

## SECTION 4.10

### LAND USE AND PLANNING

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#### 4.10.1 INTRODUCTION

This section of the EIR briefly describes the existing land uses on the Butterfield Specific Plan site and those in the surrounding area and evaluates the potential for land use impacts associated with the implementation of the proposed Project. The analysis focuses on the potential for the proposed Project to result in conflicts between proposed land uses on the site and the existing and/or proposed land uses in the vicinity of the Project. This section also discusses whether the proposed General Plan Amendment (GPA) and zone change (ZC) conflicts with the remainder of the City's General Plan and/or Zoning Ordinance and the relationship of the proposed land use changes to relevant planning policies that guide land use decisions.

Data used in the preparation of this section were obtained from the *City of Banning General Plan* (January 2006), the *Environmental Impact Report for the City of Banning Comprehensive General Plan and Zoning Ordinance* (June 2005), the *County of Riverside General Plan and EIR* (adopted October 2003 and amended 2008), and the *City of Banning Zoning Ordinance* (Chapter XX of the Municipal Code), other data provided by the City of Banning, as well as various Internet sources. The Land Use analysis prepared contained in the Deutsch Specific Plan's certified EIR has also been consulted.

A comment letter received in response to the IS/NOP from the Southern California Association of Governments (SCAG) states that the proposed Project has been deemed regionally significant. SCAG asked that the Project EIR discuss any conflicts between the Project and applicable general plan and regional plans, including SCAG's Regional Comprehensive Plan and Guide, Regional Transportation Plan and Compass Growth Vision. An analysis of potential conflicts with land use policies has been completed and included in this section of the EIR as requested by SCAG.

#### 4.10.2 EXISTING CONDITIONS

##### 4.10.2.1 ENVIRONMENTAL SETTING

###### Existing Land Use Setting

The proposed Butterfield Specific Plan Project area encompasses 1,543 acres within the northwest portion of the City of Banning. The City of Beaumont is located immediately to the west of the Project site. Of these 1,543 acres, a small portion (approximately 21 acres) is located within unincorporated Riverside County and outside the City's Sphere of Influence, although this area is located within the City's General Plan Planning Area. The Project site is located in the San Geronio Pass area, which links the Riverside and Perris Valleys with the lower desert

areas of the Coachella Valley. The Project site is generally surrounded by unincorporated Riverside County and portions of the San Bernardino Mountains to the north and northeast; Highland Home Road and the Banning Bench to the east; existing residential to the east and south; Wilson Street to the south; and Highland Springs Avenue and the City of Beaumont to the west.

### **Existing Land Uses**

The Project site is currently undeveloped and has historically been used for farming and livestock grazing. The existing site topography is relatively level, sloping from north to south, and has been heavily disturbed by past agricultural activities. Livestock grazing continues to this day and is expected to continue on undeveloped grassland during the implementation phase of the project following initial mass grading and reseeding of the site. Smith Creek, a natural earthen channel approximately 30 feet wide and ranging in depth from three to five feet, traverse the center of the site from north to south. Pershing Channel, a concrete drainage ditch, is located along the southern portion of site's the east boundary along Highland Home Road. A 16.5-foot-wide Southern California Gas Company easement, containing a 30-inch diameter high-pressure natural gas pipeline, traverses east to west through the southern portion of the Project site. Two adjacent Southern California Edison (SCE) easements with a combined width of 430 feet traverse the middle of the site from east to west. The easement contains high-voltage electric transmission lines strung from 40-foot high metal towers and 30-foot high wooden "H" beam poles. Additional overhead SCE power lines on wooden poles are located in the north and northeast portions of the site. An electrical substation, owned and operated by the City of Banning, has been constructed near the north terminus of Highland Home Road within the Project boundaries. An out of use well is located within the site and debris piles are scattered through the site. Apart from the electrical transmission towers and electrical substation there are no structures on the site.

### **Surrounding Land Uses**

The San Bernardino National Forest abuts portions of the Project site to the north and to the east. Also to the north, across Brookside Avenue, is the Highland Springs County Club/Century Homes project. Northeast of the Project site is an existing golf course and further northeast is the Highland Springs Mobile Home Village. Southeast of the Project site are single family homes and Highland Home Road. The partially-developed, primarily residential Sundance Specific Plan, located in the City of Beaumont, faces the Project site on the west side of Highland Springs Avenue. Along the southern boundary of the site, north of Wilson Street, is a mix of multi-family housing developed at 8.1-16 du/acre and low-density single-family homes developed at 2.4-4.1 du/acre. South of Wilson Street and north of I-10 is property designated Highway and Community Commercial in the City's General Plan and developed with a mix of office, hospital, mobile home park, and residential land uses.

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### 4.10.2.1 REGULATORY FRAMEWORK

Refer to the applicable EIR section for additional regulatory background. This section focuses on the regulatory framework related to land use.

#### **Federal**

There are no Federal land use regulations applicable to the proposed Project.

#### **State**

##### **California Government Code (CGC) Sections 65450 - 65454 (Specific Plans)**

CGC Sections 65450 - 65454 authorize the preparation and adoption of Specific Plans as a means of implementing a community's General Plan. The CGC provides as follows<sup>1</sup>:

*§65450. After the legislative body has adopted a general plan, the planning agency may, or if so directed by the legislative body, shall, prepare specific plans for the systematic implementation of the general plan for all or part of the area covered by the general plan.*

*§65451(a) A specific plan shall include a text and a diagram or diagrams which specify all of the following in detail:*

*(1) The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan.*

*(2) The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.*

*(3) Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.*

*(4) A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out paragraphs (1), (2), and (3).*

*(b) The specific plan shall include a statement of the relationship of the specific plan to the general plan.*

*§65452. The specific plan may address any other subjects which in the judgment of the planning agency are necessary or desirable for implementation of the general plan.*

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<sup>1</sup> <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=gov&group=65001-66000&file=65450-65457>, Accessed August 25, 2010.

