

Section 32-250.52. Applicability.

1. No person may engage in any land disturbing activity in any zoning district, except as permitted by this Chapter, until the area is the subject of an approved site development permit, land disturbance permit, or similar County approval. A site development plan, as applicable, shall be reviewed and approved in accordance with the Zoning Ordinance and the Design and Construction Standards Manual by the Planning Director upon written recommendation from the Director of Public Works.

2. Where appropriate, the grading plan shall provide for phased development and indicate land disturbing activity only for areas under active construction.

3. Areas having soils that are highly erodible, highly permeable, and/or marine clay on slopes greater than fifteen (15) percent may be disturbed only if mitigation measures are approved and used in accordance with the requirements of the Design and Construction Standards Manual.

4. Slopes twenty-five (25) percent and greater shall not be disturbed unless mitigation measures are used to preclude adverse impacts. Wooded slopes of 25 percent and greater that abut perennial streams and have a contiguous area of ten thousand (10,000) square feet or greater shall be placed within conservation areas. Such slopes shall not be disturbed before, during, or after development, except for installation of utilities and road crossings as approved on a site or subdivision plan. Exceptions to the requirement to establish conservation areas may be considered by the Zoning Administrator where an applicant demonstrates that full compliance is impossible or impractical, or improved environmental quality would result from an alternative design.

5. No more land shall be disturbed than is reasonably required to accommodate the intended use. (No. 04-78, 12-21-04)