



Rapid City Planning Commission

Rezoning Project Report

March 9, 2023

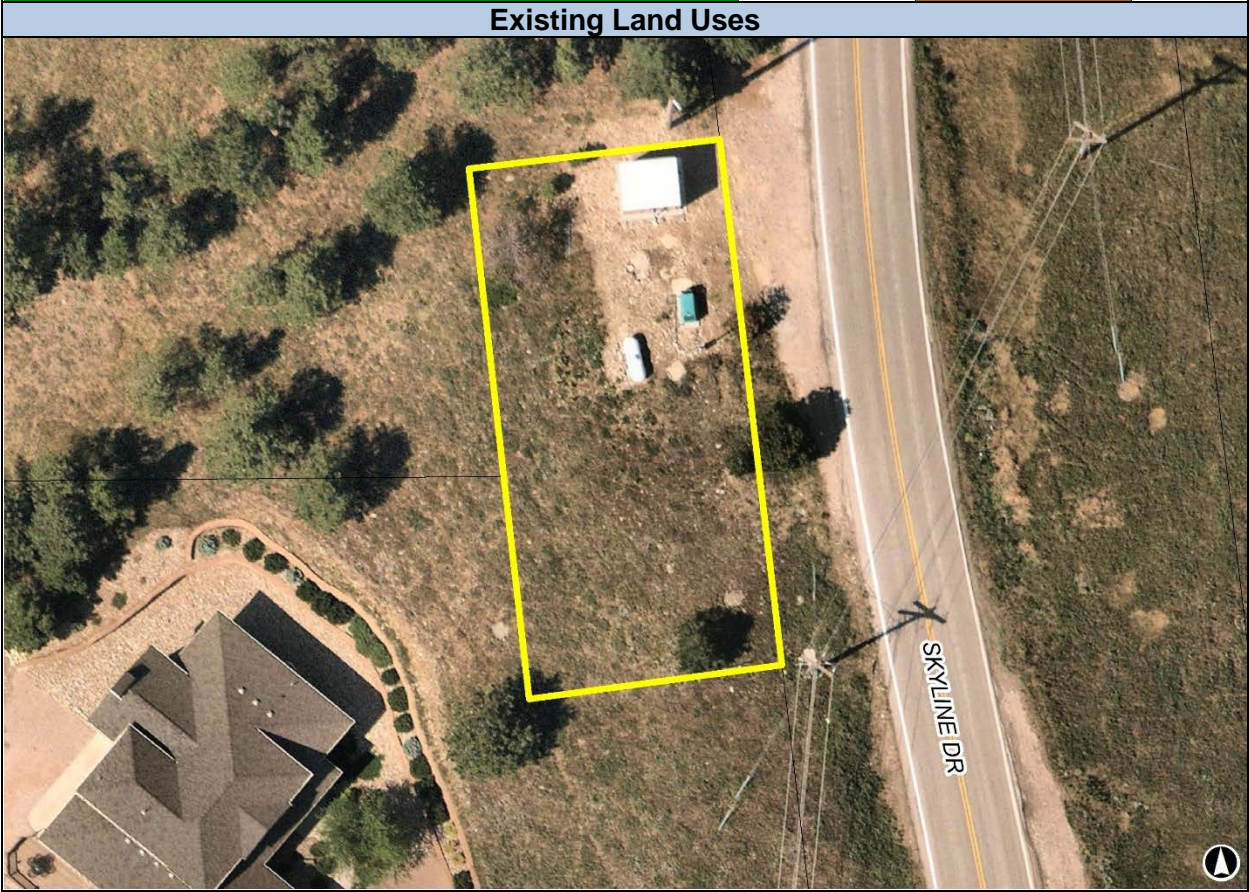
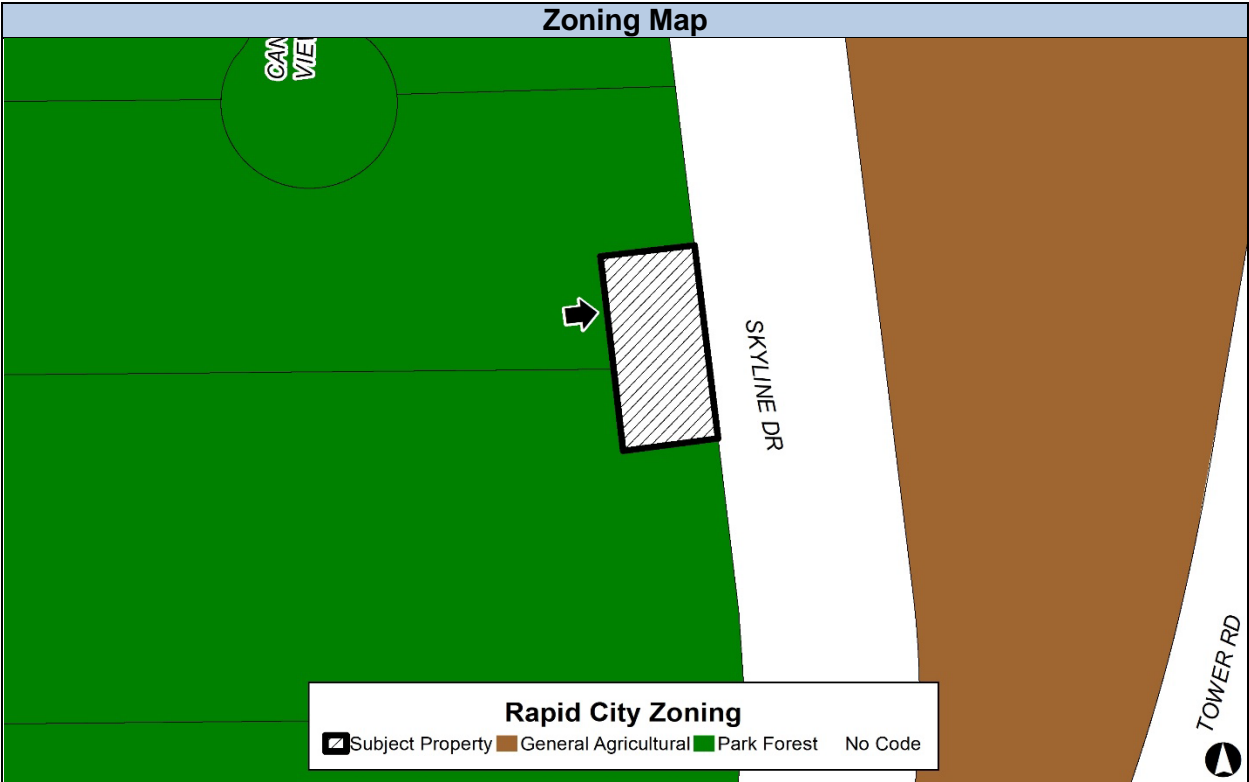
| Applicant Request(s) | Item # 6 |
|--|----------|
| Case # 23RZ001: Rezoning request from No Use District to General Agricultural District | |
| Companion Case(s) #: 23PD006 – Final Planned Development Overlay to replace an existing communication tower. | |

