

ORDINANCE NO. 12-\_\_\_\_

**AN ORDINANCE AMENDING ORDINANCE NUMBER 89-05, AS AMENDED, THE COLLIER COUNTY GROWTH MANAGEMENT PLAN FOR THE UNINCORPORATED AREA OF COLLIER COUNTY, FLORIDA, BY AMENDING THE DRAINAGE SUBELEMENT OF THE PUBLIC FACILITIES ELEMENT TO PROVIDE FOR 2011 EVALUATION AND APPRAISAL REPORT (EAR) BASED AMENDMENTS TO THE GROWTH MANAGEMENT PLAN; BY PROVIDING FOR SEVERABILITY; AND BY PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Board of County Commissioners adopted the Collier County Growth Management Plan on January 10, 1989; and

WHEREAS, Collier County has held public hearings to provide for and encourage public participation throughout the 2011-12 plan amendment process; and

WHEREAS, Collier County did submit the 2011-12 Growth Management Plan amendments to the Department of Economic Opportunity for preliminary review on May 03, 2012; and

WHEREAS, the Department of Economic Opportunity did review and did not make written objections to the amendments to the Growth Management Plan and transmitted the same in writing to Collier County within the time provided by law; and

WHEREAS, Collier County has 60 days from receipt of the Objections, Recommendations and Comments Report from the Department of Economic Opportunity to adopt, adopt with changes or not adopt the proposed amendments to the Growth Management Plan; and

WHEREAS, the Collier County Planning Commission held a public hearing on the adoption of the amendments to the Growth Management Plan on October 30, 2012; and

WHEREAS, the Board of County Commissioners of Collier County did take action in the manner prescribed by law and did hold public hearings concerning the adoption of the amendments to the Growth Management Plan on December 11, 2012; and

WHEREAS, all applicable substantive and procedural requirements of law have been met; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, that:

Words underlined are added; words struck through are additions; words with  
\*\*\* indicates a page break



Approved as to form and  
legal sufficiency:

*HAC  
11/19/12*  
\_\_\_\_\_  
Heidi Ashton-Cicko  
Managing Assistant County Attorney

Attachment: Exhibit "A"

2011 EAR-BASED ADOPTION - DRAINAGE SUBELEMENT OF THE PUBLIC FACILITIES ELEMENT  
Rev. 11/19/12

CP\12-CMP-00848\77

Words underlined are added; words struck through are additions; words with  
\*\*\* indicates a page break

Exhibit "A"

As approved by CCPC on 10-30-12

EAR-based GMP Amendments

Stormwater Management Sub-Element – to BCC for Adoption

12-11-12

**GOALS, OBJECTIVES AND POLICIES**

[Revised text, page 3]

**~~DRAINAGE SUB-ELEMENT~~**

**GOAL:**

[Rephrased to improve format as a "goal", revised text, page 3]

~~COLLIER COUNTY SHALL TO PROVIDE STORMWATER MANAGEMENT FACILITIES AND SERVICES FOR DRAINAGE AND FLOOD PROTECTION FOR EXISTING AND FUTURE DEVELOPMENT, MINIMIZE THE DEGRADATION OF QUALITY OF RECEIVING WATERS AND SURROUNDING NATURAL AREAS AND PROTECT THE FUNCTIONS OF NATURAL GROUNDWATER AQUIFER RECHARGE AREAS.~~

**OBJECTIVE 1 (CAPITAL FACILITY PLANNING FOR DRAINAGE SYSTEMS):**

[Rephrased to improve format as an "objective", revised text, page 3]

~~The County shall~~ Utilize the Annual Update and Inventory Report on Public Facilities (AUIR) process to update the ~~Drainage Atlas Maps~~ County Geographic Information System and Channel/Structure Inventory components of the adopted Water Management Master Plan and to verify the existing watershed basin boundaries within Collier County. The County will also verify the design storm capacity of the drainage facilities within each basin, and determine the costs necessary to maintain the facility capacities to selected design storm standards. This information shall be used to program operational funds in the Annual County Budget and to identify necessary capital projects and basin studies in the Annual Capital Improvement Element ~~U~~ update and A ~~amendment.~~

