



Spearfish Planning Commission

Regular Session Minutes

06Sep22 at 3:00 p.m.

The Spearfish Planning Commission met in regular session on Tuesday, 06Sep22 at 3:00 p.m. in the council chamber of city hall and via Zoom video conference. Meghan Byrum called the meeting to order at 3:00 p.m. Roll call was taken with the following members present - Meghan Byrum, Greg Kruskamp, Bob Meyer, Larry Vavruska, Barbara Zwetzig, Rick Tysdal, and Toby Bordewyk. City staff was represented by Planning Director Nick Broyles, Mayor John Senden, City Administrator Steve McFarland, City Attorney Ashley McDonald, and Administrative Assistant Erica Bussiere.

APPROVAL OF MINUTES

Kruskamp moved – Zwetzig seconded, and all voted to approve the minutes of the 02Aug22 Planning Commission meeting.

DECLARATIONS OF CONFLICTS OF INTEREST

Byrum called for any potential conflicts of interest to be identified. No conflicts were expressed.

- 1. Request:** Discuss Development Options for the Highway 85 Corridor
Location: City Council Chamber, 625 Fifth Street, Spearfish, SD
Applicant: N/A
Action: Request Motion from Planning Commission on How to Proceed

Broyles presented findings for questions posed by the Planning Commission on 02Aug22. The Planning Commission asked for details on the following three topics; (1) potential special permitted land uses and criteria, (2) changes to the subdivision code to reflect the special permitted uses, and (3) methods to identify and quantify risks with septic and drain fields. Staff was asked to consider our responses through the lenses of risk, simplicity, and flexibility.

Broyles presented hypotheticals for land uses that may use lower sewer flows as well as higher sewer flows. Broyles also presented possible language to modify the subdivision code to align with suggested special permitted uses. Thoughts surrounding identifying and quantifying risk were also discussed. Regarding risk, staff recommended including a professional engineering consultant and obtaining City Council concurrence with future plans. Staff also recommended that creating a list of special permitted uses must be simple and written in such a way for staff to make a quick determination that would be administratively approved by city staff. Lastly, staff highlighted that any proposed process must be flexible enough to allow property owners options for how they want to develop their property. We should avoid a one-size-fits-all solutions and allow for specific solution for low and high impact uses. Attached with the agenda packet were an NRCS Soils Survey for the Highway 85 corridor, and specific State requirements for the design of septic tanks.

The Planning Commission engaged in lengthy discussion across a variety of topics. The following list is intended to be an exhaustive list of the ideas raised in the meeting.

1. Commission was in favor of pursuing Special Permitted Uses to allow for septic/wells
2. There was interest in looking at only low sewer flow rates for the time being
3. Community wells were presented; perhaps having 1 well serve 2 or 3 owners
4. Septic density concerns were discussed, and how we tie in the subdivision ordinance
5. Idea to keep a minimum of 8 acres for a septic tank was proposed
6. Septic tanks must be designed by a professional engineer
7. We must comply with State guidelines
8. Add attribute of 'cost' to the risk, simplicity, flexibility assessment

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9. City must have a method for septic inspections and follow-up, cost should be the landowner's responsibility, special permitted uses must be reviewed annually, and the possibility of bonds was presented

Staff suggested that if the Planning Commission seeks to strengthen the input/design aspect of this process, it may require the assistance of a consultant as staff does not possess expertise in soils and geology as it relates to septic design. Furthermore, staff suggested that if any of ideas presented over the last couple of months are to be initiated, that City Council needs to be made aware of options to determine future staff actions, as option presented may have budget impacts.

Tysdal made a motion and Zwetzig seconded to direct staff to do the following.

1. Obtain appetite from City Council regarding their interest in allowing septic systems for 'low sewer flow' rates within the Highway 85 corridor

The motion passed 6-1 with Meyer dissenting.

Chair Byrum requested that Meyer provide written information regarding his position on the item.

2. **City Council Update:** As there has not been a City Council meeting since the last Planning Commission meeting, Broyles had no City Council updates for the Planning Commission. Broyles did inform the Commission that a new Planning Director has been hired and will begin on 26Sep22.
3. **Public Comment:** No public comment was provided.
4. **Adjournment:** Byrum adjourned the meeting at 4:21 PM.