

# Maricopa County Flood Control District Substantive Policy Statements

Flood Control District of Maricopa County  
2801 W. Durango Street  
Phoenix, AZ 85009

June 8, 2016



Maricopa County



# Flood Control District of Maricopa County

## **Board of Directors**

Denny Barney, District 1  
Steve Chucri, District 2  
Andrew Kunasek, District 3  
Clint Hickman, District 4  
Mary Rose Wilcox, District 5

www.fcd.maricopa.gov

2801 West Durango Street  
Phoenix, Arizona 85009  
Phone: 602-506-1501  
Fax: 602-506-4601  
TT: 602-505-5897

## **SUBSTANTIVE POLICY STATEMENT 2012-01: POOL AND POOL EQUIPMENT REQUIREMENTS**

### **ISSUED BY:**

A handwritten signature in black ink, appearing to read "Timothy S. Phillips", is written over a horizontal line.

Timothy S. Phillips, P.E.  
Chief Engineer & General Manager

A handwritten date "8/9/13" is written in black ink over a horizontal line.

Date

**ORIGINAL DATE:** July 21, 2010  
**REVISION DATE:** August 8, 2013

### **PURPOSE**

This policy provides a consistent and reasonable interpretation of Sections 401 and 601 of the Floodplain Regulations as they apply to pools and pool equipment.

### **REFERENCE**

Floodplain Regulations for Maricopa County, Sections 401 and 601

### **POLICY**

All pool equipment breaker boxes shall be elevated a minimum 24 inches above natural grade in Zone AO (with depth = 1.0 foot), and 36 inches above natural grade in all other Zones, or at or above the Regulatory Flood Elevation for pool equipment in the floodplain.

For pool equipment breaker boxes in areas outside of the regulated floodplain there are no Floodplain Regulation requirements. Pool filter units are not required to be elevated.

While pools and pool equipment are considered development according to National Flood Insurance Program regulations, they may not be protected against flood damage during the one-percent chance flood. A permit should not be taken as a warranty of protection from flooding. Applicants are advised to consult their engineer or other expert regarding flood protection.

Pool barriers/fencing are required per county or community zoning ordinances. The property owner shall be responsible for maintaining all fencing and clearing any debris build-up caused by or from the fencing in the floodplain area to eliminate the possibilities of obstructed flows.



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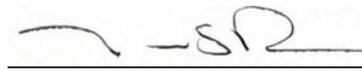
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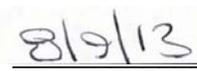
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## **SUBSTANTIVE POLICY STATEMENT 2013-01: PERMIT FEE COLLECTION**

### **ISSUED BY:**

  
\_\_\_\_\_  
Timothy S. Phillips, P.E.  
Chief Engineer & General Manager

  
\_\_\_\_\_  
Date

**ORIGINAL DATE:** March 22, 2013

**REVISION DATE:** August 8, 2013

### **PURPOSE**

This policy interprets Section 402 of the Floodplain Regulations of Maricopa County consistent with the requirements of Arizona Revised Statutes (A.R.S.) §§ 48-3641 - 48-3650, and assists the One Stop Shop in expediently notifying customers of their permits' readiness for pick up.

### **REFERENCE**

Floodplain Regulations for Maricopa County, Section 402  
A.R.S. §§ 48-3641 - 48-3650

### **POLICY**

Permit issuance as noted in the Floodplain Regulations includes all steps in the permit process from staff review, to permit signatures through to final inspection.

A permit fee shall be collected as early in the process as possible.

Review staff shall approve (grant) the Floodplain Use Permit under the Building "B" Permit once review is complete and the Division Manager has signed the Floodplain Use Permit.

If a customer has not paid the required fee by the time a final inspection is requested, a final inspection will not be conducted until the floodplain use permit fee is collected. If the fee is not paid, the permit shall be considered Void and development will be in violation of the Floodplain Regulations for Maricopa County.

Floodplain Use Permit fees will not be collected by District Inspectors in the field. Applicants must pay in person at the District or by phone at 602-506-1501.



