



City of Mobile

Engineering Permitting Department

Land Disturbance – Frequently Asked Questions

Frequently Asked Questions

1. What is land disturbance?

Any activity upon or use of land involving a change in the natural vegetative cover or topography including but not limited to clearing, grading, grubbing, excavation, and filling, or other construction activities that may cause erosion or contribute to sedimentation or alteration of the quality and quantity of storm water runoff.

2. Why are LD permits required?

Municipalities are tasked with the duty to enforce federal, state, and local regulations which protect the life safety and quality of its citizens and the public's natural resources by mitigating construction and post-construction stormwater runoff pollution, preventing increased stormwater runoff, and proper management of development in floodplains. Land disturbance permits are the means by which this duty is fulfilled.

3. When is a LD permit needed? Are there any activities which are exempt?

Generally, a land disturbance permit is required any time land is disturbed and bare soil is exposed which includes bringing fill onto a site. There are some limited exemptions which include agriculture, silviculture, installation of water or environmental ground water monitoring wells, emergency utility repairs, and some other residential minor land disturbing activities. It is always prudent to check and make sure a land disturbance permit is not needed **prior** to beginning work on your property. If you any questions of exemptions for land disturbance permit, please contact the Engineering Permitting Department at 251-208-7810 or email land.disturbance@cityofmobile.org.

4. How do I apply for a LD permit?

In Person – 205 Government Street, Mobile, AL 36644 – Government Plaza, South Tower, 3rd Floor, Build Mobile Permitting Department Counter (exit right out of elevators)

Via Mail – Build Mobile Permitting Department, City of Mobile, P.O. Box 1872, Mobile, AL 36633-1827

Online Via CSS – Click [here](#) for CSS website, user manual, and contact info for CSS questions

Submit digital files to land.disturbance@cityofmobile.org

5. What are the types of land disturbance permits?

There are four main types of land disturbance permits:

- Tier I – Commercial or residential land disturbance activities one (1) acre or greater
- Tier II – Commercial or residential land disturbance activities less than one (1) acre
- Tier III – Commercial or residential land disturbing activities less than one (1) acre and do not require an engineered civil plan
- Single Family Residential Affidavit (SFRA) – Single family residential minor land disturbing activities less than 4000 square feet (other restrictions apply; see the SFRA permit application)

Permits can be obtained for specific limited scopes such as clearing only.

6. When are engineered civil plans required for my land disturbance permit?

Most land development activities require a professional engineer to design the civil site plan and monitor the project through acceptance, but there are a few cases such as installing a dumpster pad, limited grading and landscaping work, or a full depth rehabilitation of a parking lot where landscape architect, architect, or another credentialed professional qualified to develop site and grading plans may submit in lieu of an engineer. Below



are some general project scope limitations for when an engineer may not be required to make a land disturbance permit application:

- No development is performed within flood zone
- No development is performed within delineated or potential wetlands identified on the National Wetland Inventory maps
- Development does not require design of stormwater runoff routing, stormwater pipe/structures, or detention facilities
- Development does not increase or substantially modify the distribution impervious area and/or stormwater runoff on site
- Development does not involve changes in grading no greater than two (2) feet in depth, does not create a cut slope greater than five (5) feet in height nor steeper than two (2) horizontal to one (1) vertical, and does not affect the pre-development natural flow of runoff or alter natural drainage paths, surface or otherwise

It is the City's sole discretion as to where or not a professional engineer will be required to develop civil plans for a given project requiring a land disturbance permit. If you have any questions as to whether an engineer is required for your project, please contact the Engineering Permitting Department at 251-208-7810 or email land.disturbance@cityofmobile.org.

7. What are Best Management Practices (BMPs) and why are they important?

BMPs are a practice or combination of practices implemented as a means to prevent or mitigate pollution generated by nonpoint sources such as construction sites. When land disturbance is performed, underlying soil is exposed and, when it rains, the exposed soil has potential to be dislodged from the surface (erosion), transported with the stormwater flowing across the surface (stormwater runoff), and deposited off-site into the streets, storm drainage systems, and ultimately into the rivers and creeks (sedimentation). Additionally, construction sites often have other chemicals present such as fuel for vehicles which need to be secured from potential spills and transportation off-site in the same runoff. Sediment and these other chemicals are pollutants which have adverse effects on the ecology and environment. BMPs can be broken down into two major categories: non-structural and structural. Non-Structural BMPs have to do procedural and planning practices which limit the amount of exposed soil at any given time during the construction process. Structural BMPs are physical practices implemented on-site to mitigate erosion and sedimentation. For more information on erosion, sedimentation, and stormwater runoff as well as the purpose, installation, maintenance, and examples of BMPs please reference [The Alabama Handbook for Erosion Control, Sediment Control, and Stormwater Management on Construction Sites and Urban Areas](#).

8. What are flood zones? What is base flood elevation (BFE)? Can I place fill on my property to elevate my structure above the BFE?

Flood Zones or Special Flood Hazard Areas (SFHAs) are areas which have been designated by the Federal Environmental Management Agency (FEMA) to have a specific flood risk. Base flood elevation (BFE) means the elevation of surface water resulting from a flood that has a one percent (1%) annual chance of equaling or exceeding that level in any given year. There are various types of SFHAs with the most common being:

- VE – Coastal flood hazard areas subject to high velocity water and wave heights of three (3) feet and greater with established BFEs and are defined by defined by a one percent (1%) annual chance of water levels equaling or exceeding the BFE from a storm event
- AE – Coastal and riverine flood hazard areas subject to wave heights of less than three (3) feet with established BFEs and are defined by defined by a one percent (1%) annual chance of water levels equaling or exceeding the BFE from a storm event



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- X-Shaded – These are both coastal and riverine flood hazard areas defined by a two-tenths of a percent (0.2%) annual chance of water levels equaling or exceeding the BFE from a storm event
- X-Unshaded – Outside of any FEMA designated SFHA

SFHA boundaries and BFEs can be found on the Flood Insurance Rate Map (FIRM) produced by FEMA. You can look up this information at [FEMA's Map Service Center website](#) or at [Alabama's Office of Water Resources website](#).

The placement of fill is prohibited within VE Zones and is not allowed in other SFHAs without providing a “No-Rise” Certification supported by a flood study and/or drawings and calculations showing storage volume compensation from a licensed Alabama Professional Engineer. If you have any questions, please call the Engineering Permitting Department at 251-208-7810 or email land.disturbance@cityofmobile.org.

9. When is detention required for my development?

Unfortunately, stormwater design is a complex process with many considerations and requires the expertise of a professional engineer so there is no simple answer to this question. Generally, developments are required to detain runoff such that the post development flows are less than or equal to the predevelopment condition. However, there many caveats to this basic rule which include potential credits for impervious surfaces existing in 1984 (the year the City's Stormwater Management and Flood Control Ordinance was adopted), single family residential construction, and development where there are existing detention ponds. There are also cases where detention is not required due to the site's discharge directly to a coastal body of water where there are no downstream impacts and cases where the site is located in areas of known flooding issues which require stricter limitations on post development discharges. A professional engineer licensed in the State of Alabama will be needed to help make those determinations for your development.