

TOWN OF YUCCA VALLEY

COMPREHENSIVE GENERAL PLAN

CHAPTER II

ADMINISTRATION

This chapter of the General Plan addresses the administration of the General Plan, through the Administration and Implementation Element. 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, purpose and scope of the Specific Plan, and other means of implementing the Plan. The Specific Plan plays an important role as a refined version of the General Plan applicable to specific portions of the Town. 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 AND IMPLEMENTATION ELEMENT

PURPOSE

The purpose of the Administration and Implementation Element is to provide 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 Town Development Code. The Administration and Implementation Element also describes review and amendment procedures. It is the intent of this Element to describe the various means by which the General Plan is implemented, including Element-specific implementation strategies. The Element also sets forth goals, policies and programs intended to effectively administer the General Plan and facilitate implementation strategies, which are also part of this Plan.

BACKGROUND

The Administration and Implementation 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 as a whole. The Element also facilitates the review and processing of land use and development proposals, the appropriateness of which is determined through a review of applicable policies and standards for consistency with the General Plan.

California Government Code (Section 65300) requires that incorporated communities and counties prepare and adopt a comprehensive, long-term General Plan which regulates the physical development of lands under the jurisdiction of, or having an influence upon, the community. 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).

It is also recognized that special local conditions and circumstances must be accommodated and that the General Plan may take differing forms, while meeting its minimum requirements (Government Code Section 65300.7). The 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).

Format and Content

The Yucca Valley General Plan is organized into five major chapters: Administration, Community Development, Environmental Resources, Environmental Hazards, and Public Services and Facilities. Within each chapter are the various General Plan Elements providing background information and related issues, goals and specific policies.

The Yucca Valley General Plan is strongly supported by programs, set forth in each element, that reflect the community's pro-active philosophy of local government. Implementation strategies have been included to facilitate long-term planning and infrastructure development.

Goals, Policies, Programs and Implementation Strategies

The General Plan goals are developed as broad statements reflecting the Town's values, aims and aspirations. These goals address the physical development of the Town, as well as the preservation of the community's important environmental and cultural assets. The policies have been developed to further the goals of the General Plan, and set forth specific performance requirements for each element. Programs accompanying the elements provide quantitative and qualitative targets, establish the agencies responsible for the program and a schedule of program implementation and review. The implementation strategies, found in Appendix A of this General Plan, further refine programs, and describe specific measures, their implementation and source of funding.

Maps and Graphics

Official maps and graphic examples are incorporated into the General Plan to delineate land use and circulation patterns, scenic highways, community focal points, open space and

recreation facilities, and areas requiring special consideration or study. Important or significant environmental resource and hazard areas are also mapped, as well as public and quasi-public facilities. These official maps carry equal authority with the goals and policies of the General Plan.

The Elements

California Government Code Section 65302 establishes the seven (7) mandatory elements of the General Plan: Land Use, Circulation, Housing, Conservation, Open Space, Mineral, Energy & Conservation, Safety, and Noise. It is recognized that some of the required elements may be addressed in combination with other complementary elements, such as Open Space, Mineral, Energy and Conservation.

All of the mandated elements are found within the Yucca Valley General Plan. This document integrates the mandatory and discretionary elements into five (5) major chapters, organized to reflect compliance with State requirements that the General Plan be internally consistent, comprising an integrated and compatible statement of policies for the Town. Each element of the General Plan has equal legal authority. Exhibits I and Exhibits II in this Element illustrates the relationships between element and a comparison of General Plan issues compared against required General Plan elements.

