



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: February 7, 2017

Title: Approval of a Riparian Habitat Mitigation In-Lieu Fee Proposal for Disturbance Located within Important Riparian Area with Underlying Class B Xeroriparian Riparian Habitat (District 3)

Introduction/Background:

Chapter 16.30 of the Pima County Floodplain Management Ordinance No. 2010-FC5 (Ordinance) requires mitigation when cumulative disturbance of more than 1/3 acre of mapped riparian habitat occurs. If a project site contains suitable area(s) for mitigation, restoration, or enhancement, then on-site mitigation is required in accordance with the adopted Regulated Riparian Habitat Mitigation Standards and Implementation Guidelines. The Ordinance contains a provision for mitigation banking when on-site mitigation is not feasible. All off-site mitigation proposals require Flood Control District Board of Directors (Board) review and approval.

Discussion:

The property owner, Mr. Paris, has applied for a floodplain use permit to replace a manufactured home on the property located at 9651 North Clayton Road. The property is mapped within Regulated Riparian Habitat (RRH) classified as Important Riparian Area with Underlying Xeroriparian Class B Habitat. Upon review of the floodplain use permit, staff determined that portions of the RRH had been previously disturbed and concluded the property had unpermitted RRH disturbance of 26,937 square feet which exceeds 1/3 of an acre. The unpermitted RRH disturbance requires a Riparian Habitat Mitigation Plan (RHMP). Mr. Paris hired Greg Shinn, with GRS Landscape Architects, LLC, to prepare a RHMP. The owner is proposing to contribute a fee of \$2,741.00 in lieu of onsite mitigation, based on a cost estimate prepared by Mr. Shinn.

Conclusion:

Acceptance of mitigation banking funds in-lieu of on-site mitigation is allowed under the Ordinance. Contributions to the mitigation bank for disturbance of this habitat will provide funds to be used toward purchase of high value resources or towards restoration of degraded riparian habitat within Pima County.

Recommendation:

The ILF proposal presented conforms with the Ordinance and, as such, the District recommends approval.

Fiscal Impact:

\$2,741.00

Board of Supervisor District:

1 2 3 4 5 All

Department: Regional Flood Control District Telephone: 724-4600

Department Director Signature/Date:  ERIC SHEPP 1/11/17

Deputy County Administrator Signature/Date:  1/12/17

County Administrator Signature/Date:  1/13/17

DATE: January 10, 2017

TO: Flood Control District Board of Directors



FROM: Suzanne Shields, P.E.
Director

SUBJECT: Approval of a Riparian Habitat Mitigation In-Lieu Fee Proposal Located at 9651 North Clayton Road, Located within Important Riparian Area with Underlying Class B Xeroriparian Habitat (District 3)

Background

Chapter 16.30 of the Pima County Floodplain Management Ordinance No. 2010-FC5 (Ordinance) requires mitigation for mapped riparian habitat disturbances greater than 1/3 acre. If a project site contains suitable area(s) for riparian restoration, enhancement, or establishment, onsite mitigation occurs in accordance with the adopted *Regulated Riparian Habitat Mitigation Standards and Implementation Guidelines*. The Ordinance contains a provision for mitigation banking, when on-site mitigation is not feasible. All offsite mitigation proposals require Flood Control District Board of Directors (Board) review and approval.

Report

The property owners, Joseph and Diana Paris, have applied for a floodplain use permit for placement of a manufactured home on their property located at 9651 North Clayton Road (Exhibit A). The property is mapped within Regulated Riparian Habitat (RRH) classified as Important Riparian Area with Underlying Class B Xeroriparian Habitat (Exhibit B). Upon review of the floodplain use permit, staff determined that 26,937 square feet (0.62 acres) of the RRH had been previously disturbed and concluded the property had RRH disturbance that exceeded a 1/3 acre. The unpermitted RRH disturbance requires a Riparian Habitat Mitigation Plan (RHMP).

Mr. Paris hired Greg Shinn, with GRS Landscape Architects, LLC, to prepare a RHMP (Exhibit C). The property is located east of a large commercial nursery and would like to locate future improvements away from the commercial nursery due to the noise the establishment creates. Mr. Paris plans on constructing future improvements within the previously disturbed RRH. As a result, the owner is proposing to contribute a fee of \$2,741.00 in lieu of onsite mitigation, based on a cost estimate prepared by Mr. Shinn.

