## RESOLUTION NO. 2871

**A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING PAYSON TOWN CODE CHAPTER 152 RELATING TO GRADING AND DRAINAGE AND DECLARING SUCH AMENDMENT TO BE A PUBLIC RECORD.**

**WHEREAS**, the Town of Payson regulates engineering issues associated with grading and drainage policies, design practices and floodplain management that serve to protect the health, safety, and general welfare of its citizens; and

**WHEREAS,** the Code of the Town of Payson ("Code") was declared to be a public record by Resolution Number 1536 and was adopted as a public record by Ordinance Number 588; and

**WHEREAS,** the Mayor and Council approved the Original Drainage Ordinance in 1980, Ordinance No. 87 and thereafter Ordinance No. 292 as well as Resolutions No. 394; 395; 529; and Resolution 1627 passed 2-28-02; and

**WHEREAS**, the Town of Payson is mandated by A.R.S. §§ 48-3604, 48-3609, 48-3610 and 48-3613 to adopt and enforce regulations designed to protect the health, safety and general welfare of its citizens and is required to enforce the Arizona Department of Water Resources "Arizona State Standards for Floodplain Management"; and

**WHEREAS,** it is the intention of the Town of Payson to amend the provisions of Town Code Chapter 152 as described and enumerated in Exhibit A attached hereto; and

**WHEREAS,** such amendment may be enacted by reference, pursuant to A.R.S. § 9-802;

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

Section 1: The Town of Payson Code Chapter 152, Grading and Drainage, is hereby amended as set forth in Exhibit A.

Section 2: Chapter 152 following Sections, Subsections, Figures and Tables are Amended, Revised, Added and/or Deleted --- Section 152.11 (E); Section 152.12 (A); Table 2.1; Section 152.13(A)(3)(b); Section 152.13(A)(3)(c); Section 152.13 (C) (1); Section 152.13 (D) (3); Section 152.13 (E); Section 152.15; Section 152.16 (B) (1); Section 152.18(A); Section 152.18(B); Sections 152.31 (B); 152.60; 152.61(A)(1); 152.61(B); 152.61(C)(2); Section 152.32; Section 152.34; Figure 3.1 and Table 3.1; Section 152.35(B); Section 152.39(A); Section 152.51(A)(4)(a); Sections 152.53(A); 152.62(B)(2); 152.83(A)(1); 152.101(A)(11); Section 152.61(B)(5); Sections 152.61(E)(1); 152.61(E)(3); Section 152.61(F)(1)(a); Section 152.62(A)(2); Section 152.72(B)(2)(b); Section 152.101(A)(1); Section 152.101(A)(5);



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Section 152.114(B)(2); 152.114(B)(5); Section 152.117; Section 152.119; Section 152.121(F) and Sections 152.122 (B); 152.122 (C).

Section 3: This Resolution and said attached Exhibit A are hereby declared to be a public record.

**PASSED AND ADOPTED** by the Mayor and Common Council of the Town of Payson, Arizona, this _____ day of _____, 2015, by the following vote:

AYES: _____ NAYES: _____ABSENT: _____ ABSTAINED:_____

_____
Kenny J. Evans, Mayor

ATTEST:

_____
Silvia Smith, Town Clerk

APPROVED AS TO FORM:

_____
Hector M. Figueroa, Town Attorney

***Prepared by Town of Payson Legal Department***

*HMF:drs August 24, 2015 (4:40PM)*

82415.RESO.CODE.AMENDED.CHAPTER152

# EXHIBIT "A"

Amendments/Modifications/Updates to Town of Payson Grading and Drainage Requirements
Chapter 152 of the Town Code

- The term 'Public Works Engineer' appears multiple times in the current code. This position no longer exists. That term was changed to 'Public Works Department' or 'Public Works Director', as applicable.

- In multiple locations - updated the acceptable forms of submittal to 'electronic media" rather than specify 3.5" diskettes.

- Section 152.11 (E) – Clarified which projects do not require an engineered grading and drainage plan

- Section 152.12 (A) – Clarified the language on when drainage plans must be submitted to additional agencies.

- Table 2.1 – Corrected the heading go Grading and Drainage Plan

- Section 152.13(A)(3)(b) - Included a requirement to show and account for any areas that currently detain storm water on the 'Existing Condition Site Map'.

- Section 152.13(A)(3)(c) - Deleted this section since the issue is covered by federal requirements and renumbered the remaining paragraphs in that section.

- Section 152.13 (C) (1) - Clarified when a Drainage Memorandum is acceptable in lieu of a full Drainage Report

- Section 152.13 (D) (3) - Included Civil Engineer as a profession that can certify slope stability.

- Section 152.13 (E) - Clarified when a grading permit is required.

- Section 152.15 – Removed the Town from the SWPPP process.

- Section 152.16 (B) (1) - Clarified the requirements for Record Drawings.

- Section 152.18(A) – Added the ability to modify a drainage easement created from a recorded subdivision plat.

- Section 152.18(B) – Tracts now 'may' be dedicated rather than 'shall' be dedicated for retention/detention.

- Sections 152.31 (B); 152.60; 152.61(A)(1); 152.61(B); 152.61(C)(2) – Modified the requirement from reducing post-development storm water flows to 75% of the pre-development storm water flows to be no more than the pre-development storm water flows.

- Section 152.32 – Added an additional acceptable calculation method to determine storm runoff hydrology.

- Section 152.34 – Deleted Figure 3.1 and Table 3.1 that provided rainfall intensity and volume data and directed them to use the NOAA website for this information. The NOAA data is more accurate and more current.

- Section 152.35(B) – Clarified where to obtain soils information

- Section 152.39(A) – Included an additional acceptable method for hydrograph routing

- Section 152.51(A)(4)(a) – Clarified that only lots affected by the 100-yr flood plain need to have the minimum finish floor elevation depicted on the final subdivision plat.

- Sections 152.53(A); 152.62(B)(2); 152.83(A)(1); 152.101(A)(11) – Updated the reference information to the most current available.

- Section 152.61(B)(5) – Clarified the signage requirement when using a parking lot as a detention basin.

- Sections 152.61(E)(1); 152.61(E)(3) – Updated the requirements for inspections and record keeping for privately owned and maintained detention/retention basins.

- Section 152.61(F)(1)(a) – Modified the requirements to obtain a variance to the storm water detention/retention requirements.

- Section 152.62(A)(2) – Clarified the requirements for on detention and possibly obtaining a waiver.

- Section 152.72(B)(2)(b) – Added a new condition that may be imposed if river rock is allowed to be used as rip-rap.

- Section 152.101(A)(1) – Clarified the depth of water allowed to flow over a paved roadway.

- Section 152.101(A)(5) – Modified the options available if there is not adequate room to put a culvert crossing under the road.

- Section 152.114(B)(2); 152.114(B)(5) – Corrected the maximum unsupported height of a fill or cut allowed without a Grading Permit and included an exemption for public utilities.

- Section 152.117 – Reorganized this entire section to make it more understandable and user friendly. The requirements were not changed.

- Section 152.119 – Modified the requirement for bonding on a large grading project to be optional rather than required.

- Section 152.121(F) – Added an option of using larger rip-rap to protect steep fills.

- Sections 152.122 (B); 152.122 (C) – Added options for variations to the code concerning grading set backs from property lines.