Community Development Chapter

The Community Development chapter most directly affects the character and quality of life of the community through the distribution of land uses, the intensity of commercial and other development, densities and types of housing, roadway and circulation plans, the provision of parks and recreational facilities, the establishment of architectural and community design guidelines, the preservation of scenic vistas, and the preservation and enhancement of a healthy economy. This chapter includes the following General Plan elements:

Community Development

- * Land Use
- * Circulation
- * Housing
- * Parks, Recreation and Trails
- * Community Design
- * Scenic Highways
- * Economic Development

Environmental Resources Chapter

This chapter describes 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. 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

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

Environmental Hazards Chapter

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

Environmental Hazards

- * Seismic Safety
- * Slopes, Sediment Control and Soil Conservation
- * Flooding and Hydrology
- * Noise
- * Hazardous and Toxic Materials

Public Services and Facilities Chapter

The assurance of adequate levels of essential public facilities and services is a principal concern of local government. To assure an adequate level of services and facilities congruent with the level of development anticipated in the Town, goals and policies are set forth in each element. The Public Services and Facilities chapter of the General Plan includes the following elements:

Public Services and Facilities

- * Fire and Police Protection
- * Schools and Libraries
- * Emergency Preparedness and Health Services
- * Public Buildings, Facilities and Utilities
- * Arts, Culture and Humanities

Using The General Plan

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 General Plan, and supporting environmental documentation, identify concerns and issues important to the community, analyze them, and establish goals and policies, programs and implementation measures, which resolve these issues. Special studies and performance programs are also integral parts of the goals, policies, programs and measures which assure effective implementation of the General Plan.

Consistency with the General Plan

Proposals for development, either developer or Town initiated, must be analyzed and tested for consistency with the goals, policies, and programs in every applicable element of the General Plan. Proposals to amend a Specific Plan, the Development Code, or the General Plan text or Maps also require findings regarding consistency with the General Plan. Inconsistency of a project with the General Plan shall preclude development approval, or require a finding of overriding consideration. 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).

Interpretation of the General Plan

In any case where 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 as approximately following the limits of any municipal corporation shall be construed as following such limits. Boundaries shown as following or approximately following section lines, half-section lines, or quarter section

lines shall be construed as following such lines.

Boundaries shown as following or approximately following the centerline of streams, creeks, rivers, or other continuously or intermittently flowing streams or creeks shall be construed as following the channel centerline of such 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 shall be construed as moving with the channel centerline.

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.

CEQA Review of Consistency

State CEQA Guidelines require that an initial study include "an examination of whether the project is compatible with existing zoning and plans." The State 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 Town 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.

Zoning Consistency

California State law also mandates that the Town'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 an amendment, the Zoning Ordinance must be amended within a reasonable time so that it is made consistent with the General Plan, as amended.

Amending The General Plan

The General Plan is not a static, but rather a dynamic and multi-faceted document, which defines and addresses the

changing needs of the community. It is also based on an on-going assessment and understanding of existing and projected community needs. To assure that the General Plan is kept current, short-term programs and policies may be reviewed annually to reflect compatibility with budgetary priorities and related program status. Long-term programs and implementation measures 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 (Town 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.

The General Plan may be amended up to four (4) times in each calendar year. The Town 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

Applications for the amendment of the General Plan are filed with the appropriate fees with the Town Community Development 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 the General Plan. Final approval of General Plan amendments remains with the Town Council.

Exemptions

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)).

Specific Plans

A specific plan plays an important role as a refined version of the General Plan, applicable to a specific portion of the community. Specific Plans often provide detailed design and analysis of complex mixed-use projects, and indicate precise land use locations and designs. Specific 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 Plans also define the standards and criteria by which development and, where applicable, conservation will proceed. Additionally, a Specific Plan provides a program of implementation measures and financing necessary to carry out the project. It must also 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 required for lands designated with the Specific Plan overlay on the Land Use Map. Larger complex development proposals may also be required to process a Specific Plan. 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 Town Council. Development proposals within areas designated with a specific plan overlay on the General Plan Land Use Map cannot proceed until a Specific Plan has been prepared and adopted by the Town Council.

In areas where the Specific Plan encompasses more than one property, the plan must be completed and adopted prior to development on any affected property. Specific Plans may be prepared either by the applicant or the Town. Should the Town prepare the Specific Plan, it is entitled to reimbursement pursuant to Section 65456 of the California Government Code.

