

**Planning Conditions of Approval**  
**Commission Meeting Date: December 19, 2023**

**ITEMS FROM PLANNING & ZONING**

**CONSENT AGENDA:**

- a. MINOR PLAT / MPL 23-25: Richard and Christine Vanness. To subdivide and create Lots 1 and 2 of Vanness Subdivision in accordance with the Pennington County Subdivision Regulations.

MOVED by Hadcock and seconded by Drewes to approve of Minor Plat / MPL 23-25 with the following four (4) conditions:

1. That at the time the mylar is filed with the Register of Deeds, the plat be prepared by a South Dakota Registered Land Surveyor;
2. That prior to filing the mylar with the Register of Deeds, 8-foot utility and minor drainage easements be provided on the interior side of all lot lines;
3. That prior to filing the mylar with the Register of Deeds, the Certifications on the Minor Plat be in accordance with §§ 1701 and 1703 of the Pennington County Subdivision Regulations; and,
4. That prior to filing the mylar with the Register of Deeds, the plat meets the requirements of § 303 of the Pennington County Subdivision Regulations, or an approved Subdivision Regulations Variance be obtained waiving any requirements that are not met.

- b. PRELIMINARY PLAN / PPL 23-26: Free Range Rentals, LLC. To subdivide and create Lots A and B of Free Range Addition in accordance with the Pennington County Subdivision Regulations.

MOVED by Hadcock and seconded by Drewes to approve of Preliminary Plan / PPL 23-26 with the following five (5) conditions:

1. That at the time of Final Plat submittal, the certificates be in accordance with §§ 1702 and 1703 of the Pennington County Subdivision Regulations;
2. That at the time of Final Plat submittal, the plat meets the requirements of §§ 601 and 602 of the Pennington County Subdivision Regulations.
3. That the applicant ensures all-natural drainage ways are maintained and not blocked;

4. 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,
  5. That approval of this Preliminary Plat does not constitute approval of any further applications to be submitted for the above-described property.
- c. PLANNED UNIT DEVELOPMENT REVIEW / PUR 05-09: Richard Sterkel. To review an existing Planned Unit Development in accordance with the Pennington County Zoning Ordinance.

MOVED by Hadcock and seconded by Drewes to approve of Planned Unit Development Review / PUR 05-09 with the following thirteen (13) conditions:

1. That the Planned Unit Development consists of three (3) residential lots;
2. That a minimum of two (2) off-street parking spaces be provided for each residential lot. All off-street parking spaces on the site shall measure at least 9 feet by 18 feet, be surfaced with gravel, concrete, or asphalt and maintained in such a manner that no dust will result from continuous use;
3. That no off-premise signs be allowed within the Planned Unit Development;
4. 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;
5. That the required minimum setbacks for all structures be the same as allowed in Section 208 (Suburban Residential District) of the June 06, 2018, version of the Pennington County Zoning Ordinance;
6. That all single-family residences continue to be stick-built and accessory structures continue to complement and are compatible with the single-family residence;
7. That each unit has an individual address that continues to be posted in accordance with Pennington County Ordinance Amendment #20;
8. That approval is obtained through the City of Rapid City for the on-site wastewater system, prior to applying for a Building Permit;
9. That if any of the lots cannot support a conventional septic system, that a unconventional septic system, designed by a professional engineer, will need to be submitted and approved by the South Dakota Department of Agriculture and Natural Resources (DANR);

10. That as soon as a public sewer system is within 400 feet of the Planned Unit Development, or any residence within the Planned Unit Development the residences, existing or proposed must connect to the public sewer system;
11. That all natural drainage, irrigation ditches and laterals must be maintained. Any changes must be done by a professional engineer and reviewed and approved by the Pennington County;
12. That any disturbance within the Special Flood Hazard Area (100-floodplain and/or floodway) will require, at a minimum, an approved Floodplain Development Permit; and
13. That this Planned Unit Development be reviewed 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.

