

ORDINANCE NO. 2748

AN ORDINANCE OF THE CITY OF CHULA VISTA AMENDING SECTION 19.09.040.J, OF THE CHULA VISTA MUNICIPAL CODE TO ENACT A REVISED AIR QUALITY THRESHOLD STANDARD

WHEREAS, at the initial request of the San Diego Air Pollution Control District (APCD), the City's Growth Management Oversight Commission (GMOC) has evaluated the need for amendment to the Air Quality Threshold Standard as part of its' annual review process; and

WHEREAS, the GMOC, with the APCD's concurrence, presented a revised Air Quality Threshold Standard as part of its 1995 Annual Report; and

WHEREAS, at the April 25, 1996, joint meeting with the GMOC, the Planning Commission and City Council accepted the draft, revised Threshold Standard in concept, and directed staff to finalize the revisions and return them for formal public hearing and adoption; and

WHEREAS, on August 12, 1998 the Planning Commission held a duly noticed public hearing, and voted unanimously (5-0-2) to recommend that the City Council enact the amendment in accordance with its Resolution PCA-98-08/PCM-98-37; and

WHEREAS, the City Clerk set the time and place for a public hearing on said amendment to the Municipal Code, and notice of said hearing together with its purpose was given by its publication in a newspaper of general circulation in the City at least 10 days prior to the hearing; and

WHEREAS, the hearing was held at the time and place as advertised, namely September 15, 1998, at 6:00 p.m. in the Council Chambers, 276 Fourth Avenue, before the City Council and said hearing was thereafter closed.

NOW, THEREFORE, the City Council of the City of Chula Vista does hereby find, determine, and ordain as follows:

SECTION I: That the amendment is exempt from environmental review pursuant to General Rule 15061 (b) (3) of the California Environmental Quality Act guidelines.

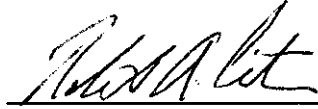
SECTION II: That the proposed, revised standard is well-reasoned, and forms a workable and logical foundation for annual progress/compliance reporting on air quality improvement efforts at the local and regional level.

SECTION III: That the City Council hereby adopts the proposed amendments to Section 19.09.040.J of the Chula Vista Municipal Code, as shown on Exhibit "A" attached hereto and incorporated herein by this reference.

SECTION IV: This ordinance shall take effect and be in full force and effect on the thirtieth day from and after its second reading and adoption.

Presented by

Approved as to form by



Robert A. Leiter
Director of Planning and Building



John M. Kaheny
City Attorney

EXHIBIT A

Chapter 19.09

Growth Management

Section 19.09.040 Quality of Life Threshold Standards

Subsection J thereto is proposed to read as follows:

J. Air Quality

The GMOC shall be provided with an annual report which:

1. Provides an overview and evaluation of local development projects approved during the prior year to determine to what extent they implemented measures designed to foster air quality improvement pursuant to relevant regional and local air quality improvement strategies.
2. Identifies whether the City's development regulations, policies and procedures relate to, and/or are consistent with current applicable Federal, State and regional air quality regulations and programs.
3. Identifies non-development specific activities being undertaken by the City toward compliance with relevant Federal, State and local regulations regarding air quality, and whether the City has achieved compliance.

The City shall provide a copy of said report to the APCD for review and comment. In addition, the APCD shall report on overall regional and local air quality conditions, the status of regional air quality improvement implementation efforts under the Regional Air Quality Strategy and related Federal and State programs, and the affect of those efforts/programs on the City of Chula Vista and local planning and development activities.

3.11 Air Quality

3.11.1 Existing Threshold Policy

Goal

To maintain and improve the ambient air quality enjoyed by the citizens of Chula Vista.

Objective

Recognizing that air quality is an issue which needs to be addressed at both the local and regional levels the City shall endeavor to implement applicable air quality improvement strategies and programs that meet or exceed those established through the currently adopted Regional Air Quality Strategy (RAQS) and the RAQS's subsequent implementation measures.

Threshold

The GMOC shall be provided with an annual report which:

1. Provides an overview and evaluation of local development projects approved during the prior year to determine to what extent they implemented measures designed to foster air quality improvement pursuant to relevant regional and local air quality improvement strategies.
2. Identifies whether the City's development regulations, policies and procedures relate to, and/or are consistent with current applicable Federal, State and regional air quality regulations and programs.
3. Identifies non-development specific activities being undertaken by the City toward compliance with relevant Federal, State and local regulations regarding air quality, and whether the City has achieved compliance.

The City shall provide a copy of said report to the APCD for review and comment. In addition, the APCD shall report on overall regional and local air quality conditions, the status of regional air quality improvement implementation efforts under the Regional Air Quality Strategy and related Federal and State programs, and the affect of those efforts/programs on the City of Chula Vista and local planning and development activities.

EXHIBIT B

AIR QUALITY

(Revised by City Council September 1, 1998)

Goal

To maintain and improve the ambient air quality enjoyed by the citizens of Chula Vista.

Objective

Recognizing that air quality is an issue which needs to be addressed, at both the regional and local levels, the City shall endeavor to implement applicable air quality improvement strategies and programs that meet or exceed those established through the currently adopted Regional Air Quality Strategy (RAQS) and the RAQS's subsequent implementation measures.

Threshold

The GMOC shall be provided with an annual report which:

1. Provides an overview and evaluation of local development projects approved during the prior year to determine to what extent they implemented measures designed to foster air quality improvement pursuant to relevant regional and local air quality improvement strategies.
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The City shall provide a copy of said report to the APCD for review and comment. In addition, the APCD shall report on overall regional and local air quality conditions, the status of regional air quality improvement implementation efforts under the Regional Air Quality Strategy and related Federal and State programs, and the affect of those efforts/programs on the City of Chula Vista and local planning and development activities.

Implementation Measure

Should the GMOC determine that a potentially serious problem exists with respect to any of the above air quality improvement efforts at either the local or regional level, or both, it may adopt a formal "Statement of Concern" within its annual report. Such a "Statement" requires the City Council to consider the adoption of a resolution reflecting that concern during the public hearing on the GMOC's report. Copies of the "Statement" shall also be directed to any other responsible public agency(ies) with follow up to assure appropriate response by that agency(ies).


PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 22nd day of September, 1998, by the following vote:

AYES: Councilmembers: Moot, Rindone, Salas and Horton

NAYS: Councilmembers: None

ABSENT: Councilmembers: Padilla

ABSTAIN: Councilmembers: None



Shirley Horton, Mayor

ATTEST:




Beverly A. Authelet, City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO)
CITY OF CHULA VISTA)

I, Beverly A. Authelet, City Clerk of Chula Vista, California, do hereby certify that the foregoing Ordinance No. 2748 had its first reading at a regular meeting held on the 15th day of September, 1998 and its second reading and adoption at a regular meeting of said City Council held on the 22nd day of September, 1998.

Executed this 22nd day of September, 1998.



Beverly A. Authelet, City Clerk