

City of Fullerton General Plan

IMPLEMENTATION AND PUBLIC PARTICIPATION

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IMPLEMENTATION AND PUBLIC PARTICIPATION

1 INTRODUCTION

1.1 Purpose and Overview

Once a local government has adopted its General Plan, local officials must implement it. If the General Plan is to serve its purpose as the basis for rational decision-making regarding the City's long-term physical development, it must be *used* by the City Council, the Commissions and staff to guide day-to-day decision making. The Implementation and Public Participation Element provides a policy and program framework to ensure that the General Plan is in fact implemented.

Public involvement in land use planning decisions is a critical part of implementing the General Plan. Since the Plan embodies the vision and future development objectives of the City's residents and business community, it is important that these groups have opportunities to participate in land use decisions. The Implementation and Public Participation Element provides a policy and program framework to ensure that meaningful public participation will always be part of the decision making process.

2 ISSUES

2.1 General Plan Implementation

According to State law, each planning agency must do the following to implement the General Plan:

- Administer regulatory measures such as specific plans, zoning and subdivision ordinances;
- Annually review the Capital Improvement Program for consistency with the General Plan;
- Make ongoing investigations and recommendations to its legislative body as necessary to address changing conditions;
- Provide an annual report to its legislative body on the status of the plan and progress in its implementation.

- It is critical to appreciate that the scope and content of the General Plan is quite broad, involving a significant number of implementing actions to carry it out. The following considerations influence implementing actions over a multi-year period:
- There is a constant pressure on local governments to do more with less;
- It is impossible to conduct every possible implementing action concurrently;
- As a long-range document, many implementing actions are intended to be phased;
- Unpredictable circumstances may temporarily render action impossible or unwise;
- There are inevitable shifts in priority; and
- The General Plan is, by legislative intent and common practice, a policy guide rather than a regulatory device which is therefore subject to a reasonable degree of flexibility.

2.2 Community Participation

Community participation is an issue in Fullerton for a variety of reasons, all of them a normal part of contemporary community dynamics. For one part of the community the issue may reflect a general distrust of government. Another segment of the community may feel dissatisfied with current participation efforts as a result of disagreeing with City policies and actions. Others may perceive current participation efforts as superficial, rather than reflecting a real openness and opportunity for involvement. Others may consider the existing Council/Commissions structure to be adequate, but are concerned that the system is not being effectively utilized. For example, some decisions might be made before potentially interested advisory bodies are aware of them. The main reason that this issue has prominence in the General Plan is that Fullerton has an unusually large number of citizens who are willing and able to involve themselves in community affairs.

3 OVERVIEW OF IMPLEMENTATION AND PUBLIC PARTICIPATION PLAN

Specific policies and actions for implementing the General Plan and involving the public in the land use decision process are found in the last section of this Element. Many of the policies come directly from other Elements of the General Plan and are noted as such. The following section provides an overview:

3.1 Implementation Mechanisms

The City continuously implements its General Plan through the Zoning Ordinance, specific plans and the subdivision ordinance, as well as through a variety of corporate, police, and special powers, as described below. In addition, the City undertakes the following actions:

See Policies I-1.1, 1.2 and H-5.2

- Linkage of the annual Capital Improvement Plan to the General Plan goals, policies and programs.
- General Plan consistency analysis in development project staff reports.
- Annual General Plan Progress Report.
- Ongoing analysis and recommendations as necessary to address changing conditions.

The following tools are available to the City to implement the General Plan:

3.1.1 Corporate Powers

- **Construction of streets, roads, bikeways, water and sewer facilities; and acquisition and development of parks** - The scheduling of public improvements impacts the distribution and intensity of land uses. Although public facilities are built to accommodate present and anticipated needs, some play a major role in determining the location, intensity and timing of future development. This is particularly applicable in the East and West Coyote Hills areas. Such improvements are considered and prioritized in the City's Capital Improvement Program, which annually allocates expenditures for acquisition, construction, rehabilitation, and replacement of public buildings and facilities, consistent with the General Plan.
- **Acquisition of sites for open space and historic conservation or scenic easements** - State law provides the City several means of conserving open space and historical resources, including acquisition of easement interests with development rights. Easements are effective because they require less funding than outright purchase, may be more effective than zoning, do not displace property owners, and may yield tax advantages to the grantor. The City may obtain these easements by purchase, exaction or donation.
- **Acquisition of sites for Low and Moderate-Income housing** - The City may acquire sites for Low and Moderate-Income housing through its redevelopment powers either by purchase, lease, gift or eminent domain. Other means include inclusionary zoning incentives, a relaxation of development standards for developers, and use of Redevelopment Tax Increment funds, development fees, and other programs.

