

**DRAFT MINUTES
PENNINGTON COUNTY PLANNING COMMISSION
September 26, 2022 @ 9:00 a.m.**

County Commissioners' Meeting Room - Pennington County Administration Building

MEMBERS PRESENT: Charlie Johnson, Karen McGregor, Kevin Kuehn, Jim Coleman, Kevin Burton, and Travis Lasseter.

STAFF PRESENT: Brittney Molitor, Megan Talmage, Cody Sack, Jason Theunissen, and Megan Krueger (State's Attorney's Office).

ROLL CALL

1. APPROVAL OF THE SEPTEMBER 12, 2022, MINUTES
Moved by McGregor and seconded by Lasseter to approve the Minutes of the September 12, 2022, Planning Commission meeting. Vote: unanimous 6 to 0.

2. APPROVAL OF THE AGENDA
Moved by Coleman and seconded by Lasseter to approve the Agenda of the September 26, 2022, Planning Commission meeting. Vote: unanimous 6 to 0.

Moved by Burton and seconded by McGregor to approve the Consent Agenda of the September 26, 2022, Planning Commission meeting. Vote: unanimous 6 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, 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 97-12:** Loretta Daigle. To review a Bed and Breakfast in an Agriculture District in accordance with Sections 205, 323, and 510 of the Pennington County Zoning Ordinance.

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

To end Conditional Use Permit / CU 97-12 with the property owner's concurrence.

Vote: unanimous 6 to 0.

4. **CONDITIONAL USE PERMIT REVIEW / CU 13-01:** Loretta Daigle. To review a Vacation Home Rental in an Agriculture District in accordance with Sections 205, 319, and 510 of the Pennington County Zoning Ordinance.

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

To end Conditional Use Permit / CU 13-01 with the property owner's concurrence.

Vote: unanimous 6 to 0.

5. **CONDITIONAL USE PERMIT REVIEW / CU 20-03:** Scott and Janice Harris. To review a multi-family dwelling in a Suburban Residential District in accordance with Sections 209, 303, and 510 of the Pennington County Zoning Ordinance.

Lots 2-3 of Lot 5, Block 9, Eastern Acres Subdivision, Section 11, T1N, R8E, BHM, Pennington County, South Dakota.

To approve the extension of Conditional Use Permit / CU 20-03 with the following seven (7) conditions:

1. **That the proposed multi-family dwelling, garage, and single-family residence are connected and is shown on the Building Permit site plan;**
2. **That the addresses 5598 and 5600 Uranus Drive be clearly posted, so as to be visible from Uranus Drive, in accordance with Pennington County's Ordinance #20;**
3. **That the minimum of four (4) off-street parking spaces be provided on-site, each measure a minimum of nine (9) feet by eighteen (18) feet and surfaced with gravel, concrete, or asphalt and maintained in a dust-free manner in accordance with Section 310 of the Pennington County Zoning Ordinance;**
4. **That the minimum setback requirements of a Suburban Residential District be continually maintained on the property;**
5. **That the subject property remains free of debris and junk vehicles;**
6. **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,**
7. **That this Conditional Use Permit be reviewed on a complaint basis, or as directed by the Planning Commission or Board of Commissioners to verify that all Conditions of Approval are being met.**

Vote: unanimous 6 to 0.

6. **CONDITIONAL USE PERMIT REVIEW / CU 20-20:** Larry and Dianne Mathews. To allow a multi-family dwelling in a Low Density Residential District in accordance with Sections 208, 303, and 510 of the Pennington County Zoning Ordinance.

Lot 2, Cedar Gulch Subdivision, Section 4, T1S, R9E, BHM, Pennington County, South Dakota.

To continue the review of Conditional Use Permit / CU 20-20 to the October 11, 2022, Planning Commission meeting with the applicant's concurrence.

Vote: unanimous 6 to 0.

