

AGENDA
PENNINGTON COUNTY PLANNING COMMISSION
June 13, 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 June 21, 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@pennco.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 MAY 23, 2022, 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 14-33:** Todd and Miranda Ruland.
To review a single-wide mobile home to be used as a permanent residence in a Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

W1/2SE1/4 Less Tract 1 Ruland Ranch Add less Dedicated Right-of-Way, Section 24, T1S, R16E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 14-33 with conditions.

4. **CONDITIONAL USE PERMIT REVIEW / CU 17-05:** Delmar and Melissa Nelson.
To review a Vacation Home Rental on the subject property in a Agriculture District in accordance with Sections 205, 319, and 510 of the Pennington County Zoning Ordinance.

Lot C of Lot 7 of Lot G of Lot 2, Reno Placer MS 823, Section 2, T2S, R4E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 17-05 with conditions.

5. **CONDITIONAL USE PERMIT REVIEW / CU 21-37:** Todd and Deborah Proctor. To review a Recreational Vehicle to be lived in on the subject property, less than 180 days per calendar year, in an Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

PT of Hope Placer, MS 1653 aka NW1/4SW1/4NW1/4, Hope Placer MS 1653, Section 9, T1N, R4E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 21-37 with conditions.

6. **MINOR PLANNED UNIT DEVELOPMENT AMENDMENT REVIEW / PU 19-07:** Lloyd and Catherine Marti. To review a garage as an accessory structure prior to a principal structure on the subject property in accordance with Section 216 of the Pennington County Zoning Ordinance.

Lot 2, Block 1, Holy Cow Ranch Subdivision #2, Section 25, T1N, R8E, BHM, Pennington County, South Dakota.

To recommend to end Minor Planned Unit Development Amendment / PU 19-07.

END OF CONSENT AGENDA

7. **ROAD NAMING:** ELS Properties; Rick Schuelke. To name a 66-foot-wide private access easement providing access to property located in Section 18, T2S, R7E, BHM, Pennington County, South Dakota, to Talon Trail.

8. **ROAD NAMING:** Brian Barber. To name an existing 66-foot-wide Public Right-of-Way providing access to properties located in Sections 4, 5, 8 and 9, T2S, R9E, BHM, Pennington County, South Dakota, to Assurance Way.

9. **CONDITIONAL USE PERMIT / CU 22-23:** Susan Murray; KTM Design Solutions, Inc. - Agent. To allow an accessory structure, a garage, as a primary structure on the subject property in a Suburban Residential District in accordance with Sections 209 and 510 of the Pennington County Zoning Ordinance.

Lot B, Murray Subdivision No. 2, Section 31, T1N, R7E, BHM, Pennington County, South Dakota.

10. **CONDITIONAL USE PERMIT AMENDMENT / CU 21-52:** Campfire Cabins, LLC, Al Sutton. To amend a Conditional Use Permit to allow the existing caretaker/manager's residence to be used as a Vacation Home Rental in an Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

Tract B, Circle B Ranch Subdivision, Section 28, T2N, R5E, BHM, Pennington County, South Dakota.

11. CONDITIONAL USE PERMIT / CU 22-27: Jeff and Kelly Gorman. To allow a Bed and Breakfast on the subject property in a Suburban Residential District in accordance with Sections 209, 323, and 510 of the Pennington County Zoning Ordinance.

Lot 7, Block 2, Highland Hills Subdivision, Section 32, T1N, R7E, BHM, Pennington County, South Dakota.

12. PRELIMINARY PLAN / PPL 22-27: Eisenbraun Farms LLC; Tyrel Eisenbraun. To subdivide and create Tract A of Eisenbraun Farms Addition in accordance with Section 500 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: All Less ROW, Section 24, T1N, R14E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Tract A, Eisenbraun Farms Addition, Section 24 T1N, R14E, BHM, Pennington County, South Dakota.

13. CONDITIONAL USE PERMIT / CU 22-25: Todd and Deborah Proctor. To allow a mobile coffee trailer to be operated on the subject property in an Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

PT of Hope Placer, MS 1653 aka NW1/4SW1/4NW1/4, Hope Placer MS 1653, Section 9, T1N, R4E, BHM, Pennington County, South Dakota.

