

**AGENDA**  
**PENNINGTON COUNTY PLANNING COMMISSION**

**July 8, 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 July 16, 2019, at 10:30 a.m.

ROLL CALL

1. ELECTION OF OFFICERS
2. APPROVAL OF THE JUNE 24, 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 17-33:** Bituminous Paving/Terry Sewell. To review a temporary hot mix asphalt batch plant / stockpile site and contractor's storage area for contract work in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

That PT of W1/2SE1/4 and that PT of SE1/4SE1/4 located E of Highway 385 less Forest View Subdivision less Lot H1, Section 28, T2N, R5E, BHM, Pennington County, South Dakota.

To recommend to end Conditional Use Permit / CU 17-33.

5. **CONDITIONAL USE PERMIT REVIEW / CU 18-08:** Stromer Properties, LLC; Brook Stromer. To review an illuminated, on-premise sign within 1,500 feet of a residential zoning district / dwelling unit in a General Commercial in accordance with Sections 209, 312, and 510 of the Pennington County Zoning Ordinance.

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

To recommend approval of the extension of Conditional Use Permit / CU 18-08 with eight (8) conditions.

6. **CONDITIONAL USE PERMIT / CU 18-21:** David and Leah Byers. To review a single-family residence in a Highway Service District in accordance with Sections 210 and 510 of the Pennington County Zoning Ordinance.

Lot 1, Pankratz Subdivision, Section 22, T1S, R6E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 18-21 with six (6) conditions.

7. **CONDITIONAL USE PERMIT REVIEW / CU 18-23:** BCS Invest, LLC; Kevin Haberstroh. To review six storage units and a caretaker / manager's residence on the subject property in a General Commercial District / General Agriculture District in accordance with Sections 205, 209, and 510 of the Pennington County Zoning Ordinance.

Lot 2 (also in Section 19), Heavlin #2 Addition, Section 30, T1N, R9E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 18-23 with eighteen (18) conditions.

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

To recommend approval of the extension of Conditional Use Permit / CU 19-02 with fifteen (15) conditions.

9. **CONDITIONAL USE PERMIT / CU 19-15:** Samuel G. Fullerton III. To allow for a caretaker's residence on the subject property after a single-family residence is built in a Limited Agriculture District in accordance with Sections 206 and 510 of the Pennington County Zoning Ordinance.

Lot 12, Kieffer Ranch Estates, Section 16, T1S, R7E, BHM, Pennington County, South Dakota.

(Continued from June 24, 2019, Planning Commission meeting.)

To recommend approval of the extension of Conditional Use Permit / CU 19-15 with seven (7) conditions.

10. **MAJOR PLANNED UNIT DEVELOPMENT AMENDMENT REVIEW / PU 18-01:** Deerfield Cabins, LLC; Deon Wynia. To review an existing Planned Unit Development to allow the existing single-family residence on Lot 43 to be used as a Vacation Home Rental on the subject property in accordance with Sections 213 and 319 of the Pennington County Zoning Ordinance.

Lot 43, Burns Placer MS 697, Section 14, T1S, R4E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Major Planned Unit Development Amendment / PU 18-01 with twenty-five (25) conditions.

11. **CONSTRUCTION PERMIT REVIEW / CP 17-05:** Anthony and Michele Griffith. To review bringing in fill to an area to level, gravel and allow for reclamation of the remaining area.

Balance of Lot 1 of NE1/4SW1/4; Lot 1 of SE1/4SW1/4; E1/2 of Lot A of SE1/4SW1/4; E1/2 of Lot A of NE1/4SW1/4 Adjacent to Lot 1, Section 29, T1N, R8E, BHM, Pennington County, South Dakota.

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

To recommend to end Construction Permit / CP 17-05.

12. **CONSTRUCTION PERMIT REVIEW / CP 19-03:** Mike and Kimberly Van Loan. To review the leveling and grading of a road to be utilized as a driveway for future construction of a single-family residence.

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

To recommend approval of the extension of Construction Permit / CP 19-03 with nine (9) conditions.

13. **SPECIAL CONSIDERATION TO TRAILWOOD VILLAGE PLANNED UNIT DEVELOPMENT / PU 19-04:** Misty Cline LaBelle. A special consideration to PUD 79-02 to reduce the minimum rear yard setback from 25 feet to 23 feet to allow for the construction of a garage in accordance with Section 213 of the Pennington County Zoning Ordinance.

Lot 11, Block 8, Trailwood Village, Section 10, T1N, R8E, BHM, Pennington County, South Dakota.

To recommend to continue the Special Consideration to Trailwood Village Planned Unit Development / PU 19-04 to allow the applicant time to address the two sheds, both are located within the setback and one is located within the easement.

14. **MINOR PLAT / MPL 19-19:** David Grover. To create Lot 1 of Grover Subdivision in accordance with Section 400.3 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.

To recommend approval of Minor Plat / MPL 19-19 with nine (9) conditions.

15. **MINOR PLAT / MPL 19-20:** Ryan and Dawn Loraas; Fisk Land Surveying – Agent. To combine two lots to create Lot 4R of Block D, Edelweiss Mountain Development Subdivision in accordance with Sections 400.3 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.

To recommend approval of Minor Plat / MPL 19-20 with six (6) conditions.

#### **END OF CONSENT AGENDA**

16. **REZONE / RZ 19-08 AND COMPREHENSIVE PLAN AMENDMENT / CA 19-08:** Brad and Colleen Kurtz. To rezone 10.5 acres from Limited Agriculture District to Low Density Residential District and to amend the Comprehensive Plan to change the Future Land Use from Planned Unit Development Sensitive District to Low Density Residential District in accordance with Sections 206, 207, and 508 of the Pennington County Zoning Ordinance.

Lot 8, Collins Addition, Section 20, T2N, R5E, BHM, Pennington County, South Dakota.

#### **CONSTRUCTION PERMIT AGENDA**

17. **CONSTRUCTION PERMIT / CP 19-09:** Rangel Construction Company. To improve the drainage around Rapid Valley Elementary School.

Tract 1 of Lot W of (SE1/4NW1/4 and NE1/4SW1/4) (Easement), Williams Subdivision, Section 10, T1N, R8E, BHM, Pennington County, South Dakota.

18. CONSTRUCTION PERMIT / CP 19-10: Jess and Sarah Pekarski. To grade portions of an access easement and to construct a private gravel driveway to include ditches and culverts.

Lot 6 (Plat #4), Block 5, Clarkson Subdivision, and the Balance of SW1/4NE1/4, Section 31, T1N, R7E, BHM, Pennington County, South Dakota.

**END OF CONSTRUCTION PERMIT AGENDA**

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

(Continued from the June 24, 2019, Planning Commission meeting.)

20. COUNTY BOARD REPORT

The Board of Commissioners concurred with the Planning Commission's recommendations from the June 24, 2019, Planning Commission meeting.

21. ITEMS FROM THE PUBLIC

22. ITEMS FROM THE STAFF

- A. Building Permit Report.
- B. Planning Commission By-Laws.

23. ITEMS FROM THE MEMBERSHIP

24. 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  
June 24, 2019 @ 9:00 a.m.**

County Commissioners' Meeting Room - Pennington County Administration Building

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

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

ROLL CALL

1. APPROVAL OF THE JUNE 10, 2019, MINUTES  
**Moved by Runde and seconded by Marsh to approve the Minutes of the June 10, 2019, Planning Commission meeting. Vote: unanimous 7 to 0.**
  
2. APPROVAL OF THE AGENDA  
**Moved by Johnson and seconded by Rivers to approve the Agenda of the June 24, 2019, Planning Commission meeting. Vote: unanimous 7 to 0.**

**Moved by Runde and seconded by Johnson to approve the Consent Agenda of the June 24, 2019, Planning Commission meeting, with the removal of Items #22 and #23. Vote: unanimous 7 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 04-46:** A & B Ranch, Inc.; Brian Barber - Agent. To review a metal fabrication business as a home occupation in a General Agriculture District in accordance with Sections 204, 205-C-6, and 510 of the Pennington County Zoning Ordinance.

SW1/4 less ROW; S1/2SW1/4NW1/4 less ROW; SW1/4SE1/4NW1/4; SW1/4 SE1/4 SE1/4NW1/4; S1/2SE1/4SE1/4SE1/4NW1/4, Section 9, T2S, R9E, BHM, Pennington County, South Dakota.

**To approve of the extension of Conditional Use Permit / CU 04-46 with the following eleven (11) conditions:**

1. That a Building Permit be obtained for any new structures exceeding 144 square feet and located on a permanent foundation, which will require a site plan to be reviewed and approved by the Planning Director;
2. That no alteration to any building shall indicate from the exterior that the building is being utilized in whole or in part for any purpose other than a residential or agricultural use;
3. That a maximum of one (1) employee not residing on the premises or employed as a ranch hand may be employed by the home occupation;
4. That stock or trade stored outside the enclosed structures located on the property shall be arranged in an organized manner, not to create safety, fire or vermin hazard;
5. That the applicant ensures all trucks delivering metal or fabricated tanks are of legal axle weights and obey all seasonal load limits;
6. That a minimum of four (4) off-street parking spaces be provided in accordance with Section 310(A)(9)(t) of the Pennington County Zoning Ordinance. Each parking space shall measure at least nine (9) feet by eighteen (18) feet and shall be kept in a dust free manner;
7. That the applicant maintains the outside area in a weed free manner as to prevent create safety, fire or vermin hazard;
8. That the applicant has a minimum of three (3) 20# ABC fire extinguishers and they are to be kept in the area were tank fabrication is being conducted;
9. That the applicant have all operations and material associated with the home occupation inside the existing shop structure, utilize flood proofing methods specified in the Flood Damage Prevention Ordinance or obtain a Floodplain Development Permit;
10. That the home occupation be limited to a metal fabrication business. Any expansion beyond this would require the Conditional Use Permit to be reviewed; and,
11. That this Conditional Use Permit be reviewed in five (5) years, on a complaint basis, or as directed by the Planning Commission or Board of Commissioners to verify that all the Conditions of Approval are being met.

**Vote: unanimous 7 to 0.**

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 May 13, 2019, Planning Commission meeting.)

**To approve of 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 five (5) 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.**

**Vote: unanimous 7 to 0.**

5. **CONDITIONAL USE PERMIT REVIEW / CU 08-48:** Spring Creek Premier Property / Cody Schad. To review accessory structures (garage and pump house) without a primary structure in a Limited Agriculture District in accordance with Sections 206 and 510 of the Pennington County Zoning Ordinance.

Lot 2, Bighorn Sheep Preserve, Section 7, T1S, R7E, BHM, Pennington County, South Dakota.

(Continued from the June 10, 2019, Planning Commission meeting.)

**To end Conditional Use Permit / CU 08-48.**

**Vote: unanimous 7 to 0.**



6. **CONDITIONAL USE PERMIT REVIEW / CU 11-02:** Jeff DeVeney. To review an internally illuminated, on-premise sign within 1,500 feet of a residential zoning district/dwelling unit in a Highway Service District in accordance with Sections 210 and 510 of the Pennington County Zoning Ordinance.

Lot 3 of Lot D, Murray Subdivision, Section 21, T1S, R5E, BHM, Pennington County, South Dakota.

**To continue the review of Conditional Use Permit / CU 11-02 to the July 22, 2019, Planning Commission meeting.**

**Vote: unanimous 7 to 0.**

7. **CONDITIONAL USE PERMIT REVIEW / CU 16-27:** Gene and Carllen Van Der Wert. To review a Vacation Home Rental on the subject property in a Low Density Residential District in accordance with Sections 207-C-18, 319, and 510 of the Pennington County Zoning Ordinance.

Lot K, Brechtel #1, Section 34, T1S, R5E, BHM, Pennington County, South Dakota.

**To approve of the extension of Conditional Use Permit / CU 16-27 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 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 two (2) 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. The interior informational sign must also contain a color map illustrating the Special Flood Hazard Area, as determined by FEMA;
8. That the lot address (24003 Pink Cabin Road) 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 Pink Cabin Road, in accordance with Pennington County's Ordinance #20;
9. That the applicants ensure the Vacation Home Rental is continually operated in accordance with the requirements of PCZO § 319(F) (Performance Standards) at all times;
10. That if the person designated as the Local Contact is ever changed from Sheralin Groves, or their contact information changed, 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 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 16-27, be subject to PCZO §511(F)(4), which imposes a \$100 fee per review; and,
14. That this Conditional Use Permit be reviewed in three (3) years, on a complaint basis, or as directed by the Pennington County Planning Commission or Board of Commissioners to verify that all Conditions of Approval are being met.

**Vote: unanimous 7 to 0.**

8. **CONDITIONAL USE PERMIT REVIEW / CU 17-03:** McDaniel Trust; Susan McDaniel. To review a Vacation Home Rental on the subject property in a Limited Agriculture District in accordance with Sections 206, 319, and 510 of the Pennington County Zoning Ordinance.

Lot 39, Oak Meadows Estates, Section 23, T2S, R6E, BHM, Pennington County, South Dakota.

**To end Conditional Use Permit / CU 17-03 with the applicant's concurrence.**

**Vote: unanimous 7 to 0.**

9. **CONDITIONAL USE PERMIT REVIEW / CU 17-46:** Matt and Donna Bowen. To review living in an existing residence while building a new 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.

W1/2; S1/2SE1/4 Less Lot H1, Section 36, T2S, R13E, BHM, Pennington County, South Dakota.

**To end Conditional Use Permit / CU 17-46.**

**Vote: unanimous 7 to 0.**

10. **CONDITIONAL USE PERMIT REVIEW / CU 18-07:** Tim McTavish. To review five (5) illuminated, on-premise signs within 1,500 feet of a residential zoning district / dwelling unit in a Highway Service District in accordance with Sections 210, 312, and 510 of the Pennington County Zoning Ordinance.

Lot 3, The Forks at Remington Ranch, Section 22, T1S, R5E, BHM, Pennington County, South Dakota.

**To approve of the extension of Conditional Use Permit / CU 18-07 with the following six (6) 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 the applicant obtain a Sign Permit for additional proposed sign(s) prior to any work being done, which requires a site plan to be reviewed and approved by the Planning Director;**
3. **That the signs continually conform to all regulations in Section 312 of the Pennington County Zoning Ordinance;**

4. That the signs be maintained so as to have an aesthetically pleasing appearance at all times and not appear dilapidated;
5. That the four (4) approved Sign Permits be amended to indicate that the signs are illuminated prior to any lighting being installed; and,
6. That this Conditional Use Permit be reviewed at the May 25, 2020, Planning Commission meeting, on a complaint basis, or as deemed necessary by the Pennington County Planning Commission or Board of Commissions to verify that all Conditions of Approval are being met.

**Vote: unanimous 7 to 0.**

11. **CONDITIONAL USE PERMIT REVIEW / CU 18-10:** Ray and Erin Atkins. To allow an accessory structure (a garage) prior to a principal structure on the subject property in a Limited Agriculture District in accordance with Sections 206 and 510 of the Pennington County Zoning Ordinance.

Lot 8, Block 1, Meadow Ranch Estates, Section 13, T2N, R8E, BHM, Pennington County, South Dakota.

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

**To approve of the extension of Conditional Use Permit / CU 18-10 with the following eight (8) conditions:**

1. That the applicant obtains a setback Variance within three (3) months of approval of the extension of this Conditional Use Permit for the existing garage on Lot 8 or move/remove the structure;
2. That the applicant stays familiar with Pennington County Zoning Ordinance § 301 (Airport Height and Hazard Zoning) and § 315 (Development Standards for Ellsworth Air Force Installation Compatibility Use Area) regarding future development of the existing properties involved in CU 18-10;
3. That all current and future addresses be posted in accordance with Pennington County Ordinance #20;
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;
5. That all local, state, and federal requirements for construction of the pole building and any other structures on the subject property be met;
6. That the subject property remains free of debris and junk vehicles;

7. That the accessory structures be used for personal use only and no commercial-type uses and not for living space; and,
8. That this Conditional Use Permit be reviewed in three (3) months in order for the applicant to have time to apply for a Variance or move the existing structure, 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 7 to 0.**

12. **CONDITIONAL USE PERMIT REVIEW / CU 18-18:** Randy Dowdy and Laura Luthy. To review a rental home park on the subject property to include four (4) existing mobile home rental units and to allow an additional ten (10) rental units, which would include mobile homes and/or governor's homes, and to also allow a caretaker/manager's residence and shop building on the subject property in a Suburban Residential District in accordance with Sections 208 and 510 of the Pennington County Zoning Ordinance.

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

**To approve of the extension of Conditional Use Permit / CU 18-18 with the following nineteen (19) conditions:**

1. That the uses of the Conditional Use Permit be limited to a maximum of fourteen (14) rental homes, either mobile homes or governor's homes, and one (1) residence to be used as the caretaker/manager's residence;
2. That the rental home park continually have a caretaker or manager's residence on-site and it be appropriately identified as such;
3. That decks and accessory structures (i.e. garages and sheds) be allowed with the issuance of an approved Building Permit;
4. That a minimum 20-foot separation between units (mobile home living space, including attached decks) and a minimum 10-foot separation between accessory structures (e.g. garages, sheds) and adjacent residences be maintained;
5. That the minimum setback requirements of a Suburban Residential District be maintained. In addition, a minimum setback of ten (10) feet shall be maintained from all access roads within the rental home park;
6. That the cul-de-sac radius of the interior roadway be increased to 48-feet and the interior roadway be constructed and maintained to a twenty-five (25) foot driving surface with a minimum four (4) inches of gravel and be continually maintained in a dust free manner;

7. That prior to issuance of Building Permits for any of the proposed additional residences, the interior access road be named, access be consolidated to one (1) point, and all existing and future rental units be addressed off of the proposed interior roadway;
8. That the four (4) existing rental units have their physical addresses verified and/or assigned, and added into the GIS system. ½ number addresses will not be allowed;
9. That prior to issuance of Building Permits for any of the proposed additional residences, the applicant provide the Planning Department with a Class I water system operator certification and State approved plans;
10. That prior to issuance of Building Permits for any of the proposed additional residences, the applicant meet with West River Electric to discuss the layout for the utilities and provide written approval from West River Electric to the Planning Department;
11. That all addresses assigned must be posted in accordance with Pennington County's Ordinance #20;
12. That approved On-Site Wastewater Permits be obtained from the City of Rapid City prior to any on-site wastewater treatment system(s) being installed on the subject property, which will also require review and approval by the South Dakota Department of Environment and Natural Resources;
13. That a minimum of two (2) off-street parking spaces be provided for each residence on the subject property. Each parking space must measure a minimum of nine (9) feet by eighteen (18) feet and be surfaced with gravel, concrete or asphalt and maintained in such a manner that no dust will result from continuous use;
14. That a Sign Permit be obtained prior to the installation of any signs on the subject property; all signs must meet the requirements of § 312 of the Pennington County Zoning Ordinance (PCZO);
15. That the property remains free of debris and junk vehicles and all structures be well-maintained;
16. That all existing drainage ways be maintained and erosion control measures be implemented on all disturbed areas so as not to allow any sedimentation of existing drainage ways or bodies of water per PCZO § 507(A). This includes any requirements set forth in the Pennington County Stormwater Quality Manual for erosion and sediment measures;

17. That an approved Building Permit be obtained for each new residence prior to construction and for any structure(s) exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be reviewed and approved by the Planning Director;
18. That an approved Floodplain Development Permit be obtained *prior* to any disturbance within the Special Flood Hazard Area on the subject property; and,
19. 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.

**Vote: unanimous 7 to 0.**

13. **CONDITIONAL USE PERMIT REVIEW / CU 18-19:** Greg Bolt. To review a Guest House on the subject property in a Low Density Residential District in accordance with Sections 207, 318, and 510 of the Pennington County Zoning Ordinance.

Lot 7, Back Road Subdivision, Section 22, T1S, R6E, BHM, Pennington County, South Dakota.

**To continue the review of Conditional Use Permit / CU 18-19 to the July 22, 2019, Planning Commission meeting.**

**Vote: unanimous 7 to 0.**

14. **CONDITIONAL USE PERMIT REVIEW / CU 18-20:** William and Corissa Busse. To review an existing shop building with living quarters to be used as a Vacation Home Rental on the subject property in a Suburban Residential District in accordance with Sections 208, 318, and 510 of the Pennington County Zoning Ordinance.

Lot 8, Feay Reder Subdivision, Section 36, T1N, R6E, BHM, Pennington County, South Dakota.

**To approve of the extension of Conditional Use Permit / CU 18-20 with the following sixteen (16) conditions:**

1. That only the existing one (1) bedroom shop with living quarters be allowed to be utilized as a Vacation Home Rental on the subject property;
2. That the maximum overnight occupancy of the VHR, based on SD DENR approval, be limited to six (6) people and the maximum daytime occupancy be limited to twelve (12) people, per Pennington County Zoning Ordinance (PCZO) § 319(F)(13);

3. 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;
4. That all necessary permits are obtained prior to any additions to the structure or upgrades/alterations to the on-site wastewater treatment system;
5. That each review of Conditional Use Permit / CU 18-20, be subject to PCZO § 511(F)(3), which imposes a \$100 fee per review;
6. That the applicant continually maintain 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;
7. That the applicant 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 upon request;
8. That a minimum of one (1) off-street parking spaces continue to be provided on-site for the VHR, per PCZO § 310(A)(9)(gg), measuring a minimum of 9-foot by 18-foot and surfaced with gravel, concrete, or asphalt and maintained in a dust-free manner;
9. That an interior informational sign continue to be posted in accordance with the requirements of PCZO § 319(G), with 9-1-1 and (605) 394-2151 listed as contacts for Fire Department and Sheriff's Department, during operation of the Vacation Home Rental;
10. That the property addresses continue to be clearly posted on the property so it is visible from both directions along Sheridan Lake Road, in accordance to Pennington County's Ordinance #20;
11. 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;
12. That if the person designated as the Local Contact is ever changed from William Busse, the interior informational sign be updated and the applicant re-notify the Planning Department and surrounding landowners within 500 feet via notices, provided by the Planning Department, sent by First Class Mail;
13. 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;



14. That an approved Sign Permit be obtained prior to the placement of any on premise sign(s);
15. 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,
16. That this Conditional Use Permit be reviewed in three (3) years, on a complaint basis, or as directed by the Pennington County Planning Commission or Board of Commissioners to verify that all Conditions of Approval are being met.

**Vote: unanimous 7 to 0.**

15. **CONDITIONAL USE PERMIT REVIEW / CU 18-44:** Edward McMahon. To review a Ranch Hand's residence on the subject property in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

W1/2NE1/4 less Lot H1 and Lot H2; NW1/4; NE1/4SW1/4; S1/2SW1/4; NW1/4SE1/4 less Lot H1 and Lot H2, Section 17, T1S, R8E, BHM, Pennington County, South Dakota.

**To approve of the extension of Conditional Use Permit / CU 18-44 with the following seven (7) conditions:**

1. That the addresses for both the existing house and ranch hand's residence continue to be posted, in accordance with Pennington County's Ordinance #20;
2. That a Floodplain Development Permit be obtained prior to any disturbance within the Special Flood Hazard Area;
3. 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;
4. That the applicant sign a "Ranch Hand's Statement" verifying that he is directly engaged in the operation of the farm or ranch located on the property;
5. That the minimum setback requirements of a General Agriculture District be continually maintained on the property;
6. That the residence be occupied by a Ranch Hand or used as housing for daily help at all times, and not be used as a rental by someone not engaged in the operating of the farm or ranch located on the subject property; and,

7. That this Conditional Use Permit be reviewed in two (2) 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 7 to 0.**

16. **CONDITIONAL USE PERMIT / CU 19-15:** Samuel G. Fullerton III. To allow for a caretaker's residence on the subject property after a single-family residence is built in a Limited Agriculture District in accordance with Sections 206 and 510 of the Pennington County Zoning Ordinance.

Lot 12, Kieffer Ranch Estates, Section 16, T1S, R7E, BHM, Pennington County, South Dakota.

**To continue Conditional Use Permit / CU 19-15 to the July 8, 2019, Planning Commission meeting.**

**Vote: unanimous 7 to 0.**

17. **CONSTRUCTION PERMIT REVIEW / CP 15-15:** Flack Trucking, Inc. To review the continuation of stockpiling soil, leveling the plowed fields, and removing soil from the property. The disturbed area is being returned to farm ground.

Balance of the W1/2SE1/4 less lot H7; SW1/4 less Lot H6 and less right-of-way, Section 23, T2N, R8E, BHM, Pennington County, South Dakota.

**To approve of the extension of Construction Permit / CP 15-15 with the following eleven (11) conditions:**

1. That the approval of this Construction Permit does not constitute approval of any further application to be submitted on the above described properties;
2. That a Haul Road Agreement from the County Highway Department be obtained, if necessary;
3. That the Conditions of the Approval of the South Dakota Department of Environment and Natural Resources General Permit 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 Conditions of Approval of the City of Rapid City's Air Quality Permit be continually met;

6. That the work be performed in accordance with the approved Floodplain Development Permit and the Pennington County Flood Damage Prevention Ordinance;
7. That the applicant use the south approach off of Bennett Road to access the site;
8. That any natural drainage ways and paths be continually maintained;
9. That any monuments establishing property boundaries be replaced as necessary;
10. That upon completion of the project, the disturbed areas shall be reclaimed in accordance with Section 507-A(5)(c) of the Pennington County Zoning Ordinance; and
11. That this Construction Permits expires one (1) year from the approval date and may be reviewed upon the request of the Planning Director.

**Vote: unanimous 7 to 0.**

18. **CONSTRUCTION PERMIT REVIEW/ CP 17-03:** Mitch Morris. To review the grading of the site, use as a storage area to stockpile soil and concrete debris, and to make improvements to a drainage channel.

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

**To approve of the extension of Construction Permit / CP 17-03 with the following eight (8) conditions:**

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. That the applicant obtains and adheres to any permit(s) required by the Army Corps of Engineers;
3. 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;
4. That the applicant continually maintains and adheres to the Storm Water Pollution Prevention Plan during the period of construction;
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. 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 the disturbed areas be re-vegetated as required in Section 507- A(5)(c); and,
8. That this Construction Permit be reviewed in six (6) months or as directed by the Planning Director.

**Vote: unanimous 7 to 0.**

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

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

**To end Construction Permit / CP 17-09.**

**Vote: unanimous 7 to 0.**

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

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

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

**To continue the review of Construction Permit / CP 19-02 to the August 26, 2019, Planning Commission meeting with twelve (12) conditions.**

**Vote: unanimous 7 to 0.**

21. **CONSTRUCTION PERMIT / CP 19-08:** Mitch Morris. To repair an existing dam.

W1/2, Section 33, T1N, R8E, BHM, Pennington County, South Dakota.

**To continue Construction Permit / CP 19-08 to the September 23, 2019, Planning Commission meeting with six (6) conditions.**

**Vote: unanimous 7 to 0.**

**END OF CONSENT AGENDA**

22. MINOR PLANNED UNIT DEVELOPMENT AMENDMENT REVIEW / PU 18-02:  
Thomas Skoog. To review an amendment to the existing Trailwood Village Planned Unit Development to allow for the sale of retail and wholesale seasonal fireworks, to allow the future construction of a building up to 10,000 square feet for the storage and sales of fireworks, and to allow the sales of used vehicles on the subject property in accordance with Section 213 of the Pennington County Zoning Ordinance.

Lot C, Trailwood Village Subdivision, Section 10, T1N, R8E, BHM, Pennington County, South Dakota.

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

Staff recommended approval of the extension of Minor Planned Unit Development Amendment / PU 18-02 with fifteen (15) conditions.

Discussion followed.

**Moved by Johnson and seconded by Rivers to approve of the extension of Minor Planned Unit Development Amendment / PU 18-02 with the following fifteen (15) conditions:**

1. **That the Conditions of Approval of Planned Unit Development / PU 05-19 be continually adhered to;**
2. **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;**
3. **That the address assigned to the property (4481 Avery Drive) be posted in accordance with Pennington County Ordinance #20 on the structure or tent where fireworks are being sold;**
4. **That the uses allowed on Lot C of Trailwood Village be limited to: seasonal retail and wholesale sales of Class C fireworks, in accordance with South Dakota Codified Laws; and, parking of used vehicles for sale, not to exceed ten (10) at any given time;**
5. **That the sale of fireworks be limited to the hours of 7 a.m. to 12 a.m.;**
6. **That prior to approval of a Building Permit for a commercial structure on Lot C of Trailwood Village, the applicant have an engineering study performed to determine the need for storm water detention and the study be submitted to the Planning Department and Highway Drainage Engineer for review;**

7. That one (1) commercial building, not to exceed 10,000 square feet, be allowed on Lot C of Trailwood Village, with the issuance of an approved Building Permit;
8. That a minimum of twenty-five (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;
9. That a minimum of one (1) port-a-potty be available to the public during fireworks sales and be accessible for pumping and/or removal when necessary;
10. 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;
11. That no parking be allowed along the frontage roads;
12. 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;
13. 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;
14. That no fireworks be stored on the subject property outside of the Retail and/or Wholesale selling seasons, as defined by South Dakota Codified Law, unless stored in a secured, permanent building; and,
15. That this Minor Planned Unit Development Amendment be reviewed in three (3) years, on a complaint basis, or as directed by the Pennington County Planning Commission or Board of Commissioners to verify that all Conditions of Approval are being met.

All voting aye, the Motion carried 7 to 0.

23. MINOR PLAT / MPL 19-16: John and Ann Hovdenes; Fisk Land Surveying – Agent. To create Lots 1 and 2 of Cosmos Subdivision and dedicated Right-of-Way in accordance with Section 400.3 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: UNPLAT PT of N1/2NE1/4 NE1/4 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.

Ms. Janelle Finck, Agent for Fisk Land Surveying, appeared and asked to have this Item removed from the Consent Agenda for discussion.

Staff recommended approval of Minor Plat / MPL 19-16 with the following nine (9) conditions:

1. That upon filing the Plat with the Register of Deeds, 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 upon filing the Plat with the Register of Deeds, the plat meets all requirements of § 400.3 of the Pennington County Subdivision Regulations, or an approved Subdivision Regulations Variance be obtained waiving any of these requirements that are not met;
3. That upon filing the plat with the Register of Deeds, the plat show all existing powerlines on the subject property;
4. That the Certifications on the plat be in accordance with § 400.3(1)(n) of the Pennington County Subdivision Regulations;
5. 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;
6. 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;
7. 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;
8. That the applicant ensures that all natural drainage ways are maintained and are not blocked; and,
9. 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.

Discussion followed.

Moved by Hadcock and seconded by Runde to approve of Minor Plat / MPL 19-16 with the following eight (8) conditions:

1. That upon filing the Plat with the Register of Deeds, the six (6) foot Minor Drainage and Utility Easements continue to be dedicated on the interior sides of all lot lines, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
2. That upon filing the Plat with the Register of Deeds, the plat continues to comply to meet all requirements of § 400.3 of the Pennington County Subdivision Regulations, or an approved Subdivision Regulations Variance be obtained waiving any of these requirements that are not met;
3. That the Certifications on the plat be in accordance with § 400.3(1)(n) of the Pennington County Subdivision Regulations;
4. That at the time of Minor Plat submittal, the plat continues to comply to meet 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 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;
7. That the applicant ensures that all natural drainage ways are maintained and are not blocked; and,
8. That following platting of the proposed lots, any on-site wastewater treatment system(s) be subject to the requirements of § 204(J) of the Pennington County Zoning Ordinance, including the requirement to obtain an Operating Permit.

All voting aye, the Motion carried 7 to 0.

24. CONDITIONAL USE PERMIT / CU 19-11: Paul and Rebecca Freidel. To allow a Guest House on the subject property in a Low Density Residential District in accordance with Sections 207, 318, and 510 of the Pennington County Zoning Ordinance.

Lot 6, Cedar Gulch Subdivision, Section 4, T1S, R6E, BHM, Pennington County, South Dakota.

(Continued from the June 10, 2019, Planning Commission meeting.)



Jason Theunissen reviewed the Staff Report indicating the applicant has applied for a Conditional Use Permit to allow a Guest House on the subject property.

Staff recommended approval of Conditional Use Permit / CU 19-11 with the following eleven (11) conditions:

1. That prior to issuance of the Building Permit for the Guest House, the applicant record a deed restriction with the Register of Deeds stating the regulations applicable to the Guest House, including that the Guest House shall not be separately rented or leased from the main residence, in accordance with Pennington County Zoning Ordinance (PCZO) § 318(B)(13);
2. The addition, removal, or relocation of the Guest House requires additional permits issued by the Planning Department;
3. That the rental or lease of the Guest House or the use of the Guest House as a permanent residence for a second family on the premises shall be prohibited;
4. That the Guest House shall not be used for more than 180 days per calendar year;
5. That the primary dwelling be continually classified as owner-occupied and proof of status be provided to the Planning Department upon request, in accordance with PCZO § 318(B)(10);
6. That all necessary utilities for the Guest House shall be extended from the primary dwelling unit's services. No separate meters for the Guest House shall be allowed, unless required by the utility service provider;
7. That prior to any Building Permit for the Guest House being applied for, any On-site Wastewater Treatment System must be in compliance with PCZO § 318 and §204 (J), and be approved by the Pennington County Environmental Planner;
8. That both of the addresses assigned for the primary residence and the Guest House be posted so they are clearly visible from Longhorn Court, in accordance with Pennington County Ordinance #20;
9. That the Guest House be continually utilized and maintained in accordance with all requirements of the PCZO, with emphasis on § 318, or a Variance(s) be obtained and approved to waive any requirements;
10. That a Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which will require a site plan to be reviewed and approved by the Planning Director; and,
11. That this Conditional Use Permit be reviewed in one (1) year, on a complaint basis, or as directed by the Pennington County Planning Commission or Board of Commissioners to verify that all Conditions of Approval are being met.

Discussion followed.

**Moved by Marsh and Johnson to approve of Conditional Use Permit / CU 19-11 with the following eleven (11) conditions:**

- 1. That prior to issuance of the Building Permit for the Guest House, the applicant record a deed restriction with the Register of Deeds stating the regulations applicable to the Guest House, including that the Guest House shall not be separately rented or leased from the main residence, in accordance with Pennington County Zoning Ordinance (PCZO) § 318(B)(13);**
- 2. The addition, removal, or relocation of the Guest House requires additional permits issued by the Planning Department;**
- 3. That the rental or lease of the Guest House or the use of the Guest House as a permanent residence for a second family on the premises shall be prohibited;**
- 4. That the Guest House shall not be used for more than 180 days per calendar year;**
- 5. That the primary dwelling be continually classified as owner-occupied and proof of status be provided to the Planning Department upon request, in accordance with PCZO § 318(B)(10);**
- 6. That all necessary utilities for the Guest House shall be extended from the primary dwelling unit's services. No separate meters for the Guest House shall be allowed, unless required by the utility service provider;**
- 7. That prior to any Building Permit for the Guest House being applied for, any On-site Wastewater Treatment System must be in compliance with PCZO § 318 and §204 (J), and be approved by the Pennington County Environmental Planner;**
- 8. That both of the addresses assigned for the primary residence and the Guest House be posted so they are clearly visible from Longhorn Court, in accordance with Pennington County Ordinance #20;**
- 9. That the Guest House be continually utilized and maintained in accordance with all requirements of the PCZO, with emphasis on § 318, or a Variance(s) be obtained and approved to waive any requirements;**
- 10. That a Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which will require a site plan to be reviewed and approved by the Planning Director; and,**

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

**All voting aye, the Motion carried 7 to 0.**

25. LAYOUT PLAT / LPL 19-17: Brian and Summer Boock. To reconfigure lot lines to create Lots 12R and 13R of Block 12 of The Ranch at Black Gap in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot 12, Lot 13, and Lot 14 of Block 12, The Ranch at Black Gap, Section 9, T1S, R8E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 12R and Lot 13R of Block 12, The Ranch at Black Gap, Section 9, T1S, R8E, BHM, Pennington County, South Dakota.

Theunissen reviewed the Staff Report indicating the applicants applied for a Layout Plat to reconfigure lot lines to create Lots 12R and 13R of Block 12 of The Ranch at Black Gap.

Staff recommended approval of Layout Plan / LPL 19-17 with the following seven (7) conditions:

1. That at the time of the Minor Plat submittal, the Plat title be amended per Department of Equalization comments;
2. That at the time of the Minor Plat submittal, the Plat include the following note: Prior to any Building Permit, each lot must identify two on-site wastewater systems with accompanying percolation tests and soil profiles for each location;
3. That at the time of the Minor Plat submittal, percolation tests and soil profile hole information be submitted for the proposed lots for review and approval by the County Environmental Planner, 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 the applicant ensures that all natural drainage ways are maintained and are not blocked;
6. 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,

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

Discussion followed.

**Moved by Marsh and seconded by Rivers to approve of Layout Plan / LPL 19-17 with the following seven (7) conditions:**

1. That at the time of the Minor Plat submittal, the Plat title be amended per Department of Equalization comments;
2. That at the time of the Minor Plat submittal, the Plat include the following note: Prior to any Building Permit, each lot must identify two on-site wastewater systems with accompanying percolation tests and soil profiles for each location;
3. That at the time of the Minor Plat submittal, percolation tests and soil profile hole information be submitted for the proposed lots for review and approval by the County Environmental Planner, 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 the applicant ensures that all natural drainage ways are maintained and are not blocked;
6. 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,
7. That approval of this Layout Plan does not constitute approval of any further applications to be submitted for the above-described property.

**All voting aye, the Motion carried 7 to 0.**

26. MINOR PLAT / MPL 19-18 AND SUBDIVISION REGULATIONS VARIANCE / SV 19-05: Lorin Lippert. To reconfigure lot lines to create Lot 10R and Lot 11 of Bromegrass Subdivision and to waive platting requirements in accordance with Sections 400.3 and 700.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot 10 of Bromegrass Subdivision and SW1/4SE1/4; SE1/4SW1/4, all located in Section 2, T1S, R9E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 10R and Lot 11 of Bromegrass Subdivision, Section 2, T1S, R9E, BHM, Pennington County, South Dakota.

Theunissen reviewed the Staff Report indicating the applicant has applied to reconfigure lot lines to create Lot 10R and Lot 11 of Bromegrass Subdivision and to waive platting requirements.

Staff recommended approval of Subdivision Regulations Variance / SV 19-05 to waive submittal of percolation tests and soil profile hole information and to not improve the Section Line located on the southern property line of proposed Lot 11; and, approval of Minor Plat / MPL 19-18 with the following seven (7) conditions:

1. That prior to filing the Plat with the Register of Deeds, proposed Lot 10R meets County requirements by way of an approved Lot Size Variance or Rezoning;
2. That prior to filing the Plat with the Register of Deeds, the Certificate of Ownership be amended per Register of Deeds and Staff's clarifying comments;
3. That the applicant obtain an Approach Permit from the County Highway Department prior to installation of any approaches off of Antelope Creek Road;
4. That the applicant ensures a turnaround is installed at the temporary dead end of the road constructed on the Section Line Right-Of-Way, per Pennington County Subdivision Regulations §500.5(2)(a);
5. That the applicant ensures that all natural drainage ways are maintained and are not blocked;
6. 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,
7. That an approved Floodplain Development Permit be obtained *prior* to any disturbance within the regulated Special Flood Hazard Area.

Discussion followed.

**Moved by Marsh and seconded by Rivers to approve of Minor Plat / MPL 19-18 with the following seven (7) conditions:**

- 1. That prior to filing the Plat with the Register of Deeds, proposed Lot 10R meets County requirements by way of an approved Lot Size Variance or Rezoning;**
- 2. That prior to filing the Plat with the Register of Deeds, the Certificate of Ownership be amended per Register of Deeds and Staff's clarifying comments;**

3. That the applicant obtain an Approach Permit from the County Highway Department prior to installation of any approaches off of Antelope Creek Road;
4. That the applicant ensures a turnaround is installed at the temporary dead end of the road constructed on the Section Line Right-Of-Way, per Pennington County Subdivision Regulations §500.5(2)(a);
5. That the applicant ensures that all natural drainage ways are maintained and are not blocked;
6. 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,
7. That an approved Floodplain Development Permit be obtained *prior* to any disturbance within the regulated Special Flood Hazard Area.

All voting aye, the Motion carried 7 to 0.

Moved by Johnson and seconded by Marsh to approve of Subdivision Regulations Variance / SV 19-05 to waive submittal of percolation tests and soil profile hole information and to not improve the Section Line located on the southern property line for proposed Lot 11.

All voting aye, the Motion carried 7 to 0.

27. REZONE / RZ 19-07 AND COMPREHENSIVE PLAN AMENDMENT / CA 19-07: Lorin Lippert. To rezone 35.452 acres from General Agriculture District to Limited Agriculture District and to amend the Comprehensive Plan to change the Future Land Use from General Agriculture District to Limited Agriculture District in accordance with Sections 205, 206, and 508 of the Pennington County Zoning Ordinance.

LEGAL DESCRIPTION: Commencing at the Northeasterly corner of Lot 10 of Bromegrass Subdivision, common with the Southeasterly corner of Lot 9 of Bromegrass Subdivision, and the point of beginning of the subject property as surveyed, thence S 89°43'20" E, a distance of 1,347.99 feet along the northerly boundary of said Lot 10 common with the southerly line of said Lot 9 to an angle point common with Lot 8, Lot 9, and Lot 10 of Bromegrass Subdivision, thence S 00°00'00" W along the easterly boundary of Lot 10 of Bromegrass a distance of 189.12 feet to an angle point on the easterly boundary of Lot 10 of Bromegrass Subdivision, common with the southwesterly boundary of Lot 8 of Bromegrass Subdivision, thence S 34°48'11" E a distance of 160.00 feet to an angle point on the easterly boundary of Lot 10 of Bromegrass Subdivision, common with the southwesterly boundary of Lot 8 of Bromegrass Subdivision, thence S 74°32'32" E a distance of 127.63 feet to an angle point on the easterly boundary of Lot 10 of Bromegrass Subdivision, common with the southwesterly boundary of Lot 8 of

Bromegrass Subdivision, thence N 26°33'09" E a distance of 363.10 feet to an angle point on the easterly boundary of Lot 10 of Bromegrass Subdivision, common with the southeasterly boundary of Lot 8 of Bromegrass Subdivision, thence N 00°00'00" E a distance of 240.00 feet to an angle point on the easterly boundary of Lot 10 of Bromegrass Subdivision, common with the southeasterly boundary of Lot 8 of Bromegrass Subdivision, thence N 55°06'52" E a distance of 263.04 feet to an angle point on the easterly boundary of Lot 10 of Bromegrass Subdivision, common with the southerly boundary of Lot 8 of Bromegrass Subdivision, thence S 81°19'12" E a distance of 269.72 feet to an angle point on the easterly boundary of Lot 10 of Bromegrass Subdivision, common with the southerly boundary of Lot 8, and common with the westerly boundary of Lot 5 of Bromegrass Subdivision, thence S 67°50'06" E a distance of 87.94 feet to an angle point on the easterly boundary of Lot 10 of Bromegrass Subdivision, common with the westerly boundary of Lot 5 of Bromegrass Subdivision, thence S 00°33'47" E a distance of 260.42 feet to an angle point on the easterly boundary of Lot 10 of Bromegrass Subdivision, common with the westerly boundary of Lot 5 of Bromegrass Subdivision, thence S 33°16'24" W a distance of 295.03 feet to an angle point on the easterly boundary of Lot 10 of Bromegrass Subdivision, common with the Southwesterly corner of Lot 5 of Bromegrass Subdivision and common with the northwesterly corner of Lot 7 of Bromegrass Subdivision, thence S 42°51'38" W a distance of 394.56 feet to an angle point on the easterly boundary of Bromegrass Subdivision, common with the westerly boundary of Lot 7 of Bromegrass Subdivision, thence S 19°54'53" W a distance of 236.72 feet to a random point on the easterly boundary of Lot 10 of Bromegrass Subdivision, a random point on the westerly boundary of Lot 7 of Bromegrass Subdivision, thence N 89°41'13" W a distance of 1,780.97 feet to a random point on the westerly boundary of Lot 10 of Bromegrass Subdivision, thence N 00°03'49" E along the westerly boundary of Lot 10 of Bromegrass Subdivision a distance of 728.82 feet to the Northeasterly corner of Lot 10 of Bromegrass Subdivision, common with the Southeasterly corner of Lot 9 of Bromegrass Subdivision, and the point of beginning, Said Parcel contains 1,544,279 square feet or 35.452 acres more or less; Section 2, T1S, R9E, BHM, Pennington County, South Dakota.

Theunissen reviewed the Staff Report indicating the applicant has applied to rezone 35.452 acres from General Agriculture District to Limited Agriculture District and to amend the Comprehensive Plan to change the Future Land Use from General Agriculture District to Limited Agriculture District.

Staff recommended approval of Rezone / RZ 19-07 and Comprehensive Plan Amendment / CA 19-07.

Discussion followed.

**Moved by Hadcock and seconded by Marsh to approve of Rezone / RZ 19-07 and Comprehensive Plan Amendment / CA 19-07.**

**All voting aye, the Motion carried 7 to 0.**

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

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

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

Molitor provide an updated regarding Construction Permit / CP 18-10 and staff recommended 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.

**Moved by Hadcock and seconded by Marsh to acknowledge the update from Staff regarding Construction Permit / CP 18-10.**

**All voting aye, the Motion carried 7 to 0.**

29. LAYOUT PLAT / LPL 19-15: Terry and Marcia Graber. To create three new parcels in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: SE1/4NE1/4NW1/4 SE1/4 NE1/4; S1/2SW1/4 NW1/4SE1/4NE1/4; SE1/4 NW1/4SE1/4NE1/4; NE1/4SE1/4NE1/4; S1/2S E1/4NE1/4, Section 32, T1S, R6E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: NW1/4SE1/4NW1/4 SE1/4NE1/4; NE1/4NE1/4 SE1/4NE1/4; NE1/4 NW1/4NE1/4SE1/4NE1/4; and SE1/4NE1/4 SE1/4NE1/4; S1/2SW1/4NW1/4 SE1/4NE1/4; N1/2 NW1/4SE1/4SE1/4NE1/4; N1/2NE1/4SE1/4 SE1/4 NE1/4; NE1/4NE1/4SW1/4SE1/4NE1/4; SE1/4 SE1/4NW1/4SE1/4NE1/4, Section 32, T1S, R6E, BHM, Pennington County, South Dakota.

Conover reviewed the Staff Report indicating the applicants would like to create three new parcels.

Staff recommended to continue Layout Plat / LPL 19-15 to the July 8, 2019, Planning Commission meeting, with the applicants' concurrence.

Discussion followed.

**Moved by Marsh and seconded by Runde to continue Layout Plat / LPL 19-15 to the July 8, 2019, Planning Commission meeting with the applicants' concurrence.**

**All voting aye, the Motion carried 7 to 0.**



30. TELECOMMUNICATIONS FACILITY PERMIT / TC 19-01: AT&T, New Cingular Wireless. To allow for a 400 foot guyed telecommunications tower and equipment shelter in a General Agriculture District in accordance with Sections 205 and 316 of the Pennington County Zoning Ordinance.

Lot 2, Castle Creek Estates, Section 35, T1N, R2E, BHM, Pennington County, South Dakota.

Conover reviewed the Staff Report indicating the applicant has applied for a Telecommunications Facility Permit to allow for a 400 foot guyed telecommunications tower and equipment shelter in a General Agriculture District.

Staff recommended approval of the withdrawal of Telecommunications Facility Permit / TC 19-01, per the applicant's request.

**Moved by Hadcock and seconded by Marsh to approve of the withdrawal of Telecommunications Facility Permit / TC 19-01, per the applicant's request.**

**All voting aye, the Motion carried 7 to 0.**

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

(Continued from the June 10, 2019, Planning Commission meeting.)

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

Staff recommended to continue Ordinance Amendment / OA 19-01 to the July 8, 2019, Planning Commission meeting.

Discussion followed.

**Moved by Hadcock and seconded by Runde to continue Ordinance Amendment / OA 19-01 to the July 8, 2019, Planning Commission meeting.**

**All voting aye, the Motion carried 7 to 0.**

32. COUNTY BOARD REPORT

The Board of Commissioners concurred with the Planning Commission's recommendations from the June 10, 2019, Planning Commission meeting.

Appeal of Conditional Use Permit 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 was approved by the Board of Commissioners on June 18<sup>th</sup>.

33. ITEMS FROM THE PUBLIC

No motions or actions were taken at this time.

34. ITEMS FROM THE STAFF

- A. Planning Commission Memberships. Conover congratulated Planning Commissioners Travis Lasseter and Rich Marsh on their reappointments to the Planning Commission.
- B. New Planning Department Employee. Bolstad introduced Dwayne Allen as the new Ordinance Enforcement Officer.

35. ITEMS FROM THE MEMBERSHIP

Commissioner Coleman stated he will not be at the July 8<sup>th</sup> meeting, and, Commissioner Lasseter stated he will not be at the July 22<sup>nd</sup> meeting.

36. ADJOURNMENT

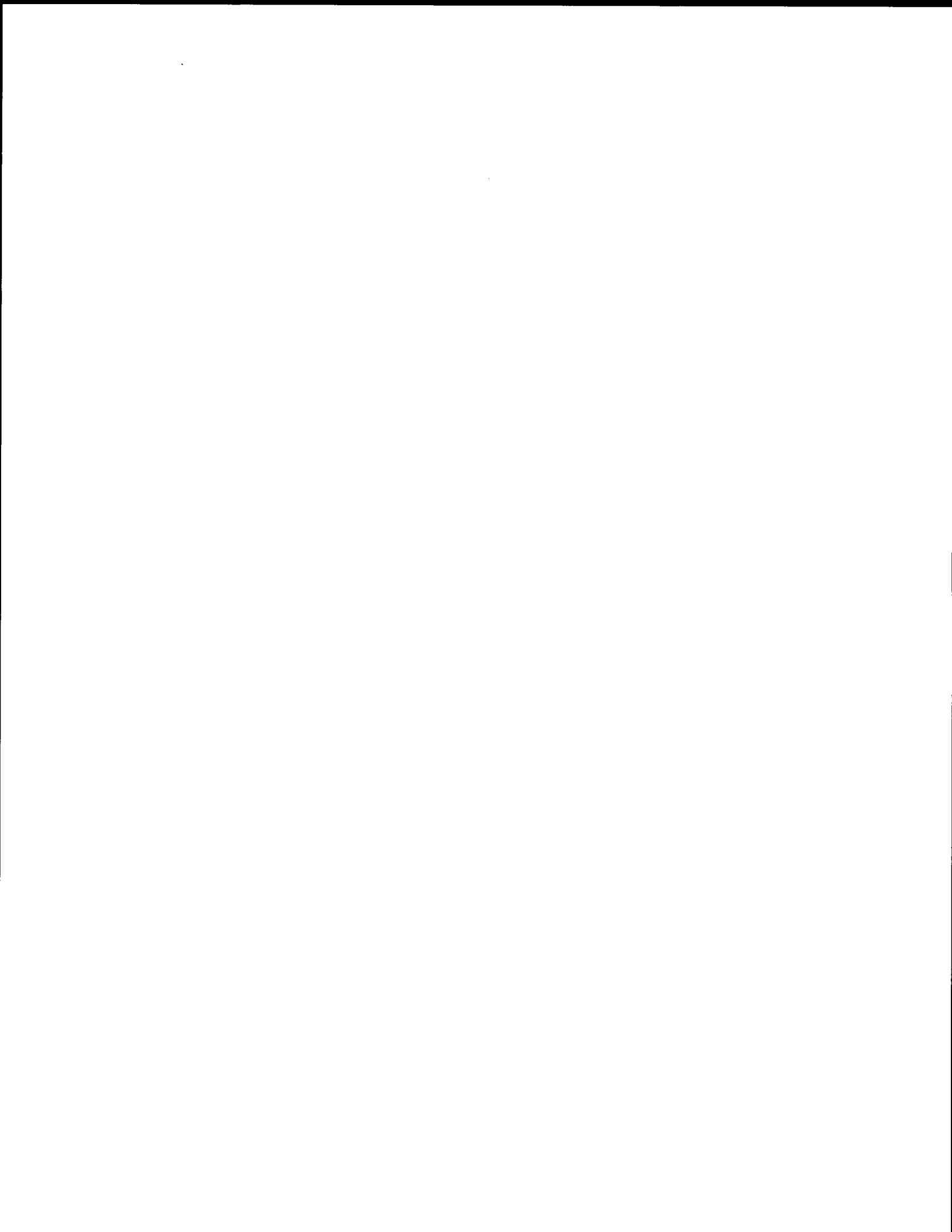
**Moved by Hadcock and seconded by Johnson to adjourn.**

**All voting aye, the Motion carried 7 to 0.**

**The meeting adjourned at 10:11 a.m.**

---

Travis Lasseter, Chairperson



**STAFF REPORT**

**GENERAL INFORMATION:**

REQUEST: CONDITIONAL USE PERMIT REVIEW / CU 17-33: To review a temporary hot mix asphalt batch plant / stockpile site and contractor's storage area for contract work in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

APPLICANT/AGENT: Bituminous Paving/Terry Sewell

APPLICANT ADDRESS: P.O. Box 6, Ortonville, MN 56278

OWNER: Kenneth Willard

OWNER ADDRESS: 12708 Kinsley Drive, Rapid City, SD 57702

LEGAL DESCRIPTION: That PT of W1/2SE1/4 and that PT of SE1/4SE1/4 located E of Highway 385 less Forest View Subdivision less Lot H1, Section 28, T2N, R5E, BHM, Pennington County, South Dakota.

SITE LOCATION: 12708 Kinsley Drive; near the intersection of W. Highway 44 and Highway 385.

SIZE: 61.83 acres

TAX ID: 66486

EXISTING LAND USE: Agriculture

ZONING REFERENCE: § 205 and 510

CURRENT ZONING: General Agriculture District

SURROUNDING ZONING:

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

Agenda Item #4  
Bituminous Paving, Inc.; Terry Sewell - Agent  
July 8, 2019

PHYSICAL CHARACTERISTICS: Sloping / Prairie

UTILITIES: Private/Public

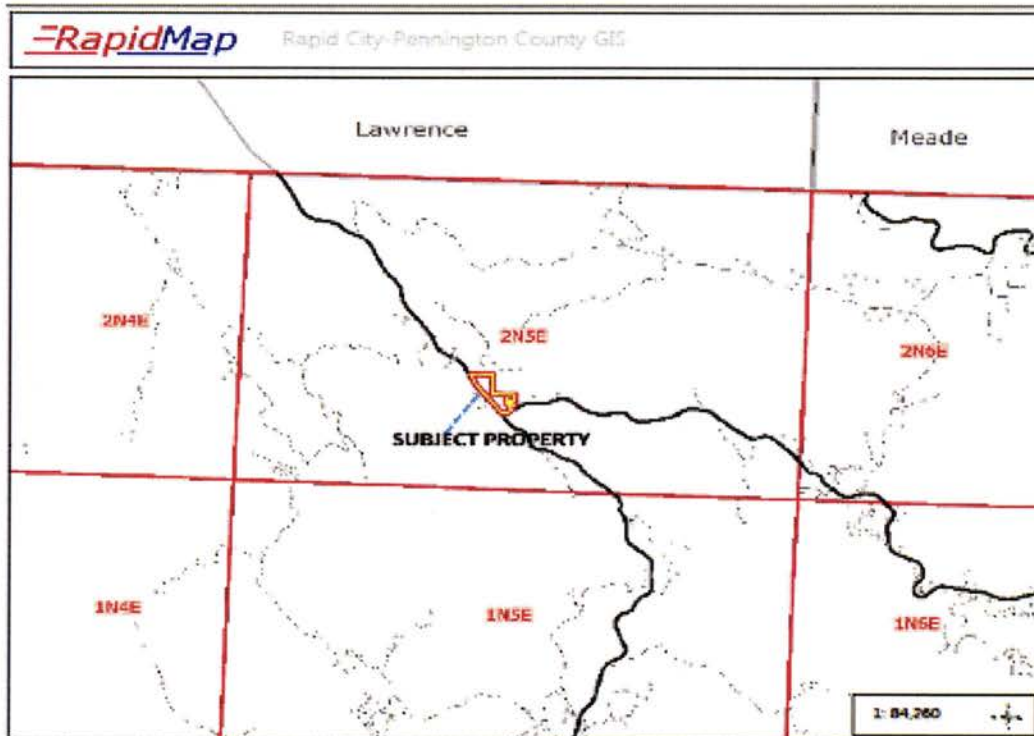
REPORT BY: Cody Sack

**I. PROPOSED RECOMMENDATION**

- A. Staff will recommend to end Conditional Use Permit / CU 17-33 with the applicant's concurrence.

**II. GENERAL DESCRIPTION**

- A. The applicant, Bituminous Paving, Terry Sewell-agent, requested a Conditional Use Permit to allow a stockpile and hot mix plant to be set up at the above-described property.



*Site Map*

### III. EXISTING CONDITIONS

- A. 61.83 acres.
- B. Zoned General Agriculture District.
- C. Access of off Highway 44.
- D. Lot contains:
  - 1. 64' x 32' Shop/Equipment building – 2011COBP0421. Building has an approved onsite wastewater treatment system (OSWTS) (2012COSD0027).
  - 2. 1,936 square foot double wide mobile home installed in 2010 (2010COBP0299). Using existing OSWTS system.
  - 3. Single-Wide Mobile Home installed prior to 1964 using an existing OSWTS system.
- E. There is Special Flood Hazard Area located on the property.

### IV. PROPERTY HISTORY

- A. Staff performed a site visit on August 18, 2017, and verified that work had not begun.
- B. August 28, 2017 – the Planning Commission approved Conditional Use Permit / CU 17-33 with the following twelve (12) conditions:
  - 1. That port-o-potties are provided on-site: one (1) unit per 50 employees, throughout the operation of the stockpile and portable asphalt plant;
  - 2. That a temporary address will be assigned to the stockpile and portable asphalt plant and must be conspicuously posted at all times and a cell phone shall be present on the site at all times as well;
  - 3. All access to the worksite be via the existing private approach;
  - 4. That appropriate measures are taken to protect all drainage ways and limit runoff from the subject property by implementing Best Management Practices prior to any land disturbance;
  - 5. That all debris and construction items be cleaned up and removed from the property upon completion of the project, and that the applicant reclaim all disturbed areas to the state-of-condition that was seen prior to the temporary asphalt plant installation;
  - 6. That all necessary Permits from the Department of Environmental and Natural Resources (Industrial Stormwater Permit) be obtained, and copies submitted within seven (7) business days of approval of this Conditional Use Permit;
  - 7. That dust control measures be taken to reduce the amount of dust pollution produced by the project and insures that the parking areas and approach are maintained in a dust free condition;
  - 8. That erosion control measures be implemented and maintained and barrier protection measures (i.e. wattles, silt fence, etc.) be installed to prevent sediment from leaving the site;

Agenda Item #4

Bituminous Paving, Inc.; Terry Sewell - Agent

July 8, 2019

9. That prior to operation of the stockpile and portable asphalt plant, the applicant notify Pennington County Emergency Services Communication Center;
  10. That the applicant obtains a Floodplain Development Permit prior to any work being performed and/or structures placed within the 100-year floodplain boundaries;
  11. That the applicant signs the Statement of Understanding at the Planning Office within ten (10) business days of approval of Conditional Use Permit / CU 17-33; and,
  12. That this Conditional Use Permit be reviewed in one (1) year, or 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.
- C. December 26, 2017 – Staff contacted the engineer regarding the incomplete Floodplain Permit Application and requested more information and indicated that the Permit was not approved.
- D. May 14, 2018 – Disturbance began on the site prior to a Floodplain Development Permit being approved by the Planning Department.
- E. May 14, 2018 – Ordinance Enforcement met with the applicant/agent regarding the issue. A Stop Work Order was issued due to the Floodplain Violation.
- F. Staff approved the Floodplain Development Permit on May 17, 2018.
- G. July 26, 2018 – Staff received complaints from other County Employees regarding the condition of the site.
- H. July 30, 2018 – Staff performed a site visit and observed the following:
1. The asphalt batch plant was no longer on site.
  2. The site had not been reclaimed to its original condition.
  3. A second approach was added off of Highway 385 contrary to Condition of Approval #3.
- I. August 2, 2018 - Staff spoke to a representative from Bituminous Paving. He indicated that they have not been able to reclaim the site due to the weather and that it should be complete by September 2018.
- J. August 28, 2018 – Staff performed a site visit and observed the following:
1. The asphalt batch plant was no longer on site.
  2. The site had not been reclaimed to its original condition.
  3. A second approach was added off of Highway 385 contrary to Condition of Approval #3.
    - a. South Dakota Department of Transportation approved the approach.
- K. September 5, 2018 – Staff received an inspection report from the South Dakota Department of Environment regarding the subject property. There were Corrective Action requirements, however, there are no major violations.

Agenda Item #4

Bituminous Paving, Inc.; Terry Sewell - Agent

July 8, 2019

- L. November 26, 2018 – The Planning Commission approved the extension of Conditional Use Permit / CU 17-33 with the following eleven (11) conditions:
1. That port-o-potties are provided on-site: one (1) unit per 50 employees, throughout the operation of the stockpile and portable asphalt plant;
  2. That a temporary address will be assigned to the stockpile and portable asphalt plant and must be conspicuously posted at all times and a cell phone shall be present on the site at all times as well;
  3. All access to the worksite be via the existing private approach;
  4. That appropriate measures are taken to protect all drainage ways and limit runoff from the subject property by implementing Best Management Practices prior to any land disturbance;
  5. That all debris and construction items be cleaned up and removed from the property upon completion of the project, and that the applicant reclaim all disturbed areas to the state-of-condition that was seen prior to the temporary asphalt plant installation;
  6. That all necessary Permits from the Department of Environmental and Natural Resources (Industrial Stormwater Permit) be obtained, and copies submitted within seven (7) business days of approval of this Conditional Use Permit;
  7. That dust control measures be taken to reduce the amount of dust pollution produced by the project and insures that the parking areas and approach are maintained in a dust free condition;
  8. That erosion control measures be implemented and maintained and barrier protection measures (i.e. wattles, silt fence, etc.) be installed to prevent sediment from leaving the site;
  9. That the site is stabilized for the winter with either tackifier or straw blankets within fourteen (14) days of approval;
  10. That the applicant signs the Statement of Understanding at the Planning Office within ten (10) business days of approval of Conditional Use Permit / CU 17-33; and,
  11. That this Conditional Use Permit be reviewed in six (6) months, or 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.



**V. ANALYSIS**

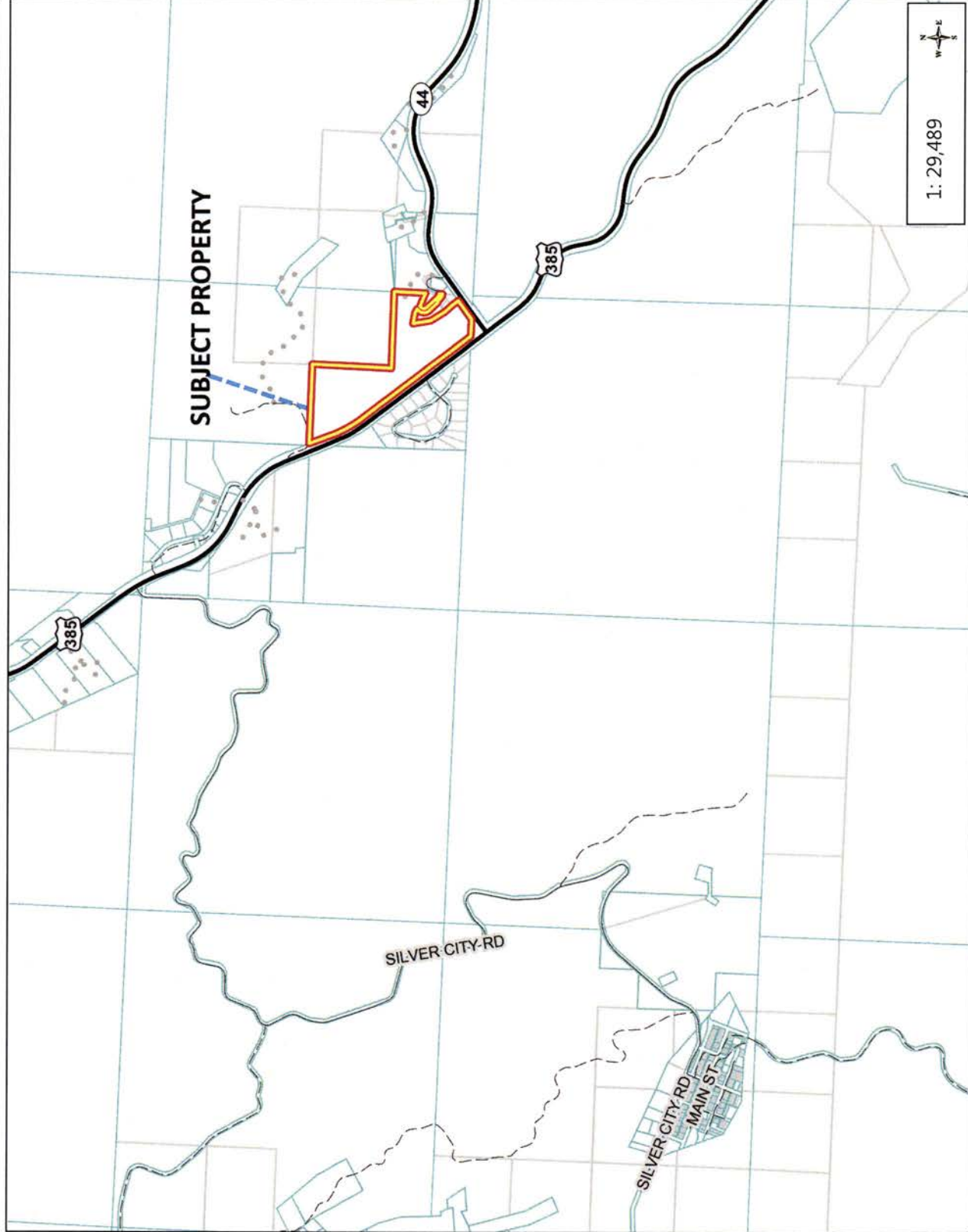
A. June 26, 2019

1. Staff performed a site visit and found:
2. The site has been revegetated and appears to have reached final stabilization.
3. Staff contacted the applicant who stated he wanted the Conditional Use Permit to end.



Site Visit (6/26/19)

**RECOMMENDATION:** Staff recommends to end Conditional Use Permit / CU 17-33 with the applicant's concurrence.



1: 29,489

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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

**Section Lines 0-25k**

- 0
- 7

**Section Labels 0-25k**

**Tax Parcels**

**Lot Lines**

- <Null>
- Lot Line
- Parcel Line

**OtherCitieslargerscale**

**Map Notes:**

**Legend**

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**STAFF REPORT**

GENERAL INFORMATION:

REQUEST: **CONDITIONAL USE PERMIT REVIEW / CU 18-08**: To review an illuminated, on-premise sign within 1,500 feet of a residential zoning district / dwelling unit in a General Commercial in accordance with §§ 209, 312, and 510 of the Pennington County Zoning Ordinance.

APPLICANT/ OWNER: Brook Stromer / Stromer Properties, LLC.

APPLICANT ADDRESS: 5410 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: Located off of E. Highway 44; at the intersection of Airport Road and Aviation Road.

SIZE: 15.01 acres

TAX ID: 61558

EXISTING LAND USE: General Commercial District

ZONING REFERENCE: §§ 209, 312, and 510

CURRENT ZONING:

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: Jason Theunissen

**I. PROPOSED RECOMMENDATION**

- A. Staff will be recommending approval of the extension of Conditional Use Permit / CU 18-08 with eight (8) conditions.

**II. GENERAL DESCRIPTION**

- A. May 29, 2018 – The Planning Commission approved Conditional Use Permit / CU 18-08 with the following eight (8) 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 or airspace, and must not be of such intensity or brilliance to cause glare or impair the vision of the driver of any motor vehicle or pilot of an aircraft, or otherwise interfere with any driver's operation of a motor vehicle or pilot's operation of an aircraft;
  2. That the applicant obtain a Sign Permit for the proposed sign prior to any work being done, which requires a site plan to be reviewed and approved by the Planning Director;
  3. That the sign continually conforms 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;
  5. That the sign must meet a minimum of a five (5) foot setback from the front property lines and twenty-five (25) foot setbacks from all side and rear property lines. In addition, no part of the sign or infrastructure may be located in any right-of-way;
  6. That the overall height of the proposed sign, including ground clearance, not exceed 30 feet and the maximum display area not exceed 250 square feet on each face;
  7. That the applicant signs the Statement of Understanding within ten (10) business days of approval of Conditional Use Permit / CU 18-08, which is available at the Planning Office; and,
  8. That this Conditional Use Permit be reviewed in one (1) year, on a complaint basis, or as deemed necessary by the Pennington County Planning Commission or Board of Commissioners to verify that all Conditionals of Approval are being met.

**III. EXISTING CONDITIONS**

- A. Zoned General Commercial District
- B. 15.01 acres.
- C. Currently vacant of any structures.
- D. Right-of-Way Permit (CIBP18-1139) has been issued by the City of Rapid City to pave the approach onto the property.
- E. Pennington County Construction Permit / CP 18-04 was extended on May 29, 2019 to construct a parking area on the subject property.

- F. There are two (2) platted easements on the property.
  - 1. A 20-foot-wide irrigation ditch easement that runs along the west property line.
  - 2. A 66-foot-wide access easement runs along the southern property line.
- G. The applicant has indicated the proposed sign will be placed in the southwest corner of the property near the points where the easements intersect.

#### IV. ANALYSIS

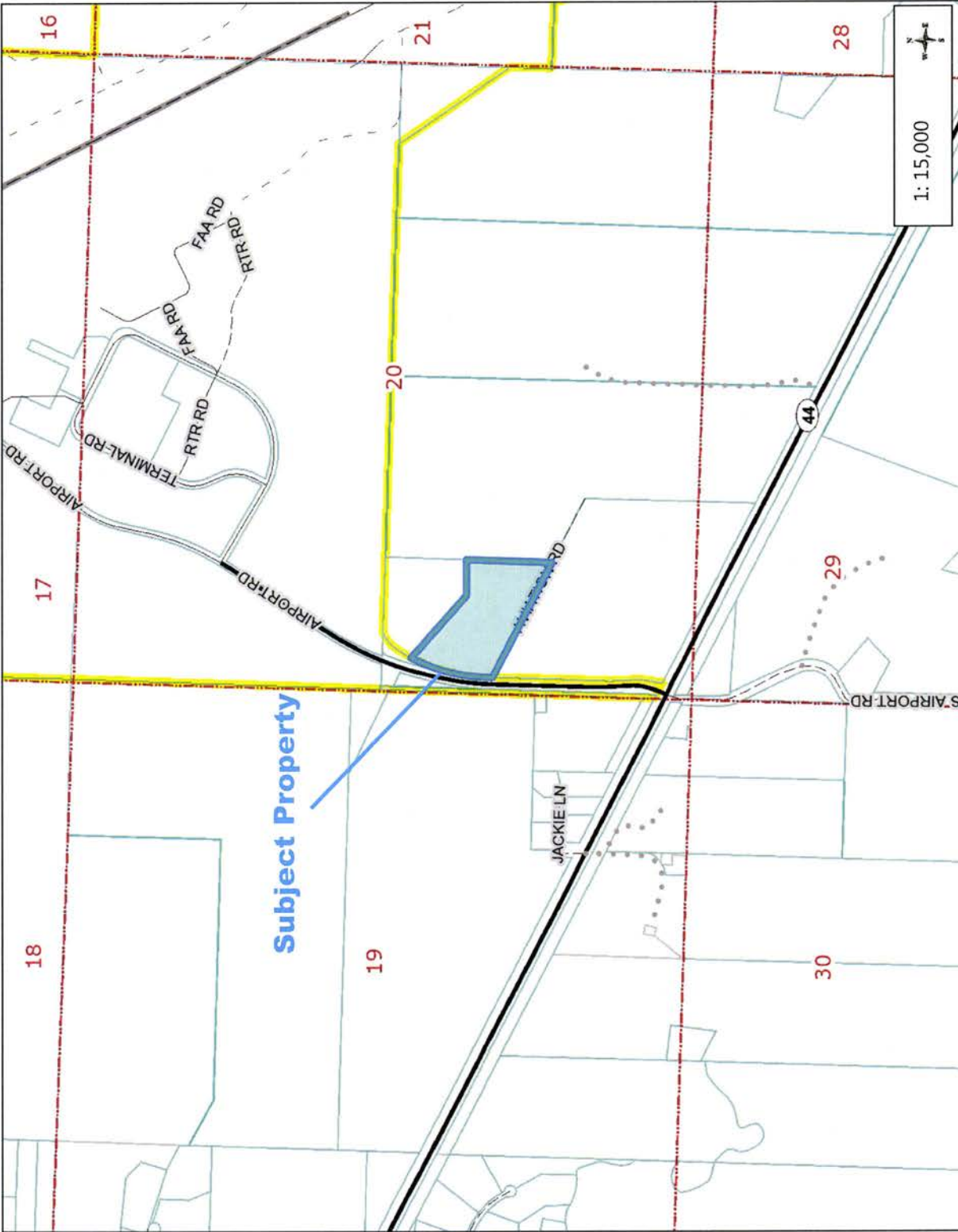
- A. June 25, 2019 – Staff spoke with the applicant, Brook Stromer, via telephone and he stated that a Sign Permit has not been applied for and that the planned illuminated sign has not been placed on the subject property. The applicant stated that he has plans to apply for and place the sign by the end of the summer and requested that Conditional Use Permit / CU 18-08 be extended for one additional year.
  - 1. Pennington County Zoning Ordinance § 510 (E)(1)(b) states: A Conditional Use Permit shall automatically expire if: The use for which the Conditional Use Permit was granted has not been established, according to the terms and conditions of the Conditional Use Permit, within two years following the date of approval.
  - 2. Staff has added a condition to address this requirement.
- B. Staff has removed Condition #7, as it has been fulfilled and is no longer required for this type of permit.

