

SECTION C-7

NEW DEVELOPMENT/SIGNIFICANT REDEVELOPMENT

**PROGRAM EFFECTIVENESS ASSESSMENT
2006-07**





C-7.0 NEW DEVELOPMENT/SIGNIFICANT REDEVELOPMENT

C-7.1 Introduction (LIP Section A-7.1)

One of the most important responsibilities of the County is to provide a framework for decision making for the planning and permitting of new development and redevelopment within the County's jurisdiction. This framework ensures that both new development and redevelopment occur in an organized and orderly fashion that reflects the vision and needs of the community, assesses the environmental issues associated with the proposed changes and provides a regulatory framework to ensure that standards set by the County are implemented.

C-7.2 Organization Structure (LIP Section A-7.2)

The key Divisions responsible for overseeing, implementing, and enforcing the new development/significant redevelopment program element have been identified in an organization chart in **Figure A-7.1** of the County's LIP.

C-7.3 General Plan Assessment and Amendment (LIP Section A-7.3)

During the 2003-04 reporting period, the County reviewed elements of its General Plan (and related documents, including development standards, zoning codes, conditions of approval and development project guidance) to identify elements of the General Plan that should be revised to better reflect policies and/or goals that are protective of surface water quality and comprehensive watershed management principles. It was determined that the Land Use and Resources Elements should be revised to reflect the new NPDES requirements for new development and significant redevelopment. On March 9, 2004, a proposed General Plan Amendment with revisions to the Land Use and Resources Elements regarding NPDES requirements was recommended for approval by the Orange County Planning Commission. The proposed General Plan Amendment was considered and adopted by the Orange County Board of Supervisors on April 20, 2004.

C-7.4 Environmental Review Process (LIP Section A-7.4)

During the 2006-07 reporting period, the County reviewed and provided comments on several Environmental Impact Reports for water quality purposes.

C-7.5 Development Project Review, Approval and Permitting Process (LIP Section A-7.5)

C-7.5.1 Conditions of Approval

During the 2006-07 reporting period, the County made no changes to its conditions of approval which are integral to meeting the requirements of the Third Term Permits.

C-7.5.2 Water Quality Management Plans (WQMPs)

To assist project applicants with preparing WQMPs, the County has made the following materials available at its Development Processing Center (DPC) and via its website:



SECTION C-7, New Development/Significant Redevelopment

- WQMP Guidelines Memo: This document provides background information on the NPDES permit requirements including the submission of a project WQMP and an Operations and Maintenance (O&M) Plan.
- Orange County WQMP Template: This interactive document can be downloaded from the RDMD/Planning & Development Services (PDS) website. It provides a format for clients to follow and describes the information required in order to complete the project WQMP and meet permit requirements.
- When Is A WQMP Required?: This document describes the projects that require the submission of a project WQMP and the criteria that are utilized to determine if a project is a “non-priority” or “priority.”

During this reporting period the County received the following number of preliminary project WQMPs and approved final project WQMPs for review and approval:

	Reviewed	Approved	Acres Covered
Preliminary Project WQMP	1	1	810
Final Project WQMP (Private Projects)	56	44	570
Final Project WQMP (Public Projects)	8	5	22

Table C-7.1, included as an attachment to this section, provides project information for approved final project WQMPs that were approved during the reporting period.

Based on a review of project WQMPs during the reporting period, the County has found that the three most common deficiencies requiring that an applicant’s project WQMP be revised before it could be approved are:

1	Some WQMP preparers did not follow the format of the County’s template and in some cases, did not use it at all, or used the format of another jurisdiction. As a result, essential information was not included thus requiring major revisions, or in a few cases, completely rewriting the WQMP. In an effort to reduce major revisions at the beginning, a copy of the WQMP Review Checklist is provided to the applicant on initial pre-file briefing.
2	Some applicants submitted what amounted to an Erosion and Sediment Control Plan, not addressing long-term, post-construction vs. construction phase water quality. Others did not prepare a specific water quality exhibit, instead using a grading plan for the exhibit. County staff endeavors to stress the differences between construction (ESCP) and post-construction (WQMP) BMPs.



3	<p>Incorrect identification of watershed; Non-inclusion of project's verbatim Conditions of Approval (if applicable), particularly for a Priority Project, then not incorporating Treatment Control BMPs; and waiting until nearing permit issuance to address WQMP requirements. In pre-file meetings and comments on reviewed WQMPs, the County tries to provide as much information as possible for the applicant to completely and correctly prepare the WQMP (Links to RDMD, OC Watershed, State Water Resources sites, PDF documents, etc.) and to prepare the WQMP early in the design phase of the project.</p>
---	---

These deficiencies will be used to focus the training and public outreach offered during the 2007-08 reporting period.

C-7.5.3 Runoff Management Plans

During the reporting period, the County reviewed and approved a Runoff Management Plan (RMP) for the Santiago Hills/East Orange planned communities being developed by the Irvine Company. The City of Orange will have review/approval authority over the project-specific WQMPs related to this development.

Additionally, County staff continued to work with the Rancho Mission Viejo Company in addressing water quality and hydrologic concerns related to the Ranch Plan. Efforts during the reporting period included review of a Runoff Management Plan for Planning Area 1.

