

SECTION 9-400 F - FLOODPLAIN

9-401 INTENT

Floodplains must be preserved for the primary function of conveying unobstructed floodwaters. Land within the floodplain may be used for other purposes so long as the primary conveyance and storage function of the floodplain is preserved, the use is not a detriment to water quality, and the use is consistent with this district.

A. This district is intended to comprise those areas which are subject to periodic inundation and flooding based on the stormwater produced by the 100-year storm event, and is therefore unsuitable for human habitation.

B. No structure shall be used for human habitation.

C. This district is further intended to preserve and protect the floodway.

D. The boundaries of lands controlled by this district shall be those areas which have been established as floodplains or special flood hazard areas by the Board of County Commissioners, in accordance with Section 12-2005.02 of the Floodplain Management and Flood Damage Prevention Regulations.

E. Land in this district may be used for the area requirements for any other district so long as adequate space remains in any such land outside of the floodplain for building purposes.

F. It is the intent of Arapahoe County that no new structures be constructed in F Zone property, and that all such existing legal nonconforming uses either be removed upon obsolescence or be improved to meet substantial improvement criteria set forth in Section 12-2000.

9-402 PERFORMANCE STANDARDS FOR USE OF FLOODPLAINS

A. No floodplain use shall adversely affect the efficiency of or unduly restrict the capacity of the channels or floodplains of the mainstream or any tributaries to the mainstream, drainage ditches, or any other drainage facilities or systems.

B. No structure (temporary or permanent), fill (including fill for roads and levees), deposits, obstruction, storage of materials, or other floodplain uses which, acting alone or in combination with existing or future floodplain uses, shall be permitted that adversely affect the efficiency or the capacity of the floodplain, or which adversely affects the storage capacity of the floodplain. Impervious surfaces in the floodplain shall be minimized. Proposed impervious surfaces in the floodplain are subject to approval by the Engineering Services Division with respect to generated stormwater runoff.

C. All uses of F Zone property shall comply with applicable floodplain management regulations contained in Section 12-2000, *Floodplain Management and Flood Damage Prevention Regulations*, as may be amended time to time, and within the Floodplain Chapter of the Arapahoe County Stormwater Management Manual.

D. The restrictions contained in this section shall be interpreted and applied in concert with the Floodplain Management and Flood Damage Prevention Regulations set forth in Section 12-2000, and the Floodplain Chapter of the Arapahoe County Stormwater Management Manual, and that in the event of conflict between the sections, the most restrictive regulation will govern.

9-403 PRINCIPAL PERMITTED USES

The following uses and improvements may be considered for approval within a floodplain if it is determined that the proposed use or improvement is in conformance with Section 12-2000, *Floodplain Management and Flood Damage Prevention Regulations*, floodplain management goals, and is otherwise consistent with the zoning district standards of the Land Development Code. It must be demonstrated that none of the conditions in subsection 9-402, above, will occur as a result of the proposed use or improvement.

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A. Agricultural Uses

- 1) Agriculture (including crop production, livestock grazing, and fish hatcheries) and nursery, where allowed in the applicable zoning district.
- 2) Noncommercial production of crops (e.g., orchards or garden plots that are an amenity to development).

B. Recreation Uses

- 1) Nature areas, picnic areas, and trails.
- 2) Ball fields.
- 3) Golf courses, provided that:
 - a) The applicant provides a management plan that demonstrates that downstream water quality will not be adversely affected by fertilizers and pesticides associated with the use; and
 - b) Pedestrian and golf cart trails and bridges that are designed to pass the 10-year flood event with freeboard as per requirements of the Arapahoe County Stormwater Management Manual.
- 4) Play courts / Playground equipment.
- 5) Recreational camps.
- 6) Trails and paths open to the general public.
- 7) Riding academy, provided that no permanent structure or shelter is location within the floodplain.
- 8) Wildlife sanctuary.

C. Public Facilities

- 1) Facilities for watershed protection and similar uses.
- 2) Detention and water quality facilities associated with County or UDFCD approved drainage Master Plans.
- 3) Maintenance of existing streets.
- 4) Underground utilities so long as adequate cover exists to protect the utilities.
- 5) Parking for park and public facilities.

D. Landscaping is allowed provided that all applicable floodplain requirements set forth in Section 12-2000, *Floodplain Management and Flood Damage Prevention Regulations*, and the Floodplain Chapter of the Arapahoe County Stormwater Management Manual are met.

9-404 PROHIBITED USES

A. Use Factors. In general any use that has the potential for the following to occur is prohibited in the floodplain:

- 1) Obstruction of the flood water flow so that the floodplain is altered in excess of the allowable criteria (unless approved through a floodplain modification study).
- 2) Reduction in the carrying capacity of the channel (unless approved through a floodplain modification study).
- 3) Potential for material, equipment, or facilities to become dislodged or displaced and to be deposited downstream causing channel or drainageway, culvert or bridge blockage, channel degradation, or damages to other properties.
- 4) Potential for negatively impacting water quality.

B. Prohibited Uses. The following uses are prohibited within the floodplain:

- 1) All new construction of structures including residential, non-residential, recreational or temporary.
- 2)
- 3) Additions to existing structures.

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- 4) Fencing, including solid or perforated wood; split rail; chain link; stone; brick; or other materials. Three-strand barbed wire may be permitted in the rural areas on a case-by-case basis.
- 5) Detention or water quality ponds not part of a regional or County or UDFCD approved drainage Master Plan.
- 6) New construction of streets (local and collector streets may be approved on a case-by-case basis provided alternate access is available and street depth criteria are met).
- 7) Storage or processing of materials, which are buoyant, flammable, explosive, or could cause injury to humans, animals, or plants.
- 8) Storage, processing or materials, or any other activity that may have an adverse impact on water quality.
- 9) Permanent toilet facilities.
- 10) New construction of structures, ponds, or appurtenances related to water and wastewater treatment facilities.
- 11) Vehicle parking lots not associated with an approved floodplain use.
- 12) New construction of critical facilities.
- 13) New construction of landscaping walls or structural walls that extend or flatten land that result in floodplain encroachment.

9-405 STORAGE OF MATERIALS

- A. Storage of hazardous or floatable materials in the floodplain is prohibited.
- B. Temporary storage of construction-related vehicles and materials may be permitted by the Floodplain Administrator, depending upon location and type of material storage,
- C. Storage of any material in the floodway is prohibited, unless permitted by the Floodplain Administrator.

9-406 USES NOT LISTED

Uses not specifically listed above may be permitted if, in the opinion of the Floodplain Administrator, they are similar in character to permitted uses in this district, and are in conformance with the intent of this district. Uses not specifically prohibited above shall not be construed as allowed by exclusion.

9-407 USE BY SPECIAL REVIEW

Gravel, mineral or sand excavations (subject to conditions required in Section 12-100).

9-407 (a) MAXIMUM BUILDING HEIGHT

Not to exceed twenty-five feet (25').

9-407 (b) MINIMUM YARD REQUIREMENTS

All permitted structures shall set back at least twenty-five feet (25') from any public right-of-way.

9-407 (c) AIRPORT INFLUENCE AREA REGULATIONS

This zone district may be affected by the special use and height restrictions and performance regulations as set forth in these Regulations.

9-408 VOIDED/DE-ANNEXED/DISCONNECTED LAND REGULATIONS

This zone district may affect land that has been de-annexed from a municipality as set forth in these Regulations.