



CITY OF RAPID CITY

RAPID CITY, SOUTH DAKOTA 57701-2724

Community Planning & Development Services Department

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MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Brett Limbaugh, Director CPDS

DATE: October 29, 2012

RE: Wally Byam Property Flood Plain Issues

A significant portion of the City owned Wally Byam property is within the area designated by FEMA as flood plain. It is the City policy to purchase and preserve flood plain properties when such property is available for purchase. Staff is prepared to subdivide the flood plain portion of the Wally Byam property from that portion that can be transferred for development and will begin this process once a purchaser has been found.

Should the purchaser desire to perform any grading or filling within the flood plain to create additional development acreage the City will require a flood plain development permit. As part of the flood plain permit the purchaser will also be required to obtain a Conditional Letter of Map Revision (CLOMR) from FEMA to demonstrate that the proposed fill will not affect the up-stream and downstream flood plain conditions. Once a CLOMR is approved and the City flood plain permit is issued the purchaser can then perform the fill and grading operation. Finally, the purchaser is required to file a LOMR (Letter of Map Revision) once the fill operation has been completed in accordance with the previously approved CLOMR. The LOMR is a form of "as-built" drawing confirming compliance with the CLOMR.

A subdivision of the existing flood plain will be performed should the potential purchaser not want to perform any fill operations. The subdivision would need to occur prior to the transfer of the remaining buildable balance to the purchaser. If filling is to occur it would be best to subdivide the property after the LOMR has been secured to create a subdivision plat that follows the exact contour level of the new floodplain boundary line. Contingencies within the sales or transfer contract can be added by the City Attorney to address either of these two scenarios.



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