3.1.2 Police Powers

- **Specific Plans** - State Law (Government Code Section 63450) authorizes a local jurisdiction to adopt specific plans for implementing its General Plan in designated areas.
- **Zoning** - The principal method by which a City implements General Plan land use policy is the Zoning Ordinance. Policies and standards which prescribe permitted uses, their density/intensity, and development characteristics (design, property setbacks, height, etc.) are codified as precise requirements in the ordinance. The Zoning Ordinance must be consistent with the General Plan.
- **Subdivision Regulation** - The Subdivision Map Act authorizes cities to regulate the design and improvement of subdivisions, including the physical layout of a subdivision, dedications of public improvements and easements, and other measures to implement the General Plan. The City is also authorized to require dedications of public improvements or payment of in-lieu fees for infrastructure, school, recreation and community facilities.
- **Development Project Review** - One of the most significant aspects of General Plan implementation is the review and approval of privately initiated development. This accounts for the vast majority of physical changes in the community. It is through this process that the Zoning Ordinance, which must be consistent with the General Plan, is implemented.
- **Parkland and School Dedication Requirements (or In-Lieu Fees)** - Cities may require developers of qualified development projects to dedicate land or

pay in-lieu fees for school and park/recreational facilities. Local school districts also may require new development to pay fees or dedicate land for school facilities under statutory limitations.

- **Building and Housing Regulation** - Local building and housing codes establish minimum standards and specifications for structural soundness, safety and occupancy.
- **Code Enforcement** - The City enforces zoning regulations which apply to the use of private property on an ongoing basis.
- **Environmental Review Procedures** - The California Environmental Quality Act (CEQA) requires cities to mitigate the significant environmental effects of projects or to make special findings of overriding consideration.
- **Development Fees** - The City may levy impact fees to finance a specific activity, facility or service which provides a direct, identifiable benefit on those paying the fee. For example, fees may be imposed in lieu of land dedications or improvements as a condition of subdivision approval. Fees may also be established on a general basis not related to a particular development project where an area of benefit can be defined. In all cases, the intent of the fee is to carry out some aspect of physical development policy in the General Plan.

3.1.3 Special Powers

- **Redevelopment** - California law (Health and Safety Code Sections 33000 et. sec.) authorizes local jurisdictions to establish redevelopment areas and to undertake redevelopment projects to revitalize areas. The City's adopted redevelopment plans provide additional tools to effectuate productive change. These include the use of sales tax increment funds, property acquisition, consolidation of small parcels, joint public-private partnerships, clearance of land and resale to developers, and relocation of tenants. The use of redevelopment funds to improve and increase the City's supply of affordable housing is addressed in the Housing Element.
- **Intergovernmental Coordination** - The development of land in the City impacts and is impacted by the actions of adjacent municipal jurisdictions, utility districts, school districts, service providers and other government agencies. As a consequence, it is essential that the actions of these jurisdictions be closely coordinated and agreements and procedures maintained to accomplish this coordination.
- **Monitoring and Updating** - The City periodically reviews the General Plan to update its contents as appropriate, including;
 1. An update of all baseline data, analysis and issues to account for current conditions.
 2. An evaluation of policies and programs contained in the General Plan as to their effectiveness in achieving the Plan's goals and policies.
 3. Revision of policies and programs to increase effectiveness and account for current issues.
- **Development Agreements** - California law authorizes cities to negotiate agreements with private interests for the development of land. The agreements are binding contracts which assure type, character, and quality of development, as well as additional "benefits" which may be contributed,

above and beyond what is normally required by the City. In exchange, the developer is assured that the necessary building permits will be issued regardless of changes in regulations in the future.

3.1.4 Public Participation

The City undertakes a variety of actions to involve the public in the land use decision making process. The primary objectives of these actions is to ensure that the public is informed and has opportunities to participate in and influence applicable decisions. Areas of program emphasis include land use policy and development review, housing policy, residential through-traffic, fire and seismic safety, community services programs, and recycling.

