

<p align="center">California General Plan (GP) and Community Plan (CP) Guidelines 2003, 2017</p>	<p align="center">San Bernardino County Draft Community Plans (DCP)</p>
<p>The <u>General Plan Guidelines</u> is advisory, not mandatory. Nevertheless, it is the state’s only official document explaining California’s legal requirements for general plans. (Guidelines page 8)</p> <p>The GP expresses the community’s development goals and embodies public policy relative to the distribution of future land uses, both public and private.</p> <p>General Plan Basics (2017 page 14) The purpose of a general plan is to guide land use planning decisions. Under state law, subdivisions, capital improvements, development agreements, and many other land use actions must be consistent with the adopted general plan. In counties and general law cities, zoning and specific plans are also required to conform to the general plan. In addition, preparing, adopting, implementing, and maintaining the general plan serves to identify the community’s land use, circulation, environmental, economic, and social goals and policies as they relate to future growth and development.</p> <p>The California Supreme Court describes GP as the “charter to which [zoning] ordinance(s) must conform.”</p> <p>Consistency Internal consistency: No policy conflicts can exist within a completed GP. Different policies must be balanced and reconciled within the plan.</p> <p>-Equal Status among elements: All elements in a GP have equal legal status. Ex: Land use policies equal to open space policies.</p> <p>-Between Elements: By state law all elements of a GP, whether mandatory (see *below) or optional, must be consistent with one another.</p>	<p>Where did the Joshua Tree Community Plan 2007 Goals, Policies and Land Use Map go? (Headline question and answer in DCP page 6)</p> <p>-Existing content is used in the development of new draft CP and GP. The Land Use Map will be adopted as part of the County Policy Plan.</p> <p>The Goals and Policies from the adopted 2007 CP, and the proposed land use changes discussed in the 3 community workshops, <i>will be considered for inclusion</i> in new web-based County Policy Plan. (Italics is LUS language)</p> <p>Consider:</p> <ul style="list-style-type: none"> -Is LUS staff doing the considering? What are their guidelines? -Does inclusion mean policies are adopted by resolution? -Will the Joshua Tree Community be identified with the inclusions or will the inclusions be general statements? (See column at left on Community Plans) <p>Is the draft community plan (DCP) consistent with the Calif. GP Guidelines and the web-based Countywide Plan (CWP)?</p> <p>We have not seen the web-based Countywide Plan (CWP) but assume for now that it contains the legal requirements to provide development policies, principles, goals, objectives, and plan proposals needed to guide land use development. (see column on left for state guidelines)</p> <p>Consider: The DCP does not contain development policies, principles, goals, objectives, or plan proposals to guide land use development in the Joshua Tree region. <u>At this time the DCP does not fit the definition of a Community Plan as described in the General Plan Guidelines.</u> (left column)</p> <p>Consider: The DCP, because of these omissions, is not adoptable into the CWP to support local land use decision making.</p> <p>Consider: The DCP is driven by the LUS Department. LUS will create an online <u>Community Development Toolkit</u> to expand the action topics and guidance on implementation as well as ideas for <u>future amendments or additions to the Community’s plan</u>. LUS determines when to revisit the community to expand</p>

<p>-</p> <p>Within Each Element: All elements data, analyses, goals, policies, and implementation programs must be consistent with and complement one another.</p> <p>-Text and Diagram Consistency: The text and accompanying diagrams are integral parts of the GP and must be consistent.</p> <p>-Community Plan Consistency: All principles, goals, objectives, policies, and plan proposals in a CP must be consistent with the GP.</p> <p>What are Community plans (CP)? (Guidelines page 23-24) -CPs focus on a particular region within the general plan area.</p> <p>CPs are adopted by resolution as an amendment to the GP. -CPs refine GP policies as they apply to a smaller geographic area.</p> <p>CPs are implemented by ordinances and other actions, such as zoning.</p> <p>-Consistency between the GP and the CP. -The GP provides the policy framework for CP’s detailed treatments. -The GP and CP should ideally share a uniform format for land use categories, terminology, and diagrams.</p> <p>*Seven GP Mandatory Elements (Guidelines pages 17-18) Land Use, Circulation, Housing, Open-Space, Noise, Safety. Other topics of interest can also be added.</p>	<p>or modify their action plan. (DCP page 11) The DCP is self- feeding, it was never designed to guide local land use activities through the CWP.</p> <p>What does the Draft Community Plans do? It provides the:</p> <p>Values (shared community assets) and Aspirations (desired look and function of community) generated during 3 community meetings.</p> <p>Action Plans - developed by LUS and the consultant</p> <p>Community Focus Statement – general direction for community to realize aspiration</p> <p>Action Statement -- measurable statement with critical information on program initiative</p> <p>Benchmark – product or action</p> <p>Champions -- person, group, or organization to lead the charge</p> <p>Estimated Cost</p> <p>Action Plan Matrix -- action steps, leader, time line, resources</p> <p>Consider: The DCP is a Suggested Action Plan for the Community (SAP). LUS states that the SAP is for communities to <i>“articulate what is important for each Community and, for the most part, would be implemented by the community.”</i> (DCP Page 7)</p> <p>As a SAP it is locally initiated and implemented. It is reviewed and updated by LUS. LUS updates the completed action along with success stories and revised action plans. The county determines when to revisit the community to expand or modify their action plan.</p>
<p>General Plan Description A GP is made up of text describing goals and objectives, principles, standards, and plan proposals, as well as a set of maps and diagrams, which paint a picture of the community’s future development.</p> <p>Definitions Development Policy – a statement that guides action and includes goals and objectives, policy standards, and plan proposals.</p>	<p>Consider: The DCP is not a CP with enforceable policies to guide the future land use and activities within the Joshua Tree region.</p> <p>What does the Community lose? Lost is the requirement under CEQA to inform the public of the potential environmental impacts of proposed activities.</p> <p>--Inform the public about the potential significant environmental impacts of proposed activities being considered by governmental decision makers.</p> <p>-</p>

