

## **FLOODPLAIN AND EROSION HAZARD MANAGEMENT ORDINANCE REVISIONS INFORMATION SHEET**

The Arizona Revised Statutes provides authority to flood control districts to enact and enforce floodplain regulations. The adoption and enforcement of these regulations is mandatory for communities wishing to participate in the National Flood Insurance Program (NFIP). Residents and property owners may obtain flood insurance only if the community implements a responsible floodplain management program.

Pursuant to this authority, the Pima County Regional Flood Control District (District) currently enforces the Floodplain and Erosion Hazard Management Ordinance No. 2005-FC2 (Ordinance). The purpose of this Ordinance is to promote public safety and minimize the potential for flood and erosion damage for developments that are impacted by the 100-year or base flood.

Floodplain management and flood control improvements increase public safety, reduce flood and erosion hazards, and protect public and private property. For example, the July 31, 2006 flood on the Rillito Creek was measured by the U.S. Geological Survey to be 39,000 cubic feet per second (cfs), which was greater than the flood of 1983 (29,700 cfs). FEMA established that there was a 100-year discharge (32,000 cfs), yet the flood damages along the Rillito were minimal because of structural improvements and floodplain management.

As Pima County continues to grow and in response to changes in the NFIP, it is necessary for the District to periodically update its Ordinance so that the language remains clear to the public and relevant to the goals of responsible floodplain management. The proposed revisions to the Ordinance will further ensure that development within floodplains does not adversely impact adjacent properties, minimizes the disturbance of regulated riparian habitat, establishes erosion protection guidelines, and improves compliance enforcement.

The District is proposing the following Ordinance revisions to clarify and enhance floodplain requirements:

**16.08.150 Cumulative Substantial Improvement** – Cumulative improvements will apply through the life of the structure as opposed to just the last 5 years

**16.08.350 Floodway area** – Expanded to include some of the conclusions drawn as result of the appeal of the Chief Engineer's decision by the Campbell Wash Coalition

**16.08.770 Written Finding by Chief Engineer** – Adds a section to define written finding in order to provide clarity as to what decisions are subject to appeal to the Floodplain Board of Directors.

**16.12.050 Improvements to Non-conforming Uses** – Adds standards to ensure that improvements do not increase the flood damage potential of a non-conforming use.

**16.16.070 Floodplain – New delineations required when** – Adds requirement for District approval and submittal to FEMA of Conditional Letter of Map Revision (CLOMR) prior to recording of final plat, and District approval and submittal to FEMA of Letter of Map Revision (LOMR) prior to Release of Assurances or Certificate of Occupancy.

**16.20.015 Floodplain Use Permit – Exemptions** – Adds a section clarifying that improvements that do not require a permit are NOT exempt from the standards.

**16.20.070 Certification of Elevation** – Expands requirements to conform to FEMA requirements.

**16.26.050 Structures, Construction restrictions** – Clarifies when to apply the safety factor (depth times the square of the flow velocity, or  $DV^2$ ) restriction.

**16.26.055 Critical Facilities** – Adds new provision that defines a critical facility and requires protection from the 500-year flood.

**16.34.030 Manufactured Homes- Location and placement conditions** – Added language that allows for the development of construction standards for piers, stem walls, and fill pads.

**16.36.030 Grading, stormwater and drainage improvements** – Requires the delineation of maximum encroachment limits so that developable portions of property can be disclosed during the platting process. This is intended to reduce the cost of engineer services for individual property owners.

**16.36.030 Grading, stormwater and drainage improvements** – New language that establishes timeframes for completion of subdivision drainage improvements. (E.g. basins to offset increased impervious area prior to building permits)

**16.36.030 Grading, stormwater and drainage improvements** – New language to emphasize adherence to Clean Water Act requirements.

**Chapter 16.38 Maintenance of Private Drainage Improvements** – Expands the requirement to maintain drainage improvements from FEMA floodplains to all floodplains.

**Chapter 16.56. Appeals and Variances** – Significant process revisions to clarify hearings associated with appeals and variance versus those associated with violations.

**Chapter 16.64 Violations--Penalty** – New language defining the role of a hearing officer and significant rewrite associated with new compliance enforcement authority provided by statute.

The proposed Ordinance revisions can be found in their entirety at: [www.rfcd.pima.gov](http://www.rfcd.pima.gov). In addition, you may obtain information to determine if a property is located within a floodplain area, how to obtain a Floodplain Use Permit, information regarding flood insurance, some do's and don'ts in floodplain areas and much more.

If you have questions about the Ordinance revisions, please contact Eric Shepp, manager of the Floodplain Management Division at 243-1800.

If you have questions or would like more information about floodplains or floodplain requirements, the District has two customer service counter located at:

**97 East Congress**, 3rd Floor  
Tucson, AZ 85701  
(northeast corner of Congress and Scott, 1 block east of Stone)

Public Works Building  
**201 N. Stone Avenue**, Basement Conference Room B  
(northwest corner of Stone and Alameda)