

**MINUTES OF THE
MINNEHAHA COUNTY PLANNING COMMISSION
July 25, 2005**

A meeting of the Planning Commission was held on July 25, 2005 at 7:00 p.m. in the Commission Room of the Minnehaha County Administration Building.

COUNTY PLANNING COMMISSION MEMBERS PRESENT: Deb Bunde, Mike Cypher, Anne Hajek, Susie O'Hara, Mark Rogen, Don South, and Wayne Steinhauer.

STAFF PRESENT: Scott Anderson, Phil Kappen and Pat Herman.

The meeting was chaired by Don South.

APPROVAL OF THE CONSENT AGENDA

There being no objections from the Planning Commission or audience, a motion was made by Cypher and seconded by O'Hara to approve the consent agenda. The motion passed unanimously (Rogen absent).

ITEM 1. MINUTES – June 27 2005.

A motion was made by Cypher and seconded by O'Hara to approve the minutes. The motion passed unanimously (Rogen absent).

ITEM 2. CONDITIONAL USE PERMIT #05-63 to transfer two residential building eligibilities.

Legal Description – SE1/4 SW1/4 of Section 10-T103N-R48W

General Information

Location -	4 miles northwest of Garretson
Petitioner / Owner-	Gary Hermanson
Present zoning -	A-1 Agricultural
Existing Land Use -	Agriculture
Parcel Size -	40 Acres

Report by: Pat Herman

Staff Analysis

The site is located five miles northwest of Garretson and is zoned A-1 Agricultural. The surrounding land use is agricultural. The petitioner is requesting a transfer of two residential building eligibilities. The receiving parcel has one eligibility, so with approval, there will be three dwelling units allowed in this quarter-quarter.

1) The effect upon the use and enjoyment of other property in the immediate vicinity for the uses already permitted, and upon property values in the immediate vicinity.

Transfer of the eligibilities should not negatively impact other property values or existing uses. There are no CAFOS within a mile of the site. As this is an agricultural area, a right-to-farm notice covenant should be required.

2) The effect upon the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

Approval of the transfers does not increase the number of dwelling units allowed under density zoning and should have little impact on the surrounding vacant property.

3) That utilities, access roads, drainage and/or other necessary facilities are provided.

Street access will be to 253rd St., a gravel township road. Edison Township requires culvert/driveway permits, and the applicants will need to apply to the township board for those permits. Staff contacted Edison Township concerning this application, but the Township had not reviewed the area at the time the staff report was written. The applicants should be aware that the County will not issue building permits unless a valid entrance permit from Edison Township is presented. A wastewater system is required and rural water is available in the area.

Staff found the request to be in conformance with density zoning and recommended approval of

conditional use permit #05-63 with the following conditions:

- 1) The properties shall be platted and a right-to-farm notice covenant filed on the deed of each lot prior to the issuance of a building permit.
- 2) Written approval from Edison Township for driveway approaches.

Based on the staff report, a motion was made by Cypher and seconded by O'Hara to **approve** conditional use permit #05-63 with the conditions as stated. The motion passed unanimously (Rogen absent).

ITEM 3. CONDITIONAL USE PERMIT #05-60 to transfer one residential building eligibility.

From – SW1/4 NE1/4 of Section 33-T102N-R51W

To – NE1/4 NE1/4 of Section 33-T102N-R51W

General Information

Location – 1 mile south of Hartford
Petitioner / Owner- Raymond H. Matthies
Present zoning - A-1 Agricultural
Existing Land Use - Agriculture
Parcel Size - 40 Acres

Report by: Pat Herman

Staff Analysis

The subject property is zoned A-1 Agricultural and located 1 mile south of Hartford. There is an industrial park a ¼ mile north of the site. This application is to transfer one residential building eligibility. The receiving parcel's eligibility has already been used by a dwelling located in the NE1/4 corner of the quarter-quarter.

1) The effect upon the use and enjoyment of other property in the immediate vicinity for the uses already permitted, and upon property values in the immediate vicinity.

Transfer of the eligibilities should not negatively impact other property values or existing uses. However, as there are agricultural practices in the area, a right-to-farm notice covenant should be required.

2) The effect upon the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

Approval of the transfers does not increase the number of dwelling units allowed under density zoning and should have little impact on the surrounding vacant property.

3) That utilities, access roads, drainage and/or other necessary facilities are provided.

The petitioner has not determined the specific location for the dwelling within the quarter-quarter. Access will be from either a township road or a county highway. The petitioner will need to obtain written permission from either Hartford Township or the County Highway Department for access onto the roadway. A wastewater system is required and rural water is available in the area.

Staff found the request to be in conformance with density zoning and recommended approval of conditional use permit #05-60 with the following conditions:

- 1) The properties shall be platted and a right-to-farm notice covenant filed on the deed of each lot prior to the issuance of a building permit.
- 2) Written approval from Hartford Township or the County Highway Department for the driveway approach.

Based on the staff report, a motion was made by Cypher and seconded by O'Hara to **approve** conditional use permit #05-60 with the conditions as stated. The motion passed unanimously (Rogen absent).

ITEM 4. CONDITIONAL USE PERMIT #05-61 to allow on and off premise malt beverage sales.

Legal Description - Tract 1 Oyens Addition W1/2 NE1/4 in Section 1-T103N-R50W

General Information

Location - southeast corner of the Baltic exit
Petitioner / Owner- Mike Raderschadt / GEMIDA, LLC
Present zoning - I-1 Light Industrial
Existing Land Use - Commercial
Parcel Size - 5.00 Acres

Report by: Pat Herman

Staff Analysis

This property is located at the southeast corner of the I-29/Baltic exit. The property is zoned I-1 Light Industrial. Commercially zoned property is located east of the site as well as west across the interstate. Property to the north and south is zoned agricultural. Current use of the site is commercial retail with a flea market and vehicle sales. Vehicle sales were approved by conditional use permit in June 2004. The flea market and vehicle sales will continue to operate at this site.

This application is a request to allow on and off premise malt beverage sales. The submitted site plan shows a small area, just inside the main entrance, where the malt beverages will be sold. The petitioners are also planning to add lottery casino areas in the northeast end of the building.

1) The effect upon the use and enjoyment of other property in the immediate vicinity for the uses already permitted, and upon property values in the immediate vicinity.

The closest residential use is an existing mobile home park located over 700' west of the site and it is buffered from this business by the interstate and existing commercial uses. The uses and enjoyment of the surrounding property should not be impacted nor should the addition of malt beverage sales to this site have any effect on the property values in the immediate vicinity.

2) The effect upon the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

The I-29 Baltic exit is in conformance with the recommendations of the Comprehensive Plan for commercial and industrial development. Approval of this conditional use permit should not effect the potential development of additional commercial uses in the area.

3) That utilities, access roads, drainage and/or other necessary facilities are provided.

Utilities, access, drainage and other measures were all addressed with the earlier conditional use permit for vehicle sales. The retail business was not allowed to begin operations until the building inspector was satisfied that the structure met the uniformed building code.

4) That the off-street parking and loading requirements are met.

The site has the required paved parking spaces for the commercial use as well as abundant overflow parking.

5) That measures are taken to control offensive odor, fumes, dust, noise, vibration, and lighting (inclusive of lighted signs), so that none of these will constitute a nuisance.

All activity will take place inside the existing building and should not generate any nuisances.

Staff found the request to be compatible with the current use and zoning of the property and that there will be no negative impact on the surrounding land uses and recommended approval of conditional use permit # 05-61 with the following conditions:

- 1) The building interior shall adhere to the site plan submitted June 28, 2005.
- 2) Sales of malt beverage and the lottery casino shall only occur during the hours of operation for the flea market.
- 3) On-premise signs shall adhere to Article 16.00 of the Minnehaha County Zoning Ordinance and do require a building permit. Blinking, flashing, or other changing light signs shall not impede interstate motorists and shall require approval of the Planning Director prior to being placed on the property.
- 4) The business will adhere to the required state and county regulations governing the sale of malt beverages.

Based on the staff report, a motion was made by Cypher and seconded by O'Hara to **approve** conditional

use permit #05-61 with the conditions as stated. The motion passed unanimously (Rogen absent).

REGULAR AGENDA

A motion was made by Hajek and seconded by O'Hara to approve the regular agenda. The motion passed unanimously (Rogen absent).

ITEM 5. CONDITIONAL USE PERMIT #05-64 to transfer four residential building eligibilities.

From – NE1/4 NW1/4, SE1/4 NW1/4, NE1/4 SW1/4 & W1/2 W1/2 NE1/4 in Section 7-T101N-R47W
To - SE1/4 SW1/4 in Section 7-T101N-R47W

General Information

Location - 2 miles southwest of Brandon
Petitioner / Owner- Hazel McHardy
Present zoning - A-1 Agricultural
Existing Land Use - Agriculture
Parcel Size - 65 acres

Report by: Phil Kappen

Staff Analysis

The subject property is located north of 264th Street. The properties to the west, north and east are in agricultural use with scattered acreages. The properties to the south are non-farm acreages. The petitioner wishes to transfer the eligibilities to the south across the road from the existing residences.

1) The effect upon the use and enjoyment of other property in the immediate vicinity for the uses already permitted, and upon property values in the immediate vicinity.

The transfer of these eligibilities will locate the new dwellings further from existing livestock facilities (there is a feedlot approximately ½ mile to the east) and the land used for construction will change from an area used for cropland to a pasture area. The transfer would also move the eligibilities closer to an existing residential area.

2) The effect upon the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

The predominant land use in the area is agriculture. The proposed transfers will cluster the existing eligibilities and allow more efficient cropland farming in the area from which the eligibilities are being moved. Right to farm notice covenants should be required to reinforce the agricultural nature of the area.

3) That utilities, access roads, drainage and/or other necessary facilities are provided.

Access would be onto 264th Street, a township road. There are some severe sight problems along the road, however, those are addressed in the location of proposed access points as shown in the preliminary subdivision plan that has been submitted for approval. The proposed access onto the township road would be via a subdivision road.

4) That the off-street parking and loading requirements are met.

No on-street parking is allowed. There is adequate space for off-street parking on the proposed lots.

5) That measures are taken to control offensive odor, fumes, dust, noise, vibration, and lighting (inclusive of lighted signs), so that none of these will constitute a nuisance.

The proposed use should not result in inordinate odor, fumes, dust, noise, or vibration. Any outdoor lighting should be of a shoebox style that directs light downward and does not allow light to spill off of the property.

Staff found that the proposed eligibility transfer meets the precepts of density zoning and provides added protection for agricultural development. Staff recommended approval of conditional use permit # 05-64 with the following conditions:

1. All lots shall be platted and a right-to-farm notice covenant filed on each lot prior to the issuance of any building permit.

2. All access onto 264th Street from the lots shall conform to the preliminary site plan approved for the development. When access onto a subdivision road rather than 264th Street is possible, no additional accesses shall be made onto 264th Street.

Public Testimony

Commissioner South questioned the portion of the staff report dealing with lighting. Mr. Kappen explained that due to the topography lights erected in the new subdivision have the potential to shine into the houses to the south. Directing the light downward would help to prevent this from occurring. Commissioner Cypher suggested that this be added as a condition.

The petitioner, Hazel McHardy, was present. Her daughter, Vicki Ringdahl of Aurora S.D., spoke on her behalf and stated that they were in agreement with all the conditions.

No one else wished to speak to the item and the floor was closed to public testimony.

A motion was made by Cypher and seconded by Steinhauer to **approve** conditional use permit #05-64 with the following conditions:

1. All lots shall be platted and a right-to-farm notice covenant filed on each lot prior to the issuance of any building permit.
2. All access onto 264th Street from the lots shall conform to the preliminary site plan approved for the development. When access onto a subdivision road rather than 264th Street is possible, no additional accesses shall be made onto 264th Street.
3. Any outdoor lighting should be of a shoebox style that directs light downward and does not allow light to spill off of the property.

The motion passed unanimously.

ITEM 6. PRELIMINARY SUBDIVISION PLAN.

Legal Description – E1/2 SW1/4 and W1/2 W1/2 SE1/4 of Section 7-T101N-R47W

General Information

Location -	2 miles southwest of Brandon
Petitioner / Owner-	Hazel McHardy
Present zoning -	A-1 Agricultural
Existing Land Use -	Agricultural
Parcel Size -	65 acres

Report by: Phil Kappen

Staff Analysis

The preliminary subdivision plan shows a total of 6 lots accessing 264th Street via a subdivision road. Upon approval of the preliminary subdivision plan, all subsequent plats must conform with the preliminary plan. No building permits could be issued until the final plats are completed, and any requirements from the conditional use permit are met.

1) The effect upon the use and enjoyment of other property in the immediate vicinity for the uses already permitted, and upon property values in the immediate vicinity.