**RECOMMENDATION:** Staff recommends the extension of Conditional Use Permit / CU 18-08 with the following eight (8) 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 or airspace, and must not be of such intensity or brilliance to cause glare or impair the vision of the driver of any motor vehicle or pilot of an aircraft, or otherwise interfere with any driver's operation of a motor vehicle or pilot's operation of an aircraft;
- 2. That the applicant obtain a Sign Permit for the proposed sign prior to any work being done, which requires a site plan to be reviewed and approved by the Planning Director;
- 3. That the sign continually conforms 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;

Agenda Item #5  
Brook Stromer  
July 8, 2019

5. That the sign must meet a minimum of a five (5) foot setback from the front property lines and twenty-five (25) foot setbacks from all side and rear property lines. In addition, no part of the sign or infrastructure may be located in any right-of-way;
6. That the overall height of the proposed sign, including ground clearance, not exceed 30 feet and the maximum display area not exceed 250 square feet on each face; and,
7. That this Conditional Use Permit shall automatically expire if the use for which the it was granted has not been established within two years following the date of approval, May 29, 2018;
8. 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.



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**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

**Legend**

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  - Minor arterial
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  - Airport Runway
  - Not yet coded
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  - 7
- Tax Parcels**
- Lot Lines
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**Map Notes:**





1: 15,000

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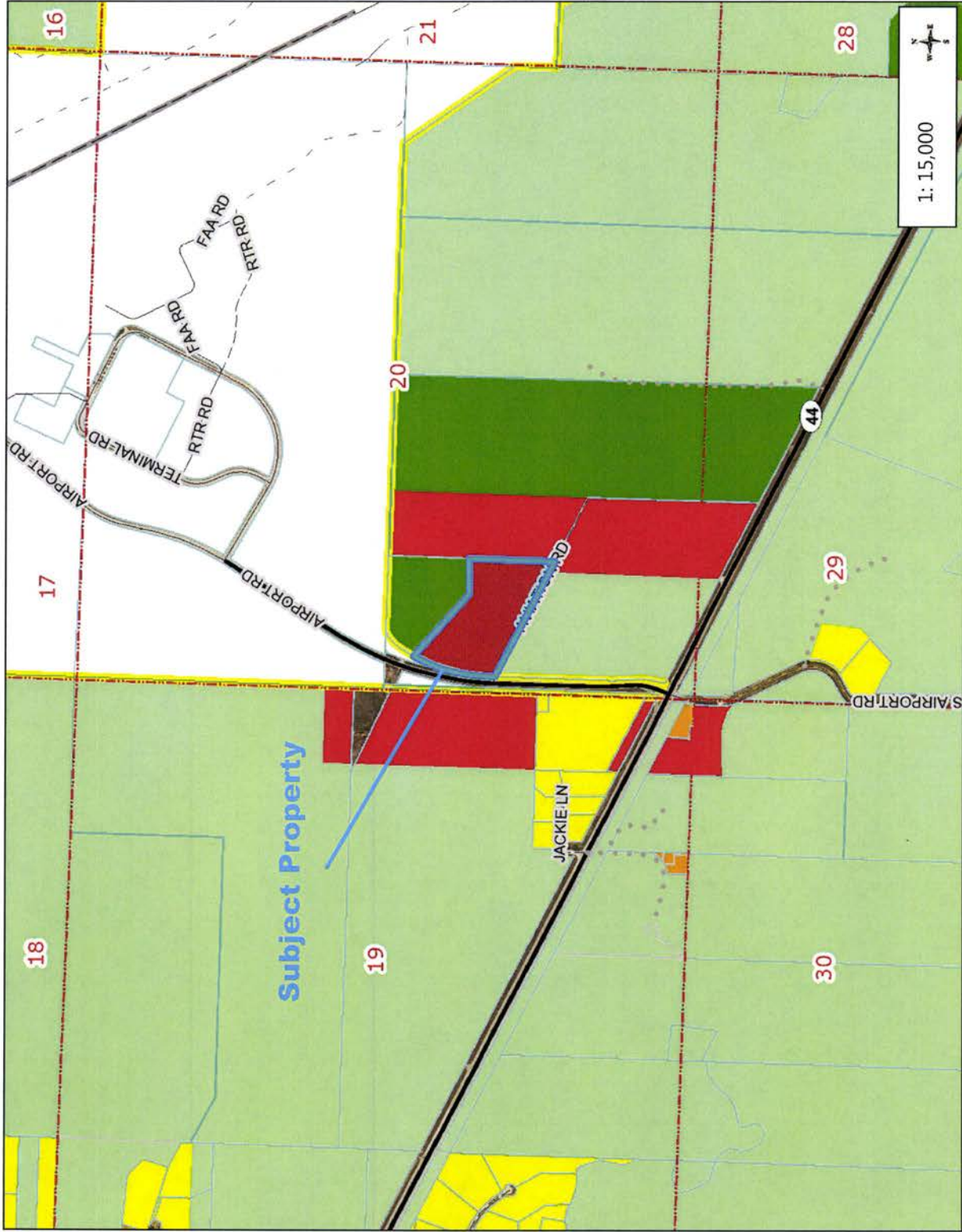
NAD\_1983\_StatePlane\_South\_Dakota\_South\_FIPS\_4002\_Feet  
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**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

2,500.0 0 1,250.00 2,500.00 Feet

NAD\_1983\_StatePlane\_South\_Dakota\_South\_FIPS\_4002\_Feet  
 © City of Rapid City GIS

**Legend**

**Roads**

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

**Section Lines 0-25k**

- 0
- 7

**Tax Parcels**

**Lot Lines**

- <Null>
- Lot Line
- Parcel Line

**Pennington County Zoning**

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

**Map Notes:**

**STAFF REPORT**

GENERAL INFORMATION:

REQUEST: **CONDITIONAL USE PERMIT REVIEW / CU 18-21**: To review a single-family residence in a Highway Service District in accordance with Sections 210 and 510 of the Pennington County Zoning Ordinance.

APPLICANT: David and Leah Byers

APPLICANT ADDRESS: 1825 Harmony Heights #205  
Rapid City, SD 57702

LEGAL DESCRIPTION: Lot 1, Pankratz Subdivision, Section 22, T1S, R6E, BHM, Pennington County, South Dakota.

SITE LOCATION: S. Highway 16; on the south side of S. Highway 16, across from Silver Mountain Road.

SIZE: 17.31 acres

TAX ID: 68408

EXISTING LAND USE: Vacant

ZONING REFERENCE: § 210 and 510

CURRENT ZONING: Highway Service District

SURROUNDING ZONING:  
North Highway Service District  
South Highway Service District  
East Highway Service District  
West General Agriculture District

PHYSICAL CHARACTERISTICS: Forested / Hills

UTILITIES: None

REPORT BY: Cassie Bolstad

**I. PROPOSED RECOMMENDATION**

- A. Staff will be recommending approval of the extension of Conditional Use Permit / CU 18-21 with six (6) conditions.

**II. GENERAL DESCRIPTION**

- A. The applicant, David Byers, requested a Conditional Use Permit to allow for a single-family residence in a Highway Service District.
  - 1. Mr. Byers plans to eventually construct rental cabins on the subject property after the single-family residence is constructed.

**III. EXISTING CONDITIONS**

- A. Highway Service Zoning District.
- B. 17.31 acres.
- C. Lot is currently vacant of any structures.
- D. There is no Special Flood Hazard Area on the subject property.



**IV. ANALYSIS**

- A. June 7, 2018 – Applicant applied for Conditional Use Permit / CU 18-21 to allow a single-family residence in a Highway Service District.
- B. July 9, 2018 – Planning Commission approved Conditional Use Permit / CU 18-21 with the following eight (8) conditions:

1. That the applicant obtain a Construction Permit for the roads constructed and improved on the subject property, with all applicable fees be paid, prior to the applicant applying for a Building Permit for the single-family residence;
  2. That the applicant work with the SDDOT to approve any changes to the existing access to the subject property, per the applicable Administrative Rules of South Dakota;
  3. That an On-Site Wastewater Construction Permit be submitted prior to installation of an On-Site Wastewater Treatment System;
  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;
  5. That all current and future addresses be posted in accordance with Pennington County Ordinance #20;
  6. That the subject property remains free of debris and junk vehicles, in accordance with Ordinance #106;
  7. That the applicant signs the Statement of Understanding within ten (10) business days of approval of Conditional Use Permit / CU 18-121, which is available at the Planning Office; and,
  8. That this Conditional Use Permit be reviewed in one (1) year, on a complaint basis, or as directed by the Pennington County Planning Commission and/or Board of Commissioners to verify that all Conditions of Approval are being met.
- C. August 13, 2018 – The Planning Commission approved Construction Permit / CP 18-07 to level and grade roads to be utilized as driveways for future construction of a single-family residence and cabins.
- D. July 2, 2019 – The applicants applied for a Building Permit (COBP19-0363) to construct a single-family residence (property manager’s house) on the subject property.
- E. Per § 510(E)(2) of the Pennington County Zoning Ordinance, “A Conditional Use Permit shall automatically expire if the use for which the Conditional Use Permit was granted has not been established, according to the terms and conditions of the Conditional Use Permit, within two years following the date of approval.”
1. The applicants have until July 9, 2020, to establish the use granted by Conditional Use Permit / CU 18-21.
- F. Staff recommends to remove Conditions #1 and #7, as they have been met.

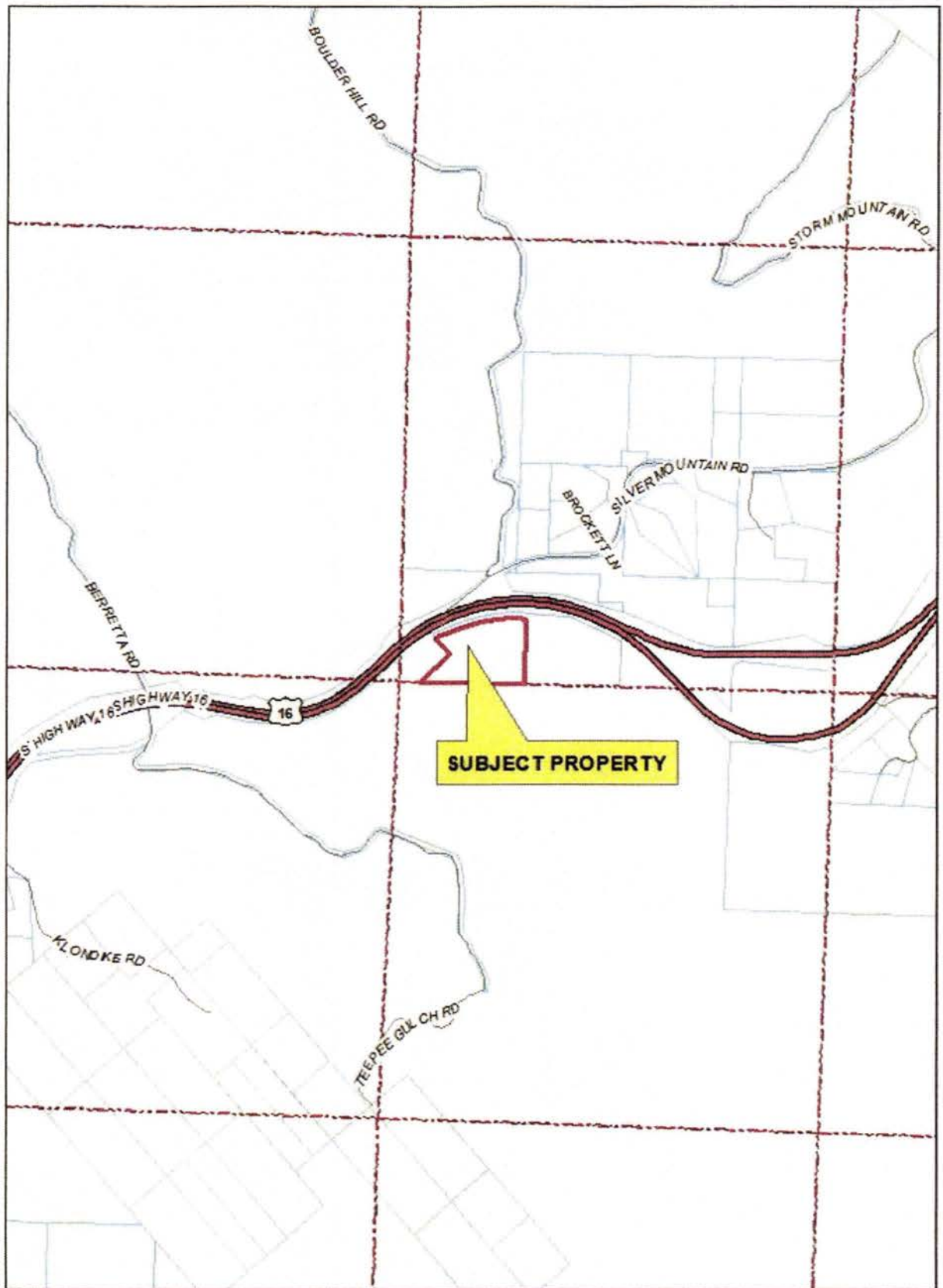
**RECOMMENDATION:** Staff recommends approval of the extension of Conditional Use Permit / CU 18-21 with the following six (6) conditions:

1. That the applicant work with the SDDOT to approve any changes to the existing access to the subject property, per the applicable Administrative Rules of South Dakota;

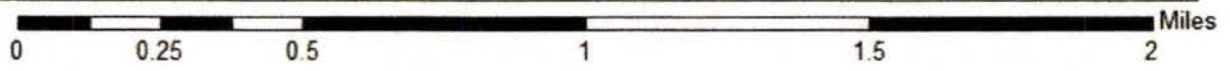
Agenda Item #6  
David and Leah Byers  
July 8, 2019

2. That an On-Site Wastewater Construction Permit be submitted prior to installation of an On-Site Wastewater Treatment System;
3. That an approved Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be reviewed and approved by the Planning Director;
4. That all current and future addresses be posted in accordance with Pennington County Ordinance #20;
5. That the subject property remains free of debris and junk vehicles, in accordance with Ordinance #106; and,
6. 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.

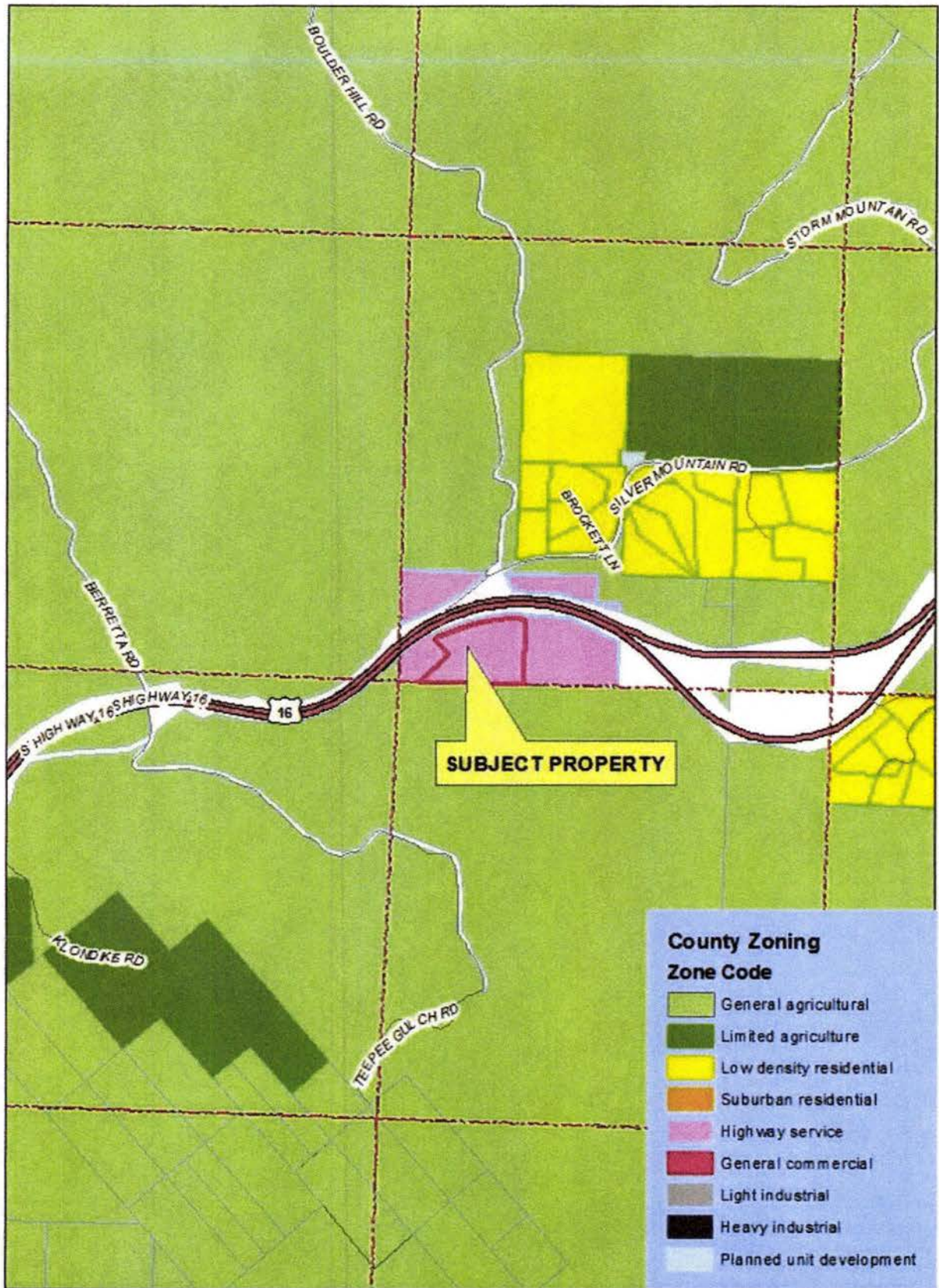
# BYERS



**SUBJECT PROPERTY**



# BYERS



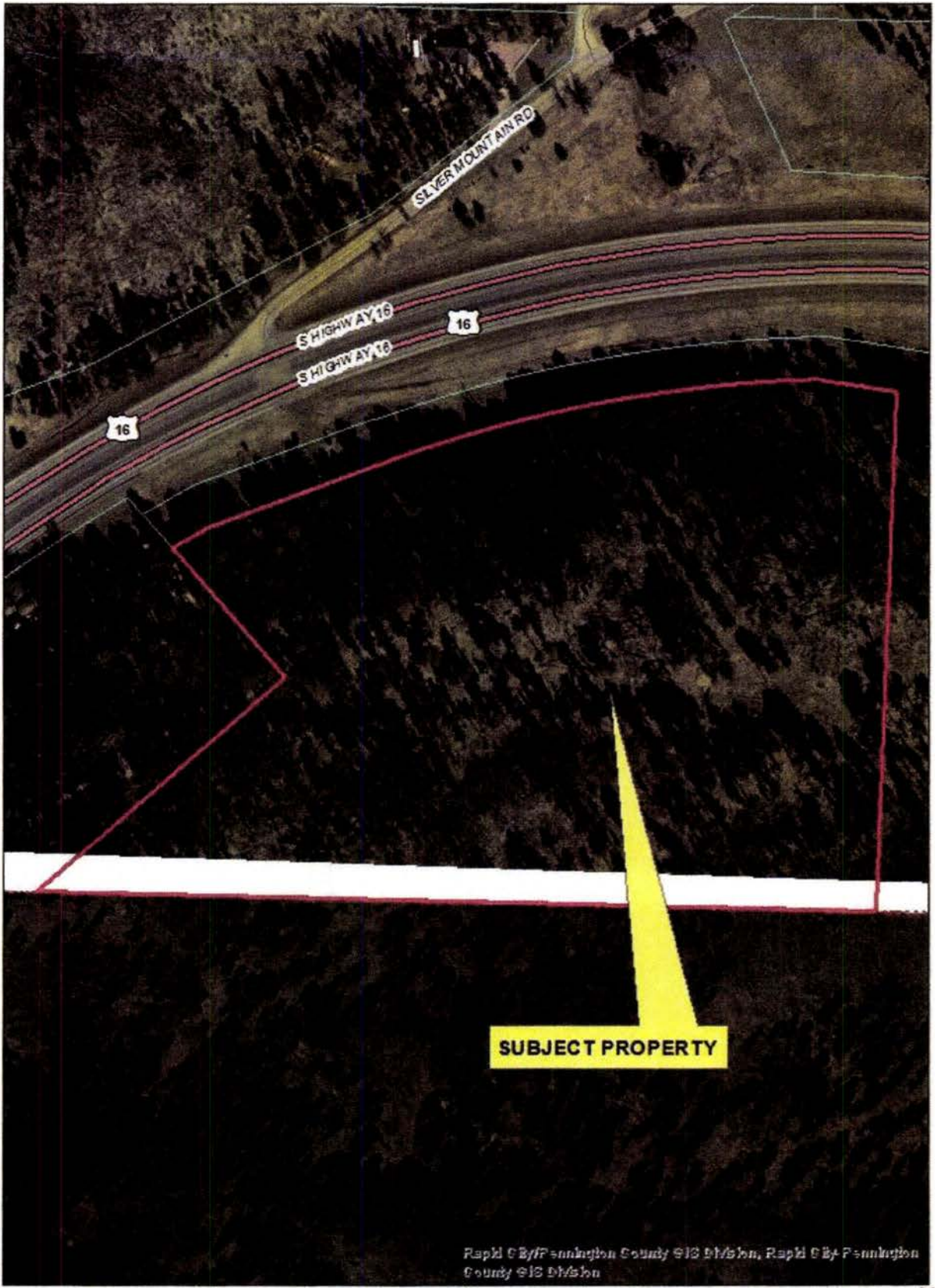
### County Zoning Zone Code

- General agricultural
- Limited agriculture
- Low density residential
- Suburban residential
- Highway service
- General commercial
- Light industrial
- Heavy industrial
- Planned unit development





# BYERS



**NORTH**

Rapid City Pennington County GIS Division, Rapid City Pennington County GIS Division

0 0.0325 0.065 0.13 0.195 0.26 Miles

**STAFF REPORT**

**GENERAL INFORMATION:**

**REQUEST:** **CONDITIONAL USE PERMIT REVIEW/ CU 18-23:** To review six storage units and a caretaker / manager's residence on the subject property in a General Commercial District / General Agriculture District in accordance with §§ 205, 209, and 510 of the Pennington County Zoning Ordinance.

**APPLICANT/ OWNER:** BCS Invest, LLC; Kevin Haberstroh

**APPLICANT ADDRESS:** 2012 3<sup>rd</sup> Street, Rapid City, SD 57701

**LEGAL DESCRIPTION:** Lot 2 (also in Section 19), Heavlin #2 Addition, Section 30, T1N, R9E, BHM, Pennington County, South Dakota.

**SITE LOCATION:** 23327 S. Airport Road; approximately one mile south of the intersection of E. Highway 44 and Airport Road.

**SIZE:** 22.08 acres

**TAX ID:** 64064

**EXISTING LAND USE:** Auto Sales / Commercial Storage

**ZONING REFERENCE:** §§ 205, 209, and 510

**CURRENT ZONING:** General Commercial District  
General Agriculture District

**SURROUNDING ZONING:**

North	General Agriculture District Suburban Residential District
South	General Agriculture District
East	General Agriculture District
West	General Agriculture District

**PHYSICAL CHARACTERISTICS:** Flat / Open Meadow

**UTILITIES:** Private

REPORT BY: Jason Theunissen

**I. PROPOSED RECOMMENDATION**

- A. Staff will be recommending approval of the extension of Conditional Use Permit / CU 18-23 with eighteen (18) conditions.

**II. GENERAL DESCRIPTION**

- A. July 9, 2018 – The Planning Commission approved Conditional Use Permit / CU 18-23 with the following eighteen (18) conditions:

1. That setbacks be in accordance with § 209 of the Pennington County Zoning Ordinance (PCZO) or approved Variance(s) be obtained;
2. That upon sale/transfer of the property, the new landowner(s) notify the Planning Director of the sale/transfer in writing; and the new landowner, applicant, or agent notify the surrounding property owners in accordance with § 510 of the PCZO;
3. That an approved Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be reviewed and approved by the Planning Director and additional Staff as deemed necessary by the Planning Director;
4. That a minimum of four (4) parking spaces be provided at the location of the storage unit office and a loading and unloading zone be provided for all storage units. The interior roadways must have four (4) inches of gravel, concrete, or asphalt and be maintained in such a manner that no dust will result from continuous use;
5. That in addition to the existing car sales that:
  - a. Six (6) storage units
    - i. Each not to exceed the square footage as indicated on the applicant's site plan included with this Staff Report;
  - b. Office;
  - c. Shop;
  - d. Caretaker's residence
    - i. Only to be lived in by an individual engaged in the day-to-day operation of the storage unit business and not to be used as a Vacation Home Rental;be allowed on the subject property with approved Permits. Additional non-storage unit structures may require the Conditional Use Permit to be amended and reviewed by the Planning Commission;
6. That Floodplain Development Permits may be required for construction near the Special Flood Hazard Area;
7. That the office/shop building and the caretaker's residence are assigned separate addresses and posted, clearly visible and maintained in accordance with Pennington County Ordinance #20;

8. That any lighting used to illuminate off-street parking or on premise lighting shall be so arranged as to deflect the light away from all adjoining residences;
9. That no more than two (2) premise signs shall be allowed in accordance with § 312 of the PCZO, with an approved Sign Permit;
10. That prior to a Building Permit being issued for the first storage unit, a drainage plan addressing run-off shall be reviewed and approved by the County Highway Department and Planning Department;
11. That prior to approval of a Building Permit, the applicant complete the Planning Department memo for the Federal Aviation Administration's Federal Regulation for Obstruction Evaluation / Airport Airspace Analysis;
12. That the hours of operation for the storage units be from 6:00 a.m. to 10:00 p.m. and a sign be posted indicating after hours contact with the owner's or caretaker's phone number, which must be clearly visible at the entrance of the lot;
13. That the applicant ensure that all natural drainage ways must be maintained and are not blocked;
14. That any work encompassing over one (1) acre will require the applicant to obtain an approved Storm Water Construction Permit from the South Dakota Department of Environmental and Natural Resources;
15. That the property continually remains free of junk and debris;
16. That if any increase of impervious area is greater than 15%, the property owner shall provide storm water treatment of the runoff generated by the first 0.5" of rainfall (See Pennington County Storm Water Manual);
17. That the applicant signs the Statement of Understanding within (10) business days of approval, which is available at the Planning Department; and,
18. That this Conditional Use Permit be reviewed in one (1) year, on a complaint basis, or as deemed necessary by either the Pennington County Planning Commission or Board of Commissioners to ensure that all conditions are being met.

### **III. EXISTING CONDITIONS**

- A. Lot size and zoning:
  1. General Commercial District (6.3± acres).
  2. General Agriculture District (15.8± acres).
    - a. Under Rezone / RZ 16-11, the portion rezoned to General Commercial District followed the existing Special Flood Hazard Area (with Floodway), with the rest of the property remaining General Agriculture District. (Image 1)
- B. Car sales business per § 209(B)(23).
- C. Rapid City Onsite Wastewater System Permit (CIOSW17-0001).

- D. The Lot contains two (2) structures:
  - 1. Service Repair Garage (shop) [2,230± square feet].
    - a. Built in 1960 per Department of Equalization (DOE) records.
    - b. Awning addition via Building Permit / BP11-0003
  - 2. Service Repair Garage (office) [3,840± square feet].
    - a. Built in 1994 via Building Permit / BP94-0007.
- E. Rapid City Onsite Wastewater Treatment Permit / CIOSW17-0001.
- F. Section Line Vacation: Book 206 Page 7311.
- G. Platted: Book 36 Page 52.
- H. Access off of South Airport Road.
- I. Within the City of Rapid City Platting & Septic Jurisdictions.
- J. Special Flood Hazard Area (with Floodway). (Image 2)



Image 1

#### IV. ANALYSIS

- A. June 27, 2019 – Staff met with the applicant, Kevin Haberstroh, at the subject property and reviewed the approved CU 18-23 Conditions of Approval. Staff verified the following:
  - 1. The proposed and permitted storage structures had not been built.
  - 2. The caretaker's residence had not been established.
  - 3. Building Permit / COBP18-0354 was issued July 17, 2018 for Two (2) connected storage buildings.
- B. The applicant stated that he has plans to construct the buildings approved in COBP18-0354 by the end of the summer and requested that Conditional Use Permit / CU 18-23 be extended for one additional year.
  - 1. Pennington County Zoning Ordinance § 510 (E)(1)(b) states: A Conditional Use Permit shall automatically expire if: The use for which the Conditional Use Permit was granted has not been established, according to the terms and conditions of the Conditional Use Permit, within two years following the date of approval.
  - 2. Staff has added a condition to address this requirement.
- C. Staff has removed Condition #10, as the Building Permit for the storage unit has been issued.
- D. Staff has removed Condition #17, as it has been fulfilled and is no longer required for this type of permit.
- E. Staff has clarified Condition #5 and administratively created Condition #6 in doing so.

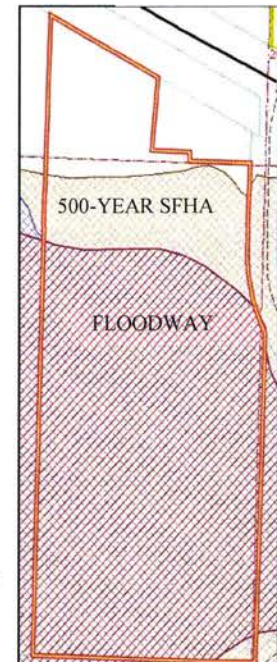


Image 2



*Site Visit, 6.27.19*

**RECOMMENDATION:** Staff recommends extension of Conditional Use Permit / CU 18-23 with the following eighteen (18) conditions:

1. That setbacks be in accordance with § 209 of the Pennington County Zoning Ordinance (PCZO) or approved Variance(s) be obtained;
2. That upon sale/transfer of the property, the new landowner(s) notify the Planning Director of the sale/transfer in writing; and the new landowner, applicant, or agent notify the surrounding property owners in accordance with § 510 of the PCZO;
3. That an approved Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be

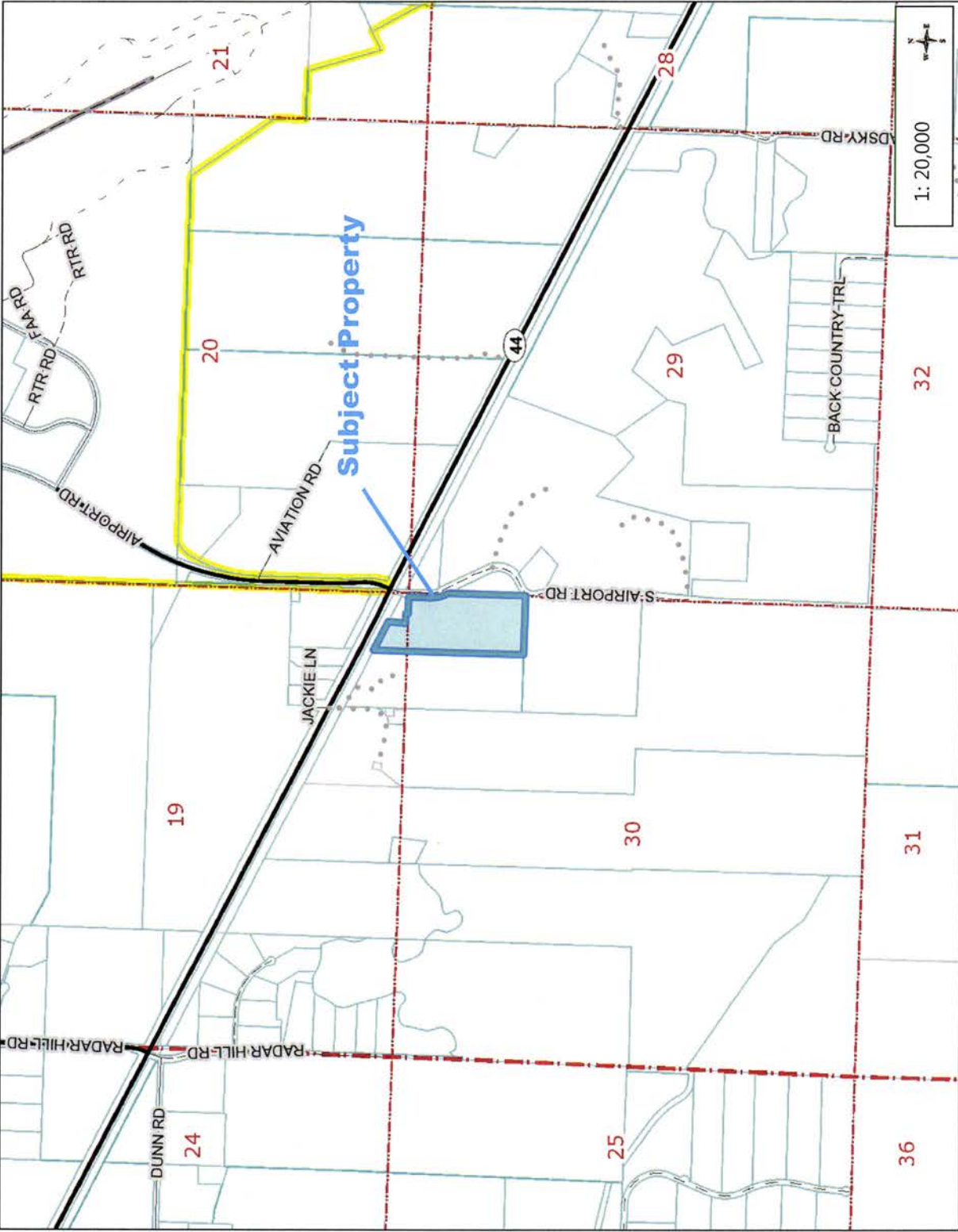
reviewed and approved by the Planning Director and additional Staff as deemed necessary by the Planning Director;

4. That a minimum of four (4) parking spaces be provided at the location of the storage unit office and a loading and unloading zone be provided for all storage units. The interior roadways must have four (4) inches of gravel, concrete, or asphalt and be maintained in such a manner that no dust will result from continuous use;
5. That, in addition to existing car sales, only the following be allowed on the subject property with approved Permits:
  - A. Six (6) storage units, not to exceed the square footage as indicated on the applicant's site plan included with this Staff Report;
  - B. One (1) Office;
  - C. One (1) Shop; and,
  - D. One (1) Caretaker's residence, only to be lived in by an individual engaged in the day-to-day operation of the storage unit business and not to be used as a Vacation Home Rental;
6. That additional non-storage unit structures placed on the subject property may require the Conditional Use Permit to be amended and reviewed by the Planning Commission;
7. That Floodplain Development Permits shall be required for construction in the Special Flood Hazard Area;
8. That the office/shop building and the caretaker's residence are assigned separate addresses and posted, clearly visible and maintained in accordance with Pennington County Ordinance #20;
9. That any lighting used to illuminate off-street parking or on premise lighting shall be so arranged as to deflect the light away from all adjoining residences;
10. That no more than two (2) premise signs shall be allowed in accordance with § 312 of the PCZO, with an approved Sign Permit;
11. That this Conditional Use Permit shall automatically expire if the use for which the it was granted has not been established within two years following the date of approval, July 9, 2020;
12. That prior to approval of a Building Permit, the applicant complete the Planning Department memo for the Federal Aviation Administration's Federal Regulation for Obstruction Evaluation / Airport Airspace Analysis;

Agenda Item #7  
Kevin Haberstroh  
July 8, 2019

13. That the hours of operation for the storage units be from 6:00 a.m. to 10:00 p.m. and a sign be posted indicating after hours contact with the owner's or caretaker's phone number, which must be clearly visible at the entrance of the lot;
14. That the applicant ensure that all natural drainage ways must be maintained and are not blocked;
15. That any work encompassing over one (1) acre will require the applicant to obtain an approved Storm Water Construction Permit from the South Dakota Department of Environmental and Natural Resources;
16. That the property continually remains free of junk and debris;
17. That if any increase of impervious area is greater than 15%, the property owner shall provide storm water treatment of the runoff generated by the first 0.5" of rainfall (See Pennington County Storm Water Manual); and,
18. That this Conditional Use Permit be reviewed in one (1) year, on a complaint basis, or as deemed necessary by either the Pennington County Planning Commission or Board of Commissioners to ensure that all conditions are being met.





1: 20,000

3,333.3 0 1,666.67 3,333.3 Feet

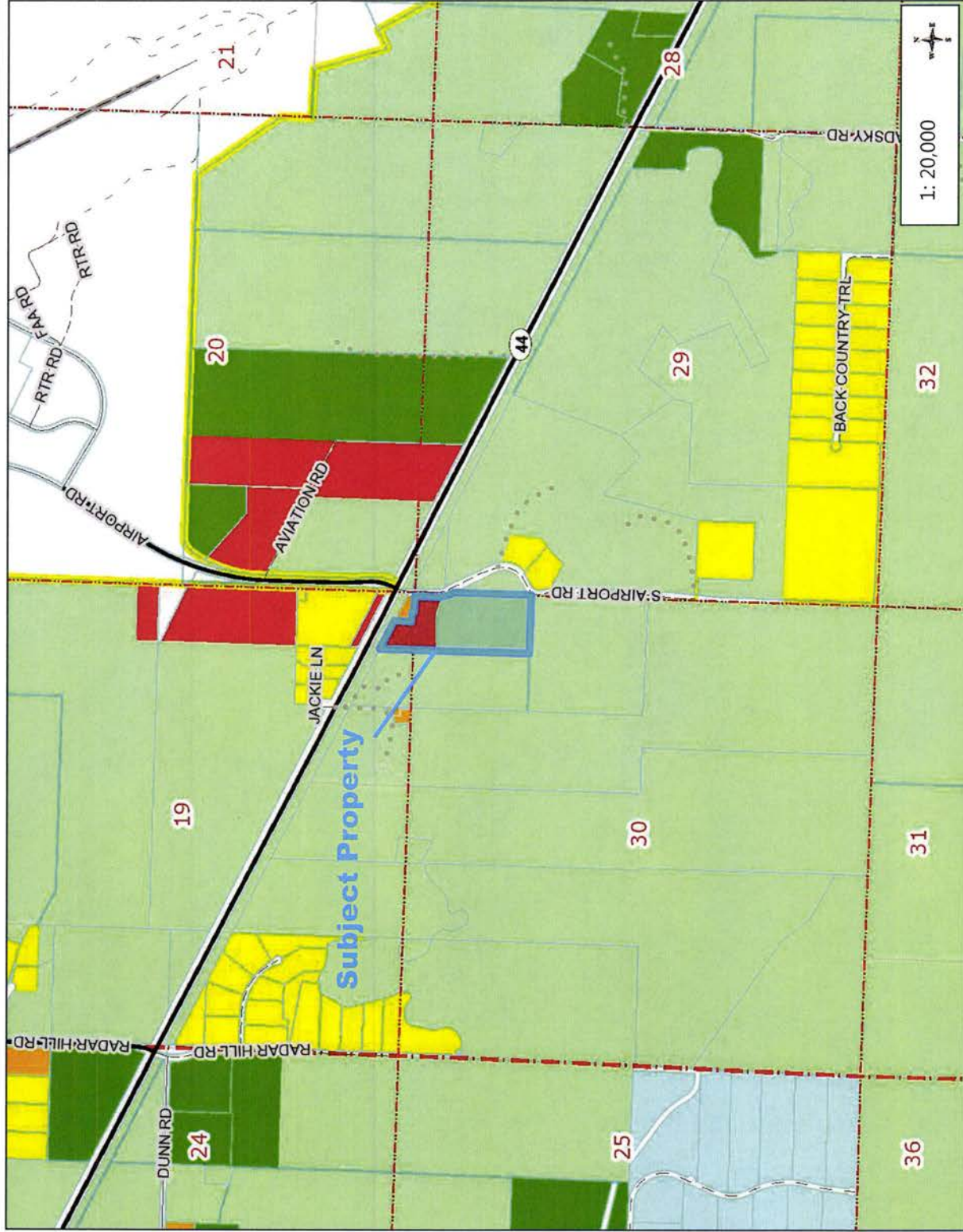
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NAD\_1983\_StatePlane\_South\_Dakota\_FIPS\_4002\_Feet  
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**Legend**

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- Section Lines 0-25k**
- 0
  - 7
- Tax Parcels**
- Lot Lines
  - <Null>
  - Lot Line
  - Parcel Line

**Map Notes:**



3,333.3 1,666.67 3,333.3 Feet

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**Legend**

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**Section Lines 0-25k**

- 0
- 7

**Tax Parcels**

- Lot Lines
- <Null>
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**Pennington County Zoning**

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

**Map Notes:**

1: 20,000



1: 20,000

3,333.3 0 1,666.67 3,333.3 Feet

NAD\_1983\_StatePlane\_South\_Dakota\_South\_FIPS\_4002\_Feet  
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**Legend**

- Roads**
- Interstate
  - US highway
  - SD highway
  - County highway
  - Main road
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  - Airport Runway
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- Section Lines 0-25k**
- 0
  - 7

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

**Map Notes:**

**STAFF REPORT**

GENERAL INFORMATION:

REQUEST: **CONDITIONAL USE PERMIT REVIEW / CU 19-02:** 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: Greg and Angelina Anderson

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

LOCAL CONTACT: Jonna Kandolin

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

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

SIZE: 1.43 acres

TAX ID: 19143

EXISTING LAND USE: Residential

ZONING REFERENCE: § 208, 319, and 510

CURRENT ZONING: Suburban Residential District

SURROUNDING ZONING:

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

PHYSICAL CHARACTERISTICS: Flat / Trees

UTILITIES: Public

REPORT BY: Cassie Bolstad

**I. PROPOSED RECOMMENDATION**

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

**II. GENERAL DESCRIPTION**

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

**III. EXISTING CONDITIONS**

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

**IV. ANALYSIS**

- A. February 5, 2019 – Greg Anderson applied for Conditional Use Permit / CU 19-02 requesting the use of a single-family residence to be used as a Vacation Home Rental on the subject property in a Suburban Residential District.
- B. § 207(C)(18) of the Pennington County Zoning Ordinance (PCZO) lists “Vacation Home Rental in accordance with Section 319” as a Conditional Use in a Suburban Residential District.
- C. § 319(B) states:
  - 1. “As long as the subject property for the VHR is a minimum of 1-acre with a combination of acceptable Public and/or Private Systems, as determined by the South Dakota Department of Health and the Pennington County Planning Department; VHRs are permitted with approval of a Conditional Use Permit in:
    - 1. General Agriculture Zoning Districts;
    - 2. Limited Agriculture Zoning Districts;
    - 3. Low Density Residential Zoning Districts; and,
    - 4. Suburban Residential Zoning Districts.”
- D. March 11, 2019 – Planning Commission approved Conditional Use Permit / CU 19-02 with the following fifteen (15) conditions:
  - 1. That the maximum overnight occupancy, based on SD DENR approval, be limited to six (6) people and the maximum daytime

- occupancy be limited to twelve (12) people, per Pennington County Zoning Ordinance (PCZO) § 319(F)(13);
2. That if an addition is constructed and/or the on-site wastewater treatment system is upgraded in the future, this Conditional Use Permit be reviewed so that the maximum occupancy may be adjusted accordingly, which will require approval from SD DENR;
  3. That all necessary permits are obtained prior to any additions and/or alterations to the structure or upgrades/alterations to the on-site wastewater treatment system;
  4. That each review of Conditional Use Permit / CU 19-02, be subject to PCZO §511(F)(4), which imposes a \$100 fee per review;
  5. That the applicant continually maintain current licenses with the South Dakota Department of Health (Vacation Home License) and the Department of Revenue (Sales Tax License) and that copies of these licenses be provided to the Planning Department upon request;
  6. That the applicant maintain an Evacuation (Emergency) Plan and provide copies to all overnight guests in case there is a need to evacuate guests from the property in the event of an emergency and that a copy of said plan be kept on file at the Planning Department;
  7. That a minimum of three (3) off-street parking spaces be provided on-site, per PCZO § 310(A)(9)(gg), with each measuring a minimum of 9-feet by 18-feet and surfaced with gravel, concrete, or asphalt and maintained in a dust-free manner;
  8. That an interior informational sign be posted in accordance with the requirements of PCZO §319(G), with 9-1-1 and (605) 394-2151 listed as contacts for Fire Department and Sheriff's Office respectively, during operation of the Vacation Home Rental;
  9. That the lot address (8107 Croyle Court) be posted on the residence at all times and so it is clearly visible from Croyle Court, in accordance with Pennington County's Ordinance #20;
  10. That the applicant ensure the Vacation Home Rental is continually operated in accordance with the requirements of PCZO § 319(F) (Performance Standards) at all times;
  11. That if the person designated as the Local Contact is ever changed from Greg Anderson, the interior informational sign be updated and the applicant re-notify the Planning Director and surrounding landowners within 500 feet via notices sent by First Class Mail;
  12. That all applicable Federal, State, and local regulations be adhered to at all times, including South Dakota Administrative Rule 44:02:08, which regulates Vacation Home Rentals;
  13. That an approved Sign Permit be obtained prior to the placement of any sign(s);
  14. That an approved Building Permit be obtained for any structure(s) exceeding 144 square feet or permanently anchored to the ground,

which requires a site plan to be reviewed and approved by the Planning Director; and,

15. That this Conditional Use Permit be reviewed in one (1) year, on a complaint basis, or as directed by the Pennington County Planning Commission or Board of Commissioners to verify that all Conditions of Approval are being met.
- E. May 16, 2019 – The applicant obtained approval from the City of Rapid City to install a new 1,500 gallon septic tank (CIOSW19-0261).
  - F. June 13, 2019 – The applicant, Gregory Anderson, submitted a new letter from SD DENR approving the on-site wastewater treatment system for a maximum daily flow of 480 gallons or up to 8 persons per night.
    1. This is an increase from the existing maximum overnight occupancy allowed under CU 19-02; thus, a review of the Conditional Use Permit is required.
  - G. PCZO § 319(F)(13) states, “The maximum number of day guests allowed, not to include overnight guests, shall be double the maximum occupancy of the VHR.”
  - H. Staff recommends to amend Condition #1 to increase the maximum occupancy, based on the updated SD DENR approval and § 319(F)(13).



March 1, 2019 site photo.

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

1. That the maximum overnight occupancy, based on SD DENR approval, be limited to eight (8) people and the maximum daytime occupancy be limited to sixteen (16) people, per Pennington County Zoning Ordinance (PCZO) § 319(F)(13);

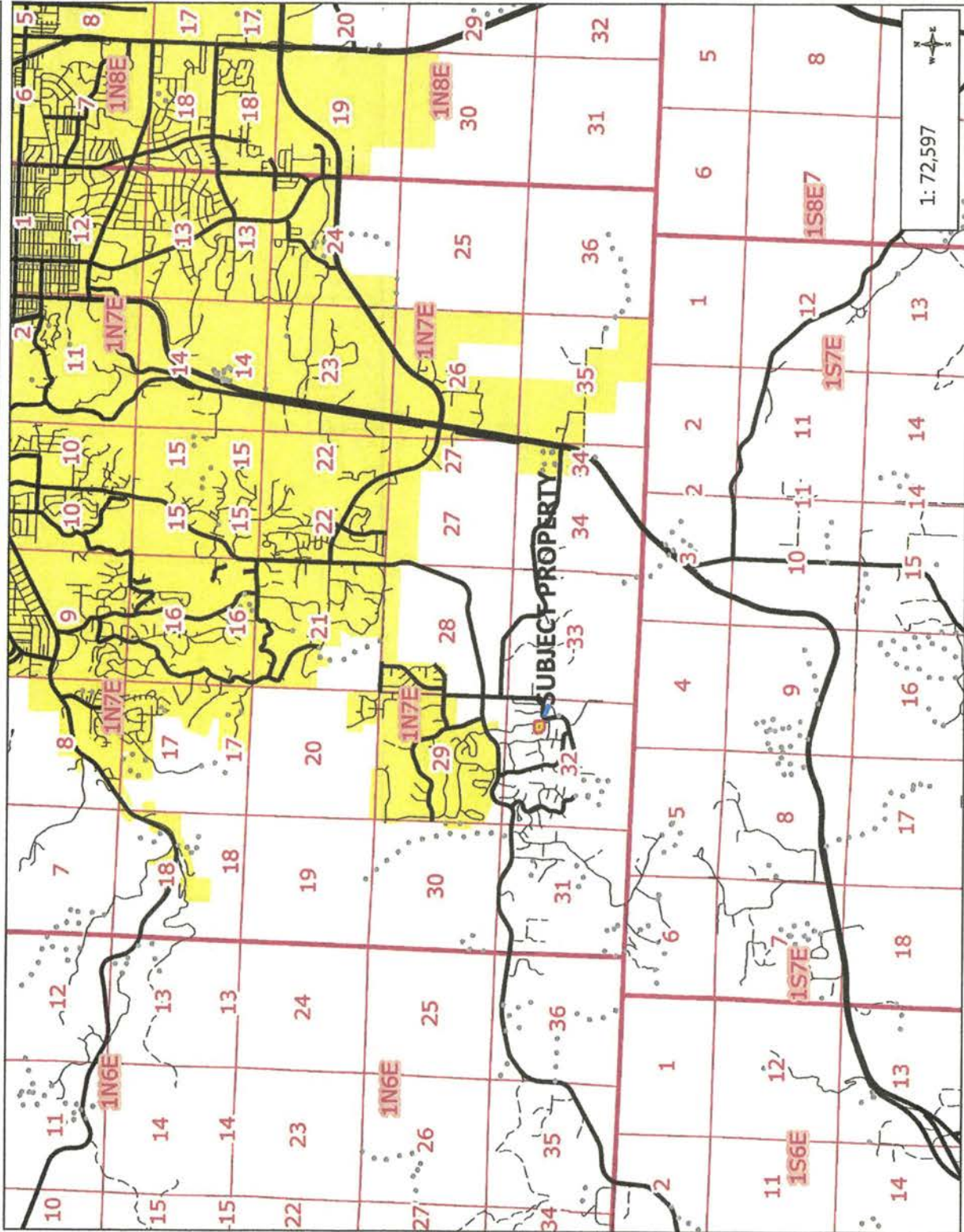
Agenda Item #8  
Greg and Angelina Anderson  
July 8, 2019

2. That if an addition is constructed and/or the on-site wastewater treatment system is upgraded in the future, this Conditional Use Permit be reviewed so that the maximum occupancy may be adjusted accordingly, which will require approval from SD DENR;
3. That all necessary permits are obtained prior to any additions and/or alterations to the structure or upgrades/alterations to the on-site wastewater treatment system;
4. That each review of Conditional Use Permit / CU 19-02, be subject to PCZO §511(F)(4), which imposes a \$100 fee per review;
5. That the applicant continually maintain current licenses with the South Dakota Department of Health (Vacation Home License) and the Department of Revenue (Sales Tax License) and that copies of these licenses be provided to the Planning Department upon request;
6. That the applicant maintain an Evacuation (Emergency) Plan and provide copies to all overnight guests in case there is a need to evacuate guests from the property in the event of an emergency and that a copy of said plan be kept on file at the Planning Department;
7. That a minimum of three (3) off-street parking spaces be provided on-site, per PCZO § 310(A)(9)(gg), with each measuring a minimum of 9-feet by 18-feet and surfaced with gravel, concrete, or asphalt and maintained in a dust-free manner;
8. That an interior informational sign be posted in accordance with the requirements of PCZO §319(G), with 9-1-1 and (605) 394-2151 listed as contacts for Fire Department and Sheriff's Office respectively, during operation of the Vacation Home Rental;
9. That the lot address (8107 Croyle Court) be posted on the residence at all times and so it is clearly visible from Croyle Court, in accordance with Pennington County's Ordinance #20;
10. That the applicant ensure the Vacation Home Rental is continually operated in accordance with the requirements of PCZO § 319(F) (Performance Standards) at all times;
11. That if the person designated as the Local Contact is ever changed from Greg Anderson, the interior informational sign be updated and the applicant re-notify the Planning Director and surrounding landowners within 500 feet via notices sent by First Class Mail;
12. That all applicable Federal, State, and local regulations be adhered to at all times, including South Dakota Administrative Rule 44:02:08, which regulates Vacation Home Rentals;



Agenda Item #8  
Greg and Angelina Anderson  
July 8, 2019

13. That an approved Sign Permit be obtained prior to the placement of any sign(s);
14. That an approved Building Permit be obtained for any structure(s) exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be reviewed and approved by the Planning Director; and,
15. That this Conditional Use Permit be reviewed in one (1) year, on a complaint basis, or as directed by the Pennington County Planning Commission or Board of Commissioners to verify that all Conditions of Approval are being met.



12,099.5 0 6,049.75 12,099.5 Feet

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

NAD\_1983\_2011\_StatePlane\_South\_Dakota\_South\_FIPS\_4002\_Ft\_US  
© City of Rapid City GIS

1: 72,597

**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

## Legend

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

## Map Notes:



1: 567

94.5 Feet

47.26

0

94.5

NAD\_1983\_2011\_StatePlane\_South\_Dakota\_South\_FIPS\_4002\_Ft\_US  
© City of Rapid City GIS

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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:



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

denr.sd.gov

May 1, 2019

Gregory Anderson  
8103 Croyle Avenue  
Rapid City, SD 57702

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

Dear Mr. Anderson:

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

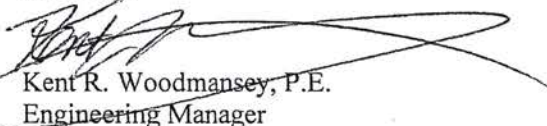
The following information was used in making the determination.

- Based on Pennington County records the present home was built in 1977 and was a three bedroom home. The septic system was reviewed and approved by the county at the time of construction.
- In December 9, 1998, Eugene Solseth, former owner, was contacted and he stated that Hills Septic Service had a 2 foot bucket on the backhoe at the time of this project. Based on this information the addition trench adds 200 square feet of drainfield to the existing drainfield system.
- In April of 2019, the septic tank was replaced with a 1,500 gallon septic tank and a percolation test was done showing an average rate of 16 minutes per inch.
- After checking with Pennington County and our files we find no history of problems with the existing wastewater system.

Based on the information provided by Pennington County we consider this wastewater system approved for a maximum daily flow of 480 gallons, until such time as the system is altered or fails. This would be sufficient for up to 8 persons per night staying at this vacation rental.

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

Sincerely,



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

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

**STAFF REPORT**

GENERAL INFORMATION:

REQUEST: **CONDITIONAL USE PERMIT / CU 19-15:** To allow for a caretaker's residence on the subject property after a single-family residence is built in a Limited Agriculture District in accordance with Sections 206 and 510 of the Pennington County Zoning Ordinance.

APPLICANT: Samuel G. Fullerton III

APPLICANT ADDRESS: 2911 Motherlode Drive, Rapid City, SD 57702

LEGAL DESCRIPTION: Lot 12, Kieffer Ranch Estates, Section 16, T1S, R7E, BHM, Pennington County, South Dakota.

SITE LOCATION: Windmill Road; located east of the intersection of Windmill Road and Kieffer Ranch Road.

SIZE: 13.43 acres

TAX ID: 57478

EXISTING LAND USE: Vacant

ZONING REFERENCE: § 206 and 510

CURRENT ZONING: Limited Agriculture District

SURROUNDING ZONING:

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

PHYSICAL CHARACTERISTICS: Forested / Mountainous

UTILITIES: None

REPORT BY: Kristina Proietti

**I. PROPOSED RECOMMENDATION**

- A. Staff will be recommending approval of Conditional Use Permit / CU 19-15 with seven (7) conditions.

**II. GENERAL DESCRIPTION**

- A. The applicant, Samuel Fullerton applied for a Conditional Use Permit on May 14, 2019 to allow for a two (2) bedroom caretaker's residence on the subject property after a single-family residence is built.

**III. EXISTING CONDITIONS**

- A. Zoned General Agriculture District.
- B. 13.43 acres.
- C. Access taken off of Windmill Road.
- D. Located within the Kieffer Ranch Road District.
- E. Located within the West Dakota Water District.
- F. Currently a vacant lot.
- G. 8 foot utility and minor drainage easement located on the interior and rear lot lines, see plat book 32, page 36.
- H. No Special Flood Hazard Area on the subject property.



**IV. REQUEST FOR COMMENT**

- A. County Highway Department
  - 1. Highway Department has no comments since this is in the Kieffer Ranch Road District and the drainage impact is minimal.
- B. County Fire Administrator
  - 1. Addressed to meet or exceed county regulations, in accordance with Pennington County Ordinance 20 and ESCC/911 Department guidelines. Signage clearly visible from both approaching directions;
  - 2. If the length of the driveway/access way exceeds 75 feet or a physical obstruction prevents the number from being visible from the road of which the address is taken, then the house number shall be posted adjacent to the area in which the driveway/access way intersects the road;
  - 3. The posted house number must be placed in such a way as to ensure its visibility year-round and not be obstructed by such things as, but not limited to, snow or vegetation, to provide for emergency identification at all times;
  - 4. Each character of the posted house number shall be a minimum of four (4) inches in height by three (3) inches in width and must be of a contrasting color to the background;
  - 5. Free wildfire risk assessment of the property by the South Dakota Wildland Fire Suppression-Urban Interface Technician, Logan Brown Urban Interface Specialist South Dakota Wildland Fire (605) 394-2584; 3305 W SOUTH ST. RAPID CITY SD 57702-8160 Office: 605-394-5203 Fax: 605-393-8044;
  - 6. Develop and execute a plan following fire wise guideline based on the Free State assessment to create defensible space to include the proposed or existing structures. 50% cost-share funds MAY be available through South Dakota Wildland Fire to execute the creation or enhancement of defensible space <http://wildlandfire.sd.gov/fuelsmitigation/fuelsmitigation.aspx>; and,
  - 7. Fire wise Information: <http://www.gpfiresafecouncil.com/>.
- C. County Environmental Planning Supervisor
  - 1. There is no Special Flood Hazard Area on the subject property.
  - 2. An onsite wastewater treatment system will be required to service the structure. Soil profile holes must be evaluated and percolation tests performed. According to the USDA NRCS Websoil Survey, the soils are very limited for septic tank absorption fields. The limitations include slope and depth to bedrock.
  - 3. Geologic maps show this area to be predominately the Minnelusa Formation. Conventional onsite wastewater treatment systems may be difficult to install in these areas due to bedrock. Alternative or experimental onsite wastewater treatment systems may be required.

- D. County Onsite Wastewater Specialist
  - 1. When the applicant decides to build on the property they will need to design a septic system that can handle the waste flow for both structures. According to the USDA Web Soil Survey the soils are classified as "Very Limited" for a septic drainfield. When constructing the septic system all rules of Pennington County Zoning Ordinance 204-J must be followed.
- E. County Addressing Coordinator
  - 1. No addressing concerns at this time. Future addresses must be posted in accordance with Pennington County Ordinance #20.
- F. County Ordinance Enforcement Officer
  - 1. There are no past or current Ordinance Violations on the subject property. Ordinance enforcement has no objections to the CUP request.
- G. Emergency Services (9-1-1)
  - 1. Page 5 of the PDF shows future caregivers' residence, and not the single-family residence, correct?
    - a. *Staff Comment: The plans included in with the Conditional Use Permit routing are the plans for the proposed caregiver's residence.*
  - 2. My only concern is that both structures be issued a physical address when they are permitted.
- H. Black Hills Electric Cooperative
  - 1. Black Hills Electric Cooperative has no comments on this conditional use permit.

## V. 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:

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

It appears that by allowing this Conditional Use Permit, there would be no long-term, negative effects on the use and enjoyment of other properties in the immediate vicinity. Staff cannot predict if it will affect property values in the surrounding area as the use is temporary in nature.
2. **The effect upon the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.**

Allowing this Conditional Use Permit should not affect the normal, orderly development or improvement of any surrounding property in the area.



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

It appears that access roads are already provided on the subject property. The property owner has plans to install utilities upon the approval of this Conditional Use Permit.

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

Per Pennington County Zoning Ordinance (PCZO) § 310(A)(9)(k), the minimum off-street parking requirement for a single-family residence is two (2) spaces.

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

The proposed use should not create any of the above-listed elements in amounts that would constitute a nuisance.

**VI. ANALYSIS**

- A. May 14, 2019 – The agent, Samuel Fullerton, applied for Conditional Use Permit / CU 19-15.
- B. Staff was unable to contact the applicant, Mr. Fullerton, by way of the phone number provided on the Conditional Use Permit Application. Staff needed to provide the applicant with the Property Owner Mailings and the sign to be posted on the subject property.
  - a. Staff spoke with Mr. Fullerton on June 17, 2019, at the Planning and Zoning office and informed him that the hearing date had been moved to July 8, 2019, to allow time for the applicant to address the aforementioned items listed above in VI(B). Mr. Fullerton explained that he was in an area where there was no cell phone service when staff tried to reach him.
- C. June 27, 2019 – Staff performed a site visit to the subject property. [See Image 1].
- D. July 1, 2019 – Staff spoke on the phone to Mr. Fullerton and he stated that he was attempting to contact the Kiefer Ranch Road District to apply for a private approach to the subject property.

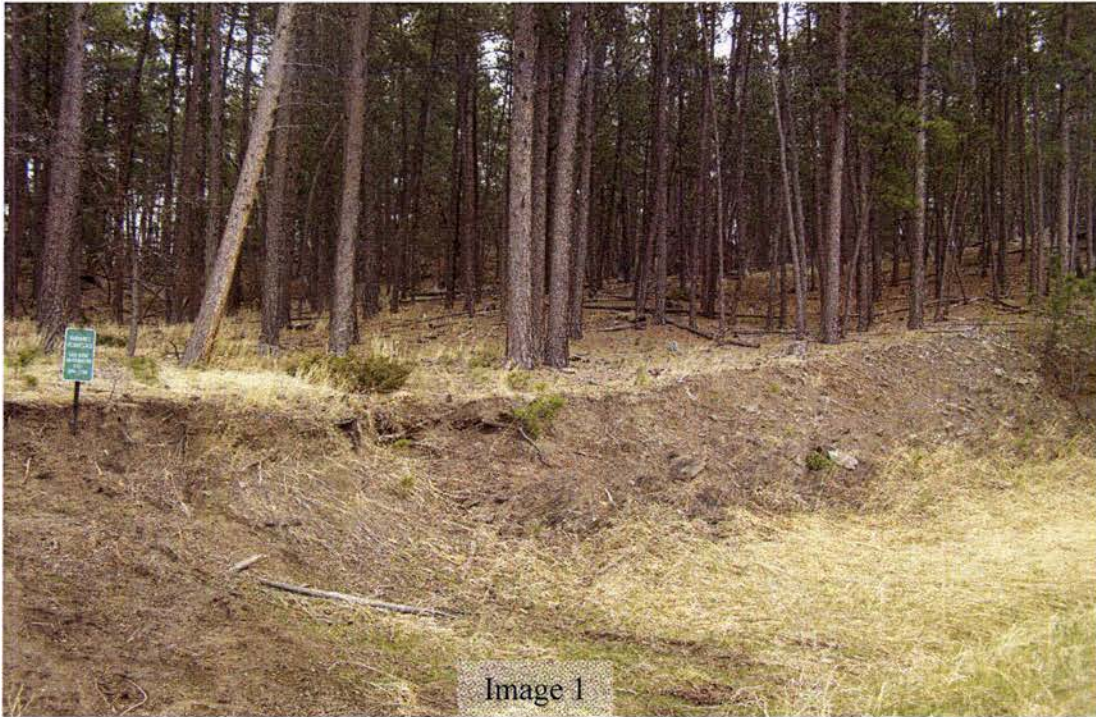
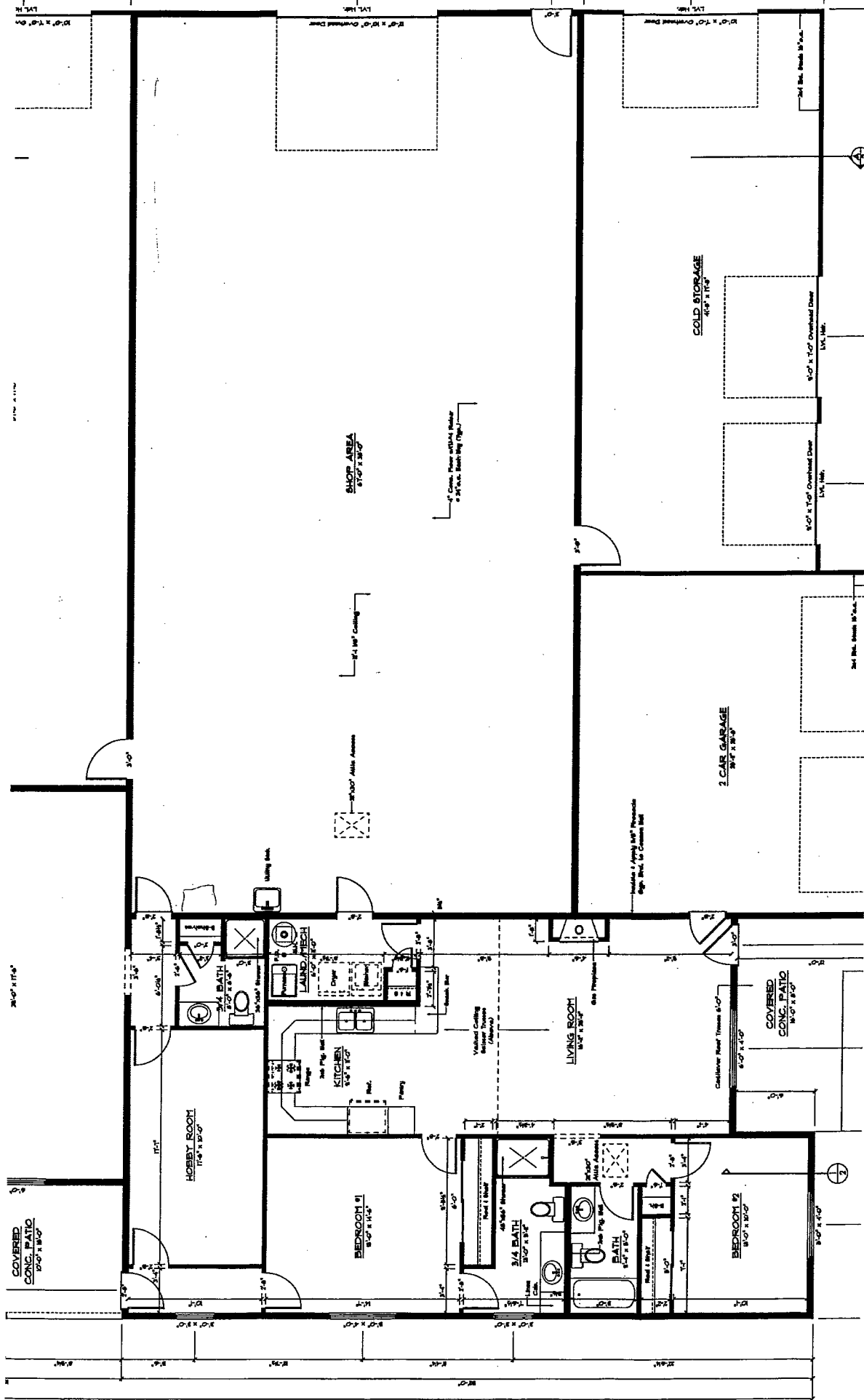


Image 1

**RECOMMENDATION:** Staff recommends approval of Conditional Use Permit / CU 19-15 with the following seven (7) conditions:

1. That the addresses for both the proposed single-family residence and the proposed caretaker's residence be posted on each residence and at the driveway(s), in accordance with Pennington County's Ordinance #20;
2. That an approved On-Site Wastewater Construction Permit be obtained prior to the installation of an On-Site Wastewater Treatment System on the property;
3. That an approved Building Permit be obtained for the caretaker's residence and any structure(s) exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be reviewed and approved by the Planning Director;
4. That the minimum setback requirements of a Limited Agriculture District be continually maintained on the property or a setback Variance be obtained;
5. That the subject property remains free of debris and junk vehicles;
6. That once care is no longer needed, the caretaker's residence be removed from the subject property, or the subject property be subdivided so that each residence is on a separate lot; and,
7. 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.