*§65453. (a) A specific plan shall be prepared, adopted, and amended in the same manner as a general plan, except that a specific plan may be adopted by resolution or by ordinance and may be amended as often as deemed necessary by the legislative body.*

*(b) A specific plan may be repealed in the same manner as it is required to be amended.*

*§65454. No specific plan may be adopted or amended unless the proposed plan or amendment is consistent with the general plan.*

## **Regional**

### **Southern California Association of Governments<sup>2</sup> (SCAG):**

The Southern California Association of Governments is the largest of nearly 700 councils of government in the United States. It functions as the Metropolitan Planning Organization (MPO) for six counties: Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial. The region encompasses a population exceeding 19 million persons in an area of more than 38,000 square miles. As the designated MPO, SCAG is mandated by the Federal government to research and draw up plans for transportation, growth management, hazardous waste management, and air quality. Additional mandates exist at the State level.

SCAG is responsible for the maintenance of a continuous, comprehensive, and coordinated planning process. SCAG is also responsible for the development of demographic projections, as well as the development of integrated land use, housing, employment, transportation programs, measures, and strategies for portions of the South Coast Air Quality Management Plan (AQMP).

### ***SCAG Regional Comprehensive Plan***

SCAG's 2008 Regional Comprehensive Plan (RCP) addresses regional issues such as housing, traffic/transportation, water, and air quality. The RCP serves as an advisory document to local agencies in the Southern California region for their information and voluntary use in preparing local plans and handling local issues of regional significance. The RCP presents a vision of how Southern California can balance resource conservation, economic vitality, and quality of life. The RCP identifies voluntary best practices to approach growth and infrastructure challenges in an integrated and comprehensive way. It also includes goals and outcomes to measure progress toward a more sustainable region.

Specific RCP policies applicable to the proposed Project, as identified by SCAG, are listed in the Project impacts discussion of this Section, along with a discussion of the Project's consistency with each of these policies.

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<sup>2</sup> <http://www.scag.ca.gov/>, accessed August 25, 2010.

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***SCAG Compass Blueprint Growth Visioning Program***

In 2001, SCAG started a regional visioning process (i.e., Southern California Compass) to develop a strategy for regional growth that would accommodate growth while providing for livability, mobility, prosperity, and sustainability. The Compass Blueprint Growth Vision is a response, supported by a regional consensus, to the land use and transportation challenges facing Southern California now and in upcoming years. The Growth Vision is driven by four key principles: mobility - getting where we want to go; livability - creating positive communities; prosperity - long-term health for the region; and, sustainability - promoting efficient use of natural resources. To realize these principles on the ground, the Growth Vision encourages:

- Focusing growth in existing and emerging centers and along major transportation corridors;
- Creating significant areas of mixed-use development and walkable communities;
- Targeting growth around existing and planned transit stations; and,
- Preserving existing open space and stable residential areas.

The Compass Blueprint strategy promotes a stronger link between region-wide transportation and land use planning and encourages creative, forward-thinking, and sustainable development solutions that fit local needs and support shared regional values. In the long-term, the Growth Vision is a framework that is intended to help local jurisdictions address growth management cooperatively and to coordinate regional land use and transportation planning.

***SCAG Regional Transportation Plan (2008 RTP)***

On May 8, 2008, SCAG adopted its 2008 Regional Transportation Plan (RTP). The 2008 RTP presents the transportation vision for the SCAG region through the year 2035 and provides a long-term investment framework for addressing the region's transportation and related challenges. The RTP focuses on maintaining and improving the transportation system through a balanced approach and considers system preservation, operation, and management; improved coordination between land-use decisions and transportation investments; and, strategic expansion of the system to accommodate future growth.

***Colorado River Basin Regional Water Quality Control Board (CRBRWQCB)***

The CRBRWQCB protects ground and surface water quality in the Colorado River Basin region. The Region covers approximately 13,000,000 acres (20,000 square miles) in the southeastern portion of California. It includes all of Imperial County and portions of San Bernardino, Riverside, and San Diego Counties. It is bounded on the east by the Colorado River; to the south

by the Republic of Mexico; the west by the Laguna, San Jacinto, and San Bernardino Mountains; and to the north by the New York, Providence, Granite, Old Dad, Bristol, Rodman, and Ord Mountain Ranges.

The Colorado River Basin Region is located in the most arid area of California. Despite the relatively dry climate, the Region contains some substantial surface water bodies, including the Colorado River and the Salton Sea. Many of the alluvial valleys in the Region are underlain by ground water aquifers that in many cases are the sole source of water for local areas. The City of Banning is one of the municipalities located within the jurisdiction of the CRBRWQCB. The Hydrology section of this EIR (Section 4.9) fully addresses stormwater treatment, water quality issues and groundwater hydrogeology issues and the Project's consistency with applicable plans and standards.

#### **South Coast Air Quality Management District (SCAQMD), Air Quality Management Plan (AQMP)**

A description of the AQMP is provided in Section 4.3 (Air Quality) of this EIR. This section fully addresses project related air quality impacts and assesses the consistency of the project with applicable plans and standards.

