



# CITY OF RAPID CITY

RAPID CITY, SOUTH DAKOTA 57701-2724

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## PLANNING DEPARTMENT

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February 4, 2003

Re: East Anamosa-Airport Annexation

Dear Property Owner:

The Rapid City Council held a public hearing on the Resolution of Annexation of the East Anamosa-Airport Area on January 17, 2003. The Council continued this public hearing to February 12, 2003 at 7 pm in the Council Chambers, City Administration Building at 300 6<sup>th</sup> Street, Rapid City, South Dakota. The Rapid City Council has requested that City staff send you the attached information regarding questions asked at the January 17, 2003 public hearing.

If you have further questions or comments, please contact me at 394-4120.

Sincerely,

Karen Bulman  
Planner

Enclosures: Questions and Answers from January 17, 2003 Public Hearing



EQUAL OPPORTUNITY EMPLOYER



**ADDITIONAL QUESTIONS ASKED  
REGARDING THE  
EAST ANAMOSA-AIRPORT ANNEXATION**

**1. What will my property be zoned once my property is annexed?**

The Rapid City Council will determine the zoning of the property upon consideration of a rezoning request prepared by City staff and reviewed through the public hearing process. This rezoning must be completed within one year of the annexation. Property owners' requests will be taken into consideration along with the existing County zoning designation and the current as well as future use of the property.

**2. Will I be able to have farm animals on my property? Can I still cut hay?**

Yes. It is anticipated that much of the area currently used for agricultural purposes will be zoned General Agriculture District when the property is annexed into the City. This zoning district allows most agricultural activities including the raising of farm animals as well as agricultural crops. It does not allow the operation of commercial feed pens for livestock. If the property is not zoned General Agriculture District, the existing agricultural operations are considered a legal non-conforming use. Legal non-conforming uses may continue as long as the use does not expand and does not cease for a period of one year. Swine are allowed in the General Agriculture zoning district; they are not permitted in any other zoning district.

**3. How will building codes affect my property?**

There will be no affect on your property until new construction is proposed or a change in use of the property is proposed. At that point in time, the structures must comply with the applicable provisions of the Uniform Building Code and Uniform Fire Code.

**4. How will my property be assessed?**

The assessment of the property for property tax purposes will continue to be the responsibility of the Pennington County Equalization Department. The assessment process will be the same, whether property is located inside or outside the City limits of Rapid City.

**5. What will the taxes be on my property?**

Depending on the existing taxing district your property is located in and the tax classification of your property, the property taxes may increase or decrease. Estimates based on the 2001 tax levies indicate that the taxes on land classified as agricultural for tax purposes will decrease by as much as 14%, while taxes on non-agricultural property may increase by up to 5%. A chart is attached which outlines the relative change in taxes based on a \$100,000 property in the various taxing districts located within the annexation area.

**6. How or when will the City make improvements or maintain the section line highway roads within the annexation area?**

Upon annexation, the City of Rapid City will maintain the improved section line highways located within the annexation area. On gravel sections of road, the City will provide minimal maintenance including the repair of potholes, grading of washboard surfaces and the addition of gravel as necessary. The City will not maintain any private roads or drives.

**7. Who will maintain the roads in the annexation area? Can I maintain my own road?**

The City will maintain all public streets located within the annexation area. The City may enter into an agreement with a private landowner allowing the landowner to maintain a portion of a public road at their own expense.

**8. Will the residents of the annexation area be able to vote in the April 2003 City elections?**

No. Based on the County's decision to continue action on the annexation of the unplatted lands to the March 11, 2003 County Commission meeting, it is anticipated that any action to annex the area will not be effective until after the April 8, 2003 Municipal Election.

**9. Will the City Council wait to annex the area until after the South Dakota Legislature has addressed statutory changes protecting the Rapid City Regional Airport?**

Yes. The County Commission has indicated that they will not approve the annexation resolution until March 11, 2003 to allow the legislature to act on legislation protecting the Rapid City Regional Airport. Because the annexation involves unplatted lands, the City can not annex the property until the County has approved the resolution.

**10. Why does the City of Rapid City want to annex the area north of the Rapid City Regional Airport?**

The area south of the ridgeline and east of Elk Vale Road extending to the Rapid City Regional Airport has been identified as appropriate for the future expansion of Rapid City based on the extension of sewer service, water service and other urban services. Urban density development is occurring along Elk Vale Road and Radar Hill Road. The City is seeking to insure that the urban density development that is occurring within the annexation area is compatible with the long-term growth of the city. The City also wishes to protect the multi-million dollar taxpayer investment in the Rapid City Regional Airport insuring the long term viability of this important regional transportation facility.

**11. Is the proposed annexation legal based on the law stating that there must be a “community of interest” when annexing property?**

The Rapid City Attorney's Office has reviewed the proposed annexation and stated that the annexation complies with the applicable South Dakota statutes.

