



**BUILDING CODE MANUAL
COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
BUILDING AND SAFETY DIVISION
Based on the 2011 LACBC**

**#136
J103.2
Article 1
10-19-11
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CEMETERY GRADING PLAN REVIEW AND PERMIT PROTOCOL

I. BACKGROUND

Item 3 of Section J103.2 exempts cemetery grading to "Cemetery graves" only. The following protocol has been developed to assist county staff and grading permit applicants to better understand plan processing and permitting requirements related to cemetery grading. Cemeteries and their long term care are also governed by Division 8, Parts 1 through 4, Section 8100, et seq. of the California Health and Safety Code, and for mausoleums and columbaria are governed by the Health and Safety Code starting from Section 9501.

II. CHANGES TO THIS PROTOCOL

This Protocol has been developed in cooperation with the interment industry. This protocol shall be modified only by mutual agreement between the Building Official and interment industry representatives, or pursuant to the following procedure:

1. The proposed modification shall be sent to representative of the interment industry for review and comment.
2. Interment industry representatives shall have a reasonable time in which to submit to the Building Official comments regarding the proposed modifications.
3. If requested by any interment industry representatives, the Building Official shall conduct a meeting to discuss the comments received.
4. Any modification that is adopted without the mutual consent of the interment industry representatives and the Building Official may be appealed by the interment industry representatives to the Building Board of Appeals.
5. The interment industry may appeal any decision by the Building Board of Appeals to the Los Angeles County Board of Supervisors.

III. DEFINITIONS

Except as otherwise provided for in this protocol, definitions shall be as provided for in the Los Angeles County Code.

CEMETERY means either a parcel or parcels governed by a Cemetery Permit, or property located within the developed boundaries of cemeteries legally established pursuant to

Section 22.56.560 of Title 22 of the Los Angeles County Code. Any reference to cemetery property shall have the same meaning.

CEMETERY GRAVES means individual or multiple interment sites, interment areas or interment lawns, including the placement of individual or multiple underground crypts or burial vaults, or pre-set vaults.

COMPLIANCE REVIEW means review of 40 scale grading plans for a specific phase of development authorized under the Master Cemetery Grading Permit to assure compliance with the requirements of that Permit.

CONSULTANT'S STATEMENT means a statement by the consulting civil engineer and/ or soils engineer of record that to the best of his knowledge the work within his area of responsibility was done in accordance with the applicable building code standards at the time the work was performed.

DEVELOPED AREA means any finish graded or certified rough graded area within the boundaries of cemeteries legally established pursuant to Section 22.56.560 of Title 22 of the Los Angeles County Code. Grading work in these areas completed prior to November 1, 2002, shall not be considered to be "unpermitted grading," and no retroactive grading permit or approval will be required.

INSPECTION FEE means a fee paid upon the completion of a Compliance Review for project inspection purposes.

INTERMENT AREA means any area or site within a cemetery property where individual or multiple interment sites are located, or are to be located, including the placement of burial urns. Any reference to interment sites or interment lawns, or placement sites, areas or lawns shall have the same meaning.

INTERMENT INDUSTRY or **INTERMENT INDUSTRY REPRESENTATIVES** when used in this protocol shall mean cemetery or interment industry owners/operators, or their representatives, with cemeteries located within an area of Los Angeles County regulated by the Los Angeles County Building Code. As to the notice and other requirements related to the process of changing this protocol, at a minimum, representatives from Forest Lawn Memorial – Park Association, Rose Hills Company and Catholic Cemeteries shall be contacted at the following addresses:

Forest Lawn Memorial – Park Association
1712 South Glendale Avenue
Glendale, CA 91205
Attention: General Counsel

Rose Hills Company
3888 South Workman Mill Road
Whittier, CA 90601
Attention: Director of Property Management

Catholic Cemeteries
Archdioceses of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241
Attention: Director of Cemeteries

ISOLATED SELF CONTAINED AREAS means either graded or ungraded areas located within a cemetery that, as determined by the Building Official, can be graded without adverse offsite effects related to drainage/storm water control and slope stability.

MASTER CEMETERY GRADING PERMIT means a permit which governs all nonexempt grading and excavation activities to be undertaken within a cemetery.

MASTER LANDSCAPE PERMIT means a permit which, pursuant to Chapter 71 of the Los Angeles County Building Code, governs all landscaping and irrigation activities within a cemetery.

PLACEMENT means the placing of a container holding cremated remains in a crypt, vault, or niche.

PRE-SET VAULTS means individual or multiple burial vaults, or crypts that are installed at the time of, or subsequent to the development of an interment area.

IV. GRADING PERMIT EXEMPTION

The following work activities within cemeteries are considered exempt under Section J103.2, Item 3, and are clarifying language for the term "Cemetery Graves:"

- Excavation and grading associated with the creation and/or preparation of an interment area where the depth of the excavation is no more than 10 feet below finished grade and the designated interment area is located within the boundaries of a property governed by a Cemetery Permit, or within the developed boundaries of cemeteries legally established pursuant to Section 22.56.560 of Title 22 of the Los Angeles County Code. Such activities shall include but not necessarily be limited to the preparation, excavation, removal, disposal, fill, staging/stockpiling, placement or deposit of any earth or other materials from individual or multiple interment sites, including the digging and backfilling of individual graves, and the placement of individual or multiple underground crypts or poured in place or pre-set burial vaults as well as any appurtenant landscaping and grounds maintenance resulting from such excavations. As per Section J103.2, Item 3, such activities shall be exempt from the Code's grading permit requirement so long as the existing drainage pattern is maintained, the maximum slope does not exceed 25% and the interment area is either a Developed Area, if the area was graded without a grading permit prior to November 1, 2002, or is consistent with an approved Master Cemetery Grading Plan for grading work occurring after November 1, 2002. Under these conditions, the volume of fill placed in an interment area shall not be limited if the maximum depth of fill is placed and properly compacted in lifts no deeper than one foot with slopes no steeper than three horizontal to one vertical.

- The permit exception provided for grading in “Isolated Self-Contained Areas,” as used in Section J103.2, item 1 of the Building Code, shall include, but not necessarily be limited to, either graded or ungraded areas located within cemetery property that, as determined by the Building Official can be graded without adverse offsite effects related to drainage/storm water control and slope stability.
- Areas graded prior to November 1, 2002 and located more than 100 feet from the boundary of the property shall be considered exempt from the current code provisions.
- Areas partially graded without a grading permit prior to November 1, 2002, which are located within 100 feet of the boundary of the property, shall be inspected to determine if “rough grade,” as defined by the Los Angeles County Building Code, has been established to the satisfaction of the Building Official. Following submittal of a Consultant’s Statement regarding the “rough-grading” as prepared by a registered soils engineer, the Building Official will provide written certification of rough grading, stating that final inspection has occurred. Certified rough graded areas shall be considered Developed Areas under this protocol, and are exempt under Section J103.2, Item 3. Such Developed Areas shall not be considered to be “unpermitted grading” and no retroactive grading permit or approval will be required. A grading permit will not be required for the routine finish grading and/or grading for landscaping purposes of any Developed Area.
- Finished graded areas completed prior to November 1, 2002, and located within a property governed by a Cemetery Permit as approved by the County, or within cemeteries legally established pursuant to Section 22.56.560 of Title 22 of the Los Angeles County Code, shall be considered Developed Areas under this Protocol, and are exempt under Section J103.2, Item 3. Such Developed Areas shall not be considered to be “unpermitted grading” and no retroactive grading permit or approval will be required.
- At the request of the applicant, County staff shall provide site inspections of cemetery property to determine exempt areas and activities under this protocol and Section J103.2 of the Building Code (Exempted work).
- A grading permit is not required for the staging or stockpiling of any earth or other material removed from individual or multiple interment sites, including individual or multiple underground crypts or burial vaults within a property which is dedicated or used for cemetery purposes, so long as such staged or stockpiled material does not exceed 15 feet in height. Side slopes shall not exceed 2:1, and such staged or stockpiled material is to be located in an area not generally accessible to the public.

V. MASTER CEMETERY GRADING PERMIT PROVISIONS:

A cemetery operator may apply for a Master Cemetery Grading Permit and a Master Landscape Permit for a parcel or parcels governed by a Cemetery Permit as approved by

the County, or within the boundaries of cemeteries legally established pursuant to Section 22.56.560 of Title 22 of the Los Angeles County Code.

GENERAL REQUIREMENTS

The cemetery operator shall submit to the Building Official a master cemetery grading plan showing all planned cemetery grading at the site. The master cemetery grading plan shall be prepared to a scale of 1" = 200' or larger, and will consist of a plan showing existing topography, property lines and easements, finish grades, land uses, the proposed locations of building and structures and the location of Developed Areas as defined by this Protocol. Should a cemetery operator choose not to secure a Master Cemetery Permit, the operator may submit a separate exhibit identifying and locating Developed Areas as defined by this Protocol. For the purpose of the Master Landscape Permit, the plan shall include a note that all landscape and irrigation work undertaken within the cemetery shall comply with the requirements of the Water Conservation in Landscaping Act – Title 7, Division 1, Chapter 3, Article 10.8, Section 65591 et seq. of the California Government Code. And, where a cemetery is subject to such a permit, a copy of the project's Cemetery Permit, as approved by the County Department of Regional Planning, including any conditions of approval and associated exhibits shall be attached to any application for a Master Cemetery Grading Permit.

