

## **Sec. 86-49. - Site and development plan and zoning reviews**

*(4) Construction and use to be as provided in applications; compliance with other regulations.*

a. Building permits or certificates of zoning compliance issued on the basis of plans and specifications approved by the zoning administrator authorize only the use, arrangement and construction set forth in such approved plans and applications, and no other use, arrangement or construction. Use, arrangement or construction different from that authorized shall be deemed a violation of this chapter and punishable as set out in this chapter.

b. Statements made by the applicant on the building permit application shall be deemed official statements. Approval of an application by the zoning administrator shall in no way exempt the applicant from strict observance of applicable provisions of this chapter and all other applicable regulations, ordinances, codes and laws.

*(5) Revocation of building permit issued in error.* A building permit issued in error shall not confer any rights or privileges to the applicant to proceed to construction, and the city shall have the power to revoke such permit.

*(6) Assurance of completion of public improvements.* Where, by the terms of this chapter or other applicable city regulations, provision is made for ensuring to the city that the public improvements required will be constructed as required, the following procedures and regulations shall govern. **Except as otherwise permitted in section 86-50, Bbefore** any building permit is issued in such situation, the city manager or his designee shall require the applicant to present satisfactory evidence that full provision has been made for public improvements, including but not limited to: utility lines, potable water, wastewater collection systems, storm sewers, reclaimed water systems, construction or reconstruction of streets or alleys, street signs, and traffic devices or signals. Where such public improvements are to be constructed by the applicant in accordance with the applicant's permit, the city manager shall require security satisfactory to the city in the form of a deposit in cash or cashier's check in the amount of 115 percent of the estimated cost of such improvements, or a performance and payment bond or irrevocable letter of credit. The purpose of this requirement is to ensure to the city that the public improvements required will be properly and timely completed and paid for. The form of any such bond or sureties thereon shall be subject to the approval of the city attorney as to form and correctness and acceptance by city council. **Except as otherwise permitted in section 86-50, C**construction plan approval and site preparation permit must be obtained prior to the issuance of any building permit.

*(7) All improvements that are regulated by the city standard details must meet the requirements established in the city standard details and subdivision design standards.*

*(8) **Except as otherwise permitted in section 86-50, T***the property shall not be improved until the engineering department has approved the construction plans and issued a site preparation permit. No site work, grading, delivery of fill, removal of vegetation, ground-breaking, improvement of property or construction of any type may be commenced prior to the issuance of a site preparation permit. Where the proposed development requires site and development plan approval under this chapter or other applicable city regulations, a construction permit will be required prior to the issuance of the site preparation permit. Construction and site preparation permits will not be issued until all requirements of the city standard details and subdivision design standards are met and the required fees have been submitted.

## **Sec. 86-50. - Construction plan review and permit.**

**(a) Except as provided in subsection (b) and (c), c**Construction permits must be obtained for all proposed improvements that require site and development plan review under this article or other applicable city regulations. Construction plan review required procedures are outlined in the city standard details.

Construction plan review procedures may be updated during the annual update of the city standard details or as deemed necessary by the city engineer. Required fees must be submitted with the construction plan review application package. Construction plans shall be signed and sealed on each sheet by a state-licensed professional engineer with the exception of the landscape plan that shall be signed and sealed by a state-licensed landscape architect. Construction plans will not be accepted for review until all required items, including applicable fees, have been submitted.

(b) Non-residential development projects (with no dwellings) may be issued the following construction permits prior to the completion of plan review and approval: silt fence permit, clearing and grubbing permit, and grading permit. Projects having at least one structure that requires deep foundations may be issued foundation permits prior to plan review and approval where: deep foundations are defined as a type of foundation that transfers building loads to the earth farther down from the surface than a shallow foundation does to a subsurface layer or a range of depths using a pile or pilings.

The issuance of any construction permits or deep foundation permits prior to the completion of plan review and approval shall be subject to the following:

(1) Security satisfactory to the city manager or designee in the form of a security deposit in cash or cashier's check sufficient to cover cost of restoring the property and removing improvements at a minimum necessary to ensure mitigation of potential offsite impacts due to site disturbance and grading in an amount satisfactory to the city manager or designee. Any Cost estimates necessary to establish an agreeable amount for the security shall be prepared and provided by the applicant.