1/4\"/>

1/4\"/>

11'0\"/>

COVERED  
CONC. PATIO  
8'0\"/>

HOBBY ROOM  
11'0\"/>

BEDROOM #1  
12'0\"/>

3/4 BATH  
5'0\"/>

BATH  
5'0\"/>

BEDROOM #2  
12'0\"/>

LIVING ROOM  
13'0\"/>

KITCHEN  
9'0\"/>

LAUNDRY/TECH  
5'0\"/>

3/4 BATH  
5'0\"/>

COVERED  
CONC. PATIO  
10'0\"/>

2 CAR GARAGE  
20'0\"/>

COLD STORAGE  
4'0\"/>

SHOP AREA  
8'0\"/>

2'0\"/>

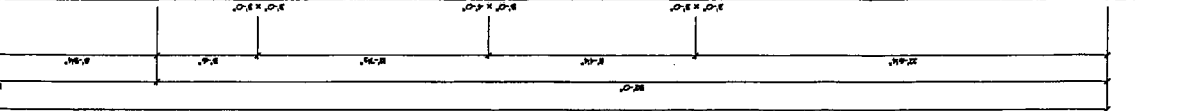
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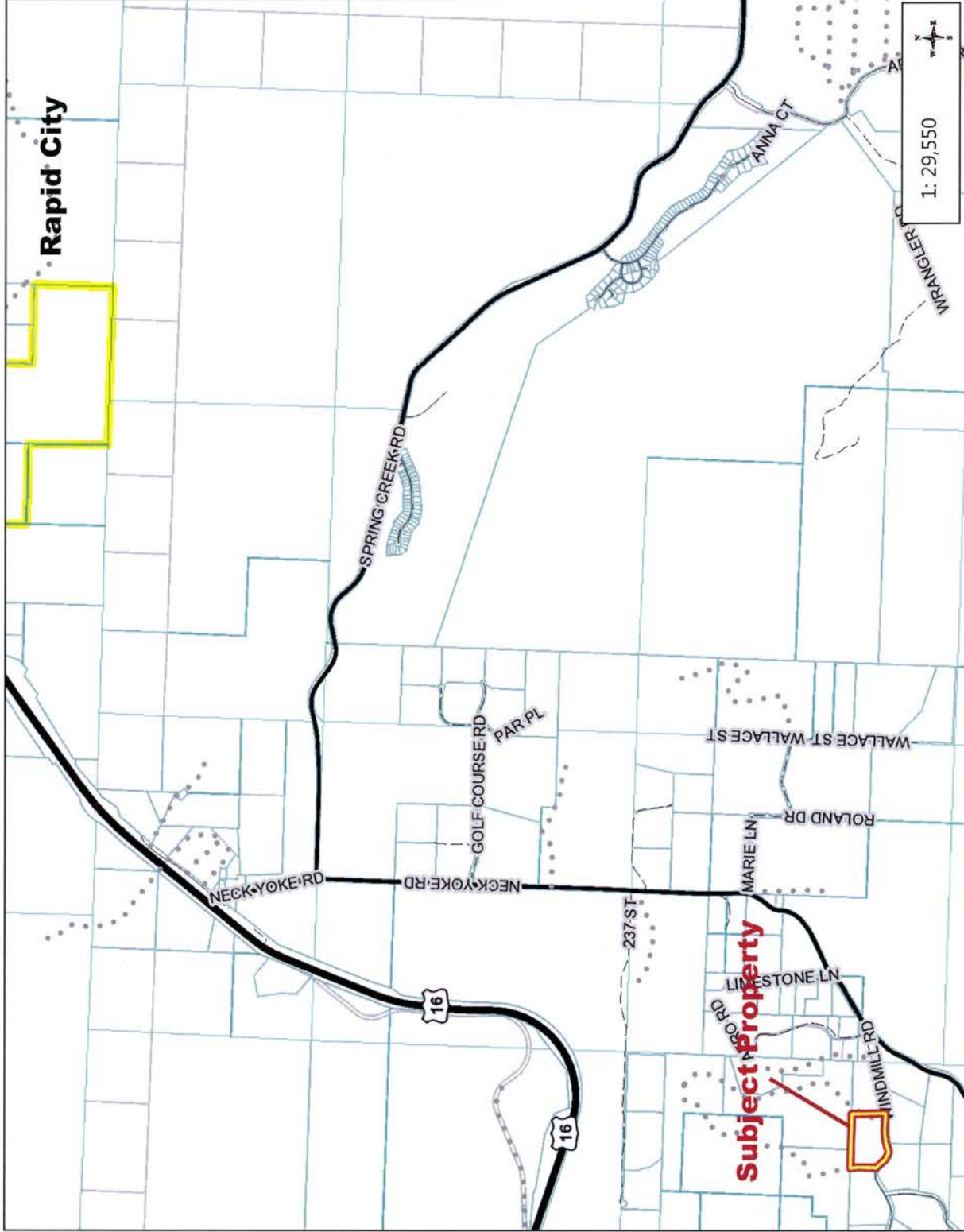
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3

4





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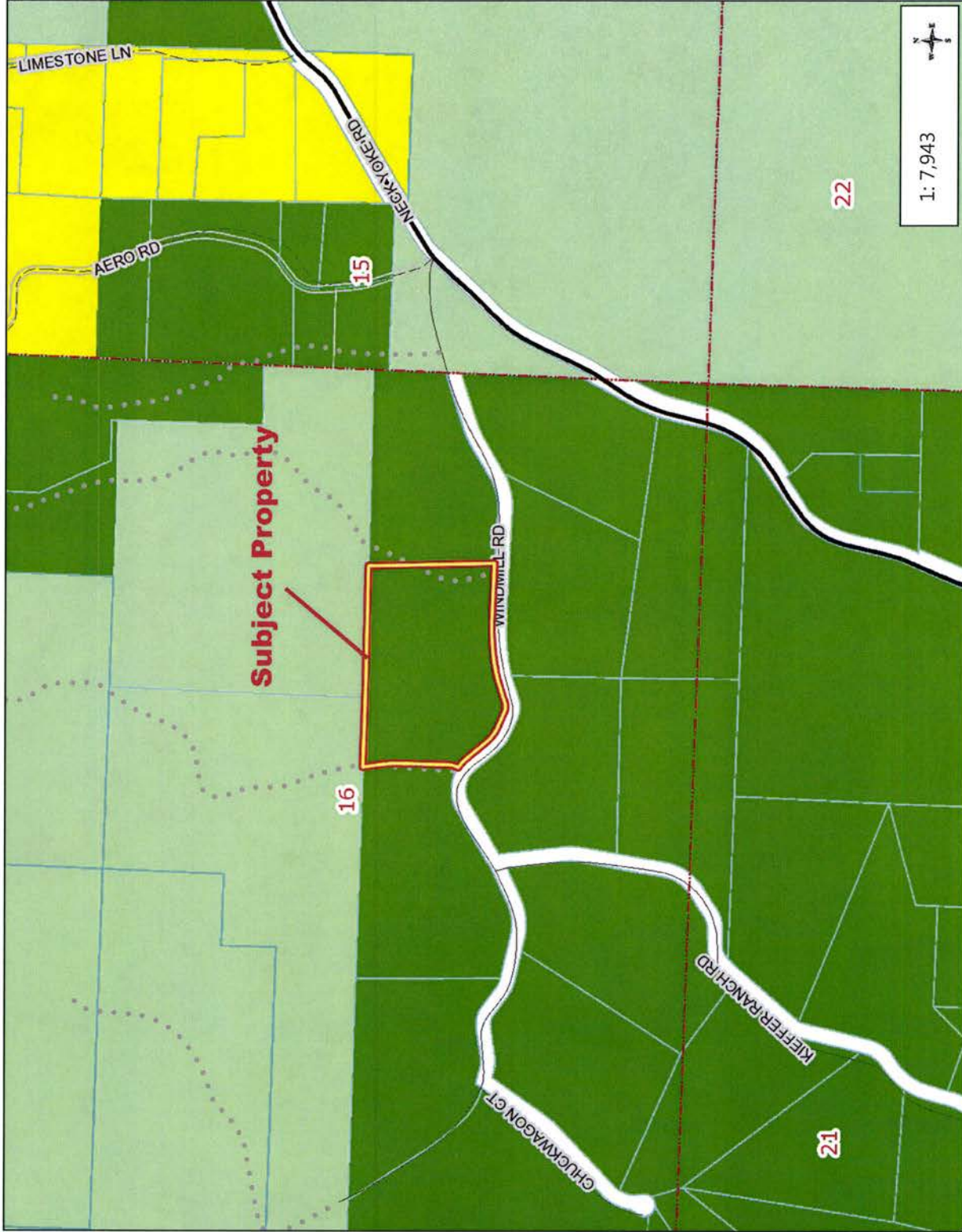
**Legend**

- 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
- Section Lines 0-25k**
- 0
  - 7
- Section Labels 0-25k**
- Tax Parcels
- Lot Lines**
- <Null>
  - Lot Line
  - Parcel Line
- Other Cities/larger scale**

**Map Notes:**

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

4,925.0 0 2,462.48 4,925.0 Feet



1: 7,943

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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**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

**Pennington County Zoning**

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

**Map Notes:**



1: 7,943

1,323.8 Feet

661.89

0

1,323.8

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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- 0
  - 7
- Tax Parcels**
- Lot Lines**
- <Null>
  - Lot Line
  - Parcel Line

**Map Notes:**

## STAFF REPORT

### GENERAL INFORMATION:

REQUEST: **MAJOR PLANNED UNIT DEVELOPMENT AMENDMENT REVIEW / PU 18-01**: To review an existing Planned Unit Development to allow the existing single-family residence on Lot 43 to be used as a Vacation Home Rental on the subject property in accordance with § 213 and 319 of the Pennington County Zoning Ordinance.

APPLICANT / OWNER: Deerfield Cabins, LLC; Deon Wynia

APPLICANT ADDRESS: 202 9<sup>th</sup> Street SE, Sioux Center, IA 51250

LOCAL CONTACT: Sheralin Groves

LEGAL DESCRIPTION: Lot 43, Burns Placer MS 697, Section 14, T1S, R4E, BHM, Pennington County, South Dakota.

SITE LOCATION: 12293 Deerfield Road; south of the intersection of Burnt Fork Road and Deerfield Road.

TAX ID: 551

SIZE: 2.4 acres

EXISTING LAND USE: Residential

ZONING REFERENCE: § 213 and 319

CURRENT ZONING: Planned Unit Development District

SURROUNDING ZONING:

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

PHYSICAL CHARACTERISTICS: Flat / Sloping

UTILITIES: Private

REPORT BY: P.J. Conover

**I. PROPOSED RECOMMENDATION**

- A. Staff will be recommending approval of PU 18-01 with twenty-five (25) conditions.

**II. GENERAL DESCRIPTION**

- A. To review an existing single-family residence, used as a Vacation Home Rental, with five (5) bedrooms, within a Planned Unit Development.

**III. ZONING HISTORY**

- A. On September 14, 2004, the Board of Commissioners approved Planned Unit Development / PU 04-10 with the following fifteen (15) conditions:
1. That the Planned Unit Development consist of four (4) lots with one (1) single-family residence and one (1) picnic shelter on Lot 43, and one (1) vacation home and accessory structure on Lots 41, 42 and 44 and all structures be stick built;
  2. That the setbacks for the planned Unit Development be 25 feet from all property lines;
  3. That prior to County Board approval, the applicant shall submit a copy of the easement to the Planning Department for review and approval, that provides access across Mickelson Trail and U.S. Forest Service Land;
  4. That each unit have smoke/heat detectors, fire extinguishers and two means of escape;
  5. That the internal road be named and an address assigned to each unit and the existing single-family residence re-addressed using the new road name;
  6. That a minimum of eight (8) parking spaces be provided measuring at least 9 feet by 18 feet and be maintained in a dust free manner;
  7. That building permits be obtained for any structure exceeding 144 square feet or located on a permanent foundation, which includes the necessary site plans to be reviewed and approved by the Planning Director;
  8. That prior to construction or dirt work within the 100-year floodplain the applicant must obtain approval of a Floodplain Development Permit;
  9. That prior to issuance of a Building Permit for any of the vacation homes, an easement be filed with the Register of Deeds across Lots 42, 43, and 44 to provide legal access to all lots;
  10. That prior to issuance of a Building Permit for the vacation homes, necessary septic application be submitted and reviewed by the Environmental Planner and the Department of Environmental and Natural Resources;
  11. That no drainfield be located within the areas designated as 100-year floodplain;



12. That prior to County Bards approval; the applicant submits a floodplain Development Permit for the proposed roads;
  13. That prior to the issuance of a Building Permit for the vacation home, the applicant must grant an easement for the tow homes that will be serviced by the wells not on the same lot;
  14. That the internal roads and parking spaces be maintained in a dust free manner; and,
  15. That this Planned Unit Development be reviewed in two (2) years times or on a complaint basis.
- B. Since the original approval, PU 04-10 has been reviewed one (1) time on October 17, 2006, and was extended with the following ten (10) conditions:
1. That the Planned Unit Development consist of four (4) lots with one (1) single-family residence and one (1) picnic shelter on Lot 43, and one (1) vacation home and accessory structure on Lots 41, 42 and 44 and all structures be stick built;
  2. That the setbacks for the planned Unit Development be 25 feet from all property lines;
  3. That each unit have smoke/heat detectors, fire extinguishers and two means of escape;
  4. That a minimum of eight (8) parking spaces be provided measuring at least 9 feet by 18 feet and be maintained in a dust free manner;
  5. That building permits be obtained for any structure exceeding 144 square feet or located on a permanent foundation, which includes the necessary site plans to be reviewed and approved by the Planning Director;
  6. That prior to construction or dirt work within the 100-year floodplain the applicant must obtain approval of a Floodplain Development Permit;
  7. That no drainfield be located within the areas designated as 100-year floodplain;
  8. That the internal roads and parking spaces be maintained in a dust free manner;
  9. That the applicant properly post the addresses in compliance with Ordinance No. 20; and,
  10. That this Planned Unit Development be reviewed on a complaint basis.

**IV. EXISTING PROPERTIES WITHIN PU 04-10**

- A. Lot 41
  - 1. 2.1 acres.
  - 2. Lot contains:
    - a. Vacation Homes Rental (VHR) with attached deck– 2004COBP0779.
    - b. 12' x 16' shed – COBP13-0410.
- B. Lot 42
  - 1. 2.2 acres.
  - 2. Lot contains:
    - a. Vacation Home Rental (VHR) with attached deck – 2004COBP0780.
- C. Lot 43
  - 1. 2.4 acres.
  - 2. Lot contains:
    - a. Single-family residence with an attached garage and decks – 2002COBP1016.
    - b. 20' x 24' Picnic pavilion – 2004COBP0782.
      - i. 2004COBP0782 was for a 20' x 20' Picnic Pavilion
      - ii. Floodplain Development Permit / FP 18-05.
- D. Lot 44
  - 1. 2.3 acres.
  - 2. Lot contains:
    - a. Vacation Home Rental (VHR) with attached decks – 2004COBP0761.
    - b. 24' x 24' Detached garage – 2004COBP0781.
    - c. Building Permit and Septic concerns.
      - i. A letter was sent to Deerfield Cabins, LLC on May 14, 2018 stating that the subject VHR was being advertised for rental for twenty (20) people or more.
      - ii. This raised concerns regarding construction without Building Permits and Onsite Wastewater Treatment system concerns, which may also involve the United States Environmental Protection Agency.
      - iii. The Pennington County Environmental Planning Supervisor and Onsite Wastewater Specialist will be working with the landowners to rectify the issues.

**V. HISTORY OF LOT 43**

- A. February 26, 2018, staff received several emails from the landowner with the updated floorplan, application for the Lodging License, and notarized Local Contact information, all of which are included with the Staff Report.
  - 1. The floorplan show the first and second story to have five (5) bedrooms which is the maximum number of bedrooms allowed per §319(F)(2) PCZO.

2. In the same email, the landowner stated that there are also two (2) additional bedrooms in the basement level of the residence that could be rented out as a separate unit from the main living levels.
  - a. These floorplans were not included with that email at the time.
  - b. UPDATE: On July 03, 2019, Staff observed the two additional subject rooms in the basement. One was locked and the other full of storage items. The Local Contact, Sheralin Groves, stated the two rooms are **NOT** rented out when the rest of the house is rented.
- B. The only Building Permit for the subject property that pertains to the single-family residence, 2002COBP1016, indicates that the basement was permitted as unfinished square footage.
  1. Additionally the onsite wastewater treatment system, installed via 2002COSD0213, is sized for a four (4) bedroom residence without a garbage disposal.
    - a. The tank installed is 2050 gallons and the drainfield is 720 square feet, which leaves the existing drainfield and tank undersized for the finished number of bedrooms and garbage disposal.
- C. February 27, 2018, staff received the letter from DENR stating that the overnight guest limit is nine (9) people.
- D. February 28, 2018, staff conducted a site visit to the subject property.
  1. During the site visit, staff confirmed that the basement has been mostly finished and comprises of two (2) bedrooms, one (1) bathroom and a large living room with a separate entrance. There is also a wall partitioning the previously described finished space from the mechanical space and upstairs access.
  2. Staff verified that there were smoke alarms on every level of the residence as well as fire extinguishers.
    - a. Under §319 PCZO, fire alarms must be placed in every bedroom and fire extinguishers must be mounted 5'3" from the floor to the gauge on each level.
      - i. UPDATE: On July 03, 2019, Staff verified the smoke detectors and fire extinguishers were still in place as noted above.
- E. March 1, 2018, the landowner provided the lower level floorplan with the dimensions showing the difference between what was permitted under 2002COBP1016 and was what completed prior to obtaining an approved Building Permit.

- F. March 2, 2018, staff sent an email to the landowner addressing the violations on the subject property.
  - 1. The drainfield and septic tank are undersized for the number of existing bedrooms for the residence and will need to be expanded to accommodate the additional finished living space.
  - 2. Building Permits, with all applicable fees paid, must be obtained for the unpermitted finished living spaces.
  - 3. Should the landowner wish to proceed with the request to use the existing residence as a VHR, an approved Variance must be obtained to allow a seven (7) bedroom VHR.
  - 4. Should the landowner wish to rent the units separately, PU 18-01 must be amended and re-advertised to include a multi-family dwelling VHR on the subject property.
- G. March 7, 2018, the applicant applied for COBP18-0128 to permit the finished basement.
  - 1. This included amending the floorplan for the VHR application and the floorplan changed.
- H. March 19, 2018, staff conducted a site visit to the subject property to inspect the profile hole on the subject property.
  - 1. During this site visit, staff found that there was a fire pit in use on the subject property with an existing burn permit in the former owner's name.
    - a. The applicant stated that this would be removed from the subject property as well as the fire wood in the picnic pavilion.
- I. March 19, 2018, the applicant applied for Variance / VA 18-03 to allow a seven (7) bedroom VHR.
  - 1. § 319 of the PCZO states that the maximum number of bedrooms in a VHR is five (5).
  - 2. This Variance request was heard on May 01, 2018 by the Board of Adjustment and denied.
- J. March 28, 2018, staff received a new letter of approval from DENR for eighteen (18) nightly guest occupancy for the subject property.
- K. April 4, 2018, the applicant applied for an OSWTS Construction Permit COSD18-0028 to expand the drainfield to accommodate the finished basement and seven (7) bedroom residence.
  - 1. To avoid expanding the tank as well, the applicant agreed to remove the garbage disposal.
- L. During the review of the picnic pavilion, staff found that the structure was never included in the original Floodplain Development Permit / FP 04-12.
  - 1. New Floodplain Development Permit / FP 18-05 was approved for the picnic pavilion.
- M. April 10, 2018, staff conducted a site visit to the subject property to verify that the fire pit and garbage disposal had been removed.

- N. April 18, 2018, staff received a copy of the Information Sign indicating the Local Contact, emergency information and designated parking areas.
- O. There are addressing concerns from both the road and on the residence, as the address posted on the roadside mail box was incomplete and there is no address posted on the residence.
- P. April 23, 2018 – staff received photos of the complete address numbers posted on the mailboxes which are included with the Staff Report.
- Q. April 25, 2018 - the applicant emailed a photo of the address posted on the residence which is included with the Staff Report.
- R. Per the Fire Administrator’s comments, it has been recommended that the residence include a sprinkler system as there has been a precedence set regarding sprinkler system installation through other Minor Planned Unit Development Amendments, Layout and Minor Plats.
  - 1. While this may not be a plat request, the requested change in use is significant and could warrant additional safety measures, such as a sprinkler system request.
  - 2. A sprinkler system requirement was not added to the Conditions of Approval by the Planning Commission or the Board of Commissioners.

**VI. MAJOR PLANNED UNIT DEVELOPMENT AMENDMENT APPROVAL**

- A. On July 03, 2018, the Board of Commissioners approved PU 18-01 with the following twenty-nine (29) conditions:
  - 1. That the Planned Unit Development consist of four (4) lots with one (1) vacation home and accessory structure on each lot, and one (1) picnic pavilion on Lot 43, with all structures being stick built;
  - 2. That the setbacks for the planned Unit Development be 25 feet from all property lines;
  - 3. That each unit has smoke/heat detectors, fire extinguishers and two means of escape;
  - 4. That a minimum of one (1) parking space per bedroom be provided for each Vacation Home Rental measuring at least 9 feet by 18 feet and be maintained in a dust free manner;
  - 5. That Building Permits be obtained for any structure exceeding 144 square feet or located on a permanent foundation, which includes the necessary site plans to be reviewed and approved by the Planning Director;
  - 6. That prior to construction or dirt work within the 100-year floodplain the applicant must obtain approval of a Floodplain Development Permit;
  - 7. That no drainfield be located within the areas designated as 100-year floodplain;
  - 8. That the internal roads and parking spaces be maintained in a dust free manner;

9. That the applicant properly posts the addresses in compliance with Ordinance No. 20;
10. That prior to operation, the applicant provide proof showing that only five (5) bedrooms are accessible for the Vacation Home Rental Unit on Lot 43;
11. That the dwelling on Lot 43 is rented as one (1) Vacation Home Rental Unit to one (1) family at a time and is not occupied by the property owner at the time of rental, and if both units are utilized separately as Vacation Home Rental Units, an additional Major Planned Unit Development Amendment must be obtained to allow a multi-family Vacation Home Rental Unit prior to operation;
12. That prior to operation, the applicant and/or landowner of the Lot 43 obtain a license from the 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;
13. That prior to operation, the Vacation Home Rental, on Lot 43, designate five (5) off-street parking spaces in such a manner that does not block or obstruct any means of ingress or egress to and from the residence and subject property, with each parking space measuring a minimum of 9-feet by 18-feet and surfaced with gravel, concrete, or asphalt and maintained in a dust-free manner;
14. That the residence on Lot 43 remain garbage disposal free or the landowner must increase the septic tank capacity to accommodate the increase wastewater;
15. That Lot 43 remain fire pit free or the landowner obtain State Burn Permits to be filed with the Planning Department;
16. That if encroachments are located on National Forest System lands and adjacent to Lot 43, the landowner of record has the responsibility to remove all personal property and real property from National Forest System lands at the landowners' expense per the email from the U.S. Forest Service;
17. That no additional trails shall be constructed onto National Forest Service Lands without obtaining permission from the U.S. Forest Service;
18. That, for Lot 43, the number of nightly guests shall not exceed fourteen (14) people per § 319(F)(1), with the number of day guests at a maximum of eighteen (18) people, based on the DENR approval letter;
19. That the Lot 43 address (112293 Deerfield Road) be posted on the residence at all times and at the driveway so that it is clearly visible from both directions of travel on Deerfield Road, in accordance with Pennington County's Ordinance #20;
20. That all necessary permits are obtained prior to any additions to the structure or upgrades/alterations to the on-site wastewater treatment system;

21. 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;
22. That an interior informational sign be posted in the residence on Lot 43, 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. The interior informational sign must also contain a color map illustrating the Special Flood Hazard Area, as determined by FEMA;
23. That the applicants ensure the Vacation Home Rental on Lot 43 is operated in accordance with the requirements of PCZO § 319-F (Performance Standards) at all times;
24. That if the person designated as the Local Contact for Lot 43 is ever changed from Sheralin Groves, 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;
25. 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;
26. That prior to operation, a Fire Mitigation Plan shall be submitted for review and approval by the Planning Director and the County Fire Administrator or jurisdictional entity;
27. That an approved Sign Permit be obtained prior to the placement of any sign(s), per PCZO § 312;
28. That the landowner of Lot 43 signs the Statement of Understanding at the Planning Office within ten (10) business days of approval of Major Planned Unit Development Amendment / PU 18-01; and,
29. That this Major Planned Unit Development Amendment 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.

## VII. ANALYSIS

- A. §213(B)(2) of the Pennington County Zoning Ordinance (PCZO), states that Vacation Home Rentals, in accordance with §319 PCZO, are a permitted use in Planned Unit Developments if it states that they are permitted in that specific PUD.
- B. July 03, 2019 – Staff performed a site-visit and met with the Local Contact.
  1. The amendments made to the Planned Unit Development, for Lot 43, appear to be met, with the exception of #9 and #19.
    - a. Staff spoke to the Local Contact who indicated the address for Lot 43 will be posted in accordance with County Ordinance (CO) #20 before the end of July 2019.

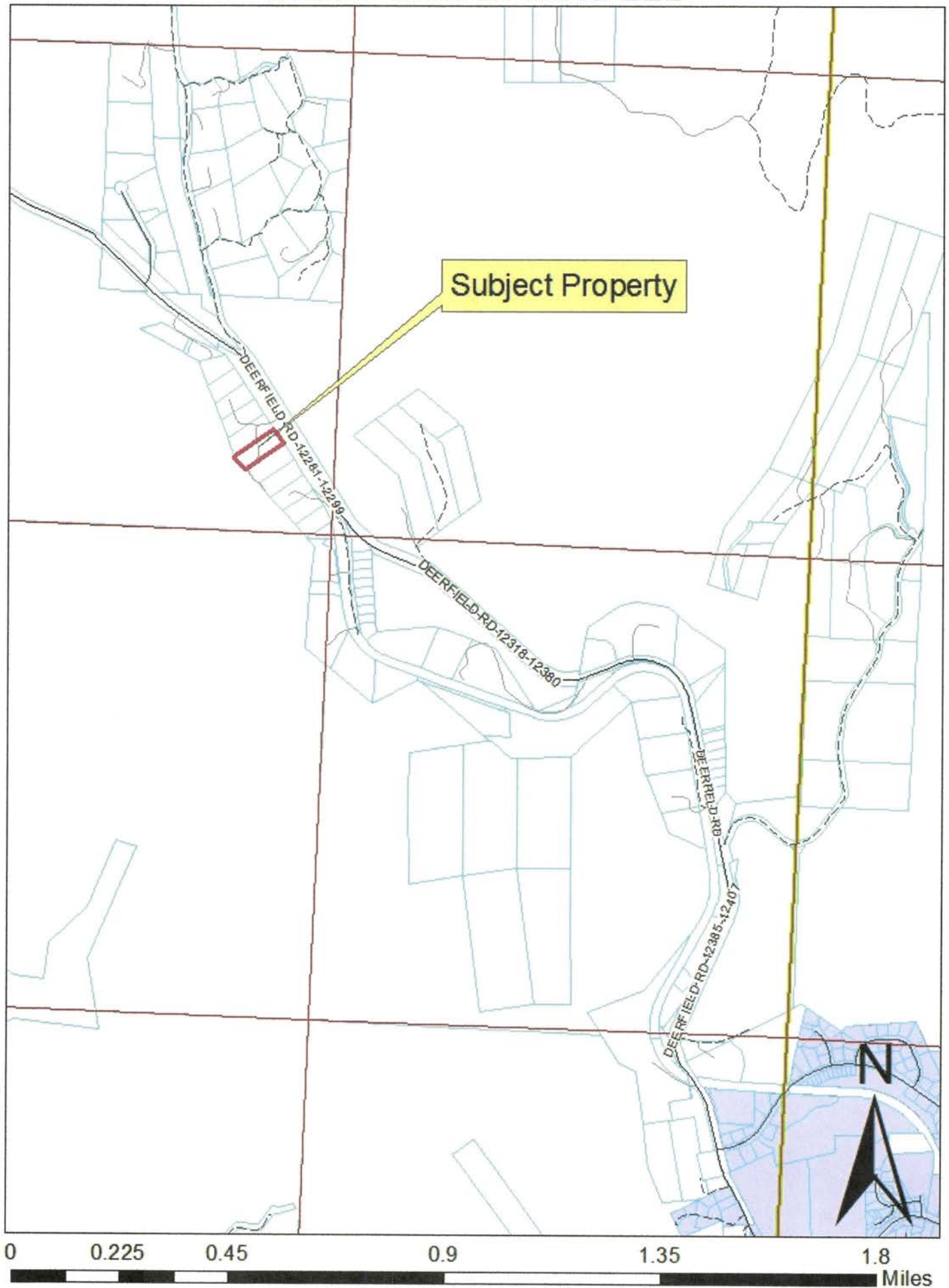
Agenda Item # 10  
Deerfield Cabins, LLC; Deon Wynia – Owner  
July 08, 2019

4. That each unit have a minimum of one (1) parking space per bedroom be provided for each Vacation Home Rental measuring at least 9 feet by 18 feet and be maintained in a dust free manner;
5. That Building Permits be obtained for any structure exceeding 144 square feet or located on a permanent foundation, which includes the necessary site plans to be reviewed and approved by the Planning Director;
6. That prior to construction or dirt work within the 100-year floodplain the applicant must obtain approval of a Floodplain Development Permit;
7. That no drainfield be located within the areas designated as 100-year floodplain;
8. That the internal roads and parking spaces be maintained in a dust free manner;
9. That each unit have the address properly posted in compliance with County Ordinance # 20;
10. That no additional trails shall be constructed onto National Forest Service Lands without obtaining permission from the U.S. Forest Service;
11. That all necessary permits are obtained prior to any additions to the structure or upgrades/alterations to the on-site wastewater treatment system;
12. That for each unit 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;
13. 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;
14. That an approved Sign Permit be obtained prior to the placement of any sign(s), per PCZO § 312;
15. That the dwelling on Lot 43 is rented as one (1) Vacation Home Rental Unit to one (1) family at a time and is not occupied by the property owner at the time of rental, and if both units are utilized separately as Vacation Home Rental Units, an additional Major Planned Unit Development Amendment must be obtained to allow a multi-family Vacation Home Rental Unit prior to operation;
16. That the applicant and/or landowner of the Lot 43 continues to obtain a license from the Department of Health (Vacation Home License) and the Department of

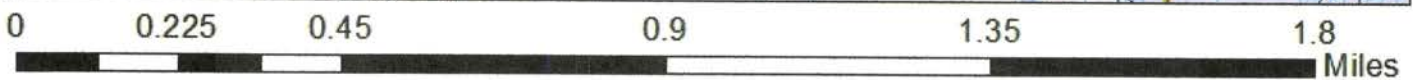


- Revenue (Sales Tax License) and that copies of these licenses be provided to the Planning Department;
17. That prior to operation, the Vacation Home Rental, on Lot 43, designate five (5) off-street parking spaces in such a manner that does not block or obstruct any means of ingress or egress to and from the residence and subject property, with each parking space measuring a minimum of 9-feet by 18-feet and surfaced with gravel, concrete, or asphalt and maintained in a dust-free manner;
  18. That the residence on Lot 43 continues to remain garbage disposal free or the landowner must increase the septic tank capacity to accommodate the increase wastewater;
  19. That Lot 43 continues to remain fire pit free or the landowner obtain State Burn Permits to be filed with the Planning Department;
  20. That if encroachments are located on National Forest System lands and adjacent to Lot 43, the landowner of record has the responsibility to remove all personal property and real property from National Forest System lands at the landowners' expense per the email from the U.S. Forest Service;
  21. That, for Lot 43, the number of nightly guests shall not exceed fourteen (14) people per § 319(F)(1), with the number of day guests at a maximum of eighteen (18) people, based on the DENR approval letter;
  22. That interior informational signs continue to be posted in the residence on Lot 43, 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. The interior informational sign must also contain a color map illustrating the Special Flood Hazard Area, as determined by FEMA;
  23. That the applicants ensure the Vacation Home Rental on Lot 43 is operated in accordance with the requirements of PCZO § 319-F (Performance Standards) at all times;
  24. That prior to the next review, the Building Permit and Septic concerns be corrected or a method for correction be in place and agreed upon in writing by Staff and the Landowner; and
  25. That Major Planned Unit Development Amendment / PU 18-01 be reviewed at the November 19, 2019, Planning Commission meeting to ascertain all Conditions of Approval are being met.

# DEERFIELD CABINS LLC



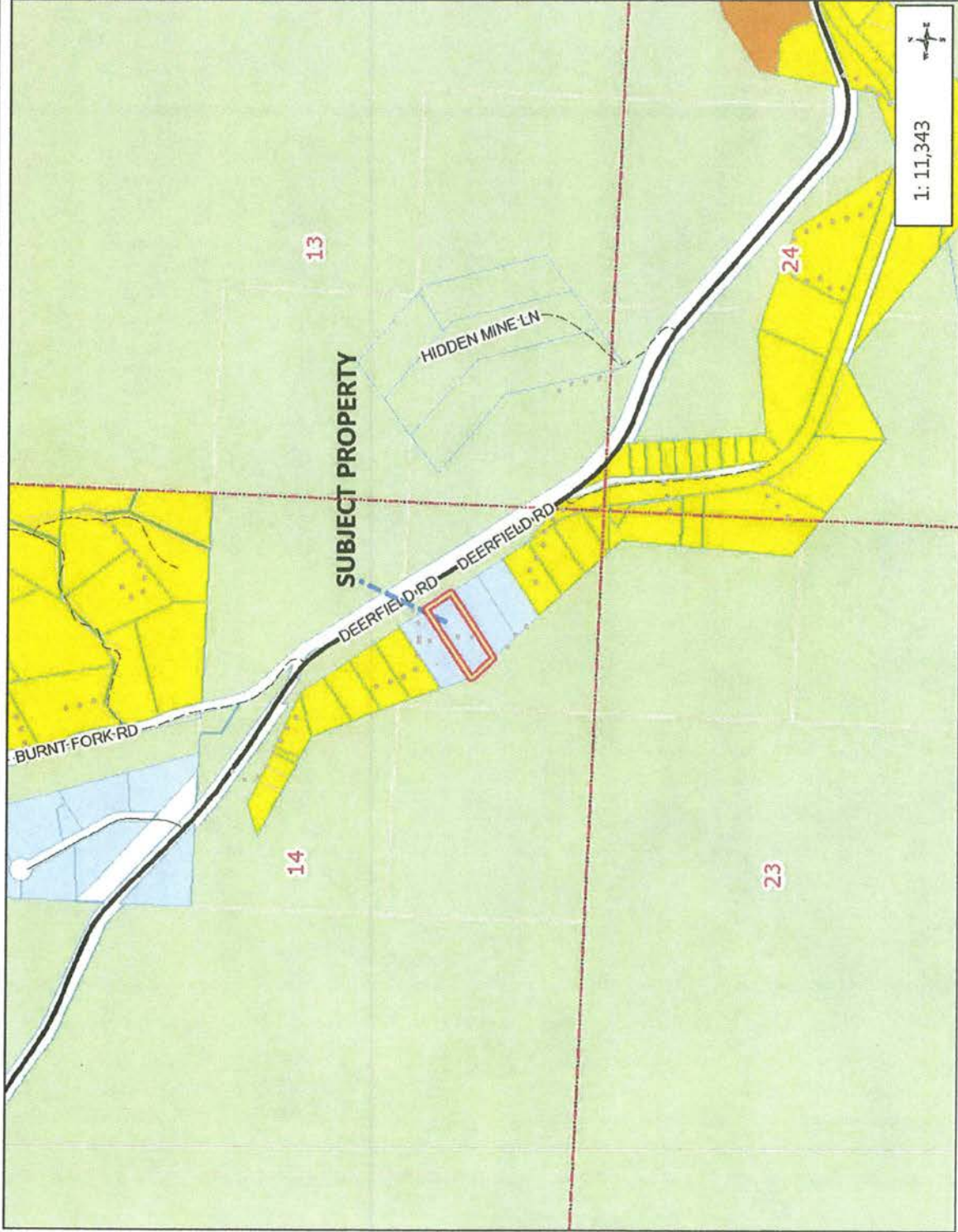
Subject Property



**Legend**

- Roads**
- Interstate
  - US highway
  - SD highway
  - County highway
  - Main road
  - Minor arterial
  - Collector
  - Ramp
  - Paved road
  - Unpaved road
  - Trail
  - Driveway
  - Alley
  - Unimproved road
  - Airport Runway
  - Not yet coded
- Section Lines 0-25k**
- 0
  - 7
- Tax Parcels**
- Lot Lines
  - <Null>
  - Lot Line
  - Parcel Line
- Pennington County Zoning**
- General Agriculture
  - General Commercial
  - Heavy Industrial
  - Highway Services
  - Limited Agriculture
  - Low Density Residential
  - Light Industrial
  - Planned Unit Development

**Map Notes:**



1: 11,343

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1,890.5 Feet

0 945.27 1,890.5

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1: 1,134

189.1 0 94.53 189.1 Feet

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### Legend

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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:



1: 1,803



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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

**Floodway**

**Flood Hazard Area**

- 100 Year
- 500 Year
- 500 Year - Protected by levee
- Out
- Not Studied

**Map Notes:**

**STAFF REPORT**

GENERAL INFORMATION:

REQUEST: **CONSTRUCTION PERMIT REVIEW / CP 17-05**: To review bringing in fill to an area to level, gravel and allow for reclamation of the remaining area.

APPLICANT: Anthony and Michele Griffith

APPLICANT ADDRESS: P.O. Box 3420, Rapid City, SD 57709

LEGAL DESCRIPTION: Balance of Lot 1 of NE1/4SW1/4; Lot 1 of SE1/4SW1/4; E1/2 of Lot A of SE1/4SW1/4; E1/2 of Lot A of NE1/4SW1/4 Adjacent to Lot 1, Section 29, T1N, R8E, BHM, Pennington County, South Dakota.

SITE LOCATION: 7804 S. Highway 79; south of Rapid City along Highway 79.

SIZE: 34.64 acres

EXISTING LAND USE: A-1 Auto Recyclers

TAX ID: 50662

ZONING REFERENCE: Section 507

CURRENT ZONING: Heavy Industrial District

SURROUNDING ZONING:

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

PHYSICAL CHARACTERISTICS: Hillside / Sloping

UTILITIES: Private

REPORT BY: Cody Sack

**\*\*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 17-05.\*\***

**I. PROPOSED RECOMMENDATION**

- A. Staff will be recommending to end Construction Permit / CP 17-05.

**II. GENERAL DESCRIPTION**

- A. The applicant proposed to add fill dirt and crushed concrete to fill and level a low area on the property to be used for vehicle storage.
- B. March 13, 2017 - The Planning Commission approved Construction Permit / CP 17-05 with the following ten (10) conditions:
1. The applicant must provide a Drainage Plan from a Registered Professional Engineer prior to commencement of work at this site and follow all requirements of the Drainage Plan the duration of construction activity;
  2. That the conditions of approval of the South Dakota Department of Environment and Natural Resources General Permit for Storm Water Discharges Associated with Industrial 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);
  7. That a Rapid City Air Quality Construction Permit and a Rapid City Air Quality Unpaved Parking/Storage Permit be obtained prior to construction activity;
  8. That the conditions of approval of the Rapid City Air Quality Construction Permit and Rapid City Air Quality Unpaved Parking/Storage Permit be continually met;
  9. That the applicant sign a Statement of Understanding within ten (10) days of Permit approval; and,
  10. That this Construction Permit be reviewed in thirty (30) days to ensure that all required permits have been obtained.

- C. June 12, 2017 - The Planning Commission approved the extension of Construction Permit / CP 17-05 with the following seven (7) conditions:
1. That the conditions of 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 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 conditions of approval of the Rapid City Air Quality Construction Permit and Rapid City Air Quality Unpaved Parking/Storage Permit be continually met; and,
  7. That this Construction Permit be reviewed in thirty (30) days to ensure that all required permits have been obtained.
- D. May 29, 2018– The planning commission approved the extension of CP 17-05 with the following seven (7) conditions:
1. That the conditions of 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 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 conditions of approval of the Rapid City Air Quality Construction Permit and Rapid City Air Quality Unpaved Parking/Storage Permit be continually met; and,



7. That this Construction Permit be reviewed in one (1) year to ensure that all conditions of approval are met.
- E. April 8, 2019 – the Planning Commission continued the review of Construction Permit / CP 17-05 to the July 8, 2019, Planning Commission meeting to allow staff time to verify that final stabilization has taken place.

### III. EXISTING CONDITIONS

- A. Lot consists of 36.64 acres.
- B. Zoned Heavy Industrial District.
- C. Future Land Use is Heavy Industrial District.
- D. Lot consists of:
  1. 8,264 square foot Storage Warehouse – built in 1984 per Department of Equalization (DOE) records. (A 12' x 24' addition was added in 1987 (Building Permit #7876).
  2. 8,100 square foot Storage Warehouse – built in 1993 per DOE records (Building Permit 1993COBP0075).
  3. 20,300 square foot Storage Warehouse – built in 1999 per DOE records (Building Permit 1998COBP0460 & Septic Permit 1998COSD0156).
  4. Numerous used vehicles.

### IV. ANALYSIS

- A. June 26, 2019 – Staff performed a site visit and found:
  1. The work has been completed.
  2. The site has been revegetated and it appears the site has reached final stabilization.



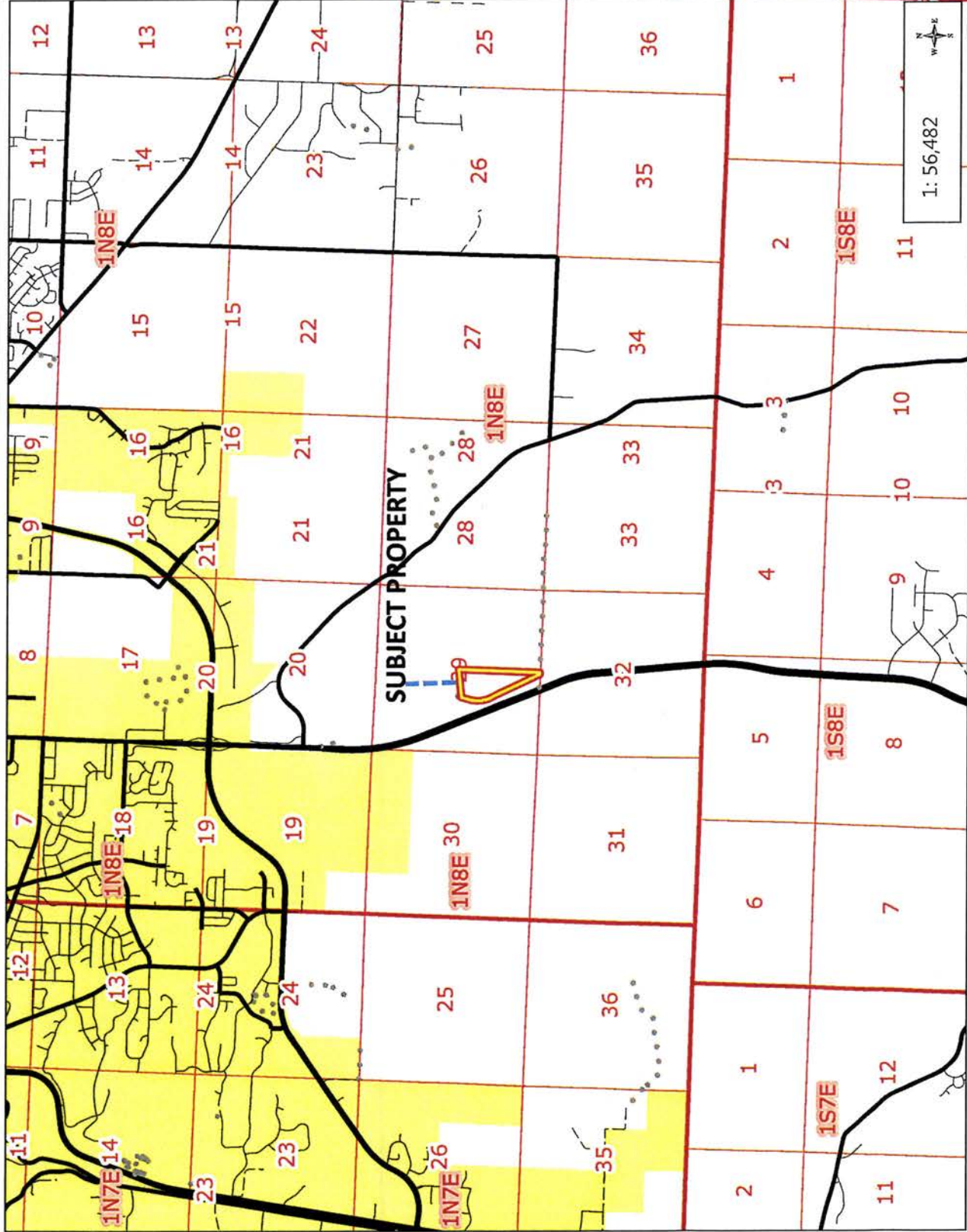
Site Visit (6/26/19)

**RECOMMENDATION TO THE PLANNING DIRECTOR:** Staff recommends the Planning Director end Construction Permit / CP 17-05.

## Legend

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  - 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:

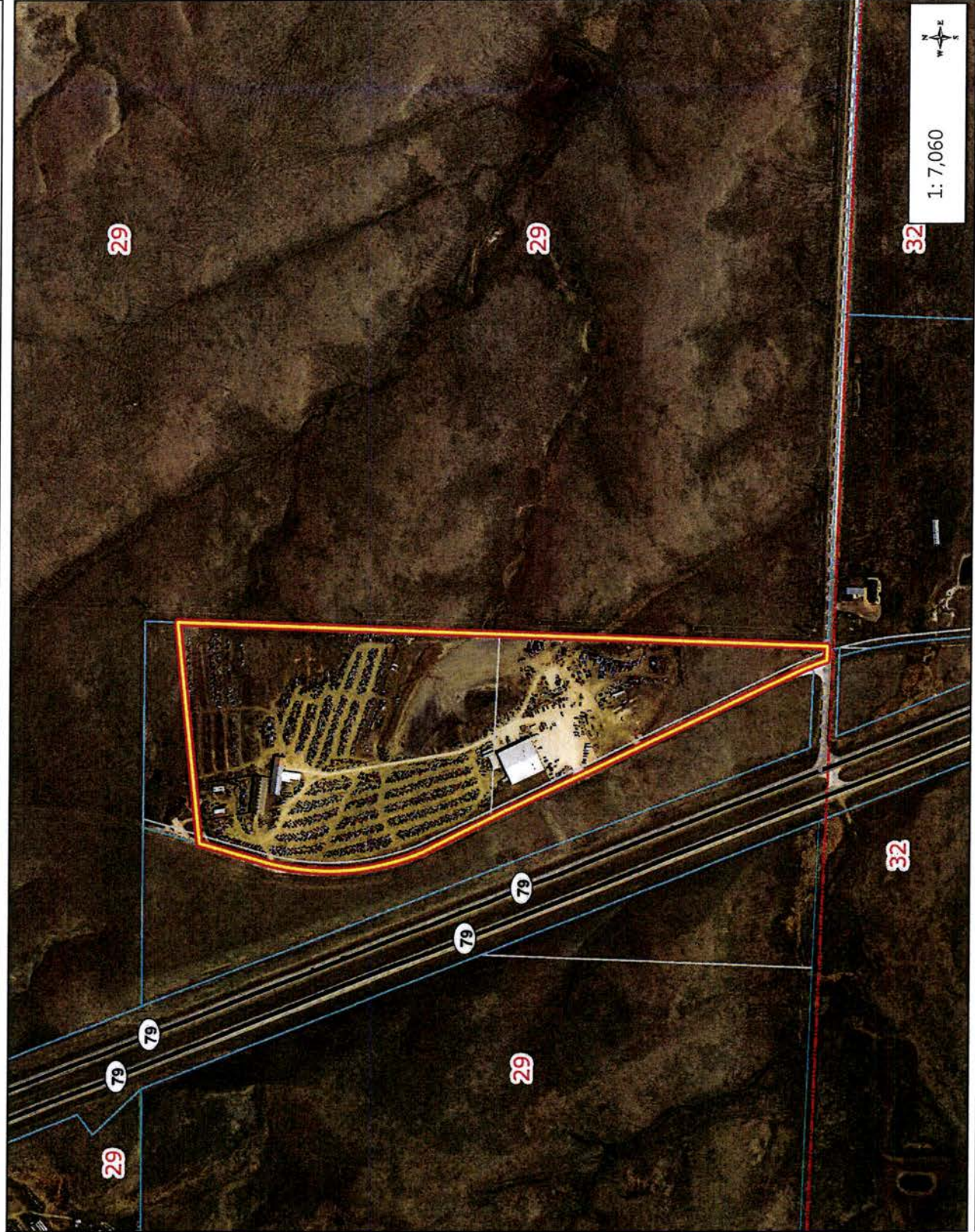


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9,413.7 0 4,706.86 9,413.7 Feet

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**Map Notes:**

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## STAFF REPORT

### GENERAL INFORMATION:

REQUEST: **CONSTRUCTION PERMIT REVIEW / CP 19-03**: To review the leveling and grading of a road to be utilized as a driveway for future construction of a single-family residence.

APPLICANT: Mike and Kimberly Van Loan

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

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

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

SIZE: 18.14 acres

TAX ID: 10942

EXISTING LAND USE: Vacant

ZONING REFERENCE: Section 507

CURRENT ZONING: Limited Agriculture District

SURROUNDING ZONING:

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

PHYSICAL CHARACTERISTICS: Forested / Rock outcroppings

UTILITIES: None

REPORT BY: Cody Sack

**\*\*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 19-03.\*\***

**I. PROPOSED RECOMMENDATION**

- A. Staff will be recommending approval of the extension of Construction Permit / CP 19-03 with nine (9) conditions.

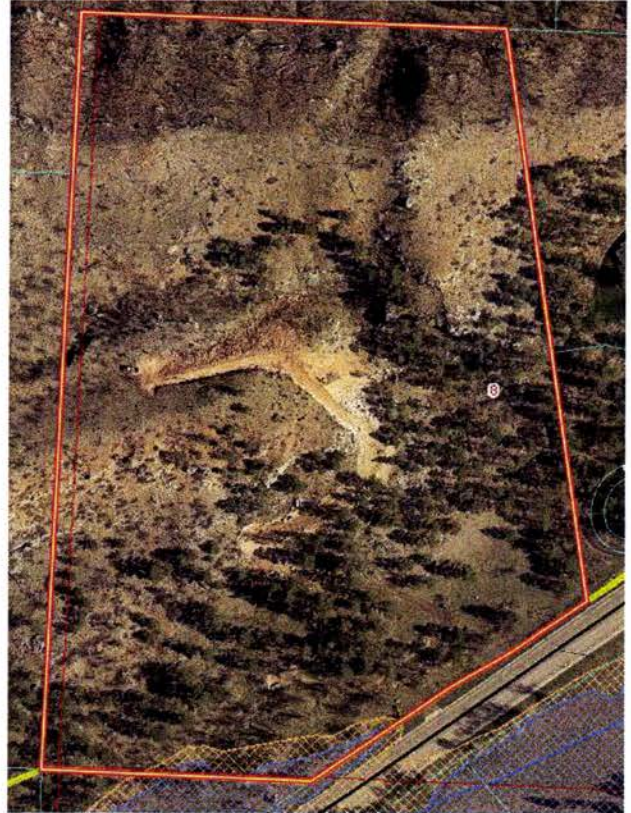
**II. GENERAL DESCRIPTION**

- A. To review a Construction Permit to level and grade a road to be utilized as a driveway for future construction of a single-family residence.
- B. March 11, 2019 – The Planning Commission approved Construction Permit / CP 19-03 with the following ten (10) conditions:
1. That the applicant continually maintains and adheres to the Storm Water Pollution Prevention Plan during the period of construction and that the requirements, guidelines, and criteria for storm water and erosion control in the Pennington County Storm Water Manual, or equivalent, shall be followed during construction;
  2. That erosion control measures, such as seeding and mulching the disturbed area, shall be implemented immediately after the work is completed in the area, but in no case later than 14 days after the Construction Activity has stopped. All erosion control methods (mulch and seed) need to be certified noxious weed-free;
  3. That the disturbed areas be re-vegetated as required in §507(A)(5)(c);
  4. That the requirements, guidelines, and criteria for stormwater and erosion and sediment control in the Pennington County Stormwater Manual shall be followed;
  5. That weed free seed or mulch be used when re-seeding and any equipment coming onto the site is clean of earthen material and noxious weeds;
  6. That all-natural drainage ways and paths be continually maintained;
  7. That the owner or designee must inspect the site at least once every 7 calendar days or every 14 calendar days and within 24 hours of the end of a storm event that exceeds 0.25 inches or snowmelt that generates runoff. A properly maintained rain gauge must be kept on the site. Inspection reports must be submitted to the Planning Director every month during construction;
  8. That a Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which includes the necessary site plans to be reviewed and approved by the Planning Director;

9. That the applicant signs a Statement of Understanding within ten (10) business days from approval; and,
10. That this Construction Permit is reviewed in six (6) months, on a complaint basis, or as directed by the Planning Commission and/or Board of Commissioners to verify that all Conditions of Approval are being met.

### III. EXISTING CONDITIONS

- A. Limited Agriculture District.
- B. 18.14 acres.
- C. Lot is vacant of any structures.
  1. .
- D. Special Flood Plan Hazard Area.
  1. 100-year flood.
  2. 500-year flood.



Floodplain Map

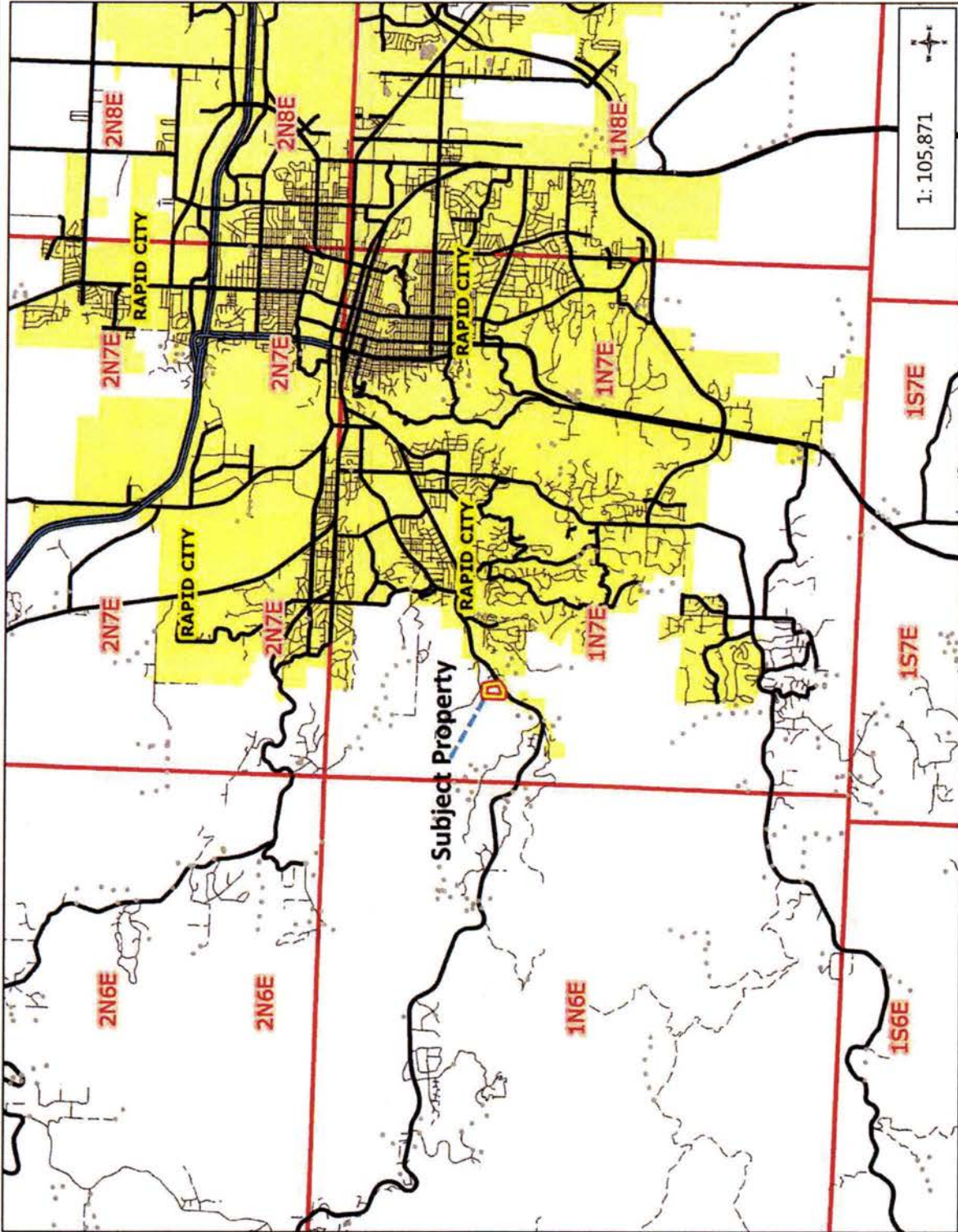
### IV. ANALYSIS

- A. June 20, 2019 – Staff had a conversation with the applicant who stated:
  1. Work on the road has been slow due to weather.
- B. June 26, 2019 – Staff performed a site visit and found:
  1. There has been little change to the road.
  2. There was no evidence of runoff leaving the site.
- C. It appears to staff that all Conditions of Approval are being met.
- D. Staff removed Condition #9 as the applicant signed the Statement of Understanding.

Agenda Item #12  
Mike and Kimberly Van Loan  
July 8, 2019

**RECOMMENDATION TO THE PLANNING DIRECTOR:** Staff recommends the Planning Director approve the extension of Construction Permit / CP 19-03 with the following nine (9) conditions:

1. That the applicant continually maintains and adheres to the Storm Water Pollution Prevention Plan during the period of construction and that the requirements, guidelines, and criteria for storm water and erosion control in the Pennington County Storm Water Manual, or equivalent, shall be followed during construction;
2. That erosion control measures, such as seeding and mulching the disturbed area, shall be implemented immediately after the work is completed in the area, but in no case later than 14 days after the Construction Activity has stopped. All erosion control methods (mulch and seed) need to be certified noxious weed-free;
3. That the disturbed areas be re-vegetated as required in §507(A)(5)(c);
4. That the requirements, guidelines, and criteria for stormwater and erosion and sediment control in the Pennington County Stormwater Manual shall be followed;
5. That weed free seed or mulch be used when re-seeding and any equipment coming onto the site is clean of earthen material and noxious weeds;
6. That all natural drainage ways and paths be continually maintained;
7. That the owner or designee must inspect the site at least once every 7 calendar days or every 14 calendar days and within 24 hours of the end of a storm event that exceeds 0.25 inches or snowmelt that generates runoff. A properly maintained rain gauge must be kept on the site. Inspection reports must be submitted to the Planning Director every month during construction;
8. That a Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which includes the necessary site plans to be reviewed and approved by the Planning Director;
9. That this Construction Permit is reviewed in six (6) months or as directed by the Planning Director.



1: 105,871

17,645.1

0 8,822.55 17,645.1 Feet

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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
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  - Driveway
  - Alley
  - Unimproved road
  - Airport Runway
  - Not yet coded
- Townships**
- BOX ELDER
  - ELLSWORTH AFB
  - HILL CITY
  - KEYSTONE
  - NEW UNDERWOOD
  - QUINN
  - RAPID CITY
  - WALL
  - WASTA
- City Limits**
- RAPID CITY

**Map Notes:**





1: 3,308

551.4 Feet

275.70

0

551.4

NAD\_1983\_2011\_StatePlane\_South\_Dakota\_South\_FIPS\_4002\_Ft\_US  
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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:**

## STAFF REPORT

### GENERAL INFORMATION:

REQUEST: **SPECIAL CONSIDERATION TO TRAILWOOD VILLAGE PLANNED UNIT DEVELOPMENT / PU 19-04:** A special consideration to PUD 79-02 to reduce the minimum rear yard setback from 25 feet to 23 feet to allow for the construction of a garage in accordance with Section 213 of the Pennington County Zoning Ordinance.

APPLICANT: Misty Cline LaBelle

APPLICANT ADDRESS: 2891 Leola Lane, Rapid City, SD 57703

LEGAL DESCRIPTION: Lot 11, Block 8, Trailwood Village, Section 10, T1N, R8E, BHM, Pennington County, South Dakota.

SITE LOCATION: 2891 Leola Lane; at the corner of Leola Lane and Connie Court.

SIZE: 0.18 acre

EXISTING LAND USE: Residential

TAX ID: 50513

ZONING REFERENCE: Section 213

CURRENT ZONING: Planned Unit Development

SURROUNDING ZONING:

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

PHYSICAL CHARACTERISTICS: Flat

UTILITIES: Rapid Valley Sanitary District

REPORT BY: Brittney Molitor

**I. PROPOSED RECOMMENDATION**

- A. Staff will be recommending to continue Special Consideration of the Trailwood Village Planned Unit Development / PU 19-04 to allow the applicant time to address the two sheds that are located within the setback and one within the easement.

**II. GENERAL DESCRIPTION**

- A. The applicant, Misty Cline LaBelle, is requesting a Special Consideration to the Trailwood Village Planned Unit Development (PUD) to reduce the minimum required rear yard setback from twenty-five (25) feet to twenty-three (23) feet, in order to construct a garage.

**III. EXISTING CONDITIONS**

- A. Zoned Planned Unit Development (PUD).
  - 1. Trailwood Village (PU 05-19).
- B. Lot size is 0.18 acre.
- C. Access off of Leola Lane via an existing approach.
- D. Lot contains:
  - 1. Single-family residence with attached garage, porch and deck (1998COBP0128).
- E. Rapid Valley Sanitary District.



*Location of Property*

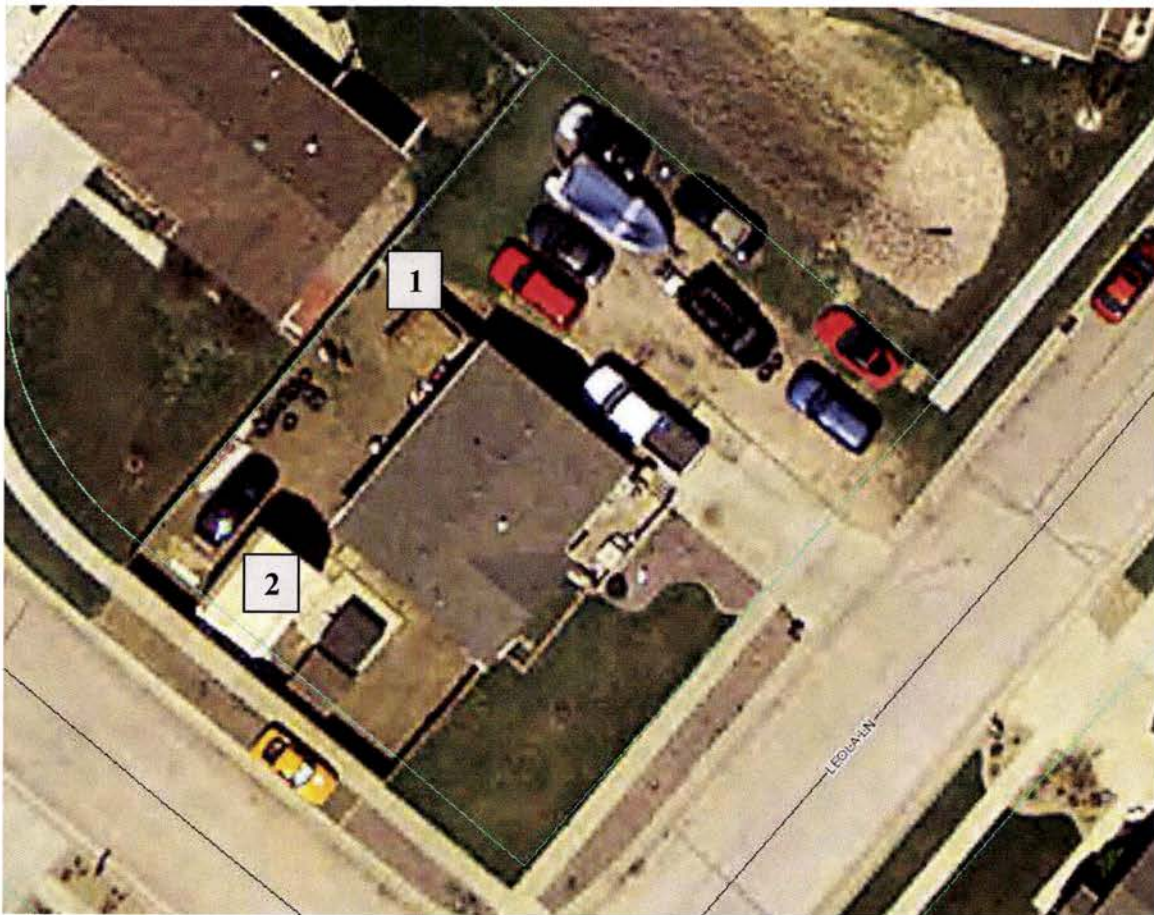
#### IV. REQUEST FOR COMMENT

- A. County Highway Department
  - 1. Highway has no comment.
- B. County Fire Coordinator
  - 1. No comments received.
- C. County Environmental Planner
  - 1. Rapid City 1-mile.
- D. County Environmental Planning Supervisor
  - 1. There is no Special Flood Hazard Area on the subject property.
- E. County Ordinance Enforcement Officer
  - 1. There were past Ordinance Violations on the subject property, but all have been closed. Ordinance Enforcement has no record of current Ordinance Violations or complaints on the subject property.
- F. County Natural Resources Director
  - 1. No objections.
- G. County Addressing Coordinator
  - 1. No addressing concerns at this time.
- H. County 9-1-1
  - 1. Tight space on all sides and the drainage ditch as well.
  - 2. Really no comment from me but have a great day!
- I. Rapid City Community Planning
  - 1. No comments received.
- J. Rapid City Public Works
  - 1. No comments received.
- K. Rapid City Septic Coordinator
  - 1. No comments received.
- L. West River Electric
  - West River Electric has no objections to the reduced setback as shown on PUD - Cline (LaBelle) - To reduce setback.

#### V. ANALYSIS

- A. June 26, 2019 – Staff performed a site visit and found the following:
  - 1. There are two (2) sheds on the subject property.
    - a. Both appear to be located in the within the 25’ setback for the Trailwood Village Planned Unit Development.
      - i. The large shed also requires a Building Permit as it is over 144 square feet.
- B. June 26, 2019 – Staff contacted the applicant regarding the sheds located in the easement and setback.
  - 1. The applicant indicated that her husband came to the Planning Department and was told that if the shed was movable, no Permit was needed.
    - a. Staff explained that sheds less than 144 square feet and not on a permanent foundation must still meet the setback and easement requirements.

- i. One of the sheds is greater than 144 square feet and will require a Building Permit.
    - (a) This shed does not meet setbacks and is located within the 8-foot minor utility and drainage easement.
    - ii. In addition, the sheds will have to meet the setbacks.
  - b. The applicant asked why she has to comply when all of her neighbors have sheds and garages in the setbacks.
2. Staff requested that the applicant amend her application to include all structures on her property that encroach into the setback.
  3. Staff also indicated to the applicant that the easement would have to be vacated through the city of Rapid City if the shed is to remain in its current location.

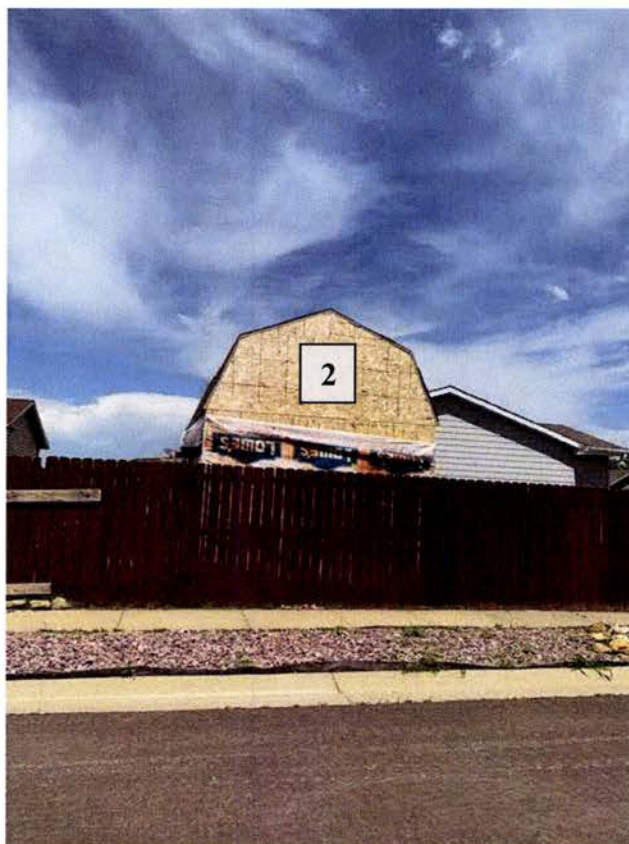


*Locations of sheds (#1 and #2)*

Agenda Item #13  
Misty Cline LaBelle  
July 8, 2019



*Shed #1*



*Shed #2*

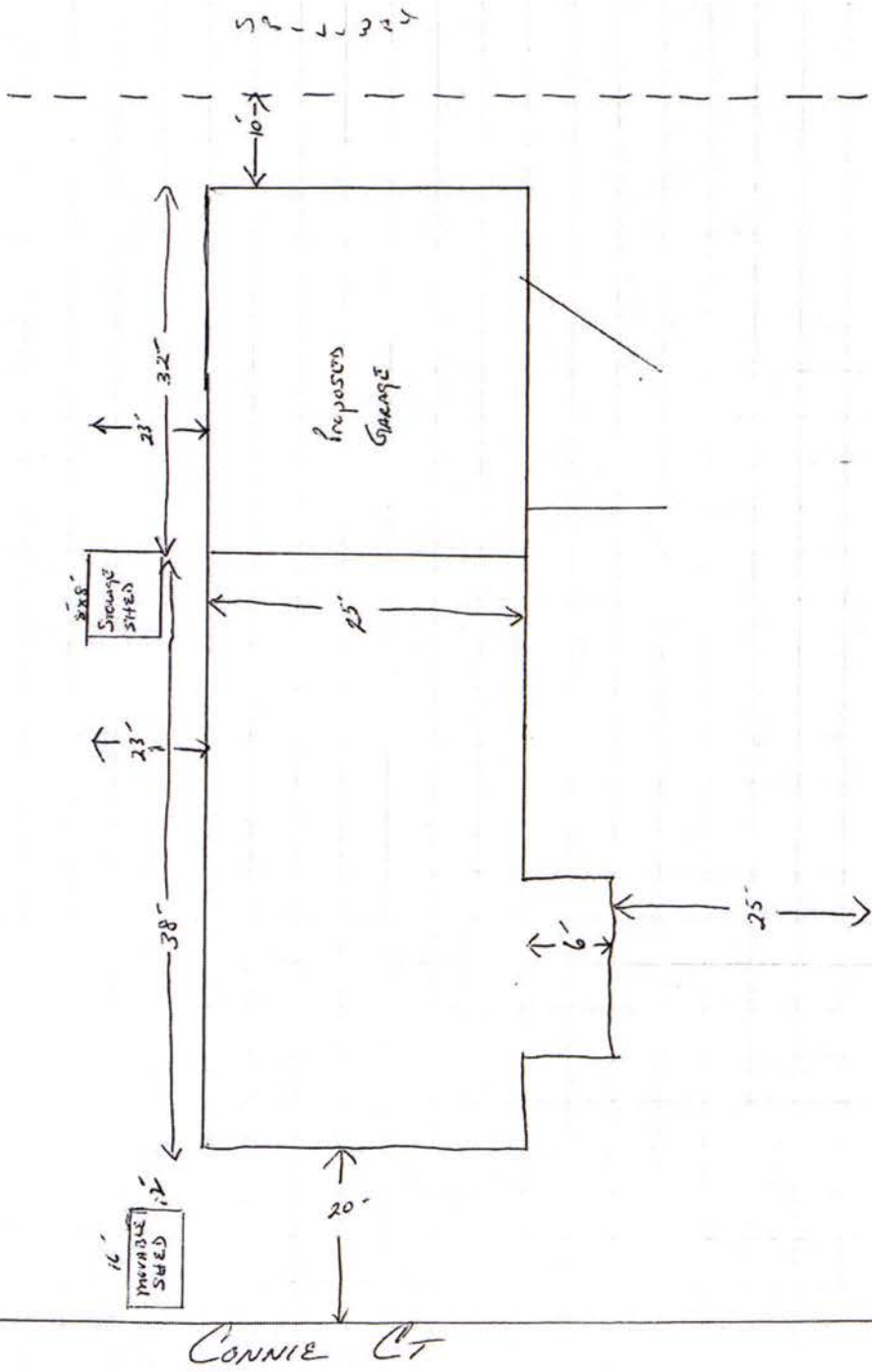
Agenda Item #13  
Misty Cline LaBelle  
July 8, 2019

**RECOMMENDATION:** Staff is recommending to continue the Special Consideration of the Trailwood Village Planned Unit Development / PU 19-04 to allow the applicant time to address the two sheds, both are located within the setback and one is located within the easement.

