theunissen Jason

From: Douglas Bellinger <fireworkguy@hotmail.com>
Sent: Thursday, April 25, 2019 4:11 PM
To: Theunissen Jason
Subject: Re: Conditional Use Permit 18-14

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

Condition #5-Will sell June 1 ,2019 through July 5,2019- 7 AM to 12AM
Condition #13- Fireworks will be stored May 1,2019 through July 15,2019
Thank You Jason
Here is Andrew's Phone # 605-341-6900
If you have any question please call me and let me know if we need to do anything else for the special use permit.

Douglas

From: Theunissen Jason <Jason.Theunissen@pennco.org>
Sent: Thursday, April 25, 2019 9:13 AM
To: fireworkguy@hotmail.com
Subject: Conditional Use Permit 18-14

Mr. Bellinger,

Thank you for meeting with me on Monday. Just to recap some of the things we discussed as well as some things I will need to complete my staff report.

Condition #2 – That prior to the next review of CU 18-14, the wood debris located across the train tracks, behind Wood Stock Supply, be completely removed or CU 18-14 automatically end and the applicant work with County Planning Staff to verify compliance;

- This is a **non-issue**, as this condition was removed when the Planning Commission heard your request last year.

Condition #3 – That a separate address be assigned to the existing structure where fireworks are being sold and that the new address be posted in accordance with Pennington County Ordinance #20;

- I'm the County Address Coordinator so I've assigned an address to the building (**4705 South Interstate 90 Service Road, Unit ~~2017~~** Lot #2), per our conversation with Mr. Vig on Monday. It will need to be posted in accordance with Pennington County Ordinance #20. I didn't get Mr. Vig's contact information yesterday... can you please provide a phone number so I can notify him?

Condition #5 – That the sale of fireworks be limited to June 10th to July 5th of each year and from the hours of 7 a.m. to 12 a.m.;

- If you would like to change the dates of sale, please reply to this email stating what dates you are requesting... along with any state statutes, laws, etc. that permit these dates.

Condition # 13 – That no fireworks be stored on the subject property outside of June 10th – July 5th of each year;

- Likewise, if you would like to change the dates of storage (or even ask for year-round storage), please reply to this email with that request.

I will need to validate the address is posted before I can recommend approval of the extension of CU 18-14 so please let me know as soon as possible when that's posted.

Additionally, I will be adding the following condition based on my site visit.

__New Condition__ That no hot work (any activity or process that involves open flames or that generates sparks or heat) occur in the same building when fireworks are present.

Sincerely,

Jason

***Jason Theunissen*, Planner II**
Pennington County Administration Building
Planning and Zoning Department
130 Kansas City Street, Suite 200
Rapid City, SD 57701
Phone: 605-394-2186





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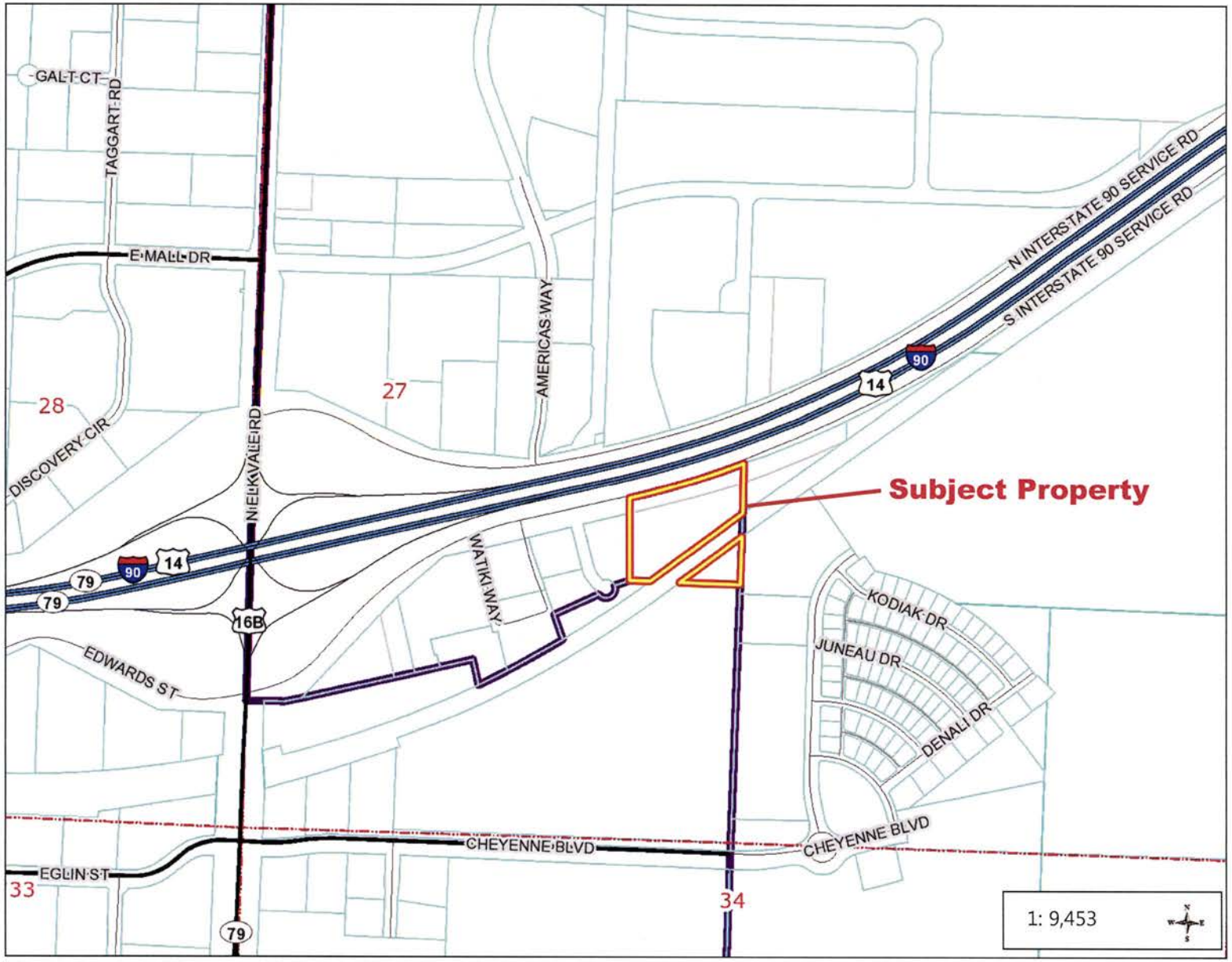
RapidMap

CU 18-14 - SITE MAP



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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
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- 7

Tax Parcels

Lot Lines
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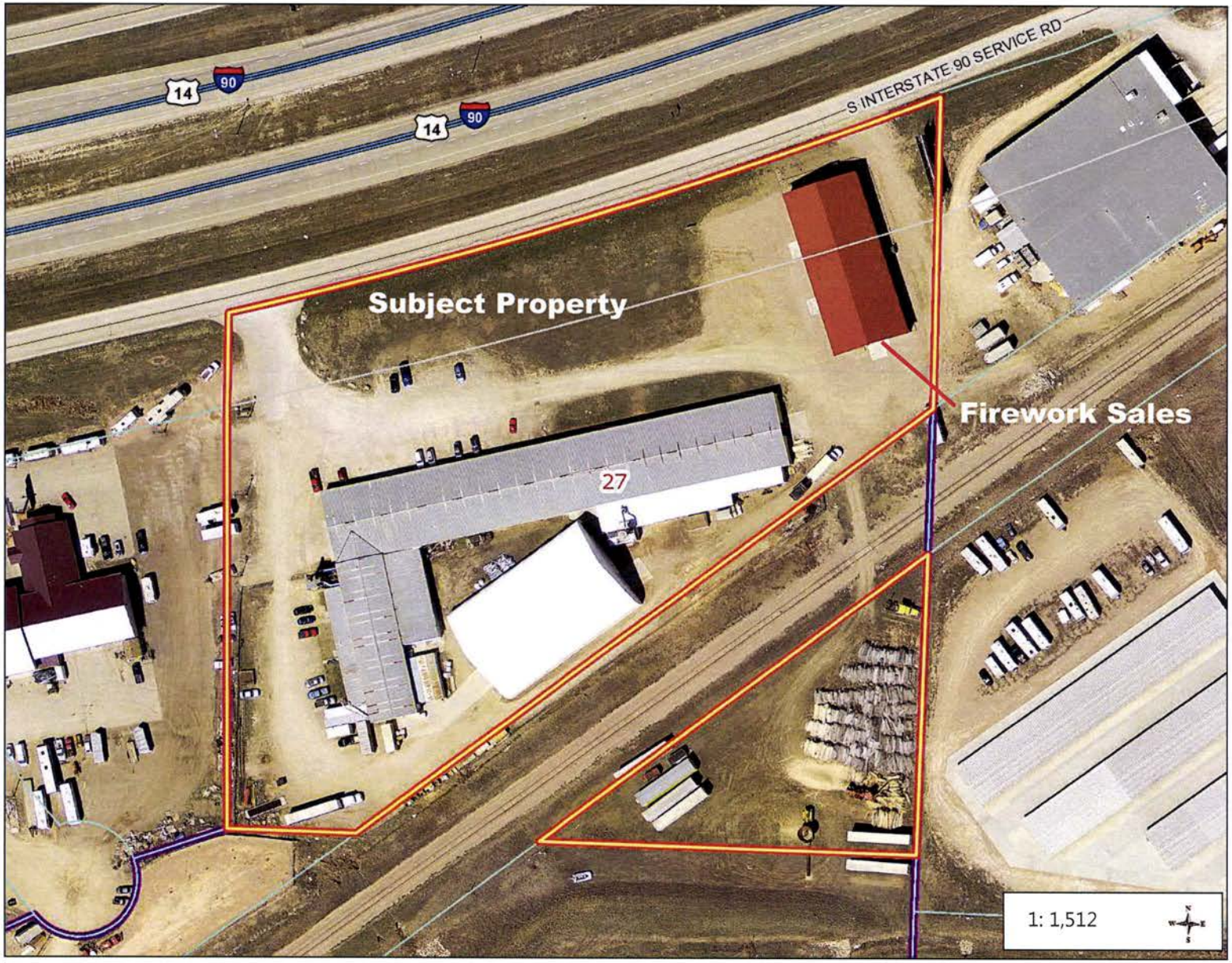
- Lot Line
- Parcel Line

Map Notes:

RapidMap

CU 18-14 - AERIAL MAP



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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:

Agenda Item #13
Chris Peterson – Big Game Storage LLC
May 13, 2019

13

STAFF REPORT

GENERAL INFORMATION:

REQUEST:	**CONDITIONAL USE PERMIT / CU 19-06**: To allow a lighted, on-premise sign within 1,500 feet of a residential zoning district/dwelling unit in a General Commercial District in accordance with Sections 209, 312, and 510 of the Pennington County Zoning Ordinance.
APPLICANT/OWNER:	Big Game Storage, LLC; Chris Peterson
APPLICANT ADDRESS:	3393 Cavern Road, Rapid City, SD 57702
LEGAL DESCRIPTION:	Tract 1 of SE1/4, Section 11, T1N, R6E, BHM, Pennington County, South Dakota.
SITE LOCATION:	3395 Cavern Road; located south of the intersection of W. Highway 44 and Cavern Road.
SIZE:	21.94 acres
TAX ID:	10790
EXISTING LAND USE:	Residential / Commercial
ZONING REFERENCE:	§ 209, 312, and 510
CURRENT ZONING:	General Commercial District
SURROUNDING ZONING:	
North	Low Density Residential District Limited Agriculture District
South	General Agriculture District Limited Agriculture District
East	General Agriculture District
West	Planned Unit Development District
PHYSICAL CHARACTERISTICS:	Flat / Open Meadow / Forested
UTILITIES:	Private
REPORT BY:	Kristina Proietti

Agenda Item #13
Chris Peterson – Big Game Storage LLC
May 13, 2019

I. PROPOSED RECOMMENDATION

A. Staff will be recommending approval of Conditional Use Permit / CU 19-06 with five (5) conditions.

II. GENERAL DESCRIPTION

A. The applicant, Chris Peterson, has requested a Conditional Use Permit to allow one (1) illuminated on-premise sign to be located within 1,500 feet of a residential zoning district/dwelling unit in a General Commercial District. The proposed sign would be approximately 10 feet from ground level and 1.66 feet in width, see Image 1.



IMAGE 1

III. EXISTING CONDITIONS

A. Zoned General Commercial District.
B. 21.94 acres.
C. Access off of Cavern Road.
D. Lot contains:
   1. Lamar Outdoor Advertising Billboard / 1998COSP0005.
   2. Two (2) 40' X 150' storage units / COBP18-0162 & COBP18-0163.
   3. One (1) 50' X 142' storage unit / COBP18-0400.
   4. One (1) office with bathroom 50' X 75' / COBP18-0164.
   5. On-Site Wastewater Treatment System / COSD18-0027.
      a. Operating Permit / COOP190127.
   6. One (1) off premise v-shaped non-lighted sign / COSP18-0012.
   7. One (1) on premise v-shaped non-lighted sign / COSP18-0015.
   8. Single-family residence with attached garage and deck / COBP18-0165.
   9. On-Site Wastewater Treatment System / COSD18-0023.
      a. Operating Permit / COOP19-0165.

IV. REQUEST FOR COMMENT

A. County Environmental Planning Supervisor
   1. The Special Flood Hazard Area on the subject property has not yet been studied.
B. County On-Site Wastewater Specialist
   1. I have no concerns with the current proposal.
C. County On-Site Environmental Planner

1. No concerns at this time.

D. County Ordinance Officer
   1. No concerns at this time.

E. SD Department of Transportation
   1. SDDOT has no comment.

V. ANALYSIS

A. March 29, 2019 – The applicant applied for a Conditional Use Permit to allow for a lighted sign on the subject property.

B. Staff performed a site visit on April 23, 2019, and found the subject property to be well kept, see Image 2 for an overview of the property facing south on Cavern Road, and proposed placement of the lighted sign.

C. The applicant stated that the lighted sign will be placed on a timer so that it would come on and go off at specified times so as not to cause a nuisance.



IMAGE 2

VI. CONSIDERATIONS FOR CONDITIONAL USE PERMIT REQUEST

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:

A. **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.**
   1. This Conditional Use Permit should not change the use of the property and, thus, should not have any long-term negative effects on the use and enjoyment of other properties in the immediate vicinity.
   2. Staff cannot predict the impact the use may have on property values in the surrounding area.

B. **The effect upon the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.**
   1. Allowing this Conditional Use Permit should not affect the normal, orderly development or improvement of any surrounding vacant property in the area.

C. **That utilities, access roads, drainage, and/or other necessary facilities are provided.**
   1. It appears all necessary facilities are already in place.

D. **That the off-street parking and loading requirements are met.**
   1. It appears ample parking is provided on the subject property.

E. **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 should not produce any of the above-listed elements in amounts that would constitute a nuisance, with the potential exception of lighting.
   2. The applicant should take care to ensure the illumination of the proposed sign does not cause a nuisance to the neighbors or a danger to motor vehicles on the roadways.

RECOMMENDATION: Staff recommends approval of Conditional Use Permit / CU 19-06 with the following five (5) conditions:

1. That all lighting be installed and maintained so as to minimize spillage of light outside of each sign face so as not to create a nuisance and the signs must be effectively shielded to prevent beams or rays from being directed toward any portion of the roadways, and must not be of such intensity or brilliance to cause glare or impair the vision of the driver of any motor vehicle, or otherwise interfere with any driver's operation of a motor vehicle;

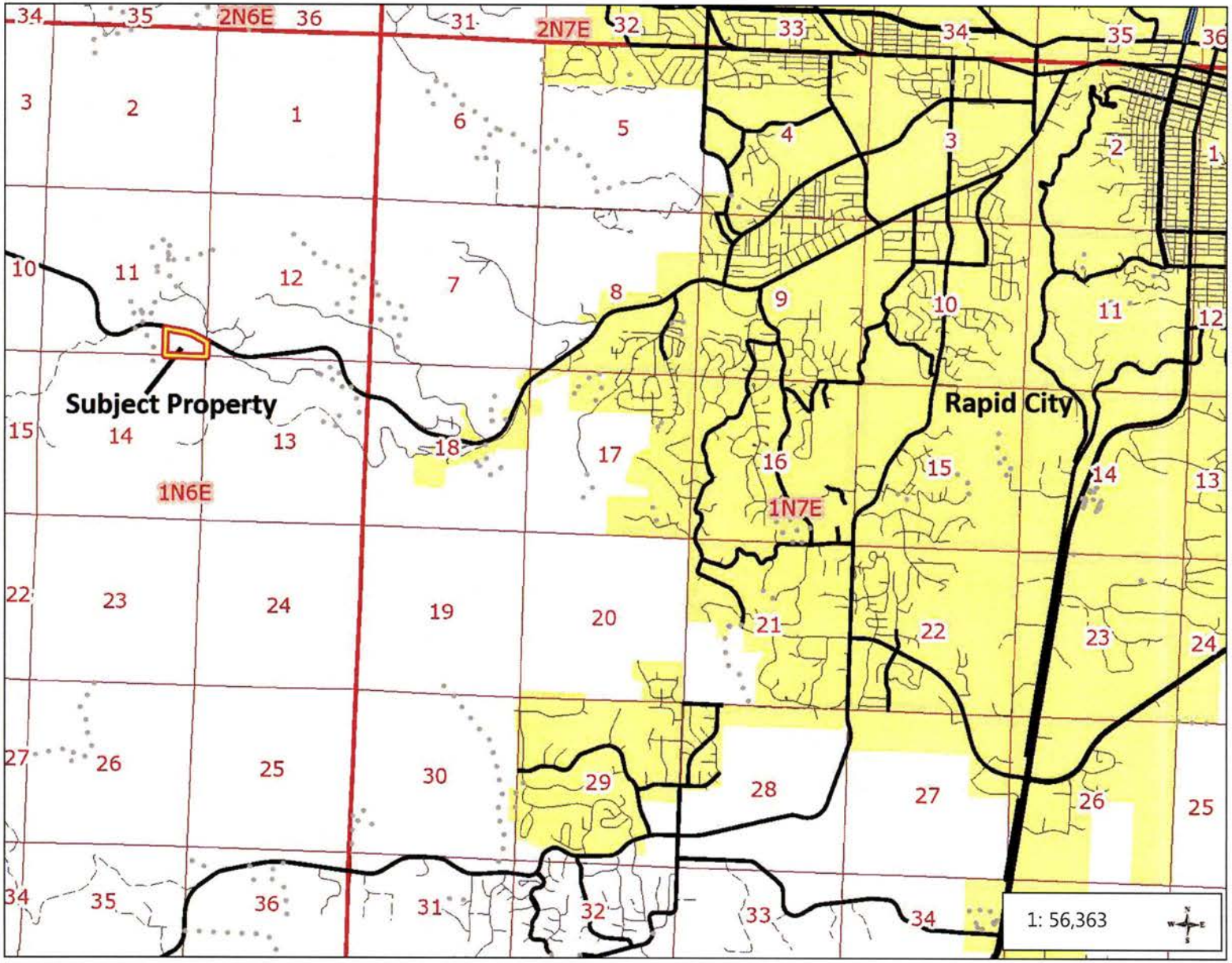
2. That a building permit be obtained for the sign prior to any work done for the sign;

3. That the sign continually conform to all regulations in § 312 of the Pennington County Zoning Ordinance;

4. That the sign be maintained so as to have an aesthetically pleasing appearance at all times and not appear dilapidated; and,

5. That this Conditional Use Permit be reviewed in one (1) year, on a complaint basis, or as deemed necessary by the Pennington County Planning Commission or Board of Commissioners to verify that all Conditionals of Approval are being met.

RapidMap Rapid City-Pennington County 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

Townships

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

Map Notes:

9,393.8 0 4,696.92 9,393.8 Feet

NAD_1983_2011_StatePlane_South_Dakota_South_FIPS_4002_Ft_US

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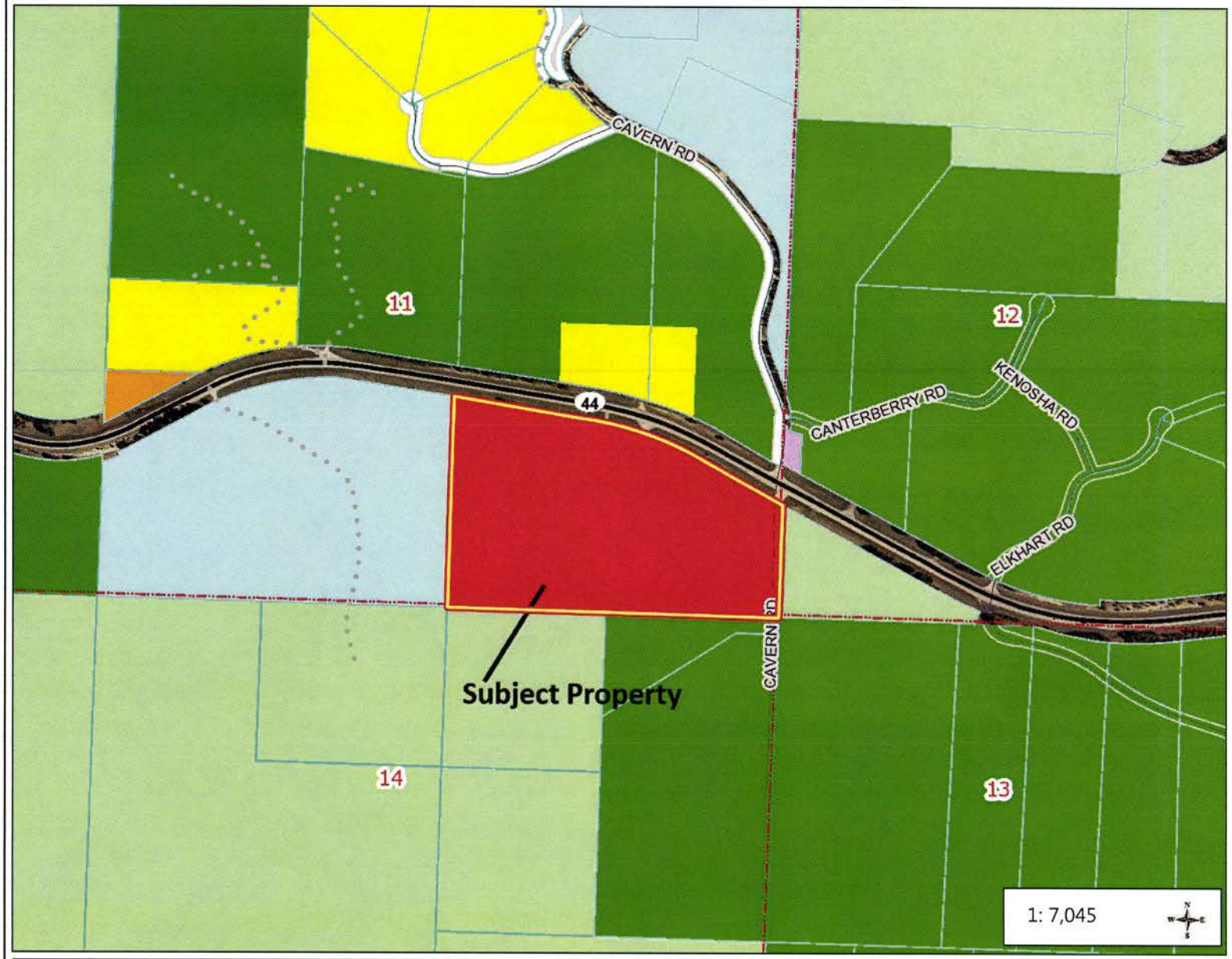

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Section Lines 0-25k
- 0
- 7

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:

1,174.2 0 587.11 1,174.2 Feet

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RapidMap Rapid City-Pennington County GIS



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Pennington County Planning Department

Pennington County Administration Bldg • 130 Kansas City St. Ste. 200
Rapid City, SD 57701 • Phone: 605.394.2186

MEMO

14

TO: Planning Commission

FROM: Cody Sack, Environmental Planner I

DATE: May 13, 2019

RE: Proposed Road Naming – Providence Way

Proposed road naming for a 30-foot-wide road to be dedicated as a Right-of-Way would begin approximately one (1) mile south of the intersection of Elk Vale Road/E. Catron Blvd and S. Highway 79 and take access off of S. Highway 79.

The Planning Department received a Road Naming Application to name a road in the Section Line Right-of-Way to **Providence Way**. The applicants, Fern and Ross Johnson, are requesting to name a road that will provide access to approximately three (3) lots. One lot is vacant of any structures, the second lot has a commercial business on the property and the third lot has applied for a Building Permit to place a Single-family residence on the property. The addresses of these two lots will change. Staff had a conversation at the counter with the owner of the commercial business at 6555 S Highway 79 who was under the impression that signing the petition meant that their address would not change and they do not want the road named if it changes their address.

Included in this Memo are comments from Ted Rufledt of the Emergency Services Communication Center (911), Ellen Madden of the Rapid City GIS Department, Brad Salon of the Rapid City Community Development, Stacy Bartlett of the South Dakota Department of Transportation, and Bill Welk of the County Highway Department.

COMMENTS RETURNED:

SD Department of Transportation: No Comments.

County Highway Department: Highway Department has no objections to the naming, but the County should not accept jurisdiction over this Section Line since it was not built to Ordinance 14.

GIS: Name looks good. Note two existing structures for re-addressing to Providence Way. 6555 S. Highway 79 and 6567 S. highway 79.

Rapid City Community Development: Sounds good. We'll prepare a road name change/request and present it to Council for the portion in the City. Looks like the two addresses are in the County.

Emergency Services (9-1-1): The proposed road name works for 911. An intersection sign will need to be installed when the new road intersects S. Hwy 79. 6555 S. Hwy 79 will need to be readdressed off the new road name.

RECOMMENDATION: Staff recommends approval of the road name, **Providence Way,** with the condition that the applicant will be responsible for payment and posting a road name sign within sixty (60) days of approval, in accordance with the standards set forth by the Pennington County Highway Department.

Pennington County Planning Department

Pennington County Administration Bldg • 130 Kansas City St. Ste. 200
Rapid City, SD 57701 • Phone: 605.394.2186

ROAD NAMING PETITION: PROVIDENCE WAY

RE: Proposed naming of a road located in a Section Line Right-of-Way that will provide access to three (3) lots located in Section 29 & 30, T1N, R08E, BHM, Pennington County, South Dakota. Said road would begin approximately one (1) mile south of the intersection of Elk Vale Rd/E Catron Blvd and Highway 79 and take access off of South Highway 79 and traverses south for approximately one-quarter (1/4) mile to its terminus.

HONORABLE COMMISSIONERS OF PENNINGTON COUNTY:

Whereas, the above-described road potentially provides access to approximately three (3) properties, more fully described as N1/2NE1/4 LESS LOTS H1, H2 AND H3; NE1/4NW1/4, Section 30, T1N, R08E, BHM, Pennington County, South Dakota; GL 1-4; SE1/4NW1/4; S1/2NE1/4; E1/2SW1/4; SE1/4, Section 30, T1N, R08E, BHM, Pennington County, South Dakota; and, PT W1/2NW1/4 W OF HWY 79 LESS LOT H2, Section 29, T1N, R08E, BHM, Pennington County, South Dakota;

Whereas, this road has not previously been assigned a name; nor is it a "numbered Forest Service" road;

Whereas, naming of this road will facilitate future addressing of the properties being provided access by this road;

Whereas, naming of this road will assist Emergency Services in locating these properties in the event of an emergency;

Whereas, the proposed road name is not currently in use by any other roads in Pennington County and the Emergency Services Communication Center has verified the name **Providence Way** is acceptable to use;

Whereas, the applicant (Fern and Ross Johnson) will be responsible for posting and payment of a road name sign, in accordance with the standards set forth by the Pennington County Highway Department; and,

Now, therefore, the Pennington County Planning Department hereby requests that the road name for the above-described right-of-way be assigned the name **PROVIDENCE WAY**, as indicated on the attached map.

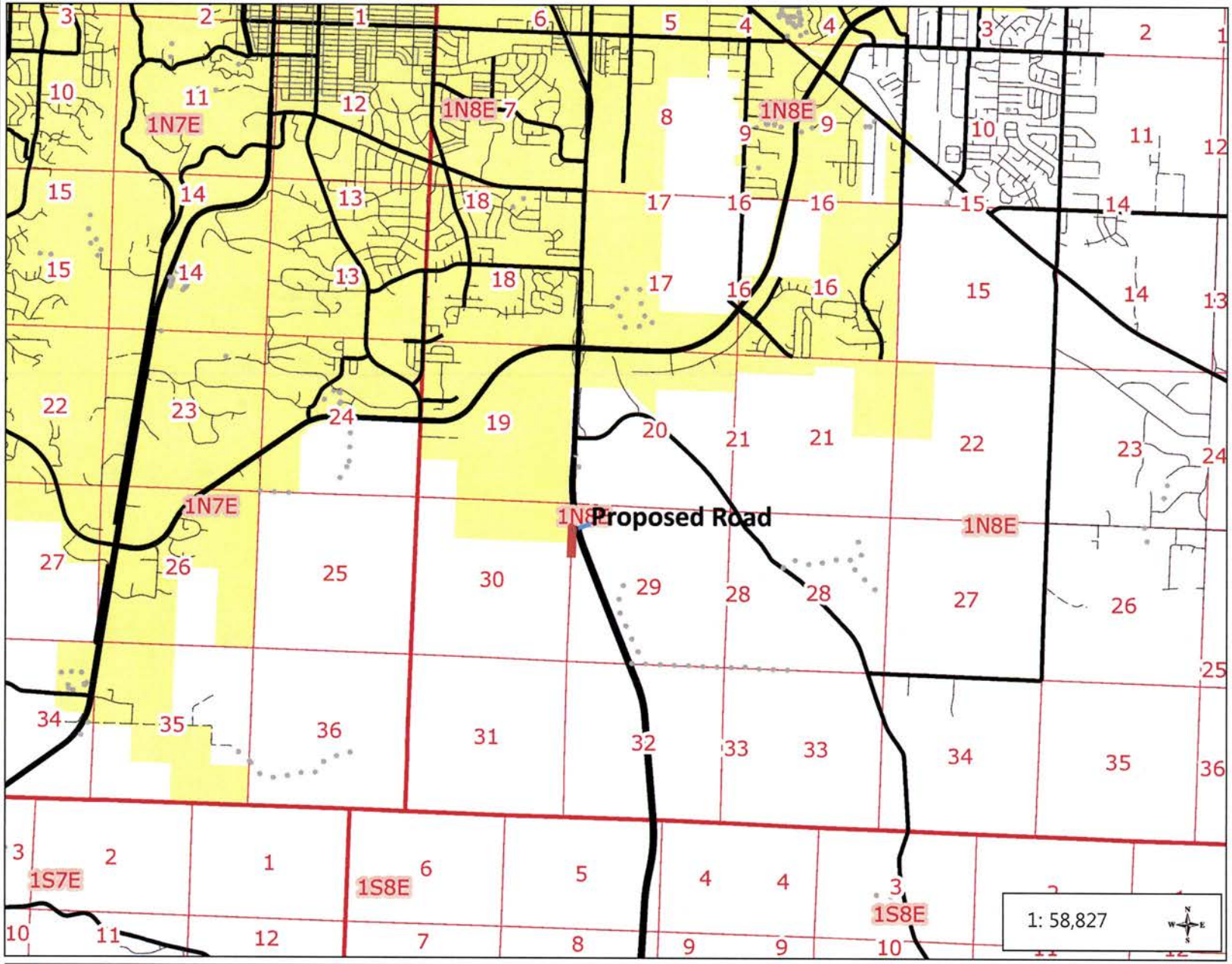
Dated this 13th day of May, 2019.

_____

PJ Conover, Director
Pennington County Planning Department

RapidMap

Rapid City-Pennington County GIS



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Map Notes:

9,804.5 0 4,902.24 9,804.5 Feet

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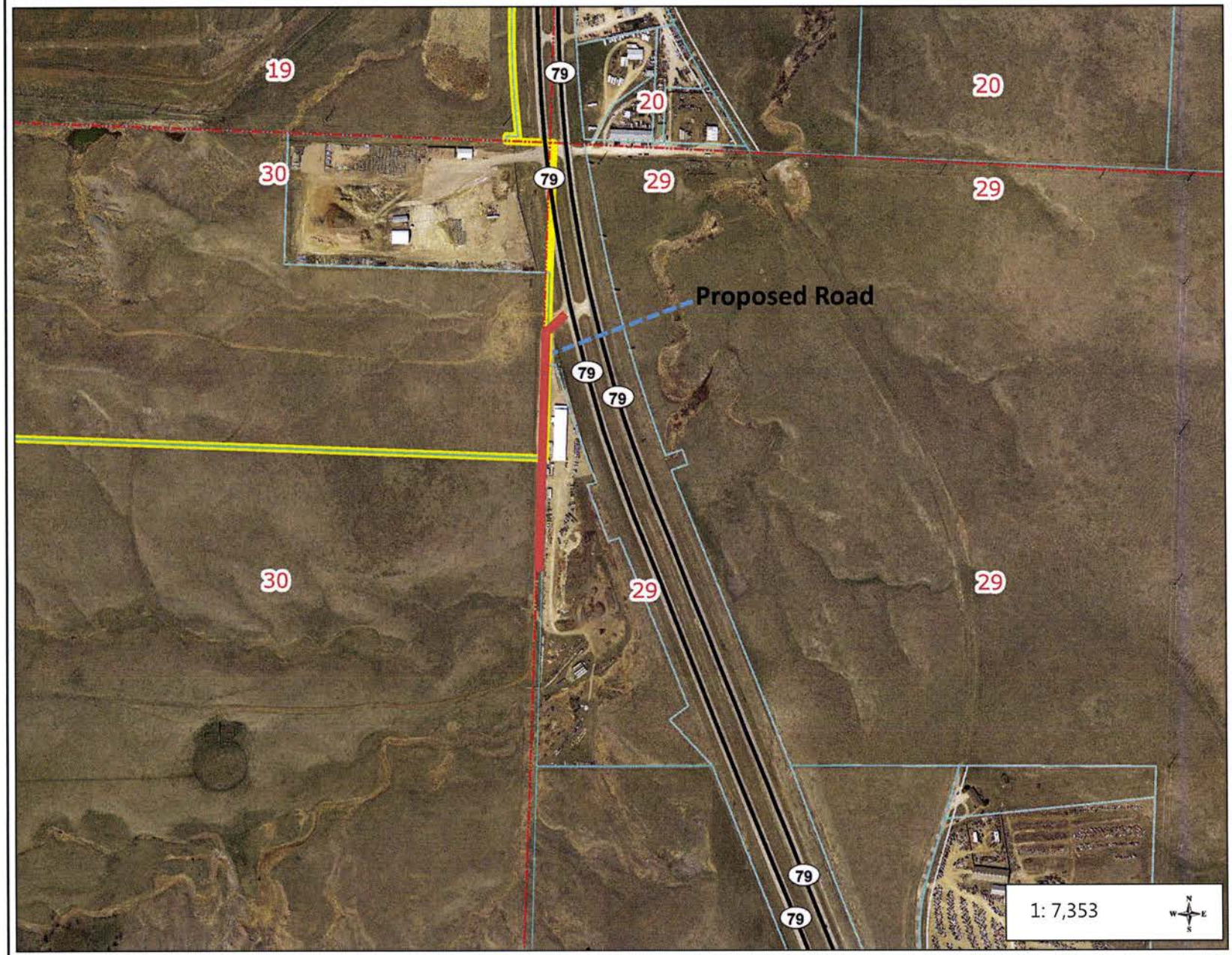

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Tax Parcels

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Map Notes:

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Agenda Item #15
David Grover
May 13, 2019

15

STAFF REPORT

GENERAL INFORMATION:

REQUEST:	**LAYOUT PLAT / LPL 19-09:** To create Lot 1 of Grover Subdivision in accordance with Section 400.1 of the Pennington County Subdivision Regulations.
APPLICANT:	David Grover
APPLICANT ADDRESS:	P.O. Box 678, Hill City, SD 57745
OWNER:	Lynda Fisher / Robert Grow
OWNER ADDRESS:	P.O. Box 1214, Hill City, SD 57745
SURVEYOR / ENGINEER:	Britton Engineering
SURVEYOR ADDRESS:	8035 Black Hawk Road, Suite 5, Black Hawk, SD 57718
LEGAL DESCRIPTION:	EXISTING LEGAL: Tract A of HES #303 Less Tract Dean, Less Tract Drew and Less ROW, HES #303, Section 32, T1S, R5E, BHM, Pennington County, South Dakota and a portion of existing GL 5 Less Tract Drew of HES #303 and Less ROW, Section 32, T1S, R5E, BHM, Pennington County, South Dakota. PROPOSED LEGAL: Lot 1 of Grover Subdivision, Section 32, T1S, R5E, BHM, Pennington County, South Dakota.
SITE LOCATION:	12585 Old Hill City Road. Approximately one and one-half (1.5) miles southeast of Hill City, along Old Hill City Road.
SIZE:	12.80 acres
TAX ID:	66524
EXISTING LAND USE:	Residential / Vacant
SUBDIVISION REGULATIONS	

Agenda Item #15
David Grover
May 13, 2019

REFERENCE:	§ 400.1
CURRENT ZONING:	General Agriculture District
SURROUNDING ZONING:	
North	General Agriculture District Limited Agriculture District Low Density Residential District
South	General Agriculture District
East	General Agriculture District Low Density Residential District
West	General Agriculture District
PHYSICAL CHARACTERISTICS:	Open meadow and wooded
UTILITIES:	Private
REPORT BY:	Jason Theunissen

I. PROPOSED RECOMMENDATION

A. Staff will be recommending approval of Layout Plat / LPL 19-09 with six (6) conditions.

II. GENERAL DESCRIPTION

A. The applicant, David Grover, is requesting to create proposed Lot 1 (12.8 acres) of Grover Subdivision out of the existing Tract A of HES #303 Less Tract Dean, Less Tract Drew and Less ROW, HES #303, Section 32, T1S, R5E, BHM, Pennington County, South Dakota and a portion of existing GL 5 Less Tract Drew of HES #303 and Less ROW, Section 32, T1S, R5E, BHM, Pennington County, South Dakota.

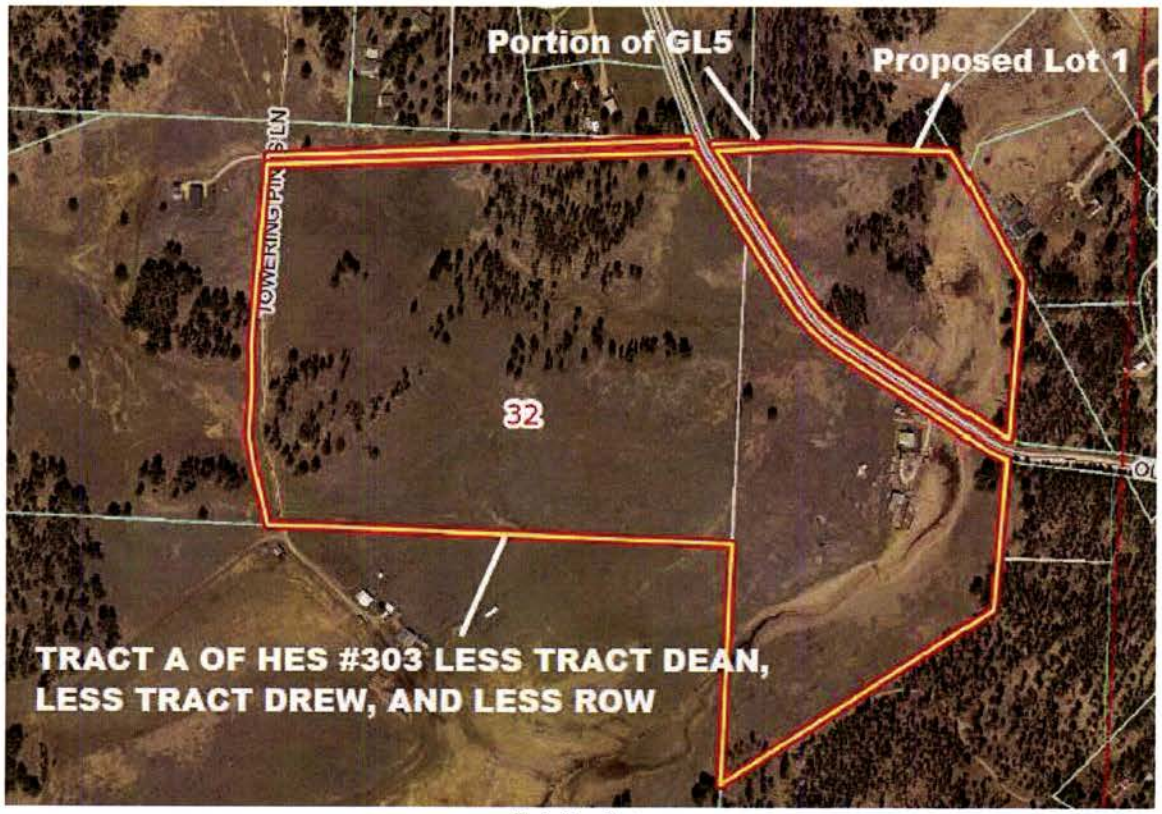
B. The purpose of the subdivision is to build a single-family residence on proposed Lot 1.

III. EXISTING CONDITIONS

A. Tract A of HES #303 Less Tract Dean, Less Tract Drew and Less ROW, HES #303, Section 32, T1S, R5E, BHM, Pennington County, South Dakota.
   1. Zoned: General Agriculture.
   2. Lot size: 80 acres.
   3. Access off of Old Hill City Road.
   4. No Special Flood Hazard Area.
   5. Unplatted remainder of HES #303, per Plat #A201510263
   6. 66' wide private access easement, per Plat #A201510263
   7. Structures according to Department of Equalization records:
      a. Single Family Residence – Built 1909
      b. 16' x 32' Farm Utility Building – Built 1940

c. 32' x 25' Barn, General Purpose – Built 1910
d. 32' x 14' Lean-to, Farm Utility – Built 1915
e. 11' x 14' Farm Utility Building – Built 1940
f. 28' x 12' Farm Utility Building – Built 1940
g. 26' x 24' Loafing Shed – Built 1940
h. 13' x 36' Farm Utility Building – Built 1940

B. Portion of GL 5 Less Tract Drew of HES #303 and Less ROW, Section 32, T1S, R5E, BHM, Pennington County, South Dakota.
1. Zoned: General Agriculture.
2. Lot size: .08 acre.
3. Vacant of any structures.
4. Access off of Old Hill City Road.
5. No Special Flood Hazard Area.



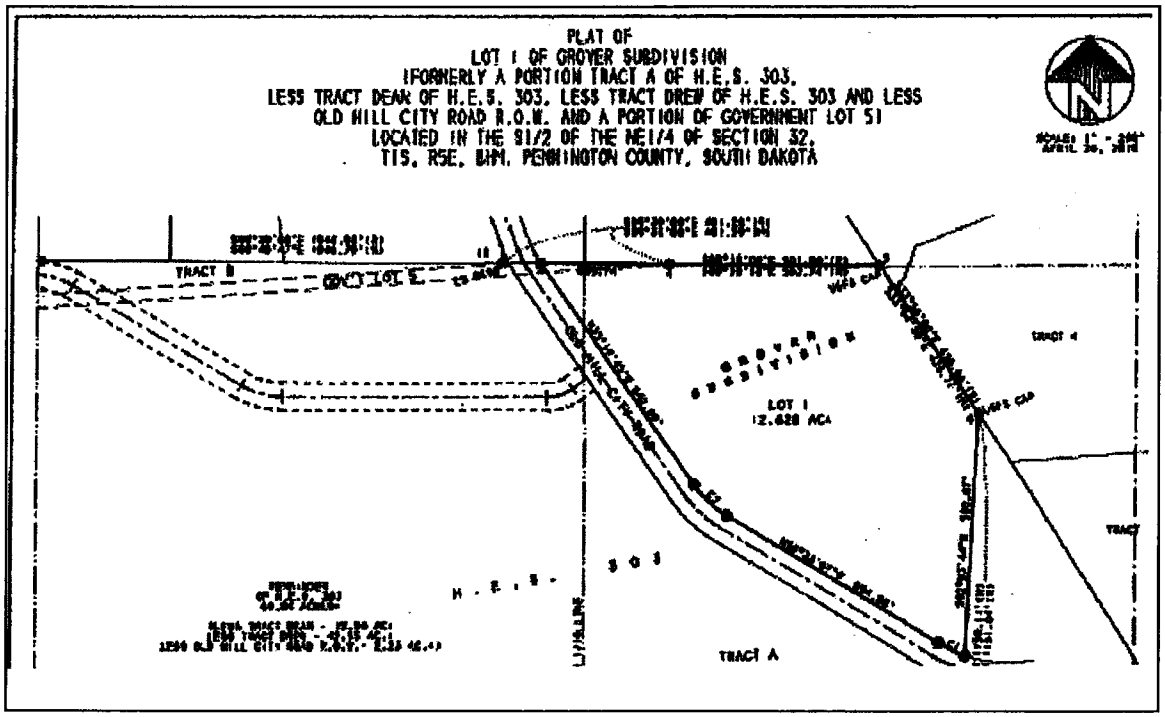
Existing Lots

IV. PROPOSED LOT

A. Lot 1 of Grover Subdivision, Section 32, T1S, R5E, BHM, Pennington County, South Dakota.
1. Zoned: General Agriculture (40 Acre minimum).
2. Lot Size: 12.8 Acres.
a. Does not meet the minimum lot size requirement for a General Agriculture District, per § 205 of the Pennington County Zoning Ordinance (PCZO).

b. A Rezone and Comprehensive Plan Amendment *or* Lot Size Variance will be required for proposed Lot 1.

3. Vacant of any structures.
4. Access off of Old Hill City Road.
5. No Special Flood Hazard Area.
6. 8' wide utility and minor drainage easements along interior front, side, and rear lot lines.
7. Existing permitted On-site Wastewater System (OSWTS).
   a. Operating Permit #COOP15-0474.



A Portion of Proposed Plat – Prepared by Britton Engineering (4.30.19)

V. REQUEST FOR COMMENT

A. County Highway Department
   1. An Approach Permit is required prior to building permit being issued.
      a. *Staff Comment: This will be addressed as a Condition of Approval.*

B. County Environmental Planning Supervisor
   1. There is no Special Flood Hazard Area on the subject property. Existing permit #COOP-0474 currently applies to an existing 1,000-gallon septic tank and drainfield that served a 12' x 60' single-wide mobile home, removed in 2014.

C. County Onsite Wastewater Specialist
   1. I have no concerns with the current proposal. If a septic is to be installed on newly created Lot 1 or the remaining unplatted lot than

all rules of Pennington County Zoning Ordinance 204-J must be followed. According to the USDA Web Soil Survey a majority of the soils on the property ae classified Very Limited for a septic drainfield.

D. County Ordinance Enforcement Officer
   1. Ordinance Enforcement has no objection.

E. County Natural Resources
   1. No comments received.

F. County Addressing Coordinator
   1. No addressing concerns at this time. Future addresses must be posted in accordance with Pennington County Ordinance #20.

G. County Sherriff's Office
   1. No comments received.

H. Department of Equalization
   1. Mostly looks good but there might be an issue with GL 5 on the north portion of the subject property. The new layout plat shows the balance as flush with the section 16th line and makes no reference to GL 5. Older plats do show and reference GL 5. Something on this new plat needs to indicate what's happening to that piece.
      a. *Staff Comment: This was addressed by the applicant on April 30, 2019 via application amendment and Plat heading update.*

I. Emergency Services (9-1-1)
   1. Nothing jumps out at me on this one.

J. Register of Deeds
   1. Plat heading should read: Lot 1 of Grover Subdivision (Formerly a portion Tract A of HES #303, Less Tract Dean of HES #303, Less Tract Drew of HES #303 and Less Old Hill City Road ROW and a Portion of Government Lot 5) Located in the S1/2 of the NE1/4 of Section 32, T1S, R5E, BHM, Pennington County, South Dakota.
      a. *Staff Comment: This was addressed by the applicant on April 30, 2019 via application amendment and Plat heading update.*

K. County Fire Administrator
   1. No comments received.

L. United States Forest Service
   1. The Forest Service has no objections to the Robert Grow Layout Plat request:
   2. Protect all posted boundary line corners, signs, and bearing trees.
   3. Adhere to the setback requirements along the posted boundary between National Forest System lands (USA Public Domain; located on the north side of private property) and private property.
   4. Protect all known stream courses, ponds and riparian areas located on National Forest System lands.
   5. No resource damage to occur on National Forest System lands.

6. 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.
7. All construction materials, supplies, trash or garbage will not be located or dumped on National Forest System lands.
8. Public roads in this area of the Black Hills National Forest are classified as "Roads Open to all Vehicles", "Other Public Roads" per the latest version (January 1, 2019) of the Motor Vehicle Use Map.
9. No motorized trailheads or motorized trails or motorized roads are planned or scheduled for this portion of the Black Hills National Forest.
10. 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).

M. Black Hills Energy
   1. No comments received.

N. Hill City Planning
   1. We don't have any issue with this.

VI. ANALYSIS

A. April 8, 2019, the applicant, David Grover, applied to create Lot 1 of Grover Subdivision.
B. The proposed subdivision, if approved, will create one (1) new lot.
C. Prior to final approval, the proposed lot will require either a Rezone or Lot Size Variance, as it is under the allotted acreage for the current zoning of General Agriculture.
D. On April 26, 2019, the applicant amended the original Layout Plat application to include the .08 acre portion of GL5
E. April 30, 2019, the applicant provided a new plat drawing to address Department of Equalization and Register of Deeds comments.
F. There is an existing and permitted On-site Wastewater System (OSWTS) on the proposed Lot 1.
G. For the purposes of a Layout Plat, Staff finds no significant issues with the applicant's request;

RECOMMENDATION: Staff recommends approval of Layout Plat / LPL 19-09 with the following six (6) conditions:

1. That the applicant obtain an Approach Permit from the County Highway Department prior to installation of any approaches off of Old Hill City Road;

2. That prior to the Plat being recorded with the Register of Deeds, the proposed lot obtain a Lot Size Variance or be rezoned appropriately;

3. That the applicant ensures all natural drainage ways are maintained and are not blocked;

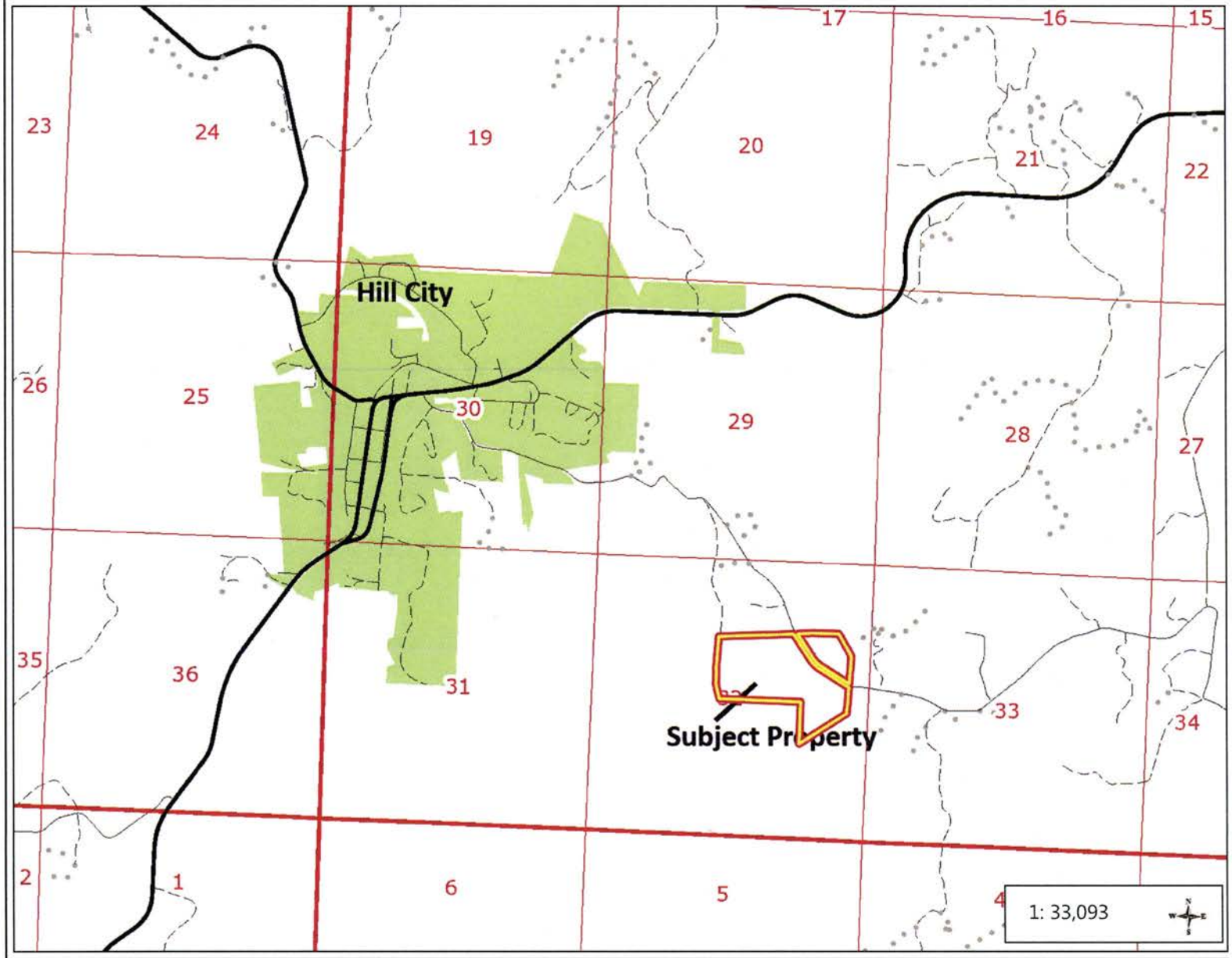
4. That at the time of Minor Plat submittal, the plat meets all requirements of Pennington County Subdivision Regulations, or approved Subdivision Regulations Variance(s) be obtained waiving any of these requirements that are not met. Subdivision Regulations shall be submitted per § 700 of Pennington County Subdivision Regulations;

5. 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; and,

6. That approval of this Layout Plat does not constitute approval of any further applications to be submitted for the above-described property.

RapidMap

Rapid City-Pennington County GIS



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Map Notes:

5,515.5 0 2,757.77 5,515.5 Feet

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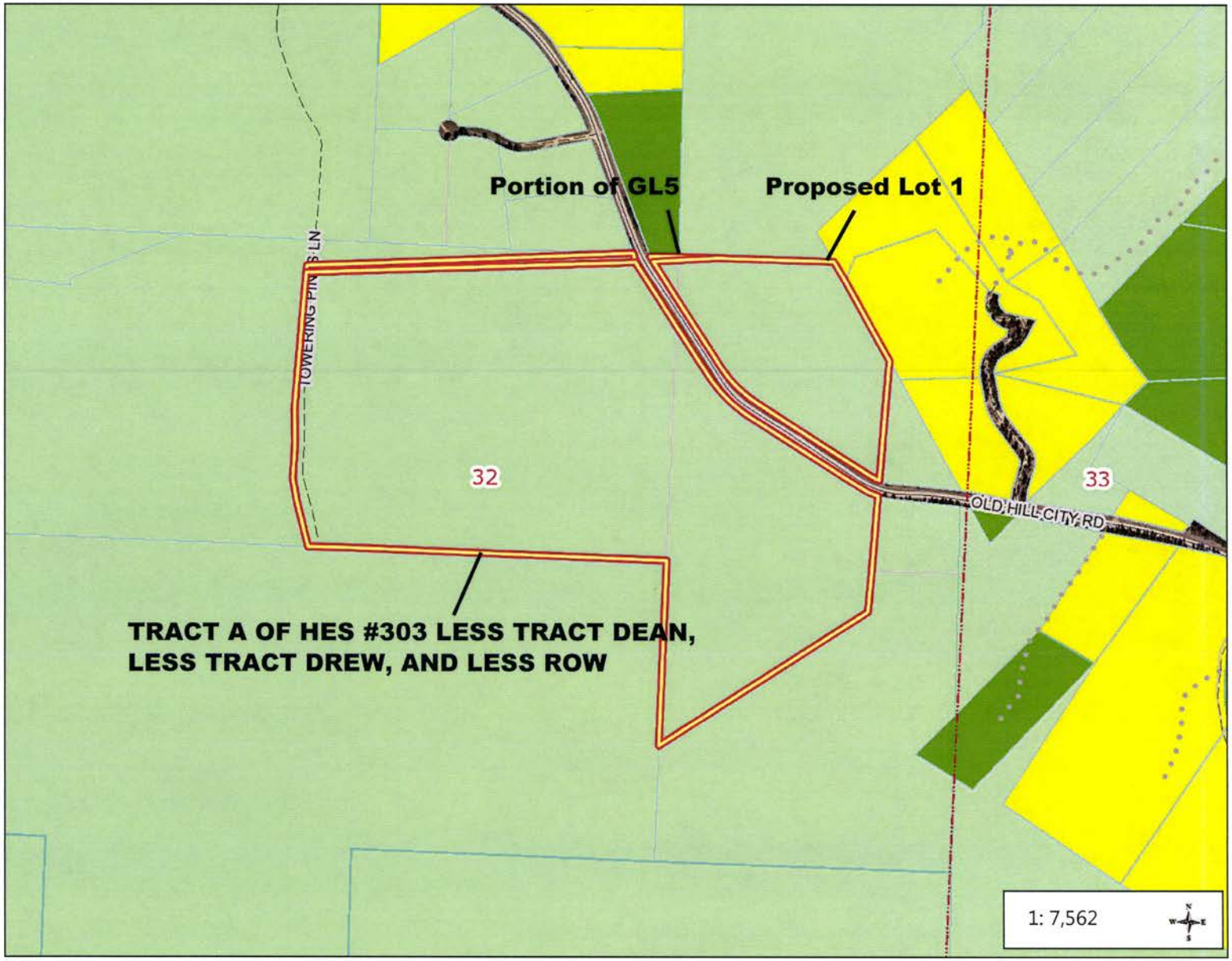
LAYOUT PLAT LP 19-09 - ZONING



1,260.4 0 630.18 1,260.4 Feet

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Section Lines 0-25k
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Pennington County Zoning
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- Limited Agriculture
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- Light Industrial
- Planned Unit Development

Map Notes:

RapidMap

LAYOUT PLAT LP 19-09



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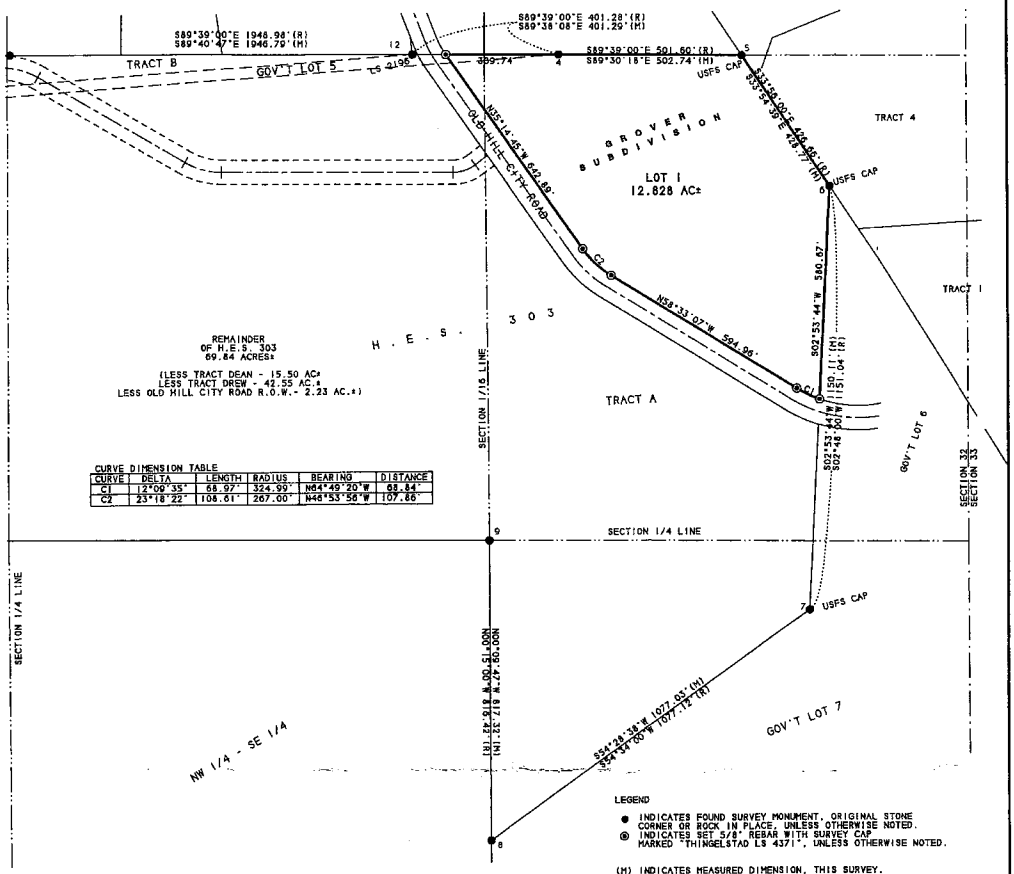
PLAT OF
LOT 1 OF GROVER SUBDIVISION
(FORMERLY A PORTION TRACT A OF H.E.S. 303, LESS TRACT DEAN OF H.E.S. 303, LESS TRACT DREW OF H.E.S. 303 AND LESS OLD HILL CITY ROAD R.O.W. AND A PORTION OF GOVERNMENT LOT 5) LOCATED IN THE S1/2 OF THE NE1/4 OF SECTION 32, T1S, R5E, BHM. PENNINGTON COUNTY, SOUTH DAKOTA

SCALE: 1" = 200'
APRIL 26, 2019



CURVE DIMENSION TABLE					
CURVE	DELTA	LENGTH	RADIUS	BEARING	DISTANCE
C1	12°09'35"	68.97'	324.99'	N64°49'20"W	68.84'
C2	23°18'22"	108.61'	267.00'	N48°33'58"W	107.86'

LEGEND

- ● INDICATES FOUND SURVEY MONUMENT, ORIGINAL STONE CORNER OR ROCK IN PLACE, UNLESS OTHERWISE NOTED.
- ◉ INDICATES SET 5/8" REBAR WITH SURVEY CAP MARKED "THINGELSTAD LS 4371", UNLESS OTHERWISE NOTED.

(M) INDICATES MEASURED DIMENSION, THIS SURVEY.
(R) INDICATES RECORD DIMENSION PREVIOUSLY RECORDED ON PLAT OR DEED.

BASIS OF BEARINGS BY GPS OBSERVATION WITH BASE UNIT SET AT THE APPROXIMATE CENTER OF H.E.S. 303.

8' WIDE UTILITY AND MINOR DRAINAGE EASEMENTS ALONG ALL INTERIOR FRONT, SIDE AND BACK LOT LINES. 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.

FLOODPLAIN STATEMENT
THE 100-YEAR FLOODPLAIN, AS SHOWN HEREON, IS BASED ON THE ELEVATIONS IDENTIFIED ON FLOOD INSURANCE RATE MAP NUMBER 46093-0 1149H, WITH AN EFFECTIVE DATE OF JUNE 3, 2013, OR AS GRAPHICALLY DEPICTED ON SAID MAP IN UNSTUDIED 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
PURSUANT TO SDCL 11-3-8.1 AND 11-3-8.2, 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 PROTECTIONS CONFORM TO AND FOLLOW ALL REGULATIONS OF THE SOUTH DAKOTA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES RELATING TO THE SAME.

CERTIFICATE OF TREASURER
STATE OF SOUTH DAKOTA: ss.

COUNTY OF PENNINGTON :
I, TREASURER OF PENNINGTON COUNTY, CERTIFY THAT ALL TAXES WHICH ARE LIENS UPON THE TRACT AS SHOWN HEREON AND BY RECEIPTS OF MY OFFICE HAVE BEEN PAID TO DATE.

PENNINGTON COUNTY TREASURER _____ DATE _____

CERTIFICATE OF PLANNING DIRECTOR
I, PLANNING DIRECTOR OF THE COUNTY OF PENNINGTON HAVE REVIEWED THIS PLAT AND HAVE FOUND IT TO CONFORM TO ALL THE SUBDIVISION REQUIREMENTS OF THE PENNINGTON COUNTY SUBDIVISION REGULATIONS AND AS SUCH, I HAVE APPROVED THIS PLAT AS A FINAL PLAT.

DATE:_____

PLANNING DIRECTOR OF PENNINGTON COUNTY

PENNINGTON COUNTY AUDITOR

STATE OF SOUTH DAKOTA
COUNTY OF PENNINGTON

I AUDITOR OF PENNINGTON COUNTY, DO HEREBY CERTIFY THAT AT THE PENNINGTON COUNTY PLANNING DIRECTOR HAS REVIEWED AND APPROVE THIS FINAL PLAT AS SHOWN HEREON.

AUDITOR OF PENNINGTON COUNTY DATE

CERTIFICATE OF STREET AUTHORITY

THE LOCATION OF THE PROPOSED PROPERTY LINES ABUTTING THE COUNTY OR STATE HIGHWAY OR COUNTY ROAD AS SHOWN HEREON, IS HEREBY APPROVED. ANY CHANGE IN THE LOCATION OF THE PROPOSED ACCESS SHALL REQUIRE ADDITIONAL APPROVAL.

STREET AUTHORITY DATE

OWNER'S CERTIFICATE

WE, LYNDA FISHER AND ROBERT GROW DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE TRACT OF LAND SHOWN AND DESCRIBED HEREON, THE SURVEY WAS DONE AT OUR REQUEST FOR THE PURPOSE INDICATED HEREON, THE DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION, EROSION AND SEDIMENT CONTROL REGULATIONS, AND HEREBY APPROVES THE SURVEY AND WITHIN PLAT OF SAID LAND.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HAND THIS_____ DAY OF_____, 2019.

OWNER: _____

STATE OF SOUTH DAKOTA:
COUNTY OF PENNINGTON : ss.

ON THIS ____ DAY OF _____, 2019, BEFORE ME, A NOTARY PUBLIC, PERSONALLY APPEARED LYNDA FISCHER AND ROBERT GROW, 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 _____

SURVEYOR'S CERTIFICATE

I, STEVEN O. THINGELSTAD, REGISTERED LAND SURVEYOR, SD NO. 4371, DO HEREBY CERTIFY THAT AT THE DIRECTION OF THE OWNERS OF THE LAND HEREIN DESCRIBED I HAVE MADE THE SURVEY AND WITHIN PLAT OF LAND DESCRIBED AND SHOWN HEREON. THE LOCATION AND DIMENSIONS ARE AS SHOWN ON THE PLAT AND SAID PLAT IS IN ALL RESPECTS TRUE AND CORRECT.

REGISTERED LAND SURVEYOR LS #4371 DATE _____

REGISTERED PROFESSIONAL ENGINEER AND LAND SURVEYOR REG. NO. 4371 PRELIMINARY SUBMITTAL FOR REVIEW ONLY NOT FOR CONSTRUCTION STEVEN O. THINGELSTAD SOUTH DAKOTA

OFFICE OF REGISTER OF DEEDS

STATE OF SOUTH DAKOTA:
COUNTY OF PENNINGTON: ss.

FILED THIS _____ DAY OF _____, 2019, AT _____ O'CLOCK ___M.
DOCUMENT NUMBER _____

PENNINGTON COUNTY REGISTER OF DEEDS

BY: _____ FEE: $_____

OFFICE OF DIRECTOR OF EQUALIZATION

STATE OF SOUTH DAKOTA:
COUNTY OF PENNINGTON: ss.

I, DIRECTOR OF EQUALIZATION, PENNINGTON COUNTY, CERTIFY THAT I HAVE RECEIVED A COPY OF THIS PLAT, AND IS FILED IN MY OFFICE. DATE: _____

PENNINGTON COUNTY DIRECTOR OF EQUALIZATION

APPROVED:_____

PREPARED BY: STEVEN O. THINGELSTAD
BRITTON ENGINEERING & LAND SURVEYING, INC.
8035 BLACK HAWK ROAD, SUITE 5
BLACK HAWK, SOUTH DAKOTA 57718
(605) 716-7988

C:\GXD FILES\1509\GROVER PLAT.GXD

Agenda Item #16
Ryan and Dawn Loraas; Fisk Land Surveying - Agent
May 13, 2019

16

STAFF REPORT

GENERAL INFORMATION:

REQUEST:	**LAYOUT PLAT / LPL 19-08 AND SUBDIVISION REGULATIONS VARIANCE / SV 19-02:** To combine two lots to create Lot 4R of Block D, Edelweiss Mountain Development Subdivision and to waive platting requirements in accordance with Sections 400.1 and 700.1 of the Pennington County Subdivision Regulations.
APPLICANT:	Ryan and Dawn Loraas
APPLICANT ADDRESS:	2020 Meadow Ridge Place, Bismarck, ND 58503
SURVEYOR / ENGINEER:	Fisk Land Surveying
SURVEYOR ADDRESS:	P.O. Box 8154, Rapid City, SD 57709
LEGAL DESCRIPTION:	EXISTING LEGAL: Lot 4 (also in Section 20) and Lot 3 of Block D, Edelweiss Mountain Development Subdivision, Section 17, T1N, R5E, BHM, Pennington County, South Dakota. PROPOSED LEGAL: Lot 4R, Block D, Edelweiss Mountain Development Subdivision, Section 17, T1N, R5E, BHM, Pennington County, South Dakota.
SITE LOCATION:	205 Danube Lane; east of the intersection of Danube Lane and Brenner Pass.
SIZE:	2.15 acres
TAX ID:	1987 / 68487
EXISTING LAND USE:	Residential / Vacant
SUBDIVISION REGULATIONS REFERENCE:	§ 400.1 and 700.1
CURRENT ZONING:	Suburban Residential District

Agenda Item #16
Ryan and Dawn Loraas; Fisk Land Surveying - Agent
May 13, 2019

SURROUNDING ZONING:

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

PHYSICAL CHARACTERISTICS: Mountain forest

UTILITIES: Community lagoon

REPORT BY: Cassie Bolstad

I. PROPOSED RECOMMENDATION

A. Staff will be recommending approval of Subdivision Regulations Variance / SV 19-02 and approval of Layout Plat / LPL 19-08 with eight (8) conditions.

II. GENERAL DESCRIPTION

A. The applicants, Ryan and Dawn Loraas, have applied for a Layout Plat to consolidate two (2) existing lots in one (1) lot.

B. The applicants have also submitted a Subdivision Regulations Variance request to waive the following platting requirements:
   1. Any additional easement or road improvements and design standards for Suburban Residential zoning for Danube Lane, Brenner Pass and Alpine Drive;
   2. Allow more than 2 lots to be served by a 30' wide easement; and,
   3. Allow consolidation of lots on a dead end road system exceeding specified road length and number of units.

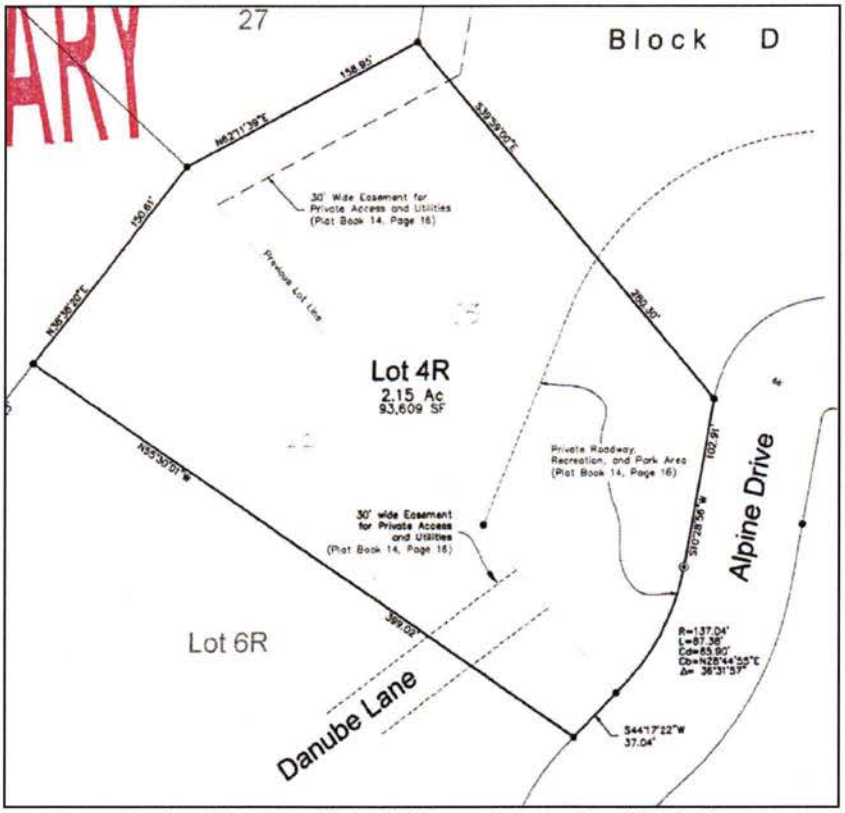
III. EXISTING CONDITIONS

A. Lot 4 (Also in Section 20), Block D, Edelweiss Mountain Development
   1. Zoned Suburban Residential District.
   2. 0.86 acre.
   3. Access off of Danube Lane via an existing approach.
      a. Located within the Edelweiss Road District.
   4. No Special Flood Hazard Area on the subject property.
   5. Lot contains:
      a. Single-family residence with attached garage and deck – 2006COBP0409.

B. Lot 3, Block D, Edelweiss Mountain Development.
   1. Zoned Suburban Residential District
   2. 1.29 acres.
   3. No Special Flood Hazard Area on the subject property.
   4. Currently vacant of any structures.

IV. PROPOSED LOT

A. Lot 4R, Block D, Edelweiss Mountain Development
   1. 2.15 acres.
   2. Would contain the existing single-family residence.



Portion of proposed Plat (Fisk Land Surveying 03.29.19)

V. SUBDIVISION REGULATIONS VARIANCE

A. The applicants are requesting to waive the following Subdivision Regulation requirements:
   1. Any additional easement or road improvements and design standards for Suburban Residential zoning for Danube Lane, Brenner Pass and Alpine Drive;
   2. Allow more than 2 lots to be served by a 30' wide easement; and,
   3. Allow consolidation of lots on a dead end road system exceeding specified road length and number of units.

B. As the applicants are proposing to consolidate lots and, therefore, decrease density, Staff does not object to the above-mentioned requests.

VI. REQUEST FOR COMMENT

A. County Highway Department
   1. Highway Department has no comments since this a reduction of one lot, the roads are existing, and it is located in the Edelweiss Road District.

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 Onsite Wastewater Specialist
   1. The applicant uses the community lagoon system. I have no further concerns.
E. County Environmental Planner
   1. No comments.
F. County Ordinance Enforcement
   1. There was a violation at 205 Danube for operating a VHR, but it was closed in 2011. Nothing on the Alpine Drive lot.
   2. No other questions or comments from Ordinance Enforcement.
G. County Natural Resources
   1. No comments received.
H. County Addressing Coordinator
   1. No addressing concerns at this time.
I. County Sheriff's Office
   1. No comments received.
J. Register of Deeds
   1. Plat heading is acceptable.
   2. Certificates appear to be the required certificates per State statute.
   3. The "utility and drainage easements:..." has a reference the original plat "Plat Book 14, Page 16". Will keeping the reference to the original plat book and page in the utility and drainage easement sentence on the new plat, cause the old easement to stay in effect for the previous lot line?
      a. *Staff Comment: The Utility and Drainage Easement identified in Plat Book 14, Page 16 states: "10' on the interior sides of all subject lot lines." Since the previous lot line dividing existing Lots 3 and 4 will be removed if the proposed Plat is approved, that line would no longer be a "subject lot line" and, therefore, would no longer be bound by the Utility and Drainage Easement.*
K. Department of Equalization
   1. Looks good.
L. Emergency Services (9-1-1)
   1. Good here.
M. Edelweiss Road District
   1. No comments received.

VII. ANALYSIS

A. April 4, 2019 – The applicants applied for Layout Plat / LPL 19-08 and Subdivision Regulations Variance / SV 19-02 to create Lot 4R, Block D of Edelweiss Mountain Development.

B. The applicants' request will decrease density within the Edelweiss Mountain Development by one (1) lot.

C. 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 FOR SUBDIVISION REGULATIONS VARIANCE / SV 19-02: Staff recommends approval of Subdivision Regulations Variance / SV 19-02 to waive the following platting requirements:

1. Any additional easement or road improvements and design standards for Suburban Residential zoning for Danube Lane, Brenner Pass and Alpine Drive;

2. Allow more than 2 lots to be served by a 30' wide easement; and,

3. Allow consolidation of lots on a dead end road system exceeding specified road length and number of units.

RECOMMENDATION FOR LAYOUT PLAT / LPL 19-08: Staff recommends approval of Layout Plat / LPL 19-08 with the following eight (8) conditions:

1. That at the time of Minor Plat submittal, a minimum of an 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 Section 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 Section 400.3.1.n of the Pennington County Subdivision Regulations and as deemed appropriate by the Register of Deeds;

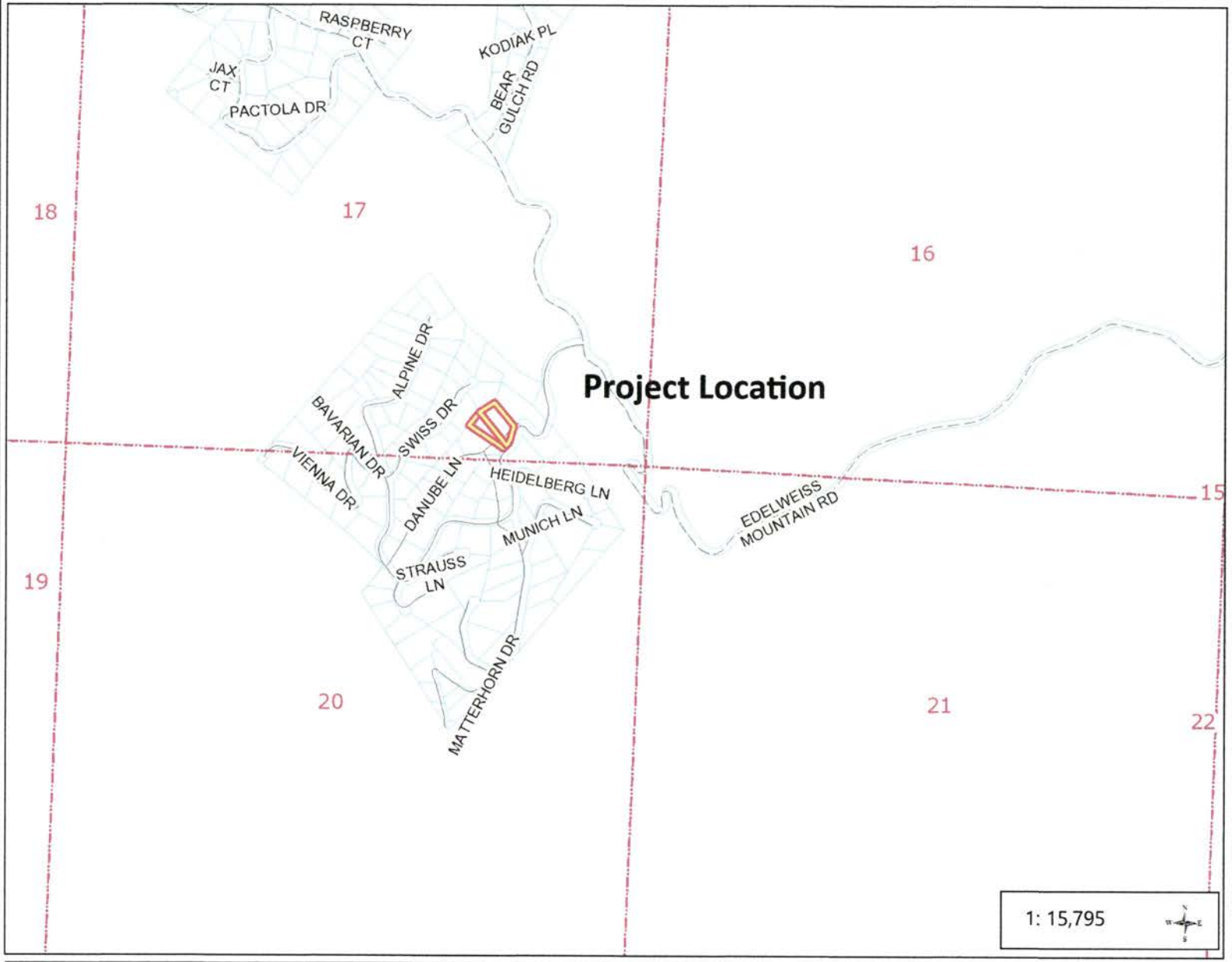
4. That at the time of a Minor Plat submittal, the plat meets all necessary requirements of Section 500 of the Pennington County Subdivision Regulations, or approved Subdivision Regulations Variance(s) be obtained waiving any of these requirements;

5. That the existing address continue to be properly posted in accordance with Pennington County's Ordinance #20;

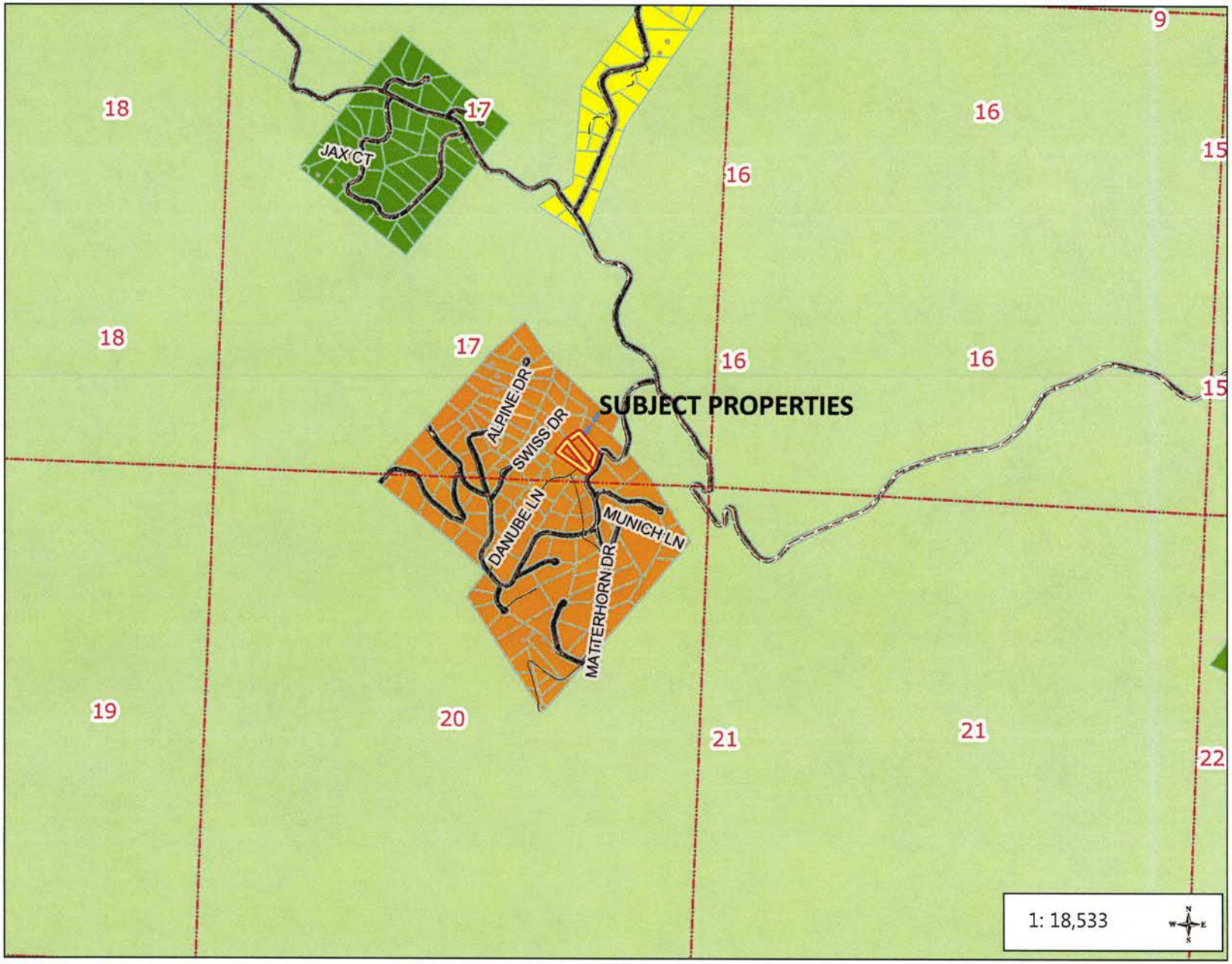
6. That the applicant ensures that all natural drainage ways are maintained and are not blocked and that all necessary drainage ways are properly noted on plats;

7. 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,

8. That approval of this Layout Plat does not constitute approval of any further applications to be submitted for the above-described property.


RapidMap
RASPBERRY CT
KODIAK PL
JAX CT
PACTOLA DR
BEAR GULCH RD
18
17
16
15
19
20
21
22
Project Location
ALPINE DR
BAVARIAN DR
SWISS DR
VIENNA DR
DANUBE LN
HEIDELBERG LN
MUNICH LN
STRAUSS LN
MATTERHORN DR
EDELWEISS MOUNTAIN RD
1: 15,795
2,632.6 0 1,316.29 2,632.6 Feet
NAD_1983_2011_StatePlane_South_Dakota_South_FIPS_4002_Ft_US
© Rapid City-Pennington County GIS Division
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
Section Lines 0-25k
0
7
Tax Parcels
Lot Lines
<Null>
Lot Line
Parcel Line
Map Notes:

RapidMap Rapid City-Pennington County 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

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

Map Notes:

3,088.8 0 1,544.42 3,088.8 Feet

NAD_1983_StatePlane_South_Dakota_South_FIPS_4002_Feet

© 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.
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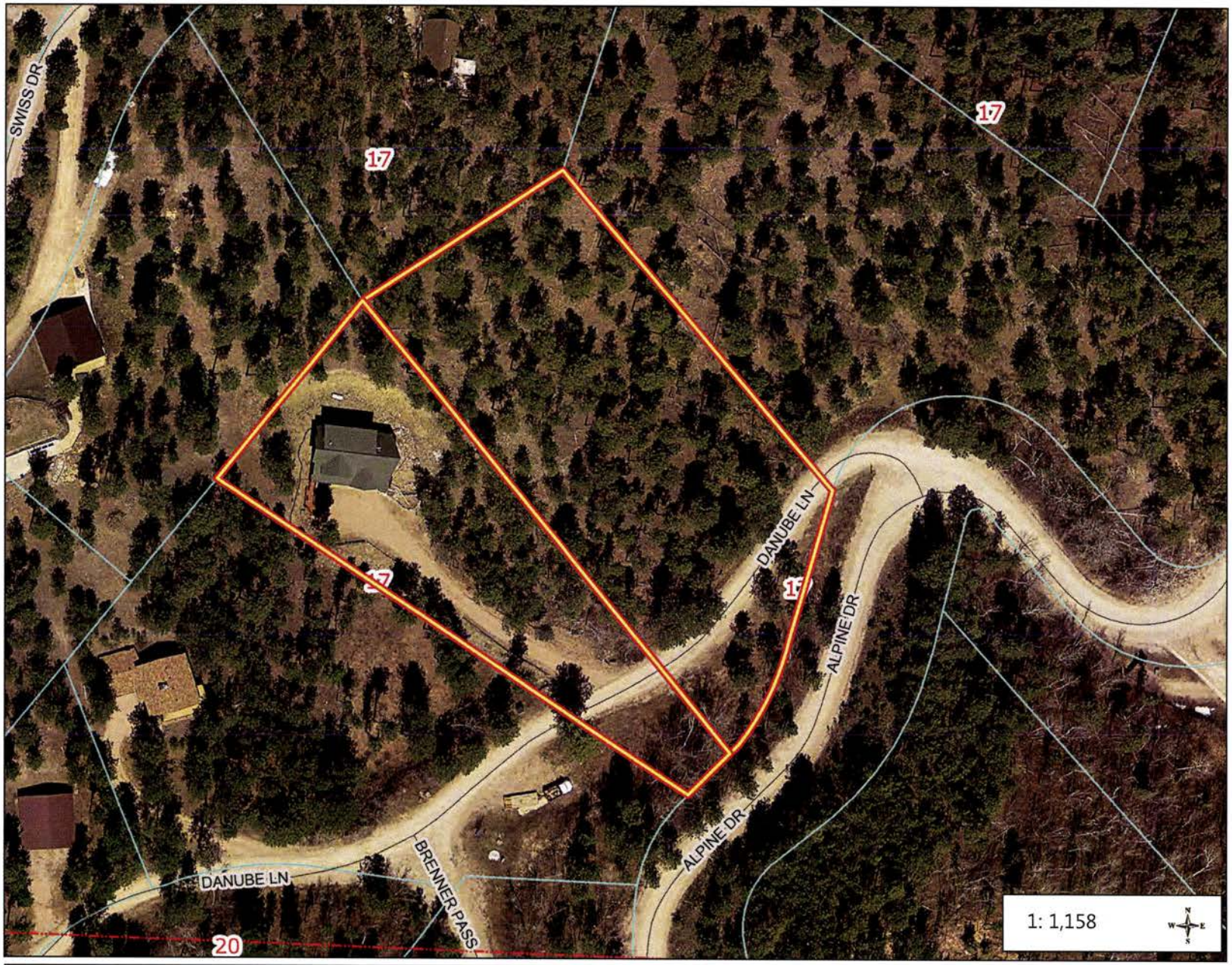
RapidMap Rapid City-Pennington County GIS



193.1 0 96.53 193.1 Feet

NAD_1983_StatePlane_South_Dakota_South_FIPS_4002_Feet

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Legend

Roads
- Interstate
- US highway
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- 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:

Plat of Lot 4R in Block D of Edelweiss Mountain Development

(formerly all of Lots 3 and 4 in Block D of Edelweiss Mountain Development)
Located in the S1/2 of Section 17, T1N, R5E, BHM, Pennington County, South Dakota

Prepared by:
Fisk Land Surveying
& Consulting Engineers, Inc.
P.O. Box 8154
Rapid City, SD 57709
(605) 348-1538
Project # 19-02-07

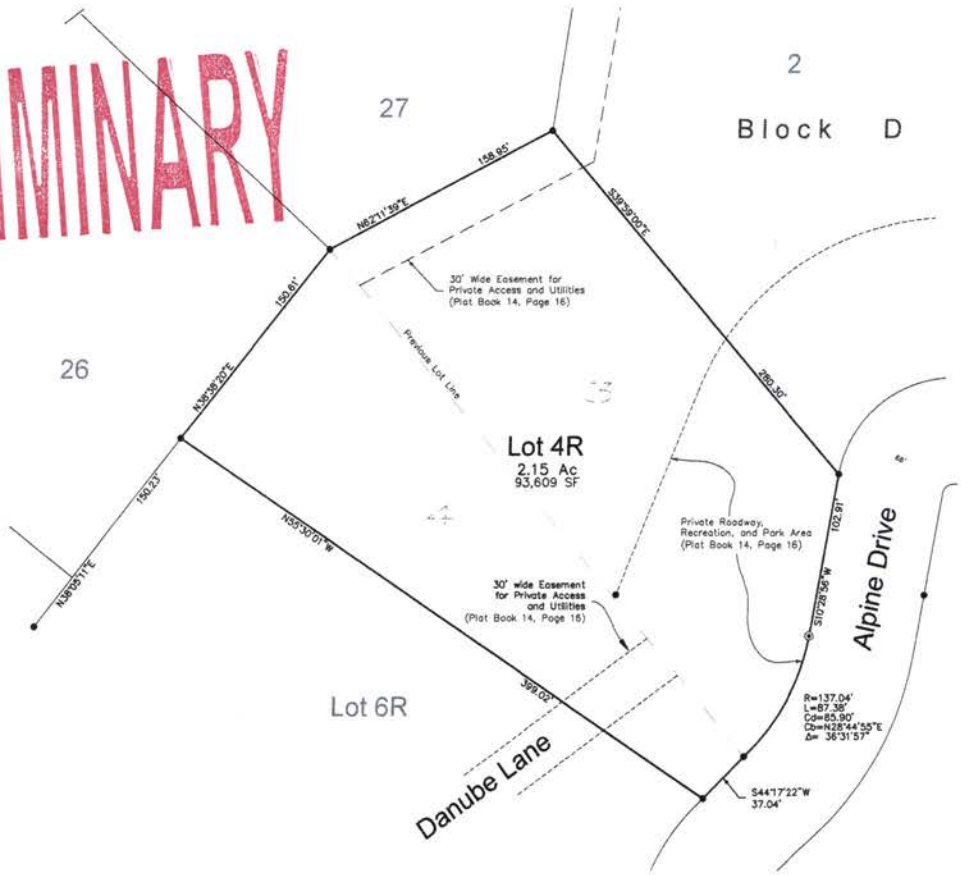
LEGEND
● = Found Survey Monument, LS 1019
⊙ = Set survey monument "LS 6565"

March 29, 2019
Basis of Bearings:
GPS Observation

EASEMENTS
Utility and Drainage Easements: 10' on the interior sides of all subject lot lines (Plat Book 14, Page 15)

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 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.

PRELIMINARY



CERTIFICATE OF SURVEYOR
State of South Dakota County of Pennington §

I, Ronald W. Fisk, Registered Land Surveyor No. 6565 in the State of South Dakota, do hereby certify that being so authorized, I made the survey and within plat 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. Fisk
Registered Land Surveyor No. 6565

Registered Land Surveyor
Reg. No. 6565
Ronald W. Fisk
South Dakota

CERTIFICATE AND ACKNOWLEDGEMENT OF OWNERSHIP
State of County of §

We, Ryan H. Laraas and Dawn R. Laraas, 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 plat of said land, and that development of this land shall conform to all existing applicable zoning, subdivision, and erosion and sediment control regulations.

Ryan H. Laraas - (Owner)

Dawn R. Laraas - (Owner)

On this _____ day of _____, 20 ____, before me, a Notary Public, personally appeared Ryan H. Laraas and Dawn R. Laraas, 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 _____

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 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

Resolution by Governing Board
State of South Dakota County of Pennington §

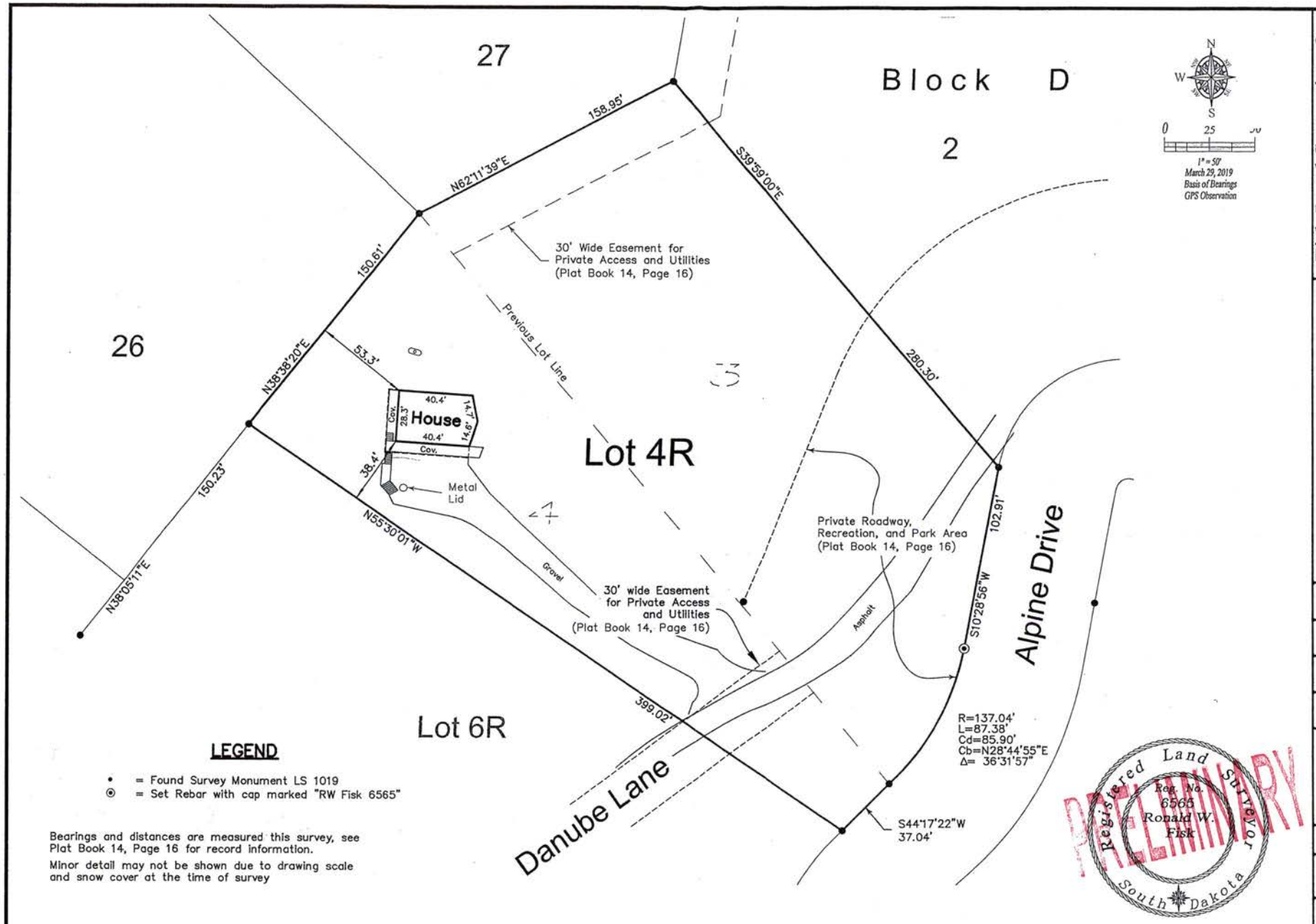
I, the Auditor of Pennington County, do hereby certify that an official meeting held on the _____ day of _____, 20___ the County Commissioners by resolution did approve the plat as shown and described.

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



LEGEND

- • = Found Survey Monument LS 1019
- ⊙ = Set Rebar with cap marked "RW Fisk 6565"

Bearings and distances are measured this survey, see Plat Book 14, Page 16 for record information.

Minor detail may not be shown due to drawing scale and snow cover at the time of survey

Fisk Land Surveying & Consulting Engineers, Inc

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

Proposed Lot 4R - Ryan Loraas
Block D, Edelweiss Mountain Developement
S1/2 of Section 17, T1N, R5E, BHM,
Pennington County, South Dakota

Surveyed by:	CD/JH
Date	3/28/2019
Drawn by:	CDD
Checked by:	JF
Revisions	
Site Plan	
1 of 1	
Project No.	19-02-07

RECEIVED
APR 0 4 2019

C8

SUBDIVISION REGULATIONS VARIANCE APPLICATION
PENNINGTON COUNTY, SOUTH DAKOTA

PC Meeting Date: 5/13 **Fee Paid:** $250.00
BCC Meeting Date: 5/21

1. APPLICANT: RYAN & DAWN LORAAS DAYTIME PHONE: 701-202-8714
MAILING ADDRESS: 2020 MEADOW RIDGE PLC, BISMARCK, ND 58503

OWNER: RYAN & DAWN LORAAS DAYTIME PHONE: 701-202-8714
MAILING ADDRESS: 2020 MEADOW RIDGE PLC, BISMARCK, ND 58503

AUTHORIZED AGENT: FISK LAND SURVEYING & CONSULTING ENG DAYTIME PHONE: 348-1538
MAILING ADDRESS: PO BOX 8154, RAPID CITY, SD 57709

2. SUBDIVISION REGULATION VARIANCE(S) REQUESTED: (1) WAIVE ANY ADDITIONAL ESMNT OR ROAD IMPROVEMENTS & DESIGN STANDARDS FOR SRD ZONING FOR DANUBE LANE, BRENNER PASS & ALPINE DR; (2) ALLOW MORE THAN 12 LOTS TO BE SERVED BY A 30' WIDE EASEMENT; (3) ALLOW CONSOLIDATION OF LOTS ON A DEAD END ROAD SYSTEM EXCEEDING SPECIFIED ROAD LENGTH AND NUMBER OF UNITS

EXISTING LEGAL DESCRIPTION: LOTS 3 & 4 IN BLOCK D OF EDELWEISS MOUNTAIN DEVELOPMENT, S½ SEC 17, T1N, R5E, BHM

PROPOSED LEGAL DESCRIPTION: LOT 4R IN BLOCK D OF EDELWEISS MOUNTAIN DEVELOPMENT

LANDMARK LOCATION/ADDRESS: 205 DANUBE LANE

PROPOSED LAND USE: RESIDENTIAL SITE ZONING: SRD

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

Subscribed and sworn to before me this 2nd Day of April, 2019.

Notary Public for the State of South Dakota
My Commission Expires: North 12/27/22

HAYLEY KUNTZ
Notary Public
State of North Dakota
My Commission Expires Dec. 27, 2022

Signature of LANDOWNER

Subscribed and sworn to before me this 2nd Day of April, 2019.

Notary Public for the State of South Dakota
My Commission Expires: North 12/27/22

HAYLEY KUNTZ
Notary Public
State of North Dakota
My Commission Expires Dec. 27, 2022

Agenda Item #17
John and Ann Hovdenes; Fisk Land Surveying - Agent
May 13, 2019

17

STAFF REPORT

GENERAL INFORMATION:

REQUEST:	**SUBDIVISION REGULATIONS VARIANCE / SV 19-03:** To waive platting requirements in order to create Lots 1 and 2 of Cosmos Subdivision and dedicated Right-of-Way in accordance with Section 700.1 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:	17.11 acres
TAX ID:	44921
EXISTING LAND USE:	Residential
SUBDIVISION REGULATIONS REFERENCE:	§ 700.1
CURRENT ZONING:	General Agriculture District

Agenda Item #17
John and Ann Hovdenes; Fisk Land Surveying - Agent
May 13, 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: Cassie Bolstad

I. PROPOSED RECOMMENDATION

A. Staff will be recommending approval of Subdivision Regulations Variance / SV 19-03.

II. GENERAL DESCRIPTION

A. The applicants, John and Ann Hovdenes, are in the process of subdividing one (1) existing lot into two (2) lots.
B. The applicants have submitted a Subdivision Regulations Variance request to waive the following platting requirements:
    1. Any additional improvements to Cosmos Road;
    2. Dedication and improvements to the Section Line Right-of-Way;
    3. Reduce the standard 8-foot easement width to 6-feet on one lot line for existing structures; and,
    4. Percolation tests and soil profile hole information.

III. EXISTING CONDITIONS

A. 17.11 acres.
B. Currently zoned General Agriculture District – 40 acre minimum lot size.
C. Future Land Use Designation: Planned Unit Development Sensitive.
D. No Special Flood Hazard Area on the subject property.
E. Access off of Cosmos Road, which takes access off of S. Highway 16.
    1. Forest Road Special Use Permit (PAH588).
        a. PAH588 is for that portion of Cosmos Road (approximately 0.35 mile) between the existing Cosmos Road District and S. Highway 16.
        b. Expires: December 31, 2033.
    2. Located within the Cosmos Road District.
F. Existing Easements:
    1. 30' Private Driveway – Plat Book 15, Page 202.
    2. 30' wide Right-of-Way (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 and 20' Wide Easement for Power – Plat Book 23 Page 163.
6. 50' wide Easement for Access and Utilities to the NW1/4NW1/4 Section 33 – Plat Book Page 23, Page 163.

G. Lot contains:
   1. Single-Family Residence (SFR) – built in 1963 per Department of Equalization (DOE) records.
      a. 2010COSD0066 – Onsite Wastewater Treatment System (OSWTS) Construction Permit.
      b. COOP14-0051 – OSWTS Operating Permit.
      c. 19' x 28' living room addition – COBP14-0130.
   2. Detached 32' x 44' garage – COBP18-0629.
   3. Per DOE Records:
      a. 320 ft² tool shed – built in 1962.
      b. 720 ft² detached three stall detached residential garage – built in 1979.
      c. 266 ft² tool shed – built in 1982.
      d. 280 ft² tool shed – built in 1982.
      e. 192 ft² tool shed – built in 1991.

H. Telecommunication Facility / Communications Tower.
   1. September 1, 1988 – Conditional Use Permit / CU 88-34 (for a Communications Tower) was approved by the Board of Commissioners with no conditions.
   2. CU 88-34 has never been reviewed.
   3. County Building Permits associated with CU88-34:
      a. #8372; 2004COBP0207; COBP14-0060; COBP16-0279; COBP17-0224; COBP17-0590; COBP17-0591; and COBP18-0730.

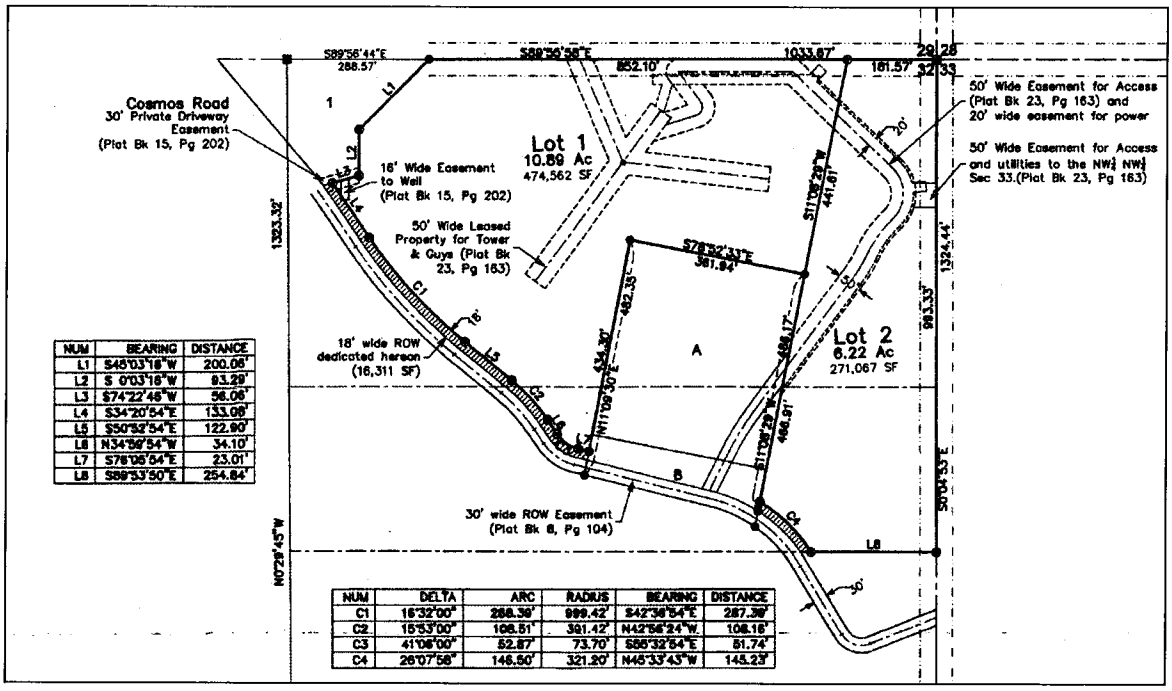


Existing Lot

IV. PROPOSED LOTS (Layout Plat / LPL 19-04)

A. Lot 1 of Cosmos Subdivision
   1. 10.89 acres.

B. Lot 2 of Cosmos Subdivision
   1. 6.22 acres.



NUM	BEARING	DISTANCE
L1	S45°03'18"W	200.06'
L2	S 0°03'18"W	83.29'
L3	S74°22'46"W	56.06'
L4	S34°20'54"E	133.08'
L5	S50°53'54"E	122.90'
L6	N34°39'54"W	34.10'
L7	S78°05'54"E	23.01'
L8	S89°53'50"E	254.84'

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	108.18'
C3	41°08'00"	52.87'	73.70'	S86°32'54"E	51.74'
C4	26°07'58"	146.50'	321.20'	N45°33'43"W	145.23'

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

V. REQUEST FOR COMMENT

A. County Highway Department
   1. Highway Department has no comments since this is in the Cosmos Road District and drainage isn't impacted.

B. County Environmental Planning Supervisor
   1. There is no Special Flood Hazard Area on the subject property.

C. County Onsite Wastewater Specialist
   1. The owner of the lot currently has a valid Operating Permit (COOP14-0051). 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.

D. County Ordinance Enforcement
   1. Reviewed and no questions or comments.

E. U.S. Forest Service
   1. The Forest Service has no objections to the Hovdenes Rezoning [and] Comprehensive Plan Amendment.
   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.
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).

Additional comment regarding Subdivision Regulation Variance (to waive):

1. Any additional improvements to Cosmos Road: ***That portion of the Cosmos Road located on National Forest System lands will need to adhere to the Cosmos Road District, FLPMA Forest Road Special Use Permit (see attached).***
2. Dedication and improvements to Section Line ROW: ***The Forest Service does not recognize South Dakota State Statute for Section Line R-O-W on National Forest System lands.***
3. Percolation tests and soil profile hole information: ***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.

4. Reduce the standard 8' easement width to 6' on one lot line for existing structures.

F. Black Hills Electric Cooperative
   1. Black Hills Electric Cooperative has no concerns with this application.

G. County Fire Administrator; SD Department of Transportation; Cosmos Road District; SD Department of Environment & Natural Resources; and, Western Wireless (Cell Tower)
   1. No comments received.

VI. ANALYSIS

A. March 19, 2019 – Board of Commissioners approved Layout Plat / LPL 19-04 with the following ten (10) conditions:
   1. That at the time of the Minor Plat submittal, the proposed Plat continue to be prepared by a Registered Land Surveyor or Engineer;
   2. That at the time of Minor Plat submittal, eight (8) foot Utility and Minor Drainage Easements to be dedicated on the interior sides of all lot lines, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
   3. That at the time of the Minor Plat submittal, percolation tests and soil profile hole information be submitted for the proposed lot for review and approval, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
   4. That at the time of Minor Plat submittal, the plat meets all requirements of Pennington County Subdivision Regulations, or approved Subdivision Regulations Variance(s) be obtained waiving any of these requirements that are not met. Subdivision Regulations shall be submitted per Section 700 of Pennington County Subdivision Regulations;
   5. That prior to any work being done on the existing property or Lot 1 or Lot 2 of Cosmos Subdivision, the landowners contact the Pennington County Planning Department first, to see what Permits, if any, are required;
   6. That the applicant ensures that all natural drainage ways are maintained and are not blocked;
   7. That following platting of the proposed lots, any on-site wastewater treatment system(s) be subject to the requirements of § 204(J) of the Pennington County Zoning Ordinance, including the requirement to obtain an Operating Permit;
   8. That prior to the Plat being recorded with the Register of Deeds, proposed Lot 1 and Lot 2 of Cosmos Subdivision be in compliance with Pennington County Zoning Ordinances;

9. That approval of this Layout Plat does not constitute approval of any further applications to be submitted for the above-described property; and,
10. That legal access is continually maintained to the subject property.

B. The applicant has also submitted a Rezone (RZ 19-05) and Comprehensive Plan Amendment (CA 19-05) request to rezone 10.89 acres from General Agriculture District to Limited Agriculture District, for proposed Lot 1, and to rezone 6.22 acres from General Agriculture District to General Commercial District, for proposed Lot 2, and to amend the Comprehensive Plan to change the Future Land Use from Planned Unit Development Sensitive to Limited Agriculture District and General Commercial District.
   1. RZ 19-05 and CA 19-05 will also be heard by the Planning Commission on May 13, 2019.

C. The applicants plan to transfer proposed Lot 2 to the owners of the Cosmos Mystery Area for a proposed expansion of the Cosmos Mystery Area parking.

D. With this request, the applicant is requesting to waive the following platting requirements:
   1. Any additional improvements to Cosmos Road;
      a. *Staff Comment: Cosmos Road is located within the Cosmos Road District. In addition, that portion of the Cosmos Road located on National Forest System lands must adhere to the Cosmos Road District, FLPMA Forest Road Special Use Permit. The Forest Service suggests that Cosmos Road be maintained to County Highway Standards.*
   2. Dedication and improvements to the Section Line Right-of-Way;
      a. *Staff Comment: The agent, Fisk Land Surveying, provided clarification of this request via email on March 27, 2019. A copy of the email is included with this Staff Report.*
   3. Reduce the standard 8-foot easement width to 6-feet on one lot line for existing structures; and,
      a. *Staff Comment: There is an existing 3 stall detached garage that lies 6.1' from the west property line of proposed Lot 1 (Image 1, page 8). Dedication of an 8-foot Minor Drainage and Utility Easement along that lot line would put that structure in violation of the Pennington County Zoning Ordinance.*
   4. Percolation tests and soil profile hole information.
      a. *Staff Comment: There is an existing onsite wastewater treatment system (OSWTS) on proposed Lot 1. Submittal of percolation tests and soil profile hole information would be required prior to installation of any OSWTS on proposed Lot 2.*

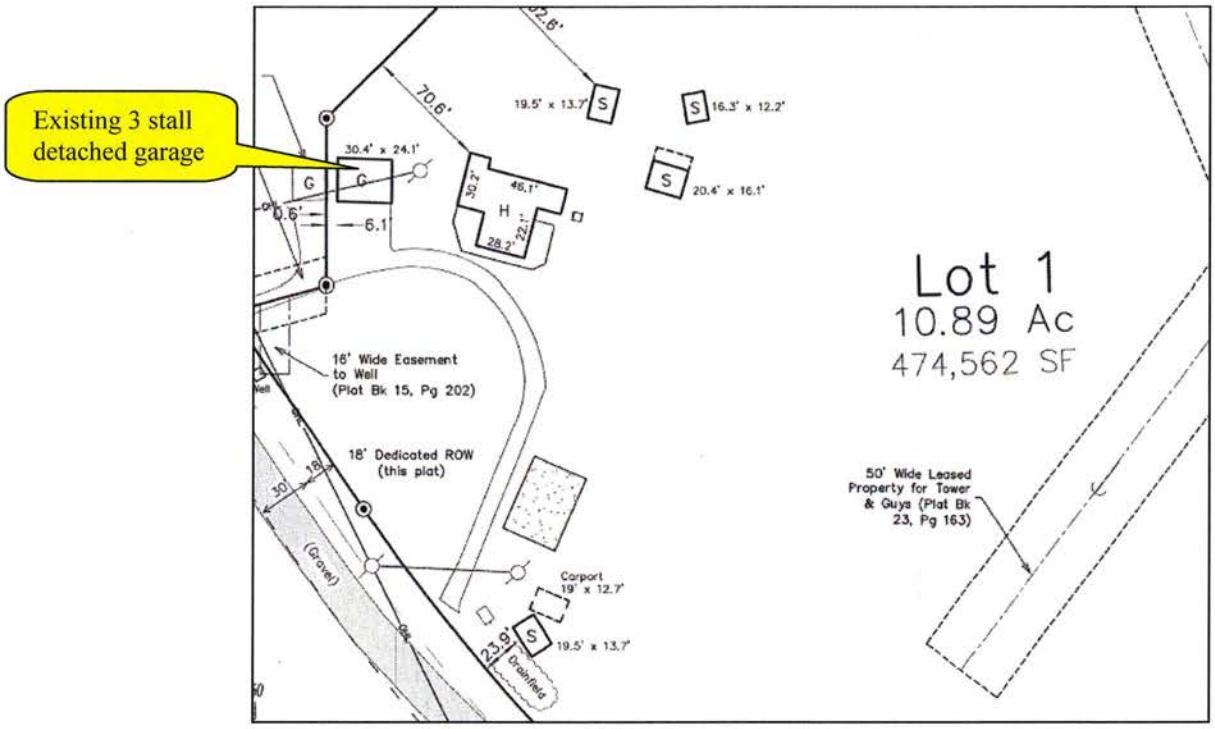


Image 1

RECOMMENDATION: Staff recommends approval of Subdivision Regulations Variance / SV 19-03 to waive the following four (4) platting requirements:

1. Any additional improvements to Cosmos Road;

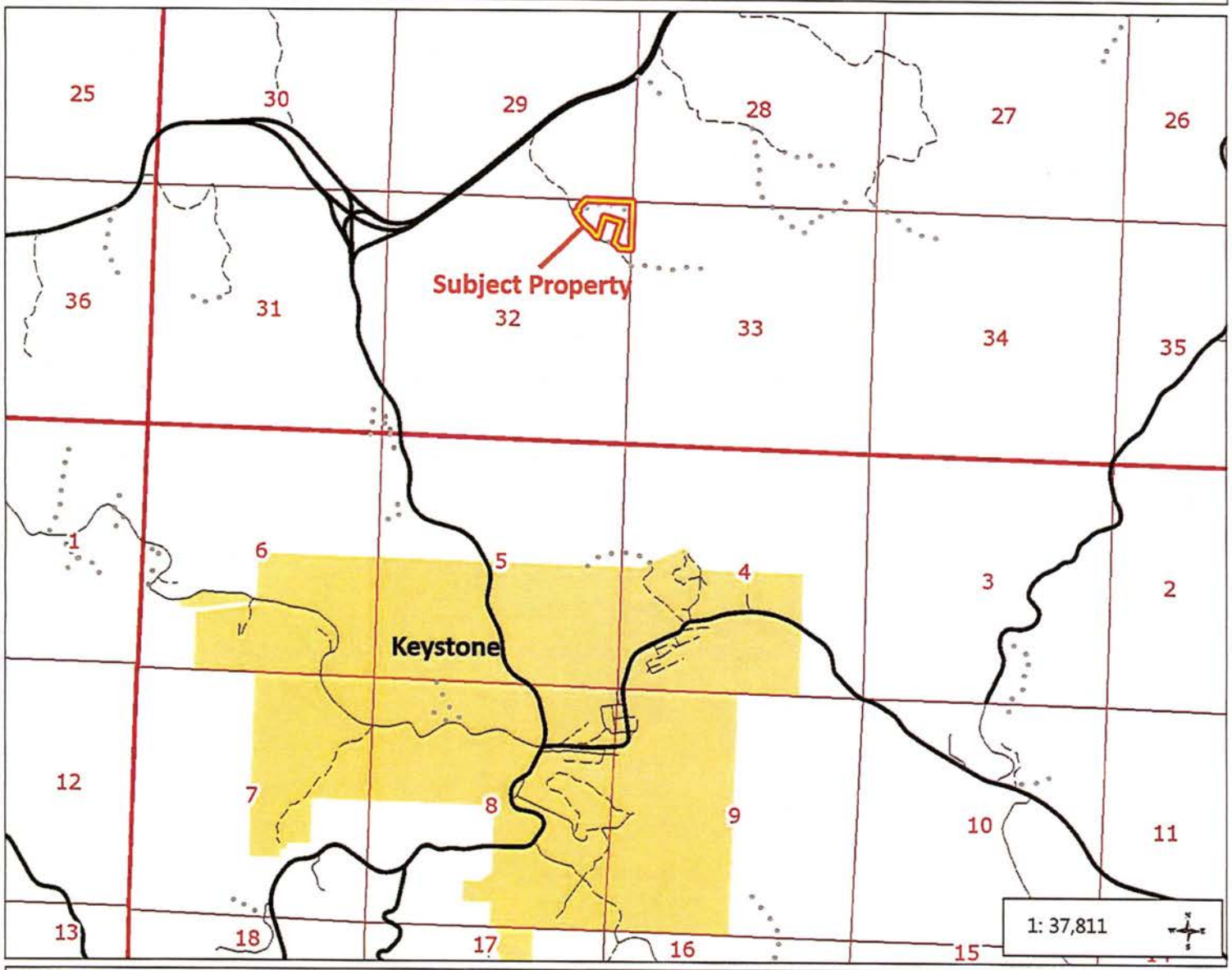
2. Dedication and improvements to the Section Line Right-of-Way;

3. Reduce the standard 8-foot easement width to 6-feet on one lot line for existing structures; and,

4. Percolation tests and soil profile hole information.

RapidMap

Zoning - Pennington County Current



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:

6,301.8 0 3,150.91 6,301.8 Feet

NAD_1983_2011_StatePlane_South_Dakota_South_FIPS_4002_Ft_US

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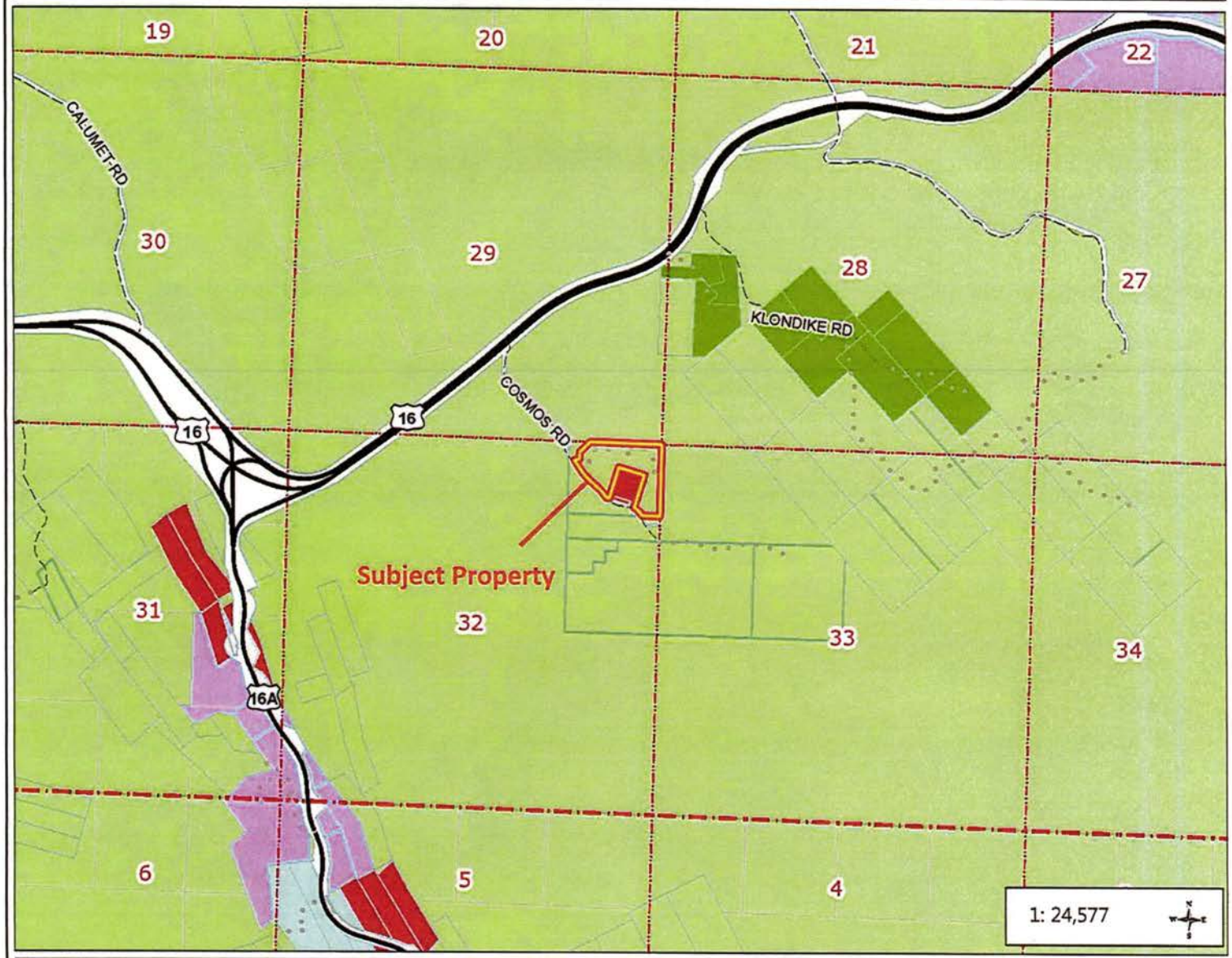
THIS MAP IS NOT TO BE USED FOR NAVIGATION

RapidMap

Zoning - Pennington County Current Zoning



4,096.2 0 2,048.09 4,096.2 Feet

NAD_1983_2011_StatePlane_South_Dakota_South_FIPS_4002_Ft_US

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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

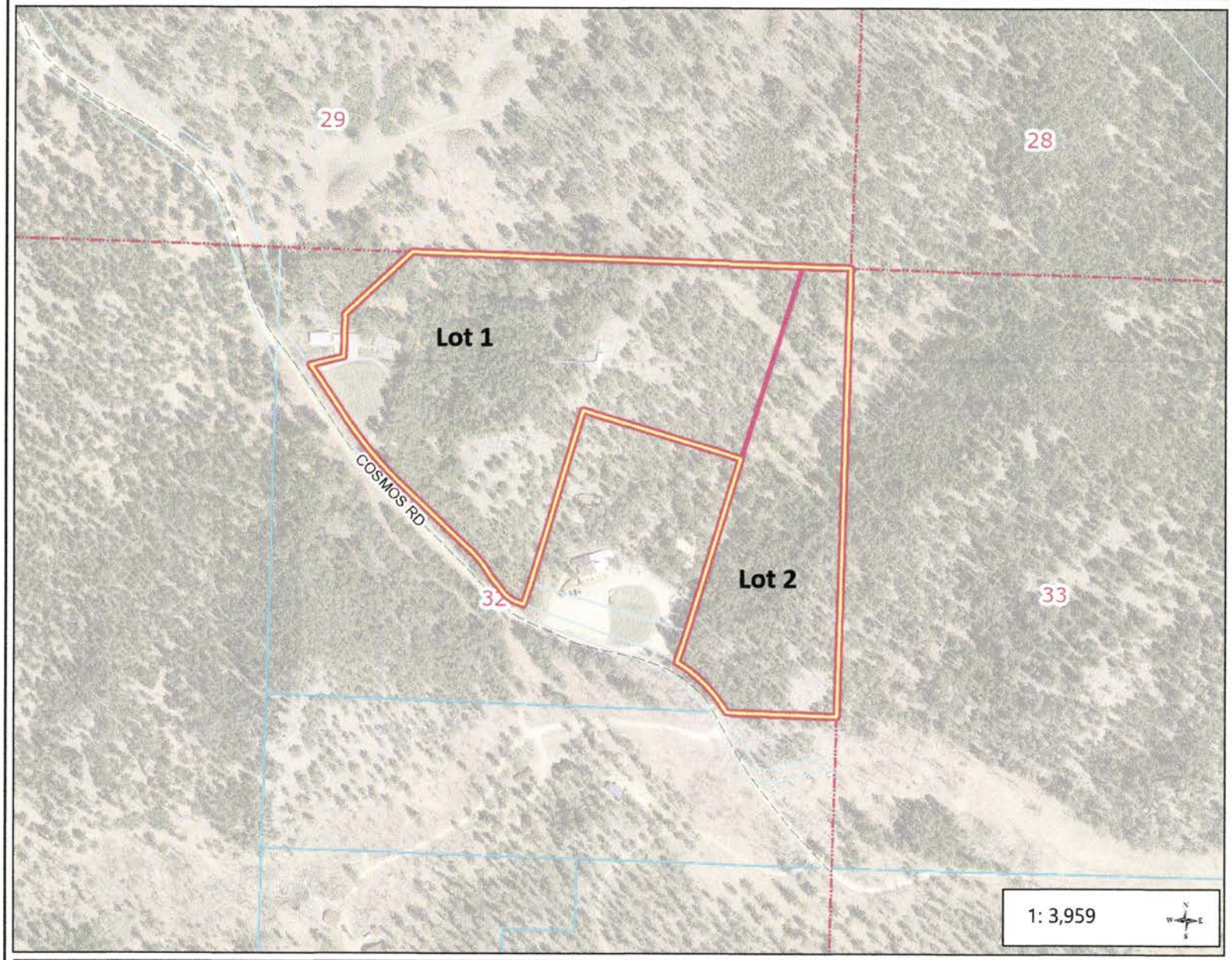
Tax Parcels

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:

RapidMap



Legend

Roads

- Interstate
- US highway
- SD highway
- County highway
- Main road
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- 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

Map Notes:

659.9 0 329.93 659.9 Feet

NAD_1983_2011_StatePlane_South_Dakota_South_FIPS_4002_Ft_US

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RECEIVED
MAR - 8 2019
BY: CS

SUBDIVISION REGULATIONS VARIANCE APPLICATION
PENNINGTON COUNTY, SOUTH DAKOTA

PC Meeting Date: 5/13 **Fee Paid:** _____
BCC Meeting Date: 5/21

1. APPLICANT: JOHN & ANN HOVDENES DAYTIME PHONE: 605-431-9120
MAILING ADDRESS: 24024 COSMOS RD, RAPID CITY, SD 57702

OWNER: JOHN & ANN HOVDENES DAYTIME PHONE: 605-431-9120
MAILING ADDRESS: 24024 COSMOS RD, RAPID CITY, SD 57702

AUTHORIZED AGENT: FISK LAND SURVEYING & CONSULTING ENG. DAYTIME PHONE: 605-348-1538
MAILING ADDRESS: PO BOX 8154, RAPID CITY, SD 57702

2. SUBDIVISION REGULATION VARIANCE(S) REQUESTED: 1) WAIVE ANY ADDITIONAL IMPROVEMENTS TO COSMOS RD 2) WAIVE DEDICATION & IMPROVEMENTS TO SECTION LINE ROW 3) REDUCE STANDARD 8' EASEMENT WIDTH TO 6' ON ONE LOT LINE FOR EXISTING STRUCTURES 4) WAIVE PERCOLATION TESTS & SOIL PROFILES

EXISTING LEGAL DESCRIPTION: SEE ATTACHED DEED

PROPOSED LEGAL DESCRIPTION: LOTS 1 & 2 OF COSMOS SUBDIVISION & DEDICATED ROW IN THE NE¼ NE¼ OF SECTION 32, T1S, R6E. BHM

LANDMARK LOCATION/ADDRESS: 24024 COSMOS RD

PROPOSED LAND USE: RESIDENTIAL COMM TOWER EXPANDED PARKING SITE ZONING: GA

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

Subscribed and sworn to before me this 21 ST
Day of MARCH, 2019.

JANELLE L. FINCK NOTARY PUBLIC State of South Dakota

Notary Public for the State of South Dakota
My Commission Expires: 9-18-2024

Signature of LANDOWNER

Subscribed and sworn to before me this 21 ST
Day of MARCH, 2019.

JANELLE L. FINCK NOTARY PUBLIC State of South Dakota

Notary Public for the State of South Dakota
My Commission Expires: 9-18-2024

Agenda Item #18
John and Ann Hovdenes, Fisk Land Surveying – Agent
May 13, 2019

18

STAFF REPORT

GENERAL INFORMATION:

REQUEST: **REZONE / RZ 19-05 AND COMPREHENSIVE PLAN AMENDMENT / CA 19-05**: To rezone 10.89 acres from General Agriculture District to Limited Agriculture District, for proposed Lot 1, and to rezone 6.22 acres from General Agriculture District to General Commercial District, for proposed Lot 2, and to amend the Comprehensive Plan to change the Future Land Use from Planned Unit Development Sensitive to Limited Agriculture District and General Commercial District in accordance with Sections 205, 206, 209, and 508 of the Pennington County Zoning Ordinance.

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: Located on the following metes and bounds description for proposed Lot 1: A parcel of land located in the Northeast One-Quarter of the Northeast One-Quarter (NE¼NE¼) of Section Thirty Two (32), Township One South (T1S), Range Six East (R6E) of the Black Hills Meridian (BHM), Pennington County, South Dakota more fully described as follows: Commencing at the northeast corner of said Section 32, T1S, R6E, BHM, Pennington County, South Dakota, said point being marked by a US Forest Service aluminum cap; thence, westerly along the north line of said Section 32, North 89°55'58" West a distance of 181.57' more or less to the point of beginning, said point being marked by a rebar with survey cap "LS 6565"; thence, South 11°08'29" West 441.61' more or less to the northeast corner of Tract A of the NE ¼ NE ¼ of said Section 32, T1S, R6E, BHM, Pennington County, South Dakota, said point being marked by a rebar with survey cap "LS 1019"; thence, northwesterly on the northerly line of said Tract A of the NE¼NE¼ of said Section 32, T1S, R6E, BHM, North 78°52'33" West a distance of 361.94 feet more or less to the northwest corner of said Tract A, said point being marked by a rebar with survey cap "LS 1019"; thence, southwesterly along the west line of said Tract A of the NE¼NE¼ of said Section 32, T1S, R6E, BHM and also along the west line of Tract B of the NE¼NE¼ of said Section 32, T1S, R6E, BHM, South 11°09'30" West a distance of 434.30' more or less to a point marked by a rebar with survey cap "LS 6565"; thence, North 76°05'54" West a distance of 23.01 ' more or less to a point marked by a rebar with survey cap "LS 6565"; thence, curving to the right

on a curve with a radius of 73.70', a delta of 41°06'00", an arc length of 52.87' and a chord bearing of North 55°32'54" West and chord distance of 51.74' more or less to a point marked by a rebar with survey cap "LS 6565"; thence, North 34°59'54" West a distance of 34.10' more or less to a point marked by a rebar with survey cap "LS 6565"; thence, curving to the left on a curve with a radius of 391.42', a delta of 15°53'00", an arc length of 108.51' and a chord bearing of North 42°56'24" West with a chord distance of 108.16' more or less to a point marked by a rebar with survey cap "LS 6565"; thence, North 50°52'54" East a distance of 122.90' more or less to a point marked by a rebar with survey cap "LS 6565"; thence, curving to the right on a curve with a radius of 999.42', a delta of 16°32'00", an arc length of 288.39' and a chord bearing of North 42°36'54" West and chord distance of 287.39' more or less to a point marked by a rebar with survey cap "LS 6565"; thence, North 34°20'54" West a distance of 133.08' more or less to appoint on the southerly line of Lot 1 of Overby Subdivision, said point being marked by a rebar with survey cap "LS 6565"; thence, easterly and on the south line of said Lot 1 of Overby Subdivision, North 74°22'46" East a distance of 56.06 feet more or less to the southeast corner of said Lot 1 of Overby Subdivision, said point being marked by a rebar with survey cap "LS 6565"; thence, northerly and on the east line of said Lot 1 of Overby Subdivision, North 00°03'16" East a distance of 93.29' more or less to a point on the east line of said Lot 1 of Overby Subdivision, said point being marked by a rebar with survey cap "LS 6565"; thence, northeasterly on the east line of said Lot 1 of Overby Subdivision, North 45°03'16" East a distance of 200.06' more or less to the northeast corner of said Lot 1 of Overby Subdivision, said point being located on the north line of said Section 32, T1S, R6E, BHM and marked by a rebar with survey cap "LS 1019"; thence, east along the north line of said Section 32, T1S, R6E, BHM, South 89°55'58" East a distance of 852.10' more or less to the point of beginning. Said tract of land contains 10.89 acres more or less, Section 32, T1S, R6E, BHM, Pennington County, South Dakota.

LEGAL DESCRIPTION: Located on the following metes and bounds description for proposed Lot 2: A parcel of land located in the Northeast One-Quarter of the Northeast One-Quarter (NE¼NE¼) of Section Thirty Two (32), Township One South (T1S), Range Six East (R6E) of the Black Hills Meridian (BHM), Pennington County, South Dakota more fully described as follows: Commencing at the northeast corner of said Section 32, T1S, R6E, BHM, Pennington County, South Dakota, said point being marked by a US Forest Service aluminum cap, and the point of beginning; thence, southerly along the east line of said section, South 00°04'53" East a distance of 993.33' more or less to a point marked by a rebar with survey cap "LS 6565"; thence, North 89 ° 53' 50" West a distance of 254.84 feet more or less to a point marked by a rebar with survey cap "LS 6565"; thence , curving to the left on a curve with a radius of 321.20', a delta of 26° 07' 58", an arc length of 146.50' and a chord bearing of North 45°33'43" West with a chord distance of 145.23' more or less to a point on the east line of Tract B of the NE1/4NE1/4 of said Section 32, T1S, R6E, BHM, Pennington County, South Dakota, said point being marked by a rebar with survey cap "LS 6565"; thence, northeasterly along the east line of said Tract B and also along the east line of Tract A of the NE ¼ NE ¼ of said Section 32, T1S, R6E, BHM, Pennington County, South Dakota, North 11°08'29" East a distance of

908.52' more or less to a point on the north line of said Section 32, T1S, R6E, BHM, said point being marked by a rebar with survey cap "LS 6565"; thence, easterly on the north line of said Section 32, T1S, R6E, BHM, South 89°55'58" East a distance of 181.57 more or less to the point of beginning. Said tract of land contains 6.22 acres more or less, Section 32, T1S, R6E, BHM, Pennington County, South Dakota.

SITE LOCATION:	24024 Cosmos Road; located off of S. Highway 16 on Cosmos Road.
SIZE:	17.11 acres
TAX ID:	44921
EXISTING LAND USE:	Residential
ZONING REFERENCE:	§ 205, 206, 209, and 509
CURRENT ZONING:	General Agriculture District
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:	Cassie Bolstad

I. PROPOSED RECOMMENDATION

A. Staff will be recommending approval of Rezone / RZ 19-05 and Comprehensive Plan Amendment / CA 19-05.

II. GENERAL DESCRIPTION

A. The applicants, John and Ann Hovdenes, have submitted a request to rezone 10.89 acres from General Agriculture District to Limited Agriculture District and 6.22 acres from General Agriculture District to General Commercial District.

B. The applicants are also requesting to amend the Pennington County Comprehensive Plan to change the Future Land Use from Planned Unit Development Sensitive to Limited Agriculture District and General Commercial District.

C. The applicants are in the process of subdividing the subject property into two (2) lots.

III. EXISTING CONDITIONS

A. 17.11 acres.
B. Currently zoned General Agriculture District – 40 acre minimum lot size.
C. Future Land Use Designation: Planned Unit Development Sensitive.
D. No Special Flood Hazard Area on the subject property.
E. Access off of Cosmos Road, which takes access off of S. Highway 16.
    1. Forest Road Special Use Permit (PAH588).
        a. PAH588 is for that portion of Cosmos Road (approximately 0.35 mile) between the existing Cosmos Road District and S. Highway 16.
        b. Expires: December 31, 2033.
    2. Located within the Cosmos Road District.
F. Existing Easements:
    1. 30' Private Driveway – Plat Book 15, Page 202.
    2. 30' wide Right-of-Way (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 and 20' Wide Easement for Power – Plat Book 23 Page 163.
    6. 50' wide Easement for Access and Utilities to the NW1/4NW1/4 Section 33 – Plat Book Page 23, Page 163.
G. Lot contains:
    1. Single-Family Residence (SFR) – built in 1963 per Department of Equalization (DOE) records.
        a. 2010COSD0066 – Onsite Wastewater Treatment System (OSWTS) Construction Permit.
        b. COOP14-0051 – OSWTS Operating Permit.
        c. 19' x 28' living room addition – COBP14-0130.
    2. Detached 32' x 44' garage – COBP18-0629.
    3. Per DOE Records:
        a. 320 ft² tool shed – built in 1962.
        b. 720 ft² detached three stall detached residential garage – built in 1979.
        c. 266 ft² tool shed – built in 1982.
        d. 280 ft² tool shed – built in 1982.
        e. 192 ft² tool shed – built in 1991.
H. Telecommunication Facility / Communications Tower.
    1. September 1, 1988 – Conditional Use Permit / CU 88-34 (for a Communications Tower) was approved by the Board of Commissioners with no conditions.
    2. CU 88-34 has never been reviewed.

3. County Building Permits associated with CU88-34:
   a. #8372; 2004COBP0207; COBP14-0060; COBP16-0279; COBP17-0224; COBP17-0590; COBP17-0591; and COBP18-0730.

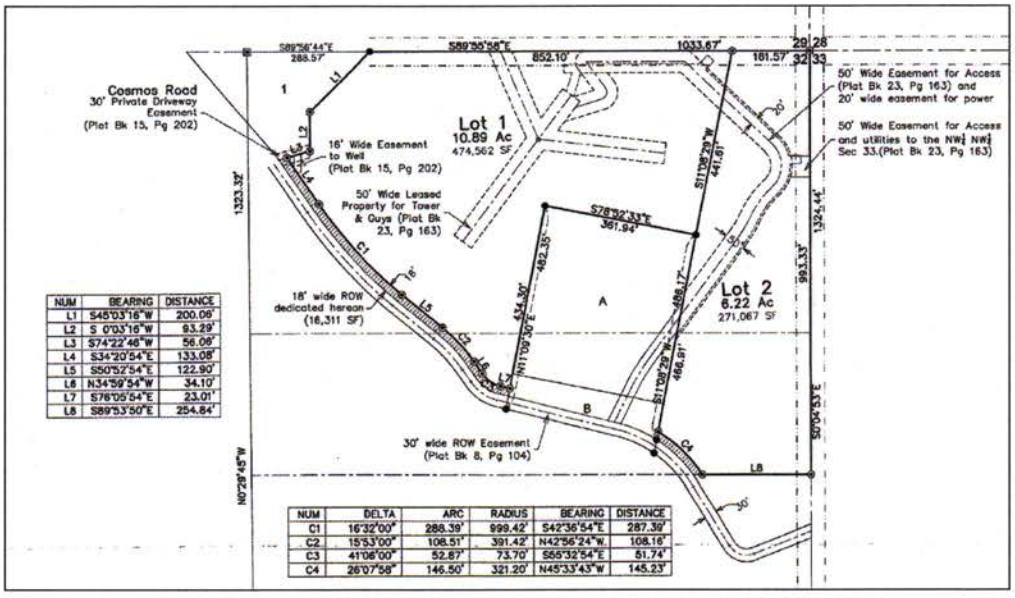


Existing Lot

IV. PROPOSED LOTS (Layout Plat / LPL 19-04)

A. Lot 1 of Cosmos Subdivision
   1. 10.89 acres.

B. Lot 2 of Cosmos Subdivision
   1. 6.22 acres.



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	122.90'
L6	N34°59'54"W	34.10'
L7	S76°05'54"E	23.01'
L8	S89°53'50"E	254.84'

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'	S65°32'54"E	51.74'
C4	26°07'58"	146.50'	321.20'	N45°33'43"W	145.23'

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

V. REQUEST FOR COMMENT

A. County Highway Department
   1. Highway Department has no comments since this is in the Cosmos Road District and drainage isn't impacted.

B. County Environmental Planning Supervisor
   1. There is no Special Flood Hazard Area on the subject property.

C. County Onsite Wastewater Specialist
   1. The owner of the lot currently has a valid Operating Permit (COOP14-0051). 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.

D. County Ordinance Enforcement
   1. Reviewed and no questions or comments.

E. U.S. Forest Service
   1. The Forest Service has no objections to the Hovdenes Rezoning [and] Comprehensive Plan Amendment.
   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.
   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).

F. Black Hills Electric Cooperative
   1. Black Hills Electric Cooperative has no concerns with this application.

G. County Fire Administrator; SD Department of Transportation; Cosmos Road District; SD Department of Environment & Natural Resources; and, Western Wireless (Cell Tower)
   1. No comments received.

VI. SURROUNDING CURRENT ZONING WITHIN ½ MILE OF THE SUBJECT PROPERTY

A. General Agriculture District
   1. A large portion is U.S. Forest Service lands.
B. Limited Agriculture District
C. General Commercial District



VII. SURROUNDING FUTURE LAND USE (FLU) ZONING WITHIN ½ MILE OF THE SUBJECT PROPERTY

A. Public Land
B. Planned Unit Development Sensitive
C. General Commercial District



VIII. ANALYSIS

A. March 19, 2019 – Board of Commissioners approved Layout Plat / LPL 19-04 with the following ten (10) conditions:
   1. That at the time of the Minor Plat submittal, the proposed Plat continue to be prepared by a Registered Land Surveyor or Engineer;
   2. That at the time of Minor Plat submittal, eight (8) foot Utility and Minor Drainage Easements to be dedicated on the interior sides of all lot lines, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
   3. That at the time of the Minor Plat submittal, percolation tests and soil profile hole information be submitted for the proposed lot for review and approval, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
   4. That at the time of Minor Plat submittal, the plat meets all requirements of Pennington County Subdivision Regulations, or approved Subdivision Regulations Variance(s) be obtained waiving any of these requirements that are not met. Subdivision Regulations shall be submitted per Section 700 of Pennington County Subdivision Regulations;
   5. That prior to any work being done on the existing property or Lot 1 or Lot 2 of Cosmos Subdivision, the landowners contact the Pennington County Planning Department first, to see what Permits, if any, are required;
   6. That the applicant ensures that all natural drainage ways are maintained and are not blocked;
   7. That following platting of the proposed lots, any on-site wastewater treatment system(s) be subject to the requirements of § 204(J) of the Pennington County Zoning Ordinance, including the requirement to obtain an Operating Permit;
   8. That prior to the Plat being recorded with the Register of Deeds, proposed Lot 1 and Lot 2 of Cosmos Subdivision be in compliance with Pennington County Zoning Ordinances;
   9. That approval of this Layout Plat does not constitute approval of any further applications to be submitted for the above-described property; and,
   10. That legal access is continually maintained to the subject property.

B. The applicant has also submitted a Subdivision Regulations Variance request (SV 19-03) to waive platting requirements.
   1. SV 19-03 will also be heard by the Planning Commission on May 13, 2019.

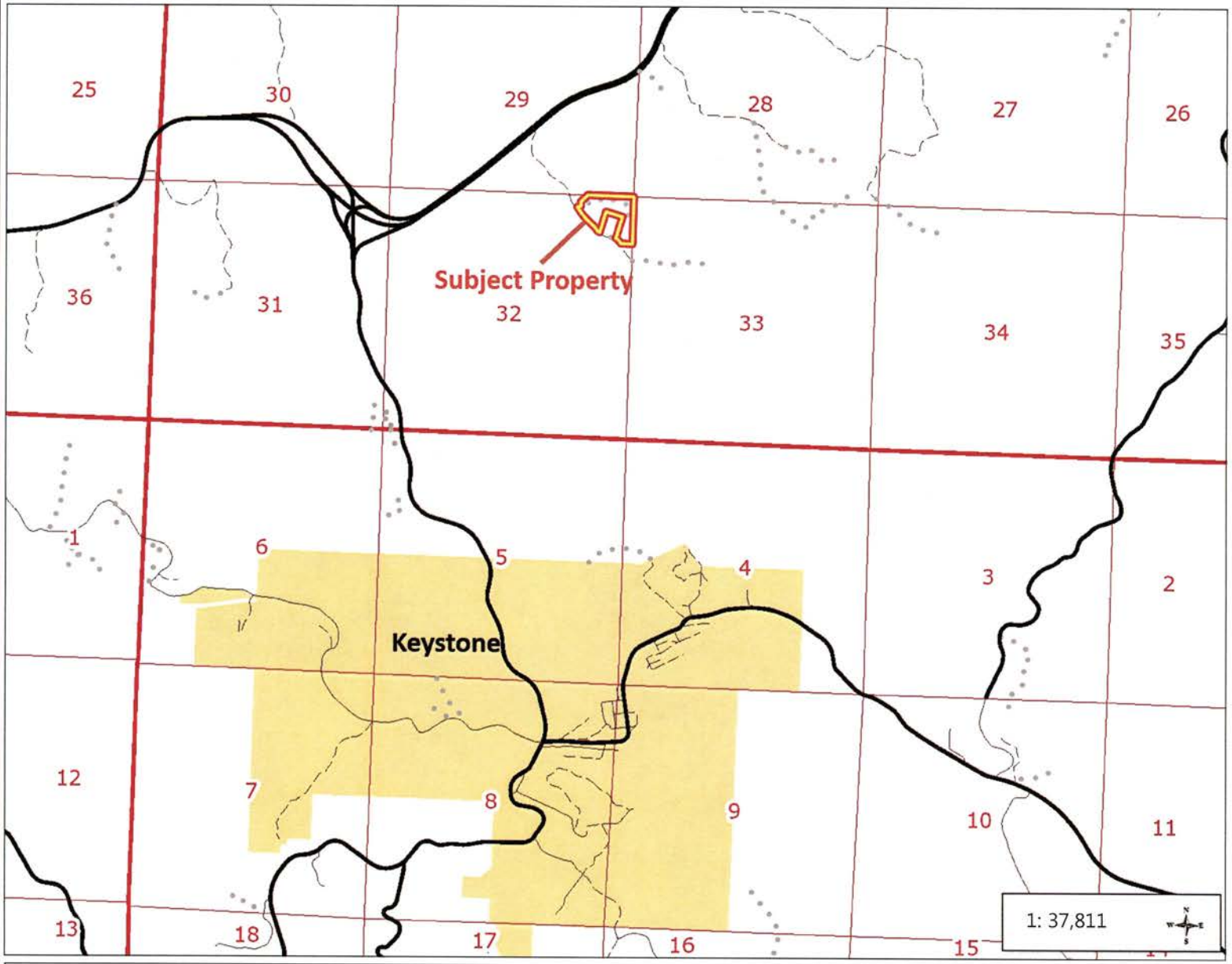
C. The applicants are requesting the following rezone:
   1. Proposed Lot 1 from General Agriculture District to Limited Agriculture District.
   2. Proposed Lot 2 from General Agriculture District to General Commercial District.

D. The applicants plan to transfer proposed Lot 2 to the owners of the Cosmos Mystery Area for a proposed expansion of the Cosmos Mystery Area parking.
E. The nearest Limited Agriculture District (current zoning) is approximately ¼ mile northeast of the subject property and the nearest General Commercial District (current zoning) abuts the property to the south.
F. The nearest Limited Agriculture District (FLU zoning) is approximately 4.5 miles west of the subject property and the nearest General Commercial District (FLU zoning) abuts the property to the south.
G. The applicants' rezone request is in harmony with the surrounding current zoning and the current uses in the surrounding area.

RECOMMENDATION: Staff recommends approval of Rezone / RZ 19-05 and Comprehensive Plan Amendment / CA 19-05.

RapidMap

Zoning - Pennington County Current



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:

6,301.8 0 3,150.91 6,301.8 Feet

NAD_1983_2011_StatePlane_South_Dakota_South_FIPS_4002_Ft_US

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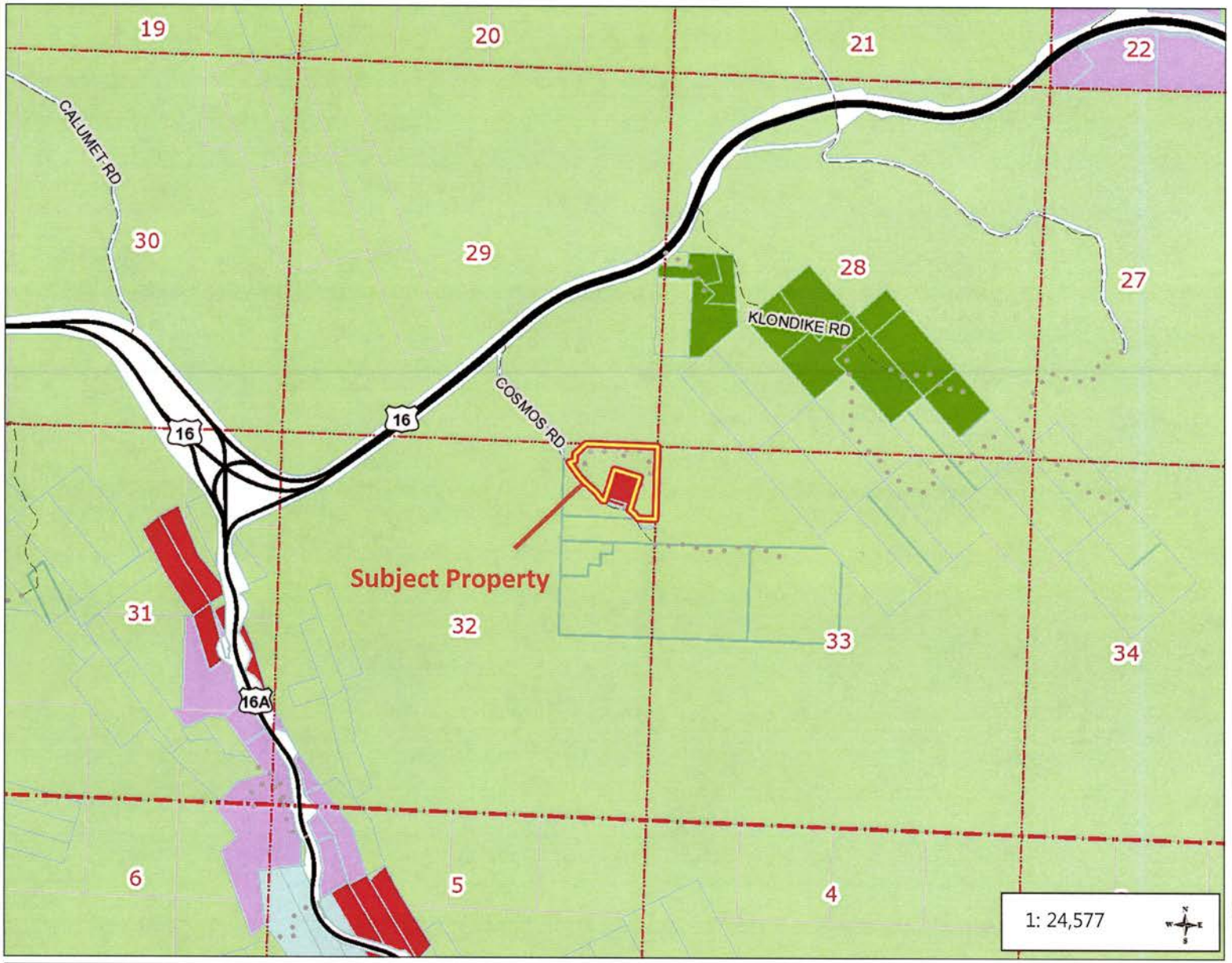
THIS MAP IS NOT TO BE USED FOR NAVIGATION

RapidMap

Zoning - Pennington County Current Zoning



Legend

Roads
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- 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:

4,096.2 0 2,048.09 4,096.2 Feet

NAD_1983_2011_StatePlane_South_Dakota_South_FIPS_4002_Ft_US

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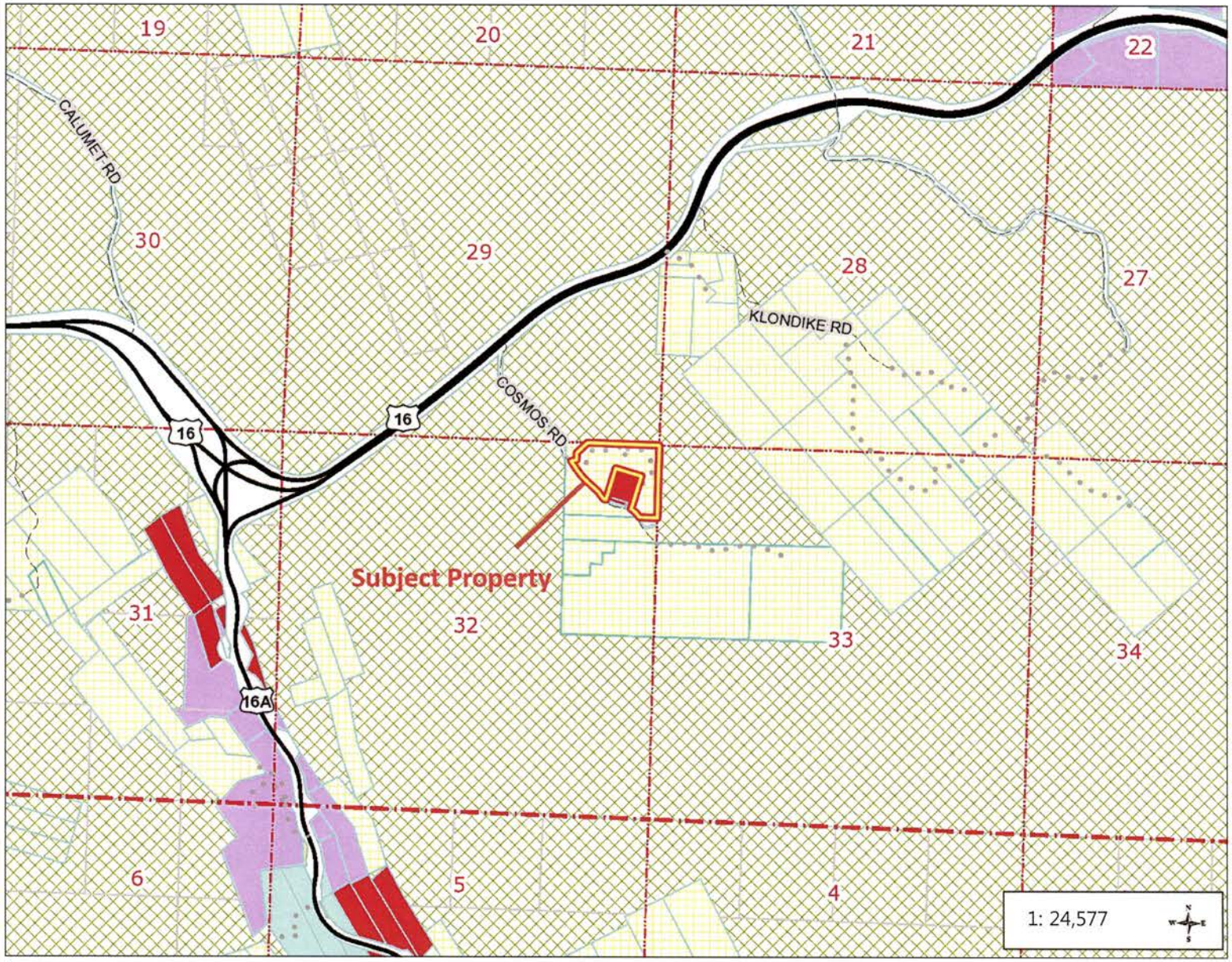
RapidMap

Zoning - Pennington County Future Land Use



4,096.2 0 2,048.09 4,096.2 Feet

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Legend

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- Unimproved road
- Airport Runway
- Not yet coded

Section Lines 0-25k
- 0
- 7

Tax Parcels

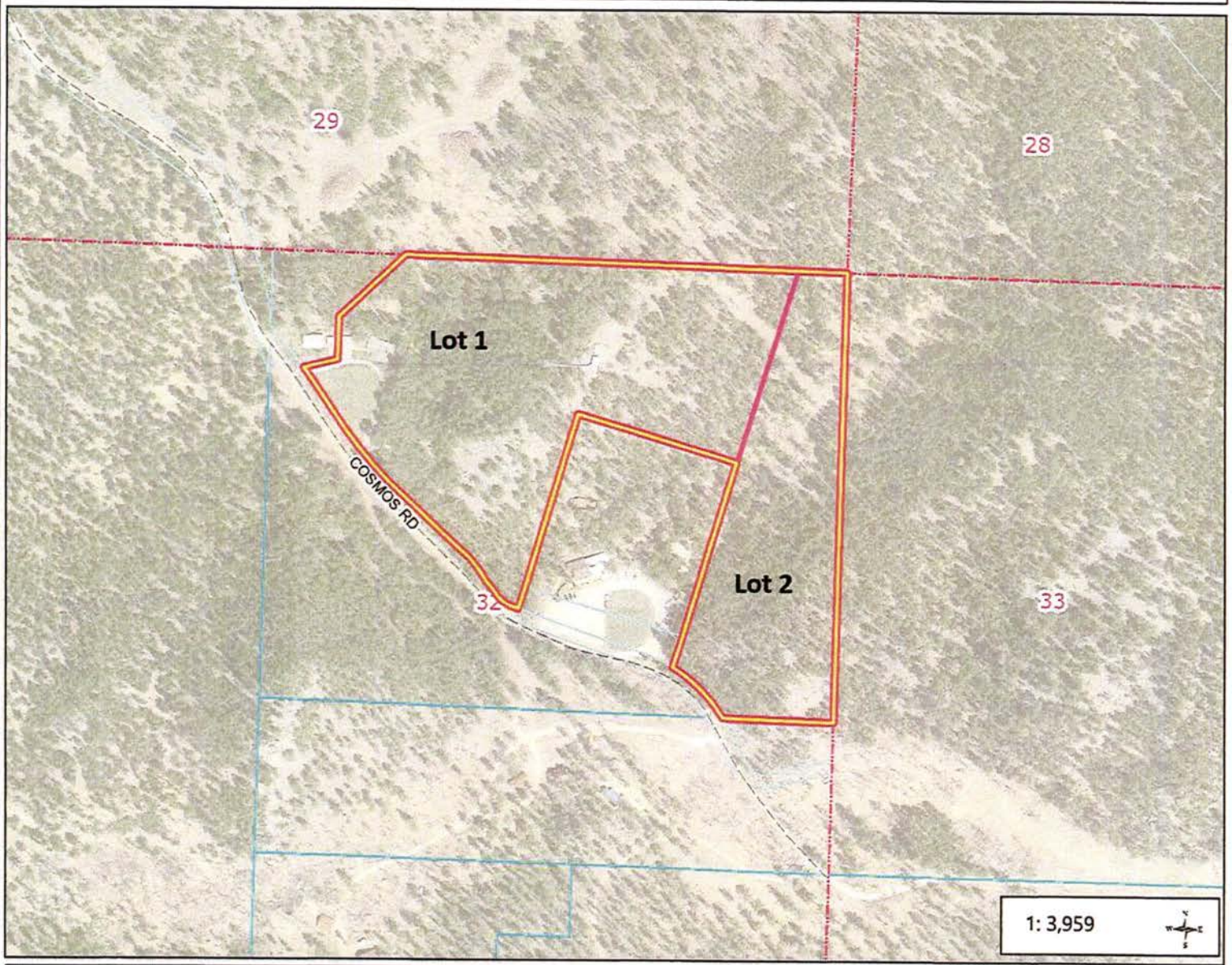
Lot Lines
- <Null>
- Lot Line
- Parcel Line

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

Map Notes:

Future Land Use Zoning is Planned Unit Development (PUD) Sensitive

RapidMap



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659.9 0 329.93 659.9 Feet

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- Unimproved road
- Trail
- Airport Runway
- Not yet coded

Section Lines 0-25k
- 0
- 7

Tax Parcels

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

Map Notes:

Agenda Item #19
Fat Boys, Inc; Bob Fuchs - Agent
May 13, 2019

19

STAFF REPORT

GENERAL INFORMATION:

REQUEST:	**CONDITIONAL USE PERMIT / CU 19-05**: To allow for a campground on the subject property to include RV sites, tent camping, cabins, and a motel in a Limited Agriculture District in accordance with Sections 206 and 510 of the Pennington County Zoning Ordinance.
APPLICANT/AGENT:	Fat Boys, Inc; Bob Fuchs - Agent
APPLICANT ADDRESS:	610 Main Street, Rapid City, SD 57701
LEGAL DESCRIPTION:	Lot 1-3 less Lot 1A of Spring Creek Palisades, Section 21, T1S, R5E, BHM, Pennington County, South Dakota.
SITE LOCATION:	23856 Highway 385.
SIZE:	6.94 acres
TAX ID:	9107
EXISTING LAND USE:	Residential
ZONING REFERENCE:	§ 206 and 510
CURRENT ZONING:	Limited Agriculture District
SURROUNDING ZONING:	
North	Low Density Residential District Highway Service District
South	General Agriculture District
East	Highway Service District General Agriculture District
West	Highway Service District Limited Agriculture District
PHYSICAL CHARACTERISTICS:	Flat / Open Meadow / Sloping
UTILITIES:	Private

Agenda Item #19
Fat Boys, Inc; Bob Fuchs - Agent
May 13, 2019

REPORT BY: P.J. Conover

I. PROPOSED RECOMMENDATION

A. Staff will be recommending approval of Conditional Use Permit / CU 19-05 with twenty-five (25) conditions.

II. GENERAL DESCRIPTION

A. The applicant, Bob Fuchs, has submitted a Conditional Use Permit request for a campground to include:
   1. Recreation Vehicles (RV).
      i. Seventeen sites.
   2. Tent Camping.
      i. Ten sites.
   3. Cabins.
      i. Ten cabins.
   4. Hotel.
      i. Four rooms.
   5. Beer and Wine Licenses.
   6. Bathhouse.
   7. Laundry Room.

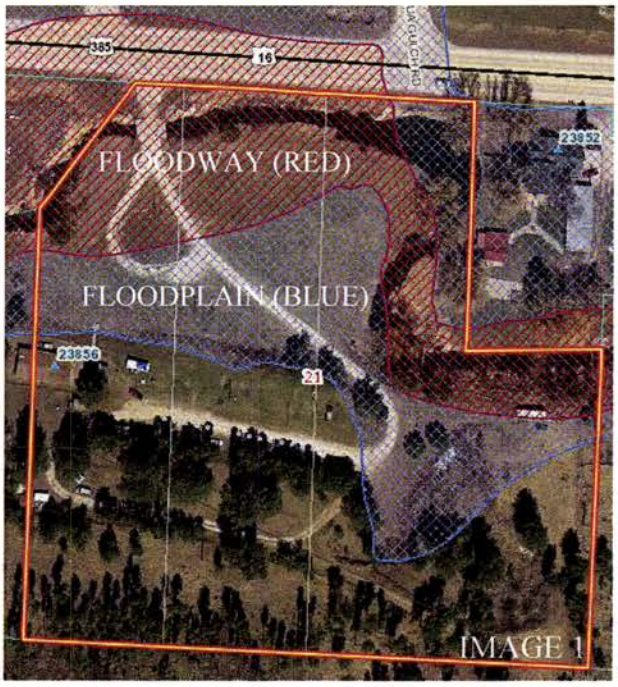


IMAGE 1

B. The subject property is nearly 50 percent covered with Special Flood Hazard Area (Floodway and Floodplain).

C. The subject property has operated as a legal non-conforming (LNC) campground since the 1960s.
   1. According to the previous landowner's representative, the campground ceased licensed operation in 2017 and, as of the end of 2018, had not renewed licenses operation. Thus, the use of the subject property as a LNC campground was lost.
   2. During historic operation, Staff has no record of recorded complaints on the operation.

D. April 16, 2019 – The Board of Commissioners approved Rezone / RZ 19-01 and Comprehensive Plan / 19-01 to rezone the subject property from Limited Agriculture District to Highway Service District and to amend the Comprehensive Plan from Planned Unit Development Sensitive to Highway Service District.
   1. The approved rezone will not take effect until May 22, 2019.

III. EXISTING CONDITIONS

A. Current Zoning: Limited Agriculture District.
   1. See Page 2, Section II(D) for upcoming change.
B. Future Land Use Zoning: Planned Unit Development sensitive.
   1. See Page 2, Section II(D) for upcoming change.
C. 6.94 acres.
D. Consists of three (3) developmental lots.
   1. Pennington County Zoning Ordinance § 103 defines a developmental lot as, "Two or more lots or portions of lots with continuous frontage in single ownership of record prior to February 1, 1994, where all or part of the lots do not meet the requirements established for lot width and area, which for the purposes of these Zoning Ordinances shall be considered to be an undivided lot."
E. Access off of Highway 385 via an existing approach.
F. Special Flood Hazard Area, including floodway, on the subject property – Image 1 on Page 2.
G. Lot contains:
   1. 2,171 sq. ft. office building – built in 1959, per Department of Equalization (DOE) records.
      1. Addition to office in 1986 via Building Permit #7214.
   2. 210 sq. ft. bathhouse – built in 1964, per DOE records.
   3. Three (3) small sheds less than 144 sq. ft. – due to size, a Building Permit is not required.
   4. Sixteen (16) RV hookups – per the Property Record Card.
   5. Sign structure.
      1. The applicant recently installed a new banner style sign on this structure.

IV. EXISTING PERMITS & VIOLATIONS

A. County Operating Permit / 2013COOP0045 – Conventional System.
   1. Disposition: Expired.
B. County Environmental Zoning Violation / COEV13-0082 – Outlet Baffle off of Tank 2.
   1. Disposition: Closed.
C. County Operating Permit / COOP18-1108 – Commercial Conventional System.
   1. Disposition: Issued.
D. County Operating Permit / COOP18-1109 – Commercial Conventional System Tank 2.
   1. Disposition: Issued.
E. County Environmental Zoning Violation / COEV19-0023 – Dirt Work exceeding 10,000 square feet in Special Flood Hazard Area.
   1. Disposition: Open.
   2. Disposition: Stop Work Order Issued.

F. Construction Permit / COCP19-0009
   1. Dirt work exceeded 20,000 square feet in Special Flood Hazard Area.
   2. This permit application was delivered to the Planning Department on May 03, 2019, and has not been reviewed for application completeness or content.

G. Floodplain Development Permit for dirt work in a Special Flood Hazard Area to include floodplain and floodway.
   1. This permit application was delivered to the Planning Department on May 03, 2019, and has not been assigned a file number or been reviewed for application completeness or content.

V. REQUESTED USES

A. On April 03, 2019, the applicant submitted a letter to the Planning Department outlining their proposed uses. See Image 2.

Firehouse Campground Conditional Use Permit

4-3-19

RECEIVED
APR 0 3 2019
KAP

The Firehouse Campground is located at 23858 Hwy 385, Hill City, Sd 57745.

A drawing depicting the overall use of the Campground is attached.

The drawing depicts the four hotel rooms and one bath house for the Firehouse Campground. The bath-house is existing and is being remodeled with input from Department of Health with no changes to configuration. Just updated plumbing and better interior. The bathhouse is on the east end of the existing building. The four hotel rooms are on the west end of the existing building. The laundry room is in the middle. The laundry room will have a separate sewer system for gray water which will be used for irrigation.

The four hotel rooms are in place of an apartment with one bedroom, bath and kitchen. The doors for the hotel rooms will all face north.

The Campground will have 17 RV sites.

There will be 10 cabins with no plumbing (guests will use the bathhouse).

10 tent sites will be available to tent campers.

Future use: We may apply for a beer/wine license for events at the campground. There will be no permanent bar/restaurant structure. Temporary serving tables/trailers only.

IMAGE 2

B. On May 03, 2019, the applicant submitted a Construction Permit for the proposed tent-camping site. Image 3, page 5, shows most current site plan submitted.
   1. Staff inserted a caption "TENTS" to show where the proposed Tent Camping site will be.

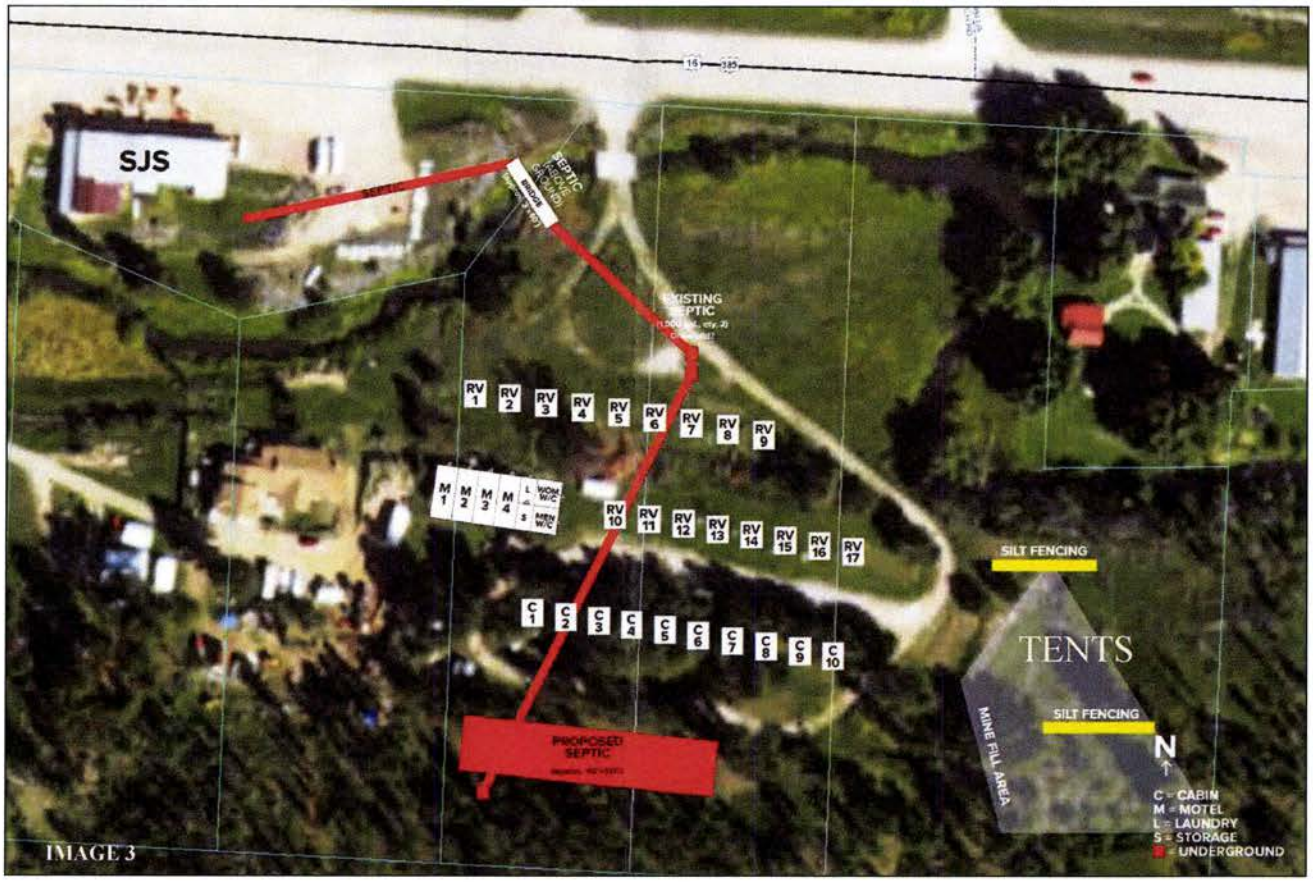


IMAGE 3

VI. EXISTING BRIDGE SUPPORT

A. April 22, 2019 – The applicant went to the following website: http://beamguru.com/online/beam-calculator/ to determine the weight capacity of the existing bridge that allows ingress onto the subject property.

1. The applicant submitted the calculations and results from the website.
2. The applicant stated, *"Allowable bending stress of 6000 psi is greater than actual bending stress of 4543 psi so the bridge should support the imposed truck loads."*
3. The applicant's submittal documents are included at the end of this Staff Report.

VII. REQUEST FOR COMMENT

A. County Highway Department

1. Highway Department has no comments since this abuts a State highway and drainage impacts are minimal.

B. County Fire Administrator

1. No comments received.

C. County Environmental Planning Supervisor
   1. There is Special Flood Hazard Area (SFHA) on the subject property, including floodway. Prior to any work in the SFHA, a Floodplain Development Permit is required.
      i. This includes, but is not limited to work on proposed Tent Camping Sites and installation of septic pipes, and the bridge, as noted on the applicants site plan.

D. County Environmental Planner
   1. There is a violation on the subject property for dirt work exceeding 10,000 sq. ft without a Construction Permit (COEV19-0023).

E. County Onsite Wastewater Specialist
   1. Staff recommends that the applicant provides a detailed proposal and permit for the septic before approval of the CUP. This will include calculating tank sizes, drain field sizing, floodplain information and a map showing the location of all aspects of the system and all the math that determines these numbers. This proposal needs to first be approved by DENR. During this process all rules of Pennington County Zoning Ordinance Section 204-J must be followed.
      i. STAFF COMMENT: May 01, 2019 – Staff emailed the comments from the County Onsite Wastewater Specialist to the applicant.
   2. May 08, 2019, I received the following email from John Talley. Mr. Talley is the contractor hired by the landowner to upgrade and install the septic system.

From: John Talley III [mailto:johntalley3@outlook.com]
Sent: Wednesday, May 08, 2019 3:21 PM
To: Doreff TJ <tj.doreff@pennco.org>
Subject: Firehouse Campground - Beercation

From: Talley Construction Inc.
RE: Firehouse Campground / Beercation

Heads up: The area where the profile holes were excavated did not perc well, the test was around 120 MPI. I have called Scott Hipple and we talked about leveling a spot where the profile holes were excavated to place a mound system. The leveled spot would be about 20' wide x 100' long and we would still have 5 ' of soil under the mound. There will actually be 2 leveled areas for 2 mound systems. This is what I will submit to the state just giving you a heads up before it hits your desk. – John Talley

F. County Natural Resources
   1. No objections.

G. County Addressing Coordinator
   1. No addressing concerns at this time. Future addresses must be posted in accordance with Pennington County Ordinance #20.

H. Emergency Services (9-1-1)
   1. No comments here.

I. SD Department of Environment & Natural Resources
   1. No comments received as of this Staff Report.

J. U.S. Forest Service
   1. Adhere to the setback requirements along the posted boundary between National Forest System lands (USA Public Domain; located on the east side of private property) and private property.
   2. Protect all posted boundary line corners, signs and bearing tress.
   3. Protect all known stream courses, ponds and riparian areas located on National Forest System lands.
   4. No resource damage to occur on National Forest System lands.
   5. 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.
   6. All construction materials, supplies, trash or garbage will not be located or dumped on National Forest System lands.
   7. 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.
   8. No motorized trailheads or motorized trails or motorized roads are planned or scheduled for this portion of the Black Hills National Forest.
   9. 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).

K. Black Hills Energy
   No comments received.

VIII. LIMITED AGRICULTURE VERSUS HIGHWAY SERVICE USES

A. At the time of this Staff Report, the subject property is zoned Limited Agriculture District (LAD) - § 206 of the Pennington County Zoning Ordinance (PCZO).
   1. Under § 206(C)(19), only a Seasonal Cabin / Dwelling is listed as a Conditional Use.
   2. The additional uses, as presented by the applicant, are not listed as either Permitted or Conditional Uses in LAD.

B. Unless appealed, RZ 19-01 and CA 19-01 will go into effect no later than June 07, 2019 and the subject property will be zoned Highway Service District (HSD) - § 210 of the PCZO.
   1. Under § 210(B), only Hotels and Motels, and Eating and Drinking establishments, including drive-in eating establishments, are included purposes of a HSD property.

2. Under § 210(C), none of the other applicant's requested uses are included as Conditional Uses within a HSD.
    i. However, § 210(C), does state, "The following uses are illustrative of those which the Board may approve. Other uses may be allowed provided they are not found to be contrary to intended uses of the district under consideration."
    ii. Staff finds the applicants proposed used to not be contrary to the intended uses of the district and further finds the applicant's proposed used to be in harmony with surrounding zoning as there are no-less-than 37 other properties zoned HSD within 1.25 miles.

C. The Planning Commission should be aware that if CU 19-05 is approved, the Zoning of the subject property is on track to change within the next few weeks.

IX. § 320 – MINIMUM OFF-STREET PARKING REQUIREMENTS

A. Similar multi-use campground (Recreational Resorts) required one (1) parking space per bedroom, camp site, and RV site, and two (2) parking spaces for every three (3) employees.

B. The applicant has not submitted information on how many employees will be working on-site.
    1. The applicant has submitted the following:
        i. 17 RV Sites;
        ii. 4 Motel Rooms;
        iii. 10 Cabins; and,
        iv. 10 Tent Sites.
    2. Totaling 41 parking spaces, not including employee parking.
    3. The above-mentioned 41 parking spaces, along with necessary employee parking, shall be constructed in accordance with § 310(B) of the PCZO and other applicable County Ordinances.

X. ANALYSIS

A. The only means of vehicular ingress and egress is across the bridge discussed in Section VI of this Staff Report, which is within the Special Flood Hazard Area – Floodway (the "river" of the flood). (IMAGE 4)

1. Due to the potential danger, Staff will recommend that the applicant post information about evacuation routes and have information on an Evacuation Plan and Maps showing where the Special Flood Hazard Area is, available in all cabins, motel rooms, and available for all RV and Tent campers.

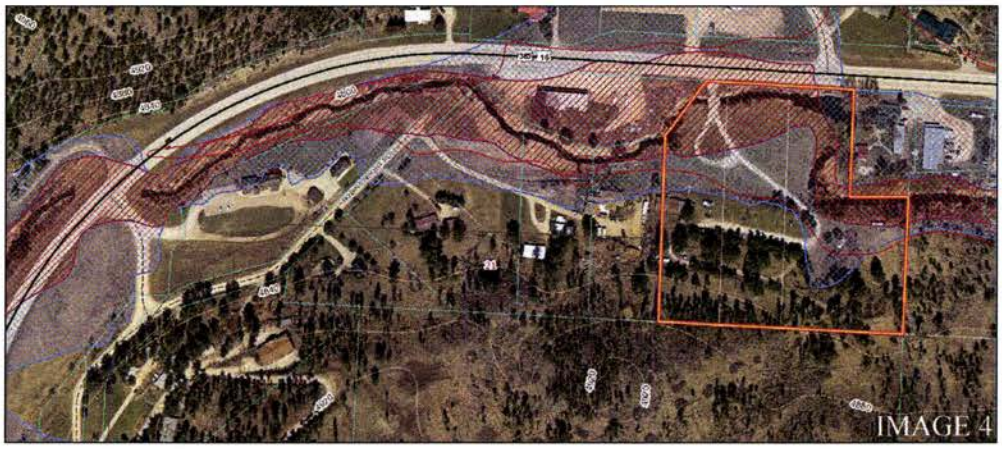


IMAGE 4

B. Each Cabin, RV Site, Tent Camping Site, and Hotel Rooms should have their own individual numbers assigned and posted so that Emergency Response Units can easily identify and locate specific sites and/or room.

C. The use of Temporary Structures (such as non-camping tents) will require the issuance of a Building Permit approved by the Planning Director.

D. Due to the scope and nature of the applicants request, in addition to the proximity of the proposed use to a Special Flood Hazard Area, Staff will be recommending an additional Condition of Approval to have a Statement of Understanding signed by the Landowner.

XI. CONSIDERATIONS FOR CONDITIONAL USE PERMIT REQUEST

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:

A. **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.**

1. This Conditional Use Permit could affect the use and enjoyment of other properties in the immediate vicinity due to the possible increase in vehicular traffic and noise.
2. Staff cannot predict the effect that the requested use will have on property values within the immediate vicinity.

B. **The effect upon the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.**
   1. The proposed use should have a minimal effect on the normal, orderly development or improvement of any surrounding vacant property in the area and has been used as a campground since the 1960's.

C. **That utilities, access roads, drainage and/or other necessary facilities are provided.**
   1. Access to the property is off of Highway 385 and across the previously mentioned bridge.
   2. The applicant has submitted a site-plan showing that a foot bridge is planned to span spring creek to allow foot-traffic-flow to and from the Campground and the Firehouse Restaurant, Winery, and Brewery.
   3. On-site wastewater treatment systems will be installed to service the proposed uses. The new on-site wastewater treatment systems will need to be reviewed and approved by the South Dakota Department of Environment and Natural Resources and On-Site Wastewater Construction Permits will be required.

D. **That the off-street parking and loading requirements are met.**
   1. The applicant's proposed uses (minus required parking for employees) shows a minimum parking space required of 41 spaces.
   2. It appears that ample space for parking on the subject property can be provided.

E. **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.
   2. The proposed use should not create the above-listed elements in an amount that would constitute a nuisance.

RECOMMENDATION: Staff recommends approval of Conditional Use Permit / CU 19-05 with the following twenty-five (25) conditions:

1. That the applicant not begin operation of the campground without first complying with the Conditions of Approval;

2. That prior to operation, the Onsite Wastewater Treatment System is upgraded and approved for the new and expanded use;

3. That prior to the use of the tent camping site, that, at minimum, an approved Floodplain Development Permit be approved for the subject site;

4. That the uses of the Conditional Use Permit allow for only: four (4) hotel rooms (one bedroom, bath, and kitchen in each hotel room), seventeen (17) Recreational Vehicle Sites (a recreational vehicle is not to include Park Model Homes or Tiny Homes), ten (10) cabins with no plumbing, ten (10) tent sites, a minimum of forty-one (41) parking spaces, bathhouse (bathrooms, shower, and laundry), and the sale of beer and wine (with applicable licenses). An increase in these uses shall require CU 19-05 to be amended in the same manner as a new Conditional Use Permit, per § 510 of the Pennington County Zoning Ordinance;

5. That "Temporary" shall mean those structures, systems, and/or tents established for a fixed period of time with the intent that such structure, system, and/or tent be removed or disassembled upon expiration of the fixed period of time unless permission is granted by way of a review of CU 19-05 not to exceed 180-calendar days;

6. That an approved Temporary Building Permit be obtained for any temporary 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 an approved Building Permit be obtained for any non-temporary 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;

8. That an approved Building Permit be obtained for any use of Alternative Energy Systems on the subject property, in accordance with Section 317 of the Pennington County Zoning Ordinance;

9. That the minimum required setbacks of a Limited Agriculture District and Highway Service District (respectively) be continually maintained on the subject property, or approved Setback Variance(s) be obtained;

10. That addresses be assigned to the subject property, along with other identifying site numbers, and posted in accordance with Pennington County's Ordinance #20;

11. That an approved On-Site Wastewater Construction Permit be obtained prior to any on-site wastewater treatment system being installed on the subject property, which will also require review and approval by the South Dakota Department of Environmental and Natural Resources prior to the operation of the campground;

12. That a minimum of 41 parking spaces be provided in accordance with Pennington County Zoning Ordinance Section 310;

13. That a Sign Permit be obtained prior to the installation of any signs on the subject property. All signs must meet the requirements of Section 312 of the Pennington County Zoning Ordinance;

14. That prior to the operation of the Campground, the applicant obtains all necessary permits from other governing bodies for the operation, including, but not limited to, approval from the South Dakota Department of Health and a Sales Tax License from the South Dakota Department of Revenue;

15. That the applicant maintains an Evacuation (Emergency) Plan and provide copies to all overnight guests in case there is a need to evacuate guests from the property in the event of an emergency and that a copy of said plan be kept on file at the Planning Department and updated, by the Operator, as needed, and provided at the time of each review of CU 19-05;

16. That the applicant provide each overnight quest with a map showing the Special Flood Hazard Area in relation to the subject property and proper evacuation routes;

17. That, at a minimum, a Floodplain Development Permit be approved prior to any work being done within a Special Flood Hazard Area;

18. That the property remains free of debris and junk vehicles and all structures be well-maintained;

19. That all existing drainage ways be maintained and that erosion control measures be implemented on all disturbed areas so as not to allow any sedimentation of existing drainage ways or bodies of water per PCZO's. This includes any requirements set forth in the Pennington County Stormwater Quality Manual for erosion and sediment measures;

20. That all exterior lighting must be of low level intensity, which does not result in excessive glare upon surrounding neighbors;

21. That quiet hours for the campground be between 10 p.m. and 8 a.m.;

22. That emergency turn-arounds be provided on-site;

23. That the applicant comply with SDCL 34-18, which regulates Lodging and Food Service Establishments and Campgrounds;

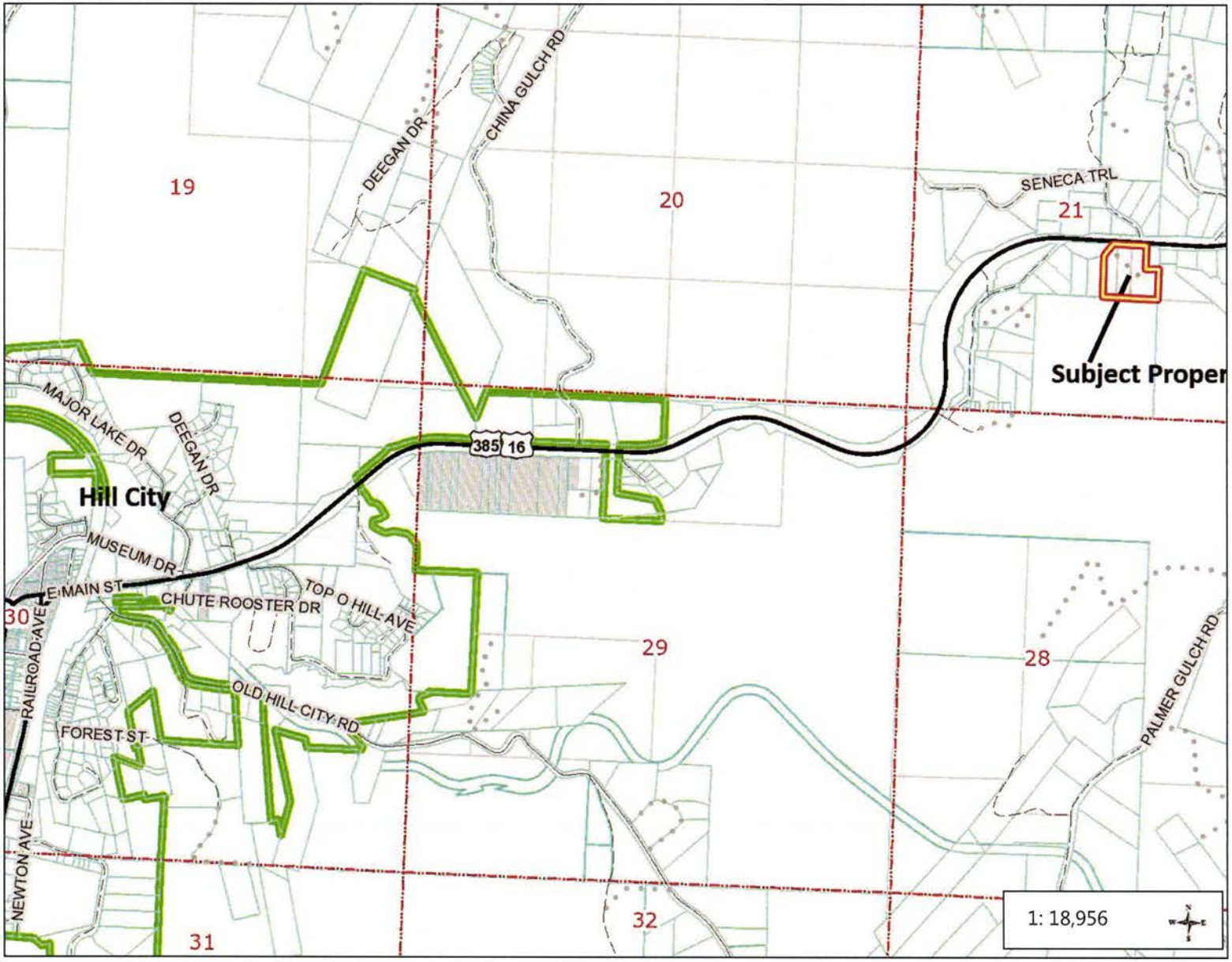
24. The Planning Director may allow additional development or construction, which is consistent with the existing development on this property. Significant changes in the use or impact on adjacent land uses as determined by the Planning Director shall require a review or amendment of this Conditional Use Permit;

25. That prior to operation the applicant signs a Statement of Understanding within ten (10) business days of approval of Conditional Use Permit / CU 19-05, which is available at the Planning Office; and,

26. That this Conditional Use Permit be reviewed in one (1) year, 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.

RapidMap

Rapid City-Pennington County 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:

3,159.3 0 1,579.63 3,159.3 Feet

NAD_1983_2011_StatePlane_South_Dakota_South_FIPS_4002_Ft_US

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RapidMap

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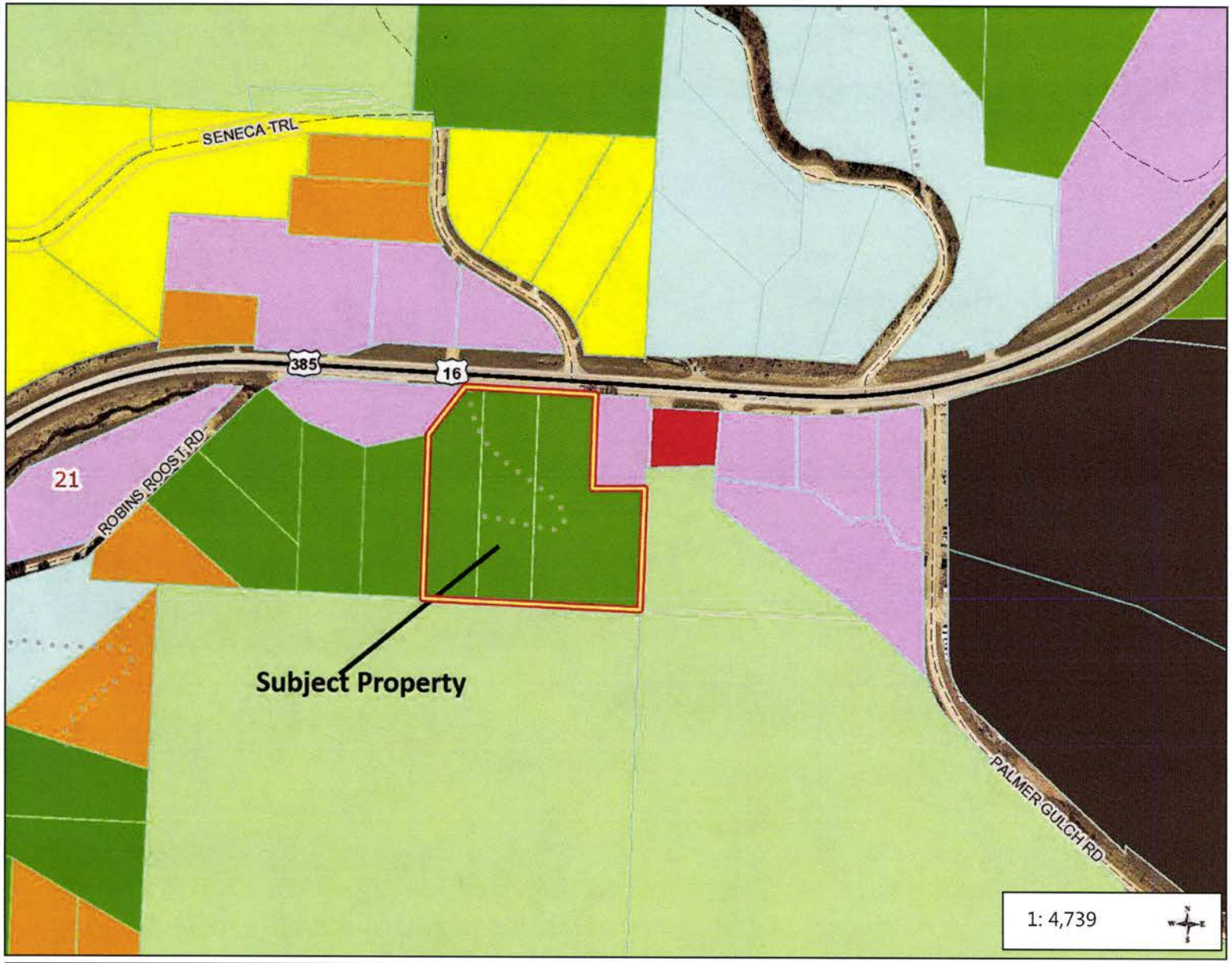

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Tax Parcels

Lot Lines
- <Null>
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- 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:

789.8 0 394.91 789.8 Feet

NAD_1983_2011_StatePlane_South_Dakota_South_FIPS_4002_Ft_US

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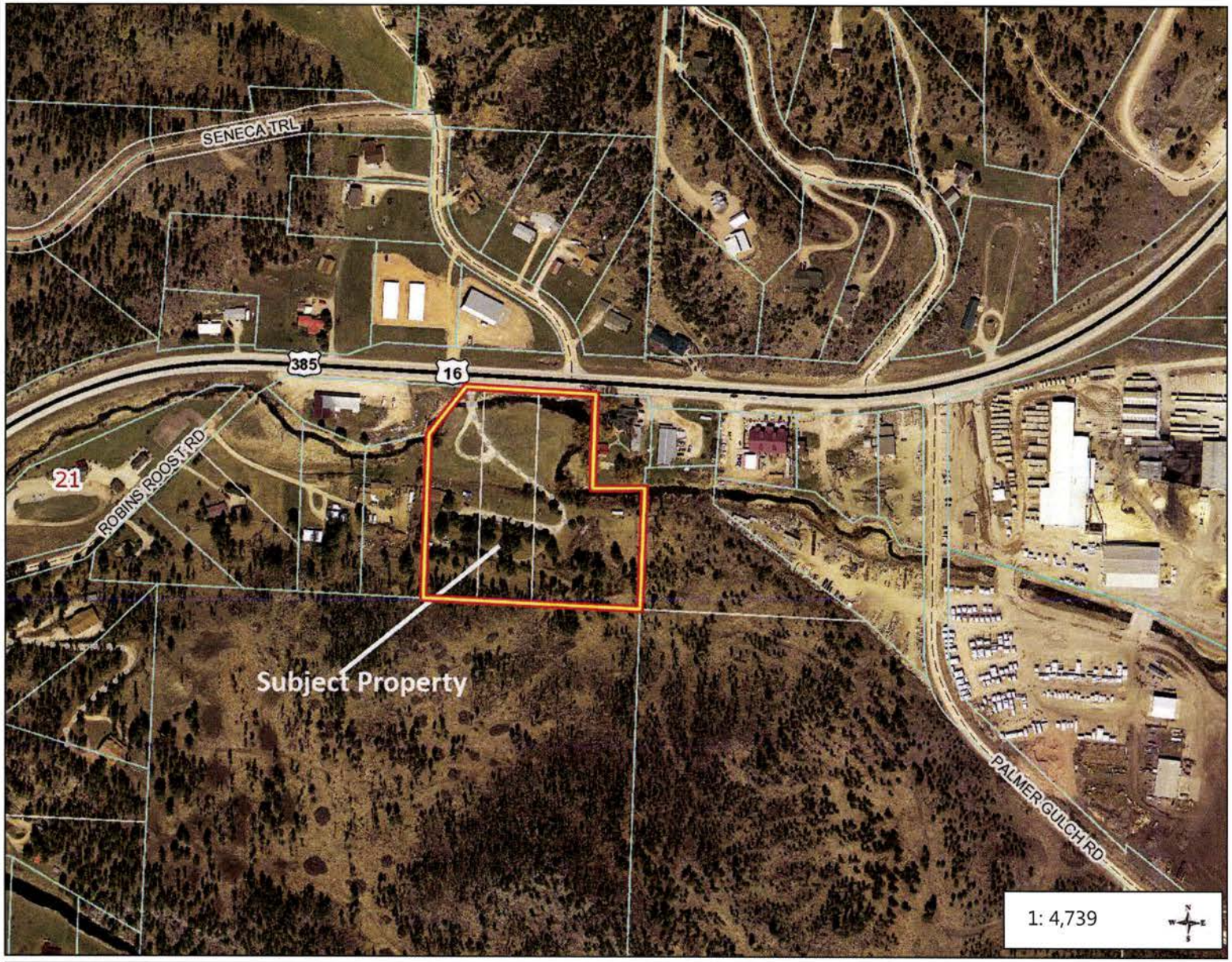

789.8 0 394.91 789.8 Feet

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- Not yet coded

Section Lines 0-25k
- 0
- 7

Tax Parcels

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

Map Notes:

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309.5 0 154.76 309.5 Feet

NAD_1983_StatePlane_South_Dakota_South_FIPS_4002_Feet

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Legend

Roads
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- Ramp
- Paved road
- Unpaved road
- Trail
- Driveway
- Alley
- Unimproved road
- Airport Runway
- Not yet coded

USGS Contours
- Index
- Intermediate

Section Lines 0-25k
- 0
- 7

Tax Parcels

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

Map Notes:

Analysis of timber girder bridge for Campground at Smoke Jumper Station near Hill City for Firehouse Brewing Company

Controlling load is Truck Configuration Number 1 from diagrams supplied by Talley Construction

Bending moments for Truck Configuration Number 2 were also calculated, but Truck Number Configuration Number 1 produced a greater bending force. See Included bending moment diagrams and calculations.

4" x 16" stringer section modulus = b x h(squared)/6 = 4 x 16 x 16/6 = 170.7 in(squared)

Maximum moment for truck configuration #1 = 64,620 ft-lb = 775,440 in-lb

Actual bending stress = M(actual)/section modulus = 775,440/170.7 = 4543 psi

Allowable bending stress for Douglas fir = 1500 psi

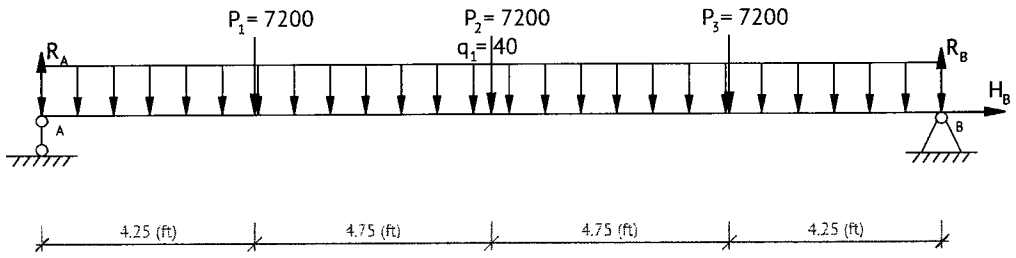
From AASHTO 3.23.1 "Distribution of Wheel Loads in Longitudinal Beams", the distribution factor (meaning that a point load on the deck is distributed to a number of adjacent beams) for timber plank deck to timber beams = S/4.0 (where S is the average stringer spacing in feet) = 1.0/4.0 = 0.25

Allowable bending stress = 1500 psi/0.25 = 6000 psi.

Allowable bending stress of 6000 psi is greater than actual bending stress of 4543 psi. so the bridge should support the imposed truck loads.

Leave feedback

Clear beam Save link on this calculation



Select units

Units of measurement: Foot (ft)

Units of force: Kilonewton (kN)

Setting the length of beam

Length of beam **L,(ft)**: **18**

Setting the support of beam

at the point B

at the point A

Setting the loads of beam

P_1 = -7200 (kN), 90°

P_2 = -7200 (kN), 90°

P_3 = -7200 (kN), 90°

q_1 = -40 (kN/ft)

Setting the bending diagrams of beam

☑ Calculate the reactions at the supports of a beam

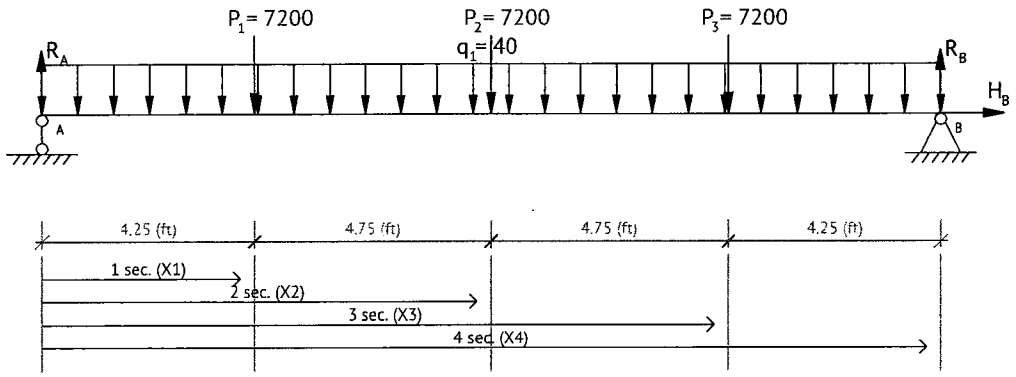
☑ Bending moment diagram (BMD)

☑ Shear force diagram (SFD)

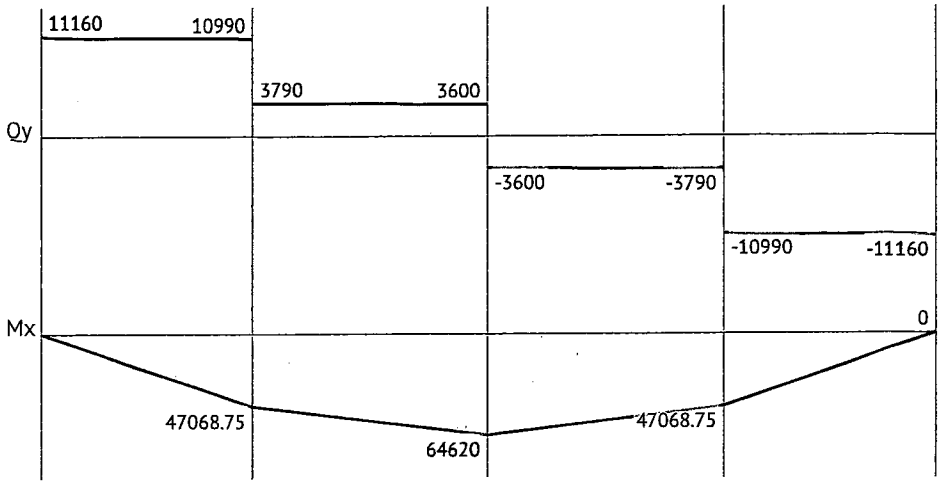
☐ Axial force diagram

☑ Invert Diagram of Moment (BMD) - Moment is positive, when tension at the bottom of the beam

SOLVE



T.N: 9107
-Bridge measurements



Calculate the reactions at the supports of a beam

1. A beam is in equilibrium when it is stationary relative to an inertial reference frame. The following conditions are satisfied when a beam, acted upon by a system of forces and moments, is in equilibrium.

$\Sigma F_x = 0$: $H_B = 0$

$\Sigma M_A = 0$: The sum of the moments about the roller support at the point A:

$- q_1*18*(18/2) - P_1*4.25 - P_2*9 - P_3*13.75 + R_B*18 = 0$

$\Sigma M_B = 0$: The sum of the moments about the pin support at the point B:

$- R_A*18 + q_1*18*(18 - 18/2) + P_1*13.75 + P_2*9 + P_3*4.25 = 0$

2. Calculate reaction of pin support at the point B:

$R_B = (q_1*18*(18/2) + P_1*4.25 + P_2*9 + P_3*13.75) / 18 = (40*18*(18/2) + 7200*4.25 + 7200*9 + 7200*13.75) / 18 = 11160.00$ (kN)

3. Calculate reaction of roller support at the point A:

$R_A = (q_1*18*(18 - 18/2) + P_1*13.75 + P_2*9 + P_3*4.25) / 18 = (40*18*(18 - 18/2) + 7200*13.75 + 7200*9 + 7200*4.25) / 18 = 11160.00$ (kN)

4. Solve this system of equations:

$H_B = 0$ (kN)

5. The sum of the forces about the Oy axis is zero:

$\Sigma F_y = 0$: $R_A - q_1*18 - P_1 - P_2 - P_3 + R_B = 11160.00*1 - 40*18 - 7200 - 7200 - 7200 + 11160.00*1 = 0$

Draw diagrams for the beam

Consider first span of the beam $0 \le x_1 < 4.25$

Determine the equations for the shear force (Q):

$Q(x_1) = R_A - q_1*(x_1 - 0)$

The values of Q at the edges of the span:

$Q_1(0) = 11160 - 40*(0 - 0) = 11160$ (kN)

$Q_1(4.25) = 11160 - 40*(4.25 - 0) = 10990$ (kN)

Determine the equations for the bending moment (M):

$M(x_1) = R_A*(x_1) - q_1*(x_1)^2/2$

The values of M at the edges of the span:

$M_1(0) = 11160*(0) - 40*(0 - 0)^2/2 = 0$ (kN*ft)

$M_1(4.25) = 11160*(4.25) - 40*(4.25 - 0)^2/2 = 47068.75$ (kN*ft)

Consider second span of the beam $4.25 \le x_2 < 9$

Determine the equations for the shear force (Q):

$Q(x_2) = R_A - q_1*(x_2 - 0) - P_1$

The values of Q at the edges of the span:

$Q_2(4.25) = 11160 - 40*(4.25 - 0) - 7200 = 3790$ (kN)

$Q_2(9) = 11160 - 40*(9 - 0) - 7200 = 3600$ (kN)

Determine the equations for the bending moment (M):

$M(x_2) = R_A*(x_2) - q_1*(x_2)^2/2 - P_1*(x_2 - 4.25)$

The values of M at the edges of the span:

$M_2(4.25) = 11160*(4.25) - 40*(4.25 - 0)^2/2 - 7200*(4.25 - 4.25) = 47068.75$ (kN*ft)

$M_2(9) = 11160*(9) - 40*(9 - 0)^2/2 - 7200*(9 - 4.25) = 64620$ (kN*ft)

Consider third span of the beam $9 \leq x_3 < 13.75$

Determine the equations for the shear force (Q):

$Q(x_3) = R_A - q_1*(x_3 - 0) - P_1 - P_2$

The values of Q at the edges of the span:

$Q_3(9) = 11160 - 40*(9 - 0) - 7200 - 7200 = -3600$ (kN)

$Q_3(13.75) = 11160 - 40*(13.75 - 0) - 7200 - 7200 = -3790$ (kN)

Determine the equations for the bending moment (M):

$M(x_3) = R_A*(x_3) - q_1*(x_3)^2/2 - P_1*(x_3 - 4.25) - P_2*(x_3 - 9)$

The values of M at the edges of the span:

$M_3(9) = 11160*(9) - 40*(9 - 0)^2/2 - 7200*(9 - 4.25) - 7200*(9 - 9) = 64620$ (kN*ft)

$M_3(13.75) = 11160*(13.75) - 40*(13.75 - 0)^2/2 - 7200*(13.75 - 4.25) - 7200*(13.75 - 9) = 47068.75$ (kN*ft)

Consider fourth span of the beam $13.75 \leq x_4 < 18$

Determine the equations for the shear force (Q):

$Q(x_4) = R_A - q_1*(x_4 - 0) - P_1 - P_2 - P_3$

The values of Q at the edges of the span:

$Q_4(13.75) = 11160 - 40*(13.75 - 0) - 7200 - 7200 - 7200 = -10990$ (kN)

$Q_4(18) = 11160 - 40*(18 - 0) - 7200 - 7200 - 7200 = -11160$ (kN)

Determine the equations for the bending moment (M):

$M(x_4) = R_A*(x_4) - q_1*(x_4)^2/2 - P_1*(x_4 - 4.25) - P_2*(x_4 - 9) - P_3*(x_4 - 13.75)$

The values of M at the edges of the span:

$M_4(13.75) = 11160*(13.75) - 40*(13.75 - 0)^2/2 - 7200*(13.75 - 4.25) - 7200*(13.75 - 9) - 7200*(13.75 - 13.75) = 47068.75$ (kN*ft)

$M_4(18) = 11160*(18) - 40*(18 - 0)^2/2 - 7200*(18 - 4.25) - 7200*(18 - 9) - 7200*(18 - 13.75) = 0$ (kN*ft)

Solved by BEAMGURU.COM

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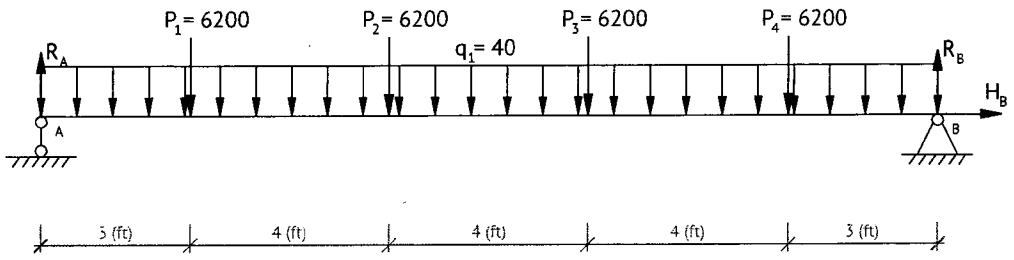
Leave feedback

Clear beam Save link on this calculation



Select units

Units of measurement: Foot (ft)

Units of force: Kilonewton (kN)

Setting the length of beam

Length of beam **L,(ft)**: 18

Setting the support of beam

at the point B

at the point A

Setting the loads of beam

P_1 = -6200 (kN), 90°

P_2 = -6200 (kN), 90°

P_3 = -6200 (kN), 90°

P_4 = -6200 (kN), 90°

q_1 = -40 (kN/ft)

Setting the bending diagrams of beam

☑ Calculate the reactions at the supports of a beam

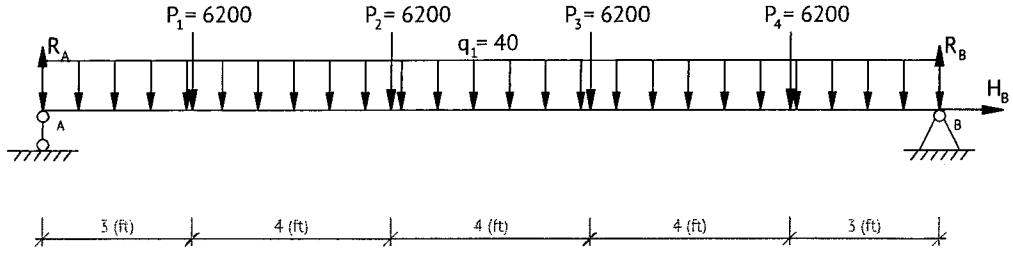
☑ Bending moment diagram (BMD)

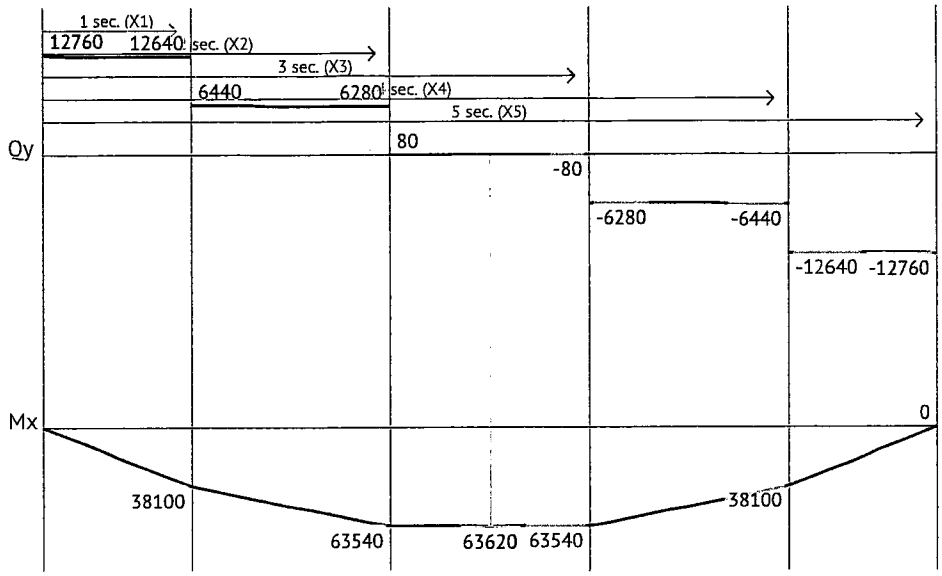
☑ Shear force diagram (SFD)

☐ Axial force diagram

☑ Invert Diagram of Moment (BMD) - Moment is positive, when tension at the bottom of the beam

SOLVE





Calculate the reactions at the supports of a beam

1. A beam is in equilibrium when it is stationary relative to an inertial reference frame. The following conditions are satisfied when a beam, acted upon by a system of forces and moments, is in equilibrium.

$\Sigma F_x = 0$: $H_B = 0$

$\Sigma M_A = 0$: The sum of the moments about the roller support at the point A:

$- q_1*18*(18/2) - P_1*3 - P_2*7 - P_3*11 - P_4*15 + R_B*18 = 0$

$\Sigma M_B = 0$: The sum of the moments about the pin support at the point B:

$- R_A*18 + q_1*18*(18 - 18/2) + P_1*15 + P_2*11 + P_3*7 + P_4*3 = 0$

2. Calculate reaction of pin support at the point B:

$R_B = (\ q_1*18*(18/2) + P_1*3 + P_2*7 + P_3*11 + P_4*15) / 18 = (\ 40*18*(18/2) + 6200*3 + 6200*7 + 6200*11 + 6200*15) / 18 = 12760.00$ (kN)

3. Calculate reaction of roller support at the point A:

$R_A = (\ q_1*18*(18 - 18/2) + P_1*15 + P_2*11 + P_3*7 + P_4*3) / 18 = (\ 40*18*(18 - 18/2) + 6200*15 + 6200*11 + 6200*7 + 6200*3) / 18 = 12760.00$ (kN)

4. Solve this system of equations:

$H_B = 0$ (kN)

5. The sum of the forces about the Oy axis is zero:

$\Sigma F_y = 0$: $R_A - q_1*18 - P_1 - P_2 - P_3 - P_4 + R_B = 12760.00*1 - 40*18 - 6200 - 6200 - 6200 - 6200 + 12760.00*1 = 0$

Draw diagrams for the beam

Consider first span of the beam $0 \le x_1 < 3$

Determine the equations for the shear force (Q):

$Q(x_1) = R_A - q_1*(x_1 - 0)$

The values of Q at the edges of the span:

$Q_1(0) = 12760 - 40*(0 - 0) = 12760$ (kN)

$Q_1(3) = 12760 - 40*(3 - 0) = 12640$ (kN)

Determine the equations for the bending moment (M):

$M(x_1) = R_A*(x_1) - q_1*(x_1)^2/2$

The values of M at the edges of the span:

$M_1(0) = 12760*(0) - 40*(0 - 0)^2/2 = 0$ (kN*ft)

$M_1(3) = 12760*(3) - 40*(3 - 0)^2/2 = 38100$ (kN*ft)

Consider second span of the beam $3 \le x_2 < 7$

Determine the equations for the shear force (Q):

$Q(x_2) = R_A - q_1*(x_2 - 0) - P_1$

The values of Q at the edges of the span:

$Q_2(3) = 12760 - 40*(3 - 0) - 6200 = 6440$ (kN)

$Q_2(7) = 12760 - 40*(7 - 0) - 6200 = 6280$ (kN)

Determine the equations for the bending moment (M):

$M(x_2) = R_A*(x_2) - q_1*(x_2)^2/2 - P_1*(x_2 - 3)$

The values of M at the edges of the span:

$M_2(3) = 12760*(3) - 40*(3 - 0)^2/2 - 6200*(3 - 3) = 38100$ (kN*ft)

$M_2(7) = 12760*(7) - 40*(7 - 0)^2/2 - 6200*(7 - 3) = 63540$ (kN*ft)

Consider third span of the beam $7 \le x_3 < 11$

Determine the equations for the shear force (Q):

$Q(x_3) = R_A - q_1*(x_3 - 0) - P_1 - P_2$

The values of Q at the edges of the span:

$Q_3(7) = 12760 - 40*(7 - 0) - 6200 - 6200 = 80$ (kN)

$Q_3(11) = 12760 - 40*(11 - 0) - 6200 - 6200 = -80$ (kN)

The value of Q on this span that crosses the horizontal axis. Intersection point:

$x = 2$

Determine the equations for the bending moment (M):

$M(x_3) = R_A*(x_3) - q_1*(x_3)^2/2 - P_1*(x_3 - 3) - P_2*(x_3 - 7)$

The values of M at the edges of the span:

$M_3(7) = 12760*(7) - 40*(7 - 0)^2/2 - 6200*(7 - 3) - 6200*(7 - 7) = 63540$ (kN*ft)

$M_3(11) = 12760*(11) - 40*(11 - 0)^2/2 - 6200*(11 - 3) - 6200*(11 - 7) = 63540$ (kN*ft)

Local extremum at the point $x = 2$:

$M_3(9) = 12760*(9) - 40*(9 - 0)^2/2 - 6200*(9 - 3) - 6200*(9 - 7) = 63620$ (kN*ft)

Consider fourth span of the beam $11 \le x_4 < 15$

Determine the equations for the shear force (Q):

$Q(x_4) = R_A - q_1*(x_4 - 0) - P_1 - P_2 - P_3$

The values of Q at the edges of the span:

$Q_4(11) = 12760 - 40*(11 - 0) - 6200 - 6200 - 6200 = -6280$ (kN)

$Q_4(15) = 12760 - 40*(15 - 0) - 6200 - 6200 - 6200 = -6440$ (kN)

Determine the equations for the bending moment (M):

$M(x_4) = R_A*(x_4) - q_1*(x_4)^2/2 - P_1*(x_4 - 3) - P_2*(x_4 - 7) - P_3*(x_4 - 11)$

The values of M at the edges of the span:

$M_4(11) = 12760*(11) - 40*(11 - 0)^2/2 - 6200*(11 - 3) - 6200*(11 - 7) - 6200*(11 - 11) = 63540$ (kN*ft)

$M_4(15) = 12760*(15) - 40*(15 - 0)^2/2 - 6200*(15 - 3) - 6200*(15 - 7) - 6200*(15 - 11) = 38100$ (kN*ft)

Consider 5-th span of the beam $15 \le x_5 < 18$

Determine the equations for the shear force (Q):

$Q(x_5) = R_A - q_1*(x_5 - 0) - P_1 - P_2 - P_3 - P_4$

The values of Q at the edges of the span:

$Q_5(15) = 12760 - 40*(15 - 0) - 6200 - 6200 - 6200 - 6200 = -12640$ (kN)

$Q_5(18) = 12760 - 40*(18 - 0) - 6200 - 6200 - 6200 - 6200 = -12760$ (kN)

Determine the equations for the bending moment (M):

$M(x_5) = R_A*(x_5) - q_1*(x_5)^2/2 - P_1*(x_5 - 3) - P_2*(x_5 - 7) - P_3*(x_5 - 11) - P_4*(x_5 - 15)$

The values of M at the edges of the span:

$M_5(15) = 12760*(15) - 40*(15 - 0)^2/2 - 6200*(15 - 3) - 6200*(15 - 7) - 6200*(15 - 11) - 6200*(15 - 15) = 38100$ (kN*ft)

$M_5(18) = 12760*(18) - 40*(18 - 0)^2/2 - 6200*(18 - 3) - 6200*(18 - 7) - 6200*(18 - 11) - 6200*(18 - 15) = 0$ (kN*ft)

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Online calculator for simply supported and cantilever beam

Agenda Item # 20
Black Hills Kart Racing, LLC; David Price – Agent
May 13, 2019

20

STAFF REPORT

GENERAL INFORMATION:

REQUEST:	**CONDITIONAL USE PERMIT / CU 19-07**: To allow a dirt track to be used for dirt track kart racing on the subject property in a General Commercial District in accordance with Sections 209 and 510 of the Pennington County Zoning Ordinance.
APPLICANT/AGENT:	Black Hills Kart Racing, LLC / David Price
APPLICANT ADDRESS:	P.O. Box 327, Rapid City, SD 57709
OWNER:	Cross Country Real Estate
OWNER ADDRESS:	3409 E. 2nd Street, Gillette, WY 82718
LEGAL DESCRIPTION:	The Unplatted Portion of S1/2SW1/4NW1/4; PT of NW1/4SW1/4 N and E of Highway ROW less that PT within Rapid City Boundary, Section 10, T1N, R8E, BHM, Pennington County, South Dakota.
SITE LOCATION:	2467 Jolly Lane; located at the intersection of E. Highway 44 and Jolly Lane.
SIZE:	34.07 acres
TAX ID:	64331
EXISTING LAND USE:	Drainage Easement / Black Hills Speedway
ZONING REFERENCE:	§ 209 and 510
CURRENT ZONING:	General Commercial District
SURROUNDING ZONING:	
North	Suburban Residential District
South	Suburban Residential District General Commercial District City Limits of Rapid City
East	Suburban Residential District
West	Suburban Residential District General Commercial District City Limits of Rapid City

Agenda Item # 20
Black Hills Kart Racing, LLC; David Price – Agent
May 13, 2019

PHYSICAL CHARACTERISTICS: Flat Areas / Rolling Hills

UTILITIES: Rapid Valley Sanitary District

REPORT BY: P.J. Conover

I. PROPOSED RECOMMENDATION

A. Staff will be recommending approval of Conditional Use Permit / CU 19-07 with eighteen (18) conditions.

II. GENERAL DESCRIPTION

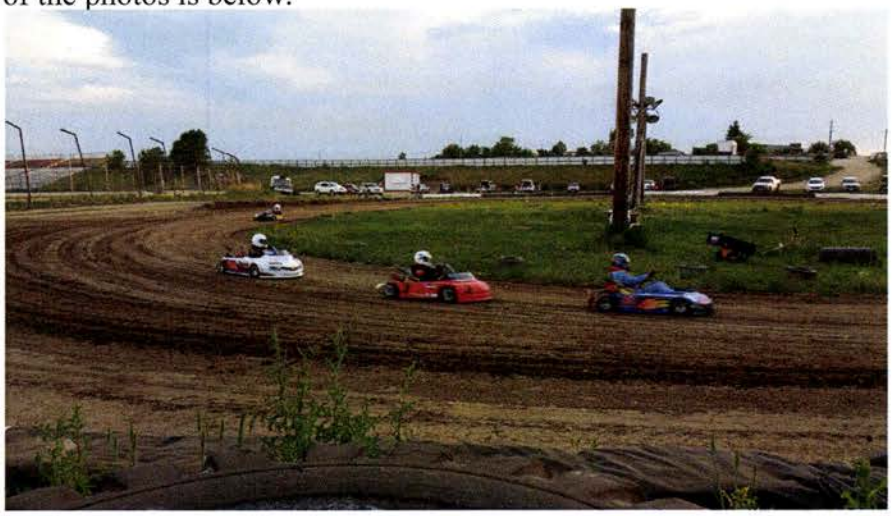
A. The applicant, Black Hills Kart Racing (BHKR), LLC (David Price – Agent) is requesting a Conditional Use Permit to allow for an existing Kart Track to be utilized in the existing drainage easement.