C-7.5.4 Issuance of Building or Grading Permits

To ensure that all applicants for building or grading permits understand that there are minimum requirements for all construction sites, the County has compiled a NPDES informational packet that includes the following: Construction Runoff Guidance Manual, Instruction Manual for Erosion and Sediment Control Plans (ESCPs), sample BMPs and NPDES Inspection Requirements. During the planning application review process, the County applies conditions of approval that delineate the minimum BMPs that must be in place throughout the construction phase. Additionally, plans are required to include standard NPDES construction notes, BMPs from a final approved project WQMP and an Erosion and Sediment Control Plan (ESCP).

To ensure that all applicants for building or grading permits for sites of one acre or more (1) have submitted a Notice of Intent (NOI) to the State Water Resources Control Board, and (2) understand that a Stormwater Pollution Prevention Plan (SWPPP) must be completed and onsite before commencement of any construction activities, the County requires the submittal of a copy of a NOI application and WDID Number prior to permit issuance. Notification of this requirement is provided to applicants either during the planning application review process or during plan check. Conditions of approval regarding the SWPPP are applied to planning applications and delineate the requirements that must be met prior to permit issuance. If no previous condition has been applied to the project, the applicants may be notified during plan check.



SECTION C-7, New Development/Significant Redevelopment

C-7.5.5 Issuance of Flood Encroachment Permits

A flood encroachment permit from the County is required of all projects encroaching on or discharging to Orange County Flood Control District (OCFCD) right of way. These are typically projects that have been issued building/grading permits by another jurisdiction. To protect its stormdrain system and ensure that all DAMP/NPDES requirements are being followed during construction and after, the project applicant must provide the following to the County prior to permit issuance:

- Stormwater Pollution Prevention Plan (SWPPP), if the project involves the disturbance of 1 acre or more of soil (All construction projects, regardless of their size, are required to meet requirements of **Section A-8**, Construction, of the County's LIP);
- Approved Water Quality Management Plan (WQMP);
- Selection of post-construction BMPs from **Exhibit A-9.II** of the County's LIP if the project did not trigger a WQMP.

In addition to requiring these items, conditions are placed on the project through the encroachment permit that requires the implementation of BMPs to prevent the discharge of pollutants at any time.

C-7.6 Water Quality Management Plan (WQMP) Preparation (LIP Section A-7.6)

The County has formulated the WQMP template to reflect the new requirements specified in **Section A-7.6** of the LIP. The document is "user-friendly" and is accessible via the County's Planning and Development Services website. Along with the template, the County has provided the additional guidance information described in **Section C-7.5.2** to make the WQMP process as clear as possible for applicants.

The County's WQMP Template is customized to outline County requirements. Specifics such as the submittal process, the need to record a project WQMP and O&M Plan, to what should be shown on a Site Plan are all included in the template.

Public Works Project WQMP Template

During the reporting period, the County implemented use of a WQMP Template for RDMD public works projects that trigger a WQMP but do not require the issuance of a building or grading permit from either a city or the County's Planning and Development Services Division. The template is based on the one already in use by the County for private projects but has been modified to fit the characteristics of a typical public works project such as a roadway expansion.

C-7.7 Post Construction BMP Inspection and Verification (LIP Section A-7.7)

The County has initiated the verification of BMP implementation and maintenance for projects with approved project-specific WQMPs and will report on the results in the 2006-07 PEA.



SECTION C-7, New Development/Significant Redevelopment

C-7.8 Training and Outreach (LIP Section A-7.8)

The County sponsored, conducted and participated in multiple training sessions during the 2006-07 reporting period. These training sessions reached a total of 85 County staff having implementation responsibility related to the County’s new development/significant redevelopment program:

2006-07 Summary of Training

Department	Division Subcategory	Training Module	Training Dates	Number of Attendees
Training Sponsored/Conducted by the County and Attended by County Personnel				
RDMD	Planning & Development Services	NPDES Program Implementation: Development Processing Center and Plan Check Staff Training Session	October 4, 2006	33
			October 10, 2006	18
Totals				51

Public Outreach

The County has provided valuable information to the public on its New Development/Significant Redevelopment Program through the following websites:

www.ocwatersheds .com:

- Introduction and background on the New Development/Significant Redevelopment Program;
- All related program documents and ESA watershed maps are posted and available for download;
- New Development/Significant Redevelopment BMP Fact Sheets are posted and available for download;
- A link is provided for the public to submit comments or questions on the New Development/Significant Redevelopment Program.

www.ocplanning.net:

- WQMP Guidelines Memo
- When is a WQMP required?
- WQMP Template (**Exhibit A-7. IV** of the County’s LIP) (see **Section C-7.5.2** for a description of these documents)



SECTION C-7, New Development/Significant Redevelopment

- WQMP Template Instructions
- WQMP Checklist for Preparers
- Erosion and Sediment Control Plan (ESCP) Instruction Manual
- Construction Runoff Guidance Manual
- NPDES Notes for Building and Grading Plancheck
- NPDES Inspection Requirements

As detailed in **Section C-6.4.2** of this report, the County has enhanced communication with the general public on general stormwater related information through the Stormwater Program Online Information Service that was launched in December of 2004.

C-7.9 New Development/Significant Redevelopment Program Modifications

The County has evaluated **Section A-7, New Development/Significant Redevelopment** of its LIP to determine if modifications are necessary in order to comply with the requirements of the Third Term Permits. No modifications were made during the 2006-07 reporting period.