The improvement to this property is adding a garage attached to the house using the front and rear as the boundary and roof line matching the house as well. It will be an oversized two car with a rear door access, siding color & trim to match house. Dimensions are 25' x 32'. To reduce the setback from 25 feet to 23 feet in the rear.

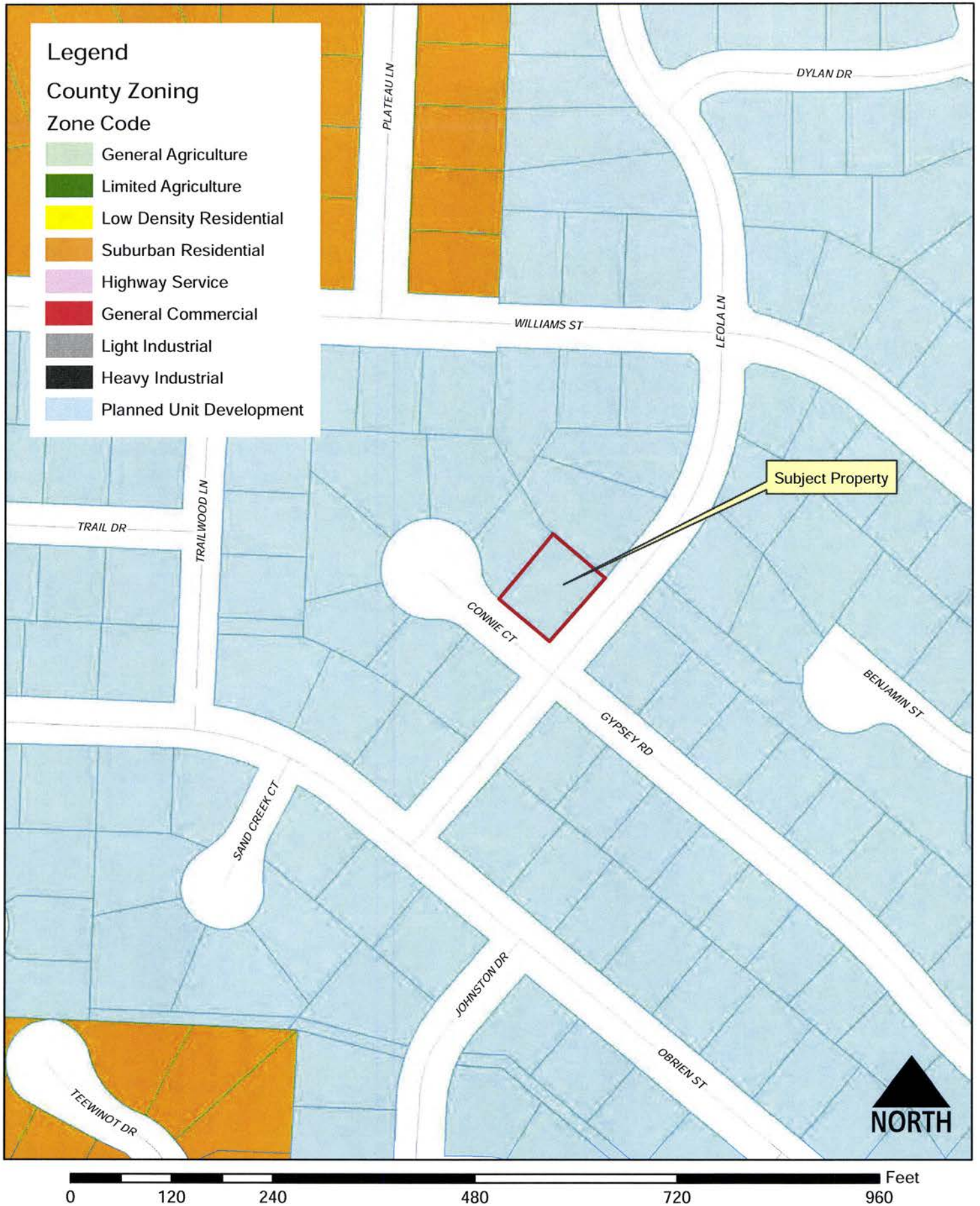


Misty La Belle  
2891 Leola Ln  
Rapid City SD 57703



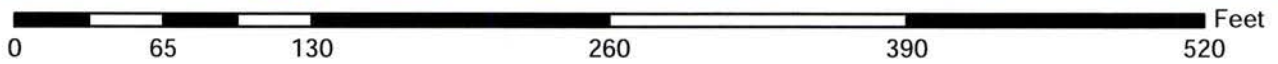
LEOLA LN

# 2891 Leola Lane



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# 2891 Leola Lane



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

Agenda Item #14  
David Grover  
July 8, 2019

# 14

## STAFF REPORT

### GENERAL INFORMATION:

**REQUEST:** MINOR PLAT / MPL 19-19: To create Lot 1 of Grover Subdivision in accordance with Section 400.3 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:** 12.82 acres

**TAX ID:** 66524

**EXISTING LAND USE:** Residential / Vacant

Agenda Item #14  
David Grover  
July 8, 2019

**SUBDIVISION REGULATIONS**

REFERENCE: § 400.3

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: Kristina Proietti

**I. PROPOSED RECOMMENDATION**

- A. Staff will be recommending approval of Minor Plat / MPL 19-19 with nine (9) conditions.

**II. GENERAL DESCRIPTION**

- A. The applicant, David Grover, is requesting to create proposed Lot 1 (12.8 acres) of Grover Subdivision out of two (2) existing lots.
- B. The purpose of the subdivision is to build a single-family residence on proposed Lot 1 of Grover Subdivision, and to leave the remaining balance of 69.84 acres as unplatted.

**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 District.
  - 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.

Agenda Item #14  
David Grover  
July 8, 2019

- 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.



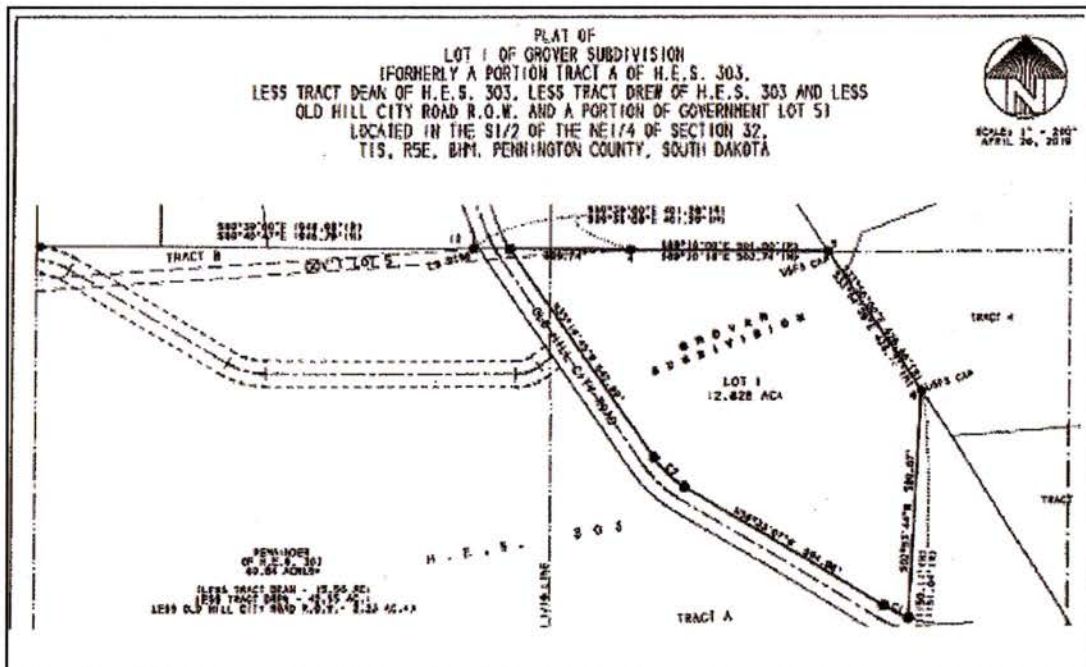
*Existing Lots*

#### 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 lot size).
  - 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.

Agenda Item #14  
David Grover  
July 8, 2019

5. No Special Flood Hazard Area.
6. Eight (8) Foot 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 Fire Administrator, U.S. Forest Service, and Cosmos Road District.
  1. No comments received.
- B. County Highway Department
  1. Highway Department has no additional comments from the Layout Plan.
- C. County Environmental Planning Supervisor
  1. There is no Special Flood Hazard Area on the subject property.
- D. County Onsite Wastewater Specialist
  1. I have no concerns with the current proposal, however, if the applicant wishes to install an additional septic system on the proposed lot, all rules of Pennington County Zoning Ordinance § 204-J must be followed.
  2. The owner of the lot currently has a valid Operating Permit (COOP15-0474.)
- E. County Ordinance Enforcement
  1. No record of past or current Ordinance Violations on the subject property. Ordinance Enforcement has no objections to the proposed plat.

F. U.S. Forest Service

1. The Forest Service has no objections to the Robert Grow & Linda Fisher (landowners of record) and David Grover (applicant) Minor 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 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 the area of the Black Hills National Forest are classified as “Roads Open to all Vehicles”, and “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 for private property onto National Forest System lands (USFS does not want unauthorized trails constructed on National Forest System lands).

G. County Addressing Coordinator

1. An address of 12584 Old Hill City Road is still assigned to a specific point on proposed Lot 1 from a SFR since removed from the property. This address will carry forward to any future residence that is built/placed on the property. The address will be edited during the permitting process and must be posted in accordance with Pennington County Ordinance #20.

H. Emergency Services (9-1-1)

1. I believe they should show “Towering Pines Ln” on the west edge of this parcel. Otherwise, nothing else from me.
  - a. *Staff Comment: Staff will address this in the Conditions of Approval.*



Agenda Item #14  
David Grover  
July 8, 2019

- I. Register of Deeds
  - 1. Plat heading is acceptable.
  - 2. Certificates appear to be the required certificates per state statute.
- J. Department of Equalization
  - 1. Looks good at this point!
- K. Black Hills Energy
  - 1. Just wanted to pass along that we do have an OH power line that runs through this lot that is not reflected on the plat, if it needs to be?

## VI. ANALYSIS

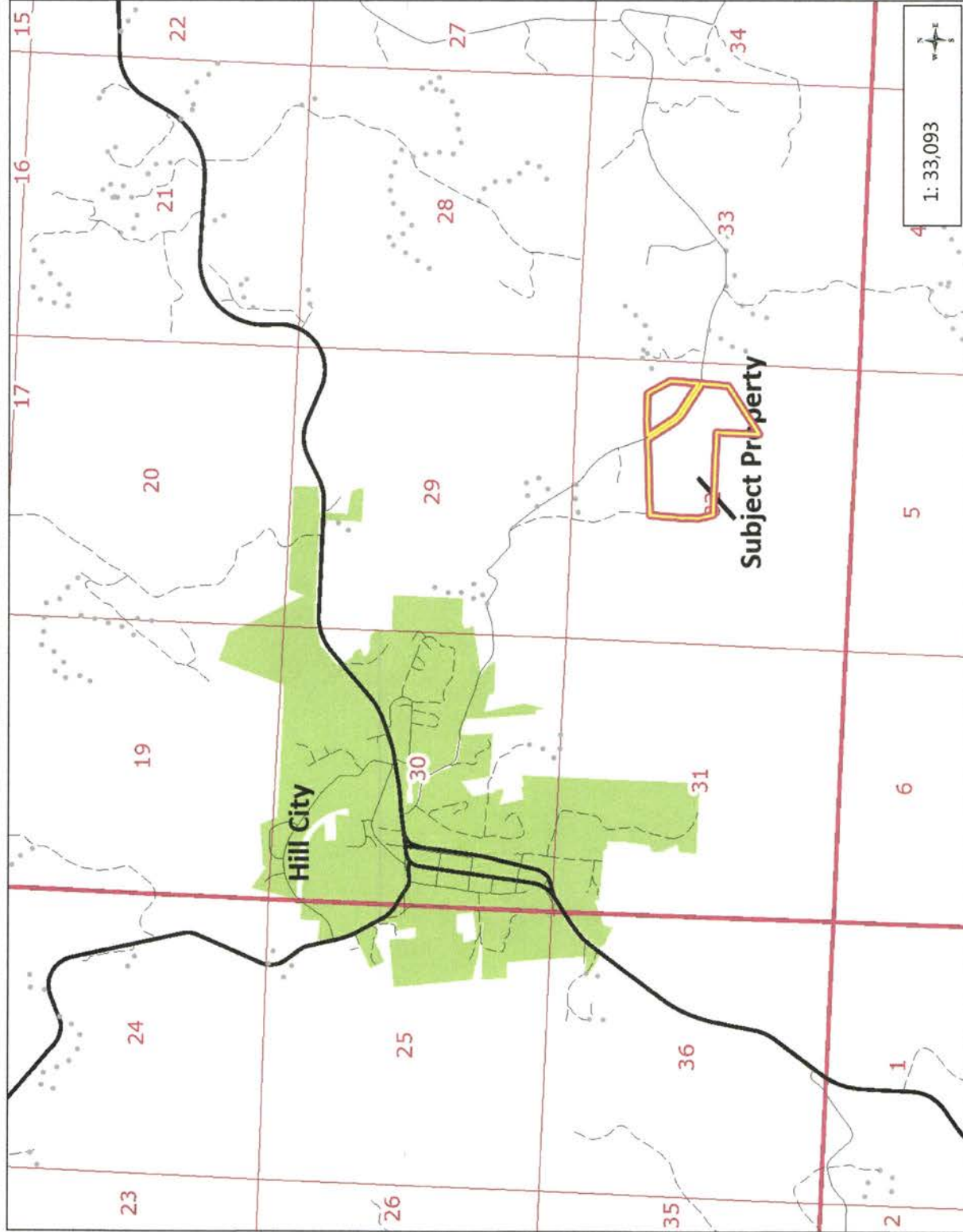
- A. June 3, 2019, the applicant, David Grover, applied to create Lot 1 of Grover Subdivision.
  - a. Proposed Lot 1 does not meet the minimum lot size requirement for a General Agriculture District, per § 205 of the Pennington County Zoning Ordinance (PCZO).
  - b. If approved a Rezone and Comprehensive Plan Amendment *or* Lot Size Variance will be required for proposed Lot 1 prior to filing the plat at the Register of Deeds.
- B. There is an existing and permitted On-Site Wastewater System (OSWTS) on the proposed Lot 1.

**RECOMMENDATION:** Staff recommends approval of Minor Plat / PL 19-19 with the following nine (9) conditions:

- 1. That upon filing the Plat with the Register of Deeds, 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 upon filing the Plat with the Register of Deeds, the plat meets all requirements of § 400.3 of the Pennington County Subdivision Regulations, or an approved Subdivision Regulations Variance be obtained waiving any of these requirements that are not met;
- 3. That upon filing the Plat with the Register of Deeds, the plat meets all requirements of § 508 *or* § 509 of the Pennington County Subdivision Regulations, to obtain either a Rezone or a Lot Size Variance;
- 4. That upon filing the Plat with the Register of Deeds, the Certifications on the plat be in accordance with § 400.3(1)(n) of the Pennington County Subdivision Regulations;
- 5. 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;

Agenda Item #14  
David Grover  
July 8, 2019

6. That upon filing the plat with the Register of Deeds, the plat show "Towering Pines Lane" on the west edge of the subject property;
7. That prior to any work being done on proposed Lot 1 of Grover Subdivision, or the remaining unplatted balance, the landowners contact the Pennington County Planning Department first, to see what Permits, if any, are required;
8. That prior to the Plat being recorded with the Register of Deeds, proposed Lot 1 of Grover Subdivision be in compliance with Pennington County Zoning Ordinances; and,
9. That the applicant ensures that all natural drainage ways are maintained and are not blocked.



1: 33,093

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**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

5,515.5 0 2,757.77 5,515.5 Feet

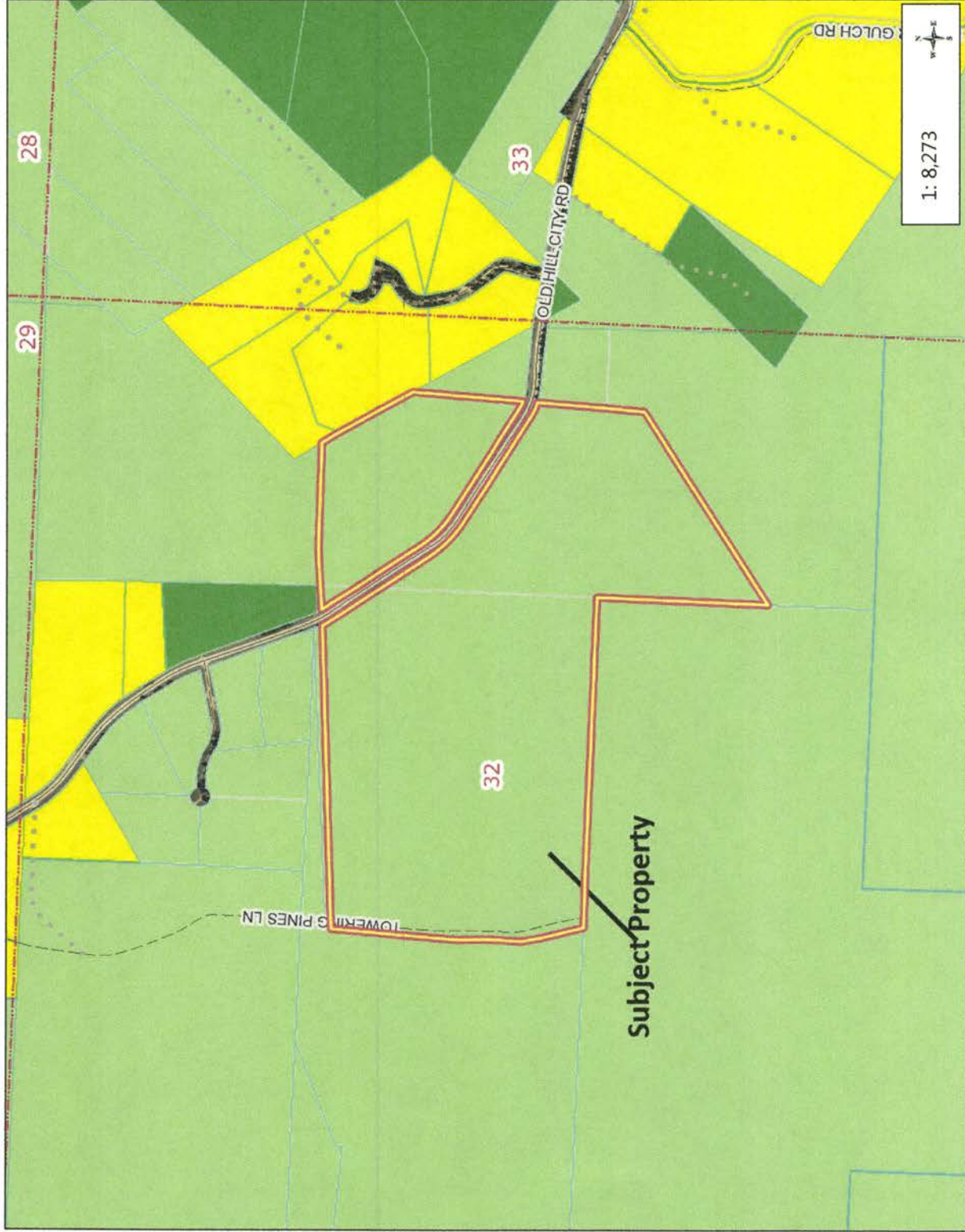
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**Legend**

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  - QUINN
  - RAPID CITY
  - WALL
  - WASTA
- City Limits**
- City Limits

**Map Notes:**



1: 8,273

1,378.9 689.44 1,378.9 Feet

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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:**



1: 8,273

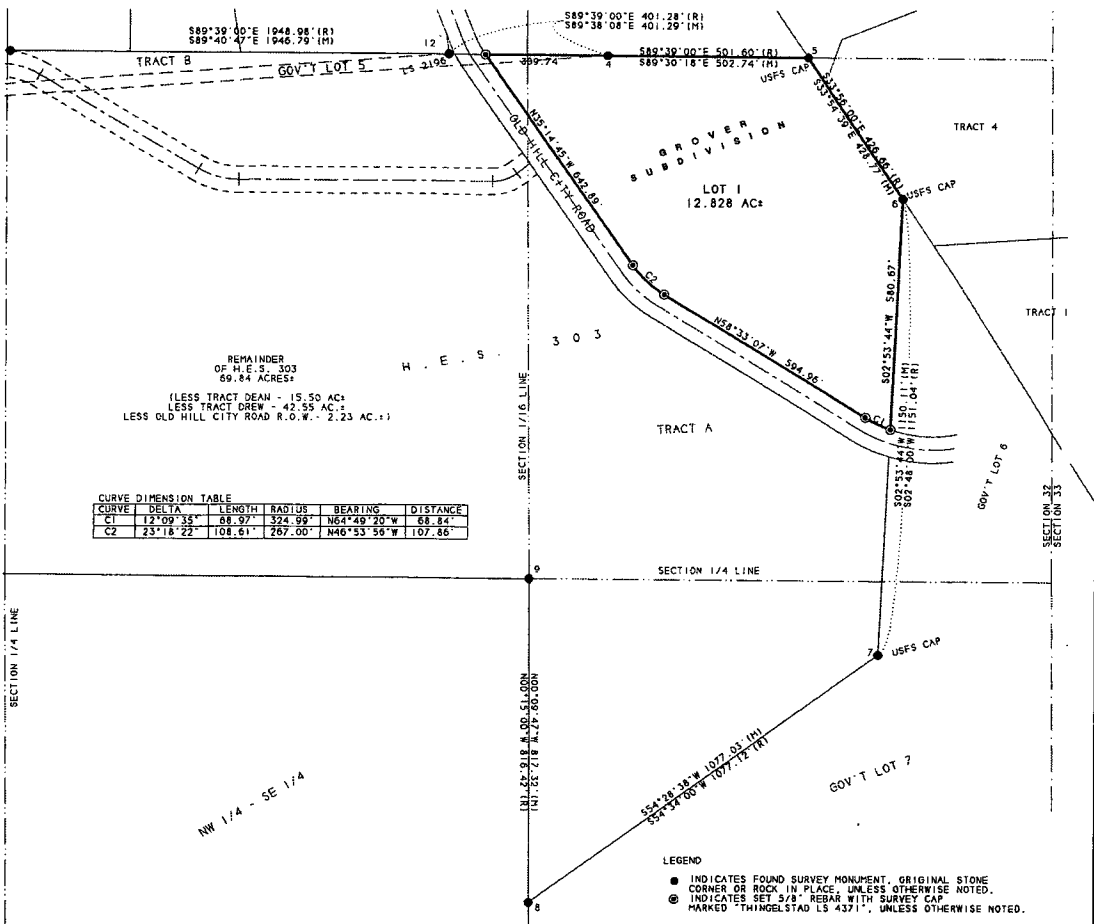
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  - Not yet coded
- Section Lines 0-25k**
- 0
  - 7
- Tax Parcels**
- Lot Lines**
- <Null>
  - Lot Line
  - Parcel Line

**Map Notes:**

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



**FLOODPLAIN STATEMENT**  
 THE 100-YEAR FLOODPLAIN, AS SHOWN HEREON, IS BASED ON THE ELEVATIONS IDENTIFIED ON FLOOD INSURANCE RATE MAP NUMBER 480084 114H, 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 11-3-3.1 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, s.s.  
 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 \_\_\_\_\_

**PENNINGTON COUNTY AUDITOR (MINOR PLAT)**  
 RESOLUTION OF GOVERNING BOARD  
 STATE OF SOUTH DAKOTA  
 COUNTY OF PENNINGTON  
 I, AUDITOR OF PENNINGTON COUNTY, DO HEREBY CERTIFY THAT AT AN OFFICIAL MEETING HELD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2019, THE PENNINGTON COUNTY BOARD OF COMMISSIONERS BY RESOLUTION DID APPROVE THE PLAT AS SHOWN AND DESCRIBED

PENNINGTON COUNTY AUDITOR \_\_\_\_\_

**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 \_\_\_\_\_

**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.

BASES 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, IMPROVE, AND REPAIR SUCH IMPROVEMENTS AND STRUCTURES AS IT DEEMS EXPEDIENT TO FACILITATE DRAINAGE FROM ANY SOURCE.

**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 HERETO SET OUR HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

OWNER: \_\_\_\_\_  
 OWNER: \_\_\_\_\_

STATE OF SOUTH DAKOTA:  
 COUNTY OF PENNINGTON: s.s.  
 ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2019, BEFORE ME, A NOTARY PUBLIC, PERSONALLY APPEARED LYNDA FISHER 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 \_\_\_\_\_

OFFICE OF DIRECTOR OF EQUALIZATION  
 STATE OF SOUTH DAKOTA:  
 COUNTY OF PENNINGTON: s.s.

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: \_\_\_\_\_

PENNINGTON COUNTY REGISTER OF DEEDS  
 FILED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2019, AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ P.M.  
 DOCUMENT NUMBER \_\_\_\_\_

PENNINGTON COUNTY REGISTER OF DEEDS \_\_\_\_\_  
 BY: \_\_\_\_\_ FEE: \$ \_\_\_\_\_



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

## STAFF REPORT

### GENERAL INFORMATION:

REQUEST: **MINOR PLAT / MPL 19-20:** To combine two lots to create Lot 4R of Block D, Edelweiss Mountain Development Subdivision in accordance with Sections 400.3 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: § 400.3

CURRENT ZONING: Suburban Residential District

Agenda Item #15  
Ryan and Dawn Loraas; Fisk Land Surveying - Agent  
July 8, 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 Minor Plat / MPL 19-20 with six (6) conditions.

**II. GENERAL DESCRIPTION**

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

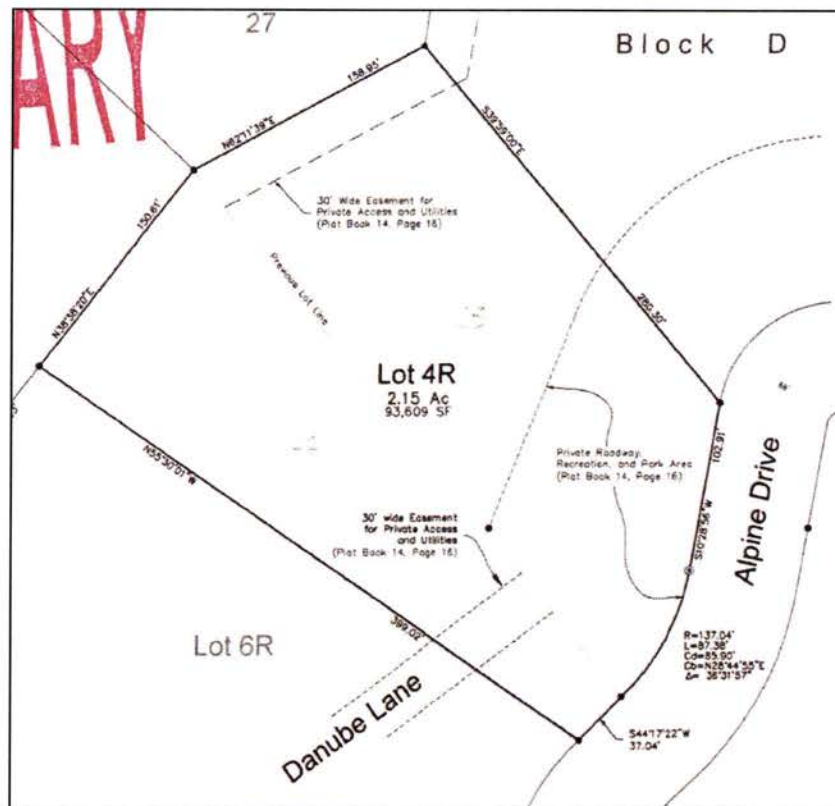
**III. EXISTING CONDITIONS**

- 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. Zoned Suburban Residential District.
  - 2. 2.15 acres.
    - a. Meets the minimum lot size requirement for a Suburban Residential District.
  - 3. Will contain the existing single-family residence.





Portion of proposed Plat (Fisk Land Surveying 03.29.19)

**V. REQUEST FOR COMMENT**

- A. County Highway Department
  - 1. An approach permit needs to be obtained for the existing driveway since none was issued to date. This is located in the Edelweiss Mountain 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 property.
  - 2. Wastewater is treated by a community lagoon system.
- D. County On-site Wastewater Specialist
  - 1. The applicant utilizes the community lagoon. I have no concerns with the current proposal.
- E. County Ordinance Enforcement
  - 1. There was an Ordinance Violation on the subject property in 2009 (2009COVO0111) for a Vacation Home Rental. That violation was closed in July 2009.
  - 2. There are no current Ordinance Violations on the subject property.
  - 3. Ordinance Enforcement has no objection to the proposed Plat.
- F. County Natural Resources
  - 1. No comments received.

Agenda Item #15

Ryan and Dawn Loraas; Fisk Land Surveying - Agent  
July 8, 2019

- G. County Addressing Coordinator
  - 1. No addressing concerns at this time.
- H. County Sheriff's Office
  - 1. No comments received.
- I. Register of Deeds
  - 1. Plat heading is acceptable.
  - 2. Certificates appear to be required certificates per state statute.
- J. Department of Equalization
  - 1. I literally just signed the mylar copy for this plat this morning. Did something change?
- K. Emergency Services (9-1-1)
  - 1. Good here.
- L. Edelweiss Road District
  - 1. No comments received.

**VI. ANALYSIS**

- A. May 21, 2019 – Board of Commissioners approved the following requests:
  - 1. 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.
  - 2. 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;

Agenda Item #15

Ryan and Dawn Loraas; Fisk Land Surveying - Agent

July 8, 2019

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.
- B. June 3, 2019 – The applicants applied for Minor Plat / MPL 19-20.
- C. The applicants' request will decrease density within the Edelweiss Mountain Development by one (1) lot.

**RECOMMENDATION:** Staff recommends approval of Minor Plat / MPL 19-20 with the following six (6) conditions:

1. That upon submitting the Plat with the Register of Deeds, a minimum eight (8) foot Minor Drainage and Utility Easements continue to be dedicated on the interior sides of all lot lines, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
2. That upon filing the Plat with the Register of Deeds, 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 prior to filing the Plat with the Register of Deeds, 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;
4. That the existing address continue to be properly posted in accordance with Pennington County's Ordinance #20;
5. That the applicant ensures that all natural drainage ways are maintained and are not blocked and that all necessary drainage ways are properly noted on plats; and,
6. That an approved Building Permit be obtained for any structure(s) exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be reviewed and approved by the Planning Director.

### 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

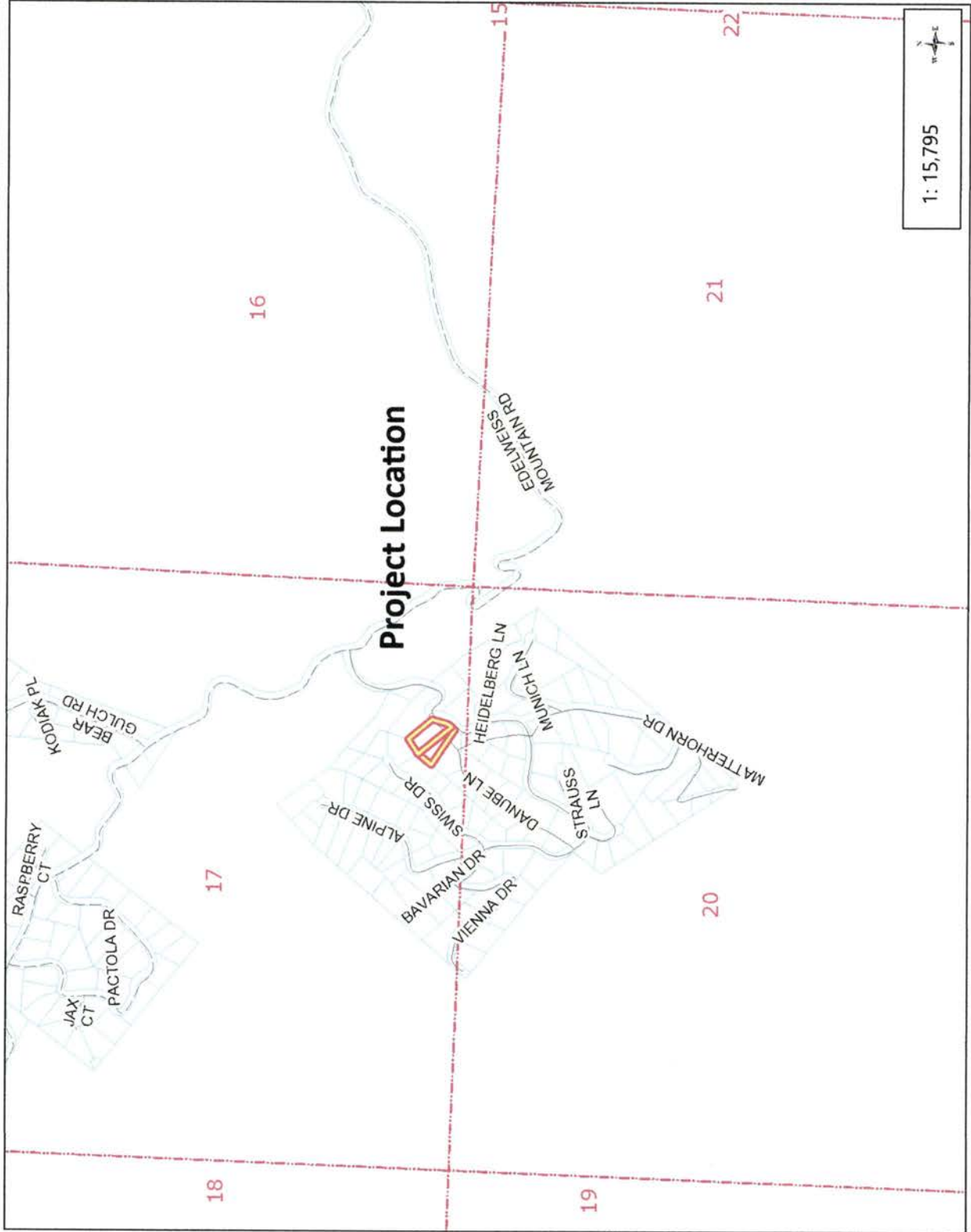
#### Section Lines 0-25k

- 0
- 7

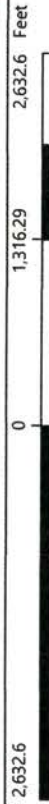
#### Tax Parcels

#### Lot Lines

- <Null>
- Lot Line
- Parcel Line



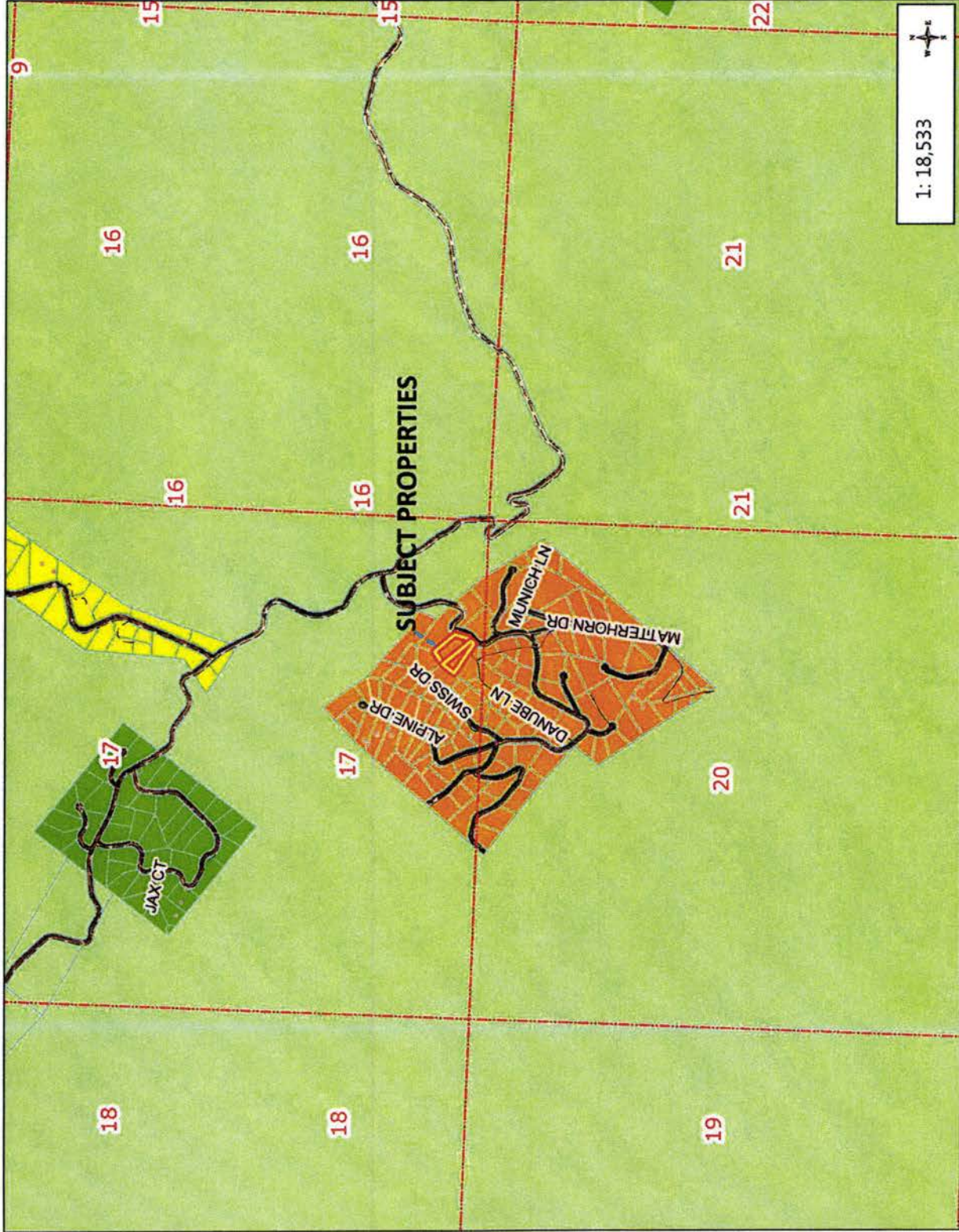
1: 15,795



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

**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

### Map Notes:



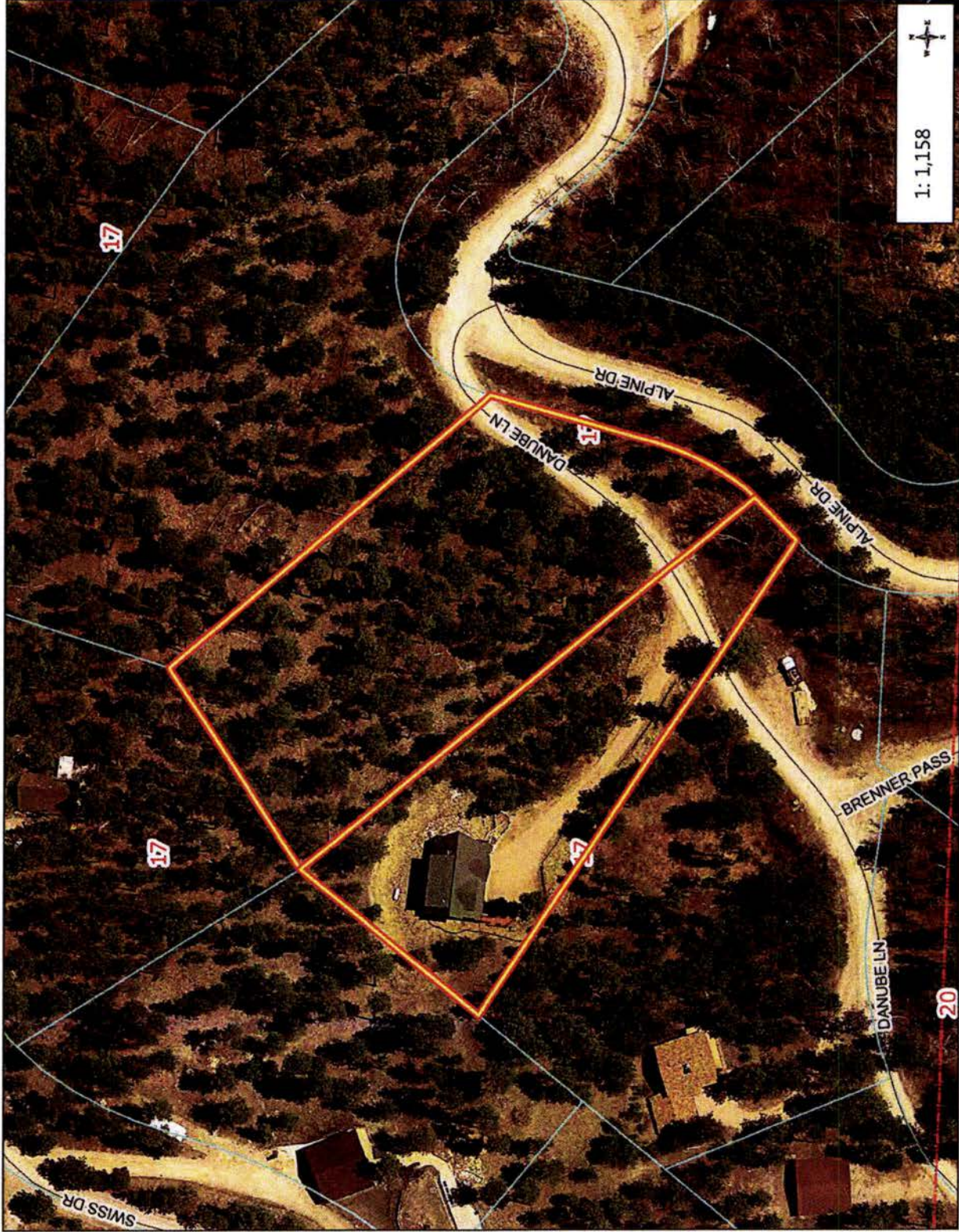
**Legend**

- Roads**
- Interstate
  - US highway
  - SD highway
  - County highway
  - Main road
  - Minor arterial
  - Collector
  - Ramp
  - Paved road
  - Unpaved road
  - Trail
  - Driveway
  - Alley
  - Unimproved road
  - Airport Runway
  - Not yet coded
- Section Lines 0-25k**
- 0
  - 7
- Tax Parcels**
- Lot Lines**
- <Null>
  - Lot Line
  - Parcel Line
- Pennington County Zoning**
- General Agriculture
  - General Commercial
  - Heavy Industrial
  - Highway Services
  - Limited Agriculture
  - Low Density Residential
  - Light Industrial
  - Planned Unit Development

**Map Notes:**

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

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1:1,158

193.1 Feet

96.53

0

193.1

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**Legend**

**Roads**

- Interstate
- US highway
- SD highway
- County highway
- Main road
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- 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:**

# 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) 348-1530  
 Project # 19-02-07

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

### EASEMENTS

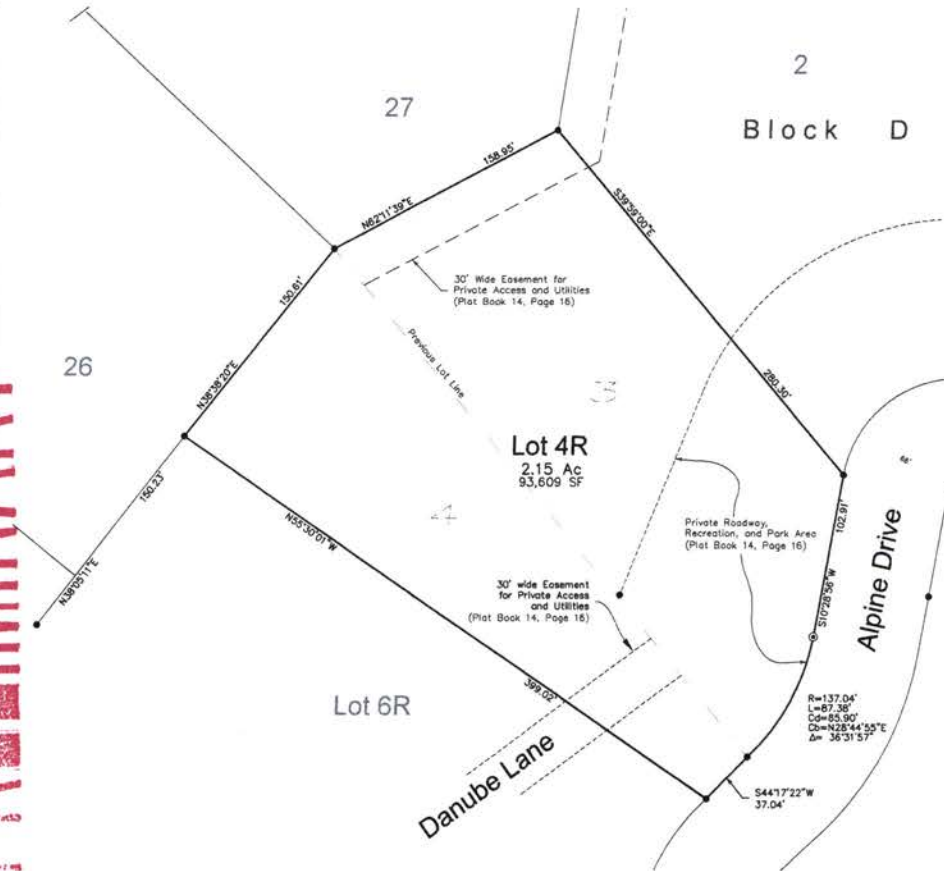
Utility and Drainage Easements: 10' on the interior sides of all subject lot lines (Plat Book 14, Page 16)

### 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.

March 29, 2019  
 Basis of Bearings:  
 GPS Observation

**PRELIMINARY**  
 PRELIMINARY SURVEY PLAT  
 NOT FOR RECORD  
 THIS PLAT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE SURVEY CONTRACT



### CERTIFICATE OF SURVEYOR

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 plot of the land shown and described hereon and that the same is, in all things, true and correct to the best of my knowledge and belief.

In Witness Whereof, I have hereunto set my hand and official seal

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Ronald W. Fisk  
 Registered Land Surveyor No. 6565



### 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 \_\_\_\_\_, 20\_\_\_\_.

Highway/Street Authority \_\_\_\_\_

### CERTIFICATE AND ACKNOWLEDGEMENT OF OWNERSHIP

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

Ryan H. Loraas - (Owner)

Dawn R. Loraas - (Owner)

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, a Notary Public, personally appeared Ryan H. Loraas and Dawn R. Loraas, 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 COUNTY TREASURER

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

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Treasurer of Pennington County \_\_\_\_\_

### Resolution by Governing Board

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 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.

Director of Equalization of Pennington County \_\_\_\_\_

Approved \_\_\_\_\_

Date \_\_\_\_\_

### CERTIFICATE OF THE REGISTER OF DEEDS

Filed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Document Number \_\_\_\_\_

Register of Deeds of Pennington County \_\_\_\_\_

## STAFF REPORT

### GENERAL INFORMATION:

REQUEST: **REZONE / RZ 19-08 AND COMPREHENSIVE PLAN AMENDMENT / CA 19-08:** To rezone 10.5 acres from Limited Agriculture District to Low Density Residential District and to amend the Comprehensive Plan to change the Future Land Use from Planned Unit Development Sensitive District to Low Density Residential District in accordance with Sections 206, 207, and 508 of the Pennington County Zoning Ordinance.

APPLICANT: Brad and Colleen Kurtz

APPLICANT ADDRESS: 22673 Highway 385, Rapid City, SD 57702

SURVEYOR / ENGINEER: D.C. Scott Surveyors

SURVEYOR ADDRESS: 3153 Anderson Road, Rapid City, SD 57703

LEGAL DESCRIPTION: Lot 8, Collins Addition, Section 20, T2N, R5E, BHM, Pennington County, South Dakota.

SITE LOCATION: Two and one-half (2.5) miles north of the intersection of W. Highway 44 and Highway 385.

SIZE: 10.5 acres

TAX ID: 57745

EXISTING LAND USE: Vacant

ZONING REFERENCE: §§ 206, 207, and 508

CURRENT ZONING: General Agriculture District

SURROUNDING ZONING:

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



Agenda Item #16  
Brad and Colleen Kurtz  
July 8, 2019

PHYSICAL CHARACTERISTICS: Forested / Hills

UTILITIES: Private

REPORT BY: Jason Theunissen

**I. PROPOSED RECOMMENDATION**

- A. Staff will be recommending approval of Rezone / RZ 19-08 and Comprehensive Plan Amendment / CA 19-08.

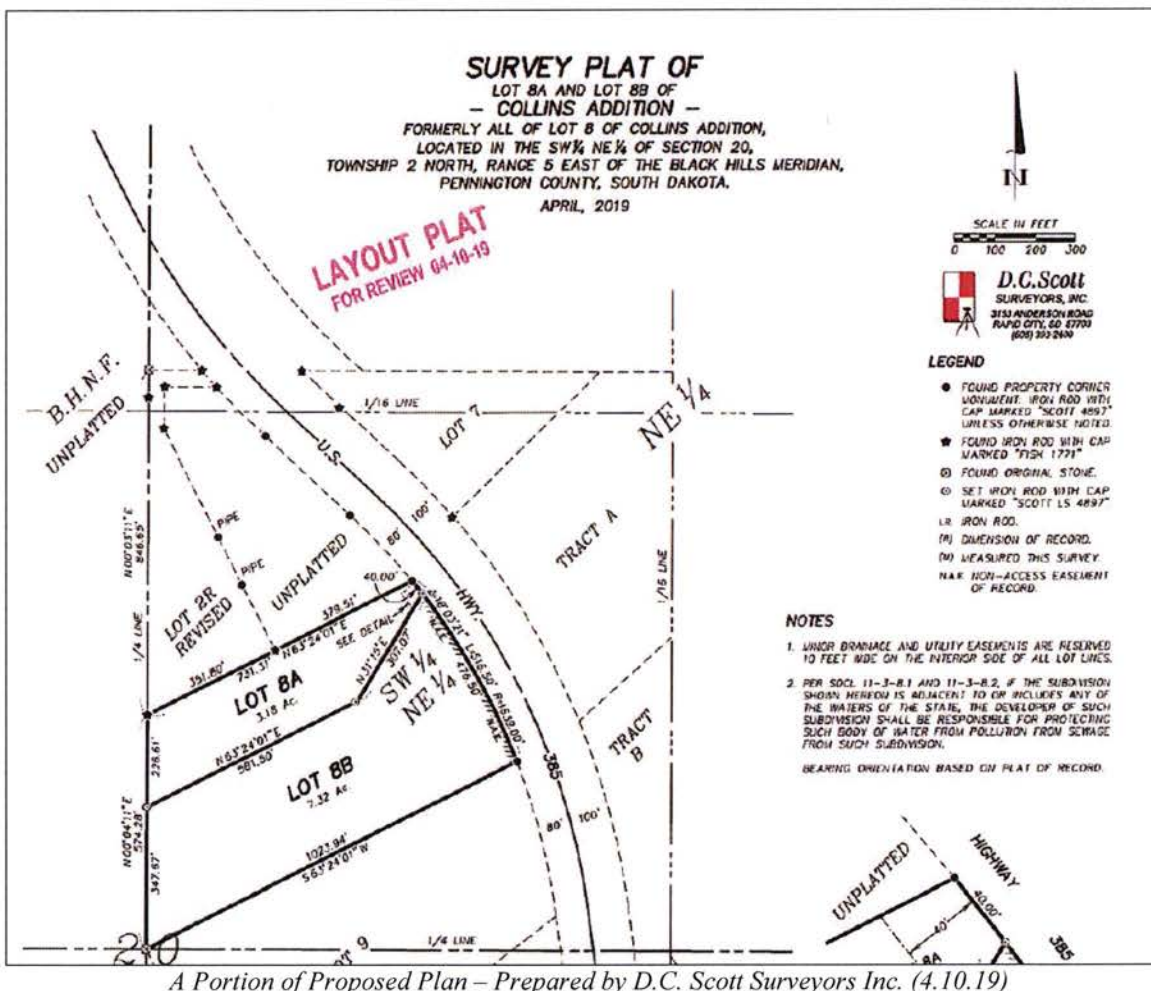
**II. GENERAL DESCRIPTION**

- A. The applicants, Brad and Colleen Kurtz, have submitted a request to rezone 10.5 acres from Limited Agriculture District to Low Density Residential 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 District to Low Density Residential District.
- C. The applicants are in the process of subdividing the subject property into two (2) lots and neither will meet the minimum lot size requirements for current zoning.

**III. EXISTING CONDITIONS**

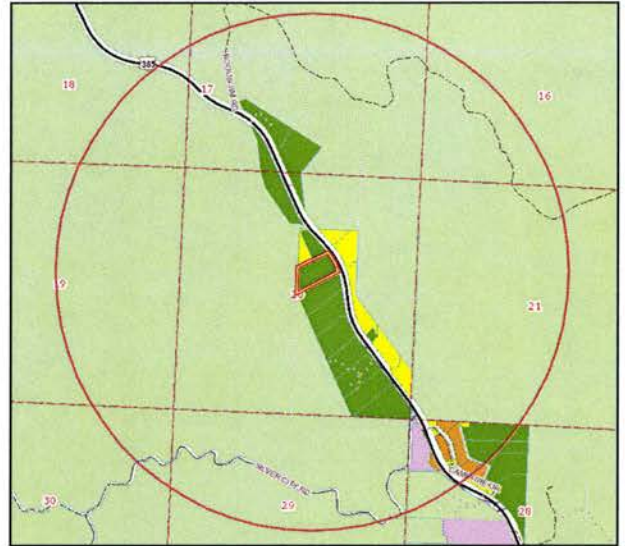
- A. Lot 8 of Collins Addition.
  - 1. Zoned: Limited Agriculture District.
  - 2. Lot size: 10.5 acres.
  - 3. Access off of Highway 385.
  - 4. No Special Flood Hazard Area.
  - 5. No structures on subject property.
  - 6. No existing utilities.
  - 7. June 4, 2019 – The Pennington County Board of Commissioners approved Layout Plan / LPL 19-10 to subdivide Lot 8 to create Lots 8A and 8B of Collins Subdivision with the following nine (9) Conditions:
    - 1. That the applicant obtain Approach Permits from the State Highway Department prior to installation of any approaches off of Highway 385;
    - 2. That the applicant adhere to all comments provided by the Forest Service;
    - 3. That prior to the new Plat being recorded with the Register of Deeds, the proposed lots obtain a Lot Size Variance or be Rezoned appropriately;
    - 4. That the applicant ensures all natural drainage ways are maintained and are not blocked;
    - 5. That at the time of new Plat submittal, the plat meets the requirements of § 400.3 of the Pennington County

- Subdivision Regulations, or an approved Subdivision Regulations Variance be obtained waiving any of these requirements that are not met;
6. That at the time of new Plat submittal, eight (8) foot Minor Drainage and Utility Easements be dedicated on the interior sides of all lot lines, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
  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;
  8. That the applicant signs the Statement of Understanding within ten (10) business days of approval of Layout Plan / LPL 19-10, which is available at the Planning Office; and,
  9. That approval of this Layout Plan does not constitute approval of any further applications to be submitted for the above-described property.



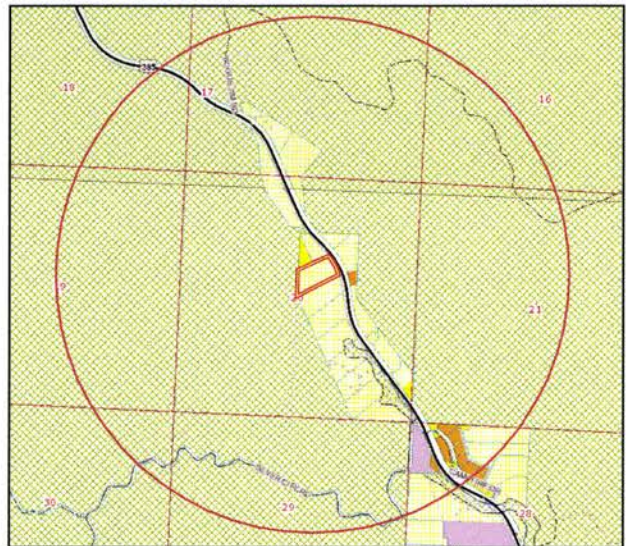
**IV. CURRENT ZONING WITHIN 1-MILE**

- A. General Agriculture District.
- B. Limited Agriculture District.
- C. Low Density Residential District.
- D. Suburban Residential District.
- E. Highway Service District.



**V. FUTURE LAND USE ZONING WITHIN 1-MILE**

- A. Public Land
- B. Planned Unit Development Sensitive District.
- C. Suburban Residential District
- D. Low Density Residential District.
- E. Highway Service District.



**VI. COMPREHENSIVE PLAN AMENDMENT / CA 19-07**

- A. The applicant has requested to change the Future Land Use of the subject property from Planned Unit Development Sensitive District to Low Density Residential District.
- B. The applicant's request appears to be in harmony with the County's Future Land Use designations in the area.

**VII. REQUEST FOR COMMENT**

- A. County Highway Department
  - 1. No comments.

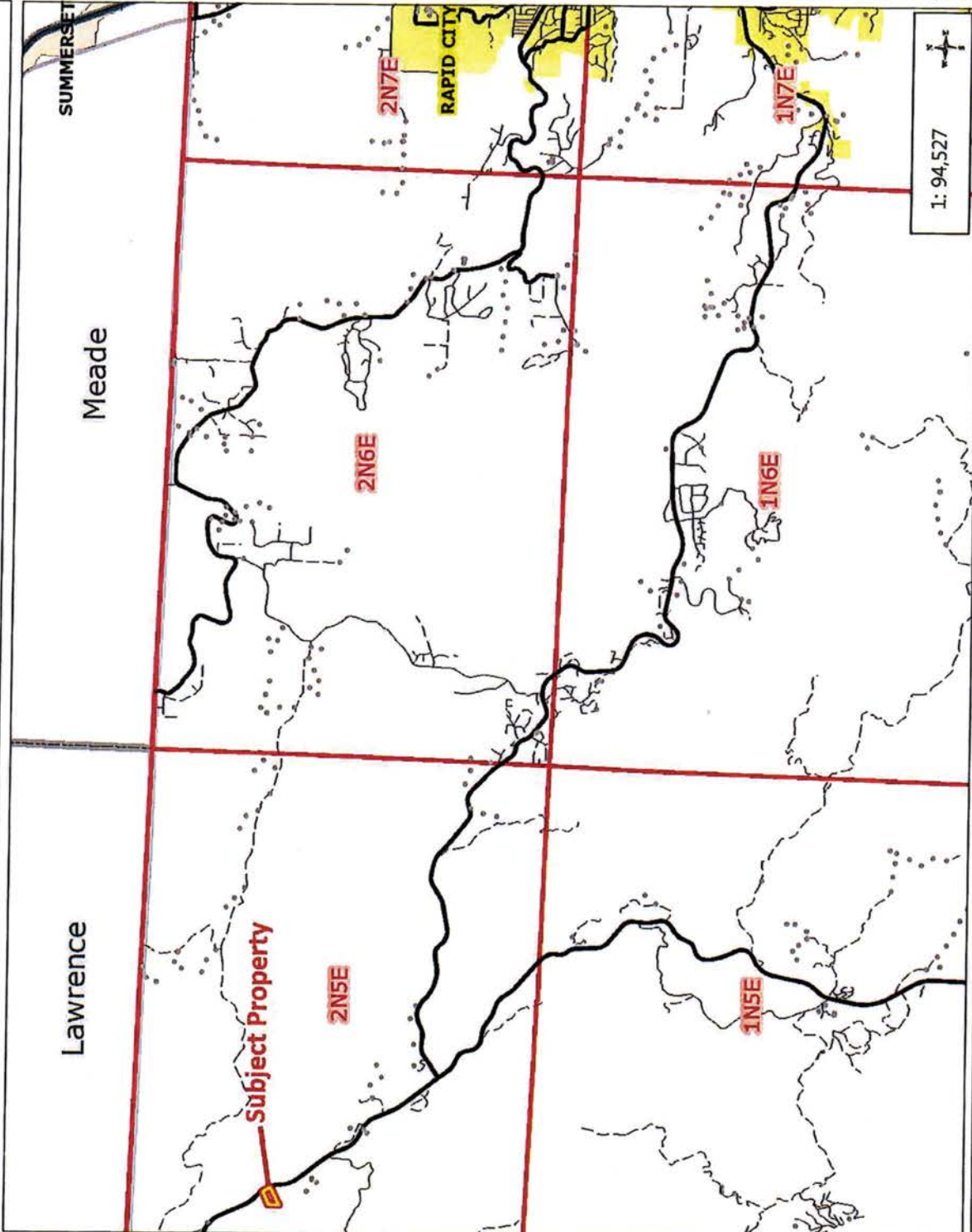
- B. County Fire Administrator
  - 1. If the length of the driveway/access way exceeds 75 feet or a physical obstruction prevents the number from being visible from the road of which the address is taken, then the house number shall be posted adjacent to the area in which the driveway/access way intersects the road.
- C. County Environmental Planning Supervisor
  - 1. No comments received.
- D. County Environmental Planner
  - 1. I have no concerns with the current proposal.
- E. County Ordinance Enforcement
  - 1. Ordinance Enforcement has no objection to the proposed Rezone and Comp Plan Amendment.
- F. County Addressing Coordinator
  - 1. No addressing concerns at this time. An address will be assigned upon Building Permit submittal and must be posted in accordance with Pennington County Ordinance #20.
- G. Emergency Services (9-1-1)
  - 1. No comments received.
- H. U.S. Forest Service
  - 1. The Forest Service has no objections to the Kurtz Comprehensive Plan Amendment.
  - 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 south and southeast sides 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 "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).

Agenda Item #16  
Brad and Colleen Kurtz  
July 8, 2019

**VIII. ANALYSIS**

- A. June 4, 2019 – The applicant applied for Rezone / RZ 19-08 and Comprehensive Plan Amendment / CA 19-08.
- B. There are several Low Density Residential District properties located within 1-mile of the subject property and Future Land Use identifies Low Density Residential District zoning in the area. Therefore, the applicant's request to rezone appears to be in harmony with the Current and Future Land Use zoning.
- C. June 4, 2019 – The Board of Commissioners approved Layout Plan / LPL 19-10, with nine (9) conditions.
  - 1. If approved, Rezone / RZ 19-08 will satisfy one of those conditions.

**RECOMMENDATION:** Staff is recommending approval of Rezone / RZ 19-08 and Comprehensive Plan Amendment / CA 19-08.



15,754.6 0 7,877.28 15,754.6 Feet

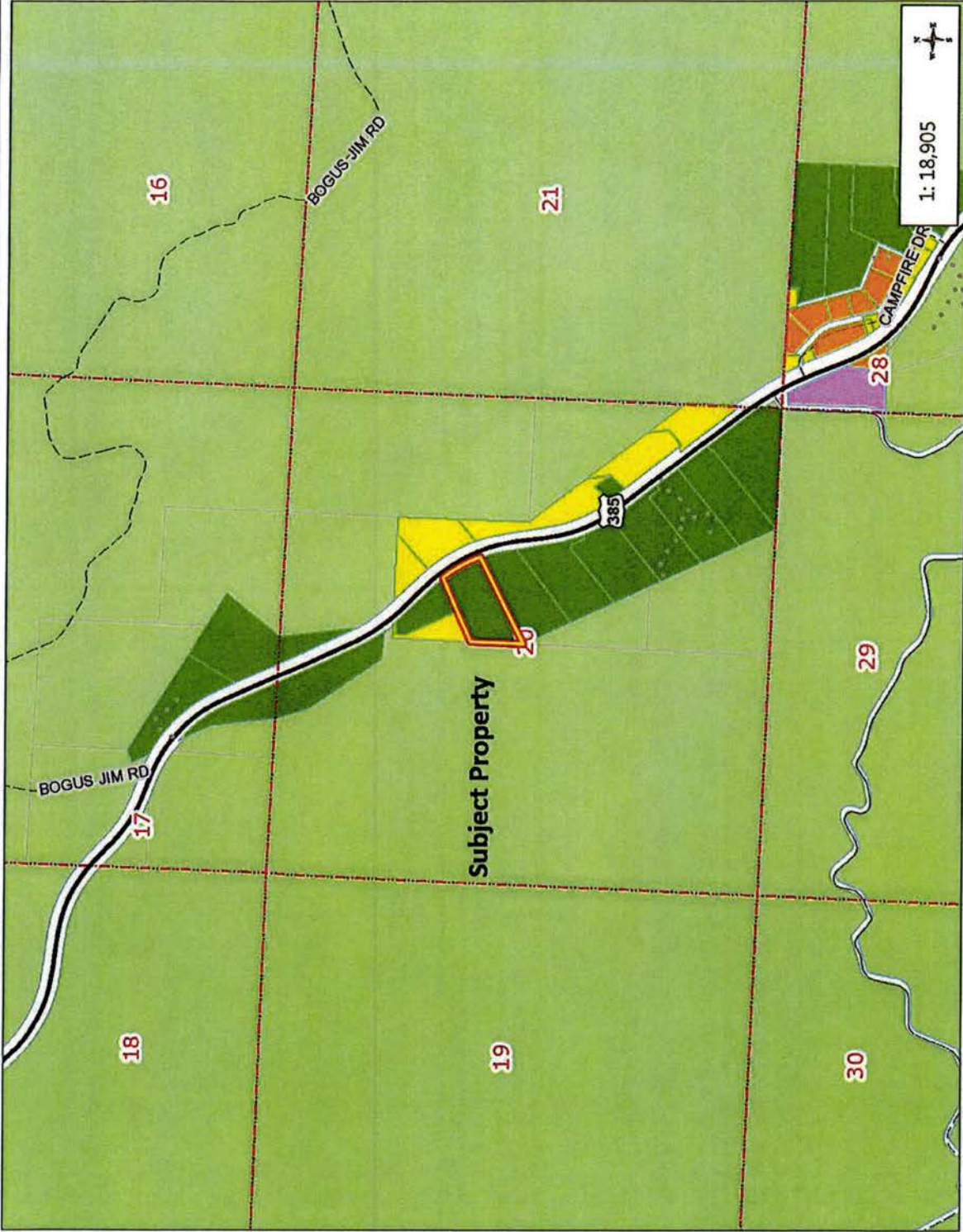
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This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.  
**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

**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
- Townships**
- Lawrence
  - Meade
  - Summerset
- City Limits**
- BOX ELDER
  - ELLSWORTH AFB
  - HILL CITY
  - KEYSTONE
  - NEW UNDERWOOD
  - QUINN
  - RAPID CITY
  - WALL
  - WASTA

**Map Notes:**



1: 18,905

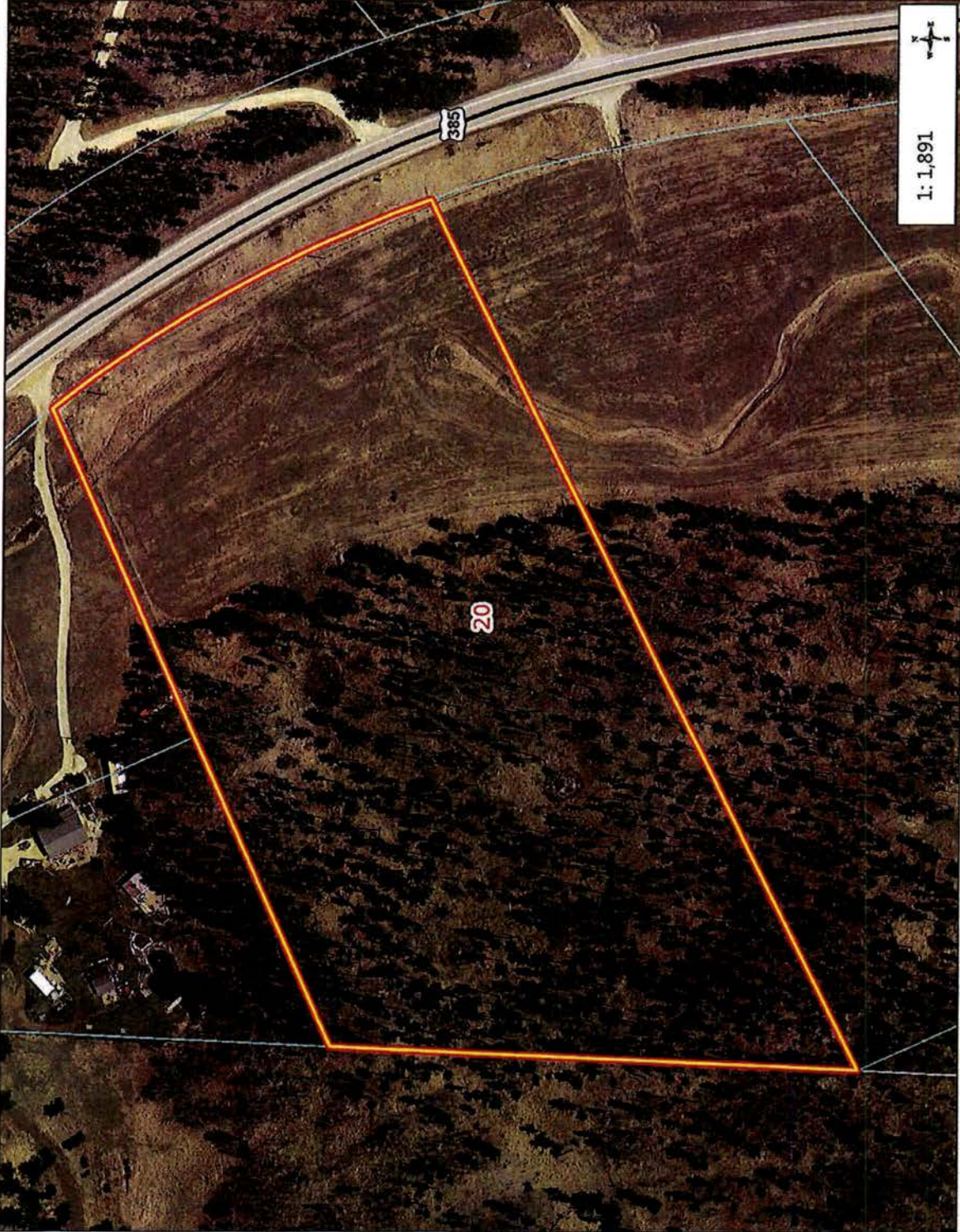
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**Legend**

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  - Ramp
  - Paved road
  - Unpaved road
  - Trail
  - Driveway
  - Alley
  - Unimproved road
  - Airport Runway
  - Not yet coded
- Section Lines 0-25k**
- 0
  - 7
- Tax Parcels**
- Lot Lines**
- <Null>
  - Lot Line
  - Parcel Line
- Pennington County Zoning**
- General Agriculture
  - General Commercial
  - Heavy Industrial
  - Highway Services
  - Limited Agriculture
  - Low Density Residential
  - Light Industrial
  - Planned Unit Development

**Map Notes:**



1: 1,891

### Legend

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

### Map Notes:

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

**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

315.1 Feet



NAD\_1983\_2011\_StatePlane\_South\_Dakota\_South\_FIPS\_4002\_Ft\_US  
© City of Rapid City GIS



## STAFF REPORT

### GENERAL INFORMATION:

REQUEST: **CONSTRUCTION PERMIT / CP 19-09:** To improve the drainage around Rapid Valley Elementary School.

APPLICANT: Rangel Construction Company

APPLICANT ADDRESS: 2626 W. Main St., Ste. 3, Rapid City, SD 57702

LANDOWNER: Rapid City Area School District

OWNER ADDRESS: 300 Sixth Street, Rapid City, SD 57701

LEGAL DESCRIPTION: Tract 1 of Lot W of (SE1/4NW1/4 and NE1/4SW1/4) (Easement), Williams Subdivision, Section 10, T1N, R8E, BHM, Pennington County, South Dakota.

