



BOARD OF COUNTY COMMISSIONERS

DATE: September 11, 2014
AGENDA ITEM NO. 32

Consent Agenda ☐

Regular Agenda ☐

Public Hearing ☒

County Administrator's Signature:

Subject:

Public Hearing and Adoption of the Final Surface Water Rate Resolution for Fiscal Year (FY) 2015 Surface Water Service Assessment

Department:

Department of Environment and Infrastructure

Staff Member Responsible:

Richard Coates, P.E., Director
Transportation & Stormwater

Recommended Action:

I RECOMMEND THE BOARD OF COUNTY COMMISSIONERS (BOARD), AFTER HEARING PUBLIC COMMENT, ADOPT THE ATTACHED FINAL SURFACE WATER RATE RESOLUTION FOR THE FY 2015 SURFACE WATER SERVICE ASSESSMENT WITHIN THE UNINCORPORATED AREAS OF PINELLAS COUNTY.

Summary Explanation/Background:

Annually, the Surface Water Service Assessment is brought in front of the Board for adoption. The Initial Surface Water Rate Resolution, which was approved by the Board on June 24, 2014, establishes the top rate at which the surface water assessment may be levied. The Final Surface Water Rate Resolution is presented to the Board for adoption of the final rate for the surface water assessment. The final rate can be at or below the assessment rate established in the Initial Surface Water Rate Resolution.

The County's surface water assessment is based upon the estimated amount of stormwater runoff generated by impervious surface on a parcel. Impervious surfaces include the rooftop, patios, driveways, parking lots and similar areas. The County has determined that the median single-family residence in the Surface Water Service Area includes 2,339 square feet of impervious surface, which is the value of one "equivalent residential unit" or "ERU Value."

Single-family residential properties are categorized into one of four ERU tiers based on the estimated amount of impervious area associated with each parcel (computed by using the building footprint of the residence). Condominium units are charged generally by calculating the total number of ERUs applicable to the condominium complex as a whole, then dividing that total number of ERUs by the total number of condominium residential units on the property. For general parcels, such as commercial parcels, the number of ERUs has been calculated individually for each parcel of property by dividing the impervious surface area by 2,339 square feet. If a parcel owner applies and qualifies, credit for privately maintained stormwater management facilities and other factors affecting the quantity or quality of stormwater runoff will be applied, as applicable, resulting in the assignment of Net ERUs. Additionally, if a parcel owner applies and qualifies, certain agricultural property is granted a credit from payment of Surface Water Service Assessments pursuant to state law.

The information pertaining to the Initial Surface Water Rate Resolution was utilized to notify the affected public of the structure and method that the County is considering implementing for its Surface Water Service Assessment. Information from this document was contained in the mailings to the public, as well in the advertised legal notice of the public hearing date. The mailing notified each parcel owner of the proposed assessment, the estimated assessment amount, the purpose of the proposed assessment, and informed each owner of the public hearing date for the final decision on the adoption of a rate for the County's Surface Water Service Assessment.

Fiscal Impact/Cost/Revenue Summary:

The recommended annual Surface Water Service Assessment rate for Fiscal Year 2015 is \$116 for each Net ERU, which is the same rate as FY 2014. It is estimated that the County will collect \$19.2M from the Surface Water Service Assessments for Fiscal Year 2014-15.

Exhibits/Attachments Attached:

Annual Surface Water Rate Resolution

PINELLAS COUNTY, FLORIDA

ANNUAL SURFACE WATER RATE RESOLUTION

ADOPTED SEPTEMBER 11, 2014

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RESOLUTION NO. 14-__

A RESOLUTION OF PINELLAS COUNTY, FLORIDA, RELATING TO THE PROVISION OF SURFACE WATER MANAGEMENT SERVICES; CONFIRMING THE PRELIMINARY SURFACE WATER RATE RESOLUTION; IMPOSING SURFACE WATER SERVICE ASSESSMENTS AND FEES AGAINST CERTAIN REAL PROPERTY IN THE UNINCORPORATED AREA OF PINELLAS COUNTY ESTABLISHED AS THE SURFACE WATER SERVICE AREA; APPROVING THE SURFACE WATER ROLLS; ESTABLISHING A REVISED MITIGATION CREDIT POLICY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 166, Article VI of the Pinellas County Land Development Code (the "Code") authorizes the Board of County Commissioners (the "Board") of Pinellas County, Florida (the "County") to impose Surface Water Service Assessments and Surface Water Fees against real property benefited by the County's Surface Water Management Services; and

WHEREAS, the reimposition of a Surface Water Service Assessment and Surface Water Fees is an equitable and efficient method of allocating and apportioning the cost of the County's Surface Water Management Service among parcels of property that are benefited thereby; and

WHEREAS, the Board adopted Resolution No. 14-48, the Preliminary Surface Water Rate Resolution, geographically identifying the area within which the County provides Surface Water Management Services and those properties to be benefited by the County's Surface Water Management Services (the "Surface Water Service Area"), describing the method of assigning ERUs and apportioning the cost of the Surface Water Management Services (the "Surface Water Service Cost") against Developed Property located within the Surface Water Service Area, directing the preparation of the tentative

Surface Water Rolls, and directing the provision of the notices required by Sections 166-503 and 166-504 of the Code; and

WHEREAS, pursuant to the provisions of Section 166-506 of the Code, the County is required to confirm or repeal the Preliminary Surface Water Rate Resolution, with such amendments as the Board deems appropriate, after hearing comments and receiving objections of all interested parties; and

WHEREAS, the Surface Water Rolls have heretofore been updated and filed with the office of the Surface Water Utility Coordinator, as provided in Section 166-506 of the Code; and

WHEREAS, notice of a public hearing has been published in accordance with Section 166-503 of the Code and, if required by the terms of Section 166-506 of the Code, mailed to each affected property owner in accordance with Section 166-504 of the Code, notifying such property owners of the opportunity to be heard; the proof of publication and an affidavit of mailing are attached hereto as Appendices A and B respectively; and

WHEREAS, a public hearing has been duly held on September 11, 2014 and comments and objections of all interested persons have been heard and considered as required by the Section 166-506 of the Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1. RECITALS. The above recitals are true and correct and are hereby incorporated herein by reference.

SECTION 2. AUTHORITY. This resolution is adopted pursuant to the provisions of Chapter 166, Article VI of the Code; the Initial Surface Water Rate Resolution (Resolution No.13-60); the Final Surface Water Rate Resolution (Resolution No. 13-136); the Preliminary Surface Water Resolution (Resolution No. 14-48); the Pinellas County Charter; Article VIII, Section 1(g) of the Florida Constitution; Sections 125.01 and 125.66 of the Florida Statutes; and other applicable provisions of law.

SECTION 3. DEFINITIONS. This resolution is the Annual Surface Water Rate Resolution for the imposition of Surface Water Service Assessments and Surface Water Fees. All capitalized terms in this resolution shall have the meanings defined in the Code, the Initial Surface Water Rate Resolution, and the Final Surface Water Rate Resolution.

SECTION 4. CONFIRMATION OF PRELIMINARY SURFACE WATER RATE RESOLUTION. The Preliminary Surface Water Rate Resolution is hereby confirmed.

SECTION 5. APPROVAL OF SURFACE WATER ROLLS. The updated Surface Water Rolls, copies of which were present or available at the public hearing, on file in the office of the Surface Water Utility Coordinator, and incorporated herein by reference, are hereby approved. The foregoing shall not be construed to require that the Surface Water Rolls be in printed form if the amount of the Surface Water Service Assessment or Surface Water Fee for each Parcel is available on compatible electronic medium and can be determined by use of an available computer terminal.

SECTION 6. SURFACE WATER SERVICE ASSESSMENTS AND FEES.

(A) The Parcels of Developed Property described in the Surface Water Rolls are hereby found to be benefited by the County's Surface Water Management Services in the amount of the Surface Water Service Assessment or Surface Water Fee set forth in the applicable Surface Water Roll. Adoption of this Annual Surface Water Rate Resolution constitutes a legislative determination that all Parcels charged derive a benefit from the Surface Water Management Services to be provided.

(B) Adoption of this Annual Surface Water Rate Resolution also constitutes a legislative determination that the Surface Water Service Assessments and Surface Water Fees are fairly and reasonably apportioned among the Developed Properties that receive the benefit from the Surface Water Management Services that is consistent with the legislative declarations, determinations and findings set forth in the Code, the Initial Surface Water Rate Resolution, and the Final Surface Water Rate Resolution.

(C) The method for computing the Surface Water Service Assessments and Surface Water Fees and the assignment of ERUs described in the Preliminary Surface Water Rate Resolution is hereby approved.

