

PIMA COUNTY REGIONAL FLOOD CONTROL DISTRICT TECHNICAL PROCEDURE

POLICY NO.: Technical Procedure, TECH-115

EFFECTIVE DATE: November 2, 2009

REVISED DATE: June 21, 2010

POLICY NAME: Permitting within Regulatory Sheet Flood Areas

PURPOSE: An internal procedure for efficiently processing floodplain use permits within regulatory sheet flood areas by establishing an expedited permit process for development on properties with conventional sheet flood hazards.

BACKGROUND:

The Floodplain and Erosion Hazard Management Ordinance establishes that sheet flood areas are considered regulatory floodplains. A comprehensive study completed in 2007 identified and mapped regulatory sheet flood areas over a considerable portion of Eastern Pima County. The subsequent increase in floodplain use permit (FPUP) volume has created a greater burden on District staff. Due to the increased work load, it has become important to create a streamlined process for permitting development within sheet flood areas when only conventional issues apply. This approach is the most effective way to process the increased workload in a timely fashion while still maintaining adequate levels of protection from sheet flood hazards. The following procedure is intended to identify which projects/activities can use the streamlined approach, and establish the permitting process when used.

PROCEDURE:

A. Definitions

For the purpose of this policy, the following definitions shall be used:

FPUP - a floodplain use permit that follows the standard process and is assigned to Area Hydrologist.

Sheetflood FPUP - a permit that is completed at the front counter and issued over the counter. This type of permit does not go to an Area Hydrologist for processing. The presence of sheet flood floodplain on a property does not automatically qualify improvements for a Sheetflood FPUP.

Covenant only permit - a covenant only permit does not require the completion of any form. This permit requires all property owners to sign indemnification agreements (covenants). This permit uses Permits Plus as described in *TECH-103* with modifications allowed as described below.

B. Permit Process Modifications

In order to streamline the permitting process for development within regulatory sheet flood areas, the following modifications to the permitting process have been implemented for Sheetflood FPUPs.

- 1) Sheetflood FPUP templates have been created which contain all necessary conditions,
- 2) PermitsPlus conditions have been streamlined and simplified to speed the permit creation process.
- 3) Immediate supervisor review when available, allowing many permits to be issued while the customer waits.
- 4) In some circumstances, covenants may be returned to the District after the permit has been issued, allowing the permit to continue and construction to commence. Covenants must be returned prior to the release of holds on the project.

C. Restrictions on the use of Sheetflood FPUPs

Sheetflood FPUPs can NOT be used for the following projects:

- 1) projects in a FEMA floodplain or any floodplain other than the local sheetflood floodplain,
- 2) projects on a property with a known or suspected violation or unresolved drainage complaint,
- 3) projects on a property with unpermitted improvements that have been constructed after the effective date of the Sheetflood Special Study (August 8, 2007),
- 4) proposed walls are not in compliance with Technical Policy Tech 005,
- 5) proposed improvements to a non-conforming when the improvements are not elevated at or above the RFE (includes interior improvements),
- 6) projects on a property where the flow depth may be greater than the approximated BFE,
- 7) structures proposed within an erosion hazard area,
- 8) structures that are not aligned parallel to the direction of flow,
- 9) projects that create a cumulative disturbance of riparian habitat that is more than 1/3 acre,
- 10) projects on a property with past permits that are in archives when compliance with those permits can not be verified. Compliance verification includes ensuring that improvements have been constructed in the location and orientation authorized, permit conditions have been met, etc,
- 11) Projects that are within an area that requires an engineering analysis, such as the Brawley Wash Corridor, that pose concerns related to the protection of life and/or property or, that require a regular FPUP for other reasons.

Should the applicant modify the project to elevate additions to non-conforming structure, re-align a structure so it is parallel to flow, or relocate it so that it avoids erosion hazard areas, and avoids or minimized riparian disturbance, a Sheetflood FPUP may be processed. Staff is encouraged to discuss these options with applicant/owners.

D. Covenant Only Permits

Covenant only permits may be issued for the following projects provided none of the restrictions in Section C apply:

- 1) Wrought iron fences when enclosing a pool,
- 2) Open fences such as smooth or barbed wire,
- 3) Open sided structures (ramadas, carports, covered patios)
- 4) Septic only permit, if proposed area is suitable for structures.

Covenant Only Permits using general covenants shall be processed in accordance with *Tech-103*.

E. Projects that require signed covenants PRIOR to issuance of a Sheetflood FPUP

Covenants shall be required PRIOR to permitting the following projects:

- 1) Manufactured home replacements (without T-400 inspection),
- 2) Solid walls or fences that fall under the requirements of TECH 005,
- 3) woven wire fences such as chainlink and field fences requiring elevation of the bottom of the fence,
- 4) Other project that do not have reliable "hold" mechanisms

For projects covered by this restriction, if covenants have been completed previously for the property, and specific covenants for the new activity are not needed, the activity may be permitted. For projects without a reliable hold, either a regular FPUP is required or covenants must be signed and provided to the District **prior** to issuance of the Sheetflood FPUP. In this case, the Sheetflood FPUP should be completely prepared and kept in the ready file until the covenants are returned.

F. Projects that may use the Sheetflood FPUP process,

Sheetflood FPUPs can be issued for the following projects:

1. Projects not subject to the restrictions outlined in Section D,
2. Projects outlined in Section E after covenants have been received,
3. manufactured homes with T-400 inspection and site-built structures, whether habitable or non-habitable, that are adequately elevated or flood vented, as shown on the site plan and/or building plans.. The method of elevation shall be specified.
4. additions to non-conforming use structures for which the lowest floor of the addition and all new service equipment is elevated at or above the RFE. Do not calculate 50% rule for the elevated addition.

For projects identified in F.3 and F.4, covenants are required but may be returned after the issuance of the Sheetflood FPUP, since effective “holds” are available. If covenants are required, a hold shall be placed for the return of the covenants. The hold on covenants shall be separate from any other hold on the property in order to ensure that the covenant hold does not get inadvertently released prematurely. Both hold actions should be placed on the same condition, with notes on each detailing what each hold action is for.

If the applicant does not have the latest recorded deed, and it is not available from the Recorder’s Office website, it is acceptable to allow the applicant to provide the latest recorded deed after the issuance of the Sheetflood FPUP as long as there is an effective hold to ensure that covenants are completed prior to the release of the hold. Make sure the applicant is aware that, prior to the release of the hold, he/she must provide us the latest recorded deed, we must prepare the covenant, and the covenant must be signed and notarized.

Table 115-A – Quick reference guide relating commonly seen activities and permit types

Covenant Permit	Sheetflood FPUP	FPUP
Wrought Iron fence for pool	SFR	Riparian habitat not avoided
Open fences (barbed wire)	Manufactured Home w/T400	Riparian disturbance >1/3 acre
Open-sided structures (with general covenants)	MH Replacement (with completed covenants)	Any building without covenants completed or hold in place
Septic only (if in a location where a structure would be permissible)	Walls in conformance with TECH 005 (with completed specific covenants)	Non-elevated additions/improvements to non-conforming use
Wells	Elevated fence (with completed specific covenants)	FEMA and all other floodplains or BFE underestimates hazard
	Non-habitable structure	Structure within EHSB
	Elevated additions	Hazardous conditions
		Violations and/or Drainage Complaints on property

G. Sheetflood FPUP Processing Steps

After determining that a Sheetflood FPUP is allowed, please follow the following steps:

- 1) Ensure site plan describes method of elevation, shows correct orientation and elevation, and avoids riparian and erosion hazard areas. If any changes are required to the site plan, have the applicant make those changes.
- 2) Open the correct permit template for the activity and complete the form, including filling in all permit condition variables.
- 3) Enter conditions and appropriate holds into Permits Plus
- 4) Create general, specific and/or access covenants, as necessary
- 5) Create Elevation Certificate, as necessary
- 6) Take permit file with the items above to a designated reviewer, (Senior Civil Engineering Assistant, Senior Hydrologist, Principal Hydrologist, Civil Engineering Manager or Division Manager) for review and approval of the permit conditions, Permits Plus entry, completion of covenants and Elevation Certificates. (A designated reviewer may both prepare and review/approve the same permit, but it is recommended that a second person be involved to reduce errors.)
- 7) Finalize the Sheetflood FPUP by placing conditions on site plans and/or building plans, preparing foundation detail sheets, making photocopies of documents, and updating the workflow in Permits Plus.
- 8) If all necessary covenants are completed and there are no other outstanding issues preventing issuance, issue the permit. Otherwise, place the prepared, approved Sheetflood FPUP in the ready file, to be issued once the applicant provides any necessary documents or corrections to the District. If the FPUP is not being issued immediately, a photocopy of the FPUP must be given to Administrative Staff to enter the FPUP into the database.

H. Sheetflood FPUP Templates and Composite Permit Plus conditions

To reduce the amount of time necessary to process Sheetflood FPUPs at the counter, 12 Sheetflood FPUP templates have been created for the eight primary activities. Each template will have a single corresponding Permits Plus condition that is a composite of all conditions required for that permit type. Each permit type will have certain variables that need to be entered into the conditions, such as wash setback distance, toe-down depth for erosion protection, DSD Activity Permit Number, site plan date, etc. The Permits Plus condition must be modified for each variable (see below for more information about Permits Plus requirements). The Sheetflood FPUP forms will be pre-completed except for the variables, which must be hand-written on the form by the counter hydrologist. Each Sheetflood FPUP form will be located in a separate folder in the ready file area, so it will be necessary to determine what activity is being permitted before choosing the right form for that activity. In the case of structures, that means the method of elevation or floodproofing must be determined prior to choosing a form.

The templates are:

- Manufactured Home with T400 on built-up piers with no skirting or break-away skirting (FC0900)
- Manufactured Home with T400 on built-up piers with non-break-away skirting (FC0901)
- Manufactured Home with T400 on stem wall (FC0902)
- Manufactured Home with T400 elevated on a dumped rip-rap fill pad (FC0903)
- Manufactured Home with T400 elevated on a grouted rip-rap fill pad (FC0904)
- Site-built structure elevated on a stem wall (FC0910)
- Site-built structure elevated on a dumped rip-rap fill pad (FC0911)
- Site-built structure elevated on an grouted rip-rap fill pad (FC0912)
- Non-habitable structure usable for parking or storage that is vented and floodproofed (FC0915)
- Addition to non-conforming use, provided the addition is elevated at or above the RFE (FC0920)
- Solid walls/fences in compliance with Tech 005 for which covenants are signed for the property prior to issuance (FC0930)
- Chain link, field fence, or open-type fence for which covenants are signed for the property prior to issuance (FC0935)

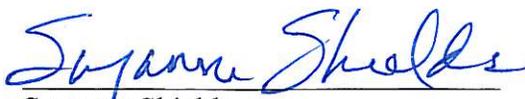
In Permits Plus, make sure to fill in all of the blanks on the condition. If only one hold is required, place it on the master condition. If multiple holds are necessary, place the covenant hold (if applicable) on the master condition and add appropriate Elevation Certificate conditions to Permits Plus and place appropriate holds on those conditions. For example, a detached garage that is elevated at or above the RFE would use Permits Plus Conditions FC0915, FC0300 and FC0310, with a covenant hold on FC0915 (if applicable), a P2S hold on FC0300 and a P2F hold on FC0310.

For each hold, note what the hold is for in the comments section for the hold. Something as simple as "For covenants" or "For Finished Construction Elevation Certificate," etc. will suffice in most cases.

Blank Sheetflood FPUP forms will be available for circumstances not covered by the templates, as deemed appropriate by senior FPM Division staff to be permittable as a Sheetflood FPUP.

Upon issuance, the FPUP permit status shall be ISSU-NF until such time as the Elevation Certificate(s) and/or Covenant(s) are returned, if applicable.

APPROVED BY:

 6/25/2010
Suzanne Shields
Director

Date

Original Policy Approved:
Date(s) Revised: