

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SANTA BARBARA REGARDING THE IMPLEMENTATION
OF THE GENERAL PLAN INTERIM POLICY REGARDING
AIR QUALITY ISSUES

WHEREAS, the City undertook an update of the General Plan in a process known as *Plan Santa Barbara (PlanSB)*;

WHEREAS, an Environmental Impact Report was prepared, considered, and certified, and which informed the decision-making process in *PlanSB*;

WHEREAS, potential effects associated with air pollution including diesel particulates is a concern such that both the California Air Resources Board and the Santa Barbara County Air Pollution Control District recommended guidelines for reducing health hazards by limiting development of new residences and other sensitive receptor uses involving extensive exposure periods in close proximity to the highway;

WHEREAS, during the public process for *PlanSB*, the Planning Commission and City Council carefully considered the input from other agencies, property owners, and the general public;

WHEREAS, the air quality policy under consideration is intended to reduce exposure of more people to potential hazards by limiting new development of sensitive receptors close to Highway 101 for an interim period of time while the regulations requiring cleaner burning fuels and engines are being adopted and implemented to reduce the hazard;

WHEREAS, on December 1, 2011, the Council adopted the General Plan with a new Environmental Resources Element Policy Air Quality 7, along with implementation actions including direction to establish interim criteria for review of development, and to monitor associated regulations and levels of diesel particulate pollution to determine when the interim policy should be retired; and

WHEREAS, it is customarily the policy of the Council to consider applying new policies and standards to new development applications while exempting pending projects that began the City review process before the new policy was adopted.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA AS FOLLOWS:

SECTION 1. The following projects are exempt from the application of Policy ER7:

- a. Projects submitted to the City before December 1, 2011 for development permits including submittal of a Master Application, submittal for building permit plan check, or submittal of an application for other development approval.
- b. Projects that received an approval from the City prior to December 1, 2011 where the approval is still valid.

SECTION 2. For purposes of implementing Policy ER7, the term “New development” includes the following:

- a. The addition of two or more new residential units to a vacant lot.
- b. The addition of one or more new residential units to a lot with existing development.
- c. The development of a new building on any lot that will include a use that involves numerous visits, or extended periods of occupancy, by persons who are considered sensitive receptors. A change of use of an existing building is not considered new development.

SECTION 3. For purposes of implementing Policy ER7, the term “Minor Addition” is defined as follows: An addition of floor area to an existing residential unit that does not exceed 50% of the floor area that existed as of December 1, 2011. The amount of the additional floor area shall be measured in the aggregate during the time when the policy is in effect.