

AGENDA
PENNINGTON COUNTY PLANNING COMMISSION
January 10, 2022 @ 9:00 a.m.

County Commissioners' Meeting Room - Pennington County Administration Building

Recommendations of the Planning Commission, on certain items from this agenda, will be considered by the Board of Commissioners at their regular meeting on January 18, 2022, at 10:30 a.m. The Planning Commission utilizes Speaker Request Forms, which are available in the Commission Chambers during the meeting.

**If unable to attend the meeting, please submit your comments via e-mail to plz@penngo.org or by mail to the attention of the Pennington County Planning Department, 130 Kansas City St., Ste. 200, Rapid City, SD 57701, or, if appearing by teleconference, contact the Planning Department at 605-394-2186, twenty-four (24) hours prior to the scheduled meeting.

ROLL CALL

1. APPROVAL OF THE DECEMBER 13, 2021, MINUTES
2. APPROVAL OF THE AGENDA

CONSENT AGENDA

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

3. **CONDITIONAL USE PERMIT REVIEW / CU 20-15:** Greg Helgeson. To review a single-wide mobile home to be used as a single-family residence on the subject property in an Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

W1/2NE1/4NE1/4 (aka W1/2 GL 1), Section 5, T2S, R7E, BHM, Pennington County, South Dakota.

(Continued from the December 13, 2021, Planning Commission meeting.)

To recommend to continue the review of Conditional Use Permit / CU 20-15 to the February 28, 2022, Planning Commission meeting to allow the applicant time to obtain approval of a new Conditional Use Permit application.

4. **CONDITIONAL USE PERMIT REVIEW / CU 21-63:** Curtis and Denise Neukircher. To review an accessory structure as a primary structure on the subject property in a Rural Residential District in accordance with Sections 207 and 510 of the Pennington County Zoning Ordinance.

Tract 7, Slate Creek Subdivision, Section 36, T1N, R3E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 21-63 with conditions.

END OF CONSENT AGENDA

5. CONDITIONAL USE PERMIT / CU 21-68: Delbert and Yvette Haskell. To allow an existing single-family residence to be used as a Vacation Home Rental in an Agriculture District in accordance with Sections 205, 319, and 510 of the Pennington County Zoning Ordinance.

Tract 5, Clear Creek Tracts Subdivision, Section 22, T1N, R5E, BHM, Pennington County, South Dakota.

6. LAYOUT PLAN / LPL 21-89: Diamond Spur Lodge, LLC; Andy Edsen. To combine three lots to create Lot 9R of The Forks at Remmington Ranch in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lots 9-11, The Forks at Remmington Ranch Subdivision, Section 22, T1S, R5E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 9R, The Forks at Remmington Ranch Subdivision, Section 22, T1S, R5E, BHM, Pennington County, South Dakota.

7. MINOR PLAT / MPL 21-90: Southern Black Hills Water Systems. To subdivide and create Lot JR and Lot W of Phase 3 of Rushmore Ranch Estates Subdivision in accordance with Section 400.3 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot J, Rushmore Ranch Estates Subdivision, Section 20, T2S, R7E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot JR and Lot W, Rushmore Ranch Estates Subdivision, Section 20, T2S, R7E, BHM, Pennington County, South Dakota.

8. CONDITIONAL USE PERMIT / CU 21-62: Michael and Megan Meyer. To allow a Vacation Home Rental in an Agriculture District in accordance with Sections 205, 319, and 510 of the Pennington County Zoning Ordinance.

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

(Continued from the November 8, 2021, Planning Commission meeting.)

9. CONDITIONAL USE PERMIT / CU 21-67: Kelley and Kasey Kurtz. To live in a double-wide mobile home, while building a single-family residence on the subject property and then the double-wide mobile home will be removed from the property in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

Lot 10, Collins Addition, Section 20, T2N, R5E, BHM, Pennington County, South Dakota.

