



BOARD OF SUPERVISORS AGENDA ITEM SUMMARY

Requested Board Meeting Date: December 2, 2014

ITEM SUMMARY, JUSTIFICATION &/or SPECIAL CONSIDERATIONS:

The proposed commercial stable, will impact 8.55 acres of Important Riparian Area with underlying Xeroriparian Class B (IRA/X B) habitat on property located at 13750 North Bowman Road. The property is impacted by a regulatory floodplain associated with the Canada Del Oro Wash and is within a FEMA Zone AE Special Flood Hazard Area. This development will impact over one-third of an acre of regulated riparian habitat. As such, the applicant is subject to compliance with Chapter 16.30 of the Pima County Floodplain Management Ordinance No. 2010-FC5 (Ordinance). Due to site constraints, the applicant is proposing to mitigate through contribution of an In-Lieu Fee. When the disturbance will be mitigated through contribution of an ILF, the mitigation proposal requires Flood Control District Board of Directors (Board) review and approval.

In order to comply with the Ordinance, the applicant is submitting a Riparian Habitat Mitigation Plan for approval by the Board. The Riparian Habitat Mitigation Plan must be approved prior to approval of the Development Plan.

CONTRACT NUMBER (If applicable): N/A

STAFF RECOMMENDATION(S):

The ILF proposal presented conforms with the Ordinance and as such can be approved.

CLERK OF BOARD USE ONLY: BOS MTG. _____

ITEM NO. _____

PIMA COUNTY COST: 0.0 and/or REVENUE TO PIMA COUNTY:\$ 30,809.63

FUNDING SOURCE(S): N/A
(i.e. General Fund, State Grant Fund, Federal Fund, Stadium D. Fund, etc.)

Advertised Public Hearing:

☐

YES

☒

NO

Board of Supervisors District:

1 ☒

2 ☐

3 ☐

4 ☐

5 ☐

All ☐

IMPACT:

IF APPROVED:

If the Board approves the In Lieu Fee proposal, an amount of \$ 30,809.63 will be contributed to the Mitigation Bank and the development will be in compliance with the Ordinance.

IF DENIED:

The Development Plan will be delayed until the applicant provides an alternative onsite and/or offsite riparian habitat mitigation plan that meets all Ordinance requirements.

DEPARTMENT NAME: Regional Flood Control District

CONTACT PERSON: Eric Shepp/Patricia Gilbert TELEPHONE NO.: 4-4610/4606

DIRECTOR'S SIGNATURE: _____

Suzanne Shields
Suzanne Shields, P.E.

DATE: November 18, 2014

TO: Flood Control District Board of Directors
Director

FROM: Suzanne Shields, P.E.

SUBJECT: **Approval of a Riparian Habitat Mitigation Plan for the Spirit Dog Ranch Commercial Stable Located within Important Riparian Area with Underlying Xeroriparian Class B Habitat (District 1)**

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 owners Kerry Dykes and Kim Bergman are bringing to compliance a commercial stable on property located at 17350 North Bowman Road (Exhibit A). The property contains 23.12 acres of Important Riparian Area with Underlying Xeroriparian Class B Habitat (IRA/X B)(Exhibit B). The project has disturbed 8.55 acres of IRA/XB.

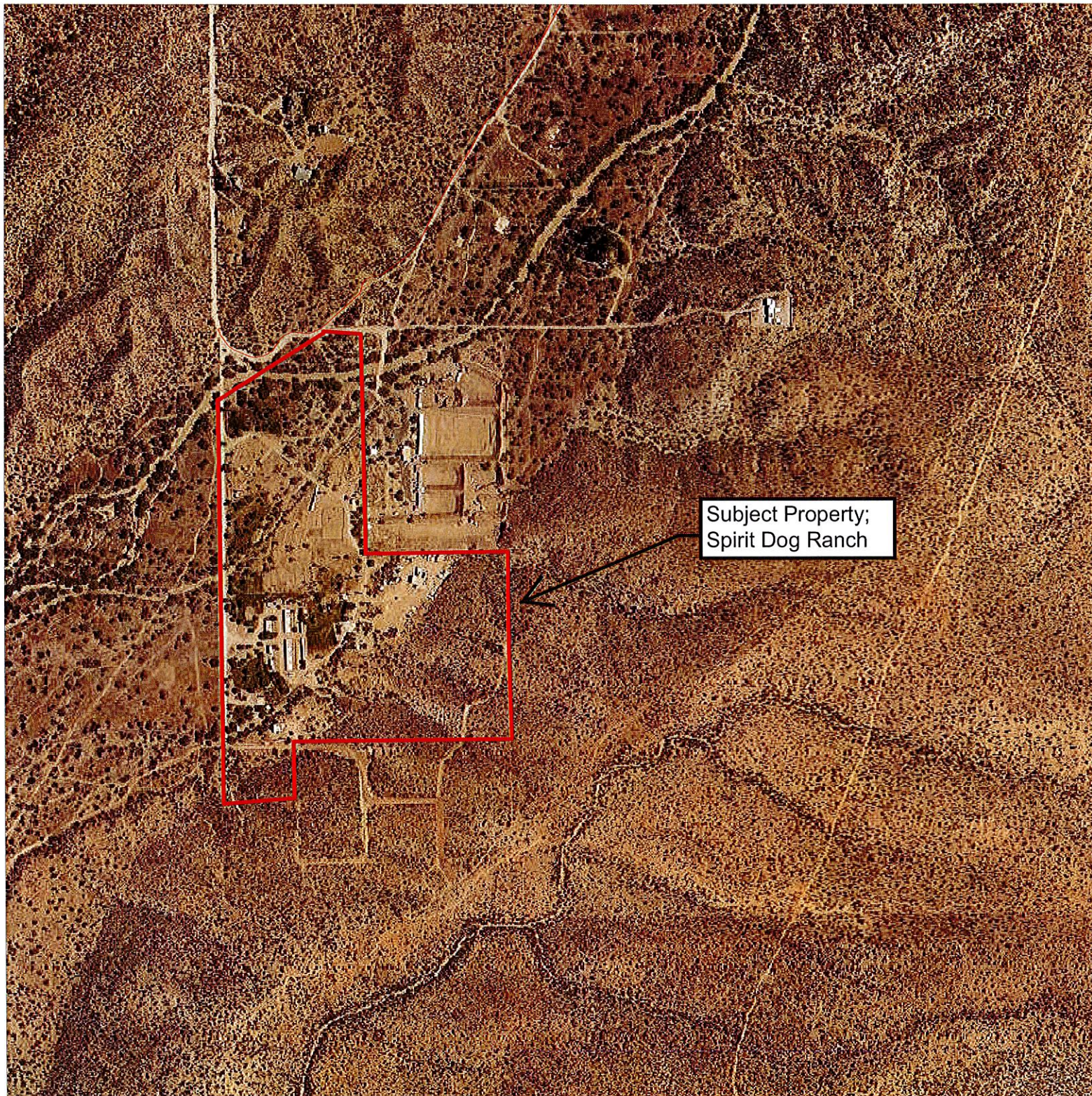
The owners hired Greg Shinn, with GRS Landscape Architects, Inc. to prepare a riparian habitat mitigation plan (Exhibit C) and is proposing to contribute \$30,809.63 in lieu of onsite habitat mitigation based on the ILF Cost Estimate (Exhibit D) provided by Greg Shinn.

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.

- Exhibit A – Project Location
- Exhibit B – Project Site – Riparian Classification Map
- Exhibit C – Riparian Habitat Mitigation Plan
- Exhibit D – Mitigation Banking In-lieu Fee Proposal

Exhibit A

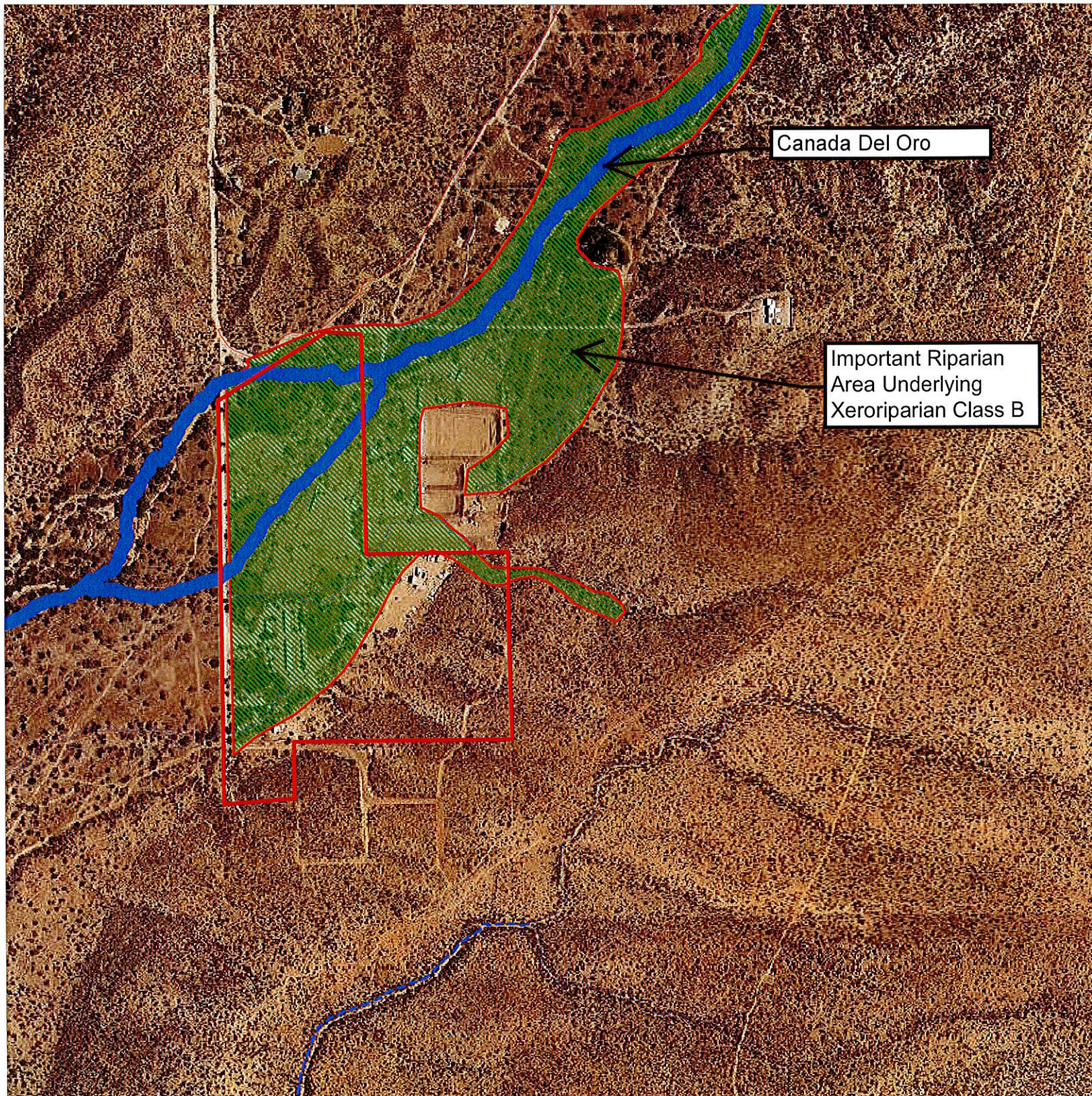


Subject Property;
Spirit Dog Ranch

Spirit Dog Ranch
Owners: Kerry Dykes and Kim Bergman
17350 North Bowman Rd
BOS Meeting Date 12/02/14



