

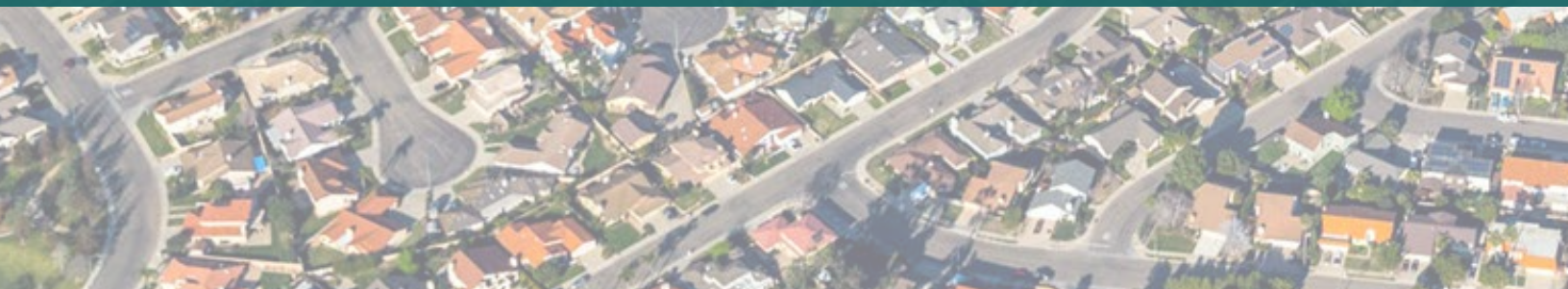


Santa Maria
General Plan

imagine



Appendix F: Related Laws and Regulations



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Purpose

This appendix identifies and summarizes the key State laws, regional plans, and related local regulations that influenced the policy direction of the Santa Maria General Plan.

Circulation Element

General Plan Requirements

California law mandates the development of a Circulation Element as part of the General Plan. The Circulation Element must contain the “general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, any military airports and ports, and other local public utilities and facilities”, all correlated with the land use element of the General Plan per California Government Code Section 65302 (b). Utility-oriented facilities, such as water and storm drainage, are addressed within the Public Facilities and Services Element of the Santa Maria General Plan.

Regulatory Setting

AB 1358. Assembly Bill 1358 (AB 1358), the California Complete Streets Act, requires the City of Santa Maria to focus the update of the Circulation Element of the General Plan on a multimodal transportation system that accommodates all users including bicyclists, pedestrians, motorists, transit vehicles, and people of all ages and abilities.

SB 743. SB 743 took effect July 1, 2020, and fundamentally changed the way Transportation Analysis is conducted as part of the California Environmental Quality Act (CEQA). Automobile Level of Service, although permitted as a local policy threshold, is no longer considered an impact on the environment. Instead, Vehicle Miles of Travel (VMT) is now the primary transportation metric for evaluated projects under CEQA.

Measure A. Santa Barbara County’s Measure A, approved by voters in November 2008 and scheduled to sunset in 2040, will provide more than \$1 billion of estimated local sales tax revenues for road repair, congestion relief, and transportation safety projects. Current programs in Santa Maria being funded by Measure A are Roadway Maintenance, Specialized Transit for Elderly and Disabled Program, Interregional Transit Program, Safe Routes to School, and the Clean Air Express.

Goods and Movement. Santa Maria has two designated Surface Transportation Assistance Act Routes (STAA) truck routes, which are on US 101 and Broadway (SR 135). US 101, Broadway (SR 135), and Main (SR 166) carry the vast majority of STAA truck traffic in terms of absolute volumes. US 101 carries the highest percentage of STAA-sized vehicles, relative to the overall traffic on the route, followed by Main (SR 166) and Broadway (SR 135). On average, STAA-sized trucks make up 5 percent of the overall truck traffic on the segments of State Highways within Santa Maria according to data from Caltrans Annual Average Daily

Truck Traffic in 2018. With the added functionality of the new TDM model underway, heavy vehicles (trucks) in Santa Maria will be modeled and alternate routes will be evaluated.

AB 98. AB 98 takes effect in 2026 and seeks to address environmental justice issues associated with the rapid expansion of warehouse uses in the state. AB 98 requires local agencies to update the circulation elements of their general plans to establish specific travel routes for the transport of goods and materials, avoiding sensitive land uses.

AB 747 and SB 99. AB 747 requires the Safety Element to be reviewed and updated as necessary to identify evacuation routes and their capacity, safety, and viability under a range of emergency scenarios. SB 99 requires review and update of the Safety Element to include information identifying residential developments in hazard areas that do not have at least two emergency evacuation routes.

Heliports. The City of Santa Maria has four heliports. The authority to regulate development and the use of these heliports is shared with the heliport owners and with the Federal Aviation Administration and State of California.

Programmed Transportation Improvements. The City of Santa Maria is eligible for discretionary (i.e., competitive) and non-discretionary (formula-based apportioned funds) County, federal, State, and local transportation funds through a variety of sources.

Conservation and Open Space Element

General Plan Requirements

Conservation

California Government Code Section 65302(d) establishes specific requirements for a jurisdiction's conservation element, which outlines the conservation, development, and utilization of natural resources. The Conservation Element must identify rivers, creeks, streams, flood corridors, riparian habitats, and land that may accommodate floodwater for purposes of groundwater recharge and stormwater management. The Conservation Element is required to include natural resources including water and its hydraulic force, forests, soils, rivers and other waters, harbors, fisheries, wildlife, minerals. In addition, AB 1889 now requires Conservation Elements to also address the impact of development on wildlife movement and habitat connectivity. The Conservation and Open Space Policy Framework addresses wildlife and natural resources as well as water quality and the protection of water resources, while the city's water supply and water, wastewater, and stormwater systems are addressed within the Public Facilities and Services Framework.

Open Space

California Government Code Section 65560 requires local jurisdictions adopt an open space element that outlines long range planning and preservation of open space lands and provides an inventory of open space lands relevant to the jurisdiction. Open space elements are required to address open space for natural resources, managed production of resources, outdoor recreation, public health and safety, and tribal resources. Open space for natural resources includes rivers, streams, watershed lands and areas

required for the preservation of plant and animal life. Open space for the managed production of resources includes rangeland, agricultural land, areas required for recharge of groundwater basins, and important areas for major mineral deposits. Open spaces requiring specific regulation or management due to the presence of hazardous or special conditions, such as earthquake fault zones, unstable soil, flood plains, high fire risk, and water and air quality protection areas. In addition, Senate Bill 1425 now requires Open Space Elements to include policies and programs that address open space for climate resiliency, rewilding opportunities, and environmental justice. Outdoor recreational open spaces including parks, are addressed within the Recreation and Parks Element, along with areas with scenic, historic, and cultural value.

Regulatory Setting

Federal Endangered Species Act. The Federal Endangered Species Act, also known as the Endangered Species Act (ESA) of 1973, is the primary national legislation for the conservation of threatened and endangered plants and animals and their respective habitats. The U.S. Fish and Wildlife Service (U.S. FWS) and the U.S. National Oceanic and Atmospheric Administration (NOAA) Fisheries Service help to implement the ESA by ensuring that what they authorize, fund, and carry out is consistent and compliant with the ESA.

California Endangered Species Act. The California Endangered Species Act (CESA) has remained the State's leading wildlife protection act for plant and animal species that are listed as "threatened" or "endangered" in the state. The California Department of Fish and Wildlife (CDFW) enforces the CESA and is responsible for permitting and maintaining the State's endangered species list.

Clean Water Act. Federal Clean Water Act (CWA), 33 U.S.C. 1251 et seq. (1977) is the primary federal law regulating water pollution. Section 303(d) of the Federal CWA requires states to identify waters that do not meet water quality standards. The CWA created the National Pollutant Discharge Elimination System (NPDES), a permit program that addresses water pollution by regulating point sources that discharge pollutants to waters of the United States. The State of California is responsible for implementation of the NPDES program through the State Water Resources Control Board (SWRCB) and the nine Regional Water Quality Control Boards (RWQCBs). Local municipalities are required to obtain NPDES permit coverage and implement programs to reduce and eliminate pollutants from entering their municipal separate storm sewer systems (MS4). The city is covered by the State Water Resources Control Board Order No. 2013-0001- DWQ, NPDES General Permit No. CAS000004.

Sustainable Groundwater Management Act. The Sustainable Groundwater Management Act (SGMA), passed in 2014, created a framework for sustainable, local groundwater management in California. SGMA directed the Department of Water Resources (DWR) to identify priority groundwater basins for the purpose of implementing SGMA. Only high and medium priority basins are currently subject to SGMA requirements, including the requirement of Groundwater Sustainability Agencies (GSA) to develop Groundwater Sustainability Plans (GSP) for groundwater basins. Adjudicated groundwater basins, like the Santa Maria Groundwater Basin, are not subject to SGMA requirements.

Porter-Cologne Water Quality Control Act. The Porter-Cologne Water Quality Control Act requires that the waters of the State be protected and that any activities affecting them be regulated to maintain the highest possible water quality. The SWRCB is given authority to enforce the Porter-Cologne Water Control Act, and SWRCB regulations mandate a “non-degradation policy” for state waters, especially those of high quality. Under the authority of the SWRCB, the protection of water quality in the Santa Maria River and its tributaries is under the jurisdiction of the Central Coast RWQCB. The RWQCB establishes requirements prescribing the quality of point sources of discharge and establishes water quality objectives. These objectives are established based on the designated beneficial uses for a particular surface water or groundwater.

Parks and Water Bond Act of 2018. In June 2018, voters in the State of California passed the Parks and Water Bond Act of 2018. This proposition allocated \$4 billion to put towards California’s most pressing water, park, and natural resource needs. Funding has gone toward issues such as regional water supplies and water quality, stormwater management, water recycling, flood protection and repairs, ocean and coastal protection, local parks and open districts, and clean water and drought preparedness. Many of the specific issues targeted by this bill are prevalent in the city, such as the need for flood protection and repairs, regional water supplies, and local parks and open space districts. Many cities like Santa Maria continue to rely on State and Federal funding in addition to local funding programs for the protection of natural resources.

National Historic Preservation Act of 1966. The National Historic Preservation Act (NHPA) was the first national policy governing preservation, establishing permanent institutions and a clearly defined process for historic preservation in the United States. It created the Advisory Council on Historic Preservation and National Register of Historic Places, an official list not only of individual buildings and structures, but also of districts, objects, and archaeological sites that are important due to their connection with the past. Individual states were also required to take more responsibility for historic sites in their jurisdiction. The California Office of Historic Preservation administers both federal and state historic preservation programs, with the goal of furthering the identification, evaluation, registration, and protection of California’s historic resources.

Senate Bill 18. Senate Bill (SB) 18, passed in 2004, establishes responsibilities for local governments to contact, provide notice, refer plans to, and consult with tribes prior to the adoption or any amendment of a general plan or specific plan. It also states that tribes must be consulted before the designation of open space if the affected land contains a cultural place. A local government must notify the appropriate tribes of the opportunity to conduct consultations for the purpose of preserving, or mitigating impacts to, cultural places located on land within the local government's jurisdiction that is affected by the proposed plan adoption or amendment. The provisions of SB 18 apply only to city and county governments and not to other public agencies.

Assembly Bill 52. Assembly Bill (AB) 52, passed in 2014, requires a lead agency to begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project prior to determining whether a negative declaration, mitigated negative declaration, or environmental impact report is required for a project. The bill required an update to Appendix G (Initial Study Checklist) of the California Environmental Quality Act Guidelines to include questions related to

impacts to tribal cultural resources. These changes to Appendix G were approved by the Office of Administrative Law on September 27, 2016.

Mills Act. The Mills Act is a self-directed economic incentive program designed to provide private property owners the opportunity to actively participate in the restoration of their properties while receiving property tax relief. If a homeowner's property is listed on the City landmark register, they may qualify for property tax relief by pledging to rehabilitate and maintain the historical and architectural character of a property for at least a 10-year period. Mills Act participants may realize a property tax savings of up to approximately 50 percent each year for newly improved or purchased older properties.

