

IX. SAFETY ELEMENT



CA/KB

OVERVIEW

The Safety Element, one of nine elements of the General Plan, contains County policies on identified and potential hazards and safety considerations, their mitigation (i.e., reduction in damage and loss to real and personal property and minimization of adverse social and economic impacts) and implications for development.

The Safety Element text is organized in the following order:

- Purpose of the Element
- Constraints and Opportunities
- General Safety Element
- Implementation Programs
- Public Safety Component
- Natural Hazards Component

The first section provides an overview of the scope and purpose of the Safety Element followed by the Constraints and Opportunities section. Subsequently, the General Safety Element Implementation Programs, applicable to both Public Safety and Natural Hazards Components, are discussed.

The remaining sections deal with topics within the Public Safety and Natural Hazards Components. Accordingly, the Public Safety Component includes Crime, Fire, Hazardous Materials, and Aircraft Environment. The Natural Hazards Component consists of Flood and Seismic/Geologic Hazards. In addition to the general goals and objectives for each Component, each topic presents its own

specific goals, objectives, policies and implementation programs.

PURPOSE OF THE ELEMENT

The State Government Code requires general plans to include "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 and other geologic hazards known to the legislative body; flooding; and wildland and urban fires."

As such, the Safety Element is a primary document for identifying hazards which must be considered in the physical development of a jurisdiction. While the Safety Element is required to focus on fire, flood, and geologic hazards, it may also address other locally relevant safety issues.

A basic purpose of the Safety Element is to comprehensively inventory hazards which primarily impact persons and property in the unincorporated areas of Orange County. The scope of the Element also allows for a countywide perspective for other safety-related matters. This hazards inventory identifies information necessary for the development of goals, objectives, policies, and implementation programs.

The goals and objectives of the Safety Element are consistent with state

requirements and are based on an assessment of safety-related needs, and the identification of problems impeding the resolution of hazards and safety concerns.

The policies and programs of the Element form an effective implementation plan to meet the established goals and objectives of the Element. The Safety Element serves to guide and direct local government decision-making in safety-related matters and also foster coordination with regional, state, and federal policies and programs.

As the County continues to grow, the demand for public safety will increase. Services and programs designed to improve the safety of Orange County residents as the urbanized areas expand will experience increasing pressure. This pressure will be met through various methods. For example, adequate methods of crime protection already exist in the urbanized area, but it is necessary that affirmative steps be taken to inform the public of available services and programs.

The demand for other safety related services, such as flood control, cannot be met entirely within the borders of Orange County. The County must ultimately depend on cooperation with other counties and agencies for the provision of an adequate supply of this service.

One of the major purposes of the Safety Element is to provide a clear statement of County policy so that timely steps can be taken to ensure that an adequate supply of

services and facilities will be available to meet the County’s growth needs.

CONSTRAINTS AND OPPORTUNITIES

This section identifies existing and potential constraints to and opportunities for satisfying the projected safety demands for Orange County. While constraints do not always represent absolute barriers, they may inhibit the timely achievement of important safety objectives. The Element’s policies and implementation programs are intended to minimize the constraints and to promote the identified safety opportunities.

Constraints

- ***Environmental Constraints***

PUBLIC SAFETY

Public safety concerns addressed in this Element include crime, fire, hazardous materials, and aircraft. The timely achievement of public safety objectives may be negatively affected by geography, geology, and climate combined with the inability to predict an occurrence. Fire suppression, for example, is constrained by topography when it precludes or inhibits firefighters from reaching a fire. Wind shifts and other climate changes may also negatively effect fire suppression.

Hazardous materials pose very

profound environmental consequences. Their presence in the environment can degrade air-quality and groundwater, severely damaging the food chain. Because of their affects, special care is required to transport, store, and dispose of these materials to ensure they do not enter the environment.

Aircraft accidents are unpredictable. Although many accidents occur due to pilot error or aircraft failure, accidents also occur due to the influences of climatic changes and geography. Mountains are natural barriers which establish certain aviator routes. Aircraft straying from established routes or flying in poor visibility conditions heighten the chances of an accident.

NATURAL HAZARDS

Two natural hazard areas are discussed in this Element. They are flood hazards and seismic and geologic hazards. The natural environment affects the ability to predict the extent and magnitude of a natural disaster.

