

Summary of LFUCG Ordinance entitled “Reduction of Soil Erosion” (Chapter 16, Article X, Division 5)

	Size of Land Disturbance	Ordinance Requirements (See Note 1 for Exemptions)	LFUCG Land Disturbance Permit Required	LFUCG Level of Review and Inspection
1	One acre or more , including lots that are less than one acre but are part of a larger common plan of development	Section 16-104. Permit application must include a SWPPP prepared in accordance with KYR10 and LFUCG Stormwater Manual. Incorporates state KYR10 requirements into LFUCG’s Ordinance. <ul style="list-style-type: none"> • KYR10 inspection certification by corporate officer not applicable • KYR10 critical area and buffer zone applies to MS4 inlets, in addition to “Waters of the Commonwealth.” 	Yes	Review SWPPP, inspect monthly. See Note 3.
2	5,000 sf to one acre and not part of Category 1, or any size disturbance where a new commercial or residential building is being constructed	Section 16-101. Permit application must include an ESC Plan prepared in accordance with LFUCG Stormwater Manual. See Note 2 regarding vegetated buffers.	Yes	Review ESC plan, inspect monthly. See Note 3.
3	Less than 5,000 sf with no building or utility line construction. (See Category 2 for new buildings and Category 4 for utility line construction)	Section 16-103. General requirement to use practical controls to minimize discharge of sediment. See Note 2 regarding vegetated buffers.	No	Inspect on a complaint basis.
4	Linear Utility Line Construction Projects of 500 linear feet or more but less than one acre of disturbance , that are not in Category 1.	Section 16-102. Permit application must include an ESC Plan prepared in accordance with LFUCG Stormwater Manual. LFUCG will require utility companies that routinely conduct such activities to apply for a general permit with a duration of two years. See Note 2 regarding vegetated buffers.	Yes	Review ESC plan, inspect monthly. See Note 3.

Note 1: The following activities are exempted: seed / sod replacement of less than 10,000 sf, agricultural activities, and cemetery lots (Section 16-100).

Note 2: An undisturbed vegetated buffer must be maintained within 50’ of a perennial or intermittent stream bank, MS4 storm sewer inlet, sinkhole, or wetland, unless impractical due to nature of the project, in which case a protective alternate control shall be used.

Note 3: “Review” means the LFUCG level of review necessary to assess whether plans reasonably include measures that address potential water quality impacts from construction. LFUCG does not accept responsibility for the design, installation, and operation and maintenance of the erosion and sediment controls.