| Development Review Team Recommendation(s) |
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| The Development Review Team recommends that the Request to Rezone the property from No Use District to General Agricultural District be approved. |

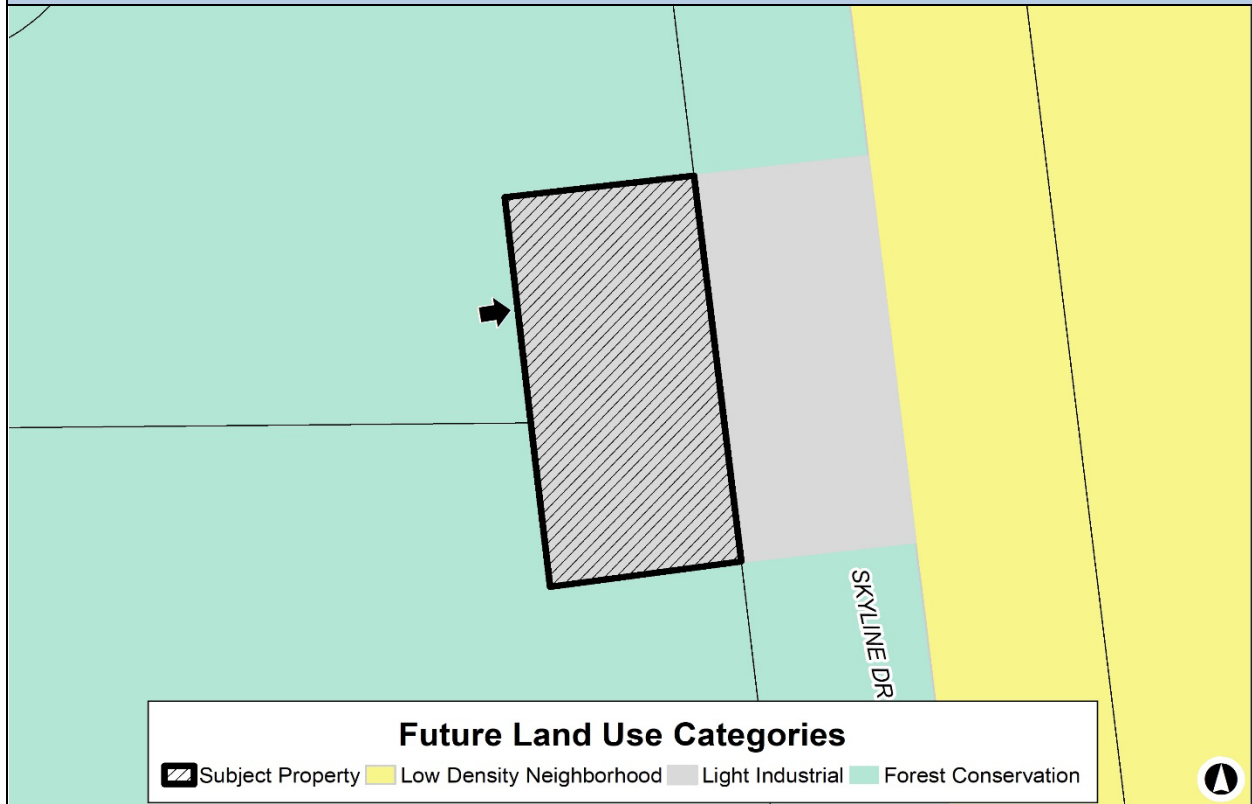
| Project Summary Brief | |
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| The applicant is requesting to Rezone approximately 0.14 acres of property from No Use District to General Agricultural District. It appears the property was never assigned a zoning designation after annexation. There is an existing wireless telecommunications tower and associated structures on the property. The applicant intends to continue the existing use of the property, and replace the tower, and install fencing in a later building permit approval. There is a companion Planned Development overlay application File# 23PD006, which will be forthcoming to address the tower replacement project. | |
| Applicant Information | Development Review Team Contacts |
| Applicant: Black Hills Energy – Frank Savage | Planner: Jonathan Howard |
| Property Owner: Same | Engineer: Emily Fisher |
| Architect: N/A | Fire District: Chip Premus |
| Engineer: N/A | School District: N/A |
| Surveyor: N/A | Water/Sewer: Emily Fisher |
| Other: VIKOR- Jaymie Love | DOT: N/A |
| Subject Property Information | |
| Address/Location | 3575 Skyline Dr |
| Neighborhood | Northeast |
| Subdivision | LOT M OF NE1/4NW1/4 , Section 14 Township 1N Range 07E |
| Land Area | 0.14 acres |
| Existing Buildings | (1) Telecom Tower and associated structures |
| Topography | Mountainous |
| Access | Skyline Dr |
| Water Provider | Rapid City |
| Sewer Provider | Rapid City |
| Electric/Gas Provider | Black Hills Power |
| Floodplain | None identified |
| Other | N/A |

| Subject Property and Adjacent Property Designations | | | |
|---|-----------------|--------------------|----------------------|
| | Existing Zoning | Comprehensive Plan | Existing Land Use(s) |
| Subject Property | None | LI | Telecom Tower |

