

5. Environmental Analysis

5.8 LAND USE AND PLANNING

This section of the draft environmental impact report (DEIR) evaluates the potential impacts to land use in the City of Wildomar from implementation of the Proposed Project.

Land use impacts can be either direct or indirect. Direct impacts are those that result in land use incompatibilities, division of neighborhoods or communities, or interference with other land use plans, including habitat or wildlife conservation plans. This section focuses on direct land use impacts. Indirect impacts are secondary effects resulting from land use policy implementation, such as an increase in demand for public utilities or services, or increased traffic on roadways. Indirect impacts are addressed in other sections of this DEIR.

5.8.1 Environmental Setting

State and regional laws, regulations, plans, or guidelines that are potentially applicable to the Proposed Project are summarized below.

The Project Site is in the City of Wildomar, but the property would be purchased and developed by the Mt. San Jacinto Community College District (MSJCCD) and is not subject to the City of Wildomar's land use regulations. The city's jurisdiction would be limited to the public-rights-of-way and offsite improvements necessary for the Proposed Project. As part of the inter-jurisdictional consultation process required in Section 65402 of the California Government Code (CGC), this EIR section addresses the Proposed Project's consistency with City of Wildomar's land use plans and policies.

State

Senate Bill SB 375

Senate Bill (SB) 375, signed by California Governor Schwarzenegger on September 30, 2008, provides a planning process that coordinates land use planning, regional transportation plans, and funding priorities in order to help California meet greenhouse gas (GHG) reduction goals established in Assembly Bill (AB) 32 (discussed in detail in Section 5.6, *Greenhouse Gas Emissions*). SB 375 requires regional transportation plans, developed by metropolitan planning organizations (MPOs) to incorporate a "sustainable communities strategy" (SCS) in its regional transportation plan (RTP). The SCS is intended to demonstrate how the coordination of land use and transportation planning efforts may achieve GHG emissions reduction targets set by AB 32. If an SCS cannot achieve the GHG emissions target, the MPO is required to adopt an "alternative planning scenario" that will demonstrate what would need to be done to achieve the GHG emissions reduction target and to define the barriers to accomplishing the reduction.

Regional Plans

Southern California Association of Governments

The Southern California Association of Governments (SCAG) is a council of governments representing Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties. SCAG is the federally

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recognized MPO for this region, which encompasses over 38,000 square miles. SCAG is a regional planning agency and a forum for addressing regional issues concerning transportation, the economy, community development, and the environment. SCAG is also the regional clearinghouse for projects requiring environmental documentation under federal and state law. In this role, SCAG reviews proposed development and infrastructure projects to analyze their impacts on regional planning programs. As the Southern California region's MPO, SCAG cooperates with the South Coast Air Quality Management District (SCAQMD), the California Department of Transportation, and other agencies in preparing regional planning documents. SCAG has developed regional plans to achieve specific regional objectives. The plans most applicable to the Proposed Project are discussed below.

Regional Comprehensive Plan

The Regional Comprehensive Plan (RCP) is an advisory plan prepared by SCAG that addresses important regional issues like housing, traffic/transportation, water, and air quality. The RCP serves as an advisory document to local agencies in the Southern California region for their information and voluntary use for preparing local plans and handling local issues of regional significance. It presents a vision of how Southern California can balance resource conservation, economic vitality, and quality of life, and identifies voluntary best practices to approach growth and infrastructure challenges in an integrated and comprehensive way (SCAG 2008).

Regional Transportation Plan/Sustainable Communities Strategy

On April 7, 2016, SCAG adopted the 2016–2040 Regional Transportation Plan/Sustainable Communities Strategy: A Plan for Mobility, Accessibility, Sustainability and a High Quality of Life (2016–2040 RTP/SCS). The 2016-2040 RTP/SCS is a long-range visioning plan that balances future mobility and housing needs with economic, environmental and public health goals. The 2016–2040 RTP/SCS provides an overarching strategy to grow in more compact communities in existing urban areas, providing neighborhoods with efficient and plentiful public transit, abundant and safe opportunities to walk, bike and pursue other forms of active transportation, and preserving more of the region's remaining natural lands for people to enjoy. It includes a strong commitment to achieve state-mandated reductions in greenhouse gas emissions (per SB 375) through decreases in per capita vehicle miles traveled regionally. The 2016–2040 RTP/SCS reaffirms the 2008 Advisory Land Use Policies that were incorporated into the 2012 RTP/SCS and provides a blueprint for a maturing region in which people benefit from increased mobility, more active lifestyles, increased economic opportunity and an overall higher quality of life (SCAG 2015c).

Regional Housing Needs Assessment

SCAG's Regional Housing Needs Assessment (RHNA) provides an allocation of the existing and future housing needs by jurisdiction, which is based on income level; existing housing needs within each city and county; and the fair share allocation of the projected regional population growth. The RHNA is used for land use planning; developing local housing programs; prioritizing local resource allocation; addressing identified existing housing deficiencies; and accommodating future housing needs resulting from population, employment, and household growth. The 5th-cycle RHNA Allocation Plan, which covers the planning period from October 2013 to October 2021, was adopted by the Regional Council on October 4, 2012. This RHNA

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Allocation Plan shows that the City of Wildomar has a future housing need of 2,535 new dwelling units (SCAG 2012).

Western Riverside County Multiple Species Habitat Conservation Plan

The Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) serves as a comprehensive, multi-jurisdictional habitat conservation plan, pursuant to Section (a)(1)(B) of the federal Endangered Species Act, as well as a natural communities conservation plan under the California Natural Community Conservation Planning Act of 2001. The plan encompasses all of Riverside County west of the crest of the San Jacinto Mountains to the Orange County line. The overall biological goal of the MSHCP is to conserve covered species and their habitats, as well as to maintain biological diversity and ecological processes while allowing for future economic growth in a rapidly urbanizing region.

Federal and state wildlife agencies approved permits required to implement the MSHCP on June 22, 2004. Implementation of the plan will conserve approximately 500,000 acres of habitat, including 347,000 acres of land already in public or quasi-public ownership and about 153,000 acres of land that will be purchased or conserved through other means, such as land acquisition, conservation easements, or designated open space. The money for purchasing private land will come from numerous sources such as development mitigation fees as well as from state and federal funds. The MSHCP includes a program for the collection of development mitigation fees, policies for the review of projects in areas where habitat must be conserved, and policies for the protection of riparian areas, vernal pools, and narrow endemic plants. It also includes requirements to perform plant, bird, reptile, and mammal surveys in certain areas.

The primary intent of the MSHCP is to provide for the conservation of a range of plants and animals and in return, provide take coverage and mitigation for projects throughout western Riverside County to avoid the cost and delays of mitigating biological impacts on a project-by project basis. It would allow the incidental take (for development purposes) of species and their habitat from development. The City of Wildomar is a permittee to the MSHCP.

The Project Site is found within criteria cells 5558 and 5455, within the Elsinore Area Plan of the MSHCP (County of Riverside 2013b). Criteria Cell 5558 and 5455 (Cell Group L') are located in Subunit 4, Desco Hills Areas of the Elsinore Area Plan. These cells were proposed to be part of the development of Linkage 8 (County of Riverside 2003, RCA 2011a), which is located north of these parcels. Conservation in these cells will focus on Riversidian sage scrub, chaparral, and a sage scrub-grassland ecotone, grasslands, along with riparian scrub, woodland, and forest habitats. It will also conserve foraging habitat for raptors, linkage areas for the Quino checkerspot butterfly, provide core linkage habitat for the Stephen's kangaroo rat, linkage habitat for coastal sage scrub species, including the coastal California gnatcatcher, and an upland linkage between the Sedco Hills and Wildomar (County of Riverside 2003, RCA 2011).

The HANS process applies to property which may be needed for inclusion in the MSHCP Conservation Area or subjected to other MSHCP Criteria. Once an initial HANS determination has been made, it will be submitted to the Western Riverside County Regional Conservation Authority (RCA) for Joint Project Review (JPR).

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City of Wildomar General Plan and Zoning

The City of Wildomar officially became a city on July 1, 2008 and adopted the County of Riverside General Plan (including the Elsinore Area Plan) as the city's General Plan. The Project Site is designated as OS-R (Open Space Recreation) by the City of Wildomar General Plan Land Use Map (Wildomar 2015a).

The Project Site is zoned R-R (Rural Residential) by the city's zoning map (Wildomar 2015b) and the city's zoning ordinance is found in Chapter 17 of the City's Municipal Code.

Wildomar Design Standards and Guidelines

The City of Wildomar Design Standards and Guidelines are for the use property owners and design professionals submitting development applications to the city's Planning Department and are intended to provide the minimum specifications for land development. As a state agency, MSJCCD would not be subjected to the provisions of the Design Standards and Guidelines.

5.8.2 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

- LU-1 Physically divide an established community.
- LU-2 Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.
- LU-3 Conflict with any applicable habitat conservation plan or natural community conservation plan.

The Initial Study, included as Appendix A, substantiates that impacts associated with the following thresholds would be less than significant:

- Threshold LU-1: Physically divide an established community.

This impact will not be addressed in the following analysis.

5.8.3 Plans, Programs, and Policies

There are no applicable regulatory requirements or project design features related to land use and planning.

5.8.4 Environmental Impacts

The following impact analysis addresses thresholds of significance for which the Initial Study disclosed potentially significant impacts. The applicable thresholds are identified in brackets after the impact statement.

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Impact 5.8-1: Project implementation would not conflict with applicable plans adopted for the purpose of avoiding or mitigating and environmental effect. [Threshold LU-2]

Impact Analysis: The Project Site is designated as OS-R (Open Space Recreation) by the City of Wildomar General Plan Land Use Map (Wildomar 2015a) and zoned R-R (Rural Residential) by the city's zoning map (Wildomar 2015b). The city's zoning ordinance for R-R zoning district permits educational institutions, provided that a plot plan is obtained first pursuant to the provisions of Chapter 17.216 of the city's Municipal Code. However, such provision is inapplicable to the Proposed Project, as the Proposed Project is exempt from the City of Wildomar's land use designations pursuant to California Government Code (CGC) 5394. According to CGC 53094(a), local zoning ordinances do not apply to school districts unless the city zoning ordinance makes provision for the location of public schools and unless the city has adopted a General Plan. And Section 53094(b) states that notwithstanding Subdivision (a), a school district may exempt local zoning for classroom facilities if by vote of two-thirds of members. Therefore, MSJCCD is not subject to provisions of the City's General Plan, zoning ordinance, or other city policy or regulations, and no approval of a plot plan under the city's Municipal Code would be applicable. Although inapplicable, it demonstrates that development of a community college, which is an educational institution, would be compatible with the city's intended use of the Project Site, provided that certain provisions are met.

The city's Zoning Map designates the Project Site's surrounding area with uses such as Rural Residential, Residential, Industrial Park, Manufacturing Service Commercial, and Scenic Highway Commercial. The single-family residential units to the east would abut the area to be developed in Phase IV with sports field, tennis courts, gymnasium, and associated parking, separated from the main campus to be developed on the west by the existing natural preservation area. The proposed sports facilities would be open to the community for recreational uses and would not create adverse environmental affects associates with aesthetic, noise, or traffic to be incompatible with the adjacent residential uses. The sports field would not have nighttime field lighting for nighttime events. Development of athletic facilities adjacent to residential units as part of the proposed community college would not conflict with the city's General Plan. The Project Site is surrounded by a mixture of land use designations and development of an educational institution is a conditionally permitted use under the city's General Plan. Therefore, project implementation would not be incompatible with the planned uses of the surrounding area and project implementation would not conflict with applicable plans adopted for the purpose of avoiding or mitigating and environmental effect.

Level of Significance before Mitigation: Based on the analysis above, Impact 5.8-1 would be less than significant without mitigation.

Impact 5.8-2: The Proposed Project would conflict with one objective of Western Riverside County Multiple Species Habitat Conservation Plan. [Threshold LU-3]

Impact Analysis: The Project Site is within criteria cells 5558 and 5455, within the Elsinore Area Plan of the MSHCP (County of Riverside 2013b). Criteria cell 5558 and 5455 (Cell Group L) are located in Subunit 4, Desco Hills Areas of the Elsinore Area Plan and these cells were proposed to be part of the development of Linkage 8 (County of Riverside 2003, RCA 2011a).

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Because the Project Site is found within a criteria cell of the MSHCP, the Proposed Project is subject to the Habitat Evaluation and Acquisition Negotiation Strategy (HANS) procedure (County of Riverside 2005c, 2006b). The HANS process is used by the County of Riverside to implement portions of the MSHCP by identifying and delineating conservation areas on specific properties. The submitted HANS application is reviewed by the County staff in the Environmental Programs Division (EPD) prior to issuance of a HANS Criteria Determination Letter.

The required studies includes a Habitat Assessment, MSHCP Consistency Analysis (RCA 2007a, 2007b), and evaluation of potential habitat for plant or animal species that require additional surveys within these cells. The presence of riparian/riverine habitat on the Project Site would trigger the potential requirement for the development of a Determination of Biologically Equivalent or Superior Preservation (DBESP) study, if these habitats would be impacted by the proposed campus development. This would require detailed mapping of the riparian/riverine resources on the Project Site, along with a determination of their function and value (County of Riverside 2005d, RCA 2007a, 2007b). Furthermore, the biological studies must address an additional three bird species: least bell's vireo; southern willow flycatcher; and western yellow billed cuckoo, if impacts to riparian resources are anticipated by the Proposed Project. (County of Riverside 2003, Section 6.1.2).

MSJCCD prepared the required habitat assessment and associated required focused surveys, which are included in Appendix D, *Biological Studies*, to this EIR. Upon completion of required habitat assessment, an MSHCP consistency analysis was also performed, and is included in Section 5.3, *Biological Resources*, Impact 5.3-7, of the DEIR. The MSHCP consistency analysis determined that although the Proposed Project has been designed to preserve approximately 41.66 acres of the 80.32-acre site, representing 51.9 percent of the Project Site, approximately 9.54 additional acres will need to be preserved to maintain the MSHCP's objective for 60 percent conservation target. Therefore, the Proposed Project would not be consistent with the conservation target objective for Cell Group L'. The Proposed Project would conserve open space in the northern part of the site, which is most important for reserve assembly within Cell Group L' in particular for conservation of Linkage 8, and MSJCCD will be subject to a Joint Powers Review (JPR) process, as described in Section 6.6.2 of the MSHCP. While it is acknowledged that the current 60 to 70 percent conservation objective does not take account for flexibility to enable new information and data to be incorporated as part of the long-term MSHCP implementation process, the project implementation would contribute to conversion of open space area to urban uses within Cell Group L'. The Proposed Project already preserves 51.9 percent of the Project Site Phase IV development, covering approximately 16 acres, is not anticipated to occur until 2035. There is no feasible mitigation to implement the Proposed Project and meet the 60 percent conservation target. Therefore, the Proposed Project would not be consistent with the one objective of the MSHCP and this impact would be significant.

Level of Significance before Mitigation: Based on the analysis above, Impact 5.8-2 would be potentially significant. Mitigation is necessary.

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5.8.5 Cumulative Impacts

Geographic impact area for land use and planning impact of the Proposed Project is the City of Wildomar's planning area. As of July 1, 2016, there are 15 approved but not yet developed projects in the city, seven projects under construction, and five recently completed projects (Wildomar 2016). The cumulative project lists are shown in Figure 5.11-3, *Cumulative Residential Projects*, and Figure 5.11-4, *Cumulative Commercial Projects*, in Section 5.11, *Transportation and Traffic*, of the DEIR. The Project Site is currently undeveloped and buildout of the Proposed Project and other development projects in the area would result in land intensification and induce growth in the area. However, such urbanization of the area is consistent with the adopted city's land use plan as discussed in Impact 5.8-1 and would not result in adverse impact due to significant environmental impact individually or cumulatively.

The cumulative geographic area for the habitat conservation plan impact is the planning boundaries for MSHCP. Although the Project Site is in a criteria cell of the MSHCP, compliance with the Habitat Assessment & Negotiation Strategy (HANS) procedure has determined that impacts to on-site biological resources would be less than significant provided that MSJCCD follows appropriate permit procedures and Mitigation Measures BIO-1 through BIO-7 are implemented. However, while individual impacts are less than significant, the overall cumulative impacts to assembly of conservation area would not be consistent with the MSHCP's overall objective for Cell Group L'. Therefore, impacts would remain significant. There is no feasible mitigation

5.8.6 Level of Significance Before Mitigation

The following impact would be less than significant:

- **Impact 5.8-1:** Project implementation would not conflict with applicable plans adopted for the purpose of avoiding or mitigating and environmental effect.

Without mitigation, the following impacts would be **potentially significant**:

- **Impact 5.8-2** The Proposed Project would not be consistent with the Reserve Assembly objective of the MSHCP.

5.8.7 Mitigation Measures

Impact 5.8-2: The Proposed Project would not be consistent with the Reserve Assembly objective of the MSHCP.

The Proposed Project has been designed to preserve approximately 41.66 acres of the 80.32-acre site, representing 51.9 percent of the Project Site. In order to meet the MSHCP's target open space goal, MSJCCD can only develop 29.1 acres of the Project Site, which represents 36.2 percent of the Project Site. If MSJCCD implements only Phase I through Phase III of the Master Plan, and eliminate the proposed foot trails and pedestrian bridges, then the target 60 percent open space would be met. However, such mitigation would change the description of the project and would not meet the project's objectives of providing

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necessary recreational amenities. Inconsistency with this objective is further discussed in Section 5.3, *Biological Resources*. The 60 percent preservation target applies to Cell Group L', which encompasses a total of 320 acres. of the total 320 acres, 102.7 acres is already developed and the current open space area within Cell Group L' is 217.3 acres, representing 67.9 percent of the total Cell Group L'. As the target objective applies only within Group Cell L' area, offsite mitigation would not be feasible. Therefore, there is no feasible mitigation measure to reduce the impacts to a less than significant level.

5.8.8 Level of Significance After Mitigation

Impact 5.8-2

The Proposed Project would result in a potentially significant impact due to inconsistency with the one of the MSHCP objective. No feasible mitigation measure has been identified. Therefore, impacts to land use and planning would remain significant unavoidable.

5.8.9 References

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