

17AN001

Ref: File # 17AN001
Deannexation

February 15, 2017

Attention: Sarah Hanzel,

I will be appearing before the city council on Feb., 21st, 2017 @ 6:30 P.M. to request Deannexation of the property referenced in this file.

I need your help. I have been told there is a stipulation in the annexation process that states the city has 5 years to have city sewer & water available after annexation. I was told to go to WWW.SDCodifiedlaw, than click on municipalities to get a copy of it. That may be simple for my grandchildren, but impossible for me. I am sure you have a copy of the regulation. May I have a copy?

I am attaching a copy of stated benefits of annexation as declared by the city. Please see item # 10 on Exhibit A. If P & Z, and the city engineers, feel that sewer is available by boring under Rapid Creek it certainly is not available on the same basis as city residents. Since engineering said sewer was available, if I bored under Rapid Creek, I am requesting a cost estimate from them, as I do not even know where the sewer is on the other side of the creek. After 17 years of asking for help, this is the first time that was stated.

One more request. Resolution # 2014-090 adopting a policy regarding Deannexation, on page 2, has 14 items the city council is to consider when they receive a request . Will you please mark the ones that pertain to my property, and email it to me along with the other request? I would appreciate it. See Exhibit B.

Thank you for your help and transparency from your office.

Respectfully,



Sylvia Conrad

8. **How do we address the issue of livestock once the property is annexed?**

Grazing of animals and crop production is allowed on property that is zoned General Agriculture District in Rapid City after annexation. If your property is not zoned General Agriculture District, but you have animals on the property prior to annexation, that previous use is considered a legal non-conforming use and may continue as long as the use is not discontinued for a period of one year. It does not allow the operation of commercial feed pens for livestock. Animals must be kept at least 150 feet from the residence of a person who does not own the animals. Electric fences and barbed wire fences are allowed in the General Agriculture Zoning District.

9. **What are the building codes upon annexation?**

Any new construction must conform to the Uniform Building Code and Uniform Fire Code. Any changes in use would trigger the requirement to conform to the building and fire codes.

10. **What are the benefits of annexation?**

The benefits include: City police and fire protection, possible lower insurance rates due to City fire protection, City street maintenance of dedicated public rights-of-way built to City standards, snow removal and street lighting on dedicated public rights-of-way, solid waste collection upon petition of the property owner, access to City sewer and water on the same basis as City residents, enforcement of building codes, library services, reduced property taxes for agricultural-classified properties, opportunity to vote in City elections, and lower costs for use of some City facilities including the ice rink.

11. **Who will represent the property owners on the City Council?**

Upon annexation, the newly annexed area will be assigned to a City ward and you will be represented by the two alderpersons elected from that ward. The City Council may redistrict at any time.

Exhibit B

NOW, THEREFORE, BE IT RESOLVED by the City of Rapid City that it is the policy of the Common Council that at any time a request relating to exclusion from the city corporate limits is put before the Common Council, the Council shall consider the following items:

1. The subject property is located outside the Urban Services Boundary established by Plan Rapid City, Rapid City's Comprehensive Plan adopted April 2014, or subsequent updates;
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
3. The subject property is located outside any "doughnut hole" the Common Council has identified within its annexation priorities to close;
4. The subject property is located at least 500 feet from any municipal utility service;
5. The subject property is located at least 500 feet from any municipally maintained transportation facility;
6. The subject property is located within 500 feet of platted property;
7. The subject property is located outside the focused growth areas as identified in Plan Rapid City;
8. The subject property is located outside any active tax increment financing district boundary;
9. The exclusion of the subject property creates an irregular boundary creating difficulty for the City of Rapid City to administer services;
10. The subject property is located outside an area where there is a tendency for imminent growth of the city;
11. The subject property is located at least 500 feet from any project identified within the Rapid City 5-year Capital Improvements Program;
12. The exclusion of the subject property creates portions of the remaining corporate limits to be discontinuous;
13. The subject property does not include residences for any person(s) who utilize City services; or
14. The subject property is primarily agricultural in character or used for agricultural purposes only.

BE IT FURTHER RESOLVED by the City of Rapid City that this corporate limits exclusion policy shall direct the actions of the Common Council when considering exclusion requests.