

STAFF REPORT

August 7, 2003

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**No. 03AN009 - Petition for Annexation**

**ITEM 4**

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GENERAL INFORMATION:

PETITIONER

City of Rapid City

REQUEST

**No. 03AN009 - Petition for Annexation**

EXISTING

LEGAL DESCRIPTION

Lot 1 in SW1/4 Section 5 of R.C. Airport Subdivision No. 4 in SW1/4 Section 5, S1/2 Section 6, E1/2 Section 7 and NW1/4 Section 8, T1N, R9E, BHM, Pennington County, South Dakota; and, Lots 2 and 3 in S1/2 Section 6 of R.C. Airport Subdivision No. 4 in SW1/4 Section 5, S1/2 Section 6, E1/2 Section 7 and NW1/4 Section 8, T1N, R9E, BHM, Pennington County, South Dakota; and, Lots 4 and 5 in E1/2 Section 7 of R.C. Airport Subdivision No. 4 in SW1/4 Section 5, S1/2 Section 6, E1/2 Section 7 and NW1/4 Section 8, T1N, R9E, BHM, Pennington County, South Dakota; and, Lot H-1 in the SE1/4 of Section 7, T1N, R9E, BHM, Pennington County, South Dakota; and, Lot 6 in NW1/4 Section 8 of R.C. Airport Subdivision No. 4 in SW1/4 Section 5, S1/2 Section 6, E1/2 Section 7 and NW1/4 Section 8, T1N, R9E, BHM, Pennington County, South Dakota; and, R.C. Airport Subdivision No. 1, Lots 3, 4, 5 and 6 in the SW1/4 Section 8, T1N, R9E, BHM, Pennington County, South Dakota; and, Lots 1 and 2 of the SW1/4 Section 8 and Lot 1 of SW1/4SE1/4 Section 8, all located in T1N, R9E, BHM, Pennington County, South Dakota; and, Lot 7 of R.C. Airport Subdivision No. 1 in SW1/4, Section 8, T1N, R9E, BHM, Pennington County, South Dakota; and, Lot 6 in SE1/4 Section 8 of R.C. Airport Subdivision No. 2 in SE1/4 Section 8, T1N, R9E, BHM, Pennington County, South Dakota; and, R.C. Airport Subdivision No. 2, Lots 2, 3, 4 & 5 in the SE1/4 Section 8, T1N, R9E, BHM, Pennington County, South Dakota; and, R.C. Airport Subdivision No. 3, Lots 1 & 2 in the SW1/4, Section 9, T1N, R9E, BHM, Pennington County, South Dakota; and, Lot H-1 of NW1/4, Section 16, T1N, R9E, BHM, Pennington County, South Dakota; and, All of Section 17, T1N, R9E, BHM, Pennington County, South Dakota; and, Lot 2 in SE1/4 Section 20 of R.C. Airport Subdivision No. 5 in SW1/4 Section 16, SE1/4 Section 20, W1/2 and SE1/4 Section 21 and N1/2 Section 28, T1N, R9E, BHM, Pennington County, South Dakota; and, All of the N1/2 of Section 20, T1N, R9E, BHM,

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Pennington County, South Dakota; and, Lot A and B of SW1/4, Section 20, T1N, R9E, BHM, Pennington County, South Dakota; and, Section line right-of-way in the SW1/4 of Section 20 located north of Lot H-1 of Lot A in the SW1/4 of Section 20, T1N, R9E, BHM, Pennington County, South Dakota; and, Lots 3, 4, 5 & 6 in Section 21 of R.C. Airport Subdivision No. 5 in SW1/4 Section 16, SE1/4 Section 20, W1/2 and SE1/4 Section 21 and N1/2 Section 28, T1N, R9E, BHM, Pennington County, South Dakota; and, Lot 5A in SW1/4SW1/4 of Section 21 of R.C. Airport Subdivision No. 5 in SW1/4 Section 16, SE1/4 Section 20, W1/2 and SE1/4 Section 21 and N1/2 Section 28, T1N, R9E, BHM, Pennington County, South Dakota; and, W1/2NW1/4, NW1/4SW1/4, Pt. SW1/4SW1/4, Tracts G and H in the SE1/4NW1/4 and E1/2SW1/4, and Tract I in the SW1/4SW1/4, Section 21, T1N, R9E, BHM, Pennington County, South Dakota; and, Lots 7 and 8 in N1/2 of Section 28 of R.C. Airport Subdivision No. 5 in SW1/4 Section 16, SE1/4 Section 20, W1/2 and SE1/4 Section 21 and N1/2 Section 28, T1N, R9E, BHM, Pennington County, South Dakota

PARCEL ACREAGE	Approximately 1,719.78 acres
LOCATION	North of SD Highway 44 and east of Reservoir Road
EXISTING ZONING	General Agriculture District (County)
SURROUNDING ZONING	
North:	General Agriculture District (County)/Limited Agriculture District (County)
South:	General Agriculture District (County)/Limited Agriculture District (County)
East:	General Agriculture District (County)
West:	General Agriculture District (County)
PUBLIC UTILITIES	City Water and on site lagoon system
DATE OF APPLICATION	06/15/2003
REPORT BY	Karen Bulman

RECOMMENDATION: Staff recommends that the Petition for Annexation be **approved**.

GENERAL COMMENTS: **This staff report has been revised as of July 29, 2003. All**

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**revised and/or added text is shown in bold print.** The process for annexation by petition is provided for under Section 9-4-14 SDCL. On March 20, 2003, Governor Rounds signed legislation that allows certain municipalities to annex territory in the vicinity of certain airports and to authorize noncontiguous annexation of certain municipal airport property and the exercise of certain extraterritorial jurisdiction. On July 7, 2003, the City Council authorized the Mayor and Finance Officer to sign a voluntary annexation petition to annex the municipal airport property into the city limits of Rapid City. The annexation petition appears to meet all requirements for consideration of a municipal airport outside corporate limits, provided for under Section 9-4-14 SDCL.

STAFF REVIEW: The subject property, located east of Radar Hill Road and north of S.D. Highway 44, is currently zoned General Agriculture District by Pennington County. The property to the north and south is zoned General Agriculture District and Limited Agriculture District by Pennington County. The property to the east and west of the subject property is zoned General Agriculture District by Pennington County. Fire protection is provided by Fire Station #8, which is located at the Rapid City Regional Airport.

The process for annexation by petition, provided for under Section 9-4-14 SDCL authorizes a municipality that operates an airport outside their corporate limits to annex that airport. The City Council has authorized the annexation of the Rapid City Regional Airport, which meets the criteria established under Section 9-4-14 SDCL.

Section 9-4-14 SDCL allows the City to exercise a one and one half mile extraterritorial jurisdiction around the airport. Staff believes that the annexation of this property will provide some protection for the municipal airport from any future encroachment.

Staff recommends that this annexation application be **approved**.