- e. MAJOR PLANNED UNIT DEVELOPMENT AMENDMENT REVIEW / PUR 22-02:  
Aaron Olson. To review an existing Planned Unit Development to allow 20 full-service Recreational Vehicle sites; 5 cabins to be constructed within the existing 20' x 80' building; and a caretaker/manager's residence to include an office building in accordance with the Pennington County Zoning Ordinance.

MOVED by Hadcock and seconded by Drewes to approve of Major Planned Unit Development Amendment Review / PUR 22-02 with the following twenty-five (25) conditions:

1. That the approved uses are limited to 20 full service RV sites; 5 cabins to be constructed within the existing 20' x 80' building; and a caretaker/manager residence to include an office building;
2. That prior to operation, the applicant obtains approved Building Permits for the removal of the 2 mobile homes and 1 carport;
3. That a Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which includes the necessary site plans to be reviewed and approved by the Planning Director;
4. That daily operations be conducted by the owners, on-site manager, and staff as necessary;
5. That all-natural drainage paths be continually maintained;
6. That the applicant obtains an approved Sign Permit prior to the placement of any on- or off-premise sign;

7. That the assigned address (23849 Highway 385) be properly and continually posted on the “office” in accordance with Pennington County’s Ordinance #20;
8. That each of the five rental cabins be clearly marked with a unique cabin number and that the assigned address of the property (23849 Highway 385) be posted in each guest room utilized as a rental cabin;
9. That each RV parking spots be marked with a unique spot number clearly visible from the driveway;
10. That the applicant maintains an Emergency Plan and provides copies to all overnight guests in case there is a need to evacuate guests from the property and that a copy of said plan be kept on file at the Planning Department;
11. That a minimum of 7 parking spaces be provided on-site, each measuring a minimum of 9 feet by 18 feet and maintained in a dust-free manner in accordance with the Pennington County Zoning Ordinance;
12. That a detailed site plan be submitted with each Building Permit, to include a detailed parking plan depicting adequate parking as specified in § 310 of the Pennington County Zoning Ordinance;
13. That quiet hours in the Planned Unit Development be from 11:00 p.m. to 7:00 a.m.;
14. That all exterior lighting must be of low-level intensity, which does not result in excessive glare upon surrounding neighbors or obstruct the vision of motor vehicle operators on Highway 16A;
15. That prior to operation, any cabin rental within the Planned Unit Development have all necessary permits from other governing bodies including, but not limited to, approval from the South Dakota Department of Health and South Dakota Department of Revenue and that these permits be provided to the Planning Department;
16. That a smoke detector be placed in each sleeping room utilized for a rental cabin;
17. That a portable fire extinguisher with a minimum 2 A-BC rating be placed on each floor level of any rental cabin so it is accessible to guests at all times and that the fire extinguisher be inspected and tagged annually;
18. That the maximum number of people staying at any rental cabin comply with the South Dakota Lodging Establishments Health and Safety Manual and South Dakota Department of Agriculture and Natural Resources requirements;
19. That the applicants comply with South Dakota Codified Law 34-18;

20. That prior to operation, the outhouse be either filled and rendered inoperable or removed from the property;
21. That all on-site wastewater treatment systems (OSWTS) require proper permitting and review of the system by both the Pennington County Planning Department and South Dakota Department of Agriculture and Natural Resources and must comply with Pennington County Zoning Ordinance (PCZO) § 204-J and South Dakota Administrative Rules 74:53:01;
22. That the Recreation Vehicle Park must comply with PCZO §306;
23. That setbacks for all structures shall be a minimum of 25 feet from exterior lot lines;
24. That the Planning Director may allow additional development or construction, which is consistent with the existing development on this property. Significant changes in the use or impacts on adjacent land, as determined by the Planning Director, shall require an amendment to this Planned Unit Development; and,
25. That this Planned Unit Development be reviewed on a complaint basis, or as deemed necessary by either the Planning Commission or Board of Commissioners to verify all Conditions of Approval are being met.