

BMP 5.1 Update Land Use Policies

Measurable Goal 5.1.1: *Update all policies, practices, and procedures applied to discretionary new and redevelopment projects to protect water quality consistent with the requirements of General Permit and Attachment 4(B) prior to SWMP implementation.*

Status: Complete and ongoing. See Annual Report Year 1 and SWMP for historical detail.

Comprehensive Planning. Updates of community plans provide opportunities to incorporate area-specific measures. During Year 3, several community plan updates were in progress or completed by the Planning & Development Department. These were the Santa Ynez Valley Community Plan, Mission Canyon Community Plan (Staff Report and Residential Design Guidelines), Los Alamos Community Plan (CEQA Initial Study), Summerland Community Plan (draft Residential and Commercial Design Guidelines) and the Gaviota Coast Planning Area. Information on these plans can be found on the County's website for Long Range Planning <http://longrange.sbcountyplanning.org>.

Update of Permit Tracking Procedures. During Year 3, Planning & Development completed the update of the permit tracking system, Accela. The new system went live in February 2009.

Flood Control District. During Year 2, revisions to the Flood Control Standard Conditions were made final. These are described in the Year 2 Annual Report.

Proposed Modifications: None.

Planned Year 4 Activities: Further revisions will be accomplished pursuant to BMP 5.7.

BMP 5.2 Implement Design Standards for Post-Construction BMPs Per NPDES General Permit Including Provisions of Attachment 4(B)

Measurable Goal 5.2.1: *Apply design standards to 100% of all applicable projects.*

Status: Complete and ongoing.

Case Intake and Development Review. All discretionary projects are reviewed and analyzed by P&D development review staff based upon the comprehensive plan policies, CEQA thresholds of significance, and standard conditions of approval, as described in the SWMP. Upon application receipt, intake planners must determine if the application is an NPDES Attachment 4(B)2 category project in type or scale, or if the parcel is in a creek or flood area overlay. If so, these cases are distributed to Public Works, Water Resources Division for additional review.

As described in the SWMP, it is the practice of P&D to review all discretionary projects and condition as appropriate for water quality design standards consistent with Attachment 4(B), except for design standards described in Attachment 4(B)(2a) and 4(B)(2i) which are instead reviewed/approved by the Public Works Department.

Water Board staff conducted a focused audit of the County's construction and post-construction Minimum Control Measures on January 27, 2009 in concurrence with the Year 2 Annual Report review. Regional Board staff was satisfied that the County is fulfilling the intent of design standards contained in Attachment 4 of the General Permit.

As noted by Regional Board staff (letter dated April 10, 2009), water quality controls are being integrated into the development projects early on in the planning phase through the County's Subdivision Review committee (SDRC), Standard Conditions of Project Plan Approval, and project conditional letters submitted by Public Works Water Resources Division (Flood Control and PCW). Of the cases forwarded to Water Resources Division for review and analysis, 10 were subject to the water quality treatment control design standards of Attachment 4.B.2i, and 5 were subject to the peak runoff design standards of Attachment 4.B.2a.

The following 5 cases were conditioned by Flood Control for peak runoff control in accordance with Attachment 4.B.2a:

1. Sweeney Canyon
2. State Street Hospitality
3. Cavaletto Tree Farm
4. ARC Vineyard
5. St. George MultiFamily

The following 10 cases were conditioned for treatment control BMPs in accordance with Attachment 4.B.2i:

1. Sweeney Canyon
2. State Street Hospitality
3. Cavaletto Tree Farm
4. ARC Vineyard
5. St. George MultiFamily
6. *Splash N Dash Carwash
7. *881 Embarcadero
8. *Gunner Commercial
9. *So. Cal Gas Storage Enhancement
10. *Caltrans High Occupancy Vehicle Lane

*Cases 6 through 10 do not increase peak runoff rates because they were redevelopment on existing impervious area, and are therefore not conditioned by Flood Control in accordance with Attachment 4.B.2a.

Plan Check. Once an application is submitted and deemed complete, the development review process begins. After a decision-maker approval, the plan check process begins for those

cases where the applicant is financially prepared to commit to the project. Due to the current budget, many projects are stalled after approval, pending better economic conditions.

During Year 3, 3 cases submitted Plan Check fees for review of plans under Public Works conditions for treatment control BMPs. The date in parentheses is the date when the condition letter was written.

