



## TOWN OF LOS GATOS GRADING PERMIT INFORMATION

### GRADING PERMIT

#### Applicability

Anyone excavating, grading, installing onsite storm drainage, and/or constructing retaining walls within the Town of Los Gatos is required to obtain a grading permit from the Department of Parks and Public Works per Town ordinance. The Grading, Erosion and Sediment Control Ordinance is intended to establish uniform standards to safeguard life, limb, property, water quality and natural resources, and to promote the public welfare by regulating grading (Town Code 12.10.010 thru 12.40.055).

The grading permit is usually the final development step prior to breaking ground. Therefore, all planning permits should be secured prior to the issuance of a grading permit.

#### Project Review Procedure

Generally, most projects proposing grading have been through the planning process, at which time a Parks and Public Works Project Engineer was assigned to the project. The Project Engineer will be your single point of contact for all Public Works permits related to this project. If you are unsure of the Project Engineer assigned to your project, please contact Engineering Services at (408) 399-5771 with your project address and staff will look up the Project Engineer assigned to your project.

However, if your project did not require a planning permit, a Project Engineer will need to be assigned to your project. Please email a copy of your completed **Grading Permit Application** form and a map showing the project's location to [ppw@losgatosca.gov](mailto:ppw@losgatosca.gov). A Project Engineer will be assigned to your project prior to the forthcoming complete initial submittal.

#### Submittal Instructions

For any grading permit the following documents need to be submitted:

- 1) **Grading Permit Application:** Completely filled out along with the applicant's name and signature. Please also indicate who is to be the main contact person for all project-related issues.
- 2) **Checklist for On-Site Grading and Drainage:** Completely filled out, **stamped and signed** by a licensed professional of work along with the actual grading checklist.
- 3) **Grading & Drainage Plan:** Must be in compliance with the requirements of the Grading, Erosion and Sediment Control Ordinance. Any variation from code requirements must be noted on the plan and supported by evidence that the variation will not pose any hazards to public health and safety or be expensive to maintain (See Attachment B).

If your project is proposing to install any storm drainage structures or pipes, the plans should include a drainage plan showing the installation of storm pipes which includes, but



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not limited to, pipe material, slope and size. Hydraulic calculations must also be provided and based on a 10-year design storm.

- 4) **Plans:** Submit two (2) copies of the original (24"x36") plans.
- 5) **Retaining Walls:** The Parks and Public Works Department is not responsible for the review and inspection of all earth retaining structures on private property. Please contact the Building Division at (408) 354-6876 in order to determine the specific building requirements.
- 6) **Soils and Geologic Report:** A review of the geologic and geotechnical report is required prior to issuance of a grading permit if the site is near a fault, within a seismic hazard zone, or in the Hillside Area.
- 7) **Engineer's Estimate:** Provide cost estimates for all work associated with grading, drainage, and erosion/sediment control. The completed Engineer's Estimate form shall be **stamped and signed** by the licensed engineer who is the professional in responsible charge for the submitted plans.
- 8) **Fees:** See the current Fee Schedule - Engineering Division. All plan check fees shall be paid prior to the review of any submitted materials for a grading permit. All inspection and other associated fees shall be paid prior to approval of plans and subsequent permit issuance. (<http://www.losgatosca.gov/DocumentCenter/Home/View/49>)

Upon receipt, Town staff will review the plans for completeness.

- If the initial submittal is complete, staff will review the plans and return comments to the applicant or the applicant's representative. Any corrections or clarifications that are required shall be made. The revised plans will be resubmitted to the Town for further review. Once the plans are ready for approval, the applicant is ready to make the final submittal.
- If the initial submittal is incomplete (incomplete design, missing plans, missing information, etc.) staff will return the plans to the applicant for completion prior to any review taking place. This can potentially delay the issuance of a grading permit.

### Other Requirements

#### Permit Extension and Renewal

The term of a valid grading permit can be extended at the discretion of the Town Engineer. Only one extension is permitted if approved by the Town Engineer.

The renewal of an expired grading permit can be allowed at the discretion of the Town Engineer. Additional fees may apply.

***For any further questions or inquiries, contact the Counter Staff at (408) 399-5771.***



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### EXEMPTION CRITERIA

If the proposed grading meets Section (a) or (b) below, you may be exempted from obtaining a grading permit from the Town.

(a) *General exemptions.* A person performing any land disturbing activity need not apply for a grading permit, if all the following criteria are met:

- 1) Natural and finished slopes are less than ten (10) percent;
- 2) Volume of soil or earth materials stored is fifty (50) cubic yards or less;
- 3) The activity results in the diversion of rainwater runoff, either during or after construction, from an area smaller than five thousand (5,000) square feet;
- 4) An impervious surface, if any, of less than four thousand (4,000) square feet is created;
- 5) No drainage way is blocked or has its stormwater carrying capacities or characteristics modified; and
- 6) No land-disturbing or filling activities occur within one hundred (100) feet of a watercourse.

(b) *Specific exemptions.* The provisions of Section (a) notwithstanding, a person performing the following activities need not apply for a grading permit:

- 1) Projects which have excavations less than two (2) feet in depth, or fills less than one (1) foot in depth placed on natural terrain with a slope flatter than five (5) horizontal to one (1) vertical, or fills less than two (2) feet in depth, not intended to support structures, and that do not obstruct drainage courses, and which include the following:
  - a. Less than fifty (50) cubic yards of graded material (combined total of cut and fill).
  - b. The removal of vegetation from an area less than one thousand (1,000) square feet.
  - c. Do not create unstable or erodible slopes as determined by the Town Engineer.
- 2) Grading done by or under the supervision or construction control of the Town.
- 3) Excavations within the perimeter of a building, swimming pool (pool only), retaining wall footing, or other structure authorized by a valid building permit.
- 4) Grading necessary for agricultural operations unless such grading will create a cut or fill whose failure could endanger any structure intended for human or animal occupancy or any public road, or could obstruct any watercourse or drainage conduit or cause any significant erosion as determined by the Town Engineer.
- 5) Trenching and grading incidental to the construction or installation of approved underground pipe lines, on land having a slope less than ten (10) percent, drilling or excavation for approved wells if the land is restored to its original contour and



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condition, including reseeded or otherwise restoring vegetation on all disturbed earth surfaces immediately after such grading work is completed.

- 6) Excavations for soil or geological investigations by a geotechnical engineer or engineering geologist if the land is restored to its original contour and condition including reseeded or otherwise restore vegetation on all disturbed earth surfaces immediately after the investigation.
- 7) Maintenance of existing firebreaks and roads to keep the firebreak or road substantially in its original condition.
- 8) Routine cemetery excavations and fills.
- 9) Performance of emergency work necessary to protect life or property when an urgent necessity therefor arises. The person performing such emergency work shall notify the Town Engineer promptly of the problem and work required and shall apply for a permit therefor within ten (10) calendar days after commencing such work and shall comply with all conditions of such permit.
- 10) Any area within the public right-of-way is exempt from the requirements of this chapter.

A grading permit exemption shall not be deemed to be permission to violate any provision of the Grading, Erosion and Sediment Control Ordinance or any other laws or ordinances of the Town of Los Gatos.



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### REQUIREMENTS FOR PREPARATION OF PLANS

#### *Plans should....*

1. Be drawn to scale and must be of sufficient clarity to indicate the nature and extent of the work proposed. Unless otherwise approved, the minimum scale shall be 1" = 20'.
2. Be prepared under the direction of a registered civil engineer and signed by the engineer with his/her registration number, and seal (for engineered grading or grading in excess of 50 cubic yards).
3. Include the following information:
  - Vicinity map, north arrow, legend, and scale
  - All applicable standard grading and drainage notes, as included in this package;
  - Property limits and accurate contours of existing ground and details of terrain and area drainage features; including off-site data relating to slopes and drainage;
  - Plans of all surface and subsurface drainage devices, septic tanks, septic tank drain fields, walls, cribbing, dams and other protective devices to be constructed with, or as a part of, or subsequent to the proposed work;
  - Location of any proposed or existing buildings, structures or wells on the property where the work is to be performed and the location of any building, structures or wells on adjacent land which are within 15 feet of the property or which may be affected by the proposed grading operations;
  - Location of all trees and appropriate tree protection details for them;
  - Include an erosion control plan, if deemed necessary by the Project Engineer; and
  - List of exceptions from standards established by the Town Code, as stated in the application.



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### TOWN OF LOS GATOS STANDARD GRADING NOTES

- 1) All work shall conform to Chapter 12 of The Code of the Town of Los Gatos, the adopted California Building Code and the latest edition of the Standard Specifications for Public Works Construction except as specified otherwise on these plans and details.
- 2) No work may be started on-site without an approved Grading Plan and a Grading Permit issued by the Town of Los Gatos, Parks and Public Works Department located at 41 Miles Avenue, Los Gatos, CA 95030.
- 3) A Pre-Job meeting shall be held with the Town Engineering Inspector from the Parks and Public Works Department prior to any work being done. The Contractor shall call the Inspections Line at (408) 399-5771 at least forty-eight (48) hours prior to any grading or onsite work. This meeting should include:
  - a) A discussion of the project conditions of approval, working hours, site maintenance and other construction matters;
  - b) Acknowledgement in writing that Contractor and Applicant have read and understand the project conditions of approval, and will make certain that all project sub-contractors have read and understand them prior to commencing work and that a copy of the project conditions of approval will be posted on site at all times during construction.
- 4) Approval of plans does not release the developer of the responsibility for the correction of mistakes, errors, or omissions contained therein. If, during the course of construction of the improvements, public interest and safety requires a modification or departure from the Town Specifications or these improvement plans, the Town Engineer shall have full authority to require such modification or departure and to specify the manner in which the same is to be made.
- 5) Approval of this plan applies only to the grading, excavation, placement, and compaction of natural earth materials. This approval does not confer any rights of entry to either public property or the private property of others and does not constitute approval of any other improvements.
- 6) Excavated material shall be placed in the fill areas designated or shall be hauled away from the site to be disposed of at approved location(s).
- 7) It shall be the responsibility of the Permittee or Contractor to identify, locate and protect all underground facilities. Permittee or Contractor shall notify USA (Underground Service Alert) at 1-800-227-2600 a minimum of forty-eight (48) hours but not more than fourteen (14) days prior to commencing all work.
- 8) All grading shall be performed in such a manner as to comply with the standards established by the Air Quality Management District for airborne particulates.
- 9) The Contractor shall comply with all local, state and federal laws, codes, rules and regulations governing the work identified on these plans. These shall include, without limitation, safety and health rules and regulations established by or pursuant to the Occupational Safety and Health Act or any other applicable public authority.



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- 10) The General Contractor shall provide qualified supervision on the job site at all times during construction.
- 11) Horizontal and vertical controls shall be set and certified by a licensed surveyor or registered civil engineer qualified to practice land surveying, for the following items:
- a) Retaining wall: top of wall elevations and locations (all walls to be permitted separately and applied for at the Town of Los Gatos Building Division).
  - b) Toe and top of cut and fill slopes.
- 12) Prior to issuance of any permit, the applicant's soils engineer shall review the final grading and drainage plans to ensure that designs for foundations, retaining walls, site grading, and site drainage are in accordance with their recommendations and the peer review comments. The Applicant's soils engineer's approval shall then be conveyed to the Town either by letter or by signing the plans.
- Soils Engineer \_\_\_\_\_
- Reference Report No. \_\_\_\_\_, dated \_\_\_\_\_, 20 \_\_\_\_\_
- Letter No. \_\_\_\_\_, dated \_\_\_\_\_, 20 \_\_\_\_, shall be thoroughly complied with. Both the mentioned report and all updates/addendums/letters are hereby appended and made a part of this grading plan.
- 13) During construction, all excavations and grading shall be inspected by the Applicant's soils engineer. The Engineer shall be notified at least forty-eight (48) hours before beginning any grading. The Engineer shall be on-site to verify that the actual conditions are as anticipated in the design-level geotechnical report and/or provide appropriate changes to the report recommendations, as necessary. All unobserved and/or unapproved grading shall be removed and replaced under soils engineer observance (the Town Inspector shall be made aware of any required changes prior to work being performed).
- 14) The results of the construction observation and testing should be documented in an "as-built" letter/report prepared by the applicants' soils engineer and submitted for the Town's review and acceptance before final release of any occupancy permit is granted.
- 15) All private and public streets accessing Project Site shall be kept open and in a safe, drivable condition throughout construction. If temporary closure is needed, then formal written notice to the adjacent neighbors and the Town of Los Gatos Parks and Public Works Department shall be provided at least one (1) week in advance of closure and no closure shall be granted without the express written approval of the Town. No material or equipment shall be stored in the public or private right-of-way.
- 16) The contractor shall install and maintain fences, barriers, lights and signs that are necessary to give adequate warning and/protection to the public at all times.
- 17) Owner/Applicant: \_\_\_\_\_ Phone: \_\_\_\_\_
- 18) General Contractor (If available): \_\_\_\_\_ Phone: \_\_\_\_\_
- 19) Grading Contractor (If available): \_\_\_\_\_ Phone: \_\_\_\_\_



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- 20) Cut: \_\_\_\_\_ CY      Export: \_\_\_\_\_ CY  
Fill: \_\_\_\_\_ CY      Import: \_\_\_\_\_ CY
- 21) Water shall be available on the site at all times during grading operations to properly maintain dust control.
- 22) This plan does not approve the removal of trees. Appropriate tree removal permits and methods of tree preservation shall be required. Tree Removal Permits are required prior to the approval of all plans.
- 23) A Town Encroachment Permit is required for any work within the public right-of-way. A State Encroachment Permit is required for any work within State right-of-way (if applicable). The Permittee and/or Contractor shall be responsible coordinating inspection performed by other governmental agencies.
- 24) No cross-lot drainage will be permitted without satisfactory stormwater acceptance deed/facilities. All drainage shall be directed to the street or other acceptable drainage facility via a non-erosive method as approved by the Town Engineer.
- 25) It is the responsibility of contractor and/or owner to make sure that all dirt tracked into the public right-of-way is cleaned up on a daily basis. Mud, silt, concrete and other construction debris SHALL NOT be washed into the Town's storm drains.
- 26) Good housekeeping practices shall be observed at all times during the course of construction. Superintendence of construction shall be diligently performed by a person or persons authorized to do so at all times during working hours. The storing of goods and/or materials on the sidewalk and/or the street will not be allowed unless a special permit is issued by the Engineering Division. The adjacent public right-of-way shall be kept clear of all job related dirt and debris at the end of the day. Failure to maintain the public right-of-way according to this condition may result in penalties and/or the Town performing the required maintenance at the developer's expense.
- 27) Grading shall be undertaken in accordance with conditions and requirements of the project Storm Water Pollution Control Plan and/or Storm Water Pollution Prevention Plan (SWPPP), the Town of Los Gatos Storm Water Quality Management Program, National Pollutant Discharge Elimination System (NPDES) and any other permits/requirements issued by the State of California Regional Water Quality Control Board. Plans (including all updates) shall be on-site at all times. No direct stormwater discharges from the development will be allowed onto Town streets or into the public storm drain system without treatment by an approved storm water pollution prevention device or other approved methods. Maintenance of private stormwater pollution prevention devices shall be the sole responsibility of the owner. Discharges or connection without treatment by an approved and adequately operating stormwater pollution prevention device or other approved method shall be considered a violation of the above referenced permit and the Town of Los Gatos Stormwater Ordinance.