Recommendation

Acceptance of mitigation banking funds in-lieu of onsite mitigation is allowed under the Ordinance. Contributions to the mitigation bank for disturbance of this habitat will provide funds to be used toward purchase of high value resources or towards restoration of degraded riparian habitat within Pima County.

Attachments: Exhibit A – Project Location
Exhibit B – Project Site – Riparian Classification Map
Exhibit C – Mitigation Banking In-lieu Fee Proposal

Exhibit A

Subject Property



AMRA RD

N CLAYTON RD

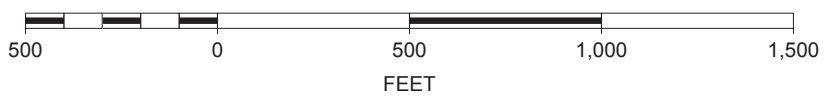
N CLAYTON PL

W TWIN PEAKS RD

W TWIN PEAKS RD

N CLAYTON PL

SCALE 1 : 6,000



Joseph and Diana Paris
9651 North Clayton Road
BOS Meeting 2/7/2017



Exhibit B

Important Riparian Area with Underlying Xeroriparian Class B Habitat

Subject Property

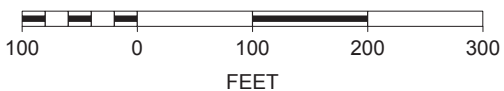
N CLAYTON PL

N CLAYTON RD

W TWIN PEAKS RD

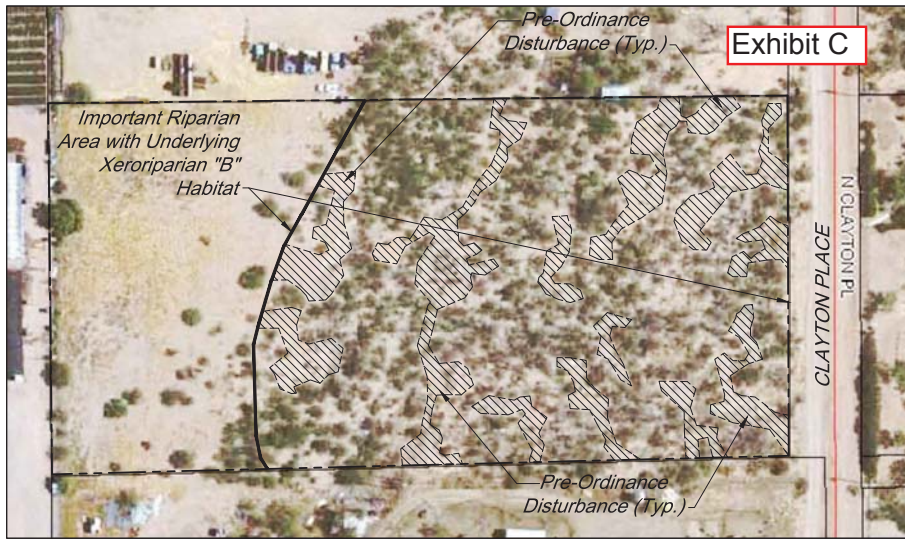
N CLAYTON

SCALE 1 : 2,000

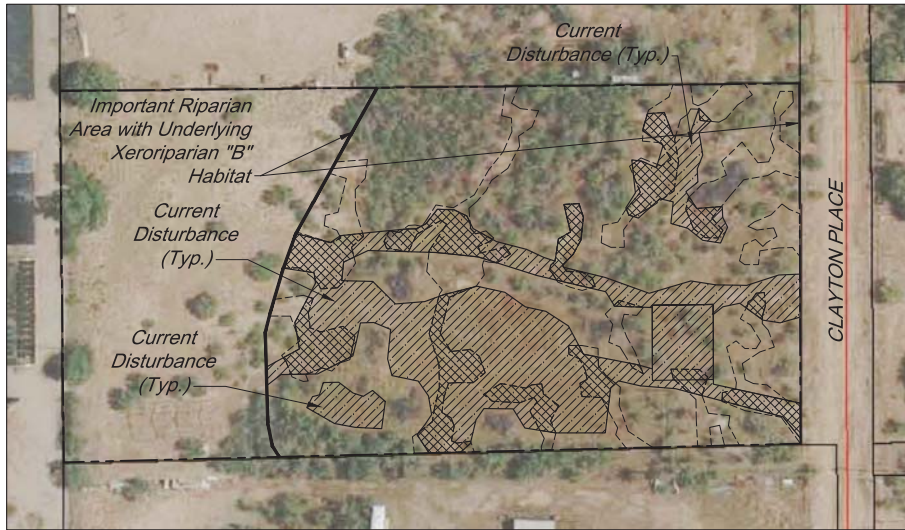


Joseph and Diana Paris
9651 North Clayton Road
BOS Meeting 2/7/2017





PRE-ORDINANCE DISTURBANCE BASED ON 2005 AERIAL



POST-ORDINANCE DISTURBANCE BASED ON 2015 AERIAL

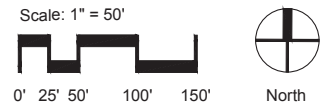


Exhibit C

RIPARIAN LEGEND

- Important Riparian Area Habitat with Underlying Xeroriparian "B"
- Pre-Ordinance Disturbance
- Current Disturbance
- Pre-Ordinance Disturbance within Current Disturbance

RIPARIAN MITIGATION NOTES

1. Mitigation is being satisfied by In-Lieu Fee.
2. In-Lieu Fee Calculation is based on field inventory that shows no grasses on site within the natural areas. This is due to the shade created by the dense mesquites and the soil conditions.
3. In-Lieu Fee Calculation is based on field inventory that shows virtually no shrubs within the natural areas. This is due to the shade created by the dense mesquites. To cover the few shrubs that may be present deep in the mesquite bosque, we propose a density of 10 shrubs per acre, as allowed by the inventory process.
4. In lieu fee costs are based on invoice costs and reflect the prices available to the Owner. This is due to his profession as a landscaper.