Capital Facilities

Among 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 Town and all other local government agencies must submit a list of proposed projects to the Town. The Town is responsible for reviewing these projects for conformity with the General Plan.

Implementation of the Plan

California Government Code Section 65103(c) requires that local jurisdictions implement the General Plan once it has been adopted. The Yucca Valley General Plan relies on element programs and implementation strategies (see Appendix A), as well as the related mitigation measures and programs set forth in the General Plan Program EIR, to serve as implementation measures. The Town Development Code also plays a critical role in implementing the goals and policies of the Plan, and Specific Plans provide detailed implementation programs for specific portions of the General Plan area.

Implementation Through the Development Code

The Development Code, which includes the Zoning Ordinance, is an exercise of police powers granted to the Town by the State, and is the primary tool for implementing the General Plan. The Development Code regulates land use by distinct development zones and permitted uses. Text, maps, diagrams and other materials describe the distribution and intensity of land uses into such categories as residential, commercial and industrial uses.

Written regulations establish minimum development standards for each of the land use zones in a manner consistent with the General Plan. Permitting processes set forth in the Development Code, including Conditional Use Permits, Variances, Architectural 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.

Implementation Through the Subdivision Ordinance

Like Zoning Ordinances, subdivision regulation 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 subdivision 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 Town General Plan and any applicable Specific Plan.

Development Agreements

State law provides for the adoption of development agreements between a project proponent and the Town, in accordance with Government Code Section 65865 et seq. The purpose of development agreements is to provide developers with additional assurances that development approvals will not be nullified by some future local policy or regulation change. In exchange, the developer may be required 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 risks faced by developers. Agreements can remain in effect for a few or several years, the term typically set forth in the agreement.

It is important to emphasize that, as set forth in Government Code Section 65866, the Town, 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 Town prevented from denying or conditionally approving any subsequent development project application on the basis of such existing or new rules, regulations or policies.

FUTURE DIRECTIONS

The Administration and Implementation Element is essential to the effective enactment of the General Plan. The Plan relies on the development and maintenance of Town regulatory documents, including the Development Code, Specific Plan requirement, the Subdivision Ordinance, and Town Rules for the Implementation of CEQA. The General Plan itself is a living document with mandates for frequent review and refinement. Amendments to the Plan should be given careful consideration and not be granted casually. The goal, policies, programs and implementation strategies of the Element will

help to assure the effective administration and implementation of all elements of the Yucca Valley General Plan.

ADMINISTRATION AND IMPLEMENTATION GOAL, POLICIES AND PROGRAMS

GOAL

Comprehensive and integrated administration and implementation of all elements of the Yucca Valley General Plan through consistent and effective regulatory processes and procedures.

Policy 1

Provide for the periodic revision and updating of the General Plan and ensure that associated Town ordinances, including the Development Code and Subdivision Ordinances, are maintained in conformance with the General Plan.

Program 1.A

The Town Council shall, through the public hearing process, 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: Town Council; Planning Commission; Community Development Department

Schedule: Annually

Program 1.B

Prepare and the annually adopt a schedule for the holding of not more than four (4) public hearings to amend the General Plan in any given calendar year, with said schedule to be adopted prior to the year in which the schedule will take effect. The Town Council or any citizen may initiate an application to amend the General Plan.

Responsible Agency: Town Council; Planning Commission; Community Development Department

Schedule: Annually

Policy 2

Provide for the use of specific plans as a preferred method of detailed and systematic implementation of the General Plan.

Program 2.A

Develop application materials and guidelines for the preparation of specific plans and shall encourage their use for large and/or complex residential, and commercial or

industrial projects of twenty acres or larger.

Responsible Agency: Community Development Department

Schedule: 1995-1996

Policy 3

Examine and review, on an on-going basis, the long-term implications of policies and programs as they relate to the Town's ability to provide public services and facilities.

Program 3.A

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

Responsible Agency: Town Council; Planning Commission; Community Development Department

Schedule: Annually

Policy 4

Establish and maintain a formal agreement with San Bernardino County assuring an effective advisory role regarding any and all development and land use planning issues proposed within two (2) miles of the Town boundaries.

Program 4.A

Enter into an agreement with San Bernardino County to review all proposed land use and other development proposals, recognize the Town's advisory role, and request that the County forward copies of all development plans proposed within the advisory area to the Town for review and comment.

Responsible Agency: Town Council; Community Development Department

Schedule: 1995-1996; Continuous

Policy 5

Assure that properly filed development applications shall be processed in an expeditious and timely manner.

Program 5.A

Adopt application processing procedures that assure expeditious and timely processing of land development applications, including "fast tracking" procedures for priority development proposals.

Responsible Agency: Town Council; Planning Commission; Community Development Department

Schedule: Continuous

Policy 6

In-fill development shall be encouraged within the corporate boundaries of the Town, and expansion of new development shall be logically phased and as appropriate, guided by the development of Specific Plans.

Program 6.A

The Development Code shall provide streamline processing procedures and expedite environmental reviews to encourage development which will in-fill existing vacant lots in already improved and serviced areas.

Responsible Agency: Community Development Department
Schedule: Continuous

Exhibit II-1
 Relationship Between General Plan Elements

 GENERAL PLAN ELEMENTS	Land Use	Circulation	Housing	Parks & Rec	Community Design	Scenic Highways	Economic Develop	Biological Resource	Archaeological	Water Resource	Air Quality	Open Space, Min, Eng.	Seismic Safety	Slopes, Sed Con &	Flooding/Hydrology	Noise	Hazardous/Toxic	Fire/Police	Schools/Libraries	Emer Prep & Health	Pub Bldg, Fac,	Arts/Culture
Land Use		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Circulation	✓		✓	✓		✓	✓				✓				✓	✓						✓
Housing	✓	✓					✓					✓				✓						✓
Parks & Recreation	✓	✓			✓		✓					✓				✓						
Community Design	✓	✓				✓			✓													
Scenic Highways	✓	✓		✓			✓	✓				✓		✓								
Economic Develop	✓	✓	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Biological Resource	✓			✓	✓	✓						✓										✓
Archaeological	✓				✓		✓					✓										✓
Water Resources	✓				✓		✓								✓			✓		✓	✓	
Air Quality	✓	✓	✓									✓										
Open Space	✓	✓	✓	✓		✓		✓	✓	✓	✓	✓	✓									✓
Seismic Safety	✓		✓				✓							✓	✓			✓		✓	✓	
Slopes, Sed Con & Health	✓					✓		✓				✓	✓		✓					✓		
Flooding/Hydro	✓	✓											✓	✓			✓			✓		
Noise	✓	✓																				
Hazardous/Toxic	✓							✓		✓	✓							✓		✓		
Fire/Police	✓		✓		✓					✓		✓		✓								
Schools/Libraries	✓	✓																				✓
Emer Prep & Health	✓	✓										✓			✓		✓	✓		✓		
Pub Bldg, Fac & Util	✓	✓								✓							✓		✓	✓	✓	
Arts/Culture	✓			✓				✓	✓			✓							✓			

Exhibit II-2

Comparison of General Plan Issues to Required General Plan Elements

 GENERAL PLAN ELEMENTS	Land Use	Circulation	Housing	Conservation	Open Space	Noise	Safety
Land Use	✓				✓		✓
Circulation		✓				✓	
Housing	✓		✓				
Parks & Recreation	✓			✓	✓		
Community Design				✓			
Scenic Highways		✓					✓
Economic Develop	✓						
Biological Resource					✓		
Archaeological				✓			
Water Resources				✓	✓		
Air Quality				✓			
Open Space	✓	✓			✓		
Seismic Safety	✓						
Slopes, Sed Con					✓		
Flooding/Hydrology					✓		✓
Noise						✓	
Hazardous/Toxic				✓			✓
Fire/Police							✓
Schools/Libraries	✓			✓			✓
Emergency Prep	✓						✓
Public Facilities	✓			✓	✓		✓
Arts/Culture				✓	✓		

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