



Permit No: \_\_\_\_\_

## Land Disturbance Permit Guidelines

### 1. Purpose

Land disturbance activities such as clearing, grading, filling, and other similar activities associated with preparing a site for development create the potential for: soil erosion, sedimentation of water bodies, drainage systems, and adjacent properties; destruction of protected trees, unlawful filling of jurisdictional wetlands, and damage to buildings and structures. The purpose of this permit is to minimize adverse effects associated with these activities and fulfill the requirements of Chapter 23: Site Preparation of the Bay County Land Development Regulations.

### 2. Scope

Refer to Chapter 23: Site Preparation of the Bay County Land Development Regulations for complete details regarding the exemptions and requirements for land disturbance activities as regulated by Bay County.

In situations where a State stormwater discharge permit is required (Ch.62-25, FAC) no land disturbance permit may be approved until such time as a state permit is issued.

#### a. Land Clearing

Land clearing activities which require a land disturbance permit shall mean the uprooting or clearing of vegetation in connection with construction for buildings, rights of way, residential, commercial, or industrial development, or the initial clearing of vegetation to enhance property value; but does not include mowing, routine landscaping, or lawn maintenance activities. A separate permit for land clearing is not required for a development project that has been approved by development order and/or building permit.

#### b. Grading

Grading activities which require a land disturbance permit shall mean any operation in which material (including, but not limited to, soils, rock, concrete rubble or other mass of material) is added, removed, or relocated on real property. This activity may require a grading plan designed by a licensed Professional Engineer. Major changes in the elevation of the contour maps require a land disturbance permit. This does not include the displacement of material for routine landscaping or yard maintenance activities. No person shall grade material on any land, parcel, or lot without first obtaining a land disturbance permit. Such permit shall be obtained either in conjunction with a development order, or as an independent site improvement activity.



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**c. Fill**

Fill activities which require a land disturbance permit shall mean any operation in which material (including, but not limited to, soils, rock, concrete rubble or other mass of material) is added onto real property. This activity also includes the filling of voids (low areas) and backfill. The raising of elevation changes the contour maps and therefore may require a grading permit. This does not include the displacement of material for routine landscaping or yard maintenance activities. No person shall add fill material on any land, parcel, or lot without first obtaining a fill material permit. Such permit shall be obtained either in conjunction with a development order, or as an independent site improvement activity.

**d. Excavation**

Excavation activities which require a land disturbance permit shall mean any operation in which material (including, but not limited to, earth, rock, muck, concrete rubble or other mass of material) in or on real property is moved, removed, recovered, or otherwise displaced by any artificial means creating a void or cavity in the earth (including submerged lands). This does not include the displacement of material for routine landscaping or yard maintenance activities. No person shall excavate any earth or soil material from any land, parcel, or lot by any mechanical means without first obtaining an excavation permit. Such permit shall be obtained either in conjunction with a development order, or as an independent excavation of mining activity.

Land disturbance permits may only authorize excavation of less than one acre. If an operation exceeds one acre, this constitutes a mining operation according to the Bay County Land Development Regulations, Chapter 23, Section 2306, wherein a Development Order must be obtained through the Bay County Planning and Zoning Division prior to any mining activity.

**3. Guidelines**

- a. Only a property owner or their authorized contractor may apply for the permit. Proof of ownership (e.g. deed, property tax card, etc.) or authorization from the property owner must be provided as part of the application.
- b. The property of the proposed land disturbance activities must be assigned a parcel number prior to issuance of a land disturbance permit.
- c. A property owner may perform their own work without hiring a contractor.
- d. No land disturbance permits are required where a Development Order has been approved. Approved Development Orders include authorization for proposed land disturbance activities.



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## Land Disturbance Permit

### Certification of Understanding

Provide Permit Application Fee of \$35.00

**The purpose of this certification is to promote an understanding of the basic rules before land disturbance activities begin.**

1. A 30-foot vegetated buffer is required between upland areas and jurisdictional wetlands including marshes, shorelines, canals, etc. Natural vegetation must be preserved in this area.
2. Landscaping and landscaped buffers are required for most non-residential and multifamily residential projects. Leaving natural vegetation can satisfy landscaping and buffer requirements while also avoiding significant cost associated with the installation and maintenance of landscaping plants. You are advised and encouraged to preserve at least a 10-foot, preferably 30-foot, strip of natural vegetation along the side and rear property lines. This strip can always be removed and replaced with landscaping at the time development occurs.
3. A Land Disturbance Permit does not authorize removal of protected trees. A "protected tree" is any Historic, Specimen, Champion or Heritage tree species of *Quercus* (common name: "oak") with a diameter of 30" (94.2" in circumference) or greater measured at 54" from the ground shall require an inspection prior to removal. Any protected trees in the footprint of new construction requires that the applicant has filed for a building permit with the Bay County Builders Services Division and a scale drawing site plan showing the new structures and all trees be submitted with the application for tree removal.
4. A Land Disturbance Permit does not authorize filling of wetlands. Permits for dredge and fill activities in wetlands must be obtained from the Department of Environmental Protection and/or the U.S. Army Corps of Engineers. Failure to obtain these permits can result in substantial penalties and fines.
5. A Land Disturbance Permit does not authorize any other development activity. A Development Order and Building Permit must be obtained prior to the start of development.
6. If the property is located within a city's jurisdictional limits, you must obtain approval from that city.
7. A Land Disturbance Permit will not be approved for land clearing, grading, fill, or excavation activities without a basic erosion control plan. All disturbed areas shall be stabilized using Best Management Practices. Long term vegetative stabilization must show that plants such as grass are alive and holding soil in place. The property owner is responsible for the maintenance of the erosion control structures and vegetation and shall repair or replace defective components that fail.
8. All reasonable measures must be undertaken to minimize noise, dust, dirt, air contaminants, vibration and other potential nuisances.
9. No permitted land disturbance activities will result in a public hazard or a threat to the public health, safety, and welfare.