Due to the topography, most of the building sites will be situated lower than the township road. In many cases, the view from the road will almost be above the proposed homes.

2) The effect upon the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

The proposed layout of the subdivision places the residential lots in a pasture area and preserves cropland areas. Some of the lots include area within the base flood elevation (100-year flood), but all have ample area beyond the flood area for construction of a home and the necessary septic systems.

3) That utilities, access roads, drainage and/or other necessary facilities are provided.

The subdivision ordinance notes that cul-de-sacs should generally be limited to 500 feet. If a cul-de-sac is proposed longer than that length, the petitioner should show justification for the added length. In this situation, the topography of the site limits where access can be made onto the township road. Due to the

excessive difference in elevation between the property and the road in most locations, two access points onto the road are not feasible. The best means of accessing the subject property is through the proposed road pattern. The road would access 264th Street at a high point along the township road and at the location of an existing field approach. The road would then be curved around the hillside to minimize the required slope on the roadway.

The proposed roads will have to either be platted as publicly-dedicated right-of-ways or as private roadways. If platted as public ROWs the plats will be required to show that the township agrees to accept responsibility for the road or that a home owner's association will be established with responsibility for all road maintenance and repair. If the roads are to be private roadways, a homeowner's association would be required to accept responsibility for the road.

The petitioner has indicated that they have contacted the township regarding the possibility of a direct access onto 264th Street from lot 5. This would negate the necessity of the secondary east to west cul-de-sac. The petitioner has submitted no such preliminary plan at this time and only the submitted plan should be considered. If the petitioner reaches an agreement with the township, a revised preliminary plan would have to be submitted for county approval. Due to the topography in the area, particularly the great difference in elevation between the township road and that part of the property in lot 5, staff has doubts about whether a direct access from that lot would be feasible.

Staff recommended approval of the preliminary subdivision plan.

Public Testimony

Mr. Kappen noted that the petitioner would need to get a NPDES permit from the State.

The petitioner, Hazel McHardy, was present along with her daughter, Vicki Ringdahl of Aurora S.D.

No one wished to speak to the time and the floor was closed to public testimony.

A motion was made by Rogen and seconded by O'Hara to **approve** the preliminary subdivision plan. The motion passed unanimously.

ITEM 7. CONDITIONAL USE PERMIT #05-62 to allow a contractor's storage yard. Legal Description - Tract 4 Dawson's Addition and Lot 4 Haug's Addition SE1/4 in Section 12-T102N-R50W

General Information

Location -	Crooks exit from I-29
Petitioner / Owner-	C&W Enterprises / Warren Barse
Present zoning -	C Commercial
Existing Land Use -	Commercial
Parcel Size -	5.9 Acres

Report by: Phil Kappen

Staff Analysis

The subject property is located in the northwest quadrant of the Crooks/Renner exit on I-29. Properties to the north, west, and south are existing commercial/industrial uses. To the east of the property is Interstate 29 and County Highway 130 lies along the south side of the site. This matter has been an ongoing issue since 2000. A conditional use permit was first approved in 2000 after the use had already commenced. The permit was amended at the applicant's request twice in 2001 and once in 2003. The permit was also amended, as requested by Circuit Court, last month. The petitioner uses the property as a contractor's storage yard and operates a road construction business. The current proposal would limit the area of the property on which certain items are stored and add more screening fence to screen the storage area.

1) The effect upon the use and enjoyment of other property in the immediate vicinity for the uses already permitted, and upon property values in the immediate vicinity.

The primary concern of the use at this site is the appearance of the property from along the County Highway and the southbound exit ramp along I-29. The north lot (Lot 4 Haug's Addition) would be used strictly for the parking of trucks. All other uses would be confined to the southern lot (Tract 4 Dawson's Addition).

2) The effect upon the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

The area is planned for commercial/industrial development and the proposed use is consistent with the type of use found in such areas provided that the view along the county highway and the interstate highway may be preserved. It is possible to adequately screen certain uses within the property through the use of fencing and landscaping.

The petitioner currently has screening fence along the west, south east and north boundaries of Tract 4 Dawson's Addition. Trees have also been planted along the 258th Street and Cottonwood Avenue frontages. Those trees and fences must be maintained. The petitioner also proposes an additional fence in the interior of the property which will be used to screen parts, materials, and seldom-used equipment. The accompanying photographs show how such a fence would appear if placed on the property. These photos were prepared showing the effect if an 8-foot fence were used. If the conditional use permit were approved, the height of this fence must be addressed.

The length of the fence shown on the photos is 160 feet. This would screen most of the area west of the fence from the view from the I-29 ramp and from west-bound traffic on Co. Hwy 130. As traffic comes further to the west the topography changes which allows adequate screening by the existing 6-foot fence along the Hwy 130 frontage.

Due to the long period of time in which adequate screening has not been employed on the property, a strict deadline for completing the screening and bringing the property into compliance with the approved permit should be established.

3) That utilities, access roads, drainage and/or other necessary facilities are provided.

Access to Tract 4 Dawson's Addition is from 258th Street (Co. Hwy 130). Access to Lot 4 Haug's Addition is currently from the Dawson Tract, however, the potential exists for access to that lot from either Cottonwood Avenue or Wild Clover Circle. If access is to be made from either of those streets the access into Haug Tract 4 would have to be hard-surfaced. The access onto the county highway from the Dawson tract is currently hard-surfaced.

4) That the off-street parking and loading requirements are met.

There is adequate space on the subject property for adequate parking. No on-street parking is allowed.

5) That measures are taken to control offensive odor, fumes, dust, noise, vibration, and lighting (inclusive of lighted signs), so that none of these will constitute a nuisance.

The majority of the lot will be used only on a seasonal basis—primarily for storage during the winter season. Dust control should be applied as needed. All exterior lighting should be of shoe box style that directs the light downward and does not allow light to spill beyond the property boundaries. All signage on the property is required to comply with the requirements of the county zoning ordinance.

The use is consistent with the types of uses found in commercial/industrial districts provided that proper screening is provided. Staff recommended approval of conditional use permit #05-62 with the following conditions:

1. All previous conditional use permits on this property shall be repealed.
2. Lot 4 Haug's Addition shall be limited to the parking of trucks. All trucks shall be maintained in an operable and currently licensed condition. A physical barrier such as curb stops shall delineate the required fifteen-foot front yard setback along both Cottonwood Avenue and Wild Clover Circle. If access is made from this lot to either of the adjoining street right-of-ways, all access driveways shall be hard-surfaced for a minimum distance of 50 feet onto the lot. Any security

fences on this property must also be set back from the Cottonwood and Wild Clover ROWs by a minimum of 15 feet.

