

Appendix A Compliance with State Laws and Regulations

Senate Bill 379 (Climate Change Adaptation and Resilience)

SB 379 (2015) mandates that climate adaptation and resilience are considered in safety elements. The legislation specifically requires that safety elements include a vulnerability assessment that identifies climate change impacts to the jurisdiction, and a suite of goals, policies, objectives, and feasible implementation measures to protect the community from risks posed by climate change.

Senate Bill 99 (Emergency Evacuation Routes)

SB 99 (2019) requires safety elements to include information that identifies residential developments in hazard areas without at least two emergency evacuation routes.

Assembly Bill 747 (Emergency Evacuation Routes)

Assembly Bill (AB) 747 (2019) requires that safety elements are reviewed and updated as needed to identify evacuation routes and their capacity, safety, and viability under a range of emergency scenarios. An adopted local hazard mitigation plan, emergency operations plan, or other document that fulfills these requirements, may be summarized, and incorporated by reference into the safety element to comply.

Senate Bill 1000 (Environmental Justice)

SB 1000 (2016) requires communities with disadvantaged communities to address environmental justice in the general plan. Disadvantaged communities are defined by State law and generally refer to areas disproportionately affected by environmental pollution or other hazards that can lead to negative health effects, exposure, or environmental degradation. Under the law, cities and counties with communities that meet the definition of disadvantaged under the law must address unique or compound health risks in these communities, promote civil engagement in the public decision-making process, and prioritize programs and improvements that address the needs of these communities. While the city does not have any State designated disadvantaged communities, some of its populations may be less resilient to hazards due to socioeconomic factors. Therefore, the City has voluntarily chosen to address environmental justice issues through this element.

Alquist-Priolo Earthquake Faulting Zone Act

The Alquist-Priolo Earthquake Faulting Zone Act was passed in 1971 with the intent of reducing risk of loss from surface fault rupture. The act provides guidance for cities on prohibiting development across the trace of active faults.

National Flood Insurance Program

The Federal Emergency Management Agency (FEMA) insures properties against flooding losses through the National Flood Insurance Program. The City has been a participant in the National Flood Insurance Program since April 16, 1979 and will continue to participate and remain in compliance with the National Flood Insurance Program. The City joined the Community Rating System on October 1, 1991, and currently has a Class 6 rating.

CODE+A1A 1:G23	LOCAL PLANNING REQUIREMENTS	TIMELINE / ENFORCEMENT	TOPIC	STATE GUIDANCE	LEGISLATION
§ 65302 g.1.	<p>SAFETY ELEMENT A safety element for the protection of the community from any unreasonable risks associated with the effects of seismically induced surface rupture, ground shaking, ground failure, tsunami, seiche, and dam failure; slope instability leading to mudslides and landslides; subsidence; liquefaction; and other seismic hazards, and other geologic hazards known to the legislative body; flooding; and wildland and urban fires.</p>	<p>Before preparing or revising its safety element, each city and county shall consult the California Geological Survey of the Department of Conservation, the Central Valley Flood Protection Board, if the city or county is located within the boundaries of the Sacramento and San Joaquin Drainage District, and the Office of Emergency Services for the purpose of including information known by and available to the department, the agency, and the board required by this subdivision.</p> <p>To the extent that a county's safety element is sufficiently detailed and contains appropriate policies and programs for adoption by a city, a city may adopt that portion of the county's safety element that pertains to the city's planning area in satisfaction of the requirement imposed by this subdivision.</p>			
§ 65302 g.1.	Include mapping of known seismic and other geologic hazards.		Hazards		
§ 65302 g.1.	Address evacuation routes, military installations, peak load water supply requirements, and minimum road widths and clearances around structures, as those items relate to identified fire and geologic hazards.		Hazards		
§ 65302 g.2.A.	Identify information regarding flood hazards, including but not limited to:	Cities and counties that have flood plain management ordinances that have been approved by FEMA that substantially comply with this section, or have substantially equivalent provisions to this subdivision in their general plans, may use that information in the safety element to comply with this subdivision, and shall summarize and incorporate by reference into the safety element the other general plan provisions or the flood plain ordinance, specifically showing how each requirement of this subdivision has been met.	Flood		
§ 65302 g.2.A.i.	Flood hazard zones. As used in this subdivision, "flood hazard zone" means an area subject to flooding that is delineated as either a special hazard area or an area of moderate or minimal hazard on an official flood insurance rate map issued by FEMA. The identification of a flood hazard zone does not imply that areas outside the flood hazard zones or uses permitted within flood hazard zones will be free from flooding or flood damage.		Flood		
§ 65302 g.2.A.ii.	National Flood Insurance Program maps published by FEMA.		Flood		
§ 65302 g.2.A.iii.	Information about flood hazards that is available from the United States Army Corps of Engineers.		Flood		
§ 65302 g.2.A.iv.	Designated floodway maps that are available from the Central Valley Flood Protection Board.		Flood		
§ 65302 g.2.A.ix.	Historical data on flooding, including locally prepared maps of areas that are subject to flooding, areas that are vulnerable to flooding after wildfires, and sites that have been repeatedly damaged by flooding.		Flood		
§ 65302 g.2.A.v.	Dam failure inundation maps prepared pursuant to Section 6161 of the Water Code that are available from the Department of Water Resources.		Flood		
§ 65302 g.2.A.vi.	Awareness Floodplain Mapping Program maps and 200-year flood plain maps that are or may be available from, or accepted by, the Department of Water Resources.		Flood		
§ 65302 g.2.A.vii.	Maps of levee protection zones.		Flood		
§ 65302 g.2.A.viii.	Areas subject to inundation in the event of the failure of project or nonproject levees or floodwalls.		Flood		
§ 65302 g.2.A.x.	Existing and planned development in flood hazard zones, including structures, roads, utilities, and essential public facilities.		Flood		
§ 65302 g.2.A.xi.	Local, state, and federal agencies with responsibility for flood protection, including special districts and local offices of emergency services.		Flood		

§ 65302 g.2.B.	Establish a set of comprehensive goals, policies, and objectives based on flood hazard information for the protection of the community from the unreasonable risks of flooding, including but not limited to:		Flood		
§ 65302 g.2.B.i.	Avoiding or minimizing the risks of flooding to new development.		Flood		
§ 65302 g.2.B.ii.	Evaluating whether new development should be located in flood hazard zones, and identifying construction methods or other methods to minimize damage if new development is located in flood hazard zones.		Flood		
§ 65302 g.2.B.iii.	Maintaining the structural and operational integrity of essential public facilities during flooding.		Flood		
§ 65302 g.2.B.iv.	Locating, when feasible, new essential public facilities outside of flood hazard zones, including hospitals and health care facilities, emergency shelters, fire stations, emergency command centers, and emergency communications facilities or identifying construction methods or other methods to minimize damage if these facilities are located in flood hazard zones.		Flood		
§ 65302 g.2.B.v.	Establishing cooperative working relationships among public agencies with responsibility for flood protection.		Flood		
§ 65302 g.2.C.	Establish a set of feasible implementation strategies to carry out the goals, policies, and objectives established for the protection of the community from the unreasonable risks of flooding.		Flood		
§ 65302 g.3.	Address the risk of fire for land classified as state responsibility areas, as defined in Section 4102 of the Public Resources Code, and land classified as very high fire hazard severity zones, as defined in Section 51177. Consider the advice included in the Office of Planning and Research's most recent publication of "Fire Hazard Planning, General Plan Technical Advice Series."	Fire safety plan or document separate from the general plan, an attachment of, or reference to, a city or county's adopted fire safety plan or document that fulfills commensurate goals and objectives and contains information required pursuant to this paragraph.	Fire	OPR Fire Hazard Technical Advisory (2020 Public Review Draft)	
§ 65302 g.3.A.	Include information regarding fire hazards, including, but not limited to:		Fire		
§ 65302 g.3.A.i.	Fire hazard severity zone maps available from the Department of Forestry and Fire Protection.		Fire		
§ 65302 g.3.A.ii.	Any historical data on wildfires available from local agencies or a reference to where the data can be found.		Fire		
§ 65302 g.3.A.iii.	Information about wildfire hazard areas that may be available from the United States Geological Survey.		Fire		
§ 65302 g.3.A.iv.	General location and distribution of existing and planned uses of land in very high fire hazard severity zones and in state responsibility areas, including structures, roads, utilities, and essential public facilities. The location and distribution of planned uses of land shall not require defensible space compliance measures required by state law or local ordinance to occur on publicly owned lands or open space designations of homeowner associations.		Fire		
§ 65302 g.3.A.v.	Local, state, and federal agencies with responsibility for fire protection, including special districts and local offices of emergency services.		Fire		
§ 65302 g.3.B.	Include a set of comprehensive goals, policies, and objectives based on fire hazard information for the protection of the community from the unreasonable risk of wildfire.		Fire		
§ 65302 g.3.C.	A set of feasible implementation strategies to carry out the goals, policies, and objectives for the protection of the community from the unreasonable risk of wildfire.		Fire		
§ 65302 g.3.C.i.	Avoiding or minimizing the wildfire hazards associated with new uses of land.		Fire		
§ 65302 g.3.C.ii.	Locating, when feasible, new essential public facilities outside of high fire risk areas, including, but not limited to, hospitals and health care facilities, emergency shelters, emergency command centers, and emergency communications facilities, or identifying construction methods or other methods to minimize damage if these facilities are located in a state responsibility area or very high fire hazard severity zone.		Fire		
§ 65302 g.3.C.iii.	Designing adequate infrastructure if a new development is located in a state responsibility area or in a very high fire hazard severity zone, including safe access for emergency response vehicles, visible street signs, and water supplies for structural fire suppression.		Fire		
§ 65302 g.3.C.iv.	Working cooperatively with public agencies with responsibility for fire protection.		Fire		

