



Town of Moraga

PLANNING DEPARTMENT
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 www.moraga.ca.us
 planning@moraga.ca.us

For Staff Use Only

File Number: _____
 Deposit Number: _____
 Deposit Amount: _____

GRADING REVIEW APPLICATION

PROPERTY ADDRESS: _____ ZONING: _____

ASSESSORS PARCEL NUMBER: _____ CUBIC YARDS CUT/FILL: _____

APPLICANT INFORMATION	OWNER INFORMATION
NAME: _____	NAME: _____
ADDRESS: _____	ADDRESS: _____
CITY/STATE/ZIP: _____	CITY/STATE/ZIP: _____
PHONE: _____	PHONE: _____
EMAIL: _____	EMAIL: _____

An application for grading review requires a deposit consistent with the adopted fee schedule. An applicant is responsible for all charges associated with processing the application. Appeals to decisions may require additional deposits to cover charges for public notices, meeting minutes and town consultants. Clear, complete and consistent applications require less staff time and thus are less expensive to process.

APPLICANT / OWNER AUTHORIZATION
<p>CHOOSE ONE:</p> <p><input type="checkbox"/> I am the property owner and hereby authorize the filing of this application.</p> <p><input type="checkbox"/> I am the applicant and am authorized by the owner to file this application**.</p> <p>By signing below the applicant acknowledges the Town of Moraga deposit account system and agrees to pay any additional charges that may be incurred beyond the initial deposit.</p> <p>SIGNATURE AND DATE: _____</p>

****If the applicant is not the owner of record, written authorization from the property owner is required.**

Indemnification/Reimbursement Agreement

Project Address and description of project (“Project”)

As part of the application for the Project, the applicant and/or property owner (collectively “Applicant”) agree to defend, indemnify, and hold harmless the Town of Moraga, its agents, officers, council members, employees, boards and commissions from any and all claims, actions or proceedings (collectively “Claims”) brought against any of the foregoing individuals or entities, seeking to attack, set aside, void or annul any approval of the application or related decision, or the processing or adoption of any environmental documents or negative declarations which relate to the approval. This indemnification shall include, but is not limited to, all damages, costs, expenses, attorney fees or expert witness fees that may be awarded to the prevailing party arising out of or in connection with the approval of the application or related decision, whether or not there is concurrent, passive or active negligence on the part of the Town of Moraga, its agents, officers, council members, employees, boards, commissions. If for any reason any portion of this indemnification agreement is held to be void or unenforceable by a court of competent jurisdiction, the remainder of the agreement shall remain in full force and effect.

The Town of Moraga may, but is not obligated to, defend such Claims as the Town of Moraga, in its sole discretion, determines appropriate, all at Applicant’s sole cost and expense. This indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the Town of Moraga, if any, and costs of suit, attorney's fees and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the Applicant, Town of Moraga, and/or parties initiating or bringing such proceeding. If the Applicant is required to defend the Town of Moraga as set forth above, the Town of Moraga shall retain the right to select the counsel who shall defend the Town of Moraga. Per Government Code Section 66474.9, the Town of Moraga shall promptly notify Applicant of any proceeding and shall cooperate fully in the defense. The Financially Responsible Party acknowledges and agrees that additional deposits may be required while the application is processed, in such amounts and at such times as the Town deems necessary to cover the Town's incurred and projected processing costs including but not limited to environmental studies. Deposit accounts are required to maintain a minimum balance of 20% of the original deposit amount at all times. If your account drops below that threshold, you will be asked to remit the balance due plus the 20% maintenance balance. Failure to maintain your account in this standing will result in a hold placed on the account and work will stop on all project processing until the necessary payment has been remitted. The payment and acceptance of requested deposits does not constitute an approval of permits, entitlements, or authorizations to begin work.

The Financially Responsible Party agrees to be jointly and severally liable with the Property Owner for payment of all fees referenced above. The sale or other disposition of the property does not relieve the Financially Responsible Party of their obligation to maintain a positive balance in the deposit account unless the Town grants prior approval. The Financially Responsible Party agrees to notify the Town in writing prior to any change in ownership or status of any option agreements. The Financially Responsible Party is required to submit a written request for withdrawal of the application or written assumption of the obligations under this agreement signed by the new owner or his/her authorized agent.

Withdrawal or denial of an application does not relieve the Financially Responsible Party of its obligation to pay for costs incurred in connection with this application. The Financially Responsible Party shall be liable for and will pay all costs incurred for the project, up through the date of the written request for application withdrawal or date of approval or denial, whether or not such work is complete and whether or not the costs have previously been billed.

Any funds remaining in the account after all associated processing activities have been completed shall be returned to the Financially Responsible Party.

I have read and agree with all of the above.

Applicant (please print name)

Applicant signature

Date

Property owner name (if different from the applicant)

OTHER CONTACT INFORMATION AND PROJECT CONSULTANTS

PROJECT GEOTECHNICAL ENGINEER	PROJECT CIVIL ENGINEER
NAME: _____	NAME: _____
ADDRESS: _____	ADDRESS: _____
CITY/STATE/ZIP: _____	CITY/STATE/ZIP: _____
PHONE: _____	PHONE: _____
EMAIL: _____	EMAIL: _____

PROJECT SOILS ENGINEER	LANDSCAPE ARCHITECT
NAME: _____	NAME: _____
ADDRESS: _____	ADDRESS: _____
CITY/STATE/ZIP: _____	CITY/STATE/ZIP: _____
PHONE: _____	PHONE: _____
EMAIL: _____	EMAIL: _____

PROJECT DESCRIPTION: Please provide a complete description of your project.

GRADING REVIEW PROCESS

1. The first meeting with the planning staff will clarify town requirements, general plan limitations, design guidelines, and determine applicable fees.
2. All grading that is not considered 'minimum grading' by the Design Guidelines requires a grading permit. Applicants seeking approval of Grading Permits for projects on slopes with a 20% or greater slope must also apply for a Hillside Development Permit.
3. Where grading has been or is to be performed on the site, the applicant shall also submit an as-built soils report from the soils engineer of record, prior to the issuance of a building permit, and the soils engineer of record shall certify that all work has been done in compliance with approved plans.
4. Once the required deposit and the application are submitted, the Permit Streamlining Act requires the planning department to determine completeness of the application within 30 days (during which time the project may be referred to the town engineer or other engineering consultant). Once determined complete, an application must either be approved or disapproved within 60 days unless both the Town and applicant agree to a one-time 90-day extension.
5. All applications involving the hauling of more than 500 cubic yards or 20 single dumper truck loads, or 10 double dumper truck loads shall require a permit issuable by the Town Council following notice to interested parties. Planning Staff will review the application and a permit will be prepared for issuance subject to ratification by the Town Council. The normal procedure will be to place permits that are ready for ratification on the Town Council's consent calendar. The Council may ratify staff action or remove the item to be discussed as a separate agenda item. If the hauling operation will occur over private streets then letters authorizing the haul route that approved by the owner/owners of the private drive must accompany the application.
6. Once the Grading Review Application is received and determined to be complete, the project application will be put on the next available Design Review Board meeting agenda for consideration. Notices will be mailed to neighbors within 300 feet of a proposed project 10 days in advance of the DRB hearing.
7. A staff report for public review is typically available four days prior to the hearing (usually the prior Thursday). It is the responsibility of the developer or property owner to pick up the report from the Planning Department for review.
8. Applicants are expected to attend the DRB meeting. The applicant is encouraged to prepare a brief presentation of the project to the board or commission, whatever the case may be. The board or commission may have questions, so the necessary party should be in attendance to respond.
9. Following the presentation, the board or commission opens up the meeting to public testimony, after which they will discuss the project and render a decision.
10. The decision of the DRB can be appealed within 10 days of the action (with a fee).
11. Applications are processed on a staff-time basis. It is to the advantage of the applicant to submit a complete and accurate application. If approved, the project may require grading permit from the County Building Inspection Department.

COMPLIANCE WITH TOWN OF MORAGA DESIGN GUIDELINES:

1. A grading permit is required for any lot of 20% or greater slope and for all grading operations except those defined as minimum grading, unless the Design Review Board specifies as a condition of approval that a grading permit is required. If the grading is to take place on a slope greater than 20% a Hillside Development Permit will also be required.
Minimum grading is defined as being consistent with all the following criteria:
 - a. The volume of soil or other earthen materials to be moved does not exceed 50 cubic yards;
 - b. A maximum excavation of three (3) vertical feet below natural grade with adequate support by a retaining structure;
 - c. A maximum cut slope of six feet in height and not steeper than three horizontal to one vertical;
 - d. A maximum fill of three (3) feet in height, measured vertically upward from natural grade, and which is not intended to support structures;
 - e. Grading which does not obstruct, divert, impede or otherwise interfere with an existing drainage course;
 - f. The area to be graded or filled does not exceed 10,000 square feet; and
 - g. Activity does not occur within 100 feet of a natural or manmade watercourse or water body.
2. Special authorization must be received from the Town prior to any grading activity during the rainy season (October 1 to April 15). Such authorization may be revoked at any time the Town determines that continuation of such activity may cause excessive erosion.

3. If permittee fails to meet any requirement of the Grading Ordinance or administrative regulations, the Town may suspend the grading permit and permittee shall cease all work on the site. The Town shall reinstate a suspended permit upon permittee's correction of the cause of suspension.
4. The grading of the proposed project should be compatible with the slope, topography, and vegetative characteristics of the site.
5. Retain, protect and utilize existing natural features, such as trees and other vegetation, interesting ground forms, rocks, water, and view in the design.
6. Provide proper drainage, erosion prevention, wind barriers, shade, sound absorption, dust abatement and glare reduction.
7. Preserve the natural topography of the land, especially at the horizon, and not have "staircase" or "rice paddy" effects:
 - a. Round off, in a manner natural to the surrounding terrain, sharp angles produced by earth moving, specifically at the top and toe of graded slopes.
 - b. All graded slopes shall be contour graded to achieve a natural appearance.
 - c. Blend grading with the contours of contiguous properties and create a smooth transition.
 - d. Minimize scars due to cuts, fills and drainage benches on natural slopes.
 - e. Neither cuts nor fills shall result in slopes steeper than 3:1 (horizontal to vertical), except where natural slopes are greater. Where steeper slopes are unavoidable, special mitigation measures shall be incorporated into the design, since slopes steeper than 3:1 are difficult to maintain.
8. Preserve natural site amenities:
 - a. Development shall be planned in relation to natural features.
 - b. Natural features must be protected both during and after construction of the project.
 - c. Retain trees and other native vegetation, consistent with tree preservation ordinance, to maintain current stability of steep hillsides, retain moisture, prevent erosion and enhance the natural scenic beauty.
 - d. Treat significant natural features, such as creeks, rock out-croppings and prominent knolls, as assets.
9. Consider appropriate remedial measures to deal with geologic hazards and adverse soil conditions in site planning and design of structures.
10. Drainage should follow natural flow patterns and, where appropriate, plans should develop wide area flow patterns, rather than concentrating flow at one point.
11. Debris benches may be used on individual lots only where existing landslides cannot be repaired.
12. Downhill or uphill portions of any project shall provide landscaped treatment to address potential erosion, to be in harmony with adjacent developments, and to provide a complimenting view from distant horizons.
13. Does the project comply with all the design guidelines for grading, drainage and erosion control? **(YES/NO)** If not, please explain why you believe the design review board should consider an exception to the design guidelines:

Additional Information for Grading Project Analysis:

1. Is the property in an Open Space Zoning District, Planned Unit Development or subject to Deed Restrictions or Covenants, Conditions and Restrictions (C.C.&R's)? **(YES/NO)** If the answer to this question is "NO", then you may skip to the next question; otherwise, you will need to make the following determinations:

- a. Check the conditions of approval of the Use Permit, C.C.&R's or Deed Restrictions and obtain approval of your Homeowners Association, if applicable.
 - b. If an active Homeowners Association (HOA) has jurisdiction over the project site, then the applicant shall submit verification that the HOA has approved the plans. Active Homeowners Associations would include Condominium and Townhouse Associations and some single-family residential associations, such as Sanders Ranch and the Moraga Country Club.
 - c. If your project is not in compliance with the Use Permit, C.C.&R's or Deed Restrictions, the plans may be denied by the design review administrator. In the case of a Use Permit, you may file an application for the Planning Commission to consider a Use Permit amendment.
2. If the project is in MOSO space you will need to identify the cell boundaries of that space on the site plan.
3. Will the project require removing (1) indigenous trees to the Moraga Area, such as Oak, Bay, Redwood, Toyon and Knobcone Pine (2) trees that are 5" or more in diameter or that have multiple trunks with a total perimeter of 40" or more measured 3-feet above grade? **(YES/NO)**
 If "NO", you may go on to question 5; otherwise, you need to file an application with the Planning Director for a tree removal permit and you will also need to answer the following questions:
- a. How many trees would be removed for the project? _____
 - b. List the species of the trees or common names below.