(D) For the Fiscal Year beginning October 1, 2014, the estimated Surface Water Service Cost, excluding collection costs, is \$19.5 million. The Surface Water Service Assessments and Surface Water Fees to be charged to all benefited parcels pursuant to the methodology set forth in the Initial Surface Water Rate Resolution will be computed for each Parcel of Developed Property located within the Surface Water Service Area by multiplying the number of Net ERUs attributable thereto by the rate of \$116.00 per Net ERU.

(E) The above rate per Net ERU is hereby approved. Surface Water Service Assessments and Surface Water Fees for the provision of Surface Water Management Services in the amounts set forth in the Surface Water Rolls, as herein approved, are hereby levied and imposed on all Parcels described in the Surface Water Rolls for the Fiscal Year beginning October 1, 2014.

(E) The Surface Water Service Assessments shall constitute a lien upon the Parcels so assessed equal in rank and dignity with the liens of all state, county, district or municipal taxes and non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles and claims, until paid. The lien for Surface Water Service Assessments shall be deemed perfected upon adoption by the Board of this Annual Surface Water Rate Resolution. Upon perfection, the lien for Surface Water Service Assessments collected under the Uniform Assessment Collection Act shall attach to the property included on the roll as of the prior January 1, the lien date for ad valorem taxes.

SECTION 7. APPROVAL OF MITIGATION POLICY.

(A) As used in this Resolution, the following terms shall have the following meanings:

"Mitigation Credit" means, for any Parcel of Developed Property, a number between 0.0 and 0.75 representing a reduction in the burden expected to be generated by such Parcel attributable to privately maintained Stormwater management facilities and other factors affecting the quantity or quality of Stormwater runoff.

"Mitigation Credit Factor" means the figure computed by subtracting the Mitigation Credit from 1.00.

"Mitigation Credit Policy" means the Pinellas County Surface Water Utility Adjustments and Credits Policies and Procedures Manual attached hereto as Appendix C.

(B) The Board hereby finds that the Mitigation Credit Policy is fair and reasonable and, therefore, approves the Mitigation Credit Policy attached hereto as Appendix C.

(C) The Board recognizes the benefits provided by privately maintained Stormwater management facilities. Properties supporting private Stormwater management facilities should be credited for the public benefits they provide. Accordingly, the number of ERUs otherwise attributable to such property shall be adjusted by a Mitigation Credit determined in accordance with the Mitigation Credit Policy.

(D) In order to receive a Mitigation Credit for which property is eligible, between March 1 and May 1 preceding the Fiscal Year for which reapplication is required, the property owner shall file a Mitigation Credit application with the Surface Water Utility Coordinator on a form approved by the Surface Water Utility Coordinator. The property owner may be required to provide the Surface Water Utility Coordinator with "as built" drawings of the Stormwater management facility sealed by a Florida registered professional engineer, a certification from a Florida registered professional engineer as to the standards of retention and detention achieved by the facility, evidence of compliance with any exemptions mandated under state law, or such other reasonable requirements as may be necessary to effectuate the purposes of this Section.

(E) The Surface Water Utility Coordinator, with the assistance of other members of the administrative staff of the County, shall, within forty-five (45) days after the filing of such application, review the application and such other supporting data that may be filed

therewith and make such further investigation as may be reasonably required in order to determine if the applicant is qualified for a Mitigation Credit pursuant to this Section.

(F) The Surface Water Utility Coordinator shall furnish his or her written decision to such applicant by United States mail, postage prepaid, addressed to the applicant at the address stated on the application.

(G) No Mitigation Credit shall be applied for service provided to property by a Stormwater management facility constructed or maintained with County funds.

(H) Upon approval, Mitigation Credits shall be valid for two Fiscal Years. Prior to the expiration of the Mitigation Credit, property owners must reapply in accordance with paragraph (D) of this Section.

SECTION 8. COLLECTION OF SURFACE WATER SERVICE ASSESSMENTS.

(A) The Surface Water Service Assessments shall be collected pursuant to the Uniform Assessment Collection Act, as provided in Section 166-561 of the Code. The Surface Water Utility Coordinator is hereby authorized and directed to certify and deliver or cause the certification and delivery of the Surface Water Roll for the Surface Water Service Assessments to the Tax Collector by September 15, 2014, in the manner prescribed by Section 197.3632 of the Florida Statutes. The Surface Water Roll for the Surface Water Service Assessments, as delivered to the Tax Collector, shall be accompanied by a Certificate to Non-Ad Valorem Assessment Roll in substantially the form attached hereto as Appendix E.

(B) The Surface Water Fees imposed against Government Property shall be billed, collected, and enforced pursuant to the alternative method of collection described in Section 166-564 of the Code and Section 9 of the Preliminary Surface Water Rate

Resolution. The Board hereby directs the Surface Water Utility Coordinator to mail said bills no later than November 1, 2014 in substantially the form attached hereto as Appendix D.

SECTION 9. EFFECT OF ADOPTION OF RESOLUTION. The adoption of this Annual Surface Water Rate Resolution shall be the final adjudication of the issues presented herein (including, but not limited to, the apportionment methodology, the rate of the fee for service to Government Property, the rate of assessment, the adoption of the updated Surface Water Rolls and the levy and lien of the Surface Water Charges), unless proper steps shall be initiated in a court of competent jurisdiction to secure relief within 20 days from the date of this Annual Surface Water Resolution.

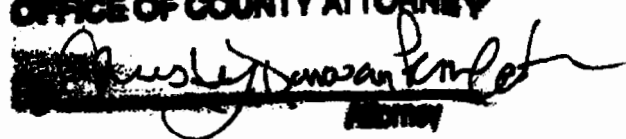
SECTION 10. EFFECTIVE DATE. This resolution shall take effect immediately upon its adoption.

Commissioner _____ offered the foregoing Resolution and moved its adoption, which was seconded by Commissioner _____, and upon roll call the vote was:

AYES:

NAYS:

Absent and not voting:

**APPROVED AS TO FORM
OFFICE OF COUNTY ATTORNEY**


ATTORNEY

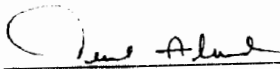
APPENDIX A

PROOF OF PUBLICATION

Tampa Bay Times
Published Daily
St. Petersburg, Pinellas County, Florida
STATE OF FLORIDA } S.S.
COUNTY OF Pinellas

Before the undersigned authority personally appeared D. Almeida who on oath says that he/she is Legal Clerk of the Tampa Bay Times a daily newspaper published at St. Petersburg, in Pinellas County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter RE: Notice Of Hearing To Impose was published in said newspaper in the issues of Local & State, 8/22/2014.


Affiant further says the said Tampa Bay Times is a newspaper published at St. Petersburg, in said Pinellas County, Florida and that the said newspaper has heretofore been continuously published in said Pinellas County, Florida, each day and has been entered as second class mail matter at the post office in St. Petersburg, in said Pinellas County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.


Signature of Affiant

Sworn to and subscribed before me
this 22nd day of August A.D.2014

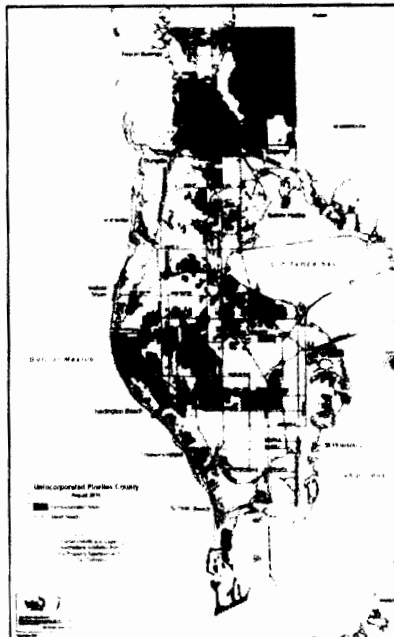

Signature of Notary Public

Personally known ☒ or produced identification
Type of identification produced _____

 JOSEPH F. FISH
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF116052
Expires 6/23/2018

LEGAL NOTICE

LEGAL NOTICE



NOTICE OF HEARING TO IMPOSE AND PROVIDE FOR COLLECTION OF NON-AD VALOREM ASSESSMENTS AND FEES

The U. S. Environmental Protection Agency through the National Pollution Discharge Elimination System Stormwater permitting program implemented by the Florida Department of Environmental Protection has mandated Pinellas County to implement and fund a comprehensive surface water management program. A new and dedicated funding source was established by the County in 2013 to assist in funding this effort. Accordingly, the Pinellas County Board of County Commissioners (the "Board") will conduct a public hearing to consider the continued imposition of Surface Water Service Assessments against non-Government Property and Surface Water Fees against Government Property in the unincorporated area of the County, as shown above. The hearing will be held at 8:00 p.m. or as soon thereafter as the item can be heard, on September 11, 2014 in the Board Assembly Room at 315 Court Street, Fifth Floor, Clearwater, Florida 33756. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding, please contact the Office of Human Rights, 400 South Fort Harrison Avenue, Suite 500, Clearwater, Florida 33756 or call (727) 464-4062 at least 48 hours prior to the date of the hearing. If hearing impaired, telephone the Florida Relay Service Numbers, 1-800-955-8771 (TDD) or 1-800-656-8770 (Voice), for assistance. All affected property owners have a right to appear at the hearing and to file written objections with the County. All written objections to the non-ad valorem assessments and fees must be filed with the Board within twenty (20) days of this notice. Please include your name, parcel number, and the reason you object to the assessment on all written objections. Address all written objections as follows: Surface Water Assessment Fee, Pinellas County Board of County Commissioners, 315 Court Street, Fifth Floor, Clearwater, Florida 33756. Any person wishing to appeal any decision of the Board with respect to any matter considered will need a record of the proceedings and may wish to ensure that a verbatim record of the proceedings is made.

The Surface Water Service Assessments and Surface Water Fees will fund the County's cost to provide Surface Water Management Services in the unincorporated areas of the County. The Surface Water Service Assessments and Surface Water Fees are based upon the estimated amount of Stormwater runoff generated by impervious surface on the property. Impervious surfaces include roof tops, patios, driveways, parking lots and similar areas. The County has determined that the median single-family residence in the Surface Water Service Area includes 2,339 square feet of impervious surface, which is defined as the "equivalent residential unit value" or "ERU Value." The annual Surface Water Service Assessment rate for the upcoming Fiscal Year and future fiscal years will be \$116.00 for each Net ERU. The annual Surface Water Fee rate for the upcoming Fiscal Year and future fiscal years will be \$116.00 for each Net ERU on Government Property.

Generally, the number of ERUs were calculated individually for each parcel of property by dividing the impervious surface area by 2,339 square feet. If a property owner applies and qualifies, credits for privately maintained Stormwater management facilities and other factors affecting the quantity or quality of Stormwater runoff will be applied, resulting in an assignment of Net ERUs. A more specific description of the Surface Water Service Assessments and Surface Water Fees is set forth in Chapter 196, Article VI, Florida Statutes, the Initial Surface Water Rate Resolution (Resolution No. 13-80), the Final Surface Water Rate Resolution (Resolution No. 13-136), and the Preliminary Surface Water Rate Resolution (Resolution No. 14-48). Copies of these resolutions and the updated Surface Water Rolls are available for inspection at the Board Records Department, 315 Court Street, Fifth Floor, Clearwater, Florida 33756. Additional information about the Surface Water Service Assessment and Surface Water Fees is available at www.pinellascounty.org.

The Surface Water Service Assessment will be collected by the Tax Collector of Pinellas County, pursuant to Chapter 197, Florida Statutes, on the tax bill to be mailed in November 2014. Failure to pay the Surface Water Service Assessment will cause a tax certificate to be issued against the assessed property, which may result in a loss of title to your property. The Surface Water Fees will be collected by separate bills to be sent by the County to Government Property.

If you have any questions regarding the number of ERUs assigned to your property or the amount of the Surface Water Fee, please contact the Watershed Management Division by telephone at (727) 463-8750.

KEN BURKE,
CLERK TO THE BOARD OF COUNTY COMMISSIONERS
By: Norman D. Loy,
Deputy Clerk

APPENDIX B

AFFIDAVIT OF MAILING

AFFIDAVIT OF MAILING

BEFORE ME, the undersigned authority, personally appeared _____, who, after being duly sworn, deposes and says:

1. _____, as Surface Water Utility Coordinator of Pinellas County, Florida (the "County"), pursuant to the authority and direction received from the Board, timely directed the preparation of the Surface Water Rolls and the preparation, mailing, and publication of notices in accordance with Chapter 166, Article VI of the Pinellas County Land Development Code (the "Code") and in conformance with the Preliminary Surface Water Rate Resolution adopted by the Board on June 24, 2014 (the "Preliminary Resolution").

2. In accordance with the Code and the Preliminary Resolution, Mr./Ms. _____ timely provided all necessary information to the Property Appraiser of Pinellas County for notification of the Surface Water Service Assessment and Surface Water Fees, to be included as part of the notice of proposed property taxes under Section 200.069, Florida Statutes, the truth-in-millage notification, for each affected property owner. The information provided to the Property Appraiser to be included on the truth-in-millage notification for each affected property owner included the following: the purpose of the assessment; the total amount proposed to be levied against each parcel; the unit of measurement to be applied against each parcel to determine the assessment; the number of such units contained within each parcel; the total revenue the County expects to collect by the assessment; a statement that failure to pay the assessment will cause a tax certificate to be issued against the property which may result in a loss of title; a statement that all affected property owners have a right to appear at the hearing and to file written

objections with the local governing board within 20 days of the notice; and the date, time, and place of the hearing.

3. On or before August 22, 2014, Mr./Ms. _____ delivered and directed the mailing of the above-referenced notices in Paragraph 2 by _____, in accordance with the Code and the Preliminary Resolution by First Class Mail to each affected property owner, at the addresses then shown on the real property assessment tax roll database maintained by the Pinellas County Property Appraiser for the purpose of the levy and collection of ad valorem taxes.

4. For Government Property, Mr./Ms. _____ has caused the notices to be prepared and mailed in conformance with the Preliminary Resolution. An exemplary form of such notice is attached hereto. Mr./Ms. _____ has caused such individual notices for each affected property owner to be prepared and each notice included the following information: the purpose of the charge; the total amount proposed to be imposed against each parcel; the unit of measurement to be applied against each parcel to determine the fee; the number of such units contained within each parcel; the total revenue the County expects to collect; a statement that all affected property owners have a right to appear at the hearing and to file written objections with the local governing board prior to the hearing; and the date, time, and place of the hearing.

5. _____ is Production Manager of _____. As directed above, _____, mailed or caused to be mailed on or before August 22, 2014, the above-referenced notices delivered to _____ by Mr./Ms. _____.

FURTHER AFFIANTS SAYETH NOT.

_____, affiant

_____, affiant

STATE OF FLORIDA
COUNTY OF PINELLAS

The foregoing Affidavit of Mailing was sworn to and subscribed before me this _____ day of _____, 2014 by _____, Surface Water Utility Coordinator, Pinellas County, Florida. He/She is personally known to me or has produced as identification and did take an oath.

Printed Name: _____
Notary Public,
State of Florida At Large
My Commission Expires: _____
Commission No.: _____

STATE OF FLORIDA
COUNTY OF PINELLAS

The foregoing Affidavit of Mailing was sworn to and subscribed before me this _____ day of _____, 2014 by _____, _____. He/She is personally known to me or has produced as identification and did take an oath.

Printed Name: _____
Notary Public,
State of Florida At Large
My Commission Expires: _____
Commission No.: _____

APPENDIX C
MITIGATION CREDIT POLICY

**PINELLAS COUNTY
SURFACE WATER UTILITY
ADJUSTMENTS AND
MITIGATION CREDITS
POLICIES AND PROCEDURES MANUAL**

Draft Pending Board of County Commissioners' Approval



**Department of Environment and Infrastructure
Transportation & Stormwater Division
Natural Resources Section**

September 2014

Introduction

The purpose of this Manual is to describe the policies set forth by Pinellas County concerning Surface Water Assessment Adjustments and Mitigation Credits. Pinellas County established a Surface Water Utility, its Master Surface Water Utility Ordinance No. 13-14 and Rate Resolution No. 13-60, collectively referred to below as the Surface Water Utility. The Surface Water Utility allows the County to establish and collect assessments for the surface water services provided by the County, and also provides opportunities for Adjustments and Mitigation Credits. This Manual provides technical and administrative assistance in the application process.

Section 1 - Adjustments

Applications accepted 9/1 to 10/1 yearly

Impervious Area Measurement Adjustment

Adjustments may be available to Customers through the appeals process specified in Section 5.04 of the Pinellas County Master Surface Water Utility Ordinance. An Adjustment is a change to correct a parcel's impervious area square footage and the associated overcharge or undercharge of a customer's Surface Water Assessment. Adjustments are not to be confused with Credits, which are intended to reduce the Assessment by a percentage reflecting the benefit provided by the Customer to the County's efforts to operate and maintain the Stormwater Management System.

The County has applied County Property Appraiser data and GIS technology to determine the impervious area for all properties within the County Limits, using both direct measurement for non-single family residential properties and Pinellas County Property Appraiser structural elements and extra feature data for single-family residential properties. A customer may apply for an adjustment if the customer believes and can demonstrate the impervious area used for the Equivalent Residential Unit (ERU) designation on the subject property is incorrect.

Application for Adjustment

Any Customer determining that their property qualifies for an Adjustment shall submit the form in Appendix A to the Surface Water Utility Coordinator by between September 1 and October 1. As part of the submission, the Customer must provide the County with evidence or justification in writing for the correction of the Assessment in question. In some cases, the Customer may also be required to submit, at his or her expense, a survey prepared by a registered land surveyor or other information such as plans or blueprints to support the request for an Adjustment. The Surface Water Utility Coordinator will issue a written determination within 60 days of filing. The Customer is allowed 30 days from service of the written decision to file an appeal with the County Administrator or his designee.

Section 2 – Mitigation Credits

Applications accepted 3/1 to 5/1 yearly

The County recognizes that some developed properties subject to the Surface Water Assessment currently operate and maintain stormwater facilities that can reduce stormwater runoff impacts from the subject property to the County system. These facilities help reduce the burden on the County to manage, maintain and operate the stormwater system.

The Mitigation Credits Program is designed to achieve the following key objectives:

- Provide financial and environmental incentives to customers to implement and maintain functional stormwater management facilities; and to promote parcel characteristics that mitigate stormwater runoff to help the County meet its stormwater management goals; and
- Provide an opportunity for customers to reduce their Surface Water Assessment.

It is strongly recommended that applicants call Pinellas County well before the deadline at 727-464-8759 to go over the submittal requirements and timing of delivery.

A. Mitigation Credit Eligibility

Parcels subject to a Surface Water Assessment may be granted a mitigation credit based on one of the following factors:

1. Zero discharge parcels. The parcel does not discharge any runoff during a 100yr/24hr event to any portion of the County right-of-way, drainage system or receiving surface waters. Proper documentation, such as certified as-built plans and calculations that demonstrate that the site retains the runoff generated from the parcel under the 100yr/24hr storm event must be submitted by an Engineer licensed in the state of Florida.
2. Non-residential parcels with a stormwater treatment facility. The parcel has a properly permitted, maintained and functional onsite Stormwater Management System which treats and attenuates stormwater prior to discharge to the County right-of-way or stormwater system over which the County has maintenance responsibility. Facilities must be in compliance with a valid Water Management District permit, Pinellas County Site Plan permit, or equivalent permit. Proof of compliance with applicable permit requirements, certified as-built plans, certified design calculations that demonstrate that the site has a stormwater treatment facility that retains or detains a percentage of the runoff generated from the parcel under the 100yr/24hr storm event and maintenance records shall be submitted as part of the application process. Additionally, certification by an engineer licensed in the state of Florida of proper operation and maintenance of

the facility will be required as part of the application and every 24 months thereafter.

3. Parcels located within a Community Development District, Civic Association (Homeowners Association or Property Owners Association), or Special District that provides maintenance to non-County owned stormwater management facilities which accept drainage from the parcel. These properties will fall into one of the two following categories:
 - a. The Community does not include any County owned or maintained drainage or right-of-ways. All drainage and right-of-way facilities are privately owned and maintained.
 - b. The community does include County owned or maintained drainage or right of ways.

For both of those Credit categories, detailed documentation must be submitted regarding the onsite Stormwater Management System. The eligibility criteria and documentation requirements in (2) above will apply to both categories.

4. Parcels with unique features which lessen the impact of runoff from the parcel to the County drainage system or surface waters will be considered on a case-by-case basis. The applicant will need to demonstrate any unique features on their property reduce the stormwater impact to the County's system or receiving water either with a licensed engineer, or provide as-built plans, surveys or other supporting documentation.

B. Mitigation Credit Rationale

Surface Water Assessment Mitigation Credits may be granted to parcels who meet criteria described in Mitigation Credit Eligibility above. The basis for these credits is as follows:

1. Parcels which do not discharge stormwater runoff during a 100yr/24hr storm event impose no direct stormwater maintenance burden on the County's system or receiving surface waters. This provides a savings to the County on the cost of maintaining the non-transportation related stormwater facilities which is estimated at 75% of the County's overall surface water management costs.
2. Parcels who maintain a certified and permitted Stormwater Management System may be eligible for a mitigation credit based on the percentage of the stormwater runoff retained or detained from the 100yr/24hr storm event that the parcel generates prior to discharge into a County system or receiving surface waters. That percentage will be applied to the 75% cost reduction to the County surface water management costs. For example if a property retains or detains 25% of the 100yr/24hr storm event, the credit will be calculated as follows:

Credit % = % retention or detention * 75% max credit

This credit % will be applied to the amount of Equivalent Residential Units (ERUS) for the property.

3. Parcel owners which contribute to the maintenance of privately owned community stormwater management facilities:

- a. Community drainage and right-of-way is entirely private. All stormwater runoff generated from the 100yr/24hr storm event is routed to the community's stormwater treatment facilities and is retained on site. The parcel may receive up to a 75% mitigation credit, based on the percentage of the stormwater runoff retained or detained from the 100yr/24hr storm event that the parcel generates prior to discharge into a County system.
- b. Community has private drainage but County still owns and maintains right-of-way and associated drainage. The parcel may receive up to a 37.5% mitigation credit (or 50% of the County's Operation and Maintenance Costs), based on the percentage of the stormwater runoff retained or detained from the 100yr/24hr storm event that the parcel generates prior to discharge into a County system or receiving surface waters.

Parcels qualifying in these categories will be credited on a pro-rata basis on the number of parcels within the community that drain to the private stormwater management facility. The HOA may submit one common application on behalf of the residents whose properties drain to the stormwater management facility.

4. Parcels with unique features which lessen the impact of runoff from the parcel to the County drainage system or surfaces waters will be eligible for a mitigation credit of up to 37.5%.

Condition	Mitigation Credit
1. Zero discharge from 100yr/24hr event.	75%
2. Certified private stormwater management facility	Up to 75% based on % retention/detention of 100yr/24hr storm event
3. a. Privately maintained community with stormwater management facility b. County maintained community with private stormwater management facility	Up to 75% Up to 37.5% based on % retention/detention of 100yr/24hr storm event
4. Parcel with unique features	Up to 37.5%

These above mitigation credits are not cumulative. Maximum Mitigation Credit will be 75%. Requests for mitigation credits with supporting documentation must be submitted to Pinellas County to obtain the credit.

C. Mitigation Credit Application Requirements

1. Application Submittal Deadline

Applications for Mitigation Credits shall be submitted **between between March 1st and May 1st each year**. Applications received outside of this period will be kept on file and considered in the following year's Credit Application. The Surface Water Utility Coordinator will issue a written determination within 60 days of filing. The Customer is allowed 30 days from service of the written decision to file an appeal with the County Administrator or his designee.

2. Application Requirements

All required documentation must be provided at the time of the application or it will be considered incomplete. In order to adequately quantify the relief provided by the parcel's stormwater treatment facility, the following must be provided:

- Approved County Site Plan showing topographic details, overland flow paths, all stormwater facilities, and surrounding area.
- Current (less than 2 years from date of application) Site Survey OR Site Plan signed and sealed by a licensed surveyor or engineer asserting that the plan is reflective of current site conditions. The survey or site plan must depict storage volume and characteristics of the stormwater treatment system.
- Signed and sealed calculations accurately describing the amount of runoff generated from the site during a 100yr/24hr storm event [12"] and the amount/percentage of this volume stored in the stormwater treatment facility.
- A detailed report that clearly describes how the stormwater facility functions for storm events the facility is designed to control.
- Maintenance records to verify the County approved maintenance plan is being followed. If no County Maintenance Plan is available, applicant may use SWFWMD certification documentation and maintenance requirements.
- A copy of the (or each) parcel's most recent County Surface Water Utility Assessment

- The list of parcels applying for a Mitigation Credit if applicable.

3. Maintenance agreement and documentation requirements for Stormwater Management Systems

a. Maintenance Agreement:

An owner of a Stormwater Management System must agree in writing to maintain the credited System to County Standards as depicted in the site's approved site plan and all other applicable standards and state law in order to be eligible for Credit. Failure to maintain a Stormwater Management System in compliance to County Standards will result in the loss of the Credit and possible surcharge to recapture improper credits. The owner of a credited Stormwater Management System is responsible for notifying the County if the system is compromised or damaged in any way or is no longer complying with state law or County Standards. The owner of a credited System must also notify the County if any repair work is performed that may alter its operation.

