

DEPARTMENT OF COMMUNITY DEVELOPMENT

City of Rapid City
300 Sixth Street, Rapid City, SD 57701-2724
Phone: (605) 394-4120 - Web: www.rcgov.org

DE-ANNEXATION PROCEDURES

The Filing Fee for De-Annexation is \$250.00

NOTE: State and local policies for de-annexation are described in SDCL 9-4-6 through 9-4-8 and Resolution 2019-040, enclosed herein.

The Council may, by Resolution, exclude territory upon a petition in writing signed by not less than three-fourths of the legal voters and by the owners of not less than three-fourths in value of the property in any territory within any municipality being upon the border thereof, proposed to be de-annexed.

1. The applicant meets with the Department of Community Development staff to discuss the proposed De-Annexation (Recommended).
2. An application is submitted which is signed by the applicant and includes the legal description of the property.
3. A Petition for exclusion is filed with the Department of Community Development.
 - a. File petition signed by not less than three-fourths of the legal voters and by the owners of not less than three-fourths of the value of the territory sought to be de-annexed from the municipality. If all the land sought to be excluded is more than one-half mile from any platted portion of the municipality, the petition must be signed by the owner only (SDCL 9-4-6).
 - b. Petition must state the legal description and must be accompanied by a precise map of legally platted land.
 - c. State how land will be used.
4. No final action shall be taken by the governing body upon any petition presented in pursuance of the provisions of § 9-4-6 until notice of the presentation of such petition has been given by the petitioners by publication at least once each week for two successive weeks.
5. Recommendation is given by the Planning Commission.
6. Public hearing is held at the regular City Council meeting.
7. If the request is approved, twenty days after publication, the City Finance Director will file the De-Annexation with the County Register of Deeds.

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PROCEDURES**

PETITION FOR EXCLUSION

We, the undersigned, hereby state that we constitute not less than three-fourths of the legal voters and further constitute the owners of not less than three-fourths in value of the within described territory contiguous to the City of Rapid City and hereby petition the Common Council of the City of Rapid City to de-annex the following described territory pursuant to SDCL 9-4-6.

Legal description of property:

Please print name below

NAME:	DATE:
ADDRESS:	SIGNATURE:

Please print name below

NAME:	DATE:
ADDRESS:	SIGNATURE:

Please print name below

NAME:	DATE:
ADDRESS:	SIGNATURE:

Please print name below

NAME:	DATE:
ADDRESS:	SIGNATURE:

Please print name below

NAME:	DATE:
ADDRESS:	SIGNATURE:

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APPLICATION FOR DEVELOPMENT REVIEW

REQUEST (please check all that apply)

- Annexation De-Annexation
- Comprehensive Plan Amendment
- Fence Height Exception
- Planned Development (Overlay)
 - Designation
 - Initial Plan Final Plan
 - Major Amendment
 - Minimal Amendment

- Subdivision
 - Layout Plan
 - Preliminary Subdivision Plan
 - Development Engineering Plans
 - Lot Line Adjustment/Consolidation Plat
 - Final Plat
 - Minor Plat
- Rezoning
- Road Name Change

- Conditional Use Permit
 - Major Amendment
 - Minimal Amendment
- Vacation
 - Utility / Drainage Easement
 - R.O.W. / Section Line Highway
 - Access / Non-Access
 - Planting Screen Easement
- OTHER (specify) _____

LEGAL DESCRIPTION (Attach additional sheets as necessary)

EXISTING		
PROPOSED		
LOCATION		
Size of Site—Acres	Square Footage	Proposed Zoning
DESCRIPTION OF REQUEST:		Utilities: Private / Public
		Water
		Sewer

APPLICANT

Name _____ Phone _____
 Address _____ E-mail _____
 City, State, Zip _____

PROJECT PLANNER - AGENT

Name _____ Phone _____
 Address _____ E-mail _____
 City, State, Zip _____

OWNER OF RECORD (If different from applicant)

Name _____ Phone _____
 Address _____ E-mail _____
 City, State, Zip _____

Property Owner Signature _____ Date _____

Property Owner Signature _____ Date _____

Signature _____ Date _____
 Print Name: _____
 Title*: _____

Signature _____ Date _____
 Print Name: _____
 Title*: _____

*required for Corporations, Partnerships, etc.

FOR STAFF USE ONLY

ZONING
Current
North
South
East
West
Planner
File No.
Comp Plan
Received By:

- Public Works/Engineering
- Fire Department
- Transportation Planning
- Building Inspection
- Air Quality
- Police
- City Attorney
- City Code Enforcement
- SD DOT

- BHP&L
- ESCC
- Register of Deeds
- County - Planning
- County - Fire
- County - Highway
- County - Code Enforcement
- Auditor - Annexation

- RV Sanitary District
- Green Valley Sanitary District
- Finance
- GIS
- Historic Preservation
- Parks & Recreation
- School District
- Other: _____

PIN No: _____