

CITY OF AFTON

**ADMINISTRATIVE PERMIT FOR
LAND GRADING**

**DON'T FORGET TO CALL DIGGERS
HOTLINE BEFORE YOU BEGIN!**

**FEE
\$100**

**DEPOSIT
\$1,000***

***FEES ARE DEDUCTED FOR
PROFESSIONAL PLANNING,
ENGINEERING, AND ATTORNEY FEES**

Applicants shall submit the following information for review by the City Administrator to apply for a Grading and Filling Permit:

1. Site map drawn to scale showing the property line locations and the delineation of lands under the ownership of the applicant.
COMPLETED BY APPLICANT: _____

2. Existing and proposed site contour elevations, related to NGVD, 1929 datum. The site contour elevations shall extend to a point at least 100' outside of the property lines boundaries. The proposed site contours shall be presented in the form of a proposed grading plan showing the future drainage patterns, and the locations of any swales, ditches, etc. that will convey storm water across the site.
COMPLETED BY APPLICANT: _____

3. Approximate volumes and types of material to be graded, excavated, filled, imported or exported, in cubic yards.
COMPLETED BY APPLICANT: _____

4. Plan for vehicular ingress and egress at site during grading and filling operations. List of roads that will be used by trucks to move material to or from site.
COMPLETED BY APPLICANT: _____

5. Locations and types of temporary and permanent sediment control facilities shall be shown on the Plan. Sediment control facilities may include items such as silt fence, bale checks, fiber logs, sediment mat, rock check dams, sedimentation basins, vehicle tracking control, erosion mat, vegetative buffer strips, street sweeping, etc.
COMPLETED BY APPLICANT: _____

6. Locations and types of proposed turf establishment shall be shown on the plan, including seeding and sodding locations, seed mix designation, type and location of mulch, type and location of erosion control blanket, etc.
COMPLETED BY APPLICANT: _____

7. Locations of any temporary soil stockpiles shall be identified on the Plan, as well as sediment control facilities that will control erosion from the soil stockpiles.
COMPLETED BY APPLICANT: _____

CITY OF AFTON GRADING PERMIT APPLICATION

Owner	Address	City	State	Zip	Phone
Applicant (if different than owner)	Address	City	State	Zip	Phone
Project Address		AFTON	MN	55001	
Zoning Classification	Existing Use of Property	PID# or Legal Description			
Description of Request					
<p>By signing this application, the applicant agrees to pay all expenses incurred by the City of Afton. In connection with this request, your signature constitutes permission for a representative of the City of Afton to enter your property, during business hours, to evaluate this request. This may involve minor excavating or soil borings. If you would like to be present during this evaluation, please contact the City.</p>					
Signature of Owner/Applicant					Date
Make checks payable to City of Afton:					
<u>FEES:</u>		<u>DEPOSITS:</u>		TOTAL: _____	
Grading	\$100	Grading Deposit	\$1000	DATE PAID: _____	
				CHECK #: _____	
				RECVD. BY: _____	
ATTACH COPY OF DEED OR PROOF OF OWNERSHIP TO APPLICATION					

LAND USE

6. The applicant shall execute a contract with the City agreeing to remove the manufactured home temporary dwelling unit from the City prior to the expiration of the permit, secured by a certified check or cash deposit in an amount set by the Zoning Administrator, and authorizing the City to remove the manufactured home immediately upon expiration of the permit should the applicant fail to do so, and to charge all costs of removal including a reasonable attorney's fee against the security deposit.
- F. *Technical code requirements.* All manufactured homes permitted under this section shall meet or exceed the current manufactured homes building code as defined in M.S.A. § 327.21, subd. 3. The manufactured home shall have a sanitary sewer treatment and disposal system in compliance with the sanitary sewer disposal ordinance, article IX of this chapter, the state pollution control agency and the health department.
- G. *Location.* When a manufactured home is utilized as allowed by this section, the placement of the manufactured home is subject to the same zoning district dimensional setbacks as a principal structure.
- H. *Additional requirements.* Manufactured homes utilized as accessory dwelling units shall:
1. Use the existing driveway access of the principal dwelling unit.
 2. Be separated by a minimum horizontal distance of 40 feet from any other structure.
 3. Have ground anchors or tie downs as approved by the state manufactured home building code.

Sec. 12-214. Mining¹⁷⁵.

All mining and related uses of land, including but not limited to the excavation, removal or storage of sand, gravel, rock, clay and other natural deposits, are subject to the adopted standards, codes, ordinances and regulations of the City related to such activities and all regulations in the mining ordinance, article X of this chapter.

