

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.

As a condition of participating in the Joint Effort, the County of Santa Barbara is committed to accomplishing certain milestones. The first is concerned with Low Impact Development. During Year 5, the land use permit application was revised and the County’s Guide to Low Impact Development was published. The permit application refers to the Guide, and sets minimum LID measures to be identified in project application submittals.

The development permit makes clear that certain discretionary projects subject to the Attachment 4 must include minimum LID measures for the application to be deemed complete.

See example permit: <http://sbcountyplanning.org/PDF/C/DVPSubReqAPP.pdf>

Proposed Modifications: None.

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 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.

MCM 5.0 Post-Construction Storm Water Management in New and Redevelopment

Of the new applications reviewed by Water Resources Division, 7 were subject to the water quality treatment control design and peak runoff design standards of Attachment 4.B.2.

Name	Case	Treatment	Peak Runoff
12CUP-00015	Montecito Fire Station	Yes	Yes
12DVP-00006	McDonalds Restaurant	Yes	Yes
12DVP-00010	Jones Development	Yes	Yes
12DVP-00014	The Golden Inn	Yes	Yes
13DVP-00001	Coastal Growers Evora II	Yes	Yes
13DVP-00002	Heritage II, Senior Apartments	Yes	Yes
13RVP-00009	Cate School Master Plan	Yes	Yes
Total		7	7

Plan Check/Final Clearance. Once an application is submitted and deemed complete, and after a decision-maker approval, the plan check process begins. This includes detailed review and approval of plans and calculations. A final maintenance agreement is approved and recorded with the County Clerk-Recorder, which defines the maintenance responsibilities of the property owner for the life of the project. The maintenance agreement is a long-term deed restriction that remains with the property in perpetuity. Prior to a final approval process, Occupancy Clearance, the applicant must provide an Engineer’s Certificate that verifies the treatment measures were installed as directed by the Engineers and approved by the County.

During Year 7, the following cases were processed for plan check of submittals under Public Works conditions for water quality treatment control BMPs.

Name (Location)	Case #	Date	Status
Cavaletto Housing “Tree Farm”	08DVP-00012	06/26/2013	Review in progress
Terrace Ranch	10DVP-00011	02/08/2013	Review in progress
Coastal Growers Evora II	13DVP-00001	2/13/2013	Review on hold pending land use clearance

Proposed Modifications: None, except for conformance with Permit Provision E.12 and Central Coast Water Board Post-Construction Requirements.

BMP 5.3 Evaluate Program Efficacy

Measurable Goal 5.3.1: *Compare the existing policies, procedures, and standard conditions to the Post-Construction Minimum Control Measure requirements and the specific requirements of the General Permit Attachment 4(B). (Year 1)*

Status: Complete. This measurable goal was accomplished through a consultant evaluation of the County’s approach. See discussion Year 1 Report. Although this Measurable Goal was written for the prior General Permit, County staff will compare new requirements to current policies, procedures, and standard conditions and revise, if necessary. For example, County Code Chapter 29, Article IV, will be revised to include reference to new technical guidance implementing the post-construction requirements mandated by the SWRCB and CCRWQCB.

Proposed Modifications: None.

5.3.2 Measurable Goal: *Develop or modify relevant policy, procedures, or standard conditions to meet or exceed all of the requirements in the General Permit including Attachment 4(B). (Year 2).*

Status: Complete and ongoing. Although this Measurable Goal was written for the prior General Permit, County staff will compare new requirements to current policies, procedures, and standard conditions and revise, if necessary. For example, County Code Chapter 29, Article IV, will be revised to include reference to new technical guidance implementing the post-construction requirements mandated by the SWRCB and CCRWQCB.

Proposed Modifications: None.

BMP 5.4 Discretionary Permit Review Process: Project Evaluations

Measurable Goal 5.4.1. *Evaluate 100% of all discretionary projects receiving approval for construction, implementation, and, as appropriate, proper functioning and maintenance of 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 the Planning & Development Department. Inspections are tracked through the 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 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. The following table lists those projects tracked during Year 7 and their status:

Name (Location)	Case #	Features	Status
Evergreen Shopping	07DVP-9	Bioswale and two drop inlet filters	Inspected; waiting completion Phase II for occupancy clearance
Gunner Commercial	08DVP-28	Pervious pavers	Inspected; pending engr’s certificate
Orcutt Union Plaza	06DVP-16	Parking bioretention	Inspected; pending engineer’s certificate.
Rice Cooler OSR	06DVP-09	Bioswale and detention	Inspected; in progress
Splash N Dash	07DVP-33	Bioswale	Inspected. In progress; pending engr’s certificate.
Chisan Nursery	07DVP-35	Bioswales and detention	Inspected; pending engr’s certificate
Main Street Farms	07DVP-36	Bioswales and detention	Inspection in progress
Plantel Nursery	08DVP-7	Detention	Inspection in progress
“St. George” Camino Del Sur	08DVP-40	Porous pavement retention, bioretention	Inspected; pending engr’s certificate
LaBarge Winery	10DVP-8	Bioswale, disconnected downspouts, detention	Inspected; pending engr’s certificate

Proposed Modifications: None.

Measurable Goal 5.4.2: *Take enforcement actions on 100% of all projects where there is non-compliance on conditioned projects with approved water quality design, operation and/or maintenance procedures (including a correction notice, Stop Work Order, collection of any bonds, and establishing a time frame for developer to take corrective steps to resume work)..*

Status: No enforcement actions were taken in Year 7 because no violations were found.

Proposed Modifications: None.

BMP 5.5 Staff Training

Measurable Goal 5.5.1: *75% attendance by P&D permit and review staff involved in design review at annual storm water trainings by Year 1.*

Status: Completed. See Year 1 Annual Report.

Proposed Modifications: NA.

Measurable Goal 5.5.2: *100% attendance by P&D permit and review staff involved in design review at annual storm water trainings or through videotape by Year 2*

Status: This measurable goal was modified in Year 5 to address training as-needed, such as new regulations implemented by P&D, or new planners. During Year 7, staff were informed of implementation schedule and process by P&D management. P&D management were kept informed through regular communication with Project Clean Water staff.

Proposed Modifications: Provide training to all existing and new planning staff consistent with staff's implementation role in applying the new Post Construction Requirements through the development review process.

Measurable Goal 5.5.3: *Achieve participation of 100% of all new planning staff in a County water quality training (in-house). (Years 1-5)*

Status: There was no new staff introduced in Year 7.

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

Measurable Goal 5.5.4: *Provide effectiveness assessment and follow-up to assure that planners understand County responsibilities and their role implementing this program.*

Status: Throughout Year 7, staff from Planning & Development (which is responsible for reviewing projects and applying conditions) and PCW (which is responsible for managing and reporting on the SWMP) maintained a close working relationship to implement the current LID and water quality treatment requirements. The effectiveness of communication and ability of P&D to effectively implement the permit requirements was verified by Water Board staff during the 2011 audit of the post construction program.

Proposed Modifications: This measurable goal was added in 2008; no modifications are proposed.

BMP 5.6 Incentive Program for Innovative Site Design

Measurable Goal 5.6.1: *Establish an incentive program for developers/contractors who implement good site design. Incentives could be in the form of reduced fees or fast-tracking through permit process. This would also apply to remodels or redevelopment that requires a discretionary permit (Year 3).*

Status: See discussion in Year 3 and 4 Annual Reports.

Proposed Modifications: No modifications.

Measurable Goal 5.6.2: *Establish an annual award program in following year for the most innovative project approved by County. This program would include projects nominated by the County as well as the public. The number of projects and types of innovations that are nominated each year will be tracked and reported to determine whether there is an overall increase in projects with innovative site design or overall improvement in the type of innovations (Year 4).*

Status: No qualifying projects were completed in Year 7 for award. Gunner Commercial development at E. Valley Road and San Ysidro will be a likely recipient upon completion of this project. See photo below.

Proposed Modifications: None proposed.



Gunner Commercial Redevelopment, San Ysidro at E. Valley Road in Montecito

BMP 5.7 Enforceable Mechanisms to Implement Hydromodification Controls and Low Impact Development (LID)

Measurable Goal 5.7.1: *Analyze all applicable codes, regulations, standards, and/or specifications and identify modifications and/or additions necessary to effectively implement hydromodification controls and LID. Q2*

Status: As a condition of participating in the regional joint effort to develop hydromodification controls, the County prepared a detailed Gap Analysis that analyzes all existing applicable codes, regulations, standards, and specifications that may need to be modified to effectively implement hydromodification controls and LID. It includes a table that identifies specific LID objectives; the relevant County code, policy or practice; whether each of these is supportive, neutral or hinders the LID objective; and recommended modifications. This Gap Analysis was submitted to Water Board staff 30 days following the end of Quarter 2 of the two-year joint effort calendar (ending March 31, 2011).