Exhibit B



Canada Del Oro

Important Riparian
Area Underlying
Xeroriparian Class B

Spirit Dog Ranch
Owners: Kerry Dykes and Kim Bergman
17350 North Bowman Rd
BOS Meeting Date 12/02/14



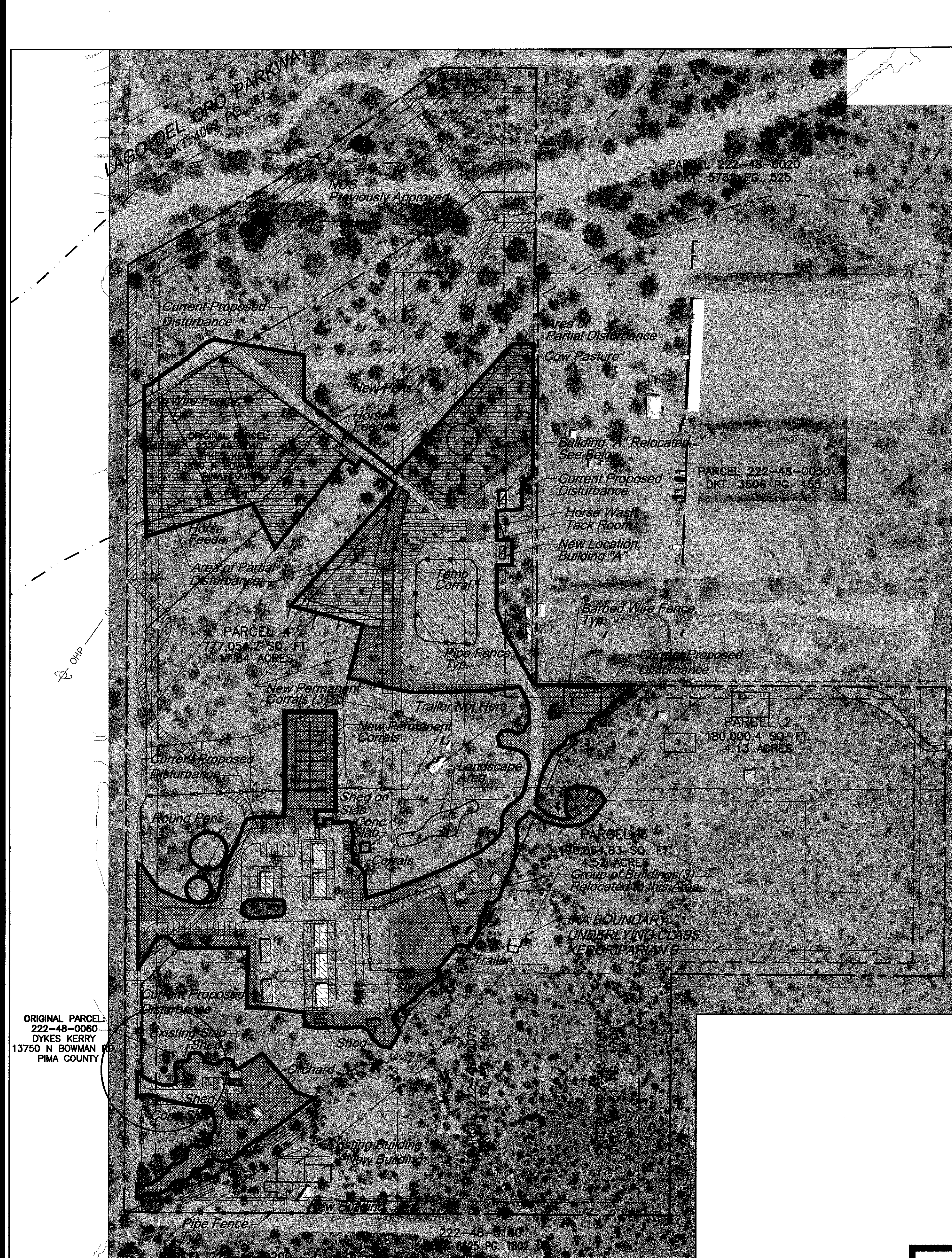


Exhibit C

Scale: 1" = 100'