The owner of a credited System must comply with all applicable maintenance practices below that are relevant to the credited facility. The following list is not intended to be comprehensive. Customers are referred to the Land Development Code and those documents incorporated therein by reference for specific minimum maintenance requirements.

- Debris and Litter Removal – This activity must be performed after storm events totaling approximately two inches over a 24-hour period or as needed in order to prevent the structure from clogging and failing and to prevent a public nuisance.
- Erosion and Structural Repair – Side slopes, emergency spillways, and embankments all may periodically suffer from slumping and erosion. Regrading, revegetating, compacting and/or installing or replenishing rip-rap may be required to correct erosion problems that develop.
- Mowing – Side slopes, embankments, emergency spillways, and other grassed areas of stormwater Control Measures should be periodically mowed to prohibit woody growth and to prevent grass from growing over twelve (12) inches in height. More frequent mowing may be required in residential areas by adjacent homeowners or to meet the State of Florida standards. Native grasses, which are water-tolerant, pest-tolerant, and slow growing, are recommended.

- No Blockages - Remove sediment or any blockage from pipes, channels, spillways, inlets and outlets as needed to keep the Control Measure in proper working condition.
- Nuisance Control – Standing water or soggy conditions within a “dry” Stormwater Control Measure can create nuisance conditions for nearby residents, as defined in the Land Development Code. Common nuisance conditions may include odors, mosquitoes, litter, and weeds. Regular maintenance to remove debris and ensure control structure functionality is required to control these potential problems. In addition, well-maintained and established wetland plants in wet detention ponds or bird nesting boxes around the pond can provide a habitat for birds and predacious insects and fish that can actively serve as a natural check on nuisance insects such as mosquitoes. Cyclical alteration of the water level in the pond or installation of aeration/agitation features will also disrupt most unwanted larval growth.
- Outlet Control – Maintain outlet control devices to ensure proper functioning in the control of stormwater velocities at the outlet of the Stormwater Control Measure. Re-vegetating and/or replenishing or installing rip-rap may be required to correct erosion problems at the outlet of Stormwater Control Measure pipes.
- Removal of Log Jams and Debris - All stream and ditches within the stormwater system should be inspected periodically for blockages. If identified, the blockages and debris should be removed as quickly as practicable.
- Sediment Removal – This activity is to be performed as needed or as required by the County to ensure proper working order of the Control Measure and its related Stormwater Control Measure features (channels, pipes, etc.). Sediment removal is also required to maintain the required storage volume according to the Land Development Code and those documents incorporated therein by reference.
- Structural Repairs and Replacement – Eventually, stormwater control structures will deteriorate and must be replaced. Major structural damage to outlet structures (i.e. cracks, leaks, or failure) must be repaired as soon as possible.

b. Biennial documentation

Biennial documentation (every two years) must be submitted to the County to continue receiving a mitigation credit.

Reapplications shall be submitted between March 1st and May 1st. The required documentation consists of the following:

- Biennial inspection report from an independent Professional Engineer licensed to practice engineering in the State of Florida.
- Recently dated photographs showing the condition (including any known damage or disrepair) of a Stormwater Control Measure. For stormwater ponds and other devices, these photos should include views of the outlet structure, all side slopes, vegetated littoral zones, a view from the downstream channel looking upstream at the dam and emergency spillway, a view from the dam showing the condition of the downstream channel, and a view of areas designed to catch sediment (if possible).
- Records such as invoices or a letter signed by the licensed Engineer demonstrating that required maintenance activities have been completed.

4. Inspections / Right of entry

Each Customer that has applied for and received a mitigation credit for a Stormwater Management System has the private responsibility to inspect and repair their system to ensure that it is functioning as credited. In addition, the County reserves the right to inspect any system receiving a credit at any time. If the field inspection proves that any of the annual documentation submitted for continuation of the Credit is not accurate, or the system is not maintained, or if the system is not operating as credited, the Credit will be forfeited, and the Customer must repay the County in the form of a surcharge the amount of Credit received during the period for which the County determines the system was out of compliance.

Inspections will be performed at the discretion of the County to assure that a Stormwater Management System is operating as credited (no blockage due to excessive sediment accumulation, logs, or debris; proper vegetative coverage, etc).

In order to be eligible for a mitigation credit, the owner of the parcel must agree to allow the County to inspect the Stormwater Management System to ensure that they are maintained and functioning properly.

D. Mitigation Credit Renewals

Mitigation Credits granted to a Customer for an existing or new Stormwater Management System are in effect for two years. In order to continue receiving Credit in future years, a Customer must renew their application every 24 months from the original date of acceptance, except for those submitted in year 1 of the Utility (see item C.3.b. above). Documentation as discussed in the applicable Appendix must be submitted along with the renewal application. In addition, an inspection of the Stormwater Control Measure by a licensed Professional Engineer must be performed prior to renewing a Credit. If the annual documentation or inspection proves a Stormwater Management System is not in compliance with County requirements, Credit will be subject to termination and Credit received during any period of non-compliance must be repaid to the County.

Appendix A - Instructions and Forms for Adjustments

Instructions

Applicants must fill out the Adjustment Form contained in Appendix A.1 and submit the items listed in the Checklist. Please note that the County reserves the right to request additional information if necessary to determine the adjustment.

Applicants should fill out the entire form as completely as possible. The following directions apply to each section of the form.

Section A

Please submit the information requested by the Application including Property Owner, Physical Address, Contact Information and a copy of the most recent Assessment from the Pinellas County.

Section B

Please submit the information requested concerning the Applicant's Engineer or Surveyor (if applicable) including the Name, Physical Address, and Contact Information.

Section C

Please submit the information requested concerning the Applicant's Property. If the property address is different from the Owner address in Section A, please include in Section C.

Section D

Please list your requested change of impervious area in the appropriate spaces. In addition, please attach all documentation needed to justify your claim for an adjustment. Additional information may include:

- A map and/or aerial photograph of the property
- Official property measurements such as site plan, building plans, etc
- If necessary for more complex sites, a complete site survey by a registered surveyor or engineer

Section E

A checklist for completion of the application is included in Section E. Please check the boxes next to each item to signify that you have completed the entire form. If the form is not complete, the County may request that you re-submit the

form before making a determination on the adjustment.

Section F

Please place your initials in the appropriate spaces to signify that you will comply with the statements in this section. This section must be complete in order for your application to be processed.

Section G

Please sign and date that you have completed the application for an adjustment. If multiple owners exist for the property, all owners must sign this form in order to grant the adjustment.

Section H

Section H is for office use only by Pinellas County staff.

APPLICATION FOR SURFACE WATER ASSESSMENT ADJUSTMENT

PLEASE MAIL COMPLETED FORM AND ALL REQUIRED DOCUMENTATION TO

Pinellas County Surface Water Assessment

22211 US 19 N – Building 10

Clearwater, FL 33765

FOR QUESTIONS, PLEASE CALL (727) 464-8759

SECTION A - APPLICANT INFORMATION

Property Owner Name:

Site Street address:

City: State: ZIP Code:

Phone: Fax:

Email address:

SECTION B - APPLICANT'S ENGINEER OR SURVEYOR IF APPLICABLE

Name:

Address:

City: State: Zip Code:

Phone: Fax:

Email address:

SECTION C - PROPERTY INFORMATION (ATTACH COPY OF ASSESSMENT)

Name of Property (e.g. Development or Subdivision):

Parcel Identification Number (PIN):

Address:

City: State: ZIP Code:

SECTION D - DETAILS OF APPEAL FOR ADJUSTMENT

Type of Property ☐ Single Family ☐ Multi Family ☐ Other Residential ☐ Non Residential

Currently Billed Impervious Area (Sq. Feet):

Proposed Impervious Area (Sq. Feet):

Detailed Description of Reason for Adjustment Application:

Please attach any property maps or measurements that may be needed to determine your adjustment. A detailed topographic survey may be required in some cases at the expense of the Owner.

PLEASE MAIL COMPLETED FORM AND ALL REQUIRED DOCUMENTATION TO

22211 US 19 N – Building 10

FOR QUESTIONS, PLEASE CALL (727) 464-8759

PLEASE INCLUDE ALL OF THE FOLLOWING (CHECK OFF): If any information is missing from the request package, you will be asked to complete the request and re-submit. Please note that the County reserves the right to request additional information if necessary.