SITE LOCATION: 2601 Covington Street

SIZE: 15.00 acres

EXISTING LAND USE: School

TAX ID: 18735

ZONING REFERENCE: Section 208 and 507

CURRENT ZONING: Suburban Residential District

SURROUNDING ZONING:

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

PHYSICAL CHARACTERISTICS: Flat

UTILITIES: Public

REPORT BY: Cody Sack

**\*\*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 19-09.\*\***

**I. PROPOSED RECOMMENDATION:** Staff will be recommending approval of Construction Permit / CP 19-09 with fourteen (14) conditions.

**II. GENERAL DESCRIPTION**

- A. The applicant, Rangel Construction Company, applied for a Construction Permit to improve the drainage around Rapid Valley Elementary School.
- B. See attached site plan and engineered plans.

**III. EXISTING CONDITIONS**

- A. Zoned Suburban Residential District.
- B. 15 acres.
- C. No Special Flood Plain Hazard Area.
- D. Lot contains:
  - 1. Elementary School (BP #6301 from 1984))
  - 2. Ball Wall (COBP95-0163).
  - 3. Shed (COBP11-0460).
  - 4. Free standing, on-premise sign (COSP13-0001).
  - 5. COEV19-0052 – work without an approved Construction Permit.

**IV. REQUEST FOR COMMENT**

- A. County Highway
  - 1. Highway Department has met with the School District, Consultant, and the Hawthorne Ditch representative to work out a solution that will prevent the overflowing of County storm sewer on Haven Street and allow the School District to discharge their roof drains to the Hawthorne Ditch without negatively impacting the Haven Street storm sewer. The plans have been revised accordingly from what is included in the routing. The school district has obtained a Utility Permit from the Highway Department.
- B. County Environmental Planning Supervisor
  - 1. There is no Special Flood Hazard Area on the subject property.
  - 2. That if the disturbance exceeds one (1) acre, a South Dakota Department of Environment and Natural Resources General Permits for Storm Water Discharges Associated with Construction Activities is obtained.
  - 3. That the applicant continually maintains and adheres to the Storm Water Pollution Prevention Plan during the period of construction.

4. The requirements, guidelines, and criteria for stormwater and erosion control in the Pennington County Storm Water Manual shall be followed during construction.
5. The site shall be re-vegetated as required in § 507(A)(5)(c).
- C. County Environmental Planner
  1. The project is located within Pennington County's MS4.
  2. No sediment should leave the site.
  3. Best Management Practices must be put in place immediately.
- D. County Ordinance Enforcement
  1. No objection.
- E. County Natural Resources Director
  1. No objections.
- F. West River Electric
  1. No Comments.
- G. Rapid City Public Works
  1. Public Works has no objections to this request.
- H. Rapid City Community Planning
  1. The City's Future Land Use Plan identifies the appropriate use of the property as Low Density Neighborhood. Schools are identified as a secondary use within the Low-Density Neighborhood designation. Covington Street and Sweetbriar Street are not identified on the City's Major Street Plan.

## V. ANALYSIS

- A. The total area to be disturbed is approximately 0.69 acre.
- B. Work commenced prior to the approval of this Construction Permit.
  1. The applicants were notified that they currently do not have an approved construction permit.
  2. The applicant will need to pay a penalty fee of \$250.00.
- C. The applicants submitted plans that show the use of inlet protection and wattles as erosion and sediment control measures.
- D. The disturbed areas will need to be revegetated in accordance with §507(A)(5)(c) of the Pennington County Zoning Ordinance (PCZO).

**RECOMMENDATION TO THE PLANNING DIRECTOR:** Staff is recommending that the Planning Director approve Construction Permit / CP 19-09 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 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 prior to the Planning Director's approval, the applicant pay a penalty fee in accordance with § 511(W)(2) of the PCZO;
13. That the applicant signs a Statement of Understanding within ten (10) days of approval; and
14. That this Construction Permit be reviewed in three (3) months, or as directed by the Planning Director.

# RAPID VALLEY ELEMENTARY DRAINAGE IMPROVEMENTS RAPID VALLEY ELEMENTARY RAPID CITY, SOUTH DAKOTA

DATE: 4/8/2019  
STANLEY DESIGN GROUP PROJECT NO: 18804  
RCASD PO NUMBER: 0621900029  
SHEET SIZE: 34" X 22"

## PROJECT TEAM

**OWNER**  
RAPID CITY AREA SCHOOLS DISTRICT 51-4  
1415 STREET  
RAPID CITY, SD 57701



## LANDSCAPE ARCHITECTURE

**Stanley Design Group**  
1215 N. Rushmore Rd.  
Rapid City, SD 57701  
PH: (605) 791-2533  
Web: stanleydesigngroup.com



## SURVEY & CIVIL ENGINEERING

**Renner Associates, Inc.**  
616 8th Street  
Rapid City, SD 57701  
PH: (605) 721-7310



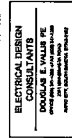
## STRUCTURAL ENGINEERING

**Albertson Engineering**  
3202 West Main Street, STE C  
Rapid City, SD 57702  
PH: (605) 343-9800



## ELECTRICAL ENGINEERING

**Electrical Design Consultants**  
Douglas E. Vallis  
2261 Minnewassia Road  
Rapid City, SD 57702  
PH: (605) 341-1250



## PUBLIC UTILITIES



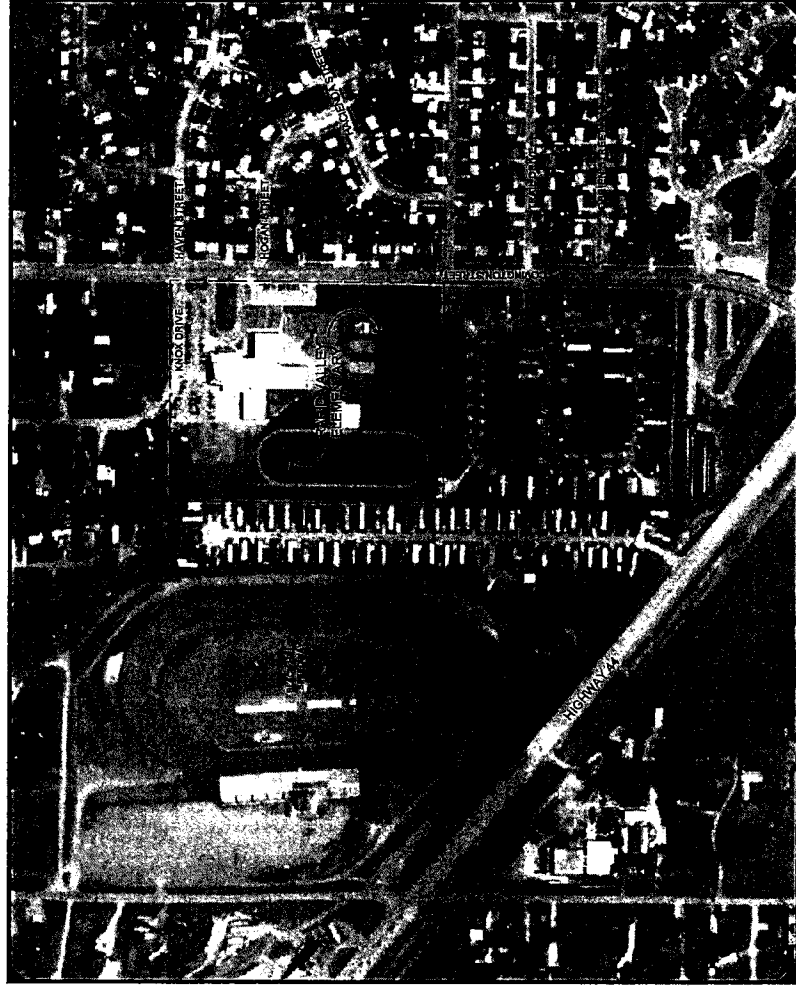
SOUTH DAKOTA ONE CALL  
1 (800) 781-7474 or 811

## PRIVATE UTILITIES

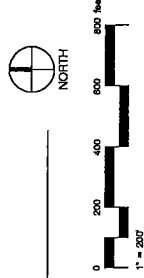
**JW'S PRIVATE UTILITY LOCATING, INC.**  
1770 E. NORTH STREET  
RAPID CITY, SD 57701  
TELE: (605) 346-4604

## DRAWINGS INDEX

GENERAL NOTES
GN1
C1
C2
C3
C4
C5
C6
C7
C8
C9
C10
L1
L2-L3
L4
L5-L6
SO-S2
E1



## PROJECT LOCATION AND REGIONAL CONTEXT



## SURFACE DATA

SURFACE DATA FOR GLOBAL POSITIONING SYSTEMS (GPS) IS AVAILABLE UPON REQUEST. FEE AND A LIABILITY ACKNOWLEDGEMENT WILL APPLY.

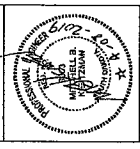
## SPECIFICATIONS TO BE USED

REFERENCE IS HEREBY MADE FOR ALL CIVIL WORK TO THE CITY OF RAPID CITY STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, CURRENT EDITION. FOR WORK COVERED BY THESE SPECIFICATIONS, THE INDIVIDUAL SPECIFICATION SECTIONS IN THE PROJECT MANUAL SHALL BE THE GOVERNING SPECIFICATIONS.

## ATTIRE, LANGUAGE, AND SMOKING.

1. SMOKING: ALL RAPID CITY AREA SCHOOL DISTRICT GROUNDS ARE TOBACCO-FREE.
2. ATTIRE: ATTIRE FOR ALL LABORER, GENERAL CONTRACTOR AND SUBCONTRACTORS SHALL BE APPROPRIATE FOR ELEMENTARY SCHOOL-AGED CHILDREN.
3. LANGUAGE: LANGUAGE SHALL BE APPROPRIATE FOR ELEMENTARY SCHOOL-AGED CHILDREN. NO PROFANITY OR ABUSIVE LANGUAGE OR SHOUTING WILL BE TOLERATED. SEE ITEM NO. 18, RAPID CITY AREA SCHOOLS SUPPLEMENTARY GENERAL CONDITIONS.

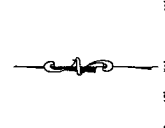
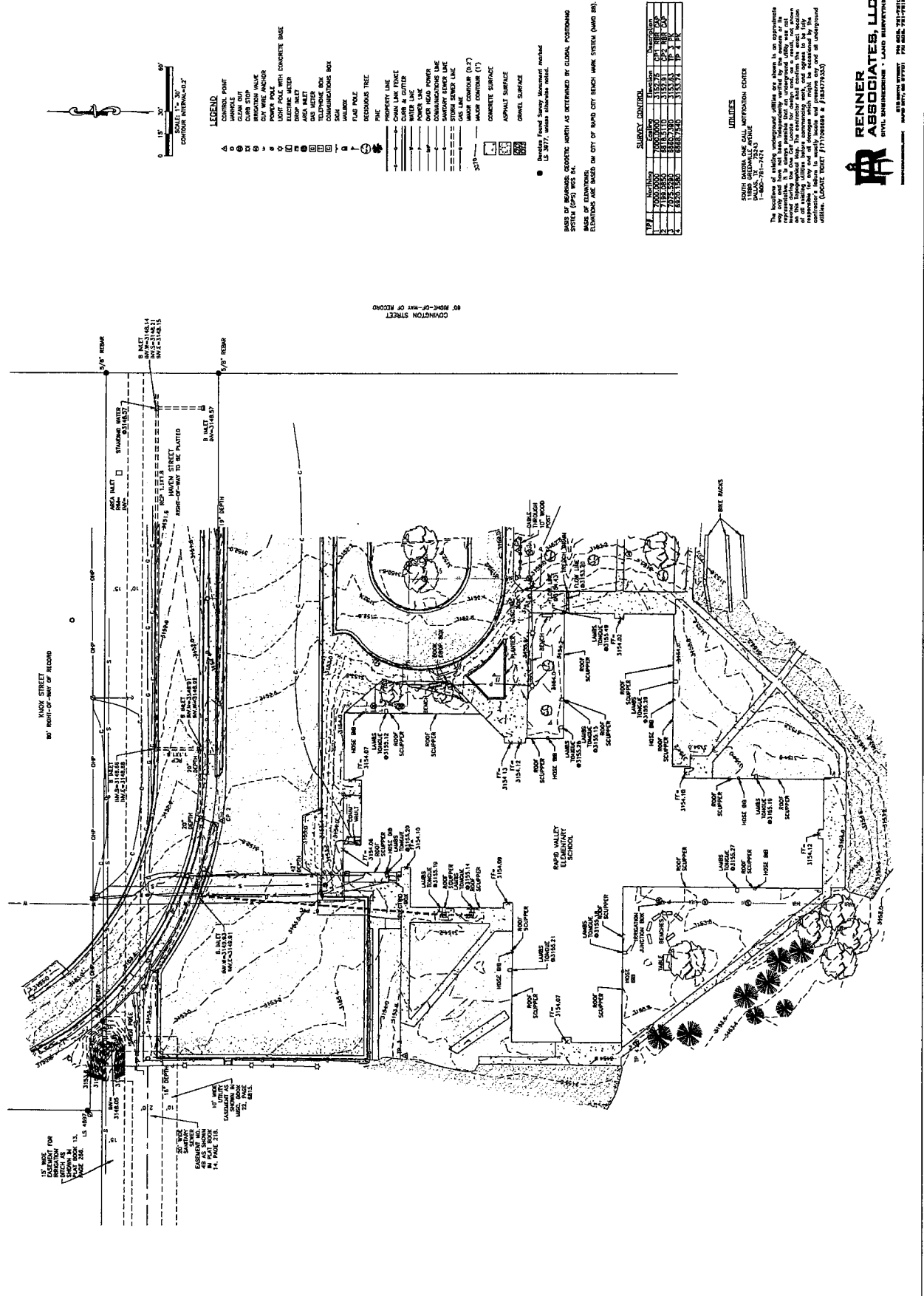




PROJECT NO.	13737
DRAWING DATE	10/15/11
PROJECT NAME	RAPID VALLEY ELEMENTARY SCHOOL
PROJECT ADDRESS	15750 N. WOODBURN AVENUE
PROJECT CITY	DENVER, CO
PROJECT STATE	CO
PROJECT ZIP	80243
PROJECT CONTACT	JOHN J. SMITH
PROJECT PHONE	(303) 733-0333
PROJECT FAX	(303) 733-0333
PROJECT EMAIL	jjsmith@edgdesigngroup.com

# RAPID VALLEY ELEMENTARY DRAINAGE IMPROVEMENTS

RAPID VALLEY ELEMENTARY SCHOOL, RAPID CITY



### LEGEND

- ▲ MANHOLE
- CLEAN OUT
- BRIDGEMAN VALVE
- CITY WIRE ANCHOR
- LIGHT POLE WITH CONCRETE BASE
- STOP SIGN
- ELECTRIC METER
- GAS METER
- TELEPHONE BOX
- TELEPHONE CLOSURE BOX
- SIGN
- WALL
- FLAG POLE
- RECORDING TREE
- CHAIN LINK FENCE
- CURB & GUTTER
- POWER LINE
- OVER HEAD POWER
- SANITARY SEWER LINE
- STORM SEWER LINE
- MAJOR CONTOUR (1')
- CONCRETE SURFACE
- ASPHALT SURFACE
- GRAVEL SURFACE
- BENTONITE FOUND SLOPE MONUMENT MARKED U.S. 3877, unless otherwise noted.

BASES OF MANHOLES, CLEANOUTS, AND ANCHORS AS DETERMINED BY CLINICAL POSITIONING SYSTEM (CPS) WGS 84.  
 ELEVATIONS ARE BASED ON CITY OF RAPID CITY BENCH MARK SYSTEM (BMS 88).

### SURVEY CONTROL

POINT	EASTING	NORTHING	POINT	EASTING	NORTHING
1	698783.00	11427.75	1	698783.00	11427.75
2	698783.00	11427.75	2	698783.00	11427.75
3	698783.00	11427.75	3	698783.00	11427.75
4	698783.00	11427.75	4	698783.00	11427.75
5	698783.00	11427.75	5	698783.00	11427.75
6	698783.00	11427.75	6	698783.00	11427.75
7	698783.00	11427.75	7	698783.00	11427.75
8	698783.00	11427.75	8	698783.00	11427.75
9	698783.00	11427.75	9	698783.00	11427.75
10	698783.00	11427.75	10	698783.00	11427.75

UTM ZONE 18Q UTM EASTING CENTER  
 18Q UTM NORTHING CENTER  
 11427.75  
 698783.00

The locations of existing underground utilities are shown in an approximate representation. It is strongly recommended that all underground utilities be located by a qualified utility locator or other appropriate method before construction. The contractor shall exercise the utmost caution on the topographic maps. The contractor shall exercise the utmost caution in the location of all utilities. The contractor shall be responsible for the accuracy of the information shown on this drawing. The contractor shall be responsible for the accuracy of the information shown on this drawing. The contractor shall be responsible for the accuracy of the information shown on this drawing.

**RENNER ASSOCIATES, LLC**  
 CIVIL ENGINEERS & LAND SURVEYORS  
 1500 S. W. 10th Street, Suite 100  
 Fort Lauderdale, FL 33315  
 Phone: 954-462-3333  
 Fax: 954-462-3334  
 Email: info@rennerassoc.com

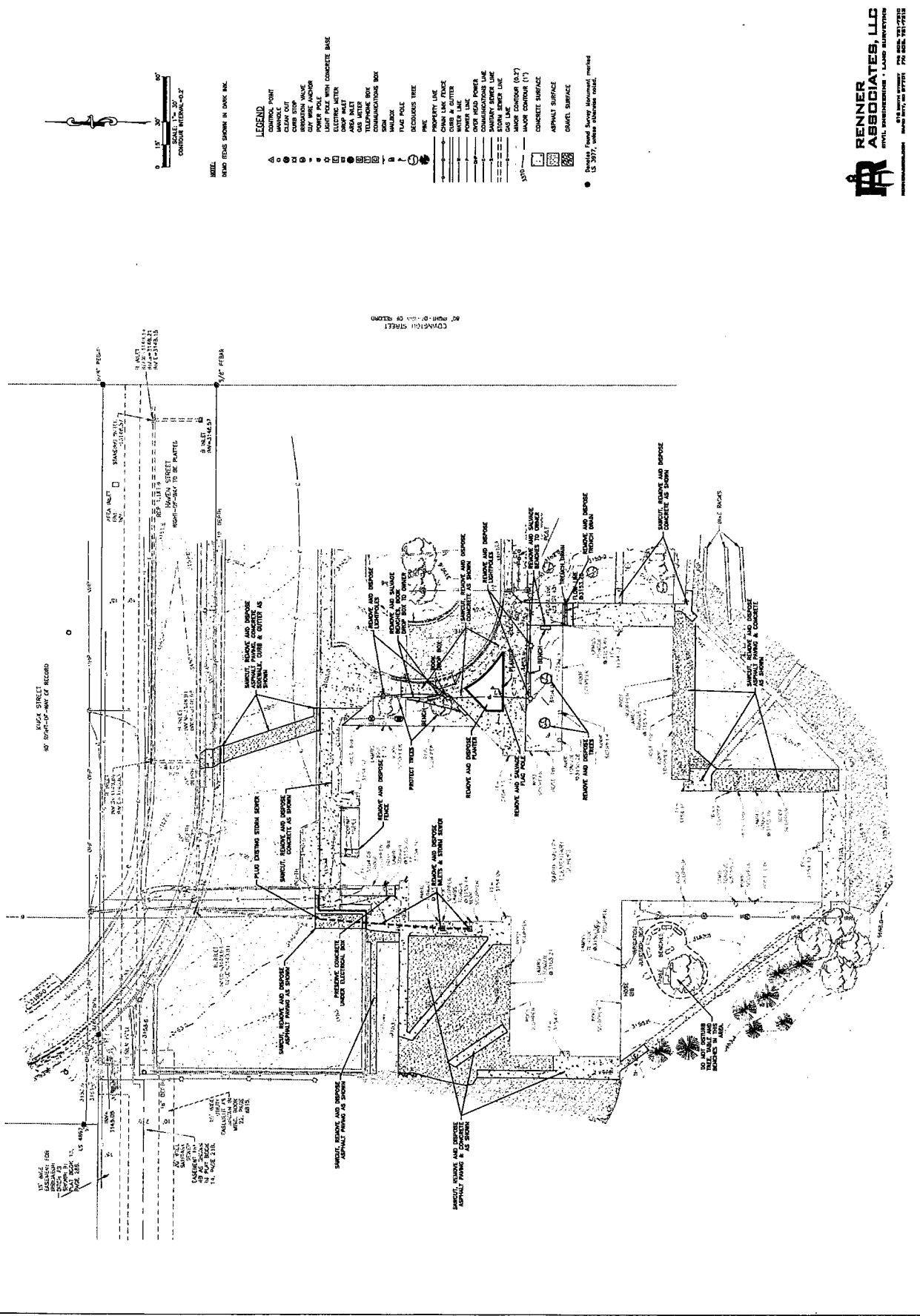


Prepared by: [Name]  
 Checked by: [Name]  
 Date: [Date]  
 Project No.: [Number]

# RAPID VALLEY ELEMENTARY DRAINAGE IMPROVEMENTS

RAPID VALLEY ELEMENTARY SCHOOL, RAPID CITY

Project Title: [Name]  
 Sheet Name: [Name]  
 DEMOLITION PLAN  
 Sheet Number: **C2**



**RENNER ASSOCIATES, LLC**  
 CIVIL ENGINEERING • LAND SURVEYING

1735 1ST AVE. SUITE 200  
 RAVENHILL, MO 64131  
 816.251.1000

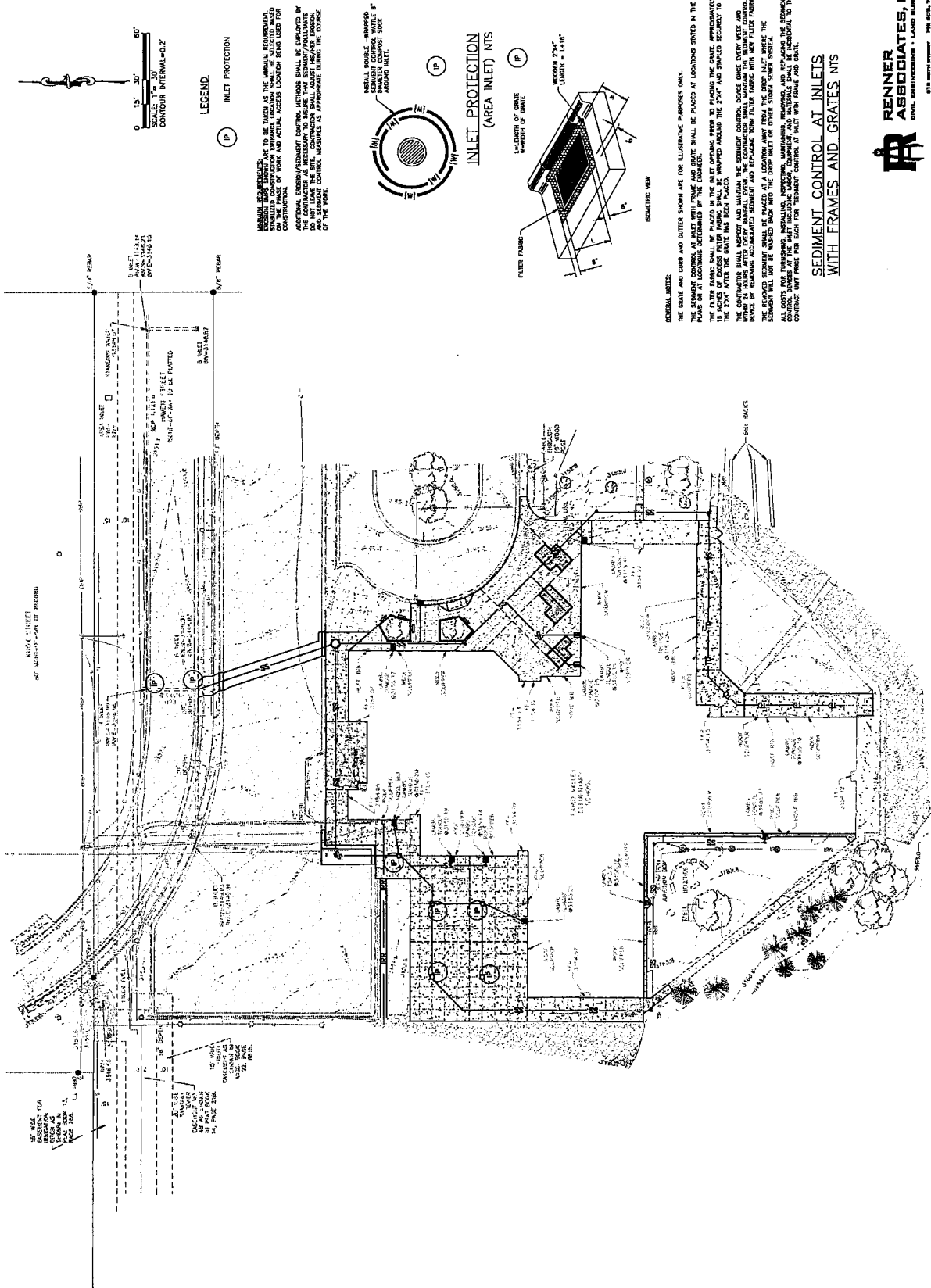


STANLEY KREINER GROUP, LLC  
 1515 W. MICHIGAN AVENUE  
 ANN ARBOR, MI 48106  
 PHONE: 734.769.3424  
 WWW.STANLEYKREINER.COM

PROJECT NO.	1515 W. MICHIGAN AVENUE
DATE	10/20/11
DESIGNED BY	STANLEY KREINER GROUP, LLC
CHECKED BY	STANLEY KREINER GROUP, LLC
APPROVED BY	STANLEY KREINER GROUP, LLC
PROJECT ASSOCIATES	STANLEY KREINER GROUP, LLC
DATE	10/20/11
PROJECT NO.	1515 W. MICHIGAN AVENUE
DATE	10/20/11
DESIGNED BY	STANLEY KREINER GROUP, LLC
CHECKED BY	STANLEY KREINER GROUP, LLC
APPROVED BY	STANLEY KREINER GROUP, LLC
PROJECT ASSOCIATES	STANLEY KREINER GROUP, LLC
DATE	10/20/11
PROJECT NO.	1515 W. MICHIGAN AVENUE
DATE	10/20/11
DESIGNED BY	STANLEY KREINER GROUP, LLC
CHECKED BY	STANLEY KREINER GROUP, LLC
APPROVED BY	STANLEY KREINER GROUP, LLC
PROJECT ASSOCIATES	STANLEY KREINER GROUP, LLC
DATE	10/20/11

# RAPID VALLEY ELEMENTARY DRAINAGE IMPROVEMENTS RAPID VALLEY ELEMENTARY SCHOOL, RAPID CITY

Project Title: RAPID VALLEY ELEMENTARY SCHOOL, RAPID CITY  
 Sheet Name: OVERALL SITE & EROSION CONTROL PLAN  
 Sheet Number: C3



**RENNER ASSOCIATES, LLC**  
 CIVIL ENGINEERING & LANDSCAPE ARCHITECTURE  
 100 S. MAIN ST., SUITE 200  
 RAPID CITY, SD 57701  
 PHONE: 605.342.1234  
 FAX: 605.342.1235



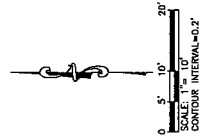
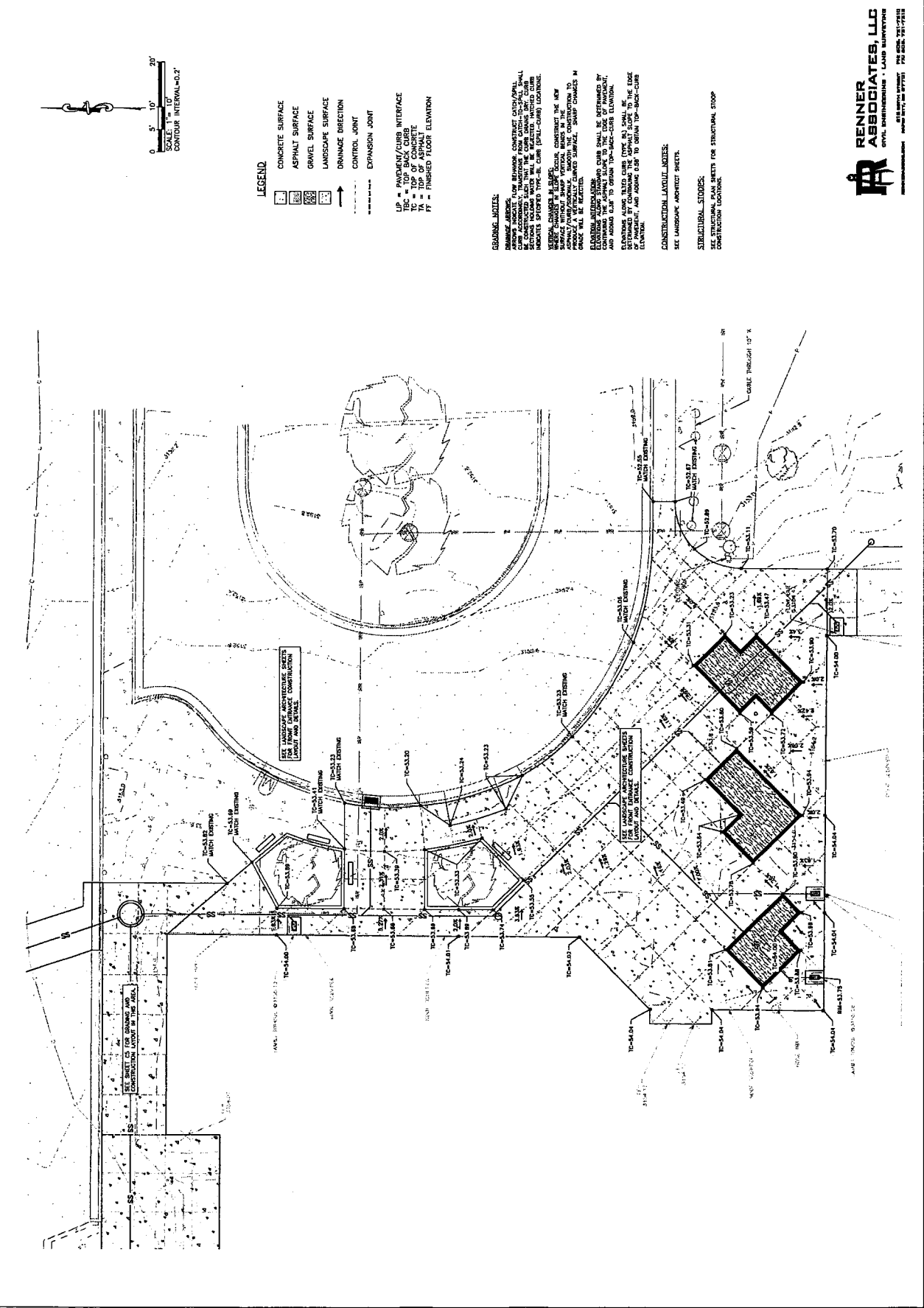
STATE DESIGN ENGINEERS, LLC  
 1515 W. FARMINGTON ROAD  
 ANN ARBOR, MI 48106-1500  
 WWW.STATEDESIGNENGINEERS.COM  
 PHONE: (734) 991-2333  
 FAX: (734) 991-2334

Project No: 18-0001  
 Drawing No: 18-0001-01  
 Date: 08/20/18  
 Project Name: Rapid Valley Elementary School  
 Client: Rapid Valley School District  
 City: Rapid City, SD 57701

# RAPID VALLEY ELEMENTARY DRAINAGE IMPROVEMENTS

## RAPID VALLEY ELEMENTARY SCHOOL, RAPID CITY

Sheet Name: GRADING PLAN FRONT ENTRANCE  
 Sheet Number: C4



- LEGEND**
- CONCRETE SURFACE
  - ASPHALT SURFACE
  - GRAVEL SURFACE
  - LANDSCAPE SURFACE
  - DRAINAGE DIRECTION
  - CONTROL JOINT
  - EXPANSION JOINT

- UP = PAVEMENT/CURB INTERFACE
- TB = TOP BACK CURB
- TC = TOP OF CONCRETE
- TA = TOP OF ASPHALT
- FF = FINISHED FLOOR ELEVATION

**GRADING NOTES:**  
 ALL GRADING SHALL BE IN ACCORDANCE WITH THE MICHIGAN CONSTRUCTION CODE (MCC) AND THE MICHIGAN DEPARTMENT OF TRANSPORTATION (MDOT) STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION. ALL GRADING SHALL BE VERIFIED BY A REGISTERED PROFESSIONAL ENGINEER. ALL GRADING SHALL BE IN ACCORDANCE WITH THE MICHIGAN CONSTRUCTION CODE (MCC) AND THE MICHIGAN DEPARTMENT OF TRANSPORTATION (MDOT) STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION. ALL GRADING SHALL BE VERIFIED BY A REGISTERED PROFESSIONAL ENGINEER. ALL GRADING SHALL BE IN ACCORDANCE WITH THE MICHIGAN CONSTRUCTION CODE (MCC) AND THE MICHIGAN DEPARTMENT OF TRANSPORTATION (MDOT) STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION. ALL GRADING SHALL BE VERIFIED BY A REGISTERED PROFESSIONAL ENGINEER.

**CONSTRUCTION LAYOUT NOTES:**  
 SEE LANDSCAPE ARCHITECTURE SHEETS.  
**STRUCTURAL NOTES:**  
 SEE STRUCTURAL PLAN SHEETS FOR STRUCTURAL STOP CONSTRUCTION DETAIL.





# RAPID VALLEY ELEMENTARY DRAINAGE IMPROVEMENTS

RAPID VALLEY ELEMENTARY SCHOOL, RAPID CITY

Project Title

Sheet Name

GRADING AND  
PAVING PLAN  
SOUTHEAST

Sheet Number

C6



**LEGEND**

- CONCRETE SURFACE
- ASPHALT SURFACE
- GRAVEL SURFACE
- LANDSCAPE SURFACE
- DRAINAGE DIRECTION
- CONTROL JOINT
- EXPANSION JOINT

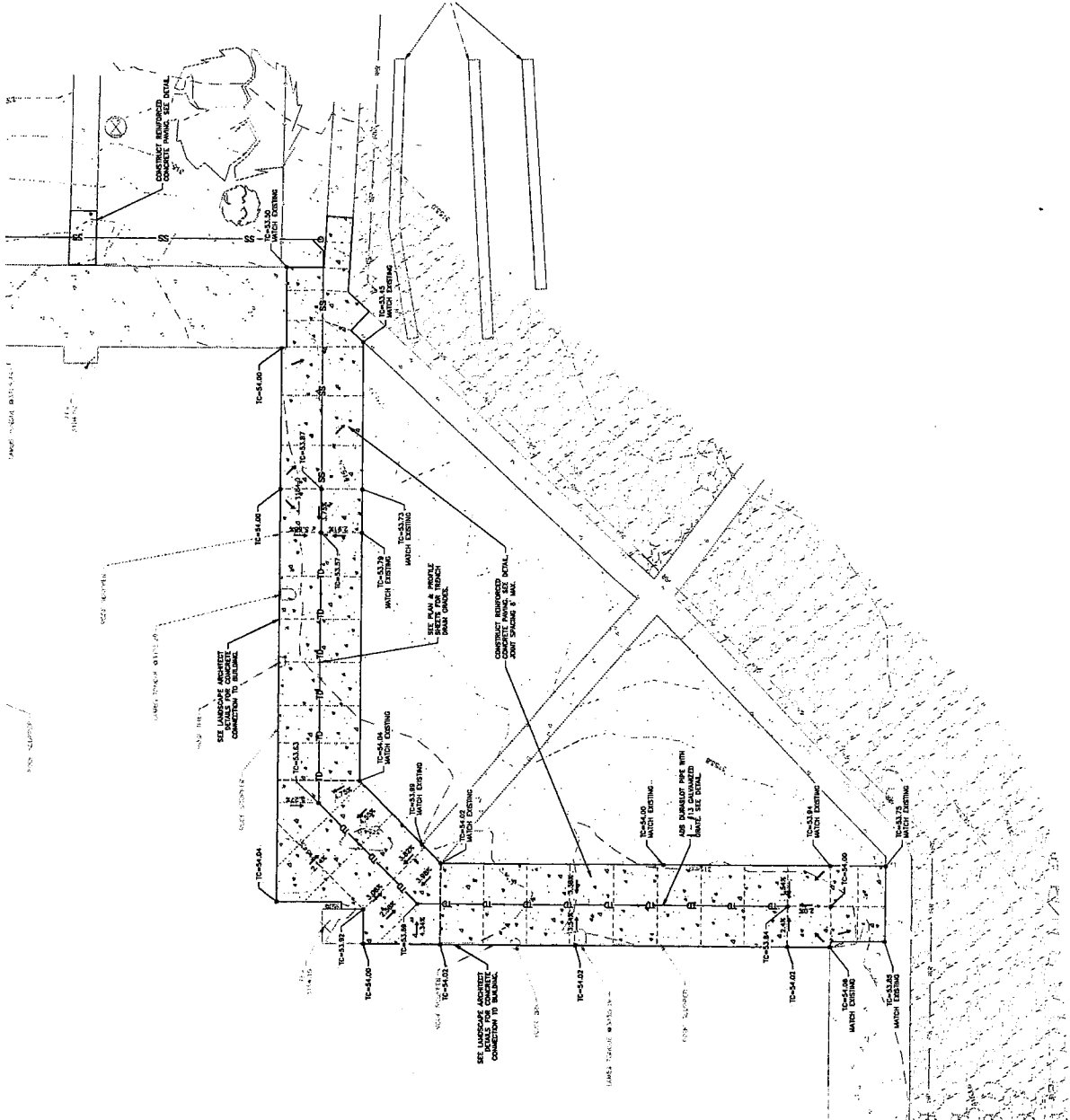
LIP = PAVEMENT/CURB INTERFACE  
 TC = TOP OF CONCRETE  
 TA = TOP OF ASPHALT  
 FT = FINISHED FLOOR ELEVATION

**GRADING NOTES:**

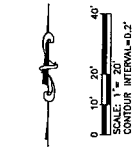
1. ALL PAVEMENTS SHALL BE CONSTRUCTED TO THE FINISHED ELEVATION UNLESS OTHERWISE NOTED. ALL FINISHED ELEVATIONS SHALL BE TO THE TOP OF THE PAVEMENT UNLESS OTHERWISE NOTED. ALL FINISHED ELEVATIONS SHALL BE TO THE TOP OF THE PAVEMENT UNLESS OTHERWISE NOTED. ALL FINISHED ELEVATIONS SHALL BE TO THE TOP OF THE PAVEMENT UNLESS OTHERWISE NOTED.

**CONSTRUCTION LAYOUT NOTES:**

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE STANDARD SPECIFICATIONS FOR CONSTRUCTION OF PUBLIC WORKS, SOUTH DAKOTA EDITION, 2017. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE STANDARD SPECIFICATIONS FOR CONSTRUCTION OF PUBLIC WORKS, SOUTH DAKOTA EDITION, 2017.



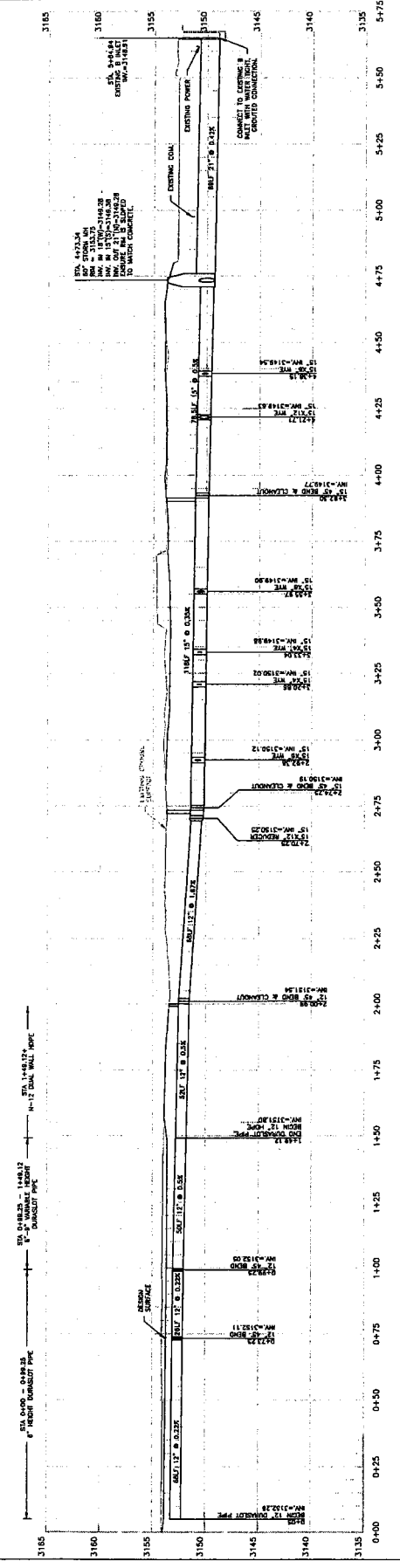
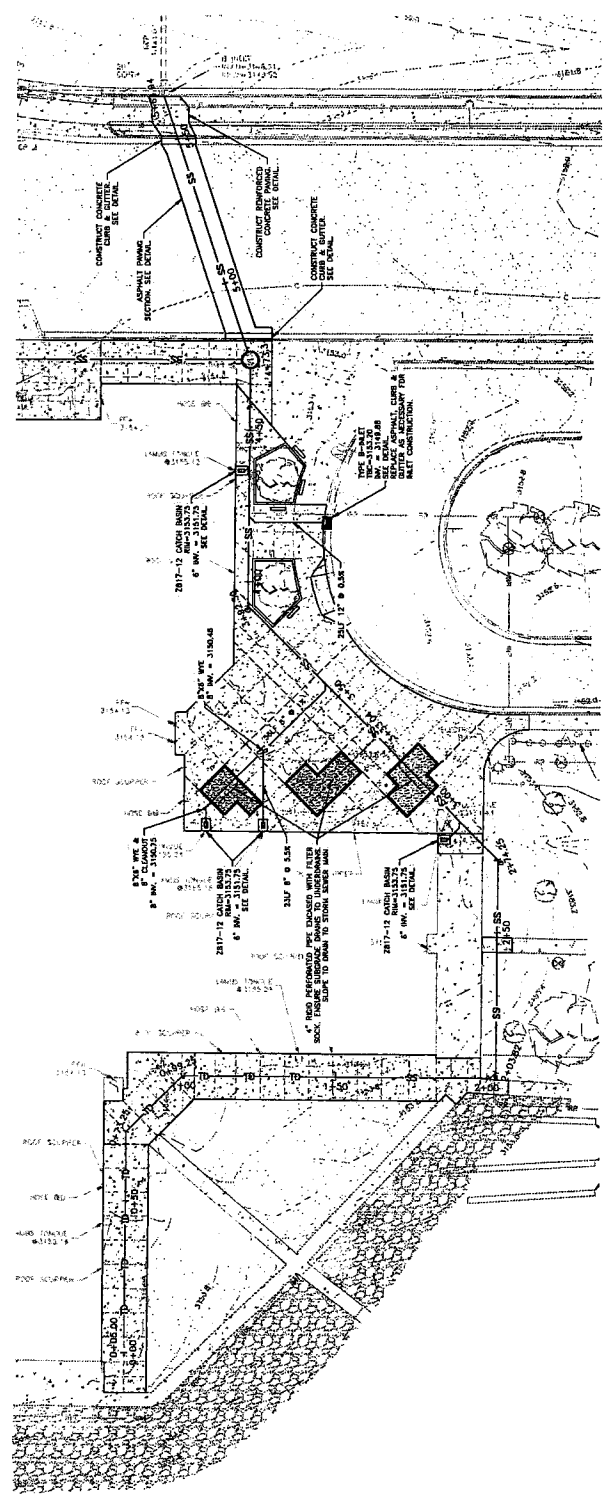
**RENNER ASSOCIATES, LLC**  
 CIVIL ENGINEERING - LAND SURVEYING  
 1010 W. 10TH STREET, SUITE 200, RAPID CITY, SD 57701  
 PHONE: 605.342.7777 FAX: 605.342.7715



**CONSTRUCTION NOTES:**

1. ALL NEW CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES (IBC) AND THE INTERNATIONAL PLUMBING CODE (IPC).
2. ALL EXISTING CONSTRUCTION SHALL BE INSPECTED AND FOUND TO BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES (IBC) AND THE INTERNATIONAL PLUMBING CODE (IPC).
3. ALL EXISTING CONSTRUCTION SHALL BE REPAIRED OR REPLACED AS NECESSARY TO BRING IT UP TO THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES (IBC) AND THE INTERNATIONAL PLUMBING CODE (IPC).
4. ALL EXISTING CONSTRUCTION SHALL BE REPAIRED OR REPLACED AS NECESSARY TO BRING IT UP TO THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES (IBC) AND THE INTERNATIONAL PLUMBING CODE (IPC).
5. ALL EXISTING CONSTRUCTION SHALL BE REPAIRED OR REPLACED AS NECESSARY TO BRING IT UP TO THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES (IBC) AND THE INTERNATIONAL PLUMBING CODE (IPC).
6. ALL EXISTING CONSTRUCTION SHALL BE REPAIRED OR REPLACED AS NECESSARY TO BRING IT UP TO THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES (IBC) AND THE INTERNATIONAL PLUMBING CODE (IPC).
7. ALL EXISTING CONSTRUCTION SHALL BE REPAIRED OR REPLACED AS NECESSARY TO BRING IT UP TO THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES (IBC) AND THE INTERNATIONAL PLUMBING CODE (IPC).
8. ALL EXISTING CONSTRUCTION SHALL BE REPAIRED OR REPLACED AS NECESSARY TO BRING IT UP TO THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES (IBC) AND THE INTERNATIONAL PLUMBING CODE (IPC).
9. ALL EXISTING CONSTRUCTION SHALL BE REPAIRED OR REPLACED AS NECESSARY TO BRING IT UP TO THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES (IBC) AND THE INTERNATIONAL PLUMBING CODE (IPC).
10. ALL EXISTING CONSTRUCTION SHALL BE REPAIRED OR REPLACED AS NECESSARY TO BRING IT UP TO THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES (IBC) AND THE INTERNATIONAL PLUMBING CODE (IPC).

SCALES:  
 1" = 20' HOR  
 1" = 5' VER



# RAPID VALLEY ELEMENTARY DRAINAGE IMPROVEMENTS

## RAPID VALLEY ELEMENTARY SCHOOL, RAPID CITY



Project No.	144817
Client	RAPID VALLEY ELEMENTARY SCHOOL
Location	144817
Scale	1" = 20' HOR 1" = 5' VER
Author	JAMES L. BROWN
Checked	JAMES L. BROWN
Date	10/25/2017

**RENNER ASSOCIATES, LLC**  
 CIVIL ENGINEERING - LAND SURVEYING  
 144817 RVS 10/25/17 P22 OF 223

Sheet Name: EAST STORM SEWER PLAN & PROFILE  
 Sheet Number: 67

# RAPID VALLEY ELEMENTARY DRAINAGE IMPROVEMENTS RAPID VALLEY ELEMENTARY SCHOOL, RAPID CITY

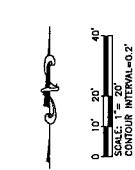
Project Title

Sheet Name:  
WEST  
STORM SEWER  
PLAN & PROFILE  
STA. 0+00 - 3+00

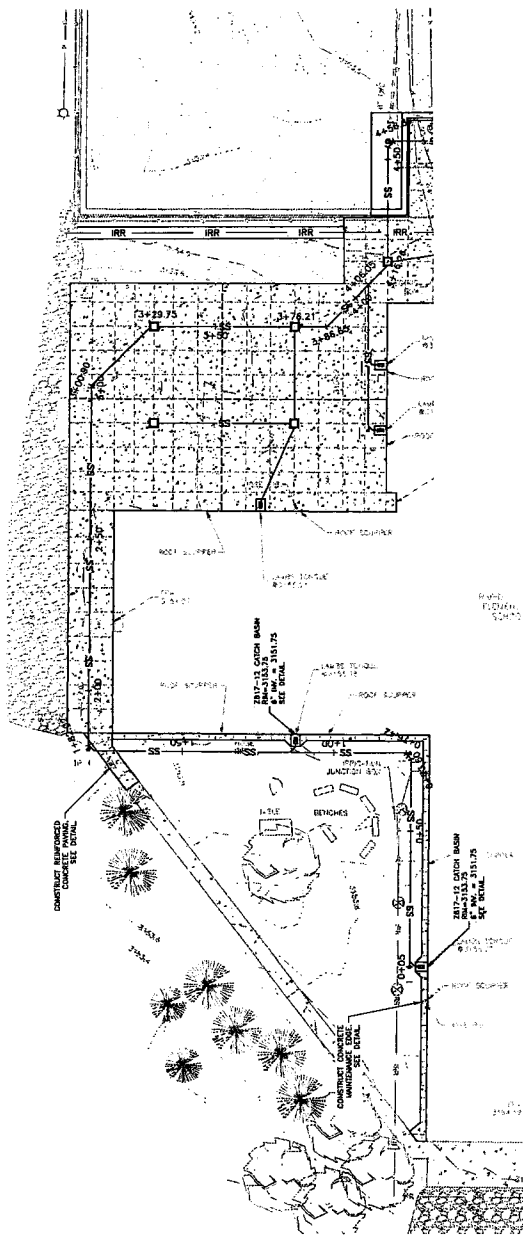
Sheet Number:  
C8



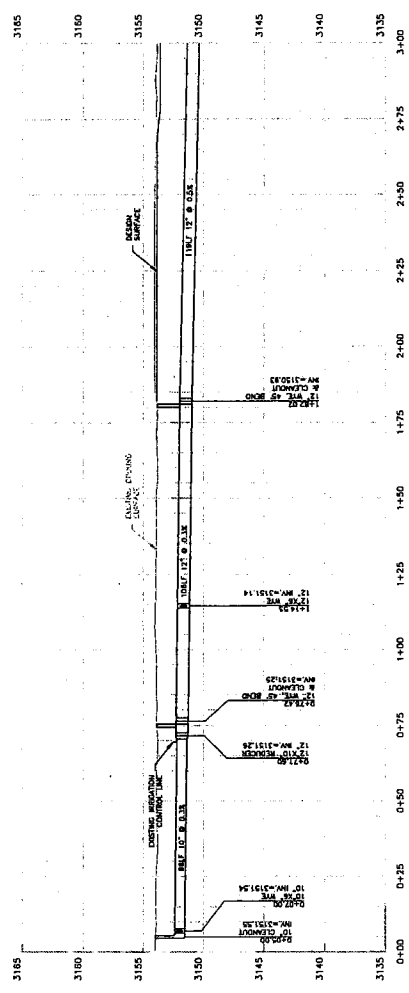
Project No. 15-019  
Drawing No. 1001  
Scale: 1" = 20' HOR  
1" = 5' VER



**GENERAL NOTES:**  
1. ALL NEW CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE SD DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION.  
2. ALL EXISTING UTILITIES SHALL BE SHOWN AND PROTECTED.  
3. ALL NEW CONSTRUCTION SHALL BE SHOWN AND PROTECTED.  
4. ALL NEW CONSTRUCTION SHALL BE SHOWN AND PROTECTED.  
5. ALL NEW CONSTRUCTION SHALL BE SHOWN AND PROTECTED.



SCALE:  
1" = 20' HOR  
1" = 5' VER





STANLEY DESIGN GROUP, LLC  
 12345 MARKET STREET  
 SUITE 100  
 RAVENHILL, CA 94641  
 TEL: 925-955-1234  
 WWW.STANLEYDESIGNGROUP.COM

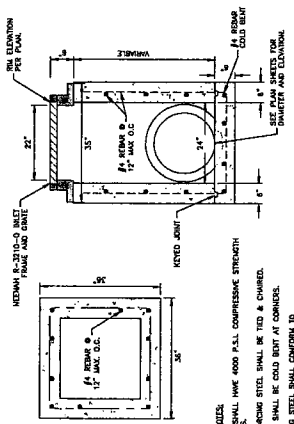
APPROVED FOR CONSTRUCTION BY:  
 CIVIL ENGINEER  
 LICENSE NO. 12345  
 DATE: 01/15/2024

PROJECT NO.: 2023-001  
 SHEET NO.: 10 OF 15

# RAPID VALLEY ELEMENTARY DRAINAGE IMPROVEMENTS

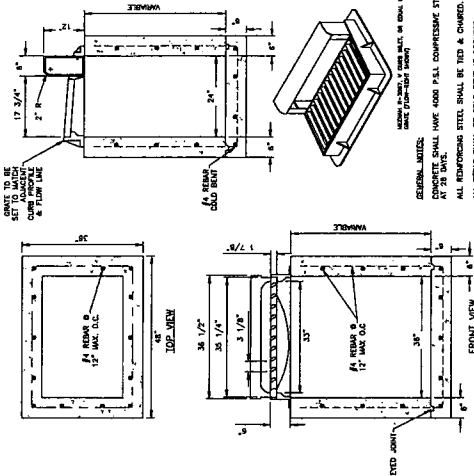
Project Title: RAPID VALLEY ELEMENTARY SCHOOL, RAPID CITY

Sheet Name: DETAILS  
 Sheet Number: C-10



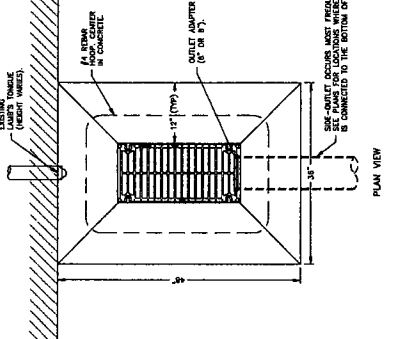
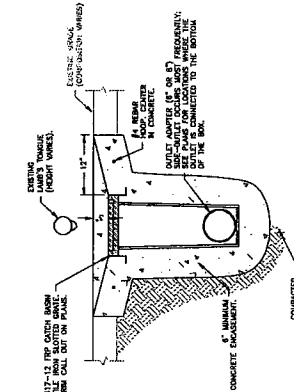
**AREA INLET NTS**

GENERAL NOTES:  
 CONCRETE SHALL HAVE 4000 P.S.I. COMPRESSIVE STRENGTH.  
 ALL REINFORCING STEEL SHALL BE TIED & CHANGED.  
 ALL REBAR SHALL BE COOL BENT AT CORNERS.  
 REINFORCING STEEL SHALL CONFORM TO ASTM A615 GRADE 60. COLD BENT BARS AS REQUIRED TO PLACE PRESS THROUGH INLET SHALL BE REINFORCED TO MATCH. ALL STRUCTURAL JOINTS SHALL BE TIED & WATER TIGHT. CONCRETE SHALL BE COMPACTED SUFFICIENTLY TO OBTAIN THE REQUIRED STRENGTH.

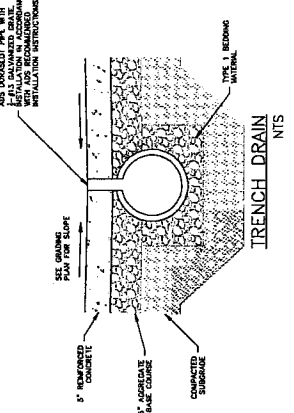


**TYPE "B" INLET NTS**

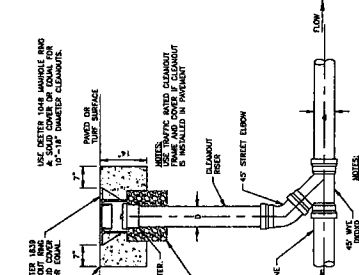
GENERAL NOTES:  
 CONCRETE SHALL HAVE 4000 P.S.I. COMPRESSIVE STRENGTH AT 28 DAYS.  
 ALL REINFORCING STEEL SHALL BE TIED & CHANGED.  
 ALL REBAR SHALL BE COOL BENT AT CORNERS.  
 ALL STRUCTURAL JOINTS SHALL BE TIED & WATER TIGHT.



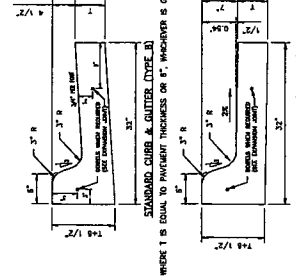
**Z817-12 CATCH BASIN NTS**



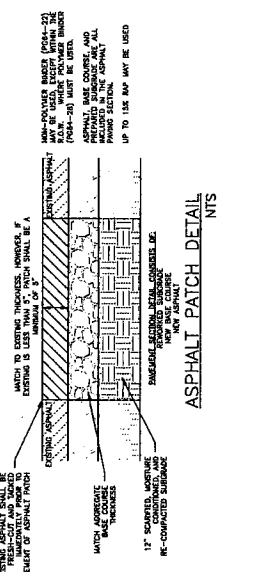
**TRENCH DRAIN NTS**



**SANITARY/STORM SEWER CLEANOUT DETAIL NTS**



**CURB & GUTTER NTS**



**ASPHALT PATCH DETAIL NTS**

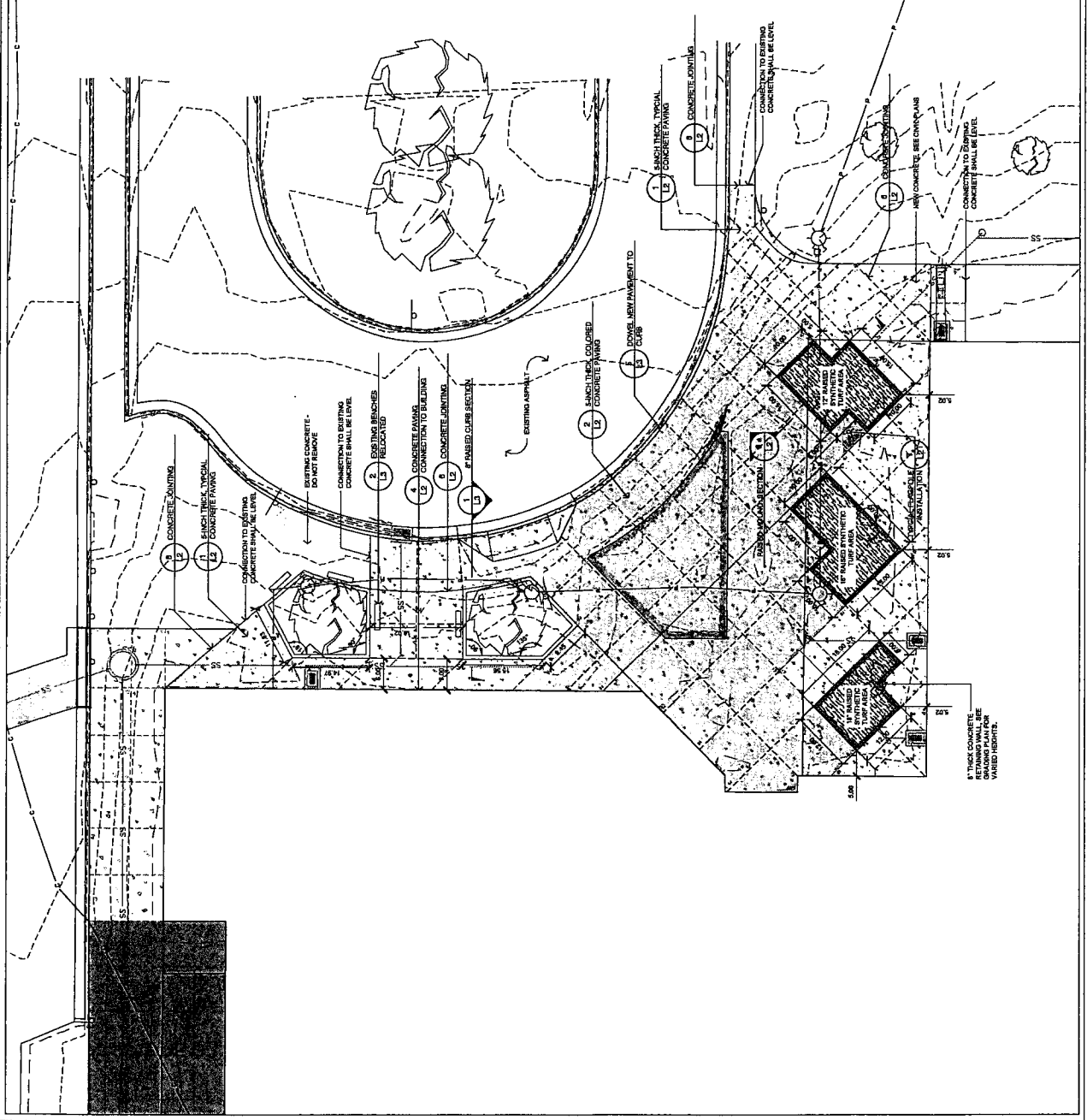
**RENNER ASSOCIATES, LLC**  
 CIVIL ENGINEERING • LAND SURVEYING  
 12345 MARKET STREET  
 SUITE 100  
 RAVENHILL, CA 94641  
 TEL: 925-955-1234  
 WWW.RENNERASSOCIATES.COM

SEE MANUFACTURER'S SHEETS FOR PAVING SECTION DETAILS.



**GENERAL LAYOUT NOTES**

1. THE CONTRACTOR SHALL REVIEW THE FINAL PROJECT STAMPS WITH THE OWNERS REPRESENTATIVE PRIOR TO ALL CONSTRUCTION ACTIVITIES.
2. DIMENSIONS ARE GIVEN FROM FACES OF CURBS (RAZI) ARE FROM BACK OF CURBS WALLS AND BUILDINGS. BACK OF SIDEWALK, CENTERLINES OF FENCES, MOWSTRIPS AND HEADERBOARD, AND EDGES OF FURNITURE.
3. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS.
4. EXISTING CONDITIONS AND DIMENSIONS SHALL BE FIELD VERIFIED BY THE CONTRACTOR. IN THE EVENT OF A DISCREPANCY, THE OWNERS REPRESENTATIVE SHALL BE NOTIFIED PRIOR TO CONTINUING WORK.
5. EACH CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING INSTALLATIONS AND SCHEDULING ALL OTHER TRADES.
6. ALL MATERIALS, EQUIPMENT AND INSTALLATIONS SHALL BE AS SHOWN WITHIN THIS DRAWING SET OR AS DESCRIBED IN THE SPECIFICATIONS.
7. MATERIALS TESTING & COMPACTION TESTING: SEE GENERAL NOTES



**LEGEND**

- SYNTHETIC TURF
- COLORED CONCRETE BY SOLIDON COLORS, COLOR MATCHMENT

1" = 10'

0 10 20 30 40 feet

NORTH



STANLEY E. REYNOLDS & ASSOCIATES, INC.  
 ENGINEERS ARCHITECTS PLANNERS  
 4201 N. W. 17th Ave., Suite 200  
 Ft. Lauderdale, FL 33305  
 Phone: (954) 561-1111  
 Fax: (954) 561-1112  
 Email: info@sera.com

Project No: 2023-001  
 Date: 01/20/23  
 Drawn: J. Smith  
 Checked: A. Jones  
 Project Name: Rapid Valley Elementary School, Rapid City  
 Project Address: Rapid City, SD 57701  
 Project Description: Drainage Improvements  
 Sheet No: L1



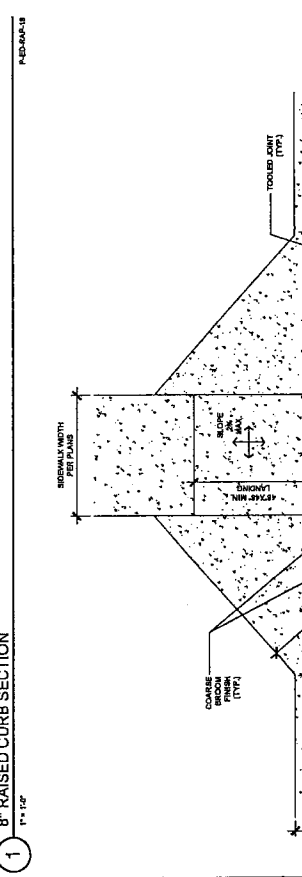
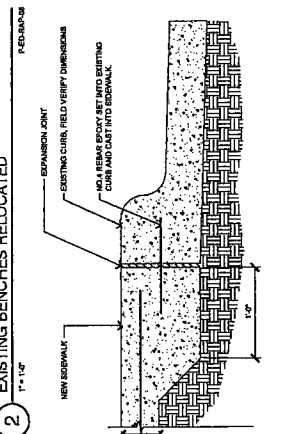
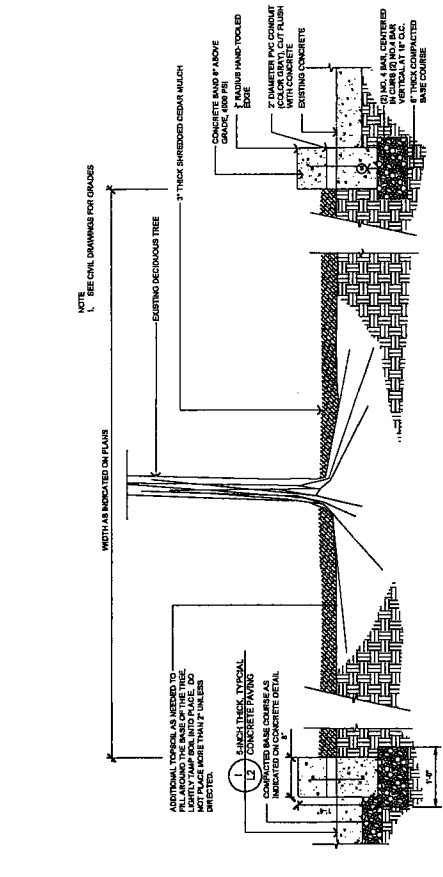
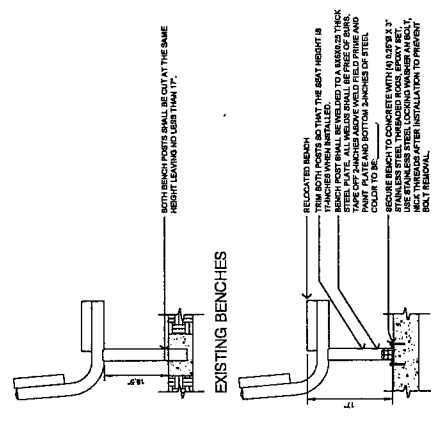
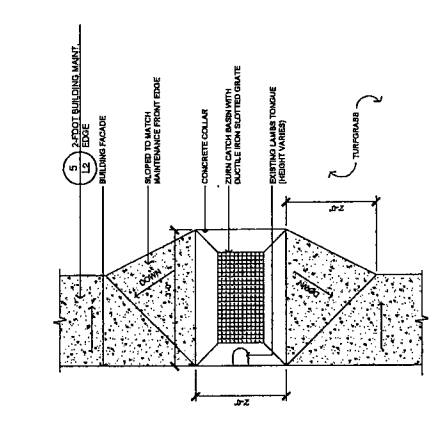
**STANTEC DESIGN GROUP, LLC**  
 1000 15th Street, Suite 1000  
 St. Paul, MN 55102  
 (612) 291-2300  
 WWW.STANTECDESIGNGROUP.COM

**UNIVERSITY OF MINNESOTA**  
 RAINWATER MANAGEMENT  
 DIVISION

Project No: 15-0101  
 Date: 10/15/15  
 Design: 10/15/15  
 Construction: 10/15/15  
 Client: University of Minnesota  
 Location: Rapid Valley Elementary School, Rapid City  
 Project Title: Rapid Valley Elementary School, Rapid City

**RAPID VALLEY ELEMENTARY  
 DRAINAGE IMPROVEMENTS**  
 RAPID VALLEY ELEMENTARY SCHOOL, RAPID CITY

Sheet Name: SITE DETAILS  
 Sheet Number: L3



**GENERAL NOTES:**

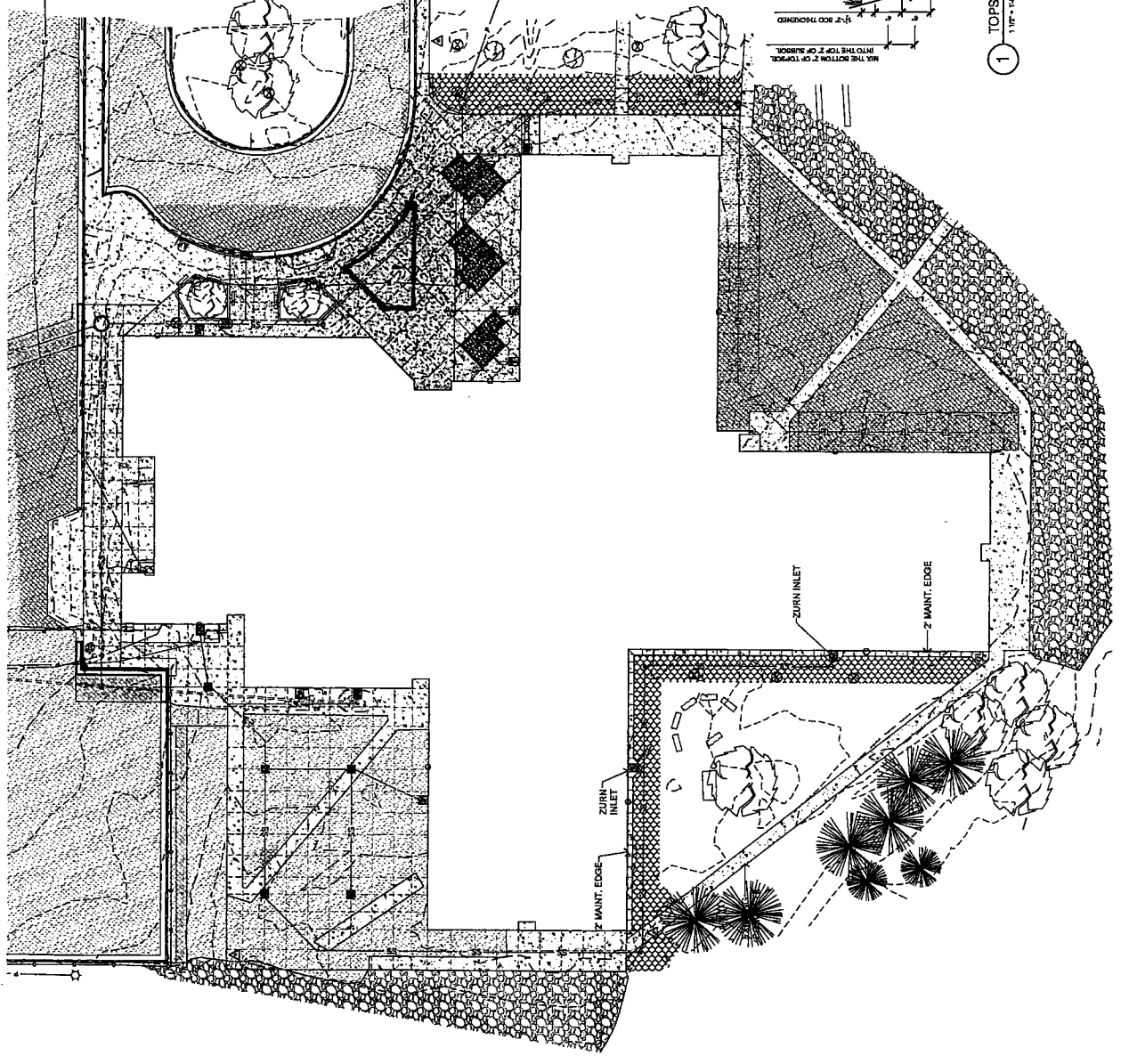
- SURFACE TEXTURE OF THE RAMP SHALL BE OBTAINED BY A CONCRETE FINISHER PERPENDICULAR TO THE SLOPE OF THE RAMP.
- DETECTABLE WARNING PANEL SHALL BE PER CITY OF RAPID CITY SPECIFICATIONS AND SHALL BE EQUAL TO THE WIDTH OF THE RAMP.
- SLOPED SIDEWALK SHALL BE CONCRETE WITH CURB ON THE RAMP. FIELD OF SIDEWALK SHALL BE CONCRETE. BACK OF CURB SHALL BE SLOPED AS SHOWN.
- CURBS SHALL BE MAINTAINED THROUGHOUT THE LIFE OF THE RAMP.
- CURBS SHALL NOT BE EXCEEDED BY 2\"/>

**GENERAL SOIL PLACEMENT NOTES**

1. All soil shall be placed and compacted in layers not exceeding 6 inches in thickness. Subgrade preparation, the best method of soil and compaction to be used shall be determined by the contractor and approved by the engineer prior to the start of the project.
2. All soil shall be tested for compaction and moisture content. The test results shall be submitted to the engineer for approval. The test shall be conducted in accordance with ASTM D 1557-09.
3. The topsoil shall be amended and the soil test results submitted.

