

STAFF REPORT

March 6, 2003

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**No. 03RZ006 - Rezoning from No Use District to General Agriculture District      ITEM 37**

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GENERAL INFORMATION:

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|----------------------------|---|
| PETITIONER                 | City of Rapid City  |
| REQUEST                    | <b>No. 03RZ006 - Rezoning from No Use District to General Agriculture District</b>  |
| EXISTING LEGAL DESCRIPTION | That portion of the NW1/4 SW1/4 lying south of highway right-of-way less Lot H1, and the SW1/4 SW1/4 less right-of-way, all located in Section 24, T1N, R7E, BHM, Pennington County, South Dakota |
| PARCEL ACREAGE             | Approximately 47.04 acres   |
| LOCATION                   | South of Catron Boulevard, east of US Highway 16 and west of SD Highway 79  |
| EXISTING ZONING            | No Use District   |
| SURROUNDING ZONING         |   |
| North:                     | General Agriculture District  |
| South:                     | General Agriculture District (County)   |
| East:                      | Suburban Residential District (County)/Highway Service District (County)  |
| West:                      | General Agriculture District  |
| PUBLIC UTILITIES           | NA  |
| DATE OF APPLICATION        | 02/07/2003  |
| 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 west of SD Highway 79, east of US Highway 16 and south of Catron Boulevard and is the location of an electric power transfer station. The property was annexed into the City of Rapid City effective February 6, 2003, 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.

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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 on February 6, 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 properties located to the north and west of the subject property are zoned General Agriculture District. The property located to the south of the subject property is zoned General Agriculture District by Pennington County. The property located to the east of the subject property is zoned Suburban Residential District and Highway Service District by Pennington County. The property contains an electric power transfer station owned by Black Hills Corporation. Utility use is allowed in the General Agriculture Zoning District. There are no plans for expansion of this station in the near future. It would appear to be appropriate to rezone this property from No Use District to a General Agriculture Zoning District as a holding zone. If expansion does occur in the future, the property would need to be rezoned to Light Industrial District or Low Density Residential District with a Planned Residential Development.

**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.**

Because of the existing zoning of the adjacent lands, this 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 a Planned Residential Development with 6.7 dwelling units per acre. General Agriculture District is an appropriate zoning for residential land uses or until development occurs. Rezoning the subject property from No Use District to General Agriculture District as a holding zone would appear to be appropriate and would be consistent with the Land Use Plan.

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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.