

## **APPLICATION FOR EXCAVATION, FILLING AND GRADING ADMINISTRATIVE AND INTERIM USE PERMITS (IUP)**

### **Requirements, Process and Application Packet City Code Chapter 10-31**

It is through the development, redevelopment and preservation of the City, in accordance with the City's Comprehensive Plan, development standards and zoning requirements, that the City is shaped to the form and characteristics deemed desirable and suitable. In order to mitigate potential impacts on surrounding areas or neighborhoods, certain uses require the approval of an excavation, grading or filling permit.

Once submitted, the permit application will be reviewed by the Community Development Department and presented to the City Engineer and, if required, the Planning Commission and/or Council. Additional information may be requested or required to process the application after submission.

Packet includes:

- Brief description of permit use and requirements
- Application
- Questionnaire
- Application deadlines if IUP is required

If items and narrative listed are not adequately addressed, the permit may be denied.

#### **Approval Requirements:**

The permit shall be reviewed and approved if none of the following conditions are found to exist: negative impact on an approved grading plan, negative impact on neighboring properties or public drainage systems on or off-site, fill brought on site is of an unsuitable quality, excavation is for commercial activity/transport, negative impact on public waters or wetlands, hours of operation of the land disturbance activity fall outside of 7:00 a.m. to 7:00 p.m., Monday-Friday, inadequate erosion control, failure to comply with Chapter 10, Sections 16, 91, 92 and or 93, the proposed transport of materials is incompatible with the neighboring land uses, the proposed transport can be safely accommodated by the existing transportation structure.

#### **Right of Entry:**

By signing this application, applicant is agreeing to right-of-entry stating that the City and its officers have permission to enter the land for purpose of determining compliance with all applicable condition imposed in the permit.

#### **Fees:**

Fees for the different application types is identified and set by the annual City Fee Schedule

**Termination:**

All excavation, filling or grading operations for which a permit has previously been issued shall terminate such operations on the date specified by the permit.

**Security:**

The City may require either the applicant, property owner or user of the property on which the excavation, filling or grading is occurring to post a security bond in such form and sum as determined by the City Engineer. This will be determined after an engineering review of the application submitted. Security requirements are set forth in City Code 10-31-7.

**Stop Work:**

Failure to comply with the requirements of the permit, issuance of a stop work order, completion of ordered corrective action, or taking corrective action, the City Engineer or Building Official may revoke any permit effective immediately. The City will require the site be brought into conformance with City Code before work can continue.

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**Administrative Permit – City Code Chapter 10 Section 31:**

The purpose of an Administrative permit is to address excavation, grading and filling for projects less than 100 cubic yards in size. Projects exempt from an Administrative permit that are under 100 cubic yards include the following:

- Urban Area – less than fifteen (15) cubic yards in volume and is the only such activity in the last year.
- Rural Area – less than forty-five (45) cubic yards in volume and is the only land disturbance activity in the last year.

Review: In cases where an administrative permit is required:

1. The permit application shall be reviewed and render a decision within sixty (60) days, unless otherwise extended.
  2. No permit shall be issued for activity to be conducted over a period of time longer than ninety (90) days.
  3. If the permit is denied, the applicant shall be notified in writing.
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**Interim Use Permit (IUP) – City Code Chapter 10 Section 7 and 31:**

*Intended for all excavation, filling and grading permits greater than 100 cubic yards that are not exempt per City Code 10-31-1. In cases where the permit requires an IUP, the process in City Code Chapter 10, Section 7 shall be followed to determine compliance.*

The purpose and intent of allowing interim uses is: to allow a use for a temporary period of time until a permanent location is obtained or while the permanent location is under construction; to allow a use that is presently judged acceptable by the City Council, but that with anticipated development or redevelopment, will not be acceptable in the future or will be replaced in the future by a permitted or conditional use allowed within the respective district to allow a use which is reflective of anticipated long-range change to an area and which is in compliance with the Comprehensive Plan provided that said use maintain harmony and compatibility with surrounding uses and is in keeping with the architectural character and design standards of existing uses and development.

**General Information Regarding IUP Permits:**

- Interim use is identified within the applicable zoning code for the property.
- The application process must be completed for final determination.
- Completing the application process does not guarantee approval.
- Conditional use permits are recorded against the property.
- Permits will be considered abandoned in the event the interim use is discontinued by non –use for six (6) months after notice from the City.

Development Schedule: See the annual Development Application Schedule to identify application due dates, Planning Commission and City Council meetings that pertain to the individual application.

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Application Date:	
Fee:	Escrow:

## EXCAVATION, FILLING AND GRADING PERMIT APPLICATION

PROPERTY INFORMATION	PARCEL ID #:	SITE ADDRESS/DEVELOPMENT NAME:		
PROPERTY OWNER	NAME:			
	ADDRESS:			
	CITY:		STATE:	ZIP:
	PHONE:		EMAIL:	
FIRM PREPARING GRADING & EROSION CONTROL PLAN	COMPANY:		CONTACT PERSON:	
	ADDRESS:		PHONE:	
	CITY:		STATE:	ZIP:
	PHONE:		EMAIL:	
GRADING CONTRACTOR	COMPANY:		CONTACT PERSON:	
	ADDRESS:		PHONE:	
	CITY:		EMAIL:	
	STATE:	ZIP:	LICENSE #:	EXP. DATE:
PROJECT INFORMATION	DESCRIPTION OF WORK:			
	CUBIC YARDS TO BE MOVED:		ESTIMATED VALUE OF GRADING WORK:	
	GRADING PLAN DATE:		EROSION CONTROL INSTALLATION DATE:	
	GRADING START DATE:		SITE GRADING COMPLETION DATE:	
	BUILDING CONSTRUCTION START DATE:		SITE RESTORATION COMPLETION DATE:	



## **ADMINISTRATIVE AND IUP NARRATIVE AND ATTACHMENT REQUIREMENTS FOR PERMIT SUBMISSION:**

Please attach answers on separate sheet of paper.

1. The purpose of the excavation, grading and/or filling.
2. A description of the type and amount of material to be excavated, graded or filled on the site.
3. The highway, streets or other public ways in the City upon which any material is to be hauled or carried.
4. An estimate of the time required to complete the excavation, filling or grading.
5. Explain any impact or response to:
  - a. Erosion control plan
  - b. Traffic
  - c. Streets
  - d. Safety
  - e. Noise
  - f. Hours of operation
  - g. Duration of activities
  - h. Environmental factors
6. Stormwater Management Plan meeting the standards of City Code Chapter 10 Section 91, 92 and 93.

### **Attachments:**

1. One large scale copy and one reduced scale copy (11 x 17 inches) of a site plan clarifying and identifying:
  - Graphic explanation of proposed project
  - Areas where soil is to be stockpiled
  - Location of silt fencing and other erosion control measures
  - Property lines
  - Current site topography
  - Proposed site topography
  - Public waters and wetlands on and within three hundred fifty (350) feet of the site
  - Flood plains
2. Map or Sketch of Route proposed for trucking material