

AGENDA
PENNINGTON COUNTY PLANNING COMMISSION
August 28, 2023 @ 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 September 5, 2023, 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 AUGUST 14, 2023, 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 AMENDMENT REVIEW / CU 15-01:** Sheri Tonner. To review an existing single-wide mobile home to be used as a permanent single-family residence on the subject property in an Agriculture District in accordance with the Pennington County Zoning Ordinance.

E1/2SW1/4NE1/4; E1/2W1/2SW1/4NE1/4; W1/2W1/2SE1/4 NE1/4; S1/2SE1/4NW1/4 NE1/4; SE1/4SW1/4NW1/4NE1/4; SW1/4SW1/4NE1/4 NE1/4, Section 16, T1S, R7E, BHM, Pennington County, South Dakota.

To recommend to end Conditional Use Permit Amendment / CU 15-01 with the property owner's concurrence.

4. **CONDITIONAL USE PERMIT REVIEW / CU 15-15:** Gerald Meredith. To review a caretaker's residence on the subject property in a Suburban Residential District in accordance with the Pennington County Zoning Ordinance.

Lot B of Lot 3 of SE1/4NE1/4, Section 9, T1N, R8E, BHM, Pennington County, South Dakota.

To recommend approval of the review of Conditional Use Permit / CU 15-15 with conditions.

5. **CONDITIONAL USE PERMIT REVIEW / CU 17-25:** Donald Wojciechowski; Lisa Loerzel – Agent. To review one (1) pole barn and three (3) greenhouse structures on the NW1/4NE1/4SW1/4 in Section 31, T1N, R7E, BHM; and to review one (1) pole barn structure located on the E1/2 GL3, Section 31, T1N, R7E, BHM; and to allow the one (1) pole barn structure to remain on the E1/2 GL3, Section 31, T1N, R7E, BHM, when the principle structure is removed from the property in the future, in a Suburban Residential District, in accordance with the Pennington County Zoning Ordinance.

NW1/4NE1/4SW1/4, and E1/2 GL3, all located in Section 31, T1N, R7E, BHM, Pennington County, South Dakota.

To recommend approval of the review of Conditional Use Permit / CU 17-25 with conditions.

6. **CONDITIONAL USE PERMIT REVIEW / CU 18-02:** Glenda Robertson. To review a Vacation Home Rental on the subject property in a Rural Residential District in accordance with the Pennington County Zoning Ordinance.

Lot 3, Melchert Ranch Subdivision, Section 15, T2N, R3E, BHM, Pennington County, South Dakota.

To recommend approval of the review of Conditional Use Permit / CU 18-02 with conditions.

7. **CONDITIONAL USE PERMIT REVIEW / CU 18-32:** Katrena Roseland. To review a caregiver's residence on the subject property in a Suburban Residential District in accordance with the Pennington County Zoning Ordinance.

Lot 7, Block 4, Eastern Acres Subdivision, Section 11, T1N, R8E, BHM, Pennington County, South Dakota.

To recommend approval of the review of Conditional Use Permit / CU 18-32 with conditions.

8. **CONDITIONAL USE PERMIT REVIEW / CU 18-33:** Fatter Boys, Inc.; Bob Fuchs - Agent. To review three (3) internally illuminated signs within 1,500 feet of a residential zoning district/dwelling unit in a Highway Service District in accordance with the Pennington County Zoning Ordinance.

Lot 9, Spring Creek Palisades Subdivision, Section 21, T1S, R5E, BHM, Pennington County, South Dakota.

To recommend approval of the review of Conditional Use Permit / CU 18-33 with conditions.

9. **CONDITIONAL USE PERMIT REVIEW / CU 21-55:** David and Helene Weldon. To review living in an existing pole barn with living quarters, while building a residence on the subject property, in an Agriculture District in accordance with the Pennington County Zoning Ordinance.

Less Right-of-Way, Star Lode Mining Claim MS 2148, Section 13, T2S, R6E, BHM, Pennington County, South Dakota.

To recommend end Conditional Use Permit / CU 21-55 with the applicant's concurrence.

10. **CONDITIONAL USE PERMIT REVIEW / CU 21-64:** Jane Patnoe; Don Patnoe - Agent. To review a tiny home/park model as a primary structure on the subject property in an Agriculture District in accordance with the Pennington County Zoning Ordinance.

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

To recommend approval of the review of Conditional Use Permit / CU 21-64 with conditions.