See Policies 1-2.1 and 2.2, LU-1.2, H-5.1, C-1.2, CHS-2.1 and 2.2, CS-2.2 and RC-3.2

Specific policies and actions for public participation are found in the last section of this Element. Many of the policies come directly from other Elements of the General Plan and are noted as such. The following are some key examples of public participation programs:

- Monthly "Focus on Fullerton" information bulletin included in every water bill.
- Use of cable TV.
- Active dialogue with community organizations.
- Informal public workshop formats.
- Use of readily understood, straight-forward language in official planning documents.
- Citizen involvement in Community Development Block Grant budget review.
- Citizen surveys.
- Special programs such as Operation Cleanup.
- Various informational publications.
- Annual budget review.

4 GOALS, POLICIES AND PROGRAMS

Editor's Note: The goals, policies and programs are annotated to show the reader where changes have been made as a result of the Update. Regular text is from the 1981 plan. Italicized text represents changes made during initial phases of the Update when 1981 goals and policies were being reviewed. Bold text comes from Council-approved Issue Paper recommendations, and contains new policies and programs which respond directly to concerns identified during the Update.

The Implementation and Public Participation Element also contains policies which appear in other elements. The Element of origin is noted for these policies in the right hand margin.

General Plan Implementation	
Goal I-1:	Land use decisions which are based on the General Plan.

Policy I-1.1	Continuously implement the General Plan.	General Plan Implementation
Purpose:		
1. Ensure that city actions reflect general plan goals, policies and programs. 2. Formalize existing review procedures.		
Programs:		
a. Periodically update Zoning Code as needed to ensure consistency and to provide the regulatory tools necessary to implement the General Plan. b. Include in-depth discussion of General Plan consistency in development project staff reports. c. Develop and utilize a consistency checklist for General Plan consistency analysis. d. Prepare an Annual Monitoring Report on the status and progress in implementing the General Plan. e. Expand the use of the General Plan during development of the Capital Improvement Program to include evaluation of program implementation.		
Policy I-1.2	Review all General Plan elements as necessary and update as appropriate.	Updating the General Plan
Purpose:		
1. Ensure that General Plan goals, policies and programs adequately reinforce the General Plan Vision Statement.		

Programs:

- a. Periodically review and update the General Plan as changing circumstances and conditions require.
- b. Establish criteria to determine the necessity for amending or comprehensively updating the General Plan.
- c. Update baseline data, analyses, and issues to account for current conditions.

Policy H-5.1 **Actively facilitate the development, conservation and rehabilitation of Low-Income housing consistent with Citywide housing needs and adopted plans and programs.**

**HOUSING ELEMENT:
Housing Program
Implementation**

Purpose:

Ensure that housing programs designed to achieve quantified objectives of the Housing Element are implemented.

Programs:

- a. Devote staff resources towards monitoring housing issues and needs, legislative requirements, and federal, state and local housing assistance programs.
- b. Establish priorities for housing program implementation.
- c. Establish commitment to implement prioritized housing programs.
- d. Use of the Affordable Housing Review Committee.

Goal I-2: **Public Participation**
A high level of communication between the City and its citizens.

Policy I-2.1 **Regularly provide information to the community concerning City services, plans, events and activities.**

Information Outreach

Purpose:

Keep the residents and business community informed of community issues, activities and operations through a variety of media.

Programs:

- a. Develop informative and easy-to-understand public meeting agendas.
- b. Publish and widely distribute a simple and concise monthly bulletin discussing upcoming Council/Commission issues and agenda items.

- c. Conduct periodic surveys to gauge public interest and concern on various issues.
- d. Regularly broadcast cable television public announcements in Spanish. Explore possibility of Spanish-only announcement channel.
- e. Actively work with area Asian and Hispanic publications to encourage full alternative media coverage.
- f. Customize outreach programs for non-English speaking constituencies.
- g. Have public documents reviewed and edited by lay people to ensure that they are easy to understand.
- h. Utilize existing community organizations to distribute public information.

Policy I-2.2 Provide frequent opportunities for the City and its citizens to exchange ideas and concerns.

Public Participation

Purpose:

- 1. Expand the community's involvement in decision making procedures.
- 2. Obtain input from the community that reflects its diversity.

Programs:

- a. Conduct public meetings and workshops in a way that fosters and encourages meaningful, informed public participation.
- b. Conduct joint school district/city educational programs such as Youth in Government Day.
- c. Encourage developers of large projects to conduct special community meetings to get public comment on their projects.

Policy LU-1.2 Encourage neighborhood and community involvement in the land use decision-making process.

LAND USE ELEMENT: Community Participation

Purpose:

Obtain informed and effective community input in planning decisions.