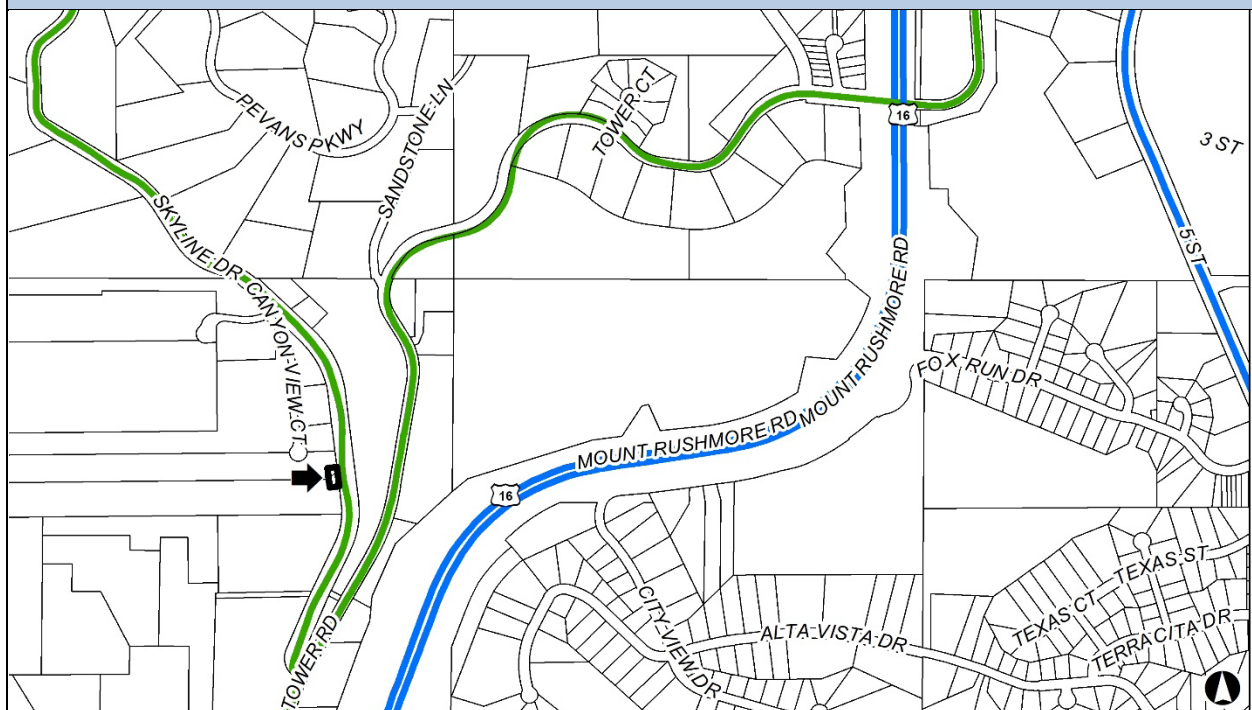
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|----------------|-----|---------|----------------|
| Adjacent North | PF | FC | Residential |
| Adjacent South | PF | FC | Residential |
| Adjacent East | GAD | LI/ LDN | Communications |
| Adjacent West | PF | FC | Residential |



Comprehensive Plan Future Land Use



Parks or Transportation Plan



Major Street Plan




Subject Property Collector Principal arterial

| Relevant Case History | | | |
|--------------------------------------|---|------------|--------|
| Case/File# | Date | Request | Action |
| N/A | N/A | N/A | N/A |
| Relevant Zoning District Regulations | | | |
| General Agricultural District | Required | Existing | |
| Lot Area | N/A | 0.14 acres | |
| Lot Frontage | >25 ft. | 115 ft. | |
| Maximum Building Heights | 2.5 stories or 35 ft. | N/A | |
| Maximum Density | <30% | N/A | |
| Minimum Building Setback: | | | |
| • Front | Varies | N/A | |
| • Rear | Varies | N/A | |
| • Side | Varies | N/A | |
| • Street Side | Varies | N/A | |
| Minimum Landscape Requirements: | N/A | N/A | |
| • # of landscape points | N/A | | |
| • # of landscape islands | N/A | | |
| Minimum Parking Requirements: | As required by §17.50.270 | N/A | |
| • # of parking spaces | - | - | |
| • # of ADA spaces | - | - | |
| Signage | As regulated by § 17.50.080 through 17.50.100 | N/A | |
| Fencing | N/A | N/A | |

| Planning Commission Criteria and Findings for Approval or Denial | |
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| Pursuant to Section 17.54.040.D of the Rapid City Municipal Code the Planning Commission shall consider the following criteria for a request to Rezone: | |
| Criteria | Findings |
| 1. The proposed amendments shall be necessary because of substantially changed or changing conditions of the area and districts affected, or in the city generally. | The property was annexed into the City in 1978 and it appears a zoning district was never applied. All property within city limits must have a zoning district, so the Rezoning request meets that need. |
| 2. The proposed amendments shall be consistent with the intent and purposes of this title. | The purpose of the General Agricultural District is typically to provide for land situated on the fringe of the urban area that is used for agricultural purposes, but will be undergoing urbanization in the future. Communications facilities are a permitted use in General Agricultural District. The proposed amendment is consistent with the intent of the Ordinance. |
| 3. The proposed amendment shall not adversely affect any other part of the city, nor shall any direct or indirect adverse effects result from the amendment. | The adjacent zoning and uses are consistent with the Rezoning request. The property to the north, west, and south are zoned Park Forest, which are developed with single family homes. The property to the east is zoned General Agriculture, and has an existing communications facility. No adverse effects have been identified with the Rezoning request. |

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| 4. The proposed amendments shall be consistent with and not in conflict with the development plan of Rapid City including any of its elements, major road plan, land use plan, community facilities plan and others. | The Rapid City Future Land Use Map shows the appropriate use of this area as Light Industrial reflecting the wireless facilities currently on the property. The surrounding properties are Forest Conservation and Low Density Neighborhood. No conflicts with the City's development plans have been identified as a result of the proposed amendment. |
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| 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-1.1A | N/A |
|  | A Vibrant, Livable Community |
| N/A | N/A |
|  | A Safe, Healthy, Inclusive, and Skilled Community |
| N/A | N/A |
|  | Efficient Transportation and Infrastructure Systems |
| N/A | N/A |
|  | Economic Stability and Growth |
| N/A | |
|  | Outstanding Recreational and Cultural Opportunities |
| N/A | N/A |
|  | Responsive, Accessible, and Effective Governance |
| GOV-2.1A | <u>Public Input Opportunities</u> : The proposed Rezoning requires public notice to be advertised in the newspaper and that mailings are sent to property owners within 250 feet of the proposed development. The requested Rezoning is before the Planning Commission and will go to the City Council for review and approval. The public has an opportunity to provide input at these meetings. |

| Comprehensive Plan Conformance – Growth and Reinvestment Chapter | |
|---|--------------------|
| Future Land Use Plan Designation(s): | Agriculture |
| Design Standards: | |
| N/A | N/A |

| Comprehensive Plan Conformance – Neighborhood Area Policies Chapter | |
|---|-------------------------|
| Neighborhood: | Downtown/ Skyline Drive |
| Neighborhood Goal/Policy: | |
| N/A | |

| The Development Review Team Recommends that the request to Rezone property from No Use to General Agricultural District to be approved for the following reasons: | |
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| • | The subject property is currently not assigned zoning. The Rezone is requested in order to obtain a building permit to replace the existing wireless tower and associated structures. |
| • | A review of the criteria listed in Chapter 17.54.040.D of the Rapid City Municipal Code has resulted in no negative impacts as a result of the proposed amendment. |
| • | The General Agricultural District is an appropriate Rezoning for No Use zoned property with existing telecommunications structures that are adjacent to other agricultural and conservation zoned areas. Telecommunications towers are a permitted use in the General Agricultural District. |

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| Staff recommends that the requested Rezone from No Use District to General Agricultural District be approved. |
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