

COB - BOSAIR FORM

02/04/2026 11:26 AM (MST)

Submitted by Michael.LeBlanc@pima.gov (Michael.Leblanc@pima.gov)



BOARD OF SUPERVISORS AGENDA ITEM REPORT (BOSAIR)

All fields are required. Enter N/A if not applicable. For number fields, enter 0 if not applicable.

Award Type:	Agenda Item
Is a Board Meeting Date Requested?	Yes
Requested Board Meeting Date:	02/17/2026
Project Title / Description:	Hearing - Rulemaking Enactment of Pima County Flood Control District Technical Policy 001 and Technical Policy 002

Agenda Item Report

Introduction / Background:	The Pima County Flood Control District request the Board to adopt Technical Policy 001 Acceptable Methods To Demonstrate No-Rise in the Base Flood Elevation and Technical Policy 002 Allowable Methods of Post-Construction Flood Protection for Structures.
Discussion:	Section 16.24.020(C) of the Floodplain Management Ordinance of the Pima County Code prohibits uses in a federal and local regulatory floodway which "increase the base flood elevations, as certified by an Arizona registered civil engineer." This prohibition is referred to as the no-rise criteria. The proposed Technical Policy 001 recognizes that certain uses have a negligible impact on base flood elevations and to establish acceptable methods for property owners to comply with the no-rise criteria when a project is proposed in a regulatory floodway. The Floodplain Management Ordinance requires the lowest floor of new or substantially improved habitable (or residential) structures to be elevated to or above the regulatory flood elevation. The proposed Technical Policy 002 establishes guidance on methods that a property owner can employ to provide flood protection to existing structures with a lowest flood below the regulatory flood elevation.
Conclusion:	The adoption of Technical Policy 001 will provide methods for complying with the no-rise criteria into a single policy will facilitate the ability for affected property owners to determine the best course of action for their particular circumstance. The adoption of Technical Policy 002 will provide a consistent application of the lowest floor requirement with the aim of helping property owners correct violations or modify legal, nonconforming structures.
Recommendation:	The Pima County Flood Control District recommends adoption of Technical Policy 001 and Technical Policy 002.
Fiscal Impact:	None

Support of Prosperity Initiative: C-S 2. Address Climate Resilience and Environmental Justice

Provide information that explains how this activity supports the selected Prosperity Initiative

The technical policies will lessen the regulatory burden for property owners facing flood risks that are exacerbated by climate change.

Board of Supervisor District:

- 1
- 2
- 3
- 4
- 5

Department: Pima County Flood Control District

Name: Michael LeBlanc

Telephone: 5207244618

Department Director Signature:  Date: 2/4/2026

Deputy County Administrator Signature:  Date: 2/5/2026

County Administrator Signature:  Date: 2/5/2026



Powered by Column

Search

flood control

Date

01/01/2026

02/01/2026

Notice Type

Select notice type

Reset

Search

CONTACT US:

2302 E. Speedway Blvd Suite 206
Tucson, AZ 85719

P: 520-294-1200

E: legals@dailyterritorial.com

HOURS: Monday – Friday: 9 am – 5 pm

When Arizona became a state, Legislators understood that in the United States, each of us has a right to information about government and about other activities that touch our lives. This information is disseminated through what are known collectively as Public Notices. Today, The Daily Territorial is the official newspaper for Pima County government public notices. These notices are legally required for publication. We also publish public notices for individuals, municipalities, and courts within the county, including Tucson, Marana, and Oro Valley. The Daily Territorial also features general news and information, as well as public records, or listings of information taken from documents and files that are open and available to any member of the community.

Click Here to Subscribe & Learn More about The Daily Territorial

Showing 3 results

DAILY TERRITORIAL (TUCSON)



Public Hearings

Pima County Flood Control Hearing on New Technical Policies and Ordinance Amendment Scheduled Meeting of the Pima County Board of Directors. This is a notice that the Board will hold a public hearing on Tuesday February 17, 2026 at 9:00AM at the Pima County Administrative Building - East. Board of Supervisors Hearing Room. 130 W. Congress St. 1st Floo

PIMA COUNTY, ARIZONA

2026-01-16

DAILY TERRITORIAL (TUCSON)



Trustee Sale

RECODER OF PIMA COUNTY ARIZONA IN DO.....-0060460, OF OFFICIAL RECORDS. EXCEPTING THEREFROM ANY PORTION THEREOF CONVEYED TO THE PIMA COUNTY FLOOD CONTROL DISTRICT BY SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NUMBER 2017-2120798. OF OFFICIAL RECORDS. COUNTY ASSESSOR'S TAX PARC

PIMA COUNTY, ARIZONA

2026-01-12

Load More

Public Hearings

Published in Daily Territorial (Tucson) on January 16, 2026

Location

Pima County, Arizona

Notice Text

Pima County Flood Control Hearing on New Technical Policies and Ordinance Amendment

Scheduled Meeting of the Pima County Board of Directors. This is a notice that the Board will hold a public hearing on **Tuesday February 17, 2026 at 9:00AM** at the Pima County Administrative Building - East, Board of Supervisors Hearing Room, 130 W. Congress St., 1st Floor, Tucson AZ 85701, regarding: enactment of Technical Policy 001 and amendment to Floodplain Management Ordinance 16.24.030 to authorize acceptable methods for complying with federal floodplain no-rise criteria; and 2) enactment of Technical Policy 002 to establish acceptable methods for providing flood protection for non-compliant structures. Drafts of the proposed policies and amendment are available on the Pima County website: <https://www.pima.gov/2885/Flood-Control-Newsroom>

Information and an agenda for the meeting will be posted on the Pima County Clerk of the Board website at:

<https://www.pima.gov/2312/Clerk-of-the-Board>

During the meeting the Board will hold the hearing and may approve or deny the proposed policies and amendment or the Board may continue the hearing to a future date. Written support or protest may be submitted to the Pima County Flood Control District, 201 N. Stone Avenue, 9th Floor, Tucson AZ 85701 or RFCDD@pima.gov If you wish to attend and speak at the Board hearing, you may do so under the guidelines for speaking that are implemented by the Clerk of the Board. The Board of Supervisors Hearing Room at 130 W Congress is wheelchair accessible. If you plan to attend and request accommodation, contact the Clerk of the Board at 520-724-8449 at least three business days prior to the Board Meeting.

Publish: The Daily Territorial

Date: January 16, 2026

DTTO12314

Share

Copy Link

DATE: February 3, 2026

TO: The Honorable Chair and Members
Flood Control District Board of Directors

FROM: Eric Shepp, P.E.
Director

**SUBJECT: Proposed Adoption of Flood Control District Technical Policies 001 and 002 and
Amendment to Chapter 16.24 of the Floodplain Management Ordinance**

The Pima County Regional Flood Control District (District) respectfully requests that the Pima County Board of Supervisors sitting as the Flood Control District Board of Directors (Board) approve the new Technical Policy 001 (Tech-001) and Technical Policy 002 (Tech-002) and amendments to Chapter 16.24 of the Floodplain Management Ordinance (Ordinance).

The Flood Control District Advisory Committee reviewed the new Technical Policies, provided meaningful input, and voted unanimously to recommend the changes to the Ordinance to the Board for approval. The District also engaged directly with the Southern Arizona Home Builders Association and its members, as well as with staff at the Arizona Department of Water Resources. Both organizations are satisfied with the intent and language of the policies and understand that their purpose is to better inform the public on options that are available to them in order to comply with specific provisions of the Ordinance that occasionally arise.

Prior to placement of the proposed policies and the amendment on the Board's agenda, the District held a 30-day public comment period and a public meeting on January 16, 2026. A Public Notice of the Board's hearing was published on January 16, 2026. No comments were received during either the comment period or the public meeting.