Programs:

- a. Neighborhood and community meetings.
- b. *Establish simple and clear public guides to the land use decision process in order to keep the public informed and participating in the planning process.*
- c. *Continuation of state-mandated public noticing procedures*

Policy H-5.2 Establish methods to receive ideas or requests for needed housing programs.

Purpose:

Increase awareness and dialogue of local housing issues and potential resolutions to housing-related problems.

Programs:

- a. Citizen participation in Community Development Block Grant (CDBG) budget review.
- b. Availability of housing-related publications normally produced by the City and those of other public agencies as available.
- c. Develop a community education program regarding affordable housing.

**HOUSING ELEMENT:
Community Participation
in Development of
Programs**

Policy C-1.2 Influence the design of streets to discourage through-traffic in residential areas.

Purpose:

Prevent heavy through-traffic on residential streets without inhibiting internal circulation between neighborhoods.

Programs:

- e. **Encourage continued citizen identification of areas with through-traffic problems.**

**CIRCULATION:
Residential Through-
Traffic**

Policy CHS-2.1 Encourage citizens to participate with the Police and Fire Departments in crime, fire and accident prevention.

Purpose:

1. Increase the public's awareness of appropriate personal safety and other emergency actions.
2. Increase civic pride and responsibility in order to boost the quality of life.
3. Reduce the number of preventable accidents, crimes and fires.
4. Increase public participation in creating a crime-free environment.

Programs:

- a. Continuation of educational activities and talks to the public and implementation of new educational activities as the need arises.
- b. Participation in joint activities with community organizations.
- c. Expansion of Neighborhood Watch.
- d. Continuation of mandatory inspections and performance of safety inspections of homes and businesses upon request.

**COMMUNITY HEALTH
AND SAFETY:
Community Education**

- e. Commendations to citizens who have made exceptional contributions to public safety.
- f. Distribution of self-help and public education brochures.*
- g. Encourage inter- and intra-neighborhood programs which increase respect/sensitivity for cultural diversity and create proud, safe communities.*

Policy CHS-2.2 Encourage citizen participation in police and fire policy development.

**COMMUNITY HEALTH
AND SAFETY:
Public Participation in
Policy Development**

Purpose:

- 1. *Provide opportunities for citizen participation in identifying problems and recommending solutions.*
- 2. *Encourage positive officer-citizen relationships.*
- 3. Enhance and maintain the public's trust in the Police and Fire departments.
- 4. Enhance and maintain the public's understanding of the justice system.

Programs:

- a. Identification of type and levels of services desired by the community.
- b. Identification of public safety training needs.
- c. Assistance to Police-Community groups.
- d. Periodic surveys to determine citizen perception of officer performance, service expectations and satisfaction.
- e. Establishment of procedures to evaluate and implement suggestions received from the public.
- f. Continue and, where practical, expand problem solving efforts such as Operation Clean-Up to address neighborhood deterioration and blight.**

Policy CS-2.2 Encourage citizen involvement in the development and delivery of community services.

**COMMUNITY SERVICES:
Community Participation**

Purpose:

- 1. Increase public input into the design and evaluation of community services and facilities.
- 2. Incorporate volunteer resources in addressing community needs.
- 3. Increase the private financial support of community service programs.
- 4. Increase neighborhood pride and awareness for community services.

Programs:

- a. Develop procedures for including user groups, including youth, into service design and evaluation.
- b. Use of advisory commissions, committees, task forces and neighborhood groups to channel input from citizens and community agencies.
- c. Staff support for citizen commissions, committees and task forces.
- d. Public meetings.
- e. Studies, surveys, needs assessments, and evaluation of services.
- f. Financial, technical and other support and recognition for volunteer work.
- g. *Promote the use of schools as before- and after-school child care centers.*

Policy RC-3.2 Ensure adequate public information and active participation in hazardous waste management decisions.

**WASTE MANAGEMENT:
Public Information and
Participation****Purpose:**

- 1. Education of Fullerton industry, business, and citizens regarding safe hazardous waste management practices.
- 2. Ensure proper hazardous waste handling, storage and disposal techniques through educational programs.
- 3. Encourage local private industry responsibility for hazardous waste management.

Programs:

- a. Establish and maintain an information clearinghouse and education program to provide information on safe hazardous waste management practices.
- b. Inform the public of illegal or threatened illegal discharges of hazardous waste that are likely to cause substantial injury to public health or safety.