END OF CONSENT AGENDA

7. CONDITIONAL USE PERMIT / CU 22-39: A & B Cabins, LLC; Alyssa and Brian Boche. To allow an existing cabin to remain and be used as storage only on the subject property in a Rural Residential District in accordance with Sections 207 and 510 of the Pennington County Zoning Ordinance.

Lot D of Lot 14, Clear Creek Placer MS 1184, Section 15, T1N, R5E, BHM, Pennington County, South Dakota.

(Continued from the September 12, 2022, Planning Commission meeting.)

Sack reviewed the Staff Report stating this item was continued from the September 12, 2022, Planning Commission meeting to address concerns of the Planning Commission.

Staff recommended approval of Conditional Use Permit / CU 22-29 with the following seven (7) conditions:

1. That the small cabin not be used for living quarters but only for storage;
2. That the minimum setback requirements for a Rural Residential District be maintained on the property or the appropriate Variance(s) be obtained;
3. That the property remains free of junk and debris;
4. That a Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored, which requires a site plan to be reviewed and approved by the Planning Director;
5. That the address for the main residence (12727 N Prairie Creek Road) be posted so that it can be seen from both directions of travel on N Prairie Creek Road in accordance with Pennington County Ordinance #20;
6. That the applicant adheres to Pennington County Zoning Ordinance § 510; and,
7. That this Conditional Use Permit be reviewed in 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 Coleman and seconded by Kuehn to approve of Conditional Use Permit / CU 22-29 with the following seven (7) conditions:

- 1. That the small cabin not be used for living quarters but only for storage;**
- 2. That the minimum setback requirements for a Rural Residential District be maintained on the property or the appropriate Variance(s) be obtained;**
- 3. That the property remains free of junk and debris;**

4. **That a Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored, which requires a site plan to be reviewed and approved by the Planning Director;**
5. **That the address for the main residence (12727 N Prairie Creek Road) be posted so that it can be seen from both directions of travel on N Prairie Creek Road in accordance with Pennington County Ordinance #20;**
6. **That the applicant adheres to Pennington County Zoning Ordinance § 510; and,**
7. **That this Conditional Use Permit be reviewed in 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 6 to 0.

8. CONDITIONAL USE PERMIT / CU 22-42: Brian Wagner. To allow an accessory structure 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.

Tract A, Falcon Crest Subdivision, Section 32, T1N, R7E, BHM, Pennington County, South Dakota.

Talmage reviewed the Staff Report indicating the applicant has applied for a Conditional Use Permit to allow an accessory structure as a primary structure on the subject property.

Staff recommended approval of Conditional Use Permit / CU 22-42 with the following ten (10) conditions:

1. That an approved Building Permit be obtained for the proposed shop building, which requires a site plan to be reviewed and approved by the Planning Director;
2. That applicant submit a new stormwater permit prior to or at the same time as the Building Permit for the proposed shop;
3. That an address be assigned for the proposed shop building and be properly posted in accordance with Pennington County Ordinance #20, so that it is visible from Countryside Boulevard;
4. That the applicant obtains an approved Approach Permit from the Falcon Crest Estates Road District;
5. That the proposed shop be used for personal use only no commercial-type use is allowed;
6. That the minimum setback requirements for a Suburban Residential District be maintained on the property or the appropriate Variance(s) be obtained;

7. That the property remains free of junk and debris;
8. That a Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored, which requires a site plan to be reviewed and approved by the Planning Director;
9. That the applicant adheres to Pennington County Zoning Ordinance Section 510; and,
10. That this Conditional Use Permit be reviewed in 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 Coleman and seconded by Kuehn to approve of Conditional Use Permit / CU 22-42 with the following ten (10) conditions:

- 1. That an approved Building Permit be obtained for the proposed shop building, which requires a site plan to be reviewed and approved by the Planning Director;**
- 2. That applicant submit a new stormwater permit prior to or at the same time as the Building Permit for the proposed shop;**
- 3. That an address be assigned for the proposed shop building and be properly posted in accordance with Pennington County Ordinance #20, so that it is visible from Countryside Boulevard;**
- 4. That the applicant obtains an approved Approach Permit from the Falcon Crest Estates Road District;**
- 5. That the proposed shop be used for personal use only no commercial-type use is allowed;**
- 6. That the minimum setback requirements for a Suburban Residential District be maintained on the property or the appropriate Variance(s) be obtained;**
- 7. That the property remains free of junk and debris;**
- 8. That a Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored, which requires a site plan to be reviewed and approved by the Planning Director;**
- 9. That the applicant adheres to Pennington County Zoning Ordinance Section 510; and,**

10. **That this Conditional Use Permit be reviewed in 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 6 to 0.