It is understood that the proposed locations of buildings and structures as provided for on the master grading plan will be conceptual in nature and that the precise location of such improvements will be provided for on Compliance Review plans, or on building permit plans submitted for the individual improvements.

Following a determination by the building Official regarding the location of an Isolated Self Contained area, as provided for in the Building Code and this Protocol, the master grading plan may be amended to identify and show the location of the Isolated Self Contained Area. (Should a cemetery operator choose not to secure a Master Cemetery Grading Permit, the operator may submit a separate exhibit identifying and locating the Isolated Self Contained Area.)

A tracking system shall be established and displayed on the Master Cemetery Grading Plan at the time of the original Master Cemetery Grading Permit application which indicates probable phases of proposed development.

DRAINAGE REQUIREMENTS

The master grading plan will include a drainage concept depicting both pre- and post-development hydrology/drainage, as well as identifying pre- and post- development drainage boundaries, and will also include existing and proposed drainage structures and devices. Verification that any proposed improvements would meet the County's Capital Flood Protection Policy is also to be provided. Should permanent or interim alterations to existing drainage conditions require onsite detention, the volume of the required detention will be identified and the location of the proposed detention basin identified.

GEOLOGY AND SOILS REQUIREMENTS

The master grading plan submittal shall include a preliminary geotechnical/geological report, based on a review of historical and published data, and a visual inspection of the site. The County is to make available any geotechnical/geological reports or other information that may be located in its files.

PERMIT ISSUANCE

The Building Official will review and approve the Master Cemetery Grading Permit application and the Master Landscape Permit application under this protocol and as governed by the objective engineering and other standards established herein and in the County Building Code. Upon approval, the Building Official will issue the cemetery operator a Master Cemetery Grading Permit and a Master Landscape permit. When the Building Official issues the Master Cemetery Grading permit, the Building Official will stamp the plans "approved." In consideration of the continual nature of the grading and operational activities on cemetery property, the Master Cemetery Grading and Master Landscape/Irrigation permits, as issued by the Building official, do not expire and will remain in effect so long as the grading and landscaping/irrigation activities authorized under the permits are undertaken in accordance with the approved plans, specifications, and inspections requirement as per the County Code.

BOND REQUIREMENTS

In consideration of the State of California's provisions for private cemetery operators to provide an endowment for the ongoing maintenance and care of cemeteries, no grading bond or other form of surety will be required by the Department of Public Works for any Cemetery Grading undertaken pursuant to this Protocol, including that governed by the Master Cemetery Grading Permit.

REVISIONS

A cemetery operator may submit to the Building Official changes to the Master Cemetery Grading Plan for review and approval, as per the process and protocol provided for herein. The original approved Master Cemetery Grading Permit issued by the Building Official will allow for subsequent approved changes to the Master Cemetery Grading Plan, and the original Master Cemetery Grading Permit will remain in effect so long as grading activities are undertaken in accordance with the approved plans and specifications and any approved changes.

COMPLIANCE REVIEW

The cemetery operator will notify the Building Official prior to commencing any work authorized by the Master Cemetery Grading Permit and, for the purposes of a Compliance Review, will provide to the Building Official detailed plans, as prepared by a registered civil engineer, and drawn to a scale of 1" = 40' or larger, of the specific area where authorized grading activities are to take place. The submittal of the Compliance Review plan will include a geotechnical and geologic report based on site specific subsurface exploration. The cemetery operator will provide for inspection of the grading work by a registered soils engineer or geologist, if required by the Building Official.

FEES

Fees for the plan check of a Master Cemetery Grading Permit application shall be based on an hourly rate equivalent to the base rate of an Associate Civil Engineer multiplied by the actual number of hours expended. The permit fee shall be a one-time fee, equivalent to 20 % of the total hourly plan check fee. The permit fee shall provide for the periodic inspections of the authorized work as called for in Section 106 of the Los Angeles County Building Code throughout the life of the permit.

Fees for the review and subsequent inspection of Compliance Review plans and soils and geology reports for work authorized by the Master Cemetery Grading Permit will be based on the fee schedule for grading plan check and permits located in Section 107 of the Los Angeles County Building Code. These fees shall be collected as supplemental plan check and inspection fees to the Master Grading Permit. Upon receipt of compliance review applications the following description shall be used in the field entitled work description: "Compliance review for Master Cemetery Grading Permit number GRxxxxxxx. Phase xx".

