



# TOWN OF MORAGA

## PLANNING DEPARTMENT GRADING REVIEW PERMIT SUPPLEMENTAL APPLICATION

### Grading Guidelines

A grading review permit is required for any earth movement of more than 50 cubic yards, when the area to be graded is 10,000 square feet or greater, a cut or fill greater than 3-feet deep and for other conditions as specified in Moraga Municipal Code ([MMC Section 14.04.031](#)). [MMC Section 14.04.032](#) list exemptions to grading permits. The intent of this review is to ensure that grading minimizes impacts to drainage, erosion, and the natural features of the site, such as creeks, trees, swales, etc.

### Levels of Grading – Application Fee/Deposits – Please Select the Following

☐ **Design Review Administrator**

Grading projects on predevelopment average slopes less than 20% and between 50 cubic yards and less than 200 cubic yards of earthwork.

☐ **Design Review Board (DRB)**

Grading on slopes greater than or equal to 20% or on predevelopment average slopes less than 25% or equal to or greater than 200 cubic yards of earthwork.

☐ **Planning Commission / Town Council**

Projects including landslide repair or slope stabilization on predevelopment average slopes greater than or equal to 25%.

Please see the Town of Moraga [fee schedule](#) for appropriate fee/deposit and note the following:

- All credit card transactions will incur a 4% processing fee.
- No application will be deemed to be submitted, nor shall the application be reviewed or acted on by the Town, until such fee is received.
- Deposit based projects: The Advanced Planning Surcharge is collected from the deposit.
- 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 questions require less staff time and thus are less expensive to process.

### GRADING REVIEW PROCESS

1. Schedule a meeting with the planning staff to clarify town requirements, general plan limitations, design guidelines, and determine applicable fees.
2. A grading permit is required for projects exceeding thresholds established in Moraga Municipal Code (MMC) [§14.04.031](#) that do not qualify for a grading exemption under MMC [§14.04.032](#). Applicants seeking approval of Grading Permits for projects with a ground disturbance area of 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. 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 Hauling Permit issued by the Public Works Department.
5. 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). A letter will be sent to the applicant detailing any missing information. Once the missing information is resubmitted, the planning department will have 30 days to determine whether the application is complete.
6. Once the Grading Review Application is determined to be complete, the project application will be scheduled for consideration by the Zoning Administrator, Design Review Board, or Planning Commission depending upon the level of grading. Grading on slopes of 25% or greater will require Town Council approval after a recommendation from the Planning Commission. Notices will be mailed to neighbors within 300 feet of a proposed project 10 days in advance of the hearing date.
7. Except for Zoning Administrator approvals, a staff report will be drafted and available for public review typically seven days prior to the hearing.
8. Applicants are expected to attend the meeting for the hearing body. The applicant is encouraged to prepare a brief presentation of the project to the hearing body, as they may have questions, so the necessary party should be in attendance to respond.
9. Following the presentation, the hearing body opens up the meeting to public testimony, after which they will discuss the project and render a decision.
10. The decision of the hearing body can be appealed within 10 days of the action (with a fee). However, the decision of the Town Council cannot be appealed.
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 a grading permit from the County Building Inspection Department.

### **COMPLETE THE STANDARD PLANNING APPLICATION, AND PROVIDE PROFESSIONAL CONTACT INFORMATION HERE**

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: _____

## GRADING PERMIT APPLICATION SUBMITTAL REQUIREMENTS

1. Completed Standard Planning Application
2. Completed Indemnification/Reimbursement Agreement
3. Completed Grading Review Supplemental Application
4. Appropriate fee or deposit (cash, check, credit card). Please have check payable to the Town of Moraga.
5. Please submit three (3) copies of any written documentation, one (1) set of plans at a minimum 24' x 36" size, two half size sets (12"x18") sets, and an electronic version in PDF format. Electronic plans can be submitted on a USB flash drive or by email or online file service hosting link to [planning@moraga.ca.us](mailto:planning@moraga.ca.us). Additional plan sets will be required prior to the Public Hearing, which will be requested after the project has been deemed complete. All plans must be drawn to an architectural or engineer's scale, such as 1/8<sup>th</sup> = 1 foot, 1/4<sup>th</sup> = 1 foot or 1 inch = 20 feet scaled to 24" x 36" drawing sizes unless Staff agrees to an alternate size.
6. A preliminary title report may be required by the project planner. The report shall be no more than six months old, listing all recorded easements and restrictions and providing a legal description of the property.
7. When proposed grading exceeds is 50 cubic yards or greater, on slopes of 20% or steeper and/or when grading is to be conducted as a part of a 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.<sup>1</sup> 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.

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

- ☐ (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.

## **8. Site Map and Grading Plan.**

- ☐ 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 runoff 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;
- ☐ R. Construction management/staging plan.
- ☐ S. Routes of travel to be used for vehicles and trucks hauling personnel, equipment and material to and from the site;
- ☐ T. The signature of the Civil Engineer responsible for the preparation of the plans
- ☐ U. Other information as may be required by the Town.

**9. 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

**10. 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")

**11. 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. 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) 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.

**12. Additional documents. (Applicable based on the specifics of the project)**

- A. A boundary survey (wet stamped and signed) may be required for projects that propose development near to property lines, setback lines, easements, or where the location of these are unknown or in dispute, or where accurate topographic information is required. The survey shall include the following.
  - 1) All property lines.
  - 2) Building footprint of all structures with dimensions to property line.
  - 3) Easements, fully dimensioned, as reflected on a current title report including: 1) All public and private roads (labeled accordingly); 2) Rights-of-way; and 3) Easements, within and to the parcel.
  - 4) Street improvements - (curb, gutter, sidewalk, edge of paving)

- 5) Topography – (2' contour intervals in area to be developed)
  - 6) Drainage features including: 1) Swales; 2) Creeks (with required creek setbacks shown in both plan and sectional view); 3) Wetlands; and 4) Riparian habitat.
  - 7) Trees - show all trees with a trunk diameter of 5" or more measured three feet above natural grade or, if having multiple trunks, a total perimeter of forty (40) inches or more measured three feet above natural grade within 100 feet of proposed development, with the following labeled: 1) Tree species; 2) Diameter of trunk; 3) Elevation at trunk base; 4) Field surveyed accurate driplines (generic symbols are not accepted); 5) Tree identification number, provided by the arborist; and 6) Trees proposed to be removed with a prominent "X."
- B. An arborist report may be required when trees are proposed for removal or may be impacted by the project, such as work near or within driplines. The report should include; 1) Tree location(s), genus, species, diameter, dripline, and elevation at trunk base; 2) Health and condition of the tree(s), including existing hazards to the tree; 3) Potential impact of development on the tree(s) or existing tree(s) condition; 4) Evaluation of preservation potential based on the tree's existing condition and in relation to any potential development; Recommendations for protection, preservation, and requirements to maintain and improve tree health and assure survival; 5) Tree inventory table listing the tree number (as numerically tagged in the field), species, trunk diameter, health of tree, potential impact of proposal, and indicate whether tree is to be saved or removed 6) Site plan showing: numbered trees, accurate driplines, and proposed location of tree protection fencing; 7) Photos as applicable; and 8) Post construction recommendations as applicable.
  - C. A biological survey when a project is proposed within a sensitive habitat area, such as a riparian environment, oak woodland, or within a substantially undisturbed natural area.
  - D. Additional studies may be required depending on specific project type and potential impacts of the project, such as, traffic, parking or noise studies, prior to consideration of the project at a public hearing.
  - E. Any supplementary material required by the Town Engineer.

**13. (Informational) Additional documents that may be required prior to beginning, during or completion of grading activities.**

- ☐ 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.
- ☐ B. 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
- ☐ C. 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
- ☐ D. A statement of the estimated starting and completion dates for work covered by the permit
- ☐ E. 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
- ☐ H. Hours and days of work approved by the Town Engineer, the zoning administrator, or the appropriate governing body.
- ☐ I. Engineer's certification of the site and foundation plans; and
- ☐ J 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.

☐ K 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.

☐ Interim Erosion and Sediment Control Plan: 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. 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.