

33.635 Clearing, Grading, and Land Suitability

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33.635.010 Purpose

These regulations:

- Ensure limits of disturbance are reasonable given infrastructure needs, site conditions, and tree preservation requirements;
- Limit impacts of erosion and sedimentation;
- Protect water quality and aquatic habitat;
- Allow some site development activities to occur before Final Plat approval; and
- Ensure that new lots can be safely developed.

33.635.020 Where These Regulations Apply

- A. The standards stated in 33.635.100, Clearing and Grading Standards, apply to proposals for land divisions in residential zones. Adjustments to the standards are prohibited. For proposals that cannot meet all of the standards, the approval criteria stated in 33.635.200 apply. Where a proposal can meet the standards, the applicant may choose to meet all of the approval criteria stated in 33.635.200 instead of all of the standards.
- B. The standards stated in 33.635.150, Land Suitability Standards, apply to proposals for land divisions in residential zones. Adjustments to the standards are prohibited. For proposals that cannot meet all of the standards, the approval criterion stated in 33.635.250 apply. Where a proposal can meet the standards, the applicant may choose to meet the approval criterion stated in 33.635.250 instead of all of the standards.
- C. The approval criteria of 33.635.200 and .250 apply to proposals for land divisions in the OS, C, E, I, CI and IR zones.

33.635.100 Clearing and Grading Standards

The preliminary clearing and grading plan must meet the following standards:

- A. No new alleys or streets are proposed unless the street is a pedestrian connection or common green.
- B. No more than 10 cubic yards of soil will be removed from or deposited on the site;
- C. No clearing or grading is proposed within:

1. Root protection zones of trees to be preserved or offsite trees to be protected. For purposes of this standard, the root protection zones must meet the prescriptive path method described in Title 11, Trees;
 2. Streams, springs, seeps, or wetlands tracts or easements; or
 3. The floodway.
- D.** On sites where any portion of the site is within a Potential Landslide Hazard Area shown on Map 632-1, no clearing or grading is proposed in areas of the site identified in the applicant's Landslide Hazard Study as "Hazardous," "No Build," or as having a recommended building setbacks from a slope.

33.635.150 Land Suitability Standards

The following standards must be met:

- A.** The applicant has confirmed the following uses are not present on the site and have not previously existed on the site:
1. Any use in the Industrial Use category, except Wholesale Sales;
 2. Quick Vehicle Servicing; or
 3. Outdoor firing range.
- B.** The applicant has proposed to remove any un-engineered fill in areas where buildings, streets, vehicle areas or services will be located, or has confirmed that there is no un-engineered fill on the site; and
- C.** Prior to final plat, any underground facilities that will not remain in use must be decommissioned. Examples of such facilities include sewage or stormwater disposal or heating oil tanks.

33.635.200 Clearing and Grading Approval Criteria

The Preliminary Clearing and Grading Plan must meet the following approval criteria:

- A.** Existing contours and drainage patterns of the site must be left intact wherever practicable. Where alteration to existing drainage patterns is proposed, it must not adversely impact adjacent properties by significantly increasing volume of runoff or erosion;
- B.** Clearing and grading should be sufficient for construction of development shown on the Preliminary Clearing and Grading Plan;
- C.** Clearing and grading should be limited to areas of the site that are reasonably necessary for construction of development shown on the Preliminary Clearing and Grading Plan;
- D.** Topsoil must be preserved on site to the extent practicable for use on the site after grading is complete;
- E.** Soil stockpiles must be kept on the site and located in areas designated for clearing and grading as much as is practicable; and

- F. The limits of disturbance and tree protection measures shown on the Preliminary Clearing and Grading Plan must be adequate to protect trees to be retained on the tree preservation plan.

33.635.250 Land Suitability Approval Criterion

Where geologic conditions or historic uses of the site indicate that a hazard may exist, the applicant must show that the proposed land division will result in lots that are suitable for development. The applicant may be required to make specific improvements in order to make the lots suitable for their intended uses and the provision of services and utilities.

(Added by: Ord. Nos. 175965 and 176333, effective 7/1/02. Amended by Ord. No. 184524, effective 7/1/11; Ord. No. 191848, effective 10/1/24.)