OVERVIEW NOTES

1. The 2005 aerial shows pre-Ordinance clearing of the site, most likely from grazing and foot traffic.
2. The 2015 aerial shows current disturbance. Where pre-Ordinance disturbance overlaps current disturbance, the overlapping pre-Ordinance disturbance has been subtracted from the current disturbance.

RIPARIAN NOTES

1. Zoning = RH
2. Site Area = 4.50 acres
3. Land Use = Residential
4. Area Calculations:

a. Total Project Area	4.50 acres
b. Total Riparian Area On Site (IRA with Underlying Xeroriparian "B")	3.05 acres
c. Total Natural Open Space	0 acres
d. Total Riparian Habitat Disturbance (Current less Pre-Ordinance within Current)	26,937 sf (0.62 acres)
e. Total Disturbance Pre-Ordinance w/in Current	16,854 sf (0.39 acres)
f. Total Disturbance Post-Ordinance	43,791 sf (1.01 acres)
g. Mitigation will be per in-lieu fees.	

CALCULATIONS

This site contains Important Riparian Area with underlying Xeroriparian "B" Habitat	
Total Regulated IRA with Class "B" Habitat On-Site	132,658 sf (3.05 acres)
Total Area of Disturbed Riparian Habitat	43,791 sf (1.01 acre)
Less Pre-Ordinance Disturbance Area within Current	16,854 sf (0.39 acre)
Total Current Disturbance of Riparian Habitat	26,937 sf (0.62 acre)
Total Area of Disturbed Riparian Habitat	
Min. Mitigation Area Required = 1.5 x 0.62 x 0.7 =	28,283 sf (0.65 acre)
Total # of Trees Required = 1.5 x 60 x 0.62 =	56 Trees
Total # of Shrubs Required = 1.5 x 10 x 0.62 =	9 Shrubs
Total Riparian Mitigation Area Required	
Total Riparian Mitigation Area Provided on Site	0 sf (0.00 ac)
Total Riparian Mitigation Area Provided by in lieu fee	26,937 sf (0.62 acre)
Total # of Trees Required = 1.5 x 60 x 0.62 =	56 Trees
Total Trees Provided on Site	0 Trees
Total Trees Provided by in lieu fee	56 Trees
Total # of Shrubs Required = 1.5 x 10 x 0.62 =	9 Shrubs
Total Shrubs Provided on Site	0 Shrubs
Total Shrubs Provided by in lieu fee	9 Shrubs
Total Hydroseed Required =	0 acres
Total Hydroseed Provided by in lieu fee	0 acres

PARIS RESIDENCE

CALCULATION OF IN-LIEU FEE

Missing Plant Material

- 25 - 15 gal. Trees
- 25 - 5 gal. Trees
- 4 - 5 gal. Shrubs
- 5 - 1 gal. Shrubs
- 0 - SF Native Seed