- c. Exceptions can be made for any trees located closer than five (5) feet to an existing structure and trees located in a right-of-way and deemed to be hazardous by the Public Works Superintendent.
4. Will more than 500 cubic yards of soil be removed from the building site? **(YES/NO)** If "YES", you must file a hauling permit application for review by the Town Engineer and approval by the Town Council.
5. Will the project involve any alteration of a natural creek or encroachment into a drainage easement? **(YES/NO)** If "YES", the California Department of Fish and Game must review the project. You will also need to file a Drainage Easement Encroachment Permit application with the Town of Moraga. If "NO", please go on to the next question.
6. Does the proposed project include plans for construction or grading on a slope with a grade greater than 20%? **(YES/NO)** If "YES", you must also complete an application for a hillside development permit.
7. Is the project site within 500 feet of a designated scenic corridor road (Moraga Road, Moraga Way, Rheem Boulevard, St. Mary's Road, Camino Pablo, Canyon Road, Bollinger Canyon Road or Donald Drive along the ridgeline of Mulholland Hill)? **(YES/NO)**
- a. If "YES", can any part of the project be seen from the scenic corridor road? **(YES/NO)** If the project is visible from the scenic corridor you will need to complete the scenic corridor guidelines checklist.

Required Findings for Approval:

Please indicate how your project meets the following findings as listed in Planning Commission Resolution 16-2001.

1a. The proposed improvements conform with good design as set forth in the Town of Moraga Design Guidelines as follows:

1b. The proposed improvements contribute to the character and image of the town as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality as follows:

2. The proposed improvements will not have a substantial adverse affect on neighborhood properties or the community because:

3. The proposed improvement will not lower property values; discourage the maintenance and improvement of surrounding properties; or preclude the most appropriate development of other properties in the vicinity because:

4. The proposed improvement will not impair the public health, safety or welfare because:

GRADING PERMIT APPLICATION SUBMITTAL REQUIREMENTS

Carefully review the plan submittal requirements for the Design Review Board. Please be advised that an incomplete application may be returned to the applicant with no action taken.

1. When proposed on slopes of 20% or steeper and/or when grading is to be conducted as a part of the development, the application shall be accompanied by:

- A. Soils Engineering and Engineering Geology reports:
 - (1) The Engineering Geology report shall be prepared by an Engineering Geologist based upon adequate test borings or excavations. Recommendations included in the report and approved by the Town Engineer shall be incorporated in the grading plans or specifications. The report shall include, but not be limited to, the following information:
 - (A) An adequate description of the geology of the site;
 - (B) Conclusions and recommendations regarding the effect of geologic conditions on the proposed development; and
 - (C) Opinions and recommendations covering the adequacy of sites to be developed by the proposed grading.
 - (2) The Soils Engineering report shall be prepared by a registered Soils Engineer. The report shall indicate the presence of critically expansive soils, or other soils problems, which if not corrected would lead to defects in structures, buildings or other improvements; and when it so indicates, it shall further report on an investigation of each lot of the development including recommended corrective action which is likely to prevent such defects or damage to each building, structure or improvement to be constructed. The preliminary soil report shall be prepared on eight and one-half-inch by eleven-inch paper of durable quality and any maps or documents which accompany the report shall be of a convenient size and scale to fold to eight and one-half-inch by eleven inches. The Board may require the report to be evaluated by a separate independent licensed soils engineer or geologist, the cost of which shall be borne by the applicant. The focus of the review would be to advise the Board as to the adequacy of the report in addressing all relevant issues concerning the site and the development proposal.¹ The preliminary soil report shall, at a minimum, contain the following information:
 - (A) Opinions and recommendations covering adequacy of sites to be developed by the proposed grading
 - (B) Data regarding the nature, distribution, strength, and erodibility of existing soils, and of soil to be placed on the site, if any.
 - (C) Reports on the suitability of the earthen material for construction of stable embankments and excavation slopes, including those necessary for any artificial or natural drainage channels
 - (D) Conclusions and recommendations for grading and construction procedures to obtain required stability
 - (E) Design criteria for corrective measures when necessary.
 - (F) Conclusions and design recommendations for interim soil stabilization devices and measures and for permanent soil stabilization after construction is completed
 - (G) Maximum design velocities for any natural or artificial drainage channel; and
 - (H) Any other recommendations concerning slides, unstable soil conditions, springs and seepage conditions, erosion control planting, or drainage facilities to enable proper development of the site.
 - (I) Recommendations included in the report and approved by the Town Engineer shall be incorporated in the grading plans or specifications.
 - (J) The engineer of record shall file with the Town a certified letter or other applicable document, which states that the grading for landslide repair, streets and pads has been completed in accordance with the approved plans. This certification shall be made prior to the start of construction unless the Town grants a special exception.