B. The existing Kart Track encompasses approximately 1.48 acres on the subject property and is located within an existing Public Drainage Basin, similar to the existing Black Hills Speedway.

C. BHKR is a new organization to promote dirt track kart racing in Rapid City and the surrounding area.

D. The applicant submitted documentation outlining the BHKR program. This information is included at the end of this Staff Report.

E. The applicant submitted several photos to illustrate what Kart Racing is, one of the photos is below.

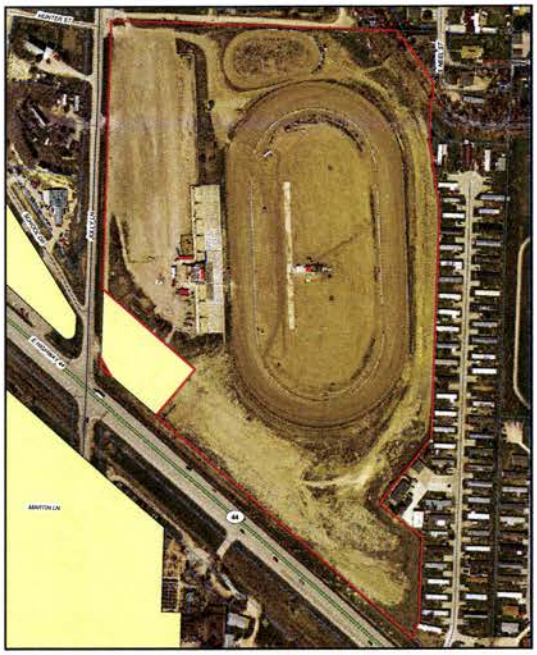


F. Per the applicant's documents, the *"Spirit and Intent* [of] *karting is a sport designed for the fun and enjoyment of everyone involved whether it is a racer, family, friends, or the spectators. As a member of BHKR, you are responsible for conducting yourself in a fair and sportsmanlike manner, both on and off the track. Through your efforts, the competitive spirit of karting will always persist."*

III. EXISTING CONDITIONS

A. 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.

1. Zoned General Commercial District.
2. 34.07 acre lot size.
3. Black Hills Speedway.
4. Black Hills Speedway Kart Track.
5. Utilities provided by Rapid Valley Sanitary District.
6. Public Drainage Easement (Book 21 Page 4205-4206).
7. Sanitary Sewer Easement (Book 7 Page 5682).
8. Access off of Jolly Lane (Pennington County maintained asphalt road).



B. To the right, is a 2018 aerial photo of the subject property.

1. The yellow highlighted areas denote city limits of the City of Rapid City.

IV. DRAINAGE EASEMENT(S)

A. The American Planning Association defines a drainage easement as "Land in which the public, the city, or the county has an easement devoted to, planned, proposed, or required for use as a public drainage system."

B. Public Drainage Easement dated December 5, 1983, prepared by Davis Engineering and Surveying, shows a majority of the subject property was "granted, bargained and conveyed a perpetual drainage easement over, on and across the hereinafter described tract of real estate situated in the SW¼ of NW¼ and the NW¼ of SW¼ of Section 10, T1N, R8E, BHM, Pennington County, South Dakota described as follows: See Exhibit A."

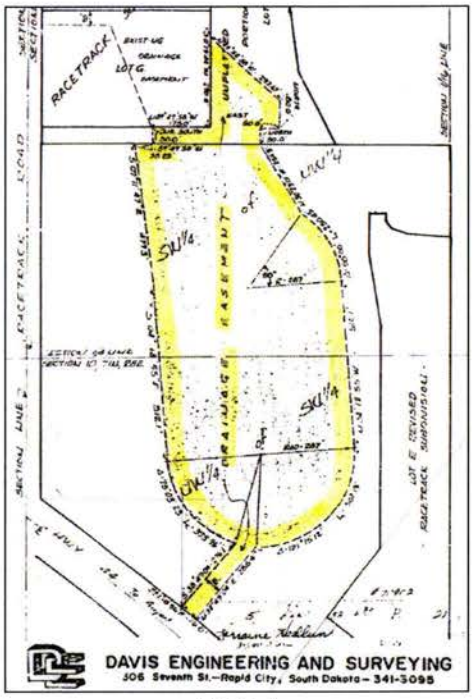


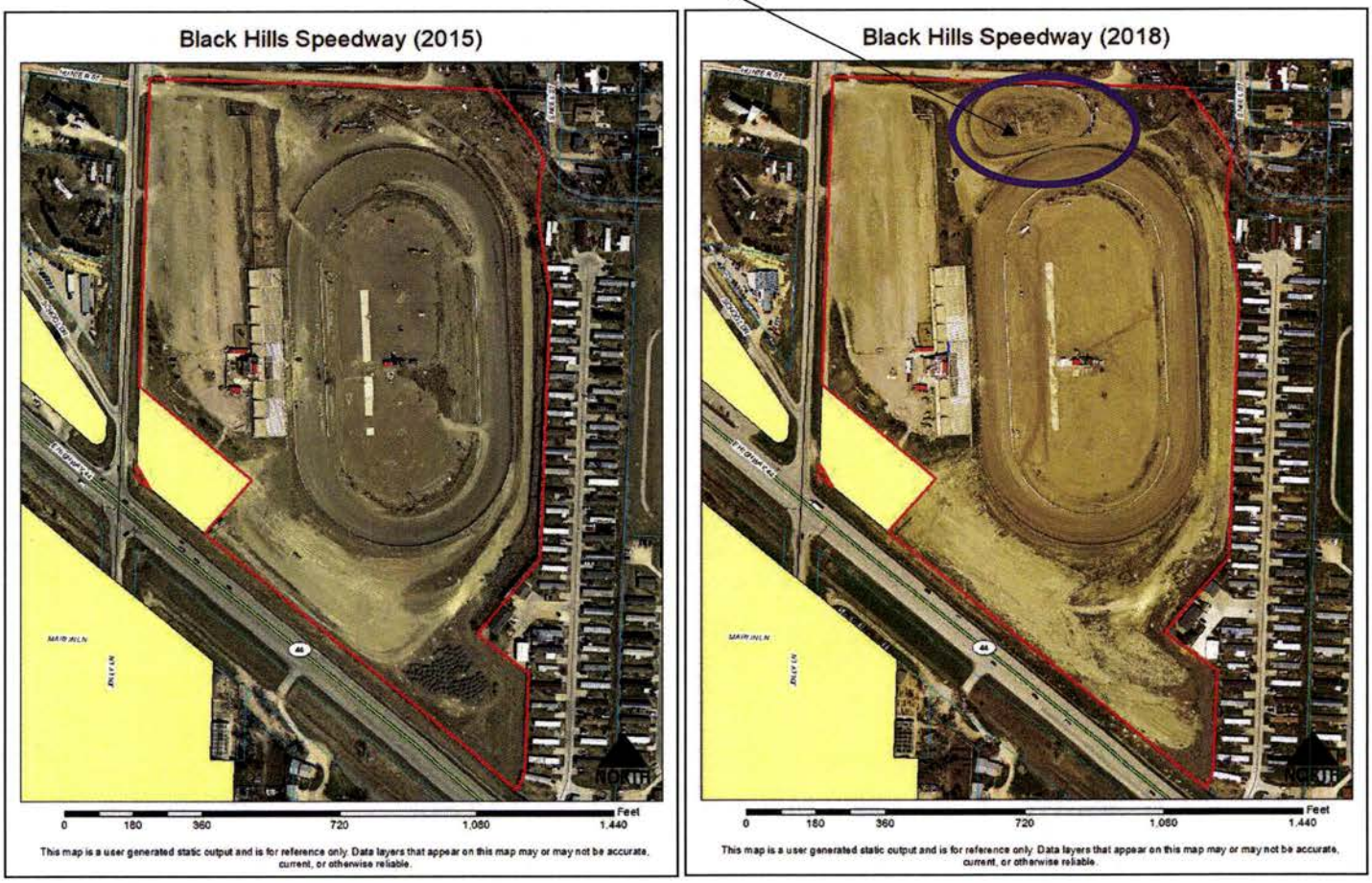
Exhibit A

IX. NONCONFORMING BUILDINGS, STRUCTURES AND USES OF LAND - § 400 OF THE PCZO

A. Section 401(D) states "any nonconforming use of land shall not be expanded in such a manner so as to increase its nonconformity."

1. Prior to 2015, the Kart Track was not constructed.
2. Due to the construction of the Kart Track, the use on the subject property was expanded and is no longer a legal, nonconforming use.
3. A Notice of Violation was sent to the applicant on June 21, 2018 regarding the need for a Conditional Use Permit to bring the property into compliance.
4. Staff met with the applicant(s) on two (2) occasions to discuss the Violation Letter and the need for a Conditional Use Permit.
   a. The applicant indicated that they will "just remove" the Kart Track and that they were apprehensive to notify the neighbors regarding the Conditional Use Permit.
   b. In addition, the Kart Track was constructed in the Public Drainage Easement without approval from the Board of Commissioners.

Location of Kart Track



VI. COUNTY AND CITY VIOLATION HISTORY

A. 2008COVO0025 – Dirt work without an approved Construction Permit (See Construction Permit / CP 09-05).
   1. Disposition: Closed.
B. 2009COVO0049 – Trash and weeds in southeast corner of property.
   1. Disposition: Closed.
C. 2010COVO0072 – Garbage and weeds in southeast corner of property.
   1. Disposition: Closed.
D. CIBS13-0061 – Complaint/violation for dust.
   1. Disposition: Closed.
E. COVO14-0132 – Weeds and grass in excess of 18 inches.
   1. Disposition: Closed.
F. COVO15-0125 – Weeds along fence.
   1. Disposition: Closed.
G. COVO15-0199 – Garbage inside fence line.
   1. Disposition: Closed.
H. COVO16-0064 – Stop Work Order issued April 13, 2016.
   1. Building additions in Drainage Easement without proper permits.
   2. Disposition: Start Work Order issued May 25, 2016.
I. COVO17-0078 – Stop Work Order issued March 17, 2017.
   1. Dirt work in a Drainage Easement without proper permits.
   2. Disposition: Closed.
J. COVO18-0118 – Grass in excess of 18 inches.
   1. Disposition: Closed.
K. COVO18-0050 – Drainage and Dirtwork
   1. Disposition: Open.
L. COVO18-0123 – Conditional Use Permit needed for Kart Track.
   1. Disposition: Open.
      a. This is the catalyst for CU 19-07.
M. COVO18-0147 – Dirtwork over 10,000 square feet without permits.
   1. Disposition: Closed.
N. COEV19-0024 – Sediment leaving the site. No erosion and/or sediment beset management practices in place.
   1. Disposition: Open.

VII. PERMITS

A. County Building Permit / 2010COBP0149 – Demolition of a 20' x 20' shed.
B. County Sign Permit / 2010COSP0004 – Sign Permit.
C. 2010COSP0005 – Sign Permit.
D. 2010COBP0277 – Removal of 48' x 32' concession building.
E. 2010COBP0278 – 16' x 32' deck remodel.
F. COBP12-0282 – Temporary fireworks stand.
G. COSP12-0007 – Sign Permit.
H. COSP12-0008 – Sign Permit.
I. COSP12-0009 – Sign Permit.

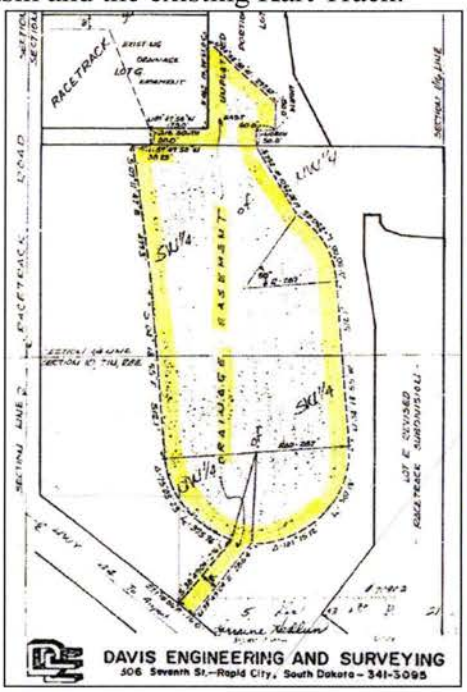
J. COBP13-0192 – 12' x 60' temporary office.
K. COBP14-0308 – 12' x 60' temporary fireworks stand.
L. City of Rapid City Permit / CIBP15-2239 – Air Quality Permit (expired November 19, 2018).
M. COBP16-0218 – Movement of existing shed.
N. COBP16-0219 – Movement of existing bathroom.
O. CIBP18-3157 – Air Quality Permit (expires September 10, 2021).

VIII. BLACK HILLS KART RACING SPECIFICS

A. Proposed
   1. Months of Operation: May, June, July, August, and September.
   2. Day of Operation: Saturday.
   3. Hours of Operation: 11:00 a.m. – 2:00 p.m.
B. May 09, 2019 – Staff spoke to the applicant to confirmed that the intent of the request and the information mentioned immediately above, is that the Dirt Kart Track is **NOT** used for any other uses or purpose outside of the month, day, times mentioned above.
C. Governed by the rules of the World Karting Association (WKA)
   1. Located in Concord, North Carolina
D. Detailed explanations of BHKR and their specific specifications were submitted by the applicant and are included with this Staff Report.

IX. KART TRACK AND DRAINAGE EASEMENT

A. The existing Kart Track is located within the existing Public Drainage Easement.
B. The illustration and aerial photo below show the existing Public Drainage Basin and the existing Kart Track.





C. The addition of the Kart Track within the Public Drainage Basin requires an engineered study to determine the effects the Kart Track will have on the existing Public Drainage Basin.

D. Staff will be requiring a complete engineered drainage plan of the entire property be given to the Planning Department, for review and approval, prior to August 01, 2019.
   1. This is one month prior to the reported Kart Racing season in Rapid City.

IV. CONSIDERATIONS FOR CONDITIONAL USE PERMIT REQUEST

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:

A. **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.**
   1. This Conditional Use Permit could affect the use and enjoyment of other properties in the immediate vicinity due to the possible increase in vehicular traffic and noise.
   2. Staff cannot predict the effect that the requested use will have on property values within the immediate vicinity.

B. **The effect upon the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.**
   1. The proposed use should have a minimal effect on the normal, orderly development or improvement of any surrounding vacant property in the area as the Dirt Kart Track is located in a Public Drainage Basin and has been in existence, in some form, for approximately three (3) years.

C. **That utilities, access roads, drainage and/or other necessary facilities are provided.**
   1. Access to the property is off of Highway 44 or Jolly Lane.
   2. The subject location is a Public Drainage Basin. Engineered studies of water flows showing historical calculations and drawings, data on the adjustments in elevation and drainage due to the extensive dirt work over the last few years, and current flow studies shall be provided. On May 07, 2019, the landowner informed the Pennington County Board of Commissioners, not less than four (4) times, that the requested information will be provided.

D. **That the off-street parking and loading requirements are met.**
   1. It appears that ample space for parking and loading can be provided.

E. **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 requested use may produce odors, fumes, dust, noise, and vibrations that could constitute a nuisance. The applicant and landowner shall make every effort to not allow the requested use to become a nuisance.
   2. Staff believes lighting, not lighted signs, will not become a nuisance factor, as the hours of operation are 11:00 a.m. – 2:00 p.m.

X. REQUEST FOR COMMENT

A. County Highway Department (Drainage Engineer)
   1. Highway Department has no comments.

B. County Natural Resources Director
   1. Regarding previous concerns of prairie dogs on the subject property: I haven't looked lately, I've only noticed a few remaining last time I looked and haven't received any complaints.

C. County Onsite Wastewater Specialist
   1. Rapid City one-mile.
      a. *Staff Comment: Property is located in the Rapid Valley Sanitary District and services are provided by them.*

D. County Environmental Planning Supervisor
   1. The subject property is located within Pennington County's regulated Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System (NPDES) Permit area. The applicant must meet the requirements set forth in the Storm Water Management Plan as well as the Storm Water Quality Manual.
   2. That the requirements, guidelines, and criteria for storm water and erosion control in the Pennington County Storm Water Manual shall be followed during any construction.
   3. The site must be stabilized and sediment contained such that sediment does not reach or fill the right-of-way (road ditch). If sediment is deposited in the right-of-way (road ditch) from the construction activity, the owner will be responsible for the removal immediately after being notified.
   4. 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.
   5. There is no Special Flood Hazard Area on the subject property.

E. County Ordinance Enforcement
   1. There are opened and closed Ordinance Violations on the property at this time. The go-kart track was constructed without County approval and could be considered an expansion of the grandfathered use; therefore, this Conditional Use Permit would bring the go-kart track into compliance.

F. 9-1-1 Emergency Services
   1. I'd at least like to see an address point for the kart track in our GIS data – separate from the main speedway's address. That would help us zero in on it during an emergency. I can see some confusion with how large the area is; which track, which entrance, etc.

G. City of Rapid City Community Development
   1. The City's Future Land Use Plan Identifies the appropriate use of the property as Low Density Neighborhood. The existing use of the property is not in compliance with the City's Plan.
   2. Jolly Land and S.D. Highway 44 are classified as a collector street and a principal arterial street, respectively. Any use of the property must be designed to ensure that it does not interfere with the two adjacent street functioning as classified.
   3. Any new construction must be designed to address drainage requirements pursuant to the Race Track Drainage Basin Plan.

H. City of Rapid City Long Range Planning
   1. Future Land Use of the property is Low Density Neighborhood.
   2. The property is located along an Entrance Corridor as identified in *Plan Rapid City.*
   3. SD Highway 44 is classified as a Principal Arterial on the Major Street Plan.
   4. Jolly Lane is classified as a Collector on the Major Street Plan.

I. West River Electric
   1. West River Electric has no comments regarding the Black Hills Racing Kart Track.

J. South Dakota Department of Transportation (SDDOT)
   1. SDDOT has no comments. Thanks for the opportunity to review!

X. BRIEF PROPERTY HISTORY

A. December 5, 1983 – Date of Perpetual Public Drainage Easement for a majority of the subject property where the Black Hills Speedway is located.

B. December 26, 1990 – Final Draft of the Racetrack Draw Drainage Basin Design Plan prepared by Davis-Atkins and Associates submitted to the Pennington County Drainage Commission.
   1. Elements of this design plan for the racetrack crossing were not constructed and were indicated in the plan as a low priority (page 44 of the plan).

C. April 26, 2001 – Rapid City Layout Plat submitted by Davis Engineering was denied without prejudice due to drainage issues, approach location issues, and subdivision lot layout issues.
D. March 9, 2009 – Construction Permit / CP 05-09 recommended denial due to the need for a complete Drainage Plan.
E. March 31, 2009 - Letter received by Advanced Engineering and Surveying, Inc. stating that they are changing the plan and will only do minor grading due to the requirement of extensive plans and design considerations. Construction Permit / CP 05-09 was no longer needed and voided.
F. May 4, 2010 – Board of Commissioners Agenda Item E regarding the Black Hills Speedway was removed from the agenda. A memo was submitted to the Board of Commissioners by the Planning Director regarding legal non-conforming uses and the placement of on-premise billboards. (attached)
G. June 22, 2015 – Planning Commission approved Construction Permit / CP 15-10 to grade and level stock piles.
H. April 13, 2016 – A Stop Work Order was issued for building in the drainage easement without Building Permits or approval from the Board of Commissioners.
I. May 25, 2016 – Stop Work Order lifted and permits applied for.
J. August 10, 2016 – Complaint received by the Board of Commissioners for noise and lack of oversight of the Speedway.
K. March 17, 2017 – A Stop Work Order was issued for work being done without engineered plans.
L. April 29, 2018 – A Rapid City Journal Article titled *Carlton takes over management of Black Hills Speedway* in which journalist Geoff Preston interviewed Mr. Carlton for the article, stated "Carlton comes to the speedway after running a go-kart track next to the track".
M. June 21, 2018 – A Notice of Violation was sent to the applicant regarding the need for a Conditional Use Permit, an as-built, alterations in the Drainage Easement (Kart Track) without Board of Commissioner approval, and lack of final stabilization. (see photos above and below for "Kart Track") June 2018 – Drainage, dirt work, and flooding complaint.
    1. Murphy Ditch was overflowing its banks east of Jolly Lane.
    2. Ditch along the north side of E. Highway 44 and east of Jolly Lane had significant flow.
    3. Site visits were performed by Staff. (see photos below)
N. August 17, 2018 – Applicant submitted Construction Permit / CP 18-10 to allow grading and flattening of an area for a parking lot. CP 18-10 has not yet been approved.
O. September 11, 2018 – A letter was received by the Planning Department from Nooney and Solay, LLP regarding the need for a Conditional Use Permit and forwarded to the State's Attorney's Office.

P. September 20, 2018 – A new approach was constructed off of E. Highway 44 for entrance into the Black Hills Speedway. (see photo below) A permit from the SDDOT was obtained by the applicant for this approach. (Picture to the right.)



Q. Staff has met and had contact (via email and in person) since June 2018 with the applicant on several occasions to discuss the concerns (i.e. need for a Conditional Use Permit and drainage).

R. November 09, 2018 – Commissioner LaCroix, Staff from the State's Attorney Office, Planning Department, and Highway Department met with the Landowners and agent, Ron Davis of Davis Engineering, to discuss the issues on the subject property.

1. During this meeting, concerns and possible solutions were addressed by both sides. Ultimately, at the end of the meeting, the Landowner requested additional time to discuss their options and then come back to the Planning Department with their proposed solution(s).
2. Staff has not heard from the Landowner or Agent relative to the proposed solution(s).
3. The Agent was in contact with Planning Staff only to ask when CP 18-10 would be placed back on an agenda.
4. Planning Staff, as stated previously in this Staff Report, still believes the existing violations, absence of requested drainage information, absence of proposed solution(s), and existing non-conformities on the subject should be addressed prior to approval of this Construction Permit application.

XI. JANUARY 28, 2019 PLANNING COMMISSION MEETING (Excerpts only, not inclusive)

A. The applicant's agent, Ron Davis, stated, "There are a ton of drainage issue problems out here and there has been for years okay. What we're trying to do does not resolve those drainage issues but what we are doing does not affect the drainage at the south end of the track. We are just going clean up and put some gravel, we are not changing the elevations, not changing the cross sections – the flow will be exactly the same. We're not doing a thing but leveling it off and putting some gravel down is all we're doing. We are

not affecting the overall drainage basin. This is a major problem and has been for a long time."

B. A question was asked of Mr. Davis by Commissioner Marsh, "I am just looking at the plan, the plan that was submitted August 17, 2018, is the proposed plan correct? Um there is a large area called Area 2 that appears to have a significant grade change from Area 1. Um and I don't know how they are going to get there. I am looking at the contours and wondering will there be a road that gets there or how will that….". *The last page of the report was put up on the screen.*

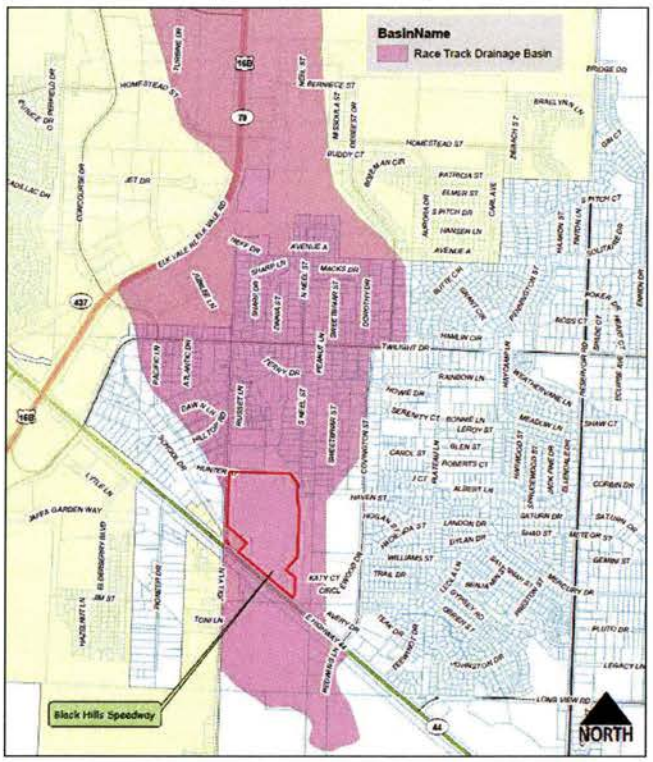
C. Commissioner Marsh also asked, "How many cubic yards of material are being proposed to move? Mr. Davis responded, "I have never calculated…" (Could not hear as agent was not near the podium). "I have the amount of base course. I never did calculate the um yardage, this wasn't going out for bid. It's a private guy doing his own work so we didn't do the yardage it's just. But the area to the right, the upper area, we're leveling that off but that's not within this drainage basin at all. It's up on the hill, it's up on top of a hill so I, so we're not getting down into that drainage area as defined down in there. So it's just some additional work we want to do to get leveled off to make more parking up there."

D. Commissioner Marsh asked, "Is that material going to be taken off site then or?" Mr. Davis responded, "No, it will be, it, ah you see the darker areas the slope on the east end of it, or not the east end the, you see the dark areas that is a contour lines are closer together? You got the flat area than it goes down a slope. Well that slope is fill from the dirt from the upper side of the lot. We're just taking the upper side of the lot, pushing it over and leveling it off and then sloping it down into the existing grade. Just making a flat spot up there."

E. Commissioner Marsh asked, "So it's not going to be used as parking or is that meant to be used as parking as well?" Mr. Davis responded, "That could be used as parking, it will be graveled, like the rest of it."

F. The Planning Commission made the motion: *Moved by Johnson and seconded by Drewes to continue Construction Permit / CP 18-10 to a time after the applicant satisfies the concerns of the SD DOT, as described in their comments on Page 14 of the January 28, 2019, Staff Report and the meeting will be scheduled after the SD DOT is satisfied with the response from the applicant and the meeting with the Planning Commission is held no earlier than February 25, 2019.*

XII. ANALYSIS



A. A map of the Race Track Drainage Basin is to the right.

B. The proposed retention of the existing Kart Track appears to be an acceptable use as the requested use is seasonal (May through September), only on Saturdays and during restricted hours.

C. The Kart Track was built in 2015, without the proper permits and there have been no complaints from neighbors.

D. Pennington County will be requiring the documentation from the landowner to verify that the continued use and existing location of the Kart Track will not negatively impact the Public Drainage Easement.

E. As of this Staff Report, the Planning Department has not received any complaints or letter, emails, phone calls with questions or concerns.

F. As of this Staff Report, Staff has not received a drainage study as required in Condition #1 of Construction Permit / CP 18-10 for the alterations in and around the drainage easement on and after 2015.

1. A similar requirement was placed on Construction Permit / CP 09-05.
    a. This request was pulled by the applicant due to not wanting to provide extensive plans and design considerations, however, they did indicate that plans would be submitted at a later date.
        i. Plans have never been submitted to the Planning Department.
2. Staff has received drainage complaints after the work outlined in the Construction Permit / CP 15-10 was done.
    a. The Planning Department has never received any plans, data, or calculations showing that the drainage basin was or was not impacted by the dirt work completed in and around the drainage easement on or after 2015.
    b. The Planning Department has never received information, calculations or data regarding the impact of replacing the pipe on the south end of the property.

i. Calculations from existing and post conditions were never submitted to the Planning Department. There is no documentation supporting the statements in § V(D)(6) of this Report. (see below)
   (a) The 12" pipe under the south end of the track for normal drainage was plugged up because there was an old metal culvert that rotted away.
   (b) They want to put an 18" back in to give it a little more room to flow down a little quicker.
   (c) The amount of the water coming out of the track is still five to six cfs and it will remain that amount; there will just be a bigger pipe for it to flow through.

ii. Comments made by Mr. Davis in a letter dated June 30, 2015 regarding the above Construction Permit request:
   (a) I will be doing a detailed study to figure out a way to prevent the south end of the track from becoming flooded every time it rains. The relocation of the small dirt piles will not affect the proposed drainage study. It is my opinion that the county should allow the relocation of the piles at this time.
      (i) No data or calculations have ever been submitted to Pennington County supporting this statement.

G. Calculations and data have never been submitted to the Planning Department showing that this request, Construction Permit / CP 18-10, does not impact drainage.
   1. In § XI (C) of this Report, it was stated that, "we are not changing the elevations, not changing the cross sections – the flow will be exactly the same".
      a. Staff has not received any data from the landowner and/or the agent supporting this statement.
   2. As stated in § XI (C) of this Report, there were no calculations as the amount of material moved around or off the site.
      a. Staff questions how no impact can be determined when the amounts of material moved around is unknown.
      b. There have been no pre-Construction and post-Construction elevation information submitted to the Planning Department showing there have been no changes in elevation from dirt work done on and after 2015.

c. A go-kart track was constructed in the drainage easement. No information was submitted to the Planning Department showing that this construction did not impact the flow of drainage.

3. During the January 28, 2019, Planning Commission meeting, the following was stated by Mr. Davis:
   a. "But the area to the right, the upper area, we're leveling that off but that's not within this drainage basin at all. It's up on the hill, it's up on top of a hill so I, so we're not getting down into that drainage area as defined down in there. So it's just some additional work we want to do to get leveled off to make more parking up there."
   b. According to the map of the Race Track Drainage Basin in § XII(A), the Black Hills Speedway is located entirely in the Race Track Drainage Basin.
4. On February 19, 2019, Staff received an email from the South Dakota Department of Transportation (SDDOT) stating the following, "Black Hills Speedway is placing an interceptor ditch on their property to capture runoff and outlet in the vicinity of the box culvert that runs under South Dakota 44. That was acceptable to us." Staff asked if there was any study or calculations submitted. The SDDOT stated, "We require a statement from a registered professional engineer that any development that occurs will not increase the runoff into our right-of-way. It places the liability on the engineer and developer."
   a. This information, regarding the interceptor ditch, was not submitted to Pennington County and not part of the original plans. There is no data or calculations to support the statement that there is no increase of flow.
5. A drainage study has never been submitted to Pennington County showing that the construction activity since 2015 on the subject property has not impacted drainage from the property (i.e. increased flows).
   a. A drainage study has been consistently requested for all construction work on this property over the years. Construction work has continued to occur without providing sound documentation that the work does not impact drainage (i.e. increase in flows) as requested in the Permit Approval.
      i. In 2018, Pennington County received drainage complaints in the lower portion of the Race Track Drainage Basin downstream of the subject property.
   b. SDCL 46A-10A-28 states, "Approval required for rehabilitation or construction of drain covered by plan--Board review of commission decision. If a board has adopted a drainage plan or any part, adjunct, amendment, or addition

thereto, no rehabilitation of existing drainage or construction of new drainage, whether publicly or privately owned, if covered by the adopted plan, may be undertaken or authorized in the county until the location and extent thereof has been submitted to and approved by the board or commission, if established. In case of disapproval by a commission, it shall communicate its reasons in writing to the board. At a hearing to review the decision, by majority vote of the board members elect, a board may overrule all or any portion of a disapproval or any erroneous approval which is contrary to the adopted plan."

H. May 07, 2019 -- During a hearing before the Board of Commissioners, the owner testified that the requested drainage study for the entire property will be done.
   1. Once received, the plans will require a review and approval by County Engineers.
   2. During the discussion on May 07, 2019, the existence of the Kart Track for CU 19-07 was not discussed.
      a. The existence of the Kart Track will need to be included as an area of disturbance.

RECOMMENDATION: Staff recommends approval of Conditional Use Permit / CU 19-07 to allow for a Kart Track with the following eighteen (18) conditions:

1. The CU 19-07 be for the following use: Dirt Kart Track; operated only during the following months May, June, July, August, and September; operation and use of the Dirt Kart Track is to only occur on Saturdays, and only operated between the hours of 11:00 a.m. and 2:00 p.m. and within the operational guidelines of the Work Kart Associations rules and guidelines. Where there exists a conflict between any of the Conditions of Approval within CU 19-07 and any other regulations applicable to the same area and use, the more stringent limitation or requirement shall govern and prevail.

2. That the applicant submit stamped engineered construction plans and drainage study showing that the existing Kart Track and items associated with this activity will not impact upstream or downstream properties. The plans and study are to be submitted to the Planning Department within twenty-one (21) days of approval of this Permit and prior to commencement of any further construction activity on the existing track;

3. That Building Permits 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;

4. That the applicant or landowner, prior to May 31, 2019. apply for a Commercial Building Permit, with the applicable penalty fees, for the structure "concession stand" which serves the Dirt Race Track;

5. That per 9-1-1 Emergency Management comments, an unigue address be assigned, by the Planning Department, for the Dirt Race Track and that this address be posted in accordance with County Ordinance # 20. The address creation and compliance with County Ordinance #20 shall occur prior to May 31, 2019;

6. That the applicant provide trash receptacles and keep the property cleaned of rubbish, trash, and debris;

7. That the applicant maintains and implements some type of dust control measures during the races and ensures that no sediment is leaving the;

8. That the applicant acquire sign permits if the applicant were to locate any signs on the property;

9. That the applicant obtain any applicable federal, state, and local permits for the operation of the racetrack;

10. That the applicant have a first aid kit with a fire extinguisher or have First Responders on hand during the operation of the races;

11. The Dirt Kart Track is located in a Public Drainage Basin and if approved, used only used seasonally (May, June, July, August, September), during the months the Dirt Kart Track is not in use (October, November, December, January, February, March, and April) all the hay bales, tires, flags, etc. used to define the area around, in, and on the Dirt Kart Track shall be removed;

12. That the applicant continually maintains and adheres to the County's Storm Water Pollution Prevention Plan during any period of construction;

13. 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;

14. That any alterations or improvements to the Public Drainage Easement be engineered and stamped plans be submitted to and approved by the Board of Commissioners;

15. That the requirements, guidelines, and criteria for stormwater and erosion control in the Pennington County Stormwater Manual shall be followed during and construction;

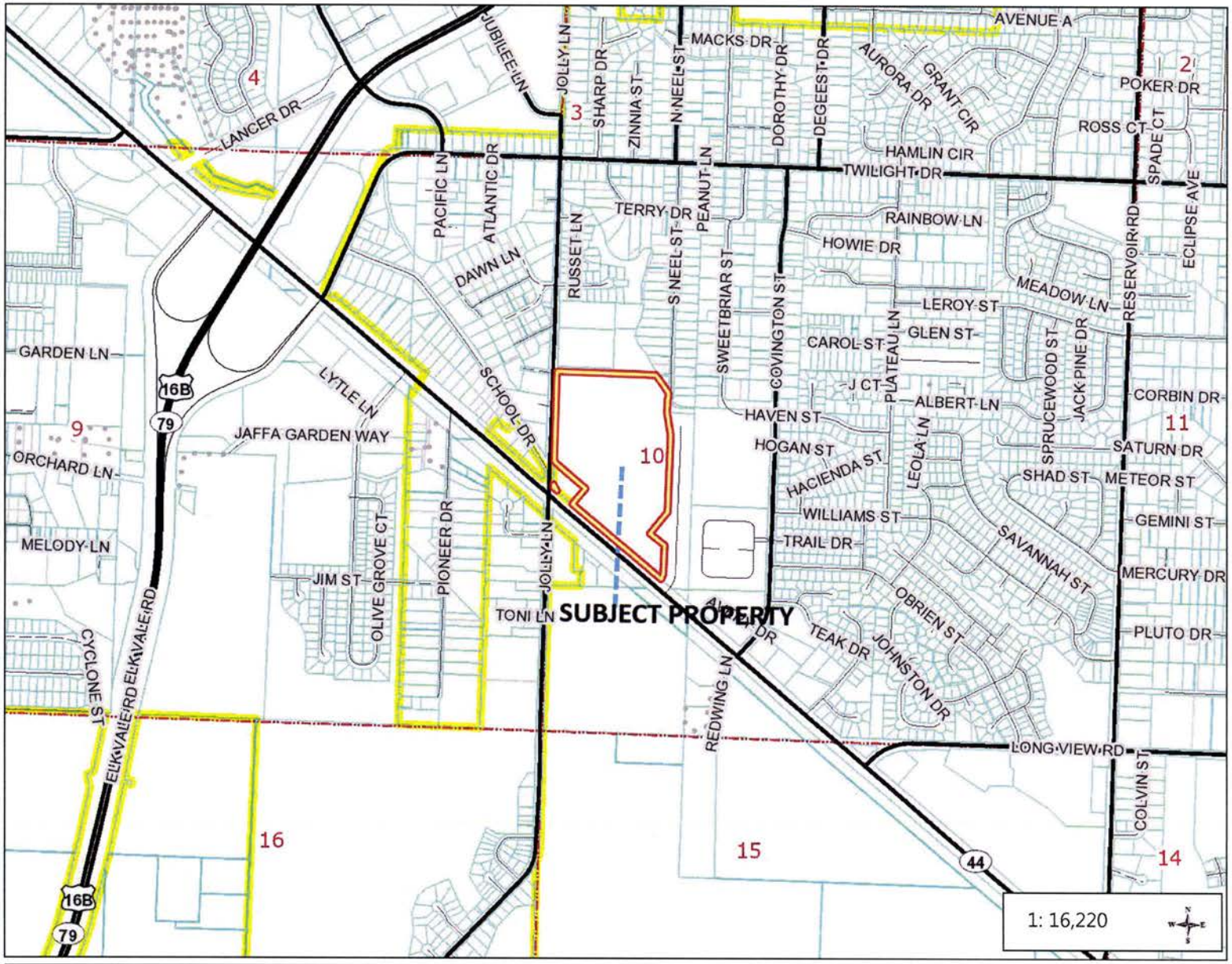
16. That at the next review for CU 19-07, the applicant or landowner provide a plan for the future removal and remediation of the area used for the Kart Track;

17. That the applicant and landowner(s) sign the Statement of Understanding (SOU) within seven (7) business days of approval for CU 19-07. The SOY is available in the Planning Office, the following business day; and

18. That this Construction Permit expires one (1) year from approval date, and may be reviewed on a complaint basis, or as directed by the Planning Commission and/or Board of Commissioners to verify that all Conditions of Approval are being met.

RapidMap

Rapid City-Pennington County GIS



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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
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Tax Parcels

Lot Lines
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- Lot Line
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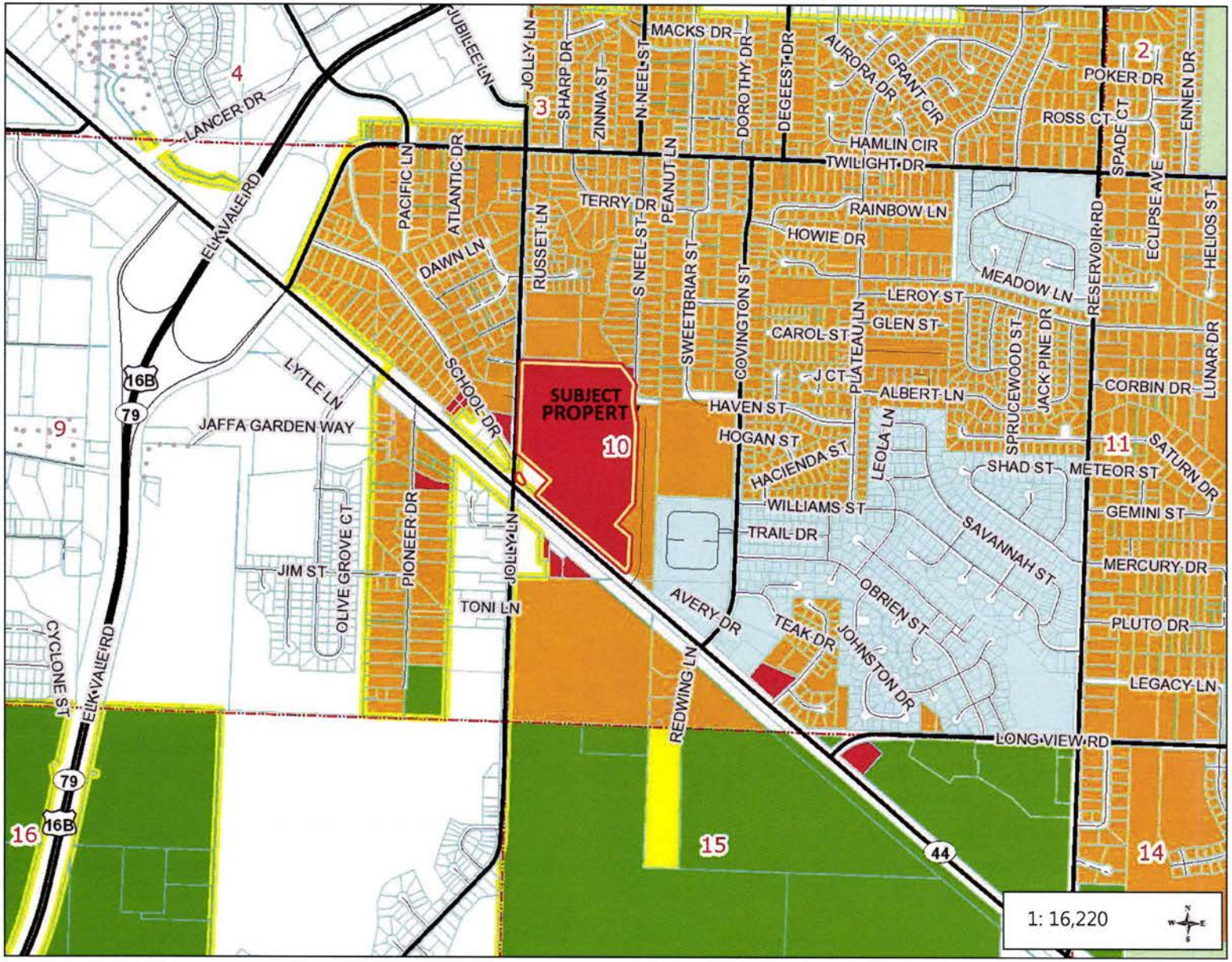
Map Notes:

RapidMap

Rapid City-Pennington County GIS



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Tax Parcels

Lot Lines
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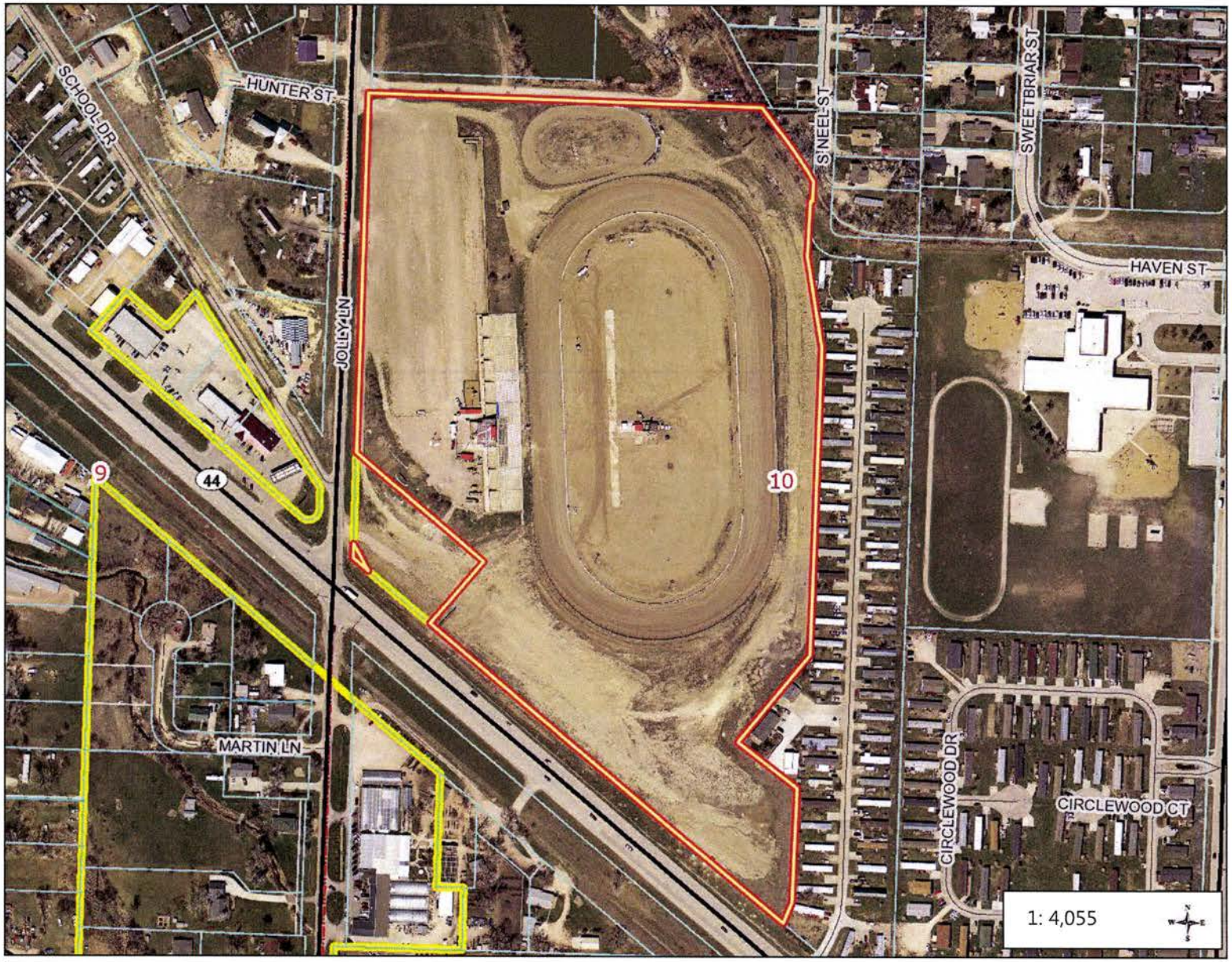
- Lot Line
- Parcel Line

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

Map Notes:

RapidMap Rapid City-Pennington County GIS



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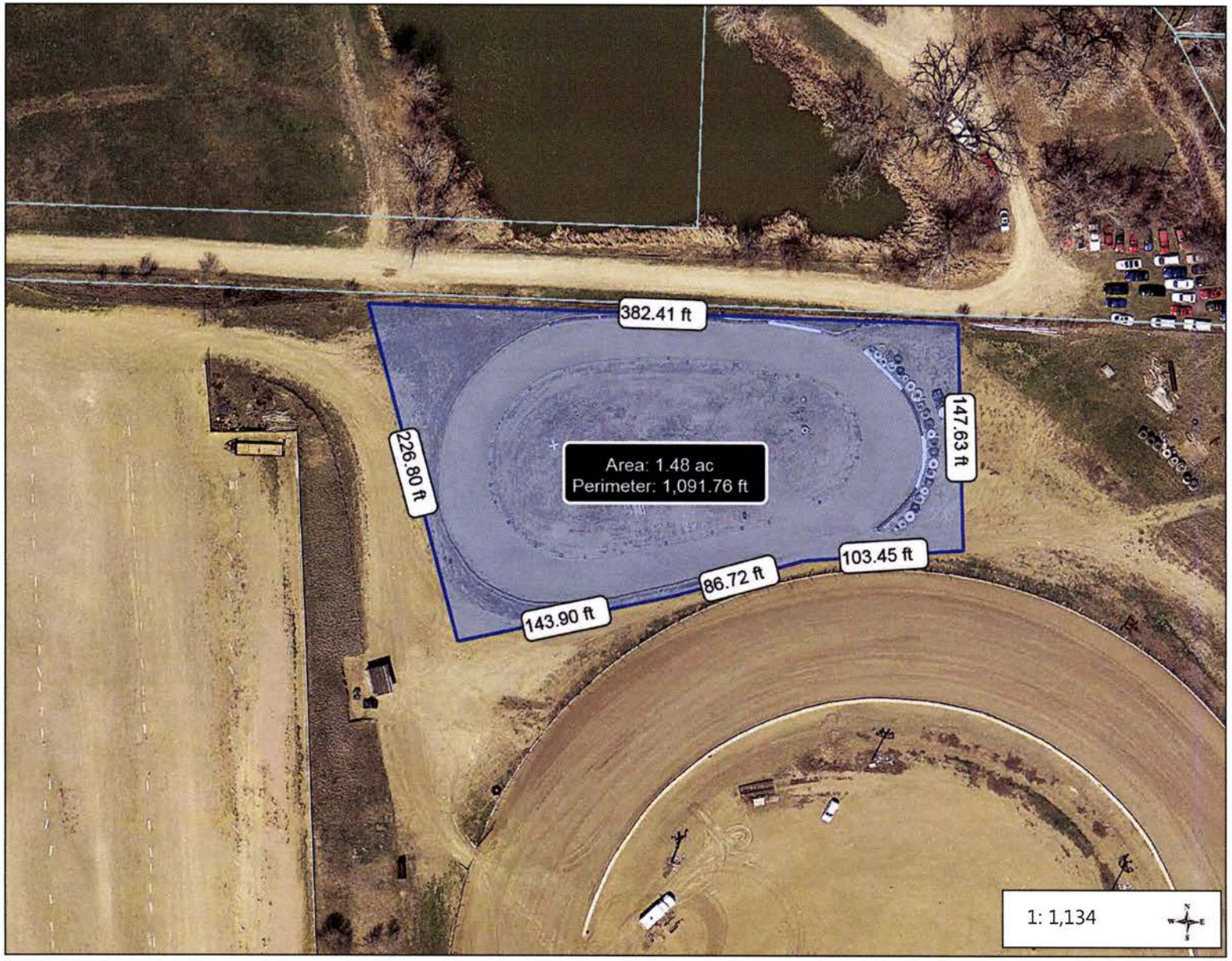
RapidMap Rapid City-Pennington County GIS



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Section Lines 0-25k
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Tax Parcels

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Map Notes:

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BOOK 21 PAGE 4205

DRAINAGE EASEMENT

S. William Davies, Owner hereinafter referred to as GRANTOR, in consideration of One Dollar and other valuable considerations, receipt of which is hereby acknowledged, does hereby grant, bargain and convey a perpetual public drainage easement over, on and across the hereinafter described tract of real estate situated in the SW¼ of NW¼ and the NW¼ of SW¼ of Section 10, T1N, R8E, BHM, Pennington County, South Dakota described as follows: See Exhibit A.

IN WITNESS WHEREOF, the GRANTORS have executed this instrument this 5th day of December, 1983. GRANTOR S. William Davies

STATE OF SOUTH DAKOTA
COUNTY OF PENNINGTON S S

On this 5th day of December, 1983, before me, the undersigned officer, personallly appeared S. William Davies known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same for the purposes therein contained.

In Witness Whereof I hereunto set my hand and official seal

Lorna J. Krueger

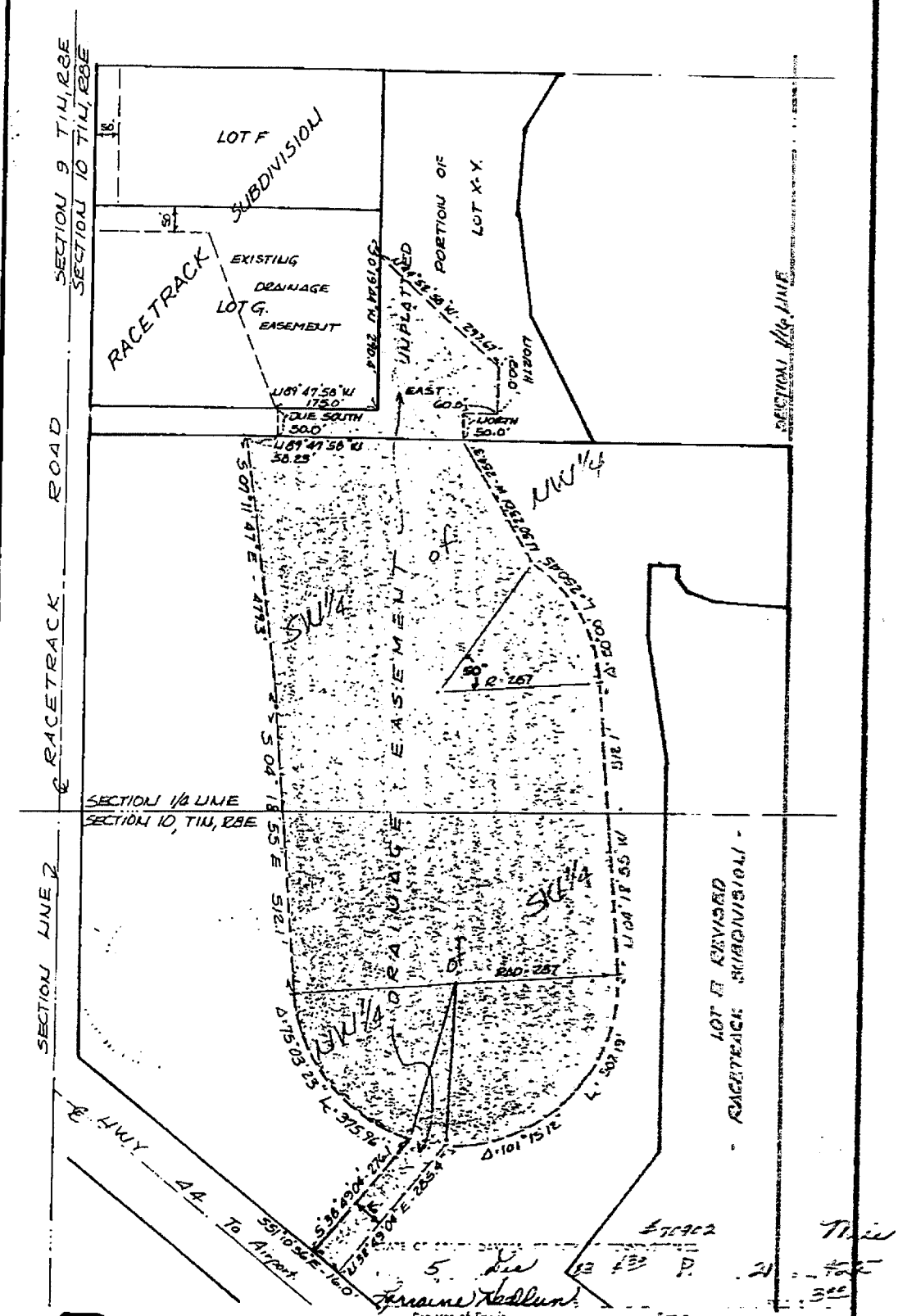
Notary Public

My Commission Expires 11/09/91

CAMERA OPERATOR

DATE FILMED

BOOK 21 PAGE 4206 EXHIBIT A



Register of Deeds Deputy

DAVIS ENGINEERING AND SURVEYING
306 Seventh St.—Rapid City, South Dakota—341-3095

CAMERA OPERATOR

DATE MICROFILMED

www.BlackHillsKartRacing.com

April 15, 2019

PJ Conover, Director
Pennington County Planning Department
130 Kansas City St., Ste. 200
Rapid City, SD 57701

Re: Black Hills Speedway kart track conditional use permit

Dear Mr. Conover

Black Hills Kart Racing (BHKR) is a new organization that is promoting dirt track kart racing in Rapid City and the surrounding area. In 2019, we will be holding race events at the Gillette Thunder Speedway and the Jackpine Gypsies' track in Sturgis, along with nine proposed events at the Black Hills Speedway in Rapid City. The planned events in Rapid City at the Black Hills Speedway kart track (adjacent to the big track) will be held on Saturday mornings between May and September. We plan to start the program at 11 am and end at approximately 2 pm.

The race karts are all factory required manufactured karts built to specifications. BHKR follows the rules and guidelines of the World Karting Association (WKA). We will also be insured through the WKA insurance program. The kart teams are required to wear specified safety gear and follow all race rules. The kart engines are powered by a 6.5 horsepower, 196 CC 4-cycle motor with a specified muffler. This motor will be used in the rookie class, minimum five years of age, through the Junior 3 class which is for youth up to 16-year old. Our BHKR rules package, which contains safety information and detail kart specifications, is attached for your review.

The youth are the future of motor sports and it is the goal of Black Hills Kart Racing to educate participants about all aspects of racing through providing safe and organized race events. We ask that you grant our request for a conditional use permit to run kart races at the Black Hills Speedway. If you have any questions or concerns, please feel free to call David Price at 605-430-7464.

Thank you for your consideration.

Sincerely,
David Price, Wade Bahr
Owners, Black Hills Kart Racing, LLC

Spirit and Intent

Karting is a sport designed for the fun and enjoyment of everyone involved whether it is a racer, family, friends, or the spectators. As a member of BHKR, you are responsible for conducting yourself in a fair and sportsmanlike manner, both on and off the track. Through your efforts, the competitive spirit of karting will always persist.

Member and Participant Responsibilities

Entrants are required to be fully acquainted with the regulations, supplementary rules or instructions governing an event and are due to their entry therein definitely bound by such regulations, supplementary rules or instructions. Officials of any event shall have and will exercise their powers during the entirety of any event.

Prime responsibility for safe conditions and operation of a kart in competition rests with the driver. The course operator's main responsibility is that of providing a safe place to conduct events.
Safety is every person's responsibility and must be shared in total by every person and every associate of the sport of karting. For this reason, adherence of the rules of BHKR is fundamental to the welfare of everyone involved in the sport. In the interest of safety, PARENTS MUST TAKE RESPONSIBILITY FOR THE ACTIONS AND WELL BEING OF THEIR MINOR CHILDREN, RACERS AND NON-RACERS ALIKE.

BHKR follows the WKA rulebook supplemented by this rulebook. Anything not found in the BHKR rulebook is presumed to be covered by the WKA manual. Members that may wish to purchase the WKA Tech Manual can request one for ordering. Any updates or amendments to the BHKR rulebook will be posted on the BHKR Facebook page. Any rule changes will be announced at the drivers meeting the first week that the change takes place. Amendments may be made to the WKA Manual and members are responsible to obtain these updates.

Sportsmanship

Please be courteous and respectful to all drivers on and off the track. If you, or any member of your crew, verbally or physically attack anyone at the track you will be asked to leave, and your driver will forfeit points for the day. Additionally, your driver will be suspended for a minimum of the next two regular race weekends. This behavior will not be tolerated and the BHKR committee may take action as deemed necessary. This may include temporary or permanent suspension and/or forfeiture of points.

Membership

Active members shall be those who pay annual membership dues and fill out the requisite paperwork. This entitles drivers to compete in BHKR races and receive points and awards where applicable. If you are not a member you will pay non-member fees and will receive no points toward year end awards. **Birth certificates may be required of anyone under the age of 18. **Membership fees subject to change.***

Parental Consent Form for Minors

As of 2019 a minor that is entering the pits, either as a driver or non-driver, must sign a Parental Consent Release and Waiver of Liability Assumption of Risk, and Indemnity Agreement form with their parent or legal guardian. If a minor wants to attend the track with an adult other than their parent/guardian and needing a pit pass, as a driver or non-driver, the Parental Consent form must be printed, signed by the parent, and notarized. The minor must then bring that in with their attending adult and present it at registration. A minor will not be allowed in the pits without this form being signed.

Competition Age

All drivers must abide by the ages listed in each class structure section. A driver's actual age as of June 1st of each year shall establish their "competition age". Ex: If a driver is 9 years old in April but s/he turns 10 in May, then that

driver's "competition age" for that year is 10. Option Year: A driver in good standing can add one year to their competition age or subtract one year to be able to compete in a class that fits their skill level and ability that is normal and acceptable. Ex: A driver's competition age for the year is 11. Their skill level and ability are better served in a class that requires a driver to be 12 years of age. Once a driver has moved up in age and has competed in one full event at the higher level, they must decide whether to remain at that level or revert to the lower division. BHKR has the right to approve/disapprove any +1/-1, for any reason that they feel is prudent.

Registration for Race/Practice Days

Registration: All drivers, crews, and spectators who wish to enter the pits must register each race/practice day prior to entry to the pit areas. Registration includes signing all necessary paperwork, completing the driver slip (if you are a driver), paying fees, and obtaining a wristband – to be worn on your wrist (and visible) for the entire race day. Anyone entering the pits that have not registered will be subject to suspension from the day's activities. Violators may cause drivers to be disqualified at the Race Director's discretion.

Race Format – Line-up, Starting, Heats

- **Line-up:** Drivers will bring their karts to the grid when their class is scheduled. **No driving karts in the pits! Push only!** when their class is scheduled. Each driver will then line up on the grid according to the line-up sheet. They will remain in the same position on the track as they were on the grid for the starting flag. It is the responsibility of the driver to be aware of the race order and ensure its accuracy so that racing is not interrupted.
- **Pole position:** The drivers on the front row, in conjunction with the starter will set the pace during the parade laps and for the start of the race. If the front row does not successfully start the race in (2) consecutive attempts, the main flagger has the right to invert the 1st and 2nd rows.
- **Parade lap:** Karts will leave the starting grid and take one full lap around the track. Drivers will line up according to the line-up posted in the pits.
- **Starting:** Drivers may not pass or change grid position until they have passed the starting line. Jumping the start will cause a restart. If it happens again the flagger may send you to the back.
- **First heat:** The line-up is determined by the number drawn at registration (low number gets pole, second lowest getting outside pole, etc.
- **Second heat:** The line-up for the second heat is determined by inverting the draw from the first heat.
- **Feature:** The line-up is determined by the position finished in the heat race or the line-up will be inverted by the race director's discretion.

Safety Inspection

Every race day karts and racing equipment will be checked for safety compliance. It is your responsibility to maintain your equipment in proper racing condition. **You must pass inspection before being allowed on the track surface.** BHKR tech pass stickers indicating compliance must be displayed on your kart. It is your responsibility to bring your kart and equipment to the race director for this inspection prior to practicing or racing.

Protective Clothing – Practice and Race Days

Note: *Chest protectors and elbow pads are recommended for all classes.*

Helmets: Full faced helmets of approved design, which are specifically manufactured for racing use, are mandatory. The helmet must provide full ear protection. A face shield is mandatory. In addition, the face shield must be rigidly attached to the helmet. Helmets must meet one of these standards:

- M 2010 (legal through 2021)
- CMR 2007 youth helmet (legal through 2020)
- CMR 2026 (legal through 2026)
- Snell SA 2010 (legal through 2021)
- SFI 24.1/2010 (legal through 2021)
- SFI 31.1/2010 (legal through 2021)
- SFI 41.1/2010 (legal through 2020; not legal for vehicles with driver restraint systems)
- 24.1/2015 (legal through 2026)

- 31.1/2015 (legal through 2026)
- 41.1/2015 (legal through 2026)
- BSI A-type and A/FR types are legal for 10 years after date of manufacture.

Neck Brace: Unaltered neck braces are mandatory in all races and practices. You will be disqualified for the day if you are found to have raced without one.
Driving Suits/Jackets: One- or two-piece driving suits are recommended. All drivers are required to wear jackets of heavy weight leather, Cardura nylon, Naugahyde or vinyl. Carhartt jackets are also allowed. No army fatigue jackets, windbreakers, denim jackets, etc.
Pants: Full length pants without holes or thin spots of denim of heavy grade cotton fiber. No polyester or sweat pants are allowed.
Shoes: Racing shoes recommended. High top shoes, sneakers, or boots with a firm sole are all fine if they provide complete coverage of the foot. No sandals or bare feet allowed while racing. Shoes must be properly tied, and laces tucked away.
Gloves: Gloves are required. Gloves with fingers cut off are not allowed.
Long Hair: Must be contained within the helmet or driving suit before drivers enter the track. Drivers will receive a technical black flag for violations. Balaclavas are good for long hair.

Racing Flags
The following signals must be understood and obeyed.
Green: Displayed at the start of the race, or practice session, and kept visible if the track is clear for racing.
Yellow: Used if the track is partially blocked by an accident, emergency vehicle, or object that has fallen off competing karts. It means to slow down, use caution, hold your position, no passing, or be prepared to stop until the track is clear and the green flag appears again. A local yellow flag in a corner means no passing may occur in that corner. If the Head Flagger displays the yellow flag, there is no passing anywhere on the track and proceed with caution. Any positions that are advanced under a caution flag will result in equal reduction of the respective finishing position.
Red: Slow down and **STOP** as quickly and safely as possible. Raise your hand to indicate you are slowing down and stopping. The track is hazardous and unsafe to race on. Any driver found disobeying the red flag will be disqualified from the race and subject to suspension. If the race has completed one half of the scheduled laps, then the race is over, and scoring will be computed by the last completed lap. Any competitor that is involved in the accident that caused the red flag condition will be placed at the rear of the grid for restart or placed at the last place finishing position if the race is declared final. All restarts are single file order of the last completed lap. Adjustments of any kind on equipment are allowed only at the Race Director's discretion.
Blue: The leaders of the race are going to pass you. Maintain your line and speed, but do not attempt to interfere with his/her pass in any way.
Rolled Black: You are being warned that your driving technique is close to being disqualified and any further displays will result in disqualification.
Black: You are disqualified. Continue one more lap at reduced speed and stop in the pits. This may be due to equipment failure or due to a racing incident. **DO NOT KEEP RACING.** If you are unsure that you were the driver receiving the black flag, continue another lap and the race officials will endeavor to ensure that the driver of the black flag is properly notified. Upon entering the pits drivers must go across the scales regardless of the black flag.
Checkered: You have finished the race or practice session. After finishing, reduce speed and exit to the pit area. Turn off kart and push to your pit area. Top three karts will be scaled and teched.
Checkered + Black: During the running of any event or heat, the Race Director may use both the checkered and black flags at the same time to finish an event, or heat, if suspicions or reports of foul, rough, illegal driving, or unsportsmanlike conduct were present. It shall be considered that the Race Director finishes the event, or heat, under official protest. After checking with corner workers, the Race Director will state findings, or rules, to the entrants involved if an infraction of the rules had occurred.

Driver Responsibilities

Drivers meeting: All drivers are required to attend the drivers meeting prior to racing. Rules of the track, daily race schedule, and a review of procedures will take place at this time. If you do not attend the drivers meeting, you will start at the rear of the grid for that race day. Subsequent infractions will exclude you from participating in the racing program for that day. Minor drivers must have an adult present with them during the meeting.

All drivers and pit crews must sign the waiver of liability before entering the pit area or using the track surface. Any racer falsifying their age to compete in his/her respective class shall be suspended and forfeit points and awards. Drivers and Parents are responsible for their pit crew at all times. Any offensive actions committed by a crew member will be reflected upon the driver and will be subject to a penalty. Children should not climb on the fences, or on the gates.

Note: Any children you bring to the track are considered part of your pit crew; their conduct can cause you to lose your points for the day.

Any person who has consumed alcoholic beverages or illegal drugs on the day of any event will not be allowed to compete. Any crew member observed inhibiting during practice or running of any event will cause suspension or loss of points for the driver. New drivers, regardless of age, shall place an "X" preferably of reflective tape on the back of their helmets. This tape must remain in place for the entire season. Minimum length of tape shall be four (4) inches by one half inch and shall be of contrasting color to the helmet. The race director reserves the right (with a valid reason) to prevent any entrant and/or their kart from participating in any event.

Minor Driver Responsibilities

It is mandatory that all minors complete the minor release form, and have it signed by either their parent or guardian before being allowed to use the track. This may be done at the annual membership meeting or at the track prior to racing (this is in addition to the daily registration requirements.

Minors must be accompanied by a parent or legal guardian to enter the pits or be a driver.

Driver Racing Rules

Rule #1 – Code of Conduct – Anyone that displays unsportsmanlike conduct either on or off the track to fellow drivers, crew members, race officials, or spectators will lose his/her points for the Main. If a pattern develops, or the behavior is considered severe, the racer could be disqualified for the day. It will be at the Race Director's discretion, A second offense could result in being disqualified for the year or longer.

A driver must always be prepared for another kart to pass. The deliberate blocking of a faster kart is a cause for disqualification. Deliberate is considered unusually high number of moves, swerving or looking back at the other driver.

Any over-aggressive driving, unnecessary bumping, crowding, chopping, blocking or unsportsmanlike conduct on the track will be subject to immediate disqualification from any event. Severity of punishment, if any, is at the discretion of the Race Director.

If a kart comes to a complete stop, the driver shall not rejoin the race without the direct supervision of a corner worker or flagman.

Karts involved in any accident may be required to stop for inspection by the officials. Accidents may be investigated by track officials.

When the checkered flag has been dropped at the end of each race, the drivers are required to go directly to the scale for weigh in. If during the race your kart has a mechanical failure, proceed to the race exit and go to the scale for weigh in.

At no other time is a kart allowed to be started on the track during a race. Crews shall not enter the track for restarting purpose except with permission of the race official.

The race director can call for class tear down either full or partial (Ex: carbs, heads, restrictor plates, etc.) and all racers must comply. Failure to do so will result in disqualification.

Driver Signals

Drivers shall signal by raising their hand if they intend to stop, pull off the track, slow way down, or suddenly change their course of normal racing pattern.

A driver who has spun or stalled on the track shall raise one hand to indicate their intention that no move will be made before the field has passed. Remember, restarting a motor is not permitted after a race is in progress. A kart may not re-enter the race after it has returned to the pits.

Drivers signaling to go into the pits should be used in such a way so as not to confuse officials or drivers on the track.

Lapped drivers being over taken by another kart shall maintain their line. The race director or flagger will try to signal the kart being overtaken with the blue flag.

Pit/Track Rules

At no time shall anyone be allowed in the pit area without a visible wrist band (must be worn on the wrist), which is obtained by filling out the requisite paperwork at Registration and adhering to the guidelines for pit passes.

Entry to the pits from the track must be at a slow controlled rate of speed. Driving a kart in any part of the pit area is prohibited. Anyone entering the pits aggressively or skidding in front of the scales may be disqualified! If a junior driver is caught hitting the kart in front of them on pit row they are subject to disqualification per the Race Director. Any senior driver caught hitting the kart in front of them is subject to immediate disqualification.

BHKR is empowered to determine the number of persons per entry that may be permitted into the pit area. We also have the right to revoke permission that may have been granted to an individual for misbehavior, noncompliance with competitive regulations, or disobedience of race officials orders. Such revocation of privilege may lead to expulsion from the property.

Karts can only enter the track surface from the pit grid. All karts must stop and shut off their engine before returning to the pit area.

If two or more karts are involved in an incident, or a kart is pushed off the track by another kart, before the completion of lap one a restart is required. After one restart the race will continue
unless the same kart causes another incident then another restart will be called with the kart causing the incident in the rear or subject to penalty.

Refueling and working on karts shall be done in the pit area only. Engines must be turned off and the driver must vacate the kart prior to fueling. All drivers **MUST** have a fire extinguisher of CO2 or dry chemical type to be kept in their pit area. It is also suggested the driver have a first aid kit in case of minor personal injury.

No minors will be allowed out on the track as flaggers. You **Must** be at least 18 years of age.

For safety purposes we do not want anyone walking around on the track looking for parts/transponder that might have fallen off while a race is in progress.

Officials may conduct fuel checks at any time during the race day. If you fail, the test after a heat you will be disqualified and lose your points for that heat. Penalty for future infractions is at the discretion of the Race Director.

The use of any open flame devices in the pits or the grid area is prohibited. No smoking or open flames anywhere on the grid.

Any entrant disposing of fuels/lubricants in the pit/course area by pouring or spilling lubricants upon the ground may be subjected to review to determine consequences.

One vehicle/Trailer per pit spot. Other Vehicles must park outside of pit area. Vendors/track officials may be exempt.

Children are not usually allowed in the pits. If you have a child 5 and under that is not a driver but part of a driver's family. A parent or guardian will be completely responsible for that child. No children are to run around pit areas by the grid and must be watchful for karts coming off the track and entering the pits.

No one is to go on the track once a race has commenced or when an accident occurs unless authorized to do so.

Skateboards, push scooters, bicycles, ATV's, motorcycles (not signed up to go on the track), RC cars and other motorized or pedal-powered vehicles are banned from race track, pit area, hot pit area and grid area for all events, including practice days. It is recommended that pets be left at home. If
they are brought to the track, they **must** be restrained in your pit area and out of the way.

No bare feet allowed in the pits. Shoes with open toes/heels are discouraged in the pit area.

Scale Weight
All karts are required to come to a complete stop before entering the scale after each race, and the engine must be shut off. Driving on the scale will result in loss of points for that race. If you fail to go over the scales at the end of your race, you will also receive zero points. If you leave the race prior to the finish flag, it is your responsibility to still go over the scales – you may be entitled to last place points rather than a zero.

Technical Inspection and All Protests
No one shall enter the track during a race to discuss a call made by the Race Director. In addition, all minors must be accompanied by an adult to discuss a call made by the Race Director.

The Race Director may decide to make a call for a technical inspection of any or all participating classes. This will be done on a random basis. It is up to the Race Director to avoid "singling out" any one class unless a specific reason is noted. A designated tech area will be used for inspection.

A protest against another competitor's motor or equipment must come in writing to the Race Director. A $200.00 fee will be charged up front to the protester. If a qualified official is available, the motor inspection will be conducted with ONLY the tech official and one representative of the motor under protest present.

If the motor or equipment under protest is found illegal, the violator will lose points for that day and is responsible for paying $100 of the inspector's fee. All points will be disqualified for that race day. The $200 deposit will be returned to the protester. If the motor or equipment is found legal the protester will surrender the $200. $100 will be paid to the tech inspector, and $100 will be given to the owner of the equipment that was in question.

Any protest of a race procedure or a driver's conduct during the race must be submitted in writing to the Race Director within one hour of said infraction. The protest will be reviewed by the Race Director and an appropriate action will be determined.

Engine Rules
Specifications for Clone Class engines .These are 6.5 horsepower "Clone" engines only. All parts must be factory production parts unless otherwise specified. No machining or alteration of parts is permitted unless specially noted.

Clutch
Shoe type clutch no disc type clutches allowed. Drum may be stamped or billet steel. No cooling fins may be either machined into drum or added on.

Fuel tank
Must be floor mounted

Carburetor
All stock gaskets must be present
Choke assembly must be functioning, cannot be altered, and must remain flat
Venturi 0.608" No Go with blade gauge 0.615"
Venturi may not be polished
Back carb bore 0.751"
Emulsion tube must remain stock. Must have 20 holes on top. Minimum tube length 1.092" minimum diameter 0.154" I.D. 0.066"
Emulsion tube may have 2 or 4 holes on bottom.
Main jet and low speed idle jet are none tech. Jet may not be drilled through to outside air.

Fuel Pump
Any Pulse type fuel pump is allowed. Fuel pump may be pulsed from valve cover, side cover or crankcase.

Air Filter
After market air filter adapter are allowed. Maximum length 1.375". Filter element is non tech but must not be of ram air design.

Block
Block must remain stock. Maximum bore is 2.700" Stroke is 2.126" plus or minus 0.007" No piston pop up allowed. Matting surfaces of block and cylinder head are non tech items.

Cylinder Head
No porting or grinding or modification. Valve seats may have two or three angles. Two angle seats have a 30 degree top and 45 degree at the valve face and 60 degree and the base. Intake seat is 0.899"maximum. Exhaust seat is .862" maximum. Head gasket must be stock configuration. Gasket must be steel. No minimum head gasket thickness. No angle milling of head. Head thickness from valve breather mating surface to in between the valve guides is 1.150" max. Port depth measured from top of the valve seat to the port floor. Intake = 0.880" Exhaust = 0.830" Max. Maximum head thickness 2.640" as measured from the valve breather mounting surface to in between the valve seats and the combustion chamber. Clip on guide must be down all the way against head all the way around the clip. Guide must be in stock position.

Valve train
Valve train to remain stock. No polishing. No grinding. No alterations. Intake valve diameter .0975" minimum with 45-degree angle. Exhaust valve diameter 0.937" minimum with 45-degree angle. Minimum weight 21 grams. Valve angle 45 degrees. Stock OEM steel rockers arms only. 1 to 1 ratio. Rockers subject to magnetic check. Rocker arms are allowed to be ground on valve stem location only or on bottom of rocker arm to allow running lift to be legal. Grinding on the sides of rocker arms is not allowed. Stock valve springs only. Must be magnetic material with 4 coils. Maximum wire diameter is .071". Maximum spring pressure is 10.8 Lbs. at a height of 0.850". Spring shims are allowed must be magnetic. Any thickness. Must maintain the 0.815 height check. Maximum spring pressure @.650 is

18 lbs. If light shows all the way around spacer the spring is illegal on .850 and .650 tech. Lash cap on exhaust valve only. Valve stem seals are optional on intake and exhaust valves. Stock lifters length +1.350-1.390 OD+ 0.935 minimum. Minimum weight = 18 grams. Minimum valve installed height is 0.815. Valve spring shims are allowed. Inside diameter of valve seats Intake =0.899" maximum. Exhaust = 0.862" maximum. Top of valves may not be below the floor of the combustion chamber. Pushrods 5.285" Maximum length. Must be 3 piece design. Minimum weight 9 grams.

Rod

Stock rod only. Rod may be honed. No modifications are allowed. Must maintain factory defined edge. Rod length = 2.350" min 2.375" Maximum. Rod minimum weight =133 grams including cap and rod bolts.

Piston and rings

Stock pistons and rod only. Three ring design. Minimum weight 145 grams with all rings installed. No machining allowed. Piston length 1.935" max. 1.910 Minimum. No flat top pistons allowed. Must be dished OEM type with no modifications. All three rings must be in place and functional. Top and middle rings 0.053" minimum. 0.063" maximum thickness. 0.115" maximum width. Both must me self supporting in cylinder when removed from piston. Oil ring 0.090" minimum, 0.100" Maximum. 0.087" minimum and 0.097" maximum width. Piston pin I.D. 0.555" maximum. Length 2.100" 2.200" O.D..712"/.702"

Crankshaft

Stock crankshaft only. No modifications. Crankshaft journal is 1.180" maximum and 1.168" minimum.

Crankshaft bearings

Must be the same dimensions as stock bearings. Conventional design. No exotic or ceramic types. Retainers may be steel or non -metallic material.

Camshaft

Stock appearing cores only with EZ-spin assembly un-altered and in stock condition. Cam based circle 0.860" minimum. 0.875" maximum. Duration measured at pushrod. Intake duration 221 degrees at 0.50" lift and 88 degrees at 0.200" lift. Exhaust duration 224 degrees at 0.050" lift and 99 degrees at 0.200" lift. tolerance plus 2 degrees with no minimum duration. Intake lift at pushrod 0.215-0.225". Exhaust lift at pushrod 0.222"-0.232". Intake lift at retainer 0.238" maximum. Exhaust lift at retainer 0.242". Lift checks to be performed as raced.

Flywheel and Ignition

The following flywheels are the only approved flywheels: ARC model 6619. PVL. Raceseng REV WHEEL-FINNED-S1. All at the minimum weight of 3 pounds 2 ounces. The Speed Karts steel billet S1 flywheel is also approved at a minimum weight of 5 pounds 3 ounces. Stock flywheel may not be used. No machining or alterations of any kind are allowed. Ignition coil must be stock. Ignition timing is non- tech. The flywheel may be run with or with out key.

Header Pipe

Pipe must be single stage maximum 0.750" outside diameter 0.635" ID inside measurement. Maximum length on header and muffler is 15" and minimum 10". Header must be wrapped with exhaust wrap.

Muffler

No aftermarket coatings of any type are allowed. Muffler must be RLV mini 91. Box stock threaded nipple. No grinding. ID is 0.685" + or – 0.005". Rear baffle holes maximum ID is 0.1285". Inner baffle holes maximum ID is 0.0965". Muffler must be screwed on end of header pipe, not welded.

Starter

Starter must be present and remain stock. Pull starter may be rotated for better cranking angle.

Engine oil recovery
Engine oil recovery system (catch can) mandatory.

Oil sensor
Oil sensor may be removed

Governor
Governor and governor components are non tech

Side Cover
2 gaskets maximum

Gaskets
Gaskets must be OEM design. Sealer ok except on intake or carburetor side.

Coatings
No aftermarket coatings of any type are allowed. No tumbling or polishing allowed.

Sheet metal
All sheet metal must be used as supplied with the engine

Valve Breather
Tab must be intact and not broken or missing. Bending tab up into breather ok. Flapper valve must be operational and stock. Crankcase breather to be routed internally thru valve cover as factory intended. No extra breathers allowed.

Hardware and fasteners
Must be original size. Thread repair by inserts, studs or heli coils OK

Fuel
87 Octane only. No fuel additives. Fuel will be checked.

Chain
#35 chain is the only acceptable type. No chain oilers

Bodywork
All body work must be neat in appearance and in good repair. Bodywork that appears loose and in danger of falling off may be subject the entrant to black flag and or disqualification. Mounting method open but must be secure and of good workmanship. Rookie and Junior 1 classes maximum nose height 14". No driver fairing allowed. All others maximum of 17".

Number and number panels
Four numbers are to be displayed on the kart. Including one at the front of the kart, on both sides in a vertical plan between front and rear wheels. And at the rear of the vehicle as viewed from behind. Number panels must be adequate size. All numbers must be readily readable to the scoring and race officials.

Weight
All ballast must be secured with minimum 5/16" grade 8 bolt with double nuts and or drilled and safety wired. Any ballast over 7 pounds must be secured with 3/8" grade 8 bolt with double nuts and or drilled and safety wired. All ballast shall be painted white in its entirety and have the number of the kart visible on the ballast. If mounted through seat ballast must be secured with large fender washers on both sides of the seat. No ballast can be mounted on rear bumper or nerf bars. If a weight comes falls off
the kart during a race you will be disqualified and loose all points for that race.

Rear Bumper
Constructed of ¾" minimum diameter steel tubing, minimum tubing wall thickness of 0.065 and positioned so that the following requirements are met: maximum height 7.5" Minimum height no lower then bottom of the rear axle. Maximum width no wider then rear tires. Minimum width no less then the lateral width of main frame rails. **Rookie class must have full width bumper not to be wider then outside of wheels.** Junior 1, Junior 2 and Junior 3 must have bumper extended so that the left rear wheel is covered. Not to extend past the outside of the rear wheel.

Tires
Non-tread, Any Manufacture, Dirt slick. **Absolutely no chemical treatment allowed. Tires will be inspected.** Can be ground/scuffed but not sipped. Tire rule may be changed for national event or touring event.

RACEceiver
Raceceivers are required by all drivers.

Points System
Heat Race 6th place and remaining positions 0 points

Finish	Points
1st	10
2nd	8
3rd	6
4th	4
5th	2

Main Event

Finish	Points	Finish	Points	Finish	Points
1st	200 +# of entries	9th	90 + # of entries	17th	45 + # of entries
2nd	175 +	10th	80 +	18th	40 +
3rd	155 +	11th	75 +	19th	35 +
4th	140 +	12th	70 +	20th	30 +
5th	130 +	13th	65 +	21st	27 +
6th	120 +	14th	60 +	22nd	24 +
7th	110 +	15th	55 +	23rd	21 +
8th	100 +	16th	50 +	24th	18 +

ACKNOWLEDGEMENT

I acknowledge that I have read, understand and will comply with all the rules and regulations stated in the 2019 BHKR Rulebook.

DRIVER NAME (Print): _____

DRIVER SIGNATURE:+_____

DATE_____

PARENT SIGNATURE OF MINOR DRIVER:_____

DATE: _____

Protest forms can be obtained from BHKR and are available at the registration office.
Refusal of tech inspection or compliance with a protest will result in disqualification and loss of points for the day. A second refusal will result in suspension of racing privileges in any BHKR event for the remainder of the year.

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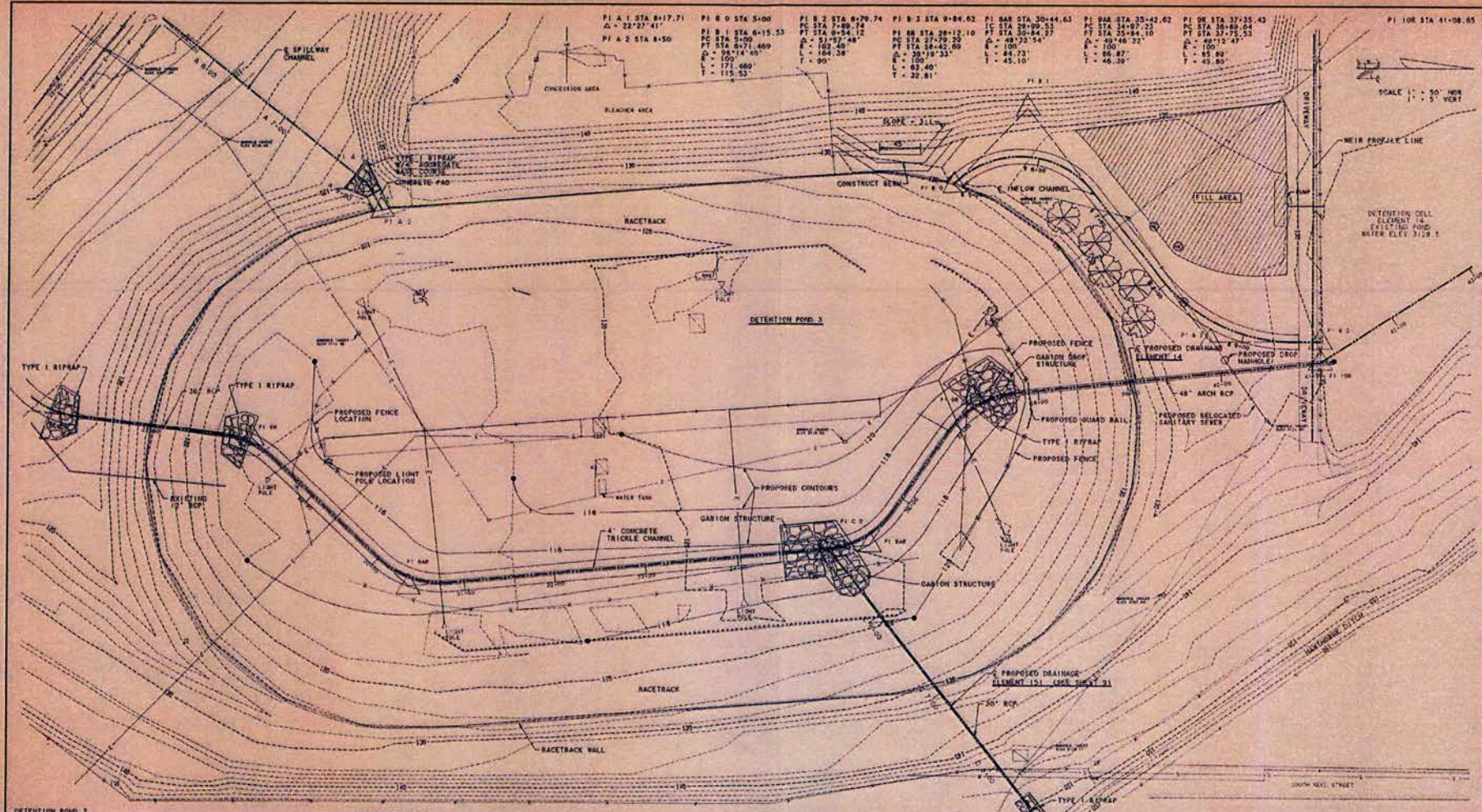


DETENTION POND 3

STA 27+79.29 TO STA 37+75.53	EXCAVATE TYPICAL CHANNEL. 8700 CY UNCLASSIFIED EXCAVATION, EMBANKMENT INCIDENTAL TO EXCAVATION.
STA 27+79.29 TO STA 37+75.53	SEED, FERTILIZE AND MULCH. 15000 SY
STA 28+00 56' RT	PLUG EXISTING 12" RCP. INCIDENTAL
STA 28+43.50' LT TO STA 29+38.41' RT	REMOVE AND RELOCATE FENCE. 150 LF
STA 28+50.22' RT	RELOCATE LIGHT POLE. LUMP SUM
STA 29+35.7	LOWER UNDERGROUND ELECTRICAL LINE. LUMP SUM
STA 29+94.40' RT TO STA 35+67.54' RT	REMOVE FENCE. 620 LF
STA 31+32.67+64' LT	LOWER MANHOLE RIM. INCIDENTAL
STA 35+89.86' RT TO STA 37+41+148' LT	REMOVE FENCE. 300 LF
STA 35+89.86' RT TO STA 37+82+46' RT	INSTALL FENCE. 148 LF

DETENTION POND 3

STA 37+25.53 TO STA 37+55.53	INSTALL TYPE II RIPRAP. 242 SY
STA 37+55.53 TO STA 37+75.53	INSTALL GABION DROP STRUCTURE. 105 SY
STA 37+66.82' LT TO STA 37+88.12' LT	INSTALL FENCE. 80 LF
STA 37+01	INSTALL GUARD RAIL. 50 LF
	RAISE ELECTRICAL PANELS ON LIGHT POLES ABOVE 3124 FT. 5 EACH. INCIDENTAL

DETENTION POND 3 INFLOW CHANNEL

STA A 5+00-50' LT	CONSTRUCT BERM. INCIDENTAL
STA B 5+00 TO STA B 9+42.46	CLEAR AND GRUB. 1.37 ACRES
STA B 5+00 TO STA B 9+42.46	SEED, FERTILIZE AND MULCH. 8000 SY
STA B 5+00 TO STA B 9+42.46	EXCAVATE TYPICAL CHANNEL. 100 CY UNCLASSIFIED EXCAVATION, EMBANKMENT INCIDENTAL TO EXCAVATION.
STA B 7+18-13' LT	LOWER MANHOLE RIM. INCIDENTAL

DETENTION POND 3 SPILLWAY CHANNEL

STA A 6+00 TO STA A 9+30	INSTALL TYPE I RIPRAP WITH 6" AGGREGATE SURFACE COURSE. 100 SY
STA A 6+30 TO STA A 9+50	INSTALL 6" CONCRETE PAD. 36 SY

ELEMENT 14

STA 37+75.52 TO STA 41+18.96	INSTALL 330 LF 48" RCP ARCH AND ONE FLARED END SECTION.
STA 39+00 TO STA 41+00	SEED, FERTILIZE AND MULCH. 1300 SY
STA 40+12	LOWER SANITARY SEWER LINE. 75 LF INSTALL DROP MANHOLE.
STA 40+12	INSULATE SANITARY SEWER LINE. 12 LF INCIDENTAL.
STA 41+00+86' RT TO 361' LT	CONSTRUCT ROAD (WEIR). LUMP SUM
STA 41+08	REMOVE AND REPLACE CHAINLINK FENCE. 20 LF
STA 41+18.96 TO STA 41+24.96	INSTALL INLET STRUCTURE. LUMP SUM

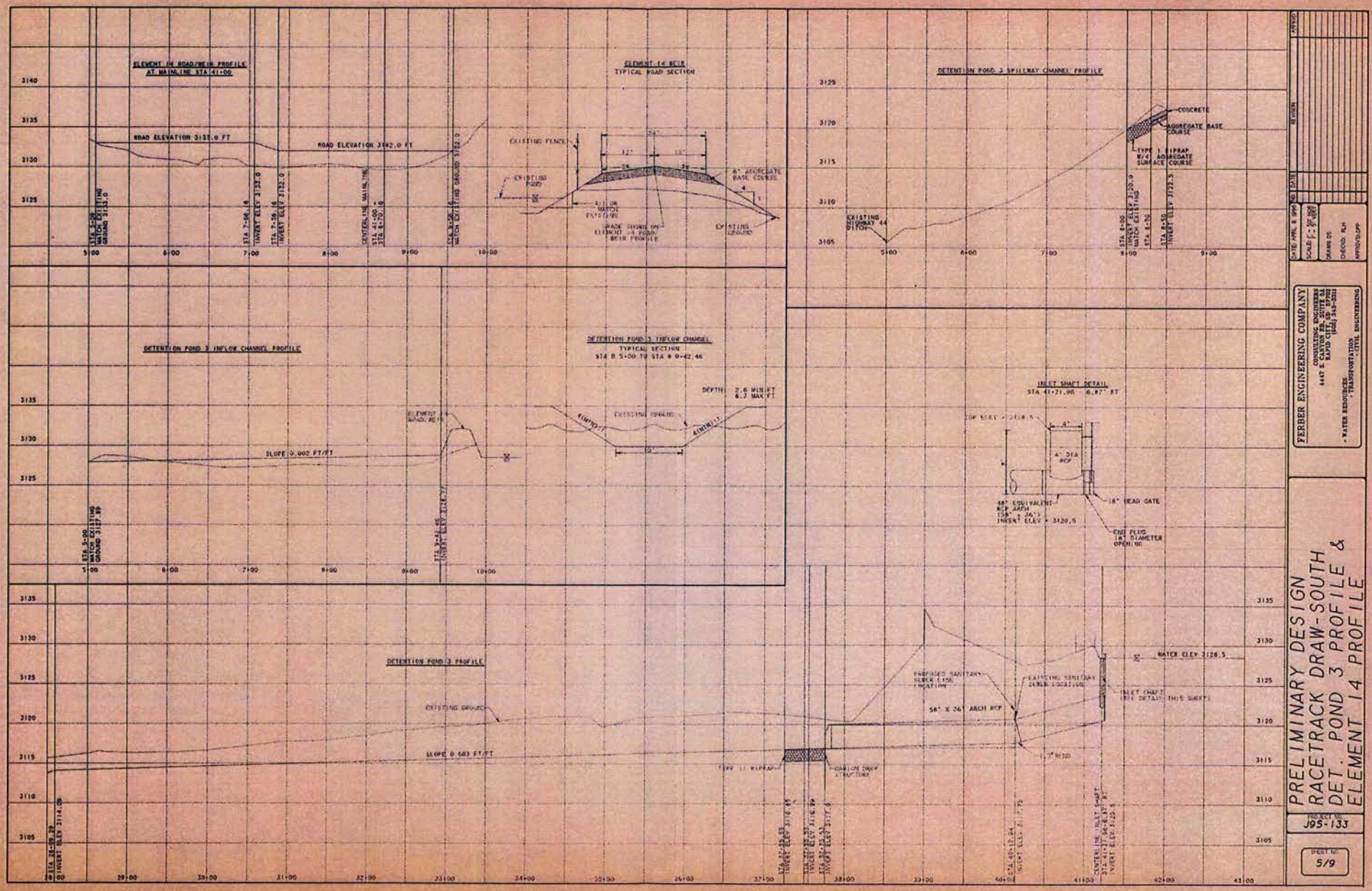
FERBER ENGINEERING COMPANY
CONSULTING ENGINEERS
6447 S. CANYON RD., SUITE 44
BOISE, IDAHO 83716
(208) 343-3011
• WATER RESOURCES
• TRANSPORTATION
• STEEL ENGINEERING

DATE: APRIL 9, 1998
SCALE: 1" = 50'
DRAWN: DE
CHECKED: RJH
APPROVED: RJH

PRELIMINARY DESIGN
RACETRACK DRAW-SOUTH
DETENTION CELL 3
ELEMENT 14

PROJECT NO.
J95-133

SHEET NO.
4/9



FERBER ENGINEERING COMPANY
CONSULTING ENGINEERS
4447 S. CANYON RD. SUITE 5A
RAPID CITY, SD 57702
(605) 343-5311
• WATER RESOURCES • TRANSPORTATION • CIVIL ENGINEERING

DATE: APRIL 8, 1999
SCALE: 1" = 50' HOR. 1" = 5' VERT.
DRAWN: DS
CHECKED: RLH
APPROVED: LPR

PRELIMINARY DESIGN
RACETRACK DRAW-SOUTH
DET. POND 3 PROFILE &
ELEMENT 14 PROFILE

PROJECT NO. J95-133

SHEET NO. 5/9

Agenda Item #22
Dakota Stone
May 13, 2019

22

STAFF REPORT

GENERAL INFORMATION:

REQUEST:	**CONSTRUCTION PERMIT REVIEW / CP 98-21**: To review the use of Crooked Creek Quarry.
APPLICANT:	Dakota Stone Company
APPLICANT ADDRESS:	23863 Palmer Gulch Road, Hill City, SD 5774
LEGAL DESCRIPTION:	SE¼SW¼ of Section 13 and the NE¼NW¼ and the NW¼ NE ¼ of Section 24, all located in T2S, R3E, BHM, Pennington County, South Dakota.
SITE LOCATION:	One mile northwest of Deerfield Road on Slate Prairie Road
SIZE:	2 acres expanding by 2.5 acres
EXISTING LAND USE:	Forest Service
TAX ID:	10443 and 10415
ZONING REFERENCE:	Section 507
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 / Mountainous
UTILITIES:	None
REPORT BY:	Cody Sack

I. GENERAL DESCRIPTION

A. The applicant requested to expand the area of disturbance for an existing rock quarry.

B. December 7, 1998, the Planning Commission approved Construction Permit / CP 98-21 with the following three (3) conditions:

1. That the applicant submit to the Planning Department copies of the South Dakota Department of Environment and Natural Resources Minerals and Mining License prior to expanding the mining operation;
2. That the applicant re-claim the disturbed areas by replacing the topsoil and re-vegetating once the mining is completed; and,
3. That this Construction permit be reviewed in two years to monitor the impacts of the use on surrounding land uses.

C. May 27, 2017 – The planning commission approved the extension of CP 98-21 with the following four (4) conditions:

1. That the applicant submits to the Planning Department all updates and changes of the South Dakota Department of Environment and Natural Resources Minerals and Mining License prior to expanding the mining operation;
2. That the applicant re-claim the disturbed areas by replacing the topsoil and re-vegetating once the mining is completed; and,
3. That this Construction Permit be reviewed in two (2) years to monitor the impacts of the use in the surrounding land uses or as requested by the Planning Commission or Board of Commissioners or on a complaint basis;
4. That the applicant sign a Statement of Understanding within ten (10) days of Permit extension approval.

II. EXISTING CONDITIONS

A. Area of disturbance is currently 2 acres and will expand an additional 2.5 acres.

B. Zoned General Agriculture District.

C. Site is located entirely on Forest Service land.

D. Is vacant of any structures.

E. The nearest privately owned property is located approximately ½ mile from the mining site.

F. No residential structures are visible from the mining site.

III. ANALYSIS

A. Pennington County Planning Commission originally approved the Mining Permit on March 26, 1990 for an area approximately 50 feet by 200 feet in size.

B. The Construction Permit was never reviewed after approval.

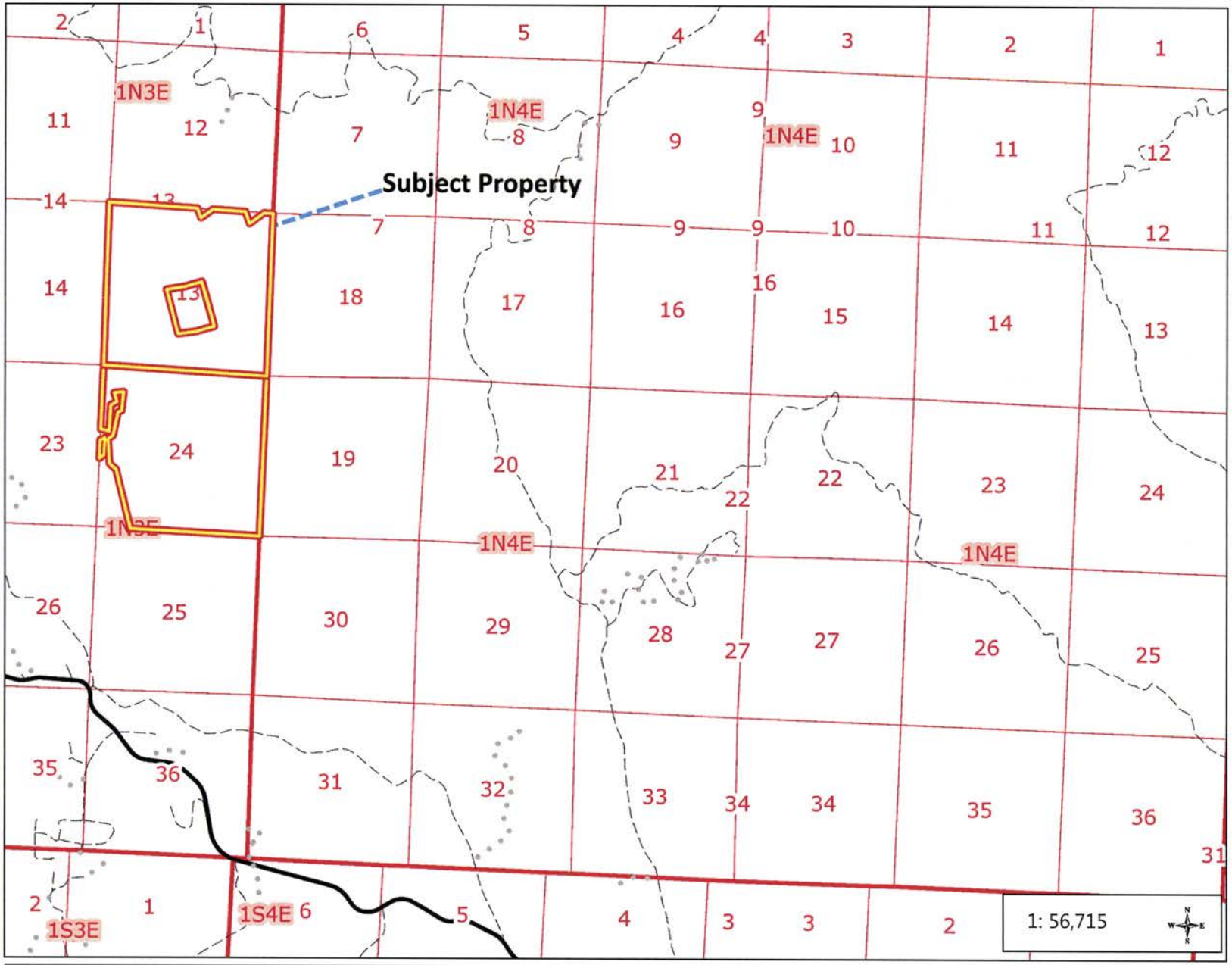
C. The applicant obtained a License to Mine Permit from the South Dakota Department of Environment and Natural Resources Minerals and Mining Program Department (License Number 453, Crooked Creek).
D. The Forest Service approved the expansion of the operating perimeter for the Crooked Creek Quarry on May 25, 2011.
E. Staff performed a site visit on May 10, 2017.
    1. Mining was still taking place.
    2. Reclamation has begun on areas of the mine no longer in use.
        a. The area had been graded and reseeded.
F. Staff will be recommending to continue the review of CP 98-21 to allow staff time to perform a site visit.

Staff is requesting public input on this request. The Planning Director will consider public input from private citizens, the applicant and the Planning Commission, in addition to information provided within this Staff Report, when rendering a decision on Construction Permit / CP 98-21.

RECOMMENDATION TO PLANNING DIRECTOR: Staff is recommending that the Planning Director not make a decision on Construction Permit / CP 98-21 until such time that Staff can perform a site visit.

RapidMap

Rapid City-Pennington County 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

Townships

Tax Parcels

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

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

Map Notes:

9,452.4 0 4,726.21 9,452.4 Feet

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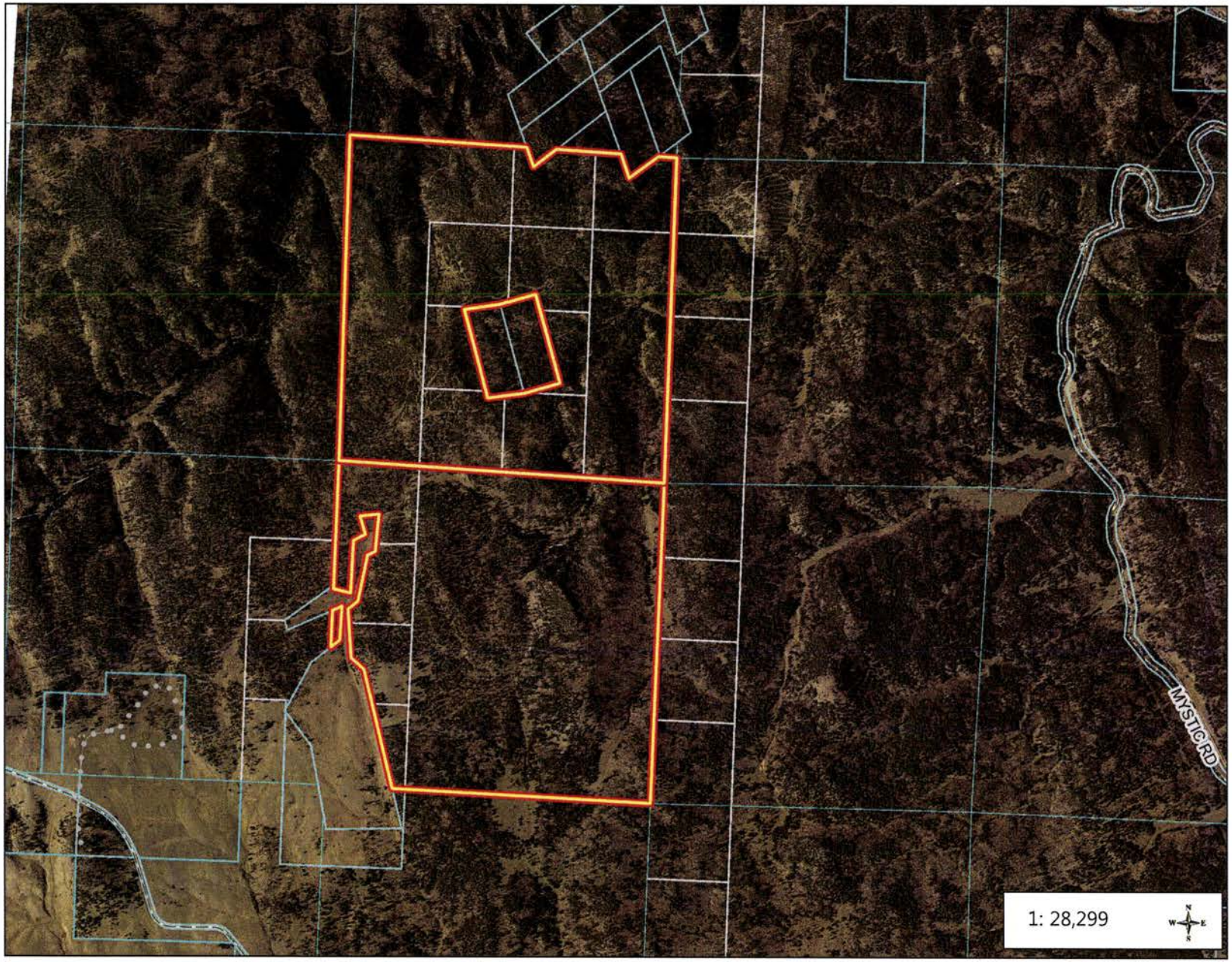
RapidMap Rapid City-Pennington County GIS



Legend

Roads
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- Paved road
- Unpaved road
- Trail
- Driveway
- Alley
- Unimproved road
- Airport Runway
- Not yet coded

Section Lines 0-25k
- 0
- 7

Section Labels 0-25k

Tax Parcels

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

OtherCitieslargerscale

Map Notes:

4,716.4 0 2,358.21 4,716.4 Feet

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Agenda Item # 23
Mitch Morris
May 13, 2019

23

STAFF REPORT

GENERAL INFORMATION:

REQUEST:	**CONSTRUCTION PERMIT REVIEW/ CP 17-03**: To review the grading of the site and use as a storage area to stockpile soil and concrete debris.
APPLICANT:	Mitch Morris
APPLICANT ADDRESS:	P.O. Box 867, Rapid City, SD 57709
LANDOWNER:	Patrick Hall
LANDOWNER ADDRESS:	528 Kansas City St, Rapid City, SD 57701
LEGAL DESCRIPTION:	Lot 1 of SW1/4NE1/4, Section 32, T1N, R8E, BHM, Pennington County, South Dakota.
SITE LOCATION:	S. Highway 79
SIZE:	32.03 acres
EXISTING LAND USE:	Residential/Vacant agriculture land
TAX ID:	68329
ZONING REFERENCE:	§ 209 and 507
CURRENT ZONING:	General Commercial District
SURROUNDING ZONING:	
North	General Agriculture District
South	General Agriculture District
East	General Agriculture District
West	General Commercial District
PHYSICAL CHARACTERISTICS:	Flat / Prairie
UTILITIES:	Private
REPORT BY:	Cody Sack

I. GENERAL DESCRIPTION

A. The applicant proposed to grade a portion of the site to be used as a soil and concrete debris stockpile area.

B. On February 13, 2017, the Planning Commission approved Construction Permit / CP 17-03 with the following seven (7) conditions:

1. If the construction site exceeds one (1) acre, the Conditions of the Approval of the South Dakota Department of Environment and Natural Resources General Permits for Storm Water Discharges Associated with Construction Activities be continually met;
2. That the applicant continually maintains and adheres to the Storm Water Pollution Prevention Plan during the period of construction;
3. That erosion control measures, such as seeding and mulching the disturbed area, shall be implemented immediately after the work is completed in the area, but in no case later than 14 days after the Construction Activity has stopped. All erosion control methods (mulch and seed) need to be certified noxious weed-free;
4. That the requirements, guidelines, and criteria for storm water and erosion control in the Pennington County Storm Water Manual, or equivalent, shall be followed during construction;
5. That the disturbed areas be re-vegetated as required in Section 507-A(5)(c);
6. That the applicant sign a Statement of Understanding within ten (10) days of Permit approval; and,
7. That this Construction Permit expires one (1) year from approval date, and may be reviewed on a complaint basis, or as directed by the Planning Commission or Board of Commissioners to verify that all conditions of approval are being met.

C. On March 26, 2018, the Planning Commission approved the extension of Construction Permit / CP 17-03 with the following seven (7) conditions:

1. If the construction site exceeds one (1) acre, the Conditions of the Approval of the South Dakota Department of Environment and Natural Resources General Permits for Storm Water Discharges Associated with Construction Activities be continually met;
2. That the applicant continually maintains and adheres to the Storm Water Pollution Prevention Plan during the period of construction;
3. That erosion control measures, such as seeding and mulching the disturbed area, shall be implemented immediately after the work is completed in the area, but in no case later than 14 days after the Construction Activity has stopped. All erosion control methods (mulch and seed) need to be certified noxious weed-free;
4. That the requirements, guidelines, and criteria for storm water and erosion control in the Pennington County Storm Water Manual, or equivalent, shall be followed during construction;

5. That the disturbed areas be re-vegetated as required in Section 507-A(5)(c);
6. That perimeter controls must be implemented by October 3, 2018, and verified by staff that they are in place; and,
7. That this Construction Permit be reviewed at the April 23, 2018, Planning Commission meeting, and may be reviewed on a complaint basis, or as directed by the Planning Commission or Board of Commissioners to verify that all conditions of approval are being met.

D. November 13, 2018 – The Planning Commission approved the extension of Construction Permit / CP 17-03 with the following seven (7) conditions:

1. If the construction site exceeds one (1) acre, the Conditions of the Approval of the South Dakota Department of Environment and Natural Resources General Permits for Storm Water Discharges Associated with Construction Activities be continually met;
2. That the applicant continually maintains and adheres to the Storm Water Pollution Prevention Plan during the period of construction;
3. That erosion control measures, such as seeding and mulching the disturbed area, shall be implemented immediately after the work is completed in the area, but in no case later than 14 days after the Construction Activity has stopped. All erosion control methods (mulch and seed) need to be certified noxious weed-free;
4. That the requirements, guidelines, and criteria for storm water and erosion control in the Pennington County Storm Water Manual, or equivalent, shall be followed during construction;
5. That the disturbed areas be re-vegetated as required in Section 507-A(5)(c);
6. That the applicant pay a $100.00 continuation fee as required in Section 511(X); and,
7. That this Construction Permit expires six (6) months from approval date, and may be reviewed on a complaint basis, or as directed by the Planning Commission or Board of Commissioners to verify that all conditions of approval are being met.

II. EXISTING CONDITIONS

A. Lot consists of 32.03 acres.
B. Zoned General Commercial District.
C. Future Land Use is General Commercial.
D. Lot is currently vacant of any structures.
E. Concrete debris is piled on the site.

III. ANALYSIS

A. April 16, 2019 - Staff attempted to contact the landowner who could not be reached.

B. May 6, 2019 – Staff conducted a site visit and found:
   1. Some progress had been made to clean the site.
   2. No erosion or sediment control were in place.
   3. Concrete debris was in a drainage area impeding water.



Site Visit (May 6, 2019)

C. May 7, 2019 – Staff attempted to contact the landowner who could not be reached.

D. As of this staff report, staff has not heard from the landowner.

E. Erosion and sediment controls need to be implemented immediately and maintained until the site has reached final stabilization.

*****Staff is requesting public input on this request. The Planning Director will consider public input from private citizens, the applicant and the Planning Commission, in addition to information provided within this Staff Report, when rendering a decision on Construction Permit / CP 17-03.*****

RECOMMENDATION TO THE PLANNING DIRECTOR: Staff recommends the Planning Director continue the review of Construction Permit / CP 17-03 with seven (7) conditions until such time that erosion and sediment controls are implemented on the subject property.

