

CITY OF CATHEDRAL CITY

COMPREHENSIVE GENERAL PLAN

CHAPTER II

ADMINISTRATION AND IMPLEMENTATION

This chapter of the General Plan addresses the administration of the General Plan. Key discussions in this element include the format and content of the General Plan, the various chapters and elements, determining consistency with the General Plan, amending the General Plan, and other means of implementing the Plan. Other components and aspects of the General Plan are also discussed in the Administration and Implementation Element, including environmental resource and hazard maps, design concepts and procedural matters.

ADMINISTRATION ELEMENT

PURPOSE

The purpose of the Administration Element is to provide direction and guidance in implementing the Comprehensive General Plan. This element also serves as background on the information set forth in the General Plan, its organization, the Plan's function and its relationship to other regulatory documents, including the California Environmental Quality Act (CEQA), the Subdivision Map Act, and the City Zoning Ordinance. General Plan review and amendment procedures are also described in the Administration Element. It describes the various means by which the General Plan is implemented, including Element-specific implementation strategies, incorporated throughout the General Plan. This element also sets forth a goal, policies and programs intended to effectively administer the General Plan.

BACKGROUND

The Administration Element facilitates the review and regulation of land use and development on public and private lands. It also provides the framework by which the appropriateness of municipal actions are determined, including a review of applicable policies and standards for consistency with the General Plan. California Government Code (Section 65300) requires incorporated communities and counties to prepare and adopt a comprehensive, long-term General Plan. The General Plan regulates the physical development of lands under the jurisdiction of, or having an influence upon, the community, including the City's legally recognized Sphere-of-Influence. The General Plan and its various elements are required to function as an integrated, internally consistent and compatible statement of policies (Government Code Section 65300.5).

Conditions and circumstances unique to the community must also be accommodated and therefore the General Plan may take different forms, while meeting its minimum requirements (Government Code Section 65300.7). A General Plan must be designed to be responsive to the variations in community size and density, fiscal and administrative capabilities, land use and development issues, and the needs of each community's residents (Government Code Sections 65300.9, 65302). The Administration Element provides for the periodic review and amendment of the General Plan, establishing formal procedures to ensure that the Plan is maintained and kept current with changing conditions, and that it continues to reflect the goals of the community.

General Plan Organization and Format

The Cathedral City General Plan is organized into five major chapters: Administration, Community Development and Design, Municipal Facilities and Services, Environmental Resources and Environmental Hazards. Grouped within each chapter are the various related

General Plan Elements, providing background information and related issues, goals and specific policies.

The General Plan is a policy document supported by the associated Program Environmental Impact Report (EIR). Together, these documents provide detailed information on the City and its aspects. The Cathedral City General Plan is implemented by policies and programs set forth in each element, reflecting the character, vision and aspirations of the community.

Goals, Policies and Programs

The goals of each element of the General Plan are broad statements reflecting the City's values, character, aims and aspirations. They address the quality of life issues important to the community, and the current and planned physical development of the City. The General Plan goals also address the preservation of important environmental and cultural assets of the community.

The purpose of policies is to further the goals of the General Plan and establish specific performance requirements for each element. Programs accompanying the policies provide quantitative and qualitative targets, cite agencies most likely to carry out the program, and propose schedules for program implementation and review.

Exhibits, Maps and Graphics

The General Plan, and its supporting documentation provides official exhibits, maps and graphics to describe physical conditions, delineate land use and circulation patterns, define open space and recreation facilities, and other areas requiring special consideration or study. Environmental resources of importance and uniqueness, as well as environmental hazard areas, are also mapped, as well as public and quasi-public facilities. These official maps carry equal authority to the goals and policies of the General Plan.

The Elements of the General Plan

The California General Plan Guidelines cite Government Code Section 65302, which establishes seven (7) mandatory elements of the General Plan: Land Use, Circulation, Housing, Conservation, Open Space, Safety, and Noise. The State General Plan Guidelines also provide flexibility to jurisdictions in developing their General Plans. In this regard, some of the required elements may be addressed in combination with others, such as Open Space and Conservation.

