

AGENDA
PENNINGTON COUNTY PLANNING COMMISSION
July 11, 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 July 19, 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. ELECTION OF OFFICERS
2. APPROVAL OF THE JUNE 27, 2022, 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, on certain items from this agenda, are recommendations to the Pennington County Board of Commissioners who will make the final decision.

4. **CONDITIONAL USE PERMIT REVIEW / CU 14-03:** Lonny Ryman. To review storage units located on the subject property in a Highway Service District in accordance with Sections 212 and 510 of the Pennington County Zoning Ordinance.

Lot 1 of Tract A of Lot B in the NE1/4NW1/4, Section 17, T2N, R7E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Condition Use Permit / CU 14-03 with conditions.

5. **CONDITIONAL USE PERMIT REVIEW / CU 17-27:** Beverly Sears. To review an existing 12' x 12' structure to be used as a single-family residence in a Suburban Residential District in accordance with Sections 204, 209, and 510 of the Pennington County Zoning Ordinance.

Lots 22-23, Block, 8, Silver City Subdivision, Section 31, T2N, R5E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Condition Use Permit / CU 17-27 with conditions.

6. **CONDITIONAL USE PERMIT REVIEW / CU 20-30:** Jay and Mary Smith. To review a single-wide mobile home to be used as a single-family residence in an Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

W1/2E1/2NW1/4NW1/4, Section 17, T2N, R8E, BHM, Pennington County, South Dakota.

To recommend to end Condition Use Permit / CU 20-30.

7. **CONDITIONAL USE PERMIT REVIEW / CU 21-01:** Thorn Kinetic Systems; Robert Espinosa. To review a home occupation, a home-based firearms business, on the subject property in a Suburban Residential District in accordance with Sections 209 and 510 of the Pennington County Zoning Ordinance.

Lot 3, Block 4, Pine Cliff Subdivision, Section 31, T2N, R6E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Condition Use Permit / CU 21-01 with conditions.

8. **CONDITIONAL USE PERMIT REVIEW / CU 21-02:** In-Rut Rifles, Inc.; Mark Lembke. To review a home occupation, a home-based firearms business, on the subject property in a Rural Residential District in accordance with Sections 207 and 510 of the Pennington County Zoning Ordinance.

Lot 3, Sun Country Estates, Section 26, T1S, R6E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Condition Use Permit / CU 21-02 with conditions.

END OF CONSENT AGENDA

9. **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.

(Continued from the June 13, 2022, Planning Commission meeting.)

10. **CONDITIONAL USE PERMIT / CU 22-30:** Larsson Recreational Properties / Paschal Perrotte. To allow a Recreational Vehicle Park on the subject property in a Highway Service District in accordance with Sections 212, 306, and 510 of the Pennington County Zoning Ordinance.

Lot B of Lot 7, Block 2, Dead Broke Subdivision, Section 1, T2S, R4E, BHM, Pennington County, South Dakota.

- 11. CONDITIONAL USE PERMIT AMENDMENT / CU 22-06: Kent and Kim Disse. To amend an existing Conditional Use Permit for a gunsmithing business to allow for the buying and selling of new and used firearms in a Rural Residential District in accordance with Sections 204-B, 207, and 510 of the Pennington County Zoning Ordinance.

Lot C of Lot 3 of Tract 1, Tigerville Subdivision, Section 9, T1S, R4E, BHM, Pennington County, South Dakota.

- 12. PLANNED UNIT DEVELOPMENT OVERLAY / PU 22-10: Wheaton Enterprises, LLC / Natalie Wheaton. To allow a Planned Unit Development Overlay to allow a Recreational Resort on the subject property in accordance with Section 216 of the Pennington County Zoning Ordinance.

Lot 1 of NW1/4NE1/4, Section 22, T2S, R4E, BHM, Pennington County, South Dakota.

- 13. PRELIMINARY PLAN / PPL 22-33: No Bad Days Campground, LLC; Rob Livingston. To subdivide and create Lots 1, 2, 3, and 4 and Utility Lot of No Bad Days Subdivision in accordance with Section 500 of the Pennington County Subdivision Regulations.

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

PROPOSED LEGAL: Lots 1, 2, 3, and 4 and Utility Lot of No Bad Days Subdivision, Section 27, T2N, R5E, BHM, Pennington County, South Dakota.

