



BOND ADMINISTRATION

LANDSCAPE AND PAVING

In order to ensure that required landscaping and paving improvements for a development are completed, the Planning Department requires that a property owner post adequate surety. This surety must be posted before a certificate of occupancy for any improvements on the property can be issued.

Starting the Process

A Performance Agreement, signed by the developer, must be submitted with appropriate surety ([cash bond](#), [letter of credit](#), or [corporate surety](#)) and approved by the Planning Department prior to the issuance of a certificate of occupancy. The developer must submit the appropriate forms at least one week prior to requesting a certificate of occupancy and must use the forms provided by the Planning Department. Any document submitted which modifies the standard language must be accompanied with a written explanation for the changes and will require review by the County Attorney's Office.

Types of Bonds

[Landscape Completion](#)

If plantings cannot be completed prior to issuance of a certificate of occupancy, a completion bond may be posted for a six (6) month period. The surety shall be for the total amount of landscaping and installation to be provided on site. An executed contract from the landscape contractor must be submitted and approved by the Planning Department. Once the landscaping is completed, the developer may contact the Planning Department for inspection.

[Landscape Maintenance](#)

Once the landscaping is completed in accordance with the approved landscape plan, a one (1) year maintenance bond, in an amount equal to 25% of the cost of the landscaping materials and installation, is required. An executed contract from the landscape contractor must be submitted to verify the surety amount. After one year, an inspection will be performed to verify that all landscaping is installed and in healthy condition.

[Paving Completion](#)

If, due to seasonal or weather-related constraints, paving cannot be completed prior to an application for the issuance of the certificate of occupancy, the developer may request that the County permit the developer to post a paving bond that guarantees that the improvements will be completed within the following six (6) months. This request must be submitted and approved by the Department of Public Works prior to submittal of the paving performance agreement and surety. An executed contract from the paving contractor must be submitted to verify surety amount. Once the paving is complete, the developer may contact the Planning Department for inspection.

Extension Requests

An extension may be requested if the landscaping and paving work is not completed within the required timeframe. The developer must submit an [extension request form](#), detailing the reason why the work cannot be completed as scheduled. After reviewing the request, the Planning Department may grant a thirty (30) day extension.

Inspections

Upon completion of the applicable six (6) or twelve (12) month period, the Planning Department will inspect the property to determine if all improvements have been completed and are in compliance with the approved plans. Should any deficiencies be found, a letter will be sent to the developer detailing the items to be corrected.

Release of Surety

Upon full compliance with the landscape and/or paving requirements, the surety will be released. For cash bonds, a check for the bonded amount plus interest will be mailed to the developer. For corporate sureties and letters of credit, a letter will be mailed to the developer stating the site is in compliance and authorizing release of the surety.

Default Process

Should the improvements not be completed and approved by the deadline date and an extension of the performance agreement is not granted, the developer is considered to be in default. At this time, the County may call the surety and obtain the funds to complete improvements. If the work is completed by the County, the developer is liable for all costs associated with the work; if the surety is not sufficient to pay for the work, the developer is required to pay the difference.