**12. Can I keep my well? Can I keep my septic system?**

If a private well or septic system is serving the home and functioning properly, no change in the system is required. However, State law requires that you connect your home to a public sewer system if your property is located within 400 feet of a sewer main whether or not your property is in a municipality. Annexation does not change that requirement.

**13. Can I still ride my snowmobile if my property is annexed?**

Yes, on private property. Snowmobiles may be operated on a City street only when there is a declared emergency.

**14. Can I use an electric fence if my property is annexed?**

Electric fences are not currently allowed in the City limits; however, the City Council recently approved an ordinance amendment on First Reading to allow electric fences on land zoned General Agriculture. If the amendments are finally approved and become effective, electric fences will be allowed on property zoned General Agriculture.

**15. Can I shoot coyotes and other predators when my property is annexed?**

Currently, the discharge of firearms is not allowed inside the City limits; however, the City Council recently approved an ordinance amendment on First Reading to allow the discharge of firearms for the purpose of preventing depredation on land zoned General Agriculture. This will still require landowners to comply with all other provisions of State law.

**16. Can I continue to use my 160 acres for winter feeding for my 200 head of cattle, or is this considered a feed lot? (Note: I feed the cattle hay and have been doing this for years.)**

Assuming that the 160 acres of land are zoned General Agriculture, the use outlined above would be permitted. Commercial feeding pens for livestock are not allowed in the General Agriculture zoning district. In any case, the use described appears to be a legal non-conforming use and would be allowed to continue as long as it does not cease for a year.

**17. Would there be a freeze on building permits issued if this annexation is approved and it is challenged in court?**

If the annexation is challenged in court prior to the effective date of the annexation, the judge could delay the effective date of the annexation until the court action is resolved.

This would allow the County to continue issuing building permits in accordance with the current County Regulations.

- 18. If an assessment project is proposed, what percent of the property owners can stop the assessment project? Is this percentage based on acreage or number of participants? What can stop an assessment project if the residents oppose an assessment project proposed by a developer?**

No assessment project can be approved for street improvements if 55 % of the owners of property fronting on the project object in writing to the project. No assessment project can be approved for sewer or water improvements if a majority of the property owners with property fronting on the project and within the area being served by the project object in writing. Pursuant to the annexation resolution, the City Council will be obligated to proceed with an assessment project if the signatures of the required property owners are presented; however, the City Council has some discretion in the manner in which the assessment is distributed including front footage, area or benefit basis.

- 19. Does the City prohibit a landowner from setting up wind generation for their own personal use?**

Wind energy conversion systems are allowed as Conditional Uses in the Light Industrial, Heavy Industrial, and Mining and Earth Resources Extraction zoning districts.

- 20. What is the smallest lot size allowed in the General Agriculture zoning district?**

The minimum lot size for a dwelling and accessory structures in the General Agriculture zoning district is 20 acres. However, a single-family residence can be built on smaller lots existing prior to the annexation of property if the proposed construction meets the other setback requirements.

- 21. If my property is not zoned General Agriculture, can I still keep my farm animals when my property is annexed? Are there a maximum number of animals I can keep?**

With the exception of swine, a landowner can continue to keep farm animals as a legal non-conforming use in zoning districts other than General Agriculture. The animals must be kept at least 150 feet from the residence of a person who does not own the animals. There is no limit on the maximum number of animals that are allowed as long as they are kept in humane conditions.

- 22. Is there a restriction on the type of animals I can have on my property when my property is annexed?**

Wild animals may not be kept in the City limits. Wild animals include poisonous snakes, lions, tigers and other similar animals.

# INCREASE OR DECREASE IN TAXES FOR \$100,000 PROPERTY

Upon Annexation to Rapid City or Box Elder

Rapid City

Box Elder

If your property is in:

Douglas School and Box Elder Fire Districts:

Agriculture	-\$243	+\$796
Owner Occupied Resident	+\$ 17	+\$796

Douglas School and Rapid Valley Fire Districts:

Agriculture	-\$162	+\$797
Owner Occupied Resident	+\$ 99	+\$797

Douglas School, Box Elder Fire, and Valley Sewer Districts:

Agriculture	-\$243	+\$797
Owner Occupied Resident	+\$ 17	+\$796

Rapid City School and Box Elder Fire District:

Agriculture	-\$243	+\$797
Owner Occupied Resident	+\$ 17	+\$797

Rapid City School, Box Elder Fire, and Valley Sewer Districts:

Agriculture	-\$243	+\$797
Owner Occupied Resident	+\$ 16	+\$796

Rapid City School and Rapid Valley Fire District:

Agriculture	-\$162	+\$796
Owner Occupied Resident	+\$ 99	+\$797

Rapid City School, Rapid Valley Fire, and Valley Sewer Districts:

Agriculture	-\$162	+\$796
Owner Occupied Resident	+\$ 98	+\$797

This information is based on the approved 2001 tax levies. Actual taxes for any individual property will be dependent on the classification of the property, the assessed value and the levy for that specific year.