

**TOWN OF OCEAN RIDGE, FLORIDA
PLANNING & ZONING COMMISSION MEETING
AGENDA**

MARCH 6, 2017

8:30 A.M.

TOWN HALL * MEETING CHAMBERS

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. APPROVAL OF MARCH 14, 2016 MINUTES**
- IV. ORDINANCE REVIEW**
 - 1. Ordinance No. 619: Site Plan Review Procedures
 - 2. Ordinance No. 620: Deck Setbacks
 - 3. Ordinance No. 621: Construction Site Management
- V. Discussion Regarding Assignment as Infrastructure Surtax Citizen Oversight Committee**
- VI. ADJOURNMENT**

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE PLANNING & ZONING COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING, HE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT, FOR SUCH PURPOSE, HE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. PERSONS WHO NEED AN ACCOMODATION IN ORDER TO ATTEND OR PARTICIPATE IN THIS MEETING SHOULD CONTACT TOWN HALL AT 732-2635 AT LEAST 2 DAYS PRIOR TO THE MEETING IN ORDER TO REQUEST SUCH ASSISTANCE.

MEMORANDUM

TO: PLANNING AND ZONING COMMISSION MEMBERS
FROM: R. BRIAN SHUTT, TOWN ATTORNEY
RE: PROPOSED ORDINANCE REGARDING SITE PLAN REVIEW PROCEDURES
DATE: FEBRUARY 23, 2017

Pursuant to Sections 63-31 and 63-72 of the Code of Ordinances of the Town of Ocean Ridge, amendments to the Land Development Code shall first be presented to the Planning and Zoning Commission for a recommendation prior to being presented to the Town Commission.

The proposed ordinance provides that the Planning and Zoning Commission shall review applications for construction of single or two family structures or where there is remodeling involving an increase greater than 50% of the existing square footage or cost of the structure, in order to provide a recommendation to the Town Zoning Official. Currently the Planning and Zoning Commission does not review plans for single or two family homes. The Planning and Zoning Commission shall review the plans to determine the overall balance and proportion of the proposed building as it relates to the site and with the neighborhood.

Currently the zoning official is the only person who reviews the plans, with possibly input from the town engineer. This process is being proposed in order to provide a wider range of review in order to provide for a better project for the Town.

ORDINANCE NO. 619

AN ORDINANCE OF THE TOWN OF OCEAN RIDGE, FLORIDA, AMENDING ITS CODE OF ORDINANCES BY AMENDING CHAPTER 63, “GENERAL AND ADMINISTRATIVE PROVISIONS”, ARTICLE IV, “SITE PLAN REVIEW PROCEDURES”, SECTION 63-51, “TYPES OF APPLICATIONS” TO PROVIDE FOR REVIEW BY THE PLANNING AND ZONING COMMISSION OF CONSTRUCTION THAT MEETS A CERTAIN THRESHOLD; PROVIDING FOR CODIFICATION, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the Town of Ocean Ridge, Florida (the “Town”) is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town Commission wishes to provide for review by the planning and zoning commission, for construction that meets a certain threshold, prior to the administrative official making a determination; and

WHEREAS, the Town Commission has determined that the enactment of this ordinance is for a proper municipal purpose and in the best interests of the residents of the Town.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE, FLORIDA, AS FOLLOWS:

SECTION 1 – Findings of Fact: The **WHEREAS** clauses set forth above are adopted herein as findings of fact.

SECTION 2 – Amendment: Chapter 63 “General and Administrative Provisions”, Article IV “Site Plan Review Procedures”, Section 63-51, “Types of applications”, is hereby amended as follows:

Sec. 63-51. - Types of applications.

(a) *Generally.* In order to receive a development order, one or more of the following procedures are required depending upon the specifics of the case; all but item (1) are potentially considered development permits:

- (1) Comprehensive plan amendment.
- (2) Rezoning: map or text change.
- (3) Subdivision, plat approval or plat amendment.
- (4) Site plan approval of minor or major development application and special exception application or amendment.

- (5) Planned residential development approval or amendment.
- (6) Variance.
- (7) Modification of commission conditional approval.
- (8) Building or sign permit.

Subsections (a)(1), (6), (7) and (8) of this section, plus single-family dwellings on a lot in ownership separate from adjacent lots, may not be subject to concurrency; see article II of this chapter. The most significant review procedure for purposes of this land development code is site plan review of minor and major development applications. Procedures for subsections (a)(1), (2) and (6) are found in article V of this chapter, procedures for subsection (3) are found in article V of [chapter 64](#), and procedures for building permits are found in [chapter 67](#). The planned residential development procedure, as set out in article II of [chapter 64](#), is a specialized major development plan review process. Development permit applications shall be made upon forms provided by the administrative official with accompanying fees as may from time to time be specified by the town commission.

(b) *Minor and major developments.* If a development permit application is in conformance with the comprehensive plan, zoning district regulations and subdivision requirements, the following shall apply:

- (1) A minor development permit application shall require site plan approval by the administrative official. A minor development includes only:
 - a. Single- or two-family structure in single and separate ownership;
 - b. A modification to a previously-approved site plan which adds less than five percent, cumulatively, to the approved square footage of all structures, which deviates no more than five percent, cumulatively, from the dimensions of the previously approved site plan;
 - c. Signs;
 - d. Bulkhead filling; and
 - e. Dune vegetation trimming or pruning.

Prior to the administrative official making a determination on the application, if the application involves the construction of a single or two family structure, under separate ownership, or where the application involves an increase greater than 50% of the existing square footage or the cost of renovations or remodeling exceeding 50% of the current value of the structure, then the planning and zoning commission shall review such application. The planning and zoning commission shall consider, but not be limited to, the following in its review:

-
- The site shall be planned to accomplish a desirable transition with the streetscape. The overall balance and proportion of the proposed building will be considered.
 - The height and scale of each building shall be compatible with its site and other buildings onsite.
-
- Buildings shall be consistent with the established neighborhood character.

The administrative official shall take into account the comments made by the planning and zoning commission prior to making a determination on the application.

(2) *Major development.* All development permit applications other than those for minor development are considered for major development and shall require a site plan to be submitted to the administrative official for approval by the town commission after recommendation by the planning and zoning commission. This includes any special exception uses as specified in article I of [chapter 64](#).

(c) *Site plan and special exception distinction.*

(1) *Site plan.* A major or minor development application is reviewed to make certain that all of the district, supplemental and special regulations have been met by the application, including concurrency as set out in article II of this chapter; these are largely on-site considerations.

(2) *Special exception.* In addition to the onsite considerations of the site plan review, a use requiring special exception approval shall also be reviewed for its impact on surrounding uses and facilities. See [section 63-54](#) for review criteria.

(3) *Construction documents.* Each set of construction documents furnished to the town for review shall include all mathematical calculations, survey and scaled dimensions in sufficient detail such that the reviewer can determine compliance with the dimensional requirements established by the town or other governmental agency, including but not limited to the minimum lot and floor area, minimum yard setbacks, maximum floor area ratio (FAR), maximum lot coverage and building height, drainage, first floor elevations, and landscape.

SECTION 3 - Codification: The ordinance shall be codified in the Code of Ordinances of the Town of Ocean Ridge, Florida.

SECTION 4 - Repeal of Conflicting Ordinances: All Ordinances, Resolutions or parts of Ordinances and Resolutions in conflict herewith are hereby repealed.

SECTION 5 - Severability: If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Ordinance.

SECTION 6 - Effective Date: This Ordinance shall become effective immediately upon adoption.

FIRST READING this ____ day of _____, 2017.

SECOND AND FINAL READING this ____ day of _____, 2017.

Commissioner _____ offered the foregoing Ordinance, and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

GEOFFREY A. PUGH, Mayor

GAIL ADAMS AASKOV, Commissioner

JAMES BONFIGLIO, Commissioner

STEVE COZ, Commissioner

The Mayor thereupon declared this Ordinance approved and adopted by the Town Commission of the Town of Ocean Ridge, Florida, on second reading, this ____ day of _____, 2017.

TOWN OF OCEAN RIDGE, FLORIDA

BY: _____
GEOFFREY A. PUGH, MAYOR

ATTEST: _____
TOWN CLERK

MEMORANDUM

TO: PLANNING AND ZONING COMMISSION MEMBERS
FROM: R. BRIAN SHUTT, TOWN ATTORNEY
RE: PROPOSED ORDINANCE REGARDING DECK/PATIO/TERRACE SET
BACKS
DATE: FEBRUARY 23, 2017

Pursuant to Sections 63-31 and 63-72 of the Code of Ordinances of the Town of Ocean Ridge, amendments to the Land Development Code shall first be presented to the Planning and Zoning Commission for a recommendation prior to being presented to the Town Commission.

The proposed ordinance provides for a three foot setback, from the property line or right of way line, whichever is closer, for unenclosed and uncovered decks, patios, steps, stoops and terraces, unless next to a seawall, where no setback is required.

This ordinance is proposed as the town has received complaints and has noticed drainage issues as a result of decks or hard surfaces extending to the property line. This ordinance is an attempt to remedy that issue.

ORDINANCE NO. 620

AN ORDINANCE OF THE TOWN OF OCEAN RIDGE, FLORIDA, AMENDING ITS CODE OF ORDINANCES BY AMENDING CHAPTER 64, “ZONING”, ARTICLE III, “SUPPLEMENTAL REGULATIONS”, BY CREATING SECTION 64-60, “DECKS, PATIOS, STEPS, STOOPS, AND TERRACES (UNENCLOSED AND UNCOVERED)” TO PROVIDE FOR SETBACKS; PROVIDING FOR CODIFICATION, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the Town of Ocean Ridge, Florida (the “Town”) is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town Commission wishes to modify the setback requirements for decks, patios, steps, stoops, and terraces (unenclosed and uncovered); and

WHEREAS, the Town Commission has determined that the enactment of this ordinance is for a proper municipal purpose and in the best interests of the residents of the Town.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE, FLORIDA, AS FOLLOWS:

SECTION 1 – Findings of Fact: The **WHEREAS** clauses set forth above are adopted herein as findings of fact.

SECTION 2 – Amendment: Chapter 64 “Zoning”, Article III “Supplemental Regulations”, Section 64-60, “Decks, patios, steps, stoops, terraces (unenclosed and uncovered)”, is hereby enacted to read as follows:

Sec. 64-60. – Decks, patios, steps, stoops, and terraces (unenclosed and uncovered).

Unenclosed and uncovered decks, patios, steps, stoops, and terraces shall be setback at least three (3) feet from any property line or right of way line, whichever is closer. These improvements shall be maintained and drained so as to prevent nuisance conditions to the public and/or abutting property owners. In those instances where that portion of the property containing the deck, patio, steps, stoops or terraces abuts a sea wall, no setback shall be required.

SECTION 3 - Codification: The ordinance shall be codified in the Code of Ordinances of the Town of Ocean Ridge, Florida.

SECTION 4 - Repeal of Conflicting Ordinances: All Ordinances, Resolutions or parts of Ordinances and Resolutions in conflict herewith are hereby repealed.

SECTION 5 - Severability: If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Ordinance.

SECTION 6 - Effective Date: This Ordinance shall become effective immediately upon adoption.

FIRST READING this ____ day of _____, 2017.

SECOND AND FINAL READING this ____ day of _____, 2017.

Commissioner _____ offered the foregoing Ordinance, and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

GEOFFREY A. PUGH, Mayor _____
JAMES BONFIGLIO, Vice Mayor _____
GAIL ADAMS AASKOV, Commissioner _____
STEVE COZ, Commissioner _____

The Mayor thereupon declared this Ordinance approved and adopted by the Town Commission of the Town of Ocean Ridge, Florida, on second reading, this ____ day of _____, 2017.

TOWN OF OCEAN RIDGE, FLORIDA

BY: _____
Geoffrey A. Pugh, Mayor

ATTEST: _____
Tracey L. Stevens, Town Clerk

MEMORANDUM

TO: PLANNING AND ZONING COMMISSION MEMBERS
FROM: R. BRIAN SHUTT, TOWN ATTORNEY
RE: PROPOSED ORDINANCE REGARDING CONSTRUCTION SITES
DATE: FEBRUARY 23, 2017

Pursuant to Sections 63-31 and 63-72 of the Code of Ordinances of the Town of Ocean Ridge, amendments to the Land Development Code shall first be presented to the Planning and Zoning Commission for a recommendation prior to being presented to the Town Commission.

The proposed ordinance clarifies existing construction site standards as well as providing for greater regulations in dealing with construction sites.

This ordinance is proposed to address concerns regarding the town's ability to regulate construction sites as it relates to the impact of construction on adjacent neighbors as well as the town in general.

Staff is currently working on a draft Construction Site Management handbook modeled similar to that of the Town of Gulf Stream which will be distributed to you at a later time, ahead of the meeting.

ORDINANCE NO. 621

AN ORDINANCE OF THE TOWN OF OCEAN RIDGE, FLORIDA, AMENDING ITS CODE OF ORDINANCES BY AMENDING CHAPTER 64 “ZONING”, ARTICLE III “SUPPLEMENTAL REGULATIONS”, SECTION 64-49 “TEMPORARY STRUCTURES”, TO CLARIFY THE REGULATIONS REGARDING TEMPORARY STRUCTURES; CHAPTER 67 “BUILDINGS AND BUILDING REGULATIONS”, ARTICLE I “IN GENERAL”, TO PROVIDE FOR AND CLARIFY EXISTING REGULATIONS GOVERNING CONSTRUCTION SITES; PROVIDING FOR CODIFICATION, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the Town of Ocean Ridge, Florida (the “Town”) is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town Commission wishes to clarify and establish certain requirements and regulations as it relates to construction sites; and

WHEREAS, the Town Commission has determined that the enactment of this ordinance is for a proper municipal purpose and in the best interests of the residents of the Town.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE, FLORIDA, AS FOLLOWS:

Section 1. The foregoing Whereas clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

Section 2. The Town Commission hereby amends Chapter 64 “Zoning”, Article III “Supplemental Regulations”, Section 64-49 “Temporary structures” of the Town Code of Ordinances to read as follows (additional language underlined and deleted language ~~stricken through~~):

Sec. 64-49. - Temporary structures.

Temporary structures in connection with building construction or land development projects within the town may be erected for occupancy by personnel involved in the construction or land development project, in accordance with Section 67-9 of this Code. ~~No such structure may be approved prior to the issuance of a building permit. Such temporary structures shall not be used as a dwelling or lodging unit and shall require a minor development permit from the administrative official. The permit shall specify the location, the type of construction, the maintenance requirements, and the time period for which the structure may be erected. No temporary structure permit shall be issued for a period greater than six months, but permits may~~

~~be renewed by the administrative official. Failure to obtain a temporary structure permit or violation of any conditions or requirements connected with the issuance of such permit, or failure to remove such structure at the expiration of the permit period, shall be deemed a violation of this section. The administrative official may require a removal bond to guarantee removal of the temporary structure upon the expiration of the time limit provided for in the temporary structure permit.~~ No temporary structure, other than as permitted herein in connection with building construction or land development projects, may be constructed, placed or maintained on any lot without a temporary structure permit issued by the administrative officer for a period not to exceed two weeks.

Section 3. The Town Commission hereby amends Chapter 67 “Buildings and Building Regulations”, Article I “In General”, of the Town Code of Ordinances to read as follows (additional language underlined and deleted language ~~stricken through~~):

Sec. 67-1. - Removal of debris from construction sites; storage of equipment and materials.

- (a) All building and construction sites within the town shall at all times be kept free of loose debris, paper, construction material waste, scrap construction material and other trash produced from the site. All materials and equipment used, placed or stored upon any building or construction site shall be maintained within the perimeter of the building site.
- (b) All building and construction sites within the town shall provide suitable on-site commercial container(s), as determined and designated by the town, for the collection of loose debris, paper, construction material waste, scrap construction material and other trash produced from the site. The construction container(s) shall be provided with a cover or covering that will prevent spilling or blowing of material from the container(s). The size and number of containers shall be adequate, as determined by the town, for the amount of material generated on the building or construction site. All said materials shall be containerized by the end of each day.
- (c) Nothing in this section shall be deemed to permit the owner, general contractor or any of their employees, agents, or representatives to remove or dispose of debris, paper, construction material waste, scrap construction material and other trash produced from or on the site by onsite burning, or by piling or storage of said materials or equipment in the public streets or on property adjacent to the construction site.
- (d) During construction, off-street parking for all personal vehicles and construction equipment shall be provided and shall be utilized to prevent on-street parking by construction personnel and equipment. The parking of any vehicle or equipment associated with the construction activities or construction personnel on the public right-of-way is prohibited.
- (e) Where concrete or any other substance permanently affixes itself to any road surface, public or private, causing the surface to be uneven or defaced, it shall be immediately removed by the person or persons responsible. Where mud or excessive dirt or soil from a construction site is tracked or deposited, by vehicle or otherwise, onto any road surface, public or private, it shall be immediately removed by the person or persons responsible. The person or persons responsible as identified in this section, shall mean the driver of the vehicle which deposited the substance onto the road surface, his employer, the owner of the real property containing the construction or demolition site and/or the general contractor in charge of a site from where the substance originated.

(f) If at any time the town notifies the owner or general contractor, personally or through their agent(s) or representative(s), in writing that construction activities are being conducted, or the construction site or any part thereof is being maintained, in violation of the provisions of this section, said violations shall be corrected within 24 hours of the notice. If the owner or general contractor does not satisfactorily correct the situation within 24 hours of said notification, in addition to any other enforcement actions available to the town pursuant to this Code or otherwise provided by law, upon written notice from the town given to the owner of the property, or to the general contractor, or to their agent(s), representative(s), or the person doing the work, work on the site shall immediately cease. Such written notice shall also state the conditions under which work may be resumed. Upon being notified of the elimination of the violation of the provisions of this section, the town shall inspect the site for compliance and allow resumption of the work.

(g) It shall be unlawful to unload and/or store any material used or required on any construction site without a permit having been issued for construction and/or demolition at that specific site.

(h) It shall be unlawful to store any material in an unsecured area which is deemed unsafe or a danger to those accessing the site. It shall be unlawful to store any construction materials in any manner whereby the material or a portion of the materials is stored outside the legal boundaries of the site. Reasonable exceptions to this subsection, for a reasonable period of time, may be considered on a case-by-case basis by the town commission.

(i) All areas surrounding construction sites which are affected by dust, dirt and debris from the construction site shall be swept clean of such dust, dirt and debris a minimum of two times per day; at least one of which must be at the conclusion of work for that day.

(j) Any pool under construction shall be kept clean of any debris until such time as the pool is properly filtered. All sitting water in pools under construction must be properly treated to eliminate algae, insects, etc.

(k) The contractor shall be responsible for placement and emptying of adequate disposal containers for food, wrappers and other nonconstruction related garbage.

(gm) The owner of the property and the general contractor shall be jointly and severally responsible for compliance with the provisions of this section.

(hn) The owner, or general contractor, personally or through their agent(s) or representative(s), shall have the right to appeal from the decision of the town ordering the cessation of all work and to appear before the code enforcement special master at a specified time and place to show cause why they should not comply with said notice.

(io) The enforcement procedures contained in this section are in addition to, and not in lieu of, any other enforcement procedures or remedies available to the town for the enforcement of its Code of Ordinances.

....

Sec. 67-4. - Temporary construction fences.

A temporary construction fence is required on all construction sites undergoing land disturbing

construction or land development activities. All construction/demolition activities as well as all dumpsters, portable toilets, storage facilities, materials and any other item related to the construction must be located inside the temporary construction fence area. Before the temporary construction fence may be erected, a site plan depicting the materials, location and access gates must be approved as part of the fence permit issuance. At a minimum, the construction site must be completely enclosed, on all sides, by temporary construction fencing to prevent public access.

(a) Temporary construction fences shall be six (6) feet in height and shall be constructed of chain link with screening material (scrim).

(b) Temporary construction fences shall not be erected until the town has issued a demolition permit or building permit for the land disturbing construction or land development activities. In no event may a temporary fence be erected more than ten (10) days prior to the commencement of land disturbing construction or land development activities.

(c) In the event that the demolition permit or building permit expires, all temporary construction fences shall be removed within ten (10) days of the permit expiration date. Within fifteen (15) days of removal of the fences, the site shall be brought to grade, tilled and planted with ground cover to include sodding or seeding which shall have irrigation and shall be maintained in accordance with this Code, regarding landscaping requirements. Alternate forms of ground cover may be approved by the building official.

(d) Temporary construction fences shall comply with the following requirements:

(1) Temporary construction fences shall be installed in accordance with all Florida Building Code and Occupational Safety and Health Administration (OSHA) standards. Temporary construction fences installed pursuant to this section shall be subject to any visibility at intersections requirements of this Code.

(2) All temporary construction fencing shall be maintained in a satisfactory manner by the permittee or landowner during the entire period of the land disturbing construction and land development activities to ensure adequate performance, to prevent nuisance conditions and to maintain the public health, safety and welfare.

(3) Gates shall be secured and locked with a lock substantial enough to ensure closure and security when workers are not on the job site.

(4) No temporary construction fence may encroach beyond the subject property line. No fence may encroach upon the public right-of-way without obtaining the appropriate permit(s).

(5) Screening details shall be submitted with the temporary construction fence permit application. Wind Screening material shall be substantial enough to avoid rips or tears due to wind or sun and shall be maintained in good condition at all times. Screening material shall be of one color, either green or black, with the entire fence consisting of the same shade of green or black and approved by the building official with no signage, artwork or pictures of any kind as part of the screening material or affixed to the fence.

(6) All wind screening materials shall be removed upon the issuance of a hurricane warning for an area including the town. Screening materials shall be reinstalled not more than ten (10) days after the hurricane threat has ended.

(7) The building official may grant the use of a temporary movable construction fence as part of a phased construction or phased demolition permit. Within ten (10) days of the

completion of the phase of construction or demolition, the temporary movable fence shall be removed, and may be replaced by another temporary construction fence meeting the provisions of this section.

(8) "No Trespassing" signage shall be placed on the construction site under the direction of the building official and in accordance with F.S. § 810.09, as amended.

(e) The building official may grant, in writing, a restriction or extension to the time frames for the erection or removal of temporary construction fences when necessary to maintain the public health, safety and welfare.

Sec. 67-5. - Construction site noise.

See Section 34-83 of this Code.

Sec. 67-6. - Ingress and egress.

(a) All vehicles delivering materials to or picking up materials from any construction site within the town limits shall follow the legal rules of the road.

(b) Any vehicle which will be obstructing the normal flow of traffic for a period greater than three (3) minutes shall have a flag person present to assist in the safe passage of other motor vehicles. Such flag person shall wear a reflective vest.

(c) Any case where traffic is known to be disrupted for a period in excess of five minutes must be approved, in advance, by the Ocean Ridge Police Department and a flag person must be present to assist in the safe passage of other motor vehicles.

Sec. 67-7. - National Pollutant Discharge Elimination System (NPDES).

All applicable sections of the National Pollutant Discharge Elimination System (NPDES) requirements applicable to the town are incorporated as requirements hereto.

Sec. 67-8. - Tree protection during land clearing and construction.

All requirements related to tree protection during land clearing and construction listed in [section 66-151](#) of this Code are incorporated into this code section by reference

Sec. 67-9. – Construction/storage trailers.

(a) Construction/storage trailers may be erected in connection with land development or construction projects. Construction/storage trailers shall not be used as dwelling or lodging units.

(b) A construction trailer shall not be installed without site plan review and approval and the issuance of a building permit for the construction trailer. The building official shall have final authority to approve a site plan for a construction trailer and for all temporary trailers or storage containers to be located on construction sites. Approval for a construction/storage trailer shall be subject to the standards listed below.

(1) The approved site plan and building permit for the construction trailer shall specify the location, type of construction, maintenance requirements, and the period for which the construction trailer shall be required.

(2) Any building permit issued for a construction trailer shall expire after a period of six (6) months, unless renewed by the building official for one or more additional periods of six (6) months.

(3) A construction trailer shall not be allowed for more than two (2) years, including any renewal periods, unless approved by the town commission.

(4) A certificate of occupancy shall be issued before the trailer is occupied.

(5) Land development or construction activities on the site must commence within one year after the building permit for the construction trailer is issued. If land development or construction activities do not commence within the required time period, the building official may initiate code enforcement proceedings and/or any other lawful action to require removal of the construction trailer from the site.

(6) Construction trailers shall also be subject to all regulations listed in the Construction Site Management Handbook.

Sec. 67-10. - Construction site management handbook.

(a) The town manager shall establish and maintain a manual pertaining to construction standards and town policy concerning construction activities on properties located within the town. This manual shall be titled "Construction Site Management Handbook" and shall be binding upon contractors, owners, residents and others with respect to construction and maintenance activities on private properties within the town. This construction site management handbook shall be adopted and amended as necessary by resolution of the town commission.

(b) Permits for construction identified in the construction site management handbook shall be subject to and conditioned upon the contractor and the property owner complying with the terms and conditions of the construction site management

Sec. 67-11. - Issuance of permits; inspections.

(a) The town shall charge a fee to cover the costs associated with reviewing for compliance with zoning, design manual and other town ordinances. Such fee shall be established in a fee schedule adopted by a resolution of the town commission.

(b) If there is a change in the initial plans as approved, the contractor shall be required to file such plan change with the town. The fee payable to the town for review of such change in plans shall be as indicated in the town fee schedule.

(c) If the contractor wishes to either demolish or move a building or structure located within the town, a permit must be obtained from the town and a fee established by the town's fee schedule shall be paid to the town for receipt of such permit.

Sec. 67-12. - Construction abandonment.

All authorized construction shall be completed prior to the expiration of the building permit. The expiration of a building permit shall be prima facie evidence that the building project has not

commenced or has been abandoned.

Failure of the permit holder or the property owner to complete construction once it has been initiated within the timeframe of the building permit is a violation that will be referred to the special magistrate pursuant to [Chapter 16](#), Article I, of this Code. Failure to restore the site to its preconstruction conditions, including removal of all structural improvements and placement of sod on all disrupted portions of the site, may result in a fine not to exceed \$250.00 per day after the permit expires.

Section 4 – Codification: The ordinance shall be codified in the Code of Ordinances of the Town of Ocean Ridge, Florida.

Section 5 - Repeal of Conflicting Ordinances: All Ordinances, Resolutions or parts of Ordinances and Resolutions in conflict herewith are hereby repealed.

Section 6 - Severability: If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Ordinance.

Section 7 - Effective Date: This Ordinance shall become effective immediately upon adoption.

FIRST READING this ____ day of _____, 2017.

SECOND AND FINAL READING this ____ day of _____, 2017.

Commissioner _____ offered the foregoing Ordinance, and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

GEOFFREY A. PUGH, Mayor _____

JAMES BONFIGLIO, Vice-Mayor _____

GAIL ADAMS AASKOV, Commissioner _____

STEVE COZ, Commissioner _____

The Mayor thereupon declared this Ordinance approved and adopted by the Town Commission of the Town of Ocean Ridge, Florida, on second reading, this ____ day of _____, 2017.

TOWN OF OCEAN RIDGE, FLORIDA

BY: _____
Geoffrey A. Pugh, Mayor

ATTEST: _____
Tracey L. Stevens, Town Clerk

TOWN OF OCEAN RIDGE

CONSTRUCTION SITE MANAGEMENT HANDBOOK

I _____, swear (affirm) that I have read the Town of Ocean Ridge's Construction Site Management Handbook in its entirety and do hereby agree to comply with all provisions in this document. I further understand that I am responsible for all citations issued for violations of the provisions of this handbook.

Address

City and State

Signature

Witness

Date

The rules and regulations in this handbook apply to all construction sites and are a condition of all primary building permits issued by the Town or any permit for which a fee is charged on a single permit job. Failure to follow these regulations, or any plans and documents approved by the Town pursuant to this Handbook, may result in a Stop Work Order, and repeated violations may result in the revocation of a contractor's Town Occupational Registration and/or all building permits.