#### **Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP)**

The Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP or Plan) is a comprehensive, multi-jurisdictional Habitat Conservation Plan (HCP) focusing on Conservation of species and their associated Habitats in Western Riverside County. The MSHCP Plan Area encompasses approximately 1.26 million acres (1,966 square miles); it includes all unincorporated Riverside County land west of the crest of the San Jacinto Mountains to the Orange County line, as well as the jurisdictional areas of the Cities of Temecula, Murrieta, Lake Elsinore, Canyon Lake, Norco, Corona, Riverside, Moreno Valley, Banning, Beaumont, Calimesa, Perris, Hemet, and San Jacinto. A complete description of the MSCHP is provided in Section 4.4 (Biological Resources) of this EIR. This section fully addresses project related biological resource-related impacts and assesses the consistency of the Project with applicable plans and standards.

#### **Local**

##### **City of Banning General Plan<sup>3</sup>:**

The City of Banning General Plan contains the City's development goals, objectives and polices. The General Plan is implemented through the decisions made by the City's Planning

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<sup>3</sup> The current City of Banning General Plan can be viewed at:  
<http://www.ci.banning.ca.us/DocumentCenterii.aspx?FID=19>

Commission and City Council, by the City's zoning and subdivision ordinances, and by adopted specific plans. The General Plan was updated and adopted in 2006 and contains 21 elements discussed in the following chapters:

- **Chapter III, Community Development:** This Chapter addresses the following Elements: Land Use, Economic Development, Circulation, Parks and Recreation, and Housing. The purpose of this chapter is to define and specify how and where the City will grow and develop.
- **Chapter IV, Environmental Resources:** This Chapter addresses the following Elements: Water Resources, Open Space and Conservation, Biological Resources, Archaeological and Historic Resources, Air Quality, and Energy and Mineral Resources. The purpose of this chapter is to define what environmental resources exist and their availability, provide preservation and conservation for these resources, and provide background information on these resources within and around the City.
- **Chapter V, Environmental Hazards:** This Chapter addresses the following Elements: Geotechnical, Flooding & Hydrology, Noise, Wildland Fire Hazards, and Hazardous & Toxic Materials. The purpose of this chapter is to provide information regarding the geological and seismic conditional and hazards affecting the City, address potential drainage and flooding hazards within the community, minimize or avoid community exposure to excessive noise levels, address and protect the community from potential wildland fire hazards, and protect the community by presenting methods of safe management for hazardous and toxic materials.
- **Chapter VI, Public Services and Facilities:** This Chapter addresses the following Elements: Water, Wastewater & Utilities, Public Building & Facilities, Schools & Libraries, Police & Fire Protection, and Emergency Preparedness. The purpose of this chapter is to establish City policies and programs directed at the adequate provision of domestic water, sewage treatment, and utility services to the community, accommodate public service and facility needs of the community, ensure adequate and accessible educational facilities are provided to the community, ensure the provision of adequate police and fire services, and provide plans to deal with natural and man-made disasters that could affect the City.

### General Plan Land Use Element

The General Plan's Land Use Element provides a long-term vision of the development of the community and establishes the types and quantities of land available within the City, its Sphere of Influence, and the planning area, for specific land uses. The Land Use Element defines land use designations, provides statistics regarding vacant and developed lands within these

designations, discusses strategies for future development, and includes Goals, Policies, and Programs.

Specific Plans are required for projects that propose more than one type of residential land use, commercial land uses and/or industrial land uses, or a combination of these, within one project site. Specific Plans are also required when a project is proposed within a previously undeveloped area, where infrastructure master planning will be required, and when project phasing occurs. Currently, the Banning General Plan Land Use Map shows the entire proposed Project site with the approved Deutsch Specific Plan land uses and the Specific Plan overlay; refer to Exhibit 4.10-1, *Existing City of Banning General Plan Land Use Designation*.

### City of Banning Municipal Code and Zoning Ordinance

Zoning refers to particular land uses that are legally permitted or prohibited on any given parcel of land. Zoning is the method the City uses to control land uses in accordance with the City's General Plan Goals and Policies. The Banning Zoning Ordinance is found in **Municipal Code Title 17, Zoning**<sup>4</sup>. The City of Banning Zoning Ordinance establishes a Specific Plan Overlay that facilitates the logical, coordinated planning of large areas for a variety of land uses and types of development. When a specific plan is adopted, no public works project, tentative map or parcel map, or other land use entitlement may be approved, adopted or amended within an area covered by a Specific Plan unless it is determined to be consistent with the adopted Specific Plan. The City of Banning's Zoning Map illustrates the City's zoning districts and indicates the Project area is covered by a Specific Plan overlay with underlying residential, commercial, and public facility zones; refer to Exhibit 4.10-2, *Existing City of Banning Zoning*.

### 4.10.3 SIGNIFICANCE THRESHOLD CRITERIA

Appendix G of the *CEQA Guidelines*, states that a project may be considered to have significant environmental effects related to land use and planning if it would:

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

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<sup>4</sup> <http://library.municode.com/index.aspx?clientId=16203&stateId=5&stateName=California>, accessed September 14, 2010.