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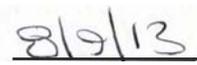
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## **SUBSTANTIVE POLICY STATEMENT 2013-02: ENHANCED REGULATORY OUTREACH**

### **ISSUED BY:**

  
\_\_\_\_\_  
Timothy S. Phillips, P.E.  
Chief Engineer & General Manager

  
\_\_\_\_\_  
Date

**ORIGINAL DATE:** January 8, 2013

**REVISION DATE:** August 8, 2013

### **PURPOSE**

This policy integrates Maricopa County's Enhanced Regulatory Outreach Program with the Flood Control District's processes for managing amendments to its regulatory documents. The program will be operational by January 9, 2013.

### **REFERENCE**

Arizona Revised Statutes (A.R.S.) §§ 48-3603, 48-3609, 48-3613 and 48-3615; Title 48, Chapter 21, Article 2

Maricopa County Policy A1518 - Enhanced Regulatory Outreach  
Floodplain Regulations for Maricopa County

### **POLICY**

No code, rule, regulation or ordinance can be enforced without substantial compliance with this policy, except those that were approved by the Board of Directors before January 9, 2013.

Regulatory amendments, including amendments to associated fee schedules, shall be processed in a consistent manner to ensure the opportunity for public input. All regulatory documents administered by the District shall be amended per the processes outlined in the attached flowcharts, which meet or exceed all statutory requirements.

The District will provide, for the County's Enhanced Regulatory Outreach website, the following information at a minimum.

- A. Calendar – A calendar notifying the public of all major milestones and opportunities for public input on all current regulatory adoptions and amendments.

- B. Information about where comments can be submitted electronically or in writing.
- C. Staff Reports – Staff reports on all regulatory changes will be prepared and linked to the website at least one week prior to any public meeting or hearing (Flood Control Advisory Board or Board of Directors). These staff reports will include:
  - 1. A summary of the proposed regulatory change;
  - 2. An analysis of the input received during the process and how that input was responded to;
  - 3. Language of any proposed regulatory change or amendment;
  - 4. Minutes for all public meetings; and,
  - 5. Copies of all written and electronic stakeholder input.

Stakeholder comments received after public distribution of the staff report will be included on the Enhanced Regulatory Outreach site and noted as such.

In addition to the required staff report, an executive summary of the report including an overview of stakeholder input and staff responses will be provided to the Board of Directors at least one week prior to the Board of Directors public hearing.

- D. Process Flow Chart – All new ordinances and regulatory amendments to be administered by the District will be processed per the attached flowcharts.

The Expedited Process flowchart may only be used in lieu of the standard flowchart if the following criteria have been met:

- 1. The proposed amendment has been the subject of at least one Stakeholder Workshop (posted on the County's website at least two weeks in advance) and one Flood Control Advisory Board meeting.
  - 2. A draft of the regulatory change was available on the Enhanced Regulatory Outreach Program website at least two weeks prior to the Flood Control Advisory Board meeting and was forwarded to the Flood Control Advisory Board at least one week in advance of its proposed review meeting.
  - 3. No comments of opposition to the amendment have been received from the public.
  - 4. The Flood Control Advisory Board recommends approval.
- E. Stakeholder Notification Sign-up – The Enhanced Regulatory Outreach site will include an opportunity for any interested person to sign up to receive notices of all proposed regulatory changes, including opportunities to participate in the process.
  - F. Index of Current Regulations – The District will post all current regulations to the Enhanced Regulatory Outreach site.

