

Land Disturbance Issues

2009 Retreat

Previous Land Disturbance Discussions

- Steep Slopes Ordinance
- Temporary Stockpiles of Materials
- Urban Forest Master Plan (Tree Canopy)
- Land and Stream Stewardship Trust Fund
- Limits on Rezoning Property

Previous Land Disturbance Discussions

- At the Feb 16, 2009 work session Council directed staff to look into the possibility of the issuance of a land disturbance permit being a part of the development plan and that the development plan being approved prior to issuing the land disturbance permit.

Should Land Disturbance be tied to Zoning?

- Part of Bristol Lake is C3 and in a sensitive watershed (Gans Creek)
- Council will not see a development plan
- Most things brought into the city are zoned R-1
- Council will not see a development plan

When NOT to issue the permit prior to a Council approved Plan

- When there is a 1st Order stream involved (Hinkson, Grindstone, Bear Creek, etc...)
- When a parcel is in a sensitive watershed
- When the Post-Development condition will be significantly different from Pre-Development condition (Cross Creek, Centerstate, etc...)

Problems with Proposed

- 1. Define "significantly". Otherwise we are bound to send something through that Council would have liked to see before we issued a land disturbance permit. Maybe #5 would be a way to do this.
- 2. What if the land is already zoned as needed for the development (say C-3)? The developer will not have to plat and does not have to go to council.
- 3. What if the land is currently in the County? The developer can disturb the land and then asked to be annexed. Might want to look at a time frame between disturbance and annexation.
- 4. What if the developer wants to pull a land disturbance permit and has no intention to develop the property in the near future? See #3.
- 5. Should we require large projects (say over 10-15 acres) to go to Council regardless of its significance or proximity to a 1st order stream? (i.e. Ewing Industrial Park)