1. Orcutt Union (Nov 2006)
2. Evergreen Shopping (May 2007)
3. Foxen Dore Winery (May 2007)

Three projects submitted Plan Check fees for review of plans with conditions set by P&D staff (not Public Works) prior to 2002:

1. St. Athanasius Church
2. Westmont College
3. Cate School

Of these, only Foxen Dore Winery and Westmont College actually started construction in Year 3 (see 5.4.1 below).

Proposed Modifications: Ongoing requirements will continue to be implemented; no changes to this BMP are recommended.

Planned Year 4 Activities: Ongoing requirements will continue to be implemented.

BMP 5.3 Evaluate Program Efficacy

Measurable Goal 5.3.1: *Compare existing policies, procedures, and standard conditions to the General Permit Attachment (4) requirements (Year 1)*

Status: Complete. This measurable goal was accomplished through a consultant evaluation of the County's approach. See discussion Year 1 Report.

Proposed Modifications: None.

Planned Year 4 Activities: Measurable Goal is completed; no further activities proposed except through ongoing evaluation of effectiveness as described below.

5.3.2 Measurable Goal: *If it is determined that changes need to be made to better comply with those requirements, then the relevant policy, procedures, or standard conditions will be developed or modified so that they meet or exceed all of the requirements in the General Permit including Attachment 4(B) (Year 2).*

Status: Complete and ongoing. The evaluation report made a large number of recommendations. For a summary of these recommendations including areas of potential conflict, and how these were addressed and resolved, see Year 2 Annual Report.

During Year 3, Regional Board staff audited the County’s Storm Water Management Program with focus on the post-construction program. As stated in their April 10, 2009 letter to County of Santa Barbara, Water Board staff found “that water quality controls are being integrated into development review projects early on in the planning phase through the County’s Subdivision Review Committee (SDRC), Standard Condition of Project Plan Approvals, and project conditional letters submitted by Project Clean Water staff.” And that “County appears to be fulfilling the intent of the design standards contained in Attachment 4 of the General Permit.”

During Year 3, the Regional Board stated (April 10, 2009) that the County must develop and implement a hydromodification control criteria, and revise the SWMP to include a BMP to ensure development of hydromodification control criteria. See BMP 5.7 below.

Proposed Modifications: No modifications to this measurable goal are proposed.

Planned Year 4 Activities: Develop a hydromodification control plan; see BMP 5.7 below.

BMP 5.4 Discretionary Permit Review Process: Project Evaluations

Measurable Goal 5.4.1: *Annually evaluate 100% of all discretionary projects for compliance with water quality measures*

Status: Complete. All projects issued a discretionary permit (CUPs, DVPs, etc.) undergo regular inspection during construction to ensure compliance with permit conditions and mitigation measures. Construction practices must comply with all conditions of approval, the design must be consistent with final approved plans, construction must meet all codes and standards, and the final project must comply with any conditions of use or final design conditions such as landscaping. Site inspections for permit compliance are performed by the Development Review Division of Planning & Development Department. Inspections are tracked through the recently upgraded Accela permit tracking system.

Conditioning a project begins at the time the application is submitted. A lengthy process of development review and project adjustment ensues. This is followed by decision maker hearings where new requirements may be imposed. Once approved, the developer must then submit for building and grading permits. Many projects never make it this far, much less get constructed. Therefore, it takes many years between conditioning, plan checking, and construction of treatment control BMPs.

General Permit Section B.e.4 requires the County to “ensure adequate long-term operation and maintenance of BMPs”. To ensure operation and maintenance, all projects are required to enter into an approved maintenance agreement with the County to assure perpetual maintenance of treatment control facilities by the property owner. The maintenance agreement gives the County the ability to go onto private property to verify proper operations and perform maintenance, if necessary, at the property owner’s expense. Also, because

maintenance of the facility is also a condition of development, failure to maintain the facilities is a zoning violation.

All discretionary projects with post-construction mitigation measures to protect water quality are inspected during construction by Planning & Development staff. In addition, projects that have structural treatment control measures must be certified and stamped by the design engineer upon completion and prior to final Occupancy Clearance. All projects conditioned by Public Works staff under General Permit Attachment 4.B.2.i are tracked using an excel spreadsheet. The spreadsheet contains the following fields:

Post Construction Tracking									
Name									
Address									
Responsible Contact						Engineer			
Phone			office						
APN									
Permit No.									
Recorded Agmt									
Treatment Feature(s)									
-									
-		Date		Comments					
Inspections									

The following lists those projects tracked during Year 3 and their status:

Project	Area	Status
Better Cooling	Santa Maria	Inspected. Complete.
Thacker Veterinary Clubhouse	Vandenburg Village	Inspected. Complete.
Foxen Dore Winery	Vandenburg Village	Construction on hold.
Westmont College	Santa Maria	Inspected; in progress.
	Montecito	Inspected; in progress.

