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Implementation

The General Plan provides specific policy guidance for the implementation of plan concepts in each of the Plan elements. This framework establishes a basis for coordinated action by the City, adjacent jurisdictions, Tulare County, and regional and State agencies. This chapter describes the process in general terms and the major actions to be undertaken by the City; the implementing policies in each element of the Plan provide details that will guide program development.

The major implementation process for land use proposals will be administration of the Zoning Ordinance through the Zoning Map. The Zoning Ordinance will need to be amended to be consistent with the General Plan's policies. The Subdivision Ordinance also should be amended to add additional requirements for land dedication for schools and parks and reservation of sites for the community facilities, consistent with current State law.

The Capital Improvement Program will be the primary means of scheduling and funding infrastructure improvements of city-wide benefit. Based on the recommendations made in the General Plan for new streets and updates to the City's master plans for parks, sewer, water, and storm drainage systems, the City's impact fees will need to be reviewed in order to determine whether any changes are necessary. Special assessment districts or other means of financing improvements benefiting specific areas, such as employment centers adjacent to the Airport and resort residential development adjacent to Lake Success, may also be used. The Porterville Redevelopment Agency also will participate in funding infrastructure improvements needed to carry out the General Plan within, or are beneficial to, redevelopment project areas.

In many areas, General Plan implementation will depend on actions of other public agencies and of the private sector, which will fund most of the development expected to occur in the Planning Area. The General Plan will serve a coordinating function for private sector

decisions; it also provides a basis for action on individual development applications, found to be consistent with the General Plan. The City will adopt procedures for making findings for General Plan conformity decisions prior to adoption of new zoning regulations and a new Zoning Map.

10.1 RESPONSIBILITIES

Implementing the General Plan will involve the City Council, other City boards and commissions, and City departments. The City also will need to consult with Tulare County and other public agencies about implementation proposals that affect their respective areas of jurisdiction. The principal responsibilities that City officials and staff have for Plan implementation are briefly summarized below; details on their powers and duties are in the Porterville Municipal Code.



All City departments will be involved in implementing the Plan's policies and programs.

CITY COUNCIL

The City Council is responsible for the overall management of municipal affairs; it acts as the legislative body and is responsible for adoption of the General Plan and any amendments to the General Plan. The City Council is also responsible for administering the zoning and subdivision ordinances to implement the General Plan. The Council also may adopt area plans and specific plans, as needed for General Plan implementation.

The City Council appoints the City Manager who is the chief administrator of the City and has overall responsibility for the day-to-day implementation of the Plan. The City Council also appoints other boards and commissions established under the Municipal Code or City Charter.

The City Council's role in implementing the General Plan will be to set implementation priorities and approve zoning map and text amendments, use permits and subdivision maps, consistent with the General Plan, and a Capital Improvement Program and budget to carry out the Plan. The City Council also acts as the Redevelopment Agency and, in this capacity, will help finance public facilities and improvements needed to implement the Plan.

COMMUNITY DEVELOPMENT DEPARTMENT

The Community Development Department is responsible for the general planning and development review functions undertaken by the City. Specific duties related to General Plan implementation include preparing zoning and subdivision ordinance amendments and design guidelines for Council approval, reviewing development applications, conducting investigations, and making reports and recommendations on planning and land use, economic development activities, Redevelopment Agency efforts, zoning, subdivisions, development plans, and environmental controls. The Department also will coordinate activities with Porterville school districts related to school sites and the Porterville Municipal Airport in

consultation with Tulare County, and the County's Airport Land Use Commission. Finally, the Department will have the primary responsibility for preparing the annual report on the General Plan and conducting the five-year review. These reporting requirements are described in Chapter 1 of the General Plan.

PARKS & LEISURE SERVICES DEPARTMENT

The Parks & Leisure Services Department is responsible for managing the City's recreation services as well as managing parks and open spaces, the golf course, library, and sports complexes. Specific implementing responsibilities are established in the Parks, Schools & Community Facilities Element of the General Plan. The Department also will be preparing an updated strategic plan to implement the General Plan.

PUBLIC WORKS DEPARTMENT

The Public Works Department provides Engineering and Building Services and Maintenance Services.

The Engineering Division of the Public Works Department is responsible for the review of current development applications, subdivision maps, grading permits, public improvement plans, encroachment permits, development in the flood zone, and sewer permits. It also does construction inspection for permits it issues. It's also responsible for the design and construction of capital improvement projects.

The Field Services Division of the Public Works Department is responsible for transportation planning and operations, sign, striping and street maintenance, infrastructure maintenance, and parks and facilities maintenance, as well as provides refuse, water and wastewater treatment services. Specific implementing responsibilities are established in the Circulation, Public Utilities, and Public Health & Safety Elements of the General Plan.

POLICE & FIRE DEPARTMENTS

Within the City, responsibility for public safety is assigned to the Police and Fire Departments. The Police Department is responsible for preventing crime and maintaining law and order; while the Fire Department is responsible for fighting urban and wildland fires as well as emergency response and rescue. Both departments coordinate with the County and State on mutual aid. Specific implementing responsibilities under the General Plan are established in the Public Health & Safety Element of the General Plan.

