

CHAPTER 20 - PLANNING AND DEVELOPMENT

Sec. 20-204. Floodplain management; regulations.

In order to promote the public health, safety and general welfare, the City will enforce the following regulations:

- (1) No person may either obstruct, divert, or reduce the capacity within the area of special flood hazard by constructing any development or altering the width or course of said floodways except as provided in these regulations.
- (2) Construction and development may occur within the floodway fringe and the areas of shallow flooding provided that the Engineering Director review and approve all such requests for building permits prior to issuance by the building official. The Engineering Director will ascertain that the proposed construction will incorporate appropriate flood-proofing measures to the "regulatory flood elevation", or that the "lowest floor" is above the "regulatory flood elevation". A "dwelling unit" shall be so constructed so as to place the "lowest floor" elevation of the "dwelling unit" above the "regulatory flood elevation". Appropriate flood-proofing measures may include, but not be limited to: providing access during flood events, maintaining electrical, water, and sewer services, designing foundations and structures to withstand hydraulic loadings expected during the base flood and designing windows, doorways and other openings located below the level of the base flood to prevent the entrance of floodwaters. Any applicant for a building permit has the burden of furnishing the Engineering Director satisfactory evidence to enable him to either determine that the applicant's property does not fall within the area of special flood hazard or that there is no substantial hazard, either to the proposed development or to the property.
- (3) Construction and development may be permitted within the Selected Floodway subject to review and approval by the Engineering Director, on an individual permit basis; however, no development in the Selected Floodway will be allowed which will increase the water surface elevation of the base flood.
- (4) These regulations do not affect the existing use of property in the areas of special flood hazard or the right to the continuation of that use, nor do they affect the reasonable repair or alteration of property for the purpose for which such property was lawfully used on February 12, 1974.
- (5) Any substantial improvements to existing structures must conform to the requirements of this chapter.
- (6) New developments which provide on-site waste disposal systems must locate them outside the boundary of the base flood.
- (7) Within 120 days after completion of any flood control project, the areas of special flood hazard and the Selected Floodway in the area benefited by such works will be redefined.

CHAPTER 20 - PLANNING AND DEVELOPMENT

(8) Any new building or development located or maintained within the area of special flood hazard must have prior written authorization from the Engineering Director, except as specified in 20-206 and 20-211 of these regulations.

(9) The owner must have a registered professional engineer, or registered land surveyor, certify to the Engineering Director the actual elevation of the minimum finished floor of any new or substantially improved structure located within the area of special flood hazard. A record of these certifications shall be maintained with the Engineering Director. In addition, where a non-residential structure is intended to be made watertight below the base flood level, a registered professional engineer or registered architect shall develop and/ or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of this section. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are flood-proofed shall be maintained with the Engineering Director.

(10) The Engineering Director will obtain and maintain for public inspection, all records pertaining to the provisions of this ordinance.

(11) No development shall increase the 100 year twenty-four hour peak or the 100 year two-hour peak whichever is higher. Nor shall the time of the peak change or the total runoff exceed the predevelopment total runoff.

(12) In areas of special flood hazard without a selected floodway or its Flood Insurance Rate Map (FIRM): Flood Insurance Flood Boundary and Floodway Maps (FBFM): no new flood boundary and floodway map, construction, substantial improvements, or other development (including fill) shall be permitted unless it is demonstrated that the cumulative effect if the proposed developments will not increase the water surface elevation of the base flood more than one foot at a point within the community.

State Law Reference, A.R.S. §48-3613. Authorization required for construction in watercourses; exceptions; enforcement.

(Ord. No. 98-102, 9/22/98, enacted)

(Ord. No. 02-41, 6/4/2002, Amended) SUPP 2002-2