

DIVISION 15. MASS GRADING PLAN

Sec. 2.15.1. Applicability.

~~Mass Grading Plans are not required, but may be submitted for review and approval at the option of the applicant prior to the submittal and approval of a Major Site Plan or Improvement Plan when clearing, earth moving, excavation, or grading of the site, or portions of the site, is proposed prior to the construction of other improvements, including temporary or permanent construction of stormwater ponds, swales, ditches, piping, building pads, internal roads, or other site-related grading improvements.~~

~~When submitting a Mass Grading Plan, the applicant shall adhere to the minimum standards and submittal requirements of the intended future Major Site Plan or Improvement Plan application.~~

~~A Mass Grading Plan authorizes earthwork only when incidental to proposed or approved onsite development improvements. A Mass Grading Plan shall not be used to authorize a borrow pit, sand mine, mining operation, or resource extraction activity except as otherwise allowed under this Code.~~

~~Grading Plans are not required, but may be submitted for review and approval at the option of the applicant prior to the submittal and approval of a Major Site Plan or Improvement Plan when clearing, earth moving, excavation or grading the site or portions of the site are intended, including temporary or permanent construction of the stormwater ponds, swales, ditches or piping, prior to the construction of other improvements. When submitting a Mass Grading Plan, the applicant shall adhere to the minimum standards and submittal requirements of the intended future Major Site Plan or Improvement Plan application.~~

(Ord. No. 13-20, § 2, 7-11-2013)

Sec. 2.15.2. Submittal requirements.

- A. ~~Mass Grading Plan applications shall be submitted to the Office of the County Engineer.~~
- B. ~~A fee in the amount established by resolution of the Board shall accompany the application. The fee schedule is available at the Office of the County Engineer.~~
- C. ~~Digital submission of plans shall be coordinated through the Office of the County Engineer and available through www.marioncountyfl.org/ePlans.aspx.~~
- D. ~~For paper submissions, the number of copies submitted shall be established by resolution.~~
- E. ~~A Development Review Plan Application, available through the Office of the County Engineer, shall be submitted with the Mass Grading Plan application.~~
- F. ~~General application requirements shall be as shown on Table 2.11-1 Application Requirements.~~
- G. ~~Existing and proposed contour information shall be provided.~~
- H. ~~A cut-and-fill summary shall be provided and shall identify the estimated cubic yards of excavation, onsite redistribution, imported material, exported material, unsuitable material, and net offsite material removal.~~
- I. ~~When offsite material removal is proposed, the application shall identify the estimated quantity, general material type, proposed destination, haul route, and whether the material is proposed for disposal, reuse, sale, or other lawful use.~~

J. ~~When required by Sec. 2.15.4, the applicant shall submit a Material Removal Management Plan addressing haul routes, roadway protection, dust control, material track-out, erosion control, stabilization, adjacent property protection, reporting, and other safeguards required by the County Engineer, or designee.~~

K. ~~The total estimated cubic yards of excavation, onsite redistribution, imported material, exported material, unsuitable material, and cumulative net offsite material removal shall be clearly shown on the cover sheet of the Mass Grading Plan.~~

~~Mass Grading Plan applications shall be submitted to the Office of the County Engineer.~~

B. ~~A fee in the amount established by resolution of the Board shall accompany the application. The fee schedule is available at the Office of the County Engineer.~~

C. ~~Digital submission of plans shall be coordinated through the Office of the County Engineer and available through www.marioncountyfl.org/ePlans.aspx.~~

D. ~~For paper submissions, the number of copies submitted shall be established by resolution.~~

E. ~~Development Review Plan Application available at the Office of the County Engineer.~~

F. ~~General application requirements shall be as shown on Table 2.11-1 Application Requirements.~~

(Ord. No. 13-20, § 2, 7-11-2013)

Sec. 2.15.3. Review and approval procedures.

A. ~~DRC shall review this application with staff comments and approve, approve with conditions, or provide further direction to the applicant.~~

B. ~~One approved plan shall be returned to the applicant.~~

C. ~~Permitting by other agencies. Any waivers, exemptions, or partial exemptions granted by Marion County do not exempt the applicant from obtaining the appropriate permits from other agencies as applicable.~~

D. ~~DRC, the County Engineer, or designee may condition approval of a Mass Grading Plan as necessary to address erosion control, stormwater management, adjacent property impacts, haul routes, roadway protection, dust control, material track-out, stabilization, public safety, reporting, or compliance with the requirements of this Code.~~

E. ~~Approval of a Mass Grading Plan shall not constitute approval of a Major Site Plan, Improvement Plan, subdivision, final plat, building permit, borrow pit, sand mine, mining operation, resource extraction operation, Special Use Permit, or any other development approval required by this Code.~~

~~DRC shall review this application with staff comments and approve, approve with conditions, or provide further direction to the applicant.~~

B. ~~One approved plan shall be returned to the applicant.~~

C. ~~Permitting by other agencies. Any waivers, exemptions or partial exemptions granted by Marion County do not exempt the applicant from obtaining the appropriate permits from other agencies as applicable.~~

(Ord. No. 13-20, § 2, 7-11-2013)

Sec. 2.15.4. Construction, completion, and close out.

A. Duration.

Mass Grading Plans shall be valid for one year from the date of approval. Upon written request by the applicant prior to expiration, DRC may approve one extension for a period not to exceed one additional year. Work authorized by the Mass Grading Plan shall not continue after expiration unless an extension has been approved or a new Mass Grading Plan has been issued.

B. Notice to commence work.

The applicant shall notify the Office of the County Engineer at least 72 hours prior to commencing onsite improvement work authorized by the Mass Grading Plan.

C. Approved plans.

All work shall be in accordance with the approved Mass Grading Plan, including the approved contours, cut-and-fill summary, approved net offsite material removal quantity, haul route, and any conditions of approval. Removal of material in excess of the approved net offsite material removal quantity shall not occur without prior written approval from the County Engineer, or designee.

D. Offsite material removal.

Offsite material removal authorized under a Mass Grading Plan shall be regulated based on the cumulative net cubic yards of material proposed to be removed from the subject parcel, parent tract, project area, or commonly controlled development. The thresholds in this subsection shall not be avoided through phasing, separate permits, separate contractors, or multiple sequential Mass Grading Plan applications.

1. De minimis offsite removal: 500 cubic yards or less.

Offsite removal of 500 net cubic yards or less may be approved with notation on the Mass Grading Plan identifying the estimated quantity, general material type, and destination.

2. Basic offsite removal: 501 to 2,500 cubic yards.

Offsite removal greater than 500 net cubic yards and up to 2,500 net cubic yards may be approved with a cut-and-fill estimate, proposed destination, erosion control measures, stabilized construction access, and measures to prevent material tracking onto public roads.

3. Minor offsite removal: 2,501 to 5,000 cubic yards.

Offsite removal greater than 2,500 net cubic yards and up to 5,000 net cubic yards may be approved with a haul route, estimated truck trips, material destination, dust control, track-out control, and stabilization measures.

4. Intermediate offsite removal: 5,001 to 25,000 cubic yards.

Offsite removal greater than 5,000 net cubic yards and up to 25,000 net cubic yards may be approved with County approval of the haul route, haul schedule, material destination, dust and track-out controls, monthly reporting of material removed, and procedures for road cleanup and complaint response.

5. Major offsite removal/resource extraction review: greater than 25,000 cubic yards.

Major offsite removal/resource extraction review: greater than 25,000 cubic yards. Offsite removal greater than 25,000 net cubic yards shall require approval as a borrow pit, sand mine, mining operation, resource extraction operation, Special Use Permit, or other applicable approval required by this Code, unless the County Engineer, or designee, determines in writing, based on an approved Material Removal Management Plan, that the removal is incidental to a proposed or approved onsite development and that adequate safeguards have been provided to address haul routes, roadway impacts, dust control, material track-out, erosion control, drainage, adjacent property impacts, stabilization, reclamation, and reporting.

The sale, reuse, or lawful disposal of excess material shall not, by itself, constitute resource extraction, provided the excavation and offsite removal are incidental to construction of proposed or approved onsite improvements and comply with the applicable requirements of this section.

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E. Material Removal Management Plan.

A Material Removal Management Plan shall be required for offsite material removal greater than 25,000 net cubic yards when the applicant seeks a determination that the removal is incidental to proposed or approved onsite development. A Material Removal Management Plan may also be required by the County Engineer, or designee, due to the scale, location, depth, haul route, or potential offsite impacts of the work. The plan shall include, as applicable:

1. Cut-and-fill analysis identifying gross excavation, onsite redistribution, imported material, exported material, unsuitable material, and net offsite removal;
2. Phasing plan identifying the limits, duration, and stabilization measures for each phase;
3. Haul route plan identifying ingress and egress points, proposed haul routes, estimated truck trips, hauling hours, and material destination;
4. Roadway maintenance and track-out control plan, including stabilized construction entrances, sweeping or cleaning procedures, dust suppression, and corrective action procedures;
5. Drainage and adjacent property protection measures demonstrating that the grading activity will not create adverse stormwater, erosion, sedimentation, flooding, or access impacts;
6. Groundwater protection information when excavation is proposed within 15 feet of the predicted seasonal high groundwater table, potentiometric surface, limerock, or other sensitive subsurface condition, or when the project is located in a more vulnerable or most vulnerable aquifer area;
7. Reclamation, final grading, or stabilization plan identifying final contours, slopes, vegetative stabilization, erosion protection, and the condition in which the site will be left if development does not proceed;
8. Security, fencing, or other public safety measures where open excavations, steep slopes, water-filled excavations, or other hazards may be created; and
9. Reporting procedures for offsite material removal, complaints, corrective actions, and deviations from the approved plan.

F. Haul routes and roadway protection.

Haul routes shall be identified by the applicant and approved by the Office of the County Engineer when required by this section. Public and private roads used for hauling shall remain passable and reasonably free of sediment, material, water, and debris generated by the work. The applicant shall promptly correct any unsafe or unacceptable roadway condition caused by the work, including sweeping, cleaning, grading, watering, or other corrective action as directed by the County Engineer, or designee.

When hauling uses unpaved roads, the applicant shall be responsible for maintaining such roads, at the applicant's sole expense, in a condition acceptable to the County Engineer, or designee.

G. Reporting.

If the County Engineer, or designee, determines that activities authorized under a Mass Grading Plan are not being conducted in accordance with the approved plan, approved Material Removal Management Plan, approved haul route, approved quantities, or other conditions of approval, or are causing unsafe roadway conditions, material track-out, dust, erosion, sedimentation, flooding, adverse impacts to adjacent property, unauthorized excavation, or unauthorized offsite material removal, the County may require immediate corrective action. Corrective action may include, but is not limited to, roadway cleaning, dust suppression, additional erosion or sediment controls, revised haul routes, reduced hauling hours, temporary suspension

of hauling, stabilization of disturbed areas, revised phasing, additional reporting, revised plans, code enforcement action, fines, withholding of inspections or approvals related to the site, notification to applicable state or water management district agencies, or requirement to obtain a borrow pit, sand mine, mining operation, resource extraction, Special Use Permit, or other applicable approval required by this Code.

H. Cessation of work and stabilization.

Should activities associated with the Mass Grading Plan cease for 30 consecutive days, the applicant shall immediately stabilize the site, secure any open excavations or hazardous areas, maintain erosion and sediment controls, and ensure that adjacent offsite properties and public rights-of-way are not adversely impacted.

I. As-builts, certification, and close out.

As-Builts/Record Survey meeting standards set forth in Ch. 5J-17, F.A.C., shall be submitted with the engineer's certification for final inspection. As-Builts shall adhere to the requirements of the Major Site Plan or Improvement Plan which the Mass Grading Plan supports. After all work is completed, inspected, and accepted by the County, a letter of completion will be issued to the applicant.

J. Enforcement and corrective action.

Failure to comply with the approved Mass Grading Plan, approved Material Removal Management Plan, haul route, reporting requirements, stabilization requirements, approved quantities, or other conditions of approval may result in corrective action, suspension of work, suspension of hauling, withholding of inspections or approvals related to the site, code enforcement action, fines, requirement for revised plans, notification to applicable state or water management district agencies, or requirement to obtain a borrow pit, sand mine, mining operation, resource extraction, Special Use Permit, or other applicable approval required by this Code.

Mass Grading Plans shall be valid for two years with a one-time extension of one year if requested by the applicant in writing and approved by DRC. Should activities associated with the Mass Grading Plan cease for 30 days, the applicant shall immediately stabilize the site and ensure that adjacent offsite properties are not adversely impacted.

B. Applicant shall notify Office of the County Engineer for onsite improvement work 72 hours prior to commencing construction.

C. All work shall be in accordance with approved plans.

D. As-Builts/Record Survey meeting standards set forth in Ch. 5J-17 FAC shall be submitted with the engineer's certification for final inspection. After all work is completed, inspected, and accepted by the County, a letter of completion will be issued to the applicant. As-Builts shall adhere to the requirements of the Major Site Plan or Improvement Plan which the Mass Grading Plan supports.

(Ord. No. 13-20, § 2, 7-11-2013)