

Subpart B - LAND DEVELOPMENT AND LAND USE
Chapter 104 - DEVELOPMENT REGULATIONS

ARTICLE II. NONRESIDENTIAL CONSTRUCTION PERMIT AND COMPLIANCE PROCEDURES

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Sec. 104-27. Use and structures.

Property shall not be used and structures shall not be constructed or modified unless it is shown that a proposed use or storage is in compliance with all county regulations as verified by a certificate of zoning compliance.

- (1) *Building permit.* Before issuing any type of building permit for the site, the building official must receive a certificate of zoning compliance approved by the zoning administrator.
- (2) *Site plan required.* Prior to the issuance of the certificate of zoning compliance by the zoning administrator, a site plan must be approved for any new nonresidential structure (including additions), use, and/or a change or expansion of a use. Exemption of the requirement for a site plan approval for a new nonessential storage structure or a minor addition to an existing structure shall be granted by the zoning administrator upon determination that it does not affect septic, stormwater, parking, circulation and/or lot coverage requirements. Exemption of the requirement for a site plan approval for a change or expansion of a use shall be granted by the zoning administrator upon determination of compliance with all of the following criteria:
 - a. New structures, additions, and/or expansions are not proposed for the new use, except as otherwise provided herein.
 - b. The proposed use is a permitted use in the zoning district (conditional uses not exempt).
 - c. The proposed use is a similar or less intensive use than the last authorized use of the property.
 - d. Thresholds for water use, septic systems, etc., are similar or less intensive than the last authorized use of the property.
 - e. The site complies with the minimum parking requirements for the proposed use and all other existing uses on site.
 - f. The site is in compliance with all conditions of approval, and site standard in effect at the time the previous use was authorized.

Exemption from the site plan approval process for a change of use does not also exempt the requirement for all other necessary permits and inspections.

(Code 1992, § 8-26; Ord. No. 99-08, 6-24-1999; Ord. No. 2001-06, § 1, 6-28-2001; Ord. No. 2012-01, § 1, 3-22-2012)

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Sec. 104-28. Site plans.

- (a) *Filing of site plan.* The site plan shall be submitted in accordance with the schedule of established application deadlines and meeting dates, a copy of which is available in the planning and zoning department. The site plan shall be deemed filed when it has been submitted to the zoning administrator.
- (b) *Site plan distribution.* Fifteen copies of a 24 inches by 36 inches site plan shall be submitted to the planning and zoning department for distribution and review by the applicable departments.
- (c) *Site plan contents.* The site plan shall:
 - (1) Be prepared by an engineer or architect registered in the state;
 - (2) Include a recorded signed and sealed survey indicating metes and bounds; and
 - (3) Contain all applicable information as required on the site plan review checklist, a copy of which is available at the planning and zoning department.
- (d) *Department approval.* Upon completion of site plan review by the required departments, each department will return its comments to the planning and zoning department, who will make the appropriate entries on the site plan review checklist and notify applicant of approval, administrative conditions of approval, or additional requirements.
- (e) *Fee.* A site plan review and compliance fee as specified in this Code will be collected and a receipt provided at the time of issuance of the certificate of zoning compliance by the zoning administrator and prior to the issuance of a building permit.
- (f) *Other plans required.* The following plans if applicable shall be submitted at the time of site plan submittal and shall be approved prior to site plan approval:
 - (1) *Floodplain management plan.* Reference article IV of this chapter of the development regulations for applicability and plan requirements (two sets).
 - (2) *Landscape plan.* Reference article V of this chapter for applicability and plan requirements (two sets).
 - (3) *Tree protection plan.* Reference article VI of this chapter for applicability and plan requirements (two sets).
 - (4) *Soil erosion, sedimentation and pollution control plan.* Reference article IX of this chapter for applicability and plan requirements (three sets).
 - (5) *Grading plan.* Required only when a land disturbance permit is not applicable (two sets).
 - a. Clearing, grubbing or grading shall not be undertaken until a land disturbance permit has been approved by the stormwater management department. If a land disturbance permit is not required, a grading plan shall be approved prior to any clearing, grubbing, or grading.
 - b. No clearing, grubbing or grading involving the use of explosive may be undertaken until a permit has been issued by the fire marshal.
 - c. No installation or removal of underground tanks for class I, II, or III flammable liquids shall be undertaken until appropriate permits and inspections have been conducted by the fire marshal.
 - (6) *Water plan.* If required by the water system (two sets).
- (g) *Verification of lot.* In addition to an approved site plan, an applicant must provide verification that a plat of subdivision has been approved and recorded if required by article XV of this chapter.

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- (h) *Approval by zoning administrator.* Upon approval of the site plan by all the applicable departments, the zoning administrator may approve the certificate of zoning compliance.
- (i) *Certification of building official and fire marshal.* The applicant will be notified by the zoning administrator's issuance of the certificate of zoning compliance that the site plan has been approved. A copy of the certificate of zoning compliance will be presented to the building official and fire marshal.
- (j) *Building construction plans.* Two sets of building construction plans including one set in electronic media format known as a PDF (portable document file) format on a CD/RW shall be submitted to the fire marshal for review and approval by both the fire marshal and building official. Construction plans shall not be submitted to the fire marshal prior to the site plan approval process. Building construction plan documents should include:
 - (1) One PDF file on CD/RW with project manual PDF (complete set of construction drawings including site plans). Architect/engineer signed/sealed stamp required.
 - (2) Two complete sets of architectural construction drawings with appropriate architect/engineer signed/sealed stamp. Architectural drawings—floor plans; elevations; mechanical plans; plumbing plans; fire protection plans—fire extinguishers; alarm; smoke/heat detection; sprinkler plans. Construction type by International Building Code and building square footage should be noted. In addition to the fire marshal's requirements, the permits and inspection department requirements shall include, but not be limited to the following:
 - a. COM check; use and occupancy classification; occupant load; electrical panels and panel schedules; ARC fault current calculations and interrupt ratings for equipment; electrical load calculations; structural load packages; engineered trust/joist packages; framing details; statement of special inspections; footing/foundation specifications; gas line isometric details; ventilation, outside air, and makeup air schedules; specific hazardous area details; energy code details/specifications.
 - b. Check with the permits and inspections department for specific details/requirements for the project.
 - c. If applicable, two sets of project manuals with specifications.
- (k) *Site plan changes.* Any deviations from an approved site plan must be shown on a revised site plan and approved by the applicable departments. Changes shall be authorized in writing on the revised site plan by the applicable departments. A copy of the revised site plan will then be given to the building official for inclusion in the project file.
- (l) *Fire marshal approval.* The fire marshal shall approve all construction plans and submit to the building official a written report of compliance with chapter 12, fire prevention. Prior to any building construction, the applicant must obtain a construction permit through the bureau of fire prevention. This permit will not be in lieu of required permits through the building official.
- (m) *Certificate of occupancy.* In no case shall a certificate of occupancy be issued by the building official unless an as-built condition is reflected on an approved site plan.
- (n) *Expiration of certificate of zoning compliance.* If no application is made to obtain a building permit from the building official within 12 months of the date of zoning compliance, then said compliance shall be deemed null and void.

(Code 1992, § 8-27; Ord. No. 1986-13, § 2-1, 7-24-1986; Ord. of 3-24-1988; Ord. No. 1997-08, 4-24-1997; Ord. No. 1998-08; Ord. No. 2001-06, 6-28-2001; Ord. No. 2012-01, § 1, 3-22-2012)

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Sec. 104-29. Compliance.

- (a) *Batter board and footing inspection.* A batter board inspection shall be required in addition to the footing inspection required by the International Building Code. A batter board inspection shall be required by the planning and zoning department and the stormwater management department who shall be notified by the building official whenever a batter board inspection is requested. The planning and zoning department and the stormwater management department shall inspect the project and/or require a surveyor's certification. The planning and zoning department and stormwater management department shall certify in writing to the building official that the building location and other and other aspects of the site comply with the approved site plan prior to a footing inspection by the building official.
- (b) *Final and 80 percent inspections.* The building official shall notify the planning and zoning department and the stormwater management department, and the fire marshal whenever a final inspection is requested. The planning and zoning department, the stormwater management department, and the fire marshal shall inspect the project and shall certify in writing to the building official that the site is in compliance, or that proper surety, as provided for in various county ordinances, has been posted. The building official shall not allow a structure to be occupied nor issue a certificate of occupancy prior to receiving certification of approval in writing from the above named county employees. The fire marshal shall be notified directly by the owner or contractor whenever an 80 percent inspection is due.
- (c) *Fire marshal inspections.* In addition to requesting an 80 percent inspection directly from the bureau of fire prevention, an applicant shall notify the bureau of fire prevention for other scheduled inspections. The fire marshal shall report in writing to the building official any deficiencies noted during the inspections. Certificates of fire safety compliance issued by the fire marshal shall not grant authority to occupy a building until the appropriate certificates have been issued by the building official.

(Code 1992, § 8-27; Ord. No. 2012-01, § 1, 3-22-2012)

Secs. 104-30—104-46. Reserved.