LEGEND

	Acres
Pre-Existing Riparian Disturbance Per 7/01/08 Approved Plan	0.28
Disturbance Shown on the Previously Approved Plan, dated 7/01/08	3.24
Mitigation Area - NOS Per 7/01/08 Approved Plan	4.37
Total Disturbance Requiring Mitigation (includes Disturbance from Previously Approved Plan)	8.55
Current Proposed Partial Disturbance (Disturbance only to Shrubs, Ground plane)	2.54
Current Proposed Full Disturbance	2.77
Existing Pipe Fence	
Existing Barbed Wire Fence	
Existing Wire Fence	

PREVIOUSLY APPROVED CALCULATIONS 6/28/08
Important Riparian Area Underlying Class C Xeroriparian Habitat

1. Zoning = RH	
2. Gross Site Area = 30.74 acres	
3. Area Calculations:	
Gross site area =	30.74 ac
Total Regulated Riparian Habitat on site	23.12 ac
Total IRA	23.12 ac
Underlying Class Xeroriparian C	
Total Area of Disturbed Regulated Riparian Habitat Per 7/01/08 Approved Plan	3.41 ac
Area of Pre-Existing Disturbance 7/01/08	0.28 ac
Total Area of Disturbance 7/01/08 (Disturbed Habitat - Pre-Existing Disturbance)	3.24 ac
Previously Approved Mitigation Area 7/01/08	4.37 ac
Previously Approved Number of Trees required 7/01/08	14 trees
Previously Approved Number of Shrubs required 7/01/08	171 shrubs

CALCULATIONS:		
This site contains Important Riparian Area with Underlying Class B Xeroriparian Area		
Total Regulated Riparian Habitat On-Site		23.12 acres
Area of Disturbed Regulated Riparian Habitat		8.55 acres
Less Area of Previously Disturbed Habitat		(-3.24 acres)
Total Area of Disturbed Riparian Habitat		5.31 acres
Area of Full Disturbance (Trees, Shrubs, Ground Plane)		2.77 acres
Area of Partial Disturbance (Shrubs Ground Plane only)		2.54 acres
Area of Mitigation Calcs (Full Disturbance)	2.77 x 1.5 =	4.16 acres
Total # of Trees Required =	60 x 4.16 =	250 Trees
Total # of Shrubs Required* =	44 x 4.16 =	183 Shrubs
Area of Mitigation Calcs (Part Disturbance)	2.54 x 1.5 =	3.81 acres
Total # of Trees Required =	none required	0 Trees
Total # of Shrubs Required* =	44 x 3.81 =	168 Shrubs
Total Hydroseed Required =		4.16 acres
*44 Shrubs/Acre was the approved shrub density based on the 7-08 Mitigation Plan		

BUFFER OVERLAY ZONE INFORMATION

1. The Buffer Overlay Zone is applicable.
2. This site is considered Class 1 Habitat per the Critical and Sensitive Biological Communities designation. This parcel is Important Riparian Habitat which extends from a public preserve.
3. All plant materials used within landscape and mitigation areas are native species only.