\*\*\*    \*\*\*    \*\*\*    \*\*\*    \*\*\*    text break    \*\*\*    \*\*\*    \*\*\*    \*\*\*    \*\*\*

**Policy 1.2:**

[Revised text, page 3]

County drainage system and stormwater management network capital facility planning shall be designed to implement procedures and projects in a manner to ensure that adequate stormwater management facility capacity is available at the time a development permit is issued, or that such capacity will be available when needed to serve the development.

**Policy 1.3:**

[Revised text, page 3]

The County shall continue to develop public drainage facilities and stormwater management network, which maintain the groundwater table as a source of recharge for the County's potable water aquifers, provide a source of irrigation water for agricultural, horticultural and golf course operations and provide water to native vegetation.

\*\*\*    \*\*\*    \*\*\*    \*\*\*    \*\*\*    text break    \*\*\*    \*\*\*    \*\*\*    \*\*\*    \*\*\*

**OBJECTIVE 2:**

Rephrased to improve format as an "objective", revised text, page 4]

~~The County shall~~ maintain adopted drainage level of service standards for basins and sub-basins identified in the Water Management Master Plan. Maintenance of the drainage level of service (LOS) identified for each basin will be implemented through the watershed management

Words underlined are added; words ~~struck through~~ are deleted.

Exhibit "A"

As approved by CCPC on 10-30-12

EAR-based GMP Amendments

Stormwater Management Sub-Element – to BCC for Adoption

12-11-12

planning process identified within Goal 2 of the Conservation and Coastal Management Element of this Growth Management Plan.

Policy 2.1:

[Revised text, pages 4, 5, 6]

The following levels of service for drainage are hereby adopted for the purpose of issuing development permits. Upon completion of each associated Watershed Management Plan, the level of service will be modified, if warranted.

A. Future "private" developments water quantity and quality standards as specified in Collier County Ordinance Numbers 74-50, 90-10 and 2001-27, and Land Development Code Ordinance Number 2004-41, as amended.

B. Existing "private" developments and existing or future public drainage facilities those existing Levels of Service identified (by design storm return frequency event) by the completed Water Management Master Plan as follows:

LEVELS OF SERVICE ATTAINED BY BASINS

BASIN

LEVEL OF SERVICE

MAIN GOLDEN GATE SYSTEM

Main Golden Gate Canal Basin

Cypress Canal Basin

Harvey Canal Basin

I-75 Canal Basin

Green Canal Basin

Airport Road Canal South Basin

Corkscrew Canal Basin

Orange Tree Canal Basin

951 Canal Central Basin

DISTRICT NO. 6 SYSTEM

Rock Creek Basin

C-4 Canal Basin

Lely Main Canal Basin

Lely Canal Branch Basin

Lely Manor Canal Basin

Haldeman Creek Basin

Winter Park Outlet Basin

COCOHATCHEE RIVER SYSTEM

Cocohatchee River Basin

Pine Ridge Canal Basin

Palm River Canal Basin

West Branch Cocohatchee River Basin

East Branch Cocohatchee River Basin

Airport Road Canal North Basin

D

D

D

D

C

D

D

D

C

D

C

D

D

D

D

D

D

D

C

D

C

D

D

Words underlined are added; words ~~struck through~~ are deleted.

Exhibit "A"

As approved by CCPC on 10-30-12

EAR-based GMP Amendments

Stormwater Management Sub-Element – to BCC for Adoption

12-11-12

<del>951 Canal North Basin</del>	<del>D</del>
<del>GORDON RIVER EXTENSION</del>	
<del>Gordon River Extension Basin</del>	<del>D</del>
<del>Goodlette-Frank Road Ditch Basin</del>	<del>D</del>
<del>HENDERSON CREEK BASIN</del>	
<del>Henderson Creek Basin</del>	<del>D</del>

~~LEVELS OF SERVICE ATTAINED BY BASINS~~

<del>BASIN</del>	<del>LEVEL OF SERVICE</del>
<del>FAKA UNION SYSTEM</del>	
<del>Faka Union Canal Basin</del>	<del>D</del>
<del>Miller Canal Basin</del>	<del>D</del>
<del>Merritt Canal Basin</del>	<del>C</del>
<del>Prairie Canal Basin</del>	<del>C</del>
<del>SOUTHERN COASTAL BASIN</del>	
<del>US 41 Outfall Swale No. 1 Basin</del>	<del>D</del>
<del>US 41 Outfall Swale No. 2 Basin</del>	<del>D</del>
<del>Seminole Park Outlet Basin</del>	<del>C</del>
<del>BARRON RIVER SYSTEM</del>	
<del>Okaloacoochee Slough Basin</del>	<del>D</del>
<del>Barron River Canal North Basin</del>	<del>C</del>
<del>Urban Immokalee Basin</del>	<del>C</del>
<del>MISCELLANEOUS — INTERIOR — WETLAND SYSTEMS</del>	
<del>Corkscrew Slough Basin</del>	<del>D</del>

**Policy 2.1:**

The levels of service standards (LOSS) for drainage facilities and stormwater management systems appear in Policy 1.5; subsection "C" in the Capital Improvement Element.

\*\*\*    \*\*\*    \*\*\*    \*\*\*    \*\*\*    text break    \*\*\*    \*\*\*    \*\*\*    \*\*\*    \*\*\*

**OBJECTIVE 3:**

[Rephrased to improve format as an "objective", revised text, page 6]

~~The County shall m~~ Maintain and annually update a five-year schedule of capital improvements for water management facilities in conformance with the annual review process described within the Capital Improvement Element of the Growth Management Plan.

\*\*\*    \*\*\*    \*\*\*    \*\*\*    \*\*\*    text break    \*\*\*    \*\*\*    \*\*\*    \*\*\*    \*\*\*

**Policy 3.4:**

[Revised text, page 6]

County improvements to, and maintenance of, existing drainage facilities shall be a priority over new construction projects in the urban and estates designated areas. ~~(exclusive of Southern Golden Gate Estates is no longer open to development, so no facilities have priority there).~~

Words underlined are added; words ~~struck through~~ are deleted.

Exhibit "A"

As approved by CCPC on 10-30-12

EAR-based GMP Amendments

Stormwater Management Sub-Element – to BCC for Adoption

12-11-12

**OBJECTIVE 4:** [Rephrased to improve format as an "objective", revised text, pages 6, 7]  
~~The County shall~~ Develop and maintain policies and programs to correct existing deficiencies and to provide for future facility needs in accordance with the annual work program referenced in the adopted Water Management Master Plan.

**Policy 4.1:** [Revised text, page 7]  
~~Water management projects shall be undertaken in accordance with the schedule provided in the Capital Improvement Element of this Plan. These projects shall be undertaken in coordination with the Big Cypress Basin/South Florida Water Management District 5-Year Plan.~~

County capital stormwater management projects shall be undertaken in accordance with the schedule provided in the Capital Improvement Element of this Plan. These projects shall be undertaken in coordination with the Big Cypress Basin Strategic Plan.

**Policy 4.2:** [Revised text, page 7]  
Collier County shall correct existing deficiencies and provide for future water management facility needs through the formulation and implementation of an annual work programs. In order to implement the annual work program, the County shall encourage the use of innovative funding mechanisms including, but not limited to special taxing or assessment districts.

**Policy 4.3:** [Revised text, page 7]  
The County shall develop and maintain a stormwater management public awareness program, which will include, but not necessarily be limited to, a Collier County Stormwater Management website. The primary purpose of this program shall be to provide information regarding the County's stormwater management programs to the general public including, but not limited to, the environmental enhancements that will result from the use of total water management concepts within the existing drainage and stormwater management network.

