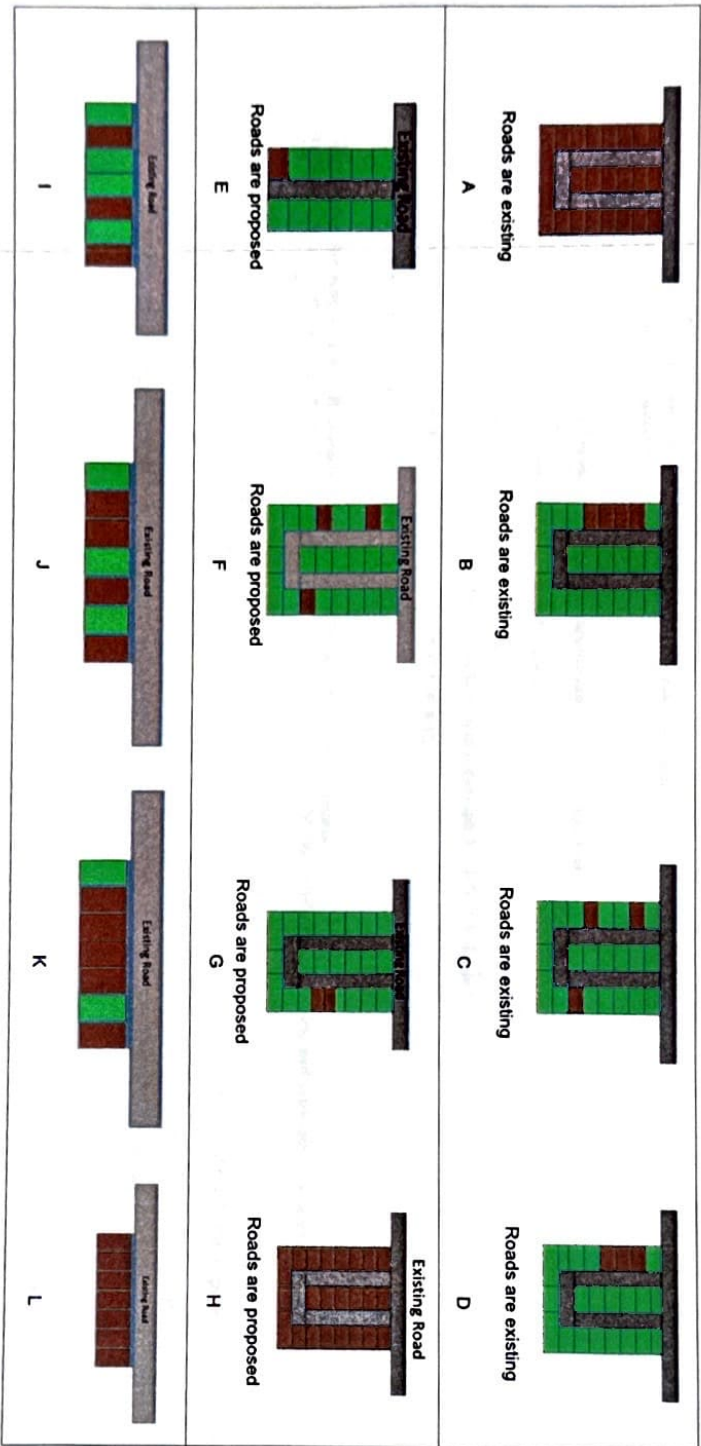




Guide for Environmental Resource Permitting Requirements for “Larger Plan of Development” for Single-Family Residential Projects



Proposed individual dwelling units on lots
 One Owner

Rule 62-330.020, F.A.C. Regulated Activities.

(1) A permit under this chapter is not required for activities that qualify for:

- (a) Operation and routine custodial maintenance of projects legally in existence under Chapter 403 or Part IV of Chapter 373, F.S., provided the terms and conditions of the permit, exemption, or other authorization for such projects continue to be met, and provided the activity is conducted in a manner that does not cause violations of state water quality standards. However, this exemption shall not apply to any project that is altered, modified, expanded, abandoned, or removed.
- (b) An exemption listed in Rule 62-330.051 or 62-330.0511, F.A.C., or in section 1.3 (District-specific exemptions) of the applicable Volume II:
- (c) The "grandfathering" provisions of Section 373.413(1)(4), 373.414(11), (12)(a), (13), (14), (15), or (16), F.S.; or
- (d) The "10/2" general permit for upland stormwater systems authorized in Section 403.814(12), F.S.
- (2) Unless the activity qualifies under subsection (1), above, a permit is required prior to the construction, alteration, operation, maintenance, removal, or abandonment of any project that, by itself or in combination with an activity conducted after October 1, 2013, cumulatively results in any of the following:
 - (a) Any project in, on, or over wetlands or other surface waters.
 - (b) A total of more than 4,000 square feet of impervious and semi-impervious surface areas subject to vehicular traffic.
 - (c) A total of more than 9,000 square feet of impervious and semi-impervious surface areas.
 - (d) A total project area of more than five acres.
 - (e) A capability of impounding more than 40 acre-feet of water.
 - (f) Any dam having a height of more than 10 feet, as measured from the lowest elevation of the downstream toe to the dam crest.
 - (g) Any project that is part of a larger common plan of development or sale.
 - (h) Any dry storage facility storing 10 or more vessels that is functionally associated with a boat launching area.
 - (i) Any project exceeding the thresholds in section 1.2 (District-specific thresholds) of the applicable Volume II, or
- (3) Construction and operation of projects under subsection (2), above, are subject to the additional limitations in paragraph 3.1.4(f) of Volume I.
 - (a) A general permit, as provided in Rule 62-330.052, F.A.C., and Rules 62-330.410 through 62-330.635, F.A.C.;
 - (b) An individual permit, as provided in Rule 62-330.054, F.A.C.; and
 - (c) A conceptual approval permit, as provided in Rule 62-330.055 or 62-330.056, F.A.C.

