

COB - BOSAIR FORM

02/04/2026 11:27 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 - Code Text Amendment

Agenda Item Report

Introduction / Background:	The Pima County Flood Control District requests approval of the proposed amendment to Chapter 16.24 (Floodway Requirements) of the Floodplain Management Ordinance.
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 District recognizes that property owners may demonstrate a proposed project will satisfy the no-rise criteria by incorporating permanent features into the project which will compensate for the loss of conveyance of floodwaters. This method of demonstration is not specifically authorized by the Ordinance. The proposed amendment will allow property owners to demonstrate compliance with the no-rise criteria by incorporating permanent features into a project which will compensate for the loss of conveyance of floodwaters
Conclusion:	To reduce the regulatory burden on property owners, the proposed amendment to the ordinance will allow property owners to demonstrate compliance with the no-rise criteria by incorporating permanent features into a project which will compensate for the loss of conveyance of floodwaters.
Recommendation:	The Pima County Flood Control District recommends approval of the amendment to Chapter 16.24 of the Floodplain Management Ordinance.
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 amendment to allow compensatory storage of floodwaters will lessen the regulatory burden for property owners facing flood risks that are exacerbated by climate change.

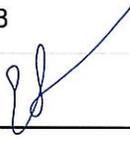
Board of Supervisor District:

- 1
- 2
- 3
- 4
- 5

Department: Flood Control

Name: Michael LeBlanc

Telephone: 5207244618

Department Director Signature:  _____ Date: 2/04/2026

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

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



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flood control

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CONTACT US:

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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.

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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 Floor

PIMA COUNTY, ARIZONA

2026-01-16

DAILY TERRITORIAL (TUCSON)

Trustee Sale

RECORDER 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 201 7-2120798. OF OFFICIAL RECORDS. COUNTY ASSESSOR'S TAX PARC

PIMA COUNTY, ARIZONA

2026-01-12

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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 RFCD@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
DTT012314

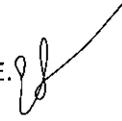
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DATE: February 3, 2026

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 Leshner, 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 AMENDING THE FLOODPLAIN MANAGEMENT ORDINANCE CHAPTER 16.24 (FLOODWAY REQUIREMENTS) TO AUTHORIZE COMPENSATORY STORAGE AS A METHOD FOR PROPERTY OWNERS TO COMPLY WITH THE NO-RISE CRITERIA FOR REGULATORY FLOODWAYS.

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 District recognizes that property owners may demonstrate a proposed project will satisfy the no-rise criteria by incorporating permanent features into the project which will compensate for the loss of conveyance of floodwaters. This method of demonstration is not specifically authorized by the Ordinance;
3. To reduce the regulatory burden on property owners, this ordinance will allow property owners to demonstrate compliance with the no-rise criteria by incorporating permanent features into a project which will compensate for the loss of conveyance of floodwaters;
4. 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. Pima County Code Chapter 16.24 is amended as follows:

**Chapter 16.24
FLOODWAY REQUIREMENTS**

...

16.24.010 Uses allowed in the floodway.

...

E. Flood control structures designed to protect life or property from the dangers or hazards of flood waters are permitted provided all other provisions of this title are met.

...

16.24.030 Compensatory Storage for Uses Allowed in the Floodway

A. A use may be permitted in the floodway if it is allowed under Section 16.24.010 and constructed to offset the impact of the development with compensatory storage at a hydrologically equivalent site at a ratio of at least 1.5 cubic feet of compensatory storage to 1 cubic foot of encroachment. Permitted compensatory features shall:

1. Be in the immediate vicinity of the development and be proven to eliminate any rise in the BFE,
2. Provide effective conveyance (i.e. added conveyance due to a proposed feature must continue upstream and downstream to properly transition out of and back into the conveyance), and
3. Be maintained in accordance with a floodplain use permit that incorporates the terms of either a maintenance agreement with the local municipality or a recorded covenant that assigns maintenance responsibility to the property owner.

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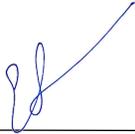
SECTION 2. This Ordinance is effective 30 days from the date of adoption of this Ordinance.

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

ORDINANCE 2026 – FC _____

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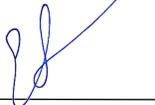
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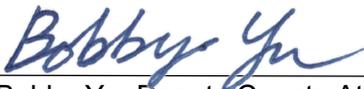
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Pima County Board of Directors

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