14. CONDITIONAL USE PERMIT / CU 22-28: Michael and Renee Myers. To allow a Guest House on the subject property in an Agriculture District in accordance with Sections 205, 318, and 510 of the Pennington County Zoning Ordinance.

E1/2NW1/4 Less Tract A, Section 14, T1N, R9E, BHM, Pennington County, South Dakota.

15. PRELIMINARY PLAN / PPL 22-25: Russell and Kimberly Johnson; Martin Kost – Surveyor. To subdivide and create Lots 3, 4, and 5 of Storm Hill Subdivision No. 2 in accordance with Section 500 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Tract 7R, Storm Hill Subdivision; Bal of GL 4; and That Pt of Snowbird Lode MS #526 Lying in NE1/4SW1/4 Less Storm Hill Subdivision, Snowbird Lode MS 526; all of Section 28, T1S, R5E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lots 3, 4, and 5, Storm Hill Subdivision No. 2, Section 28, T1S, R5E, BHM, Pennington County, South Dakota.

16. CONDITIONAL USE PERMIT / CU 22-15: Dawn and Troy Richter. To allow a grain bin to be used as a primitive cabin rental on the subject property in an Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

NE1/4, NE1/4NW1/4, Section 8, T1S, R17E, BHM, Pennington County, South Dakota.

(Continued from the May 23, 2022, Planning Commission meeting.)

17. CONDITIONAL USE PERMIT / CU 22-16: Dawn and Troy Richter. To allow a Recreational Vehicle park on the subject property in an Agriculture District in accordance with Sections 205, 306, and 510 of the Pennington County Zoning Ordinance.

NE1/4, NE1/4NW1/4, Section 8, T1S, R17E, BHM, Pennington County, South Dakota.

(Continued from the May 23, 2022, Planning Commission meeting.)

18. COMPREHENSIVE PLAN AMENDMENT / CA 22-12: Mary Dietrich; Howe Land Surveying - Agent. To amend the Comprehensive Plan to change the Future Land Use from Ranchette District to Low Density Residential District in accordance with Sections 206, 208, and 508 of the Pennington County Zoning Ordinance.

Lot 1, Otho Subdivision, Section 15, T2S, R6E, BHM, Pennington County, South Dakota.

(Continued from the May 23, 2022, Planning Commission meeting.)

19. REZONE / RZ 22-13: Mary Dietrich; Howe Land Surveying - Agent. To rezone 4.9 acres from Agriculture District to Low Density Residential District in accordance with Sections 205, 208, and 508 of the Pennington County Zoning Ordinance.

Lot 1, Otho Subdivision, Section 15, T2S, R6E, BHM, Pennington County, South Dakota.

(Continued from the May 23, 2022, Planning Commission meeting.)

20. REZONE / RZ 22-17: Joanie McVey; Jim Peterson - Agent. To rezone 25.072 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: The Point of Beginning of said parcel being common with the southeasterly corner of Tract A of Swampy Lane Subdivision as shown in Plat Book 21, Page 108, at the Pennington County Register of Deeds Office, which is marked by a 5/8" rebar with survey cap stamped "Bryant RLS 2196", said Parcel is more particularly described as follows: THENCE FIRST COURSE: along said easterly line of said Tract A with a bearing of N38°50'50"W and a distance of 639.55 feet to an angle point corner of said parcel and marked with a 5/8" rebar with survey cap stamped "Bryant RLS 2196"; THENCE SECOND COURSE: continuing along said easterly line of Tract A with a bearing of N02°24'14"W and a distance of 291.60 feet to an angle point corner of said parcel and marked with a 5/8" rebar with survey cap stamped "Bryant RLS 2196"; THENCE THIRD COURSE: continuing along said easterly line of Tract A with a bearing of N17°12'16"W and a distance of 377.21 feet to an intersection with the southerly Right-of-Way (R.O.W.) line of McVey Road; THENCE FORTH COURSE: continuing along said R.O.W. line through a curve to the right with a central angle of 07°13'12", an arc length of 232.35 feet and a radius of 1,843.88 feet (chord Bearing of S51°35'55"E and a Chord Distance of 232.20 feet); THENCE FIFTH COURSE: continuing along said R.O.W. line with a bearing of S47°59'19"E and a distance of 66.34 feet; THENCE SIXTH COURSE:

continuing along said R.O.W. line through a curve to the left with a central angle of 06°58'26", an arc length of 61.30 feet and a radius of 503.67 feet (chord Bearing of S51°28'32"E and a Chord Distance of 61.27 feet); THENCE SEVENTH COURSE: continuing along said R.O.W. line with a bearing of S54°57'36"E and a distance of 189.01 feet; THENCE EIGHTH COURSE: continuing along said R.O.W. line through a curve to the left with a central angle of 58°21'22", an arc length of 352.19 feet and a radius of 345.79 feet (chord Bearing of S84°08'26"E and a Chord Distance of 337.16 feet); THENCE NINETH COURSE: continuing along said R.O.W. line with a bearing of N66°40'53"E and a distance of 179.48 feet; THENCE TENTH COURSE: continuing along said R.O.W. line through a curve to the left with a central angle of 02°19'19", an arc length of 51.33 feet and a radius of 1,266.61 feet (chord Bearing of N65°31'14"E and a Chord Distance of 51.33 feet); THENCE ELEVENTH COURSE: continuing along said R.O.W. line with a bearing of N64°20'38"E and a distance of 314.18 feet; THENCE TWELFTH COURSE: continuing along said R.O.W. line through a curve to the right with a central angle of 50°27'58", an arc length of 236.22 feet and a radius of 268.19 feet (chord Bearing of N89°21'32"E and a Chord Distance of 228.66 feet); THENCE THIRTEENTH COURSE: along proposed lot line with a bearing of S05°33'40"W and a distance of 1,015.62 feet to an intersection with the Section 1/16 line of said Section 36, T1N, R3E, BHM which is coincident the northerly boundary of Slate Prairie Subdivision; THENCE FOURTEENTH COURSE: continuing along said Section 1/16 line of Section 36 with a bearing of S89°59'35"W and a distance of 869.36 feet to the Point of Beginning. Basis of Bearings established by GPS observation, all bearings referenced to geodetic north (WGS84.) Said Parcel of Land to be Rezoned Contains 25.072 acres, more or less; Section 36, T1N, R3E, BHM, Pennington County, South Dakota.

21. PRELIMINARY PLAN / PPL 22-24: Joanie McVey; Jim Peterson - Agent. To subdivide and create Lots 1, 2, 3, 4, and 5 of McVey Valley Subdivision in accordance with Section 500 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: All Less Kayter Subdivision and Less Swampy Lane Subdivision, HES #636, Section 36, T1N, R3E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lots 1, 2, 3, 4, and 5, McVey Valley Subdivision, Section 36, T1N, R3E, BHM, Pennington County, South Dakota.

22. REZONE / RZ 22-18: Joseph Theberge; Renner Associates - Agent. To rezone 8.171 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: Commencing at the section corner common to Sections 11, 12, 13, and 14 of T1N, R6E, BHM and the point of beginning. Thence, first course: N 89°35'29" E, along the along the section line common to Sections 12 and 13, T1N, R6E, BHM, a distance of 659.47 feet; Thence, second course: S 00°00'02" W, a distance of 542.23 feet; Thence, third course: N 89°56'48" W, a distance of 659.86 feet, to a point on the section line common to Sections 13 and 14, T1N, R6E, BHM; Thence, fourth course: N 00°03'12" E, along the along the section line common to Sections 13 and 14, T1N, R6E, BHM, a distance of 503.59 feet; Thence, fifth course: N 00°06'05" W, along the along the section line common to Sections 13 and 14, T1N, R6E, BHM, a distance of 33.33 feet; to the said point of beginning. Said Parcel contains 8.171 acres more or less; Section 13, T1N, R6E, BHM, Pennington County, South Dakota.

