

STAFF REPORT

August 10, 2000

RZN #00RZ028 - Rezoning from No Use to General Agriculture District

ITEM 13

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	RZN #00RZ028 - Rezoning from No Use to General Agriculture District
LEGAL DESCRIPTION	North Half of the North Half of the Northwest Quarter (N1/2 N1/2 NW1/4) and the North Half of the Northwest Quarter of the Northeast Quarter (N1/2 NW1/4 NE1/4) of Section 28, T1N, R7E of the BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 60 Acres
LOCATION	South of Wildwood Subdivision
EXISTING ZONING	No Use (City)
SURROUNDING ZONING	
North:	Low Density Residential (City) General Agriculture District (County)
South:	General Agriculture District (County)
East:	Low Density Residential
West:	Suburban Residential District (PUD) (County)
PUBLIC UTILITIES	City sewer and water
REPORT BY	Vicki L. Fisher

RECOMMENDATION: Staff recommends that the Rezoning from No Use to General Agriculture District be approved.

GENERAL COMMENTS: This item is a companion item to a request for annexation of the subject property. Once annexed the property will be designated No Use. A previously approved Layout Plat on property located directly west of the subject property triggered the annexation. The Layout Plat, to be known as "Red Rock Estates, presented two alternative development scenarios. The first alternative called for the development of 280 single family units, 80 multi-family units, and an eighteen hole golf course. The second alternative identified the development of 480 single family units, 160 multi-family units, and open space in lieu of the golf course. The applicant(s) of the Red Rock Estates residential development are currently negotiating with the City of Rapid City to extend City sewer and water to the property. The negotiations include creating an Infrastructure Development Partnership Fund loan with the City. The Infrastructure Development Partnership Fund Committee has recommended that

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the property be annexed into the City limits of Rapid City as a condition of the loan agreement. In order to create a contiguous annexation from existing City limit boundaries, the subject property must also be annexed.

Under Section 17.26.020 of the Rapid City Municipal Code, all newly annexed properties are zoned "No Use" while a study of the appropriate zoning for the affected properties is completed. This section allows up to 120 days for the zoning study and action by the Council on the zoning of the property.

The property was previously zoned General Agriculture District under the Pennington County Zoning Code. The property is currently void of any structural development and used for agricultural purposes. The owner has been informed and is in agreement with the rezoning. He intends to maintain the existing uses on the property at this time. The General Agriculture District will function as a holding zone until such time as the property is developed. Based on the parcel's previous zoning designation as General Agriculture under County zoning, and the fact that the use of the property has not changed, staff recommends that the property be zoned General Agriculture.

STAFF REVIEW: Staff has reviewed this request for conformance with the four criteria for review of zoning map amendments established in Section 17.54.040(D)(1). A summary of Staff findings is outlined below:

1. The proposed amendments shall be necessary because of substantially changed or changing conditions of the area and districts affected or in the City in general.

The property is located in an area that has been changing from traditional agricultural uses to more suburban residential uses. Significant residential developments have occurred in the area over the past twenty years. It is anticipated that the area will continue to transition. The designation of the site as General Commercial would be appropriate in light of the changes occurring in the area.

2. The proposed zoning is consistent with the intent and purposes of this ordinance.

The General Agriculture Zoning District will act as a holding zone for land on the fringe of the urban area. The property will be used for agricultural purposes in the immediate future, but will be undergoing urbanization in the long term. The types of uses, area and intensity of use of the land which are authorized in this district, are designed to encourage and protect agricultural uses until urbanization is warranted and the appropriate change in district classification is made.

3. The proposed amendment will not adversely affect any other part of the City, nor shall any direct or indirect adverse effects result from such an amendment.

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The zoning on this property will change from General Agriculture District under Pennington County Zoning Code to General Agriculture under the City of Rapid City Zoning Code. The use of the property is not anticipated to change and therefore should not adversely affect any other part of the City.

4. The proposed amendments shall be consistent with and not conflict with the Development Plan of Rapid City including any of its elements, Major Street Plan, Land Use Plan and Community Facilities Plan.

Staff finds this rezoning to be in general compliance with adopted plans. The General Agriculture District will function as a holding zone until such time as the property is developed.

As of this writing, the required sign has not been posted on the property nor has the receipts from the certified mailing been returned by the applicant. Staff will notify the Planning Commission in the event these requirements are not met. Staff has not received any objections or inquiries regarding this rezoning request.