



City of Tucson
Development Services Department

DEVELOPMENT STANDARD NO. 9-06.0 (Effective 11/07/06) FLOODPLAIN, WASH & ENVIRONMENTAL RESOURCE ZONE (ERZ) STANDARD

The City of Tucson Development Standard (DS) 9-06.0 (formerly DS 2-13.0) has been revised to provide more consistent application of existing regulations for protection of habitat associated with watercourses. Applications submitted after November 7, 2006 are reviewed using the revised Development Standard. Related regulations include:

- Floodplain and Erosion Hazard Area Regulations Chapter 26, Article 1, Division 1
- Watercourse Amenities, Safety and Habitat (WASH), Chapter 29 Article VIII
- Section 2.8.6, Environmental Resource Zone (ERZ), Land Use Code (LUC), Chapter 23.

FREQUENTLY ASKED QUESTIONS

How can I find out if the watercourse at my site is subject to City regulations?

- The Development Services Department (DSD) can help determine the applicability of various City regulations and Development Standard 9-06 to the watercourse at your site. DSD can be reached at (520) 791-5550 or in their offices at 201 North Stone Avenue, First floor, north wing.
- You may check for potential applicability by going to the following website and using the map layers at <http://tdotmaps.transview.org/StormwaterMap/StormwaterPublicMap.cfm>
- You may check for potential applicability by using the Overlay Zone maps at the Urban Planning and Design website (ERZ Overlay) at <http://www.ci.tucson.az.us/planning/maps/zoning/eztrs.htm>
- DSD reviewers will provide comments regarding the applicability of the regulations at pre-submittal meetings.
- If you wish to discuss ways to avoid impacts to habitat associated with watercourses at your site, you can contact the Office of Conservation and Sustainable Development to have a site design consultation. This office can be reached at (520) 791-4675.

Where can I get a copy of Development Standard 9-06.0?

Copies of the Development Standard are currently available at the DSD public service counter at the Engineering and Landscape Sections. A \$3.00 fee applies.

The revised standard is also available as a free download at:

http://www.tucsonaz.gov/dsd/Codes___Ordinances/DS_Renumbered/DS_9-06__Floodplain_Wash_ERZ.pdf

Does the revised Development Standard apply to all projects submitted after November 7, 2006?

Not all projects are affected. Some projects are exempted because prior regulations or guidelines govern their development.

- The revised Development Standard is not applied to single family residential lots with dwellings constructed pursuant to building permits issued before November 7, 2006
- This Development Standard is not applied in a manner that conflicts with a rezoning or special exceptions approved by ordinance by the Mayor and Council after November 7, 2001
- This Development Standard may be applied to an exempt application at the request of the applicant.

Does the revised Development Standard supercede other regulations?

It supercedes only the previous version of this Development Standard. All development covered by this standard must comply with all other applicable code provisions, including obtaining floodplain use permits where necessary. Watercourses zoned as ERZ watercourses or named in the WASH regulations must be reviewed for compliance with the respective codes and conformance with the DSD Full Notice Procedure, Sections 23A-50 and 51.

What is a watercourse?

A watercourse is any lake, river, stream, creek, wash, arroyo, or other topographical feature on or over which waters flow at least periodically. In Tucson, washes are the types of watercourses people are most likely to have on their properties.

Why does the City of Tucson protect watercourses?

The City regulates watercourse for many reasons, some of which are to protect the public from flooding, provide cost effective and efficient drainage throughout the City, maintain natural riparian areas and hydrology, provide for recharge of the aquifer, and protect environmental resources. The City is under state and federal mandates to regulate stormwater and floodplain development. Watercourses left in their natural state help safely convey stormwater through the landscape, improve stormwater quality, promote groundwater recharge, and support plants and wildlife.

Which watercourses are protected?

The following watercourses have special protections:

- Watercourses whose 100-year discharge is greater than 100 cubic feet per second (cfs) (*Article 1, Division 1, Floodplain and Erosion Hazard Area Regulations, Chapter 26, Tucson Code*)
- Watercourses that have been zoned as Environmental Resources Zone (ERZ) watercourses (*Section 2.8.6, Environmental Resources Zone (ERZ) Land Use Code, Chapter 23, Tucson Code*),
- Watercourses that are designated as Watercourse Amenities, Safety and Habitat (WASH) watercourses, (*Article VIII, Watercourse Amenities, Safety and Habitat (WASH), Chapter 29, Tucson Code*)

Is development allowed to encroach within protected habitats (known as Protected Riparian Areas) associated with watercourses?

In some cases development may be allowed, as follows:

- Voluntary revegetation, restoration, or enhancement of habitat inside a Protected Riparian Area is allowed with submittal of a Restoration Plan, and is not considered encroachment.
- Unpaved paths and trails that do not displace resources are allowed.
- Roadways, bike paths, paved walkways and utilities, for which justification is provided, may be considered necessary development that may cross Protected Riparian Areas. A Mitigation Plan must be submitted to address impacts.
- Encroachments may be requested using the Development Standard Modification Request (DSMR) procedure in DS 1-01.4.7
 - A DSMR for a proposed minor encroachment may be submitted if the loss of riparian resources would not exceed 5 percent of the total area of the Protected Riparian Area. A Mitigation Plan must be submitted to show how lost habitat would be replaced by planting riparian vegetation elsewhere at the site. Because encroachment would not exceed 5 percent, the encroachment may be approved if habitat function is not disturbed and mitigation efforts improve riparian resources.
 - A DSMR may be requested for proposed encroachments exceeding 5 percent. A Mitigation Plan must be submitted to show how lost habitat would be replaced by planting riparian vegetation elsewhere at the site. Because encroachment would exceed 5 percent, the encroachment will not necessarily be approved. Decisions regarding approval or denial will be made by the DSD Director.
 - A DSMR may not modify ERZ or WASH regulatory requirements.
- Encroachments proposed adjacent to or within WASH- or ERZ-designated watercourses will require a public review process including sending notices to other property owners.