

3-30-87  
Special

# CITY OF PLYMOUTH

3400 PLYMOUTH BLVD., PLYMOUTH, MINNESOTA 55447  
TELEPHONE (612) 559-2800

## MEMO

DATE: March 26, 1987  
TO: Mayor & City Council  
FROM: James G. Willis, City Manager  
SUBJECT: CITY COUNCIL/CITY STAFF STUDY MEETING AGENDA

**SUMMARY:** The City Council has scheduled a Council/staff study meeting for Monday, March 30, 1987 commencing at 6:00 p.m. The dinner will be preceded from 5:30 to 6:00 p.m. by an Executive Session with the City Council and City Attorney, and dinner from 6:00 to 6:30 p.m. I am attaching the agenda for the City Council/City staff study meeting together with reference materials with respect to each agenda item. A special meeting is also scheduled for 7:30 p.m. to discuss insurance matters.

Representatives from the firm of Strgar-Roscoe-Fausch will be present at the meeting to discuss the City's Thoroughfare Guide Plan with the City Council. Strgar-Roscoe-Fausch will describe the manner in which the Thoroughfare Guide Plan integrates with the rest of the City's Comprehensive Plans to provide adequate transportation facilities to meet traffic demands at community "build out".

The second item scheduled for discussion is the LA-1 Land Inventory. We have prepared various graphics (a few of which are attached) showing the amount of LA-1 and other residential land available in the community. I am hopeful that as a result of our discussions, the Council can agree on a position with respect to the LA-1 land inventory question.

Attached for Council information is a copy of the April 13 Town Meeting agenda for Area 5. In hopes of keeping discussion on a more general basis, we have modified the agenda to include a brief discussion of the respective guide plans under each topic. We have also made the agenda more generalized with respect to street improvement projects. The Council should determine whether or not other modifications are needed for future Town Meetings.

At the March 16 meeting, City Council members expressed concern about City regulations on the hauling of fill within the community. Attached for Council information is a memorandum from Building Official Joe Ryan describing the City's existing requirements and new control measures under consideration. Either Joe or Blair, or both, will be present at the March 30 meeting to discuss this matter further.

At Councilmember Zitur's suggestion, I have added a fifth item to the agenda entitled, "Other Council Concerns". This is intended to be an open forum for Councilmembers to share information or general concerns with one another.

JGW:jm  
attach

**CITY COUNCIL/CITY STAFF STUDY MEETING AGENDA**

March 30, 1987  
6:00 p.m.

6:00 - 6:30 Dinner.

6:30:

- I. Thoroughfare Guide Plan
- II. LA-1 Land Inventory
- III. Enhancements to Town Meeting format and agenda
- IV. Existing regulation of fill related hauling
- V. Other Council concerns

TOWN MEETING AGENDA  
AREA FIVE

April 13, 1987  
7:30 p.m.

I. THOROUGHFARES

- A. Thoroughfare Guide Plan
- B. Capital Improvement Program
- C. New County Road 9

I. PARKS

- A. Comprehensive Park and Trail Plan
- B. French Regional Park
- C. Rolling Hills, Schmidt Lake, and Swan Lake Neighborhood Parks
- D. Zachary Park
- E. Trails

I. HOUSING & DEVELOPMENT

- A. Comprehensive Land Use Guide Plan
- B. Plymouth Ponds
- C. RDC Properties
- D. Plymouth Professional Building
- E. Deerwood Glen
- F. Wild Wings
- G. Proposed Centex Development

V. PUBLIC SAFETY

- A. Police Activity Report
- B. Fire Service Improvements

V. OTHER ITEMS

- A. Public Transportation feedback
- B. City Council meetings on cable television channel 7
- C. Solid Waste Recycling Program
- D. New Water Treatment Plant and Wells 8 and 9

BUILDING PERMITS ISSUED FOR NEW SINGLE FAMILY DWELLING UNITS

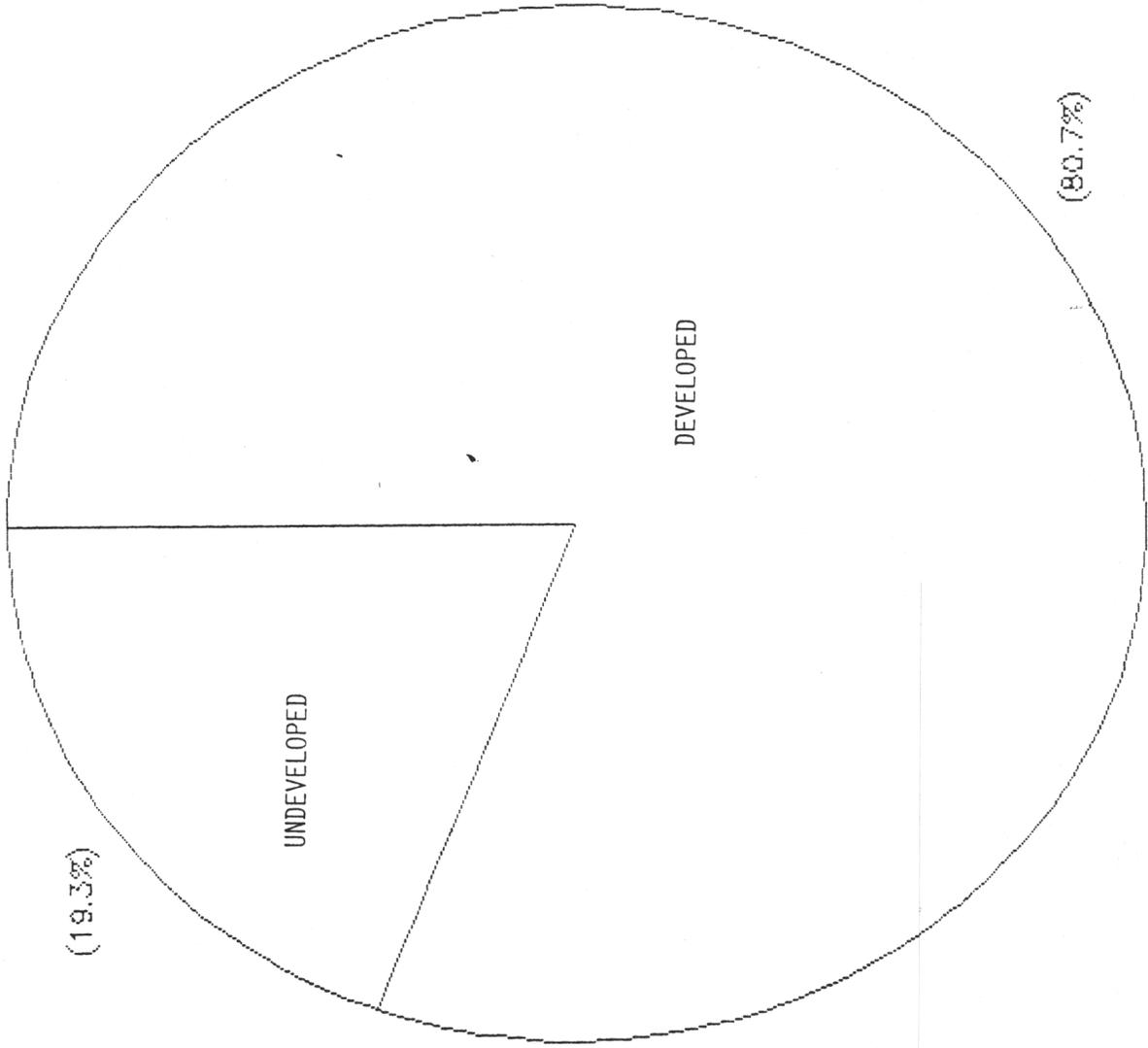
<u>YEAR</u>	<u>DETACHED</u>	<u>ATTACHED</u>	<u>TOTAL</u>
1981	446	46	492
1982	384	105	489
1983	644	165	809
1984	589	107	696
1985	633	111	747
1986	723	114	837

- |    |   |      |
|----|---|------|
| 1. | NUMBER OF UNCONSTRUCTED LOTS FILED AND RECORDED WITH HENNEPIN COUNTY,<br>FOR DETACHED SINGLE FAMILY DWELLINGS   | 678  |
| 2. | NUMBER OF LOTS FOR DETACHED SINGLE FAMILY DWELLINGS HAVING PRELIMINARY<br>PLAT APPROVAL, OR FINAL PLAT APPROVAL, WHICH ARE NOT FILED OR RECORDED<br>WITH HENNEPIN COUNTY            | 874  |
| 3. | NUMBER OF DWELLING UNITS (DETACHED, ATTACHED, MULTIPLE FAMILY) HAVING<br>PRELIMINARY PLAT APPROVAL, OR FINAL PLAT APPROVAL, WHICH ARE NOT FILED<br>OR RECORDED WITH HENNEPIN COUNTY | 1892 |

\* NOTE: FIGURES CURRENT AS OF MARCH 1, 1987

# LA 1 (LOW DENSITY RESIDENTIAL)

DEVELOPED VS UNDEVELOPED (INSIDE MUSA)



DEVELOPED - LAND WHICH HAS BEEN FINAL PLATTED INTO LOTS AND BLOCKS SO THAT A BUILDING PERMIT COULD BE ISSUED

UNDEVELOPED - LAND WHICH IS NOT PLATTED INTO LOTS AND BLOCKS

LAND AREA IN ACRES

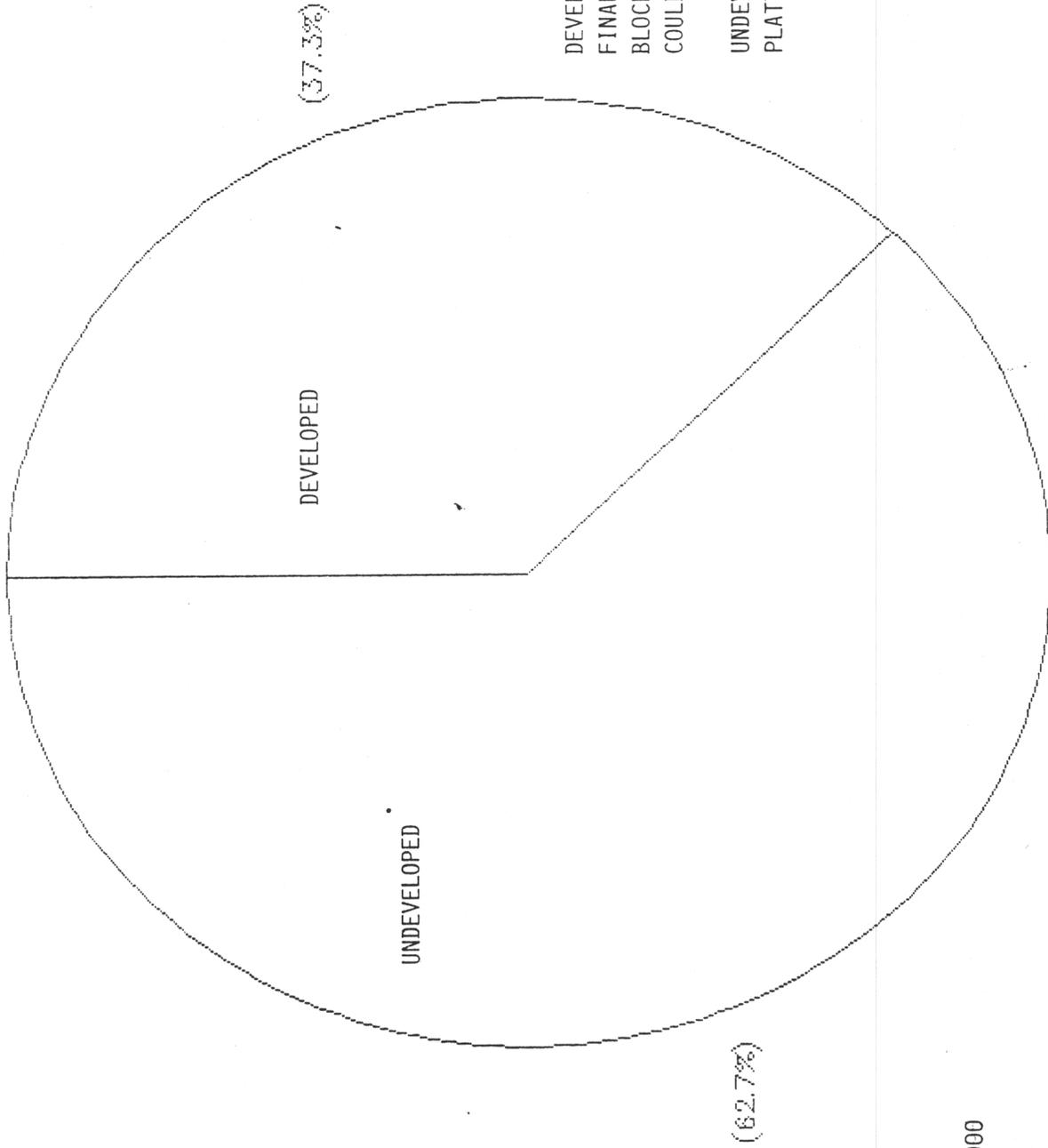
DEVELOPED - 6665  
UNDEVELOPED - 1595

TOTAL - 8260

AS OF  
MARCH 1, 1987

# LA 2 (LOW MEDIUM DENSITY RESIDENTIAL)

DEVELOPED VS UNDEVELOPED (INSIDE MIUSA)



DEVELOPED - LAND WHICH HAS BEEN FINAL PLATTED INTO LOTS AND BLOCKS SO THAT A BUILDING PERMIT COULD BE ISSUED

UNDEVELOPED - LAND WHICH IS NOT PLATTED INTO LOTS AND BLOCKS

LAND IN ACRES

DEVELOPED - 595

UNDEVELOPED - 1000

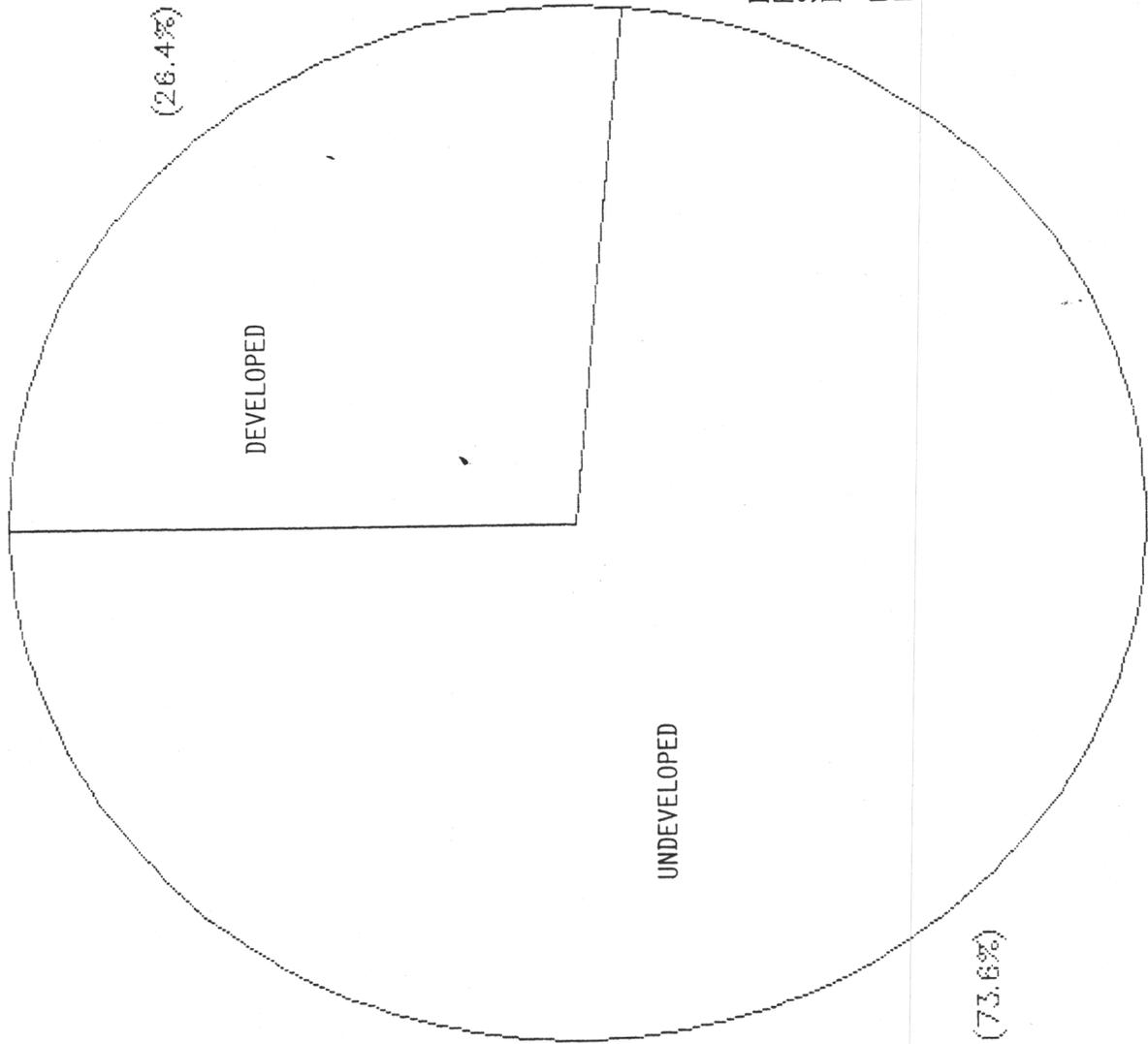
TOTAL - 1595

AS OF

MARCH 1, 1987

# LA 3 (HIGH MEDIUM DENSITY RESIDENTIAL)

DEVELOPED VS UNDEVELOPED (INSIDE MUZA)



DEVELOPED - LAND WHICH HAS BEEN FINAL PLATTED INTO LOTS AND BLOCKS SO THAT A BUILDING PERMIT COULD BE ISSUED

UNDEVELOPED - LAND WHICH IS NOT PLATTED INTO LOTS AND BLOCKS

LAND AREA IN ACRES

DEVELOPED - 400

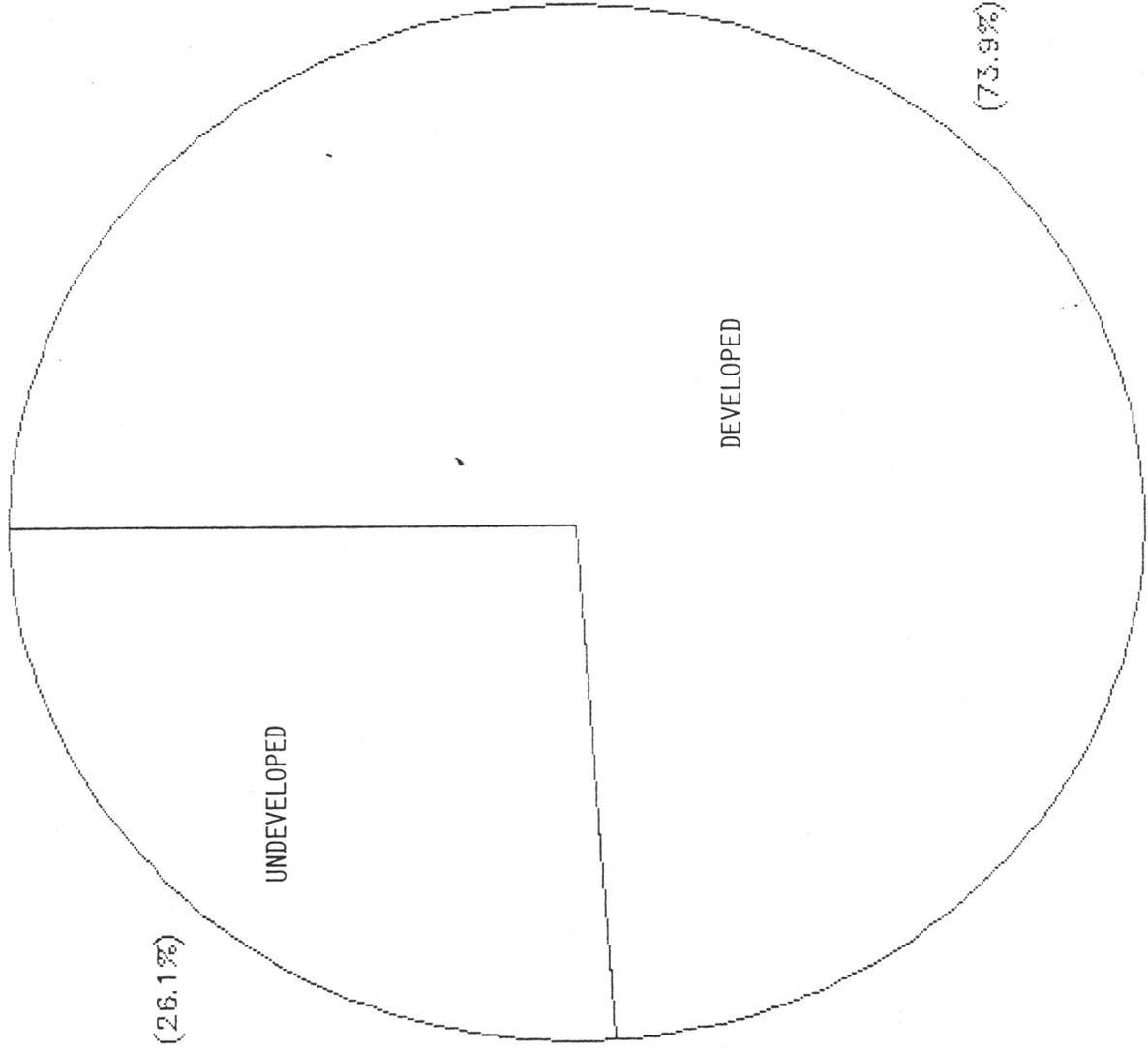
UNDEVELOPED - 1115

TOTAL - 1515

AS OF  
MARCH 1, 1987

# LA 4 (HIGH DENSITY RESIDENTIAL)

DEVELOPED VS UNDEVELOPED (INSIDE MUSA)



DEVELOPED - LAND WHICH HAS BEEN FINAL PLATTED INTO LOTS AND BLOCKS SO THAT A BUILDING PERMIT COULD BE ISSUED

UNDEVELOPED - LAND WHICH IS NOT PLATTED INTO LOTS AND BLOCKS

LAND AREA IN ACRES

DEVELOPED - 325

UNDEVELOPED - 115

TOTAL - 440

AS OF

MARCH 1 1997

# CITY OF PLYMOUTH

3400 PLYMOUTH BLVD., PLYMOUTH, MINNESOTA 55447  
TELEPHONE (612) 559-2800

## MEMO

DATE: March 26, 1987  
TO: James G. Willis, City Manager  
FROM: Joe Ryan, Building Official *JR*  
SUBJECT: REGULATIONS ON FILL AND HAULING

At the March 16, 1987 City Council meeting, members of our City Council requested information relating to the current provisions of our codes and ordinances with respect to grading requirements. Attached is a permit packet which includes a grading application form, grading plan requirements, and a copy of our erosion and siltation control policy.

Also included is a "catch all" provision of our City Code which prohibits persons from disturbing the peace between late evening and early morning hours, together with a memo dated March 10, 1987 by Community Development Director, Blair Tremere, addressing specific areas where improvements could be made to our present grading/fill permit procedures.

The Building code sets forth rules and regulations which govern excavation, grading, and earthwork construction, however, cities can adopt ordinances and policies to administer control.

I will be in attendance of the meeting on March 30, 1987 to discuss these issues with our City Council.

Please contact me should you have any further questions.

cc: Community Development Director, Blair Tremere  
file

GRADING APPLICATION

DATE: \_\_\_\_\_ PERMIT NUMBER: \_\_\_\_\_  
APPLICANT'S NAME: \_\_\_\_\_ PHONE #: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ CITY: \_\_\_\_\_  
OWNER'S NAME: \_\_\_\_\_ PHONE #: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ CITY: \_\_\_\_\_

SITE ADDRESS: \_\_\_\_\_

LEGAL DESCRIPTION: \_\_\_\_\_

DESCRIPTION OF WORK: \_\_\_\_\_

NUMBER OF CUBIC YARDS TO BE MOVED: \_\_\_\_\_

BOND REQUIRED: \$ \_\_\_\_\_

I hereby acknowledge that I have read this application and state that the information is correct and agree to comply with the City of Plymouths Codes and the State of Minnesota Laws.

OWNER: \_\_\_\_\_ Signature of Permittee: \_\_\_\_\_

FEE: \$ \_\_\_\_\_

PLAN CHECKING FEE \$ \_\_\_\_\_  
GRADING PERMIT FEE \_\_\_\_\_

TOTAL FEE \$ \_\_\_\_\_

APPROVED BY \_\_\_\_\_

## GRADING AND EXCAVATING REQUIREMENTS

1. Information on plans shall be drawn to scale upon substantial paper or cloth and shall be of sufficient clarity to indicate the nature and extent of the work proposed and show in detail that they will conform to the provisions of this Code and all relevant laws, ordinances, rules and regulations. The first sheet of each set of plans shall give the location of the work and the name and address of the owner and the person to whom they were prepared.
2. The plans shall include the following information:
  - A. General vicinity of the proposed site.
  - B. Property limits and accurate contours of existing ground and details of terrain and area drainage.
  - C. Limiting dimensions, elevations or finish contours to be achieved by the grading, and proposed drainage channels and related construction.
  - D. Detailed plans of all surface and subsurface drainage devices, walls, cribbing, dams, and other protective devices to be constructed with, or as a part of, the proposed work together with a map showing the drainage area and the estimated runoff of the area served by any drains.
  - E. Location of any buildings or structures on the property where the work is to be performed and the location of any buildings, or structures on land of adjacent owners which are within fifteen (15) feet of the property or which may be affected by the proposed grading operations.
  - F. Specifications shall contain information covering construction and material requirements.
3. Or, any additional information that may be required by the Building Inspector.

## EROSION AND SILTATION CONTROL POLICY

Resolution No. 84-760

October 23, 1984 (Supersedes Res. No. 77-163, March 28, 1977; Res. No. 81-276, April 27, 1981)

### 1. Findings and Declaration of Policy

The City Council finds that erosion continues to be a serious problem and that rapid changes in land use from agricultural and rural to non-agricultural and urbanizing uses, construction of housing, industrial-commercial development, streets, highways, recreation areas, schools, public utilities and facilities, and other land-disturbing activities have accelerated the process of soil erosion and sediment deposition. The control and management of surface runoff and erosion and sedimentation benefits both the developer and the public.

### 2. Erosion and Sediment Control Plan

For the purpose of alleviating harmful or damaging effects of on-site erosion and siltation on neighboring downhill or downstream lands and waters in the City of Plymouth and adjacent communities during and after development adequate controls of erosion and sedimentation of both a temporary and permanent nature shall be provided by the developer during all phases of land-disturbing activities. Plans and specifications for such controls shall be submitted to and approved by the City Engineer. Said plans and specifications will be a part of the development contract and compliance will be assured by the development bond. No development shall be permitted until said plan is approved by the City Engineer.

### 3. Required Control Measures

The following control measures are required for an erosion and sediment control plan:

- a. The plan shall be suited to the topography and soils so as to create the least erosion potential.
- b. The land shall be developed in increments of workable size on which adequate controls of erosion and siltation can be provided and maintained during the construction period. Operation shall be staged so that the area being developed is not exposed for long periods of time without stabilization.
- c. Temporary vegetation and/or mulching shall be used to protect the areas exposed during the development. No area shall be left denuded for a period longer than 5 days on critical erosion areas from initial grading. Such period may be extended if satisfactory control measures are established and remain in place. This determination will be made by the City Engineer.

- d. Sediment basins (debris basins, desilting basins, or silt traps) shall be installed and maintained to remove sediment from runoff waters from the land undergoing development. Storm sewer inlets shall be provided with debris guards and microsilt basins to trap sediment and avoid possible damage from blockage. The silt shall be removed when necessary.
- e. Permanent vegetation and structures shall be installed within 30 days after completion of initial grading.
- f. If the control measures required by items 3.a, 3.b, 3.c, 3.d and 3.e are not installed or maintained by the developer, no additional building permits will be issued within the development until the necessary measures are placed in control.
- g. Erosion control practices shall follow the design criteria as shown in U.S. Department of Agriculture Soil Conservation Services Urban Runoff, Erosion and Sediment Control Handbooks.

#### 4. Financial Guarantee

Before any grading is started on any site, all control measures as shown on the plan shall be installed. A \$2,000 per acre financial guarantee shall be provided to the City to insure compliance during construction. \$1,000 of this amount shall be by cash deposit. The remaining amount shall be by an exclusive letter of credit providing for withdrawal of the funds by the City within one work day. This financial guarantee will not be returned until all the disturbed area has permanent vegetation re-established. The City will use the guarantee for the penalty included in Item 5a and if any invoice for work performed by the City is not paid within 30 days.

#### 5. Enforcement Measures

- a. Developers will be given a 48 hour telephone notice when an unsatisfactory condition exists that is determined to be a developer's responsibility. After said 48 hour notice, the city will proceed to do the work and invoice the developer. In addition to the actual cost incurred by the City, the developer will be charged an additional 100% as a penalty for not having adequate erosion control. If a timely payment is not received, the City will proceed to draw on the financial guarantee.
- b. Builders will be given a notice at the time of building permit issuance that erosion control on the lot being built upon, and street cleanup of any and all materials originating from the lot being built upon, are their responsibility. No inspections will be approved if the street is not clean and erosion control in place. In the event the City is required to clean the street, the builder will be billed and payment received prior to any further inspection or occupancy permit.

#### 6. Street Cleaning

Included within the Development Contract shall be the requirement of a contract for street cleaning within and immediately adjacent to the development.

Section 2005 - Misdemeanors; Special  
Provisions

2005.01. Making Unnecessary Noise. Subdivision 1. General Rule. No person, in any public or private place, shall make, or assist in making, by any manner or means, any loud, unpleasant or raucous noise or odor disturbing the others unless the same be reasonably necessary to the preservation of life, health, safety or property.

Subd. 2. Noise in Residential Areas. No person shall, between the hours of 10:00 p.m. and 7:00 a.m., congregate because of or participate in any party or gathering of people from which noise emanates of a sufficient volume so as to disturb the peace, quiet or repose of persons residing in any residential area.

(a) A police officer may order all persons present other than the owners or tenants of the building or place to immediately disperse. Any person who shall refuse to leave after being ordered to do so by a police officer shall be guilty of a violation of this Section.

(b) Any owner or tenant of the building or place who has knowledge of the disturbance and fails to immediately abate said disturbance shall be guilty of a violation of this Section. (Ord. 79-16, Sec. 2.)

Subd. 3. Unlawful Assembly on Private Property. No group of three or more persons shall gather, assemble or congregate for any purpose on private property which is not owned by one of them or with regard to which one of them is not legally entitled to possession without written permission of the owner of such property or the person who is legally entitled to possess such property after having been ordered to disperse.

2005.03. Obscene Literature. No person shall bring or cause to be brought into the City, or shall buy, sell or cause to be brought or sold, or advertise, give away, offer, show, exhibit, post, distribute, design, copy, draw, photograph, print, etch, engrave, cut, carve, make, publish, or otherwise prepare, or assist in preparing, or receive subscriptions for, any indecent or obscene picture, book, pamphlet or magazine.

2005.05. Resisting a Public Officer. It is unlawful for any person to wilfully resist, delay or obstruct a public officer in discharging or attempting to discharge a duty of his office.

2005.07. False Statements. It is unlawful for any person to make a false statement in an application for any permit or license from the City.

2005.09. Fire Alarm System and False Alarms. It is unlawful for any person to tamper with or in any way interfere with any element of any fire alarm system within the City. It is unlawful for any person to give, or cause to be given, any alarm or other emergency condition when no fire or emergency condition exists.

2005.11. Obstruction of Fire Hydrants. It is unlawful to park any vehicle in such a way as to obstruct a fire hydrant. The stopping or parking of a vehicle within 10 feet of a fire hydrant is an obstruction of the hydrant and a violation of this subsection.

# CITY OF PLYMOUTH

3400 PLYMOUTH BLVD., PLYMOUTH, MINNESOTA 55447  
TELEPHONE (612) 559-2800

## MEMO

DATE: March 10, 1987  
TO: Building Official Joe Ryan  
FROM: Community Development Director Blair Tremere



SUBJECT IMPROVEMENTS TO GRADING/FILL PERMIT PROCEDURES

My purpose here is to provide you with some thoughts that I have developed following our experiences this season with fill and grading permits. Ideas that we have discussed for several months have yet to be implemented and my concern is that the longer we take to implement the improved requirements and procedures, the more prevalent the problems will be. This memorandum, therefore, represents a focus of those items that you can use as a guide; these items are not meant to be the sole measures that can be taken; rather, they represent guidelines for you.

1. The Permit Application form needs to be upgraded and updated so it is fully compatible with the input required by the Automated Permit Issuance System. A permit application should also be very demanding for explicit information regarding the responsible party, the land owner, the time period (commencement date and completion date) and, an explanation as to how street cleaning and site maintenance will be achieved.
2. Permits should not be issued until a complete application, including all supporting materials, has been submitted and has been formally approved.
3. An inspection requirement and routine should be established so that, before any grading or filling begins, a City Inspector will inspect the site to make sure erosion control measures and any other preparatory steps have been taken. This includes the posting of the Permit Card on the site in a protected manner.

The intent of this is to have a distinct step of approval by the City before work commences.

4. The Job Card should be posted in a protected manner on every site and should be retained on the site by the responsible party for the complete duration of the activity.
5. When the grading/fill work has been finished, an inspection should be requested so that the City can determine that the site has been properly restored and cleaned.
6. Establish procedures for field inspectors should include periodic inspection of known sites so that verification can be made as to street cleaning and erosion control.

7. The administrative tracking of grading and fill permits can be enhanced by utilizing techniques already established in the Community Development Department. This means that you should establish a system similar to that used for "Temporary Planning Files" whereby records other than the electronic files and the Automated System are kept in files identified by the Property Identification Number (PIN) for the particular site. This will allow quick and accurate retrieval of information such as the details of the approved plans; and, such as the details of the submitted financial guarantees and agreements. It will also allow a good cross reference to the Permit Number in case the card has not been retained on the site.

Once that system has been established, it would be advisable to establish a computerized indexing of the manual system.

8. Procedures regarding the administration of financial agreements and guarantees should be established similar to those now used for Site Improvements Performance Agreements (SIPA). Al Cottingham can help you in this regard. One of the features of the SIPA system is the requirement that financial guarantees be set to expire on October 31st every year; also, it would be advisable to have a document that could be a "short form" agreement explaining what the developers' obligations are and what the purpose of the financial guarantee is. The language will be similar to that now used in the SIPA.
9. I expect that you should be able to implement most if not all these measures by April 15, 1987 -- primarily because the framework already exists and it is essentially a matter of adaptation. You do not need to re-invent the wheel.
10. Your careful analysis is required however, since there might be particular provisions in the Ordinance or in the Code that would require extraordinary features in the documents and requirements we want to establish.
11. You should also get together with Fred Moore to discuss ways that we can better coordinate the City's efforts to monitor erosion control and grading/filling activities. Effective enforcement depends upon good information, and it seems to me we have people who could be feeding in accurate information in a more timely manner, except that they apparently do not know to whom they would feed that information. There may also be a sense of low confidence in the system doing anything effective.

I believe that we can enhance our efforts significantly through simple coordination and better communication among all parties. I recall that Fred Moore was going to act as the central information point, and, at least with developments where there was Development Contracts, serve as the primary enforcement office.

The problems we have extend beyond grading activities by developers.

12. It would seem appropriate to plan for a training session among appropriate employees to familiarize everybody with City Code requirements, policies, and regulatory procedures.

I want to know how you are progressing with this and therefore ask that you provide me with a memo as each step is planned/implemented.

Please let me know if you have any questions on this.