Flood hazard protection is planned and implemented for major stream courses within Orange County. Flood protection devices are normally implemented to mitigate the effects of a predicted event. There is no certainty when such an event will occur and the extent of damage. The same predictability problems exist for

“They that can give up an essential liberty to obtain a little temporary safety deserves neither liberty nor safety.”
Benjamin Franklin

seismic hazards. Although fault traces have been identified within Orange County, an earthquake is an unpredictable occurrence.

- ***Fiscal Constraints***

While operating and capital expenses for many safety related operations have risen, many traditional revenue sources have been cut or impaired, and spending limitations have been imposed on local governments, thus leaving them faced with reduced revenues for safety related planning at a time of growing need and public awareness.

Major fiscal factors constraining local governments today in the provision of safety-related services, programs, and facilities include the following:

PROPOSITION 13

The passage of Proposition 13 in 1978 seriously limited local property taxes as a major revenue source for local governments. The effects of Proposition 13 are strongly felt by safety services and programs provided by the Orange County Sheriff-Coroner Department, the Orange County Fire Authority, the Orange County Flood Control District, and other County General Fund users.

PROPOSITION 4 (THE GANN INITIATIVE)

Passage of the Gann Initiative in 1979 placed constitutional limitations on the annual appropriations that can be made by each state and local government entity. The appropriations limit for each fiscal year is based upon the prior fiscal year increased by a factor for inflation and population growth. Excess revenues over appropriation limits must be returned to the taxpayers within the next two years. The effects of the Gann initiative are felt by the Orange County Flood Control District, County General Fund, and Fire Authority funds, and manifests itself in restrictions and reductions in safety related plans, programs, and facilities.

CITY REDEVELOPMENT AGENCIES

Redevelopment agencies within Orange County rely heavily on tax-increment financing as a primary revenue source. Under tax-increment financing, the redevelopment agency receives that portion of the property tax levy for an area which exceeds the levy for the base year. The increment represents the property tax revenue that otherwise would have been allocated to each of the area's taxing agents (e.g., Orange County General Fund, Orange County Fire Authority, and Orange County Flood Control District).

- ***Governmental Constraints***

CONFLICTING OBJECTIVES AND PRIORITIES

Competing public needs can result in conflicting priorities and programs. Further, the maze of regulations and standards overseen by a myriad of agencies can result in conflicting purposes, confusion, and ineffective programs.

INTERGOVERNMENTAL COORDINATION

It is very important for the federal, state, county, cities, and special districts to continue to communicate and to strive for greater coordination and cooperation in order to achieve common goals and objectives relative to safety-related planning.

- **Economic and Market Constraints**

HAZARDOUS WASTE DISPOSAL

Historically, hazardous wastes have generally been disposed in designated landfills. More recently, landfill closure and costs associated with landfill disposal have forced hazardous waste producers to look elsewhere to dispose of their wastes, including on-site treatment prior to disposal.

Opportunities

- **Environmental Opportunities**

LAND AVAILABILITY

The amount of undeveloped land in Orange County, particularly in the unincorporated area, can provide unique opportunities to consider, address, and initiate improved safety-sensitive planning through innovative land use planning and developments which promote maximum public protection.

ENVIRONMENTAL QUALITY

Statutory requirements protecting environmental quality (e.g., NEPA, CEQA, Federal 208 Water Quality Standards) aid in the early identification and mitigation of safety-related impacts. Through the environmental documentation process, appropriate mitigation measures or planning alternatives can be implemented to avoid or minimize future impacts.

- **Fiscal Opportunities**

INNOVATIVE FINANCING

Despite the loss of conventional funding sources, there exists the potential to expand existing financial resources and to identify and utilize new resources to supplement existing ones. These resources may include the increased use of the following: user fees; non-property based taxes and miscellaneous revenues; developer

“The desire for safety stands against every great and noble enterprise.”

Cornelius Tactitus (Circa AD 56-120)

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financing for on-site and off-site improvements which promote safety; benefit assessment bonds; revenue bonds; and joint funding of safety improvements.

