City of Dana Point
Public Works & Engineering Services Department

Brad Fowler, Director
Matthew Sinacori, City Engineer

Grading Manual 2006 Edition

Dana Point City Council

Wayne Rayfield
Mayor

Lara Anderson
Mayor Pro Tem

James V. Lacy
Council Member

Diane L. Harkey
Council Member

Russ Chilton
Council Member

TABLE OF CONTENTS

APPENDICES

DANA POINT GRADING MANUAL
PUBLIC WORKS & ENGINEERING SERVICES DEPARTMENT

SUBARTICLE I GENERAL PROVISIONS

1.1 AUTHORITY

The Dana Point Grading Manual (hereinafter referred to as "Grading Manual") is required by Section 8.01.020 of the Dana Point Municipal Code, and was developed to regulate grading activities in the City of Dana Point.

1.2 SCOPE AND PURPOSE

The Grading Manual is a compilation of rules, procedures and interpretations necessary to carry out the provisions of the Dana Point Grading and Excavation Code, as outlined in Chapter 8.01 of the Dana Point Municipal Code. The Grading Manual is organized to follow the content of subarticles in the Grading and Excavation Code.

The purpose of the Grading Manual is to assist users of the Grading and Excavation Code by supplementing it with detailed information regarding rules, interpretations, standard specifications, procedures, requirements, forms and other information used to control excavation, grading and earthwork construction in the City of Dana Point.

It is the intent of the Director of the Public Works & Engineering Services Department (hereinafter referred to as "Director") and the City Engineer to work with industry representatives to develop such rules, interpretation, standard specifications, procedures, requirements and forms.

1.3 REVISION

The contents of the Grading Manual will be periodically revised in response to new technological developments, improved understanding of engineering characteristics of earth material and other factors deemed appropriate by the Director and the City Engineer. Any person seeking to initiate a revision shall submit a written request accompanied by pertinent supportive data to the Director and the City Engineer. At such time as the Director chooses to consider pending revision requests, he shall direct an appropriate reviewing body to convene and make recommendations for changes. These recommendations shall become effective subsequent to approval by the Director of Public Works & Engineering Services and the City Engineer. Emergency situations may be handled differently insofar as other legal constraints permit. Requests of this nature shall be initiated by correspondence with the Director.

SUBARTICLE 2 DEFINITIONS

2.1 DEFINITIONS

The definitions contained in this subarticle are supplemental to those contained in the Grading and Excavation Code. They are helpful in interpreting the meaning of the Grading and Excavation Code and are fundamental to understanding the technical requirements of the Grading Manual.

AS-BUILT GRADING PLAN/AS-GRADED PLAN is a plan showing the surface condition of the ground, including line, grade and elevation, as of the date of certification by the civil engineer, architect or other qualified person.

BEDROCK is the solid naturally formed aggregate or mass of mineral mailer, whether or not coherent, which underlies soil or is exposed where soil does not conceal it.

BENCH is a relatively level step excavated into earth material on which fill is to be placed (see Figure 1).

EARTH MATERIAL is any rock or soil or any combination thereof.

FAULT is a fracture in the earth's crust along which movement has occurred. A FAULT is considered active if movement has occurred within the last 11,000 ± years (Holocene Geologic Time).

FLATLAND SITE is any site, which does not fit the definition of a hillside site.

HILLSIDE SITE is a site which entails cut and/or fill grading of three (3) feet or more in vertical height below or above natural ground; or a combination fill over cut slope equal to or greater than five (5) feet in vertical height; or where the existing grade is 20 percent (%) or greater; and which may be adversely affected by drainage and/or stability conditions within or from outside the site, or which may cause an adverse effect on adjacent property.

KEY/KEYWAY is a designed excavated trench into competent earth material in which compacted fill is placed to resist lateral pressure.

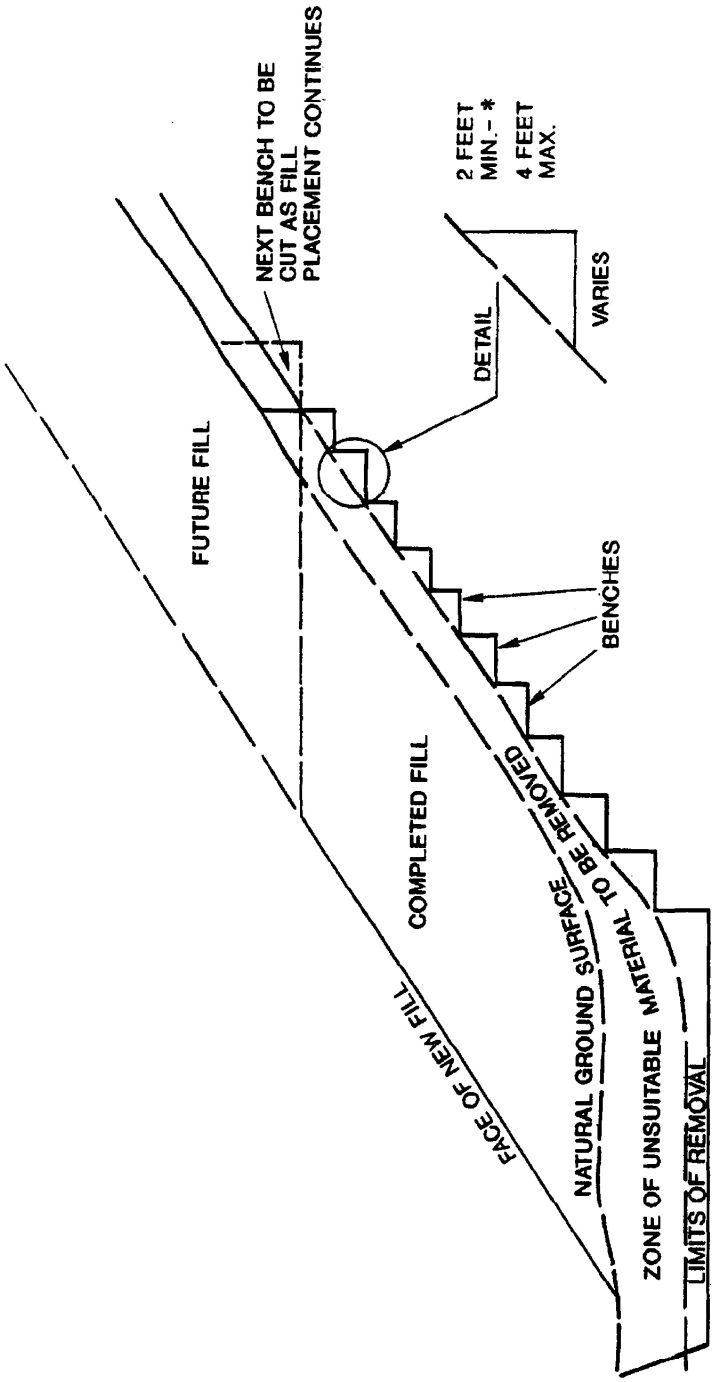
RETAINING STRUCTURE is a wall or other device designed to resist lateral pressure.

SEISMICITY is the susceptibility of ground to earthquake-induced motion and surface rupture.

SLOPE STABILITY ANALYSIS is the mathematical measure of the relative factor of safety against both deep-seated and surficial failure of slope material. Deep-

seated failure involves either rotational or translational failure along planes or surfaces of weakness. Surficial failure involves the outer portion of the slope soil (normally three to four feet measured perpendicular to the slope face), which is affected by erosion, weathering and seepage forces.

SULFATE (SO^4) is a chemical compound occurring in some soils, which, above certain levels of concentration, has a corrosive effect on ordinary portland cement concrete and some metals.



* VERTICAL BENCH HEIGHT MAY BE ADJUSTED BY SOIL ENGINEER AND/OR ENGINEERING GEOLOGIST TO MEET SPECIAL GEOTECHNICAL CONDITIONS.

Figure 1

SUBARTICLE 3 PERMITS REQUIRED

3.1 PERMITS REQUIRED

Permits are required by Section 8.01 Article 3 of the Dana Point Municipal Code (See Section 8.01 of the Dana Point Municipal Code).

Permits shall be required for the following activities*:

- Grading, clearing, brushing, or grubbing
- Paving over 3,000 square feet
- Alteration of an existing watercourse, channel, or revetment by excavating, or placing fill, rock protection or structural improvements
- Any construction for which a building permit is required
- Stockpiling of soil on a lot or parcel
- Possession, storage, sale, transport or use explosives and blasting agents to do any excavation
- Emergency Slope Repair (See Section 5.4 for details)

*Exemptions are included in Chapter 8, Article 3 of the Dana Point Municipal Code.

SUBARTICLE 4 ORGANIZATION AND ENFORCEMENT

RESERVED

SUBARTICLE 5 GRADING PERMIT REQUIREMENTS

5.1 RELEASE FROM PLANNING PRIOR TO SUBMITTAL TO ENGINEERING DEPARTMENT

Prior to submitting grading plans to the Public Works and Engineering Department, the applicant shall submit a site plan for discretionary approval to the Planning Department. Depending on the scope of work, additional permits from the Planning Department may be necessary. Applicant must obtain approval from the Planning Department, including the completion/approval of any discretionary review permits, prior to submitting to the Public Works & Engineering Department.

5.2 APPLICATION SUBMITTAL CHECK LIST

Initial submittal requirements for a grading permit review are listed herein.

The following items are required at the time of grading application submittal to the Public Works and Engineering Department and shall be separate from any other submittal to the Planning or Building Department. No partial submittal shall be accepted.

- ***Provide an application*** with an address assigned by Engineering Department.
- Three (3) wet-signed sets of ***Grading Plans*** prepared by a Registered Civil Engineer OR Licensed Architect.
- Three (3) wet-signed sets of ***Drainage and Erosion Control Plans*** prepared by a Civil Engineer.
- Three (3) copies of the completed ***Urban Runoff Threat Prioritization Form***.
- One (1) copy of a ***BMP Report****
- Three (3) copies of the completed ***Construction & Demolition (C & D) Ordinance Form***.
- Three (3) copies of a ***current preliminary Title Report*** (not older than six months) *(per Dana Point Municipal Code §9.61.040)*
- Three (3) wet-signed copies of a ***preliminary Soils Report***.
- Three (3) wet-signed copies of an ***Engineer's cost estimate*** subdivided into the following categories:
    a. Grading
    b. Private Improvements (Paving, drainage, etc.)
    c. Public and private Street and Drainage Improvements
    d. Erosion Control Improvements
- Provide a copy of the ***Conditions of Approval*** for the project, if they were issued by the Planning Department.
- ***Plan check and C&D fees (Cash or check)*** (See Subarticle 6 for

fees).

- Signature of property owner on cover sheet of Grading Plans.

* For more information on BMP reports please visit:

http://www.danapoint.org/publicworks/EngineeringPermits/EngineeringPermits.htm

5.3 APPLICATION SUPPLEMENTAL SUBMITTALS

The following items ***MAY*** be required to complete the application depending on the required permit:

- Three (3) sets of hydrology and hydraulic calculations.
- Three (3) sets of Geological Report.
- Three (3) sets of retaining wall structural calculations.
- Three (3) sets of a Soils report(s) addressing retaining wall design parameters.
- Three (3) sets of Landscape and Irrigation Plans.
- Three (3) sets of Special Erosion Control Plans.
- Three (3) copies of approved EIR, Negative Declaration, or an approved exemption per the California Environmental Quality Act.
- Three (3) sets of Precise Grading Plan.
- Three (3) copies of the approved Tentative Map if subdivision of parcel applies.
- Three (3) copies of the Final Map if subdivision of parcel applies.
- Three (3) copies of Street Improvement Plans.
- Notarized letter of consent for grading on adjacent property, when work will impact adjacent owners, and all applicable easement(s).
- Record of consent for drainage onto adjacent property, if applicable

In addition, the following Agency permits ***MAY*** be required prior to the issuance of a grading permit depending on the scope of work:

- Fire department approval
- California Department of Fish and Game permit
- California Coastal Commission permit
- Army Corp. of Engineers permit
- Division of Dam Safety permit
- All other Agency approvals

Notification shall be provided to the applicant at the time of the application submittal or after a pre-inspection of the site if any of the above items are required to complete the application package.

5.4 EMERGENCY SLOPE REPAIR SUBMITTAL REQUIREMENTS

In the event that the Director classifies work as an "Emergency Slope Repair", the property owner shall be required to submit the following documents for review and approval to the Public Works and Engineering Department:

- ☐ Completed Public Works and Engineering Department general application
- ☐ Geotechnical investigation of the site including:
  - Slope stability analysis
  - Remediation measures/recommendation
  - Site plan clearly illustrating the proposed emergency work.

5.5 GRADING PLAN CHECK

Plans submitted for plan check shall be drawn to scale with black ink upon 20lb white bond paper and shall be of sufficient clarity to indicate the nature and extent of the work proposed, and show in detail that they will conform to the provisions of the Grading Manual, the Grading and Excavation Code, and all relevant laws, ordinances, rules and regulations.

The first sheet of each set of plans shall give the location of the work and the name, address and telephone number of the following: the owner, the person by whom they were prepared, the project soil engineer, the engineering geologist and, when applicable, the project paleontologist and archaeologist. Additional details may be required where necessary. Additionally, each sheet of the grading plan set shall be wet-stamped and wet-signed by the engineer of work. The title sheet of said plans shall also be wet-signed and wet-stamped by the project soil engineer. No plan sheet shall exceed 24x36 inch dimensions.

a. Preliminary Grading Permit (or rough or mass grading permit):

   This permit will not fulfill the requirements for the issuance of a building permit.

   The plans shall include but not be limited to the following information:

   1. Vicinity map of the site.
   2. Property limits clearly labeled or otherwise identified with accurate contours of existing ground and details of terrain and area drainage a minimum of twenty five (25) feet beyond property limits or grading limits adjacent to areas of grading (spot elevations may be used on flatland sites).
   3. Limiting dimensions including setbacks between property lines and top and toe of slopes, elevations of finish contours to be achieved by the grading, proposed drainage devices and related construction.

4. Details (plan and section) of all surface and subsurface drainage devices, walls, cribbing, dams and other protective devices to be constructed with, or as a part of the proposed work.
5. Location of any existing building 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 fifteen (15) feet of the limits of grading, or which may be adversely affected by the proposed grading operations.
6. List the amount of proposed import and export on the plan cover sheet.

If the grading project includes the movement of earth material to or from the site in an amount considered substantial by the Director or in excess of 5,000 cubic yards as specified in Section 8.01.280 of the Dana Point Municipal Code, the permittee shall submit the haul route for review and approval by the Public Works & Engineering Services Department / Traffic Engineer prior to the issuance of a grading permit. The Traffic Engineer may suggest alternate routes or special requirements in consideration of the possible impact on the adjacent community environment or effect on the public right-of-way itself, which the Director shall prescribe as a condition of the grading permit.

Additional plans, drawings, calculations, environmental impact information, or other reports may be required by the Director.

b. Precise Grading Permit:

The plans shall include the following in addition to the above items listed for Preliminary Grading Permit:

1. The footprint or allowable building area of all proposed structures (including columns, overhangs, air conditioner pads, and architectural projections), shown in relationship to top and toe of slopes.
2. Detailed finished grade, finished floor elevations, and rough pad elevations.
3. Flow lines for lot drainage.
4. Details for building footing and side-yard swale relationship (including extra height or depth of footing).
5. Proposed concrete flatwork and/or driveways.
6. The Precise Grading Plan shall identify all previous preliminary grading permits issued for the project site. Sheets from the preliminary grading plan, which show original topography, shall be submitted with the precise grading plan.
7. A note on the plans (if applicable) stating, “Work required under a preliminary grading permit must be completed before the last increment of the site is converted to precise permit or the remaining work shall be included with a precise permit.”

5.6 SOIL AND ENGINEERING GEOLOGY REPORT CONTENT

Technical Guidelines for Soil and Geology Reports are provided herein as Appendix 'A'.

Recommendations contained in the approved reports shall be incorporated into the grading plans and specifications and shall become conditions of the grading permit.

For the purposes of this subsection, this manual considers soil engineer and geotechnical engineer synonymous.

a. Preliminary Soil Report:

Soil engineering reports shall be required for all subdivisions both commercial/industrial, multi- residential and similar developments involving structures and/or earthwork for which a grading permit is required. Soils reports shall also be required for grading or building permits on single lot projects when specified by the Director.

The preliminary soil engineering report shall include:

- Information and data regarding the nature, distribution, and the physical and chemical properties of existing soils;
- Opinions as to adequacy of the site for the proposed grading;
- Recommendations for general and corrective grading procedures;
- Foundation and pavement design criteria;
- Design of subsurface drainage required for the stability and protection of adjacent properties from the influence of groundwater; and
- Shall provide other recommendations, as necessary, to commensurate with the project grading and development.

b. Preliminary Engineering Geology Report:

Engineering geology reports shall be required for all developments on hillside sites where geologic conditions may have a substantial effect on existing and/or future site stability. This requirement may be extended to other sites suspected of being adversely affected by faulting.

- The preliminary engineering geology report shall include:
- Comprehensive description of the site topography and geology;
- Opinion as to the adequacy of the proposed development from an engineering geologic standpoint and opinion as to the extent that instability on adjacent properties may adversely affect the project;
- Description of the field investigation and findings;
- Conclusions regarding the effect of geologic conditions on the

proposed development;

- Specific recommendations for plan modification, corrective grading and/or special techniques and systems to facilitate a safe and stable development, and
- Shall provide other recommendations as necessary, commensurate with the project grading and development.

The preliminary engineering geology report may be combined with the soil engineering report.

c. Seismicity Report:

(Required if the project is within an A Earthquake Fault Hazard Zone)

A seismicity report shall be required as a condition for issuance of a grading permit and Building Permit for all subdivisions (tracts) and all sites for critical structures (fire stations, nursing homes, etc.) and major structures, as determined by the Director. Additionally sites containing earthquake sensitive earth materials and/or sites that are located on or near potentially active or active faults shall also require a seismicity report, as determined by the Director.

The report shall be prepared by a geologist, registered in the State of California, with expertise in earthquake technology and its application to buildings and other civil engineering works. The scope of the report shall be commensurate with the proposed development and shall reflect the state of the art. The seismic report may be combined with the soil and engineering geology reports.

Information of active or potentially active fault zones may be found on the State of California website at the link listed below:

http://www.consrv.ca.gov/CGS/rghm/ap/Map_index/index.htm

d. Final Reports:

A rough grade certification from the civil engineer, as well as compaction reports shall be required prior to rough grade sign off. Additionally, a final civil engineering certification and final soil and engineering geology reports shall be submitted in accordance with Subarticle 15 of this Grading Manual prior to final sign off of the grading permit.

5.7 PERMIT ISSUANCE

Where a Tentative Tract Map or Tentative Parcel Map is required, a preliminary grading permit may not be issued until after approval of a Tentative Tract or Tentative Parcel Map, unless otherwise approved by the Director.

5.8 PERMIT EXPIRATION

The time limitations and provisions of Section 8.01.230 of the Dana Point Municipal Code are included in Appendix 'B', "Grading & Excavation Control"

5.9 TRANSFER OF RESPONSIBILITY FOR APPROVAL

If the civil engineer, the soil engineer, the engineering geologist, the testing agency, or the grading contractor of record are changed during the course of the work, the work shall be stopped unless: (1) the owner submits a letter of notification verifying the change of the responsible professional; and (2) the new responsible professional submits in writing that that person has reviewed all prior reports and/or plans (specified by date and title) and work performed by the prior responsible professional and that the professional concurs with the findings, conclusions, and recommendations, and is satisfied with the work performed. The professional person may modify or revise recommendations, specifications or work performed if accompanied by supporting data and approved by the Director. The professional must state that the professional assumes all responsibility within that person's professional purview as of a specified date. All exceptions must be justified to the satisfaction of the Director.

Exception: Where clearly indicated that the firm, not the individual engineer and/or geologist, is the contracting party, the designated engineer or geologist may be reassigned and another engineer and/or geologist within the firm may assume responsibility.

(See Section 8.01.444 of the Dana Point Municipal Code, included herein with Appendix 'B').

SUBARTICLE 6 FEES

6.1 PLAN CHECK FEES

Before accepting a grading permit application and plans and specifications for checking, the Director shall collect a plan-checking fee as approved by Council City Council Resolution No. 98-01-13-05 on January 1, 1998; by City Council Resolution No. 05-07-13-09 approved on July 13, 2005; and those supplements as may be adopted by resolution of the City Council. The aforementioned resolutions are included in Appendix 'C'.

City Council Resolution No. 05-07-13-09 approved the review of grading plans with less than 500 cubic yards of cut or fill (whichever is greater) to be on a time and materials basis. An initial deposit of $500.00 and an administrative fee of $98 is due at the time of plan check submittal. The time is charged against the deposit and any additional fees are due at the time comments are returned or at permit issuance, whichever comes first.

For grading plans with 500 cubic yards or greater of cut or fill (whichever is greater), the fee schedule included within Resolution No. 98-01-13-05 shall apply for both grading and improvements (see Appendix 'C').

6.2 INSPECTION FEES

Before issuing grading permit, the Director shall collect an inspection fee as approved by Council City Council Resolution No. 98-01-13-05 on January 1, 1998; by City Council Resolution No. 05-07-13-09 approved on July 13, 2005; and those supplements as may be adopted by resolution of the City Council. The aforementioned resolutions are included in Appendix 'C'.

City Council Resolution No. 05-07-13-09 approved the inspection of grading plans with less than 500 cubic yards of cut or fill (whichever is greater) to be on a time and materials basis. An initial deposit of $350.00 is due at the time permit issuance. The time is charged against the deposit and any additional fees are due prior to final sign-off of the grading permit.

For grading plans with 500 cubic yards or greater of cut or fill (whichever is greater), the fee schedule included within Resolution No. 98-01-13-05 shall apply for both grading and improvements (see Appendix 'C').

6.3 EMERGENCY WORK; COST RECOVERY FEES

Per Section 8.01.310 of the Dana Point Municipal Code, if the Director performs or causes the performance of emergency or other work on private property, the Director shall charge the property owner all direct and indirect costs which are necessary to complete the work to the Director's satisfaction. In addition, the City

may charge a mobilization cost equal to ten percent (10%) of the cost for performing the work. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

SUBARTICLE 7 BONDS

7.1 TYPES OF SECURITY

The applicant may file a surety bond, a cash bond, a time certificate of deposit, or a letter of credit. The instrument and method of security will be subject to approval by the Director with the concurrence of City Council, when necessary.

Examples of security forms are found in Appendix 'D'.

7.2 SECURITY AMOUNT

Section 8.01.320 of the Dana Point Municipal Code allows the amount of a grading security to be determined by the Grading Manual. Therefore, the amount of a grading security shall be based on 30% of the cost of the project cut or fill volume, whichever is greater, and 50% of the cost of the drainage improvements and erosion control facilities being constructed or installed under the permit. Pavement areas controlled through the grading permit process shall be considered as drainage devices.

The amount of the security may be reduced by the Director to the extent that he determines that potential hazards or the nature of the project do not justify the full amount.

The amount of the security may also be increased by the Director up to 100% of the cost of the larger of the cut or fill volume and 100% of the drainage improvements and erosion control facilities if the potential hazards or nature of the project justifies such an increased amount.

7.3 TERM AND RELEASE OF SECURITY

The term of each security shall begin upon the date of permit issuance and shall remain in effect until the completion of the work to the satisfaction of the Director. For completion of work requirements, see Subarticle 15 of the Grading Manual. Security release shall be accomplished by written notification to the permittee from the Director. In the case of a preliminary grading permit where maintenance of erosion control devices is required, the security release will not occur until the entire site has been converted to a precise grading permit. A permittee may, as an alternative, obtain a new permit and security issued specifically for erosion control purposes. If this is done, the preliminary grading permit security will be released upon completion of preliminary grading permit work and issuance of the new permit.

7.4 SUBSTITUTION AND REDUCTION

A substitute security may be filed in lieu of the above-mentioned security, and the Director may accept the same if it is suitable to insure completion of the work remaining to be performed and in proper form and substance.

SUBARTICLE 8 CUTS

8.1 CUT SLOPES

Cut slopes shall be no steeper than two (2) horizontal to one (1) vertical (2:1). In special circumstances where no evidence of previous instability exists and when recommended in the soil engineering or engineering geology report and approved by the Director, slopes may be constructed steeper than 2:1. The issuance of a grading permit for plans showing slopes steeper than 2:1 shall constitute specific approval of said slopes provided that a note to this effect is clearly shown on the plans and all such slopes are referenced in the note. In no case shall slopes steeper than 2:1 be approved if 2:1 or flatter slopes are required as a condition of approval of any project or one designated on any map approved by the Planning Commission or the City Council without appropriate revision of said condition by the approving body.

Recommendations in the soil engineering and/or engineering geology report for cut slopes to be steeper than 2:1 shall be accompanied by a slope stability analysis for all slopes greater than five (5) feet in height. The soil engineer shall consider both gross and surficial stability of the slope and provide a written opinion as to the slope stability.

The faces of cut slopes shall be prepared and maintained to control against erosion in accordance with Subarticle 13 and Section 8.01.380 of the City of Dana Point Municipal Code. Where cut slopes are not subject to erosion due to the erosion-resistant character of the materials, such protection may be omitted upon approval by the Director.

The surface of all cut slopes more than 5 feet in height shall include appropriate landscaping for erosion-control purposes as approved by the Planning Department as outlined in the Section 7.08.120 “Landscaping and Screening” of the City of Dana Point Municipal Code.

SUBARTICLE 9 FILLS

9.1 FILL LOCATION

Fill slopes shall not be constructed on natural slopes steeper than two (2) horizontal to one (1) vertical (2:1) or where the fill slope toe is within twelve (12) feet measured horizontally from the top of an existing or planned cut slope outside the permit area boundary, except in the case of slopes of minor height when recommended by the geotechnical consultant and approved by the Director.

9.2 PREPARATION OF GROUND

The ground surface shall be prepared to receive fill by removing vegetation; non-complying fill; topsoil and other unsuitable materials; and by scarifying to provide a bond with the new fill. Where existing slopes exceed five (5) feet in height and/or are steeper than five (5) horizontal to one (1) vertical (5:1), the ground shall be prepared by benching into competent material, as determined by the soil engineer and/or engineering geologist and approved by the Director. The lowermost bench beneath the toe of a fill slope shall be a minimum ten (10) feet in width. The ground surface downgrade from the toe of fill shall be compatible with sheet flow runoff, or a paved drain shall be provided.

Where fill is to be placed upgrade from a cut slope, the bench of the toe of the fill shall be at least fifteen (15) feet wide. The cut slope must be made prior to placing fill and shall meet the approval of the soil engineer and/or engineering geologist as suitable foundation (or fill).

Unsuitable soil shall be removed prior to placement of fill.

9.3 FILL MATERIAL

Detrimental amounts of organic material shall not be permitted in fills.

Except as outlined below, or as stipulated by the project geotechnical engineer or soils engineer, no rock or similar irreducible material with a maximum dimension greater than twelve (12) inches shall be buried or placed in fills.

The Director may permit placement of larger rock when the soil engineer properly devises a method of placement, continuously inspects placement and approves the fill stability and competency. The following conditions shall also apply;

a. Prior to issuance of the grading permit, potential rock disposal area(s) shall be delineated on the grading plan.

b. Rock sizes greater than twelve (12) inches in maximum dimension shall be ten (10) feet or more below final grade, measured vertically and measured horizontally from slope faces. This depth may be reduced upon recommendation of the soil engineer and approval of the Director providing that the permitted use of the property will not be impaired.
c. Rocks greater than twelve (12) inches shall be placed so as to be completely surrounded by soils; no nesting of rocks will be permitted.

9.4 COMPACTION

All fills shall be compacted to a minimum of ninety (90) percent of maximum density or as specified in Appendix 'A', Part IV of this manual as determined by Test Method ASTM D1557, Appendix Chapter 33 of the Uniform Building Code or equivalent, and as approved by the Director. Field density shall be determined in accordance with the standards listed in Section 3305 of the Uniform Building Code or equivalent, as approved by the Director.

Locations of field density tests shall be determined by the soil engineer or approved testing agency and shall be sufficient in both horizontal and vertical placement to provide representative testing of all fill placed. Testing in areas of a critical nature or special emphasis shall be in addition to the normal representative samplings.

Exemptions:

a. Fills accepted in Section 8.01.340, "Fills" of the Dana Point Municipal Code and where the Director determines that compaction is not a necessary safety measure to aid in preventing saturation, settlement, slipping, or erosion.
b. Where lower density and very high potential expansion characteristics as defined by Table No. 18-I-B, "Classification of Expansive Soil" of the Uniform Building Code exist, lesser compaction may be granted by the Director upon justification and recommendation by the soil engineer.

Fill slopes shall be compacted to the finish slope face as specified above. The soil engineer shall provide specifications for the method of placement and compaction of the soil within the zone of the slope face.

Sufficient maximum density determinations by test method ASTM D1557 Appendix Chapter 33 of the Uniform Building Code or approved equivalent shall be performed during the grading operations to verify that the maximum density curves used are representative of the material placed throughout the fill.

9.5 SLOPE

Fill slopes shall be no steeper than two (2) horizontal to one (1) vertical (2:1). In special circumstances where no evidence of previous instability exists and when recommended in the soil engineering report and approved by the Director, fill slopes may be constructed steeper than 2:1. The issuance of a grading permit for plans showing slopes steeper than 2:1 shall constitute specific approval of said slopes provided that a note to this effect is clearly shown on the plans and all such slopes are referred to in the note. In no case shall fill slopes steeper than 2:1 be approved if 2:1 or flatter slopes are required as a condition or approval of any project or are designated on any map approved by the Planning Commission or the City Council without appropriate revision of said condition or map by the approving body.

Recommendations in the soil engineering report for fill slopes to be steeper than 2:1 shall be accompanied by a slope stability analysis for all slopes greater than five (5) feet in height. The soil engineer shall consider both the gross and surficial stability of the slope and provide a written opinion of the slope stability. In addition, the soil engineer shall recommend alternative methods of construction or compaction requirements if necessary to obtain surficial stability.

The faces of fill slopes shall be prepared and maintained to control against erosion in accordance with Subarticle 13 and Section 8.01.380 of the City of Dana Point Municipal Code. Where cut slopes are not subject to erosion due to the erosion-resistant character of the materials, such protection may be omitted upon approval by the Director.

The surface of all fill slopes more than 5 feet in height shall include appropriate landscaping for erosion-control purposes as approved by the Planning Department as outlined in the Section 7.08.120 “Landscaping and Screening” of the City of Dana Point Municipal Code.

9.6 UTILITY LINE BACKFILL

Utility line backfill beneath and adjacent to structures; beneath pavements; adjacent and parallel to the toe of a slope; and in sloping surfaces steeper than ten horizontal to one vertical (10:1) shall be compacted and tested in accordance with Section 9.4, Compaction, of this Subarticle. Alternately, relatively self-compacting material may be used when appropriate. The material specification and method of placement shall be recommended and inspected by the soil engineer and approved by the Director prior to backfilling.

Utility line backfill in areas other than those stated above need no specified placement method or compaction criterion, but shall require approval by the soil engineer.

The final utility line backfill report from the project soil engineer shall include a statement of opinion that the backfill is suitable for the intended use.

SUBARTICLE 10 SETBACKS

10.1 SETBACKS FROM PERMIT AREA BOUNDARY

The tops of cut and toes of fill slopes shall be set back as far as necessary from the outer property boundaries of the permit area, including slope easements, and in accordance with Figure 2 of this manual, 18-I-1 of the Uniform Building Code, and the Dana Point Municipal Code. Setbacks may be reduced to those shown on Figure 2 upon qualification from the soils engineer and/or geologist and approved by the Director and so long as they are still in compliance with the City of Dana Point Municipal Code.

10.2 DESIGN STANDARDS FOR SETBACKS

The tops and the toes of cut and fill slopes shall be set back from structures as far as is necessary for adequacy of foundation support; to prevent damage as a result of water runoff, erosion or maintenance of the slopes; and in accordance with Figure 18-I-1 ”Setback Dimensions” of the Uniform Building Code

Unless otherwise approved by the Director, based on recommendations in the approved soil engineering and/or engineering geology report on the approved grading plan, setbacks may reduced to those shown on Figure 2.

10.3 RETAINING WALLS

Retaining walls may be used to reduce the required setback in accordance with Figure 2 when approved by the Director. However, retaining walls fall under the jurisdiction of the Building Department and will require a separate review and separate permit. Detailed information on submittals and submittal requirements can be obtained by contacting the Building Department at (949) 248-3594.

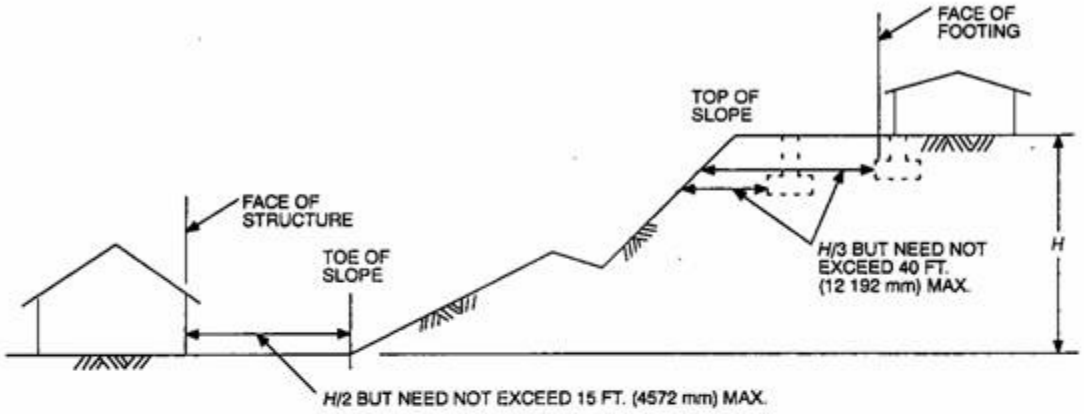
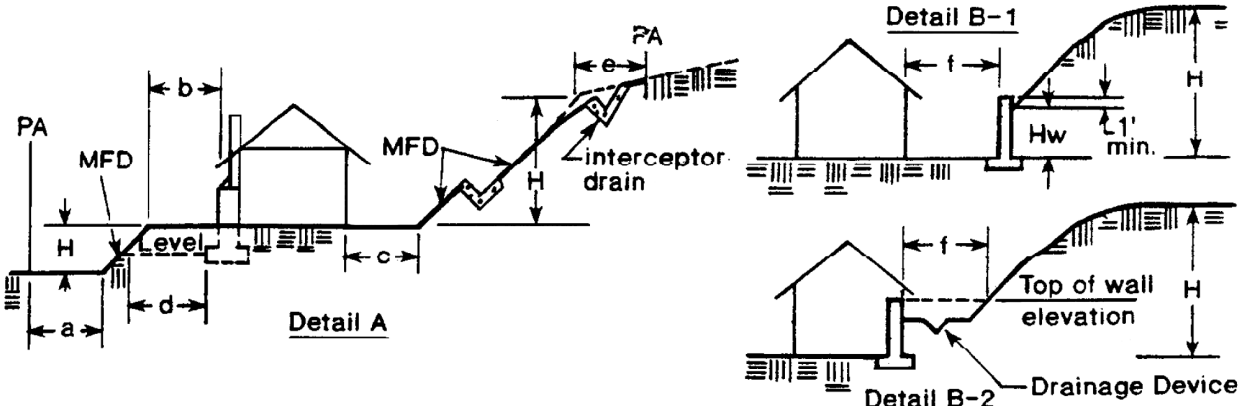


FIGURE 18-I-1—SETBACK DIMENSIONS

FIGURE 2



MINIMUM SETBACK FROM ADJACENT SLOPE					
H (ht.) Feet	a	b	c	d	e
0<6	3'	7'	3'	5'	1'
6-14	5'	7'	H/2	H/2 5' Min.	H/5
14-30	5'	H/2 10' Max.	H/2	H/2 10' Max.	H/5
+30	5'	10'	15'	10'	6'

Table A

H (ht) Feet	Maximum Hw	Minimum Setback f
0-6	3'	3' Minimum
6-12	H/2	H/2
12-30	6'	H/2
+30	6'	15'

Table B

NOTES

1. PA means Permit Area Boundary and/or Property Line: MFD means Manufactured Surface.
2. Setbacks shall also comply with applicable zoning and building regulations.
3. Table A applies to manufactured slopes and 2:1 or steeper natural slopes. Setbacks from natural slopes flatter that 2:1 shall meet the approval of the Building Official.
4. "b" may be reduced to 5' minimum if an approved drainage device is used; roof gutters and downspouts may be required.
5. "b" may be reduced to less 5' if no drainage is carried on this side of the structure and if roof gutters are included.
6. If the slope between "a" and "b levels is replaced by a retaining wall, "a" may be reduced to zero and "b" remains as shown on Table A. The height of the retaining wall shall be controlled by zoning regulations.
7. "b" is measured from the face of the structure to the top of the slope.
8. "d" is measured from the lower outside edge of the footing along the horizontal line to the face of the slope. Under special circumstances "d" may be reduced as recommended in the approved soil report and approved by the Building Official.
9. "f" may be reduced if the slope is composed of sound material that is not likely to produce detritus and the reduction is recommended by the soil engineer or engineering geologist and approved by the Building Official.
10. "a" and "e" shall be 2' when PA coincides with arterial or local street right of way and when improved sidewalk is adjacent to right of way.
11. "e" shall be increased as necessary for interceptor drains.

SUBARTICLE 11 DRAINAGE AND TERRACING

11.1 ADOPTION OF ORANGE COUNTY LOCAL DRAINAGE MANUAL AND ORANGE COUNTY HYDROLOGY MANUAL

Hydrology and hydraulic design criteria shall be per the Orange County Hydrology Manual and the Orange County Local Drainage Manual, respectively. Per the Orange County Local Drainage Manual, all Building Pads shall be protected from the 100-year storm inundation.

11.2 TERRACES

Terraces at least six (6) feet in width shall be established at not more than thirty (30) foot vertical intervals on all cut or fill slopes steeper than 5 feet horizontal to 1 foot vertical (5:1) to control surface drainage and debris, except that where only one (1) terrace is required, it shall be at approximately mid-height. If the slope is turf-covered, then terraces shall be required as above on slopes steeper than 4 feet horizontal to 1 foot vertical (4:1). For cut or fill slopes greater than 60 feet and up to 120 feet in vertical height, one terrace shall be 12 feet in width. Terrace widths and spacing for cut and fill slopes greater than 120 feet in vertical height shall be designed by the civil engineer and approved by the Director. Suitable access shall be provided to permit proper cleaning and maintenance whenever practical.

Swales or ditches on 6 feet and 12 feet wide terraces shall have a minimum gradient of six (6) percent and must be paved with reinforced concrete gunite, or approved equal, not less than three (3) inches in thickness. They shall have a minimum depth at the deepest point of eighteen (18) inches and a minimum paved width of five (5) feet.

A single run of swale or ditch shall not collect runoff from a tributary area exceeding 13,500 square feet (projected) without discharging into a down drain.

11.2 SUBSURFACE DRAINAGE

Cut and fill slopes shall be provided with approved subsurface drainage as necessary for stability and protection of adjacent properties from the influence of groundwater. The design of such facilities shall be contained in the approved preliminary (initial) soil engineering or engineering geology report and/or shall appear on the approved grading plan pursuant to the approval of the soil engineer and/or the engineering geologist.

Subsurface drainage facilities shall be installed where natural and/or artificially introduced ground water affects or is likely to affect the project in a potentially unstable, hazardous or otherwise deleterious manner.

11.3 DISPOSAL

All drainage facilities shall be designed to carry runoff to the nearest point of discharge approved by the Director and other appropriate jurisdictional authority as a safe place to deposit such water. Erosion of ground in the area of discharge shall be prevented by installation of non- erosive down drains, riprap, energy dissipaters or other approved devices including a return of flow to a natural sheet flow condition.

Where surface waters are to be conducted or directed onto adjacent property in an unnatural manner, the Director shall require the applicant, prior to issuance of a grading permit, to obtain written permission from the owner of said property, accepting the surface waters.

Building sites shall have a sheet flow drainage gradient of two (2) percent from the structure toward approved swales and/or drainage facilities, unless otherwise waived by the Director. The maximum drainage gradient of an earth swale shall be (four) 4 percent.

Grading of nearly horizontal surfaces under a preliminary grading permit shall have a sheet flow drainage gradient of two (2) percent toward approved drainage facilities. The Director may reduce this minimum gradient upon the written request of the applicant or his agent, providing the applicant demonstrates the following:

a. Finish grades for drainage of building sites can be constructed in accordance with the requirements of this subsection without importing additional fill, and

b. Sufficient approved swales and/or drainage facilities are constructed to prevent water from ponding on any lot within a distance equal to the height of a supporting natural slope or cut or fill slope.

Finish grades, other than as listed above, shall conform to the following minimum drainage gradient standards:

	Minimum Gradient
Earth Swales	1.0%
Earth (sheet flow)	2.0%
Asphalt pavement (sheet flow)	1.0%
Concrete drain in earth area	0.5%
Concrete gutter in asphalt paved area	0.28%

11.4 INTERCEPTOR DRAINS

Paved interceptor drains shall be installed along the top of all manufactured slopes where the tributary drainage area flows toward the slope and has a drainage path to top of slope greater than forty (40) feet measured horizontally. Interceptor drains shall be paved with a minimum of three (3) inches of reinforced concrete or gunite. They shall have a minimum depth of eighteen (18) inches and a minimum paved width of thirty six (36) inches measured horizontally across the drain. The slope of the drain shall be approved by the Director.

11.5 PIPE SPECIFICATIONS

Pipe material specifications shall be shown on the approved plans or in the approved soil report by the civil engineer or soil engineer and approved by the Director. The pipe shall conform to the currently adopted Standard Specification for Public Works Construction unless otherwise recommended by the civil engineer or soil engineer and approved by the Director.

Approved pipe includes but is not limited to:

a. Polyvinyl Chloride (PVC)

    1. Subdrain
        (a) ASTM D3034, SDR 35 (4”-15” diameter)
            ASTM F679, SDR 35 (18”-27” diameter)
            Maximum velocity, 8 feet per second
        (b) ASTM AS774 D1785, Schedule 40

    2. Stormdrain
        (a) ASTM D3034, SDR 35 (4”-15” diameter)
            ASTM F679, SDR 35(18”-27” diameter)
            Maximum velocity, 8 feet per second
        (b) ASTM D1785, Schedule 40 (4”-12” diameter)
            Maximum velocity, 15 feet per second

b. Reinforced Concrete Pipe (RCP)
    D-load to be designed and shown on approved grading plans.

c. Non-reinforced Concrete Pipe
    Pipe shall be extra strength

d. High Density Polyethylene (HDPE) Pipe
    HDPE pipe shall meet the requirements of Section 207-18 of the Standard Specifications for Public Works Construction (SSPCW), and as amended herein (see Section 11.5.2).

The maximum flow design parameters may be exceeded in special circumstances when justified and recommended by the civil engineer and approved by the Director.

11.5.1 Polyvinyl Chloride (PVC) Pipe:

All solid wall plastic pipes (PVC) shall bear the International Association of Plumbing and Mechanical Officials (IAPMO) or National Sanitation Foundation (NSF) seal of approval.

Plastic pipe, which is perforated for subdrain use after purchase from the manufacturer, shall also bear either the IAPMO or NSF seal. Subdrain pipe perforated by the manufacturer shall be certified in writing by an independent materials testing laboratory as to it having been fabricated from solid wall pipe, which conforms with the applicable ASTM specification prior to installation on any grading project.

Plastic pipe fittings shall be of like material and equal or greater strength to that of the designated pipe. Solvent welds shall be with an appropriate solvent.

Perforations shall conform to AASHTO M278-81 or ASTM F758 or other approved equal.

11.5.2 High Density Polyethylene (HDPE) Pipe:

HDPE pipe shall have full circular cross-section and an integrally formed smooth interior.

HDPE pipe shall meet the requirements of AASHTO Specifications M-252 for 3-inch diameter, M-294 for 12-inch to 48-inch diameters and MP-7 for 54-inch and 60-inch diameters. Pipe shall be type ‘S’ or ‘D’ (smooth interior). HDPE Pipe and resin producers shall be certified according to the PPI/CPPA Third Party Certification Program. All corrugated polyethylene pipe shall contain the appropriate program mark, either an official label or permanent affixation prior to shipment.

Joints shall be watertight joints and must meet a 10.8 PSI (74 kPa) laboratory test per ASTM D3212 and utilize a bell and spigot design with a gasket meeting ASTM F477.

Fittings used with the HDPE pipe shall not reduce or impair the overall integrity or function of the pipeline. Fittings may be molded or fabricated and shall be furnished by the pipe manufacturer.

Manufacturer shall provide, when required, a suitable repair coupling certified to provide a watertight seal to 3.5 psi.

11.6 AREA DRAIN GRATES

The minimum cross-sectional area of area drain grates shall not be less than 100 square inches, and shall contain a grate cover having 50% net opening. Exceptions may be approved by the Director where inlets are proposed but not required or where domed inlets may be a safe alternative.

11.7 CONDUITS BENEATH STRUCTURES

Drainage conduits placed beneath structures shall conform to the requirements for sewer and waste plumbing. PVC pipe shall be Schedule 40.

11.8 PIPE INSTALLATION

Pipe shall be installed in accordance with the manufacturer's recommendations and with the requirements of the currently adopted Standard Specifications for Public Works Construction unless otherwise recommended by the civil engineer or soil engineer and approved by the Director.

11.9 HYDRAULIC CAPACITY

Excepting standard terrace and down drains, drainage conveyance devices exceeding 100 feet in length shall be designed to carry the 10 year storm runoff. The design capacity shall be increased to the 25 year storm runoff for the design of all closed conduit systems having sump inlet conditions. Drainage conveyance devices less than 100 feet in length may use 4-inch diameter pipes or open swales consistent with the minimum dimensions specified in the County of Orange Resources and Development Management Department Standard Plan No. 1320. Irrespective of the length of any conveyance device, if the tributary drainage area is greater than 0.25 acres, the design criteria specific above for devices greater than 100 feet in length shall be used.

In all cases, the building pad shall be protected from the 100-year storm inundation. Therefore, if required by the Director or the City Engineer, calculations shall be provided demonstrating that all pipes, inlets, and storm drain appurtenances have sufficient hydraulic capacity to convey the 100-year storm event runoff to an approved drainage device or outlet.

11.10 BLUFF DRAINS PROHIBITED

Unless otherwise approved by the City Engineer, ground drain pipes along bluffs and slopes steeper than 2:1 are prohibited.

SUBARTICLE 12 ASPHALT CONCRETE PAVEMENTS

12.1 ASPHALT CONCRETE AND UNTREATED BASE STANDARDS

Per the Dana Point Municipal Code Section 8.01.370, "Asphalt Concrete Pavement", asphalt concrete pavement for surfacing of parking lots, private streets or other similar use shall conform to the provisions of Subarticle 12 of the Grading Manual unless otherwise approved by the Director. Said Code Section also includes additional requirements and is included in Appendix 'B' of this manual.

When asphalt concrete pavement is proposed for surfacing of private parking lots, private streets or other similar use, this paving, including the tack coat, prime coat, seal coat and base course, shall conform to the current Standard Specifications for Public Works Construction (SSPWC) and as amended herein, unless otherwise approved by the Director.

Exception: The provisions of this section shall not apply when:

1. Another governmental agency is designated to assume the responsibility for plan check and inspection of private streets; and

2. A private asphalt concrete driveway providing access to a single residence is proposed.

Asphalt concrete material used for AC pavement shall be Class and Grade B-AR-4000, and shall conform to the provisions set forth in Sections 203-6, 302-5 and 400-4 of the SSPWC.

If asphalt concrete pavement is being constructed directly upon an existing hard-surfaced pavement: 1) all holes and cracks 1.5 inches or greater in width shall be filled with asphalt concrete Class and Grade F-AR-4000 compacted level with the top of the existing pavement; 2) all cracks and joints greater than 1/8 inch in size shall be blown clear with high pressure air, with the street swept immediately thereafter; and 3) all joints and cracks greater than 1/4 inch and less than 1.5 inches in size shall be filled with Crafco Polyflex III or approved equal. Filler shall be within 1/8 inch below and flush with existing pavement surface and squeegeed, as necessary, to attain this result.

Cracks, joints, and holes to be filled shall be cleaned after cold milling.

Prime coat shall be placed on subgrade or untreated base when the base will be subjected to substantial construction traffic or long periods of time before asphalt concrete is placed, as determined by the soil engineer and approved by the Director.

Untreated base may require testing by an approved testing agency to insure its compliance with the applicable specifications and special provisions when determined necessary by the Director. Tests may include but shall not be limited to:

a. Sieve analysis
b. Sand equivalent
c. Percent of crushed particles retained by a No. 4 screen

12.2 SUBGRADE COMPACTION

The top 6 inches of the subgrade material shall be compacted to a relative compaction of 90 percent of maximum density as determined by test method ASTM 1557, the standard list in Section 3305 of the Uniform Building Code, and the Standard Specifications for Public Works Construction (SSPWC), unless otherwise recommended by the soil engineer in the preliminary soil report and approved by the Director.

For subgrades that cannot be compacted to 90% relative compaction and are not firm and unyielding, as directed by the engineer, full depth asphalt concrete shall be used, unless otherwise directed by the soil engineer. The full depth asphalt concrete section will require the removal of 0.5' of subgrade and backfilling with "blaid laid" and "wheel rolled" asphalt concrete base course to a stable condition by allowing overnight cooling.

12.3 SOIL STERILIZATION

Weed killer shall be required on subgrade if no aggregate base is used.

12.4 SURFACE DRAINAGE

All concentrated drainage in asphalt paved areas shall be carried by approved concrete drainage devices.

12.5 PAVEMENT STRUCTURAL SECTION

The project soil engineer or design civil engineer shall determine the pavement structural section(s) for parking lots/service roads and private streets based on; (1) soil tests of the subgrade soil(s) performed by an approved soil testing laboratory; and (2) anticipated traffic and/or loading conditions. The methods used for soil testing and pavement design shall be that currently in use by the County of Orange Resources and Development Management Department for construction of public roadways, or methods acceptable to the Director. Unless otherwise specified by the soil engineer, the relative compaction of each layer of compacted base material shall not be less than 90 percent.

In lieu of a recommended structural section from the soil engineer or civil engineer for parking lots/service roads, the following standards may be used:

		Pavement Structural Section
a.	Parking stall areas	3" AC/ 6" AB
b.	Commercial Driveways, perimeter drives and loading areas	3" AC/ 10" AB
c.	Industrial driveways, perimeter drives and loading areas	3" AC/ 12" AB

12.6 DRIVEWAYS

Section 9.35.050 of the Dana Point Municipal Code describes the requirements for driveways. This section is included in Appendix 'E'.

NOTE: Driveway approaches and some driveways are typically located within the public right-of-way. All work within the public right-of-way requires a separate encroachment permit.

Additionally, Section 14.01.530 of the Dana Point Municipal Code, "Construction of Decorative Pavement Within Public Right-of-Way" applies to driveways and driveway approaches within the public right-of-way. An encroachment permit must be secured prior to commencement of any such work and requires approval from the Director. Standard submittal requirements for encroachment permits are available at the Public Works and Engineering Department. Additional submittal requirements for decorative pavement per the Dana Point Municipal Code include:

(1) A colored rendering of the proposed installation in plan and perspective views accurately reflecting the proposed colors and patterns desired;

(2) Full construction details showing how the proposed decorative paving will be constructed and, if the surface will be uneven, details of the contour of the finished surface of the decorative pavement; and

(3) A financial analysis of the life cycle maintenance costs of the proposed decorative pavement.

SUBARTICLE 13 EROSION CONTROL

13.1 INFORMATION ON EROSION CONTROL PLANS

The plan shall include but not be limited to:

a. The name and twenty-four (24) hour telephone number of the person responsible for performing emergency erosion control work.
b. The signature of the civil engineer or other qualified individual who prepared the grading plan and who is responsible for inspection and monitoring of the erosion control work.
c. All desilting and erosion protection facilities necessary to protect adjacent property from sediment deposition.
d. The streets and drainage devices that will be completed and paved by October 15.
e. The placement of sandbags or gravel bags. Slope planting or other measures to control erosion from all slopes above and adjacent to roads open to the public. Gravel bags are preferred over sandbags.
f. The plan shall indicate how access will be provided to maintain desilting facilities during wet weather.

13.2 APPROVAL OF EROSION CONTROL LANDSCAPING

Effective planting for erosion control shall be deemed to have occurred when the landscape architect submits an acceptable written verification that he has observed the completed erosion control landscaping and is satisfied that sufficient growth has taken place to be effective in controlling erosion on all erodible manufactured slope laces. Where no condition of approval requires a landscape plan, the determination of effectiveness shall be made by the grading inspector.

SUBARTICLE 14 GRADING INSPECTION

14.1 SITE INSPECTION BY THE DIRECTOR

Prior to any grading, brushing, or clearing, there shall be a pre-grading meeting held on the site. Prior to pouring curb and gutter or placement of pavement base material, there shall be a prepaving meeting held on the site. The permittee, or his agent, shall notify the Director at least two (2) working days prior to the meetings and shall be responsible for notifying all principals responsible for grading or paving related operations.

It shall be the duty of the person doing the work authorized by a permit to notify the Director at least one (1) working day prior to the work being ready for the following inspections.

a. Cut and fill inspection:
    1. Canyon Cleanout: After all brush and unsuitable material has been removed and an acceptable base has been exposed, but before any fill is placed.
    2. Toe bench and key: After the natural ground or bedrock is exposed and prepared to receive fill, but before fill is placed.
    3. Over-Excavation: After the area has been cut but before fill is placed.
    4. Cut: After the cut is started, but before the vertical depth of the cut exceeds ten (10) feet, and every ten (10) feet interval thereafter. Continuation of this cut operation need not await the arrival of the grading inspector provided that proper notification has been made to the Director.
    5. Fill: After the fill has started, before the vertical height of the fill exceeds ten (10) feet interval thereafter. Continuation of this fill operation need not await the arrival of the grading inspector provided that proper notification has been made to the Director.

b. Concrete or gunite drainage device inspection:
    1. Alley gutter and/or concrete device draining asphalt:
        (a) Subgrade (prior to placement of concrete): Subgrade is to be prepared and required reinforcement placed. The civil engineer shall provide a field memo that line and grade is set in accordance with the approved plans.
        (b) Concrete placement: Concrete placement need not await the arrival of the grading inspector provided proper notification has been made to the Director.
    2. Terrace drains, down drains, brow ditches, and all other paved drainage devices:

(a) Subgrade: Prior to placement of welded wire mesh or reinforced steel, the civil engineer shall provide a field memo that line and grade is set in accordance with the approved plans.
(b) Reinforcement: Thickness control wire and reinforcing steel or welded wire mesh are to be installed but prior to placement of gunite or concrete.
(c) Concrete placement: Concrete placement need not await the arrival of the grading inspector provided proper notification has been made to the Director.

3. Sidewalks used as drainage devices:
Subgrade: Prior to placement of concrete, subgrade is to be made and forms are to be in place with the required reinforcement. The civil engineer shall provide a field memo that line and grade is set in accordance with the approved plans.

c. Drainage device other than concrete or gunite inspection:
1. Subdrains:
(a) After excavation but prior to placement of filter material and pipe, the subdrain pipe and filter material shall be on-site for inspection.
(b) After filter material and subdrain has been placed but prior to covering with backfill.
2. Storm drains and inlets:
(a) After placement of storm drains but prior to covering with backfill. The civil engineer shall provide a field memo that line and grade is set in accordance with the approved plans.
(b) After placement of inlet forms but prior to pouring concrete. The civil engineer shall provide a field memo that line and grade is set in accordance with the approved plans.
3. Earth Swales:
(a) Prior to rough grading approval or lumber drop.
(b) Prior to final grading approval.

d. Rough grade inspection:
When all rough grading has been completed. This inspection may be called for at the completion of rough grading without the necessity of the Director having previously reviewed and approved the required reports if the grading was performed under a precise grading permit. Under normal circumstances, all subdrains and slope drains shall be in place and approved as a condition for rough grading approval.

e. Paving inspection:
1. Subgrade:
After subgrade has been established, tested and approved by the soil engineer, or his qualified representative. The soil engineer shall provide a field memo of compaction test results. The civil engineer

shall provide a field memo that line and grade is set in accordance with approved plans.

2. Untreated Base:
   After untreated base course has been placed, tested and approved by the soil engineer, or his qualified representative, but prior to prime coat and asphalt placement. The soil engineer shall provide a field memo of compaction tests results. The civil engineer shall provide a field memo that line and grade is set in accordance with the approved plans. Material invoices may be required.
3. Asphalt:
   (a) During asphalt lay down to verify continuous inspection by the soil engineer, or his qualified representative or a special inspector when authorized. Material invoices may be required. Asphalt placement need not await the arrival of the grading inspector provided that proper notification has been made to the Director.
   (b) Prior to application of seal coat, the paved surface shall be water tested to reveal any irregularities and shall be patched where required. Material invoices may be required after placement of seal coat.

f. Final inspection:
   After all work, including installation of all drainage structures and other protective devices have been completed and all written professional approvals and the required reports have been submitted. An As-Built plan will be required if, in the opinion of the Director, the finished site significantly deviates from the approved grading plan.

g. Siltation control facilities (rainy season: October 15 to April 15):
   1. After excavation of desilting basins but prior to fill placement. Prefabricated devices are to be available on-site for inspection.
   2. After fill placement for desilting basins but prior to placement of concrete or other non erosive materials.
   3. After completion of an erosion control system in accordance with an approved erosion control plan and the requirements of the Director.

14.2 SPECIAL INSPECTIONS

The responsibilities and duties of a special inspector as provided in Section 1701, Special Inspections, of the Uniform Building Code as amended are included in Appendix F. Generally, special inspections are required when a City inspector is not present for the following items:

- Placement of and the taking of test specimens for concrete
- Ductile moment-resisting concrete frame
- Reinforcing steel and prestressing steel

- Welding
- High strength bolting
- Structural masonry
- Reinforced gypsum concrete
- Insulating concrete fill
- Spayed-on fireproofing
- Piling, drilled piers and caissons
- Special grading excavation, and filling
- Other special cases as defined in Appendix 'F' of this manual.

Refer to Appendix 'F' of this manual for specific details related to the scenarios listed above.

14.3 ALTERNATE MATERIALS AND METHODS OF CONSTRUCTION

a. The provisions of this Grading Manual are not intended to prevent the use of any material or method of construction not specifically prescribed by the Grading and excavation Code or this Grading Manual provided any such alternate has been approved pursuant to this section.
b. The Director may approve any such alternate provided he finds that the proposed design is satisfactory and complies with the provisions of the Grading and Excavation Code and this Grading Manual.
c. The Director shall require that sufficient evidence or proof be submitted to substantiate any claims that may be made regarding its use.
d. Whenever there is insufficient evidence of compliance with the provisions of this Grading Manual or evidence that any material or any construction does not conform to the requirements of this Grading Manual or in order to substantiate claims for alternate material or methods of construction, the Director may require tests as proof of compliance to be made at the expense of the owner or his agent by an approved testing agency.
e. Test methods shall be as specified by this Grading Manual for the material in question. If there are no appropriate test methods specified, the Director shall approve the test procedure. Copies of the results of all such tests shall be retained for a period of not less than two (2) years after the acceptance of the grading.

SUBARTICLE 15 COMPLETION OF WORK

15.1 FINAL REPORTS

Upon completion of the rough grading work and at the final completion of the work under the grading permit but prior to the issuance of building permits or release of grading bonds or issuance of a certificate of use and occupancy, the Director may require:

a. An as-graded grading plan prepared by the civil engineer, architect or other qualified person, which shall include corrected original ground surface elevations if necessary, graded ground surface elevations, lot drainage patterns, manufactured slope inclination, and location of all drainage facilities and subdrains.
b. A written approval by the civil engineer approving the grading as being substantially in conformance with the approved grading plan and which specifically approves the following items as appropriate to the project and stage of grading:
    1. Construction of line and grade for all engineered drainage devices and retaining walls (rough and final grading).
    2. Staking of temporary property corners which may be at offsets for proper building location (rough grading).
    3. Setting of all monuments in accordance with the recorded tract map (rough or final grading).
    4. Location of permanent walls or structures on property corners or property lines where monumentation is not required (final grading).
    5. Location and inclination of all manufactured slopes (rough and final grading).
    6. Construction of earthen berms and positive building pad drainage (rough and final grading).

    When the approved grading plan is not prepared by a civil engineer, the architect, or other licensed professional who prepared the plan shall provide written approval of the grading as being substantially in conformance with the approved grading plan.

c. A soil engineering report prepared by the soil engineer, including type of field testing performed, suitability of utility trench and retaining wall backfill, summaries of field and laboratory tests and other substantiating data, and comments on any changes made during grading and their effect on the recommendations made in the soil engineering investigation report. Each field density test shall be identified, located on a plan or map, the elevation of test and finish grade elevation shown, and the method of obtaining the in-place density described, either the standards listed in Section 3305 of the Uniform Building Code or the approved equal shall be so noted. The soil engineer shall provide a written opinion as to the adequacy of the site

for the intended use, as affected by the soil engineering factors. The Director may require that the soil tests or testing be performed by an approved testing agency.

d. A geology report prepared by the engineering geologist, including a final description of the geology of the site including any new information disclosed during the grading and the effect of same on recommendations incorporated into the approved grading plan. He shall provide a written opinion as to the adequacy of the site for the intended use as affected by geologic factors and when required by the Director, shall submit an As-Built geologic map.
e. A statement prepared by the grading contractor describing the volume of cut and fill moved on the project. In addition, if the grading plan was not prepared by a registered civil engineer or registered professional authorized to prepare grading plans and perform inspections, the grading contractor shall submit written approval that the work was completed in accordance with the approved plans.
f. Completion of the City's Standard Civil Engineer's Certification Form and Standard Geotechnical Engineer's Certification Form. Both of these documents are included in Appendix I, "Standard Certification Forms".

APPENDIX A

TECHNICAL GUIDELINES FOR SOIL AND GEOLOGY REPORTS

CITY OF DANA POINT
PUBLIC WORKS & ENGINEERING SERVICES DEPARTMENT
GRADING SECTION

TECHNICAL GUIDELINES FOR SOIL AND GEOLOGY REPORTS

PREFACE:

The ultimate responsibility for a safe design, construction and maintenance of any grading project rests with the consulting engineers, geologists, contractors, and the owner. Since site conditions and the proposed development plan varies so greatly between projects. Public Works & Engineering Services Department (PWESD) recognizes the discretion and judgments that must be used by the consulting professionals. It is, therefore, essential to enhance the general understanding between the permit applicants, consultants, and PWESD.

The purpose of these technical guidelines is to inform grading permit applicants and their professional consultants of the basic information looked for by the PWESD in reviewing preliminary (initial) soil and geology reports for grading permit applications and rough grade compaction reports. The guidelines used for the preparation of this document are:

The Dana Point Grading and Excavation Code, the Uniform Building Code, the California State Board of Registration policy statement (effective 1/1179) on adequacy of professional geological work as represented by the guidelines for standards of practice issued by the California Division of Mines & Geology, the Dana Point Planning Commission, and Subdivision Committee conditions of approval, the Dana Point Subdivision Code, the Standard Specifications for Public Works Construction (SSPWC), and presently accepted geotechnical engineering and engineering geologic practices.

DESCRIPTION:

The technical guidelines are divided into six parts to distinguish report content for different project types and topographic areas to be developed by grading. The more involved grading projects will encompass, but not be limited to, several parts listed below:

Part I: Single Family Dwellings (flatland) - identifies the report content for precise grading permits on single family dwellings in flatland areas.

Part II: Single Family Dwellings (hillside) - identifies the report content for precise grading permits on single family dwellings in hillside areas (additive to the requirements of Part I).

Part III: Single Family Dwellings (supplemental information) - identifies additional report content which may be needed with Part I and Part II depending on the site conditions and development proposed (additive to the requirements of Parts I and II).

Part IV: Commercial and Industrial Sites - identities the report content for precise grading permits on commercial and industrial sites including apartment complexes (additive to the requirements of Part I and applicable items of Part III).

Part V: Residential, Commercial and Industrial Subdivisions (tracts and parcels - identifies the report content for preliminary grading permits of large commercial and industrial subdivisions and preliminary and precise grading permits of residential subdivisions in flatland and hillside areas (additive to the requirements of Part I and applicable items of Parts I and III).

Part VI: Rough Grade Compaction Reports - identifies the report content for preliminary and precise grading permit rough grade compaction reports.

Due to particular site conditions, proposed improvements or the policies of testing firms or project consultants, some of these items may be included in subsequent reports on the same project with the conditional approval of PWESD.

GRADING PLAN REVIEW REPORT:

A grading plan review report is an evaluation of the conclusions and recommendations in the preliminary soil and geology report as they relate to the proposed grading plan. It is usually required when there are changes in the proposed developments, consulting firms, soil engineer or engineering geologist, an update of the preliminary report or signatures are needed, or the project is a conversion to precise permit application. The grading plan review reports are supplements to the preliminary reports and are an opportunity for the consultants to review the planned development. The purpose is to determine if the preliminary reports are adequate and complete for the presently planned grading and construction on the site and if the conclusions and recommendations still apply to the proposed operations. It is not intended that the soil engineer or engineering geologist approve or disapprove the grading plan, but provides them an opportunity to update the preliminary reports and include additions or qualifications as necessary. The date and name of the person preparing the latest grading plan reviewed should be identified for reference purposes.

PART I: TECHNICAL GUIDELINES FOR PRELIMINARY REPORTS (SOIL REPORTS) ON SINGLE FAMILY DWELLINGS IN FLATLAND AREAS

A. General
    1. Signature and RCE number of project soil engineer.
    2. Job address.
    3. Location description and/or location index map with reference north, scale, etc.
    4. Description of site conditions (topography, relief, vegetation, man-made features, drainage, and watershed).
    5. Proposed grading (general scope, amount, special equipment and/or methods ii applicable).
    6. Planned construction (type of structure and use, type of construction and foundation/floor system, number of stories, estimated structural loads).
B. Field Investigations
    1. Scope: date work done, investigative methods, sampling methods, logs of borings/test pits, elevations of borings/test pits for reference of materials and samples to finished grade or footing elevations, identify real or assume elevations.
    2. Plan with legend showing: site limits, terrain features, man-made features, boring/test pit locations, proposed improvements (including slopes with ratios, soil limits, daylite lines, paving areas, retaining walls, subdrains, over-excavation/cleanout/uncertified fill areas).
    3. Location of all samples taken, surface and subsurface.
    4. Groundwater conditions and potential (future natural and artificial seepage effects).
C. Engineering/Material Characteristics and Testing
    1. Test methods used, type or condition of samples, applicable engineering graphics and calculations, results of all tests, and sample locations of all test samples.
    2. Unified Soil Classification of materials.
    3. Material competency and strength.
        (a) Field densities (and relative compactions where pertinent) and moisture content.
        (b) Shear strength of foundation material (drained or undrained conditions, effective stress or total stress analysis, in-situ or remolded samples must be identified).
        (c) Consolidation or settlement potential.
        (d) Expansion potential.
    4. Maximum density-optimum moisture parameters of proposed fill material if available by Test Method ASTM 1557, Appendix Chapter 33 of the Uniform Building Code, or an approved equivalent.
    5. Shrinkage and/or bulking factors.
D. Foundation Design Criteria

1. Footing depth and width.
2. Criteria for foundation material preparation.
3. Allowable bearing values based on testing.
4. Lateral pressures (active, passive, or at rest conditions) and coefficient of friction.
5. Settlement - total, differential, and rate of settlement.

E. Reference
   1. In supplemental or grading plan review reports referencing earlier reports, supply copies of those referenced reports or applicable portions as required by the Director.

F. Conclusions and Recommendations
   1. Ground preparation (clearing, unsuitable material removal, scarification and moisturization).
      Footnotes:
      * U.B.C. requirements may be used as an alternative: soil classification of founding materials by Standard Method D2487 of the ASTM and use minimums and maximums based on U.B.C. Table 18-1-A or approved equivalent.
   2. Fill support:
      (a) Suitability and precompaction of in-situ materials (describe test results and other pertinent data to be used to determine suitability).
      (b) Densification and moisturization or dewatering measures (equipment, surcharge, settlement monitoring, if applicable).
   3. Placement of fill:
      (a) Material approval (on site, imported).
      (b) Methods and standard (Appendix Chapter 33 of the Uniform Building Code, ASTM D1557, or approved equivalent).
      (c) Testing (minimum 90% relative compaction by standards listed in Appendix Chapter 33 of the UBC Section UBC and frequency of field density testing by vertical intervals and/or volume of fill.
   4. Elimination of cut/fill or other differential transitions beneath improvements.
   5. Utility trenches:
      (a) Backfill specifications and recommendations under structures, pavements and slopes (minimum 90% relative compaction using native materials) vs. landscape and other areas.
   6. Provisions for approval inspections and necessary testing during and on completion of grading.
   7. Opinion as to adequacy of site for the proposed development. (This opinion should also be summarized in the First part of the report).

G. Other pertinent geotechnical information for the safe development of the site.

PART II: TECHNICAL GUIDELINES FOR PRELIMINARY REPORTS (SOIL AND GEOLOGY REPORTS) SINGLE FAMILY DWELLINGS IN HILLSIDE AREAS

All guidelines listed in Part I for preliminary reports are applicable in addition to the following:

A. General
    1. Engineering geology report with signature and CEG number of project engineering geologist (generally needed depending on site conditions and proposed developments).
    2. Source of base map with date.
    3. Geologist performing mapping (if different than signing CEG).
    4. Geological setting including general description, index of site on portion of recent large scale geologic map (if available) and references to previous reports (or published papers) and aerial photo data on site area.
    5. Topographic features and relationship to site geology (outcrop distribution, slope height and angles and/or ratios, dip slopes, cliffs, faults contacts, erosion pattern, etc.).
B. Field Investigations
    1. Geologic map showing: site geology, approximate location of proposed keyways, proposed buttresses, proposed or existing subdrains, seeps or springs, etc., and be suitable for the general purpose in its size scale and manifestation and contains an adequate legend. The map should have highlighted representative geologic data of sufficient amount and location for evaluation of: general rock or soil unit distribution, geologic structure, downslope movement features (including soil/rock creep), groundwater conditions, subsidence/settlement features or potential, and other pertinent site characteristics.
    2. Substantiation of any known gross differences of opinion with recently available geologic reports or published data or maps on site area.
C. Earth Materials (Bedrock and Surficial Units)
    1. Unit classification, general lithologic type, geologic age, origin.
    2. Unit description and characteristics (in sequence for relative age) including:
        (a) Composition, texture, fabric, lithification, moisture, etc.
        (b) Pertinent engineering geologic attributes (clayey, weak, loose; alignments. fissility, planar boundaries, pervious or water-bearing parts susceptibility to mass wasting, erosion, piping, or compressibility).
        (c) Distribution, dimensions, or occurrence (supplemental to data furnished on illustrations).
        (d) Suitability as construction and foundation material.

(e) Effects and extent of weathering (existing and relationship 10 project design and future site stability, material strength. etc.).

D. Geologic Structure
    1. General structure
    2. Distribution of structural features including position, attitude, pattern and frequency of:
        (a) Fissures, joints, shears, faults and other features of discontinuity.
        (b) Bedding, folds, and other planar features.
    3. Character of structural features including: continuity, width of zones and activity. dominant vs. subordinate, planar nature, plunge. depth, open vs. closed (degree of cementation or infilling). gouge.
    4. Structural or cross-sections (one or more appropriately positioned and referenced on map; especially through critical areas, slopes and slides) of suitable size and engineering scale; with labeled units, features and structures; and a legend. These sections should correlate with surface and subsurface data showing representative dip components, projections, and stratigraphic/ structural relationships.

E. Stability Features-and Conditions
    1. Adequate mapping, sections and description showing position, dimensions and type of existing downslope movement features including soil/rock creep, flows, falls, slumps, slides, if any.
    2. Activity, cause or contributing factors of downslope movement features.
    3. Recent erosion, deposition, or flooding features.
    4. Subsidence/settlement, piping, solution or other void features or conditions.
    5. Groundwater and surface drainage characteristics or features.
        (a) Surface expression (past and present); permeability/porosity of near surface materials.
        (b) Actual or potential aquifers or conduits, perching situations, barriers or other controls to percolation and groundwater movement and fluctuation of groundwater levels at the site.

H. Conclusions and Recommendations (including slope and site stability).
    1. Unsuitable material removal (canyon cleanout, over-excavation, etc.).
    2. Keyways and benching for existing slopes steeper than 5:1.
    3. Specifications far the method or placement and compaction of soil within the zone of the slope face.
    4. Slope stability - susceptibility to mass-wasting (creep to rapid failure potential).
        (a) Favorable or unfavorable inter-relationships of fractures joints. shears, faults or zones) to planar structures (bedding, contacts, folds, plunges, weathered zones, etc.) and to each other forming potential failure planes, veneers, masses, or blocks.

(b) Favorable or unfavorable inter-relationships of geologic structures, conditions and potential failure planes to natural and/or man-made topography forming actual or potential adverse dips and contacts, adverse fractures (jointing, shearing, faulting), adverse fold limbs or synclinal axes, adverse earth masses or blocks.
(c) Favorable or unfavorable inter-relationships of height of existing or proposed slopes to present and future (weathering effects; rate, depth, etc.) strength of earth materials.
(d) Slope stability effects onto or from developed, natural, or proposed slopes of adjacent properties.

5. Statement of site stability and summary of actual and potential unstable situations relative to the proposed site configuration and necessary stabilization or remedial measures for downslope movements, erosion, groundwater or settlement/subsidence effects. Opinion and recommendations of surficial and gross stabilities of natural and manufactured slopes.
6. Provisions for necessary inspections of excavations to competent material by the project engineering geologist and/or soil engineer and their approval-and/or testing of material competency.
7. Geologic feasibility of the site for the proposed development. (This opinion should also be summarized in the first part of the report).

PART III: TECHNICAL GUIDELINES FOR PRELIMINARY REPORTS (SOIL AND GEOLOGY REPORTS) ON SINGLE FAMILY DWELLINGS: SUPPLEMENT TO PARTS I AND II.

This section includes additional report content that may be necessary depending on project site conditions or proposed developments for either flatland or hillside locations.

A. General
    1. Site conditions - distress on existing improvements in area (expansive, settlement/subsidence, or creep areas).
    2. Proposed grading - special grading equipment or methods needed for resistant, saturated, or other unusual materials or situations.
    3. Proposed rock disposal methods (for clasts and residuals larger than 12 inches) and disposal areas (include on geotechnical plan if disposal areas is on site).
    4. References to publications and other reports cited.
B. Engineering/Material Characteristics and Testing
    1. Shear strength evaluations and results (drained or undrained conditions, effective stress or total stress analysis, in-situ or remolded samples).

2. Expansivity analyses of foundation material (test by U.B.C. Standard No. 18-2 or approved equivalent and classify potential by U.B.C. Table No. 18-1-B).
3. Material densities and/or penetration tests (Standard Penetration or other methods of known correlation to material density).
4. Soluble sulfate content of soils in contact with concrete (test by ASTM 0516 or equivalent).
5. Gradation/size analyses, if appropriate
6. Atterberg limit analysis and parameters, if appropriate.
7. Geophysical survey, if appropriate - graphic and results.
6. Include all test methods used, type or condition of sample used, applicable engineering graphics and calculations, results of all tests, and sample locations of all test samples.

C. Slope stability analysis (dependent on slope height and ratios, strength of earth materials, internal structure, susceptibility to weathering, actual or potential groundwater, surficial covering, proximity to site improvements or structures, and proposed landscaping and maintenance).
    1. Gross stability of natural or man-made slopes with calculations, graphics supporting data and applicable parameters.
    2. Surficial stability of slopes with calculations, graphics, supporting data and applicable parameters.

       NOTE: General guidelines for gross stability analyses are provided in “Minimum Standards for Slope Stability Analysis” (Appendix H) formulated by the Los Angeles/ASCE Geotechnical Group Committee on Seismic Stability of Soil and Rock and adopted by the County of Los Angeles on July 25, 1978 except that they shall apply to all slopes sleeper than 2:1. Guidelines for surficial stability analyses are established in “Slope Stability Report” formulated by the Orange County Slope Stability Committee dated January 10, 1972.
D. Seismic evaluation should include regional seismicity; potential for strong shaking, ground rupture, and liquefaction; applicable parameters (peak and/or design ground acceleration, duration of strong shaking site period) or reference to U.B.C. Standards for earthquake design (Section 1626 through 1636).
E. Foundation Design Criteria - Special provision for expansive earth materials.
    1. Footing design and placement criteria.
    2. Slab thickness, reinforcement; separation and expansion joints, construction joints, doweling, or ties.
    3. Bridging; grade beam specifications and recommendations, when applicable.
    4. Pre-stressed (post-tensioned) floatation slab specifications and recommendations, if this system is proposed.
    5. Exterior flatwork recommendations.

6. Moisture barriers and/or selective grading (aggregate or sand base or other subbase).
7. Soil moisture measures
   (a) Treatment prior to concrete pouring: “pre-pour moistening, “pre-soaking, or “pre -saturation
   (b) Drainage/irrigation Controls to maintain moisture content in foundation materials (including increased positive drainage, paving, cut-off walls, sealed planters, gutters and downspouts, etc.).

F. Foundation Design Criteria - other special provisions
   1. Soluble sulfate content specifications and recommendations based on U.B.C. Section 1904.3 Sulfate Exposure.
   2. Footing setback from base of slopes and other setbacks (faults, fracture zones, contacts. etc.).
   3. Effects of adjacent loads when footings are at differing elevations.
   4. Deep foundation systems.
      (a) Allowable bearing values.
      (b) Foundation design criteria, parameters and calculations when applicable.
      (c) Additional loads or potential loads caused by geologic conditions (parameters and calculations).
   5. Engineering calculations with supporting data and applicable parameters used as a basis for recommended values. These will be needed depending on the values presented relative to the foundation materials, groundwater table, proposed improvements and imposed loads.

G. Retaining Walls: Design Criteria on Proposed Walls (surcharged or greater than 3 feet in height above the base).
   1. Slope surcharge and geologic surcharge factors, parameters and calculations.
   2. Drainage and backfill requirements including waterproofing of living areas and suitable drains.
   3. Allowable bearing values, lateral bearing resistance and coefficient of friction based on testing or U.B.C. Section 1805 “Allowable Foundation and Lateral Pressures”
   4. Active, passive, or at rest lateral pressure.
   5. Footing setback from base of slopes.

H. Conclusions and Recommendations
   1. Corrective or selective grading.
   2. Subgrade specifications and recommendations.
   3. Soil cement or lime stabilization.
   4. Rock clast disposal.
   5. Blasting.
   6. Irrigation/drainage controls, dewatering, surface and subsurface drains and subdrains.

7. Special planting and irrigation measures, slope coverings and other erosion control measures which may be apparent from the preparation of the geotechnical report.
8. Slough walls (including free board on retaining walls).
9. Protection of existing structures during grading.
10. Foundation/wall excavation inspections and approval by engineering geologist and/or soil engineer.
11. Shoring requirements.
12. Actual or potential effects extending into site from adjacent areas or from the site into adjacent areas and recommendations pertaining to stability, erosion, sedimentation. groundwater. etc.
13. Stabilization measures (see note under item C for guidelines and minimums).
    (a) Fill blankets far pads or stabilization blankets for slopes.
    (b) Stabilization measures: specifications (including subdrains and landscape) and parameters (include stability analysis and calculations if geologically surcharged).
    (c) Buttress fills: specifications (including landscape-), subdrains, stability analysis with calculations and supporting test data and parameters.
14. Fill over cut slope specifications and recommendations.
15. Subsidence, hydrocompaction and piping potential, factors, time frame and recommendations.

PART IV: TECHNICAL GUIDELINES FOR PRELIMINARY SOIL AND GEOLOGY REPORTS ON PRECISE COMMERCIAL/INDUSTRIAL GRADING APPLICATIONS

This section includes the necessary report content in addition to Part land applicable items of Parts II and lll for the proposed commercial/industrial development.

A. Pavement Design (indicate areas and type on geotechnical plan)
    1. AC pavement design criteria
        (a) R-value testing: method (California 301-for equivalent), results, sample location(s); or provide minimum AC sections per Grading Section 12.5 Pavement Structural Section of the manual excavation and grading code.
        (b) Traffic indices or projected loading conditions.
        (c) AC structural sections: parking areas, service areas, heavy vehicle areas.
        (d) Untreated base compaction recommendations (minimum 95% relative compaction).
        (e) Subgrade recommendations: minimum depth, compaction (minimum 90% relative compaction); special recommendations

for bridging, or founding, e.g., soil cement or lime treatment, over-excavation, selective grading, etc.

2. Concrete pavement
   (a) Minimum thickness and reinforcement
   (b) Size of poured or sawed sections; expansion joints.
   (c) Untreated base specifications and recommendations.
   (d) Subgrade recommendations.

B. Seismic evaluation of site (if site involves a critical or major structure or is in close proximity to an active fault); see Fart lll for description of necessary content.

PART V: TECHNICAL GUIDELINES FOR PRELIMINARY SOIL AND GEOLOGY REPORTS ON RESIDENTIAL OR COMMERCIAL SUBDIVISIONS (TRACTS AND PARCELS); FLATLAND OR HILLSIDE AREAS

This section includes necessary report content in addition to Part I and the applicable items of Parts II and lll.

A. Seismic evaluation of site (see Part lll For description of necessary content).
B. Evaluation of expansively of site.
C. Stability evaluation of site; slopes, tract boundary areas, etc.

PART VI: TECHNICAL GUIDELINES FOR ROUGH GRADE COMPACTION REPORTS

A. General
   1. Signature and RCE number of project soil engineer.
   2. Job address, lot, and tract number.
   3. Grading Permit Number.
B. Placement of fill
   1. Purpose for which fill was placed.
   2. Preparation of natural grade to receive fill.
   3. Placement of fill (depth of layers, watering, etc.)
   4. Equipment used for compaction.
   5. Method of compacting outer slope area.
C. Testing (Compaction)
   1. Test procedure (field and laboratory).
   2. Plot plan with the location of all density tests.
   3. Summary or test results.
      (a) Test identification number.
      (b) Date lest performed.
      (c) Maximum dry density.
      (d) Optimum moisture.
      (e) Field dry density.
      (f) Field moisture.

(g) Relative compaction.
(h) Approximate elevation of test. Approximate finish grade elevation at test site.

D. Testing (Utility Trench Compaction)
1. Location of test.
2. Depth of trench and test.
3 Method of backfill and compaction equipment.
4. Summary of test results.

E. Testing (Other)
1. Summary of expansion test results (identify lots or areas with swelling potential, plot test locations on plot plan).
2. Summary of soluble sulfate test results.
3. Summary of "R" value tests for asphalt concrete design if applicable.

F. As-Built Conditions
1. Plot plan showing limits of the approved compacted fill area (approximate pad elevation, depth of fill, areas of over-excavation, canyon cleanout keys, and subdrains).
2. Treatment of daylight or cut transition zones (extent of over-excavation outside of footing).
3. Type of soil encountered during grading (fill, in-situ, imported borrow).
4. Groundwater conditions identified and subdrains or other methods used to mitigate adverse effects.
5. Geologic conditions encountered.
6. Comments on changes made during grading and their effect on the recommendations made in the geotechnical report.

G. Recommendations and Opinions
1. Footing recommendations and bearing value on compacted fill.
2. Footing and floor slab recommendations based on results of expansion and soluble sulfate tests (construction details of footing if applicable).
3. Pavement structural section design recommendations and specifications if applicable.
4. Opinion of the suitability of natural soil to support the fill or structure.
5. Approval as to the adequacy of the site for the intended use, as affected by soil engineering and/or geologic factors.
6. Opinion as to the gross and surficial stability of all slopes.
7. Opinion as to the suitability of utility trench and retaining wall backfill.
8. A statement that the soil engineering and engineering geologic aspects of the grading have been inspected and are in compliance with the applicable conditions of the Grading Permit and the soil engineer's and engineering geologists recommendations.

APPENDIX B

DANA POINT MUNICIPAL CODE SECTION 8.01
"Grading & Excavation Control"

Article 13. Erosion Control

Article 14. Grading Inspection

Article 15. Completion of Work

8.01.010 Title Reference to Code.

This Article shall be known as and may be cited as the "City of Dana Point Grading and Excavation Code." "Code," as referred to in this Article, unless the context clearly indicates otherwise, shall mean the City of Dana Point Grading and Excavation Code. The requirements of this Code should be considered minimum requirements, and where any provision of this Code imposes restrictions different from those imposed in any other ordinance, rule or regulation, or other provision of law, whichever provisions are more restrictive or impose more protective standards, for human health or the environment, shall take precedence. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.020 Grading Manual.

(a) The Director shall formulate and modify as necessary such rules, procedures, and interpretations as may be necessary or convenient to administer this Article. Such rules, procedures and interpretations shall be referred to as the "City of Dana Point Grading Manual" or the "Grading Manual." The Director is hereby authorized to incorporate further amendments into the Grading Manual provided such amendments are consistent with this division.
(b) The Grading Manual shall include provisions to assure that the water quality requirements relevant to activities subject to this division apply to all such activities.
(c) In the event of any conflict between said Grading Manual and this Code, the provisions of this Code shall govern. The provisions of the Grading Manual, to the extent that they are made conditions of any grading permit by the Director, shall be binding on the permittee. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.030 Purpose and Intent.

It is the intent of this Code to safeguard life, limb, property, and the public welfare, and to comply with storm water permits issued to the City, by regulating grading on private property in the City of Dana Point. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.040 Scope.

This Code sets forth rules and regulations to control excavation, grading, and earthwork construction, including fills and embankments, and establishes administrative requirements for issuance of grading permits and approval of plans and inspection of grading construction in accordance with the requirements for grading and excavation as contained in the Uniform Building Code then in effect as adopted and modified by City ordinance, and any water quality requirements relevant to activity subject to this Chapter. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.050 Definitions.

"Approval" shall mean a written engineering or geological opinion by the responsible engineer, geologist of record or responsible principal of the engineering company concerning the progress and completion of the work unless it specifically refers to the Director.
"Approved plans" shall mean the current grading plans which bear the signature of approval of the Director.
"Approved testing agency" shall mean a facility whose testing operations are controlled and monitored by a registered civil engineer and which is equipped to perform and certify the tests required by this Code, or the Grading Manual, as determined by the Director. This determination may be appealed to the City Council.
"Borrow" means earth material acquired from an off-site location for use in grading on a site.
"Building Official" shall mean the Director of Community Development or the Director's duly delegated representative.
"City Inspector" shall mean an inspector duly authorized by the Director to perform inspection of grading, concrete placement and related constructed work or other grading-related work approved by the Director.
"Civil engineer" shall mean a professional engineer registered in the State of California to practice in the field of civil engineering.
"Civil engineering" shall mean the application of the knowledge of the forces of nature, principles of mechanics and the properties of materials for the evaluation, design, and construction of civil works for the beneficial uses of mankind.
"Clearing, brushing, and grubbing" shall mean the removal of vegetation (grass, brush, trees, and similar plant types) by mechanical means.
"Commercial coach" means a vehicle with or without motive power, designed and equipped for human occupancy for industrial, professional or commercial purposes, and shall include a trailer coach.
"Compaction" means the densification of a fill by mechanical means.
"Director" shall mean Director of Public Works and Engineering Services or the Director's duly delegated representative.
"Earth material" means any rock, natural soil or fill and/or any combination thereof.
"Engineering geologist" shall mean a geologist certified in the State of California to practice engineering geology.
"Engineering geology" shall mean the application of geologic knowledge and principles in the investigation and evaluation of naturally occurring rock and soil for use in the design of civil works.
"Erosion" means the wearing away of the ground surface as a result of the movement of wind, water, and/or ice.
"Erosion control system" means a combination of desilting facilities, and erosion protection, including effective planting, to protect adjacent private property,

watercourses, public facilities and receiving waters from an abnormal deposition of sediment or dust.
(1) "Permanent erosion control devices" are improvements which remain throughout the life of the development. They include terrace drains, down drains, slope landscaping, channels, and storm drains.
(2) "Semi-permanent erosion control devices" are devices which are used primarily during construction and are not relocatable. They include earthen berms, concrete spillways, desilting basins, and riser/outlet pipes.
(3) "Temporary erosion control devices" are devices which are removable and can rarely be salvaged for subsequent reuse. In most cases, they will last no longer than one rainy season. Examples include sandbags, gravel bags, plastic sheeting (visqueen), slit fencing, straw bales, and similar items.
"Excavation" means the mechanical removal of earth material.
"Fill" means a deposit of earth material placed by artificial means.
"Grade" shall mean the vertical location of the ground surface.
(1) "Existing grade" is the ground surface prior to grading.
(2) "Finish grade" is the final grade of the site which conforms to the approved plan.
(3) "Natural grade" is the ground surface unaltered by artificial means.
(4) "Rough grade" is the stage at which the grade approximately conforms to the approved plan.
"Grading" means any excavating or filling or combination thereof.
"Grading contractor" means a contractor licensed and regulated by the State of California who specializes in grading work or is otherwise licensed to do grading work.
"Grading permit" means an official document or certificate issued by the Director authorizing grading activity as specified by approved plans and specifications.
"Hillside site" means a site which entails cut and/or fill grading of three (3) feet or more in vertical height below or above natural ground; or a combination fill-over-cut slope equal to or greater than five (5) feet in vertical height; or where the existing grade is twenty percent (20%) or greater; and which may be adversely affected by drainage and/or stability conditions within or from outside the site, or which may cause an adverse affect on adjacent property.
"Mobile home" means a structure, transportable in one or more sections, designed and equipped to contain not more than two (2) dwelling units to be used with or without a foundation system. Mobile home does not include recreational vehicle, commercial coach, or factory-built housing.
"Natural state" is the natural environment which existed prior to any grading and includes but is not limited to native plants and natural undulating slopes with environmentally sensitive habitat indigenous to the area.
"Owner" means any person, agency, firm, or corporation having a legal or equitable interest in a given real property.
"Precise grading permit" means a permit that is issued on the basis of approved plans which show the precise structure location, finish elevations, and all on site improvements.
"Preliminary grading permit" means a permit that is issued on the basis of approved plans which need not show a structure location but must show interim building pad drainage to the degree required by the Director.
"Rainy season" is predetermined by the City and at the time of this printing is established as from October 1 through April 30.
References. Unless indicated otherwise, or as reasonably appears from the context, references in this Code to the civil engineer, the soil engineer, the geologist, and the engineering geologist refer to the professional person(s) preparing, signing, or approving the project plans and specifications which comprise the approved grading plan, and which professional person appears of

record pursuant to Article 3 of this Chapter or that person's successor appearing pursuant to Section 8.01.440, Transfer of Responsibility for Approval.
"Site" means any lot or parcel of land or contiguous combination thereof, under the same ownership, where grading is performed or permitted.
"Slope" means an inclined ground surface, the inclination of which is expressed as a ratio of horizontal distance to vertical distance.
"Soil" means naturally occurring surficial deposits overlying bedrock.
"Soil engineer" means a civil engineer duly registered in the State of California whose field of expertise is soil mechanics.
"Soil engineering" shall mean the application of the principles of soil mechanics in the investigation, evaluation and design of civil works involving the use of earth materials and the inspection and testing of the construction thereof.
"Special inspector" means an inspector duly licensed by the Director to perform inspection of asphalt concrete placement and related construction work or other grading-related work approved by the Director.
"Stockpiling" shall mean imported compactable earth greater than twenty-five (25) cubic yards temporarily placed for future fill on or off site (no deleterious material).
"Storm water permits" are any permits issued by a regional, state or federal agency regulating storm water flow over and from any project subject to this division, including, but not limited to National Pollutant Discharge Elimination System ("NPDES") permits for Municipal Separate Storm Sewer Systems (MS4) permits and state general permits.
"Terrace" means a relatively level step constructed in the face of a graded slope surface for drainage and maintenance purposes.
"Water quality requirements" are requirements relevant to activities subject to storm water permits. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.060 Grading Permits Required.

No person shall conduct any grading, clearing, brushing, or grubbing on natural or existing grade that is preparatory to grading, without first having obtained a grading permit from the Director. Exceptions to this requirement are as follows or as otherwise determined by the Director:

(a) An excavation below finished grade for basements and footings of a building, mobile home, retaining wall, or other structure authorized by a valid building permit or construction permit. This shall not exempt any fill made with the material from such excavation nor exempt any excavation having an unsupported height greater than five (5) feet after the completion of such structure. This shall not prohibit a minimum fee grading permit or soil or geologic report from being required for foundation design and inspection purposes when, in the opinion of the Director, stability or flooding considerations warrant such inspection.

(b) Cemetery graves.

(c) Refuse disposal sites controlled by other regulations.

(d) Earthwork construction regulated by the federal, state, county agencies, or City, or by any local agency as defined by Government Code Sections 53090 through 53095 (special districts). Pipeline or conduit excavation and backfill conducted by local agencies or public utilities. Earthwork construction performed by railway companies on their operating property. This exemption, however, shall apply only when the earthwork construction takes place on the property, or dedicated rights-of-way or easements of the above agencies.

(e) Excavation and backfill for installation of underground utilities by public utilities or companies operating under the authority of a franchise or public property encroachment permit.

(f) Exploratory excavations under the direction of soil engineers or engineering geologists, provided all excavations are properly backfilled. All such excavations and trenches are subject to the applicable sections of Title 8 of the State Orders, Division of Industrial Safety.

(g) An excavation which does not exceed twenty-five (25) cubic yards on any one site and which is less than one foot in vertical depth.

(h) A fill less than one foot in depth placed on natural grade with a slope flatter than five horizontal to one vertical (5:1), which does not exceed twenty-five (25) cubic yards on any one lot and does not obstruct a drainage course.

(i) A fill less than three (3) feet in depth, not intended to support structures or mobile homes, which does not exceed twenty-five (25) cubic yards on any one lot and does not obstruct a drainage course. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.070 Grading Permit, Paving.

No person shall construct pavement surfacing in excess of three thousand (3,000) square feet, on natural or existing grade without a valid grading permit unless waived by the Director or a separate improvement plan for such paving is approved and signed by an authorized City official. Resurfacing or maintenance of paved surfaces shall be exempt from this requirement. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.080 Grading Permit, Watercourse Alteration.

No person shall alter an existing watercourse, channel, or revetment by excavating, or placing fill, rock protection or structural improvements without a valid grading permit, unless waived by the Director or performed as interim protection under emergency flood fighting conditions. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.090 Grading Permit, Construction.

No person shall perform any construction for which a building permit is required, without a grading permit, unless waived by the Director. The following building categories shall be exempt from this requirement, provided that such construction does not alter an existing watercourse, channel or revetment: roofing, block walls, swimming pools, patio covers, driveways or on-site paving less than three thousand (3,000) square feet in area, patio enclosures less than four hundred (400) square feet in area, and building additions less than four hundred (400) square feet in area. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.100 Grading Permit, Stockpiling.

(a) The City requires a grading permit to stockpile soil on a lot or parcel. A site plan of the lot showing the area in which the stockpile is to be placed and the approximate amount of soil to be stockpiled shall be required.
(b) The placement of the stockpile shall not adversely effect the safety, use, or stability of any structure, nor create a nuisance because of dust or erosion therefrom, nor block a public way or drainage course; nor shall such placement of stockpile material constitute a hazard to public welfare or endanger property. Stockpiling in a residential zone may be permitted under this Section for purposes of providing fill material to be used on-site only. Stockpiling in residential zones for purposes of selling of material shall be prohibited.
(c) The grading permit for stockpiling shall expire one year after issuance thereof. A new permit shall be required annually. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.110 Excavation Blasting Permit.

No person shall possess, store, sell, transport or use explosives and blasting agents to do any excavation without a permit from the Orange County Fire Department and authorization by the Director. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.120 Types of Grading Permits.

(a) Either a preliminary grading permit or a precise grading permit may be issued for grading work upon completion of an application in accordance with Subarticle 5 of the Grading Manual and approval by the Director. The preliminary or precise grading permit is the option of the permittee provided that the plans satisfy the requirements of Subarticle 5 of the Grading Manual.
(b) Building permits may be issued for a site graded under a valid precise grading permit upon completion and approval of rough grade inspection, as specified in Section 8.01.450(e), Site Inspection by the Director, of this Code.
(c) Building permits shall not be issued for a site graded under a preliminary grading permit until a new precise grading permit has been issued and the provisions of Subsection (b) of this Section have been satisfied. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.130 Powers and Duties of the Director.

(a) The provisions of Section 202, Powers and Duties of Building Official, of the Uniform Building Code shall apply to grading construction work. The Director of Public Works shall serve in that capacity in the City of Dana Point.
(b) Stop or Correct Work Orders. Whenever any grading work is being done contrary to the provisions of this Code or the grading permit, the Director may order the work stopped or corrected by notice in writing served on any persons engaged in the doing or causing such work to be done, and any such persons shall forthwith stop or correct such work until authorized by the Director to proceed with the work.
(c) Whenever any building or grading work is being done contrary to any water quality requirements related to activities subject to this Chapter, the Director may take any enforcement action provided under this Code. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.140 Violations and Penalties.

(a) It shall be unlawful for any person, firm or corporation to do grading in the City of Dana Point, or cause the same to be done, contrary to, or in violation of, any of the provisions of this Code.
(b) The issuance of a building permit, performance of building permit inspections, or issuance of a certificate of use and occupancy may be withheld for property on which a violation of the provisions of this Code exist, including work performed not in accordance with approved plans, until such violation has been corrected to the satisfaction of the Building Official. The Building Official, as appropriate, shall consult with the Director.
(c) No tentative tract map or parcel map shall be approved for property on which a violation of the provisions of this Code exists, including work performed not in accordance with approved grading plans, unless conditioned to require such violation to be corrected or mitigated to the satisfaction of the Director prior to recordation.
(d) No zone change or discretionary permit per the City of Dana Point Zoning Regulations shall be approved for property on which a violation of the provisions of this Code exists, including work performed not in accordance with approved grading plans, unless conditioned to require such violation to be corrected or mitigated to the satisfaction of the Director prior to the issuance of any building permits.
(e) The Building Official, in consultation with the Director, shall determine if the corrective or mitigating action itself requires the approval of a site development permit per the City of Dana Point Zoning Regulations and/or an Initial Study per CEQA.
(f) Any person, firm, or corporation violating any of the provisions of this Code is guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Code is committed, continued, or permitted, and upon conviction of any such violation such person shall be punishable by a fine of not more than one thousand dollars ($1,000.00) or by imprisonment for not more than six (6) months, or by both such fine and imprisonment. In addition to any such fine or imprisonment, the court may also require such party to correct or mitigate the grading violation to the satisfaction of the Director.
(g) In addition to the provisions of the subsections above, a notice of violation of this Code may be recorded in accordance with the following procedures:
(1) Notice of Intent. A written notice of intent to record a notice of violation shall be served on the current owner of record of the property. Such notice shall describe the property, the violation and the action necessary to correct or mitigate the violation. The notice shall inform the owner that a notice of violation will be recorded if the owner does not, within twenty (20) days of receipt thereof, either correct the violation or request a meeting with the Director as set forth below. The notice shall include a copy of this Section 8.01.140 and be substantially as follows:

Notice of Continuing Violation of the City of Dana Point Grading and Excavation Code.

Notice is hereby given that the City of Dana Point has determined that a violation of the above Code exists on the following described property (description). The violation consists of (description).

While a violation of the above Code exists, the City of Dana Point may refuse to approve building or occupancy permits, subdivision maps, use permits, and other discretionary permits and development approvals.

(2) Correction of Violation. If, within twenty (20) days of receipt of a notice of intent, the owner corrects the violation, no notice of violation shall be recorded. The Director may grant extensions of time for good cause.

(3) Meeting. If the owner requests a meeting, the Director shall schedule a meeting. Notice of the meeting shall be served on the owner not less than fifteen (15) days prior thereto. The Director may reschedule the meeting from time to time for a good cause with adequate notice to the landowner. At the meeting, the owner may be represented by counsel and may present any relevant evidence that violations do not exist.

(4) Decision, Notice. Within thirty (30) days following completion of the meeting, the Director shall issue and serve on the owner the Director's determination as to whether or not a notice of violation will be recorded. This determination shall be supported by appropriate findings on all material issues raised at the meeting. The decision of the Director shall be final with respect to recordation of a notice of violation, but shall not affect other proceedings under Section 8.01.140, Violations and Penalties.

(5) Recordation. If the Director determines that a notice will be recorded, such notice shall be recorded fifteen (15) or more days after service of notice of the decision.

(6) Release of Notice. When a violation is corrected or mitigated to the satisfaction of the Director, if a notice of violation had been recorded, the Director shall cause a release to be recorded. Said release shall refer to the notice of violation and shall state that the violation described therein has been corrected. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.150 Hazardous Conditions.

(a) Hazardous conditions exist when the state of any natural ground, natural slopes, excavation, fill, drainage device, or impairment of water quality, all of which exist on private property, is a menace to life or limb, or a danger to public safety, or endangers or adversely affects the safety, usability or stability of adjacent property, structures, or public facilities.

(b) The Director may examine or cause to be examined every condition reported as hazardous as set forth in Subsection (a) of this Section.

(c) Notice of Hazardous Condition. In any case where a hazardous condition is found by the Director, the Director shall give notice, setting forth the finding to all owners of the property affected by the hazardous condition, authorized representative of the owners or a permittee under any active permit which gives permittee control of the property issued pursuant to this Code, hereinafter referred to as "owner," of such required corrective work. The notice may state the time and place of a hearing to be held if the owner fails to comply with any demand for corrective work or reports. The purpose of the hearing would be for the presentation of evidence concerning the hazardous conditions and demand for corrective work or submission of reports. The notice shall set forth the right of the owner to be present at the hearing, at the owner's option, and introduce such relevant evidence on the issues as the owner desires. If the time and place of any hearing scheduled for the presentation of evidence is not included in the initial notice(s), it shall be included in a subsequent notice.

(d) Evidence. At the time and place so specified for the hearing, evidence shall be submitted as to the facts of any condition as to reasonably establish its existence, and the Director or the Director's designee, as Hearing Officer, shall determine whether the facts presented reasonably establish the existence of a hazardous condition to the satisfaction of the Hearing Officer. Evidence may further be submitted as to the worker reports considered necessary to correct or determine work to correct said hazard.

(e) Order, Finality and Appeal. If the Director determines the existence of a hazardous condition, the Director shall determine whether such hazards are subject to corrective work and/or the need for more analysis through the preparation of reports and shall order such work or reports and specify a completion time.

(1) Finality of Order. The determination and order may be made orally at the hearing and shall be written and transmitted to the owner within a reasonable time. The determination and order shall become final within five (5) days, excluding Saturdays, Sundays and holidays, from the time it is first rendered, except in the event that the owner was not present at the City hearing, within five (5) days of the mailing of the order to the last known address of said owner.

(2) Appeal. The owner may, at any time prior to the determination and order becoming final, appeal in writing the decision of the Director to the City Council.

(f) Completion of Work. The owner shall, following the finality of the determination and order of the Director, or, if appealed, the determination and order of the City Council, commence the corrective action ordered or preparation of reports and such work or submissions shall be completed within the specified time.

(g) Failure to Complete Work. If the owner neglects or fails to complete the corrective work or submit the reports ordered by the Director or City Council within the specified time, the Director may: (1) cause the work to be performed or reports to be prepared, or (2) advise the owner of the need for corrective work and warn him/her that, in the absence of such corrective work, subsequent future hazards may occur which could result in an order to vacate the premises. Nothing in this Subsection (g) shall be construed to limit the type of remedy or relief which the Director may have under any other provision of law.

(h) Costs. Costs incurred by the City to perform any corrective work or prepare reports under Subsection (g) of this Section shall be charged to the owner. The Director may apply to the City Council to cause the costs to be paid and levied as a special assessment against the property and collected in a manner provided for special assessments.

(i) Vacation of Property. If necessary, the notice and order in Subsection (c) or (e) of this Section shall include the requirement that the property, a portion thereof or adjacent sites be vacated within a specified time, in the interest of public safety, pending the finality of any determination and order or completion of corrective work. The Building Official shall cause the property to be posted at conspicuous locations with a notice containing at least the following:

UNSAFE TO OCCUPY

DO NOT ENTER

Building Official, City of Dana Point

Date Posted _____

Said posted notice may also contain the date, time and place of the hearing and the name, address and telephone number of the office or Building Official where additional information may be obtained.

Such posted notices shall remain posted until any necessary corrective work is completed. Such posted notices shall not be removed without written permission of the Building Official, and no person shall enter the property except for the purpose of making the required corrections or preparing reports.

(j) Service of Notices. The notices and order required by Subsections (c) and (e) of this Section may be served either:

(1) By mailing a copy by certified mail, return receipt requested, to the owner's address as designated on papers, applications, or permits on file with the Director; or

(2) By personally delivering a copy to the owner's address as designated on papers, applications or permits on file with the Director; or

(3) If the owner is absent from his or her place of residence and from his usual or designated place of business, by leaving a copy with some person of suitable age and discretion at either place, and sending a copy by certified mail, return receipt requested, addressed to the owner or authorized representative at his or her place of residence; or

(4) If such place of residence and business cannot be ascertained, or a person of suitable age or discretion there cannot be found, then by affixing a copy in a conspicuous place on the property, building, or structure and also delivering a copy to the person there residing, if any, or to the person in charge, if any; and also sending a copy by certified mail, return receipt requested, addressed to the owner at the place where the property, building or structure is situated, or to the owner at his or her last known or designated address, or both. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.160 Reserved.

(Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.170 Reserved.

(Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.180 Permits Required.

Except as exempted in Section 8.01.060, Grading Permits, of this Code, no person shall conduct any grading or clearing, brushing, or grubbing on natural grade or existing grade that is preparatory to grading, without first obtaining a grading permit from the Director. A separate permit shall be required for each site and may cover both excavations and fills.

When such operations involve the extraction or relocation of more than five thousand (5,000) cubic yards, such operations are also subject to the approval of a site development permit application. The total number of cubic yards shall be the larger of cut, including any export, or fill, including any import.

A site development permit is not required under the following conditions:

(a) Grading and excavation conducted in compliance with approved sand and gravel extraction operations, an approved tentative map or use permit;

(b) Grading and excavation conducted in compliance with a building permit when limited to the area within the perimeter (footprint) of the structure, e.g., basement/foundation;

(c) Grading and excavation conducted in compliance with an approved area plan;

(d) Emergency grading to correct recent acts of nature;

(e) Other exceptions as defined in Section 8.01.060.

When any operation requiring a grading permit is in the coastal zone, such operation is also subject to the approval of a coastal development permit. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.190 Application.

(a) To obtain a grading permit, the applicant must first file an application in writing on a form furnished by the Director. The grading permit application shall be accompanied by information required by the Director and as specified in the Grading Manual. Each person applying to the City for a grading or building permit for projects for which compliance with regulations governing State Construction Activity Storm Water Permits ("GCASPs") is required must submit satisfactory proof to City (i) that a Notice of Intent (NOI) to comply with the GCASP has been filed and (ii) that a Storm Water Pollution Prevention Plan has been prepared, before the City shall issue any grading or building permit on the construction project. A copy of the NOI, the resultant Waste Discharge Identification Number (WDID) and the SWPPP shall be maintained on-site during grading and construction and shall be made available for inspection, review and copying upon the request of any City inspector. Each person applying to the City for a grading or building permit for projects for which compliance with regulations governing State Construction Activity Storm Water Permits ("GCASPs") is not required must submit evidence that the grading project will be in compliance with the provisions of all applicable storm water permits, including, but not limited to, the implementation of all applicable best management practices (BMPs), and in compliance with all activities required by the City's Storm Water and Urban Runoff Pollution Controls Ordinance.

(b) Applications for which no grading permit is issued within one hundred eighty (180) days following the date of application shall expire by limitation and plans submitted for checking may thereafter be returned to the applicant or destroyed by the Director. The Director may extend the time for action by the applicant for a period not exceeding one hundred eighty (180) days upon written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. In order to renew action for an application after expiration, the applicant shall resubmit plans and pay a new plan check fee.

(c) The Director shall approve the grading permit application once all City requirements have been satisfied. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.200 Plans and Specifications.

(a) Each application for a grading permit shall be accompanied by plans and specifications, and supporting data consisting of soil engineering and engineering geology reports, as specified in Section 8.01.220, Soil Engineering and Engineering Geology Reports, of this Code.
(b) Plans and specifications for earthwork projects of five thousand (5,000) cubic yards or more, and/or subdivisions and hillside commercial, industrial and multi-residential projects, shall be prepared and signed by a civil engineer, unless otherwise approved by the Director. This requirement may be extended to any project when, in the opinion of the Director, critical drainage or geologic factors may be involved and there is need for civil engineering design and control.
(c) Plans and reports as specified by the Storm Water and Urban Runoff Pollution Controls Ordinance and its referenced documents. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.210 Information on Plans and Specifications.

Grading plans and specifications shall be prepared in accordance with the grading requirements of Section 8.01.420, Grading Requirements, of this Code and Subarticle 5 of the Grading Manual. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.220 Soil Engineering and Engineering Geology Reports.

A soil engineering and engineering geology report shall be required for grading projects, unless otherwise waived by the Director. The reports shall include information appropriate for the site including any information required by the Director. Recommendations included in the reports and approved by the Director shall be incorporated in the grading plans or specifications. The soil engineer and engineering geologist shall review and sign the grading plans if required by the Director to assure inclusion of their recommendations. The Director may require that the soil engineering report be reviewed by a third party registered civil engineer and that the engineering geology report be reviewed by a third party certified engineering geologist. The cost of the review shall be paid by the grading permit applicant. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.230 Issuance, Expiration and Renewal.

(a) Every grading permit issued shall be valid for a period of two (2) years from the date of issuance.
(b) Every grading permit issued shall expire by limitation and become null and void if the work authorized by such grading permit is not commenced within one hundred eighty (180) days from the date of such grading permit or if the work authorized by such grading permit is suspended or abandoned at any time after the work is commenced for a period of one hundred eighty (180) days.
(c) The time limitations and provisions of Section 303, Permits issuance, of the Uniform Building Code as amended are applicable to grading permits, except as stated in Subsections (c)(1) and (2) below:
(1) A grading permit issued hereunder shall expire upon a change of ownership if the grading work thereon, for which said grading permit was issued, has not been completed, and a new grading permit shall be required for the completion of the work. If the time limitations of Subsections (a) and (b) of this Section are not applicable and if no changes have been made to the plans and specifications last submitted to the Director, no charge shall be made for the issuance of the new grading permit under such circumstances. If, however, changes have been made to the plans and specifications last submitted to the Director, fees based on the valuation of the additional work, additional yardage and necessary plan checking as provided for in Subarticle 6 of the Grading Manual shall be charged to the grading permit applicant.
(2) The Director may extend the one hundred eighty (180) day expiration time limit on grading permits not to exceed two (2) successive periods of one hundred eighty (180) days each upon written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken.
(d) The Director may require that grading operations and project designs be modified if delays occur which incur weather-related problems not considered at the time the grading permit was issued, and further subject to the provisions of Section 8.01.240, Denial of Grading Permit, of this Code.
(e) If the permittee presents satisfactory reasons for failure to continue or begin the work within the period specified in Subsection (b) of this Section, the Director, upon receiving a written request, may grant an extension of time as specified in Subsection (c) (2) of this Section without additional fees, provided that:
(1) No changes have been made in the original plans and specifications for such work.
(2) Suspension or abandonment has not exceeded one year.
(3) A re-endorsement of the compliance of the plans with the applicable regulations by the Public Works Department, shall be obtained.
Such request for extensions must be submitted no later than the sixtieth (60th) day following the date on which said grading permit would otherwise expire. If the permittee fails to request an extension within the time provided, the Director may renew the grading permit for a fee of one-half the amount required for the original grading permit provided no changes have been made in the original plans and specifications for such work.

(f) If the permittee is unable to complete the work by the end of a two (2) year period, the Director may renew the grading permit on an annual basis for a fee of one-half the amount required for the original permit for such work unless otherwise approved by the Director, provided no changes have been made in the original plans and specifications for such work.
(g) A new grading permit shall be required for restoration of a site to a "natural state" as defined in Section 8.01.050. The issuance fee for this restoration permit shall be two (2) times the permit fee normally required for a grading permit.
(h) Any person who commences grading operations and fails to obtain a grading permit required by this Code shall be required to return the property to a "natural state" and shall procure a permit to do so and pay all fees required. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.240 Denial of Permit.

(a) The Director shall not issue a grading permit in any case where the Director finds that the work as proposed by the applicant is liable to constitute a hazard to property or result in the deposition of debris on any public way or interfere with any existing drainage course. If it can be shown to the satisfaction of the Director that the hazard can be essentially eliminated by the construction of retaining structures, buttress fills, drainage devices or by other mitigation measures or means, the Director may issue the grading permit with the condition that such work be performed.

(b) If, in the opinion of the Director, the land area for which grading is proposed is subject to geological or flood hazard to the extent that no reasonable amount of corrective work can eliminate or sufficiently reduce the hazard to human life or property, the grading permit and the building permits for habitable structures shall be denied.

(c) The Director may require plans and specifications to be modified in order to mitigate anticipated adverse environmental effects of proposed grading projects. The Director may, under circumstances where the significant adverse environmental effects of a proposed grading project cannot be mitigated, deny the issuance of a grading permit.

(d) The Director may require plans and specifications to be modified in order to make them consistent with the City of Dana Point General Plan, Specific Plans, Zoning Code, water quality requirements, or other rules, regulations, or conditions applicable to the project, the Director may deny the grading permit if the proposed project cannot be designed in accordance with these rules, regulations or conditions. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.250 Time of Grading Operations.

Grading and equipment operations within one-half mile of a structure for human occupancy shall not be conducted between the hours of 5:00 p.m. and 7:00 a.m. nor on Saturdays, Sundays and City of Dana Point recognized holidays. The Director, however, may permit grading or equipment operations during specific hours after 5:00 p.m. or before 7:00 a.m. or on Saturdays, Sundays and City of Dana Point recognized holidays if the Director determines that such operations are not detrimental to the health, safety, or welfare of the inhabitants of such a structure. Permitted hours of operation may be shortened by the Director's finding of a previously unforeseen effect on the health, safety, or welfare of the surrounding community. However, no grading permit that has been issued, nor any provision of this Section, shall be construed to be a waiver of the applicability of the provisions set forth in Article 1, Division 6, Title 4 of the Codified Ordinances of the County of Orange relating to noise control. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.260 Responsibility of Permittee.

It shall be the responsibility of the permittee to be knowledgeable of the conditions and/or restrictions of the grading permit as outlined in applicable sections of this Code, the Grading Manual, and as contained on the approved grading plans and in the approved soil and geology reports. The permittee shall also be responsible to maintain in an obvious and accessible location on the site, a copy of the grading plans and any applicable storm water pollution control documents bearing the signature of approval by the Director.

All grading permits, waivers or exemptions issued hereunder shall be deemed to include the provisions that the permittee, the permittee's agents, contractors and employees, shall carry out the proposed work in accordance with the approved plans and specifications, where such approval is required, and in accordance with any applicable water quality requirements prepared and maintained pursuant to federal or state requirements or a County directive, and in compliance with all requirements of the permit and this Article. Failure to carry out the work in accordance with approved plans and specifications, the applicable water quality requirements, and in compliance with all requirements of the permit and this Article shall be a violation of this Article. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.270 Protection of Adjoining Property.

Each adjacent owner is entitled to the lateral and subjacent support which his land receives from the adjoining land, subject to the right of the owner of the adjoining land to make proper and usual excavations on the same for purposes of construction or improvement as provided by law. Section 832 of the California Civil Code is contained in Appendix G of the Grading Manual. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.280 Import and Export of Earth Material.

Where an excess of five thousand (5,000) cubic yards of earth per project site is moved on public roadways from or to the site of an earth grading operation, all the following requirements shall apply:

(a) Either water or dust palliative or both must be applied for the alleviation or prevention of excessive dust resulting from the loading or transportation of earth from or to the project site on public roadways. The permittee shall be responsible for maintaining public rights-of way used for handling purposes in a condition free of dust, earth, or debris attributed to the grading operation.

(b) Loading and transportation of earth from or to the site must be accomplished between the hours of 9:00 a.m. and 3:00 p.m. unless prior approval is given by the Director. The proposed haul route must be submitted to the Director for review and approval.

(c) Access roads to the premises shall be only at points designated on the approved grading plan.

(d) The last fifty (50) feet of the access road, as it approaches the intersection with the public roadway, shall have a grade not to exceed three percent (3%). There must be three hundred (300) feet clear, unobstructed sight distance to the intersection from both the public roadway and the access road. If the three hundred (300) feet sight distance cannot be obtained, flagmen shall be posted. The last fifty (50) feet of the access road must be constructed of gravel or equivalent material.

(e) A stop sign conforming to the requirements of the California Vehicle Code shall be posted at the entrance of the access road to the public roadway.

(f) An advance warning sign must be posted on the public roadway four hundred (400) feet on either side of the access intersection, carrying the words "truck crossing." The sign shall be diamond shape, each side being thirty (30) inches in length, shall have a yellow background, and the letters thereon shall be five (5) inches in height. The sign shall be placed six (6) feet from the edge of the pavement and the base of the sign shall be five (5) feet above the pavement level. The advance warning sign shall be covered or removed when the access intersection is not in use. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.290 Grading Plan Check Fees.

Before accepting a grading permit application and plans and specifications for checking, the Director shall collect a plan-checking fee as approved by Resolution of the City Council and as provided in Subarticle 6 of the Grading Manual. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.300 Grading Permit Fees.

(a) A fee for each grading permit shall be paid to the City prior to issuance of a grading permit as approved by Resolution of the City Council and as provided in Subarticle 6 of the Grading Manual.
(b) Failure to pay fees and obtain a permit before commencing work shall be deemed a violation of this Code, except when it can be proven to the satisfaction of the Director that an emergency existed which made it impractical to first obtain the grading permit. A violation shall result in an assessment of double permit fees for work done prior to grading permit issuance. Payment of a double fee shall not relieve any person from fully complying with the requirements of this Code nor from any other penalties prescribed herein.
(c) Additional fees approved by Resolution of the City Council and contained in Subarticle 6 of the Grading Manual shall be paid as required to the Director. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.310 Emergency Work; Cost Recovery Fees.

If the Director performs or causes the performance of emergency or other work on private property, the Director shall charge the property owner all direct and indirect costs which are necessary to complete the work to the Director's satisfaction. In addition, the City may charge a mobilization cost equal to ten percent (10%) of the cost for performing the work. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.320 Grading Permit Bonds.

(a) Grading Permit Bonds Required. A grading permit shall not be issued unless the permittee shall first post with the Director a grading permit bond executed by the owner and a corporate surety authorized to do business in the State of California as a surety in an amount specified in Subarticle 7 of the Grading Manual. The grading permit bond is required to assure that the work, if not completed in accordance with approved plans and specifications, will be corrected to eliminate hazardous conditions and/or threats to environmental conditions, including but not limited to a threat to water quality. This requirement may be waived at the discretion of the Director if the Director determines that:
(1) No hazardous situation is likely to occur as a result of incomplete or improper grading; or
(2) No adverse effect is likely to occur to subject property, adjacent property or an existing or proposed structure thereon as a result of incomplete or improper grading; or
(3) No significant drainage, erosion, flooding or siltation problems will exist as a result of incomplete or improper grading; or
(4) No water quality threat to human or environmental health will occur as a result of incomplete or improper grading; or
(5) No adverse geological or environmental impacts will occur as a result of incomplete or improper grading; or
(6) No conditions of the permit warrant a financial guarantee to assure their satisfactory completion.
(b) An additional cash grading permit bond in an amount determined by the Director may be required to ensure the completion of finish grading under the grading permit as a condition of occupancy and energizing utilities. A grading permit bond in an amount determined by the Director may be required for permits involving temporary earthen stockpiles to ensure their timely removal. A grading permit bond in an amount determined by the Director may be required to protect City streets during hauling operations.
(c) Failure to Complete Work. In the event of failure to comply with all of the conditions and terms of the grading permit, the Director may order the work authorized by the grading permit to be completed or put in a safe condition to the Director's satisfaction. The surety executing such grading permit bond or deposit shall continue to be firmly bound under a continuing obligation for the payment of all necessary costs and expenses that may be incurred or expended in causing any and all such work to be done. In the case of a cash deposit, said deposit or any unused portion thereof, shall be refunded to the permittee.
(d) Default in Performance of Conditions. Whenever the Director finds or determines that a default has occurred in the performance of any requirement of a condition of a grading permit, written notice thereof shall be given to the principal and, when applicable, to the surety on the grading permit bond. Such notice shall specify the work to be done, the estimated cost thereof and the period of time deemed by the Director to be reasonably necessary for the completion.
After receipt of such notice, the surety shall, within the time specified, cause or require the work to be performed, or failing therein, shall pay over to the Director the estimated cost of doing the work as set forth in the notice. Upon receipt of such monies the Director may

cause the required work to be performed and completed. The surety shall pay the Director actual costs in excess of the estimate amount plus a mobilization charge specified in Section 8.01.310, Emergency Work; Cost Recovery Fees, of this Code.

(e) Grading Permit Bond or Cash Deposit Required for Return of the Property to "Natural State." Whenever the Director determines that the property shall be returned to its "natural state" in accordance with the provisions of this Code, a grading permit bond or cash deposit, in an amount determined by the Director, will be required for faithful performance, labor and materials, grading, installation of landscaping and maintenance until the property is returned to the "natural state," which completion date shall be determined by the Director. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.320 Grading Permit Bonds.

(a) Grading Permit Bonds Required. A grading permit shall not be issued unless the permittee shall first post with the Director a grading permit bond executed by the owner and a corporate surety authorized to do business in the State of California as a surety in an amount specified in Subarticle 7 of the Grading Manual. The grading permit bond is required to assure that the work, if not completed in accordance with approved plans and specifications, will be corrected to eliminate hazardous conditions and/or threats to environmental conditions, including but not limited to a threat to water quality. This requirement may be waived at the discretion of the Director if the Director determines that:
(1) No hazardous situation is likely to occur as a result of incomplete or improper grading; or
(2) No adverse effect is likely to occur to subject property, adjacent property or an existing or proposed structure thereon as a result of incomplete or improper grading; or
(3) No significant drainage, erosion, flooding or siltation problems will exist as a result of incomplete or improper grading; or
(4) No water quality threat to human or environmental health will occur as a result of incomplete or improper grading; or
(5) No adverse geological or environmental impacts will occur as a result of incomplete or improper grading; or
(6) No conditions of the permit warrant a financial guarantee to assure their satisfactory completion.
(b) An additional cash grading permit bond in an amount determined by the Director may be required to ensure the completion of finish grading under the grading permit as a condition of occupancy and energizing utilities. A grading permit bond in an amount determined by the Director may be required for permits involving temporary earthen stockpiles to ensure their timely removal. A grading permit bond in an amount determined by the Director may be required to protect City streets during hauling operations.
(c) Failure to Complete Work. In the event of failure to comply with all of the conditions and terms of the grading permit, the Director may order the work authorized by the grading permit to be completed or put in a safe condition to the Director's satisfaction. The surety executing such grading permit bond or deposit shall continue to be firmly bound under a continuing obligation for the payment of all necessary costs and expenses that may be incurred or expended in causing any and all such work to be done. In the case of a cash deposit, said deposit or any unused portion thereof, shall be refunded to the permittee.
(d) Default in Performance of Conditions. Whenever the Director finds or determines that a default has occurred in the performance of any requirement of a condition of a grading permit, written notice thereof shall be given to the principal and, when applicable, to the surety on the grading permit bond. Such notice shall specify the work to be done, the estimated cost thereof and the period of time deemed by the Director to be reasonably necessary for the completion.
After receipt of such notice, the surety shall, within the time specified, cause or require the work to be performed, or failing therein, shall pay over to the Director the estimated cost of doing the work as set forth in the notice. Upon receipt of such monies the Director may

cause the required work to be performed and completed. The surety shall pay the Director actual costs in excess of the estimate amount plus a mobilization charge specified in Section 8.01.310, Emergency Work; Cost Recovery Fees, of this Code.

(e) Grading Permit Bond or Cash Deposit Required for Return of the Property to "Natural State." Whenever the Director determines that the property shall be returned to its "natural state" in accordance with the provisions of this Code, a grading permit bond or cash deposit, in an amount determined by the Director, will be required for faithful performance, labor and materials, grading, installation of landscaping and maintenance until the property is returned to the "natural state," which completion date shall be determined by the Director. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.330 Cuts.

Cut slopes shall be no steeper than two (2) horizontal to one vertical (2:1) unless otherwise recommended in the soil engineering or engineering geology report and approved by the Director. The slope of cut surfaces shall be no steeper than is safe for the intended use. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.340 Fills.

(a) Unless otherwise approved by the Director and recommended in the approved soil engineering report, fills shall conform to Subarticle 9 of the Grading Manual. The provisions therein may be waived for minor fills not intended to support structures upon written request by the applicant on a form prescribed by the Director.
(b) The Director may require that the soil tests or testing be performed by an approved testing laboratory.
(c) Fill slopes shall be no steeper than two (2) horizontal to one vertical (2:1) unless otherwise recommended in the soil engineering report and approved by the Director. The slope of fill surfaces shall be no steeper than is safe for the intended use. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.350 Setbacks.

The setbacks and other restrictions specified by Subarticle 10 of the Grading Manual are minimum and may be increased by the Director or by the recommendation of a civil engineer, soil engineer or engineering geologist, if necessary for safety and stability or to prevent damage to structures or adjacent properties from sediment deposition, erosion, water runoff of the slopes or to provide access for slope and drainage structure maintenance. The minimum setback may be reduced only in special circumstances where stability is proven to the satisfaction of the Director by the soil engineer or engineering geologist and other factors are of primary importance. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.360 Drainage and Terracing.

Drainage facilities and terracing shall conform to the provisions of Subarticle 11 of the Grading Manual unless otherwise approved by the Director and delineated on the approved grading plan. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.370 Asphalt Concrete Pavement.

(a) Asphalt concrete pavement for surfacing of parking lots, private streets or other similar use shall conform to the provisions of Subarticle 12 of the Grading Manual unless otherwise approved by the Director.
(b) The site soil engineer or special inspector shall inspect the construction of asphalt paved areas and verify to the Director that the work has been performed in compliance with the provisions of this Section.
(c) Asphalt concrete pavement within the public right-of-way shall be tested by the City unless otherwise approved by the Director. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.380 Erosion Control and Water Quality Requirement Systems.

(a) The faces of cut and fill slopes and project site shall be prepared and maintained to control against erosion in accordance with this Article. Where cut slopes are not subject to erosion due to the erosion-resistant character of the materials, such protection may be omitted upon approval by the Director.
(b) Where necessary, temporary and/or permanent erosion control devices such as desilting basins, check dams, riprap or other devices or methods, as approved by the Director, shall be employed to control erosion and provide safety during the rainy season.
(c) No grading work in excess of two hundred (200) cubic yards will be allowed during the rainy season on any single grading site under permit unless an erosion control system has been approved or waived by the Director.
(d) Paved streets, sidewalks, and other improvements shall be maintained in a neat and clean condition free of loose soil, construction debris and trash. Street sweeping or other equally effective means shall be used on a regular basis to prevent storm flows from carrying sediment and debris outside the project boundaries. Watering shall not be used to clean streets except for fine material not otherwise removed by sweeping or other mechanical means.
(e) The civil engineer or other qualified individual who prepared the grading plan and designed the erosion control devices shall be responsible for inspection and modification of the devices, as necessary, during the rainy season. Significant modifications to erosion control shall be approved by the Director.
(f) Desilting facilities designed for twenty-five (25) year storm intensity shall be provided at drainage outlets from the graded site.
(g) Desilting basins shall be designed to provide a minimum desilting capacity equal to the current City of Dana Point standards as established by the Director.
(h) Desilting basins shall be constructed around the perimeter of projects whenever feasible when it provides improved maintenance access from paved roads during wet weather.
(i) Desilting basins constructed of compacted earth shall be compacted to a relative compaction of ninety percent (90%) of maximum density. A soil engineering report, prepared by the soil engineer, which includes the type of field testing performed, location and results of testing, shall be submitted to the Director for approval upon completion of the desilting basins.
(j) Equipment and workers for emergency work shall be made available at all times during the rainy season. Necessary materials shall be available on-site and stockpiled at convenient locations to facilitate rapid construction of temporary devices when rain is imminent.
(k) Erosion protection shall consist of effective planting of all slopes in excess of five (5) feet high unless otherwise approved by the Director. Slopes exceeding fifteen (15) feet high may require an adequate sprinkler system, as determined by the Director.
(l) City-approved protection for the slopes shall be installed as soon as practicable, which may be prior to rough grade approval. Effective planting shall be installed and

fully germinated, and shall effectively cover the required slopes prior to final approval unless otherwise approved by the Director.
(m) The erosion control provisions shall take into account drainage patterns during the current and future phases of grading throughout the rainy season.
(n) All removable protective devices shown shall be in place at the end of each working day when the five (5) day rain probability forecast exceeds forty percent (40%).
(o) Graded areas around the tract perimeter must drain away from the face of slopes at the conclusion of each working day.
(p) Vegetation clearing and brushing activities shall not be initiated during the rainy season on any sites which are not adequately protected with desilting basins or other temporary drainage or control measures.
(q) Erosion control plans shall consider preservation of natural hydrologic features, riparian buffers and corridors, and clearly indicate areas not to be disturbed.
(r) In addition to the requirements specified above, the permittee shall perform all work in accordance with the water quality requirements.
(s) Any violation of an applicable federal or state-issued storm water permit, or failure to conform to the City's water quality requirements prepared pursuant to such a permit or pursuant to this Article or to the City's Code, Chapter 15.10, or failure to comply with storm water related provisions of a City-issued grading permit or of a grading plan prepared to secure such a permit, is also a violation of this Section. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.390 Erosion Control Plans.

Erosion control plans prepared in accordance with Subarticle 13 of the Grading Manual and any applicable storm water permit issued to the City and the permittee shall be submitted to the Director for approval by September 1 each year for all projects under grading permits. Plans are required to be submitted even though no revisions to the erosion control are required. The erosion control plan may be waived for grading projects on single residential lot projects providing that an erosion control system, meeting the approval of the Director, has been installed, placed, planted or constructed prior to the City's defined rainy season. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.400 Erosion Control and Water Quality Control Maintenance.

(a) After each rainstorm, silt and debris shall be removed from check berms and desilting basins and the basins pumped dry. Manufactured slope protection measures damaged by a rainstorm shall be immediately repaired.
(b) After each rainstorm, the performance of the erosion control system shall be evaluated and revised and repaired as necessary.
(c) Devices shall not be moved or modified without the approval of the Director.
(d) The contractor shall be responsible and shall take necessary precautions to prevent public trespass onto areas where impounded water creates a hazardous condition.
(e) The contractor and permittee or project owner shall be responsible for continual maintenance of the devices during the rainy season. In the event of failure or refusal by the contractor, permittee or project owner to properly maintain the devices, the Director may cause emergency maintenance work to be done to protect adjacent private and public property and environmental resources. The cost shall be charged to the owner and shall include an initial mobilization cost plus the cost of doing the work as contained in Article 6 of this Chapter.
(f) In the event the Director must cause emergency maintenance work to be done, the Director may revoke the grading permit in writing. The grading permit shall not be renewed until an erosion control system and/or other systems necessary to comply with water quality requirements approved by the Director are installed and a fee of one-half the amount required for the original grading permit paid by the owner. The Director may waive installation of an erosion control system during the City's defined dry season (non-rainy season).
(g) If any grading subject to Section 8.01.060, Grading Permits, of this Code has commenced on private property without a valid grading permit, the property owner may be required to prepare and implement an erosion control plan and other plans required under the water quality requirements that have been approved by the Director. In the event of failure by the property owner to install an approved erosion control system and/or other systems necessary to comply with water quality requirements, the Director may cause emergency work to be done to protect adjacent private and public property. The procedures of Section 8.01.150, Hazardous Conditions, of this Code need not apply for emergency erosion control work during the City's defined rainy season and emergency work necessary to protect environmental resources. The cost shall be charged to the owner in accordance with Subsection (e) of this Section. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.410 General.

All grading operations for which a grading permit is required shall be subject to inspection by the Director. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.420 Grading Requirements.

(a) It shall be the responsibility of the civil engineer, architect or other qualified individual who prepares the grading plan approved by the Director to incorporate all recommendations from the soil engineering and engineering geology reports and any applicable storm water permits or reports into the grading plan. The civil engineer, architect or other qualified individual who prepares the grading plan shall also be responsible for the professional inspection and approval of the grading within that person's area of technical specialty. This responsibility shall include, but need not be limited to, inspection and approval as to the establishment of line, grade and drainage of the development area. The project civil engineer and/or general contractor shall act as the coordinating agent in the event the need arises for liaison between the project professional grading contractor, and the Director, the civil engineer or other qualified person who prepares and signs the grading plan shall also be responsible for the preparation of revised plans, erosion control plans, storm water pollution control and water quality documents, and the submission of as-graded grading plans when required by the Director upon completion of the work.
(b) Soil engineering and engineering geology reports shall be required as specified in Section 8.01.220, Soil Engineering and Engineering Geology Reports, of this Code. During grading, all necessary reports, compaction data, soil engineering and engineering geology recommendations shall be submitted to the owner by the soil engineer and engineering geologist. The owner shall submit copies of the report to the civil engineer and two copies of all reports to the Director.
(c) The soil engineer's area of responsibility shall include, but need not be limited to, the professional inspection and approval concerning the preparation of ground to receive fills, testing for required compaction, testing of impermeable fill cap, stability of all finish slopes, design of buttress fills, subdrain installation and incorporation of data supplied by the engineering geologist.
(d) The engineering geologist's area of responsibility shall include, but need not be limited to, professional inspection and written approval of the adequacy of natural ground for receiving fills, the stability of cut slopes with respect to geological matters, and the need for subdrains or other groundwater drainage devices. He or she shall report his or her findings to the soil engineer and the civil engineer for engineering analysis. He or she shall inspect unsuitable soil removal, placement of subdrain and preparation of benching prior to placement of fill.
(e) The Director may expeditiously inspect the project at the various stages of work requiring approval and at any more frequent intervals as may be necessary to determine that adequate control is being exercised by the professional consultants.
(f) When preliminary soil engineering reports are not required by the Director, the Director may require inspection and testing by an approved testing agency. The testing agency's responsibility shall include, but need not be limited to, approval of cleared areas and benches to receive fill, and the compaction of fills.
(g) The Director shall not issue any permit, waiver, or exemption pursuant to this Article unless the Director finds that the work authorized by the permit, waiver or exemption complies with applicable water quality requirements. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.430 Notification of Noncompliance.

If, in the course of fulfilling their responsibility under this Code, the civil engineer, the soil engineer, the engineering geologist, or the testing agency finds that the work is not being done in conformance with the provisions of the approved specifications and grading plans, the discrepancies shall be reported immediately in writing to the person in charge of the grading work and to the Director. Recommendations for corrective measures, if necessary, shall be submitted to the owner. The owner shall submit two (2) copies of all recommendations and reports to the Director. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.440 Transfer of Responsibility for Approval.

If the civil engineer, the soil engineer, the engineering geologist, the testing agency, or the grading contractor of record are changed during the course of the work, the work shall be stopped unless: (1) the owner submits a letter of notification verifying the change of the responsible professional; and (2) the new responsible professional submits in writing that that person has reviewed all prior reports and/or plans (specified by date and title) and work performed by the prior responsible professional and that the professional concurs with the findings, conclusions, and recommendations, and is satisfied with the work performed. The professional person may modify or revise recommendations, specifications or work performed if accompanied by supporting data and approved by the Director. The professional must state that the professional assumes all responsibility within that person's professional purview as of a specified date. All exceptions must be justified to the satisfaction of the Director.

Exception. Where clearly indicated that the firm, not the individual engineer and/or geologist, is the contracting party, the designated engineer or geologist may be reassigned and another engineer and/or geologist within the firm may assume responsibility. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.450 Site Inspection by the Director.

(a) Prior to the approval of any grading plans and specifications, the Director may inspect the site to determine that the plans and specifications are current and reflect existing conditions.
(b) The permittee or the permittee's agent shall notify the Director when the grading operations specified in Subarticle 14 of the Grading Manual are ready for inspection.
(c) If the inspector finds the soil or other conditions not as stated in the approved plans and soil or geology reports or as in additional information which was required for issuance of the grading permit, the inspector, using reasonable judgment, may refuse to allow further work until approval is obtained for a revised grading plan which will conform to the conditions.
(d) The provisions of Section 202(d), Stop Orders, of the Uniform Building Code shall apply to all grading work and whenever the Director determines that any work does not comply with the terms of a permit, or this Code, or that the soil or other conditions are not as stated on the grading permit, the Director may order the work stopped by notice in writing served on any persons engaged in doing or causing of such work to be done and any such persons shall forthwith stop such work until authorized by the Director to proceed with the work.
(e) Prior to the issuance of building permits for a graded site, the rough grading shall be completed in accordance with Subarticle 14 of the Grading Manual and to the satisfaction of the responsible civil engineer, or architect, engineering geologist, soil engineer, and the director.
(f) Whenever any work on which inspections are required is covered or concealed by additional work without first having been inspected, the Director may require by written notice, that such work be exposed for examination. The work of exposing and recovering shall not entail or be subject to expense by the City.
(g) Whenever any building or grading work is being done contrary to the provisions of the water quality requirements related to activities subject to this Article, the Director, in addition to any duties and powers specified in this Article, may utilize any enforcement provisions specified in City Code, Chapter 15.10. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.460 Special Inspections.

(a) The Director may establish special inspection requirements in accordance with Section 306, Special Inspections, of the Uniform Building Code, as amended, for special cases involving grading or paving related operations. Special cases may apply to work where in the opinion of the Director it is necessary to supplement the resources or expertise available for inspection.

(b) Inspection fees ensuring compliance with an order to return a property to its "natural state" shall be three (3) times the usual inspection fee for all installation of grading, landscape and irrigation, until the property has achieved eighty percent (80%) coverage, as determined by the Director. The minimum site inspection for ensuring compliance with an order to return a property to its "natural state" shall be two (2) inspections per month until the eighty percent (80%) coverage is achieved. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.470 Final Reports.

Upon completion of the rough grading work and at the final completion of the work, the Director may require the written approvals, reports, drawings and supplements thereto specified in Subarticle 15 of the Grading Manual. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

8.01.480 Notification of Completion.

The permittee or his agent shall notify the Director when the grading operation is ready for final inspection. All work including installation of all drainage facilities and their protective devices and all erosion control measures must be completed in accordance with the final approved grading plan and the required reports approved by the Director before final approval of the grading permit is given by the Director, the Director may approve the grading work prior to completion of all work in special cases of extreme hardship and if no hazard exists and an adequate grading permit bond is posted to assure completion of all remaining work. (Added by Ord. 98-03, 3/10/98; amended by Ord. 03-04, 2/12/03; Ord. 03-18, 12/10/03)

APPENDIX C

CITY COUNCIL RESOLUTION 05-07-13-09
CITY COUNCIL RESOLUTION 98-01-13-05

"Fee Structure"

RESOLUTION NO. 05-07-13-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING ADJUSTMENT TO ADMINISTRATIVE DEVELOPMENT REVIEW FEES FOR WATER QUALITY, TRAFFIC AND GRADING

THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, the City currently has no development review fee schedule for water quality nor traffic impact compliance; and

WHEREAS, the City is allowed to equitably collect administrative fees to recover the cost of compliance reviews for development and development related submissions to the City; and

WHEREAS, the current fee schedule for grading (<500 cy for plan check and inspection) is insufficient to cover the costs of review and is significantly less than the average cost of similar services for other cities.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Dana Point does hereby resolve as follows:

Section 1. Administrative review fees for development and development related submissions to the City for water quality, traffic impact and grading (<500 cy for plan check and inspection) shall be charged on a "time and materials" basis for actual direct costs at current hourly rates with an additional 15% charge to partially cover indirect and overhead costs.

Section 2. A deposit shall be required in advance of the review in the amount of the average cost of similar reviews as estimated by the engineering division, taking into account the size and complexity of the submission.

PASSED, APPROVED, AND ADOPTED this 13th day of July, 2005.

Wayne Rayfield
WAYNE RAYFIELD, MAYOR

ATTEST:

Elizabeth Ehring
ELIZABETH EHRING, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF DANA POINT)

I, Elizabeth Ehring, City Clerk of the City of Dana Point, California, DO HEREBY CERTIFY that the foregoing Resolution No. 05-07-13-09 was duly passed, approved and adopted by the City Council of the City of Dana Point, California, at a regular meeting thereof held on the 13th day of July, 2005 by the following vote:

AYES: Council Members Chilton, Harkey, Lacy, Mayor Pro Tem Anderson, and Mayor Rayfield

NOES: None

ABSENT: None

ABSTAIN: None

(SEAL)

Elizabeth Ehring
ELIZABETH EHRING, CITY CLERK

RESOLUTION NO. 98-01-1305

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING A SCHEDULE OF SERVICE FEE CHARGES, AND RESCINDING RESOLUTION 95-02-28-01.

WHEREAS, the City Council did, on the 13th day of January, 1998, hold a duly noticed public hearing as prescribed by law to consider said request; and

WHEREAS, at said public hearing, upon hearing and considering all testimony and arguments, if any, of all persons desiring to be heard, said Council considered all additional factors relating to the proposed fee schedule; and

WHEREAS, it is the desire of the City Council to establish equitable service charges; and

WHEREAS, it is the desire of the City Council to encourage the proper permitting and inspection of improvements to property to promote the public health, safety, and welfare; and

WHEREAS, cities are authorized to charge fees which do not exceed the estimated reasonable cost of providing the service for which the fee is charged; and

WHEREAS, a comprehensive analysis of labor, material and equipment costs to perform services has been prepared; and

WHEREAS, service fees are incorporated into the Schedule of Service Charges and are hereby made part of this Resolution; and

WHEREAS, the City Council finds and determines that the rates and fees set forth in these schedules reasonably reflect the costs of providing City services; and

WHEREAS, in order to establish a fee for Administrative Coastal Development Permits, Emergency Coastal Development Permits, and De Minimis Waiver Coastal Development Permits, these items have been added; and

WHEREAS, in order to establish a fee for Minor Site Development Permits, this item has been added; and

WHEREAS, in order to establish a fee for Development Agreement deposits, this item has been added; and

WHEREAS, in order to establish a fee for Temporary Site Development Permits for major events, this item has been added; and

WHEREAS, in order to establish a fee for vendor permits, this item has been added; and

WHEREAS, in order to establish a fee for massage applications, this item has been added; and

WHEREAS, in order to reduce the fee for portable sign permit applications, this item has been amended; and

WHEREAS, in order to reduce the fee for the sign program, this item has been amended; and

WHEREAS, in order to establish a fee for refund processing, this item has been added; and

WHEREAS, in order to amend the fees for copies of the Comprehensive Annual Financial Report and Budget, this item has been amended; and

WHEREAS, in order to establish a fee for animal services, this item has been added; and

WHEREAS, in order to establish a fee for copies of the Zoning Code, this item has been added; and

WHEREAS, in order to amend the fee for copies of the Municipal Code, this item has been amended; and

WHEREAS, in order to establish a fee for duplication of audio tapes, this item has been added; and

WHEREAS, in order to reduce the fee for copies and set a fee for copies made from microfilm or microfiche, this item has been amended; and

WHEREAS, in order to eliminate fees for records research, this item has been deleted; and

WHEREAS, in order to update the map checking hourly rate from $54.00 to the current map checking consultant's hourly rate, this item as been amended; and

WHEREAS, in order to create a fee for new address assignment, this item has been added; and

WHEREAS, in order to increase the single transportation and annual transportation fees, this item has been amended; and

WHEREAS, in order to adjust the grading inspection for 101 to 1,000 cubic yards, this item has been amended; and

WHEREAS, in order to increase the on site drainage inspection fee, this item has been amended; and

WHEREAS, in order to update the reinspection fee hourly rate, this item has been amended.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. The document entitled SCHEDULE OF SERVICE FEES is hereby adopted and becomes effective immediately, with the exception of project development processing fees, which become effective sixty (60) days following the adoption of this Resolution.

SECTION 2. Resolution No. 95-02-28-01 is hereby rescinded.

SECTION 3. If any charge set forth in this Resolution or the application thereof to any person or circumstance is held to be invalid, such invalidity shall not affect any other charge or appli-ation thereof, and to this end the charges of this Resolution are declared to be severable.

SECTION 4. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED, AND ADOPTED this 13th day of January, 1998.

WILLIAM L. OSSENMACHER,
MAYOR

ATTEST:

Kathie M. Mendoza
KATHIE M. MENDOZA, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF DANA POINT)

I, Kathie M. Mendoza, City Clerk of the City of Dana Point, California, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution No. 98-01-13-05 adopted by the City Council of the City of Dana Point, California, at a regular meeting thereof held on the 13th day of January, 1998, by the following vote:

AYES: COUNCIL MEMBERS KAUFMAN, LLOREDA, NETZLEY, MAYOR PRO TEM GALLAGHER AND MAYOR OSSENMACHER

NOES: NONE

ABSENT: NONE

(SEAL)

Kathie M. Mendoza
KATHIE M. MENDOZA, CITY CLERK

H:\...\agrpts\acrvfees.rso

City of Dana Point

Schedule of Service Fees - 1998

Table of Contents

CITY OF DANA POINT
SCHEDULE OF SERVICE FEES (1998)
Hourly billing rates for City Staff shall be based on the current salary and benefits for each position.

PLANNING	FEE
Amendment to Previous Development Approvals (Minor)	$190
Appeal of Community Development Director Decision	
-Single Family	$250
-Other	$500
Appeal of Planning Commission Decision	
-Single Family	$250
-Other	$500
Building Plan Check/Planning Division (Hourly Rate)	Max. of $196
Coastal Development Permit	$1,633
-Administrative	$ 347
-Emergency	$ 288
-De Minimis Waiver	$ 268
Combined Planning Application	Hourly Rate
Conditional Use Permit	
-Minor	$ 392
-Minor as per Section 9.07.150 ("Recycling Ordinance")	$ 57
-Major	$2,355
Development Agreement	$5,571 deposit, Hourly Rate
Environmental Impact Review	Hourly Rate
Environmental Impact Report Preparation	Actual cost for preparation plus 10% contingency cost.

PLANNING - CONTINUED	FEE
General Plan Update - Surcharge	.001 x value of bldg. levied with bldg. permit.
General Plan Amendment (represents estimated average charge - Hourly Rate)	$5,571
General Plan Consistency	$ 586
Landscape Plan Check/Planning Division - Hourly Rate	Max. of $98
Massage Application Fees	
-Initial Application	$ 460
-Renewal Application	$ 240
-Appeal Fee	$ 500
Mitigated Negative Declaration	$2,269
Permit Fee - Extensions Administrative Fee	$ 196
Planning Commission	$ 392
Preliminary Planning Review	$ 300
Sign Permit	$ 49
Sign Program$392	
Site Development Permit	$2,943
-Minor	$ 392
Special Use Sign Permit	
Banners, pennants & flags	$25+$125 deposit
Portable signs	$15/year
- Initial Application Fee	$10/year
- Renewal Application Fee	
Specific Plan Preparation or Amendment Fee	$5,571 deposit

PLANNING - CONTINUED	FEE
Temporary Site Development Permits Special Events/Event Application (application fee) includes seasonal activities, fireworks, and seasonal fruit sales	
a. Single Event	$35 per occur.
b. Comprehensive Single Event	$190 up to eight (8) events
c. Master Event Plan	$1,900 deposit for nine (9) or more events
Major Event	$ 584
Film, Video & Still Photography	$ 50
Vendor Permit	$ 166
Tentative Parcel Map	$1,760
Tentative Tract Map	$3,401
Variance	$ 844
Zone Change	Hourly Rate
Zone Text Amendment	$4,307

CITY CLERK

Agenda Subscriptions	$20 prorated for partial year subscriptions.
Minutes Subscriptions	$40 prorated for partial year subscriptions.
Notary Service	$10
Certification	$ 5
City Council Tape Listening	No Charge
Records Research (for extensive, archival or bulk document research)	No Charge
Photocopies	$0.10 $0.20 when made from microfilm or microfiche
Fax Copies	$0.50 per page
Reports Prepared by Consultants	Actual Cost
Initiative Processing Fee	$200
Duplication of Video and Audio Tapes	$ 12.00 per tape
City of Dana Point Municipal Code - document only	$ 75.00
- including tabs	$ 95.00
- including tabs and binder	$145.00
Subscriptions to Supplements	$ 40 per year
City of Dana Point Zoning Code - document only	$ 20.50
- including map	$ 26.00
- including map and tabs	$ 34.50
- including map, tabs, and binder	$ 44.50
Subscriptions to Supplements	$ 15 per year

FINANCE & ADMINISTRATION

First Copy of All Documents Provided at No Charge.

Comprehensive Annual Financial Report	$ 10.00
Budget Document, including Capital Improvement Program	$ 15.00
Checks Returned for Insufficient Funds	$ 25.00

PUBLIC WORKS ADMINISTRATIVE FEES

Engineering Plan Check	$ 98.00
Final Parcel Map	$215.00
Final Tract Map	$494.00
Solid Waste Exemption Application	$ 10.00

South Orange County Animal Services Authority

FEE SCHEDULE

Adoption Fees	
Dog	$40.00
Cat	$35.00
Dog Licenses	
Unaltered dog	$25.00
Altered dog	$10.00
Seniors (Age 62+) with unaltered dog	$10.00
Seniors (Age 62+) with altered dog	$5.00
Cat Licenses	$5.00
Late fee	$10.00
Replacement Tag	$5.00
Transfer Tag	$5.00
Impound Fees	
1st in 1 year	$20.00
2nd	$30.00
3rd	$40.00
4th	$50.00
5th	$60.00
Deceased Dog or Cat	
Fee for picking up owner's deceased animal	$15.00
Owner bringing in deceased animal	$5.00

Owners must have a license to claim their impounded dog if they live in San Clemente or Dana Point. If the dog is not currently licensed, a license must be issued. Owners must show proof of a current rabies vaccination to receive a license.

CITY OF DANA POINT
COMMUNITY SERVICES FEES

	Resident* Non-Profit	Resident* Profit	Non-Resident Non-Profit	Non-Resident Profit
1. Mini Gatherings:				
Security Deposit	N/A	N/A	N/A	N/A
Hourly	$5.00	$10.00	$15.00	$20.00
Daily	$30.00	$60.00	$90.00	$120.00
2. nformal Gatherings:				
Security Deposit	N/A	N/A	N/A	N/A
Hourly	$15.00	$20.00	$25.00	$30.00
Daily	$90.00	$120.00	$150.00	$180.00
3. Formal Gatherings & Weddings:				
Sec. Deposit (wed. excl.)	$75.00	$75.00	$75.00	$75.00
Hourly (2 hour min.)	$40.00	$50.00	$65.00	$75.00
Daily	$240.00	$300.00	$390.00	$450.00
4. Events/One day (Up to 1,000 people):				
Deposit	$500.00	$500.00	$500.00	$500.00
Hourly (2 hour min.)	$ 40.00	$75.00	$65.00	$115.00
Daily	$240.00	$450.00	$390.00	$690.00
Daily	$240.00	$300.00	$390.00	$450.00
5. Events/One day (Up to 5,000 people):				
Deposit	$1,000.00	$1,000.00	$1,000.00	$1,000.00
Hourly (2 hour min.)	$50.00	$115.00	$85.00	$150.00
Daily:	$300.00	$690.00	$510.00	$900.00
6. Events/Multi-Day:				
Deposit	$1,000.00	$1,000.00	$1,000.00	$1,000.00
Hourly	$50.00	$115.00	$85.00	$150.00
Daily	$300.00	$690.00	$510.00	$900.00

Refund Processing Fee: $10.00

* esident is defined as a person residing or doing business in Dana Point.

MAP CHECKING FEES
INITIAL DEPOSITS

Tract Number Issuance	$ 67
Parcel Map Number Issuance	$ 67
City Tracts	$972 deposit
City Parcel Maps	$810 deposit
Records of Survey (For Subdivision Boundary Purposes)	$ 54/hr., $918/deposit
Records of Survey (For Lot Line Adjustments)	$216 deposit plus $54 per parcel
Records of Survey (Prop. Line and Monument Replacement)	No Charge
Certificate of Corrections	No Charge
Parcel Maps) - Annexations	$1,080/deposit
Tract Maps)	$1,566/deposit
Lot Line Adjustments	$ 216/deposit plus $54 per parcel
Certificate of Compliance	$ 324 deposit
Amending Maps	Applicable fees (same as above)

RECORDING & FILING FEES

Records of Survey and Amending Maps	$ 6 1st sheet $ 2 each additional sheet
Certificates of Correction	$ 14 1st and 2nd sheets

Note: Please submit two checks for 1/2 each of total fee.
($4 each additional sheet)

Notes: EXOT maps require double the normal deposit and are charged on an hourly rate of $108 per hour.

Map checking hourly rate is per consultant's current fee.

Tract recording fees are paid by the Title Company at time of recordation.

CITY OF DANA POINT
BUILDING, ENGINEERING, SUBDIVISION, AND SURVEY FEES

Function/Program	Division	Rate Per Hour
Regulation	Environmental Resources	$37
	Development Services	37
	Building Inspection	35
	Enforcement	34
	Public Property Permits	27
	Subdivision	36
Administration	Administrative Services	22
Public Works	Design	34
	Construction	37
	Surveying (excluding Map Checking)	33
	Survey Map Checking	49
	Flood Program	36
	Operations	43
Transportation	Road Programs	37
	Transportation Planning	32
	Traffic Engineering	35

SAND AND GRAVEL SITE PERMITS

Site Permit	Hourly Rate, Applicable Division
Site Permit Amendment	Hourly Rate, Applicable Division
Appeals	Hourly Rate, Applicable Division
Interim Administration Permit	Hourly Rate, Applicable Division

SURVEYING

Map Checking

Final Tract/Parcel Map	Hourly Rate, Applicable Division
Record of Survey Map	Hourly Rate, Applicable Division
Certificate of Compliance Map	Hourly Rate, Applicable Division
Lot Line Adjustment Map	Hourly Rate, Applicable Division

CITY OF DANA POINT
BUILDING, ENGINEERING, SUBDIVISION, AND SURVEY FEES

STREET NAME AND ADDRESS CHANGES

EFFECTIVE DATE: July 1, 1990

Public Street	$1,173 + $31 per address changed
Private Street	$1,059 + $31 per address changed
Address Change Only	$ 63
Address Assignment	$ 63

ENGINEERING

Detailed Tract/Parcel Plans and Specifications

Plan Check
(1) Submitted for 1st Check $100
(2) Submitted for 2nd Check:

Value of Improvements	Initial Deposit	Remaining Deposit	Total Deposit
$ 0 - 49,999	$100	$ 0	$ 100
50,000 - 199,999	100	600	700
200,000 - 399,999	100	2,250	2,350
400,000 - 749,999	100	4,250	4,350
750,000 - 999,999	100	7,400	7,500
1,000,000 and above	100	9,400	9,500

(3) Submitted for final approval:

Value of Improvements	Base Fee +	Percent of Value of	Valuation Over
$ 0 - 49,999	$100	1.2	$ 0
50,000 - 199,999	700	1.1	50,000
200,000 - 399,999	2,350	1.0	200,000
400,000 - 749,999	4,350	0.9	400,000
750,000 - 999,999	7,500	0.8	750,000
1,000,000 and above	9,500	0.7	1,000,000

ENGINEERING (Continued)

Inspection:

Value of Improvements	Base Fee +	Percent of Value of	Valuation Over
$ 0 - 49,999	$ 0	4.8	$ 0
50,000 - 199,999	2,400	4.4	50,000
200,000 - 399,999	9,000	4.2	200,000
400,000 - 749,999	17,400	4.0	400,000
750,000 - 999,999	31,400	3.8	750,000
1,000,000 and above	40,900	3.6	1,000,000
Late Payment of Inspection Fee		Additional 3 percent to fees above	

Landscape Plan Review and Inspection (87-915)

(1) Landscaping not irrevocably offered to the City nor requiring City maintenance or landscaping:

Cost of Improvements	Amount +	Percent of Valuation
$ 0 - 9,999	$ 80	1.0
10,000 - 49,999	90	1.0
50,000 - 99,999	210	0.7
100,000 and above	365	0.6

(2) Landscaping irrevocably offered to the City or requiring City maintenance or landscaping:

Cost of Improvements	Amount +	Percent of Valuation
$ 0 - 9,999	$ 155	2.0
10,000 - 49,999	170	1.9
50,000 - 99,999	405	1.4
100,000 and above	720	1.1

CITY OF DANA POINT
BUILDING, ENGINEERING, SUBDIVISION, AND SURVEY FEES

PUBLIC PROPERTY USE PERMITS

Permit Time Frame	Except as specified, time period shall be considered as less than 30 days.
	Security may be required to protect City property from injury or to provide indemnity for any injury resulting from the issuance of a permit.
Filing fee	$50 or established Public Property Use Permit fee for service, whichever is lesser.

Temporary Use Permits

Transportation - single trip	$ 16.00
Commercial Trash Cont - Individual Permits	$ 35.00
Fencing/Mutual Boundary/Personal	$ 75.00 + $.50/linear foot
Equestrian/Bike/Hiking	$ 75.00
Shellfish Harvesting	$ 75.00
Access - Personal/Homeowner	$ 75.00
Transportation - Annual Permit	$ 90.00
Dewatering	$100.00
Stockpiling/Storage	$100.00
Scientific/Education/Group Uses	$100.00
Surplus Material Removal	$100.00 + Cubic Yard Royalty
Commercial Trash Containers - Annual Permits/Company	$250.00
Road Closure	$450.00/day
Access - Commercial	$225.00

CITY OF DANA POINT
BUILDING, ENGINEERING, SUBDIVISION,
AND SURVEY FEES

Encroachment

Bus Bench-Permit Rider and Renewal	$ 30.00
Underground Utilities - All	
0 - 100 linear feet	$ 75.00 + $.40/linear foot
100 - 1,000 linear feet	$ 75.00 + $.35/linear foot
1,000 + linear feet	$ 75.00 + $.25/linear foot
L/S-Gardening-Irrigation-Private	$ 75.00
Bus Shelter-Permit Rider and Renewal	$ 75.00/shelter/month
Bus Bench-Master Permit and Renewal	$150.00
Bus Shelter-Master Permit and Renewal	$100.00
Aerial Utilities - All	$225.00 + $.25/linear foot
Tidelands/Noncommercial	$225.00
Landscape-Gardening	
Irrigation-Grading/Filling	$225.00
Irrigation-Commercial	$450.00
Tidelands/Commercial and Marinas	$450.00
Community/Subdivision Identification Signs	$450.00
Subdivision Signs/Annual Renewal	$100.00

Construction

Driveway - Each Residential	No Fee ($50 City Subsidy)
Driveway - Each Commercial	$ 75.00
Drainlines/Residential	No Fee ($50 City Subsidy)
Curbs and Gutters	$100.00 + $.35/linear foot
Paving	$100.00 + $.10/square foot
Sidewalks	$100.00 + $.35/linear foot
Storm Drain Entry	
0-27" diameter	$225.00
28"-48" diameter	$325.00
49"-over diameter	$525.00
Catch Basin	$180.00
Channel Lining	$325.00 + $.20/square foot
Harbor Structures	$325.00 + $.20/square foot
Recreation Pier/Private	$325.00 + $.20/square foot

Penalty

(Enforced when work begun without proper permit.)

Valuation	
$0 - $200	Four times the fee.
Over $200	Three times the fee.

CITY OF DANA POINT
BUILDING, ENGINEERING, SUBDIVISION, AND SURVEY FEES

BUILDING

Residential Occupancies

Plan Check Valuation of $25,000 or less	1.7 percent of valuation
Valuation of $25,001 to $50,000	85 percent times amount calculated for Building Permit Inspection
Valuation exceeds $50,000	70 percent times amount calculated for Building Permit Inspection
Repeat Residential Tracts	20 percent of residential permit fee (Residential structure must be identical to structure for which plans were previously approved and full plan check fees paid.)

Building Permit Inspection:**
(See combined building permit)

Valuation	Base Amount	Amount/$1,000 Valuation or Fraction of $1,000	Exceeding Valuation of
$ 1 - $ 25,000	-	1.8 percent of valuation (includes issuance)	
25,001 - 50,000	435.50	+ $ 8.60/1,000	$ 25,000
50,001 - 200,000	650.50	+ $ 7.10/1,000	50,000
200,001 - 1,000,000	1,715.50	+ $ 5.50/1,000	200,000
Over $1,000,000	6,115.50	+ $ 4.60/1,000	1,000,000

Repeat Residential Tracts	75 percent of above building permit fee.
Patio Covers	Plan check and permit fees based on valuation

CITY OF DANA POINT
BUILDING, ENGINEERING, SUBDIVISION,
AND SURVEY FEES

BUILDING (Continued)

Combined building permit** (Combined building permit - when all permits are taken out at initial filing.)	5 percent less than the individual fees. One and two-family dwellings and attached garages which include building, plumbing, mechanical, electrical, and fire sprinkler.

Residential Building Permit:

Residential permit includes only structural portion of inspection. Separate permits are required for the following:

Plastering	Table 1
Plumbing	Table 2
Fire-Extinguisher Systems	Table 3
Swimming Pool	Table 4
Mechanical	Table 5
Solar Energy	Table 6
Electrical	Table 7

Manufactured Housing

Plan Check	
Valuation $50,000 or less	60 percent times calculated for Manufactured Housing Permit
Valuation exceeds $50,000	65 percent times amount calculated for Manufactured Housing Permit
Building Permit (Inspection)	50 percent of fee calculated using Residential Building Permit table above.

BUILDING (Continued)

All Occupancies Except Residential:

Structure
Plan Check

Valuation of $10,000 or less	1.7 percent of valuation
Valuation $10,000 to $25,000	100 percent times amount calculated for Building Permit Inspection
Valuation $25,000 to $50,000	85 percent times amount calculated for Building Permit Inspection
Valuation exceeds $50,000	70 percent times amount calculated for Building Permit Inspection

Building Permit Inspection:

Valuation	Base Amount	Amount/$1,000 Valuation or Fraction of $1,000	Exceeding Valuation of
$ 1 - $ 10,000		1.8% of valuation includes issuance	
10,001 - 25,000	233.00	+ $ 7.70/1,000	$ 10,000
25,001 - 50,000	348.50	+ $ 6.20/1,000	25,000
50,001 - 200,000	503.50	+ $ 4.50/1,000	50,000
200,001 - 1,000,000	1,178.50	+ $ 3.50/1,000	200,000
Over $1,000,000	3,978.50	$ 1.70/1,000	1,000,000

Non-Residential Building Permit:

Non-Residential permit includes only structural portion of inspection. Separate permits are required for the following:

Plastering	Table 1
Plumbing	Table 2
Fire-Extinguisher Systems	Table 3
Swimming Pool	Table 4
Mechanical	Table 5
Solar Energy	Table 6
Electrical	Table 7

CITY OF DANA POINT
BUILDING, ENGINEERING, SUBDIVISION,
AND SURVEY FEES

Additional Services

Issuance Fee, each permit (all disciplines)	$25 (Non-Residential); $15 (Residential)
Patio Cover	Plan check and permit based on valuation
Temporary Certificate of Occupancy	$48
Conversion Inspection	$95
Structural Reinspection	$50 Each visit
Special Investigation:	
Record Search Only	$22 plus copy costs. Requested by owner or owner's agent.
Complete Investigation	$140 plus copy costs. Requested by owner or owner's agent.
Microfilming Fee	$1.00/sheet larger than 8-1/2"x14" $.50/sheet 8-1/2"x14" and smaller

GRADING

Grading and Excavation:

Plan Check Amount:

Yardage	Base Amount	Volume in cubic yards (yds^3) (or fraction of yds^3)	Exceeding Cubic Yards of
50 to 100 cu. yds.	$350 minimum		
101 to 1,000 cu. yds.	$350 + $55	100	100
1,000 to 10,000 cu. yds.	$845 + $35	1,000	1,000
10,000 to 100,000 cu. yds.	$1,160 + $78	10,000	10,000
Over 100,000 cu. yds.	$1,862 + $74	10,000	100,000

CITY OF DANA POINT
BUILDING, ENGINEERING, SUBDIVISION, AND SURVEY FEES

Inspection Permit Amount:

Yardage	Base Amount	Volume in cubic yards (yds^3) (or fraction of yds^3)	Exceeding Cubic Yards of
50 to 100 cu. yds.	$ 350		
101 to 1,000 cu. yds.	$ 350 + $55	100	100
1,000 to 10,000 cu. yds.	$ 845 + $55	1,000	1,000
10,000 to 100,000 cu. yds.	$1,340 + $204	10,000	10,000
Over 100,000 cu. yds.	$3,176 + $135	10,000	100,000

On-Site Drainage Improvements:

Plan Check Amount — 130 percent times amount calculated for inspection.

Inspection Permit Amount:

Valuation	Base Amount	Amount/$1,000 Valuation or Fraction of $1,000	Exceeding Valuation of
$ 1 - $ 1,000	$ 13		
1,000 - 25,000	$ 13	+ $14/1,000	$ 1,000
25,000 - 50,000	$ 345	+ $10/1,000	25,000
50,000 - 200,000	$ 597	+ $ 8/1,000	50,000
200,000 - 1,000,000	$1,731	+ $ 5/1,000	200,000
Over $1,000,000	$4,763	+ $ 4/1,000	1,000,000

Preliminary Grading Permit Conversion — 50 percent of original plan check and permit fee plus the cost of any additional work not covered by original fees.

Additional Services:

Preinspection Fee	$50
Reinspection Fee (See UBC 94, Sect. 108.8)	Hourly Rate
Investigation Fee:	
Record Search Only	$22 plus copy costs
Complete Investigation	$140 plus copy costs

CITY OF DANA POINT
BUILDING, ENGINEERING, SUBDIVISION,
AND SURVEY FEES

RELOCATED BUILDING PERMITS

Pre-Relocation Inspection Fees

Building within City of Dana Point	
Main Building and Attached Accessory	$185 more than 600 square feet (plus building, electrical, pluming, and mechanical permits)
Detached Accessory Less Than 600 square feet	$93
Detached Accessory Inspected Same time main building on same lot	$23
Reinspection	$28
Building Outside City of Dana Point Same as within City of Dana Point	
Mileage Charge	$1.30 per mile. Greater than 30 miles from City Hall, one-way.

Relocation Inspection Fees

Actual building permit fees are based on the valuation assigned by the inspector upon completion of the prerelocation inspection. The schedule used to calculate actual relocation inspection fees is equivalent to that of nonresidential buildings regardless of occupancy classification.

Special Investigations	
Record Search Only	$ 22 plus copy costs
Complete Investigation	$140 plus copy costs

Table 1
Plastering

For plastering work in all occupancies.

Permit Fee	Fee
Issuance Fee, each permit - Non-Residential	$25
Residential	$15
Square Yards	
20 or less	No Permit Required
21 to 3,000	$76.00
3,001 and more	$76.00 for the first 3,00 square yards plus $.02 per square yard for the remainder.
Plan Check Fee	$27.00 for 21 square yards or more of plastering work.

CITY OF DANA POINT
BUILDING, ENGINEERING, SUBDIVISION,
AND SURVEY FEES

Table 2
Plumbing

For plumbing work in all occupancies.

Exceptions: Sanitary Collection Systems and Fire Extinguisher Systems apply to all occupancies including residential with building permit.

Permit Fees

Issuance fee, each permit - Non-Residential	$25.00
Residential	$15.00
For each plumbing fixture or trap (including water, drainage piping, and backflow protection therefore), each dishwasher, each garbage disposal, each water heater and/or vent, and rainwater systems per drain	
Residential garbage disposal, water heater, or rainwater system, each	No fee ($7.00 City Subsidy)
For each building sewer	$22.00
For each private sewage disposal system	$44.00
For each seepage pit, septic tank, or disposal field system added to an existing system	$22.00
For each preinvestigation of private sewage disposal systems	$76.00
For each gas piping system:	
One to five outlets	$ 7.00
Six or more outlets, per outlet	$ 1.75
For each industrial waste pretreatment interceptor, including its trap and vent	$16.00
For installation, alteration, or repair of water piping and/or water treating equipment (including water softeners)	$ 7.00
For repair or alteration of drainage or vent piping	$ 7.00

Table 2 (Continued)

For each residential lawn sprinkler system on any one meter including backflow protection devices therefore	$ 7.00
For each commercial lawn, gardening, or landscape sprinkling system including backflow protection devices therefore	$29.00
For vacuum breakers or backflow protection devices on tanks, vats, etc., or for installation on unprotected plumbing fixtures including necessary water piping:	
One to five	$ 7.00
Over five, each additional	$ 1.75
Temporary gas service	$32.00
Temporary work-with gas service (occupied residential)	$32.00
Temporary work-with gas service (occupied commercial)	$44.00
Inspection for which no fee is herein provided	
Each inspection, per hour	Hourly rate Applicable Division
Minimum charge	One-half hour
For each yard water distribution system, gas distribution system, or yard sewer collection system (valuation of each $1,000 or part thereof)	$39.00
For each gas pressure regulator	$ 2.50

Plan Check Fee

Large installations. For plan checking a plumbing system within the building where work involves fixtures that discharge more than 180 waste fixture units:

(a) Complete project (all systems except automatic fire extinguishing systems):

Apartment buildings, three stories and lower	25 percent of the plumbing permit fee
All other buildings	50 percent of the plumbing permit fee

Table 2 (Continued)

(b) Individual systems:

Potable water and standpipe systems only	60 percent of the applicable fee in Item (a) above, minimum charge one-half hour at the current Board approved hourly rate for the appropriate service division.
Conventional waste and vent systems only	40 percent of the applicable fee in Item (a) above, minimum charge one-half hour at the current Board approved hourly rate for the appropriate service division.

Other installations. For plan checking individual systems within the building, not included in plans listed under subsection (1) above:

Waste and vents, each system	$22.00
Combination waste and vent piping systems, each system	$17.00
Drainage sumps and ejectors, each system	$22.00
Wet or dry or combination standpipes, each building	$22.00
Fuel gas piping systems	$17.00
Potable water piping systems:	
Where building supply is 1½ inches or less, each building	$22.00
Apartment buildings three stories and less in height where building supply is 2 inches or larger, each building	$32.00
All other systems, where building supply is 2 inches or larger, each building	$44.00

Table 2 (Continued)

Water heater vents, each system		$22.00
For Plan Checking Gas, Water, and Sewer Yard Piping Systems		
For each yard water distribution system	50 percent of plumbing permit fee	
For each yard gas distribution system	50 percent of plumbing permit fee	
For each yard sewer collection system	50 percent of plumbing permit fee	
Alterations or revisions to approved plans		
Per hour	Hourly rate Applicable Division	
Minimum Charge	One-half hour	
Special Service Fee		
Reinspections, each visit		50.00
Investigation		
Record Search Only		22.00
Complete Investigation		140.00

Table 3
Fire Extinguisher Systems

For Fire Extinguisher System in all occupancies including residential.	
Issuance fee, each permit - Non-Residential	$25
Residential	$15
Standpipes, wet or dry or combination, each outlet	12
Fire sprinkler piping removal or alterations or the replacement of valves, attachments	23
Underground fire sprinkler piping or yard piping system (when permit fee has not been obtained for complete automatic fire extinguishing system)	57
Fire sprinkler piping installations:	
From 1 to 10 fire sprinkler heads	0
City Subsidy (Residential only)	27
From 11 to 25 fire sprinkler heads	0
City Subsidy (Residential only)	44
From 26 to 50 fire sprinkler heads	0
City Subsidy (Residential only)	76
From 51 to 100 fire sprinkler heads	132
From 101 to 200 fire sprinkler heads	218
From 201 to 300 fire sprinkler heads	312
From 301 to 500 fire sprinkler heads	473
From 501 to 1,000 fire sprinkler heads	680
From 1,001 to 2,000 fire sprinkler heads	946
From 2,001 to 3,000 fire sprinkler heads	1,277
From 3,001 to 4,000 fire sprinkler heads	1,700
From 4,001 to 5,000 fire sprinkler heads	2,078
Over 5,000 fire sprinkler heads	2,456
Original test of fire pump	237
For each fire hydrant on system	48

Table 3 (Continued)

Plan Check Fee

Each building (including underground piping):

One through 500 heads:		
When no hydraulic calculations are required to be submitted	25 percent of plumbing permit fee. Minimum charge one-half hour at the current Board approved hourly rate for the appropriate division.	
When hydraulic calculations are required	50 percent of plumbing permit fee. Minimum charge one-half hour at the current Board approved hourly rate for the appropriate division.	
501 heads and over	50 percent of plumbing permit fee.	
Underground piping when not part of a sprinkler plan, each system		$ 19
Carbon-dioxide system, each building		48
Alterations or Revisions to approved plans		
Per Hour	Hourly rate Applicable Division	
Minimum Charge	One-half hour	50

Special Service Fee

Reinspection, each visit	22
Investigation:	
Record Search Only	22
Complete Investigation	140

CITY OF DANA POINT
BUILDING, ENGINEERING, SUBDIVISION, AND SURVEY FEES

Table 4
Swimming Pool

Permit Fee		
For each swimming pool or spa		
Issuance fee, each permit - Non-Residential		$25
Residential		$15
Based on valuation		
Plan Check Fee		
Based on valuation		
Alterations or revisions to approved plans		
Per Hour	Hourly rate Applicable Division	
Minimum Charge	One-half hour	
Special Services Fee		50
Reinspection, each visit		
Investigation		
Record Search Only		22
Complete Investigation		140

Table 5
Mechanical

For mechanical work in all occupancies.

Permit Fee

Issuance fee, each permit - Non-Residential	$ 25
Residential	$15
For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance.	
Up to and including 100,000 BTU	22
More than 100,000 BTU to and including 500,000 BTU	32
More than 500,000 BTU to and including 1,000,000 BTU	44
More than 1,000,000 BTU to and including 2,000,000 BTU	65
More than 2,000,000 BTU	109
For each evaporative cooler other than portable type (commercial)	14
For each ventilating fan connected to a single duct (commercial)	9
For each ventilation system which is not a portion of any heating or air conditioning system authorized by a permit (commercial)	17
For the installation of each hood which is served by mechanical exhaust, including the fans and ducts attached thereto	22
For the installation or relocation of each domestic type incinerator	22
For the installation or relocation of each commercial or industrial type incinerator	76
For the installation or relocation of each cooling coil, reheat coil or electric strip heater	9

Note: This fee for cooling coils, reheat coils, and electric strip heaters shall not apply to an air handling unit which is a portion of a factory assembled appliance, comfort cooling unit, evaporative cooler, or absorption unit for which a permit is required elsewhere in the Code.

Table 5 (Continued)

For each appliance regulated by the Code, but not classed in other appliance categories or for which no other fee is listed in the Code	$ 14
Incidental gas piping	7
For the installation or relocation of each floor furnace including vent	22
For the installation or relocation of each suspended heater, recessed wall heater or floor-mounted unit heater including vents	22
For the installation, relocation, or replacement of each appliance vent installed and not included in an appliance permit	11
For each air handling unit (cubic feet per minute (CFM):	
2,000 CFM or less	11
2,001 to 10,000 CFM	22
More than 10,000 CFM	44
For the installation or relocation of each boiler or compressor or absorption system:	
To and including 5 horsepower or to and including 100,000 BTU (including vent)	32
Over 5 horsepower to and including 15 horsepower, or over 100,000 BTU to and including 500,000 BTU (including vent)	44
Over 15 horsepower to and including 30 horsepower, or over 500,000 BTU to and including 1,000,000 BTU (including vent)	65
Over 30 horsepower to and including 50 horsepower, or over 1,000,000 BTU to and including 2,000,000 BTU (including vent)	86
Over 50 horsepower, or over 2,000,000 BTU (including vent)	109

Plan Check Fee

New Construction	50 percent x Permit Fee

Table 5 (Continued)

Revisions (plus permit fees for items not previous approved	50 percent x Permit Fee
Alterations (plus permit fees for items not previously approved)	50 percent x Permit Fee
Additions (plus permit fees for items not previously approved)	50 percent x Permit Fee
Alterations or revisions to approved plans	
Per Hour	Hourly rate Applicable Division
Minimum Charge	One-half hour
Special Services	
Reinspection each visit	$ 50
Investigation	
Record Search Only	$ 22
Complete	$140

Table 6
Solar Energy

For solar energy work in all occupancies.

Issuance fee, each permit - Non-Residential	$25.00
Residential	$15.00

Permit Fee

For collector, including related piping and regulating devices:

Up to 1,000 square feet	$ 6.00
Between 1,001 and 2,000 square feet	10.00
More than 2,000 square feet	7.00 plus $1.50 per 1,000 sq. ft. or fraction thereof.

For storage tanks, including related piping and regulating devices:

Up to 75 gallons	$ 4.00
Between 75 and 2,000 gallons	6.00
More than 2,000 gallons	4.00 plus $1.50 per 1,000 gallons or fraction thereof.

For rock storage:

Up to 1,500 cu. ft.	$ 4.00
Between 1,501 and 3,000 cubic feet	6.00
More than 3,000 cubic feet	3.00 plus $1.00 per 1,000 cu. ft. or fraction thereof.

For each appliance or piece of equipment regulated by the Code for which no fee is listed	$ 8.00

CITY OF DANA POINT
BUILDING, ENGINEERING, SUBDIVISION, AND SURVEY FEES

Table 6 (Continued)

NOTE: These fees do not include permit fees for any parts of the solar system which are subject to the requirements of other applicable Codes.

Plan Check Fee		
Plans	50 percent x Permit Fee	
Alterations or revisions to approved plans		
Per Hour	Hourly rate Applicable Division	
Minimum Charge	One-half hour	
Special Services		
Reinspection, each		$ 50
Investigation		
Record Search Only		$ 22
Complete Investigation		$140

CITY OF DANA POINT
BUILDING, ENGINEERING, SUBDIVISION, AND SURVEY FEES

Table 7
Electrical

For electrical work in all occupancies.

Permit Fees

Issuance fee, each permit - Non-Residential	$25.00
Residential	$15.00
Each residential service meter	$11.00
For each service meter on permit, and in addition to the fees listed below for specific installations	$22.00
For each self-contained, factory-wired, approved unit such as cooking appliances, home appliances, heaters, vegetable cases, drinking fountains, heating appliances, etc.	$11.00
Radiant ceiling heat per room	$ 3.50

Fixtures:

First 20 fixtures, each	$0.60
Each additional fixture	0.60
Each metal vapor fixture on pole	3.50
Each additional metal vapor fixture on the same pole	0.75

Power apparatus:

Generators, motors, transformers, rectifiers, synchronous converters, capacitors, industrial heating, cooking or baking equipment, and other apparatus as follows:

Rating in horsepower (HP), kilowatts (KW), or kilovolt amps (KVA)

Up to and including 1, each	$4.75
Over 1 and not over 10, each	11.00
Over 10 and not over 50, each	22.00
Over 50 and not over 100, each	32.00
Over 100, each	55.00

Table 7 (Continued)

These fees include all switches, circuit breakers, contactors, relays, and other directly related control equipment.

Outlets:	
First 20 outlets, each	$ 0.90
Each additional outlet	0.60
Each 5 feet or fraction thereof of multiple outlet assembly	0.50
Each multiple appliance outlet assembly	3.50
Sign and high-potential gas tube lighting:	
One sign and one transformer	7.00
Each additional sign and one transformer at the same location (same building)	3.50
Each extra transformer, flasher, or time clock	3.50
Each additional sign and one transformer on same lot	7.00
Each sign and one transformer moved to new location	7.00
Each additional sign and one transformer moved to the same new location	3.50
For altering or changing letters of an existing sign	3.50
For converting of each sign or decorative outlet tubing	3.50
Lamp holding devices used on sign or marquee:	
First 20, each	0.25
Next 200, each	0.15
Each additional	0.10
For services and switchboard sections:	
600 volt or less:	22.00
600 ampere or less	44.00
601 ampere to and including 1,000 ampere	55.00
Over 1,000 ampere	65.00
Over 600 volt rating	11.00
Electrical subpanel	
Switchboard Changes or Additions:	
600 volt or less:	28.00
First section	22.00
Each additional section	

Table 7 (Continued)

Over 600 volts:	
First section	$55.00
Each additional section	28.00
Temporary service:	
Temporary electrical service (each meter)	65.00
Temporary work-with service (occupied residential, each meter)	32.00
Temporary work-with service (occupied commercial, each meter	44.00
For services supplying a temporary power pole pedestal, or piggyback	
For a system of distribution and utilization poles for temporary construction power, each pole	32.00 11.00
Temporary construction lighting:	
500 lamps or less, each	9.00
Over 500 lamps, each	17.00
Each time clock	4.00
Relocated residential buildings, electrical inspections:	
Prelowering	22.00
Building inspection, per 10 square feet or fraction thereof	0.50
Garage, carport, detached or attached on same service per 100 square feet or fraction thereof	1.75
Relocated commercial buildings, electrical inspections:	
Prelowering	22.00
Building - See individual items in this table.	
Underfloor duct and cellular floors, each 100 feet or fraction thereof	9.00
Busways:	
For trolley and plug-in type busways, each 100 feet or fraction thereof.	17.00

Table 7 - (Continued)

Special equipment inspection:	
For equipment exempt from laboratory approval, at applicant's request per hour	Hourly rate Applicable Division
Minimum charge	One-half hour
Inspections for which no fee is herein prescribed:	
Each inspection per hour	Hourly rate Applicable Division
Minimum charge	One-half hour
Plan Check Fee	
New	50 percent x Permit Fee
Alterations (plus permit fees for items not previously approved)	50 percent x Permit Fee
Revisions (plus permit fees for items not previously approved)	50 percent x Permit Fee
Additions (plus permit fees for items not previously approved)	50 percent x Permit Fee
Alterations or revisions to approved plans Per Hour	Hourly rate Applicable Division
Minimum charge	One-half hour
Special Services	
Reinspection, each visit	$50.00
Investigation:	
Record Search Only	22.00
Complete Investigation	140.00
Annual Electrical Permit	75.00/per fiscal year

CITY OF DANA POINT
BUILDING, ENGINEERING, SUBDIVISION,
AND SURVEY FEES

Mobilehome Parks

All permit fees and other related fees for Mobilehome Parks shall be in accordance with the applicable schedule of fees contained in the provisions of the California Health and Safety Code, Division 13, Part 2.1, and related administrative regulations.

M:\USERS\KIT\FORMS\SERVFEES

APPENDIX D

SURETY FORMS

Appendix D

BOND No. _____

AMOUNT $ _____

CITY OF DANA POINT
PUBLIC WORKS /ENGINEERING DEPARTMENT

33282 Golden Lantern, Dana Point, CA 92629 (949) 248-3509 Fax (949) 248-7372

ENGINEERING PERMIT SURETY BOND

KNOW ALL MEN BY THESE PRESENTS: That _____ as Principal, and _____ , a corporation organized and existing under the laws of the State of _____ , and duly authorized and existing under the laws of the State of California, as Surety, are held and firmly bound unto the City of Dana Point in the just and full sum of _____ dollars, for the payment of which, well and truly to be made, said Principal and Surety bind themselves, their heirs, administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH THAT,
WHEREAS, the said Principal above named is applicant under Engineering Plan checking No. _____ of the City of Dana Point, California, for _____ on the following described property: _____.

NOW, THEREFORE, IT IS AGREED that if the Principal shall:

a. Comply with all the provisions of the City of Dana Point and other applicable laws and ordinances, and
b. Comply with all the terms and conditions of the permit to the satisfaction of the City Engineer; and
c. Complete all of the work contemplated under the said permit within the time specified in the permit, and any extension or extensions thereof;
d. Reimburse the City for any work required by the permit that the City Engineer deems necessary to complete, correct or otherwise undertake for the public safety, because of failure on the part of Principal, then this obligation shall be null and void; otherwise it shall remain in full force and effect.

PROVIDED, HOWEVER, that the said Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration or modification of the permit or of the work to be performed thereunder shall in any way affect its obligation on this bond and it does hereby waive notice of any such change, extension of time, alteration or modification of the permit or of work to be performed thereunder, and

PROVIDED FURTHER, that in case suit is brought upon the bond by the City or any other person who may bring an action on this bond, a reasonable attorney's fee, to be fixed by the court, shall be paid by the Principal or Surety.

IN WITNESS WHEREOF, the said Principal and said Surety have caused these presents to be duly signed and sealed this _____ day of _____ , 200 _____ .

_____
Principal

(Attach acknowledgement) By: _____

By: _____

_____
Surety

(Attach acknowledgement) By: _____
Attorney-in-fact

Address _____

BOND EXECUTION INSTRUCTIONS

1. Bonds must be executed by both the Principal and the Surety.

2. If the Principal is a corporation, the bond must be executed in the corporation name and signed by the President or a Vice President and the Secretary or Assistant Secretary and the corporate seal affixed. As an alternative others may sign on behalf of the corporation if a corporate resolution duly executed with the corporate seal affixed is presented authorizing the individuals who have signed the bond to bind the corporation.

   If the Principal is a partnership, the bond must be signed by all partners. If the partnership is comprised of two or more corporations, the bond must be signed by each corporation's President or a Vice President and Secretary or Assistant Secretary. The above alternative may also be used with the appropriate resolution.

3. If the Principal is an individual, doing business under a fictitious name, it must be signed by all persons having an interest in the business, and the fictitious name must be signed also.

4. The names of all signatures must be typed in where indicated in the signature block.

5. The signatures of both the Principal and the Surety on the bond must be notarized.

6. The bond must contain signed approval by the City Attorney of the City of Dana Point. The bond, after approval by the City Attorney, will be returned to the City Clerk for processing.

CITY OF DANA POINT
PUBLIC WORKS /ENGINEERING DEPARTMENT
33282 Golden Lantern, Dana Point, CA 92629 (949) 248-3509 Fax (949) 248-7372

BONDING PROCEDURES AND FEES

CITY OF DANA POINT
CASH BOND*

This agreement is entered into between _____, hereinafter referred to as "Principal" and the City of Dana Point, or its assigns hereinafter referred to as "City", to insure the completion of grading required by Grading Permit Application No. _____at_____

(Project Address)

NOW, THEREFORE, IT IS AGREED that:

1. Principal does herewith post a cash bond in the amount of _____ dollars for which City acknowledges receipt.

2. a) If Principal complies with all the provisions of "the City of Dana Point Municipal Code" Chapter 8.01, "Grading Excavation & Control", of the Codified Ordinances of the City of Dana Point, commencing with Article 1 thereof; and other applicable laws and ordinances; and

   b) Complies with all of the terms and conditions of the permit for excavation or fill to the satisfaction of the Director of Public Works; and

   c) Completes all the work contemplated under the permit within the time limit specified in the permit, and any extension or extensions thereof, or completes the work to a safe condition satisfactory to the Director of Public Works, the cash bond shall be released.

3. a) If Principal fails to comply with the aforementioned requirements, the Director of Public Works may order the work required by the permit to be completed or put in a safe condition to his satisfaction.

   b) The cash bond shall be used as necessary to pay for the completion of this work. After completion of the work, any funds remaining in this bond shall be refunded to Principal.

   c) If the cost of the work exceeds the amount of this bond, Principal hereby agrees to reimburse City for such excess costs.

   d) Principal agrees that if County brings suit to collect for the work contemplated by this permit, that the reasonable attorney's fees as fixed by the Court, shall be paid by the Principal.

   e) Principal agrees that it shall be paid no interest from the cash bond.

***NOTE: "Cash" shall be either cash or Cashier's Check. No Personal Checks will be accepted.**

Date:_____ _____

Principal (Notarized Signature)

Appendix D

Grading Permit Security Requirements

Cash Bond Form

I. Instructions for Completing Cash Bond Form

1. Use of this form requires deposit of cash or Cashiers Check made payable to the City of Dana Point. Personal checks are not acceptable.
2. Attach acknowledgment(s) (See Item II Below).
3. After Grading Counter Representative has approved and completed receipt form, submit cash or Cashier's Check, Cash Bond form, and receipt form to the Cashier.

II. Acknowledgements Required

Notarization for signature of Principal

III. Definitions

Principal – Person depositing cash or providing Cashiers Check

Grading Permit Application Number – A five digit number with the suffix G

Address – The job address where the work is to be performed under the Grading Permit.

Amount – U.S. dollar amount.

Date – (Self Explanatory).

Principal (Notarized Signature) – Signature of principal. Signature must be notarized (See Item II above, acknowledgement(s) required.

Appendix D

CD No. _____

AMOUNT $ _____

CITY OF DANA POINT
PUBLIC WORKS /ENGINEERING DEPARTMENT

33282 Golden Lantern, Dana Point, CA 92629 (949) 248-3509 Fax (949) 248-7372

CERTIFICATE OF DEPOSIT ASSIGNMENT

_____ , hereinafter called ASSIGNOR, whose address is _____ , does hereby assign and set over to the City of Dana Point or its successor jurisdiction hereinafter referred to as ASSIGNEE, all right, title and interest of whatever nature, or assignor, in and to the insured account of assignor in the _____ evidence by a time

(Bank or Savings and Loan Association)

certificate of deposit in the amount of $ _____, which is delivered to the assignee herewith. Assignor agrees that this assignment carries with it the right in the insurance of the account by the _____ _____ and includes and gives the right to the assignee.

(Appropriate Federal Insurance Agency)

to redeem, collect, and withdraw the full amount of such account at any time without notice to the Assignor. Assignor agrees that this assignment is given as security for the following:

Completion of Grading and Onsite Drainage Improvements at: _____

(project address)

and which Plan Checking No. is _____, and that the Assignee may, without notice to Assignor, redeem, collect and withdraw the account for the purpose of having not fulfilled the above agreement.

Assignor hereby notifies the above-named _____of the assignment.

(Bank or Savings and Loan Association)

Dated this _____ day of _____, 200__.

_____

ASSIGNOR

Certificate Number _____

RECEIPT FOR NOTICE OF ASSIGNMENT

Receipt is hereby acknowledged to the Assignee of written notice of the Assignment to said Assignee of the account of the account and certificate identified above. We have noted in our records the Assignee's interest in said account as shown by the above assignment and have retained a copy of this document. We hereby certify that we have received no notice of lien, encumbrance, hold, claim or obligation of the above-identified account prior to the assignment to the Assignee. We agree to make payment to the Assignee upon request.

Dated this _____ day of _____, 200__.

_____

(Bank or Savings and Loan Association)

_____

(Authorized Officer)

Attach Acknowledgements.

APPENDIX E

DANA POINT MUNICIPAL CODE SECTION 9.35.050

"Driveways"

9.35.050 Access.

(a) Roadways:
(1) Access to Circulation Element Roadways:
(A) Wherever access to parking is from a secondary arterial of two (2) lanes, or higher rated roadway designated on the Circulation Element of the General Plan, parking stalls and parking maneuvering areas shall be designed so that vehicles enter the roadway traveling in a forward direction.
(B) Vehicular access to roadways designated on the Circulation Element of the General Plan will be permitted only in accordance with the driveway locations and access design specifically approved by the Director of Public Works.
(2) The width of roadways providing access to parking facilities for all residential projects, including attached or detached single family or multiple family dwellings, shall be in accordance with the following standards:

Number of Dwelling Units Accessed by Roadway:	Curb-to-Curb Roadway Width for Access on Streets With:		
	No Parking:	Parking on One Side:	Parking on Two Sides:
1 -- 20 units	28 feet	32 feet	40 feet
21 -- 50 units	30 feet	32 feet	40 feet
51 -- 120 units	30 feet	34 feet	40 feet
121 + units	30 feet	36 feet	40 feet

(3) Access to on-street parking stalls is direct from the traffic lanes of the public right-of-way. The inclusion of on-street parking is restricted in accordance with the following street width standards:

Curb-to curb Street Width	Parking Allowed
Less than 32'	None, unless in bays outside the curb-to curb width. Bays may include either perpendicular or parallel stalls.
> 32' but < 40'	Parallel stalls on one side only
40' or more	Parallel stalls on both sides

(4) A five (5) foot sidewalk along at least one side of the roadway is required.
(5) On private roadways, sidewalks may be deleted if alternative pedestrian circulation is provided and approved subject to a Site Development Permit. In approving a Site Development Permit that includes the deletion of required sidewalks, the Planning Commission must make the following finding:
That a safe and adequate alternative pedestrian circulation system has been provided.
(b) Driveways. Driveways are intended to provide access from public roadways to private, off-street parking facilities. Entry driveways provide direct ingress or egress from a street or public right-of-way to a parking aisle, internal driveway or parking maneuvering area. Internal driveways provide interior circulation between parking aisles. Except as is customary in single family residential districts, no parking is permitted in a entry driveway and no parking stall shall take direct access

from any driveway. In multiple family residential and non-residential districts, neither entry driveways or internal driveways may provide direct access to any parking stall.

(1) Location of Driveway on a Corner Lot: When a building site abuts two (2) intersecting streets and only one driveway is proposed or allowed, the driveway shall be located on the street frontage that allows the driveway to be farthest from the intersection of the two (2) streets. If one of the intersecting streets is a Circulation Element roadway, the driveway shall be located on the other street subject to approval by the Director of Public Works.

(2) Driveway Spacing:

(A) All Driveways: Driveways shall be located a minimum of four (4) feet apart. In addition, the space between driveways shall not exceed eight (8) feet unless the space is at least twenty-two (22) feet. This standard shall apply only to the development of new subdivisions and, where feasible, to the installation of new driveways in areas of existing development.

(B) Driveway spacing standards for non-residential land uses and residential land uses with five (5) or more dwellings shall be as follows:

1. The centerline of a driveway shall be a minimum of one hundred ten (110) feet away from the centerline of any other driveway as measured along the ultimate right-of-way lines of an abutting street; and

2. The centerline of a driveway shall be a minimum of two hundred (200) feet away from the centerline of any other street opening. In the Neighborhood Commercial and Residential Districts, the minimum distance between the centerline of a driveway and the centerline of any other street opening may be reduced to one hundred fifty (150) feet subject to approval of the Director of Public Works.

(C) If the standards of (A) and (B) above cannot be achieved, a minimum distance of twenty-two (22) feet, as measured along the ultimate property line, may be provided subject to the approval of the Director of Public Works.

(3) Driveway Grades:

(A) Entry Driveways:

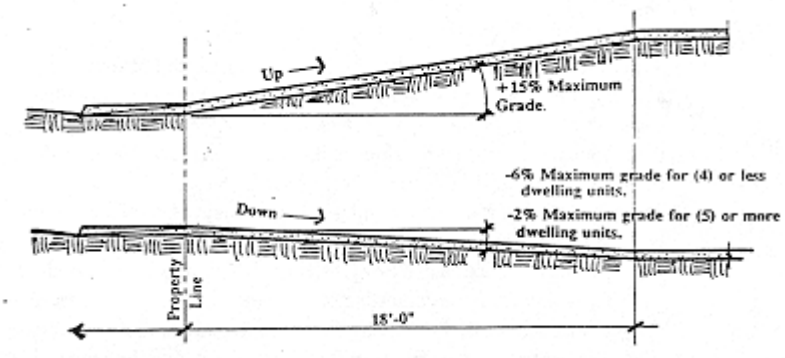
1. Four (4) or less residential dwellings:

Whenever access is taken from a street, alley, or driveway to off-street parking serving four (4) or less dwelling units, the driveway shall have a maximum grade of plus fifteen (15) percent or minus six (6) percent, measured from the street, alley, or driveway grade along the driveway centerline, for a distance of not less than eighteen (18) feet from the ultimate street, alley, or driveway right-of-way line. Exhibit 9.35-1 illustrates these specifications.

2. Non-residential land use or 5 or more residential dwellings:

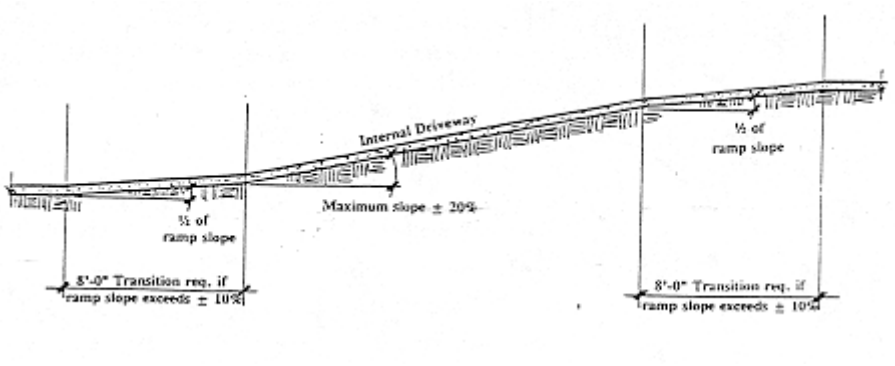
Whenever access is taken from a street, alley or driveway to an off-street parking area serving non-residential land use or five (5) or more dwelling units, the driveway shall have a maximum grade of plus fifteen (15) percent or minus two (2) percent, measured from the street, alley or driveway grade along the driveway centerline for a distance of not less than eighteen (18) feet from the ultimate street, alley, or driveway right-of-way line. Exhibit 9.35-1 illustrates these specifications.

EXHIBIT 9.35-1
MAXIMUM ENTRY DRIVEWAY GRADES



3. If any entry drive exceeds fifty (50) feet in length, the first eighteen (18) feet of the access may not exceed an eight (8) percent grade.
(B) Internal Driveways. Driveways located beyond eighteen (18) feet from the ultimate right-of-way line of a street, alley, or driveway which provides vehicular access within the interior of a parking area are internal driveways and shall have a maximum slope of plus twenty (20) percent or minus twenty (20) percent. When the slope of an internal driveway exceeds plus or minus ten (10) percent, the internal driveway design shall include transitions on each end, no less than eight (8) feet in length, which have gradients equal to one-half (½) the slope of the ramp. Exhibit 9.35-2 illustrates these specifications.

EXHIBIT 9.35-2
INTERNAL DRIVEWAY GRADES



(4) Driveway Widths.
(A) Residential Driveways.
1. The minimum driveway width between the public right-of-way and parking stall maneuvering area shall be as follows:

Number of Dwelling Units	One-Way Circulation	Two-Way Circulation
1 (1)	10 feet	10 feet
2 - 4 (2)	12 feet	20 feet
5 - 19 (3)(4)	14 feet	24 feet
20 +	14 feet	28 feet

(1) A single family residence driveway shall be paved to a minimum of ten (10) feet in width from access street or alley to the parking stall maneuvering area.
(2) Except when a wider width is required for parking stall maneuvering area according to this Chapter or as required by the Director of Public Works for a transition to a driveway approach.
(3) Where a one-stall garage has an interior width in excess of ten (10) feet and a garage door wider than eight (8) feet, the driveway width may be reduced by up to two (2) feet.
(4) Where a two-stall garage has a garage door at least sixteen (16) feet wide, the parking stall maneuvering area width may be reduced by up to two (2) feet.

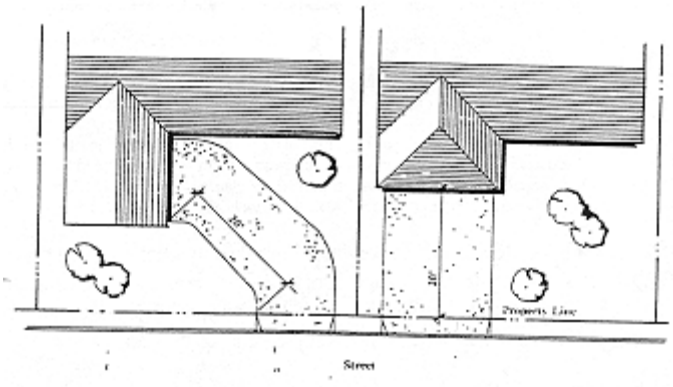
2. Limit on Residential Driveways. For all residential uses, the driveway must lead directly to a garage, carport, or other approved parking facility. The number of permitted driveways shall be one per fifty (50) feet of lot frontage, or fraction thereof, not to exceed a total of two driveways.
(B) Non-Residential Driveways.

1. A one-way driveway shall have a minimum width of fifteen (15) feet unless it is a fire lane which requires a minimum width of twenty (20) feet. Where one-way driveways exist, pavement graphics and directional signage and arrows shall be provided. If the driveway is more than one-hundred fifty (150) feet long, a fire apparatus turning radii may be required.
2. The width of a two-way driveway from any roadway shall be designed in accordance with the following standards:

Project Size (by number of parking stalls):	Minimum Driveway Width:
1 -- 100 parking stalls	28 feet
101 -- 350 parking stalls	32 feet
351 + parking stalls	35 feet (with curb returns)

(5) Driveway Lengths.
(A) Residential Uses:
1. Providing Access to a Garage:
a. Single family detached and attached:
A driveway with a minimum length of twenty (20) feet, as measured from the back of sidewalk, five (5) feet from the back of the existing or ultimate curb where there is no sidewalk, or property line if it is less than five (5) feet from the existing or ultimate curb line where there are no sidewalks to the parking stall or parking stall maneuvering area, whichever is closest. Exhibit 9.35-3 illustrates this requirement.

EXHIBIT 9.35-3
RESIDENTIAL DRIVEWAY TO A GARAGE



b. Single family detached on lots which are both shallow and narrow: (less than fifty (50) feet wide and one hundred (100) feet deep):
A driveway with a minimum length of five (5) feet and a maximum length of nine (9) feet, measured from the back of sidewalk or back of curb where there is no sidewalk to the parking stall or parking maneuvering area, whichever is further. An automatic garage door opener and roll-up garage door, kept in operating condition, shall be used on garages located on such lots.
2. Providing Access to a Parking Structure or Uncovered Parking:
The length of driveways providing access to a parking structure or to any area of uncovered parking shall be in accordance with the following standards:

Number of Dwelling Units Served	Minimum Driveway Length

1 -- 19 dwelling units	20 feet
20 -- 49 dwelling units	30 feet
50 + dwelling units	40 feet

(B) Non-Residential Uses or Five (5) or more Residential Dwellings:
1. The length of a driveway from any roadway shall be designed in accordance with the following standards as measured from the ultimate right-of-way to the first intersecting parking aisle, internal driveway or parking stall:

Project Size	Minimum Internal Driveway Length	
	Primary Driveway:	Secondary Driveway:
1 -- 50 parking stalls	Subject to Director of Public Works	Subject to Director of Public Works
51 -- 100 parking stalls	20 feet	20 feet
101 -- 200 parking stalls	30 feet	20 feet
201 -- 350 parking stalls	50 feet	40 feet
351 -- 450 parking stalls	70 feet	50 feet
451 + parking stalls	90 feet	60 feet

2. Driveways from non-Circulation Element roadways shall be not less than twenty (20) feet in length as measured from the ultimate public right-of-way.
(6) Driveway Widths. The width of any driveway from any roadway shall be designed in accordance with the following standards:

Project Size:	Minimum Driveway Width:
0 -- 100 parking stalls	28 feet
101 -- 350 parking stalls	32 feet
351 + parking stalls	35 feet with curb returns

(Added by Ord. 93-16, 11/23/93; amended by 94-09, 5/24/94; Ord. 03-07, 4/9/03)

APPENDIX F

DUTIES OF THE SPECIAL INSPECTOR

"Section 1701, Special Inspections, of the Uniform Building Code"

Appendix F

SPECIAL INSPECTIONS SECTION 1701-SPECIAL INSTRUCTIONS OF THE UNIFORM BUILDING CODE AS AMENDED

Section 1701 of said Uniform Building Code is hereby amended to read as follows:
Special Inspections:
Sec. 1701

A. General. In addition to the inspections to be made as specified in Section 305, the owner shall employ a special inspector during construction on the following types of work.
    1. CONCRETE: During the taking of test specimens and placing of all reinforced concrete and pneumatically placed concrete.
       EXCEPTIONS;
       (a) Concrete for foundations conforming to minimum requirements of Table No. 29-A and for Group R, Division 3 and Group M, Division 1, Occupancies, provided the Director finds no special hazards exists.
       (b) For foundation concrete, when the structural design is based on an F no greater than 2,000 psi.
       (c) Non-structural slabs on grade, including prestressed slabs on grade when effective prestress in concrete is less than 150 pounds per square inch.
       (d) Site work concrete full supported on earth and concrete where no special hazard exists.
    2. DUCTILE MOMENT-RESISTING CONCRETE FRAME. As required by Section 2626(h) of this Code.
    3. REINFORCING STEEL AND PRESTRESSING STEEL:
       (a) During all stressing and grouting of prestressed concrete.
       (b) During placing of reinforcing steel, placing of tendons and prestressing steel for all concrete required to have special inspection by Item 1.
       EXCEPTION: The special inspector need not be present during entire reinforcing steel and prestressing steel placing operations, provided he has inspected for conformance with the approved plans, prior to the closing of forms or the delivery of concrete to the job site.
    4. WELDING.
       (a) Ductile moment-resisting steel frames. As required by Section 2722(f) of this code.
       (b) All structural welding, including welding of reinforcing steel.
       EXCEPTIONS;
          1. When welding is done in an approved fabricator's shop.
          2. When approved by the Director, floor and roof deck welding and welded studs when used for structural diaphragm or composite systems may have periodic inspections as defined in Section 306(e). For periodic inspection, the inspector shall check qualifications of welders at start of work and then make final inspection of all welds for compliance prior to completion of welding.
    5. HIGH-STRENGTH BOLTING; During all bolt installations and tightening operations.
       EXCEPTIONS:
       (a) The special inspector need not be present during the entire installation and tightening operation provided he has:

1. Inspected the surfaces and bolt type for conformance to plans and specifications prior to start of bolting.
2. And, will upon completion of all bolting, verify the minimum specified bolt tension for 10 percent of the bolts for each type" of connection, for a representative number of total connections established by the plans and specifications.
   (a) In bearing type connections when threads are not required by design to be excluded from the shear plane, inspection prior to or during installation will not be required.
   (b) When bolting is done in an approved fabricator's shop.

6. STRUCTURAL MASONRY: During preparation of masonry wall prisms, sampling and placing of all masonry units, placement of reinforcement, inspection of grout space immediately prior to closing of cleanouts, and during all grouting operations. Where the f m is less than 2,600 psi and special inspection stresses are used, test specimens may consist of either one prism test for each 5,000 square feet of wall area or a series of tests based on both grout and mortar for the first three consecutive days and each third day thereafter.
   EXCEPTION: Special inspection will not be required for-structures designed in accordance with the values in appropriate Tables for non-continuous inspection.
7. REINFORCED GYPSUM CONCRETE: When cast-in-place Class "B gypsum concrete is being mixed and placed.
8. INSULATING CONCRETE FILL: During the application of insulating concrete fill when used as part of a structural system.
   EXCEPTION: The special inspection may be limited to an initial inspection to check the deck surface and placement of reinforcing. The special inspector shall supervise the preparation of compression test specimens during this initial inspection.
9. SPRAYED-ON FIREPROOFING: As required by U.S.C. Standard No.43-8.
10. PILING, DRILLED PIERS AND CAISSONS: During driving and testing of piles and construction of cast-in-place drilled piles or caissons. See Items l and 3 for concrete and reinforcing steel inspection.
11. SPECIAL GRADING EXCAVATION, AND FILLING: During earthwork excavations, grading and filling operations inspection to satisfy requirements of Chapter 29.
12. SPECIAL CASES: Work which, in the opinion of the Director, involves unusual hazards.
    (a) Special Inspector. The special inspector shall be a qualified person who shall demonstrate his competence, to the satisfaction of the Director, for inspection of the particular type of construction or operation requiring special inspection.
13. SPECIAL CASES:
    Each person applying for registration as a special inspector for the Public Works & Engineering Services Department Environmental Management Agency of the City of Dana Point shall pay an examination fee established by resolution of the City Council for each classification, payable with his application prior to examination by the Examining Board. Any person failing to pass the examination may retake the examination one additional time

without additional fee after a thirty-day waiting period, and not exceeding ninety (go) days. No part of any examination fee shall be returned to any applicant. Failure to pass the second examination will require applicant to wait at least one year from date of the original application before he may file another application for re-examination.

A registration card shall be issued to each such special inspector that the Board qualifies. A renewal fee established by resolution of the City Council for each classification shall be charged on July 1st of each year thereafter, at which time the special inspector may be subject to re-examination.

The Director may revoke any special inspector's certificate of registration at any time for due cause by written notice. This notice shall set forth the time and place a hearing shall be held before the Director at which time and place evidence would be submitted to show cause why the certificate of registration should not be withdrawn. Failure to appear at such hearing by the special inspector may result in immediate revocation of said special inspectors certificate of registration.

Special inspector's qualification examinations are to be given only for the execution of work done under Section 306(a) of the Uniform Building Code in the unincorporated area of the City of Dana Point.

(a) Duties and Responsibilities of the Special Inspector. The special inspector shall observe the work assigned to be certain it conforms to the design drawings and specifications.

B. The special inspector shall furnish inspection, reports to the Director, the engineer or architect of record, and other designated persons. All discrepancies shall be brought to the immediate attention of the contractor For correction; then if uncorrected, to the proper design authority and to the Director.
C. The special inspector shall submit a final signed report stating whether the work requiring special inspection was, to the best of his knowledge, in conformance with the approved plans and specifications and the applicable workmanship provisions of this Code.
D. Waiver of Special Inspection. The Director may waive the requirement for the employment of a special inspector if he finds that the construction is of minor nature.
E. Periodic Special Inspection. Some inspections may be made on a periodic basis and satisfy the requirements of continuous inspection, provided this periodic scheduled inspection is performed as outlined in the project plans and specifications and approved by the Director.
    1. Approved Fabricators. Special inspections required by this Section and elsewhere in (his Code, shall not be required where the work is done on the premises of a fabricator registered and approved by the Director to perform such work without special inspection. The certificate of registration shall be subject to revocation by the Director if it is found that any work done pursuant to the approval is in violation of this Code. The approved fabricator shall submit a Certificate of Compliance that the work was performed in accordance with the approved plans and specifications to the Director and to

the engineer or architect of record. The approved fabricators qualifications shall be contingent on compliance with the following:

(a) That the fabricator has developed and submitted a detailed fabrication procedural manual reflecting key quality control procedures which will provide a basis for inspection control of workmanship and the fabricator plant.

(b) Verification of the fabricators quality control capabilities, plant and personnel as outlined in the fabrication procedural manual shall be by an approved inspection or quality control agency.

(c) Periodic plant inspections shall be conducted by an approved inspection or quality control agency to monitor the effectiveness of the quality control program.

(d) It shall be the responsibility of the inspection or quality control agency to notify the approving authority in writing of any change to the procedural manual. Any fabricator approval may be revoked for just cause. Re-approval of the fabricator shall be contingent upon compliance with quality control procedures during the past year.

APPENDIX G

NOT USED

APPENDIX H

MINIMUM STANDARDS FOR SLOPE STABILITY ANALYSIS

MINIMUM STANDARDS FOR SLOPE STABILITY ANALYSIS

The following minimum standards for slope stability analysis will be required for fill slopes less than 2:1 [Section 7010 (c)] and cut slopes steeper than 1-1/2:1 [Section 7009 (a)]. A more detailed field and laboratory investigation combined with a seismic stability analysis utilizing such information may be required where unusual soils or geologic conditions exist.

1. Separate calculations shall be performed for static and seismic conditions.
2. The pseudostatic slope stability analysis shall be the minimum seismic analysis accepted for design.
3. Conventional static methods of slope stability analysis based upon principles of mechanics may be used to analyze the stability of slopes under both static and pseudostatic loads.
4. The minimum acceptable factor of safety on shear strength is 1.5 for static loads, and 1.1 for pseudostatic loads. The factor of safety on strength is defined as the ratio of the shearing resistance force to the actual driving force acting along the potential failure surface.
5. The static analysis shall include the effect of expected maximum moisture conditions, soil weight and seepage or pore pressure where applicable. Saturated moisture conditions shall be utilized unless it can be shown that other moisture contents will represent worst possible conditions for the project.
6. Pseudostatic analysis shall include the effect of static loads combined with a horizontal inertial force acting out of the slope and through the center of gravity of the potential sliding mass.
7. A minimum pseudostatic horizontal inertial force equal to 0.15 times the total weight of the potential sliding mass shall be used. This minimum lateral design value should be increased where subsurface conditions or the proximity to active faults warrants the use of higher values in the opinion of the private consultant(s).
8. The critical potential failure surface used in the analysis may be composed of circles, planes or other shapes considered to yield the minimum factor of safety against sliding and most appropriate to the soil and geologic site conditions. In cohesive soils, a vertical tension crack extending down from the top of the slope to the potential failure surface may be used to limit the lateral extent of the potential sliding mass.
9. The critical potential failure surface having the lowest factor of safety on strength shall be sought for the static case. This same static surface and sliding mass may be assumed critical for the pseudostatic case.
10. Soil properties including unit weight and strength parameters (cohesion and friction angle) may be based on conventional field and laboratory tests and/or field performance. Where appropriate, laboratory tests for long-term residual strengths shall be performed. Shear resistance along bedding planes normally requires estimation of bedding-strength values of the weakest unsupported plane. It is expected that the engineer will use considerable judgment in the selection of appropriate shear test and in interpretation of the results in arriving at strength

characteristics fitting the present and anticipated future slope conditions. Dynamic strengths used in a pseudostatic analysis shall not exceed peak point static strengths unless supported by dynamic test results or other convincing physical evidence.

11. In the design of slope support, bedding planes flatter than 12 degrees from the horizontal need not normally be considered in a pseudostatic analysis.

12. Each slope stability analysis shall be accompanied by a geotechnical report including a summary of the results of field exploration and laboratory investigation. This report should at least include the following items:

    a. Boring logs and plan locations relative to the proposed grading.

    b. Geotechnical description of soil and/or rock encountered in the proposed cut slope and/or expected to be used in the proposed fill. Soil description should include engineering classification with moisture and density of stiffness. Rock description should include, but not be limited to geologic assessment of hardness, degree of weathering, strata thickness, clay surfaces, and oriented planar discontinuities such as strike and dip of bedding, joint spacing, joint thickness, fracture and fault surfaces.

    c. Groundwater conditions encountered at the site as well as anticipated future groundwater conditions that may affect the design.

    d. Description of laboratory tests performed with summary of laboratory test results. Both the moisture-and drainage conditions during any shear strength tests should be clearly defined.

    e. Shear strength parameters for design which are based on field experience should be properly referenced or explained.

13. All design parameters shall be verified during construction. This includes applicable geologic structures such as bedding attitudes, joint orientation and existing shear surfaces - fill strength, and groundwater conditions. If any significant variation from the design values is discovered, revised calculations shall be made and submitted.

JAM:pr

2042114203487

APPENDIX I

STANDARD CERTIFICATION FORMS

FORM FOR ROUGH GRADE CERTIFICATION

The following form letter contains the elements considered necessary for compliance with the substance and intent of the Grading and Excavation Code and Grading Section procedures for rough grade certification. Accordingly, substantial conformance with this form letter is required for rough grading approval. The purpose is to achieve compliance and uniformity.

CIVIL ENGINEER'S LETTERHEAD
City of Dana Point
33282 Golden Lantern
Dana Point, CA 92629

Attention: _____, City Grading Inspector

Subject: Civil Engineer's Certification of Rough Grading

Reference Project: Grading Permit No. _____(Precise) (Preliminary)

Address: _____

Tract No _____Lot(s) _____, inclusive

I hereby approve the rough grading for the referenced project in accordance with my responsibilities as a Civil Engineer in the State of California under the City of Dana Point Grading and Excavation Code. Rough grading has been completed in conformance with the approved grading plan, associated permits and reports.

By way of this certification, I hereby declare that the improvements/grading shown on the approved plan were completed properly and are acceptable for the intended use.

Engineer's Wet Stamp Here

_____
Signature

(R.C.E. #_____)

FORM FOR ROUGH GRADE CERTIFICATION

The following form letter contains the elements considered necessary for compliance with the substance and intent of the Grading and Excavation Code and Grading Section procedures for rough grade certification. Accordingly, substantial conformance with this form letter is required for rough grading approval. The purpose is to achieve compliance and uniformity.

GEOTECHNICAL ENGINEER/GEOLOGIST'S LETTERHEAD

City of Dana Point
33282 Golden Lantern
Dana Point, CA 92629

Attention: _____, City Grading Inspector

Subject: Geotechnical Engineer/Geologist Certification of Rough Grading

Reference Project: Grading Permit No. _____(Precise) (Preliminary)

Address: _____

Tract No _____Lot(s) _____, inclusive

I hereby approve the rough grading for the referenced project in accordance with my responsibilities as a Civil Engineer in the State of California under the City of Dana Point Grading and Excavation Code. Rough grading has been completed in conformance with the approved grading plan, associated permits and reports.

By way of this certification, I hereby declare that the improvements/grading shown on the approved plan were completed properly and are acceptable for the intended use.

Engineer's Wet Stamp Here

_____
Signature

(R.C.E. #_____)

FORM FOR FINAL (PRECISE) GRADE CERTIFICATION

The following form letter contains the elements considered necessary for compliance with the substance and intent of the Grading and Excavation Code and Grading Section procedures for final (precise) grade certification. Accordingly, substantial conformance with this form letter is required for final (precise) grading approval. The purpose is to achieve compliance and uniformity.

CIVIL ENGINEER'S LETTERHEAD
City of Dana Point
33282 Golden Lantern
Dana Point, CA 92629

Attention: _____, City Grading Inspector

Subject: Civil Engineer's Certification of Final (Precise) Grading

Reference Project: Grading Permit No. _____(Precise) (Preliminary)

Address: _____

Tract No _____Lot(s) _____, inclusive

I hereby approve the final (precise) grading for the referenced project in accordance with my responsibilities as a Civil Engineer in the State of California under the City of Dana Point Grading and Excavation Code. Final (precise) grading has been completed in conformance with the approved grading plan, associated permits and reports.

By the way of this certification, I hereby declare that the improvements/grading shown on the approved plan were completed properly and are acceptable for the intended use.

Engineer's Wet Stamp Here

_____
Signature

(R.C.E. #_____)

FORM FOR FINAL (PRECISE) GRADE CERTIFICATION

The following form letter contains the elements considered necessary for compliance with the substance and intent of the Grading and Excavation Code and Grading Section procedures for final (precise) grade certification. Accordingly, substantial conformance with this form letter is required for final (precise) grading approval. The purpose is to achieve compliance and uniformity.

GEOTECHNICAL ENGINEER/GEOLOGIST'S LETTERHEAD

City of Dana Point
33282 Golden Lantern
Dana Point, CA 92629

Attention: _____, City Grading Inspector

Subject: Geotechnical Engineer/Geologist Certification of Final (Precise) Grading

Reference Project: Grading Permit No. _____(Precise) (Preliminary)

Address: _____

Tract No _____Lot(s) _____, inclusive

I hereby approve the final (precise) grading for the referenced project in accordance with my responsibilities as a Civil Engineer in the State of California under the City of Dana Point Grading and Excavation Code. Final (precise) grading has been completed in conformance with the approved grading plan, associated permits and reports.

By way of this certification, I hereby declare that the improvements/grading shown on the approved plan were completed properly and are acceptable for the intended use.

Engineer's Wet Stamp Here

_____
Signature

(R.C.E. #_____)