Subsection 62-330.051(13), F.A.C. Exemption for Single-Family Residences and Associated Residential Improvements.

1. Do not involve any work in wetlands or other surface waters.
2. Are not part of a larger common plan of development or sale requiring a permit or modification of a permit under Part IV of Chapter 373, F.S.; and
3. Comply with the limitations and restrictions in subsection 62-330.050(9), F.A.C.
 - (a) The construction, alteration, maintenance, removal, and abandonment of one individual single-family dwelling unit, duplex, triplex, or quadruplex, and associated residential improvements, that:
 1. Within the boundaries of a valid permit issued under Part IV of Chapter 373, F.S., and it was accounted for under the permit; or
 2. Within the boundaries of a development that predates the applicable effective date for the permitting program established under Part IV of Chapter 373, F.S., provided the activity does not involve any work in wetlands or other surface waters.
 - (c) Construction, operation, or maintenance of a stormwater management facility designed to serve single-family residential projects in conformance with Section 403.813(1)(g), F.S.

Rule 62-330.301, F.A.C. Conditions for Issuance of Individual and Conceptual Approval Permits.

- (1) To obtain an individual or conceptual approval permit, an applicant must provide reasonable assurance that the construction, alteration, operation, maintenance, removal, or abandonment of the projects regulated under this chapter:
- (a) Will not cause adverse water quantity impacts to receiving waters and adjacent lands;
 - (b) Will not cause adverse flooding to on-site or off-site property;
 - (c) Will not cause adverse impacts to existing surface water storage and conveyance capabilities;
 - (d) Will not adversely impact the value of functions provided to fish and wildlife and listed species by wetlands and other surface waters;
 - (e) Will not adversely affect the quality of receiving waters such that the state water quality standards set forth in Chapters 62-4, 62-302, 62-520, and 62-550, F.A.C., including the anti-degradation provisions of paragraphs 62-4.242(1)(a) and (b), F.A.C., subsections 62-4.242(2) and (3), F.A.C., and any special standards for Outstanding Florida Waters and Outstanding National Resource Waters set forth in subsections 62-4.242(2) and (3), F.A.C., will be violated;
 - (f) Will not cause adverse secondary impacts to the water resources. In addition to the criteria in this subsection and in subsection 62-330.301(2), F.A.C., in accordance with Section 373.4132, F.S., an applicant proposing the construction, alteration, operation, maintenance, abandonment, or removal of a dry storage facility for 10 or more vessels that is functionally associated with a boat launching area must also provide reasonable assurance that the facility, taking into consideration any secondary impacts, will meet the provisions of paragraph 62-330.302(1)(a), F.A.C., including the potential adverse impacts to manatees;
 - (g) Will not adversely impact the maintenance of surface or ground water levels or surface water flows established pursuant to Section 373.042, F.S.;
 - (h) Will not cause adverse impacts to a Work of the District established pursuant to Section 373.086, F.S.;
 - (i) Will be capable, based on generally accepted engineering and scientific principles, of performing and functioning as proposed;
 - (j) Will be conducted by a person with the financial, legal and administrative capability of ensuring that the activity will be undertaken in accordance with the terms and conditions of the permit, if issued; and
 - (k) Will comply with any applicable special basin or geographic area criteria established as follows:
 - 1. Within the Northwest Florida Water Management District, Sections 13.0 through 13.4 (Special Basin Criteria for Sensitive Karst Areas, including Appendix A) of Volume II.
 - 2. Within the Suwannee River Water Management District, Section 5.9 (Sensitive Karst Areas) of Volume II.
 - 3. Within the St. Johns River Water Management District:
 - a. Chapter 40C-41, F.A.C., "Surface Water Management Basin Criteria," (October 1, 2013), incorporated by reference herein (<https://www.flrules.org/Gateway/reference.asp?No=Ref:02551>).
 - b. Sections 13.0 through 13.8.3 (Part VI, Basin Criteria), of Volume II.
 - 4. Within the South Florida Water Management District:
 - a. Chapter 40E-41, F.A.C., "Surface Water Management Basin and Related Criteria," (December 1, 2011), incorporated by reference herein (<https://www.flrules.org/Gateway/reference.asp?No=Ref:02554>).
 - b. Chapter 40E-63, F.A.C., "Everglades Program," (November 9, 2010), incorporated by reference herein (<https://www.flrules.org/Gateway/reference.asp?No=Ref:02557>).
- c. For activities within the Outstanding Florida Waters of Monroe County, Rules 62-312.400 through 62-312.460, F.A.C.
- Copies of incorporated material may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C.