Proposed Modifications: Ongoing evaluation of treatment control measures will continue; no changes are recommended.

Planned Year 4 Activities: Continued inspections to verify compliance with measures as projects are constructed. Continue tracking all conditioned projects.

Measurable Goal 5.4.2: *Take enforcement actions on all non-compliant conditioned projects.*

Status: No enforcement actions were taken in Year 3 because no violations were found.

Proposed Modifications: None.

Planned Year 4 Activities: No change in activities proposed.

BMP 5.5 Staff Training

Measurable Goal 5.5.1: *Existing staff attend annual training, 75% all planners Year 1.*

Status: Completed. See Year 1 Annual Report.

Proposed Modifications: NA.

Planned Year 4 Activities: Continue to provide training to all existing and new P&D staff. See MG 5.5.2.

Measurable Goal 5.5.2: *Train 100% of all planners annually by Year 2*

Status: On January 27, 2009, Water Board staff conducted an audit of the County’s construction and post-construction Minimum Control Measures, in concurrence with the Year 2 Annual Report review. Regional Board staff found that training of P&D development review staff regarding water quality requirements for new development and redevelopment appeared to be effective.

All P&D development review staff received training by PCW staff during Year 3. The training focused on intake and review procedures and authority of P&D through policy to implement the Attachment 4 requirements.

Table 5-3 Development Review Staff Training

Location	Date	Attended	Total staff	Percent trained	Meet Measurable Goal?
Santa Maria	6/8/09	11	11	100%	Yes
Santa Barbara	5/26/09	15	15	100%	Yes
Total		26	of 26		

Additional training opportunities that occurred in Year 3 are summarized below.

Table 5-4 Additional Staff Training Opportunities

Training Title	Sponsor	Date	Staff Participation	Number attending
LID one-day workshop	Low Impact Development Institute	March 24, 2009	Project Clean Water staff, Planning & Development, Development Review, Grading,	6
Hydromod Workshop	County of SB	January 15, 2009	Project Clean Water staff, manager, Dep Director, and various P&D staff	6
Planning Advisory Committee LID Training	PCW Staff	June 2, 2008	P&D staff, citizen's Planning Advisory Committee	11

The follow-up survey and results are shown in Appendix 5A. All attendees completed the survey. Results are compared to Year 2. Areas of common misunderstanding from last year were improved by less missed answers on those particular questions, however the overall score dropped somewhat because there were altogether more incorrect answers to other questions. In other words, different topics were answered incorrectly. Interestingly, there were no new staff during Year 3; all attendees received the same training in consecutive prior years. Since the survey was completed immediately following the training, one reason responders may have answered incorrectly in Year 3 where they answered correctly in Year 2 might be rushing to complete the survey and making mental errors. This issue was mentioned by one trainee while another expressed confusion over the meaning of the questions.

Proposed Modifications: Ongoing annual training for planners will continue; no modifications to measurable goal are recommended.

Planned Year 4 Activities: Continue to provide training to all existing and new planning staff using similar format and materials as Year 3. Explore alternative training tools such as videos. Since the survey showed a small decline in correct answers coming from the same individuals tested in prior years, a more intensive, one-hour presentation will be presented in Year 4. This will assure broad understanding and consistent application of policy, standards, and processes to implement Attachment 4. It will allow more time for discussion and clarification of the questions on the quiz. Also, any new County implementation policy concerning LID / hydromod per BMP 5.7 will be addressed, as appropriate.

Measurable Goal 5.5.3: *New staff: 100% attendance in annual training (Years 1-5)*

Status: There were no new staff in Year 3.

Proposed Modifications: Ongoing commitment will continue; no modifications are recommended.

Planned Year 4 Activities: Continue to provide training to all new P&D staff using similar format and materials as Year 3. Monitor training needs to determine whether additional, focused or revised training of P&D staff is necessary and explore the use of new training tools such as videos.

BMP 5.6 Incentive Program for Innovative Site Design

Measurable Goal 5.6.1: *Incentive programs evaluated during Year 3.*

Status: During Year 3, various incentive programs were considered by Public Works and P&D staff. The clearest incentive for low impact development is to reduce the amount of otherwise developable land necessary for detention basin sizing. This is because an integrated LID management approach addresses both the water quality and peak runoff requirements currently enforced by Public Works during project approval while meeting General Plan Land Use Element policy objectives of Hillside and Watershed Protection Policy #7.

