**Clarification of City of Naples Ordinance 16-291 and How to Apply for Waivers**

City Ordinance 16-291. The construction site management plan requirements are applicable to all building improvements, commercial and residential. If contractors believe that a requirement may not be needed a request waiver may be made to the Building Official per (C) below. Many waivers are provided for letters strictly in commercial areas.

**Sec. 16-291. - Construction site management.**

(a)*Construction site management plan required.* **No building permit shall be issued unless a construction site management plan has been submitted and approved by the building official. Persons who intend to make any of the following improvements: lot clearing, grading, stockpiling of soil, demolition, building construction or reconstruction, building alteration or addition**, shall designate either a licensed contractor or owner-builder for the purposes of the construction site management requirements. These requirements set minimum standards for the operation of the project site to eliminate or minimize impacts to the site and to the neighborhood to include containment of sediment, surface water discharge, erosion of soil, vehicle parking and loading area, traffic control, fencing, placement of materials, safety, neatness and cleanliness.

(b)*Submittal requirements.* The contractor shall submit a construction site management plan with a building permit application which includes the following submittal requirements unless waived by the building official:

(1)Location of proposed demolition.

(2)Grading and drainage surface water management plan for street and project site, including:

a.Drainage plan during construction in compliance with subsection (d) of this section.

b.Final grading and drainage plan upon completion of construction for the street and project site in compliance with[section 16-114](https://library.municode.com/fl/naples/codes/code_of_ordinances?nodeId=PTIICOOR_CH16COREPRMARE_ARTIIIBUTECO_S16-114SUSISTPRSIDRDRPL) and subsections (d)(4) and (5) of this section.

(3)Parking plan, including:

a.Location of on-site and adjacent unpaved portion of the right-of-way parking and the maximum number of vehicles that will be parked along the unpaved portion of the right-of-way.

b.Off-site parking plan in compliance with subsection (e)(4) of this section and the following:

1.A single access with dimensions;

2.Buffering for adjacent waterways and streets, as approved by the building official;

3.A temporary fence location, height and type of fence with screening;

4.Narrative describing restoration of the lot and hours of operation.

c.Copy of city right-of-way permit for parking in right-of-way.

(4)Fencing plan, showing location, height and type of fence with screening or evidence that proposed construction does not warrant a construction fence in compliance with subsection (g)(6) of this section as determined by the building official.

(5)Location of construction trailers, loading/unloading area and material storage area.

(6)Location of chemical toilets.

(7)Location of dumpster.

(8)Traffic control plan, including access with dimensions, area to be stabilized and a written plan on staging of construction related traffic during final phase of project including adequate parking (both on and off-site) and plan for delivery of materials.

(9)Location of any trees located within the public right-of-way that will be removed. (Removal of trees owned by the city is prohibited unless written approval from the city manager is provided. See[section 38-2](https://library.municode.com/fl/naples/codes/code_of_ordinances?nodeId=PTIICOOR_CH38TRPR_ARTIINGE_S38-2DE)(c).)

(10)Other activities, where special conditions are identified by the building official.

(11)Proof of notice to owners of property within 100 feet of the outer limits of the subject property, as listed in the property appraiser's records, at least 14 days prior to commencement of construction. The proof consists of a list of property owners and addresses and a receipt or other proof of mailing. Notice is to include:

a.A phone number for the contractor where a representative of the qualifier is available whenever construction activities are taking place on site and prior to a storm event.

b.The after-hours phone number for the city's building and zoning division.

c.An approximate timetable for construction activities to include any demolition, excavation, or pile driving activities.

d.An offer to have a licensed engineer or city-approved inspector conduct a pre-construction or pre-demolition site inspection of the adjacent properties prior to commencing any demolition, pile driving or similar activities and on-site seismic monitoring during demolition, pile driving or similar activities. At a minimum the inspection is to include a visual record of the neighboring properties, a copy of which shall be given to the neighboring property owner and made available to the city or county on request.

**(c)*Approval of plan; waivers.* The building official shall review, approve or deny the construction site management plan. The building official is hereby authorized to grant waivers from submittal requirements and corresponding standards which shall be reflected on the construction site management plan:**

**(1)If the requirement is unrelated to proposed development;**

**(2)If the impact of the proposed development is negligible in that submittal requirement area; or**

**(3)If unusual site conditions do not allow full compliance with this section.**