23. REZONE / RZ 22-19: Isaac Almanza; Renner Associates – Agent. To rezone 5.059 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: Commencing at the northeasterly corner of Lot 2, common to a point the section corner common to Sections 14, 15, 22, and 23 of T1S, R5E, BHM, thence S 52°53'24" W, along the along the southeasterly boundary of said Lot 2, a distance of 389.64 feet to the point of beginning; Thence, first course: S 52°53'24" W, along the along the southeasterly boundary of said Lot 2, a distance of 607.36 feet to the southerly corner of said Lot 2; Thence, second course: N 45°59'04" W, along the southwesterly boundary of said Lot 2, a distance of 429.69 feet, to a point on the southerly edge of US Highway 385 right-of-way; Thence, third course: along the southeasterly edge of said US Highway 385 right-of-way, curving to the right, on a curve with a radius of 1016.35 feet, a delta angle of 31°15'07", a length of 554.37 feet, a chord bearing of N 60°06'54" E, and chord distance of 547.52 feet; Thence, fourth course: along the southeasterly edge of said US Highway 385 right-of-way, curving to the right, on a curve with a radius of 1016.35 feet, a delta angle of 02°48'29", a length of 49.81 feet, a chord bearing of N 76°54'37" E, and chord distance of 49.81 feet; Thence, fifth course: S 10°35'01" E, a distance of 188.00 feet; Thence, sixth course: S 82°24'21" E, a distance of 237.69 feet, to the said point of beginning. Said Parcel contains 5.059 acres more or less; Section 22, T1S, R5E, BHM, Pennington County, South Dakota.

24. MINOR PLAT / MPL 22-30: Isaac Almanza; Renner Associates – Agent. To subdivide and create Lot 1 of JV Subdivision and Lot 2R of HES #563 in accordance with Section 400.3 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot 2 Less Lots H2 and H3 (also in Section 14) of HES #563, Section 22, T1S, R5E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 1 of JV Subdivision and Lot 2R of HES #563, Section 22, T1S, R5E, BHM, Pennington County, South Dakota.

25. MINOR PLANNED UNIT DEVELOPMENT AMENDMENT / PU 22-09: Hart Ranch Camping Resort Club; Tim Schnabel - Agent. To amend the existing Hart Ranch Planned Unit Development to allow a warehouse to be utilized as an event center in accordance with Section 216 of the Pennington County Zoning Ordinance.

Hart Ranch Camping Resort Parcel of Hart Ranch Development, Section 18, T1S, R8E, BHM, Pennington County, South Dakota.

26. CONDITIONAL USE PERMIT / CU 22-26: Tube Air Racing, LLC/Larry Teuber; Renner Associates - Agent. To allow an accessory structure, a pole barn/shop building, 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.

Lot 1 Revised (also located in Section 5), Block 5, Spring Canyon Estates, Section 6, T1S, R7E, BHM, Pennington County, South Dakota.

27. CONDITIONAL USE PERMIT / CU 22-24: PDQ Construction, Inc. / Justin DeVeney. To allow a caretaker/manager's residence on the subject property in a Highway Service District in accordance with Sections 212 and 510 of the Pennington County Zoning Ordinance.

Lot 7R, The Forks at Remington Ranch, Section 22, T1S, R5E, BHM, Pennington County, South Dakota.

28. ORDINANCE AMENDMENT / OA 22-01: Pennington County. To add Section 321 "Hard Rock Mining" [to add Section 321 "Hard Rock Mining"] to the Pennington County Zoning Ordinance.

(Continued from the May 23, 2022, Planning Commission meeting.)

29. COUNTY BOARD REPORT
The Board of Commissioners will hear the Planning Commission's recommendations from the May 23rd meeting at their Friday, June 10th meeting.

30. ITEMS FROM THE PUBLIC

31. ITEMS FROM THE STAFF

A. Building Permit Report.

32. ITEMS FROM THE MEMBERSHIP

33. 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.