

## MEMORANDUM

TO: Land Disturbance Permit Applicants

FROM: Jerry Weitz, Consulting Planner

DATE: June 10, 2021

RE: Land Disturbance Permitting – guide to application

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This memorandum is a guide for applicants who wish to apply for a land disturbance permit.

### Regulatory Framework

The regulations you need to consult are available on the following page of the city’s website: “Community Documents and Information.”

<https://cityofhoschton.net/community-documents-and-information/>

A land disturbance permit is required for most land-disturbing activities. Land disturbance permits are required to show conformance with state and local soil erosion requirements. Plans included site plan, three-phase soil erosion control plans, grading plans, and stormwater management. In some cases, tree protection must also be addressed. The city requires said plans to show proposed building footprints and other proposed site features.

To determine if a land disturbance permit is required see Section 35-103 in Chapter 35, Soil Erosion, Sedimentation and Pollution Control Ordinance, Hoschton City Code (available for download as part of the Hoschton City Code of Ordinances at the following link: (then click on Code of Ordinances)

Other related development ordinances include the following which can be accessed at the above-referenced link.

- **Stormwater management Ordinance** (adopted December 21, 2020) (separate from code of ordinances)
- **Zoning ordinance** (separate from code of ordinances) and official zoning map.
- **Subdivision and land development ordinance (separate from the code of ordinances)**
- **Stream buffer protection ordinance (Chapter 23 Code of Ordinances** (Approved and adopted 09-10-2018); amended Ordinance O-21-05 adopted March 19, 2021) (separate amendment posted at the same link). Note: the city requires a 50-foot buffer (includes state mandated 25-foot buffer) and a 75-foot impervious surface setback (includes 50-foot buffer) from all stream banks).

In most cases, a development permit is also required. You will normally submit for both a land disturbance permit and a development permit simultaneously. Development permitting requirements are specified in the subdivision and land development ordinance, Article IX. A separate application form and submission is required even though land disturbance and development permits for the same site are considered and processed together. There is a separate application package for development permits.

In some cases, where the applicant desires, the city allow a separate application for land disturbance permit to be made without fulfilling allows an applicant to receive approval for clearing and grading (land disturbance) prior to the applicant having all utility plans finalized (i.e., development permit).

**Land Disturbance Permit Submission Requirements: (Complete applications are required). Submit all materials in hard copy to Hoschton City Hall, 79 City Square Hoschton, Georgia 30548.**

- Land Disturbance Permit application form completed
- City soil erosion fee: \$100.00 per disturbed acre. Make checks payable to City of Hoschton (Res. 21-14)
- Local NPDES fee: \$40.00 per disturbed acre (city share). Make checks payable to City of Hoschton (may be included in same check as soil erosion fee) (Res. 21-14)
- Erosion, Sedimentation, and Pollution Control Checklist; Amended annually, be sure to use most recent version. (2021): This is available from the city or download “plan review checklist” at: <https://gaswcc.georgia.gov/documents-list> (note: pdf and xls versions are available)
- Copy of Notice of Intent (NOI) filed online with the State Environmental Protection Division (EPD)  
<https://geos.epd.georgia.gov/GA/GEOS/Public/GovEnt/Shared/Pages/Main/Login.aspx> (for a video of how to apply, go to: <https://epd.georgia.gov/complete-process-submitting-notice-intent-noi-using-geos>)
- Copy of receipt for payment to State for NPDES fees. (\$40.00 per disturbed acre: state share)
- Plans: 8 complete sets of plans if also simultaneously applying for a Development Permit; 4 sets of soil erosion, sedimentation, and pollution control plans if only applying for a Land Disturbance Permit.
- Hydrology Report: 2 printed copies and 1 electronic copy.
- Land disturbance bond: \$3000 per disturbed acre (Required prior to permit issuance, not at time of application)

**Review and Processing:**

The city is a local issuing authority (LIA). The city sends plans to the appropriate office for review.