

STAFF REPORT
April 9, 2009

No. 09SE002 - Special Exception to the Flood Area Construction Regulations to allow Temporary Structures in the Floodway **ITEM 36**

GENERAL INFORMATION:

APPLICANT/AGENT	James L. Scull, Jr.
PROPERTY OWNER	City of Rapid City
REQUEST	No. 09SE002 - Special Exception to the Flood Area Construction Regulations to allow Temporary Structures in the Floodway
EXISTING LEGAL DESCRIPTION	Tract 1 of Rapid City Greenway Tract located in Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 72.475
LOCATION	East of the intersection of Chapel Lane and Shore Drive
EXISTING ZONING	Flood Hazard District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Low Density Residential District
East:	Flood Hazard District
West:	General Commercial District (Planned Commercial Development)
PUBLIC UTILITIES	City Water and Sewer are located on the north and east Side of Canyon Lake Dam
DATE OF APPLICATION	3/5/2009
REVIEWED BY	Dale Tech

RECOMMENDATION:

Staff recommends that the Special Exception to the Flood Area Construction Regulations to allow Temporary Structures in the Floodway be denied.

GENERAL COMMENTS:

A Flood Plain Development Permit was submitted on March 5, 2009 for a proposed temporary use consisting of two temporary structures (tents) to be placed within the floodplain boundary of Rapid Creek on the southwest edge of Canyon Lake. The tents are 30'x40' and 40'x115'. This item is titled "Special Exception to the Flood Area Construction Regulations to allow temporary structures in the floodway"; however, it appears that the proposed temporary structures will actually be located within the floodplain boundary rather

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than the floodway boundary. The Floodplain Development Permit that was submitted did not include certification from a registered professional engineer that the proposed temporary structures could be adequately flood proofed or anchored to comply with Section 15.32 of the Rapid City Municipal Code. Therefore, the Floodplain Development Permit was denied on March 5, 2009.

The property is located at 2902 Park Drive and is commonly known as Canyon Lake Park. As stated previously, the temporary structures are proposed to be located on the southwest edge of Canyon Lake east of the building commonly known as the Canyon Lake Chophouse. The property is currently zoned Flood Hazard District.

The applicant is proposing to use the property and the temporary structures for a wedding on August 22, 2009.

STAFF REVIEW: Staff has reviewed the proposed Special Exception to the Flood Area Construction Regulations and has noted the following issues:

Flood plain:

The proposed site of the temporary structures to be used for the wedding reception is located within the 100-year Federally Designated Floodplain. The applicant has submitted a site plan that shows that the proposed temporary structures for the reception are located within the boundary of the Federally Designated Floodplain. The City of Rapid City participates in the National Flood Insurance Program (NFIP). As a member of the NFIP, the City of Rapid City must manage Federally Designated Floodplains and Floodways per FEMA standards. Approval of the Floodplain Development Permit as submitted was not possible due to the temporary structures not being able to be certified as adequately anchored or flood proofed to withstand the hydrodynamic forces of a 100 Year Flood.

Parks and Recreation:

The Parks and Recreation Department has commented that a Special Event Permit with insurance is required.

Building Inspection:

Building Inspection has commented that a Temporary Use Permit must be obtained prior to the proposed event.

Fire Department:

The Fire Department has commented that all appropriate safety measures are provided as required for temporary membrane structures.