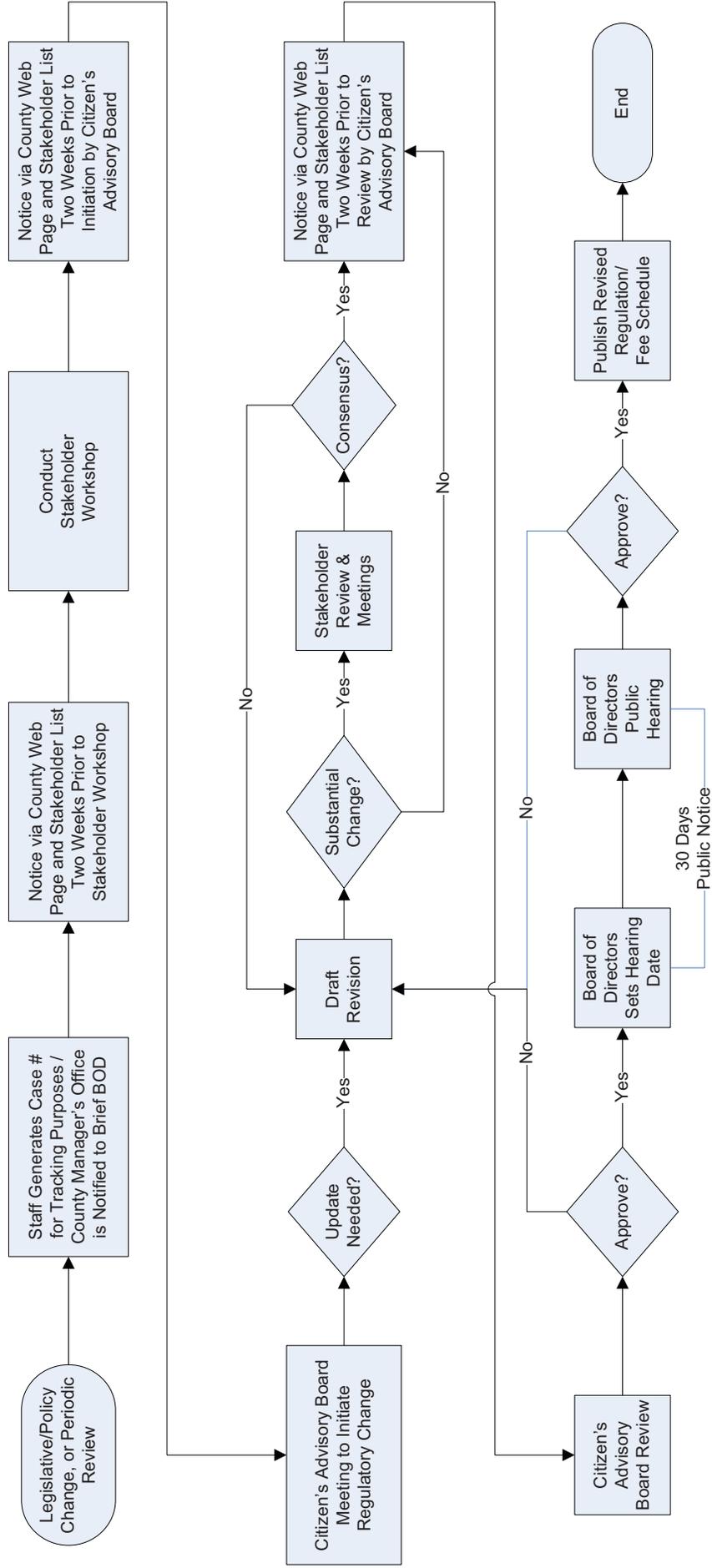
G. Index of Substantive Policy Statements – The District will post to the Enhanced Regulatory Outreach site all substantive policy statements as defined by ARS § 48-3641.

H. Other categorized regulatory and reference documents consistent with the content of the County's Enhanced Regulatory Outreach site.

If an affected person has a complaint concerning a failure of the District to observe the requirements of this policy, it shall be submitted to the District. The complaint shall contain, at a minimum, the specific rule being initiated or recommended; and an explanation specifying the perceived failure that led to the complaint. Within fifteen business days after the date of submission, the District shall, in writing, respond to the complaint and recommend action. The affected person may appeal the decision by filing with the Clerk of the Board, within thirty days after the date of that written decision, a written appeal to the Board of Directors. The Board of Directors shall place the complaint on its agenda within thirty days and provide a response to the complaint at the meeting. In the event of an appeal, the appealed portion of the regulation or ordinance will not be enforced until the Board of Directors rules on the appeal.

