

STAFF REPORT

January 8, 2004

No. 03RZ054 - Rezoning from No Use District to General Agriculture District ITEM 19

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	No. 03RZ054 - Rezoning from No Use District to General Agriculture District
EXISTING LEGAL DESCRIPTION	On property described by metes and bounds as beginning at the NW corner of Section 29, T1N, R7E, BHM, Pennington County, South Dakota; which shall be the true point of Beginning; thence east along the Section line a distance of 2147.50 feet; thence north a distance of 233.00 feet; thence west a distance of 2180.51 feet; thence south a distance of 233.00 feet; thence east a distance of 33.01 feet, more or less, to the true point of Beginning; all located in Sections 19 and 20, T1N, R7E, BHM, Pennington County, South Dakota; and, beginning at the NW corner of Section 29, T1N, R7E, BHM, Pennington County, South Dakota; which shall be the true point of Beginning; thence south along the Section line a distance of 4000.00 feet; thence west a distance of 250.00 feet; thence north a distance of 1090.00 feet; thence east a distance of 216.99 feet; thence north a distance of 2910.00 feet; thence east a distance of 33.01 feet; more or less, to the true point of Beginning; all located in Section 30, T1N, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 20.124 acres
LOCATION	West of Red Rock Estates and north of Sheridan Lake Road
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	General Agriculture District (County)
South:	General Agriculture District (County)/General Agriculture District (City)
East:	Low Density Residential District/General Agriculture District (County)/General Agriculture District (City)
West:	General Agriculture District (County)
PUBLIC UTILITIES	N/A

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DATE OF APPLICATION 12/01/2003

REPORT BY Karen Bulman

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

GENERAL COMMENTS: The subject territory contains approximately 20.124 acres and is located west of Red Rock Estates and north of Sheridan Lake Road. The property was annexed into the City limits on September 29, 2003 and is currently in a No Use Zoning District. The property includes a 6.2558 acre north/south segment that is the proposed location of a City water reservoir to serve the Red Rock Estates development and the surrounding area. The 11.663 acre east/west segment is located along the north portion of the Red Rock Estate Golf Course and is undeveloped. The property owner has no plans to develop this segment at this time. The property was zoned General Agriculture by Pennington County prior to annexation.

STAFF REVIEW: Staff has reviewed this proposed rezoning 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 are 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 subject property was annexed into the City limits on September 29, 2003. All annexed lands are temporarily placed in the No Use Zoning District. The recent annexation of the property constitutes the changing condition requiring rezoning of the property.

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

The property is surrounded by General Agriculture Zoning District with the exception of the east side of the north/south segment adjacent to Red Rock Estates, which is zoned Low Density Residential District. The property is located north of Sheridan Lake Road and west of Red Rock Estates. The property owner intends to continue his agricultural use of the property and has no plans to develop the east/west segment at this time. The City proposes to build a water reservoir on the north/south segment which is a permitted use in the General Agriculture District. The General Agriculture District is intended to protect agriculture uses until urbanization is warranted. Rezoning this property as General Agriculture District would appear to be consistent with the intent and purpose of this ordinance.

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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As noted above, a small segment of the subject property is adjacent to Low Density Residential District to the east. The balance of the subject property is surrounded by General Agriculture Zoning District and is undeveloped property. With the exception of the City's water reservoir, there are no plans to develop the subject property at this time. The property owner intends to continue using the property for agricultural purposes. As such, the amendment should not have a significant affect on any of the surrounding land uses or on public infrastructure.

- 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.*

The Rapid City Comprehensive Plan for this area identifies the subject property and adjacent properties as appropriate for agriculture land use(s). Rezoning the subject property from No Use District to General Agriculture District appears to be consistent with the adopted Comprehensive Plan.

Staff is recommending that the rezoning be approved. As of this writing, the sign has been posted on the property, but the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the January 8, 2004 Planning Commission meeting if these requirements have not been met. Staff has received no inquiries or objections regarding this request.