

ORDINANCE NO. 2017-19

AN ORDINANCE OF COLLIER COUNTY, FLORIDA, AMENDING ORDINANCE NO. 74-50, AS AMENDED, TO ADD MAXIMUM OFF-SITE DISCHARGE STANDARDS APPLICABLE TO THE HENDERSON CREEK-BELLE MEADE BASIN NORTH, HENDERSON CREEK-BELLE MEADE BASIN SOUTH, URBAN IMMOKALEE BASIN EAST, URBAN IMMOKALEE BASIN WEST, 951 CANAL NORTH BASIN, C-4 CANAL BASIN, CORKSCREW CANAL BASIN, CYPRESS CANAL BASIN, FAKA-UNION CANAL BASIN-N, GORDON RIVER EXTENSION BASIN, I-75 CANAL BASIN, IMPERIAL DRAINAGE OUTLET BASIN, LELY MANOR CANAL BASIN, MAIN GOLDEN GATE CANAL BASIN, PALM RIVER CANAL BASIN, AND PINE RIDGE CANAL BASIN; MODIFYING THE NAMES OF FIVE EXISTING CANAL BASINS; ALSO MODIFYING THE MAXIMUM OFF-SITE DISCHARGE STANDARD FOR HARVEY BASIN; PROVIDING FOR INCLUSION INTO THE CODE OF LAWS AND ORDINANCES; PROVIDING FOR CONFLICT AND SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Ordinance No. 74-50, as amended by Ordinance No. 90-10, contains "Local Design Criteria" that specifies Allowable Post- Development Discharge Formulas for Collier County Canals, which formulas limit the allowable maximum off-site discharge into canals; and

WHEREAS, the Belle Meade Area Stormwater Master Plan study prepared by Parsons, Inc., dated September 2006, recommends that the off-site discharge within the Belle Meade Basin be divided into two watersheds separated by Sabal Palm Road and limited by formula; and

WHEREAS, the Immokalee Area Stormwater Master Plan study prepared by H.W. Lochner, Inc., dated December 2004, recommends that the off-site discharge within the Immokalee Master Plan Area be divided into two watersheds separated by SR 29 and limited by formula; and

WHEREAS, the Watershed Management Plan study prepared by Atkins North America, dated November 2011, recommends that the off-site discharge within the 951 Canal Basin, C-4 Canal Basin, Corkscrew Canal Basin, Cypress Canal Basin, Faka-Union Canal Basin-N, Gordon River Extension Basin, I-75 Canal Basin, Imperial Drainage Outlet Basin, Lely Manor Canal Basin, Main Golden Gate Canal Basin, Palm River Canal Basin and Pine Ridge Canal Basin be limited by formula; and

WHEREAS, the maximum off-site discharge limitation formulas as indicated by the above referenced studies have not been incorporated into Ordinance No. 74-50, as amended by Ordinance No. 90-10 and Ordinance No. 01-27; and

WHEREAS, Staff has recommended that discharge limitations applicable to the Belle Meade Stormwater Master Plan Area, Immokalee Stormwater Master Plan Area, 951 Canal North Basin, C-4 Canal Basin, Corkscrew Canal Basin, Cypress Canal Basin, Faka-Union Canal Basin-N, Gordon River Extension Basin, I-75 Canal Basin, Imperial Drainage Outlet Basin, Lely Manor Canal Basin, Main Golden Gate Canal Basin, Palm River Canal Basin and Pine Ridge Canal Basin be incorporated into Ordinance No. 74-50, as amended by Ordinance No. 90-10 and Ordinance 01-27; and

WHEREAS, the Board concurs with Staff's recommendations.

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

SECTION ONE: Paragraph 7. A of Article II, Section 2.01 of Ordinance No. 74-50, as amended by Ordinance No. 90-10 and Ordinance No. 01-27, is hereby amended to read as follows:

7. In accordance with the provisions of ~~Chapter 40E-4, Florida Administrative Code, Section 40E4.091(1)(a), F.A.C. and the "Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District's August 2000" Section 6.0.~~ as these two documents it may be amended from time to time, the following local design criteria shall be used in Collier County for new development and redevelopment as defined in LDC Section 3.07.02.A.2:

A. Section ~~6.2.3.2~~: Discharge Rate – Offsite discharge contributed by a development is limited to amounts which will not cause adverse off-site impacts. These amounts may be determined by: (most restrictive applies)

- a) Historic discharge rates;
- b) Rates determined in previous SFWMD permit actions;
- c) Rates specified in SFWMD criteria (~~Basis of Review~~ See Appendix 2A);

d) Rates based on system capacity for selected County primary outfall canals, unless special engineering studies are provided by a Registered Professional Engineer, shall be as follows:

ALLOWABLE POST-DEVELOPMENT DISCHARGE FORMULAS FOR
COLLIER COUNTY CANALS

CANAL	ALLOWABLE RUNOFF	DESIGN FREQ./DUR.
AIRPORT ROAD	25.6 CSM (0.04 cfs/acre)	25 year/ 3 day
<u>NORTH CANAL BASIN</u> SUBBASIN (North of Vanderbilt Beach Rd.)		
AIRPORT ROAD	38.4 CSM (0.06 cfs/acre)	25 year/ 3 day
<u>SOUTH CANAL BASIN</u> SUBBASIN (South of Vanderbilt Beach Rd.)		
<u>COCOHATCHEE RIVER</u> CANAL BASIN	25.6 CSM (0.04 cfs/acre)	25 year/ 3 day
LELY CANAL BASIN	38.4 CSM (0.06 cfs/acre)	25 year/ 3 day
HARVEY <u>CANAL</u> BASIN 35.2 <u>38.4</u> CSM (0.0 <u>655</u> cfs/acre)		25 year/ 3 day
<u>WIGGINS PASS BAY</u> <u>OUTLET BASIN</u>	83.2 CSM (0.13 cfs/acre)	25 year/ 3 day
<u>HENDERSON CREEK-</u> <u>BELLE MEADE BASIN NORTH</u>	38.4 CSM (0.06 cfs/acre)	25 year/ 3 day
<u>HENDERSON CREEK-</u> <u>BELLE MEADE BASIN SOUTH</u>	25.6 CSM (0.04 cfs/acre)	25 year/ 3 day
<u>URBAN IMMOKALEE MASTER</u> <u>BASIN EAST</u>	32.0 CSM (0.05 cfs/acre)	25 year/ 3 day
<u>URBAN IMMOKALEE MASTER</u> <u>BASIN WEST</u>	64.0 CSM (0.10 cfs/acre)	25 year/ 3 day
<u>951 NORTH CANAL</u> <u>NORTH BASIN</u>	70.4 CSM (0.11 cfs/acre)	25 year/ 3 day
<u>C-4 CANAL BASIN</u>	70.4 CSM (0.11 cfs/acre)	25 year/ 3 day
<u>CORKSCREW</u> <u>CANAL BASIN</u>	25.6 CSM (0.04 cfs/acre)	25 year/ 3 day
<u>CYPRESS CANAL</u> <u>BASIN</u>	38.4 CSM (0.06 cfs/acre)	25 year/ 3 day
<u>FAKA-UNION</u> <u>CANAL BASIN-N</u>	57.6 CSM (0.09 cfs/acre)	25 year/ 3 day

<u>GORDON RIVER EXTENSION BASIN</u>	57.6 CSM (0.09 cfs/acre)	25 year/ 3 day
<u>I-75 CANAL BASIN</u>	38.4 CSM (0.06 cfs/acre)	25 year/ 3 day
<u>IMPERIAL DRAINAGE OUTLET BASIN</u>	76.8 CSM (0.12 cfs/acre)	25 year/ 3 day
<u>LELY MANOR CANAL BASIN</u>	38.4 CSM (0.06 cfs/acre)	25 year/3 day
<u>MAIN GOLDEN GATE CANAL BASIN</u>	25.6 CSM (0.04 cfs/acre)	25 year/ 3 day
<u>PALM RIVER CANAL BASIN</u>	83.2 CSM (0.13 cfs/acre)	25 year/ 3 day
<u>PINE RIDGE CANAL BASIN</u>	83.2 CSM (0.13 cfs/acre)	25 year/ 3 day

e. In all other areas of the County off-site discharge shall not be in excess of 0.15 cfs/acre.

Variations to the above requirement may be allowed with County staff approval based upon special engineering studies prepared by a Registered Professional Engineer. Unless otherwise specified by previous SFWMD permits or SFWMD criteria, a stormwater event of a 3 day duration and 25 year return frequency shall be used in computing off-site discharges. Allowable discharges will be designated by SFWMD on a case by case basis upon request.

SECTION TWO: CONFLICT AND SEVERABILITY.

In the event this Ordinance conflicts with any other Ordinance of Collier County or other applicable law, the more restrictive shall apply. If any phrase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions.

SECTION THREE: INCLUSION IN THE CODE OF LAWS AND ORDINANCES.

This Ordinance shall be made a part of the Code of Laws and Ordinances of Collier County, Florida. The sections of the Ordinance may be renumbered or relettered to accomplish that result, and the word "Ordinance" may be changed to "Section", "Article", or any other appropriate word.

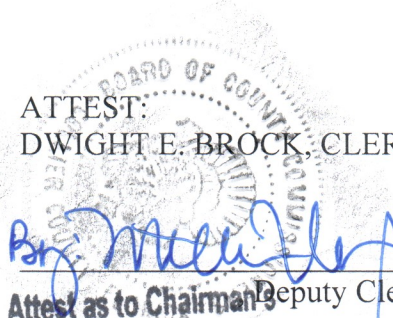
SECTION FOUR: EFFECTIVE DATE.

This Ordinance shall become effective upon filing with the Department of State and on the date that the Growth Management Plan Amendment in Ordinance No. 2017-24 [Ordinance for Petition PL20130002637/CPSP-2013-11] becomes effective.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County, Florida this 13th day of June, 2017.

ATTEST:
DWIGHT E. BROCK, CLERK

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA


[Signature]
Deputy Clerk

By: [Signature]
PENNY TAYLOR, Chairman

Attest as to Chairman's signature only.
Approved as to form and legality:

[Signature] HFAC 5-10-17
Heidi Ashton-Cicko
Managing Assistant County Attorney

This ordinance filed with the Secretary of State's Office the 20th day of June, 2017 and acknowledgement of that filing received this 20th day of June, 2017
By: [Signature]
Deputy Clerk



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

June 20, 2017

Honorable Dwight E. Brock
Clerk of the Circuit Court
Collier County
Post Office Box 413044
Naples, Florida 34101-3044

Attention: Martha Vergara, Deputy Clerk

Dear Mr. Brock:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Collier County Ordinance No. 2017-19, which was filed in this office on June 20, 2017.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb