

ITEM: This Floodplain Permit Application is for the proposed installation of a chain-link fence and repair of the front and rear deck at 421 South Flood Ave. in the floodway of Imhoff Creek.

BACKGROUND:

APPLICANT: Angel Jacquez

ENGINEER: Kevan Parker, P.E.

The applicant received a notice of violation letter on May 11th for a fence installation and deck construction in the Imhoff Creek floodplain. After investigating, it was determined that majority of the work was replacing an existing deck, but that a chain link had been installed without a permit. Additionally, it appeared the front deck had been extended beyond its original footprint. The applicant then began working with staff to identify what work had been completed and started the process of obtaining a floodplain permit for the completed work.

The chain link fence was installed around the perimeter of the back yard to provide safety for anyone in the yard from falling into the open channel that is immediately adjacent to the property. The applicant indicated that the rear deck and storage building were deteriorated to the point that replacement of the wood was necessary for safety reasons. Additionally, the existing stairs from the deck to the yard were very steep, so they were extended outward to make them safer, and a new rail was provided. The front deck was initially extended in size, but after meeting with City staff it was explained that no new development was allowed in the floodway and that expanded footprint of the deck would very likely not be permissible. The applicant then had the front deck modified to return it to its original dimensions with the addition of a railing for safety.

The applicant's engineer provided a floodplain analysis report with detailed explanation of the work completed as well as compensatory storage calculations provided.

STAFF ANALYSIS:

Site located in Little River Basin or its Tributaries? Yes ☐ No ☒

According to the latest FIRM, the site of the proposed work is located in the Imhoff Creek Floodplain (Zone AE). At the proposed site, the BFE is 1151.0'. Cumulative substantial improvement assessment is calculated using the cost of the deck and storage shed only and is approximately 2.79%.

Applicable Ordinance Sections:

36-533	(e)2(a).....	Fill restrictions
	(e)2(e).....	Compensatory storage
	(e)(3)(j).....	Fencing in the floodplain
	(f)(3)(8)	No rise considerations

Subject Area:

(e)2(a) and (e)2(e) Fill Restrictions in the Floodplain and Compensatory Storage – Fill is restricted because storage capacity is removed from floodplains, natural drainage patterns are adversely altered, and erosion problems can develop. Compensatory storage must be provided within the general location of any storage that is displaced by fill or other development activity and must serve the equivalent hydrologic function as the portion which is displaced with respect to the area and elevation of the floodplain.

The applicant's engineer has supplied a floodplain analysis with calculations for the new fence and deck. 1.67 cubic feet of material was added with this project and the applicant has indicated that this volume of material will be removed from the area adjacent to the deck.

(e)(3)(j) Fencing in the Floodplain – All new fences or replacement of existing fences in the SFHA require a floodplain permit. Approved fences shall be designed and installed to be breakaway or in some other manner so that flows will not be impeded.

The applicant has installed a chain-link fence meeting this ordinance requirement.

(f)(3)(a)(8) No Rise Considerations – For proposed development within any flood hazard area (except for those designated as regulatory floodways), certification that a rise of no more than 0.05 ft. will occur in the BFE on any adjacent property as a result of the proposed work is required. For proposed development within a designated regulatory floodway, certification that no increase in the BFE on any adjacent property as a result of the proposed work is required.

The project engineer has submitted a No Rise statement and floodplain analysis report indicating that this project will not cause a rise in the BFE at this location, meeting the ordinance requirements.

RECOMMENDATION: Staff recommends Floodplain Permit Application #726 be approved.

ACTION TAKEN: _____