

# PIMA COUNTY REGIONAL FLOOD CONTROL DISTRICT TECHNICAL PROCEDURE

**TECHNICAL PROCEDURE: TECH-105**

**EFFECTIVE DATE: August 27, 2014**

**PROCEDURE TITLE:** Criteria for Approval of Development Without an FPUP

**PURPOSE:** An internal procedure for ensuring the use of consistent methods to determine when permit applications can be signed off by the Counter Hydrologist. This procedure establishes the appropriate method for the review and approval of permit applications.

## **PROCEDURE:**

The following activities that may be signed off over the counter only apply when all other criteria of the Ordinance have been met. The Counter Hydrologist must complete a thorough, detailed review prior to signing off on any activity. If there is any uncertainty or lack of information, the activity must be reviewed through the Floodplain Use Permit (FPUP) process. This procedure may be used only where no unusual or uncertain conditions exist. The procedure assumes that the applicant has initiated a permit with the Development Services Department (DSD) that requires District review and approval, however if no DSD permit is necessary, the procedure can still be used to determine whether an FPUP is necessary.

This procedure may only be applied when covenants and restrictions are not needed or have already been completed. Covenant only permits are discussed in Technical Procedure Tech-103.

### **1. Documents to be reviewed**

The following resources and information shall be reviewed prior to any counter sign-off:

- FIRMs and FIS (if applicable)
- GIS programs (PimaMaps, MapGuide, etc.)
- Orthophotographs
- Pictometry photographs
- Riparian Habitat maps
- Regulatory Wash GIS layers and associated Erosion Hazard Setback (EHSB)
- Discharge points (in GIS)
- Topography
- Special Studies (SS)
- Subdivision Plat, if applicable (review notes, dedications, and the map view of the parcel and surrounding area, flood limits & EHSB)
- Improvement Plans, if available (generally more detailed info than Subdivision Plat)
- Infrastructure Points (for possible discharge information)
- Review previous FPUPs/SRRs for property or in nearby area
- Review Drainage Complaints (DC) and Violations on or near the subject property, as lot splits may make drainage complaints or violations only appear to not apply to the subject property)

### **2. Counter Sign-off NOT allowed:**

A counter sign-off is approval of a Development Services Department (DSD) permit that is approved by the District without an FPUP of any kind being issued. Counter sign-off is *not allowed* under the following circumstances:

- Any activity within a floodway.

- Any activity on a property containing a regulatory floodplain for which covenants have not already been signed.
- Any activity on a property where a known or possible Ordinance violation exists (check aerial photographs for un-permitted activities)
- Any activity on a property where an Elevation Certificate for a previous FPUP has not been returned to the District, or where any other violation of a previous FPUP condition exists
- Any enclosed structure that is 200 square feet or greater in size is proposed within a regulatory floodplain
- Any wall or woven wire fence (i.e. chain link or field fence) is proposed within a regulatory floodplain (for details and exceptions, see TECH-005).
- Proposed improvements do not avoid riparian habitat when avoidance is possible.
- Proposed improvements result in a *cumulative* disturbance of more than 14,500 square feet of mapped riparian habitat. (Check for disturbance under previous FPUPS and aerial photographs to ensure that disturbance has not occurred in violation of the Ordinance.)
- Proposed improvements include construction of a structure or septic system within the Erosion Hazard Setback of a regulatory wash.
- Improvements include or require more than 14,000 square feet of grading for a vehicular access road within a regulatory floodplain between the end of the paved, publicly maintained roadway and the end of the property boundary of the property of the activity being permitted.
- Regulatory wash may pose threat to the improvement (unknown discharge, improvement on outside bend of wash, upstream berms/diversions, stock ponds or dams)
- Proposed improvement includes a driveway crossing that is not at natural grade across a regulatory wash or regulatory floodplain.
- The finished floor of a proposed structure that is immediately adjacent to a regulatory floodplain is below the RFE or has the potential to capture flood waters.
- A note on the subdivision plat places requirements that necessitate an FPUP, including erosion protection for fill pads.
- Placement or replacement of service equipment in a regulatory floodplain.
- Roof mounted solar photo-voltaic systems on non-conforming uses within a FEMA SFHA or local high hazard floodplain (see Technical Policy 032).

### **3. Counter Sign-off MAY BE allowed:**

In ALL cases where a counter sign-off is allowed, the following applies:

- A copy of the DSD permit application shall be made for the purposes of tracking counter sign-offs and tracking riparian habitat disturbance.
- Enter any necessary permit conditions and restrictions into the county permitting software (Accela) as necessary, e.g. Erosion hazard setbacks, riparian habitat notification/avoidance, etc.

#### **A. Within a Regulatory Floodplain or Riparian Habitat Area:**

Counter sign-off is allowed in any flood hazard designation, except floodways, under the following circumstances provided none of the items in Section 2 apply:

- The activity avoids the floodplain or riparian habitat.
- Swimming pools within existing, permitted walls. (Add condition to Accela that pool electrical equipment shall be elevated to the RFE.)
- Sheds or other non-habitable structures less than 200 square feet in size (Add condition to Accela that structure shall be elevated at/above the RFE or be flood-vented and flood-proofed, depending on how customer indicates the building is going to be protected from flood damage.)

- Septic system (“septic only permit”) if it is for an existing, permitted or non-conforming structure, or if it is for a future structure and it can be determined that there a suitable location for a structure in the vicinity of the proposed septic system.
- Detached open-sided structures such as ramadas, carports, or other shade structures.
- Attached open-sided additions such as covered patios within local sheetflow floodplains.
- Construction of corrals or fences where the fence is open (<10% solid), such as pipe rail, and barbed or barbless wire; and where fence posts are not placed in the channel of a regulatory wash and the fence is elevated above the channel of any wash.
- Access covenants are not required
- *Cumulative* disturbance of mapped riparian habitat limited to <14,500 square feet, and disturbance is unavoidable.
- Travel Trailer or RV.
- Solar water heaters.
- Roof mounted solar panels on conforming uses in FEMA SFHAs and local high hazard floodplains (see Technical Policy 032). Roof mounted solar panels on non-conforming uses in FEMA SFHAs require an FPUP.
- Ground mounted solar panels in local low hazard floodplains that minimize disturbance to regulated riparian habitat.

**B. Within Zone X, Regulatory Wash on Property but No Regulatory Floodplains:**

The following may be signed off provided none of the items in Section 2 apply:

- Improvements are in an area where topography or orthophotos show improvements clearly on high ground
- Improvements in an area where topography clearly indicates floodplain limits contained in wash (defined channel banks, constructed channel or bank protection present)
- All proposed structures or septic systems are outside EHSB of any regulatory wash on subject property (check MapGuide/GIS, subdivision plat, Improvement Plan or infrastructure points for possible discharge values)
- Improvements are in an area where there is no apparent flood or erosion hazard present, regular covenants not required
- Improvements are in an area where adjacent natural grade is at or above the RFE (from Flood Insurance Study, Special Study, subdivision plat, Improvement Plans) and natural grade will not be lowered.

If, upon consultation with a supervisor, it is believed that the improvement may be subject to unmapped sheet flow flooding, place condition in Accela to elevate structures 1.5 feet above highest adjacent natural grade.

APPROVED BY:



Suzanne Shields  
Director

8/27/14  
Date

Original Policy Approved:  
Date(s) Revised: