Grading Ordinance Update

Erosion Control Short Course

April 23, 2012
Purpose

- Safeguard public health
- Minimize erosion and sedimentation
- Prevent loss of agricultural soils
- Protect stormwater
- Protect natural, scenic, and cultural resources

Note: Based on 1997 UBC, Appendix Chapter 33
Status

• Adopted in April 2010
• Effective as of May 13, 2010 (inland only)
• Coastal Commission action is pending
When is a Grading Pmt Required?

- **50 cubic yards** – cumulative cut plus fill
- **20 cubic yards** – cumulative for work in a watercourse
- **1 acre** – vegetation removal

- “bare soil” at any given time
Thresholds

• Cultivation activities are not counted towards grading volumes

Disking, raking, harrowing, raking or chiseling, planting, plowing, seeding, or other tilling are not considered “grading”
Thresholds

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This is Grading

CUT

FILL
Slope Limitation

• No grading on slopes in excess of 30 percent
• Otherwise, a Variance is needed
• Exception:
  • crop production, grazing, ag roads, ag structures
  • waiver by Planning Director
Exemptions

• Not much has changed

• Examples:
  • Basements (building permit)
  • Cemetery Plots
  • Refuse disposal
  • Revised ag exemptions

This is not an exhaustive list
Minimum Requirements

• Even exempt grading must:
  • *Use good practices*
  • *Not create a hazard*
  • *Not create drainage impacts*
  • *Prevent erosion, minimize sedimentation*
  • *Obtain state/federal permits*

*Otherwise, the grading is not exempt.*
DEPARTMENT OF PLANNING AND BUILDING

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Minimum Requirements
Agricultural Grading

• **Exempt** – go ahead and grade
• **Ag Grading** – fill out a form first
• **Alternative Review** – fill out a form, work with the RCD

*Otherwise, a grading permit is required*
Exempt

• Ongoing crop production and grazing
• Routine maintenance
• Water sources, water lines

*This is not an exhaustive list*
Agricultural Grading

Fill out a form

• Grading for new crop production, grazing (slopes ≤30%)
• Small reservoirs
• Import/export up to 2,000 cubic yards per year
Work with RCD

- Grading for crop production/grazing on slopes > 30 percent
- Agricultural roads*
- Ponds*
- Import/export > 2,000 cubic yards

* Requires Ag Commissioner review
Alternative Review

- Fill out the form
- County determines if you qualify
- Ag commissioner sign-off (roads and ponds)
- Review, approval, inspection by RCD.
Grading Permit Requirements

- Drainage Plan
- Erosion and Sedimentation Control Plan
- Stormwater Quality Plan
- Stormwater Pollution Prevention Plan
- Low Impact Development (LID)
Drainage Plan

- Most projects need one
- Meeting the exemption criteria is difficult
Erosion/Sedimentation Control Plan

- Required for all grading/construction projects
- Plan is required year-round
  - Though devices may not need to be in place during the dry season.
Stormwater Quality Plan

- “SWQP”
- Minor Projects – 1 page form
- Major Projects – a bit more in depth
• “SWPPP” – over 1 acre
• County now has authority to review, inspect, enforce
• SWPPP is filed electronically
• Must be filed by a professional
• “Rainfall erosivity” waiver now available for projects <5 acres
Low Impact Development

- “LID”
- Hydromodification control – interim measures, based on impervious surface
  - 2500 – 5000 sqft – 1 measure
  - 5000+ sqft – 2 measures
- SWQP “Major” – 2 measures, plus ordinance requirements
  (Section 22.10.155)
LID Measures

- Rain garden
- Vegetated swales
- Hollywood driveway
- Bio-retention system
- Infiltration planters
- Amend soils
- Down-spout disconnect
- Reduce roadway surface (where permitted)
- Porous paving systems
- Open-cell block pavers
- Open-joint block pavers
- Porous turf pavement
- Pavement disconnection
- Rain barrel
- Rain water harvesting
- Green roofs
- Stormwater ponds
- Wetland creation
- Other, as approved by this agency
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Low Impact Development
New Features

- Air Quality Measures
- Inspections
- Enforcement
- Special Circumstances
Air Quality Measures

- Required to include measures on the plans
- Dust control
- Import/export volumes
- Naturally occurring asbestos
- Hydrocarbon-contaminated soils
Inspections

• New rainy season inspection requirements

<table>
<thead>
<tr>
<th>Construction Site Priority</th>
<th>Low</th>
<th>Medium</th>
<th>High</th>
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<tbody>
<tr>
<td>Frequency of Inspection</td>
<td>Once or twice during the rainy season</td>
<td>Twice or more during the rainy season</td>
<td>Once per week</td>
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Enforcement

- **Civil enforcement** – penalty up to $25,000 per day
- **Denial of subsequent permits** – for up to 5 years
- Dissuade misuse of agricultural exemptions for “pre-development”
Special Circumstances

- Correction to hazardous condition
- Emergency permit
- Unpermitted grading procedures
- Denial, site restoration