

### 13.20.077 Grading exclusion.

*Grading* of less than 100 cubic yards is excluded, except as follows:

- (a) *Grading* within 100 feet of any wetland, estuary, or stream, or within 300 feet of the top of the seaward face of any coastal bluff or any area defined as riparian habitat, sensitive habitat, or their buffer zones by the Land Use Plan and so designated on the Land Use maps; or
- (b) *Grading* on natural slopes of greater than 30 percent.

### 16.20.030 Definitions.

All definitions shall be as defined in the General Plan or Local Coastal Program Land Use Plan Glossaries, and as follows:

**(a) Agricultural Grading. Any grading which takes place on land designated on the county's Agricultural Resource Maps for exclusive agricultural use as specified in Section 16.50.040 of the County Code; provided, however, that agricultural grading does not include any grading on such lands connected with the construction of access roads or building sites; except greenhouse sites. Agricultural grading does not include the movement of earth defined as agricultural work in Section 16.20.050(i).**

### 16.20.050 Exemptions.

The following work is exempt from the provisions of this chapter; however, it remains subject to the Riparian Corridor Protection Ordinance (Chapter 16.30), the County Environmental Review Regulations (Chapter 16.01), the Erosion Control Ordinance (Chapter 16.22), the Geological Hazard Ordinance (Chapter 16.10), the Sensitive Habitat Protection Ordinance (Chapter 16.32), and the County Native American Cultural Sites Ordinance (Chapter 16.40). The following work may also be subject to other requirements imposed in county and state law.

- (a) Excavations. An excavation which does not exceed 100 cubic yards and which does not create a cut slope greater than five feet in depth.
- (b) Fills. A fill containing earth material only which is less than two feet in depth, is placed on natural terrain which has a slope flatter than five horizontal to one vertical, does not exceed 100 cubic yards on any one site, does not alter or obstruct a drainage course, and will not be used for structural support.
- (c) Basements, Footings. An excavation below finished grade for basements and footings of a building, retaining wall or other structure authorized by a valid building permit. This shall not exempt any fill as provided under Section 16.20.050(b) made with the material from such excavation, nor exempt any excavation having an unsupported height greater than five feet after the completion of such structure.
- (d) Cemeteries. Cemetery graves.
- (e) Refuse Disposal. Refuse disposal sites which are permitted and actually being controlled pursuant to other county regulations, and excavations for individual and community sewage disposal systems, made pursuant to permit.
- (f) Wells and Utilities. Excavations for wells or utilities.
- (g) Mining and Quarrying. Mining, quarrying, excavating, processing, stockpiling of rock, sand, gravel, aggregate or clay materials, pursuant to a county permit.
- (h) Soil Testing. Exploratory excavations under the direction of a soils engineer or engineering geologist where such excavation is to be returned to the original condition under the direction of such engineer or geologist within 45 days after the start of work.
- (i) Agricultural Work. Routine plowing, harrowing, disking, ridging, listing, land**

**planing, and similar operations necessary to prepare a field for a crop for continued agricultural use. (All other agricultural grading shall be subject to the procedures of Section 16.20.195)**

(j) Timber Harvesting. Work done pursuant to a valid timber harvesting permit.

(k) County Public Works routine maintenance and other work undertaken by the County Department of Public Works that does not impact an environmental resource of hazardous or critical concern where designated, mapped and officially adopted pursuant to law by federal or state agencies, or by the Santa Cruz County Board of Supervisors, or where identified through field or technical investigation. (Ord. 2500, 11/8/77; 3321, 11/23/82; 3438, 8/23/83; Ord. 3599, 11/6/84; 4496-C, 8/4/98)

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\*\*\*ONLY REQUIRED IF **OVER 100 CUBIC YARDS** (AND IN ANY RIPARIAN OR SENSITIVE HABITAT

16.20.195 Agricultural *grading*.

(a) General. All approvals for agricultural *grading* shall be issued by the Planning Director. Applicants for an Agricultural *Grading* Approval shall submit a plan to the Planning Director, including the following:

1. Existing and proposed drainage pattern.
2. Estimate of earth to be moved.
3. Property map with graded area shown.
4. Erosion control measures to be taken on disturbed non-crop areas, including long-term maintenance.
5. Cross-sections of the proposed *grading* project. Applications for *grading* for access roads and for building sites, except greenhouse sites, shall not be processed under this section (16.20.195.)

(b) Water Retention. The Planning Director may require review or design by the United States Department of Agriculture Soil Conservation, the Santa Cruz County Resource Conservation District, or a soils engineer for the following projects:

1. On-site water retention (ponds).
2. *Grading* with major erosion potential.

The conditions of the design or review shall be part of the permit.

(c) Special Review. The Planning Director can require review of the project by the Agricultural Policy Advisory Commission.

(d) Design Standards for Agricultural *Grading*. Specifications of design for agricultural *grading* shall be consistent with agricultural practices and needs, and shall assure slope stability, soil conservation, and flood hazard protection. Reference to agricultural *grading* may be recorded in the deed.

(e) Approval Processing. Agricultural *grading* approvals shall be processed within 30 days of receipt. Provisions should be made for emergency processing at the discretion of the Planning Director.

(f) Fees and Bonds. The fee for agricultural *grading* approvals shall be set by resolution of the Board of Supervisors. No surety bonds are required. (Ord. 2972, 8/26/80; 3321,