

ORDINANCE NO. 779

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING CHAPTER 152 (GRADING AND DRAINAGE) OF THE CODE OF THE TOWN OF PAYSON, PROVIDING A VARIANCE PROCEDURE FROM THE TECHNICAL REQUIREMENTS OF CHAPTER 152.

WHEREAS, Chapter 152 of the Code of the Town of Payson sets forth the grading and drainage requirements for all areas within the Town; and

WHEREAS, it is the desire and intent of the Mayor and Common Council to create a variance procedure that would allow variances from the technical requirements of Chapter 152 so long as such variance is consistent with the purposes and objectives of Chapter 152,

NOW, THEREFORE, THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, DO HEREBY ORDAIN AS FOLLOWS:

Section 1. That Section 152.04 (List of Acronyms and Abbreviations) of the Code of the Town of Payson is hereby renumbered as Section 152.05.

Section 2. That new Section 152.04 of the Code of the Town of Payson be and is hereby added, and as added shall read as follows:

152.04 VARIANCES.

The Public Works Director may grant a variance from the technical requirements of Chapter 152 so long as such variance does not violate the objectives and requirements of Sections 152.01 and 152.03. The Public Works Director shall create and the Town Manager shall approve an administrative policy detailing the process by which a variance may be requested and the parameters within which such variance may be granted.

Section 3. All ordinances and parts of ordinances in conflict with the provisions of this Ordinance Number 779 are hereby repealed to the extent of such conflict.

PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON this ____ day of _____, 2010, by the following vote:

AYES _____ NOES _____ ABSTENTIONS _____ ABSENT _____

Kenny J. Evans, Mayor

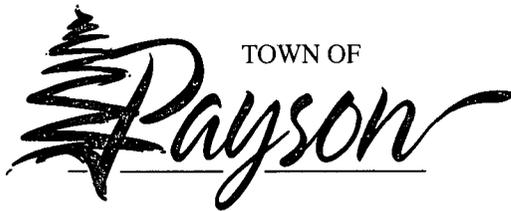
FIRST READING + Public Hearing APR 15 2010 G.8
Second Reading and Public Hearing MAY 06 2010 G.8

ATTEST:

APPROVED AS TO FORM:

Silvia Smith, Town Clerk

Samuel I. Streichman, Town Attorney



Town of Payson
303 N. Beeline Highway
Payson, Arizona, 85541-4306

Town Hall (928) 474-5242
Police Dept. (928) 474-5177
Water Dept. (928) 474-5242
TDD (928) 472-6449
Fax (928) 474-4610

MEMORANDUM

DATE: April 5, 2010

TO: Debra Galbraith
Town Manager

FROM: LaRon G. Garrett 
Public Works Director

SUBJECT: Drainage Requirement Changes

The Town's current Grading and Drainage Code was adopted in 2002, with minor revisions in 2007. Since that time there have a few instances where strictly following the code can place an undue burden on the property owner, and in some cases is counter productive. The intent of the current requested code change is to create the potential for a variance in situations where they are warranted. The code change by ordinance allows for the variance and the Town Manager approved Administrative Policy defines when a variance could be allowed and the affect of that variance.

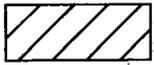
Following is the proposed text for the Grading and Drainage Code Administrative Policy.

1. When the area of land that has an increased storm water runoff coefficient due to development is between 10,000 square feet and 20,000 square feet, the peak storm water runoff leaving the site after development may be adjusted to be between 75% and 100% of the pre-development peak storm water runoff, depending on the area of the increased coefficient. This is based on the 2-, 10-, and 100-year storms.
2. When the area of land that has an increased storm water runoff coefficient due to development is between 1,000 square feet and 10,000 square feet, the peak storm water runoff leaving the site after development may be allowed up to an amount equal to the pre-development peak storm water runoff. This is based on the 2-, 10-, and 100-year storms.
3. When the area of land that has an increased storm water runoff coefficient due to development is less than 1,000 square feet, the peak storm water runoff leaving the site after development may exceed the pre-development peak flows by a maximum of 0.1 cfs

if adequate adjacent and downstream drainage facilities are available. This increased flow is based on the 100-year storm.

4. When the area of land that has an increased storm water runoff coefficient is no more than 1,000 square feet, the requirement for the Grading and Drainage Plan to be prepared by an Arizona Registered Professional may be waived.
5. When the area of land that has an increased storm water runoff coefficient is no more than 1,000 square feet, the requirement for the Site Drainage Evaluation may be waived.
6. Storm water detention required volumes may be adjusted in accordance with the above adjusted peak flow requirements.
7. The Public Works Director is not required to grant a variance if he believes that doing so would be detrimental to the existing drainage in the immediate area.

