

STAFF REPORT

October 24, 2002

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**No. 02RZ060 - Rezoning from No Use District to General Agriculture District**      **ITEM 38**

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GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	<b>No. 02RZ060 - Rezoning from No Use District to General Agriculture District</b>
EXISTING LEGAL DESCRIPTION	Lot B of SW1/4 SW1/4 and Lot A of SE1/4 SW1/4 of Section 17, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 18.8 acres
LOCATION	East of SD Highway 79 South and north of Folsom Road
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	Heavy Industrial District
South:	Heavy Industrial District (County)
East:	General Agriculture District
West:	Heavy Industrial District
PUBLIC UTILITIES	N/A
DATE OF APPLICATION	09/26/2002
REPORT BY	Karen Bulman

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

GENERAL COMMENTS: This property is located east of South Dakota Highway 79 and north of Folsom Road. The property was annexed into the City of Rapid City effective June 25, 2002, and is currently in a No Use Zoning District. The No Use Zoning District is a temporary zoning designation utilized when property is annexed into the City of Rapid City, pursuant to the provisions of Section 17.26.020 of the Rapid City Municipal Code. The purpose of this application is to complete that process.

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:

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- 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 on June 25, 2002. 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 properties located to the north and west of the subject property are zoned Heavy Industrial District. The property located to the east of the subject property is zoned General Agriculture District. The property located to the south of the subject property is zoned Heavy Industrial by Pennington County. There are no proposed plans to develop the subject property at this time. It would appear to be appropriate to rezone this property to a General Agriculture Zoning District 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 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 residential land use(s). Zoning the property as General Agriculture District will not intensify the land use for this property. At this time, there are no plans for development of the property and there is no access to the property. Therefore, rezoning the subject property from No Use District to General Agriculture District as a holding zone appears to be appropriate and would be consistent with the land use plan.

Staff has mailed certified letters to notify surrounding property owners of the proposed rezoning and has posted the required sign on this property. As of this date, staff has received no comments or objections regarding this request.