



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: August 19, 2019

Title: Approval of a Riparian Habitat Mitigation In-Lieu Fee Proposal for Placement of a Pool for a Single Family Residence at 5220 West Spectacular, Located within Regulated Riparian Habitat (District 1)

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 owner, Andrew Benzing has applied for a floodplain use permit to construct a pool at his residence located at 5220 West Spectacular Way. The property is mapped within Regulated Riparian Habitat (RRH) and is classified as Important Riparian Area with Underlying Xeroriparian Class C Habitat. Upon review of the floodplain use permit, staff determined that 0.87 acres of the RRH had been disturbed over a period of several years. Since the disturbance exceeds the 1/3 threshold a Riparian Habitat Mitigation Plan (RHMP) is required. Mr. Benzing wants to utilize the disturbed areas for future landscaping projects, as a result he is proposing to contribute a fee of \$8,265.00 in lieu of onsite mitigation, based on the Flat Fee Table provided in the *Pima County Regulated Riparian Habitat Off-Site Mitigation Guidelines*.

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:

\$8,265.00

Board of Supervisor District:

☒ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ All

Department: Regional Flood Control District

Telephone: 724-4600

Department Director Signature/Date:

Suzanne Shields 7/30/19

Deputy County Administrator Signature/Date:

[Signature] 7/30/19

County Administrator Signature/Date:

C. DeMurray 7/30/19

DATE: July 30, 2019

TO: Flood Control District Board of Directors

FROM: Suzanne Shields, P.E.
Director

SUBJECT: **Approval of a Riparian Habitat Mitigation In-Lieu Fee Proposal for Placement of a Pool for a Single Family Residence at 5220 West Spectacular, Located within Regulated Riparian 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 owner, Andrew Benzing has applied for a floodplain use permit to construct a pool at his residence located at 5220 West Spectacular Way (Exhibit A). The property is mapped within Regulated Riparian Habitat (RRH) and is classified as Important Riparian Area with Underlying Xeroriparian Class C Habitat (Exhibit B). Upon review of the floodplain use permit, staff determined that 0.87 acres of the RRH had been disturbed over a period of several years. Since the disturbance exceeds the 1/3 threshold a Riparian Habitat Mitigation Plan (Exhibit C) is required. Mr. Benzing wants to utilize the disturbed areas for future landscaping projects, as a result he is proposing to contribute a fee of \$8,265.00 in lieu of onsite mitigation, based on the Flat Fee Table provided in the *Pima County Regulated Riparian Habitat Off-Site Mitigation Guidelines*.

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 – Riparian Habitat Mitigation Plan

Exhibit A

Subject Property

Andrew Benzing & Sarah Taouil
5220 West Spectacular Way
BOS Meeting Date 8/19/2019

