

9 Implementation and Monitoring

The General Plan provides specific policy guidance for implementation of Plan concepts in each of the Plan elements. This framework establishes a basis for coordinated action by the City, adjacent jurisdictions, Kings County and regional 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 and program development.

The major implementation process for the 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 Budget will be the primary means of scheduling and funding infrastructure improvements of citywide benefit. Based on the recommendations made in the General Plan, a new Impact Fee analysis will be required in order to determine the level of impact fees to be charged to developers.

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 UGB. The General Plan will serve a coordinating function for private sector decisions; it also provides a basis for action on individual development applications, which must be found to be consistent with the General Plan if they are to be approved.

9.1 RESPONSIBILITIES

Implementing the General Plan will involve the City Council, the Planning Commission, other City boards and commissions, and City departments. The City also will need to consult with Kings County, NASL, 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 Lemoore Municipal Code.

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

The City Council's role in implementing the General Plan will be to set implementation priorities and adopt zoning map and text amendments, 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.

PLANNING COMMISSION

The Planning Commission is responsible for preparing and recommending adoption or amendment of the General Plan, zoning and subdivision ordinances and other regulations, resource conservation plans, and programs and legislation needed to implement the General Plan. The Planning Commission also may prepare and recommend adoption of specific plans, neighborhood plans or special plans, as needed for Plan implementation.

PLANNING DEPARTMENT

The Planning 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, design guidelines, reviewing development applications, conducting investigations and making reports and recommendations on planning and land use, zoning, subdivisions, development plans and environmental controls. Among other responsibilities this department administers the City's flood damage prevention ordinance, home occupation permits, the locations of accessory structures and fences, signs, and large day care facilities. 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.

REDEVELOPMENT DIVISION

Redevelopment is a newly created Division of the City of Lemoore. The staff present in the Redevelopment Division include the Project Manager, a Housing Specialist, one Office Assistant and one full-time and one part-time Code Enforcement Officer; all new positions created in the 2005/2006 Fiscal Year Operations and Maintenance Budget. The Division is responsible for initiating and maintaining Redevelopment Programs (including blight eradication and housing

programs), the City's Property Maintenance Ordinance, and Economic growth initiatives set forth for the City of Lemoore by the Lemoore RDA and City Administration. The original RDA project area was put into effect in 1986, with amendments in 1989 and 1996. The RDA Project Areas will expire in 2016, 2029, and 2036, respectively. While RDA project areas are created for 30 years, only during the first 20 years can indebtedness be incurred. Tax increases from the last 10 years of a project can only be used to pay for previously issued bonds. The department is responsible for preparing and carrying out a Five Year Implementation Plan, which includes some capital expenses. Before these expenses are approved, the Planning Commission must determine whether they conform with the General Plan.

PUBLIC WORKS DEPARTMENT

The Public Works Department is responsible for wastewater collection, treatment and disposal, water treatment and delivery, stormwater control, and garbage collection for residential and commercial development. In addition to these health areas, Public Works also provides building review and inspections, fire inspections, fleet services for all City departments, street maintenance, street tree maintenance, and inspection and review of private and public improvements (infrastructure development of subdivisions and commercial areas). The Department is responsible for preparing and carrying out the Capital Improvement Budget every two years, which must be in conformity with the General Plan as determined by the Planning Commission.

Coordination of these areas of responsibility is done with local, State and federal regulatory agencies along with a contracted City Engineer and other City Staff. The Public Works Department has a full time work force of 42 employees. Specific implementing responsibilities are established in the Land Use, Circulation, and Public Utilities elements of the General Plan.

PARKS AND RECREATION DEPARTMENT

The Parks and Recreation Department is responsible for managing the City's recreation services, its parks and open spaces, maintaining all City buildings, and various facilities such as sports complexes. Specific implementing responsibilities are established in the Parks, Schools, and Community Facilities Element and Conservation and Open Space Element of the General Plan. The Department is also charged with the task of maintaining and improving all City-owned street trees, park trees, and all other trees considered to be publicly owned trees.

