



# BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: 2/7/2023

\*= Mandatory, information must be provided

Click or tap the boxes to enter text. If not applicable, indicate "N/A".

**\*Title:**

Approval of a Riparian Habitat Mitigation In-Lieu Fee Proposal for Placement of a Single Family Residence at 2155 East Desert Garden Drive, Located within Regulated Riparian Habitat

**\*Introduction/Background:**

Chapter 16.30 of the Pima County Floodplain Management Ordinance No. 2010-FC5 (Ordinance) requires a riparian habitat mitigation plan (RHMP) for mapped riparian habitat disturbances greater than 1/3 acre. The RHMP requires a Flood Control District Board of Directors (Board) approval when disturbance of Important Riparian Area exceeds 1/3 of an acre and is more than 5 percent of the habitat on the property. 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.

**\*Discussion:**

The applicant, J Brown has applied for a permit to construct a single family residence. The entire property is mapped within Regulated Riparian Habitat (RRH) and is classified as Important Riparian Area with an Underlying Classification Xeroriparian B Habitat. The disturbance is to the RRH is 0.52 acres and over 5% of the RRH on the property. Mr. Brown has provided a Riparian Habitat Mitigation In-Lieu Fee Proposal and is proposing to contribute a fee of \$5,720.00 in lieu of onsite mitigation.

**\*Conclusion:**

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.

**\*Recommendation:**

The In-Lieu Fee Proposal conforms to the Ordinance and the Guidelines, and, as such, the District recommends approval.

**\*Fiscal Impact:**

5,720.00

**\*Board of Supervisor District:**

1    2    3    4    5    All

Department: Regional Flood Control District

Telephone: 724-4600

Contact: Patricia Gilbert

Telephone: 724-4606

Department Director Signature: \_\_\_\_\_

Date: 1/12/23

Deputy County Administrator Signature: \_\_\_\_\_

Date: 1/12/2023

County Administrator Signature: \_\_\_\_\_

Date: 1/12/2023

**DATE:** January 11, 2023

**TO:** Flood Control District Board of Directors

**FROM:** Eric Shepp, P.E.  
Director

**SUBJECT: Approval of a Riparian Habitat Mitigation In-Lieu Fee Proposal for Placement of a Single Family Residence at 2155 East Desert Garden Drive, Located within Regulated Riparian Habitat (District 1)**

**Background**

Chapter 16.30 of the Pima County Floodplain Management Ordinance No. 2010-FC5 (Ordinance) requires a riparian habitat mitigation plan (RHMP) for mapped riparian habitat disturbances greater than 1/3 acre. The RHMP requires a Flood Control District Board of Directors (Board) approval when disturbance of Important Riparian Area exceeds 1/3 of an acre and is more than 5 percent of the habitat on the property. 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 applicant, J Brown with Kevin B Howard Architects has applied for a permit to construct a single family residence on property located at 2155 East Desert Garden Drive (Exhibit A). The entire property is mapped within Regulated Riparian Habitat (RRH) and is classified as Important Riparian Area with an Underlying Classification Xeroriparian B Habitat (Exhibit B), as such avoidance of the RRH is not possible. The disturbance is to the RRH is 0.52 acres and over 5% of the RRH on the property. Mr. Brown hired Greg Shinn with GRS Landscape Architects to prepare a Riparian Habitat Mitigation In-Lieu Fee Proposal (Exhibit C) and is proposing to contribute a fee of \$5,720.00 in lieu of onsite mitigation, based on the Flat Fee Table provided in the *Pima County Regulated Riparian Habitat Off-Site Mitigation Guidelines*.

Flat Fee Table	XA	XB	XC	XD	IRA/H, H	IRA/XA	IRA/XB	IRA/XC	IRA/XD
Cost per Acre	\$8,500	\$7,500	\$6,500	\$5,000	\$17,000	\$12,500	\$11,000	\$9,500	\$8,000

**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



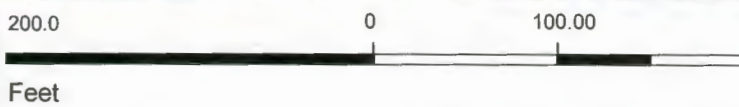
## Legend

 Parcels



2155 East Desert Garden Drive

1/11/2023



This map is static output from an internet mapping site and no warranty is expressed or implied as to the accuracy, reliability, currency or completeness of the data, and is for reference only

# Exhibit B



## Legend

- Parcels
- Riparian Habitat - Pima Effective 10/20/2005**
- Xeroriparian A
- Xeroriparian B
- Xeroriparian C
- Xeroriparian D
- Hydromesoriparian or Me
- IRA - Xeroriparian A
- IRA - Xeroriparian B
- IRA - Xeroriparian C
- IRA - Xeroriparian D
- IRA - H
- Important Riparian Areas

Subject Property



2155 East Desert Garden Drive

1/11/2023






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**Exhibit C**



**RIPARIAN LEGEND**

-  Gross Site Area
-  Total IRA with Underlying Xeroperlan™ Habitat (Entire Site)
-  Limit of Disturbance

**RIPARIAN NOTES**

1. Zoning = CR-1
2. Gross Site Area = 47,456 sf (1.09 acres)
3. Land Use = Single Residence Zone
4. Area Calculations:
  - a. Gross Site Area = 47,456 sf (1.09 acres)
  - b. Total IRA with Underlying Xeroperlan™ on Site = 47,456 sf (1.09 acres)
  - c. Total Limit of Disturbance = 22,555 sf (0.52 acres)
5. Mitigation will be per In-lieu fees.

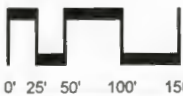
**RIPARIAN IN LIEU FEE NOTES**

1. The Owner wishes to provide mitigation via the In-Lieu Fee Calculation.
2. Total Disturbance of this site since 2005 is 22,555 sf or 0.52 acres.
3. Per the Flat Fee Calculation, IRA with underlying Xeroperlan™ disturbance is calculated at \$11,000 per acre.
4. \$11,000 per acre x 0.52 acres = \$5,720 for disturbance on this property.

**RIPARIAN METHODOLOGY**

1. The site does not contain any pre-2005 Riparian Disturbance.
2. Disturbance has been calculated using the limits of grading provided by the Contractor and double checked against survey staking.
3. The In-Lieu Fee has been calculated using the per acre costs provided by Pima County Regional Flood Control.

Scale: 1" = 50'



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greg@grslandscapearchitects.com

Date: 1/8/23  
Drawn by: LMW/KVP  
Checked by: GRS  
 Design Review  
 Construction Documents  
 Agency Submittal  
 Construction Staff  
 Not for Construction

2155 E Desert Garden Dr.  
Tucson, AZ 85718

**RIPARIAN HABITAT MITIGATION PLAN**