Assembly Bill 32. AB 32, the Global Warming Solutions Act of 2006, requires California to reduce its statewide Greenhouse Gas Emissions (GHG) to 1990 levels by 2020. Under AB 32, the California Air Resources Board (CARB), the lead agency responsible for implementing AB 32, was granted the authority to develop regulations and mechanisms to reduce GHG emissions and is required to prepare a Scoping Plan to outline strategies for achieving the emissions reduction target. AB 32 also outlines provisions for a state cap-and-trade program that enables major polluters to buy and sell GHG emissions credits, decreasing the number of allowances over time to reduce GHG emissions.

Senate Bill 32. SB 32 builds on previous state legislation on reducing GHG emissions, setting a goal to reduce GHG emissions to 40 percent below 1990 levels by 2030. SB 32 directs CARB to expand on and develop regulations aimed at achieving this goal.

Senate Bill 1425. SB 1425 requires Open Space Elements to include policies and programs that address the following topics:

- Access to open space for all residents in a manner that considers social, economic, and racial equity, correlated with the environmental justice element or environmental justice policies in the general plan, as applicable
- Climate resilience and other benefits of open space, correlated with the Safety Element
- Rewilding opportunities, correlated with the land use element

Senate Bill 1000. SB 1000, the Planning for Healthy Communities Action, requires jurisdictions with disadvantaged communities to develop an environmental justice element, or related environmental justice goals and policies, as part of their general plans. The goal of SB 1000 is to help identify and reduce risks in communities disproportionately affected by environmental pollution and other hazards that can lead to negative health effects, exposure, or environmental degradation.

Assembly Bill 1889. AB 1889, passed in 2024, requires jurisdictions to consider the impact of development on wildlife movement and habitat connectivity within their general plan conservation element. During the next general plan element update on or after January 1, 2028, jurisdictions must update their conservation element to identify and analyze existing or planned wildlife passage features and consider the impacts of development and the barriers caused by development to wildlife, as defined, and habitat connectivity.

Executive Order N-82-20. Executive Order N-82-20 established the California Biodiversity Collaborative to bring together other governmental partners, California Native American tribes, experts, business and

community leaders and other stakeholders from across California to protect and restore the state's biodiversity. To support global biodiversity and climate conservation efforts, N-82-20 sets a goal of protecting at least 30 percent of California's lands and waters by 2030. The 2022 Natural and Working Lands Climate Smart Strategy outlines the State's approach to implementing N-82-20 and establishes the framework for prioritizing and aligning state and regional efforts impacting natural and working lands under one cohesive strategy.

Health and Environmental Justice Element

General Plan Requirements

An environmental justice element aims to fulfill the requirements of **Senate Bill (SB) 1000 (Leyva, 2016)**. The bill requires cities that have "disadvantaged communities" (DACs) to incorporate environmental justice policies into their general plans. This can be achieved by writing a separate environmental justice element or by integrating related goals, policies, and objectives throughout the other elements of the general plan. The goal of SB 1000 is to help identify and reduce the risks faced by communities that are disproportionately affected by environmental pollution and other hazards that can lead to negative health effects, exposure, or environmental degradation.¹ SB 1000 mandates that a general plan must minimally address the following six topic areas: 1) reduce pollution exposure, 2) promote public facilities, 3) promote food access, 4) promote safe and sanitary homes, 5) promote physical activity, and 6) promote civic engagement. Across all six topic areas, the City must prioritize improvements and programs that address the environmental justice needs and priorities of DACs.

Regulatory Setting

SB 1137 (Gonzalez, 2022). Prohibits the issuance of well permits and the construction and operation of new production facilities within a health protection zone of 3,200 feet from a sensitive receptor. The bill requires operators of existing oil and gas wells or infrastructure within health protection zones to conduct specified monitoring, public notice, and nuisance requirements.

SB 1383 (Lara, 2016). Aims to reduce greenhouse gas emissions through the diversion of 50% of organic waste from landfills below 2014 levels by 2020 and 75% by 2025 and recovery of no less than 20% of currently disposed edible food by 2025. Key to this bill is the development of a statewide composting and recycling program and the requirement of large food generators to donate edible surplus food to food recovery organizations.