POLICE AND FIRE DEPARTMENTS

The Lemoore Police Department is charged with the protection of life and property and the primary responsibility for crime prevention and suppression. The Department maintains good relations with the public, investigates traffic accidents, crimes, and violations of City, State and federal laws, and conducts emergency preparedness activities and training.

The Lemoore Volunteer Fire Department, a volunteer service since 1927, is charged with providing fire suppression and emergency response service to an area of approximately 9 square miles, with Mutual Aid agreements with Kings County Fire, Hanford City Fire and the Lemoore Naval Air Station. Specific implementing responsibilities under the General Plan are established in the Safety and Noise Element (Chapter 8) of the General Plan.

OTHER COMMISSIONS, COMMITTEES AND BOARDS

- Parks and Recreation Commission
- Economic Development Commission
- Street Tree Committee
- Downtown Architectural Design Review Committee
- Downtown Merchants Advisory Committee

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.

9.2 THE PLAN AND THE 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, Planning Commission, and the Planning Director. Establishing and maintaining consistency between the General Plan and Zoning Ordinance and other planning documents is good planning policy and is called for in this 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 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 concurrently with the General Plan update. 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. 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 zoning.

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 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 major and minor subdivisions. 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 access easements in new subdivisions.

BUILDING AND HOUSING CODES

No building permit may be issued under California law (Gov. Code Section 65567) unless the proposed development is consistent with the City's open space plan and conforms to the policies of the Conservation and Open Space Element. To provide an administrative mechanism to ensure consistency, it may be appropriate to require applicants for building permits and grading permits to secure a "zoning certificate" or other form of zoning clearance before these permits can be issued.

CONSISTENCY BETWEEN THE GENERAL PLAN AND THE ZONING ORDINANCE

Lemoore will implement many General Plan policies through the City’s Zoning Ordinance. Zoning must be consistent with the General Plan if the City’s land use, housing, and open space policies are to be realized. A fundamental link between the General Plan and zoning is land use/zoning consistency. **Table 9.1** shows how zoning districts in Lemoore are consistent with the land use designations of this General Plan. In some areas, new zoning districts are needed. In others, the existing zoning will need to be amended, as prescribed by the implementing policies in this Plan.

<i>General Plan Land Use Designations</i>	<i>Zoning District</i>
Residential	
Agricultural/Rural	AR
Very Low Density Residential	RVLD
Low Density Residential	RLD (also DMX-2 and DMX-3 in the Downtown)
Low-Medium Density Residential	RLMD, RN (also DMX-2 and DMX-3 in the Downtown)
Medium Density Residential	RMD
High Density Residential	RHD
Mixed Use	
Mixed Use (in the Downtown)	DMX-1, DMX-2, DMX-3
Mixed Use (elsewhere)	MU
Office, Commercial, Industrial	
Neighborhood Commercial	NC (also DMX-2 in the Downtown)
Regional Commercial	RC
Office/Professional	PO (also DMX-2 and DMX-3 in the Downtown)
Light Industrial	ML (also DMX-2 in the Downtown)
Heavy Industrial	MH
Business, Technology and Industrial Reserve	(1)
Other	
Wetlands	W
Agriculture	AG
Parks/Recreation/Greenway/Detention Basin	PR
Community Facilities	CF (also DMX-1, DMX-2 and DMX-3 in the Downtown)

¹ Only applies to lands outside of the City Limits.

2. This list only includes base zoning districts. Generally, overlay districts are consistent with all General Plan land use categories and may be restricted to certain base zoning districts as stipulated in adopting ordinances.

Source: Dyett & Bhatia, 2007.

9.3 CAPITAL IMPROVEMENTS PROGRAM

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 Planning Agency has responsibility for reviewing the CIP to determine whether it conforms to the General Plan. Specifically, the Government Code requires the Agency to review for conformity with the General Plan any CIP projects requiring one or more 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 Planning Agency has 40 days to comment on such actions, and under state law, these recommendations are advisory only; the City Council may make its own determinations of consistency.

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

9.4 REDEVELOPMENT AGENCY IMPLEMENTATION PLAN

The Government Code requires the Planning Agency to review for conformity with the General Plan any capital projects of the Redevelopment Agency that are similar to the above listed under the CIP.

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