MINUTES OF THE MEETING OF THE COLLIER COUNTY DEVELOPMENT SERVICES ADVISORY COMMITTEE LAND DEVELOPMENT REVIEW SUBCOMMITTEE

Naples, Florida, January 22, 2013

LET IT BE REMEMBERED, that the Collier County Development Services Advisory Committee – Land Development Review Subcommittee in and for the County of Collier, having conducted business herein, met on this date at 1:30 PM in REGULAR SESSION at the Growth Management Division Building, Room 609/610 2800 N. Horseshoe Drive, Naples, FL with the persons present:

Robert Mulhere
Clay Brooker
Stan Chrzanowski
Dalas Disney
David Dunnavant
Blair Foley
Chris Mitchell

ALSO PRESENT:

Caroline Cilek, Senior Planner
Jack McKenna, County Engineer
Alison Bradford, Assistant County Engineer
Christian Andrea, ALD
Michael Ramsey, President, Golden Gate Estates Area Civic Assoc.
Ellen Summers, Planning Technician
Christopher Shucart, JCS Realty Group
Martin Miller, P.E.

1. Call to Order:

The meeting was called to order by Chairman Stan Chrzanowski at 8:01 A.M. and a quorum established.

Caroline Cilek provided copies of the proposed language of the LDC amendment: LDC section: 6:05.01 Stormwater Management System Requirements to be discussed.

2. Discussion of proposed language and justification

Chairman Stan Chrzanowski gave a brief overview of the proposals pointing out the new language was underlined and the old language was crossed out. See Attachment 1 for proposed changes.

Jack McKenna explained the changes to the section and table, the added language and the reversal of subsections G. and F. He explained the reorganization of the LDC was not a change to the intent of the LDC, just a change in interpretation of the language. Comments from the LDR subcommittee were solicited.

Stan Chrzanowski asked if the changes would benefit or affect any ongoing projects of the DSAC members, if the changes were presently in place.

Dalas Disney commented the benefit of the new language would solve the problem in a situation he was involved in, if it had been in effect.

Jack McKenna fielded questions regarding:

- The 4,950 sq. ft. figure determination was adjusted to bring the Impervious Area Coverage for a lot size under 11,000 square feet up to the 45%
- Identified through comments that properties located on the Gulf of Mexico will not be able to drain to beach and are subject to other design standards
- Driveways can be pervious or impervious (depends on material used and subsystem)
- Properties located on water bodies with a sea wall will be exempt
- The criteria for this section is based on 5 – year, 1- day storm.
- Previously there was no cap for large lots. Now there will be a cap at 25%. However, the allowable amount of impervious surface increase as the amount of land increases.
- Section 6.05.01 G.1.b. references that additional impervious area which does not cause the total impervious area to exceed 25% is exempt.
- WSWT terminology, need to use "Wet Season Water Table".
- Explanation of item 6.05.01 G.2 a. through e. Each of these subpoints will need to be addressed when an engineer provides the necessary retention. If there is no conflict with the impervious standards then they do not apply.
- Square footage breakpoints: Jack stated the intent is to start with 45% and ramp it down to 25% for properties that are over 53,000 sq. ft.
- Subcommittee identified examples of incidences which will trip the percentages. Subcommittee may choose a different percent.

Dalas Disney noted as acreage goes up, the percent changes and 25% could be used up on large buildings in rural areas.

Stan Chrzanowski stated Golden Gate Estates was designed for 1 ¼ lots with swales, side and mid-lot easements, but no other overall water management plan. He pointed out lot sizes in the Estates are uniform; there are no odd-lot sizes.

Robert Mulhere suggested an exemption for agriculturally zoned properties of 5 acres or more.

Dave Dunnavant questioned why there is no mention of all water being contained on a lot and not impacting neighboring properties. Is it an open space or water management issue?

Stan Chrzanowski explained the water management design of ¼ acre zoning in Naples Park and the original design of 5 acre lots in Golden Gate Estates, which could be subsequently divided into 1 ¼ acre lots, have swales and easements but no real water management. The "egg crate" design was not meant to handle the proper flow rate. The section of the Code of Laws that deals with not flooding your neighbor essentially states that you shall not shed water onto your neighbor's property at a greater rate than it historically flowed from your property was not allowed. He noted it was a water quantity issue and the answer was to have some form of water management system in the Code. Few lots have the entire lot impervious, but, there is no ordinance in place to stop it from happening, especially on large lots in Golden Gate Estates.

Clay Brooker asked about the requirement for 60% of open space.
Caroline Cilek *responded that the 60% open space requirement was only for the development of residential PUDs, not existing single-family zoned properties.*

Dalas Disney commented the objective should be to make the Code less onerous and complicated to obtain building permits.