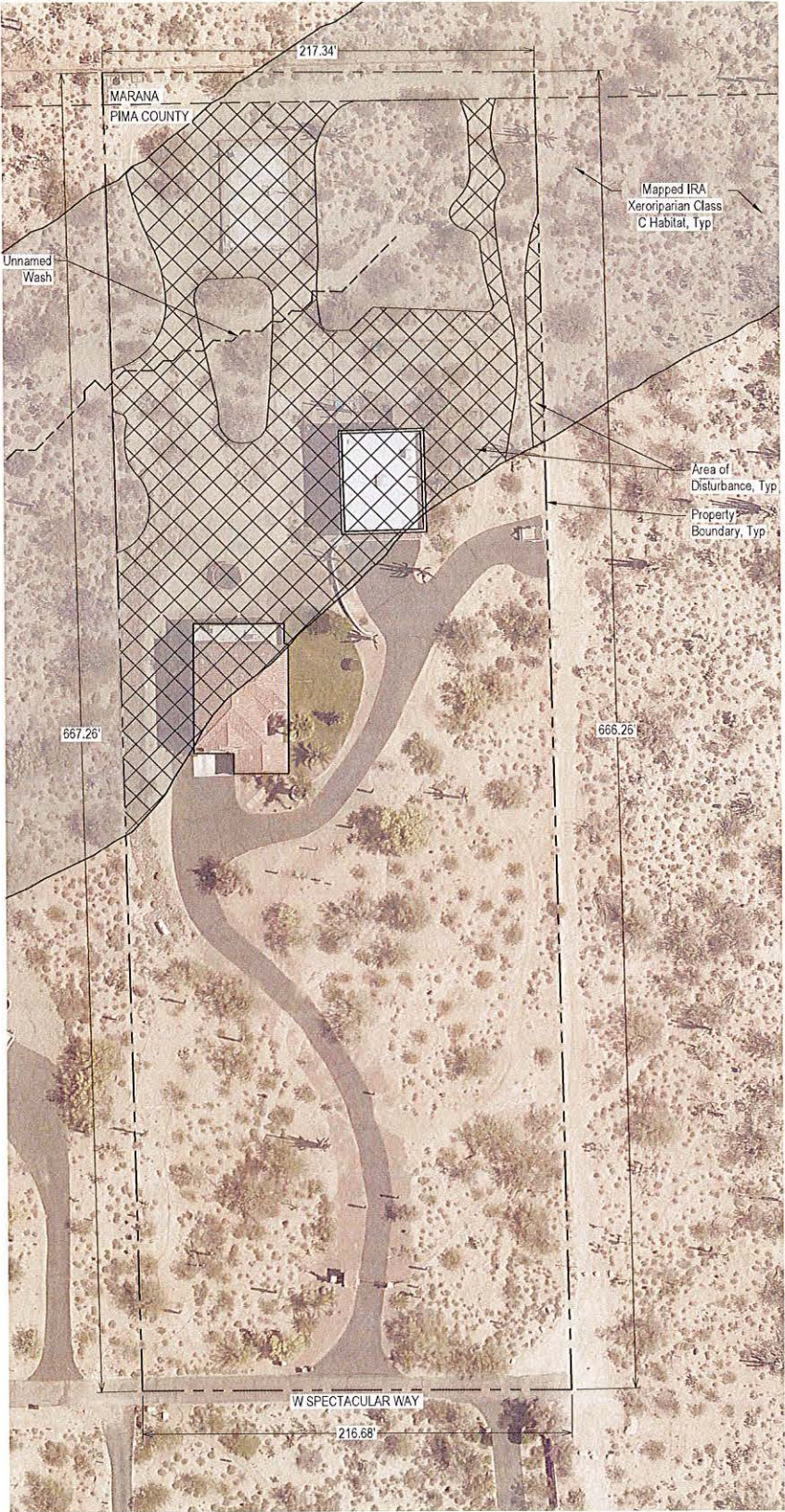
Exhibit B

Important Riparian
Area with Underlying
Class C Habitat

Subject Property

Andrew Benzing & Sarah Taouil
5220 West Spectacular Way
BOS Meeting Date 8/19/2019

Exhibit C



RIPARIAN MITIGATION PLAN

40 20 0 40

1" = 40'

PROJECT OVERVIEW

Unauthorized and unmitigated riparian disturbance occurred at the approximately 3-acre project site at 5220 W. Spectacular Way, Tucson, AZ 85742 (tax code parcel 216-26-004C). The parcel is being purchased by a new owner, and the riparian disturbance violations that occurred within Pima County are being addressed at this time via in-lieu fee payment.

Property dimensions noted on plan were obtained from Assessor's Record Map available through Pima Maps. No on-site survey was performed.

The project site is within the Arizona Upland subdivision of the Sonoran Desert Scrub Plant Community, and contains Important Riparian Area (IRA) Xeroriparian C mapped habitat.

Date of aerial is 2018.

PROPOSED MITIGATION

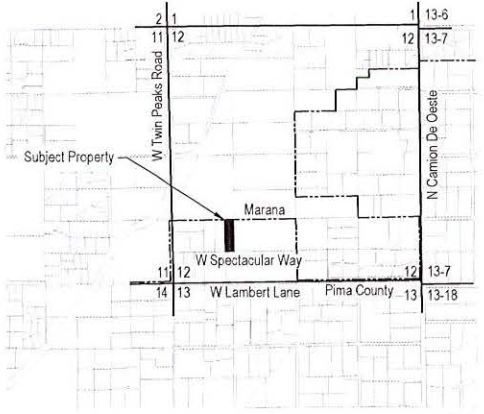
- Mitigation for xeroriparian habitat shall be via in-lieu fee. No on-site mitigation is proposed.
- The Flat Fee table provided by Pima County Flood Control will be utilized. The cost per acre for Important Riparian Area - Xeroriparian C habitat disturbance is \$9,500 per acre.
- Amount of riparian habitat on site (within Pima County) that has been disturbed is 0.87 AC. Fee for 0.87 acres of disturbance is \$8,265.00.

REGULATED RIPARIAN HABITAT DISTURBANCE

Riparian Class	Total Area of Regulated Riparian Habitat on Site within Pima County	Previously Disturbed Area to be Mitigated
IRA Xeroriparian C	1.26 Acres	0.87 Acres

LEGEND

SYMBOL	ELEMENT
	Mapped IRA Xeroriparian Class C Habitat
	IRA Xeroriparian Class C Habitat that has been Disturbed



LOCATION MAP

A parcel located within Section 12, Township 12 South, Range 12 East, Gila and Salt River Meridian, Pima County, Arizona



WILDER
Landscape Architects

2738 East Adams St | Tucson, AZ 85716
Jennifer Patton, 520-320-3936
jennifer@wilderla.com

Designed By: JP Checked By: BW Date: February 21, 2019

REVISIONS: Rev # Date Description

BENZING RESIDENCE

5220 W. SPECTACULAR WAY, TUCSON, AZ 85742

RIPARIAN MITIGATION PLAN



Section 12, T12S, R12E,
G & S.R.M.
Pima County, Arizona