

Planning Conditions of Approval
Commission Meeting Date: April 19, 2022

ITEMS FROM PLANNING & ZONING

CONSENT AGENDA:

MOVED by Rossknecht and seconded by Lasseter to approve the Planning and Zoning consent agenda as presented. Vote: Unanimous.

- D. **MINOR PLAT / MPL 22-09: Michael and Joslyn Sullivan.** To subdivide and create Tracts 4A and 4B, A Subdivision of Tract Four (4) of Schacher Subdivision in accordance with Section 400.3 of the Pennington County Subdivision Regulations.
1. That Approach Permits for the existing access will need to be filed with the County Highway Department as well as the approach for Tract 4B;
 2. That prior to filing the mylar with the Register of Deeds, the Certifications on the Minor Plat be in accordance with § 400.3.1(n) of the Pennington County Subdivision Regulations;
 3. That prior to filing the mylar with the Register of Deeds, the plat meets the requirements of § 400.3 of the Pennington County Subdivision Regulations, or an approved Subdivision Regulations Variance be obtained waiving any requirements that are not met;
 4. That prior to filing the mylar with the Register of Deeds, 8-foot Minor Drainage and Utility Easements be dedicated on the interior sides of all lot lines;
 5. That the applicant ensures all natural drainage ways are maintained and not blocked;
 6. That following platting of the proposed lot, any on-site wastewater treatment system(s) be subject to the requirements of Section 204(J) of the Pennington County Zoning Ordinance, including the requirement to obtain an Operating Permit;
 7. That an approved Building Permit be obtained for any structure(s) 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,
 8. That the applicant ensures all natural drainage ways are maintained and not blocked.
- E. **PRELIMINARY PLAT / PPL 22-11: ELS Properties LLC; Rick Schulke.** To subdivide and create Lots 3A, 3B, 3C, 3D, and 3E of Battle Creek Mountain Estates Subdivision in accordance with Section 400.2 of the Pennington County Subdivision Regulations.

1. That prior to Final Plat submittal, the Certifications on the Final Plat be in accordance with Section 400.3.1(n) of the Pennington County Subdivision Regulations;
2. That prior to Final Plat submittal, the plat meets the requirements of Section 400.3 of the Pennington County Subdivision Regulations, or an approved Subdivision Regulations Variance be obtained waiving any requirements that are not met;
3. That prior to Final Plat submittal, 8-foot Minor Drainage and Utility Easements be dedicated on the interior sides of all lot lines;
4. That prior to Final Plat submittal, the applicant obtains approval of a Road name to name the private access easement;
5. That the applicant ensures all-natural drainage ways are maintained and not blocked; and,
6. That following platting of the proposed lot, any on-site wastewater treatment system(s) be subject to the requirements of Section 204(J) of the Pennington County Zoning Ordinance, including the requirement to obtain an Operating Permit.

CONTESTED HEARINGS:

- J. **ROAD CONSTRUCTION WITHIN A SECTION LINE RIGHT-OF-WAY / CS 22-03: Site Work Specialists.** To construct a road within the Section Line Right-of-Way between Sections 11, 12, 13, and 14, T1N, R8E to provide access to property located in Section 13, T1N, R8E, BHM, Pennington County, South Dakota.

MOVED by LaCroix and seconded by Rossknecht to approve CS 22-03 with eight (8) conditions. Vote: Unanimous.

1. That all road plans be approved by the Pennington County Highway Department;
2. That if the amount of disturbed area exceeds one (1) acre, a Department of Agriculture and Natural Resource's Storm Water Construction Permit be obtained;
3. That the requirements, guidelines, and criteria for storm water and erosion control in the Pennington County Storm Water Manual, or equivalent, shall be followed during construction;
4. That dust control measures be implemented to prevent dust from leaving the site and impacting the adjacent properties;
5. That if culverts are installed, the design is submitted to the County Drainage Engineer for review prior to installation;
6. That any disturbed areas shall be stabilized and re-vegetated as required in §507(A) of the Pennington County Zoning Ordinance;

7. That any monuments establishing property boundaries be replaced as necessary, if disturbed by construction of the road; and,
8. That this Construction in a Section Line be reviewed in six (6) months to verify that the site has been stabilized.

K. **ROAD CONSTRUCTION WITHIN A SECTION LINE RIGHT-OF-WAY / CS 22-04: Site Work Specialists.** To construct a road within the Section Line Right-of-Way between Sections 13 and 14, T1N, R8E to provide access to property located in Section 13, T1N, R8E, BHM, Pennington County, South Dakota.

MOVED by Rossknecht and seconded by Lasseter to approve CS 22-04 with eight (8) conditions. Vote: Unanimous.

1. That all road plans be approved by the Pennington County Highway Department;
2. That if the amount of disturbed area exceeds one (1) acre, a Department of Agriculture and Natural Resource's Storm Water Construction Permit be obtained;
3. That the requirements, guidelines, and criteria for storm water and erosion control in the Pennington County Storm Water Manual, or equivalent, shall be followed during construction;
4. That dust control measures be implemented to prevent dust from leaving the site and impacting the adjacent properties;
5. That if culverts are installed, the design is submitted to the County Drainage Engineer for review prior to installation;
6. That any disturbed areas shall be stabilized and re-vegetated as required in §507(A) of the Pennington County Zoning Ordinance;
7. That any monuments establishing property boundaries be replaced as necessary, if disturbed by construction of the road; and,
8. That this Construction in a Section Line be reviewed in six (6) months to verify that the site has been stabilized.