**OBJECTIVE 5:** [Rephrased to improve format as an "objective", revised text, page 7]  
~~The County shall continue to r~~ Regulate land use and development in a manner that protects the functions of natural drainage features, the stormwater management network and natural groundwater aquifer recharge areas. Implementation of this Objective will be consistent with the Watershed Management Planning process identified within Goal 2 of the Conservation and Coastal Management Element of the Growth Management Plan, and with relevant provisions contained within the adopted Land Development Code (Ordinance Number 2004-41, as amended).

\*\*\* \*\* text break \*\*\* \*\*

**Policy 5.2:** [Revised text, page 7]  
Based upon the periodic review described in Policy 5.1, the County shall develop any appropriate new ordinances and regulations that are necessary to ensure protection of the functions of natural

Words underlined are added; words ~~struck through~~ are deleted.

Exhibit "A"

As approved by CCPC on 10-30-12

EAR-based GMP Amendments

Stormwater Management Sub-Element – to BCC for Adoption

12-11-12

drainage features, the stormwater management network and natural groundwater aquifer recharge areas.

**OBJECTIVE 6:** [Rephrased to improve format as an “objective”, revised text, page 7]  
~~The County shall p~~ Protect the functions of natural drainage features through the application of standards that address the quality and quantity of discharge from stormwater management systems. Implementation of this Objective will be consistent with the watershed management planning process identified within Goal 2 and Objective 2.1 of the Conservation and Coastal Management Element of the Growth Management Plan. This objective is made measurable through the following policies:

\*\*\* \*\* text break \*\*\* \*\*

**Policy 6.2:** [Revised text, page 8]

[Revised further per SFWMD and DEO Comments]

Collier County’s retention and detention ~~requirements~~ criteria shall be ~~the same as~~ one hundred and fifty percent (150%) of these the water quality volumetric requirements provided in Section 5-2.1(a) of the Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District, (2012), or its successor, or of South Florida Water Management District’s, Basis of Review, as it existed at the time of project approval.

**Policy 6.3:** [Revised text, pages 8, 9]

[Revised further per SFWMD and DEO Comments]

Allowable off-site discharge rates shall be computed using a storm event of 3 day duration and 25 year return frequency. The allowable off-site discharge rates are as follows:

- a. Airport Road North Sub-Basin (North of Vanderbilt Beach Road) 0.04 cfs/acre
- b. Airport Road South Sub-basin (South of Vanderbilt Beach Road) 0.06 cfs/acre
- c. Cocohatchee Canal Basin 0.04 cfs/acre
- d. Lely Canal Basin 0.06 cfs/acre
- e. Harvey Basin 0.055 cfs/acre
- f. Wiggins Pass Basin 0.13 cfs/acre
- g. All other areas 0.15 cfs/acre

The County may exempt projects from these allowable off-site discharge rates if any of the following applies:

- 1. ~~The project is exempt from allowable off site discharge limitations pursuant to Section 40E-400.315, FAC.~~

Words underlined are added; words ~~struck through~~ are deleted.



Exhibit "A"

As approved by CCPC on 10-30-12

EAR-based GMP Amendments

Stormwater Management Sub-Element – to BCC for Adoption

12-11-12

2 1. The project is part of an existing SFWMD permit, which allows discharge rates different than those listed above.

3 2. It can be documented that the project currently discharges off-site at a rate higher than those listed above. The documentation required for this purpose shall be prepared by a registered professional engineer, and will consist of an engineering study which utilizes the applicable criteria in the "SFWMD Basis of Review for Environmental Resource Permit Applications". The study shall be subject to review and approval by the County and SFWMD staff. The study shall include the following site-specific information:

- a. Topography
- b. Soil types and soil storage volume
- c. Vegetation types
- d. Antecedent conditions
- e. Design rainfall hydrograph
- f. Depression storage capacity
- g. Receiving water hydrograph, and
- h. Other relevant, appropriate and professionally accepted hydrologic and hydraulic data.

Using the above information, a hydrologic and hydraulic model shall be developed which demonstrates the higher off-site discharge rate.