9. CONDITIONAL USE PERMIT / CU 22-43: Heikke and Jolene Nielsen; Dean Kelly Construction - Ryan Kelly - Agent. To allow a Guest House on the subject property in a Rural Residential District in accordance with Sections 207 and 510 of the Pennington County Zoning Ordinance.

Lot 2, Elkhorn Estates, Section 2, T2S, R5E, BHM, Pennington County, South Dakota.

Talmage 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 22-43 with the following eleven (11) conditions:

1. That within 90 days of approval of Conditional Use Permit / CU 22-43, the applicants apply for a Building Permit for the house and detached garage with living quarters;
2. That prior to the issuance of a Building Permit for a Guest House, the applicant shall record a deed restriction 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;
3. That the maximum allowed living space of a Guest House shall not exceed 50% of the living space in the main dwelling unit or 1,000 square feet, whichever is less;
4. 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;
5. That the Guest House shall not be used for more than 180 days per calendar year;
6. That the primary residence 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;
7. That the on-site wastewater treatment system be in compliance with PCZO Section 204(J);
8. That an address be assigned to the Guest House and the addresses assigned to the primary residence and the Guest House be posted so they are clearly visible from both directions of travel on Old Hill City Road, in accordance with Pennington County Ordinance #20;

9. That the Guest House be utilized and maintained in accordance with all requirements of the PCZO § 318;
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 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 Kuehn and seconded by Burton to approve of Conditional Use Permit / CU 22-43 with the following eleven (11) conditions:

- 1. That within 90 days of approval of Conditional Use Permit / CU 22-43, the applicants apply for a Building Permit for the house and detached garage with living quarters;**
- 2. That prior to the issuance of a Building Permit for a Guest House, the applicant shall record a deed restriction 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;**
- 3. That the maximum allowed living space of a Guest House shall not exceed 50% of the living space in the main dwelling unit or 1,000 square feet, whichever is less;**
- 4. 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;**
- 5. That the Guest House shall not be used for more than 180 days per calendar year;**
- 6. That the primary residence 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;**
- 7. That the on-site wastewater treatment system be in compliance with PCZO Section 204(J);**
- 8. That an address be assigned to the Guest House and the addresses assigned to the primary residence and the Guest House be posted so they are clearly visible from both directions of travel on Old Hill City Road, in accordance with Pennington County Ordinance #20;**

9. That the Guest House be utilized and maintained in accordance with all requirements of the PCZO § 318;
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 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 6 to 0.

10. CONDITIONAL USE PERMIT / CU 22-41: Ames Construction; Patrick Fairl – Agent. To allow a contractor’s storage yard on the subject property for the Wild Springs Solar project in an Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

E1/2NE1/4, Section 7, T1N, R11E, BHM, Pennington County, South Dakota.

Theunissen reviewed the Staff Report indicating the applicant has applied for a Conditional Use Permit to allow a contractor’s storage yard on the subject property for the Wild Springs Solar project.

Staff recommended approval of Conditional Use Permit / CU 22-41 with the following fifteen (15) conditions:

1. 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;
2. That an address be posted at the entrance to the storage yard in accordance with Ordinance #20;
3. That emergency contact information and an evacuation plan for the storage yard be posted at the entrance of the storage yard;
4. That prior to operation, port-a-lets be located on the property to serve as a means of wastewater disposal and that a service contract for the port-a-lets be provided to the Planning Department;
5. That dust control measures be implemented to reduce the amount of dust from trucks and equipment leaving and entering the storage yard;
6. That any bulk chemicals, fuel, and liquid refuse stored on the site have secondary containment;

7. That any lighting to be installed is maintained to minimize spillage of light outside of the area, so as not to create a nuisance. Lighting must be effectively shielded to prevent beams or rays from being directed towards any portion of the traveled ways and must not be of such intensity or brilliance as to cause glare or impair the vision of any motor vehicle drivers;
8. That the minimum number of required parking spaces shall be provided in accordance with Pennington County Zoning Ordinance (PCZO) § 310(A)(t), which requires parking or storage for all vehicles used directly in the conduct of such industrial use, plus one parking space for every three employees on the premise at maximum employment on a single shift;
9. That erosion control measures be implemented to prevent sediment leaving the site;
10. That the property remains free of junk and debris at all times;
11. That upon completion of the project, all equipment, structures, and stockpiles associated with the storage yard be removed;
12. That the site be revegetated as required by PCZO § 507(N);
13. That all natural drainage paths be continually maintained;
14. That the Planning Director may allow additional uses, which are consistent with the uses approved in this permit. Significant changes in the use or impacts on adjacent lands shall require an amendment to this permit; and,
15. That this Conditional Use Permit be reviewed at the May 8, 2023 Planning Commission meeting, on a complaint basis, or as directed by the Pennington County Planning Commission or Board of Commissioners to ensure compliance with the PCZO and Conditions of Approval.

Discussion followed.

Moved by McGregor and seconded by Coleman to approve of Conditional Use Permit / CU 22-41 with the following fifteen (15) conditions:

- 1. 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;**
- 2. That an address be posted at the entrance to the storage yard in accordance with Ordinance #20;**
- 3. That emergency contact information and an evacuation plan for the storage yard be posted at the entrance of the storage yard;**

4. That prior to operation, port-a-lets be located on the property to serve as a means of wastewater disposal and that a service contract for the port-a-lets be provided to the Planning Department;
5. That dust control measures be implemented to reduce the amount of dust from trucks and equipment leaving and entering the storage yard;
6. That any bulk chemicals, fuel, and liquid refuse stored on the site have secondary containment;
7. That any lighting to be installed is maintained to minimize spillage of light outside of the area, so as not to create a nuisance. Lighting must be effectively shielded to prevent beams or rays from being directed towards any portion of the traveled ways and must not be of such intensity or brilliance as to cause glare or impair the vision of any motor vehicle drivers;
8. That the minimum number of required parking spaces shall be provided in accordance with Pennington County Zoning Ordinance (PCZO) § 310(A)(t), which requires parking or storage for all vehicles used directly in the conduct of such industrial use, plus one parking space for every three employees on the premise at maximum employment on a single shift;
9. That erosion control measures be implemented to prevent sediment leaving the site;
10. That the property remains free of junk and debris at all times;
11. That upon completion of the project, all equipment, structures, and stockpiles associated with the storage yard be removed;
12. That the site be revegetated as required by PCZO § 507(N);
13. That all natural drainage paths be continually maintained;
14. That the Planning Director may allow additional uses, which are consistent with the uses approved in this permit. Significant changes in the use or impacts on adjacent lands shall require an amendment to this permit; and,
15. That this Conditional Use Permit be reviewed at the May 8, 2023 Planning Commission meeting, on a complaint basis, or as directed by the Pennington County Planning Commission or Board of Commissioners to ensure compliance with the PCZO and Conditions of Approval.

All voting aye, the Motion carried 6 to 0.

11. MINOR PLANNED UNIT DEVELOPMENT AMENDMENT / PU 22-13: Blue Wing Recreation Corporation. To amend the existing Planned Unit Development to reduce the setbacks from the access roads from 10 feet to 5 feet in the Planned Unit Development in accordance with Section 216 of the Pennington County Zoning Ordinance.

All Less the North 10 acres and less Tract 0129C of Malory Lode MS 1483 of Section 13, T1S, R5E; Less N10 Acres of Ajax #1 Lode MS 1483; Part of Ajax #3 Lode MS 1483; Part of Just MS 1483; Part of Hudson Lode MS 1483 of Section 18, T1S, R6E; Part of Just Lode MS 1483; Part of Ajax #3 Lode MS 1483; Part of Hudson Lode MS 1483; Tract 0129A; Boulder #3 Lode MS 1483 of Section 13, T1S, R5E; BHM, Pennington County, South Dakota.

Theunissen reviewed the Staff Report indicating the applicant has applied for a Minor Planned Unit Development Amendment to reduce the setbacks from the access roads from 10 feet to 5 feet in the Planned Unit Development.

Staff recommended approval of Minor Planned Unit Development Amendment / PU 22-13 with the following nine (9) conditions:

1. That the permitted uses of the Planned Unit Development be limited to a total of 116 recreational resort sites, which may be occupied by a mobile home, recreational vehicle, or stick-built dwelling unit, a watercraft storage area, 24' x 24' shop building, 10' x 16' shed and accessory structures;
2. That the addition of accessory structures, (not exempted by County requirements) be allowed through the issuance of a Building Permit which will include necessary site plans to be reviewed and approved by the Planning Director;
3. That upon expansion of living space of any existing recreational resort site or the replacement of any recreational unit, the applicant shall submit information detailing the existing on-site wastewater treatment disposal system for review and approval by the County Environmental Planner. Upgrades and replacement may be required upon determination of the County Environmental Planner;
4. That a solid fence at least 5-foot-high be constructed and maintained along the west property line of the boat and watercraft storage area;
5. That prior to the development of any future recreational sites, the applicant shall improve Blue Lead Mountain Road and that portion of Sheridan Loop from the intersection of Blue Lead Mountain Road to Blue Wing Road to a driving surface of 16 feet with a 4-inch gravel surface and grades not to exceed 15 percent;
6. That the setbacks for all future recreational sites and structures shall be a minimum of 20 feet between units, 5 feet from access roads, 0 feet from interior lot lines, 25 feet from exterior lot lines, and 58 feet from any existing and relocated Section Lines;
7. That all future recreational sites have a minimum of 2 off-street parking spaces each measuring at least 9 feet by 18 feet and be maintained in a dust free manner;

8. That all recreational sites be provided with 2 off-street parking spaces. Existing and future parking spaces shall be either gravel or grass, provided the grass is maintained in a healthy condition. Should traffic increase to an amount so as to kill the grass in the parking area, the applicant shall gravel the parking spaces; and,
9. That this Planned Unit Development be reviewed on a complaint basis only.

Commissioner Burton stated he would be abstaining from voting on this item.

Discussion followed.

Moved by McGregor and seconded by Coleman to continue Minor Planned Unit Development Amendment / PU 22-13 to the October 11, 2022, Planning Commission meeting.

All voting, the Motion carried 5 to 0. Commissioner Burton abstained.

Moved by Burton and seconded by Coleman to wave rules to discuss directly related and similar Agenda Items 12 and 13 at the same time. All voting aye, the Motion carried 6 to 0.

12. COMPREHENSIVE PLAN AMENDMENT / CA 22-18: TDG Real Estate; Mike and Lisa Gennaro. KTM Design Solutions - Agent. To amend the Comprehensive Plan to change the Future Land Use from Ranchette District to Rural Residential District in accordance with Sections 206, 207, and 508 of the Pennington County Zoning Ordinance.

All of President Lode MS 1111, Section 14, T2S, R6E, BHM, Pennington County, South Dakota.

Sack reviewed the Staff Report indicating the applicant has applied for a Comprehensive Plan Amendment to change the Future Land Use from Ranchette to Rural Residential District.

Staff recommended approval of Comprehensive Plan Amendment / CA 22-18.

Commissioner Lasseter left the meeting at 9:43 a.m.

Commissioner Lasseter returned to the meeting at 9:45 a.m.

Discussion followed.

