

LAND DISTURBANCE / GRADING PERMIT INFORMATION

The following is provided as a source of general information regarding Land Disturbance Permits. Please obtain a copy of the City of Lebanon's Stormwater Management Ordinance for more specific information regarding land disturbance permits, stormwater management plans, sediment and erosion control plans, post construction plans, existing locations and developments, illicit discharge definitions, and enforcement.

Cases Requiring Permit:

1. Land disturbing activities affecting one or more acres of land
2. Land disturbing activities of less than one acre of land if such activity is part of a larger common plan of development that affects one acre of land. Land disturbing activity of less than one acre if such activity poses a unique threat to water, public health, or public safety.
3. The creation and use of borrow pits.

Cases Exempt from Permit:

Any emergency activity that is immediately necessary for the protection of life,

1. property, or natural resources
2. Existing nursery and agricultural operation conducted as a permitted main or accessory use.
3. Any logging or agricultural activity that is consistent with an approved farm conservation plan or a timber management plan prepared or approved by the Tennessee Department of Environment and Conservation or Tennessee Department of Agriculture.
4. Additions or modifications to existing single family structures.

Application

Land disturbance permit application shall be accompanied by a sediment and erosion control plan, a stormwater management plan providing for management during and after the land disturbing activity has been completed, and fees for land disturbance permit and review.

Fee Schedule:

Acres Fee	Fee
Less than one (1) acre	\$ 0.00
1 to 4.99	\$ 357.50
5 to 9.99	\$ 429.00
10 to 19.99	\$ 572.00
20 to 29.99	\$ 715.00
30 to 39.99	\$ 858.00
40 to 49.99	\$1,072.50
50 to 74.99	\$ 1,430.00
75 to 99.99	\$ 2,860.00
100 to 149.99	\$ 4,290.00
150 to 249.99	\$ 5,720.00
250 to 499.99	\$ 7,150.00
500 or more	\$ 10,725.00

If more than one acre of land will be disturbed, a Notice of Intent (NOI) must be filed with the State of Tennessee. A NPDES permit TNR number from the Notice of Coverage (NOC) must be provided before a grading permit will be issued.

Duration

Every land disturbance permit shall expire and become null and void if substantial work authorized by such permit has not commenced within one hundred eighty (180) calendar days of issuance, or is not complete within eighteen (18) months from the date of the commencement of construction.

Notice of Construction

The applicant must notify the City of Lebanon ten (10) working days in advance of the commencement of construction. Regular inspections of the sediment/erosion and stormwater management system construction shall be conducted by the City.

Performance Security

The City of Lebanon may, at its discretion, require the submittal of a performance security prior to the issuance of a permit in order to ensure that the stormwater practices are installed by the permit holder as required by the approved stormwater management plan. The performance security shall be released in full only upon submission of as-built plans and written certification by a registered professional engineer licensed to practice in Tennessee that the structural BMP has been installed in accordance with the approved plan and other applicable provisions of this ordinance.

Performance Security Waiver

Every applicant shall provide for stormwater management as required by the City's stormwater ordinance unless a written request is filed with and approved by the City. The minimum requirements for stormwater management may be waived in whole or in part provided at least one of the following conditions applies:

1. It can be demonstrated that the proposed development is not likely to impair attainment of the objectives of the stormwater ordinance.
2. Alternative minimum requirements for on-site management of stormwater discharges have been established in a stormwater management plan that has been approved by the City of Lebanon.
3. Provisions are made to manage stormwater by an off-site facility which must provide a level of stormwater control equal to or greater than that which would be afforded by on-site practices. The facility must be operated and maintained by an entity that is legally obligated to continue the operation and maintenance of the facility.
4. Applicant can demonstrate that a waiver will not lead to any downstream damage including deterioration of existing structures, degradation of biological functions or habitat, acceleration of stream bank or streambed erosion or siltation, or increased threat of any flood damage.

5. No land disturbance permit shall be issued where a waiver has been requested until the waiver is granted. If no waiver is granted, the plans must be resubmitted with a stormwater management plan.

Additional Stormwater Fees

Approved May 3, 2005

Plan Review Fee

- **Commercial Sites:**
 - \$143 + \$71.50/ acre (Disturbed Area)
 - \$4,200 maximum

Residential Subdivisions:

- \$143 + \$35.75/ lot

Stormwater Inspection Fees

(Paid with Building Permit)

- **Residential Construction:**
 - \$214.00 per Residence
- **Commercial Construction**
 - \$0.10 per sq. ft. of impervious area
 - up to maximum \$20,000
 - plus
 - \$100 per acre of impervious area