

COB540-7-1-1--
Palumbo

When Recorded Return to:
Contracts Branch
Flood Control District of Maricopa County
2801 West Durango Street
Phoenix, AZ 85009-6399

RESOLUTION FCD 2011R007

**Fee Schedule
for Review of Applications for Permits and Variances from or Interpretations
of
the Floodplain Regulations for Maricopa County**

Agenda Item: C-69-12-019-7-00

WHEREAS, the Flood Control District of Maricopa County (District) was established in accordance with provisions of Arizona Revised Statutes, Title 48, Chapter 21, to identify flood problems, protect the integrity of flood control facilities, prevent flooding of property and the endangering of lives of people in Maricopa County; and

WHEREAS, per Arizona Revised Statutes (A.R.S.) §48-3603(E) the Board of Directors of the District (Board) may adopt a fee schedule for review of applications for permits and variances from or interpretation of the Floodplain Regulations for Maricopa County; and

WHEREAS, A.R.S. §48-3609(B) requires the Board to adopt and enforce Floodplain Regulations that govern floodplain management in its area of jurisdiction; and

WHEREAS, the District provides effective and efficient floodplain management and enforcement of the Floodplain Regulations for all unincorporated areas of Maricopa County and communities that have elected not to assume their own floodplain management; and

WHEREAS, the District's Floodplain Regulations enable Maricopa County and its residents to participate in the National Flood Insurance Program, receive Federal Disaster Assistance, obtain flood insurance, and reduce the cost of flood insurance.

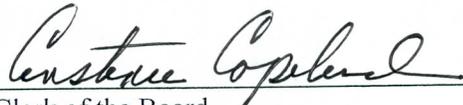
NOW, THEREFORE, BE IT RESOLVED, the Board in order to carry out its statutory duty through the Flood Control District hereby adopts the Fee Schedule for the Floodplain Regulations for Maricopa County as attached hereto and marked Exhibit A; and,

BE IT FURTHER RESOLVED the Board designates the Chief Engineer and General Manager of the District to administer and enforce the Fee Schedule for the Floodplain Regulations for Maricopa County.

Dated this 30th day of November, 2011.


Chairman, Board of Directors

ATTEST:


DEPUTY Clerk of the Board

Enclosure: Exhibit A

EXHIBIT A

Fee Schedule
for Review of Applications for Permits and Variances from or Interpretations
of
the Floodplain Regulations for Maricopa County

FCD 2011R007



APPENDIX A - FEE SCHEDULE

Floodplain Regulations for Maricopa County, Arizona

Effective November 30, 2011

Adopted by Resolution FCD 2011R007

The following administrative fees shall be charged for the processing of Appeals, Floodplain Use Permits, Floodplain Variances, plan review and map changes with no provision for refund, unless an error occurred or other state statutes apply:

<u>FLOODPLAIN USE PERMITS</u>	FEES *	
	Community	Unincorporated County
Complexity 1 – Minor, non-complex residential property development	\$250	\$350
Complexity 2 – Single family residential, mobile/manufactured building, commercial/industrial development	\$465	\$600
Complexity 3 – Residential subdivision, commercial/industrial center, other complex residential or commercial development	\$635	\$800
Clearance Review – Incidental Use	\$100	\$100
Clearance Review – No Development Activity in Floodplain	\$50	\$50
Clearance Review – Perimeter Floodplain and Exemptions	\$0	\$0
Permit Amendment or Modification	\$150	\$200
Post Construction Fee – Associated with Floodplain Inquiry Case	\$150 plus Complexity 1, 2, or 3	
<u>FLOODPLAIN USE PERMIT – EXTRACTION OF SAND AND GRAVEL</u>	FEE**	
Permit Application	\$ 12,800	
Non-compliance Engineering Review	\$ 1,600	
Permit Renewal (5 year)	\$ 6,400	
Major Amendment	\$ 7,440	
Minor Amendment	\$ 3,700	
Administrative Amendment	\$50	
<u>VARIANCE</u> (Floodplain Administrator, Floodplain Review Board, or Board of Directors)	FEE	
Residential/Commercial/Industrial (posting required)	\$ 2,600	
Continuance of Hearing – Applicants request	\$ 50	
New Posting Required	\$ 170	
<u>FLOODPLAIN DELINEATION REVIEW</u>	FEE	
CLOMR/LOMR (MT1)	\$ 880	
CLOMR/LOMR (MT2)	\$ 3,000	
Review of Floodplain Study	\$ 1,500	
<u>APPEALS</u>	FEE	
Appeals, Interpretations	\$250	

Note: Fees shall not be charged by the Floodplain Administrator to any government entities (federal, state, county, or municipal) for services provided by the District.

