

Erosion and Sedimentation Control Ordinance

This Section shall apply to land disturbing activity related to the establishment of a subdivision including establishment of roads, drainage ditches, water and sewer systems, driveways, building sites, and other disturbances of land.

Best management practices shall be installed to control erosion and prevent off site sedimentation and sedimentation pollution of streams, springs, water bodies, drainage networks, or other surface waters. The owner shall be responsible to select and install best management practices as needed to control erosion and sedimentation and to contain any sediment on the portion of the property being disturbed and to prevent sedimentation in water-bodies and on adjoining properties.

A North Carolina Department of Environment and Natural Resources approved erosion and sedimentation control plan is required for disturbances of one acre or greater. A Transylvania County Erosion/Sediment Control Permit is required for disturbances greater than 4000 (four thousand) square feet but less than one acre.

12.1 Permit Required – No person shall undertake any land disturbing activity subject to this ordinance without first obtaining a permit from the State of North Carolina or Transylvania County. Transylvania County Erosion/Sedimentation Control Permits may be obtained from the Planning Department.

12.2 Sketch Plan Required – A sketch plan is required to obtain a Transylvania County Erosion/Sediment Control Permit. The sketch plan shall be submitted on 8.5” x 11” paper or larger and shall show: the property to be disturbed and adjacent property; existing and proposed structures, streets and drives; drainage ditches, streams or other bodies of water; the proposed land disturbance area including its dimensions, and measures to be installed to control erosion, sedimentation pollution, and storm- water run-off. The permit and sketch plan shall be posted at the job site.

12.3 Best Management Practices – Control measures for each land disturbance such as: wire reinforced silt fences; silt socks; berms or diversions; check dams; catch basins; buffer zones; temporary gravel entrances; establishment of vegetation, compost and mulch blankets or other groundcover; and any other North Carolina Department of Environment and Natural Resources approved Best Management Practices found in the North Carolina Erosion and Sediment Control Planning and Design Manual shall be selected by the property owner and listed on the Transylvania County Erosion/Sediment Control Permit.

12.4 Stabilization - The disturbed site shall be stabilized through the use of permanent vegetation, mulch, compost or other groundcover before final subdivision approval is conferred.

12.5 Effectiveness – If the control measures selected by the applicant are not effective as evidenced by sedimentation in water bodies or neighboring properties originating from the disturbed area subject to this regulation, the applicant shall be required to correct the failure and install additional control measures to effectively control erosion and sedimentation. Final structure approval or certificate of occupancy shall require completion and stabilization of the land disturbance.

Note: Disturbance of more than one acre requires a permit and compliance with the North Carolina Department of Natural Resources, (828) 296-4500.