



Minor Site Clearing Permits

The purpose of a minor site clearing permit is to allow for land development activities, such as clearing of vegetation and filling of land, to proceed on a limited basis prior to issuance of a site construction plan permit. This permit ensures proper erosion control measures are taken when land is cleared to avoid sediment runoff onto adjacent properties and to reduce sedimentation of drainage systems and water bodies; avoidance of the destruction of protected trees; and maintenance of any required landscape buffers.

The following activities shall require a site clearing permit:

- Clearing of trees and vegetation
- Clearing including stump removal and grubbing of top soils; and filling of land

A site clearing permit shall not be required for the following activities:

- Clearing underbrush with hand tools (which may include mechanical tools) when there is no anticipation of building construction or other use or occupancy of the land involved;
- Clearing associated with bonafide agriculture or timber-harvesting operation;
- Clearing associated with governmental or public purpose, including clearing following a hurricane or major storm event pursuant to a declared state of emergency;
- Clearing or landscaping which is required to comply with other regulations or ordinances, or for the purpose of eliminating nuisances or eyesores.
- Removal of invasive plants.

In conjunction with an approved site construction plan permit or single-family building permit, the following materials must be submitted to the city with the site clearing permit application form and notarized affidavits:

A site plan submitted on 24" x 36" paper at a scale no smaller than one-inch equals two hundred (200) feet. The plan shall show property boundaries, the area proposed for clearing and the location of any significant oak trees in accordance with [sec. 4-80](#) of this code.

Submission shall indicate provisions to be made for adequate control of erosion, sedimentation, dust, and debris during all phases of clearing.

A site clearing permit does not authorize removal of significant oak trees. A significant oak tree may not be removed or relocated unless a permit is issued in accordance with sec. 4-80.16 of this Code.

A site clearing permit does not authorize the 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. Where applicable, the required vegetated buffer between upland areas and jurisdictional wetlands must be preserved in accordance with state and federal regulations.

A site clearing permit does not authorize any other development activity beyond clearing and filling of the site. A site construction plan permit and plat, where applicable, must be obtained prior to the start of development.

Violations

Where construction is commenced for improvements not authorized by a site construction plan permit or site clearing permit, the applicant will be issued a stop work order until an application to amend or correct the construction permit has been submitted and approved. An application to amend or correct a site construction plan permit after construction has commenced in violation of the original permit will be charged an application fee equal to four (4) times the original application fee. Failure to maintain a development in compliance with a site construction permit issued and approved under a certificate of compliance or certificate of occupancy constitutes a violation of this Code.