The strongest program to incorporate *innovative* storm water ideas is the existing Innovative Building Review Program (IBRP), which is a free program that advises developers on how to make their developments more energy efficient. Currently, the IBRP is made up of local professionals including contractors, architects, engineers, energy consultants, and government officials who provide suggestions or recommendations that benefit the construction and operation of development based upon their knowledge and interest. Project proponents are encouraged to bring development to the advisory group early in the planning process.

During Year 3, the IBRP was considered as an incentive program for this measurable goal. In this case, a set of criteria, or menu of design approaches, would be established that protect water quality, promote infiltration of clean rainwater, and protect downstream resources from impacts of runoff due to development. The IBRP advisory group would then evaluate a development based upon these criteria, make recommendations to the project proponent for improvements, and evaluate potential incentives.

The IBRP provides a number of incentives to participants. One of the most well-liked incentives is an expedited review of a development's plan check through the Building & Safety Division. It is not certain whether the storm water criteria would be provided a similar expedited review, as it is not part of existing code review as it is for energy efficiency under Title 24 (California Energy Efficiency Standards). Another is a 50% reduction on the energy plan-check fee depending upon the criteria target level the development reaches. To reach a

criteria target level, the development must accomplish the criteria by a certain percentage. There is currently no similar plan-check fee for storm water, however the up-front effort by the applicant would likely result in reduced hourly costs incurred during plan check.

Target level criteria would need to be developed during Year 4. It would likely address the anticipated County requirements for Low Impact Development or hydromodification control as required by the Regional Board, during Year 4.

The IBRP meets twice per month in the Santa Barbara Planning and Development offices. One disadvantage to adding storm water participation to the IBRP process is the additional cost born by the County for staff time.

Other departments within the County have been researching energy efficiency and conservation opportunities within County operations and have been attempting to secure funding through the American Reinvestment and Recovery Act of 2009 for projects such as the expansion of the IBRP and/or a municipal financing district to fund energy saving retrofits in the residential and commercial sectors. Since a number of water quality measures and low impact development techniques have the added benefit of energy savings through water conservation, it may be possible for Project Clean Water to participate in future, yet to be developed County programs.

Other incentives that were considered but determined less likely to succeed include:

Table 5-5 Incentives

Incentive Program	Considerations
Density bonus	Set by zoning ordinance, would require County Board of Supervisors and California Coastal Commission certification in the Coastal Zone to revise.
Fast track review	There are no examples where fast-tracking is used effectively to promote innovate building design. Typically, non-traditional approaches require slightly more time for review due to assured consistency with code and policy.
Reduced fees	Currently, fees are based on hourly staff time spent in review and so reduction of fees is not possible.
Flexibility in bulk, scale, height	Set by zoning ordinance, would require County Board of Supervisors and California Coastal Commission certification in the Coastal Zone to revise.
Special review team / technical assistance such as IBRP discussed above	Similar program for advanced coordination with developer does not exist at planning permit process level, except as a pre-application meeting whereby staff time is compensated on hourly rate. Additionally, prioritizing one project

Incentive Program	Considerations
Establish storm water maintenance utility, provide discounts	over another would create service inequities that would be contrary to current service approaches at County, and would require Board direction to change permit processing priorities.
Storm water credit trading	Relatively high County costs to establish utility and voter approval which has low likelihood to succeed at this time.
Grants	Similar to above: program would have to be created – requires voter approval.
Property tax reduction	Variable, inconsistent, usually comes with strings that most developers would not find agreeable. Grants would be managed by County, requiring additional County staff time and budget.
Reduced parking requirements	Require County Board of Supervisors to revise, not likely to succeed.
Mitigation banking	Currently set by zoning ordinance, requires County Board of Supervisors and California Coastal Commission certification in the Coastal Zone to revise.
	Model and quantify the benefits to be "banked" and applied toward other constrained sites with desired redevelopment projects that meet other General Plan goals, such as higher density mixed-use project on a small highly urban lot that would be physically-challenged to meet significant hydromodification objectives.

Proposed Modifications: No modifications.

Planned Year 4 Activities: Continue to work toward integrating water quality criteria into the existing IBRP or to partner in a newly developed County incentive program focused on energy efficiency and sustainability.

Measurable Goal 5.6.2: *Establish annual award program (Year 4).*

Status: Not implemented in Year 3.

Proposed Modifications: None proposed.