11. **PLANNED UNIT DEVELOPMENT OVERLAY REVIEW / PU 19-01:** Brink Constructors, Inc.; BCI Properties, LLC; Zane Brink – Agent. To review an apprenticeship training facility for linemen of Brink Construction in a Planned Unit Development Overlay in accordance with the Pennington County Zoning Ordinance.

SW1/4SE1/4 less ROW, Section 24, T2N, R9E, BHM, Pennington County, South Dakota.

To recommend approval of the review of Planned Unit Development Overlay / PU 19-01 with conditions.

12. **MAJOR PLANNED UNIT DEVELOPMENT AMENDMENT REVIEW / PU 19-06:** Rockerville Gold Town, LLC, Pat Hall. To review an amendment to an existing Planned Unit Development to allow for townhomes, apartments, and commercial businesses in accordance with the Pennington County Zoning Ordinance.

W1/2SE1/4SE1/4 South of Hwy 16 Westboundless Lot A, Less Lot 1, and Less ROW; E1/2SE1/4SE1/4 South of Hwy 16 Westbound Less ROW; and That Part of the SW1/4SW1/4 lying S of Hwy 16 and W of CO RD; and Lots 6-15, Lot 17, Tract B-1 and Tract B-2; and Common Lot B of Rockerville Ghost Town Subdivision, Sections 13 and 14, T1S, R6E, BHM, Pennington County, South Dakota.

To recommend to continue the review of Major Planned Unit Development Amendment / PU 19-06 to the September 25, 2023, Planning Commission meeting.

13. **MINOR PLANNED UNIT DEVELOPMENT AMENDMENT REVIEW / PU 21-04:** Rockerville Gold Town, LLC, Pat Hall. To review an amendment to an existing Planned Unit Development to reduce the setback from 25 feet to 5 feet to allow a water treatment structure and pump facility on the subject property in accordance with the Pennington County Zoning Ordinance.

E1/2SE1/4SE1/4 South of Highway 16 Westbound Less ROW; Section 14, T1S, R6E, BHM, Pennington County, South Dakota.

To recommend approval of the review of Minor Planned Unit Development Amendment / PU 21-04 with conditions.

14. **MINOR PLANNED UNIT DEVELOPMENT AMENDMENT REVIEW / PU 21-14:** Renee Voss. To review living in a Recreational Vehicle while building a single-family residence on the subject property in accordance with the Pennington County Zoning Ordinance.

Lot 14 (also in Section 3), Wheel Inn No. 4 Subdivision, Section 2, T1S, R5E, BHM, Pennington County, South Dakota.

To recommend to end Minor Planned Unit Development Amendment / PU 21-14 with the applicant's concurrence.

15. **MINING PERMIT REVIEW / MP 20-04:** GCC Dacotah, Inc. To review a mining operation to extract limestone by drilling and blasting then to be hauled off site in a Heavy Industrial District in accordance with the Pennington County Zoning Ordinance.

SW1/4NE1/4 Less Limestone Tunnel Sub; NW1/4SE1/4; That PT of SE1/4NE1/4, NE1/4SE1/4 and SE1/4SE1/4 Lying W of Hwy 79 Less Limestone Tunnel Sub in the SE1/4NE1/4, Section 20, T2N, R7E, BHM, Pennington County, South Dakota.

To recommend approval of the review of Mining Permit / MP 20-04 with conditions.

16. **MINING PERMIT REVIEW / MP 20-05:** GCC Dacotah, Inc. To review a mining operation to extract, crush, and stockpile shale to be hauled off site in an Agriculture District in accordance with the Pennington County Zoning Ordinance.

PT SE1/4SW1/4; PT S1/2SE1/4 of Section 11, T2N, R7E; PT SW1/4SW1/4 Less PT of Lot A of Lot 3 of Section 11, T2N, R7E; N1/2NE1/4; NE1/4NW1/4 of Section 14, T2N, R7E; NW1/4NW1/4 W of RD of Section 13, T2N, R7E, BHM, Pennington County, South Dakota.

To recommend approval of the review of Mining Permit / MP 20-05 with conditions.

END OF CONSENT AGENDA

17. **ORDINANCE AMENDMENT / OA 23-01:** Pennington County. To amend Section 319 Vacation Home Rental [to amend and supersede the existing Section 319 Vacation Home Rental] of the Pennington County Zoning Ordinance.

(Continued from the August 14, 2023, Planning Commission meeting.)