¹ For detailed and up-to-date descriptions and considerations of each topic, please visit the OPR website: <https://opr.ca.gov/planning/general-plan/guidelines.html>.

Land Use Element

General Plan Requirements

The Land Use Element has the broadest scope of all the required elements of a General Plan, regulating how land in a city is to be used in the future. California Government Code Section 65302(a) requires that a Land Use Element “designates the proposed general distribution and general location and extent of uses of the land for housing, business, industry, open space, including agriculture, natural resources, recreation, and enjoyment of scenic beauty, education, public buildings and grounds, solid and liquid waste disposal facilities, greenways, as defined in Section 816.52 of the Civil Code, and other categories of public and private uses of land.” The location and designation of permissible land uses for public and private purposes shall consider the identification of land and natural resources. The Land Use Element shall include a statement of the standards of population density and building intensity recommended for the various districts and other territory covered by the Plan.

Regulatory Setting

The General Plan Land Use Element is fundamental to the planning process, directly interacting with all other required elements of a General Plan. The California Office of Land Use and Climate Innovation provides guidance for General Plan preparation, covering the required content and its correlation to the Government Code. This Element will cover all relevant topics required in the LCI General Plan Guidelines.

In addition, the following regulations affect policy direction for the Land Use Element:

SB 330. SB 330, The Housing Crisis Act, requires that local jurisdictions maintain existing net zoned residential capacity. For example, if a city reduces the number of housing units that can be built by downzoning a property, it must upzone elsewhere within jurisdictional boundaries to add capacity for an equivalent number of units. The goal of SB 330 is to result in “no net loss” of potential or existing housing units through 2030.

Santa Maria Airport Land Use Compatibility Plan (2023). General Plan Land Use Elements must also be consistent with the county’s airport land use compatibility plans, when applicable (Gov. Code § 65302.3). Santa Barbara County Association of Governments’ (SBCAG) Santa Maria Airport Land Use Compatibility Plan promotes compatibility of land uses between the airport and its surrounding areas. This Plan identifies Safety Zones and restrictions on land uses and building heights within the Airport Influence Area (AIA).²

Williamson Act (1965). The California Land Conservation Act of 1965, known as the Williamson Act, allows local governments to contract with private landowners to voluntarily restrict land for agriculture or open space, in exchange for lower property tax bases. The goal of the Williamson Act is to protect agricultural and open space lands across California.³

² Santa Maria Airport Land Use Compatibility Plan (2023).

³ California Department of Conservation. Williamson Act Program Overview. Retrieved from: https://www.conservation.ca.gov/dlrp/wa/Pages/wa_overview.aspx. November 6, 2024.

Noise Element

General Plan Requirements

California Government Code Section 65302(f) requires that a jurisdiction's General Plan must include a Noise Element to identify and evaluate current and projected noise levels for highways and freeways, primary arterials and major local streets, passenger, freight, and ground rapid transit systems, airport operations, industrial plants, and other ground stationary noise sources such as military installations. The City of Santa Maria General Plan Noise Element is a set of strategies aimed at maintaining an environment that is free from excessive noise that could create health and wellbeing impacts.

The California Environmental Quality Act (CEQA) also requires both programmatic and project-level documents to evaluate potential noise and ground-borne vibration impacts. This analysis must determine if the proposed activities could result in substantial temporary or permanent increases in noise levels, or if they exceed local noise standards. For ground-borne vibration, the assessment must consider effects on sensitive receptors, such as residential areas, schools, or hospitals, and evaluate whether construction or operational activities could cause significant disturbance or structural damage. Programmatic analyses provide a broad overview, setting thresholds for individual projects, while project-specific CEQA documents require detailed studies to identify direct impacts, propose mitigation measures, and ensure compliance with regulatory standards.

Regulatory Setting

California Code of Regulations. California Code of Regulations Interior noise levels for habitable rooms and non-residential space are regulated by Title 24 of the California Code of Regulations (CCR). A habitable room is a space in a building for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered habitable spaces.

- Title 24, Part 2 (2019 California Building Code), Chapter 12, Section 1206.4 requires that interior noise levels attributable to exterior sources not exceed 45 Community Noise Equivalent Level (CNEL) in any habitable room within a residential structure.
- Title 24, Part 11 (2019 California Green Building Standards Code), Chapter 5, Section 5.507.4.2 requires that interior noise levels attributable to exterior sources not exceed 50 dBA Leq[1h] in occupied (actively in use) areas of non-residential spaces during any hour of operation, when
 - exposed to noise levels of 65 dBA Leq[1h] during any hour of operation; OR
 - located within the 65 CNEL noise contour of an airport, freeway or expressway, railroad, industrial source or fixed-guideway source as determined by the Noise Element of the General Plan.

City of Santa Maria Municipal Code (SMMC). Chapter 5-5 Noise Regulations contains overall parameters to reduce or eliminate unnecessary, excessive, and annoying noise. Section 5-5.04 prohibits noise levels from exceeding the existing ambient noise level or the ambient base noise level as shown in Table 5, whichever is higher, as follows:

- By any amount for 30 cumulative minutes in an hour
- By 5 dba for 15 minutes in an hour
- By 10 dBA for 5 minutes in an hour
- By 20 dBA at anytime If noise generated by outside construction activities within 500 feet of a residential zone exceeds the noise

If noise generated by outside construction activities within 500 feet of a residential zone exceeds the noise standards in Table 5, SMMC Section 5-5.09 requires that a permit be obtained from the Noise Control Officer to cover short-term operations.

Table 5: Ambient Base Noise Level

Zones	DURATION							
	Ambient Base		15 Minutes		5 Minutes		1 Minute	
	Day	Night	Day	Night	Day	Night	Day	Night
Residential/Noise-Sensitive Uses	55	45	60	50	65	55	70	60
Commercial	65	60	70	65	75	70	80	75
Industrial	75	70	80	75	85	80	90	85
Note: Units are dBA L_{eq} . Daytime hours are generally considered to be 7:00 a.m. to 10:00 p.m., and nighttime hours are generally considered to be 10:00 p.m. to 7:00 a.m. Source: Santa Maria Municipal Code Section 5-5.05								

Chapter 12 Zoning contains additional regulations pertaining to noise exposure for residential structures adjacent to arterial and collector streets in residential zones and exceptions to noise level standards for outdoor living areas in multifamily developments.

Santa Maria Airport Land Use Compatibility Plan (ALUCP). The Airport Land Use Commission (ALUC) for Santa Barbara County adopted the most recent Santa Maria ALUCP in 2023. The ALUCP serves as a tool for the Airport Land Use Commission to review land use plans and development proposals within Airport Influence Areas and promote compatibility between airports and their surrounding land uses. The ALUCP also provides land use compatibility policies and criteria to promote the orderly growth of the airport without significant impacts to the welfare of the community. More specifically, the ALUCP includes noise contours of the airport, noise compatibility criteria for adjacent land uses, and policies for measuring, evaluating, and mitigating impacts to airport related noise.

California Environmental Quality Act (CEQA). CEQA requires the identification of noise-sensitive land uses, the evaluation of project-related noise, and mitigation measures when impacts exceed state or local thresholds. Guidelines have been established to determine whether noise from a proposed project is significant. For the City of Santa Maria, CEQA review ensures that new development projects comply with noise standards and that appropriate mitigation measures are implemented.

Public Facilities and Services Element

General Plan Requirements

According to State law, General Plans must include information on “the general location and extent of existing and proposed public facilities and services” including “the proposed general distribution and general location and extent of land uses for... solid waste and liquid disposal facilities” (California Government Code section 65302[a]). While State law recommends that these topics be covered in the land use element, the City of Santa Maria will address these topics in a separate element to highlight their importance and role in supporting the overall high quality of life in the community.

Regulatory Setting

Federal Clean Water Act. The Federal Clean Water Act (FCWA) is the comprehensive federal law governing water quality and water pollution in the United States. The FCWA works to protect water resources by prohibiting unlawful discharge of any pollutant into local waterways and authorizing the United States Environmental Protection Agency (US EPA) to develop national water quality criteria for pollutants in surface water

Statewide General Permit for Stormwater Discharges Associated with Industrial Activities, Order 2014-0057-DWQ (Industrial General Permit or IGP). The IGP implements the federally required stormwater regulations in California for stormwater associated with industrial activities discharging to waters of the United States. The IGP regulates discharges associated with 10 federally defined categories of industrial activities.

Statewide General Permit for Waste Discharge Requirements for Storm Water Discharges from MS4s, Order 2013-0001-DWQ. This permit regulates the discharge of stormwater from Municipal Separate Storm Sewer Systems (MS4s), requiring cities to implement specific practices to manage stormwater runoff and protect water quality by controlling pollutants entering waterways from storm drains. Practices include managing development projects to minimize stormwater impacts and implementing best management practices to reduce pollution from urban areas.

Statewide General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities, Order 2022-0057-DWQ. This regulates dischargers whose projects disturb 1 or more acres of soil or whose projects disturb less than 1 acre but are a part of a larger common plan of development that in total disturbs 1 or more acres. Construction activity subject to this permit includes clearing, grading and disturbances to the ground such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility.

Parks and Water Bond Act of 2018. In June 2018, voters in the State of California passed the Parks and Water Bond Act of 2018. This proposition allocated \$4 billion to put towards California’s most pressing water, park, and natural resource needs. Funding has gone toward issues such as regional water supplies and water quality, stormwater management, water recycling, flood protection and repairs, ocean and coastal protection, local parks and open districts, and clean water and drought preparedness. Many of the specific issues targeted by this bill are prevalent in the city, such as the need for flood protection and

repairs, regional water supplies, and local parks and open space districts. Many cities like Santa Maria continue to rely on State and Federal funding in addition to local funding programs for the protection of natural resources.

Recreation and Parks Element

General Plan Requirements

According to State law, General Plans must include information on “open space for outdoor recreation, including...areas particularly suited for park and recreation purposes...and areas that serve as links between major recreation and open-space reservations” (California Government Code section 65560(b)(3)). While State law recommends that these topics be covered in the Open Space Element, the City of Santa Maria will address these topics in a separate element to highlight their importance and role in supporting the overall high quality of life in the community.

Regulatory Setting

Parks and Water Bond Act of 2018. In June 2018, voters in the State of California passed the Parks and Water Bond Act of 2018. This proposition allocated \$4 billion to put towards California’s most pressing water, park, and natural resource needs. Funding has gone toward issues such as regional water supplies and water quality, stormwater management, water recycling, flood protection and repairs, ocean and coastal protection, local parks and open districts, and clean water and drought preparedness. Many of the specific issues targeted by this bill are prevalent in the city, such as the need for flood protection and repairs, regional water supplies, and local parks and open space districts. Many cities like Santa Maria continue to rely on State and Federal funding in addition to local funding programs for the protection of natural resources.

The Quimby Act. The Quimby Act authorizes a city or county to require the dedication of land or to impose fees for park or recreational purposes as a condition of the approval of a tentative or parcel subdivision map if certain conditions are met. In-lieu fees must be used only for the purposes of developing or rehabilitating neighborhood or community park or recreational facilities, and if specified requirements are met, the jurisdiction may use those fees for rehabilitating and building parks in areas outside the neighborhood where the developer’s subdivision is specifically located.

Safety Element

General Plan Requirements

California Government Code Section 65302(g) requires a jurisdiction’s General Plan include a Safety Element to protect the community from natural and manmade hazards. The Safety Element identifies and maps hazard risk and historical hazard events that have affected the community, including seismic, flooding, and wildland and urban fire risk. For hazards identified as a concern to the community, the Safety Element is required to establish policies and actions that avoid placing people and development in high

hazard risk areas and minimize the impacts of potential hazard events through strategic zoning, subdivision, and entitlement decisions. Additionally, the Safety Element must address climate change adaptation and resilience by including a vulnerability assessment that identifies how climate change risks may affect the community. Other topics the Safety Element must address include evacuation routes, military installations, peakload water supply requirements, and minimum road widths and clearances around structures.

