

LOCAL PLANNING AGENCY (LPA) RECOMMENDATION to the
BOARD OF COUNTY COMMISSIONERS



Regarding: A Proposed Ordinance amending Chapter 154 of the Land Development Code to adopt and implement the Pinellas County Stormwater Manual

LPA Recommendation: The LPA finds that the proposed Ordinance amending Chapter 154, is consistent with the Pinellas County Comprehensive Plan and recommends the amendment be adopted by the Board of County Commissioners. (The vote was 5-0, in favor).

LPA Report No. LDR- 1-1-17

LPA Public Hearing Date: January 12, 2017

PLANNING STAFF RECOMMENDATION

Staff recommends that the LPA find the proposed amendments amending Chapter 154 of the Land Development Code consistent with the Pinellas County Comprehensive Plan.

Staff further recommended that the LPA recommend adoption of the proposed amendments to the Pinellas County Board of County Commissioners.

OVERVIEW: Chapter 154 of the Land Development Code currently specifies standards for stormwater management, drainage, retention, and treatment. These standards have been intermittently amended since the original adoption of the code in 1990. However, in order to implement best management practices and provide a comprehensive set of performance standards addressing water quantity and quality it is desirable to adopt a Pinellas County Stormwater Manual. The manual will provide a centralized location for all requirements, as well as methods to meet the requirements. The manual will also provide more tools and flexibility, protect and restore our surface waters, incentivize redevelopment and promote urban regeneration, ensure compatibility with other code sections, and introduce resiliency measures to meet current and future conditions.

The proposed ordinance will strike certain sections of Chapter 154 related to stormwater design standards and adopt the Stormwater Manual to replace those standards.

A presentation is attached that summarizes the contents of the Stormwater Manual.

The full text of the proposed Pinellas County Stormwater Manual can be found at the following link: http://www.pinellascounty.org/plan/stormwater_manual.htm

Stakeholder meetings to review and comment on the proposed Stormwater Manual were held in 2014 and 2016.

The proposed Stormwater Manual was previously presented to the LPA on July 9, 2015 (Minutes attached).

SUMMARY: Staff finds that the proposed amendments to the Land Development Code, at a minimum, are consistent with the following principles, goal, objectives and policies of the Comprehensive Plan:

FUTURE LAND USE ELEMENT:

GOAL THREE: PINELLAS COUNTY'S PLAN SHALL PROMOTE A BALANCED RELATIONSHIP BETWEEN THE NATURAL ENVIRONMENT AND DEVELOPMENT.

3.1. Objective: The Pinellas County Land Development Code shall be applied in a manner that ensures compatibility between the Future Land Use Map, existing environmental conditions and constraints, as well as environmental management goals.

Policy 3.1.3 The natural environment shall be both preserved and enhanced by a sensitive land use program which will include adherence to, but not be limited to, the following chapters of the Land Development Code: Habitat Management and Landscaping; Floodplain Management; Flood Damage Prevention; Site Development and Platting; Comprehensive Zoning Regulations; and any other applicable regulations that deal with on-site environmental concerns but also with surrounding land uses.

3.2. Objective: Pinellas County shall continue its proactive program for managing the impacts of development upon the County's natural resources (including wetlands, uplands, and the marine environment), and shall continue to ensure that these resources are successfully integrated into the urban environment such that the overall function and viability of these areas is maintained, or where practical, enhanced or restored.

Policy 3.2.4: Pinellas County shall continue to protect the natural resources of the County through, at a minimum, the application of the Pinellas County Stormwater Management Plan and the Florida State Implementation Plan addressing air quality, as well as enforcement of the Flood Damage Prevention, Flood Plain Management, Habitat Management and Landscape, and the Pinellas County Water and Navigation Control Authority sections of the Land Development Code, and the Future Land Use Map.

Policy 3.2.6: Natural drainage features/areas shall be utilized where possible as part of the Pinellas County Stormwater Management Plan.

Policy 3.2.10: Pinellas County shall continue its program of integrated land and water resource planning and management, as exemplified by the commitment to comprehensive watershed studies and the preparation of management plans, by the enforcement of a comprehensive wellhead protection program including land use restrictions, permitting and monitoring criteria, and land acquisition, by ongoing implementation of a multi-faceted water conservation and demand reduction program, by exploring reasonable technologies for water supply, and by the application of Comprehensive Plan policies and land development regulations directed at such things as habitat management and enhancement, promotion of native and drought tolerant plantings, wetland protection, stormwater treatment, and floodplain management.

Policy 3.2.11: Pinellas County shall continue to identify and protect isolated wetlands and other environmentally sensitive vegetative communities and habitats through the site plan process, which includes the application of project-appropriate land development regulations, conservation easement requirements, staff review of pertinent vegetation and habitat information, specific permitting requirements, and field work by development review staff.

SURFACE WATER MANAGEMENT ELEMENT

GOAL ONE: SURFACE WATERS SHALL BE MANAGED TO PROVIDE FLOOD PROTECTION FOR THE CITIZENS OF PINELLAS COUNTY, TO PRESERVE AND ENHANCE THE WATER QUALITY OF RECEIVING WATER BODIES, AND FOR THE PURPOSES OF NATURAL RESOURCE PROTECTION, ENHANCEMENT AND RESTORATION, PLANT AND WILDLIFE DIVERSITY, AND ESTUARINE PRODUCTIVITY.
STORMWATER CONTROL AND TREATMENT

1.1. Objective: Stormwater deficiencies that are the responsibility of the Board of County Commissioners (BCC) shall be identified through the watershed planning process and a schedule of actions to correct these deficiencies will be developed by 2010.

Policy 1.1.1: The implementation of projects to correct existing stormwater deficiencies shall be given primary importance.

Policy 1.1.2: The implementation of stormwater projects required to accommodate future needs shall be of secondary importance

1.2. Objective: The County shall apply its stormwater management concurrency management provisions at the time of site plan review, and utilize the following level-of-service standards to support the goals of the Surface Water Management Element.

Policy 1.2.2: Private development shall be reviewed for concurrency purposes during the site plan review process in order to make sure that the development does not adversely impact surrounding properties or off-site conveyance and treatment systems.

Policy 1.2.3: Pinellas County shall evaluate the ongoing effectiveness of its stormwater design standards and adopted level-of-service standards by 2010, and amend if necessary.

1.5. Objective: Pinellas County shall show measurable improvements in the quality of county waters, as a result of management activities, and the development and implementation of watershed management plans.

Policy 1.5.5: Any approved development/redevelopment project must be consistent with, and reviewed against, any approved watershed plan in place for the impacted watershed.

Policy 1.5.6: In association with the update to the Land Development Code, Pinellas County shall establish a Nutrient Sensitive Watershed designation for the Lake Seminole and Lake Tarpon Watersheds, effectively establishing a special planning and

management district for each watershed that would create specific policies and guidelines for development within those watersheds.

Policy 1.5.9: Those stormwater management project designs which retain water within the impacted watershed, by means of wetland attenuation, or groundwater infiltration, shall be preferred over those which encourage rapid discharge, particularly outside of the watershed.

1.6. Objective: Stormwater management decisions and permits will require consideration of the most current regulations and technical data, models, and plans available, including any approved watershed management plan, and well as other resource management objectives.

Policy 1.6.1: Pinellas County shall enforce County stormwater regulations requiring new construction, or redeveloped sites other than an individual single family parcel to meet the current applicable stormwater management standards (consistent with the Regulatory Framework section of the Surface Water Management Element) .

Policy 1.6.3: By 2010, Pinellas County will amend its Land Development Regulations to require that all parcels of land, other than an individual single family parcel, be able to show that the development or redevelopment of a site meets Pinellas County stormwater regulations or results in improved stormwater treatment when compared to its previous state.

Policy 1.6.4: As a part of the development review process, individual single-family construction will be reviewed to make sure that onsite construction and regrading do not create an adverse impact on neighboring properties or the County's stormwater system.

Policy 1.6.5: Development and redevelopment projects in Pinellas County shall be reviewed using the most current stormwater models available, to evaluate the project's impacts on adjacent properties, and the local stormwater conveyance system to accommodate the flows associated with the project.

Policy 1.6.12: In association with the update to the Land Development Code, Pinellas County will develop incentives and requirements for the utilization of Low Impact Development (LID) and other sustainable site development practices, for new development and redevelopment, with emphasis on watersheds that have been designated impaired through the Total Maximum Daily Load (TMDL) Program.

Policy 1.6.13: In association with the update to the Land Development Code, Pinellas County will develop guidelines or criteria for the use, placement and maintenance of cisterns and rain barrels, in order to retain stormwater on-site for reuse in such capacities as landscape irrigation and other appropriate uses.

ATTACHMENTS:

- 1) Ordinance with Exhibits
- 2) Presentation
- 3) July 9, 2015 LPA Minutes