- PLEASE INITIAL THE FOLLOWING STATEMENTS CERTIFYING THAT YOU HAVE READ AND UNDERSTAND EACH ONE:

_____ I hereby grant the Pinellas County access to the property referenced in this document to confirm any of the information stated in this application to determine my adjustment.

Signed this ____ Day of _____ 20__ , by the owners of the property (If multiple owners, all must sign. Please attach additional pages if needed).

APPLICATION FOR SURFACE WATER ASSESSMENT ADJUSTMENT

PLEASE MAIL COMPLETED FORM AND ALL REQUIRED DOCUMENTATION TO

Pinellas County Surface Water Assessment

22211 US 19 N – Building 10

Clearwater, FL 33765

FOR QUESTIONS, PLEASE CALL (727) 464-8759

SECTION H – OFFICE USE ONLY

Received by the Pinellas County, Florida, this _____ day of _____, 20_____.

Application reviewed on this _____ day of _____, 20_____.

Application reviewed by: _____

Determination of Adjustment: Currently Billed Impervious Area: _____ square Ft

Revised Impervious Area: _____ square Ft

Retroactive Adjustment Required? (Y or N) _____ If yes, then record Retroactive Date: __

Appendix B - Instructions and Forms for Mitigation Credits

Applicants applying for a Stormwater Facility Mitigation Credit for the first time must fill out the Credit Application contained in Appendix B.1 and submit the items listed in the Credit Application Checklist. Please note also that the County reserves the right to request additional information if necessary to determine the Credit. Applicants or a Professional Engineer hired by the Applicant should fill out the entire form as completely as possible. The following directions apply to each section of the form.

Section A

Please submit the information requested by the Application including Customer Name, Physical Address, Contact Information and a copy of the most recent Assessment from the County.

Section B

Please submit the information requested concerning the Applicant's Engineer including the Name, Physical Address, and Contact Information.

Section C

Please submit the information requested concerning the Applicant's Property for which Credit will be applied. If the property address is different from the Customer's address in Section A, please include in Section C.

Section D

Please indicate the number of acres of onsite and upstream tributary drainage area (if applicable) controlled by the Applicant's Stormwater Facility by entering the correct amount in the boxes provided. The Applicant shall receive this information from the Professional Engineer that was hired to design the new facility or who has performed the study of an existing facility. The applicant shall submit to the County a detailed topographic map outlining the drainage areas. In addition, the engineer should signify the appropriate design storm events controlled by the Stormwater Facility.

Section E

A checklist for completion of the application is included in Section F. Please check the boxes next to each item to signify that you have completed the entire form. If the form is not complete, the County may request that you re-submit the form before making a determination on the adjustment.

Section F

Please place your initials in the appropriate spaces to signify that you will

comply with the statements in this section. For facilities with multiple owners or customers, the owner having primary responsibility for the management of the facility should sign this section. A Professional Engineer registered in the State of Florida is also required to sign this section. This section must be complete in order for your application to be processed.

Section G

Please sign and date that you have completed the application for a Credit. If multiple customers exist for the property, all customers must sign this form in order to grant the Credit. For development with common area Stormwater Facilities such as condominiums, townhomes or cluster unit developments, where Assessments are pro-rated to the lot owners, the Association may sign and complete the application on behalf of its members.

Section H

Section I is for office use only by Pinellas County staff.

APPLICATION FOR SURFACE WATER ASSESSMENT MITIGATION CREDIT

PLEASE MAIL COMPLETED FORM AND ALL REQUIRED DOCUMENTATION TO

Pinellas County Surface Water Assessment

22211 US 19 N – Building 10

Clearwater, FL 33765

FOR QUESTIONS, PLEASE CALL (727) 464-8759

SECTION A - APPLICANT INFORMATION

Property Owner Name:

Site Street address:

City:

State:

ZIP Code:

Phone:

Fax:

Email address:

SECTION B1 - APPLICANT'S ENGINEER (IF APPLICABLE)

Name:

Address:

City:

State:

Zip Code:

Phone:

Fax:

Email address:

SECTION B2 - APPLICANT'S SURVEYOR (IF APPLICABLE)

Name:

Address:

City:

State:

Zip Code:

Phone:

Fax:

Email address:

SECTION C - PROPERTY INFORMATION (ATTACH COPY OF ASSESSMENT)

Name of Property (e.g. Development or Subdivision):

Parcel Identification Number (PIN):

Address:

City:

State:

ZIP Code:

SECTION D - STORMWATER CONTROL MEASURE CREDIT INFORMATION AND ELIGIBILITY

Check Credit Category Applicable to the Property:

- | | |
|--|--|
| 1. Zero discharge from 100yr/24hr event. | <input type="checkbox"/> 75% Reduction |
| 2. Private stormwater management facility | <input type="checkbox"/> Up to 75% Reduction |
| 3.a. Privately maintained community with stormwater management facility | <input type="checkbox"/> Up to 75% Reduction |
| 3.b. County maintained community with private stormwater management facility | <input type="checkbox"/> Up to 37.5% Reduction |
| 4. Parcel with unique features that lessen runoff | <input type="checkbox"/> Up to 37.5% Reduction |

Please refer to the examples in Appendix D to calculate the allowed % reduction for each case.

Note: these Credits are not cumulative and cannot be compounded. Each applicant is only eligible for one Credit from the list above.

Total Requested Mitigation Credit:

% of 100yr/24hr storm event retained on site, multiplied by 75% (maximum credit)

APPLICATION FOR SURFACE WATER ASSESSMENT MITIGATION CREDIT

PLEASE MAIL COMPLETED FORM AND ALL REQUIRED DOCUMENTATION TO

Pinellas County Surface Water Assessment

22211 US 19 N – Building 10

Clearwater, FL 33765

FOR QUESTIONS, PLEASE CALL (727) 464-8759

SECTION E – APPLICATION CHECKLIST

If any information is missing from the request package, you will be asked to complete the request and re-submit. Facilities qualifying for no discharge credit may not need all items listed below. Contact Pinellas County at 727-464-8759 for more information. Please note that the County reserves the right to request additional information if necessary.

PLEASE INCLUDE ALL OF THE FOLLOWING (CHECK OFF):

- ☐ Approved County Site Plan showing topographic details, overland flow paths, all stormwater facilities, and surrounding area.
- ☐ Current (less than 2 years from date of application) Site Survey OR Site Plan signed and sealed by a licensed surveyor or engineer asserting that the plan is reflective of current site conditions. The survey or site plan must depict storage volume and characteristics of the stormwater treatment system.
- ☐ Signed and sealed calculations accurately describing the amount of runoff generated from the site during a 100yr/24hr storm event [12"] and the amount/percentage of this volume stored in the stormwater treatment facility.
- ☐ A detailed report that clearly describes how the stormwater facility functions for storm events the facility is designed to control.
- ☐ Maintenance records to verify the County approved maintenance plan is being followed. If no County Maintenance Plan is available, applicant may use SWFWMD certification documentation and maintenance requirements.
- ☐ A copy of the (or each) parcel's most recent County Surface Water Utility Assessment
- ☐ The list of parcels applying for a Mitigation Credit if applicable.

Please continue to next page

PLEASE MAIL COMPLETED FORM AND ALL REQUIRED DOCUMENTATION TO

22211 US 19 N – Building 10

FOR QUESTIONS, PLEASE CALL (727) 464-8759

PLEASE INITIAL THE FOLLOWING STATEMENTS CERTIFYING THAT YOU HAVE READ AND UNDERSTAND EACH ONE:

_____ I hereby certify that the Stormwater Facility referenced in this application will be maintained in accordance with the approved maintenance schedule attached to this application.

_____ I hereby grant Pinellas County staff access to the property referenced in this document to inspect the facility or facilities proposed for a Surface Water Assessment credit.

Owner's Signature: _____ Date: _____

_____ I hereby certify that the credited Stormwater Facility or Facilities comply with and is/are maintained in accordance with all permit and site plan requirements.

Engineer's Signature: _____ Date: _____

Affix Seal Here

Signed this ____ Day of _____ 20__ , by the owners of the property (If multiple owners, all must sign. Please attach additional pages if needed).

3

APPLICATION FOR SURFACE WATER ASSESSMENT MITIGATION CREDIT

~~PLEASE MAIL COMPLETED FORM AND ALL REQUIRED DOCUMENTATION TO~~

Pinellas County Surface Water Assessment

22211 US 19 N – Building 10

Clearwater, FL 33765

~~FOR QUESTIONS, PLEASE CALL (727) 464-8759~~

SECTION H – OFFICE USE ONLY

Received by the Pinellas County, Florida, this _____ day of _____, 20_____.

