

STAFF REPORT
November 22, 2006

No. 06RZ062 - Rezoning from No Use District to General Agriculture District **ITEM 35**

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	No. 06RZ062 - Rezoning from No Use District to General Agriculture District
EXISTING LEGAL DESCRIPTION	NE1/4 SW1/4, Section 35, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 40 acres
LOCATION	East of U. S. Highway 16 and south of Sammis Trail
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	General Agriculture District
South:	General Agriculture District (Pennington County)
East:	Low Density Residential District (Planned Residential Development)
West:	General Agriculture District (Pennington County)
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	10/24/2006
REVIEWED BY	Karen Bulman / Bob Dominicak

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

GENERAL COMMENTS: This undeveloped property contains approximately 40 acres and is located south of Sammis Trail and east of U.S. Highway 16. The subject property has been annexed effective February 27, 2006 (04AN009 and 04AN010) and is zoned No Use District. The property located north of the subject property is zoned General Agriculture District. The property located south and west of the subject property is zoned General Agriculture District by Pennington County. The property located east of the subject property is zoned Low Density Residential District with a Planned Residential Development. The subject property is undeveloped and the land use is agricultural.

STAFF REVIEW: The subject property is identified on the U.S. Highway 16 Neighborhood Future Land Use Plan as appropriate for a Planned Residential Development with two dwelling units per acre land use. The property owner wishes to rezone this property to General Agriculture District as a holding zone until such time as further development of the

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area may be requested.

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 has been annexed into the City limits and temporarily placed in a No Use Zoning District. The annexation of the property constitutes the changing condition requiring rezoning of the property. This undeveloped property is located south of Sammis Trail and east of U.S. Highway 16.

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

The General Agriculture Zoning District is intended to provide for land situated on the fringe of the urban area that is used for agricultural purposes, but will be undergoing urbanization in the future. Most of these areas will be in close proximity to residential and commercial uses and therefore the agricultural activities conducted in this district should not be detrimental to urban land uses. The types of uses, area and intensity of use of land which is authorized in this district is designed to encourage and protect agricultural uses until urbanization is warranted and the appropriate change in district classification is made. Until this property is ready for development, General Agriculture District is appropriate as a holding zone.

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.*

The subject property is located in an area that is developing as a residential area and is located adjacent to Low Density Residential District and General Agriculture Districts. U.S. Highway 16, a principal arterial street on the City's Major Street Plan, is located west of the subject property. Water and sewer are located in Catron Boulevard. Staff is not aware of any significant adverse effects that would result from rezoning the subject property from No Use District to General Agriculture District as a holding zone.

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 U.S. Highway 16 Neighborhood Future Land Use Plan identifies this area as appropriate for a Planned Residential Development with two dwelling units per acre land use. This property is currently not ready for development. Infrastructure has not been extended to the site. Rezoning the subject property from No Use District to General Agriculture District as a holding zone until development occurs in the future appears to be appropriate.

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As of this writing, the required 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 November 22, 2006 Planning Commission meeting if this requirement has not been met. Staff has received no inquiries or objections regarding the proposed request at the time of this writing.