MEMORANDUM

TO: Mayor and City Council

FROM: Faye Stewart, Public Works & Development Director

SUBJECT: AN ORDINANCE AMENDING SECTION 15.04.040 ADOPTION; ADDING OREGON SPECIALTY CODE APPENDIX J -- GRADING

DATE: December 5, 2018

Background

The Public Works & Development Department proposes, with the recommendation of the Building Official, the adoption of Oregon Specialty Code, Appendix J – Grading. Appendix J – Grading is not adopted by the State with the Structural Specialty Code, but is an optional appendix that local municipalities can adopt if it is needed within their jurisdiction.

The adoption of this additional code language will provide the City and its Building Department the tools and means to regulate and direct the grading, filling, terracing, and erosion control of non-exempt (see Section J 103.2 – Exemptions) work within the City of Cottage Grove. Staff believes that having this additional code language will ensure safe and consistent site work on new developments as the City grows into the surrounding hilly areas within City limits.

Recommendation

That the City Council hold the first vote on the attached Ordinance amending Section 15.04.040 Adoption of the Municipal Code. This ordinance cannot be adopted at one meeting. It will be brought before Council at the next meeting for a second vote and adoption.

Cost

Staff time to inspect and approve grading, excavation and other earthwork projects.

Richard Meyers, City Manager

Faye Stewart,
Public Works & Development Director

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 15.04.040 SPECIALTY CODES

WHEREAS, the City Council adopted Title 15 Buildings and Construction Chapter 15.04 Specialty Codes, based upon the Uniform Building Code adopted by the State of Oregon; and

WHEREAS, the Oregon Structural Specialty Code includes an optional appendix, Appendix J – Grading, from the Uniform Code that may be adopted by local municipalities to provide standards for grading, exaction and earthwork construction; and

WHEREAS, the City Council finds it is in the public health, safety and welfare interest to amend Section 15.04.040 of the Cottage Grove Municipal Code to adopt the Oregon Structural Specialty Code Appendix J -- Grading, to provide additional tools to enforce the previously adopted Specialty Codes.

THE CITY OF COTTAGE GROVE ORDAINS AS FOLLOWS:

Section 1. Section 15.04.040 of the Cottage Grove Municipal Code is amended to read as follows:

15.04.40 Adoption.

A. The following specialty codes adopted by the State of Oregon are adopted:

1. Oregon Electrical Specialty Code;
2. Oregon Energy Efficiency Specialty Code;
3. Oregon Mechanical Specialty Code;
4. Oregon Plumbing Specialty Code;
5. Oregon Residential Specialty Code;
6. Oregon Solar Installation Specialty Code;
7. Oregon Structural Specialty Code; and
8. Oregon Manufactured Dwelling Installation Code.

B. The following Oregon Structural Specialty Code Appendices not adopted by the State, but optional for local municipalities, are adopted:

1. Oregon Structural Specialty Code Appendix J, Grading.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR THIS _____DAY OF _____, 2018.

_____
Jeffrey D. Gowing, Mayor
Dated: _____

_____
Richard Meyers, City Manager
Dated: _____

APPENDIX J

GRADING

(Not adopted by the State of Oregon, but may be adopted by local municipalities.)

The provisions contained in this appendix are not mandatory unless specifically referenced in the adopting ordinance.

SECTION J101
GENERAL

J101.1 Scope. The provisions of this chapter apply to grading, excavation and earthwork construction, including fills and embankments. Where conflicts occur between the technical requirements of this chapter and the geotechnical report, the geotechnical report shall govern.

J101.2 Flood hazard areas. The provisions of this chapter shall not apply to grading, excavation and earthwork construction, including fills and embankments, in *floodways* within *flood hazard areas* established in Section 1612.3 or in *flood hazard areas* where design *flood* elevations are specified but floodways have not been designated, unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed work will not result in any increase in the level of the base flood.

SECTION J102
DEFINITIONS

J102.1 Definitions. The following words and terms shall, for the purposes of this appendix, have the meanings shown herein. Refer to Chapter 2 of the *International Building Code* for general definitions.

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

COMPACTION. The densification of a fill by mechanical means.

CUT. See "Excavation."

DOWN DRAIN. A device for collecting water from a swale or ditch located on or above a slope, and safely delivering it to an approved drainage facility.

EROSION. The wearing away of the ground surface as a result of the movement of wind, water or ice.

EXCAVATION. The removal of earth material by artificial means, also referred to as a cut.

FILL. Deposition of earth materials by artificial means.

GRADE. The vertical location of the ground surface.

GRADE, EXISTING. The grade prior to grading.

GRADE, FINISHED. The grade of the site at the conclusion of all grading efforts.

GRADING. An excavation or fill or combination thereof.

KEY. A compacted fill placed in a trench excavated in earth material beneath the toe of a slope.

SLOPE. An inclined surface, the inclination of which is expressed as a ratio of horizontal distance to vertical distance.

TERRACE. A relatively level step constructed in the face of a graded slope for drainage and maintenance purposes.

SECTION J103
PERMITS REQUIRED

J103.1 Permits required. Except as exempted in Section J103.2, no grading shall be performed without first having obtained a *permit* therefor from the *building official*. A grading *permit* does not include the construction of retaining walls or other structures.

J103.2 Exemptions. A grading *permit* shall not be required for the following:

1. Grading in an isolated, self-contained area, provided there is no danger to the public, and that such grading will not adversely affect adjoining properties.
2. Excavation for construction of a structure permitted under this code.
3. Cemetery graves.
4. Refuse disposal sites controlled by other regulations.
5. Excavations for wells, or trenches for utilities.
6. Mining, quarrying, excavating, processing or stockpiling rock, sand, gravel, aggregate or clay controlled by other regulations, provided such operations do not affect the lateral support of, or significantly increase stresses in, soil on adjoining properties.
7. Exploratory excavations performed under the direction of a registered design professional.

Exemption from the permit requirements of this appendix shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

SECTION J104
PERMIT APPLICATION AND SUBMITTALS

J104.1 Submittal requirements. In addition to the provisions of Section 105.3, the applicant shall state the estimated quantities of excavation and fill.

J104.2 Site plan requirements. In addition to the provisions of Section 107, a grading plan shall show the existing grade and finished grade in contour intervals of sufficient clarity to indicate the nature and extent of the work and show in detail that it complies with the requirements of this code. The plans shall show the existing grade on adjoining properties in suffi-

cient detail to identify how grade changes will conform to the requirements of this code.

J104.3 Geotechnical report. A geotechnical report prepared by a *registered design professional* shall be provided. The report shall contain at least the following:

1. The nature and distribution of existing soils;
2. Conclusions and recommendations for grading procedures;
3. Soil design criteria for any structures or embankments required to accomplish the proposed grading; and
4. Where necessary, slope stability studies, and recommendations and conclusions regarding site geology.

Exception: A geotechnical report is not required where the building code official determines that the nature of the work applied for is such that a report is not necessary.

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.

Exception: A liquefaction study is not required where the building official determines from established local data that the liquefaction potential is low.

SECTION J105
INSPECTIONS

J105.1 General. Inspections shall be governed by Section 109 of this code.

J105.2 Special inspections. The special inspection requirements of Section 1705.6 shall apply to work performed under a grading permit where required by the *building official*.

SECTION J106
EXCAVATIONS

J106.1 Maximum slope. The slope of cut surfaces shall be no steeper than is safe for the intended use, and shall be no steeper than two units horizontal to one unit vertical (50-percent slope) unless the owner or authorized agent furnishes a geotechnical report justifying a steeper slope.

Exceptions:

1. A cut surface shall be permitted to be at a slope of 1.5 units horizontal to one unit vertical (67-percent slope) provided that all of the following are met:
   - 1.1. It is not intended to support structures or surcharges.
   - 1.2. It is adequately protected against erosion.
   - 1.3. It is no more than 8 feet (2438 mm) in height.
   - 1.4. It is approved by the building code official.
   - 1.5. Ground water is not encountered.
2. A cut surface in bedrock shall be permitted to be at a slope of one unit horizontal to one unit vertical (100-percent slope).

SECTION J107
FILLS

J107.1 General. Unless otherwise recommended in the geotechnical report, fills shall comply with the provisions of this section.

J107.2 Surface preparation. The ground surface shall be prepared to receive fill by removing vegetation, topsoil and other unsuitable materials, and scarifying the ground to provide a bond with the fill material.

J107.3 Benching. Where existing grade is at a slope steeper than five units horizontal to one unit vertical (20-percent slope) and the depth of the fill exceeds 5 feet (1524 mm) benching shall be provided in accordance with Figure J107.3. A key shall be provided which is at least 10 feet (3048 mm) in width and 2 feet (610 mm) in depth.

J107.4 Fill material. Fill material shall not include organic, frozen or other deleterious materials. No rock or similar irreducible material greater than 12 inches (305 mm) in any dimension shall be included in fills.

J107.5 Compaction. All fill material shall be compacted to 90 percent of maximum density as determined by ASTM D 1557, Modified Proctor, in lifts not exceeding 12 inches (305 mm) in depth.

J107.6 Maximum slope. The slope of fill surfaces shall be no steeper than is safe for the intended use. Fill slopes steeper than two units horizontal to one unit vertical (50-percent slope) shall be justified by a geotechnical report or engineering data.

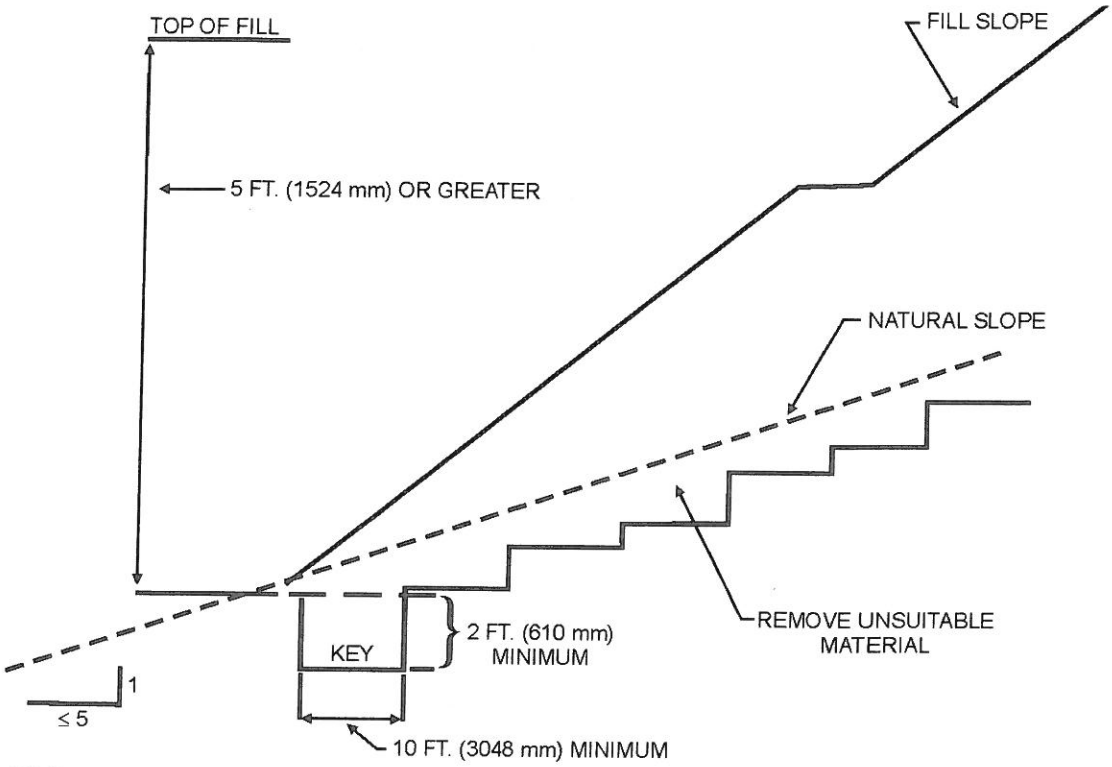
SECTION J108
SETBACKS

J108.1 General. 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, unless substantiating data is submitted justifying reduced setbacks.

J108.2 Top of slope. The setback at the top of a cut slope shall not be less than that shown in Figure J108.1, or than is required to accommodate any required interceptor drains, whichever is greater.

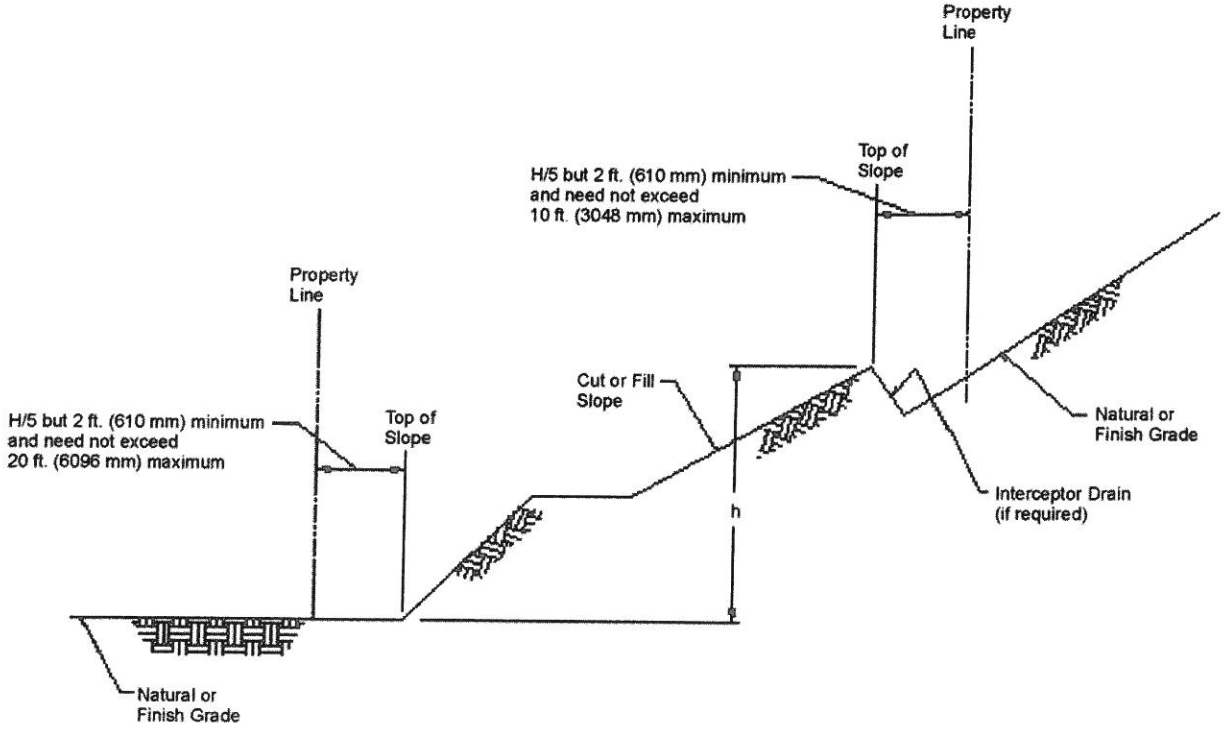
J108.3 Slope protection. Where required to protect adjacent properties at the toe of a slope from adverse effects of the grading, additional protection, approved by the *building official*, shall be included. Such protection may include but shall not be limited to:

1. Setbacks greater than those required by Figure J108.1.
2. Provisions for retaining walls or similar construction.
3. Erosion protection of the fill slopes.
4. Provision for the control of surface waters.



For SI: 1 foot = 304.8 mm.

FIGURE J107.3
BENCHING DETAILS



For SI: 1 foot = 304.8 mm.

FIGURE J108.1
DRAINAGE DIMENSIONS

SECTION J109
DRAINAGE AND TERRACING

J109.1 General. Unless otherwise recommended by a *registered design professional*, drainage facilities and terracing shall be provided in accordance with the requirements of this section.

Exception: Drainage facilities and terracing need not be provided where the ground slope is not steeper than 3 horizontal to 1 vertical (33 percent).

J109.2 Terraces. Terraces at least 6 feet (1829 mm) in width shall be established at not more than 30-foot (9144 mm) vertical intervals on all cut or fill slopes to control surface drainage and debris. Suitable access shall be provided to allow for cleaning and maintenance.

Where more than two terraces are required, one terrace, located at approximately mid-height, shall be at least 12 feet (3658 mm) in width.

Swales or ditches shall be provided on terraces. They shall have a minimum gradient of 20 horizontal to 1 vertical (5 percent) and shall be paved with concrete not less than 3 inches (76 mm) in thickness, or with other materials suitable to the application. They shall have a minimum depth of 12 inches (305 mm) and a minimum width of 5 feet (1524 mm).

A single run of swale or ditch shall not collect runoff from a tributary area exceeding 13,500 square feet (1256 m^2) (projected) without discharging into a down drain.

J109.3 Interceptor drains. Interceptor drains shall be installed along the top of cut slopes receiving drainage from a tributary width greater than 40 feet (12 192 mm), measured horizontally. They shall have a minimum depth of 1 foot (305 mm) and a minimum width of 3 feet (915 mm). The slope shall be approved by the *building official*, but shall not be less than 50 horizontal to 1 vertical (2 percent). The drain shall be paved with concrete not less than 3 inches (76 mm) in thickness, or by other materials suitable to the application. Discharge from the drain shall be accomplished in a manner to prevent erosion and shall be approved by the building official.

J109.4 Drainage across property lines. Drainage across property lines shall not exceed that which existed prior to grading. Excess or concentrated drainage shall be contained on site or directed to an approved drainage facility. Erosion of the ground in the area of discharge shall be prevented by installation of nonerosive down drains or other devices.

SECTION J110
EROSION CONTROL

J110.1 General. The faces of cut and fill slopes shall be prepared and maintained to control erosion. This control shall be permitted to consist of effective planting.

Exception: Erosion control measures need not be provided on cut slopes not subject to erosion due to the erosion-resistant character of the materials.

Erosion control for the slopes shall be installed as soon as practicable and prior to calling for final inspection.

J110.2 Other devices. Where necessary, check dams, cribbing, riprap or other devices or methods shall be employed to control erosion and provide safety.

SECTION J111
REFERENCED STANDARDS

ASTM D 1557-e01	Test Method for Laboratory Compaction Characteristics of Soil Using Modified Effort [56,000 ft-lb/ft^3 (2,700kN-m/m^3)].	J107.6