

Protection and Article J. Riparian Zones, or the presence of wetlands identified in a site-specific wetlands inventory completed within the past 365 days.

- a. This provision is not intended to allow a substantial portion of the altered site, or an associated site improvement not classified as a structure (including but not limited to at-grade patios or decks, gas fire pits, and site walls), to be located upslope of a platted building envelope.
5. In the Recreation (REC) and Public/Institution (PI) zoning districts, land alteration related to the construction of earthen recreational features where structures are not proposed or required for retainage.
 - a. Such land alterations shall be accompanied by a detailed landscaping revegetation plan in order to minimize the visual impact of cuts, fill, and grading and to facilitate integration of the new feature into the existing landscape.
6. Other circumstances not described above where the Community Development Director, when reviewing administrative applications, or the Planning and Zoning Commission, when reviewing applications before the Commission, make a Finding of Fact that the disturbance into record grade slope greater than twenty five percent (25%) is de minimis.
 - a. For the purpose of interpreting this ordinance, de minimis shall mean lacking significance or importance; so minor as to merit disregard. A finding of de minimis encroachment shall consider criteria including square footage of the encroachment relative to the size of the subject property, the slope of the adjacent existing grade and adjacent proposed finished grade, the elevation of existing adjacent grade and the proposed elevation of adjacent finished grade, and the visibility of the encroachment from adjacent properties and adjacent streets, trails, or public lands. (Ord. 558, <date>)
7. Sites east of Sun Valley Road, within one thousand five hundred feet (1,500'), and south of Dollar Road, may be built on a record grade of over twenty five percent (25%) slope subject to the applicable regulations of the respective zoning district for each property, and subject to the evaluation standards of article A of this chapter. Encroachments into record grade slopes over twenty five percent (25%) are permitted because the ravine of Trail Creek does not present visual concerns or physical dominance on the city's landscape.
8. Existing platted lots containing significant downhill sloping terrain as primarily accessed from above. (Ord. 558, <date>)