**GENERAL SODDING NOTES**

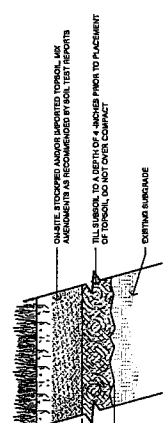
1. Sodding consists of most sods laid in rows to form a protective surface, with 1/2" air and 1/2" aggregate beneath.
2. All sods shall be laid in rows, staggered and not to overlap.
3. All sods which are acceptable (i.e., tested sods) will be sodded per specifications with the same sods required by the engineer. All sods must be tested and approved by the engineer.
4. All sods shall be watered by the contractor. Sodding shall be done in areas where there is no existing sod. Sodding shall be done in areas where there is no existing sod. Sodding shall be done in areas where there is no existing sod.
- 4.1. Sodding shall be done in areas where there is no existing sod.



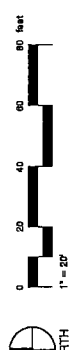
**PLANT SCHEDULE**

SYMBOL	RECOMMENDED NAME	SIZE	REMARKS	QTY
[Symbol]	Hybrid Oak	4\"/>		

**NOTE:**  
 1. ALL PLANTS AND TREES SHALL BE PLANTED FROM THESE DRAWINGS.  
 2. ALL PLANTS AND TREES SHALL BE PLANTED IN ACCORDANCE WITH THE SPECIFICATIONS TO THE DRAWINGS.  
 3. THE THICKNESS OF SOIL



**1 TOPSOIL PLACEMENT FOR SEEDING AND SODDED TURF**  
 1/8\"/>



**RAPID VALLEY ELEMENTARY DRAINAGE IMPROVEMENTS**  
 RAPID VALLEY ELEMENTARY SCHOOL, RAPID CITY



Project No: 2024-001  
 Prepared By: [Name]  
 Checked By: [Name]  
 Date: 10/20/24

Sheet Name: SEEDING & TOPSOIL  
 Sheet Number: L4

# RAPID VALLEY ELEMENTARY DRAINAGE IMPROVEMENTS

RAPID VALLEY ELEMENTARY SCHOOL, RAPID CITY

Sheet Name:

IRRIGATION PLAN

Sheet Number:

L5

## GENERAL IRRIGATION NOTES

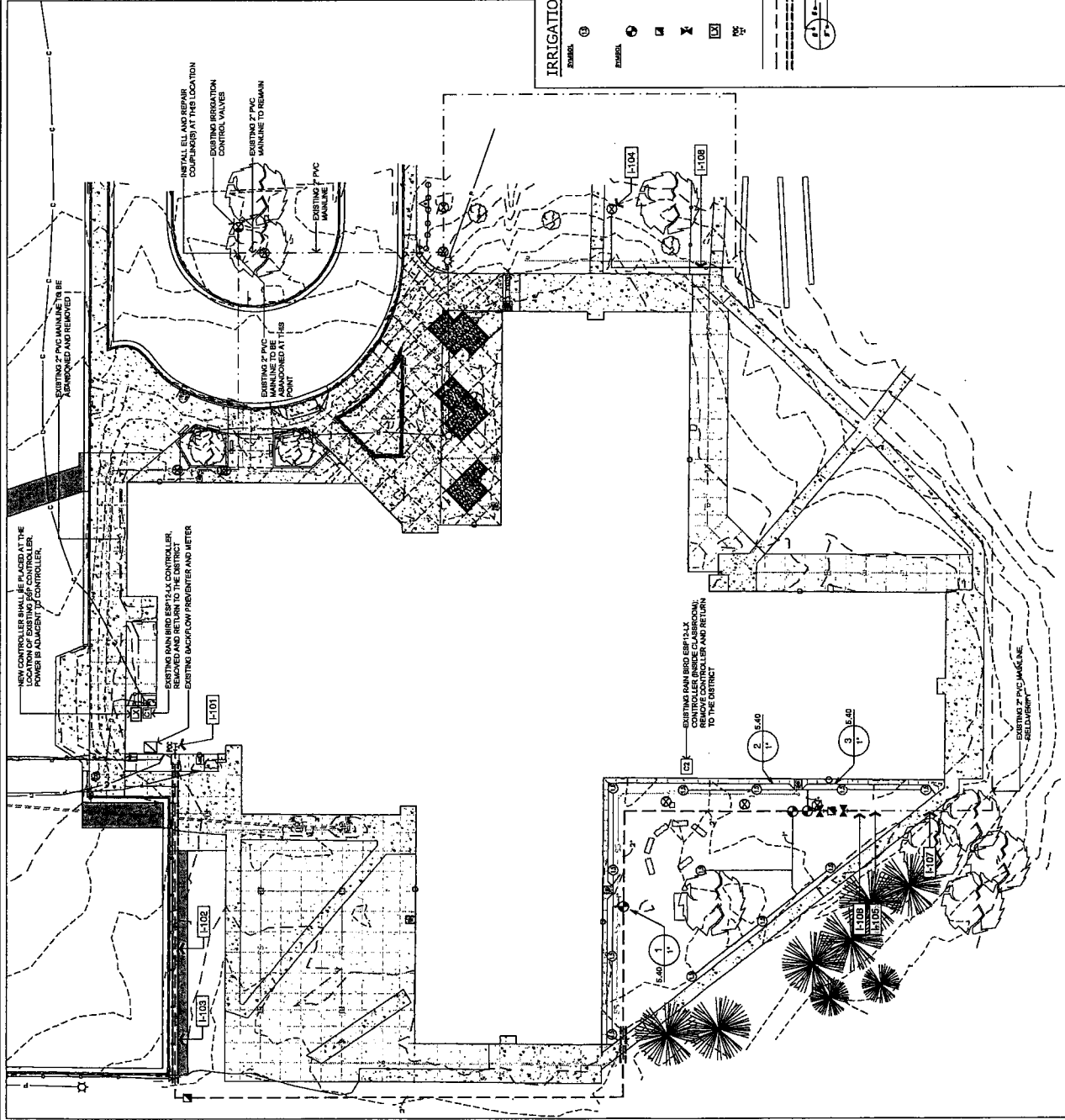
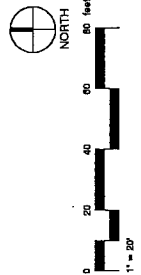
- ALL CONSTRUCTION SHALL BE ACCORDANCE WITH ALL APPLICABLE CODES. NOTING IN THESE NOTES SHALL REQUIRE THE CONTRACTOR TO COMPLY WITH ALL APPROPRIATE SAFETY REGULATIONS.
- THE VALVES SHALL BE OPERATED BY THE EXISTING IRRIGATION CONTROLLER.
- RECOMMENDED TOOLS TO DRINKER QUALITY WIRE CUT AND SPALL.
- WHEN SPACES: IT IS NOT ACCEPTABLE TO BURY SPACES DIRECTLY IN THE GROUND. ALL SPACES SHALL BE RECONSTRUCTED TO MATCH THE SURFACE FINISH. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES. THE CONTRACTOR SHALL INDICATE ALL SPEE LOCATIONS ON THE RECORD DRAWINGS.
- STAKE LAYOUT AND MAINTAIN FIELD REFERENCES AND BENCHMARKS.
- SECURE ALL REQUIRED PERMITS PRIOR TO BEGINNING WORK.
- ALL EXISTING UTILITIES MAY NOT BE SHOWN OR THE LOCATIONS MAY VARY FROM WHAT IS SHOWN. PROTECT ALL EXISTING UTILITIES. REPAIR AND/OR REPLACE ANY UTILITIES DAMAGED AT NO ADDITIONAL COST TO THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES.
- THE IRRIGATION SYSTEM IS DESIGNED TO BE PART OF AN EXISTING IRRIGATION SYSTEM.
- ALL VALVE LOCATIONS ARE DIMENSIONED TO THE CENTERLINE OF THE MAINLINE. DIMENSIONS WHERE POSSIBLE.
- THE SYSTEM'S DESIGN PARAMETERS ARE INDICATED IN THE IRRIGATION SCHEDULE. THE CONTRACTOR SHALL VERIFY THE DESIGN PARAMETERS PRIOR TO THE START OF CONSTRUCTION AND NOTIFY THE ENGINEER IMMEDIATELY IF ANY DISCREPANCIES ARE FOUND.
- THE CONTRACTOR SHALL WORK WITH THE PROJECT ARCHITECT TO DETERMINE THE WATER SCHEDULE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING ALL WATER REPAIRS AND REPAIRS IF ANY DAMAGE TO EXISTING UTILITIES IS CAUSED BY THE IRRIGATION SYSTEM.
- THE IRRIGATION SYSTEM HAS 10 ZONES (FIELD VERIFY) AND 1 CONTROLLER.

## IRRIGATION SCHEDULE

ZONE	DESCRIPTION	PIPE SIZE	PIPE TYPE	VALVE SIZE	VALVE TYPE	VALVE LOCATION	REMARKS
1	Zone 1	1.5"	PVC	1.5"	Ball Valve	Zone 1	Zone 1
2	Zone 2	1.5"	PVC	1.5"	Ball Valve	Zone 2	Zone 2
3	Zone 3	1.5"	PVC	1.5"	Ball Valve	Zone 3	Zone 3
4	Zone 4	1.5"	PVC	1.5"	Ball Valve	Zone 4	Zone 4
5	Zone 5	1.5"	PVC	1.5"	Ball Valve	Zone 5	Zone 5
6	Zone 6	1.5"	PVC	1.5"	Ball Valve	Zone 6	Zone 6
7	Zone 7	1.5"	PVC	1.5"	Ball Valve	Zone 7	Zone 7
8	Zone 8	1.5"	PVC	1.5"	Ball Valve	Zone 8	Zone 8
9	Zone 9	1.5"	PVC	1.5"	Ball Valve	Zone 9	Zone 9
10	Zone 10	1.5"	PVC	1.5"	Ball Valve	Zone 10	Zone 10

## IRRIGATION SCHEDULE

ZONE	DESCRIPTION	PIPE SIZE	PIPE TYPE	VALVE SIZE	VALVE TYPE	VALVE LOCATION	REMARKS
1	Zone 1	1.5"	PVC	1.5"	Ball Valve	Zone 1	Zone 1
2	Zone 2	1.5"	PVC	1.5"	Ball Valve	Zone 2	Zone 2
3	Zone 3	1.5"	PVC	1.5"	Ball Valve	Zone 3	Zone 3
4	Zone 4	1.5"	PVC	1.5"	Ball Valve	Zone 4	Zone 4
5	Zone 5	1.5"	PVC	1.5"	Ball Valve	Zone 5	Zone 5
6	Zone 6	1.5"	PVC	1.5"	Ball Valve	Zone 6	Zone 6
7	Zone 7	1.5"	PVC	1.5"	Ball Valve	Zone 7	Zone 7
8	Zone 8	1.5"	PVC	1.5"	Ball Valve	Zone 8	Zone 8
9	Zone 9	1.5"	PVC	1.5"	Ball Valve	Zone 9	Zone 9
10	Zone 10	1.5"	PVC	1.5"	Ball Valve	Zone 10	Zone 10



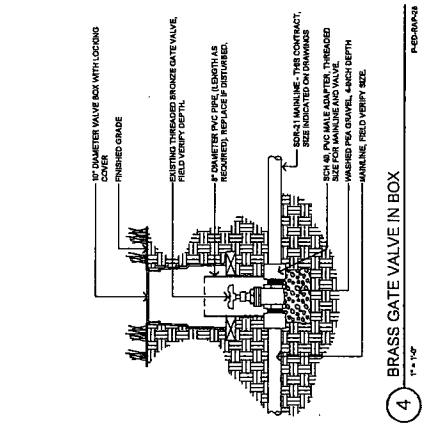
# RAPID VALLEY ELEMENTARY DRAINAGE IMPROVEMENTS

Project Title:  
RAPID VALLEY ELEMENTARY SCHOOL, RAPID CITY

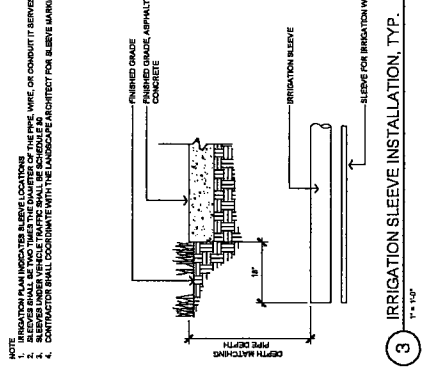
Sheet No.:  
**L6**



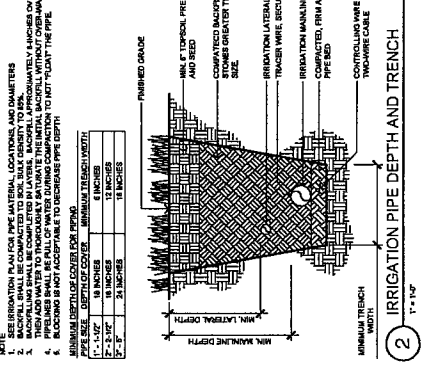
Contract No. 14-1-100  
Contract Date: 10/1/14  
Contractor: Stanley Crosslink, LLC  
1215 E. 13th Street, Rapid City, SD 57701  
Phone: 605-343-1234  
Fax: 605-343-1235  
www.stanleycrosslink.com



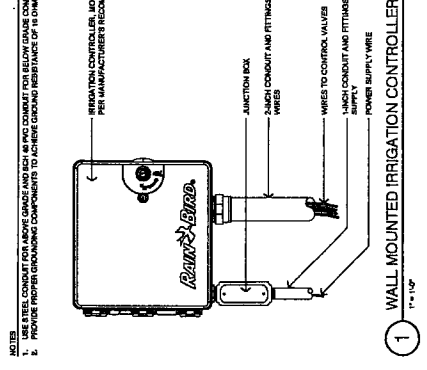
**1 WALL MOUNTED IRRIGATION CONTROLLER**  
1" = 1/2"



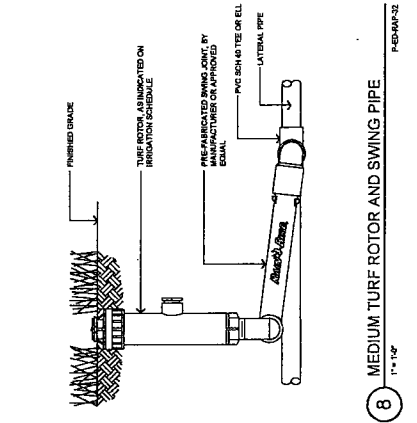
**2 IRRIGATION PIPE DEPTH AND TRENCH**  
1" = 1/2"



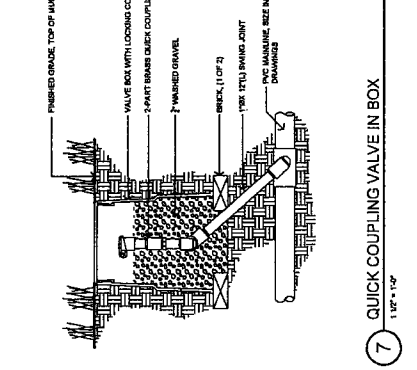
**3 IRRIGATION SLEEVE INSTALLATION, TYP.**  
1" = 1/2"



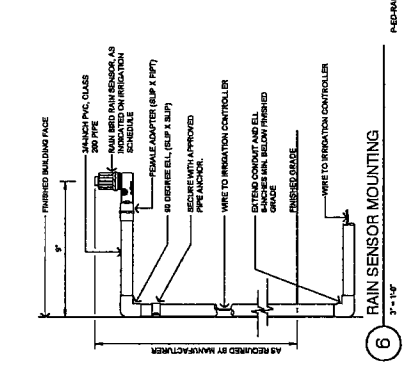
**4 BRASS GATE VALVE IN BOX**  
1" = 1/2"



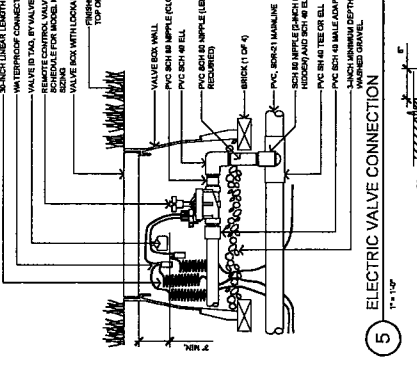
**5 ELECTRIC VALVE CONNECTION**  
1" = 1/2"



**6 RAIN SENSOR MOUNTING**  
2" = 1/2"



**7 QUICK COUPLING VALVE IN BOX**  
1 1/2" = 1/2"



**8 MEDIUM TURF ROTOR AND SWING PIPE**  
1" = 1/2"



**9 POINT-OF-CONNECTION DETAIL**  
1" = 1/2"

**NOTE:**  
1. SEE IRRIGATION PLAN FOR MATERIAL, LOCATION, AND DIAMETERS.  
2. ALL IRRIGATION PIPING SHALL BE INSTALLED IN A TRENCH. ALL IRRIGATION PIPING SHALL BE COMPLETED IN A TRENCH. ALL IRRIGATION PIPING SHALL BE COMPLETED IN A TRENCH.  
3. ALL IRRIGATION PIPING SHALL BE COMPLETED IN A TRENCH.  
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9. ALL IRRIGATION PIPING SHALL BE COMPLETED IN A TRENCH.  
10. ALL IRRIGATION PIPING SHALL BE COMPLETED IN A TRENCH.

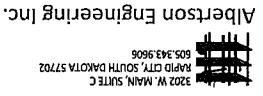
**NOTE:**  
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3202 W. MAIN SUITE C  
RAPID CITY, SOUTH DAKOTA 57702  
605.342.9506

Albertson Engineering Inc.

**GENERAL NOTES**

- STRUCTURAL DRAWINGS SHALL BE USED IN CONJUNCTION WITH THE SPECIFICATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS PRIOR TO COMMENCING WORK.
- ALL DIMENSIONS AND CONDITIONS MUST BE VERIFIED BY THE CONTRACTOR BEFORE PROCEEDING WITH THE AFFECTED PART OF THE WORK.
- THE STRUCTURE IS DESIGNED TO BE SELF-SUPPORTING. THE CONTRACTOR'S SOLE RESPONSIBILITY IS TO VERIFY THE ACCURACY AND COMPLETION OF ALL DIMENSIONS AND CONDITIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS PRIOR TO COMMENCING WORK.
- ADDITIONAL OBSERVATIONS AS A RESULT OF REVISIONS OF WORK COMPLETED AND/OR ADDITIONAL OBSERVATIONS OF THE CONTRACTOR SHALL BE MADE AND NOTED ON THE DRAWINGS AT THE EXPENSE OF THE CONTRACTOR.
- ALL STRUCTURAL SHOP DRAWINGS TO BE REVIEWED BY THE ENGINEER PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS PRIOR TO COMMENCING WORK.
- ALL SHOP DRAWINGS TO BE REVIEWED BY ALBERTSON ENGINEERING INC. SHALL HAVE ELECTRONIC COPIES PROVIDED TO THE ENGINEER AND HARD COPY COPIES OF ALL SHOP DRAWINGS TO BE PROVIDED TO THE ENGINEER PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS PRIOR TO COMMENCING WORK.
- ALL SHOP DRAWINGS MUST BE PREPARED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE FOLLOWING SPECIFICATIONS:
  - ACI 308 - CONCRETE TEST METHOD FOR SLUMP
  - ASTM C138 - STANDARD TEST METHOD FOR SPECIFIC GRAVITY AND ABSORPTION OF CONCRETE
  - ASTM C311 - STANDARD TEST METHOD FOR CONCRETE COMPRESSIVE STRENGTH
  - ASTM C494 - STANDARD TEST METHOD FOR WATERSUFTENING OF CONCRETE
  - ASTM C661 - STANDARD TEST METHOD FOR WATER PENETRATION UNDER PRESSURE
  - ASTM C1064 - STANDARD TEST METHOD FOR WATER-INDUCED CHANGES IN VOLUME OF CONCRETE
  - ASTM C1155 - STANDARD TEST METHOD FOR FLOWABILITY OF CONCRETE

**CONCRETE TESTING**

- CONCRETE TESTING SHALL BE DONE BY THE CONTRACTOR UNDER THE SUPERVISION OF A QUALIFIED PERSONNEL. THE FOLLOWING TESTS ON CAST-IN-PLACE CONCRETE:
  - ASTM C143 AND COMPANION TEST METHOD FOR SLUMP
  - ASTM C138 - STANDARD TEST METHOD FOR SPECIFIC GRAVITY AND ABSORPTION OF CONCRETE
  - ASTM C311 - STANDARD TEST METHOD FOR CONCRETE COMPRESSIVE STRENGTH
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  - ASTM C1155 - STANDARD TEST METHOD FOR FLOWABILITY OF CONCRETE
- NO TESTS SHALL BE MADE IN ANY STRUCTURAL MEMBER WITHOUT PREVIOUS APPROVAL OF THE ENGINEER.
- CONCRETE MIX DESIGN:
  - SHALL BE MIX DESIGN BY A RECOGNIZED TESTING LABORATORY TO ACHIEVE A STRENGTH AT 28 DAYS AS LISTED BELOW WITH A PLASTIC AND WORKABLE MIX.
  - 3000 PSI - STOOP WALLS
  - 4000 PSI - ALL OTHER CONCRETE
  3. ALL OTHER CONCRETE SHALL BE MIX DESIGN BY THE CONTRACTOR WITH REVISIONS FROM THE ENGINEER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS PRIOR TO COMMENCING WORK.

**STRUCTURAL NOTES & TYPICAL DETAILS**

**1. TYP. NEW STOOP DETAIL**

SO 3/4" - 1'-0"

**REINFORCING STEEL SHALL RECEIVE CONCRETE COVER AS FOLLOWS:**

DESCRIPTION	MINIMUM COVER
PERMANENTLY EXPOSED TO EARTH	3"
EXPOSED TO EARTH OR WEATHER	2"
AS THRUOUT JIB BARS	1 1/2"
AS THRUOUT JIB BARS OR SMALLER	K"
AS THRUOUT JIB BARS OR SMALLER	1 1/4"
BEAMS AND COLUMNS	1 1/2"

7. COLD WEATHER AND HOT WEATHER PROVISIONS OF ACI 308 SHALL BE OBSERVED. (CONCRETE CEMENT), RESPECTIVELY, SHALL BE MAINTAINED.

**SPECIAL INSPECTION AND TESTING:**

- SPECIAL INSPECTION AND MINIMUM TESTING SHALL BE PERFORMED IN ACCORDANCE WITH 2014 IBC AND ALL REFERENCED MATERIALS AND TABLES.
- INSPECTION SHALL BE PROVIDED BY AN INDEPENDENT AGENT. INSPECTION PERSONNEL SHALL MEET THE INSPECTOR AND VERIFY THAT EACH MATERIAL TEST IS INDICATED IN THE SPECIFICATIONS.
- ANY MATERIAL OF PLACEMENT DEVIATIONS FROM MANUALS SHOWN ON THE DRAWINGS OR IN SPECIFICATIONS SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER.
- IN ADDITION TO THE CONCRETE AND MASONRY IBC, ALL CONCRETE AND MASONRY SHALL MAINTAIN TOLERANCES SPECIFIED IN THE SPECIFICATIONS. TOLERANCES FOR CONCRETE CONSTRUCTION AND MATERIAL TOLERANCES SHALL BE AS FOLLOWS:
- TESTING - ANY FIELD TEST SHALL BE REPORTED TO ALBERTSON ENGINEERING INC IMMEDIATELY.

**GENERAL NOTES**

- CONCRETE TESTING SHALL BE DONE BY THE CONTRACTOR UNDER THE SUPERVISION OF A QUALIFIED PERSONNEL. THE FOLLOWING TESTS ON CAST-IN-PLACE CONCRETE:
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**DESIGN LOADS**

- 2019 INTERNATIONAL BUILDING CODE
- STRUCTURAL CONCRETE AND COMMENTARY

**GENERAL NOTES**

SHALL BE A POLISHED FLECTION STUDY SUCH AS ILLUMINATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS PRIOR TO COMMENCING WORK.

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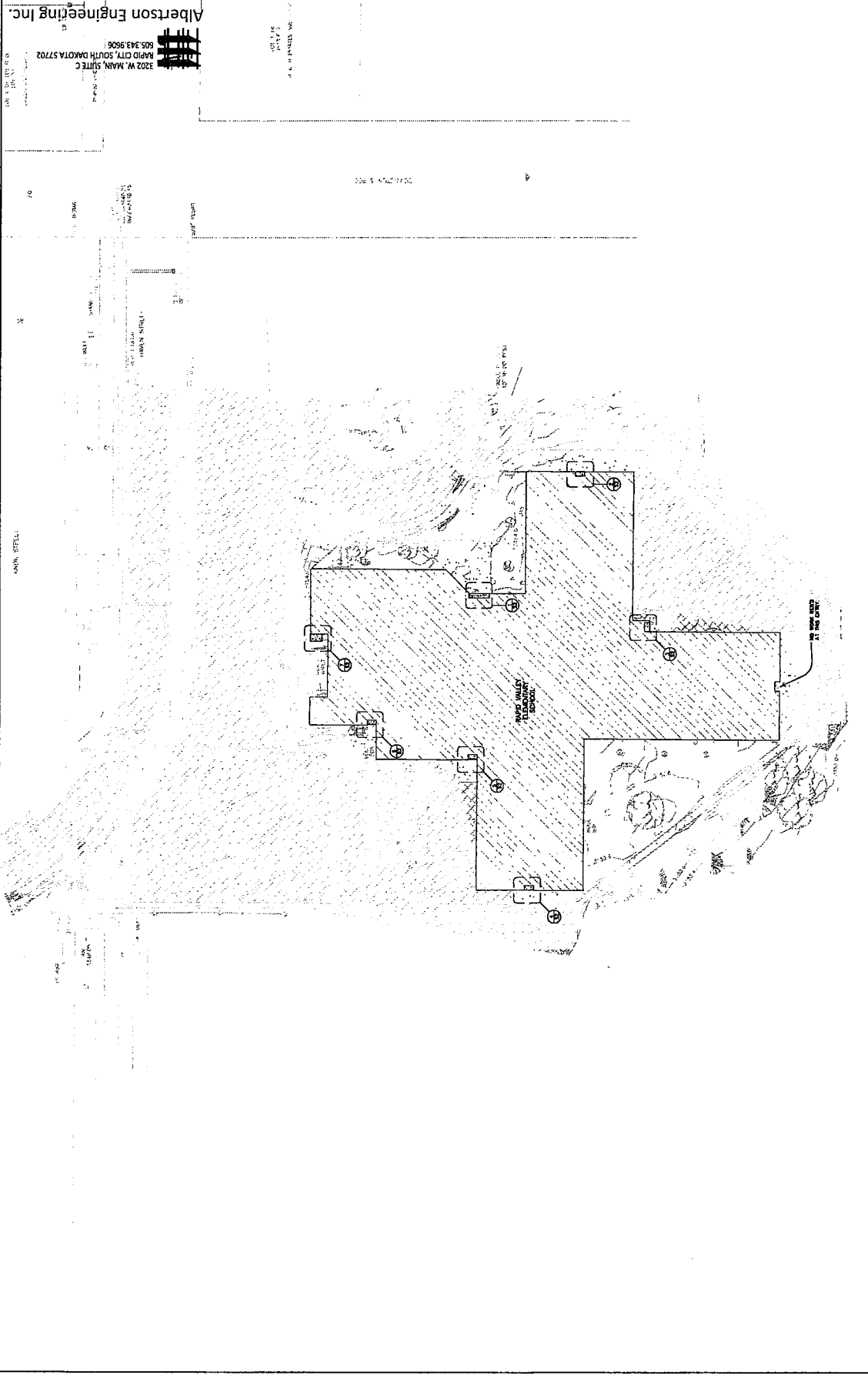
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 605.343.9508

Professional Engineer  
 License No. 12764  
 State of South Dakota  
 Albertson Engineering Inc.  
 3202 W. Main, Suite C  
 Rapid City, SD 57702

Project Title:  
 RAPID VALLEY ELEMENTARY  
 DRAINAGE IMPROVEMENTS  
 RAPID VALLEY ELEMENTARY SCHOOL, RAPID CITY

Sheet Name:  
 STRUCTURAL STOOP  
 OVERALL PLAN

Sheet Number:  
 S1



PLAN NOTES  
 • SEE SHEET S2 FOR STRUCTURAL NOTES & TYPICAL STOOP SECTION  
 • VERIFY ALL DIMENSIONS & ELEVATIONS WITH CON. DIMENSIONS & ELEVATIONS  
 • CONSULT WITH ARCHITECT FOR CONSTRUCTION CONDITIONS



STRUCTURAL STOOP OVERALL PLAN  
 SCALE: 1/32" = 1'-0"





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 605.343.9506

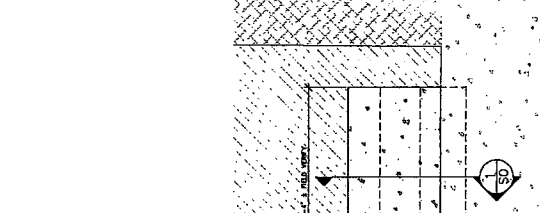
Project Title:  
 Drawing No.:  
 Drawing Date:  
 Drawing Location:  
 Drawing Scale:  
 Drawing Date:  
 Drawing Location:  
 Drawing Scale:

**RAPID VALLEY ELEMENTARY  
 DRAINAGE IMPROVEMENTS**  
 RAPID VALLEY ELEMENTARY SCHOOL, RAPID CITY

Project Title:  
 Sheet Name:  
 ENLARGED STOOP  
 PLANS  
 Sheet Number:  
**S2**



**1** ENLARGED PLAN  
 SCALE: 1/2" = 1'-0"  
 NORTH



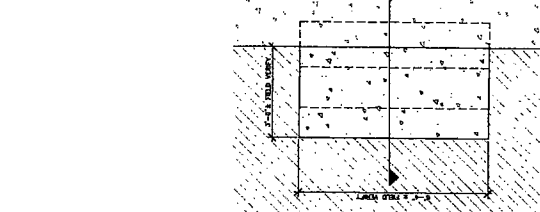
**2** ENLARGED PLAN  
 SCALE: 1/2" = 1'-0"  
 NORTH



**3** ENLARGED PLAN  
 SCALE: 1/2" = 1'-0"  
 NORTH



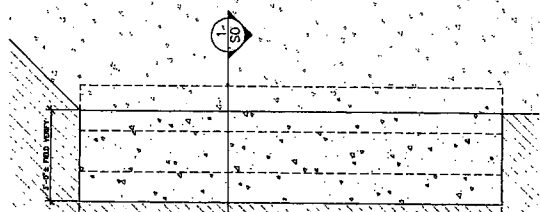
**4** ENLARGED PLAN  
 SCALE: 1/2" = 1'-0"  
 NORTH



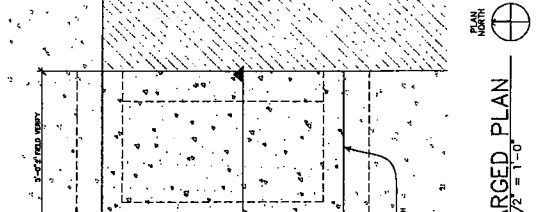
**5** ENLARGED PLAN  
 SCALE: 1/2" = 1'-0"  
 NORTH



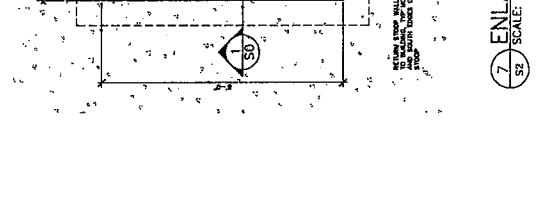
**6** ENLARGED PLAN  
 SCALE: 1/2" = 1'-0"  
 NORTH



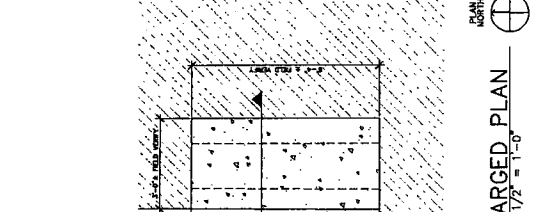
**7** ENLARGED PLAN  
 SCALE: 1/2" = 1'-0"  
 NORTH



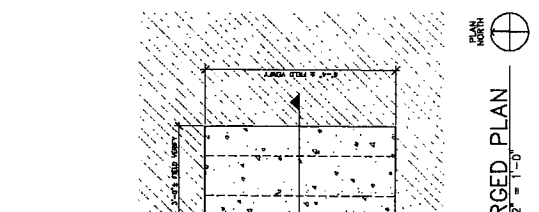
**8** ENLARGED PLAN  
 SCALE: 1/2" = 1'-0"  
 NORTH



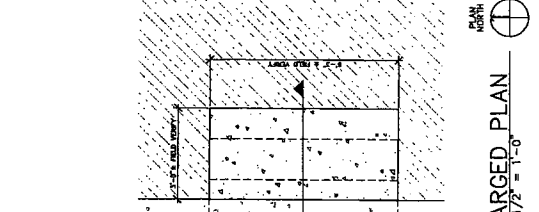
**9** ENLARGED PLAN  
 SCALE: 1/2" = 1'-0"  
 NORTH



**10** ENLARGED PLAN  
 SCALE: 1/2" = 1'-0"  
 NORTH



**11** ENLARGED PLAN  
 SCALE: 1/2" = 1'-0"  
 NORTH

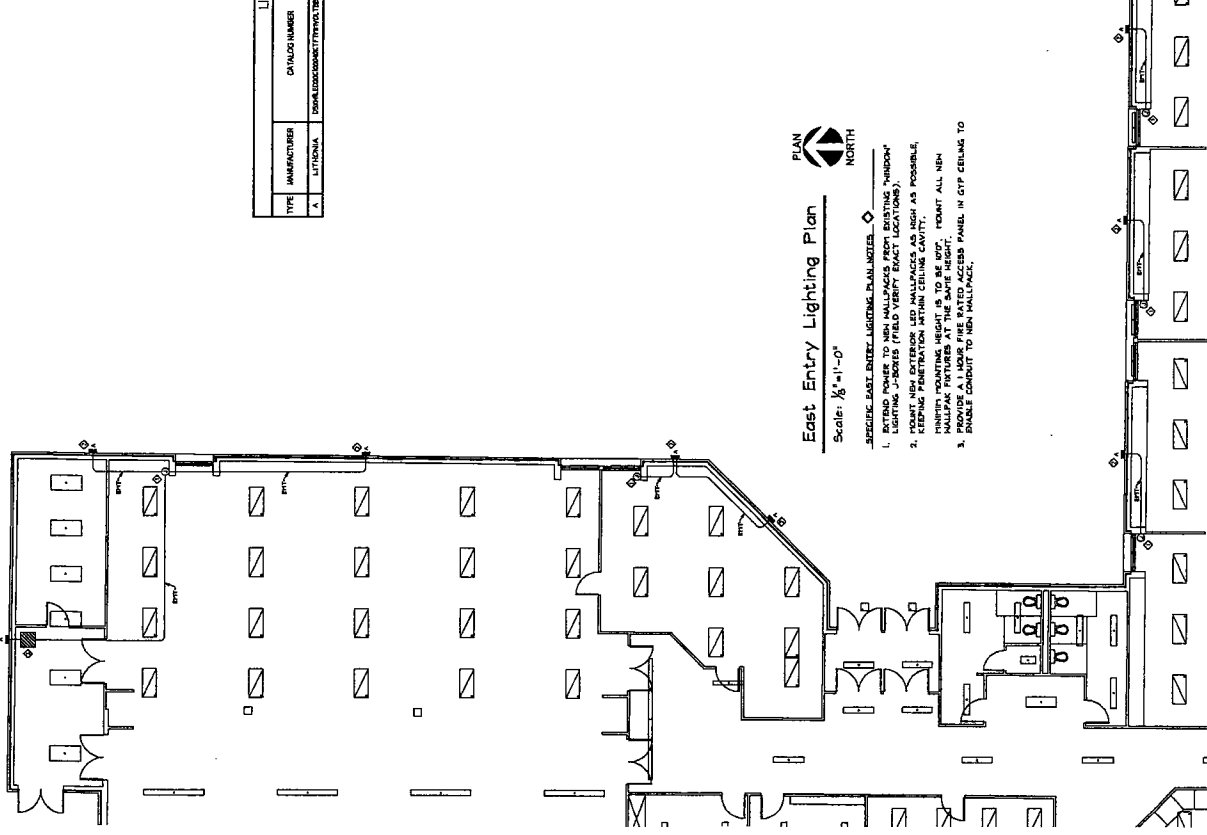


**12** ENLARGED PLAN  
 SCALE: 1/2" = 1'-0"  
 NORTH



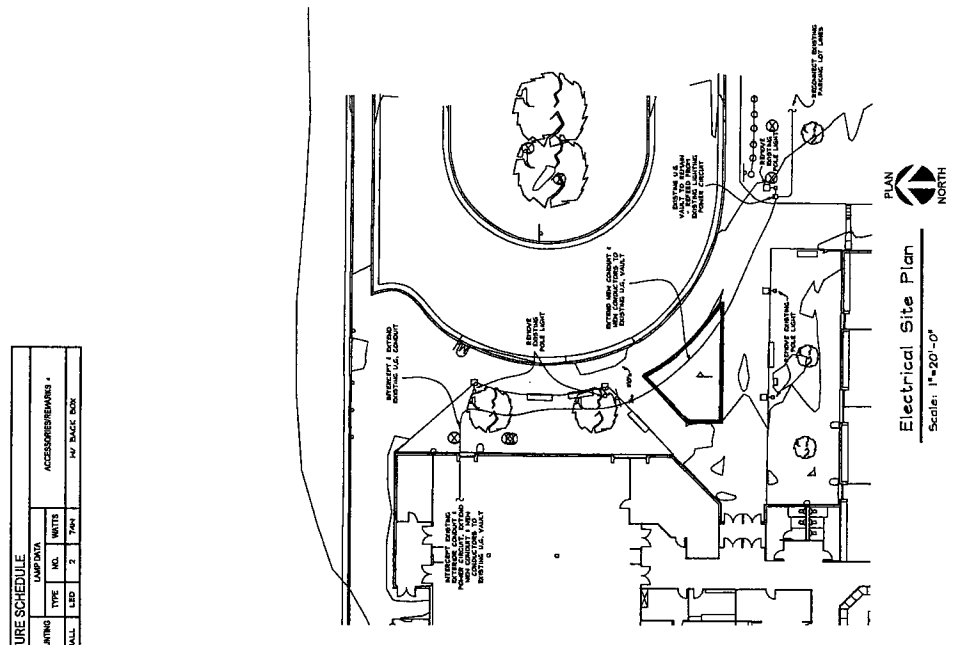
PROJECT: RAPID VALLEY ELEMENTARY SCHOOL, RAPID CITY, SD 57701

TYPE	MANUFACTURER	CATALOG NUMBER	LAMP DATA		MOUNTING	TYPE	NO.	VOLTAGE	ACCESSORIES/REMARKS
			WATTAGE	SIZE					
A	LITTONIA	DOWL/LED/CONDUIT/77/5/14/2	LED	2	294				10' IN BACK BOX

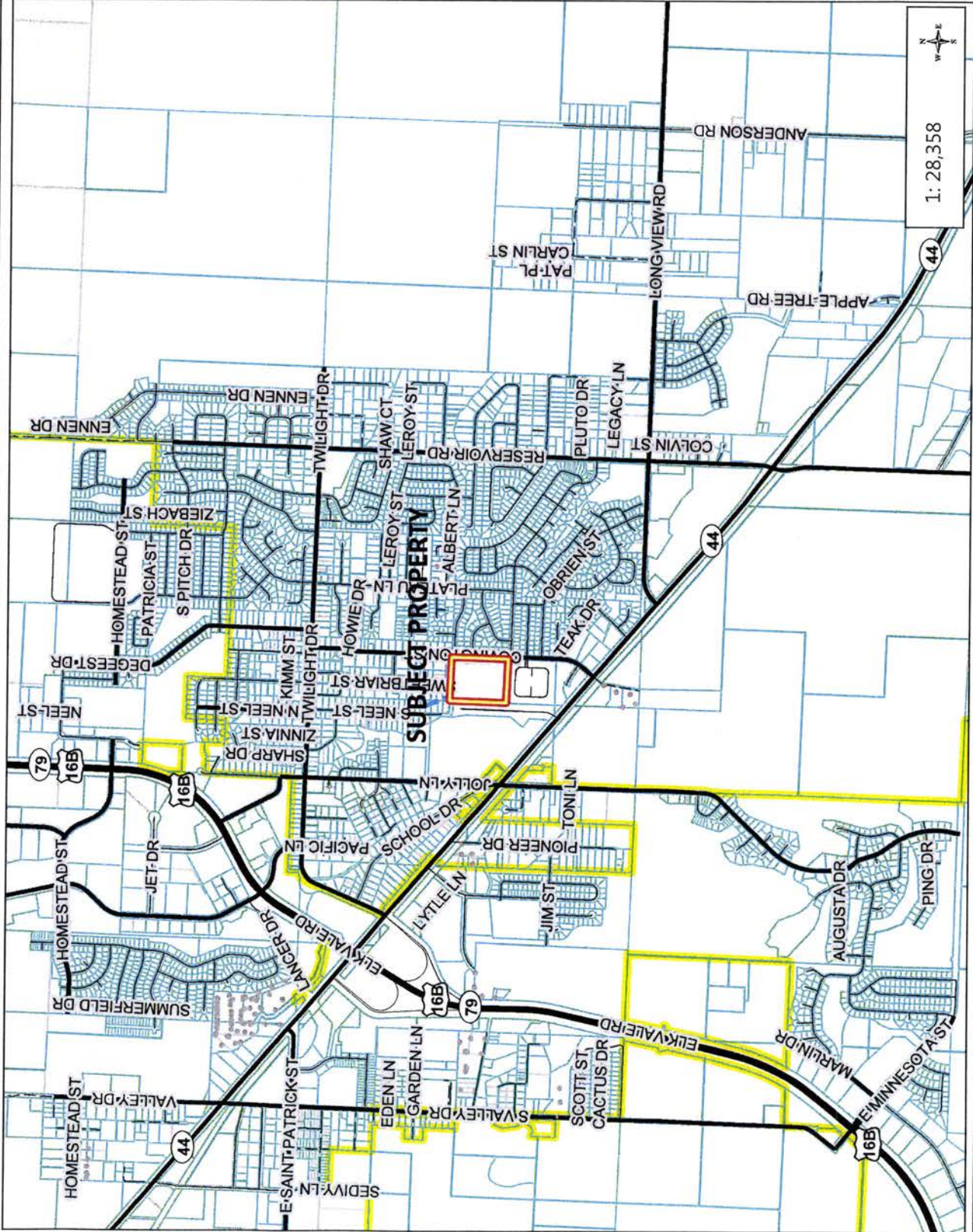


**East Entry Lighting Plan**  
 Scale: 1/8"=1'-0"

- VERIFY BASE EXTERIOR LIGHTING PLAN NOTES.
1. POINT HIGH EXTERIOR LED WALLWASERS AS HIGH AS POSSIBLE, KEEPING PENETRATION WITHIN CEILING CAVITY.
  2. POINT HIGH EXTERIOR LED WALLWASERS AS HIGH AS POSSIBLE, KEEPING PENETRATION WITHIN CEILING CAVITY.
  3. PROVIDE A 1 HOUR FIRE RATED ACCESS PANEL IN GYP CEILING TO SERVICE LIGHTING.



**Electrical Site Plan**  
 Scale: 1"=20'-0"



1: 28,358



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

**Map Notes:**

**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
- Section Labels 0-25k
- Tax Parcels
- Lot Lines
  - <Null>
  - Lot Line
  - Parcel Line
- OtherCitieslargerscale



400.0

0

200.01

400.0 Feet

NAD\_1983\_StatePlane\_South\_Dakota\_South\_FIPS\_4002\_Feet

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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.

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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

**Address Points**

Section Lines 0-25k

0

7

**Tax Parcels**

**Lot Lines**

<Null>

Lot Line

Parcel Line

**Map Notes:**

1: 2,400

## STAFF REPORT

### GENERAL INFORMATION:

REQUEST: **CONSTRUCTION PERMIT / CP 19-10:** To grade portions of an access easement and to construct a private gravel driveway to include ditches and culverts.

APPLICANT: Jess and Sarah Pekariski

APPLICANT ADDRESS: 4306 Donegal Way, Rapid City, SD 57702

OTHER LANDOWNER: Justine and Kristine Larson

OWNER ADDRESS: 6001 Mountain Pine Lane, Rapid City, SD 57702

LEGAL DESCRIPTION: Lot 6 (Plat #4), Block 5, Clarkson Subdivision, and the Balance of SW1/4NE1/4, Section 31, T1N, R7E, BHM, Pennington County, South Dakota.

SITE LOCATION: 6001 Mountain Pine Lane; approximately 0.35 miles southwest of the intersection of Sheridan Lake Road and Spring Canyon Road.

SIZE: 10.49 and 1.66 acres

EXISTING LAND USE: Residential / Vacant

TAX ID: 11185 / 705

ZONING REFERENCE: Section 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: Forested / Hills

UTILITIES: Private/None

REPORT BY: Cody Sack

**\*\*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 19-10.\*\***

**I. PROPOSED RECOMMENDATION**

- A. Staff will be recommending that the Planning Director approve Construction Permit / CP 19-10 with eleven (11) conditions.

**II. GENERAL DESCRIPTION**

- A. The applicant's, Jess and Sarah Pekarski, have applied for a Construction Permit to grade portions of an access easement and to construct a private gravel driveway to include ditches and culverts.
- B. See attached site plan.

**III. EXISTING CONDITIONS**

- A. Zoned Suburban Residential District.
- B. 10.49 and 1.66 acres.
- C. Access off of Mountain Pine Lane.
- D. Special Flood Hazard Area is unstudied.
- E. One lot is vacant of any structures (Tax ID #11185).
- F. One lot currently has a single-family residence (COBP09-0401).

**IV. REQUEST FOR COMMENT**

- A. County Highway
  - 1. No comments.
- B. County Environmental Planning Supervisor
  - 1. The Special Flood Hazard Area is "not studied" for the subject property.
  - 2. That if the disturbance exceeds one (1) acre, a South Dakota Department of Environment and Natural Resources General Permits for Storm Water Discharges Associated with Construction Activities is obtained.
  - 3. That the applicant continually maintains and adheres to the Storm Water Pollution Prevention Plan during the period of construction.
  - 4. The requirements, guidelines, and criteria for storm water and erosion control in the Pennington County Storm Water Manual shall be followed during construction.
  - 5. The site shall be re-vegetated as required in § 507(A)(5)(c).

- C. County Environmental Planner
  - 1. The applicant needs to follow the Pennington County Zoning Ordinance (PCZO) §507 and the Pennington County Stormwater Manual.
- D. County Ordinance Enforcement
  - 1. There are no past or current Ordinance Violations on the subject property.
- E. County Natural Resources Director
  - 1. No objections
- F. Rapid City Community Development
  - 1. The City's Future Land Use Plan identifies the appropriate use of Lot 6 as Low-Density Neighborhood and the "Balance of SW1/4NE1/4" as Forest Conservation. Both designations support single family residential development. Mountain Pine Lane is not identified on the City's Major Street Plan.

**V. ANALYSIS**

- A. The area to be disturbed is less than an acre.
- B. The road will provide access to a future residence.
- C. The applicant is installing a silt fence and rock check dams for erosion and sediment control.
- D. The ditches will be re-seeded when finished.

**RECOMMENDATION TO THE PLANNING DIRECTOR:** Staff recommends that the Planning Director approve Construction Permit / CP 19-10 with the following eleven (11) conditions:

- 1. That erosion and sediment controls are implemented immediately and maintained until the site has reached final stabilization as required in §507(A)(5)(c) of the Pennington County Zoning Ordinance;
- 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 storm water 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);

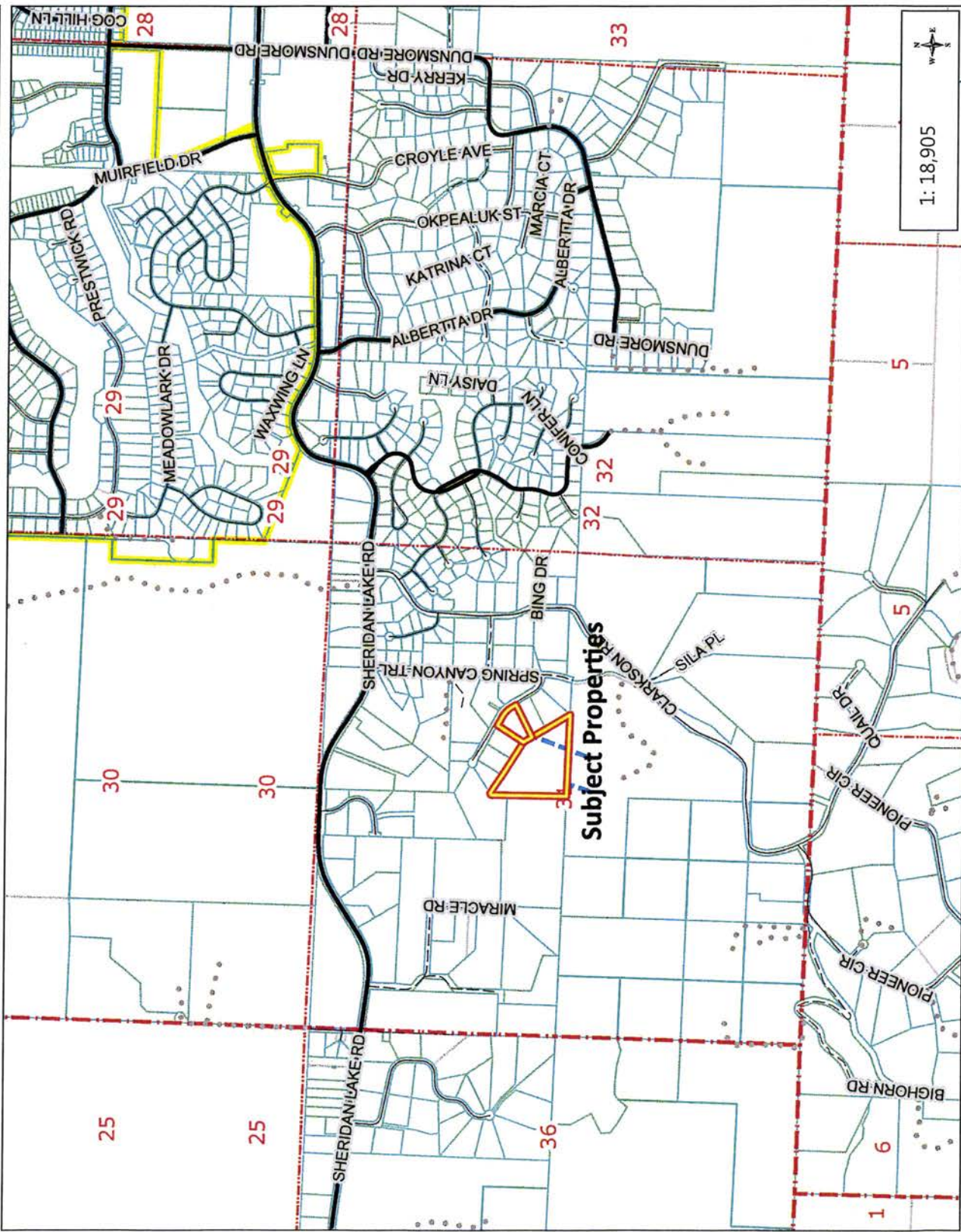
Agenda Item #18  
Jess and Sarah Pekarski  
July 8, 2019

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 signs a Statement of Understanding within ten (10) days of Permit approval; and,
11. That this Construction Permit is reviewed in one (1) year or as directed by the Planning Director.



## Legend

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



1: 18,905

## Map Notes:

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

**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

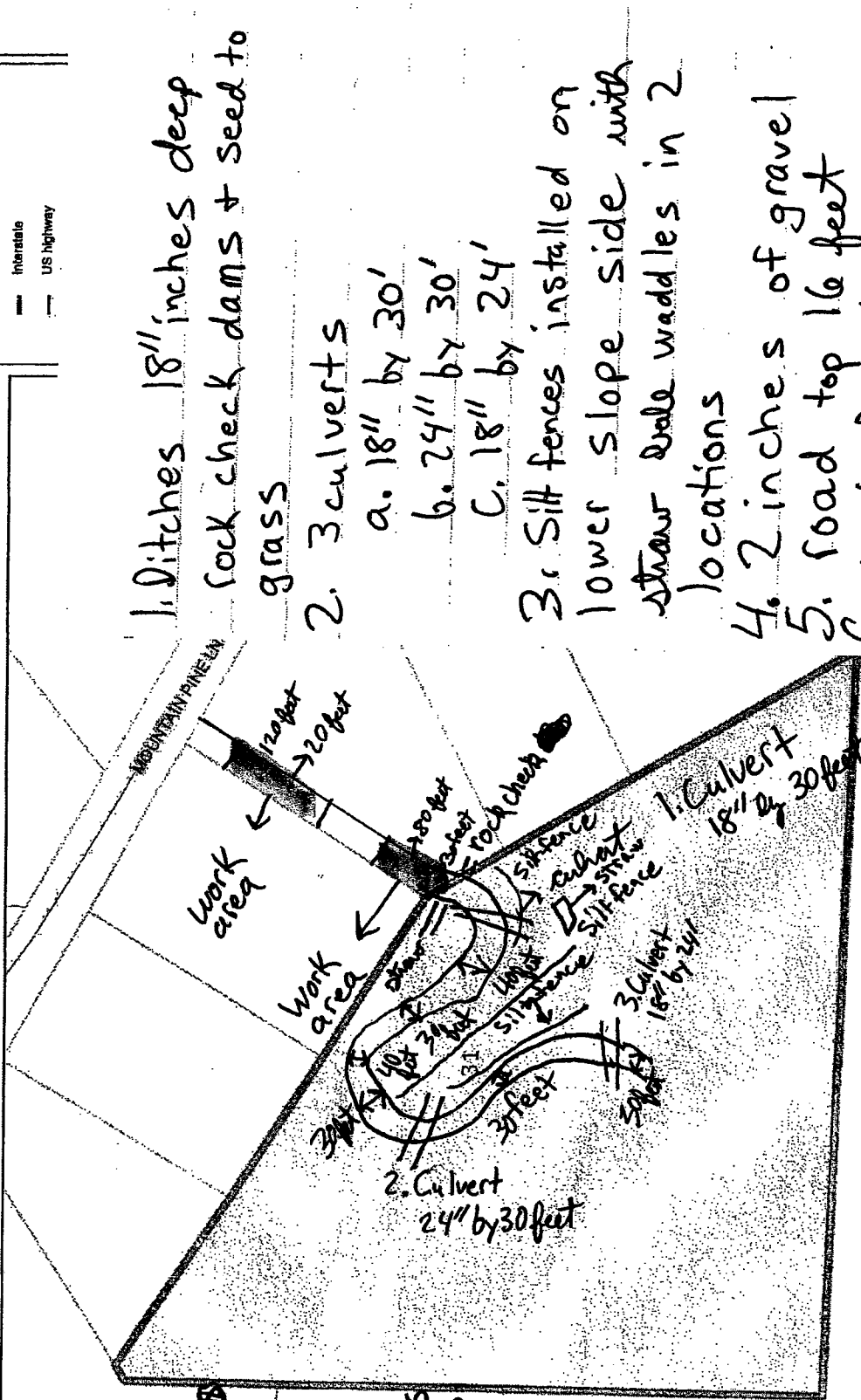
3,150.9 0 1,575.46 3,150.9 Feet

NAD\_1983\_StatePlane\_South\_Dakota\_South\_FIPS\_4002\_Feet  
© City of Rapid City GIS

Legend

- Roads  
 Interstate  
 US Highway

Ditches will have some rock check dams grass seeded ditch (part of some of road along side backs will have less ditch)



1. Ditches 18" inches deep  
 rock check dams + seed to grass

2. 3 culverts  
 a. 18" by 30'  
 b. 24" by 30'  
 c. 18" by 24'

3. Silt fences installed on lower slope side with straw waddles in 2 locations

4. 2 inches of gravel  
 5. road top 16 feet

6. most of road will only disturb 25' but up to 40 feet  
 7. Easement area disturb 2 sections only

Depth of Gravel 18"  
 2 inches

3 culverts  
 1. 24" by 30'  
 2. 18" by 24'  
 3. 18" by 30'

365.8 0 182.90 365.8 Feet

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

NAD\_1983\_2011\_StatePlane\_South\_Dakota\_South\_FIPS\_4002\_Ft\_US

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THIS MAP IS NOT TO BE USED FOR NAVIGATION



1: 2,269



NAD\_1983\_StatePlane\_South\_Dakota\_South\_FIPS\_4002\_Feet  
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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

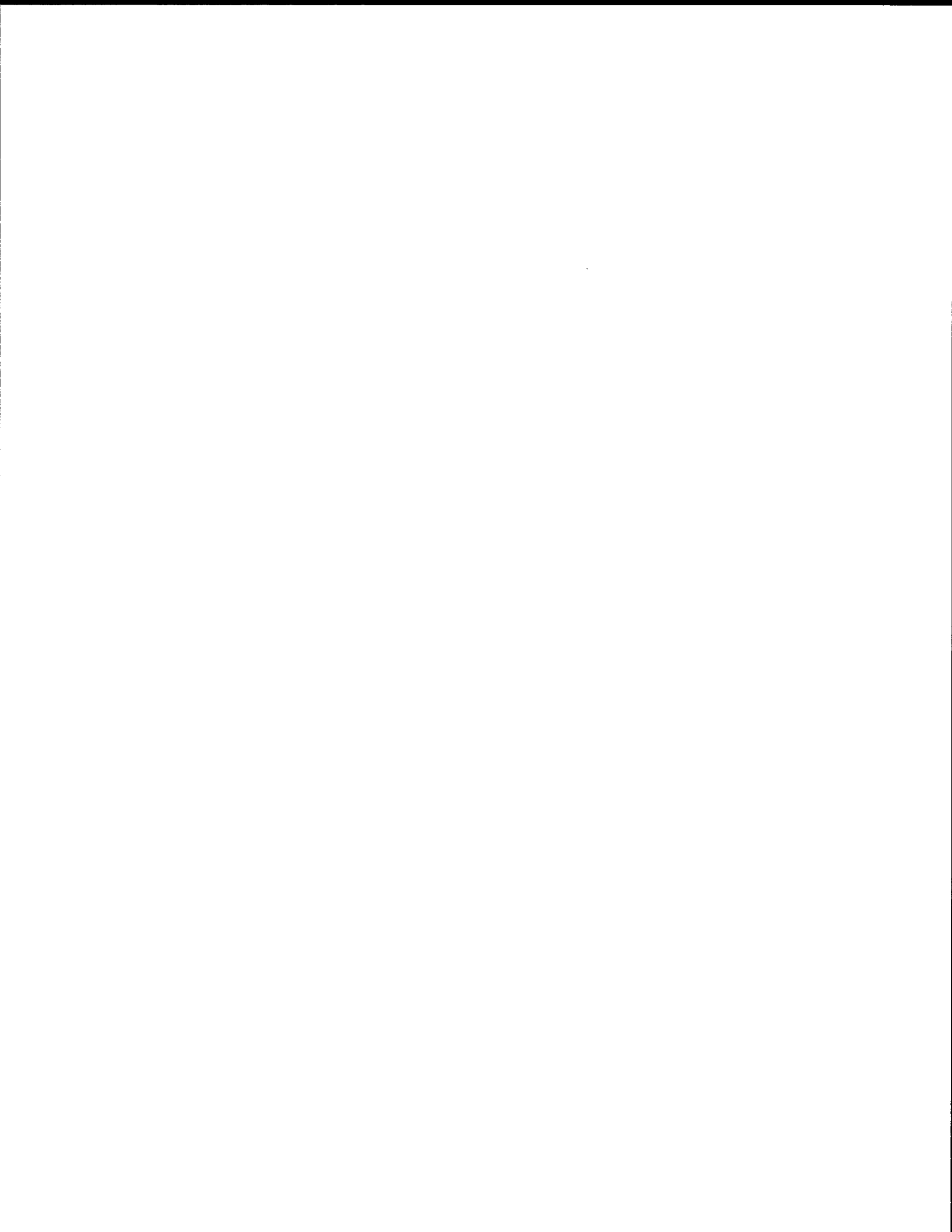
Section Lines 0-25k

- 0
- 7

Tax Parcels

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

**Map Notes:**



## 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](http://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](http://viewto2040.com) website and various emails, the consultants produced the current document.

Agenda Item #19  
Pennington County  
July 2, 2019

**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.

The Planning Commission reviewed and commented on the proposed Comprehensive Plan – View to 2040, with hearing dates of: January 28, 2019, February 25, 2019, March 11, 2019, March 25, 2019, April 22, 2019, May 13, 2019, May 28, 2019, June 10, 2019, and June 24, 2019. The consultants, Matrix, provided an updated revision to the proposed Comprehensive Plan for review.

**RECOMMENDATION:** Staff recommends the Planning Commission review Ordinance Amendment / OA 19-01 of the draft Comprehensive Plan with a recommendation to the Board of Commissioners.

RECEIVED  
JUN 23 2019  
BY: [Signature]

# Comprehensive Plan



## Pennington County Comprehensive Plan **VIEW TO 2040**

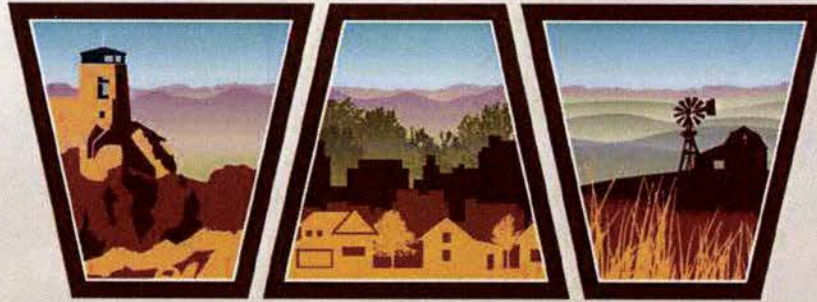


## EDITS SHOWN

Public, Planning Commission, and Staff



Lars Plougmann: View of the Ranch from the First of Sunset. CC BY SA 2.0. Flickr.com



# Pennington County Comprehensive Plan **VIEW TO 2040**

*Prepared for:*



130 Kansas City St. Suite 200  
Rapid City, SD 57701

*Prepared by:*



*June 2019*



*Please see the next page.*

# ACKNOWLEDGEMENTS

## ***Pennington County Board of Commissioners***

- ▶ Ron Rossknecht ..... District 1
- ▶ Lloyd LaCroix..... District 2
- ▶ Deb Hadcock, Chair ..... District 3
- ▶ Mark DiSanto..... District 4
- ▶ Gary Drewes, Vice Chair ..... District 5

## ***Planning Commission***

- ▶ Jim Coleman
- ▶ Kathryn Johnson
- ▶ Travis Lasseter
- ▶ Rich Marsh
- ▶ Sonny Rivers
- ▶ Sandra Runde

## ***County Staff***

- ▶ Cassie Bolstad..... Assistant Planning Director
- ▶ P.J. Conover ..... Planning Director
- ▶ Jerome Harvey..... County Fire Administrator
- ▶ Holli Hennies..... Commission Office Manager
- ▶ Michael Hoffman ..... Deputy State’s Attorney
- ▶ Brittney Molitor ..... Environmental Planning Supervisor
- ▶ Julie Pearson..... Auditor
- ▶ Shannon Rittberger ..... Director of Equalization
- ▶ Dustin Willett..... Director Emergency Management

## ***Other Jurisdictions and Organizations***

Pennington County would like to thank the following jurisdictions and organizations for their active involvement in this process.

- ▶ Black Hills State University – Rapid City
- ▶ City of Box Elder
- ▶ City of Rapid City
- ▶ City of Hill City
- ▶ Town of Keystone
- ▶ Town of Wall

## ***Public Input***

Pennington County would like to thank the members of the public who gave their time and energies in assisting in the development of the Comprehensive Plan by participating in the community workshops and corresponding with members of the Board of Commissioners and Planning Commission.



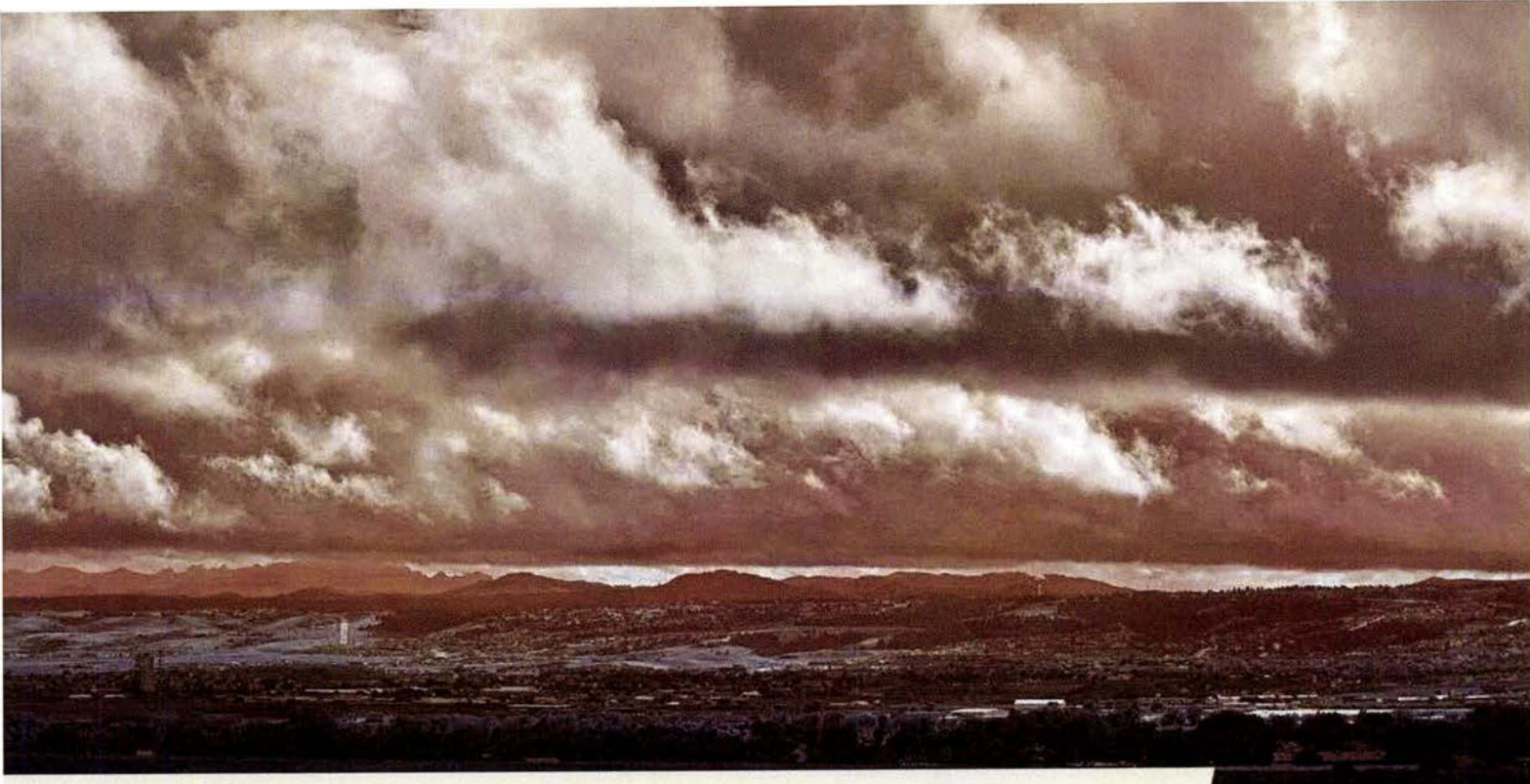
## ***Project Consultant***



**Celeste Werner, AICP**  
Project Director

**Rick Rust, AICP, GISP**  
Project Manager

**Felipe Zubia, AICP**  
Senior Planner



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**VIEW TO 2040**

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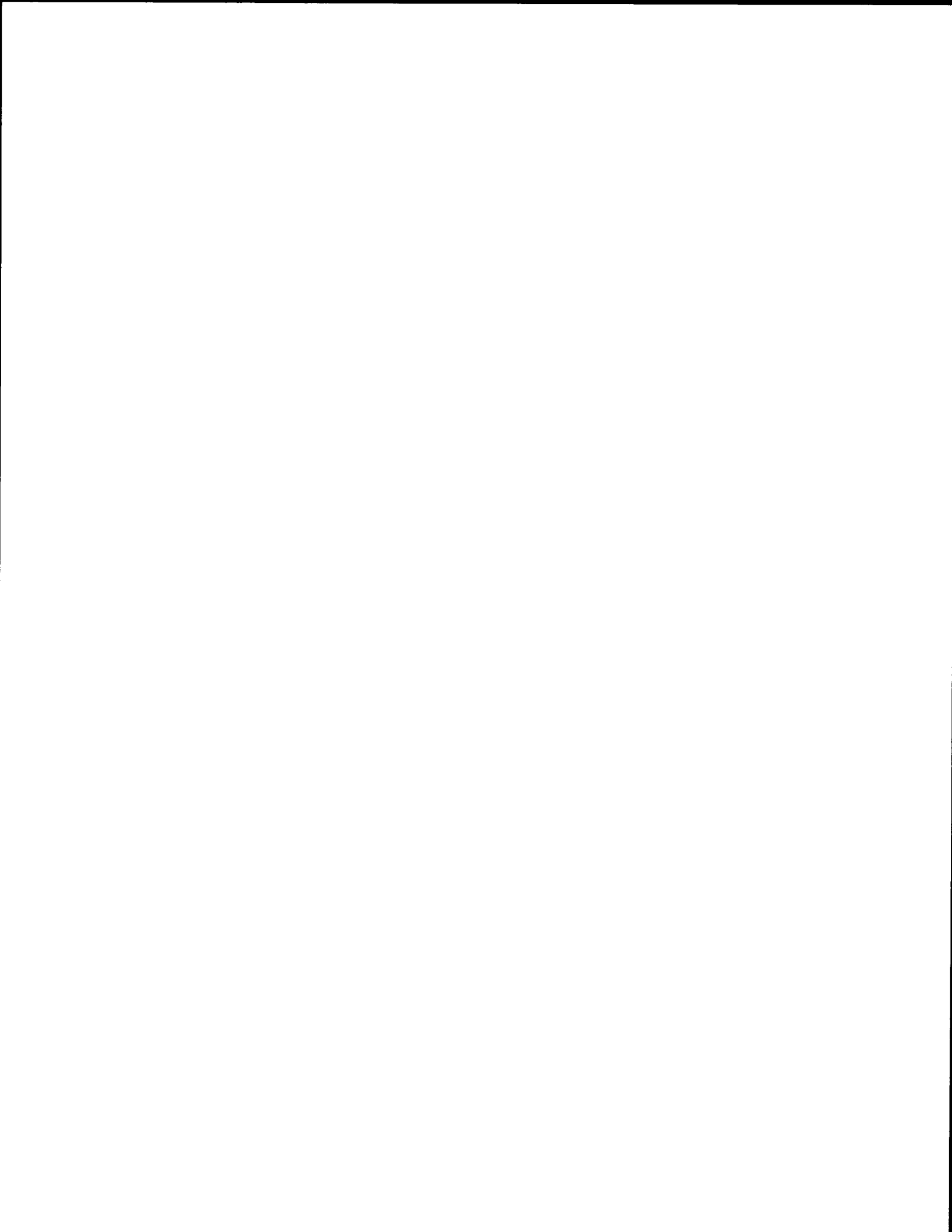
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**VIEW TO 2040**

*Please see the next page.*





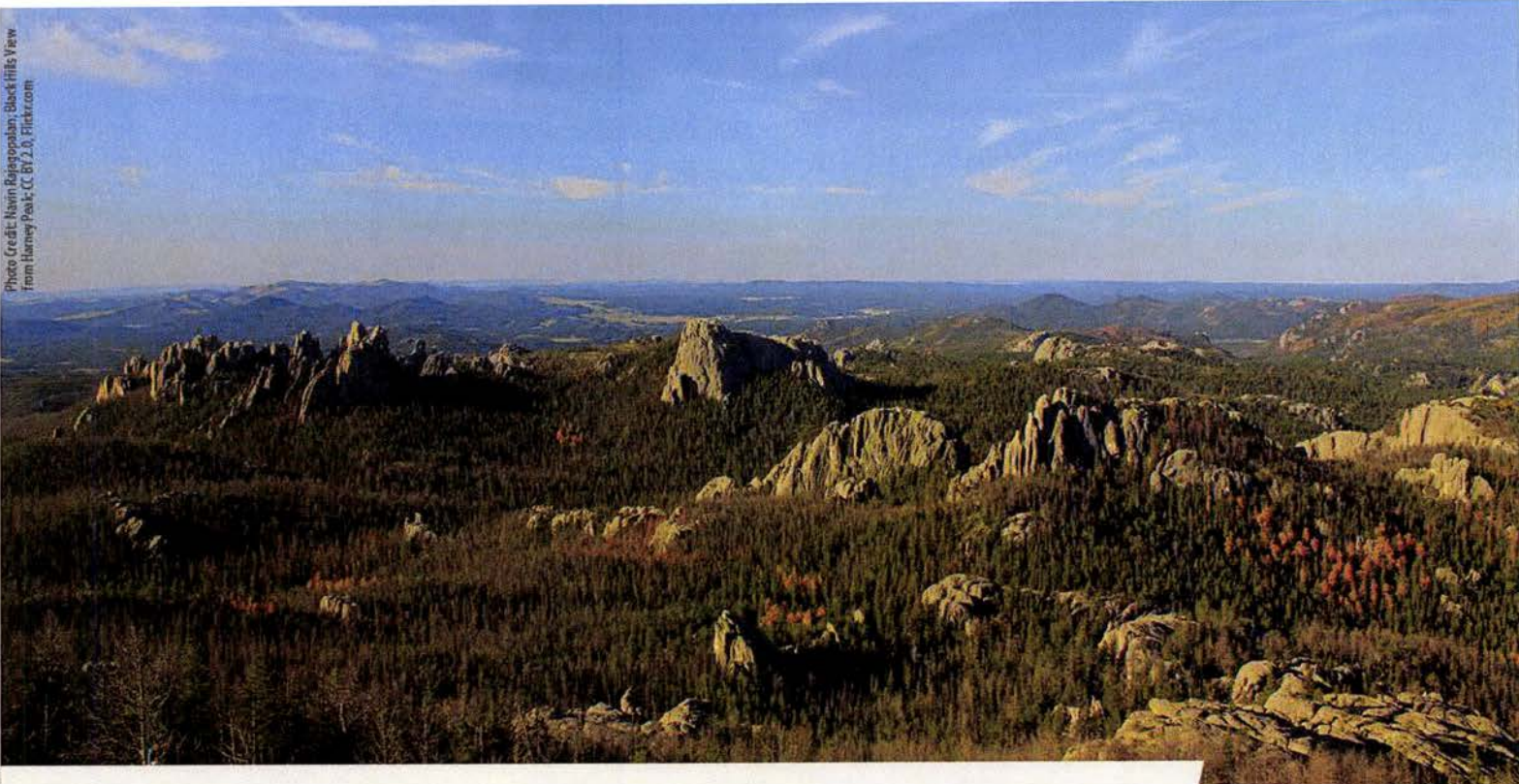


Photo Credit: Navin Rajagopalan, Black Hills View from Harney Peak, CC BY 2.0, Flickr.com

# Introduction

# 1

## 1.1 Purpose of a Comprehensive Plan

The purpose of the Pennington County Comprehensive Plan is to guide government officials, residents, and developers in sound decision-making about current and future development of Pennington County. The Comprehensive Plan is an advisory document that provides a framework for land use decisions, public service expansions, economic development, resource management, and the general growth of the county. This plan serves as a guide that should be used to gauge short-term and current decisions against the long-range vision that has been developed. [The goals and policies herein were developed to support the envisioned future for Pennington County while the implementation actions were identified to execute these goals and policies.](#)

The Comprehensive Plan has three defining features [that are carried out throughout the document](#):

- ▶ **General.** The Comprehensive Plan provides general guidance that will be used to direct land use and resource decisions.
- ▶ **Comprehensive.** The Comprehensive Plan covers a wide range of social, economic, infrastructure, and natural resource topics. Topics include economic development, land use, housing, transportation, agriculture, and public services and facilities.
- ▶ **Long-Range.** The Comprehensive Plan provides guidance on reaching a vision 20 or more years in the future. To achieve the vision, implementation actions are included that address both immediate and long-term needs.



## VIEW TO 2040

### 1.2 Comprehensive Plan Process

The process for developing the Comprehensive Plan occurred in seven tasks that build on each other. Several opportunities for residents to provide ideas and help guide the future of the community were included in the development of the Plan.

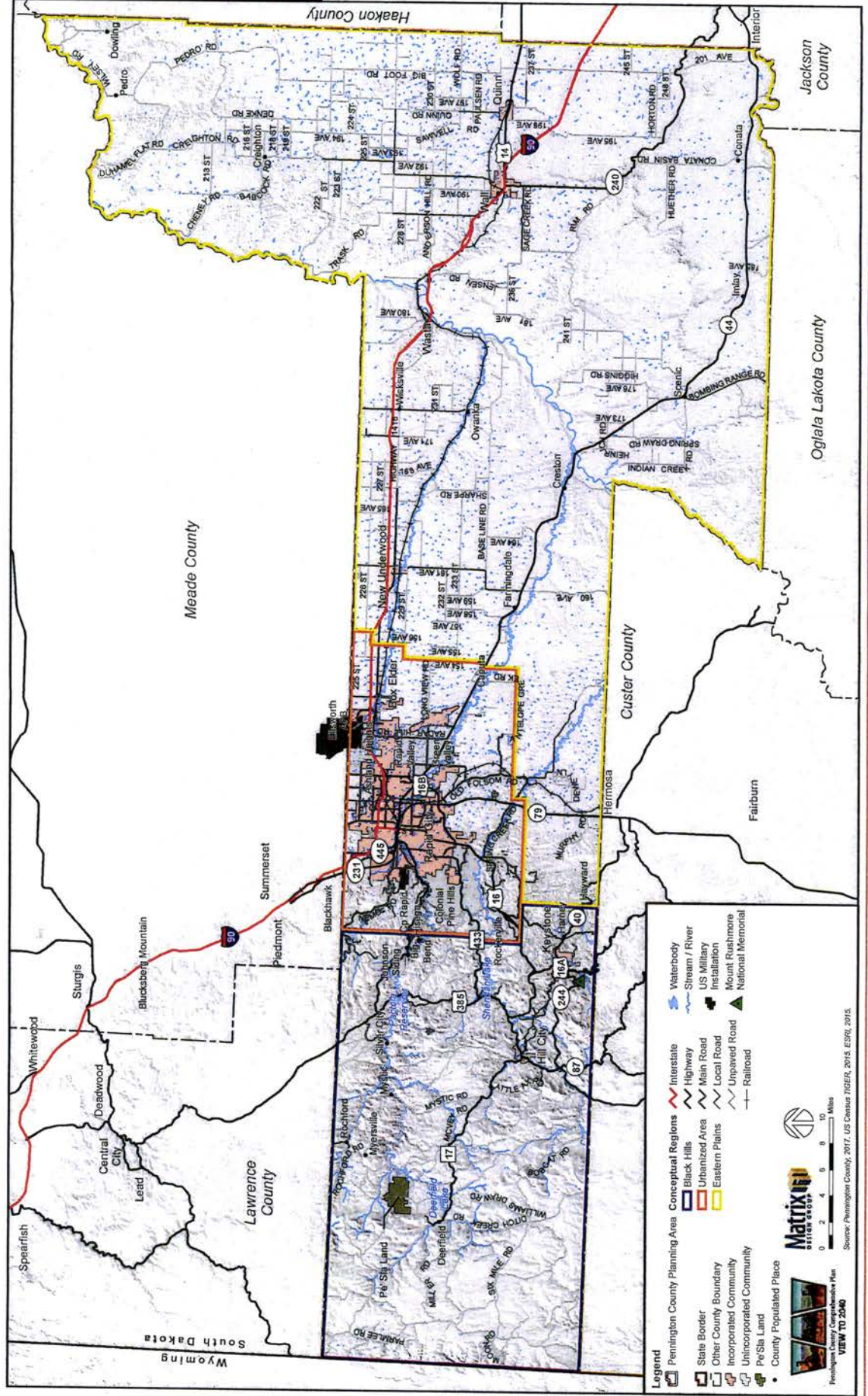
- ▶ **Task 1: Project Management.** Task 1 laid the foundation for the planning process by refining the specifics of the Comprehensive Plan update, including the scope of work, schedule, and project branding. This task also covered project management during the development of the Comprehensive Plan, including meetings with County staff and elected and appointed officials.
- ▶ **Task 2: Public Participation and Communication.** This task covered the setup and implementation of the public participation process and aimed to engage members of the public in the development of the Comprehensive Plan. As public participation is integral to the success of this planning process, Task 2 spanned the entire length of the project, ending in the final adoption of the Comprehensive Plan.
- ▶ **Task 3: Community Assessment.** During Task 3, the first set of public workshops were held and interviews with community leaders and stakeholders were conducted. The workshops and interviews focused on identifying opportunities and challenges to be addressed in the Comprehensive Plan. An overall community assessment, including assessment of socioeconomic and demographic data, was conducted during this task.
- ▶ **Task 4: Framework Document.** A range of document formatting possibilities were reviewed with County staff during Task 4, resulting in a finalized outline and format for the Comprehensive Plan that suits the desires and needs of the County.
- ▶ **Task 5: Development of Draft Strategies, Policies, and the Implementation Plan.** Task 5 involved developing land use and policy alternative scenarios. Each alternative was also evaluated based on responsiveness to key issues, opportunities, and the vision statement developed. Once alternatives were reviewed, the preferred policy and land use alternative was used as the basis of the Comprehensive Plan.
- ▶ **Task 6: Plan Document Development.** As a result of the work completed in earlier tasks, a public draft Comprehensive Plan was prepared and circulated for public review.
- ▶ **Task 7: Formal Adoption Process.** During this task, the public, Planning Commission, and Board of Commissioners reviewed the Draft Comprehensive Plan, culminating in final adoption. A series of public hearings were held and following review and comments, the final draft version of the Comprehensive Plan was prepared for final review and action by the Planning Commission (recommendation to the Board) and County Board of Commissioners (final adoption).

### 1.3 Regional and Local Context

Pennington County is located in the western part of South Dakota, bordering the state of Wyoming to the west; Custer, Shannon, and Jackson Counties to the south; Meade and Lawrence Counties 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.

MAP

Figure 1-1 Planning Area





**VIEW TO 2040**

Figure 1-1 (back)

## 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](http://www.viewto2040.com)).

## 1.5 Comprehensive Plan Maintenance

Chapter 11-2 of the South Dakota Codified Laws provides the framework for comprehensive planning within the State of South Dakota. Specifically, this chapter provides the power for municipalities and counties to prepare a Comprehensive Plan with an aim of protecting and guiding the development of the municipality or county.



## VIEW TO 2040

### 1.6 Comprehensive Plan Organization

This Comprehensive Plan is made up of 11 chapters. Chapters 1 and 2 provide introductory information that assists in the use of the Comprehensive Plan.

- ▶ Chapter 1: Introduction
- ▶ Chapter 2: Planning Framework

Chapters 3 – 10 are the topical chapters within the Comprehensive Plan that contain the policy guidance that will be used to guide the County’s planning and resource decision-making process. These topical chapters are referred to as “elements.” Each element contains a series of goals and policies that are labeled using an acronym for that element. These elements and their acronyms are as follows:

- ▶ Chapter 3: Land Use & Housing Element (LUH)
- ▶ Chapter 4: Economic Development Element (ED)
- ▶ Chapter 5: Agricultural Element (AG)
- ▶ Chapter 6: Transportation & Circulation Element (TC)
- ▶ Chapter 7: Public Services & Facilities Element (PSF)
- ▶ Chapter 8: Recreation, Open Space & Tourism Element (ROST)
- ▶ Chapter 9: Health & Safety Element (HS)
- ▶ Chapter 10: Natural & Cultural Resources Element (NCR)
- ▶ Chapter 11: Implementation Program

Pennington County has a diverse natural landscape and the Comprehensive Plan has been designed to reflect the diverse needs of the different natural landscapes. To better tailor the Comprehensive Plan to the unique needs of the county, each policy is marked with an icon to represent the natural landscape and geographic area that policy applies. Each policy will show one, two, or three icons to represent the geographic area of the county that policy applies.



**Black Hills Focus Area**



**Central Pennington Focus Area**



**Eastern Plains Focus Area**

A description of each focus area, and maps showing their locations, are included in Chapter 2. For the purpose of implementation of this Comprehensive Plan, each policy includes the term “shall”, which provides specific and certain guidance for development that must be achieved, or “should”, which signifies a less rigid directive that may or may not be achieved.



## Planning Framework

# 2

This chapter provides the planning framework which shapes the focus and intent of the Comprehensive Plan. This is partly done through the establishment of a vision statement, as seen in section 2.1. The planning framework is also established through a more detailed description of the natural landscapes identified in Chapter 1. This detailed description is provided in section 2.2, where the natural areas are classified in one of three focus areas.

### 2.1 Vision Statement

A vision statement describes a future ideal state and articulates the shared aspirations of the county including residents, property owners, leadership, and other stakeholders. This vision statement, developed through the community engagement described in Chapter 1, not only provides inspiration and guidance for the Plan, but also reflects the key values upon which all goals, policies, and implementation actions within this Comprehensive Plan support. The vision statement for the Comprehensive Plan is as follows:

---

*Pennington County is a unique part of South Dakota that is built on a sense of community and a frontier spirit. We pride ourselves on protecting the natural, cultural, and historic resources that help define our social identity and values. The County continues to grow in a manner that maintains water and air quality, improves career and housing opportunities, and retains our excellent schools and quality of life.*

---





## VIEW TO 2040

## 2.2 Focus Areas

Due to Pennington County's diverse terrain and character, the county can be geographically described as three unique geographic areas. In the Comprehensive Plan, these three areas are called "Focus Areas." In Chapters 3-10, the policies presented are designated by Focus Area to apply policy that is applicable to each area. The three Focus Areas are listed below and defined in the remainder of this chapter.

- ▶ Black Hills Focus Area (Figure 2-1)
- ▶ Central Pennington Focus Area (Figure 2-2)
- ▶ Eastern Plains Focus Area (Figure 2-3)

### **Black Hills Focus Area**

#### **Location**

The Black Hills Focus Area is defined as the portion of Pennington County that is west of the Rapid City Area Metropolitan Planning Organization (MPO) boundary. Much of the area is within the Black Hills National Forest. Major transportation facilities include Highways 16 and 44, which run primarily east-west and connect the area into the Rapid City urban area. Highway 385 runs through the Black Hills areas in a north-south orientation. The area contains two incorporated cities (Keystone and Hill City) and several unincorporated communities.

#### **Issues and Opportunities**

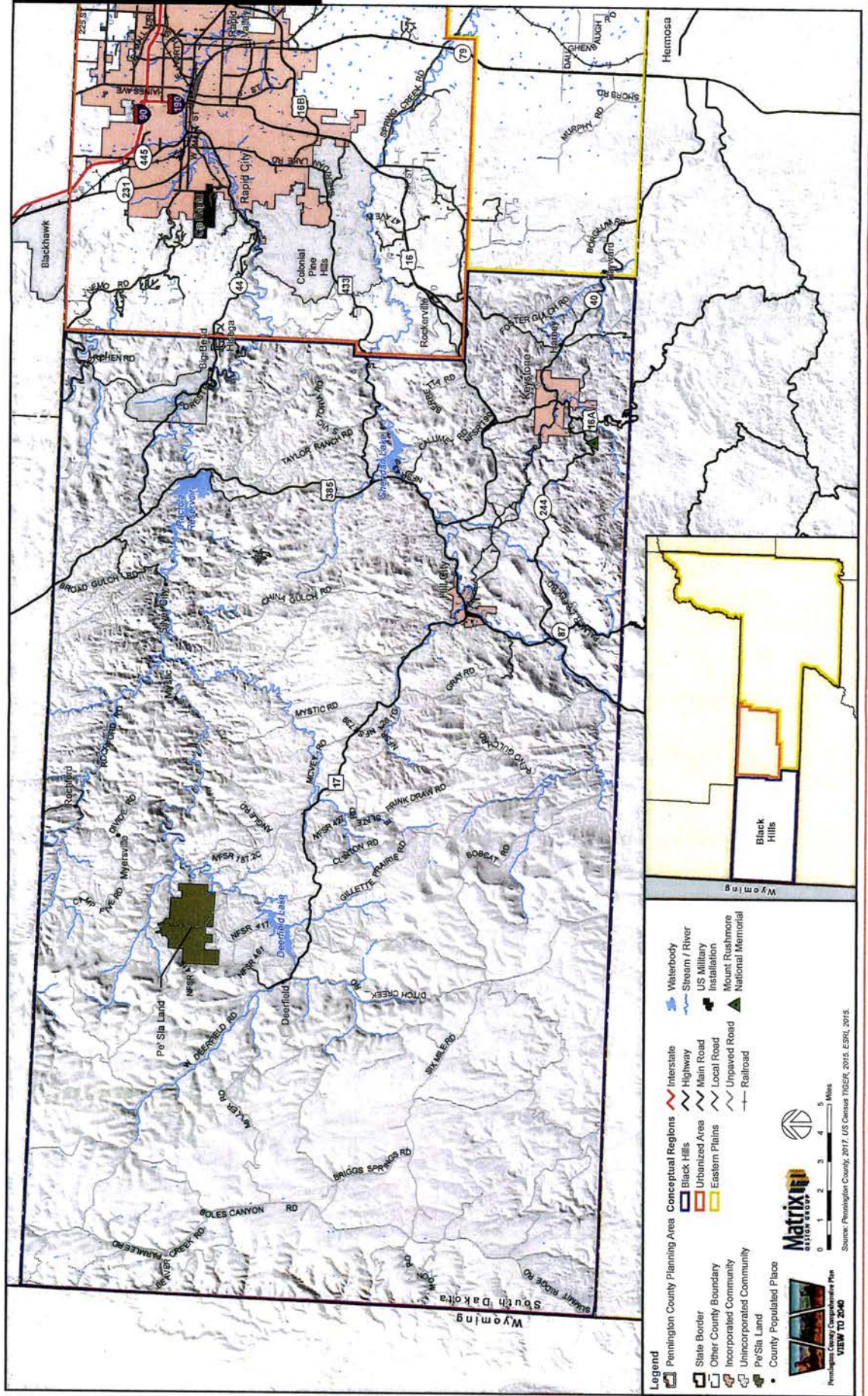
The character for the Black Hills is built from the forest landscapes which provide natural resources as well as opportunities for tourism. Once a major gold rush site, mining and timber harvesting are still active in the area. The largest economic sector in the area is tourism. Tourism is anchored by Mount Rushmore National Memorial but is supported with a wide-range of historic, natural environment, and attraction-based tourism opportunities. While tourism is a major economic driver, it is also very seasonal, leading to issues associated with a shortage of year-round employment opportunities and competition for housing.

#### **Future Land Uses**

Land use in this area is focused on ~~tourism~~ commercial tourism in communities and along highways and rural residential uses in the hill areas. This area will primarily have a focus on Rural Residential, Ranchette Residential, Agriculture, and Open Space ~~low density residential~~ to ensure that the natural character remains intact as growth occurs.

MAP

Figure 2-1 Black Hills



**Legend**

- Pennington County Planning Area
- State Border
- Incorporated Community
- Unincorporated Community
- Pe'Sia 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
   
 Source: Pennington County, 2017; US Census TIGER, 2014; ESRI, 2015.



Figure 2-1 (back)

MAP

Figure 2-2 Central Pennington

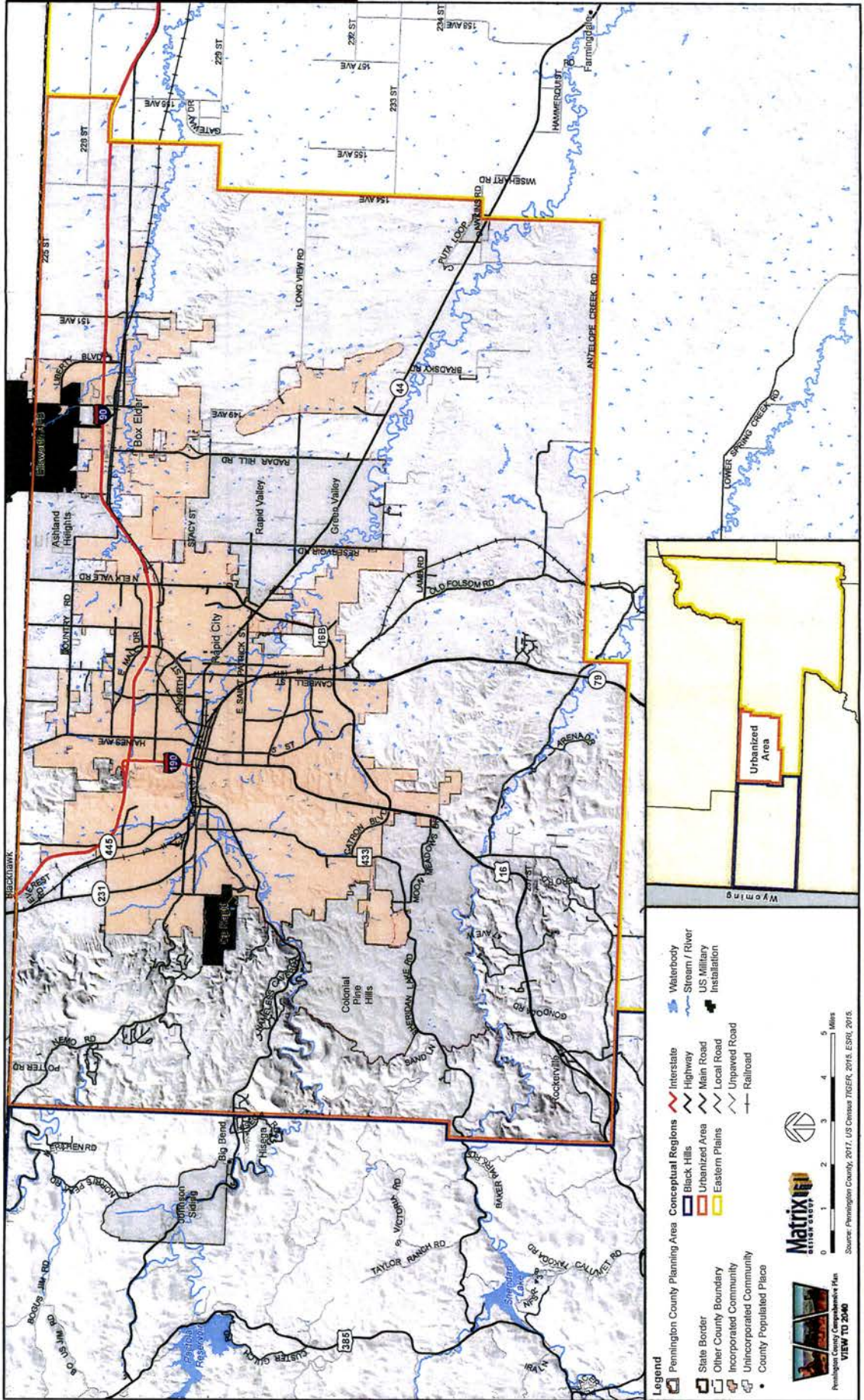




Figure 2-2 (back)

MAP



Figure 2-3 Eastern Plains

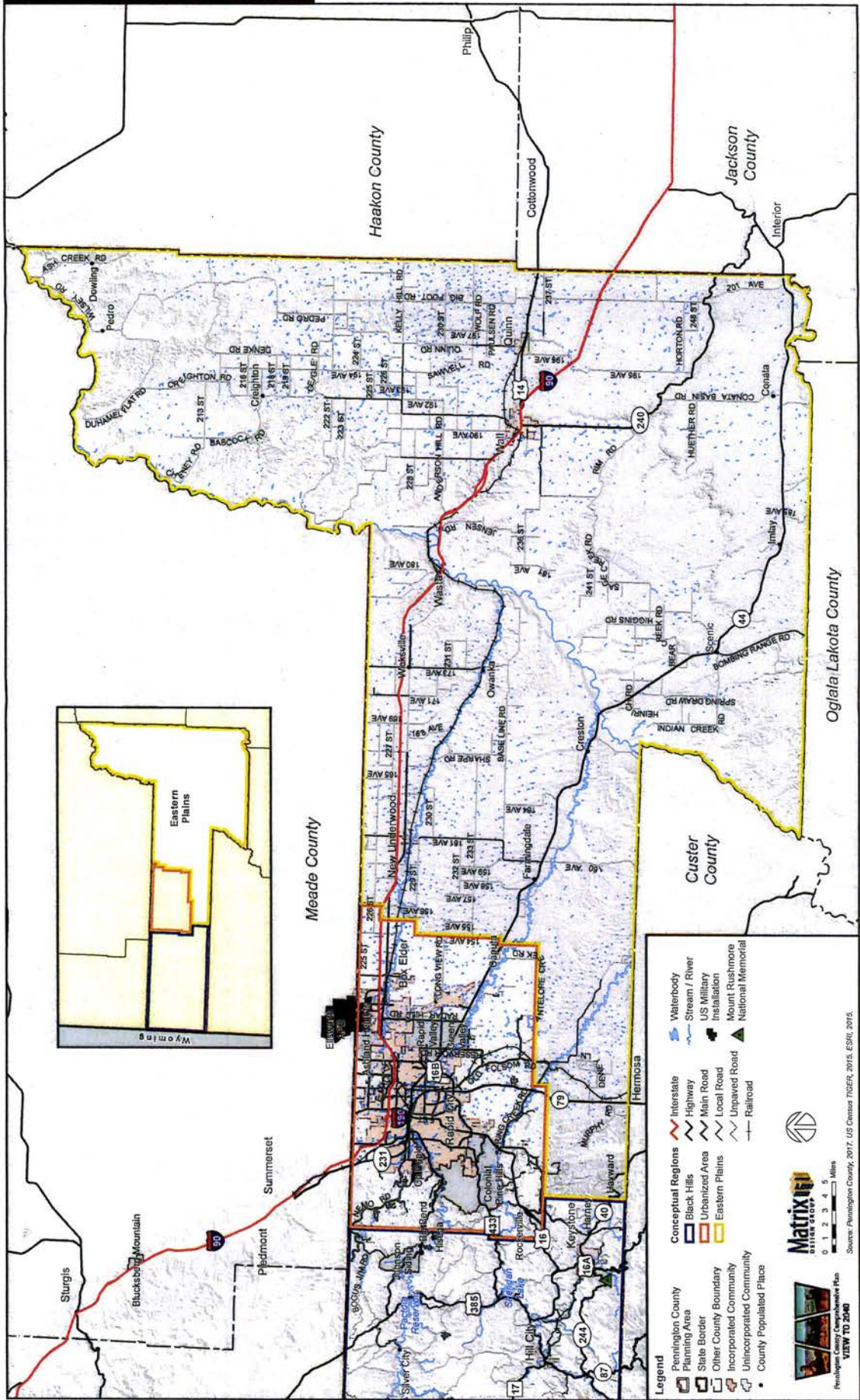




Figure 2-3 (back)

## **Central Pennington Focus Area**

### **Location**

The Central Pennington Focus Area consists of the Rapid City / Box Elder metropolitan area, as defined by the boundary of the Rapid City Area MPO boundary and including Ellsworth Air Force Base (AFB).

### **Issues and Opportunities**

The central portion of the county is more urban by nature and heavily influenced by the two incorporated cities in this Focus Area: Rapid City and Box Elder. Both cities have been growing steadily in recent history and are expected to continue to grow into the future. This growth is primarily through the annexation of unincorporated county areas into the city limits, although some infill development is occurring. This continued growth makes planning for the unincorporated fringe areas challenging.

Opportunities in the unincorporated county areas are largely driven by proximity to the two cities as new residential development seeks to capture a rural lifestyle within close commuting distance to the jobs within the cities. In unincorporated areas, challenges are often faced with provision and maintenance of infrastructure (roads, water, and wastewater) and other community support services (like fire and Sheriff services).

Ellsworth AFB is a significant economic driver in Pennington County, as is the Rapid City Regional Airport. While both facilities are positive influences on the county, they also require protections to ensure long-term compatibility between new development and air operations. Additionally, the South Dakota National Guard has a location outside of Rapid City and includes the South Dakota National Guard's Training Center Command. Like Ellsworth AFB and the Rapid City Regional Airport, Camp Rapid, as well as other associated training areas, such as West Camp, requires surrounding land uses to be compatible with its mission and operations.

### **Future Land Uses**

Due to the large employment base and population in this Focus Area, residential growth in the unincorporated areas surrounding Rapid City and Box Elder will continue. This growth will require joint planning between with cities and the County in order to provide growth that fits the needs of all county residents, current and future. The area will need to focus on providing an appropriate mix of housing, with the cities providing higher density residential opportunities while the unincorporated areas focus on more rural transitional housing and continued support for industrial, agricultural, and resource management. Additionally, there are some parts of the unincorporated areas on the outside of the urban core that are compatible for industrial uses, including mining operations.



## VIEW TO 2040

### ***Eastern Plains Focus Area***

#### **Location**

The Eastern Plains Focus Area comprises the eastern half of the county starting to the east of the Rapid City Area MPO boundary and extending east to the County line. The major transportation facility in this area is Interstate 90 (I-90) which links this area into the Rapid City metropolitan area. Highway 44 is also a key east-west linkage. The area contains four incorporated cities (New Underwood, Quinn, Wall, and Wasta) and a number of unincorporated communities. This Focus Area is also home to the Badlands National Park and Buffalo Gap National Grasslands which bring tourism into the eastern portion of the county.

#### **Issues and Opportunities**

The eastern end of Pennington County has long been an agricultural-oriented area, with communities growing to support families working the land in this area. The Badlands National Park and the Buffalo Gap National Grasslands attract tourism to the area, as does the City of Wall. Opportunities for tourism growth into the area exist, and planning should support this development, not only in communities, but also to the destinations that are visited.

The availability of housing that is affordable to families in the area is a key issue to be addressed. Key opportunities relate to enhancing tourism opportunities and capture as well as enhancements to the agricultural economy by promoting agricultural processing and value-added products.

#### **Future Land Use**

Due to the nature of the Eastern Plains, the unincorporated portions of the Focus Area will continue to have Agriculture and Open Space as the dominant features. There are opportunities to expand residential and some commercial surrounding existing communities, particularly areas that have good access to I-90.



## Land Use & Housing Element

# 3

The Land Use and Housing Element represents a general blueprint for the future development of Pennington County. This element sets forth a pattern for the orderly development of land within the county. This element provides a balance of residential, commercial, industrial, and agricultural and open space lands designed to meet the future needs of the county.

### 3.1 Land Use Designations and Standards

#### *Future Land Use Map*

The most recognizable feature of the Comprehensive Plan is the Future Land Use Map (FLUM). The FLUM is the figure that designates the location of the various land use designations in the county. The Pennington County FLUM is shown on Figure 3-1 included at the end of this chapter.



It is typical for the Future Land Use and Transportation Maps to be updated over time. Please check with the Pennington County Planning Department to ensure you have the current version.

A copy of the Future Land Use Map and Transportation Maps are available from Pennington County by download from the County's website.



## VIEW TO 2040

### ***Land Use Designations within Pennington County***

The Comprehensive Plan FLUM includes residential, commercial, industrial, and other land use designations that depict the types of land uses that will be allowed within the unincorporated portions of Pennington County. Table 3-1 describes each land use designation along with their corresponding development standards, as follows:

- ▶ **Designation.** This column provides the name of each designation.
- ▶ **Code/Color.** To the right of each name is the color that is assigned to this designation on the County's FLUM and the acronym used when referring to this designation.
- ▶ **Description.** In this column is a description of the purpose and application of each designation, followed by a general list of types of uses that could be allowed in that designation. The County's Zoning Regulations provide further refinement and expansion of the list of uses allowed on any given property. For any given site, not all uses listed may be appropriate for a given property due to location, adjacent uses, other applicable Comprehensive Plan policies, or site-specific issues.
- ▶ **Maximum Density.** For residential designations, a maximum density is provided, expressed as dwelling units per acre (du/ac).
- ▶ **Minimum Lot Size.** For all uses, a minimum lot size is provided.

For land within the incorporated city limits of a community, please consult with that jurisdiction's comprehensive plan and zoning ordinance regarding allowed land uses and development requirements.

### ***Zoning Ordinance Consistency***

Each future land use category is directly related to one or more of the zoning districts provided in the Pennington County Zoning Ordinance. The compatible zoning districts for each future land use designation are included in Table 3-1.

**Table 3-1 Land Use Designations**

Designation	Code/ Color	Land Use Description	Maximum Density	Minimum Lot Size
<b>Agricultural Designations</b>				
<b>Agriculture</b>  Compatible Zoning: A-1, A-2	<b>AG</b>	<b>Purpose and Application</b> The Agriculture designation denotes areas that have large tracts of land dedicated to agricultural uses or resource utilization uses.  <b>Allowed Uses</b> <ul style="list-style-type: none"> <li>▶ All agricultural uses, including grazing, field crops, haying, animal production, or similar, and associated support facilities</li> <li>▶ Mining and forestry production and processing</li> <li>▶ Single family, large lot residential</li> <li>▶ Single family attached dwellings</li> <li>▶ Accessory secondary dwelling units</li> <li>▶ <del>Staff Ranch hand residence housing (minimum 40-acre lot size)</del></li> </ul>	1 du / 10 ac (.1 du/ac)	10 ac
<b>Residential Designations</b>				
<b>Ranchette Residential</b>  Compatible Zoning: A-2	<b>RCH</b>	<b>Purpose and Application</b> The Ranchette category is intended to be a “bridge” between Rural Residential and Agriculture designations.  <b>Allowed Uses</b> <ul style="list-style-type: none"> <li>▶ Single family, large lot residential</li> <li>▶ Accessory secondary dwelling units</li> <li>▶ Public and quasi-public uses (e.g., parks, schools, churches)</li> <li>▶ Agricultural uses</li> <li>▶ Storage</li> </ul>	1 du / 5 ac (.2 du/ac)	5 ac
<b>Rural Residential</b>  Compatible Zoning: LDR	<b>RCH</b> <b>R</b>	<b>Purpose and Application</b> 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.  <b>Allowed Uses</b> <ul style="list-style-type: none"> <li>▶ Single family, large lot residential</li> <li>▶ Accessory secondary dwelling units</li> <li>▶ Public and quasi-public uses (e.g., parks, schools, churches)</li> <li>▶ Agricultural uses</li> <li>▶ Storage</li> </ul>	1 du / 3 ac	3 ac



**VIEW TO 2040**

Designation	Code/ Color	Land Use Description	Maximum Density	Minimum Lot Size
<b>Low Density Residential</b>  Compatible Zoning: SRD	<b>LDR</b>	<b>Purpose and Application</b> The Low Density Residential designation denotes areas of semi-rural residential uses <del>on ½ acre minimum lots.</del> These are areas where higher density development may not be suitable due to topography, geology, or drainage.  <b>Allowed Uses</b> <ul style="list-style-type: none"> <li>▶ Single-family detached dwellings</li> <li>▶ Accessory secondary dwelling units</li> <li>▶ Public and quasi-public uses (e.g., parks, schools, churches)</li> <li>▶ Agricultural uses</li> </ul>	2 du / ac	<del>20,000-sf</del> <u>1/2 ac</u>
<b>Suburban Residential</b>  Compatible Zoning: SRD, GC	<b>SR</b>	<b>Purpose and Application</b> 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.  <b>Allowed Uses</b> <ul style="list-style-type: none"> <li>▶ Single family detached dwellings</li> <li>▶ Single family attached dwellings</li> <li>▶ Accessory secondary dwelling units</li> <li>▶ Public and quasi-public uses (e.g., parks, schools, churches)</li> <li>▶ Assisted living facility</li> <li>▶ Neighborhood scaled shops and small offices</li> </ul>	6 du / ac	6,500 sf
<b>Urban Residential</b>  Compatible Zoning: SRD, GC	<b>UR</b>	<b>Purpose and Application</b> 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.  <b>Allowed Uses</b> <ul style="list-style-type: none"> <li>▶ Single family detached dwellings</li> <li>▶ Single family attached dwellings</li> <li>▶ Multi-family dwellings</li> <li>▶ Accessory secondary dwelling units</li> <li>▶ Public and quasi-public uses (e.g., parks, schools, churches)</li> <li>▶ Assisted living facility</li> </ul>	16 du / ac	6,500 sf



Designation	Code/ Color	Land Use Description	Maximum Density	Minimum Lot Size
<b>Planned Unit Development</b>  Compatible Zoning: PUD	<b>PUD</b>	<p><b>Purpose and Application</b></p> <p>The Planned Unit Development designation is to allow districts in which ingenuity, imagination, and design efforts on the part of the builders, architects, site planners, and developers can produce desirable residential developments that are designed to include open space areas, protect natural resources, design around hazards (such as flood zones), and provide a unique mix of housing that best meets the needs of the County.</p> <p><b>Allowed Uses</b></p> <ul style="list-style-type: none"> <li>▶ Single family detached dwellings, duplexes, triplexes, fourplexes, apartments, townhomes</li> <li>▶ Public and quasi-public uses (e.g., parks, schools, churches)</li> <li>▶ Resort development features</li> <li>▶ Neighborhood scaled shops and small offices</li> <li>▶ Agricultural uses and open space</li> </ul>	n/a	n/a



**VIEW TO 2040**

Designation	Code/ Color	Land Use Description	Maximum Density	Minimum Lot Size
<b>Commercial Designations</b>				
<b>Commercial</b>  Compatible Zoning: GC	<b>C</b>	<b>Purpose and Application</b> 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.  <b>Allowed Uses</b> <ul style="list-style-type: none"> <li>▶ Retail uses</li> <li>▶ Restaurants</li> <li>▶ Banks and other services</li> <li>▶ Public and quasi-public uses</li> <li>▶ Community services</li> <li>▶ Professional offices and services</li> </ul>	n/a	20,000 sf
<b>Highway Services</b>  Compatible Zoning: HS	<b>HS</b>	<b>Purpose and Application</b> The Commercial designation denotes areas of commercial development oriented towards tourist-related activities.  <b>Allowed Uses</b> <ul style="list-style-type: none"> <li>▶ Retail uses (small through large-format)</li> <li>▶ Hotels and motels</li> <li>▶ Service stations and repair facilities</li> <li>▶ Restaurants</li> <li>▶ Banks and other services</li> <li>▶ Retail services serving needs of travelers</li> <li>▶ Recreational / tourism uses</li> <li>▶ Public and quasi-public uses</li> <li>▶ Community services</li> <li>▶ Professional offices</li> </ul>	n/a	20,000 sf

Designation	Code/ Color	Land Use Description	Maximum Density	Minimum Lot Size
<b>Industrial Designations</b>				
<b>Light Industrial</b>  Compatible Zoning: LI	<b>LI</b>	<b>Purpose and Application</b> 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.  <b>Allowed Uses</b> <ul style="list-style-type: none"> <li>▶ Industrial uses</li> <li>▶ Retail uses</li> <li>▶ Personal services and offices</li> <li>▶ Public and quasi-public uses</li> <li>▶ Research and development</li> <li>▶ Wholesaling, warehousing, distribution</li> <li>▶ Light motor vehicle repair and sales</li> <li>▶ Indoor storage and warehousing</li> <li>▶ Utilities</li> </ul>	n/a	20,000 sf
<b>Heavy Industrial</b>  Compatible Zoning: HI	<b>HI</b>	<b>Purpose and Application</b> 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.  <b>Allowed Uses</b> <ul style="list-style-type: none"> <li>▶ Industrial uses (requiring yard storage and fabrication)</li> <li>▶ Wholesaling (requiring yard storage and assembly)</li> <li>▶ Warehousing (requiring yard storage), bulk storage</li> <li>▶ Mining activities and processing</li> <li>▶ Public and quasi-public uses</li> <li>▶ Research and development</li> <li>▶ Wholesaling, warehousing, distribution</li> <li>▶ Heavy motor vehicle repair</li> <li>▶ Utilities</li> </ul>	n/a	20,000 sf



**VIEW TO 2040**

Designation	Code/ Color	Land Use Description	Maximum Density	Minimum Lot Size
<b>Other Designations</b>				
<b>Open Space</b>  Compatible Zoning: A-1, A-2	<b>OS</b>	<b>Purpose and Application</b> The Open Space designation provides for low-intensity uses that maintain open vistas, protect natural resources, and provide access to public lands.  <b>Allowed Uses</b> <ul style="list-style-type: none"> <li>▶ All agricultural uses, including grazing, field crops, haying, animal production, or similar and appropriate support facilities</li> <li>▶ Mining and forestry production and processing</li> <li>▶ Golf courses, recreational, and equestrian uses</li> <li>▶ Habitat protection, watershed management</li> <li>▶ Public and quasi-public uses</li> <li>▶ Single family, large lot residential (minimum 5-acre lot)</li> <li>▶ Areas typically unsuitable for human occupation due to public health and safety hazards, such as floodways, unstable soils, and other environmentally-sensitive features</li> </ul>	n/a	No minimum for agriculture and natural areas  5 acre minimum for developed sites
<b>Native American Lands</b>  Compatible Zoning: n/a	<b>NAL</b>	<b>Purpose and Application</b> 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.  <b>Allowed Uses</b> <ul style="list-style-type: none"> <li>▶ n/a</li> </ul>	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). [Camp Rapid is part of the South Dakota National Guard. In addition to Camp Rapid, the South Dakota National Guard also includes West Camp Firing Range and the Aviation Support Facility, which is located at the Rapid City Regional Airport. The National Guard has low level flying areas in the Black Hills and southeast of Rapid City.](#)



## VIEW TO 2040

Although ~~both~~ [Camp Rapid and Ellsworth AFB](#) 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 or 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, [limitations on changes within the floodway are required in order to protect health and safety.](#)

## **3.3 Goals and Policies**

### **Goal LUH-1**

**The County has a well-balanced mix of agricultural, residential, commercial, and industrial land uses.**



**LUH-1.1** The County should strive to encourage a mix of land uses in and surrounding communities and cities in the county.



**LUH-1.2** The County shall encourage the development of small neighborhood convenience and grocery uses immediately surrounding residential land uses in cities and towns to meet the everyday shopping and personal needs of residents.









**LUH-1.3** Travel-oriented tourist commercial uses (e.g., entertainment, commercial recreation, lodging, restaurants, fuel) shall be located in areas where traffic patterns are oriented to major arterials and highways. Exceptions may be granted for resort or retreat related developments that are sited based on unique natural features.

### **Goal LUH-2**

**The County has a diverse housing stock that meets the needs of all county residents.**






- 
**LUH-2.1** The County should encourage a range of housing sizes, costs, and densities within subdivisions and PUDs that meet the housing needs of current and future residents of all ages.
- 
**LUH-2.2** The County should encourage the development of accessory dwelling units on properties with adequate size as a means to enhance the availability of more cost-effective housing choices.
- 
**LUH-2.3** The County should encourage high density residential development (greater than 6 dwelling units per acre) to locate adjacent to city limits and in areas that can be served by community infrastructure.
- 
**LUH-2.4** The County should consider the provision of incentives for the development of affordable housing, including density bonuses, expedited permitting, and fee waivers.
- 
**LUH-2.5** Multi-family development should provide appropriate buffers and/or setbacks when adjacent to existing single-family residential uses.
- 
**LUH-2.6** Residential uses with different densities or character should incorporate appropriate transitions to reduce potential negative impacts.

## Goal LUH-3

**The county has attractive, stable, and safe residential areas.**



- 
**LUH-3.1** The County shall encourage residential infill development in cities and unincorporated communities in order to promote the existing infrastructure.
- 
**LUH-3.2** The County should provide for stable neighborhoods by minimizing adverse effects from conflicting land uses.
- 
**LUH-3.3** The County should enhance animal keeping regulations to ensure compability between adjacent residential uses (non-agricultural land use designations only).

## Goal LUH-4

**Land uses in Pennington County are compatible with military installation operations ~~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~~ shall 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.



**VIEW TO 2040**

**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 and inspection program.



**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~~ shall 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~~ shall 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~~shall support growth that is compatible with adopted municipal comprehensive plans.



**VIEW TO 2040**



**LUH-7.4** The County ~~will~~shall 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 should~~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~~should 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~~should 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.**



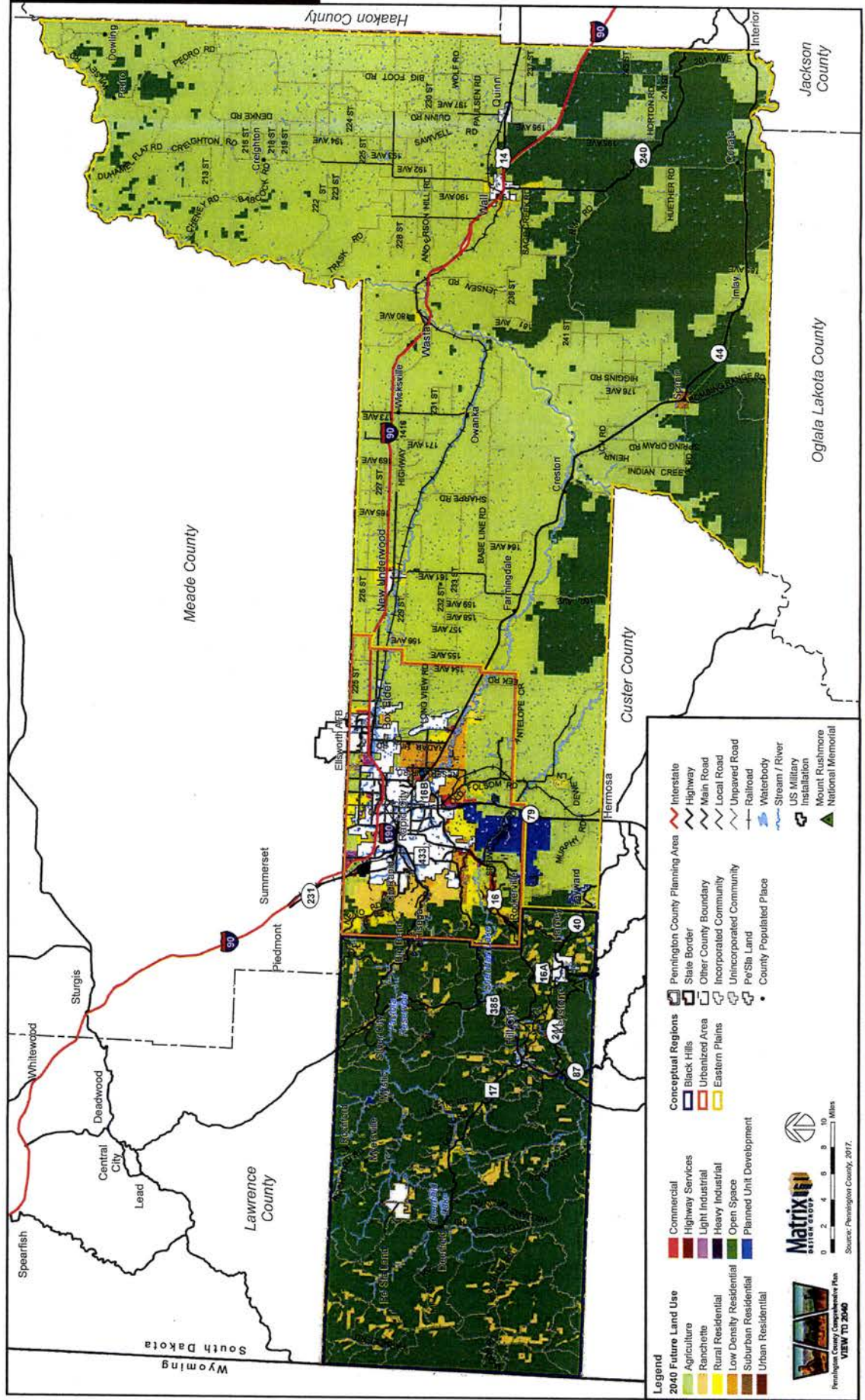
**LUH-9.1** The County shall maintain the Comprehensive Plan as needed to ensure that it reflects the needs and desires of those who live, work, and vacation in Pennington County.



**LUH-9.2** The County shall review and revise other County planning documents to ensure consistency with the Comprehensive Plan.

MAP

Figure 3-1 2040 Future Land Use

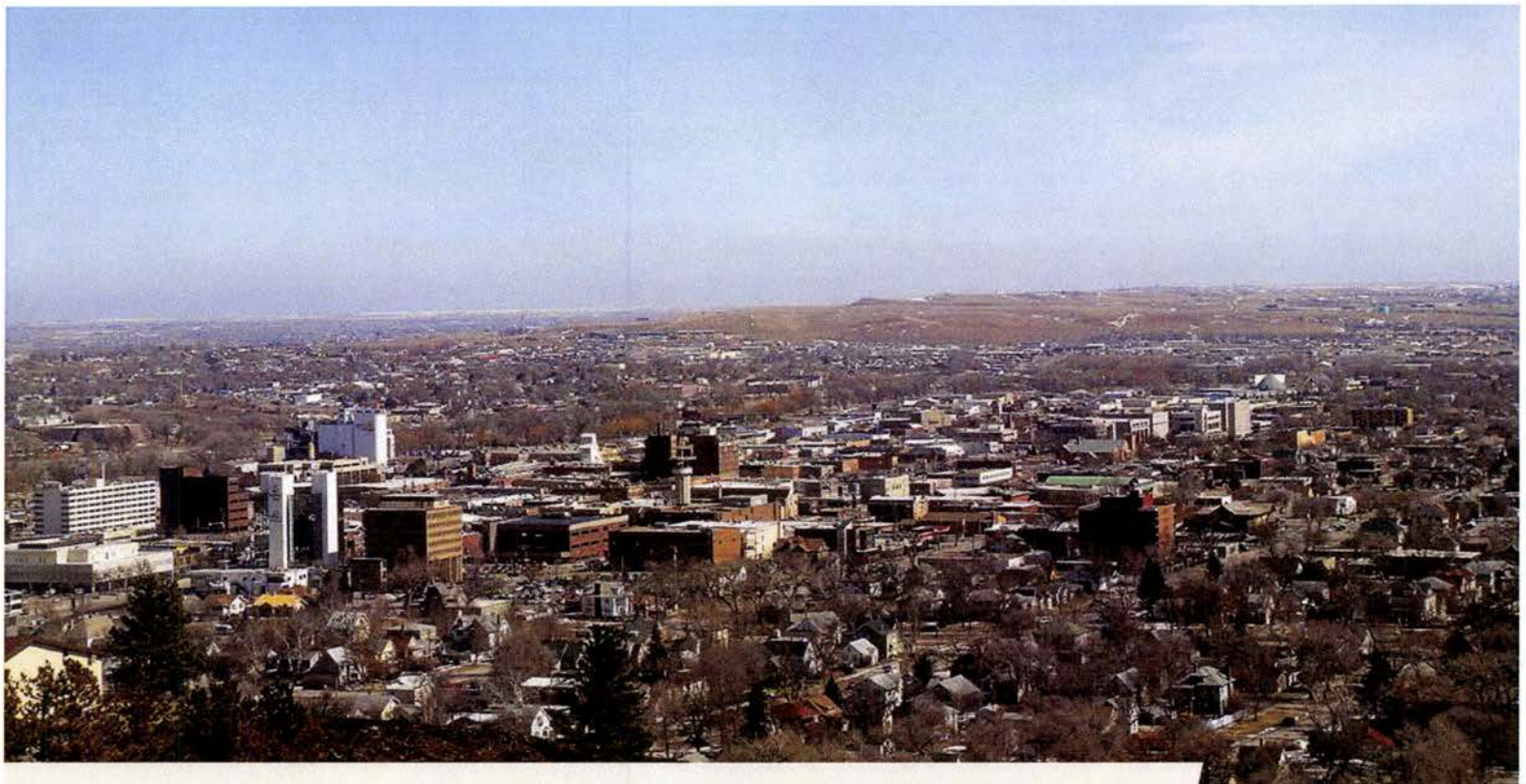




**VIEW TO 2040**

Figure 3-1 FLUM

Figure 3-1 (back)



## 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. [An additional economic driver is the healthcare industry with the location of Regional Health in the county.](#)



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**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 – [in 2018, tourism generated approximately \\$166 million in revenue. Tourism](#), ~~attracting~~ attracts 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. [Higher-level academic campuses](#) ~~Black Hills State University~~ could also be integrated with Ellsworth AFB by offering an incubator program on their campus.



**VIEW TO 2040**

Although not a part of Ellsworth AFB, the South Dakota National Guard is also an economic driver, with a total annual economic impact of \$172 billion in 2017. Within Pennington County, the South Dakota National Guard includes Camp Rapid, West Camp Firing Range, and the Aviation Support Facility.

**Regional Health**

The healthcare industry is prominent in Pennington County. One of the largest employers in this industry in the county is Regional Health. Regional Health has locations throughout South Dakota and in eastern Wyoming. Regional Health has a location in Rapid City, providing 22 health locations and employing almost 5,000 employees.

**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~~ higher-level academic campuses 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.



VIEW TO 2040

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~~ED-4.2 The County should ~~seek~~support value-added agriculture opportunities in the Eastern Plains.



~~ED-4.5~~ED-4.3 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.~~

~~ED-4.6~~ED-4.4 The County should allow for development of its natural resources in an economically feasible and environmentally sustainable manner.

~~ED-4.7~~ED-4.5 The County should continue to support major economic drivers, such as, but not limited to, mining and logging.

Goal ED-5

Pennington County supports ~~Ellsworth AFB~~military bases and facilities and commercial aviation. ~~and the Rapid City Regional Airport.~~



**ED-5.1** The County should continue to support Ellsworth AFB and Rapid City Regional Airport as economic drivers by establishing a planning notification when developing area near the airport.



**ED-5.2** The County should ~~require~~consider disclosure statements for any residential development within or adjacent to airport ~~notice~~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.



~~ED-5.4~~ ~~The County should develop and adopt an Airport Zoning Overlay zone that and provides guidance to development within the 55 DNL noise contours associated with both Ellsworth AFB and the Rapid City Regional Airport.~~





**VIEW TO 2040**

*Please see the next page.*



Photo Credit: iStockphoto.com, view of the Ranch from the East in Santee, CC BY-SA 2.0 Flickr.com

# 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, processing, or packaging agricultural produce for ultimate sale to consumers. This type of agriculture production is the next step in the process and introduce new industry into the county and create new employment opportunities.



**VIEW TO 2040**

The County allows such value-added agricultural industry through the Zoning Ordinance; however, these uses are generally found in the Industrial zoning categories. Value-added agriculture is further expanded upon in Chapter 4, Economic Development.

**Compatibility**

Agriculture is a dominant land use in the county, making it important to consider the effects that future development can have on agriculture and its associated operations. Agricultural land can become fragmented if non-agricultural developments become scattered throughout an agricultural area. While some residential, commercial, and industrial uses may be present to support the agricultural industry, agricultural land in the Eastern Plains should be planned to prevent incompatible encroachment of urbanization.

**5.2 Goals and Policies**

**Goal AG-1**

**Pennington County promotes the long-term preservation of productive and potentially-productive agricultural lands and to accommodate agricultural-support services and agriculturally-related activities that support the viability of agriculture and further the county’s economic development goals.**



**AG-1.1** The County shall maintain agriculture as the primary land use in the Eastern Plains Focus Area of the county, not only in recognition of the economic importance of agriculture, but also in terms of agriculture’s real contribution to the conservation the county’s heritage, open space, and natural resources.



**AG-1.2** The County shall allow by discretionary permit within the Eastern Plains Focus Area, agriculturally-related uses, including value-added processing facilities, and certain non-agricultural uses. Approval of these and similar uses in areas with an Agriculture (AG) land use designation shall be subject to the following criteria:

- ▶ The use shall provide a needed service to the surrounding agricultural area which cannot be provided more efficiently within urban areas or which requires location in a non-urban area because of unusual site requirements or operational characteristics;
- ▶ ~~The use should not be sited on productive agricultural lands if less productive land is available in the vicinity;~~
- ▶ The operational or physical characteristics of the use shall not have a detrimental impact on water resources or the use or management of surrounding properties within at least one-quarter (1/4) mile radius; and
- ▶ A probable workforce should be located nearby or be readily available.



~~**AG-1.3** The County shall support accelerated development of high value-added food processing industries through accelerated permit processing, where appropriate.~~





~~AG-1.4~~ The County shall direct urban development away from valuable agricultural lands to cities and unincorporated communities where public facilities and infrastructure are available.



~~AG-1.5~~AG-1.3 The County shall seek to protect and enhance surface water and groundwater resources critical to agriculture.



~~AG-1.6~~AG-1.4 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 ~~shall~~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~~AG-1.5 The County should encourage traditions that celebrate the County's agricultural heritage through cultural activities, the arts, and special events.



~~AG-1.8~~AG-1.6 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~~AG-1.7 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~~AG-1.8 The County should work with local farmers to identify additional opportunities for value-added agriculture.



~~AG-1.11~~AG-1.9 The County should provide services and facilities to support the needs of agricultural uses.



~~AG-1.12~~AG-1.10 The County ~~will~~shall 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.



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Goal AG-2

Agricultural uses are compatible with surrounding land uses.



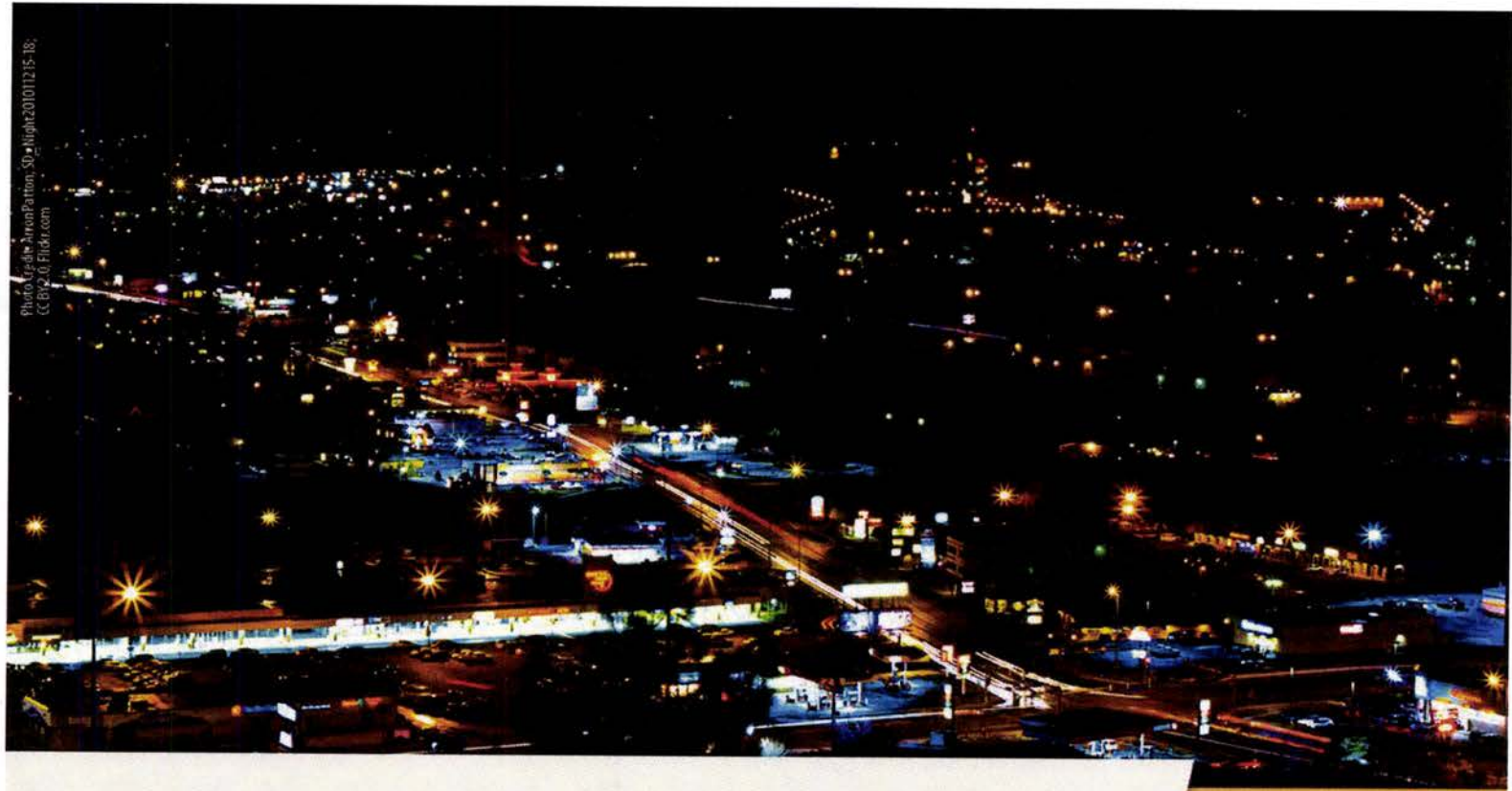
~~AG-2.1~~ The County should consider encouraging SD Senate Bill 66, which provides property owners a tax incentive for creating riparian buffer strips if the property adjoins one of the eligible lakes or streams.



~~AG-2.2~~ AG-2.1 The County should ~~encourage~~ 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~~ AG-2.2 The County should consider the placement of agricultural related future developments, such as residential, commercial, and industrial, during the development review process to ensure that agricultural areas do not become fragmented.



## Transportation & Circulation Element

# 6

### 6.1 Transportation & Circulation Overview

#### ***Transportation System***

A modern, safe, and efficient transportation system is essential to the economic growth and overall quality of life of an area. The County's circulation system should enhance mobility by integrating various modes of travel, including vehicles, pedestrians, bicycles, and public transportation. The system should also provide an integrated transportation system that serves all segments of the population as well, including the school age children, the elderly, and persons with disabilities.

The transportation network in Pennington County supports more robust system usage and conditions due to agricultural trucks and equipment, heavy truck usage on highways and county roads, heavy tourism usage, and weather exposure. These conditions place a heavy burden on roadway conditions in the county. As such, roadway maintenance has been identified as one of the major issues detracting from residents' quality of life. Recent attempts to fund improvements and maintenance through a wheel tax were voted down in 2016. Loss of the wheel tax made the County ineligible for state Bridge Improvement Grant (BIG) funds that would provide additional financial assistance to improve roadway conditions.

The circulation system in Pennington County is based on a system of major and minor arterial roads, collector roads, and local roads. The major arterials that contain the highest capacity traffic through Pennington County include



## VIEW TO 2040

Interstate 90 (I-90), US Highway 16, US Highway 385, South Dakota Route (SD) 79, and SD 44. Maintenance of these facilities is funded through federal or state monies. The other classifications are considered local roads and are maintained by the Pennington County Highway Department. In addition to County-maintained roads, there are 143 road districts within the County, which are established by landowners to use local taxes within their district's jurisdiction to maintain district roadways.

The transportation system in Pennington County are shown for each Focus Area on Figure 6-1, 6-2, and 6-3.

### Tourism Traffic

During tourism season (April – October each year), transportation demands increase notably at the Rapid City Regional Airport and on highways and roadways throughout the county, especially near key attractions, such as Mount Rushmore. Additionally, the City of Sturgis, South Dakota (approximately 40 miles northwest of Rapid City) is well-known for holding the annual Sturgis Motorcycle Rally, which is one of the largest motor events in the world. In 2015, this annual event set its attendance record of approximately 739,000 visitors, many of which fly through Rapid City Regional Airport and travel the roads of Pennington County.

### Scenic Byways

The Scenic Byways Program recognizes those roadways which exhibit the State's unique character and beauty. Individuals, organizations and local governments may identify roadways with truly distinctive qualities and nominate them for State Scenic Byway designation. Routes which display scenic, cultural, geologic, wildlife habitat or other aesthetic features are eligible for consideration. In Pennington County, the only State Scenic Byway is the Peter Norbeck Scenic Byway, a 68-mile double loop in the Black Hills, just south of Keystone and Hill City.



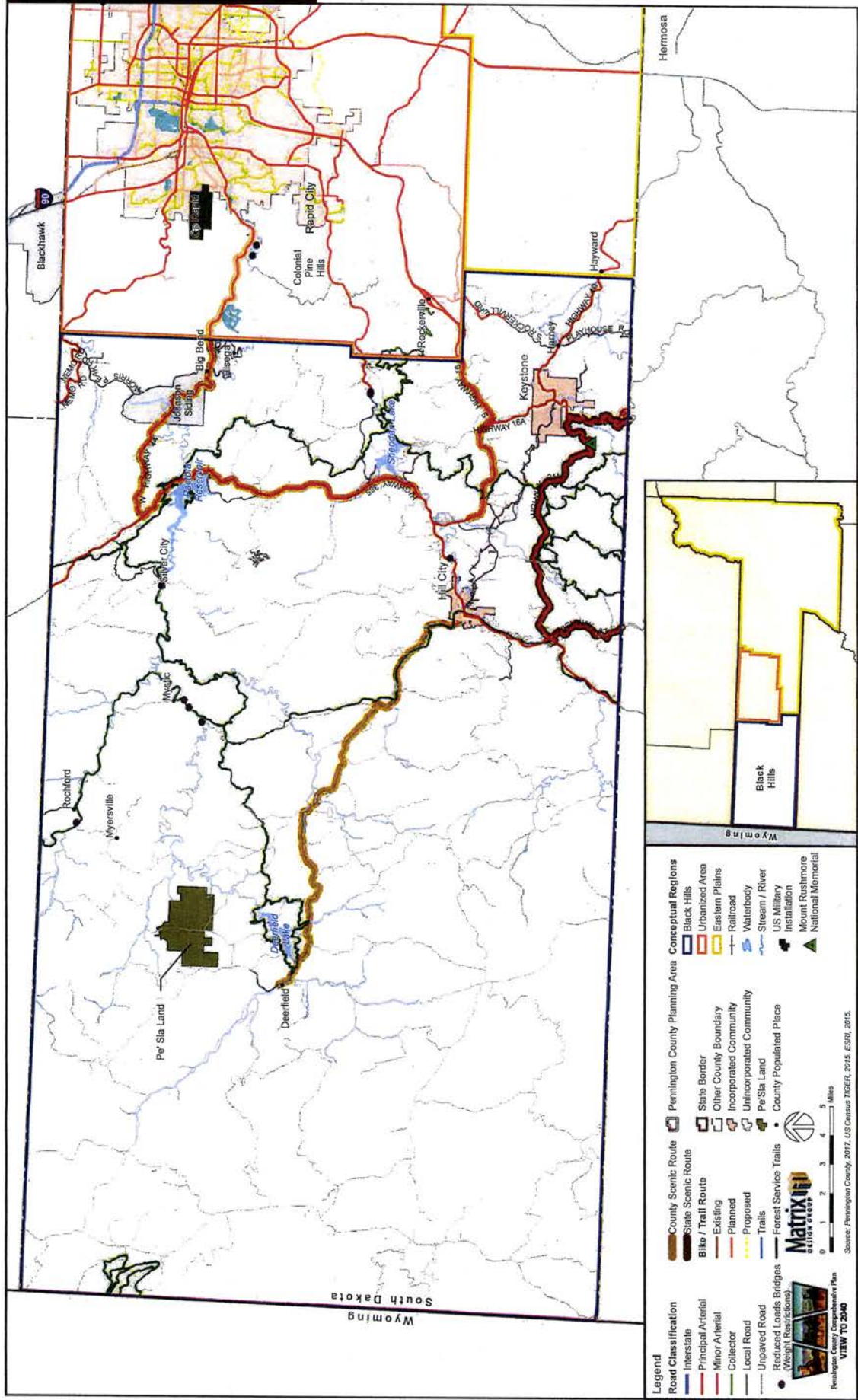
### Trails and Bicycle Systems

Pennington County does not own or maintain any trails or bike routes, but there are some existing, planned, and proposed bike routes and trails in Rapid City. The US Forest Service also owns and maintains trails through the Black Hills National Forest, including [the Mickelson Trail](#) and [the Centennial Trail](#).

Bicyclists in unincorporated Pennington County largely use roadways and paths for recreational and commuting purposes.

