



CITY OF CATHEDRAL CITY

2040 GENERAL PLAN

CHAPTER II

ADMINISTRATION



INTRODUCTION, PURPOSE AND BACKGROUND

INTRODUCTION

The City 2040 General Plan is a policy and program document addressing all facets of community planning and management. The Administration Element provides direction on the implementation of the Plan. It provides background on the information set forth in the General Plan, describes 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 set forth in this chapter.

PURPOSE

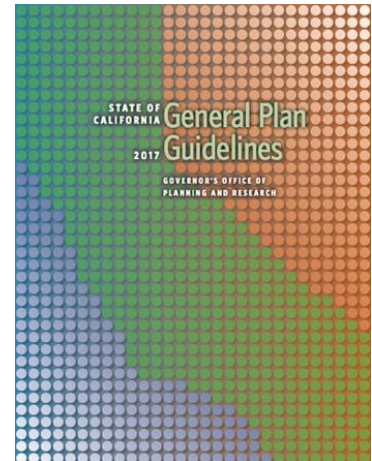
It is the purpose of the Administration Element to describe the various ways in which the General Plan is structured, how it complies with State General Plan Guidelines, and how the General Plan is organized. This element also sets forth how the General Plan is implemented, including element-specific implementation strategies that are incorporated throughout the General Plan. The Administration Element also sets forth goal, policies and programs intended to effectively administer the General Plan. It is intended to ensure the fair, just and equitable management of all City lands and services, and the fair and equitable implementation of public policy.

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 is 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 the 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 USE

Introduction

Sometimes described as the “constitution” of the City, the General Plan is the foundation upon which all land use decisions are to be based. The 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 Plan identifies the community's land use, circulation, environmental, economic and social goals and policies as they relate to land use and development. The General 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 or effectively address these issues. It also provides 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, which assure effective implementation of the General Plan.

A Charter City

Cathedral City is a charter city operating under the council-manager form of government. Policymaking and legislative authority are vested in a City Council, elected from five districts comprising a council of the Mayor and four other Council members. The City Council is responsible for, among other things, passing ordinances, adopting minute orders and resolutions (such as the budget), appointing committees, and hiring both the City Manager and City Attorney. The City Council is elected on a nonpartisan basis. Council members serve four-year staggered terms. The Mayor is appointed by the City Council to serve a one-year rotating term.

In addition to sitting as the governing board of the City, the City Council also acts as the Board of Directors of the Cathedral City Public Financing Authority. The City Manager is responsible for carrying out the policies and ordinances of the City Council, overseeing the day-to-day operations of the City, and for appointing the various department heads.

The General Plan Process

The City's previous General Plan was last comprehensively updated in 2002. Since that time, there have been numerous updates to individual elements of the Plan (2009) but no comprehensive update; the Housing Element was last updated in 2014. Based upon a need to respond to current social, economic, physical and political conditions, the City Council determined that a comprehensive update to the General Plan was necessary. The General Plan development team is comprised of the Planning Commission and City Council and various departments of the City, including Planning, Engineering, Public Works, Economic Development, Administrative Services, and Fire and Police.

The City was assisted by a consulting team with extensive knowledge of the City and the Coachella Valley. A variety of other agencies, districts and authorities were also helpful in the development of the updated General Plan, including the Desert Water Agency, Coachella Valley Water District, Riverside County, the Coachella Valley Association of Governments (CVAG), and our sister cities of the Coachella Valley. Finally, and most importantly, the general public provided essential and valuable insight and input that has helped make this General Plan a reflection of our diverse community.

"By far the greatest and most admirable form of wisdom is that needed to plan and beautify cities and human communities."
-Socrates

General Plan Format

State General Plan Guidelines do not mandate a specific structure or format for the General Plan, nor do they specify an appropriate number of elements. "Elements" are referred to as "topics that California law require to be covered in a General Plan" (Gov. Code Sec. 65302). Mandatory element discussion topics include: Land Use, Circulation, Housing, Conservation, Open Space, Noise, Safety, Environmental Justice, and Air Quality. These topics may be discussed separately or logically grouped within a common element.

The General Plan stands at the apex of a pyramid of City regulatory documents. As such, zoning, subdivisions, public works, specific plans, and other regulatory documents must be consistent with the General Plan and its elements. Likewise, the City's Climate Action Plan (CAP), Sustainability Plan and other implementing documents are linked to the General Plan, are internally consistent with it and support policies, programs and implementation measures set forth in the General Plan.