3. Screening fences shall be erected and maintained along the west, south, east and north sides of Tract 4 Dawson's Addition. The screening fences shall be a minimum of 6 feet in height, shall be of an earth-tone color and shall have a minimum of 90% opacity maintained over the entire height of the fence. The screening fences along the Cottonwood, 258th Street and I-29 ROWs shall be setback a minimum of 15 feet.
4. No unlicensed or inoperable vehicles or equipment shall be allowed to accumulate on the property.
5. All equipment parts, materials, and infrequently-used equipment shall be limited to Tract 4 Dawson's Addition and shall be screened from public view behind an interior screening fence as delineated on the petitioner's revised site plan. This fence shall be a minimum of 160 feet long and shall be a minimum of 8 feet in height, shall be of an earth-tone color and shall have a minimum of 90% opacity maintained over the entire height of the fence.
6. A fifteen-landscaped area shall be maintained along the west and south sides of Tract 4 Dawson's Addition and shall include either deciduous or coniferous trees planted a maximum of 30 feet on center. All trees shall be a minimum 1¼ inches if deciduous or a minimum height of 5 feet if coniferous. Any damaged or dead trees shall be immediately replaced.
7. The driveway and parking area on Tract 4 Dawson's Addition, as shown on the revised site plan, shall be hard-surfaced.
8. All permit conditions shall be fully met by September 1, 2005.

Public Testimony

Commissioner Hajek questioned whether the word accumulate in condition #4 was too open to interpretation. At what point is something accumulating? Mr. Kappen used the example of a truck that was broken down and being repaired. That would be allowed. However, if the truck just sat there for two months, it could be considered to be accumulating. Deputy State's Attorney Gordy Swanson agreed with that explanation. He is comfortable with the condition as written. The nuisance ordinance has similar language and through past legal action the courts have found this to be a reasonable clause which has been enforced.

Carol Burse, C& W Enterprises, apologized to the Commission for the length of time it has taken to resolve this matter. She has a fencing company hired to put up the fence and is in agreement with an 8' high fence and a deadline of September 1, 2005.

No one else wished to speak to the item and the floor was closed to public testimony.

A motion was made by Steinhauer and seconded by Bunde to **approve** conditional use permit #05-62 with the conditions as stated. The motion passed unanimously.

ITEM 8. TEMPORARY USE PERMIT - Christian Music Festival with overnight camping.

Legal Description - E1/2 NW1/4 SE1/4 & NE1/4 SE1/4 (Ex. H-1 & Ex Tr. 1 Alvine's Addition in Section 36-T101N-R51W

General Information

Location -	3 miles west of Sioux Falls
Petitioner / Owner-	Alan Green / Wild Water West Water Park
Present zoning -	A-1 Agricultural
Existing Land Use -	Commercial
Parcel Size -	55.9

Report by: Scott Anderson

Staff Analysis

The applicant is requesting a Temporary Use Permit to allow for a music festival with associated camping and vending from September 1-4, 2005. Festival attendance is expected to be between 150,000 and 200,000 over the four day event. The event is proposed to be held at the Wild Water West Water Park grounds, approximately three (3) miles west of Sioux Falls.

The applicant has prepared a narrative of the proposed event. This narrative has been provided to each

Planning Commissioner and County Commissioner for review. There will be two (2) primary stage areas and four (4) smaller performance areas for a total of six entertainment areas where performers will sing. Camping will also be offered on the festival grounds. The applicant has indicated that 800 camping sites will be provided for festival attendees. Electrical hook-ups will be provided to 300 sites. Portable showers will be provided by the applicant free of charge to those camping on the property.

The narrative addresses several issues such as rodent and insect management, crowd hydration and cooling and temporary vending requirements. The narrative indicates that should the long-range weather forecast predict extreme heat, the placement of two misting stations might be provided. This is somewhat vague and staff prefers requiring misting stations once the temperature exceeds 90 degrees.

The applicant has provided a detailed medical care plan for emergency needs. They have obtained one mobile clinic from Sioux Valley Hospital. The plan shows that two first aid stations will be provided. This appears to meet potential needs of the festival. Staff recommends the location of each first aid station be clearly identified in the programs provided to festival attendees.

The applicant has obtained a 10,000 square foot structure north of Wild Water West to serve as a command and control center. The narrative indicates that staff from the Sheriff's office will be used for approximately 244 hours of protection. The Sheriff's department has been included in discussions with LifeLight and is aware that his manpower will be utilized for the event. The Sheriff's Office indicates approximately 1204.50 personnel hours will be used for the event. In addition the Metro Communications Center has indicated that 47 hours of additional personnel time will be required for the event. The applicant has offered to reimburse the County for personnel costs associated with event security and administration. Staff will include this in the recommended conditions of approval.

State approval is being sought by the applicant for a temporary campground. Shower facilities will be provided to campers. Information shall be provided to each camp site listing the location of the first aid station and information center. Furthermore, the temporary camping area shall only be allowed with the approval from the State.

Vendors will be located near the middle of the festival grounds. The number and types of vendors has not been indicated within the narrative. Staff concludes that vendors are compatible with the proposed use, but will require that each vendor has obtained the necessary state sales tax license and state food license for the sale of food.

Provisions have been made for a mobile weather station to be located on the festival grounds during the event. The mobile weather station will be used to tract any severe weather that may arise. A weather emergency plan has been developed. Any severe weather will be assessed by festival management and public safety individuals. Any festival goers requiring shelter would be shuttled to the First Assembly of God Church located on 41st Street, six miles to the east. The narrative does not indicate the number of people this facility can shelter, nor an approximate time needed to move people to the shelter. This portion of the submitted plan is not adequate. Staff will need to have written confirmation from the First Assembly of God Church that they are willing to provide their facility as a storm shelter. The applicants will also need to provide an estimate on the duration needed to evacuate the facility and parking lots. The traffic capacity of the roads is approximately 1500 vehicles per hour. Should a severe weather arise during peak hours, any evacuation would require several hours.