Application reviewed on this _____ day of _____, 20_____.

Application reviewed by: _____

TOTAL SURFACE WATER ASSESSMENT MITIGATION CREDIT: _____

Appendix C - Instructions and Forms for Mitigation Credits Renewals

Customers applying for a Renewal of an existing Mitigation Credit must complete the Surface Water Assessment Mitigation Credit Renewal Application in this Section and submit the items listed in the Credit Renewal Checklist on the application form every two years. A Licensed Engineer needs to complete the certified inspection report is required for the type of Credit being applied for. The following Section provide instructions for completing the Credit Renewal form. Most of this information can be copied by the applicant directly from the Initial Credit Application Form.

Section A

Please submit the information requested by the Application including Customer Name, Physical Address, Contact Information and a copy of the most recent County Surface Water Assessment.

Section B

Please submit the information requested concerning the Applicant's Engineer including the Name, Physical Address, and Contact Information.

Section C

Please submit the information requested concerning the Applicant's Property. If the property address is different from the Customer's address in Section A, please include in Section C.

Section D

Please indicate the number of acres of onsite and upstream tributary drainage area (if applicable) controlled by the Applicant's Stormwater Facility by entering the correct amount in the boxes provided. The Applicant shall receive this information from the Professional Engineer that was hired to design the new facility or who has performed the study of an existing facility. The applicant shall submit to the County a detailed topographic map outlining the drainage areas. In addition, the engineer should signify the appropriate design storm events controlled by the Stormwater Facility.

Section E

A checklist for completion of the application is included in Section F. Please check the boxes next to each item to signify that you have completed the entire form. If the form is not complete, the County may request that you re-submit the form before making a determination on the adjustment. The items

in the Renewal Application Form are intended to certify that the facility has been maintained properly throughout the past year and that that facility continues to operate as designed for the Credit.

Section F

Please place your initials in the appropriate spaces to signify that you will comply with the statements in this section. For facilities with multiple owners or customers, the owner having primary responsibility for the management of the facility should sign this section. A Professional Engineer registered in the State of Florida is also required to sign this section. This section must be complete in order for your application to be processed.

Section G

Please sign and date that you have completed the application for a Credit. If multiple customers exist for the property, all customers must sign this form in order to grant the Credit. For development with common area Stormwater Facilities such as condominiums, townhomes or cluster unit developments, where Assessments are pro-rated to the lot owners, the Association may sign and complete the application on behalf of its members.

Section H

Section I is for office use only by Pinellas County staff.

APPLICATION FOR SURFACE WATER ASSESSMENT MITIGATION CREDIT RENEWAL

PLEASE MAIL COMPLETED FORM AND ALL REQUIRED DOCUMENTATION TO

Pinellas County Surface Water Assessment

22211 US 19 N – Building 10

Clearwater, FL 33765

FOR QUESTIONS, PLEASE CALL (727) 464-8759

SECTION A - APPLICANT INFORMATION

Property Owner Name:

Site Street address:

City: State: ZIP Code:

Phone: Fax:

Email address:

SECTION B - APPLICANT'S ENGINEER OR SURVEYOR IF APPLICABLE

Name:

Address:

City: State: Zip Code:

Phone: Fax:

Email address:

SECTION C - PROPERTY INFORMATION (ATTACH COPY OF ASSESSMENT)

Name of Property (e.g. Development or Subdivision):

Parcel Identification Number (PIN):

Address:

City: State: ZIP Code:

SECTION D - STORMWATER CONTROL MEASURE CREDIT INFORMATION AND ELIGIBILITY

Check All that Apply to the Property:

- | | |
|--|--|
| 1. Zero discharge from 100yr/24hr event. | <input type="checkbox"/> 75% Reduction |
| 2. Certified private stormwater management facility | <input type="checkbox"/> Up to 75% Reduction |
| 3.a. Privately maintained community with stormwater management facility | <input type="checkbox"/> Up to 75% Reduction |
| 3.b. County maintained community with private stormwater management facility | <input type="checkbox"/> Up to 37.5% Reduction |
| 4. Parcel with unique features that lessen runoff | <input type="checkbox"/> Up to 37.5% Reduction |

Please refer to the examples in Appendix D to calculate the allowed % reduction for each case.

Note: these Credits are not cumulative and cannot be compounded. Each applicant is only eligible for one Credit from the list above.

Total Requested Mitigation Credit:

PLEASE CONTINUE TO NEXT PAGE

APPLICATION FOR SURFACE WATER ASSESSMENT MITIGATION CREDIT RENEWAL

PLEASE MAIL COMPLETED FORM AND ALL REQUIRED DOCUMENTATION TO

Pinellas County Surface Water Assessment

22211 US 19 N – Building 10

Clearwater, FL 33765

FOR QUESTIONS, PLEASE CALL (727) 464-8759

SECTION E – APPLICATION CHECKLIST

PLEASE INCLUDE ALL OF THE FOLLOWING (CHECK OFF): If any information is missing from the request package, you will be asked to complete the request and re-submit. Please note that the County reserves the right to request additional information if necessary.

- ☐ A copy of your most recent County Surface Water Utility Assessment
- ☐ Records demonstrating that required maintenance activities have been completed (Invoices, letter from Engineer, etc).
- ☐ Certified inspection report.
- ☐ Recently dated photographs showing the condition (including any known damage or disrepair) of a stormwater facility. For stormwater ponds, these photos should include views of the outlet structure, all side slopes, vegetated littoral zones, a view from the downstream channel looking upstream at the dam and emergency spillway, a view from the dam showing the condition of the downstream channel and a view of areas designed to catch sediment (if possible).

SECTION F – CERTIFICATION STATEMENTS

PLEASE INITIAL THE FOLLOWING STATEMENTS CERTIFYING THAT YOU HAVE READ AND UNDERSTAND EACH ONE:

- _____ I hereby certify that the information in this application is truthful and accurate.
- _____ I hereby certify that the Stormwater Facilities and the conditions of the facilities have not been altered since the submittal of the initial application for credit.
- _____ I hereby certify that I will notify Pinellas County staff should any destruction or damage occur to the facility referenced in this credit application that prevents it from performing as credited.
- _____ I hereby certify that I have maintained the Stormwater Facility referenced in this application and have adhered to the approved maintenance schedule contained in the initial credit application.
- _____ I hereby certify that I will continue to maintain the Stormwater Facility referenced in this application and will adhere to the approved maintenance schedule contained in the initial credit application.
- _____ I hereby grant Pinellas County staff access to the property referenced in this document to inspect the credited Stormwater Facility or Facilities proposed for a stormwater fee credit.

Owner's Signature: _____ Date: _____

(for multiple owners, representative responsible for management shall sign)

_____ I hereby certify that the credited Stormwater Facility or Facilities meet all County Standards.

Engineer's Signature: _____ Date: _____

Affix Seal Here

Appendix D - Example Mitigation Credit Calculations

The method for calculating a Mitigation Credit will depend on many factors, such as the existence of a primary drainage system component on a property, and the extent to which a Facility provides runoff control during storm events. Examples contained in this section are intended to familiarize Customers with concepts governing the Mitigation Credits and the manner in which they are calculated so that they might be able to determine the amount of Credit that may be available to them.

Example Standard Fee Calculation:

$$1 \text{ ERU} = 2,339 \text{ SF} = \$116/\text{yr}$$

$$\text{ERU} = \text{Impervious Area} / 2,339 \text{ SF (ERUs are rounded to the nearest decimal)}$$
$$\text{Fee} = \text{ERU} * \$116$$

Example Site: Commercial Property
 Impervious Area = 20,000 SF, No retention of stormwater runoff
 ERU = 20,000 SF / 2,339 SF = 8.6 ERU
 Fee = 8.6 ERU * \$116/yr = \$997.60 / yr

Example Credited Fee Calculations:

1. Case 1: Zero discharge from 100yr/24hr event. 75% Reduction

Parcel may not have a stormwater management system onsite, but still no runoff reaches the County maintained System or receiving surface waters, or parcel may have a retention facility onsite that retains 100% of the 100yr/24hr storm event.

