

All Planning Commission Meetings are recorded.

**CITY OF CUSTER PLANNING AND ZONING COMMISSION
AGENDA**

**Tuesday March 12th, 2019 at 5:00 P.M.
Custer City Hall, 622 Crook Street, Custer, SD 57730**

Call to Order - Roll Call:

Approve Agenda: March 12th, 2019

Approve Minutes: February 26th, 2019

Declaration of Conflict of Interest:

Oath of Office – Planning Commission Member Kathy Johnson

New Business:

Minor Plat – French Creek Subdivision

~~Old Business:~~

Discussion Items:

Residential Conditional Use Permit – Group Review

Planning Administrator Updates:

Communications from The Public:

Adjournment:

ADA Compliance: The City of Custer City 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 Finance Office 24 hours prior to the meeting so that appropriate services are available.

DRAFT

MINUTES OF THE February 26th, 2019 MEETING OF THE OF THE CITY OF CUSTER
PLANNING COMMISSION

Roll Call: 5:00 pm

Members Present: Jerad Tennyson-Chairman; Joe Uhrich-Vice Chairman; Larry Maciejewski; Scott Olson; Rick Hudson; Marc Moore – Alternate (voting in place of Commissioner Harbach.)

Members Absent: Joe Harbach; Fred Mills – Alternate.

Other Parties Present: Tim Hartmann–Planning Administrator; Dixie Whittaker – Council Representative; Kathy Johnson; Lysann Zeller & Garth Wadsworth - BHCLG

Agenda: Commissioner Uhrich moved, with a second by Commissioner Olson to approve the agenda. Motion unanimously carried.

Minutes: Commissioner Olson moved, with a second by Commissioner Uhrich to approve the February 12th, 2019 minutes. Motion unanimously carried.

Declaration of Conflict of Interest: None stated.

New Business:

Old Business:

Discussion Items:

Rewrite of Custer City's Comprehensive Plan. Black Hills Council of Local Governments presented the data and public input compiled from the Comprehensive Plan public survey. They will return to the March work session to discuss the information gathered from public engagement meetings and discuss next steps in the process.

Revisions to the Extraterritorial Area Policy. Planning Administrator and Commissioners discussed scheduling a second joint meeting with Custer County Planning Commission to discuss next steps in updating the extraterritorial area policy. County and City Planning Administrators have set a tentative date for April 9th, 2019.

Planning Administrator Updates

Planning Administrator and commission members gave various updates.

Communications from The Public

No communications from the public were heard.

Adjournment:

Being no further business before the Commission, Commissioner Uhrich moved, with a second by Commissioner Maciejewski to adjourn. Motion unanimously carried. The meeting adjourned at 6:17 pm.

Approved:

Attest:

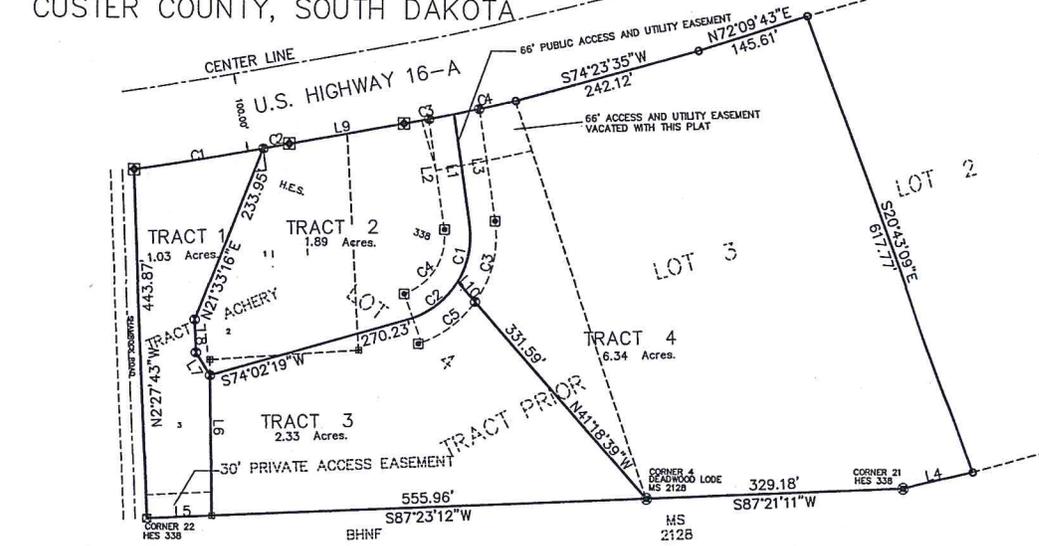
Jerad Tennyson, Chairman

Tim Hartmann, Planning Administrator

Rec 3/8/16

FRENCH CREEK SUBDIVISION

PLAT OF TRACTS 1,2,3, AND 4 FORMERLY TRACT ARCHERY AND TRACT PRIOR OF LOT 4 OF FRENCH CREEK SUBDIVISION AND LOT 3 OF FRENCH CREEK SUBDIVISION OF TRACT STOCKADE OF HES 338 LOCATED IN SW1/4 OF SECTION 20, T3S, R5E, BHM CUSTER COUNTY, SOUTH DAKOTA



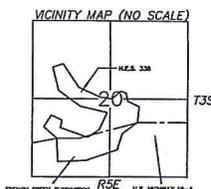
HIGHWAY 16A RIGHT OF WAY CURVES

NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
C1	1°40'46"	167.94'	5729.58'	N80°31'42"E	167.94'
C2	0°20'20"	33.88'	5729.58'	N79°31'09"E	33.88'
C3	1°18'25"	65.35'	2864.78'	N79°05'44"E	65.34'
C4	1°36'31"	80.43'	2864.78'	N77°56'17"E	80.43'

66' PUBLIC ACCESS AND UTILITY EASEMENT CURVES

NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
C1	3°17'57"	75.23'	109.69'	N112°58'E	73.76'
C2	3°17'57"	75.24'	109.69'	N50°30'49"E	73.77'
C3	43°30'20"	108.28'	142.60'	N131°19'20"E	105.70'
C4	78°35'35"	105.62'	77.00'	S30°51'52"W	97.52'
C5	3°17'57"	97.81'	142.60'	N50°30'45"E	95.01'

NUM	BEARING	DISTANCE
L1	S 8°25'52"E	141.44'
L2	S 8°25'52"E	139.83'
L3	S 8°25'52"E	143.42'
L4	S 77°11'01"W	94.52'
L5	S 87°22'52"W	82.72'
L6	N 0°51'37"W	178.96'
L7	N 52°08'29"W	34.04'
L8	N 1°21'18"W	41.92'
L9	N 79°42'04"E	149.36'
L10	N 41°17'13"W	34.17'



NOTE
 LOTS 3 & 4 ARE RECORDED IN PLAT BOOK 10 PAGE 80.
 TRACTS ARCHERY AND PRIOR ARE RECORDED IN PLAT BOOK 12 PAGE 385.

WATER PROTECTION STATEMENT
 PURSUANT TO SDCL 11-3-8.1 AND 11-3-8.2 THE DEVELOPER OF THE PROPERTY DESCRIBED WITHIN THIS PLAT SHALL BE RESPONSIBLE FOR PROTECTING ANY WATERS OF THE STATE INCLUDING GROUNDWATER, LOCATED ADJACENT TO OR WITHIN SUCH PLATTED AREA FROM POLLUTION FROM SEWAGE FROM SUCH SUBDIVISION AND SHALL IN PROSECUTION OF SUCH PROTECTIONS CONFORM TO AND FOLLOW ALL REGULATIONS OF THE SOUTH DAKOTA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES RELATING TO THE SAME.

