



Rapid City Planning Commission

De-Annexation Project Report

September 8, 2016

Applicant Request(s)	Item # 5
Case # 16AN002: Petition for De-Annexation	
Companion Case(s) #: N/A	

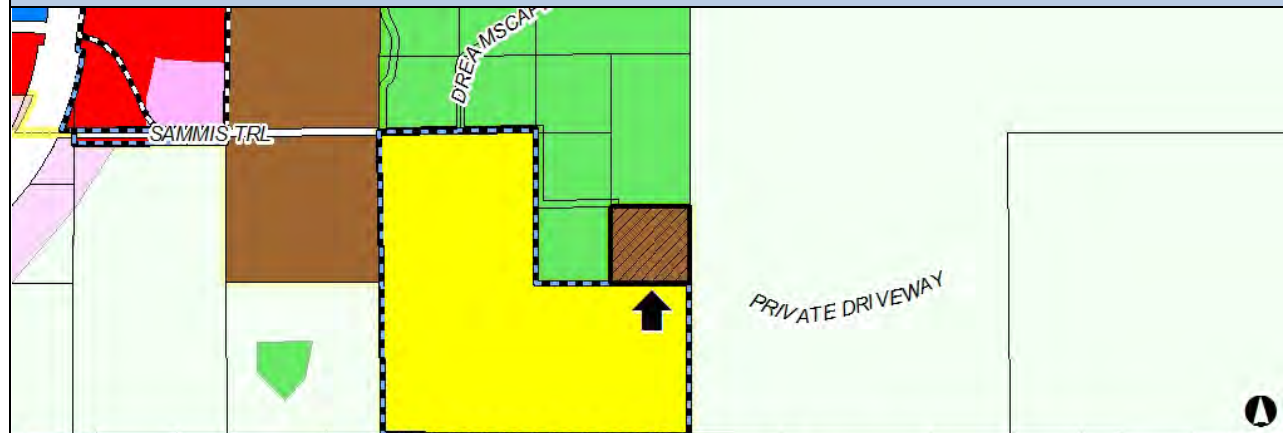
Development Review Team Recommendation(s)
The Development Review Team recommends approving the de-annexation request.

Project Summary Brief	
<p>The applicants request to de-annex a 10 acre tract of land from the periphery of Rapid City's corporate limits. The property is currently developed with a single family home and two garages. It is zoned General Agricultural District. The adjacent property to the west, outside of City limits, is similarly developed and zoned Limited Agriculture in Pennington County.</p> <p>The property was annexed in 2008 with a layout plat that would subdivide the property into four lots. The plat was never acted on beyond the Layout Plat stage and the property is now under new ownership. The nearest City water and sewer utilities are located at the current terminus of Moon Meadows Drive, 4,650' from the subject property in the established right-of-way and access easements. The gravity sewer main cannot serve this property based on topography. A lift station is needed to pump sewer flow to this location.</p> <p>For the next 5 years, the City has no utility or road construction projects on the current CIP plan within 500 feet of this property. Access to the property is from Sammis Trail. This semi improved road is maintained by the City Streets Department, including gravel maintenance and snow removal at a distance of 1,200' away from the property in the established right of way. This property is located within the Urban Services Boundary.</p> <p>In 2014, the City adopted Resolution 2014-090 identifying a policy on de-annexation. Of the 14 criteria to consider, there are 9 conditions of the proposed de-annexation that would favor the applicant's request to de-annex.</p> <p>According to the Auditor's Office, if de-annexed from 4/DRC to 4/DWF the taxing levies will be a reduction of the Rapid City levy of 3.278 and the addition of the levies for Whispering Pines Fire District (.673), County Fire (.092), Unorg Road (1.156), and Library (.211). If de-annexed, the stormwater utility fee will no longer be assessed.</p>	
Applicant Information	Development Review Team Contacts
Applicant: Steven and Jane Arity	Planner: Sarah Hanzel
Property Owner: Same	Engineer: Nicole Lecy
Architect: N/A	Fire District: Denny Gorton
Engineer: N/A	School District: Janet Kaiser
Surveyor: N/A	Water/Sewer: Dan Kools
Other:	DOT: Stacy Bartlett