Tech-001 – Acceptable Methods to Demonstrate No-Rise in the Base Flood Elevation & Floodplain Management Ordinance Chapter 16.24 Floodway Requirements

The District proposes to adopt new Tech-001 to establish acceptable methods for property owners and developers to comply with the "no-rise" criteria, as prescribed in the National Flood Insurance Program, when development is proposed in regulatory floodway. Under the federal regulations, development in a regulatory floodway is allowed only if it can be shown that the development "would not result in any increase in flood levels within the community during the occurrence of the base flood discharge." 44 C.F.R. § 60.3(d)(3). Section 16.24.020(C) of the Ordinance prohibits uses in a federal and local regulatory floodway which "increase the base flood elevations, as certified by an Arizona registered civil engineer."

This proposed technical policy recognizes certain uses have a negligible impact on base flood elevations and are not subject to the no-rise criteria. The policy also lists different methods that property owners and developers may apply to demonstrate a proposed project will satisfy the no-rise criteria. The compilation of these methods into a single policy will facilitate the ability for affected property owners to determine their best course of action for their particular circumstance.

The Honorable Chair and Members, Flood Control District Board of Directors

**Proposed Adoption of Flood Control District Technical Policies 001 and 002 and Amendment to
Chapter 16.24 of the Floodplain Management Ordinance**

February 3, 2026

Page 2

Among methods to allow development in a regulatory floodway to occur is to incorporate permanent features into a project which will compensate for the loss of conveyance of floodwaters. This compliance method is currently not specifically addressed in the Ordinance and, as such, the District also proposes an amendment to Chapter 16.24 that will provide this specificity. The District recommends that the Board adopt the amendments to Chapter 16.24 and Technical Policy Tech-001 together.

Tech-002 – Allowable Methods of Post-Construction Flood Protection for Structures

The Ordinance requires the lowest floor of new or substantially improved habitable (or residential) structures to be elevated to or above the regulatory flood elevation (RFE). Property owners can generally meet this requirement by constructing the structure on fill, posts, walls, or crawlspaces. Structures that are used exclusively for limited storage or parking may either be elevated above the RFE or, if not elevated, the structures may be floodproofed. However, there are existing structures within regulatory floodplains with finished floors below the RFE. These structures were either built without permits, not in compliance with an approved permit condition, or were built in compliance with an approved permit but are nonconforming due to changes in floodplain conditions.

The District proposes new Tech-002 to establish guidance on methods that a property owner can employ to provide flood protection to existing structures with a lowest floor below the RFE. The new policy is not a new regulation and is intended to establish a consistent application of the lowest floor requirement with the aim of helping property owners correct violations or modify legal, nonconforming structures.

Please reach out to me if you have any questions or concerns.

ES/tj

c: Jan Lesher, County Administrator
Carmine DeBonis, Jr., Deputy County Administrator for Public Works

ORDINANCE 2026 – FC_____

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE PIMA COUNTY FLOOD CONTROL DISTRICT ADOPTING TECHNICAL POLICY 001 ACCEPTABLE METHODS TO DEMONSTRATE NO-RISE IN THE BASE FLOOD ELEVATION AND TECHNICAL POLICY 002 ALLOWABLE METHODS OF POST-CONSTRUCTION FLOOD PROTECTION FOR STRUCTURES

THE BOARD OF DIRECTORS OF THE PIMA COUNTY FLOOD CONTROL DISTRICT, ARIZONA FINDS THAT:

1. Section 16.24.020(C) of the Floodplain Management Ordinance of the Pima County Code prohibits uses in a federal and local regulatory floodway which “increase the base flood elevations, as certified by an Arizona registered civil engineer.” This prohibition is referred to as the no-rise criteria;
2. The adoption of Technical Policy 001 is necessary to recognize that certain uses have a negligible impact on base flood elevations and to establish acceptable methods for property owners to comply with the no-rise criteria when a project is proposed in a regulatory floodway.
3. The compilation of these methods for complying with the no-rise criteria into a single policy will facilitate the ability for affected property owners to determine the best course of action for their particular circumstance;
4. The Floodplain Management Ordinance requires the lowest floor of new or substantially improved habitable (or residential) structures to be elevated to or above the regulatory flood elevation;
5. The adoption of Technical Policy 002 is necessary to establish guidance on methods that a property owner can employ to provide flood protection to existing structures with a lowest floor below the regulatory flood elevation;
6. The adoption of Technical Policy 002 will provide a consistent application of the lowest floor requirement with the aim of helping property owners correct violations or modify legal, nonconforming structures;
7. This ordinance does not create new restrictions on the use of property, and this ordinance is not intended to, nor should it be construed to reduce any existing rights to use, divide, sell, or possess private real property

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE PIMA COUNTY FLOOD CONTROL DISTRICT AS FOLLOWS:

SECTION 1. Technical Policy 001 is enacted as provided in Exhibit A to this Ordinance.

SECTION 2. Technical Policy 002 is enacted as provided in Exhibit B to this Ordinance.

SECTION 3. This Ordinance is effective 30 days from the date of adoption of this Ordinance.

PASSED AND ADOPTED by the Board of Directors, Pima County, Arizona, on February 17, 2026.

ATTEST:

Jennifer Allen, Chair
Pima County Board of Directors



Melissa Manriquez, Clerk of the Board

Eric Shepp, Director and Chief Engineer
Pima County Flood Control District

APPROVED AS TO FORM:


Bobby Yu, Deputy County Attorney

Exhibit A

PIMA COUNTY REGIONAL FLOOD CONTROL DISTRICT TECHNICAL POLICY

POLICY NO.: Technical Policy, TECH-001

EFFECTIVE DATE:

POLICY NAME: Acceptable Methods to Demonstrate No-rise in the Base Flood Elevation

PURPOSE: To provide guidance regarding acceptable methods to demonstrate when a proposed use or development meets the federal requirements under Code of Federal Regulations (CFR) Title 44 Section 60.3 (No-rise Criteria) and the Pima County Floodplain Management Ordinance (Ordinance). This document does not discuss methods of delineating a floodway.

BACKGROUND: Title 44, Part 60, Section 60.3(d)(3) of the CFR requires a participating community to administer floodways in a manner that:

“Prohibit(s) encroachments, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge”

This requirement from the CFR is known as the “No-rise Criteria.”

The Ordinance reinforces the FEMA no-rise criteria under 16.24.020:

16.24.020 Prohibited uses in a floodway.

No use shall be allowed which:

C. Increases the base flood elevations, as certified by an Arizona registered civil engineer.

In addition, the District has an interest in ensuring that all levee and constructed channel freeboard requirements remain met.

POLICY:

I. Applicability

1. Within unincorporated Pima County, regulatory floodways include those designated by FEMA on Flood Insurance Rate Maps and locally designated floodways as defined in the Ordinance,
2. Within a regulatory floodplain that may impact the freeboard of flood control infrastructure,
3. Development that is not prohibited within a floodway under 16.24.020, particularly but not exclusively 16.24.050.f, which prohibits fill, structures or storage of materials for a period of greater than 180 days. Replacement of a structure other than a legal non-conforming use as

provided in Technical Procedure 108 in a floodway is considered new construction and as such would be prohibited under 16.24.020, regardless of the no-rise criteria.

