MARIPOSA COUNTY ORDINANCE 513

AN ORDINANCE AMENDING THE MARIPOSA COUNTY CODE
BY ADDING TITLE 15 THERETO ENTITLED
"BUILDINGS AND CONSTRUCTION" AND TO CONTAIN
CHAPTER 15.28 THEREOF RELATING TO GRADING AND EXCAVATION.

The Board of Supervisors of the County of Mariposa,
State of California, does hereby ordain as follows:

SECTION I: The Mariposa County Code is hereby amended
by adding Title 15 thereto to be entitled "Buildings and
Construction" and to contain Chapter 15.28 thereof relating to
grading and excavation to contain the following sections to be
numbered, entitled, and read as follows:

TITLE 15, BUILDINGS AND CONSTRUCTION

Chapter 15.28

GRADING AND EXCAVATION

Sections:

15.28.010 Purpose.
15.28.020 Scope.
15.28.030 Permits Required.
15.28.040 Hazards.
15.28.050 Definitions.
15.28.060 Grading Permit Requirements.
15.28.070 Fees.
15.28.080 Bonds.
15.28.090 Grading Standards.
15.28.100 Setbacks.
15.28.110 Drainage and Terracing.
15.28.120 Erosion Control.
15.28.130 Grading Inspection.
15.28.140 Completion of Work.

15.28.010 Purpose. This chapter establishes standards for
the preparation of sites and construction activities to protect
the health, safety, and general welfare of those working or living
on or near the site by protecting against unwarranted or unsafe

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grading, drainage works, or other aspects of site development as follows:

A. To establish standards and procedures for grading and excavation so as to minimize hazards to life and limb, protect against erosion, maintain the natural environment, and protect the safety, use, and stability of public rights-of-way and drainage channels.

B. To assure that projects approved under this chapter will be free from harmful effects of runoff, including inundation and erosion, and that neighboring and downstream properties will be protected from drainage problems resulting from new development.

C. To assure proper restoration of vegetation and soil systems disturbed by grading or fill activities authorized under this chapter. It is intended through this chapter to maintain an attractive and healthy landscape and to control against dust and erosion and their consequent effects on soil structure and water quality.

15.28.020 Scope. This chapter sets forth rules and regulations to control excavation, grading, and earthwork construction including fills and embankments, establishes the administrative procedure for issuance of permits, and provides for approval of plans and inspection of grading construction.

15.28.030 Permits Required. A grading permit is required from the Chief Building Inspector prior to the initiation of any grading, excavation, fill, or dredging activities included under Paragraph A or B below:

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A. Excavation. A grading permit is required for any excavations that:

1. Disturbs more than 5,000 square feet in surface area or more than 800 cubic yards total cut area; or
2. Disturbs more than 2,500 square feet in surface area or more than 400 cubic yards total cut area in a "Flood Hazard" or "Erosion Hazard" area; or
3. Is more than two feet deep; or
4. Creates a cut slope more than five feet high and steeper than two horizontal to one vertical (2:1).

B. Fill. A grading permit is required for any fill that:

1. Exceeds fifty cubic yards on any one lot; or
2. Exceeds twenty-five cubic yards on any one lot in a "Flood Hazard" or "Erosion Hazard" area; or
3. Has an unsupported height more than five feet; or
4. Is more than one foot deep and is placed on natural terrain with a slope steeper than two horizontal to one vertical (2:1); or
5. Is more than three feet deep and is intended to support structures; or
6. Obstructs a natural or man-made drainage course which carries a significant amount of storm runoff to the extent that increased erosion and siltation will occur.

C. Earth-Filled Dams. For the purpose of creating ponds or catching storm water, earth-filled dams require a grading permit. Such requirement may be waived on a case-by-case basis by the Chief Building Inspector where the following conditions exist:

1. The proposed dam will not create a hazard to private property and improvements.
2. The proposed dam will not drastically effect existing drainage patterns or create erosion hazards.
3. The proposed dam will not contain more than ten acre-feet of water.

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D. Exceptions. Notwithstanding the criteria in Paragraphs A and B above, a grading permit is not required for any of the following activities:

1. Excavations below existing or finish grade (see definitions) for basements and footing of a building, retaining wall, or other structure authorized by a building permit.

2. Cemetery graves.

3. Refuse disposal sites approved by the Mariposa County Health Department.

4. Excavations for wells, tunnels, or public utilities as determined by the Chief Building Inspector.

5. Excavations or fills for road projects conducted by or under control of the Mariposa County Engineering Department.

6. Exploratory excavations under the direction of soil engineers or engineering geologists affecting or disturbing areas less than 10,000 square feet in size.

7. Access roads developed in conjunction with crop production (including range land) which:
   a. Are located within "Agricultural Exclusive Zone" or under exclusive agricultural use.
   b. Are solely for the purpose of providing access of water supplies, storage areas, livestock grazing areas, producing fields or orchards, or fence lines.
   c. Do not create a cut or fill greater than three feet in height.

8. Surface mining projects approved in accordance with this Title.

9. Maintenance grading of existing roads, private driveways, or existing ponds.

15.28.040 Hazards.

A. Existing Hazards. Whenever the Chief Building Inspector determines that any existing excavation or embankment or fill on private property, to include the exceptions listed in Section
15.28.030, Paragraph D, has become a hazard to life and limb, endangers property, or adversely affects the safety, use, or stability of a public way or drainage channel, the owner of the property upon which the excavation, embankment, or fill is located, or other person or agent in control of said property or project, upon receipt of notice in writing from the Chief Building Inspector, shall within the period specified therein repair or eliminate such excavation, embankment, or fill so as to eliminate the hazard and be in conformance with the requirements of this Code. The Chief Building Inspector may require special or conditional permits or performance bonds to insure compliance with the intent of this section.

B. Hazardous Grading. The Chief Building Inspector shall not issue a permit where he finds that the work as proposed by the applicant is liable to endanger private property or result in the deposit of debris on any public way or interfere with any existing drainage course. If it can be shown to the satisfaction of the Chief Building Inspector that the hazard can be essentially eliminated by the construction of retaining structures, buttress fills, drainage devices, sedimentation ponds, revegetation/re-seeding of cut and filled slopes or other means, the Chief Building Inspector may issue the permit with the condition that such protective work be performed.

C. Geological or Flood Hazard. If, in the opinion of the Chief Building Inspector, 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 building permit for habitable structures shall be denied.

15.28.050 Definitions.

A. As Graded: The surface conditions extent on completion of grading.

B. Bedrock: In-place solid rock.

C. Bench: A relatively level step excavated into earth material on which fill is to be placed.

D. Borrow: Earth material acquired from an off-site location for use in grading on a site.

E. Certification: A written engineering or geological opinion concerning the progress and completion of the work.

F. Civil Engineer: A professional engineer registered in California to practice in the field of civil works.

G. Civil Engineering: The application of the knowledge of the forces of nature, principles of mechanics, and the properties of materials to the evaluation, design, and construction of civil works for the beneficial uses of society.

H. Compaction: The densification of a fill by mechanical means.

I. Drainage Facilities: All improvements for storage or conveyance of storm runoff in drainage channels including sumps, channels, culverts, ponds, storm drains, drop inlets, outfalls, basins, pumps, gutter inlets, manholes, and conduits (see Section 15.28.110 of this chapter).

J. Dredging, Diking: Alteration of the grade of bottom sediments in any water body.

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K. **Earth Material**: Any rock, natural soil, or fill and/or any combination thereof.

L. **Engineering Geologist**: A geologist experienced and knowledgeable in engineering geology.

M. **Engineering Geology**: 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.

N. **Erosion**: The wearing away of the ground surface as a result of the movement of wind, water, and/or ice.

O. **Excavation**: The mechanical removal of earth material.

P. **Fill**: A deposit of earth material placed by artificial means.

Q. **Grade**: The vertical location of the ground surface as follows:

1. **Existing Grade**: The grade prior to grading.

2. **Rough Grade**: The stage at which the grade approximately conforms to the approved plan.

3. **Finish Grade**: The final grade of the site which conforms to the approved grading plan.

R. **Grading**: Any excavating or filling or combination thereof, but not including plowing or furrowing or other alteration of the land surface for crop production and not exceeding two feet in depth.

S. **Key**: A designed compacted fill placed in a trench excavated in earth material beneath the toe of a proposed fill slope.

T. **Revegetation**: Any combination of mechanical or other means by which a graded surface is turned to a condition where it supports significant natural vegetation.
U. Sedimentation: The addition of soil materials through erosion to a stream or water body which increases the turbidity of the water.

V. Site: Any lot or parcel or contiguous combination thereof, under the same ownership, where grading is performed or permitted.

W. Soil: Naturally occurring surficial deposits overlying bedrock.

X. Soil Engineer: A civil engineer experienced and knowledgeable in the practice of soil engineering.

Y. Soil Engineering: 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.

Z. Terrace: A relatively level step constructed in the face of a graded slope surface for drainage and maintenance purposes.

AA. Topsoil: The upper strata of soil materials which is of value for revegetation purposes, generally not exceeding two feet and occasionally more shallow depending on the site.

15.28.060 Grading Permit Requirements.

A. Permits Required. Except as exempted in Section 15.28.030, Paragraph D, of this chapter, no person shall do any grading without first obtaining a grading permit from the Chief Building Inspector. A separate permit shall be required for each site and may cover both excavations and fills. Subdivisions on which all grading is performed as a unit shall be considered a single site.
B. Application. To obtain a permit the applicant shall first file an application therefor in writing on a form furnished for that purpose by the Chief Building Inspector. Every application shall:

1. Identify and describe the work to be covered by the permit for which application is made.

2. Describe the land on which the proposed work is to be done, by lot, block, tract, and house and street address or similar description that will readily identify and definitely locate the proposed building or work.

3. Indicate the use or occupancy for which the proposed work is intended.

4. Be accompanied by plans and specifications as required in Paragraph C of this section.

5. Be signed by the permittee, or his authorized agent, who may be required to submit evidence to indicate such authority.

6. Give such other information as reasonably may be required by the Chief Building Inspector.

7. State the estimated quantity of work involved.

8. State the estimated starting and completion dates.

C. Plans and Specifications.

1. Minor Grading: A minor grading plan is to be submitted where the grading includes less than 5,000 cubic yards of cut and fill and where the Chief Building Inspector has determined that a grading project is of a minor nature due to the absence of:

a. Steep slopes.

b. Location in a "Geologic Study Area" or "Flood Hazard Area".

c. Potential damage to structures on or adjacent to the subject site.

d. Potential blockage of drainage channels.

e. Potential impairment of significant natural vegetation, biological habitats, public views, or other sensitive natural resources.
A minor grading plan is to consist of the following as determined by the Chief Building Inspector, provided that information submitted with any required plot plan, site plan, or development plan may also be used to fulfill those submittal requirements:

aa. General vicinity map.

bb. Property limits of the site.

c. Generalized existing contours and drainage channels including those areas of the subject site (and adjoining properties) that will be affected by the disturbance either directly or through drainage alterations.

d. Location of any buildings or structures that are within fifty feet of the area which may be affected by the proposed grading operation.

ee. Limiting dimensions, elevations, or finished contours to be achieved by the grading and proposed drainage channels and related construction.

2. Engineered Grading: An engineered grading plan is to be submitted for any grading in excess of 5,000 cubic yards or where the Chief Building Inspector has determined that a grading project should be engineered based on the presence of:

a. Steep slopes.

b. Location in an "Erosion Hazard Area" or a "Flood Hazard Area".

c. Potential damage to structures on the subject site or adjacent properties.

d. Potential impairment of natural vegetation, biological habitats, public views, or other sensitive resources.

Where it is determined by the Chief Building Inspector that, due to terrain, soil characteristics, grading design, etc., engineered grading plans will serve no benefit with respect to effecting a safe and adequate grading operation, such engineered grading plan requirements may be waived.

An engineered grading plan is to be drawn to scale and is to be of sufficient clarity to indicate the nature and extent of the work proposed and show in detail that it will conform to the provisions of
this title. Two sets of plans and specifications are to be prepared and signed by a civil engineer and are to include the following information as determined by the Chief Building Inspector:

aa. General vicinity map.

bb. Property limits of the subject site.

c. Details of terrain and area drainage and accurate contours of existing ground at intervals determined by the Chief Building Inspector.

dd. Location of any buildings or structures that are within fifty feet of the area which may be affected by the proposed grading operations.

e. Limiting dimensions, elevations of finished contours to be achieved by the grading, and proposed drainage channels and related construction.

ff. Specifications covering construction and material requirements.

gg. Soil engineering report to include data regarding the nature, distribution, and strength of existing soils, conclusions and recommendations for grading procedures and criteria for corrective measures when necessary, and opinions and recommendations covering adequacy of sites to be developed by the proposed grading.

hh. Engineering geology report to include a description of the site, conclusions and recommendations regarding the effect of geologic conditions on the proposed development, and opinions and recommendations covering the adequacy of sites to be developed by the proposed grading.

ii. A statement indicating methods to mitigate any conditions whereby the Chief Building Inspector may require an engineered grading plan such as steep slopes, location in a "Geologic Study Area" or "Flood Hazard Area", potential damage to structures on the subject site or adjacent property, potential impairment of natural vegetation, habitat, public views, or other sensitive resources.

jj. Drainage plan if not included in any of the above.

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kk. Erosion control plan and/or recommendation for mitigating measures.

D. Soil Engineering Report. The soil engineering report required by Subparagraph C2gg shall include data regarding the nature, distribution, and strength of existing soils, conclusions and recommendations for grading procedures and design criteria for corrective measures when necessary, and opinions and recommendations covering adequacy of sites to be developed by the proposed grading.

Recommendations included in the report and approved by the Chief Building Inspector shall be incorporated in the grading plans or specifications.

E. Engineering Geology Report. The engineering geology report required by Subparagraph C2hh shall include an adequate description of the geology of the site, conclusions and recommendations regarding the effect of geologic conditions on the proposed development, and opinions and recommendations covering the adequacy of sites to be developed by the proposed grading.

Recommendations included in the report and approved by the Chief Building Inspector shall be incorporated in the grading plans or specifications.

F. Issuance.

1. The application, plans, and specifications filed by an applicant for a permit shall be checked by the Chief Building Inspector. Such plans may be reviewed by other departments of the County to check compliance with the laws and ordinances under their jurisdiction. If the Chief Building Inspector is satisfied that the work described in an application for permit and the plans filed therewith conform to the requirements of this chapter and other pertinent laws and ordinances and that the fee specified in Section 15.28.070 has been paid, he shall issue a permit therefor to the applicant.
When the Chief Building Inspector issues the permit, he shall endorse in writing or stamp on both sets of plans and specifications "APPROVED". Such approved plans and specifications shall not be changed, modified, or altered without authorization from the Chief Building Inspector; and all work shall be done in accordance with the approved plans. The Chief Building Inspector may require that grading operations and project designs be modified if delays occur which incur weather-generated problems not considered at the time the permit was issued.

2. Coordination of Grading Plans. The Chief Building Inspector may require inspection and testing by an approved testing agency or the County Engineer's office, and he is responsible for coordination of the parties to all grading activities including the civil engineer, soils engineer, engineering geologist, County Engineer's office, other County departments (where required), the grading contractor, and the testing agency.

3. Retention of Plans. One set of approved plans, specifications, and computations shall be retained by the Chief Building Inspector for a period of not less than ninety days from date of completion of the work covered therein, and one set of approved plans and specifications shall be returned to the applicant, which set shall be kept on such building or work site at all times during which the work authorized thereby is in progress.

4. Validity. The issuance or granting of a permit or approval of plans and specifications shall not be construed to be a permit for or an approval of any violation of any of the provisions of this chapter. No permit presuming to give authority to violate or cancel the provisions of this chapter shall be valid except insofar as the work or use which it authorizes is lawful.

The issuance of a permit based upon plans and specifications shall not prevent the Chief Building Inspector from thereafter requiring the correction of errors in said plans and specifications or from preventing building operations being carried on thereunder when in violation of this chapter or of any other ordinance of the County.

5. Expiration. Every permit issued by the Chief Building Inspector under the provisions of this chapter shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 120 days from the
date of such permit or if the building or work
authorized by such permit is suspended or abandoned
at any time after the work is commenced for a
period of 120 days. Permits may be granted an ex-
tension of time where the Chief Building Inspector
finds that unusual circumstances warrant such an
extension of time and will not create a hazard or
nuisance.

Before any work can be re-commenced, if a permit
has expired, a new permit shall be first obtained
so to do, and the fee therefor shall be one-half
the amount required for a new permit for such work,
provided no changes have been made or will be made
in the original plans and specifications for such
work and provided, further, that such suspension
or abandonment has not exceeded one year.

Upon completion of the rough grading and/or final
grading for any engineered gradings, the Chief
Building Inspector may require submission of an
as-graded grading plan and soil and geologic grad-
ing reports.

The applicant is to notify the Chief Building
Inspector when the grading operation is ready for
final inspection. Final approval will not be
given until all work has been completed in accord-
ance with the final approved grading plan including
installation of all drainage facilities and their
protection devices and all revegetation and erosion
control measures as required.

6. Suspension or Revocation. The Chief Building
Inspector may, in writing, suspend or revoke a
permit issued under provisions of this chapter
whenever the permit is issued in error or on the
basis of incorrect information supplied or in vio-
lation of any ordinance or regulation or any of the
provisions of this chapter.

15.28.070 Fees.

A. Plan-Checking Fee. For excavation and fill on the same
site, the fee shall be based on the volume of the excavation or
fill, whichever is greater. Before accepting a set of plans and
specifications for checking, the Chief Building Inspector shall
collect a plan-checking fee. Separate permits and fees shall
apply to retaining walls or major drainage structures as indicated
elsewhere in this chapter. There shall be no separate charge for
standard terrace drains and similar facilities. The amount of the
plan-checking fee for grading plans shall be set by Mariposa
County resolution.

The plan-checking fee for a grading permit authorizing
additional work to that under a valid permit shall be the differ-
ence between such fee paid for the original permit and the fee
shown for the entire project.

B. Grading Permit Fees. A fee for each grading permit
shall be paid to the Chief Building Inspector as set by Mariposa
County resolution.

The fee for a grading permit authorizing additional
work to that under a valid permit shall be the difference between
the fee paid for the original permit and the fee shown for the
entire project.

15.28.080 Bonds. The Chief Building Inspector may require
bonds in such form and amounts as may be deemed necessary to
assure that the work, if not completed in accordance with the
approved plans and specifications, will be corrected to eliminate
hazardous conditions.

In lieu of a surety bond, the applicant may file a cash bond
or instrument of credit with the Chief Building Inspector in an
amount equal to that which would be required in the surety bond.

15.28.090 Grading Standards. Excavations and fills are to
be conducted in accordance with the following standards:

A. Cuts and fills are to be limited to the minimum amount
necessary to provide stable embankments for required parking areas
or street rights-of-way, structural foundations, and adequate
residential yard area or outdoor storage or sales area incidental

to a non-residential use. "Adequate" area for grading or resi-
dential yards is to be limited to not more than 5,000 square feet
per residential unit, and "adequate" graded storage and sales
area is to be limited to not more than 20 percent of gross floor
area.

B. Cut slopes are to be no steeper than two horizontal to
one vertical (2:1) or 50 percent except where certified by a
registered civil engineer as to stability and/or approved by the
Chief Building Inspector.

C. Fills are to be subject to the following standards,
provided that the Chief Building Inspector may exempt minor fills
that are not intended to support structures unless otherwise
recommended in an approved soil engineering report:

1. Fill slopes may not be constructed on natural
slopes steeper than two to one (2:1) or as deter-
mined by the Chief Building Inspector.

2. The ground surface is to be prepared to receive
fill by removing vegetation, non-complying fill,
topsoil, and other unsuitable materials, scarifying
to provide a bond with the new fill, and, where
slopes are steeper than two to one (2:1) and the
height is greater than five feet, benching into
sound bedrock or other competent materials as
determined by the Chief Building Inspector.

3. The bench under the toe of a fill on a slope steep-
er than two to one (2:1) is to be at least ten feet
wide. The area beyond the toe of a fill is to be
sloped for sheet overflow or a paved drain pro-
vided. Where fill is to be placed over a cut, the
bench under the toe of a fill is to be at least ten
feet wide, but the cut must be made before placing
any fill and approved by the soils engineer (or
Chief Building Inspector for minor grading) as
a suitable foundation for fill. Unsuitable soil is
soil which is not competent to support other soil
or fill, to support structures, or to perform
satisfactorily the other functions for which the
soil is intended.
4. Detrimental amounts of organic material may not be permitted in fills. No rock or similar irreducible material with a maximum dimension greater than twelve inches is to be buried or placed in fills, except that the Chief Building Inspector may permit placement of larger rock when the soils engineer properly devises a method of placement, continuously inspects its placement, and approves the fill stability. The following conditions also apply in such case:

a. Prior to issuance of a grading permit, potential rock disposal areas are to be delineated on the grading plan if required.

b. Rock sizes greater than twelve inches in maximum dimension are to be below grade, measured vertically at a distance determined by the Chief Building Inspector.

c. Rocks are to be placed so as to assure filling of all voids with fines.

5. All fills for building pads and roads are to be compacted to a minimum of ninety percent of maximum density as determined by the County Engineer. Fill density will be determined by the Chief Building Inspector.

6. Drainage and terracing is to be provided, and the area above fill slopes and the surfaces of terraces are to be graded and paved as required in Section 15.28.110.

15.28.100 Setbacks. Setbacks for cuts and fills are to be as follows:

A. The tops of cuts and toes of fill slopes are to be set back from the outer boundaries of the permit area including slope right areas and easements in accordance with Figure No. 1 and Table No. 1 attached hereto.

B. Setbacks between graded slopes and structures are to be provided in accordance with Figure No. 2 attached hereto.

15.28.110 Drainage and Terracing.

A. Drainage facilities and terracing are to conform to the following unless otherwise indicated on the approved grading plan:
1. Terraces at least six feet in width are to be established at not more than 30-foot intervals on all cut or fill slopes to control surface drainage and debris except that, where only one terrace is required, it is to be a mid-height. For cut slopes greater than sixty feet and up to 120 feet in height, one terrace at approximately mid-height is to be twelve feet in width. Terraces on cut or fill slopes greater than 120 feet in height are to be designed by the civil engineer and approved by the Chief Building Inspector. Suitable access is to be provided to permit proper cleaning and maintenance.

2. Swales or ditches on terraces are to have a minimum gradient of five percent paved with reinforced concrete not less than three inches in thickness or an approved equal paving. They are to have a minimum depth at the deepest point of one foot and a minimum paved width of five feet.

3. A single run of swale or ditch may not collect runoff from a tributary area exceeding 13,500 square feet (projected) without discharging into a down drain without approval of the Chief Building Inspector.

4. Cut and fill slopes are to be provided with subsurface drainage as necessary by the Chief Building Inspector or the soils engineer or in accordance with a drainage and/or erosion control plan prepared pursuant to this ordinance. Check dams, cribbing, riprap, or other devices or methods are to be employed to control erosion and provide safety.

5. All drainage facilities are to be designed to carry waters to the nearest practical drainage way approved by the Chief Building Inspector as a safe place to deposit such waters. Erosion of ground in the area of discharge is to be prevented by installation of non-erosive down drains or other devices.

6. Building pads are to have a drainage gradient of two percent toward approved drainage facilities, except that the gradient from the building pad may be one percent if approved by the Chief Building Inspector and all of the following conditions exist throughout the permit area:

   a. No proposed fills are greater than ten feet in maximum depth.
b. No proposed finish cut or fill slope faces have a vertical height in excess of ten feet.

c. No existing slope faces, which have a slope face steeper than ten horizontally to one vertically (10:1), have a vertical height in excess of ten feet.

7. Paved interceptor drains are to be installed along the top of all cut slopes where the tributary drainage area above slopes towards the cut and has a drainage path greater than forty feet measured horizontally or as approved by the Chief Building Inspector. Interceptor drains are to be paved with a minimum of three inches of reinforced concrete or approved equal. They are to have a minimum depth of twelve inches and a minimum paved width of thirty inches measured horizontally across the drain. The slope of such drain is to be approved by the Chief Building Inspector.

B. Grading, dredging, or diking may not alter any intermittent or perennial stream as shown on any U.S.G.S. 7½-minute map, except as permitted through approval of a Streambed Alteration Permit from the California Department of Fish and Game issued under Sections 1601 or 1602 of the Fish & Game Code.

C. Contours of finished surfaces are to be blended with adjacent natural terrain to achieve a consistent grade and natural appearance. Borders of cut slopes and fills are to be rounded off to a minimum radius of five feet so as to blend with the natural terrain.

D. Storm Drainage Plan. The Chief Building Inspector may require storm drainage plans in conjunction with grading permit applications. Such plans shall be required when it is determined that storm drainage or excessive runoff may be generated from grading and excavating activity to endanger neighboring or downstream properties, public rights-of-way, and drainage channels.
E. Drainage Plan Content. Drainage plans are to be accurately and neatly drawn to include the following as determined by the Chief Building Inspector:

1. Flow of surface water onto and off the site.

2. Existing and finished contours at intervals determined by the Chief Building Inspector.

3. Building and road elevations, existing and proposed.

4. Existing and proposed drainage channels including drainage swales, ditches, and berms.

5. Location and design of any proposed facilities for storage or for conveyance of runoff into indicated drainage channels including sumps, basins, channels, culverts, ponds, storm drains, and drop inlets.

6. Estimates of existing and increased runoff resulting from the proposed improvements if required.

F. Storm Drainage System Standards. Drainage facilities are to be adequate to assure that the development will not result in storm water runoff that could cause flooding, ponding, soil erosion, sediment production, and sediment pollution. The following standards also apply:

1. Site development is to be accomplished wherever possible in a manner that will maximize percolation and infiltration of precipitation into the ground and will minimize direct surface runoff into adjoining streets, water courses, or properties.

2. In general, the release rate of storm water from all parts of the subject site after development may not exceed the storm water runoff rate from the area in its previous undeveloped state for all intensities and durations of rainfall. The carrying capacity of the channels immediately downstream is to be considered in determining the permitted amount of the storm water release.

3. All drainage facilities are to be designed to carry storm waters to the nearest stable channel or natural drainage way with adequate capacity to carry the flow. If drainage facilities discharge
onto natural ground, the applicant is to provide a method to reduce the velocity of flow in order to prevent erosion or other harmful effects to the subject site or other adjoining properties.

15.28.120 Erosion Control.

A. The faces of cut and fill slopes shall be prepared and maintained to control against erosion. The protection for the slopes shall be installed as soon as practicable and prior to calling for final approval. Where it is determined by the Chief Building Inspector that cut slopes are not subject to erosion due to erosion-resistant character of the materials, such protection may be omitted.

B. Erosion Control Plan Content. With any minor or engineered grading plan, an erosion control plan may be required to be submitted including the following items:

1. Protective measures to be taken during construction such as hydro-mulching, berms (temporary or permanent), interceptor ditches, subsurface drains, terraces, and/or sediment traps in order to prevent erosion by surface or ground water of the cut faces of excavations or of the sloping surfaces of fills.

2. Permanent methods of revegetation following completion of proposed grading or improvements.

3. Approximate sequence and timing of grading and construction increments and/or subsequent revegetation and/or landscaping work.

C. Revegetation Standards.

1. Permanent revegetation or landscaping, if required, is to be commenced on the construction site as soon as practical and in no case exceeding twelve months after achieving final grades and utility placements. Whenever practical, land is to be developed in increments of workable size which can be completed during a single construction season; erosion control measures are to be coordinated with the sequence of grading or improvements.

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2. Grading equipment is to be confined to areas immediately adjacent to areas of disturbance as indicated by the plan approved by the County Engineer.

3. All surfaces disturbed by vegetation removal, grading, haul roads, or other activity of construction which alters the natural vegetative cover are to be prepared for expedient revegetation or otherwise maintained to control erosion unless covered with impervious or other improved surfaces pursuant to approved plans within thirty days following the completion of grading (or removal of vegetation if no grading was involved). Erosion control described in U.S.D.A. Soil Conservation Information Bulletin 347 may be used as a guide.

4. Topsoil removed from the surface in preparation for grading and construction is to be stored whenever possible on or near the site and protected from erosion while grading operations are underway, provided that such storage may not be located where it would cause suffocation of root systems of trees intended to be preserved. After completion of such grading, topsoil is to be restored to exposed cut and fill embankments or building pads so as to provide a suitable base for seeding and planting.

5. Acceptable methods of revegetation include straw-mulching, hydro-mulching, or planting of rye grass, barley, or other fast germinating seed. Where lawn grass seed or other appropriate landscape cover is to be sown at not less than four pounds to each one thousand square feet of land area. Other methods of revegetation may be approved by the County Engineer where equivalent protection is provided.

6. All revegetation and landscaping are to be conducted within suitable growing periods. Native plant materials are specifically encouraged in order to reduce irrigation demands.

7. For all grading or improvements to be conducted during the rainy season, a sedimentation control plan is to be submitted including, where necessary, temporary sedimentation basins. Sedimentation control facilities are to be installed in conjunction with initial grading operations and maintained throughout the construction period to remove sediments from runoff waters during development.

8. Permanent sediment catchment basins or other types of sediment retention facilities are required wherever necessary to prevent discharge of sediment into stream channels. Accumulated sediment is to
be inspected and removed for disposal according to a regular maintenance schedule.

15.28.130 Grading Inspection.

A. General. All grading operations for which a permit is required shall be subject to inspection by the Chief Building Inspector. When required by the Chief Building Inspector, special inspection of grading operations and special testing shall be performed in accordance with the provisions of this chapter.

B. Engineered Grading Requirements. For engineered grading it shall be the responsibility of the civil engineer who prepares the approved grading plan to incorporate all recommendations from the soil engineering and engineering geology reports into the grading plan. He shall also be responsible for the professional inspection and certification of the grading within his area of technical specialty. This responsibility shall include, but need not be limited to, inspection and certification as to the establishment of line, grade, and drainage of the development area. The civil engineer shall act as the coordinating agent in the event the need arises for liaison between the other professionals, the contractor, and the Chief Building Inspector. The civil engineer shall also be responsible for the preparation of revised plans and the submission of as-graded grading plans upon completion of the work.

Soil engineering and engineering geology reports may be required as specified in Section 15.28.060, Paragraph C. During grading all necessary reports, compaction data, and soil engineering and engineering geology recommendations shall be submitted to

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the civil engineer and the Chief Building Inspector by the soil
engineer and the engineering geologist.

The soil engineer's area of responsibility shall in-
clude, but need not be limited to, the professional inspection
and certification concerning the preparation of ground to receive
fills, testing for required compaction, stability of all finish
slopes, and the design of buttress fills, where required, incor-
porating data supplied by the engineering geologist.

The engineering geologist's area of responsibility shall
include, but need not be limited to, professional inspection and
certification of the adequacy of natural ground for receiving
fills and the stability of cut slopes with respect to geological
matters and the need for sub-drains or other ground water drainage
devices. He shall report his findings to the soil engineer and
the civil engineer for engineering analysis.

The Chief Building Inspector shall inspect the project
at the various stages of the work requiring certification and at
any more frequent intervals necessary to determine that adequate
control is being exercised by the professional consultants.

C. Regular Grading Requirements. The Chief Building
Inspector may require inspection and testing by an approved test-
ing agency.

The testing agency's responsibility shall include, but
need not be limited to, certification concerning the inspection
of cleared areas and benches to receive fill and the compaction of
fills.

When the Chief Building Inspector has cause to believe
that geologic factors may be involved, the grading operation will
be required to conform to "engineered grading" requirements.

D. Notification of Non-Compliance. If, in the course of fulfilling their responsibilities under this chapter, the civil engineer, the soil engineer, the engineering geologist, or the testing agency finds that the work is not being done in conformance with this chapter or the approved grading plans, the discrepancies shall be reported immediately in writing to the person in charge of the grading work and to the Chief Building Inspector. Recommendations for corrective measures, if necessary, shall be submitted.

E. Transfer of Responsibility for Certification. If the civil engineer, the soil engineer, the engineering geologist, or the testing agency of record are changed during the course of the work, the work shall be stopped until the replacement has agreed to accept the responsibility within the area of their technical competence for certification upon completion of the work.

15.28.140 Completion of Work.

A. Final Reports. Upon completion of the rough grading work and at the final completion of the work, the Chief Building Inspector may require the following reports and drawings and supplements thereto:

1. An as-graded grading plan prepared by the civil engineer including original ground surface drainage facilities. He shall provide certification that the work was done in accordance with the final approved grading plan.

2. A soil grading report prepared by the soil engineer including locations and elevations of field density tests, summaries of field and laboratory tests, and other substantiating data and comments on any changes made during grading their effect on the recommendations made in the soil engineering
investigation report. He shall provide certification as to the adequacy of the site for the intended use.

3. A geologic grading 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 in the approved grading plan. He shall provide certification as to the adequacy of the site for the intended use as affected by geologic factors.

B. Notification of Completion. The permittee or his agent shall notify the Chief Building Inspector when the grading operation is ready for final inspection. Final approval shall not be given until all work including installation of all drainage facilities and their protective devices and all erosion control measures have been completed in accordance with the final approved grading plan and the required reports have been submitted.

SECTION II: Violation of any provision of this ordinance shall constitute an infraction and shall be punishable under Chapter 1.20, the general penalty provisions, of the Mariposa County Code.

SECTION III: This ordinance shall take effect immediately in accordance with the provisions of Government Code Section 25123(d) for the immediate preservation of the public peace, health, and safety in that urgency situations exist in the planning for the County of Mariposa which require immediate standards for the issuance of grading permits in the County of Mariposa.

PASSED AND ADOPTED by the Mariposa County Board of Supervisors this 29th day of May, 1979, by the following vote:

AYES: Clark, Dalton, Owings, Weber, Erickson

NOES: None
NOT VOTING: None

ABSENT: None

EUGENE H. DALTON, Chairman
Board of Supervisors

APPROVED AS TO FORM:

NEIL B. VAN WINKLE
County Counsel/Administrative Assistant to the Board
DATED:  May 25, 1979

ATTEST:

JOAN LYNN, Clerk of the Board
TABLE NO. 1

REQUIRED SETBACKS FROM PERMIT AREA BOUNDARY (IN FEET)

SETBACKS

<table>
<thead>
<tr>
<th></th>
<th>H</th>
<th>a*</th>
<th>b**</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under 5</td>
<td>0</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>5 - 30</td>
<td>H/2</td>
<td>H/5</td>
<td></td>
</tr>
<tr>
<td>Over 30</td>
<td>15</td>
<td>6</td>
<td></td>
</tr>
</tbody>
</table>

* Additional width may be required for fills on natural slopes of 5:1 or more, or on cut slopes.

** Additional width may be required for interceptor drain as provided in paragraph (e) (7).