Subject Property Information	
Address/Location	1445 Sammis Trail
Neighborhood	US Highway 16
Subdivision	High View
Land Area	10 acres
Existing Buildings	Single family home and outbuildings
Topography	Rolling
Access	Sammis Trail from US Highway 16
Water Provider	Private Well
Sewer Provider	On-Site Septic
Electric/Gas Provider	Black Hills Power
Floodplain	N/A
Other	Whispering Pines Fire Tax District if removed from corporate limits

Subject Property and Adjacent Property Designations			
	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	GAD	LDN	Single family home and two garages
Adjacent North	LA-PC	LA - PC	Void of structural development
Adjacent South	LDR-1	LDN	Void of structural development
Adjacent East	GA-PC	LA - PC	Void of structural development
Adjacent West	LDR-1	LA - PC	Residential Agriculture

Zoning Map

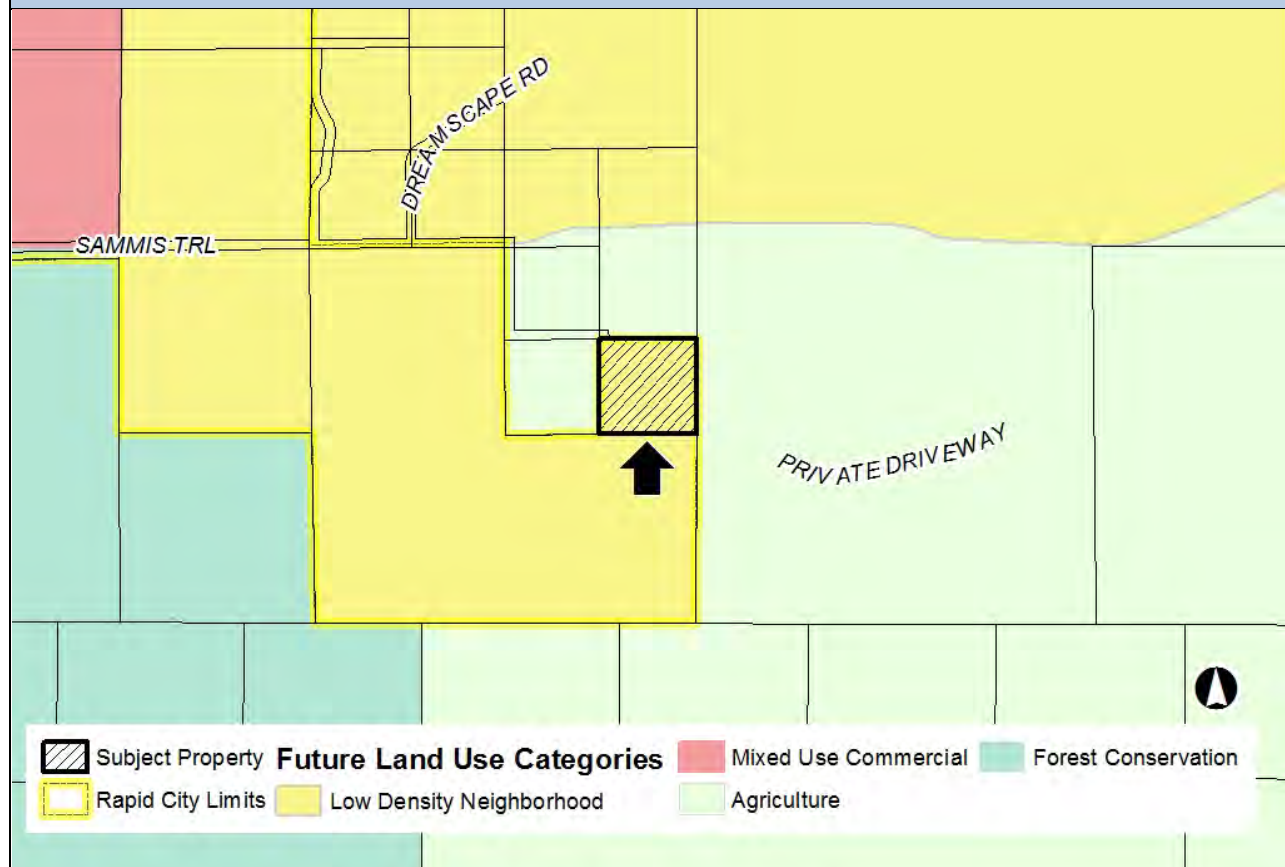


Rapid City/Pennington County Zoning						
Subject Property	Planned Development	General Agriculture	Low Density Residential-1	Public	Planned Unit Development, PC	
Rapid City Limits	Planned Development Designation	General Commercial	Office Commercial	General Ag. District, PC	Highway Service, PC	Limited Ag., PC

