



Site Development Permits Type I or II Review Process

PB-08

Community Development Department

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15.250.020 Site development permits – Type I or II review process.

- A. Purpose.** The purpose of a site development permit is to provide a mechanism to review activities that involve clearing and removal of vegetation, excavation, grading, and earthwork construction that may or may not be in preparation of site development within the city in order to protect public health, safety, and welfare by:
1. Minimizing adverse stormwater impacts generated by the removal of vegetation and alteration of landforms;
 2. Protecting water quality from the adverse impacts associated with erosion and sedimentation;
 3. Minimizing aquatic and terrestrial wildlife habitat loss caused by the removal of vegetation;
 4. Protecting sensitive areas from adverse clearing and grading activities;
 5. Preventing damage to property and harm to persons caused by excavations and fills; and
 6. Establishing administrative procedures for the issuance of permits, approval of plans, and inspection of clearing and grading operations.
- B. Applicability.** A site development permit is required for the following activities or as determined by the director:
1. The construction of 2 or more detached single-family dwelling units on a single parcel;
 2. Site improvements associated with short plat and subdivisions;
 3. The construction of 2 or more nonresidential or multifamily structures on a single parcel; or
 4. All clearing, grading, or fill activities, except those exempt activities specified in subsection (C) below.
- C. Exemptions.** The following activities are exempt from site development permit requirements herein, however they may still be subject to SEPA review (see ECC 15.270) and critical areas review (see ECC Article 6):
1. An on-site excavation or fill for basements and footings of a building, retaining wall, parking lot, or other structure authorized by a valid building permit. This shall not exempt any fill made with the material from such excavation nor exempt any excavation having an unsupported height greater than 5 feet after the completion of such structure;
 2. Maintenance of existing driveways or private access roads within their existing road prisms; provided, that the performance and restoration requirements of this chapter are met and best management practices are utilized to protect water quality;
 3. Any grading approved by the city engineer within a publicly owned road right-of-way, provided this does not include clearing or grading that expands further into a critical area or buffer;
 4. Clearing, grading or fill by a public agency for the following routine maintenance activities:
 - a. Roadside ditch cleaning, provided the ditch does not contain salmonids;
 - b. Pavement maintenance;
 - c. Normal grading of gravel shoulders;
 - d. Maintenance of culverts;
 - e. Maintenance of flood control or other approved surface water management facilities; and/or

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- f. Routine clearing within road right-of-way;
5. Cemetery graves; provided, that this exception does not apply except for routine maintenance if the clearing or grading is within a critical area as regulated in ECC Article 6;
 6. Minor stream restoration projects for fish habitat enhancement by a public agency, utility, or tribe within a critical area as regulated in ECC Article 6;
 7. Any clearing, grading or fill that has been approved by the director as part of a commercial site development permit and for which a financial guarantee has been posted;
 8. The following activities are exempt from the clearing, grading and fill requirements of this chapter and no permit shall be required, subject to the limitations in critical areas and their buffers as set out in ECC Article 6:
 - a. Normal and routine maintenance of existing lawns and landscaping, including up to 50 cubic yards of top soil, mulch, or bark materials added to existing landscaped areas;
 - b. Emergency tree removal to prevent imminent danger or hazard to persons or property;
 - c. Normal and routine horticultural activities associated with commercial orchards, nurseries, or Christmas tree farms. This does not include clearing, grading or in order to develop or expand such activities;
 - d. Normal and routine maintenance of existing public park properties and private and public golf courses. This does not include clearing, grading or fill in order to develop or expand such activities in critical areas;
 - e. Removal of noxious weeds from steep slope hazard areas and the buffers of streams and wetlands;
 - f. Pruning and limbing of vegetation for maintenance of above-ground electrical and telecommunication facilities; provided, that the clearing is consistent with the electric, natural gas, cable communication and telephone utility exemption in critical areas as regulated in ECC Article 6;
 9. The cutting and removal of any coniferous tree of less than 8 inches DBH or any deciduous tree of less than 12 inches DBH when not located within a critical area or buffer;
 10. The pruning, limbing, and general maintenance of trees outside of environmentally critical areas and buffers, consistent with the requirements of ECC Article 6;
 11. The pruning, limbing, and general maintenance of trees in buffers or that are otherwise required to be retained pursuant to ECC Article 6;
 12. An excavation that is less than 2 feet in depth or does not create a cut slope greater than 5 feet in height and steeper than one unit vertical in 2 units horizontal (66.7 percent slope), that does not exceed 50 cubic yards on any one lot and does not obstruct a drainage course, excluding work in critical areas and their buffers;
 13. A fill less than one foot in depth and placed on natural terrain with a slope flatter than one unit vertical in 5 units horizontal (20 percent slope), or less than 3 feet in depth, not intended to support structures, that does not exceed 50 cubic yards on any one lot and does not obstruct a drainage course, excluding work in critical areas and their buffers; and
 14. Normal routine maintenance of existing single-family drainage systems, including but not limited to excavation to replace existing pipes, catch basins and infiltration trenches, that does not exceed 50 cubic yards on any one lot and does not obstruct a drainage course, excluding work in critical areas and their buffers.
- D. Procedures.** Site development permits are subject to the Type I review process, except where such projects require a SEPA threshold determination a Type II review process is required (see Chapter 15.210 for review process details).
- E. Operating conditions and standards of performance.**
1. Any activity that will clear, grade, fill or otherwise disturb the site, whether requiring a clearing, grading, or fill permit or not, shall provide erosion and sediment control (ESC) that prevents, to the maximum extent possible, the transport of sediment from the site to drainage facilities, water resources, and adjacent properties. Erosion and sediment controls shall be applied as specified by the temporary ESC measures and performance criteria and implementation requirements in the city's erosion and sediment control standards.

2. Cuts and fills shall conform to the following provisions unless otherwise approved by the director:
 - a. Slope. No slope of cut and fill surfaces shall be steeper than is safe for the intended use and shall not exceed 2 horizontal to one vertical, unless otherwise approved by the director;
 - b. Erosion control. All disturbed areas including faces of cuts and fill slopes shall be prepared and maintained to control erosion in compliance with subsection (1) of this section;
 - c. Preparation of ground. The ground surface shall be prepared to receive fill by removing unsuitable material such as concrete slabs, tree stumps, brush, and car bodies;
 - d. Fill material. Except in an approved sanitary landfill, only earth materials that have no rock or similar irreducible material with a maximum dimension greater than 18 inches shall be used;
 - e. Drainage. Provisions shall be made to:
 - i. Prevent any surface water or seepage from damaging the cut face of any excavations or the sloping face of a fill; and
 - ii. Carry any surface waters that are or might be concentrated as a result of a fill or excavation to a natural watercourse, or by other means approved by the city engineer;
 - f. Bench/Terrace. Benches, if required, at least 10 feet in width shall be back-sloped and shall be established at not more than 25 feet vertical intervals to control surface drainage and debris. Swales or ditches on benches shall have a maximum gradient of 5 percent;
 - g. Access roads – Maintenance. Access roads to grading sites shall be maintained and located to the satisfaction of the city engineer to minimize problems of dust, mud, and traffic circulation;
 - h. Access roads – Gate. Access roads to grading sites shall be controlled by a gate when required by the director;
 - i. Warning signs. Signs warning of hazardous conditions, if such exist, shall be affixed at locations as required by the director;
 - j. Fencing. Fencing, where required by the director, to protect life, limb, and property, shall be installed with lockable gates that must be closed and locked when not working the site. The fence must be no less than 5 feet in height and the fence material shall have no horizontal opening larger than 2 inches;
 - k. Setbacks. The tops and the toes of cut and fill slopes shall be set back from property boundaries and from structures as far as necessary for safety of the adjacent properties and structures and to prevent damage resulting from water runoff or erosion of the slopes;

Slopes and setbacks shall be determined by the director; and
 - l. Hours of operation. Hours of operation, unless otherwise authorized by the director, shall be between 7:00 a.m. and 7:00 p.m.

F. Decision criteria. A site development permit that complies with all applicable development regulations as provided in this title shall be approved.