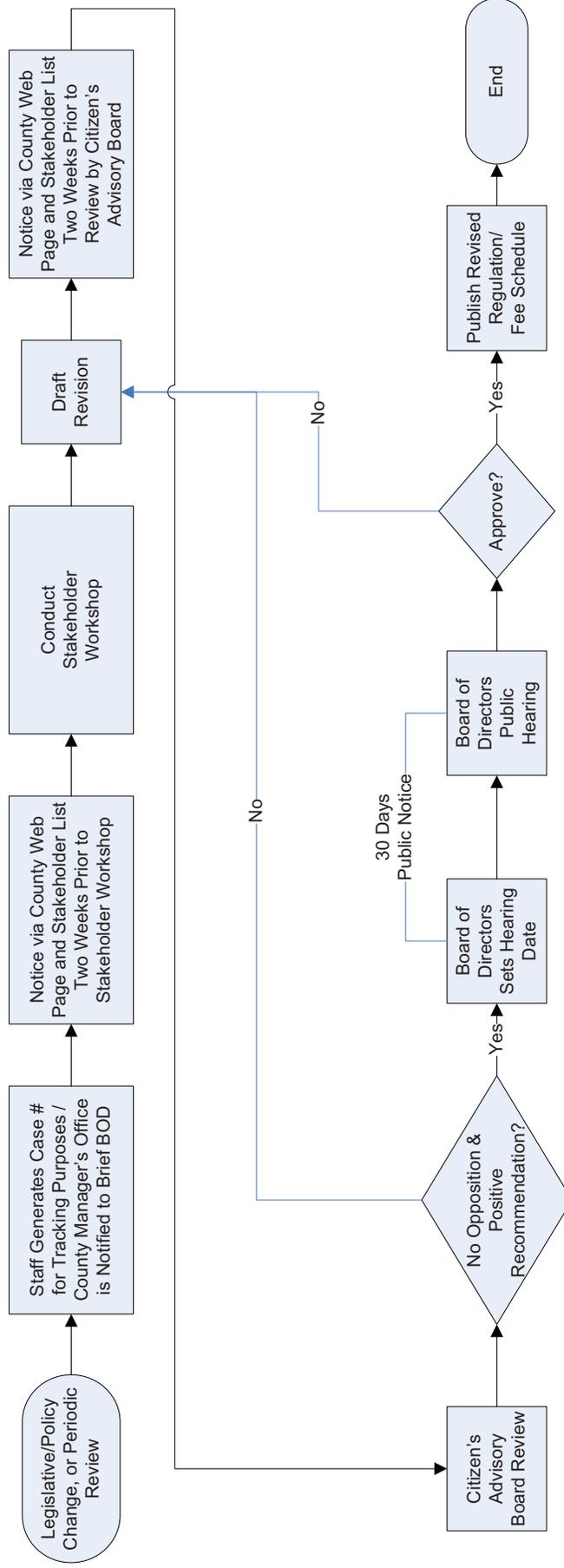
The Board of Directors may adopt regulations or ordinances without complying with the procedures of this policy if the Board makes a finding of an emergency requiring the adoption of the regulation and ordinance and records the nature of the emergency and the reason for the adoption in its minutes. Not later than sixty (60) days after the adoption of an emergency measure according to this policy, the regulation or ordinance shall be reviewed by the Board to determine if it should continue or be terminated.

# Flood Control District Fee Schedule/Regulation Modification Procedure



Per Arizona Revised Statute ARS §48-3609(E)

# Expedited Flood Control District Fee Schedule/Regulation Modification Procedure



Per Arizona Revised Statute  
ARS §48-3609(E)



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**SUBSTANTIVE POLICY STATEMENT 2015-01:  
Drainage Design Manual for Maricopa County – Hydrology**

ISSUED BY:

A handwritten signature in black ink, appearing to read "William D. Wiley", written over a horizontal line.

William D. Wiley, P.E.  
Chief Engineer and General Manager

8-3-15

Date

**ORIGINAL DATE:** September 9, 2013

**PURPOSE**

To have a convenient source of technical information tailored to the unique hydrologic, environmental, and social character of Maricopa County and a consistent set of criteria that will result in uniform drainage practices throughout the County.

**REFERENCE**

N/A

**POLICY**

The Drainage Design Manual for Maricopa County – Hydrology is approved and accepted for use within Maricopa County, AZ as best available technical information.

The Hydrology manual is only available in digital format and can be found on the FCDMC public web site at:

<http://www/fcd.maricopa.gov/Pub/manuals/hydrology.aspx>

The Drainage Design Manual – Hydrology provides criteria and design guidance for estimation of peak discharges and runoff volumes for use in identifying flood hazards and design of drainage facilities in Maricopa County.

This document is only advisory and is not intended to impose additional requirements or penalties on regulated parties or confidential information. Submissions made using other methodology shall be acceptable to the Flood Control District of Maricopa County upon submission of scientific documentation and evidence showing that such methodology yields results that are consistent and in accordance with the requirements of the various ordinances and regulations. However, the burden of proof is on the applicant and may affect submittal review times.



