

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

Naples, Florida, October 19, 2016

LET IT BE REMEMBERED, 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 2:00 PM in a REGULAR SESSION at the Growth Management Department Building, Room 609/610 2800 N. Horseshoe Drive, Naples, FL with the following persons present:

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

ALSO PRESENT: Caroline Cilek, LDC Manager  
Jeremy Frantz, Senior Planner  
Jack McKenna, County Engineer  
Brett Rosenblum, Senior Engineer  
Garret Louviere, Site Plans Reviewer

*Any persons in need of the verbatim record of the meeting may request a copy of the audio recording from the Collier County Growth Management Division – Planning and Regulation building –Contact Mr. Evy Ybaceta at 239-252-2400.*

**1. Call to order**

Mr. Foley called the meeting to order at 2:00pm and a quorum was established.

**2. Approve agenda**

*Mr. Chrzanowski moved to approve the Agenda. Second by Mr. Mulhere. Carried unanimously 6 – 0.*

**3. Approve meeting minutes**

**a. September 12, 2016**

*Mr. Mulhere moved to approve the minutes of the September 12, 2016 meeting as presented. Second by Mr. Chrzanowski. Carried unanimously 6 – 0.*

**b. September 19, 2016**

*Mr. Mulhere moved to approve the minutes of the September 19, 2016 meeting as presented. Second by Mr. Chrzanowski. Carried unanimously 6 – 0.*

**4. Review Revised LDC Amendment Draft**

**a. Staff overview**

Staff presented the PowerPoint “DSAC – LDR Subcommittee Meeting, October 19, 2016” for information purposes. They noted regarding the current amendment draft:

**Types of plans and applicability**

**Drainage Plan**

- Required for lots that do not exceed impervious area thresholds.
- To depict flow arrows and necessary drainage infrastructure.
- Prepared by design professionals or licensed contractors.

**Stormwater Plan**

- Required for lots that exceed impervious area thresholds.
- Modeled on City of Naples stormwater plan requirements with modifications to be discussed by DSAC-LDR subcommittee.
- Prepared by PE only.

**Thresholds**

**Drainage Plan**

- Estates lots with 20% or less impervious area.
- All lots with a SWFMD permit.
- All other lots with 30% or less impervious area.

**Stormwater Plan**

- Estates lots with more than 20% impervious area.
- All other lots with more than 30% impervious area.

Under Committee discussion the following was noted:

- It was noted that larger homes are being constructed with more impervious area, especially on lots being redeveloped (i.e. Naples Park area, etc.).
- It would be beneficial to remove the requirement for a drainage plan on lots with a SFWMD permit. Instead, develop a process for utilizing the grading plan for the property that is submitted with the plat. This could be accomplished with a building block which explains how to submit the grading plan for the lot with the building permit, rather than requiring a separate drainage plan. This would reduce the potential to duplicate plans submitted to the County.

Staff noted the requirement for a stormwater plan on lots with existing SFWMD permits is meant to ensure that the new owner of a lot, or builder is aware of the requirements. The issue could be addressed through a “Building Block” or incorporate requirements into the application submittal and not necessarily include it as a part of a Land Development Code amendment.

*Mr. Dunnivant arrived at 2:25pm.*

Staff continued with the presentation:

**Justifications for requiring a plan on all lots (including lots with SFWMD permits)**

- There are several causes of drainage issues on infill lots in addition to a high percentage of impervious area.
  - Due to building requirements, new construction is required to build to a higher flood elevation than in the past.
  - Infill development often results in single family homes requiring larger and higher fill pads than their neighbors.
  - County staff has also witnessed impacts to drainage patterns due to site grading activities.
  - In these cases, the fill pad and slopes can impact drainage patterns at the site or neighborhood level. However, the builder is not required to consider onsite or offsite drainage impacts.
- Requiring a drainage plan on all lots, regardless of impervious area, is necessary to ensure that drainage from new homes does not create detrimental impacts on the subject property or adjacent properties.
  - Informs property owners where water is intended to flow or be retained on the lot.
  - Provides a process for improving drainage issues throughout the County.

**Justification for threshold in Estates District**

- Berms around Estates lots should be used on a limited basis and only when necessary.
- The geometry of many Estates lots makes requiring detailed stormwater plans on all lots impractical.
- Demonstrating drainage to the front of Estates lots could be difficult and typically there is no drainage easement in the rear of Estates lots.

The following was noted under Committee discussion:

**Estates Area**

- Regarding Staff’s concern over negative impacts on flowways in the Estates when utilizing berms on property boundaries.

- There are times that berms in the Estates are only required to be 3 inches high and do not negatively impact overall flow patterns.
- One concept would be to limit the berm area to the fill area only.
- The 20 percent threshold may be too restrictive given the type of user seeking to reside in the area. An increase to 25 percent would be beneficial for property owners without creating a major stormwater impact on the larger size lots in the area.
- Consider incorporating Best Management Practices into the requirements to reduce potential drainage impacts.
- Consider requiring on site storage for only the amount of impervious area above the threshold.

Staff continued with the presentation:

**Impervious area in the Estates**

- Data from staff's review of impervious area in the past year demonstrate a majority of lots (regardless of lot size) proposed less than 10 percent impervious area in the Estates.
- Staff presented several aerials of lots with various percentages of impervious area.

The following was noted during Committee discussions:

**Estates lots and urban area**

- Lots should not be penalized for right-of-way or legal access.
- After reviewing the aerials and considering some committee members experiences, some members agreed that 25 percent may be appropriate for the Estates district. This would limit the applicability of stormwater plans in the Estates to the most extreme cases of impervious area on lots.
  - The storage provided in a stormwater plan should only apply to the amount of impervious area that exceeds the thresholds in the applicability section, not to the area of the entire lot. Especially in the Estates, requiring retention for the entire lot would result in very large volumes of retention.
- For the urban areas of the County, there has not been any problems with the current threshold of 40 percent. Keeping the threshold at 40 percent will also allow more flexibility for redevelopment of urban lots. Reducing the threshold creates additional costs for those proposing development between 30 percent and 40 percent coverage.
- The storm events that are used should be the same for any lot that has to do a stormwater plan.
  - The City of Naples requires more retention than is necessary if it were applied to non-urban lots. Don't use different standards in different areas.
  - The current requirements of approximately 5-inches for the area exceeding the threshold is more appropriate than using the City of Naples standards.
  - The Pine Ridge Estates area may have different stormwater issues than other urban areas.
- Compensation for nutrient loading should not be included. The City of Naples doesn't require nutrient loading compensation and this provision was originally intended to address water quantity only.

*Mr. Mulhere left at 3:15pm*

**Discharges into water bodies**

The Committee discussed requirements for discharges into existing water bodies noting these areas are defined as “*Discharges downstream of the last downstream control device.*” It was noted a drainage plan should only be required for these areas as the discharges would not impact other properties.

*The Committee reached consensus on the following:*

1. *Utilizing the threshold concept, (over a certain threshold a stormwater plan is required, under the threshold, drainage plan required) is the most beneficial avenue to address drainage issues in the county.*
2. *The threshold for a stormwater plan for the urban area should be 40 percent impervious area.*
3. *The threshold for stormwater plan for the Estates area should be 25 percent impervious area.*
4. *The current design requirements for a stormwater plan should be maintained – a 5 year, 1 day storm event (approximately 5 inches) for the amount of impervious areas exceeding the threshold.*
5. *Only a drainage plan should be required when a lot discharges into a tidal water body.*
6. *Stormwater plans should only address water quantity issues, not water quality issues.*

Staff noted the Conservancy of Southwest Florida may have concerns regarding water quality and discharges to waterbodies.

**b. Review updated draft**

The Committee preliminary reviewed the proposed amendment of Section 6.05.01 recommending the following language changes:

- Section 6.05.01 F.3, line 1 - from “Plan Submittal: A stormwater plan shall be ....” to “Plan Submittal: A Stormwater *or Drainage* Plan shall be...”
- Section 6.05.01 F.4, line 1 – consider a utilizing “*Plan Criteria*” or similar language as opposed to “Stormwater management criteria.”

*Staff noted they will be placing an item on a future meeting agenda for discussion of Code of Laws and Ordinances Section 90-41 (f)(8) and its relation to stormwater management.*

**c. Update on timeframe of amendment vetting and adoption**

Staff reported there will be other amendments coming forth to be considered including the Conservation Collier land management endowment and golf course conversions.

The anticipated review schedule is for the amendments to be heard by the Development Services Advisory Committee in December, the Collier County Planning Commission in January, and the Board of County Commissioners in March of 2017.

**d. Review City of Naples Stormwater Plan criteria**

None

**5. Public comments**

None

**6. Next Meeting Date**

To be determined

**There being no further business for the good of the County, the meeting was adjourned by the order of the Chair at 4:46PM.**

**COLLIER COUNTY DEVELOPMENT SERVICES  
ADVISORY COMMITTEE - LAND DEVELOPMENT  
REVIEW SUBCOMMITTEE**

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These Minutes were approved by the Committee on \_\_\_\_\_, as presented \_\_\_\_\_, or as amended \_\_\_\_\_.