The 2040 Cathedral City General Plan is organized into three major chapters: *Introduction to the General Plan*, *General Plan Administration*, and *General Plan Elements*. This update also consolidates elements that fall into certain categories, including those that fall under mandatory elements like Open Space and Conservation. The California General Plan Guidelines specifically cite the appropriateness of organizing the General Plan in a manner that is clear and accessible.

Goals, Policies and Programs

Each element contains at least one goal statement and frequently more, depending on the number of discrete topics addressed in each element. In the context of a General Plan, a "goal" is a general expression of community values and direction, expressed as ends or an end state (not actions). They can reflect a desired community state (adequate housing), and environmental conditions (clean air), an economic state (full employment), or a social goal (low crime rates). A goal in the General Plan is the most general statement of community values and is expressed as a desirable end-state condition to be achieved now or in the future.

The heart of the General Plan is contained within its policy statements. Policies further refine the goal statements and provide a clear direction for decision-making. Policies frequently include "shall" statements to provide unequivocal directives (see Chapter I). Decision-making criteria, major development standards and funding priorities are best established by clear General Plan policies. Solid policy is based on a solid foundation of information. The analysis of data collected during the planning process has provided the City with valuable knowledge about trends, existing conditions, and projections that policy is designed to address.

General Plan programs are included as implementation measures needed to carry out related policy statements and help achieve declared General Plan goals. Programs provide the basis for scheduling and assigning staff and other City resources to specific actions, which are needed to implement certain directives of the Plan.

Maps, Diagrams and Graphics

The maps and graphics included in the General Plan help to illustrate existing and future conditions, desired end-states (goals), strategic approaches to meet goals (policies) and actions or measures (programs) to be taken. For example, the land use map represents a series of policies for the type and intensity of future development to occur at various locations throughout the City and the planning area. Diagrams may show data, physical or schematic relationships, processes or approaches. The General Plan also relies on a wide range of graphics depicting various types of urban development, designs and plans, and symbology that supports the text. Finally, the GIS files for the City's General Plan Land Use Plan have been updated and refined to make them more user-friendly and to facilitate Plan-level statistical analyses.

Specific Plans of Land Use

A Specific Plan can play an important role as a refined version of the General Plan, applicable to a specific portion of the community, and can combine policy statements with development regulations (Gov. Code Sec. 65450). Specific Plans emphasize concrete standards and development criteria, often providing 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.

The standards and criteria by which development and, where applicable, conservation will proceed on the property are also defined in the Specific Plan. 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. In turn, zoning, subdivisions, 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. In most cases, development proposals within areas for which a Specific Plan has been prepared cannot proceed until it is determined that the project is consistent with the Specific Plan and the General Plan. 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 City. Should the City prepare the Specific Plan, it is entitled to reimbursement by affected property owners pursuant to Section 65456 of the California Government Code.

Since its incorporation in 1981, Cathedral City has frequently used Specific Plans as a means of implementing the General Plan in a highly focused and "specific" manner. In many instances, the Specific Plans were prepared to incentivize or facilitate development at that site, which did not always result in development or development of the type envisioned. Therefore, as a part of the 2040 General Plan update, the City has evaluated several Specific Plans, which are further discussed in the Land Use Element.

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



IMPLEMENTATION OF THE GENERAL PLAN



California Government Code Section 65103(c) requires that local jurisdictions implement the General Plan once it has been adopted. The Cathedral City General Plan relies on element programs and implementation strategies, as well as the related mitigation measures and programs set forth in the General Plan Program EIR; together they serve as implementation measures. The City Zoning and Subdivision Ordinances also play critical roles in implementing the goals and policies of the General Plan, and Specific Plans provide detailed implementation programs for specific portions of the General Plan area.

The Zoning Ordinance

The development and enforcement of the City Zoning Ordinance is an exercise of police powers granted to the City by the State, and is the primary tool for implementing the General Plan. The Zoning Ordinance 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 Zoning Ordinance, 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.

The Subdivision Ordinance

As with the 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 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

Development agreements have become an important adjunct to development plan processing and approval. State law provides for the adoption of development agreements between a project proponent and the City, 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 must specify the duration of the agreement, the permitted uses of property, the density or intensity of use, the maximum height and size of proposed buildings, and the provisions for reservation or dedication of land for public purposes (Gov. Code Sec. 65865.2). In addition, development agreements may include the conditions, terms, restrictions, and requirements for subsequent discretionary actions; provide that such stipulations shall not prevent development of the land with regard to the uses, densities, and intensities set forth in the agreement; specify the timing of project construction or completion; and set forth the terms and conditions relating to applicant financing of necessary public facilities and subsequent reimbursement, if any, over time.



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 being set forth in the agreement. It is important to emphasize that, 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 application on the basis of such existing or new rules, regulations or policies.

Building and Housing Codes

The City Building Department is responsible for enforcing state building standards and housing codes. These are intended to encourage uniformity and establish minimum standards to protect the health, safety and general welfare of the public and occupants of residential buildings. Building and housing codes have their greatest effect on new construction and rehabilitation, but certain parts of the codes apply to the use, maintenance, change in occupancy, and public health and safety hazards of existing buildings. The State Housing Law applies to buildings such as apartments, hotels, motels, lodging houses, manufactured housing, and dwellings but not to mobile homes. In addition to meeting the requirements of state housing law, the City's codes must also comply with other state requirements related to fire safety, noise insulation, soils reports, earthquake protection, energy insulation, and access for the disabled.

When adopting the California Building Standards Code, the City can make such changes *"as it determines ... are reasonably necessary because of local climatic, geological or topographical conditions"* (Health & Safety Code Section 17958.5). The City can authorize the use of materials and construction methods other than those specified in the California Building Standards Code where the City finds the proposed design satisfactory and the materials or methods at least equivalent to those prescribed by the California Building Standards Code with regard to performance, safety, and the protection of life and health. These provisions can be used to promote the construction of affordable housing and the rehabilitation of substandard housing.

Other provisions are particularly useful where the City intends to encourage historic preservation. Health and Safety Code Section 17958.8 allows the use of original materials and construction methods in existing buildings. Health and Safety Code Section 17980(c)(2) requires the City to consider needs expressed in its Housing Element when deciding whether to require abandonment or repair of a substandard dwelling. In the reconstruction of existing buildings that would be hazardous in the event of an earthquake, the law allows cities and counties to use building standards that provide for the protection of the occupants but that are less rigorous in other respects than current building standards.

Code enforcement and abatement procedures are another means of implementing the General Plan, particularly the Housing and Safety Elements. Various state laws and regulations spell out abatement procedures that the City may enforce upon buildings that, because they are substandard or unsafe, constitute a public nuisance. The most common procedures involve citation and misdemeanor action on the part of the City to mandate abatement by repair, abandonment, or demolition.

Land Acquisition

The City's acquisition of real property rights can help to implement the policies of the Land Use, Circulation and Open Space/Conservation Elements. The City may acquire land designated for government offices, police and fire stations, parks, access easements, etc., or for public purposes such as urban redevelopment. With regard to the Circulation Element, the City may acquire land for public rights-of-way (e.g., streets, sidewalks, bicycle paths, LSEVs (Low Speed Electric Vehicle), etc.), transit stops, etc. And it may advance Open-Space/Conservation Element policies and proposals through the acquisition of open-space and conservation easements.



Open-space acquisition has some advantages over purely regulatory approaches to implementation, such as zoning. Ownership ensures that the land will be controlled by the City or another public agency. Another option is acquiring an open-space or conservation easement, rather than full ownership. This ensures that development will be limited, while the private landowner who continues to hold the underlying rights is compensated for lost development opportunities. This avoids the question of whether regulatory limitations have unconstitutionally “taken” private property without just compensation.

Commissions and Committees

All levels of government institute committees and commissions to facilitate the local review of community development projects. The City is empowered 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.

Commissions and committees 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 ongoing basis. The Council may perpetuate or dissolve these commissions or committees as it sees fit.

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 eight (8) years.

Amending the General Plan

Although the 2040 General Plan is developed with a long-term perspective, it is not a static document. Rather, it is dynamic, evolving and multi-faceted, continuously defining and addressing the changing needs of the community. It is also based on an ongoing assessment and understanding of existing and projected community needs and conditions.

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 the status of related programs. 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. 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.

Interpretation of the General Plan

When 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 of the 2040 General Plan, 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 the City's corporate limits, 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. Boundaries shown as following or approximately following the centerline of streams, creeks, rivers, or other continuously or intermittently flowing streams or creeks 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.

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. Rather, they indicate only the general area within which a specific facility should be established.

THE GENERAL PLAN ENVIRONMENTAL IMPACT REPORT

The 2040 General Plan and associated Environmental Impact Report (EIR) have been developed to serve as a framework and tool for decision-making regarding the appropriate types, intensities and conditions by which development is to be permitted in the City. The process of preparing these documents has involved thoughtful and extensive community consultation, research and analysis of a wide range of data and information, the identification of issues, and the development of goals, policies, and programs. It also involves the consideration of various alternatives, the consensus selection of preferred courses of action, and finally, the development of strategies to implement the General Plan.