TOWN OF OCEAN RIDGE

CONSTRUCTION SITE MANAGEMENT HANDBOOK

**MUST BE POSTED
AT JOB SITE
WITH PERMIT**

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TOWN OF OCEAN RIDGE CONSTRUCTION SITE MANAGEMENT HANDBOOK

I. INTRODUCTION

This handbook has been developed by the Town of Ocean Ridge to familiarize contractors with the Town's rules and regulations regarding construction sites and to minimize problems and delays in completing construction projects. The Town is fully aware that building construction is a complex and difficult process even under the best of conditions. Problems do and will arise. However, through careful thought and planning prior to beginning the process, the Town believes the number and severity of problems can be reduced or avoided altogether.

This handbook addresses the most common problems experienced by contractors, residents and the Town government during construction projects. While the handbook is comprehensive and its rules and regulations apply to all construction sites, the Town intends to administrate it **using a cooperative, common sense approach**. Just as the type and degree of potential problems vary greatly from site to site, so too will the administration of these rules and regulations vary. Accordingly, all parties are encouraged to focus on the *objective* of a particular rule or regulation rather than on the specific *methods* suggested for achieving that goal. If there is a better method, it will be considered. With the help of all parties, the Town believes the handbook can be administrated fairly, while also permitting a great deal of flexibility.

The Town Building Official has been charged with implementing these rules and regulations and all questions and comments should be directed to him/her. However, any contractor **or neighboring property owner** who is aggrieved by the Building Official's application of these regulations may appeal to the Town Manager for relief, any appeal from the Town Manager's decision shall be pursuant to the Town Code of Ordinances. Please note, however, that while the Building Official has the primary responsibility for enforcing these rules and regulations, the Police Department and Town Manager may also enforce these provisions.

II. APPLICABILITY

The rules and regulations in this handbook shall apply to all construction sites and **shall become a condition of the building permit**. A construction site is any real property, dwelling unit, structure or building for which one or more building permits has been issued by the Town and/or County, including those with inactive or expired building permits where construction activities have been initiated but not completed. Failure to follow these regulations, or any plans and documents approved by the Town pursuant to them, may result in a Stop Work Order by the Town, and repeated violations may result in the revocation all building permits.

For purposes of administrating this handbook **the contractor paying the fee and property owner shall be jointly accountable** for all responsibilities assigned by this Handbook to the "contractor." However, to avoid confusion and delays, a principal contact with the either the contractor or the property owner should be established with the Town at the time the primary building permit is issued.

III. PRE-CONSTRUCTION MEETING

Prior to making an application for a building permit, contractors are encouraged to meet with the Town Building Official to review the applicable rules and regulations contained in this handbook. Construction site plans, other drawings and/or documents pertinent to construction operations may be required before the building permit can be issued. Compliance with these rules and regulations shall become a condition of the building permit, **and acceptance of the building permit by the contractor shall serve as an acknowledgement of this condition**.

IV. RULES AND REGULATIONS

1. OFF-SITE DAMAGE

The contractor shall be responsible for all off-site damage to roads, rights-of-way, easements, utilities and private property caused by any activity related to his construction site. This includes damage by his employees, sub-contractors and suppliers.

Several of the rules and regulations in this handbook are intended to prevent or minimize off-site damage. **Accordingly, the contractor needs to inform all employees, sub-contractors and suppliers of these rules and regulations and the high potential for off-site damage due to the presence of narrow streets, tight corners, and extremely soft shoulders.**

The above notwithstanding, the Town recognizes that accidents can happen. In those instances, the contractor needs to take the following actions:

1. Inform the Town Police Department immediately as to the location and extent of the damage.
2. Inform the Town as to how the incident occurred and the parties involved.
3. Inform of the Town as to the corrective actions that will be taken and when they will be completed. (All repairs should be made within 24 hours or as soon as practical.)
4. Inform the Town as to the actions to be taken to prevent the accident from occurring again in the future.

If the above actions are followed, there should be few problems. However, repeated damages, particularly of the same type, such as running off the road, will not be tolerated even if they are continually repaired. It is the Town's goal to **prevent** off-site damages, not to simply repair them when they occur.

2. VEGETATION PROTECTION

Prior to beginning any site work, all existing vegetation to be maintained or relocated shall be fenced or otherwise protected from damage, including the provision of temporary irrigation where necessary and shall be in accordance with Section 67-8 of this Code. No work shall commence until the Building Official reviews and approves the protection measures.

3. PERMIT POSTING

All Town Building Permits shall be posted in a single, conspicuous location at the front of the site and in accordance with Section 67-59 of this Code. One complete set of approved plans shall be maintained on-site at all times.

4. TRAILERS/DUMPSTERS/PORTABLE TOILETS

Construction trailers, dumpsters and/or portable toilets may be used provided the requirements listed below are met. Prior to locating any of these facilities on a site, a plan indicating their locations and other pertinent information shall be submitted to the Building Official for approval. Prior to the issuance of Certificate of Occupancy, all such facilities shall be removed from the site.

Trailers

Shall be allowed in accordance with Section 67-9 of the Town Code.