FEDERAL AND STATE FINANCING

The mandate for improved safety-related planning, management, and implementation is sometimes accompanied by federal and state funds. Within the realm of hazardous materials planning, prioritized programs are being earmarked for funding. Under provision of AB 2948 (the Tanner Bill), the preparation of a hazardous waste management plan is reimbursable from the state.

Elsewhere, the federal government has established funds for the implementation of the Santa Ana River Mainstem Project in Orange County and neighboring counties.

- ***Governmental Opportunities***

COORDINATED PLANNING OBJECTIVES AND STANDARDS

Orange County encourages long-range planning for the coordination of state and local government and private sector aims with the objective of phasing development in accordance with the consideration and provision of adequate safety measures. Orange County has taken a leadership role to promote safety-related programs,

including hazardous waste management planning, hazardous materials disclosure, earthquake preparedness, and flood control.

DISASTER COORDINATION

The County of Orange recognizes the need for adequate disaster response planning. The opportunities and organizational structure exist to further coordinate emergency response to all natural disasters. The "Emergency Response Plan" of the County consists of both a detailed summary of the Countywide organization and a detailed description of the responsibility of each component agency in time of a disaster.

- ***Economic and Market Opportunities***

HAZARDOUS MATERIALS

The closure of Class I landfills and the increase in hazardous materials disposal Restrictions is giving impetus to new technologies. Combined with requirements of AB 2948 (Tanner Bill) this may give added incentives to private industry to develop additional technologies for the treatment and disposal of hazardous materials.

GENERAL SAFETY ELEMENT IMPLEMENTATION PROGRAMS

1. GENERAL PLAN CONSISTENCY PROGRAM

Action:

Continue review of public and private projects for consistency with the Orange County General Plan as required by state law (Government Code Section 65400 et seq.).

Discussion:

This program satisfies the state law requirement that private and public projects must be consistent with the local government's general plan in order to be approved. All public works projects, development projects, discretionary permits, capital improvement plans, and other private and public agency proposals are reviewed for consistency.

New or Existing Program: Existing

Implementation Schedule: Ongoing

Responsible Agency: RDMD

Source of Funds:

- County General Fund
- Developer fees

2. INTERGOVERNMENTAL COORDINATION AND PUBLIC PARTICIPATION

Action:

Intergovernmental and intragovernmental coordination will be improved through increased

cooperation and contact with federal, state, regional, countywide, and Orange County agencies which impact or influence Safety Element implementation. For a list of related planning agencies, see the General Plan Appendix, Intergovernmental Coordination.

Discussion:

This program facilitates both intra- and intergovernmental coordination and citizen participation in order to promote a greater understanding of the County General Plan. Appropriate governmental agencies, organizations, and citizens are provided an opportunity to review documents and provide input during the General Plan revision and amendment process. Appropriate agencies are also consulted and involved in many of the implementation programs defined in this document.

New or Existing Program: Existing

Implementation Schedule: Ongoing

Responsible Agency: CEO and RDMD

Source of Funds: County General Fund

3. EMERGENCY MANAGEMENT PROGRAM

Action:

Continue to implement emergency mitigation measures as outlined in the

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California Emergency Plan, the California Master Mutual Aid Agreement, the Orange County Emergency Plan, Orange County Operational Area Plan, S.O.N.G.S Plan, County of Orange and Orange County Fire Authority Hazard Mitigation Plan and other emergency management plans. Coordination and implementation will be improved through increased contact with all agencies and organizations which impact or influence emergency response planning.

Discussion:

This program focuses primarily upon the County's planned response to extraordinary emergency situations associated with natural disasters, technological incidents, intentional acts of terrorism and nuclear protection operations. Such disasters pose major threats to life and property and can impact the well-being of large numbers of people.

To reduce the County's susceptibility and vulnerability to extraordinary emergency situations, continuing emphasis is placed on the following: mitigation, emergency planning; training of full time, auxiliary, and reserve personnel; public awareness and education; and assuring the adequacy and availability of sufficient resources to cope with such emergencies.

Normal day-to-day emergencies and the well-established and routine procedures used in response to such emergencies are addressed in the implementation programs found in this element and in the daily procedures of the various responsible agencies.

