



# *Grading of Land*

Department of Public Works  
Development Engineering Program

1300 Franklin Street

Vancouver, WA 98660

(360) 397-6118 ext. 4559

[www.clark.wa.gov/comdev](http://www.clark.wa.gov/comdev)

email: [engsrv@clark.wa.gov](mailto:engsrv@clark.wa.gov)



# Grading of Land

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## What is the purpose of a grading permit?

The purpose of a grading permit is to review the grading proposal prior to any land movement to ensure the activity will not negatively impact the environment or existing man-made structures. In computing total grading quantities of the same material on the same lot, both excavation and fill quantities are included.

## When is a grading permit required?

A grading permit is required for any grading of land, unless exempted below:

### Exceptions to the requirement for a grading permit:

1. When approved by the Building Official, grading in an isolated, self-contained area if there is no danger to private or public property;
2. An excavation below finished grade for basements and footings of a building, retaining wall or other structure authorized by a valid building permit. This shall not exempt any fill made with the material from such excavation or exempt any excavation having an unsupported height greater than five (5) feet after the completion of such structures;
3. Cemetery graves;
4. Refuse disposal sites controlled by other regulations;
5. Excavations for wells, tunnels or utilities;
6. Mining, quarry, excavating, processing or stockpiling of rock, sand, gravel, aggregate or clay where established and provided for by law (i.e., a state and/or local permit has been acquired), provided such operations do not affect the lateral support or increase the stresses in or pressure upon any adjacent or contiguous property;
7. Exploratory excavation under the direction of soil engineers or engineering geologists;
8. An excavation that does not exceed fifty (50) cubic yards on any one lot and does not obstruct a drainage course that A) is less than two (2) feet in depth or B) does not create a cut slope greater than 5 feet in height and steeper than one (1) unit vertical in one and one-half (1 1/2) units horizontal (66.7% slope); and,
9. A fill less than one (1) foot in depth and placed on natural terrain with a slope flatter than one (1) unit vertical in five (5) units horizontal (29% slope). Or less than three (3) feet in depth, not intended to support structures that does not exceed fifty (50) cubic yards on any one lot and does not obstruct a drainage course. The fifty (50) cubic yard limitation applies to both the one (1) foot of fill on the gentle slope and to the three (3) foot of fill on the flat slope. **"Fill" does not include soil amendments/enhancement materials** (such as fertilizer, lime, animal waste, etc.) and, therefore, is not subject to the

limitations under this exception (see below: "How is fill defined, and what kind of material can be used for fill?")

**How is fill defined, and what kind of material can be used for fill?**

Fill is a deposit of earth material placed by artificial means. Earth materials include any rock, natural soil or fill, or any combination of these materials.

Only natural materials such as rock, gravel and dirt may be used as fill. Asphalt (classified contaminate), concrete larger than 12" in size, tree stumps and other debris are not allowed. Such debris must be disposed of in an approved fill area.

Fill does not include soil amendments/enhancing materials that are traditionally tilled into the soil such as fertilizer, lime, Nutri-lime, animal waste, organic compost, wood by-products, and food processing by products.

**Are there other permits or reviews that may be required?**

Other permits or reviews may be required depending on the following situations:

- If the amount of the cut or fill exceeds **500** cubic yards of material, a State Environmental Policy Act (SEPA) checklist must be completed, with the original signed in ink and submitted. *(Available at the Community Development Customer Service Center or can be found on the Web Page at: <http://www.co.clark.wa.us>. After the SEPA review and other required permits and reviews are completed, the grading permit for cut or fills will be issued.*
- If grading is proposed in an area identified by the County as a wetland, shoreline or floodplain, a SEPA review is required for **50** cubic yards or more of grading. Grading in Priority Habitats or other "critical areas" which are mapped on the County's Geographic Information System (GIS), may require additional review. These critical areas can be viewed at the Community Development Customer Service Center and include:
  - ❖ Archaeological;
  - ❖ Critical Aquifer Recharge Area (CARA);
  - ❖ Floodplain;
  - ❖ Forestry;
  - ❖ Geo-Hazard;
  - ❖ Habitat;
  - ❖ Shoreline; and,
  - ❖ Wetland (Also contact Corps of Engineers regarding regulated wetlands).
- If any cultural resources are discovered in the course of grading or undertaking a development activity, the Office of Archaeology and Historic Preservation in Olympia, and Archaeological Services of Clark County must be notified. Failure to comply with these State requirements may constitute a Class C felony, subject to imprisonment and/or fines.

- Conformance with Clark County Code (CCC), Chapter 40.385 Stormwater and Erosion Control is required for most projects involving land disturbing/land converting activities. See the Clark County Stormwater Manual to determine which stormwater minimum requirements are applicable to your project.

State and Federal agencies may require permits for activities associated with grading.

### **Are agricultural practices exempt from the requirement for a grading permit?**

Some agricultural practices are exempt and others are not. The following list distinguishes between exempt and non-exempt farming activities:

#### Farming activities that are exempt:

- Importation of hog fuel or wood chips for mud control and livestock bedding;
- Maintenance or repair of existing commercial/non-commercial agricultural facilities that may include:
  - Animal stock flood sanctuaries when there is no expansion ;
  - Agricultural buildings and their additions within required setbacks when there is no expansion into a critical area;
  - Animal Waste Storage Pond, when designed and constructed to USDA-NRCS Standards and Specifications, and not located within 200 feet of a wetlands or a stream (Note: this setback may vary with the type of stream);
  - Animal waste management facilities (other than storage ponds noted above) when conducted in accordance with ordinary farming practices;
  - Clearing of land, including removal of vegetation, stumps, and undergrowth (Note: clearing of vegetation within 200 feet of a streams and wetlands may require a Habitat or Wetland Permit);
  - Drainage facilities when there is no expansion or obstruction;
  - Maintenance of existing roads to include roadway resurfacing. Does not include change of culvert size or drainage facilities, and the embankment has not changed; and,
  - Ponds where there is no increase in size;
- Planting, including ground cover or mulch, when done in accordance with ordinary farming management practices (Contact the USDA Natural Resource Conservation Service Phone: [360] 883-1987 ext. 3, for more information on ordinary farming practices);
- Soil preparation that is typically recognized as ordinary farming practices, to include importation of soil amendments/enhancing materials such as fertilizer, lime, nutri-lime, animal waste, organic compost, wood by-products and food processing by-products; and,
- Tilling such as disk harrowing, plowing, and cultivating when done in accordance with ordinary farming practices.

#### Farming activities that are **not** exempt:

- Adding more than 50 cubic yards of fill (Note: this does not include soil amendments but does include earth material);
- Animal Waste Storage Ponds, when near a wetland or a stream;
- Bridges where there is more than 50 cubic yards of fill (Note: Other permits may be required for fills less than 50 cubic yards such as a County Habitat permit or Washington Department of Fish and Wildlife hydraulic permit);
- Bringing in-fill material to create a building pad for an agricultural building will require a grading permit if more than 50 cubic yards of material is imported or excavated;
- New drainage ditches when excavating over 50 cubic yards of material;
- Fresh water ponds;
- Landscaping;
- Racetracks when importing/excavating more than 50 cubic yards of material (Note: Existing horse racetracks may be maintained); and,
- Roads where there is more than 50 cubic yards of fill.

#### **What is the review process for a grading permit?**

The first step is to submit a completed Grading Application Form and fees, together with four (4) copies of the required submittal items to the Customer Service Center. Your application will be reviewed by our Engineering Services section. In situations where it is unclear if the activity is an exempt farming practice, the USDA Natural Resources Conservation Service will be consulted by the County prior to a decision. When your approved plans are ready for pickup, you will be notified by phone or e-mail.

The next step is to contact our Engineering Inspections Section and arrange for a Pre-Construction Conference. The applicant, design engineer (if required) and contractor must attend the conference. Once the Pre-Construction Conference is held and all issues addressed, the Grading Permit will be issued.

#### **Must a Civil Engineer prepare the grading plan?**

Grading in excess of 5,000 cubic yards must be performed in accordance with the approved grading plan prepared by a civil engineer, and shall be designated as "engineered grading." Grading involving less than 5,000 cubic yards shall be designated "regular grading" and does not require that a civil engineer prepare the grading plan. However, if the applicant chooses to have the grading performed as engineered grading, or the Building Official determines that special conditions or unusual hazards exist, grading shall conform to the requirements for engineered grading.

#### **What if I didn't submit all of the required information?**

The County conducts two application checks to ensure that applications are complete before staff begins their development review process. Prior to accepting your application, the Customer Service staff will conduct a "**Counter Complete**" review of your submittal package.

This initial review ensures that all items listed within the submittal requirements have been submitted before accepting your application (see attached submittal list). These include:

1. Application Form
2. Application Fee
3. Narrative
4. Proposed Grading Site Plan
5. Construction Stormwater Pollution Prevention Documentation  
(as specified by Minimum Requirement #2)
6. Copies of Easements or Rights-of-Way Agreements
7. Submittal Copies
8. Final Stormwater Plan per Chapter 3 of Clark County Stormwater Manual  
(if Minimum Requirement #1 applies to project)

Once your application is accepted, copies of your submittal package are routed to the various review staff. Staff conducts a second completeness check, known as the “**Fully Complete**” review. This more detailed review ensures that **all items with a box to the left**, listed under the numbered headings of the attached submittal requirements on Page 7, have been submitted.

If the required items are missing from your submittal, you will be contacted by phone or e-mail and notified of the missing items. If you have not submitted the requested information within 30 days of this written request, staff will return your application and refund the application fee, less the processing costs incurred to date.

#### **After the Grading Permit is issued, what is next?**

The next step is to notify your assigned inspector, no less than two (2) business days prior to the start of any element of on-site or off-site construction work or inspection requests.

Once the Inspection staff is notified that work is starting, all necessary erosion and sediment control facilities must be installed and inspected. No grading shall begin until the erosion control facilities are approved.

Note: Prior to starting work within the County-owned right-of-way, a traffic control plan must be submitted and approved by the County Public Works Transportation System Section, 1300 Franklin Street. The plan must conform to the standards established in the latest edition of the Manual on Uniform Traffic Control Devices (MUTCD).

**After grading work has begun, what are some other issues that need to be addressed?**

The applicant's engineer and/or surveyor are responsible to ensure field staking accurately reflects the work to be accomplished and is consistent with the approved plans.

During construction, the applicant and their agents are responsible for compliance with all Clark County ordinances relating to noise, erosion control and proper disposal of construction debris.

The Engineering Services Section must submit revisions to approved grading plans, other than minor field changes approved by the Inspector, to the Planning Counter for review and approval. Any plan revision must be approved before fieldwork on the revisions begins.

Any grading not shown on the approved grading plans **is not** approved and shall not commence without prior approval.

Costs for inspection outside of normal working hours and for re-inspection are in addition to regular inspection services. Fees for these are charged to the project contractor on a cost recovery basis.

**Note:**

This handout is not a substitute for county code. For more detailed information, please refer to the International Building Code (IBC) and / or International Residential Code (IRC) and Clark County Code 40.380 Stormwater and Erosion Control.



## ENGINEERING SERVICES GRADING APPLICATION REVIEW SUBMITTAL REQUIREMENTS

The following checklist identifies information to be included with the application. All submittals that are determined ***not*** "Counter Complete" will be ***returned*** to the applicant for correction and resubmittal. Submittals determined to be "Counter Complete" will be routed to Engineering Services for review.

<b>GRADING PERMIT SUBMITTAL REQUIREMENTS</b>
<input type="checkbox"/> Application Fee
<input type="checkbox"/> Application Form
<input type="checkbox"/> Narrative: Described the existing conditions and proposal in detail. Must identify the total cubic yards of cuts and fills, location of cuts and fills, and any cuts and fills required offsite for the project.
<input type="checkbox"/> Plan Set Copies - Four (4) copies Plans, including but not limited to:
<input type="checkbox"/> Cover Sheet
<input type="checkbox"/> Existing Conditions
<input type="checkbox"/> Entire legal lot included, drawn to scale, showing north arrow, property lines, easements, cuts and fills , footprint of existing structures, abutting streets (name, centerline, curb & sidewalk), driveway locations, and utilities
<input type="checkbox"/> Topography with existing and planned drainage features and structures
<input type="checkbox"/> Location of any existing environmentally sensitive areas on the site, as indicated in the GIS materials
<input type="checkbox"/> Existing surfacing and features on all portions of the site, such as asphalt, landscaping, lawn, gravel, stormwater swale, etc.
<input type="checkbox"/> Existing and proposed drainage conditions/facilities
<input type="checkbox"/> Proposed finished grades and limits of grading
<input type="checkbox"/> Construction Stormwater Pollution Prevention Documentation (as specified by Minimum Requirement #2)
<input type="checkbox"/> Copy of Easements or Right of Way Agreements
<input type="checkbox"/> State Environmental Review
<input type="checkbox"/> Final Stormwater Plan per Chapter 3 of Clark County Stormwater Manual (only required if Minimum Requirement #1 applies to project)



If the erosion control measures detailed on the approved plans are not complied with, any permits issued will be revoked.

If the erosion control measures as approved are not adequate, additional plans and controls will be required. In addition, a stop work order may be issued.

I understand that this permit is not valid until all fees are paid.

If the permit expires prior to completion of proposed grading activities, a new application and fees will be required. Permits may be extended prior to expiration of the initial term with payment of applicable fees.

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Authorized Signature

Date

**Fees must be paid prior to application processing.**