

MEMORANDUM

COMMUNITY DEVELOPMENT RESOURCE AGENCY

County of Placer

TO: BOARD OF SUPERVISORS

FROM: JOHN MARIN / WES ZICKER 

SUBJECT: GRADING ORDINANCE REVISIONS

DATE: APRIL 3, 2006

ACTION REQUESTED / RECOMMENDATION

Approve the attached ordinance revising Chapter 15, Article 15.48 of the County Code "Grading, Erosion and Sediment Control" to comply with our National Pollutant Discharge Elimination System (NPDES) permit, Tahoe Regional Planning Agency (TRPA) requirements, and to amend references relating to responsibilities of the Community Development Resources Agency (CDRA).

Approve a resolution to amend the fee required to process a grading permit.

BACKGROUND / SUMMARY

Placer County is subject to the NPDES municipal stormwater program requirements, which are intended to reduce pollution in stormwater. Two existing municipal stormwater permits issued by the State Regional Water Quality Control Boards (State) affect the Lake Tahoe Basin area and that portion of the County generally westerly and southerly of Foresthill and Colfax. Staff has identified provisions of the current Grading Ordinance that are inconsistent with the construction activity permitting requirements of the State and TRPA.

The proposed amendments to the County's Grading Ordinance will add requirements to obtain a County Grading Permit whenever a project includes ground disturbance of one acre or more. This one-acre threshold is the same applied by the State in their issuance of a construction activity permit. Provisions of Section 15.48.120, relating to special requirements in the Tahoe Basin area, are proposed to be modified to be more consistent with the NPDES permit requirements and regulatory requirements of TRPA and the State.

In addition, several minor formatting changes and references to the Department of Public Works, or its Director, need to be amended to reflect the roles and responsibilities of the Community Development Resource Agency to implement the changes made by a previous Board action in July 2005. A copy of the proposed ordinance changes is attached and the final version of the ordinance is on file with the Clerk of the Board. A study substantiating the proposed permit fee revision is also on file with the Clerk.

Staff has reviewed the current cost to the County to process these permits and finds that a revision of the fee charged for the permit from the current \$140 to \$315 will approximate the actual cost. The fee was last updated in the late 1980's except for minor cost of living adjustments.

ENVIRONMENTAL

The proposed Grading Ordinance amendments are exempt under CEQA Guidelines Section 15308, 'Actions by Regulatory Agencies for Protection of the Environment.'

FISCAL IMPACT

Staff estimates that the proposed Grading Ordinance amendments will result in issuance of approximately 400 additional Grading Permits per year. A study by staff, which is on file with the Clerk of the Board, indicates that in order to reimburse staff's time for processing grading permits the permit fee should be increased from \$140 to \$315. Taken together, staff anticipates that these actions will result in a neutral fiscal impact.

Before the Board of Supervisors County of Placer, State of California

In the matter of: A RESOLUTION TO AMEND
THE COUNTY'S GRADING PERMIT FEE
PURSUANT TO THE COUNTY'S GRADING,
EROSION AND SEDIMENT CONTROL
ORDINANCE, COUNTY CODE CHAPTER 15,
ARTICLE 15.48.080.

Resol. No:.....

Ord. No:.....

First Reading:.....

The following RESOLUTION was duly passed by the Board of Supervisors
of the County of Placer at a regular meeting held _____,
by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Attest:
Clerk of said Board

Chairman, Board of Supervisors

WHEREAS, Section 15.48.080 of the Placer County Grading, Erosion and Sediment Control Ordinance allows the establishment by Resolution of a fee for the processing and issuance of a Grading Permit, and

WHEREAS, the Community Development Resource Agency has studied the cost of processing and issuance of this permit and found that the cost to take the necessary action in support of the permit, and

WHEREAS, a copy of that study is on file with the Clerk of the Board of Supervisors, and

WHEREAS, a fee of three hundred and twenty five dollars (\$315.00) bears a reasonable relationship to the cost of the service being proposed,

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of Placer, State of California that the Board hereby establishes and adopts a fee of three hundred and twenty five dollars (\$315.00) for processing and issuance of a Grading Permit.

Before the Board of Supervisors County of Placer, State of California

In the matter of: AN ORDINANCE
AMENDING CHAPTER 15, ARTICLE 15.48 OF
THE PLACER COUNTY CODE CORRECTING
REFERENCES TO THE COMMUNITY
DEVELOPMENT RESOURCE AGENCY AND
ADDRESSING COMPLIANCE WITH
STORMWATER PERMIT AND TRPA
REQUIREMENTS.

Ord. No:.....

First Reading:.....

The following ORDINANCE was duly passed by the Board of Supervisors
of the County of Placer at a regular meeting held _____,

by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Attest:
Clerk of said Board

Chairman, Board of Supervisors

WHEREAS, the Board of Supervisors of the County of Placer, State of California has determined it necessary to enact certain amendments the Grading, Erosion and Sediment Control Ordinance of Placer County to incorporate references to the County's Community Development Resource Agency, and to add provisions to comply with National Pollutant Discharge Elimination System and Tahoe Regional Planning Agency requirements.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of the County of Placer, State Of California, that all references to "community development/resource agency" in Article 15.48 of Chapter 15 of the Placer County Code are hereby amended to read "community development resource agency".

NOW, THEREFORE, BE IT FURTHER ORDAINED by the Board of Supervisors that Article 15.48 of Chapter 15 of the Placer County Code is hereby amended as shown on attached Exhibit A.

NOW, THEREFORE, BE IT FURTHER ORDAINED that this Ordinance shall become effective sixty (60) days after final passage.