10. CONDITIONAL USE PERMIT / CU 21-70: Theodore and Lucie Huettl. To allow an accessory structure, a carport, as a primary structure on the subject property in an Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

Lot 33, Cleghorn Canyon Subdivision, Section 7, T1N, R7E, BHM, Pennington County, South Dakota.

11. PLANNED UNIT DEVELOPMENT OVERLAY / PU 21-20: Chace and Leslie Larsen. To allow a Planned Unit Development Overlay to allow a Specialty Resort to include five rental cabins, a shop building, an office/laundry facility, and the existing single-family residence to be used as the caretaker's/manager's residence in accordance with Section 216 of the Pennington County Zoning Ordinance.

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

12. CONDITIONAL USE PERMIT / CU 21-65: Limestone Creek Ranch, LLC; Thomas Stowers - Owner. To allow a Vacation Home Rental in a Rural Residential District in accordance with Sections 207, 319 and 510 of the Pennington County Zoning Ordinance.

Lot 4 Revised, Oak Meadows Estates Subdivision, Section 23, T2S, R6E, BHM, Pennington County, South Dakota.

(Continued from the December 13, 2021, Planning Commission meeting.)

13. CONDITIONAL USE PERMIT / CU 21-66: Recreational Adventures Company; Scull Construction - Agent. To allow an employee housing / dormitory building for seasonal workers on the subject property in a Highway Service District in accordance with Sections 212 and 510 of the Pennington County Zoning Ordinance.

Tract A of Tract 37 (in N1/2), Section 4, T2S, R5E, BHM, Pennington County, South Dakota.

14. MINOR PLANNED UNIT DEVELOPMENT AMENDMENT / PU 21-16: Michael Carter. To allow an accessory structure, a garage, as a primary structure on the subject property in accordance with Section 216 of the Pennington County Zoning Ordinance.

Tract 60, Rushmore Ranch Estates Subdivision, Section 17, T2S, R7E, BHM, Pennington County, South Dakota.

15. MAJOR PLANNED UNIT DEVELOPMENT AMENDMENT / PU 21-19: Quality Five, LLC (Robins Roost Cabins); Matt and Beth Kenaston. To amend an existing Planned Unit Development to allow for seasonal and long-term rentals, motel unit(s), multi-family unit(s) for seasonal and long-term rental, Vacation Home Rental(s), caretaker's/ manager's residence, and accessory structures in accordance with Section 216 of the Pennington County Zoning Ordinance.

Lot 1, Boyum Subdivision, Section 21, T1S, R5E, BHM, Pennington County, South Dakota.

16. COMPREHENSIVE PLAN AMENDMENT / CA 21-15: Paul and Cathleen Cox. To amend the Comprehensive Plan to change the Future Land Use from Rural Residential District to Low Density Residential District in accordance with Sections 207, 208, and 508 of the Pennington County Zoning Ordinance.

Lot 2, Brome Grass Subdivision, Section 2, T1S, R9E, BHM, Pennington County, South Dakota.

17. REZONE / RZ 21-33: Paul and Cathleen Cox. To rezone 3.00 acres from Rural Residential District to Low Density Residential District in accordance with Sections 207, 208, and 508 of the Pennington Zoning Ordinance.

Lot 2, Brome Grass Subdivision, Section 2, T1S, R9E, BHM, Pennington County, South Dakota.

18. REZONE / RZ 21-32: Michael and Angela Holmberg; Renner Associates - Agent. To rezone 1.00 acre from Agriculture District to Low Density Residential District in accordance with Sections 205, 208, and 508 of the Pennington Zoning Ordinance.

The subject property is located on the following metes and bounds description: Commencing at the northeasterly corner of Lot 1 of Lovell Subdivision, Thence, S1°50'47"W, a distance of 564.04' to the point of beginning. Thence, first course: S00°07'09"W, a distance of 401.50 feet; Thence, second course: N89°52'51"W, a distance of 112.30 feet; Thence, third course: N01°11'47"E, a distance of 401.57 feet; Thence, fourth course: S89°52'51"E, a distance of 104.75 feet; to the said Point of Beginning. Said Parcel contains 1.000 acre more or less; in Section 29, T1N, R9E, BHM, Pennington County, South Dakota.

19. CONDITIONAL USE PERMIT / CU 21-69: Lynn Beasley. To allow an accessory dwelling unit to be located in a detached garage on the subject property in an Agriculture District in accordance with Sections 205, 324, and 510 of the Pennington County Zoning Ordinance.

Lot 1, Larson Subdivision, Section 30, T1N, R7E, BHM, Pennington County, South Dakota.

20. LAYOUT PLAN / LPL 21-79: Marjorie Helgeson Trustee / Davis Engineering. To reconfigure lot lines to create Lot 3 Revised of SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ (also in Section 10) in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: GL14 Less Payton Addition and Less ROW; GL 6 Less Lot 1, 2, and 3 and Less ROW; and Lot 3 of SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ (Also in Section 10), Section 3, T1S, R6E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 3 Revised of SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3 and NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10, T1S, R6E, BHM, Pennington County, South Dakota.

(Continued from the December 13, 2021, Planning Commission meeting.)

21. CONDITIONAL USE PERMIT AMENDMENT / CU 15-09: Reno Gulch Storage, LLC; Dann and Monica Detwiler. To amend an existing Conditional Use Permit to add four storage units to the subject property in a Highway Service District in accordance with Sections 212 and 510 of the Pennington County Zoning Ordinance.

Lot 2 of Lot B of Lot 4 (also in Section 36-T1S-R4E), Iowa Placer MS 636, Section 1, T2S, R4E, BHM, Pennington County, South Dakota.

22. CONDITIONAL USE PERMIT / CU 21-64: Jane Patnoe; Don Patnoe - Agent. To allow a tiny home/park model as a primary structure on the subject property in an Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

All of Climax Lode MS 942, Section 12, T1S, R4E, BHM, Pennington County, South Dakota.

(Continued from the December 13, 2021, Planning Commission meeting.)

23. CONDITIONAL USE PERMIT REVIEW / CU 19-33: No Bad Days Campground; Robert Livingston. To review a Recreational Vehicle Park on the subject property to include RV sites, a gas station, a convenience store, and a bar in a Highway Service District in accordance with Sections 210, 306, and 510 of the Pennington County Zoning Ordinance.

Tract Lake of SW1/4SW1/4 of Section 27 and SE1/4 of Section 28, Section 27, T2N, R5E, BHM, Pennington County, South Dakota.

24. CONDITIONAL USE PERMIT REVIEW / CU 21-40: No Bad Days Campground; Robert Livingston. To review a the rental of Utility Vehicles (UTVs), kayaks, and paddle boards on the subject property in accordance with Sections 210, 306, and 510 of the Pennington County Zoning Ordinance.

Tract Lake of SW1/4SW1/4 of Section 27 and SE1/4 of Section 28, Section 27, T2N, R5E, BHM, Pennington County, South Dakota.

25. COMPREHENSIVE PLAN AMENDMENT / CA 21-16: Valley Development, LLC. To amend the Comprehensive Plan to change the Future Land Use from Agriculture District and Low Density Residential District to Urban Residential District in accordance with Sections 205, 208, 210, and 508 of the Pennington County Zoning Ordinance.