1. That erosion control measures implemented immediately and are maintained until the site has been revegetated in accordance with § 507(A)(5)(c) of the PCZO;

2. If the construction site exceeds one (1) acre, the Conditions of the Approval of the South Dakota Department of Environment and Natural Resources General Permits for Storm Water Discharges Associated with Construction Activities be continually met;

3. That the applicant continually maintains and adheres to the Storm Water Pollution Prevention Plan during the period of construction;

4. 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;

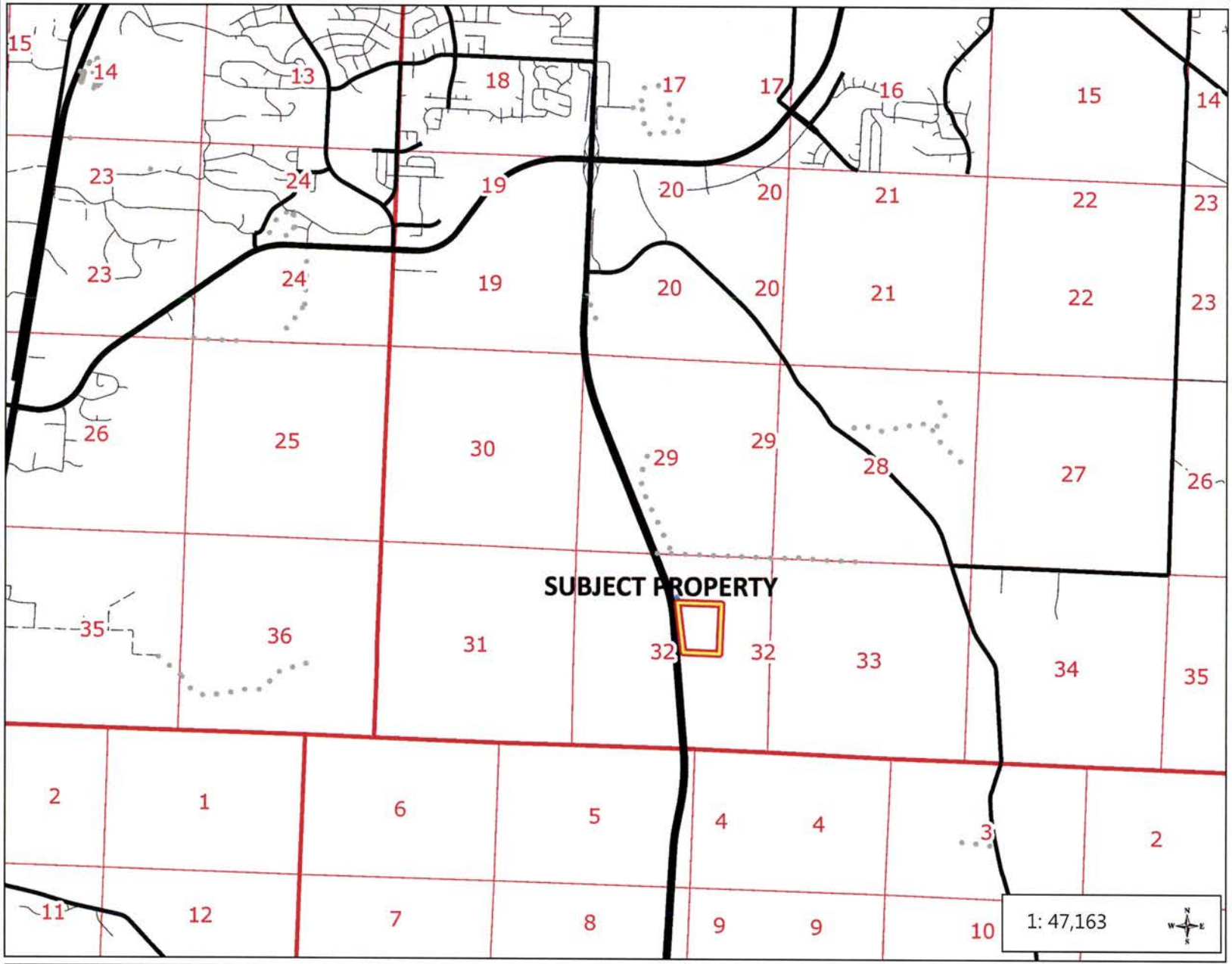
5. That the requirements, guidelines, and criteria for storm water and erosion control in the Pennington County Storm Water Manual, or equivalent, shall be followed during construction;

6. That the disturbed areas be re-vegetated as required in Section 507- A(5)(c); and,

7. That this Construction Permit be reviewed on a complaint basis or as directed by the Planning Director.

RapidMap

Rapid City-Pennington County 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

Townships

Tax Parcels

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

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

Map Notes:

7,860.4 0 3,930.22 7,860.4 Feet

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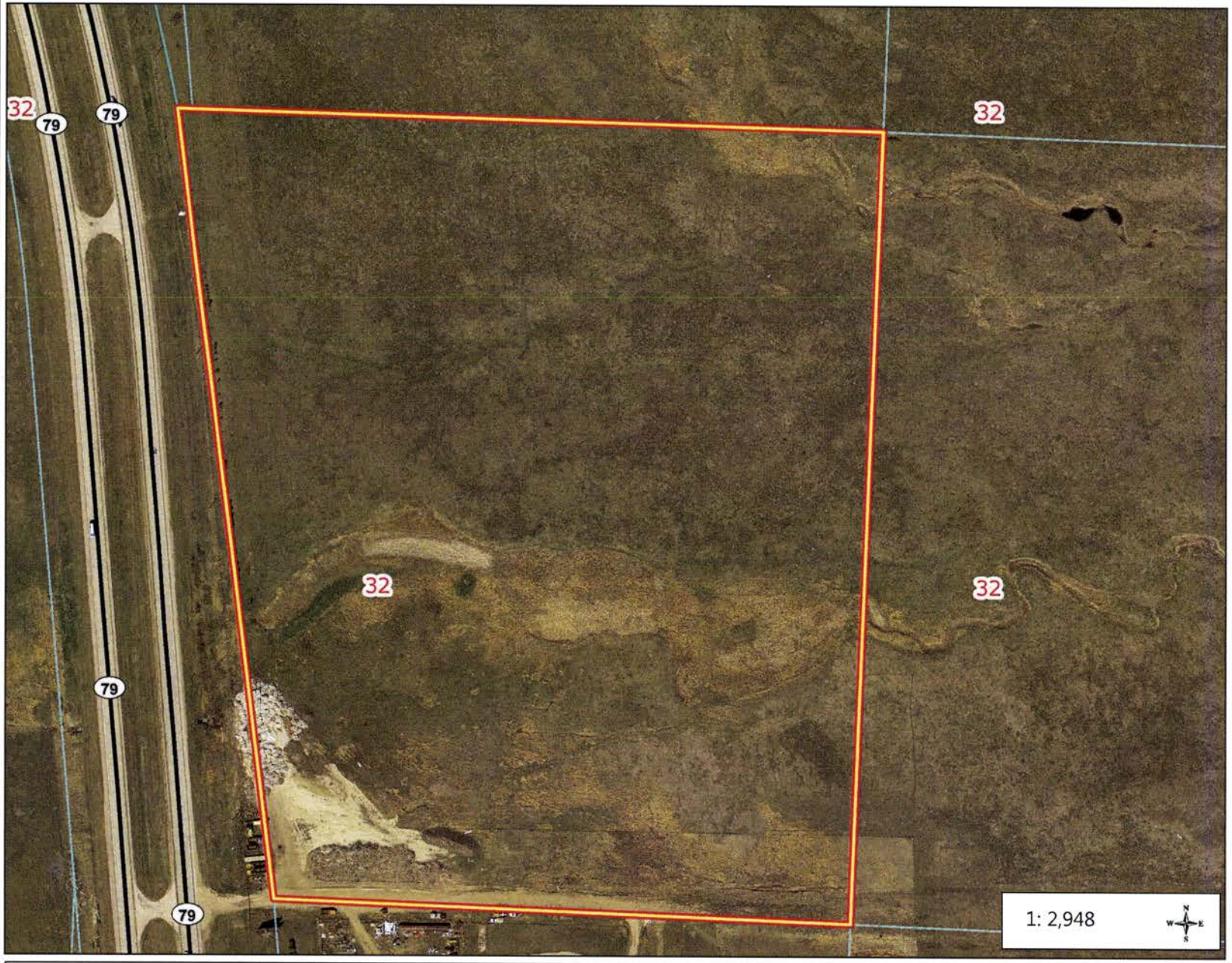
RapidMap Rapid City-Pennington County GIS



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Legend

Roads
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- 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:

Agenda Item #24
Stromer Properties, LLC; Brook Stromer - Agent
May 13, 2019

24

STAFF REPORT

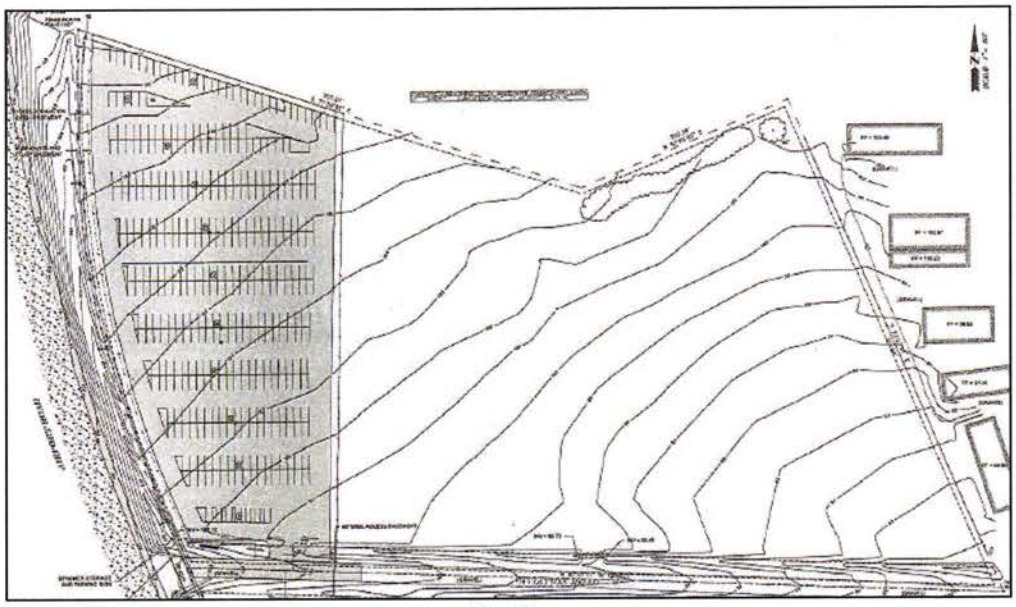
GENERAL INFORMATION:

REQUEST:	**CONSTRUCTION PERMIT REVIEW / CP 18-04**: To review construction of a parking area on the subject property.
APPLICANT:	Brook Stromer
APPLICANT ADDRESS:	14930 Aviation Road, Rapid City, SD 57703
LANDOWNER:	Stromer Properties, LLC; Brook Stromer - Agent
LANDOWNER ADDRESS:	14930 Aviation Road, Rapid City, SD 57703
LEGAL DESCRIPTION:	Lot A2, Bar P-S Subdivision, Section 20, T1N, R9E, BHM, Pennington County, South Dakota.
SITE LOCATION:	Near the intersection of Airport Road and Aviation Road.
SIZE:	15.01 acres
TAX ID:	61558
EXISTING LAND USE:	Vacant
ZONING REFERENCE:	§ 507(A)
CURRENT ZONING:	General Commercial District
SURROUNDING ZONING:	
North	Limited Agriculture District
South	General Agriculture District
East	General Commercial District
West	General Commercial District
PHYSICAL CHARACTERISTICS:	Flat
UTILITIES:	None
REPORT BY:	Cody Sack

I. GENERAL DESCRIPTION

A. The applicant, Brook Stromer, requested a Construction Permit to construct an asphalt parking lot.

B. The project consists of excavation, grading and asphalting of approximately four (4) acres.



Site Plan

C. May 14, 2018 – The Planning Commission originally approved Construction Permit / CP 18-04 with the following seven (7) conditions:

1. That a South Dakota Department of Environment and Natural Resources General Permit for Storm Water Discharges Associated with Construction Activities be obtained and the Conditions of the Approval be continually met;
2. 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 stormwater and erosion control in the Pennington County Storm Water Manual, or equivalent, shall be followed 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. That the disturbed areas be re-vegetated as required in §507(A)(5)(c);
5. That all natural drainage ways and paths be continually maintained;

6. That the applicant sign a Statement of Understanding within ten (10) days of Permit approval; and,
7. That this Construction Permit expires one (1) year from approval date, and may be reviewed on a complaint basis, or as directed by the Planning Commission and/or Board of Commissioners to verify that all Conditions of Approval are being met.

D. April 8, 2019 – The Planning Commission continued the review of Construction Permit / CP 18-04 to the April 22, 2019, Planning Commission meeting to allow staff time to contact the applicant.

E. April 22, 2019 - The Planning Commission continued the review of Construction Permit / CP 18-04 to the May 13, 2019, Planning Commission meeting to allow staff time to contact the applicant.

II. EXISTING CONDITIONS

A. Zoned General Commercial District.
B. 7.94 acres.
C. Area of disturbance is approximately four (4) acres.
D. Currently vacant of any structures.

III. ANALYSIS

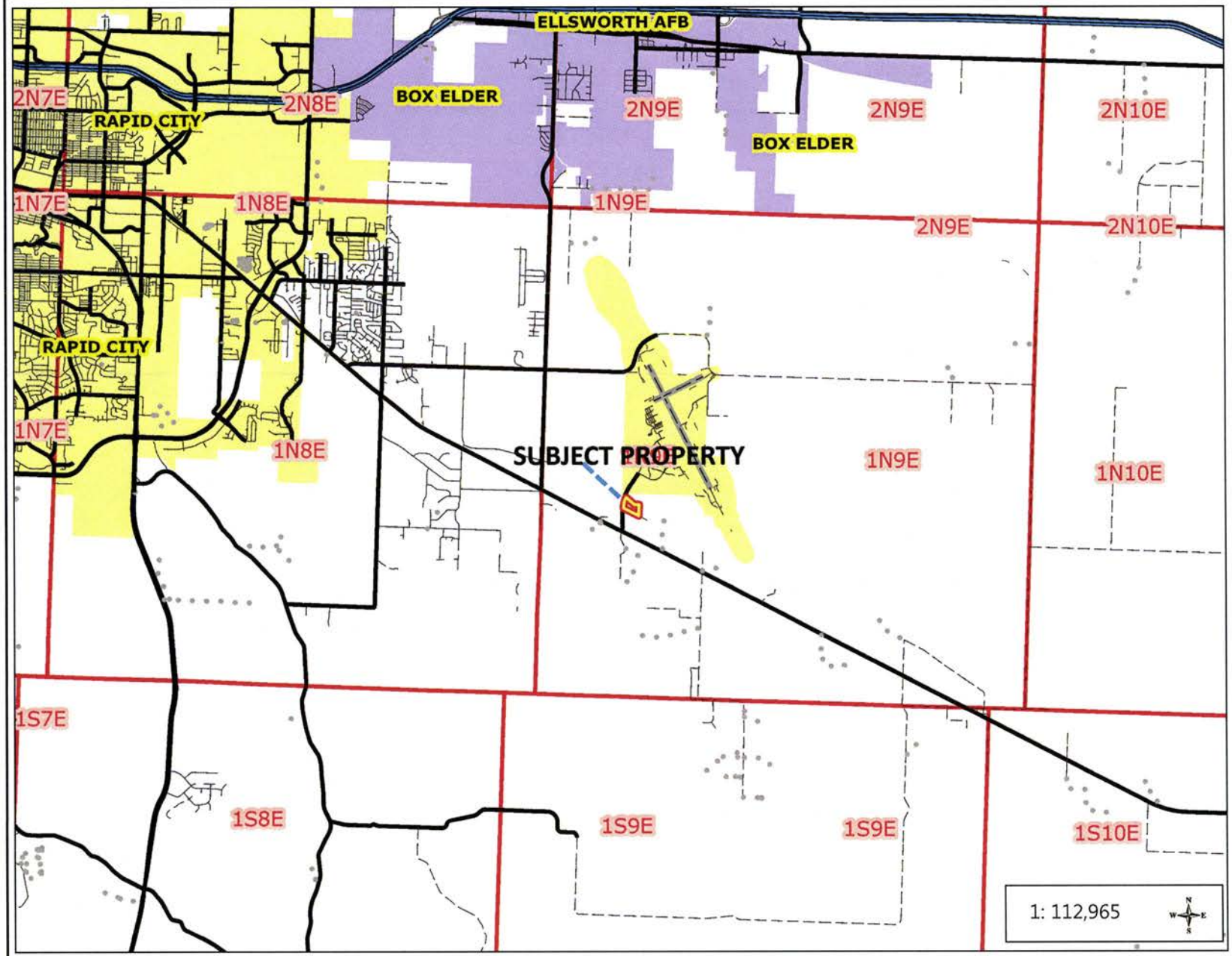
A. April 12, 2019- Staff attempted to contact the applicant who could not be reached.
B. April 15, 2019 - Staff attempted to contact the applicant who could not be reached.
C. Staff will send a written letter to the applicant notifying him to contact the Planning Department.
   1. *Staff note: If the applicant does not contact the applicant prior to May 7, 2019, Staff will recommend to end CP 18-04.*
D. April 29, 2019 – Staff mailed a letter to the applicant requesting that he contact the Planning Department by May 7, 2019 and that if he failed to do so, staff would recommend to end CP 18-04 at the May 13, 2019, Planning Commission meeting.
E. The applicant has not contacted staff about his Construction Permit.
F. Staff will send a letter certified return receipt to the applicant as on last time to try and contact him.

Staff is requesting public input on this request. The Planning Director will consider public input from private citizens, the applicant and the Planning Commission, in addition to information provided within this Staff Report, when rendering a decision on Construction Permit / CP 18-04.*

RECOMMENDATION: Staff recommends the Planning Director continue the review of Construction Permit / CP 18-04 until May 31, 2019 to allow the applicant time to contact staff.

RapidMap

Rapid City-Pennington County 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

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

Map Notes:

18,827.4 0 9,413.72 18,827.4 Feet

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RapidMap

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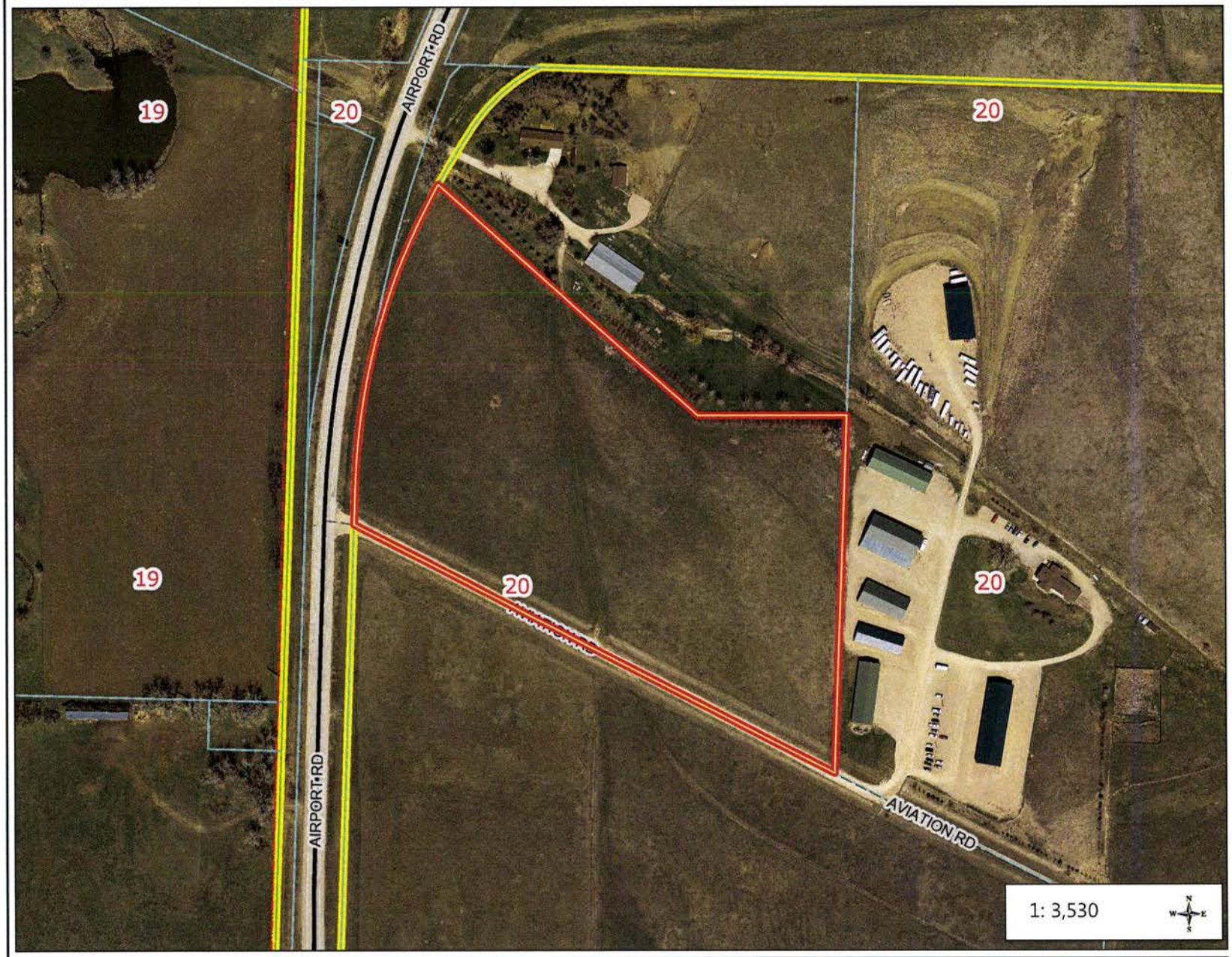

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Legend

Roads

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- 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:

Agenda Item #25
Cross Country Real Estate
May 13, 2019

25

STAFF REPORT

GENERAL INFORMATION:

REQUEST:	**CONSTRUCTION PERMIT REVIEW / CP 18-10**: To grade in order to flatten the area to receive 4" gravel for a new parking lot.
APPLICANT:	Cross Country Real Estate
APPLICANT ADDRESS:	3409 E. 2nd Street, Gillette, WY 82718
LEGAL DESCRIPTION:	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.
SITE LOCATION:	2467 Jolly Lane; at the intersection of E. Highway 44 and Jolly Lane.
SIZE:	34.07 acres
TAX ID:	64331
EXISTING LAND USE:	Race Track / Go Karts
ZONING REFERENCE:	Section 507
CURRENT ZONING:	General Commercial District
SURROUNDING ZONING:	
North	Suburban Residential District
South	General Commercial District City Limits of Rapid City
East	Suburban Residential District
West	Suburban Residential District General Commercial District City Limits of Rapid City
PHYSICAL CHARACTERISTICS:	Flat Areas / Rolling Hills
UTILITIES:	Rapid Valley Sanitary District
REPORT BY:	Brittney Molitor

I. GENERAL DESCRIPTION

A. The applicant, Cross Country Real Estate, requested a Construction Permit to grade and level an area for a parking lot.

II. EXISTING CONDITIONS

A. 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.

1. Zoned General Commercial District.
2. 34.07 acre lot size.
3. Black Hills Speedway.
4. Black Hills Speedway Kart Track.
5. Utilities provided by Rapid Valley Sanitary District.
6. Public Drainage Easement (Book 21 Page 4205-4206).
7. Access off of Jolly Lane (Pennington County maintained asphalt road).



2018 aerial of subject property

IV. DRAINAGE EASEMENT(S)

A. The American Planning Association defines a drainage easement as "Land in which the public, the city, or the county has an easement devoted to, planned, proposed, or required for use as a public drainage system."

B. Public Drainage Easement dated December 5, 1983, prepared by Davis Engineering and Surveying, shows a majority of the subject property was "granted, bargained and conveyed a perpetual drainage easement over, on and across the hereinafter described tract of real estate situated in the SW¼ of NW¼ and the NW¼ of SW¼ of Section 10, T1N, R8E, BHM, Pennington County, South Dakota described as follows: See Exhibit A."

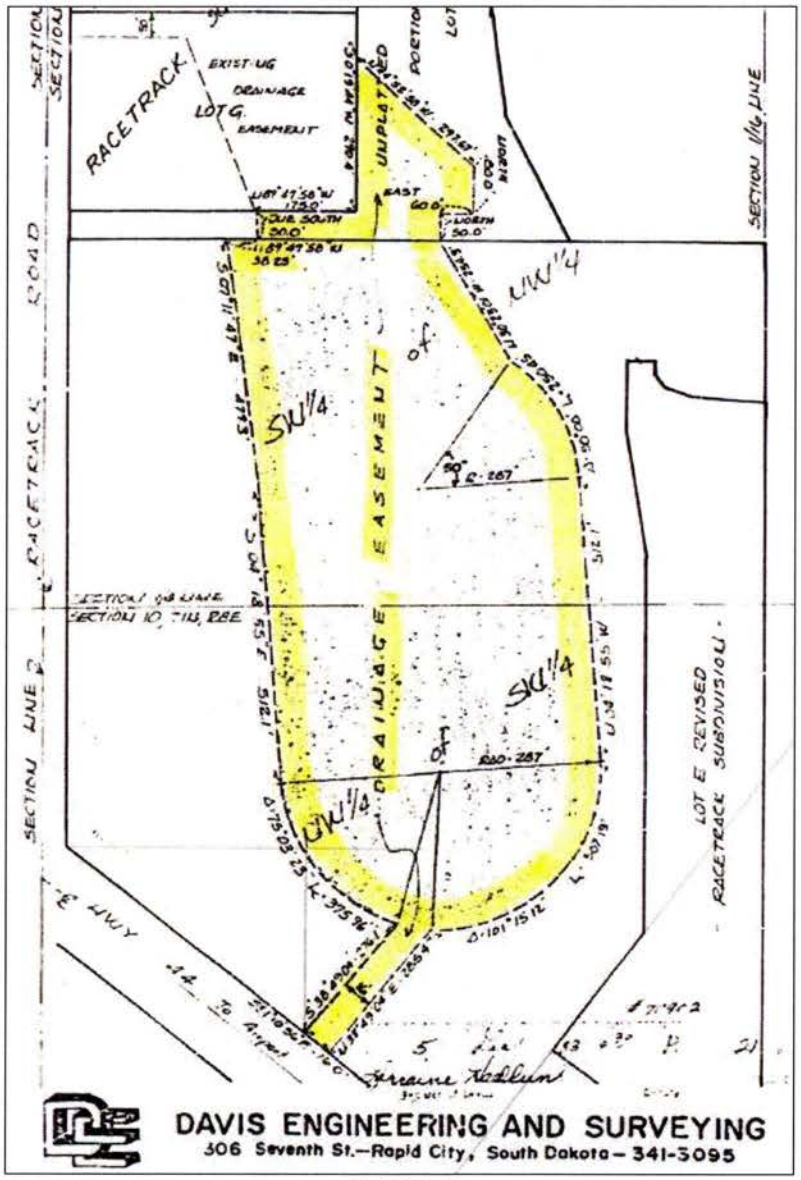
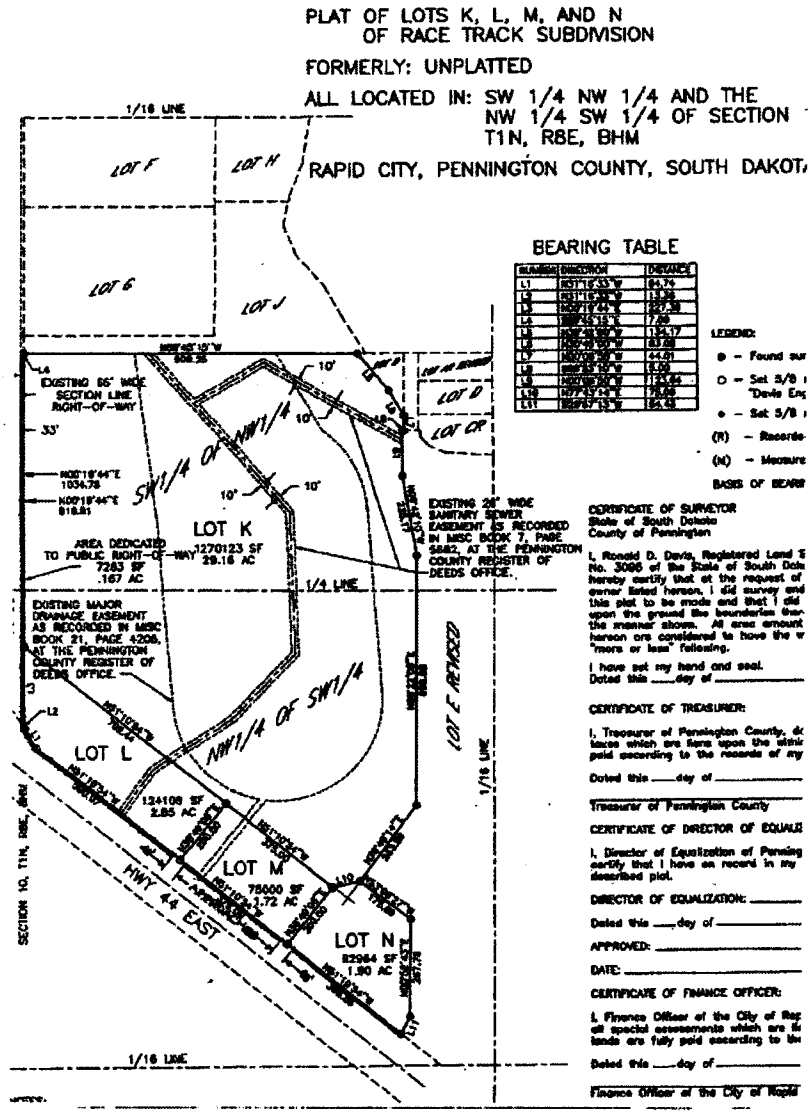


Exhibit A

V. PREVIOUS REQUESTS ON THE SUBJECT PROPERTY

A. Layout Plat – 01PL018 (City of Rapid City) – To subdivide 35.41 acres of unplatted Racetrack property into Racetrack Subdivision Lots K, L, M, and N.

1. The applicant acknowledged that drainage improvements to the Racetrack Draw Drainage Basin may be necessary in order for the plat to be approved as proposed. (Rapid City Staff Report dated April 5, 2001.)
2. This Layout Plat was denied without prejudice to allow the applicant to submit a revised Layout Plat to address drainage issues, approach location issues and subdivision lot layout issues. (Rapid City Staff Report dated April 26, 2001.)



Copy of Proposed Plat 01PL018

B. Construction Permit / CP 09-05 – to perform grading work on the site to expand the existing parking lot.
   1. Staff completed the Staff Report with a recommendation for denial. Upon discovery of Staff's recommendation and the requirement of "extensive plans and design considerations," the applicant withdrew the Permit request.
      a. Comments from the City of Rapid City regarding this request: *"This property has been developed to serve as a detention facility for the Race Track Drainage Basin.* As such, a complete drainage plan must be submitted for review and approval prior to the start date of the proposed grading work on the property to ensure that the site will continue to function as a detention facility. Until a complete drainage plan is submitted for review and approval as identified, this Construction Permit should not be approved."
         i. *A detention area is defined by the American Planning Association as "an area that is designed to capture specific quantities of storm water and to gradually release the storm water at a sufficiently slow rate to avert flooding."*
      b. Comments from County Highway regarding this request: "Racetrack Drainage Basin. Provide site plan and drainage plan."
   2. Instead, minor grading and leveling of the lower area to re-establish flow to the box culvert crossing SD Highway 44 was requested in lieu of the original request. Low spots were leveled in the area south of the grandstand. The amount of work was less than required for a Construction Permit.

C. Construction Permit / CP 15-10 – to grade areas of the property and level stockpiles.
   1. Staff originally recommended to continue this Permit request until an engineering / drainage study showed that the construction activity will not impact the upstream or downstream properties and a plan is developed with Weed and Pest to address the prairie dogs.
   2. On June 22, 2015, the Planning Commission approved Construction Permit / CP 15-10 with the following thirteen (13) conditions:
      1. That the applicant submit stamped engineered construction plans and drainage study showing that the construction activity will not impact upstream or downstream properties within fourteen (14) days of approval of this Permit and prior to commencement of any construction activity;
      2. That the Conditions of Approval of the Air Quality Permit be continually met;

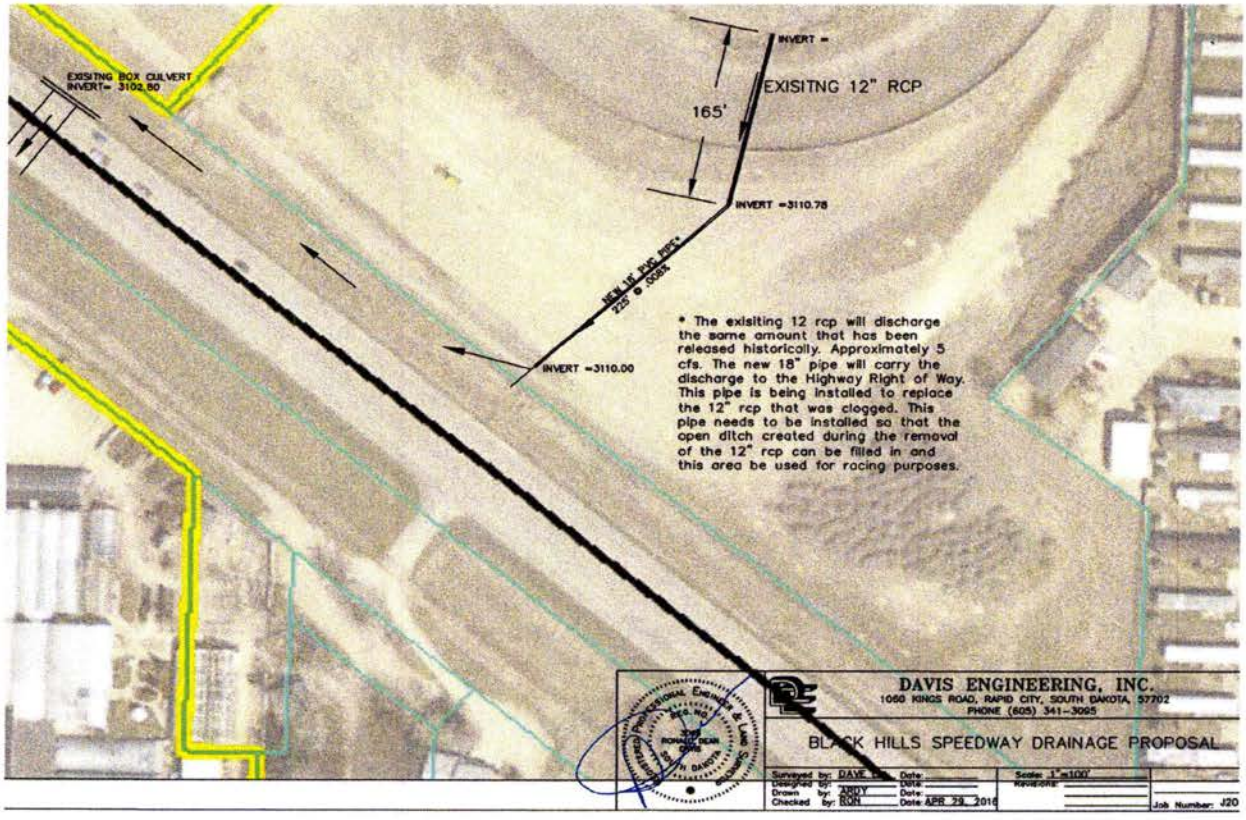
3. That the applicant provides the Planning Department with a copy of the Storm Water Pollution Prevention Plan within seven (7) days of approval of this Permit;
4. That the Conditions of the Approval of the South Dakota Department of Environment and Natural Resources General Permits for Storm Water Discharges Associated with Construction Activities be continually met;
5. That the applicant continually maintains and adheres to the Storm Water Pollution Prevention Plan during the period of construction;
6. That a revised Construction Permit application and Site Plan be submitted for review and approval if major revisions to the original plan are needed;
7. 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;
8. That any alterations or improvements to the Public Drainage Easement be engineered and stamped plans be submitted to and approved by the Board of Commissioners;
9. That the requirements, guidelines, and criteria for stormwater and erosion control in the Pennington County Stormwater Manual shall be followed during construction;
10. That the site shall be re-vegetated as required in Section 507-A(5)(c);
11. That the applicant controls the noxious weed and prairie dogs prior to commencement of the construction activity and sign a noxious weed plan and submit to the Planning Department within seven (7) days of approval of this Permit;
12. That the applicant signs the Statement of Understanding within seven (7) business days of approval of Construction Permit #15-10, which is available at the Planning Office; and,
13. That this Construction Permit expires one (1) year from approval date, and may be reviewed on a complaint basis, or as directed by the Planning Commission and/or Board of Commissioners to verify that all Conditions of Approval are being met.

3. A letter from Davis Engineering, Inc. dated June 30, 2015, stated "It is not necessary for an in depth drainage study for the purpose of moving small dirt piles being requested at this time by the owners of the Black Hills Speedway. I have reviewed the site and the locations will not be within or even near the floodway or drainage easement located on this property. I will be doing a detailed study to figure out a way to prevent the south end of the track from becoming flooded every time it rains. The relocation of the small dirt piles will not affect the proposed drainage study. It is my opinion that the county should allow the relocation of the piles at this time."
   a. *Pennington County has never received any information regarding the detailed study mentioned above, as required in Condition #1 of Construction Permit / CP 15-10.*
4. A kart track was constructed in the Public Drainage Easement and was not approved by the Board of Commissioners, as required in Condition #8 of Construction Permit / CP 15-10.
5. The site was never revegetated as required in Condition #10 of Construction Permit / CP 15-10.



D. Request for Improvements in a Public Drainage Easement (Board of Commissioners) – To replace a 12" reinforced concrete pipe (RCP) with an 18" polyvinyl chloride (PVC) pipe at the southern end of the Public Drainage Easement.

1. The Highway Drainage Engineer commented "the 12" RCP is regulating the existing flow and should continue to do so once the 18" PVC pipe is attached. I would not oppose the addition of the 18" PVC pipe as long as the slope of the existing 12" pipe remains unchanged."
2. The City of Rapid City Community Development commented, "a large portion of the property has been secured as a Drainage Easement. A Drainage Plan prepared by a Professional Engineer must be submitted for review and approval prior to any grading and/or fill to ensure that the secured drainage area continues to function as designed."
3. The City of Rapid City Engineering commented, "Public Works Engineering has no objections to proposed grading work provided the applicant provides site and drainage analysis verifying the work is not altering storm water detention and storage capacity, and work is not adversely affecting drainage flows and routing whether on or off site."
4. Drawings were received April 29, 2016 from Davis Engineering, Inc. for the replacement of the 12'" RCP with 18" PVC. (see below)



5. During the review of this request, Staff observed:
   a. Installation of a large concrete drive/pad in the Public Drainage Easement.

b. A bermed area on the north side of the racetrack that was not included in the Construction Permit approval.
c. Prairie dog holes were active at the site.
d. Work was initiated for the replacement of the 12" reinforced concrete pipe.
e. Structures were moved into and around the Public Drainage Easement from other locations of the property.

6. During testimony at the May 17, 2016 Board of Commissioners meeting the following was stated by Ron Davis, Davis Engineering:
   a. Five or six cubic feet per second (cfs) leaving the pipe from the southern portion of the property.
   b. That the structures located in the drainage easement will not interfere with the flow of the water. This is not a "defined channel".
   c. "In a 100-year storm, it's going to fill up north of the track first then it is going to run through the entrance where they go in through the pits and down over that track and it is going to come into the infield and slowly raise up and go back down. There is 500 cfs coming into the track and there is 5 cfs leaving which means in a 100-year storm that's probably going to be four to five feet deep inside that track for an hour to an hour, hour and half, to two hours before it drains out."
   d. The buildings inside the track cannot be washed downstream.
   e. There is a retaining wall on the southern end that is 11 to 12 feet above the flow line of the pipe.
   f. The 12" pipe under the south end of the track for normal drainage was plugged up because there was an old metal culvert that rotted away.
   g. They want to put an 18" back in to give it a little more room to flow down a little quicker.
   h. The amount of the water coming out of the track is still five to six cfs and it will remain that amount; there will just be a bigger pipe for it to flow through.
   i. The South Dakota Department of Transportation lowered the road ditch on the north side a couple of feet and cleaned their box culvert so that will flow the way it supposed to.
   j. The following questions were asked by Commissioner Hadcock:
      i. "How does a 12 inch have the same cfs as an 18? It was answered, "It doesn't, an 18 will carry 24 cfs but only 5 cfs can get to it. That pipe coming out of the track is not being taken out."

ii. "That 18", once it drains, is it going to drain and cause a bigger issue downstream to where it's draining or is it draining onto your property?" It was answered, "No. It's draining down to the south end of his property, into the road ditch, and into the culvert where it has been going historically for 50 years."

7. The Board of Commissioners approved the request to replace a 12" reinforced concrete pipe (RCP) with an 18" polyvinyl chloride (PVC) pipe at the southern end of the Public Drainage Easement based upon the testimony given at the Hearing on May 17, 2016.

VI. VIOLATION HISTORY

A. 2008COVO0025 – Dirtwork without an approved Construction Permit (See Construction Permit / CP 09-05).
B. 2009COVO0049 – Trash and weeds in southeast corner of property.
C. 2010COVO0072 – Garbage and weeds in southeast corner of property.
D. CIBS13-0061 – Complaint/violation for dust.
E. COVO14-0132 – Weeds and grass in excess of 18 inches.
F. COVO15-0125 – Weeds along fence.
G. COVO15-0199 – Garbage inside fence line.
H. COVO16-0064 – Stop Work Order issued for building an addition without a Building Permit.
   1. Applicant indicated that the structures had wheels and were therefore mobile (see picture below).



Photo of mobile structure

I. COVO17-0078 – Stop Work Order issued for dirtwork without engineered plans.
J. COVO18-0118 – Grass in excess of 18 inches.
K. COVO18-0123 – Conditional Use Permit needed for expansion of use on the property (Black Hills Speedway Kart Track).
L. COVO18-0147 – Dirtwork exceeding 10,000 square feet without Construction Permit.

VII. BUILDING PERMITS

A. 2010COBP0149 – Demolition of a 20' x 20' shed.
B. 2010COSP0004 – Sign Permit.
C. 2010COSP0005 – Sign Permit.
D. 2010COBP0277 – Removal of 48' x 32' concession building.
E. 2010COBP0278 – 16' x 32' deck remodel.
F. COBP12-0282 – Temporary fireworks stand.
G. COSP12-0007 – Sign Permit.
H. COSP12-0008 – Sign Permit.
I. COSP12-0009 – Sign Permit.
J. COBP13-0192 – 12' x 60' temporary office.
K. COBP14-0308 – 12' x 60' temporary fireworks stand.
L. CIBP15-2239 – Air Quality Permit (expired November 19, 2018).
M. COBP16-0218 – Movement of existing shed.
N. COBP16-0219 – Movement of existing bathroom.
O. CIBP18-3157 – Air Quality Permit (expires September 10, 2021).

VIII. REQUEST FOR COMMENT

A. County Highway
   1. Highway Department has no comments since this drains to SD 44.
B. County Natural Resources Director
   1. Regarding previous concerns of prairie dogs on the subject property: I haven't looked lately, I've only noticed a few remaining last time I looked and haven't received any complaints.
C. County Environmental Planner
   1. Rapid City one-mile.
      a. *Staff Comment: Property is located in the Rapid Valley Sanitary District and services are provided by them.*
D. County Environmental Planning Supervisor
   1. The subject property is located within Pennington County's regulated Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System (NPDES) Permit area. The applicant must meet the requirements set forth in the Storm Water Management Plan as well as the Storm Water Quality Manual.

2. That the requirements, guidelines, and criteria for storm water and erosion control in the Pennington County Storm Water Manual shall be followed during construction.
3. The Storm Water Quality Manual requires that an owner must inspect the site at least once every 7 days and within 24 hours of the end of a storm that is one-half inch or greater. Inspection reports must be submitted to the Planning Director every month during construction.
4. The site must be stabilized and sediment contained such that sediment does not reach or fill the right-of-way (road ditch). If sediment is deposited in the right-of-way (road ditch) from the construction activity, the owner will be responsible for the removal immediately after being notified.
5. 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.
6. There is no Special Flood Hazard Area on the subject property.
7. The site shall be re-vegetated as required in Section 507-A(5)(c).

E. County Ordinance Enforcement
   1. Ordinance Enforcement recommends that the property be in compliance before approving Construction Permit. The Black Hills Speedway has expanded its use and needs a Conditional Use Permit to allow the activities on the property. I do not recommend approval until the violations have been corrected.
      a. *Staff Comment: Staff will address with the Planning Commission.*

F. City of Rapid City Community Development
   1. Thank you for the site plan. It shows that the proposed parking area is located within the area of the property located within the City limits and outside the City limits. Please note that the property has two tax ID numbers (64328 and 64331) to allow DOE to assess the taxes addressing the difference in taxation due to the City limit boundary. At one time, the property owner was proposing to plat the area within the City limits into a separate lot. A requirement of the platting was to annex prior to submittal of a Final Plat. Subsequently, this area was annexed but the Final Plat was never submitted. As such, we now have one property partially in the City limits and partially outside of the City limits. It appears on RapidMap that they are two separate properties. Actually, it is one property with two separate tax ID numbers.
   2. For that portion of the parking located within the City limits, a Building Permit must be submitted to the City for review and

approval. The parking must be constructed in compliance with Section 17.50.270 of the Rapid City Municipal Code.

G. City of Rapid City Engineering
   1. Haven't seen anything, but the work within City limits requires a Building permit submittal.
      a. *Staff Comment: A Building Permit was submitted to the City of Rapid City – CIBP18-2866 for a retaining wall.*

H. City of Rapid City Air Quality
   1. Obtain an air quality permit prior to disturbing an acre or more of soil.
      a. *Staff Comment: Air Quality Permit – CIBP18-3157.*

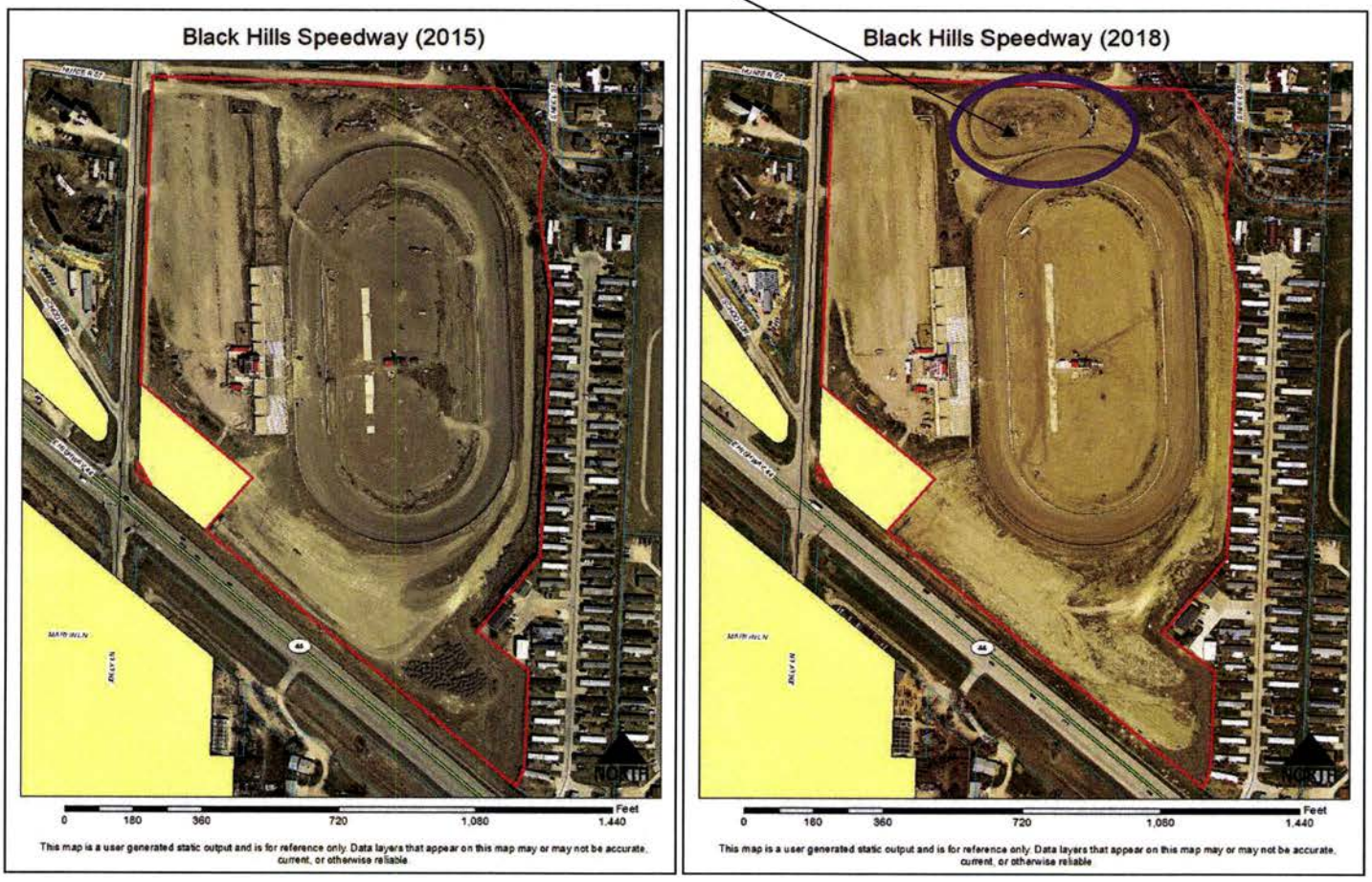
I. South Dakota Department of Transportation (SDDOT)
   1. Our concern is placing additional burden on the ROW ditch by adding additional runoff from this development. Please see attached.
   2. The only concerns I have is for the drainage of the property? We discussed with Mr. Kirchhoff last year about possible detention ponds. The drainage easement that dumps into the 44 ROW that was piped to the fence, is still depositing some sediment into the ROW. With filling and graveling more area, I assume this will cause more sediment into the ROW. It would be nice to see what the plans are for drainage and contours of proposed grade?
      a. Staff Comment: Plans were sent to the SDDOT.
   3. **Additional Comments to the property owner from SDDOT:**
      a. The plan you have to concentrate the flows from your property to the Hwy 44 ROW is concerning. I assume you plan to pave these lots at some point? The Department doesn't allow increased flows from drainage into the ROW. That being said a detention pond or other controls will be required. The existing culvert that was placed last year at your fence line, should also have some type of outlet protection so it doesn't cut a hole and wash material out into the ROW. Can you please address these issues on your plans and send back to us? If you have further questions please let me know? Thanks
         i. *Staff Comment: To Staff's knowledge, the SDDOT concerns have not been addressed.*

IX. NONCONFORMING BUILDINGS, STRUCTURES AND USES OF LAND - § 400 OF THE PCZO

A. Section 401(D) states "any nonconforming use of land shall not be expanded in such a manner so as to increase its nonconformity."
   1. Prior to 2015, the Kart Track was not constructed.

2. Due to the construction of the Kart Track, the use on the subject property was expanded and is no longer a legal nonconforming use.
3. A Notice of Violation was sent to the applicant on June 21, 2018 regarding the need for a Conditional Use Permit to bring the property into compliance.
4. Staff met with the applicant(s) on two occasions to discuss the Violation Letter and the need for a Conditional Use Permit.
   a. The applicant indicated that they will "just remove" the Kart Track and that they were apprehensive to notify the neighbors regarding the Conditional Use Permit.
   b. In addition, the Kart Track was constructed in the Public Drainage Easement without approval from the Board of Commissioners.
   c. An application for a Conditional Use Permit for the Kart Track was submitted.

Location of Kart Track





2018 Black Hills Speedway / Go-Kart Track – Close-Up

X. HISTORY

A. December 5, 1983 – Date of Perpetual Public Drainage Easement for a majority of the subject property where the Black Hills Speedway is located.

B. December 26, 1990 – Final Draft of the Racetrack Draw Drainage Basin Design Plan prepared by Davis-Atkins and Associates submitted to the Pennington County Drainage Commission.

1. Elements of this design plan for the racetrack crossing were not constructed and were indicated in the plan as a low priority (page 44 of the plan).

C. April 26, 2001 – Rapid City Layout Plat submitted by Davis Engineering was denied without prejudice due to drainage issues, approach location issues, and subdivision lot layout issues.

D. March 9, 2009 – Construction Permit / CP 05-09 recommended denial due the need for a complete Drainage Plan.

E. March 31, 2009 - Letter received by Advanced Engineering and Surveying, Inc. stating that they are changing the plan and will only do minor grading due to the requirement of extensive plans and design considerations. Construction Permit / CP 05-09 was no longer needed and voided.

F. May 4, 2010 – Board of Commissioners agenda Item E regarding the Black Hills Speedway was removed from the agenda. A memo was submitted to the Board of Commissioners by the Planning Director regarding legal non-conforming uses and the placement of on-premise billboards. (attached)

G. June 22, 2015 – Planning Commission approved Construction Permit / CP 15-10 to grade and level stock piles.

H. April 13, 2016 – A Stop Work Order was issued for building in the drainage easement without Building Permits or approval from the Board of Commissioners.

I. May 25, 2016 – Stop Work Order lifted and permits applied for.

J. August 10, 2016 – Complaint received by the Board of Commissioners for noise and lack of oversight of the Speedway.

K. March 17, 2017 – A Stop Work Order was issued for work being done without engineered plans.

L. April 29, 2018 – A Rapid City Journal Article titled *Carlton takes over management of Black Hills Speedway* in which journalist Geoff Preston interviewed Mr. Carlton for the article, stated "Carlton comes to the speedway after running a go-kart track next to the track". (A copy of the article is attached)

M. June 21, 2018 – A Notice of Violation was sent to the applicant regarding the need for a Conditional Use Permit, an as-built, alterations in the Drainage Easement (Kart Track) without Board of Commissioner approval, and lack of final stabilization. (see photos above and below for "Kart Track")



Google Earth Map (2017) showing location of "Black Hills Speedway Kart Track"

N. June 2018 – Drainage, dirt work, and flooding complaint.

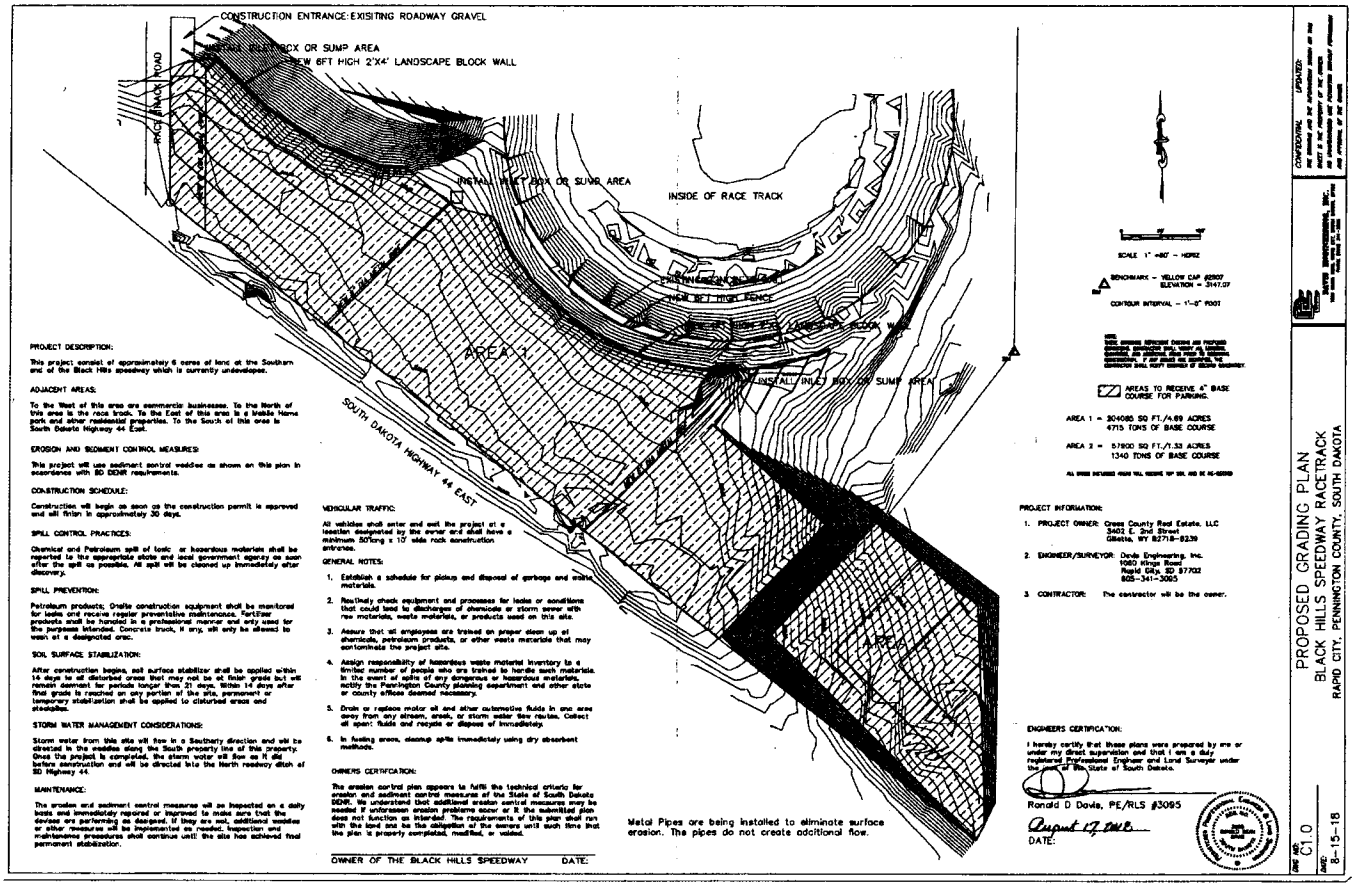
1. Murphy Ditch was overflowing its banks east of Jolly Lane.
2. Ditch along the north side of E. Highway 44 and east of Jolly Lane had significant flow.
3. Site visits were performed by Staff. (see photos below)

Agenda Item #25
Cross Country Real Estate
May 13, 2019





O. August 17, 2018 – Applicant submitted Construction Permit / CP 18-10 to allow grading and flattening of an area for a parking lot. (see plans below)



P. September 11, 2018 – A letter was received by the Planning Department from Nooney and Solay, LLP regarding the need for a Conditional Use Permit and forwarded to the State's Attorney's Office.

Q. September 20, 2018 – A new approach was constructed off of E. Highway 44 for entrance into the Black Hills Speedway. (see photo below) A permit from the SDDOT was obtained by the applicant for this approach. (attached)



New approach off of E. Highway 44

R. Staff has met and had contact (via email and in person) since June 2018 with the applicant on several occasions to discuss the concerns (i.e. need for a Conditional Use Permit and drainage).

S. November 09, 2018 – Commissioner LaCroix, Staff from the State's Attorney's Office, Planning Department, and Highway Department met with the Landowners and agent, Ron Davis of Davis Engineering, to discuss the issues on the subject property.

1. During this meeting, concerns and possible solutions were addressed by both sides. Ultimately, at the end of the meeting, the Landowner requested additional time to discuss their options and then come back to the Planning Department with their proposed solution(s).
2. Staff has not heard from the Landowner or Agent relative to the proposed solution(s).
3. The Agent was in contact with Planning Staff only to ask when CP 18-10 would be placed back on an agenda.
4. Planning Staff, as stated previously in this Staff Report, still believes the existing violations, absence of requested drainage information, absence of proposed solution(s), and existing non-conformities on the subject should be addressed prior to approval of this Construction Permit application.

XI. JANUARY 28, 2019 PLANNING COMMISSION MEETING (Excerpts only, not inclusive)

A. The applicant's agent, Ron Davis, stated, "There are a ton of drainage issue problems out here and there has been for years okay. What we're trying to do does not resolve those drainage issues but what we are doing does not affect the drainage at the south end of the track. We are just going clean up and put some gravel, we are not changing the elevations, not changing the cross sections – the flow will be exactly the same. We're not doing a thing but leveling it off and putting some gravel down is all we're doing. We are not affecting the overall drainage basin. This is a major problem and has been for a long time."

B. A question was asked of Mr. Davis by Commissioner Marsh, "I am just looking at the plan, the plan that was submitted August 17, 2018, is the proposed plan correct? Um there is a large area called Area 2 that appears to have a significant grade change from Area 1. Um and I don't know how they are going to get there. I am looking at the contours and wondering will there be a road that gets there or how will that....". *The last page of the report was put up on the screen.*

C. Commissioner Marsh also asked, "How many cubic yards of material are being proposed to move? Mr. Davis responded, "I have never calculated..." (Could not hear as agent was not near the podium). "I have the amount of base course. I never did calculate the um yardage, this wasn't going out for bid. It's a private guy doing his own work so we didn't do the yardage it's just. But the area to the right, the upper area, we're leveling that off but that's not within this drainage basin at all. It's up on the hill, it's up on top of a hill so I, so we're not getting down into that drainage area as defined down in there. So it's just some additional work we want to do to get leveled off to make more parking up there."

D. Commissioner Marsh asked, "Is that material going to be taken off site then or?" Mr. Davis responded, "No, it will be, it, ah you see the darker areas the slope on the east end of it, or not the east end the, you see the dark areas that is a contour lines are closer together? You got the flat area than it goes down a slope. Well that slope is fill from the dirt from the upper side of the lot. We're just taking the upper side of the lot, pushing it over and leveling it off and then sloping it down into the existing grade. Just making a flat spot up there."

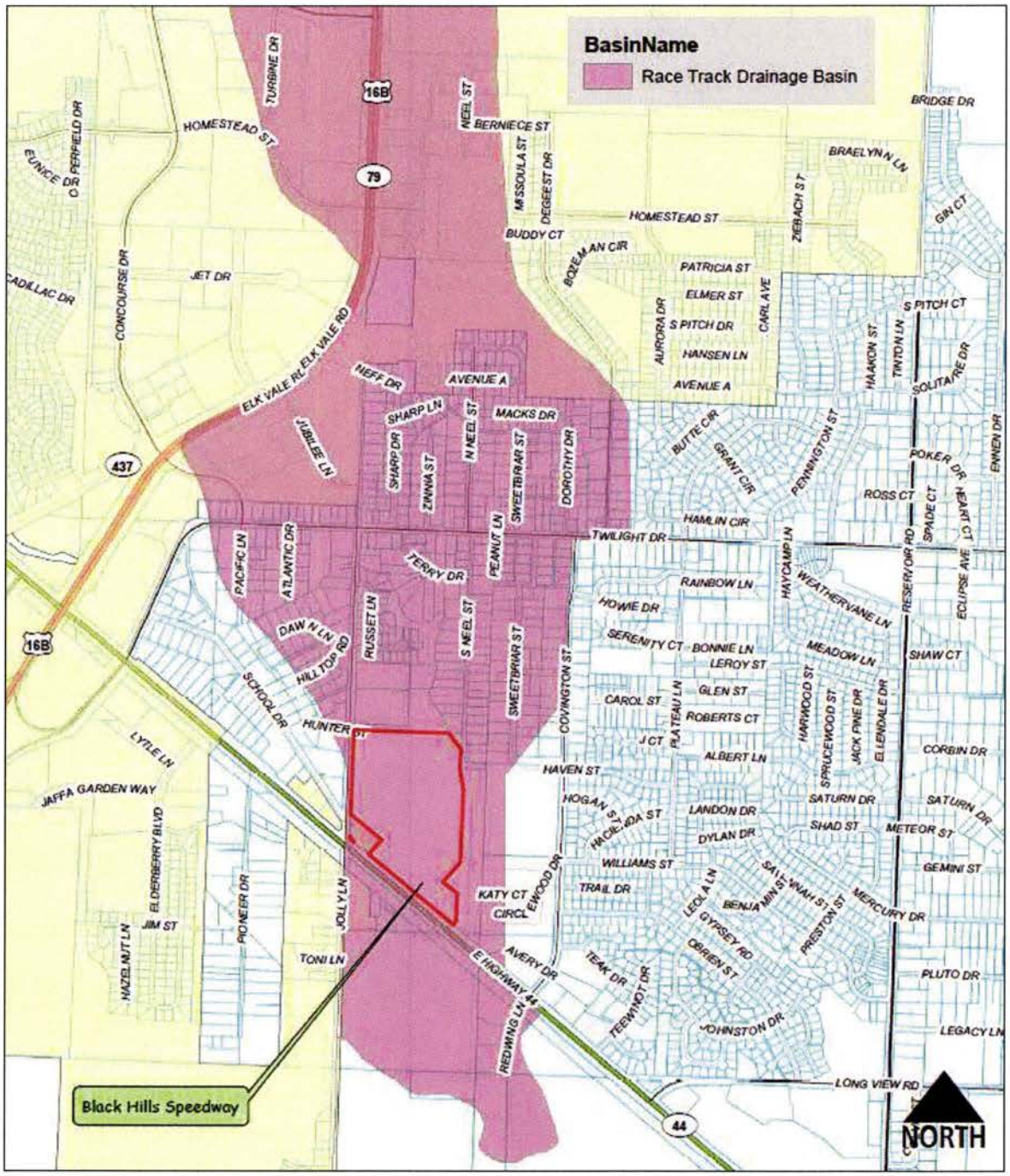
E. Commissioner Marsh asked, "So it's not going to be used as parking or is that meant to be used as parking as well?" Mr. Davis responded, "That could be used as parking, it will be graveled, like the rest of it."

F. The Planning Commission made the motion: *Moved by Johnson and seconded by Drewes to continue Construction Permit / CP 18-10 to a time after the applicant satisfies the concerns of the SD DOT, as described in their comments on Page 14 of the January 28, 2019, Staff Report and the meeting will be scheduled after the SD DOT is satisfied with the response*

from the applicant and the meeting with the Planning Commission is held no earlier than February 25, 2019.

XII. DRAINAGE BASIN STUDY

A. Map of the Race Track Drainage Basin



B. Staff never received a drainage study as required in Condition #1 of Construction Permit / CP 18-10 for the alterations in and around the drainage easement on and after 2015.
   1. A similar requirement was placed on Construction Permit / CP 09-05.
      a. This request was pulled by the applicant due to not wanting to provide extensive plans and design considerations, however, they did indicate that plans would be submitted at a later date.
         i. Plans have never been submitted to the Planning Department.
   2. Staff has received drainage complaints after the work outlined in the Construction Permit / CP 15-10 was done.
      a. The Planning Department has never received any plans, data, or calculations showing that the drainage basin was or was not impacted by the dirt work completed in and around the drainage easement on or after 2015.
      b. The Planning Department has never received information, calculations or data regarding the impact of replacing the pipe on the south end of the property.
         i. Calculations from existing and post conditions were never submitted to the Planning Department. There is no documentation supporting the statements in § V(D)(6) of this Report. (see below)
            (a) The 12" pipe under the south end of the track for normal drainage was plugged up because there was an old metal culvert that rotted away.
            (b) They want to put an 18" back in to give it a little more room to flow down a little quicker.
            (c) The amount of the water coming out of the track is still five to six cfs and it will remain that amount; there will just be a bigger pipe for it to flow through.
         ii. Comments made by Mr. Davis in a letter dated June 30, 2015 regarding the above Construction Permit request:
            (a) I will be doing a detailed study to figure out a way to prevent the south end of the track from becoming flooded every time it rains. The relocation of the small dirt piles will not affect the proposed drainage study. It is my opinion that the county should allow the relocation of the piles at this time.

(i) No data or calculations have ever been submitted to Pennington County supporting this statement.

C. Calculations and data have never been submitted to the Planning Department showing that this request, Construction Permit / CP 18-10, does not impact drainage.

1. In § XI (C) of this Report, it was stated that, "we are not changing the elevations, not changing the cross sections – the flow will be exactly the same".
   a. Staff has not received any data from the landowner and/or the agent supporting this statement.
2. As stated in § XI (C) of this Report, there were no calculations as the amount of material moved around or off the site.
   a. Staff questions how no impact can be determined when the amounts of material moved around is unknown.
   b. There have been no pre-Construction and post-Construction elevation information submitted to the Planning Department showing there have been no changes in elevation from dirt work done on and after 2015.
   c. A go-kart track was constructed in the drainage easement. No information was submitted to the Planning Department showing that this construction did not impact the flow of drainage.
3. During the January 28, 2019, Planning Commission meeting, the following was stated by Mr. Davis:
   a. "But the area to the right, the upper area, we're leveling that off <u>but that's not within this drainage basin at all</u>. It's up on the hill, it's up on top of a hill so I, so <u>we're not getting down into that drainage area as defined down in there</u>. So it's just some additional work we want to do to get leveled off to make more parking up there."
   b. According to the map of the Race Track Drainage Basin in § XII(A), the Black Hills Speedway <u>is located entirely in the Race Track Drainage Basin</u>.
4. On February 19, 2019, Staff received an email from the South Dakota Department of Transportation (SDDOT) stating the following, "Black Hills Speedway is placing an interceptor ditch on their property to capture runoff and outlet in the vicinity of the box culvert that runs under South Dakota 44. That was acceptable to us." Staff asked if there was any study or calculations submitted. The SDDOT stated, "We require a statement from a registered professional engineer that any development that occurs will not increase the runoff into our right-of-way. It places the liability on the engineer and developer."

a. This information, regarding the interceptor ditch, was not submitted to Pennington County and not part of the original plans. There is no data or calculations to support the statement that there is no increase of flow.

5. A drainage study has never been submitted to Pennington County showing that the construction activity since 2015 on the subject property has not impacted drainage from the property (i.e. increased flows).
   a. A drainage study has been consistently requested for all construction work on this property over the years. Construction work has continued to occur without providing sound documentation that the work does not impact drainage (i.e. increase in flows) as requested in the Permit Approval.
      i. In 2018, Pennington County received drainage complaints in the lower portion of the Race Track Drainage Basin downstream of the subject property.
   b. SDCL 46A-10A-28 states, "Approval required for rehabilitation or construction of drain covered by plan--Board review of commission decision. If a board has adopted a drainage plan or any part, adjunct, amendment, or addition thereto, no rehabilitation of existing drainage or construction of new drainage, whether publicly or privately owned, if covered by the adopted plan, may be undertaken or authorized in the county until the location and extent thereof has been submitted to and approved by the board or commission, if established. In case of disapproval by a commission, it shall communicate its reasons in writing to the board. At a hearing to review the decision, by majority vote of the board members elect, a board may overrule all or any portion of a disapproval or any erroneous approval which is contrary to the adopted plan."

XIII. UPDATE FOR MAY 13, 2019

A. April 22, 2019 – A complaint was filed with the Planning Department regarding sediment entering the Right-of-Way from the racetrack.

B. April 23, 2019 – Staff performed a site visit to confirm the validity of the complaint. (See photos on next page)





Sediment in road ditch on the south side of racetrack

C. Staff contacted the applicant via telephone regarding the complaints.
   1. The applicant indicated that Best Management Practices would be installed to mitigate the sediment entering the Right-of-Way.



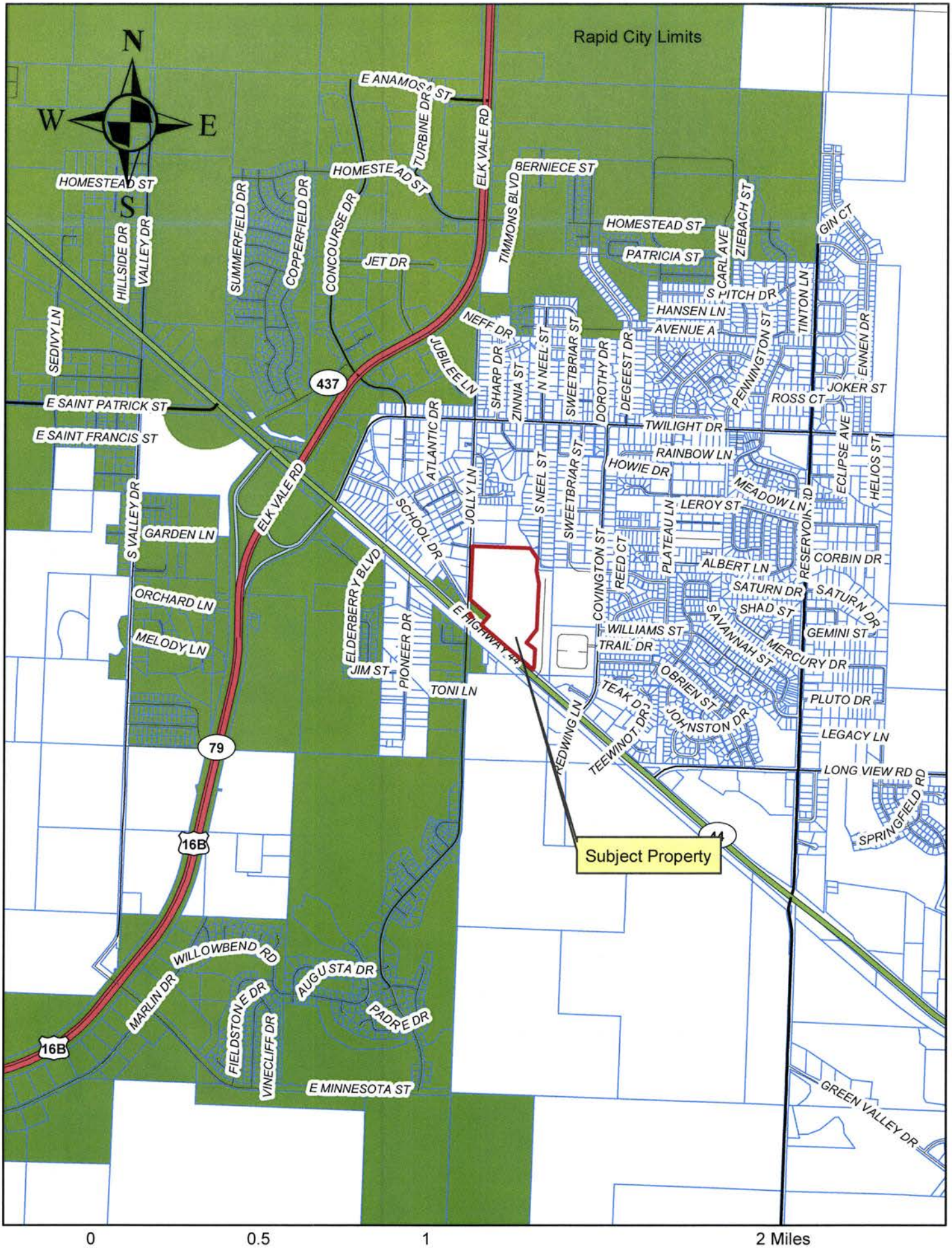
Photo submitted by applicant on May 3, 2019 of installed BMPs at outlet to the Right-of-Way

D. May 07, 2019 - During a hearing before the Board of Commissioners, the owner testified that the requested drainage study for the entire property will be done.
   1. Once received, the plans will require review and approval by County Engineers.
   2. A Conditional Use Permit (CU 19-07) was submitted on the subject property for a Kart Track in the north portion of the drainage basin.
   3. During the discussion on May 07, 2019, the existence of the Kart Track for CU 19-07 was not discussed.
   4. The existence of the Kart Track will need to be included as an area of disturbance.

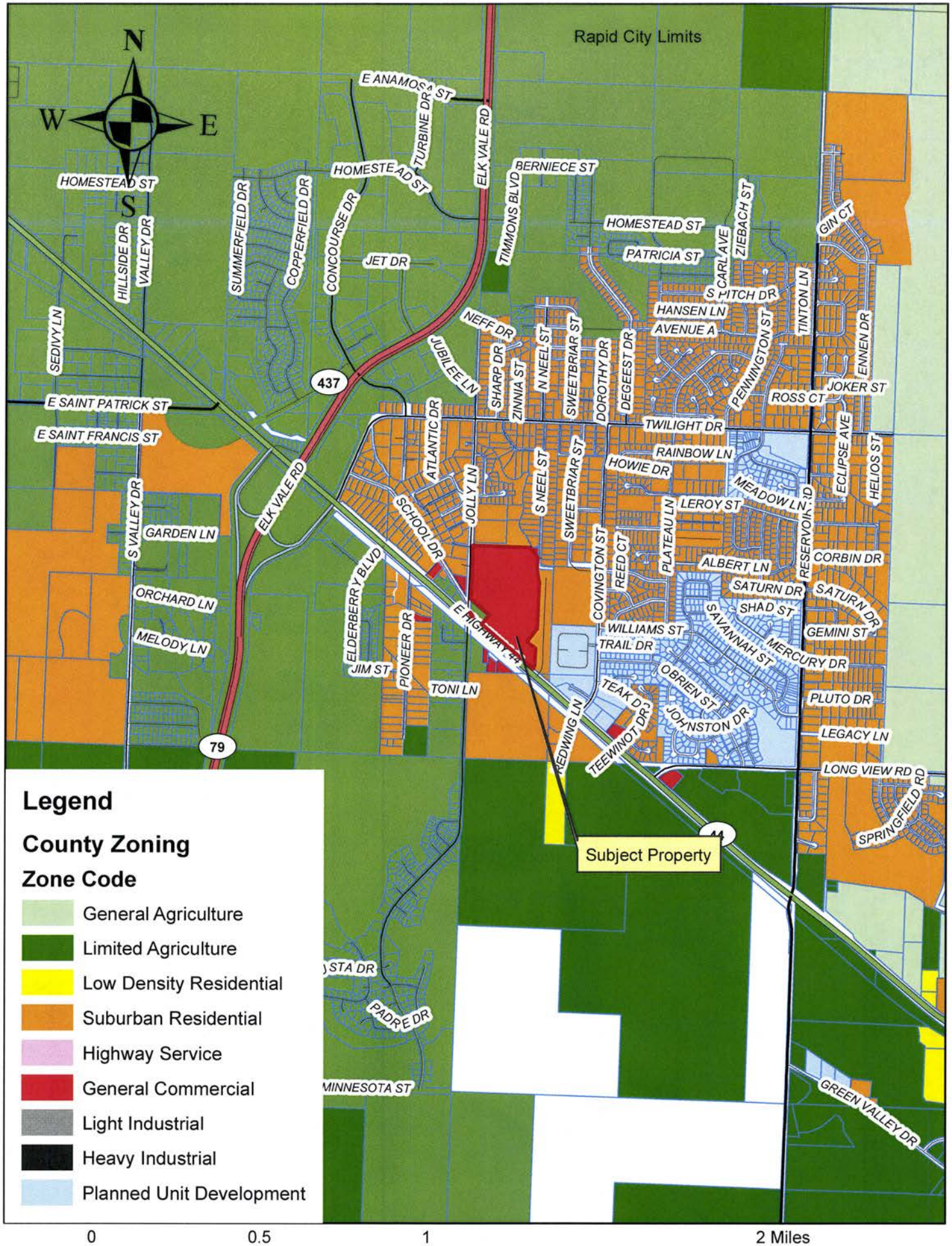
Staff is requesting public input on this request. The Planning Director will consider public input from private citizens, the applicant and the Planning Commission, in addition to information provided within this Staff Report, when rendering a decision on Construction Permit / CP 18-10.

RECOMMENDATION TO PLANNING DIRECTOR: Staff is recommending that a decision is not made on Construction Permit / CP 18-10 until such time grading and elevation information (pre- and post-construction) and the requested drainage study is received by the Planning Department from the applicant. When required information is received and reviewed by Staff and the Planning Director, the Planning Director can make a decision regarding this request.

Black Hills Speedway



Black Hills Speedway



RECEIVED
APR 29 2016
BY:



TRANSMITTAL LETTER

DAVIS ENGINEERING, INC.....1060 KINGS ROAD.....RAPID CITY, SD 57702

DATE: April 29, 2015
TO: Pennington County Planning Dept
130 Kansas City St.
Suite 200
Rapid City, SD 57701
RE: Replacement of drainage pipe @ Black Hills Speedway

To whom if may concern;

I have attached a drawing showing the replacement of the 12" RCP pipe with an 18" PVC pipe. The 12" RCP pipe was clogged and did not drain. The southern end of the Racetrack was inundated and races could not be held. The owner has removed the 12" RCP which left an open ditch that needs to be filled in in order to use this area for racing purposes.

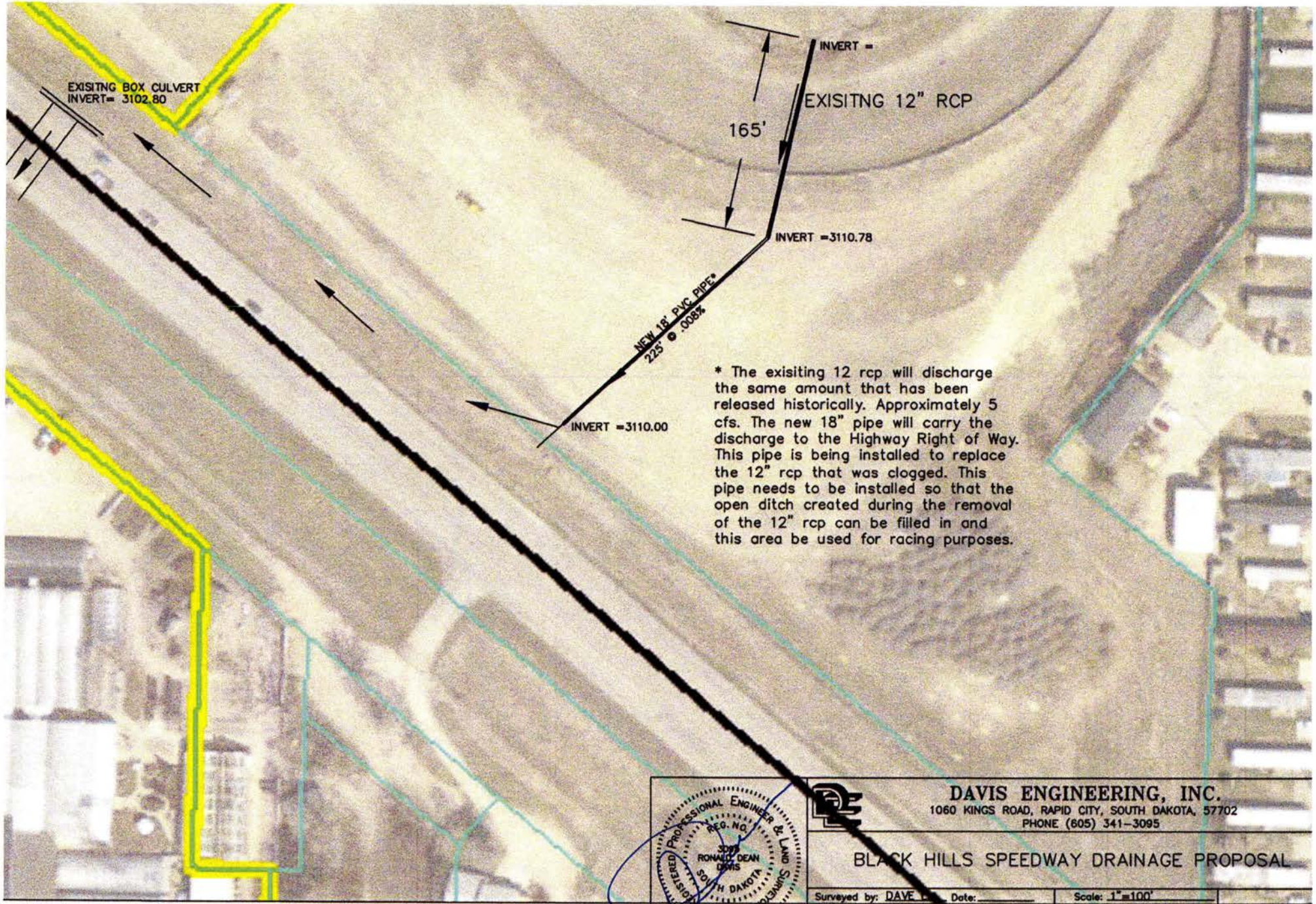
The owner has decided to replace the 12" RCP with an 18" PVC pipe which will have more carrying capacity even though more capacity is not needed. The 12" RCP that is still under the South end of the track will release approximately 5 cfs which is the same amount as before this work is done. **The addition of the 18" PVC pipe will not affect the drainage pattern or amount of water released in accordance with the "Race Track Draw Drainage Basin Design".**

The State Dept of Transportation reconstructed the HWY ditch on the North side of the HWY 44 in order to facilitate the drainage from the Speedway in a more efficient manner. They also cleaned out the Box Culvert under HWY 44.

If you have any questions please call.

Thank you;

Davis Engineering, Inc.
Ronald D. Davis, PE/RLS #3095 SD
605-341-3095 davisengineering@q.com



REGISTERED PROFESSIONAL ENGINEER & LAND SURVEYOR
REG. NO. 5078
RONALD DEAN DAVIS
SOUTH DAKOTA

DAVIS ENGINEERING, INC.
1060 KINGS ROAD, RAPID CITY, SOUTH DAKOTA, 57702
PHONE (605) 341-3095

BLACK HILLS SPEEDWAY DRAINAGE PROPOSAL

Surveyed by: DAVE [illegible] Date:
Designed by: Date:
Drawn by: ARDY Date:
Checked by: RON Date: APR 29, 2016

Scale: 1"=100'
Revisions:

Job Number: J20

Agenda Item #26
Brad Nible
May 13, 2019

26

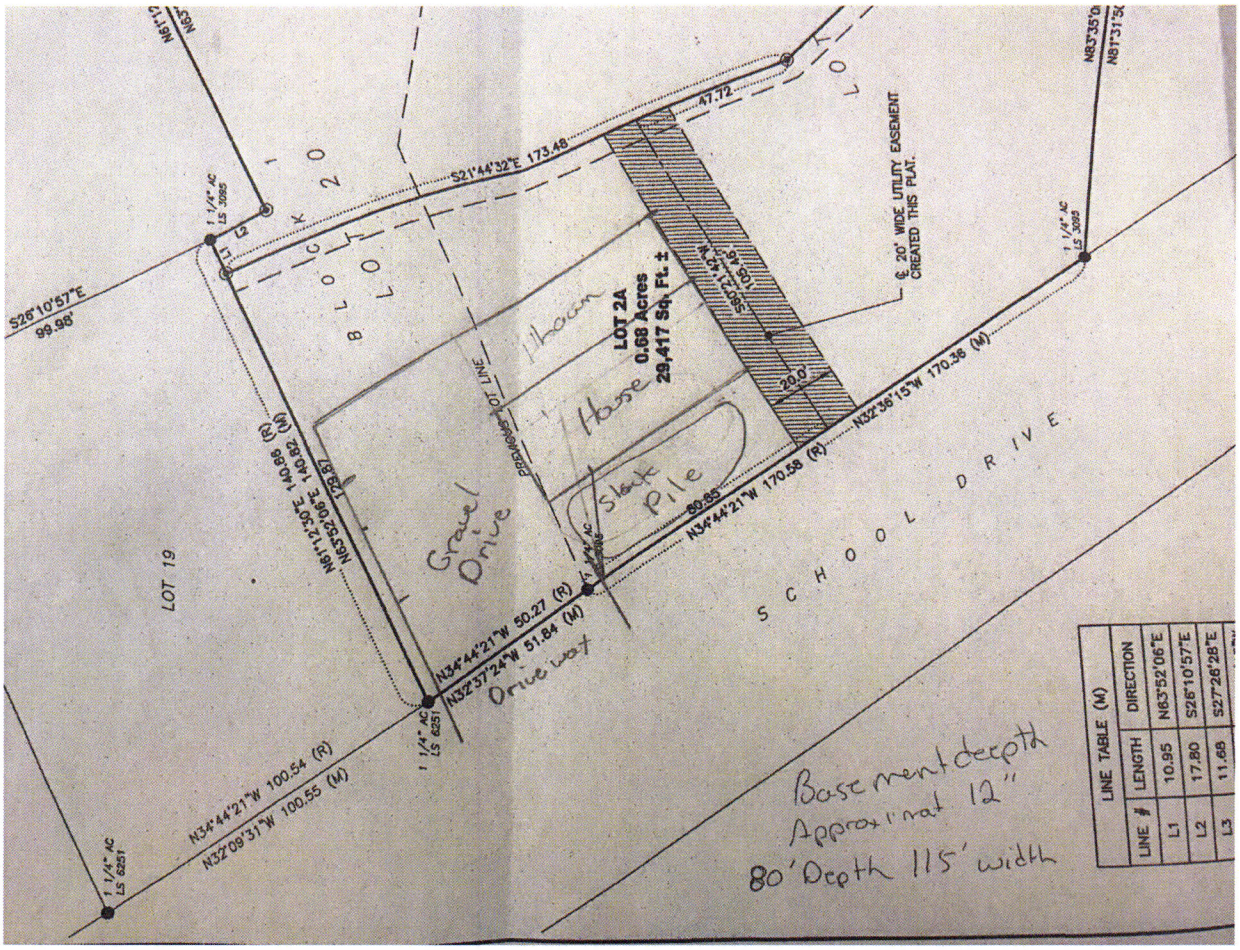
STAFF REPORT

GENERAL INFORMATION:	
REQUEST:	**CONSTRUCTION PERMIT REVIEW / CP 18-12:** To review a Construction Permit to excavate and level of a hillside for a future residence in accordance with Sections 208 and 507 of the Pennington County Zoning Ordinance.
APPLICANT:	Brad Nible
APPLICANT ADDRESS:	3517 School Drive, Rapid City, SD 57703
LEGAL DESCRIPTION:	Lot 2A, Block 6, Harney Peak View Addition, Section 9, T1N, R8E, BHM, Pennington County, South Dakota.
SITE LOCATION:	School Drive; located west of the intersection of Jolly Lane and School Drive.
TAX ID:	68597
SIZE:	0.68 acre
EXISTING LAND USE:	Vacant
ZONING REFERENCE:	Sections 208 and 507
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:	Hillside / sloping
UTILITIES:	None / Rapid Valley Sanitary District
REPORT BY:	Cody Sack

Agenda Item #26
Brad Nible
May 13, 2019

I. GENERAL DESCRIPTION

A. The applicant, Bradley Nible, applied for a Construction Permit to bring into compliance an existing violation on the subject property to excavate and level a hillside for a future residence(s).



Site Plan

II. EXISTING CONDITIONS

A. Zoned Suburban Residential District.
B. 0.68 acre.
C. Total area of disturbance – 11,816 square feet.
D. Lot vacant of structures.

III. ROAD DITCH ALONG SCHOOL DRIVE

A. The road ditch was filled with sediment and caused the ditch to flatten and therefore water would pool in the lots on the south side of the road.
B. The drainage improvements were completed to correct drainage problems within the road ditch along School Drive.

C. Drainage improvements along School Drive were completed by County Highway in 2015.

IV. PROPERTY HISTORY (NOVEMBER 2018 – FEBRUARY 2019)

A. October 18, 2018 - County Ordinance Enforcement issued a violation (COVO18-0241).
   1. Disturbing more than 10,000 square feet of dirt without a Construction Permit.

B. October 23, 2018 - The applicant, Bradley Nible, applied for a Construction Permit.
   1. The applicant stated he did not believe that he needs a Construction Permit.
   2. The applicant stated in multiple emails to the Commission Office and the State's Attorney's Office that Staff was going by cubic feet not square feet (see attachments).

C. October 24, 2018 - Staff performed a site visit and found the following:
   1. Significant land disturbance on the lot.
   2. The hillside on the property was being excavated out.
   3. An approach had been constructed (Approach Permit 07/24/18-3).
      a. May be in violation of the Approach Permit.
      b. No erosion control practices

D. November 3, 2018 - Staff drove by the property and found:
   1. The applicant was putting in his second approach.
      a. Applicant does have a Permit for two approaches, however, the Permit is contingent on the Final Platting of the property with the City of Rapid City

E. November 5, 2018 - Staff was in contact with the applicant:
   1. The applicant contacted Staff because he wants to put a double-wide mobile home on the property, with apartments in the basement.
   2. No Building Permit has been submitted for the subject property.
   3. The applicant informed Staff that the dirt being excavated was being removed from the property by "Nielson" to another project off-site.
      a. Through various conversations with staff, the applicant has stated that he is selling the material and that the material is not for personal use.





Site Visit (11/5/18)

F. November 8, 2018 - Staff mailed, by way of certified return receipt, a Stop Work Order for the property. One to Mr. Nible and one to Carl Schauer, the other landowner.
   1. The Stop Work order will be lifted when the site is stabilized and the engineered plans have been reviewed.

G. November 13, 2018 – Construction Permit / CP 18-12 was originally approved by the Planning Commission with the following twelve (12) conditions:
   1. That erosion control measures are implemented *immediately* and maintained until the site has been revegetated in accordance with § 507(A)(5)(c);
   2. That cut-and-fill slopes be designed and constructed to minimize erosion and design plans submitted to the Pennington County Drainage Engineer for review within 30 days;
   3. That the owner must inspect the site at least once every 7 days and within 24 hours of the end of a storm event that is one-half inch or greater (this includes rain or snow-melt runoff). Inspection reports must be submitted to the Planning Director every month during construction;
   4. That the requirements, guidelines, and criteria for storm water and erosion control in the Pennington County Storm Water Manual, or equivalent, shall be followed during construction;
   5. That all natural drainage ways and paths be continually maintained;
   6. That an engineered plan to stabilize the hillside either by a retaining wall or by sloping the hillside is developed and the design plans

submitted to the Pennington County Drainage Engineer for review within 30 days;

7. That sediment from the site is contained in such a manner that sediment does not reach or fill the right-of-way (road ditch). If sediment is deposited in the right-of-way (road ditch) from the construction activity, the owner will be responsible for the removal of sediment from the right-of-way (road ditch) *immediately* after being notified or as discovered by the owner during weekly inspections;
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);
11. That the applicant sign the Statement of Understanding prior to the Stop Work Order being lifted; and,
12. That this Construction Permit be reviewed at the December 3, 2018, Planning Commission meeting to verify that erosion controls have been implemented and progress is being made on engineered design plans.

H. The applicant has submitted a Preliminary Subdivision Plan with Rapid City (City 3-mile Platting Jurisdiction) to divide the property into two (2) lots with eight (8) stipulations.
   1. Preliminary Subdivision Plan (PSP).
   2. According to correspondence with the City, the all stipulations set forth by the City have not been met.
   3. Also, according to correspondence with the City, a Final Plat has not been approved.
   4. The stipulations for the City are listed below.
      a. Upon submittal of a Development Engineering Plan application, construction plans for School Drive shall be submitted for review and approval showing the street constructed with a minimum 26 foot wide paved surface or a minimum 20 foot wide paved surface with no-parking signs if approved by the County, curb, gutter, and sidewalk or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception Shall be submitted with the Development Engineering Plan application;

b. Upon submittal of a Development Engineering Plan application, a drainage plan in compliance with the Infrastructure Design Criteria Manual shall be submitted for review and approval to address storm water detention if subdivision improvements are required;
c. Prior to approval of the Development Engineering Plan application, engineering reports required for construction approval shall be accepted and agreements required for construction approval shall be executed. In addition, permits required for construction shall be approved and issued and construction plans shall be accepted in accordance with the Infrastructure Design Criteria Manual. All final engineering reports shall be signed and sealed by a Professional Engineer;
d. Upon submittal of a Development Engineering Plan application, a cost estimate for any required subdivision improvements shall be submitted for review and approval;
e. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements if applicable;
f. Prior to submittal of a Final Plat application, the plat document shall be revised to include an ownership certificate for Carl Schauer;
g. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid; and,
h. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.

I. The applicant submitted an Approach Permit to County Highway with approval of the Permit contingent upon Final Platting of the property.
   1. The approaches have been constructed, however, Final Platting has not been approved.

J. Per § 507(A)(3)(b)(i) of the Pennington County Zoning Ordinance (PCZO), a Construction Permit is required prior to a person engaging in an excavation, clearing, or land disturbance greater than or equal to 10,000 square feet, unless the disturbance is exempt under § 507(A)(3)(b)(iv) of the PCZO.
   1. Per the Applicant's Construction Permit:
      a. Excavating and/or grading is 110' x 80' = 8,800 square feet (Construction Permit Application).
      b. Stockpile is 25' x 40' = 1,000 square feet (Construction Permit Application).

2. Per the Applicant:
    a. First approach is 48' x 21' = 1,008 square feet (Per Applicant).
    b. Second approach is 48' x 21' = 1,008 square feet (Per Applicant)
    c. Total square feet of disturbance is 8,800 + 1,000 + 1,008 + 1,008 = **11,816 square feet**.
3. At 11,816 square feet, the Applicant is over 10,000 square feet and requires a Construction Permit.

K. Staff has concerns about stabilization of the hillside behind where the future residence will be.
1. There is an existing residence above the site.
2. The applicant stated that placing a basement on the property will stabilize the hillside and soil, however, no plans have been submitted showing how the basement is going to stabilize the hillside.

L. November 13, 2018- Staff met with applicant who stated:
1. He was going to have the stockpile of dirt moved off-site.
2. He was going to stabilize the site for winter.
    a. The stabilization would be through wattles and straw mats.

M. On November 13, 2018, the Planning Commission continued CP 18-12 to the November 26, 2018, Planning Commission meeting to allow the applicant time to stabilize the site.

N. November 19, 2018 - Staff performed a site visit and found:
1. The stockpiles were removed.
2. No erosion control measures had been implemented to date.

O. November 26, 2018 - Staff was in contact with the applicant who stated:
1. He was going to contact Davis Engineering.
2. The applicant was going to put straw mats down and gravel over the approaches.

P. November 26, 2018 – The Planning Commission approved the extension of CP 18-12 with twelve (12) conditions.
1. During the Planning Commission meeting, the applicant stated, "The only thing that I have a problem with in the, I think twelve items in the back, is inspecting the property every seven days."
2. Staff agreed and the Planning Commission approved that a person designated by the property owner could also do the inspection reports.
3. Below are the twelve (12) conditions that were approved on November 26, 2018.
    a. That erosion control measures are implemented *immediately* and maintained until the site has been revegetated in accordance with § 507(A)(5)(c);

b. That cut-and-fill slopes be designed and constructed to minimize erosion and design plans submitted to the Pennington County Drainage Engineer for review within 30 days;
c. That the owner designee must inspect the site at least once every 7 days and within 24 hours of the end of a storm event that is one-half inch or greater (this includes rain or snow-melt runoff). Inspection reports must be submitted to the Planning Director every month during construction;
d. 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;
e. That all natural drainage ways and paths be continually maintained;
f. That an engineered plan to stabilize the hillside either by a retaining wall or by sloping the hillside is developed and the design plans submitted to the Pennington County Drainage Engineer for review within 30 days;
g. That sediment from the site is contained in such a manner that sediment does not reach or fill the right-of-way (road ditch). If sediment is deposited in the right-of-way (road ditch) from the construction activity, the owner will be responsible for the removal of sediment from the right-of-way (road ditch) *immediately* after being notified or as discovered by the owner during weekly inspections;
h. 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;
i. 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;
j. That the disturbed areas be re-vegetated as required in § 507(A)(5)(c);
k. That the applicant sign the Statement of Understanding prior to the Stop Work Order being lifted; and
l. That this Construction Permit be reviewed at the December 3, 2019, Planning Commission meeting to verify that erosion controls have been implemented and progress is being made on engineered design plans.

Q. November 28, 2018- Staff performed a site visit and found the following:
1. There have been several straw mats placed on the property.
2. It appears the applicant was making progress to stabilize the site, however, the site was not stabilized.



Site Visit (11/28/18)

R. December 3, 2018 – The Planning Commission approved the extension of CP 18-12 with the following eleven (11) conditions:
1. That erosion control measures are implemented *immediately* and maintained until the site has been revegetated in accordance with § 507(A)(5)(c);
2. That cut-and-fill slopes be designed and constructed to minimize erosion and design plans submitted to the Pennington County Drainage Engineer for review within 30 days;
3. That the owner must inspect the site at least once every 7 days and within 24 hours of the end of a storm event that is one-half inch or greater (this includes rain or snow-melt runoff). Inspection reports must be submitted to the Planning Director every month during construction;
4. That the requirements, guidelines, and criteria for storm water and erosion control in the Pennington County Storm Water Manual, or equivalent, shall be followed during construction;
5. That all natural drainage ways and paths be continually maintained;
6. That an engineered plan to stabilize the hillside either by a retaining wall or by sloping the hillside is developed and the design plans submitted to the Pennington County Drainage Engineer for review within 30 days;
7. That sediment from the site is contained in such a manner that sediment does not reach or fill the right-of-way (road ditch). If sediment is deposited in the right-of-way (road ditch) from the

construction activity, the owner will be responsible for the removal of sediment from the right-of-way (road ditch) *immediately* after being notified or as discovered by the owner during weekly inspections;

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); and,
11. That this Construction Permit be reviewed at the February 11, 2019, Planning Commission meeting to verify that erosion controls have been implemented and progress is being made on engineered design plans.

S. Staff removed Condition #11 as the applicant signed his Statement of Understanding (SOU).
   1. A copy of the SOU is included with this Staff Report.

T. Staff also changed the wording of Condition #3 to allow the applicant to designate a person to inspect the property if the applicant is unable to do so.
   1. This was done at the request of the applicant at the November 26, 2018, Planning Commission meeting.

U. February 11, 2019 – The Planning Commission approved the extension of CP 18-12 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;
   2. That cut-and-fill slopes be designed and constructed to minimize erosion and design plans submitted to the Pennington County Planning Department for review within 30 days;
   3. That the owner or designee must inspect the site at least once every 7 calendar days or every 14 calendar days and within 24 hours of the end of a storm event that exceeds 0.25 inches or snowmelt that generates runoff. A properly maintained rain gauge must be kept on the site. Inspection reports must be submitted to the Planning Director every month during construction, and all overdue inspection reports shall be submitted to the Planning Director by March 25, 2019;
   4. That failure of the owner or designee to submit Inspection Reports, as required, shall result in the immediate issuance of a Stop Work

Order and a review by the Planning Commission to determine if all Conditions of Approval are being met;

5. That the requirements, guidelines, and criteria for storm water and erosion control in the Pennington County Storm Water Manual, or equivalent, shall be followed during construction;
6. That all natural drainage ways and paths be continually maintained;
7. That an engineered plan to stabilize the hillside either by a retaining wall or by sloping the hillside is developed and the design plans submitted to the Pennington County Drainage Engineer for review within 30 days;
8. That sediment from the site is contained in such a manner that sediment does not reach or fill the right-of-way (road ditch). If sediment is deposited in the right-of-way (road ditch) from the construction activity, the owner will be responsible for the removal of sediment from the right-of-way (road ditch) *immediately* after being notified or as discovered by the owner during weekly inspections;
9. That a Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which includes the necessary site plans to be reviewed and approved by the Planning Director;
10. That the requirements, guidelines, and criteria for storm water and erosion control in the Pennington County Storm Water Manual, or equivalent, shall be followed during construction;
11. That erosion control measures, such as seeding and mulching the disturbed area, shall be implemented immediately after the work is completed in the area, but in no case later than 14 days after the Construction Activity has stopped. All erosion control methods (mulch and seed) need to be certified noxious weed-free;
12. That the disturbed areas be re-vegetated as required in § 507(A)(5)(c) of the Pennington County Zoning Ordinance;
13. That 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; and,
14. That this Construction Permit be reviewed at the March 25, 2019, Planning Commission meeting to verify that erosion controls have been implemented and progress is being made on engineered design plans.

V. April 8, 2019 – The Planning Commission continued the review of CP 18-12 to the April 22, Planning Commission meeting with the following sixteen (16) conditions:

1. That erosion control measures are implemented immediately and maintained until the site has been revegetated in accordance with § 507(A)(5)(c) of the Pennington County Zoning Ordinance;
2. That cut-and-fill slopes be designed and constructed to minimize erosion and design plans submitted to the Pennington County Planning Department for review within 30 days;
3. That the owner or designee must inspect the site at least once every 7 calendar days or every 14 calendar days and within 24 hours of the end of a storm event that exceeds 0.25 inches or snowmelt that generates runoff. A properly maintained rain gauge must be kept on the site. Inspection reports must be submitted to the Planning Director every month during construction;
4. That failure of the owner or designee to submit Inspection Reports, as required, shall result in the immediate issuance of a Stop Work Order and a review by the Planning Commission to determine if all Conditions of Approval are being met;
5. That the requirements, guidelines, and criteria for storm water and erosion control in the Pennington County Storm Water Manual, or equivalent, shall be followed during construction;
6. That all natural drainage ways and paths be continually maintained;
7. That an engineered plan to stabilize the hillside either by a retaining wall or by sloping the hillside is developed and the design plans submitted to the Pennington County Drainage Engineer for review within 30 days;
8. That sediment from the site is contained in such a manner that sediment does not reach or fill the right-of-way (road ditch). If sediment is deposited in the right-of-way (road ditch) from the construction activity, the owner will be responsible for the removal of sediment from the right-of-way (road ditch) immediately after being notified or as discovered by the owner during weekly inspections;
9. That a Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which includes the necessary site plans to be reviewed and approved by the Planning Director;
10. That the requirements, guidelines, and criteria for storm water and erosion control in the Pennington County Storm Water Manual, or equivalent, shall be followed during construction;
11. That erosion control measures, such as seeding and mulching the disturbed area, shall be implemented immediately after the work is completed in the area, but in no case later than 14 days after the Construction Activity has stopped. All erosion control methods (mulch and seed) need to be certified noxious weed-free;

12. That the disturbed areas be re-vegetated as required in § 507(A)(5)(c) of the Pennington County Zoning Ordinance;
13. That the applicant pay the $100 continuation fee prior to the stop work order being lifted;
14. That any continuation hereafter caused by the applicants failure to meet Conditions of Approval will be fined $100.00 per continuation in accordance with § 511(X) of the Pennington Counting Zoning Ordinance;
15. That all Conditions of Approval are met and all fees paid for prior to the stop work order being lifted; and,
16. That this Construction Permit be reviewed at the April 22, 2019, Planning Commission meeting to verify that erosion controls have been implemented and progress is being made on engineered design plans.

W. April 22, 2019 – The Planning Commission continued CP 18-12 with the following conditions:

1. That erosion control measures are implemented immediately and maintained until the site has been revegetated in accordance with § 507(A)(5)(c) of the Pennington County Zoning Ordinance;
2. That cut-and-fill slopes be designed and constructed to minimize erosion and design plans submitted to the Pennington County Planning Department for review within 30 days;
3. That the owner or designee must inspect the site at least once every 7 calendar days or every 14 calendar days and within 24 hours of the end of a storm event that exceeds 0.25 inches or snowmelt that generates runoff. A properly maintained rain gauge must be kept on the site. Inspection reports must be submitted to the Planning Director every month during construction;
4. That failure of the owner or designee to submit Inspection Reports, as required, shall result in the immediate issuance of a Stop Work Order and a review by the Planning Commission to determine if all Conditions of Approval are being met;
5. That the requirements, guidelines, and criteria for storm water and erosion control in the Pennington County Storm Water Manual, or equivalent, shall be followed during construction;
6. That all natural drainage ways and paths be continually maintained;
7. That an engineered plan to stabilize the hillside either by a retaining wall or by sloping the hillside is developed and the design plans submitted to the Pennington County Drainage Engineer for review within 30 days;
8. That sediment from the site is contained in such a manner that sediment does not reach or fill the right-of-way (road ditch). If sediment is deposited in the right-of-way (road ditch) from the construction activity, the owner will be responsible for the removal

of sediment from the right-of-way (road ditch) immediately after being notified or as discovered by the owner during weekly inspections;

9. That a Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which includes the necessary site plans to be reviewed and approved by the Planning Director;
10. That the requirements, guidelines, and criteria for storm water and erosion control in the Pennington County Storm Water Manual, or equivalent, shall be followed during construction;
11. That erosion control measures, such as seeding and mulching the disturbed area, shall be implemented immediately after the work is completed in the area, but in no case later than 14 days after the Construction Activity has stopped. All erosion control methods (mulch and seed) need to be certified noxious weed-free;
12. That the disturbed areas be re-vegetated as required in § 507(A)(5)(c) of the Pennington County Zoning Ordinance;
13. That the applicant pay two (2) $100 continuation fees prior to the stop work order being lifted;
14. That any continuation hereafter caused by the applicants failure to meet Conditions of Approval will be fined $100.00 per continuation in accordance with § 511(X) of the Pennington Counting Zoning Ordinance;
15. That all Conditions of Approval are met and all fees paid for prior to the stop work order being lifted; and,
16. That this Construction Permit be reviewed at the May 13, 2019, Planning Commission meeting to verify that erosion controls have been implemented and progress is being made on engineered design plans.

V. PENNINGTON COUNTY BOARD OF ADJUSTMENT

A. January 2, 2019 – The Board of Adjustment denied a Variance for a second approach on the property.
   1. Commissioner Disanto stated, "I was in that planning meeting and you did agree to give us those reports and progress reports and that kind of stuff and I am kind of concerned as far as your follow up on that is concerned."
   2. Commissioner Hadcock stated, "Since he hasn't followed through with the conditions and has started this process with Stop Work Order because he is doing things without permission or permits I believe the second access isn't necessary."

VII. ANALYSIS

A. February 1, 2019 – Staff was in contact with the applicant who stated:
   1. That he had inspection forms but was not going to submit them until his lawyer was done looking into things.
   2. The applicant stated that he wishes his Construction Permit to end.
      a. Staff informed the applicant that he would have to submit something in writing stating he wishes to end his permit.
      b. Staff received an email from the applicant requesting to end his Construction Permit (see below).

From: NoReply
Sent: Friday, February 01, 2019 9:58 AM
To: plz <plz@pennco.org>
Subject: WEBFORM: Planning and Zoning - Contact Us

The following information was submitted from a web form on the Pennington County website.

DO NOT click reply. To reply, copy and paste the e-mail address below into the "To" field of an outgoing message.

>>>>>>>>>>>>>>>>>>>>>>>>

Submitted Information:

Your name: Bradley Nible

Your e-mail address: brad5n@yahoo.com

Your phone number: 6052091916

Message: To PJ Conner and Cody Sach I would like to cancel my construction permit on School Drive at this time I am not able to fulfill the obligations that you have requested I will be working with a new engineer in the next week's to reapply at a later date.

Email from Mr. Nible

B. February 1, 2019 – Staff performed a site visit and found:
   1. Straw mats have been placed over parts of the site.
   2. The second approach was removed from the property.



Site Visit (2/1/19

C. Staff does not agree with the applicant's request to end CP 18-12, since significant disturbance has occurred and has impacted drainage.
    1. Ending CP 18-12 will create a violation on that property because 10,000 square feet of disturbance has already occurred, and would require a Construction Permit for the property to come into compliance.
    2. Final stabilization of the site is not complete as described by § 507(A)(5)(c) of the PCZO.
D. February 11, 2019 – Staff met with the applicant to discuss what needs to be done to bring the property into compliance.
    1. The applicant submitted a site plan to add silt fence to protect the Right-of-Way.
    2. The applicant stated that he would further stabilize the hill side.
E. February 12, 2019 – A letter was sent by Planning Staff to the applicant stating that if the subject property was not brought into compliance with the Conditions of Approval for Construction Permit / CP 18-12 and that if sediment reaches or fills in the Right-of-Way, Pennington County may declare the site a nuisance (See attached letter and County Ordinance #33; SDCL 21-10-1 and 7-8-33).
F. February 14, 2019- Staff received an email from South Dakota Environmental and Natural Resources (SD DENR) stating that Mr. Nible had contacted them about his Construction Permit.
    1. The response that SD DENR sent the applicant is located below.

From: Buscher, Kelli
Sent: Thursday, February 14, 2019 3:46 PM
To: brad5n@yahoo.com
Cc: DENR-STORM WATER <STORMWATER@state.sd.us>
Subject: FW: [EXT] Atten: Kelli Buscher

Mr. Nible:

Thanks for contacting us. DENR has required Pennington County to develop a program for stormwater runoff and erosion control. I have reviewed the county's inspection reports and watched the county commission meetings regarding your project. Based on this information, I support the erosion control requirements the county has placed on your project.