18. **CONDITIONAL USE PERMIT / CU 23-28:** Golden West Telecommunications; Casey Weaver - Agent. To allow a telecommunication building on the subject property in a Suburban Residential District in accordance with the Pennington County Zoning Ordinance.

Lot 4 Except 18 ft. square in SW Corner for Highway, Block 3, Caputa Subdivision, Section 1, T1S, R9E, BHM, Pennington County, South Dakota.

19. CONDITIONAL USE PERMIT / CU 23-29: Joy Johnson and Errol Flynn. To allow a Home Occupation on the subject property to make and sell ceramics in a Rural Residential District in accordance with the Pennington County Zoning Ordinance.
- Lot 14, Back Country Subdivision, Section 29, T1N, R9E, BHM, Pennington County, South Dakota
20. CONDITIONAL USE PERMIT AMENDMENT / CU 14-23: Keystone Adventures, Inc.; Andrew Busse – Agent. To amend an existing Conditional Use Permit to amend the operation of the commercial helicopter tour business from seasonal to year-round in a Highway Service District in accordance with the Pennington County Zoning Ordinance.
- The Unplatted Balance of Government Lot 16 less Right-of-Way; and the Unplatted Balance of Government Lot 21 less Right-of-Way, Section 31, T1S, R6E, BHM, Pennington County, South Dakota.
21. COMPREHENSIVE PLAN AMENDMENT / CA 23-06: Adam Weaver / Sharon Holte Weaver; Sarah Tschetter - Agent. To amend the Comprehensive Plan to change the Future Land Use from Rural Residential District to Low Density Residential District in accordance with the Pennington County Zoning Ordinance.
- Commencing at the Southeast Corner of Lot 4 of Strato Rim Estates located in Gov't Lot 4 and the SE1/4 of the SW1/4 of Section 7, Township 1 South, Range 7 East of the Black Hills Meridian, which is the POINT OF BEGINNING, POINT NO 1; Thence N 89°15'32" W - a distance of 580.00 feet to Point No. 2 which is the TRUE POINT OF BEGINNING, Thence N 30°14'44" E - a distance of 172.33 feet to Point No. 3; Thence S 89°15'32" E - a distance of 173.89 feet to Point No. 4; Thence S 00°44'28" W - a distance of 149.98 feet to Point No. 5; Thence N 89°15'32" W - a distance of 258.76 feet to the TRUE POINT OF BEGINNING, Point No. 2; Containing 0.740 Acres "more or less", located in Gov't Lot 4 and SE1/4 of SW1/4 of Section 7, T1S, R7E, BHM, Pennington County, South Dakota.
22. REZONE / RZ 23-09: Adam Weaver / Sharon Holte Weaver; Sarah Tschetter - Agent. To rezone 0.74 acre from Rural Residential District to Low Density Residential District in accordance with the Pennington County Zoning Ordinance.
- Commencing at the Southeast Corner of Lot 4 of Strato Rim Estates located in Gov't Lot 4 and the SE1/4 of the SW1/4 of Section 7, Township 1 South, Range 7 East of the Black Hills Meridian, which is the POINT OF BEGINNING, POINT NO 1; Thence N 89°15'32" W - a distance of 580.00 feet to Point No. 2 which is the TRUE POINT OF BEGINNING, Thence N 30°14'44" E - a distance of 172.33 feet to Point No. 3; Thence S 89°15'32" E - a distance of 173.89 feet to Point No. 4; Thence S 00°44'28" W - a distance of 149.98 feet to Point No. 5; Thence N 89°15'32" W - a distance of 258.76 feet to the TRUE POINT OF BEGINNING, Point No. 2; Containing 0.740 Acres "more or less", located in Gov't Lot 4 and SE1/4 of SW1/4 of Section 7, T1S, R7E, BHM, Pennington County, South Dakota.
23. CONDITIONAL USE PERMIT / CU 23-26: Mike Wagner. To allow for motor vehicle rentals on the subject property in a Highway Service District in accordance with the Pennington County Zoning Ordinance.
- Lot 3 of Lot D, Murray Subdivision, Section 21, T1S, R5E, BHM, Pennington County, South Dakota.

(Continued from the August 14, 2023, Planning Commission meeting.)

24. COUNTY BOARD REPORT

The Board of Commissioners will hear the Planning Commission's recommendations from the August 14, 2023, Planning Commission meeting at their Tuesday, September 5, 2023, meeting.

25. ITEMS FROM THE PUBLIC

26. ITEMS FROM THE STAFF

27. ITEMS FROM THE MEMBERSHIP

28. 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.