

STAFF REPORT
May 10, 2007

No. 07RZ033 - Rezoning from No Use District to General Agriculture District ITEM 29

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	No. 07RZ033 - Rezoning from No Use District to General Agriculture District
EXISTING LEGAL DESCRIPTION	The NE1/4NW1/4 of Section 19, T2N, R8E, BHM, Pennington County, South Dakota, less from the north ¼ corner of Section 19, T2N, R8E, BHM, on the ¼ line S00°14'33" W 33.00 feet to the point of beginning; thence S00°14'33" W 260.00 feet; thence N89°33'54" W 207.54 feet; thence N00°14'33" E 260.00 feet; thence S89°33'54" E 207.54 feet to the point of beginning, all located in the Section 19, T2N, R8E, BHM Pennington County, South Dakota, more generally described as being located east of West Nike Road and south of Country Road
PARCEL ACREAGE	Approximately 38.76 acres
LOCATION	East of West Nike Road and South of Country Road
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	Low Density Residential District (Planned Residential Development) and Suburban Residential District (Pennington County)
South:	General Agriculture District (Pennington County)
East:	Limited Agriculture District (Pennington County)
West:	General Agriculture District (Pennington County)
PUBLIC UTILITIES	City sewer and water will need to be extended
DATE OF APPLICATION	4/13/2007
REVIEWED BY	Monica Heller / Mary Bosworth

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

GENERAL COMMENTS: This undeveloped property contains approximately 38.76 acres and is located south of Country Road and east of West Nike Road. The subject property was annexed into the City limits effective September 4, 2005 (#05AN006). Upon annexation the

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property was zoned No Use District. Land located south and west of the subject property are zoned General Agriculture District by Pennington County. Land located east of the subject property is zoned Limited Agriculture District by Pennington County. Land located north of the subject property is zoned Low Density Residential District with a Planned Residential Development and Suburban Residential District by Pennington County. The Rapid City Comprehensive Plan indicates that this property is appropriate for Low Density Residential land uses with a Planned Residential Development.

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 has been annexed into the City limits (#05AN006) 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 contains approximately 38.76 acres and is located south of Country Road and east of West Nike Road.

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 to be developed, General Agriculture District appears to be 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 a Low Density Residential District, Limited Agriculture District and General Agriculture District. Country Road, a principal arterial street on the City's Major Street Plan, is located adjacent to the subject property. Water and sewer are located at the lift station on the adjacent lot to the east. 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.

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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 subject property is identified on the Northeast Area Future Land Use Plan as appropriate for Low Density Residential land uses with a Planned Residential Development. 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.

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 May 10, 2007 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.