(Continued from the June 13, 2022, Planning Commission meeting.)

- 14. COMPREHENSIVE PLAN AMENDMENT / CA 22-15: No Bad Days Campground, LLC; Rob Livingston. To amend the Comprehensive Plan to change the Future Land Use from Highway Service District to Rural Residential District in accordance with Sections 207, 212, and 508 of the Pennington County Zoning Ordinance.

A tract of land being a portion of Tract Lake of the SW1/4SW1/4 of Sec. 27 and SE1/4 of Sec. 28, T2N, R5E, BHM, Pennington County, South Dakota, and being more particularly described as follows: beginning at the W1/16 corner of Sections 27 and 34, said corner being a U.S.F.S. cap and being the true point of beginning of the herein described Tract, Thence N00°04'02"E a distance of 366.36' to a set pin and cap stamped "LS11918; thence N00°04'02"E a distance of 336.36' to a set pin and cap stamped "LS11918", said pin and cap being in the southerly right-of-way of Highway 44, and from which bears a SDDOT cap S00°04'02"W a distance of 28.41'; thence following said southerly right-of-way N85°01'22"W a distance of 299.74' to a set pin and cap stamped "LS11918; thence S84°11'25"W a distance of 154.88' to a found rebar; thence S83°43'37"W a distance of 101.45' to a set pin and cap stamped "LS11918; thence S76°03'37"W a distance of 101.45' to a found rebar; thence S66°36'13"W a distance of 99.20' to a set pin and cap stamped "LS11918; thence S63°36'13"W a distance of 99.20' to a set pin and cap stamped "LS11918; thence S54°54'13"W a distance of 99.20' to a set pin and cap stamped "LS11918; thence S50°24'26"W a distance of 82.78' to a set pin and cap stamped "LS11918; thence departing said southerly right-of-way S51°32'50"E a distance of 62.23' to a set pin and cap stamped "LS11918; thence S81°34'55"E a distance of 142.01' to a set pin and cap stamped "LS11918; thence S00°30'19"E a distance of 100.84' to a set pin and cap stamped "LS11918; thence N85°22'53"E a distance of 57.21' to a set pin and cap stamped "LS11918; thence

N65°24'15"E a distance of 114.81' to a set pin and cap stamped "LS11918; thence S89°33'20"E a distance of 146.23' to a set pin and cap stamped "LS11918; thence S00°09'27"E a distance of 197.57' to a set pin and cap stamped "LS11918; thence S00°00'00"E a distance of 192.37' to a set pin and cap stamped "LS11918; thence S00°00'00"W a distance of 176.75' to a set pin and cap stamped "LS11918; thence S89°50'54"E a distance of 285.37' to the point of beginning; the herein described tract having an area of 9.83 acres more or less; Section 27, T2N, R5E, BHM, Pennington County, South Dakota.

(Continued from the June 13, 2022, Planning Commission meeting.)

15. REZONE / RZ 22-21: No Bad Days Campground, LLC; Rob Livingston. To rezone 9.83 acres from Highway Service District to Rural Residential District in accordance with Sections 207, 212, and 508 of the Pennington County Zoning Ordinance.