OTHER BOARDS & COMMISSIONS

The City Council is assisted by the following six citizen committees and two permanent commissions:

- Parks and Leisure Services Commission,
- Library Board of Trustees,
- Redevelopment Advisory Committee,
- Community Development Block Grant Advisory Committee,

- Measure H Oversight Committee,
- Audit Review Committee,
- Affirmative Action Advisory Committee; and
- Building Code Review Board.

The General Plan does not envision any substantive change in the responsibilities assigned to these boards and commissions. They will be administering new or amended regulations adopted pursuant to Plan policies, and their actions will need to be consistent with the General Plan and City Charter.

10.2 THE PLAN & REGULATORY SYSTEM

The City will use a variety of regulatory mechanisms and administrative procedures to implement the General Plan. Overall responsibility for plan implementation is vested in the Planning Agency, consisting of the City Council and the Community Development Director. As a city charter, Porterville is not required to have the Zoning Ordinance be consistent with the General Plan; however, establishing and maintaining consistency is good planning policy and is called for in the General Plan. In fact, the consistency requirement is the keystone of Plan implementation. Without a consistency requirement, there is no assurance that Plan policies will be implemented and that environmental resources earmarked for protection in the Plan will be preserved. Other regulatory mechanisms, including subdivision approvals, building and housing codes, capital improvement programs, and environmental review procedures also will be used to implement Plan policies. All project approvals should be found consistent with the General Plan.

ZONING REGULATIONS

The City's Zoning Ordinance will translate Plan policies into specific use regulations, development standards and performance criteria that will govern development on individual properties. The General Plan establishes the policy framework, while the Zoning Ordinance prescribes standards, rules and procedures for development. The Zoning Map will provide more detail than the General Plan Land Use Diagram.

The General Plan calls for several new zoning districts. Regulations for these districts will be established as part of the comprehensive zoning update being undertaken following adoption of the General Plan. The use regulations and development standards for existing zoning districts will need to be amended to conform to Plan policies. Density and intensity limits, consistent with the Plan's land use classifications, also should be established. For purposes of evaluating General Plan consistency, the density of proposed projects will be rounded up or down to the nearest whole number, as appropriate.

The City will bring both the Zoning Ordinance and the Zoning Map into conformance with the General Plan within a reasonable period of time. When the General Plan is subsequently amended, the Zoning Ordinance and Zoning Map also may need to be amended to maintain consistency between the Plan and the zoning ordinance.

During the transition period while new zoning is being developed, the City will use "General Plan Conformity Findings" to provide criteria for determining whether a proposed project is

consistent with the General Plan. Factors that will be evaluated to make General Plan Conformity determinations include: site suitability for the proposed use, compatibility with adjacent uses, neighborhood economic vitality and the need for the proposed use; and the proposed density and intensity of development.

SUBDIVISION REGULATIONS

No subdivision of land may be approved under California law and the City's subdivision regulations unless its design and proposed improvements are found to be consistent with the General Plan. Dedication of land for park facilities is required for subdivisions above a certain size, consistent with the policies and standards prescribed by the General Plan. The precise threshold will be established on a case-by-case basis and depends on whether there are neighborhood parks in the vicinity which can serve new residents. The subdivision regulations also can require dedication of land for elementary schools, riparian habitat and reservation of land for fire stations, libraries, bike paths, transit facilities, and other public facilities.

After adoption of the General Plan, the City's subdivision regulations will need to be amended to conform to Plan policies and explicitly require findings of consistency with the General Plan as a condition of approving parcel maps and tentative maps. Reservation requirements for bus turnout facilities and bike and pedestrian facilities also will need to be added to carry out Plan policies. The subdivision ordinance should require connection between new streets and existing streets, wherever possible, and allow for reduced, right-of-way dimensions to maintain neighborhood character. Consideration of passive solar energy techniques in street and lot layout and landscaping will also be required and the ordinance may require solar access easements in new subdivisions.

BUILDING AND HOUSING CODES

No building permit may be issued under California law (Government Code Section 65567) unless the proposed development is consistent with the City's open space plan and conforms to the policies of the Parks, Schools & Public Facilities, and the Open Space & Conservation Element.

To provide an administrative mechanism to ensure consistency with the General Plan, the City may establish a requirement for zoning permits or other forms of zoning clearance before building and grading permits are issued. The City does not currently have this type of clearance.

10.3 CAPITAL IMPROVEMENT & PROGRAMMING

The Capital Improvements Program (CIP) includes a list of public works projects that the City intends to design and construct in coming years. Under California law, the City Council, acting as Planning Agency, has responsibility for reviewing the CIP to determine whether it conforms to the General Plan. Specifically, the Government Code requires the Council to review for conformity with the General Plan CIP projects requiring any of the following actions:

- Acquisition of land for public purposes;
- Disposition of land;
- Street vacations; and
- Authorization or construction of public buildings or structures.

The City Council also has the right to comment on CIPs prepared by Porterville school districts and utility providers. These CIPs, and any annual revision proposed to them, are to be forwarded to the City at least 60 days prior to adoption for the City's review for consistency with the General Plan.