(c) Residential subdivision development projects may be issued the following construction permits prior to the completion of plan review and approval: silt fence, clearing and grubbing, and grading. The issuance of any such permit shall be subject to the following:

(1) Security satisfactory to the city manager or designee in the form of a security deposit in cash or cashier's check sufficient to cover cost of restoring the property and removing improvements at a minimum necessary to ensure mitigation of potential offsite impacts due to site disturbance and grading in an amount satisfactory to the city manager or designee. Any Cost estimates necessary to establish an agreeable amount for the security shall be prepared and provided by the applicant.

## **DIVISION 2. - SUBDIVISION DESIGN STANDARDS**

### **Sec. 86-232. - Minimum improvements.**

(2) *Issuance of construction permit.* The construction permit requires the approval of the city engineer. The construction permit shall not be issued until the requirements of the city standard details have been met, all plan revisions requested during construction plan review have been completed to the satisfaction of the city engineer, and appropriate fees and charges have been paid. The construction plans must conform to the preliminary plat and/or site plan approved by the planning commission and city council. The construction permit shall not be issued until the planning commission has approved the preliminary plat and/or site plan, (except as otherwise permitted in Chapter 86, Section 86-50). Any construction permit issued not meeting all the applicable regulations and codes or issued in error shall be invalid and may be revoked by the city engineer.

## **“DIVISION 5. - LANDSCAPING REQUIREMENTS**

### **Sec. 86-433. - Plan approval.**

Except for single-family and two-family dwellings and **as otherwise permitted in section 86-50**, prior to the issuance of any permit for paving or surfacing under the provisions of this chapter a plot and planting plan shall be submitted to and be approved by the building division of the city. The plot plan shall be drawn to suitable scale, and shall include all pertinent dimensions and indicate clearly by delineation the existing and proposed parking spaces or other vehicular use areas, access aisles, driveways, hydrants, the source of water supply for plantings, and the location and size of all landscape materials, including the location of planting protective devices, and the location and size of buildings, if any, to be served and the relation of the off-street facilities thereto, and shall designate plantings by name and shall locate the plant material to be installed or, if existing, to be used in accordance with the requirements of this subdivision. No construction permit shall be issued unless the plot plan has been reviewed and approved by the engineering division of the city as complying with the provisions of this section.

### **Sec. 74-264. - Runoff of stormwater and best management practices (BMPs) for construction sites.**

BMPs shall be implemented as necessary, to ensure that all discharges from construction activities are in compliance with the city's EPA/NPDES stormwater permit and the stormwater master plan, or the SWFWMD permit or EPA's NPDES construction activity general permit; whichever is most stringent in its requirements. Best management practices include but are not limited to the following requirements:

(1) Before any activity such as removal of vegetation, site grading, delivery of fill, or ground breaking, the property owner or his agent is required to obtain a site preparation permit from the engineering department. This requirement applies to all construction sites, regardless of size. **Except as otherwise permitted in section 86-50**, ~~p~~Properties required to complete compliance review will be eligible to receive a site preparation permit at the end of the construction plan review process provided that all of the requirements of this section have been satisfied and an approved construction permit has been issued by the city engineer. Properties not required to go through compliance review will be eligible to receive a site preparation permit upon satisfactory completion of the requirements of this section. A site preparation permit is required prior to submittal of building permit application and in all cases, before beginning work on the site. All applicable state or federal permits including SWFWMD and/or NPDES construction generic permit must be obtained prior to commencement of any construction activities. The city engineer or his designee may issue a stop work order if copies of applicable state and federal permits are not presented during the preconstruction meeting or initial site inspection. The applicant shall meet all requirements of the city standard details and submit the following items:

- a. A site and drainage plan signed and sealed by a Florida licensed professional engineer or, for residential property improvements, a Florida licensed landscape architect.
- b. Erosion and sediment control plan for all sites. The plan must include a description of controls that will be used at the site, a description of maintenance and inspection procedures, and contact person with phone number.
- c. Approved county tree removal permit prior to issuance of site preparation permit.
- d. Required fees.