

STAFF REPORT
July 10, 2008

No. 08RZ022 - Rezoning from No Use District to General Agriculture District ITEM 28

GENERAL INFORMATION:

APPLICANT/AGENT	City of Rapid City
PROPERTY OWNER	Davis S. Lamb
REQUEST	No. 08RZ022 - Rezoning from No Use District to General Agriculture District
EXISTING LEGAL DESCRIPTION	An unplatted parcel of land located in the NW1/4 SW1/4, W1/2 W1/2 NE1/4 SW1/4, S1/2 SW1/4, E1/2 SE1/4 NE1/4 south of South Dakota Highway 44, the E1/2 E1/2 SE1/4, Section 15, and the N1/2 N1/2, S1/2 NW1/4, Section 22, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 419.5 acres
LOCATION	South of East S.D. Highway 44 between the western terminus of Green Valley Drive and east of Jolly Lane
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	Limited Agriculture District (Pennington County)
South:	Limited Agriculture District (Pennington County) - General Agriculture District
East:	Limited Agriculture District (Pennington County)
West:	General Agriculture District - Limited Agriculture District (Pennington County) - Low Density Residential District (Planned Residential Development) - Low Density Residential District II (Planned Residential Development)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	6/11/2008
REVIEWED BY	Karen Bulman / Ted Johnson

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

GENERAL COMMENTS: This undeveloped property contains approximately 419.5 acres and is located south of East S.D. Highway 44 between the western terminus of Green Valley Drive and east of Jolly Lane. The property was annexed effective June 9, 2008 (#08AN005) and

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on May 24, 2007 (#07AN002) as part of a larger annexation. The property is currently zoned No Use District. The property located north and east of the property is zoned Limited Agriculture District by Pennington County. The property located south of the property is zoned Limited Agriculture District by Pennington County and General Agriculture District. The property located west of the property is zoned General Agriculture District, Limited Agriculture District by Pennington County, Low Density Residential District with a Planned Residential Development, and Low Density Residential District II with a Planned Residential Development. The property is currently being used for agriculture purposes.

The property is identified on the adopted Comprehensive Plan as appropriate for Agriculture land uses and on the draft Southeast Connector Future Land Use Plan as appropriate for Neighborhood Commercial and Low Density Residential land uses, and Public land use with an alternate Low Density Residential land use.

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 property has been annexed into the City limits (#07AN002 and #08AN005) 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 East S.D. Highway 44 between the western terminus of Green Valley Drive and east of Jolly Lane.

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 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 property is located in an area that is planned for future residential development. Low Density Residential Districts and Low Density Residential II Districts are located west of the subject property. Property located south of this property is proposed for residential uses. The draft Southeast Connector Land Use Plan indicates the extension of Fairmont

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Boulevard, a minor arterial street on the Major Street Plan, between Section 15 and Section 22. Future development of the subject property will require that adequate water and sewer be extended to the development. Staff is not aware of any significant adverse effects that would result from rezoning the 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 Adopted Comprehensive Plan indicates that this area may be appropriate for Agriculture land uses. The draft Southeast Connector Future Land Use Plan indicates that this area may be appropriate for Neighborhood Commercial and Low Density Residential land uses, and Public land use with an alternate Low Density Residential land use. This property is currently being used for agriculture purposes. 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 July 10, 2008 Planning Commission meeting if these requirements have not been met. Staff has received no inquiries or objections regarding the proposed request at the time of this writing.