The plan does not address any temporary signage that may be used by LifeLight. The Zoning Ordinance does not specifically allow the placement of any banners or temporary signs for temporary uses, however, it does allow them in conjunction with roadside stands and firework stands when a Conditional Use Permit is obtained. Based on general intent of the Zoning Ordinance a limited number of temporary signs should be allowed. No temporary signs or banners however, shall be allowed to be displayed within any public right-of-ways. The applicant shall provide a Signage Plan to the staff for review and approval prior to the Planning Commission meeting. The plans shall identify the type, number, size, message, and location of each sign or banner. The applicant shall be required to obtain the property owner's permission to place signs on private property. All temporary signs or banners shall be removed by September 5, 2005. Directional traffic signs are not considered advertising signs such as banners or other temporary advertising signs.

Vehicular Traffic

Both S.D. Highway 17 and County Highway 148 (267th Street) have a maximum carrying capacity of 1900 vehicles per hour. The applicant has provided a plan that attempts to limit the amount of traffic that will be seen at this intersection. Traffic from the west will be directed from Interstate 90 down County Highway 151 (463rd Avenue). Traffic from Sioux Falls will be directed to S.D. Highway 42 and then south on S.D. Highway 17 to the red and green parking lots. Traffic arriving from the south on Interstate 29 will be routed to Exit 64 and then north. Traffic from the south appears to be parking in the east and west parking area. A temporary road will be constructed from the west parking area to 465th Avenue. The applicant has attempted to eliminate as much traffic volume at the intersection of 41st Street and S.D. Highway 17 as possible. Temporary signage will be used to direct festival goers to the closest and most suitable parking areas. The single largest event day is projected to be Sunday with up to 60,000 attendees. Based on this figure, staff projects that 24,000 spaces are needed to meet the parking demand. The narrative provided by the applicant indicates that in total over 35,000 parking spaces are available.

The applicant has indicated that the Temporary Use Permit application will be supplemented with approval of the traffic plan by the S.D. Department of Transportation, Minnehaha County Highway Department, Lincoln County Highway Department, Minnehaha County Sheriff, and the S.D. Highway Patrol. Each of these agencies has been provided with the plan and their comments solicited for improvements. The traffic plan is rather detailed, indicating traffic routes, signage, and parking. Staff recommends as a condition of approval, that prior to Planning Commission approval, the applicant supply the written approvals from the above identified agencies for traffic, signage and parking plans.

Pedestrian Traffic

The narrative addresses pedestrian traffic by proposing the use of colored, plastic snow fencing as a pedestrian corridor. Pedestrian Traffic would be guided to specific crossing points across 41st and S.D. Highway 17. The plan proposes that each crossing point will be staffed by either the Sheriff's Department or reserve. Staff would prefer that a full-time law enforcement officer direct the pedestrian crossing. Staff will include this in the recommended conditions of approval. The proposed volume of pedestrians crossing these roads will further reduce the traffic capacity. Any festival goers not utilizing the crossing areas will further reduce traffic flows.

1) The effect upon the use and enjoyment of other property in the immediate vicinity for the uses already permitted, and upon property values in the immediate vicinity.

As this is a temporary use, extending only over a four (4) day period, no long lasting impacts on use or property values should occur. All existing residences will face temporary impacts on level of traffic services. The significant amount of traffic generated by this event will negatively impact the existing uses in the area for the duration of the event.

2) The effect upon the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

The proposed use, due to its temporary nature, should not impede the orderly development of the area.

3) That utilities, access roads, drainage and/or other necessary facilities are provided.

The applicant is proposing the creation of one (1) new access point into the west parking lot of the festival area. The road will come off of 465th Avenue. Staff has concerns with the use of this road to access the west parking area. The roads will be constructed primarily over existing cropland. Any rain will result in mud being tracked out onto the county maintained road, unless adequate measures are taken. The road must be at least twenty-four (24) feet wide, constructed to allow for adequate drainage off of the road bed, not impede any natural drainage way, and constructed with at least three (3) inch gravel surface.

The applicant has made provisions for 220 regular and 12 ADA porta potties to be serviced twice per day. Hand washing stations will be provided near each pod of portable toilets. This number of portable toilets appears to be sufficient.

The application/narrative addresses solid waste/trash management by indicating that it will be coordinated

by festival volunteers. Trash receptacles will be placed throughout the venue and collected on a regular basis. The LifeLight group touted its history of leaving each venue in better condition than when they arrived. Staff recommends that a \$1000.00 surety be held by the County to make sure that all trash and debris is cleaned not only from the festival area, but also the parking areas and corridors leading to and from the event. Upon inspection and approval by the Planning Department, the surety shall be released.

The festival grounds are located within the Hartford Fire and Rescue service area. The Hartford Fire and Rescue is a volunteer organization. Staff wants to determine that an event of this size will not overwhelm the volunteer group. Staff recommends that prior to Planning Commission approval of the Temporary Use Permit, the applicant shall obtain a written statement from the Hartford Fire and Rescue that they have reviewed the plans and will be able to provide fire and rescue services during the event.

4) That the off-street parking and loading requirements are met.

The applicant has indicated that over 20,000 parking spaces will be provided. Some parking will be provided on-site. Some ADA parking is being provided by the applicant on the site. Additional parking will be located ½ to 1 mile to the north and east of the festival site. This parking configuration will require attendees to walk or use a shuttle service. The applicant has indicated that a tram system may be utilized to shuttle festival goers from the parking areas to festival site. The plan indicates that attendees can also walk to the festival site. Staff has concerns with pedestrian traffic walking in the road right-of-way. Staff believes that a shuttle should be required to reduce the number of pedestrians walking in the highway right-of-way and has included this requirement as a recommended condition of approval.

The narrative indicates that rain would reduce the amount of parking by 40%. The utilization of grass field is certainly not the best case scenario. Mike Samp, agent for the applicant, indicated that the west parking area will be tilled and planted into oats to provide the optimum ground cover. Should a major rain event take place during the gathering, low areas could become muddy or inundated with water. Other issues faced with field parking are dust and maintaining an orderly parking configuration. The numbers provided by the applicant represent an optimum use of the grass parking lots. Irregular parking will reduce the number of parking spaces. In no case shall any vehicles park within the public right-of-ways. Any vehicles parking within the right-of-ways shall be ticketed by the Sheriff and towed at the owner's expense.

The applicant is proposing that the west parking lot will be accessed from 465th Avenue. The County Highway Superintendent has indicated that a temporary easement is needed from the property owner for the access road leading from 465th Avenue to the west parking lot and dust controls measures on both 465th Avenue and 268th Street. Staff will include these items as recommended conditions of approval. The applicant has not indicated the width, or construction method of the driveway approach into the west parking lot. Staff recommends that all driveway approaches into temporary parking areas have a minimum width of twenty (20) feet and be constructed with a minimum of three (3) inches of gravel. Furthermore, no natural drainage way shall be obstructed.