PREPARED BY
 JACK H. KNUST
 BUCKHORN SURVEYING INC
 25053 LEYSON LOOP
 CUSTER, SOUTH DAKOTA 57730
 (605) 673-5452

LEGEND

- CORNER SET THIS SURVEY REBAR WITH ALUMINUM CAP MARKED BUCKHORN SURVEYING R.L.S. 4896
- CORNER SET THIS SURVEY REBAR WITH PLASTIC CAP MARKED BUCKHORN SURVEYING R.L.S. 4896
- CORNER FOUND THIS SURVEY REBAR WITH ALUMINUM CAP MARKED BUCKHORN SURVEYING R.L.S. 4896
- CORNER FOUND THIS SURVEY REBAR WITH ALUMINUM CAP MARKED BRYANT 2196
- U.S.F.S. ALUMINUM MONUMENT SET FROM PREVIOUS SURVEY(S) LS #2196
- CORNER FOUND THIS SURVEY B.L.M./G.L.O. STONE MONUMENT

NOTE
 ACCORDING TO FIRM PANEL 46033 C0118 F, DATED JANUARY 05, 2012 THERE IS AN AREA OF SPECIAL FLOOD HAZARD PRESENT IN TRACT 4 OF THIS PLAT

NOTE
 U.S. HIGHWAY 16-A IS A 200' DEDICATED PUBLIC RIGHT-OF-WAY. SHAMROCK ROAD IS A 30' DEDICATED PUBLIC RIGHT-OF-WAY.

NOTE
 A 20' WIDE UTILITY EASEMENT SHALL EXIST CENTERED ON ALL SUBDIVISION LOT LINES NOT ADJACENT TO PUBLIC RIGHTS-OF-WAY OR UNPLATTED LAND AND ON THE INTERIOR SIDE OF LOT LINES THAT BORDER LAND THAT HAS NOT BEEN SUBDIVIDED, UNLESS OTHER SUITABLE UTILITY EASEMENTS HAVE BEEN SHOWN.

STATE OF SOUTH DAKOTA
 COUNTY OF CUSTER S.S.
 I, WE _____
 DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE LAND SHOWN AND DESCRIBED HEREON AND THAT WE DO AUTHORIZE AND DO HEREBY APPROVE THE SURVEY AND WITHIN PLAT OF SAID LAND. WE FURTHER CERTIFY THAT DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION, AND SEDIMENT CONTROL REGULATIONS.

OWNERS: _____
 ON THE _____ DAY OF _____ 20____, BEFORE ME, A NOTARY PUBLIC, PERSONALLY APPEARED _____

KNOWN BY ME TO BE THE PERSON(S) DESCRIBED IN THE FOREGOING CERTIFICATE AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.
 NOTARY PUBLIC: _____
 MY COMMISSION EXPIRES _____

I, WE _____
 DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE LAND SHOWN AND DESCRIBED HEREON AND THAT WE DO AUTHORIZE AND DO HEREBY APPROVE THE SURVEY AND WITHIN PLAT OF SAID LAND. WE FURTHER CERTIFY THAT DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION, AND SEDIMENT CONTROL REGULATIONS.

OWNERS: _____
 ON THE _____ DAY OF _____ 20____, BEFORE ME, A NOTARY PUBLIC, PERSONALLY APPEARED _____

KNOWN BY ME TO BE THE PERSON(S) DESCRIBED IN THE FOREGOING CERTIFICATE AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.
 NOTARY PUBLIC: _____
 MY COMMISSION EXPIRES _____

STATEMENT OF SURVEYOR
 FOR BUCKHORN SURVEYING INC
 I, JACK H. KNUST, REGISTERED LAND SURVEYOR NO. 4896 OF THE STATE OF SOUTH DAKOTA, DO HEREBY STATE THAT BEING SO SWORN, I HAVE SURVEYED THE LAND SHOWN AND DESCRIBED HEREON AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE WITHIN PLAT IS A RESPONSIBLE DIRECTION AND SUPERVISION AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE WITHIN PLAT IS A REPRESENTATION OF SAID SURVEY. IN WITNESS WHEREOF, I HAVE SET MY HAND AND SEAL.
 THIS _____ DAY OF _____ 20____.

REGISTERED SURVEYOR
 BY JACK H. KNUST, REGISTERED LAND SURVEYOR



CERTIFICATE OF COUNTY TREASURER
 I, TREASURER OF CUSTER COUNTY, DO HEREBY CERTIFY THAT ALL TAXES WHICH ARE DUE UPON THE WITHIN DESCRIBED LANDS ARE FULLY PAID ACCORDING TO THE RECORDS OF MY OFFICE. DATED THIS _____ DAY OF _____ 20____.
 TREASURER: _____

CERTIFICATE OF HIGHWAY AUTHORITY:
 THE LOCATION OF THE PROPOSED ACCESS ROAD ADJUTING THE COUNTY OR STATE HIGHWAY OR THE CITY STREET, AS SHOWN HEREON IS HEREBY APPROVED. ANY CHANGE IN THE LOCATION OF THE PROPOSED ACCESS SHALL REQUIRE ADDITIONAL APPROVAL.
 HIGHWAY AUTHORITY: SD DOT _____

RESOLUTION OF GOVERNING BOARD
 STATE OF SOUTH DAKOTA
 CITY OF CUSTER S.S.
 WHEREAS THERE HAS BEEN PRESENTED TO THE CITY OF CUSTER, SOUTH DAKOTA, THE WITHIN PLAT OF THE ABOVE DESCRIBED DESCRIBED LOTS AND IT APPEARING TO THE COUNCIL THAT:
 A. THE SYSTEM OF STREETS SET FORTH THEREON CONFORM TO THE SYSTEM OF STREETS OF THE EXISTING PLATS OF THE NEIGHBORHOOD;
 B. ALL PROVISIONS OF ANY THREE MILE LIMIT SUBDIVISION REGULATIONS HAVE BEEN COMPLIED WITH;
 C. ALL TAXES AND SPECIAL ASSESSMENTS UPON THE SUBDIVISION HAVE BEEN FULLY PAID, AND
 D. THE PLAT AND SURVEY THEREON HAVE BEEN EXECUTED ACCORDING TO LAW.
 NOW THEREFORE, BE IT RESOLVED THAT SAID PLAT IS HEREBY APPROVED IN ALL RESPECTS.
 THIS _____ DAY OF _____ 20____.

WATON OF THE CITY OF CUSTER:
 I, FINANCIAL OFFICER OF THE CITY OF CUSTER, DO HEREBY CERTIFY THAT AT AN OFFICIAL MEETING HELD ON _____ DAY OF _____ 20____, THE CUSTER CITY COUNCIL, BY RESOLUTION DID APPROVE THE PLAT AS SHOWN HEREON.
 CUSTER CITY FINANCE OFFICER: _____

CERTIFICATE OF DIRECTOR OF EQUALIZATION
 I, DIRECTOR OF EQUALIZATION OF CUSTER COUNTY DO HEREBY CERTIFY THAT I HAVE ON RECORD A COPY OF THE WITHIN DESCRIBED PLAT. DATED THIS _____ DAY OF _____ 20____.
 DIRECTOR OF EQUALIZATION: _____

CERTIFICATE OF REGISTER OF DEEDS
 FILED FOR RECORD THIS _____ DAY OF _____ 20____ AT _____ O'CLOCK _____ A.M.
 AND RECORDED IN BOOK _____ OF PLATS ON PAGE _____
 REGISTER OF DEEDS, CUSTER COUNTY: _____



Planning Department
622 Crook Street
Custer, SD. 57730
Phone: 673-4824 Fax: 673-2411
e-mail: timh@cityofcuster.com

Staff Report

Request: Preliminary Plat, French Creek Subdivision
Applicant: Prior and May
Location: Approximately 1.0-mile East of Custer. Near the int of 16A & Shamrock Road
Legal Desc.: French Creek Subdivision - Plat of Tracts 1,2,3 - See Plat for full legal
Fee Paid: \$500.00
Date Prepared: February 14, 2019
Planning Commission Meeting: March 12, 2019
Prepared by Tim Hartmann, Planning Administrator

GENERAL

This plat is for a subdivision plat that is not within the City of Custer but is subject to review by the City under the City's extraterritorial jurisdiction. The proposed plat will divide and shift lot lines involving the existing Tract Archery (2.06 acres), Tract Prior (4.20 acres) and Lot 3 (5.29 Acres). The proposed plat will create Tract 1 1.03 acres, Tract 2 1.88 acres, Tract 3 2.35 acres, and Tract 4 6.31 acres. A shared well and septic currently provides services to the facilities on the proposed Tract 1, 2 and 3.

The area is in the county and therefore has no zoning.

Discussion notes

- Access
 - From highway
 - Into parcels, new easement, Shamrock, 30' Easement
 - Easement vacation
- Structure setbacks
 - The metal frames
- Septic setbacks
- Well

COMPREHENSIVE PLAN

The land use section of the Comprehensive Plan identifies this area as Rural Residential.

ROUTING SHEET RESPONSES

CC Equalization – Structure setback concerns

CC Highway – no concerns

CC Planning – redline corrections and structure and waste services setback concerns

CC ROD – redline corrections

SDDOT – Access discussion

ACCESS

Access to the area is provided by Hwy 16A on the North and Shamrock Road to the west. The existing access to Hwy 16A approximately 400' to the east of Shamrock Road may also be utilized. Per access discussions with the SDDOT, no additional access points shall be granted, and all access must be planned from the two existing points, Shamrock and the central location. Interior easements will be reviewed with this plat.

SERVICES

The proposed Tracts 1, 2, and 3 currently have water services provided by a shared well located on proposed Tract 3. Having reviewed the proposed Tracts, staff feels they are proposed to remain of adequate size to accommodate private water services if needed. Staff strongly suggests the property owners assure any agreements between property owners that may be desired for the shared water are addressed prior to filing of the plat.

Tracts 1, 2, and 3 currently have individual septic and drain fields. After gathering additional information from the property owner and survey, such septic and drain fields will remain adequate distance from proposed lot lines. Proposed Tract 4 currently has no water or waste water services but will remain of adequate size to accommodate such.

REGULATORY FLOODPLAIN

A portion of the proposed Tract 4 has regulatory floodplain present. The presence of the flood hazard has been noted on the plat.

SUMMARY AND STAFF RECCOMENDATION

Having reviewed the property and proposed plat and discussed with SDDOT and multiple Custer County representatives' staff supports a recommendation to Council for approval of the minor plat. Access appears to be adequate, existing structures have been addressed from a setback standpoint, and no property line concerns exist with the existing wells and septic systems.

REFERENCES

CC Ordinance #2
CC Lot Setback Requirements "cheat sheet"
CMC Chapter 16
16.20
16.20.020 (A)



Planning Department

City of Custer City
622 Crook Street
Custer, SD 57730

Phone (605) 673-4824
Fax (605) 673-2411
timh@cityofcuster.com

Residential Zoning Bulk CUP Review

- ~~1. January 22nd – General Government Committee~~
 - ~~i. Planning and review of application~~
- ~~2. February 1 – Notice of application(s) required to paper~~
- ~~3. February 6th & February 13th – Notice of application(s) required published in paper~~
4. March 5th - Application and all supporting paperwork to Planning Department
5. April 5th - Notice of public hearing to paper
6. April 10th – Notice of Public Hearing in paper
7. April 12th – Signs posted, and mail notification must be sent
8. April 23rd – Planning Commission meeting and Public Hearing

2019

January						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

February						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28		

March						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

April						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

May						
S	M	T	W	T	F	S
		1	2	3	4	
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

June						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

July						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

August						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						