As discussed above under Measurable Goal 5.1.1 the County currently requires LID through the development review process. Enforceable mechanisms are already in place to require LID on discretionary projects and condition as appropriate for water quality design standards. These enforceable mechanisms include Comprehensive Plan policy, Board-approved

interpretation of that policy, CEQA thresholds of significance related to water quality impacts and standard conditions of approval. To make these requirements clearer to applicants and at the same time assure that LID is considered early in the design process, the Land Use Permit application addressing LID was revised. The revision makes clear that certain discretionary projects subject to Attachment 4 must include minimum LID measures for the application to be deemed complete. Modifications to effectively implement post construction requirements are in process.

Proposed Modifications: This measurable goal was completed in spring 2011.

Measurable Goal 5.7.2: *Approve new and/or modified enforceable mechanisms that effectively resolve regulatory conflicts and implement hydromodification controls and LID in new and redevelopment projects. Q8*

Status: There are no regulatory conflicts to implement the proposed post-construction requirements and therefore no proposed modifications to enforceable mechanisms during Year 7. The original intent of this Measurable Goal was to approve enforceable mechanisms to begin implementing the Post-Construction Requirements. However, the Post-Construction Requirements were not approved until after Year 7.

The County will assure that the necessary codes, regulations, standards, and/or specifications to effectively implement the adopted Post-Construction Requirements will be complete in time for implementation. The County expects to adopt an Ordinance in Year 8 that will reference the new Post-Construction Requirements with the County-adopted technical guidance.

Proposed Modifications: None.

Measureable Goal 5.7.3: *Apply new and/or modified enforceable mechanisms to all applicable new and redevelopment projects. Q9*

Status: The Post-Construction requirements were not adopted by the Water Board in Year 7, therefore not applied by the County. The County will begin applying enforceable mechanisms to applicable new and redevelopment projects on March 6, 2014, which is the schedule determined by the Water Board upon adoption of the Post-Construction Requirements.

Proposed Modifications: None.

BMP 5.8 Hydromodification Control Criteria and Applicability Thresholds

Measurable Goal 5.8.1: *Derive municipality-specific criteria for controlling hydromodification in new and redevelopment projects using Water Board-approved methodology developed through the Joint Effort. Q8*

Status: Hydromodification criteria were specified in the Post-Construction Requirements and will not be determined by the County. The County will implement the Post-Construction Requirements by applying the adopted criteria on Regulated Projects beginning March 6, 2014.

Proposed Modifications: None.

Measurable Goal 5.8.2: *Select applicability thresholds for applying hydromodification control criteria to new and redevelopment projects that are consistent with long-term watershed protection. Q8*

Status: Applicability thresholds were specified in the Post-Construction Requirements and will not be determined by the County. The County will implement the Post-Construction Requirements by applying the adopted criteria on Regulated Projects beginning March 6, 2014.

Proposed Modifications: None.

BMP 5.9 Implementation Strategy for LID and Hydromodification Control

Measurable Goal 5.9.1: *Develop, advertise and make available LID BMP Guidance suitable for all stakeholders (Q4).*

Status: In Year 5, the County published the *Guide to Low Impact Development*. This document lists the measures necessary to comply with the County's LID criteria. The publication is available at <http://www.sbprojectcleanwater.org/Documents/NewAndRedevelopment/Guidance%20Manual%20v2.pdf>.

Also, a simpler tri-fold brochure explaining LID was also developed for handout at the planning / zoning counters. The tri-fold does not list the measures necessary to comply with County criteria, instead focusing on what LID is, why it is important, and where to go for more information. This publication would be suitable for smaller projects that are not required to implement LID but may choose to do so.

The County, through assistance of a Proposition 84 Grant from the State of California, will develop a technical guidance manual that defines how projects shall be designed to meet the Post-Construction requirements, and how to prepare the required submittals for project approval. See MG 5.9.2.

Proposed Modifications: None.

Measurable Goal 5.9.2: *Develop, advertise and make available specific guidance on how to achieve and demonstrate compliance with the hydromodification control criteria and LID requirements to new and redevelopment project applicants (Q8).*

Status: In Year 7, the County applied for and received funding under a Prop84 Grant entitled “Implementing the Joint Effort”. The County, along with the cities, reviewed proposals and selected a consultant to assist in the project. The purpose of the project is to assist the County, and cities, in implementation of the Post-Construction Requirements. Specifically, it includes:

- Training and workshops for both the public and municipal staff responsible for the review and approval of Stormwater Control Plans
- Recommendations for improvement / modification to municipal development review procedures
- Development of a technical guidance manual, including sizing of retention-based control measures and determination of technical infeasibility
- Identification of watershed-appropriate BMPs for meeting the post-construction requirements
- Example designs and model projects
- Assessment of Alternative Compliance approaches, such as offsite mitigation and delineation of Urban Sustainability Areas