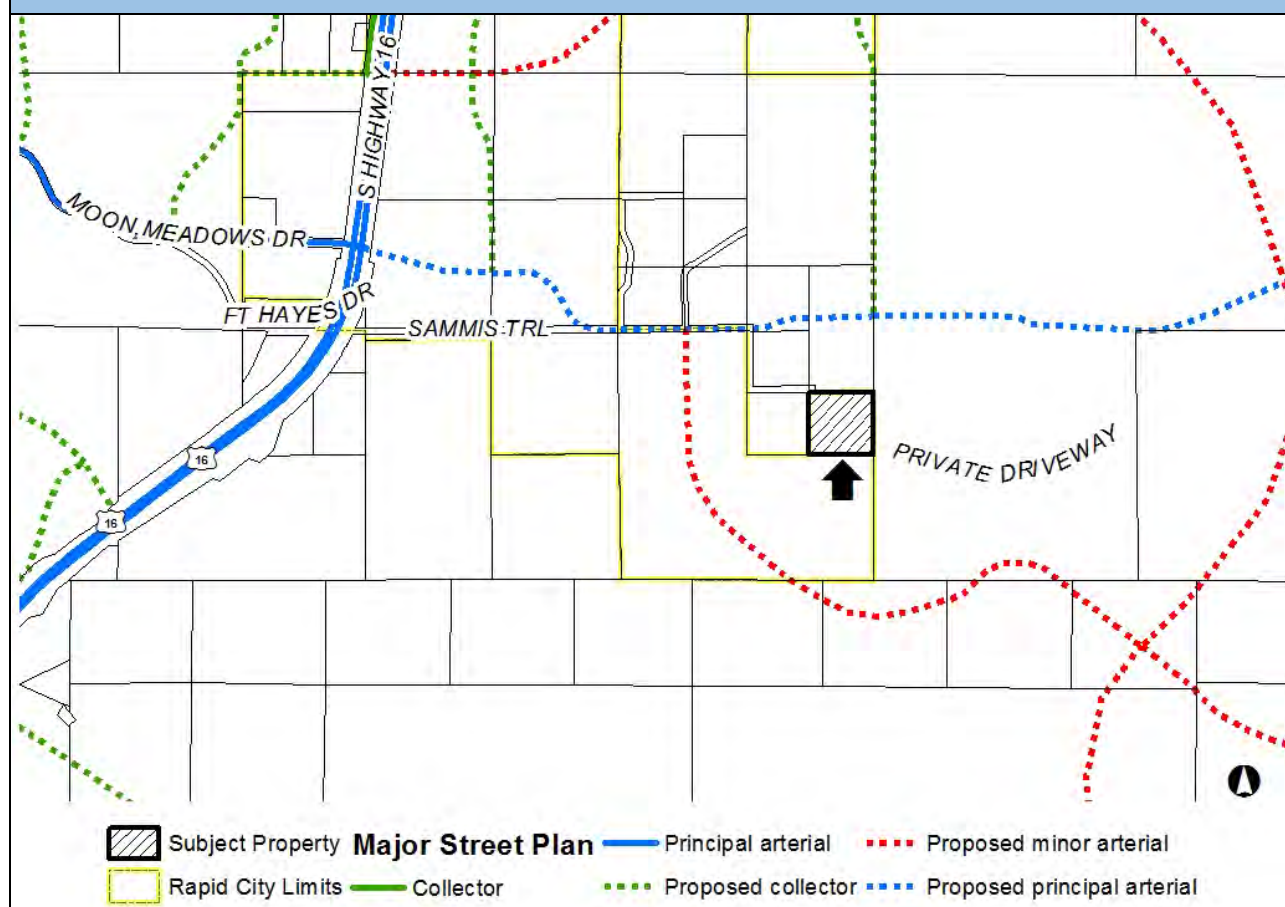
Existing Land Uses



Comprehensive Plan Future Land Use










Parks or Transportation Plan



Relevant Case History			
Case/File#	Date	Request	Action
08AN002	3/27/08	Petition for Annexation	Approved
08PL012	3/27/08	Preliminary Plat	Approved with Stipulations