II. Minor Projects

1. FEMA Publication 480 recognizes that certain projects are too small to warrant an engineering study and associated certification of no-rise. Per FEMA 480, the following uses in the floodway cause a *de minimis* impact to base flood elevations and, therefore, are not subject to this policy:
 - a. Single or isolated vertical post such as a power or telephone pole, a sign post, guy wire, or fence post. This does not include a pier supporting a structure.
 - b. Stranded wire fence with no more than four strands of wire that is parallel to flow or designed to lay down during the base flood.
 - c. Pavement nominally at-grade such as a driveway or parking lot, without any filling.
 - d. At-grade crossings of a regulatory wash, provided the crossing is constructed in accordance with Technical Policy 027, Figure 027-A or 027-B.
 - e. Development that is entirely below grade and buried below maximum anticipated scour depth.
 - f. Excavation required to create compensatory features designed to offset encroachments per section III.3.f.

III. Requirements for Development and Demonstration of No-rise

1. Regulatory floodways typically contain the highest flow concentration, and therefore the highest flow velocities and depths. Levees and constructed channels are designed to protect low-lying areas and often have freeboard requirements. The applicant must first strive to relocate the development out of the regulatory floodway or the portion of the floodplain that would impact the performance of any infrastructure with a freeboard requirement.
2. If other alternatives are not feasible, and development must occur within the regulatory floodway or in the portion of the floodplain that could impact the freeboard requirements of flood control infrastructure, it must meet the No-rise Criteria. FEMA guidance states that the No-rise Criteria means absolute zero rise in the base flood elevation (BFE) due to the new development. This demonstration must be documented in a drainage report, sealed by an Arizona-registered Civil Engineer, which is submitted to the District for review and approval. This approved drainage report serves as the No-rise Certificate, and a copy is to be maintained in perpetuity by the District.
3. The following methods are acceptable to demonstrate that the No-rise Criteria is met:
 - a. Development is considered to be a minor project per section II above.

- b. Placement of new development wholly within the upstream or downstream flow shadow (also referred to as conveyance shadow) of an existing, permitted or grandfathered structure, or natural flow obstruction.
- c. Placement of new development within an area which is demonstrated to be naturally dry without the use of fill or other ground modifications, during the passage of the base flood. Acceptable methods to demonstrate that ground is naturally above the base flood includes the submittal of sealed survey data.
- d. Replacement of an existing development with new development which is contained within the footprint of the existing permitted or legal, nonconforming use development;
- e. Removal of an existing conforming use (permitted or grandfathered development) that offsets the encroachment from new development. The new development must be development that is not otherwise prohibited in a floodway. The new and removed development must be in the immediate vicinity of each other, subject to approval of the Chief Engineer.
- f. Incorporation of permanent features into the project which compensate for loss of conveyance and meet the requirements of Ordinance § 16.24.030.
- g. Hydraulic models of the floodplain to compare pre- and post-project BFEs and floodway profiles (if applicable). Modeling must account for debris loading.
 - i. Models must account for backwater effects and must evaluate energy losses due to changes in velocity head
 - ii. Modeling must use District accepted methodologies and follow accepted engineering practice and modeling guidelines for the selected modeling software package; and
 - iii. Progression of modeling effort shall include:
 - 1. Obtain a copy of the current model which is the basis for the effective profile and floodway designation;
 - 2. Reproduce the results of the effective profile and floodway designation using the latest version of the selected modeling software package (called Duplicative Effective Model);
 - 3. Correct all technical modeling errors and add to the model all changes that occurred prior to the date of the effective model (Corrected Effective Model);
 - 4. To the Corrected Effective Model, add all changes to the conveyance which have occurred since the date of the effective model, to include additional cross sections necessary to properly model the proposed project. These additional cross sections will be based on recent survey and will show pre-project floodplain conditions (called Existing Conditions Model);

5. Modify the Existing Conditions Model to show the effective profile and floodway designation under proposed development (called the Proposed Conditions Model);
6. Modify the configuration of the proposed development to show zero (i.e., 0.00 ft) increase in both the profile and BFE at any location beyond the immediate vicinity of the proposed development.