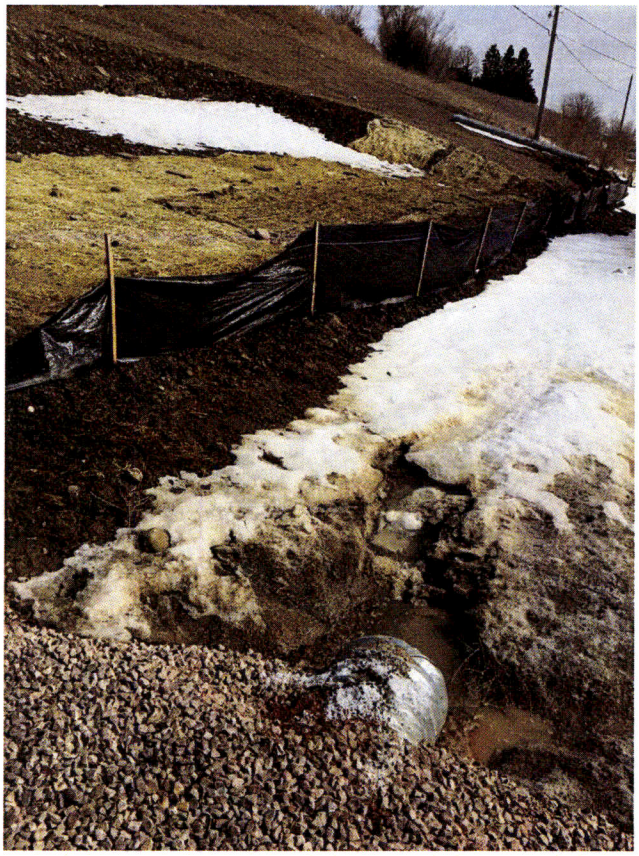
DENR has a permitting program that places similar erosion control requirements on all construction projects that disturb over 1 acre. We can also require projects that are smaller than 1 acre to obtain a state permit if there is sediment leaving the site and the owner is not willing to address the problem. I can have one of the engineers from my office conduct a stormwater inspection at your site. However, if my inspector finds the same problems the county has documented during its inspections, we would require you to obtain a state permit. The state's permit has an annual fee of $100. Under this permit, you would need to install erosion controls at your site and conduct weekly inspections until the project is stabilized. Any violations of the state permit could subject you to fines of up to $10,000 per day per violation.

I would encourage you to continue working with the county to address the violations at your site. However, if you wish to have me send a state inspector to the site, please provide me with your contract information so that we can get in touch with you to schedule our inspection.

SD DENR EMAIL

G. February 15, 2019 – Staff had a meeting with an inspector from SD DENR who stated:
    1. Mr. Nible had contacted him about doing an inspection on the subject property.
    2. The State conducted an inspection of the Construction Site.
        a. Staff is waiting to get the report from the State.

H. March 18, 2019 – Staff conducted a site visit and found:
    1. It appears sediment has reached the Right-Of-Way.
    2. A silt fence has been installed but is in need of repair.
    3. The top of the hillside has not been stabilized.



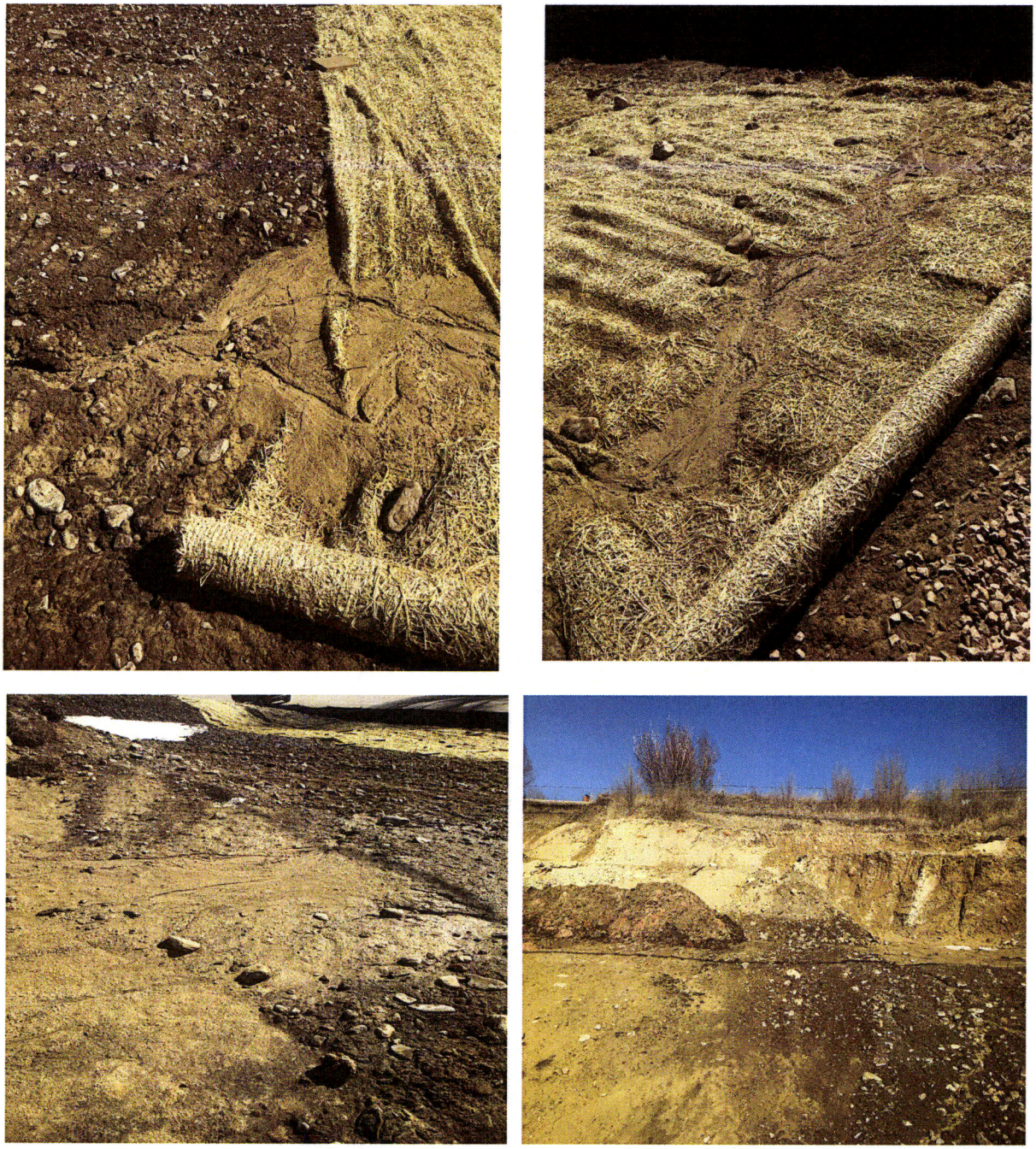
Site Visit (March 18, 2019)

I. March 19, 2019
    1. Staff attempted to contact the applicant who could not be reached.
    2. Staff contacted DENR who stated:
        a. The states report on Mr. Nibles property was under review.

J. March 20, 2019 – Staff performed a site inspection and found:
    1. The Right-of-Way appears to have been disturbed.
    2. It appeared to staff that runoff from the section of un-stabilized hillside had occurred.
    3. The silt fence was not implemented properly and needed repairs.
        a. One of the ends of the fence was not brought upslope of the rest of the fence.
        b. The fence is not pulled tight.
    4. Parts of straw mats are beginning to pull apart.



Site Visit (ROW) (3/20/19)



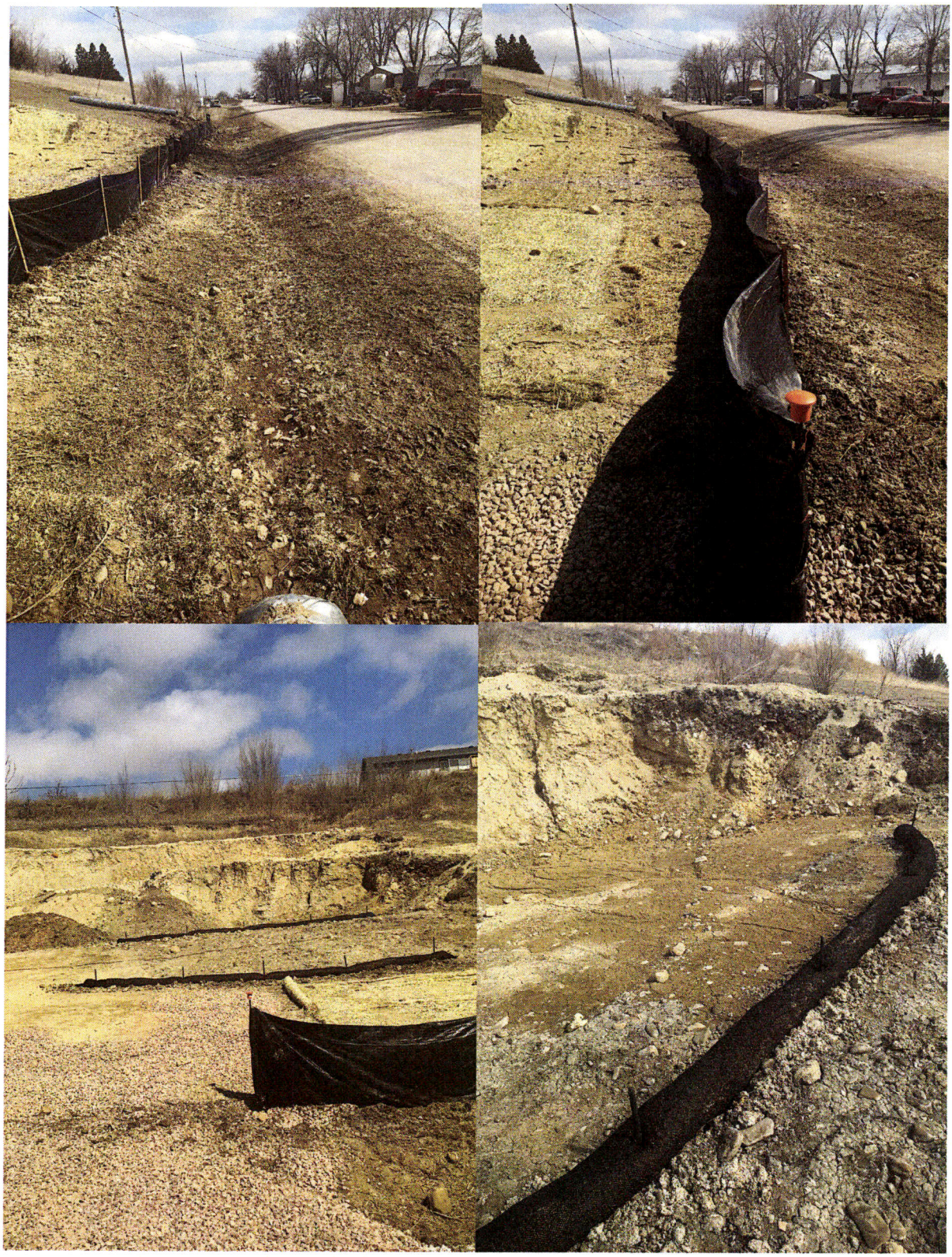
Site Visit (3/20/19)

K. March 25, 2019 – Staff met with the applicant to discuss what it would take to bring the property into compliance.

1. Staff informed the applicant that:
    a. The top part of the subject property would need to be stabilized and recommended placing straw on the disturbed areas.

b. Placing wattles the width of the disturbed area across the top of the property and several feet in in front of the straw mats to slow the water coming off the hill side.
c. Sediment will need to be removed from the right-of-way.
d. The silt fence needs to be pulled tight and the ends brought uphill of the rest of the fence.
e. That the engineered designed plans need to be submitted to the Planning Department.

L. April 1, 2019
1. Staff mailed a Notice of Violation letter to the property owners, by Certified Mail and return receipt (see attached).
   a. The Notice gave the applicant fifteen (15) days to meet the conditions of CP 18-12 or to file a letter requesting a hearing in front of the Board of Commissioners, otherwise the subject property would be abated.
2. Staff conducted a site visit and found:
   a. Wattles had been placed on the property but did not extend across the disturbed area.
   b. The silt fence was not pulled tight and the ends were not placed uphill of the rest of the fence
   c. Sediment had not been cleaned out of the right-of-way.
   d. Straw has not been placed over the disturbed areas.
   e. Engineered plans have not been submitted to the Planning Department.
3. Staff was in contact with the applicant who stated:
   a. He had not heard anything from Davis Engineering on the engineered site plans.
   b. He didn't want to place straw down because he wasn't sure what the engineer would say if he had to dig out more of the hill side.



Site Visit (4/1/19)

M. April 9, 2019 Planning Commission Meeting - Conversations between the Applicant and the Planning Commission:

Mr. Nible, "I have never had to do this before so I don't know what to do."

Commissioner Marsh, "The civil engineer that you are working with likely knows exactly what should be done here.

Commissioner Marsh, "Have you read the requirements in the drainage and Storm water criteria manual?"

Mr. Nible, "I haven't no."

Commissioner Marsh, "We might need to make this step one in this process so you understand the requirements."

Commissioner Marsh, "There's advantages of doing one thing verses the other and I think your engineer will probably help you through that process."

Mr. Nible, "I want to get a specific answer as to what I got the do to stabilize this site."

Commissioner Lasseter, "I would talk to that to that individual, your engineer. That's the individual who's going to give you the most accurate and best information to stabilize your site. We're not going to be able to do that for you.

Commissioner Lasseter, "That's for you as the property owner to consult an engineer to get them to draw plans or talk to you on you can do it."

N. April 9, 2019 – Staff was contacted by Davis Engineering.
   1. Davis engineering said that they were contacted by Mr. Nible.

O. April 9, 2019 – Staff conducted a site visit and found:
   1. More wattles had been placed on the property but still do not span the length of the disturbed area.
      a. The applicant was informed that wattles needed to span the length of the disturbed area.
      b. Wattles are not installed properly.
   2. The silt fence has not been repaired.
      a. The applicant was informed March 25, 2019 that the silt fence needed to be repaired.



Site Visit (4/9/19)

P. April 11, 2019 – Staff received an email from SD DENR about the subject property (See attached).
    1. The email encouraged the applicant to work with the Planning Department.
    2. The email also stated that the SD DENR supports the decisions made by the Planning Department.

Q. April 15, 2019 – staff conducted a site visit and found:
    1. The site is still not fully stabilized.
    2. The silt fence has not been repaired.
    3. Wattles are not installed properly and do not expand the length of the disturbed area.
    4. The straw mats are in need of repair and are not overlapped and stapled.



Site Visit (4/15/19)

R. April 16, 2019 – The applicant came to Planning and Zoning and stated:
   1. Staff told the applicant that the site was still not stabilized and the wattles did not span the entire disturbed area and that the entire disturbed area needs to be stabilized.
   2. The applicant said "You can't make me do that"
   3. The applicant also stated that the State, the Planning Commission, and members of the Board of Commissioners told staff that we needed to tell the applicant how to do it.
      a. *Staff Note: Staff does not make design recommendations.*

S. May 2, 2019 – Staff conducted a site visit and found:
   1. The applicant placed more straw and straw mats on the property.
   2. Gravel has been placed over the remaining disturbed area.
   3. Vegetation is starting to grow in the Right-of-Way.



Site Visit (5/2/19)

T. May 3, 2019 – Staff contacted the applicant by email and was informed that:
    1. He had an approved plan with the engineer so he (the engineer) could provide them to staff.

U. It appears to Staff that the following Condition of Approval of CP 18-12 are not being met:
    1. Engineer designed plans to stabilize the hillside have not been submitted (#7).
        a. Staff is making a Condition that the engineered plans be submitted to the Planning Department by May 31, 2019.

V. The applicant has submitted inspection reports to the Planning Department (see attached).
    1. The applicant has turned in all inspection reports.

W. Differences between Erosion Control and Stabilization.
    1. Erosion Control Measures - Practices to slow or stop erosion.
    2. Stabilization – The use of practices that limit exposed soils from eroding, including but not limited to grass, trees, sod, mulch or other materials which prevent erosion and maintain moisture.

a. Definitions come from the Storm Water Quality Manual (SWQM).

X. Per § 507(A)(5)(d)(ii) Stabilization measures must also be taken on exposed areas where Construction Activities temporarily stopped and are not expected to occur again for at least 21 days.

Staff is requesting public input on this request. The Planning Director will consider public input from private citizens, the applicant and the Planning Commission, in addition to information provided within this Staff Report, when rendering a decision on Construction Permit / CP 18-12.*

RECOMMENDATION TO PLANNING DIRECTOR: Staff is recommending that the Planning Director continue the review Construction Permit / CP 18-12 with thirteen (13) conditions, until such time that the applicant submits engineered plans to stabilize the hillside on the subject property. When required information is received and reviewed by Staff and the Planning Director, the Planning Director can make a decision regarding this request.

1. That erosion control measures are and maintained until the site has been revegetated in accordance with § 507(A)(5)(c) of the Pennington County Zoning Ordinance;

2. That cut-and-fill slopes be designed and constructed to minimize erosion and design plans submitted to the Pennington County Planning Department for review within 30 days;

3. That the owner or designee must inspect the site at least once every 7 calendar days or every 14 calendar days and within 24 hours of the end of a storm event that exceeds 0.25 inches or snowmelt that generates runoff. A properly maintained rain gauge must be kept on the site. Inspection reports must be submitted to the Planning Director every month during construction;

4. That failure of the owner or designee to submit Inspection Reports, as required, shall result in the immediate issuance of a Stop Work Order and a review by the Planning Commission to determine if all Conditions of Approval are being met;

5. That the requirements, guidelines, and criteria for storm water and erosion control in the Pennington County Storm Water Manual, or equivalent, shall be followed during construction;

6. That all natural drainage ways and paths be continually maintained;

7. That an engineered plan to stabilize the hillside either by a retaining wall or by sloping the hillside is developed and the design plans submitted to the Planning Department and approved by the Planning Director by June 18, 2019;

8. That sediment from the site is contained in such a manner that sediment does not reach or fill the right-of-way (road ditch). If sediment is deposited in the right-of-way (road ditch) from the construction activity, the owner will be responsible for the removal of sediment from the right-of-way (road ditch) *immediately* after being notified or as discovered by the owner during weekly inspections;

9. That a Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which includes the necessary site plans to be reviewed and approved by the Planning Director;

10. That the requirements, guidelines, and criteria for storm water and erosion control in the Pennington County Storm Water Manual, or equivalent, shall be followed during construction;

11. That erosion control measures, such as seeding and mulching the disturbed area, shall be implemented immediately after the work is completed in the area, but in no case later than 14 days after the Construction Activity has stopped. All erosion control methods (mulch and seed) need to be certified noxious weed-free;

12. That the disturbed areas be re-vegetated as required in § 507(A)(5)(c) of the Pennington County Zoning Ordinance;

13. That all Conditions of Approval are met and all fees paid for prior to the stop work order being lifted; and,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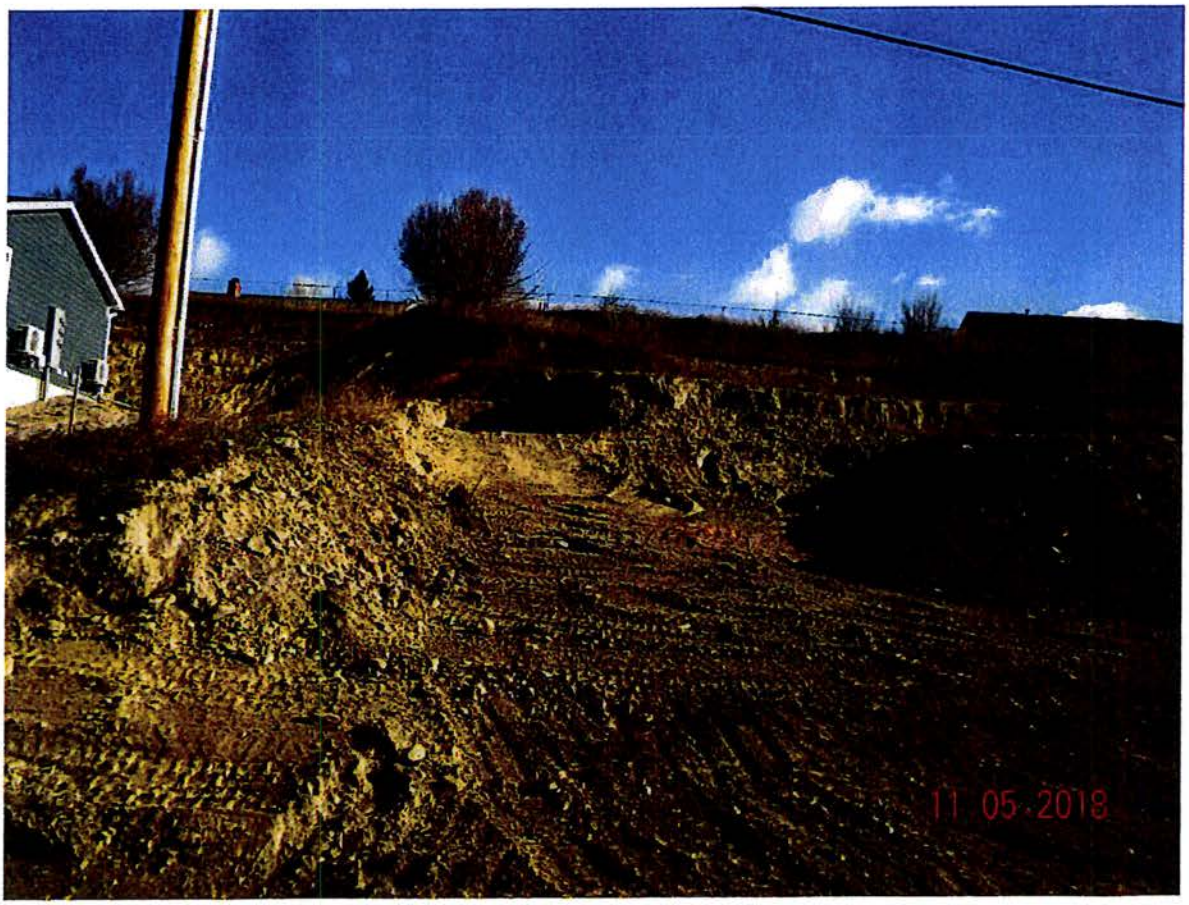
Google Earth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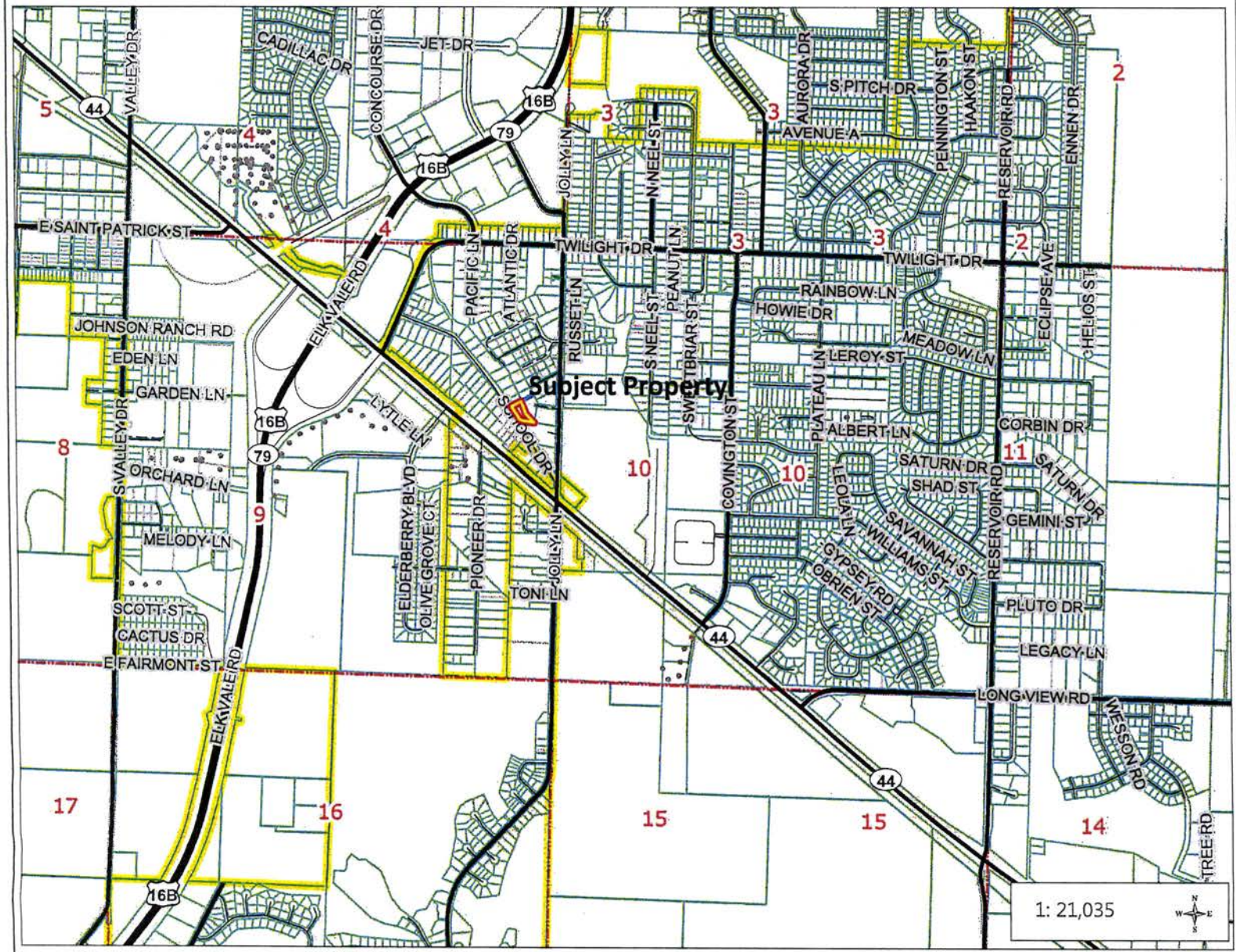
RapidMap Rapid City-Pennington County GIS



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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:

RapidMap Rapid City-Pennington County GIS



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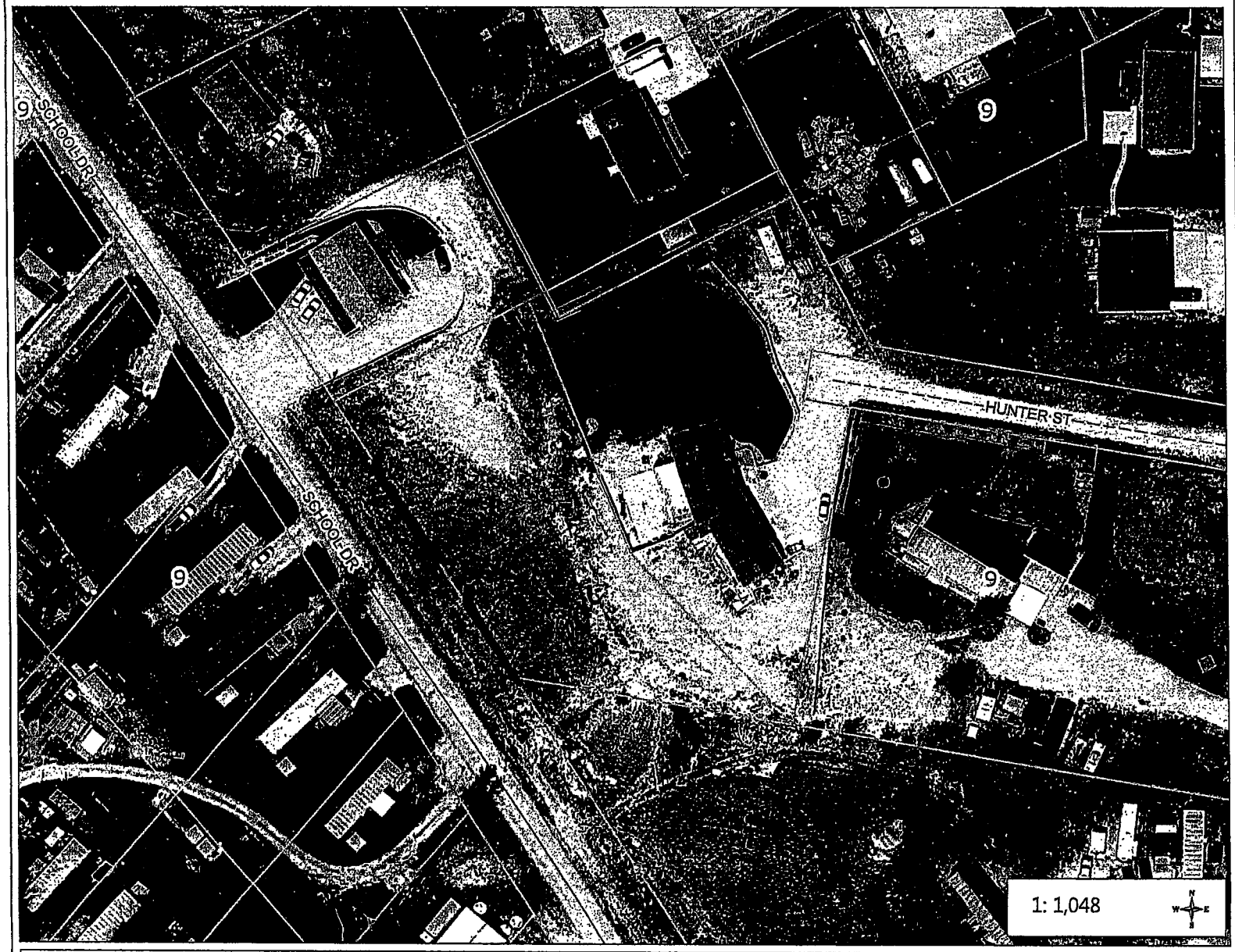
Map Notes:

RapidMap Rapid City-Pennington County GIS



174.7 0 87.37 174.7 Feet

NAD_1983_2011_StatePlane_South_Dakota_South_FIPS_4002_Ft_US

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Lot Lines
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- Lot Line
- Parcel Line

Bud Nid 2-11-19

Map Notes:

PENNINGTON COUNTY

PLANNING DEPARTMENT

130 KANSAS CITY ST., SUITE 200 • RAPID CITY, SD 57701
605-394-2186 • FAX 605-394-6016

STATEMENT OF UNDERSTANDING

Bradley Nible or Carle Schauer
3517 School Dr,
Rapid City, SD 57703

Lot 2A, Block 6, Harney Peak View Addition, Section 09, T1N, R08E, BHM, Pennington County, South Dakota.

Listed below are twelve (12) conditions that have been placed on your **Construction Permit / CP 18-12** request. Please carefully read all of the conditions of approval. It is important that you completely understand and adhere to these conditions at all times. Any deviation from the conditions, as listed below, constitutes an immediate review of the approved request and possible revocation and termination of the approved use.

1. That erosion control measures are implemented *immediately* and maintained until the site has been revegetated in accordance with § 507(A)(5)(c);

2. That cut-and-fill slopes be designed and constructed to minimize erosion and design plans submitted to the Pennington County Drainage Engineer for review within 30 days;

3. That the owner must inspect the site at least once every 7 days and within 24 hours of the end of a storm event that is one-half inch or greater (this includes rain or snow-melt runoff). Inspection reports must be submitted to the Planning Director every month during construction;

4. That the requirements, guidelines, and criteria for storm water and erosion control in the Pennington County Storm Water Manual, or equivalent, shall be followed during construction;

5. That all natural drainage ways and paths be continually maintained;

6. That an engineered plan to stabilize the hillside either by a retaining wall or by sloping the hillside is developed and the design plans submitted to the Pennington County Drainage Engineer for review within 30 days;

7. That sediment from the site is contained in such a manner that sediment does not reach or fill the right-of-way (road ditch). If sediment is deposited in the right-of-way (road ditch) from the construction activity, the owner will be responsible for the removal of sediment

from the right-of-way (road ditch) *immediately* after being notified or as discovered by the owner during weekly inspections;

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);

11. That the applicant sign a Statement of Understanding prior to the Stop Work Order being lifted; and,

12. That this Construction Permit be reviewed at the December 03, 2018, Planning Commission meeting to verify that erosion controls have been implemented and progress is being made on engineered design plans.

By signing this form, you hereby acknowledge you fully understand and agree to comply with all the Conditions of Approval.

Bradley Nible or Carle Schauer

11-26-18
Date

Subscribed and sworn to before me at Rapid City, South Dakota, this 26TH day of November, 2018.

Notary Public: _____ My Commission Expires: OCT 30,2020

SEAL BRITTNEY MOLITOR NOTARY PUBLIC State of South Dakota SEAL

Pennington County Planning Department
Pennington County Administration Bldg • 130 Kansas City St. Ste. 200
Rapid City, SD 57701 • Phone: 605.394.2186

2/12/2019

Brad Nible
3517 School Drive
Rapid City, SD 57703

RE: Lot 2A of Harney Peak View Add, Section 9, T1N, R8E, BHM, Pennington County, South Dakota.

Dear Mr. Nible:

The Planning Office contacted you on several occasions regarding bringing the above described property into compliance with the Conditions of Approval of Construction Permit / CP 18-12. On February 11, 2019, the Planning Commission approved the review and extension of Construction Permit / CP 18-12 which still requires you to bring the property into compliance with the Conditions of Approval. After the February 11, 2019, Commission meeting you met with Staff and indicated that you would address the concerns of Staff and the Commission. You indicated that you would submit inspection reports to Staff, continue to stabilize the site, and place perimeter controls in such a manner that it would prevent sediment from reaching the Right-of-Way. This must be completed no later than February 15, 2019.

Condition #8 of the Conditions of Approval of Construction Permit / CP 18-12 states:

"That sediment from the site is contained in such a manner that sediment **does not reach or fill the right-of-way (road ditch)**. If sediment is deposited in the right-of-way (road ditch) from the construction activity, the owner will be responsible for the removal of sediment from the right-of-way (road ditch) immediately after being notified or as discovered by the owner during weekly inspections."

Pennington County Ordinance #33 states:

"It shall be unlawful for any person to deposit on any County road any material, including water, which may be harmful to the County road, or for any person to deposit or for the owner of the adjacent property to allow, any deposit of any waste material, glass, rocks, dirt, water or other articles which may do injury to any person, animal or property, including any person traveling across the County road or Right-of-Way."

Please be advised that if the site remains un-stabilized and sediment continues to be or is discharged to the Right-of-Way, Pennington County may declare the site a nuisance. A nuisance is subject to abatement under the provisions of SDCL Chapters 21-10 and 7-8-33.

Site visits will be conducted periodically to verify that the Conditions of Approval are being met.

Thank you for timely consideration in this matter.

Sincerely,

Brittney Molitor
Environmental Planning Supervisor

County Ordinance #33

It shall be unlawful for any person to deposit on any County road any material, including water, which may be harmful to the County road, or for any person to deposit or for the owner of the adjacent property to allow, any deposit of any waste material, glass, rocks, dirt, water or other articles which may do injury to any person, animal or property, including any person traveling across the County road or Right-of-Way.

SDCL 21-10-1

21-10-1. Acts and omissions constituting nuisances. A nuisance consists in unlawfully doing an act, or omitting to perform a duty, which act or omission either:

(1) Annoys, injures, or endangers the comfort, repose, health, or safety of others;

(2) Offends decency;

(3) Unlawfully interferes with, obstructs, or tends to obstruct, or renders dangerous for passage, any lake or navigable river, bay, stream, canal, or basin, or any public park, square, street, or highway;

(4) In any way renders other persons insecure in life, or in the use of property.

Source: CivC 1877, § 2047; CL 1887, § 4681; RCivC 1903, § 2393; RC 1919, § 2066; SDC 1939 & Supp 1960, § 37.4701.

SDCL 7-8-33

Declaration and abatement of nuisances by county. The board of county commissioners of every county may, by ordinance, allow for the declaration and abatement of a public nuisance within the county outside the corporate limits of any municipality. For purposes of this section only, the feeding, breeding, or raising of livestock or the operations of a livestock sales barn, is not presumed, by that fact alone, to be a nuisance.

FEB 11 2010

CB

PREVENTIVE MAINTENANCE

Date: November 30 Time: _____

Inspected by (printed): Brad Noble

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature: Brad Noble

Areas Inspected	Observations	Actions Taken
School Drive Lot 2A	Placed	Straw mats
	and gravel on right of	
	west to	property line
	No Change	

FEB 11 2019

C8

PREVENTIVE MAINTENANCE

Date: Dec 30 -2018 Time: _____

Inspected by (printed): Brad Noble

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature: Brad Noble

Areas Inspected	Observations	Actions Taken
School Drive	Lot 2A	Repairs straw
		mats Dec 24
		Wind
		No change since
		Dec 24.

FEB 1 1 2019

CS

PREVENTIVE MAINTENANCE

Date: Jan 30 -2019 Time: _____

Inspected by (printed): Bradley Noble

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature: Brad Noble

Areas Inspected	Observations	Actions Taken
School Drive		
Lot 2A		Removed Approach
		No change since
		approach Removed
		No change
		Frozen
		No Change

School Drive Lots

MAR 05 20[illegible]

PREVENTIVE MAINTENANCE

KAP

Date: Mar 1 Time: _____

Inspected by (printed): _____

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature: Brad Nill

Areas Inspected	Observations	Actions Taken
		No change
	Feb 11	No change
	Feb 19	finished Silt fence
	Feb 28	Repair Silt Fence

Pennington County Planning Department
Pennington County Administration Bldg • 130 Kansas City St. Ste. 200
Rapid City, SD 57701 • Phone: 605.394.2186

NOTICE OF VIOLATION

April 1, 2019

Brad Nible
Carl Schauer
3517 School Drive
Rapid City, SD 57703

RE: Property located at Lot 2A of Harney Peak View Add, Section 9, T1N, R8E, BHM, Pennington County, South Dakota / Construction Permit (CP) #18-12

Dear Mr. Nible and Mr. Schauer:

Based upon an investigation by the Pennington County Planning Department completed on March 22, 2019, you as the owners and developers of property located at Lot 2A of Harney Peak View Add, Section 9, T1N, R8E, BHM, Pennington County, South Dakota, are responsible for construction activity on the property and in violation of the following Pennington County ordinances and South Dakota statutes:

Pennington County Zoning Ordinance (PCZO) § 507(A)(3)(d)(1)

Under PCZO § 507(A)(3)(d)(1), "[a]ll erosion and sediment control facilities and measures shall be maintained in accordance with Construction Permit conditions."

Violation - Conditions #2, #7, #8, and #10 of Construction Permit / CP 18-12 have not been met.

PCZO § 507(A)(5)(b)

Under PCZO § 507(A)(5)(b), "[a]ll sites, including, but not limited to, construction sites, vacant lots or homes without landscaping, shall maintain erosion and sediment control measures, in accordance with the [Storm Water Quality] Manual, to prevent soil from going off-site into lands adjoining the site, public rights-of-way, and into the Storm Drain System. These control measures shall be repaired by the Permittee within 24 hours of notice of failure from Pennington County."

Violation - During the period of construction activity and following cessation of the activity, you failed to ensure that erosion control measures were implemented and maintained on the property and that off-site sedimentation did not occur. Mr. Nible was notified on numerous occasions, November 13, 2018, November 26, 2018, February 1, 2019, February 11, 2019, and March 25, 2019, and have failed to implement required erosion control measures.

Pennington County Ordinance # 33

Under Pennington County Ordinance # 33, "[i]t shall be unlawful for any person to deposit on any County road any material, including water, which may be harmful to the County road, or for any person to deposit or for the owner of the adjacent property to allow, any deposit of any waste material, glass, rocks, dirt, water or other articles which may do injury to any person, animal or property, including any person traveling across the County road or Right-of-Way."

Violation - During the period of construction activity and following cessation of the activity, sediment was discharged onto the Pennington County Right-of-Way of School Drive.

Pennington County Ordinance # 106

Under County Ordinance # 106, it is unlawful to do or omit to perform a duty which act or omission "annoys, injures, or endangers the comfort, repose, health, or safety of others[.]"

Violation - During the period of construction activity and following cessation of the activity, sediment was discharged onto the Pennington County Right-of-Way of School Drive.

South Dakota Codified Law (SDCL) § 21-10-1

Under SDCL § 21-10-1, "[a] nuisance consists in unlawfully doing an act, or omitting to perform a duty, which act or omission either:

(1) Annoys, injures, or endangers the comfort, repose, health, or safety of others;
(2) Offends decency;
(3) Unlawfully interferes with, obstructs, or tends to obstruct, or renders dangerous for passage, any lake or navigable river, bay, stream, canal, or basin, or any public park, square, street, or highway;
(4) In any way renders other persons insecure in life, or in the use of property."

"A public nuisance is one which affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon the individuals may be unequal." SDCL 21-10-3.

Violation - During the period of construction activity and following cessation of the activity, sediment was discharged onto the Pennington County Right-of-Way of School Drive.

THEREFORE, Pursuant to SDCL §§ 21-10-6 and 31-12-44, Pennington County may abate a public nuisance and repair damage to a public highway without civil action. The cost of repairs may also be assessed against the landowner's property. SDCL § 21-10-6 states:

> "A public nuisance may be abated without civil action by any public body or officer as authorized by law. Any municipality, county, or township may defray the cost of abating a public nuisance by taxing the cost thereof by special assessment against the real property on which the nuisance occurred...."

SDCL § 31-12-44 specifically allows for the repair of damage to a county highway and assessment of costs against the responsible landowner's property. SDCL § 31-12-44 states:

> "If any landowner fails to prevent damage to the county's highway system caused by severe and persistent wind or water erosion on the landowner's property, the county may repair the damage and assess the cost of the repairs against the landowner. If the landowner fails to pay the cost of the repairs before the first day of November in the year in which the repairs are performed, the cost shall be assessed against the landowner's property."

See also SDCL § 7-8-33 (allowing for the declaration and abatement of a public nuisance by board of county commissioners) and PCZO § 507(A)(7)(c) (authorizing summary abatement of nuisances if deemed necessary by Planning Director).

In addition, the destruction of a highway ditch is a Class 2 misdemeanor. SDCL § 31-32-7 states:

> "No unauthorized person may injure any highway by removing, destroying, or otherwise altering the grade constructed for such highway or by filling, obstructing, or otherwise altering the ditch which drains the grade of such highway or otherwise injures such highway in any manner. A violation of this section is a Class 2 misdemeanor."

PLEASE BE ADVISED that the construction activity and disturbances on the above referenced property are in violation of local ordinance and state statute and constitute a public nuisance. The subject property must be stabilized in accordance with PCZO § 507(A), the Conditions of Approval of Construction Permit / CP 18-12 must be met, and sediment removed from the School Drive Right-of-Way within fifteen (15) days of receipt of this notice. If you fail to comply with these required corrective actions or file a written request for hearing before the Pennington County Board of Commissioners within fifteen (15) days of receipt of this notice, **the nuisance will be abated and costs of repair will be assessed against the subject property.**

PLEASE BE FURTHER ADVISED that if you fail to comply with these required corrective actions, this matter will be referred to the Office of the Pennington County State's Attorney for review.

Sincerely,

Brittney Molitor
Environmental Planning Supervisor

cc: Kelli Buscher, South Dakota Department of Environment and Natural Resources
Joe Miller, Pennington County Highway Superintendent
Pennington County Planning Commission
Pennington County Board of Commissioners

Sack Cody

From: McRae, Roderick <Roderick.McRae@state.sd.us>
Sent: Thursday, April 11, 2019 3:12 PM
To: Brad Nible
Cc: Sack Cody; Molitor Brittney; DENR-STORM WATER
Subject: Complaint Inspection | Property located at Lot SA of Harney Peak View Add, Section 9 T1N, R8E | Construction Permit (CP) #18-12
Attachments: FW: [EXT] Atten: Kelli Buscher

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

Mr. Brad Nible,

To prevent confusion between where the SD DENR stands regarding your construction site and how this has been represented in Pennington County Planning Commission and Board of Commission meetings, I am directing you to work directly with the Pennington County Planning and Zoning department for your construction site. Based on my inspection, recorded county commission meetings and conversations with yourself and the Planning and Zoning Department, the SD DENR stands by the compliance measures the Planning and Zoning department has laid out for you. This was previously laid out on February 14th, 2019, when the SD DENR Administrator Kelli Buscher emailed you, per the attached email, stating we support the county's decision.

Pennington County has developed a program for stormwater runoff and erosion control that meets our standards and have made available the requirements of their program and an erosion & sediment control manual on their website: https://www.pennco.org/planning. The SD DENR will not remove or assume the Planning and Zoning Department's authority over your construction site. In the event a permit is required by the SD DENR through the *General Permit Authorizing Stormwater Discharges Associated with Construction Activities* (General Permit), you will be required to meet all requirements laid out by the General Permit in addition to the Planning and Zoning Department's erosion control requirements.

In summary, the SD DENR supports the decisions the Planning and Zoning Department have made regarding your site and I am directing you to work directly with the Planning and Zoning Department to bring your site into compliance.

Roderick

Roderick R. McRae
Engineer I
SD DENR | Surface Water Quality Program
800-737-8676
stormwater@state.sd.us

Agenda Item #27
Site Work Specialists, Inc.
May 13, 2019

27

STAFF REPORT

GENERAL INFORMATION:

REQUEST:	**CONSTRUCTION PERMIT REVIEW / CP 19-01**: To review the installation public and private utilities to include water, sanitary sewer, storm sewer, and common utility trench (power, communication, and gas). Also includes installation of concrete curb, gutter, and sidewalk; to also include asphalt pavement.
APPLICANT/CONTRACTOR:	Site Work Specialists
APPLICANT ADDRESS:	P.O. Box 7504, Rapid City, SD 57709
LANDOWNER:	Davis Engineering
OWNER ADDRESS:	1060 Kings Road, Rapid City, SD 57702
LANDOWNER:	Murphy Brothers Partnership, LLC
OWNER ADDRESS:	5666 E. Highway 44, Rapid City, SD 57703
\	
LEGAL DESCRIPTION:	Tract F of NW1/4 less Murphy ftS Subdivision less Murphy Ranch Estates Subdivision and less Right-of-Way, Section 14, T1N, R8E, BHM, Pennington County, South Dakota.
SITE LOCATION:	Remington Road and Springfield Road in Murphy Ranch Estates.
SIZE:	6 acres
TAX ID:	65469
EXISTING LAND USE:	Residential / Vacant
ZONING REFERENCE:	Section 507
CURRENT ZONING:	Suburban Residential District

Agenda Item #27
Site Work Specialists, Inc.
May 13, 2019

SURROUNDING ZONING:

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

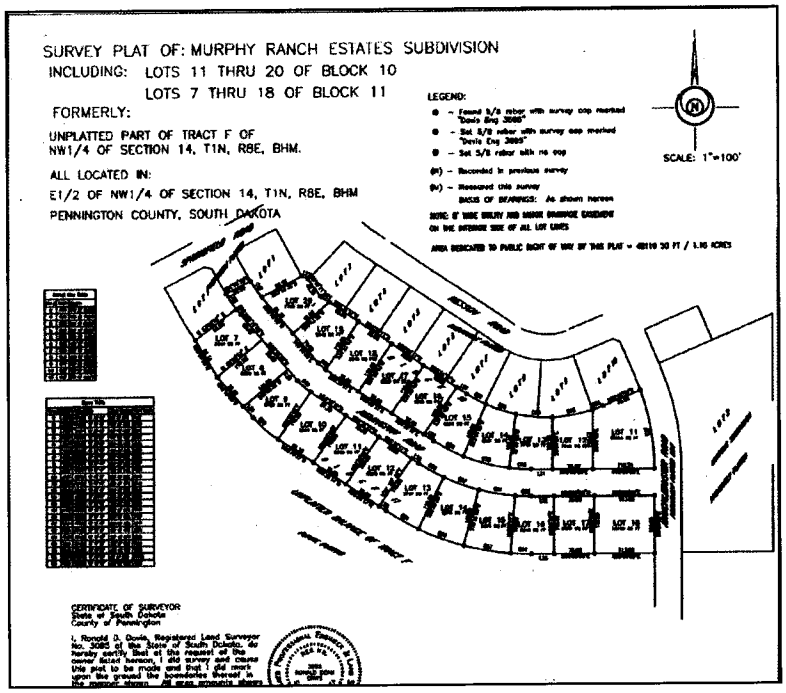
PHYSICAL CHARACTERISTICS: Flat / Sloping

UTILITIES: None

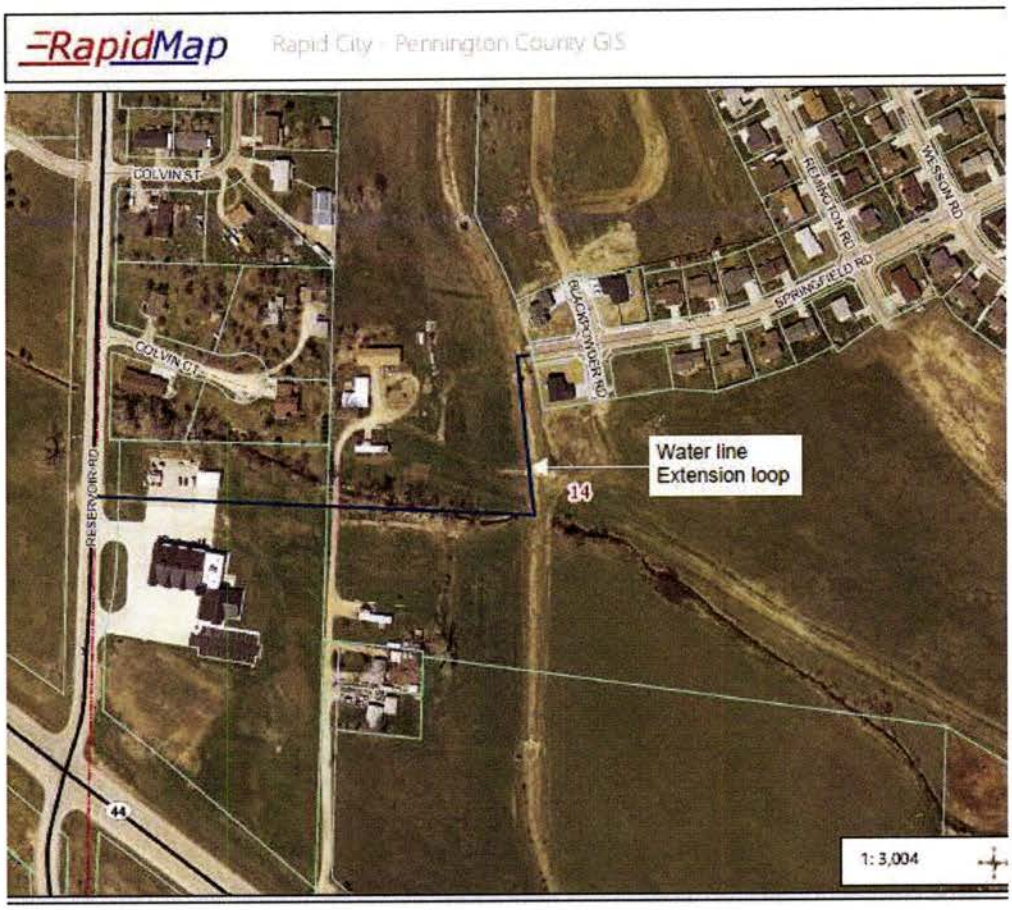
REPORT BY: Cody Sack

I. GENERAL DESCRIPTION

A. January 22, 2019, the applicant, Site Work Specialists, applied for a Construction Permit to install public and private utilities to include water, sanitary sewer, storm sewer, and common utility trench (power, communication, and gas) and includes installation of concrete curb, gutter, and sidewalk; to also include asphalt pavement.



Site Plan (Submitted with application on 1/22/19)



Site Plan for Water Extension

B. February 11, 2019 – The Planning Commission approved Construction Permit / CP 19-01 with the following fifteen (15) 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 PCZO;
2. That all erosion control measures submitted with the Construction Permit application to the Planning Department be implemented or amended and approved by the Planning Department prior to the Stop Work Order being lifted;
3. That the Conditions of the Approval of the South Dakota Department of Environment and Natural Resources General Permits for Storm Water Discharges Associated with Construction Activities be continually met;
4. That the applicant continually maintains and adheres to the Storm Water Pollution Prevention Plan during the period of construction;
5. 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;

6. 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;
7. That all natural drainage ways and paths be continually maintained;
8. That sediment from the site is contained in such a manner that sediment does not reach or fill the drainage. If sediment is deposited in the drainage from the construction activity, the owner will be responsible for the removal of sediment from the drainage immediately after being notified or as discovered by the owner during weekly inspections;
9. 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;
10. 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;
11. That erosion control measures, such as seeding and mulching the disturbed area, shall be implemented immediately after the work is completed in the area, but in no case later than 14 days after the Construction Activity has stopped. All erosion control methods (mulch and seed) need to be certified noxious weed-free;
12. That the disturbed areas be re-vegetated as required in § 507(A)(5)(c) of the PCZO;
13. 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;
14. 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; and,
15. That this Construction Permit be reviewed in two (2) months, 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.

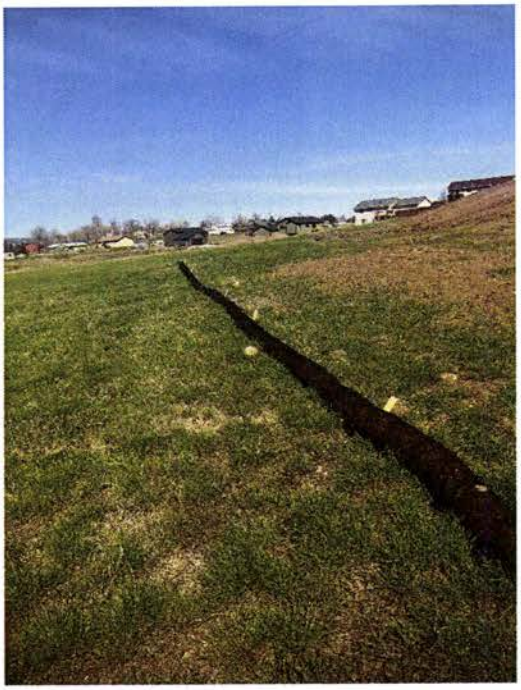
C. April 8, 2019 – The Planning Commission approved the extension of Construction Permit / CP 19-01 with the following thirteen (13) conditions:

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 PCZO;

2. That the Conditions of the Approval of the South Dakota Department of Environment and Natural Resources General Permits for Storm Water Discharges Associated with Construction Activities be continually met;
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 sediment from the site is contained in such a manner that sediment does not reach or fill the drainage. If sediment is deposited in the drainage from the construction activity, the owner will be responsible for the removal of sediment from the drainage immediately after being notified or as discovered by the owner during weekly inspections;
8. 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;
9. That a Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which includes the necessary site plans to be reviewed and approved by the Planning Director;
10. That 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;
11. That the disturbed areas be re-vegetated as required in § 507(A)(5)(c) of the PCZO;
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; and,
13. That this Construction Permit be reviewed in three (3) months, 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.

II. EXISTING CONDITIONS

A. Zoned Suburban Residential District.
B. Lot size 48.08 acres.
C. Vacant.
D. Murphy Ranch Road District.
E. No Floodplain or Special Hazard Area.



(Site Visit 4/23/19)

III. ANALYSIS

A. April 23, 2019 – Staff performed a site visit and found:
   1. Work was still going.
   2. Erosion control measures were in place and there was no evidence of sediment leaving the site.

B. April 30, 2019 – The applicants contacted staff to see if the water extension line from Springfield Rd to Reservoir Road was in the description for the permit.
   1. The applicants requested to add it as part of the site plan and the Construction Permit.
      a. *Staff Comment: Through research, adding the extension of the water line from Springfield Rd to Reservoir Road was in the original plans submitted with the Construction Permit. Since it was not part of the original staff report, staff is putting CP 19-01 up for review to approve the water line extension.*

Staff is requesting public input on this request. The Planning Director will consider public input from private citizens, the applicant and the Planning Commission, in addition to information provided within this Staff Report, when rendering a decision on Construction Permit / CP 19-01 .*

RECOMMENDATION TO PLANNING DIRECTOR: Staff recommends the Planning Director approve the extension of Construction Permit / CP 19-01 with the following fourteen (14) conditions:

1. That erosion control measures are maintained until the site has been revegetated in accordance with § 507(A)(5)(c) of the PCZO;

2. That the Conditions of the Approval of the South Dakota Department of Environment and Natural Resources General Permits for Storm Water Discharges Associated with Construction Activities be continually met;

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 sediment from the site is contained in such a manner that sediment does not reach or fill the drainage. If sediment is deposited in the drainage from the construction activity, the owner will be responsible for the removal of sediment from the drainage *immediately* after being notified or as discovered by the owner during weekly inspections;

8. 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;

9. That a Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which includes the necessary site plans to be reviewed and approved by the Planning Director;

10. That 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;

11. That the disturbed areas be re-vegetated as required in § 507(A)(5)(c) of the PCZO;

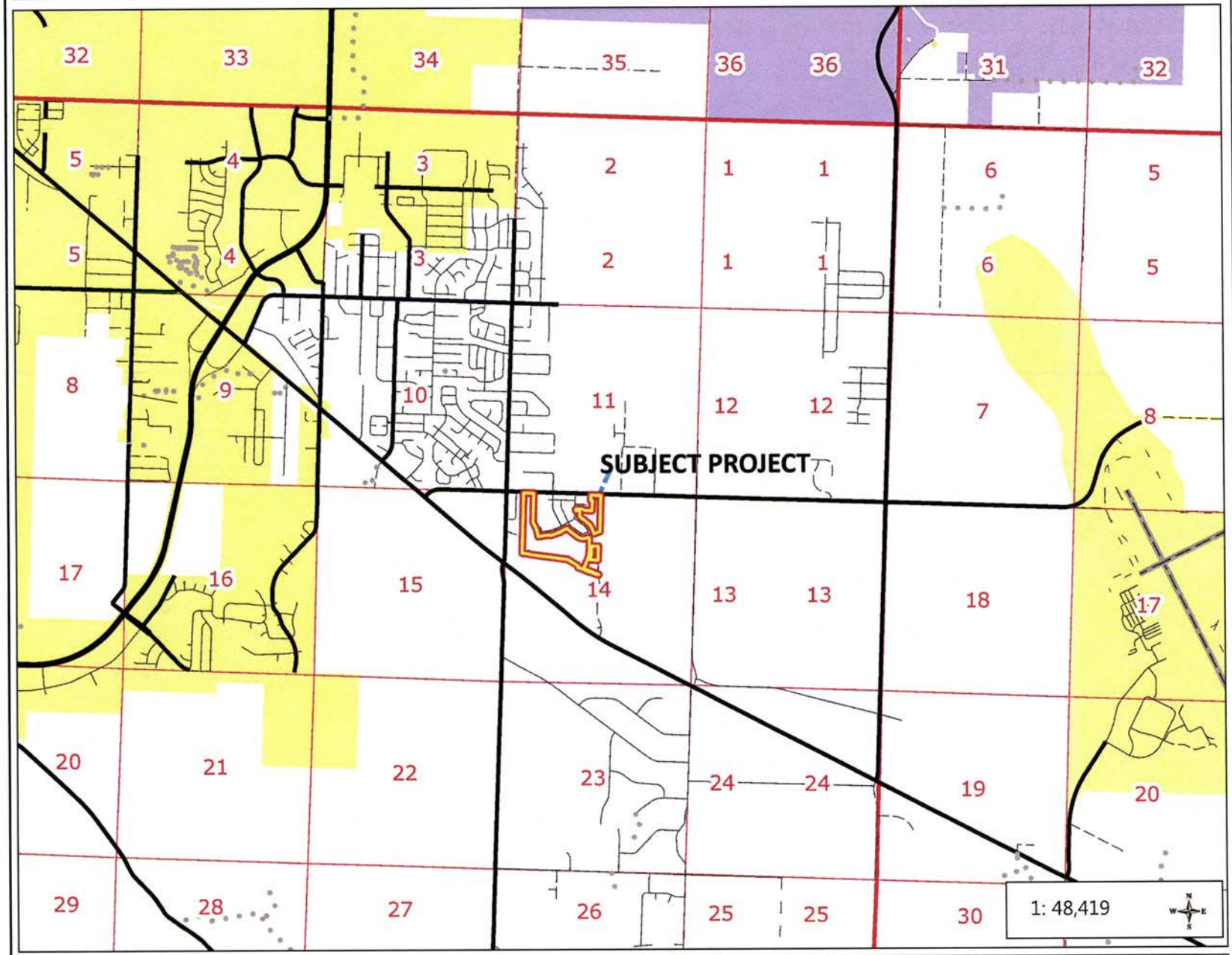
12. That it is the responsibility of the applicant to gain approval to cross the Murphy Ditch;

13. That no sediment enters the Murphy Ditch, and that if sediment does reach the ditch, the applicant is responsible for removing the sediment immediately upon discovery.

14. That this Construction Permit be reviewed in six (6) months, or on a complaint basis, or as required by the Planning Director.

RapidMap

Rapid City-Pennington County 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

Townships

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

Map Notes:

8,069.8 0 4,034.88 8,069.8 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

RapidMap Rapid City-Pennington County GIS



1,008.7 0 504.36 1,008.7 Feet

NAD_1983_2011_StatePlane_South_Dakota_South_FIPS_4002_Ft_US

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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:

SURVEY PLAT OF: MURPHY RANCH ESTATES SUBDIVISION
INCLUDING: LOTS 11 THRU 20 OF BLOCK 10
LOTS 7 THRU 18 OF BLOCK 11

FORMERLY:

UNPLATTED PART OF TRACT F OF
NW1/4 OF SECTION 14, T1N, R8E, BHM.

ALL LOCATED IN:

E1/2 OF NW1/4 OF SECTION 14, T1N, R8E, BHM
PENNINGTON COUNTY, SOUTH DAKOTA

LEGEND:

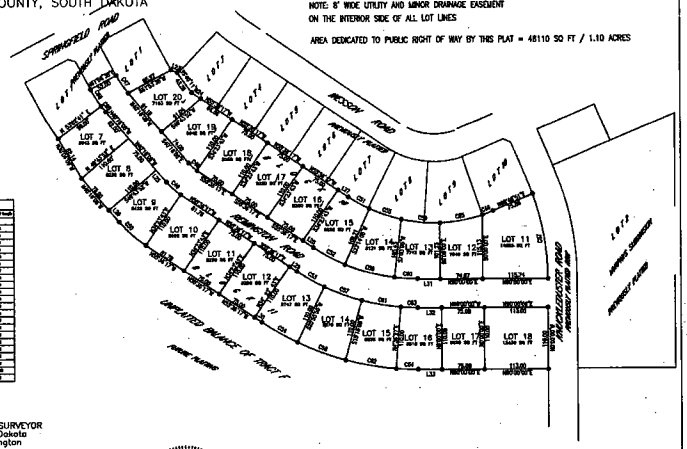
- ● – Found 5/8 rebar with survey cap marked "Davis Eng 3095"
- ● – Set 5/8 rebar with survey cap marked "Davis Eng 3095"
- ⊕ – Set 5/8 rebar with no cap
- (R) – Recorded in previous survey
- (M) – Measured this survey

BASIS OF BEARINGS: As shown hereon

NOTE: 8' WIDE UTILITY AND MINOR DRAINAGE EASEMENT ON THE INTERIOR SIDE OF ALL LOT LINES

AREA DEDICATED TO PUBLIC RIGHT OF WAY BY THIS PLAT = 48110 SQ FT / 1.10 ACRES

SCALE: 1"=100'



CERTIFICATE OF SURVEYOR
State of South Dakota
County of Pennington

I, Ronald D. Davis, Registered Land Surveyor No. 3095 of the State of South Dakota, do hereby certify that at the request of the owner listed hereon, I did survey and cause this plat to be made and that I did mark upon the ground the boundaries thereof in the manner shown. All area amounts shown hereon are considered to have the words "more or less" following.

I have set my hand and seal.

Dated this ___ day of _____ , 2018.

CERTIFICATE AND ACKNOWLEDGMENT OF OWNERSHIP:
State of South Dakota
County of Pennington S.S.

We Murphy Brothers Partnership, LLC, owner of the land shown and described hereon, do hereby certify that this plat was done at our request for the purposes indicated hereon; that we do hereby approve the survey and within plat 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 plat 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.

OWNERS: _____
Stephen J. Murphy, Managing Partner

On this ___ day of _____, 2018, before me, a Notary Public, personally appeared Stephen J. Murphy, Managing Partner of Murphy Brothers Partnership, LLC, known to me to be the person described in the foregoing instrument and acknowledged to me that being so authorized, signed his name as President for the purposes herein contained.

NOTARY PUBLIC: _____
My commission expires: _____

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 _____, 2018.

_____
Treasurer of Pennington County

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 _____, 2018.

APPROVED: _____
Director of Equalization of Pennington County

CERTIFICATE OF THE REGISTER OF DEEDS
State of South Dakota

CERTIFICATE OF FINANCE OFFICER:

I, Finance Officer of the City of Rapid City, do hereby certify that the Community Planning & Development Services Director of the City of Rapid City has approved this Final Plat as shown hereon.

Dated this ___ day of _____, 2018.

_____
Finance Officer of the City of Rapid City

CERTIFICATE OF COMMUNITY PLANNING & DEVELOPMENT SERVICES DIRECTOR

I, Community Planning & Services Director of the City of Rapid City have reviewed this plat and have found it to conform to the Subdivision requirements of Chapter 16.08.050 of the Rapid City Municipal Code and as such I have approved this Plat as Final Plat.

Dated this ___ day of _____, 2018.

_____
Community Planning & Development Services Director of the City of Rapid City

CERTIFICATE OF HIGHWAY OR STREET AUTHORITY:

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 _____, 2018.

_____
Highway Street Authority

CERTIFICATE OF FINANCE OFFICER:

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

Dated this ___ day of _____, 2018.

_____
Finance Officer of the City of Rapid City

DRAINAGE NOTES:

Approved
Rapid Valley Sanitary District
General Manager
11-8-18
Date

COVER SHEET

KAP
JAN 2 2 2019

Schedule Pre-Construction Meeting with CITY CONSTRUCTION SERVICES at 394-4154 Minimum 10 days prior to start of construction

NOTIFY CONSTRUCTION SERVICES at 394-4154 at least 48 hours prior to start of construction

CITY OF RAPID CITY

Plans are reviewed for general conformance with applicable governmental regulations, standards, design criteria and engineering standards. The City of Rapid City does not verify the accuracy, adequacy or completeness of the plans or certify that all the requirements for issuance of record drawings have been met. All necessary permits must be acquired prior to construction in the approved public improvements.

_____ 12/20/18
Engineering Reviewer Date

REMARKS: DEV18-1473
18P1056

SHEET INDEX:

C1.1 COVER SHEET WITH PHASE 6 PLAT
C1.2 PHASING PLAN AND PRIVATE UTILITY PLANS
C1.3 SITE GRADING PLAN
C2.1 REMINGTON ROAD PLAN AND PROFILE STA 11+00 – 15+50
C2.2 REMINGTON ROAD PLAN AND PROFILE STA 15+50 – 20+50
C2.3 KNUCKLEDUSTER ROAD PLAN AND PROFILE STA 5+65 – 10+28
C2.5 WATERMAIN PLANS (ALREADY APPROVED) STA 0–15.60 – 4+75
C2.6 WATERMAIN PLANS (ALREADY APPROVED) STA 4+75 – 10+00
C2.7 WATERMAIN PLANS (ALREADY APPROVED) STA 10+00 – 12+53.50
C3.1 TYPICAL AND STANDARD DETAILS
C3.2 TYPICAL AND STANDARD DETAILS
C3.3 TYPICAL AND STANDARD DETAILS
C3.4 TYPICAL AND STANDARD DETAILS
C3.5 TYPICAL AND STANDARD DETAILS
C4.1 GENERAL NOTES AND SPECIFICATIONS
C4.2 R.V.S.D. DESIGN STANDARDS
C5.1 EROSION CONTROL PLAN AND NARRATIVE.

11-5-18

SHEET NOTE
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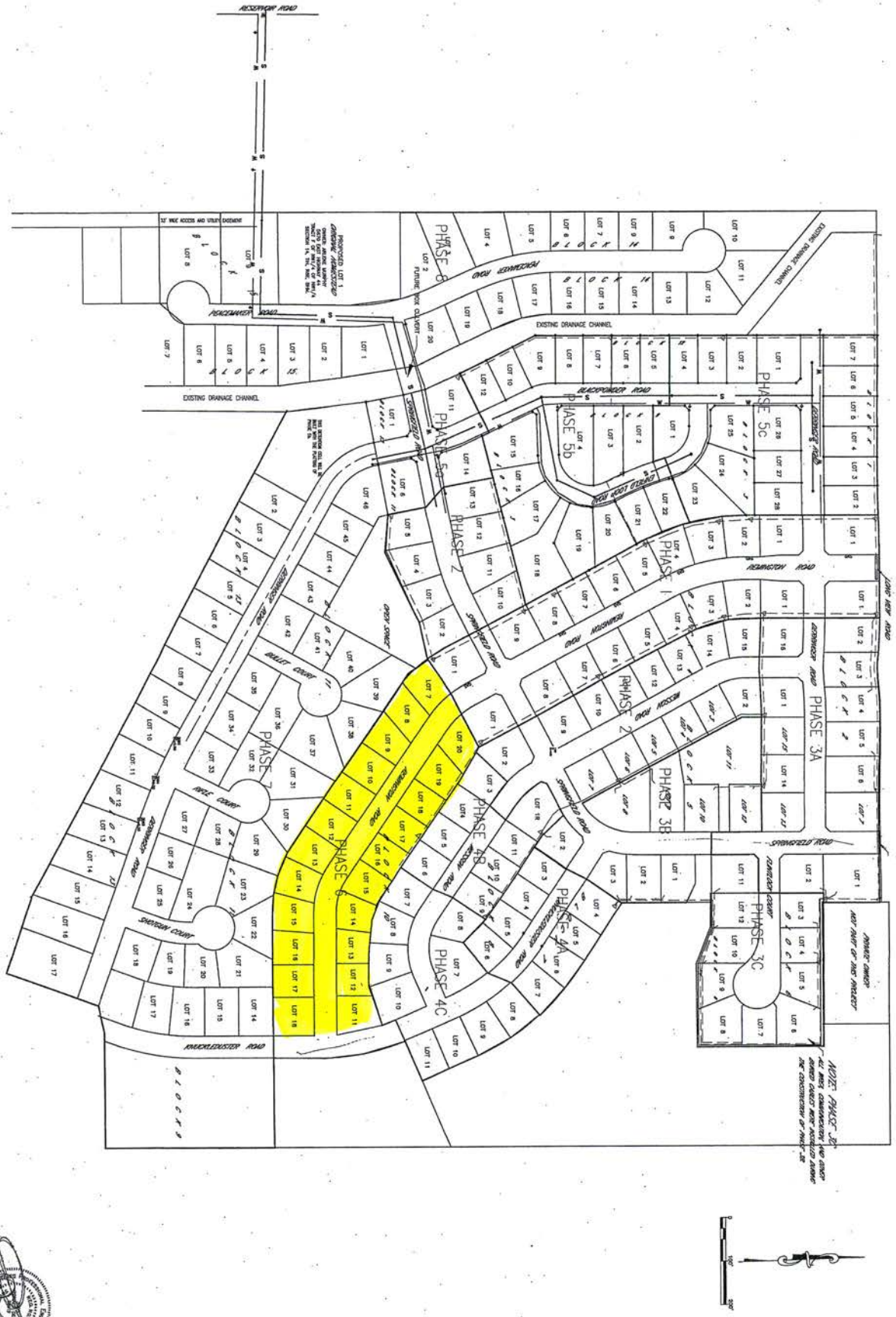
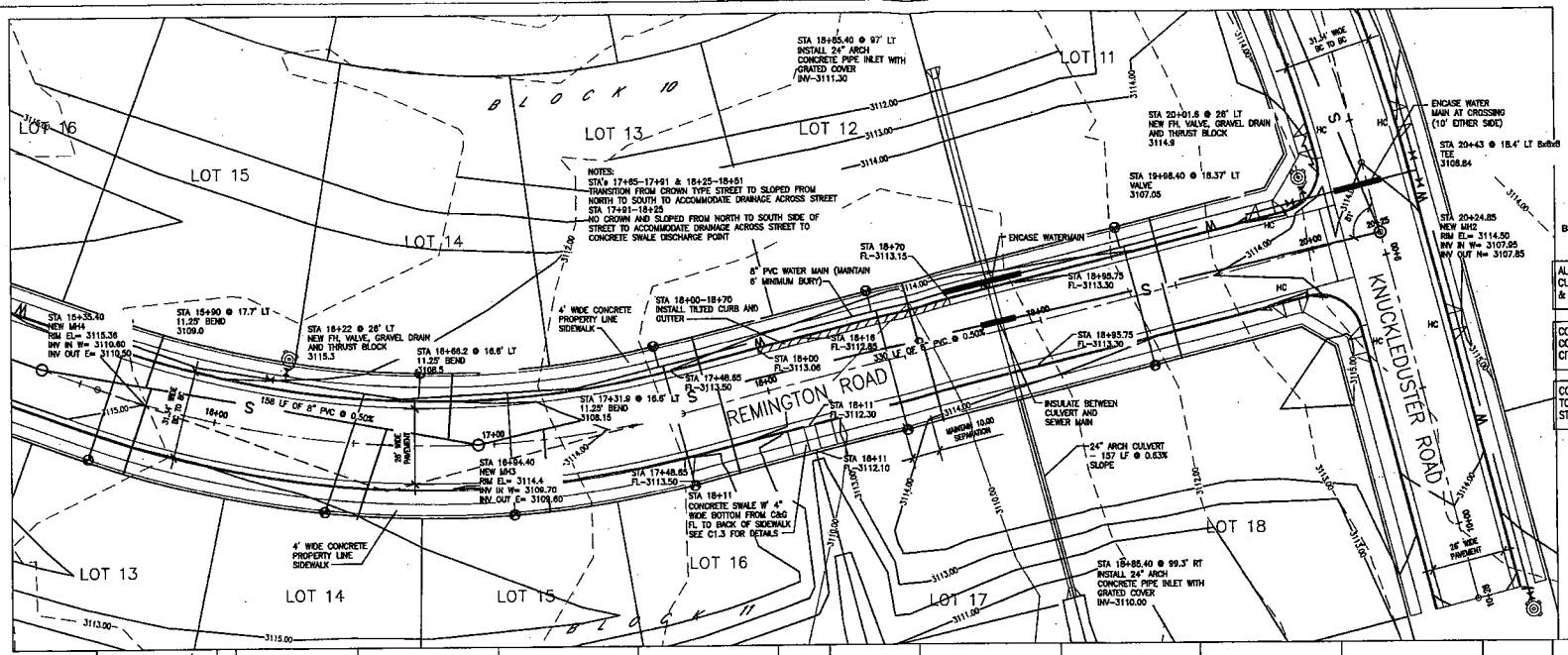
DAVIS ENGINEERING, INC.
1000 NORTH WEST AVENUE, SUITE 100, SIOUX FALLS, SOUTH DAKOTA 57104
PHONE: (605) 341-3095

COVER SHEET
MURPHY RANCH ESTATES SUBDIVISION - PHASE 6
RAPID VALLEY, PENNINGTON COUNTY, SOUTH DAKOTA

DWG NO: C1.1
DATE: 11-12-18

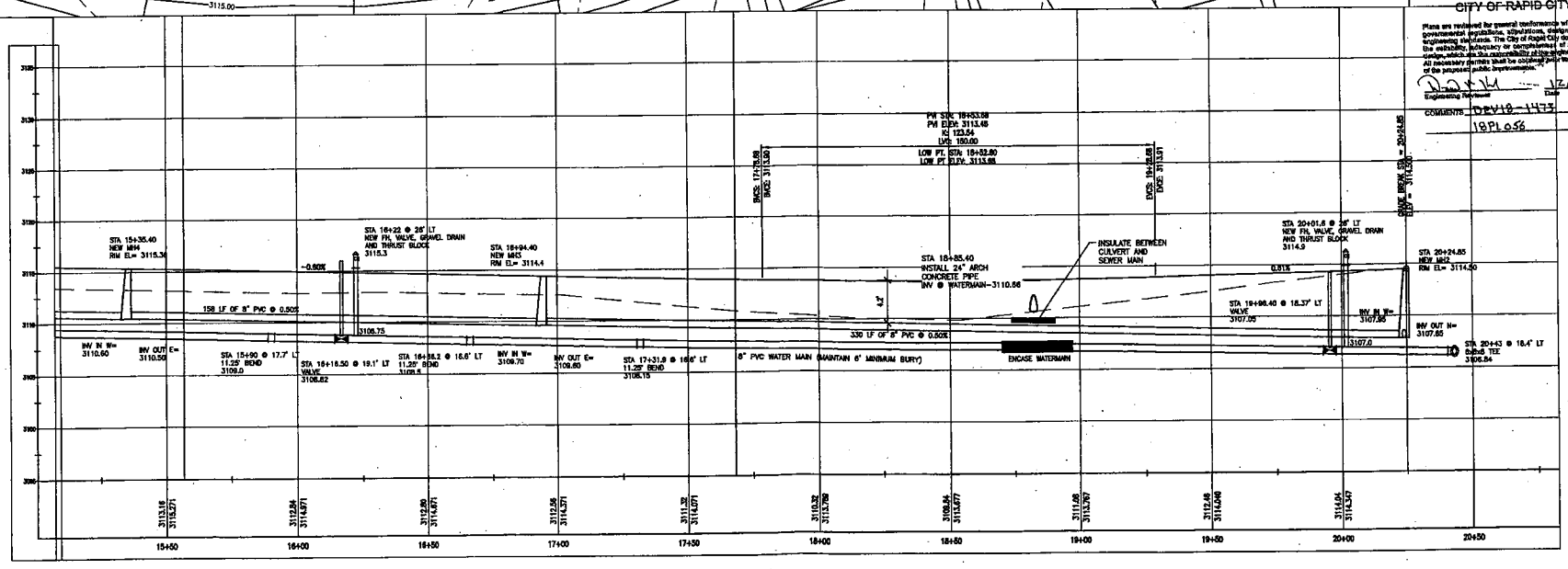

ASCENSION ROAD
ASCENSION ROAD
EXISTING DRAINAGE CHANNEL
EXISTING DRAINAGE CHANNEL
ASCENSION ROAD
BEACONRIDGE ROAD
PHASE 6
PHASE 5a
PHASE 5b
PHASE 5c
PHASE 1
PHASE 2
PHASE 3A
PHASE 3B
PHASE 3C
PHASE 4A
PHASE 4B
PHASE 4C
PHASE 7
PHASE 8
SPRINGFIELD ROAD
SPRINGFIELD ROAD
LONE HOOF ROAD
LONE HOOF ROAD
BULLET COURT
RIFLE COURT
SHOTGUN COURT
KNUCKLEBUSTER ROAD
CREEK ASCENSION
CREEK ASCENSION
CREEK ASCENSION



ALL CONSTRUCTION SHALL CONFORM TO THE CURRENT EDITION OF THE CITY OF RAPID CITY & RVSD STANDARD SPECIFICATIONS

CONTRACTOR SHALL PROVIDE EROSION CONTROL PER THE CURRENT EDITION OF THE CITY OF RAPID CITY STANDARD SPECIFICATIONS

CONTRACTOR SHALL INSTALL NEW DRIVEWAYS TO MAINTAIN DRAINAGE FLOWS WITHIN THE STREET CROSS-SECTION



CITY OF RAPID CITY

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Engineering Reviewer — Date 12/20/18

COMMENTS: DEV18-1173
19PL056

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DAVIS ENGINEERING, INC.
1000 KING ROAD, RAPID CITY, SOUTH DAKOTA, 57702
PHONE (605) 341-3063

REMINGTON ROAD (STA 15+50 - 20+50)
MURPHY RANCH ESTATES SUBDIVISION - PHASE 6
RAPID VALLEY, PENNINGTON COUNTY, SOUTH DAKOTA

DWG NO: C2.2
DATE: 11-12-18

VFG - REMINGTON ROAD, 984 TO END - (12) - (17).dwg



DWG NO: C1.2

DATE: 11-12-18

PHASING AND MASTER PLAN

MURPHY RANCH ESTATES SUBDIVISION - PHASE 6

RAPID VALLEY, PENNINGTON COUNTY, SOUTH DAKOTA

DAVIS ENGINEERING, INC.
1080 KINGS ROAD, RAPID CITY, SOUTH DAKOTA, 57702
PHONE (605) 341-3095

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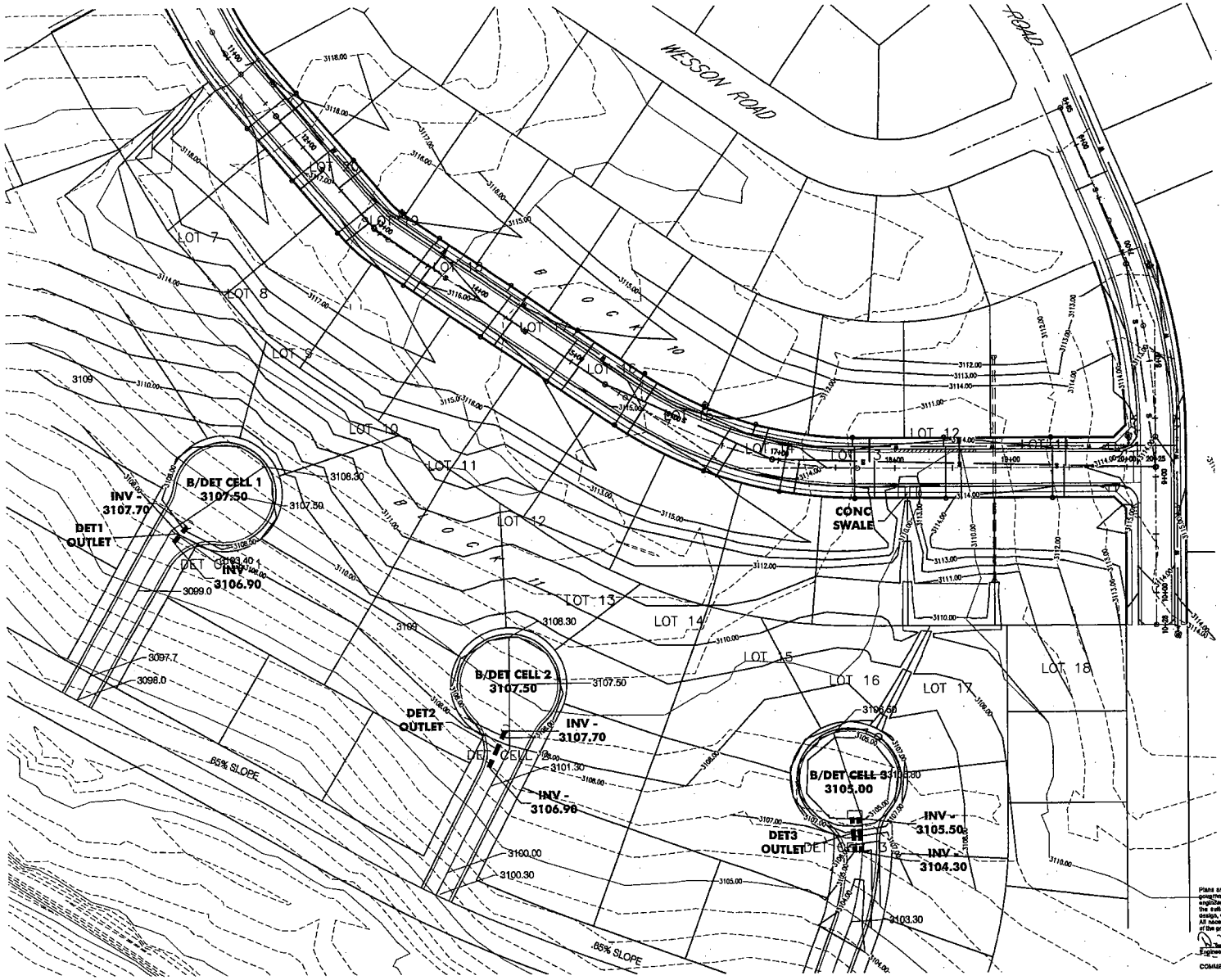

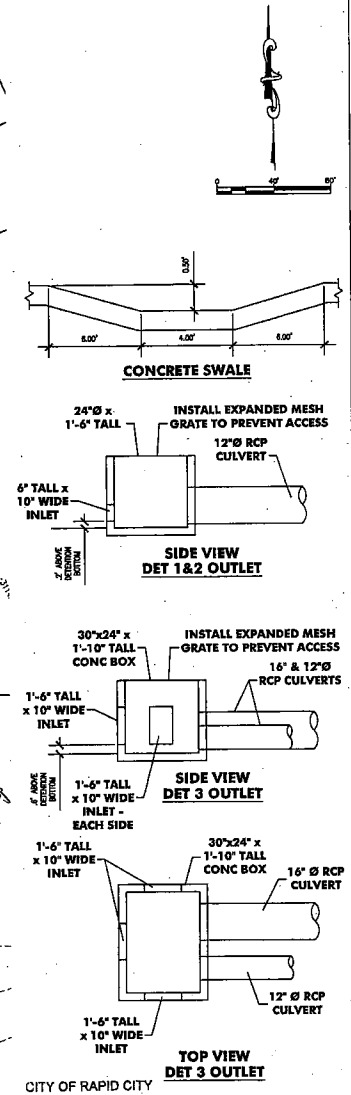

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Engineering Reviewer 12/20/18 Date

COMMENTS DEV18-1473

18PL056

11-15-18

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PHONE (605) 341-3053

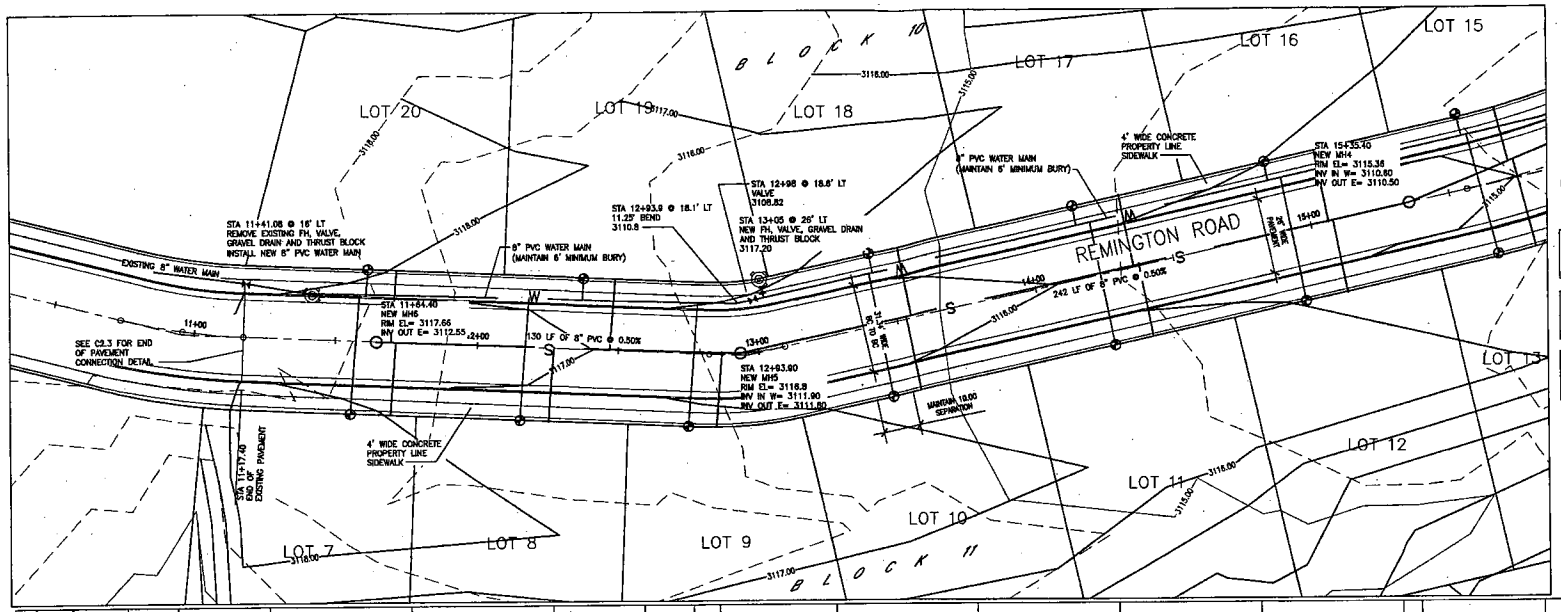
GRADING PLAN

MURPHY RANCH ESTATES SUBDIVISION - PHASE 6

RAPID VALLEY, PENNINGTON COUNTY, SOUTH DAKOTA

DWG NO: C1.3

DATE: 11-12-18



SCALE 1" = 20' – HORIZ
SCALE 1" = 5' – VERT

BENCHMARK – CONTROL POINT #1214
ELEVATION = 3112.71

CONTOUR INTERVAL – 1'–0" FOOT

ALL CONSTRUCTION SHALL CONFORM TO THE CURRENT EDITION OF THE CITY OF RAPID CITY & RVSD STANDARD SPECIFICATIONS

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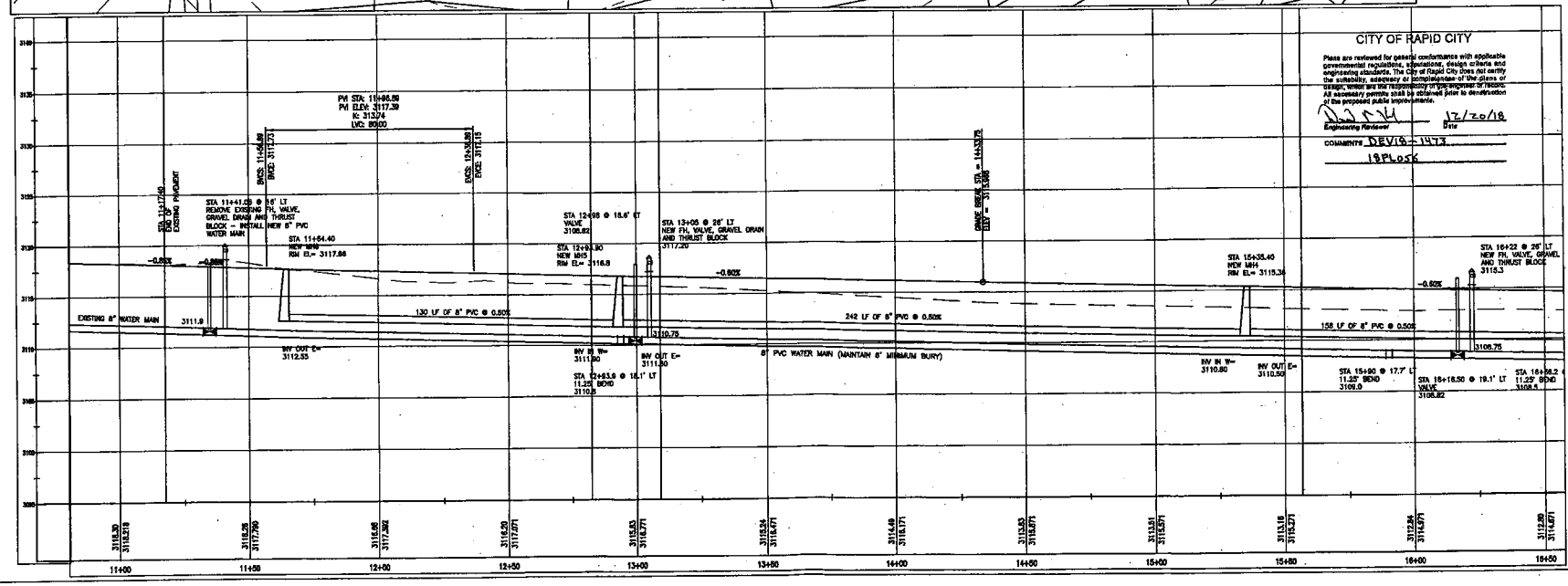

CITY OF RAPID CITY

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Engineering Reviewer — Date 12/20/18

COMMENTS DEV18-1473
19PL056

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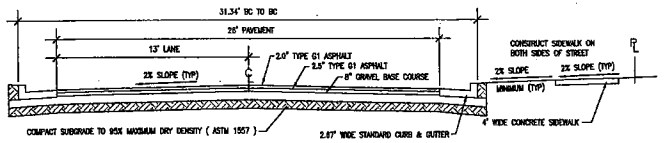
1060 RWS ROAD, RAPID CITY, SOUTH DAKOTA, 57703
PHONE (605) 341-3093

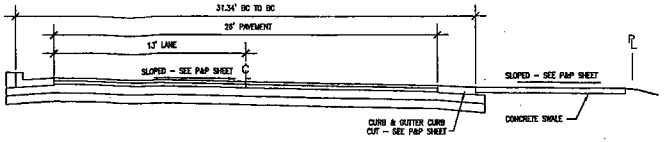
REMINGTON ROAD (STA 11+00 - 15+50)
MURPHY RANCH ESTATES SUBDIVISION - PHASE 6
RAPID VALLEY, PENNINGTON COUNTY, SOUTH DAKOTA

DWG NO: C2.1
DATE: 11-12-18

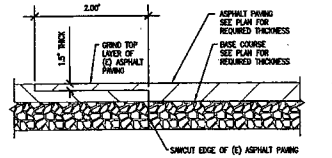
VFG – REMINGTON ROAD 984 TO END – (12) – (17).dwg



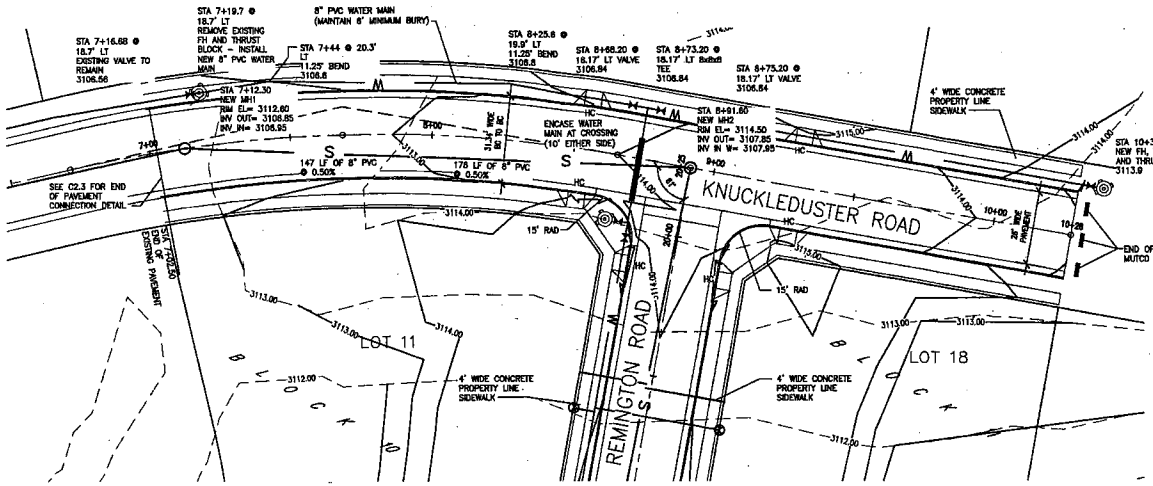
REMINGTON AND KNUCKLEDUSTER
ROADS CROSS SECTION
RIGHT OF WAY WIDTH = 52'



REMINGTON ROAD
STA 17+91-18+25 CROSS SECTION
RIGHT OF WAY WIDTH = 52'



TYPICAL NEW ASPHALT PAVING
@ END OF (E) ASPHALT PAVING DETAIL
SCALE - 1" = 1'



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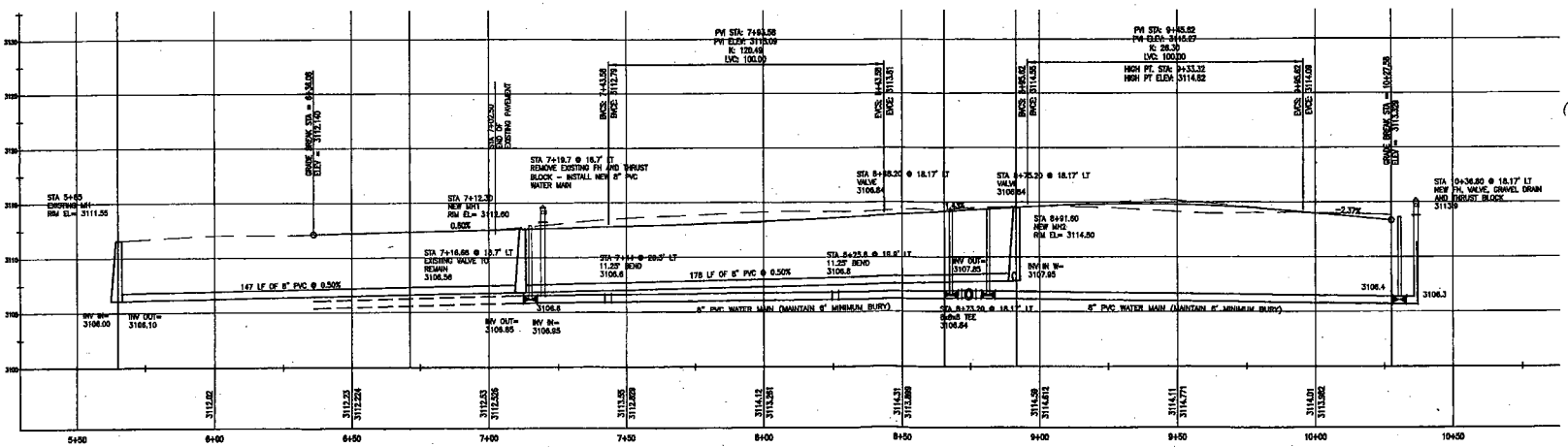

CITY OF RAPID CITY

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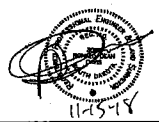
Engineering Reviewer — 12/20/18 Date

COMMENTS: DEV18-1473

18PL056



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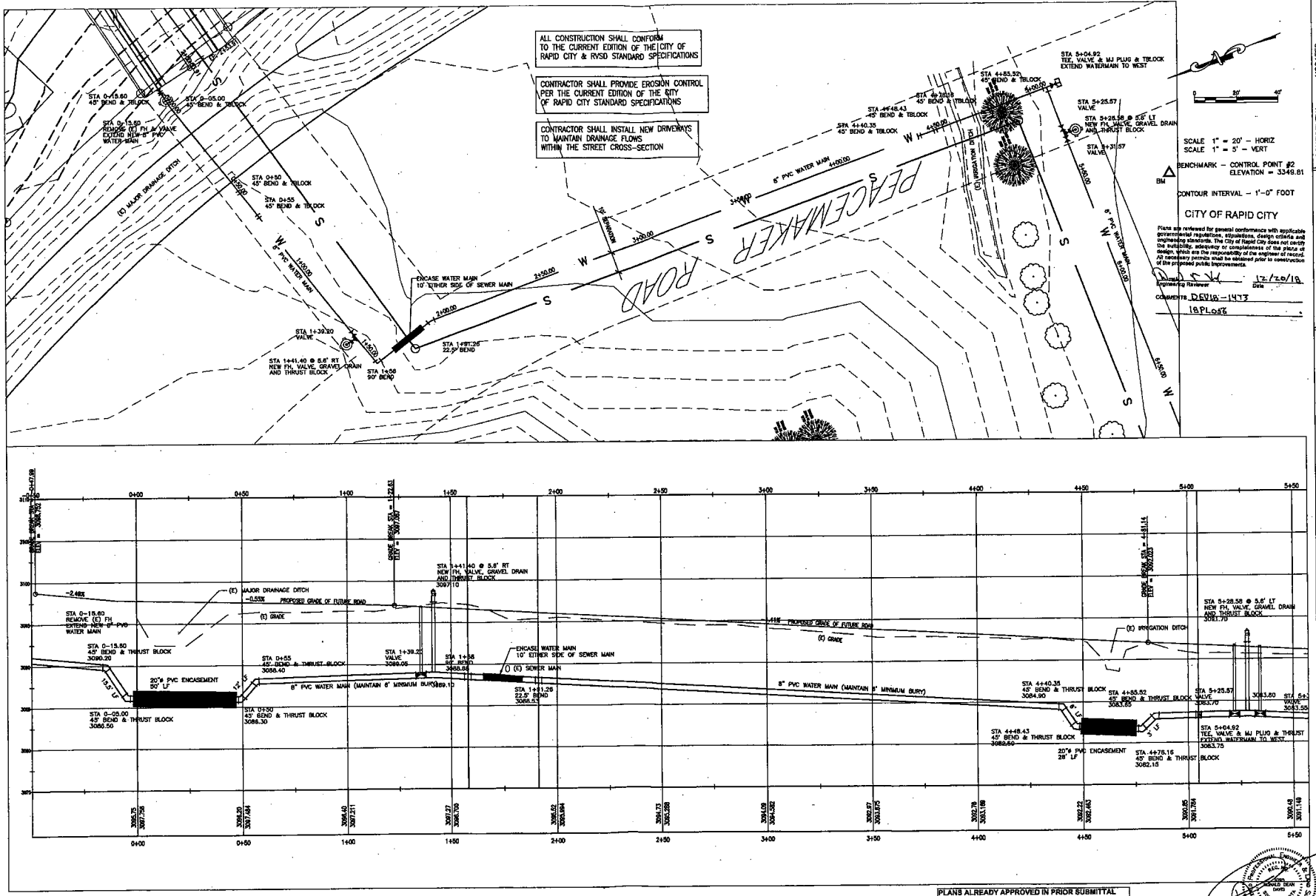
1000 KNOX ROAD, RAPID CITY, SOUTH DAKOTA, 57702
PHONE (605) 341-3909

KNUCKLEDUSTER ROAD (STA 5+65 - 10+28)
MURPHY RANCH ESTATES SUBDIVISION - PHASE 6
RAPID VALLEY, PENNINGTON COUNTY, SOUTH DAKOTA

DWG NO: C2.3
DATE: 11-12-18

VFG - KNUCKLEDUSTER CL 565 ON - (11) - (16).dwg



PLANS ALREADY APPROVED IN PRIOR SUBMITTAL ADDED TO THIS SET AS REQUESTED BY THE RAPID VALLEY PLANNING DEPARTMENT

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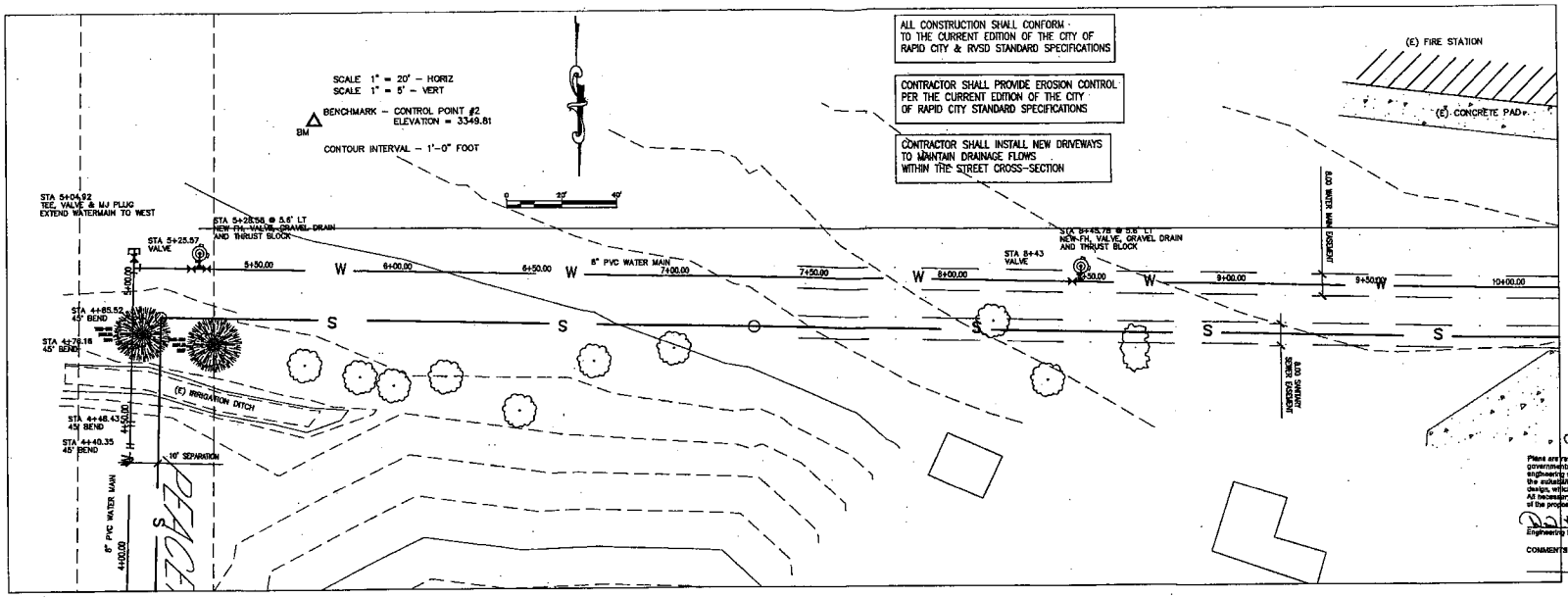
PHONE (605) 341-3565

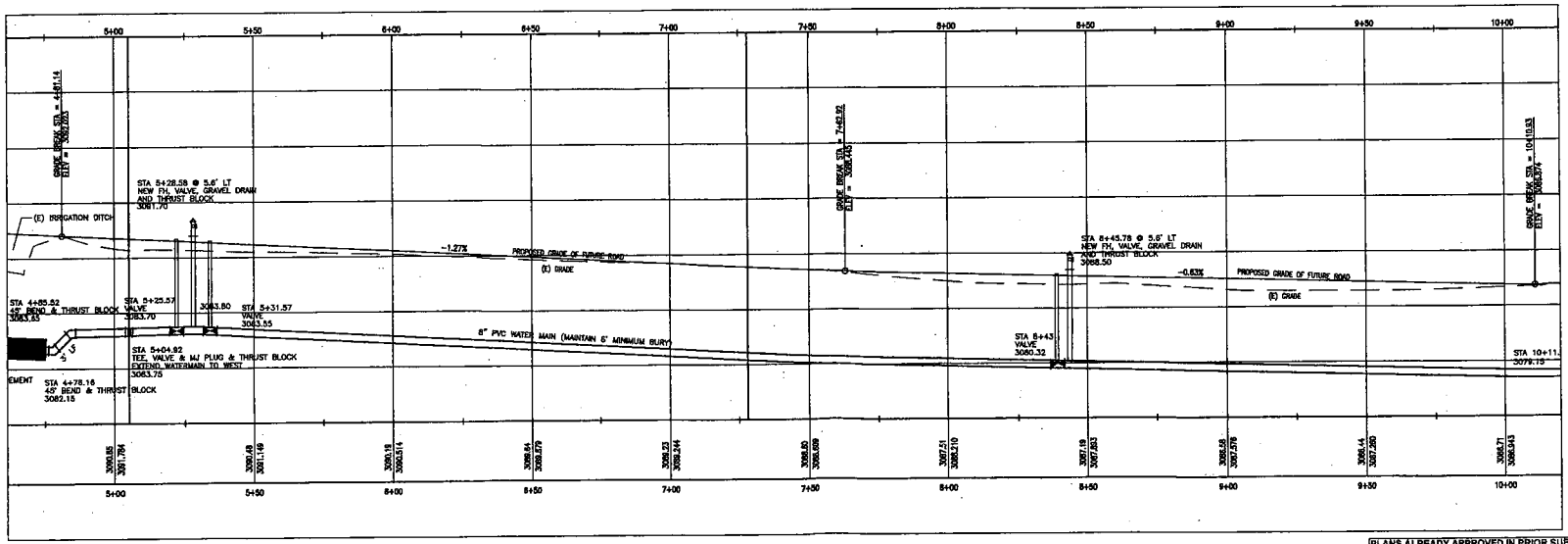
NEW WATERMAIN (STA 0-15.60 - 4+75)
MURPHY RANCH ESTATES - PHASE 5
RAPID CITY, PENNINGTON COUNTY, SOUTH DAKOTA

DWG NO: C2.5
DATE: 4-21-16

REGISTERED PROFESSIONAL ENGINEER REG. NO. 9699 JARED DEAN DAVIS SOUTH DAKOTA

VFG – waterline from springfield to reservoir road – (10) – (15).dwg
3/19/2007





PLANS ALREADY APPROVED IN PRIOR SUBMITTAL ADDED TO THIS SET AS REQUESTED BY THE RAPID VALLEY PLANNING DEPARTMENT

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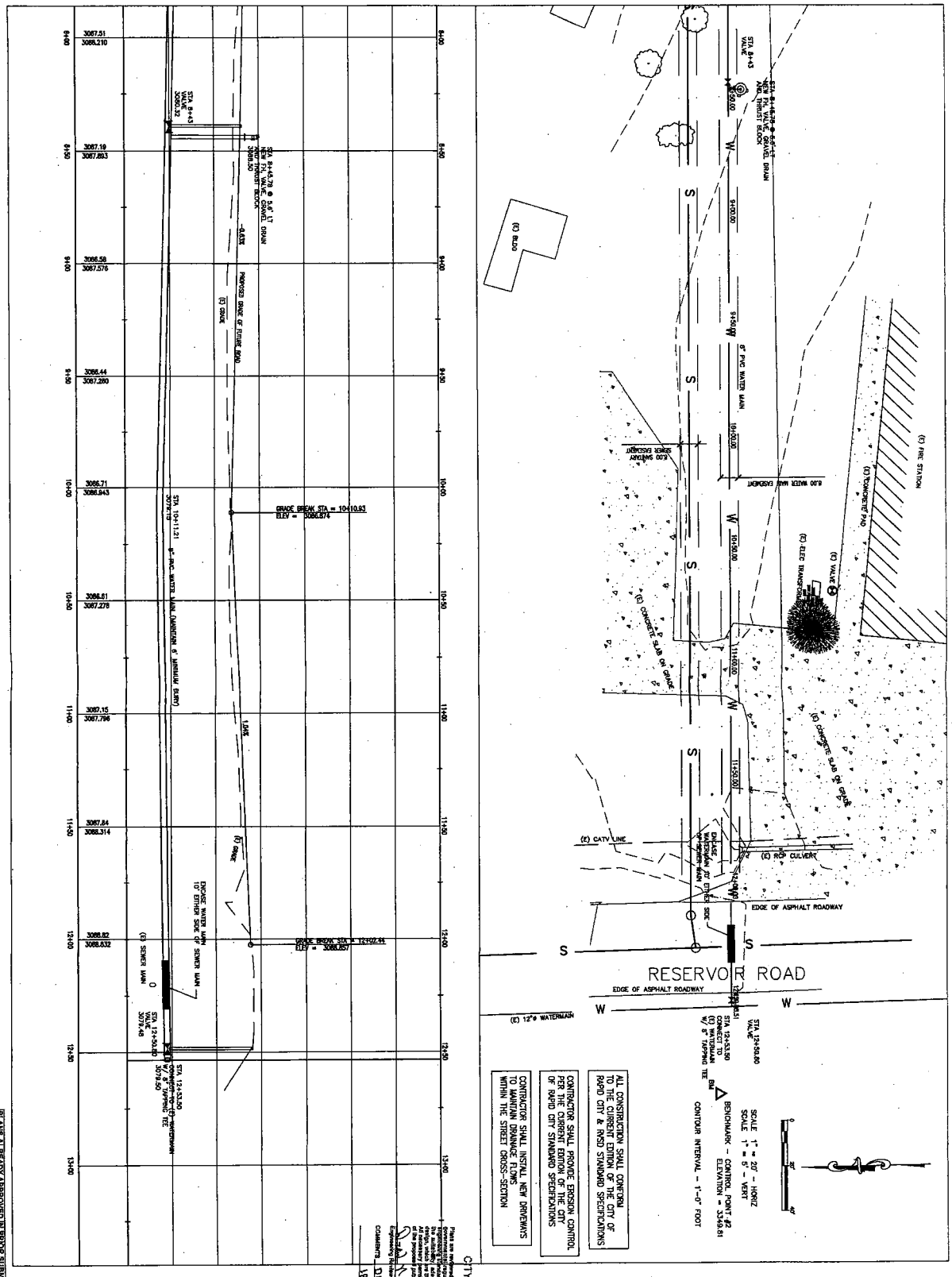
PHONE (605) 341-3588

NEW WATERLINE (STA 4+75 - 10+00)
MURPHY RANCH ESTATES - PHASE 5
RAPID CITY, PENNINGTON COUNTY, SOUTH DAKOTA

DWG NO: C2.6
DATE: 4-21-16

VFG – waterline from springfield to reservoir road – (10) – (15).dwg
3/19/2007

VFG – waterline from springfield to reservoir road
3/19/2007 – (10) – (15).dwg



PLANS ALREADY APPROVED IN PRIOR SUBMITTAL ADDED TO THIS SET AS REQUESTED BY THE RAPID VALLEY PLANNING DEPARTMENT

CITY OF RAPID CITY
Engineering Review
COMMENTS DEVIS-11477
12/20/16

Plans have been reviewed for general conformance with applicable Rapid City Municipal Code requirements. Review does not relieve the applicant of responsibility for errors and omissions in the plans. The City of Rapid City does not assume responsibility for the accuracy and adequacy of the design, which is the responsibility of the engineer of record. All plans are subject to modification and/or additional requirements at the discretion of the proper public representatives.