Consistent with State Guidelines, all of the mandated elements are found within the Cathedral City General Plan, which integrates the mandatory and discretionary elements into five (5) major chapters. They are organized to reflect compliance with State requirements that the General Plan be internally consistent, comprising an integrated and compatible statement of policies for the City. Each element of the General Plan has equal legal authority.

Community Development and Design Chapter

This chapter has the most direct effect on the character and quality of life of the community through the definition and distribution of land uses, the intensity of various types of development, densities and types of housing, roadway and circulation plans, provision and distribution of parks and recreational facilities, architectural and community design guidelines,

arts and culture, and the preservation and enhancement of a healthy economy. This chapter includes the following General Plan elements:

Community Development and Design

- * Administration Element
- * Land Use Element
- * Traffic and Circulation Element
- * Housing Element
- * Parks and Recreation Element
- * Community Design Element
- * Arts and Culture Element
- * Economic Development Element

Public Facilities and Services Chapter

Providing basic utility infrastructure and public services are among the principal concerns of local government. So, too, are the provision of police and fire protection, and access to educational and health services. Providing emergency services is also an essential role of local government. The goals and policies in each element are meant to assure an adequate level of services and facilities commensurate with the level of development anticipated in the City. The Public Facilities and Services chapter of the General Plan includes the following elements:

Public Services and Facilities

- * Public Utilities Element
- * Fire and Police Protection Element
- * Health Services Element
- * Public Buildings and Facilities Element
- * Schools and Libraries Element
- * Emergency Preparedness Element

Environmental Resources Chapter

The resources of the physical natural environment, including man-made artifacts of historical or archaeological significance, biological resources, open space and conservation and other natural resources are addressed in this chapter. Goals and policies are set forth within each element to assure the preservation and enhancement of the physical environment and resources as important assets of the community. The Environmental Resources chapter includes the following elements:

Environmental Resources

- * Air Quality Element
- * Archaeological and Historic Resources Element
- * Biological Resources Element
- * Water Resources Element
- * Open Space and Conservation Element
- * Energy and Mineral Resources Element

Environmental Hazards Chapter

The hazards of the physical environment, including man-made hazardous conditions and toxic materials, are addressed in this chapter of the General Plan. Goals and policies are set forth in each element, which identify specific hazards and means of assuring the protection of public health, safety and welfare. Hazards of particular concern to the City are given special attention in this chapter. The Environmental Hazards chapter of the General Plan includes the following elements:

Environmental Hazards

- * Geotechnical and Seismic Element
- * Noise Element
- * Hazardous and Toxic Materials Element
- * Flooding and Hydrology Element

Administering The General Plan

Serving as the foundation upon which all land use and related decisions are based, the General Plan is often called the “constitution” of the City. In conjunction with its Program EIR, the General Plan is a comprehensive information and planning guide established by State law to provide a framework for making informed decisions about the future of the community. The community’s land use, circulation, environmental, economic and social goals and policies as they relate to land use and development are documented and addressed in the general Plan.

The Plan and supporting environmental documentation identify concerns and issues important to the community, analyze them, and establish goals, policies, and program implementation measures, which resolve identified issues and promote a community vision. They also provide the basis for a rational nexus to support development, mitigation measures and exactions. Special studies and performance programs are also integral parts of the goals, policies, programs and measures which assure effective implementation of the General Plan.

Determining Consistency with the General Plan

Development proposals, whether developer or City initiated, must be analyzed and tested for consistency with the goals, policies, and programs in every applicable element of the General Plan. On an on-going basis, the City must assure and maintain consistency of adopted Specific Plans and the City Zoning Ordinance with the General Plan. This test of General Plan

compliance is also a required criteria for determining significant impacts under the provisions of the California Environmental Quality Act (CEQA).

Interpreting the General Plan

Whenever uncertainty exists regarding the location of boundaries of any land use category, proposed public facility symbol, circulation alignment, or other symbol or line found on the official maps, the following procedures will be used to resolve such uncertainty. Boundaries shown in the General Plan and on official maps as approximately following the limits of any municipal corporation are to be construed as following these limits. Boundaries shown as following or approximately following section lines, half or quarter section lines shall be construed as following such lines.

Whenever boundaries are shown following or approximately following the centerline of streams, creeks, rivers, or other continuously or intermittently flowing streams or creeks, these boundaries are to be construed as following the channel centerline of these water courses taken at mean low water, and, in the event of natural change in the location of such streams or other water courses, the zone boundary is to be construed as moving with the channel centerline.

In instances where a land use category applied to a parcel is not mapped to include an adjacent street or alley, the category shall be considered to extend to the centerline of the right of way. Boundaries shown as separated from, parallel, or approximately parallel to any of the features listed above shall be construed to be parallel to such features and at such distances therefrom as are shown on the map. Symbols that indicate appropriate locations for proposed public facilities are not property specific. They indicate only the general area within which a specific facility should be established.

California Environmental Quality Act (CEQA) Review of Consistency

The Guidelines of the California Environmental Quality Act (CEQA Guidelines) require that an initial study include "an examination of whether the project is compatible with existing zoning and plans." The CEQA Guidelines further stipulate that, "A project will normally have a significant effect on the environment if it will conflict with adopted environmental plans and goals of the community where it is located." If a determination is made by the Planning Commission or the City Council that the proposed action is inconsistent with the General Plan, no further action shall be taken without the completion and processing of an EIR or other detailed analysis, which would support a finding of overriding consideration.

Determining Zoning Consistency

California State law also mandates that the City's Zoning Ordinance be consistent with the General Plan. In the event that the Zoning Ordinance becomes inconsistent with the General Plan by reason of a General Plan Amendment, the Zoning Ordinance must be amended within a reasonable time so that it is made consistent with the General Plan, as amended. The Zoning Ordinance cannot be amended if it causes an inconsistency with the General Plan.

Amendments To The General Plan

The General Plan can and should be viewed as a dynamic and multi-faceted document, defining and addressing the changing needs of the community. General Plan issues require on-going assessment and an understanding of existing and projected community needs. Short-term programs and policies should be reviewed annually to reflect compatibility with budgetary priorities, and to assure that the General Plan is kept current with changing conditions and circumstances. Long-term programs must also be given forward planning consideration to assure timely funding and development of critical infrastructure and public services and facilities.

Annual Review

California Government Code requires that the planning agency "render an annual report to the legislative body (City Council) on the status of the Plan and the progress in its implementation" (Section 65400(b)). State law further requires that the Housing Element be reviewed and updated at least once every five (5) years.

Mandatory elements of the General Plan may be amended up to four (4) times in each calendar year. The City Council or any citizen may initiate a General Plan Amendment. It is left to the discretion of the local jurisdiction to establish an amendment schedule to be published one year in advance.

Application Procedures To Amend The General Plan

The General Plan or any portion thereof may be amended by filing an application and the appropriate fees are filed with the City Planning Department. An amendment to the General Plan constitutes a project under the California Environmental Quality Act (CEQA), and therefore is evaluated for its environmental effects and consistency with other elements of the General Plan. Final approval of General Plan amendments is the responsibility of the City Council.

Exemptions Applicable To General Plan Amendments

The State Legislature has recognized that occasions arise which require the local jurisdiction to have some flexibility in amending the General Plan. As set forth in the California Government Code, the following are exempt from the General Plan amendment schedule.

- (1) Amendments requested and determined necessary for the development of a residential project, of which at least twenty-five percent (25%) of its units will be available to persons of low or moderate income (Sections 65361(b) and 65358(d)).
- (2) Any amendment necessary to comply with a court decision in a case involving the legal adequacy of the General Plan (Sections 65361 and 65358 (d) (1)).

Community Plans, Area Plans, Specific Plans and Precise Plans

The State General Plan Guidelines recognize three types of sub-plans, including the Community Plan, Area Plan and Specific Plan. Community and Area Plans focus on a particular region or

community within the overall General Plan area and must be consistent with the overall General Plan. This type of plan is adopted as an amendment to the General Plan in conformance with Government Code Section 65350 et. seq. The “community” or “area” plan includes refined policies and programs implemented by ordinances and other discretionary action, such as zoning.

Specific Plans and Precise Plans can consist of both policies and programs, as well as development regulations (see Government Code Section 65450 et. seq.). This type of plan is most commonly used to master plan large and/or mixed use developments, which require a specific or precise analysis of land use planning, design and regulation. Specific Plans and Precise Plans contain text, exhibits, and diagrams indicating the distribution, location, and intensity of proposed land uses and the necessary public and private urban support systems, including streets, utilities and drainage facilities.

Specific and Precise Plans also define the standards and criteria by which development and, where applicable, open space conservation will proceed on the property. These Plans also provide implementation measures and financing necessary to carry out the project. They must be consistent with all facets of the General Plan and in turn, zoning, subdivision, and public works projects must be consistent with an existing Specific Plan (Government Code Section 65455).

Specific Plans are prepared, adopted and amended in the same manner as a General Plan, may be adopted by resolution or ordinance, and may be amended as often as deemed necessary by the City Council.

Precise Plans are prepared, adopted and amended as per the Precise Plan of Design (PPD) Ordinance by resolution or ordinance, and may be amended as often as deemed necessary by the City Council.

Planning Capital Facilities

One of the statutory responsibilities of California incorporated towns, cities and counties is to “annually review the capital improvement program of the city or county and the local public works projects of other local agencies for their consistency with the General Plan.” Also, pursuant to Government Code Section 65401, all departments within the City and all other local government agencies must submit a list of proposed projects to the City. The City is required to review these projects for conformity with the General Plan.

General Plan Implementation

Local jurisdictions must continuously and consistently implement the General Plan once it has been adopted in conformance with Government Code Section 65103(c). The Cathedral City General Plan relies on element programs and strategies, as well as the related mitigation measures and programs set forth in the General Plan Program EIR, to serve as implementation measures. The City Zoning Ordinance is also essential in implementing the goals and policies of the Plan. Community, Area, Specific and Precise Plans provide detailed implementation programs for distinct or complex portions of the General Plan area.

The Zoning Ordinance and General Plan Implementation

The primary tool for implementing the General Plan is the Zoning Ordinance, which constitutes an exercise of police powers granted to the City by the State. It regulates land use by distinct development zones, or districts, and permitted uses. These are set forth in the form of text, maps, diagrams and other materials, which describe the distribution and intensity of land uses into such categories as residential, commercial, industrial and open space. Minimum development standards are established through written regulations for each of the land use districts that are consistent with the General Plan. Permitting processes set forth in the Zoning Ordinance, including Conditional Use Permits, Variances, Design Reviews and other land use permitting also implement the General Plan. The implementation of the General Plan is further regulated by Government Code Sections 65800 et. seq.

The Subdivision Ordinance and the General Plan

The subdivision ordinance, like the Zoning Ordinance, is also an exercise of police powers and a principal instrument for implementing the General Plan. Establishing state-wide uniformity in local subdivision procedures, the State Subdivision Map Act (Government Code Sections 66410 et seq.) leaves the standards for regulating the design and improvement of subdivision to local government. The broadest authority for regulating subdivisions lies in Government Code Sections 66473.5, 66474, 66474.60, and 66474.61, requiring findings that, among other things, the subdivision is consistent with the City General Plan and any applicable Specific Plan.

Development Agreements

Government Code Section 65865 et seq. provides for the adoption of development agreements between a project proponent and the City. Development agreements provide developers with additional assurances that development approvals will not be nullified by some future local policy or regulation change. In turn, the development agreement may require the developer to meet certain conditions or performance criteria which become part of the agreement.

Development agreements can be a useful means of meeting General Plan goals and policies, while removing some of the uncertainties faced by developers. Agreements generally remain in effect for several years, the term typically being set forth in the agreement.

As set forth in Government Code Section 65866, the City, unless otherwise provided by the development agreement, is not prevented from applying new rules, regulations, and policies which do not conflict with those rules, regulations, and policies applicable to that property. Neither is the City prevented from denying or conditionally approving any subsequent development project application on the basis of existing or new rules, regulations or policies.

City Commissions and Committees

State law also empowers the City to establish advisory commissions or committees, which may be comprised of public officials as well as private individuals, to review and make recommendations on policies or programs facilitating implementation of the General Plan. These commissions typically address such issue areas as parks and recreation, trails, libraries, public

safety, community and architectural design, affordable housing and emergency preparedness. The City Council may establish commissions or committees to address specific and focused issues, or to provide recommendations on an on-going basis. The Council may perpetuate or dissolve these commissions or committees as it sees fit.

SUMMARY

Effective administration and implementation of the General Plan are set forth in the Administration Element, and rely on the development and maintenance of City regulatory documents. These include the Zoning Ordinance, Specific and Precise Plan requirements, the Subdivision Ordinance, and City Rules for the Implementation of CEQA. The General Plan is a living document with mandates for frequent review and refinement. Amendments to the Plan shall be given careful and thoughtful consideration. The goal, policies, programs and implementation strategies of the Element will help to assure the effective administration and implementation of all elements of the Cathedral City General Plan.

GOAL, POLICIES AND PROGRAMS

Goal

The comprehensive and integrated administration and implementation of all elements of the Cathedral City General Plan through consistent and effective policies and programs.

Policy 1

The General Plan shall be periodically revised and updated, and shall ensure the conformance of City ordinances, including the Zoning and Subdivision Ordinances with the General Plan.

Program 1.A

Through the public hearing process, the City Council shall receive an annual report from the Planning Commission on the status of the General Plan and shall make recommendations which address identified inadequacies or opportunities for updating the Plan.

Responsible Agency: City Council; Planning Commission; Planning Department

Schedule: Annually.

Program 1.B

The City Zoning and Subdivision Ordinances shall be comprehensively reviewed and amended, as necessary, to maintain consistency with the General Plan.

Responsible Agency: Planning Department; Public Works Department

Schedule: Annually

Policy 2

Community, Area Specific and Precise Plans should be thoughtfully used as a method of detailed and systematic implementation of the General Plan.

Program 2.A

The preparation of Community, Area, Specific and Precise Plans will be directed by application materials and guidelines developed by the City, and their use will be encouraged for distinct neighborhoods or complex projects involving multiple land uses or projects which have either environmental or geophysical issues associated with the property.

Responsible Agency: Planning Department

Schedule: On-going

Policy 3

The long-term implications of General Plan policies and programs will be periodically examined and reviewed, especially as they relate to the availability of infrastructure and the City's ability to provide public services and facilities.

Program 3.A

The City shall conduct an annual review of the General Plan, as set forth in Program 1.A, above, which shall include a report on interrelationships, impacts or enhancements of the General Plan with regard to the availability of infrastructure and City's ability to fund public services or secure public facilities.

Responsible Agency: City Council; Planning Commission; Planning Department

Schedule: Annually.

Policy 4

Establish and maintain a cooperative planning process with neighboring cities, Riverside County and the Agua Caliente Band of Cahuilla Indians' Tribal Council, and assure an effective regulatory or advisory role regarding any and all development and land use planning issues proposed within or in close proximity to the City's Sphere-of-Influence.

Program 4.A

Establish agreements with adjoining cities, Riverside County and the Agua Caliente Tribal Council to review all proposed land use and other development proposals, recognize the City's advisory role, and request that the County and Tribal Council forward copies of all development plans proposed within the advisory area to the City for review and comment.

Responsible Agency: City Council; Planning Department; City Attorney; Economic Development Department; Redevelopment Agency

Schedule: 2002-03; Continuous.

Policy 5

The City shall assure and facilitate properly filed development applications, which shall be processed in an expeditious and timely manner.

Program 5.A

The City shall establish and maintain application materials and processing procedures that assure expeditious and timely processing of land development applications, including "fast tracking" procedures for priority development proposals.

Responsible Agency: City Council; Planning Commission; Planning Department

Schedule: Continuous.

Policy 6

Utilize capital improvement, master facility and similar plans to address the City's recreation, drainage/flood control, infrastructure, utility management, traffic control, and other facility needs.

Program 6.A

As part of the City's planning for capital improvement programs, the City shall develop master facility plans to establish availability of, need and financing for expanded public services and facilities. Master plans should also include schedules for phased implementation, which shall be incorporated into the City's capital improvement programs.

Responsible Agency: City Council; Engineering Department; Planning Department

Schedule: 2002-03; as required by development.

Policy 7

Encourage in-fill development within the corporate boundaries of the City, and expansion of new development which is logically phased and, as appropriate, guided by the development of existing and new Community, Area, Specific or Precise Plans.

Policy 8

In order to assure adequate community involvement, the City shall provide opportunities for review and comment on development proposals through public hearing notices sent to owners of property located at least within 300 feet of the development proposal site.