

STAFF REPORT

May 22, 2003

---

**No. 03SE002 - Special Exception to the Floodplain Building District Ordinance**

**ITEM 31**

---

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	<b>No. 03SE002 - Special Exception to the Floodplain Building District Ordinance</b>
EXISTING LEGAL DESCRIPTION	Tract 8, Rapid City Greenway Tract, Section 3, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 30 acres
LOCATION	Frisbee Golf Course, 1730 32nd Street
EXISTING ZONING	Flood Hazard District
SURROUNDING ZONING	
North:	Flood Hazard District
South:	Flood Hazard District
East:	Flood Hazard District
West:	Flood Hazard District
PUBLIC UTILITIES	
DATE OF APPLICATION	04/29/2003
REPORT BY	Rich Wells

RECOMMENDATION:

Staff recommends that the Special Exception to the Floodplain Building District Ordinance be denied.

If Council chooses to grant the Special Exception, staff recommends that it be subject to the following stipulations:

1. No fill material shall be placed for construction of the course;
2. Tee boxes shall be constructed to match existing grades;
3. Poles shall be securely fastened to the concrete tee boxes.

GENERAL DESCRIPTION: The applicant proposes to construct an addition to the existing 12 hole disc golf course in Jackson Park. Like the existing disk golf course, some of the tees and holes will be located within the floodway. The applicant has indicated that the disc golf course will entail constructing a six foot by twelve foot concrete tee box for each of the twelve holes and that a five foot high pole with chains extending from the top of the pole to a basket measuring

## STAFF REPORT

May 22, 2003

---

### No. 03SE002 - Special Exception to the Floodplain Building District Ordinance

ITEM 31

---

approximately 28 inches in diameter will serve as the "hole".

On July 10, 2000, the City Council approved with stipulations a Special Exception to allow the existing disc golf course and miscellaneous park amenities at on Tract 7 and Tract 8, Rapid City Greenway Tracts (Jackson Park) which tracts are zoned Flood Hazard.

#### Staff Review:

- Rapid City Municipal Code 15.32.020 states that "The flood hazard areas of Rapid City are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare. These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazards (emphasis added) which increase flood heights and velocities and, when inadequately anchored, damages uses in other areas...."
- Rapid City Municipal Code 15.32.220 states that "...the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential..."
- In 1997 the City Council adopted a resolution which stated that "...it is the intent of the City to preclude the location of structures within the 100 year floodway to the greatest degree possible." The Council has remained consistent in requiring that all structures be located outside of the 100 year floodway.
- Rapid City Municipal Code section 15.32.240-D states that in passing upon applications for special exceptions, the council shall consider (among other factors):
  1. "The danger to health, safety, welfare and property due to increased flood heights or velocities caused by encroachments."
  5. "The importance of the services provided by the proposed facility to the community."
  7. "The availability of alternative locations not subject to flooding for the proposed use."
- Rapid City Municipal Code section 15.32.24-E-2-e states that "variances shall only be issued upon:
  - i. A showing of good and sufficient cause;
  - ii. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
  - iii. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances,..."
- Areas outside of the floodway are available for the course.