DWG NO: C2.7 DATE: 4–21–16	**NEW WATERMAIN (STA 10+00 - 12+53.50)** **MURPHY RANCH ESTATES - PHASE 5** **RAPID CITY, PENNINGTON COUNTY, SOUTH DAKOTA**	DAVIS ENGINEERING, INC. 1060 KINGS ROAD, RAPID CITY, SOUTH DAKOTA 57703 PHONE (605) 341-3095

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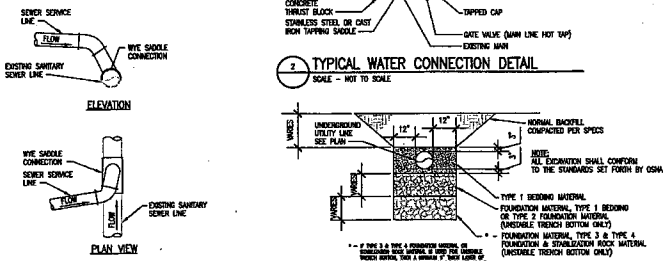
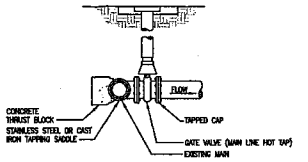
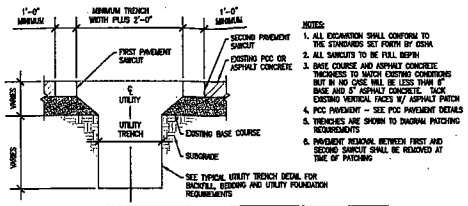


1 TYPICAL SEWER CONNECTION DETAIL
SCALE – NOT TO SCALE



2 TYPICAL WATER CONNECTION DETAIL
SCALE – NOT TO SCALE

3 TYPICAL UTILITY TRENCH DETAIL
SCALE – NOT TO SCALE



NOTES:
1. ALL EXCAVATION SHALL CONFORM TO THE STANDARDS SET FORTH BY OSHA
2. ALL SAWCUTS TO BE FULL DEPTH
3. BASE COURSE AND ASPHALT CONCRETE THICKNESS TO MATCH EXISTING CONDITIONS BUT IN NO CASE WILL BE LESS THAN 8" BASE AND 5" ASPHALT CONCRETE. TACK EXISTING VERTICAL FACES W/ ASPHALT PATCH
4. PCC PAVEMENT – SEE PCC PAVEMENT DETAILS
5. TRENCHES ARE SHOWN TO DIAGRAM PATCHING REQUIREMENTS
6. PAVEMENT REMOVAL BETWEEN FIRST AND SECOND SAWCUT SHALL BE REMOVED AT TIME OF PATCHING

(TABLE 11-1) – MINIMUM TRENCH WIDTH TABLE

PIPE DIA	MINIMUM TRENCH WIDTH	MINIMUM BETWEEN FIRST SAWCUTS	MINIMUM BETWEEN SECOND SAWCUTS
> 8" INCH	2'-0"	4'-0"	6'-0"
8" INCH – 12" INCH	2'-6"	4'-6"	6'-6"
14" INCH – 18" INCH	3'-0"	5'-0"	7'-0"
20" INCH – 21" INCH	3'-6"	5'-6"	7'-6"
24" INCH – 36" INCH	1.25 (PIPE OD) PLUS 12" INCH	MIN WIDTH PLUS 2'-0"	MIN WIDTH PLUS 4'-0"
< 36" INCH	PER PLANS	MIN WIDTH PLUS 2'-0"	MIN WIDTH PLUS 4'-0"

4 TYPICAL UTILITY TRENCH BELOW CONCRETE/ASPHALT SURFACE DETAIL
SCALE – NOT TO SCALE

1. AIR TESTING

THE INSTALLER MUST PLUG BOTH ENDS OF A SECTION OF SEWER TO BE TESTED BEFORE SUBJECTING THAT SECTION OF PIPE AND FITTINGS TO LOW PRESSURE AIR. THE AIR MUST BE MAINTAINED AT A MINIMUM PRESSURE OF 3.5 PSI FOR THE TIME PERIOD INDICATED FOR EACH DIAMETER SHOWN IN THE FOLLOWING TABLE. DURATION TIMES VARY WITH CHANGES IN PIPELINE SIZE AND LENGTH OF TEST SECTIONS. A MINIMUM PRESSURE DROP OF 0.5 PSI IS POSSIBLE WITHIN THE SPECIFIED TIME DURATION. IF A MAXIMUM PRESSURE DROP OF 1.0 PSI IS SPECIFIED, THE TIME VALUES IN THE TABLE SHOULD BE DOUBLED.
SHOULD THE PRESSURE DROP BE GREATER THAN 0.5 PSI WITHIN THE SPECIFIED TIME DURATION, THE INSTALLER MUST LOCATE AND REPAIR ANY DEFICIENCIES, AT HIS OWN EXPENSE, RE-TESTING SHOULD THEN BE PERFORMED UNTIL A SUCCESSFUL TEST IS ACHIEVED. SOURCES OF LEAKS MAY BE DRY IN AN ASSEMBLED GASKETED JOINT, INCORRECTLY TIGHTENED SERVICE SADDLES OR IMPROPER PLUGGING OR CAPPING OF SEWER LATERAL PIPING. IF THERE HAS BEEN ABSOLUTELY NO LEAKAGE (ZERO PSI PRESSURE DROP) AFTER ONE HOUR OF TESTING, THE SECTION SHALL BE PASSED AND PRESUMED FREE OF DEFECTS.

TIME REQUIRED FOR A 0.5 PSI PRESSURE DROP GIVEN SIZES AND LENGTHS OF PVC SEWER PIPE

PIPE DIA	MINIMUM TIME (MIN/SEC)	LENGTH FOR MINIMUM TIME (FT)	TIME FOR LONGER LENGTH (SEC)
4	1:53	600	1.990 L
6	2:50	400	4.497 L
8	3:47	300	8.003 L
10	4:43	240	12.469 L
12	5:40	200	17.995 L

(WHERE L = LENGTH OF TEST SECTION IN FEET)

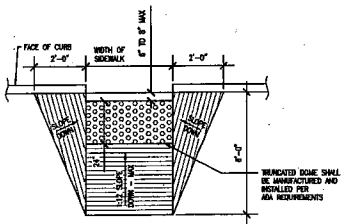
IF THERE IS GROUNDWATER PRESENT AT A LEVEL HIGHER THAN THE FITTING INVERT DURING THE ARTEST, THE TEST PRESSURE SHOULD BE INCREASED TO A VALUE OF 3.5 PSI GREATER THAN THE WATER HEAD AT THE BOTTOM OF THE FITTING (TO A MAXIMUM AIR TEST PRESSURE OF 5.0 PSI).

EXAMPLE – IF THERE IS 1.65 FEET OF WATER ABOVE THE INVERT OF A BURIED PVC SEWER LINE, WHAT MUST THE AIR-TEST PRESSURE BE? (TO CONVERT FT. OF WATER TO PSI, SIMPLY MULTIPLY BY 0.43)

SOLUTION – THE STATIC HEAD OF THE GROUNDWATER AT THE FITTING INVERT WILL BE: (1.65 FT. H20) X (.43 PSI / FT. H20) = .71 PSI – THEREFORE, THE TOTAL AIR-TEST PRESSURE SHOULD BE: .71 PSI + 3.5 PSI = 4.21 PSI

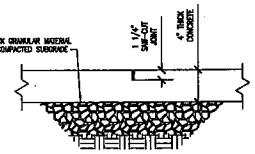
SINCE THIS VALUE IS LESS THAN 5.0 PSI, THE INSTALLER MAY PROCEED WITH THE AIR TEST USING THIS START PRESSURE. USING THIS ANALYSIS, IT IS EVIDENT THAT THE MAXIMUM HEAD OF GROUNDWATER PERMITTED ABOVE THE INVERT OF A PVC SEWER PIPE AND FITTING SYSTEM FOR AN AIR TEST IS APPROXIMATELY 3.5 FEET.

5 TYPICAL TESTING OF SEWER LINES PROCEDURE
SCALE – NOT TO SCALE

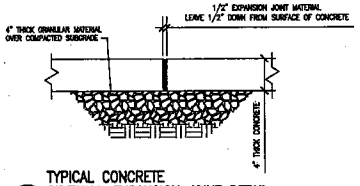


NOTES:
1. CONCRETE SURFACE SHALL RECEIVE A COARSE BROOMED TEXTURE IN ADDITION TO THE BROOMED FINISH TIMED TEXTURE SHALL BE PLACED PERPENDICULAR TO SLOPE
2. A UNIFORM GRADE WITHOUT SAGS AND SHORT GRADE CHANGES SHALL BE INSTALLED ON THE RAMP
3. THE PROFILE OF THE GUTTER SHALL BE MAINTAINED THRU THE AREA OF THE RAMP OPENING
4. CROSS SLOPES SHALL NOT EXCEED 2%
1. DETECTABLE WARNING PANEL (TRUNCATED DOME) SHALL BE CONSTRUCTED OF VERIFIED POLYMER COMPOSITE, CAST-IN-PLACE TYPE, FEDERAL YELLOW IN COLOR, AND MANUFACTURED BY ARMOR TILE TACTILE SYSTEMS OR APPROVED EQUIVALENT.

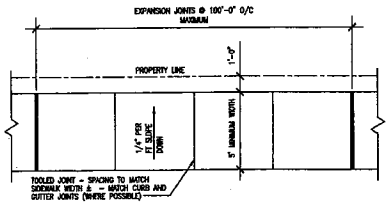
8 TYPICAL PROPERTY LINE CONCRETE HANDICAP RAMP DETAIL
SCALE – NOT TO SCALE



7 TYPICAL CONCRETE SIDEWALK SAW-CUT JOINT DETAIL
SCALE – NOT TO SCALE



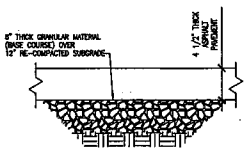
8 TYPICAL CONCRETE SIDEWALK EXPANSION JOINT DETAIL
SCALE – NOT TO SCALE



NOTES:
1. CONCRETE SURFACE SHALL RECEIVE A MEDIUM BROOMED TEXTURE
2. ALL SIDEWALKS SHALL BE A MINIMUM OF 4" THICK (4000 PSI) CONCRETE W/ A MINIMUM OF 3" OF COMPACTED GRANULAR FILL UNDER THE SIDEWALK

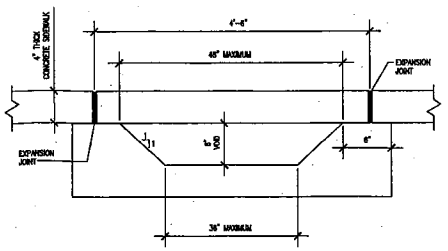
9 TYPICAL CONCRETE SIDEWALK DETAIL
SCALE – NOT TO SCALE

NOTE:
ALL PAVEMENT DETAILS SHALL BE VERIFIED WITH GEOTECHICAL REPORT PRIOR TO INSTALLATION ANY DISCREPANCIES BETWEEN THE PAVEMENT DETAILS AND GEOTECHICAL SHALL BE REPORTED TO THE CIVIL ENGINEER IMMEDIATELY



NOTE: ALL SUBBASE/SUBGRADE TO BE APPROVED BY GEOTECH PRIOR TO GRANULAR/BASE COURSE PLACEMENT

10 TYPICAL ASPHALT PAVEMENT DETAIL
SCALE – NOT TO SCALE



11 CONCRETE SIDEWALK BRIDGE DETAIL
SCALE – NOT TO SCALE

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GENERAL NOTES AND SPECIFICATIONS

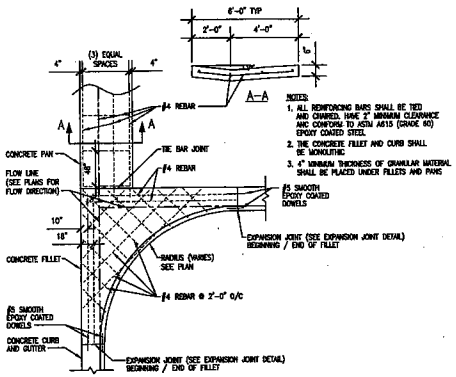
MURPHY RANCH ESTATES SUBDIVISION - PHASE 6

RAPID VALLEY, PENNINGTON COUNTY, SOUTH DAKOTA

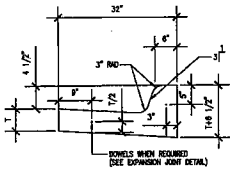
DWG NO: C3.1

DATE: 11-12-18

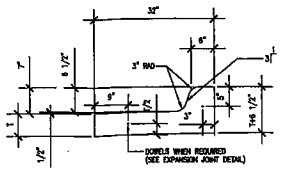
1515-18



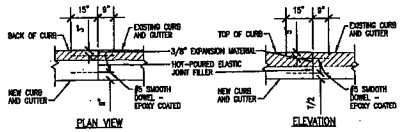
1 TYPICAL CONCRETE PAN AND FILLET DETAIL
SCALE – NOT TO SCALE



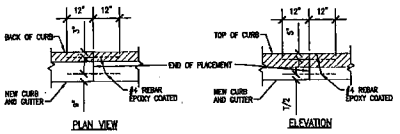
2 STANDARD CURB AND GUTTER (TYPE B)
SCALE – NOT TO SCALE



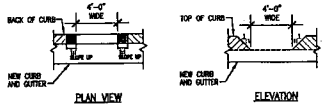
3 TILTED CURB AND GUTTER (TYPE BL)
SCALE – NOT TO SCALE



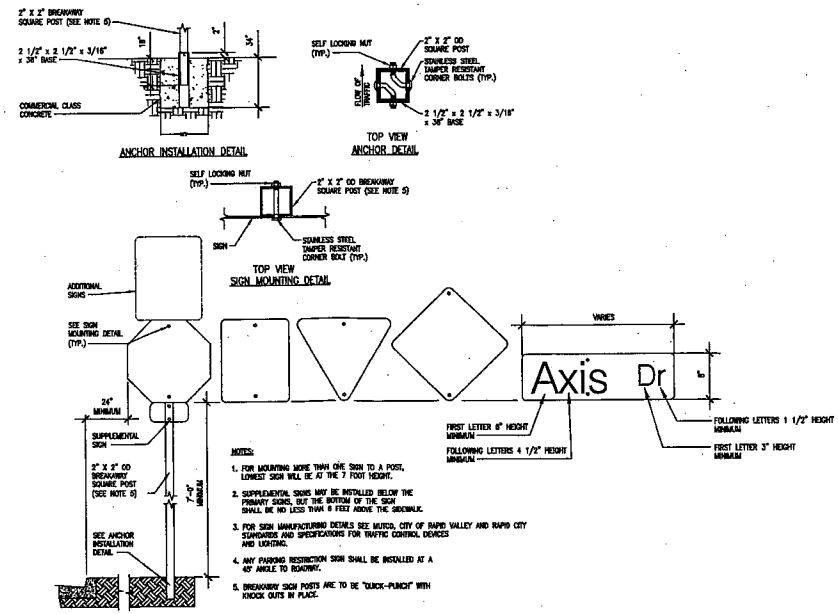
4 CURB AND GUTTER EXPANSION JOINT
SCALE – NOT TO SCALE



5 CURB AND GUTTER CONSTRUCTION JOINT
SCALE – NOT TO SCALE



6 CURB AND GUTTER DRAIN CUT DETAIL
SCALE – NOT TO SCALE



7 GROUND MOUNTED SIGN DETAILS
SCALE – NOT TO SCALE

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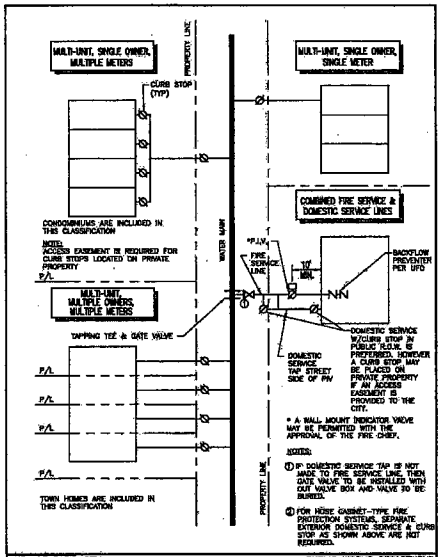
GENERAL NOTES AND SPECIFICATIONS
MURPHY RANCH ESTATES SUBDIVISION - PHASE 6
RAPID VALLEY, PENNINGTON COUNTY, SOUTH DAKOTA

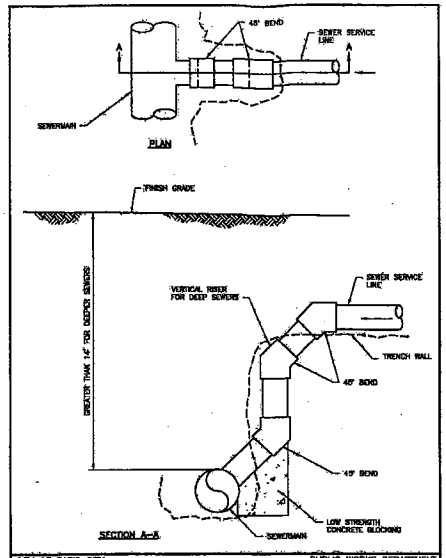
DWG NO: C3.2
DATE: 11-12-18



CITY OF RAPID CITY — PUBLIC WORKS DEPARTMENT

TYPICAL WATER SERVICE LINE LAYOUT

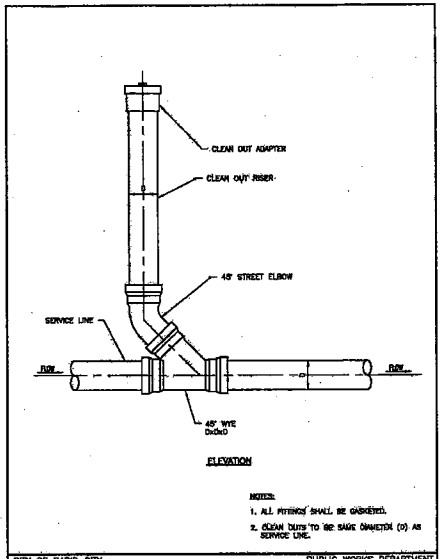
DATE: 5-1-07 — SEC. 8 — SHT. 5



CITY OF RAPID CITY — PUBLIC WORKS DEPARTMENT

DEEP SANITARY SERVICE CONNECTION

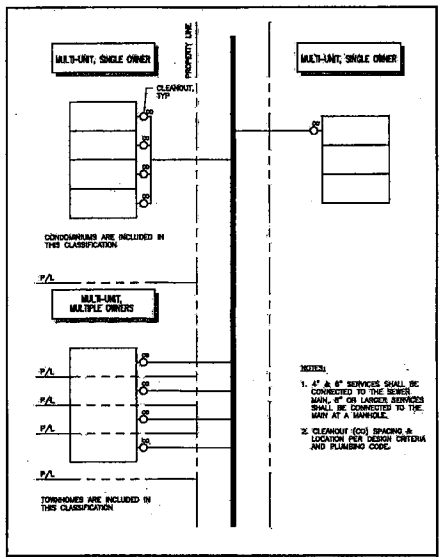
DATE: 5-1-07 — SEC. 9 — SHT. 9



CITY OF RAPID CITY — PUBLIC WORKS DEPARTMENT

SANITARY SEWER SERVICE CLEAN OUT DETAIL

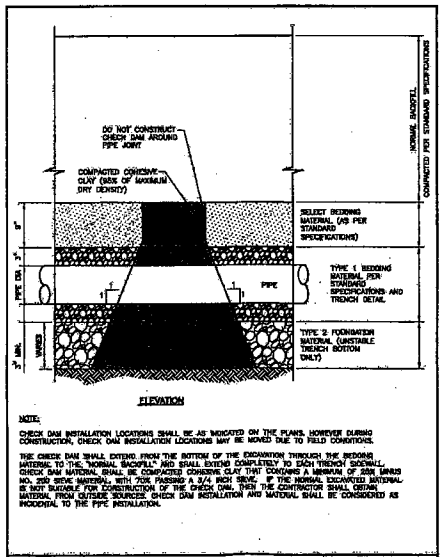
DATE: 5-1-07 — SEC. 9 — SHT. 10



CITY OF RAPID CITY — PUBLIC WORKS DEPARTMENT

TYPICAL SEWER SERVICE LINE LAYOUT

DATE: 5-7-07 — SEC. 9 — SHT. 12



CITY OF RAPID CITY — PUBLIC WORKS DEPARTMENT

TYPICAL TRENCH CHECK DAM DETAIL FOR WATER & SEWER MAINS

DATE: 5-1-07 — SEC. 11 — SHT. 2

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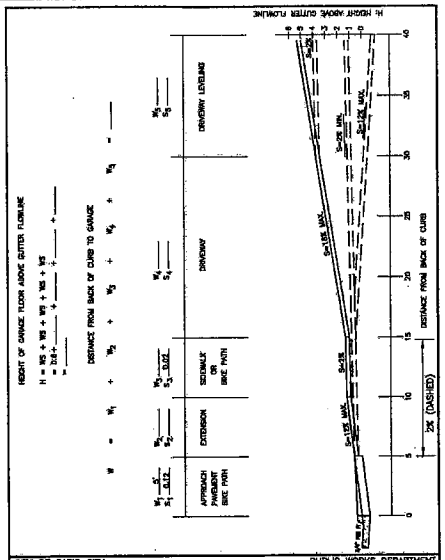
GENERAL NOTES AND SPECIFICATIONS
MURPHY RANCH ESTATES SUBDIVISION - PHASE 6
RAPID VALLEY, PENNINGTON COUNTY, SOUTH DAKOTA

DWG NO: C3.3

DATE: 11-12-18

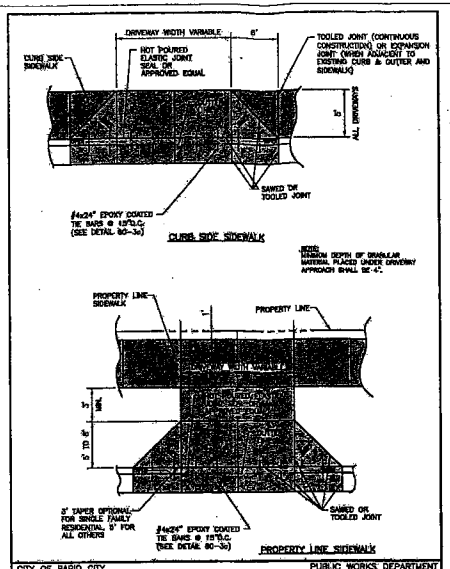
11/5/18



CITY OF RAPID CITY — PUBLIC WORKS DEPARTMENT

DRIVEWAY PROFILE GRADE

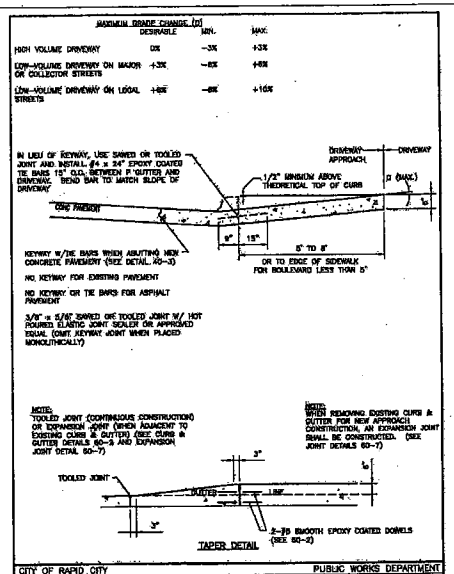
DATE: 5-1-07 — SEC. 60-5 — SHT.



CITY OF RAPID CITY — PUBLIC WORKS DEPARTMENT

STANDARD DRIVEWAY APPROACH PAVEMENT

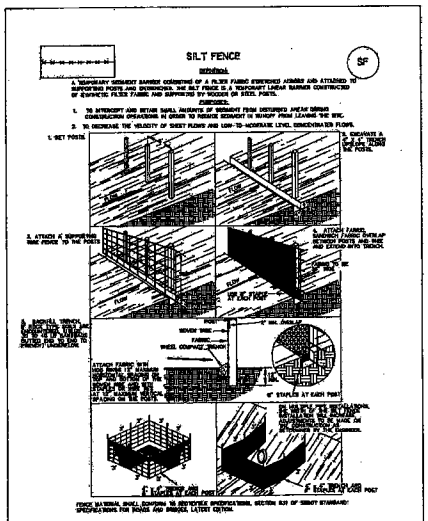
DATE: 5-1-07 — SEC. 60-3 — SHT.



CITY OF RAPID CITY — PUBLIC WORKS DEPARTMENT

STANDARD DIRVEWAY

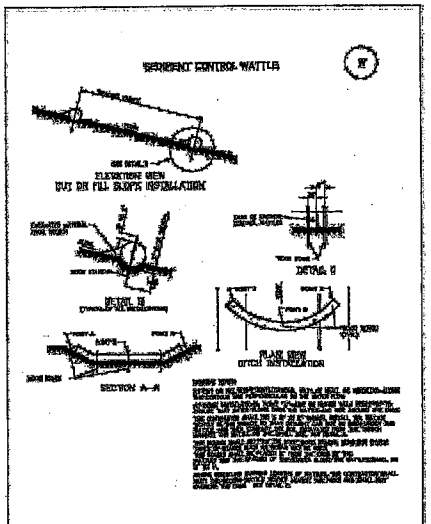
DATE: 5-1-07 — SEC. 60-3a — SHT.



CITY OF RAPID CITY — PUBLIC WORKS DEPARTMENT

SILT FENCE (WOVEN WIRE)

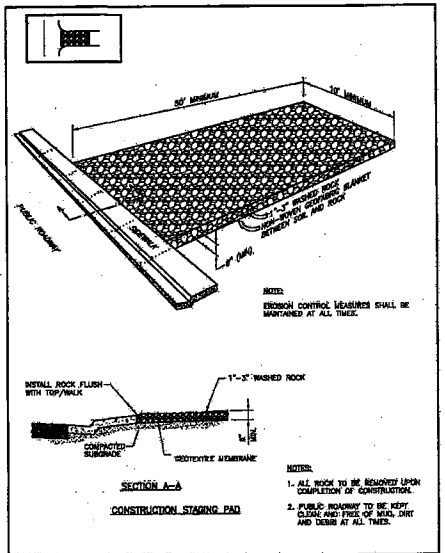
DATE: 1-31-08 — SEC.-SHT. 146-12



CITY OF RAPID CITY — PUBLIC WORKS DEPARTMENT

SEDIMENT CONTROL WATTLE

DATE: 1-31-08 — SEC. — SHT. 146-32



CITY OF RAPID CITY — PUBLIC WORKS DEPARTMENT

ROCK CONSTRUCTION ENTRANCE

DATE: 5-1-07 — SEC. 146-2 — SHT.

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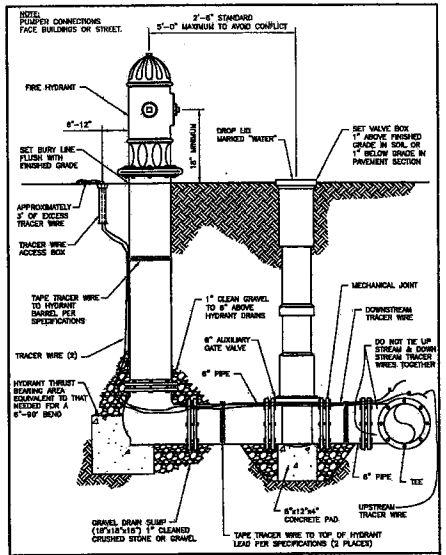
GENERAL NOTES AND SPECIFICATIONS
MURPHY RANCH ESTATES SUBDIVISION - PHASE 6
RAPID VALLEY, PENNINGTON COUNTY, SOUTH DAKOTA

DWG NO: C3.4

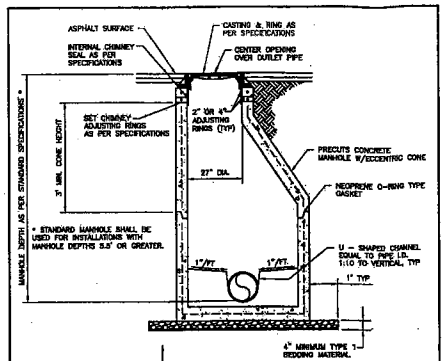
DATE: 11-12-18



CITY OF RAPID CITY — PUBLIC WORKS DEPARTMENT

HYDRANT SETTING DETAIL

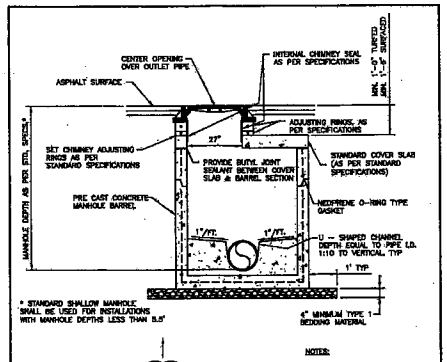
DATE: 5-1-07 | SEC. 8-1 | SHT.



CITY OF RAPID CITY — PUBLIC WORKS DEPARTMENT

STANDARD MANHOLE DETAIL WITH MONOLITHIC BASE (48" & 60")

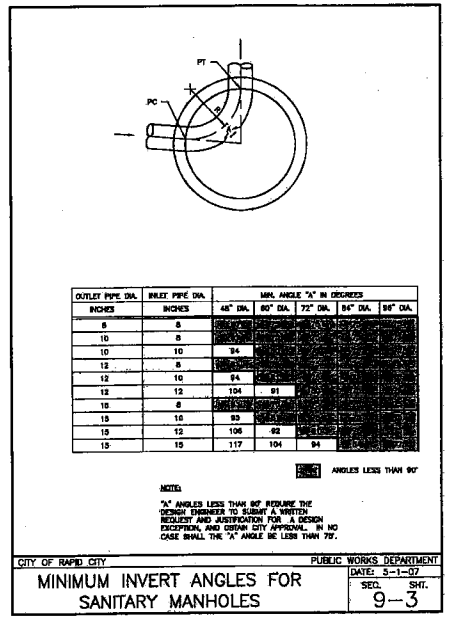
DATE: 5-1-07 | SEC. 9-1 | SHT.



CITY OF RAPID CITY — PUBLIC WORKS DEPARTMENT

STANDARD SHALLOW MANHOLE DETAIL WITH MONOLITHIC BASE (48" 60" & 72")

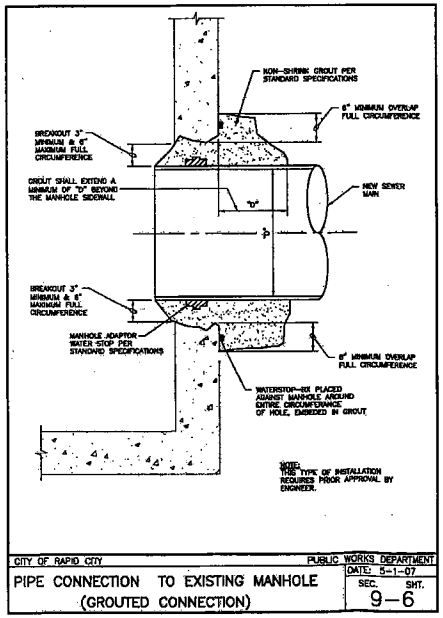
DATE: 5-1-07 | SEC. 9-2 | SHT.



CITY OF RAPID CITY — PUBLIC WORKS DEPARTMENT

MINIMUM INVERT ANGLES FOR SANITARY MANHOLES

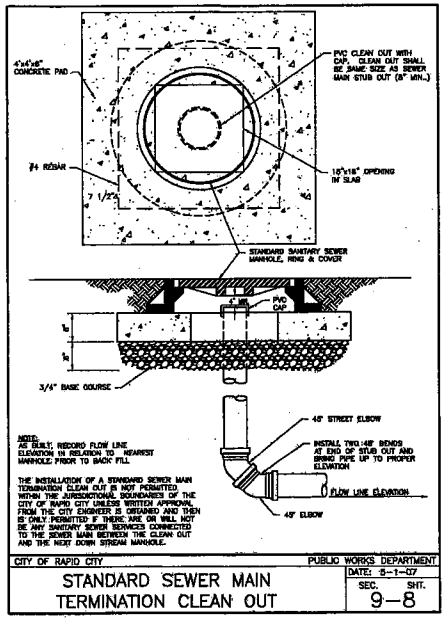
DATE: 5-1-07 | SEC. 9-3 | SHT.



CITY OF RAPID CITY — PUBLIC WORKS DEPARTMENT

PIPE CONNECTION TO EXISTING MANHOLE (GROUTED CONNECTION)

DATE: 5-1-07 | SEC. 9-6 | SHT.



CITY OF RAPID CITY — PUBLIC WORKS DEPARTMENT

STANDARD SEWER MAIN TERMINATION CLEAN OUT

DATE: 5-1-07 | SEC. 9-8 | SHT.

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GENERAL NOTES AND SPECIFICATIONS

MURPHY RANCH ESTATES SUBDIVISION - PHASE 6

RAPID VALLEY, PENNINGTON COUNTY, SOUTH DAKOTA

DWG NO: C3.5

DATE: 11-12-18

GENERAL NOTES:

A. GENERAL

1. RVSD STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION (CURRENT EDITION) AND ANY SPECIAL PROVISIONS, SHALL APPLY TO ALL THE WORK REQUIRED FOR THIS PROJECT UNLESS MODIFIED BY SPECIFIC NOTATIONS. RVSD STANDARD SPECIFICATIONS ARE AVAILABLE UPON REQUEST FROM DESIGN ENGINEER OR RVSD OFFICE
2. CONTRACTOR SHALL NOTIFY ALL UTILITY COMPANIES INCLUDING SOUTH DAKOTA ONE CALL @ 1-800-781-7474 48 HOURS PRIOR TO BEGINNING CONSTRUCTION TO HAVE UTILITIES MARKED.
3. THE CONTRACTOR SHALL PROTECT ALL EXISTING IMPROVEMENTS FROM DAMAGE. ANY DEBRIS ENCOUNTERED DURING CLEARING OPERATIONS SHALL BE DISPOSED OF BY THE CONTRACTOR OFF-SITE AT A LOCATION APPROVED BY THE ENGINEER.
4. THE CONTRACTOR IS REQUIRED TO OBTAIN COVERAGE UNDER THE DEPARTMENTS GENERAL STORM WATER CONSTRUCTION PERMIT IF THE PROJECT WILL DISTURB 1 ACRE OR MORE OF LAND AREA. CONTACT SIOUXNET AT (605) 773-3151 FOR INFORMATION.
5. IF WATER FROM TEMPORARY DEWATERING WILL BE DISCHARGED TO WATERS OF THE STATE, DURING CONSTRUCTION, CONTRACTOR MUST OBTAIN COVERAGE UNDER THE DEPARTMENTS (DENR) GENERAL PERMIT FOR TEMPORARY DEWATERING. FOR MORE INFORMATION CONTACT PETE JAHRAUS AT (605) 773-3151
6. ACCESS TO ALL OCCUPIED ADJACENT PROPERTY AND ROADWAYS SHALL BE MAINTAINED. WORK LIMITS SHALL BE KEPT NEAT AND ORDERLY DURING NON-WORKING HOURS EQUIPMENT AND MATERIALS SHALL BE KEPT AWAY FROM TRAVELED ROADWAYS.

B. CONSTRUCTION SEQUENCE, COORDINATION AND SCHEDULING:

1. THE CONTRACTOR SHALL PREPARE AND SUBMIT A CONSTRUCTION SEQUENCE PLAN TO THE ENGINEER, IN ACCORDANCE WITH THE ARCHITECTS SEQUENCING SCHEDULE, FOR APPROVAL. WORK UNDER THE CONTRACT SHALL BE SCHEDULED AND PERFORMED IN SUCH A MANNER AS TO ALLOW COMPLETION IN ACCORDANCE WITH THE CONTRACT. SCHEDULING OF EROSION CONTROL, SEEDING, MULCHING AND GRAVEL PLACEMENT SHALL BE SCHEDULED IN CONJUNCTION WITH THE WORK TO AVOID EROSION OF THE WORK AREA.

C. SUBMITTALS:

1. THE CONTRACTOR SHALL FORWARD SUBMITTALS TO THE ENGINEER FOR ALL CONTRACTOR-FURNISHED PRODUCTS AT LEAST SEVEN (7) WORKING DAYS BEFORE APPROVAL IS NEEDED. SUBMITTALS SHALL CLEARLY IDENTIFY ANY DEVIATION FROM THE SPECIFICATIONS, AND SHALL BE CERTIFIED AND DATED BY THE CONTRACTOR BEFORE SUBMITTING TO THE ENGINEER. SUBMITTALS WILL BE ACCEPTED ONLY FROM THE CONTRACTOR. THE ENGINEER WILL INDICATE HIS APPROVAL OR DISAPPROVAL OF EACH SUBMITTAL AND, IF HE DOES NOT APPROVE THE SUBMITTAL HE WILL INDICATE HIS REASONS FOR SO DOING. ANY WORK DONE PRIOR TO APPROVAL SHALL BE AT THE CONTRACTOR'S OWN EXPENSE. RESUBMITTALS SHALL BE MADE THE SAME AS FOR ORIGINAL SUBMITTALS WITH CHANGES FROM THE PREVIOUS SUBMITTAL CLEARLY SHOWN.

THE LOG OF CONSTRUCTION SUBMITTALS SHALL INCLUDE, BUT IS NOT LIMITED TO, THE TABLE BELOW:

CONSTRUCTION SCHEDULE	TRAFFIC CONTROL PLAN
SUBCONTRACTOR & SUPPLIER LIST	CASTING STORM SEWER
KEY PERSONNEL	CASTING SANITARY SEWER
STORM WATER PLAN	CATHODIC PROTECTION SYSTEM
FIRE HYDRANTS, GATE VALVES	SD DENR DEWATERING PERMIT
PVC SANITARY SEWER MAINS	PVC WATERMAIN
IMPORTED BACKFILL MATERIAL	FITTINGS
WATER SERVICES	TEMPORARY STRIPING PAINT
PCC CONCRETE MIX DESIGN	MINDER DRAINS
SILICONE SEAL	VALVES
HOT TAR SEAL	GRAVEL CUSHION
TYPE 1 BEDDING MATERIAL	SADDLES
TYPE 2 FOUNDATION MATERIAL	CORPORATION STOPS
EROSION CONTROL PLAN	CONCRETE ENCASEMENTS
AGGREGATE BASE COURSE	CONCRETE WASHOUTS
ASPHALT CONCRETE MIX DESIGN	SEWER MAIN INSULATION
WATER MAIN DISINFECTION TABLETS	GEOFABRIC
TACK COAT CERTIFICATION	SILT FENCE
SHUTTLES	SEED MIX CERTIFICATION
FERTILIZER, MULCH CERTIFICATION	PAVEMENT MARKINGS
INLET PROTECTION	OTHER SUBMITTALS

D. TRAFFIC CONTROL

1. THE CONTRACTOR IS REQUIRED TO MAINTAIN TRAFFIC CONTROL IN ACCORDANCE WITH THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) AND AS SHOWN ON THE CONCEPTUAL TRAFFIC CONTROL PLAN (TCP). ALL TRAFFIC CONTROL SHALL CONFORM TO THE LATEST VERSION OF THE MUTCD. COORDINATE CONSTRUCTION EFFORTS WITH THE ADJACENT BUILDING OWNERS.
2. FLAGGERS PROPERLY ATTIRED AND PRECEDED BY PROPER SYMBOL SIGNS MAY BE REQUIRED TO SAFELY MANEUVER TRAFFIC WHEN WORK ACTIVITIES AND/OR EQUIPMENT PRESENTS A HAZARD TO WORKERS OR TRAFFIC, ENCROACHES INTO A LANE OPEN TO TRAFFIC OR MAY BE REQUIRED TO SAFELY MAINTAIN TRAFFIC WHEN WORKING NEAR AN INTERSECTION.
3. THE CONTRACTOR IS REQUIRED TO MAKE A PERSON AVAILABLE 24 HOURS A DAY, 7 DAYS A WEEK TO MAINTAIN TRAFFIC CONTROL DEVICES. THE NAME AND TELEPHONE NUMBER OF THIS PERSON SHALL BE GIVEN TO THE ENGINEER AT THE PRE-CONSTRUCTION MEETING.

E. EXISTING SIGNS

1. THE VAST MAJORITY OF THE SIGNS WITHIN THE REMOVAL BOUNDARY ARE TO BE RESET AFTER THE IMPROVEMENTS ARE COMPLETED. CONTRACTOR SHALL MAINTAIN THE REMOVED SIGNS IN UNDAMAGED CONDITION UNTIL THEY ARE RESET. CONTRACTOR IS RESPONSIBLE FOR REPLACING SIGNS DAMAGED BY CONSTRUCTION ACTIVITY.
2. ALL TRAFFIC CONTROL SIGNS REMOVED OR DAMAGED BY THE CONTRACTOR SHALL BE RESET OR REPLACED.

F. EROSION AND WATER POLLUTION CONTROL

1. A PERMIT IS REQUIRED FOR THIS PROJECT. THE CONTRACTOR SHALL PROVIDE AN EROSION AND WATER POLLUTION CONTROL PLAN THAT COMPLIES WITH THE CURRENT EDITION OF THE RVSD STORM WATER QUALITY MANUAL. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR THE DEVELOPMENT, PROCUREMENT, AND IMPLEMENTATION OF A SOUTH DAKOTA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR) "STORM WATER" PERMIT FOR STORM WATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITIES AND A PENNINGTON COUNTY EROSION & SEDIMENT CONTROL PLAN. THE CONTRACTOR SHALL PREPARE AN EROSION AND SEDIMENT CONTROL PLAN. A STABILIZED ENTRANCE, INLET PROTECTION, RUNOFF TO ADJACENT STREETS, ETC., SHOULD BE CONSIDERED AS NEEDED IN AN EFFECTIVE EROSION CONTROL PLAN.
2. THE CONTRACTOR IS ADVISED THAT SEVERAL AGENCIES HAVE THE AUTHORITY TO "STOP WORK" IF THE POLLUTION PREVENTION CONTROL IS NOT IMPLEMENTED OR IS NOT EFFECTIVE. NO COMPENSATION WILL BE FORTHCOMING FOR "TIME LOST" DUE TO A "STOP WORK" ORDER.
3. MAINTENANCE AND REPAIR OF EROSION CONTROL DEVICES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. INSPECT EROSION CONTROL DEVICES AT LEAST ONCE A WEEK AND AFTER EACH RAINFALL. REMOVE SILT DEPOSITS ONCE THEY REACH 30 PERCENT OF THE HEIGHT OF THE DEVICE TO PROVIDE STORAGE VOLUME FOR THE NEXT RAIN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVING EROSION CONTROL DEVICES WHEN DIRECTED BY THE ENGINEER.
4. INLET AND OUTLET PROTECTION AS SHOWN ON THE DRAWINGS, PREVENTS SEDIMENT FROM ENTERING THE STORM SEWER SYSTEM OR CULVERT OR PREVENTS EROSION AT THE DISCHARGE POINT OF A CULVERT.
5. AS CONSTRUCTION MAY DEVIATE FROM THE DESIGN PLAN, ADDITIONAL EROSION AND SEDIMENT CONTROL SHALL BE USED TO PREVENT SEDIMENT FROM BEING TRANSPORTED FROM THE DISTURBED CONSTRUCTION AREAS.
6. ALL SEDIMENT FROM CONSTRUCTION ACTIVITIES SHALL BE REMOVED FROM THE SURROUNDING STREETS WITHIN 24 HOURS OF DEPOSIT.
7. ALL EROSION AND SEDIMENT CONTROL DEVICES SHALL BE MAINTAINED AND REPAIRED PER MANUFACTURERS RECOMMENDATIONS BY THE CONTRACTOR DURING THE CONSTRUCTION PHASE AS NEEDED TO ENSURE CONTINUED PERFORMANCE OF THEIR INTENDED FUNCTION. ALL DEVICES SHALL BE INSPECTED ONE TIME PER WEEK AND AFTER EACH HEAVY PRECIPITATION OR SNOW MELT EVENT THAT RESULTS IN RUNOFF.
8. EROSION & SEDIMENT CONTROL DEVICES SHALL BE SUBMITTED TO THE ENGINEER AS SHOP DRAWINGS FOR APPROVAL.
9. EROSION AND SEDIMENT CONTROL MEASURES CALLED OUT IN THE PLANS SHALL BE TAKEN AS THE MINIMUM REQUIREMENTS. THE CONTRACTOR SHALL PROVIDE ADDITIONAL EROSION CONTROL MEASURES AS NEEDED TO COMPLY WITH THE INTENT OF THE EROSION AND SEDIMENT CONTROL PLAN AND THE RVSD REQUIREMENTS.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVING EROSION CONTROL DEVICES WHEN DIRECTED BY THE ENGINEER.

G. COORDINATION AND SCHEDULING

1. THE CONTRACTOR SHALL COORDINATE WITH THE RVSD WATER DEPARTMENT FOR TYING INTO THE EXISTING MAINS AND FOR ANY TEMPORARY SHUT OFF SERVICES, AND UTILITY MAINTENANCE DEPARTMENT FOR SANITARY SEWER SERVICE LINE TAPS.

H. QUANTITIES ADJUSTMENTS

1. THE CONTRACTOR SHALL PROVIDE A SCHEDULE OF VALUES ACCEPTABLE TO THE OWNER FOR ALL SITE WORK ITEMS AS REQUIRED BY THE OWNER SUCH THAT FAIR AND EQUITABLE ADJUSTMENTS TO THE CONTRACT PRICE MAY BE MADE IN THE EVENT THAT MINOR ADJUSTMENTS ARE MADE IN THE SCOPE OF WORK. THE SCHEDULE OF VALUES SHALL BE SUBMITTED AND APPROVED BEFORE WORK BEGINS.

I. PERMIT FOR THE RVSD AIR QUALITY CONTROL DISTRICT

1. THE CONTRACTOR SHALL COMPLY WITH THE REQUIREMENTS OF RVSD STANDARD SPECIFICATIONS REGARDING DUST CONTROL. DUST CONTROL PERMITS SHALL BE OBTAINED PRIOR TO BEGINNING WORK. THE CONTRACTOR SHALL PERFORM WATERING AND CLEANING OPERATIONS NECESSARY TO COMPLY WITH THE PERMIT. STABILIZED CONSTRUCTION ENTRANCES SHALL BE USED FOR ACCESS.

J. EXISTING UTILITIES

1. THE CONTRACTOR IS RESPONSIBLE FOR ANY AND ALL DAMAGES THAT MAY OCCUR DURING CONSTRUCTION ACTIVITIES.
2. THE CONTRACTOR IS RESPONSIBLE FOR SHORING/SUPPORTING/PRESERVING ANY POWER POLES/UTILITY, GROUND ANCHORS, GUY WIRES, ETC, AS NEEDED.
3. LOCATION OF EXISTING UTILITIES SHOWN ON THESE DRAWINGS ARE APPROXIMATE AND WERE TAKEN FROM AVAILABLE RECORDS. PRIOR TO EXCAVATION, THE CONTRACTOR SHALL FIELD VERIFY EXACT LOCATION OF ALL UTILITIES WHETHER OR NOT SHOWN ON THESE DRAWINGS. CONTRACTOR SHALL PROTECT ALL UTILITIES DURING CONSTRUCTION. THE CONTRACTOR SHALL SUPPORT OR TUNNEL UNDER EXISTING UTILITIES IN A MANNER THAT THE EXISTING UTILITIES ARE NOT DAMAGED OR DISTURBED. IF REQUIRED, THE CONTRACTOR SHALL COORDINATE RELOCATION OF UTILITY WITH THE UTILITY OWNER. ALL UTILITIES ARE TO BE ADJUSTED AND/OR RELOCATED BY THE RESPECTIVE UTILITY COMPANIES UNLESS OTHERWISE INDICATED IN THESE DRAWINGS. SEE THE EXCEDENT MAP IN THESE PLANS FOR UTILITY CONTACT INFORMATION.

K. EXISTING UTILITY CROSSINGS

1. REFER TO SPECIFICATIONS FOR CROSSING OF EXISTING STORM SEWERS, SANITARY SEWERS, WATER MAINS, AND WATER MAIN LOWERINGS. AT ALL LOCATIONS WHERE THE PROPOSED UTILITY IMPROVEMENT CROSSES OR IS ADJACENT TO EXISTING STORM SEWERS, SANITARY SEWERS OR WATER MAINS, THE CONTRACTOR SHALL BE RESPONSIBLE FOR SAFEGUARDING THE EXISTING UTILITIES TO ENSURE THAT THEY ARE NOT DISTURBED DURING THE WORK. TEMPORARY STRUCTURAL SUPPORT FOR THE UTILITIES MAY BE REQUIRED. ANY REPAIR WORK NECESSARY TO A CROSSED UTILITY RESULTING FROM THE CONTRACTORS ACTIVITY SHALL BE AT THE CONTRACTOR'S EXPENSE.

L. UTILITY COMPANY NOTIFICATION

1. THE INFORMATION ON THESE DRAWINGS CONCERNING THE TYPE, SIZE AND LOCATION OF UTILITIES HAS BEEN BASED UPON THE INFORMATION AVAILABLE DURING TOPOGRAPHIC SURVEYS. SIZE AND TYPE OF UTILITIES WAS PROVIDED BY THE UTILITY OWNER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES IN PLACE UNLESS THEY ARE SCHEDULED FOR RELOCATION. THE CONTRACTOR SHALL COORDINATE ALL WORK WITH THE UTILITY COMPANIES. THE CONTRACTOR SHALL UTILIZE THE SOUTH DAKOTA ONE CALL NOTIFICATION PROCESS TO PROVIDE ADVANCE NOTICE OF AT LEAST 48 HOURS, EXCLUDING WEEKENDS AND HOLIDAYS, TO INFORM ALL SOUTH DAKOTA UNDERGROUND FACILITY OPERATORS OF INTENDED EXCAVATION. THE CONTRACTOR SHALL CONTACT ALL UTILITY COMPANIES BEFORE WORK IS COMMENCED.

M. MATERIAL STOCKPILE IDENTIFICATION

1. THE CONTRACTOR SHALL CLEARLY IDENTIFY MATERIAL TYPES IN STOCKPILES, FOR EXAMPLE BEDDING, GRAVEL CUSHION, BASE COURSE, AND CUSHION GRAVEL FOR SIDEWALK, ETC.

N. WASTE DISPOSAL

1. THE CONTRACTOR WILL BE RESPONSIBLE FOR ALL WASTE DISPOSAL ON THE PROJECT. THE CONTRACTOR SHALL FURNISH THE DISPOSAL SITE FOR THIS WORK AND THE LOCATION MUST BE APPROVED BY THE ENGINEER. NO WASTE DISPOSAL IS ALLOWED WITHIN RIGHT-OF WAY OR EASEMENTS. NO PAYMENT WILL BE MADE FOR WASTE DISPOSAL. NO RUBBLE MAY BE BURIED ON THIS SITE.

O. WASTE DISPOSAL SITE

1. THE CONTRACTOR SHALL FURNISH A SITE SATISFACTORY TO THE ENGINEER FOR THE DISPOSAL OF BROKEN CONCRETE, EXCESS DIRT, ROCK AND OTHER CONSTRUCTION/DEMOLITION DEBRIS GENERATED BY THIS PROJECT. THE WASTE DISPOSAL SITE MAY NOT BE A STREAM, STEAM BANK, LAKE, LAKE SHORE OR WETLAND, UNLESS THE CONTRACTOR HAS OBTAINED A "404 PERMIT" FROM THE U.S. ARMY CORP. OF ENGINEERS

P. TOPSOIL, SEEDING, FERTILIZING, PLANTINGS AND MULCHING

1. REFER TO THE LANDSCAPING PLANS FOR INFORMATION REGARDING TOPSOIL, SEEDING, FERTILIZING, PLANTINGS AND MULCHING.

Q. ASPHALT PAVEMENT CONSTRUCTION

1. WHERE THE FIRST LIFT ("BOTTOM MAT") HAS BEEN EXPOSED TO TRAFFIC OR HAS BEEN IN PLACE FOR LONGER THAN 7 DAYS, THE SURFACE OF THE ASPHALT AND ASSOCIATED VERTICAL SURFACES SHALL BE THOROUGHLY CLEANED AND TACKED BEFORE THE SURFACE LIFT ("TOP MAT") IS CONSTRUCTED. ANY PORTION OF THE FIRST LIFT SHOWING DAMAGE SUCH AS RUTTING, ROLLING, OR CRACKING SHALL BE SAW CUT, REMOVED AND REPLACED AT THE CONTRACTOR'S EXPENSE.

R. TEMPORARY PARKING STRIPING

1. PAINT USED FOR TEMPORARY STRIPING ON THE BOTTOM MAT SHALL BE COMPATIBLE WITH ASPHALTIC TACK AND ASPHALT PRODUCTS AND SHALL NOT CAUSE A BLEEDING BETWEEN THE BOTTOM AND TOP MAT.

S. SAW CUTTING PAVEMENT

1. PAVEMENT AREAS TO BE REMOVED ARE SHOWN ON THE DRAWINGS. THESE AREAS REPRESENT THE FINAL PAVEMENT SAW CUT AND REMOVAL LIMITS. THE FIRST PAVEMENT SAW CUT SHALL BE MADE AT LEAST 1 FOOT INSIDE OF THE LINES SHOWN. FINAL SAW CUTTING SHALL BE COMPLETED IMMEDIATELY PRIOR TO PAVEMENT INSTALLATION.

T. ASPHALT REMOVAL

1. THE CONTRACTOR SHALL REMOVE AND DISPOSE THE EXISTING ASPHALT PAVEMENT AS NOTED ON THE PLANS. REFER TO THE NOTE REGARDING "SAW CUTTING PAVEMENT" FOR ADDITIONAL INFORMATION REGARDING PAVEMENT SAW CUTTING. HOWEVER, DURING CONSTRUCTION, THE ENGINEER MAY DIRECT A LESSER OR GREATER REMOVAL LIMIT DUE TO THE PROXIMITY OF JOINTS, CRACKS OR OTHER CONDITIONS. REMOVAL AND REPLACEMENT BEYOND THE LIMITS SHOWN MAY BE AT THE CONTRACTORS EXPENSE UNLESS APPROVED BY THE ENGINEER. THE ASPHALT REMOVALS AND MILLINGS MAY BE USED AS BASE COURSE IF PROPERLY MILLED AND SIZED TO THE SATISFACTION OF THE GEOTECHNICAL ENGINEER. THE REMOVALS AND MILLINGS SHALL BE DELIVERED TO THE CITY LANDFILL. THE ASPHALT BETWEEN THE FIRST AND SECOND SAW CUT SHALL NOT BE REMOVED UNTIL IMMEDIATELY BEFORE THE PAVING OPERATION BEGINS SO AS TO PROTECT THE EDGE FROM BREAKING. CONTRACTOR SHALL DISPOSE ASPHALT REMOVED AFTER FINAL SAW CUT.

U. CONCRETE REMOVAL

1. THE CONTRACTOR SHALL REMOVE AND DISPOSE OF THE EXISTING CONCRETE PAVEMENT AS NOTED ON THE PLANS. REFER TO THE NOTE REGARDING "SAW CUTTING PAVEMENT" FOR ADDITIONAL INFORMATION REGARDING PAVEMENT SAW CUTTING. HOWEVER, DURING CONSTRUCTION, THE ENGINEER MAY DIRECT A LESSER OR GREATER REMOVAL LIMIT DUE TO THE PROXIMITY OF JOINTS, CRACKS OR OTHER CONDITIONS. REMOVAL AND REPLACEMENT BEYOND THE LIMITS SHOWN MAY BE AT THE CONTRACTOR'S EXPENSE UNLESS APPROVED BY THE ENGINEER. THE CONCRETE BETWEEN THE FIRST AND SECOND SAW CUT SHALL NOT BE REMOVED UNTIL IMMEDIATELY BEFORE THE PAVING OPERATION BEGINS SO AS TO PROTECT THE EDGE FROM BREAKING. REMOVED CONCRETE MAY BE USED AS BASE COURSE IF PROPERLY MILLED AND SIZED, TO THE SATISFACTION OF THE GEOTECHNICAL ENGINEER.

V. TRENCH EXCAVATION AND BACKFILL

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING A SAFE EXCAVATION COMPLYING WITH APPLICABLE STATE AND FEDERAL REGULATIONS. IF IS POSSIBLE THAT IN SOME AREAS SPECIAL FOUNDATIONS MAY BE REQUIRED TO PROVIDE ADEQUATE SUPPORT FOR THE PIPE. SUCH FOUNDATIONS WILL CONSIST OF SUB-EXCAVATION TO A DEPTH AS REQUIRED BY THE ENGINEER AND PLACEMENT OF TYPE 2 OR TYPE 3 FOUNDATION MATERIAL.

W. DIGOUTS

1. IN THE EVENT THAT THE ENGINEER DETERMINES ADDITIONAL SUBGRADE EXCAVATION IS REQUIRED, THE ENGINEER WILL DESIGNATE WHICH MATERIAL SHALL BE USED FOR BACKFILLING THE ADDITIONAL EXCAVATION. PAYMENT FOR DIGOUTS PER CUBIC YARD TO INCLUDE REMOVAL OF UNACCEPTABLE MATERIAL AND REPLACING WITH MATERIAL APPROVED BY THE SOILS ENGINEER.

X. TRENCH CHECK DAM

1. NO TRENCH CHECK DAMS ARE SPECIFIED IN THE PLAN SET (C-SERIES SHEET). IN THE EVENT THAT CONDITIONS DISCOVERED DURING CONSTRUCTION INDICATE A NEED FOR THE CONSTRUCTION OF A CHECK DAM AS DETERMINED BY THE ENGINEER:
2. CONTRACTOR SHALL PLACE WITHIN THE TRENCH A COMPACTED COHESIVE CLAY CHECK DAM. DURING CONSTRUCTION, CHECK DAM LOCATIONS MAY BE MOVED DUE TO FIELD CONDITIONS. THE CHECK DAM SHALL EXTEND FROM THE BOTTOM OF THE EXCAVATION THROUGH THE BEDDING MATERIAL TO THE BACKFILL AND SHALL EXTEND COMPLETELY TO EACH TRENCH SIDEWALL. THE CHECK DAM IS USED AS A MEANS TO PREVENT THE CONVEYANCE OF WATER THROUGH THE TRENCH BEDDING. COMPACTED COHESIVE CLAY SHALL CONSIST OF MATERIAL THAT CONTAINS A MINIMUM OF 25% MINUS NO. 200 SIEVE MATERIAL WITH 70% PASSING A 3/4" SIEVE AND A PI OF 10%. THE MATERIAL SHALL CONSIST OF CLAY, SILTY SAND OR SILTY CLAY. IF THE NORMAL EXCAVATED MATTER IS NOT SUITABLE FOR CONSTRUCTION OF THE CHECK DAM THEN THE CONTRACTOR SHALL OBTAIN MATERIAL FROM OUTSIDE SOURCES.

Y. PIPE ENCASEMENT

1. CONCRETE ENCASEMENT SHALL MEET THE FOLLOWING:
2. THE CONTROLLED LOW STRENGTH MATERIAL FOR THE CONCRETE ENCASEMENT SHALL COMPLY WITH FOLLOWING:
   a. AGGREGATE:
      OF DURABLE, NON-FRIABLE ROCK STONE MATERIAL: SIEVE SIZE; 100% PASSING; SIEVE SIZE 200 – 0% TO 10% PASSING
   b. CEMENT: TYPE I
   c. FLY ASH: ASTM C-618, CLASS C
   d. MIX DESIGN:
      CEMENT: 100 LBS; FLY ASH – 300 LBS; AGGREGATE – 2600 TO 2800 LBS;
      POTABLE WATER – 50 TO 70 LBS
   e. ULTIMATE STRENGTH: 75 PSI COMPRESSIVE STRENGTH AT 28 DAYS

Z. DEWATERING PERMITS

1. DEWATERING ACTIVITIES SHALL BE CONDUCTED IN COMPLIANCE WITH THE "GENERAL PERMIT TO DISCHARGE UNDER THE SURFACE WATER DISCHARGE SYSTEM FOR TEMPORARY DEWATERING ACTIVITIES IN SOUTH DAKOTA", SDG070000 PERMIT. A COPY OF THE PERMIT IS AVAILABLE THROUGH SDDENR. THE CONTRACTOR IS REQUIRED TO FURNISH THE "REQUEST FOR AUTHORIZATION" TO DENR REQUIRED UNDER THE PERMIT AND PCH EACH SCHEDULE, OBTAIN DENR AUTHORIZATION, AND FURNISH A SEPARATE COPY OF AUTHORIZATION TO THE RESPECTIVE OWNER AT THE PRECONSTRUCTION CONFERENCE.
2. THE CONTRACTOR IS RESPONSIBLE FOR PERFORMING SELF-MONITORING ACTIVITIES INCLUDING SAMPLING, TESTING AND REPORTING AS MAY BE DETERMINED TO BE REQUIRED UNDER THE AUTHORIZATION TO DISCHARGE.

AA. EXCAVATION, UNCLASSIFIED

1. EXCAVATION OF MATERIAL REQUIRED TO ACHIEVE PROPER SUBGRADE ELEVATION SHALL BE CONSIDERED UNCLASSIFIED EXCAVATION.
2. THE CONTRACTOR SHALL REMOVE AND DISPOSE OF THE RECOMMENDATIONS OF THE GEOTECHNICAL ENGINEER SHALL BE FOLLOWED FOR EXCAVATION AND PLACEMENT OF SOIL MATERIALS. THE GEOTECHNICAL ENGINEER MAY REVISE OR AMEND HIS RECOMMENDATIONS BASED ON ACTUAL CONDITIONS ENCOUNTERED. A COPY OF THE GEOTECHNICAL ENGINEERS REPORT IS INCLUDED IN THE BOUND SPECIFICATIONS SET.

BB. WATER FOR COMPACTION

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING WATER FOR COMPACTION OF GRANULAR MATERIALS AND TRENCH BACKFILL AS REQUIRED. THERE WILL BE NO SEPARATE PAYMENT FOR WATER FOR COMPACTION. THE CONTRACTOR WILL BE REQUIRED TO PURCHASE WATER AND PAY FOR METER INSTALLATION IF THE WATER IS PURCHASED FROM THE RVSD.
2. THE MOISTURE CONTENT OF THE GRANULAR MATERIALS SHALL BE ADJUSTED TO OPTIMUM MOISTURE PER THE RECOMMENDATIONS OF THE GEOTECHNICAL ENGINEER.

CC. CONTROLLED LOW STRENGTH BACKFILL MATERIAL

1. UNDER SOME CIRCUMSTANCES, LOW STRENGTH BACKFILL MATERIAL MAY BE REQUIRED FOR SUPPORT AND OTHER STRUCTURAL REASONS, AND NOT FOR ENCASEMENT. IF SPECIFIED DURING THE COURSE OF CONSTRUCTION THE PIPE ENCASEMENT MATERIAL "CONTROLLED LOW STRENGTH BACKFILL MATERIAL" AS DEFINED IN SECTION "PIPE ENCASEMENT" INDICATED ABOVE.

DD. CONSTRUCTION LIMITS

1. IN GENERAL, THE CONSTRUCTION LIMITS FOR THE PROJECT SHALL BE DEFINED AS FOLLOWS:
   a. PROPERTY LINES, RIGHT-OF-WAY LINES, EXISTING UTILITY EASEMENT LINES, AND TEMPORARY CONSTRUCTION EASEMENT LINES SHALL BE THE CONSTRUCTION LIMITS UNLESS INDICATED OTHERWISE ON THE DRAWINGS OR FURTHER DEFINED HEREIN.
   b. CONSTRUCTION ACTIVITIES SHALL BE RESTRICTED TO THE CONSTRUCTION LIMITS UNLESS PRIOR APPROVAL IS RECEIVED FROM THE ENGINEER. USE OF CITY LANDS FOR STAGING AREAS, MATERIAL STORAGE, SEDIMENTATION PONDS, DEWATERING, AND/OR TOPSOIL STOCKPILING SHALL ONLY BE WITH PRIOR APPROVAL FROM THE ENGINEER. ANY DAMAGES AND RESTORATION OUTSIDE THE CONSTRUCTION LIMITS SHALL BE AT THE CONTRACTOR'S EXPENSE.
   c. THE CONTRACTOR SHALL NOT OPERATE OR PLACE EQUIPMENT, MATERIALS, OR STOCKPILES ON PRIVATE PROPERTY WITHOUT THE PROPERTY OWNER'S WRITTEN CONSENT. THE CONTRACTOR SHALL FURNISH A COPY OF THE PROPERTY OWNER'S WRITTEN CONSENT TO THE ENGINEER AND THE OWNER. THE CONTRACTOR SHALL FURNISH THE ENGINEER WITH A "LETTER OF ACCEPTANCE" FROM THE PRIVATE LAND OWNER, AT THE COMPLETION OF THE PROJECT, APPROVING THE RESTORATION AND RESOLVING THE ENGINEER AND THE BUILDING OWNER FROM ANY FURTHER LIABILITY.

EE. MATERIAL INFORMATION

1. ASPHALT:
   a. PARKING SPACES – BASE COURSE BE SDDOT CLASS E, TYPE 1 AND SURFACE COURSE SHALL BE SDDOT CLASS G, TYPE 1 – SEE SOILS REPORT
   b. DRIVING LANES – BASE COURSE AND SURFACE COURSE SHALL BE SDDOT CLASS G, TYPE 1 – SEE SOILS REPORT
   c. PRIME COAT – PER INDUSTRY STANDARDS
   d. TACK COAT – PER INDUSTRY STANDARDS
   e. SMOOTHNESS TOLERANCE– 1/4" FOR BASE COURSE, 1/8" FOR SURFACE COURSE, 1/4" FOR CROWN SURFACE.
   f. THICKNESS TOLERANCE – 1/4" FOR BASE COURSE AND 1/4" FOR SURFACE COURSE.
   g. INSTALL ASPHALT PAVING PER STANDARD SPECIFICATIONS AS PROVIDED BY THE RVSD
2. PAVEMENT MARKING PAINT:
   a. MPI 850 ALKYD-RESIN TYPE, LEAD AND CHROMATE FREE, READY FOR MIXED AND COMPLYING WITH AASHTO M248, COLORS COMPLYING WITH FS-TT-P-1952 – COLOR – WHITE (VERIFY WITH OWNER PRIOR TO INSTALL).
3. CONCRETE PAVING:
   a. COMPLY WITH ACI 117 FOR TOLERANCES
      - COMPRESSIVE STRENGTH (28 DAYS) – 4000 PSI
      - MAXIMUM WATER CEMENT RATIO – 0.60
      - SLUMP LIMIT – 4 INCHES PLUS OR MINUS 1 INCH
      - AIR CONTENT – 6 PERCENT PLUS OR MINUS 1.5 PERCENT
   b. FOLLOW ALL ACI COLD WEATHER (ACI 306.1) AND HOT WEATHER (ACI 301) REQUIREMENTS
      - JOINT FILLER – ASTM D 1751, ASPHALT SATURATED CELLULOSIC FIBER, 1/2" THICK
      - WHEEL STOPS – PRECAST, AIR ENTRAINED CONCRETE WITH DOWELS (GALVANIZED STEEL, 3/4" DIAMETER, 10" MINIMUM LENGTH)
      COLD APPLIED JOINT SEALERS – ASTM D3153, TYPE SL (DOW CORNING 890-SL OR EQUAL)
      - HOT APPLIED JOINT SEALERS – ASTM D 6690, TYPE I, II, AND III (SEKOLNIT M-SPEC OR EQUAL)
      - JOINT SEALER BACKER ROD – ASTM D2240 – TYPE 1 OF DIAMETER AND DENSITY TO CONTROL SEALANT DEPTH (COLOR TO MATCH SURFACE).
   c. INSTALL CONCRETE PAVING PER STANDARD SPECIFICATIONS AS PROVIDED BY THE RVSD
4. STORM UTILITY DRAINAGE PIPING:
   a. REINFORCE CONCRETE SEWER PIPE AND FITTING – ASTM C76 WITH TOUGH AND GROOVE ENDS AND RUBER WRAPPED JOINTS.
   b. CLASS II, III, AND IV, WALL C (CRETEX OR EQUAL)
   c. CONCRETE – ASTM C 150, TYPE II – 4000 PSI MINIMUM STRENGTH WITH MINIMUM 0.45 WC RATIO
   d. STORM WATER INLETS – HEAVY DUTY CAST IRON (NEENAH 3067 INLET WITH FLAT MOUNTABLE CURB PLATE OR EQUAL).
   e. PIPE OUTLET – HIGH WALLS – CAST-IN-PLACE REINFORCED CONCRETE WITH APRON AND TAPERED SIDES (CRETEX RCP FLARED END OR EQUAL)
   f. INSTALL STORM UTILITY DRAINAGE PIPING PER STANDARD SPECIFICATIONS AS PROVIDED BY THE RVSD
   g. RIP RAP – 6" MINUS – STONE SHALL BE HARD, ANGULAR, AND DURABLE AND SHALL HAVE A MINIMUM OF 155 PSF PER CUBIC FOOT. STONE SHALL BE QUARRIED LEDGE ROCK. STONE SHALL BE FREE FROM OVERBURDEN, SPOIL, SHALE, AND ORGANIC MATERIAL.
   h. FILTER STONE – ACCORDING TO NSSGA'S "QUARRIED STONE FOR EROSION AND SEDIMENT CONTROL", NO. FS-2, NO 4 SCREEN OPENING, AVERAGE SIZE GRADING STONE
   i. FILTER FABRIC – INSTALL WITH MATERIAL PER MANUFACTURERS STANDARDS. DRAINAGE FABRIC MATERIAL SHALL BE A WOVEN OR NON-WOVEN FABRIC CONSISTING OF LONG CHAIN POLYMERIC FILAMENTS OR YARNS, SUCH AS POLYPROPYLENE, POLYETHYLENE, POLYESTER, POLYAMIDE OR POLYVINYLS-CHLORIDE.

EE. MATERIAL INFORMATION – CONTINUED

1. ALL NEW 4 INCH TO 12 INCH WATER LINE SHALL BE IN ACCORDANCE WITH AWWA SPECIFICATION C-900, CLASS 150 OR CLASS 305 (C150.0.). AS DESCRIBED IN THE RVSD STANDARD SPECIFICATIONS
2. ALL NEW 4 INCH TO 15 INCH SEWER LINE SHALL BE IN ACCORDANCE WITH ASTM D-3034, TYPE PSM,

RAPID VALLEY SANITATION DISTRICT–WATER SERVICE
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DESIGN AND CONSTRUCTION STANDARDS FOR
WATER AND WASTEWATER PIPING AND APPURTENANCES.

PART 1– GENERAL

1.1 DESCRIPTION:

A. This document applies to all underground potable water and wastewater systems and appurtenances installed within the jurisdictional boundaries of the Rapid Valley Sanitary District–Water Service.

1.2 DESIGN CRITERIA AND STANDARDS SPECIFIED ELSEWARE:

A. City of Rapid City, South Dakota, Infrastructure Design Criteria Manual, 2012 Edition or current edition shall apply unless Rapid Valley Sanitary District standards issued in this document are more restrictive.

B. Recommended Design Criteria Manual for Wastewater Collection and Treatment Facilities, South Dakota Department of Water and Natural Resources, current edition.

C. Recommended Standards for Water Works, "Ten States Standards", current edition.

D. National Standard Plumbing Code Illustrated, current edition.

E. American Water Works Association, Applicable Manuals of Water Supply Practices, current editions.

F. Uniform Fire Code, current edition.

G. Handbook of PVC Pipe Design, Unibell, current edition.

H. Gravity Sanitary Sewer Design and Construction, ASCE Manuals and Reports on Engineering Practice–No. 60 or current edition.

I. Recommended Standards for Wastewater Facilities, "Ten State Standards", current edition.

J. Rapid Valley Sanitation District– Water Service Sewer Use Ordinance, current edition.

K. Rapid Valley Sanitation District– Water Service Water Use Ordinance, current edition.

1.3 ENFORCEMENT AND AUTHORITY;

A. The General Manager of RVSD has the authority to interpret and enforce criteria, standards and construction requirements. Conflicts between specifications , design criteria manuals, codes and standards shall be resolved by the General Manager.

B. Administrative Rules of South Dakota, ARSD 74:53:05 and 74:53:04

C. This document is approved by the RVSD Boards of Trustees and is included as an attachment to the current Water Use and Sewer Use Ordinances.

D. The General Manager, District Staff, and their Engineer will provide review and enforcement of these requirements.

1.4 SPECIFICATIONS AND DETAILS:

A. City of Rapid City Standard Specifications for Public Works Construction, current edition. These specifications shall apply unless Rapid Valley Sanitary District standards issued in this document are more restrictive. Changes, additions and/or clarifications are listed in Part 2 and Part 3 of this document.

B. City of Rapid City Standard Plates. Specifically Sections 8, 9, and 11.

1.5 REVIEW AND PLAN SUBMITTAL:

A. Two sets (2) of construction plans and associated documentation for proposed water and wastewater piping and improvements shall be submitted to the General Manager of RVSD for review by the engineer and staff. Plan submittals shall be made directly by the developer to RVSD and shall not be made from other agencies.

B. As–built drawings including plan and profiles shall be prepared by the developer and submitted to RVSD for review upon completion of the construction. The as–built drawings shall also be sumitted in Autocad electronic format. The electronic drawings shall include lot layouts, right–of–ways, easements, water and sewer mains and services and associated appurtenances.

C. Plans will be reviewed and returned within ten (10) days of submittal. Review comments will be made by the District engineer and staff. Plans shall be resubmitted for review and comment after modification. Comments made on the original submittal shall be returned with the new plan submittal.

D. The submittal shall include complete construction plans, profiles, details, detailed specifications, general notes, reports, and other information concerning the work. The submittals shall be prepared by a Registered Professional Engineer in the State of South Dakota. Such documents shall be complete, clear, neat, legible, detailed and in a form acceptable to RVSD and other local , city, county, state or federal review agencies.

E. The report shall include a water and/or sewer planning report for the ultimate development to be served. The report shall cover the proposed full–build out of the proposed development and it shall also review how the surrounding areas will be affected. The reports shall also include wastewater design flows, pipe capacities, existing conditions, hydraulic network, available fire flows at peak day demands, projected water usage, system pressures and other information required.

F. RVSD will approve the proposed water and sewer plans after all requirements of the development have been fulfilled.

G. RVSD review and approval applies only to water and sewer facilities. The project must be reviewed and approved by all appropriate local, county, and state governing agencies prior to any construction

H. The Rapid Valley Volunteer Fire Department will also review all water projects and will make review comments available to RVSD. This review will add 3 working days to the review process for a total review duration of 13 working days.

I. Plans shall be submitted to the South Dakota Environment and Natural Resources by the Developer for review and approval prior to construction.

WATERMAIN FITTING RESTRAINT TABLE:

FITTING TYPE	PIPE MAT	SOIL TYPE	DEPTH BURY	PSI TEST	TRENCH TYPE	RESTRAINT LENGTH 8"	RESTRAINT LENGTH 12"
45°	PVC	GC	6'MIN	150	5	5'	7'
TEE	PVC	GC	6'MIN	150	5	5'	22'
V45°	PVC	GC	6'MIN	150	5	20'	28'
REDUCER	PVC	GC	6'MIN	150	5	17'	31'
DEADEND	PVC	GC	6'MIN	150	5	41'	59'

1.6 CONSTRUCTION:

A. Construction of the proposed water and sewer facilities must be constructed by a Contractor holding a current City of Rapid City Water and Sewer Installer's License.

B. RVSD personnel shall be given access to the work at all times to make inspections of the work.

C. RVSD will not accept facilities not in conformance with specified standards.

D. Construction may not proceed until RVSD approves the final plans.

E. Locations: Water and sewer facilities shall be located within the street, alley or right–of–ways unless topography dictates otherwise. Easements are required where the water and sewer facilities will be placed outside of the right–of–ways.

F. All water and sewer appurtenances such as manholes, cleanouts, valves, and fire hydrants shall be accessible by motorized vehicle.

G. The project will be accepted into the RVSD system upon the following:

1. Construction is complete and facilities can be placed into service for their intended use.
2. All testing has been completed and the required results have been achieved.
3. As–built plans and electronic files are provided to RVSD.
4. Facilities are in conformance with plans, specifications, and RVSD standards.

1.7 QUALITY CONTROL:

A. Source Quality Control: Materials shall be clearly marked with size, class, type, test pressure, and manufacturer's name.

B. Regulatory Agencies: Pipe for potable water service shall bear the National Sanitation Foundation Seal. AWWA and ASTM standards shall be followed where applicable.

1.8 PRODUCT SUBMITTALS:

A. Shop Drawings and Product Data;

1. Dimensional data for all pipe , fittings, and appurtenances.
2. Material description and conformance with standards.
3. Affidavit certifying compliance with applicable standards and specifications.
4. Other items required to review product conformance with standard specifications.

PART 2– WASTEWATER PIPING AND APPURTENANCES:

2.1 SEWER MAINS AND SERVICES:

A. Minimum sewer main size is 8" diameter. If larger pipe is required by RVSD, the contractor will incur the cost of up–sizing.

B. All new sewer service lines shall have a fabricated pipe wye on the sewer main, GPK gasketed

C. Sewer services shall be installed to the property line and marked with a 10' x 3/4" rebar at the end of each service. Sewer services shall be installed at a maximum depth of 8' at the property or at the proper depth to provide service to any proposed lot.

D. Tracer wire is required on all sewer mains and sewer service lines. Tracer wire shall be brought to the surface at all cleanouts and manholes.

E. External or internal chimney seals are required at all manholes.

F. Minimum sewer main cover depth from the top of the pipe to finished grade shall not be less than 4.0 ft. Provide insulation per the standard detail in cases where the minimum cover cannot be provided. Insulation may be required between storm sewer and sanitary sewers.

G. Minimum sewer service cover depth from the top of the pipe to the finished grade shall not be less than 3.5 ft.

2.2 SEWER TESTING AND INSPECTION:

A. General:

1. A visual inspection and televising inspection test shall be performed by the contractor for all sewer mains and manholes as a condition of acceptance by RVSD. All test shall be performed after backfill is complete but prior to any surface restoration. In addition , all new sewer mains shall undergo a hydrostatic or air pressure per standard specifications.

2. Prior to pressure testing newly installed sewer pipe, the contractor shall jet and remove all accumulated construction debris, rock, sand, gravel, silt, and other foreign matter from the sewer with an appropriately sized cleaning ball.

B. Closed Circuit Television (CCTV) inspection.

1. The contractor shall arrange and pay for internal CCTV inspection of the completed sewer mains.

2. The CCTV inspection shall be performed by qualified and experienced firm.

3. A DVD of completed inspections shall be delivered to RVSD.

4. DVD's shall be properly labeled with on screen measurements or voice recorded measurements.

PART 3– WATER PIPING AND APPURTENANCES:

3.1 Water Mains, Fittings and Appurtenances:

A. Fittings shall be fusion bonded epoxy ductile iron AWWA C–153, Class 350 mechanical joints with retainer glands or approved joint restraining devices shall be used where joint restraint is required by the plans or in this specification. Mechanical joint restraints are required at all fitting and pipe bells within the restraining length.

B. All ductile iron fitting and joint restraining devices shall be encased in 8 mil polyethylene per the Standard Specifications.

C. All metallic water fittings/services in contact with potable water shall be "No Lead" brass alloy and "NL" shall be cast or permanently stamped on the fitting or valve. Fittings and valves shall comply with the USA Safe Drinking Water Act, and US EPA.

D. All pipe couplings shall be restrained mechanical joint sleeves with restraints allowing 5 degree deflection.

E. The existing mains must remain in–service until the new water main is complete, disinfected, and pressure tested.

RAPID VALLEY SANITATION DISTRICT– WATER SERVICE (RVSD)

DESIGN AND CONSTRUCTION STANDARDS FOR

WATER AND WASTEWATER PIPING AND APPURTENANCES – CURRENT EDITION

F. Water mains shall be PVC AWWA C–900 or C–905, DR18, Class 150. Minimum main size is 8". If larger diameter is required for fire flow purposes or is shown in the RVSD Master Plan the Developer/Contractor will incur the cost of up sizing.

G. All main valves shall be mechanical joint non–rising stem resilient seat valves. Butterfly valves are not allowed.

H. Fire Hydrants shall be American Darling model B–84 ro American Flow Control.

I. Ductile iron fittings shall be mechanical joint and fusion bonded epoxy coated.

J. Fittings shall be mechanically restrained at all vertical bends, all fittings on lowerings, reducers, tees, and valves. Restraints are not required on horizontal bends of 45 degrees or less where properly thrust blocked. Acceptable joint restraining devices shall EBBA, Uni–Flange or Romac Field Flange. Concrete thrust blocks are required at all other areas not mechanically restrained.

K. Pipe joints for PVC watermains shall be push on bell and spigot. Where watermain pipe joints are located closer than the restraining length to a restrained valve or fitting, the bell joint shall be restrained with a bell restraint fitting. The designer shall provide restraining length designs.

L. Bolts for mechanical joints shall be NSS "Cor–Ten Blue" corrosion resistant type.

M. Tapping sleeves shall be stainless steel construction with a 150 psi rating. The branched end shall be flanged and stainless steel nuts and bolts shall be provided. A flange by mechanical joint valve shall be installed on the tapping sleeve.

N. All main valves shall be mechanical joint restraint seat gate valves. Butterfly valves are not allowed.

O. Testing and disinfection per standard specifications. The Contractor is responsible for all testing, tapping, disinfection and water sampling.

P. Tracer Wire is required on all water main and locator boxes shall be placed at all fire hydrant locations. the Contractor shall coordinate all tracer wire splice locations with RVSD staff.

Q. Water mains shall be bedded with limestone crusher fines. 3/4" clean rock is not allowed unless needed for trench stability.

3.2 WATER SERVICE LINES

A. Minimum service line size is 1".

B. Tapping saddles and corporation stops are required. Tapping and all materials are the responsibility of the contractor. RVSD shall observe all water main taps. The Contractor shall contact and schedule the proposed tap with RVSD 2 working days prior to the anticipated tap.

C. Tapping saddles shall be solid band 304 stainless steel construction with stainless steel nuts and bolts. Tapered Buna–N ASTM D–2000 rubber gaskated (Ford FS303 or equal).

D. One inch (1") thru two inch (2") diameter shall be coppertube size (CTS) poly SDR9, 200 psi; with stiffner inserts at each curb stop, fittings, and corporation stop. Tubing shall meet the requirements of AWWA C901, NSF Standards 14 and 61, and shall have the material designation of PE3608 by the Plastic Pipe Institute.

E. Compression type connections with inserts are required. (No yellow brass allowed. Red brass only).

F. No service line splices on any section of the line.

G. Piping over 2" and less than 4" shall be PVC service line pipe and shall comply with ASTM D–2241, 200 psi., SDR 21. 4" and larger shall be C–900 PVC per specifications.

H. Tracer wire shall be installed at each service line and exposed at the curb box. A 1/4" hole will be drilled in the lid of the curb box and tracer wire run through. Do not cut the tracer wire when continuing to the house. On new construction of service lines to the house a tracer wire is required from the curb box to the water meter or valve inside the house with a tracer wire exposed at the curb box lid through the 1/4" hole or holes that are drilled in the curb box lid.

I. Curb stops with boxes shall be placed on each new service line at the property line or as shown on the plans.

J. Curb boxes shall be placed behind the sidewalk and marked with a steel fence post.

K. All curb boxes shall be adjustable and installed to finished grade. Finished grade is defined as the top of finished and graded top soil.

L. Curb boxes shall be Minneapolis pattern No. 5622 (1–1/2") OR Buffalo style 100E curb box with bushings added to the curb stop.

M. Water services will be bedded with fines according to bedding specifications for crusher fines with a minimum of 3" below the pipe and 3" above the pipe.

N. Select soil material is required for a minimum of 18" above the pipe and shall include no rocks 2" or larger in diameter.

3.3 DESIGN STANDARDS FOR RVSD WATER SYSTEMS:

SEE CITY OF RAPID CITY INFRASTRUCTURE DESIGN CRITERIA MANUAL

PARAMETER:	RVSD SELECTED STANDARDS
1. Distrubution System Minimum Working Pressure at Peak Day	40 psi
2. Normal Distribution System Working Pressure	50–80 psi
3. Distrubution System Maximum Working Pressure	125 psi
4. Residential Maximu Working Pressure	80 psi
5. Minimum Working Pressure at Peak Hour Demand	20 psi
6. Water Main Size	8" minimum
8. Distrubution System Valving	Valve cluster on all sides of pipe intersections, street intersections with an 800' maximum spacing.
9. Fire Hydrant Spacing	450 max. and all intersections and high points.
10. Pipe Cover	6' minimum
11. Pipe looping	Required

3.4 WATER MAIN AND WATER SERVICE BEDDING SPECIFICATIONS

3/8"	100 %
#4	90–100 %
#8	50–90 %
#40	15–40 %
#200	10–25 %

Liquid Limit Max = 25
Plasticity Index 0–3

SHEET NOTE
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DAVIS ENGINEERING, INC.
1060 KINGS ROAD, RAPID CITY, SOUTH DAKOTA, 57702
PHONE (605) 341–3095

RVSD DESIGN AND CONSTRUCTION STANDARDS
MURPHY RANCH ESTATES SUBDIVISION - PHASE 6
RAPID VALLEY, PENNINGTON COUNTY, SOUTH DAKOTA

DWG NO: C4.2
DATE: 11-12-18

EROSION CONTROL NARRATIVE

1. PROJECT DESCRIPTION:

This project consist of developing 5.02 acres of land into 22 residential building sites located in Rapid Valley, Pennington County, SD.

2. EXISTING SITE CONDITIONS:

This site has been used for growing crops with irrigation. This site is part of an 80 acres farm that is now being developed into residential lots.

3. ADJACENT AREAS:

The land to the North of this site is Long View Road. The land to the West of this site is residential housing. The land to the South of this site is agricultural land that is still used to grow alfalfa. The land to the East of this site is residential housing.

4. SOILS:

The soils on this site are Type B Sandy Loam and Medium Clays.

5. EROSION AND SEDIMENT CONTROL MEASURES:

This site will use silt fence and sediment control woddle located as shown on the site plan. All erosion and sediment control installations shall meet all City of Rapid City Standard Details and Specifications.

6. CONSTRUCTION SCHEDULE:

The site grading will begin November 19, 2018
The sewer and water installations will follow starting approx December 3, 2018
The subgrade gravel will follow on approx February 18, 2019.
The curb and gutter will follow on approx February 27, 2019
The asphalt paving will follow on approx March 11, 2019

7. SPILL CONTROL PRACTICES:

Chemical and Petroleum Product spills of taxi or hazardous material shall be reported to the appropriate state or local government agency as soon after the spill as possible. All spills shall be cleaned up immediately after discovery.

8. SPILL PREVENTION:

Petroleum Products: Onsite construction equipment shall be monitored for leaks and receive regular preventative maintenance.
Fertilizer Products: The use of fertilizer is not anticipated for this site.
Concrete Trucks shall be allowed to wash only at designated areas.

9. DEWATERING:

If water from temporary dewatering shall be discharged to water of the State during construction , Contractors must first get coverage under DENR'S General Permit for Temporary Dewatering. For more information, contact
number is (605) 773-3351.

10. SOIL SURFACE STABILIZATION PRACTICES:

After construction begins, soil surface stabilization shall be applied within 14 days to all disturbed that may not be at final grade but will remain dormant for periods longer than an additional 21 calender days. Within 14 days after final grade in reached on any portion of the site, permanent or temporary soil surface stabilization shall be applied to disturbed areas and soil stockpiles.

11. PERMANENT STABILIZATION PRACTICES:

Home building will be continuous on the improved lots and most will be sodded or seeded during the building season. The stockpiles and the graded lots will be maintained during the development process and soil surface stabilization shall be applied within 14 days to all disturbed areas that will remain dormant for periods longer than an additional 21 calendar days. Erosion control shall be maintained until final stabilization is achieved or final project acceptance has been achieved, unless individual lots are under active construction through a building permit.

12. STORM WATER MANAGEMENT CONSIDERATIONS:

Stormwater will either flow towards the street and then to the constructed storm sewer or else it will flow towards the back of the lot then down the side lot lines to the street and then into the constructed storm sewer. Storm water will ultimately flow to the same downstream location after construction as it did before construction.

13. MAINTENANCE:

Inspection of erosion and sediment control measures will be scheduled bi-weekly or more often as needed and following any storm event of 1/2 inch or greater. All measures shall be maintained in good working order. Inspection and maintenance procedures shall continue until the disturbed areas achieve final stabilization.

14. VEHICULAR TRACKING:

Vehicles entering this site will be controlled by a locked chain across the end of the existing pavement during the construction of the underground utilities. All vehicles accessing the site during the utility construction phase will be required to use the already established vehicular access point located approximately 200 feet west of the Remington Road intersection and on the South side of Longview Road.

GENERAL NOTES:

A. Regularly pickup and dispose of garbage and waste material.
B. Routinely inspect equipment and processes for leaks or conditions that could lead to discharges of chemicals or storm sewer with raw materials, intermediate materials, waste materials, or products used on site.
C. Assure oil spill clean up procedures are understood by employees. Training of employees on proper clean up procedures shall be implemented.
D. Clean up leaks, drips, and other spills immediately.
E. Assign responsibility of hazardous material inventory to a limited number of people who are trained to handle such materials. In the event of spills of any dangerous or hazardous materials, notify the City of Rapid City Public Works Department.
F. Drain or replace motor oil and other automotive fluids in an area away from streams or storm sewer inlets. Collect spent fluids and recycle or dispose of immediately.
G. In fueling areas, clean up spills with dry methods(absorbants).
H. Make sure that employees are trained in spill prevention practices and adhere to them.

NOTICE OF INTENT:

A Notice of intent will be filed with the Surface Discharge Program of the SD DENR immediately after approval of the Preliminary Plat by the Planning Commission of Rapid City. The primary responsible party is required to to file a Notice of Termination with the DENR when the site has reached final stabilization.

MAXIMUM TIME LIMITS OF LAND EXPOSURES FOR SELECTION OF EROSION CONTROLS	
EROSION CONTROL METHOD	EXPOSURE
Surface Roughening	1 mo.
Mulching	12 mo.
Temporary Revegetation	12-24 mo.
Permanent Revegetation	24 mo. or more
Soil Stockpile Revegetation	2 mo.
Early Application of Road Base	1 mo

OWNER:
Davis Engineering, Inc
1060 Kings Road
Rapid City, SD
605-341-3095

PRIMARY RESPONSIBLE PARTY
Davis Engineering, Inc
1060 Kings Road
Rapid City, SD
605-341-3095

ENGINEER/SURVEYOR
Davis Engineering, Inc
1060 Kings Road
Rapid City, SD
605-341-3095

CONTRACTOR:
To be determined!!!
Rapid City, SD 57701

UTILITY CONTRACTOR
Powles Construction
4830 Guest Road
Rapid City, SD 57702
605-431-2678

PAVING CONTRACTOR:
Hills Material Company
4830 Guest Road
Rapid City, SD 57702
605-394-3300

OWNERS CERTIFICATION:

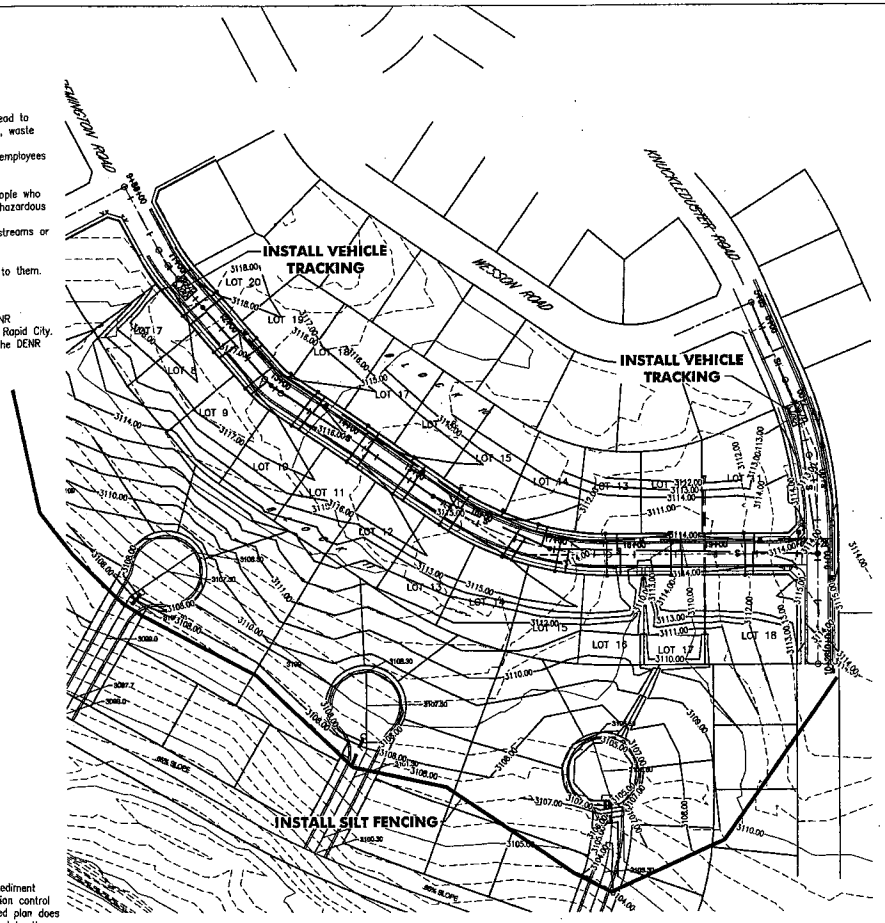
The Erosion Control Plan appears to fulfill the technical criteria for erosion and sediment control requirements of the city of Rapid City. We understand that additional erosion control measures may be needed if unforeseen erosion problems occur or if the submitted plan does not function as intended. The requirements of this plan shall run with the land and be the obligation of Davis Engineering, Inc. until such time as the plan is properly completed, modified or voided.

RONALD D DAVIS, PE/RLS, PRESIDENT DATE

ENGINEERS CERTIFICATION:

I hereby certify that these plans were prepared under my direct supervision and that I am a duly registered Professional Engineer and Land Surveyor under the laws of the State of South Dakota.

RONALD D DAVIS, PE/RLS, PRESIDENT DATE



CITY OF RAPID CITY

Plans are reviewed for general conformance with applicable governmental regulations, stipulations, design criteria and engineering standards. The City of Rapid City does not certify the suitability, adequacy or completeness of the plans or design, which are the responsibility of the engineer of record. All necessary permits shall be obtained prior to construction of the proposed public improvements.

Engineering Reviewer — Date 12/20/18

COMMENTS DEV19-1473
19PL026

SHEET NOTE
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DAVIS ENGINEERING, INC.
1060 KINGS ROAD, RAPID CITY, SD 57702
PHONE (605) 341-3095

EROSION CONTROL PLAN AND NARRATIVE
MURPHY RANCH ESTATES SUBDIVISION - PHASE 6
RAPID VALLEY, PENNINGTON COUNTY, SOUTH DAKOTA

DWG NO: C5.1
DATE: 11-12-18

INSPECTIONS MUST BE CONDUCTED ONCE EVERY 7 DAYS AND WITHIN 24 HOURS OF A 0.5"OR GREATER RAINFALL. ALL SEDIMENT CONTROLS MUST BE INSTALLED PRIOR TO GRADING AND WITHIN 7 DAYS OF DIGGING.

Wattles

1. Are the wattles trenched (2" x 9") along the contour? Y N N/A
2. Are the wattles staked every 3'-4' and on each end? Y N N/A
3. Is 2"-3" of stake exposed above wattle? Y N N/A
4. Is soil on the upslope side of the wattle compacted? Y N N/A
5. On sloping ground are the wattles spaced appropriately? Y N N/A
6. Is repair or maintenance needed on any wattles? Y N N/A

Comments:_____

_____

Inlet Protection

1. Is inlet protection in place? Y N N/A
2. Does water pond around the inlet when it rains? Y N N/A
   From December 1 to February 15, curb inlet protection is not allowed.
   Are other erosion control measures in place? Y N N/A
   Describe_____
3. For yard inlet protection, can the BMP support the weight of water? Y N N/A
4. Is sediment that has accumulated around the inlet removed on a regular basis? Y N N/A
   How often? _____

Comments:_____

_____

Sediment Pond/Basin

1. Are concentrated flows of runoff directed to a sediment pond/basin? Y N N/A
2. Is sheet-flow runoff from drainage >0.25 acre or larger directed to a sediment pond/basin? Y N N/A
3. How is runoff being collected and directed to the sediment pond/basin?
   _____
4. Have the embankments of the sediment pond/basin been stabilized? Y N N/A
5. What is the length to width ratio of the inlet and outlet of the sediment pond/basin? _____
6. What is the depth of the sediment pond/basin? _____
7. Was the pond/basin installed prior to grading the site? Y N N/A
8. What is the current sediment level in the pond/basin? _____
9. How often is the sediment pond/basin cleaned? _____
10. How many times has the sediment pond/basin been cleaned to date? _____

Comments:_____

_____

Non-sediment Pollution Control

1. Has an area been designated for a truck wash area? Y N N/A
2. How is waste disposed of on the site? _____
3. Does the site store hazardous materials such as solvents, pesticides, or acids? Y N N/A

Agenda Item #28
Rimrock Evangelical Free Church
May 13, 2019

28

STAFF REPORT

GENERAL INFORMATION:

REQUEST:	**CONSTRUCTION PERMIT / CP 19-05**: To surface existing gravel parking lots with asphalt pavement, excavation for utilities and improvements. An existing parking area will be used for contractor staging and material storage, staging area will be resurfaced with gravel surfacing at the end of the project. The project includes grading and shaping of the parking area and construction of permanent water quality features.
APPLICANT:	Rimrock Evangelical Free Church
APPLICANT ADDRESS:	12200 W. Highway 44, Rapid City, SD 57702
LEGAL DESCRIPTION:	Lot 2 Revised of Lot A Revised of SE1/4SE1/4, Section 31, T2N, R6E, BHM, Pennington County, South Dakota.
SITE LOCATION:	12200 W. Highway 44; located at the corner of Norris Peak Road and W. Highway 44.
SIZE:	4.75 acres
TAX ID:	43614
EXISTING LAND USE:	Church
ZONING REFERENCE:	Section 507
CURRENT ZONING:	General Commercial District
SURROUNDING ZONING:	
North	General Agriculture District
South	Suburban Residential District
East	General Commercial District
West	Suburban Residential District General Commercial District
PHYSICAL CHARACTERISTICS:	Flat / Sloping

Agenda Item #28
Rimrock Evangelical Free Church
May 13, 2019

UTILITIES: Private

REPORT BY: Cody Sack

I. GENERAL DESCRIPTION

A. The applicant, Rimrock Church, requested a Construction Permit to surface existing gravel parking lots with asphalt pavement, excavation for utilities and improvements.

II. EXISTING CONDITIONS

A. General Commercial District.
B. 4.75 acres.
C. Gravel Parking Lot.
D. Church building.

III. REQUEST FOR COMMENT

A. County Highway
   1. Drainage must not be increased onto Norris Peak Road ditch. Approach permits need to be obtained for the three approaches onto Norris Peak Rd.

B. County Environmental Planning Supervisor
   1. There is Special Flood Hazard Area on the property but the work appears to be outside of it.
   2. Erosion and sediment control measures need to be implemented prior to any work.
   3. The work must follow the Storm Water Quality Manual and Section 507(A) of the Pennington County Zoning Ordinance.
   4. The applicants must follow the Stormwater Pollution Prevention Plan and the rules/regulations of South Dakota DENR.
   5. Any portion of the disturbance that is not paved, must be revegetated using certified noxious weed free seed and mulch.

C. County Onsite Wastewater Specialist
   1. The applicant has indicated that they will do work on their septic system during the construction process. All rules of Pennington County Zoning Ordinance 204-J must be followed.

D. County Environmental Planner.
   1. There is Special Flood Hazard Area on the property but the work appears to be outside of it.
   2. Erosion and sediment control measures need to be implemented prior to any work.
   3. The work must follow the Storm Water Quality Manual and Section 507(A) of the Pennington County Zoning Ordinance.
   4. The applicants must follow the Stormwater Pollution Prevention Plan and the rules/regulations of South Dakota DENR.

5. Any portion of the disturbance that is not paved, must be revegetated using certified noxious weed free seed and mulch.

E. County Ordinance Enforcement
   1. No questions or concerns from Ordinance Enforcement.

F. County Natural Resources
   1. No objections.

G. U.S Forest Service
   1. The Forest Service has no objections to the Rimrock Evangelical Free Church construction permit.
   2. Protect all posted boundary line corners, signs and bearing tress.
   3. Adhere to the setback requirements along the posted boundary between National Forest System lands (USA Public Domain; located on the north side of private property) and private property.
   4. Protect all known stream courses, ponds and riparian areas located on National Forest System lands.
   5. No resource damage to occur on National Forest System lands.
   6. 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.
   7. All construction materials, supplies, trash or garbage will not be located or dumped on National Forest System lands.
   8. Public roads in this area of the Black Hills National Forest are classified as "Roads Open to Highway Legal Vehicles Only", "Other Public Roads" per the latest version (January 1, 2019) of the Motor Vehicle Use Map.
   9. No motorized trailheads or motorized trails or motorized roads are planned or scheduled for this portion of the Black Hills National Forest.
   10. 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).

H. SD Department of Transportation
   1. SDDOT supports the proposed improvements Rimrock Church to the parking area and the closure of the west approach on SD44.

I. County Fire Administrator
   1. No comments received.

IV. ANALYSIS

A. The work area is approximately 1.35 acres and will require a Stormwater permit from the South Dakota Department of Environment and Natural Resources (SDDENR)
   1. A Notice of Intent has been filed with the SDDENR.

B. The Board of Adjustment approved three (3) approaches for the subject property on May 7, 2019.
C. Work is to begin in May 2019 and anticipated completion is September 2019.
D.

Staff is requesting public input on this request. The Planning Director will consider public input from private citizens, the applicant and the Planning Commission, in addition to information provided within this Staff Report, when rendering a decision on Construction Permit / CP 19-05.

RECOMMENDATION TO PLANNING DIRECTOR: Staff recommends the Planning Director approve Construction Permit / CP-19-05 with the following fifteen (15) conditions:

1. That erosion control measures are implemented prior to any work and maintained until the site has been revegetated in accordance with § 507(A)(5)(c) of the PCZO;

2. That the applicant acquires a South Dakota Department of Environment and Natural Resources General Permit for Storm Water Discharges Associated with Construction Activities and that the Conditions of Approval for the permit are continually met;

3. The applicant not increase flows to the ditch along Norris Peak Rd,

4. That detention is installed for the increase in storm water flows from the new parking lot;

5. That the applicant continually maintains and adheres to the Storm Water Pollution Prevention Plan during the period of construction;

6. 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;

7. 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;

8. That all natural drainage ways and paths be continually maintained;

9. That sediment from the site is contained in such a manner that sediment does not leave the site. If sediment does leave the site, it is the responsibility of the applicant fix;

10. 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;

11. 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;

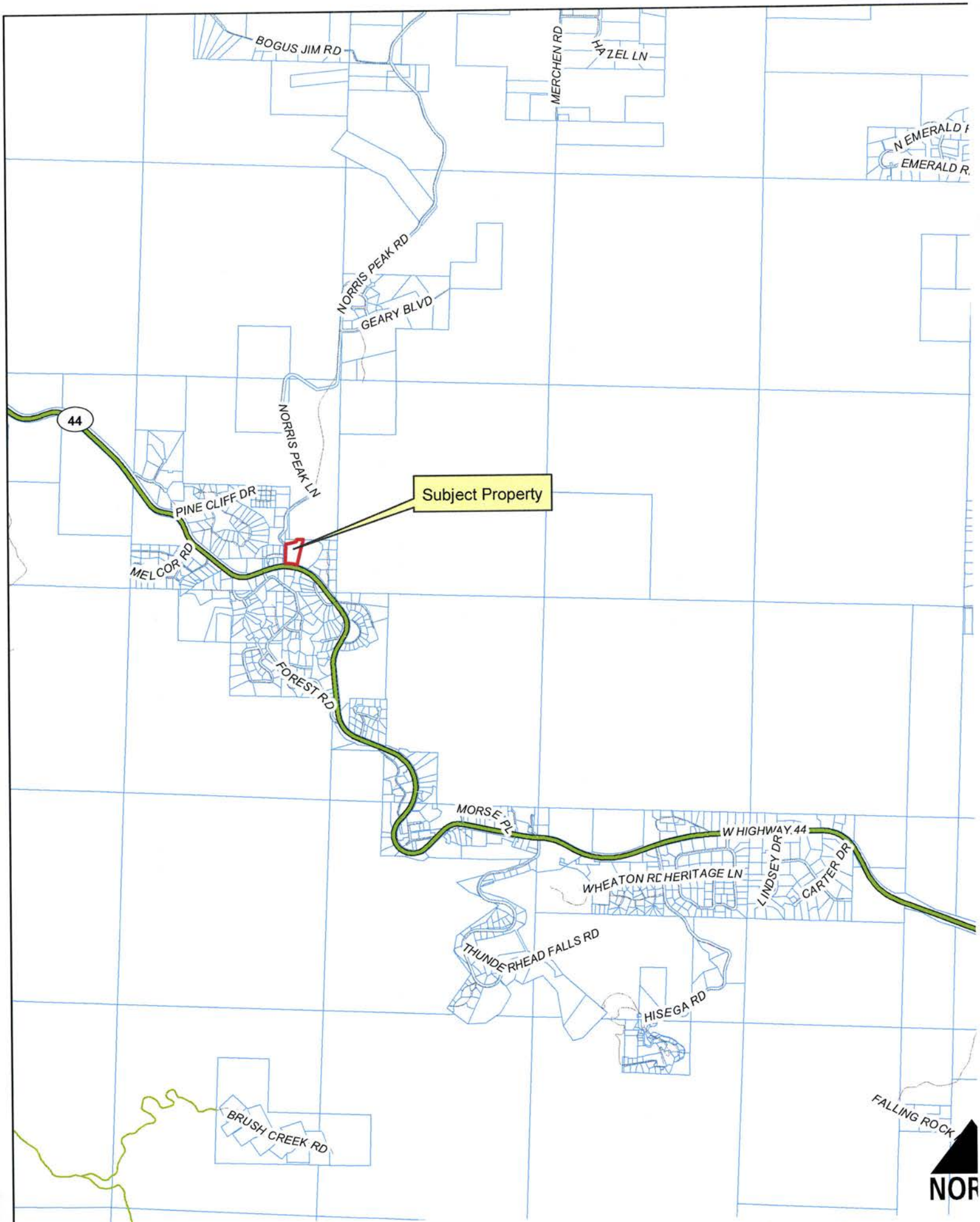
12. That erosion control measures, such as seeding and mulching the disturbed area, shall be implemented immediately after the work is completed in the area, but in no case later than 14 days after the Construction Activity has stopped. All erosion control methods (mulch and seed) need to be certified noxious weed-free;

13. That the disturbed areas be re-vegetated as required in § 507(A)(5)(c) of the PCZO;

14. That the applicant sign a Statement of Understanding within ten (10) business days of approval; and,

15. That this Construction Permit be reviewed in six (6) months, or as directed by the Planning Director.

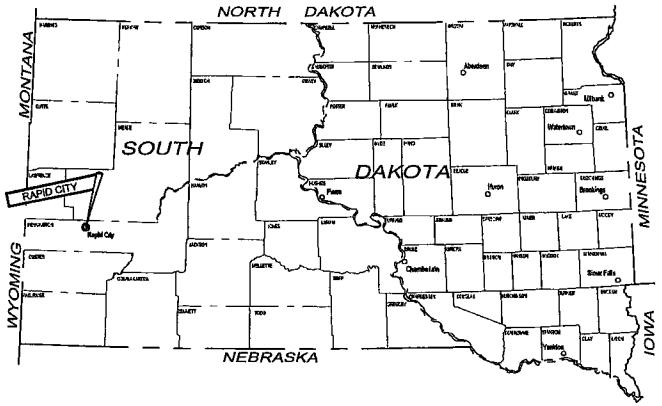
Rimrock Church



Rimrock Church



SWPPP PLANS FOR
RIMROCK CHURCH PARKING LOT PAVING
JOHNSON SIDING AREA
RAPID CITY, SOUTH DAKOTA



PROJECT VICINITY MAP

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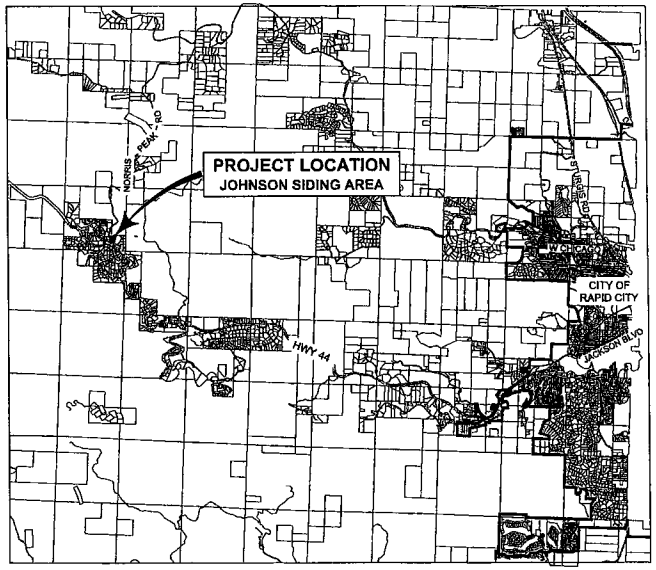
1.15	EROSION CONTROL STANDARD PLATES
1.16	EROSION CONTROL STANDARD PLATES



PROJECT LOCATION MAP

PENNINGTON COUNTY, SOUTH DAKOTA

APRIL 2019

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PROJECT / SHEET TITLE:
RIMROCK CHURCH PARKING LOT PAVING
TITLE AND INDEX OF SHEETS
RAPID CITY, SOUTH DAKOTA

REV.	DATE	DESCRIPTION

REGISTERED PROFESSIONAL ENGINEER
STATE OF SOUTH DAKOTA
7244
TERRY CASH

Terry Cash
2019.04.05 14:18:19-05'00'

JOB No.:	22958.00
DATE:	APRIL 2019
DESIGNED BY:	TC
CHECKED BY:	TC
DRAWN BY:	CKM

SCALE REDUCTION BAR

SHEET No.: 1.1

STORM WATER POLLUTION PREVENTION PLAN (SWPPP)

ALL PROJECTS REQUIRED TO HOLD A SURFACE WATER DISCHARGE GENERAL PERMIT SHALL DEVELOP AND COMPLY WITH A SWPPP. THE SWPPP IS DEVELOPED TO ENSURE COMPLIANCE WITH THE EFFLUENT LIMITS IN SECTION 3.0 OF THE GENERAL PERMIT. THE GENERAL PERMIT CAN BE FOUND AT HTTPS://DENR.SD.GOV/DES/SW/IPERMITS/CONSTRUCTIONGENERALPERMIT2018.PDF FOR ADDITIONAL INFORMATION.

OWNER
RIMROCK CHURCH
12200 SD-44
RAPID CITY, SD 57702
605-342-5373

PRIME CONTRACTOR

COMPANY: _____
ADDRESS: _____
ADDRESS: _____
CONTACT PERSON: _____
EMAIL ADDRESS: _____
PHONE NUMBER: _____
24-HOUR EMERGENCY CONTACT: _____
24-HOUR EMERGENCY CONTACT NUMBER: _____

DESIGN ENGINEER

BANNER ASSOCIATES, INC.
2201 JACKSON BLVD, STE. 200
RAPID CITY, SD 57702
REGISTERED ENGINEER: TERRY CASH
EMAIL ADDRESS: TERRYCA@BANNERASSOCIATES.COM
PHONE NUMBER: 885-323-6342

SD DENR CONTACT FOR SPILL REPORTING
- BUSINESS HOURS MONDAY-FRIDAY (605) 773-3296
- NIGHTS AND WEEKENDS (605) 773-3231

SD DENR CONTACT FOR HAZARDOUS MATERIALS
- (605) 773-3153

NATIONAL RESPONSE CENTER HOTLINE
- (800) 424-8802

PROJECT DESCRIPTION

THIS PROJECT IS LOCATED ON THE EXISTING SITE OF THE RIMROCK CHURCH LOCATED IN JOHNSON SIDING AND CONSISTS OF SURFACING EXISTING GRAVEL PARKING LOTS WITH ASPHALT PAVEMENT, EXCAVATION FOR UTILITIES AND IMPROVEMENTS. AN EXISTING PARKING AREA WILL BE USED FOR CONTRACTOR STAGING AND MATERIAL STORAGE, STAGING AREA WILL BE RESURFACED WITH GRAVEL SURFACING AT THE END OF THE PROJECT.