Example Site: Commercial Property
 Total Site Area = 40,000 SF
 Impervious Area = 20,000 SF; Runoff Coefficient = 0.90
 Pervious Area = 15,000 SF; Runoff Coefficient = 0.45
 Basin Area (@100yr/24hr elevation based on as-built plans)
 =5,000 SF; Runoff Coefficient = 0.95
 100% Retention of 100yr/24hr storm event runoff from as-built plans

$$\text{Fee Before Credit} = 20,000 \text{ SF} / 2,339 \text{ SF} = 8.6 \text{ ERU} \quad 8.6 \text{ ERU} * \$116/\text{yr} = \$997.60 /$$

$$\text{Weighted Runoff Coefficient} = \frac{(20,000 \text{ SF})(0.90) + (15,000 \text{ SF})(0.45) + (5,000)(0.95)}{40,000}$$
$$= 0.74$$

$$\text{Runoff from } \frac{100\text{yr}}{24\text{hr}} \text{ event} = 12" \text{ of rain} * \text{total site area} * \text{weighted runoff coefficient}$$

$$= 12" * 40,000 * 0.74 * 1 \text{ FT} / 12" = 29,600 \text{ CF}$$

The as-built plans show the volume retained in the basin before any discharge is greater than 29,600CF., or more than the 100 yr storm event. Therefore the credit will be maxed out at 75%. The new ERU will be:

$$\text{New ERU} = \text{Old ERU} * (1 - \% \text{ Credit}) = 8.6 * (1 - 0.75) = 2.1$$
$$\text{New Fee} = \text{New ERU} * \$116 = 2.1 * \$116 = \$243.60$$

2. Case 2a: Certified private stormwater detention facility - Up to 75% Reduction

Parcel retains a percentage of the runoff generated from the 100yr/24hr storm event

Example Site: Commercial Property
Total Site Area = 40,000 SF
Impervious Area = 20,000 SF; Runoff Coefficient = 0.90
Pervious Area = 15,000 SF; Runoff Coefficient = 0.45
Basin Area (@100yr/24hr elevation based on as-built plans)
=5,000 SF; Runoff Coefficient = 0.95
50% Retention of 100yr/24hr storm event runoff from as-built plans

Fee Before Credit = 20,000 SF / 2,339 SF = 8.6 ERU 8.6 ERU * \$116/yr = \$997.60 / yr

$$\begin{aligned} \text{Runoff from 100 yr 24 hr event} \\ &= 12" \text{ of rain} * \text{total site area} * \text{weighted runoff coefficient} \\ &= 12" * 40,000 * 0.74 * 1 \text{ FT} / 12" = 29,600 \text{ CF} \end{aligned}$$

New ERU = Old ERU * (1 - % Credit) = 8.6 * (1-(0.75*0.5)) = 3.2
New Fee = New ERU * \$116 = 3.2 * \$116 = \$371.20

a. Case 3a: Community with privately maintained roads and stormwater management facility - Up to 75% Reduction

Fee for Entire Subdivision Before Credit = Medium Home ERU Fee * # of Lots
= \$116 8 10 lots = \$1,160 /yr

$$\begin{aligned}
 &\text{Weighted Runoff Coefficient} \\
 &= \frac{(30,000 \text{ SF})(0.90) + (50,000 \text{ SF})(0.45) + (20,000)(0.95)}{100,000} \\
 &= 0.69
 \end{aligned}$$

$$\begin{aligned}
 &\text{Runoff from 100 yr 24 hr event} \\
 &= 12" \text{ of rain} * \text{total site area} * \text{weighted runoff coefficient} \\
 &= 12" * 100,000 * 0.69 * 1 \text{ FT} / 12" = 69,000 \text{ CF}
 \end{aligned}$$

The as-built plans show the volume retained in the basin before any discharge is 34,500CF (or 50% of the runoff generated). The Credit will be:

$$\begin{aligned}
 \text{Credited Fee} &= \text{Fee} * (1 - 0.75 * \text{Percentage of 100 yr 24 hr storm event retained}) \\
 &= \$1,160 * [1 - (0.75 * 0.5)] \\
 &= \$697.50 / \text{yr}
 \end{aligned}$$

Therefore each lot will pay \$69.75 per year.

b. Case 3b: Community with County-maintained roads and private stormwater management facility - Up to 37.5% Reduction

Example Site: Residential Subdivision, 10 lots, 3,000 SF footprint each
 Total Site Area = 100,000 SF
 Impervious Area = 30,000 SF; Runoff Coefficient = 0.90
 Pervious Area = 50,000 SF; Runoff Coefficient = 0.45
 Basin Area (@100yr/24hr elevation based on as-built plans)
 = 20,000 SF; Runoff Coefficient = 0.95
 50% Retention of 100yr/24hr storm event runoff from as-built plans

$$\begin{aligned}
 \text{Fee for Entire Subdivision Before Credit} &= \text{Medium Home ERU Fee} * \# \text{ of Lots} \\
 &= \$116.8 * 10 \text{ lots} = \$1,160 / \text{yr}
 \end{aligned}$$

$$\begin{aligned}
 &\text{Weighted Runoff Coefficient} \\
 &= \frac{(30,000 \text{ SF})(0.90) + (50,000 \text{ SF})(0.45) + (20,000)(0.95)}{100,000} \\
 &= 0.69
 \end{aligned}$$

$$\begin{aligned}
 &\text{Runoff from 100 yr 24 hr event} \\
 &= 12" \text{ of rain} * \text{total site area} * \text{weighted runoff coefficient} \\
 &= 12" * 100,000 * 0.69 * 1 \text{ FT} / 12" = 69,000 \text{ CF}
 \end{aligned}$$

The as-built plans show the volume retained in the basin before any discharge is 34,500CF (or 50% of the runoff generated). The Credit will be:

$$\begin{aligned}
 \text{Credited Fee} &= \text{Fee} * (1 - 0.375\% * \text{Percentage of 100 yr 24 hr storm event retained}) \\
 &= \$1,160 * [1 - (0.375 * 0.5)] \\
 &= \$942.50
 \end{aligned}$$

Therefore each lot will pay \$942.50 per year.

APPENDIX D

FORM OF GOVERNMENT PROPERTY BILL

APPENDIX D

FORM OF BILL FOR GOVERNMENT PROPERTY

Pinellas County
[ADDRESS]

Owner Name
Address
City, State Zip

Tax Parcel #: _____
Legal Description: _____

*****THIS IS A BILL*****

Pinellas County has imposed an annual Surface Water utility fee for the fiscal year October 1, 2014 - September 30, 2015 (FY14-15). The purpose of this charge is to fund the County's provision of Surface Water Management Services, facilities, and programs benefiting property located within the unincorporated area of the County. The annual Surface Water Fee on your property is based on the amount of impervious area on your property, as expressed in Equivalent Residential Units (ERUs).

The total number of ERUs on the above parcel is _____.

The annual Surface Water Fee for the above parcel is \$ _____ for FY14-15 and future fiscal years.

The total amount due is \$ _____.

The FY14-15 Surface Water Fee is due and payable on or before March 31, 2015. Payments are subject to the following discounts when paid by the date indicated (please pay only one amount):

		<u>Amount</u>
November 30, 2014:	4%	\$
December 31, 2014:	3%	\$
January 31, 2014:	2%	\$
February 28, 2014:	1%	\$

Payments received after March 31, 2015 will be considered delinquent. Failure to pay may cause the institution of mandamus proceedings to compel payment.

Please remit the below portion with your payment. Payment in person may be made at the Pinellas County Administration Building, [ADDRESS], Clearwater, Florida [ZIP CODE].

Remit to: Pinellas County
[MAILING ADDRESS]

Tax Parcel ID#: _____

Payment Amount: _____

APPENDIX E

**FORM OF CERTIFICATE TO
NON-AD VALOREM ASSESSMENT ROLL**

**CERTIFICATE
TO
NON-AD VALOREM ASSESSMENT ROLL**

I HEREBY CERTIFY that, I am the Chairman of the Board of the County Commissioners, or authorized agent, of Pinellas County, Florida (the "County"); as such I have satisfied myself that all property included or includable on the non-ad valorem assessment roll for Surface Water Management Services (the "Non-Ad Valorem Assessment Roll") for the County is properly assessed so far as I have been able to ascertain; and that all required extensions on the above described roll to show the non-ad valorem assessments attributable to the property listed therein have been made pursuant to law.

I FURTHER CERTIFY that, in accordance with the Uniform Assessment Collection Act, this certificate and the herein described Non-Ad Valorem Assessment Roll will be delivered to the Pinellas County Tax Collector by September 15, 2014.

IN WITNESS WHEREOF, I have subscribed this certificate and directed the same to be delivered to the Pinellas County Tax Collector and made part of the above described Non-Ad Valorem Assessment Roll this _____ day of _____, 2014.

PINELLAS COUNTY, FLORIDA

By: _____
Chairman

[to be delivered to Tax Collector prior to September 15]