





## STAFF REPORT

July 24, 2003

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**No. 03AN009 - Petition for Annexation**

**ITEM 10**

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GENERAL COMMENTS: The process for annexation by petition is provided for under Section 9-4-14 SDCL. On March 20, 2003, Governor Rounds signed legislation that allows certain municipalities to annex territory in the vicinity of certain airports and to authorize noncontiguous annexation of certain municipal airport property and the exercise of certain extraterritorial jurisdiction. On July 7, 2003, the City Council authorized the Mayor and Finance Officer to sign a voluntary annexation petition to annex the municipal airport property into the city limits of Rapid City. The annexation petition appears to meet all requirements for consideration of a municipal airport outside corporate limits, provided for under Section 9-4-14 SDCL.

STAFF REVIEW: The subject property, located east of Radar Hill Road and north of S.D. Highway 44, is currently zoned General Agriculture District by Pennington County. The property to the north and south is zoned General Agriculture District and Limited Agriculture District by Pennington County. The property to the east and west of the subject property is zoned General Agriculture District by Pennington County. Fire protection is provided by Fire Station #8, which is located at the Rapid City Municipal Airport.

The process for annexation by petition, provided for under Section 9-4-14 SDCL authorizes a municipality that operates an airport outside their corporate limits to annex that airport. The City Council has authorized the annexation of the Rapid City Municipal Airport, which meets the criteria established under Section 9-4-14 SDCL.

Section 9-4-14 SDCL allows the City to exercise a one and one half mile extraterritorial jurisdiction around the airport. Staff believes that the annexation of this property will provide some protection for the municipal airport from any future encroachment.

Staff recommends that this annexation application be continued to the August 7, 2003 Planning Commission meeting to allow the staff to develop appropriate Temporary Zoning Controls. This will ensure that on-airport development will not be delayed by annexation.