

5.1 STATE LAWS AND ADMINISTRATIVE GUIDELINES

A General Plan Safety Element provides a comprehensive local plan for mitigating the negative effects of earthquakes, landslides, fire, floods, tsunamis, toxic spills and other hazards. A Safety Element is one of seven mandatory elements in a General Plan, required by State law.

The County of Riverside is updating its Safety Element to reflect new knowledge and conditions. The updated Safety Element will enable the County to integrate the required subjects more completely, and thus provide a stronger base of public safety policy. Achieving a maximum degree of public safety is consistent with Riverside County's long-range vision for the future, represented by the General Plan as a whole.

5.1.1 Basic General Plan Law

Under California law, each city and county must prepare a comprehensive, long-range General Plan that serves as a guide to future development. The General Plan must include a Land Use Element that describes, in text and diagrams, the future distribution of land uses, population density and housing intensities. The General Plan must also include six other elements: Circulation, Housing, Conservation, Open Space, Noise and Safety.

All General Plan elements must be mutually consistent. As an example, if the Open Space Element designates land as a future nature preserve, the Land Use Element cannot designate it for high intensity commercial development. In addition, zoning must remain consistent with the General Plan. For instance, a county cannot adopt commercial zoning on land designated in the Land Use Element for single family homes, unless a General Plan amendment is adopted to redesignate the land. Therefore, recommendations associated with Safety Element hazard mitigation affect both land use and zoning.

A Safety Element can be broadly interpreted as:

- a statement of policy direction addressing the relationship between existing and potential hazards and future development;
- a source of guidance to other elements of the General Plan, most particularly the Land Use Element;
- a foundation for the legal reasoning behind zoning and other development regulations that are designed to constrain, mitigate or permit development because of existing or potential hazards; and,
- a database of geological conditions and associated hazard management zones within which mitigation policies are implemented.