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10. The permitted land disturbance activities must not disrupt, damage, or impact any ditch, swale, culvert, storm-water retention pond, or other drainage/storm-water control structure. Please review Bay County Land Development Regulations, Chapter 24, Sections 2405 and 2406 for more details regarding this requirement.
11. The permitted land disturbance activities must not contribute to the pollution of surface waters or groundwater, or otherwise cause degradation of state water quality standards.
12. The permitted land disturbance activities will not have an undue adverse impact upon adjacent properties, the general appearance and character of the general vicinity, parking, utilities or other public facilities.
13. The permitted land disturbance activities must be designed and located so as to minimize physical and visual impact to adjacent properties.
14. All fill material shall be suitable for its intended purpose, be compatible with surrounding soil materials, and not create the potential for short or long-term ground subsidence.
15. Use of debris or imported material as fill material will comply with Bay County Land Development Regulations, Chapter 23, Section 2304.
16. An approved land disturbance permit does not authorize the placement of fill on top of existing vegetation and trees. Clearing may be required prior to fill activities.
17. All fill material will permanently remain on site. This permit will only be approved for permanent fill material. The temporary storage of fill material shall require a development order.
18. A permit will not be approved for a permanent open pit or pond located on the same property with any residential subdivision or multi-family development, or within one (1) mile of any residential subdivision or multi-family development, unless such open pit or pond is part of the approved site plan, and fenced to stop random entrance by the public, or designed so the side slopes and depth do not create a public hazard.

**I/We, the undersigned, do hereby certify that we have read and fully understand the information presented herein. I/We understand the permit is valid for one year from the approved date.**

Name: \_\_\_\_\_

Phone #: \_\_\_\_\_

Site Address: \_\_\_\_\_

Parcel ID: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



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### Application for Land Disturbance Permit

#### Owner Information

Name: _____	Phone #: _____
Address: _____	
Email: _____	

#### Site Information

Address: _____	
Parcel ID: _____	Name of Business (if commercial): _____

#### Contractor Information (if applicable)

Name: _____	
Address: _____	
Contact Name: _____	
Phone #: _____	Email: _____
State License #: _____	Competency Card: _____

**Site Classification**       Residential       Commercial

#### Land Disturbance Activities

Land Clearing       Grading       Fill  
 Excavation       Other: \_\_\_\_\_

#### Details

Purpose for the proposed activities: \_\_\_\_\_

Area disturbed (acreage): \_\_\_\_\_

Grading type:       One       Two       Three       N/A

Will all excavated material remain on site?       Yes       No       N/A



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Additional Notes or Details:


Permit Application must include a **Site Plan** with the following information:

- Accurate boundary line survey performed by a licensed professional; include scale and north arrow.
- The printed name and signature of the plan preparer, or the signed seal of the plan preparer, along with the date of the plan.
- Locations of existing structures, driveways, etc., if applicable.
- Area(s) of proposed land disturbance activities. Limits of these activities must be clearly identified.
- Location of any streams, ponds, surface waters, or wetlands on the lot or within 100 linear feet of the lot's boundary lines.
- Location of silt fence, construction entrance, and other erosion and sediment control measures, as necessary.

If proposed land disturbance activities include grading, fill, and/or excavation work, the following information is also required:

- Existing street and lot grades are required for all grading, fill, and excavation activities. At a minimum, the existing lot corner elevations along with any high or low points between the lot corners must be shown. Topographical contour lines should be shown. Existing drainage patterns should be indicated with flow arrows.
- Proposed finished grades, if applicable. Same minimum requirements as the item above.
- Location, finished grade elevations, and invert elevations (if applicable) of grass or paved swales, pipes, inlets, and other drainage features on or adjacent to the lot.
- Slopes in excess of 20 percent must be identified.
- If the lot was created as part of a subdivision, then a note must be included stating, "Proposed grading is in general agreement with the approved subdivision plan."
- Location of any existing or proposed easements.

All Bay County permit applications that include the construction of a new structure(s) or new impervious surface area(s) shall include the following additional information in their Site Plan:

- Provide the proposed Finished Floor Elevations (FFE), along with the proposed Final Grade elevations at the building corners and at the mid-point of all exterior walls.
- Indicate if the proposed dwelling is located within the 100-Year Floodplain.
- Identify the locations of any proposed or existing drain fields or wells.
- Site impervious area should be presented in a tabular fashion with impervious area details broken down as applicable. Any existing impervious surfaces should be listed separately from proposed surfaces.