PERMITTING NOTES:

1. This project is impacted by regulated riparian habitat as defined on this plan and subject to the Riparian Classification Maps adopted under Ordinance No. 2005-FC2, Title 16 of the Pima County Code. The disturbance of this habitat has been mitigated for during the development review process. Any additional disturbance within the regulated riparian habitat will require Flood Control District review and approval prior to the issuance of any permit.
2. Riparian mitigation areas, as noted on page L2 of 7 of the Development Plan, is to be preserved (as habitat) in perpetuity. No permits or grading are allowed. Mitigation areas shall be maintained by the Owner and/or the Owner's successors for a period of not less than five years, from the time of planting, in accordance with the approved mitigation plan.
3. This Development Plan is subject to an onsite riparian habitat mitigation plan (RHMP) approved by Pima County Board of Supervisors on July 1, 2008. The RHMP was implemented in June, 2009 and shall be maintained for a period of five years in accordance with the approved RHMP. Maintenance shall include activities listed in the "mitigation planting maintenance" schedule found in Appendix C of the Guidelines.

NEW CALCULATIONS

Important Riparian Area Underlying Class B Xeroriparian Habitat

1. Zoning = RH	
2. Gross Site Area = 30.74 acres	
3. Area Calculations:	
Gross site area =	30.74 ac
Total Regulated Riparian Habitat on site	23.12 ac
Total IRA	23.12 ac
Underlying Class Xeroriparian B	
Total Area of Disturbance Requiring Mitigation (Less Area of Disturbance from previously approved plan)	8.55 ac (3.24 ac)
Area of Proposed Disturbance Requiring Mitigation	5.31 ac
Area of Partial Disturbance (Shrubs, Ground Plane only)	2.54 ac
Area of Full Disturbance (Trees, Shrubs, Ground Plane)	2.77 ac

NOTE:

The disturbance of riparian habitat is required to achieve the allowable use under the zoning code. The amount of disturbance (and preservation) has been discussed and approved by DRC decision.

Disturbance is necessary for accessory buildings, pasture, exercise and other essential activities for horses.

Mitigation to be handled by the in-lieu fee option.

Riparian Habitat Mitigation Plan

Spirit Dog Ranch

A Portion of the West 1/2 of the Southwest 1/4 of Section 22, T-11-S, R-14-E, G&SRM, Pima County, AZ

LANDSCAPE PLAN
(Selective Plant Preservation Method)

P1209-026 Co20-08-11 sheet 7 of 7



11047 N. Cloud View Place
Tucson, AZ 85737
(520) 877-8037
fax (520) 877-8079

Date: 11/5/14
Project Number: 09028
Drawn by: LMW/MDC
Checked by: GRS

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

Exhibit D

OFFSITE MITIGATION CALCULATION

Spirit Dog Ranch
13750 N. Bowman Rd.
Tucson, AZ

OFFSITE REQUIREMENTS FROM RHMP (copy provided on next page)

<u>REQUIREMENT</u>	<u>QUANTITY</u>	<u>UNITS</u>	<u>UNIT COST</u>	<u>TOTAL COST</u>
250 Trees				
5 Gal. Trees ¹	125	Each	\$28.00	\$3,500.00
15 Gal. Trees ¹	125	Each	\$60.00	\$7,500.00
183 Shrubs				
5 Gal. Shrubs ¹	92	Each	\$28.00	\$2,576.00
1 Gal. Shrubs ¹	91	Each	\$11.00	\$1,001.00
Mitigation Shrub Replacement ²	91	Each	\$28.00	\$2,548.00
Seeding				
Hydroseeding	181209	SF	\$0.07	\$12,684.63
Irrigation ³	1	Lump Sum	\$1,000.00	\$1,000.00
Water ⁴	5	Yearly Cost	\$0.00	\$0.00
TOTAL IN LIEU MITIGATION COST				\$30,809.63

Footnotes

- 1 - Cost Reflects Available Labor and Owned Equipment on the Ranch
- 1 - Cost Includes Emitter, Poly Line and Spaghetti Line Cost at \$5.00 per 1 and 5 gal. and \$ 10.00 per 15 gal. Tree
- 2 - This reflects previous mitigation shrubs that have not survived (frost damage)
- 3 - Includes cost of Valving and Connection to Existing System
- 4 - Property is on well water

CALCULATIONS:

This site contains Important Riparian Area with Underlying
Class B Xeroriparian Area

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