

2010 California Building & Residential Code - Grading Regulations

Chapter 12

Grading Administration

Add item 14 to clarify the Building Official authority to review grading permits on residential lots that do not involve the public right of way. Changes other than those to item 14 are left for clarity and are explained in the proposed amendments published in the Construction Permit Administrative Regulations.

Item 14 expands the authority of the Building Official over certain grading projects, and therefore would not require D sheets to be signed by the City Engineer. Inspections will be performed by combination inspection or structural inspection staff. This action streamlines the process. No change in workload is caused by this proposal since the same staff perform the current reviews do so on behalf of the Building Official rather than the City Engineer.

§129.0104 Construction Permit Authorities

- (a) The powers and duties of the Building Official are as follows:
 - (1) To administer and enforce the Building, Electrical, Plumbing, ~~and Mechanical, Residential Building and Green Building~~ Regulations.
 - (2) To review applications for Building Permits, Electrical Permits, Plumbing Permits, Demolition/Removal Permits, Fire Permits and Mechanical Permits including plans, specifications, and other data.
 - (3) To determine if proposed work is in compliance with the Building, Electrical, Plumbing, ~~and Mechanical, Residential Building, Fire Code and Green Building~~ and other applicable provisions of the Municipal Code and to make the decision to approve and issue the appropriate *construction permit*.
 - (4) To inspect construction activity not located in the public rights-of-way to determine if the construction activity is in compliance with the issued construction permit, the Municipal Code, and adopted Building, Electrical, Plumbing, Mechanical, Residential Building and Green Building.

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- ~~(4)~~(5) To make interpretations of the Building, Electrical, Plumbing, ~~and~~ Mechanical, Residential Building and Green Building. The interpretations, rules, and regulations shall be in conformance with the intent and purposes of the Building, Electrical, Plumbing, and Mechanical Regulations.
- ~~(5)~~(6) To grant modifications for individual cases when there are practical difficulties involved in carrying out the provisions of the Building, Electrical, Plumbing, ~~and~~ Mechanical, Residential Building and Green Building Regulations. The Building Official shall first find that a special individual reason makes the strict application of the Building, Electrical, Plumbing, ~~and~~ Mechanical, Residential Building and Green Building Regulations impractical, that the modification is in conformance with the purpose and intent of the Building, Electrical, Plumbing, ~~and~~ Mechanical, Residential Building and Green Building Regulations, and that the modification does not lessen any fire protection requirements or any degree of structural integrity. The details of any action granting modification shall be recorded and entered in the project file.
- ~~(6)~~(7) To adopt policies and regulations reasonably necessary to clarify the application of the Building, Electrical, Plumbing, ~~and~~ Mechanical, Residential Building and Green Building Regulations. The policies and regulations shall be in conformance with the purpose and intent of these regulations.
- ~~(7)~~(8) To request an interpretation of any provisions of this article or Chapter 14, Articles 5, 6, 7, 8, 9 and ~~7-10~~, or the suitability of any alternate material, design, or construction method from the Board of Building Appeals and Advisors.
- ~~(8)~~(9) To keep complete records of all permits issued, inspections and reinspections made, and other official work performed in accordance with the provisions of the Land Development Code.

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- ~~(9)~~(10) To require the recordation of documents with the County Recorder as necessary to effectively enforce the requirements of the Land Development Code.
- ~~(10)~~(11) To request and receive the assistance and cooperation of other City officials in carrying out these duties.
- ~~(11)~~(12) To require plans, computations, and specifications to be prepared and designed by an engineer or architect licensed by the State of California, even if not required by state law.
- ~~(12)~~(13) To classify the occupancy of building, or a portion of a building, based on the occupancies and uses in Chapter 3 of the California Building Code.
- (14) To review applications for Grading Permits on residential lots that do not include the public right of way as well as associated plans, specifications, and other data to determine if an application is in compliance with the grading regulations in Appendix J of the of the California Building Code as adopted and amended by the City of San Diego in Section 145.3601 and, other adopted City standards, and engineering standards of practice.

Ch 12 Article 9 Division 6 (Grading Permit Procedures)

Waiting for James Quinn and Jeff Strohming. Appear to be no changes except exemptions not consistent with CBC Appendix J. some less restrictive.

§129.0660 Inspection of Grading

All *grading* operations authorized by a Grading Permit shall be inspected by the City Engineer, or when applicable the Building Official, in accordance with Section 129.0111 and the inspection requirements of the Land Development Manual. Professional inspection of *grading* operations shall be provided by the Engineer of Record as designated by the permittee.

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§129.0670 Completion of Grading

The permittee shall notify the City Engineer, or when applicable the Building Official, 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 protection devices, and all erosion control measures have been completed in accordance with the final approved *grading* plan and the *As-Graded Reports* have been submitted and approved by the City Engineer, or when applicable the Building Official, in accordance with standards established in the Land Development Manual. If the *grading* is for creating building pads, a Building Permit shall not be issued until the *grading* is completed by the permittee and approved by the City.

Chapter 14

Municipal Code Grading

1. Update Section 142.0130 to include grading standards in Appendix J of the California Building Code.
2. Modify Section 142.0133 to be consistent with Section J106.1 of 2010 CBC Appendix Chapter J. Also clarify what slope gradient applies when the slope height is at 8 ft.

§142.0130 Development Standards for Grading

- (a) All *grading* shall be designed and performed in conformance with applicable City Council policies and the standards established in the Land Development Manual.
- (b) Grading for projects including residential buildings subject to the authority of the California Department of Housing and Community Development (HCD) shall be designed to comply with the standards established in

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Appendix Chapter J of the California Building Code as adopted and amended by the City of San Diego.

§142.0133 Slope Gradient

- (a) All constructed slopes shall be designed for proper stability considering both geological and soil properties.
- (b) Cut and *fill* slopes ~~less~~ not greater than ~~40~~ 8 feet in height shall not exceed a gradient of 66 percent (1-½ horizontal feet to 1 vertical foot).
- (c) Cut and *fill* slopes greater than ~~40~~ 8 feet in height shall not exceed a gradient of 50 percent (2 horizontal feet to 1 vertical foot).
- (d) Where extraordinary conditions exist to the extent that compliance with the standards of this section would be infeasible, the City Engineer , or when applicable the Building Official, may authorize slopes steeper than those specified in Section 142.0133(b) and (c). A determination that such steeper slopes are warranted shall be based upon the required geotechnical report that clearly demonstrates that the steeper slope will be stable and not endanger the public health, safety, and welfare. Such slopes shall be revegetated in accordance with a plan prepared by a landscape architect authorized to prepare landscape plans by the State Business and Profession Code.

3. Modify Section 142.0148 to address issues in Section J108.2 and J108.3 of appendix J.

§142.0148 Protection of Adjacent Properties and Public Rights-of-Way

- (a) During *grading*, the property owner shall take all necessary measures to protect adjacent property and public rights-of-way from damage that may result from the work. The property owner shall provide *fences* or barricades needed to eliminate any hazard

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to the public in their normal use of the property or *public right-of-way* as follows:

~~(a)~~ (1) Where a temporary *excavation* is adjacent to an existing developed public right-of-way or other public property and the slope gradient is 50 percent (2 horizontal feet to 1 vertical foot) or steeper or the height of the *excavation* is more than 6 feet, temporary *fences* or barricades shall be provided adjacent to the *excavation* satisfactory to the City Engineer. The *fences* or barricades shall be constructed and maintained as long as the hazard resulting from the *excavation* exists.

~~(b)~~ (2) Where a permanent *excavation* is adjacent to an existing developed *public right-of-way* or other public property and the slope gradient is 50 percent (2 horizontal feet to 1 vertical foot) or steeper, the height of the *excavation* is more than 6 feet, and the top of the slope is within 10 feet of the *public right of-way*, the property owner shall construct a permanent, 4-foot-high *fence* adjacent to the *public right-of-way*, satisfactory to the City Engineer.

~~(c)~~ (3) The City Engineer may modify the requirements of this section where it is evident that the *grading* work will present no hazard to the adjacent property or *public rights-of-way*.

(b) Cut and fill slopes shall be set back from the property lines in accordance with this section. Setback dimensions shall be measured perpendicular to the property line and shall be as shown in Figure J108.1 in Appendix J of the California Building Code, unless substantiating data is submitted to the City Engineer, or when applicable the Building Official, justifying reduced setbacks.

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- (1) The setback at the top of a cut slope shall not be less than that shown in Figure J108.1 of Appendix J in the California Building Code, or than is required to accommodate any required interceptor drains, whichever is greater.
- (2) Where required to protect adjacent properties at the toe of a slope from adverse effects of the grading, additional protection approved by the City Engineer, or when applicable the Building Official,, shall be included. Such protection may include but shall not be limited to:

 - (A) Setbacks greater than those required by Figure J108.1 in Appendix J of the California Building Code.
 - (B) Provisions for retaining walls or similar construction.
 - (C) Erosion protection of the fill slopes.
 - (D) Provision for the control of surface waters.

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California Building Code Grading

Art 05 Div 36: Additions and Modifications to Appendix Chapters of the 2010 California Building Code

1. Amend Appendix J grading by adding Division 38 as follows
 - a. Incorporate the last sentence in Section J101.1 into Section 142.0131.
 - b. Do not adopt Sections J102, J103, J104
 - c. Adopt Section J104.4 with amendment to the exception to include City Engineer.
 - d. Adopt J105, J106, J107, J108, J109, J110?, J111.
 - e. Add J108.2 to Section 142.0148

~~§145.3601~~ — “Reserved.”

§145.3601 Local Modifications and Additions to Appendix Chapter J “Grading” of the California Building Code

- (a) Appendix Chapter J of the California Building Code has been adopted by reference with additions and modifications pursuant to Sections 145.0105 and 145.0106 of the Land Development Code.
- (b) Section J104.4 has been adopted by reference with modifications pursuant to Section 145.0105.
- (c) Section J101 and Sections J105 through J111 have been adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.
- (d) Sections J102, J103, J104.1 through J104.3 are not adopted pursuant to Section §145.0104 of the Land Development Code.

§145.3602 Grading Regulations for Non-residential Projects

When site preparation for a building project requires grading operations for projects that do not include uses and occupancies regulated by the California Department of Housing and Community Development the grading regulations in Section §142.0101 shall apply

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§145.3603 Local Modifications to Section J 104.4 “Liquefaction Study “of the California Building Code

Section J104.4 has been adopted with modifications pursuant Section 145.0106 of the Land Development Code with modifications to the exception as follows:

- (a) J104.4 Liquefaction study. For sites with mapped maximum considered earthquake spectral response accelerations at short periods (S_s) greater than 0.5g as determined by Section 1613, a study of the liquefaction potential of the site shall be provided, and the recommendations incorporated in the plans.

- (1) Exception: A liquefaction study is not required where the Building Official or the City Engineer determine from established local data that the liquefaction potential is low.

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Residential Building Regulations Grading

Ch 14 Article 9 Division 45

Add an amendment that adopts Appendix J grading in the CRC

Division 45: Addition of Chapter 45 to the California Residential Code

§149.4501 Local Addition of Chapter 45 “Residential Grading Regulations” of the California Residential Code

Chapter 45 of the California Residential Code has been added to the California Residential Code pursuant to Section 149.0106 of the Land Development Code.

§149.4501 Purpose of Residential Grading Regulations

The purpose of these regulations is to address slope stability, protection of property, erosion control, water quality, and landform preservation and to protect the public health, safety, and welfare of persons, property, and the environment.

§149.4502 Regulations for Residential Lot Grading Not Including Public Right-of-Way

When site preparation for a building project requires grading operations for projects involving detached one-and two-family dwellings or townhouses and where the grading operation does not include the public right-of-way, the grading regulations in Appendix Chapter J of the California Building Code, as adopted and amended by the City of San Diego in Section 145.3601 through Section 145.3603 shall apply.

§149.4503 Regulations for Mass Grading Including Public Right-of-Way

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When site preparation for a building project requires grading operations for projects involving other than detached one-and two-family dwellings or townhouses, or where the grading operation includes the right-of-way, the grading regulations in Section §142.0101 shall apply.