Santa Maria's Safety Element operates in conjunction with other local and regional hazard mitigation and disaster plans to protect the city, including the Santa Barbara County Multi-Jurisdictional Hazard Mitigation and the Santa Barbara County Operational Area Emergency Management Plan.

Regulatory Setting

Assembly Bill 3065 (2004). State Board of Forestry and Fire Protection. Assembly Bill 3065 requires that the draft Safety Element of any jurisdiction with a planning area that contains either state responsibility areas (SRAs) or a very high fire severity zone be submitted to the State Board of Forestry and Fire Protection and local agencies that provide fire protection at least 90 days prior to the local adoption of the safety element.

Assembly Bill 2140 (2006). Adopt LHMP into Safety Element. Assembly Bill 2140 allows California counties and cities to adopt their current, Federal Emergency Management Agency (FEMA)-approved local hazard mitigation plans (LHMPs) into the Safety Element of their General Plan. This adoption makes the county or city eligible to be considered for part or all of its local-share costs on eligible Public Assistance funding to be provided by the state through the California Disaster Assistance Act.

Senate Bill 1241 (2012). State Responsibility Areas and Very High Fire Severity Zones. Senate Bill 1241 requires review and update of the safety element, upon the next revision of the housing element on or after January 1, 2014, to address the risk of fire in state responsibility areas and very high fire hazard severity zones. The specific requirements are codified in Government Code § 65302(g)(3) and 65302.5(b) and included as Attachment 1 to this memo.

Senate Bill 379 (2015). Climate Change Adaptation. Senate Bill 379 requires all cities and counties to include climate adaptation and resiliency strategies in the safety elements of their general plans beginning January 1, 2017. The bill requires the safety element update to include a set of goals, policies, objectives, and implementation measures based on a vulnerability assessment.

Senate Bill 1035 (2018). New Information on Flood, Fire, or Climate Hazards. Senate Bill 1035 requires cities and counties to update their safety element during a housing element or local hazard mitigation plan update cycle, but not less than once every eight years, if new information on flood hazards, fire hazards, or climate adaptation or resilience is available that was not available during the previous revision of the safety element.

Senate Bill 99 (2019). Residential Emergency Evacuation Routes. Senate Bill 99 requires all cities and counties, upon the next revision of the housing element on or after January 1, 2020, to update the safety element to include information identifying residential developments located in any hazard area addressed in the safety element that do not have at least two emergency evacuation routes.

Assembly Bill 747 (2019) and Assembly Bill 1409 (2021). Evacuation Routes. Assembly Bills 747 and 1409 require all cities and counties to identify evacuation routes and evacuation locations in the safety elements of their general plans upon the next revision of the local hazard mitigation plan, beginning on or after January 1, 2022. The bill requires evaluation of evacuation route capacity (e.g., the amount of traffic a roadway can handle in an emergency), safety, and viability (e.g., ability to function during an emergency scenario) under a range of emergency scenarios, as well as the identification of evacuation locations.

Assembly Bill 1638 (2023). Local Government Emergency Response Services. Use Of Languages Other Than English. Commencing January 1, 2025, this bill requires emergency response agencies that serve jurisdictions where 5% or more of the populations speaks a language other than English to provide information in that language in the event of an emergency. Local agencies are required to use the American Community Survey data to identify languages spoken by communities that speak English less than “very well” and provide appropriate emergency response translations.

Assembly Bill 2684 (2024). Extreme Heat. Assembly Bill 2684 requires cities and counties to update their safety elements after January 1, 2028, to address extreme heat hazards. If an Extreme Heat Action Plan exists, it can be used in the update, and information from the Extreme Heat Action Plan and the State Hazard Mitigation Plan can also be referenced to meet this requirement.

Senate Bill 1137 (2022). Oil and Gas Operations. Senate Bill 1137 prohibits the issuance of well permits and the construction and operation of new production facilities within a health protection zone (or HPZ) of 3,200 feet from a sensitive receptor. Sensitive receptors include residences, education resources (preschool, schools, daycare center, park, playground, university, etc.), community resource centers, health care facilities, live-in housing, or any building housing a business that is open to the public. Operators of existing oil and gas wells in an HPZ are required to submit a leak detection and response plan to the California Air Resources Board for approval.