Robert Mulhere encouraged a proactive approach by having the purpose and intent stated in this section and in the design, if it applied, at the building permit stage as well as the engineering costs.

The subcommittee agreed on the exemption for the 5 acre or greater agricultural-zoned properties.

Discussion was had regarding the routing by landscapers, grading, and retention design from engineers in site plans. The subcommittee favored a user friendly code and to keep it simple. With a few changes, they thought it was fair, as written, as long as engineers provide the protection that neighbors would not be impacted and runoff can be accommodated.

3. LDC amendment process and timeline

Caroline Cilek explained the process would begin the same as a regular LDC amendment; with a request for the amendments to go forward through the normal review process to the BCC. It would go through the EAC and the Planning Commission as well. She will get

back to the subcommittee on exactly how they will proceed. Modifications to the language should be expected before it reached the BCC.

Clay Brooker commented the full DSAC had requested an "out of cycle" amendment; citing a single amendment goes through the process much faster.

Caroline Cilek responded that the LDC amendment procedure and amount of preparation was the same. It was preferable to get everything through the preliminary process and prepared to then include the amendment in the regular LDC amendment Cycle; rather than go through it twice.

4. Public Comment

Michael Ramsey, President of the Golden Gate Estates Civic Association and a consulting ecologist, helps residents in the Estates obtain permits from South Florida Water Management, particularly for residents that are not within a water management plan.

Greater than one acre needing an engineer has caused issues; however, he agreed the new wording was easier to understand. He stated the problem was not just drainage onto neighbors, but a distinction between west and east of 951 and cited two issues to discuss.

First issue: The problem west of 951 is that there is so much impervious surface and the drainage is so fast, that it overloads the systems. This is a *drainage management* issue. There are not enough places to put water to hold it and then it all goes into the Gulf. On the other hand, the Estates can handle more water. The problem of retaining water on site of a single-family drainage system is that it prevents the water flowing into wetlands and creates the danger of fire. The issue of holding water is that it will dry up the wetlands and prevent water from flowing where it should go.

Second issue: All single-family units in the Estates are on septic and water retention might interfere with how a septic drain field system functions if it captures too much water in one place. He suggested looking at the ecological components.

Stan Chrzanowski responded the ordinance was not meant to stop water from leaving a site, it was to make sure it leaves at the same rate it did *historically*, no more and no less. He stated the build-out will eventually come in the eastern part of the County, creating the same problem there, without an ordinance in place.

Mr. Ramsey had several question important to the Golden Gate Estates Area Civic Association:

- retention of water going against flood regulations
- drainage to a canal
- exemptions and calculations in certain instances
- need for engineer for multiple separate improvements

***Jack McKenna** and the subcommittee provided answers and helpful suggestions in instances where an engineer would be needed for an improvement and clarified exemptions and the table.*

5. Next steps/meeting date

Discussion will continue regarding the need to address the issues. **Caroline Cilek** will be in touch with everyone regarding the next meeting date/time.

There being no further business for the good of the County, the Meeting was adjourned 9:07 A.M.

COLLIER COUNTY DEVELOPMENT SERVICES
ADVISORY COMMITTEE. LAND DEVELOPMENT REVIEW
SUBCOMMITTEE

_____ W/ COMMENTS
Stan Chrzanowski, Chairman

These minutes were approved by the Board/Committee on _____
as presented, _____ or as amended _____.

Proposed language for LDC amendment - For discussion purposes only
January 18, 2013

LDC section: 6.05.01 Stormwater Management System Requirements

A complete stormwater management system shall be provided for all areas within the **subdivision** or **development**, including **lots**, **streets**, and **alleys**.

A. The system design shall meet the applicable provisions of the current County codes and ordinances, SFWMD rules and regulations pursuant to Florida Statutes, and the Florida Administrative Code, and any other affected state and federal agencies' rules and regulations in effect at the time of preliminary **subdivision** plat submission.

B. Where stormwater runoff from outside the **subdivision** or **development** historically passes on, over, or through areas of the **subdivision** or **development**, such runoff shall be included in the stormwater system design. The system shall be designed for long life, low cost maintenance by normal methods and provide for optimal on-site detention of stormwater runoff and groundwater recharge in accordance with applicable County and SFWMD regulations.

C. Any **structure** with an outside wall which is closer than 10 feet from a side property line shall install properly sized (minimum twenty-four (24)-square inch cross-section) gutters and downspouts to direct stormwater away from neighboring properties and toward front and/or rear swales or retention/detention areas.