MAJOR SOIL DISTURBING ACTIVITIES (CHECK ALL THAT APPLY)

- ☐ CLEARING AND GRUBBING
- ☐ EXCAVATION/BORROW
- ☑ GRADING AND SHAPING
- ☐ FILLING
- ☐ CUTTING AND FILLING
- ☑ OTHER (DESCRIBE): CONSTRUCTION OF PERMANENT WATER QUALITY FEATURES

EXISTING SITE CONDITIONS AND DESCRIPTION OF RECEIVING WATERS

THE EXISTING SITE IS CURRENTLY DEVELOPED. THE RUN-OFF SURFACE DRAINAGE FLOWS TO RAPID CREEK.

ADJACENT AREAS

PROVIDE A DESCRIPTION OF THE ADJACENT AREAS. IF CONSTRUCTION IS NEXT TO AN IMMERSIVE OR LIMITED CONTACT RECREATION USE LAKE OR A RIVER/STREAM DESIGNATED FOR WARM- OR COLD-WATER FISH PROPAGATION YOU MUST MAINTAIN A 50-FT NATURE UNDISTURBED BUFFER SEE GENERAL PERMIT 3.10 (PG 16-17). EX.: THE PROJECT IS BORDERED BY COMMERCIAL PROPERTIES TO THE NORTH AND WEST AND UNDEVELOPED PROPERTY IMMEDIATELY TO THE SOUTH. THE SERVICE ROAD AND INTERSTATE 29 BORDERS THE SITE ON THE EAST.

SOILS, SLOPE, AND VEGETATION

THE SOILS ACROSS THE PROJECT GENERALLY CONSIST OF SILT LOAM AND VERY GRAVELY LOAM. SITE IS TERRACED WITH AND AVERAGE SLOPE OF APPROXIMATELY 3.5% DRAINING FROM SOUTH TO NORTH, A SMALL AREA SOUTH OF THE EXISTING CHURCH BUILDING GENERALLY DRAINS TO THE HIGHWAY 44 ROW. THE SITE IS CURRENTLY 54% VEGETATED THIS IS NOT EXPECTED TO CHANGE IN THIS PROJECT.

AREA AND VOLUME DISTURBED

THE TOTAL SURFACE AREA OF THE SITE IS 4.75 ACRES, IT IS ESTIMATED THAT THE DISTURBED AREA IS 1.14 ACRES. : CONTRACTOR SHALL WORK TO LIMIT THE AMOUNT OF DISTURBED EARTH TO LESS THAN 1 ACRE OR 1000 FEET OF LINEAR UTILITY AT ONE TIME WHENEVER POSSIBLE. CONTRACTOR SHALL CONTROL DUST USING WATER OR VEGETATION. ALL TRENCHES SHALL BE FILLED IN PRIOR TO LEAVING FOR THE DAY.

NOTICE OF INTENT

A NOTICE OF INTENT (NOI) FOR COVERAGE UNDER THE GENERAL PERMIT FOR STORM WATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITIES HAS BEEN SUBMITTED TO THE SD DENR. PERMIT NUMBER IS SD# _____.

METHODS OF ENSURING SURFACE WATER QUALITY

THE CONTRACTOR SHALL BE RESPONSIBLE TO ENSURE NO SEDIMENT LADEN WATERS LEAVE THE PROJECT WITHOUT EXPOSURE TO AN EROSION OR SEDIMENT CONTROL DEVICE. CONTRACTOR SHALL ATTEMPT TO MINIMIZE SITE RUN-OFF BY UTILIZING BERMS, DITCHES, DIKES, SWALES, OR ANY OTHER APPROPRIATE EROSION AND SEDIMENT CONTROL WITHOUT IMPEDING UPSTREAM DRAINAGE.

THE ONLY NON STORM WATER DISCHARGE ALLOWED BY THE GENERAL PERMIT FOR STORM WATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITIES IS UNCONTAMINATED GROUND WATER OR WATERS, USED AS A BEST MANAGEMENT PRACTICE, TO WASH VEHICLES AND CONTROL DUST. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO OBTAIN A GENERAL PERMIT TO DISCHARGE UNDER THE SOUTH DAKOTA SURFACE WATER DISCHARGE SYSTEM FOR TEMPORARY DISCHARGE ACTIVITIES IN SOUTH DAKOTA (DEWATERING PERMIT) FOR ALL OTHER NON STORM WATER DISCHARGES. ALL MONITORING, TESTING, AND OTHER REQUIREMENTS OF THE DEWATERING PERMIT ARE THE RESPONSIBILITY OF THE CONTRACTOR.

PUMPING (MECHANICALLY DISCHARGING) SEDIMENT LADEN WATER INCLUDING PONDED STORM WATER OR CONTAMINATED TRENCH DEWATERING INTO THE STORM SEWER OR OFF THE PROJECT SITE IS NOT COVERED UNDER THE GENERAL PERMIT. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO OBTAIN AND COMPLY WITH A DEWATERING PERMIT FOR THESE ACTIVITIES. THE ENGINEER MAY NOTIFY THE SD DENR IF THE CONTRACTOR IS OBSERVED PUMPING SEDIMENT LADEN WATER INTO THE STORM SEWER OR OFF SITE. PUMPING SEDIMENT LADEN WATER THROUGH INLET PROTECTION IS NOT ALLOWED AS A BMP.

IN LIEU OF PUMPING SEDIMENT LADEN WATER, THE FOLLOWING ARE SOME METHODS THE CONTRACTOR MAY USE TO CONTROL SEDIMENT LADEN WATER.

- THE BEST METHOD IS FOR THE CONTRACTOR TO MAINTAIN POSITIVE DRAINAGE DURING ALL PHASES OF THE PROJECT TO PREVENT WATER FROM PONDING ON THE PROJECT.
- TREAT THE SEDIMENT LADEN WATER ONSITE THROUGH THE USE OF FILTER BAGS, DEFLOCCULATING CHEMICALS, SEDIMENT BASINS, OR A PORTABLE CONTAINMENT SYSTEM.
- PUMP OR DISCHARGE THE WATER TO OTHER PORTIONS OF THE SITE. THIS IS ALLOWED IF THE WATERS DO NOT LEAVE THE PROJECT LIMITS.

EROSION/SEDIMENT CONTROL SEQUENCE AND TIME SCHEDULE

THE FOLLOWING PARAGRAPH(S) ARE INTENDED TO PROVIDE A GUIDELINE TO THE CONTRACTOR FOR THE INSTALLATION OF INITIAL EROSION AND SEDIMENT CONTROL MEASURES AND IMPLEMENTATION OF THE EROSION CONTROL PLAN DURING CONSTRUCTION. THE TIMELINE AND SEQUENCE ARE FOR REFERENCE ONLY AND MAY CHANGE DEPENDING ON THE CONTRACTOR'S SEQUENCE OF OPERATIONS AND MUST BE APPROVED BY THE ENGINEER PRIOR TO MAKING CHANGES.

TIME SCHEDULE:

ANTICIPATED START DATE OF CONSTRUCTION IS MAY 2019.
- INSTALL PRELIMINARY EROSION CONTROL MEASURES SUCH AS SILT FENCE, SILT DITCH, INLET PROTECTION AND SEDIMENT TRAPS PRIOR TO BEGINNING GRADING ACTIVITIES IN EACH PHASE.
- INITIAL EROSION CONTROL MEASURES INCLUDE THE INSTALLATION OF TEMPORARY SILT FENCE ON THE SOUTH AND EAST SIDE THE PROJECT SITE. THE TEMPORARY VEHICLE TRACKING CONTROL STATION SHALL BE INSTALLED IMMEDIATELY FOLLOWING PAVEMENT REMOVALS. INLET PROTECTION SHALL BE INSTALLED PRIOR TO EXCAVATION UPSTREAM OF EACH INLET OR JUNCTION BOX.

ANTICIPATED COMPLETION DATE OF *SEPTEMBER 2019*
- UPON COMPLETION OF CONSTRUCTION, INSTALL PERMANENT EROSION CONTROL AND RE-VEGETATION MEASURES.
- PLACE SEED MIX AND SOD NO MORE THAN 14 DAYS AFTER FINAL GRADING WORK IS COMPLETE.

EROSION CONTROL REMOVALS

TEMPORARY VEHICLE TRACKING CONTROL STATIONS SHALL BE REMOVED WHEN ALL ROADWAY GRAVEL BASE HAS BEEN PLACED. INLET PROTECTION, SILT TRAPS, SILT DITCH, AND TEMPORARY SILT FENCE SHALL BE REMOVED AFTER ALL HARD SURFACING IS COMPLETE AND FINAL STABILIZATION HAS BEEN ACHIEVED ON SITE. PAVED STREETS SHALL BE CLEANED AT THE END OF EACH WORK DAY.

IN THE EVENT THAT MORE THAN ONE-HALF INCH OF RAIN FALLS ON THE SITE, THE STORM WATER MANAGEMENT SYSTEM WILL BE INSPECTED FOR EROSION, BUILD-UP OF SEDIMENT, OR ANY POSSIBLE LEAK FROM THE SITE WITHIN 24 HOURS. IF ANY OF THESE PROBLEMS ARE DETECTED, THE PROPER PERSONNEL, AS DEFINED IN THE "PRIME CONTRACTOR" CONTACTS AT THE BEGINNING OF THIS SWPPP, SHALL BE CONTACTED, EVENT RECORDED, AND PROPER MEASURES TAKEN. INSPECTION AND MAINTENANCE FORMS ARE ATTACHED THAT PROVIDE A SCHEDULE TO BE FOLLOWED TO SATISFY THIS POLLUTION PREVENTION PLAN (THAT CAN BE CHANGED AS TIME GOES ON).

SOIL SURFACE STABILIZATION PRACTICES

AFTER CONSTRUCTION BEGINS, SOIL SURFACE STABILIZATION SHALL BE APPLIED WITHIN 14 DAYS TO ALL DISTURBED AREAS THAT MAY NOT BE AT FINAL GRADE BUT WILL REMAIN DORMANT (UNDISTURBED) FOR PERIODS LONGER THAN 14 CALENDAR DAYS. WITHIN 14 DAYS AFTER FINAL GRADE IS REACHED ON ANY PORTION OF THE SITE, PERMANENT OR TEMPORARY SOIL SURFACE STABILIZATION SHALL BE APPLIED TO DISTURBED AREAS AND SOIL STOCKPILES.

STABILIZATION PRACTICES (CHECK ALL THAT APPLY)

- ☑ TEMPORARY SEEDING (COVER CROP SEEDING)
- ☑ PERMANENT SEEDING
- ☐ SODDING
- ☐ PLANTING (WOODY VEGETATION FOR SOIL STABILIZATION)
- ☐ MULCHING (GRASS HAY OR STRAW)
- ☐ HYDRAULIC MULCH (WOOD FIBER MULCH)
- ☐ SOIL STABILIZER
- ☐ BONDED FIBER MATRIX
- ☐ EROSION CONTROL BLANKETS OR MATS
- ☐ VEGETATION BUFFER STRIPS
- ☐ ROUGHENED SURFACE
- ☐ DUST CONTROL
- ☐ OTHER (DESCRIBE):

STRUCTURAL EROSION AND SEDIMENT CONTROLS (CHECK ALL THAT APPLY)

- ☐ SILT FENCE
- ☐ FLOATING SILT CURTAIN
- ☐ STRAW BALE CHECK
- ☐ TEMPORARY BERM
- ☑ TEMPORARY SLOPE DRAIN
- ☑ STRAW WATTLES OR ROLLS
- ☐ TURF REINFORCEMENT MAT
- ☐ RIP RAP
- ☐ GABIONS
- ☐ ROCK CHECK DAMS
- ☑ SEDIMENT TRAPS/BASINS
- ☑ INLET PROTECTION
- ☐ OUTLET PROTECTION
- ☑ SURFACE INLET PROTECTION (AREA DRAIN)
- ☐ CURB INLET PROTECTION
- ☑ TEMPORARY VEHICLE TRACKING CONTROL
- ☐ ENTRANCE/EXIT EQUIPMENT TIRE WASH
- ☐ INTERCEPTOR DITCH
- ☑ CONCRETE WASHOUT AREA
- ☐ TEMPORARY DIVERSION CHANNEL
- ☐ WORK PLATFORM
- ☐ TEMPORARY WATER BARRIER
- ☐ TEMPORARY WATER CROSSING
- ☐ OTHER (DESCRIBE):

TEMPORARY STABILIZATION MEASURES

STABILIZATION MEASURES SHALL BEGIN THE FOLLOWING WORK DAY WHENEVER EARTH DISTURBING ACTIVITY ON ANY PORTION OF THE SITE HAS TEMPORARILY OR PERMANENTLY CEASED. TEMPORARY STABILIZATION SHALL BE COMPLETED AS SOON AS PRACTICABLE BUT NO LATER THAN 14 DAYS AFTER INITIATING SOIL STABILIZATION ACTIVITIES.

PERMANENT STABILIZATION MEASURES

SOD, SEED, POROUS LAND SCAPE DETENTION AND RIPRAP WILL BE USED FOR PERMANENT STABILIZATION OF ALL DISTURBED AREAS NOT PAVED THROUGHOUT THE PROJECT LIMITS. DISTURBED PORTIONS OF THE SITE WHERE CONSTRUCTION ACTIVITIES PERMANENTLY CEASE SHALL BE STABILIZED WITH BEST MANAGEMENT PRACTICES NO LATER THAN 14 DAYS AFTER THE LAST CONSTRUCTION ACTIVITY.

AFTER THE ENTIRE SITE IS STABILIZED AS DEFINED IN THE "NOTICE OF TERMINATION" SECTION OF THIS SWPPP, THE ACCUMULATED SEDIMENT AND SILT FENCE/WATTLES WILL BE REMOVED. CONTRACTOR SHALL FILL OUT "WORKSHEET #1- SCHEDULE OF GRADING AND CONSTRUCTION ACTIVITIES" TO RECORD WHEN TEMPORARY AND PERMANENT GRADING ACTIVITIES STARTED AND ENDED AND WHEN STABILIZATION BMPS FOLLOWED.

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PROJECT / SHEET TITLE:
RIMROCK CHURCH PARKING LOT PAVING
STORM WATER POLLUTION PREVENTION PLAN (SWPPP)
RAPID CITY, SOUTH DAKOTA

REV.	DATE	DESCRIPTION

REGISTERED PROFESSIONAL ENGINEER — 7244 — TERRY L. CASH — SOUTH DAKOTA

Terry Cash
2019.04.05 14:18:36-05'00'

JOB No.:	22958.00
DATE:	APRIL 2019
DESIGNED BY:	TC
CHECKED BY:	TC
DRAWN BY:	CKM

0 1/2" 1"
SCALE REDUCTION BAR

SHEET No. :
1.2

STORMWATER MANAGEMENT CONSIDERATIONS

PROVIDE SEDIMENT BASINS/TRAPS AND GRASS SWALES AS NECESSARY TO PREVENT SEDIMENT FROM LEAVING THE SITE. AT NO TIME SHALL WATERS FROM THIS PROJECT ENTER THE STORM SEWER OR LEAVE THE SITE WITHOUT EXPOSURE TO A SEDIMENT FILTRATION DEVICE. ALL DROP INLETS, MANHOLES, AND JUNCTION BOXES (NEW AND EXISTING) SHALL HAVE SEDIMENT CONTROL DEVICES PLACED AROUND THEIR PERIMETER DURING ALL STAGES OF CONSTRUCTION, EXCEPT DURING THE PLACEMENT OF FINAL SURFACING. THIS MAY NECESSITATE MULTIPLE INSTALLATIONS OF SEDIMENT CONTROL DEVICES AT THE SAME LOCATION.

STORM WATER WILL DRAIN INTO THE EXISTING STORM WATER SYSTEM. ROCK-FILLED BAGS, BALE CHECKS, OR OTHER OUTLET AND INLET PROTECTION ARE TO BE USED TO PREVENT SEDIMENT FROM ENTERING DRAINS.

SILT FENCE AND STRAW BALE CHECKS WILL BE INSTALLED ALONG DRAINAGE WAYS TO PREVENT EXCESSIVE SEDIMENT FROM ENTERING OR DISCHARGING FROM THE SITE.

THE AREAS WHICH ARE NOT DEVELOPED WILL BE GRADED AT LESS THAN 1% AND HAVE PERMANENT SEEDING OR PLANTINGS.

TEMPORARY VEHICLE TRACKING CONTROL/MUD MAT, OR APPROVED EQUAL, SHALL BE USED TO PREVENT TRACKING OF SEDIMENT OFF-SITE.

EROSION CONTROL BLANKETS SHALL BE PLACED ON ALL UNPROTECTED/DISTURBED SLOPES GREATER THAN 5 PERCENT.

MODIFICATIONS OF EROSION AND SEDIMENT CONTROL DEVICES TO PREVENT PROPERTY DAMAGE

THE CONTRACTOR IS RESPONSIBLE TO MAINTAIN DRAINAGE. IN THE EVENT THAT AN EROSION OR SEDIMENT CONTROL DEVICE IS OBSTRUCTING DRAINAGE AND DAMAGE TO PROPERTY IS POSSIBLE, THE CONTRACTOR MAY TEMPORARILY MODIFY OR REMOVE THE DEVICE TO FACILITATE DRAINAGE. AN EXAMPLE IS INLET PROTECTION IN A SUMP LOCATION SURROUNDED BY BUILDINGS. IF A DEVICE IS REMOVED FOR THIS PURPOSE, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER TO DISCUSS AND IMPLEMENT ALTERNATIVES TO COMPLY WITH THE SWPPP AND GENERAL PERMIT.

REMOVAL OF TEMPORARY EROSION AND SEDIMENT CONTROL DEVICES

THE CONTRACTOR IS RESPONSIBLE TO REMOVE ALL TEMPORARY EROSION CONTROL AND SEDIMENT CONTROL DEVICES WHEN THE SITE REACHES FINAL STABILIZATION. THE ENGINEER MAY ORDER SPECIFIC TEMPORARY EROSION CONTROL AND SEDIMENT CONTROL DEVICES TO REMAIN IN PLACE PAST FINAL STABILIZATION. THE CONTRACTOR WILL NOT BE RESPONSIBLE TO REMOVE THESE ITEMS.

ALL TEMPORARY EROSION AND SEDIMENT CONTROL DEVICES WILL BE REMOVED AT THE 1 YEAR INSPECTION IF NOT DONE SO EARLIER, PROVIDED FINAL STABILIZATION HAS BEEN REACHED.

MATERIAL INVENTORY PRACTICES

AN UP-TO-DATE INVENTORY KEPT ON ALL MATERIALS (BOTH HAZARDOUS AND NONHAZARDOUS) PRESENT ON SITE WILL HELP TRACK HOW MATERIALS ARE STORED AND HANDLED ONSITE, AND IDENTIFY WHICH MATERIALS AND ACTIVITIES POSE THE MOST RISK TO THE ENVIRONMENT. THE FOLLOWING DESCRIPTION PROVIDES THE BASIC STEPS IN COMPLETING A MATERIAL INVENTORY:

1. IDENTIFY ALL CHEMICAL SUBSTANCES PRESENT AT WORK SITE. PERFORM A WALK-THROUGH OF THE SITE, REVIEW PURCHASE ORDERS, LIST ALL CHEMICAL SUBSTANCES USED, AND OBTAIN MATERIAL SAFETY DATA SHEETS (MSDS) FOR ALL CHEMICALS.
2. LABEL ALL CONTAINERS. LABELS SHALL PROVIDE NAME AND TYPE OF SUBSTANCE, STOCK NUMBER, EXPIRATION DATE, HEALTH HAZARDS, HANDLING SUGGESTIONS, AND FIRST AID INFORMATION. THIS INFORMATION CAN ALSO BE FOUND ON AN MSDS.
3. CLEARLY MARK ON THE HAZARDOUS MATERIALS INVENTORY WHICH CHEMICALS REQUIRE SPECIAL HANDLING, STORAGE, USE, AND DISPOSAL CONSIDERATIONS. DECISIONS ON THE AMOUNTS OF HAZARDOUS MATERIALS THAT ARE STORED ON SITE SHALL INCLUDE AN EVALUATION OF ANY EMERGENCY CONTROL SYSTEMS THAT ARE IN PLACE. ALL STORAGE AREAS SHALL BE DESIGNED TO CONTAIN ANY SPILLS.

THE MATERIALS OR SUBSTANCES LISTED BELOW ARE EXPECTED TO BE PRESENT ONSITE DURING CONSTRUCTION:

CONCRETE	BITUMINOUS MATERIALS
PETROLEUM BASED PRODUCTS (FUEL, HYDRAULIC OIL)	DETERGENTS
PAINTS (ENAMEL AND LATEX)	CURE
RAW MATERIALS	TEXTURE
WOOD (FOR TEMPORARY CONSTRUCTION)	HAZARDOUS MATERIALS
PLASTIC PELLETS	FERTILIZERS
FINISHED MATERIALS	PESTICIDES
METALS	METAL REBAR
CHEMICALS (CHLORINE, AMMONIA, ETC.)	SOLVENTS

SPILL PREVENTION

NONSTRUCTURAL BMPS SUCH AS GOOD HOUSEKEEPING MEASURES CAN, TO SOME DEGREE, PREVENT THE DEPOSITION OF POLLUTANTS ON THE URBAN LANDSCAPE OR REMOVE POLLUTANTS AT THEIR SOURCE. THE SOURCE OF POLLUTANTS FOR ASSIMILATION INTO STORM WATER IS THE LAND SURFACE ITSELF, ESPECIALLY THE IMPERVIOUS SURFACES IN THE URBAN AREA. THUS, IT IS EXPECTED THAT WHEN NONSTRUCTURAL MEASURES ARE EFFECTIVELY IMPLEMENTED, THEY WILL REDUCE THE AMOUNT OF POLLUTANTS BEING DEPOSITED ON LAND SURFACES FOR EVENTUAL CONTACT WITH STORM WATER AND TRANSPORTED TO THE RECEIVING WATER SYSTEM. THEREFORE, THE CONTRACTOR SHOULD EVALUATE AND DETERMINE WHICH APPROPRIATE GOOD HOUSEKEEPING MEASURES LISTED BELOW COULD BE USED.

GOOD HOUSEKEEPING: TO REDUCE THE RISK OF SPILLS OR OTHER ACCIDENTAL EXPOSURE OF MATERIAL AND SUBSTANCES TO STORM WATER RUNOFF, THE FOLLOWING GOOD HOUSEKEEPING PRACTICES WILL BE FOLLOWED ONSITE DURING THE CONSTRUCTION PROJECT.

1. AN EFFORT WILL BE MADE TO ONLY STORE ENOUGH PRODUCT REQUIRED TO DO THE JOB.
2. ALL MATERIALS STORED ONSITE WILL BE STORED IN A NEAT, ORDERLY MANNER IN THEIR APPROPRIATE CONTAINERS, AND IF POSSIBLE, UNDER A ROOF OR OTHER ENCLOSURE.
3. PRODUCTS WILL BE KEPT IN THEIR ORIGINAL CONTAINERS WITH THE ORIGINAL MANUFACTURER'S LABEL.
4. SUBSTANCES WILL NOT BE MIXED WITH ONE ANOTHER UNLESS RECOMMENDED BY THE MANUFACTURER.
5. WHENEVER POSSIBLE, ALL OF A PRODUCT WILL BE USED UP BEFORE DISPOSING OF THE CONTAINER.
6. MANUFACTURER'S RECOMMENDATIONS FOR PROPER USE AND DISPOSAL WILL BE FOLLOWED.
7. MAINTAIN DRY AND CLEAN FLOORS AND GROUND SURFACES BY USING BROOMS, SHOVELS, VACUUM CLEANERS, OR CLEANING MACHINES RATHER THAN WET CLEANUP METHODS.
8. THE SITE SUPERINTENDENT WILL INSPECT, AT A MINIMUM, ONCE EVERY 7 CALENDAR DAYS, OR ONCE EVERY 14 CALENDAR DAYS AND WITHIN 24 HOURS OF PRECIPITATION THAT EXCEEDS 0.25 INCHES OR SNOW MELT THAT GENERATES RUNOFF (CONTRACTOR SHALL KEEP A PROPERLY MAINTAINED RAIN GAUGE ON SITE FOR THIS PURPOSE) TO ENSURE PROPER USE AND DISPOSAL OF MATERIALS ONSITE.

MATERIAL STORAGE PRACTICES: IMPROPERLY STORING MATERIAL ON SITE CAN LEAD TO THE RELEASE OF MATERIALS AND CHEMICALS THAT CAN CAUSE STORM WATER RUNOFF POLLUTION. PROPER STORAGE TECHNIQUES INCLUDE THE FOLLOWING:

1. PROVIDE ADEQUATE AISLE SPACE TO FACILITATE MATERIAL TRANSFER AND EASE OF ACCESS FOR INSPECTION.
2. STORE CONTAINERS, DRUMS, AND BAGS AWAY FROM DIRECT TRAFFIC ROUTES TO PREVENT ACCIDENTAL SPILLS.
3. STACK CONTAINERS ACCORDING TO MANUFACTURER'S INSTRUCTIONS TO AVOID DAMAGING THE CONTAINERS FROM IMPROPER WEIGHT DISTRIBUTION.
4. STORE CONTAINERS ON PALLETS OR SIMILAR DEVICES TO PREVENT CORROSION OF CONTAINERS THAT RESULTS FROM CONTAINERS COMING IN CONTACT WITH MOISTURE ON THE GROUND.

HAZARDOUS PRODUCT STORAGE: THESE PRACTICES ARE USED TO REDUCE THE RISKS ASSOCIATED WITH HAZARDOUS MATERIALS.

1. PRODUCTS WILL BE KEPT IN ORIGINAL CONTAINERS UNLESS THEY ARE NOT RESEALABLE.
2. STORE TOXIC OR HAZARDOUS LIQUIDS WITHIN CURBED AREAS OR SECONDARY CONTAINERS.
3. ORIGINAL LABELS AND MATERIAL SAFETY DATA WILL BE RETAINED; THEY CONTAIN IMPORTANT PRODUCT INFORMATION.
4. IF SURPLUS PRODUCTS MUST BE DISPOSED OF, MANUFACTURER'S OR LOCAL AND STATE RECOMMENDED METHODS FOR PROPER DISPOSAL WILL BE FOLLOWED.
5. ASSIGN RESPONSIBILITY OF HAZARDOUS MATERIAL INVENTORY TO A LIMITED NUMBER OF PEOPLE WHO ARE TRAINED TO HANDLE SUCH MATERIALS.
6. MAINTENANCE AND REPAIR OF ALL EQUIPMENT AND VEHICLES INVOLVING OIL CHANGES, HYDRAULIC SYSTEM DRAIN DOWN, DE-GREASING OPERATIONS, FUEL TANK DRAIN DOWN AND REMOVAL, AND OTHER ACTIVITIES WHICH MAY RESULT IN THE ACCIDENTAL RELEASE OF CONTAMINANTS WILL BE CONDUCTED ON AN IMPERVIOUS SURFACE AND UNDER COVER DURING WET WEATHER TO PREVENT THE RELEASE OF CONTAMINANTS ONTO THE GROUND.
7. WHEEL AND VEHICLE WASH WATER WILL BE COLLECTED AND ALLOWED TO SETTLE OUT SUSPENDED SOLIDS PRIOR TO DISCHARGE. WHEEL WASH WATER WILL NOT BE DISCHARGED DIRECTLY INTO ANY STORM WATER SYSTEM OR STORM WATER TREATMENT SYSTEM.
8. POTENTIAL PH-MODIFYING MATERIALS SUCH AS: BULK CEMENT, CEMENT KILN DUST, FLY ASH, NEW CONCRETE WASHINGS, CONCRETE PUMPING, RESIDUALS FROM CONCRETE SAW CUTTING (EITHER WET OR DRY), AND MIXER WASHOUT WATERS WILL BE COLLECTED ON SITE AND MANAGED TO PREVENT CONTAMINATION OF STORM WATER RUNOFF.

WASTE DISPOSAL: TO ASSURE THAT EQUIPMENT AND WORK-RELATED PROCESSES ARE WORKING WELL; THE FOLLOWING PRACTICES CAN BE IMPLEMENTED:

1. ALL WASTE MATERIALS WILL BE COLLECTED AND STORED IN A SECURELY LIDDED METAL DUMPSTER. TRASH CONTAINERS WILL BE SERVICED AS NECESSARY.
2. REGULARLY PICK UP AND DISPOSE OF ALL TRASH AND CONSTRUCTION DEBRIS FROM THE SITE IN THE DUMPSTER. THE TRASH WILL BE HAULED TO AN APPROVED DISPOSAL SITE OR LICENSED LANDFILL.
3. THE DUMPSTER WILL BE EMPTIED AT A FREQUENCY DEEMED NECESSARY.
4. ALL SANITARY WASTE WILL BE COLLECTED FROM THE PORTABLE UNITS AT A FREQUENCY DEEMED NECESSARY BY THE CONTRACTED SANITARY WASTE DISPOSAL COMPANY, A LICENSED SANITARY WASTE MANAGEMENT CONTRACTOR, AS REQUIRED BY LOCAL REGULATION. IT WILL BE DISPOSED OF AT A MUNICIPAL WASTEWATER TREATMENT FACILITY.
5. CONTRACTOR IS RESPONSIBLE THAT ALL ONSITE PERSONNEL WILL BE INSTRUCTED IN THE PROPER PROCEDURES FOR WASTE DISPOSAL AND NOTICES STATING PROPER PRACTICES WILL BE POSTED IN THE FIELD OFFICE. THE GENERAL CONTRACTOR'S REPRESENTATIVE RESPONSIBLE FOR THE CONDUCT OF WORK ON THE SITE WILL BE RESPONSIBLE FOR SEEING WASTE DISPOSAL PROCEDURES ARE FOLLOWED.
6. CONTRACTOR SHALL MAKE EFFORT TO RECYCLE MATERIALS WHENEVER POSSIBLE.

OPERATION AND MAINTENANCE: TO ASSURE THAT EQUIPMENT AND WORK-RELATED PROCESSES ARE WORKING WELL; THE FOLLOWING PRACTICES CAN BE IMPLEMENTED:

1. ROUTINELY INSPECT EQUIPMENT AND PROCESSES FOR LEAKS OR CONDITIONS THAT COULD LEAD TO DISCHARGES OF CHEMICALS OR CONTACT OF STORM WATER WITH RAW MATERIALS, INTERMEDIATE MATERIALS, WASTE MATERIALS, OR PRODUCTS USED ON SITE.
2. CONTRACTOR SHALL ALLOW A DESIGNATED, CONTAINED PARKING AREA FOR EMPLOYEES AND EQUIPMENT.
3. MAKE SURE ALL EQUIPMENT AND RELATED PROCESSES ARE WORKING PROPERLY AND PREVENTATIVE MAINTENANCE IS KEPT UP WITH ON BOTH.
4. EQUIPMENT SHALL BE WELL-MAINTAINED AND SHALL BE REFUELED AND SERVICED ONLY IN CONTAINED AREAS OF THE SITE. IF POSSIBLE, MAINTENANCE AND REFUELING SHOULD BE DONE OFFSITE.
5. ANY SPILLS SHALL BE CLEANED UP IMMEDIATELY AFTER DISCOVERY AND WASTE PROPERLY DISPOSED OF. ALL HAZARDOUS WASTE MATERIALS WILL BE DISPOSED OF IN A MANNER SPECIFIED BY LOCAL OR STATE REGULATIONS OR BY THE MANUFACTURER. SITE PERSONNEL WILL BE INSTRUCTED IN THESE PRACTICES, AND THE CONTRACTOR WILL BE RESPONSIBLE FOR SEEING THAT THESE PRACTICES ARE FOLLOWED.
6. ALL ONSITE VEHICLES WILL BE MONITORED FOR LEAKS AND RECEIVE REGULAR PREVENTIVE MAINTENANCE TO REDUCE THE CHANCE OF LEAKAGE.
7. ANY ASPHALT SUBSTANCES USED ONSITE WILL BE APPLIED ACCORDING TO THE MANUFACTURER'S RECOMMENDATIONS.
8. CONTRACTOR SHALL USE DRIP PANS, CURBING, SAND FILTERS, OIL/WATER SEPARATORS, OR OTHER CONTROLS TO PREVENT CONTAMINATED WATER RUNOFF.
9. TEMPORARY VEHICLE TRACKING CONTROL SHALL BE CREATED TO REDUCE VEHICLE TRACKING OF SEDIMENTS OFF SITES. THE ENTRANCES WILL BE CLEANED AND MAINTAINED AS NECESSARY. ANY SEDIMENT TRACKED OFF SITE OR ON PUBLIC ROADS SHALL BE CLEANED AT THE END OF EACH DAY.
10. EXTERIOR DUST IS TO BE CONTROLLED BY VEGETATION AND WATER IF NECESSARY. PROPER RESPIRATORY EQUIPMENT SHOULD BE USED.
11. VEGETATED AREAS NOT ESSENTIAL TO THE CONSTRUCTION PROJECT WILL BE PRESERVED AND MAINTAINED AS NOTED ON THE PLANS.
12. FERTILIZERS USED WILL BE APPLIED ONLY IN THE MINIMUM AMOUNTS RECOMMENDED BY THE MANUFACTURER. ONCE APPLIED, FERTILIZER WILL BE WORKED INTO THE SOIL TO LIMIT EXPOSURE TO STORM WATER. STORAGE WILL BE IN A COVERED SHED. THE CONTENTS OF ANY PARTIALLY USED BAGS OF FERTILIZER WILL BE TRANSFERRED TO A SEALABLE PLASTIC BIN TO AVOID SPILLS.
13. ALL PAINT CONTAINERS WILL BE TIGHTLY SEALED AND STORED WHEN NOT REQUIRED FOR USE. EXCESS PAINT WILL NOT BE DISCHARGED TO THE STORM SEWER SYSTEM BUT WILL BE PROPERLY DISPOSED OF ACCORDING TO MANUFACTURER'S INSTRUCTIONS OR STATE AND LOCAL REGULATIONS.
14. CONCRETE TRUCKS WILL BE ALLOWED TO WASH OUT OR DISCHARGE SURPLUS CONCRETE OR DRUM WASH WATER ONLY ON CONTAINED PORTIONS OF THE SITE. THESE AREAS MUST NOT CONNECT TO ANY STORM WATER OUTLET OF THE SITE. UPON COMPLETION OF CONSTRUCTION WASHOUT AREAS WILL BE PROPERLY STABILIZED.

TRAINING AND PARTICIPATION: FREQUENT AND PROPER TRAINING IN GOOD HOUSEKEEPING TECHNIQUES REDUCES THE POSSIBILITY OF CHEMICALS OR EQUIPMENT THAT WILL BE MISHANDLED. REDUCING WASTE GENERATION IS ANOTHER IMPORTANT POLLUTION PREVENTION TECHNIQUE. THE FOLLOWING ARE WAYS TO GET PEOPLE INVOLVED IN GOOD HOUSEKEEPING PRACTICES:

1. PROVIDE INFORMATION SESSIONS ON GOOD HOUSEKEEPING PRACTICES IN TRAINING PROGRAMS.
2. DISCUSS GOOD HOUSEKEEPING AT MEETINGS.
3. PUBLICIZE POLLUTION PREVENTION CONCEPTS THROUGH POSTERS OR SIGNS.

SPILL RESPONSE

THE PRIMARY OBJECTIVE IN RESPONDING TO A SPILL IS TO QUICKLY CONTAIN THE MATERIAL(S) AND PREVENT OR MINIMIZE MIGRATION INTO STORM WATER RUNOFF AND CONVEYANCE SYSTEMS. IF THE RELEASE HAS IMPACTED ON-SITE STORM WATER, IT IS CRITICAL TO CONTAIN THE RELEASED MATERIALS ON-SITE AND PREVENT THEIR RELEASE INTO RECEIVING WATERS. IF A SPILL OF POLLUTANTS THREATENS STORM WATER OR SURFACE WATER AT THE SITE, THE SPILL RESPONSE PROCEDURES OUTLINED BELOW MUST BE IMPLEMENTED IN A TIMELY MANNER TO PREVENT THE RELEASE OF POLLUTANTS.

THE FOLLOWING PRACTICES WILL BE FOLLOWED FOR SPILL PREVENTION AND CLEANUP:

1. MANUFACTURER'S RECOMMENDED METHODS FOR SPILL CLEANUP WILL BE CLEARLY POSTED AND SITE PERSONNEL WILL BE TRAINED BY THE CONTRACTOR OF THE PROCEDURES AND THE LOCATION OF THE INFORMATION AND CLEANUP SUPPLIES.
2. MATERIALS AND EQUIPMENT NECESSARY FOR SPILL CLEANUP WILL BE KEPT IN THE MATERIAL STORAGE AREA ONSITE. EQUIPMENT AND MATERIALS WILL INCLUDE BUT NOT BE LIMITED TO BROOMS, DUST PANS, MOPS, RAGS, GLOVES, GOGGLES, KITTY LITTER, SAND, SAWDUST, AND PLASTIC AND METAL TRASH CONTAINERS SPECIFICALLY FOR THIS PURPOSE. SPILL RESPONSE EQUIPMENT WILL BE INSPECTED AND MAINTAINED AS NECESSARY TO REPLACE ANY MATERIALS USED IN SPILL RESPONSE ACTIVITIES.

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PROJECT / SHEET TITLE:
RIMROCK CHURCH PARKING LOT PAVING
STORM WATER POLLUTION PREVENTION PLAN (SWPPP)
RAPID CITY, SOUTH DAKOTA

REV.	DATE	DESCRIPTION

REGISTERED PROFESSIONAL ENGINEER — REG. NO. 7244 — TERRY CASH — SOUTH DAKOTA

Terry Cash
2019.04.05 14:18:51-06'00'

JOB No.:	22958.00
DATE:	APRIL 2019
DESIGNED BY:	TC
CHECKED BY:	TC
DRAWN BY:	CKM

SCALE REDUCTION BAR

SHEET No.:
1.3

3. ALL SPILLS WILL BE CLEANED UP IMMEDIATELY AFTER DISCOVERY.
4. THE SPILL AREA WILL BE KEPT WELL VENTILATED AND PERSONNEL WILL WEAR APPROPRIATE PROTECTIVE CLOTHING TO PREVENT INJURY FROM CONTACT WITH A HAZARDOUS SUBSTANCE.
5. SPILLS OF TOXIC OR HAZARDOUS MATERIAL WILL BE REPORTED TO THE APPROPRIATE STATE OR LOCAL GOVERNMENT AGENCY, REGARDLESS OF THE SIZE. CONTRACTOR SHALL USE "WORKSHEET #3- RECORD OF SPILLS AND LEAKS" TO RECORD DATE, MATERIAL, AND QUANTITY OF MATERIAL SPILLED AS WELL AS EFFORTS TO CLEAN UP AND REMOVE WASTE AND PREVENT FUTURE SPILLS.
6. THE SPILL PREVENTION PLAN WILL BE ADJUSTED TO INCLUDE MEASURES TO PREVENT THIS TYPE OF SPILL FROM REOCCURRING AND HOW TO CLEAN UP THE SPILL IF THERE IS ANOTHER ONE. A DESCRIPTION OF THE SPILL, WHAT CAUSED IT, AND THE CLEANUP MEASURES WILL ALSO BE INCLUDED.
7. THE SITE SUPERINTENDENT RESPONSIBLE FOR THE DAY-TO-DAY SITE OPERATIONS WILL BE THE SPILL PREVENTION AND CLEANUP COORDINATOR. THIS PERSON WILL DESIGNATE AT LEAST ONE OTHER SITE PERSONNEL WHO WILL RECEIVE SPILL PREVENTION AND CLEANUP TRAINING. THE TRAINING MUST INCLUDE IDENTIFYING THE LOCATION OF THE SPILL KITS AND OTHER SPILL RESPONSE EQUIPMENT AND THE USE OF SPILL RESPONSE MATERIALS. THESE INDIVIDUALS WILL EACH BECOME RESPONSIBLE FOR A PARTICULAR PHASE OF PREVENTION AND CLEANUP. THE NAMES OF RESPONSIBLE SPILL PERSONNEL WILL BE POSTED IN THE MATERIAL STORAGE AREA AND IN THE OFFICE TRAILER ONSITE.
8. THE CONTRACTOR'S SITE SUPERINTENDENT WILL BE NOTIFIED IMMEDIATELY WHEN A SPILL OR THE THREAT OF A SPILL IS OBSERVED. THE SUPERINTENDENT WILL ASSESS THE SITUATION AND DETERMINE THE APPROPRIATE RESPONSE.
9. IF SPILLS REPRESENT AN IMMINENT THREAT OF ESCAPING EROSION AND SEDIMENT CONTROLS AND ENTERING RECEIVING WATERS, PERSONNEL WILL BE DIRECTED TO RESPOND IMMEDIATELY TO CONTAIN THE RELEASE AND NOTIFY THE SUPERINTENDENT AFTER THE SITUATION HAS BEEN STABILIZED.
10. IF OIL SHEEN IS OBSERVED ON SURFACE WATER (E.G. SETTLING PONDS, DETENTION PONDS, SWALES), ACTION WILL BE TAKEN IMMEDIATELY TO REMOVE THE MATERIAL CAUSING THE SHEEN. THE CONTRACTOR WILL USE APPROPRIATE MATERIALS TO CONTAIN AND ABSORB THE SPILL. THE SOURCE OF THE OIL SHEEN WILL ALSO BE IDENTIFIED AND REMOVED OR REPAIRED AS NECESSARY TO PREVENT FURTHER RELEASES.
11. IF A SPILL OCCURS, THE SUPERINTENDENT OR THE SUPERINTENDENT'S DESIGNEE WILL BE RESPONSIBLE FOR COMPLETING THE SPILL REPORTING FORM AND FOR REPORTING THE SPILL TO SD DENR.

SPILL NOTIFICATION

IN THE EVENT OF A SPILL, THE CONTRACTOR'S SITE SUPERINTENDENT WILL MAKE THE APPROPRIATE NOTIFICATION(S), CONSISTENT WITH THE FOLLOWING PROCEDURES:

A RELEASE OR SPILL OF A REGULATED SUBSTANCE (INCLUDES PETROLEUM AND PETROLEUM PRODUCTS) MUST BE REPORTED TO DENR IMMEDIATELY IF ANY ONE OF THE FOLLOWING CONDITIONS EXISTS:

1. THE DISCHARGE THREATENS OR IS IN A POSITION TO THREATEN THE WATERS OF THE STATE (SURFACE WATER OR GROUND WATER).
2. THE DISCHARGE CAUSES AN IMMEDIATE DANGER TO HUMAN HEALTH OR SAFETY.
3. THE DISCHARGE EXCEEDS 25 GALLONS.
4. THE DISCHARGE CAUSES A SHEEN ON SURFACE WATER.
5. THE DISCHARGE OF ANY SUBSTANCE THAT EXCEEDS THE GROUND WATER QUALITY STANDARDS OF ARSD (ADMINISTRATIVE RULES OF SOUTH DAKOTA) CHAPTER 74:51:01.
6. THE DISCHARGE OF ANY SUBSTANCE THAT EXCEEDS THE SURFACE WATER QUALITY STANDARDS OF ARSD CHAPTER 74:51:01.
7. THE DISCHARGE OF ANY SUBSTANCE THAT HARMS OR THREATENS TO HARM WILDLIFE OR AQUATIC LIFE.
8. THE DISCHARGE OF CRUDE OIL IN FIELD ACTIVITIES UNDER SDCL (SOUTH DAKOTA CODIFIED LAWS) CHAPTER 45-9 IS GREATER THAN 1 BARREL (42 GALLONS).

TO REPORT A RELEASE OR SPILL, CALL DENR AT 605-773-3296 DURING REGULAR OFFICE HOURS (8 A.M. TO 5 P.M. CENTRAL TIME). TO REPORT THE RELEASE AFTER HOURS, ON WEEKENDS OR HOLIDAYS, CALL STATE RADIO COMMUNICATIONS AT 605-773-3231. REPORTING THE RELEASE TO DENR DOES NOT MEET ANY OBLIGATION FOR REPORTING TO OTHER STATE, LOCAL, OR FEDERAL AGENCIES. THEREFORE, THE RESPONSIBLE PERSON MUST ALSO CONTACT LOCAL AUTHORITIES TO DETERMINE THE LOCAL REPORTING REQUIREMENTS FOR RELEASES. DENR RECOMMENDS THAT SPILLS ALSO BE REPORTED TO THE NATIONAL RESPONSE CENTER AT (800) 424-8802.

MAINTENANCE

THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING AND REPAIRING ALL TEMPORARY EROSION CONTROL, SEDIMENT CONTROL, AND PERMANENT EROSION CONTROL MEASURES UNTIL THE NOTICE OF TERMINATION (N.O.T.) IS FILED BY THE OWNER. GENERAL MAINTENANCE REQUIREMENTS ARE LISTED BUT ARE NOT ALL INCLUSIVE AND ADDITIONAL MEASURES MAY NEED TO BE TAKEN TO COMPLY WITH THE GENERAL PERMIT AND SWPPP. THESE ARE THE INSPECTION AND MAINTENANCE PRACTICES THAT WILL BE USED TO MAINTAIN EROSION AND SEDIMENT CONTROLS.

1. LESS THAN ONE HALF OF THE SITE WILL BE DENUDED AT ONE TIME.
2. BUILT UP SEDIMENT WILL BE REMOVED FROM SILT FENCE WHEN IT HAS REACHED ONE-THIRD THE HEIGHT OF THE FENCE.
3. SILT FENCE WILL BE INSPECTED FOR DEPTH OF SEDIMENT, TEARS, TO SEE IF THE FABRIC IS SECURELY ATTACHED TO THE FENCE POSTS, AND TO SEE THAT THE FENCE POSTS ARE FIRMLY IN THE GROUND.
4. SEDIMENT BASINS AND TRAPS WILL BE CHECKED AND SEDIMENT REMOVED WHEN DEPTH REACHES APPROXIMATELY 50 PERCENT OF THE STRUCTURE'S CAPACITY AND AT THE CONCLUSION OF THE CONSTRUCTION.
5. CHECK DAMS WILL BE INSPECTED FOR STABILITY AND SEDIMENT WILL BE REMOVED WHEN DEPTH REACHES HALF THE HEIGHT OF THE DAM.
6. DRAINAGE CHANNELS/STRUCTURES WILL BE INSPECTED AND ANY BREACHES PROMPTLY REPAIRED.
7. TEMPORARY AND PERMANENT SEEDING AND PLANTING WILL BE INSPECTED FOR BARE SPOTS, WASHOUTS, AND HEALTHY GROWTH.
8. A MAINTENANCE INSPECTION REPORT WILL BE MADE AFTER EACH INSPECTION. A COPY OF THE REPORT FORM TO BE COMPLETED BY THE INSPECTOR IS ATTACHED. CONTRACTOR SHALL MAKE COPIES FOR REUSE.
9. ALL MEASURES WILL BE MAINTAINED IN GOOD WORKING ORDER BY CONTRACTOR; IF A REPAIR IS NECESSARY, IT WILL BE INITIATED BY CONTRACTOR WITHIN 24 HOURS OF REPORT. CORRECTIVE ACTION LOGS (WORKSHEET #2) SHALL BE MAINTAINED TO DESCRIBE REPAIR, REPLACEMENT, AND MAINTENANCE OF BMPS AS NOTED IN THE MAINTENANCE INSPECTION REPORTS.
10. THE SITE SUPERINTENDENT WILL SELECT INDIVIDUALS WHO WILL BE RESPONSIBLE FOR INSPECTIONS, MAINTENANCE AND REPAIR ACTIVITIES, AND FILLING OUT THE INSPECTION AND MAINTENANCE REPORT.

INSPECTIONS

THE CONTRACTOR WILL BE REQUIRED TO PERFORM INSPECTIONS ON THE PROJECT AT THE FOLLOWING MINIMUM FREQUENCY UNTIL THE SITE HAS REACHED FINAL STABILIZATION AND A NOTICE OF TERMINATION (N.O.T.) IS SUBMITTED BY THE OWNER TO THE SDDENR:

1. PRIOR TO THE REMOVAL OF ANY SURFACING OR TOPSOIL.
2. ONCE EVERY SEVEN CALENDAR DAYS (MINIMUM), WHEN RUNOFF IS UNLIKELY DUE TO WINTER CONDITIONS THE INSPECTIONS MAY BE REDUCED TO ONCE A MONTH.
3. WITHIN 24 HOURS AFTER EVERY RAINFALL OF ½ INCH OR GREATER.
4. AFTER A SNOW MELT THAT CAUSES EROSION.
5. WITHIN 24 HOURS OF A COMPLAINT BEING MADE TO THE CONTRACTOR OR ENGINEER.

THE ENGINEER RESERVES RIGHT TO PERFORM INSPECTIONS MORE FREQUENTLY THAN IDENTIFIED AND ADDITIONAL INSPECTIONS WILL BE MADE IF OBVIOUS ITEMS OF NON-COMPLIANCE EXIST. IF THE CONTRACTOR FAILS TO ATTEND ANY INSPECTION, IT DOES NOT RELIEVE THEM OF THEIR RESPONSIBILITY TO COMPLY WITH ANY CORRECTIVE OR MAINTENANCE ACTIONS NEEDED.

ITEMS NOTED AS BEING NON-COMPLIANT OR NEEDING MAINTENANCE AS A RESULT OF THE INSPECTIONS MUST BE CORRECTED BEFORE THE NEXT RUNOFF EVENT OR NO LATER THAN SEVEN (7) CALENDAR DAYS AFTER NOTIFICATION. THE SITE SHALL CONTINUE TO BE CONSIDERED IN NON-COMPLIANCE UNTIL THE ISSUE HAS BEEN CORRECTED TO THE SATISFACTION OF THE ENGINEER. FAILURE TO CORRECT ITEMS OF NON-COMPLIANCE OR THOSE NEEDING MAINTENANCE PRIOR TO THE NEXT INSPECTION WILL RESULT IN PRICE ADJUSTMENT TO THE CONTRACT.

NON-STORM WATER DISCHARGES

IT IS EXPECTED THAT THE FOLLOWING NON-STORM WATER DISCHARGES WILL OCCUR FROM THE SITE DURING THE CONSTRUCTION PERIOD:

1. WATER FROM WATER LINE FLUSHINGS
2. PAVEMENT WASH WATERS (WHERE NO SPILLS OR LEAKS OF TOXIC OR HAZARDOUS MATERIALS HAVE OCCURRED)
3. UNCONTAMINATED GROUNDWATER (FROM DEWATERING EXCAVATION)
4. WATER USED TO CONTROL DUST
5. WATERS USED TO WASH VEHICLES WITHOUT DETERGENT
6. WATERS USED TO WASH BUILDINGS WITHOUT DETERGENTS
7. FOUNDATION OR FOOTING DRAINS WITHOUT CONTAMINATION FROM SOLVENTS OR OTHER MATERIALS
8. LANDSCAPE IRRIGATION
9. UNCONTAMINATED AIR CONDITIONER OR COMPRESSOR CONDENSATE

NOTICE OF TERMINATION

THE CONTRACTOR IS RESPONSIBLE FOR COMPLYING WITH THE SWPPP UNTIL A NOTICE OF TERMINATION (N.O.T.) OF COVERAGE UNDER THE GENERAL PERMIT HAS BEEN ISSUED. THE N.O.T. WILL BE PREPARED BY THE OWNER FOR SUBMITTAL TO THE SDDENR WHEN THE CONTRACTOR NOTIFIES THE OWNER THAT ALL STORM WATER DISCHARGES COVERED BY THE PERMIT ARE ELIMINATED AND FINAL STABILIZATION HAS BEEN ACHIEVED ON ALL PORTIONS OF THE SITE FOR WHICH THE PERMITTEE IS RESPONSIBLE. FINAL STABILIZATION MEANS EITHER OR A COMBINATION OF:

1. ALL SOIL DISTURBING ACTIVITIES AT THE SITE HAVE BEEN COMPLETED AND A UNIFORM PERENNIAL VEGETATIVE COVER WITH A DENSITY OF 70% OF THE NATIVE COVER FOR UNPAVED AREAS AND AREAS NOT COVERED BY PERMANENT STRUCTURES HAS BEEN ESTABLISHED, OR EQUIVALENT PERMANENT STABILIZATION MEASURES (SUCH AS THE USE OF RIPRAP, GABIONS, OR GEOTEXTILES) HAVE BEEN EMPLOYED; OR
2. FOR CONSTRUCTION PROJECTS ON LAND USED FOR AGRICULTURAL PURPOSES, FINAL STABILIZATION MAY BE ACCOMPLISHED BY RETURNING THE DISTURBED LAND TO ITS PRE-CONSTRUCTION AGRICULTURAL USE. AREAS DISTURBED THAT WERE NOT PREVIOUSLY USED FOR AGRICULTURAL ACTIVITIES, SUCH AS BUFFER STRIPS IMMEDIATELY ADJACENT TO "WATERS OF THE STATE," AND AREAS WHICH ARE NOT BEING RETURNED TO THEIR PRE-CONSTRUCTION AGRICULTURAL USE MUST MEET THE FINAL STABILIZATION CRITERIA IN (1) ABOVE.

RECORD KEEPING

THE CONTRACTOR SHALL FILL OUT THE FOLLOWING FORMS TO MAINTAIN PROPER RECORDS AND TRAINING. ALTERNATE FORMS MAY BE USED BY THE CONTRACTOR IF APPROVED BY THE OWNER OR ENGINEER.

1. THE CONTRACTOR SHALL KEEP COPIES OF ALL INSPECTION REPORTS WITH THE SWPPP ON SITE.
2. CONTRACTOR SHALL FILL OUT "WORKSHEET #1- SCHEDULE OF GRADING AND CONSTRUCTION ACTIVITIES" TO RECORD WHEN TEMPORARY AND PERMANENT GRADING ACTIVITIES STARTED AND ENDED AND WHEN STABILIZATION BMPS FOLLOWED.
3. CORRECTIVE ACTION LOGS (WORKSHEET #2) SHALL BE MAINTAINED TO DESCRIBE REPAIR, REPLACEMENT, AND MAINTENANCE OF BMPS AS NOTED IN THE MAINTENANCE INSPECTION REPORTS.
4. CONTRACTOR SHALL USE "WORKSHEET #3- RECORD OF SPILLS AND LEAKS" TO RECORD DATE, MATERIAL, AND QUANTITY OF MATERIAL SPILLED AS WELL AS EFFORTS TO CLEAN UP AND REMOVE WASTE AND PREVENT FUTURE SPILLS.
5. THE CONTRACTOR SHALL USE "WORKSHEET #4- SWPPP AMENDMENT LOG" TO RECORD ALL CHANGES MADE TO THE SWPPP DUE TO WEATHER CONDITIONS, CHANGING SITE CONDITIONS, AND AS DIRECTED BY THE STATE, ENGINEER, OR OWNER IN THE BEST INTERESTS OF STORM WATER AND POLLUTION MANAGEMENT. CONTRACTOR SHALL LOG UPDATES TO THE SWPPP, INCLUDING ADDITIONS OF NEW BMPS, REPLACEMENT OF FAILED BMPS, SIGNIFICANT CHANGES IN THE ACTIVITIES OR THEIR TIMING ON THE PROJECT, CHANGES IN PERSONNEL, CHANGES IN INSPECTION AND MAINTENANCE PROCEDURES, UPDATES TO SITE MAPS, ETC.

MODIFICATIONS TO THE SWPPP

THE ENGINEER MAY ORDER CHANGES TO THE SWPPP AND/OR THE CONTRACTOR IS RESPONSIBLE TO REQUEST CHANGES TO THE SWPPP IF UNFORESEEN CHANGES OCCUR, OR THE SWPPP DOES NOT PERFORM AS INTENDED, OR TO IMPROVE THE EFFECTIVENESS OF THE SWPPP, OR TO COMPLY WITH THE SD DENR PERMIT. THE ENGINEER WILL EVALUATE AND DETERMINE IF ANY CONTRACTOR REQUESTED CHANGES TO THE SWPPP SHOULD BE MADE. THE CONTRACTOR IS RESPONSIBLE TO IMPLEMENT THESE CHANGES AS SOON AS PRACTICAL, BEFORE THE NEXT RUNOFF EVENT OR NO LATER THAN SEVEN (7) CALENDAR DAYS AFTER NOTIFICATION. ALL APPROVED CHANGES TO THE SWPPP MUST BE DOCUMENTED BY THE CONTRACTOR.

KEEPING THE SWPPP CURRENT

THE CONTRACTOR WILL BE RESPONSIBLE TO MAINTAIN AN ORIGINAL COPY OF THE SWPPP. ANY MODIFICATIONS TO THE SWPPP MUST BE DOCUMENTED AND MADE PART OF THE SWPPP. ANY MODIFICATIONS MUST BE RECORDED ON WORKSHEET #4. THE SWPPP MUST BE SUBMITTED AT THE END OF THE PROJECT.

RETENTION OF RECORDS

CONTRACTOR SHALL MAKE SWPPP AVAILABLE TO SDDENR, U.S. EPA, OR THE LOCAL STORM SEWER OPERATOR UPON REQUEST.

CONTRACTOR SHALL RETAIN COPIES OF THE SWPPP ALONG WITH OTHER GENERAL PERMIT DOCUMENTATION AS DEFINED IN CHAPTER 7.3 FOR A PERIOD OF AT LEAST THREE (3) YEARS FROM THE DATE YOU TERMINATE YOUR COVERAGE UNDER THE GENERAL PERMIT. SDDENR MAY EXTEND THE TIME PERIOD FOR RETAINING YOUR RECORDS WITH A WRITTEN NOTIFICATION TO YOU. ALL DOCUMENTS REQUIRED TO BE SUBMITTED BY THE GENERAL PERMIT SHALL BE SUBMITTED TO THE SDDENR BY EMAIL (STORMWATER@STATE.SD.US), OR TO THE ADDRESS BELOW:

SD DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
SURFACE WATER QUALITY PROGRAM
523 EAST CAPITOL
PIERRE, SD 57501

TRAINING

TRAINING SHALL BE PROVIDED BY THE CONTRACTOR FOR THEIR EMPLOYEES AS NECESSARY TO ENSURE COMPLIANCE WITH THE SWPPP.

TRAINING IS RECOMMENDED AT LEAST ANNUALLY BY THE CONTRACTOR FOR EMPLOYEES AND RESPONSIBLE PARTIES.

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PROJECT / SHEET TITLE:
RIMROCK CHURCH PARKING LOT PAVING
- STORM WATER POLLUTION PREVENTION PLAN (SWPPP)
RAPID CITY, SOUTH DAKOTA

REV.	DATE	DESCRIPTION

REGISTERED PROFESSIONAL ENGINEER
REG NO. 7744
TERRY CASH
SOUTH DAKOTA
Terry Cash
2019.04.05 14:19:05 -05'00'

JOB No.:	22958.00
DATE:	APRIL 2019
DESIGNED BY:	TC
CHECKED BY:	TC
DRAWN BY:	CKM

0 10" 1"
SCALE REDUCTION BAR

SHEET No.:
1.4

OWNER SIGNATURE

THIS CONSTRUCTION PERMIT APPLICATION APPEARS TO FULFILL THE TECHNICAL CRITERIA AND THE CRITERIA FOR THE STORM WATER QUALITY MANUAL REQUIREMENTS PENNINGTON COUNTY. I UNDERSTAND THAT ADDITIONAL EROSION CONTROL MEASURES MAY BE NEEDED IF UNFORESEEN EROSION OR SEDIMENT CONTROL PROBLEMS OCCUR. THE REQUIREMENTS OF THIS PERMIT SHALL RUN WITH THE LAND AND BE THE OBLIGATION OF THE LANDOWNER UNTIL SUCH TIME AS THE TERMS OF THE PERMIT ARE PROPERLY COMPLETED, MODIFIED OR VOIDED.

I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM, OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS, TO THE BEST OF MY KNOWLEDGE AND BELIEF, TRUE, ACCURATE, AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS.

NAME: Robert A. Barkley, Chairman
PRINTED NAME

SIGNED: Robert A Barkley Chm 4/8/2019
OWNER DATE

PRIME CONTRACTOR SIGNATURE

THE "DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES - CONTRACTOR CERTIFICATION FORM" (SD FORM - 2110LD) IS TO BE EXECUTED BY THE PRIME CONTRACTOR OR THE CONTRACTOR'S DESIGNATED REPRESENTATIVE. WORK MAY NOT BEGIN ON THE PROJECT UNTIL THIS SECTION IS SIGNED.

THE FORM CERTIFIES UNDER PENALTY OF LAW THAT THE CONTRACTOR UNDERSTANDS AND WILL COMPLY WITH THE TERMS AND CONDITIONS OF THE SURFACE WATER DISCHARGE GENERAL PERMIT FOR STORM WATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITIES FOR THE PROJECT.

I AM ACKNOWLEDGING THE REVIEW AND ACCEPTANCE OF RESPONSIBILITY AS THE PRIMARY RESPONSIBLE PARTY FOR THE INSTALLATION, MAINTENANCE, AND PROPER FUNCTION OF THIS SWPPP.

NAME: _____
PRINTED NAME

SIGNED: _____
CONTRACTOR DATE

DESIGN ENGINEER SIGNATURE

I HEREBY CERTIFY THAT THESE PLANS WERE PREPARED UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF SOUTH DAKOTA.

NAME: Terry Cash, P.E.
PRINTED NAME

SIGNED: _____ 4/5/2019
ENGINEER DATE

TEMPORARY EROSION CONTROL MEASURES

INSTALLATION OF TEMPORARY EROSION CONTROL MEASURES

THE CONTRACTOR SHALL NOT BEGIN THE REMOVAL OF SURFACING OR TOPSOIL WITHIN THE APPLICABLE WORK AREA UNTIL ALL APPLICABLE TEMPORARY EROSION CONTROL MEASURES ARE PLACED. TEMPORARY EROSION CONTROL MEASURES SHALL BE INSTALLED AS NECESSARY AS CONSTRUCTION PROGRESSES AND THESE TEMPORARY EROSION CONTROL DEVICES SHALL BE INSTALLED WITHIN 24 HOURS AT LOCATIONS IDENTIFIED ON THE SWPPP.

SEDIMENT CONTROL MEASURES

INSTALLATION OF SEDIMENT CONTROL MEASURES

THE CONTRACTOR SHALL NOT BEGIN THE REMOVAL OF SURFACING OR TOPSOIL WITHIN THE APPLICABLE WORK AREA UNTIL ALL APPLICABLE SEDIMENT CONTROL MEASURES ARE PLACED. SEDIMENT CONTROL MEASURES SHALL BE INSTALLED AS NECESSARY AS CONSTRUCTION PROGRESSES AND THESE SEDIMENT CONTROL DEVICES SHALL BE INSTALLED WITHIN 24 HOURS AT LOCATIONS IDENTIFIED ON THE SWPPP.

TEMPORARY VEHICLE TRACKING CONTROL

MAINTENANCE REQUIREMENTS: TEMPORARY VEHICLE TRACKING CONTROL SHOULD BE INSPECTED FREQUENTLY TO ENSURE THAT MUD AND DIRT OR NOT BEING TRACKED ONTO THE ROADWAY. TEMPORARY VEHICLE TRACKING CONTROL MATERIAL MUST BE CLEANED OR REPLACED WHEN THE EFFECTIVENESS OF DIRT REMOVAL IS REDUCED.

SILT FENCE

MAINTENANCE REQUIREMENTS: AREAS OF DAMAGE INCLUDING WATER DAMAGE, FABRIC TEARS, AND FAILURES SHALL BE REPAIRED. WHEN ACCUMULATED SEDIMENT REACHES ONE HALF OF THE HEIGHT OF THE FENCE, NEW SILT FENCE SHALL BE INSTALLED. WHEN SITE CONDITIONS REQUIRE THAT SILT FENCE BE CLEANED AND MUCKED OUT, RATHER THAN REPLACED, CARE MUST BE TAKEN TO ENSURE THE EXISTING SILT FENCE IS NOT DAMAGED.

MUCKING SILT FENCE IS THE REMOVAL OF MUCK TRAPPED BY THE SILT FENCE AS DESCRIBED ABOVE. REMOVED MUCK SHOULD BE SPREAD OUT AND STABILIZED WITHIN THE PROJECTS LIMITS OR AT AN ALTERNATE LOCATION APPROVED BY THE ENGINEER.

REPAIR SILT FENCE SHALL CONSIST OF REPAIRING SILT FENCE TO MEET INSTALLATION REQUIREMENTS SPECIFIED IN THE PLANS.

INLET PROTECTION

MAINTENANCE REQUIREMENTS: ACCUMULATED SEDIMENT SHOULD BE REMOVED AND DISPOSED OF ON SITE. DEVICE SHOULD BE CLEANED OR REPLACED IF STANDING WATER IS EVIDENT 48 HOURS AFTER A RAIN EVENT. DAMAGED DEVICES MUST BE REPAIRED.

CONCRETE WASHOUT AREA

CONSTRUCTION REQUIREMENTS: ANY TIME CONCRETE IS USED, BEST MANAGEMENT PRACTICES (BMP'S) SHALL BE USED.
A CONCRETE WASHOUT AREA SHALL BE INSTALLED ON THE PROJECT SITE AT A LOCATION APPROVED BY THE ENGINEER IF CONCRETE TRUCKS DELIVER CONCRETE TO THE SITE. NO WASHOUT AREA IS NECESSARY IF ALL CONCRETE TRUCKS ARE GOING TO WASH OUT AT APPROVED SITE CONSTRUCTED BY THE CONCRETE SUPPLIER. BMP'S FOR HANDLING CONCRETE AREA S FOLLOWS:

3. CONCRETE TRUCK CHUTES, PUMPS, AND INTERNALS SHALL BE WASHED OUT ONLY INTO FORMED AREAS AWAITING INSTALLATION OF CONCRETE OR ASPHALT;
4. UNUSED CONCRETE REMAINING N THE TRUCK AND PUMP SHALL BE RETURNED TO THE ORIGINAL BATCH PLANT FOR RECYCLING;
5. HAND TOOLS INCLUDING, BUT NOT LIMITED TO, SCREEDS, SHOVELS, RAKES, FLOATS, AND TROWELS SHALL BE WASHED OFF ONLY INTO FORMED AREAS AWAITING INSTALLATION OF CONCRETE OR ASPHALT;
6. EQUIPMENT THAT CANNOT BE EASILY MOVED, SUCH AS CONCRETE PAVERS, SHALL ONLY BE WASHED OUT IN AREAS THAT DO NOT DIRECTLY DRAIN TO NATURAL OR CONSTRUCTED STORM WATER CONVEYANCES;
7. WASHDOWN FROM AREAS SUCH AS CONCRETE AGGREGATE DRIVEWAYS SHALL NOT DRAIN DIRECTLY TO A NATURAL OR CONSTRUCTED STORMWATER CONVEYANCES;
8. WHEN NO FORMED AREAS ARE AVAILABLE, WASHWATER AND LEFTOVER PRODUCT SHALL BE CONTAINED IN A LINED CONTAINER. CONTAINED CONCRETE SHALL BE DISPOSED OF IN A MANNER THAT DOES NOT VIOLATE GROUNDWATER OR SURFACE WATER QUALITY STANDARDS.

MAINTENANCE REQUIREMENTS: THE CONCRETE WASHOUT AREA MUST BE KEPT IN A CONDITION TO MAINTAIN THE CAPACITY FOR ALL WASTED CONCRETE AND WASHOUT WATER ON THE PROJECT.

CHECK DAM

MAINTENANCE REQUIREMENTS: SEDIMENT SHOULD BE REMOVED WHEN IT REACHES ONE HALF OF THE ORIGINAL DAM HEIGHT. ANY WASHOUTS AND STONES THAT HAVE BEEN WASHED DOWNSTREAM SHALL BE REPAIRED.

SEDIMENT CONTROL WATTLE

CONSTRUCTION REQUIREMENTS: THE CONTRACTOR SHALL PROVIDE CERTIFICATION THAT THE SEDIMENT CONTROL WATTLES DO NOT CONTAIN NOXIOUS WEED SEEDS.

MAINTENANCE: SEDIMENT SHOULD BE REMOVED ON A ROUTINE BASIS WHEN THE LEVEL OF SEDIMENTATION REACHES ONE-HALF THE HEIGHT OF THE EXPOSED WATTLE. DAMAGED AREAS SHOULD BE REPAIRED IMMEDIATELY UNTIL THE VEGETATION IS ESTABLISHED AND GROWING THROUGH THE MATERIAL.

MATERIALS: THE EROSION CONTROL WATTLE SHALL BE 12" DIAMETER WITH BIODEGRADABLE NETTING AND SELECTED FROM THE MANUFACTURERS LISTED BELOW, OR APPROVED EQUAL:

MANUFACTURER	PRODUCT NAME
AMERICAN EXCELSIOR COMPANY ARLINGTON, TX PHONE: 1-800-777-7645 WWW.AMEREXCEL.COM	CURLEX SEDIMENT LOG
WESTERN EXCELSIOR CORPORATION MANCOS, CO PHONE: 1-800-833-8573 WWW.WESTERNEXCELSIOR.COM	ASPEN FIBER LOGS AND STRAW LOGS
R.H. DYCK INC. WINTERS, CA PHONE: 1-530-662-7700 WWW.EARTH-SAVERS.COM	EARTH-SAVER RICE STRAW WATTLES

PERMANENT EROSION CONTROL MEASURES

INSTALLATION OF PERMANENT EROSION CONTROL MEASURES

THIS WORK SHALL BE DONE AS SOON AS POSSIBLE AFTER FINISH GRADING AND TOPSOIL PLACEMENT IS COMPLETED, AND IF PRACTICAL, PRIOR TO SEEDING, FERTILIZING, AND MULCHING OF ADJACENT AREAS. AT A MINIMUM, THE WORK MUST BE COMPLETED WITHIN THE TIMEFRAMES LISTED WITHIN THE SOIL SURFACE STABILIZATION PRACTICES NOTES.

TOPSOIL

THE FOLLOWING INFORMATION IS TO PROVIDE AN INFORMATIONAL GUIDELINE TO THE CONTRACTOR REGARDING TOPSOIL PLACEMENT AND THE SWPPP. DETAILED TOPSOIL PLACEMENT NOTES ARE FOUND IN THE PLANS AND SPECIFICATIONS. GENERALLY, TOPSOIL WILL BE PLACED OVER ALL DISTURBED AREAS TO A DEPTH OF 6 INCHES. THE PLACEMENT OF THE TOPSOIL SHALL BE AS SOON AS POSSIBLE UPON COMPLETION OF THE GRADING OPERATIONS.

RIP RAP

RIPRAP SHALL BE CLASS 2 WITH FILTER FABRIC CONFORMING TO THE REQUIREMENTS OF THE CITY OF RAPID CITY STANDARD SPECIFICATIONS.

SEEDING AND FERTILIZING

CONSTRUCTION REQUIREMENTS: SEED AND FERTILIZING SHALL CONFORM TO THE REQUIREMENTS OF SECTIONS 70 AND 71 OF THE CITY OF RAPID CITY STANDARD SPECIFICATIONS .

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PROJECT / SHEET TITLE:
RIMROCK CHURCH PARKING LOT PAVING
- STORM WATER POLLUTION PREVENTION PLAN (SWPPP)
RAPID CITY, SOUTH DAKOTA

REV.	DESCRIPTION	DATE

REGISTERED PROFESSIONAL ENGINEER
REG NO. 7244
TERRY L. CASH
SOUTH DAKOTA

Terry Cash
2019.04.05 14:19:19-06'00'

JOB No.:	22858.00
DATE:	APRIL 2019
DESIGNED BY:	TC
CHECKED BY:	TC
DRAWN BY:	CKM

SCALE REDUCTION BAR

SHEET No.: 1.5

WORKSHEET #1 - SCHEDULE OF GRADING & CONSTRUCTION ACTIVITIES

INSTRUCTIONS: DESCRIBE THE GRADING & CONSTRUCTION ACTIVITIES THAT TOOK PLACE ON SITE, INCLUDING THE DATES STARTED AND ENDED AND THE DATE STABILIZATION BMP WAS COMPLETED.
DEADLINE TO COMPLETE TEMPORARY STABILIZATION - AS SOON AS PRACTICABLE, BUT NO LATER THAN 14 CALENDAR DAYS AFTER INITIATING SOIL STABILIZATION MEASURES, AS STATED IN THE GENERAL PERMIT SECTION 3.18.

DATE ACTIVITY STARTED	DESCRIPTION OF GRADING ACTIVITY	LOCATION	GRADING ACTIVITY CEASED DATE	DATE STABILIZATION INITIATED	DESCRIPTION OF STABILIZATION BMP & LOCATION

NOTE: CONTRACTOR SHALL MAKE ADDITIONAL COPIES OF THIS SHEET AS NEEDED FOR RECORD KEEPING, OR MAINTAIN YOUR OWN RECORDS TO MEET THE GENERAL PERMIT.

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PROJECT / SHEET TITLE:
RIMROCK CHURCH PARKING LOT PAVING
SWPPP WORKSHEET #1
RAPID CITY, SOUTH DAKOTA

REV.	DATE	DESCRIPTION

REGISTERED PROFESSIONAL ENGINEER
REG. NO. 7244
TERRY CASH
SOUTH DAKOTA

Terry Cash
2019.04.05 14:16:34-05'00'

JOB No.:	22858.00
DATE:	APRIL 2019
DESIGNED BY:	TC
CHECKED BY:	TC
DRAWN BY:	CKM

SCALE REDUCTION BAR

SHEET No. :
1.6

WORKSHEET #2 - INSPECTION AND CORRECTIVE ACTION LOG

INSTRUCTIONS: NOTE THE DATE OF EACH INSPECTION, ANY DEFICIENCIES IN BMPS, AND THE CORRECTIVE ACTIONS TAKEN TO RESTORE BMPS FUNCTION. A SUMMARY OF YOUR INSPECTION FINDINGS, COVERING, AT A MINIMUM, THE OBSERVATIONS YOU MADE AS REQUIRED IN SECTIONS 4.4. AND 4.5 OF THE GENERAL PERMIT. IF AN INSPECTION DOES NOT IDENTIFY ANY INCIDENTS OF NONCOMPLIANCE, INCLUDE A STATEMENT IN THE REPORT THAT THE SITE IS IN COMPLIANCE WITH THE SWPPP AND THE GENERAL PERMIT.

INSPECTION DATE & TIME	RAIN FALL AMOUNT	INSPECTOR NAME	DESCRIPTION OF BMP DEFICIENCY	LOCATION	CORRECTIVE ACTION REQUIRED	ACTION CORRECTED	
						DATE	INITIALS

NOTE: CONTRACTOR SHALL MAKE ADDITIONAL COPIES OF THIS SHEET AS NEEDED FOR RECORD KEEPING, OR MAINTAIN YOUR OWN RECORDS TO MEET THE GENERAL PERMIT.

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PROJECT / SHEET TITLE:
RIMROCK CHURCH PARKING LOT PAVING
SWPPP WORKSHEET #2
RAPID CITY, SOUTH DAKOTA

REV.	DATE	DESCRIPTION

REGISTERED PROFESSIONAL ENGINEER
REG NO. 7244
TERRY L. CASH
SOUTH DAKOTA

Terry Cash
2019.04.05 14:10:48-05'00'

JOB No.:	22958.00
DATE:	APRIL 2019
DESIGNED BY:	TC
CHECKED BY:	TC
DRAWN BY:	CKM

SCALE REDUCTION BAR

SHEET No.:
1.7

WORKSHEET #3 - RECORD OF SPILLS AND LEAKS

INSTRUCTIONS: RECORD BELOW ALL SPILLS AND SIGNIFICANT LEAKS OF TOXIC OR HAZARDOUS POLLUTANTS THAT HAVE OCCURRED ON SITE; SIGNIFICANT SPILLS INCLUDE, BUT ARE NOT LIMITED TO, RELEASES OF OIL OR HAZARDOUS SUBSTANCES IN EXCESS OF REPORTABLE QUANTITIES

DATE	LEAK/SPILL	LOCATION	TYPE OF LIQUID	APPROXIMATE AMOUNT	SOURCE & CAUSE	RESPONSE PROCEDURE	PREVENTATIVE MEASURES TAKEN

TO REPORT A RELEASE OR SPILL, CALL SDDENR AT 605-773-3296 DURING REGULAR OFFICE HOURS (8 A.M. TO 5 P.M. CENTRAL STANDARD TIME). TO REPORT THE RELEASE AFTER HOURS, ON WEEKENDS OR HOLIDAYS, CALL SOUTH DAKOTA EMERGENCY MANAGEMENT AT 605-773-3231. REPORTING THE RELEASE TO SDDENR DOES NOT MEET ANY OBLIGATION FOR REPORTING TO OTHER STATE, LOCAL, OR FEDERAL AGENCIES. THEREFORE, YOU MUST ALSO CONTACT LOCAL AUTHORITIES TO DETERMINE THE LOCAL REPORTING REQUIREMENTS FOR RELEASES. A WRITTEN REPORT OF THE UNAUTHORIZED RELEASE OF ANY REGULATED SUBSTANCE, INCLUDING QUANTITY DISCHARGED AND THE LOCATION OF THE DISCHARGE SHALL BE SENT TO SDDENR WITHIN 14 DAYS OF THE DISCHARGE.

SPILLS ARE SUBJECT TO THE FEDERAL REPORTING REQUIREMENTS OF 40 CFR PART 110, PART 117, AND PART 302 RELATING TO SPILLS OR OTHER RELEASES OF OILS OR HAZARDOUS SUBSTANCES. YOU MUST REPORT SPILLS IN EXCESS OF THE REPORTABLE QUANTITIES AS REQUIRED IN SECTION 7.1.

WORKSHEET #4 - SWPPP AMENDMENT LOG

INSTRUCTIONS: DESCRIBE CHANGES TO THE SWPPP

AMENDMENT NUMBER	DESCRIPTION	REASON	DATE	AUTHORIZED BY
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				

NOTE: CONTRACTOR SHALL MAKE ADDITIONAL COPIES OF THIS SHEET AS NEEDED FOR RECORD KEEPING, OR MAINTAIN YOUR OWN RECORDS TO MEET THE GENERAL PERMIT.

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PROJECT / SHEET TITLE:
RIMROCK CHURCH PARKING LOT PAVING
SWPPP WORKSHEETS #3 & #4
RAPID CITY, SOUTH DAKOTA

REV.	DATE	DESCRIPTION

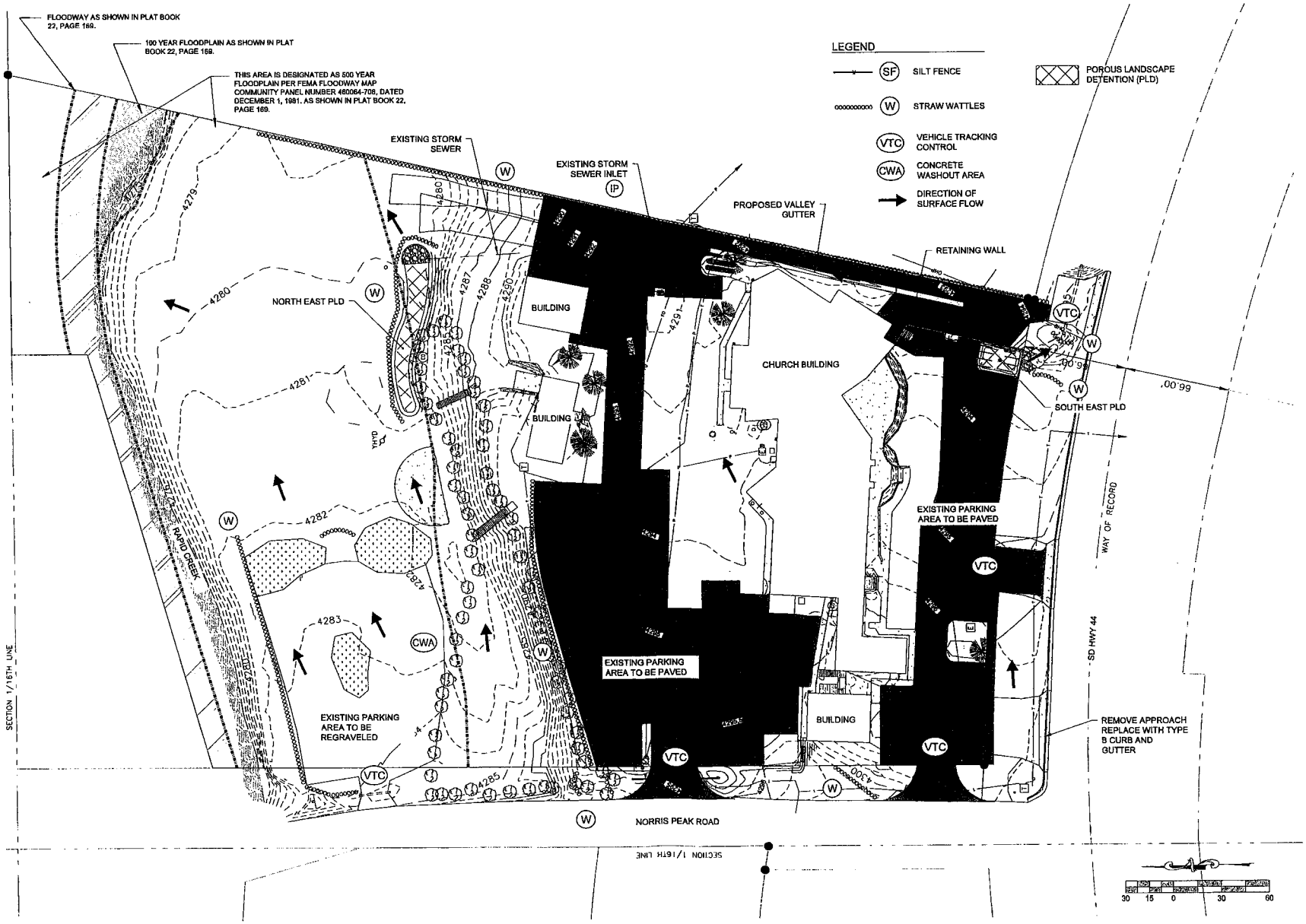
REGISTERED PROFESSIONAL ENGINEER
REG NO. 7244
TERRY L. CASH
SOUTH DAKOTA

Terry Cash
2019.04.05 14:20:05-05'00'

JOB No.:	22958.00
DATE:	APRIL 2019
DESIGNED BY:	TC
CHECKED BY:	TC
DRAWN BY:	CKM

0" 1/2" 1"
SCALE REDUCTION BAR

SHEET No.:
1.8



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PROJECT / SHEET TITLE:
RIMROCK CHURCH PARKING LOT PAVING
SWPPP LAYOUT PLAN
RAPID CITY, SOUTH DAKOTA

REV.	DATE	DESCRIPTION

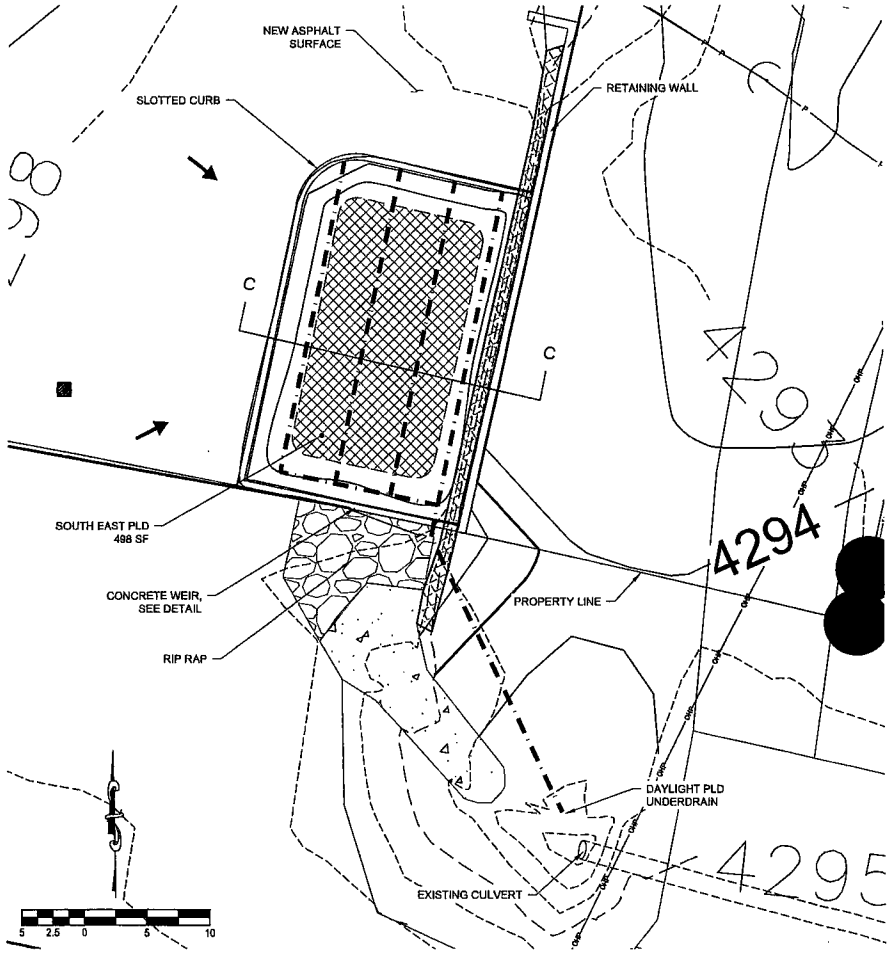
REGISTERED PROFESSIONAL ENGINEER
REG NO. 7244
TERRY CASH
SOUTH DAKOTA

Terry Cash
2018.04.05 14:20:18-06'00'

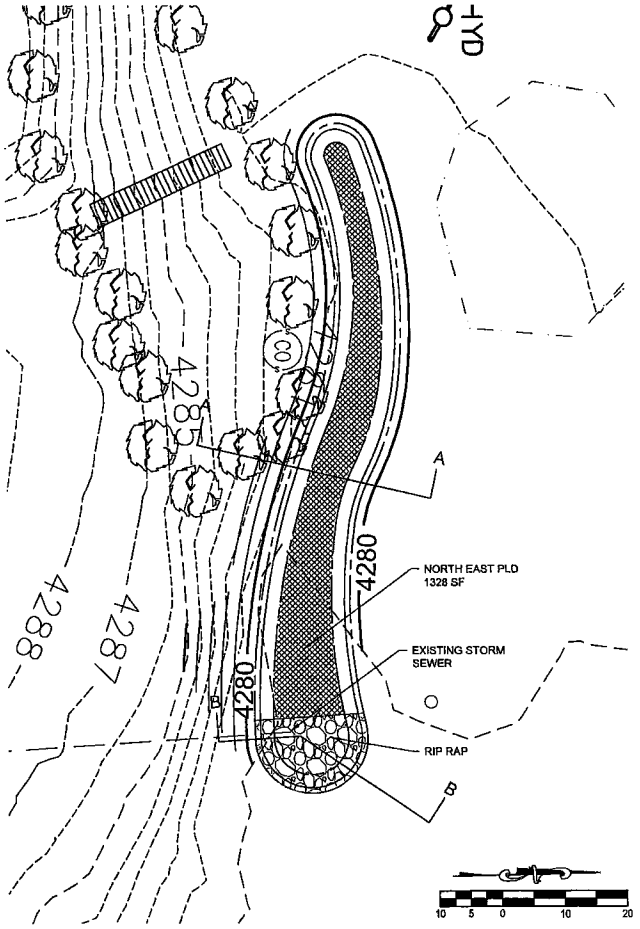
JOB No.:	22958.00
DATE:	APRIL 2018
DESIGNED BY:	TC
CHECKED BY:	TC
DRAWN BY:	CKM

SCALE REDUCTION BAR

SHEET No. :
1.9



SOUTH EAST POROUS LANDSCAPE DETENTION (PLD)



NORTHEAST POROUS LANDSCAPE DETENTION (PLD)

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PROJECT / SHEET TITLE:
RIMROCK CHURCH PARKING LOT PAVING
POROUS LANDSCAPE DETENTION PLAN
RAPID CITY, SOUTH DAKOTA

REV.	DATE	DESCRIPTION

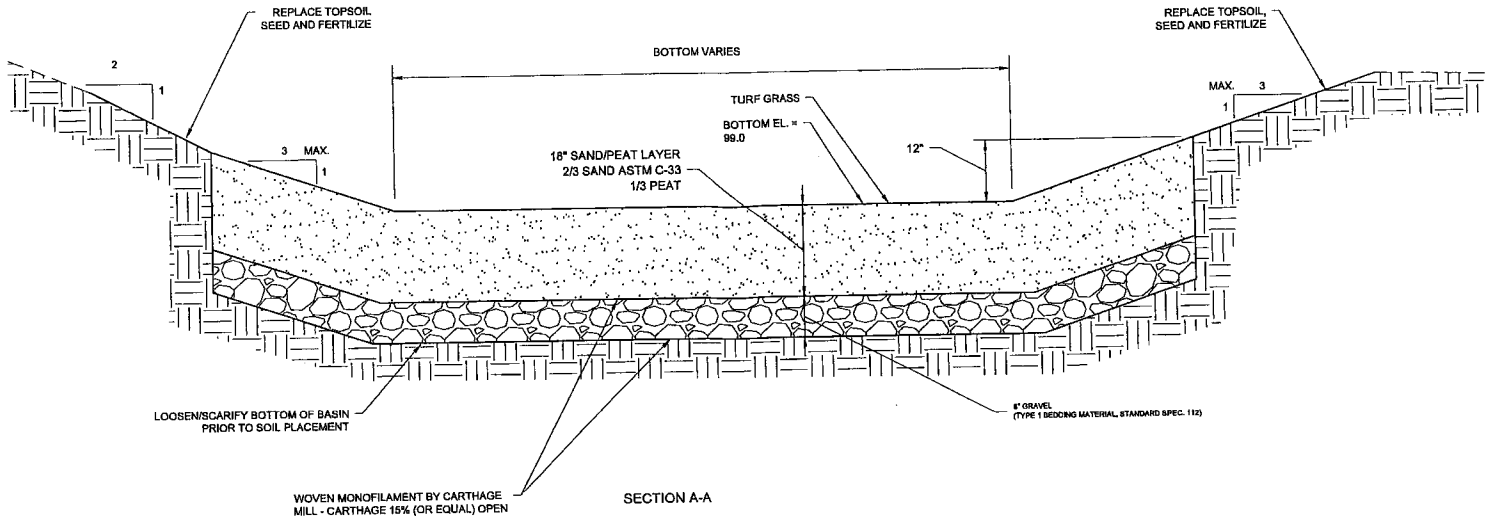
REGISTERED PROFESSIONAL ENGINEER
REG NO. 7244
TERRY L. CASH
SOUTH DAKOTA

Terry Cash
2018.04.05 14:20:33-05'00'

JOB No.:	22958.00
DATE:	APRIL 2018
DESIGNED BY:	TC
CHECKED BY:	TC
DRAWN BY:	CKM

SCALE REDUCTION BAR

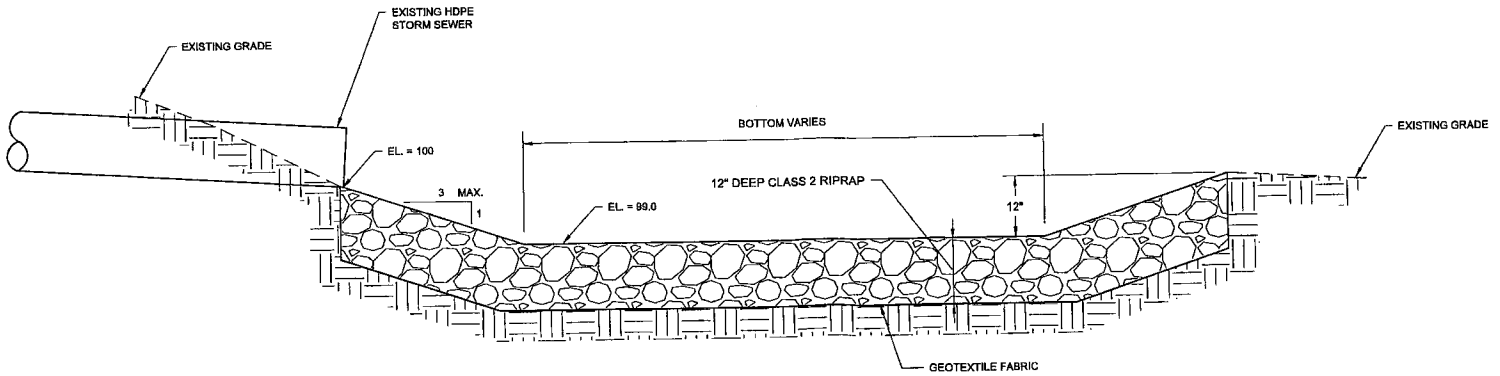
SHEET No. :
1.10



SECTION A-A

NORTH EAST PLD

SCALE: NONE



SECTION B-B

NORTH EAST PLD

SCALE: NONE

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PROJECT / SHEET TITLE:
RIMROCK CHURCH PARKING LOT PAVING
EROSION CONTROL DETAILS
RAPID CITY, SOUTH DAKOTA

REV.	DATE	DESCRIPTION

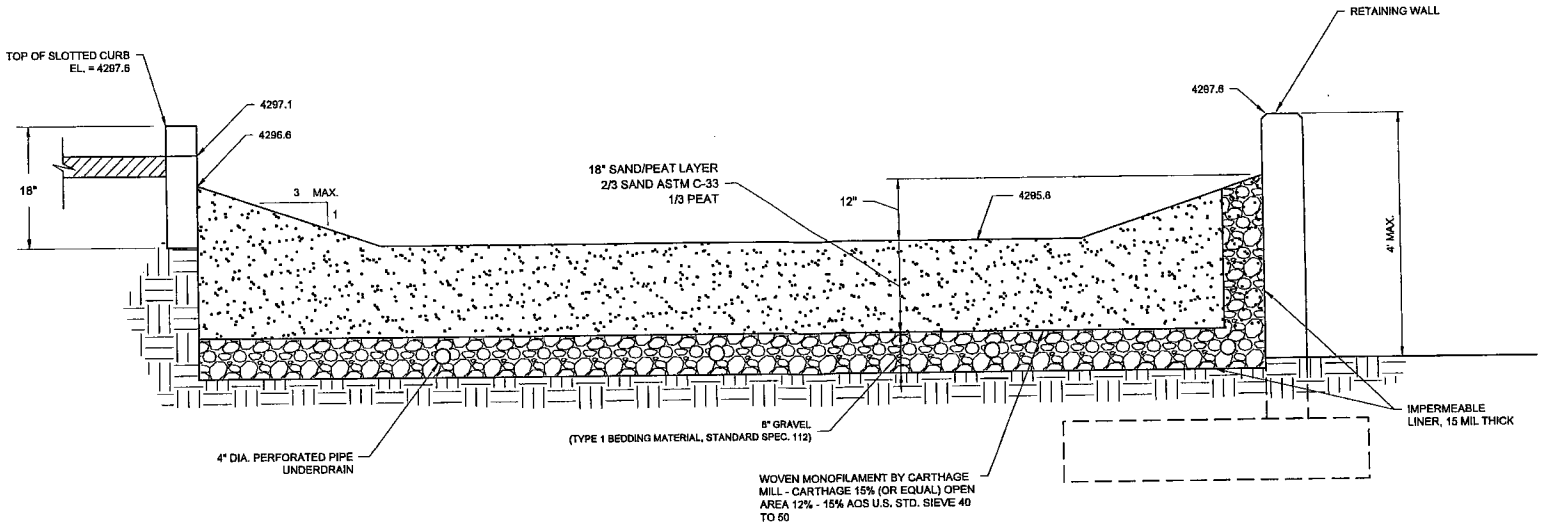
REGISTERED PROFESSIONAL ENGINEER
REG. NO. 7244
TERRY L. CASH
SOUTH DAKOTA

Terry Cash
2019.04.05 14:20:48-06'00'

JOB No.:	22958.00
DATE:	APRIL 2019
DESIGNED BY:	TC
CHECKED BY:	TC
DRAWN BY:	CKM

0 1/2" 1"
SCALE REDUCTION BAR

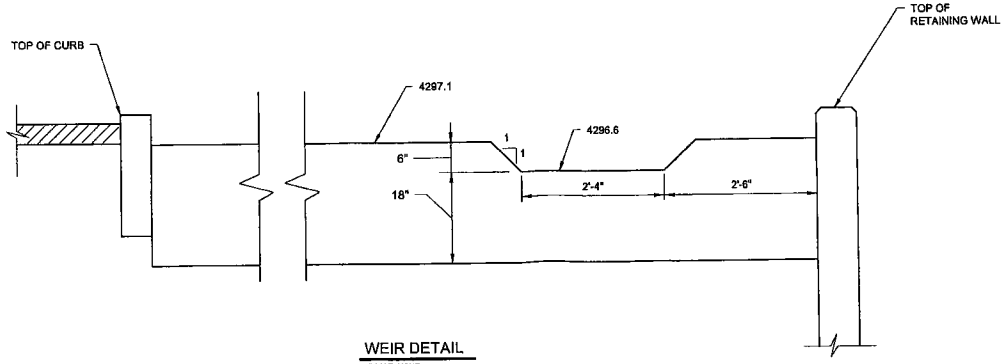
SHEET No. :
1.11



SECTION C-C

SOUTH EAST PLD

SCALE: NONE



WEIR DETAIL

SCALE: NONE

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PROJECT / SHEET TITLE:
RIMROCK CHURCH PARKING LOT PAVING
EROSION CONTROL DETAILS
RAPID CITY, SOUTH DAKOTA

REV.	DATE	DESCRIPTION

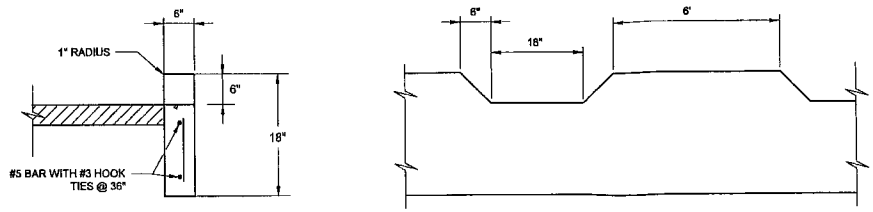
REGISTERED PROFESSIONAL ENGINEER
REG. NO. 7244
TERRY L. CASH
SOUTH DAKOTA

Terry Cash
2019.04.05 14:21:05-06'00'

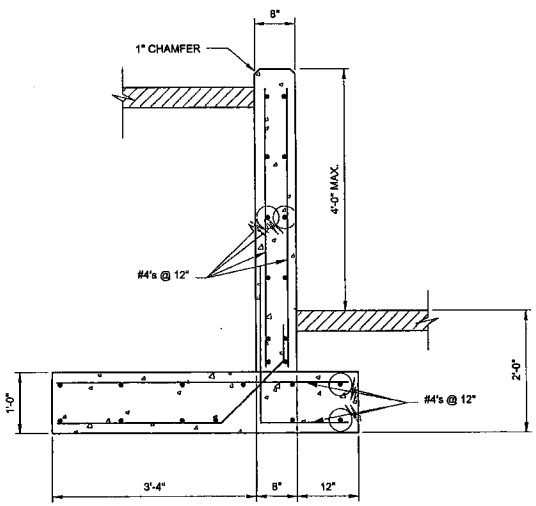
JOB No.:	22958.00
DATE:	APRIL 2019
DESIGNED BY:	TC
CHECKED BY:	TC
DRAWN BY:	CKM

0" 1/2" 1"
SCALE REDUCTION BAR

SHEET No.:
1.12



SLOTTED CURB DETAIL
SCALE: NONE



RETAINING WALL DETAIL
SCALE: NONE

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PROJECT / SHEET TITLE:
RIMROCK CHURCH PARKING LOT PAVING
EROSION CONTROL DETAILS
RAPID CITY, SOUTH DAKOTA

REV.	DATE	DESCRIPTION

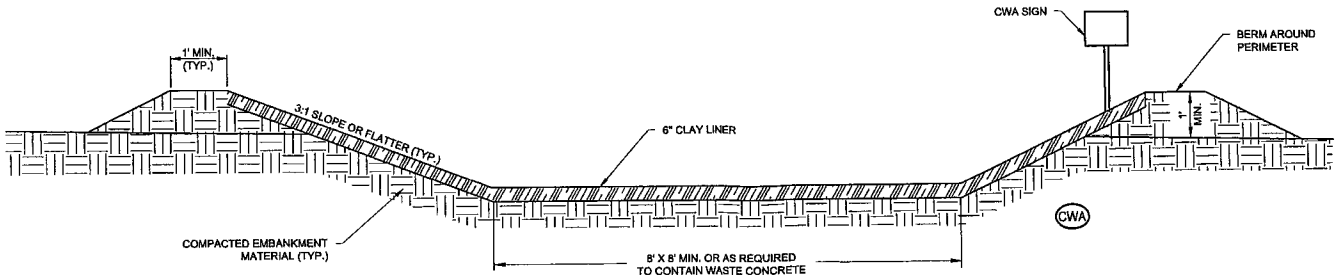
REGISTERED PROFESSIONAL ENGINEER
REG NO. 7244
TERRY CASH
SOUTH DAKOTA

Terry Cash
2019.04.05 14:21:20-06'00'

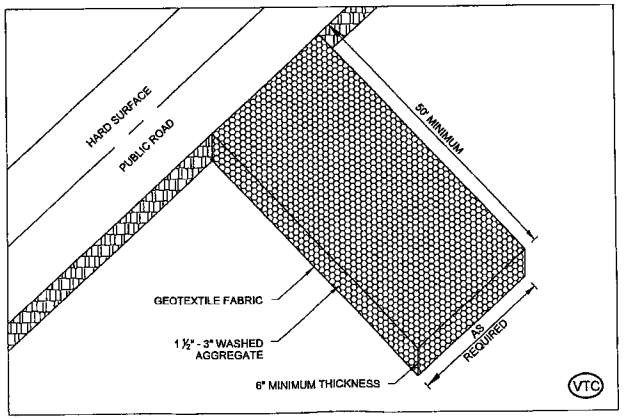
JOB No.:	22958.00
DATE:	APRIL 2019
DESIGNED BY:	TC
CHECKED BY:	TC
DRAWN BY:	CKM

SCALE REDUCTION BAR

SHEET No.: 1.13



CONCRETE WASHOUT AREA
SCALE: NONE



TEMPORARY VEHICLE TRACKING CONTROL
SCALE: NONE

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PROJECT / SHEET TITLE:
RIMROCK CHURCH PARKING LOT PAVING
EROSION CONTROL DETAILS
RAPID CITY, SOUTH DAKOTA

REV.	DATE	DESCRIPTION

REGISTERED PROFESSIONAL ENGINEER
REG. NO. 7244
TERRY J. CASH
SOUTH DAKOTA

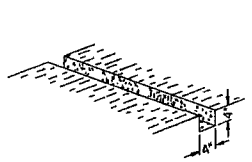
Terry Cash
2019.04.05 14:21:36-06'00'

JOB No.:	23956.00
DATE:	APRIL 2019
DESIGNED BY:	TC
CHECKED BY:	TC
DRAWN BY:	CKM

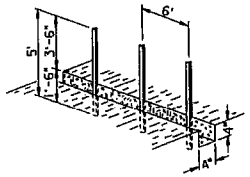
SCALE REDUCTION BAR

SHEET No.:
1.14

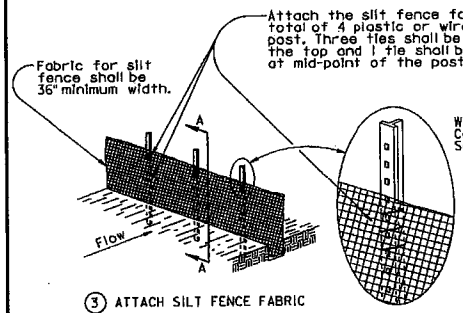
MANUAL HIGH FLOW SILT FENCE INSTALLATION



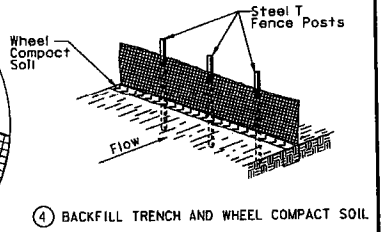
① EXCAVATE TRENCH



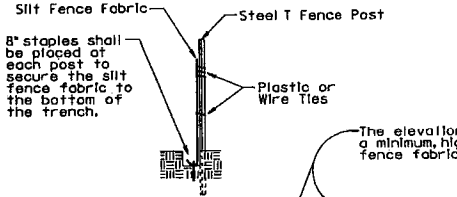
② DRIVE STEEL T FENCE POSTS



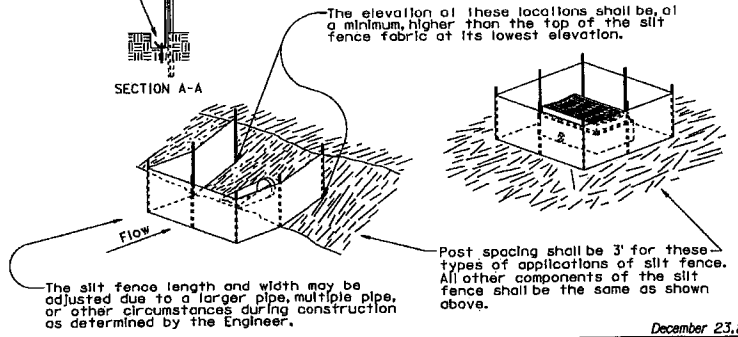
③ ATTACH SILT FENCE FABRIC



④ BACKFILL TRENCH AND WHEEL COMPACT SOIL



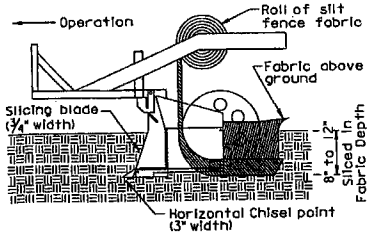
SECTION A-A



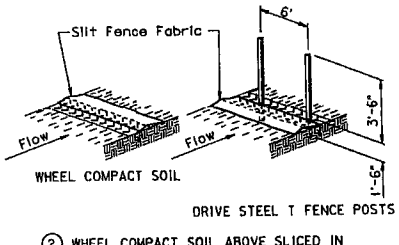
December 23, 2003

Published Date: 1st Qtr. 2019	SDDOT	HIGH FLOW SILT FENCE	PLATE NUMBER 734.05 Sheet 1 of 2

MACHINE SLICED HIGH FLOW SILT FENCE INSTALLATION



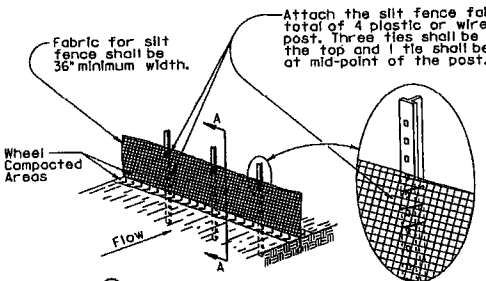
① INSTALL SILT FENCE FABRIC BY MACHINE SLICING METHOD.



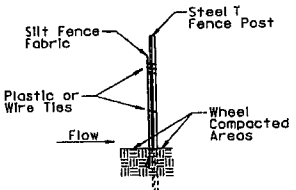
WHEEL COMPACT SOIL

DRIVE STEEL T FENCE POSTS

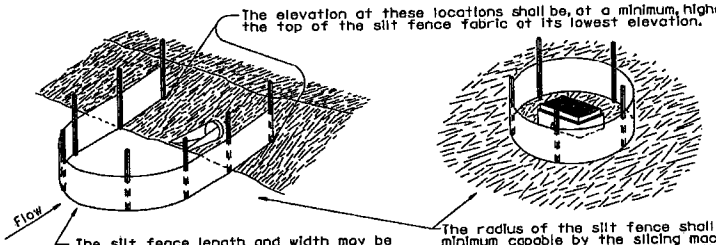
② WHEEL COMPACT SOIL ABOVE SLICED IN PORTION OF FABRIC AND THEN DRIVE STEEL T FENCE POSTS.



③ ATTACH SILT FENCE FABRIC



SECTION A-A



GENERAL NOTE:

If a trench can not be dug or the silt fence fabric can not be sliced in due to the type of earthen material (such as rock), then a row of 30 to 40 pound sandbags butted end to end shall be provided on top of the extra length of silt fence fabric to prevent underflow.

December 23, 2003

Published Date: 1st Qtr. 2019	SDDOT	HIGH FLOW SILT FENCE	PLATE NUMBER 734.05 Sheet 2 of 2

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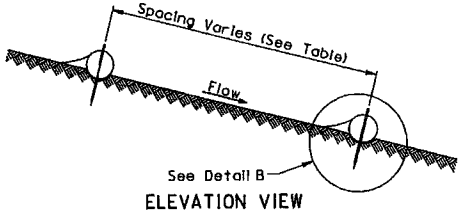
PROJECT / SHEET TITLE:
RIMROCK CHURCH PARKING LOT PAVING
EROSION CONTROL STANDARD PLATES
RAPID CITY, SOUTH DAKOTA

REV.	DATE	DESCRIPTION

JOB No.:	22958.00
DATE:	APRIL 2010
DESIGNED BY:	TC
CHECKED BY:	TC
DRAWN BY:	CKM

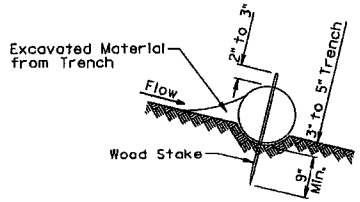
SCALE REDUCTION BAR

SHEET No :
1.15

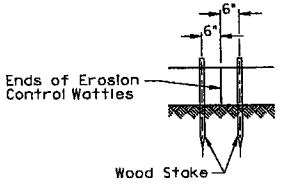


ELEVATION VIEW
CUT OR FILL SLOPE INSTALLATION

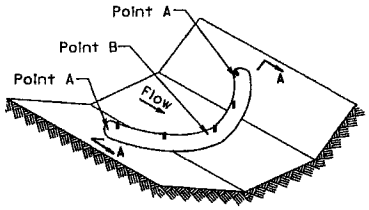
CUT OR FILL SLOPE INSTALLATION	
Slope	Spacing (Ft)
1:1	10
2:1	20
3:1	30
4:1	40



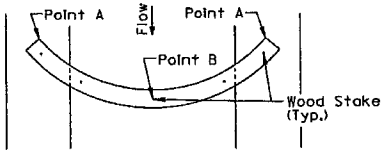
DETAIL B
(TYPICAL OF ALL INSTALLATIONS)



DETAIL C

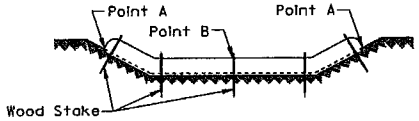


ISOMETRIC VIEW
DITCH INSTALLATION



PLAN VIEW
DITCH INSTALLATION

DITCH INSTALLATION	
Grade	Spacing (Ft)
2%	150
3%	100
4%	75
5%	50



SECTION A-A

December 23, 2004

Published Date: 1st Qtr. 2019

SDDOT

EROSION CONTROL WATTLE

PLATE NUMBER 734.06

Sheet 1 of 2

GENERAL NOTES:

At cut or fill slope installations, wattles shall be installed along the contour and perpendicular to the water flow.

At ditch installations, point A must be higher than point B to ensure that water flows over the wattle and not around the ends.

The Contractor shall dig a 3" to 5" trench, install the wattle tightly in the trench so that daylight can not be seen under the wattle, and then compact the soil excavated from the trench against the wattle on the uphill side. See Detail B.

The stakes shall be 1"x2" or 2"x2" wood stakes, however, other types of stakes such as rebar may be used only if approved by the Engineer. The stakes shall be placed 6" from the ends of the wattles and the spacing of the stakes along the wattles shall be 3' to 4'.

Where installing running lengths of wattles, the Contractor shall butt the second wattle tightly against the first and shall not overlap the ends. See Detail C.

The Contractor and Engineer shall inspect the erosion control wattles once every week and within 24 hours after every rainfall event greater than ½". The Contractor shall remove, dispose, or reshape the accumulated sediment when necessary as determined by the Engineer.

Sediment removal, disposal, or necessary shaping shall be as directed by the Engineer. All costs for removing accumulated sediment, disposal of sediment, and necessary shaping shall be incidental to the contract unit price per cubic yard for "Remove Sediment".