Planning Commission Criteria and Findings for Approval or Denial	
Pursuant to Resolution #2014 – 090 “Resolution Adopting a Policy Regarding De-Annexation” the Planning Commission shall consider the following criteria for a request to De-Annex:	
Criteria	Findings
1. The subject property is located outside the Urban Services Boundary established by <u>Plan Rapid City, April 2014</u> or subsequent updates;	False. This condition does not support de-annexation.
2. The City has not expended significant funds to benefit property by bringing utilities to the subject property, addressing drainage on the subject property, or other improvements to benefit the subject property;	True. This condition supports de-annexation.
3. The subject property is located outside any “doughnut hole” the common council has identified within its annexations priorities to close;	True. This condition supports de-annexation.
4. The subject property is located at least 500 feet from any municipal utility service;	True. This condition supports de-annexation.
5. The subject property is located at least 500 feet from any municipally maintained transportation facility;	True. This condition supports de-annexation.
6. The subject property is located within 500 feet of platted property;	False. This condition does not support de-annexation.
7. The subject property is located outside of the focused growth areas as identified in <u>Plan Rapid City</u> ;	False. This condition does not support de-annexation.
8. The subject property is located outside any active tax increment financing district boundary;	True. This condition supports de-annexation.
9. The exclusion of the subject property creates an irregular boundary creating difficulty for the City of Rapid City to administer services;	False. This condition supports de-annexation.
10. The subject property is located outside an area where there is a tendency for imminent growth of the City;	True. This condition supports de-annexation.
11. The subject property is located at least 500 feet from any project identified within the Rapid City 5-year Capital Improvements Program;	True. This condition supports de-annexation.
12. The exclusion of the subject property creates portions of the remaining corporate limits to be dis-contiguous;	False. This condition supports de-annexation.
13. The subject property does not include residences for any person(s) who utilize City services;	False. This condition does not support de-annexation.
14. The subject property is primarily agricultural in character or used for agricultural purposes only.	False. This condition does not support de-annexation.

Planning Commission Comprehensive Plan Policy Guidance for Approval or Denial	
In considering an application for approval or denial the Planning Commission finds that the application either complies or does not comply with the following values, principles, goals, and policies within the Rapid City Comprehensive Plan:	
Comprehensive Plan Conformance – Core Values Chapters	
	A Balanced Pattern of Growth
BPG-3.1B	Future Land Use Flexibility: Provide Flexibility in applying the Future Land Use categories by encouraging a range of densities and a mix of uses and by allowing administrative interpretation when the map does not perfectly align with parcels of land or planned roadways or a proposed use is not specified.
	A Vibrant, Livable Community
N/A	N/A
	A Safe, Healthy, Inclusive, and Skilled Community
N/A	N/A
	Efficient Transportation and Infrastructure Systems
TI-1	
	Economic Stability and Growth
N/A	N/A
	Outstanding Recreational and Cultural Opportunities
N/A	N/A
	Responsive, Accessible, and Effective Governance
N/A	N/A

Comprehensive Plan Conformance – Growth and Reinvestment Chapter	
Future Land Use Plan Designation(s):	LDN
Design Standards: N/A	
N/A	Design components are not reviewed with a petition for de-annexation.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
Neighborhood:	US Highway 16 – <i>“Topography presents constraints to development but the area is predominantly located within Urban Services Boundary and urban development is likely to continue, especially within and adjacent to existing City limits”</i>
Neighborhood Goal/Policy:	
US16-NA1.1A	Support expansion and development of new residential neighborhoods in areas within and adjacent to existing City limits. Discourage residential growth south of Moon Meadows Road.
US16-NA1.1I	Coordinate planning development review activities in this area with Pennington County

The Development Review Team Recommends approving the Petition for De-Annexation for the following reasons:

	The nearest City water and sewer utilities are located at the current terminus of Moon Meadows Drive, 4,650' from the subject property and located in the established right-of-way and access easements.
	The gravity sewer main cannot serve this property based on topography. A lift station is needed to pump sewer flow to this location.
	For the next 5 years, the City has no projects on the current CIP plan within 500 feet of this property.
	Access to the property is from Sammis Trail. This semi improved road is maintained by the City Streets Department, including gravel maintenance and snow removal at a distance of 1,200' away from the subject property in the established right of way.

Staff recommends approving the request for de-annexation.