

## Recommended Changes to Ordinance 2024.XX – Grading Ordinance

### Planning Commission 2/13/24

- **10-18B-1B(1):** “Agricultural: Grading, excavation, filling or clearing for agricultural purposes within an agricultural zone, that does not ~~modify the elevation of the existing ground,~~ **negatively impact adjacent property in regards to drainage,** shall be exempt from a grading permit. Grading, excavation, etc., associated with nonagricultural uses or construction, in an agricultural zone, shall require a grading permit.”
- **10-18B-1A:** “General Requirement: No person shall commence or perform any grading, excavation, filling or clearing of land without first having obtained a permit from the Zoning Administrator **or City Designee** and ascertaining the existence and location of any underground utilities.”
- **10-18B-1B:** “Exemptions: The applicability of any of the below-listed exemptions must be determined by the Zoning Administrator **or City Designee.**”
- **10-18B-2A:** “Application and Review Process: Grading permit application forms may be obtained from the City and shall be submitted to the Zoning Administrator **or City Designee.**”
- **10-18B-2A(2)(ix):** “Location of any existing buildings or structures on the site and the location of any buildings or structures on adjacent property which ~~is~~**are** within 30 feet of the site or which may be affected by the proposed grading.
- **10-18B-2A(2)(xvi)(B):** “A statement regarding the phasing and timing of any grading activities. If the applicant/~~permittee~~ **permittee** needs to grade materially out of sequence, or fails to grade in sequence, as identified in the narrative and the Engineered Grading Plan, the City reserves the ability to invoke its enforcement rights as set forth in 10-18B-12.”
- **10-18B-2C:** “City Review: The Zoning Administrator **or City Designee** shall determine the adequacy of the application and may require submission of further information where necessary.”
- **10-18B-2D:** “Whenever any work on which inspections are required is covered or concealed by additional work without first having been inspected, the Zoning Administrator **or City Designee** may require, through written notice, that such work be exposed for examination.”
- **10-18B-2E:** “Grading Bond: In reviewing a grading permit application, the Zoning Administrator **or City Designee** may require the applicant/permittee to post a grading bond, in the form of (i) a cash deposit or (ii) an irrevocable letter of credit, from a licensed and insured financial

institution in favor of the City in an amount sufficient to cover ten percent (10%) of the cost to perform the grading identified in the grading and drainage plan.”

- **10-18B-2E(6):** “Any grading plan in which the Zoning Administrator or City Designee reasonably determines would create an increased risk of possible damage or injury to residents or Public Facilities of the City; and/or”
- **10-18B-5:** “The Zoning Administrator or City Designee must approve dust control methods.”
- **10-18B-6:** “Vegetation removed during clearing operations shall be disposed of in a manner approved by the Zoning Administrator or City Designee.”
- **10-18B-7A:** “There shall be no excavation on the site before the Zoning Administrator or City Designee has approved the location (stakeout) of the drives, parking sites, building sites and other areas to be graded or filled.”
- **10-18B-9A:** “Upon request, the Zoning Administrator or City Designee may approve modifications to the date and hours of operation.”