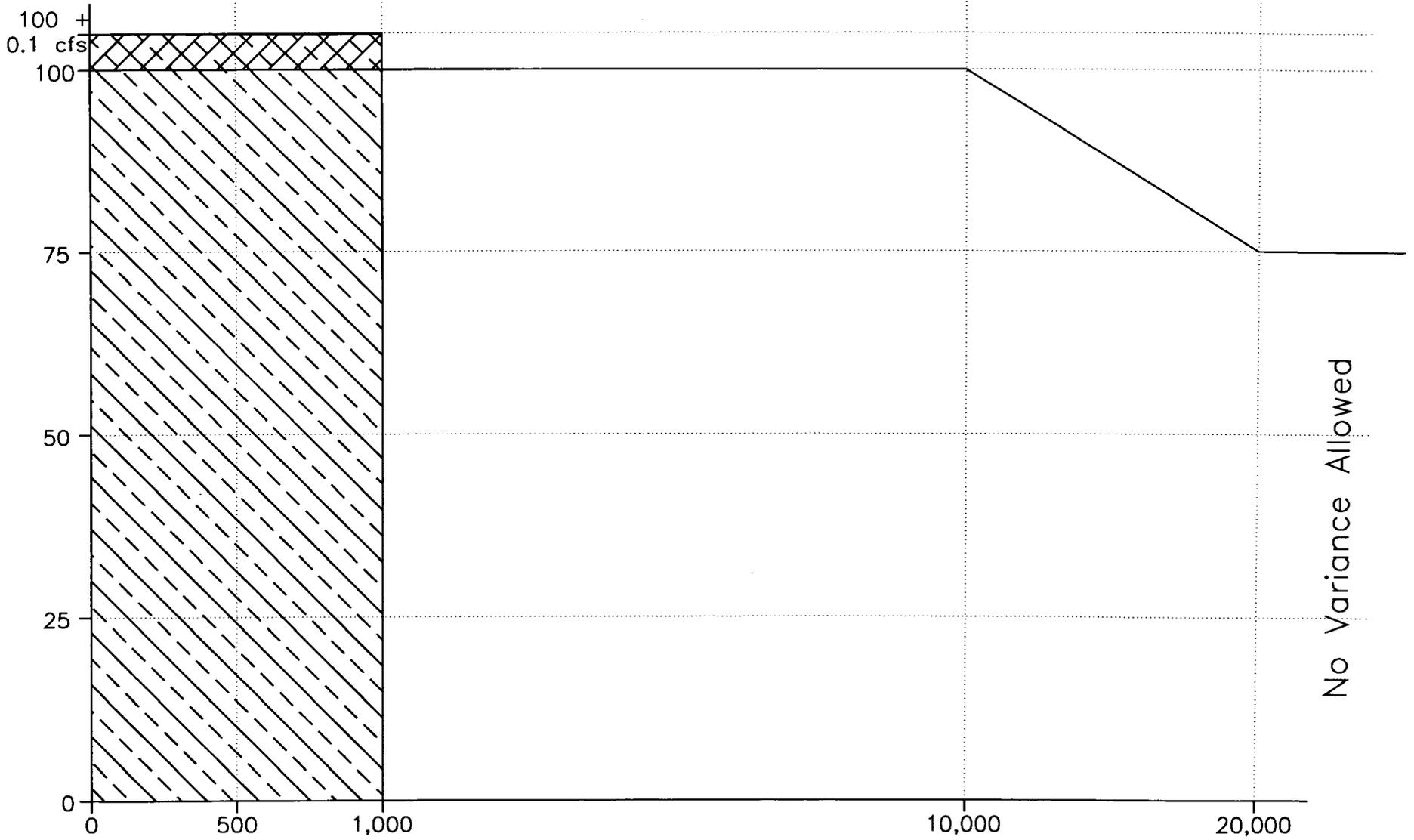
Maximum % of the Difference of the Post-Development
 - Pre-Development Peak Storm Water Runoff Allowed
 - Calculated for the 2-, 10, and 100-year Storms



Maximum increase of 0.1 cfs may be allowed if adequate drainage is available.



Engineered Grading and Drainage Plan and
 Site Drainage Evaluation may be waived.



No Variance Allowed

Number of Square Feet
 with Increased Storm Water Runoff Coefficient