

## EXHIBIT B TO ORDINANCE 2516

(Underlined text indicates new material; strikethrough text indicates deletions.)

**\*\*BEGIN\*\***

### **Sec. 21-3218. Early Grading Permits**

- 1) Description. If an applicant for development desires to proceed with overall grading of the property prior to final approval of the applicable Development Plan or Plat by the City, and/or prior to final Construction Document approval(s), an applicant may apply for an Early Grading Permit. An Early Grading Permit allows for clearing, grubbing and grading only. No infrastructure or building construction is allowed with an Early Grading Permit. A final grading permit will be required prior to infrastructure or building construction.
- 2) Requirement. Early Grading Permits are optional and not required.
- 3) Review. The city engineer reviews applications for grading permits and is authorized to approve, approve with conditions, or deny such applications based on the approval criteria below.
- 4) Approval Criteria. The City Engineer, may, to the extent provided for in this Section, authorize the issuance of an Early Grading Permit prior to final approval of a Development Plan, PUD Development Permit, or Subdivision, if the following requirements are satisfied:
  - a. A Stormwater Management Plan, inclusive of ~~that contains the~~an Erosion and Sediment Control Plan, ~~s~~ has ~~have~~ been submitted and complies with the city's engineering and construction standards and specifications (ECSS) and ~~s~~Storm Drainage ~~D~~design and ~~T~~Technical ~~C~~riteria ~~M~~anual.
  - b. The subject property is not part of any active public hearing application (Zoning, Conditional Use Permit, Variance, etc.).
  - c. A preliminary drainage report, if applicable, has been approved by the City Engineer
  - d. No application for an early grading permit for properties undergoing any required review will be accepted by the city until the Final Subdivision review is complete unless acceptance is specifically authorized by the Community Development and Public Works directors.
  - e. The subject property is not located in any floodplain.
  - f. A grading surety, in a form acceptable to the City has been provided to and accepted by the City in accordance with the City's laws and regulations.



- 7) Lapse. If the work described in any early grading permit is not commenced within six months, or substantially completed within two years of the date the permit was issued, the permit shall automatically lapse and be null and void.