The subject property is located on the following metes and bounds description: A tract of land being a portion of Tract Lake of the SW1/4SW1/4 of Sec. 27 and SE1/4 of Sec. 28, T2N, R5E, BHM, Pennington County, South Dakota, and being more particularly described as follows: beginning at the W1/16 corner of Sections 27 and 34, said corner being a U.S.F.S. cap and being the true point of beginning of the herein described Tract, Thence N00°04'02"E a distance of 366.36' to a set pin and cap stamped "LS11918; thence N00°04'02"E a distance of 336.36' to a set pin and cap stamped "LS11918", said pin and cap being in the southerly right-of-way of Highway 44, and from which bears a SDDOT cap S00°04'02"W a distance of 28.41'; thence following said southerly right-of-way N85°01'22"W a distance of 299.74' to a set pin and cap stamped "LS11918; thence S84°11'25"W a distance of 154.88' to a found rebar; thence S83°43'37"W a distance of 101.45' to a set pin and cap stamped "LS11918; thence S76°03'37"W a distance of 101.45' to a found rebar; thence S66°36'13"W a distance of 99.20' to a set pin and cap stamped "LS11918; thence S63°36'13"W a distance of 99.20' to a set pin and cap stamped "LS11918; thence S54°54'13"W a distance of 99.20' to a set pin and cap stamped "LS11918; thence S50°24'26"W a distance of 82.78' to a set pin and cap stamped "LS11918; thence departing said southerly right-of-way S51°32'50"E a distance of 62.23' to a set pin and cap stamped "LS11918; thence S81°34'55"E a distance of 142.01' to a set pin and cap stamped "LS11918; thence S00°30'19"E a distance of 100.84' to a set pin and cap stamped "LS11918; thence N85°22'53"E a distance of 57.21' to a set pin and cap stamped "LS11918; thence N65°24'15"E a distance of 114.81' to a set pin and cap stamped "LS11918; thence S89°33'20"E a distance of 146.23' to a set pin and cap stamped "LS11918; thence S00°09'27"E a distance of 197.57' to a set pin and cap stamped "LS11918; thence S00°00'00"E a distance of 192.37' to a set pin and cap stamped "LS11918; thence S00°00'00"W a distance of 176.75' to a set pin and cap stamped "LS11918; thence S89°50'54"E a distance of 285.37' to the point of beginning; the herein described tract having an area of 9.83 acres more or less; Section 27, T2N, R5E, BHM, Pennington County, South Dakota.

(Continued from the June 13, 2022, Planning Commission meeting.)

16. CONDITIONAL USE PERMIT / CU 22-31: Scott Mohr. To allow a multi-family residence (4-plex) on the subject property in a Suburban Residential District in accordance with Sections 209, 303, and 510 of the Pennington County Zoning Ordinance.

Tract H (proposed Lot A), Murphy Ranch Estates Subdivision, Section 14, T1N, R8E, BHM, Pennington County, South Dakota.

17. CONDITIONAL USE PERMIT / CU 22-32: Scott Mohr. To allow a multi-family residence (4-plex) on the subject property in a Suburban Residential District in accordance with Sections 209, 303, and 510 of the Pennington County Zoning Ordinance.

Tract H (proposed Lot B), Murphy Ranch Estates Subdivision, Section 14, T1N, R8E, BHM, Pennington County, South Dakota.
18. CONDITIONAL USE PERMIT / CU 22-33: Scott Mohr. To allow a multi-family residence (4-plex) on the subject property in a Suburban Residential District in accordance with Sections 209, 303, and 510 of the Pennington County Zoning Ordinance.

Tract H (proposed Lot C), Murphy Ranch Estates Subdivision, Section 14, T1N, R8E, BHM, Pennington County, South Dakota.
19. CONDITIONAL USE PERMIT AMENDMENT REVIEW / CU 20-18: Wild Springs Solar, LLC; Geronimo Energy. To review an existing Conditional Use Permit for a utility-scale solar energy system in a Rural Residential and Agriculture District in accordance with Sections 205, 207, and 510 of the Pennington County Zoning Ordinance.

That PT of NE1/4 S of Chicago Northwestern RR; SE1/4 of Section 36, T2N, R10E; GL 1-4; S1/2NE1/4; S1/2NW1/4, Less ROW, and S1/2 of Section 1, T1N, R10E; GL 6-7; E1/2SW1/4, W1/2SE1/4; E1/2SE1/4 of Section 6, T1N, R11E; E1/2NE1/4; W1/2NE1/4, E1/2NW1/4; GL 1-4; NE1/4SW1/4, N1/2SE1/4, SE1/4SE1/4, Less ROW of Section 7, T1N, R11E; All Less ROW of Section 8, T1N, R11E; E1/2SW1/4 of Section 5, T1N, R11E; N1/2NE1/4, SE1/4NE1/4, S1/2SW1/4, E1/2SE1/4, SW1/4SE1/4, NW1/4, Less ROW of Section 9, T1N, R11E, and GL3-4; E1/2SW1/4, Less ROW of Section 31, T2N, R11E BHM, Pennington County, South Dakota.
20. COUNTY BOARD REPORT
The Board of Commissioners concurred with the Planning Commission's recommendations from their June 27th meeting.
 1. Ordinance Amendment 22-01: Pennington County. To add Section 321 – Hard Rock Mining to the Zoning Ordinance, was continued to the July 19th Board Meeting.
21. ITEMS FROM THE PUBLIC
22. ITEMS FROM THE STAFF
 - A. Building Permit Report.
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.