



City of Fayetteville, Arkansas

113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

Legislation Text

File #: 2024-224

Amend 169.03 to required grading permit for more than 6 inches of mulch or compost

AN ORDINANCE TO AMEND §169.03 REVIEW AND/OR PERMITS REQUIRED; EXCEPTIONS IN CHAPTER 169 PHYSICAL ALTERATION OF LAND OF THE UNIFIED DEVELOPMENT CODE TO REQUIRE PERMITS FOR THE PLACEMENT OF MORE THAN SIX INCHES OF MULCH AND COMPOST

WHEREAS, the Ordinance Review Committee recommends approval of an ordinance requiring a grading permit for the placement of more than six inches of mulch or compost.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby repeals § 169.03 (B) **Grading Permit Required** and enacts a new subsection (B) as follows:

“(B) *Grading Permit Required.* Unless exempted by §169.03(C), all grading, clearing, filling (including the placement of mulch or compost), excavation, land alteration of any kind, or construction of new impervious area greater than 10,000 feet shall require:

- (1) Prior development approval as specified in Chapter 166, except for general grading to an existing developed site that does not impact trees or floodplains and does not significantly alter the natural landform;
- (2) A grading permit pursuant to this chapter; and
- (3) An Arkansas Department of Environmental Quality Stormwater Construction Permit and incorporated Stormwater Pollution Prevention Plan, if required by state law.”

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby enacts a new exception for mulch and compost used in landscaping and gardens in subsection (C)(5) as follows:

“(5) Placement of mulch, compost, topsoil or like material at reasonable depths of 6 inches or less for purposes of creating or enhancing landscape beds, gardens, or lawn areas, in accordance with accepted best practices and industry standards for such areas.”



MEETING OF JULY 2, 2024

TO: Mayor Jordan and City Council
THRU:
FROM: Council Member Holly Hertzberg
SUBJECT: **Amend 169.03 to required grading permit for more than 6 inches of mulch or compost**

RECOMMENDATION:

The Ordinance Review Committee recommends approval of an ordinance requiring a grading permit for the placement of more than six inches of mulch or compost.

BACKGROUND:

DISCUSSION:

BUDGET/STAFF IMPACT:

ATTACHMENTS: Agenda Request Form (#3)