MAP

Figure 6-1 Transportation - Black Hills





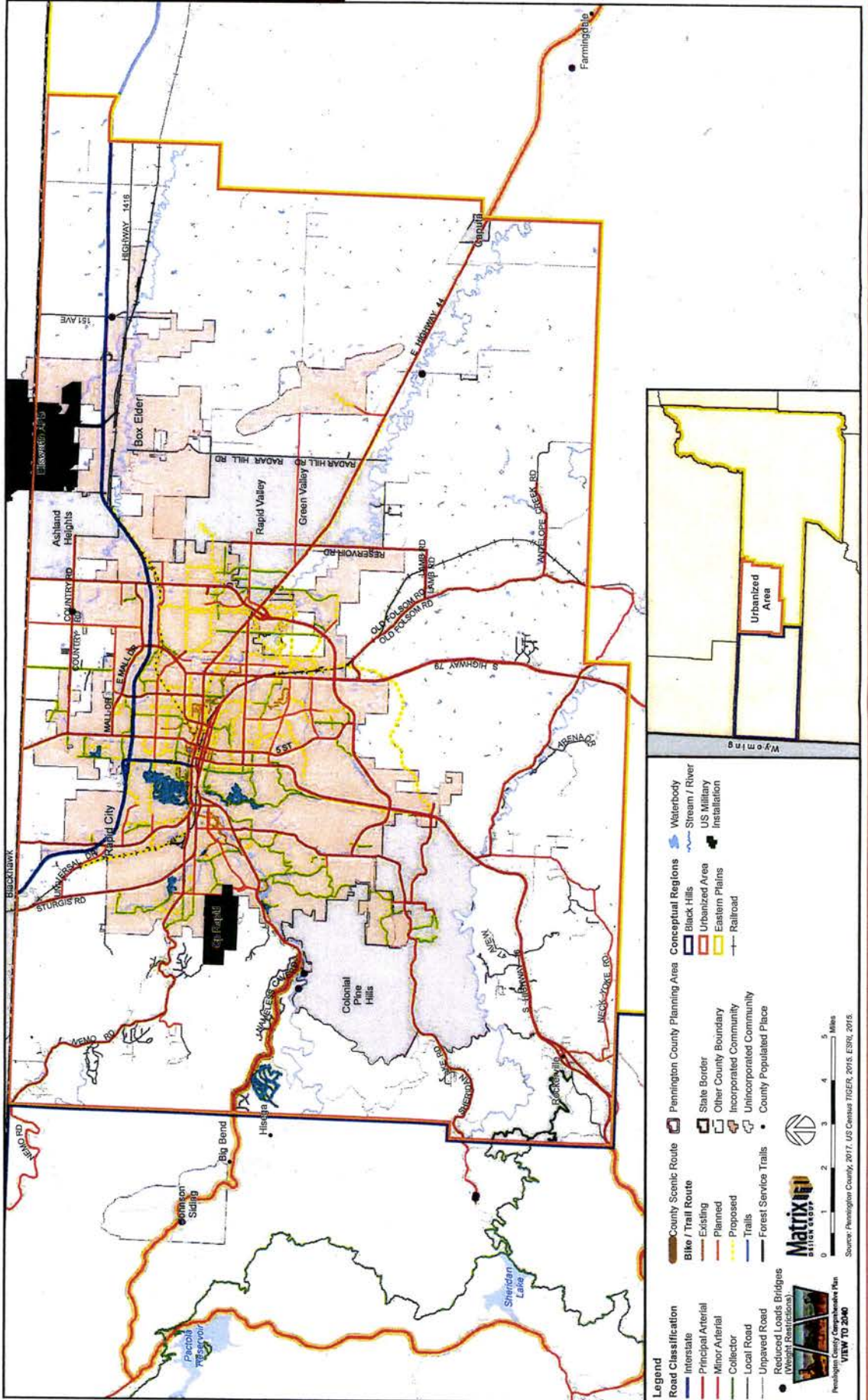
**VIEW TO 2040**

Figure 6-1 Transportation in the Black Hills (back)

MAP



Figure 6-2 Transportation - Central Pennington



**Legend**

Interstate	Pennington County Planning Area	Conceptual Regions	Waterbody
Principal Arterial	County Scenic Route	Black Hills	Stream / River
Minor Arterial	Bike / Trail Route	Urbanized Area	US Military Installation
Collector	Existing	Eastern Plains	Railroad
Local Road	Proposed	Railroad	
Unpaved Road	Trails		
Reduced Loads Bridges (Weight Restrictions)	Forest Service Trails		
	Unincorporated Community		
	County Populated Place		

**Matrix**  
a DIVISION OF

Source: Pennington County, 2017. US Census TIGER, 2015. ESRI, 2015.

0 1 2 3 4 5 Miles

Pennington County Comprehensive Plan  
VIEW TO 2040

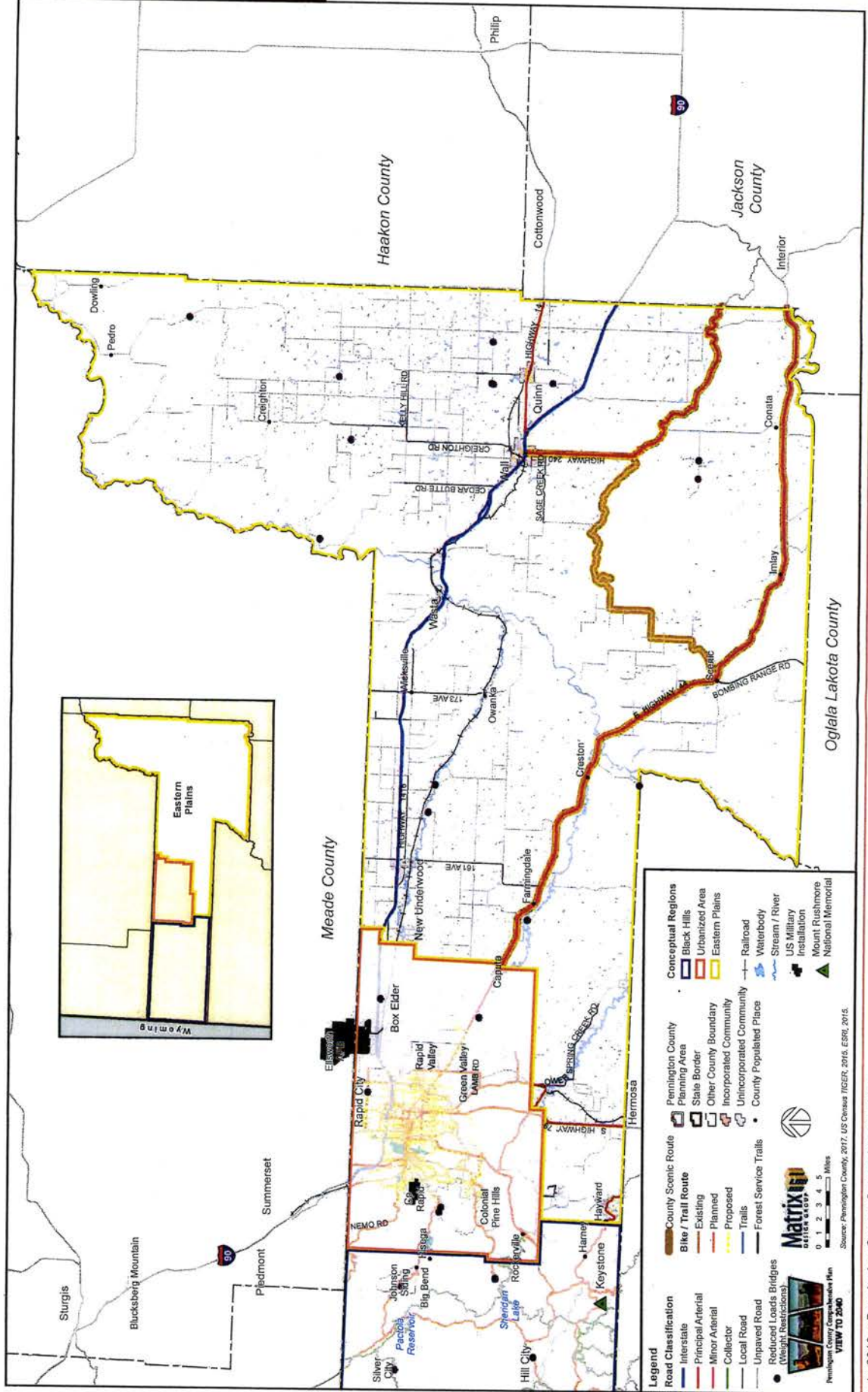


**VIEW TO 2040**

Figure 6-2 Transportation in the Eastern Plains (back)

MAP

Figure 6-3 Transportation - Eastern Plains



Source: Pennington County, 2017. US Census TIGER, 2015. ESR, 2015.





**VIEW TO 2040**

Figure 6-3 Transportation in Central Pennington (back)

## 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

<b>Goal TC-1</b>	<b>Pennington County maintains a safe and efficient transportation network for its residents and visitors.</b>
------------------	--

- 
**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, such as facilities for electronic vehicles, autonomous vehicles, and ridesharing services.



**VIEW TO 2040**

**Goal TC-2**

**Pennington County features a multimodal transportation network.**



**TC-2.1** The County should ~~work with SDDOT, the US Forest Service, and US National Park Service to examine the feasibility of create~~ a bicycle route ~~connecting the Black Hills National Forest to the Badlands National Park and Buffalo Gap National Grassland as a long-term project.~~



**TC-2.2** The County should ~~consider a~~ promote a bicycle advocacy program to encourage bicycling as a viable ~~daily~~ form of transportation ~~and recreation~~ throughout the County.



**TC-2.3** The County should support alternative transportation options for traveling tourists, including both public and private transportation methods of transporting tourists to and from various destinations within Pennington County.

**Goal TC-3**

**The Rapid City Regional Airport is an expanding commercial passenger and freight airport that supports both tourism and economic development.**



**TC-3.1** The County should support efforts to improve and expand upon the Rapid City Regional Airport.



**TC-3.2** The County shall work with Rapid City to improve north / south roadway access and circulation from the Rapid City Regional Airport to South Dakota Highway 44 in order to support expanded operations.

**Goal TC-4**

**Enhanced wayfinding and signage throughout Pennington County helps efficiently guide visitors to their destinations while improving upon the overall aesthetics of the County.**



**TC-4.1** The County should develop a wayfinding signage program along major transportation routes to provide clear and simple directions to visitors to easily find their destinations within the County. Additionally, the wayfinding signage program should feature unique, identifiable branding that portrays and embraces Pennington County's character and enhances upon the overall aesthetics of the area.



**TC-4.2** The County should work with the local municipalities and federal agencies to help implement the wayfinding signage program through identifying strategic locations for signs.



**TC-4.3** The County should implement a signage ordinance that regulates the type, size, location, and special effects of commercial signs, and ensure commercial signage is consistent with the community character.

## Goal TC-5

The County offers scenic views for travelers along the county's roads and highways.



**TC-5.1** The County shall protect views of natural and working landscapes along the county's highways and roads by maintaining a designated system of County Scenic Routes and State Scenic Byways. This ~~will~~ may 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.



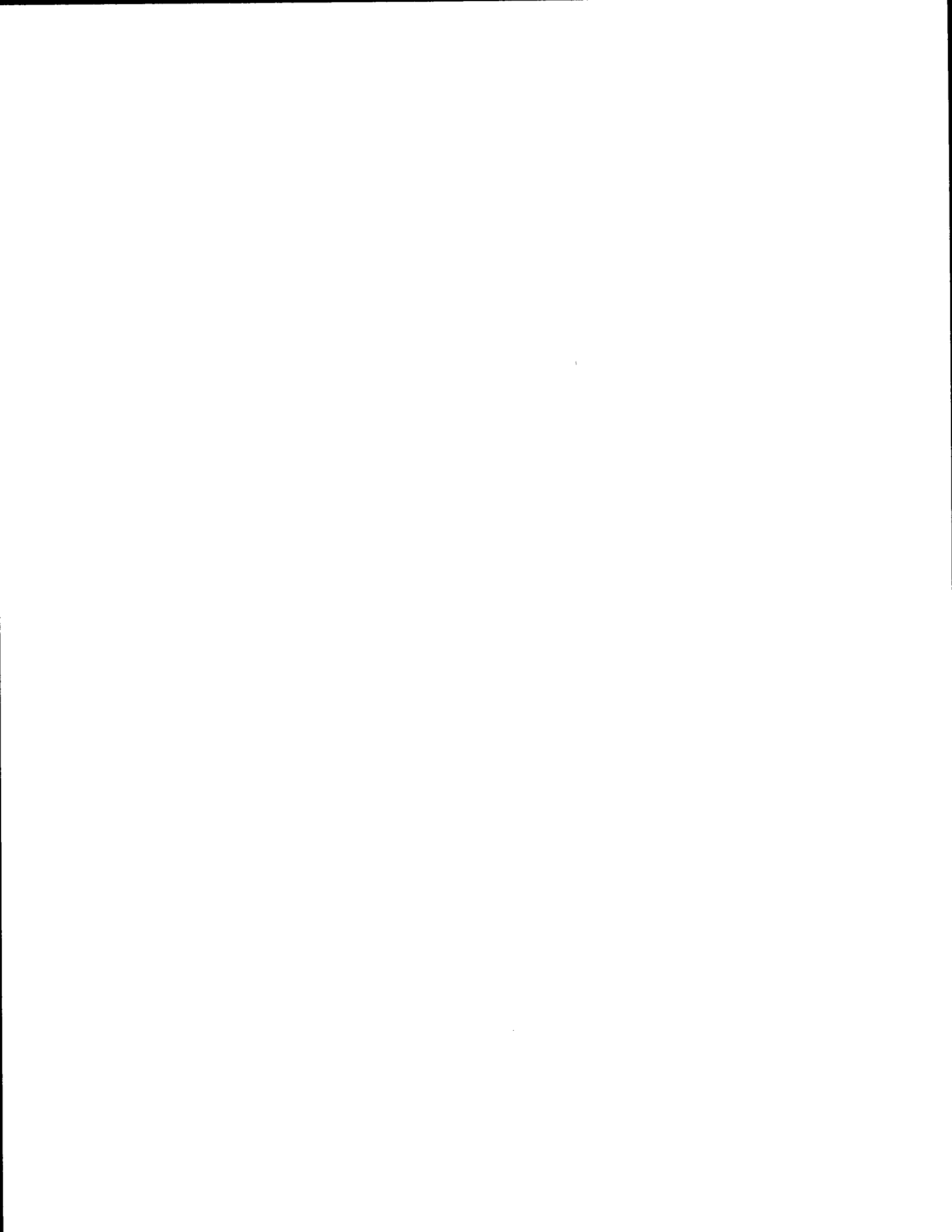
**TC-5.4** The County shall seek to reduce the number of billboards along State Scenic Byways and County Scenic Routes.





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*Please see the next page.*





## 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 All but the crystalline core of the Black Hills is underlain with one or more aquifers that yield water of varying quality. Within the crystalline core of the Black Hills that extends from Rockerville to Deer Field Reservoir, groundwater supplies are limited and depend upon secondary permeability in fracture zones and seasonal recharge from rain and snow. The aquifers within the county capable of supplying sufficient quantities of water to support municipal and industrial growth are the Deadwood, Madison, Minnelusa, Minnekahta, and Inyan Kara Aquifers.



## VIEW TO 2040

### **Water Districts**

There are two water development districts within Pennington County: the West River Water District and the West Dakota Water District. Water districts promote the conservation, development, and proper management of water resources.

### **Storm Water**

Storm water management is important in maintaining local water quality. Storm water discharge can affect the quality of water as it can carry pollutants into local waterways and percolate into the county's groundwater resources. According to the United States Environmental Protection Agency (EPA), Pennington County is considered a regulated small municipal separate storm sewer system (MS4). An MS4 is a conveyance system that is comprised of drainage systems, catch basins, gutters, storm drains, and man-made channels.

Through EPA regulations, MS4s are required to develop and implement a storm water management plan (SWMP) to address storm water issues. Pennington County's most recent SWMP was updated in 2016 and is jointly managed by the County's Planning and Highway departments.

### **Wastewater**

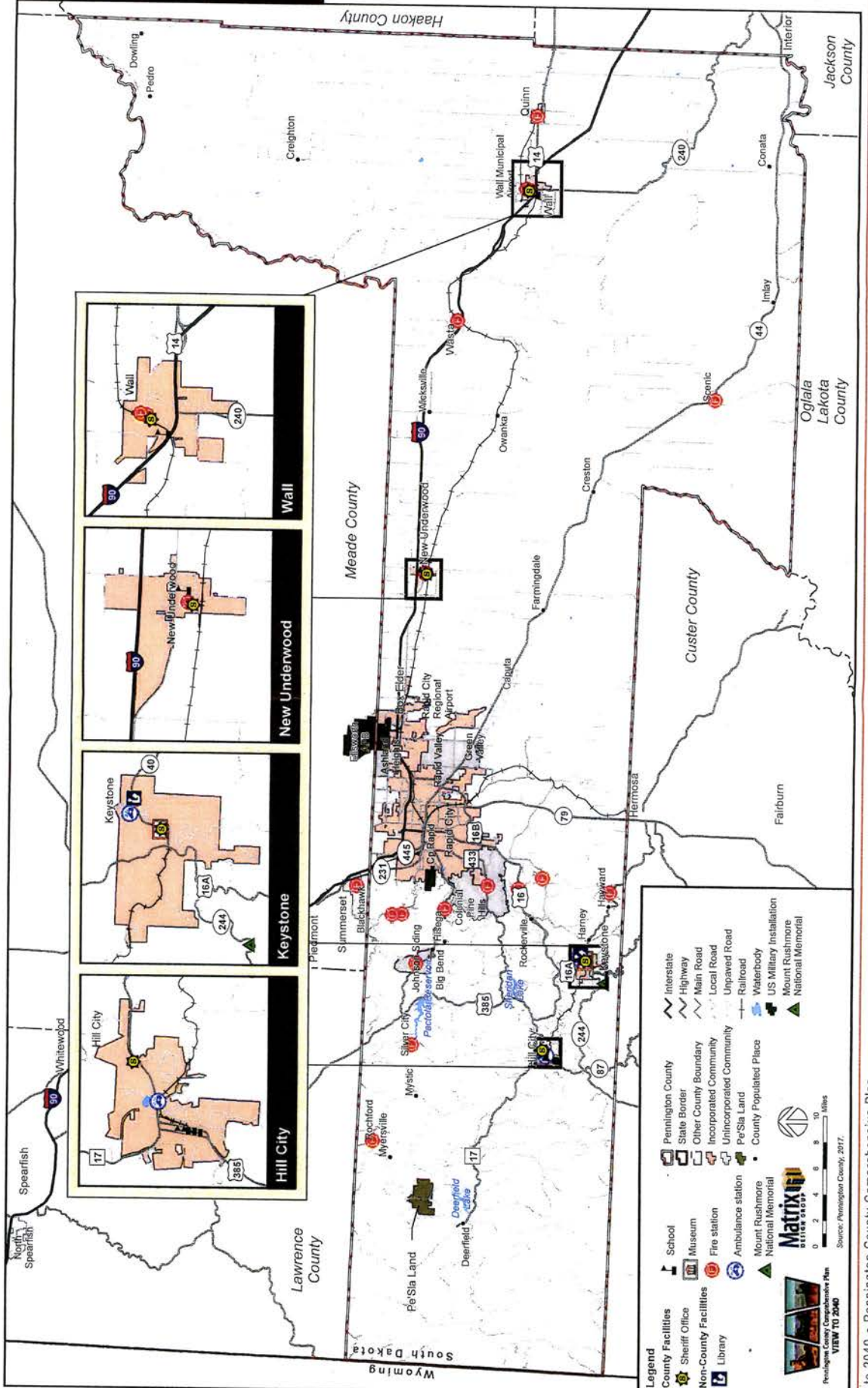
The County does not provide wastewater treatment services; however, the County does regulate on-site wastewater treatment systems present in unincorporated areas. Wastewater treatment systems are regulated through Section 204-J of the County Zoning Ordinance. Through Section 204-J, all on-site wastewater treatment systems are required to obtain an operating permit showing the system does not have an adverse impact upon public health and the environment. Sanitary Districts exist in the county, but primarily within the Rapid City 1-mile on-site wastewater treatment system buffer area.

Presently, only Rapid Valley Sanitary District, Cedar Gulch Sanitary District, and Rapid Canyon Sanitary District have sewer collection systems that ultimately go into Rapid City's wastewater treatment plant. All other sanitary districts have individual treatment and discharge systems.

An issue that was identified during the planning process was the adequacy of on-site wastewater treatment system inspections from the County. Section 204-J of the County Zoning Ordinance states that an operating permit for an on-site wastewater treatment system is valid for 6 years. The ordinance provides no guidance on system maintenance, inspection requirements, or pumping requirements. Malfunctioning or damaged on-site wastewater treatment system can cause environmental damage to the surrounding area and contaminate the water supply. Common problems with on-site wastewater treatment system include tree root damage, ground movement, and collapsed baffles / damaged dip pipes.

MAP

Figure 7-1 Public Facilities



**Hill City**

**Keystone**

**New Underwood**

**Wall**

**Legend**

- County Facilities**
  - County Facilities
  - School
  - Sheriff Office
  - Museum
  - Fire station
  - Ambulance station
  - Library
- Non-County Facilities**
  - Mount Rushmore National Memorial
  - US Military Installation
  - National Memorial
- County Populated Place**
- County Boundary**
  - Pennington County
  - Slate Border
  - Other County Boundary
  - Incorporated Community
  - Unincorporated Community
  - Pe-Sia Land
- Transportation**
  - Interstate
  - Highway
  - Main Road
  - Local Road
  - Unpaved Road
  - Railroad
  - Waterbody

**Matrixiti**  
office shop

**Matrixiti**  
VIEW TO 2040

Pennington County Comprehensive Plan  
Source: Pennington County, 2017.

0 2 4 6 8 10 Miles

## 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 [a main library location and a branch location](#)<sup>two</sup>. There are also a number of non-public libraries in Pennington County, including the Holbrook Library at Ellsworth Air Force Base and campus libraries at educational facilities within the county.

### **Schools**

Pennington County has a robust inventory of education facilities that contribute to the quality of life and economic strength of the community. Within the county there are five public school districts with 41 total public schools. Pennington County also has several post-secondary options for those seeking higher education. Post-secondary schools within the county include Black Hills State University – Rapid City, South Dakota School of Mines and Technology, Western Dakota Technical Institute, John Witherspoon College, Black Hills Beauty College, and National American University.



VIEW TO 2040

## 7.4 Goals and Policies

### Goal PSF-1

The County protects its water resources.



**PSF-1.1** The County should coordinate with state, federal, and local resource management agencies to preserve and improve the quality of surface water and groundwater.



**PSF-1.2** The County should require reasonable assurance that wells and water sources are not impacted ~~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, and wastewater treatment.

### 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, minimize 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-3.2** The County should require on-site wastewater treatment systems to be inspected, ~~at least once every 3 years.~~



**PSF-3.3** The County ordinance pertaining to on-site wastewater treatment systems should ensure public safety and protection of water resources.



~~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-3.4** 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.



~~PSF-3.6~~**PSF-3.5** The County should support technological innovation to protect and ensure the sustainability of our water resources.

## 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~~update all aspects of disaster planning.



**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.**



**VIEW TO 2040**

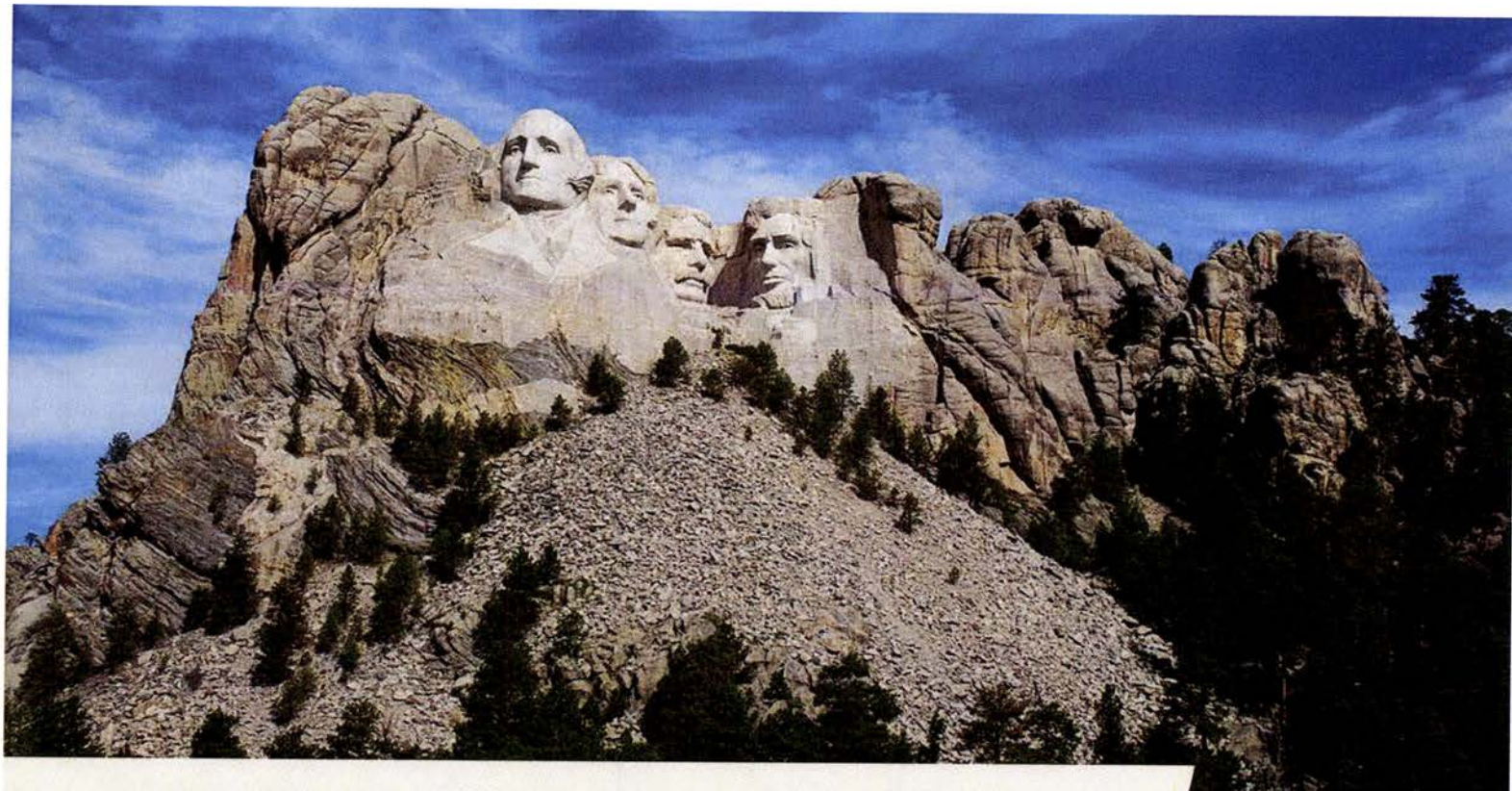


**PSF-5.1** The County should evaluate the facility needs identified in the 2010 Facilities Master Plan to plan for future facility expansion.



**PSF-5.2** The County should identify additional funding sources to support municipal facilities like libraries, recreation facilities, and museums.

*Please see the next page.*



## Recreation, Open Space & Tourism Element

# 8

### 8.1 Recreation, Open Space and Tourism Overview

Recreation opportunities and open spaces in Pennington County provide areas for residents to engage in healthy lifestyles, enjoy the natural wonders and vistas in the county, and provide outdoor areas to gather other residents and visitors. Outdoor opportunities can be found in the two National Parks, the National Grasslands and Forests, and other open spaces within the county. These federally managed lands and other community and private recreation areas provide great options for recreation for residents and draw significant tourism to the county each year.

#### ***Community Parks***

Pennington County does not have its own parks facilities; however, the cities and towns within the county have community-owned parks that are available for all county residents. Most of the community park facilities are found in Rapid City. The City of Rapid City has a Parks and Recreation Department that is responsible for the maintenance and operation of 34 parks, comprising 1,650 acres. The City also has designated greenways located along Rapid Creek. The greenways have minimal development and consist mainly of native vegetation along the creek. Parks are shown on Figure 8-1.

#### ***Federal Lands***

There are large areas of open spaces in Pennington County that are administered by the U.S. Department of Agriculture (USDA), Forest Service, and the National Park Service, totaling 609,902 acres. Federal lands are shown on Figure 8-2.



## VIEW TO 2040

### **Badlands National Park**

Badland National Park (NP) is 244,000 acres, approximately half of which is in Pennington County. The Badlands NP attracts tourists who visit to view wildlife and participate in various recreational opportunities, such as camping, hiking, and bicycling. There are 16 miles of hiking trails in addition to backcountry hiking. Bicycling opportunities are available on designated paved, gravel, and dirt roads, but bicycles are not permitted on hiking trails or in the backcountry areas. Developed camp sites and backcountry camping are both available at the Park.

### **Black Hills National Forest**

Among the federally owned lands is the Black Hills National Forest in western Pennington County. The National Forest is a tourist destination, attracting millions of visitors every year. Within the forest, there are picnic areas, campgrounds, over 350 miles of trails, and many other recreation opportunities, such as mountain biking, off-highway vehicle roads, hunting, and fishing. Through the Pactola Visitor Center, located west of Rapid City on Highway 385, visitors can learn about the cultural history of the Black Hills.

Key destinations and attractions include the George S. Mickelson Trail, Centennial Trail, Black Elk Peak (the highest natural point in the state), and Mount Rushmore National Memorial.

### **Buffalo Gap National Grassland**

Buffalo Gap National Grassland is one of the 20 National Grasslands in the U.S. The Grassland is administered by the USDA Forest Service. There is one visitor center, located in the City of Wall. Within the national grassland there are opportunities for bicycling, camping, hiking, horse riding, hunting, nature viewing, and areas for rockhounding.

### **Minuteman Missile National Historic Site**

Located in Pennington and Jackson Counties, the National Historic Site consists of three facilities: a main office, a launch control center, and a missile silo/launch facility. The last two facilities were formerly operated by the 66th Strategic Missile Squadron of the 44th Strategic Missile Wing, headquartered at Ellsworth Air Force Base.

### **Mount Rushmore National Memorial**

Located in the Black Hills National Forest, Mount Rushmore attracts approximately three million visitors every year, mainly during the summer months of June, July, and August. The memorial is lit in the evening during Evening Lighting Ceremonies from the end of May to the end of September, extending the use of the facilities into the evening.

## **Tourism**

Tourism is one of the key industries within Pennington County. Anchored by the federal lands described earlier, the tourism attractions within the county (federal lands and private attractions) draw in millions of tourists every year and provide significant business and employment opportunities. Some of the notable private attractions are listed below.

### **Wine Trail**

Highway 385 is considered the "wine trail" area in South Dakota. ~~The trail connects Hill City's Prairie Berry Winery, Naked Winery, and Stone Faces Winery to the Belle Joli Winery and Schade Winery in Deadwood.~~ The 50-mile drive connects different wineries and passes through forested glens and meadowlands, as well as providing roadside views of Pactola Reservoir and Sheridan Lake.

MAP

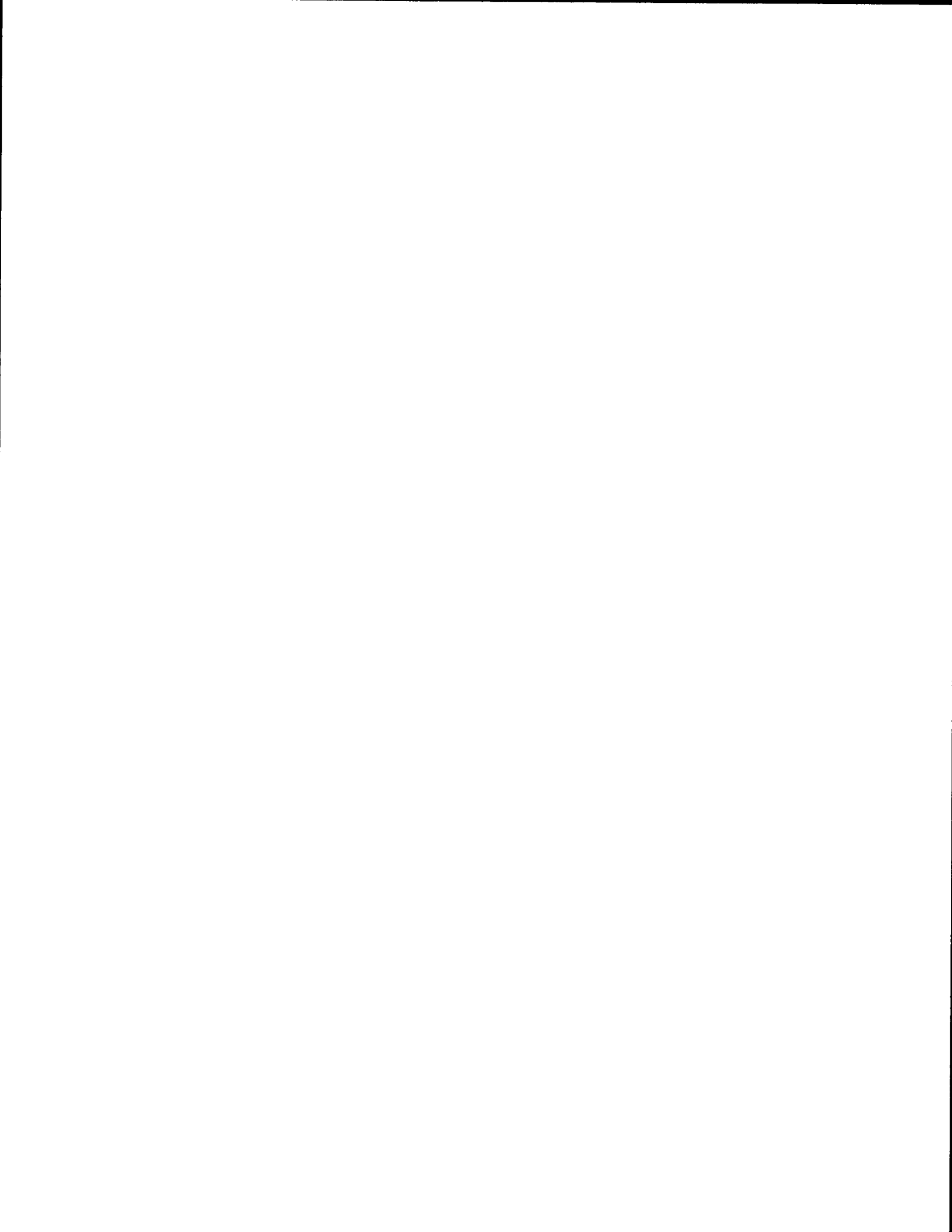
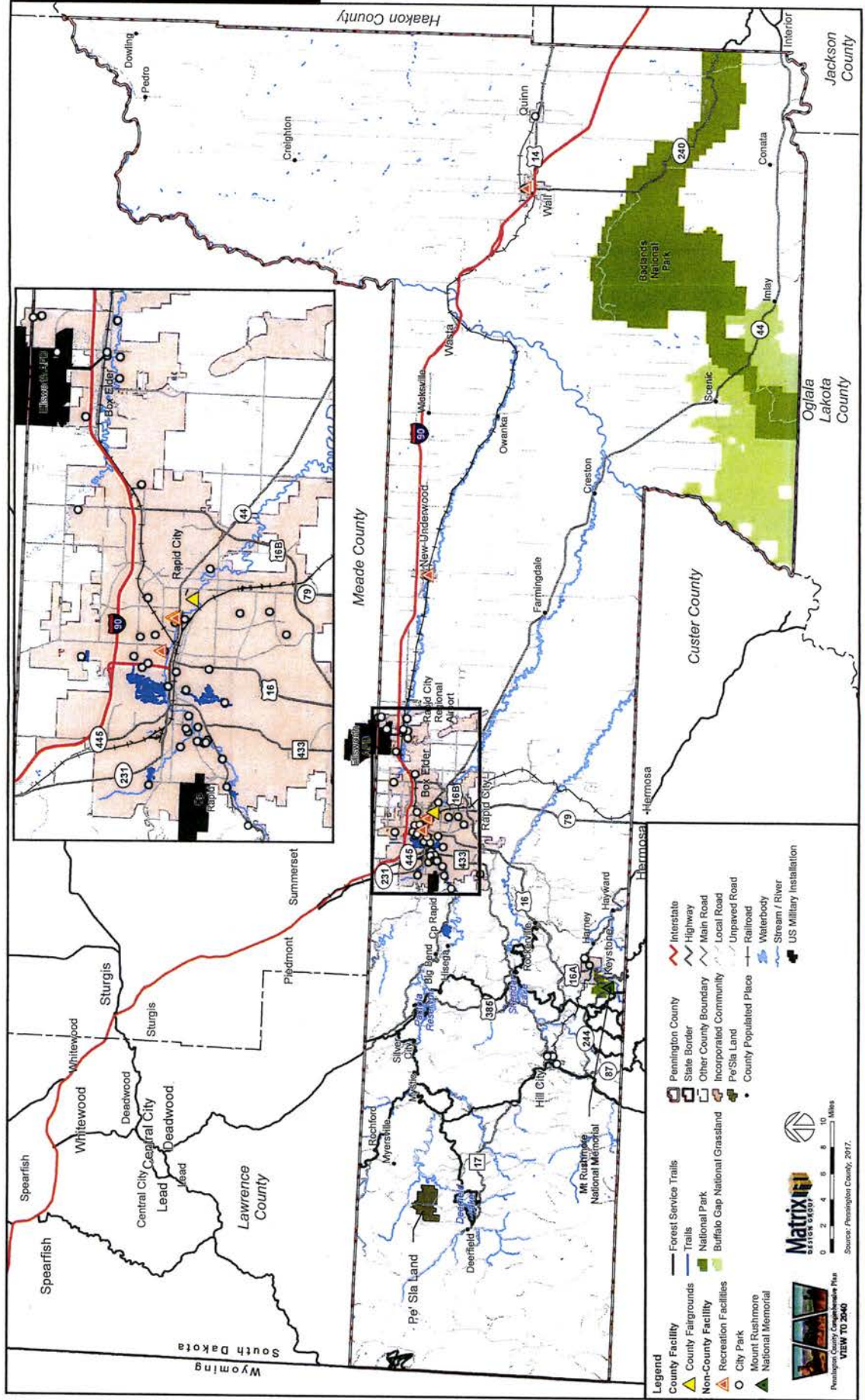


Figure 8-1 Parks and Recreation Locations



Pennington County Comprehensive Plan  
VIEW TO 2040

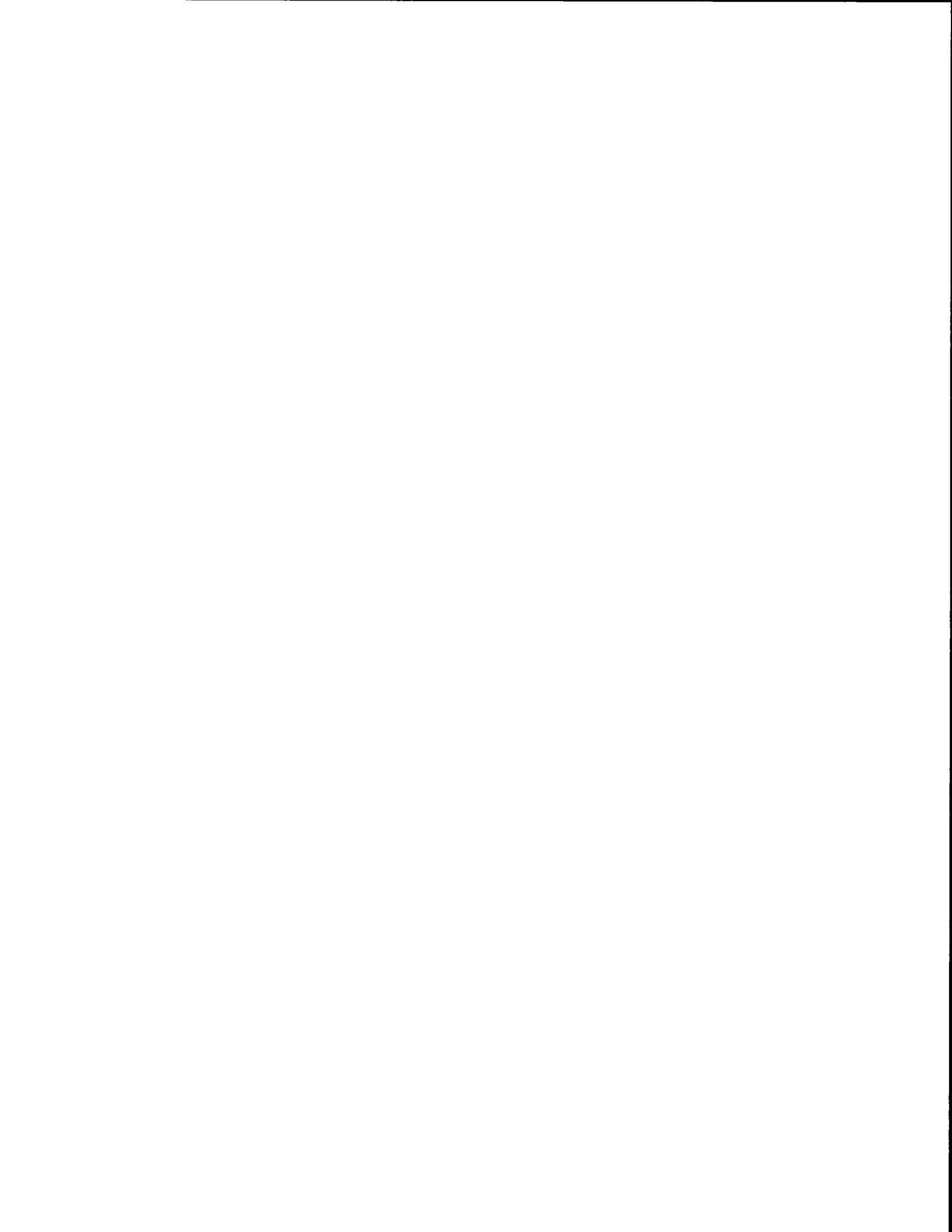
Source: Pennington County, 2017.





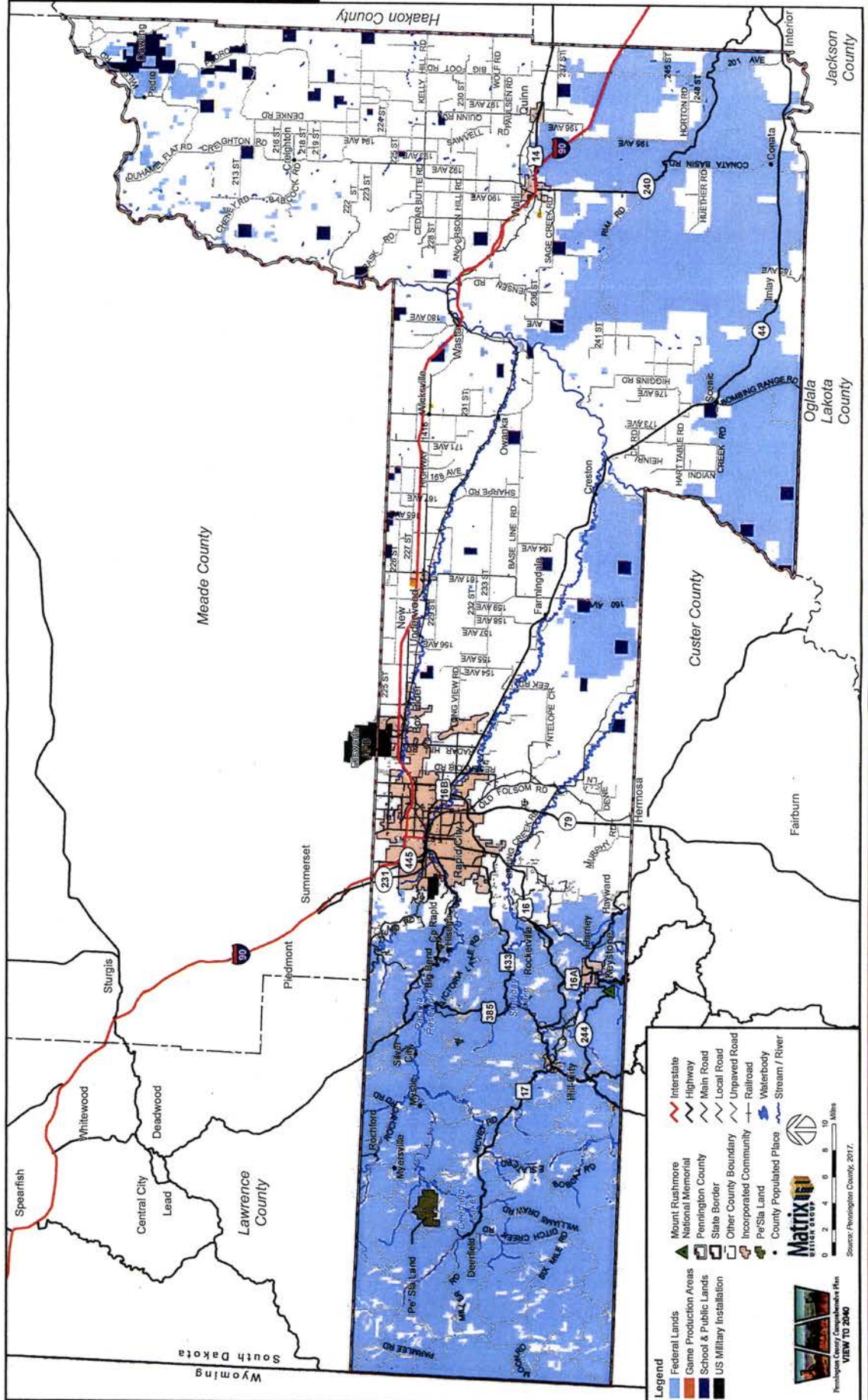
**VIEW TO 2040**

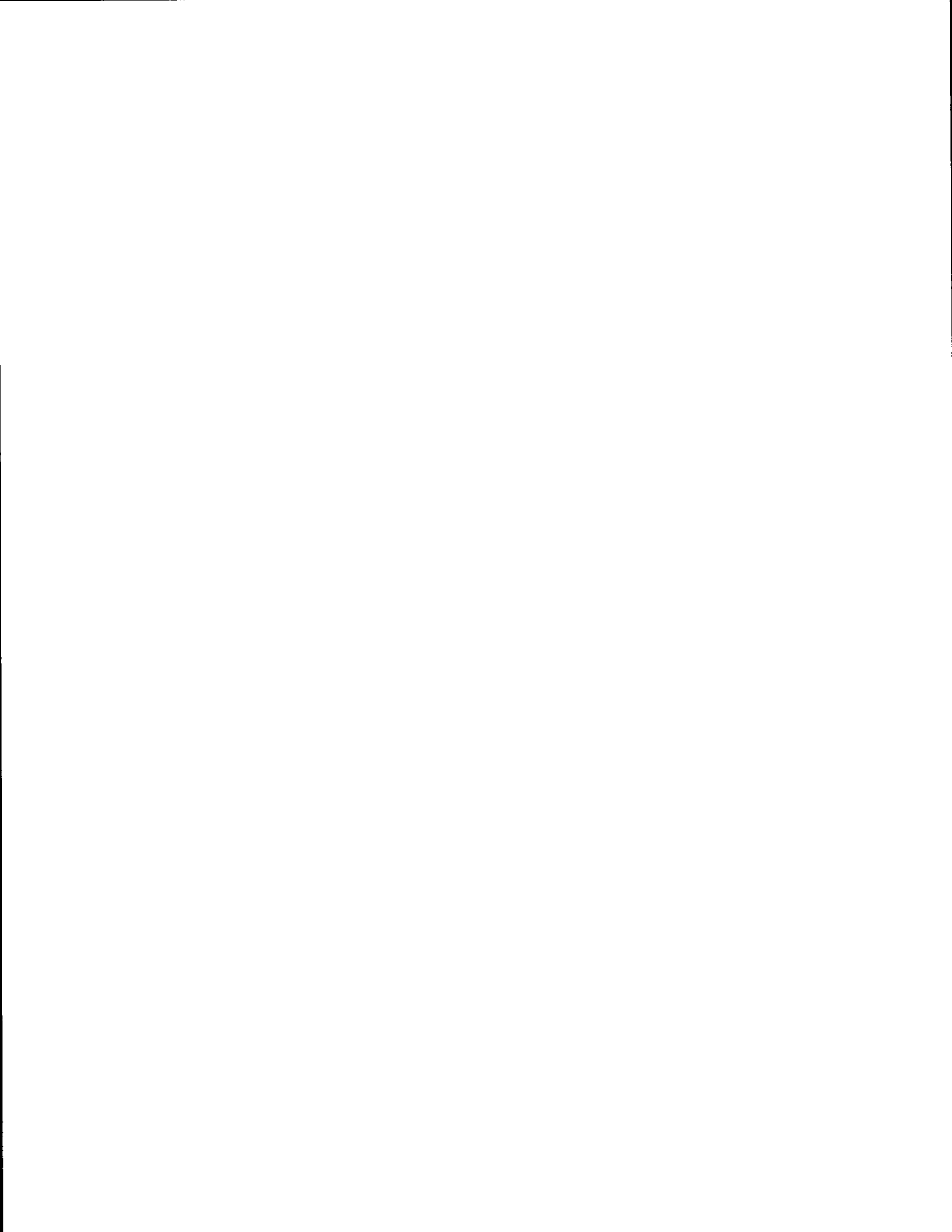
Figure 8-1 (back)



MAP

Figure 8-2 Federal and State Lands







**VIEW TO 2040**

Figure 8-2 (back)

## Wall Drug Store

Wall Drug Store first opened in 1931 by husband and wife Ted and Dorothy Husted. The store started as a single storefront but has since expanded to cover nearly an entire city block. Within the drug store complex is a café, western art gallery, pharmacy museum, travelers chapel, gift shop, and dozens of other specialty shops. The store has become a major tourist attraction for the City of Wall and Pennington County, attracting over a million visitors every year.

## Sturgis Motorcycle Rally

Every year, the City of Sturgis (located 28 miles northwest of Rapid City) hosts the Sturgis Motorcycle Rally. The rally is a weeklong event, drawing hundreds of thousands of attendees. The rally had its highest attendance in 2015 with 739,000 attendees. The rally includes numerous concerts, a 5k run, motorcycle rally, more than 100 food vendors, tattoo contest, and the Mayor’s pub crawl. While the City of Sturgis is outside of Pennington County, many of the attendees of the motorcycle rally stay in Pennington County, utilize shopping and dining options in the county, and visit the tourist sites located in the county.

## 8.2 Goals and Policies

### Goal ROST-1

**The County supports, maintains, and enhances public lands.**



**ROST-1.1** The County should ensure roadways and accessways to public lands like Mount Rushmore National Memorial are safe and easy to traverse.



**ROST-1.2** The County should work with SDDOT and local cities to develop and support a unified, county-wide wayfinding program.



**ROST-1.3** The County should work with the National Forest Service and National Park Service to routinely coordinate on upcoming plans and program changes that could have benefits or challenges that the other entities should address.

### Goal ROST-2

**The County cooperates with federal and state agencies, tribal governments, cities, and private land managers regarding open space and the tourism economy.**



**ROST-2.1** The County should explore methods to fund an open space system that meets the needs of county residents and visitors.



**ROST-2.2** The County should support private land managers, management agencies, and citizen groups in their maintenance efforts of recreational opportunities



**VIEW TO 2040**

*Please see the next page.*







## Health & Safety Element

# 9

### 9.1 Health & Safety Overview

Providing for the community health, safety and security is an important and central function of government. This Element provides policies related to the protection of the community through the provision of public safety and protections from hazards in the man-made and natural environment.

The unique geography of Pennington County creates natural hazards, such as flooding and wildfire. Man-made hazards also exist within the community including air operations, solid waste disposal and hazardous materials. As the county becomes more populated, it will be more important to manage these impacts to protect public health and safety.

#### ***Flood Hazards***

The hazards posed by flooding can be a significant threat to the safety of residents and visitors, in addition to potential risks and damage to buildings and property. Effective stormwater management policies, through programs, regulations and partnerships with local jurisdictions, are essential to reducing flood risk potential.

There are various floodplains and floodways throughout the county. Floodplains include lowlands adjacent to river channels, streams, and other bodies of water that become inundated during natural precipitation events. Floodplains provide space for the dispersal of water when bodies of water are flooded. This allows for temporary water storage until the flood water can be drained naturally. Currently, there are 57,118 acres in Pennington County within the 100-year floodplain, which are shown on Figure 9-1.



## VIEW TO 2040

According to the United States Environmental Planning Agency (EPA), Pennington County is considered a regulated small municipal separate storm sewer system (MS4), which is comprised of drainage systems, catch basins, gutters, storm drains, and man-made channels. Through EPA regulations, MS4s are required to develop and implement a storm water management plan (SWMP) to address storm water issues. Pennington County's most recent SWMP was updated in 2016 and is jointly managed by the County's Planning and Highway Departments.

### **Wildfires**

Fire can cause significant losses to life, property, and the environment. Wildfires (or wild land fires) can occur in both urban and rural settings and constitute a significant public safety threat. Urban fire hazards result from the materials, size and spacing of buildings, and from the materials, equipment, and activities they contain. Additional factors influencing fire safety include access, available water volume and pressure, and response times for firefighters. Fire hazards in rural areas combine these factors with distance, topography, and natural vegetation. The term "wildland" describes areas characterized by lower density development, with concentrations of natural vegetation and steeper slopes.

Forests and grasslands are defining characteristics of rural and natural areas in Pennington County, making them a risk to wildland fires. Additionally, new development increases fire potential in remote areas. Containing wildfires in rural areas is a challenge due to natural landscapes and rural rugged roads that may create barriers to access and firefighting apparatus use.

Since 1984, there have been 12 wildfires in the county that exceed 1,000 acres. Collectively, these 12 fires burned approximately 120,000 acres, which includes land in Pennington and adjacent counties. These fires have occurred in the Black Hills on the western side of the county. Figure 9-2 shows the wildfire locations from 1984 through 2015.

### **Existing Fire Services**

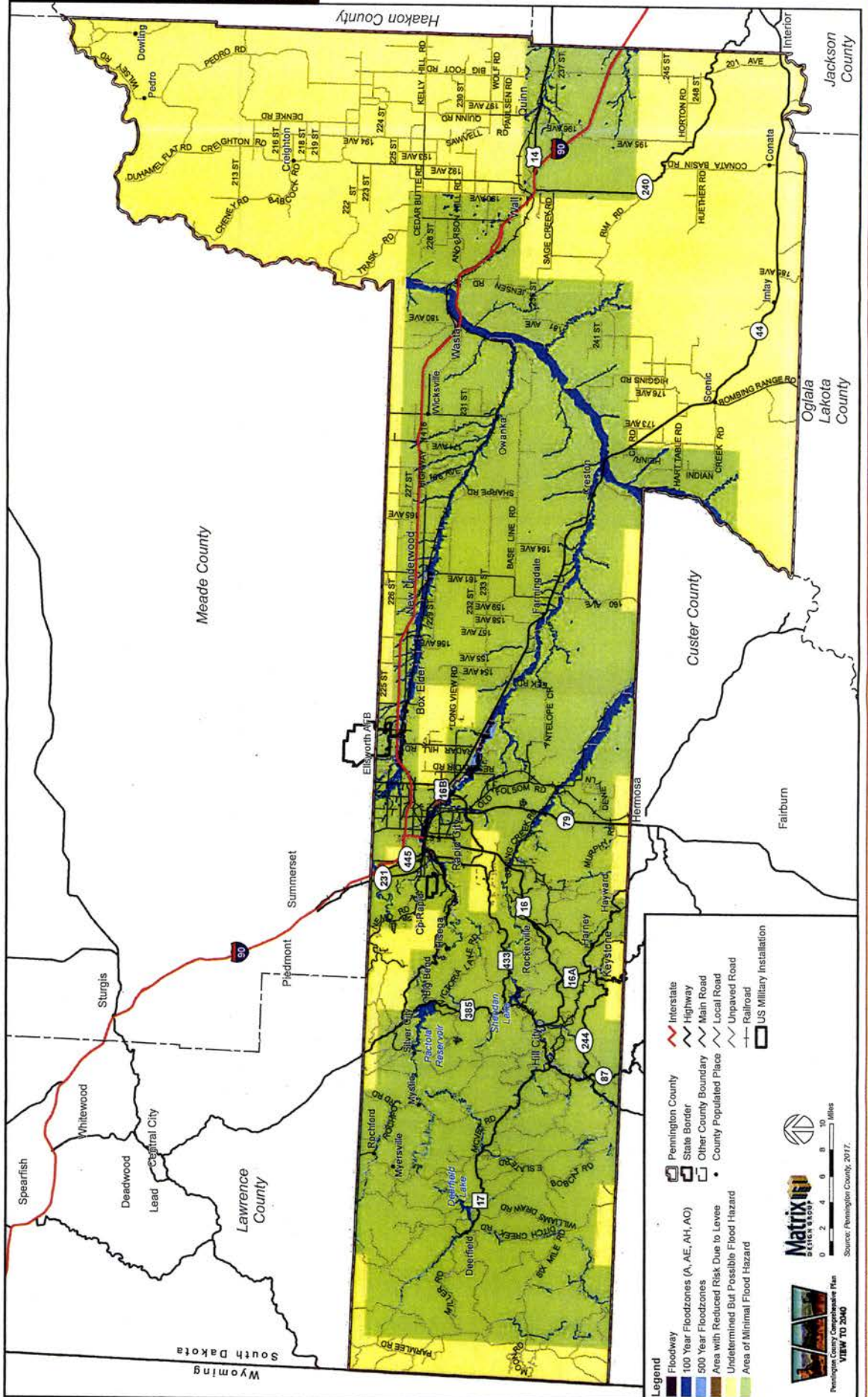
Pennington County is served by 21 volunteer fire departments and one full-time fire department, with over 450 volunteer firefighters. The Rapid City Fire Department (RCFD) serves as the one full-time fire department in the county. In addition to providing fire suppression services, RCFD also provides emergency medical service (EMS) to the community. The department employs 135 professionals, including 127 emergency responders and 7 civilian staff. Providing fire protection in rural forested areas presents unique challenges including slower response times, limited access and substandard roads not designed to accommodate fire department apparatus. As growth and development continues, mitigation and management of fire dangers is a central community safety element.

Pennington County Fire Administration supports the volunteer fire departments throughout the county. The administration provides the following support to volunteer fire departments:

- ▶ Workman's compensation to volunteer firefighters in the county.
- ▶ Vehicle liability insurance for all fire vehicles owned by Pennington County or volunteer departments
- ▶ Assistance in purchasing firefighting equipment and training of volunteer fire departments
- ▶ Advise the Pennington County Board of Commissioners on fire related activities
- ▶ Serve as liaison between law enforcement agencies, state and national agencies and other counties and other fire departments.

MAP

Figure 9-1 Flood Potential Map







**VIEW TO 2040**

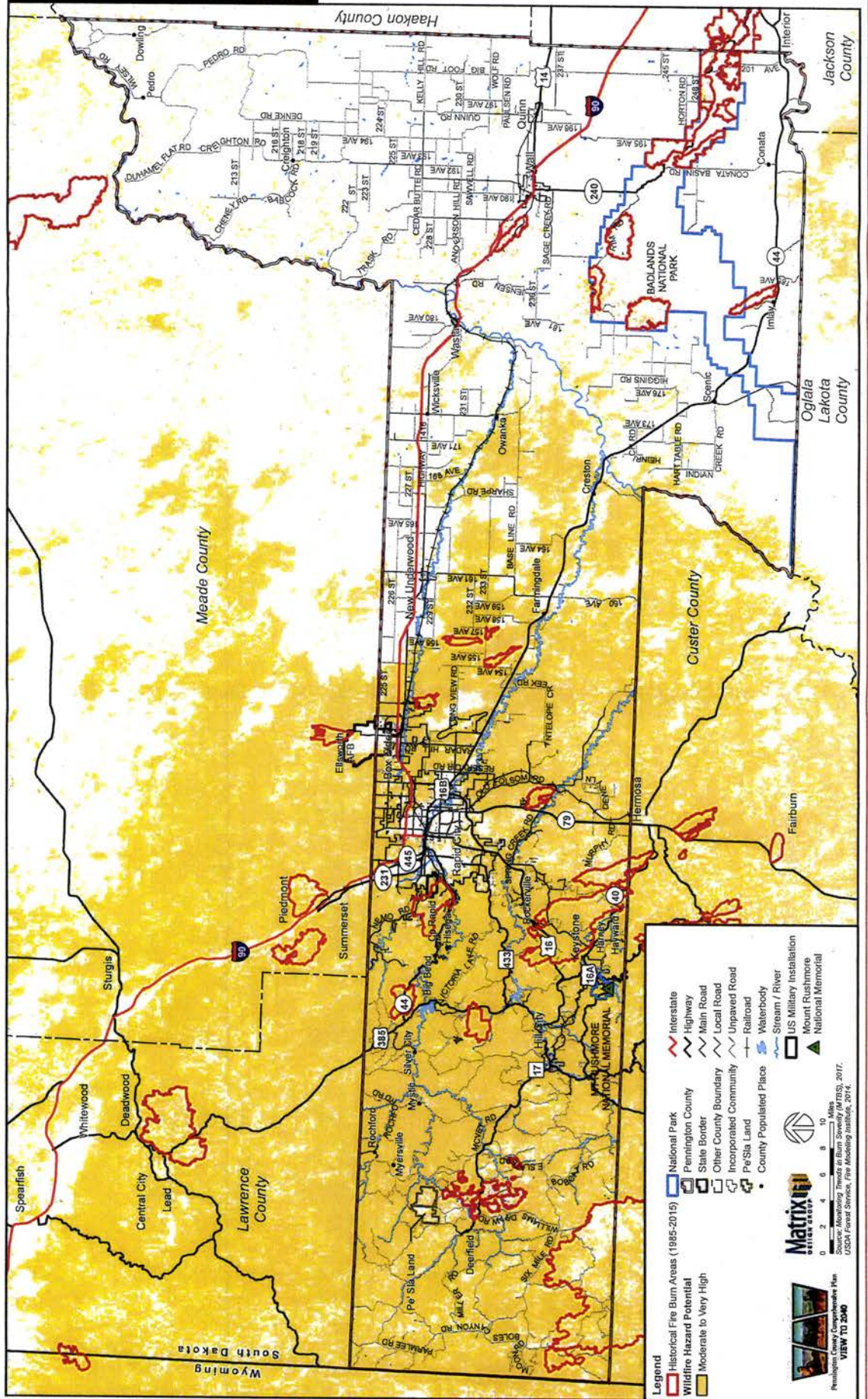
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MAP

Figure 9-2 Wildfires, 1984 to 2015



**Legend**

- Historical Fire Burn Areas (1985-2015)
- Wildfire Hazard Potential
  - Moderate to Very High
- National Park
- Pennington County
- Slate 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

**Matrix**  
 MATRIX STUDY  
 0 2 4 6 8 10 Miles  
 0 2 4 6 8 10 Kilometers  
 Pennington County Comprehensive Plan  
 Wildfire Hazard Potential  
 View TO 2040  
 Matrix Modeling Technology, Inc. © 2017  
 USDA Forest Service, Fire Modeling Institute, 2014.





VIEW TO 2040

Figure 9-2 (back)

~~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.

In addition to the Emergency Management Department in Pennington County, there are emergency services that are provided by other entities. The following provide emergency services in Pennington County:



## VIEW TO 2040

- ▶ [Black Hills Life Flight: Black Hills Life Flight is an emergency air medical transport service through Air Methods](#)
- ▶ [82nd Civil Support Team South Dakota National Guard: The 82nd Civil Support Team \(CST\) is a hazard response team through the South Dakota National Guard. The 82nd CST responds to natural and man-made disasters.](#)
- ▶ [South Dakota Wildland Fire Division: The South Dakota Wildland Fire Division hosts up to five Single Engine Air Tankers in South Dakota, some of which are located or co-located, at the Rapid City Heavy Air Tanker Base and the Rapid City Regional Airport, among other locations in the state, to support wildland fires in the Black Hills.](#)

### **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 [at least once annually](#).

### **Military Compatibility**

Pennington County is the proud home to Ellsworth Air Force Base (AFB), a B-1 bomber training base under the 28<sup>th</sup> Bomb Wing and an important national defense asset. As with other airports, military operations can create health and safety impacts to the larger community if incompatible development is allowed to occur near the base. Development decisions by Pennington County can impact the installation, creating land use conflicts which can negatively impact community safety, economic development and sustainment of the mission at Ellsworth AFB.

The County, South Dakota Ellsworth Development Authority (SDEDA), Ellsworth AFB, and other partner jurisdictions participated in a Joint Land Use Study (JLUS), a compatibility planning process intended to identify existing and future compatibility issues between the base and the surrounding community. The Ellsworth AFB JLUS, completed in 2016,

contained a discussion of compatibility issues and a set of actions that can be taken to mitigate or avoid compatibility issues.

Key issues addressed in the JLUS typically are associated with one of seven Military Compatibility Areas (MCA):

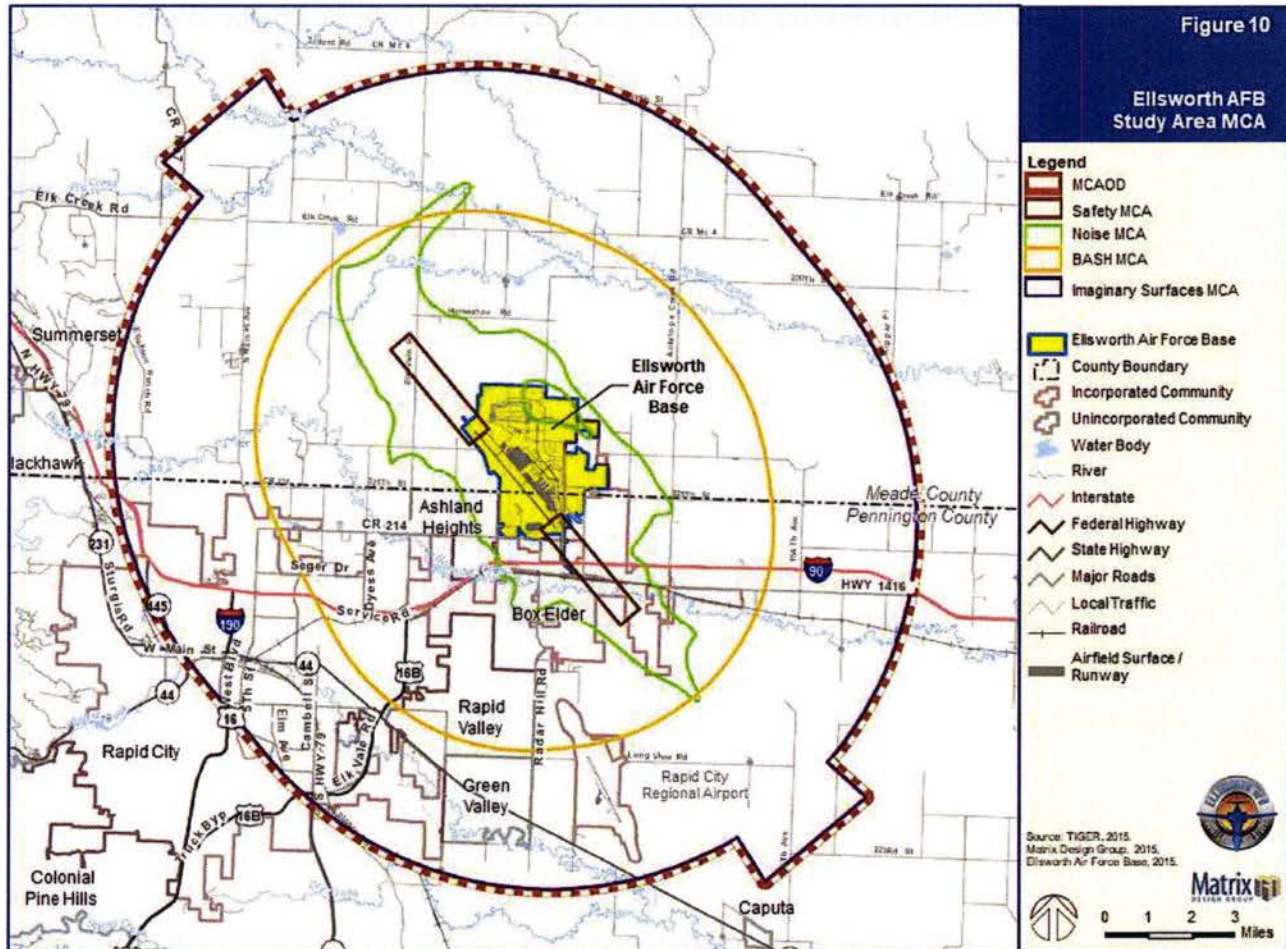
- ▶ Airfield Approach and Departure Flight Tracks
- ▶ Imaginary Surfaces
- ▶ Airfield Accident Potential Zones
- ▶ Aircraft Noise Contours
- ▶ Airspace Control
- ▶ Part 77 Vertical Obstruction Compliance
- ▶ Bird / Wildlife Aircraft Strike Hazard (BASH) Relevancy Area

These areas are shown on Figure 9-3.

**Figure 9-3      Ellsworth AFB Study Area MCA**



VIEW TO 2040



In addition to Ellsworth AFB, Camp Rapid is also located in Pennington County. Camp Rapid is part of the South Dakota National Guard. In addition to Camp Rapid, the South Dakota National Guard also includes West Camp Firing Range and the Aviation Support Facility, which is located at the Rapid City Regional Airport. The National Guard has low level flying areas in the Black Hills and southeast of Rapid City. Due to the operations and training at Camp Rapid and other South Dakota National Guard ranges and facilities, it is important to ensure that land uses are compatible with the mission.



## 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.



VIEW TO 2040

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~~shall 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~~shall 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~~monitor and cooperate, as appropriate, ~~with in~~ the remediation actions of federal, state, and private entities of hazardous waste sites in the county.



**HS-3.3** The County ~~will~~shall 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~~shall continue to ~~host~~support Household Hazardous Waste collection events in which household hazardous waste is collected from residents for proper disposal at a frequency commensurate with community need.



**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**~~**HS-3.9** 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**~~**HS-3.10** 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.



**VIEW TO 2040**

**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 consider implementing 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.



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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 [the Zoning Ordinance](#), 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.



**HS-9.13** [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 and carbon monoxide detectors.](#)

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## 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.





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**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
<i>Mount Rushmore National Park</i>		<i>1,278</i>
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

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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 and/or South Dakota State 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.**



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**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. [LID is an approach to stormwater management that mimics a site's natural hydrology as landscape develops.](#)



**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 impervious surfaces approved with new developments and encourage the use of techniques to enhance infiltration and protect water quality, such as use of bio-swales.



**NCR-5.3** The County shall carefully review development over the aquifers area to determine that soils are adequate for on-site wastewater disposal system.

## Goal NCR-6

**Mining operations ~~throughout~~ in Pennington County ~~will be conditioned to be~~ are reclaimed following excavation according to best practices designed to restore the site for the pre-mining land use. ~~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~~shall 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~~shall 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~~shall 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 Surface Mining Control and Reclamation Act of 1977 (SMCRA) 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.



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## Implementation Program

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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.



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Action Number	Implementation Action	Relevant Goal	Short-Term	Mid-Term	Long-Term	On-Going
1	The County should amend the Zoning Ordinance to be consistent with the residential densities set forth in the Comprehensive Plan.	LUH-2	■			
2	The County should consider including alternative homes, such as tiny homes into the Zoning Ordinance.	LUH-2	■			
3	The County should develop standards in the Zoning Ordinance for accessory dwelling units designed to encourage the development of housing that is affordable. Adding provisions for “by right” development should be considered.	LUH-2	■			
4	The County should update the Zoning Ordinance relative to non-domestic animal keeping on residential designations. This should include standards for: <ul style="list-style-type: none"> <li>▶ Definition of non-domestic animals,</li> <li>▶ Classifications of animals, and</li> <li>▶ Limits on number of animals based on zoning district, lot size, and type of animal.</li> </ul>	LUH-3	■			
5	The County shall adopt a current version of the International Building Code, <a href="#">International Residential Code, and inspection program</a> 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	■			

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Action Number	Implementation Action	Relevant Goal	Short-Term	Mid-Term	Long-Term	On-Going
10	The County shall ensure Americans with Disabilities Act compliance along all pedestrian paths.	TC-1				■
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	■			

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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	■			

# Implementation Program

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Action Number	Implementation Action	Relevant Goal	Short-Term	Mid-Term	Long-Term	On-Going
26	The County should amend the Zoning Ordinance to include the recommended guidelines from the Air Compatible Use Zone (AICUZ) Report for noise sensitive land uses, including guidance for recommended land uses in the Clear Zones (CZ) and Accident Potential Zones (APZ).	HS-6	■			
27	The County should amend the Zoning Ordinance to provide an overlay zoning district to reflect aviation easements which result in compatible development and reduction in the risk profile for impacted properties.	HS-6	■			
28	The County should amend the Zoning Ordinance to incorporate the VOAA and establish height restrictions in compliance with FAA and DoD guidance for imaginary surfaces.	HS-6	■			
29	The County should develop and enact a Comprehensive Plan and Zoning Ordinance amendment to incorporate new AICUZ studies that are released to the public. This <del>will</del> <u>shall</u> include modifications to: <ul style="list-style-type: none"> <li>▶ The Military Influence Area (MIA) on the Comprehensive Plan and Zoning map.</li> <li>▶ Modifications to land use designations and zoning regulations to reflect land use and safety guidance in the current AICUZ study.</li> <li>▶ Modification of other planning tools and procedures to reflect changes in the new AICUZ studies.</li> </ul>	HS-6				■
30	The County should develop and enact a Zoning Ordinance amendment to incorporate military compatibility guidelines for renewable energy development.	HS-7	■			



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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				■



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