Dumpsters

Roll-off dumpsters shall be provided on all sites as follows:

1. The dumpster shall be provided only by the Town's franchised operator.
2. To the extent practical, dumpsters shall be positioned perpendicular to the street or otherwise be screened from view from the street.
3. To the extent practical, dumpsters shall be located at least 10 feet from all property lines.

4. Trash piles, other than vegetation, are prohibited.
5. Burning of any material is prohibited.

Portable Toilets

Portable toilets may be permitted provided the following are met:

1. To the extent practical, they shall not face the street.
2. To the extent practical, they shall be located at least 10 feet from all property lines.

5. SIGNS

Signs shall be posted in accordance with the Town's sign code.

6. EROSION AND STORMWATER CONTROL

Appropriate erosion and stormwater control methods shall be used during construction to prevent adverse impacts to neighboring properties and adjoining streets and shall be in accordance with Section 67-7 of the Town Code. This may necessitate the creation and maintenance of temporary swales, retention areas and/or berms.

To prevent dirt from being tracked onto adjoining streets, parking areas should be covered with appropriate, compacted materials. **Dirt and mud tracked onto adjoining streets shall be swept daily, and hosed or mechanically cleaned weekly if necessary.**

7. WORKING HOURS

The working hours specified in Section 34-83 of the Town Code shall be strictly observed.

8. PARKING

On-Site Parking

All vehicles associated with the construction or construction personnel shall be parked completely on the construction site and/or an alternate location approved by the Building Official. **Parking on rights-of-way or other locations not approved by the Building Official is prohibited.** On-site parking areas should be covered with a suitable, compacted material to prevent dirt and mud from being tracked or washed onto adjacent streets and properties. Washing or repairing vehicles anywhere in the Town is prohibited.

Alternate Parking Sites

Alternate parking sites may be approved by the Building Official provided the following requirements are met:

1. The owner of the alternate parking site has granted written permission.
2. The alternate parking area is composed of a suitable, compacted surface.
3. The parking area is prepared in such a manner so as to prevent erosion and stormwater runoff onto streets and neighboring properties.
4. No significant vegetation (non-invasive trees or shrubs with a caliper of 4 inches or greater) or topographic features shall be removed or disturbed.
5. Alternate parking sites shall be used for parking only. Washing or maintaining construction-related vehicles is prohibited as are all other activities related to the construction site.
6. Alternate parking sites shall be kept free of litter and other debris.
7. A plan shall be prepared showing the number and location of vehicle parking spaces.
8. Use of the alternate parking site shall not cause a traffic hazard or cause a significant disruption to the privacy and peaceful enjoyment of neighboring properties.

9. Prior to the issuance of Certificate of Occupancy for the construction site, the alternate parking site shall be restored to a condition and appearance better than or equivalent to the condition and appearance prior to the use as an alternate parking site.

9. TRUCKS

Due to the narrow streets, tight corners, very soft shoulders, and instable road-base conditions in Town, semi-trailers and trucks over 9 tons (when loaded) are discouraged on all Town streets. Accordingly, contractors are strongly encouraged to use smaller vehicles and notify their suppliers to do likewise. In the event an alternate delivery vehicle cannot be arranged, all semi-trailers and trucks over 9 tons (when loaded) shall notify the Police Department of their pending arrival at least 24 hours in advance. Further, **the drivers of such vehicles and the general contractor shall be responsible for any and all damage caused to rights-of-ways, roads, utilities, and private properties.**

10. LOADING AND UNLOADING

Shall be in accordance with Sections 64-48 and 67-6 of the Town Code.

12. BUILDING MATERIALS STORAGE AND SITE MAINTENANCE

Storage and site maintenance shall be in accordance with Section 67-1 of the Town Code.

13. NOISE

Noise restrictions shall be in accordance with Section 34-83 of the Town Code.

14. OCCUPANCY

Occupancy of any structure without a Certificate of Occupancy is prohibited. This prohibition includes the temporary occupation of the structure under construction by security or other personnel.

15. EMERGENCY MEASURES DURING STORM EVENTS

Removal and securing of construction materials during tropical storm and hurricane warning or watch shall be in accordance with Section 67-3 of the Town Code.

V. FINES AND PENALTIES

Failure to comply with the rules and regulations contained in this handbook, or with the plans and documents approved by the Building Official pursuant to this handbook, result in fines assess against the property, a stop work order being issued or revocation of building permits. For the purposes of this Handbook, uncorrected violations shall be considered separate violations for each day they go uncorrected. Violations may be issued by the Building Official, any Town Police Officer, or the Town Manager; however, all offenses/warnings shall be cumulative regardless of who issued them.

The above notwithstanding, nothing herein shall preclude the Town or its employees from taking any and all actions permissible under federal, state and local laws to enforce, cite or correct violations of federal, state or local laws which may or may not be covered in this Handbook.