Goal: general expression of community values – can be general and is not time dependent. A goal is expressed as ends, not actions.

Ex: A safe community

Objective -- specified end, condition, or state that is intermediate step toward obtaining a goal. It is achievable, measurable, time specific.

Ex: A 25% increase in downtown office space by 2019.

Principle -- assumption, fundamental rule, or doctrine guiding plan policies, standards, and implementation measures.

Ex: Parks provide recreational and aesthetic benefits.

Policy -- a specific statement that guides decision making. Clear policies are important when it comes to judging whether or not the decisions/projects are consistent with the GP. “Shall” indicates unequivocal directive. “Should” is weak and signifies lack of direction.

Ex: The city shall not approve a parking ordinance variance unless the variance pertains to the rebuilding of an unintentionally destroyed non-conforming use.

Standards: A standard is a rule of measure establishing a level of quality or quantity that must be complied with or satisfied. Standards define the abstract terms of the objectives and policies with concrete specifications

Ex: High-density residential means 15 to 30 dwelling units per acre and up to 42 dwelling units per acre with a density bonus.

Plan Proposal: A plan proposal describes the development intended to the place in an area. Plan proposals are often expressed on the GP diagram.

Ex: First Street and Harbor Avenue are designated as arterials.

CEQA – California Environmental Quality Act

Purpose:

--Ensure that government decision makers make informed decisions regarding the potential significant environmental impacts of proposed activities.

-Hold governmental decision makers accountable for their decisions regarding potential environmental impacts requiring them to articulate reasons for their decisions.

--There is a Substantive requirement that public agencies actually mitigate significant environmental impacts if feasible (or explain why mitigation is not feasible).

--There is a Substantive requirement that public agencies actually adopt environmentally beneficial alternatives if feasible (or explain why not).

--CEQA gives project opponents a fighting chance to challenge development projects and other activities they do not like.

From League of California Cities. <https://www.cacities.org/Resources-Documents/Education-and-Events-Section/Planners-Institute/2015-Handouts/CEQA-Basics-Everything-a-New-Planning-Commissioner>

Consider: Project Proposals are analyzed by LUS in an Initial Study using requirements set forth in CEQA Guidelines. The Initial Study is a document determining project compliance with the GP and Development Code.

Environmental factors (see * below) are analyzed in the Initial Study (IS) for the potential significant impacts of the project. The IS informs the commissioners, supervisors, and the public of significant impacts so they make informed decisions and comments. Public comments must be responded to by LUS and Mandatory Findings of Significance prepared before project approval.

Consider: The Joshua Tree community has recently disagreed with the project Findings and approval by the commissioners and supervisors on three projects. The community sought to stop the projects by filing lawsuits showing that the CEQA Guidelines were not followed and that there MAY be significant impacts that could not be mitigated, requiring the developer to do an Environmental Impact Report. (EIR)

The lawsuits claimed that LUS did not refer to the goals and policies of the Joshua Tree CP, which was adopted into the county GP in 2007.

Implementation Measure: An implementation measure is an action, procedure, program, or technique that carries out general plan policy. Each policy must have at least one corresponding implementation measure.

Ex: The city shall use tax-increment financing to pay the costs of replacing old sidewalks in the redevelopment area.

Consider: Lawsuits are the mechanism used by citizens to challenge project approvals they believe will harm the environment and/or the distinct character and identity of their community. The adopted CP is a tool used to demonstrate that the county has committed to managing growth to protect the environment and/or the distinct character and identity of the community.

Consider: The Draft Community Plan, in its **action plan** form, neither informs the community nor protects it from projects that may have significant impacts on the character and identity of the community.

Consider: The Joshua Tree Community require a real Community Plan that is adopted into the County General Plan to guide the land use development within its region.

***Environmental factors analyzed under CEQA in the Initial Study for a Project:** aesthetics, agriculture and forestry resources, air quality, biological resources, cultural resources, geology/soils, greenhouse gas emissions, hazards and hazardous materials, hydrology/water quality, land use/planning, mineral resources, noise, population/housing, public services, recreation, transportation/traffic, utilities/service systems, mandatory findings of significance. http://resources.ca.gov/ceqa/guidelines/Appendix_G.html