APPROVED BY:

Eric Shepp, P.E.
Director and Chief Engineer

Date

Original Policy Approved:
Date(s) Revised:

REFERENCES

Guidance for Flood Risk Analysis and Mapping, Floodway Analysis and Mapping, FEMA Guidance Document #79, November 2019

Exhibit B

PIMA COUNTY REGIONAL FLOOD CONTROL DISTRICT TECHNICAL POLICY

POLICY NO.: Technical Policy, TECH-002

EFFECTIVE DATE:

POLICY NAME: Allowable Methods of Post-Construction Flood Protection for Structures

PURPOSE: To document acceptable methods of providing flood protection for non-compliant structures with a lowest floor located below the Regulatory Flood Elevation (RFE). This policy does not discuss foundation erosion protection, which may also be required; refer to Technical Policy 014 Erosion Protection of Stem Walls, or Technical Policy 006 Erosion Protection of Fill Pads. This policy also does not apply to manufactured housing (MH), since MH flood protection will be accomplished by raising the bottom of the structural frame to or above the RFE using standard MH installation details. Refer to Technical Policy 003 – MH Construction Policy.

BACKGROUND:

There are several scenarios through which a structure might have a lowest floor that is not elevated at or above the RFE:

1. **A habitable structure was constructed or is under construction in a floodplain either;**
 - a. **without an approved Floodplain Use Permit (FPUP)**
 - b. **incorrectly constructed below the required elevation,**
 - c. **at a different location than permitted, resulting in the structure being located wholly or partially within a flood hazard area or in a higher flood hazard area than the approved location. or**
 - d. **a non-habitable structure converted into a habitable structure without an approved FPUP.**

In scenario 1, the structure is considered a violation and the structure or property must be modified in order to achieve compliance with the Ordinance per the options provided in Sections I or III.

2. **A habitable or non-habitable structure was constructed in compliance at the time of construction, including structures constructed prior to floodplain regulations or floodplain mapping, but is no longer compliant due to either;**
 - a. **new floodplain mapping identified at the building location, or**
 - b. **an increase in the RFE within a mapped floodplain at the building location.**

In scenario 2, the structure is considered a legal non-conforming use and no modification is required since the structure is grandfathered. The owner(s) may desire to mitigate the flood risk to their structure by following this policy. Since compliance is not mandated, there are options

available in this scenario that are not available in the other scenarios in which compliance is required.

3. A structure used exclusively for limited storage or parking was constructed that has a lowest floor elevation below the RFE.

In scenario 3, the structure will either need to be floodproofed or elevated. This Policy outlines acceptable methods of providing flood protection to these structures. There are options available in this scenario that are not available for habitable structures.

POLICY:

This policy refers to structures as either habitable or non-habitable. Habitable structures are those that are used for any use other than limited storage and parking. Non-habitable structures are those that are used exclusively for limited storage and parking.

This Policy is intended primarily to address issues related to structures with a lowest floor elevation below the RFE, possibly to achieve compliance for a structure. There may be other factors in addition to the aforementioned issue that must be addressed to achieve compliance. For example, depending on the method chosen above and case specific details, it may also be necessary to protect the foundation of the structure from scour and/or lateral migration of a regulatory watercourse. The specifics of these other requirements are not covered by this Technical Policy.

I. Habitable Structure Not Elevated in Compliance

FEMA regulations prohibit wet- or dry-floodproofing a habitable structure. Therefore, the following methods of achieving compliance are acceptable for a constructed or under construction non-compliant habitable structure:

- A. Relocate the structure out of the floodplain.
- B. Raise the lowest floor to or above the RFE. This can be accomplished by either raising the existing structure in its entirety, increasing the floor height by adding concrete or constructing a new floor with a crawl space that meets all requirements for a structure constructed on a crawl space foundation per Technical Policy 022. This also requires the use of only floodproof materials below the RFE per Technical Policy 021.
- C. Construct channel modifications designed to reduce the RFE below the lowest floor.
- D. Construct channel modifications designed to remove the structure from the floodplain:
 1. if the structure is on a stem wall foundation or piers, the modified floodplain must not touch the foundation of the structure;
 2. if the structure is on a fill pad,

- a. the Base Flood Elevation (BFE) of the modified floodplain must be below the elevation of the top of the fill pad at a minimum distance of 10 ft min beyond the exterior walls of the structure, the top of the fill pad must slope 2% (min) away from the foundation for drainage and the FFE must be at or above the RFE; or
- b. If good pre-project topography is available, it may be used to propose channel modifications to remove the footprint of the structure from the pre-project floodplain.