Planned Year 4 Activities: Projects reviewed or built during Year 4 will be awarded based upon a review and assessment of the following: number of innovative measures in proportion to size and scale of development, ease of long-term inspection and maintenance, and point of completion. Examples of innovative measures (from Samamish County, Washington) that would be appropriate for evaluating projects include:

County of Santa Barbara

Storm Water Management Program – Year 3 Annual Report

- Use of bioretention areas
- Tree retention
- Flow dispersion
- Storm water infiltration
- Alternative surfacing methods
- Protected native growth areas
- Developing a site assessment with LID approaches upfront to mimic natural hydrologic conditions
- Revegetation of previously impacted open areas
- Preserve topsoil during clear and grading
- Limit disturbed areas to minimum necessary for construction
- Clustering (for residential lots in designated development area)
- Smaller lot sizes
- Allow for narrower lots
- Allow for taller structures
- Allow for smaller building setbacks
- Limit total impervious and effective impervious surface coverage
- Soil amendments
- Leverage natural site features that promote recharge of storm water
- Alternative conveyance design using natural, open channels designed to lengthen Tc and promote infiltration
- Incorporate decentralized storm water management strategies
- Vegetated roofs
- Rainwater harvesting
- Minimal excavation foundations
- Site design that directs runoff from impervious areas to vegetated areas, limiting directly-connected impervious areas
- Site certification check-backs from owner to County
- Any additional “Built Green” elements
- Provide numerous infiltration opportunities
- Alternative transportation design such as loop roadways, narrow connecting streets, increased connectivity while lowering the amount of impervious surface normally associated with development.
- Encourage buffers between incompatible types of development
- Use zero lot line setbacks
- Use cottage designs
- Shared driveways
- Provide access for pedestrians and bicycles
- Provide less on-street parking

BMP 5.7 Hydromodification Control Criteria

Measurable Goal 5.7.1: *Develop and implement hydromodification control criteria by end of Year 5.*

Status: New requirements for hydromodification control are under discussion, however it is anticipated that a regional collaborative effort to develop hydromodification control criteria within a two year period will be authorized, funded and underway within the next few months. The County is interested in participating in this collaborative effort and will make gradual and continual progress in preparing for eventual implementation of hydromodification control criteria. The criteria will take into account the ability to maximize infiltration of clean storm water, minimize runoff volume and rate, serve as a useful quantifiable measure of healthy watersheds, and be consistent with the intended goals of the Water Board, including, but not limited to, healthier and more sustainable watersheds by 2025.

Proposed Modifications: This is a new BMP and measurable goal added to our SWMP September 15, 2009.

Planned Year 4 Activities: The County will attempt to secure the funds necessary to participate in a regional collaborative effort to develop hydromodification criteria and will develop specific milestones to ensure continual progress toward implementation of hydromodification control criteria by the end of Year 5.

BMP 5.8 Staff Training in Hydromodification Control Criteria

Measurable Goal 5.8.1: *Provide hydromodification control training to P&D permit and review staff as part of annual storm water trainings by end of Year 5.*

Status: The development and implementation of new hydromodification control criteria over the next two years will create the need for additional training of P&D staff. Once the control criteria are developed, the annual training will be modified to address any and all new requirements and to condition projects appropriately. The additional training will occur prior to implementation of hydromodification control criteria by the end of Year 5.

Proposed Modifications: This is a new BMP and measurable goal added to our SWMP September 15, 2009.

Planned Year 4 Activities: The County will begin to develop any necessary new procedures for project review and staff training in hydromodification control concurrent with development of the criteria itself. P&D staff involved in project permitting will be encouraged to actively participate in development of hydromodification control criteria to

ensure that any new procedures related to pending hydromodification control requirements can be implemented by the end of Year 5.

BMP 5.9 Development Community Workshops

Measurable Goal 5.9.1: *Develop and hold County-sponsored training/workshops directed toward the development community on the water quality impacts of hydromodification and how to implement the County's pending numeric criteria for hydromodification control by the end of Year 5.*

Status: In Year 3 the County held a very well attended workshop on hydromodification control and pending regulations that was targeted toward the development community.

Proposed Modifications: This is a new BMP and measurable goal added to our SWMP September 15, 2009.

Planned Year 4 Activities: Additional informational and training workshops will be held concurrent with development of the criteria itself. The development community will be encouraged to actively participate in development of hydromodification control criteria in order to build their capacity to propose, design and construct projects which control hydromodification and to ensure that pending hydromodification control requirements can be implemented by the end of Year 5.