Moved by Coleman and seconded by Lasseter to approve of Comprehensive Plan Amendment / CA 22-18.

All voting aye, the Motion carried 6 to 0.

13. REZONE / RZ 22-24: TDG Real Estate; Mike and Lisa Gennaro. KTM Design Solutions - Agent. To rezone 10.69 acres from Agriculture District to Rural Residential District in accordance with Sections 205, 207, and 508 of the Pennington County Zoning Ordinance.

All of President Lode MS 1111, Section 14, T2S, R6E, and All Less S360 feet, Less Glendale Subdivision and Less ROW (also in Section 14), Hermosa No. 2 Lode MS 1111, Section 23, T2S, R6E, BHM, Pennington County, South Dakota.

Sack reviewed the Staff Report indicating the applicant has applied for a Rezone to rezone 10.69 acres from Agriculture District to Rural Residential District.

Staff recommended approval of Rezone / RZ 22-24.

Discussion followed.

Moved by Lasseter and seconded by McGregor to approve of Rezone 22-24.

All voting aye, the Motion carried 6 to 0.

Moved by Burton and seconded by Coleman to wave rules to discuss directly related and similar Agenda Items 14 and 15 at the same time. All voting aye, the Motion carried 6 to 0.

14. COMPREHENSIVE PLAN AMENDMENT / CA 22-19: Free Range Rentals, LLC; Davis Engineering - Agent. To amend the Comprehensive Plan to change the Future Land Use from Ranchette District and Rural Residential District to Low Density Residential District in accordance with Sections 206, 207, 208, and 508 of the Pennington County Zoning Ordinance.

Tract A of Willison B White HES No. 2440 and That PT of the W1/2NE1/4 lying E of Tract A of Willison B White Homestead, HES #2440 and W of Gold Mountain Subdivision, Section 14, T1S, R4E, BHM, Pennington County, South Dakota.

Sack reviewed the Staff Report indicating the applicant has applied for a Comprehensive Plan Amendment to change the Future Land Use from Ranchette District and Rural Residential District to Low Density Residential District.

Staff recommended approval of Comprehensive Plan Amendment / CA 22-19.

Discussion followed.

Moved by Lasseter and seconded by Coleman to continue Comprehensive Plan Amendment / CA 2-19 to the October 11, 2022, Planning Commission meeting to address concerns of the Planning Commission.

All voting aye, the Motion carried 6 to 0.

15. REZONE / RZ 22-25: Free Range Rentals, LLC; Davis Engineering - Agent. To rezone 7.2 acres from Agriculture District to Low Density Residential District in accordance with Sections 205, 207, and 508 of the Pennington County Zoning Ordinance.

Tract A of Willison B White HES No. 2440 and That PT of the W1/2NE1/4 lying E of Tract A of Willison B White Homestead, HES #2440 and W of Gold Mountain Subdivision, Section 14, T1S, R4E, BHM, Pennington County, South Dakota.

Sack reviewed the Staff Report indicating the applicant has applied for a Rezone to rezone 7.2 acres from Agriculture District to Low Density Residential District.

Staff recommended approval of Rezone / RZ 22-25.

Discussion followed.

Moved by Lasseter and seconded by Kuehn to continue Rezone / RZ 22-25 to the October 11, 2022, Planning Commission meeting to address concerns of the Planning Commission.

All voting aye, the Motion carried 6 to 0.

16. COUNTY BOARD REPORT

The Board of Commissioners concurred with the Planning Commission's recommendations from their September 12th meeting.

17. ITEMS FROM THE PUBLIC

No motions or actions were taken at this time.

18. ITEMS FROM THE STAFF

There were no items from the membership.

19. ITEMS FROM THE MEMBERSHIP

Chairman Johnson spoke of the Hard Rock Mining Ordinance.

20. ADJOURNMENT

Moved by Lasseter and seconded by Burton to adjourn.

All voting aye, the Motion carried 6 to 0.

The meeting adjourned at 10:41 a.m.

Charlie Johnson, Chairperson