

COUNTY OF SAN DIEGO, CALIFORNIA
BOARD OF SUPERVISORS POLICY

Subject Construction of Interim Offsite Flood Control and Drainage Facilities
Provided by Private Developers and Subdividers

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Purpose

The purpose of this policy is to permit construction of interim offsite flood control and drainage facilities by the private sector when there is a demonstrated and substantial public, private, or environmental benefit; and to establish criteria for construction to provide facilities suitable for acceptance for San Diego County Flood Control District (District) maintenance. It will also help ensure completed facilities are compatible with future ultimate expansion requirements and do not increase County or District liability.

Background

Property development can cause increased storm water runoff that may impact other properties. Impacts can include increased flood, erosion, or sedimentation hazards. To mitigate these impacts, a subdivider may be required to construct flood control or drainage facilities off site (outside the boundaries of the property being developed).

Minor subdivisions and lot splits are often done for personal homes and small businesses, and for these people, off site flood control requirements can be a major expense. At the same time, these types of development may have cumulative impacts on flood control and drainage.

Offsite facilities must ordinarily be constructed to have capacity to convey the runoff expected as a result of ultimate development within the watershed. This requirement sometimes results in a facility where its full capacity may not be utilized for as many as 20 years or more. In some cases, private and public benefit does not merit the cost. This policy allows ultimate facilities to be constructed in phases under certain conditions.

Allowing construction of an interim facility can reduce offsite costs to a point where a project is economically feasible and can defer ultimate facility construction to meet future capacity requirements. This, in turn, would allow the immediate realization of both public and private benefits. It would also provide a means of distributing offsite costs for both the interim and ultimate facility to future subdividers through fee collection.

This policy sets conditions under which construction of interim offsite flood control and drainage facilities may be permitted. It also provides criteria to insure interim facilities will not increase County or District liability.

Policy

It is the policy of the Board of Supervisors that:

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DEFINITIONS

1. Design Flood: A flood of designated frequency as established by the District that serves as a basis for determining the required hydraulic properties of flood control and drainage works of improvement.
2. Ultimate Facility: Flood control and drainage facilities which provide flow capacity for the Design Flood in accordance with the San Diego County Drainage Design Manual, current version, (Design Manual).
3. Ultimate Rights of Way: The rights of way required to accommodate Ultimate Facility in accordance with the Design Manual, San Diego Hydrology Manual, current version or other standards adopted by the District.
4. Interim Facility: A flood control or drainage facility that is constructed in a manner and with materials that meets the Design Criteria set forth in this policy, but may require additional flood carrying capacity at some time in the future.
5. Ultimate Development: The complete development of land for the uses and purposes as shown in the Land-Use Element of the San Diego County General Plan, and the General Plans of cities as they affect hydrologic runoff conditions.
6. General Public Benefits: Benefits provided by a proposed project, including but not limited to:
 - A. Assistance to the community in overcoming flood hazards beyond their own abilities to solve which, if not resolved, may cause serious damage to other private or public properties.
 - B. Elimination or substantial reduction of public health problems as a result of flood waters.
 - C. Protection of community property values from the depressing effect of floods and poor drainage in any part of the community.
 - D. Elimination of vehicular and pedestrian traffic hazards due to existing inadequate drainage conditions.
 - E. Decreased maintenance costs of flood control and drainage facilities in the zones.
 - F. Prevention or control of erosion and sedimentation of watercourses, lagoons, lakes, and other water bodies.

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G. Provisions for recreation or water conservation uses.

H. Removal of a definite threat to life or limb.

I. Removal of an identifiable District liability.

J. Facilitates agricultural uses which are a public benefit.

DESIGN CRITERIA

7. Design flood flows for staged facilities shall be in accordance with the Hydrology Manual. The hydraulic design for an interim facility shall be in accordance with the Drainage Manual. Both of these documents are available on the County's Web Site at <http://www.sdcountry.ca.gov/dpw/floodcontrol/hydrologymanual.html>.

8. Developers must submit all required hydrologic and hydraulic calculations, prepared and signed by a registered civil engineer in the State of California.

9. Improvements provided by Interim Facility shall be compatible with the ultimate improvements that may be provided in the future in accordance with an adopted Master Plan of Flood Control and Drainage Facilities; or if no master plan exists, as approved by the District.

MISCELLANEOUS

10. It is the intent of this policy to allow construction of interim off-site flood control and drainage facilities when there is a demonstrated and substantial general public benefit.

11. The subdivider shall provide the Ultimate Rights of Way required for construction. If the subdivider, acting in good faith, has clearly demonstrated he/she is unable to secure rights of way, and the proposed project will provide General Public Benefits, the District may obtain the rights of way through condemnation at the expense of the subdivider.

12. All subdivisions or developments in excess of one single family dwelling unit, that occur after construction of an Interim Facility, that contribute storm water runoff to said facility shall be reviewed to determine their effect on the facility's capacity. Additional capacity shall be provided when necessary in accordance with this policy.

Sunset Date

This policy will be reviewed for continuance by 12-31-18.

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Board Action

7-2-74 (50)

10-4-77 (13)

8-22-89 (47)

11-01-00 (7)

08-07-02 (5)

12-09-08 (33)

5-09-12 (4)

CAO Reference

1. Department of Public Works