



Date: August 27, 2014 - Draft

To: Planning Commission

From: Cary Teague, Community Development Director

Re: Work Session – Building permit process starting with demolition

In preparation for our Work Session with city staff and staff from the Minnehaha Creek and Nine Mile Creek Watershed Districts, the following is an outline put together by city staff and the districts of a typical building permit process for residential redevelopment in Edina.

Step 1 – Demolition Permit

- Permit holder hosts a neighborhood meeting for residents within 300' of their construction site prior to demolition.
- Signage on site is displayed for all demolition and new residential building permits providing residents with contact information for permit holder and the City of Edina's Construction Complaint Hotline.
- Construction Management Plan required (CMP) (See attached.)
- Construction hours for demolition and new residential building permits are:
 - Monday through Friday - 7 a.m. to 7 p.m.
 - Saturday - 9 a.m. to 6 p.m.
 - Sundays and Holidays (New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving and Christmas) - Construction is Prohibited.
- Permit holders are to comply with the CMP throughout the duration of their project.
- Residential Redevelopment Coordinator inspects the site prior to demolition. Erosion control must be in place.
- City informs the Watershed District that a demolition permit has been issued. The Watershed District verifies a permit has been applied for and will inspect the site. The Watershed District will copy the City of Edina on the results of their inspection if there are violations.
- If the plans call for more than 50 cubic yards of fill is moved or there is more than 5,000 s.f. of area is disturbed, an erosion control permit is required from both the Nine Mile Creek and Minnehaha Creek Watershed District.

Minnehaha Creek Watershed District Permitting Process:

- Minnehaha Creek Watershed District requires an Erosion Control permit for any project disturbing an area greater than 5,000 square feet of soil and/or 50 cubic yards of excavation or fill. To check whether



a project is within the MCWD's legal boundaries, please refer to their interactive map, available at: <http://www.minnehahacreek.org/permits/additional-information/am-i-district>

- If you are within the District and require an Erosion Control permit, the following forms are to be filled out and submitted:
 - [Water Resource Permit Application Form](#) (See attached)
 - [Supplemental Erosion Control Form](#) (See attached)
 - Refer to the [Erosion Control application checklist](#) (See attached) and [full text Erosion Control Rule](#) for further requirements and details.
 - All materials and forms can be found at: <http://minnehahacreek.org/permits/how-do-i-get-permit/permit-applications>

Step 2 – Building Permit

- Permit review. Plans for all new construction permits are reviewed by the City before a building permit is issued.
 - The City's Planning Division staff reviews the survey and building plans for compliance with setbacks, building coverage and height requirements; and ensures the plans abide by the City's zoning code or the conditions that have been required by the Planning Commission and/or City Council as part of a variance or subdivision.
 - The Engineering Department investigates potential impacts of storm water and drainage using the City's Comprehensive Water Resources Management Plan and reviews erosion control measures, determines utility impacts and reviews the need for a curb cut permit.
 - The Engineering Department reviews the stormwater management, grading & drainage and erosion control plans. These plans must be prepared and signed by a Professional Engineer. The stormwater management plan shows the existing drainage conditions and any proposed changes. The Engineering Department reviews the signed plan and stormwater calculations to determine if there are any increases to water flow. Applicants may not increase water flow to adjacent private properties. Additional drainage may be directed to the public storm sewer system, but this may be restricted if there are existing capacity issues that include risks to downstream properties. The grading and erosion control plans show existing and proposed grading and erosion and sediment controls to be used during construction.
 - Before, during and after construction, the Building Division makes sure the plans and construction comply with City code and State building laws.
 - At this time, if a proposal does not meet city code standards the plans get revised or a variance is requested.



- Plans required for review. Plans required for review include: building plans, as built survey of existing home, survey showing proposed home, stormwater management plan and grading and drainage plan done by a professional licensed engineer, erosion control plan.
- If the plans call for more than 50 cubic yards of fill is moved or there is more than 5,000 s.f. of area is disturbed, an erosion control permit is required from both the Nine Mile Creek and Minnehaha Creek Watershed District. All requirements are outlined in Step 1, and can also be found at: <http://minnehahacreek.org/permits/how-do-i-get-permit/permit-applications>.
- If a property is within 500 feet of a protected water body or 300 feet from the centerline of Nine Mile Creek, they are required to comply with Nine Mile Creek's storm water management rules. This includes retention of the first one inch of runoff on site, water quality treatment and rate control. If the property is on a wetland, wetland buffers are required to be established. The buffer distance is based on a wetland delineation and MNRAM assessment to determine that function and value of the wetland.

Step 3 – Permit Issued/Construction

- If plans are code compliant, a building permit is issued.
- Footing inspection. Before the builder pours footings, building staff is called for an inspection to verify setbacks. At this time the building department checks to see if erosion control is in place. The City will notify the Watershed District of the footing inspection, and the District will then inspect the on-site erosion control.
Minnehaha Creek Watershed District: Prior to the commencement of any land-disturbing activity on-site, a MCWD permit is required. Upon completion of the watershed specific requirements outlined in Step 1, an MCWD permit can be issued. Upon completion of the City's permitting process and notification from city staff, MCWD will inspect the project site routinely for compliance. MCWD will be verifying compliance with its own rules and report any potential non-compliance with city ordinance back to city staff. The city will be copied on all inspection reports and follow-up.
- Building inspections are performed at various stages of construction including building, plumbing and mechanical.
- Temporary stabilization is required by City Codes Chapter 10, Article 4, Section 10-110 and Article 17, Division 2. Section 10-703 for sites inactive for more than 60 days. (See attached Code Requirements.)
- **Complaints.** Staff receives complaints during construction. Residents can call the residential redevelopment coordinator or register a complaint from the Planning Division web page. <http://edinamn.gov/index.php?section=redevelopment-complaint> A common complaint is on grading. Residents believe that grading is not being done per the approved plan. Often times there is interim grading done during construction. It is



critical that the perimeter and erosion control work be completed in the interim to protect adjacent property until the grading is completed. Grading is often completed at the end of construction. An as built survey is required to ensure that grading is compliant. Grading plans can change during construction to address issues. Staff works with the builder/contractor to come into compliance with the approved plans or work with the interim grading and erosion control to minimize impacts on adjacent property. If there are violations on a site, staff will require compliance within a reasonable amount of time. If compliance is not met, staff may issue a stop work order. Staff may also use the cash escrow (required for every CMP in the amount of \$2,500) to reimburse the City for the repair of damage to public property or to remedy permit violations. If the City draws on the cash escrow, upon the City's demand the permit holder must deposit in escrow additional funds to restore the escrowed amount to back to \$2,500. The cash escrow must remain in place until the work under the permit for which the escrow was made has been completed.

If the project is within the MCWD, forward inspection letters to inspections@minnehahacreek.org. MCWD will conduct an immediate inspection of the site, and coordinate with city staff to bring the project site into compliance.

- **Role of the Residential Redevelopment Coordinator:**

- Meet with builders and developers to review and assist with implementation of the CMP.
- Investigate construction sites for compliance with the CMP.
- Respond to concerns from residents regarding construction sites and work with the builder and complainant to remedy noncompliant issues.
- Determine appropriate city resources and staff to help enforce and resolve conflicts as appropriate (Law Enforcement, Building Inspections, Engineering, Public Works, Planning) and coordinate efforts across City divisions.

Step 4 – Final (Certificate of Occupancy)

- Builder requests a final certificate of occupancy inspection. Planning, Engineering and Building all must sign off on the project prior to issuance of a final certificate of occupancy and release of escrow funds.
At this point in the process, staff will notify MCWD to conduct a close-out inspection of the site to ensure compliance.
- Items required for a certificate of occupancy: As built survey showing structure location and ground elevations; as built grading and drainage plan done by a licensed professional engineer.
- Each department reviews the plans to ensure compliance with city code or conditions required by the Planning Commission and/or City Council. Once all the departments have signed off on the plans, the Building Division will issue a certificate of occupancy.



- Temporary Certificate of Occupancy. A Temporary Certificate of Occupancy is more commonly used in the winter when the landscaping, driveway and/or final grade can't be completed. This also used for temporary landing or step.

Below are additional questions that were submitted by members of the Planning Commission. Some of the answers to these questions are found above.

1. What are the enforcement steps the City takes to ensure that sites and homes are built according to the approved plans?

At building permit review, the surveys, grading, drainage and erosion control plans and building plans are reviewed for code compliance. There are inspections during the construction process by the inspections division to ensure the plans meet what was submitted. Sometimes revisions occur to the plans during construction. Any change needs staff approval. When a project is completed as-built surveys are submitted to ensure compliances.

2. When the Planning Commission and or City Council places restrictions on the property owner as a condition of approval of a variance request, how does the City ensure that the sites and homes are built accordingly?

The approving resolution, which includes conditions of approval, is sent to the applicant. Planning staff verifies the conditions are met at the time of building permit review before a permit gets issued. It will be field verified by planning, engineering and building prior to final inspection.

3. What is the process that should be taken by a citizen if a violation is suspected?

A resident can issue a complaint to engineering, planning or the building department. The appropriate staff would follow up on the complaint to verify if there is a violation. The builder is contacted if there is a violation and asked to remedy the violation. Staff would then contact the resident to inform them of the action taken; or no action if there is not a violation.

4. What is the City's response if a property is suspected/found to be in violation?

Staff will request the builder to resolve the violation. If no response is given within a reasonable amount of time, a stop work order could be issued until the violation is resolved. The City could also use the escrow money to remedy a violation.



5. What is the current workload of the City's inspection and enforcement team?

As of August 19, 2014 the City has issued 1,878 building permits compared to 1,393 building permits January 1st to August 19, 2013. We are in prime time, the workload is very heavy.

Minnehaha Creek is able to assist with inspections under the District's jurisdiction and would be more than willing to report any obvious zoning/ordinance violations to city staff. City staff could provide a brief outline of typical ordinances to look for, to make the inspections more effective.

6. I would like to have a description of how a typical application winds its way through the city staff. I'm particularly interested in how one department hands off to another and whether there is anyone responsible for the application all the way through the process.

The application for the building permit is submitted to our clerical staff and put into the Planning's "Q" to be reviewed. When Planning is complete and approved the application and plans are put into the Engineering's "Q" for review and approval. After our Engineering staff has signed off the application and plans move the Building's "Q" for plan review and approval. All of this has been taking 4 to 6 weeks. Most of the time is from waiting for information from the applicant.

7. Within that trail, I'd like to understand where outside agencies plug in. The most obvious is the Watershed District. But even that is splintered because there are two districts in the City (Minnehaha and Nine Mile)

The applicants for the commercial work has check list they fill out verifying the info provided. The residential permits has a residential building permit submittal requirements policy and information sheet, requirements for surveys/site plans, worksheets for energy calculations, grading/landscaping certification sheet (Watershed is mentioned here), application for curb cuts and guidelines and the construction management plan sheet to sign off on. (See attached.)

City informs the Watershed District that a demolition permit has been issued. The Watershed District verifies a permit has been applied for and will inspect the site for erosion control. The Watershed District will copy the City of Edina on the results of their inspection if there are violations. The City will also notify the Watershed District of the footing inspection, and the District will then inspect the on-site erosion control.

8. I'd also like to have a better understanding of the big picture. Does the City have a storm water management plan that identifies areas (as opposed to parcels) throughout the city that have flooding issues? If it does (and I assume it does), how is that used (if at all) to evaluate building permit (and other types of) applications? My point on this is to uncover how



holistically we think about drainage — are we examining the applying property (and maybe its immediate neighbors) or are we considering grading and drainage plans in the context of entire sub-watersheds or neighborhoods.

Yes, the City has a Comprehensive Water Resources Plan, which is used to review building permits. The engineering department will go into more detail at the meeting.

9. Walk through the process on how a residential building permit travels through the City for approvals. How is it tracked during the application/construction/inspection phases?

After the permit is issued, the building inspector's first inspection is footing inspection, then the foundation inspection before backfill. This does require an as built survey so the inspector can compare elevations. At the footing inspection the silt fence, rock driveway and drainage prevention should be in place. After the roof is water tight, the plumbing, electrical and mechanical rough-in inspections are complete the framing inspection is done. The next inspection would be the insulating inspection. There could be gypsum inspection and partial inspection throughout the process until we get to the final inspection. At the final inspection the building inspectors verify the plumbing, mechanical, electrical and fire sprinklers are complete to get ready issue the Certificate of Occupancy (C/O). We require an as built survey and sign off from engineering and now planning before the building inspector can issue a clean Certificate of Occupancy. A temporary C/O may be issued if there are minor issues to be completed.

10. Is there a prerequisite application checklist before issuing a residential permit, similar to what happens for a commercial permit? If not, should there be.

There is a list, (See attached) however it is not setup like a check list for commercial property.

11. How are the current city stormwater requirements reviewed and enforced? In particular as to not increasing the rate of flow onto adjacent properties. Should a stormwater plan also be done for the adjacent properties, as these projects are not built in a vacuum?

The plans are reviewed at the time of building permit review and verified with the as-build grading plan at the time of a C/O. A stormwater plan also reviews existing flow paths on neighboring properties as well if they are material to the site drainage.

12. How are these changes reviewed in respect to the overall city storm water management plan? Are there citywide infrastructure concerns with the increasing hardscapes and changes to drainage patterns from residential rebuilds? How many acres have been affected over the last five years?

This issue has been reviewed during the recent STS-406 stormwater study. As redevelopment occurs, site impervious generally increases. There is not an area estimate of affect.



13. Are variances granted for grading/stormwater flows? If so, what is typically granted? Who has the authority to grant variances within City?

Variances are not granted for grading/stormwater. Engineering judgment is often used to determine the appropriate precautions for stormwater and erosion control to meet section 10-110 and 36-1257.

14. At what stage of a project are inspections done, in particular the foundation placement, grading and drainage. What enforcement tools are available for staff use when there are discrepancies/violations? How many violations in a typical year, do builders ever get their city license pulled for violations. Is this typically active or passive enforcement?

The foundation inspections are in the early stage on construction and the grading & drainage are done at the end with the landscaping. Staff can write corrections, stop work or use the escrow to correct violations. The State of Minnesota licenses the residential contractors. The inspectors and City staff are required to put correction in writing for the contractors and give set time. The State would help the City gain compliance if the contractor is licensed and does not respond. The goal is to bring a site into compliance. Violations are not typical. Staff responds on a complaint basis, or when violations are noted in the field on inspections.

15. Watershed Districts. What role does the WSD have in the project and permit review process. Who checks when a WSD permit is required. Who has jurisdiction over the site for grading/drainage controls during construction, the WSD or the City? How is this enforced?

The watershed enforces their own rules by issuing permits and educating. The City informs the Watershed District that a demolition permit has been issued. The Watershed District verifies a permit has been applied for and will inspect the site for erosion control. The Watershed District will copy the City of Edina on the results of their inspection if there are violations. The City will also notify the Watershed District of the footing inspection, and the District will then inspect the on-site erosion control.

Minnehaha Creek has authority for Erosion Control and Wetland Protection in a portion of Edina. As it stands, the City of Edina and MCWD have developed an MOU to memorialize their joint efforts to gain compliance on all current and future building projects. Currently, City staff has been providing District staff with lists of addresses nearing the close-out phase of the demolition portion of the City's permitting process. MCWD staff then verifies which addresses are within legal boundaries, checking against our application records. If the site has no permit, an inspection is scheduled and the site is checked as soon as possible. All inspection reports are forwarded to City staff, and the site is required to apply for a permit. MCWD staff can verify grades and drainage, but has no enforcement authority over either component.



16. Are there additions or clarifications needed to the current City and/or WSD ordinances? Are they current with evolving storm water regulations?

Yes, changes are needed. The Engineering Department plans to submit proposed ordinance changes for consideration. These changes are taking place as implementation of a revised Municipal Separate Storm Sewer permit reauthorization.

17. Many of the residential projects in the city are now in the \$1-2M range, larger than many commercial projects. Should these be treated as commercial projects because of the impact, scale and valuation of typical rebuild project.

From the building code prospective they are still single family homes. There could be more partial inspections required because of the size of the structures. The zoning setbacks, heights, grading and drainage are a challenge for the larger homes on small lot.



EDINA BUILDING SAFETY POLICY/INFORMATION ₁			
Residential Building Permit Submittal Requirements		MSBC 1300.0130, Subp 2	
Inspections Department		<i>Steve A. Wickman</i>	
SP-004-B ₂	3 on 1/19/12	7/1/2000	1 of 1
<small>subject</small>	<small>department</small>	<small>approval</small>	<small>code reference</small>
<small>policy number</small>	<small>revision number</small>	<small>effective date</small>	<small>page number</small>
1. All Building Safety sheets adopted by Fire Department and Inspections Department.			
2. Sheet numbers with B suffix developed by Inspections Dept. Sheet numbers with F suffix developed by Fire Dept.			



Purpose: Provide information on required plans and other data required to be submitted to obtain a residential building permit.

Scope: All structures for which a building permit is required.

1. Completed Building Permit Application. Application information must be complete (including owner information and phone number) and typed or legibly printed.
2. Two sets of complete plans and specs. Including:
 - 2.1. Floor plans. Show floor plans of existing structure for proposed additions. Plans must be to scale, dimensioned and not smaller than 1/4" = 1'-0".
 - 2.2. Dimensioned exterior elevations for additions or exterior alterations. Dimensions shall include National Geodetic Vertical Datum of 1929 (NGVD-1929) of all floor elevations, the mid-point of the highest roof and the peaks of all roofs.
 - 2.3. Typical wall section. Multiple typical wall section plans may be required to illustrate structural details.
 - 2.4. Structural details including size, spacing and orientation of framing members, columns, beams and headers.
 - 2.5. Smoke detector and carbon monoxide locations.
3. Two full-size copies of a survey complying with City Survey/Site Plan Requirements (SP-005-B). Does not apply to interior remodeling.
4. Provide details on plans showing compliance with the Residential Energy Code. Submission on REScheck forms is an acceptable alternate. Required when increasing conditioned space. A City of Edina Energy Code Compliance Certificate similar to N1101.8 shall be posted in a permanent, visible location in the structure prior to final City permit approval.
5. Two copies of Residential Ventilation Worksheet. Submit in City of Edina or Department of Commerce format. Required only for new homes.
6. One copy of a completed GRADING/LANDSCAPING CERTIFICATION. This certification is required when any excavation occurs.

Exception: Certification not required for excavation of post footings for the construction of above-grade structures.
7. Evidence of plat approval from Planning/Zoning Department required for newly platted lots.
8. Evidence of variance approval from Planning/Zoning Department if applicable.
9. Heritage Landmark Properties require a Certificate of Appropriateness prior to issuance of a building permit. Contact the Planning Department at 952 826 0369 for details
10. Proof of contractor licensure or State licensing exemption.
11. Proof of contractor lead certification when working on pre-1973 structures.



EDINA BUILDING SAFETY POLICY/INFORMATION₁			
Survey/Site Plan Requirements		MSBC 1300.0130	
subject		code reference	
Inspections Department		approval <i>Steve C. Richardson</i>	
department		approval	
SP-005-B ₂	6 on 1/19/12	12/4/00	1 of 1
policy number	revision number	effective date	page number
1. All Building Safety sheets adopted by Fire Department and Inspections Department.			
2. Sheet numbers with B suffix developed by Inspections Dept. Sheet numbers with F suffix developed by Fire Dept.			



Purpose: To provide adequate and accurate site information to all City departments involved in the review and approval of projects, as well as providing information for future reference.

Scope: All required surveys

Surveys are required for construction of structures, additions to structures, demolition of structures, moving of structures and grading.

Exception: When no grading is to occur on the property, the NGVD-1929 elevation at the existing and proposed main floor level is indicated on the site plan and the bottom of all footings for all structures on the property are above the Flood Fringe, the Building Official, Planning Director and City Engineer may approve a site plan in lieu of a survey when one of the following conditions is met:

- The proposed structure is setback at least twice the required setback distance from property lines, and property corners and property lines adjacent to the proposed structure have been located and marked by a surveyor.
- The proposed structure is setback at least twice the required setback distance from property lines, and property corner irons or monuments have been located and the **entire** length of property lines adjacent to the proposed structure have been marked.

Surveys for proposed work must be submitted at the time of permit application. In addition, as-built surveys are required to be submitted during the course of construction.

1. An as-built survey indicating the floor level of the existing home at the main entry must be submitted with an application for a demolition permit.
2. An as-built survey indicating the top of foundation and structure setbacks must be submitted prior to foundation backfill approval.
3. An as-built survey indicating actual site conditions including all structures and contours must be submitted prior to final building permit approval.

Surveys submitted to the City for permits must include:

1. Property lines showing monument locations. Registered surveyor must prepare survey.
2. Scale of drawing. Minimum scale 1' - 50'. Maximum sheet drawing size 24" x 36".
3. Full legal description.
4. Dimensions of lot including square footage and north arrow.
5. Dimensions of front, rear and side yards, proposed and existing.
6. Locations and dimensions of all existing buildings/structures on the lot.
7. Location and dimensions of proposed building/addition/structure, including cantilevers beyond the foundation.
8. Side yard and setback dimensions of buildings/structures on adjacent lots.
9. Location of all easements as shown on record plats.
10. National Geodetic Vertical Datum of 1929 (NGVD-1929) elevations at the following specific locations:
 - 10.1. Each lot corner (existing and proposed).
 - 10.2. Grade at the foundation and top of foundation of structures on adjacent lots.
 - 10.3. Grade at the foundation, top of foundation, main floor and garage floor of proposed new construction.
 - 10.4. Lowest point of entry (i.e. door sill or top of window well) of proposed and existing construction.
 - 10.5. Lowest floor of proposed and existing construction.
 - 10.6. Top of wall and bottom of wall elevations at regular intervals for all retaining walls.
11. Placement and method of erosion control, including construction entrance location.
12. Arrows indicating direction of existing and proposed drainage.
13. One foot contours indicating existing and proposed grades.
14. Lot coverage calculations
15. Location of pylon sign (for commercial project only).
16. Record of revisions, with revision date, number and description.
17. Signature, date and certification of surveyor.

Edina, Minnesota, Code of Ordinances >> Subpart A - CODE OF ORDINANCES >> Chapter 10 - BUILDINGS AND BUILDING REGULATIONS >> ARTICLE IV. DEMOLITION PERMITS AND BUILDING PERMITS FOR SINGLE- AND TWO-FAMILY DWELLING UNITS >>

ARTICLE IV. DEMOLITION PERMITS AND BUILDING PERMITS FOR SINGLE- AND TWO-FAMILY DWELLING UNITS

- [Sec. 10-106. Purpose.](#)
- [Sec. 10-107. Definitions.](#)
- [Sec. 10-108. Permits.](#)
- [Sec. 10-109. Permit applications.](#)
- [Sec. 10-110. Permit requirements.](#)
- [Sec. 10-111. Permit standards for both demolition permits and building permits.](#)
- [Sec. 10-112. Stop work orders.](#)
- [Sec. 10-113. Misdemeanor.](#)
- [Secs. 10-114—10-139. Reserved.](#)

Sec. 10-106. Purpose.

Both the demolition of single- or two-family dwelling units and the construction of new dwelling units can disrupt the quietude of the neighborhood, damage adjacent public and private property, create stormwater and erosion problems, and result in littering and other nuisances. The purpose of this article is to prevent problems associated with the demolition of single- and two-family dwelling units and the construction of new dwellings.

(Ord. No. 2013-3, § 1(411.01), 4-2-2013)

Sec. 10-107. Definitions.

The following words and terms, whenever they occur in this article, are defined as follows:

Building permit means a permit to construct a new single- or two-family dwelling unit.

Demolition means the removal or destruction of more than 50 percent of the area of the exterior walls of a single- or two-family dwelling unit.

(Ord. No. 2013-3, § 1(411.02), 4-2-2013)

Sec. 10-108. Permits.

The demolition of single- or two-family dwelling units is prohibited without a demolition permit issued by the building official pursuant to this article. The construction of single- or two-family dwelling units is prohibited without a building permit issued by the building official pursuant to this section and article III of this chapter.

(Ord. No. 2013-3, § 1(411.03), 4-2-2013)

Sec. 10-109. Permit applications.

The applicant must complete the application forms provided by the city, pay the permit fees in the amount set forth in section 2-724, deposit the cash escrow and furnish all other documents and reports required for the permit. The application must be signed by the property owner or the owner's authorized agent.

(Ord. No. 2013-3, § 1(411.04), 4-2-2013)

Sec. 10-110. Permit requirements.

Unless otherwise specifically provided the following are required for both demolition permits and building permits:

- (1) *Certificate of insurance; coverage.* The applicant must furnish the city with a certificate of insurance evidencing the following required coverage:
 - a. *Commercial general liability, including XCU (explosion, collapse and underground) coverage.*
 1. *Bodily injury.*
 - (i) \$1,000,000.00 each occurrence.
 - (ii) \$1,000,000.00 aggregate products and completed operations.
 2. *Property damage.*
 - (i) \$1,000,000.00 each occurrence.
 - (ii) \$1,000,000.00 aggregate.
 - b. *Comprehensive automobile liability (owned, nonowned, hired).*
 1. *Bodily injury.*
 - (i) \$1,000,000.00 each occurrence.
 - (ii) \$1,000,000.00 each accident.
 2. *Property damage.* Property damage: \$1,000,000.00 each occurrence.

The minimum insurance coverage must be maintained until six months after the demolition has been completed or, if a new dwelling is being constructed, a certificate of occupancy has been issued. The city must be named as an additional insured.

(2)

Cash escrow. The applicant must furnish the city a cash escrow of \$2,500.00. A single escrow is required for both a demolition permit and building permit. The city may draw on the cash escrow to reimburse the city for the repair of damage to public property or to remedy permit violations. If the city draws on the cash escrow, upon the city's demand the permit holder must deposit in escrow additional funds to restore the escrowed amount to \$2,500.00. The cash escrow must remain in place until the work under the permit for which the escrow was made has been completed.

- (3) *Soils investigation report.* Based upon soil types, topography, the location of adjacent structures and other pertinent information, the building official shall determine if a soils investigation report is necessary. If the building official determines that a soils report is necessary, the applicant shall have a soil report prepared and signed by a licensed professional soil scientist or licensed professional engineer. The report must provide detailed plans to ensure that adjacent property will not be damaged by reducing lateral support for driveways, foundations, fences or lawns caused by excavation, demolition or construction activity. The report must be approved by the building official. The permit holder must adhere to the approved plan.
- (4) *Existing condition of property.* Before a permit is issued, the building official must photograph the existing condition of the property, curbs, sidewalks, streets, boulevard and trees adjacent to the property.
- (5) *Written notification of demolition.* For a demolition permit, at least 15 days before demolition commences, the permit holder must provide written notification to all property owners within 300 feet of the demolition site notifying the property owners of the proposed demolition and building plans, if applicable, and invite them to a neighborhood meeting. The neighborhood meeting must be held at least five days before demolition commences. A sign must also be posted on the demolition site at least five days before demolition commences identifying the nature of the demolition, the permit holder, a contact name and phone number, and the site address. The sign must also provide a city phone number to call with any questions, complaints or concerns. The dimension of the sign must be between five and six square feet. The sign and the content of the sign must be visible from the street. The sign must be kept in place until the completion of demolition.
- (6) *Signage of construction.* For a building permit, a sign must be posted on the permit site at least five days before construction commences identifying the nature of the construction, the permit holder, a contact name and phone number, and the site address. The sign must also provide a city phone number to call with any questions, complaints or concerns. The dimension of the sign must be between five and six square feet. The sign and the content of the sign must be visible from the street. The sign must be kept in place until a certificate of occupancy has been issued.
- (7) *Stormwater and erosion control plans.* For a building permit, the applicant must submit stormwater and erosion control plans prepared and signed by a licensed professional engineer. The plans must be approved by the city engineer and the permit holder must adhere to the approved plans. The stormwater management plan must detail how stormwater will be controlled to prevent damage to adjacent property and adverse impacts to the public stormwater drainage system. The erosion control plan must document how proper erosion and sediment control will be maintained on a continual basis to contain on-site erosion and protect on- and off-site vegetation. Permit holder must protect all storm drain inlets with sediment capture devices at all time during the project when soil disturbing activities may result in sediment laden stormwater runoff entering the inlet. The permit holder is responsible for preventing or minimizing the potential for unsafe conditions, flooding, or siltation problems. Devices must be regularly cleaned out and emergency overflow must be an integral part of the device to reduce the flooding potential. Devices must be placed to prevent the creation of driving hazards or obstructions.

(Ord. No. 2013-3, § 1(411.05), 4-2-2013)

Sec. 10-111. Permit standards for both demolition permits and building permits.

- (a) The permit holder must comply with the state building code, state statutes and this Code, including articles III, VI, VII and XVII of this chapter.
- (b) Deliveries of equipment and material to the site, work crews on site and construction and demolition activity are prohibited except between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday, and 9:00 a.m. and 6:00 p.m. on Saturday.
- (c) The permit holder must repair any damage to public property, streets, and sidewalks. If damage occurs to the foregoing, it must be repaired within three working days after the damage occurs, unless the permit holder has received written permission from the building official to delay repairs to a later specified date.
- (d) The permit holder must maintain a five-foot parking setback from driveways and a 30-foot parking setback from intersections. When parking on a street, a vehicle must be completely located on the street surface, parallel to and within 12 inches of the curb. Vehicles in violation of these requirements may be towed in accordance with Minn. Stats. § 168B.035. On-street parking of equipment other than licensed motor vehicles is prohibited. Stopping, standing or parking a vehicle is prohibited, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, in any of the following places:
 - (1) On a boulevard between the sidewalk and roadway;
 - (2) Within five feet of the intersection of any public or private driveway or alley with any street or highway;
 - (3) Where the vehicle will block a fire escape or the exit from any building;
 - (4) Where temporary signs prohibit parking.

Parking is allowed on local streets if a 12-foot wide area is open for the traveled portion of the road. On collector and arterial roadways, a minimum of 22 feet must be open for the traveled portion of the road. Off-street and off-site parking for on-site workers is required to the extent practicable.

- (e) The permit holder must install and maintain a rock entrance pad or its equivalent at each location where vehicles enter or exit the construction site, at locations approved by the building official.
- (f) The site must be maintained in a neat and orderly condition. Prior to leaving the construction site at the end of each day, the permit holder must remove empty cans, paper, plastic and other material that is not needed for construction from the site or deposit them in a dumpster. The permit holder must keep streets, sidewalks, boulevard areas and adjacent properties clean from waste, materials or refuse resulting from operations on the site. Inoperable equipment and equipment not being used on the site must be removed within 24 hours after it becomes inoperable or is no longer in use. Where work on any project lies within areas of pedestrian traffic or vehicular traffic, the project area must be cleaned and swept and all materials related to the project must be stockpiled in appropriate areas. Debris must be contained on the project site. No material may be deposited or stockpiled on the public streets, boulevards, sidewalks or adjacent property. At the end of each working day, the permit holder must remove any soil, trash or debris that washed or was deposited on any public sidewalk or street and must remove any trash or debris that washed or was deposited on any adjacent property.
- (g)

Edina, Minnesota, Code of Ordinances >> Subpart A - CODE OF ORDINANCES >> Chapter 10 - BUILDINGS AND BUILDING REGULATIONS >> ARTICLE XVII. - LAND DISTURBING ACTIVITIES >> DIVISION 2. STANDARDS AND GUIDELINES AND PERMIT REQUIREMENTS >>

DIVISION 2. STANDARDS AND GUIDELINES AND PERMIT REQUIREMENTS

- Sec. 10-702. Approval by building official required.
- Sec. 10-703. Grading activities standards and guidelines.
- Sec. 10-704. Tree removal standards and guidelines.
- Sec. 10-705. Open pits and excavations.
- Sec. 10-706. Approval or denial of application for permit.
- Sec. 10-707. Permit nontransferable; duration.
- Sec. 10-708. Appeal.
- Sec. 10-709. Conformance with plan.
- Sec. 10-710. Security.

Sec. 10-702. Approval by building official required.

No permit shall be issued unless the adjustments required in sections 10-678 and 10-679 is submitted to and approved by the building official and unless the proposed activity complies with the standards and guidelines in this division.

(Code 1970; Code 1992, § 830.06; Ord. No. 817, 4-4-1974; Ord. No. 821; Ord. No. 822; Ord. No. 822-A1, 10-7-1971; Ord. No. 822-A2, 10-24-1974; Ord. No. 823, 4-4-1974; Ord. No. 2004-04, 4-29-2004)

Sec. 10-703. Grading activities standards and guidelines.

- (a) The plan shall be fitted to the topography and soils so as to create the least erosion potential.
- (b) Permanent vegetation and improvements such as streets, storm sewers or other features of the development, capable of carrying surface water runoff in a safe manner, shall be installed to the extent possible before removing the vegetation cover from any area.
- (c) Wherever feasible, natural vegetation shall be retained and protected.
- (d) Permanent vegetation shall be established as soon as possible after grading.
- (e) Not more than the smallest practical area of land shall be graded or exposed at any one time during development.
- (f) When vegetation is removed during development, the exposed condition of land shall be kept to the shortest practical period of time, but not longer than 60 days.
- (g) Critical erosion areas graded or exposed during construction shall be protected with temporary vegetation, mulching or by other means acceptable to the building official.
- (h) Sediment basins, debris basins, desilting basins or silt traps shall be installed and maintained to remove sediment from surface water runoff from land subjected to grading.
- (i) Diversions shall be installed to divert surface water runoff from slopes of ten percent or steeper.
- (j) Provisions acceptable to the building official or engineer shall be made to accommodate the increased surface water runoff caused by changed soil and surface conditions during and after completion of grading.
- (k) Cut and fill slopes shall not be steeper than two feet horizontal to one foot vertical unless stabilized by a retaining wall, cribbing or rip-rap, or other means acceptable to the building official.
- (l) During grading operations, measures acceptable to the building official shall be taken for dust control.

(Code 1970; Code 1992, § 830.06(1); Ord. No. 817, 4-4-1974; Ord. No. 821; Ord. No. 822; Ord. No. 822-A1, 10-7-1971; Ord. No. 822-A2, 10-24-1974; Ord. No. 823, 4-4-1974; Ord. No. 2004-04, 4-29-2004)

Sec. 10-704. Tree removal standards and guidelines.

Trees shall be removed only by reason of:

- (1) Poor health or dangerous condition of the tree.
- (2) Construction of improvements being made to the property.

(Code 1970; Code 1992, § 830.06(2); Ord. No. 817, 4-4-1974; Ord. No. 821; Ord. No. 822; Ord. No. 822-A1, 10-7-1971; Ord. No. 822-A2, 10-24-1974; Ord. No. 823, 4-4-1974; Ord. No. 2004-04, 4-29-2004)

Sec. 10-705. Open pits and excavations.

- (a) Fences must be installed or other provisions acceptable to the building official must be made to prevent persons from inadvertently entering the pit.
- (b) Banks must be constructed at slopes not steeper than three feet horizontal to one foot vertical.
- (c) Provisions acceptable to the building official shall be taken to prevent stagnation of water.
- (d) Excavated materials must be spread on adjoining ground and revegetated or completely removed from the area.

(Code 1970; Code 1992, § 830.06(3); Ord. No. 817, 4-4-1974; Ord. No. 821; Ord. No. 822; Ord. No. 822-A1, 10-7-1971; Ord. No. 822-A2, 10-24-1974; Ord. No. 823, 4-4-1974; Ord. No. 2004-04, 4-29-2004)

Sec. 10-706. Approval or denial of application for permit.

The building official shall review the plan and application and shall approve or deny the application based upon the standards and guidelines set forth in sections 10-702 through 10-705 together with the purpose and intent of this article. If the application is denied by the building official,

WATER RESOURCE PERMIT APPLICATION FORM

Use this form to notify/apply to the Minnehaha Creek Watershed District (MCWD) of a proposed project or work which may fall within their jurisdiction. Fill out this form completely and submit with your site plan, maps, etc. to the MCWD at:
15320 Minnetonka Blvd. Minnetonka, MN 55345.

Keep a copy for your records.

YOU MUST OBTAIN ALL REQUIRED AUTHORIZATIONS BEFORE BEGINNING WORK.

1. Name of each property owner: _____
Mailing Address: _____ City: _____ State: _____ Zip: _____
Email Address: _____ Phone: _____ Fax: _____

2. Property Owner Representative Information (not required) (licensed contractor, architect, engineer, etc...)
Business Name: _____ Representative Name: _____
Business Address: _____ City: _____ State: _____ Zip: _____
Email Address: _____ Phone: _____ Fax: _____

3. Project Address: _____ City: _____
State: _____ Zip: _____ Qtr Section(s): _____ Section(s): _____ Township(s): _____ Range(s): _____
Lot: _____ Block: _____ Subdivision: _____ PID: _____

4. Size of project parcel (square feet or acres): _____
Area of disturbance (square feet): _____ Volume of excavation/fill (cubic yards): _____
Area of existing impervious surface: _____ Area of proposed impervious surface: _____
Length of shoreline affected (feet): _____ Waterbody (& bay if applicable): _____

5. Type of permit being applied for (Check all that apply):
 EROSION CONTROL WATERBODY CROSSINGS/STRUCTURES
 FLOODPLAIN ALTERATION STORMWATER MANAGEMENT
 WETLAND PROTECTION APPROPRIATIONS
 DREDGING ILLICIT DISCHARGE
 SHORELINE/STREAMBANK STABILIZATION

6. Project purpose (Check all that apply):
 SINGLE FAMILY HOME MULTI FAMILY RESIDENTIAL (apartments)
 ROAD CONSTRUCTION COMMERCIAL or INSTITUTIONAL
 UTILITIES SUBDIVISIONS (include number of lots)
 DREDGING LANDSCAPING (pools, berms, etc.)
 SHORELINE/STREAMBANK STABILIZATION OTHER (DESCRIBE): _____

7. NPDES/SDS General Stormwater Permit Number (if applicable): _____

8. Waterbody receiving runoff from site: _____

9. Project Timeline: Start Date: _____ Completion Date: _____

Permits have been applied for: City County MN Pollution Control Agency DNR COE
Permits have been received: City County MN Pollution Control Agency DNR COE

By signing below, I hereby request a permit to authorize the activities described herein. I certify that I am familiar with MCWD Rules and that the proposed activity will be conducted in compliance with these Rules. I am familiar with the information contained in this application and, to the best of my knowledge and belief, all information is true, complete and accurate. I understand that proceeding with work before all required authorizations are obtained may be subject to federal, state and/or local administrative, civil and/or criminal penalties.

Signature of Each Property Owner _____ Date _____

Erosion Control Supplemental Information

Final Stabilization will be provided with (seed, sod, etc): _____
and 6 inches of topsoil will be added/replaced prior to final stabilization.

Concrete Washout: Location of concrete washout
___ Off site ___ Indicated on site plans ___ Other (description): ___ No concrete washout:

Vegetation: Protective fencing will be installed as necessary so as to exclude all fill and equipment from the drip line or critical root zone, whichever is greater, of all vegetation to be retained.
___ Yes ___ Not Applicable ___ Other (description):

Inspections: An erosion control inspection plan is required for all projects disturbing ¼ acre or greater. The inspection requirements are as follows:

- 1) *The individual identified as being responsible for implementing the erosion control plan must routinely inspect the construction site once every seven days during active construction and within 24 hours after a rainfall event greater than 0.5 inches in 24 hours.*
- 2) *All inspections and maintenance conducted during construction must be recorded in writing and these records must be retained with the erosion control plan and made available at the District's request within 24 hours. Records of each inspection and maintenance activity shall include:*
 - i. *Date and time of inspections;*
 - ii. *Name of person conducting inspections;*
 - iii. *Findings of inspections, including recommendations for corrective actions;*
 - iv. *Corrective actions taken (including dates, times and party completing maintenance activities); and*
 - v. *Date and amount of all rainfall events greater than 0.5 inches in 24 hours.*

Provide the following information for the primary individual responsible for implementing the erosion control plan:

Name _____

Organization _____

Phone _____ Alternate Phone _____

Email _____

I certify that I am familiar with the requirements of the MCWD Erosion Control Rule and that the proposed activity will be conducted in compliance with this rule.

Signature of Applicant or Authorized Agent

Date

Application Checklist for Erosion Control Permit

To meet the permit application requirements of the Minnehaha Creek Watershed District's (MCWD) Erosion Control Rule, please refer to the following checklist and submit the required materials. This checklist is intended primarily as a guide for smaller projects such as single family homes. Additional materials may be required. See the [complete Erosion Control Rule text](#) for more details.

- _____ A \$10.00 application fee payable to MCWD. **Checks only. MCWD cannot accept cash or credit cards.**
- _____ A completed [Water Resource Permit Application Form](#) with signatures (scanned or faxed signatures are acceptable).
- _____ A site plan (11"x17" in size or smaller) that shows the following ([see example](#)):
 - Site property lines.
 - Existing and proposed elevation contours sufficient to show drainage on and adjacent to the site.
 - The site location in relation to surrounding roads, steep slopes, significant geographic features, buildings and other structures.
 - Identification and location of all water features and facilities on-site and within 1000 feet of the area to be disturbed including any lake, stream or wetland; any natural or artificial water diversion or detention area; any surface or subsurface drainage facility or stormwater conveyance; and any storm sewer catch basin within 100 feet and down-gradient of the area to be disturbed.
 - Identification of all receiving waterbodies and/or stormwater conveyance systems to which the site discharges.
 - Location of trees and vegetation to be retained (**with required protective fencing noted**).
 - Existing 100 year flood elevation, if applicable.
 - Location of proposed grading or other land-disturbing activity and location of stockpiles.
 - Quantities of soil or earth material to be removed, or stored on site, and area of land to be disturbed.
 - Location of on-site concrete washout area (if applicable).
 - Locations of proposed runoff control, erosion prevention, sediment control and temporary and permanent soil stabilization measures, including:
 - o Perimeter control along all roads and trails.
 - o Perimeter control at the bottom of all slopes leading off site or toward water resources.
 - o Perimeter control and/or cover around/on all large stockpiles.
 - o Crushed rock or existing paved construction entrance.
- NOTE:
 - All erosion and sediment control measures must be in place before any land disturbing activity begins.
 - Silt fence must be trenched in six inches and installed correctly (see figure).
- _____ A permanent stabilization plan that states the following (can be written on site plan):
 - Addition of at least 6" of topsoil to all disturbed areas.
 - Method for establishing permanent vegetative cover (on the supplemental form).

Notes:

- Financial assurance is required for projects disturbing more than one acre
- MCWD must be notified prior to any site dewatering
- The permittee may be required to implement additional sediment/erosion control measures upon request from MCWD staff if, at any time after the permit is issued, it is considered necessary for compliance with the Erosion Control Rule.