* Fees for unincorporated county include inspections. Inspections by District staff are not performed for communities unless requested by the community, and in those cases the applicant would be charged the unincorporated county fee.

** Fees include all required inspections throughout the life of the Floodplain Use Permit.



FEE SCHEDULE NOTES

Floodplain Use Permit Fee Categories

Complexity 1 – Fee category to be applied for the review and issuance of residential Floodplain Use Permits for development that lacks structural or design complexity. Development in the floodplain in this category are minor in their potential impact on the floodplain. There is no floodway on the parcel. (Examples: pools, patios, non-solid fences (i.e.: mesh, chain link, barb wire), driveways at natural grade, etc.)

Complexity 2 – Fee category to be applied for the review and issuance of a residential, commercial, or industrial Floodplain Use Permit that requires greater review. This includes development related to single-family residential, mobile/manufactured building, or commercial/industrial use, or any other development of the floodplain that, based on professional judgment, has the potential to result in a more significant impact on the floodplain than Complexity 1. (Examples: single-family residential structures, manufactured homes, mobile homes, solid walls, retaining walls, at grade roads in floodway, accessory buildings, culverts, as-built structures, etc.)

Complexity 3 – Fee category to be applied for the review and issuance of residential, commercial, or industrial Floodplain Use Permit that requires more detailed review due to the level of complexity. This includes residential subdivisions, commercial/industrial malls or parks, or any other development that, based on professional judgment, has the potential to result in a more significant impact on the floodplain as compared to Complexity 1 and Complexity 2. (Examples: subdivisions, commercial business parks, strip malls, roadways, industrial utility projects, multi-family complexes, mobile/manufactured home parks, recreational vehicle parks, any obstruction or fill in the floodway, commercial solar energy production sites, etc.)

Clearance Review - Incidental – Fee category to be applied for the review and processing of an incidental use as approved by the Floodplain Administrator or his designee per signed policy. Development is to have very minimal ground disturbance. (Incidental uses include: awnings, benches, billboards, carports, corrals, demolitions, open rail fences without mesh including barb wire, fire pits, interior courtyard fences less than or equal to 50 lineal feet, light poles, non-substantial improvement additions [interior remodel/repair, vertical additions], patio covers, solar panels on roofs, portable pens and stalls, ramadas, shade structures [nonsolid sides], sheds/enclosures less than or equal to 120 square feet with no utilities, signs [i.e., free standing, building attachments], tenant improvement, wheelchair ramps, and wrought-iron pool barriers.)

Clearance Review - No Development Activity in Floodplain – Fee category to be applied for the review and processing of project improvements conducted within a property that contains a designated floodplain, where review by the Floodplain Administrator has determined that development in the floodplain will not occur.



Clearance Review – Perimeter Floodplain and Exemptions – Fee category to be applied for the review and processing of project improvements conducted within a property that contains a minimal amount of floodplain, generally on the perimeter of the property, that due to the location, amount, and distance from any proposed improvement, does not require review by the Floodplain Administrator to determine its impact on the floodplain. Review and determination of such activities is conducted on an administrative level by District staff.

Permit Amendment or Modification – Fee category to be applied for processing changes to an existing permit, where the reason for the request was initiated by the applicant and the permit fee has already been paid in full. Request may include administrative revisions to paperwork due to new ownership, additional development on property not part of original permit, in-construction changes such as increasing storage tank size or location above or below ground, etc. Modifications are permit changes to plans after the permit has been issued.

Post-Construction Permit Fee (associated with Floodplain Inquiry Case) – Additional fee to be applied for the processing and review of a Floodplain Use Permit category (Complexity 1, 2 or 3) where the applicant has begun or completed construction prior to obtaining the required permit. The fee shall be applied in addition to the standard permitting fee(s). Fee is applicable when there is an open Floodplain Inquiry on the property that has not progressed to a hearing before the Hearing Officer.

Floodplain Use Permit Fee Categories – Extraction of Sand and Gravel

Permit Application – Fee category to be applied for the initial processing and review of an application for sand and gravel mining activities occurring within a designated floodplain.

Noncompliance Engineering Review – Fee category to be applied for the engineering review of a facility as the result of an identified noncompliance issue.

Permit Renewal – Fee category to be applied for the review and processing of the renewal of an active permit with no changes to the previously approved Plan of Development. Permit renewals are required every five years of activity operation, in accordance with the provisions of the Floodplain Regulations.