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#### 4.10.4 IMPACT ANALYSIS AND MITIGATION MEASURES

##### ANALYTIC METHOD

The analysis in this section focuses on whether the proposed Project would physically divided an established community or conflict with applicable land use plans, policies, and regulations or an adopted habitat conservation or natural community conservation plan. Because conflict with applicable plans, policies, and regulations could occur as a result of policy changes or from physical development this analysis includes all physical components of the proposed Project, including access and infrastructure improvements, as well as policy components of the project (GPA) as described in Chapter 3 (Project Description). The analysis also includes a discussion of consistency of the proposed Specific Plan and GPA with the remainder of the General Plan.

The proposed Project is an amendment and restatement of the previously approved Deutsch Specific Plan and the impacts discussed below are generally consistent with the impacts described in the 1985 Deutsch Specific Plan EIR and subsequent EIR Update in 1993, both of which have been certified and are included by reference in this analysis.. Accordingly, this analysis is an update that reflects the currently proposed Butterfield Specific Plan, including the offsite infrastructure and 21-acre unincorporated parcel (PA 43B). The analysis is further updated to reflect the City's 2006 General Plan and SCAG's most current applicable regional plans and policies.

##### PROJECT DESIGN FEATURES AND EXISTING REGULATIONS, RULES, AND REQUIREMENTS

Existing local, State and Federal regulations noted below will avoid or mitigate potential impacts related to land use and planning. The following Project design features will also reduce, avoid, or offset potentially adverse impacts:

- 1) To ensure compatibility with the existing residential development on the north side of Mockingbird Lane, the Project has designated Planning Area 50 as Low Density Residential, with an average lot size of 7,500 sq. ft. Furthermore, starting at the back of lots along the existing lots on the north side of Mockingbird Lane, there would be approximately 390 ft. of open space between the rear property lines of lots located on Mockingbird Lane and the southern boundary of Planning Area 50.
- 2) The approved Deutsch Specific Plan included 351 acres of residential land use in its Planning Area 1 and 31 acres of park in Planning Area 2<sup>5</sup>. In comparison, within the same area the Butterfield Specific Plan Project proposes a more balanced mixed of land uses including 209.2 acres of residential use in PAs 50, 51, 52, 60, and 61; 71.8 acres of

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<sup>5</sup> Refer to The Butterfield Specific Plan, Exhibit 1.3, *Specific Plan Comparison*.

open space in PAs 67, 69, 73, 74 and 75; a 11.3 acre school site in PA 68; and 4.2 acres for an existing utility in PA 70.

### IMPACT ANALYSIS AND MITIGATION MEASURES

#### *Impact 4.10-1: Physically Divide an Established Community*

**Threshold:** *Would the project physically divide an established community?*

**Determination:** *No Impact*

Development of the proposed Project site is currently governed by an adopted Specific Plan and would be generally consistent with the City of Banning General Plan and Zoning Ordinance. Since the Project site is vacant and undeveloped, there is no contiguous established community located on the site that would be divided by the implementation of the Project. The site is surrounded by a mix of commercial, residential, institutional and public uses, and roadways border the site to the south, east and west. Development outside the Project boundaries would not be governed by the proposed project and no incursion into, or division of, existing residential neighborhoods or other uses would occur as a result of implementation of the proposed Project. Neither would development involve the expansion of the approved Deutsch Specific Plan into an established community. Rather, the proposed Project would continue a pattern of development that is already in place to the south, east, and west of the site, would provide desirable linkages between existing developments, extend/improve the City's circulation system in a manner consistent with the City's Circulation Element, and provide parks, schools, and other public facilities that would serve both proposed and existing land uses in the area.

Off-site subsurface utility pipelines that would serve the Project would be constructed in existing street right-of-way and would not divide any established community. Because the proposed Project would be consistent with surrounding land uses, as designated by the General Plan, and because no existing communities exist on the Project site, the proposed Project would not divide any existing communities and there would be **no impact** associated with the division of an established community

#### *Impact 4.10-2: Conflict with Land Use Policy or Regulation*

**Threshold:** *Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?*

**Determination:** *Less than Significant*

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**Conflict with City of Banning General Plan**

Table 4.10-1: *Project Consistency with Land Use-Related Goals and Policies*, addresses the consistency of the Project with adopted City of Banning General Plan policies. Those policies that are relevant to the proposed Project are included. Those policies addressing other topical issues, such as biological resources, air quality, or aesthetics, are discussed in their respective sections of this EIR. The Applicant proposes an amendment to the General Plan in order for the General Plan Land Use Map to reference the Butterfield Specific Plan as an amendment and restatement of the Deutsch Specific Plan. Refer to Exhibit 4.10-3, *Proposed Amended City of Banning General Plan Designation*. The proposed revisions are consistent with the overall intent of the original Specific Plan, would not result in an increase in the number of residential units proposed for the Specific Plan and would be generally consistent with other land use designations within the original Specific Plan. The proposed GPA would allow for the orderly planned development of the Butterfield Specific Plan site in a manner that is consistent with current market requirements and revised regulatory requirements. Therefore the proposed GPA would not conflict with the existing policies of the General Plan.

**Table 4.10-1**  
**Project Consistency with Land Use-Related Goals and Policies**

Goals and Policies	Consistency Analysis
<b>Land Use Element: Citywide Policies, Goals and Programs</b>	
<b>Goal:</b> A balanced, well-planned community that provides a functional pattern of land uses and enhances the quality of life for all Banning residents.	
Policy 1: The City maintains a land use map that assures a balance of residential, commercial, industrial, open space and public lands.	<u>Consistent.</u> The proposed Project includes a mix of residential, commercial, open space, and public facility land uses and is generally consistent with anticipated development of the site as provided for in the approved Deutsch Specific Plan.
Policy 3: Development in all land use categories shall be of the highest quality.	<u>Consistent.</u> The proposed Project would be developed pursuant to the Design Guidelines and Development Standards contained in the Butterfield Specific Plan, which standards and guidelines conform to or exceed the standards contained in the City's Municipal Code and General Plan, ensuring development of a high-quality master-planned community.
Policy 4: Specific Plans shall be required for project proposing one or more of the following:  a. More than one residential land use designation; b. A combination of residential, recreational, commercial and/or industrial land use designation; or, c. Extension of infrastructure (water, sewer and roadways) into an area where these do not exist.	<u>Consistent.</u> The proposed Project is an amendment and restatement of the approved Deutsch Specific Plan and meets the requirements of the cited General Plan Policy. The Project includes a mix of residential types and densities, incorporates commercial and public facility land uses, extends infrastructure and provides for recreational land uses and amenities
Policy 5: All land use proposals shall be consistent with the goals, policies, and programs of this General Plan and with the Zoning Ordinance.	<u>Consistent.</u> The proposed Project is an amendment and restatement of the approved Deutsch Specific Plan, which was incorporated into the City's 2006 General Plan. The Development Standards contained in the Specific Plan are based upon the City's Zoning Code, with minor modifications that would permit innovation in land uses and development design. Therefore, the proposed Specific Plan Project would not conflict with this land use policy.
<b>Land Use Element: Residential Goals, Policies, and Programs</b>	
Policy 1: The land use map shall provide a range of housing densities while considering land use compatibility with non-residential land uses.	<u>Consistent.</u> The proposed Project offers a range of densities, and integrates residential and open space uses to minimize land use incompatibility. The land use plan provides screening and buffering of residential uses from commercial or public facilities uses where appropriate. Therefore, the proposed Specific Plan would not conflict with this land use policy
Policy 2: Projects adjacent to existing neighborhoods shall be carefully reviewed to assure that neighborhood character is protected.	<u>Consistent.</u> Existing neighborhoods near the Project area boundaries include residential uses that are similar in type and density to those proposed within the Specific Plan. Proposed commercial uses within the Specific Plan are located in proximity to existing commercial and institutional uses and therefore are consistent with neighborhood character. Therefore, the proposed Specific Plan would not conflict with this land use policy

Table 4.10-1 (continued)  
Project Consistency with Land Use-Related Goals and Policies

Goals and Policies	Consistency Analysis
<b>Land Use Element: Commercial and Industrial Goals, Policies, and Programs</b>	
Policy 1: The land use map shall include sufficient commercial lands to provide a broad range of products and services to the City and region, while carefully considering compatibility with adjacent residential lands.	<u>Consistent.</u> The Project proposes approximately 36 acres of commercial land use in two planning areas within the Project site. These commercial planning areas are located at the perimeter of the Project site and incorporate transition buffering for compatibility with adjacent residential land uses. Therefore, the proposed Specific Plan would not conflict with this land use policy.
<b>Circulation Element: Citywide Policies, Goals and Programs</b>	
<b>Goal:</b> A safe and efficient transportation system.	
Policy 1: The City's recommended General Plan Street System shall be strictly implemented.	<u>Consistent.</u> The roadways to be implemented as part of the proposed Project have been designed in accordance with the General Plan. Refer to Section 4.13, <i>Transportation and Traffic</i> , for further discussion.
Policy 2: Local streets shall be scaled to encourage neighborhood interaction, pedestrian safety, and reduced speeds.	<u>Consistent.</u> Local streets within the Specific Plan are designed to City standards with posted speed limits of no more than 30 mph except on backbone loop collectors. All streets incorporate sidewalks and parkways. Bike and pedestrian trails and paseos are incorporated into the design to facilitate pedestrian access to parks, schools and commercial areas. Refer to Section 4.13, <i>Transportation and Traffic</i> , for further discussion. The Specific Plan would not conflict with this General Plan policy.
Policy 10: Sidewalks shall be provided on all roadways 66 feet wide and wider. In Rural Residential land use designation, pathways shall be provided.	<u>Consistent.</u> The Specific Plan street sections provide for sidewalks on both sides of all streets right-of-way in excess of 65 feet. Refer to Section 4.13, <i>Transportation and Traffic</i> , for further discussion. The Specific Plan would not conflict with this General Plan policy.
Policy 17: Golf cart paths and facilities shall be funded, to the greatest extent possible, by new development.	<u>Consistent.</u> Access for LSV/NEVs is incorporated into the Specific Plan's circulation system with combined bike/LSV striped lanes on all collector streets. The Specific Plan would not conflict with this policy.
<b>Parks and Recreation Element: Citywide Policies, Goals and Programs</b>	
<b>Goal:</b> A comprehensive bikeway, trail and walking path system that connects homes to work places, commercial venues and recreational facilities.	
Policy 2: The City will distribute parks and recreation facilities in a manner that is convenient to City neighborhoods and balanced within population concentrations.	<u>Consistent.</u> The proposed Project proposes 428.8 acres of open space and incorporated mini parks, neighborhood parks and community parks throughout the Specific Plan. The Specific Plan also proposes construction of a golf course that will be open to the public. The proposed Specific Plan parks will address an identified deficiency in park and recreational area within the City and immediate neighborhood. The Specific Plan would not conflict with this policy.
Policy 3: Require developers of new residential projects to provide on-site recreational and/or open space facilities in addition to City-wide park requirements.	<u>Consistent.</u> The Project proposes to provide on-site recreational, open space and park facilities. The Specific Plan would not conflict with this policy.

