

CHAPTER 8 PUTTING THE PLAN TO WORK

The true worth of a general plan is measured by how well it actually leads to achievement of its goals and policies. The strategic approach presented in Chapter 2 is intended to provide a focus for the City's implementation efforts. In addition, each policy in the Plan is accompanied by at least one implementation measure. These implementation measures are then summarized in a separate section following each set of goals and policies.

This chapter provides additional information on how the Plan implements state law and local policies, including how the plan can be maintained as an effective management tool after it is adopted. This General Plan is only the first step, but a critical one, in providing for the types of future development, facilities, and services desired by the city.

A. Moving from State Law to Local Policies

Under California law, cities are required to adopt general plans that include seven "elements" or topics: land use, circulation, housing, safety, open space, conservation, and noise. At their discretion, cities may adopt additional elements, such as economic development, community design, and parks and recreation.

This General Plan is organized into chapters, with several appendices containing technical or explanatory materials. The state-mandated elements are incorporated into the following chapters:

- Chapter 4, Community Development and Design, addresses land use, community design, housing, and growth management. The section on land use contains the future land use plan map and a description of the land use categories used in the plan. This chapter fulfills the state-mandated requirement for a land use element. The optional community design section discusses design issues and identifies special design areas. The state-mandated housing element is not part of the 1998-99 update, but will be updated in 2000-01. The complete housing element, adopted in 1991, is included as Appendix A. The growth management section is in response to a county initiative (Measure C) that links growth and infrastructure.
- Chapter 5, Transportation and Circulation, addresses the movement of people and materials by transit, automobiles and trucks, bicycles, and walking. This chapter fulfills the state-mandated requirement for a circulation element. Additional technical information on transportation is included in Appendix B.
- Chapter 6, Public Facilities and Services, deals with three topics: parks and recreation, civic and community facilities, and public services and infrastructure.

These subjects are not mandated by state law but are included because of the City's intense interest in its parks and other recreation facilities, and because all public facilities and services are related to land use policies contained in Chapter 4.

- Chapter 7, Resources and Hazards, addresses natural and historic resources in its first major section. The natural resources discussion includes open space, wildlife, air quality, and storm runoff. The second major section addresses hazards—geologic hazards, fires, flooding, and noise. Chapter 7 fulfills the state-mandated requirements for open space, conservation, safety, and noise elements.

B. Consistency Requirements

State law provides cities with a variety of techniques for implementing general plans. It also requires that these implementation techniques be consistent with the general plan. The most important techniques and their relationship to the general plan are discussed below.

Zoning Ordinance

The zoning ordinance and zoning map are parcel-specific statements of how land may be used and provide specific conditions that El Cerrito will impose, consistent with the overall policy framework of the General Plan and land use map. As such, zoning should not be confused with the General Plan or the land use map, which are not precise or parcel-specific and, therefore, may not show detailed land use distinctions nor, in all cases, reflect existing use of the land.

Government Code Section 65860 requires that a city's zoning ordinance be consistent with its general plan. Consistency means that various land uses authorized by the zoning ordinance, and the distribution of these permitted land uses, must serve to implement the goals and policies of the general plan. Specific zoning ordinance districts must correspond with the land use designations and the geographic extent of the designations presented on the land use map, even if they vary from actual existing conditions.

Subdivision Ordinance

Government Code Section 66410 *et seq.* requires that local jurisdictions regulate and control subdivision activity through adoption and use of a subdivision ordinance.

Section 66473.5 requires that a city shall not approve a proposed subdivision map unless the subdivision, including its design and proposed land uses, is consistent with the general plan. Similar to the consistency requirements of the zoning ordinance and map, consistency may be found only when the proposed subdivision is consistent with the goals, policies, and implementation programs included in the general plan. The subdivision consistency requirement applies to subdivisions for which parcel maps (minor subdivisions) are filed, as well as tentative and final maps.

Section 66474 specifically requires that a city shall deny approval of tentative and final maps if it finds that the proposed map, its design, or the proposed improvements are inconsistent with its general plan.

Capital Improvement Programs

Government Code 65401 requires the city council to obtain from city officials and staff, and from special districts operating within the city limits, lists of all public works projects recommended for study, design, or construction during each ensuing year. The list of public works projects is then organized into a coordinated program, called the capital improvement program (CIP). The CIP and its component projects must be reviewed by the city, and inconsistent projects must be deleted or modified to conform to the general plan.

Environmental Impact Review

The regulations implementing the California Environmental Quality Act (CEQA), California Administrative Code Section 14100 *et seq.*, contain several references to the relationship of environmental review, as prescribed by CEQA, and the general plan. Section 15080 requires that the environmental review process be “combined with the existing planning, review, and project approval process” used by the city. Section 15125(b) requires environmental review to discuss any inconsistencies between a proposed project and the general plan. Projects should be found to have a significant adverse effect on the environment if they conflict “with adopted environmental plans and goals of the community”

Redevelopment

The City of El Cerrito has established a Redevelopment Project Area along San Pablo Avenue. State law (Health and Safety Code Sections 33302 and 33331) requires that El Cerrito’s Redevelopment Plan be in conformance with the City’s General Plan.

Other Consistency Requirements

State Housing Law (Health and Safety Code Sections 17910 *et seq.*) requires a city to adopt regulations imposing substantially the same standards as those contained in the various uniform industry codes. State law also imposes special standards, which may be more stringent than the uniform industry codes (e.g., the Uniform Building Code), designed to protect against certain types of hazards (fire, noise, earthquakes, unstable soils) and achieve certain resource management goals (such as energy conservation). El Cerrito may adopt regulations and standards that vary from those mandated by state law, if justified by local conditions. If such variance is appropriate, the General Plan can serve as the vehicle for documenting local conditions and specifying the necessary regulatory response.

C. Maintaining the General Plan

The traditional view of a general plan is that it is a more-or-less static document, updated about every 20 years, with much more emphasis on maps than on policies. This view is consistent with planning as practiced in many other countries where the government has much more control over land use than in the United States. The more contemporary view of general plans is that they are a management tool that must be kept up to date if they are to provide useful guidance for decision making in a rapidly changing economic environment.

In order to keep the plan up to date so that it is an effective management tool, the following measures should be implemented.

1. The City staff should prepare an annual report on the status of achieving the strategic action items listed in Chapter 2. This report should be brief and contain the following information:
 - Name of strategic action
 - Status
 - Current issues that need attention
 - Recommended changes in plans, policies, or regulations.

This report should be prepared prior to the City Council's annual goal setting session.

2. The City staff should prepare an evaluation report every five years—the evaluation report should address the following:
 - The degree to which each goal has been successfully reached
 - The effectiveness of each policy in reaching its goal or goals
 - Problems and opportunities that were unanticipated when the plan or most recent five year evaluation was developed
 - Data that is out of date to the extent that it inhibits the successful implementation of the General Plan
 - Recommended changes in the General Plan and to other plans, policies, and regulations.
3. The City staff should propose General Plan amendments as needed in order to maintain the Plan as an effective management tool.
4. The contents of the General Plan, all General Plan amendments, the Existing Conditions Report, and the Environmental Impact Report for this Plan must be easily accessible. At a minimum, at least the General Plan should be on the City's website. As part of the amendment process, it is highly desirable to replace superseded pages with revised pages in order to minimize confusion.
5. The General Plan should be used in the development of capital improvement programs, annual budgets, and, as applicable, personnel reviews.

D. Amending the General Plan

The City or private individuals can initiate General Plan amendments. The state law governing amendments is found beginning at Section 65350 of the Government Code. The law provides that the Planning Commission must hold at least one public hearing before approving a written recommendation for a Plan amendment. The City Council must then hold at least one public hearing before approving an amendment. The state law provides for the type of notice that must be given for these hearing.

A General Plan amendment is subject to the provisions of the California Environmental Quality Act and, therefore, may require an Environmental Impact Report or other environmental documentation. Periodic review of the entire General Plan is not required by state law but, as noted above, is highly recommended. The state law does require a review of the Housing Element every five years; these reviews normally will result in a Plan amendment.