Major Amendment – Fee category to be applied for the processing of a sand and gravel permit amendment that is considered to be relatively major in complexity and its potential impact on the floodplain. (Examples: expanding permitted pits, adding new engineered structures such as berms or grading controls, etc.)

Minor Amendment – Fee category to be applied for the processing of a sand and gravel permit amendment that is considered to be relatively minor in complexity and its potential to impact the floodplain. (Examples: change in project phasing, relocation of access locations, changes in berm protection riprap, etc.)



Administrative Amendment – Fee category to be applied for the processing of a sand and gravel permit amendment that is administrative in nature and that is not occurring as part of a major/minor amendment request. (Examples: change in ownership, name change, etc.)

Variance Fee Categories

(Floodplain Administrator, Flood Control Review Board, or Board of Directors)

Residential/Commercial/Industrial (posting required) – Fee category to be applied for the issuance of a variance by the Floodplain Administrator, Floodplain Review Board, or affirmed by the Board of Directors.

Continuance of Hearing – Applicants Request – Fee category to be applied in the event that an applicant initiates a request of continuance for a scheduled hearing.

New Posting Fee – Fee category to be applicable for the reposting of a notice of Variance.

Appeals Fee Category

Fee category to be applied when an applicant requests an interpretation from these Regulations, wants to appeal a denied permit application, or appeal a final decision of the Floodplain Administrator based on the results of an inspection.

Floodplain Delineation Review Fee Categories

CLOMR/LOMR (MT1) – Fee category to be applied for the technical review of a conditional letter of map revision (CLOMR) and/or letter of map revision (LOMR) submittal to the Federal Emergency Management Agency (FEMA). The fee is applied for projects that meet the technical criteria for MT-1 submittals to FEMA where the revisions requested are primarily due to modifications to the drainage characteristics as the result of fill being placed.

CLOMR/LOMR (MT2) – Fee category to be applied for the technical review of a CLOMR/LOMR submittal to FEMA. The fee is applied for projects that meet the technical criteria for MT-2 submittals to FEMA where the revisions requested are primarily due to complex modifications to the drainage characteristics that involve the alteration of drainage flows, patterns, rates, velocities, and other dynamic factors.

Review of Floodplain Study – Fee category to be applied for the technical review and consideration of an independent third-party floodplain study. This fee may be applied when the District staff performs a review of a study conducted by an outside entity in support of a permit application or other regulatory requirement.

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Phone Number: 602-506-6764

C Number: C-69-12-019-7-00

RESOLUTION FCD 2011R007
FEE SCHEDULE

FOR REVIEW OF APPLICATIONS FOR PERMITS AND VARIANCES FROM OR INTERPRETATIONS
OF
THE FLOODPLAIN REGULATIONS FOR MARICOPA COUNTY

Action Requested – To set Public Hearing on November 30, 2011

Pursuant to Arizona Revised Statutes (A.R.S.) §48-3603 and §48-3609, set a public hearing for November 30, 2011 to solicit comments and consider the adoption and enforcement of Resolution FCD 2011R007 Fee Schedule for Review of Applications for Permits and Variances from or Interpretations of the Floodplain Regulations for Maricopa County. Upon the Flood Control District Board of Directors approval, this item will become effective November 30, 2011.

Convene Action Requested – Item to be heard on November 30, 2011

Pursuant to Arizona Revised Statutes (A.R.S.) §48-3603 and §48-3609, set a public hearing for November 30, 2011 at which parties in interest and other citizens have an opportunity to be heard and consider the adoption and enforcement of Resolution FCD 2011R007 Fee Schedule for Review of Applications for Permits and Variances from or Interpretations of the Floodplain Regulations for Maricopa County. Upon the Flood Control District Board of Directors approval, this item will become effective November 30, 2011, amending the Fee Schedule previously adopted on December 20, 2006 as part of the Floodplain Regulations for Maricopa County.

Board Required Information:

It is the purpose of the Floodplain Regulations to comply with A.R.S. §48-3609 and 44 CFR Ch.1. et seq. (pertaining to the National Flood Insurance Program) to promote and protect the health, peace, safety, comfort, convenience, and general welfare of the residents within the jurisdictional area of Maricopa County, Arizona, to minimize public and private losses due to flood conditions in specific areas, and to enable Maricopa County and its residents to participate in the National Flood Insurance Program, receive Federal Disaster Assistance, obtain flood insurance and reduce the cost of flood insurance.

The Floodplain Administrator, as designated by the Flood Control District Board of Directors shall be the Chief Engineer and General Manager of the Flood Control District of Maricopa County who shall administer, enforce, and amend the Fee Schedule for the Floodplain Regulations.