



Spearfish Planning Commission
Regular Session Minutes
June 20, 2023 at 3:00 p.m.

The Spearfish Planning Commission met in regular session on Tuesday, June 20, 2023 at 3:00 p.m. in the council chamber of city hall and via Zoom video conference. Vice Chair Byrum called the meeting to order at 3:00 p.m. Roll call was taken with the following members present: Meghan Byrum, Bob Meyer, Toby Bordewyk, Rick Tysdal, and Larry Vavruska. Also present: Planning Director Marlo Kapsa, City Attorney Ashley McDonald, and City Administrator Steve McFarland.

APPROVAL OF MINUTES:

Vavruska moved, Tysdal seconded and all voted to approve the minutes of the June 6, 2023 Planning Commission meeting with an amendment being made to reflect the correct motion made on agenda item two of the June 6 meeting agenda.

DECLARATIONS OF CONFLICTS OF INTEREST:

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

- 1. Request:** Approve a Final Plat for Lots 1-3 of X Heart Subdivision E1-D in Section 30, T6N, R3E
Location: West of Intersection of Westview Drive and Old Belle Road
Applicant: Mark Backens
Action: Approve Final Plat with Stipulations

Kapsa presented the final plat and staff report noting that no changes were made since Sketch Plat approval aside from inclusion of the required dedicated right-of-way. **Tysdal moved, Vavruska seconded and all voted to recommend approval of the Final Plat to City Council with the stipulations noted in the staff report.**

- 2. Request:** Approve a Sketch Plat for combination of Lots 8 & 9 of The Meadows of Higgins Gulch Subdivision
Location: Southwest of the intersection of Hillsvie Rd and Higgins Gulch Road
Applicant: Jared Lukens Black
Action: Approve the Sketch Plat with Stipulations

Kapsa presented the sketch plat and staff report noting that staff would need confirmation from the Lawrence County Planning and Zoning Department that the existing secondary home onsite meets minimum guest house requirements per Lawrence County code or the secondary residence must be removed prior to submittal of the Final Plat document. Byrum asked what the status of the County's determination was and Kapsa noted that staff did not yet have that determination it will just need to be verified prior to submittal of the final plat application. Tysdal noted that guesthomes do require a conditional use permit. **Vavruska moved, Bordewyk seconded and all voted to approve the Sketch Plat with the stipulations noted in the staff report.**

3. Items for Discussion:

Planning Studies – Project Updates: Kapsa stated that biweekly meetings had been scheduled for the Comprehensive Plan update and that the Steering Committee and Stakeholders groups were being put together and that all data collection for the existing conditions analysis is currently being compiled. Byrum inquired whether commissioners aside from the chair would be able to participate in the Steering Committee and overall Comprehensive Planning process. Kapsa noted that she would verify with the consultant if there would be room in the groups for additional commissioners to participate.

4. City Council Update – Kapsa noted that two encroachment agreements were on the Council agenda and that the Council would be reviewing a request to approve a Memorandum of Understanding for the proposed Hill Street Apartment project.

5. Public Comment – No comments were provided by the public, however, Commission Meyer raised a question regarding review of septic systems in the platting process and noted concerns regarding the minimum requirements of septic systems established by the state Department of Agriculture and Natural Resources and whether there were additional steps and regulations that the City could implement that go beyond the State’s minimum standards. Kapsa noted that the only thing being reviewed for septic systems in the platting process is whether the lot meets minimum area requirements for new systems and setback requirements for existing system components. Meyer asked when the appropriateness of a site and expected output from the proposed use are considered. Kapsa noted that unless there are additional requirements set forth within City or County ordinances the state minimums are what must be met and that all systems approved by the City must be designed by an engineer. Meyer noted his concerns regarding differences in hydrology and geology throughout the area that may create risk for contamination. Kapsa noted that additional input regarding additional regulation on septic systems may need to be with the State or County since septic systems are uncommon within City limits and that overall, the City is working to limit their use and require connection to City sewer services. Meyer noted he was not requesting additional regulation but that a process is needed to assess appropriateness of a site for septic. Tysdal noted that the County also requires that septic systems be designed by an engineer and noted that he has concerns regarding City staff’s availability to implement a process as discussed by Commissioner Meyer. Kapsa noted that the state’s standards require a minimum percolation rate or an alternate engineered system must be installed. Kapsa then requested that if this is a discussion that the Planning Commission feels needs further attention that it be placed as an agenda item at a later meeting.

8. Adjournment - Byrum adjourned the meeting at approximately 3:28 p.m.