



MEMORANDUM

Date: January 15, 2025

To: The Honorable Chair and Members
Pima County Board of Supervisors

From: Jan Leshner 
County Administrator

Re: **Additional Information for the January 21, 2025 Board of Supervisors Meeting,
Agenda Item Nos. 9 and 10 - Proposed Revisions to Flood Control District Regulations
Relating to Subdivision and Commercial Development Drainage Improvements**

The Pima County Regional Flood Control District (RFCD) proposes to revise the Floodplain Management Ordinance (Ordinance) Chapter 16.36 and the Pima County *Design Standards for Stormwater Detention and Retention Manual (Detention/Retention Manual)* to refine when building permits may be issued within subdivisions and commercial developments relative to the construction and completion of certain on-site drainage and grading improvements. The District further proposes the adoption of a new *Technical Procedure 111: Interim Use of Rough Grading Statement in Lieu of As-Built Certification*, which contains the details of the implementation of the rule changes.

The process for amending regulations, such as the Ordinance, is different for the process for amending or creating other rules, such as the Detention/Retention Manual and Technical Procedures, due to language in the Arizona Revised Statutes pertaining to Flood Control Districts. As such, the Board of Supervisors (Board) acting as the Flood Control District's Board of Directors will see two agenda items that are necessary to implement the proposed revisions.

Agenda Item number 9 is code text amendment of Section 16.36.030(D) of the Ordinance which currently prohibits the issuance of building permits in subdivisions and commercial development until the District approves the as-built certifications for all *"drainage and grading improvements that are required to mitigate adverse impacts to adjacent and downstream property due to the proposed development have been constructed."* This prohibition requires that the improvements be fully constructed before the issuance of a building permit. However, the District recognizes partially completed or roughed-in drainage and grading infrastructure may be adequate as a short-term condition during construction to mitigate adverse impacts of the new development to adjacent property owners.

The proposed changes to the Ordinance and rules allow for the issuance of building permits after developers provide a rough grading statement sealed by an Arizona registered civil engineer verifying that the partially completed infrastructure is adequate to mitigate flood and erosion hazards to adjacent and downstream properties. The changes will allow for building construction to commence concurrent with the completion of the drainage infrastructure, which will reduce development timeframes without diminishing public safety or the District's floodplain management authority. This item also proposes changes to Chapter 16.36 to clarify and update existing language without making any substantive changes.

JAN 15 25 PM 03:51 POC/JK/DF/BD

RM

The Honorable Chair and Members, Pima County Board of Supervisors

Re: Additional Information for the January 21, 2025 Board of Supervisors Meeting, Agenda Item Nos. 9 and 10 - Proposed Revisions to Flood Control District Regulations Relating to Subdivision and Commercial Development Drainage Improvements

January 15, 2025

Page 2

Agenda Item number 10 pertains to the proposed revision of the Detention/Retention Manual that will conform to Chapter 16.36 and the enactment of a proposed new Technical Procedure 111 which creates the detailed process for developers to submit a rough grading statement to the District.

The requirement for all drainage infrastructure to be fully constructed and as-built by an Arizona registered civil engineer prior to Release of Assurances, and thus prior to occupation, remains. These proposed revisions are intended to improve construction timelines without increasing flood risk.

The District engaged directly with the Southern Arizona Home Builders Association, and its members, when drafting the proposed changes, and the final version reflects their input. The Flood Control District Advisory Committee also reviewed the changes, provided meaningful input, and voted unanimously to recommend of the changes to the Ordinance, Detention/Retention manual and Technical Procedure 111 to the Board for approval.

Prior to placement of the proposed revisions on the Board agenda, the District held a 30-day public comment period, and public meeting on December 20, 2024. No comments were received during either the comment period or the public meeting.

JKL/dym

c: Carmine DeBonis, Jr., Deputy County Administrator
Steve Holmes, Deputy County Administrator
Eric Shepp, P.E., Director – Regional Flood Control District