



Community Development Building Codes

LOW IMPACT LAND DISTURBANCE PERMIT APPLICATION GUIDELINES

A **Low Impact Land Disturbance Permit** must be obtained for any of the following activities:

- Any land disturbance activity that occurs within 50' of a natural or improved channel or drainage way where the cumulative area of land disturbance is less than one acre.
- Any land disturbance activity that would involve more than 50 cubic yards of fill or cut, where the cumulative area of land disturbance is less than one acre.
- Any land disturbance activity that involves the construction of a new roofed structure, when that structure has a projected roof area of more than 1000 square feet, and where the cumulative area of land disturbance is less than one acre.

Note: A Standard Land Disturbance Permit is required for land disturbance activities that have a cumulative area of land disturbance of one acre or more. "Land Disturbance" by definition, means any activity that changes the physical conditions of land form, vegetation and hydrology, creates bare soil, or otherwise may cause erosion or sedimentation. Such activities include, but are not limited to clearing, removal of vegetation, stripping, grading, grubbing, excavating, filling, logging and storing of materials.

The Shawnee City Council adopted the new **land disturbance ordinance** (http://gsh.cityofshawnee.org/pdf/swm/ord_land_disturbance.pdf) in October of 2007, which affects most construction projects in the City of Shawnee. The new ordinance fulfills the City's compliance activity objectives to meet the EPA's National Pollutant Discharge Elimination System (NPDES) Phase II requirements.

The following is a summary of the permit application submittal requirements for a **Low Impact Land Disturbance Permit**:

- A completed **Low Impact Land Disturbance Permit Application** (attached) must be submitted.
- A \$5000.00 **Low Impact Land Disturbance Permit** bond will be required. The bond form is attached, and the bond principal must be the same name as the permit applicant.
- A site grading and land disturbance plan that shows the complete details of all work to be done under the **Low Impact Land Disturbance Permit**.
- A site specific "Erosion and Sediment Control Plan" is required as part of the **Low Impact Land Disturbance Permit**. All erosion and sediment control measures, including a gravel construction entrance, must be in place prior to land disturbance work.
- The **Low Impact Land Disturbance Permit** fee is \$75.00, and is payable at the time the permit is obtained.

Please note that dirt, mud, or debris in the street or right of way near your site must be cleaned up within 4 hours of notification, or the City will clean up and bill the **Low Impact Land Disturbance Permit** holder. The **Low Impact Land Disturbance Permit** holder is responsible to install, inspect, and maintain the construction site sediment and erosion control measures.

SHOULD YOU NEED ANY REASONABLE ACCOMMODATION TO ASSIST IN MAKING PERMIT APPLICATION, PLEASE CONTACT THE CODES ADMINISTRATION DIVISION AT 913-742-6010



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Low Impact Land Disturbance Permit Application

This form shall be completed and a land disturbance permit shall be obtained prior to beginning any project involving a land disturbance less than one acre, having construction of a roofed structure of greater than 1000 square feet, having greater than 50 cubic yards of cut or fill or involving land disturbed within 50 feet of a natural or improved drainage channel. Land disturbances for construction of new single family residences shall complete this form. Submit application along with site plan showing grading and erosion and sediment control design.

Project Information

Project Address: _____

Owner Name: _____

Owner Address: _____ State: _____ Zip: _____

Check type of permit below:

For New Single Family Residential Permit Projects:

Description of Land disturbance Activities: Grade and excavate for the construction of a new roofed structure over 1,000 square feet in size and grade and excavate within the right-of-way for utility connections and public improvements.

Note: This Land Disturbance Permit shall expire no later than two (2) years and six (6) months from the date the building permit is issued for the construction of the new roofed structure, or at the issuance of a certificate of occupancy for the structure, whichever occurs first. The area of land disturbed is assumed to be the entire project lot unless the submitted plan shows the specific area of disturbance.

Other Low Impact Land Disturbance Permits please complete the following:

Description of land disturbance activity: _____

Project time limit: Project to be completed _____ Months from date of issuance of permit

Quantity of cut/fill (cubic yards) whichever is the larger: _____

If any work is to occur within a public right of way a permit may be required through Public Works Department (913)741-6012

Note that any site work, filling or construction in the FEMA regulated Flood plain may require that a floodplain development permit be obtained. Contact Development Engineering Department (913) 742-6012

Applicant Information

Name of applicant (owner/developer) _____

Address _____ State _____ Zip _____

Phone: () _____ Fax: () _____ E-Mail: _____

Contact Name: _____ Phone: () _____

Signature of Applicant: _____ Date: _____

Permit issue date: _____ Permit No. _____

CITY OF SHAWNEE, KANSAS

LOW IMPACT LAND DISTURBANCE PERMIT BOND

BOND NO. _____

_____, as surety ("Surety"), and _____, as principal ("Principal"), enter into and execute this Bond ("Performance Bond"), and bind themselves in favor of the City of Shawnee, as obligee ("Beneficiary"), in the initial amount of Five Thousand and No Hundredths Dollars, (\$5,000.00), (the "Penal Sum"). This bond shall become effective on _____ and expire sixty (60) days after the permit expires.

WHEREAS, the condition of the above obligation is such that the Principal has obtained a Permit or Permits from the City for land disturbance(s) of less than one (1) acre to construct _____ (hereinafter "the Project"); a copy of said Permit(s) is made a part hereof by reference as if fully set out herein; and

WHEREAS, the Principal has submitted an Erosion and Sediment Control Plan in compliance with the Shawnee Design Manual and incorporated herein; and

WHEREAS, the Beneficiary has further required the Principal to guarantee the timely restoration of the public right-of-way and of any public or private improvements damaged, disturbed, or harmed by the Project, including restoration of improved or unimproved surfaces to a neat and presentable condition, and removal of debris, excess dirt, or materials, in such a manner that the same shall endure without defects in materials and workmanship, all as required by the Erosion and Sediment Control Plan and/or Shawnee Municipal Code, (hereinafter collectively referred to and known as the "Required Restoration").

The Surety and the Principal, both jointly and severally, and for themselves, their heirs, administrators, executors, successors and assigns agree:

- 1) If Principal shall in all particulars promptly and faithfully perform each and every covenant, condition, and part of the Project in accordance with the terms of the Erosion and Sediment Control Plan and/or Shawnee Municipal Code, then this obligation shall be and become null and void; otherwise it shall remain in full force and effect.
- 2) If Principal fails to perform and abide by any such obligations hereunder in any respect or if the Project requires repairs or maintenance then the Surety shall either promptly remedy such failure to the satisfaction of the City or shall within fourteen (14) days from the date of written notice from the City pay to City sufficient funds to pay the cost of such compliance and other costs and damages for which the Surety may be liable hereunder, including but not limited to the costs of consultants and/or engineering investigations, testing, analysis and any other costs incurred to determine the cause of defect and/or the necessary repair and maintenance and attorney fees incurred in the collection of this Bond.
- 3) All notices to the Surety, the Principal or the Beneficiary must be delivered in person or otherwise given in writing to such party at the following address set forth below:

SURETY

Name: _____
Attention: _____
Street: _____
City, State, ZIP: _____ Fax _____

PRINCIPAL

Name: _____
Attention: _____
Street: _____
City, State, ZIP: _____ Fax _____

BENEFICIARY

City of Shawnee, Kansas
City Hall
Attn: _____
11110 Johnson Drive
Shawnee, Kansas 66203

5) This bond may be terminated at any time by the Surety upon sending notice in writing to the Principal and Beneficiary and at the expiration of thirty (30) days from the mailing of said notice, this bond shall terminate and the Surety shall thereupon be relieved from any liability for any acts or omissions of the Principal subsequent to that date.

6) This Low Impact Land Disturbance Permit Bond shall be governed by, and construed solely in accordance with, the laws of the State of Kansas without regard to its conflict of law's provisions.

7) In the event any legal action shall be filed upon this Low Impact Land Disturbance Permit Bond, venue shall lie exclusively in the District Court of Johnson County, Kansas.

IN TESTIMONY WHEREOF, said Principal has hereunto set his/her hand, and said Surety has caused these presents to be executed in its name; and its corporate seal to be hereunto affixed by its attorney-in-fact duly authorized thereunto so to do at

_____ ,

on this, the _____ day of _____, 20__.

Principal

Surety

(Typed Firm Name)

(Typed Firm Name)

(Seal)

By:

(Signature)

(Printed Name)

(Title)

(Address)

(Phone Number)

(Date of Execution)

(Seal)

By:

(Signature)

(Printed Name)

(Title)

(Address)

(Phone Number)

(Date of Execution)

(Accompany this bond with Attorney-in-Fact's authority from the Surety Company certified to include the date of the bond.)