Table 4.10-1 (continued)  
Project Consistency with Land Use-Related Goals and Policies

Goals and Policies		Consistency Analysis	
Housing Element: Citywide Policies, Goals and Programs			
Goal: Housing Opportunities – Provide a wide range of housing types to meet the existing and future needs of planning area residents.			
Policy 1: Provide a variety of residential development opportunities in Banning, ranging from very low density to high density development as described in the Community Development Element and Plan Map in accordance with the Regional Housing Needs Assessment.		Consistent. The Specific Plan will provide approximately 5,387 residential units ranging in density from 2 du/ac to 18 du/acre and incorporating single family detached, cluster housing, multifamily housing and potentially age restricted active adult housing consistent with the requirements of the General Plan Housing Element and the City’s RHNA. The Specific Plan would not conflict with this General Plan policy.	
Open Space and Conservation Element: Citywide Policies, Goals and Programs			
Goal 1: Open space and conservation lands that are preserved and managed in perpetuity for the protection of environmental resources or hazards, and the provision of enhanced recreational opportunities and scenic qualities in the City.			
Goal 2: A balance between the City’s built and open space environment and local and regional protection and preservation of its unique environment.			
Policy 4: The City shall preserve all watercourses and washes necessary for regional flood control, groundwater recharge areas, and drainage for open space and recreational areas.		Consistent. The proposed Specific Plan includes preservation of the natural functions of Smith Creek and incorporates detention and water quality basins together with recharge areas and water storage reservoirs which provide open space and potential recreational opportunities. The Specific Plan would not conflict with this policy.	
Flooding and Hydrology Element: Citywide Policies, Goals and Programs			
Goal 1: A comprehensive system of flood control facilities and services effectively protecting lives and property.			
Policy 6: All new development shall be required to incorporate adequate flood mitigation measures, such as grading that prevents adverse drainage impacts to adjacent properties, on-site retention of runoff, and the adequate siting of structures located within flood plains.		Consistent. The Specific Plan include a system for flood control and drainage consistent with the objectives of the Master Plan for Drainage adopted by the County and would eliminate existing flood inundation areas impacting the project site while detaining flows to eliminate downstream impacts. The Specific Plan would not conflict with this policy.	
Noise Element: Citywide Policies, Goals and Programs			
Goal 1: A noise environment that complements the community’s residential character and its land uses.			
Policy 1: The City shall protect noise sensitive land uses, including residential neighborhoods, schools, hospitals, libraries, churches, resorts and community open space from potentially significant sources of community noise.		Consistent. The Specific Plan incorporates measures for buffering sensitive receptors from community noise through the use of specific siting, block walls, berming and other noise attenuating measures where needed. The Specific Plan would not conflict with this policy	
Policy 8: The City shall impose and integrate special design features into proposed development that minimize impacts associated with the operation of air conditioning and heating equipment, on-site traffic, and use of parking loading and trash storage facilities.		Consistent. Noise is regulated by the City of Banning pursuant to Section 11D-02 of the City’s Municipal Code, Ord. No. 11381, 1004 with which the Specific Plan would comply. The Specific Plan would not conflict with this policy.	
Wildland Fire Hazards Element: Citywide Policies, Goals and Programs			
Goal: To protect human life, land, and property from the effects of wildland fire hazards.			
Policy 4: The City shall make every attempt to assure that adequate supplies and pressures are available during a fire, earthquake or both.		Consistent. The Specific Plan incorporates water storage tanks to maintain adequate water pressure and water availability as required by City ordinance. The Specific Plan would not conflict with this policy.	

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### **City of Banning Zoning Ordinance**

The City's Zoning Ordinance regulates and restricts the uses of land and buildings, heights of buildings, areas of yards, other open spaces, and the location of buildings and improvements within the City of Banning. As identified in the Project Description, the proposed Specific Plan site is designated as a Specific Plan Area and shows various residential uses (residential estate, low density residential, medium density residential and high density residential), general commercial, public use, and open space zones. The current zoning of the site conforms to the locations of specific plan uses contained in the Deutsch Specific Plan approved in 1993. The proposed zone change is intended to reference site zoning with the amended and restated Butterfield Specific Plan. Refer to Exhibit 4.10-4, *Proposed Amended City of Banning Zoning*. Accordingly, the proposed zone change would not conflict with the remainder of the Zoning Ordinance.

### **SCAG RTP/Compass Growth Vision**

SCAG has prepared a comprehensive planning document intended to serve the SCAG region as a framework for decision making over the next 20 years. The plan includes a set of broad goals for the region and identifies strategies designed to guide local decision making. The consistency analysis of the proposed Project with relevant and applicable policies of SCAG's RCP is provided in Table 4.10-2: *SCAG Goals and Principles Consistency Analysis*. As detailed in Table 4.10-2, the proposed Project is considered consistent with relevant and applicable policies of the RCP regarding growth-inducing impacts.

**Table 4.10-2**  
**SCAG Goals and Principles Consistency Analysis**

Note: SCAG submitted a response letter in regards to the Notice of Preparation for the Butterfield Specific Plan EIR Project that was dated October 1, 2007 (refer to SCAG letter in Appendix A, *Expanded Notice of Preparation and Public Comments*). In 2008, SCAG updated their policies. The following Table 4.10-2 is the updated SCAG- suggested comparison table format, which includes all updated policies.

Goals/Principles		Consistency Statement
<b>REGIONAL TRANSPORTATION PLAN</b>		
RTP G1	Maximize mobility and accessibility for all people and goods in the region.	<u>Consistent.</u> The Project's proposed Circulation Plan provides a roadway system that extends the City's current circulation system into and through the Project site and provides efficient circulation routes throughout the Project area and this portion of the City. The Project is required to consult with the City of Banning and Riverside County Transit Authorities to expand scheduled bus service, to implement long-term public transportation projects, and to develop vanpools and subscription bus service where appropriate. Specific traffic improvements are proposed at roadways and intersections, in order to achieve acceptable levels of service. A traffic study was prepared for the Project. The traffic study addressed both on-site and off-site circulation movement. No safety impacts were identified.
RTP G2	Ensure travel safety and reliability for all people and goods in the region.	<u>Consistent.</u> Refer to Response to Goal RTP G1 above. All intersection and roadway improvements made within the Butterfield Specific Plan Project area would be constructed according to City standards. Section 4.13, <i>Transportation and Traffic</i> , identifies mitigation necessary to achieve acceptable levels of service. The proposed Project would integrate its circulation system with the City and Regional circulation system, provide roadway improvements to arterials adjacent to the proposed project and provide or contribute to the provision of circulation system improvements to accommodate the needs of regional growth and ensure the travel safety of residents. Therefore, the proposed Specific Plan would not conflict with this policy.
RTP G3	Preserve and ensure a sustainable regional transportation system.	<u>Consistent.</u> The proposed Project provide or contribute to the provision of improvements that would preserve and ensure a sustainable regional transportation system through implementation of its Circulation Plan. Therefore, the proposed Specific Plan would not be in conflict with this policy.
RTP G4	Maximize the productivity of our transportation system.	<u>Consistent.</u> The proposed Specific Plan would provide or contribute to the provision of improvements that would enhance the productivity of the local and regional transportation system. The Specific Plan would contribute to regional TUMF program as it develops. Therefore, the Specific Plan would not be in conflict with this policy.

Table 4.10-2 (continued)  
SCAG Goals and Principles Consistency Analysis

Goals/Principles		Consistency Statement
RTPG5	Protect the environment, improve air quality, and promote energy efficiency.	<u>Consistent.</u> The Specific Plan include provisions for environmental protection including preservation and enhancement of riparian resources, water resources, including groundwater recharge, energy efficiency, including the provision for the use of solar energy, and will implement the most current version of all California Building Codes, including Green Building Standards. The project's lengthy implementation period of 30 years will allow development to incorporate emerging sustainable technologies as these develop. Therefore, the Specific Plan would not be in conflict with this policy.
RTPG6	Encourage land use and growth patterns that complement our transportation investments and improves the cost-effectiveness of expenditures.	<u>Consistent.</u> The Specific Plan is an infill project that continues existing land development patterns within the City of Banning and in the Pass region. As such, it complements existing transportation investments by utilizing existing transportation infrastructure including local arterials and freeways to provide access, improving the cost-effectiveness of infrastructure expenditures. Therefore, the Specific Plan would not conflict with this policy.
RTPG7	Maximize the security of our transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies.	<u>Consistent.</u> The Specific Plan has coordinated its circulation and land use planning with infrastructure and emergency service providers, has sized its streets to accommodate emergency vehicles, located a fire station site within the Specific Plan boundaries, proposed a location for a public Community Center, includes provision to two school sites and has coordinated closely with the police and fire departments on the placement of public facilities and the design of defensible space within the project. Therefore, the Specific Plan would not conflict with this policy.
<b>COMPASS GROWTH VISIONING</b>		
<b>Principle 1: Improve mobility for all residents.</b>		
GV P1.1	Encourage transportation investments and land use decisions that are mutually supportive.	<u>Consistent.</u> The Specific Plan is an amendment and restatement of an existing approved development project that has been incorporated into City and regional planning documents since the 1980's. The project is a known quantity and its future development has influenced transportation and land use development on a local and regional basis such that its ultimate development would support investments already made or pending in public infrastructure, utilities, schools and other services. Therefore, the Specific Plan would not conflict with this policy..
GV P1.2	Locate new housing near existing jobs and new jobs near existing housing.	<u>Consistent.</u> The proposed Specific Plan is a mixed use development that incorporates residential, commercial, recreational, educational uses. As an infill project, the Specific Plan will place housing in proximity to existing and planned employment opportunities. Therefore the Specific Plan would not conflict with this policy.