The material provided is only to be used as a "Reference Guide", with exception to Rule reference, to help Engineers, Planners and Developers in planning their respective developments. If you have any additional questions please contact Mr. Terry Wells, ERP Bureau Chief or Mrs. Dana Palermo Program Manager-Environmental Resource Permitting.

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- A - Applicant is proposing to construct a subdivision with more than three contiguous (adjacent) parcels. This is considered a larger plan of development and will be reviewed by the Northwest Florida Water Management District. A stormwater management system is required.
- B - Applicant owns and is proposing to develop more than three contiguous parcels in a previously platted subdivision. This is considered a larger plan of development and will be reviewed by the Northwest Florida Water Management District. Please consult with the State Agencies on whether there may be past State permits associated with the previously platted subdivision.
- ~~C -~~ Applicant owns and plans to develop three parcels in a previously platted subdivision with an existing road, but no parcels are contiguous. **The project is not considered part of a larger plan of development if the platted subdivision does not have any existing State permits and will be reviewed by the Florida Department of Environmental Protection. The parcels may fall under exempt activity listed under Subsection 62-330.051(13), F.A.C.**
- D - Applicant owns and plans to develop three parcels in a previously platted subdivision with an existing road, and the three lots are contiguous. The project is considered part of a larger plan of development and will be reviewed by the Florida Department of Environmental Protection. Complying with the conditions for issuance under Subsection 62-330.301(1), F.A.C. is required.
- E - Applicant owns one parcel and plans to build a road for accessing the lot. Because the road can be expected to serve as access to more than just the one single-family residential lot, this is considered part of a larger plan of development and will be reviewed by the Northwest Florida Water Management District. A stormwater management system is required for commonly owned infrastructure and all contributing areas.
- F - Applicant owns three parcels that are not contiguous and plans to build roads to access the lots. Because the road can be expected to serve as access to more than just the one single-family residential lot, this is considered part of a larger plan of development and will be reviewed by the Northwest Florida Water Management District. A stormwater management system is required for commonly owned infrastructure and all contributing areas.
- G - Applicant owns two contiguous parcels and plans to build roads to access the lots. Because the road can be expected to serve as access to more than just the one single-family residential lot, this is considered part of a larger plan of development and will be reviewed by the Northwest Florida Water Management District. A stormwater management system is required for commonly owned infrastructure and all contributing areas.
- H - Applicant is proposing to develop more than four contiguous parcels and new roads. This is considered a larger plan of development and will be reviewed by the Northwest Florida Water Management District. A stormwater management system is required for the entire development.
- ~~I -~~ Applicant owns and plans to develop three parcels that are not contiguous along an existing road. **This is not considered part of a larger plan of development and will be reviewed by the Florida Department of Environmental Protection. The parcels may fall under exempt activity listed under Subsection 62-330.051(13), F.A.C.**
- ~~J -~~ Applicant owns and plans to develop four parcels, where two parcels are contiguous all along an existing road. The stand alone parcels are not be considered part of a larger plan of development. **The applicant is encouraged to review the regulated activities under Subsection 62-330.020(2), F.A.C. to determine if the contiguous lots fall within regulated activities under Environmental Resource Permitting. The contiguous parcels would not qualify under the exempt activity listed under Subsection 62-330.051(13), F.A.C. and any authorization under Chapter 62-330, F.A.C. would be processed by the Florida Department of Environmental Protection.**
- K - Applicant owns and plans to develop five parcels, where four parcels are contiguous all along an existing road. The stand alone parcel would not be considered part of a larger plan of development and may qualify for the exempt activity listed under Subsection 62-330.051(13), F.A.C. and would be processed by the Florida Department of Environmental Protection. However, the four contiguous parcels would be considered part of a larger common plan of development and would be reviewed by the Northwest Florida Water Management District. Complying with the conditions for issuance under Subsection 62-330.301(1), F.A.C. is required.
- L - Applicant is proposing to develop more than four contiguous parcels along an existing road. This is considered a larger plan of development and will be reviewed by the Northwest Florida Water Management District. Complying with the conditions for issuance under Subsection 62-330.301(1), F.A.C. is required.