

32.2.4 REGULATIONS

- a. ~~On sites characterized by steep slopes or flood hazard features~~, the Development Officer ~~shall~~ **may** require that any proposal for development ~~within the Environmentally Sensitive Areas Overlay area~~ be accompanied, by either or both, of a flood susceptibility analysis or a bank stability analysis by registered professional engineers qualified registered professionals that assess the suitability of the subject site and the proposed development from the points of view of flood susceptibility and/or bank stability. ~~Further, if a development is approved after such an analysis is provided,~~
- b. ~~The~~ Development Authority ~~shall~~ **may** require that any recommendations of the analysis be implemented by the landowner/developer and registered against the title of the subject lands ~~so as to warn~~ **to disclose to** future landowners ~~of the engineering requirements for development.~~
- c. ~~The Development Officer shall prohibit permanent structures within the 1:100-year floodway and flood fringe of any river, or lake.~~
- d. ~~The Development Officer may approve the development of non-permanent structures within the 1:100-year floodway and flood fringe~~
 - a. ~~The Development Officer shall require a report from a qualified, registered professional engineer or geotechnical scientist to confirm that the development can be adequately flood-proofed.~~
 - b. ~~The Development Officer shall comply with the recommendations in the report outlined in 32.2.4(e)(a) and include the recommendations as conditions of approval.~~
- e. ~~The Subdivision Authority shall require an Environmental Reserve of not less than 30.0 m (98.0 ft) in width from the high-water mark of water bodies and/or the top of bank of lakes and rivers as a condition of subdivision.~~
- f. ~~The Development Officer shall, where 32.2.4(f) cannot be undertaken, require a comparable setback of 30.0 m (98.0 ft) or greater from the high-water mark of waterbodies or the top of bank of lakes and rivers to the wall of the nearest building unless a site-specific study by a qualified professional is provided by the development proponent to support the relaxation of the width to the satisfaction of the County.~~

- g. The Subdivision Authority may require additional reserves and/or development setbacks based on the recommendations of any engineering and/or geotechnical study requested in support of the application.
- h. The Development Officer or Subdivision Authority may require an Environmental Impact Assessment or evaluations related to proposed subdivisions or development within the Environmentally Sensitive Areas Overlay that may have an impact on identified natural or environmentally sensitive areas.
- i. The Development Officer or Subdivision Authority may require a Geotechnical Study by provided in support of an application.
- j. The Development Officer may restrict development within the Environmentally Sensitive Areas Overlay in areas where groundwater of sufficient quantity and quality is not available to support the proposed development.