¹ Adopted by the Planning Commission on May 2, 1988, as Resolution 08-88.

- (K) Where grading has been or is to be performed on the site, the applicant shall also submit an as-built soils report from the soils engineer of record, prior to the issuance of a building permit, and the soils engineer of record shall certify that all work has been done in compliance with approved plans.

- B. Engineer's certification of the site and foundation plans; and
- C. Analysis of the view shed impact of the structure, its architecture, access and the landscaping.

2. Site Map and Grading Plan. Plans shall contain:

- A. A vicinity sketch or other means of adequately indicating the site location at a scale no less than 1 inch equals 200 feet
- B. All of the proposed uses of the site and, if the site is to be divided, the proposed use of each lot or parcel of land
- C. Boundary lines of the site. Site's property lines shown in true location with respect to the plan's topographic information.
- D. Each lot or parcel of land into which the site is proposed to be divided
- E. Accurate contours showing the topography of the existing ground and proposed topography of the site taken at a contour interval sufficiently detailed to define the topography over the entire site. Ninety percent (90%) of the contours shall be plotted within one contour interval of the true location.
- F. Contour intervals shall extend a minimum of 100 feet off-site, or a sufficient distance to show on- and off-site drainage patterns as determined by the Town Engineer
- G. Elevations, location, extent and slope of all proposed grading shown by contours, cross-sections or other means and location of any rock disposal areas, buttress fills or other special features to be included in the work;
- H. Location and graphic representation of all existing and proposed natural and manmade drainage facilities.
- I. Detailed plans of all surface and subsurface drainage devices, walls, cribbing, dams, and other protective devices, including erosion protection 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 drainage systems or facilities.
- J. Location and graphic representation of proposed excavations and fills, of on-site storage of soil and other earth material, and of on-site disposal
- K. Location of existing vegetation types and the location and type of vegetation to be left undisturbed.
- L. Location of proposed final surface runoff, erosion, and sediment control measures.
- M. Quantity of soil or earth material in cubic yards, to be excavated, filled, stored, or otherwise utilized on-site
- N. Outline of the methods to be used in clearing vegetation, and in storing and disposing of the cleared vegetative matter
- O. Proposed sequence and schedule of excavation, filling, and other land-disturbing and filling activities, and soil or earth material storage and disposal.
- P. 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 100 feet of the property or which may be affected by the proposed grading operations or by stormwater run off from the site.
- Q. The location of any existing buildings or structures on the property where the work is to be performed, and the location of any buildings or structures on adjacent land which may be affected by the proposed work as determined by the Town Engineer; and
- R. Routes of travel to be used for vehicles and trucks hauling personnel, equipment and material to and from the site;
- S. The signature of the Civil Engineer responsible for the preparation of the plans
- T. Other information as may be required by the Town.

3. Plans and specifications shall also contain:

- A. A statement of the quantities of material to be excavated and/or filled and the amount of such material to be imported to, or exported from the site
- B. A statement, signed and stamped by the Civil Engineer Responsible for the plans that he or she is responsible for the preparation of the plans and specifications or the work was performed under his or her direction.
- C. A statement, signed and stamped by the Soils Engineer that he or she has revised the plans and specifications and is satisfied that the plans and specifications conform to the recommendations contained in the soils report prepared for the site
- D. A statement, signed and stamped by the Geotechnical Engineer (or Certified Engineering Geologist that he or she has revised the plans and specifications and is satisfied that the plans and specifications conform to the recommendations contained in the Geological report prepared for the site
- E. A statement of the estimated starting and completion dates for work covered by the permit
- F. A promise signed by the owner, or his authorized agent, that a civil engineer, soil engineer and/or engineering geologist will be employed to give technical supervision or make inspections of the work, whenever approval of the plans and issuance of the permit is to be based on the condition that such professional person be so employed
- G. Hours and days of work approved by the Town Engineer, the zoning administrator, or the appropriate governing body.

4. Grading Specifications:

Specifications shall contain in sufficient detail information covering construction and material requirements. Specifications shall reference the provisions of the latest published edition of the "Standard Specifications for Public Works Construction" as published by the Southern California Chapter of the American Public Works Association. ("Green Book")

5. Interim Erosion and Sediment Control Plan

- A. Temporary and permanent erosion control plans consisting of all plans, maps, data and other information required by the Town shall be submitted prior to the dates stated below. The plans shall be reviewed by the Contra Costa County Resource Conservation District, East Bay Municipal Utility District and the Contra Costa County Grading Engineer. Erosion control techniques and designs proposed in the temporary erosion control plans for the construction period must be found to be consistent with good engineering practice.
 - (1) Plans for temporary erosion control shall be submitted to the Town not later than September 1, during each year of construction. Temporary erosion and sediment control measures shall be installed or implemented not later than October 1 of each year in which grading and/or construction activities occur.
 - (2) Plans for permanent erosion control measures shall be submitted to the Town not later than September 1, following completion of construction. Permanent erosion and sediment control measures shall be installed and the site permanently stabilized not later than October 1, following completion of construction.
- B. The Town may require modification of previously approved erosion control plans and methods to accommodate unanticipated conditions on the site. The Town shall notify permittee in writing of the requirements and specify a reasonable period of time within which permittee must comply. Permittee shall comply with such requests within the specified time.
- C. The applicant shall comply with all Best management Practices, rules, regulations, standards, ordinances, laws, permits and policies established and or issued by The Federal Environmental Protection Agency, California Water Quality Control Board, and the Contra Costa County Clean Water Program. All the following information shall be provided with respect to conditions existing on the site during land-disturbing or filling activities or soil storage;
 - (1) Maximum surface runoff from the site, of stormwater and sediment, shall be calculated using the method approved by the Town Engineer and maintained in the Manual of Standards, or any other method proven to the Town Engineer to be as or more accurate.
 - (2) The Interim Plan shall also contain the following information:
 - (a) A delineation and brief description of the measures to be undertaken to retain sediment on the site, including, but not limited to, the designs and specifications for sediment detention basins and traps, and a schedule for their maintenance and upkeep;
 - (b) A delineation and brief description of the surface runoff and erosion control measures to be

implemented, including, but not limited to, types and method of applying mulches, and designs and specifications for diverters, dikes, and drains, and a schedule for their maintenance and upkeep;

- (c) A delineation and brief description of the vegetative measures to be used, including, but not limited to, types of seeds and fertilizer and their application rates, the type, location and extent of pre-existing and undisturbed vegetation types, and a schedule for maintenance and upkeep.
- (d) A delineation and brief description of surface runoff and erosion control measures to be implemented off site to protect existing creeks, channels, inlets, pipes, streets and other public and private improvements from erosion and sediment deposits and accumulations.
- (3) The location of all the measures listed by the Applicant above, shall be depicted on the Grading Plan, or on a separate plan at the discretion of the Town Engineer.
- (4) An estimate of the cost of implementing and maintaining all interim erosion and sediment control measures must be submitted in a form acceptable to the Town Engineer.
- (5) The Applicant may propose the use of any erosion and sediment control techniques in the Interim Plan provided such techniques are proven to be as or more effective than the equivalent best management practices contained in the Manual of Standards.

6. Final Erosion and Sediment Control Plan, where required;

A Final Erosion and sediment control plan shall be submitted with the application for review and approval by the Planning Commission after recommendations from the Design Review Board. The Final Plan shall be approved prior to issuance of a grading permit. All the following information shall be provided with respect to conditions existing on the site after final structures and improvements (except those required under this Section) have been completed:

- A. Maximum runoff from the site shall be calculated using the method approved by the Town Engineer and maintained in the Manual of Standards, or any other method proven to the Town Engineer to be as or more accurate.
- B. The Final Plan shall also contain the following information:
 - (1) A plan of and specifications for sediment retention devices;
 - (2) A plan of and specifications for surface runoff and erosion control devices;
 - (3) A plan of and specifications for vegetative measures;
 - (4) A graphic representation of the location of all items in;
- C. An estimate of the costs of implementing and maintaining all final erosion and sediment control measures must be submitted in a form acceptable to the Town Engineer. The Town Engineer shall be the final authority in determining the value of the estimate.
- D. The Applicant may propose the use of any erosion and sediment control techniques in the Final Plan provided such techniques are proven to be as or more effective than the equivalent best management practices contained in the Manual of Standards.
- E. All vegetative measures, landscaping and planting, where practicable, shall be drought tolerant species native to the local region

7. Where grading will be done in dry weather, a dust control plan shall be submitted to the Town. The plan shall contain measures approved by the County Grading Section, and may include a schedule for sprinkling grading area and covers for trucks transporting earth and landscaping treatment of cut or fill slopes. Measures shall be taken to prevent tracking of mud onto Town streets. The grading contractor, land developer and owner of the property being developed shall be held responsible for any failure to control erosion

8. Work schedule:

All applications shall be accompanied with a preliminary work schedule. Prior to issuance of a Grading permit the schedule will be updated and revised to reflect any conditions proposed. The revised (Final) schedule shall also be submitted in an electronic format acceptable to the Town Engineer.

The preliminary work schedule submitted with the application shall contain, but not be limited to, the following general tasks:

- A. Approximate starting and stopping date for the project; and
- B. Approximate starting and stopping dates for major tasks or critical events; i.e., repairs of existing slides, keyway cuts, subdrain and drainage system installation.
- C. After review of the grading plans, reports, specifications and preliminary schedule the Town Engineer will return the preliminary schedule to the applicant for revisions, as necessary. The applicant

will revise and resubmit a Final schedule as required in Section 14.12.070. The Final schedule shall contain, but not be limited to, the following items:

- (1) Preconstruction meeting date. Preconstruction meetings must be held no sooner than 21 days or later than 7 days prior to mobilization;
- (2) Starting and stopping dates to mobilize equipment;
- (3) Photographic or video graphic data collection of existing on-site and off-site conditions that may be affected or impacted by the work performed under the permit;
- (4) Estimated site conditions on the following dates; July 15, August 15, September 15, and October 1;
- (5) Proposed schedule for construction of critical path tasks and sub-tasks:
 - (a) Drainage and/ or subdrain system installation
 - (b) Drainage structure construction
 - (c) Retention/detention facility construction
 - (d) Interim erosion and sediment control measures
 - (e) Interim erosion control facility inspections
 - (f) Final improvements
 - (g) Permanent Erosion control/Planting/landscape plans

9. Performance bond or other acceptable security.

- A. Amount. The amount of the security shall be based upon the estimated cost to the city to complete the grading or perform work to eliminate drainage obstruction, hazard, or nuisance and shall include the cost of interim and permanent erosion control measures if deemed necessary by the Town Engineer. If the grading permit requires an either or both an interim erosion and sediment control plan or final erosion and sediment control plan the surety shall include a cash deposit in an amount equal to the estimated cost of the proposed erosion and sediment control measures but not to exceed \$10,000.00. The estimated cost of the proposed erosion and sediment control measures shall be subject to review and approval by the Town Engineer
- B. When the rough grading has been completed in conformance with the requirements of this code, the Town Engineer may at his discretion consent to a proportionate reduction of the bond to an amount estimated to be adequate to insure completion of the grading work, site development, erosion and sediment control measures or planting remaining to be performed. The costs referred to in this section shall be as estimated by the Town Engineer.

10. Any supplementary material required by the Town Engineer.