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**SUBSTANTIVE POLICY STATEMENT 2015-02:  
Drainage Design Manual for Maricopa County – Hydraulics**

ISSUED BY:

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William D. Wiley, P.E.  
Chief Engineer and General Manager

8-3-15

Date

**ORIGINAL DATE: September 9, 2013**

**PURPOSE**

To have a convenient source of technical information that is tailored to the unique hydrologic, environmental, and social character of Maricopa County and a consistent set of criteria that will result in uniform drainage practices throughout the County.

**REFERENCE**

N/A

**POLICY**

The Drainage Design Manual for Maricopa County – Hydraulics is approved and accepted for use within Maricopa County, AZ as best available technical information.

The Hydraulics manual is only available in digital format and can be found on the FCDMC public web site at:

<http://www.fcd.maricopa.gov/Pub/manuals/hydraulics.aspx>

The Drainage Design Manual – Hydraulics, is to provide criteria and design guidance for storm drainage facilities in Maricopa County.

This document is only advisory and is not intended to impose additional requirements or penalties on regulated parties or confidential information. Submissions made using other methodology shall be acceptable to the Flood Control District of Maricopa County upon submission of scientific documentation and evidence showing that such methodology yields results that are consistent and in accordance with the requirements of the various ordinances and regulations. However, the burden of proof is on the applicant and may affect submittal review times.



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**SUBSTANTIVE POLICY STATEMENT 2015-03:  
Drainage Design Manual for Maricopa County – Erosion Control**

ISSUED BY:

A handwritten signature in black ink, appearing to read "William D. Wiley", written over a horizontal line.

William D. Wiley, P.E.  
Chief Engineer and General Manager

8-3-15

Date

**ORIGINAL DATE:** September 9, 2013

**PURPOSE**

To provide guidance to agencies, municipalities, developers, property owners, engineers, contractors, and others involved with construction events as a means to comply with the Arizona Pollutant Discharge Elimination System (AZPDES) or the National Pollutant Discharge Elimination System (NPDES).

**REFERENCE**

Not Applicable

**POLICY**

The Drainage Design Manual for Maricopa County – Erosion Control is approved and accepted for use within Maricopa County, AZ as best available technical information. The Erosion Control manual is only available in digital format and can be found on the FCDMC public web site at:

<http://www.fcd.maricopa.gov/Pub/manuals/erosionControl.aspx>

This document provides guidance on how to comply with the AZPDES (and NPDES) General Permit for discharges from regulated construction activities.

This document is only advisory and is not intended to impose additional requirements or penalties on regulated parties or confidential information. Submissions made using other methodology shall be acceptable to the Flood Control District of Maricopa County upon submission of scientific documentation and evidence showing that such methodology yields results that are consistent and in accordance with the requirements of the various ordinances and regulations, and specifically of the AZPDES (and NPDES) General Permit for discharges from regulated construction activities. However, the burden of proof is on the applicant and may affect submittal review times.

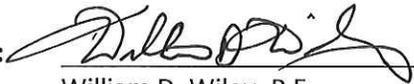


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## SUBSTANTIVE POLICY STATEMENT 2016-03: Drainage Policies and Standards Manual for Maricopa County, AZ

ISSUED BY:  6.8.16  
William D. Wiley, P.E. Date  
Chief Engineer and General Manager

ORIGINAL DATE: April 18, 2007  
Revisions: 5

### PURPOSE

To provide guidance and detail for implementation of the *Floodplain Regulations for Maricopa County* and the *Maricopa County Drainage Regulations*.

### REFERENCE

N/A

### POLICY

The Drainage Policies and Standards Manual for Maricopa County revision dated **June 1, 2016** is approved and accepted for use within Maricopa County, AZ as best available technical information. This document replaces all previous versions.

The manual is only available in digital format and can be found on the FCDMC public web site at:

<http://www.fcd.maricopa.gov/downloads/2016-Drainage-Policies-Standards-Manual.pdf>

This document is only advisory and is not intended to impose additional requirements or penalties on regulated parties or confidential information. Submissions made using other methodology shall be acceptable upon submission of scientific documentation and evidence showing that such methodology yields results that are consistent and in accordance with the requirements of the various ordinances and regulations. However, the burden of proof is on the applicant and may affect submittal review times.