

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, Merced 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.

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, to provide flexibility in street design, and ensure adequate provision of bike and pedestrian facilities and connections between neighborhoods, schools, and parks, consistent with Plan policies.

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, a new Impact Fee analysis will be required in order to determine the level of impact fees to be charged to developers. Special assessment districts or other means of financing improvements benefiting specific areas, such as for Downtown, the Airport Site and the Business Opportunity Area also may be used. Finally, the Los Banos Redevelopment Agency will also participate in funding infrastructure improvements within redevelopment project areas that are needed to carry out the General Plan.

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 City action on individual subdivision and 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 Merced 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 Los Banos 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 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 approve 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 General 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 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. The Department will also coordinate activities with the Los Banos Unified School District related to school sites and the Los Banos Municipal Airport in consultation with Merced County, and the 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.

Redevelopment/ Economic Development Department

The Department will be responsible for actions pertaining to marketing, industrial targeting, workforce preparedness, improving Los Banos' business climate, and other actions highlighted in Chapter 2: Economic Development of the General Plan.

PUBLIC WORKS DEPARTMENT

The Public Works Department provides Engineering Services and Maintenance Services.

- The Public Works Engineering Services Department is responsible for the review of 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 and is responsible for the design and construction of capital improvement projects.
- The Public Works Maintenance Services Department is responsible for transportation planning and operations, sign, striping and street maintenance, infrastructure maintenance, and parks and facilities maintenance. Specific implementing responsibilities are established in the Land Use, Circulation, and Public Facilities and Utilities Elements of the General Plan.

Parks and Facilities Division

The Parks and Facilities Division of the Public Works Department is responsible for managing the City's recreation services, its parks and open spaces, and various facilities such as sports complexes. Specific implementing responsibilities are established in the Parks, Open Space, Conservation and Air Quality Element of the General Plan. The division 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

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 also coordinates with the County on mutual aid. Specific implementing responsibilities under the General Plan are established in the Public Facilities and Utilities Element and Safety Element of the General Plan.

OTHER BOARDS AND COMMISSIONS

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

- Parks and Recreation Commission;
- Planning Commission;
- Airport Advisory Commission;
- Economic Development Advisory Committee; and
- Traffic Safety 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 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. Under California Law, Los Banos is required to have the Zoning Ordinance be consistent with the General Plan; moreover, 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 must 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 currently being undertaken. 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 conformity 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 Parks, Open Space and Conservation 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

Los Banos 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 Los Banos 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. These include CD Downtown Central District, EP Employment Park District, RC Resource Conservation District, AGR Agricultural Rural District, and PS Public and Semi-Public District.

9-1: Consistency Between the Plan and Zoning	
General Plan Land Use Designations	Consistent Zoning District
Low Density Residential	R-1
Medium Density Residential	R-2
High Density Residential	R-3
Mixed Use	MU
Downtown Mixed Use	CD, *C-1
Neighborhood Commercial	*CN
Commercial	C-2, *H-C
Office/Professional	OP
Employment Park	CP, *PM, *H-C, *C-2
Industrial	M, *PM
Grasslands Ecological Area	RC
Agriculture/Rural	AG
Parks	*P
Civil/Institutional	PS

9.3 CAPITAL IMPROVEMENTS 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 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 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 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 Los Banos Unified School District 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 IMPLEMENTATION ACTIONS FOR PLAN POLICIES

The tables on the following pages summarize implementation actions that the City will undertake to carry out the policies proposed in each element of the General Plan.

9-2: Implementation Actions for Economic Development	
Implementation Actions	Policies
Implement through management, application review, and other administration practices	ED-I-12, ED-I-14, ED-I-16
Attend marketing events, conduct marketing initiatives to promote Los Banos as a place for business.	ED-I-1, ED-I-2, ED-I-3, ED-I-4, ED-I-5, ED-I-15, ED-I-22, ED-I-23, ED-I-26, ED-I-27
Utilize economic development tools and resources to attract and address the needs of Los Banos' existing target business clusters	ED-I-1, ED-I-2, ED-I-3, ED-I-4, ED-I-5, ED-I-14, ED-I-22, ED-I-23, ED-I-24, ED-I-25,
Improve the utilization of Downtown through implementation programs that improve image, safety, access, and exposure	ED-I-5, ED-I-15
Network and improve communication with Los Banos' business community through an annual business survey, welcome letters, a business newsletter, business visits, joint-trade or business events, apprenticeship and internship programs, and maintaining an economic development website	ED-I-1, ED-I-2, ED-I-11, ED-I-12, ED-I-13, ED-I-14, ED-I-15, ED-I-16, ED-I-17, ED-I-18
Provide through coordination or partnerships with other public agencies, educational providers, and nongovernmental organizations	ED-I-3, ED-I-5, ED-I-8, ED-I-9, ED-I-10, ED-I-11, ED-I-13, ED-I-15, ED-I-16, ED-I-20, ED-I-23, ED-I-25
Identify sites or develop infrastructure to support economic development.	ED-I-6, ED-I-12, ED-I-24
Maintain fiscal health, provide long range financial planning and budgeting, and capture grants to support economic development	ED-I-19, ED-I-20, ED-I-21

9-3: Implementation Actions for Land Use	
Implementation Actions	Policies
Implement through development and design review process, including environmental review	LU-I-2, LU-I-4, LU-I-7, LU-I-9, LU-I-13, LU-I-14, LU-I-16, LU-I-17, LU-I-18, LU-I-19, LU-I-20, LU-I-21, LU-I-22, LU-I-23, LU-I-24, LU-I-26, LU-I-30, LU-I-32, LU-I-34, LU-I-42, LU-I-44, LU-I-47, LU-I-51, LU-I-52, LU-I-56, LU-I-57, LU-I-58, LU-I-60
Provide through ongoing City services and departmental programs	LU-I-2, LU-I-18, LU-I-31, LU-I-38, LU-I-41, LU-I-45
Implement through partnerships with other public agencies and nongovernmental organizations	LU-I-3, LU-I-6, LU-I-13,, LU-I-52, LU-I-60
Consider pedestrian, bicycle, accessibility and congregation issues	LU-I-12, LU-I-21, LU-I-23,, LU-I-32, LU-I-34, LU-I-39, LU-I-40, LU-I-41 LU-I-47
Prepare/update/implement through master development plans, area plans, guideline or programs	LU-I-5, LU-I-11 LU-I-13, LU-I-17, LU-I-37, LU-I-41, LU-I-45, LU-I-46, LU-I-52, LU-I-53, LU-I-56, LU-I-60
Update subdivision regulations, Zoning Ordinances, and the zoning map	LU-I-1, LU-I-4, LU-I-7, LU-I-9, LU-I-10, LU-I-13, LU-I-18, LU-I-19, LU-I-20, LU-I-21 LU-I-23, LU-I-24, LU-I-26, LU-I-27, LU-I-28, LU-I-29, LU-I-33, LU-I-34, LU-I-35, LU-I-36, LU-I-42, LU-I-43, LU-I-44, LU-I-48, LU-I-49, LU-I-50, LU-I-53, LU-I-56 LU-I-57, LU-I-60
Provide through development fees or other forms of development mitigation.	LU-I-7, LU-I-56, LU-I-57, LU-I-59
Provide financial support/ incentive for parks, business restoration, mixed use, housing, and strategic improvements.	LU-I-14, LU-I-15, LU-I-25, LU-I-27, LU-I-38, LU-I-39, LU-I-40, LU-I-54

9-4: Implementation Actions for Circulation Element	
Implementation Actions	Policies
Implement through development and design review process, including environmental review	C-I-3, C-I-4, C-I-7, C-I-17, C-I-18, C-I-28, C-I-29, C-I-35
Prepare/update/implement through new street standards, level of service standards, a Street Master Plan	C-I-1, C-I-3, C-I-11, C-I-12, C-I-19, C-I-20, C-I-22, C-I-24, C-I-33, C-I-34
Provide through coordination and partnerships with other public agencies and nongovernmental organizations	C-I-21, C-I-36, C-I-37
Continue to work with Merced County Transit, Caltrans, and other transit operators to expand transportation alternatives	C-I-5, C-I-8, C-I-16, C-I-17, C-I-18, C-I-19, C-I-35, C-I-37
Manage the roadway system through ongoing monitoring	C-I-10, C-I-11, C-I-12, C-I-21, C-I-28, C-I-30, C-I-31
Update subdivision regulations, Zoning Ordinances, and the zoning map	C-I-1, C-I-4, C-I-21, C-I-23, C-I-24, C-I-26, C-I-27, C-I-29, C-I-31, C-I-32
Initiate new transportation studies for further action	C-I-5, C-I-13, C-I-19, C-I-35, C-I-37
Provide transportation improvements through the Capital Improvement Program	C-I-2, C-I-6, C-I-7, C-I-9, C-I-17, C-I-18, C-I-20, C-I-21, C-I-24, C-I-25
Provide through development fees or other forms of development mitigation	C-I-14, C-I-15

9-5: Implementation Actions for Parks, Open Space, and Resources Element	
Implementation Actions	Policies
Implement through development and design review process, including environmental review	POSR-I-6, POSR-I-12, POSR-I-16, POSR-I-17, POSR-I-21, POSR-I-22, POSR-I-23, POSR-I-24, POSR-I-25, POSR-I-30
Provide through ongoing City services and departmental programs	POSR-I-1, POSR-I-7, POSR-I-8, POSR-I-9, POSR-I-10, POSR-I-26, POSR-I-31, POSR-I-33, POSR-I-38
Provide through coordination or partnerships with other public agencies and nongovernmental organizations on joint planning or joint use of facilities	POSR-I-8, POSR-I-11, POSR-I-16, POSR-I-20, POSR-I-25, POSR-I-27, POSR-I-34
Provide through an Open Space and Trails Master Plan	POSR-I-12, POSR-I-13, POSR-I-16, POSR-I-22, POSR-I-23, POSR-I-24
Prepare/update/implement through special plans, area plans, guidelines or programs	POSR-I-2, POSR-I-23, POSR-I-32, POSR-I-36, POSR-I-39
Update subdivision regulations, Zoning Ordinances, and the zoning map	POSR-I-3, POSR-I-4, POSR-I-5, POSR-I-6, POSR-I-14, POSR-I-22, POSR-I-31, POSR-I-35
Provide through long-range financial planning, the Capital Improvement Program or performance budgeting	POSR-I-4, POSR-I-7, POSR-I-15, POSR-I-37, POSR-I-38, POSR-I-40
Provide through development fees or other forms of development mitigation	POSR-I-3, POSR-I-14, POSR-I-18, POSR-I-21, POSR-I-25, POSR-I-28, POSR-I-29, POSR-I-31, POSR-I-36, POSR-I-38
Education, outreach, and community promotion	POSR-I-2, POSR-I-11, POSR-I-19, POSR-I-35, POSR-I-39, POSR-I-41

9-6: Implementation Actions for Noise Element	
Implementation Actions	Policies
Implement through development and design review process, including environmental review	N-I-1, N-I-2, N-I-4
Prepare/update/implement through specific plans, area plans, guidelines or programs	N-I-1, N-I-5
Update subdivision regulations, Zoning Ordinances, and the zoning map	N-I-4, N-I-6
Provide through development fees or other forms of development mitigation	N-I-2, N-I-3, N-I-7

9-7: Implementation Actions for Safety Element	
Implementation Actions	Policies
Implement through the development review process	S-I-1, S-I-2, S-I-5, S-I-9, S-I-18, S-I-28, S-I-29
Provide through ongoing City services and departmental programs	S-I-4, S-I-6, S-I-8, S-I-13, S-I-14, S-I-23, S-I-26, S-I-27, S-I-33
Provide through coordination or partnerships with other public agencies and nongovernmental organizations	S-I-8, S-I-12, S-I-17, S-I-20, S-I-24, S-I-25, S-I-26, S-I-30, S-I-31, S-I-32, S-I-34
Prepare a Natural Disaster Mitigation Plan	S-I-31, S-I-32, S-I-33, S-I-34
Prepare/update/implement through special plans, area plans, guidelines or programs	S-I-7, S-I-11, S-I-13, S-I-16, S-I-17, S-I-21, S-I-29
Update subdivision regulations, Zoning Ordinances, and the zoning map	S-I-1, S-I-5, S-I-9, S-I-10, S-I-18, S-I-28
Provide through development fees or other forms of development mitigation	S-I-3, S-I-9, S-I-10, S-I-19
Education, outreach, and community promotion	S-I-15, S-I-16, S-I-22, S-I-24, S-I-32, S-I-34

9-8: Implementation Actions for Public Facilities and Utilities Element	
Implementation Actions	Policies
Implement through development and design review process, including environmental review	PFU-I-1, PFU-I-2, PFU-I-4, PFU-I-11, PFU-I-12, PFU-I-13
Provide through ongoing City services and departmental programs	PFU-I-5, PFU-I-10, PFU-I-13, PFU-I-14, PFU-I-15, PFU-I-16, PFU-I-17, PFU-I-18, PFU-I-21, PFU-I-23, PFU-I-24
Provide through coordination or partnerships with other public agencies and nongovernmental organizations	PFU-I-1, PFU-I-3, PFU-I-5, PFU-I-7, PFU-I-9, PFU-I-10, PFU-I-17, PFU-I-20, PFU-I-23, PFU-I-26, PFU-I-27
Prepare/update/implement through special plans, area plans, guidelines or programs	PFU-I-6, PFU-I-15, PFU-I-18, PFU-I-21, PFU-I-24
Review and update building code standards for water conservation	PFU-I-19, PFU-I-21
Update subdivision regulations, Zoning Ordinance, and the zoning map	PFU-I-2, PFU-I-4, PFU-I-11, PFU-I-12, PFU-I-16, PFU-I-19
Provide financial support/ incentive to support city goals or strategic improvements	PFU-I-4, PFU-I-5, PFU-I-26
Provide through long-range financial planning, the Capital Improvement Program or performance budgeting	PFU-I-13, PFU-I-14, PFU-I-15, PFU-I-24
Provide through development fees or other forms of development mitigation	PFU-I-8, PFU-I-15, PFU-I-19
Education, outreach, and community promotion	PFU-I-5, PFU-I-21, PFU-I-22, PFU-I-23, PFU-I-25

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