



Executive Summary

City Council Business Meeting

AGENDA ITEM-NEW BUSINESS:	Ordinance No. 340 – Amendment to Chapter 5, Article 3 of the Maple Plain City Code
PREPARED BY:	Jacob Schillander, City Administrator
RECOMMENDED ACTION:	Approve Ordinance 340 and Ordinance 340 Summary Publication

Summary:

This ordinance replaces Chapter 5, Article 3 in its entirety to improve clarity, update references, and establish escrow requirements for grading and drainage-related permits. Key changes include:

- **Clarified Permit Requirements:**
 - Requires a **special use permit** for grading, filling, or excavating that alters ground contours or drainage.
 - Defines “substantial alteration” as movement of more than 25 cubic yards or changes of two feet or more in elevation.
- **Updated Plan Requirements:**
 - Requires submission of a **grading or erosion and sedimentation control plan** consistent with MPCA Best Management Practices.
- **Fee and Escrow Requirements:**
 - Adds a requirement for applicants to pay a **permit fee** as established in the City fee schedule.
 - Introduces a new **financial security (escrow)** provision to ensure completion of approved grading or erosion control work.
- **Corrected Code References:**
 - Updates outdated references to **Chapter 4, Article II** with correct citations to **Chapter 3, Article 2**.
- **Reorganized Sections:**
 - Renumbers and reorganizes sections for better flow and clarity (e.g., Section 5-54 becomes 5-55, etc.).

Ambiguities Addressed

The ordinance resolves several areas of ambiguity in the previous code:

1. **Unclear Permit Thresholds:**
 - Prior language did not define what constituted “substantial alteration,” making enforcement inconsistent.
2. **Missing Escrow Requirements:**
 - No prior requirement for financial security to ensure completion of grading or erosion control work.
3. **Outdated Code References:**
 - Incorrect citations to other chapters created confusion for applicants and staff.
4. **Fee Language:**
 - Previous language lacked clarity on how fees were determined and where they were documented.
5. **Responsibility for Costs:**
 - Removed vague language about cost responsibility and replaced it with a clear escrow mechanism.

Recommendation:

Approve Ordinance 340 and Ordinance 340 Summary Publication