Proposed Modifications: None

Measurable Goal 5.9.3: *Document goals, schedules, and target audiences for education and outreach the County will conduct in support of the following strategic objectives: enforceable mechanisms, hydromodification control criteria, applicability thresholds, LID BMP design, and compliance with LID and hydromodification control criteria (Q2).*

Status: The County prepared a table identifying the goals, schedules and target audience for the education and outreach related to new hydromodification controls and LID. This table along with a listing of all education and outreach related to implementation of interim LID standards that have already occurred was submitted to Water Board staff 30 days following the end of Quarter 2 of the two-year joint effort calendar (ending March 31, 2011). Training on specifics of hydromodification control requirements and applicability thresholds will occur based upon the Post-Construction Requirements adopted by the Water Board.

Proposed Modifications: This measurable goal was completed in spring 2011.

Measurable Goal 5.9.4: *Provide hydromodification control and LID training to P&D permit and review, inspection, and enforcement staff (Q8).*

Status: The Post-Construction Requirements were not adopted in Year 7, so training to staff was inappropriate. Most of the Post-Construction Requirements will be reviewed and approved by Project Clean Water staff. An appropriate level of training will be provided to P&D staff as appropriate, such as intake fees, advise to applicants, coordination with Project Clean Water staff during the development review, approval, and plan check phases of project development, and compliance inspections during construction.

Proposed Modifications: None.

Measurable Goal 5.9.5: *Develop Tracking Report indicating the County's accomplishments in education and outreach supporting implementation of LID and hydromodification control for new and redevelopment project (Q8).*

Status: The Post-Construction Requirements were not adopted in Year 7, so education and outreach was inappropriate. During following year, the County and the cities will develop and conduct several workshops, located in both north and south County, that describe the new post-construction requirements and expectations for development. The outcome of these workshops, and other related support such as posted material online, will be reported.

Proposed Modifications: None.

Measurable Goal 5.9.6: *Apply LID principals and features to all applicable new and redevelopment projects (Q2, Q8).*

Status: As discussed above under Measurable Goals 5.1.1, 5.7.1 and 5.9.1, the County currently requires LID through the development review process and enforceable mechanisms are already in place. A new item was added to the Land Use Permit application in Year 5 that requires minimum LID measures for certain discretionary projects for the application to be deemed complete. The County will apply LID principals and features to Regulated Projects consistent with the Post-Construction requirements.

Proposed Modifications: None.

Measurable Goal 5.9.7: *Develop Tracking Report, for the period Q2 to Q8, identifying LID design principles and features incorporated into each applicable new and redevelopment project (Q9)*

Status: The County began tracking LID principles and features that are applied to projects through the Accela permit tracking and reporting system at the beginning of the joint effort calendar (January 1, 2011).

MCM 5.0 Post-Construction Storm Water Management in New and Redevelopment

Case	Name	Group 1: Site Layout/Setting	Group 2: Disconnected Impervious	Group 3: Rate, Volume, Duration
12CUP-00015	Montecito Fire Station	Conserve natural areas with development and roadway; configuration Protects existing drainage	Impervious roof, drive, and parking routed to landscaped detention area;	Permeable paving; detention basin
12DVP-00006	McDonalds Restaurant	Development limited to building envelope (redevelop project)	Driveways and parking routed to landscaped treatment area	Project has contaminated soils and cannot infiltrate. Retention limited to soils within lined barrier
12DVP-00010	Jones Development	Permeable paving, bioretention swales, grass lined drainage discharges	Runoff from downspouts are collected and discharged through bioswales	Bioretention, swales and retention basin.
12DVP-00014	The Golden Inn	Design landscape elements to mimic natural runoff systems	Driveways/sidewalk/parking area drains to bioswales around perimeter site	Retention basin with bioswales.
13DVP-00001	Coastal Growers Evora II	Landscape elements to mimic natural runoff systems	Roof, paved area directed to bioswales	Bioswale drains to detention basin.
13DVP-00002	Heritage II, Senior Apartments	Conserve natural area / drainage course; development limits to building envelopes; landscape elements to mimic natural runoff systems	All roof runoff directed to landscaping	Detention basin; open natural swales

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13RVP-00009	Cate School Master Plan	Conserve natural areas; landscape elements mimic natural systems; limit development to building envelopes.	Driveways, impervious pathways directed to landscape;	Open, natural swale; pervious paving for retention; detention basin.
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Proposed Modifications: None.