



CITY OF WILDOMAR PLANNING COMMISSION AGENDA

Commission Members:
Chairman Stan Smith; Vice-Chairman Michael Kazmier;
Commissioners Robert Devine ; Veronica Langworthy; Harv Dykstra

REGULAR PLANNING COMMISSION MEETING OF WEDNESDAY, May 16, 2012 AT 7:00 P.M.

Council Chambers, Wildomar City Hall, 23873 Clinton Keith Road, Wildomar, CA 92595

CALL TO ORDER - 7:00 PM

ROLL CALL

FLAG SALUTE

PUBLIC COMMENTS

This is the time for citizens to comment on issues not on the agenda. Under the provision of the Brown Act the Planning Commission is prohibited from discussing or taking action on items not on the agenda. Each speaker is asked to fill out a "Public Comments Card" (located on the table by the Chamber door) and give the card to the Planning Commission Chairperson prior to the start of the meeting. Lengthy testimony should be presented to the Planning Commission in writing (8 copies) and only pertinent points presented orally. Comments are limited to three (3) minutes per speaker. The Commission encourages citizens to address them so the questions and/or comments can be heard.

APPROVAL OF AGENDA AS SUBMITTED

1.0 CONSENT CALENDAR

All matters listed under the Consent Calendar are considered routine and will be enacted by one roll call vote. There will be no separate discussion of these items unless members of the Commission, the public, or staff request specific items be removed from the Consent Calendar for discussion and/or separate action.

1.1. Planning Commission Meeting Minutes:

- Approval of the January 18, 2012 Planning Commission meeting minutes.
- Approval of the February 15, 2012 Planning Commission meeting minutes.

2.0 PUBLIC HEARINGS:

2.1 Zoning Ordinance Amendment No. 12-01:

A City Initiated Zoning Ordinance Amendment amending Chapter 17.184 (Non-Conforming Structures and Uses).

RECOMMENDATION:

Staff recommends the Planning Commission open the public hearing, take public comments and continue the item to the June 6, 2012 Planning Commission meeting.

2.2 Zoning Ordinance Amendment No. 12-02:

A City Initiated Zoning Ordinance Amendment amending Chapter 17.72 (C-1/C-P Zone) to prohibit Mini-Warehouse/Self-Storage Facilities, and amending Chapters 17.96 (I-P Industrial-Park Zone), 17.100 (M-SC Manufacturing-Service Commercial Zone), 17.104 (M-M Manufacturing-Medium Zone) and 17.108 (M-H Manufacturing-Heavy Zone) to allow Mini-Warehouse/Self-Storage Facilities with a Conditional Use Permit subject to the development standards of Section 17.240 (Mini-Warehouses).

RECOMMENDATION:

Staff recommends the Planning Commission open the public hearing, take public comments and continue the item to the June 6, 2012 Planning Commission meeting.

2.3 General Plan Amendment No. 12-01:

Planning Commission consideration and recommendation to the City Council of an amendment to the City of Wildomar General Plan adopting the 2006 – 2014 Housing Element.

RECOMMENDATION:

Staff recommends the Planning Commission adopt PC Resolution No. 12-08 entitled:

“A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA RECOMMENDING CITY COUNCIL ADOPTION OF AN ADDENDUM TO THE WILDOMAR GENERAL PLAN ENVIRONMENTAL IMPACT REPORT IN ACCORDANCE WITH ARTICLE 11, SECTION 15164 OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND APPROVAL OF GENERAL PLAN AMENDMENT NO. 12-01 ADOPTING THE CITY OF WILDOMAR 2006 – 2014 HOUSING ELEMENT”

3.0 GENERAL BUSINESS ITEMS:

3.1 Capital Improvement Program for 2012/13 – 2016/17:

Planning Commission's Annual Review of the Public Works Department Capital Improvement Program for Fiscal Years 2012 – 2017.

RECOMMENDATION:

Staff recommends the Planning Commission adopt PC Resolution No. 12-09 entitled:

“A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA DETERMINING THAT THE 2012/13 – 2016/20 CAPITAL IMPROVEMENT PROGRAM IS IN CONFORMANCE WITH THE CITY WILDOMAR GENERAL PLAN”

PLANNING DIRECTOR'S REPORT

This item is reserved for the Planning Director to comment or report on items not on the agenda. No action by the Planning Commission is needed.

CITY ATTORNEY'S REPORT

This item is reserved for the City Attorney to comment or report on items not on the agenda. No action by the Planning Commission is needed.

- Brief discussion/handout on "Evaluating Greenhouse Gas Emissions as Part of California's Environmental Review Process: A Local Official's Guide."
- Brief discussion regarding the update to the City's "Gift Rules".

PLANNING COMMISSION COMMUNICATIONS

This portion of the agenda is reserved for Planning Commission business, for the Planning Commission to make comments on items not on the agenda, and/or for the Planning Commission to request information from staff.

FUTURE AGENDA ITEMS

ADJOURNMENT

The City of Wildomar Planning Commission hereby adjourns to its next regularly scheduled Planning Commission meeting on June 6, 2012.

RIGHT TO APPEAL:

Any decision of the Planning Commission may be appealed to the City Council provided the required appeal application and the \$964 filing fee is submitted to the City Clerk within ten (10) calendar days proceeding the Planning Commission's action on any given project.

REPORTS:

All agenda items and reports are available for review at Wildomar City Hall, 23873 Clinton Keith Road, Suite 201, Wildomar, California 92595. Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda (other than writings legally exempt from public disclosure) will be made available for public inspection at City Hall during regular business hours. If you wish to be added to the regular mailing list to receive a copy of the agenda, a request must be made through the Planning Department in writing or by e-mail.

ADDITIONS/DELETIONS:

Items of business may be added to the agenda upon a motion adopted by a minimum 2/3 vote finding that there is a need to take immediate action and that the need for action came to the attention of the City subsequent to the agenda being posted. Items may be deleted from the agenda upon request of staff or upon action of the Planning Commission.

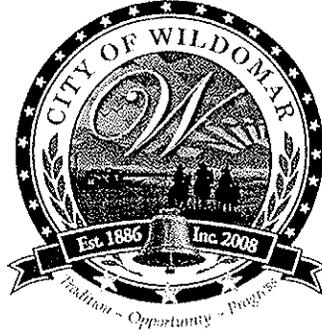
ADA COMPLIANCE:

If requested, the agenda and backup materials will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans With Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may request such modification, accommodation, aid or service by contacting the Planning Department either in person or by telephone at (951) 667-7751, no later than 10:00 A.M. on the day preceding the scheduled meeting.

POSTING STATEMENT:

No later than May 11, 2012 (at minimum of 72 hours prior to the Planning Commission meeting), a true and correct copy of this agenda was posted at three (3) designated places: 1) Wildomar City Hall, 23873 Clinton Keith Road; 2) United States Post Office, 21392 Palomar Street; and 3) Mission Trail Library, 34303 Mission Trail Road.

1.0 CONSENT CALENDAR



**CITY OF WILDOMAR
OFFICIAL PLANNING COMMISSION MEETING MINUTES
FROM THE REGULAR PLANNING COMMISSION MEETING
OF JANUARY 18, 2012**

CALL TO ORDER

The regular meeting of the Wildomar Planning Commission was called to order by Planning Commission Chairman Dykstra at 7:00 P.M. at Wildomar City Hall, Council Chambers.

ROLL CALL

Present: Harv Dykstra, Chairman
Stan Smith, Vice-Chairman
Michael Kazmier, Commissioner
Robert Devine, Commissioner
Veronica Langworthy, Commissioner

Absent: None.

Staff Present Matthew Bassi, Planning Director
Thomas Jex, Assistant City Attorney
Alfredo Garcia, Assistant Planner
Gary Nordquist, Assistant City Manager
Steve Palmer, City Engineer

FLAG SALUTE

Commissioner Kazmier led the flag salute.

PUBLIC COMMENTS

None.

1.0 CONSENT CALENDAR

All matters listed under the Consent Calendar are considered routine and will be enacted by one roll call vote. There will be no separate discussion of these items unless members of the Commission, the public, or staff request specific items be removed from the Consent Calendar for discussion and/or separate action.

1.1. Approval of the December 7, 2011 Planning Commission Minutes

Vice Chairman Smith motioned to approve the December 7, 2011 Planning Commission Minutes as submitted. Motioned seconded by Commissioner Devine. Motioned Carried, the following vote resulted:

AYES: Devine, Dykstra, Kazmier, Langworthy, Smith
NOES:
ABSENT:
ABSTAIN:

2.0 PUBLIC HEARINGS

2.1 Zoning Ordinance Amendment No. 11-04:

A City Initiated Zoning Ordinance Amendment amending Chapter 17.216 (Plot Plans) of the City of Wildomar Zoning Ordinance to revise the provisions for the Approval Period and Extension of Time for Plot Plans.

Director Bassi made a brief presentation to the Planning Commission.

Chairman Dykstra opened the public hearing.

Seeing no comments, Chairman Dykstra closed the public hearing.

Commissioner Devine asked Director Bassi for clarification on the Ordinance.

Director Bassi responded that the original approval body has the authority to approve the time extension for that project.

Vice Chairman Smith asked if this is a way to expedite projects?

Director Bassi responded in the affirmative.

Commissioner Devine motioned to adopt PC Resolution No. 11-04. Motion seconded by Vice Chairman Smith. Motion carried, the following vote resulted:

AYES: Devine, Dykstra, Kazmier, Langworthy, Smith
NOES:
ABSENT:
ABSTAIN:

3.0 GENERAL BUSINESS ITEMS

Staff requested that Chairman Dykstra announced that General Business item 3.2 be heard prior to the trails discussion item 3.1, due to the forecasted time that the discussion will take.

3.2 California Cable Board Park Study Session/ Presentation:

A study session presentation by Mr. John Clemmons (Applicant) on a proposal to build a cable board ski park in the City of Wildomar located on the west side of Kilarney Lane approximately 250 feet south of Baxter Road.

Chairman Dykstra announced that he will recues himself from the presentation due to a conflict of interest of his property being in close proximity to the project site.

The project applicant John Clemmons and his associates made a brief power point presentation to the Planning Commission.

Commissioner Devine asked will people be able to make reservations.

John Clemmons responded in the affirmative.

Vice Chairman Smith asked what the current status of the project.

John Clemmons responded that the project is still in preliminary stages.

Commissioner Kazmier asked how deep will the lake be?

John Clemmons responded that the lake will be 10 to 12 feet deep.

Commissioner Devine asked how much surface area will be used.

Applicant John Clemmons responded that they will use about nine (9) square acres of water.

Commissioner Kazmier asked the applicant how long would the construction for the project take?

Applicant John Clemmons responded that it would take approximately 1 year to construct.

Olivia Gomez commented that she has concerns about the availability of water since she and her neighbors are on wells.

Director Bassi commented that the applicant will need to process a Conditional Use Permit, a Zone Change, a General Plan Amendment, a Lot Line Adjustment and an Environmental Impact Report which will address the water concern.

Vice Chairman Smith commented to Director Bassi that this project is not a formal submittal, but only conceptual.

Director Bassi responded in the affirmative.

Dave Clark commented he has concerns on the availability of water for his horses and if the zone change will affect his property.

Director Bassi responded that the zone change will only affect the proposed project site and not surrounding areas.

Commissioner Devine asked Director Bassi if the project site is already zoned commercial.

Director Bassi responded that the one portion of the project site has General Plan land use designation of Commercial and the other has a land use designation of Business Park.

Commissioner Devine commented to Director Bassi that the surrounding properties will remain the same as Rural Residential.

Director Bassi responded in the affirmative.

Gloria Carroll commented she also has concerns with water availability and asked for clarification for the zone change of the project site.

Vice Chairman Smith reaffirmed Director Bassi's previous comment that the project site will be the only property affected by the zone change.

Gloria Carroll asked if horses will still be able to have passage along Baxter Road.

Vice Chairman Smith responded that her question would be looked into in detail when there is a formal submittal of the project.

Sharon Carter commented she has concerns with water and traffic issues.

Gary Andre asked if the project borders Baxter Road?

Director Bassi responded that it does not.

Gary Andre commented that the project would benefit greatly if it had a commercial component.

George Taylor commented he is favor of the project because it can bring business to the City.

John Clemmons commented that there will be many more meetings to provide a great project for the City.

Vice Chairman Smith commented that he is happy with the applicant's willingness to have constant public input for the project.

Commissioner Devine asked Applicant John Clemmons what how he plans to address percolation.

Applicant John Clemmons responded that they will investigate to see if they can line the bottom with clay.

Commissioner Langworthy asked if the project site is a high fire area.

Director Bassi responded that the project site not in a high fire area, but upon formal submittal it will be routed to Riverside County Fire Department for comments.

Commissioner Devine asked Mr. Clemmons how many cubic yards of dirt will be used for this project.

Applicant John Clemmons responded he is not aware of the amount at this time, but does know that they plan to "balance-grade" the site.

With no further discussion from the Planning Commission Vice Chairman thanked the presenters for their presentation.

Chairman Dykstra then returned to the Planning Commission meeting to resume with agenda item 3.1.

3.1 City of Wildomar Multi-Use Trails Discussion:

Planning Commission review and consideration of the addition of trail names to the existing City of Wildomar Multi-Use Trails Map , Adopt-A-Trails Program, and Criteria for the Trails Commissioner.

Assistant City Manager Gary Nordquist made a brief presentation.

Chairman Dykstra asked Mr. Nordquist if the City wished to modify the trails it would require a General Plan Amendment.

Assistant City Manager Gary Nordquist responded in the affirmative.

Chairman Dykstra asked if the trails coordinator position be a paid position.

Assistant City Manager Gary Nordquist responded no. it is only volunteer based.

Vice Chairman Smith asked Assistant City Manager Nordquist who will this coordinator will report to.

Assistant City Manager Nordquist responded that the coordinator would report to the Community Services Director.

Vice Chairman Smith asked Assistant City Manager Nordquist that tonight the Planning Commission is being asked to adopt the concept of a coordinator not set up for compensation.

Assistant City Manager Nordquist responded that tonight's discussion is about the characteristics of the position and general duties, no compensation.

Vice Chairman Smith asked Gary Andre regarding a trail that allows for use for residences only.

Gary Andre responded that the trail is classified in such a way because the road is very narrow and steep. Therefore, the County classified the trail to be used by the residences close to the trail.

Vice Chairman Smith asked Gary Andre if the trails are exclusive to the residences or open to the general public.

Gary Andre responded that the surrounding residences were concern about having the public walk the trail due to its steepness. Therefore, the County classified it in that way.

Commissioner Langworthy commented that she appreciates all the effort placed into the map but commented that there is an inconsistency between the names on the trail names which are not in correlation with the key and is not consistent with the abbreviations provided.

Gary Andre responded that he was not responsible for that portion of the map.

Vice Chairman Smith commented that the cemetery trail mentioned on the map is not located adequately.

Gary Andre responded that he was not responsible for that portion of the map and will let the Historical Committee to get the correct location.

Vice Chairman Smith mentioned that he would not approve the trails until they are consistent.

Vice Chairman Smith mentioned that there is a copy right release at the bottom of the map.

Gary Andre responded that he has released the map to the City.

Commissioner Devine asked Director Bassi if there were any red line items from the changes made on the agenda.

Director Bassi responded that the resolutions emailed to all the Planning Commissioners are the resolutions that need to be adopted.

Commissioner Langworthy commented for clarification that the historical trail names and map locations are just the ones on the list provided to the Commissioner are the ones in discussion.

Vice Chairman Smith asked if the Brown and Ben Taylor family trails are accessible.

Gary Andre responded in the affirmative.

Vice Chairman Smith commented that he has observed that the McVicar trail has a gate.

Chairman Dykstra asked Director Bassi if there will be public comment on the item.

Director Bassi responded in the affirmative.

With no further comments from the Commission, Chairman Dykstra asked for public comments.

Gina Castanon commented that she wanted clarification from Commissioner Langworthy as to why she had a problem with a trail being named after her family. She also mentioned that she would like all the adopted trails maintained, to be grandfathered in and to provide consideration to the person (s) maintaining the trail before it is offered to some on else.

Commissioner Langworthy responded that the Commission was provided with a list of historical families, names and places and the Castanon name was not on the historical family list but was listed on the adopted trail map. Therefore, It seemed that it did not fit the criteria.

Gina Castanon asked what is the criteria?

Chairman Dykstra commented that the information would be discussed further at another time.

Chairman Dykstra commented if the name McVicar and Castanon are on the list that will be approved for the Commission.

Commissioner Devine responded in the affirmative.

Chairman Dykstra commented that the Commission is discussing something that is not on the list.

Assistant City Manager Nordquist responded that they are discussing the historical trail names and those not listed as historical trail names they are already on the map as trails.

Chairman Dykstra commented that they are only discussing historical trails.

Commissioner Devine responded in the affirmative.

Commissioner Smith asked if the list should be changed to significant versus historical.

Gary Andre responded if the Commission wanted to change the name he would do so.

Commissioner Devine commented that the information needs to be revised for proper designation.

Gary Nordquist asked what the Planning Commission would like to see?

Commissioner Devine replied with examples such as McVicar was labeled as Road and not Street and other people being named as historical but are not historical to the City.

Chairman Dykstra asked the Commission that perhaps the map should be revised and proof-read.

Commissioner Smith asked if all the trails are realistic, realistic being if they are accessible.

Gary Andre replied that all trails have been surveyed by himself and are accessible.

Vice Chairman Smith asked Gary Andre if he has the GPS coordinates for the trails?

Gary Andre replied that he has all the GPS coordinates.

Vice Chairman Smith asked if the Commission can approve the resolution with recommendations to the Council.

Commissioner Devine commented that the Planning Commission should send the resolution to Council with the recommendation that all items discussed be changed.

Director Bassi commented that the Planning Commission can adopt the resolution request as part of the recommendation that the changes be made so when it does go to Council they will see the final product with the changes made.

Vice Chairman mentioned he would be comfortable with that idea.

Commissioner Langworthy asked how the McVicar and Castanon trails will be address?

Commissioner Devine responded that the Castanon trail be added to the list.

Commissioner Langworthy commented that staff can take off the historical category and rename it as Wildomar trails.

Gary Nordquist commented they call pull off the historic category and just list all the trail names, inclusive of the street names. Thus, having one master list for all the trail names that matches to the map.

Chairman Dykstra commented that the Planning Commission will be approving three separate motions.

Assistant City Attorney Jex responded that in the affirmative. That the Planning Commission will be approving one motion dealing with the addition of trail names to the trail map. The second resolution, deals with the adoption of the trails program and the third resolution deals with the trails coordinator position.

Chairman Dykstra asked if anyone in the Commission asked if anyone was comfortable with a motion.

Assistant City Attorney Jex commented that the motions can be taken out of order.

Commissioner Devine made a motion to adopt Exhibit "A" and the names with the addition of the McVicar and Castanon family trail and the names: Turner family, Wibel family trail listed as north/ south trail s be listed as historic and the historic trails listed such as the Bob Buster and Jon Rodarme trails be listed as significant contributor trail to the Wildomar effort and add a condition that in order to be considered historic, a family would need to reside in the city for over 100 years.

Vice Chairman Smith thanked Commissioner Devine for his efforts to make a motion but commented he was not comfortable making a decision with the stated motion because he felt that there was detailed left out from the discussion.

Gary Nordquist responded in the affirmative and would be comfortable having the section continued.

Vice Chairman Smith agreed.

Chairman Dykstra commented that Commissioner Devine's motion would need to be voted denied in order to entertain a new motion to the table.

Chairman Dykstra motioned to deny Commissioner Devine's motion, the following vote resulted:

AYES:

NOES: Devine, Dykstra, Kazmier, Langworthy, Smith

ABSENT:

ABSTAIN:

Chairman Smith motioned to adopt PC Resolution No. 12-02, and allow staff and the trails committee with the Assistant City Manager to address the questions that were raised by the Commission to return with clarification. Motion seconded by Commissioner Devine Motion carried 5 - 0, the following vote resulted:

AYES: Devine, Dykstra, Kazmier, Langworthy, Smith
NOES:
ABSENT:
ABSTAIN:

Chairman Dykstra asked for a motion. Vice Chairman Smith motioned to adopt PC Resolution No. 12-03 attachment "B". Motion seconded by Commissioner Langworthy Motion carried 5 - 0, the following vote resulted:

AYES: Devine, Dykstra, Kazmier, Langworthy, Smith
NOES:
ABSENT:
ABSTAIN:

Chairman Dykstra asked for a motion. Commissioner Devine motioned to adopt PC Resolution No. 12-04 attachment "C" with the modification that the word "Commissioner" be changed to "Coordinator". Motion seconded by Vice Chairman Smith Motion carried 5 - 0, the following vote resulted:

AYES: Devine, Dykstra, Kazmier, Langworthy, Smith
NOES:
ABSENT:
ABSTAIN:

Director Bassi commented for clarification that resolution 12-02 will return to the Planning Commission before it moves forward to the City Council.

Director Bassi asked Gary Nordquist if he planned to take the other resolutions to City Council or if he would wait until the Commission approved resolution 12-02 and take all three for adoption.

Gary Nordquist responded that he would wait and take all three for adoption.

3.3 Election of New Planning Commission Officers:

Planning Commission consideration to elect a new Chairperson and Vice-Chairperson for the 2012 calendar year in accordance with the City of Wildomar Planning Commission Bylaws.

Chairman Dykstra asked for a motion for Chairman of the 2012 calendar year Commissioner Devine motioned to nominate Vice Chairman Stan Smith as Chairman of the Wildomar Planning Commission. Motion carried 5 - 0, the following vote resulted:

AYES: Devine, Dykstra, Kazmier, Langworthy, Smith
NOES:
ABSENT:
ABSTAIN:

Commissioner Dykstra asked for a nomination for Vice Chairman for the 2012 calendar year. Chairman Smith motioned to nominated Michel Kazmier as Vice Chairman. Commissioner Devine nominated Commissioner Langworthy as Vice Chairman. Commissioner Langworthy declined to serve as Vice Chairman.

Commissioner Dykstra asked for a motion for to nominate Michael Kazmier as Vice Chairman. Motion carried 5 - 0, the following vote resulted:

AYES: Devine, Dykstra, Kazmier, Langworthy, Smith
NOES:
ABSENT:
ABSTAIN:

Planning Directors Report.

Director Bassi congratulated the new Chair and Vice Chairman and wished everyone a Happy New Year.

ASSISTANT CITY ATTORNEY'S REPORT

Assistant City Attorney Tom Jex made a brief presentation to the Planning Commission regarding AB 32's Impacts on Local Government: and California's Sustainable Communities and Climate Protection Act of 2008 (SB 375):

Planning Commission Communications:

Commissioner Dykstra thanked staff and Assistance Attorney Tom Jex for their help while having the Chairman position. As well as congratulated the new Chairman and Vice Chairman.

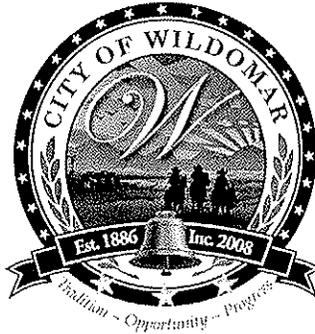
Commissioner Devine congratulated the new Chairman and Vice Chairman.

Commissioner Langworthy congratulated the new Chairman and Vice Chairman. As well as thanked Richard and Sharon Heil for their kind holiday gifts to City staff.

Seeing no further questions or communications, Chairman Smith adjourned the January 18, 2012 Planning Commission meeting at 9:05 P.M.



Matthew C. Bassi
Planning Director/Minutes Secretary



CITY OF WILDOMAR
OFFICIAL PLANNING COMMISSION MEETING MINUTES
FROM THE REGULAR PLANNING COMMISSION MEETING
OF FEBRUARY 15, 2012

CALL TO ORDER

The regular meeting of the Wildomar Planning Commission was called to order by Planning Commission Chairman Dykstra at 7:00 P.M. at Wildomar City Hall, Council Chambers.

ROLL CALL

Present: Stan Smith, Chairman
Michael Kazmier, Vice-Chairman
Harv Dykstra, Commissioner
Robert Devine, Commissioner
Veronica Langworthy, Commissioner

Absent: None.

Staff Present Matthew Bassi, Planning Director
Thomas Jex, Assistant City Attorney
Alfredo Garcia, Assistant Planner
Gary Nordquist, Assistant City Manager
Steve Palmer, City Engineer

FLAG SALUTE

Commissioner Devine led the flag salute.

PUBLIC COMMENTS

None.

1.0 CONSENT CALENDAR

There were no consent items for this agenda.

2.0 PUBLIC HEARINGS

2.1 Zoning Ordinance Amendment No. 11-03:

Re-consideration by the Planning Commission of a City Initiated Zoning Ordinance Amendment amending Chapters 17.72 (C-1/C-P Zone), 17.100 (M-SC Manufacturing-Service Commercial Zone), and 17.104 (M-M Manufacturing-Medium Zone) of the City of Wildomar Zoning Ordinance to allow "Nano and Micro-Craft Manufacturing Brewers" as a Permitted Use within an enclosed building (Previously reviewed by the Commission on 12/18/11).

Director Bassi made a brief presentation to the Planning Commission.

Planning Commissioner Devine asked Director Bassi for clarification on the definition of a Micro Brewery.

Director Bassi responded with clarification from research performed by staff in the definition outlined in the draft ordinance.

Commissioner Devine expressed his concerns about having this in the C-1/C-P zone due to the high volumes of alcohol that could be produced.

With no further comments, Chairman Smith opened the public hearing

Lauren Tyson asked the Planning Commission why bars and lounges don't require Conditional Use Permits in order to condition the businesses for special events and other outdoor activities. Since she had worked with the Alcohol Beverage Control, and is a resident, she has concerns with the proposed amendment.

With no further public comments, Chairman Smith closed the public hearing

Director Bassi responded that ABC does regulate the use of alcohol and further noted that upon incorporation the City adopted the Riverside County Zoning Ordinance which allows bars and lounges without a Conditional Use Permit.

Commissioner Devine asked Director Bassi what procedures does staff have in order to condition a brewery use under the draft ordinance, since there is no CUP requirement. Commissioner Devine also commented that if no CUP is required, how would the City address businesses that create nuisances.

Director Bassi responded that staff cannot impose conditions on a micro-brewery as these uses will be allowed by right. If there are nuisance issues with any given business, the City has ordinances that can be enforced and monitored by the Code Enforcement department.

Director Bassi also responded that the draft Ordinance to allow the Micro Breweries will only be permitted in an existing commercial/retail building located within an established commercial/retail center.

Commissioner Langworthy commented that the map exhibit provided by staff reflects that the C-1/C-P zone and represents only a small portion of the City.

Director Bassi responded in the affirmative, adding that these zones are less when you consider the locations of existing commercial/retail centers.

With no further questions or discussion Chairman Smith asked for a motion. A motion was made by Commissioner Dykstra to adopt PC Resolution No. 11-03, and the motion seconded by Commissioner Langworthy. Motion carried 4 - 1, the following vote resulted:

AYES: Dykstra, Kazmier, Langworthy, Smith
NOES: Devine
ABSENT:
ABSTAIN:

2.2 Zoning Ordinance Amendment No. 12-01:

A City Initiated Zoning Ordinance Amendment amending Chapter 17.72 (C-1/C-P Zone) to prohibit Mini-Warehouse/Self-Storage Facilities, and amending Chapters 17.96 (I-P Industrial-Park Zone), 17.100 (M-SC Manufacturing-Service Commercial Zone), and 17.104 (M-M Manufacturing-Medium Zone) and 17.108 (M-H Manufacturing-Heavy Zone) to allow Mini-Warehouse/Self-Storage Facilities with a Conditional Use Permit and subject to the development standards of Section 17.240 (Mini-Warehouses).

Director Bassi asked the Planning Commission to pull this item from the agenda indefinitely.

With no discussion necessary, Chairman Smith affirmed that the item would be pulled from the agenda.

3.0 General Business

3.1 City of Wildomar Multi- Use Trails Discussion:

Planning Commission review and consideration of the addition of trail names to the existing City of Wildomar Multi-Use Trails Map (Continued from the January 18, 2012 Commission meeting).

Assistant City Manager Gary Nordquist made a brief presentation to the Planning Commission. Gary Andre added additional comments about how the trails maps has been amended from Riverside Counties direction.

Commissioner Langworthy commented that there is an inconsistency between the maps that were provided to the Planning Commission.

Assistant City Manager Nordquist responded that the final changes can be made as part of the Planning Commissions recommendation.

Commissioner Dykstra asked Assistant City Manager Nordquist if a developer were to propose a project on a parcel in which a trail currently runs through it, what would be the city's procedure to handle such a situation.

Assistant City Manager Nordquist responded that the proposed development will be designed to incorporate the trail. Director Bassi added that a condition would be added to the project.

Commissioner Dykstra added for clarification whether the trails can be moved to accommodate the project.

Gary Andre responded in the affirmative.

Commissioner Dykstra asked which department would be responsible for reviewing the trail with a project development.

Director Bassi responded that the Planning and Engineering departments will be responsible for reviewing the trails and ensuring that they are revised.

Chairman Smith asked Director Bassi if the map presented to the Planning Commission does not have dimensions; therefore, how will Planning be able to provide an accurate evaluation if a trail is running through a certain parcel.

Director Bassi responded that the map is specific enough that provides sufficient information for staff to determine the correct location.

Gary Andre added to the comment that he is currently working on a parcel map which will be reflecting the trails for more accuracy.

Commissioners Devine and Langworthy commented that there is missing information on the map in comparison with the legend provided.

Assistant City Manager Nordquist responded that the corrections can be made and asked for clarification in which ones needed to be addressed.

Commissioner Langworthy asked Director Bassi for reassurance that the trails map being discussed were already established by the County.

Director Bassi responded in the affirmative.

Commissioner Dykstra asked if the City decides to add bike trails or bike lanes into an existing roadway, would that require a General Plan Amendment?

Director Bassi responded in the affirmative.

City Engineer Steve Palmer commented that he is not sure if the Circulation Element has a bike lane component but does know that the standard plans adopted by the County have been designed to accommodate bike lanes within the right of way.

Gary Andre further commented that the developer is responsible for the continuous maintenance of a trail if it is located on the parcel.

With no further discussions, Chairman Smith opened the public hearing.

With no requests to speak, Chairman Smith closed the public hearing.

With no further questions or discussion, Chairman Smith asked for a motion. A motion was made by Commissioner Devine to adopt PC Resolution No. 12-01 with suggested changes to Exhibit "A", and the motion seconded by Commissioner Langworthy. Motion carried 5 - 0, the following vote resulted:

AYES: Devine, Dykstra, Kazmier, Langworthy, Smith
NOES:
ABSENT:
ABSTAIN:

Planning Directors Report.

Director Bassi informed the Commission that the City received conditional compliance from The State Department of Housing and Community Development on the Housing Element submitted back in December 2011.

Director Bassi stated that the City Council adopted the receive and file zoning amendment that the Commission recommended approval for back in December

Planning Commission Communications:

Commissioner Dykstra commented that he would like to see more development proposals come to the City and desired to see efforts stepped up to attract retail development.

With no further questions or communications, Chairman Smith adjourned the February 15, 2012 Planning Commission meeting at 7:54 P.M.



Matthew C. Bassi
Planning Director/Minutes Secretary

2.0 PUBLIC HEARINGS

CITY OF WILDOMAR – PLANNING COMMISSION
Agenda Item # 2.1
PUBLIC HEARING
Meeting Date: May 16, 2012

TO: Chairman and Members of the Planning Commission
FROM: Matthew C. Bassi, Planning Director
SUBJECT: **Zoning Ordinance Amendment No. 12-01:**
Planning Commission consideration of a city-initiated Zoning Ordinance Amendment amending Chapter 17.184 (Non-Conforming Structures and Uses).

BACKGROUND/DISCUSSION:

The Planning Department has been working on Zoning Ordinance Amendment No. 12-02 (ZOA 12-02), as directed by the City Council, that would prohibit mini-warehouses/self-storage facilities in the C-1/C-P zone, and require a conditional use permit in the I-P, M-SC, M-M and M-H zones. This direction came from an update provided to the City Council regarding the status of the RV Storage moratorium that was in place at the time.

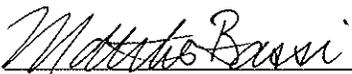
In order to accommodate ZOA 12-02, Section 17.184 (Non-Conforming Structures and Uses) also needs to be amended to address non-conforming issues. This requires a second amendment (ZOA 12-01) that is being processed concurrently with ZOA 12-02.

At this time, both amendments are nearly complete, however, additional analysis is needed before staff can finalize the amendments. A public hearing notice for ZOA 12-01 was published in "The Californian" on May 5, 2012. In order to avoid the expense of republishing the hearing notice, staff is recommending that that the item be continued to the June 6, 2012 Commission meeting.

RECOMMENDATION:

Staff recommends the Planning Commission open the public hearing, take public comments and continue ZOA No. 12-01 to the June 6, 2012 Planning Commission meeting.

Respectfully Submitted,



Matthew C. Bassi
Planning Director

CITY OF WILDOMAR – PLANNING COMMISSION

Agenda Item # 2.2

PUBLIC HEARING

Meeting Date: May 16, 2012

TO: Chairman and Members of the Planning Commission

FROM: Matthew C. Bassi, Planning Director

SUBJECT: Zoning Ordinance Amendment No. 12-02:

Planning Commission consideration A City Initiated Zoning Ordinance Amendment amending Chapter 17.72 (C-1/C-P Zone) to prohibit Mini-Warehouse/Self-Storage Facilities, amending Chapters 17.96 (I-P Industrial-Park Zone), 17.100 (M-SC Manufacturing-Service Commercial Zone), and 17.104 (M-M Manufacturing-Medium Zone) and 17.108 (M-H Manufacturing-Heavy Zone) to allow Mini-Warehouse/Self-Storage Facilities with a Conditional Use Permit subject to the development standards of Section 17.240 (Mini-Warehouses), and amending Chapter 17.184 (Non-Conforming Structures and Uses).

BACKGROUND/DISCUSSION:

The Planning Department has been working on Zoning Ordinance Amendment No. 12-02 (ZOA 12-02), as directed by the City Council, that would prohibit mini-warehouses/self-storage facilities in the C-1/C-P zone, and require a conditional use permit in the I-P, M-SC, M-M and M-H zones. This direction came from an update provided to the City Council regarding the status of the RV Storage moratorium that was in place at the time.

In order to accommodate ZOA 12-02, Section 17.184 (Non-Conforming Structures and Uses) also needs to be amended to address non-conforming issues. This requires a second amendment (ZOA 12-01) that is being processed concurrently with ZOA 12-02.

At this time, both amendments are nearly complete, however, additional analysis is needed before staff can finalize the amendments. A public hearing notice for ZOA 12-02 was published in "The Californian" on May 5, 2012. In order to avoid the expense of republishing the hearing notice, staff is recommending that that the item be continued to the June 6, 2012 Commission meeting.

RECOMMENDATION:

Staff recommends the Planning Commission open the public hearing, take public comments and continue ZOA No. 12-02 to the June 6, 2012 Planning Commission meeting.

Respectfully Submitted,



Matthew C. Bassi
Planning Director

CITY OF WILDOMAR – PLANNING COMMISSION
Agenda Item # 2.3
PUBLIC HEARING
Meeting Date: May 16, 2012

TO: Chairman and Members of the Planning Commission

FROM: Matthew C. Bassi, Planning Director 

SUBJECT: General Plan Amendment No. 12-01; Housing Element Adoption
Planning Commission consideration of a General Plan Amendment recommending City Council adoption of the City of Wildomar 2006 - 2014 Housing Element.

RECOMMENDATION:

Staff recommends the Planning Commission adopt PC Resolution No. 12-08 (Attachment A) entitled:

“A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA RECOMMENDING CITY COUNCIL ADOPTION OF AN ADDENDUM TO THE WILDOMAR GENERAL PLAN ENVIRONMENTAL IMPACT REPORT IN ACCORDANCE WITH ARTICLE 11, SECTION 15164 OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND APPROVAL OF GENERAL PLAN AMENDMENT NO. 12-01 ADOPTING THE CITY OF WILDOMAR 2006 – 2014 HOUSING ELEMENT”

BACKGROUND/DISCUSSION:

On October 12, 2011, the City Council funded and authorized the Planning Department to begin work on the City's first Housing Element update. As part of this effort, two joint public workshops were held with the Planning Commission and City Council on November 2, and December 7, 2011. Copies of both reports/memorandum from these meetings, which provide detailed information about the housing element requirements, etc. are provided for Commission review (Attachment B & C).

The purpose of the workshops was to brief the Commission and Council regarding the state requirements of the Housing Element, and to solicit public input on the draft goals and policies. As a result of these workshops, input from the Commission, Council and public was valuable in preparing the City's first Housing Element.

The draft Housing Element was submitted to the state department of Housing and Community Development (HCD) on December 16, 2012 which began the required HCD 60-day review period. The Planning Department was notified by HCD on February 7, 2012 that we had received conditional compliance on the draft Housing Element and that *“the element addresses all statutory requirements of State housing element law.”* In their letter, HCD pointed out that they were very pleased with the draft element, and commended the efforts of the Planning Department/PMC staff, in creating the City's first housing element stating that *“it was well*

organized and easy to understand.” A copy of the HCD letter is provided for Commission review (Attachment D).

Based on HCD's review of the draft Housing Element, only a few minor changes to some of the text that included clarification/changes to a couple of the proposed programs and policies were required. Staff has provided the Commission with a summary of the required HCD changes (refer to strikeout version, Attachment E). A copy of the final version of the 2006 - 2014 Housing Element is also provided for Commission consideration (Exhibit 2 of PC Resolution No. 12-08). Over the next year or so, staff will bring forth amendments to the zoning ordinance and zoning map for consideration as part of the implementation of the adopted policies and programs outlined in the Housing Element.

Next Steps:

- City Council Review: The City Council is scheduled to review the proposed General Plan Amendment and adoption of the Housing Element, upon Planning Commission recommendation at tonight's meeting, on June 13, 2012.
- Submission to HCD for Certification: Upon final approval and adoption by the City Council, the Housing Element will forward to HCD which will begin the final 90-day certification review process.
- Final HCD Certification: Staff anticipates receiving Certification of the 2006 - 2014 Housing Element from HCD no later than September 18, 2012.

ENVIRONMENTAL ASSESSMENT:

In compliance with Public Resources Code Section 21166 and CEQA Guidelines Sections 15162 through 15164, staff is recommending that the Planning Commission recommend City Council adoption of an Addendum (attached as Exhibit 1 to PC Resolution 12-08) to the General Plan Environmental Impact Report for approval of the Housing Element Update (General Plan Amendment No. 12-01). Staff has analyzed the environmental determination and believes that approval of the Housing Element Update (GPA No. 12-01) does not create the need for a subsequent EIR, or Negative Declaration, based on the following:

1. As discussed in the Addendum (Attached hereto as Exhibit 1), the Housing Element does not propose substantial changes to existing policies that would cause a new significant impact or substantially increase the severity of a previously identified significant impact from the General Plan FEIR (CEQA Guidelines Section 15162[a][1]) that would require major revisions to the General Plan FEIR. All impacts would be nearly equivalent to the impacts previously analyzed in the General Plan FEIR.
2. The proposed policies resulting from the adoption of the Housing Element are programmatic in nature and do not change the physical circumstances that would cause a new significant impact or substantially increase the severity of a previously identified significant impact. Further, there have been no other changes in the circumstances that meet this criterion (CEQA Guidelines Section 15162[a][2]), and no changes in the environmental conditions have occurred in the city resulting from adoption of the Housing Element not contemplated

and analyzed in the General Plan FEIR that would result in new or substantially more severe environmental impacts.

3. As documented in the Addendum attached hereto as Exhibit 1, there is no new information of substantial importance (which was not known or could not have been known at the time of the General Plan adoption by the City of Wildomar in 2008) that identifies a new significant impact (condition "A" under CEQA Guidelines Section 15162[a][3]); a substantial increase in the severity of a previously identified significant impact (condition "B" CEQA Guidelines Section 15162[a][3]); mitigation measures or alternatives previously found infeasible that would now be feasible and would substantially reduce one or more significant effects of the General Plan; or mitigation measures or alternatives which are considerably different from those analyzed in the General Plan EIR which would substantially reduce one or more significant effects on the environment (conditions "C" and "D" CEQA Guidelines Section 15162[a][3]). None of the "new information" conditions listed in the CEQA Guidelines Section 15162[a][3] are present here to trigger the need for a subsequent or supplemental EIR.

REQUIRED GENERAL PLAN AMENDMENT FINDINGS:

- A. The proposed Housing Element is consistent with the City of Wildomar General Plan.

Adoption of the 2006 - 2014 Housing Element is consistent with the City of Wildomar General Plan. State law requires that the general plan and elements and parts thereof comprise an integrated, internally consistent, and compatible statement of goals and policies that will ensure internal consistency so as to avoid policy conflict and provide a clear policy guide for the future maintenance, improvement, and development of housing within the City. All General Plan Elements have been reviewed as part of the preparation of the Housing Element document and, based on the goals and policies proposed, it has been determined that internal consistency with other General Plan Elements has been maintained.

- B. The Housing Element is consistent with State Housing Element Law per Government Code Section 65580 – 65589.

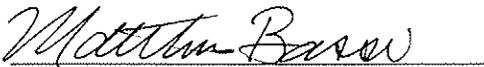
State Housing Element law requires that the Housing Element provide clear policy direction for making decisions pertaining to zoning, subdivision approval, housing allocations, and capital improvements. Government Code Section 65580 through 65589 mandates the content of the Housing Element and requires an analysis of population and employment trends, the City's fair share of the regional housing needs, household characteristics, an inventory of land suitable for residential development, governmental and non-governmental constraints on the improvement, maintenance, and development of housing, special housing needs, opportunities for energy conservation, and publicly assisted housing developments that may convert to non-assisted housing developments. As part of its review of the draft Housing Element, the State Department of Housing and Community Development (HCD) determined that the City of Wildomar 2006 – 2014 Housing Element was in compliance with all provisions of Government Code Section 65580 through 65589, and therefore, granted the City "conditional compliance" on

February 7, 2012. Given these facts, the Housing Element is consistent with State Housing Element law.

STAFF RECOMMENDATION

Staff recommends the Planning Commission adopt PC Resolution No. 12-08 recommending City Council adoption of an Addendum to the General Plan Final Environmental Impact Report in accordance with Article 11, Section 15164 of the California Environmental Quality Act (CEQA), and approval of General Plan Amendment No. 12-01, adopting the City of Wildomar 2006 - 2014 Housing Element.

Respectfully Submitted,



Matthew C. Bassi
Planning Director

ATTACHMENTS:

- A. PC Resolution No. 12-08
 - Exhibit 1 – General Plan EIR Addendum for GPA No. 12-01
 - Exhibit 2 – 2006 – 2014 Housing Element Final Document
- B. Copy of the November 2, 2011 Joint CC/PC report.
- C. Copy of the December 7, 2011 joint CC/PC report.
- D. Copy of HCD Conditional Compliance letter.
- E. HCD Revisions Summary

ATTACHMENT A

PC Resolution No. 12-08

PC RESOLUTION NO. 12-08

“A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA RECOMMENDING CITY COUNCIL ADOPTION OF AN ADDENDUM TO THE WILDOMAR GENERAL PLAN ENVIRONMENTAL IMPACT REPORT IN ACCORDANCE WITH ARTICLE 11, SECTION 15164 OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND APPROVAL OF GENERAL PLAN AMENDMENT NO. 12-01 ADOPTING THE CITY OF WILDOMAR 2006 – 2014 HOUSING ELEMENT”

WHEREAS, the City of Wildomar Planning Commission has the authority in accordance with the provisions of the Wildomar Zoning Ordinance to take action on the proposed General Plan Amendment No. 12-01, and make recommendation to the City Council regarding the adoption of the 2006 – 2014 Housing Element; and

WHEREAS, the 2006 – 2014 City of Wildomar Housing Element has been prepared in accordance with the state provisions outlined in Government Code Section 65580 through 65589; and

WHEREAS, on November 2, 2011, the City held a noticed joint public workshop with the City Council and Planning Commission to solicit input on the draft goals and policies of the Housing Element; and

WHEREAS, on December 7, 2011, the City held a noticed joint public workshop with the City Council and Planning Commission to solicit final input on the draft goals and policies of the Housing Element, and at which time authorized the Planning Department to submit the draft Housing Element to the State Department of Housing and Community Development for its 60-day review period; and

WHEREAS, on February 7, 2011, the State Department of Housing and Community Development provided notice to the City of Wildomar that the draft Housing Element addressed all statutory requirements of the State housing element law (per Article 10.6 of the Government Code); and

WHEREAS, on March 9, 2012, the City published a legal notice in The Californian, a newspaper local circulation, notifying the public of the holding of a public hearing for the proposed General Plan Amendment No. 12-01 (Housing Element adoption) to be considered by the City of Wildomar Planning Commission; and

WHEREAS, on March 21, 2012, the City of Wildomar Planning Commission postponed the public hearing for General Plan Amendment No. 12-01; and

WHEREAS, on May 5, 2012, the City published a second legal notice in The Californian, a newspaper local circulation, notifying the public of the holding of a public hearing for the proposed General Plan Amendment No. 12-01 (Housing Element adoption) to be considered by the City of Wildomar Planning Commission; and

WHEREAS, on May 16, 2012, the City of Wildomar Planning Commission held the noticed public hearing at which time interested persons had an opportunity to testify in support of, or opposition to, the proposed General Plan Amendment No. 12-01, and at which time the Planning Commission considered a recommendation to the City Council for adoption of the 2006 – 2014 Housing Element, and recommended, including a recommendation to authorize the Planning Department to submit the draft Housing Element to the State Department of

Housing and Community Development for its 90-day certification review in accordance with Section 65585(h) of the Government Code.

NOW THEREFORE, the Planning Commission of the City of Wildomar, California does hereby resolve, determine and order as follows:

SECTION 1. ENVIRONMENTAL (CEQA) FINDINGS.

In compliance with Public Resources Code Section 21166 and CEQA Guidelines Sections 15162 through 15164, staff is recommending that the Planning Commission recommend City Council adoption of an Addendum (attached as Exhibit 1 to PC Resolution 12-08) to the General Plan Environmental Impact Report for approval of the Housing Element Update (General Plan Amendment No. 12-01). Staff has analyzed the environmental determination and believes that approval of the Housing Element Update (GPA No. 12-01) does not create the need for a subsequent EIR, or Negative Declaration, based on the following:

1. As discussed in the Addendum (Attached hereto as Exhibit 1), the Housing Element does not propose substantial changes to existing policies that would cause a new significant impact or substantially increase the severity of a previously identified significant impact from the General Plan FEIR (CEQA Guidelines Section 15162[a][1]) that would require major revisions to the General Plan FEIR. All impacts would be nearly equivalent to the impacts previously analyzed in the General Plan FEIR.
2. The proposed policies resulting from the adoption of the Housing Element are programmatic in nature and do not change the physical circumstances that would cause a new significant impact or substantially increase the severity of a previously identified significant impact. Further, there have been no other changes in the circumstances that meet this criterion (CEQA Guidelines Section 15162[a][2]), and no changes in the environmental conditions have occurred in the city resulting from adoption of the Housing Element not contemplated and analyzed in the General Plan FEIR that would result in new or substantially more severe environmental impacts.
3. As documented in the Addendum attached hereto as Exhibit 1, there is no new information of substantial importance (which was not known or could not have been known at the time of the General Plan adoption by the City of Wildomar in 2008) that identifies a new significant impact (condition "A" under CEQA Guidelines Section 15162[a][3]); a substantial increase in the severity of a previously identified significant impact (condition "B" CEQA Guidelines Section 15162[a][3]); mitigation measures or alternatives previously found infeasible that would now be feasible and would substantially reduce one or more significant effects of the General Plan; or mitigation measures or alternatives which are considerably different from those analyzed in the General Plan EIR which would substantially reduce one or more significant effects on the environment (conditions "C" and "D" CEQA Guidelines Section 15162[a][3]). None of the "new information" conditions listed in the CEQA Guidelines Section 15162[a][3] are present here to trigger the need for a subsequent or supplemental EIR.

SECTION 2. REQUIRED GENERAL PLAN AMENDMENT FINDINGS.

- A. The proposed Housing Element is consistent with the City of Wildomar General Plan.

Adoption of the 2006 - 2014 Housing Element is consistent with the City of Wildomar General Plan. State law requires that the general plan and elements and parts thereof comprise an integrated, internally consistent, and compatible statement of goals and policies that will ensure internal consistency so as to avoid policy conflict and provide a clear policy guide for the future maintenance, improvement, and development of housing within the City.

All General Plan Elements have been reviewed as part of the preparation of the Housing Element document and, based on the goals and policies proposed, it as been determined that internal consistency with other General Plan Elements has been maintained.

- B. The Housing Element is consistent with State Housing Element Law per Government Code Section 65580 – 65589.

State Housing Element law requires that the Housing Element provide clear policy direction for making decisions pertaining to zoning, subdivision approval, housing allocations, and capital improvements. Government Code Section 65580 through 65589 mandates the content of the Housing Element and requires an analysis of population and employment trends, the City's fair share of the regional housing needs, household characteristics, an inventory of land suitable for residential development, governmental and non-governmental constraints on the improvement, maintenance, and development of housing, special housing needs, opportunities for energy conservation, and publicly assisted housing developments that may convert to non-assisted housing developments. As part of its review of the draft Housing Element, the State Department of Housing and Community Development (HCD) determined that the City of Wildomar 2006 – 2014 Housing Element was in compliance with all provisions of Government Code Section 65580 through 65589, and therefore, granted the City "conditional compliance" on February 7, 2012. Given these facts, the Housing Element is consistent with State Housing Element law.

SECTION 3. PLANNING COMMISSION ACTIONS.

The Planning Commission recommends the City Council take the following two actions:

1. Adopt an Addendum (attached hereto and referenced as Exhibit 1 of this resolution) to the Wildomar General Plan Environmental Impact Report in accordance with Article 11, Section 15164 of the California Environmental Quality Act (CEQA) for General Plan Amendment No. 12-01 (adoption of the 2006 – 2014 City of Wildomar Housing Element); and
2. Approve General Plan Amendment No. 12-01 adopting the 2006 - 2014 City of Wildomar Housing Element (attached hereto and referenced as Exhibit 2 of this Resolution), and authorize staff to submit the final Housing Element to the State Department of Housing and Community Development.

PASSED, APPROVED AND ADOPTED this 16th day of May, 2012 by the following vote:

AYES.

NOES:

ABSENT:

ABSTAINED:

Stan Smith,
Planning Commission Chairman

ATTEST:

Matthew C. Bassi
Planning Director/Minutes Secretary

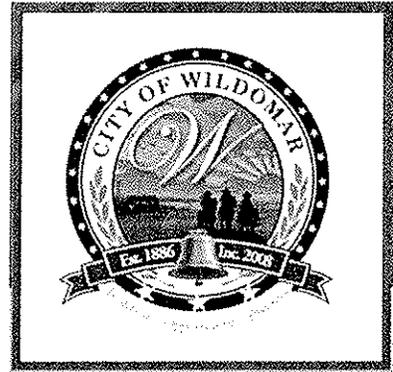
APPROVED AS TO FORM:

Thomas Jex, Assistant City Attorney

EXHIBIT 1
(General Plan EIR Addendum Document)

CITY OF WILDOMAR HOUSING ELEMENT

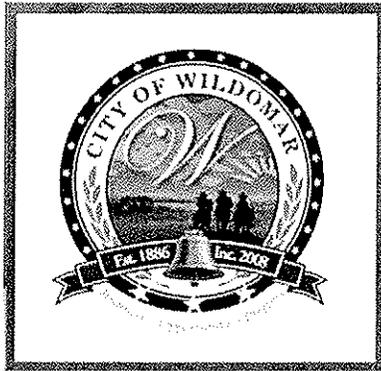
Addendum to the Final EIR



City of Wildomar
23873 Clinton Keith Road, Suite 201
Wildomar, CA 92595

MAY 2012

ADDENDUM TO THE FINAL EIR
FOR THE
CITY OF WILDOMAR GENERAL PLAN
2006–2014 HOUSING ELEMENT
WILDOMAR, CALIFORNIA



Prepared for:

CITY OF WILDOMAR
23873 CLINTON KEITH ROAD, SUITE 201
WILDOMAR, CA 92595
PHONE: (951) 677-7751

Prepared by:

PMC

MAY 2012

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1.0 INTRODUCTION

This Addendum was prepared in accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines (Article 11, Sections 15162 and 15164). The City of Wildomar incorporated on July 1, 2008, and has adopted the County of Riverside's General Plan and General Plan Environmental Impact Report (EIR). This document has been prepared to serve as an Addendum to the County of Riverside General Plan Final Environmental Impact Report (FEIR) (SCH # 2002051143), which consists of the Draft EIR and Final EIR (referred to hereafter as General Plan EIR). The City of Wildomar is the lead agency for the environmental review of the proposed Housing Element (project).

1.1 BACKGROUND AND PURPOSE OF THE EIR ADDENDUM

The California Department of Housing and Community Development (HCD) allocates regional housing needs numbers to regional councils of governments throughout the state. The Regional Housing Needs Plan for Riverside County is developed by the Southern California Association of Governments (SCAG) and allocates to cities and the unincorporated county their "fair share" of the region's projected housing needs, also known as the Regional Housing Needs Allocation (RHNA). The Regional Housing Needs Plan allocates the RHNA based on household income groupings over the five-year planning period for each specific jurisdiction's housing element.

The City's incorporation on July 1, 2008, took place after the final RHNA had been distributed by SCAG. (The Riverside County Housing Element has a planning period of 2006–2014.) Therefore, the City had to work with Riverside County, the Western Riverside Council of Governments (WRCOG), and SCAG to agree on an appropriate portion of the County's allocation to take as its own. In October of 2011, it was determined that the City of Wildomar would take a total of 1,471 units for the remainder of the 2006–2014 planning period.

The City of Wildomar Housing Element is designed to address the projected housing needs of current and future city residents and to comply with state law requiring amendment of the Housing Element every five years (Sections 65580–65589.8 of the California Government Code). The proposed Housing Element is the City's policy document guiding the provision of housing to meet future needs for all economic segments of Wildomar, including housing affordable to lower-income households. Please refer to Section 2.0, Project Description, for a detailed description of the proposed Housing Element.

The analysis provided in this Addendum (see Section 3.0 for the technical analysis) provides analysis and cites substantial evidence supporting the City's determination that the proposed Housing Element does not meet the criteria for preparing a subsequent or supplemental EIR under CEQA Guidelines Section 15162 and is consistent with the provisions of CEQA Guidelines Section 15183.5.

1.2 ORGANIZATION AND SCOPE

SECTION 1.0 – INTRODUCTION

Section 1.0 provides an introduction and overview describing the intended use of the FEIR Addendum.

1.0 INTRODUCTION

SECTION 2.0 – PROJECT DESCRIPTION

This section provides a detailed description of the proposed Housing Element.

SECTION 3.0 – ENVIRONMENTAL ANALYSIS

This Section 3.0 provides substantial evidence to support that none of the circumstances set forth in CEQA Guidelines Section 15162 would result from adoption of the proposed Housing Element. CEQA Guidelines Section 15162 and the Addendum's consistency with these guidelines are addressed.

2.0 PROJECT DESCRIPTION

2.1 Proposed Housing Element

The City of Wildomar Housing Element is designed to address the projected housing needs of current and future city residents and to comply with state law requiring amendment of the Housing Element every five years (Sections 65580–65589.8 of the California Government Code). The 2006–2014 Housing Element is the City's policy document guiding the provision of housing to meet future needs for all economic segments of Wildomar, including housing affordable to lower-income households. The City of Wildomar Housing Element is based on six strategic goals: (1) assisting in the development of adequate housing to meet the city's fair share of the region's housing needs for all economic segments of the population, (2) mitigating governmental constraints to the maintenance, improvement, and development of housing, (3) addressing the housing needs of special needs population groups, (4) conserving and improving the condition of the housing stock, particularly affordable housing, (5) promoting equal housing opportunities for all persons regardless of race, age, sexual orientation, religion, or gender, and (6) conserving energy in the development of new housing and the rehabilitation of existing housing.

Wildomar recognizes the need for additional housing affordable to very low-, low-, and moderate-income households as the population grows and the need to accommodate existing residents who do not have suitable, affordable housing. The Housing Element identifies the policies and programs which the City will implement to ensure housing in Wildomar is affordable, safe, and decent. The proposed Housing Element addresses housing needs by encouraging the provision of an adequate quantity of sites designated for multi-family housing, by assisting in affordable housing development, and through the preservation and maintenance of existing affordable housing stock.

While the Housing Element is subject to CEQA, no specific development projects are proposed as part of the Housing Element. However, the Housing Element does propose that the City rezone a minimum of 15.96 acres to allow up to 30 units per acre by right and make changes to existing land use designations, land use densities, and land use regulations. Proposed changes include the following:

- The amendment of the General Plan Land Use Map and Zoning Map to redesignate and rezone a minimum of 15.96 acres to the Highest Density Residential (HHDR) designation (from Medium High Density Residential) and with compatible zoning to allow for at least 30 units to the acre by right. (Program H-1.1)
- The offer of density bonuses and expedition of permit processing for extremely low-, very low-, and low-income dwelling units. (Program H-4.3)
- The amendment of the Zoning Ordinance to comply with the state density bonus. (Program H-9.1)
- The allowance of secondary dwelling units via a ministerial action (by right) in all single-family residential zones. (Program H-10.1)
- The allowance of single-room occupancy units (SROs) in the General Commercial (C-1/C-p) zone with a conditional use permit. (Program H-13.1)

2.0 PROJECT DESCRIPTION

- The allowance of farmworker housing in the Light Agricultural (A-1), Heavy Agricultural (A-2), and Residential Agricultural (R-A) zones by right. (Program H-13.2)
- The amendment of the Zoning Ordinance to allow for residential care facilities with six or fewer persons by right in all residential zones, as well as larger residential care facilities of seven or more persons in the Multiple-Family Dwelling (R-2) and General Residential (R-3) zones with a conditional use permit. (Program H-13.4)
- The amendment of the Zoning Ordinance to include separate definitions of transitional and supportive housing as defined in Health and Safety Code Sections 50675.2 and 50675.14 and to allow both transitional and supportive housing types as a permitted use in all residential zones. (Program H-16.2)

The Housing Element provides policies and programs to encourage the development of affordable housing consistent with current General Plan policies. Zoning Ordinance changes associated with implementation of the proposed Housing Element would be minor and mainly proposed to update the Zoning Ordinance to existing state requirements, with which the City complies. Detailed descriptions of each guiding policy and program, as well as specific time frames, responsibility for programs, and funding sources, are provided in the City's Housing Element.

The Housing Element calls for an increase in lands available for high-density residential development. Specifically, page 26 of the Housing Needs Assessment states:

Rezone/Redesignation of Sites

Although the City is able to meet its RHNA on current sites, to ensure there is enough land available for the development of housing affordable to lower-income households, the City will amend its General Plan Land Use and Zoning maps to redesignate and rezone a minimum of 15.96 acres. The Housing Element identifies sites 41, 49, and 53 (sites are included in Table HNA-21 and in Table HNA-23 in bold), which total of 15.96 acres as potentially acceptable for the HHDR designation and with compatible zoning (R-4, R-5, or R-6) would allow for at least 30 units to the acre by right (Program 1.1). If it is determined that redesignation and rezone of any of the identified sites is not feasible, the City will identify another site or group of sites for the development of housing affordable to lower-income households totaling a minimum of 15.96 acres.

By adopting the policies contained in the Housing Element, the City is agreeing to initiate a series of subsequent actions, each of which will require public hearings, draft documents, revisions to text and maps, and environmental analysis of the well-defined project pursuant to independent CEQA analysis. Through the consideration process and public input, the City may choose alternate sites, modify the General Plan and Zoning Ordinance, and establish conditions of approval.

3.0 ENVIRONMENTAL ANALYSIS

INTRODUCTION

This section of the Addendum provides analysis and cites substantial evidence supporting the City's determination that the proposed Housing Element does not meet the criteria for preparing a subsequent or supplemental EIR under CEQA Guidelines Section 15162 and is consistent with the provisions of CEQA Guidelines Section 15183.5.

BASIS FOR DECISION TO PREPARE ADDENDUM

When an environmental impact report (EIR) has been certified for a project, Public Resources Code Section 21166 and CEQA Guidelines Sections 15162 through 15164 set forth the criteria for determining whether a subsequent EIR, subsequent negative declaration, addendum, or no further documentation be prepared in support of further agency action on the project. In determining whether an addendum is the appropriate document to analyze the modifications to the project and its approval, CEQA Guidelines Section 15164 (Addendum to an EIR or Negative Declaration) states, "The lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred." Under the CEQA Guidelines, a subsequent EIR or negative declaration shall be prepared if any of the following criteria are met.

- (a) *When an EIR has been certified or negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:*
 - (1) *Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*
 - (2) *Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or*
 - (3) *New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:*
 - (A) *The project will have one or more significant effects not discussed in the previous EIR or negative declaration;*
 - (B) *Significant effects previously examined will be substantially more severe than shown in the previous EIR;*

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(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

(b) If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subdivision (a). Otherwise, the lead agency shall determine whether to prepare a subsequent negative declaration, and addendum, or no further documentation.

As demonstrated in the environmental analysis provided, the adoption of the Housing Element does not meet the criteria for preparing a subsequent EIR. First, the Housing Element does not propose substantial changes to existing General Plan policies. The changes required in the Zoning Ordinance by the Housing Element bring the Zoning Ordinance into compliance with state law governing second dwelling units and state density bonus requirements, and add provisions for farmworker housing in agricultural zones. Zoning Ordinance changes to use the state definitions for single-room occupancy, transitional care, and residential care facilities are also included, but implementation is subject to a conditional use permit, which triggers its own CEQA analysis. The policy that will initiate rezoning of additional land to multiple-family usage would increase density in the community in areas already designated for urban development. The incremental change in density will be evaluated with the CEQA analysis initiated with the respective zone changes. Adoption of a new Housing Element with these changes to policy and procedure is not anticipated to result in the increase in severity of any previously identified significant impact from the General Plan FEIR (CEQA Guidelines Section 15162[a][1]) that would require major revisions to the General Plan FEIR. The General Plan EIR anticipated residential development, including multiple-family development.

In addition to the General Plan policies, all land development in the city is governed by engineering standards, the California Building Code, and state and federal permitting associated with wetlands, cultural resources, and water quality. These requirements apply to both nondiscretionary (by right) and discretionary development permits. Discretionary permits have the added protection of both conditions of approval and additional CEQA analysis. The General Plan EIR evaluated urban development within the City of Wildomar and recognizes the existing permitting and approval process described above. Adoption of the Housing Element neither alters these requirements nor proposes development beyond that analyzed the General Plan EIR.

The Housing Element is a policy-level document, meaning that while the Housing Element encourages the provision of a range of housing types and affordability levels, it does not include any specific development designs or proposals, nor does it grant any entitlements for development. Environmental impacts of subsequent development projects would also be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal.

Second, the Housing Element's proposed modifications to the General Plan and Zoning Ordinance are programmatic in nature. The Housing Element includes a set of goals, policies,

and objectives intended to guide the City's decision-making process as private development projects are proposed. While the Housing Element reflects the Regional Housing Needs Allocation, the City itself can only encourage development of housing units. This is similar to the existing Riverside County Housing Element that has governed the City's actions since incorporation. As a policy document, the Housing Element does not propose changes in physical circumstances that would cause a new significant impact or substantially increase the severity of a previously identified significant impact, and there have been no other changes in the circumstances that meet this criterion (CEQA Guidelines Section 15162[a][2]). Therefore, there have been no changes in the environmental conditions in the city not contemplated and analyzed in the General Plan EIR that would result in new or substantially more severe environmental impacts.

Third, as documented below, there is no new information of substantial importance (which was not known or could not have been known at the time of General Plan adoption by the City of Wildomar in 2008) that identifies a new significant impact (condition "A" under CEQA Guidelines Section 15162[a][3]); there would not be a substantial increase in the severity of a previously identified significant impact (condition "B" CEQA Guidelines Section 15162[a][3]); there are no mitigation measures or alternatives previously found infeasible that would now be feasible and would substantially reduce one or more significant effects of the General Plan; and there are no mitigation measures or alternatives which are considerably different from those analyzed in the General Plan EIR which would substantially reduce one or more significant effects on the environment (conditions "C" and "D" CEQA Guidelines Section 15162[a][3]). The Housing Element only encourages the provision of a range of housing types and affordability levels. It does not include any specific development designs or proposals, nor does it grant any entitlements for development that would adversely affect the environment. None of the "new information" conditions listed in CEQA Guidelines Section 15162[a][3] are present here to trigger the need for a subsequent or supplemental EIR.

CEQA Guidelines Section 15164 states, "The lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred." An addendum is appropriate here because, as explained above, none of the conditions calling for preparation of a subsequent EIR have occurred.

3.1 LAND USE/AGRICULTURAL RESOURCES

PREVIOUSLY IDENTIFIED IMPACTS IN THE WILDOMAR GENERAL PLAN EIR

- Impact 4.2.1:** Changes in the Pattern of Land Uses
- Impact 4.2.2:** Conversion of Prime Farmlands, Unique Farmlands, Farmlands of Statewide Importance, or Land Actively Utilized for Agricultural Production to a Variety of Non-Agricultural Uses

In addition to these potentially significant impacts, the General Plan EIR identified the following issue areas as less than significant impacts: (a) physically divide an established community, (b) conflict with any applicable habitat conservation plan or natural community conservation plan, (c) conflict with any regional plan, and (d) airport land use plans.

The General Plan EIR concluded that the General Plan will have less than significant impacts to changes in the land use pattern (Impact 4.2.1), because one of the main purposes of the

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General Plan is to ensure future development follows a consistent and orderly pattern. As development occurs, it is required to be consistent with the goals and policies of the General Plan. General Plan policies ensure compliance with the General Plan and provide for the implementation of measures to buffer adjacent uses from potentially adverse impacts of neighboring uses.

The General Plan EIR concluded that the General Plan will have a significant and unavoidable impact regarding the conversion of agricultural lands to non-agricultural uses (Impact 4.2.2), as its implementation would potentially result in the loss of 86,748 acres (32.5%) of agricultural land in Riverside County. In addition to the direct loss of agricultural land, buildout of the General Plan will permit the development of residential and employment-generating uses adjacent to agriculturally designated land. Indirect impacts associated with agricultural uses include the generation of dust, odors, and noise from agricultural operation; the proliferation of flies and other pest species; the potential for groundwater contamination (from large-scale feedlots and dairies); and aerial application of agricultural chemicals. The General Plan includes policies that will encourage the conservation of productive agricultural land, require consideration of state agricultural designations when amending General Plan foundation components, and support and participate in agriculture education programs. However, these policies do not set specific requirements limiting the conversion of agricultural lands to non-agricultural uses.

PROPOSED HOUSING ELEMENT

The Housing Element is consistent with the land uses envisioned in the General Plan and would not remove policies that currently protect environmental and/or agricultural resources. As a policy-level document, the Housing Element encourages the provision of a range of housing types and affordability levels. The proposed Housing Element does not include any specific development proposals, nor does it grant any entitlements for development. The Housing Element anticipates land uses consistent with the land use designations established by the General Plan Land Use Element. Under state law, the Housing Element is required to be consistent with all other elements of the General Plan. Thus, future housing projects resulting from the Housing Element would be consistent with the Wildomar General Plan. Also, all projects must be consistent with the zoning for the project site. Housing Element Program H-1.1 proposes the General Plan redesignation of 15.96 acres in the city from Medium High Density Residential to Highest Density Residential. Future residential development projects will require compliance with General Plan policies related to land use and with Zoning Ordinance requirements associated with zoning districts, allowable uses, and development standards. While the Housing Element does propose changes to existing land use densities and land use regulations, it does not involve the construction or expansion of any residential land uses. All future residential development occurring within the city would be required to be in accordance with local regulations, including the General Plan and Zoning Ordinance. Environmental impacts of subsequent development projects would also be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal.

In terms of agricultural resources, future development consistent with housing needs identified for the city could result in the direct conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. For instance, proposed Housing Element Program H-13.2 would allow for farmworker housing in the Light Agricultural (A-1), Heavy Agricultural (A-2), and Residential Agricultural (R-A) zones by right. However, as a policy-level document, the proposed Housing Element encourages the provision of a range of housing types and affordability levels. It does not include any specific development designs or proposals, nor does

it grant any entitlements for development that would convert agricultural lands to non-agricultural uses or place housing units adjacent to agricultural uses. In addition, while redesignation of specific sites (proposed Housing Element Program H-1.1) to accommodate higher-density uses consistent with Housing Element policies proposes changes to existing land use zones and densities, as well as changes to land use regulations, these proposed changes would not conflict with or convert existing agricultural uses.

Future residential development projects would require compliance with General Plan policies related to agricultural resources that are intended to preserve blocks of agricultural land in agricultural or open space use and maintain a continuing agricultural use of those lands. General Plan Land Use Policy 16.1 encourages retaining agriculturally designated lands where agricultural activity can be sustained at an operational scale, where it accommodates lifestyle choice, and also in locations where impacts to and from potentially incompatible uses, such as residential uses, are minimized. Land Use Policy 16.2 aims to protect agricultural uses, including those with industrial characteristics (dairies, poultry, hog farms, etc.) by discouraging inappropriate land division in the immediate proximity and allowing only uses and intensities compatible with agricultural uses.

Substantial Changes in the Circumstances or New Information Associated with the City

The proposed Housing Element would result in land uses that are similar to those assumed and analyzed in the original General Plan EIR. In addition, the Housing Element would not result in development of any additional area beyond that analyzed in the General Plan EIR. Since the policies in the Housing Element are similar to the existing General Plan policies, no additional area is proposed for urban development, and no changes are proposed to the existing permitting and approval process, adoption of the Housing Element would not result in new or more severe impacts beyond those analyzed and mitigated in the General Plan EIR.

3.2 POPULATION AND HOUSING

PREVIOUSLY IDENTIFIED IMPACTS IN THE CITY OF WILDOMAR GENERAL PLAN EIR

No potentially significant housing/population impacts resulting from implementation of the proposed General Plan were identified in the General Plan EIR. The General Plan EIR identified the following issue areas as less than significant impacts: (a) displacement of residential units and/or persons, (b) growth in population exceeding regional projections, (c) inadequate provision of housing, and (d) exacerbate the jobs-to-housing balance.

The analysis concluded that buildout of the proposed General Plan would be predominantly achieved through the development of currently vacant lands and that since development of vacant land would not displace residential units or persons, no impact associated with the displacement of residential units and/or persons would occur. In terms of population growth, the General Plan EIR states that projected population is consistent with Southern California Association of Governments (SCAG) projections, and therefore no impact associated with population growth would occur. Regarding the provision of housing, the General Plan EIR determined that adherence to applicable Riverside County, state, and federal regulations will reduce potential impacts to a less than significant level. In terms of the jobs-to-housing balance, the General Plan will provide for an increase in employment opportunities closer to where people are and will be living; therefore, the proposed General Plan has a beneficial impact on the jobs-to-housing balance for the SCAG region, according to the General Plan EIR.

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PROPOSED HOUSING ELEMENT

The proposed Housing Element contains housing goals intended to encourage housing to meet the City's affordable housing needs and would therefore accommodate growth rather than induce it. Furthermore, as a policy-level document, the proposed Housing Element encourages the provision of a range of housing types and affordability levels. It does not include any specific development proposals, nor does it grant any entitlements for development that would induce population growth. Future residential development projects will require compliance with General Plan policies related to population growth in the city.

While the Housing Element does not involve the construction or expansion of any residential land uses, it does propose changes to existing land use densities and land use regulations. For example, Housing Element Program H-1.1 proposes the General Plan redesignation of 15.96 acres in the city from Medium High Density Residential to Highest Density Residential, which would allow for a minimum of 30 units per acre. Actions taken to implement this program will be subject to environmental review for potential adverse impacts, public hearings, and mitigation measures if appropriate. While three sites are identified in the Housing Element, the City does not know whether redesignation or rezoning of the sites is feasible. The policy commits the City to redesignating and rezoning up to 15.96 acres somewhere in the city should changes to the three identified sites be infeasible. The City has until June 2013 to complete the required documentation to comply with the program. All future residential development occurring in the city would be required to be in accordance with local regulations, including the General Plan and Zoning Ordinance.

Substantial Changes in the Circumstances or New Information Associated with the City

The proposed Housing Element would result in development in areas designed for urban uses identical to the area assumed and analyzed in the original General Plan EIR. Because the area is not changed, there is no change in the amount of agricultural land conversion beyond that analyzed in the General Plan EIR. Since the policies in the Housing Element are similar to the existing General Plan policies and no changes are proposed to the existing permitting and approval process, adoption of the Housing Element would not result in new or more severe impacts beyond those analyzed and mitigated in the General Plan EIR.

3.3 AESTHETICS/VISUAL RESOURCES

PREVIOUSLY IDENTIFIED IMPACTS IN THE CITY OF WILDOMAR GENERAL PLAN EIR

- Impact 4.4.1:** Affected Views to Scenic Vistas and Visual Resources
- Impact 4.4.2:** Light and Glare
- Impact 4.4.3:** Open Space Conversion Impacts

The General Plan EIR concluded that the General Plan will increase the development of urban uses, causing a substantial loss in open space and aesthetic resources, which could significantly alter existing and future public views and view corridors, including State- and County-designated scenic highways. General Plan policies and one General Plan EIR mitigation measure address impacts to scenic vistas and visual resources on a project-level basis and would thus not be affected by changes in land use designations associated with the General

Plan. Therefore, the policies and mitigation will remain effective in reducing visual impacts to a less than significant level.

In terms of light and glare impacts, implementation of the proposed General Plan would increase the associated negative effects upon existing residential uses, as well as on the Mount Palomar Observatory, through the creation of new light and glare sources within the proposed General Plan planning area. This potentially significant impact is reduced to a less than significant level with implementation of mitigation measures, which according to the General Plan EIR, address impacts to light and glare on a project-level basis.

The conversion of open space to urban uses would result in a significant and unavoidable impact by causing the obstruction of existing open views as well as potentially obstructing distant panoramic views from existing development. While proposed General Plan policies and mitigation measures address the aesthetic impact of new development, no mitigation is available to address the conversion of open space to urban land uses.

PROPOSED HOUSING ELEMENT

The proposed Housing Element is a policy-level document. While the Housing Element encourages the provision of a range of housing types and affordability levels, it does not include any specific designs or proposals, nor does it grant any entitlements for development that would degrade the existing visual character of the city. The Housing Element anticipates land uses that are consistent with the land use designations established by the General Plan Land Use Element. Future residential development projects will require compliance with General Plan policies related to aesthetic resources. For example, Land Use Policy 4.1 requires that new developments be located and designed to visually enhance and not degrade the character of the surrounding area through consideration of concepts such as the preservation of natural features (e.g., unique natural terrain, drainage ways, and native vegetation), wherever possible, particularly where they provide continuity with more extensive regional systems. Land Use Policy 4.1 also requires new development to be designed to provide adequate space for pedestrian connectivity and access, recreational trails vehicular access and parking, supporting functions, open space, and other pertinent elements. Land Use Policy 8.4 allows for development clustering and/or density transfers to preserve open space, natural resources, and/or biologically sensitive resources. Land Use Policy 11.1 mandates the application of defined policies to areas where development is allowed and that contain natural slopes, canyons, or other significant elevation changes, regardless of land use designation. Land Use Policy 13.3 ensures that the design and appearance of new landscaping, structures, equipment, signs, or grading within designated and eligible state and county scenic highway corridors are compatible with the surrounding scenic setting or environment.

Future residential development projects in the city would be required to be designed and constructed in accordance with the Wildomar Municipal Ordinance, which contains standards for lighting. For example, Zoning Ordinance Chapter 8.80 is intended to restrict the permitted use of certain light fixtures emitting into the night sky undesirable light rays which have a detrimental effect on astronomical observation and research. Zoning Ordinance Chapter 8.80 defines lighting sources, establishes the type and manner of installation and operation of lighting, and details lighting prohibitions.

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Substantial Changes in the Circumstances or New Information Associated with the City

The proposed Housing Element would result in land uses and development that are similar to those assumed and analyzed in the original General Plan EIR. In addition, the Housing Element would not result in development of any additional land that could contribute to light and glare beyond that analyzed in the General Plan EIR. Since the policies in the Housing Element are similar to the existing General Plan policies, no additional area is proposed for urban development, and no changes are proposed to the existing permitting and approval process, adoption of the Housing Element would not result in new or more severe impacts beyond those analyzed and mitigated in the General Plan EIR.

3.4 AIR QUALITY

PREVIOUSLY IDENTIFIED IMPACTS IN THE CITY OF WILDOMAR GENERAL PLAN FINAL EIR

- Impact 4.5.1:** Particulate (PM₁₀) Emissions
- Impact 4.5.2:** Long-Term Air Emission Impacts
- Impact 4.5.3:** Vehicular Emissions
- Impact 4.5.4:** Sensitive Receptors

In addition to these potentially significant impacts, the General Plan EIR identified the following issue areas as less than significant impacts: (a) consistency with Air Quality Management Plan and (b) odors and toxic air contaminants.

The General Plan EIR concluded that the General Plan will result in significant and unavoidable air quality impacts caused by construction (Impact 4.5.1) and long-term stationary and mobile emissions (Impacts 4.5.2 and 4.5.3), even after all feasible mitigation measures are implemented. Air quality impacts on sensitive receptors are reduced to less than significant with implementation of General Plan policies.

PROPOSED HOUSING ELEMENT

Future development of housing units facilitated by the proposed Housing Element could result in an increase in criteria air pollutants during both construction and operational activities and could also contribute substantially to the existing nonattainment status of the South Coast Air Basin, which includes Wildomar. Construction activities such as excavation and grading operations, construction vehicle traffic, and wind blowing over exposed earth could generate exhaust emissions and fugitive particulate matter emissions that would affect local air quality. Impacts are variable, depending on the weather, soil conditions, and the amount of activity taking place, as well as the nature of dust control efforts. Likewise, operational air quality impacts are dependent on the types of land uses and mitigation being used.

The proposed Housing Element does not include any specific development designs or development proposals, nor does it grant any entitlements for development. Certain policies in the Housing Element propose changes to existing land use densities as well as changes to land use regulations. All future development would be required to be in accordance with local regulations, including the General Plan and Zoning Ordinance. Environmental impacts of

subsequent development projects would also be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal.

The proposed Housing Element would have less than significant impacts associated with contributing substantially to an existing or projected air quality violation and increasing criteria pollutants during both construction and operational activities.

Substantial Changes in the Circumstances or New Information Associated with the City

The proposed Housing Element would result in land uses and development that are similar to those assumed and analyzed in the original Air Quality section of the General Plan EIR. In addition, the Housing Element would not result in development of any additional land that could result in air quality impacts and might, through an increase in density, reduce the overall impact from that in the General Plan EIR. Since the policies in the Housing Element are similar to the existing General Plan policies, no additional area is proposed for urban development, and no changes are proposed to the existing permitting and approval process, adoption of the Housing Element would not result in new or more severe air quality impacts beyond those analyzed and mitigated in the General Plan EIR.

3.5 BIOLOGICAL RESOURCES

PREVIOUSLY IDENTIFIED IMPACTS IN THE CITY OF WILDOMAR GENERAL PLAN FINAL EIR

- Impact 4.6.1:** Impacts to Candidate Species and Associated Habitat
- Impact 4.6.2:** Impacts to Candidate Species Recovery Efforts
- Impact 4.6.3:** Impacts to Sensitive Habitat
- Impact 4.6.4:** Impacts from Habitat Fragmentation
- Impact 4.6.5:** Impacts to Wildlife Movement
- Impact 4.6.6:** Direct Loss of Oak Trees or Alteration of Natural Processes Resulting in the Loss of Oak Trees
- Impact 4.6.7:** Alteration of Habitat or Natural Processes

Implementation of General Plan policies and General Plan EIR mitigation measures reduce impacts to oak trees (Impact 4.6.6) to below a level of significance, as these measures provide for sufficient assessment of oak trees and associated natural processes and allow for the incorporation of mitigating measures as needed during future project review.

Implementation of General Plan policies and General Plan EIR mitigation measures reduce other impacts to biological resources (Impacts 4.6.1, 4.6.2, 4.6.3, 4.6.4, 4.6.5, and 4.6.7); however, impacts are not reduced to below a level of significance. Implementation of the policies and mitigation measures on a project-by-project basis will result in the preservation of fragmented habitat patches and the isolation of associated biological resources. However, many species are dependent on riparian and upland habitats and will be lost unless both habitats are conserved together. Additionally, implementation of the proposed General Plan will result in cumulative significant and unavoidable adverse effects on biological resources by causing a direct loss of

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sensitive natural communities, especially coastal sage scrub and meadow and marsh habitats; by causing fragmentation of sensitive habitats resulting in isolation of habitat patches creating a "checkerboard" pattern of small habitat patches of limited biological value; and by causing the fragmentation of habitat that constricts, inhibits, or eliminates wildlife movement.

PROPOSED HOUSING ELEMENT

Future residential development projects consistent with the proposed Housing Element could result in impacts to biological resources. Site-specific field studies are generally required to search for special-status species and to determine whether suitable habitat for any special-status species occurs on or near a study area. The proposed Housing Element is a policy-level document. While it encourages the provision of a range of housing types and affordability levels, it does not include any specific development designs or development proposals, nor does it grant any entitlements for development. Although the Housing Element does propose changes to existing land use densities, as well as changes to land use regulations, it does not involve the construction or expansion of any residential land uses. All future residential development occurring in the city would be required to be in accordance with local regulations, including the General Plan and Zoning Ordinance. Environmental impacts of subsequent development projects would also be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal.

Specifically, the City General Plan requires an analysis of the potential for a proposed project to result in direct mortality of individuals of listed, proposed, or candidate species or loss of habitat occupied by such species and sensitive habitats. Biological reports must be conducted as follows:

- Reports must be prepared by a biologist on the City's list of qualified consultants.
- The Planning Department must be notified in advance that a report will be prepared for a specific project.
- The report must include a signed certification attesting to the report contents.
- The report must include specific information as to the type of survey (e.g., General Biological Resources Assessment, Habitat Assessment), site location, property owner, principal investigator, and contact information for participants in the field surveys.
- The report must include specified attachments (summary sheet, level of significance checklist, biological resources/project footprint map, and site photos).
- The report must include information on literature sources (e.g., California Natural Diversity Data Base, California Department of Fish and Game, US Fish and Wildlife Service, and environmental documents for nearby projects).
- The report must include a description of surveys, including timing, personnel, and weather conditions.
- The report must include a description of site conditions including plant and wildlife habitat, disturbances, and sensitive elements.
- The report must include an assessment of anticipated project impacts and a discussion of mitigation.

- The report must include a list of all species observed or detected and a recommendation for any additional focused surveys that may be necessary.

Adverse impacts to special-status plant and animal species, as well as their habitats, would be insubstantial as a result of the proposed Housing Element due to the requirement for biological reports to determine whether suitable habitat for any special-status species occurs on or near a study area.

Future residential development within the city could result in adverse impacts to sensitive natural communities such as riparian habitat and federally protected wetlands. As discussed above, the proposed Housing Element does not include any specific development designs or development proposals, nor does it grant any entitlements for development. While the Housing Element does propose changes to existing land use densities as well as changes to land use regulations, future residential development projects will be required to comply with the General Plan Open Space Element. For instance, Open Space Policy 5.5 states that new development is required to preserve and enhance existing native riparian habitat and prevent obstruction of natural watercourses and that incentives will be utilized to the maximum extent possible in order to achieve this goal. Open Space Policy 6.1 requires that during the development review process, compliance with the Clean Water Act's Section 404 in terms of wetlands mitigation policies and policies concerning fill material in jurisdictional wetlands shall be ensured. Open Space Policy 6.2 requires the preservation of buffer zones around wetlands where feasible and biologically appropriate.

The proposed General Plan includes many policies to address effects of prospective development to oak trees. These General Plan policies focus primarily on avoiding and minimizing impacts to floodplain, riparian, and wetland habitats and on maintaining and conserving superior examples of native vegetation. Oak trees are often found in floodplain and riparian habitat areas but are also found in other locations. The policies provide for avoidance and minimization of some impacts to oak trees.

The potential for the proposed Housing Element to impede native resident or migratory wildlife corridors or the uses of wildlife nursery sites cannot be determined, as no specific details regarding future land use development are provided. While additional impacts may result from the implementation of future individual residential projects within the areas of the city affected by the Housing Element's proposed regulatory changes or development incentives, environmental review would be required of these future proposals and would identify and provide mitigation for any impacts to native wildlife corridors.

Substantial Changes in the Circumstances or New Information Associated with the City

The proposed Housing Element would result in land uses and development that are similar to those assumed and analyzed in the original General Plan EIR. In addition, the Housing Element would not result in development of any additional land that could result in biological impacts different from those analyzed in the General Plan EIR. Since the policies in the Housing Element are similar to the existing General Plan policies, no additional area is proposed for urban development, and no changes are proposed to the existing permitting and approval process (which includes biological and wetland analysis), adoption of the Housing Element would not result in new or more severe biological impacts beyond those analyzed and mitigated in the General Plan EIR.

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3.6 CULTURAL RESOURCES

PREVIOUSLY IDENTIFIED IMPACTS IN THE CITY OF WILDOMAR GENERAL PLAN EIR

- Impact 4.7.1:** Potential to Disturb Human Remains
- Impact 4.7.2:** Adverse Change in the Significance of an Historical Resource
- Impact 4.7.3:** Destruction of a Known Archaeological Resource
- Impact 4.7.4:** Destruction of a Unique Paleontological Resource or Site

Implementation of General Plan policies and General Plan EIR mitigation measures reduce impacts to cultural and paleontological resources to below a level of significance, as these measures provide for avoidance and preservation requirements for development associated with such resources.

PROPOSED HOUSING ELEMENT

Future residential development within the city could conflict with existing known cultural and historical resources. In addition to "known" resource areas, the potential exists for undiscovered paleontological and archeological resources that would be encountered and potentially impacted by future construction activities. These resources could include human remains located outside of cemeteries. The Housing Element is a policy-level document. While the Housing Element encourages the provision of a range of housing types and affordability levels, it does not include any specific development designs or proposals, nor does it grant any entitlements for development that would adversely affect archaeological, paleontological, or historic resources. While the Housing Element does propose changes to existing land use densities, as well as changes to land use regulations, it does not involve the construction or expansion of any residential land uses. All future residential development occurring in the city would be required to be in accordance with local regulations, including the General Plan. Environmental impacts of subsequent development projects would also be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal. In addition, the Pechanga Band of Luiseno Indians was consulted as part of the Housing Element process and is required to be a part of the project review process to further verify the presence or absence of cultural resources.

Substantial Changes in the Circumstances or New Information Associated with the City

The proposed Housing Element would result in land uses and development that are similar to those assumed and analyzed in the General Plan EIR. In addition, the Housing Element would not result in development of any additional land that could result in cultural impacts different from those analyzed in the General Plan EIR. Since the policies in the Housing Element are similar to the existing General Plan policies, no additional area is proposed for urban development, and no changes are proposed to the existing permitting and approval process, adoption of the Housing Element would not result in new or more severe impacts to cultural resources beyond those analyzed and mitigated in the General Plan EIR.

3.7 ENERGY

PREVIOUSLY IDENTIFIED IMPACTS IN THE CITY OF WILDOMAR GENERAL PLAN EIR

Impact 4.8.1: Impacts to Existing Natural Gas Facilities

Impact 4.8.2: Impacts to Existing Electrical Generating Facilities

The implementation of General Plan policies and General Plan EIR mitigation measures will result in less than significant impacts on energy resources. Policies and mitigation measures provide concrete means of policy implementation and enforcement with the use of performance standards that ensure appropriate actions and parameters will be achieved. However, it must be noted that electricity costs to consumers will likely increase compared to past levels until additional generating capacity can be brought on line and the cost and supply adjustment is stabilized.

PROPOSED HOUSING ELEMENT

The proposed Housing Element includes policies designed to facilitate the construction and conservation of housing to meet Wildomar's affordable housing needs. However, as a policy-level document, the Housing Element does not include any specific development proposals, nor does it grant any entitlements for development. While the Housing Element does propose changes to existing land use densities and land use regulations, it does not involve the construction or expansion of any residential land uses. All future residential development occurring in the city would be required to be in accordance with local regulations, including the General Plan, which requires the review of all development proposals prior to the approval of development plans to guarantee that sufficient energy resources and facilities are available to supply adequate energy to the proposed project and associated uses. In addition, the General Plan requires the review all development plans prior to approval to guarantee that energy conservation and efficiency standards of Title 24 are met and are incorporated into the design of future proposed projects.

Environmental impacts of subsequent development projects would also be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal. Additionally, future development proposals would be reviewed by the appropriate service agencies as part of the development application review process in order to ensure that sufficient capacity in all energy-related facilities would be available on time to maintain desired service levels.

Substantial Changes in the Circumstances or New Information Associated with the City

The proposed Housing Element would result in land uses and development that are similar to those assumed and analyzed in the General Plan EIR. In addition, the Housing Element would not result in development of any additional land that could result in energy impacts different from those analyzed in the General Plan EIR. Since the policies in the Housing Element are similar to the existing General Plan policies, no additional area is proposed for urban development, and no changes are proposed to the existing permitting and approval process, adoption of the Housing Element would not result in new or more severe impacts to energy resources beyond those analyzed and mitigated in the General Plan EIR.

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3.8 FLOOD AND DAM INUNDATION HAZARDS

PREVIOUSLY IDENTIFIED IMPACTS IN THE CITY OF WILDOMAR GENERAL PLAN EIR

- Impact 4.9.1:** Increased Stormwater Runoff
- Impact 4.9.2:** Placement of Habitable Structures and Housing within a 100-Year Flood Hazard Zone
- Impact 4.9.3:** Dam Inundation Hazards

Implementation of the General Plan will result in the development of a significant amount of vacant land within Riverside County, and the addition of impervious surfaces would substantially increase potential stormwater runoff. Existing drainage facilities may not be adequate to accommodate the future potential increase in stormwater runoff. Development also has the potential to increase the risk of flooding, which leads to damage to structures and risk to the health and safety of people, and may place habitable structures within dam inundation areas. However, implementation of existing requirements and policies in the General Plan will reduce flood hazard impacts by keeping development out of flood-prone areas and ensuring that drainage facilities are kept adequate. In addition, adherence to the National Flood Insurance Program Reform Act of 1994, Federal Executive Order 11988, the Cobey-Alquist Flood Plain Management Act, and Water Code Section 8100 will minimize the effects of flood hazards.

PROPOSED HOUSING ELEMENT

Portions of Wildomar within the 100-year floodplain include areas immediately adjacent to Murrieta Creek and along Central Street. However, as a policy-level document, the proposed Housing Element does not include any specific development proposals, nor does it grant any entitlements for development. In addition, General Plan policies ensure that the impacts from flooding are adequately analyzed when considering development in flood-prone areas and consider appropriate mitigation to reduce the risk to property and public safety (Safety Policies 4.1, 4.10, and 4.11).

The city is located downstream of several small, existing dam structures. In California, the Department of Water Resources, Division of Dam Safety is responsible for ensuring that all dams satisfy stringent design criteria covering all possible conditions which could affect the dam, including earthquakes and flood events, without considering probability factors. Therefore, dams are designed to withstand the largest and strongest earthquake that could conceivably affect them. Similarly, dams are required to withstand the largest possible flood that could occur, which is referred to as the maximum probable flood. The Housing Element would not affect the structural integrity of an existing dam's structure or add to the risk of dam failure.

Environmental impacts of subsequent development projects would also be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal in order to ensure that sufficient stormwater drainage capacity would be available on time to maintain necessary service levels and that potential impacts associated with flood hazard zones and dam inundation zones are mitigated.

Substantial Changes in the Circumstances or New Information Associated with the City

The proposed Housing Element would result in land uses and development that are similar to those assumed and analyzed in the General Plan EIR. In addition, the Housing Element would not result in development of any additional land that could result in hazardous conditions different from those analyzed in the General Plan EIR. Since the policies in the Housing Element are similar to the existing General Plan policies, no additional area is proposed for urban development, and no changes are proposed to the existing permitting and approval process, adoption of the Housing Element would not result in new or more hazardous conditions beyond those analyzed and mitigated in the General Plan EIR.

3.9 GEOLOGY AND SLOPE STABILITY

PREVIOUSLY IDENTIFIED IMPACTS IN THE CITY OF WILDOMAR GENERAL PLAN EIR

- Impact 4.10.1:** Fault Rupture
- Impact 4.10.2:** Ground Shaking
- Impact 4.10.3:** Liquefaction
- Impact 4.10.4:** Landslides and Rockfalls
- Impact 4.10.5:** Seismically Induced Ground Settlement
- Impact 4.10.6:** Subsidence and Collapsible Soils
- Impact 4.10.7:** Expansive Soils
- Impact 4.10.8:** Wind Erosion
- Impact 4.10.9:** Soil Erosion/Loss of Topsoil

Like all of Southern California, Wildomar has and will continue to be subject to ground shaking and associated seismic impacts resulting from activity on local and regional faults. Land subsidence, expansive soils, and erosion-related impacts are also a potential in the city. Implementation of General Plan policies, General Plan EIR mitigation measures, and existing requirements will reduce potential impacts associated with fault rupture hazards, ground shaking, liquefaction, landslides and rockfalls, seismically induced settlement, subsidence and collapsible soils, and soil erosion and loss of topsoil to a less than significant level.

PROPOSED HOUSING ELEMENT

The Housing Element includes policies and programs designed to facilitate the construction and conservation of housing, which could increase exposure of people and structures to seismic hazards, including rupture of a fault, strong seismic ground shaking, and seismic-related ground failure. For example, Housing Element Program H-16.2 proposes to amend the Zoning Ordinance to allow both supportive and transitional housing types in all residential zones. However, as a policy-level document, the Housing Element encourages the provision of a range of housing types and affordability levels rather than identifying any specific designs or development proposals. While the Housing Element does propose changes to existing land use

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densities as well as changes to land use regulations such as that proposed in Program H-16.2, it does not involve the construction or expansion of any residential land uses. All future residential development occurring in the city would be required to be in accordance with local regulations, including the General Plan and Municipal Ordinance. Environmental impacts of subsequent development projects would also be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal.

Future residential development projects would be required to comply with General Plan Safety Policy 2.1, which states that the City will minimize fault rupture hazards through enforcement of Alquist-Priolo Earthquake Fault Zoning Act provisions. Before issuance of building permits, development in Wildomar is required to submit proof of certification regarding the stability of a project site against the adverse effects of earthquake (Safety Policy 3.3). Before a project is approved or otherwise permitted within an Alquist-Priolo Earthquake Fault Zone, a site-specific geologic investigation is required to be prepared to assess potential seismic hazards resulting from development of the project site. The geotechnical investigation needs to address the issues, hazards, and geographic areas determined to be relevant to each development. Based on the site-specific geotechnical investigation, no structures intended for human occupancy are to be constructed across active faults. Similarly, Safety Policy 3.1 requires a site-specific geologic investigation in landslide potential management zones to address issues, hazards, and potential remedial actions.

Future construction within the city would result in the moving and grading of topsoil, which would lead to disturbed soils that are more likely to suffer from erosion from a variety of sources, such as wind and water. As discussed, as a policy-level document, the proposed Housing Element does not propose any specific development and does not directly result in adverse impacts associated with substantial loss of topsoil or erosion. Any future residential developments would be subject to Ordinance 484.2, which was established to control or limit the windborne erosion of soil. For instance, prior to the approval of development permits, the City would confirm that the design of any proposed structure, facility, or use within a defined wind hazard zone incorporates appropriate features to control and/or limit the windborne erosion of soil. In addition, all future development projects in Wildomar need to be in accordance with issuance of a National Pollutant Discharge Elimination System (NPDES) permit, which requires the construction and/or grading contractor for individual developments to establish and implement specific best management practices (BMPs) at time of project implementation in order to limit soil erosion and loss of topsoil.

Future residential development on unstable or expansive soils could create substantial risks to life or property and result in adverse impacts such as on- or off-site landslides, lateral spreading, subsidence, liquefaction, or collapse. While the Housing Element does propose changes to existing land use densities, as well as changes to land use regulations, it does not involve the construction or expansion of any residential land uses. All future residential development occurring within the city would be required to be in accordance with local regulations, including the General Plan. Environmental impacts of subsequent development projects would also be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal. Impacts resulting from soils that are unstable and/or expansive are generally site-specific. Within Wildomar, proponents of new development are required to adhere to applicable policies and standards contained in the most recent version of the California Building Code related to the construction of structures and facilities on expansive soils. Therefore, impacts resulting from the proposed Housing Element associated with unstable and/or expansive soils would be negligible.

Substantial Changes in the Circumstances or New Information Associated with the City

The proposed Housing Element would result in land uses and development that are similar to those assumed and analyzed in the General Plan EIR. In addition, the Housing Element would not result in development of any additional land that could result in impacts different from those analyzed in the General Plan EIR. Since the policies in the Housing Element are similar to the existing General Plan policies, no additional area is proposed for urban development, and no changes are proposed to the existing permitting and approval process, adoption of the Housing Element would not result in new or more severe impacts related to soils beyond those analyzed and mitigated in the General Plan EIR.

3.10 HAZARDOUS MATERIALS

PREVIOUSLY IDENTIFIED IMPACTS IN THE CITY OF WILDOMAR GENERAL PLAN EIR

No potentially significant hazardous material impacts resulting from implementation of the proposed General Plan were identified in the General Plan EIR. The General Plan EIR identified the following issue areas as less than significant impacts: (a) historical use of hazardous material and waste and (b) generation of hazardous waste. The analysis concluded that compliance with regulations, standards, and guidelines established by the US Environmental Protection Agency (EPA), State of California, Riverside County, and local agencies relating to the storage, use, and disposal of hazardous materials will reduce the potential risk of hazardous materials.

PROPOSED HOUSING ELEMENT

Future development of residential housing units consistent with the Housing Element could create a significant hazard to future residents through exposure to the routine transport, use, or disposal of hazardous materials, through exposure to reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, through exposure to the handling or emission of hazardous materials, or by locating residential development on a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. However, impacts associated with hazardous materials would be dependent on the location of future residential development and the nature of surrounding land uses. As a policy-level document, the proposed Housing Element encourages the provision of a range of housing types and affordability levels, but does not include any specific development designs or development proposals, nor does it grant any entitlements for development.

The transportation of hazardous materials within Wildomar is subject to various federal, state, and local regulations. The following provisions in the California Vehicle Code pertain to the transportation of hazardous materials.

- The California Highway Patrol designates the routes in California which are to be used for the transportation of explosives (Section 31616).
- The California Vehicle Code applies when the explosives are transported as a delivery service for hire, or in quantities in excess of 1,000 pounds. The transportation of explosives in quantities of 1,000 pounds or less, or other than on a public highway, is subject to the California Health and Safety Code (Section 31601[a]).

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- It is illegal to transport explosives or inhalation hazards on any public highway not designated for that purpose, unless the use of the highway is required to permit delivery of, or the loading of, such materials (Section 31602[b] and Section 32104[a]).
- When transporting explosives through or into a city for which a route has not been designated by the Highway Patrol, drivers must follow routes as may be prescribed or established by local authorities (Section 31614[a]).
- Inhalation hazards and poison gases are subject to additional safeguards. These materials are highly toxic, spread rapidly, and require rapid and widespread evacuation if there is loss of containment or a fire. The Highway Patrol designates through routes to be used for the transportation of inhalation hazards. It may also designate separate through routes for the transportation of inhalation hazards composed of any chemical rocket propellant (Section 32100 and Section 32102[b]).

Interstate 15 is a roadway that vehicles transporting hazardous materials use, raising concerns about accidents. Explosives require a permit for transportation by either a federal or state authority. Federal and state registries keep track of transport of other hazardous materials. On local roads, vehicles may transport smaller quantities of materials classified as hazardous, such as fertilizers, nitrates, and chlorine. While the materials are transported in quantities too small to cause widespread environmental damage, they are nonetheless subject to strict regulations on their transport.

Each business in Wildomar that handles, uses, generates, or stores hazardous materials is required to comply with state and federal community right-to-know laws. The Riverside County Environmental Health Department, which is the Certified Unified Program Agency (CUPA) for all jurisdictions and unincorporated areas in Riverside County, issues permits to and conducts inspections of businesses that use, store, or handle quantities of hazardous materials and/or waste greater than or equal to 55 gallons, 500 pounds, or 200 cubic feet of a compressed gas at any time. The Riverside County Environmental Health Department also implements the Hazardous Material Management Plans (Business Emergency Plans) that include an inventory of hazardous materials used, handled, or stored at any business in the city. The County Environmental Health Department is also responsible for regulating hazardous materials handlers, hazardous waste generators, underground storage tank facilities, aboveground storage tanks, and stationary sources handling regulated substances. These requirements are found in California Health and Safety Code (CHSC), Division 20, Chapter 6.95, Sections 25500–25520; California Code of Regulations (CCR), Title 19, Chapter 2, Subchapter 3, Article 4, Sections 2729–2734, Title 40, Code of Federal Regulations (CFR), EPA (SARA, Title III).

Potential increases in the use of hazardous materials would mainly be controlled by federal, state, and county agencies, as discussed above, which would ensure that hazardous material use and transportation are controlled to a safe level. There are no Superfund sites in the area. Additionally, residential developments do not generally include the routine transportation, use, or disposal of hazardous materials that could create a significant hazard to the public. Therefore, the proposed Housing Element would not create a significant hazard to the public or the environment regarding the transport, storage, use, and disposal of hazardous materials.

Substantial Changes in the Circumstances or New Information Associated with the City

The proposed Housing Element would result in land uses and development that are similar to those assumed and analyzed in the General Plan EIR. Hazardous materials are not typically

associated with housing development. In addition, the Housing Element would not result in development of any additional land that could result in impacts different from those analyzed in the General Plan EIR. Since the policies in the Housing Element are similar to the existing General Plan policies, no additional area is proposed for urban development, and no changes are proposed to the existing permitting and approval process, adoption of the Housing Element would not result in new or more severe impacts related to hazardous materials beyond those analyzed and mitigated in the General Plan EIR.

3.11 MINERAL RESOURCES

PREVIOUSLY IDENTIFIED IMPACTS IN THE CITY OF WILDOMAR GENERAL PLAN EIR

Based on the assessment of mineral resources prepared by the California State Department of Mines and Geology, significant aggregate mineral resources exist within Riverside County, yet the increased growth and development associated with the implementation of the General Plan would not significantly impact mineral resources located in the county. The policies provided in the General Plan, which would guide future growth and development, do not cause significant impacts to known mineral resources. To the contrary, the policies in the General Plan pertaining to mineral resources seek to conserve areas identified as containing significant mineral deposits and oil and gas resources for potential future use. The policies seek to maintain the availability of mineral resources while promoting the reasonable, safe, and orderly operation of mining and extraction activities in areas designated for such use where environmental, aesthetic, and adjacent land use compatibility impacts can be adequately mitigated.

Future development will be reviewed to ascertain project-specific impacts to mineral resources and to ensure compliance with applicable Riverside County policies. With the projected growth and increasing pressure to develop vacant lands, management of these mineral resources is necessary to protect and guide the exploitation of mineral deposits. Management strategies are contained in General Plan policies directed toward mineral resources and their conservation and extraction. Implementation of these policies will reduce or eliminate adverse impacts caused by mineral extraction and/or urbanization.

The Open Space-Mineral Resource land use designation allows for mineral extraction and processing facilities designated on the basis of the Surface Mining and Reclamation Act of 1975 classification. Areas held in reserve for future mining activities also fall under this designation. Ancillary structures or uses may be permitted which assist in the extraction, processing, or preservation of minerals. Actual building or structure size, siting, and design will be determined on a case-by-case basis.

PROPOSED HOUSING ELEMENT

Residential development is not planned in any mineral resource area. The city is designated MRZ-3. Areas with MRZ-3 designations contain mineral deposits the significance of which cannot be evaluated from available data. Therefore, there are no known mineral resources in the city that would be of value to the region or the residents of the state.

Substantial Changes in the Circumstances or New Information Associated with the City

The proposed Housing Element would result in land uses and development that are similar to those assumed and analyzed in the General Plan EIR. In addition, the Housing Element would

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not result in development of any additional land that could result in impacts different from those analyzed in the General Plan EIR. Since the policies in the Housing Element are similar to the existing General Plan policies, no additional area is proposed for urban development, and no changes are proposed to the existing permitting and approval process, adoption of the Housing Element would not result in new or more severe impacts related to minerals beyond those analyzed and mitigated in the General Plan EIR.

3.12 NOISE

PREVIOUSLY IDENTIFIED IMPACTS IN THE CITY OF WILDOMAR GENERAL PLAN EIR

Impact 4.13.1: Short-Term Construction Noise Impacts

Impact 4.13.2: Long-Term Vehicular Traffic Noise Impacts

Impact 4.13.3: Long-Term Stationary Source Noise Impacts

Impact 4.13.4: Long-Term Railroad Noise Impacts

Construction activities under the General Plan could potentially result in noise levels in excess of noise standards. Furthermore, the General Plan could result in potential project-related long-term vehicular noise, long-term stationary noise, and greater railroad noise that would affect sensitive land uses in the vicinity of any such sources. Implementation of General Plan policies and General Plan EIR mitigation measures will reduce potential impacts associated with short-term construction and long-term mobile, stationary, and railroad noise impacts to a less than significant level due to the requirements of construction-related noise mitigation plans and adherence to noise ordinance construction hours and acoustical studies for new residential development and all new noise-sensitive projects.

PROPOSED HOUSING ELEMENT

The proposed Housing Element encourages the provision of a range of housing types and affordability levels. Housing is not considered a major source of noise in the city, but placing housing adjacent to major sources of noise could expose people to temporary or permanent noise levels in excess of standards established in the General Plan. However, as a policy-level document, the Housing Element does not include any specific development proposals, nor does it grant any entitlements for development. Future residential development projects will require compliance with General Plan policies related to noise and vibration standards. The General Plan Noise Element establishes desired ambient noise levels for various land uses. For suburban residential land uses, the desired outdoor noise level ranges are 45 dB for nighttime hours (10 PM to 7 AM) and 65 dB for daytime hours (7 AM to 10 PM).

While the Housing Element does propose changes to existing land use densities and land use regulations, it does not involve the construction or expansion of any residential land uses. All future residential development occurring within the city would be required to be in accordance with local regulations, including the General Plan and Zoning Ordinance. Environmental impacts of subsequent development projects would also be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal. Therefore, adverse impacts related to a temporary or permanent increase in noise levels would be benign.

Substantial Changes in the Circumstances or New Information Associated with the City

The proposed Housing Element would result in land uses and development that are similar to those assumed and analyzed in the General Plan EIR. In addition, the Housing Element would not result in development of any additional land that could result in impacts different from those analyzed in the General Plan EIR. Since the policies in the Housing Element are similar to the existing General Plan policies, no additional area is proposed for urban development, and no changes are proposed to the existing permitting and approval process, adoption of the Housing Element would not result in new or more severe impacts related to noise beyond those analyzed and mitigated in the General Plan EIR.

3.13 PARKS AND RECREATION

PREVIOUSLY IDENTIFIED IMPACTS IN THE CITY OF WILDOMAR GENERAL PLAN FINAL EIR

Impact 4.14.1: Increase the Use of Existing Facilities and Create a Need for New Facilities

The General Plan will result in a substantial increase in population and residential and nonresidential structures, potentially increasing the use of existing parks and recreation facilities. This increase will require the expansion of existing facilities and recreation programs or the construction of new parks and recreational facilities; an increase in staff and/or equipment will be needed to maintain the new parkland and recreational facilities. Implementation of the performance standards contained in the proposed General Plan policies would lessen the potential impacts on park and recreation facilities and/or services to less than significant levels.

PROPOSED HOUSING ELEMENT

Future residential development consistent with the proposed Housing Element could increase the use of existing neighborhood and regional parks or other recreational facilities and require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment. For example, proposed Housing Element Program H-10.1 would allow for the development of secondary dwelling units via a ministerial action in all single-family residential zones, and Program H-13.1 will allow single-room occupancy units (SROs) to be permitted in the General Commercial zone with a conditional use permit. However, the proposed Housing Element is a policy-level document. While it encourages the provision of a range of housing types and affordability levels, it does not include any specific development proposals, nor does it grant any entitlements for development that would result in an increase demand for park and recreational facilities. Since there are no specific proposed residential developments, the demand and requirements for specific parkland acreages, park facilities, financing, and timing associated with the proposed Housing Element cannot be established at this time.

Future residential development projects will require compliance with General Plan policies related to parks. General Plan Open Space Policies 20.5 and 20.6 require that development of recreation facilities occurs concurrent with other development in an area and that new development provide implementation strategies for the funding of both active and passive parks and recreational sites.

While the Housing Element does propose changes to existing land use densities and land use regulations, it does not involve the construction or expansion of any residential land uses. All future residential development occurring in the city would be required to be in accordance with

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local regulations, including the General Plan. Environmental impacts of subsequent development projects would also be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal. Therefore, impacts to park and recreation facilities and services would be less than significant.

Substantial Changes in the Circumstances or New Information Associated with the City

The proposed Housing Element would result in land uses and development that are similar to those assumed and analyzed in the General Plan EIR. In addition, the Housing Element would not result in development of any additional land that could result in impacts different from those analyzed in the General Plan EIR. Since the policies in the Housing Element are similar to the existing General Plan policies, no additional area is proposed for urban development, and no changes are proposed to the existing permitting and approval process, adoption of the Housing Element would not result in new or more severe impacts related to parks beyond those analyzed and mitigated in the General Plan EIR.

3.14 PUBLIC SERVICES

PREVIOUSLY IDENTIFIED IMPACTS IN THE CITY OF WILDOMAR GENERAL PLAN EIR

Impact 4.15.1: Fire Protection Impacts

Impact 4.15.2: Sheriff Protection Impacts

Impact 4.15.3: Solid Waste Impacts

Impact 4.15.4: Wastewater Impacts

Impact 4.15.5: School Impacts

Impact 4.15.6: Library Impacts

Impact 4.15.7: Medical Facility Impacts

Buildout of Riverside County will result in a substantial increase in population and residential and nonresidential structures, increasing the need for fire emergency services and facilities, sheriff protection and sheriff services, solid waste disposal and additional landfill capacity due to the incremental increase of solid waste, and wastewater treatment capacity. Public student populations will also increase, as will the demand for libraries and medical facilities.

Implementation of the General Plan policies reduce potential impacts related to the effects of future development on fire protection services by reducing the threat of fire, improving firefighting infrastructure, and ensuring that growth does not exceed acceptable levels of service. General Plan policies and General Plan EIR mitigation measures also ensure the provision of security and ensure the funding for additional personnel and facilities, thereby reducing potential impacts related to a future development's effects on sheriff protection services. Furthermore, General Plan policies and General Plan EIR mitigation measures reduce impacts to solid waste collection and disposal services, wastewater services and facilities, libraries, and medical facilities. In terms of schools, Senate Bill 50 states that the exclusive method of mitigating the impact of school facilities under CEQA is to pay the maximum school fees and that such fees are "deemed to provide full and complete school facilities mitigation"

related to the adequacy of school facilities when considering the approval or the establishment of conditions for the approval of a development project (Government Code Sections 65996[a] and [b]).

PROPOSED HOUSING ELEMENT

The proposed Housing Element includes policies and programs designed to facilitate the construction and conservation of housing to meet Wildomar's affordable housing needs. Subsequent development projects could result in an increase in demand for public services due to regulatory changes resulting in increased population densities. However, as a policy-level document, the Housing Element does not include any specific development proposals, nor does it grant any entitlements for development. While the Housing Element does propose changes to existing land use densities and land use regulations, it does not involve the construction or expansion of any residential land uses. All future residential development occurring in the city would be required to be in accordance with local regulations, including the General Plan and Municipal Ordinance. For example, standard development impact fees pursuant to Chapter 4.60 of the Wildomar Municipal Ordinance are required for all new development.

Substantial Changes in the Circumstances or New Information Associated with the City

The proposed Housing Element would result in land uses and development that are similar to those assumed and analyzed in the General Plan EIR. In addition, the Housing Element would not result in development of any additional land that could result in impacts different from those analyzed in the General Plan EIR. Since the policies in the Housing Element are similar to the existing General Plan policies, no additional area is proposed for urban development, and no changes are proposed to the existing permitting and approval process, adoption of the Housing Element would not result in new or more severe impacts related to public services beyond those analyzed and mitigated in the General Plan EIR.

3.15 TRANSPORTATION AND CIRCULATION

PREVIOUSLY IDENTIFIED IMPACTS IN THE CITY OF WILDOMAR GENERAL PLAN EIR

Impact 4.16.1: Potential to Degrade Roadway Levels of Service

Future growth occurring as the result of implementing the General Plan will increase area-wide traffic volumes, with the potential to degrade roadway and freeway performance below applicable performance standards. Implementation of proposed policies and mitigation measures would reduce a majority of the potential impacts on the arterial transportation and circulation system to less than significant, with the exception of several arterial locations (including some locations in Wildomar). For those locations, the General Plan's level of service (LOS) threshold of LOS D will not be met and the impact from implementation of the General Plan is considered significant. With implementation of the proposed General Plan policies and the mitigation measures identified in this EIR, significant and unavoidable impacts will remain at those locations.

PROPOSED HOUSING ELEMENT

The proposed Housing Element includes policies and programs which are designed to facilitate the construction and conservation of housing to meet the City's affordable housing needs. Proposed Housing Element Program H-13.2 would amend the Zoning Ordinance to allow for

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farmworker housing development in the Light Agricultural (A-1), Heavy Agricultural (A-2), and Residential Agricultural (R-A) zones by right. Such subsequent residential development could result in an increase in traffic on city roadways and a decrease in LOS on those roadways. However, as a policy-level document, the Housing Element does not include any specific development proposals, nor does it grant any entitlements for development. While the Housing Element does propose changes to existing land use densities and land use regulations, it does not involve the construction or expansion of any residential land uses. All future residential development occurring within the city would be required to be in accordance with local regulations, including the General Plan. For example, General Plan Circulation Policy 2.2 applies level of service standards to new development via a program establishing traffic study guidelines to evaluate traffic impacts and identify appropriate mitigation measures for new developments.

Substantial Changes in the Circumstances or New Information Associated with the City

The proposed Housing Element would result in land uses and development that are similar to those assumed and analyzed in the General Plan EIR. In addition, the Housing Element would not result in development of any additional land that could result in impacts different from those analyzed in the General Plan EIR. Since the policies in the Housing Element are similar to the existing General Plan policies, no additional area is proposed for urban development, and no changes are proposed to the existing permitting and approval process, adoption of the Housing Element would not result in new or more severe impacts related to transportation beyond those analyzed and mitigated in the General Plan EIR.

3.16 WATER RESOURCES

PREVIOUSLY IDENTIFIED IMPACTS IN THE CITY OF WILDOMAR GENERAL PLAN EIR

- Impact 4.17.1:** Water Supply
- Impact 4.17.2:** Groundwater Supply
- Impact 4.17.3:** Groundwater Recharge
- Impact 4.17.4:** Interruption of Hydrologic Process
- Impact 4.17.5:** Water Quality

In addition to these potentially significant impacts, the General Plan EIR identified the following issue areas as less than significant impacts: (a) impacts resulting from increased erosion and (b) impacts related to fire flow requirements.

The population increases projected for Riverside County with implementation of the proposed General Plan will increase the demand for water beyond that which currently exists; it is likely that increased reliance on groundwater sources will be required. This is especially likely in the western part of Riverside County where most of the population growth is expected to occur. While adherence to the policies in the General Plan and mitigation measures in the General Plan EIR will reduce potential impacts to water supply, in the absence of project-specific water supply data, potential water supply impacts (including groundwater) resulting from implementation of the proposed General Plan must be considered significant and unavoidable.

The General Plan accommodates development in vacant areas (the area available for aquifer recharge) and could substantially interfere with the process of groundwater recharge. In addition, the General Plan has the potential to threaten or damage unique hydrologic characteristics or could change hydrologic baseline conditions over an extensive area or period of time. The General Plan could result in reliance on a higher percentage of lower quality water sources either from the Colorado River or from marginal groundwater sources, and may increase the level of pollutants that occur in local/regional groundwater reserves or local/regional surface water. However, General Plan policies lessen these potential impacts.

PROPOSED HOUSING ELEMENT

Future residential development in the city would require adequate domestic municipal water service, including adequate water supplies. Increases in demand for water service can also result in the need for new water treatment facilities or expansion of existing facilities. The proposed Housing Element includes policies designed to facilitate the construction and conservation of housing to meet Wildomar's affordable housing needs. However, as a policy-level document, the Housing Element does not include any specific development proposals, nor does it grant any entitlements for development. While the Housing Element proposes changes to existing land use densities and land use regulations, it does not involve the construction or expansion of any residential land uses. All future residential development occurring in the city would be required to be in accordance with local regulations, including the General Plan. General Plan Land Use Policy 5.3 requires the review of all projects for consistency with individual urban water management plans. Land Use Policy 17.2 requires that adequate and available water resources exist to meet the demands of the proposed land use. Environmental impacts of subsequent development projects would also be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal. Additionally, future development proposals would be reviewed by the appropriate service agencies as part of the development application review process in order to ensure that sufficient capacity in all public services and facilities would be available on time to maintain desired service levels.

In terms of groundwater recharge impacts, General Plan EIR mitigation mandates that new development that includes more than 1 acre of impervious surface area (including roofs, parking areas, streets, sidewalks, etc.) have to incorporate features to facilitate the on-site infiltration of precipitation and/or runoff into groundwater basins. Such features can include, but are not limited to, natural drainage systems (where economically feasible), detention basins incorporated into project landscaping, and the installation of porous areas in parking areas.

General Plan Open Space Policies OS 5.1, OS 5.2, OS 5.3, and OS 5.5 would reduce or minimize potential impacts the proposed Housing Element may have on the hydrologic process. In addition, General Plan EIR mitigation requirements establish when hydrologic conditions must be assessed and require the evaluation and incorporation (if deemed feasible) of bioengineering measures in any project that may interrupt hydrologic condition. General Plan EIR mitigation measures mandate the identification of floodway setbacks established on a site-specific study rather than a uniform distance (15% of the floodway width).

Regarding water quality, future residential development in the city could result in both construction and operational impacts to water quality standards. Potential operational impacts include the use of fertilizers, herbicides, and pesticides to maintain lawns, as well as motor vehicle operation and maintenance. Potential construction impacts include grading and vegetation removal activities that would result in the exposure of raw soil materials to the natural elements (wind, rain, etc.). However, the purpose of the proposed Housing Element is to identify

3.0 ENVIRONMENTAL ANALYSIS

the policies and programs which the City will implement to ensure that housing in Wildomar is affordable, safe, and decent. As a policy-level document, the proposed Housing Element does not include any specific design or development proposals, nor does it grant any entitlements for development. Identification and analysis of water quality impacts associated with the proposed Housing Element would be speculative at this time. While the Housing Element does propose changes to existing land use densities as well as changes to land use regulations, it does not involve the construction or expansion of any residential land uses. All future residential development occurring in the city would be required to be in accordance with local regulations, including the General Plan. In addition, all future development projects in Wildomar need to be in accordance with issuance of a NPDES permit, which requires the construction and/or grading contractor for individual developments to establish and implement specific BMPs at time of project implementation in order to limit sediments and other runoff pollutants eroding into waterways.

Substantial Changes in the Circumstances or New Information Associated with the City

The proposed Housing Element would result in land uses and development that are similar to those assumed and analyzed in the General Plan EIR. In addition, the Housing Element would not result in development of any additional land that could result in impacts different from those analyzed in the General Plan EIR. Since the policies in the Housing Element are similar to the existing General Plan policies, no additional area is proposed for urban development, and no changes are proposed to the existing permitting and approval process, adoption of the Housing Element would not result in new or more severe impacts related to water quality beyond those analyzed and mitigated in the General Plan EIR.

3.17 GREENHOUSE GAS EMISSIONS

BACKGROUND

CEQA Guidelines Section 15064.4 (added in 2010) requires lead agencies to make a good effort to describe, calculate, or estimate the amount of greenhouse gas (GHG) emissions resulting from a project and to assess the significance of impacts from GHG emissions on the environment. CEQA allows a lead agency to exercise its discretion in whether to use a model to quantify GHG emissions or to rely on a qualitative analysis (CEQA Guidelines Section 15064.4[a]). In 2003, information about the potential impacts of greenhouse gases was widely known. The United Nations Framework Convention on Climate Change was established in 1992. The regulation of GHG emissions to reduce climate change impacts was extensively debated and analyzed throughout the early 1990s. In the early and mid 2000s, GHGs and climate change were extensively discussed and analyzed in California. In 2000, Senate Bill 1771 established the California Climate Action Registry for the recordation of GHG emissions to provide information about potential environmental impacts.

PROPOSED PROJECT IMPACT ANALYSIS

GHG emissions originate from a number of sectors, including residential and commercial/industrial land uses, transportation, waste, water-related activities (e.g., water pumps and conveyance), and agriculture.

The changes in land use under the proposed project will impact the residential sector in terms of land use inventory by slightly increasing the amount of multiple-family project potential and increasing density. Determining precise GHG emissions is only possible with detailed project-

level information that is unavailable as part of the Housing Element. Individual projects are unlikely to result in significant impacts to greenhouse gases. Cumulative impacts to GHG are typically addressed by increasing density, reducing vehicle miles traveled, and encouraging mixed use. The adoption of the Housing Element furthers actions taken on a regional level to address cumulative greenhouse gases by allowing for an increase in density and second dwelling units as well as daycare facilities in neighborhoods. These types of policies encourage a more compact urban form with higher densities, which in turn allows alternative modes of transportation to be used (i.e., walking, biking, bus).

As a policy-level document, the Housing Element would not generate GHG emissions, as the proposed Housing Element does not actually propose construction. While the Housing Element does propose changes to existing land use densities and land use regulations (e.g., Housing Element Program H-1.1), actions taken to implement this program will be subject to environmental review for potential adverse GHG-related impacts, public hearings, and GHG-reducing mitigation measures if appropriate. All future residential development occurring in the city would be required to be in accordance with local regulations, including the General Plan and Zoning Ordinance. Environmental impacts of subsequent development projects would also be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal. Therefore, the change of use for the proposed project does not rise to the level that requires further analysis.

REFERENCES

City of Wildomar. 2012. *2006–2014 Housing Element*.

Riverside County. 2003. *County of Riverside General Environmental Impact Report*.

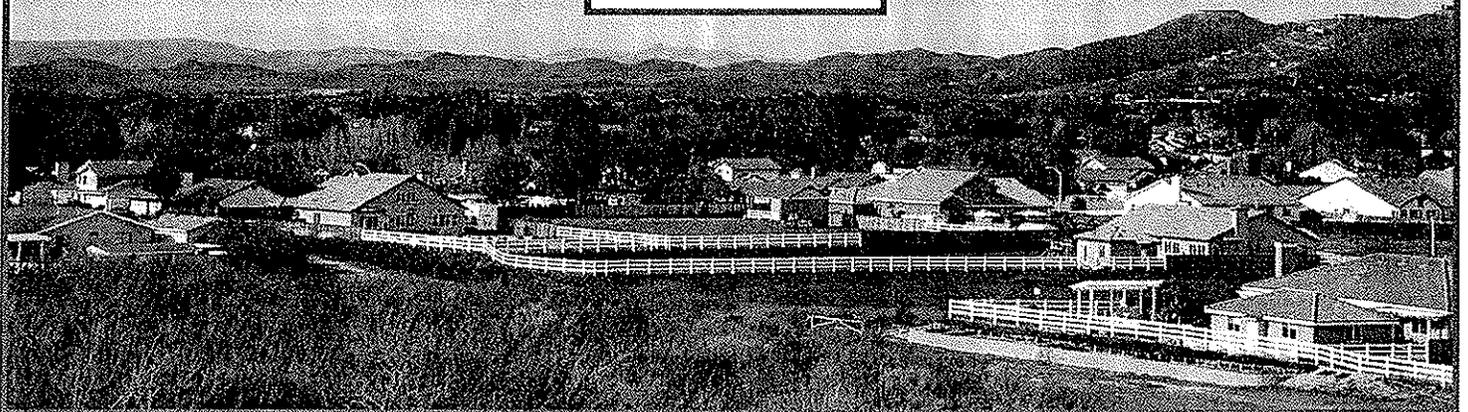
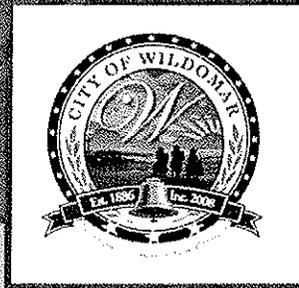
EXHIBIT 2

(2006 – 2014 Housing Element)

CITY OF WILDOMAR

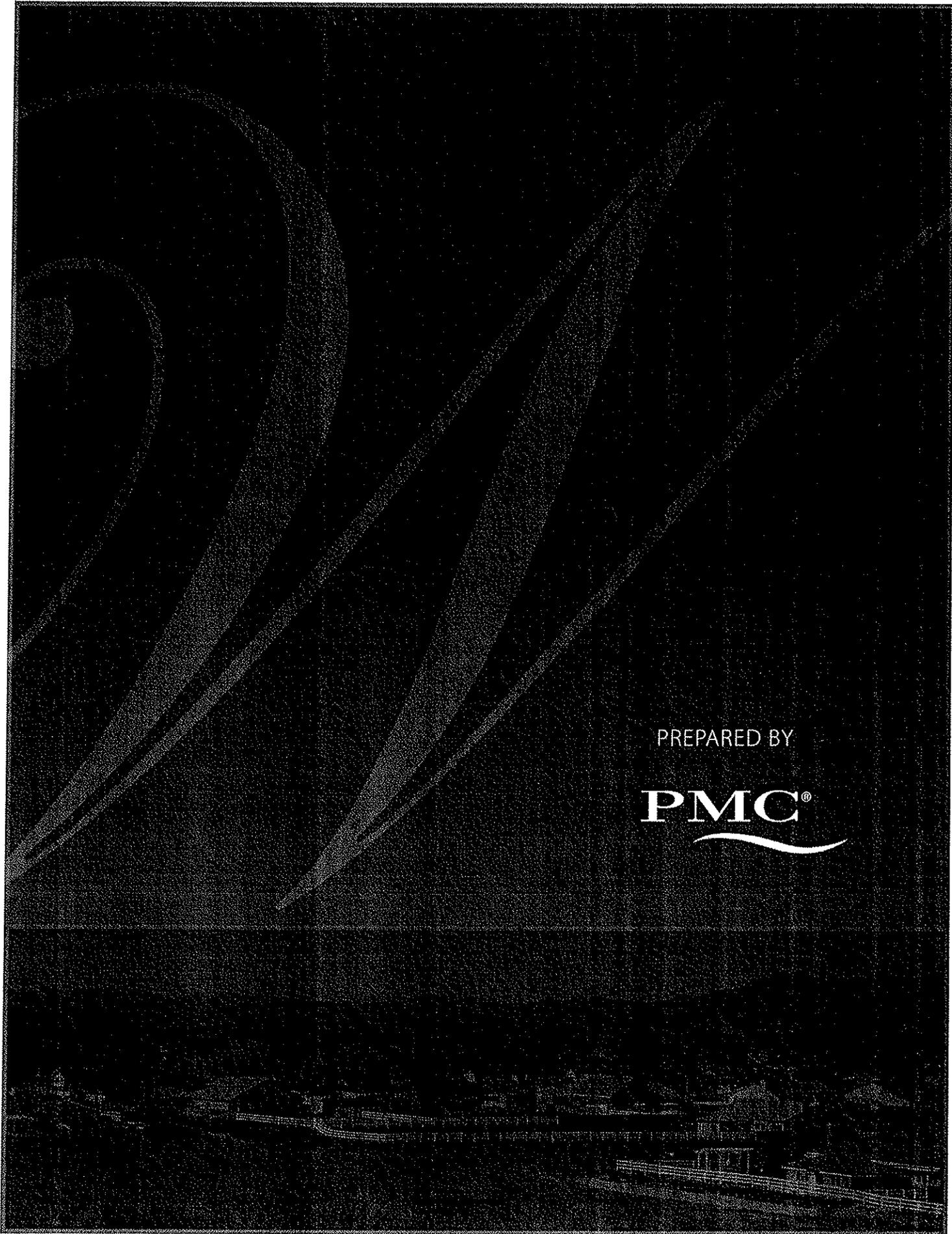
HOUSING ELEMENT

MARCH 21, 2012



PREPARED BY

PMC[®]

HOUSING ELEMENT



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APPENDICES

Appendix A – Housing Needs Assessment

Appendix A-1 – Fee Schedule

HOUSING ELEMENT



INTRODUCTION

The City of Wildomar's Housing Element identifies and establishes the City's policies with respect to meeting the needs of existing and future residents in the city. It establishes policies that will guide City decision-making and sets forth an action plan to implement its housing goals. The commitments are in furtherance of the statewide housing goal of early attainment of decent housing and a suitable living environment for every California family, as well as a reflection of the concerns unique to the City of Wildomar.

PURPOSE

The purpose of the Housing Element is to identify housing solutions that solve our local housing problems and to meet or exceed the regional housing needs allocation. The City recognizes that housing is a need that is met through many resources and interest groups. This Element establishes the local goals, policies, and actions (programs) the City will implement and/or facilitate to solve our identified housing issues.

State Housing Element law requires the Housing Element to be consistent and compatible with other General Plan elements. The Housing Element should provide clear policy direction for making decisions pertaining to zoning, subdivision approval, housing allocations, and capital improvements. State law (Government Code Section 65580 through 65589) mandates the content of the Housing Element and requires an analysis of:

- Population and employment trends;
- The City's fair share of the regional housing needs;
- Household characteristics;
- An inventory of land suitable for residential development;
- Governmental and non-governmental constraints on the improvement, maintenance, and development of housing;
- Special housing needs;
- Opportunities for energy conservation; and
- Publicly assisted housing developments that may convert to non-assisted housing developments.

The purpose of these requirements is to develop an understanding of the existing and projected housing needs within the community and to set forth policies and schedules promoting the preservation, improvement, and development of diverse housing types available at a range of costs in Wildomar.

HOUSING ELEMENT



GENERAL PLAN CONSISTENCY

State law requires that “the general plan and elements and parts thereof comprise an integrated, internally consistent, and compatible statement of policies.” The purpose of requiring internal consistency is to avoid policy conflict and provide a clear policy guide for the future maintenance, improvement, and development of housing within the city. All elements of the Wildomar General Plan have been reviewed for consistency in coordination with the update to the Housing Element. The City will continue to maintain General Plan consistency.

In addition, per Assembly Bill (AB) 162 (Government Code Section 65302), the City will evaluate and amend as appropriate the safety and conservation elements of the general plan to include analysis and policies regarding flood hazard and management information.

REGIONAL HOUSING NEEDS ALLOCATION

The first step in addressing state housing needs is the Regional Housing Needs Plan (RHNP), which is mandated by the State of California (Government Code Section 65584) and requires regions to address housing issues and needs based on future growth projections for the area. The California Department of Housing and Community Development (HCD) allocates regional housing needs numbers to regional councils of governments throughout the state. The RHNP for Riverside County is developed by the Southern California Association of Governments (SCAG) and allocates to cities and the unincorporated county their “fair share” of the region’s projected housing needs, also known as the Regional Housing Needs Allocation (RHNA). The Regional Housing Needs Plan allocates the RHNA based on household income groupings over the five-year planning period for each specific jurisdiction’s Housing Element. The RHNP, which covers a span of 7.5 years, also identifies and quantifies the existing housing needs for each jurisdiction.

The City of Wildomar incorporated on July 1, 2008, which was after the final RHNA had been distributed by the Southern California Association of Governments. Therefore, the City had to work with Riverside County, the Western Riverside Council of Governments (WRCOG), and SCAG to agree on an appropriate portion of the County’s allocation to take as its own. In October of 2011, an agreement was made that the City of Wildomar would take a total of 1,471 units for the remainder of the 2006–2014 planning period, as shown in Table H-1.

HOUSING ELEMENT



TABLE H-1: 2006–2014 REGIONAL HOUSING NEED

Income Category	Income Range*	2006–2014 RHNA
Extremely Low	\$0–\$20,000	174
Very Low	\$20,001–\$33,350	175
Low	\$33,351–\$53,350	241
Moderate	\$53,351–\$75,000	272
Above Moderate	\$75,001 or more	609
Total	–	1,471

Source: SCAG and WRCOG, October 2011

*Based on a four-person household.

HOUSING ELEMENT



HOUSING GOALS, POLICIES AND PROGRAMS

An important component of the Housing Element is the City's description of what it hopes to achieve during the current planning period. This is accomplished with a statement of the City's goals, policies, programs, and quantified objectives relative to the maintenance, preservation, improvement, and development of housing to meet the present and future needs of all economic segments of the population.

GOAL H-1: Assist in the development of adequate housing to meet the city's fair share of the region's housing needs for all economic segments of the population.

ADEQUATE HOUSING

POLICY H-1: Ensure there is a sufficient supply of multi-family and single-family zoned land to meet the housing needs identified in the Regional Housing Needs Allocation (RHNA).

PROGRAM H-1.1: General Plan Land Use Change to Provide for Additional Sites. To ensure there is enough land available for the development of housing affordable to lower-income households, the City will amend its General Plan Land Use and Zoning maps to redesignate and rezone sites 41, 49, and 53 (See Table HNA-21 in the Housing Needs Assessment), a total of 15.96 acres to the Highest Density Residential (HHDR) designation and with compatible zoning (R-3, R 4, or R-6) to allow for at least 30 units to the acre by right.

All rezoned sites will permit owner-occupied and rental multi-family developments by right and will not require a conditional use permit, a planned unit development permit, or any other discretionary review. All sites will accommodate a minimum of 20 units per are and at least 16 units per site, per state law requirements.

Responsible Agency: Planning Department

Time Frame: Within one year of adoption

Funding Source: General Fund

HOUSING ELEMENT



PROGRAM H-1.2: Large Sites. The City will provide for the inclusion of mixed-income housing in future new growth areas of the city through development agreements, specific plans and other mechanisms. To facilitate the development of affordable housing on smaller parcels (50 to 150 units in size), the City will routinely give high priority to processing subdivision maps that include affordable housing units. Also, an expedited review process will be available for the subdivision of larger sites into buildable lots where the development application can be found consistent with the General Plan, applicable Specific Plan, and master environmental impact report.

Responsible Agency: Planning Department

Time Frame: Ongoing, as projects are processed through the Planning Department

Funding Source: General Fund, Developer Fees

POLICY H-2: Maintain land use policies that allow residential growth consistent with the availability of adequate infrastructure and public services.

PROGRAM H-2.1: Assistance with Affordable Projects. Where feasible and/or necessary and as funding is available, the City shall offer assistance with land acquisition and off-site infrastructure improvements, as well as assistance in securing federal or state housing financing resources for two projects affordable to extremely low-, very low-, low-, and moderate-income households within the planning period.

Responsible Agency: Planning Department

Time Frame: Ongoing, as projects are processed through the Planning Department

Funding Source: Where feasible, leverage state and federal financing including Low Income Housing Tax Credits [LIHTC], CHFA multi-family housing assistance programs, HCD Multi-family Housing Loans, CDBG funds, HOME funds, possible County RDA Set-Aside funds, and other available financing.

POLICY H-3: Establish and maintain accurate planning and demographic data using GIS (geographic information systems).

HOUSING ELEMENT



PROGRAM H-3.1: Updated Land Inventory. The City will establish a Land Inventory that provides the mechanism to monitor acreage and location, by General Plan designation, of vacant and underutilized land, as well as buildout of approved projects, utilizing the City's GIS.

Responsible Agency: Planning Department

Time Frame: Update the Land Inventory on an annual basis

Funding Source: General Fund

PROGRAM H-3.2: Strategic Planning Opportunities. Utilize the City's GIS to facilitate preliminary strategic planning studies to identify vacant or underutilized commercial properties for infill construction or adaptive reuse in high-density areas.

Responsible Agency: Planning Department

Time Frame: Annually

Funding Source: General Fund

POLICY H-4: Facilitate the development of affordable housing by providing, when feasible, appropriate financial and regulatory incentives.

PROGRAM H-4.1: Funding Opportunities. Use, to the greatest extent possible, a portion of available funds for the production and subsidization of low- and moderate-income housing. All projects receiving public assistance will be required to remain affordable in compliance with the requirements of the program in which they participate. These actions are not limited to density bonus, these are offered above and beyond.

Responsible Agency: Planning Department

Time Frame: Ongoing as projects are processed through the Planning Department

Funding Source: Utilize public financing tools when available, including but not limited to, multi-family revenue bonds, the CDBG Housing Loan Fund, HOME funds, and possible County RDA Set-Aside funds to provide low interest loans, and where feasible, leverage other state and federal financing obtained by the developer (e.g., Low Income Housing Tax Credits [LIHTC], CHFA multi-family housing assistance programs, HCD Multi-family Housing Loans), and other available financing.

HOUSING ELEMENT



PROGRAM H-4.2: Available Housing Programs and Assistance. To ensure that the development community (both nonprofit and for-profit) is aware of the housing programs, technical assistance, and funding available, the City will publish and make available, to developers, housing development agencies, and City residents, the City's Housing Element and updates and Annual Reports.

Responsible Agency: Planning and Building Department

Time Frame: Ongoing, as developers approach the City for assistance

Funding Source: General Fund

PROGRAM H-4.3: Multi-Family Development. To assist in the development of affordable housing, the City will offer density bonuses, as well as assist interested developers to apply for government financing and/or other government subsidies, assist interested developers in acquiring surplus government land suitable for multi-family development, expedite permit processing, consider reducing parking standards and lot sizes, and consider waiving impact fees for extremely low-, very low-, and low-income dwelling units (these actions are not limited to density bonus).

Responsible Agency: Planning, Public Works and Building Department

Time Frame: Ongoing, as applications are processed through the Planning and Building Department

Funding Source: General Fund

POLICY H-5: To the extent resources are available, assist in the provision of homeownership assistance for lower- and moderate-income households.

PROGRAM H-5.1: Homeownership Opportunities. Explore opportunities to work with local nonprofits in an effort to provide homeownership opportunities.

Responsible Agency: Planning Department

Time Frame: Apply for HOME funds annually

Funding Source: HOME funds, other funding sources

HOUSING ELEMENT



GOAL H-2: Where appropriate, mitigate governmental constraints to the maintenance, improvement, and development of housing.

GOVERNMENTAL CONSTRAINTS

POLICY H-6: Consistently monitor and review the effectiveness of the Housing Element programs and other City activities in addressing the housing need.

PROGRAM H-6.1: Annual Review of the Housing Element. The City will review the Housing Element on an annual basis to determine the effectiveness of the Element in achieving goals and objectives. The City will provide annual reports to the Planning Commission and City Council as to the effectiveness of the Housing Element. The City will take actions necessary to correct any inconsistencies. A copy of this report will be sent to the California Department of Housing and Community Development (as required by State Law).

Responsible Agency: Planning Department

Time Frame: Annually, starting in April 2012

Funding Source: General Fund

POLICY H-7: Periodically review the City's regulations, ordinances, and development fees/exactions to ensure they do not unduly constrain the production, maintenance, and improvement of housing.

PROGRAM H-7.1: Development Review and Processing Procedures. The City will continually seek to improve its development review/processing procedures to minimize, to the extent possible, the time required for review of development projects. This reduction in time will reduce the cost to developers and may increase the housing production in the city.

Responsible Agency: Planning Department

Time Frame: Annually, starting in June 2012

Funding Source: General Fund

HOUSING ELEMENT



PROGRAM H-7.2: Building Code. As new uniform building codes are adopted, the City will review its building codes for current compliance and adopt the necessary revisions so as to further local development objectives.

Responsible Agency: Building Department

Time Frame: As new uniform codes are adopted

Funding Source: General Fund

POLICY H-8: Provide streamlined processing of residential projects to minimize time and costs in order to encourage housing production.

PROGRAM H-8.1: Incentives for Development of Housing. The City will offer fast track/priority processing, density bonuses, and fee subsidies (when feasible) to developers proposing new housing, mixed-use or infill projects affordable to lower-income households, farmworkers, seniors, and other special needs groups.

Responsible Agency: Planning and Public Works Department

Time Frame: As projects are proposed to the Planning Department

Funding Source: Where feasible, leverage state and federal financing including Low Income Housing Tax Credits [LIHTC], CHFA multi-family housing assistance programs, HCD Multi-family Housing Loans, CDBG funds, HOME funds, RDA Set-Aside funds, and other available financing.

POLICY H-9: Grant density bonuses to encourage the development of affordable housing.

PROGRAM H-9.1: Density Bonus. In an effort to comply with Government Code Section 65915 and Senate Bill (SB) 1818, the City of Wildomar will amend its Zoning Ordinance to be consistent with State Density Bonus Law.

Responsible Agency: Planning Department

Time Frame: Comply by June 2013

Funding Source: General Fund

HOUSING ELEMENT



POLICY H-10: Allow for the development of secondary housing units as an affordable housing option.

PROGRAM H-10.1: *Second Units.* In order to comply with Assembly Bill (AB) 1866, the City will permit secondary dwelling units via a ministerial action (by right) in all single family residential zones.

Responsible Agency: Planning Department

Time Frame: Comply by June 2013; ongoing, as projects are processed through the Planning Department

Funding Source: General Fund

GOAL H-3: Address the housing needs of special needs population groups.

SPECIAL NEEDS GROUPS

POLICY H-11: Encourage housing developers to produce affordable units by providing assistance and incentives for projects that include new affordable units available to lower/moderate-income households or special needs housing.

PROGRAM H-11.1: *Priority for Affordable Projects.* Give priority to permit processing for projects providing affordable housing when requested. Expand application of processing priority to projects providing housing for seniors and other special needs groups.

Responsible Agency: Planning Department

Time Frame: As projects are approved through the Planning Department

Funding Source: Where feasible, leverage state and federal financing including Low Income Housing Tax Credits [LIHTC], CHFA multi-family housing assistance programs, HCD Multi-family Housing Loans, CDBG funds, HOME funds, RDA Set-Aside funds, and other available financing.

HOUSING ELEMENT



POLICY H-12: Ensure the availability of suitable sites for the development of affordable housing to meet the needs of all household income levels, including special needs populations.

PROGRAM H-12.1: *Special Needs Housing.* Work with public or private sponsors to identify candidate sites for new construction of rental housing for special needs, and take all actions necessary to expedite processing of such projects.

Responsible Agency: Planning Department

Time Frame: As projects are approved through the Planning Department

Funding Source: General Fund

POLICY H-13: Promote the development of special housing needs, such as housing for seniors, housing for persons with physical, developmental, or mental disabilities, farmworker housing, and housing for extremely low-income persons.

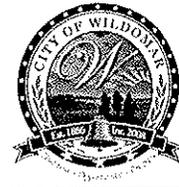
PROGRAM H-13.1: *Extremely Low-Income Households.* AB 2634 requires the City to identify zoning to encourage and facilitate housing suitable for extremely low-income households, such as supportive housing and single-room occupancy units. The City will encourage the development of housing for extremely low-income households through a variety of activities such as outreaching to housing developers on at least an annual basis, providing financial (when feasible) or in-kind technical assistance or land write downs, providing expedited processing, identifying grant and funding opportunities, applying for or supporting applications for funding on an on-going basis, reviewing and prioritizing local funding at least twice in the planning period and/or offering additional incentives beyond the density bonus. .

In addition, the City will allow single-room occupancy units (SROs) to be permitted in the General Commercial Zone (C-1/C-P) with a conditional use permit. **Responsible Agency:** Planning Department

Time Frame: Comply by June 2013; ongoing, as projects are processed through the Planning Department and annual outreach with local developers

Funding Source: General Fund

HOUSING ELEMENT



PROGRAM H-13.2: Farmworkers. The City will amend its Zoning Ordinance in an effort to comply with Sections 17021.5 and 17021.6 of the Health and Safety Code. In addition, the City will allow for farmworker housing in the A-1, A-2, and R-A zones by right.

Responsible Agency: Planning and Building Department

Time Frame: Comply by June 2013

Funding Source: General Fund

PROGRAM H-13.3: Reasonable Accommodation. Develop and formalize a general process that a person with disabilities will need to go through in order to make a reasonable accommodation request in order to accommodate the needs of persons with disabilities and streamline the permit review process. The City will provide information to individuals with disabilities regarding reasonable accommodation policies, practices, and procedures based on the guidelines from the California Housing and Community Development Department (HCD). This information will be available through postings and pamphlets at the City and on the City's website.

Responsible Agency: Planning and Building Department

Time Frame: Comply with SB 520 by June 2013

Funding Source: General Fund

PROGRAM H-13.4: Residential Care Facilities. Senate Bill 520 requires residential care facilities of six or fewer persons to be permitted in all residential zones. Currently, residential care homes with 6 or fewer persons are permitted in some zones with a planned use permit.

The City will revise the current regulations to meet state law requirements. The City will amend the Zoning Ordinance to allow for residential care facilities with six or fewer persons by right in all residential zones only subject to the same restriction in that zone and will allow larger residential care facilities of seven or more persons in the R-2, and R-3 zones with a conditional use permit. Additionally, the City will amend the Zoning Ordinance to update its definition of family to be "One or more persons living together in a dwelling unit."

Responsible Agency: Planning and Building Department

Time Frame: Comply with SB 520 by June 2013

Funding Source: General Fund

HOUSING ELEMENT



POLICY H-14: Support family housing that addresses resident needs for child care, youth services, recreation opportunities, and access to transit.

PROGRAM H-14.1: Child-Care Program. In cooperation with private developers, the City will evaluate on a case-by-case basis the feasibility of pairing a child-care center in conjunction with affordable, multi-family housing developments or nearby to major residential subdivisions.

Responsible Agency: Planning Department

Time Frame: Ongoing

Funding Source: General Fund

POLICY H-15: Participate regionally in addressing homeless issues.

PROGRAM H-15.1: Regional Homeless Issues. The City shall cooperate with the other cities, the County, and other agencies in the development of programs aimed at providing homeless shelters and related services.

Responsible Agency: Planning Department

Time Frame: Meet with neighboring cities and the County annually to discuss homeless issues

Funding Source: General Fund

POLICY H-16: Allow transitional and supportive housing and emergency/homeless shelters in appropriate zoning districts.

PROGRAM H-16.1: Emergency Shelters. Pursuant to Senate Bill 2 (SB 2), the City will allow emergency shelters as a permitted use (by right) in the Industrial Park (I-P) zone without a conditional use permit or other discretionary review. The I-P zone is close to services and future transit as development occurs. In addition, the City will evaluate adopting development and managerial standards that will be consistent with Government Code Section 65583(a)(4). These standards may include such items as:

- Lighting
- On-site management

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- Maximum number of beds or persons to be served nightly by the facility
- Off-street parking based on demonstrated need
- Security during hours that the emergency shelter is in operation

Responsible Agency: Planning Department

Time Frame: Comply with SB 2 by June 2013.

Funding Source: General Fund

PROGRAM H-16.2: Transitional and Supportive Housing. Pursuant to SB 2, the City must explicitly allow both supportive and transitional housing types in all residential zones. The City shall include in its new Zoning Ordinance separate definitions of transitional and supportive housing as defined in Health and Safety Code Sections 50675.2 and 50675.14, and both transitional and supportive housing types will be allowed as a permitted use subject to only the same restrictions on residential uses contained in the same type of structure.

Responsible Agency: Public Service Department

Time Frame: Comply with SB 2 by June 2013.

Funding Source: General Fund

GOAL H-4: Conserve and improve the condition of the housing stock, particularly affordable housing.

CONSERVATION AND IMPROVEMENT OF HOUSING STOCK

POLICY H-17: Pursue all available federal and state funds to establish a housing rehabilitation program.

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PROGRAM H-17.1: Rehabilitation Program. The City will pursue grant opportunities to create a Rehabilitation Program. The City will apply for HOME funding for this program and will work with the County to obtain available RDA funds.

Responsible Agency: Planning Department

Time Frame: Starting in 2013, annually apply for HOME funds as NOFAs are released and work with the County to discuss the option of using County RDA funds.

Funding Source: HOME, Redevelopment Agency Low and Moderate Income Housing (RDA Low-Mod funds)

PROGRAM H-17.2: Future RDA Funds. Based on the future of RDA funds, the City will work with the County to identify whether any of the RDA funds allocated to the project areas in the City of Wildomar can be used outside of project areas to eliminate conditions of blight, rehabilitate affordable units, and expand employment opportunities in selected areas.

Responsible Agency: Planning Department

Time Frame: Pursue projects as funding becomes available.

Funding Source: RDA funds

POLICY H-18: Concentrate rehabilitation assistance and code enforcement efforts in area which have a concentration of older and/or substandard residential structures.

PROGRAM H-18.1: Code Enforcement. The City's Code Enforcement staff is responsible for ensuring compliance with building and property maintenance codes. Code Enforcement handles complaints on a reactive basis and deals with a variety of issues, including property maintenance, abandoned vehicles, and housing conditions. The City will continue to use Code Enforcement, as well as Building Division, staff to ensure compliance with building and property maintenance codes. The Code Enforcement program is complaint-based.

Responsible Agency: Building and Code Enforcement Department

Time Frame: Ongoing

Funding Source: General Fund

HOUSING ELEMENT



POLICY H-19: Preserve the affordability of federal and state subsidized units at risk of conversion to market rate or other affordable housing resources.

PROGRAM H-19.1: Preservation of At-Risk Housing Units. State law requires jurisdictions to provide a program in their Housing Elements to preserve publicly assisted affordable housing projects at risk of converting to market-rate housing. The City will monitor the status of all affordable housing projects and as their funding sources near expiration, will work with owners and other agencies to consider options to preserve such units. The City will also provide technical support to property owners and tenants regarding proper procedures relating to noticing and options for preservation.

Responsible Agency: Planning Department

Time Frame: Annually monitor starting June 2012

Funding: General Fund

GOAL H-5: Promote equal housing opportunities for all persons regardless of race, age, sexual orientation, religion, or gender.

EQUAL HOUSING OPPORTUNITIES

POLICY H-20: Continue to support fair housing laws and organizations that provide fair housing information and enforcement.

PROGRAM H-20.1: Fair Housing. The City will assign a point person to refer individuals, developers, landlords and any other interested persons to the Fair Housing Council of Riverside County, which provides a number of programs including (1) audits of lending institutions and rental establishments; (2) education and outreach to apartment owners, associations, management companies, lending institutions, building industry associations, homebuyers, and residents in emergency shelters and transitional housing facilities. The City will also post a link on their website to direct interested parties to the Fair Housing Council's website and any other important information regarding fair housing.

Responsible Agency: Fair Housing Council of Riverside County, Planning Department

Time Frame: Ongoing, assign a point person and post a link to the website by June 2012

Funding Source: General Fund

HOUSING ELEMENT



POLICY H-21: Support state and federal mandates for fair housing practices in both public and private housing developments.

PROGRAM H-21.1: Fair Housing Education. The City will post a link on its website referring interested persons to the Fair Housing Council's website as well as refer persons to the Fair Housing Council, which provides education and outreach services to the public in both Spanish and English.

Responsible Agency: Fair Housing Council of Riverside County, Planning Department

Time Frame: Ongoing, post a link to the website by June 2012

Funding Source: General Fund

POLICY H-22: Support programs that offer low- and moderate-income households the opportunity for homeownership.

PROGRAM H-22.1: Mortgage Credit Certificate Program. Refer eligible residents to the Riverside County Mortgage Credit Certificate (MCC) Program for low- to moderate-income homeowners assistance.

Responsible Agency: County of Riverside Economic Development Agency, Planning Department

Time Frame: Ongoing

Funding Source: General Fund

PROGRAM H-22.2: First-Time Homebuyer Program. Consider the implementation of a First-Time Homebuyer Program to provide down payment assistance and closing cost assistance to low-income first-time homebuyers.

Responsible Agency: Planning Department

Time Frame: Consider applying for funding annually to establish a program.

Funding Source: HOME funds

HOUSING ELEMENT



PROGRAM H-22.3: Foreclosures. Investigate the feasibility of acquiring foreclosure homes and offering them to residents at prices affordable to low- and moderate-income households.

Responsible Agency: Administration and Planning Department

Time Frame: Annually or as funding is available, consider applying for funding to establish a program.

Funding Source: Neighborhood Stabilization Program funding

POLICY H-23: Expand the availability of affordable and/or special needs housing through acquisition or conversion.

PROGRAM H-23.1: Acquisition/Rehabilitation. Work with public or private sponsors to encourage acquisition/rehabilitation of existing multi-family units to be converted to senior housing and housing for persons with disabilities, with a portion of the units required to be reserved for households with lower income.

Responsible Agency: Planning Department

Time Frame: Ongoing as opportunities arise

Funding Source: HOME, RDA, CDBG

GOAL H-6: Conserve energy in the development of new housing and the rehabilitation of existing housing.

ENERGY CONSERVATION

POLICY H-24: Encourage the use of energy conservation features in residential construction and remodeling.

HOUSING ELEMENT



PROGRAM H-24.1: Promote Energy Conservation. The City will partner with Southern California Edison (SCE) and the Southern California Gas Company (SoCalGas) to promote energy-saving programs such as the Residential Multifamily Energy Efficiency Rebate program, Heating and Cooling Rebate program, and incentives of up to \$4,000 available to SCE and SoCalGas residential customers.

Responsible Agency: Planning and Building Department, Southern California Edison, Southern California Gas Company

Time Frame: Ongoing as programs are available

Funding Source: SCE and SoCalGas funding sources

PROGRAM H-24.2: Ensure Consistency with Green Building Standards. The City will annually ensure that local building codes are consistent with state-mandated green building standards.

Responsible Agency: Building Department

Time Frame: Annually

Funding Source: General Fund

PROGRAM H-24.3: Implement State Energy Conservation Standards. The City's Building Department will be responsible for implementing the state's energy conservation standards (e.g., Title 24 Energy Standards). This includes checking building plans and other written documentation showing compliance and inspecting construction to ensure that the dwelling units are constructed according to those plans. Applicants for building permits must show compliance with the state's energy conservation requirements at the time building plans are submitted.

Responsible Agency: Building Department

Time Frame: Ongoing

Funding Source: General Fund

HOUSING ELEMENT



QUANTIFIED OBJECTIVES

Quantified objectives estimate the number of units likely to be constructed, rehabilitated, or conserved/preserved by income level during the planning period. The quantified objectives do not represent a ceiling on development, but rather set a target goal for the jurisdiction to achieve based on needs, resources, and constraints.

- The **Construction** objective refers to the number of new units that potentially may be constructed using public and/or private sources over the planning period of the Housing Element given the locality's land resources, constraints, and proposed programs.
- The **Rehabilitation** objective refers to the number of existing units expected to be rehabilitated during the Housing Element planning period.
- The **Conservation/Preservation** objective refers to the preservation of the existing affordable housing stock throughout the Housing Element planning period.

Each quantified objective is detailed by income level as illustrated in the following table:

TABLE H-2: QUANTIFIED OBJECTIVES SUMMARY

Task	Income Level					Total
	Extremely Low	Very Low	Low	Moderate	Above Moderate	
Fair Share Allocation	174	175	241	272	609	1,471
Permits Issued/Approved Projects ¹	0	0	52	157	78	287
New Construction	174	175	189	115	531	1,184
Rehabilitation ²	0	3	3	0	0	6
Conservation/Preservation ³	0	0	175	0	0	175
Total	174	175	367	115	531	1,362

Source: City of Wildomar, November 2011

¹ Building permits from July 2008 to October 2011 and a 209 unit approved project

² Based on the amount of CDBG funding the City anticipates obtaining over the next five years.

³ There is currently one affordable project but it is not at risk of converting until August 2030

**APPENDIX A –
HOUSING NEEDS
ASSESSMENT**

HOUSING NEEDS ASSESSMENT



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HOUSING NEEDS ASSESSMENT

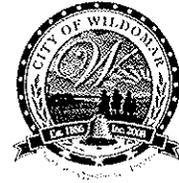


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HOUSING NEEDS ASSESSMENT



PUBLIC PARTICIPATION

The California Government Code requires that local governments make diligent efforts to solicit public participation from all economic segments of the community, especially low-income persons, in the development of the Housing Element. During the preparation of this Housing Element update, public input was actively encouraged in a variety of ways. The element was posted to the City's website and a hard copy was available for review at City Hall. The Draft and Final Housing Element were also provided to the California Department of Housing and Community Development for review and comment.

In an effort to reach all segments of the community the City contacted the following organizations to gain feedback on the Housing Element.

- Riverside County Child Care Consortium
- Community Action Partnership of Riverside County
- Fair Housing Council of Riverside County, Inc.
- Affordable Housing Clearinghouse
- BRIDGE Housing Corporation
- Southern California Association of Non-Profit Housing

Joint City Council/Planning Commission Meetings

November 2, 2011 – City staff conducted a joint City Council/Planning Commission workshop on November 2, 2011. The housing element consultant made a presentation that included an overview of the update process, an outline of state housing law, and a description of the required components of the Housing Element. At the conclusion of the presentation, Council members and Commissioners discussed housing concerns in the city and potential changes or additions to policies and programs. General questions and comments about the Housing Element process were received and addressed at the meeting. Copies of the presentation were provided to city residents who requested copies.

December 7, 2011 – City staff presented the draft Housing Element to the City Council and Planning Commission on December 7, 2011, for input and approval to submit the Housing Element to the State for review. A copy of the Housing Element is available on the City's website. Notice of all public workshops and hearings was provided to the City's list of interested parties, which included representatives of low-income and special needs groups, nonprofit and for-profit housing developers, community organizations, and other governmental agencies.

The City has not received any comments to date.

HOUSING NEEDS ASSESSMENT



EVALUATION OF THE PREVIOUS HOUSING ELEMENT

Per Government Code Section 65588, "Each local government shall review its housing element as frequently as appropriate to evaluate all of the following: (1) The appropriateness of the housing goals, objectives, and policies in contributing to the attainment of the state housing goal. (2) The effectiveness of the housing element in attainment of the community's housing goals and objectives. (3) The progress of the city, county, or city and county in implementation of the housing element."

The City of Wildomar incorporated July 1, 2008. Because this is the City's first Housing Element, it precludes the ability to review a previous element.

HOUSING NEEDS ASSESSMENT



COMMUNITY PROFILE

An accurate assessment of existing and future residents' demographic characteristics and housing needs forms the basis for establishing program priorities and quantified objectives in the Housing Element. This section presents statistical information and analysis of demographic and housing factors that influence housing demand, availability, and cost. The focus of this section is on identifying the need for housing according to income level as well as by special needs groups.

NOTE: The most current and relevant data sources were used in the preparation of this Housing Chapter. This document contains data from the 2000 and 2010 Census, 2008–2010 American Community Survey, Department of Finance, and WRCOG, as well as from other sources.

POPULATION CHARACTERISTICS

Housing needs are largely determined by population and employment growth, coupled with various demographic variables. Characteristics such as age, household size, occupation, and income combine to influence the type of housing needed and its affordability.

POPULATION TRENDS

Between 2000 and 2010, the City of Wildomar's population more than doubled in size, with population growth at 57.1%. Riverside County as a whole grew by about a third (29.4%) (see Table HNA-1).

TABLE HNA-1: POPULATION GROWTH

Jurisdiction	Total Population		Growth	
	2000	2010	Total	Percentage
Wildomar	13,810	32,176	18,366	57.1%
Riverside County	1,545,387	2,189,641	644,254	29.4%

Source: 2000 and 2010 Census

HOUSING NEEDS ASSESSMENT



AGE CHARACTERISTICS

Although population growth strongly affects total demand for new housing, housing needs are also influenced by age characteristics. Typically, different age groups have distinct lifestyles, family characteristics, incomes, and housing preferences. As people move through each stage of life, their housing needs and preferences also change. Age characteristics are therefore important in planning for the changing housing needs of residents.

Housing needs often differ by age group. For instance, most young adults (under 34) are single or starting families. Housing needs for younger adults are addressed through apartments or first-time homeownership opportunities. Middle-aged residents (34–64) may already be homeowners, are usually in the prime earning power of their careers, and thus tend to seek larger homes. Seniors often own a home but, due to limited income or disabilities, may need assistance to remain in their homes.

The age distribution for the City of Wildomar and Riverside County is presented in Table HNA-2. According to the 2010 Census, in the City of Wildomar a little more than half (53.9%) of the population is working age, between 20 and 59 years of age, and about one-third (31.1%) of the population is school age or below, between 0 and 19 years of age. The population 60 years and over represents the remaining percentage of 14.9%. When compared to Riverside County, the age distribution is similar, although the City of Wildomar had a slightly lower percentage of persons over the age of 60.

TABLE HNA-2: AGE CHARACTERISTICS

Jurisdiction	Median Age	Percentage of Age Groups								
		0–9	10–19	20–29	30–39	40–49	50–59	60–69	70–79	80 and over
Wildomar	34.6	14.5%	16.6%	13.4%	12.4%	14.7%	13.4%	7.6%	4.4%	2.9%
Riverside County	33.7	15.0%	16.7%	13.6%	12.9%	13.8%	11.6%	8.1%	5.1%	3.2%

Source: 2010 Census

RACE AND ETHNICITY

As shown in Table HNA-3, the largest racial group in Wildomar in 2010 identified themselves as white (53.6%). Riverside County as a whole had a significantly lower percentage in the white racial group at 39.7%. There was about a 10% difference in the Hispanic population: 35.3% in Wildomar and 45.5% in Riverside County as a whole.

HOUSING NEEDS ASSESSMENT



TABLE HNA-3: RACE AND ETHNICITY

Jurisdiction	Race/Ethnicity of Population						
	White	African American	American Indian/Alaska Native	Asian	Hawaiian/Pacific Islander	Other	Hispanic
Wildomar	53.6%	3.0%	0.6%	4.3%	0.2%	3.0%	35.3%
Riverside County	39.7%	6.0%	0.5%	5.8%	0.3%	2.4%	45.5%

Source: 2010 Census

HOUSEHOLD CHARACTERISTICS

Household type and size, income levels, and other household characteristics determine the type of housing needed by residents. This section details the various household characteristics affecting housing needs.

HOUSEHOLDS TYPE AND SIZE

A household refers to the people occupying a home, such as a family, a single person, or unrelated persons living together. Family households often prefer single-family homes or condominiums to accommodate children, while non-family households generally occupy smaller apartments or condominiums.

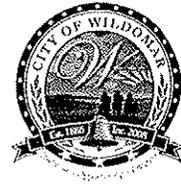
Table HNA-4 displays household composition as reported by the 2010 Census. In the City of Wildomar, families comprised 78.1% of all households, of which 37.7% have children under 18 years of age. Riverside County as a whole has a slightly lower percentage of families (74.4%) and almost the same percentage of families with children under 18 years of age (37.5%).

TABLE HNA-4: HOUSEHOLD CHARACTERISTICS

Jurisdiction	Households	Average Household Size	Percentage of Households		
			Families	Families With Children Under 18	Non-Family
Wildomar	9,992	3.22	78.1%	37.7%	21.9%
Riverside County	686,260	3.14	74.4%	37.5%	25.6%

Source: 2010 Census

HOUSING NEEDS ASSESSMENT



OVERCROWDING

Overcrowding is often closely related to household income and the cost of housing. The US Census Bureau considers a household to be overcrowded when there is more than one person per room, excluding bathrooms and kitchens, and to be severely overcrowded when there are more than 1.5 occupants per room. Overcrowded households are usually a reflection of the lack of affordable housing.

According to the 2008–2010 American Community Survey and as shown in Table HNA-5, 2.9% of Wildomar’s owner-occupied households were overcrowded and 0.6% were severely overcrowded, as compared to the county as a whole with 4.4% of the households overcrowded and 13.1% severely overcrowded. In renter-occupied households, 4.8% of Wildomar households were overcrowded and 0.6% were severely overcrowded, as compared to the county with 1.1% overcrowded and 4.0% severely overcrowded.

TABLE HNA-5: OVERCROWDED HOUSEHOLDS

Household Size	Owner Households		Renter Households		Total Households	
	Number	Percentage	Number	Percentage	Number	Percentage
City of Wildomar						
Less than 1.00	7,031	97.1%	2,376	95.2%	9,407	96.6%
1.01–1.50	166	2.3%	100	4.0%	266	2.7%
1.51 or more	47	0.6%	21	0.8%	68	0.7%
Wildomar Total	7,244	100.0%	2,497	100.0%	9,741	100.0%
Riverside County						
Less than 1.00	436,707	95.5%	182,416	87.0%	619,123	92.8%
1.01–1.50	15,684	3.4%	19,048	9.1%	34,732	5.2%
1.51 or more	5,086	1.1%	8,292	4.0%	13,378	2.0%
Riverside County Total	457,477	100.0%	209,756	100.0%	667,233	100.0%

Source: 2008–2010 American Community Survey

* Based on occupied housing units.

HOUSING NEEDS ASSESSMENT



HOUSEHOLD INCOME

Along with housing prices and rents, household income is the most important factor affecting housing opportunities in Wildomar. Housing choices such as tenure (owning versus renting), housing type, and location are dependent on household income. On the other hand, household size and type often affect the proportion of income that can be spent on housing.

For the purpose of evaluating housing affordability, housing need, and eligibility for housing assistance, income levels are defined by guidelines adopted each year by the California Department of Housing and Community Development (HCD). For Riverside County, the area median income (AMI) for a family of four in 2011 is \$62,500.

- Extremely Low Income Up to 30% of AMI (\$0–\$20,000)
- Very Low Income 31–50% of AMI (\$20,001–\$33,350)
- Low Income 51–80% of AMI (\$33,351–\$53,350)
- Moderate Income 81–120% of AMI (\$53,351–\$75,000)
- Above Moderate Income Above 120% of AMI (\$75,001 or more)

Table HNA-6 shows the maximum annual income level for each income group adjusted for household size for Riverside County. The maximum annual income data is then utilized to calculate the maximum affordable housing payments for different households (varying by income level) and their eligibility for federal housing assistance.

TABLE HNA-6: MAXIMUM HOUSEHOLD INCOME BY HOUSEHOLD SIZE, 2011

Income Category	Household Size							
	1	2	3	4	5	6	7	8
Extremely Low	\$14,000	\$16,000	\$18,000	\$20,000	\$21,600	\$23,200	\$24,800	\$26,400
Very Low	\$23,350	\$26,700	\$30,050	\$33,350	\$36,050	\$38,700	\$41,600	\$44,050
Low	\$37,350	\$42,700	\$48,050	\$53,350	\$57,650	\$61,900	\$66,200	\$70,450
Median	\$43,750	\$50,000	\$56,250	\$62,500	\$67,500	\$72,500	\$77,500	\$82,500
Moderate	\$52,500	\$60,000	\$67,500	\$75,000	\$81,000	\$87,000	\$93,000	\$99,000

Source: Department of Housing and Community Development 2011

HOUSING NEEDS ASSESSMENT



HOUSEHOLD INCOME

Table HNA-7 provides a summary of households in Wildomar according to the 2008–2010 American Community Survey. The highest percentage of households (18.1%) earns between \$50,000 and \$74,999.

TABLE HNA-7: HOUSEHOLD INCOME, 2010

Annual Income	Number	Percentage
Less than \$14,999	633	6.5%
\$15,000 to \$24,999	894	9.2%
\$25,000 to \$34,999	1,489	15.3%
\$35,000 to \$49,999	962	9.9%
\$50,000 to \$74,999	1,830	18.8%
\$75,000 to \$99,999	1,386	14.2%
\$100,000 to \$149,999	1,554	16.0%
\$150,000 to \$199,999	609	6.3%
\$200,000 or more	384	3.9%

Source: 2008–2010 American Community Survey

EXTREMELY LOW-INCOME HOUSEHOLDS

The Comprehensive Housing Affordability Strategy (CHAS), which was developed by the Department of Housing and Urban Development (HUD) to assist jurisdictions in writing their consolidated plans, has special tabulation data based on the 2000 Census. The 2000 CHAS data was used because this is the most current CHAS data available for the City of Wildomar. According to this data (Table HNA-8), there were 147 renter households and 314 owner households earning between 30 and 50% of the median family income (MFI) in the city in 2000, and 87 renter households and 114 owner households that fell into the extremely low-income category (incomes less than 30% of MFI).

HOUSING NEEDS ASSESSMENT



TABLE HNA-8: HOUSING PROBLEMS FOR ALL HOUSEHOLDS, 2000

	Total Renters	Total Owners	Total Households
Household Income \leq30% MFI	87	114	201
% Cost Burden >30%	83.9%	69.3%	75.6%
% Cost Burden >50%	72.4%	60.5%	65.7%
Household Income >30 to \leq50% MFI	147	314	460
% Cost Burden >30%	83.0%	60.1%	67.4%

Source: CHAS 2000

OVERPAYMENT

State and federal housing law defines overpayment as a household paying more than 30% of gross income for housing expenses. Housing overpayment is especially problematic for lower-income households that have limited resources for other living expenses.

Table HNA-9 shows to what extent occupied housing units (households) are overpaying for housing cost by their income category and whether or not they were overpaying (30–34% of household income) or severely cost burdened (35% or more of household income). A little more than one-third (36.1%) of all households (occupied) were overpaying for housing in 2000, and of those overpaying, about one-quarter (26.2%) are severely cost burdened. When compared to the area median income (AMI) for 2000, which was \$49,900, approximately 452 (15.8%) renter-occupied households and 788 (16.9%) owner-occupied households were overpaying for housing.

HOUSING NEEDS ASSESSMENT



TABLE HNA-9: TOTAL HOUSEHOLDS OVERPAYING BY INCOME, 2000

Income Range	Total Households	% of Total Households	30-34% of Household Income	35+% of Household Income
Owner-Occupied Units				
Less than \$10,000	56	66.1%	0	37
\$10,000-\$19,999	89	82.0%	7	66
\$20,000-\$34,999	160	70.0%	29	83
\$35,000-\$49,999	483	65.6%	91	226
\$50,000+	1,448	15.2%	105	115
Subtotal	2,236	33.9%	232	527
Renter-Occupied Units				
Less than \$10,000	66	80.3%	0	53
\$10,000-\$19,999	163	76.1%	11	113
\$20,000-\$34,999	135	53.3%	24	48
\$35,000-\$49,999	88	18.2%	8	8
\$50,000+	170	5.3%	9	0
Subtotal	622	44.1%	52	222
Total Households	2,858	36.1%	284	749

Source: 2000 Census

HOUSING NEEDS ASSESSMENT



EMPLOYMENT BY INDUSTRY

The economy has an important impact on housing needs. Employment growth typically results in increased housing demand in areas that serve as regional employment centers. Moreover, the type of occupation and income levels for new employment also affects housing demand. This section describes the economic and employment patterns in Wildomar and how these patterns influence housing needs. Table HNA-10 shows the types of industries for residents working in the City of Wildomar in 2010.

TABLE HNA-10: OCCUPATIONS BY INDUSTRY, 2010

Industry	Number	Percentage
Agriculture, forestry, fishing and hunting, and mining	76	0.5%
Construction	1,516	10.8%
Manufacturing	1,522	10.8%
Wholesale trade	446	3.2%
Retail trade	1,418	10.1%
Transportation and warehousing, and utilities	675	4.8%
Information	147	1.0%
Finance and insurance, real estate and rental and leasing	557	4.0%
Professional, scientific, management, administrative and waste management services	1,937	13.8%
Educational services, and health care and social assistance	2,499	17.8%
Arts, entertainment, recreation, accommodation and food services	1,657	11.8%
Other services, except public administration	802	5.7%
Public administration	823	5.8%
Total civilian employed population 16 years and over	14,075	100.0%

Source: 2008–2010 American Community Survey

HOUSING NEEDS ASSESSMENT



HOUSING STOCK CHARACTERISTICS

This section describes the housing characteristics and conditions that affect housing needs in Wildomar. Important housing stock characteristics include housing type, tenure, vacancy rates, age, condition, cost, and affordability.

HOUSING TYPE

According to the 2008–2010 American Community Survey, 68.2% of the city’s housing stock comprised single-family homes and 5.6% were multi-family units, with the remaining 25.9% mobile homes/other. Riverside County had almost the same proportion of single-family homes (68.0%) but had more than twice the number of multi-family units (16.5%) (Table HNA-11).

TABLE HNA-11: HOUSING UNITS BY HOUSING TYPE

Housing Type	City of Wildomar		Riverside County	
	Number	Percentage	Number	Percentage
Single-Family Detached	7,479	68.2%	544,728	68.0%
Single-Family Attached	46	0.4%	49,678	6.2%
Multi-Family 2–4 Units	46	0.4%	36,233	4.5%
Multi-Family 5+ Units	557	5.1%	95,805	12.0%
Mobile Homes/Other*	2,837	25.9%	74,880	9.3%
Total Housing Units	10,965	100.0%	801,324	100.0%

Source: 2008–2010 American Community Survey

*Other includes boats, RV, and vans

HOUSING TENURE

Housing tenure (owner versus renter) can be affected by many factors, such as housing cost (interest rates, economics, land supply, and development constraints), housing type, housing availability, job availability, and consumer preference.

Table HNA-12 details housing tenure in Wildomar and Riverside County according to the 2010 Census. The City of Wildomar has a slightly higher owner-occupied household percentage (73.3%) than that of Riverside County (67.4%).

HOUSING NEEDS ASSESSMENT



TABLE HNA-12: HOUSING TENURE

Housing Tenure	City of Wildomar		Riverside County	
	Number	Percentage	Number	Percentage
Owner-Occupied Households	7,329	73.3%	462,212	67.4%
Renter-Occupied Households	2,663	26.7%	224,048	32.6%

Source: 2010 Census

VACANCY RATE

Vacancy rates of 5% to 6% for rental housing and 1.5% to 2.0% for ownership housing are generally considered to be optimum. A higher vacancy rate may indicate an excess supply of units and a softer market, and result in lower housing prices. A lower vacancy rate may indicate a shortage of housing and high competition for available housing, which generally leads to higher housing prices and diminished affordability.

Table HNA-13 shows the occupancy status of the housing stock according to the 2010 Census. The City of Wildomar had a total vacancy rate of 7.5% as compared to Riverside County as a whole, which had a vacancy rate of 14.3%. According to the 2008–2010 American Community Survey, the City of Wildomar homeowner vacancy rate was 2.7% and the rental vacancy rate was 5.1%. For the county as a whole, the homeowner vacancy rate was 3.8% and the rental vacancy rate was 9.5%.

TABLE HNA-13: OCCUPANCY STATUS OF HOUSING STOCK

Type	City of Wildomar		Riverside County	
	Number	Percentage	Number	Percentage
Occupied	9,992	92.5%	686,260	85.7%
Vacant	814	7.5%	114,447	14.3%
For rent	143	17.6%	23,547	20.6%
For sale	204	25.1%	18,417	16.1%
Rented/sold, not occupied	57	7.0%	4,362	3.8%
For seasonal/recreational or occasional use	90	11.1%	50,538	44.2%
All other including for migrant workers	320	39.3%	17,583	15.4%
Total Housing Units	10,806	100.0%	800,707	100.0%

Source: 2010 Census

HOUSING NEEDS ASSESSMENT



HOUSING CONDITIONS

Housing conditions are an important indicator of quality of life in the City of Wildomar. Like any asset, housing ages and deteriorates over time. If not regularly maintained, structures can deteriorate and discourage reinvestment, depress neighborhood property values, and even become health hazards. Thus, maintaining and improving housing quality is an important goal for communities.

An indication of the quality of the housing stock is its general age. Typically housing over 30 years old is likely to have rehabilitation needs that may include plumbing, roof repairs, foundation work, and other repairs. Table HNA-14 displays the age of Wildomar's housing stock as of 2005. Among the housing stock, 51.2% of the housing units in Wildomar were built since 1990. Only 18.5% of the housing stock is over 30 years old, meaning rehabilitation needs could be relatively low. The City estimates that approximately 10% of the housing stock is in need of rehabilitation.

TABLE HNA-14: AGE OF HOUSING STOCK

Structure Built	Units	Percentage
2005 or later	1,605	14.6%
2000 to 2004	2,264	20.6%
1990 to 1999	1,740	15.9%
1980 to 1989	3,333	30.4%
1970 to 1979	1,256	11.5%
1960 to 1969	164	1.5%
1950 to 1959	329	3.0%
Prior to 1950	274	2.5%
Total Units	10,965	100.0%

Source: 2008–2010 American Community Survey

HOUSING COST AND AFFORDABILITY

One of the major barriers to housing availability is the cost of housing. In order to provide housing to all economic levels in the community, a wide variety of housing opportunities at various prices should be made available. Housing affordability is dependent on income and housing costs.

Housing affordability is based on the relationship between household income and housing expenses. According to the US Department of Housing and Urban Development (HUD) and the California Department of Housing and

HOUSING NEEDS ASSESSMENT



Community Development, housing is considered “affordable” if the monthly housing cost is no more than 30% of a household’s gross income.

Sales Prices

According to Trulia, the median sales price for homes in Wildomar as of September 2011 was \$220,000 (Table HNA-15). This represents an increase of 5.7%, or \$11,889, compared to the prior quarter and an increase of 4.8% compared to the prior year.

TABLE HNA-15: MEDIAN SALES PRICES, 2011

Number of Bedrooms	July–Sept '11	Year Over Year	3 Months Prior	1 Year Prior	5 Years Prior
2 bedrooms	\$73,000	-33.6%	\$108,500	\$110,000	\$246,000
3 bedrooms	\$168,500	-4.5%	\$208,111	\$176,442	\$411,500
4 bedrooms	\$185,000	-14.9%	\$341,457	\$217,500	\$452,750
All properties	\$220,000	+4.8%	\$208,111	\$210,000	\$452,000

Source: Trulia, October 2011

Rental Prices

In November 2011, a rental survey was conducted to determine rent rates for housing units in Wildomar. Table HNA-15 illustrates the rental costs in Wildomar by the number of bedrooms.

TABLE HNA-16: MEDIAN RENTAL COST BY HOUSING TYPE

Housing Type	1 BR	2BR	3BR	4BR
Apartments	\$1,121	\$1,283	\$1,437	--
Houses	--	\$1,115	\$1,404	\$1,813

Source: PMC Rental Survey, November 2011

HOUSING NEEDS ASSESSMENT



Housing Affordability

Table HNA-17 provides the affordable rents and maximum purchase price, based on the HCD income limits for Riverside County. As shown in Table HNA-17, the maximum affordable rent for a very low-income four-person household is \$834 monthly and for a moderate income household is \$1,334. As shown in Table HNA-16, two- and three-bedroom apartments were renting for \$1,283 to \$1,437 respectively and therefore are out of the affordability range for very low income households but within a price range for moderate income households.

As of October 2011, the median sales price for all single-family homes in the city was \$220,000. When looking at properties by bedroom size, the median sales price for a four-bedroom home was \$185,000, for a three-bedroom home \$168,500 and for a two-bedroom home \$73,000 (Table HNA-14). The maximum affordable sales price for a four-person household is \$110,868 for a very low-income household, \$177,034 for a low-income household, and \$249,748 for a moderate-income household. This indicates that both very lower- and moderate- income households would be able to afford existing and newly constructed two-, three-, and four-bedroom homes in Wildomar.

**TABLE HNA-17: HOUSING AFFORDABILITY BY INCOME LEVEL
(BASED ON A FOUR-PERSON HOUSEHOLD)**

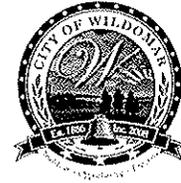
	Income Level		
	Very Low	Low	Moderate
Annual Income	\$33,350	\$53,350	\$75,000
Monthly Income	\$2,779	\$4,446	\$6,250
Maximum Monthly Gross Rent ¹	\$834	\$1,334	\$1,875
Maximum Purchase Price ²	\$110,868	\$177,034	\$249,748

Source: 2011 Income Limits, Department of Housing and Community Development, Monthly mortgage calculation: <http://www.realtor.com/home-finance/financial-calculators/home-affordability-calculator.aspx?source=web>

¹ Affordable housing cost for renter-occupied households assumes 30% of gross household income, not including utility cost.

² Affordable housing sales prices are based on the following assumed variables: approximately 10% down payment, 30-year fixed rate mortgage at 5.6% annual interest rate.

HOUSING NEEDS ASSESSMENT



SPECIAL NEEDS GROUPS

Certain groups have greater difficulty in finding acceptable, affordable housing due to special circumstances relating to employment and income, household characteristics, and disabilities, among others. These “special needs” groups include seniors, persons with disabilities, large households, single-parent households (female-headed households with children, in particular), homeless persons, and farmworkers.

SENIORS

Senior residents have many different housing needs, depending on their age, level of income, current tenure status, cultural background, and health status. Senior households may need assistance with personal and financial affairs, networks of care to provide services and daily assistance, and even possible architectural design features that could accommodate disabilities that would help ensure continued independent living.

According to the 2010 Census, there were 3,414 seniors or 10.6% of the total population (age 65 and over) in the City of Wildomar. Riverside County as a whole had a slightly higher percentage of seniors with 13.0% of persons ages 65 and over.

Of the senior population, 2,034 seniors were householders in Wildomar, representing 20.4% of all households in the city. Of those households, approximately 22.0% were owner occupied and 15.8% were renter occupied. Riverside County's breakdown was similar with 26.9% and 13.9%, respectively.

PERSONS WITH DISABILITIES

Physical, mental, and/or developmental disabilities may prevent a person from working, may restrict one's mobility, or may make it difficult to care for oneself. Persons with disabilities have special housing needs often related to the limited ability to earn a sufficient income and to a lack of accessible and affordable housing. Some residents have disabilities that require living in a supportive or institutional setting.

The 2010 Census defines a disability as “a long-lasting physical, mental, or emotional condition. This condition can make it difficult for a person to do activities such as walking, climbing stairs, dressing, bathing, learning, or remembering. This condition can also impede a person from being able to go outside the home alone or to work at a job or business.”

Based on the 2008–2010 American Community Survey, 3,235 (10.3%) persons in Wildomar and 219,271 (10.1%) persons in Riverside County had some form of disability.

HOUSING NEEDS ASSESSMENT



Development Disabilities (Senate Bill 812)

Senate Bill (SB) 812 requires the City to include in the special housing needs analysis the needs of individuals with a developmental disability within the community. A developmental disability is a disability that:

- Occurs before an individual reaches 18 years of age;
- Is expected to continue indefinitely;
- Constitutes a substantial handicap.

Developmental disabilities include:

- Mental retardation;
- Cerebral palsy;
- Epilepsy;
- Autism;
- Disabling conditions closely related to mental retardation or requiring similar treatment to that required for mentally retarded individuals.

Inland Regional Center

For the past 40 years, Inland Regional Center has served more than 25,000 individuals with developmental disabilities in San Bernardino and Riverside Counties. As the largest of the regional centers in the State of California, Inland Regional Center is a nonprofit, private community-based agency.

Inland Regional Center designs programs according to age, specialization, and geographic location. Categories include Early Start/Prevention 0–3; School Age 3–15; Transition 16–22; Adult 23–59; and Senior 60+. Other specialized teams include Intermediate Care Facility, Master Trust, and Developmental Center Consumers. To become eligible for services, the consumer must reside in either Riverside County or San Bernardino County and be diagnosed with a developmental disability. Currently, nearly 600 Inland Regional Center staff members provide services to people with developmental disabilities and their families in San Bernardino and Riverside Counties.

HOUSING NEEDS ASSESSMENT



Intake Process Ages 3 and Older

To determine eligibility, applicants must complete a comprehensive intake process where the disability status will be determined. The steps outlined below detail the intake process for applicants ages 3 and older.

Social Assessment: Meeting with an Inland Regional Center (IRC) intake counselor; discussion of family, health, and developmental histories, and evaluation of current levels of abilities or problems; planning steps of action and discussing available services may also be completed at this time, if the applicant is found eligible.

Psychological Assessment: With a staff psychologist or consultant, testing to determine mental retardation, autism, or related condition; recent school or other psychological assessments may be used instead of new evaluations but must be approved by an IRC psychologist.

Medical Assessment: With a medical consultant or other IRC physician, determine problems with seizure disorder, cerebral palsy, or related health problems and disabilities; occasionally recent medical evaluations from other physicians can be used if approved by the IRC chief of medical services.

Team Conference: Discussion of assessment process and results; includes applicant, family members/advocates, intake counselor, psychologist, and physician; confirmation of qualification for services. If found eligible, a person-centered individual program plan is developed to outline areas of services and needs.

IRC Orientation: Designed to give applicants and their families the knowledge they need in order to understand Inland Regional Center and its service delivery.

Early Start/Prevention Intake Process Ages 3 and Younger

If a child is age 3 or younger, the determination for eligibility in the Early Start/Prevention Program is different. To qualify, the infant or toddler must fit in one of the following categories: developmental delay; established risk; high risk for developmental disability.

Services

To best serve the needs of infants and toddlers with or at risk of having developmental disabilities, Inland Regional Center has established an Early Start/Prevention Program. A family will be paired with an infant service coordinator who will assist in setting annual goals and objectives to measure progress.

HOUSING NEEDS ASSESSMENT



LARGE HOUSEHOLDS

Large households are defined as households with five or more members. Large households comprise a special needs group because of the need for larger dwelling units, which are often in limited supply and therefore command higher prices. In order to save for other basic necessities such as food, clothing, and medical care, it is common for lower-income large households to reside in smaller dwelling units, frequently resulting in overcrowding.

Based on estimates from the 2010 Census, 21.6% (2,155) of Wildomar's households were large households, including 5.7% (570) that had six or more persons and 4.8% (479) that had seven or more persons.

As previously mentioned, 2,155 households in Wildomar were occupied by five or more persons. Of those, 1,484 were owner-occupied households and 671 were renter-occupied households.

FEMALE-HEADED HOUSEHOLDS

Female-headed households are one-parent households with children under the age of 18 living at home. For these households, living expenses generally require a larger proportion of income relative to two-parent households. Therefore, finding affordable, decent, and safe housing is often more difficult for female-headed households. Additionally, female-headed households have special needs involving access to day care or child care, health care, and other supportive services.

According to the 2010 Census, 11.8% (1,178 households) of households in the city were female-headed households; 61.3% of those households had children under the age of 18 years.

FARMWORKERS

Farmworkers are generally considered to have special housing needs because of limited income and the unstable nature of employment (i.e., having to move throughout the year from one harvest to the next). The typical temporary nature of farm work is not the case in Wildomar. The only work of this nature is dairy work, which goes on year-round and is not seasonal.

Based on the 2008–2010 American Community Survey and as shown in Table HNA-10, it is estimated that there are approximately 76 persons employed in the agriculture, forestry, fishing, and hunting industry, representing only 0.5% of the total population. The demand for specific farmworker housing is estimated to be very minimal if at all and therefore housing is addressed through the current housing stock and through overall programs for affordability.

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HOMELESS

Homeless individuals and families have perhaps the most immediate housing need of any group. They also have one of the most difficult sets of housing needs to meet, due to both the diversity and the complexity of factors that lead to homelessness and to community opposition to the siting of facilities that serve homeless clients. California law requires that Housing Elements estimate the need for emergency shelter for homeless people.

The County of Riverside completed a Point-in-Time Homeless Count in January 2011. According to this data, there are approximately 20 unsheltered persons within the City of Wildomar. Table HNA-18 shows some of the shelter resources available to the homeless in Riverside County.

TABLE HNA-18: HOMELESS SHELTER RESOURCES

Shelter Name	Type of Shelter	City	Clientele or Needs Served	Number of Beds
Valley Restart Shelter	Emergency	Hemet	Families	89
God's Helping Hand	Emergency	Perris	General	15
I Care Shelter	Emergency	Riverside	Families	30
Operation SafeHouse	Emergency	Riverside	Runaway youth	17
Valley Restart Shelter	Permanent	Hemet	Families	32
Friends of Jefferson House	Permanent	Riverside	Substance Abuse	30
Riverside Recovery Resources	Transitional	Hemet	Substance Abuse	21
Valley Restart Shelter	Transitional	Hemet	Families	54
God's Helping Hand	Transitional	Perris	Substance Abuse	15
Friends of Jefferson House	Transitional	Riverside	Substance Abuse	30
Inland Aids Project	Transitional	Riverside	HIV/AIDS	20
Lutheran Social Services	Transitional	Riverside	Families	30
Operation Safe House	Transitional	Riverside	Youth	20
Whiteside Manor	Transitional	Riverside	Dually Diagnosed	47
Whiteside Manor	Transitional	Riverside	Substance Abuse	122
Whiteside Manor	Transitional	Riverside	Substance Abuse/Women	21

Source: Riverside County Consolidated Plan 2004–2009

HOUSING NEEDS ASSESSMENT



ANALYSIS OF AT-RISK HOUSING

State Housing Element law requires the analysis of government-assisted housing units that are eligible to convert from low-income housing to market-rate housing during the next 10 years due to expiring subsidies, mortgage prepayments, or expiration of affordability restrictions and development of programs aimed at their preservation.

INVENTORY OF AFFORDABLE UNITS

An inventory of assisted units in the City of Wildomar was compiled based on information gathered from the California Housing Partnership Corporation (Table HNA-19). According to the California Housing Partnership Corporation, there is one assisted property in Wildomar. This property is not at risk of opting out of programs that keep them affordable to very low- and low-income households over the Housing Element period (2006–2014).

TABLE HNA-19: ASSISTED UNITS INVENTORY

Projects	Total Units	Assisted Units	Type	Funding Source	Earliest Date of Conversion
Wildomar Senior Leisure Living	176	175	Senior	LIHTC	8/5/2030

Source: California Housing Partnership Corporation (CHPC) 2011

Preservation Resources

Efforts by the City to retain low-income housing must be able to draw upon two basic types of preservation resources: organizational and financial. Qualified nonprofit entities need to be made aware of the future possibilities of units becoming at risk. Should a property become at risk, the City maintains an active list of resources by which to preserve that property.

In addition, the City of Wildomar will develop procedures for monitoring and preserving at-risk units, which will include the following:

- Monitor the Risk Assessment report published by the California Housing Partnership Corporation (CHPC).
- Maintain regular contact with the local HUD office regarding early warnings of possible opt-outs.
- Maintain contact with the owners and managers of existing affordable housing to determine if there are plans to opt out in the future and offer assistance in locating eligible buyers.

HOUSING NEEDS ASSESSMENT



- Develop and maintain a list of potential purchasers of at-risk units and act as a liaison between owners and eligible purchasers.
- Ensure that all owners and managers of affordable housing are provided with applicable state and federal laws regarding notice to tenants of the owner's desire to opt out or prepay. State law requires a 12-month notice.

Nonprofit Entities

Nonprofit entities serving Riverside County, including Wildomar, can be contacted to gauge their interest and ability in acquiring and/or managing units at risk of conversion. A partial listing of entities with resources in the Riverside County area includes:

- Alternatives for Domestic Violence
- Shelter from the Storm
- Banning Partners for a Revitalized Community
- Catholic Charities
- Coachella Valley Housing Coalition
- Fair Housing Council of Riverside County
- Family Service Association of Riverside County
- Habitat for Humanity
- Lutheran Social Services
- Shared Housing

HOUSING NEEDS ASSESSMENT



HOUSING OPPORTUNITIES AND RESOURCES

This section includes an evaluation of the availability of land resources, financial resources for future housing development, the City's ability to satisfy its share of the region's future housing needs, and the financial resources available to assist in implementing the City's housing programs. Additionally, this section examines opportunities for energy conservation.

REGIONAL HOUSING NEED

The City of Wildomar falls under the jurisdiction of the Southern California Association of Governments (SCAG). SCAG is responsible for developing a Regional Housing Needs Plan (RHNP) allocating the region's share of the statewide housing needs to lower-level councils of governments, which then allocate the needs to cities and counties in the region. The Regional Housing Need Allocation (RHNA) is a minimum projection of additional housing units needed to accommodate projected household growth of all income levels by the end of the Housing Element's statutory planning period.

Because the City of Wildomar incorporated in July of 2008, the City had to work with Riverside County, the Western Riverside Council of Governments (WRCOG), and SCAG to agree upon an appropriate portion of the County's allocation to take as its own. In October of 2011, an agreement was made that the City of Wildomar would take a total of 1,471 units for the remainder of the 2006–2014 planning period, as shown in Table HNA-20.

Building permits issued since July 2008 (month of incorporation) and one approved affordable project have been credited toward the City's RHNA.

TABLE HNA-20: REGIONAL HOUSING NEED, 2006–2014

Income Category	2006–2014 RHNA	RHNA Progress	Remaining Allocation
Extremely Low	174	0	174
Very Low	175	0	175
Low	241	52 ¹	189
Moderate	272	157 ¹	115
Above Moderate	609	78 ²	531
Total	1,471	287	1,184

Source: City of Wildomar, SCAG, and WRCOG, October 2011

¹209-unit approved affordable project, funded with state tax credits

²Building permits issued from July 2008 to November 2011 (75 single-family and 3 second-unit permits)

HOUSING NEEDS ASSESSMENT



APPROVED PROJECTS

The City has one approved project, an affordable senior housing project that will be marketed to seniors that fall within the very low-, low-, and moderate-income ranges (i.e., 30%, 60%, and 80%, respectively, of the area median income). The senior housing development was approved for 209 units on 10.35 acres (20.2 units per acre) consisting of one- and two-bedroom units (including an on-site managers unit). Approval of the project required a General Plan amendment from Medium Density Residential (MDR) designation to Highest Density Residential (HHDR) designation and a change of zone from R-R (Rural Residential) to R-3 (General Residential). This project will be financed with state tax credits.

Because the breakdown of the affordability had not yet been determined, other than that unit affordability will consist of very low, low, and moderate incomes, the City has assumed that 75% (152 units) will be affordable to moderate-income households and the remaining 25% (52 units) will be affordable to very low- and low-income households.

AVAILABILITY OF LAND

To demonstrate the City's capacity to potentially meet its Regional Housing Needs Allocation, an adequate sites inventory was conducted. The sites listed in Table HNA-22 are currently vacant and will allow for the development of a variety of housing types that will potentially meet the needs of all income groups as allocated by SCAG for the remainder of the 2006–2014 planning period.

The inventory must identify adequate sites that will be made available through appropriate zoning and development standards and with public services and facilities needed to facilitate and encourage the development of a variety of housing types for households of all income levels. The analysis of the relationship of suitable sites to zoning provides a means for determining the realistic number of dwelling units that could actually be constructed on those sites within the current planning period. The analysis also identifies the zoning districts the City believes can accommodate its share of the regional housing needs for all income levels.

REALISTIC CAPACITY

The City considered and evaluated the implementation of its current multi-family development standards and on-site improvement requirements (e.g., setbacks, building height, parking, and open space requirements) to determine approximate density and unit capacity. Realistic capacity for residential sites was determined by multiplying the number of acres by the maximum density for the site, then 80% of that result was used as the final realistic unit number to account for site and regulatory constraints. For mixed-use sites, although the City requires both residential and commercial to be developed on each site, there is no specific percentage requirement. Therefore, the City took a very conservative approach and assumed a capacity of 25%.

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It should be noted that each parcel's density is determined by the land use designation and not the zoning. Therefore, all sites included in the inventory have been organized by land use designation and allocated to the category in which they will develop at maximum potential.

ZONING TO ACCOMMODATE THE DEVELOPMENT OF HOUSING AFFORDABLE TO LOWER-INCOME HOUSEHOLDS

Housing Element law requires jurisdictions to provide a requisite analysis showing that zones identified for lower-income households are sufficient to encourage such development. The law provides two options for preparing the analysis: (1) describe market demand and trends, financial feasibility, and recent development experience; (2) utilize default density standards deemed adequate to meet the appropriate zoning test. According to state law, the default density standard for the City of Wildomar is 30 dwelling units per acre.

The Highest Density Residential (HHDR) zone and the Mixed Use Planning Area (MUPA) zone both allow at least 30 units per acre. HHDR allows for 20-40 units per acre and MUPA allows for up to 32 units per acre. The City currently has 119.6 acres of MUPA zoned land but does not currently have any land designated HHDR.

REZONE/REDESIGNATION OF SITES

Although the City is able to meet its RHNA on current sites, to ensure there is enough land available for the development of housing affordable to lower-income households, the City will amend its General Plan Land Use and Zoning maps to redesignate and rezone sites 41, 49, and 53 (sites are included in Table HNA-21 and in Table HNA-23 in bold), a total of 15.96 acres to the HHDR designation and with compatible zoning (R-4, R-5, or R-6) to allow for at least 30 units to the acre by right (Program 1.1). If it is determined that redesignation and rezone of any of the identified sites is not feasible, the City will identify another site or group of sites for the development of housing affordable to lower-income households.

TABLE HNA-21: POSSIBLE SITES FOR REDESIGNATION

Site #	APN	Acreage	Zoning	New Zoning ¹	GP Designation	New GP Designation	New Capacity
41	380220002	5.06	R-R	R-4, R-5, R-6	MHDR	HHDR	161
49	370400009	4.99	R-R	R-4, R-5, R-6	MHDR	HHDR	160
53	380270013	5.91	R-R	R-4, R-5, R-6	MHDR	HHDR	189
Assuming 15.96 acres are rezoned/re-designated to allow 20-40 du/acre							510 units

Source: City of Wildomar, December 2011

¹ These sites will be rezoned R-4, R-5, or R-6. Each is compatible with the HHDR designation.

HOUSING NEEDS ASSESSMENT



SITE INVENTORY

Table HNA-22 compares the City of Wildomar’s RHNA to the site inventory capacity. Table HNA-23 provides the characteristics of the available sites for the development of single-family homes and multi-family units. Figure HNA-1 provides a Land Inventory Map showing all the available sites within the City. Figures HNA-2 through HNA-5 provides a close up of each of the four quadrants of the City, again showing the available sites. The City has many sites available for the development of housing affordable to market-rate housing (Table HNA-23). Although some of the sites listed do not include parcel-specific information, the sites with parcel-specific data provide enough capacity to meet the above moderate RHNA.

Large Sites

To facilitate the development of affordable housing on smaller parcels (50 to 150 units in size), the City will routinely give high priority to processing subdivision maps that include affordable housing units. Also, an expedited review process is available for the subdivision of larger sites into buildable lots where the development application can be found consistent with the General Plan, applicable Specific Plan, and master environmental impact report. Through adoption of these mechanisms, the City has the ability to provide adequate sites to accommodate its share of the region’s housing needs (Program H-1.2).

TABLE HNA-22: COMPARISON OF REGIONAL HOUSING NEED AND RESIDENTIAL SITES

Income Group	Total RHNA	RHNA Progress Since January 2006	Remaining RHNA	Site Inventory Capacity	Rezone/Redesignation Capacity	RHNA Surplus
Extremely Low	174	0	174			
Very Low	175	0	175	959	510	931
Low	241	52	189			
Moderate	272	157	115	1,000	0	885
Above Moderate	609	78	531	5,079	0	4,548
Total	1,471	287	1,184	7,038	510	6,385

Source: City of Wildomar, SCAG, and WRCOG, October 2011

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TABLE HNA-23: LAND INVENTORY

Site #	APN	Zoning	GP Land Use	Acreage	GP Density	Unit Potential ¹	Constraints ²
Mixed Use Planning Area (mixed use 32 du/acre)							
1	376190001	R-R	MUPA	2.99	32	24	none
2	380160005	C-1/C-P	MUPA	1.74	32	14	none
3	380160009	C-1/C-P	MUPA	3.48	32	28	none
4	376410021	C-P-S	MUPA	1.60	32	13	none
5	380160006	C-1/C-P	MUPA	1.54	32	12	none
6	362250027	C-P-S	MUPA	4.98	32	40	none
7	380160004	C-1/C-P	MUPA	3.73	32	30	none
8	376410017	C-P-S	MUPA	2.40	32	19	none
9	362250001	R-R	MUPA	5.84	32	47	none
10	376190002	C-P-S	MUPA	23.92	32	191	none
11	380160007	C-1/C-P	MUPA	4.46	32	36	none
12	376180006	C-P-S	MUPA	1.36	32	11	none
13	367050068	R-R	MUPA	6.48	32	52	none
14	380160003	C-1/C-P	MUPA	4.83	32	39	none
15	367180015	C-P-S	MUPA	19.40	32	155	none
16	367180043	C-P-S	MUPA	16.14	32	129	none
17	376410016	C-P-S	MUPA	2.51	32	20	none
18	362250029	R-R	MUPA	2.63	32	21	none
19	380160008	C-1/C-P	MUPA	3.65	32	29	none
20	367050064	R-R	MUPA	5.84	32	47	none
21	367050068	R-R	MUPA	0.03	32	1	none
22	367050064	R-R	MUPA	0.04	32	1	none
23	367050064	R-R	MUPA	0.04	32	1	none
				119.62		959	
Very High Density Residential (14-20 units)							
24	380250033	SP ZONE	VHDR	21.15	20	338	none
25	365113013	R-R	VHDR	0.12	20	2	none
26	365052020	R-R	VHDR	0.20	20	3	none
27	365052019	R-R	VHDR	0.25	20	4	none
28	365093001	R-R	VHDR	0.10	20	2	none
29	365113014	R-R	VHDR	0.14	20	2	none
30	365052021	R-R	VHDR	0.20	20	3	none
31	365092029	R-R	VHDR	0.17	20	3	none

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Site #	APN	Zoning	GP Land Use	Acreage	GP Density	Unit Potential ¹	Constraints ²
32	365142007	R-R	VHDR	0.15	20	2	none
33	365062011	R-R	VHDR	0.83	20	13	none
34	365053017	R-R	VHDR	0.16	20	3	none
35	365053009	R-R	VHDR	0.20	20	3	none
				23.67		379	
Medium High Density Residential (5-8 units)							
36	380170012	R-R	MHDR	1.19	8	8	none
37	380290017	R-R	MHDR	2.59	8	17	none
38	380160002	R-R	MHDR	1.94	8	12	none
39	380270015	R-R	MHDR	1.32	8	8	none
40	380280009	R-R	MHDR	2.39	8	15	none
41³	380220002	R-R	MHDR	5.06	8	---	none
42	365161005	R-R	MHDR	0.14	8	1	none
43	380170005	R-R	MHDR	5.14	8	33	none
44	380250034	SP	MHDR	12.61	8	81	none
45	380280010	R-R	MHDR	2.38	8	15	none
46	376060028	R-R	MHDR	3.75	8	24	none
47	380170008	R-R	MHDR	2.20	8	14	none
48	380270017	R-R	MHDR	1.20	8	8	none
49³	370400009	R-R	MHDR	4.99	8	-	none
50	380220003	R-R	MHDR	25.90	8	166	none
51	380290026	R-R	MHDR	2.75	8	18	none
52	380170004	R-R	MHDR	1.05	8	7	none
53³	380270013	R-R	MHDR	5.91	8	--	none
54	366330009	R-T	MHDR	8.01	8	51	none
55	380170003	R-R	MHDR	1.25	8	8	none
56	380290016	R-R	MHDR	1.98	8	13	none
57	367110007	R-3	MHDR	7.16	8	46	none
58	367110007	R-1	MHDR	1.93	8	12	none
59	367110008	R-3	MHDR	6.27	8	40	none
60	367110008	R-1	MHDR	1.16	8	7	none
61	367110008	R-5	MHDR	1.20	8	8	none
62	366024010	R-R	MHDR	1.50	8	10	none
				112.99		621	

HOUSING NEEDS ASSESSMENT



Site #	APN	Zoning	GP Land Use	Acreage	GP Density	Unit Potential ¹	Constraints ²
Medium Density Residential (2-5 units)							
63	376410002	R-R	MDR	9.76	5	39	none
64	362070018	R-1	MDR	7.47	5	30	none
65	380110006	R-1	MDR	5.60	5	22	none
66	376471009	R-1	MDR	2.71	5	11	none
67	362100046	R-T	MDR	2.09	5	8	none
68	366120041	R-R	MDR	1.22	5	5	none
69	380032038	R-1	MDR	2.46	5	10	none
70	380110005	R-1	MDR	4.63	5	19	none
71	380032037	R-1	MDR	1.38	5	6	none
72	380080009	R-1	MDR	5.43	5	22	none
73	380050002	R-R	MDR	9.98	5	40	none
74	380210006	M-SC	MDR	4.79	5	19	none
75	376350007	R-R	MDR	2.51	5	10	none
76	362130002	R-T	MDR	53.16	5	213	none
77	380080008	R-1	MDR	5.27	5	21	none
78	362090015	R-1	MDR	15.60	5	62	none
79	366050003	R-R	MDR	3.79	5	15	none
80	362070001	R-1	MDR	38.29	5	153	none
81	380050011	R-1	MDR	3.23	5	13	none
82	380050012	R-R	MDR	2.77	5	11	none
83	380200001	R-R	MDR	7.50	5	30	none
84	380100006	R-1	MDR	3.33	5	13	none
85	380210015	R-1	MDR	4.85	5	19	none
86	362090009	R-1	MDR	1.14	5	5	none
87	362070013	R-1	MDR	8.98	5	36	none
88	362561045	R-1	MDR	1.44	5	6	none
89	380080015	R-R	MDR	8.26	5	33	none
90	380130002	R-1	MDR	4.15	5	17	none
91	376410003	R-R	MDR	10.05	5	40	none
92	380060008	R-5	MDR	3.45	5	14	none
93	380060008	R-1	MDR	14.34	5	57	none
94	368030043	C-1/C-P	MDR	1.35	5	5	none
95	362671036	R-1	MDR	1.16	5	5	none
96	366320028	R-R	MDR	1.37	5	5	none
97	380390040	R-1	MDR	3.26	5	13	none

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Site #	APN	Zoning	GP Land Use	Acreege	GP Density	Unit Potential ¹	Constraints ²
98	366280032	R-R	MDR	0.56	5	2	none
99	380120002	R-1	MDR	1.96	5	8	none
100	380040025	R-R	MDR	6.67	5	27	none
101	376350005	R-R	MDR	1.90	5	8	none
102	382320019	R-1	MDR	4.70	5	19	none
103	368030033	R-R	MDR	1.03	5	4	none
104	380050001	R-R	MDR	9.29	5	37	none
105	376350019	R-R	MDR	2.79	5	11	none
106	380040012	R-R	MDR	5.51	5	22	none
107	380210004	R-1	MDR	5.25	5	21	none
108	380050006	R-R	MDR	1.52	5	6	none
109	362581030	R-1	MDR	1.30	5	5	none
110	362240033	R-R	MDR	3.64	5	15	none
111	380191022	R-1	MDR	3.48	5	14	none
112	366070007	R-R	MDR	1.86	5	7	none
113	362570052	R-1	MDR	8.65	5	35	none
114	366050002	R-R	MDR	4.65	5	19	none
115	380100004	R-1	MDR	2.15	5	9	none
116	380370034	R-1	MDR	6.93	5	28	none
117	376330017	R-R	MDR	3.30	5	13	none
118	380130009	R-R	MDR	1.99	5	8	none
119	380080013	R-1	MDR	10.50	5	42	none
120	362140040	R-T	MDR	36.62	5	146	none
121	362080009	R-1	MDR	2.65	5	11	none
122	362080004	R-1	MDR	14.23	5	57	none
123	380080014	R-1	MDR	18.85	5	75	none
124	362393011	R-T	MDR	1.02	5	4	none
125	380341049	R-5	MDR	1.76	5	7	none
126	367210018	R-R	MDR	15.34	5	61	none
127	376330003	R-R	MDR	1.37	5	5	none
128	362651038	R-T	MDR	1.88	5	8	none
129	380120001	R-1	MDR	1.81	5	7	none
130	362690022	R-5	MDR	2.31	5	9	none
131	362681040	R-1	MDR	7.82	5	31	none
132	366380016	R-R	MDR	1.19	5	5	none
133	380140001	R-1	MDR	3.54	5	14	none

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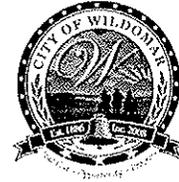
Site #	APN	Zoning	GP Land Use	Acreage	GP Density	Unit Potential ¹	Constraints ²
134	366060029	R-R	MDR	1.24	5	5	none
135	376170001	R-R	MDR	1.07	5	4	none
136	362240005	R-R	MDR	6.58	5	26	none
137	362330024	R-T	MDR	1.21	5	5	none
138	380160018	R-1	MDR	11.28	5	45	none
139	380160018	W-1	MDR	3.61	5	14	none
140	376043027	R-R	MDR	4.04	5	16	none
141	362240031	R-1	MDR	2.53	5	10	none
142	376350017	R-R	MDR	6.89	5	28	none
143	380350035	R-1	MDR	10.30	5	41	none
144	382320017	R-R	MDR	3.73	5	15	none
145	362130015	R-T	MDR	24.34	5	97	none
146	362661021	R-T	MDR	1.09	5	4	none
147	362080012	R-1	MDR	23.21	5	93	none
148	362240032	R-1	MDR	2.57	5	10	none
149	380060007	R-5	MDR	1.59	5	6	none
150	380060007	R-1	MDR	16.62	5	66	none
151	362080007	R-1	MDR	1.12	5	4	none
152	362610027	R-1	MDR	2.08	5	8	none
153	380200002	R-R	MDR	3.62	5	14	none
154	362211029	R-T	MDR	1.82	5	7	none
155	376350010	R-R	MDR	3.22	5	13	none
156	366300001	R-R	MDR	2.98	5	12	none
157	362100056	R-T	MDR	3.59	5	14	none
158	366280022	R-1	MDR	2.34	5	9	none
159	382320018	R-1	MDR	4.31	5	17	none
160	370330017	R-R	MDR	1.03	5	4	none
161	376410020	R-R	MDR	9.06	5	36	none
162	362720048	R-1	MDR	1.82	5	7	none
163	380080006	R-R	MDR	1.57	5	6	none
164	367140007	R-1	MDR	9.93	5	40	none
165	362180043	R-5	MDR	18.83	5	75	none
166	380040003	R-R	MDR	2.75	5	11	none
167	362140038	R-T	MDR	5.77	5	23	none
168	380210008	R-1	MDR	9.33	5	37	none
169	380210008	W-1	MDR	1.22	5	5	none

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Site #	APN	Zoning	GP Land Use	Acreage	GP Density	Unit Potential ¹	Constraints ²
170	367140008	R-R	MDR	10.19	5	41	none
171	362190008	R-T	MDR	1.97	5	8	none
172	362240029	R-1	MDR	4.92	5	20	none
173	362140032	R-T	MDR	6.78	5	27	none
174	366260012	R-R	MDR	1.25	5	5	none
175	376470010	R-1	MDR	1.74	5	7	none
176	362080008	R-1	MDR	4.76	5	19	none
177	362600050	R-1	MDR	1.32	5	5	none
178	362240008	R-R	MDR	6.96	5	28	none
179	367250008	R-R	MDR	29.40	5	118	none
180	380040007	R-R	MDR	5.68	5	23	none
181	362341019	R-T	MDR	1.94	5	8	none
182	376132001	R-R	MDR	1.41	5	6	none
183	362070024	R-1	MDR	4.83	5	19	none
184	362070023	R-1	MDR	8.69	5	35	none
185	368080032	R-1-11000	MDR	3.03	5	12	none
186	368080032	R-A-20000	MDR	5.19	5	21	none
187	368080032	R-1-8000	MDR	9.98	5	40	none
188	367140011	R-1	MDR	9.51	5	38	none
189	362713001	R-5	MDR	5.36	5	21	none
190	362100048	R-T	MDR	1.01	5	4	none
191	362620022	R-1	MDR	4.49	5	18	none
192	362240020	R-1	MDR	2.43	5	10	none
193	376350009	R-R	MDR	19.80	5	79	none
194	380182003	R-1	MDR	1.96	5	8	none
195	362080005	R-1	MDR	14.25	5	57	none
196	362502032	R-T	MDR	1.76	5	7	none
197	366380017	R-R	MDR	1.21	5	5	none
198	366060027	R-R	MDR	1.33	5	5	none
199	366060028	R-R	MDR	1.25	5	5	none
200	380210003	R-1	MDR	4.83	5	19	none
201	368030057	C-1/C-P	MDR	3.13	5	13	none
202	376462035	R-1	MDR	1.73	5	7	none
203	362240023	R-1	MDR	2.43	5	10	none
204	380100005	R-1	MDR	3.26	5	13	none
205	368030030	R-R	MDR	2.62	5	10	none

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Site #	APN	Zoning	GP Land Use	Acreage	GP Density	Unit Potential ¹	Constraints ²
				857.44		3,430	
Rural Mountainous							
--	various	various	RM	2,793.14	0.05	110	
Rural Residential							
--	various	various	RR	169.51	0.02	26	
Estate Density Residential							
--	various	various	EDR	126.76	0.5	219	
Estate Density Residential - Rural Community							
--	various	various	EDR-RC	634.22	0.5	253	
Very Low Density Residential							
--	various	various	VLDR	231.48	1	185	
Very Low Density Residential - Rural Community							
--	various	various	VLD-RC	9.13	1	7	
Low Density Residential							
--	various	various	LDR	459.64	2	735	
Low Density Residential - Rural Community							
--	various	various	LDR-RC	71.43	2	113	

Source: City of Wildomar 2011

¹ 80% capacity is assumed for residential sites; 25% capacity is assumed for mixed-use sites.

² All sites included in the land inventory have water and sewer available and unless a site constraint is listed, no constraint exists

³ Capacity is credited toward lower-income RHNA and is not included in total moderate RHNA capacity.

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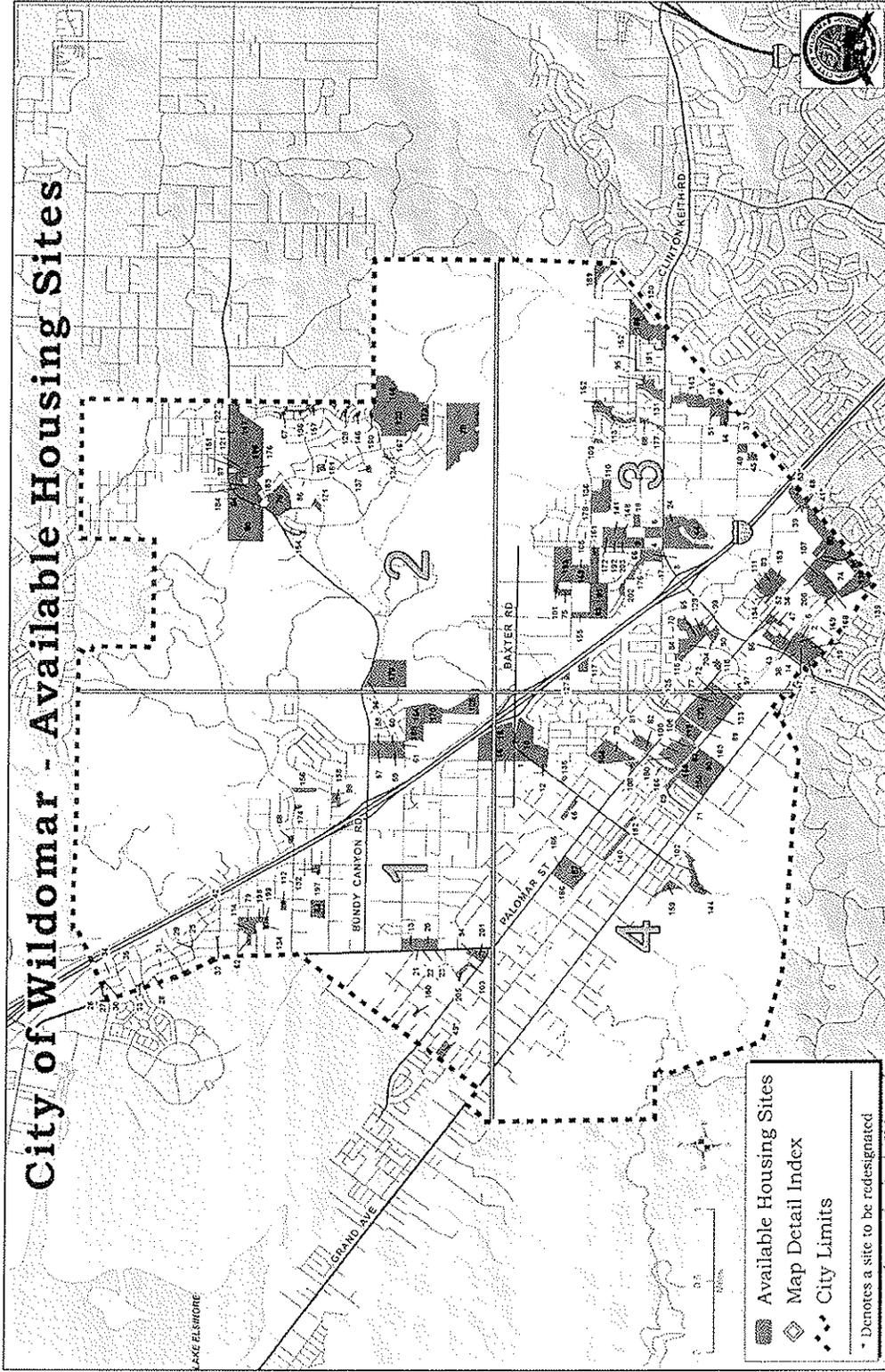


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FIGURE HNA-1: LAND INVENTORY MAP





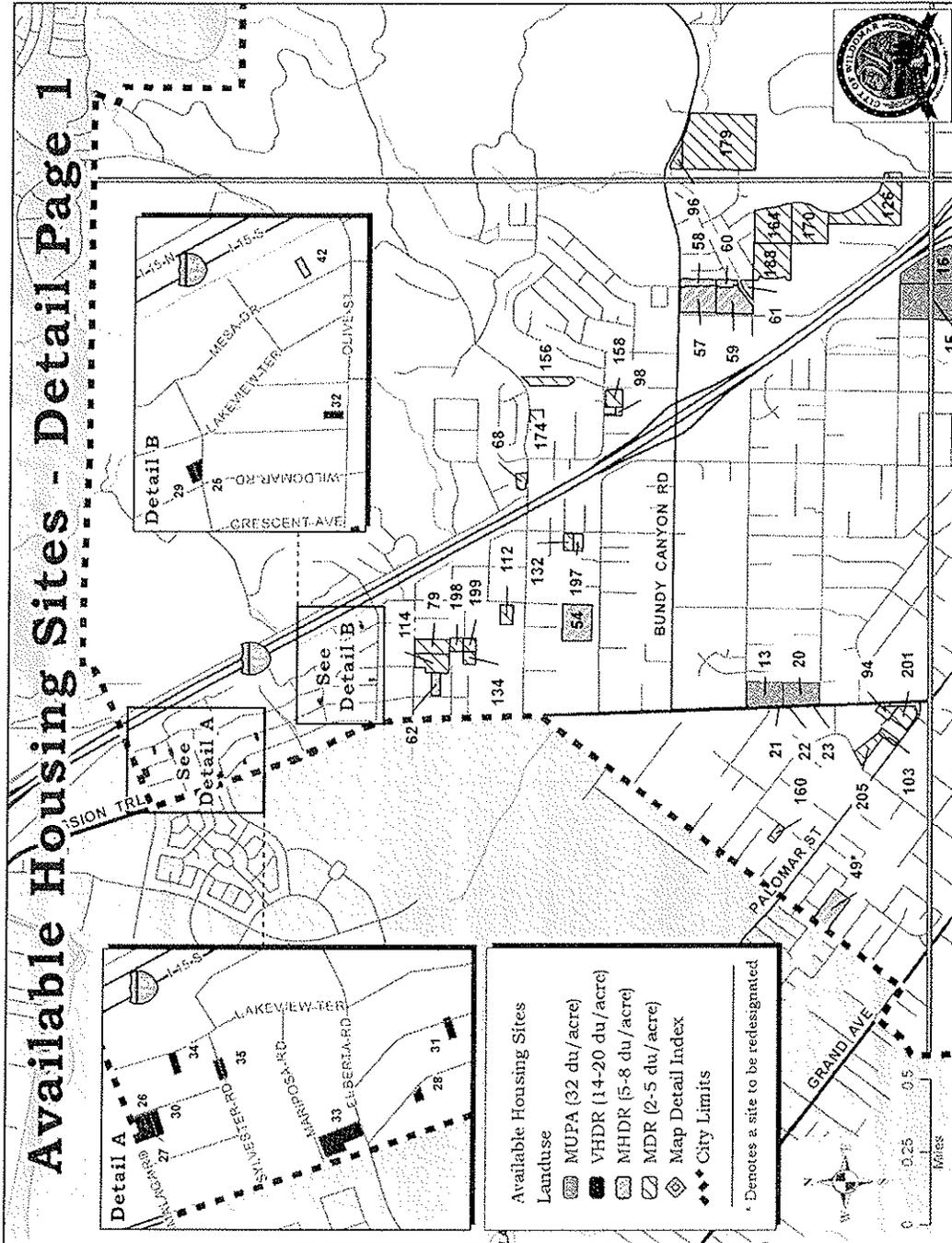
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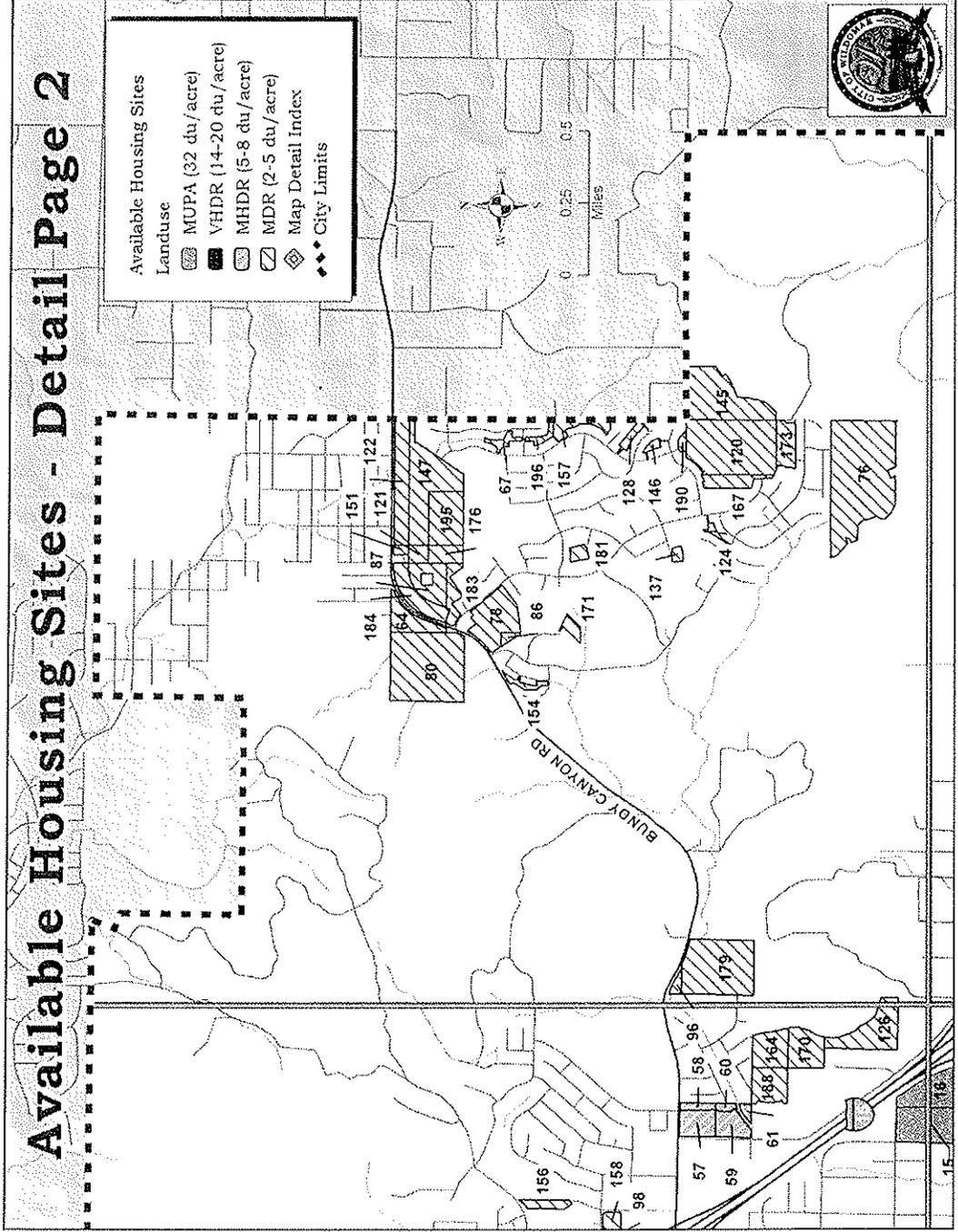
FIGURE HNA-2: LAND INVENTORY, DETAIL 1



HOUSING NEEDS ASSESSMENT



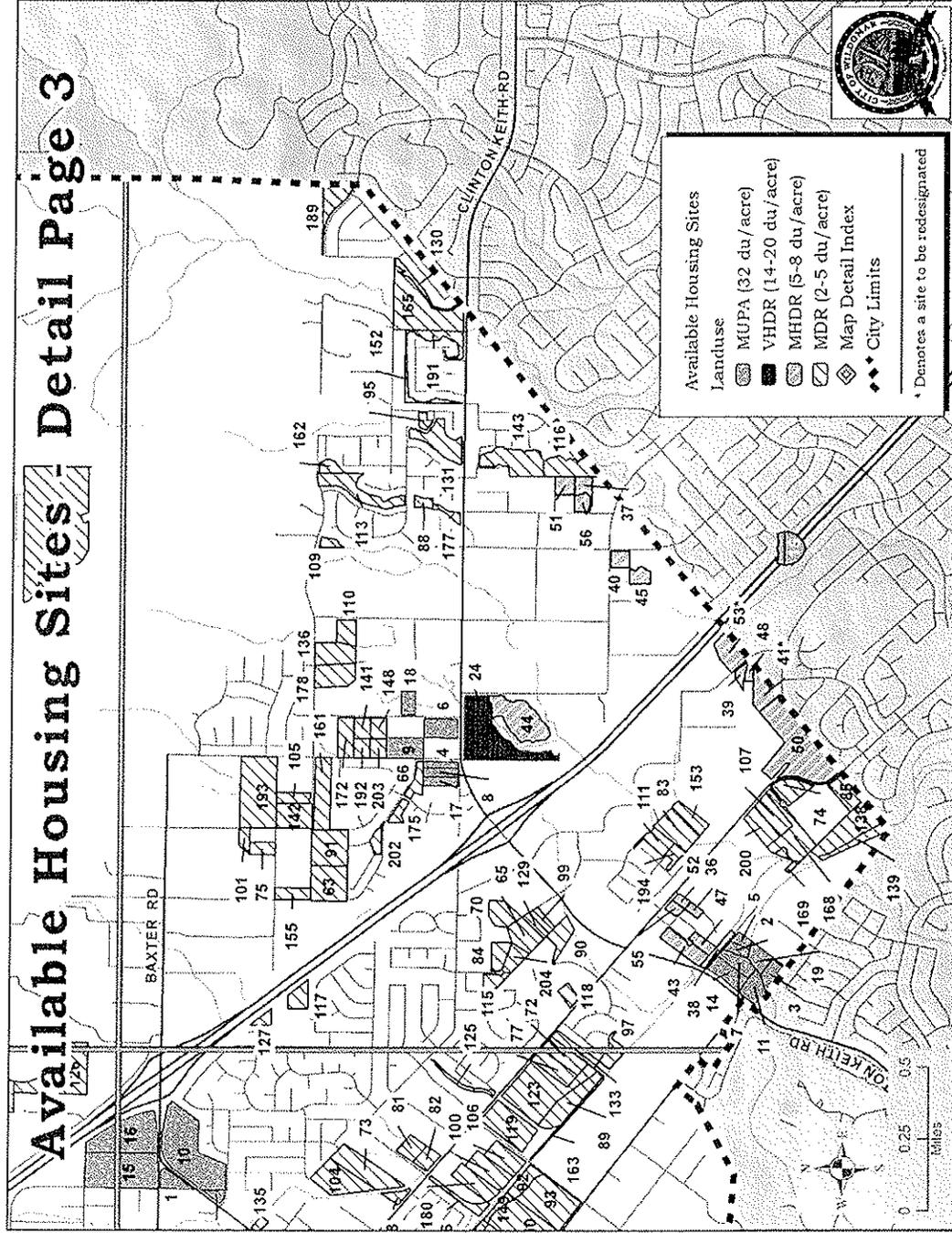
FIGURE HNA-3: LAND INVENTORY, DETAIL 2



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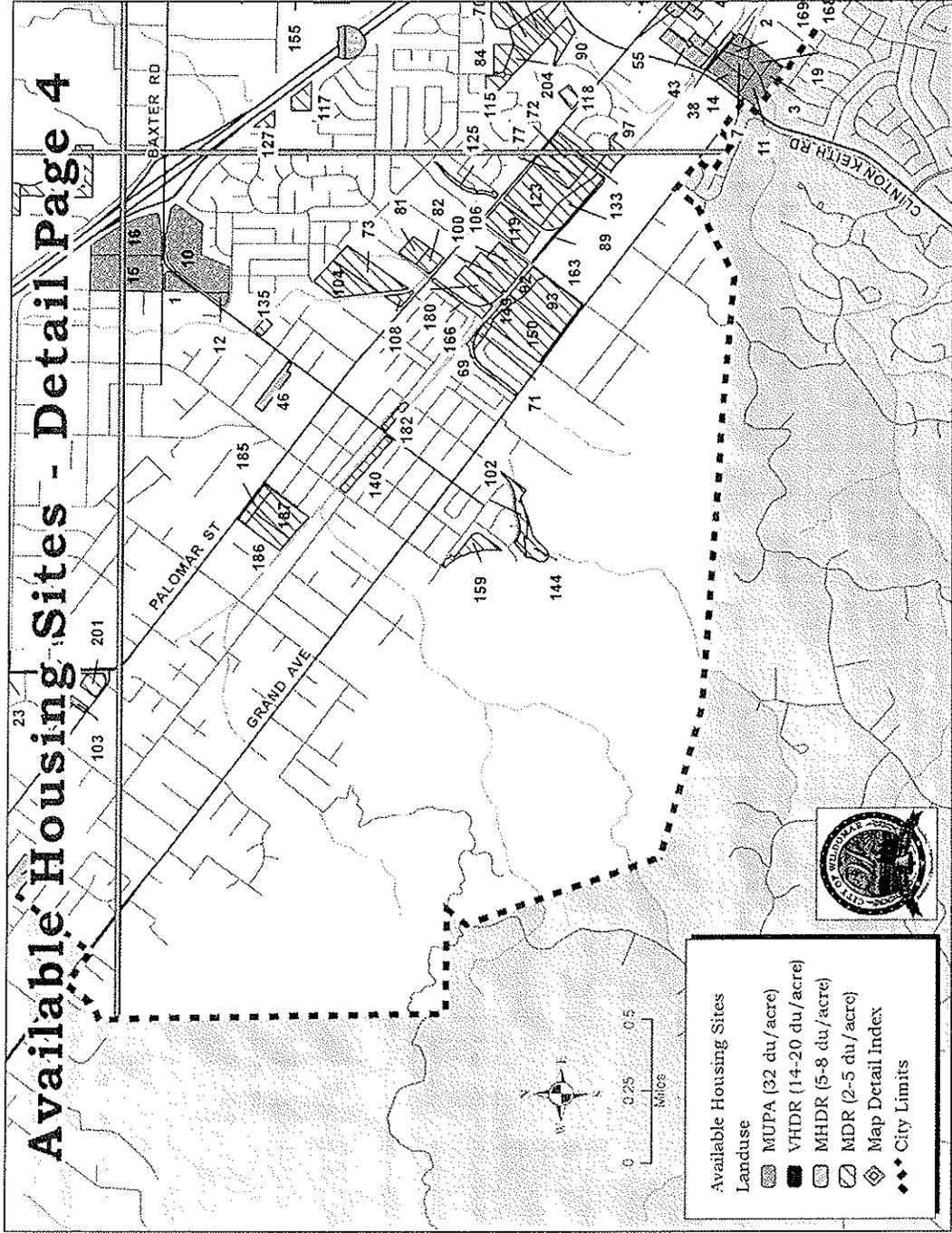
FIGURE HNA-4: LAND INVENTORY, DETAIL 3



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FIGURE HNA-5: LAND INVENTORY, DETAIL 4



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FINANCIAL RESOURCES

The following is a list of federal programs the City is looking to explore.

FEDERAL PROGRAMS

Community Development Block Grant (CDBG) – This program is intended to enhance and preserve the affordable housing stock. Eligible activities include acquisition, rehabilitation, economic development, and public services. CDBG grants benefit primarily persons/households with incomes not exceeding 80% of the county area median income. The City of Wildomar is now an entitlement city and receives an annual allocation of funding.

HOME Investment Partnership – HOME funding is a flexible grant program that is awarded on a formula basis for housing activities which takes into account local market conditions, inadequate housing, poverty, and housing production costs. HOME funding is provided to jurisdictions to either assist rental housing or homeownership through acquisition, construction, reconstruction, and/or rehabilitation of affordable housing. Funding is also provided for possible property acquisition, site improvements, and other expenses related to the provision of affordable housing and projects that serve a group identified as having special needs related to housing.

Housing Choice Voucher (Section 8) Program – This program provides rental assistance payments to owners of private market-rate units on behalf of very low-income tenants.

Section 811/202 Program – Nonprofit organizations and consumer cooperatives are eligible to receive no-interest capital advances from HUD for the construction of very low-income rental housing for senior citizens and persons with disabilities. Project-based assistance is also provided in conjunction with this program. Section 811 can be used to develop group homes, independent living facilities, and intermediate care facilities. Eligible activities include acquisition, rehabilitation, new construction, and rental assistance.

HUD Low Income Housing Preservation and Resident Homeownership Act (LIHPRHA) – LIHPRHA was enacted in response to concern over the prepayment of HUD-assisted housing. The legislation addresses the prepayment of units assisted under Section 221(d)(3) and Section 236 (Section 236 replaced the Section 221(d)(3) program in 1968). Generally, the law facilitates the preservation of these low-income units by providing incentives to property owners to either retain their units as low income or to sell the project to priority purchasers (tenants, nonprofits, or governmental agencies). Pursuant to LIHPRHA, HUD must offer a package of incentives to property owners to extend the low-income use restrictions. These incentives would assure property owners an 8% return on the recalculated equity or their property, provided the rents necessary to yield this return fall within a specified federal cost limit. The cost limits are either 120% of the fair market rent or the prevailing

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rent in the local market. If HUD can provide the owner with this return, the owner cannot prepay the mortgage. The owner must either stay in the program or offer to sell the project (a voluntary sale) to a priority purchaser for a 12-month option period or to other purchasers for an additional three months. The owner is required to document this choice in a Plan of Action.

If HUD cannot provide the owner with the 8% return, i.e., the rents required would exceed federal cost limits, the owner may prepay only after offering the sale to priority purchasers for 12 months or to other qualified buyers for an additional three months (a mandatory sale) and filing a Plan of Action which demonstrates that conversion will not adversely impact affordable housing or displace tenants. According to the California Housing Partnership Corporation, most projects in California will fall within federal cost limits, except those with exceptionally high rental value or condominium conversion potential.

Projects that are preserved under either of these methods are required to maintain affordability restrictions for the remaining useful life of the project, which is defined minimally as 50 years. Despite these requirements, property owners may still be able to prepay. First, the owner may prepay the property if no bona fide offer to purchase the property is made. Second, HUD may not provide some of the discretionary monies to priority purchasers in preservation sales. Finally, the overall success of the preservation efforts is contingent on congressional appropriation of sufficient funding to HUD.

STATE PROGRAMS

California Housing Finance Agency (CHFA) Multiple Rental Housing Programs – This program provides below-market-rate financing to builders and developers of multiple-family and elderly rental housing. Tax-exempt bonds provide below-market mortgage money. Eligible activities include new construction, rehabilitation, and acquisition of properties with 20–150 units.

Low Income Housing Tax Credit (LIHTC) – This program provides tax credits to individuals and corporations that invest in low-income rental housing. Tax credits are sold to corporations and people with high tax liability, and proceeds are used to create housing. Eligible activities include new construction, rehabilitation, and acquisition.

California Community Reinvestment Corporation (CCRC) – This private, nonprofit mortgage banking consortium provides long-term debt financing for affordable multi-family rental housing. Eligible activities include new construction, rehabilitation, and acquisition.

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LOCAL PROGRAMS

Nonprofit Entities – Nonprofit entities serving Riverside County, including Wildomar, can be contacted to gauge their interest and ability in acquiring and/or managing units at risk of conversion. A partial listing of entities with resources in the Riverside County area includes:

- Alternatives for Domestic Violence
- Shelter from the Storm
- Banning Partners for a Revitalized Community
- Catholic Charities
- Coachella Valley Housing Coalition
- Fair Housing Council of Riverside County
- Family Service Association of Riverside County
- Habitat For Humanity
- Lutheran Social Services
- Shared Housing

OPPORTUNITIES FOR ENERGY CONSERVATION

The cost of housing includes not only the rent but also utility costs. Higher utility expenses reduce affordability. Building affordable homes is not the same as making homes affordable to live in. Cheaply built homes invite callbacks, complaints, and discomfort, and they waste energy. Therefore, additional first costs to improve energy efficiency do not make housing less affordable in the long run. Energy efficiency in affordable housing, more than any other building sector, makes a critical impact on the lives of tenants. According to the US Department of Housing and Urban Development (HUD), utility bills burden the poor and can cause homelessness. Table HNA-24 summarizes available programs related to energy conservation that can be considered and engaged in the production of affordable housing.

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TABLE HNA-24: ENERGY CONSERVATION PROGRAMS

Housing Program	Program Intent/Description	Eligible Activities	Funding Source
Utility Assistance Program	Low-income households are assisted with utility expenses. Several resources are leveraged to provide each consumer with maximum assistance.		
241(a) Rehabilitation Loans for Multi-Family Projects	Provides mortgage insurance for improvements, repairs, or additions to multi-family projects.	Energy conservation Multi-family rehabilitation	HUD
Community Development Block Grant Entitlements	Provides formula funds to metropolitan cities and urban counties to support the development of viable urban communities by providing decent housing and a suitable living environment and expanding economic opportunities.	Acquisition Infrastructure improvements Group homes/homeless and transitional housing Housing preservation and rehabilitation New construction (if completed by nonprofit groups)/self-help housing Public services and community facilities Landlord/tenant mediation Accessibility retrofit and energy conservation Administration	HUD
Community Facilities Loans	Provides loan and loan guarantees to fund the construction, enlargement, or improvement of community facilities in rural areas, towns, and cities.	Community facilities Infrastructure/public works	Rural Housing Service
Rural Housing Preservation Grants	Supports the rehabilitation and repair of homeownership and rental housing for very low- and low-income households living in rural substandard housing.	Rehabilitation Construction Preservation of affordable housing Energy conservation	Rural Housing Service
CalHOME	Loans and grants to local public agencies and nonprofit developers to assist individual households through deferred payment loans. Direct, forgivable loans to assist development of projects involving multiple-ownership units, including single-family subdivisions.	Acquisition Energy conservation Infrastructure development New construction single-family	HCD

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Housing Program	Program Intent/Description	Eligible Activities	Funding Source
DOE Energy Weatherization Assistance Program	Reduces the heating and cooling costs for low-income families by improving energy efficiency of their homes. Focuses on low-income seniors, individuals with disabilities, and families with children. Assistance includes (1) in-home energy education; (2) energy-related home repairs; (3) blower door guided air sealing; (4) heat system safety tests, repair and tune; (5) duct insulation and sealing; (6) attic insulation; and (7) hot water savings measures.	Energy conservation Rehabilitation and repair	California Department of Community Services and Development
Low Income Home Energy Assistance Program (LIHEAP)	The LIHEAP block grant is funded by the Department of Health and Human Services and provides financial assistance and home weatherization. This is accomplished through three components: (1) The Weatherization Program which provides free weatherization services to improve the energy efficiency of homes including attic insulation, weatherstripping, minor housing repairs, and related conservation measures; (2) The Home Energy Assistance Program (HEAP) which provides financial assistance to eligible households to offset the costs of heating or cooling dwellings; (3) The Energy Crisis Intervention Program which provides payments for weather-related emergencies.	Financial assistance Energy conservation	California Department of Community Services and Development
Neighborhood Housing Services	NHS is a three-way partnership among neighborhood residents, local government, and local businesses. NRC provides direct technical assistance, expendable grants, and capital grants to NHS, which makes loans for rehabilitation.	Rehabilitation Energy conservation Community services/facilities	Neighborhood Reinvestment Group
Weatherization Program	Provide weatherization services and assistance through grants and financial assistance. Activities may include energy conservation measures, weatherization such as weatherstripping, water heater wrap, insulation of various home components, and financial assistance.	Weatherization rehabilitation	Southern California Gas, DOE, WEER, LIHEAP

Source: City of Wildomar 2011

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CONSTRAINTS

Various interrelated factors can constrain the ability of the private and public sectors to provide adequate housing and meet the housing needs for all economic segments of the community. These factors can be divided into two categories: (1) governmental constraints and (2) non-governmental constraints. Governmental constraints consist of land use controls, development standards, processing fees, development impact fees, code enforcement, site improvement costs, development permit and approval processing, and provision for a variety of housing. Non-governmental constraints consist of land availability, the environment, vacancy rates, land cost, construction costs, and availability of financing.

GOVERNMENTAL CONSTRAINTS

Governmental constraints are policies, standards, requirements, or actions imposed by the various levels of government upon land and housing ownership and development. Although federal and state agencies play a role in the imposition of governmental constraints, these agencies are beyond the influence of local government and are therefore not addressed in this document.

LAND USE CONTROLS

General Plan Land Use Designations

Each city and county in California must prepare a comprehensive, long-term general plan to guide its future. The land use element of the general plan establishes the basic land uses and density of development within each jurisdiction. Under state law, the general plan elements must be internally consistent, and each jurisdiction's zoning must be consistent with its general plan. Thus, the land use plan must provide suitable locations and densities to implement the policies of the Housing Element.

Table HNA-25 shows the residential General Plan land use designations for the City of Wildomar. The land use designations support a variety of housing types, ranging from very low density development, which generally includes single-family homes on large lots, to high-density development, which includes multi-family development.

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TABLE HNA-25: GENERAL PLAN LAND USE DESIGNATIONS

Land Use Designation		Allowed Density	General Uses
AG	Agriculture	10 ac min.	Agricultural land including row crops, groves, nurseries, dairies, poultry farms, processing plants, and other related uses. One single-family residence allowed
RR	Rural Residential	5 ac min.	Single-family residences Allows limited animal keeping and agricultural uses.
RM	Rural Mountainous	10 ac min.	Single-family residential uses Allows limited animal keeping, agriculture, recreational uses
RD	Rural Desert	10 ac min.	Single-family residential Allows limited animal keeping, agriculture, recreational,
EDR EDR-RC	Estate Density Residential	2 ac min.	Single-family detached residences Limited agriculture, intensive equestrian, and animal-keeping
VLDR VLD-RC	Very Low Density Residential	1 ac min.	Single-family detached residences Limited agriculture, intensive equestrian, and animal-keeping
LDR LDR-RC	Low Density Residential	1/2 ac min.	Single-family detached residences Limited agriculture, intensive equestrian, and animal-keeping
MDR	Medium Density Residential	2–5 du/ac	Single-family detached and attached residences Limited agriculture and animal keeping is permitted.
MHDR	Medium High Density Residential	5–8 du/ac	Single-family attached and detached residences
HDR	High Density Residential	8–14 du/ac	Single-family attached and detached residences, including townhouses, stacked flats, courtyard homes, patio homes, and zero lot line homes.
VHDR	Very High Density Residential	14–20 du/ac	Single-family attached residences and multi-family dwellings.
HHDR	Highest Density Residential	20-40 du/ac	Multi-family dwellings, includes apartments and condominiums. Multi-storied (3+) structures are allowed.
MUPA	Mixed Use Planning Area	32 du/are	The intent of the designation is not to identify a particular mixture or intensity of land uses, but to designate areas where a mixture of residential, commercial, office, entertainment, educational, and/or recreational uses, or other uses is planned.

Source: City of Wildomar 2011

Zoning Districts

Zoning, unlike the General Plan, is regulatory. Under the Zoning Ordinance, development must comply with specific, enforceable standards such as minimum lot requirements, minimum setbacks, maximum building heights, and a list of allowable uses (Table HNA-26).

HOUSING NEEDS ASSESSMENT



TABLE HNA-26: RESIDENTIAL ZONING DISTRICTS

Zone		General Uses
R-1	One-Family Dwelling	One-family dwellings, mobile homes on permanent foundations, mobile home parks
R-1A	One-Family Dwelling Mountain Resort	One-family dwellings, mobile home parks, planned residential developments
R-2	Multiple-Family Dwelling	One-family dwellings, multiple-family dwellings, congregate care residential, single-family subdivisions, two-family dwellings, mobile home parks, boarding, rooming and lodging houses, bungalow courts, apartment houses
R-2A	Limited Multiple Family Dwelling	One-family dwelling, multiple-family dwellings, two-family dwellings, mobile home parks, apartment houses, planned residential developments
R-3	General Residential	One-family dwellings, multiple-family dwellings, congregate care facilities, two-family dwellings, bungalow courts, apartment houses, boarding, rooming and lodging houses, mobile home parks
R-3A	Village Tourist Residential	One-family dwellings, apartments, hotels, RV parks, bungalow courts, planned residential developments
R-4	Planned Residential	One-family dwellings, multiple-family dwellings, mobile home parks
R-6	Residential Incentive	One-family dwellings, mobile homes on permanent foundations, mobile home parks, multiple-family dwellings, planned residential developments, apartments
A-1	Light Agriculture	One-family dwellings, mobile homes, farm labor camps, mobile home parks
A-2	Heavy Agriculture	One-family dwellings, agricultural mobile homes, labor camps
R-A	Residential Agriculture	One-family dwellings, mobile homes on permanent foundations, agricultural mobile homes, mobile home parks
R-D	Regulated Development Areas	One-family dwelling, apartment houses and hotels, mobile home parks, two-family dwellings, multiple-family dwellings, bungalow courts, boarding and rooming houses, congregate care facilities, RV parks, agricultural mobile homes
R-R R-R-O	Rural Residential	One-family dwellings, mobile home parks, RV parks, farm labor camps, guest ranches, planned residential developments
R-T	Mobile Home Subdivisions and Mobile Home Parks	One-family dwellings, mobile homes, mobile home parks, mobile home subdivisions
R-T-R	Mobile Home Subdivision – Rural	One-family dwellings, mobile homes
S-P	Specific Plan	Residential, commercial, manufacturing, open space, public facilities, health, and community facilities, agricultural uses

Source: City of Wildomar Zoning Ordinance

Note: Density established by the Wildomar General Plan, Land Use Map

HOUSING NEEDS ASSESSMENT

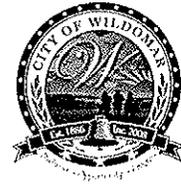


Table HNA-27 shows the associated zoning that is consistent with the General Plan land use designation densities. As previously mentioned, density in the City of Wildomar is determined by the land use designation and not the zoning.

TABLE HNA-27: RESIDENTIAL COMPATIBILITY MATRIX

General Plan Land Use	Associated Zoning District
LDR	R-R
MDR	R-1, R-2, R-3, R-4
MHDR	R-2, R-3, R-4, R-6
HDR	R-3, R-4, R-6
VHDR	R-3, R-4, R-6
HHDR	R-3, R-4, R-6

Source: City of Wildomar 2011

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DEVELOPMENT STANDARDS

The City of Wildomar regulates the type, location, density, and scale of residential development primarily through its Zoning Ordinance. Zoning regulations are designed to protect and promote the health, safety, and general welfare of residents, as well as preserve the character and integrity of neighborhoods. The Zoning Ordinance sets forth the specific residential development standards summarized in Table HNA-28.

TABLE HNA-28: RESIDENTIAL ZONING CRITERIA

Development Standards	A-1	A-2	R-A	R-R	R-1	R-2	R-3	R-4	R-5	R-T
<u>Lot Dimensions</u>										
Minimum Lot Size (sf)	20,000	20,000	20,000	21,780	7,200	7,200	7,200	3,500	-	5,000
Minimum Lot Width	100 ft	100 ft	100 ft	80 ft	60 ft		60 ft	40 ft	-	-
Frontage					60 ft				-	-
Minimum Lot Depth	150 ft	150 ft	150 ft		100 ft		100 ft	80 ft	-	-
<u>Setbacks</u>										
Front	20 ft	20 ft	20 ft		20 ft	20 ft	10 ft	20 ft	50 ft	
Side – Interior	5 ft	10 ft			10%	10%	5 ft	5 ft	50 ft	10
Side – Street	5 ft	10 ft			10%	10%	5 ft	5 ft	50 ft	10
Rear	10 ft	10 ft			10 ft	10 ft		10 ft	50 ft	-
Separation	-	-	-	-	-	15 ft/20 ft	-	-	20 ft	-
<u>Height</u>										
Primary Building	40 ft	40 ft	40 ft	40 ft	40 ft/3 stories	40 ft/3 stories	50 ft	40 ft	50 ft	35 ft

Source: Wildomar Zoning Ordinance

Note, please see the Zoning Ordinance for specific footnotes regarding this table. Also, a blank in the table means there is no specified standard.

There are no minimum lot coverage requirements.

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Parking Requirements

In Southern California, providing sufficient parking for vehicles is an essential part of good planning. At the same time, however, excessive parking requirements can detract from the feasibility of developing new housing at a range of densities necessary to facilitate affordable housing. The City's Zoning Ordinance establishes residential parking standards as summarized in Table HNA-29.

Residential parking standards are not deemed to be a constraint to the development, improvement, and maintenance of housing. The current standards match current vehicle ownership patterns of residents and do not have an impact on the cost or supply of housing. In an effort to assist with the development of housing affordable to lower-income households, the City allows for parking reductions for affordable projects (see Program H-4.3)

TABLE HNA-29: RESIDENTIAL PARKING REQUIREMENTS

Type of Residential Development	Required Parking
Single-Family	2 spaces/unit
Multi-Family	
One bedroom or studio	1.25 spaces/unit
Two bedrooms	2.25 spaces/unit
Three or more bedrooms	2.75 spaces/unit
Planned Residential Development	
One bedroom	1.5 spaces/unit
Two or more bedrooms	2.5 spaces/unit
Senior Housing	Same as single- and multi-family requirements
Mobile Home Parks	2 spaces/unit*

Source: City of Wildomar 2011

*Spaces may be tandem but must provide 1 guest space for every 8 mobile home spaces.

Density Bonus

Under current state law (SB 1818 of 2004), cities and counties must provide a density increase up to 35% over the otherwise maximum allowable residential density under the municipal code and the land use element of the general plan (or bonuses of equivalent financial value) when builders agree to construct housing developments with units affordable to low- or moderate-income households. The City of Wildomar has included Program H-9.1 to comply with state law.

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PROVISIONS FOR A VARIETY OF HOUSING

Housing Element law specifies that jurisdictions must identify adequate sites to be made available through appropriate zoning and development standards to encourage the development of various types of housing for all economic segments of the population. This includes single-family housing, multi-family housing, manufactured housing, mobile homes, emergency shelters, and transitional housing, among others. Table HNA-30 below summarizes the permitted housing types by zone.

HOUSING NEEDS ASSESSMENT



TABLE HNA-30: HOUSING TYPES PERMITTED BY ZONE

Land Use	R-R	R-R-O	R-1	R-1A	R-A	R-2	R-2A	R-3	R-3A	R-T	RTR	R-4	R-5	R-6	R-D	SP	A-1	A-P	A-2	A-D
Apartment Houses			PP	PP	PP	PP	CUP								PP	PP	A			
Boarding, Rooming, Lodging Houses			PP	PP	PP	PP	PP								PP	A				
Congregate Care/Residential Facility	PUP	PUP	PUP	PUP	PUP	PP/CUP	PUP	PUP	PUP	PUP	PUP	PUP	PUP	PUP	A	PUP	PUP	PUP	PUP	PUP
Dwellings – Agricultural Mobile home	PP	PP			P										P	A	PP	PP	PP	PP
Dwellings – Multiple, Apartment			PP	PP	PP	PP	CUP					P		PP	PP	A				
Dwellings – One Family	P	P	P	P	P	P	P	PP	P	P	P	P	P	PP	P	A	P	P	P	P
Farm Labor Camp	CUP	CUP															A	CUP	CUP	CUP
Migrant Agricultural Workers Mobile Home Park	CUP	CUP															A			
Mobile Home – Single Family	P	P	P	P	P	P	P	PP	P	P	P	P	P	PP	P	A	P	P	P	P
Mobile Home Parks	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	A	CUP	CUP	CUP	CUP
Planned Residential Development	P	P	P	P	P	P	P	P	P					PP		A				
Second Dwelling Units	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	A	SUP	SUP	SUP	SUP

Source: City of Wildomar Zoning Ordinance

CUP= conditional use permit, P= permitted, PP= plot plan, PUP= public use permit, SUP= second dwelling unit permit, A= allowed

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Emergency Shelters

The California Health and Safety Code (Section 50801) defines an emergency shelter as “housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or households may be denied emergency shelter because of an inability to pay.”

New legislation (Senate Bill 2 (Cedillo, 2007)) requires jurisdictions to allow emergency shelters and supportive and transitional housing without a conditional use permit. The City’s Zoning Ordinance currently classifies emergency/transitional shelters with more than six beds as a congregate or group facility, and they are implicitly included as such in the Zoning Ordinance. Shelters or transitional housing with more than six beds are subject to a conditional use permit (CUP). The City must identify a zone(s) where emergency shelters will be allowed as a permitted use without a conditional use permit or other discretionary permit. The zone or zones identified must have land available to accommodate an emergency shelter.

Within the identified zone, only objective development and management standards may be applied, given they are designed to encourage and facilitate the development of or conversion to an emergency shelter. Those standards may include:

- The maximum number of beds or persons permitted to be served nightly by the facility;
- Off-street parking based upon demonstrated need, provided that the standards do not require more parking for emergency shelters than for other residential or commercial uses within the same zone;
- The size and location of exterior and interior on-site waiting and client intake areas;
- The provision of on-site management;
- The proximity to other emergency shelters provided that emergency shelters are not required to be more than 30 feet apart;
- The length of stay;
- Lighting; and
- Security during hours that the emergency shelter is in operation.

Program H-16.1 states that the City will amend the Zoning Ordinance to allow for emergency shelters by right in the Industrial Park (I-P) zone. Currently there are approximately 83.38 acres (16 parcels ranging in size from 2 to 20 acres with a majority of the parcels being 2-5 acres) of vacant land available which would allow adequate capacity for the provision of an emergency shelter.

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These vacant sites are close to services and future transit as development occurs. The sites surrounding these available parcels are mainly business park type uses, service commercial and light manufacturing companies (there is no heavy hazardous manufacturing). There are also such uses as an indoor golfing range, a hospital, medical office buildings and even a few residential units.

Supportive and Transitional Housing

Supportive housing is defined by Section 50675.14 of the Health and Safety Code as housing with linked on- or off-site services with no limit on the length of stay and that is occupied by a target population as defined in Health and Safety Code Section 53260 (i.e., low-income person with mental disabilities, AIDS, substance abuse, or chronic health conditions, or persons whose disabilities originated before the age of 18). Services linked to supportive housing usually focuses on retaining housing, living and working in the community, and/or health improvement.

Transitional housing is defined in Section 50675.2 of the Health and Safety Code as rental housing for stays of at least six months but where the units are recirculated to another program recipient after a set period. It may be designated for a homeless individual or family transitioning to permanent housing. This housing can take many structural forms such as group housing and multi-family units and may include supportive services to allow individuals to gain necessary life skills in support of independent living.

Pursuant to Senate Bill (SB) 2, transitional and supportive housing types are required to be treated as residential uses and subject only to those restrictions that apply to other residential uses of the same type in the same zone. In order to comply with SB 2, the City will (1) add the current definition of transitional housing and supportive housing as stated in this document; and (2) list these as permitted uses within residential zones.

Program H-16.2 will address the changes to the City's Zoning Ordinance required to be in compliance with the legislation regarding supportive and transitional housing.

Extremely Low-Income Households

Extremely low-income households typically comprise persons with special housing needs, including but not limited to persons experiencing homelessness or at risk of homelessness, persons with substance abuse problems, and farmworkers. Assembly Bill 2634 (Lieber, 2006) requires the quantification and analysis of existing and projected housing needs of extremely low-income households. Housing Elements must also identify zoning to encourage and facilitate supportive housing and single-room occupancy units (SROs).

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Program H-13.1 states that the City will update its Zoning Ordinance to explicitly define and allow for single-room occupancy units in the Planned Residential (R-4) and Residential Incentive (R-6) zones. In addition, to encourage and facilitate the development of housing affordable to extremely low-income households, the City will prioritize funding and offer financial incentives and regulatory concessions.

Congregate Care Residential Facilities

Health and Safety Code Sections 1267.8, 1566.3, and 1568.08 require local governments to treat licensed group homes and residential care facilities with six or fewer residents no differently than other by-right single-family housing uses. "Six or fewer persons" does not include the operator, the operator's family, or persons employed as staff. Local agencies must allow these licensed residential care facilities in any area zoned for residential use and may not require licensed residential care facilities for six or less to obtain conditional use permits or variances that are not required of other family dwellings.

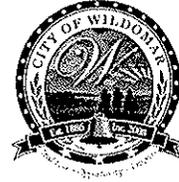
Currently, congregate care residential facilities are allowable uses in most zones with a public use permit. The City has included Program H-13.4 to allow for group homes (six or fewer persons) no differently than other by-right single-family homes and for residential care facilities (seven or more persons) with a conditional use permit in the R-2 and R-3 zones.

Housing for Persons with Disabilities

The City of Wildomar incorporates the Federal Fair Housing Act and the California Fair Employment and Housing Act of 1964 as a part of its building requirements. These two statutes address the fair housing practices adhered to by the City, which include practices against housing discrimination toward persons with disabilities. In compliance with SB 520, a complete evaluation of the City's zoning laws, practices, and policies was done as a part of the Housing Element update process. No constraints to housing development for persons with disabilities were found at that time. However, Programs H-13.3 and H-13.4 have been incorporated into the Housing Element to mitigate any possible constraints.

- **Reasonable accommodations** – Currently the City's Zoning Ordinance does not contain a reasonable accommodations ordinance. Program H-13.3 states that the City will amend the Zoning Ordinance to include administrative procedures for reviewing and approving requests for modifications to building or zoning requirements in order to ensure reasonable accommodations for persons with disabilities.
- **Separation requirements** – The City's Zoning Ordinance does not impose any separation requirements between group homes or residential care facilities.

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- **Site planning requirements** – The site planning requirements for residential care facilities are no different than for other residential uses in the same zone.
- **Definition of “family”** –The City has included **Program 13.4** to include an updated definition of family to state: “One or more persons living together in a dwelling unit, with common access to, and common use of all living, kitchen, and eating areas within the dwelling unit.” This definition is consistent with current housing law.

LOCAL PROCESSING AND PERMIT PROCEDURES

Development review procedures exist to ensure that proposals for new residential development comply with local regulations and are compatible with adjacent land uses. As shown in Table HNA-31, processing times for Wildomar are relatively quick: single-family projects require three months, while multi-family projects typically require two to three months (see Table HNA-32). Note: Review times differ on a case-by-case basis depending on the type and the complexity of the project.

The costs associated with development project review will vary between projects. Wildomar utilizes an efficient and comprehensive approach toward development review and permitting that allows for quick response to developer applications. The City utilizes many practices to expedite application processing, reduce costs, and clarify the process to developers and homeowners. Increased development costs resulting from delays in the City’s development review, public hearing, and permitting process are not considered a constraint on housing development. Therefore, the City’s development review process is not seen as a constraint to the development of housing.

TABLE HNA-31: LOCAL DEVELOPMENT PROCESSING TIMELINES

Item	Approximate Length of Time From Submittal to Public Hearing
Conditional Use Permit	9–12 months
Plot Plan	3–4 months
Specific Plan	12–15 months
Tentative Tract Map/Parcel Map/Subdivision	6–9 months
Variance	2–3 months
Zone Change	6–8 months
General Plan Amendment	9–12 months
Environmental Documentation (EIR)	9–12 months

Source: City of Wildomar 2011

HOUSING NEEDS ASSESSMENT

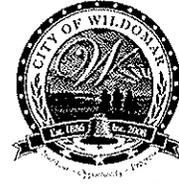


TABLE HNA-32: TYPICAL PROCESSING PROCEDURES BY PROJECT TYPE

Single Family Process	Time to complete (days or months)
Step 1: Entitlement/submittal of construction doc.	10-day review period
Step 2: Plan check	2 weeks
Step 3: Submit revised construction plans	2 weeks
Estimated Total Processing Time	1.5 -2 months
Multi-Family Process	Time to complete (days or months)
Step 1: Entitlement/submittal of construction doc.	10-day review period
Step 2: Plan check	3-4 weeks
Step 3: Submit revised construction plans	2 weeks
Estimated Total Processing Time	2-3 months

Source: City of Wildomar 2011

Design Guidelines

The City of Wildomar adopted Riverside County’s design guidelines upon incorporation. The purpose of design guidelines is to ensure that the design of proposed development and new land uses assists in maintaining and enhancing the character of the community. The goals and purposes of these procedures and requirements are to:

- Ensure that new homes are constructed in neighborhoods that are interesting and varied in appearance;
- Utilize building materials and enhanced landscaping to promote a look of quality, both at the time of initial occupancy as well as in future years;
- Encourage efficient use of land while creating high quality communities that will maintain their economic value and long-term desirability as places to live and work; and
- Incorporate conveniently located neighborhood parks, trails, and open space.

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In general, the guidelines were prepared to address market-rate housing developments. Because the guidelines have not been adopted by ordinance, the applicability of the guidelines to individual developments is currently subject to the discretion of the City Council.

Although their application and consequently their impact on below-market-rate housing cannot be fully determined until such time that the design guidelines are codified by ordinance, an analysis of the potential costs and impacts of the design standards are summarized below:

Discussions with the development community have identified only three items which have increased market-rate housing cost. These are:

- Tile roofs
- Masonry walls on interior lot lines
- Decorative masonry walls extending from the lot line fences or walls to the side of the houses, separating the front and back yards, called "return" walls.

These discussions have revealed the following information:

- Market-rate builders virtually always install some type of tile or concrete tile roof, guidelines notwithstanding. Consequently, this requirement results in no added cost to market-rate housing, and, as stated above, does not apply to affordable housing.
- The interior masonry walls do add some additional cost to market-rate units. However, interior masonry walls have not been required on affordable housing. The builders in several situations involving market-rate housing have also had the requirement waived upon request. This added cost is not seen as an undue constraint.
- The decorative masonry return walls also add some additional cost to market-rate housing, depending on the length of the wall (which should be as little as 5 feet) and the type of gate material used on one side. This added cost is not seen as an undue constraint.

To facilitate the goals of the design guidelines, the City has a number of policies that may provide financial incentives, bonus densities, fast-tracking, and fee waivers to those developers that include units in their projects that will be sold to low- and moderate-income households. Currently, design guidelines have had little or no effect on market-rate or affordable housing development and therefore the design guidelines are not seen as a constraint to the development of housing.

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CONDITIONAL USE PERMIT PROCESS

The conditional use permit process is not required for multi-family development in the R-3, R-4 or R-6 zones.

Applicability.

Whenever any section of this title requires that a conditional use permit be granted prior to the establishment of a use, the following provisions shall take effect.

Application.

Every application for a conditional use permit shall be made in writing to the planning director on the forms provided by the planning department, shall be accompanied by the filing fee as set forth in the Municipal Code.

- Name and address of the applicant;
- Evidence that he or she is the owner of the premises involved or that he or she has written permission of the owner to make such application;
- A plot and development plan drawn in sufficient detail to clearly describe the following:
 - Physical dimensions of property and structures,
 - Location of existing and proposed structures,
 - Setbacks,
 - Methods of circulation,
 - Ingress and egress,
 - Utilization of property under the requested permit;
- Such additional information as shall be required by the application form;
- Dimensioned elevations, including details of proposed materials for elevations.

Public Hearing.

A public hearing shall be held on the application for a conditional use permit in accordance with the provisions of Chapter 17.192 of the Municipal Code, and all of the procedural requirements and rights of appeal as set forth therein shall govern the hearing. Notwithstanding the above, or any other provision herein to the contrary, the hearing on any conditional Use permit that requires approval of a general plan amendment, a specific plan amendment or a change of zone shall be heard in accordance with the provisions of Section 17.08.050,

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17.08.060 or 17.280.040 of the Municipal Code, whichever, is applicable, and all of the procedural requirements and rights of appeal as set forth shall govern the hearing.

Conditions.

A conditional use permit shall not be granted unless the applicant demonstrates that the proposed use will not be detrimental to the health, safety or general welfare of the community. Any permit that is granted shall be subject to such conditions as shall be necessary to protect the health, safety or general welfare of the community.

Use of permit.

Any conditional use permit that is granted shall be used within one year from the effective date thereof, or within such additional time as may be set in the conditions of approval, which shall not exceed a total of three years; otherwise, the permit shall be null and void. If a permit is required to be used within less than three years, the permittee may, prior to its expiration, request an extension of time in which to use the permit. A request for extension of time shall be made to the city council, on forms provided by the planning department and shall be filed with the planning director. Within thirty (30) days following the filing of a request for an extension, the planning director shall review the applications, make a recommendation, and forward the matter to the clerk, who shall place the matter on the regular agenda. An extension of time may be granted upon a determination that valid reason exists for permittee not using the permit within the required period of time. If an extension is granted, the total time allowed for use of the permit shall not exceed a period of three years, calculated from the effective date of the issuance of the permit. The term "use" means the beginning of substantial construction of the use that is authorized, which construction must thereafter be pursued diligently to completion, or the actual occupancy of existing buildings or land under the terms of the authorized use. The effective date of a permit shall be determined pursuant to Chapter 17.192 of the Municipal Code.

Revocation of permit.

Any conditional use permit granted may be revoked upon the findings and procedure contained in Chapter 17.220 of the Municipal Code.

BUILDING CODES AND ENFORCEMENT

The City of Wildomar uses the 2010 California Building Code (CBC), which establishes standards and requires inspections at various stages of construction to ensure code compliance. Although these standards and the time required for inspections increase housing production costs and may impact the viability of rehabilitation of older properties that are required to be brought up to current code standards, the intent of the codes is to provide structurally sound, safe, and energy-efficient housing.

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The City has made one amendment to the local code which included the inclusion of the Green Building Code in January 2011.

The City's Building and Safety Department is responsible for enforcing both state and city regulations governing maintenance of all buildings and property. Like most cities, Wildomar responds to code enforcement problems largely on a complaint basis.

DEVELOPMENT FEES

Like cities throughout California, Wildomar collects development fees to recover the capital costs of providing community services and the administrative costs associated with processing applications.

Payment of fees is necessary to maintain an adequate level of services and facilities, and more generally, to protect public health, safety, and welfare. Based on a review of fees in neighboring jurisdictions and discussions with local developers, development fees in Wildomar are comparable to, and in many cases lower than, most other cities in the region.

As a means of assessing the cost that fees contribute to development in Wildomar, the City has calculated the total fees associated with development of a single-family and multi-family development. As indicated in Table HNA-33, development fees for a 2,000-square-foot residential project run approximately \$34,426 (making up 12.1% of the total unit cost), and development fees for a two unit multi-family project run approximately \$57,180 for two units (making up 10.0% of the total unit cost). The fees are not considered a constraint to the development of housing.

TABLE HNA-33: PROPORTION OF FEE IN OVERALL DEVELOPMENT COST

Development Cost for a Typical Unit	Single-Family ¹	Multi-Family ²
Total estimated fees per unit	\$34,426	\$57,180
Typical estimated cost of development per unit	284,584	\$284,584
Proportion of estimated fee cost to estimated overall development cost per unit	12.1%	20.0% (10% per unit)

Source: City of Wildomar 2011; Building-cost.net 2011

Note: Fees include planning, development impact and school fees.

¹ assumes a 2,000-square-foot home

² assumes two units, each 800 square feet

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ON- AND OFF-SITE IMPROVEMENTS

Site improvement costs include the cost of providing access to the site, clearing the site, and grading the pad area. In the case of a subdivision, such costs may also include major improvements such as building roads and installing sewer, water, and other utilities. As with land costs, several variables affect costs, including site topography and proximity to established roads, sewers, and water lines. Engineering and other technical assistance costs are usually included with site improvements as these services are required to ensure that development is constructed according to established codes and standards.

The City requires residential project improvements to include curb/gutter and drainage facilities, sidewalks, paved streets, landscaping, and water and sewer service. These and other site improvement costs are typical of all cities in California and do not impose a significant constraint on the development of housing in Wildomar. The City does not impose any unusual requirements as conditions of approval for new development.

NON-GOVERNMENTAL CONSTRAINTS

LAND COSTS

Land costs are one of the major components of housing development costs. Land prices vary to such an extent that it is difficult to give average prices within small geographic regions. Factors affecting the costs of land include overall availability within a given subregion; environmental site conditions and constraints; public service and infrastructure availability; aesthetic considerations such as views, terrain, and vegetation; the proximity to urban areas; and parcel size. Generally, more remote areas have less expensive land available and larger tracts of land, while smaller, more expensive parcels are located closer to urbanized areas.

While land prices increased rapidly during the last planning period through 2005, current land prices have declined during the economic recession that has affected housing and building nationwide. Land costs in the next several years may actually help keep the cost of some new housing affordable. While rising land costs tend to directly increase housing costs, declining land costs should give developers more options in serving the affordable housing market segment, recognizing that some land currently held by developers was purchased at substantially higher prices than may be the case now.

The data indicates that in Riverside County the cost for a 7,200-square-foot lot of raw land ranges from \$6,120 to \$38,150, while a finished lot is valued from \$39,120 to \$78,150.

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CONSTRUCTION COSTS

The cost of construction depends primarily on the cost of materials and labor, which are influenced by market demand. The cost of construction will also depend on the type of unit being built and on the quality of product being produced. The cost of labor is based on a number of factors, including housing demand, the number of contractors in the area, and the unionization of workers.

The construction cost of housing affects the affordability of new housing and may be considered a constraint to affordable housing in the Riverside County region. A reduction in construction costs can be brought about in several ways. A reduction in amenities and quality of building materials in new homes (still above the minimum acceptability for health, safety, and adequate performance) may result in lower sales prices. State housing law provides that local building departments can authorize the use of materials and construction methods if the proposed design is found to be satisfactory and the materials or methods are at least equivalent to that prescribed by the applicable building codes.

In addition, prefabricated, factory-built housing may provide lower-priced products by reducing labor and material costs. As the number of units built at one time increases, savings in construction costs over the entire development are generally realized as a result of an economy of scale, particularly when combined with density bonus provisions.

Using current pricing sources, the average costs for a newly constructed 2,000-square-foot single-family home (not including land) in the Riverside County region would be calculated as follows:

Item	Cost
Materials	\$102,923
Labor	\$79,054
<u>Equipment</u>	<u>\$2,571</u>
Per Home Costs, Total	\$184,584

(Source: Building-cost.net 2011)

HOUSING NEEDS ASSESSMENT



AVAILABILITY OF FINANCING

Interest rates are determined by national policies and economic conditions, and there is little that local governments can do to affect these rates. Jurisdictions can, however, offer interest rate write-downs to extend home purchase opportunities to lower-income households. In addition, government-insured loan programs may be available to reduce mortgage down-payment requirements.

The subprime mortgage crisis that hit in 2007 chilled financial markets and eliminated the opportunity for many first-time homebuyers to secure financing for home purchases as money lending tightened. The crisis triggered a meltdown in the real estate market as housing values tumbled, vexing the efforts of those holding subprime loans to refinance as loan rates adjusted upward. The inability to refinance many of these subprime loans led to a large increase in bank foreclosures and loan defaults. The mortgage market began to loosen up in mid-2008, but real estate values in Riverside County had already dropped nearly 28%, creating further problems for homeowners attempting to refinance out of risky loans.

Foreclosure activity in the Inland Empire housing market spiked during the subprime mortgage crisis, leading the region to post the fifth highest level of foreclosure activity among major United States metropolitan markets in May 2008. Riverside County recorded 9,024 foreclosure-related filings that month, a 98% increase over the prior year, according to RealtyTrac of Irvine. Those filings include default notices, bank repossessions, and auction sale notices. Banks typically send default notices after a borrower has missed three straight monthly mortgage payments. May's number represents one notice for every 81 households in Riverside County.

First-time homebuyers are the group most impacted by financing requirements. Current mortgage interest rates for new home purchases range from 6.5% to 8% for a fixed-rate 30-year loan. Lower initial rates are available with graduated payment mortgages, adjustable rate mortgages, and buy-down mortgages; however, the subprime crisis has affected the availability of dollars for home mortgages. Variable interest rate mortgages on affordable homes may increase to the point where the interest rate exceeds the cost of living adjustments, which is a constraint on affordability. Although rates are currently low, they can change significantly and substantially impact the affordability of housing stock.

Interest rates at the present time are not a constraint to affordable housing. Financing for both construction and long-term mortgages is generally available in Riverside County subject to normal underwriting standards. A more critical impediment to homeownership involves both the affordability of the housing stock and the ability of potential buyers to fulfill down-payment requirements. Conventional home loans typically require 5% to 20% of the sales price as a down payment, which is the largest constraint to first-time homebuyers. This indicates a need for flexible loan programs and a method to bridge the gap between the down payment and a potential homeowner's available funds. The availability of financing for developers under current economic conditions may also pose a constraint on development outside of the City's control.

HOUSING NEEDS ASSESSMENT



ENVIRONMENTAL AND INFRASTRUCTURE CONSTRAINTS

Environmental and infrastructure issues affect the amount, location, and timing of new residential development. New housing opportunities create challenges regarding public infrastructure extensions and expansions, and encroachment into agricultural land. In addition, the availability of adequate water, public infrastructure such as wells and wastewater treatment facilities, and other public services and facilities can impact the feasibility of new residential development.

Environmental

Earthquake risk is high in western Riverside County (which includes Wildomar), due to the presence of two of California's most active faults, the San Andreas and San Jacinto faults.

Environmental constraints were taken into account with determining the realistic capacity for sites listed has in Table HNA-22.

Infrastructure

Wildomar Southwestern Riverside County – The Southwest Riverside County Analysis Area encompasses the cities of Wildomar, Lake Elsinore, Murrieta, and Temecula. Significant unincorporated areas include Temescal Canyon, El Cerrito, and French Valley.

Primary water and sewer providers include Eastern Municipal Water District (EMWD), Western Municipal Water District (WMWD), Rancho California Water District, Elsinore Valley Municipal Water District, and Lee Lake Water District. Both EMWD and WMWD comply with the California Water Conservation Council and best management practices (BMP). Within this area, WMWD provides only water services and does not operate a sewer treatment plant or sewer collection facilities. All of the service districts stated that they have adequate current capacity to meet demand and adequate capacity to expand to meet projected development. The current facilities and/or infrastructure are reported to be in good operating condition. Therefore, it is determined that the City has enough capacity to meet the remaining 2006–2014 regional housing need.

To comply with Senate Bill 1087, the City will immediately forward its adopted Housing Element to its water and wastewater providers so they can grant priority for service allocations to proposed developments that include units affordable to lower-income households.

**APPENDIX A-1 –
APPLICATION DEPOSIT
FEE SCHEDULE**



City of Wildomar PLANNING DEPARTMENT

APPLICATION DEPOSIT FEE SCHEDULE

SPECIAL INSTRUCTIONS:

1. When two (2) or more permits are filed concurrently, only one environmental fee is required.
2. No environmental fee is required of a project is exempt for the City of Wildomar "rules to Implement the California Environmental Quality Act (CEQA).
3. All per acre fees are based on the gross acreage for the project site.
4. Where a maximum fee is indicated, the maximum fee refers to the base fee added to any additional per lot, per acre, or other fee.
5. The "Asterisk" (*) symbol in the column indicates that an Environmental Assessment may be required for the project application (See CEQA fees).

REFUND OF FEES: NON-DEPOSIT CASES:

- Whenever an application is terminated for any reason, the Planning Department may, in accordance with the Refund Policy statement adopted by the City Council, refund unused fees paid, upon the written request of the applicant.
- If any portion of the application fees have been paid by the Planning Department to another jurisdiction, agency, or department for the performance of services related to the application, the Planning Department will not refund any such portion of fees until the other jurisdiction, agency or department authorizes the Planning Department to do so. In the absence of such authorization, it will be the applicant's responsibility to contact the other jurisdiction, agency or department for a refund of the fees paid to it, in accordance with the Refund Policy Statement.
- The Planning Department shall retain a processing fee of \$82.00 from the total amount refunded.

REFUND OF FEES: DEPOSIT-BASED CASES:

- Within 45 days of the final closure of any deposit-based case, a full refund will be processed for those cases with a balance greater than \$5.00.

ABANDONED AND EXPIRED APPLICATIONS:

- In accordance with the policy adopted by the City Council of the City of Wildomar upon incorporation, if there is no activity by an applicant on an application for more than one year and less than two years, the application is abandoned and any deposit fees remaining will be refunded.

TITLE 17 (ZONING ORDINANCE)

APPLICATION OR PERMIT TYPE		EA	BASE FEE	PER LOT FEE)	PER UNIT FEE	PER ACRE FEE	NOTES/OTHER FEES IF APPLICABLE
APPEALS (ORD. 348)	APPEAL TO: PLANNING COMMISSION OR CITY COUNCIL.		964				\$224 IF FIRE CONDITION APPEALED \$177 IF B&S CONDITIONS APPEALED \$313 IF FLOOD CONDITIONS APPEALED \$565 IF TRANS. CONDITIONS APPEALED
CHANGE OF ZONE	ALL	*	3,577				DEPOSIT BASED FEE (NOTES 2, 3, 5, 8)
CONDITIONAL USE PERMIT	GENERAL	*	9,457	\$5 PER LOT OR SITE			DEPOSIT BASED FEE (NOTES 1, 2, 3, 4, 5, 8)
	MOBILE HOME PARK	*	8,516	\$7 PER LOT OR SITE			DEPOSIT BASED FEE (NOTES 1, 2, 3, 4, 5, 8)
	R.V. PARK	*	6,904	\$7 PER LOT OR SITE			DEPOSIT BASED FEE (NOTES 1, 2, 3, 4, 5, 8)
EXTENSION OF TIME	COMMERCIAL WECS VARIANCE		494				SEE NOTE 5
	CUP'S & PLOT PLANS		685				
	PUBLIC USE PERMITS		632				
GENERAL PLAN AMENDMENT	GENERAL	*	7,333				DEPOSIT BASED FEE (SEE NOTE 8)
	CIRCULATION SECTION	*	8,160				DEPOSIT BASED + \$250 PER RD. SEGMENT (NOTE 7)
REVISED PERMITS	CUP GENERAL	*	3,806				DEPOSIT BASED FEE (SEE NOTE 5, 8)
	CUP MOBILE HOME PARK	*	2,791				DEPOSIT BASED FEE (SEE NOTE 5, 8)
	CUP RV PARK	*	2,578				DEPOSIT BASED FEE (SEE NOTE 5, 8)
	PLOT PLAN W/PUBLIC HEARING	*	1,831				DEPOSIT BASED FEE (SEE NOTE 5, 8)
	PLOT PLAN/TRANSMITTED	*	1,374				DEPOSIT BASED FEE (SEE NOTE 5, 8)
	PLOT PLAN/KENNEL- CATTERY	*	928				DEPOSIT BASED FEE (SEE NOTE 5, 8)
	PUP GENERAL	*	2,594				DEPOSIT BASED FEE (SEE NOTE 5, 8)
	PUP LARGE FAMILY DAY CARE	*	746				DEPOSIT BASED FEE (SEE NOTE 5, 8)
	VARIANCE	*	1,635				DEPOSIT BASED FEE (SEE NOTE 5, 8)
	ACCESSORY WECS	*	1,085				DEPOSIT BASED FEE (SEE NOTE 5, 8)
COMMERCIAL WECS	*	2,573				DEPOSIT BASED FEE (SEE NOTE 5, 8)	
CERTIFICATE OF ZONING COMPLIANCE	OUTDOOR ADVERTISING		657				DEPOSIT BASED FEE (SEE NOTE 8)
PLOT PLANS	EXEMPT FROM CEQA/GOVERNMENT		3,945				DEPOSIT BASED FEE (NOTES 1, 2, 3, 4, 5, 8)
	EXEMPT FROM CEQA/PLANNING		500				DEPOSIT BASED FEE (NOTES 5, 8)
	NOT EXEMPT FROM CEQA	*	4,698				DEPOSIT BASED FEE (NOTES 1, 2, 3, 4, 5, 8)
PUBLIC USE PERMIT		*	7,522				DEPOSIT BASED FEE (NOTES 1, 2, 3, 4, 5, 8)
SECOND UNIT PERMIT	GENERAL		2,975				DEPOSIT BASED FEE (NOTE 8)
	RENEWAL		26				
SETBACK ADJUSTMENT			300				DEPOSIT BASED FEE (NOTE 8)
SPECIFIC PLAN		*	18,327				DEPOSIT BASED FEE (NOTES 2, 3, 8)
AMENDMENT TO SPECIFIC PLAN		*	9,164				DEPOSIT BASED FEE (NOTES 2, 3, 8)
SUBSTANTIAL CONFORMANCE	ORD. 348, SEC. 18.43 CIRC.		1,116				DEPOSIT BASED FEE (NOTE 8)
	ORD. 348, SEC 18.43 UNCIRCULATED		389				DEPOSIT BASED FEE (NOTE 8)
	SPECIFIC PLANS		2,400				DEPOSIT BASED FEE (NOTE 8)
	COMMERCIAL ACCESSORY WECS		568				DEPOSIT BASED FEE (NOTE 8)
TEMPORARY USE PERMIT		*	2,649				DEPOSIT BASED FEE (NOTE 8)
VARIANCE	FILED WITH CUP, PLOT PLAN	*	1,349				DEPOSIT BASED FEE (NOTE 8)
	FILED ALONE		2,574				DEPOSIT BASED FEE (NOTE 8)
WIND ENERGY CONVERSION SYSTEMS (WECS)	ACCESSORY - CEQA EXEMPT	*	1,100				DEPOSIT BASED FEE (NOTE 8)
	COMMERCIAL WECS PERMIT	*	5,637				DEPOSIT BASED FEE (NOTE 4, 8)
	NOISE STUDY		500				(DEPOSIT \$500 W/ENV HEALTH)
LARGE FAMILY DAY CARE			250				ADDITIONAL \$1,000 - HEARING REQ.

HAZARDOUS WASTE FACILITY SITING PERMIT		*	16,451			43	DEPOSIT BASED FEE (NOTES 5, 8)
KENNELS & CATTERIES	CLASS I		500				DEPOSIT BASED FEE (NOTE 8)
	CLASS II	*	4,698				DEPOSIT BASED FEE (NOTE 8)
	CLASS III	*	4,698				DEPOSIT BASED FEE (NOTE 8)
	CLASS IV	*	9,547				DEPOSIT BASED FEE (NOTE 8)
CROWING FOWL PERMIT		*	213				DEPOSIT BASED FEE (NOTE 8)
TEMP. OUTDOOR EVENT	EXEMPT FROM CEQA		378				DEPOSIT BASED FEE (NOTE 8)
	NOT EXEMPT FROM CEQA	*	854				DEPOSIT BASED FEE (NOTE 8)
PRE-EXISTING NONCONFORMING USE	VERIFICATION		213	\$5 PER LOT OR SITE			DEPOSIT BASED FEE (NOTE 8)
	EXTENSION		9,457				DEPOSIT BASED FEE (NOTE 8)

TITLE 16 (SUBDIVISION ORDINANCE)

APPLICATION OR PERMIT TYPE		EA	BASE FEE	PER LOT FEE	PER UNIT FEE	PER ACRE FEE	NOTES/OTHER FEES IF APPLICABLE
CERTIFICATE OF LAND DIVISION COMPLIANCE	FEE PER PARCEL		500				DEPOSIT BASED FEE (NOTE 8)
	IF CONDITIONED		900				DEPOSIT BASED FEE (NOTE 8)
	WITH WAIVER OF FINAL PM		311				DEPOSIT BASED FEE (NOTE 8)
LAND DIVISION MAP	PM's (Per Phase or Tract No.) sewerd	*	419				DEPOSIT BASED FEE (NOTE 8)
	PM's (Per Phase of Tract no.) unsewerd	*	500				DEPOSIT BASED FEE (NOTE 8)
	TM's (Per Phase or Tract No.) sewerd	*	419				DEPOSIT BASED FEE (NOTE 8)
	TM's (Per Phase of Tract no.) unsewerd	*	500				DEPOSIT BASED FEE (NOTE 8)
MULTI-FAMILY TRACTS	RESIDENTIAL/CONDOS (Sewered)	*	8,698		77	19	DEPOSIT BASED FEE (NOTES 5, 8)
	RESIDENTIAL/CONDOS (Unsewered)	*	8,718		77	19	DEPOSIT BASED FEE (NOTES 5, 8)
	REVISED MAP (Within 2 Years)	*	6,044		243	20	DEPOSIT BASED FEE (NOTES 5, 8)
	REVISED MAP (After 2 Years)	*	6,362		77	20	DEPOSIT BASED FEE (NOTES 5, 8)
PARCEL MAPS	COMMERCIAL/INDUSTRIAL (sewerd)	*	8,259	24		19	DEPOSIT BASED FEE (NOTES 5, 8)
	COMMERCIAL/INDUSTRIAL (unsewerd)	*	8,155	24		19	DEPOSIT BASED FEE (NOTES 5, 8)
	RESIDENTIAL (with waiver of final map)	*	5,629	96			DEPOSIT BASED FEE (NOTES 5, 8)
	RESIDENTIAL (w/out waiver of final map)	*	5,511	102			DEPOSIT BASED FEE (NOTES 5, 8)
	REVISED MAP (comm/ind within 2 years)	*	1,397	77			DEPOSIT BASED FEE (NOTES 5, 8)
	REVISED MAP (residential within 2 years)	*	1,397	90			DEPOSIT BASED FEE (NOTES 5, 8)
	REVISED MAP (comm/ind after 2 years)	*	1,516	41			DEPOSIT BASED FEE (NOTES 5, 8)
	REVISED MAP (residential after 2 years)	*	1,547	104			DEPOSIT BASED FEE (NOTES 5, 8)
SINGLE FAMILY TRACTS	NOT IN R-2, R-4, R-6 ZONES (sewerd)	*	8,931	93		19	DEPOSIT BASED FEE (NOTES 5, 8)
	IN R-2, R-4, R-6 ZONES	*	11,146	100		19	DEPOSIT BASED FEE (NOTES 5, 8)
	NOT IN R-2, R-4, R-6 ZONES (unsewerd)	*	8,827	93		19	DEPOSIT BASED FEE (NOTES 5, 8)
	REVISED MAP IN R-2 (within 2 years)	*	5,702	75		23	DEPOSIT BASED FEE (NOTES 5, 8)
	REVISED MAP NOT IN R-2 (within 2 years)	*	3,880	70		18	DEPOSIT BASED FEE (NOTES 5, 8)
	REVISED MAP IN R-2 (after 2 years)	*	5,722	75		23	DEPOSIT BASED FEE (NOTES 5, 8)
	REVISED MAP NOT IN R-2 (after 2 years)	*	3,900	75		18	DEPOSIT BASED FEE (NOTES 5, 8)
VESTING MAPS	STATUTORY CONDO MAPS	*	581				\$224 IF FIRE CONDITION APPEALED
	APPEALS DUE TO EXTENSION OF TIME		117				\$165 IF ROAD CONDITIONS APPEALED
EXTENSION OF TIME	TRACT MAPS		332				
	PARCEL MAPS		333				
LOT LINE ADJUSTMENT			670				DEPOSIT BASED FEE (NOTE 8)
MINOR CHANGE	TRACT MAPS/TRACTS		1,084				DEPOSIT BASED FEE (NOTES 5, 8)
	PARCEL MAPS		1,046				DEPOSIT BASED FEE (NOTES 5, 8)
MERGER OF CONTIGUOUS PARCELS			400				DEPOSIT BASED FEE (NOTES 8)
REVERSION TO ACREAGE			977				DEPOSIT BASED FEE (NOTES 8)

AMENDMENT TO FINAL MAP	CONDOS/SINGLE FAMILY RES. TRACTS	*	3,052	16		9	DEPOSIT BASED FEE (NOTES 8)
	PARCEL MAPS		2,882	15		9	DEPOSIT BASED FEE (NOTES 8)
EXPIRED RECORDABLE TRACT MAPS	SINGLE FAMILY RES TRACTS	*	3,911	23		18	DEPOSIT BASED FEE (NOTES 8)
	MULTI-FAMILY RES TRACTS	*	4,094		5	19	DEPOSIT BASED FEE (NOTES 8)
	FINAL TRACT MAP	*	1,652	6			
	FINAL CONDO MAP	*	895	1		25	(MAXIMUM \$2,250 PER ACRE)

OTHER APPLICATIONS/CEQA

APPLICATION OR PERMIT TYPE		EA	BASE FEE	PER LOT FEE	PER UNIT FEE	PER ACRE FEE	NOTES/OTHER FEES IF APPLICABLE
PRE-APPLICATION REVIEW (PAR)			1,500				DEPOSIT BASED FEE (NOTES 8)
HOG RANCHES	NEW APPLICATION	*	2,014				DEPOSIT BASED FEE (NOTES 8)
	INSPECTION FEES (Less than 788 Hogs)		150				FOR 788 HOGS OR LESS
	INSPECTION FEES (More than 789 Hogs)						\$19 PER 100 HOGS OVER 789
	LATE FEE		27%		19		OF INSPECTION FEE
	AMEND PERMIT - Change # of hogs/10 (A)		36				SECTION 10 (A)
	AMEND PERMIT - Increase # of hogs/10 (B)		202				SECTION 10 (B)
ALQUIST PRIOLO ACT	GEOLOGIC REPT APPROVAL - ORD 547		1,200				DEPOSIT BASED FEE (Both)
	WAIVER GEOLOGIC REPT - ORD 547		140				+ \$22/ACRE OVER 10 (\$823 Max/acre) + \$372 IF SUBMITTED TO THE STATE
ORDINANCE NO. 555	SURFACE MINING PERMIT	*	9,360				DEPOSIT BASED FEE (NOTES 5, 8)
	RECLAMATION PLANS		3,587				DEPOSIT BASED FEE (NOTES 5, 8)
	APPEAL OF PC DECISION ON SMP		398				+ \$81 IF ROAD COND. ARE APPEALED
	SUBSTANTIAL CONFORMANCE		723				DEPOSIT BASED FEE (NOTE 8)
	REVISED PERMIT	*	3,231				DEPOSIT BASED FEE (NOTES 5, 8)
ORDINANCE NO. 559	TREE REMOVAL APPLICATION		260				DEPOSIT BASED FEE (NOTE 8)
ORDINANCE NO. 578	CERTIFICATE OF HISTORIC APPROPRIATENESS APPEALS		705				DEPOSIT BASED FEE (NOTE 8)
			129				
ARCHIVAL SEARCH FOR PLANNING INFORMATION			63/hr				\$15.75 PER 1/4 HR
RESEARCH FEE FRO PLANNING INFORMATION			72/hr				\$18 PER 1/4 HR
PROFESSIONAL PLANNER SERVICES			172/hr				\$43 PER 1/4 HR
PROFESSIONAL GEOLOGIST SERVICES							\$46 PER 1/4 HR
REVIEW OF CC&R's BY CITY ATTORNEY			418/hr				DEPOSIT BASED FEE (NOTE 8)
REVIEW OF SPECIFIC PLAN ZONING ORD BY CITY ATTORNEY			2,092				DEPOSIT BASED FEE (NOTE 8)
AGRICULTURAL PRESERVES	ESTABLISHMENT/ENLARGEMENT (APPLICANT INITIATED)		1,640				DEPOSIT BASED FEE + NON-REFUNDABLE \$138 PER OWNERS PETITION \$138 PER EACH CONTRACT APPROVAL
	DIESTABLISHMENT/ENLARGEMENT AG PRESERVE PURSUANT TO NOTICE OF NON-RENEWAL		1,550				DEPOSIT BASED FEE (NOTE 8)
	ESTABLISHMENT/ENLARGEMENT (CITY COUNCIL INITIATED)		147				DEPOSIT BASED FEE + \$138 PER CONTRACT
	CONTRACT WITHIN ESTABLISHED PRESERVE		147				DEPOSIT BASED FEE + \$138 PER CONTRACT
	CANCELLATION/DIMINISHMENT OF AG PRESERVE (APPLICANT INITIATED)	*	1,550				DEPOSIT BASED FEE (NOTE 8)
	CANCELLATION/DIMINISHMENT OF AG PRESERVE (CITY COUNCIL INITIATED)		N/C				
	NOTICE OF NON-RENEWAL		252				DEPOSIT BASED FEE (NOTE 8)
CALIFORNIA DEPT FISH & GAME FEE	RIVERSIDE COUNTY CLERK FEE		64				
	NEGATIVE DECLARATION & MND		2,044				REQUIRES COUNTY CLERK FEE
	ENVIRONMENTAL IMPACT REPORT		2,839.25				REQUIRES COUNTY CLERK FEE

RULES TO IMPLEMENT CEQA	APPLICATION FOR GRADING PERMIT		951			6	DEPOSIT BASED FEE (NOTE 8) MAX \$2,729
	APPLICATION FOR COMM. WECS		507			6	DEPOSIT BASED FEE (MAX AC. \$2,201) PLUS \$329 PER MW -- NOTE 8)
	APPLICATION FOR TREE REMOVAL ALL OTHER APPLICATIONS		259 472			6	DEPOSIT BASED FEE (NOTE 8) DEPOSIT BASED FEE (NOTE 8)
ENVIRONMENTAL IMPACT REPORT	SPONSOR PREPARED EIR	*	8,439				DEPOSIT BASED FEE (NOTE 8)
	PREVIOUSLY PREPARED EIR		1,936				DEPOSIT BASED FEE (NOTE 8)
LAFCO	CATEGORICAL EXEMPTION		80				
	REVIEW		N/C				
	INITIAL STUDY	*	562				
GEOLOGY CEQA	FAULT HAZARD REPORT REVIEW		1,200				DEPOSIT BASED FEE ALL (NOTE 8)
	GEOLOGIC WAIVER		140				PLUS \$22 PER ACRE OVER 10 ACRES
	LIQUEFACTION REPORT		1,200				(MAXIMUM COMPONENT OF \$823)
DEVELOPMENT AGREEMENTS		*	5,000				DEPOSIT FEE BASED + ADDITIONAL \$\$
SCHOOL MITIGATION PLANS	APEALS		743				DEPOSIT BASED FEE (NOTE 8)
EXCEPTIONS TO NOISE ORD 847	EXEMPT FROM CEQA	*	378				DEPOSIT BASED FEE (NOTE 8)
	NOT EXEMPT FROM CEQA	*	854				DEPOSIT BASED FEE (NOTE 8)

NOTES:

1. WHEN APPLICABLE, FLOOD CONTROL PLAN CHECK FEE - PAYABLE DIRECTLY TO FLOOD CONTROL DISTRICT.
2. WHEN APPLICABLE, ADD \$750 IF FLOOD CONTROL SPECIAL STUDY MINOR CASE - PAYABLE DIRECTLY TO RCFCDD.
3. WHEN APPLICABLE, ADD \$3,000 IF FLOOD CONTROL SPECIAL STUDY MINOR CASE - PAYABLE DIRECTLY TO RCFCDD.
4. WHEN APPLICABLE, ADD \$250 IF TRANSPORTATION PLAN CHECK (INITIAL DEPOSIT) - PAYABLE DIRECTLY TO TRANS. DEPT.
5. WHEN APPLICABLE, ADD \$1,252 OR \$1,811 IF TRAFFIC STUDY REQUIRED - PAYABLE DIRECTLY TO TRANSPORTATION DEPT.
6. ADD \$26 PER TRACT OR UNIT NO. - PAYABLE DIRECTLY TO TRANSPORTATION DEPT.
7. MAXIMUM TOTAL OF \$14,711.
8. DEPOSIT BASED FEES ARE SUBJECT TO ADDITIONAL CHARGES IF NECESSARY.

FEE CALCULATION METHODOLOGY

$$\text{BASE FEE} + [\text{PER LOT FEE X \# OF LOTS}] + [\text{ACREAGE FEE X \# OF ACRES}] = \text{SUBTOTAL} \times 1.020 = \text{TOTAL FEE}$$

ATTACHMENT B

November 2, 2011 Joint CC/PC Report

CITY OF WILDOMAR – CITY COUNCIL/PLANNING COMMISSION
Agenda Item 1.1
GENERAL BUSINESS
Meeting Date: November 2, 2011

TO: Mayor and City Council Members
Chairman and Members of the Planning Commission

FROM: Matthew C. Bassi, Planning Director
Jennifer Gastelum, Housing Manager

SUBJECT: City of Wildomar Housing Element Update (2006–2013)
Joint City Council and Planning Commission public workshop to discuss the City of Wildomar 2006 - 2013 Housing Element Update.

STAFF REPORT

RECOMMENDATION:

Staff recommends that the City Council, Planning Commission and general public provide input and direction on the draft goals/policies and priorities for the Housing Element update project.

DISCUSSION:

On October 12, 2011, the City Council funded and authorized the Planning Department to begin work on the City's Housing Element update. One of the first tasks was to have a joint public workshop with the City Council, Planning Commission and general public to discuss the draft goals and policies and to provide direction to staff on the Housing Element priorities.

Staff is proposing the following agenda for tonight's Study Session meeting:

- I. Introductions
- II. Housing Element Requirements
- III. Importance of Compliance
- IV. State Laws
- V. Housing Needs Assessment Findings
 - a. 2010 Demographic Information
 - b. Housing Costs
- VI. Regional Housing Needs Allocation
 - a. Existing and Projected Needs
- VII. Proposed Housing Element Goals, Policies
- VIII. Potential Programs
- IX. Proposed Schedule
- X. Comments/Questions from Council, Commission and Public

Housing Element Requirements:

The Housing Element is one of seven mandatory elements of the General Plan, as required by California Government Code Section 65302. It is the only element that requires review by a state agency (HCD) and a finding of substantive compliance with state law to maintain eligibility

for state housing and community development grant programs. State law requires each city and county to update its housing element at least once every five years.

Upon incorporation in July 2008, Wildomar adopted the Riverside County Housing Element for its fourth round Housing Element cycle. Currently, Riverside County's Housing Element is out of compliance and has received substantial comments from the California Department of Housing and Community Development (HCD), which have not yet been addressed.

Per state law, if a jurisdiction does not have a certified housing element and fails to rezone or identify sufficient sites for affordable housing in its fourth housing element cycle, the jurisdiction will be required to carry over any leftover housing units in the first year of the fifth round housing element cycle. This would be in addition to meeting its assigned housing units for the fifth housing element cycle.

Consequences/Penalties for Not Having a Certified Housing Element:

When a local government fails to adopt an updated housing element by the required HCD deadline or adopts an element that does not comply with state law, the city is regarded as "noncompliant" and is subject to severe penalties. If the general plan, or any state-mandated element, is not in compliance with state law, a petitioner—be it an environmentalist, low-income housing advocate, or builder—can request a hearing or a trial. If a court finds that the general plan, or any of its mandatory elements, does not substantially comply with state law, the court in its order of judgment may specify one or more actions/penalties including, but not limited to, the following:

- Suspend authority of the city to issue building permits or any other development related permits for residential housing;
- Suspend the authority of the city to grant zone changes, variances, or both; and/or
- Impose financial penalties.

Benefits of Adopting a Housing Element and Receiving HCD Certification:

Some of the programs that consider housing element certification in their criteria are:

- Community Development Block Grants (CDBG)
- HOME Investment Partnerships Program (HOME)
- Single-Family Home Program
- Building Equity and Growth in Neighborhoods (BEGIN) Program
- Housing Enabled by Local Partnerships (HELP) Program
- California Housing Finance Agency
- Infill Incentive Grant (IIG) Program
- Infrastructure State Revolving Fund (ISRF) Program
- California Infrastructure and Economic Development Bank (I-Bank)

State Law Requirements:

The Housing Element will at a minimum address the following legislative requirements.

- SB 2 (Cedillo, 2007): Requires local jurisdictions to strengthen provisions for addressing the housing needs of the homeless, including the identification of a zone or zones where emergency shelters are allowed as a permitted use without a conditional use permit and allowing transitional and supportive housing types as residential uses. This legislation took effect January 1, 2008, and will apply to jurisdictions with housing elements due June 30, 2008, and after.
- AB 2634 (Lieber, 2006): Requires quantification and analysis of existing and projected housing needs of extremely low-income households. Elements must also identify zoning to encourage and facilitate supportive housing and single-room occupancy units.
- AB 2511 (Jones, 2006): Anti-NIMBY protections and no net loss requirement. Added potential penalties for non-reporting of annual general plan progress report.
- AB 1233 (Jones, 2005): If prior element failed to identify or implement adequate sites, the local government must zone or rezone to address this need within one year of update. This is in addition to new projected need.
- SB 1087 (Florez, 2005): Requires local governments to immediately forward adopted housing element to water and sewer providers.
- SB 575 (Torlakson, 2005): Strengthens prohibitions against arbitrary denials of affordable housing projects. Amends finding allowing project denial if inconsistent with zoning and general plan. This finding may no longer be made if the project identified in element is suitable to meet low- or moderate-income need or if housing element did not identify adequate sites.
- AB 2348 (Mullin, 2004): Requires a more detailed inventory of sites to accommodate projected housing needs and provide greater development certainty

Housing Needs Assessment Findings:

The following tables include some of the population and housing characteristics for the City of Wildomar.

Population Trends

POPULATION GROWTH

Jurisdiction	Total Population		Growth	
	2000	2010	Total	Percentage
Wildomar	1,3810	32,176	18,366	57.1%
Riverside County	1,545,387	2,189,641	644,254	29.4%

Source: 2000 and 2010 Census

AGE CHARACTERISTICS

Jurisdiction	Media n Age	Percentage of Age Groups								
		0-9	10-19	20-29	30-39	40-49	50-59	60-69	70-79	80 and over
Wildomar	34.6	14.5 %	16.6 %	13.4 %	12.4 %	14.7 %	13.4 %	7.6%	4.4%	2.9%
Riverside County	33.7	15.0 %	16.7 %	13.6 %	12.9 %	13.8 %	11.6 %	8.1%	5.1%	3.2%

Source: 2010 Census

RACE AND ETHNICITY

Jurisdiction	Race/Ethnicity of Population						
	White	African American	American Indian/Alaska Native	Asian	Hawaiian/Pacific Islander	Other	Hispanic
Wildomar	53.6 %	3.0%	0.6%	4.3%	0.2%	3.0%	35.3%
Riverside County	39.7 %	6.0%	0.5%	5.8%	0.3%	2.4%	45.5%

Source: 2010 Census

The following table shows the maximum annual income level for each income group adjusted for household size for Riverside County. The maximum annual income data is then utilized to calculate the maximum affordable housing payments for different households (varying by income level) and their eligibility for federal housing assistance.

MAXIMUM HOUSEHOLD INCOME LEVEL BY HOUSEHOLD SIZE, RIVERSIDE COUNTY 2011

Income Category	Household Size							
	1	2	3	4	5	6	7	8
Extremely Low	\$14,000	\$16,000	\$18,000	\$20,000	\$21,600	\$23,200	\$24,800	\$26,400
Very Low	\$23,350	\$26,700	\$30,050	\$33,350	\$36,050	\$38,700	\$41,600	\$44,050
Low	\$37,350	\$42,700	\$48,050	\$53,350	\$57,650	\$61,900	\$66,200	\$70,450
Median	\$43,750	\$50,000	\$56,250	\$62,500	\$67,500	\$72,500	\$77,500	\$82,500
Moderate	\$52,500	\$60,000	\$67,500	\$75,000	\$81,000	\$87,000	\$93,000	\$99,000

Source: Department of Housing and Community Development 2011

The median sales price for homes in Wildomar for July 2011 to September 2011 was \$220,000. This price represents an increase of 5.7%, or \$11,889, compared to the prior quarter and an increase of 4.8% compared to the prior year. Sales prices have depreciated 51.3% over the last five years in Wildomar. The average listing price for Wildomar homes for sale on Trulia was

\$213,544 for the week ending October 19, which represents a decline of 0.7%, or \$1,468, compared to the prior week and a decline of 3.1%, or \$6,774, compared to the week ending September 28. Average price per square foot for Wildomar was \$93, a decrease of 8.8% compared to the same period last year.

Number of Bedrooms	Jul-Sep '11	Year to Year	3 Months Prior	1 Year Prior	5 Years Prior
1 bedroom	–	–	–	–	–
2 bedrooms	\$73,000	-33.6%	\$108,500	\$110,000	\$246,000
3 bedrooms	\$168,500	-4.5%	\$208,111	\$176,442	\$411,500
4 bedrooms	\$185,000	-14.9%	\$341,457	\$217,500	\$452,750
All properties	\$220,000	+4.8%	\$208,111	\$210,000	\$452,000

Source: Trulia, October 2011

Regional Housing Needs Assessment (RHNA)

Planning staff met with Riverside County Planning Department and Western Riverside Council of Governments (WRCOG) staff to reach a mutually acceptable agreement for a transfer of a portion of the County's RHNA allocation to the City of Wildomar to meet the fourth round Housing Element update requirements. The RHNA allocation period is from 2006 to 2013. Staff is currently identifying sites to meet the City's RHNA allocation.

Proposed Wildomar Transfer of Fourth Cycle RHNA Prorated Housing Need Allocation (2006–2013)

	% Very Low Income Households	% Low Income Households	% Moderate Income Households	% Above Moderate Income Households	Total
Percentage	23.7%	16.4%	18.5%	41.4%	100.00%
Housing Units	349	241	272	609	1,471

Fifth Round Housing Element Dates:

- Final RHNA must be done at least 12 months from the Housing Element due date (October 2012)
- RHNA Allocation Period: 2011 to 2021 (10.75 years)
- Housing Element planning period: 2014 to 2021 (8 years)

Note: Jurisdictions that fail to adopt a housing element update within 120 days of the statutory deadline revert to a 4-year rather than an 8-year planning period.

Proposed Housing Element Goals and Policies:

Staff has used a portion of the County's Housing Element and updated the goals and policies to tailor them to the City of Wildomar's specific community needs. The following draft goals and policies are being presented to the Council and Commission for consideration and direction. The Council and Commission may include additional goals and policies if desired.

GOAL 1: Assist in the development of adequate housing to meet the city's fair share of the region's housing needs for all economic segments of the population.

Policy 1.1: Ensure there is a sufficient supply of multifamily and single-family zoned land to meet the housing needs identified in the Regional Housing Needs Assessment (RHNA).

Policy 1.2: Maintain land use policies that allow residential growth consistent with the availability of adequate infrastructure and public services.

Policy 1.3: Establish and maintain accurate planning and demographic data using GIS (geographic information systems).

Policy 1.4: Facilitate the development of affordable housing by providing, when feasible, appropriate financial and regulatory incentives.

Policy 1.5: To the extent that resources are available, continue to assist in the provision of homeownership assistance for lower- and moderate-income households.

GOAL 2: Where appropriate, mitigate governmental constraints to the maintenance, improvement, and development of housing.

Policy 2.1: Consistently monitor and review the effectiveness of Housing Element programs and other City activities in addressing housing need.

Policy 2.2: Periodically review the City's regulations, ordinances, and development fees/exactions to ensure they do not unduly constrain the production, maintenance, and improvement of housing.

Policy 2.3: Provide for streamlined processing of residential projects to minimize time and costs in order to encourage housing production.

Policy 2.4: Grant density bonuses to encourage the development of affordable housing.

Policy 2.5: Allow for the development of secondary housing units as an affordable housing option throughout the city.

GOAL 3: Address the housing needs of special population groups.

Policy 3.1: Encourage housing developers to produce affordable units by providing assistance and incentives for projects that include new affordable units available to lower/moderate-income households or special needs housing.

Policy 3.2: Ensure the availability of suitable sites for the development of affordable housing to meet the needs of all household income levels, including special needs populations.

ATTACHMENT C

December 7, 2011 Joint CC/PC Report

CITY OF WILDOMAR – CITY COUNCIL/PLANNING COMMISSION
Agenda Item 3.1
GENERAL BUSINESS
Meeting Date: December 7, 2011

TO: Mayor and City Council Members
Chairman and Members of the Planning Commission

FROM: Matthew C. Bassi, Planning Director
Jennifer Gastelum, Housing Manager

SUBJECT: City of Wildomar Housing Element Update (2006–2013)
Joint City Council and Planning Commission meeting to discuss the City of Wildomar 2006 - 2013 draft Housing Element Update.

STAFF REPORT

RECOMMENDATION:

Staff recommends that the City Council and Planning Commission receive public input regarding the Draft City of Wildomar Housing Element and authorize staff to submit the Draft City of Wildomar Housing Element to the California Department of Housing and Community Development (HCD) for a 60-day review.

DISCUSSION:

On October 12, 2011, the City Council funded and authorized the Planning Department to begin work on the City's Housing Element update. As part of this effort, a joint public workshop with the City Council, Planning Commission and general public was held on November 2, 2011 to understand the requirements of the Housing Element, discuss the draft goals and policies and to provide direction to staff on the Housing Element priorities.

Document Layout and Content:

The format and layout of the Draft Housing Element utilizes the basic style provided by the State of California for the preparation of housing elements. The Housing Element is one of the seven required elements of a legally-adequate general plan. The Housing Element is divided into two sections the Housing Policy document and Appendix A the Housing Needs Assessment.

The primary areas of discussion within the Policy document are as follows:

- ***Introduction:*** This section of the document establishes the basic structure of the element and provides a review of the basic purpose and intent of the Housing Element.
- ***Housing Goals, Policies and Programs:*** This section of the document is the core policy section of the Housing Element. This section lays out the General Plan Goals, Policies and Programs that the City will use to guide its efforts during the planning horizon (2011 - 2014). ***Staff suggests that City Council and Planning Commission consider this section as a primary point of focus for their review efforts.***

The primary areas of discussion within Appendix A (Housing Needs Assessment) are as follows.

- **Public Participation:** This section provides a summary of the workshop that was held in November to discuss the Housing Element and all the organizations contacted to gain input about the Housing Element.
- **Review of Previous Housing Element:** The City of Wildomar incorporated July 1, 2008. Because this is the City's first Housing Element, it precludes the ability to review a previous element.
- **Community Profile:** This section of the document begins the primary data component of the document. This section evaluates the City's demographic profile, establishes housing demand, evaluates the existing housing stocks in the City, and provides information on housing affordability, cost of housing acquisition and identifies special needs in the community.
- **Housing Opportunities and Resources:** This section of the document discusses and quantifies the existing housing need and evaluates the City's land inventory to assess how the City's land inventory addresses the demand for housing.
- **Housing Constraints:** This section of the document identifies and discusses the real and potential impediments to the development or acquisition of housing within the City. This section also sets forth and describes those areas of State law that deal with special housing needs groups and identifies those subject areas where the State has preempted local agency control on housing issues (e.g. farm worker housing, emergency shelters, etc.).

Programs with Timelines

The following is a list of proposed programs from the Housing Element that will need to be completed with specific timelines outlined in the table below.

Programs	Time Frame
<u>PROGRAM H-1.1:</u> Amend the Land Use and Zoning maps to re-designate and rezone sites 41, 49, and 53 (See Table HNA-22 in the Housing Needs Assessment), a total of 15.96 acres to the Highest Density Residential (HHDR) designation and with compatible zoning (R 4, R-4, or R-6) to allow for 30 units to the acre by right.	Within one year of adoption
<u>PROGRAM H-9.1:</u> Density Bonus. In an effort to comply with Government Code Section 65915 and Senate Bill (SB) 1818, the City of Wildomar will amend its Zoning Ordinance to be consistent with State Density Bonus Law.	Comply by July 2013
<u>PROGRAM H-13.1:</u> Extremely Low-Income Households. The City will allow single-room occupancy units (SROs) to be permitted in the Planned Residential (R-4) and Residential Incentive (R-6) zones with a Conditional Use Permit.	Comply by June 2013
<u>PROGRAM H-10.1:</u> Second Units. The City will permit secondary dwelling units via a ministerial action (by right) in all single family residential zones.	Comply by June 2013
<u>PROGRAM H-13.2:</u> Farm-workers. The City will amend its Zoning Ordinance to allow for farmworker housing in the A-1, A-2, and R-A zones by right.	Comply by June 2013

<p><u>PROGRAM H-13.3:</u> Reasonable Accommodation. Develop and formalize a general process that a person with disabilities will need to go through in order to make a reasonable accommodation request.</p>	<p>Comply with SB 520 by June 2013</p>
<p><u>PROGRAM H-13.4:</u> Residential Care Facilities. Permit residential care facilities of six or few persons in all residential zones.</p>	<p>Comply with SB 520 by June 2013</p>
<p><u>PROGRAM H-16.1:</u> Emergency Shelters. The City will allow emergency shelters as a permitted use (by right) in the Industrial Park (I-P) zone without a conditional use permit or other discretionary review. The I-P zone is close to transit and services.</p>	<p>Comply by June 2013</p>

Next Steps:

Upon authorization of the City Council and Planning Commission at the December 7 meeting, staff will submit the Draft Housing Element during the week of December 12 to HCD. This will begin HCD's 60 day review period. At the end of the 60-day review period, HCD will send the City a letter with their findings and requested revisions. The final Housing Element will incorporate HCD's comments, which will be presented to the Planning Commission and City Council at a public hearing scheduled for March/April 2012.

Submitted by:

Approved by:

Matthew C. Bassi
Planning Director

Frank Oviedo
City Manager

ATTACHMENT D

Copy of HCD Conditional Compliance Letter

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

1800 Third Street, Suite 430
P. O. Box 952053
Sacramento, CA 94252-2053
(916) 323-3177 / FAX (916) 327-2643
www.hcd.ca.gov



February 7, 2012

Mr. Matthew Bassi
Planning Director
City of Wildomar
23873 Clinton Keith Rd., Suite 201
Wildomar, CA 92595

Dear Mr. Bassi:

RE: Review of the City of Wildomar's Draft Housing Element

Thank you for submitting Wildomar's draft housing element received for review on December 20, 2011 along with revisions received on January 9 and 26, 2012 and February 3, 2012. The Department is required to review draft housing elements and report the findings to the locality pursuant to Government Code Section 65585(b). Communications with the City's consultant, Ms. Cynthia Deane-Alviso, PMC, facilitated the review.

The Department is pleased to find the element addresses all statutory requirements of State housing element law (Article 10.6 of the Government Code). For example, the element includes Program H-1.1 to rezone 15.96 acres with minimum densities of 20 units per acre to accommodate the housing needs of lower-income households. The element will comply with State housing element law (Article 10.6 of the Government Code) when adopted and submitted to the Department, pursuant to Government Code Section 65585(g).

The Department commends the City's efforts in preparing their first housing element. The draft housing element is well organized and presented in a format that was both informative and easy to understand. When adopted, the housing element will be an effective tool to implement the community's housing and community development objectives.

The Department appreciates the City's diligent efforts, cooperation and the responsiveness of Ms. Deane-Alviso in providing revisions throughout the course of the review and looks forward to receiving Wildomar's adopted housing element. If you have any additional questions, please contact Mario Angel, of our staff, at (916) 445-3485.

Sincerely,

A handwritten signature in black ink, appearing to read "Glen A. Campora".

Glen A. Campora
Assistant Deputy Director

Enclosure

ATTACHMENT E
Copy of HCD Required Changes

Strikeout Version of the changes required by HCD
(underline text refers to new text; strikeout lines refer to deleted text)

General Plan Consistency

In addition, per Assembly Bill (AB) 162 (Government Code Section 65302), the City will evaluate and amend as appropriate the safety and conservation elements of the general plan to include analysis and policies regarding flood hazard and management information.

Adequate Housing

POLICY H-1: Ensure there is a sufficient supply of multi-family and single-family zoned land to meet the housing needs identified in the Regional Housing Needs Allocation (RHNA).

PROGRAM H-1.1: General Plan Land Use Change to Provide for Additional Sites. To ensure there is enough land available for the development of housing affordable to lower-income households, the City will amend its General Plan Land Use and Zoning maps to redesignate and rezone sites 41, 49, and 53 (See **Table HNA-21** in the Housing Needs Assessment), a total of 15.96 acres to the Highest Density Residential (HHDR) designation and with compatible zoning (R-3, R 4, R-5, or R-6) to allow for at least 30 units to the acre by right. ~~If it is determined that redesignation of any of the identified sites is not feasible, the City will identify another site or group of sites for the development of housing affordable to lower-income households.~~

All rezoned sites will permit owner-occupied and rental multi-family developments by right and will not require a conditional use permit, a planned unit development permit, or any other discretionary review. All sites will accommodate a minimum of 20 units per acre and at least 16 units per site, per state law requirements.

Responsible Agency: Planning Department

Time Frame: Within one year of adoption

Funding Source: General Fund

POLICY H-2: Promote the development of special housing needs, such as housing for seniors, housing for persons with physical, developmental, or mental disabilities, farmworker housing, and housing for extremely low-income persons.

PROGRAM H-2.1: Extremely Low-Income Households. AB 2634 requires the City to identify zoning to encourage and facilitate housing suitable for extremely low-income households, ~~which includes such as~~ supportive housing and single-room occupancy units. The City will encourage the development of housing for extremely low-income households through a variety of activities such as outreaching to housing developers on at least an annual basis, providing financial (when feasible) or in-kind technical assistance or land write downs, providing expedited processing, identifying grant and funding opportunities, applying for or supporting applications for funding on an on-going basis, reviewing and prioritizing local funding at least twice in the planning period and/or offering additional incentives beyond the density bonus. ~~allow single-room occupancy units (SROs) to be permitted in the Planned Residential (R-4) and Residential Incentive (R-6) zones with a Conditional Use Permit.~~

In addition, the City will allow single-room occupancy units (SRO's) to be permitted in the General Commercial Zone (C-1/C-P) with a conditional use permit. ~~to encourage and facilitate the development of housing affordable to extremely low-income households, the City will prioritize funding and offer financial incentives and regulatory concessions.~~

Responsible Agency: Planning Department

Time Frame: Comply by June 2013; ongoing, as projects are processed through the Planning Department and annual outreach with local developers

Funding Source: General Fund

PROGRAM H-2.2: Fair Housing. The City will assign a point person to refer individuals, developers, landlords and any other Refer interested persons to the Fair Housing Council of Riverside County, which provides a number of programs including (1) audits of lending institutions and rental establishments; (2) education and outreach to apartment owners, associations, management companies, lending institutions, building industry associations, homebuyers, and residents in emergency shelters and transitional housing facilities. The City will also post a link on their website to direct interested parties to the Fair

Housing Council's website and any other important information regarding fair housing.

Responsible Agency: Fair Housing Council of Riverside County, Planning Department

Time Frame: Ongoing, assign a point person and post a link to the website by June 2012

Funding Source: General Fund

POLICY H-16 Allow transitional and supportive housing and emergency/homeless shelters in appropriate zoning districts.

PROGRAM H-16.1 states that the City will amend the Zoning Ordinance to allow for emergency shelters by right in the Industrial Park (I-P) zone, ~~which is close to services and future transit as development occurs.~~ Within this designation, the City has Currently there are approximately 83.38 acres (16 parcels ranging in size from 2 to 20 acres with a majority of the parcels being 2-5 acres) of vacant land available which would allow adequate capacity for the provision of an emergency shelter.

These vacant sites are close to services and future transit as development occurs. The sites surrounding these available parcels are mainly business park type uses, service commercial and light manufacturing companies (there is no heavy hazardous manufacturing). There are also such uses as an indoor golfing range, a hospital, medical office buildings and even a few residential units.

3.0 GENERAL BUSINESS ITEMS

CITY OF WILDOMAR – PLANNING COMMISSION

Agenda Item #3.1

GENERAL BUSINESS

Meeting Date: MAY 16, 2012

TO: Chairman and Members of the Planning Commission

FROM: Steven Palmer, City Engineer

SUBJECT: Capital Improvement Program for Fiscal Year 2012/13 – 2016/17; Planning Commission's Annual Review of the Public Works Department Capital Improvement Program.

RECOMMENDATION:

The Public Works Department recommends the Planning Commission adopt PC Resolution No. 12-09 (Attachment A) entitled:

“A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA DETERMINING THAT THE 2012-2017 CAPITAL IMPROVEMENT PROGRAM IS IN CONFORMANCE WITH THE CITY OF WILDOMAR GENERAL PLAN”

BACKGROUND:

Sections 65401 and 65402 of the California Government Code require that the capital improvement program (CIP) be in conformance with the General Plan. State Law also mandates that this determination of conformance be made by a designated planning agency. For the City of Wildomar, the designated planning agency is the Planning Commission. The purpose of this staff report is to have the Planning Commission make a determination of consistency with the adopted General Plan.

DISCUSSION:

The Fiscal Year 2012/13 - 2016/17 Capital Improvement Program (CIP) sets out a long term capital program budget for the City of Wildomar. The complete CIP document identifies both funding sources and capital projects to be funded each year for the next five fiscal years. However, the focus of the Commission is not the projected funding amounts, but the actual activities proposed for inclusion in the Program.

General Plan conformity can be best described as furthering the eventual achievement of the goals, policies, and infrastructure identified in the Plan. For example, the construction of a roadway identified on the General Plan would be considered consistent with the Plan if the roadway is depicted on the Circulation Map, identified in the goals and policies, or listed as an implementation program/activity.

The CIP includes two types of activities: capital projects (stand alone, individual projects) and capital programs (a group of similar projects). The capital projects included in the FY 2012-17 Capital Improvement Program are shown in Table 1.

Table 1: Scope of Capital Projects in the 5-Year CIP

Capital Improvement Project	Project Scope	General Plan Policy
Sidewalk Safety Improvements to School, Wildomar/Reagan Elementary (Phase 1)	Construct curb, gutter, sidewalks improvements on Central Street (from Palomar St to Grand Avenue), Palomar (from Central State to South Pasadena), Illinois (from Central St to Penrose), and George Road (from La Estrella/Boylan Springs to Doheney Circle). Improvements to benefit Wildomar Elementary and Ronald Reagan Elementary.	Circulation Element Policies 4.1, 4.5, 4.7
Sidewalk Safety Improvements to School, Elsinore High/Reagan Elementary (Phase 2)	Construct new curb, gutter and sidewalks within the proximity of Elsinore High School and Ronald Reagan Elementary School. The safety improvements also include a mobile radar speed feedback trailer; Locations of sidewalk improvements include Bundy Canyon, Canyon Drive, and Prielipp. Rd.	Circulation Element Policies 4.1, 4.5, 4.7
Light Emitting Diode (LED) Light Replacement Energy Efficiency Project	Replace 18 lights at park with LED lights; Replace approx. 324 signal (red/yellow/green) lights with LED lights and replace 116 pedestrian signals with LED lights throughout the city. Lighting project will replace old sodium lamps or old LED (beyond their life span) with new LED lights.	Circulation Element Policy 25.1 Multipurpose Open Space Policy 16.1
Clinton Keith/Hidden Springs Intersection Project	Traffic signal modification to include a left-turn traffic signal phasing at Clinton Keith/Hidden Springs Intersection; Includes LED signal heads, relocation of illuminated street name signs, installation of pedestrian push button signals. Upgrade of the intersections corners (and curb ramps).	Circulation Element Policies 3.13, 3.15
Bike/Pedestrian Sidewalk Safety Improvement Project, David Brown/Wildomar Elementary– Grand Avenue	Construct approximately 1,350 feet of new sidewalks in the City of Wildomar on Grand Avenue from Central to South Pasadena Street. Projects benefits Davis Brown Middle School and Wildomar Elementary.	Circulation Element Policies 4.1, 4.5, 4.7

Collier Elementary School Sidewalk Project	Construct new sidewalk on Union Street from Collier Elementary School to Corydon Street to close the gaps in the existing route to school. Includes a crosswalk and curb ramp from this new sidewalk across Trailwood Court to the school's entrance, crosswalk upgrades at Trailwood Court and Mayhall Drive, and upgraded school xing legends and signs along Trailwood Court and Alderbrook Road.	Circulation Element Policies 4.1, 4.5, 4.7
Clinton Keith Road Widening (I-15 to Copper Craft)	Road widening to four lanes on Clinton Keith Road from I-15 to Copper Craft.	Circulation Element Policies 3.1, 3.13, 3.15, 3.2
Bundy Canyon/Scott Road (I-15 to Sunset Road)	Road widening to four lanes on Bundy Canyon/Scott Road from I-15 to Sunset Road.	Circulation Element Policies 3.1, 3.13, 3.15, 3.2
Clinton Keith/I-15 Interchange	Widening the Clinton Keith bridge over the freeway to six lanes with an additional center turn lane, and widening on- and off-ramp.	Circulation Element Policies 3.1, 3.13, 3.15, 3.2

Staff has reviewed the proposed capital projects and has evaluated the proposed improvements for consistency with the roadway classifications contained in the General Plan. As shown in Table 1, these activities are consistent with several of the policies contained in the General Plan. These Circulation Element policy statements are as follows:

Circulation Element Policies:

Policy 3.1. *Design, construct, and maintain County roadways as specified in the County Road Improvement Standards and Specifications.*

Policy 3.13. *Design street intersections, where appropriate, to assure the safe, efficient passage of through-traffic and the negotiation of turning movements.*

Policy 3.15. *Provide adequate sight distances for safe vehicular movement at a road's design speed and at all intersections.*

Policy 3.2. *Maintain the existing transportation network, while providing for future expansion and improvement based on travel demand, and the development of alternative travel modes.*

Policy 4.1. *Provide facilities for the safe movement of pedestrians within developments.*

Policy 4.5. *Collaborate with local communities to ensure that school children have adequate transportation routes available such as local pedestrian or bike path, or local bus service.*

Policy 4.7. *Encourage safe pedestrian walkways that comply with the American Disabilities Act (ADA) requirements within commercial, office, industrial, mixed use, residential, and recreational developments.*

Policy 25.1. *Promote and encourage efficient provision of utilities such as water, wastewater, and electricity that support the City's land use Element at buildout.*

Multipurpose Open Space Element

In the Multipurpose Open Space Element (Energy Conservation), one policy applies to the LED project as follows:

Policy 16.7 *Promote purchasing of energy-efficient equipment based on a fair return on investment, and use energy saving estimates as one basis for purchasing decisions for major energy-using devices.*

The second type of activities in the 2011-2016 CIP, capital programs, is shown in Table 2. The capital programs are intended to identify potential funding to address various improvement needs that are determined throughout the year. These improvements are intended to replace and rehabilitate existing infrastructure or make changes to meet safety needs. Some improvements may range in cost from \$5,000 to \$50,000+. Due to the varying costs, it is more efficient (for budgeting and project development purposes) to identify the program where the improvements can be funded. This provides the City a degree of flexibility in identifying specific improvements and their related costs during the CIP period. At this time, no specific improvements have been identified. They will be identified and implemented on an on-going basis.

Table 2: Descriptions of Capital Programs in the 5-Year CIP

Capital Improvement Program	Program Description	General Plan Policy
Accessibility Improvements Program	This program is dedicated to improving ADA accessibility through various types of repairs to curbs, gutters, and sidewalks throughout the City. Priority is given to safety-related issues and those which have been requested by citizens.	Circulation Element Policies 3.2, 3.12
Roadway Safety Improvements Program	This program is dedicated to improving roadway safety through upgrading existing and/or adding new high-visibility traffic signs, pavement markings, and other geometric improvements (i.e. site distance).	Circulation Element Policies 3.2, 3.12., 3.13, 3.15

Slurry Seal & Overlay Program	This program is dedicated to resurfacing pavement with slurry seal on various city streets to improve ride-ability and maintain pavement integrity.	Circulation Element Policies 3.2, 3.12
Roadway Improvements to Unpaved Roads & Drainage	This program is dedicated to maintaining and improving unpaved public roadways throughout the City. Eligible roadways are those which the City can accept through dedication. One improvement considered this year is drainage improvements to Cottonwood Canyon Road.	Circulation Element Policies 3.1, 3.2, 3.12
Citywide Maintenance Program	This program is dedicated to right-of-way maintenance and repair including, but not limited to: striping, stenciling, repairs to streets and culvert/drainage facilities, storm damage/flood control projects, and widening streets. Program includes work on the Pavement Management Program and Drainage Master Plan.	Circulation Element Policies 3.1, 3.2, 3.12, 3.13, 3.15

These capital programs are ongoing functions to replace and rehabilitate existing infrastructure or make changes to meet local traffic safety needs. These activities are consistent with several of the policies contained in the Circulation Element. These policy statements are as follows:

Policy 3.1. *Design, construct, and maintain County roadways as specified in the County Road Improvement Standards and Specifications.*

Policy 3.2. *Maintain the existing transportation network, while providing for future expansion and improvement based on travel demand, and the development of alternative travel modes.*

Policy 3.12. *Improve highways serving as arterials through mountainous and rural areas to adequately meet travel demands and safety requirements while minimizing the need for excessive cut and fill.*

Policy 3.13. *Design street intersections to assure the safe, efficient passage of through-traffic and the negotiation of turning movements.*

Policy 3.15. *Provide adequate sight distances for safe vehicular movement at a road's design speed and at all intersections.*

As demonstrated above, the activities in the Draft Capital Improvement Program are consistent with the current General Plan. Consequently, the Planning Director recommends that the Planning Commission adopt a resolution finding that the FY 2012-17 Capital Improvement Program is consistent with the General Plan.

Respectfully Submitted,



Steve Palmer
City Engineer

Reviewed By,



Matthew C. Bassi
Planning Director

ATTACHMENTS:

- A. PC Resolution No. 12-09

ATTACHMENT A

(PC Resolution No. 12-09)

RESOLUTION NO. PC12-09

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA DETERMINING THAT THE 2012-2017 CAPITAL IMPROVEMENT PROGRAM IS IN CONFORMANCE WITH THE CITY OF WILDOMAR GENERAL PLAN

WHEREAS, the City of Wildomar adopted its General Plan on July 1, 2008; and

WHEREAS, the General Plan contain a Circulation Element which describes the future layout and configuration of the road network within the City; and

WHEREAS, the City Council of the City of Wildomar has designated the City Planning Commission as the planning agency for the City of Wildomar; and

WHEREAS, State Law requires that designated planning agencies review the capital improvement program to ensure compliance with the adopted General Plan; and

WHEREAS, the City has identified a number of priority road projects for implementation during the five year period of the capital improvement program; and

WHEREAS, the Planning Commission examined the capital construction projects identified in the capital improvement program; and

WHEREAS, the Planning Commission compared these future roadway projects with the projected roadway improvements identified in the adopted Circulation Element; and

WHEREAS, the Planning Commission also examined the ongoing capital improvement program and determined that these projects are specifically supported by Circulation Element Policies 3.1, 3.2, 3.12, 3.13, and 3.15 and determined that the programs are specifically supported by; and

WHEREAS, the Planning Commission further determined that the programs in the multi-year CIP are specifically supported by Circulation Element Policies 3.13, 3.15, 4.1, 4.5, 4.7, 25.1 and Multipurpose Open Space Element Policy 16.7; and

WHEREAS, on May 16, 2012 the Planning Commission, during a regularly scheduled meeting, considered the Draft Capital Improvement Program and its conformity to the adopted City General Plan; and

NOW THEREFORE, the Planning Commission of the City of Wildomar does Resolve, Determine, Find and Order as follows.

SECTION 1. REQUIRED PLANNING COMMISSION FINDING

- A. The proposed 2012/13 – 2016/17 Capital Improvement Program is consistent with the City of Wildomar General Plan.

The capital improvement projects and ongoing program activities that are contained in the 2012-2017 Capital Improvement Program (CIP) are consistent with the adopted General Plan by furthering the goals and policies of the Circulation Element, including Policies 3.1, 3.2,

3.12, 3.13, 3.15, 4.1, 4.5, 4.7, and 25.1 as well as Multipurpose Open Space Element Policy 16.7 as discussed in the staff report dated May 16, 2012.

SECTION 2. PLANNING COMMISSION ACTIONS.

The Planning Commission recommends the City Council take the following actions:

1. Adopt a Resolution. That the City Council adopt a Resolution finding that the 2012/13 – 2016/17 Capital Improvement Program is consistent with the City of Wildomar General Plan.

PASSED, APPROVED AND ADOPTED this 16th day of May, 2012 by the following vote:

AYES.

NOES:

ABSENT:

ABSTAINED:

Stan Smith
Planning Commission Chairman

ATTEST:

Matthew C. Bassi
Planning Director/Minutes Secretary

APPROVED AS TO FORM:

Thomas Jex, Assistant City Attorney

CITY ATTORNEYS REPORT



INSTITUTE FOR
LOCAL GOVERNMENT

Promoting Good Government at the Local Level

Evaluating Greenhouse Gas Emissions as Part of California's Environmental Review Process: A Local Official's Guide

September 2011

The Institute for Local Government's mission is to promote good government at the local level with practical, impartial and easy-to-use resources for California communities. ILG is the nonprofit 501(c)(3) research and education affiliate of the League of California Cities and the California State Association of Counties.

The Institute's current program areas include:

- Local Government 101
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- Public Service Ethics
- Sustainability

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I. Introduction

A. About this Guide

This guide explains how to analyze the greenhouse gas emissions from a project and adopt mitigation measures as of the part environmental analyses that state and local agencies prepare under the California Environmental Quality Act (often referred to by the acronym “CEQA” – pronounced “See-qwa”). Following adoption of an executive order by the Governor in 2005 and enactment of legislation setting near- and long-term goals for reducing statewide greenhouse gas emissions,¹ the California Resources Agency and the Governor’s Office of Planning and Research amended the CEQA Guidelines to include guidance about how to analyze and mitigate greenhouse gas emissions as part of the CEQA process. The CEQA Guidelines² are regulations that provide an orderly process for environmental review of projects.³

This guide, “Evaluating Greenhouse Gas Emissions as part of California’s Environmental Review Process” provides information for the busy local official audience and others seeking a plain language explanation of requirements to analyze greenhouse gas emissions as part of CEQA. It includes endnotes for those who want more detailed information or references to the law. A key goal of the Institute is to translate complex and technical concepts into understandable terms. In the course of so doing, certain technical and legal nuances may be omitted. Thus, the materials in this guide should not be relied on as complete statements of the concepts described and these materials are not legal advice. In addition, the law can and does change over time. Officials are encouraged to consult with staff and other technical experts for up-to-date information and guidance on how the concepts in this guide apply in specific situations.

The guide specifically covers:

- Analyzing the greenhouse gas impacts of a project.
- Identifying measures to mitigate the impacts of a project on the environment by reducing the project’s greenhouse gas emissions.
- Streamlining the CEQA analysis using an appropriate plan that mitigates greenhouse gas emissions on a programmatic level.

The guide also includes three appendices that provide:

- An overview to understand CEQA.
- The text of key sections of the CEQA Guidelines that address greenhouse gas emissions and climate change.
- Resources to learn more.

What are Greenhouse Gas Emissions

Greenhouse gases are gases that cause and contribute to climate change. "Greenhouse gas" is a term that refers to all of the following types of gases: carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.⁴ Greenhouse gases vary in their potency (or potential to cause climate change) and are often measured in tons or million metric tons of carbon dioxide equivalents. Transportation is the largest source of California's greenhouse gas emissions, followed by electricity generation and natural gas used in buildings.⁵

Understanding CEQA

For those less familiar with how CEQA works, Appendix A provides an overview. Another resource to understand CEQA is the Institute's publication, "Understanding the Basics of Land Use Planning" (pages 31-36) available at: www.ca-ilg.org/planningguide.

B. Overview of Key CEQA Requirements Related to Greenhouse Gas Emissions

The environmental review process⁶ begins with an Initial Study prepared by the local or state agency to determine whether the project may have a significant effect on the environment. If there is substantial evidence indicating that a project *may* cause such an effect, the lead agency must prepare an environmental impact report (EIR) to further study that impact and to identify any feasible mitigation and project alternatives.⁷

If, on the other hand, the Initial Study demonstrates that there is no possibility that the project would cause a significant environmental impact, the lead agency can prepare a Negative Declaration. If the Initial Study finds that an impact on the environment could be significant, but that changes in the project would reduce all such impacts to a level that is clearly less than significant, the lead agency may adopt a Mitigated Negative Declaration.

The concepts and requirements related to the analysis and mitigation of greenhouse gas emissions apply to all environmental documents, including EIRs, Mitigated Negative Declarations and Negative Declarations. For simplicity, however, this guide refers primarily to EIRs. Additional description of this general CEQA process is provided in Appendix A in this guide.

a. Analyze a Project's Greenhouse Gas Emissions

As part of the environmental review process, local agencies must investigate project-related sources and the amounts of greenhouse gas emissions and then determine whether those emissions cause a significant impact on the environment.⁸ The CEQA Guidelines do not establish a statewide threshold of significance for greenhouse gas emissions – that is, a specific level of emissions that would normally be considered significant (i.e., harmful to the

environment).

b. Require Mitigation if a Project's Greenhouse Gas Impact Is Significant

If a project's greenhouse gas emissions have a significant impact on the environment, then the local agency must consider measures to mitigate this impact.⁹ Local agencies have discretion to determine the most appropriate and feasible types of mitigation measures provided they comply with CEQA and the determination that the mitigation measure will mitigate the impact is supported by substantial evidence.

c. Consider a Long-Range Plan for the Reduction of Greenhouse Gas Emissions and Streamlining of Analysis for Individual Projects

Local agencies may develop broad, long-range solutions in program-level plans such as general plans and climate action plans to address greenhouse gas emissions. Local agencies that prepare coordinated, long-range plans for the reduction of greenhouse gas emissions may streamline the analysis and provide certainty in the mitigation requirements for later individual projects.¹⁰

Key Things to Remember About

Analyzing Greenhouse Gas Emissions as Part of CEQA

- Analysis of greenhouse gas impacts are part of the traditional CEQA framework and all traditional CEQA principles apply.¹¹
- CEQA requires a local agency to evaluate the significance of greenhouse gas emissions on the environment as part of the environmental review process. If the project's greenhouse gas emissions might be significant, an EIR (or Mitigated Negative Declaration) must be prepared.
- If the greenhouse gas emissions from the project itself will not be significant, an EIR must nevertheless be prepared if the greenhouse emissions from the project, combined with the greenhouse emissions from other projects, will have a significant impact. This is called a "cumulatively considerable" impact.¹²
- If the project will comply with a previously adopted long-range plan for mitigating the impacts of greenhouse gas emissions that meets specified requirements, then CEQA says that the project will not have a "cumulatively considerable" impact, and EIR need not be prepared.¹³

II. Analyzing a Project's Greenhouse Gas Impacts

A public agency's consideration of a project's greenhouse gas emissions impacts follow the traditional environmental review procedures. Specific procedures that apply in the context of the analysis and mitigation of greenhouse gas emissions are described below.

A. Determining if A Project's Greenhouse Gas Emissions are Significant

Local agencies must follow several steps to determine whether a project's impact on the environment is significant. The determination of whether a project's greenhouse gas emissions are significant involves a two-step process.

- First the agency must calculate or estimate the overall magnitude of the project's emissions from direct and indirect sources of greenhouse gases.
- Second, the agency must consider several factors to determine whether those emission levels are significant.

What Does Significant Impact Mean?

In a CEQA analysis, significant impact refers to a substantial adverse change in the environment that is caused by a project. The CEQA Guidelines define "significant effect on the environment" as "a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance."¹⁴

Agencies sometimes rely on a concept called "threshold of significance" to determine whether or not a project's impact is "significant." Simply put, a threshold of significance generally creates a dividing line that can help in determining significance: above the line, the impact is normally considered significant and below the line an impact is normally considered to be less-than-significant

Several regional air districts have developed numeric "thresholds of significance" for greenhouse gas emissions. A local agency may adopt other agencies' thresholds of significance as long as the threshold used is supported by substantial evidence.

While the impact of a single project's emissions may not be significant, the cumulative impact of many projects may be significant.¹⁵

Step 1: Estimating Greenhouse Gas Emissions from the Project

The first step in deciding whether a project's greenhouse gas emissions are significant is to estimate the amount of emissions that the project would create. Depending on the nature of the project, a lead agency may choose either a qualitative or quantitative approach, or a combination of both, as appropriate.¹⁶ It is possible to quantify emissions from many types of projects using the same models and techniques commonly used to quantify other air pollutants.¹⁷ Quantifying emissions helps the lead agency and public understand what the project's sources of emissions are and how they can be mitigated.¹⁸ Regardless of which approach is chosen, it must reflect the lead agency's "careful judgment" and "good faith effort" to identify greenhouse gas emissions resulting from the project.¹⁹

Where quantification is not possible, a lead agency also may perform a qualitative evaluation.²⁰ Though not as precise as quantification, qualitative analyses must be based on "scientific and factual data."²¹ In providing background commentary related to the provisions of the CEQA Guidelines related to analyzing the greenhouse gas emissions impacts from a project, the Natural Resources Agency's Statement of Reasons provided two examples of when a quantitative or a qualitative approach might be appropriate. A qualitative analysis might be appropriate for a small habitat restoration project, for example, while emissions from a large commercial development should be quantified.²²

Besides quantitative and qualitative evaluations, a local agency may also use performance standards to assess a project's impact by examining certain project characteristics rather than directly calculating a project's greenhouse gas emissions.²³

When relying on any form of analysis, all emissions from a project must be addressed. For example, an office building that meets established green building standards will have fewer emissions from energy use, but the greenhouse gas emissions associated with the individuals traveling to and from the building would remain unchanged.

Again, the purpose of using a quantitative or a qualitative analysis is to estimate the magnitude of a project's greenhouse gas emissions so that the agency can (1) make a determination of significance; and (2) if the impacts are significant, develop appropriate mitigation measures.

Step 2: Factors to Consider in Determining the Significance of Greenhouse Gas Emissions

Once a proposed project's emissions have been estimated or calculated, the lead agency must then determine whether the level of greenhouse gas emissions will have a significant effect on the environment. An agency should consider three factors, among others.²⁴

Factor 1. Does the project increase or decrease greenhouse gas emissions?

Factor 2. Does the project exceed an applicable threshold of significance?

Factor 3. Does the project comply with applicable regulations, plans or policies that reduce greenhouse gas emissions?

The environmental review should address each of the three factors²⁵ and other factors may also be appropriate given the project's nature. The three factors are discussed below.

Factor 1: Does the Project Increase or Decrease Greenhouse Gas Emissions?

A primary question in an analysis of greenhouse gas emissions is whether the project will increase or decrease emissions compared to the existing environmental setting (that is, the environmental baseline)²⁶ and whether or not the increase is significant.²⁷ A lead agency must examine *all* greenhouse gas emissions from a project, including direct emissions (such as construction equipment used in building the project) and indirect emissions (such as vehicle trips that the project will generate once it's built).²⁸

Two examples illustrate the concept of a change in net greenhouse gas emissions.

Example 1: Power Plant Retrofit

A project to replace two old boilers with one more efficient may still result in emissions; however, those emissions may be lower than the existing baseline.

Example 2: Energy-Efficient Housing

A residential housing project that exceeds the state's energy efficiency standards may be very energy efficient, but unless the new housing is replacing existing housing, the project could still cause a net increase in greenhouse gas emissions.

Factor 2: Does the Project Exceed an Applicable Threshold of Significance?

Local agencies must ask whether a project's emissions exceed "a threshold of significance that the lead agency determines applies to the project."²⁹ Even if an agency has not adopted its own threshold, it may, at its discretion, look to other agencies' determinations.³⁰ For example, several air districts have adopted their own thresholds of significance that may be appropriate for consideration.³¹ However, local agencies should avoid suggestions to use a threshold that is *least* likely to result in a finding that a project's emissions are significant. This is because if there is substantial evidence that a project's environmental impact may be significant, despite compliance with a threshold, an environmental impact report must be prepared.³²

What Does "Substantial Evidence" Mean?

Many of the decisions related to CEQA analyses are based upon a standard that requires the agency's decision to be based upon "substantial evidence." Substantial evidence is a legal term that generally means information in the entire record before a lead agency, not bare conclusions or assumptions that are purely hypothetical, speculative or based upon conjecture.

As used in the CEQA Guidelines, substantial evidence means "enough relevant information and reasonable inferences from the information provided that a fair argument can be made to support a conclusion, even though other conclusions might also be reached. Whether a fair argument can be made that the project may have a significant effect on the environment is to be determined by examining the whole record before the lead agency. Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment does not constitute substantial evidence."³³

Factor 3: Does the Project Comply with Applicable Regulations, Plans or Policies?

The last factor that must be considered is whether the project complies with regulations or requirements (such as a plan or policy adopted for the purpose of reducing greenhouse gas emissions). For example, a project might comply with regulations implementing California's climate change laws, such as those related to management of solid waste landfills to reduce greenhouse gas emissions. Another point of reference could be policies, such as those in a local climate action plan, to reduce greenhouse gas emissions at the local level. The regulation or requirement must address the type and extent of emissions resulting from the project, and must include binding requirements that will result in actual reductions in greenhouse gas emissions.

Importantly, the regulation or requirement itself, such as a binding policies in a climate action plan, must have been subject to environmental review. (A more detailed discussion of the elements required by the CEQA Guidelines for using a climate action plan to determine if a project's impacts are significant is provided in Section IV on page 13.) It is important to remember, however, that compliance with regulations or requirements is just one factor to use in determining significance. If the Initial Study, which is the study conducted to determine whether a project's environmental impacts are significant, demonstrates that there is substantial evidence that an impact may be significant, despite compliance with the regulation or requirement, an environmental impact report still must be prepared.³⁴

Summary: Determining Significance

Determining the significance of a project's greenhouse gas emissions involves careful judgment based on scientific and factual data. To help agencies make that judgment, the CEQA Guidelines create a two-step process.

1. An agency must calculate or estimate the project's greenhouse gas emissions.
2. Once emissions have been estimated, an agency must consider at least three factors in determining whether the emissions are significant. These include
 - ✓ Whether the project will cause a net increase in emissions;
 - ✓ Whether the project's emissions will comply with any applicable threshold of significance; and
 - ✓ Whether the project will be consistent or inconsistent with plans, policies or rules regulating greenhouse gas emissions.

III. Mitigation Measures to Address Impacts of Greenhouse Gas Emissions³⁵

As discussed in previous sections, if the Initial Study conducted by the lead local agency determines that a project's greenhouse gas emissions may be "significant", the agency must prepare either a mitigated negative declaration³⁶ or an Environmental Impact Report (also known as an EIR).³⁷ A mitigated negative declaration is appropriate if revisions can be made to the project that would clearly avoid or mitigate the significant impacts.³⁸

If an EIR is prepared and finds that a potential impact will be significant, the agency must adopt feasible mitigation measures to lessen the impact to a level of insignificance or avoid that impact.³⁹ If the agency cannot mitigate or avoid the impacts, the lead agency must adopt a "statement of overriding conditions"⁴⁰ in order to approve the project. (More about a statement of overriding considerations appears on page 12.)

A. Key Factors in Selecting Mitigation Measures to Reduce Greenhouse Gas Emissions to Below Levels of Significance

Key factors to remember in selecting any mitigation measures, regardless of whether they are used in a mitigated negative declaration or an Environmental Impact Report, include the following. These factors are consistent with traditional environmental review conducted under CEQA.

1. Lead agencies may choose the most appropriate form of mitigation for the project.
2. Substantial evidence must support the lead agency's determination that the mitigation measure will reduce impacts.
3. The mitigation measure must be feasible, enforceable, and subject to monitoring and reporting requirements.⁴¹

In addition to these factors, local agencies may use several additional categories of mitigation measures that may be appropriate to lessen or avoid greenhouse gas emissions. Public agencies may also consider mitigation measures that are not specifically listed in the CEQA Guidelines.⁴²

B. Types of Measures to Consider to Mitigate Greenhouse Gas Emissions from a Project

The three factors in selecting mitigation measures described above (the lead agency may choose the mitigation measure, it must be supported by substantial evidence, and it is feasible, enforceable and capable of being monitored) should be kept in mind when considering and selecting mitigation measures for greenhouse gas emissions from a project. The following suggests five general types of mitigation measures related to greenhouse gas emissions that may be considered by local agencies and are included in the CEQA Guidelines.

1. Measures Identified in an Existing Plan or Program⁴³

The first category of mitigation measures are those measures that were previously identified in an existing plan (such as a climate action plan) or program to reduce greenhouse gas emissions. Thus, if the hard work of figuring out how to reduce greenhouse gas emissions on a local level has already been done, the first place to look for mitigation could be in an existing plan or program, such as a general plan that includes policies designed to reduce greenhouse gas emissions.

For example, such a plan might require that all new construction in the jurisdiction must exceed California's energy efficiency standards (also known as Title 24⁴⁴) by 20 percent. The plan imposes that requirement on an individual project and the lead agency may consider it as a greenhouse gas mitigation measure. As discussed later on page 13, a qualified climate action plan or greenhouse gas reduction plan must include binding measures designed to reduce emissions to a target reduction level⁴⁵ to be used in a CEQA analysis.

2. Project Design Features⁴⁶

The second category of mitigation measures consists of changes in a project to reduce its greenhouse gas emissions. Such reductions may be possible through changes in project design and project features. For example, agencies might encourage project proponents to design the project to include transit facilities or require inclusion of bicycle and walking paths in the design, or that the development take advantage of sun or shade or incorporate energy- and water-efficient elements into the design.⁴⁷ Incorporating solar photovoltaic systems as part of the project and planting significant numbers of trees are other on-site features that could mitigate greenhouse gas emissions from the project.

3. Off-Site Mitigation Measures⁴⁸

The third category of mitigation measures includes measures done at a different location from the project, or "off-site." That is, if the project itself cannot be changed to reduce emissions, a lead agency might consider ways to reduce greenhouse gas emissions that occur elsewhere. Examples of off-site mitigation measures might include community energy retrofit programs, or a program to plant a significant number of trees in the community.

Off-site mitigation measures may also include purchase of greenhouse gas emission offsets as part of an emissions trading system, such as an emissions cap and trade system.⁴⁹ The term "offset" generally refers to a reduction in emissions achieved in order to compensate for new emissions elsewhere, usually related to a program or contract. Development of carbon based offset programs (so-called cap and trade programs) is ongoing.

When evaluating including a carbon offset as a mitigation measure, local agencies should carefully review the most recent procedures adopted by state or federal agencies for that particular type of offset. Further, when considering using carbon dioxide offsets as a mitigation measure, local officials should be aware of the requirement that the offsets "not [be] otherwise

required".⁵⁰ This means those using the offset may not take mitigation credit under CEQA for greenhouse emission reductions that result from meeting requirements in existing law or that would occur with or without the mitigation measure imposed. For example, methane emissions from a landfill that are captured and used to generate electricity could not be used to obtain greenhouse gas emissions offsets if the methane capture project was done to comply with existing law related to air quality and landfill operations. It could only be eligible as a carbon offset if the activity went beyond what is already required in law.

The key for local agencies using off-site mitigation measures is to document the anticipated reduction in greenhouse gas emissions or carbon offsets with substantial evidence and to ensure that the reductions are, in fact, real and enforceable. Careful attention to monitoring requirements and contingency plans may be appropriate.

4. Storing Greenhouse Gas Emissions (Carbon Sequestration)⁵¹

The fourth category of mitigation measures consists of storing greenhouse gas emissions, also known as carbon sequestration. The terms "sequestration" and "carbon storage" refer to the process of removing carbon dioxide from the atmosphere and storing it in a "carbon sink" which generally are soils, oceans or plants. Carbon sinks store more carbon than they release.⁵² For example, since trees absorb and store one type of greenhouse gas, carbon dioxide, forestry is recognized as a method of carbon storage or sequestration.⁵³

Even if a project results in a net increase in emissions, those emissions might be partially offset or mitigated through sequestration. However, because carbon sequestration technology and regulatory measurement procedures are still under development, including whether the sequestration must occur in California or not, a lead agency should carefully document its reasons and evidence supporting reliance on such technology if it is used in a CEQA analysis.

5. Plan-Level Mitigation Measures to be Implemented on a Project-Specific Basis⁵⁴

If the project under consideration is a planning level document, mitigation could include the identification of policies and requirements that will be implemented on a project-by-project basis. For example, a general plan could require new housing developments to exceed existing requirements for energy and water use efficiency or to include solar photovoltaic systems. The general plan could also require new housing developments to include "complete streets". Complete streets are streets designed to accommodate all modes state travel and enable safe access for all users. Pedestrians, bicyclists, motorists and bus riders of all ages and ability are able to safely move along and across a complete street.⁵⁵ All of these could be considered as project specific mitigation measures.

C. Two Additional Considerations When Selecting Mitigation Measures

Consistent with traditional CEQA procedures, local agencies should be aware of two additional issues when considering mitigation measures to reduce greenhouse gas emissions.

1. A valid mitigation measure must be precisely formulated and capable of implementation when it is included in the environmental document. Deferring development or design of greenhouse gas mitigation measures until after project approval does not comply with CEQA.⁵⁶
2. Local agencies should carefully document the greenhouse gas emissions reductions expected from implementing the proposed mitigation measure.⁵⁷

D. Using a Statement of Overriding Considerations⁵⁸

If a project will cause significant impacts that cannot be mitigated to a less than significant level, a lead agency may still approve the project, but only after adopting a statement of overriding considerations.⁵⁹ A statement of overriding considerations contains the lead agency's reasons for approving a project with significant impact because the local agency determines that the benefits of the project outweigh its adverse environmental impacts. This option is available if an environmental impact report is prepared.

For example, local agencies may consider a project's region-wide or statewide environmental benefits to justify adoption of a statement of overriding conditions.⁶⁰ This might include an infill project that generates traffic, but nevertheless results in a regional reduction of greenhouse gas emissions while providing affordable housing. A statement of overriding considerations may be necessary even for projects that have environmental benefits if the project would otherwise also have significant impacts. Local agencies also have the authority to consider such environmental benefits in making a statement of overriding considerations. Because a statement of overriding considerations must be supported by substantial evidence,⁶¹ an agency relying on environmental benefits must point to the evidence to demonstrate the benefit.

Summary: Mitigation of Greenhouse Gas Emissions

Local agencies may use several categories of measures that may be appropriate for mitigating greenhouse gas emissions. Those categories include incorporating measures from a plan into a project, altering project design to reduce emissions, implementing off-site measures to reduce emissions elsewhere, capturing and storing emissions, and, if the project itself is a plan or policy, identifying measures that will be implemented on a project level.

IV. The Importance of Long-Range Planning

A. Overview

As described in Section II above, for each project under review, an agency is generally required to estimate greenhouse gas emissions, evaluate those emissions in light of several specific factors, and determine appropriate mitigation for that project. Agencies may skip those steps, however, if the project complies with a plan (such as a climate action plan), referred to in the CEQA Guidelines as "Plans for the Reduction of Greenhouse Gas Emissions."⁶² Such a plan analyzes and mitigates greenhouse gas emissions on a broader level. In order to use a climate action plan as part of a CEQA analysis, the plan must satisfy a set of criteria listed in the CEQA Guidelines. Those criteria are described below.

B. Using Climate Action Plans

Climate action plans analyze and mitigate greenhouse gas emissions on a broader level.⁶³ When relying on such a plan as part of the CEQA analysis, the local agency should explain how implementing the particular requirements in the plan ensure that the project's incremental contribution to the cumulative effect is not cumulatively considerable.⁶⁴ In order to use a climate action plan as part of a CEQA analysis, the plan must satisfy a set of criteria listed in the CEQA Guidelines.⁶⁵ Those criteria are described below.

1. Planning Ahead to Make Sure Climate Action Plans Meet CEQA's Requirements

Many local agencies prepare climate action plans to lay out a strategy to reduce greenhouse gas emissions. In order to be used in a CEQA analysis, a climate action plan must satisfy five criteria⁶⁶ and follow CEQA's existing public review process.⁶⁷ A climate action plan must:

- a) Quantify greenhouse gas emissions in the plan area.⁶⁸
- b) Determine the levels below which greenhouse gas emissions from plan activities would not be considered significant.⁶⁹
- c) Estimate future greenhouse gas emissions from plan activities.⁷⁰
- d) Identify specific measures to reduce emissions to below the estimated level.⁷¹
- e) Include provisions for monitoring and making any necessary amendments.⁷²
- f) Be adopted a public process following environmental review.⁷³

a. Quantify Existing Greenhouse Gas Emissions in the Plan Area⁷⁴

The first criterion is quantification of existing and future emissions from within the plan area. A city, for example, would likely quantify existing and projected emissions within its city limits and a county within the unincorporated area of the county. This quantification establishes the

emissions “baseline” against which the reductions from the greenhouse reduction plan may be measured.

b. Determine the Level of Emissions from Plan Activities that Would Not be Considered Significant⁷⁵

The second criterion is to determine the levels at which emissions from all future plan activities would not be considered significant. Since climate change results from the accumulation of greenhouse gases in the atmosphere over time, climate action plans often include not just one greenhouse gas emissions reduction target, but a series of reduction goals that show greater emissions reductions (and associated policies) over time.⁷⁶

Determining reduction targets could present challenges similar to those of setting a numeric threshold of significance (which is a specific quantity at which an impact is considered significant). However, several possible approaches exist.⁷⁷ A lead agency has discretion to determine what targets are appropriate, based on the circumstances of the local community and in light of the overarching environmental objective.

c. Estimate Future Greenhouse Gas Emissions from Plan Activities⁷⁸

In addition to quantifying existing emissions, the plan also needs to quantify anticipated emissions that could result from actions or categories of actions within the geographic area covered from the plan. The purpose of making this projection of future emissions is to determine whether future emissions would meet the reduction targets. The same methods used to determine baseline emissions can also be used to project out future emissions. Consistent with other types of analysis prepared under CEQA, some reasonable degree of forecasting will be required. Assumptions used to develop future emissions projections should be clearly stated and justified in the plan or technical materials supporting the plan.

d. Identify Specific Measures to Achieve the Specified Emissions Levels⁷⁹

After determining the anticipated level of emissions, and projecting out future plan-related emissions, the agency should determine whether future emissions will exceed the plan's reduction targets. If so, the plan needs to identify specific measures that would reduce emissions to achieve the plan's targets.

Such measures could include adopting ordinances or other binding regulations to exceed existing energy efficiency standards required by state law, developing land use patterns to reduce automobile use, adopting energy efficiency retrofit programs, or devising other ways to reduce future greenhouse gas emissions from the project.

e. Include Provisions for Monitoring and Making Necessary Amendments to Achieve Results⁸⁰

A qualified climate action plan should provide for monitoring to gauge plan performance at

regular intervals. This is necessary to ensure that the plan actually achieves the intended emissions reductions and provides a reliable basis for determining that individual project emissions are not significant (and thus not subject to additional environmental review for greenhouse gas emissions). The plan should also include provisions for amendment if monitoring reveals that adjustments will be necessary to achieve the reduction targets.

f. Adopt Plan in a Public Process Following Environmental Review⁸¹

Local officials should remember that the plan should be adopted in a public process following environmental review that is consistent with existing requirements in CEQA related to adopting plans in a public process. Because a plan that includes binding regulations or land use changes will likely fall within the definition of a "project" under CEQA⁸², some level of environmental review would likely be required.

2. Streamlining the Analysis for a Project that Complies with a Qualified Climate Action Plan

In general, once a climate action plan meeting the criteria discussed above is in place (including the required environmental review of the plan), the greenhouse gas emissions from a project that is consistent with and complies with the requirements included in that plan will not be considered to cause a significant impact with regard to its greenhouse gas emissions.⁸³ In that case, the Initial Study for the project would: (a) demonstrate that the project is consistent with the plan, and (b) explain how implementing the plan reduces the environmental impact of the project.

Summary: Using a Qualified Climate Action Plan

The analysis of a project's greenhouse gas emissions can be simplified if a plan is in place that mitigates those emissions on a broad, programmatic level. Once a qualified climate action plan is in place, in many cases, the lead agency would not need to analyze the emissions of the project using the process described in Section II, or develop individual mitigation as described in Section III.

Instead, the lead agency would need to demonstrate that the project complies with the plan's requirements, and that the requirements actually address the project's greenhouse gas emissions. A plan creating that streamlined process must include emissions inventories and projections, set reduction targets, and specify measures to achieve those targets. The plan also must contain provisions for regular monitoring and for making any necessary revisions in order to stay on target, and must be adopted in a public process following environmental review.

Environmental Review Complete But Project Not Started: What if an Existing Environmental Impact Report Did Not Address Greenhouse Gas Emissions?

What should be done if a project's original environmental review did not address greenhouse gas emissions? If the project requires additional discretionary approvals by state or local agencies⁸⁴ the same rules that apply to any other project subject to CEQA would apply to this situation.

CEQA provides that additional environmental review is required when a project would require additional discretionary approval and substantial changes are proposed in the project or new information becomes available.⁸⁵

If the project requires further discretionary review and the original CEQA analysis did not address climate change or greenhouse gas emissions from the project, then additional consideration of the greenhouse gas impacts from the project may be appropriate.⁸⁶

Consulting with the agency's attorney is critical in making the determination of whether additional review is necessary to consider greenhouse gas emissions.

C. Specific Streamlining Opportunities for Transit Priority Projects

1. General Eligibility for Streamlined Review⁸⁷

Under existing law, The Sustainable Communities and Climate Protection Act of 2008⁸⁸ (also known as SB 375), certain housing development projects with access to public transit are eligible for partial or full California Environmental Quality Act exemptions.⁸⁹ SB 375 refers to these projects as "transit priority projects" (sometimes referred to by the acronym TPPs).⁹⁰

In order to qualify as a transit priority project, the project must be consistent with an "accepted" sustainable communities strategy or alternative planning strategy.⁹¹ "Accepted" means that the Air Resources Board has accepted the metropolitan planning organization's determination that the strategy would achieve the region's greenhouse gas emission reduction targets.⁹²

The transit priority projects must also be at least 50 percent residential and must have a net density of at least 20 units per acre and be located within one-half mile of a major transit stop or high quality transit corridor.⁹³

2. Eligibility for Complete Exemption

To be entirely exempt from California Environmental Quality Act review, the "transit priority project" must meet numerous requirements. These include but are not limited to:

- Being adequately served by existing utilities;

- Meeting certain stringent energy efficiency and water conservation standards;
- Not impacting wetland or wildlife habitats;
- Not impacting historic resources;
- Includes affordable housing in the project or pays an in lieu fee; or provides public open space equal to or greater than 5 acres per 1,000 residents;
- Not exceeding eight acres or 200 residential units.⁹⁴

A transit priority project that meets these criteria (and others specified in SB 375) is called a “sustainable communities project.”⁹⁵ Such a project may proceed through the project review process without further environmental review under the California Environmental Quality Act.

3. Eligibility for Partial Exemption

If a transit priority project does not meet the detailed standards to qualify as a “sustainable communities project,” (and hence is not eligible for a complete CEQA exemption), the project may still be eligible for streamlined environmental review, called a “sustainable communities environmental assessment”. To be eligible for such streamlined review, the project must incorporate all feasible mitigation measures, performance standards, or criteria set forth in prior applicable environmental review documents.⁹⁶

A lead agency may prepare a "sustainable communities environmental assessment" for this type of transit priority project under the new process created by SB 375.⁹⁷ The initial study for a sustainable communities environmental assessment must identify any cumulative effects that have been adequately addressed and mitigated in prior applicable EIRs.⁹⁸ Where the lead agency determines that a cumulative effect has been adequately addressed and mitigated, then that cumulative effect in and of itself does not require an EIR be prepared for the project.

Unlike a full environmental analysis, a sustainable communities environmental assessment need *not* include an analysis of the following aspects of the project:

- The project’s growth-inducing impacts;
- Cumulative or project-specific impacts from car and light-duty truck trips on greenhouse gas emissions or the regional transportation network; or
- Reduced residential density alternatives to address such project impacts.⁹⁹

The new “sustainable communities environmental assessment” is similar to CEQA’s mitigated negative declaration. However, the California Environmental Quality Act’s requirement to evaluate the cumulative or project-specific impacts from passenger cars on greenhouse gas emissions may make it challenging to adopt a mitigated negative declaration.¹⁰⁰ The “sustainable communities environmental assessment” addresses this challenge by relying on the project’s

consistency with the region's sustainable communities strategy or alternative planning strategy and bypasses this hurdle. This may create an incentive for project consistency.

The agency relying on a sustainable communities environmental assessment must:

- 1) Adopt findings that all potentially significant or significant effects required to be identified in the initial study have been identified and analyzed; and
- 2) With respect to each significant effect, find that changes or alterations have been required in or incorporated into the project that avoid or mitigate the significant effects to a level of insignificance.¹⁰¹

It is important to remember, though, that the partial exemption that may apply to transit priority or mixed use projects applies *only* to the greenhouse gas impacts from cars and light duty trucks. This is because the "sustainable communities strategies" or "alternative planning strategies" address the transportation related greenhouse gas emissions, not other types of greenhouse gas emissions. Other potential sources of greenhouse gas emissions from a project, such as energy and water use, still must be analyzed.¹⁰²

V. Additional Considerations and Tools for Evaluating Greenhouse Gas Emissions

A. Overview of the CEQA Checklist (Appendix G)

The CEQA Guidelines include a checklist¹⁰³ to help a lead agency determine whether or not a project may have significant impacts on the environment. It includes sample questions about various environmental issues. The checklist is often used in the preparation of the local agency's Initial Study. Local agencies may modify the CEQA checklist to suit the lead agency's needs and to address the particular circumstances of the project under consideration.¹⁰⁴

At the same time the CEQA Guidelines were updated to include consideration of greenhouse gas emissions, the CEQA checklist (found in Appendix G of the CEQA Guidelines) was updated in three areas to evaluate to help local agencies determine whether a project's greenhouse gas emissions impacts are significant: forest resources, greenhouse gas emissions, and transportation.¹⁰⁵ In addition, Appendix F now includes guidance on how to evaluate a project's energy related greenhouse gas emissions impacts.¹⁰⁶

B. Analysis of Energy Impacts (Appendix F)¹⁰⁷

The CEQA Guidelines (Appendix F) now includes updated guidance that requires analysis of energy impacts. Thus, agencies must analyze and mitigate the significant energy impacts of a project. The analysis of energy impacts should include (but is not limited to) the following:

1. A project's energy demands and conservation measures.
2. Existing energy supplies and availability and the effect of the project on those supplies.
3. The project's projected transportation energy use requirements and its overall use of efficient transportation alternative.
4. Potential mitigation measures and alternatives that would reduce a project's energy demands.¹⁰⁸

Energy use (and efficiency) is an important indicator of its greenhouse gas emissions. Project design may achieve energy savings through inclusion of mitigation measures related to water use (such as the energy use related to pumping, delivery and heating of water) and solid waste disposal. Other possible mitigation measures identified in Appendix F¹⁰⁹ that may be useful in this energy analysis include reductions in energy use through project location, orientation and design, use of alternative fuels, and recycling.¹¹⁰

VI. Conclusion

Evaluation of a project's greenhouse gas emissions and their potential environmental impacts is a relatively new requirement that local agencies must address as part of their responsibilities under the California Environmental Quality Act. The requirements governing analysis of greenhouse gas emissions are the same as those that govern all other types of analysis under CEQA. The primary responsibilities of lead agencies are to: (1) investigate the potential impact, and (2) if the potential impact is significant, to require mitigation measures to address the impact,

In meeting those responsibilities, local agencies may use the procedures included in the CEQA Guidelines, as well as tools adopted by other agencies, as appropriate. Unlike other areas of CEQA analysis, the science and practice related to analysis of greenhouse gas emissions continues to evolve rapidly. Thus, it is important to refer to the resources in Appendix C of this guide to be sure the most current information is being used.

Appendix A. Understanding CEQA through the CEQA Guidelines

The CEQA Guidelines provide a useful overview of CEQA's purpose, requirements and processes.¹¹¹ The text below is taken from the CEQA Guidelines beginning with section 15002.

(a) **Basic Purposes of CEQA.** The basic purposes of CEQA are to:

- (1) Inform governmental decision makers and the public about the potential, significant environmental effects of proposed activities.
- (2) Identify ways that environmental damage can be avoided or significantly reduced.
- (3) Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible.
- (4) Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

(b) **Governmental Action.** CEQA applies to governmental action. This action may involve:

- (1) Activities directly undertaken by a governmental agency,
- (2) Activities financed in whole or in part by a governmental agency, or
- (3) Private activities which require approval from a governmental agency.

(c) **Private Action.** Private action is not subject to CEQA unless the action involves governmental participation, financing, or approval.

(d) **Project.** A "project" is an activity subject to CEQA. The term "project" has been interpreted to mean far more than the ordinary dictionary definition of the term.¹¹²

(e) **Time for Compliance.** A governmental agency is required to comply with CEQA procedures when the agency proposes to carry out or approve the activity.¹¹³

(f) **Environmental Impact Reports and Negative Declarations.** An environmental impact report (EIR) is the public document used by the governmental agency to analyze the significant environmental effects of a proposed project, to identify alternatives, and to disclose possible ways to reduce or avoid the possible environmental damage.

- (1) An EIR is prepared when the public agency finds substantial evidence that the project may have a significant effect on the environment.¹¹⁴

(2) When the agency finds that there is no substantial evidence that a project may have a significant environmental effect, the agency will prepare a "Negative Declaration" instead of an EIR.¹¹⁵

(g) **Significant Effect on the Environment.** A significant effect on the environment is defined as a substantial adverse change in the physical conditions which exist in the area affected by the proposed project.¹¹⁶ Further, when an EIR identifies a significant effect, the government agency approving the project must make findings on whether the adverse environmental effects have been substantially reduced or if not, why not.¹¹⁷

(h) **Methods for Protecting the Environment.** CEQA requires more than merely preparing environmental documents. The EIR by itself does not control the way in which a project can be built or carried out. Rather, when an EIR shows that a project could cause substantial adverse changes in the environment, the governmental agency must respond to the information by one or more of the following methods:

- (1) Changing a proposed project;
- (2) Imposing conditions on the approval of the project;
- (3) Adopting plans or ordinances to control a broader class of projects to avoid the adverse changes;
- (4) Choosing an alternative way of meeting the same need;
- (5) Disapproving the project;
- (6) Finding that changes in, or alterations to, the project are not feasible.
- (7) Finding that the unavoidable, significant environmental damage is acceptable as provided in Section 15093.

(i) **Discretionary Action.** CEQA applies in situations where a governmental agency can use its judgment in deciding whether and how to carry out or approve a project. A project subject to such judgmental controls is called a "discretionary project."¹¹⁸

- (1) Where the law requires a governmental agency to act on a project in a set way without allowing the agency to use its own judgment, the project is called "ministerial," and CEQA does not apply.¹¹⁹
- (2) Whether an agency has discretionary or ministerial controls over a project depends on the authority granted by the law providing the controls over the activity. Similar projects may be subject to discretionary controls in one city or county and only ministerial controls in another.¹²⁰

(j) **Public Involvement.** Under CEQA, an agency must solicit and respond to comments from the public and from other agencies concerned with the project.¹²¹

(k) **Three-Step Process.** An agency will normally take up to three separate steps in deciding which document to prepare for a project subject to CEQA.

(1) In the first step the lead agency examines the project to determine whether the project is subject to CEQA at all. If the project is exempt, the process does not need to proceed any farther. The agency may prepare a notice of exemption.¹²²

(2) If the project is not exempt, the lead agency takes the second step and conducts an initial study¹²³ to determine whether the project may have a significant effect on the environment. If the initial study shows that there is no substantial evidence that the project may have a significant effect, the lead agency prepares a negative declaration.¹²⁴

(3) If the initial study shows that the project may have a significant effect, the lead agency takes the third step and prepares an EIR.¹²⁵

(l) **Certified Equivalent Programs.** A number of environmental regulatory programs have been certified by the Secretary of the Resources Agency as involving essentially the same consideration of environmental issues as is provided by use of EIRs and negative declarations. Certified programs are exempt from preparing EIRs and negative declarations but use other documents instead. Certified programs are discussed in Article 17 and are listed in section 15251.

(m) This section is intended to present the general concepts of CEQA in a simplified and introductory manner. If there are any conflicts between the short statement of a concept in this section and the provisions of other sections of these guidelines, the other sections shall prevail.

Appendix B. Text of Selected Sections of CEQA Guidelines Related to Considering the Impacts of a Project's Greenhouse Gas Emissions

The CEQA Guidelines related to considering greenhouse gas emissions impacts are provided below. The full text of the CEQA Guidelines is available at www.ceres.ca.gov/ceqa/docs/2010_CEQA_Statutes_and_Guidelines.pdf

Section 15064. Determining the Significance of Environmental Effects Caused by a Project.

(h)(3) A lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program (including, but not limited to, water quality control plan, air quality attainment or maintenance plan, integrated waste management plan, habitat conservation plan, natural community conservation plan, plans or regulations for the reduction of greenhouse gas emissions) that provides specific requirements that will avoid or substantially lessen the cumulative problem within the geographic area in which the project is located. Such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make specific the law enforced or administered by the public agency. When relying on a plan, regulation or program, the lead agency should explain how implementing the particular requirements in the plan, regulation or program ensure that the project's incremental contribution to the cumulative effect is not cumulatively considerable. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding that the project complies with the specified plan or mitigation program addressing the cumulative problem, an EIR must be prepared for the project.

Section 15064.4. Determining the Significance of Impacts from Greenhouse Gas Emissions.

(a) The determination of the significance of greenhouse gas emissions calls for a careful judgment by the lead agency consistent with the provisions in section 15064. A lead agency should make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate the amount of greenhouse gas emissions resulting from a project. A lead agency shall have discretion to determine, in the context of a particular project, whether to:

(1) Use a model or methodology to quantify greenhouse gas emissions resulting from a project, and which model or methodology to use. The lead agency has discretion to select the model or methodology it considers most appropriate provided it supports its decision with substantial evidence. The lead agency should explain the limitations of the particular model or methodology selected for use; and/or

(2) Rely on a qualitative analysis or performance based standards.

(b) A lead agency should consider the following factors, among others, when assessing the significance of impacts from greenhouse gas emissions on the environment:

(1) The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting;

(2) Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project.

(3) The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions. Such requirements must be adopted by the relevant public agency through a public review process and must reduce or mitigate the project's incremental contribution of greenhouse gas emissions. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, an EIR must be prepared for the project.

Section 15064.7. Thresholds of Significance.

(c) When adopting thresholds of significance, a lead agency may consider thresholds of significance previously adopted or recommended by other public agencies or recommended by experts, provided the decision of the lead agency to adopt such thresholds is supported by substantial evidence.

Section 15126.4. Consideration and Discussion of Mitigation Measures Proposed to Minimize Significant Effects.

(c) Mitigation Measures Related to Greenhouse Gas Emissions.

Consistent with section 15126.4(a), lead agencies shall consider feasible means, supported by substantial evidence and subject to monitoring or reporting, of mitigating the significant effects of greenhouse gas emissions. Measures to mitigate the significant effects of greenhouse gas emissions may include, among others:

(1) Measures in an existing plan or mitigation program for the reduction of emissions that are required as part of the lead agency's decision;

(2) Reductions in emissions resulting from a project through implementation of project features, project design, or other measures, such as those described in Appendix F;

(3) Off-site measures, including offsets that are not otherwise required, to mitigate a project's emissions;

(4) Measures that sequester greenhouse gases;

(5) In the case of the adoption of a plan, such as a general plan, long range development plan, or plans for the reduction of greenhouse gas emissions, mitigation may include the identification of specific measures that may be implemented on a project-by-project basis. Mitigation may also include the incorporation of specific measures or policies found in an adopted ordinance or regulation that reduces the cumulative effect of emissions.

Section 15093. Statement of Overriding Considerations.

(a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

Section 15183.5(b). Plans for the Reduction of Greenhouse Gas Emissions.

Public agencies may choose to analyze and mitigate significant greenhouse gas emissions in a plan for the reduction of greenhouse gas emissions or similar document. A plan to reduce greenhouse gas emissions may be used in a cumulative impacts analysis as set forth below. Pursuant to sections 15064(h)(3) and 15130(d), a lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project complies with the requirements in a previously adopted plan or mitigation program under specified circumstances.

- (1) Plan Elements. A plan for the reduction of greenhouse gas emissions should:
 - (A) Quantify greenhouse gas emissions, both existing and projected over a specified time period, resulting from activities within a defined geographic area;
 - (B) Establish a level, based on substantial evidence, below which the contribution to greenhouse gas emissions from activities covered by the plan would not be cumulatively considerable;
 - (C) Identify and analyze the greenhouse gas emissions resulting from specific actions or categories of actions anticipated within the geographic area;
 - (D) Specify measures or a group of measures, including performance standards, that substantial evidence demonstrates, if implemented on a project-by-project basis, would collectively achieve the specified emissions level;
 - (E) Establish a mechanism to monitor the plan's progress toward achieving the level and to require amendment if the plan is not achieving specified levels;
 - (F) Be adopted in a public process following environmental review.

(2) Use with Later Activities. A plan for the reduction of greenhouse gas emissions, once adopted following certification of an EIR or adoption of an environmental document, may be used in the cumulative impacts analysis of later projects. An environmental document that relies on a greenhouse gas reduction plan for a cumulative impacts analysis must identify those requirements specified in the plan that apply to the project, and, if those requirements are not otherwise binding and enforceable, incorporate those requirements as mitigation measures applicable to the project. If there is substantial evidence that the effects of a particular project may be cumulatively considerable notwithstanding the project's compliance with the specified requirements in the plan for the reduction of greenhouse gas emissions, an EIR must be prepared for the project.

Section 15126.2(a). The Significant Environmental Effects of the Proposed Project.

An EIR shall identify and focus on the significant environmental effects of the proposed project. In assessing the impact of a proposed project on the environment, the lead agency should normally limit its examination to changes in the existing physical conditions in the affected area as they exist at the time the notice of preparation is published, or where no notice of preparation is published, at the time environmental analysis is commenced. Direct and indirect significant effects of the project on the environment shall be clearly identified and described, giving due consideration to both the short-term and long-term effects. The discussion should include relevant specifics of the area, the resources involved, physical changes, alterations to ecological systems, and changes induced in population distribution, population concentration, the human use of the land (including commercial and residential development), health and safety problems caused by the physical changes, and other aspects of the resource base such as water, historical resources, scenic quality, and public services. The EIR shall also analyze any significant environmental effects the project might cause by bringing development and people into the area affected. For example, an EIR on a subdivision astride an active fault line should identify as a significant effect the seismic hazard to future occupants of the subdivision. The subdivision would have the effect of attracting people to the location and exposing them to the hazards found there. Similarly, the EIR should evaluate any potentially significant impacts of locating development in other areas susceptible to hazardous conditions (e.g., floodplains, coastlines, wildfire risk areas) as identified in authoritative hazard maps, risk assessments or in land use plans addressing such hazards areas.

Section 15130. Discussion of Cumulative Impacts.

(B) A summary of projections contained in an adopted local, regional or statewide plan, or related planning document, that describes or evaluates conditions contributing to the cumulative effect. Such plans may include: a general plan, regional transportation plan, or plans for the reduction of greenhouse gas emissions. A summary of projections may also be contained in an adopted or certified prior environmental document for such a plan. Such projections may be supplemented with additional information such as a regional modeling program. Any such document shall be referenced and made available to the public at a location specified by the lead agency.

Section 15183.5. Tiering and Streamlining the Analysis of Greenhouse Gas Emissions.

(a) Lead agencies may analyze and mitigate the significant effects of greenhouse gas emissions at a programmatic level, such as in a general plan, a long range development plan, or a separate plan to reduce greenhouse gas emissions. Later project-specific environmental documents may tier from and/or incorporate by reference that existing programmatic review. Project-specific environmental documents may rely on an EIR containing a programmatic analysis of greenhouse gas emissions as provided in section 15152 (tiering), 15167 (staged EIRs) 15168 (program EIRs), 15175-15179.5 (Master EIRs), 15182 (EIRs Prepared for Specific Plans), and 15183 (EIRs Prepared for General Plans, Community Plans, or Zoning).

(b) Plans for the Reduction of Greenhouse Gas Emissions. Public agencies may choose to analyze and mitigate significant greenhouse gas emissions in a plan for the reduction of greenhouse gas emissions or similar document. A plan to reduce greenhouse gas emissions may be used in a cumulative impacts analysis as set forth below. Pursuant to sections 15064(h)(3) and 15130(d), a lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project complies with the requirements in a previously adopted plan or mitigation program under specified circumstances.

(1) Plan Elements. A plan for the reduction of greenhouse gas emissions should:

(A) Quantify greenhouse gas emissions, both existing and projected over a specified time period, resulting from activities within a defined geographic area;

(B) Establish a level, based on substantial evidence, below which the contribution to greenhouse gas emissions from activities covered by the plan would not be cumulatively considerable;

(C) Identify and analyze the greenhouse gas emissions resulting from specific actions or categories of actions anticipated within the geographic area;

(D) Specify measures or a group of measures, including performance standards, that substantial evidence demonstrates, if implemented on a project-by-project basis, would collectively achieve the specified emissions level;

(E) Establish a mechanism to monitor the plan's progress toward achieving the level and to require amendment if the plan is not achieving specified levels;

(F) Be adopted in a public process following environmental review.

(2) Use with Later Activities. A plan for the reduction of greenhouse gas emissions, once adopted following certification of an EIR or adoption of an environmental document, may be used in the cumulative impacts analysis of later projects. An environmental document that

relies on a greenhouse gas reduction plan for a cumulative impacts analysis must identify those requirements specified in the plan that apply to the project, and, if those requirements are not otherwise binding and enforceable, incorporate those requirements as mitigation measures applicable to the project. If there is substantial evidence that the effects of a particular project may be cumulatively considerable notwithstanding the project's compliance with the specified requirements in the plan for the reduction of greenhouse gas emissions, an EIR must be prepared for the project.

(c) Special Situations. As provided in Public Resources Code sections 21155.2 and 21159.28, environmental documents for certain residential and mixed use projects, and transit priority projects, as defined in section 21155, that are consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in an applicable sustainable communities strategy or alternative planning strategy need not analyze global warming impacts resulting from cars and light duty trucks. A lead agency should consider whether such projects may result in greenhouse gas emissions resulting from other sources, however, consistent with these Guidelines.

Appendix C. Resources to Learn More

- California CEQA Guidelines (including Appendices G and F). ([www.ceres.ca.gov/ceqa/docs/Adopted and Transmitted Text of SB97 CEQA Guidelines Amendments.pdf](http://www.ceres.ca.gov/ceqa/docs/Adopted_and_Transmitted_Text_of_SB97_CEQA_Guidelines_Amendments.pdf))
- California Environmental Act (CEQA) Statutes and Guidelines. (www.califaep.org/docs/CEQA/CEQAHandbook2011.pdf)
- CEQA Guidelines Final Statement of Reasons. ([www.ceres.ca.gov/ceqa/docs/Final Statement of Reasons.pdf](http://www.ceres.ca.gov/ceqa/docs/Final_Statement_of_Reasons.pdf))
- Governor's Office of Planning and Research. *CEQA and Climate Change: Addressing Climate Change Through the California Environmental Quality Act Review*. Attachment 2: Technical Resources/Modeling Tools to Estimate GHG Emissions (June 2008) (www.opr.ca.gov/ceqa/pdfs/june08-ceqa.pdf)
- California Attorney General's Office. *Addressing Climate Change at the Project Level*. (www.ag.ca.gov/globalwarming/pdf/GW_mitigation_measures.pdf)
- Institute for Local Government. *Understanding AB 32 and SB 375: A Legal Analysis for Local Officials*. (www.ca-ilg.org/AB32-SB375LegalAnalysis)
- Institute for Local Government. *Understanding the Basics of Land Use and Planning: Guide to Local Planning*. (see especially pages 31-36) (www.ca-ilg.org/planningguide)
- Institute for Local Government. *Understanding the Basics of Land Use and Planning: Glossary of Land Use and Planning Terms*. (www.ca-ilg.org/PlanningTerms)
- Institute for Local Government. *The Basics of Climate Change Cap and Trade: An Overview for Local Official's*. (www.ca-ilg.org/capandtrade)
- California Air Pollution Control Officers Association. *CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act*. (January 2008) (www.capcoa.org/wp-content/uploads/downloads/2010/05/CAPCOA-White-Paper.pdf)
- California Air Pollution Control Officers Association. *Quantifying Greenhouse Gas Mitigation Measures*. (www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf)
- California Air Pollution Control Officers Association. *Model Policies for Greenhouse Gases in General Plans*. (June 2009). (www.capcoa.org/wp-content/uploads/downloads/2010/05/CAPCOA-ModelPolicies-6-12-09-915am.pdf)

- California Department of Transportation. *Smart Mobility 2010: A Call to Action for the New Decade*. (www.dot.ca.gov/hq/tpp/offices/ocp/smf_files/SmMbilty_v6-3.22.10_150DPI.pdf)

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A key goal of the Institute is to translate complex and technical concepts into understandable terms. In the course of doing so, certain technical and legal nuances may have been omitted. Thus, the materials in this guide should not be relied on as complete statements of the concepts described. These materials are not legal advice. In addition, the law can and does change over time. Officials are encouraged to consult with staff and other technical experts for up-to-date information and guidance on how these concepts apply in specific situations.

The Institute welcomes feedback on this resource:

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Endnotes

¹ See Cal. Health & Safety Code § 38500 and following (known as "The Global Warming Solutions Act of 2006" or "AB 32") and Executive Order S-3-05.

² The CEQA Guidelines are available at www.ceres.ca.gov/ceqa/docs/2010_CEQA_Statutes_and_Guidelines.pdf.

³ See Cal. Pub. Res. Code § 21083.

⁴ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15364.5.

⁵ See California Air Resources Board, www.arb.ca.gov/cc/inventory/pubs/reports/staff_report_1990_level.pdf. See especially pages 2-8.

⁶ Institute for Local Government, *Understanding the Basics of Land Use and Planning: Guide to Local Planning*; see especially pages 31-36 (www.ca-ilg.org/planningguide).

⁷ Some projects are exempt from CEQA. This Guide assumes that a local agency has determined through the Initial Study process that a project does not qualify for an exemption.

⁸ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15064.4.

⁹ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15126.4(c).

¹⁰ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15183.5.

¹¹ See Natural Resources Agency, Final Statement of Reasons for Regulatory Action: Amendments to the State CEQA Guidelines Addressing Analysis and Mitigation of Greenhouse Gas Emissions Pursuant to SB97 (December 2009) ("Final Statement of Reasons"), at 13 (available at http://ceres.ca.gov/ceqa/docs/Final_Statement_of_Reasons.pdf). Also, because new CEQA guidelines are adopted as regulations, they follow the California Administrative Procedure Act (APA) process. Thus, amendments to the CEQA Guidelines to address greenhouse gas emissions could either enlarge or reduce the scope of the requirements in CEQA or court decisions. See Cal. Pub. Res. Code § 21083(f). The Statement of Reasons is a key document developed as part of the APA process that explains the reasoning of the Natural Resources Agency in developing the CEQA Guidelines, as well as the basis and intent of those Guidelines. Similar to legislative history, courts can look to the Statement of Reasons for aid in interpreting the CEQA Guidelines. (See, e.g., *As You Sow v. Conbraco Industries* (2005) 135 Cal. App. 4th 431, 451-52 (looking to an agency's Statement of Reasons to discern the meaning of an administrative regulation).)

¹² See California CEQA Guidelines, 14 Cal. Code of Regs. § 15355.

¹³ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15064(h)(3).

¹⁴ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15382.

¹⁵ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15064(h).

¹⁶ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15064.4(a).

¹⁷ See, for example, Governor's Office of Planning and Research, *CEQA and Climate Change: Addressing Climate Change Through the California Environmental Quality Act Review*, Attachment 2: Technical Resources/Modeling Tools to Estimate GHG Emissions (June 2008); California Air Pollution Control Officers Association, *CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act* (January 2008) ("CAPCOA Whitepaper"), at 59-78. An example of a widely used computer model is the Urban Emissions Model, known as URBEMIS. It estimates levels of pollutants based on project characteristics, such as size, land use type, etc.

¹⁸ See Natural Resources Agency, Final Statement of Reasons, at p. 21.

¹⁹ See California CEQA Guidelines, Cal. Code Regs., tit. 14, §§ 15064(b), 15064.4(a).

²⁰ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15064.4(a); see also, Final Statement of Reasons, at pp. 20-24.

²¹ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15064.4(a).

²² See Natural Resources Agency, Final Statement of Reasons, at p. 23. The first example described in the Statement of Reasons is a small habitat restoration project that involves only a few workers and mechanical tools. The second example involves a large commercial development that would require heavy-duty construction equipment and on-going transportation-related emissions. In the second example, existing computer models are available to estimate the level of emissions that might be associated with such a commercial development. Further, quantification of such emissions would reveal important information about the sources and scale of emissions involved. Therefore, the Natural Resources Agency suggested that quantification of such emissions would be required. In the first project,

models are not readily available to quantify emissions from a habitat restoration project, and even if such emissions could be estimated, it may not reveal information that is relevant to the analysis. Therefore, a qualitative analysis would be more appropriate.

²³ To date, few agencies have developed performance standards that would be relevant in an analysis of greenhouse gas emissions.

²⁴ See California CEQA Guidelines, 14 Cal. Code of Regs § 15064.4(b).

²⁵ See California CEQA Guidelines, 14 Cal. Code of Regs § 15005.

²⁶ See California CEQA Guidelines, 14 Cal. Code of Regs § 15125(a).

²⁷ This is not intended to imply a "zero threshold" or to suggest that any net increase, no matter how small, is significant. See Natural Resources Agency, Final Statement of Reasons, at 25.

²⁸ See Natural Resources Agency, Final Statement of Reasons, at 24.

²⁹ See California CEQA Guidelines, 14 Cal. Code of Regs § 15064.4(b)(2). In adopting its own threshold, a lead agency may rely on thresholds developed by other agencies or experts. Local officials should remember that a threshold is just a tool to help a lead agency to determine whether an impact is significant. What CEQA requires is that the ultimate conclusion be supported by substantial evidence. Therefore, whether the agency is applying a threshold on a case-by-case basis or adopting one for general application, the lead agency must have substantial evidence to support the conclusion that the threshold actually represents that level at which impacts are considered significant. Similarly, even if the impacts fall below the threshold of significance, a project's impacts may still be significant based upon substantial evidence.

³⁰ The California Air Pollution Control Officers Association paper discusses the benefits and drawbacks of different approaches. It is available at: www.climatechange.ca.gov/publications/others/CAPCOA-1000-2008-010.PDF.

³¹ The South Coast Air Quality Management District has adopted an interim threshold for industrial projects that exceed 10,000 tons of carbon dioxide equivalent emissions for projects where it is the lead agency. (SCAQMD, Interim CEQA GHG Significance Threshold for Stationary Sources, Rules and Plans (2008). www.aqmd.gov/hb/2008/December/081231a.htm). The Bay Area Air Quality Management District also has adopted recommended numeric thresholds for commercial, residential projects and mixed-use projects. (BAAQMD, California Environmental Quality Act: Air Quality Guidelines (June 2010). <http://baaqmd.gov/Divisions/Planning-and-Research/CEQA-GUIDELINES/Updated-CEQA-Guidelines.aspx>). The San Joaquin Valley Air Pollution Control District adopted performance based thresholds for commercial, residential and mixed-use projects and is in the process of identifying best management practices. (SJVAPCD, Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA (December 2009). www.valleyair.org/Programs/CCAP/CCAP_idx.htm).

³² *Mejia v. City of Los Angeles*, 130 Cal. App. 4th 322, 342 (2005) (finding that, in a case involving a small residential subdivision that fell below the city's threshold of significance for traffic impacts, if there is substantial evidence that a project's environmental impact may be significant, even though the project complies with applicable thresholds, an environmental impact report must be prepared).

³³ See California CEQA Guidelines, 14 Cal. Code of Regs § 15384 and Institute for Local Government, *Understanding the Basics of Land Use and Planning: Glossary of Land Use and Planning Terms* (www.ca-ilg.org/PlanningTerms)

³⁴ See California CEQA Guidelines, 14 Cal. Code of Regs § 15064.4(b)(3).

³⁵ See California CEQA Guidelines, 14 Cal. Code of Regs § 15126.4(c).

³⁶ See California CEQA Guidelines, 14 Cal. Code of Regs § 21064.5.

³⁷ See Cal. Public Resources Code, § 21080(d) ("If there is substantial evidence, in light of the whole record before the lead agency, that the project may have a significant effect on the environment, an environmental impact report shall be prepared")

³⁸ See California CEQA Guidelines, 14 Cal. Code of Regs § 15064(f)(2).

³⁹ See Cal. Pub. Resources Code, § 21100(b)(3); California CEQA Guidelines, 14 Cal. Code of Regs § 15126.4(c).

⁴⁰ See Cal. Public Resources Code, § 21081; California CEQA Guidelines, 14 Cal. Code of Regs § 15126.4.

⁴¹ To emphasize that existing CEQA rules still apply in the context of greenhouse gas emissions, section 15126.4(c) of the CEQA Guidelines includes a cross-reference to subdivision (a), which contains the general rules applicable to all mitigation.

⁴² The lead-in phrase “may include, among others”, clarifies that a lead agency is not limited to only those mitigation measures specifically listed in the new section 15126.4(c).

⁴³ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15126.4(c)(1).

⁴⁴ See 24 Cal. Code of Regs., California Building Standards Code (www.documents.dgs.ca.gov/bssc/Title_24/T24TrainingGuide.pdf); See also California Health and Safety Code §1890.

⁴⁵ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15183.5(b)(1)(D).

⁴⁶ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15126.4(c)(2).

⁴⁷ Notably, section 15126.4(c)(2) of the CEQA Guidelines includes a cross-reference to Appendix F of the State CEQA Guidelines. That appendix addresses the analysis of a project's energy use, including ways to reduce that energy use. Although this has been part of the CEQA Guidelines for decades, some have observed that Appendix F has not received the appropriate amount of attention it deserves. Thus, the new cross-reference might be interpreted as a way to redirect attention to consideration of a project's energy efficiency in CEQA documents.

⁴⁸ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15126.4(c)(3).

⁴⁹ To learn more about carbon dioxide emissions trading (also known as cap and trade systems), see Institute for Local Government Whitepaper “The Basics of Cap and Trade: An Overview for Local Officials” (www.ca-ilg.org/capandtrade).

⁵⁰ See Natural Resources Agency, Final Statement of Reasons, at 49.

⁵¹ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15126.4(c)(4).

⁵² Institute for Local Government, *Understanding the Basics of Land Use and Planning: Glossary of Land Use and Planning Terms* (2010) (www.ca-ilg.org/PlanningTerms).

⁵³ The California Air Resources Board included procedures to calculate greenhouse gas sequestration for forestry and urban forestry projects in its cap and trade regulations that may assist a lead agency in determining the extent to which forestry projects will sequester emissions. Conceptual research is being done on the possibility of storing carbon underground. However, to date, no procedures exist that specifically endorse that technology. Thus a lead agency should carefully document its reasons and evidence supporting reliance on such technology in a CEQA analysis.

⁵⁴ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15126.4(c)(5).

⁵⁵ Institute for Local Government, *Land Use and Planning: Glossary of Land Use and Planning Terms*.

⁵⁶ *Communities for a Better Environment v. City of Richmond* 184 Cal.App.4th 70 (2010)

⁵⁷ See California CEQA Guidelines, 14 Cal. Code of Regs. §§ 15064(h)(3), 15183.5(b).

⁵⁸ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15393.

⁵⁹ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15093.

⁶⁰ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15093(a).

⁶¹ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15093(b).

⁶² See California CEQA Guidelines, 14 Cal. Code of Regs. § 15183.5.

⁶³ See California SEEC-ICLEI. *Climate Action Template*. <http://californiaseec.org>.

⁶⁴ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15064.4(h)(3)

⁶⁵ See California CEQA Guidelines, 14 Cal. Code of Regs. § Section 15183.5(b)

⁶⁶ See California CEQA Guidelines, 14 Cal. Code of Regs. §§ 15064(h)(3), 15183.5(b).

⁶⁷ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15183.5(b)(1)(F).

⁶⁸ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15183.5(b)(1)(A).

⁶⁹ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15183.5(b)(1)(B).

⁷⁰ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15183.5(b)(1)(C).

⁷¹ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15183.5(b)(1)(D).

⁷² See California CEQA Guidelines, 14 Cal. Code of Regs. § 15183.5(b)(1)(E).

⁷³ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15183.5(b)(1)(F).

⁷⁴ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15183.5(b)(1)(A).

⁷⁵ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15183.5(b)(1)(B).

⁷⁶ See Final Statement of Reasons, at pp. 4-5 (accumulation of greenhouse gas emissions is expected to increase over time); see also California Air Resources Board, Scoping Plan, at p. 117 (“In order to assess whether implementing

[AB32] achieves the State's long-term climate goals, we must look beyond 2020 to see whether the emissions reduction measures set California on the trajectory needed to do our part to stabilize global climate").

⁷⁷ For example, if appropriate, a lead agency could use the goals included in state law, the California Global Warming Solutions Act of 2006 (sometimes referred to as AB 32; California Health and Safety Code, § 38500 and following) of reducing greenhouse gas emissions to 1990 levels by the year 2020 together with the longer term reduction goals of reducing greenhouse gas emissions to 80 percent below 1990 levels by 2050 provided in Executive Order S-3-05 (www.arb.ca.gov/board/books/2006/101906/06-9-2pres.pdf).

⁷⁸ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15183.5(b)(1)(C).

⁷⁹ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15183.5(b)(1)(D).

⁸⁰ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15183.5(b)(1)(E).

⁸¹ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15183.5(b)(1)(F).

⁸² See California CEQA Guidelines, 14 Cal. Code of Regs. § 15378.

⁸³ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15064(h)(3). The use of plans in a cumulative impacts analysis was expressly upheld in *Communities for a Better Environment v. California Resources Agency*, 103 Cal. App. 4th 98 (2002) ("CBE") (challenging the 1998 amendments to the CEQA Guidelines). The presumption that project will have a less than significant effect if it is consistent with a plan is rebuttable. The court in the CBE case upheld this section because it incorporated the fair argument standard. In other words, if there is substantial evidence supporting a fair argument that despite compliance with the plan or regulation, a project's contribution would still be cumulatively considerable, an EIR would need to be prepared. The CEQA Guidelines also require lead agencies to demonstrate that compliance with the plan or regulation will actually reduce impacts resulting from the project to a less than significant level. According to the Natural Resources Agency's Final Statement of Reasons, this sentence was added to prevent lead agencies from relying on climate action plans that contain only permissive goals instead of binding requirements. This requirement would also prevent agencies from relying on the AB 32 scoping plan adopted by the Air Resources Board in 2008 (which lays out how California will achieve the AB 32 greenhouse gas reduction goals), which does not contain any binding requirements, or other plans that do not actually address the emissions that may result from the project under consideration. The key is for the environmental document to draw the link between binding requirements in a plan and actual reductions in greenhouse gas emissions from the project.

⁸⁴ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15378(c).

⁸⁵ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15162.

⁸⁶ See Cal. Pub. Res. Code § 21166; California CEQA Guidelines, 14 Cal. Code of Regs. § 15162. See also *San Diego Navy Broadway Complex Coalition v. City of San Diego*, 185 Cal. App. 4th 924 (2010) (Where an agency's discretion was limited to aesthetic considerations, subsequent review to analyze climate change could not be required).

⁸⁷ See Institute for Local Government publication, "Understanding SB 375: A Local Official's Guide" for a more detailed discussion of SB 375 (www.ca-ilg.org/SB375LegalAnalysis).

⁸⁸ The Sustainable Communities and Climate Protection Act of 2008 amended the Government and Public Resources Codes. Specifically it amended sections 65080, 65400, 65583, 65584.01, 65584.02, 65584.04, 65587, and 65588 of, and added sections 14522.1, 14522.2, and 65080.01 to, the Government Code. With respect to the Public Resources Code, it amended section 21061.3 of that code, added section 21159.28 to that code, and added Chapter 4.2 (commencing with Section 21155) to Division 13 of that code.

⁸⁹ See Cal. Pub. Res. Code § § 21155.1 and 21155.2.

⁹⁰ See Cal. Pub. Res. Code § 21155.

⁹¹ See Cal. Pub. Res. Code § 21155(a).

⁹² See Cal. Gov't Code § 65080(b)(2)(J)(ii).

⁹³ See Cal. Pub. Res. Code § 21155.

⁹⁴ See Cal. Pub. Res. Code § 21155.

⁹⁵ See Cal. Pub. Res. Code § 21155.1.

⁹⁶ See Cal. Pub. Res. Code § 21155.2(a).

⁹⁷ See Cal. Pub. Res. Code § 21155.2(b).

⁹⁸ See Cal. Pub. Res. Code § 21155.2(a).

⁹⁹ See Cal. Pub. Res. Code § 21155.2.

¹⁰⁰ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15126.

¹⁰¹ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15074.

¹⁰² See California CEQA Guidelines, 14 Cal. Code of Regs. § 15183.5(c).

¹⁰³ The Initial Study Checklist is found in Appendix G of the California CEQA Guidelines. Appendix F is found in the California CEQA Guidelines. Both are available at

www.ceres.ca.gov/ceqa/docs/Adopted_and_Transmitted_Text_of_SB97_CEQA_Guidelines_Amendments.pdf.

¹⁰⁴ See California CEQA Guidelines, § 15063(f): As revised, Appendix G states: "NOTE: The following is a sample form and may be tailored to satisfy individual agencies' needs and project circumstances. It may be used to meet the requirements for an initial study when the criteria set forth in the CEQA Guidelines have been met. Substantial evidence of potential impacts that are not listed on this form must also be considered. The sample questions in this form are intended to encourage thoughtful assessment of impacts, and do not necessarily represent thresholds of significance."

¹⁰⁵ See California CEQA Guidelines, 14 Cal. Code of Regs. Appendix G, §§ II, VII and XVI.

¹⁰⁶ See California CEQA Guidelines, 14 Cal. Code of Regs. Appendix F.

¹⁰⁷ See Cal. Pub. Res. Code, § 21100(b)(3); see also California CEQA Guidelines, 14 Cal. Code of Regs.

Appendix F.

¹⁰⁸ See California CEQA Guidelines, 14 Cal. Code of Regs. Appendix F. As the energy related elements included in Appendix F are lengthy, local agencies are encouraged to review them carefully.

¹⁰⁹ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15126.4(c); see also Appendix F.

¹¹⁰ Notably, the term "lifecycle" was removed from Appendix F. In adopting the new CEQA Guidelines and updated Checklist, the Natural Resources Agency explained that it did so because the term "lifecycle," in the context of the energy analysis required in Appendix F, could be misinterpreted to require an analysis of impacts that far exceeds the typical requirements for indirect effects under CEQA. For additional discussion of a "lifecycle" analysis in CEQA documents, see Final Statement of Reasons at 71 and 72.

¹¹¹ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15002.

¹¹² See California CEQA Guidelines, 14 Cal. Code of Regs. § 15378.

¹¹³ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15004.

¹¹⁴ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15064(a)(1).

¹¹⁵ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15070.

¹¹⁶ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15382.

¹¹⁷ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15091.

¹¹⁸ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15357.

¹¹⁹ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15369.

¹²⁰ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15268.

¹²¹ See California CEQA Guidelines, 14 Cal. Code of Regs. §§ 15073, 15086, 15087 and 15088.

¹²² See California CEQA Guidelines, 14 Cal. Code of Regs. §§ 15061 and 15062.

¹²³ See California CEQA Guidelines, 14 Cal. Code of Regs. § 15063.

¹²⁴ See California CEQA Guidelines, 14 Cal. Code of Regs. §§ 15070 and following.

¹²⁵ See California CEQA Guidelines, 14 Cal. Code of Regs. §§ 15080 and following.