



DEPARTMENT OF PLANNING AND BUILDING

Promoting the wise use of land Helping build great communities

Grading Ordinance Update



Erosion Control Short Course

April 23, 2012



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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



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Status

- **Adopted in April 2010**
- **Effective as of May 13, 2010 (inland only)**
- **Coastal Commission action is pending**



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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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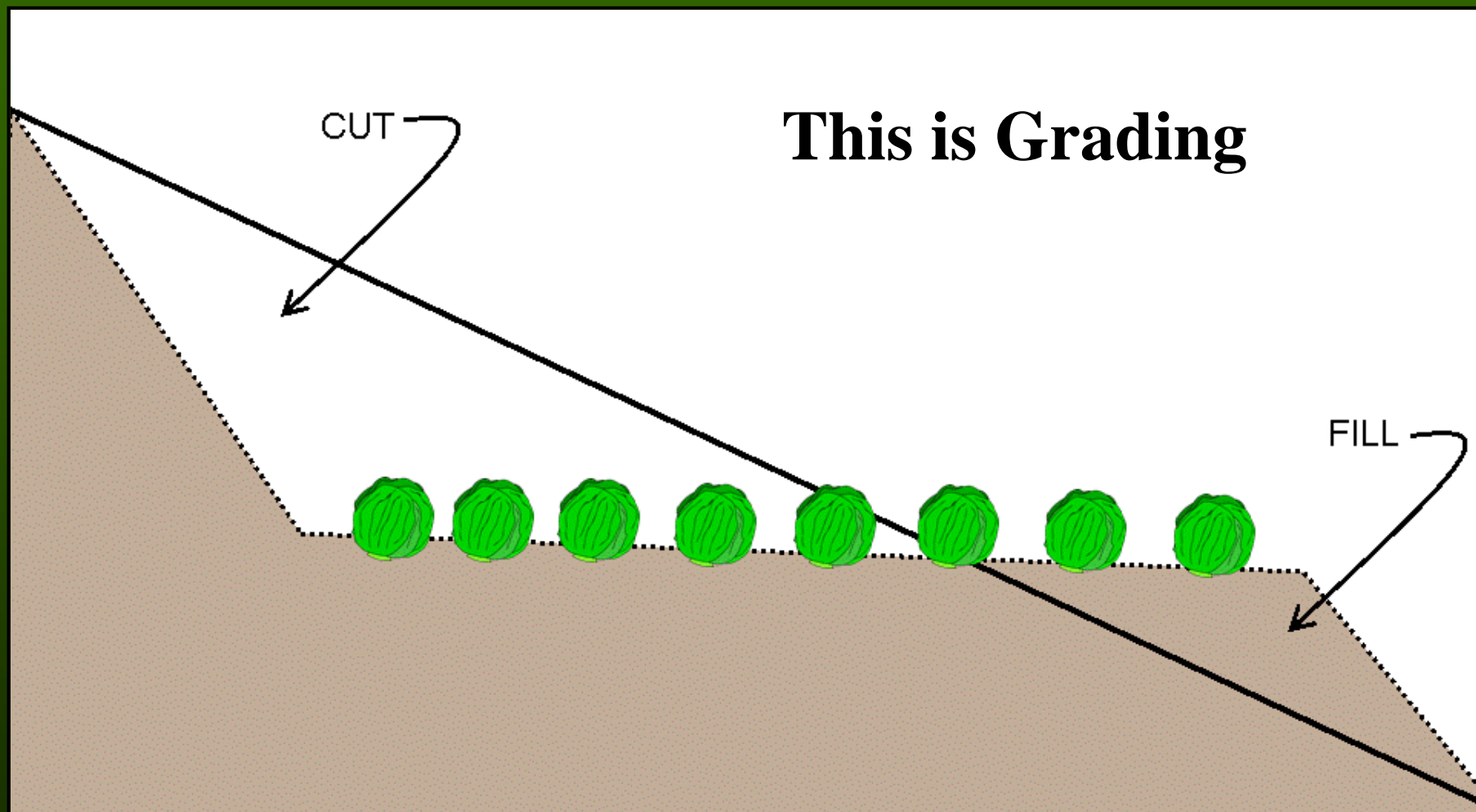
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Grading vs. Cultivation



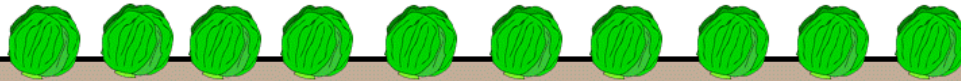


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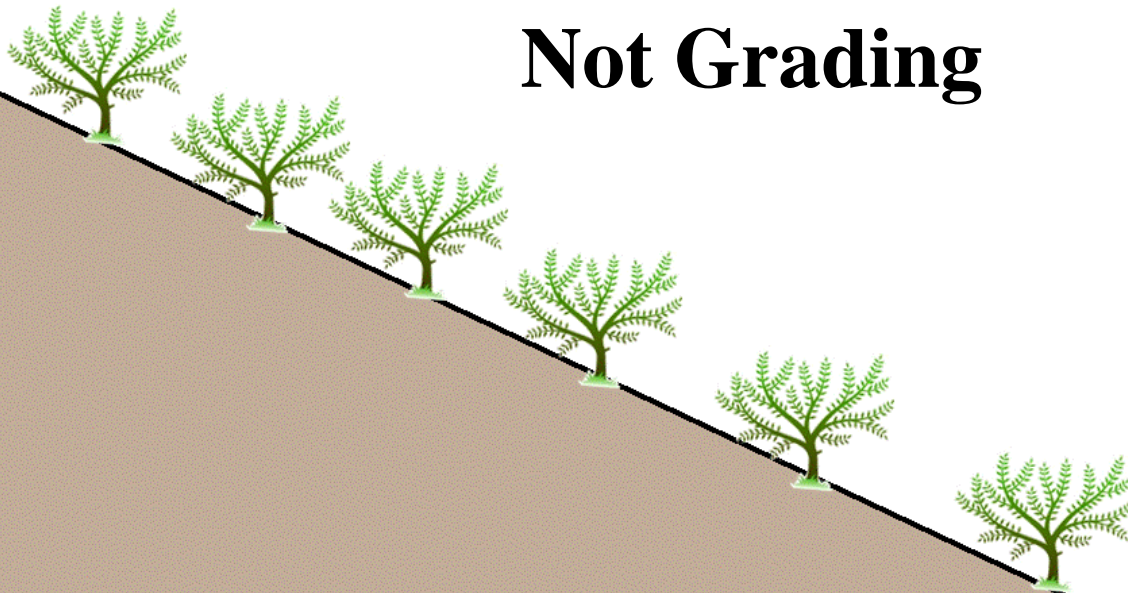
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Grading vs. Cultivation

Not Grading



Not Grading





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.







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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



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Exempt

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

This is not an exhaustive list



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Agricultural Grading

Fill out a form

- Grading for new crop production, grazing (slopes $\leq 30\%$)
- Small reservoirs
- Import/export up to 2,000 cubic yards per year



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Alternative Review

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



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Alternative Review

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



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Grading Permit Requirements

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



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Drainage Plan

- Most projects need one
- Meeting the exemption criteria is difficult



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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.*



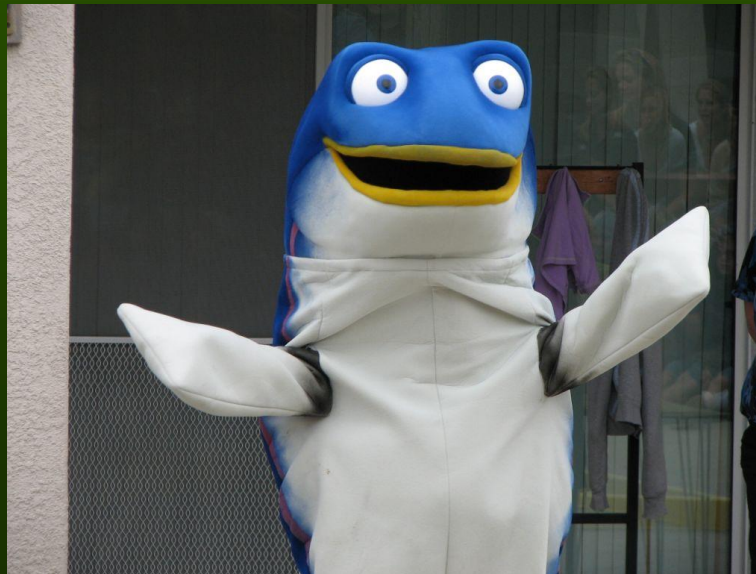


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Stormwater Quality Plan

- “SWQP”
- Minor Projects – 1 page form
- Major Projects – a bit more in depth





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Stormwater Pollution Prevention Plan

- **“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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New Features

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



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Air Quality Measures

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





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Inspections

- New rainy season inspection requirements



Construction Site Priority	Low	Medium	High
Frequency of Inspection	Once or twice during the rainy season	Twice or more during the rainy season	Once per week



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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”



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Special Circumstances

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