All costs for furnishing and installing the erosion control wattles including labor, equipment, and materials shall be incidental to the contract unit price per foot for the corresponding erosion control wattle bid item.

All costs for removing the erosion control wattle from the project including labor, equipment, and materials shall be incidental to the contract unit price per foot for "Remove Erosion Control Wattle".

December 23, 2004

Published Date: 1st Qtr. 2019

SDDOT

EROSION CONTROL WATTLE

PLATE NUMBER 734.06

Sheet 2 of 2

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PROJECT / SHEET TITLE:
RIMROCK CHURCH PARKING LOT PAVING
EROSION CONTROL STANDARD PLATES
RAPID CITY, SOUTH DAKOTA

REV.	DATE	DESCRIPTION

JOB No.:	22953.00
DATE:	APRIL 2019
DESIGNED BY:	TG
CHECKED BY:	TG
DRAWN BY:	CKM

SCALE REDUCTION MAR

SHEET No : 1.16

Agenda Item #29
Pennington County
May 13, 2019

29

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	**James Kjerstad**
Lyle Hendrickson	**Gale Holbrook**

Planning Commission

Linda Peterson, Chairperson

Bob Brandt	**E.L. "Gene" Deyo**
Tim Pfisterer	**Russell Stewart**
John Herr	

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.

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Comprehensive Plan







Lars Plougmann; *View of the Ranch from the East at Sunset*; CC BY SA 2.0; Flickr.com

Pennington County Comprehensive Plan

VIEW TO 2040

Public Review Draft

July 2018



Pennington County Comprehensive Plan

VIEW TO 2040



Pennington County Comprehensive Plan

VIEW TO 2040

Public Review Draft

Prepared for:

PENNINGTON COUNTY

130 Kansas City St. Suite 200
Rapid City, SD 57701

Prepared by:

Matrix DESIGN GROUP

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

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- P.J. Conover..... Planning Director
- Jerome Harvey..... County Fire Administrator
- Holli Hennies..... Commission Office Manager
- Michaele 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.



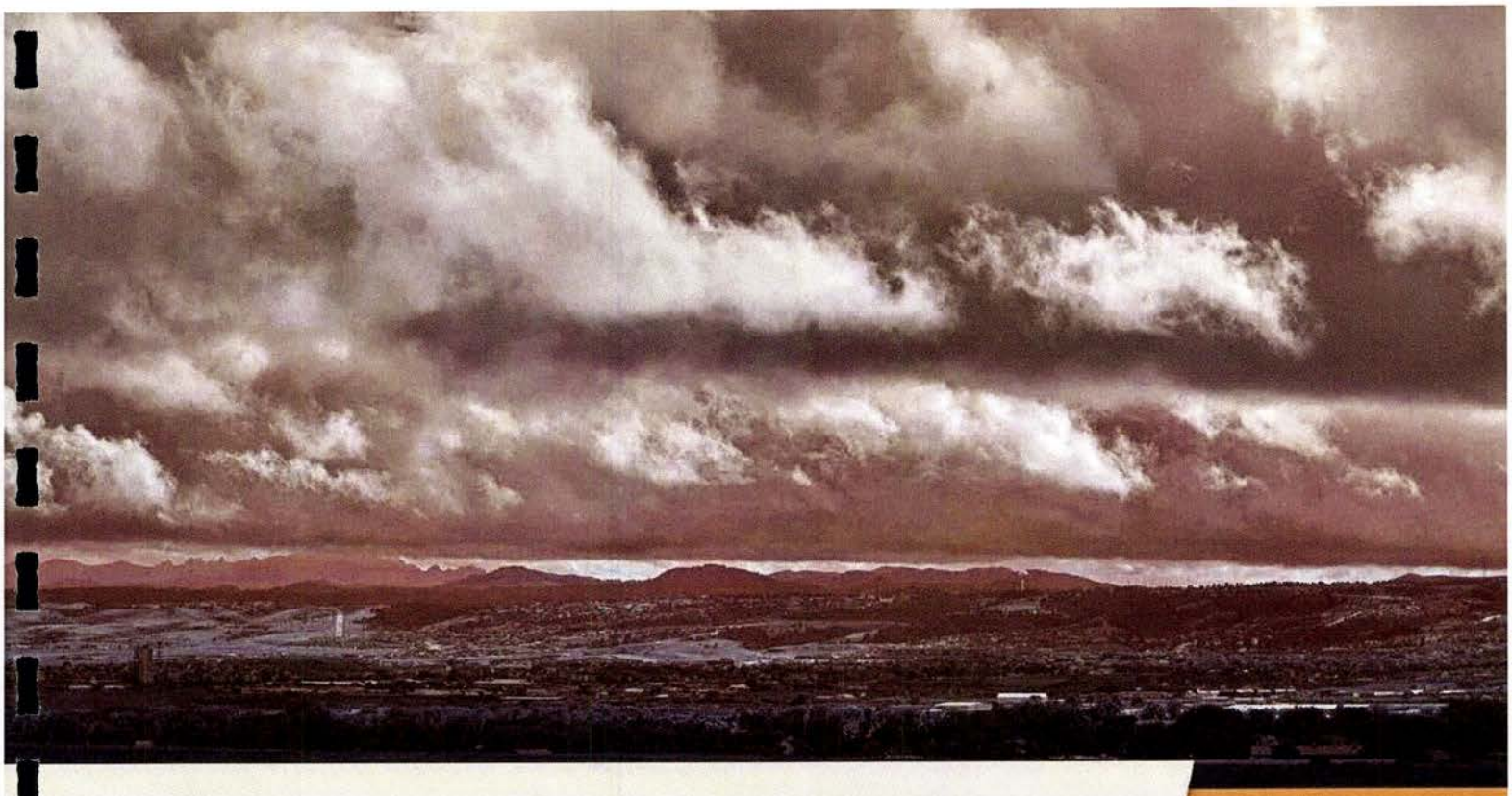
Project Consultant

Matrix DESIGN GROUP

Celeste Werner, AICP
Project Director

Rick Rust, AICP, GISP
Project Manager

Felipe Zubia, AICP
Senior Planner



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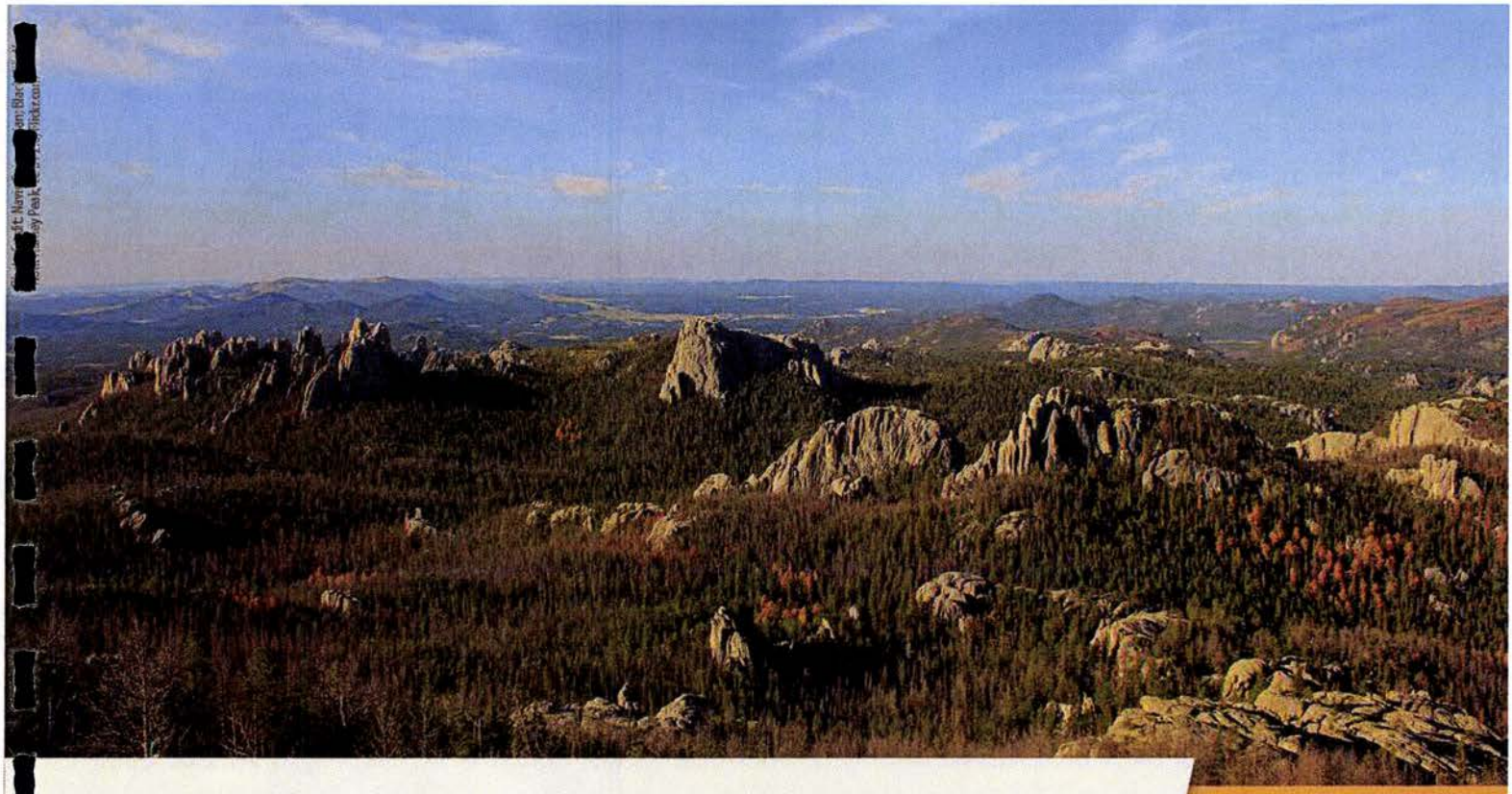


Introduction

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.

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.

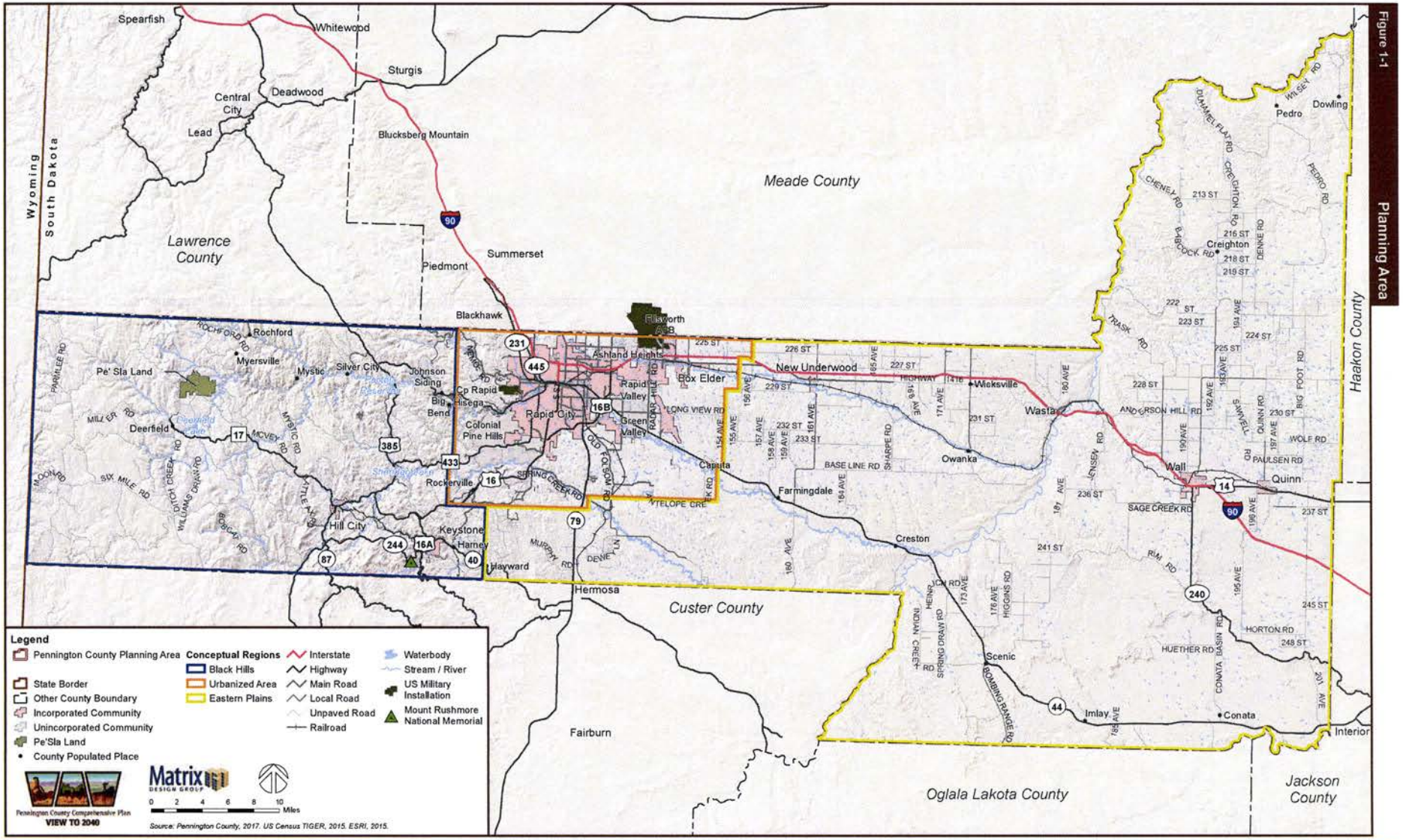


Figure 1-1
Planning Area
Spearfish
Whitewood
Sturgis
Deadwood
Central City
Lead
Blucksberg Mountain
Wyoming
South Dakota
Meade County
Lawrence County
Piedmont
Summerset
Blackhawk
Rochford
Myersville
Pe' Sla Land
Mystic
Silver City
Johnson Siding
Cp Rapid
Bidwell Bend
Deerfield
Ellsworth AFB
Ashland Heights
Rapid Valley
Box Elder
Rapid City
Green Valley
Colonial Pine Hills
New Underwood
Wicksville
Wasta
Owanka
Capitla
Farmingdale
Creston
Rockerville
Keystone
Harney
Hill City
Hayward
Hermosa
Custer County
Fairburn
Scenic
Imlay
Conata
Interior
Wall
Quinn
Pedro
Dowling
Creighton
Haakon County
Jackson County
Oglala Lakota County
Legend
Pennington County Planning Area
State Border
Other County Boundary
Incorporated Community
Unincorporated Community
Pe'Sla Land
County Populated Place
Conceptual Regions
Black Hills
Urbanized Area
Eastern Plains
Interstate
Highway
Main Road
Local Road
Unpaved Road
Railroad
Waterbody
Stream / River
US Military Installation
Mount Rushmore National Memorial
Pennington County Comprehensive Plan
VIEW TO 2040
Matrix Design Group
0 2 4 6 8 10 Miles
Source: Pennington County, 2017. US Census TIGER, 2015. ESRI, 2015.

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.

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

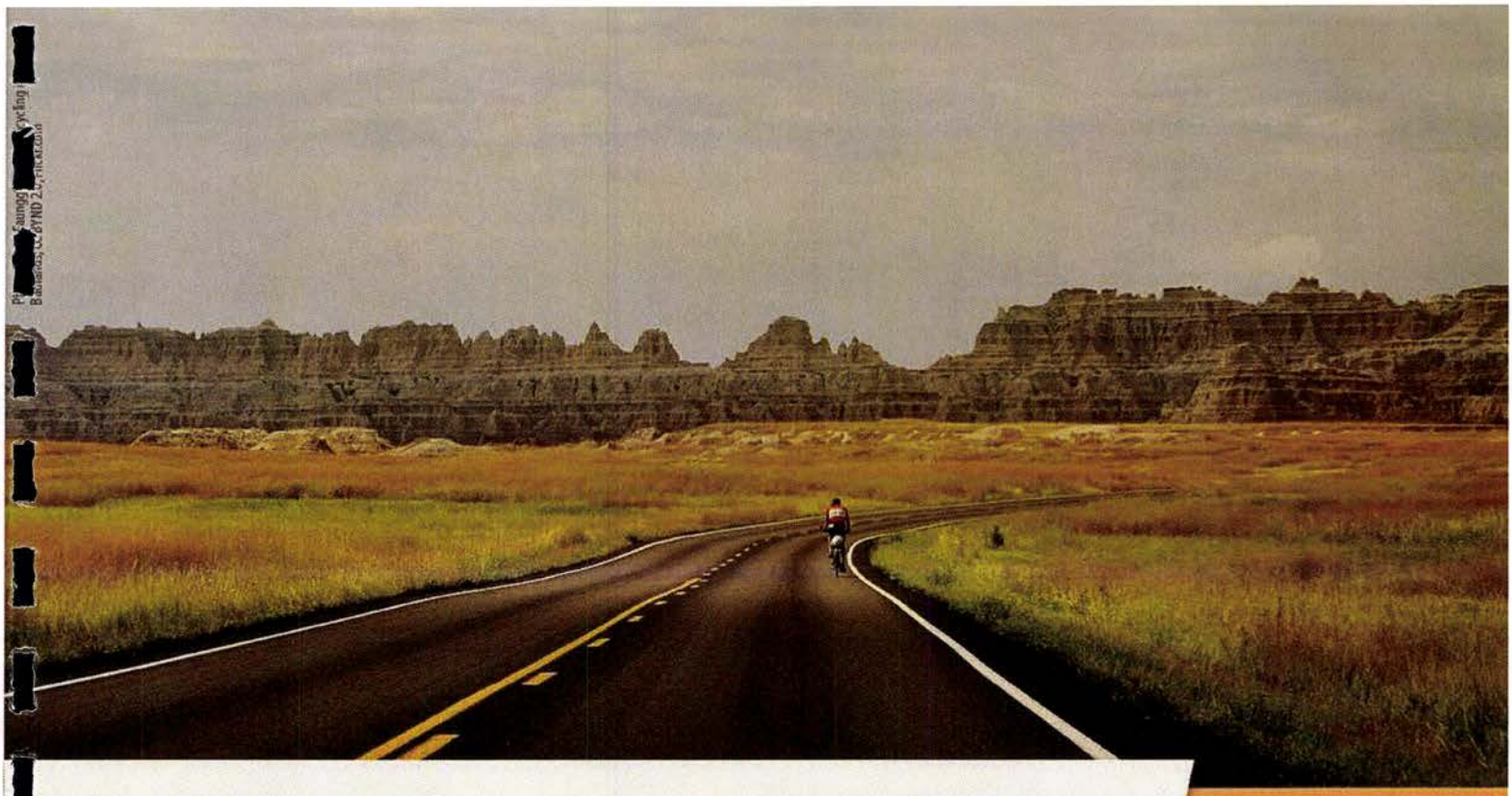


Central Pennington Focus Area



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.*

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

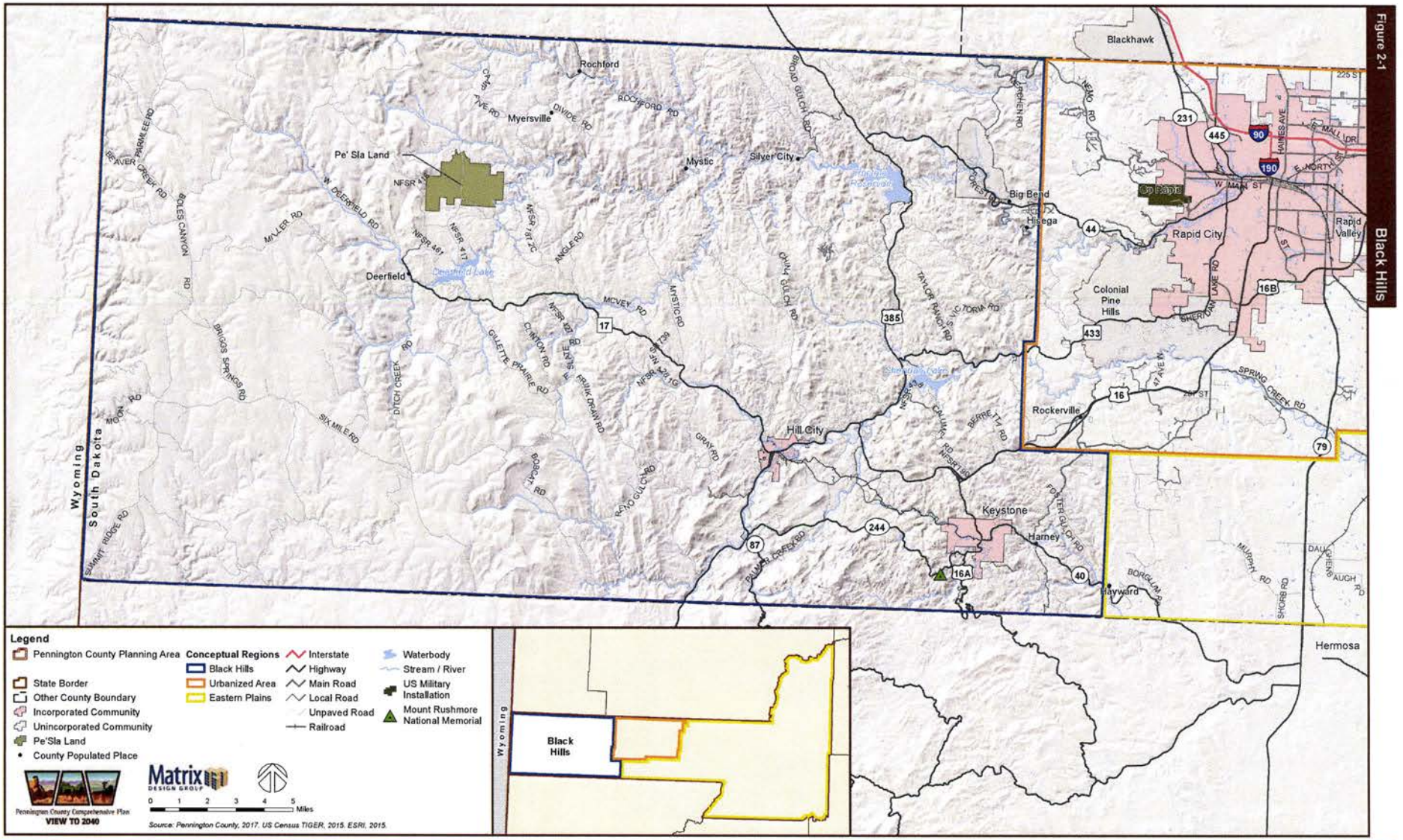
The Black Hills Focus Area is defined as the portion of Pennington County that is west of the Rapid City Area Metropolitan Planning Organization (MPO) boundary. Much of the area is within the Black Hills National Forest. Major transportation facilities include Highways 16 and 44, which run primarily 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.

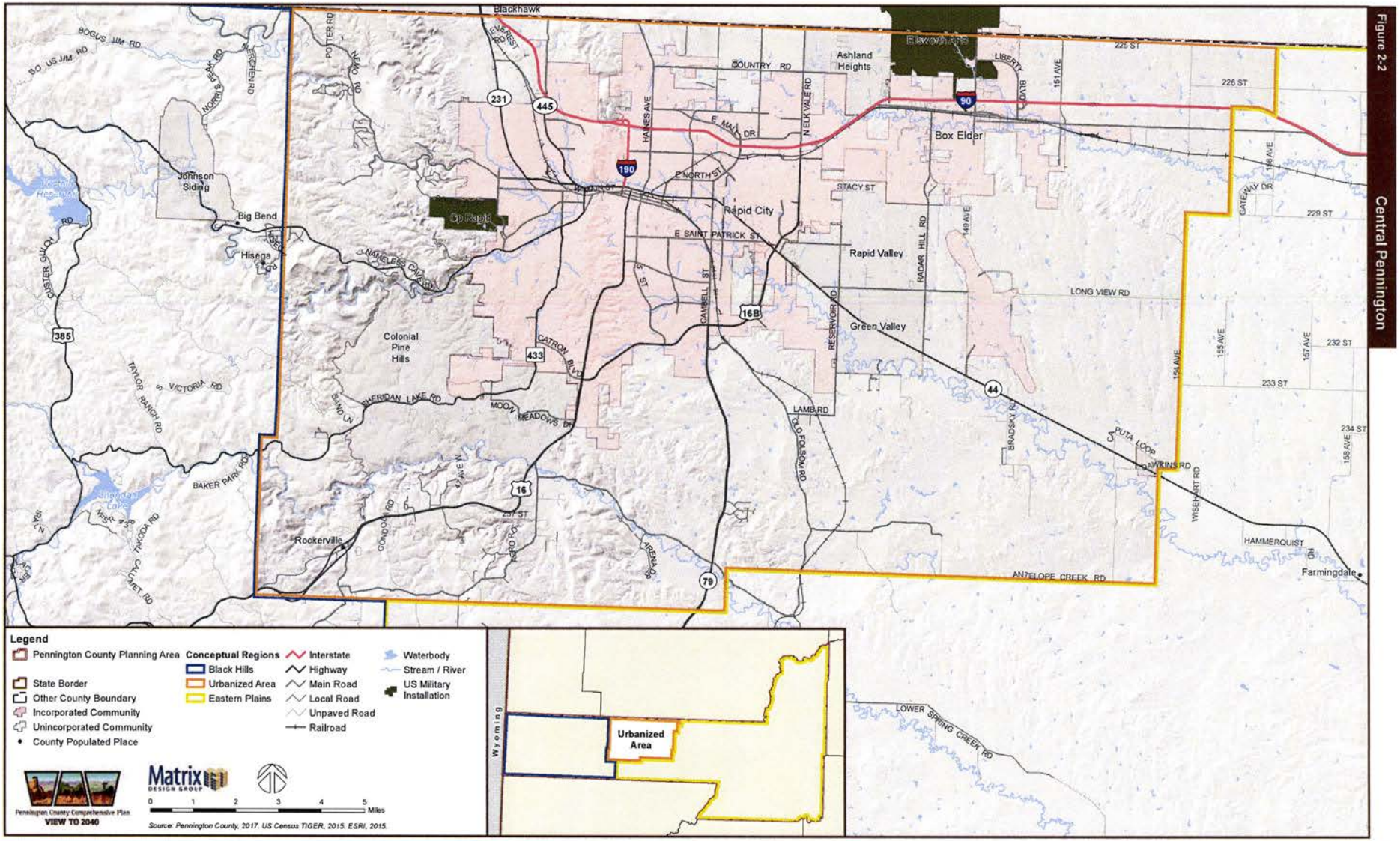
Issues and Opportunities

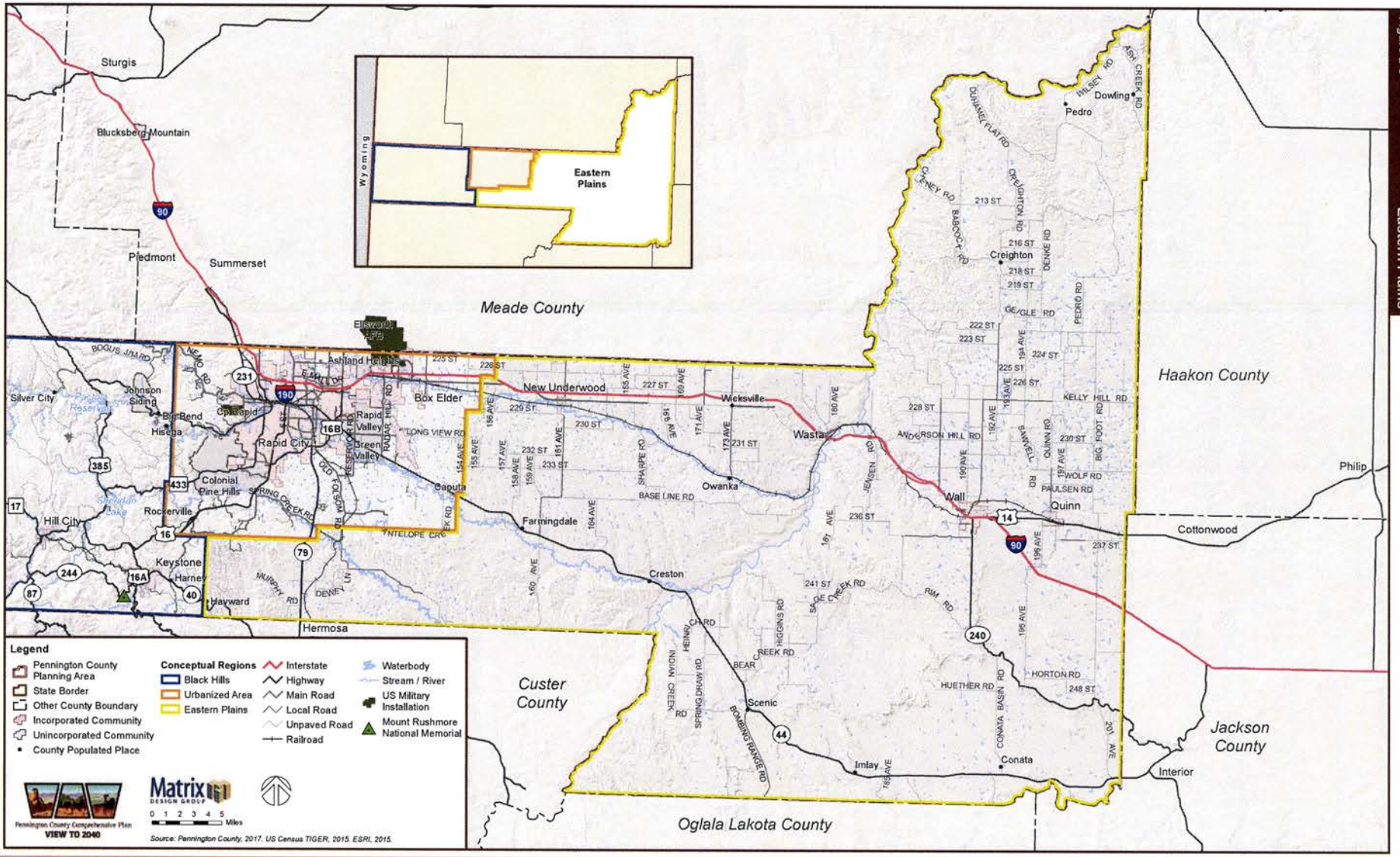
The character for the Black Hills is built from the forest landscapes which provide natural resources as well as opportunities for tourism. Once a major gold rush site, mining and timber harvesting are still active in the area. The largest economic sector in the area is tourism. Tourism is anchored by 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.


Blackhawk
Rochford
Myersville
Pe' Sla Land
Mystic
Silver City
Deerfield
Big Bend
Hisega
Rapid City
Rapid Valley
Colonial Pine Hills
Rockerville
Hill City
Keystone
Harney
Hayward
Hermosa
Wyoming
South Dakota
Legend
Pennington County Planning Area
State Border
Other County Boundary
Incorporated Community
Unincorporated Community
Pe'Sla Land
County Populated Place
Conceptual Regions
Black Hills
Urbanized Area
Eastern Plains
Interstate
Highway
Main Road
Local Road
Unpaved Road
Railroad
Waterbody
Stream / River
US Military Installation
Mount Rushmore National Memorial
Pennington County Comprehensive Plan
VIEW TO 2040
Matrix DESIGN GROUP
0 1 2 3 4 5 Miles
Source: Pennington County, 2017. US Census TIGER, 2015. ESRI, 2015.
Black Hills


Blackhawk
Ellsworth AFB
Ashland Heights
Box Elder
Johnson Siding
Big Bend
Hisega
Rapid City
Rapid Valley
Green Valley
Colonial Pine Hills
Rockerville
Sheridan Lake
Farmingdale
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
Interstate
Highway
Main Road
Local Road
Unpaved Road
Railroad
Waterbody
Stream / River
US Military Installation
Wyoming
Urbanized Area
Pennington County Comprehensive Plan
VIEW TO 2040
Matrix DESIGN GROUP
0 1 2 3 4 5 Miles
Source: Pennington County, 2017, US Census TIGER, 2015, ESRI, 2015.


Sturgis
Blacksberg Mountain
Piedmont
Summerset
Meade County
Wyoming
Eastern Plains
Elsworth AFB
Ashland Heights
Box Elder
New Underwood
Weksville
Wasta
Owanka
Caputa
Farmingdale
Creston
Scenic
Imlay
Conata
Interior
Haakon County
Jackson County
Oglala Lakota County
Custer County
Dowling
Pedro
Creighton
Philip
Cottonwood
Quinn
Wall
Silver City
Johnson Siding
Big Bend
Hisega
Rapid City
Rapid Valley
Green Valley
Colonial Pine Hills
Rockerville
Hill City
Keystone
Harney
Hayward
Hermosa
Legend
Pennington County Planning Area
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Incorporated Community
Unincorporated Community
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Mount Rushmore National Memorial
Pennington County Comprehensive Plan
VIEW TO 2040
Matrix DESIGN GROUP
0 1 2 3 4 5 Miles
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 Sherriff 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.

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 3-1included 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.

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** ▶ 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** ▶ 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** ▶ 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

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** ▶ 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** ▶ 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** ▶ 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	**Purpose and Application** 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. **Allowed Uses** ▶ 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

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** ▶ 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** ▶ 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** ▶ 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** ▶ 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

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** ▶ 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** ▶ 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 Compatibly

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.

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, restaraunts, 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 encouage 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.

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.

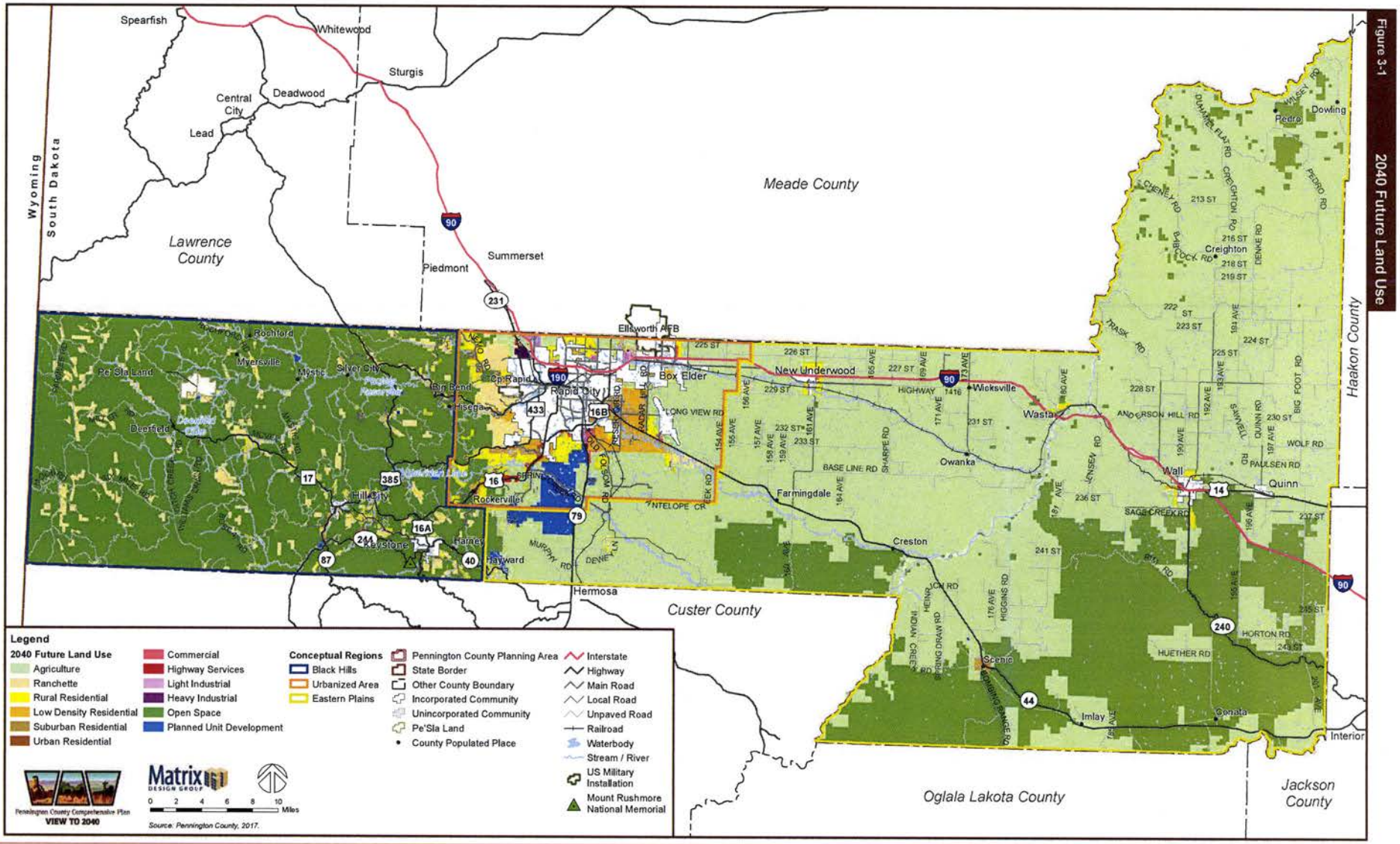
Goal LUH-9 The County should provide on-going administration and implementation of the Pennington County Comprehensive Plan.

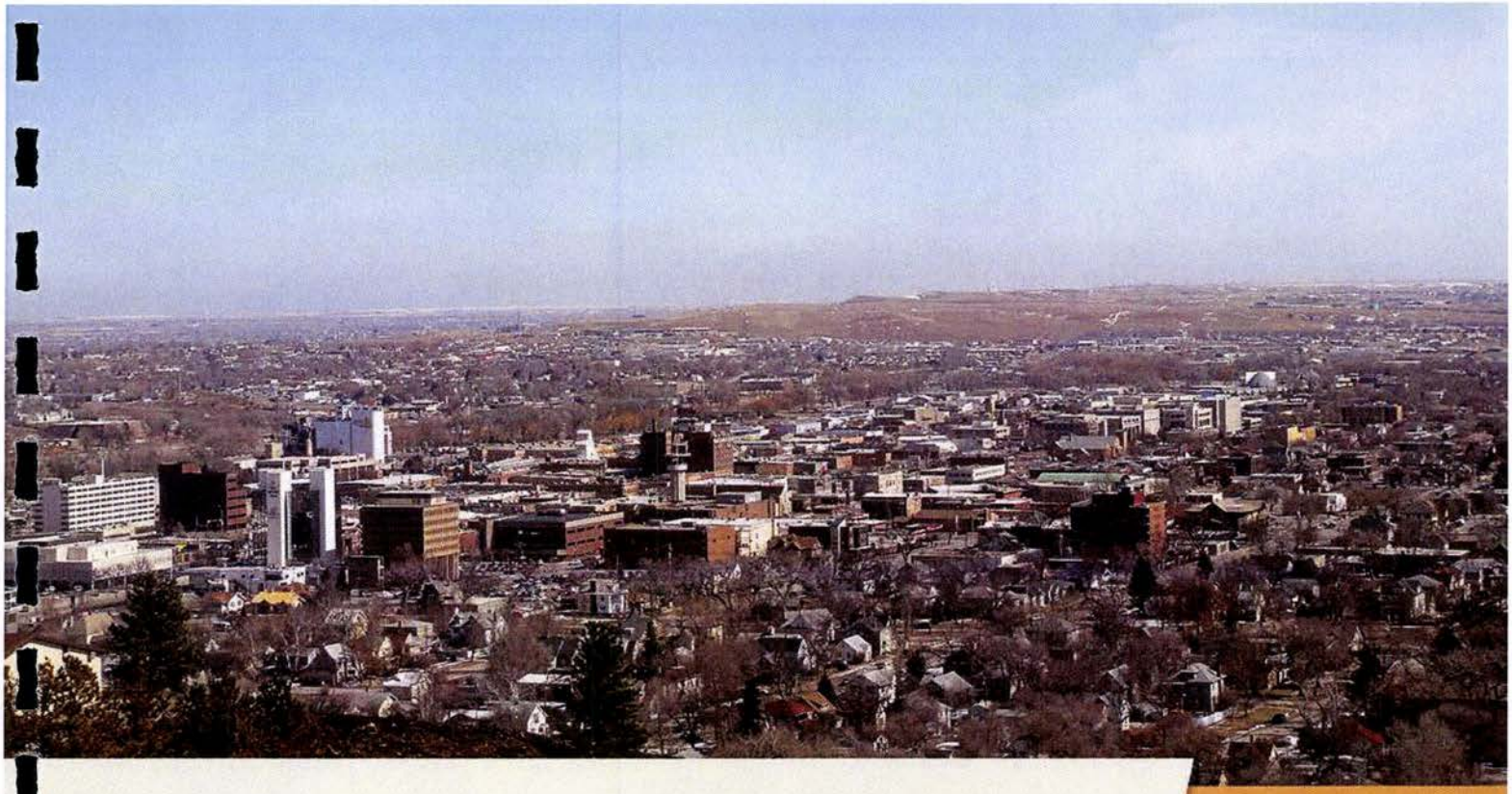
LUH-9.1 The County shall maintain the Comprehensive Plan as needed to ensure that it reflects the needs and desires of those who live, work, and vacation in Pennington County.

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.

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.

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 etablishing 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 diver 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.

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.

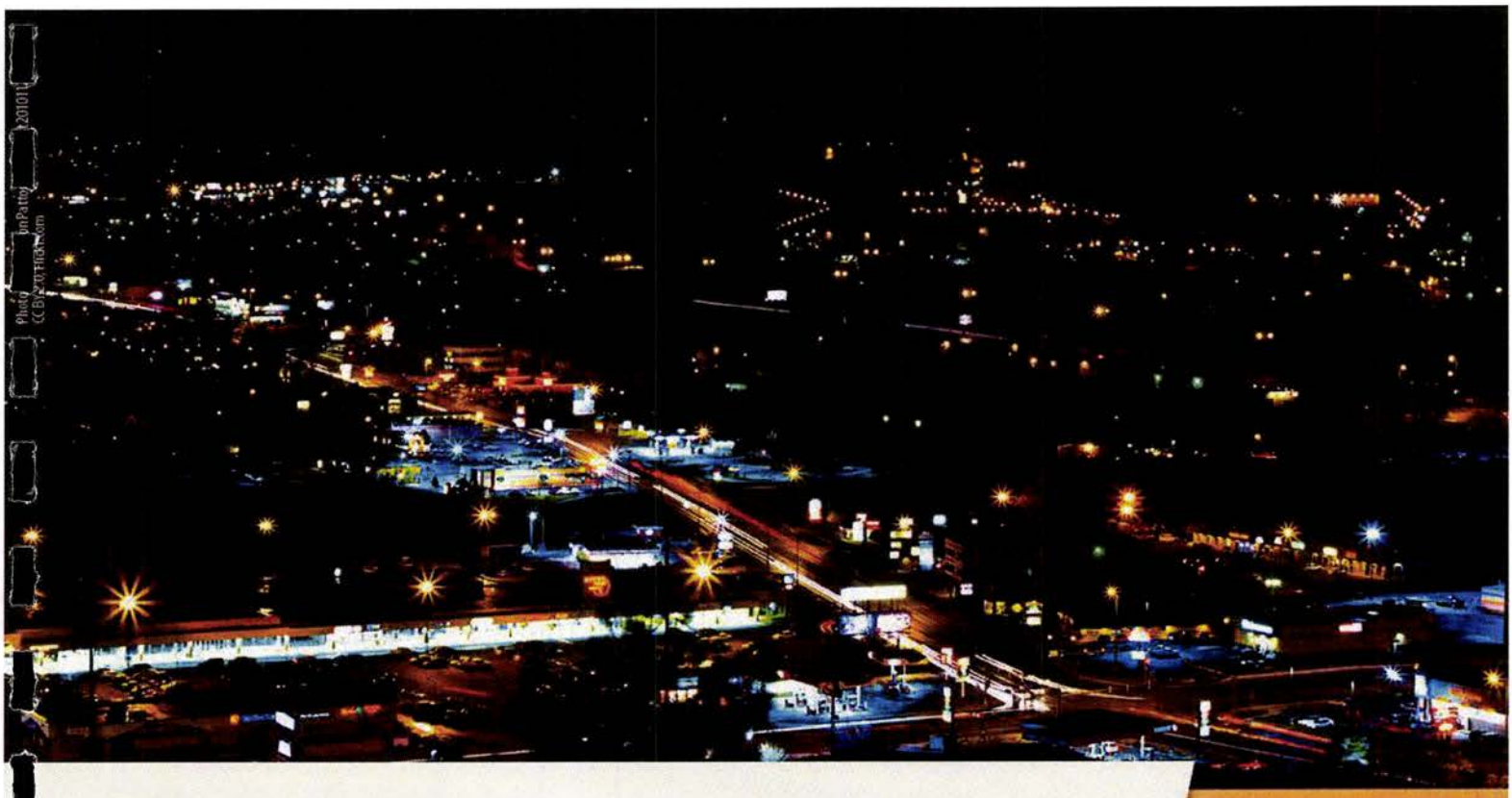
AG-1.12 The County will support the expansion of agricultural tourism that helps maintain sites in agricultural production, provided these activities do not negatively impact on-going agricultural operations on adjacent lands.

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

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.



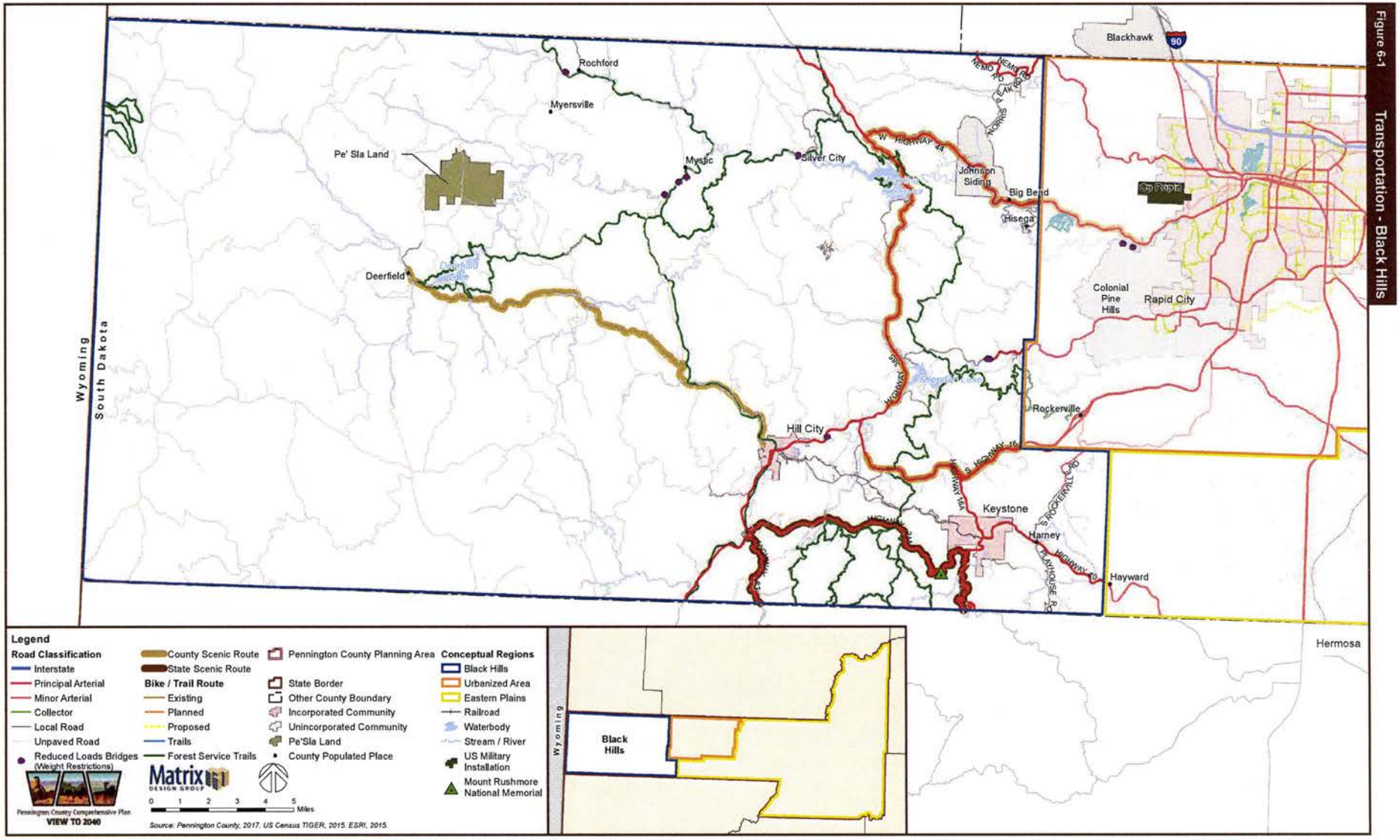
Scenic Byways

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.


Blackhawk
90
Rochford
Myersville
Pe' Sla Land
Mystic
Silver City
Johnson Siding
Big Bend
Hisega
Deerfield
Colonial Pine Hills
Rapid City
Wyoming
South Dakota
Rockerville
Hill City
Keystone
Harney
Hayward
Hermosa
Legend
Road Classification
Interstate
Principal Arterial
Minor Arterial
Collector
Local Road
Unpaved Road
Reduced Loads Bridges (Weight Restrictions)
County Scenic Route
State Scenic Route
Bike / Trail Route
Existing
Planned
Proposed
Trails
Forest Service Trails
Pennington County Planning Area
State Border
Other County Boundary
Incorporated Community
Unincorporated Community
Pe'Sla Land
County Populated Place
Conceptual Regions
Black Hills
Urbanized Area
Eastern Plains
Railroad
Waterbody
Stream / River
US Military Installation
Mount Rushmore National Memorial
Matrix Design Group
0 1 2 3 4 5 Miles
Pennington County Comprehensive Plan
VIEW TO 2040
Source: Pennington County, 2017, US Census TIGER, 2015, ESRI, 2015.
Wyoming
Black Hills

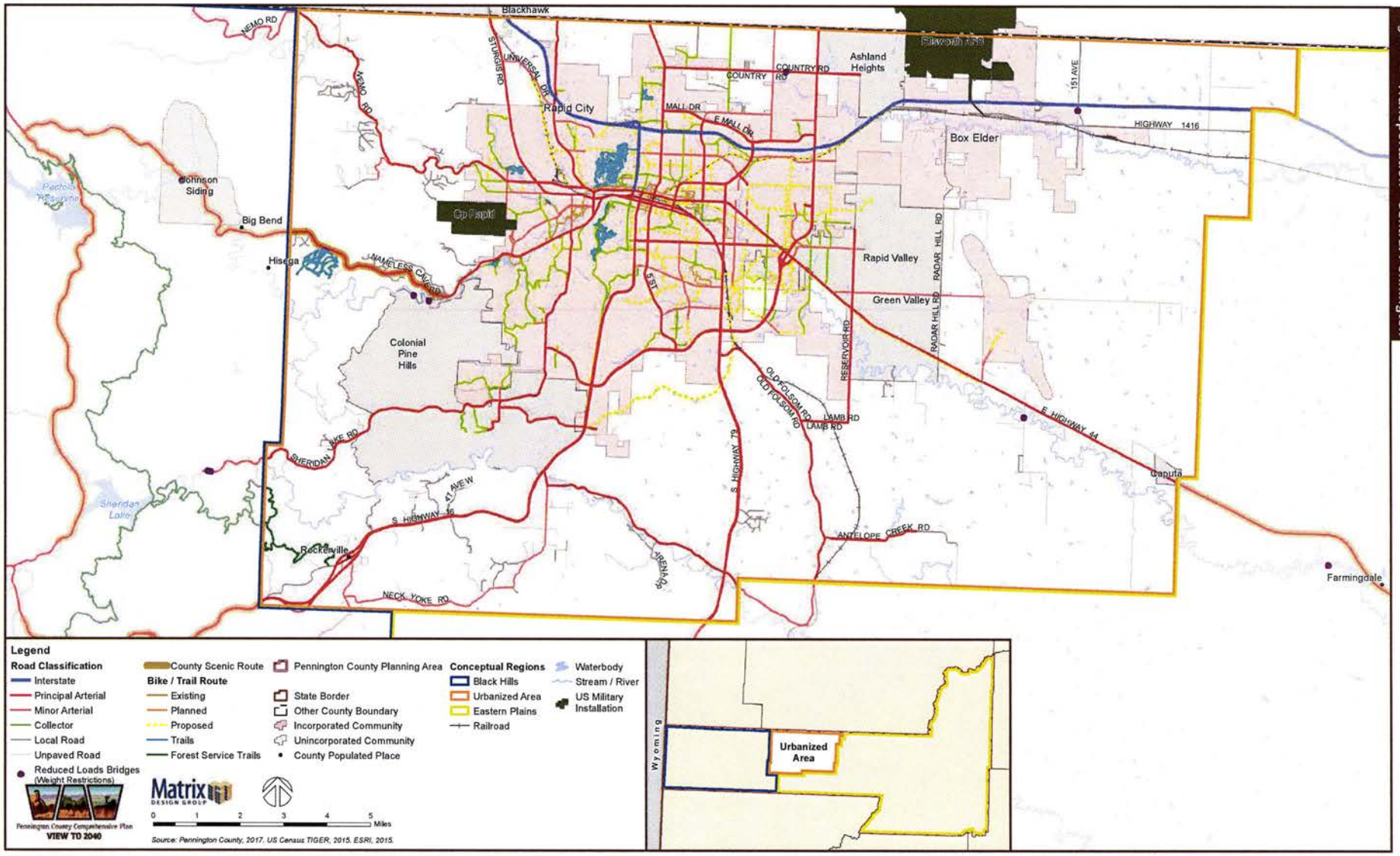
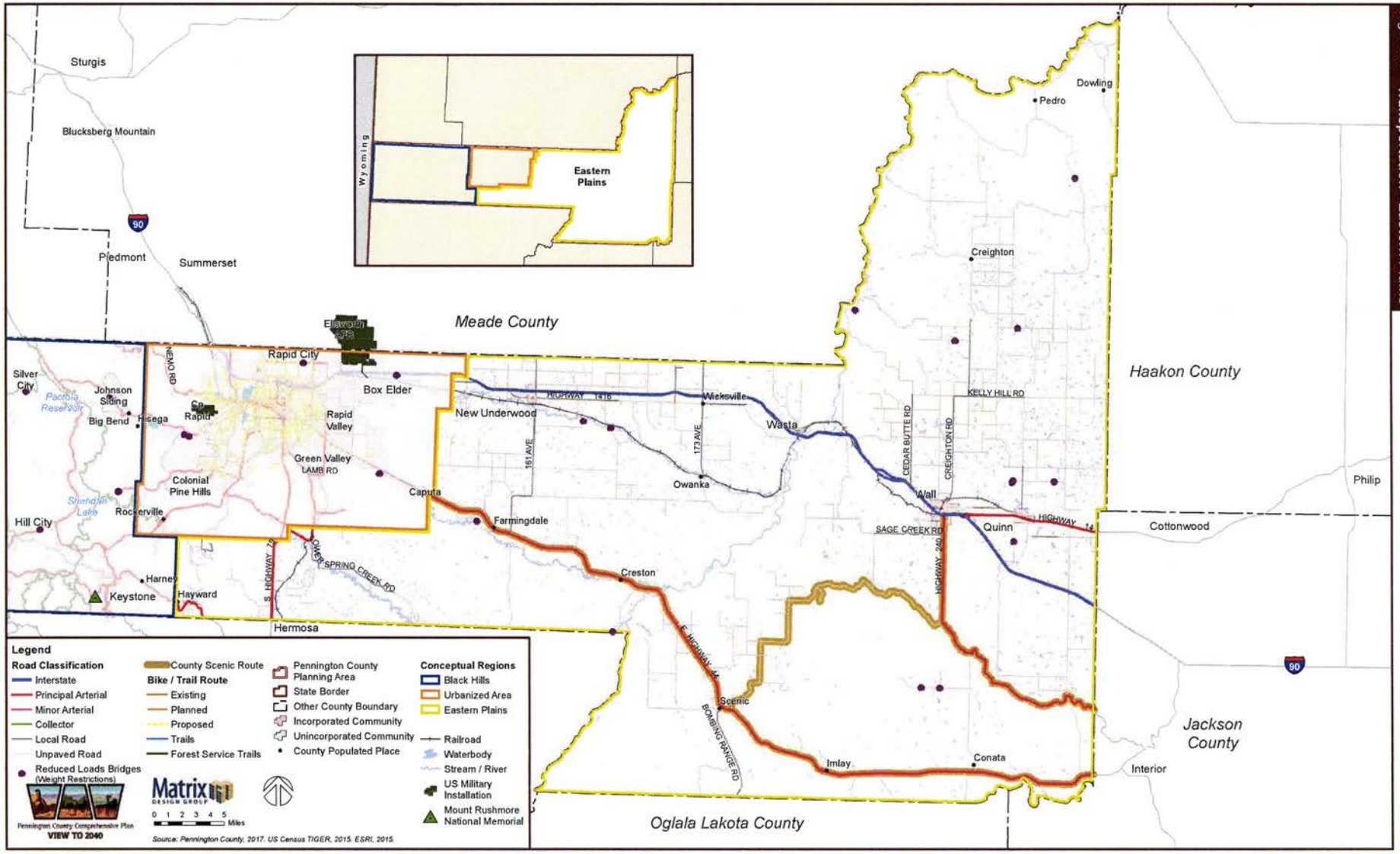


Figure 6-2 Transportation - Central Pennington


Sturgis
Blucksberg Mountain
Piedmont
Summerset
Meade County
Rapid City
Box Elder
Silver City
Johnson Siding
Big Bend
Hisega
Rapid
Rapid Valley
Green Valley
LAMB RD
Colonial Pine Hills
Pactola Reservoir
Sheridan Lake
Rockerville
Hill City
Harney
Keystone
Hayward
Hermosa
NEMO RD
S. HIGHWAY 79
CUSTER SPRING CREEK RD
New Underwood
HIGHWAY 1416
Wicksville
Wasta
Owanka
161 AVE
173 AVE
Caputa
Farmingdale
Creston
F HIGHWAY 44
BOMBING RANGE RD
Scenic
Imlay
Conata
Interior
Jackson County
Oglala Lakota County
Haakon County
Dowling
Pedro
Creighton
KELLY HILL RD
CEDAR BUTTE RD
CREIGHTON RD
Wall
Quinn
SAGE CREEK RD
HIGHWAY 14
HIGHWAY 240
Cottonwood
Philip
Wyoming
Eastern Plains
Legend
Road Classification
Interstate
Principal Arterial
Minor Arterial
Collector
Local Road
Unpaved Road
Reduced Loads Bridges (Weight Restrictions)
County Scenic Route
Bike / Trail Route
Existing
Planned
Proposed
Trails
Forest Service Trails
Pennington County Planning Area
State Border
Other County Boundary
Incorporated Community
Unincorporated Community
County Populated Place
Railroad
Waterbody
Stream / River
US Military Installation
Mount Rushmore National Memorial
Conceptual Regions
Black Hills
Urbanized Area
Eastern Plains
Matrix Design Group
0 1 2 3 4 5 Miles
Pennington County Comprehensive Plan
VIEW TO 2040
Source: Pennington County, 2017, US Census TIGER, 2015, ESRI, 2015.

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.

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 noth / 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.

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.

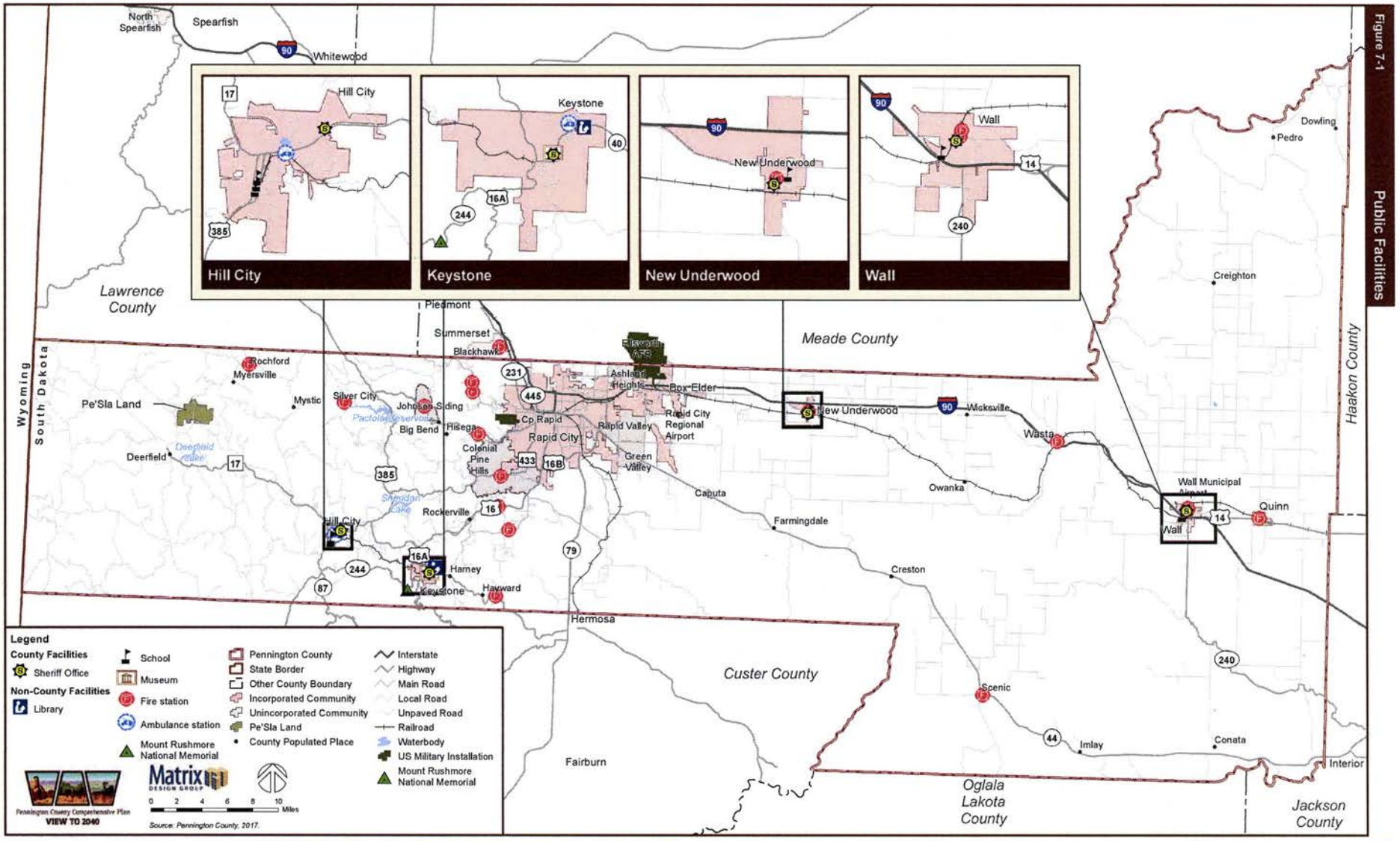
Through EPA regulations, MS4s are required to develop and implement a storm water management plan (SWMP) to address storm water issues. Pennington County's most recent SWMP was updated in 2016 and is jointly managed by the County's Planning and Highway departments.

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.


Hill City
Keystone
New Underwood
Wall
Lawrence County
Meade County
Haakon County
Custer County
Oglala Lakota County
Jackson County
Wyoming
South Dakota
North Spearfish
Spearfish
Whitewood
Piedmont
Summerset
Blackhawk
Rochford
Myersville
Pe'Sla Land
Mystic
Silver City
Johnson Siding
Big Bend
Hisega
Cp Rapid
Rapid City
Rapid Valley
Rapid City Regional Airport
Ashland Heights
Box Elder
Ellsworth AFB
New Underwood
Wicksville
Wasta
Owanka
Caputa
Farmingdale
Creston
Hermosa
Fairburn
Scenic
Imlay
Conata
Interior
Dowling
Pedro
Creighton
Quinn
Wall Municipal Airport
Deerfield
Deerfield Lake
Colonial Pine Hills
Green Valley
Rockerville
Sheridan Lake
Harney
Keystone
Hayward
Legend
County Facilities
Sheriff Office
Non-County Facilities
Library
School
Museum
Fire station
Ambulance station
Mount Rushmore National Memorial
Pennington County
State Border
Other County Boundary
Incorporated Community
Unincorporated Community
Pe'Sla Land
County Populated Place
Interstate
Highway
Main Road
Local Road
Unpaved Road
Railroad
Waterbody
US Military Installation
Mount Rushmore National Memorial
Pennington County Comprehensive Plan
VIEW TO 2040
Matrix Design Group
0 2 4 6 8 10 Miles
Source: Pennington County, 2017.

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.

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 Resistive 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.

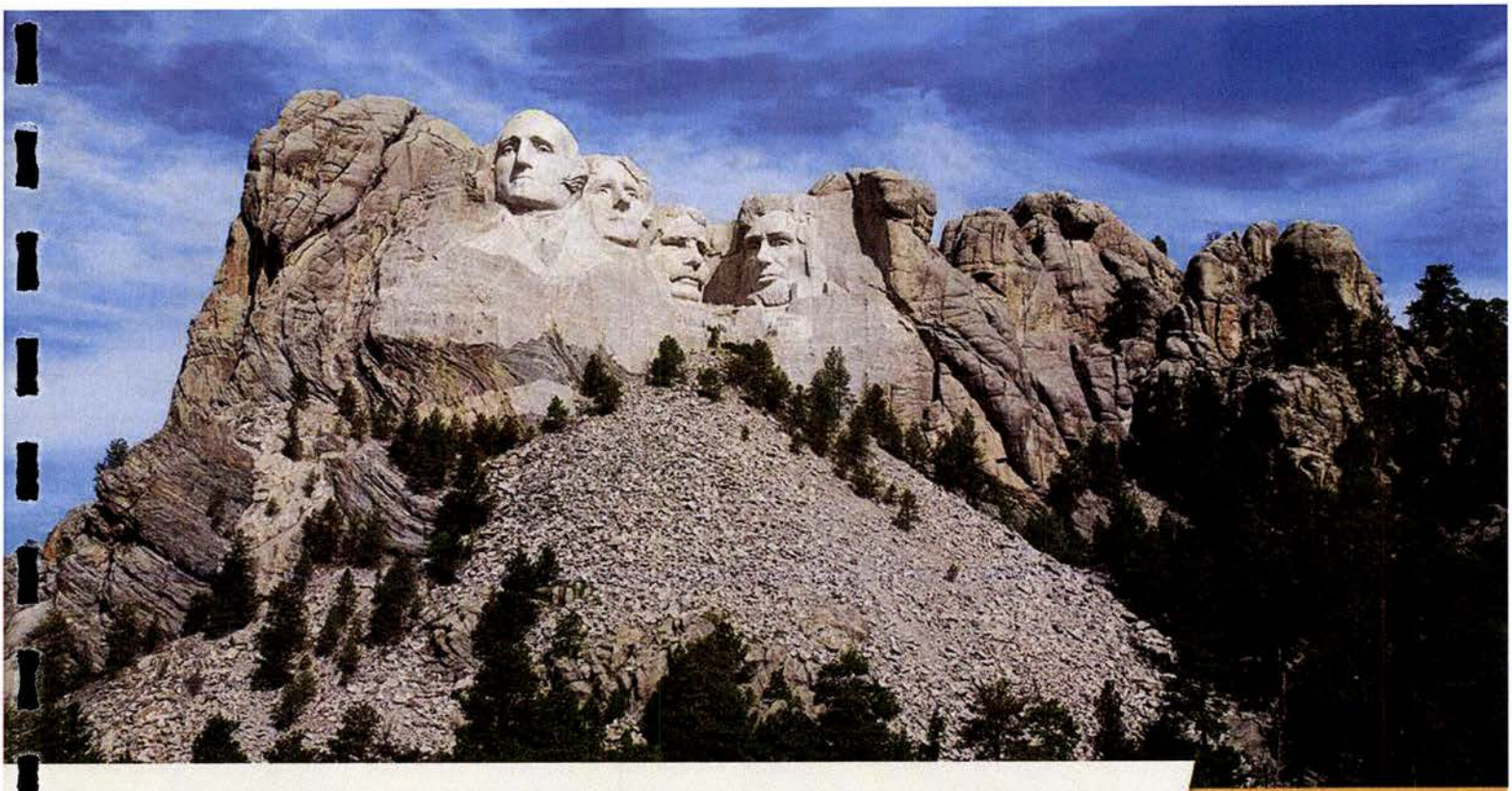
PSF-4.6 The County shall continue to regularly update its Emergency Operations Plan.

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.

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.

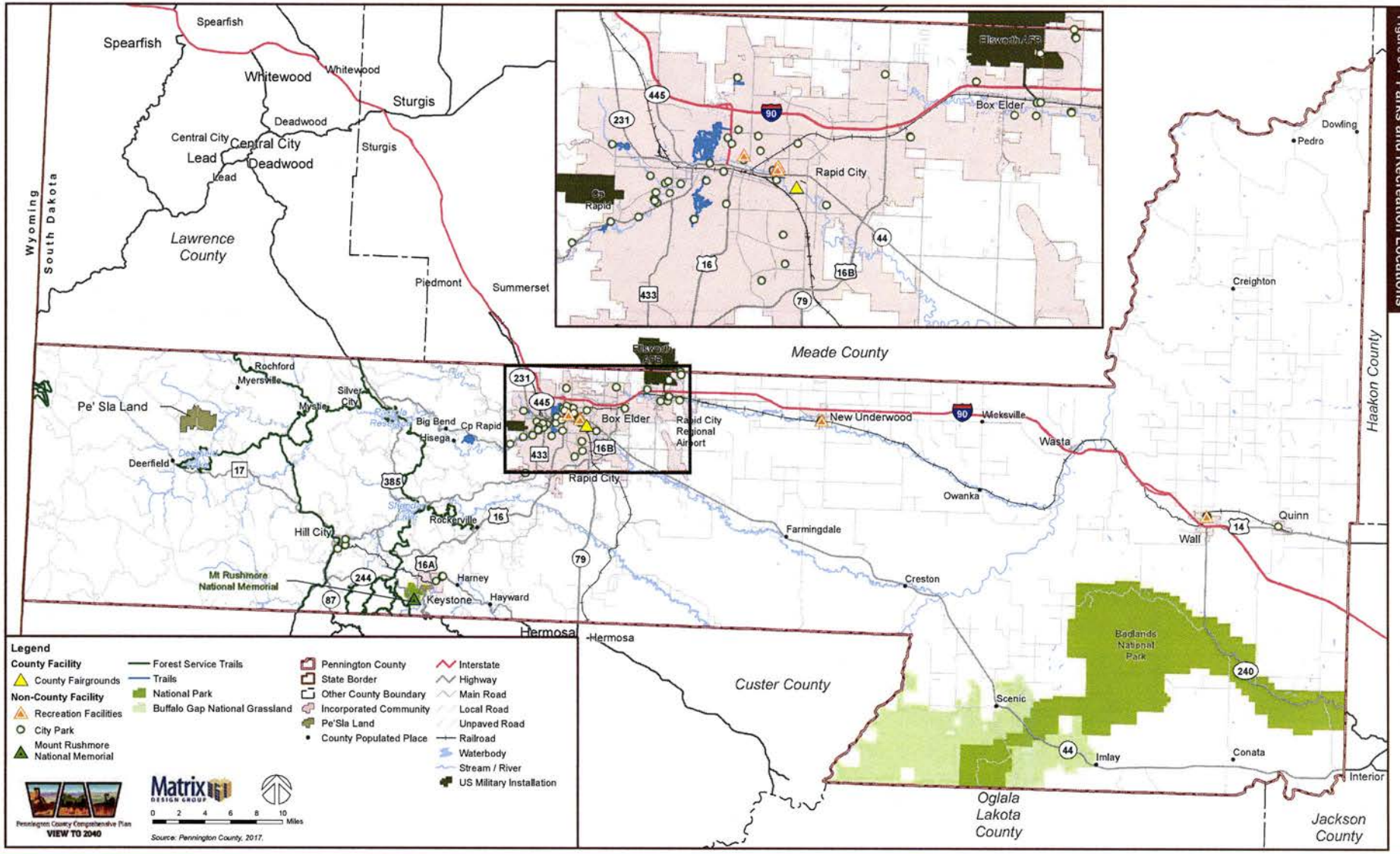
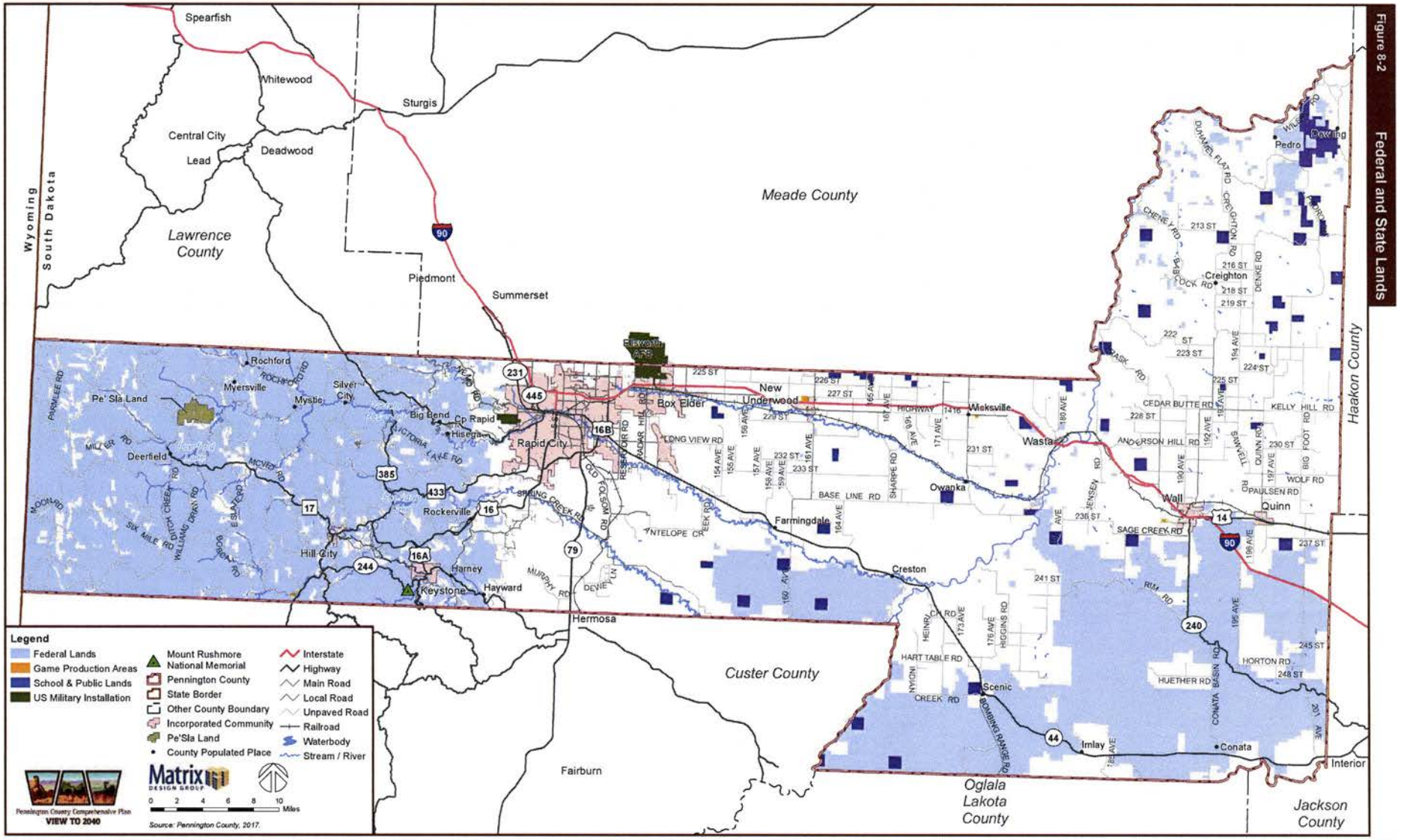


Figure 8-1 Parks and Recreation Locations


Spearfish
Whitewood
Sturgis
Central City
Lead
Deadwood
Meade County
Lawrence County
Wyoming
South Dakota
Piedmont
Summerset
90
Rochford
Myersville
Silver City
Mystic
Pe' Sla Land
Big Bend
Cp Rapid
Hisega
Rapid City
Box Elder
New Underwood
Ellsworth AFB
Wicksville
Wasta
Owanka
Wall
Quinn
Pedro
Dewing
Creighton
Haakon County
Deerfield
Rockerville
Hill City
Harney
Keystone
Hayward
Farmingdale
Creston
Hermosa
Scenic
Imlay
Conata
Interior
Custer County
Fairburn
Oglala Lakota County
Jackson County
231
445
16B
385
433
17
16
16A
244
79
14
240
44
Legend
Federal Lands
Game Production Areas
School & Public Lands
US Military Installation
Mount Rushmore National Memorial
Pennington County
State Border
Other County Boundary
Incorporated Community
Pe'Sla Land
County Populated Place
Interstate
Highway
Main Road
Local Road
Unpaved Road
Railroad
Waterbody
Stream / River
Matrix Design Group
0 2 4 6 8 10 Miles
Source: Pennington County, 2017.
Pennington County Comprehensive Plan
VIEW TO 2040

Wall Drug Store

Wall Drug Store first opened in 1931 by husband and wife Ted and Dorothy Hustead. 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.

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.

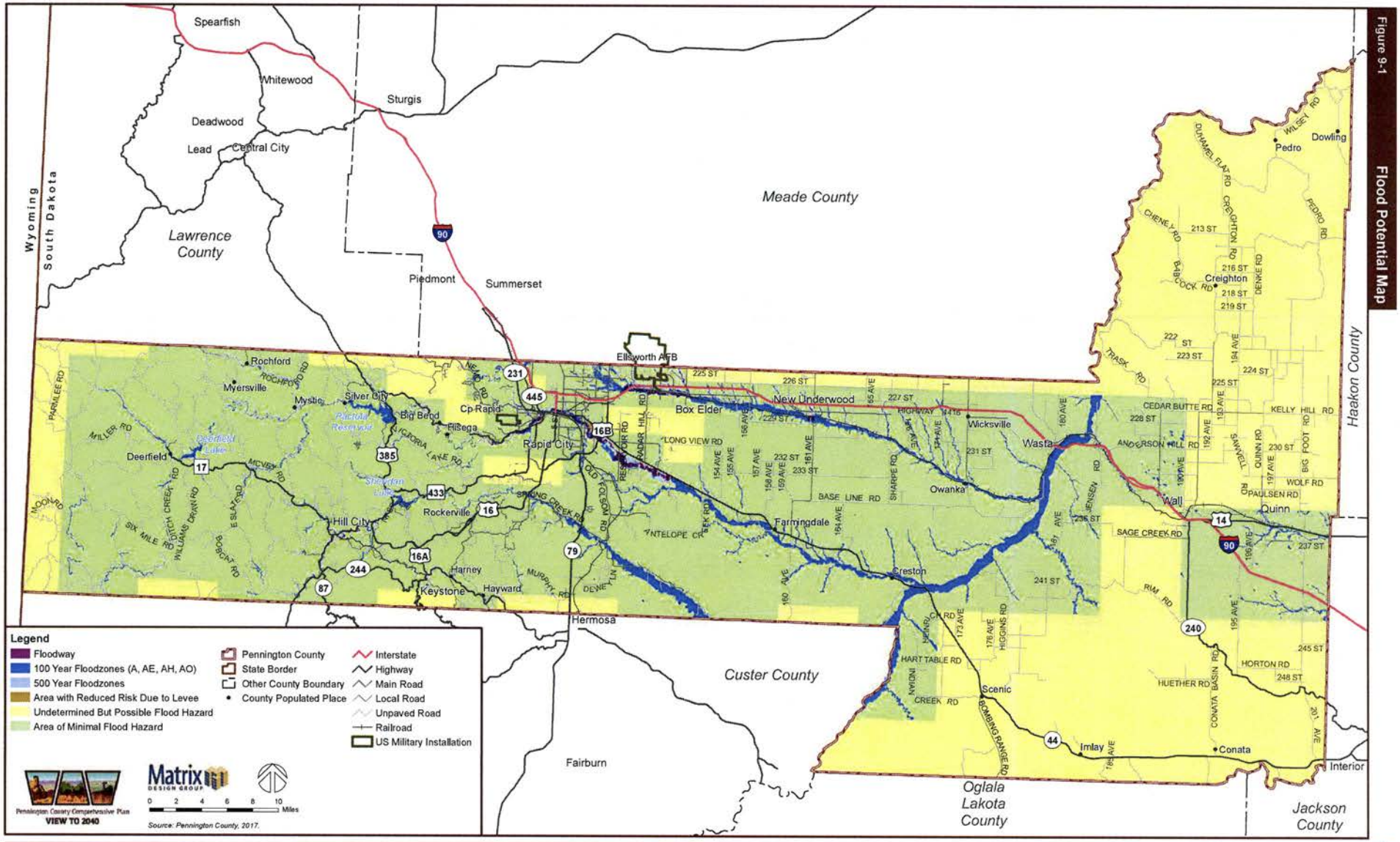
Since 1984, there have been 12 wildfires in the county that exceed 1,000 acres. Collectively, these 12 fires burned approximately 120,000 acres, which includes land in Pennington and adjacent counties. These fires have occurred in the Black Hills on the western side of the county. Figure 9-2 shows the 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.


Spearfish
Whitewood
Sturgis
Deadwood
Lead
Central City
Wyoming
South Dakota
Lawrence County
Meade County
Piedmont
Summerset
Ellsworth AFB
Rochford
Myersville
Mystic
Silver City
Pactola Reservoir
Big Bend
Cp Rapid
Fisega
Rapid City
Box Elder
New Underwood
Wicksville
Wasta
Owanka
Farmingdale
Creston
Deerfield
Deerfield Lake
Sheridan Lake
Hill City
Rockerville
Keystone
Harney
Hayward
Hermosa
Custer County
Fairburn
Oglala Lakota County
Jackson County
Haakon County
Dowling
Pedro
Creighton
Wall
Quinn
Scenic
Imlay
Conata
Interior
Legend
Floodway
100 Year Floodzones (A, AE, AH, AO)
500 Year Floodzones
Area with Reduced Risk Due to Levee
Undetermined But Possible Flood Hazard
Area of Minimal Flood Hazard
Pennington County
State Border
Other County Boundary
County Populated Place
Interstate
Highway
Main Road
Local Road
Unpaved Road
Railroad
US Military Installation
Pennington County Comprehensive Plan
VIEW TO 2040
Matrix DESIGN GROUP
0 2 4 6 8 10 Miles
Source: Pennington County, 2017.

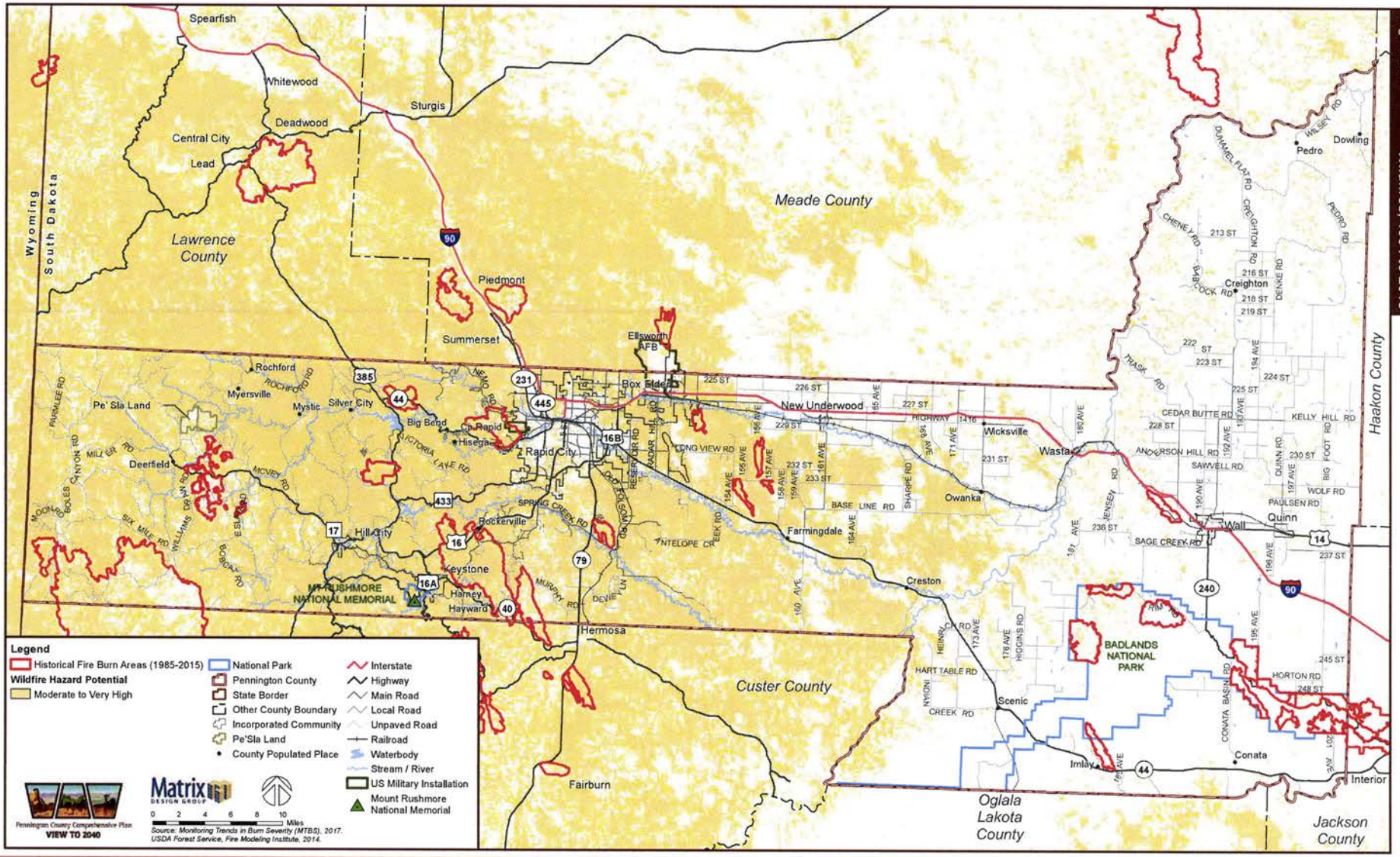


Figure 9-2
Wildfires, 1984 to 2015
Spearfish
Whitewood
Sturgis
Deadwood
Central City
Lead
Wyoming
South Dakota
Lawrence County
Meade County
Haakon County
Custer County
Oglala Lakota County
Jackson County
Piedmont
Summerset
Ellsworth AFB
Rochford
Myersville
Pe' Sla Land
Mystic
Silver City
Big Bend
Ch Rapid
Hisega
Rapid City
Box Elder
New Underwood
Wicksville
Wasta
Owanka
Farmingdale
Deerfield
Hill City
Rockerville
Keystone
Harney
Hayward
MT RUSHMORE NATIONAL MEMORIAL
Hermosa
Fairburn
Creston
Scenic
Imlay
Conata
Interior
Wall
Quinn
Pedro
Dowling
Creighton
BADLANDS NATIONAL PARK
Legend
Historical Fire Burn Areas (1985-2015)
Wildfire Hazard Potential
Moderate to Very High
National Park
Pennington County
State Border
Other County Boundary
Incorporated Community
Pe'Sla Land
County Populated Place
Interstate
Highway
Main Road
Local Road
Unpaved Road
Railroad
Waterbody
Stream / River
US Military Installation
Mount Rushmore National Memorial
Pennington County Comprehensive Plan
VIEW TO 2040
Matrix DESIGN GROUP
0 2 4 6 8 10 Miles
Source: Monitoring Trends in Burn Severity (MTBS), 2017.
USDA Forest Service, Fire Modeling Institute, 2014.

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.

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.

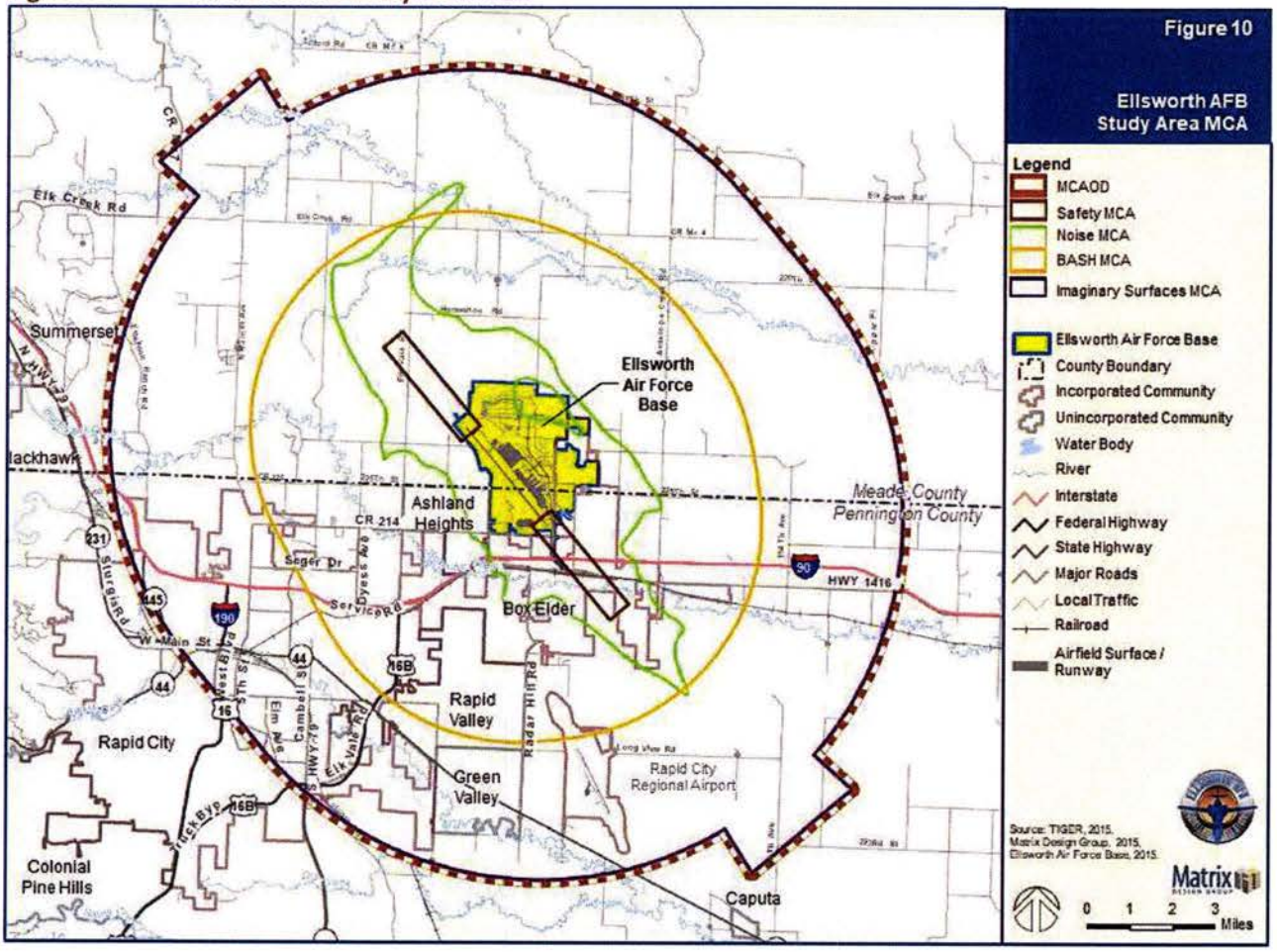
Key issues addressed in the JLUS typically are associated with one of seven Military Compatibility Areas (MCA):

- 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



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.

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.

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.

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 contaminates from the creek.

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 imprevious 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 minimize the 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.

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: ▶ 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				■

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	■			

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 avigation 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: ▶ 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	■			

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				■



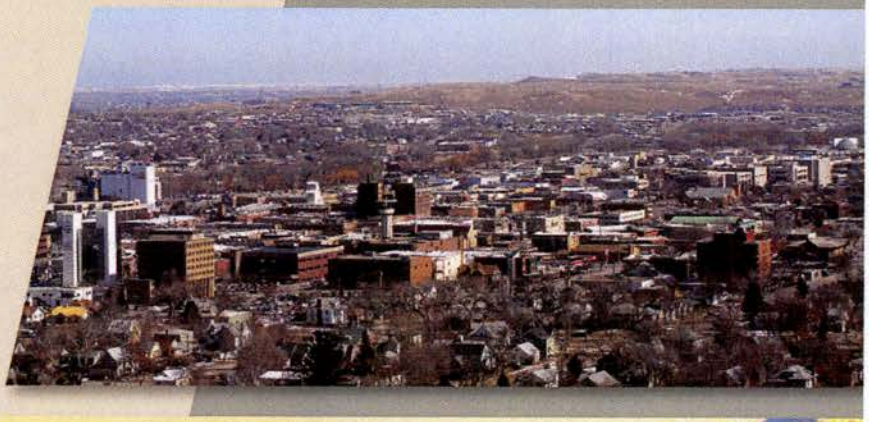
Pennington County Comprehensive Plan

VIEW TO 2040

Pennington County Comprehensive Plan

VIEW TO 2040







Lars Plougmann; *View of the Ranch from the East at Sunset*; CC BY SA 2.0; Flickr.com

Matrix DESIGN GROUP

Conover PJ



From: Julie Santella <sante076@umn.edu>
Sent: Monday, April 22, 2019 2:54 PM
To: Conover PJ
Subject: Comments on Pennington County Comprehensive Plan

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

Dear Pennington County Planning Department,

I am writing to submit comments on the County's Comprehensive Plan. I left these comments to be read at today's Planning Commission meeting but wanted to send them in writing as well.

Hardrock mining is very concerning for our county, especially given proposals to explore and mine for gold in the central Hills, with the potential to impact Pactola and Rapid Creek and thus Rapid City's water supply.

I would like to see a stance explicitly against hardrock mining in the county in the Comprehensive Plan.

I would also like to see language requiring public input, and specifically tribal consultation/notification, regarding any proposals to mine in the county.

I want to point out two things the county has already done to this effect:

1) Pennington County Board of Commissioners passed a resolution in support of HB 1239 and HB 1240 in February 2019. These bills would have required local public hearings for controversial applications for both temporary water permits and permanent water allocations in the state. The County supported this effort to move the Water Management Board toward greater transparency and heightened public involvement.

2) In February 2018, the Pennington County Board of Commissioners passed Ordinance #34-35, an ordinance amendment to the county zoning ordinance requiring that applicants to mine sand, gravel, limestone, and the like notify Tribal Historic Preservation Officers for each of the 16 tribes listed on the Black Hills National Forest Tribal/THPO current mailing list.

I raise these two points to stress that the County has already taken action in favor of increasing transparency, public participation, and tribal involvement in decision-making related to environmental matters. I want to encourage the County to continue this trend by including provisions requiring public input and tribal consultation/notification in the section in the Comprehensive Plan focused on mining (currently under Goal NCR-6 on p. 10-4 of the draft Comprehensive Plan).

Thank you for receiving my comments!

Respectfully,
--
Julie Santella
PhD candidate - Department of Geography, Environment and Society
University of Minnesota
Currently based in: Rapid City, SD
sante076@umn.edu / jasantella@gmail.com



-----Original Message-----
From: NoReply <NoReply@pennco.org>
Sent: Wednesday, April 17, 2019 9:34 AM
To: plz <plz@pennco.org>
Subject: WEBFORM: Planning and Zoning - Contact Us

The following information was submitted from a web form on the Pennington County website.

DO NOT click reply. To reply, copy and paste the e-mail address below into the "To" field of an outgoing message.

>>>>>>>>>>>>>>>>>>>>>>>>

Submitted Information:

Your name: Philip Schlief

Your e-mail address: phsch09@gmail.com

Your phone number: 6512476753

Message: Wednesday April 17, 2019

PJ Conover

Planning and Zoning – Pennington County

Mr. Conover,

I just wanted to comment on the Comprehensive plan for the County, specifically relating to Mining and Hard rock mining. I feel that it should be difficult to be able to do any hard rock mining and that Hard rock mining in a watershed for a municipal water supply should not be allowed. Please protect our water.

Thanks

Regards

Phil Schlief

9200 Main St

Silver City Sd 57702

Conover PJ

From: Willett Dustin
Sent: Friday, April 19, 2019 12:23 PM
To: Harvey Jerome; Conover PJ
Subject: Re: Comments on Comp Plan

Haz Mat collection annually would be fine to include, it's just a cost issue (each household hazardous waste collection event currently costs $50 to $60 thousand dollars...).

Dustin

Get Outlook for Android

On Fri, Apr 19, 2019 at 12:09 PM -0600, "Conover PJ" <pj.conover@pennco.org> wrote:

Thank you

From: Harvey Jerome
Sent: Friday, April 19, 2019 11:52 AM
To: Conover PJ <pj.conover@pennco.org>; Willett Dustin <dustinw@pennco.org>
Subject: RE: Comments on Comp Plan

County Fire agrees with adding Carbon monoxide detectors

Most campaigns to install detectors are funded to install Smoke Detectors in the Demographic Mentioned

IE: the red cross, smoke detector campaign

On pg 9-12, it says: "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. (Please add " and carbon monoxide detectors")

From: Conover PJ
Sent: Friday, April 19, 2019 11:35 AM
To: Harvey Jerome <Jerome.Harvey@pennco.org>; Willett Dustin <dustinw@pennco.org>
Subject: Comments on Comp Plan

J and D,

We received a few comments on the Comp Plan the other day.
Here are some that you may be interested in.
The Planning Commission will consider these and other comments at Monday's meeting.

Conover PJ

From: Rick Bell <rickbell1206@gmail.com>
Sent: Thursday, April 18, 2019 4:34 PM
To: Conover PJ
Subject: Comments on Comprehensive Plan

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

Dear Mr. Conover,

I've recently had a chance to review the County's Draft Comprehensive Plan for 2040 and have the following comments

On pg 9-8, it says: "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. {Please add "at least once annually" because the last one was held in 2017.}

On pg 9-12, it says: "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. {Please add " and carbon monoxide detectors"}

Conover PJ

From: Ann Harjes <harjes.ann@gmail.com>
Sent: Sunday, April 21, 2019 10:53 PM
To: Conover PJ
Subject: Pg 10-4 Goal NCR-6

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

Dear Planning Department: I will keep this simple and direct. In regards to "Pg 10-4 Goal NCR-6". I vehemently object to any type of drilling or mining when in close proximity to any water source, especially Pactola. No matter the claim for restoration/restitution. This honestly seems, in casual terms, like a no-brainer situation. This is a no vote. Please go beyond chasing a dollar and protect our outdoor lifestyle, our environment, our drinking water, and us.

Thank you.

S. Ann Harjes
Rapid City, SD

Conover PJ

From: Cathy Thrash <cat@dharma-spirit.com>
Sent: Sunday, April 21, 2019 10:46 PM
To: Conover PJ
Subject: Comment / request on the 2040 Pennington Cty Comprehensive Plan

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

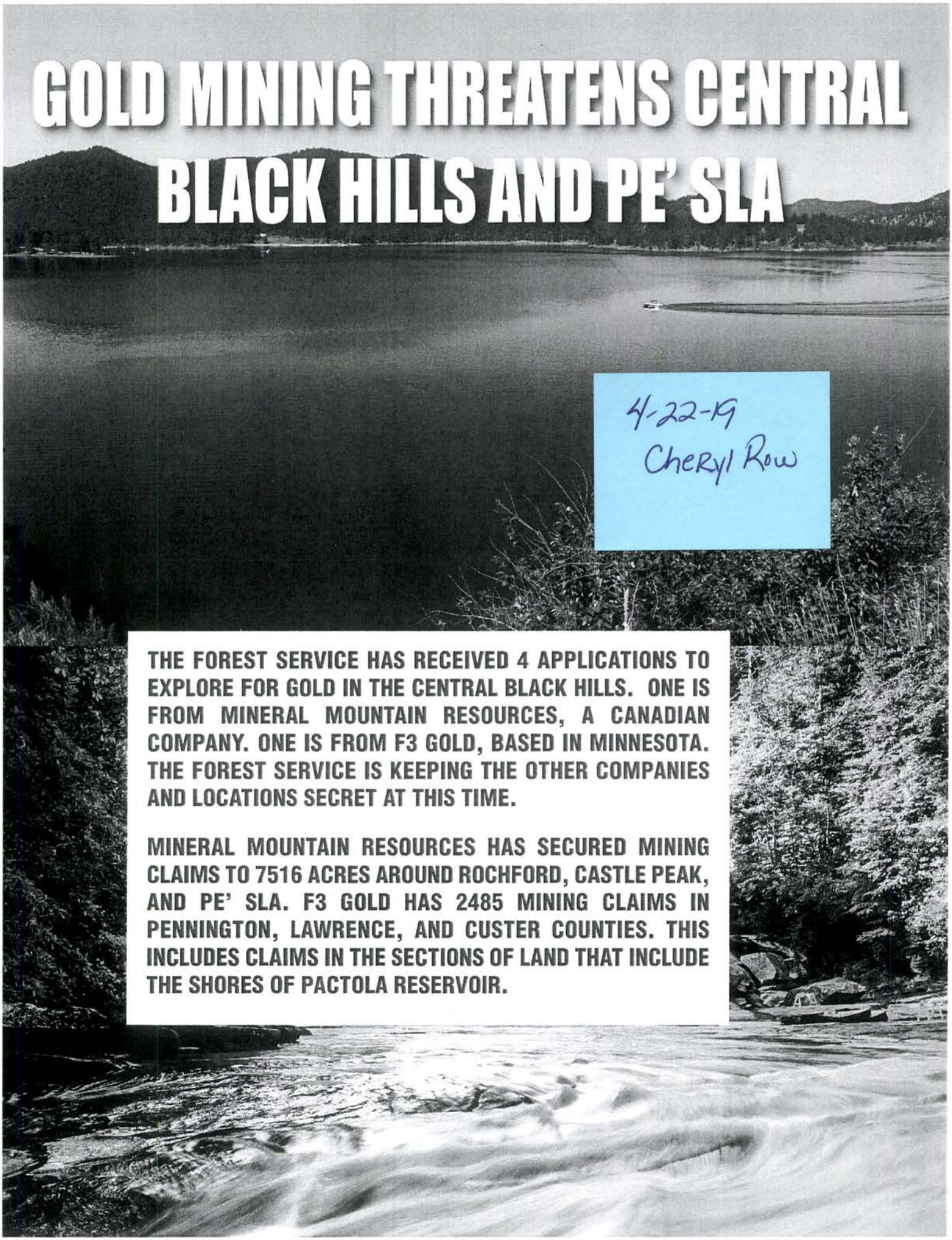
Hi there,
I've viewed some of the 2040 Pennington County Comprehensive Plan. It's clear there's been a lot of effort put in that plan, thank you. I am quite concerned over the Goal NCR-6 section on page 10-4.

Please consider this my input/comment/request on this EARTH DAY, as a Pennington County resident and a fellow human who LOVES and appreciates this area: NO MINING. Let's keep our beautiful Black Hills BEAUTIFUL and our water supply and air quality SAFE for our kids and generations to come.

THANK YOU for your continued work on this project.

Cathy Thrash
7351 Pinon Jay Circle
Rapid City, SD
605-390-0950

GOLD MINING THREATENS CENTRAL BLACK HILLS AND PE' SLA



4-22-19
Cheryl Row

THE FOREST SERVICE HAS RECEIVED 4 APPLICATIONS TO EXPLORE FOR GOLD IN THE CENTRAL BLACK HILLS. ONE IS FROM MINERAL MOUNTAIN RESOURCES, A CANADIAN COMPANY. ONE IS FROM F3 GOLD, BASED IN MINNESOTA. THE FOREST SERVICE IS KEEPING THE OTHER COMPANIES AND LOCATIONS SECRET AT THIS TIME.

MINERAL MOUNTAIN RESOURCES HAS SECURED MINING CLAIMS TO 7516 ACRES AROUND ROCHFORD, CASTLE PEAK, AND PE' SLA. F3 GOLD HAS 2485 MINING CLAIMS IN PENNINGTON, LAWRENCE, AND CUSTER COUNTIES. THIS INCLUDES CLAIMS IN THE SECTIONS OF LAND THAT INCLUDE THE SHORES OF PACTOLA RESERVOIR.



THE PROBLEMS WITH GOLD MINING

- Exploration in the Rapid Creek watershed, including Pactola Reservoir, could mean that a toxic spill gets into drinking water for Rapid City. Fish and other wildlife, boating, and other recreational opportunities could be impacted.
  If mining occurred, the problems would multiply. All three water sources for Rapid City – Rapid Creek, the Madison Aquifer, and the Minnelusa Aquifer – could be threatened by spills made up of water laced with acid, arsenic, and sediment. In Colorado and Arizona in 2015, a gold mine spill closed down tourism, city water, water wells, and agriculture. Impacts were felt for 150 miles downstream.
- Mineral Mountain Resources did exploratory drilling on private lands in 2018, but has temporarily left the area.
- F3 Gold is an inexperienced company that wants to "prove" itself in the Black Hills. We do not want to be their guinea pigs.
- Cyanide is used to separate the gold from the rock.
- Gold mining uses and pollutes large amounts of water.
- The Black Hills already have two Superfund sites that are former gold mining operations. Superfund sites are the most polluted places in the country. It is we, the taxpayers, who pay for Superfund clean-ups.
- The central Black Hills are currently a lively tourist location. Tourism revenue would go down or be eliminated, while the profits from mining would be exported to shareholders.

WHAT IS THE LEGAL SITUATION?

- Exploratory drilling has been proposed on both private and Forest Service-controlled land.
- The SD Department of Environment and Natural Resources issued an exploratory drilling permit for the private lands. Water permits for the drilling were issued without any public notice or opportunity for public input.
- The Forest Service proposes to allow drilling without doing a complete assessment of environmental, social, or economic impacts.
- Old mining laws need to be changed to make this process more open to the public and to protect our rights.

STOP GOLD EXPLORATION AND GOLD MINING IN THE CENTRAL BLACK HILLS.

NOT HERE • NOT NOW • NOT EVER

YOUR HELP IS NEEDED

Contact your City Council members, Tribal Government officials, State Legislators, and County Commissioners. Tell them you do not want gold exploration or mining in the central Black Hills.

For more information or to donate:
bhcleanwateralliance.org
-or-
Facebook:
Save Rochford and Rapid Creek
-or-
Black Hills Chapter Dakota Rural Action
-or-
Black Hills Clean Water Alliance

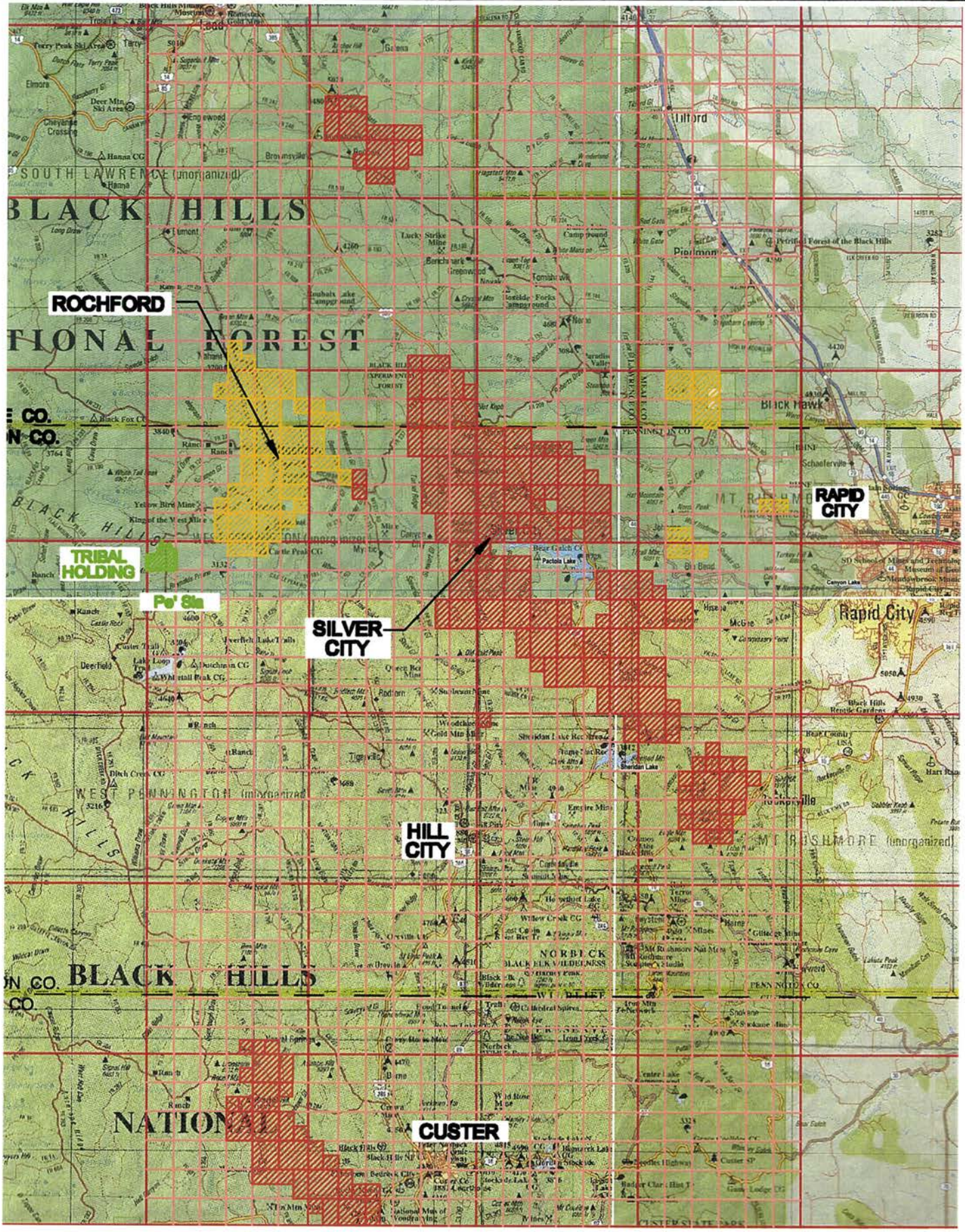
To Volunteer:
nobhuranium@gmail.com
605-697-5204, ext. 270

Black Hills Clean Water Alliance

CLEAN WATER ALLIANCE
P.O. BOX 591
RAPID CITY, S.D. 57709

DAKOTA RURAL ACTION
GRASSROOTS ORGANIZING FOR THE FUTURE

DAKOTA RURAL ACTION
2650 JACKSON BLVD. STE 8
RAPID CITY, S.D.57702
www.DakotaRuralBlackHills.org



PREPARED BY
CLEAN WATER ALLIANCE
WITH THE SUPPORT OF
CLEAN WATER LEGACY
www.bhcleanwateralliance.org

Black Hills Clean Water Alliance

Clean Water Legacy

- MMR GOLD CLAIMS
- F3 GOLD CLAIMS

NOTE: BIG ROCK PLANS TO EXPLORE ON F3 GOLD CLAIMS

For more information visit
www.BHCleanWaterAlliance.com or www.DakotaRuralAction.org
Black Hills Clean Water Alliance
Dakota Rural Action, Black Hills Chapter

BLACK HILLS CHAPTER
DAKOTA RURAL ACTION
GRASSROOTS ORGANIZING FOR THE FUTURE

RECEIVED
APR 22 2019
BY: GAE

nnington County Planning Commission, April 22, 2019

agenda item 21

My name is Julie Santella. I am a PhD candidate in geography at the University of Minnesota. I grew up in Sioux Falls and my dissertation research focuses on mining in the Black Hills. I live in Rapid City now.

I apologize that I could not stay to give these comments myself.

I am commenting on agenda item 21, on the county comprehensive plan. Hard rock mining is very concerning for this area, especially given proposals to explore & mine for gold in the central Hills with the potential to impact Pactola & Rapid Creek, thus affecting Rapid City's water supply.

I would like to see a stance explicitly against hardrock mining in the county comprehensive plan. I would also like there to be language requiring public input regarding any proposals to mine in the county.

I want to point out two things the county has already done to their effect:
i) Pennington County passed a resolution in February in support of two proposed bills in the State legislature: HB 1239 & HB 1240. These bills

would have required public hearings in areas potentially to be impacted for applications for both temporary & permanent water permits. And the county supported these bills.

2) The county's current Zoning Ordinance #34-35, governing the extraction of sand, gravel, limestone & the like, now holds that Tribal Historic Preservation officers are to be notified when applications to mine are filed.

I raise these two points only to stress that the county has already taken action toward public input and specifically input from tribes, with regard to environmental questions in the county. I want to encourage the Commission to continue this trend and make sure provisions requiring public input & meaningful tribal consultation are included in the section in the Comprehensive Plan focused on mining: under Goal NCR-6 (six) on page 10-4 of the draft plan.

Thank you for allowing me to speak.