On March 15, 2011, the Board of Supervisors adopted the *County of Orange and Orange County Fire Authority Hazard Mitigation Plan (HMP)* in compliance with federal and state regulations. The Hazard Mitigation Plan will be amended from time to time; for purposes of the General Plan the relevant HMP is the most recent HMP that has been approved by the Board of Supervisors. Any inconsistency between the HMP and other provisions of the Safety Element shall be resolved in favor of the provisions most recently amended and approved by the Board of Supervisors.

EMERGENCY RESPONSE

The Orange County Operational Area Emergency Operations Center (OC OA/EOC) is used for managing disaster response and recovery for County Agencies and Departments and constituents served by the operational areas. The EOC coordinates disaster response and recovery for the Operational Area, including all political subdivisions of Orange County, and communicates Operations

resource requirements and availability with the State Regional Operations Center.

The Standardized Emergency Management System (SEMS) is the state mandated framework for emergency response and recovery.

In accordance with SEMS, the EOC is to act as a central point for coordination of operational, administrative and support needs of the emergency workers. Designated officials gather and process information to and from County agencies and departments, school and special districts, business and industry, volunteer organizations, individuals and State and Federal Governments.

The Orange County and Operational Area Emergency Operations Center is staffed with trained personnel from all agencies within the County of Orange and various operational area jurisdictions and agencies to fill policy decision-making positions to support EOC staff.

As there are various levels of emergencies that can require the activation of the EOC, some emergency incidences do not necessitate activation or only necessitate operation of the facility with a limited emergency management staff to monitor the situation and make

notifications.

Emergency management information can be obtained from the Orange County Sheriff's Department website at www.ocsd.org.

PUBLIC SAFETY COMPONENT

Introduction

This Public Safety Component focuses on four public safety concerns that affect the physical and social development of Orange County. They include crime, fire hazards, hazardous materials, and aircraft. The information presented in the following Public Safety sections provides the background for the goals, objectives, policies, and programs which aim to minimize and prevent adverse impacts.

GENERAL GOALS AND OBJECTIVES: *Public Safety Component*

[NOTE: The following goals and objectives relate to the broader public safety topics. These broad-level goals and objectives are in addition to those described in the crime, fire hazards, hazardous materials and aircraft environment sections, respectively.]

Goal 1

Provide for a safe living and working environment consistent with available resources.

- **Objective**
 - 1.1 To identify public safety hazards and determine the relative threat to people and property in Orange County.

Goal 2

Minimize the effects of public safety hazards through implementation of appropriate regulations and standards which maximize protection of life and property.

- **Objectives**
 - 2.1 To create and maintain plans and programs which mitigate the effects of public safety hazards.
 - 2.2 To encourage the development and utilization of technologies that minimize the effects of public safety hazards.

Goal 3

Raise the awareness of Orange County residents, workers, and visitors to the potential threat of public safety hazards.

- **Objective**
 - 3.1 To provide information, training, and assistance to reduce loss of life and injury and to protect

private and public property from public safety dangers.

CRIME

Introduction

A basic ingredient of the quality of life sought by existing and potential residents of an area like Orange County rests in the notion that a community is secure and safe from criminal activity. To a growing urban place like Orange County, the concern of law enforcement is to devise measures for reducing the level of crime activities and to promote the idea that Orange County is a safe place to raise families, conduct business and recreate.

The two primary forms of crime deterrence most commonly used are suppression and prevention. Crime suppression may be defined as the application of proactive and investigative techniques by which law violators are aggressively identified, arrested and prosecuted.

By contrast, the traditional law enforcement approach to crime is reactive. With the exception of crimes committed in the presence of an officer, the police usually investigate major crimes after the fact. Proactive police efforts are usually limited to narcotics and crimes of vice.

There are two interrelated aspects of prevention which deserve discussion. First

is prevention of crime, a major concern of policing and prosecution agencies. This aspect focuses on offenses and is directly related to crime reduction. Second is the prevention of criminality which focuses upon the offender. Responsibility for this aspect of prevention is placed on society as a whole, specifically on social and correctional agencies and the courts. Orange County is a growing urban community. As its population grows, the incidence of crime is expected to increase.

The degree to which crime influences the growth and development of Orange County is in part the responsibility of the Sheriff's Department. The effectiveness of existing and future programs will be a key ingredient in the communities' perception that Orange County is a safe and secure place.