§ 65302 g.4.	Address climate adaptation and resiliency strategies applicable to the city or county. Consider advice provided in the Office of Planning and Research's General Plan Guidelines.	If a city or county has adopted the local hazard mitigation plan, or other climate adaptation plan or document that fulfills commensurate goals and objectives and contains the information required pursuant to this paragraph, separate from the general plan, an attachment of, or reference to, the local hazard mitigation plan or other climate adaptation plan or document. Cities or counties that have an adopted hazard mitigation plan, or other climate adaptation plan or document that substantially complies with this section, or have substantially equivalent provisions to this subdivision in their general plans, may use that information in the safety element to comply with this subdivision, and shall summarize and incorporate by reference into the safety element the other general plan provisions, climate adaptation plan or document, specifically showing how each requirement of this subdivision has been met.	Adaptation	OPR General Plan Guidelines	SB-379 (2015) Vulnerability Assessment and Hazard Mitigation Plan in Safety Element
§ 65302 g.4.A.	Include a vulnerability assessment that identifies the risks that climate change poses to the local jurisdiction and the geographic areas at risk from climate change impacts.		Adaptation	Cal-Adapt, 2020 California Adaptation Planning Guide	
§ 65302 g.4.B.	Include a set of adaptation and resilience goals, policies, and objectives based on the information specified in the vulnerability assessment for the protection of the community.		Adaptation		
§ 65302 g.4.C.	Include a set of feasible implementation measures designed to carry out the goals, policies, and objectives identified for the protection of the community.		Adaptation		
§ 65302 g.4.C.i.	Feasible methods to avoid or minimize climate change impacts associated with new uses of land.		Adaptation		
§ 65302 g.4.C.ii.	The location, when feasible, of new essential public facilities outside of at-risk areas, including, but not limited to, hospitals and health care facilities, emergency shelters, emergency command centers, and emergency communications facilities, or identifying construction methods or other methods to minimize damage if these facilities are located in at-risk areas.		Adaptation		
§ 65302 g.4.C.iii.	The designation of adequate and feasible infrastructure located in an at-risk area.		Adaptation		
§ 65302 g.4.C.iv.	Guidelines for working cooperatively with relevant local, regional, state, and federal agencies.		Adaptation		
§ 65302 g.4.C.v.	The identification of natural infrastructure that may be used in adaptation projects, where feasible. Where feasible, the plan shall use existing natural features and ecosystem processes, or the restoration of natural features and ecosystem processes, when developing alternatives for consideration. For purposes of this clause, "natural infrastructure" means using natural ecological systems or processes to reduce vulnerability to climate change related hazards, or other related climate change effects, while increasing the long-term adaptive capacity of coastal and inland areas by perpetuating or restoring ecosystem services. This includes, but is not limited to, the conservation, preservation, or sustainable management of any form of aquatic or terrestrial vegetated open space, such as beaches, dunes, tidal marshes, reefs, seagrass, parks, rain gardens, and urban tree canopies. It also includes systems and practices that use or mimic natural processes, such as permeable pavements, bioswales, and other engineered systems, such as levees that are combined with restored natural systems, to provide clean water, conserve ecosystem values and functions, and provide a wide array of benefits to people and wildlife.		Adaptation		
§ 65302 g.5.	Identify residential developments in any hazard area identified in the safety element that do not have at least two emergency evacuation routes	Upon the next revision of the housing element on or after January 1, 2020.	Evacuation		SB-99 (2019) General Plans/Safety Element/Emergency Evacuation
§ 65302 g.6.	Review and, if necessary, revise the safety element to identify new information relating to flood and fire hazards and climate adaptation and resiliency strategies applicable to the city or	Upon each revision of the housing element or local hazard mitigation plan, but not less than once every eight years.	Adaptation		SB-1035 (2018) General Plans
§ 65302 h.1.	ENVIRONMENTAL JUSTICE ELEMENT An environmental justice element, or related goals, policies, and objectives integrated in other elements, that identifies disadvantaged communities within the area covered by the general plan of the city, county, or city and county, if the city, county, or city and county has a disadvantaged community.	A city, county, or city and county subject to this subdivision shall adopt or review the environmental justice element, or the environmental justice goals, policies, and objectives in other elements, upon the adoption or next revision of two or more elements concurrently on or after January 1, 2018.		General Plan Guidelines, Chapter 4: Environmental Justice Element	SB-1000 (2016) Environmental Justice Requirements in General Plan
§ 65302 h.1.A.	Identify objectives and policies to reduce the unique or compounded health risks in disadvantaged communities by means that include, but are not limited to, the reduction of pollution exposure, including		Environmental Justice		
§ 65302 h.1.B.	Identify objectives and policies to promote civic engagement in the public decisionmaking process.		Environmental Justice		
§ 65302 h.1.C.	Identify objectives and policies that prioritize improvements and programs that address the needs of disadvantaged communities.		Environmental Justice		