Cost Calculation

28 - 15 gal. Trees - \$ 35.00 ¹	980.00
28 - 5 gal. Trees - \$ 20.00 ¹	560.00
4 - 5 gal. Shrubs - \$ 20.00 ¹	80.00
5 - 1 gal. Shrubs - \$ 8.00 ¹	40.00
0 - SF Native Seed - \$ 0.07	0.00
Maintenance Cost - \$ 151.00	151.00
Irrigation Cost - \$ 930.00	930.00
Water Cost ²	0.00
TOTAL IN-LIEU FEE	\$ 2741.00

Notes:

- 1 - Costs are based on Invoice cost provided.
- 2 - Property is served by a well and does not pay commodity charges for water.

PARIS RESIDENCE

Parcel No. 215-17-009A
9651 North Clayton Place, Marana, AZ 85653
N½, SW ¼, SE ¼, SW ¼ of Section 17, T-12-S, R-11-E, G&SRM, Pima County, AZ

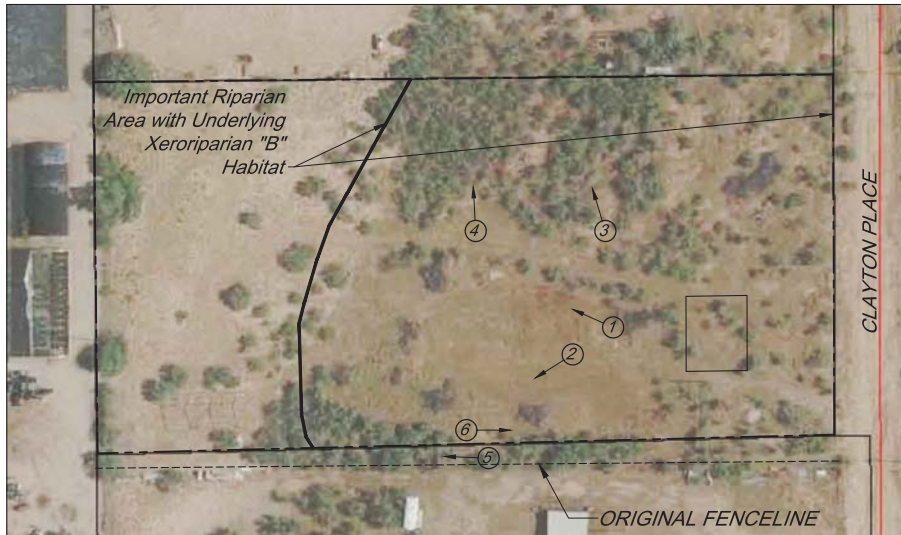
RIPARIAN HABITAT MITIGATION PLAN
Floodplain Use Permit number:



11047 N. Cloud View Place
Tucson, AZ 85737
(520) 877-8037

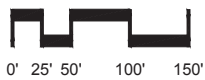
Date: 1/3/17
Drawn by: LMW
Checked by: GRS

- Design Review
- Construction Documents
- Agency Submittal
- Construction Set
- Not for Construction



2015 PIMA COUNTY MAPGUIDE AERIAL

Scale: 1" = 50'



LEGEND:

② Photo Monitoring Point Location and Direction

RIPARIAN LEGEND



CALCULATIONS	
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Total Shrubs Provided on Site	0 Shrubs
Total Shrubs Provided by in lieu fee	9 Shrubs
Total Hydroseed Required =	0 acres
Total Hydroseed Provided by in lieu fee	0 acres



PHOTO # 1



PHOTO # 2



PHOTO # 3



PHOTO # 4



PHOTO # 5



PHOTO # 6



11047 N. Cloud View Place
Tucson, AZ 85737
(520) 877-8037

Date: 1/3/17

Drawn by: LMW

Checked by: GRS

- Design Review
- Construction Documents
- Agency Submittal
- Construction Set
- Not for Construction

PARIS RESIDENCE

Parcel No. 215-17-009A

9651 North Clayton Place, Marana, AZ 85653

N₁/4 SW 1/4, SE 1/4, SW 1/4 of Section 17, T-12-S, R-11-E, G&SRM, Pima County, AZ

RIPARIAN HABITAT MITIGATION PLAN

Floodplain Use Permit number: