



LAND DISTURBANCE & GRADING HANDOUT

City of Ferndale Community Development Department
2095 Main Street/ PO Box 936
Ferndale, WA 98248
www.cityofferndale.org

PURPOSE: A land disturbance permit is required for land clearing, grading, or filling activities that are not exempt under Section 1302 of the City of Ferndale Development Standards. This includes land disturbance activities on all public or private property within the City of Ferndale. Please familiarize yourself with the City of Ferndale Development Standards, Chapter 13, before commencing your project.

The intent of the land disturbance permit process is to prevent alteration of natural drainage features, as well as protecting wetlands, streams and other critical areas. Please familiarize yourself with the City of Ferndale Critical Area Ordinance, Chapter 16.08 of the Ferndale Municipal Code.

Generally speaking, the majority of Land Disturbance activities will be associated with a new or existing development project. In those situations where there is no associated development, the applicant may be asked to justify the need for the Land Disturbance activity.

All land disturbance activities require temporary erosion and sedimentation control during the construction process to protect these sensitive areas.

Before you Start

Prior to submitting a Land Disturbance Permit application, you should discuss your plans with staff in the Community Development and Public Works Departments to obtain relevant information that will inform you of the requirements needed in completing this application. You should also inquire at this time about any special development regulations or other special considerations that may apply specifically to your site. Additional information, plans, or studies may be required at the time that the Land Disturbance Permit application is under review at the City. To ensure availability by Community Development and/or Public Works staff, please call ahead to schedule an appointment.

Public Notice Thresholds

Any landfill or excavation of (1000) cubic yards throughout the total lifetime of the fill or excavation requires a SEPA threshold determination and public notice (WAC 197-11-800).

Permit Application Process

1. Applicant must provide information as set forth in Section 1303 of the City of Ferndale Development Standards and submittal requirements as indicated on the Permit Application.
2. Provide SEPA and Land Disturbance Public Notice, if necessary. Timely appeals shall be heard by the Ferndale Hearing Examiner at a public hearing.
3. Staff review of application materials. This review may require the submittal of additional information and/or review by other agencies and third party consultants.
4. The permit may be simply issued, issued with conditions, or a denial will be issued. If permit is issued with conditions of approval, those conditions must be strictly followed for the permit to stay active.



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5. Prior to issuance, the applicant may be required to post a performance bond or assignment of savings.
6. Prior to any grading or filling work, a preconstruction conference with the Public Works Department may be required by the Public Works Inspector.

Preparing your Application

All application forms must be filled out completely and neatly in blue or black ink, or electronically, where available. Pencil may not be used. All forms are legal documents and must be signed, including the application form. All copies must be made BEFORE the time of appointment, including any copies you wish to retain for your files.

Submitting your Application

To submit an application to the City, ***you must schedule an appointment with the Planning Coordinator.*** Do not call for an appointment unless you have all application materials complete and ready. Staff will collect the appropriate fee for review of the Land Disturbance Application at time of submission. (See current fee schedule)

City Review of your Plans

It is common during the Plan Review process for City staff to contact the applicant and/or professionals that prepared the plans/studies on behalf of the applicant to gather additional information. Permit applications pending required information from the applicant will be placed on hold until such time that additional information is provided to the City. **See the attached Plan Completeness Checklist and Plan Checklist.**

Critical Areas Review

Some Land Disturbance Applications may require a Critical Areas Review both on-site and on adjacent properties. Please contact the Community Development Department before completing your application to determine if there are any critical areas believed to be on or near the project site. If the City determines a critical areas review is necessary, additional studies and documentation will be necessary.

Temporary Erosion and Sedimentation Control Plans (TESC)/ Construction Stormwater Pollution Prevention Plans (SWPPP)

All projects must address the applicable minimum requirements per the current Department of Ecology Stormwater Management Manual for Western Washington (FMC 13.34.030).

Bonds and Securities

A performance bond or approved security, such as an Assignment of Savings, is required for cost of the land disturbance repair and stabilization per Section 504 of the City of Ferndale Development Standards. In general, a performance bond is required if 500 cubic yards of fill are moved and the land disturbance application is not submitted in conjunction with an application for subdivision. Amounts are typically 150% of project costs, based on Engineer estimates.



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Issuing your Permit

When the Plan Review is complete by all divisions of the Department, and your plans are approved by the Public Works Director, you will be contacted and a Pre-Construction meeting may be scheduled. The purpose of the meeting is to open communications between the applicant, engineer and contractors in order to ensure all parties are familiar with the Approved Plan Set, WSDOT Standards, the City of Ferndale Development Standards and all other regulatory agencies. Once all the required fees, permits and authorizations are approved and accepted, a Land Disturbance Permit and your Notice to Proceed will be issued. This permit becomes null and void if work or construction authorized does not commence within 180 days, or if construction or work is suspended or abandoned for a period of 180 days.

Inspecting your Project

The applicant is responsible for scheduling inspections, with the Public Works Inspector, as required at each phase of construction. All aspects of your project in the current and/or future City right-of-way and all publicly maintained utilities shall be inspected for compliance with the City of Ferndale Development Standards, WSDOT Standards and the Approved Plans. If any portion is backfilled before inspection, the Contractor shall dig up that portion for inspection at the contractor's expense.



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Basic Plan Checklist – Please refer to City Development Standards for Specific Requirements

To be reviewed for completeness by Applicant

- Erosion Control Plan must be submitted on all site work requiring a Land Disturbance Permit
- 2 Sets of Stormwater reports
- 2 Sets of Plans on reproducible 24 x 36, each Sheet Stamped by licensed engineer

COVER SHEET

- Sheet Index
- Vicinity Map to an appropriate scale that shows major cross streets on cover sheet
- Legend (APWA Standard Symbols or approved alternatives)
- North Arrow on all sheets as needed
- Scale Bar
- Scale for sites shall be 1 inch = 20 feet minimum, unless otherwise approved by the City of Ferndale.
- Current City of Ferndale datum – bench mark number elevation (MSL) and location
- Title Block:
 - Title of Project
 - Date
 - Design by:
 - Drawn by:
 - Checked by:
 - Signature Approval Block
 - Sheet Number of total sheets (e.g., 2 of 5)
 - 2" High X 2-3/4" Wide block left blank for City approval stamp
 - Engineer's / Land Surveyor's stamp signed and dated
- "Call Before You Dig" note

EXISTING CONDITIONS MAP:

- Engineer's / Land Surveyor's stamp signed and dated
- Site located in Washington State Plane coordinates, tied to Ferndale monumentation network
- Bearing and distances shown to Section Corner (1/4 corner acceptable)
- Location of property boundaries showing bearing and distances on all property lines
- Section, Township, Range, and breakdown to boundaries and subdivisions

SHEETS TO INCLUDE IN CIVIL DRAWINGS:

- Project Overview Map
- Site Erosion Sedimentation and Stormwater Control Plan
- Composite Utility Plan
- Storm Drainage Improvements Plan
- Road Improvements Plan
- Water Distribution System
- Site Sanitary Sewer Improvements
- Detail Sheet(s)
- General Notes Sheet