The subject property is located on the following metes and bounds description: A tract of land located in the W1/2NW1/4 and the NW1/4SW1/4 of Section 13, T1N, R8E, B.H.M., Pennington County, South Dakota; more particularly described as follows: Beginning at the NW section corner of section 13, T1N, R8E; Thence S 88°06'15" E, 33.0'; Thence S 01°55'36" W, 33.0' being the point of beginning; Thence S 88°06'15" E, 1287.76'; Thence S 02°03'27" W, 3949.28'; Thence N 88°04'20" W, 316.91'; Thence N 02°08'16" E, 384.95'; Thence N 88°08'17" W, 750.42'; Thence S 02°10'56" W, 5.00'; Thence N 88°06'47" W, 217.00'; Thence N 02°01'58" E, 2271.89'; Thence N 88°12'24" E, 186.98'; Thence N 01°51'13" E, 199.69'; Thence N 88°01'38" W, 186.73'; Thence N 01°55'36" E, 1097.46' to the point of beginning; Containing 107.11 Acres, more or less; in Section 13, T1N, R8E, BHM, Pennington County, South Dakota.

26. REZONE / RZ 21-34: Valley Development, LLC. To rezone 107.11 acres +/- from Agriculture District to Urban Residential District in accordance with Sections 205, 210, and 508 of the Pennington County Zoning Ordinance.

The subject property is located on the following metes and bounds description: A tract of land located in the W1/2NW1/4 and the NW1/4SW1/4 of Section 13, T1N, R8E, B.H.M., Pennington County, South Dakota; more particularly described as follows: Beginning at the NW section corner of section 13, T1N, R8E; Thence S 88°06'15" E, 33.0'; Thence S 01°55'36" W, 33.0' being the point of beginning; Thence S 88°06'15" E, 1287.76'; Thence S 02°03'27" W, 3949.28'; Thence N 88°04'20" W, 316.91'; Thence N 02°08'16" E, 384.95'; Thence N 88°08'17" W, 750.42'; Thence S 02°10'56" W, 5.00'; Thence N 88°06'47" W, 217.00'; Thence N 02°01'58" E, 2271.89'; Thence N 88°12'24" E, 186.98'; Thence N 01°51'13" E, 199.69'; Thence N 88°01'38" W, 186.73'; Thence N 01°55'36" E, 1097.46' to the point of beginning; Containing 107.11 Acres, more or less; in Section 13, T1N, R8E, BHM, Pennington County, South Dakota.

27. REZONE / RZ 21-35: Valley Development, LLC. To rezone 8.522 acres +/- from Agriculture District to Ranchette District in accordance with Sections 205, 206, and 508 of the Pennington County Zoning Ordinance.

The subject property is located on the following metes and bounds description: A tract of land located in the NW1/4SW1/4 of Section 13, T1N, R8E, B.H.M., Pennington County, South Dakota; more particularly described as follows: Beginning at the NW section corner of Section 13, T1N, R8E; Thence S 01°59'36" W, 3602.63'; Thence S 88°06'47" E, 33.0' being the point of beginning; Thence S 02°10'56" W, 379.71'; Thence S 88°07'05" E, 967.72'; Thence N 02°08'16" E, 384.95'; Thence N 88°08'17" W, 750.42'; Thence S 02°10'56" W, 5.00'; Thence N 88°06'47" W, 217.00' to the point of beginning; Containing 8.522 Acres, more or less; in Section 13, T1N, R8E, BHM, Pennington County, South Dakota.

28. ORDINANCE AMENDMENT / OA 21-22: Pennington County. To add Section 330 "Efficiency Dwellings" to the Pennington County Zoning Ordinance.

29. ORDINANCE AMENDMENT / OA 21-23: Pennington County. To amend Section 205-A "Agriculture District" of the Pennington County Zoning Ordinance.

30. ORDINANCE AMENDMENT / OA 21-24: Pennington County. To amend Section 210-A "Urban Residential District" of the Pennington County Zoning Ordinance.

31. ORDINANCE AMENDMENT / OA 21-25: Pennington County. To amend the Subdivision Regulations of the Pennington County Subdivision Regulations Ordinance.

32. COUNTY BOARD REPORT

The Board of Commissioners concurred with the Planning Commission's recommendations from their December 13, 2021, meeting.

33. ITEMS FROM THE PUBLIC

34. ITEMS FROM THE STAFF

A. Building Permit Report.

35. ITEMS FROM THE MEMBERSHIP

36. 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.