

# SANTA BARBARA COUNTY BOARD AGENDA LETTER



Clerk of the Board of Supervisors  
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## Agenda Number:

**Prepared on:** June 24, 2004  
**Department Name:** Planning & Development  
**Department No.:** 053  
**Agenda Date:** July 6, 2004  
**Placement:** Departmental  
**Estimate Time:** 15 minutes  
**Continued Item:** NO  
**If Yes, date from:**  
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**TO:** Board of Supervisors  
**FROM:** Val Alexeeff, Director  
**STAFF CONTACT:** Lisa Hosale 568-2007  
Development Review Division  
**SUBJECT:** Receive a report from Steering Group 3 of the Process Improvement Team: Grading Standards for Rapid Policy Consistency Determination

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## RECOMMENDATION(S):

That the Board of Supervisors:

Receive a report from Steering Group 3 (Policies and Ordinances) of the Process Improvement Team regarding the Grading Standards for Rapid Policy Consistency Determination.

## ALIGNMENT WITH BOARD STRATEGIC PLAN:

The recommendation(s) are primarily aligned with Goal No. 1., An Efficient Government Able to Respond Effectively to the Needs of the Community, Goal No. 4., A Community that is Economically Vital and Sustainable, Goal No. 5., A High Quality of Life for All Residents.

## EXECUTIVE SUMMARY AND DISCUSSION:

**Applicants consistently seek an answer to the following question: How much proposed grading is considered consistent with Hillside and Watershed Protection policies of the Land Use Plan and Coastal Plan? P&D and members of the Process Improvement Team agree that this is an important question and want to provide a workable answer.**

## **Background**

The Planning & Development Department began a significant process improvement effort in February 2003 by forming an in-house team to study the ministerial process and identify needed improvements. The key recommendations from that effort were accepted by the Board on July 22, 2003 and a second phase began with the formation of four Steering Groups to further develop and implement the improvements. The Steering Groups are comprised of staff and community members, both lay and professional. Their goal is to create an integrated program to improve the ministerial process for applicants, staff, and the community, while ensuring that County policy objectives are still met.

The last time the Steering Groups gave a progress report to the Board on December 2, 2003, Steering Group 3 introduced the idea of developing standards to clarify various issue areas that arise in the course of ministerial permitting. The Grading Standards is one of five efforts (Grading, Big Houses, Creeks-Riparian, Height, Trees) currently underway to provide guidance to applicants on the type of development that could receive a straightforward finding of policy consistency during permit review.

## **Grading Issues**

Planners must review proposed residential grading for consistency with the following two policies in the Comprehensive and Coastal Land Use Plans:

Hillside & Watershed Protection Policy 1/ Coastal Plan Policy 3-13: *Plans for development shall minimize cut and fill operations. Plans requiring excessive cutting and filling may be denied if it is determined that the development could be carried out with less alteration of the natural terrain.*

Hillside & Watershed Protection Policy 2/ Coastal Plan Policy 3-14: *All development shall be designed to fit the site topography, soils, geology, hydrology, and any other existing conditions and be oriented so that grading and other site preparation is kept to an absolute minimum. Natural features, landforms, and native vegetation, such as trees, shall be preserved to the maximum extent feasible. Areas of the site which are not suited for development because of known soils, geologic, flood, erosion, or other hazards shall remain in open space.*

The policies cited above speak of “minimiz[ing] cut and fill operations” and “[keeping] grading and other site preparation ... to an absolute minimum.” These policies require a subjective determination that results in very few projects being truly “ministerial.” Currently, there are no guidelines on the level and type of residential grading that could clearly be found consistent with these policies, where an in-depth policy review would not have to be conducted.

## **Project Goal**

The new Grading Standards for Rapid Policy Consistency Determination would be available for all ministerial residential projects that involve grading. Applicants could choose to design their projects within the standards to receive an expedited ministerial evaluation for residential grading, assuming there are no geologic hazards present. Alternately, they could choose to design their

project outside of the standards and receive the existing level of policy review. When implemented, this program would provide certainty of outcomes and an associated reduction in processing time and cost to applicants who choose to design within the standards. This would also free up planners' time for cases with more demanding policy issues.

### **Development and Implementation**

The Grading Standards were developed by a team from Steering Group 3 that includes staff, community members, and professionals. The goal was to find a lowest common denominator that represents a reasonable level of residential development, while at the same time does not pose concerns for policy consistency. It is important to note that projects that exceed the standards are not assumed to be inconsistent with policy. Rather, they may be subject to a more in-depth policy analysis.

Due to the inherent difficulties with developing on steeper sites, the Grading Standards were created for lots with slopes of less than 16%. This approach is bolstered by the fact that development on steeper slopes is likely to be more visible, and higher levels of engineering, grading, and site disturbance are generally required to site a residence. In addition, projects on slopes of 16% or greater are subject to the Ridgeline and Hillside Development Guidelines and require approval from the Board of Architectural Review. The Grading Standards include a measure of lot size in conjunction with slope gradient. Generally, the amount of grading that is considered to be consistent with the standards is increased for large/flat lots and decreased for small/steeper lots. Within the overarching slope and lot size categories, standards for cut and fill heights, grading volumes, and building pad sizes have been established for three different types of residential structures: single family dwellings, residential second units/guesthouses, and residential accessory structures.

It is important to note that the standards for the residential structures are intended to be additive. For example, a project that includes a single family dwelling *and* a guesthouse can receive a Rapid Policy Consistency Determination as long as each structure independently conforms to its set of standards. The intent is to allow for the development of each class of structures either as a single project or in phases.

The proposed Grading Standards have been refined over the last few months through review by geologists, planners, engineers, and architects both on staff and in the community. The grading team is currently working to integrate the Grading Standards with the other improvements from the four Steering Groups and to create an implementation plan. After this Board hearing, the standards will be presented to the Planning Commission, Montecito Planning Commission, Board of Architectural Review, and Montecito Board of Architectural Review. Ideally, the new Grading Standards for Rapid Policy Consistency Determination will be fully implemented over the Summer of 2004.

**MANDATES AND SERVICE LEVELS:**

This effort is not mandated. The ministerial permit process is expected to improve for applicants and staff as a result of implementation of the Process Improvement Team recommendations, including implementation of the Grading Standards for Rapid Policy Consistency Determination.

**FISCAL AND FACILITIES IMPACTS:**

To date, the primary costs of the process improvement effort have been staff time and energy. Costs to implement the improvements are budgeted in the Development Review South division in the Permitting and Compliance program on page D-290 of the County's FY 04-05 budget. The process improvement effort is included in the Strategic Actions section on page D-280 of the County's FY 04-05 budget.

There would be no facilities impacts.

*Grading Team Members: Jennifer Trunk, Brent Muchow, Peggy Burbank, Greg Mohr, Brian Baca, Lisa Hosale, Mike Zimmer*

**Attachment: Draft Grading Standards, June 2004**