VI. GRADING PLAN REVIEW PROCESS

Cemetery grading projects submitted for a Master Cemetery Grading Permit, Compliance Review pursuant to a Master Cemetery Grading Permit or individual grading permit applications will be processed as follows:

Grading plans will be reviewed by appointment when requested by the cemetery operator or the operator's representative (same day turnaround time). Appointments shall be confirmed by County staff at the convenience of the applicant. Grading plan review corrections shall be provided in writing to the engineer of record for the project at these meetings. Cemetery grading projects may be scheduled for a pre review appointment in a preliminary stage of plan development if desired by the applicant. Rechecks of plans shall also be provided as stated above.

Applicants for permits may opt to submit standard plans for one-time plan review and approval of certain devices used in a repetitive manner such as stockpiles, erosion control, drainage devices, etc. These standard plans can be used without further plan reviews provided an inspection fee is paid prior to the inspection of the construction, and non-standard plans elements, if any, are processed for normal Compliance Review.

Geotechnical and geologic reports will be reviewed by Public Works Geotechnical and Materials Engineering Division only for cemetery property that cannot be graded without adverse effects on buildings and/or offsite public or private property.

REGIONAL PLANNING REQUIREMENTS

All cemeteries in Los Angeles County are governed by Title 22 of the L.A. County Code verification of zoning compliance in the form of a cemetery permit or a plot plan approval shall be submitted as part of any application for development within cemetery boundaries. Notwithstanding any other provision of the Los Angeles County Code, no Conditional Use Permit will be required by the County of Los Angeles for any grading projects proposed to

be located within the developed boundaries of a property governed by a Cemetery Permit as approved by the County, or within the developed boundaries of cemeteries legally established pursuant to Section 22.56.560 of Title 22 of the Los Angeles County Code, provided that all conditions of approval are satisfied.

VII. TECHNICAL STANDARDS

Except as otherwise provided for in this Protocol, grading and excavation activities on property governed by a Cemetery Permit, or within the developed boundaries of cemeteries legally established pursuant to Section 22.56.560 of Title 22 of the Los Angeles County Code shall conform to the technical building standards provided in the Los Angeles County Building Code.

COMPACTION OF FILLS

Manufactured fills on cemetery properties, including fills in interment areas shall be compacted in conformance with the County's standards as found in Section J107.5 of the Los Angeles County Building Code.

Exception: In interment areas where the maximum slope does not exceed 25 %, and where the existing drainage pattern in the interment area is maintained, there shall be no compaction requirements for fill placed within 10 feet of finished grade, nor, will the excavation or placement of this fill require a grading permit, or grading authorization pursuant to a Master Cemetery Grading Permit.

SETTLEMENT

Fills placed in interment areas, where such fill is not intended to support structures, shall be exempt from the County building standards for maximum settlement.

SLOPE STABILITY

All slopes located within cemetery properties shall be subject to the County's slope stability requirements, including a factor of safety of 1.50 for static conditions and 1.10 for seismic conditions. Slopes within a cemetery property that do not impact public right of way, adjacent properties, or structures may be designed to a lesser stability standard, subject to the Building Official's review and acceptance of an engineered post failure analysis, as prepared by a registered soils engineer, which is to be provided by the cemetery operator, and which report supports such lesser standard.

HYDROLOGY STANDARDS

Drainage systems shall be designed to provide protection in conformance with County Capital Flood Protection Policy. Permanent and interim drainage facilities located within cemetery properties may be designed to a lesser standard where no connection to public infrastructure or detrimental impacts to public safety, public right of way or adjacent property will be caused by the operation of said systems.

COUNTYWIDE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) COMPLIANCE

A Local Storm Water Pollution Prevention Plan (LSWPPP) and, where applicable, a Standard Urban Storm Management Plan (SUSMP) detailing all required Best Management Practices (BMP's) to prevent the discharge of development related pollutants from the site must be submitted as part of any Master Cemetery Grading Permit application, or Compliance Review submittal. In lieu of submitting a separate LSWPPP for each phase of development of a cemetery property a comprehensive LSWPPP may be submitted which details which details standard BMPs to be utilized during any construction project located within cemetery property.


Supersedes BCM 3306.2(3) Article 1 dated 11-01-02

WRITTEN BY: MARK PESTRELLA
Principal Engineer

REVIEWED BY: JIM GUSTIN
Supervising Bldg & Safety Specialist Engr.

RECOMMENDED BY:

APPROVED BY:


HASSAN ALAMEDDINE
Chief Engineer


RAJ PATEL
Superintendent of Building