E. Channel modifications via I.C. or I.D. above are subject to the following requirements.

1. Modified FEMA Special Flood Hazard Area floodplain limits require a Letter of Map Change to be submitted to and approved by FEMA.
2. Modified local floodplain limits due to channel modifications must be memorialized by altering the floodplain map. If the local floodplain is shown on a plat, a plat-change covenant is required.
3. Channel modifications cannot shift flows onto adjacent parcels, nor cause adverse impact on adjacent parcels.
4. Channel modifications must be documented in a drainage report and design plans sealed by an Arizona registered civil engineer which is submitted to the District for review and approval.
5. Channel modifications must be placed within a private drainage easement.
6. Owner must sign covenants accepting responsibility for maintenance of the private drainage improvements.
7. Channel modifications require a sealed as-built certification by the engineer of record.

F. Some combination of the methods in I.B. and I.C.

G. Change the use of the structure to be solely for limited parking and storage and make all necessary alterations to the structure to achieve compliance for this type of structure, such as floodproof materials up to the RFE and meet applicable flood opening requirements in the walls of the structure. See Section III.

II. Non-conforming Habitable Structure not Elevated per Current Regulations

The following additional methods are acceptable for protecting a non-conforming use structure which was built with a permit, but now is in a flood hazard area or is in an increased flood hazard area. Note that although the methods below may reduce or eliminate the flood hazard from the structure, the implementation of these methods does not alter the non-conforming status of the structure. Non-conforming use requirements still apply with respect to improvements or damages caused by any origin to the structure. The methods below may not be used when the non-conforming use rules require the structure to be brought into full compliance. Similarly, the methods below cannot be used when a non-habitable structure is converted into a habitable structure. The acceptable methods are:

- A. Any method provided in Section I.

B. Construction of any combination of earthen berm or levee, flood wall, swale or channel modification to reduce the structures flood risk.

1. The degree of protection provided is not proscribed by the District and does not necessarily have to protect the structure from the 1% annual chance (100-year) flood.
2. An analysis by an Arizona registered civil engineer (Report) may be required to demonstrate what level of protection the improvements provide and that any drainage modifications will not cause an adverse impact to adjacent parcels.
3. If a Report is required by the District, the construction shall require a sealed as-built certification by the engineer of record.

III. Non-habitable Structure Not Built in Compliance

The following methods of flood protection are acceptable for a structure constructed with or without a permit which is used for solely for limited storage or parking that has the lowest floor below the RFE. If the use of the structure includes anything other than limited storage and parking the policy guidelines presented above under Section I apply.

- A. The structure can be made compliant using one of the methods in Section I above.
- B. The structure can be made compliant by wet floodproofing the structure in accordance with the Technical Policies below;
 1. Technical Policy 021 Use of Flood Resistant Materials Below the RFE
 2. Technical Policy 022 Use of Flood Openings Below the RFE
 3. Technical Policy 023 Allowable Uses of Structures with Flood Openings
- C. The structure can be made compliant by dry floodproofing the structure per FEMA Technical Bulletin TB-3. This method requires a report and design sealed by an Arizona registered civil engineer, an operations and maintenance plan and covenants running with the land indicating that the structure is dry floodproofed and detailing the requirement to inspect, maintain, and properly operate the dry floodproofing methods used.

APPROVED BY:

Eric Shepp, P.E.
Director
Chief Engineer

Date

Original Policy Approved:

Date(s) Revised:

12/15/2018