The parking lots will have temporary lighting. No lighting has been provided along the routes proposed to be utilized by foot traffic from the festival site to the north and northeast. As the concerts will be ends after dark, pedestrians will be walking along a state highway in the dark, which will result in reduce safety for the pedestrians. Staff recommends that temporary lighting also be included in the pedestrian paths between the parking areas and festival site.

The narrative indicates that the water park will remain open during the music festival. Staff is concerned with parking for this existing commercial activity. The narrative does not address how or where parking will be provided for these customers. Mike Samp, agent for the applicant, has indicated that all patrons visiting the water park would park in any available spaces found in the temporary parking lots.

5) That measures are taken to control offensive odor, fumes, dust, noise, vibration, and lighting (inclusive of lighted signs), so that none of these will constitute a nuisance.

This event will generate noise, dust and additional lighting not typically found in a residential/urban fringe area. The vehicle traffic and pedestrians will generate noise and dust. Staff has serious concerns about dust resulting from the use of grassy fields and pastures for parking. In order to mitigate dust, staff recommends that all parking areas be monitored and driving lanes watered down if needed as determined by the Planning Director or Sheriff. The applicant has indicated that 268th Street bordering the south side

of Country Acres, one mile of 465th Avenue and 268th Street will be treated with magnesium chloride, a dust retardant, prior to the start of the festival. The narrative indicates that an unspecified number of water trucks will be donated to apply water on areas causing dust.

The narrative provided by the applicant does not address noise. The hours of the festival are not clearly defined. There is a significant residential development located directly to the east/southeast of the subject property. These residences along with other residences to the west and northwest will be potentially impacted by noise. In order to reduce the conflict between this proposed festival and the existing residences in the area; staff recommends that all concerts conclude by 10:00 p.m. on Thursday and 11:00 p.m. on Friday, Saturday and Sunday evenings. The agent for the applicant requested that hours for weekend be extended to 11:30 p.m. Staff believes that 11:00 p.m. is an appropriate time to end all outdoor concert events. The applicant can request that this condition be amended by the Planning Commission.

Temporary lighting will be used in the temporary parking areas and corridors leading to and from the parking areas to the festival ground. While these lights are necessary, they will produce a significant amount of light not typically found in this residential/agricultural area. Staff recommends that the lighting be limited to minimize the impacts on the surrounding properties. All temporary lights should be directed towards the ground and must be shut off by midnight.

It has been extremely difficult to properly review this Temporary Use Permit application as two major revisions to the plan have been submitted since the submittal date. The last major revision arrived on July 12, 2005. Staff has attempted to accommodate the applicant by reviewing each proposal. These changes to the plan concern staff, as it demonstrates that certain aspects such as a major parking area were never really secured, when it was indicated that they had been obtained. Staff is going on good faith that other aspects promised in the application, such as provision for dust suppression, signage, medical facilities, and traffic control will be provided.

Staff is concerned with the event taking place at the proposed location. The projected number of attendees at LifeLight may potentially overwhelm the existing traffic network. The applicant has attempted to mitigate these impacts. The County has also attempted to accommodate the proposed use by recommending conditions of approval for this event. Significant county manpower will be involved in the operation of the event and will be able to observe what items worked well and areas that did not. Staff also recommends that a follow up meeting take place with representatives from the Sheriff's Office, County Highway, County Emergency Management, S.D. Department of Transportation, County Planning, and the S.D. Highway Patrol to ascertain how the festival operated. A determination can be made whether any serious or significant issues arose that were not addressed or if any provision made failed to work in the manner proposed. This information should then be utilized to determine whether this proposed site is appropriate for this festival in the future.

Staff recommended approval of Temporary Use Permit #05-03 to allow for a four (4) day music festival with associated camping and vendor sales with the following conditions:

1. That all parking areas shall be monitored and driving lanes watered down if needed as determined by the Planning Director or Sheriff.
2. That a shuttle service be provided for people parking in the orange, green and red parking lots.
3. That prior to the event a lighting plan be submitted for the parking areas and that temporary lighting also be included in the pedestrian paths between the parking areas and festival site.
4. That all concerts conclude by 10:00 p.m. on Thursday and 11:00 p.m. on Friday, Saturday and

Sunday evenings.

5. That a \$1000.00 surety be provided to the Minnehaha County Planning Department by August 31, 2005 and held by the County to make sure that all trash and debris is cleaned up and removed, not only from the festival area, but also the parking areas and corridors leading to and from the event. Upon inspection and approval by the Planning Department, the surety shall be released, minus a \$30.00 inspection fee.
6. That a minimum of 230 portable toilets be provided for each day of the event. Each portable toilet shall be serviced as needed with all waste be properly disposed of.
7. The location of both first aid stations shall be clearly identified in the programs provided to festival attendees. The applicant shall have appropriately trained medical personnel manning each station while festival attendees are on the subject property.
8. That prior to the start of LifeLight, the applicant shall reimburse the County for law enforcement used at the for site security and/or traffic management in the amount of \$14,389.50; \$1,750.28 for Metro Communications cost; and \$3,000.00 for Emergency Management reserve law enforcement officer costs.
9. That two (2) misting stations be provided for crowd cooling once the temperature exceeds 90 degrees.
10. That the number of temporary campsites shall not exceed 800 sites and shall obtain approval from the State. Information shall be provided to each camp site listing the location of the first aid station and information center.
11. That prior to Planning Commission consideration, the applicant supply the written approvals from the S.D. Department of Transportation, Minnehaha County Highway Department, Lincoln County Highway Department, Minnehaha County Sheriff, and S.D. Highway Patrol for traffic, signage and parking plans.
12. That the applicant provide the County Planning Department with a written confirmation from the First Assembly of God Church that they are willing to provide their facility as a storm shelter with the maximum occupancy indicated.
13. That prior to County Planning Commission consideration, the applicants shall provide an estimate on the duration needed to evacuate the facility and parking lots, and shelter capacity and location to the County Emergency Management Office for review and approval.
14. That prior to Planning Commission consideration of the Temporary Use Permit, the applicant shall obtain a written statement from the Hartford Fire and Rescue that they have reviewed the plans and will be able to provide fire and rescue services during the event.
15. Each vendor shall obtain the necessary state sales tax license and food handling permits for the sale of food from the State of South Dakota.
16. That each proposed pedestrian crossing point on 41st Street and S.D. Highway 17 be staffed by a representative of the Sheriff's Office or S.D. Highway Patrol.
17. That the temporary lighting located in all parking areas and corridors to and from the festival grounds should be directed towards the ground and must be shut off by midnight.
18. The applicant shall provide a Signage Plan to the staff for review and approval prior to the

Planning Commission meeting. The plans shall identify the type, number, size, message, and location of each sign or banner. The applicant shall be required to obtain the property owners permission to place signs on private property. All temporary signs or banners shall be removed by September 5, 2005.

19. No vehicles shall park within the public right-of-ways. Any vehicles parking within the right-of-way shall be ticketed by the Sheriff and towed at the owner's expense.
20. That prior to Planning Commission consideration, the applicant shall obtain a temporary easement from the property owner(s) to the west of the west parking area for the access road lead out of the west parking area.
21. That prior to the start of the LifeLight festival, the one mile of 465th Avenue located between 267th and 268th Streets and the one (1) mile of 268th Street located between 465th Avenue and S.D. Highway 17 shall be treated with magnesium chloride or an equivalent dust suppressant.
22. That all driveway approaches into the temporary parking areas have a minimum width of twenty-four (24) feet and be constructed with a minimum of three (3) inches of gravel. Furthermore, no natural drainage way shall be obstructed.
23. That prior to the construction of any temporary or permanent approaches, the applicant shall obtain an approved approach permit from either the County Highway Department or the S.D. Department of Transportation, depending on jurisdiction.

Public Testimony

Mr. Anderson stated that staff was recommending approval of the permit and that the only way to really know whether this use would work at Wild Water West was to try it this year. He stressed the importance of having a meeting of the affected government agencies after the festival to review the results and determine whether this site should be approved for this use in the future.

Mr. Anderson explained that after reviewing the recommended conditions with Deputy State's Attorney Gordy Swanson he wished to revise two of the conditions as follows:

17 That the temporary lighting located in all parking areas and corridors to and from the festival grounds should be directed towards the ground and must be shut off by midnight and that those attending LifeLight be given sufficient notice in advance before the lights are shut off.

19 That the applicant shall abide by SDCL 31-32-9 by preventing festival patrons from obstructing the highway or ditches by parking vehicles or placing other material there.

The addition to #17 is in response to the Sheriff Milstead's wanting to have the lights on for a longer length of time.

Mr. Anderson presented the Commission copies of letters or reports he had just received that day concerning the LifeLight concert.

- a. There was a letter from the Highway Patrol stating they had been part of the task force and would provide support under their normal operating procedure.
- b. A letter from Hartford Fire & Rescue that they would respond to emergency calls as received through their normal 9-1-1 dispatch protocol.
- c. A review from Emergency Management estimating it would take 13/4 hours to evacuate from this site.
- d. Comments from the SDDOT made in the margins of LifeLight's plan submitted on June 24, 2005.

None of these submittals were endorsements of the music festival, just acknowledgement that they had reviewed the plan. Mr. Anderson noted that he had not received any communication from Lincoln County Highway or Minnehaha County Highway nor had a signage plan been submitted. Mr. Anderson mentioned that he had just been handed a letter at the start of the meeting which provided approval for an

ement as well as parking on the land to the west of the site as required by condition #20.

Commissioner Cypher recommended adding to condition #23 by requiring the temporary approaches be removed within 30 days from the event. Commissioner Rogen suggested that condition #21 be amended to add dust suppressant treatment to that portion of 268th running along County Acres Subdivision.

Commissioner Hajek questioned whether open fires should be addressed and suggested adding another condition banning open burning. She also recognized that the submittal from the SDDOT raised some important issues that need to be heeded. Reading directly from the SDDOT document "LifeLight will need to obtain an approved SDDOT Permit to Occupy Right of Way in order to install traffic control devices along state highway right of way and provide agreement for usage of the portable changeable message signs." Commissioner Hajek also indicated that the tone of the comments was really hands off and directed the responsibility of traffic and safety issues to the Sheriff's Department.

Sheriff Milstead stated that most of the agencies previously mentioned never give a stamp of approval, they just review plans. He stated that the Sheriff's Department would be proving traffic control and management and accepted this responsibility. He feels the applicant has done a lot of planning and that reasonable steps have been taken to make this festival doable. There will be traffic congestion but that will be managed. The Sheriff feels that the evacuation plan is adequate and noted that this group of people is easy to manage. He does have concerns about shutting the lights off at 11:00 p.m. He doesn't want the fields to be dark and would like the lights left on much later for the safety of his officers, pedestrians and vehicles. Mr. Anderson noted his concern was to adapt this use to the neighborhood and he wanted to prevent the surrounding houses from being lit up at 2 in the morning. Sheriff Milstead mentioned that the onsite camping will help with traffic as the campers will not leave the site.

Commissioner Hajek asked if the Sheriff understood that this is under his control and the he has the responsibility for the traffic and pedestrians. Sheriff Milstead replied that he understood this and would provide the staff that is needed. Commissioner Rogen asked who would man the Hwy 17/Hwy 148 intersection. The Sheriff stated that there would be deputies or reserves at that intersection. They are looking at doing some 4 way stops at some of the major intersections. Commission Rogen also asked about the pedestrian traffic. Mr. Anderson explained that the car park to the north is pasture and will be mowed before the festival. People will be able to walk to the intersection where there will be monitored crossing. The field south of the gas station will have a pathway mowed out of the corn which will be used for both pedestrians and the tram service. Commission Rogen noted that the fields would be a muddy mess if there is a lot of rain.

The petitioner, Allen Greene, 2204 W 70th St. N., presented the Commission with a packet. No copy of this packet was provided for the Planning Staff or to be entered into the minutes. Mr. Greene explained that the festival has been held for 8 years and that they needed a larger facility. He noted that the Assembly of God church could shelter 2888 people.

Mike Samp, 4 Riverview Heights, stated that he started working with LifeLight six weeks ago and volunteered to put together the application. He feels this process was more extensive than for any other project he has worked on in different cities. A task force was formed with the county and state agencies. Mr. Samp provided the Commission a copy of Hartford Fire's regulations for bonfire pits and stated that the festival would abide by these regulations. (A copy is on file with the Planning Department.) He also mentioned that there had been a mistake in the application concerning the number of camping spots. There will be 800 dry camp sites and 300 sites with electrical hookup. Mr. Samp then handed out a list of conditions that were proposed by LifeLight which differed from those proposed by the Planning Staff. Commissioner Hajek explained that she was more comfortable using the staff's proposals and making some changes since the Commission had had time to review those conditions. Mr. Samp noted that he would like to make some changes to the following conditions:

- a. # 7 Adding a review of the first aid plan by Dr. Jeff Luther.
- b. # 8 Set up a trust account with the County Treasures Office .
- c. #17 That the lights allowed to stay on later.
- d. #4 That the music be allowed till 10 am on the main stage and till 11:00-11:30 on the sub stages. This will help with traffic flow at the end of each day.
- e. #10 allowing 1500 camping spots

Mr. Samp stressed that LifeLight had knocked on doors in the neighborhood and held a dinner for area residents within three miles of Wild Water West in an attempt to make sure everyone would be happy with this event. Mr. Samp stated that there would be no signage except directional signage as allowed by the SDDOT. Mr. Anderson stated that there needed to be a written submittal that the signage would be

limited.

Paul Ridgeway, consultant, stated that he was impressed with the focus on safety. Mr. Ridgeway stated that he felt the planning process for this festival was more comprehensive than plans he was worked on for the superbowl and other large events. He has some experts flying in next week to review the plans. He pointed out that pedestrians would be walking away from the direction on the traffic. The trams are being provided for children and the disabled and most of the attendees will walk. He stressed that LifeLight is committed to excellence.

Commissioner Steinhauer confirmed that the temporary approaches would have to be removed except on 465th Ave. as that approach has previously existed. Commissioner Rogen was concerned about camper traffic. Sheriff Milstead stated that this traffic would enter the campground from Hwy 17. They realize that many of the campers will arrive early on Thursday and may stay until Monday. Another traffic group that will be concentrated on Hwy 17 is parents dropping and picking up their children, customers of Wild Water West, and users of the ADA parking spots. Wild Water West will be open to the general public and they will need to use the same parking lots as the festival goers.

Steve and Faith Treague, 46465 Inca Dr., have lived in the area for over 27 years and are in full support of this festival. They will have a booth at the festival.

Mr. Anderson noted that the Planning Department had sent out 120 letters and had not received any comments.

No one else wished to speak to the item and the floor was closed to public testimony.

A motion was made by Steinhauer and seconded by Bunde to **approve** the temporary use permit with the following conditions:

1. That all parking areas shall be monitored and driving lanes watered down if needed as determined by the Planning Director or Sheriff.
2. That a shuttle service be provided for people parking in the orange, green and red parking lots.
3. That prior to the event a lighting plan be submitted for the parking areas and that temporary lighting also be included in the pedestrian paths between the parking areas and festival site.
4. That all concerts on all stages shall conclude by 10:00 p.m. on Thursday. On Friday, Saturday and Sunday evenings concerts on the main stage shall conclude by 1:00 p.m. and concerts on the secondary stages must conclude by midnight.
5. That a \$1000.00 surety be provided to the Minnehaha County Planning Department by August 31, 2005 and held by the County to make sure that all trash and debris is cleaned up and removed, not only from the festival area, but also the parking areas and corridors leading to and from the event. Upon inspection and approval by the Planning Department, the surety shall be released, minus a \$30.00 inspection fee.
6. That a minimum of 230 portable toilets be provided for each day of the event. Each portable toilet shall be serviced as needed with all waste be properly disposed of.
7. The location of both first aid stations shall be clearly identified in the programs provided to festival attendees. The applicant shall have appropriately trained medical personnel manning each station while festival attendees are on the subject property.
8. That prior to the start of LifeLight, the applicant shall reimburse the County for law enforcement used at the site security and/or traffic management in the amount of \$14,389.50; \$1,750.28 for Metro Communications cost; and \$3,000.00 for Emergency Management reserve law enforcement officer costs.

9. That two (2) misting stations be provided for crowd cooling once the heat index exceeds 90 degrees.
10. That the number of temporary campsites shall not exceed 1500 sites and shall obtain approval from the State. Information shall be provided to each camp site listing the location of the first aid station and information center.
11. That prior to Planning Commission consideration, the applicant supply the written approvals from the S.D. Department of Transportation, Minnehaha County Highway Department, Lincoln County Highway Department, Minnehaha County Sheriff, and S.D. Highway Patrol for traffic, signage and parking plans.
12. That the applicant provide the County Planning Department with a written confirmation from the First Assembly of God Church that they are willing to provide their facility as a storm shelter with the maximum occupancy indicated.
13. That prior to County Planning Commission consideration, the applicants shall provide an estimate on the duration needed to evacuate the facility and parking lots, and shelter capacity and location to the County Emergency Management Office for review and approval.
14. That prior to Planning Commission consideration of the Temporary Use Permit, the applicant shall obtain a written statement from the Hartford Fire and Rescue that they have reviewed the plans and will be able to provide fire and rescue services during the event.
15. Each vendor shall obtain the necessary state sales tax license and food handling permits for the sale of food from the State of South Dakota.
16. That each proposed pedestrian crossing point on 41st Street and S.D. Highway 17 be staffed by a representative of the Sheriff's Office or S.D. Highway Patrol.
17. That the temporary lighting located in all parking areas and corridors to and from the festival grounds should be directed towards the ground and must be shut off by 1:45 a.m. unless extended by the Sheriff.
18. The applicant shall provide a Signage Plan to the staff for review and approval prior to the Planning Commission meeting. The plans shall identify the type, number, size, message, and location of each sign or banner. The applicant shall be required to obtain the property owners permission to place signs on private property. All temporary signs or banners shall be removed by September 5, 2005.
19. That the applicant shall abide by SDCL 31-32-9 by preventing festival patrons from obstructing the highway or ditches by parking vehicles or placing other material there.
20. That prior to Planning Commission consideration, the applicant shall obtain a temporary easement from the property owner(s) to the west of the west parking area for the access road lead out of the west parking area.
21. That prior to the start of the LifeLight festival, the one mile of 465th Avenue located between 267th and 268th Streets and from 465th Ave. for one and a half (11/2) miles to the east on 268th Street shall be treated with magnesium chloride or an equivalent dust suppressant.
22. That all driveway approaches into the temporary parking areas have a minimum width of twenty-

four (24) feet and be constructed with a minimum of three (3) inches of gravel. Furthermore, no natural drainage way shall be obstructed.

23. That prior to the construction of any temporary or permanent approaches, the applicant shall obtain an approved approach permit from either the County Highway Department or the S.D. Department of Transportation, depending on jurisdiction. Temporary approaches must be removed within 30 days of erection.
24. That all fires shall abide by the guidelines of Hartford Fire and Rescue for bonfire pits.