D. In-ground percolation type retention systems such as rock trenches, exfiltration trenches or beds, infiltrator type systems, gallery type systems, etc., shall not be used to achieve water quality retention for residential **subdivisions**. Rear **yard** open retention systems shall likewise not be designed to achieve water quality retention on projects submitted after January 1, 2002. All retention systems for projects designed after January 1, 2002, shall be on common property owned and maintained by a homeowners' association or similar entity.

E. Any canal which forms a part of the public water management system shall be dedicated for care and maintenance per the requirements of the governmental agency which has jurisdiction. Canals located entirely within the **subdivision** and which do not form a part of the public water management system shall be dedicated to the public, without the responsibility for maintenance, as a drainage **easement**. A maintenance **easement**, of a size acceptable to the County Manager or designee or other governmental agency with maintenance responsibility, shall be provided **adjacent** to the established drainage **easement**, or the drainage **easement** created must be of a size suitable for the proposed canal and its maintenance.

F. The design of the stormwater management system (except ***Single-Family Dwelling Units, Two-Family Dwelling Units*** *and* ***Duplexes***) shall fully incorporate the requirements of the Interim Watershed Management regulations of LDC section 3.07.00.

~~F~~G. *Stormwater Retention/Detention Design for* ***Single-Family Dwelling Units, Two-Family Dwelling Units*** *and* ***Duplexes.***

1. Applicability. Any application for a building permit to allow the **development** or redevelopment of a **single-family** or **two-family dwelling** or **duplex** submitted after July 1, 2008, except for the following conditions:
   a. Any application within the boundaries of **development** projects that have: (1) been permitted by the South Florida Water Management District for Surface Water Management or Environmental Resource Protection and (2) have a central surface water management collection, storage, treatment, and discharge system;

b. Any addition of impervious area which does not cause the total impervious are to exceed 25% of the total lot area; and ~~A one time addition is allowed for certain sized home, as set forth below;~~

c. Any lot which is adjacent to a water body which is suitable to receive the run-off from the subject property. ~~An application accompanied by a stormwater management plan, signed and sealed by a registered Florida Professional Engineer.~~

Table 6.05.01 G~~F~~.

Lot Size	~~Lot Coverage~~	Impervious Area Coverage
Under 11,000 sq. ft.	~~25%~~	45% ~~40%~~
11,000 sq. ft. to 52,999 sq. ft. ~~and 100 ft. or greater in width~~	~~2,750 sq. ft. +5% of area in excess of 11,000 sq. ft.~~	~~4,400 sq. ft. +5% of area~~ 4,950 sq. ft. + 20% of area in excess of 11,000 sq. ft.
~~11,000 sq. ft. to 52,999 sq. ft. and less than 100 ft. in width~~	~~2,750 sq. ft. +2% of area in excess of 11,000 sq. ft.~~	~~4,400 sq. ft. +2% of area in excess of 11,000 sq. ft.~~
53,000 sq. ft. and over	~~4,850 sq. ft. +3% of area in excess of 53,000 sq. ft.~~	25% ~~6,500 sq. ft. +2% of area in excess of 53,000 sq. ft~~

2. The maximum allowable ratio of ~~lot coverage and~~ **impervious area** coverage to the total **lot** area shall be as provided for in Table 6.05.01 G~~F~~. unless accompanied by an engineer's analysis as specified below.

a. The site drainage analysis shall include ~~water quality calculations to SFWMD standards and~~ water quantity calculations done to accommodate the runoff, from area in excess of the above ratio, from a 5-year 1-day storm and shall include a percolation test done by a qualified engineer or technician. If the site will use a drainfield/septic tank for sewage treatment/disposal, the wet season water table calculations for drainage must match that used for the drainfield design. Dry detention area will be at least 1' above the WSWT.

b. The application site plan shall list all required separation distances between wells, drainfield systems, and stormwater retention/detention areas. The calculations may be done on the site plan or may be in a separate Engineer's report, but must be signed and sealed by the Engineer.

c. The water surface area of swimming pools ~~and ponds~~ is ~~not~~ considered as impervious area for the purposes of the calculations in Table 6.05.01 F.

d. An outfall from the retention area will be permitted through a 3 inch orifice.

e. Pond volume above WSWT may be used to provide storage volume.

3. ~~A one time addition to an existing residence will be allowed after July 1, 2008. The addition will be limited to 3 percent of the lot area up to a maximum of 1,000 square feet as long as that one time addition does not exceed the area in Table 6.05.01 F. by more than 3 percent of the lot area or more than 1,000 square feet.~~

~~G. The design of the stormwater management system shall fully incorporate the requirements of the Interim Watershed Management regulations of LDC section 3.07.00.~~

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