¹⁷⁶**Sec. 12-215. Land reclamation and land grading.¹⁷⁷**

- A. Within this article, land reclamation and land grading is the depositing, removing, and/or moving of material so as to alter the topography of a lot. Land reclamation and land grading shall be permitted only by a Conditional Use Permit in all zoning districts. The depositing, moving and/or removing of more than 50 cubic yards and/or the disturbance of land area of 1,000 square feet or more of material per lot, either by hauling in and/or out or regrading¹⁷⁸ of an area shall constitute land reclamation and land grading. Land reclamation and land grading in floodplains shall be in accordance with the floodplain ordinance, article V of this chapter. The permit shall include as a condition thereof a finished grading plan that will not adversely affect the adjacent land and as conditions thereof shall regulate the type of material permitted, program for rodent control, plan for fire control, and general maintenance of the site, controls of vehicular ingress and egress, drainage and control of material disbursed from wind or hauling of material to or from the site, and erosion control and stabilization plans for the deposited material or excavated area. In addition to a finished grading plan, a drainage and erosion control plan may be required, if in the judgment¹⁷⁹ of the Zoning Administrator, significant soil erosion, vegetation destruction or drainage damage may occur during the land alteration process.

The finished grading plan and drainage and erosion control plan shall be reviewed by the City Engineer and may be reviewed, as deemed necessary by the Zoning Administrator or the City

¹⁷⁵ Code 1982, § 301.729, **Cross reference(s)**--Mining, § 12-2301 et seq.

¹⁷⁶ Ordinance 8-2005, 5/17/2005

¹⁷⁷ Code 1982, § 301.730

¹⁷⁸ Amendment 02-2009, 4/21/2009

¹⁷⁹ Amendment 02-2009, 4/21/2009

AFTON CODE

Council, by the Minnesota Department of Natural Resources, the Washington County Soil and Water Conservation District, and the appropriate Watershed Management Organization and/or district.

The Zoning Administrator may require the applicant to post a bond or other financial guarantee to ensure compliance with the permit.

- B. No person, county, municipality or other political subdivision shall appropriate or use any public water, surface or underground, without first obtaining a use of public waters permit and written permission of the commissioner of the division of waters, soils and minerals of the state department of natural resources. For purposes of these regulations, public waters shall be defined in M.S.A. ch. 103G, and as follows:
 - 1. Public waters shall include all lakes, ponds, swamps, streams, drainageways, floodplains, floodways, natural watercourses, underground water resources and similar features involving directly or indirectly the use of water within the City.
 - 2. No public water area shall be filled, partially filled, dredged, altered by grading, mining or otherwise utilized or disturbed in any manner without first securing a public waters use permit from the state department of natural resources and the U.S. Army Corps of Engineers, and a grading permit from the City. Such grading permits shall be reviewed and approved by the department of natural resources, the City Engineer, the watershed district, the Planning Commission and the City Council.
- C. A land reclamation and land grading permit is not required for the following activities:
 - 1. Grading activities associated with a construction project provided a building permit is used and there is a minimal amount of land disturbance; and
 - 2. Subdivisions that have received preliminary plat approval; and
 - 3. Driveways permitted in conjunction with a driveway permit; and
 - 4. Cemetery graves; and
 - 5. Refuse disposal sites controlled by other regulations; and
 - 6. Excavations for wells or tunnels for utilities; and
 - 7. Mining, quarrying, excavating, processing or stockpiling of sand, gravel, rock, aggregate or clay where regulated by the mining ordinance, article X of this chapter; and
 - 8. Exploratory excavations under the direction of soil engineers or engineering geologists.
- D. Grading of Slopes
 - 1. No slopes of 18% or greater shall be disturbed.
 - 2. Within the Lower St. Croix River Bluffland and Shoreland Management District, no slopes of 12% or greater shall be disturbed (See Sec. 12-702).
 - 3. Additional grading and filling requirements are applicable if in Shoreland Management District (See Sec. 12-407).
- E. The work for which a land reclamation and land grading permit is used shall commence within 180 days after the date of permit issuance unless an application for an extension of 90 days has been submitted to and approved by the Zoning Administrator.
- F. Permits issued by the Zoning Administrator under the provisions of this section shall expire and be null and void if the work authorized by a permit is abandoned or suspended for a period of 180 days or if work is not commenced or completed within the time limitations of Subsection (E) of this section.

Sec. 12-216. Soil conservation plans.¹⁸⁰

- A. On any development or land reclamation project with more than one acre of soil, drainage patterns or vegetation cover that would be either destroyed or disturbed by the construction process, the Zoning Administrator may require the owner or contractor on such project to request

¹⁸⁰ Code 1982, § 301.731