As required by state law, each jurisdiction must prepare and adopt a General Plan and supporting documentation to provide the basis for the community's development. The Plan and EIR identify the environmental, social and economic goals, and sets forth policies, standards, programs and mitigation measures that address the potential effects of existing and future development. The General Plan also provides the framework to analyse and respond to changing circumstances as the City continues to grow and evolve.

The background information and issues summarized in the General Plan are discussed in greater depth in the General Plan EIR and numerous technical appendices, reports and plans on file at the City. Together, the General Plan and EIR provide City officials and the general public with vital information necessary to make informed decisions. The 2040 General Plan and the EIR also serve as the basis for subsequent planning efforts, including the preparation of Specific Plans and special environmental and planning studies.

Because general plans govern the type and location of new development, new or amended general plans may lead to significant changes in the environment. The California Environmental Quality Act, also known as "CEQA," requires cities and counties to study those potential environmental impacts as part of the adoption or update process

(Pub. Resources Code 21000, et seq.; see also CEQA Guidelines 15378).

CEQA Review of Consistency

State CEQA Guidelines require that an initial study prepared for an environmental assessment 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." These may include air quality or climate action plans, wildlife and habitat conservation plans, airport land use plans, etc. 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.

FUTURE DIRECTIONS

This Administration Chapter of the General Plan is essential to its effective enactment. The Plan relies on the development and maintenance of City regulatory documents, including the Zoning Ordinance, Specific Plan, the Subdivision Ordinance, and City Rules for the Implementation of CEQA. The General Plan itself is a living document with mandates for frequent review and updating. Amendments to the Plan should be given careful consideration and not be granted casually. The goal, policies, programs and implementation strategies of the Administration Chapter assure the effective administration and implementation of all elements of the Cathedral City 2040 General Plan.

GOAL, POLICIES AND PROGRAMS

Goal 1: The comprehensive, coordinated and integrated administration and implementation of all elements of the Cathedral City General Plan through consistent and effective policies and programs.

Policy 1: Provide for the periodic revision and updating of the General Plan and ensure that associated City ordinances, including the Zoning and Subdivision Ordinances, are maintained in conformance with the General Plan.

Program 1.A: The City 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: City Council; Planning Commission; Planning

Schedule: Annually.

Program 1.B: The City shall comprehensively review and amend, as necessary, the Zoning and Subdivision Ordinances to maintain consistency with the General Plan.

Responsible Agency: Planning; Planning Commission; City Council

Schedule: Annually

Policy 2: The City shall provide for the use of Specific Plans as a preferred method of detailed and systematic implementation of the General Plan for large or complex planning areas.

Program 2.A: Maintain up-to-date application materials and guidelines for the preparation of Specific Plans and encourage their use for large and/or complex residential, commercial or industrial projects on lands contemplated for annexation into the City.

Responsible Agency: Planning

Schedule: Ongoing

Policy 3: On a periodic and on-going basis, the City shall examine and review the long-term implications of Comprehensive General Plan policies and programs as they relate to the City'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 City's ability to fund public services or secure public facilities.

Responsible Agency: City Council; Planning Commission; Planning

Schedule: Annually.

Policy 4: The City shall establish and maintain a cooperative planning process with Riverside County, assuring an effective advisory role regarding any and all development and other land use planning issues or proposals within or in close proximity to the City's Sphere-of-Influence.

Program 4.A: Effectively coordinate and cooperate with Riverside County to review all proposed land use and other development proposals, recognize the City's advisory role, and request that the County forward copies of all development plans proposed within the advisory area to the City for review and comment.

Responsible Agency: City Council; Planning; Public Works

Schedule: Continuous.

Policy 5: The City shall assure that properly filed development applications shall be processed in an expeditious and timely manner.

Program 5.A: The City shall maintain application 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

Schedule: Continuous.

Policy 6: Master facility and similar plans shall be utilized by the City to address the recreation, drainage/flood control, infrastructure, utility management, traffic control, and other facility needs of the community.

Program 6.A: The City shall develop and maintain master facility plans to establish need and availability of funding for additional 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; Public Works; Planning

Schedule: 2020-22; as required by development.

Policy 7: The City shall encourage in-fill development within already urbanized areas of the corporate boundaries of the City, and expansion of new development shall be logically phased and, as appropriate, guided by the development of existing and new Specific Plans.

Policy 8: 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 development proposal sites.

Policy 9: The City shall continuously explore and take every opportunity to work with other public and quasi-public entities in the development of cooperative public/private ventures and partnerships to better provide public services and facilities that benefit the community.