Table 4.10-2 (continued)  
SCAG Goals and Principles Consistency Analysis

Goals/Principles		Consistency Statement
GV P1.3	Encourage transit-oriented development.	<u>Consistent.</u> The proposed Specific Plan incorporates transit oriented development. It is located adjacent to local arterials and bus routes and within 0.5 mile of the I-10. Accordingly, the Specific Plan would not conflict with this policy.
GV P1.4	Promote a variety of travel choices.	<u>Consistent.</u> The Specific Plan incorporates streets for vehicular traffic, striped lanes for bicycle and LSV use, pedestrian sidewalks and paseos the provide linkages between neighborhoods and uses. Together with availability of transit due to its location, the project provides for a variety of travel choices and modes of transit. Therefore, the Specific Plan would not conflict with this policy.
<b>Principle 2: Foster livability in all communities.</b>		
GV P2.1	Promote infill development and redevelopment to revitalize existing communities.	<u>Not Applicable.</u> The proposed Specific Plan is new development but it is located in an “infill site” surrounded by existing development and consistent with planned expansion of the City. Accordingly, the Specific Plan would not conflict with this policy.
GV P2.2	Promote developments, which provide a mix of uses.	<u>Consistent.</u> The proposed Specific Plan includes a mix of land uses including residential, commercial, recreational, educational and public uses. Accordingly, the Specific Plan would not conflict with this policy.
GV P2.3	Promote “people scaled,” walkable communities.	<u>Consistent.</u> The proposed Butterfield Specific Plan Project includes a pedestrian oriented network of paseos and trails that will provide connectivity between all proposed land uses within the Butterfield Specific Plan area. Therefore the Specific Plan would not conflict with this policy.
GV P2.4	Support the preservation of stable, single-family neighborhoods.	<u>Consistent.</u> The Specific Plan includes residential uses that are compatible with existing adjacent single family and multifamily residential neighborhoods and uses. Therefore, the Specific Plan will not conflict with this policy.
<b>Principle 3: Enable prosperity for all people.</b>		
GV P3.1	Provide, in each community, a variety of housing types to meet the housing needs of all income levels.	<u>Consistent.</u> The Butterfield Specific Plan Project proposes a total of 5,387 dwelling units that would be developed within low, medium, and high densities and would meet the housing needs of all income levels. Therefore, the Specific Plan would not conflict with this policy.
GV P3.2	Support educational opportunities that promote balanced growth.	<u>Consistent.</u> The Specific Plan provides two 11-acre elementary school sites to support educational opportunities that promote balanced growth. Therefore, the Specific Plan would not conflict with this policy.

Table 4.10-2 (continued)  
SCAG Goals and Principles Consistency Analysis

Goals/Principles		Consistency Statement
GV P3.3	Ensure environmental justice regardless of race, ethnicity, or income class.	<u>Consistent.</u> The Butterfield Specific Plan Project would provide housing opportunities for a range of income levels and would conform to existing fair housing laws. Therefore, the Specific Plan would not conflict with this policy.
GV P3.4	Support local and state fiscal policies that encourage balanced growth.	<u>Consistent.</u> The proposed Butterfield Specific Plan Project would support local and State fiscal policies that encourage balanced growth, including ensuring growth is managed and the fiscal implications of land use decisions are considered, as well as coordination with regional agencies to ensure local issues are addressed at the regional level; Therefore, the Specific Plan would not conflict with this policy.
GV P3.5	Encourage civic engagement.	<u>Consistent.</u> The Butterfield Specific Plan Project will encourage businesses and property owners, community members, and organizations to engage in civic activities through the Specific Plan approval process. Therefore, the Specific Plan would not conflict with this policy.
<b>Principle 4: Promote sustainability for future generations.</b>		
GV P4.1	Preserve rural, agricultural, recreational, and environmentally sensitive areas.	<u>Consistent.</u> There are no rural, agricultural, or environmentally sensitive areas located within the Butterfield Specific Plan Project site. Therefore, the Specific Plan would not conflict with this policy.
GV P4.2	Focus development in urban centers and existing cities.	<u>Consistent.</u> The proposed Specific Plan is located within the City limits of the City of Banning adjacent to the City limits of the City of Beaumont and is bounded by existing development on three sides. The project is the natural extension of existing development and utilizes existing infrastructure, including the existing circulation system. Therefore, the proposed Specific Plan does not conflict with this policy.
GV P4.3	Develop strategies to accommodate growth that uses resources efficiently, eliminate pollution, and significantly reduce waste.	<u>Consistent.</u> The Specific Plan is designed to accommodate the growth of the City of Banning as planned in its General Plan and will utilize resources efficiently in conformance with the provisions of the 2010 California Green Building Standards Code, the provisions of the City of Banning Municipal Code and in conformance with the mitigation measures proposed in this EIR to reduce pollution and waste. Therefore, the Specific Plan would not conflict with this policy.
GV P4.4	Utilize “green” development techniques.	<u>Consistent.</u> The Specific Plan would be constructed in conformance with the 2010 California Green Building Standards Code, adopted by the City of Banning in January 2011. Therefore, the Specific Plan would not conflict with this policy.

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***Impact 4.10-3: Conflict with Any Applicable Habitat Conservation Plan or Natural Community Conservation Plan***

***Threshold:*** *Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?*

***Determination: Less than Significant with Mitigation Incorporated***

The Butterfield Specific Plan Project is located in the City of Banning, with is signatory to the Western Riverside County Multiple Species Conservation Plan (MSHCP). The site is not located in a criteria cell and does not contain critical habitat for any species the MSHCP includes requirements for the protection of *Riparian/Riverine Areas and Vernal Pools* (MSHCP Section 6.1.2) and *Narrow Endemic Species* (MSHCP Section 6.1.3). In addition, the MSCHP includes *Urban/Wildlands Interface Guidelines* (MSCHP Section 6.1.4). An MSHCP Consistency Analysis is required for all discretionary projects within jurisdictions of MSHCP co-permittees such as the City of Banning. More detail regarding compliance requirements is contained in Section 4.4, *Biological Resources*, of this EIR and in Appendix C1, *Biological Resources Assessment*. Compliance with the MSHCP requirements and with the mitigation measures contained in Section 4.4 and the requirements of jurisdictional permits required for the proposed disturbance of a minor amount of existing riparian habitat will assure consistency with applicable conservation plans and therefore the impact would be less than significant.

#### **4.10.5 CUMULATIVE IMPACTS**

***Determination: Less than Significant***

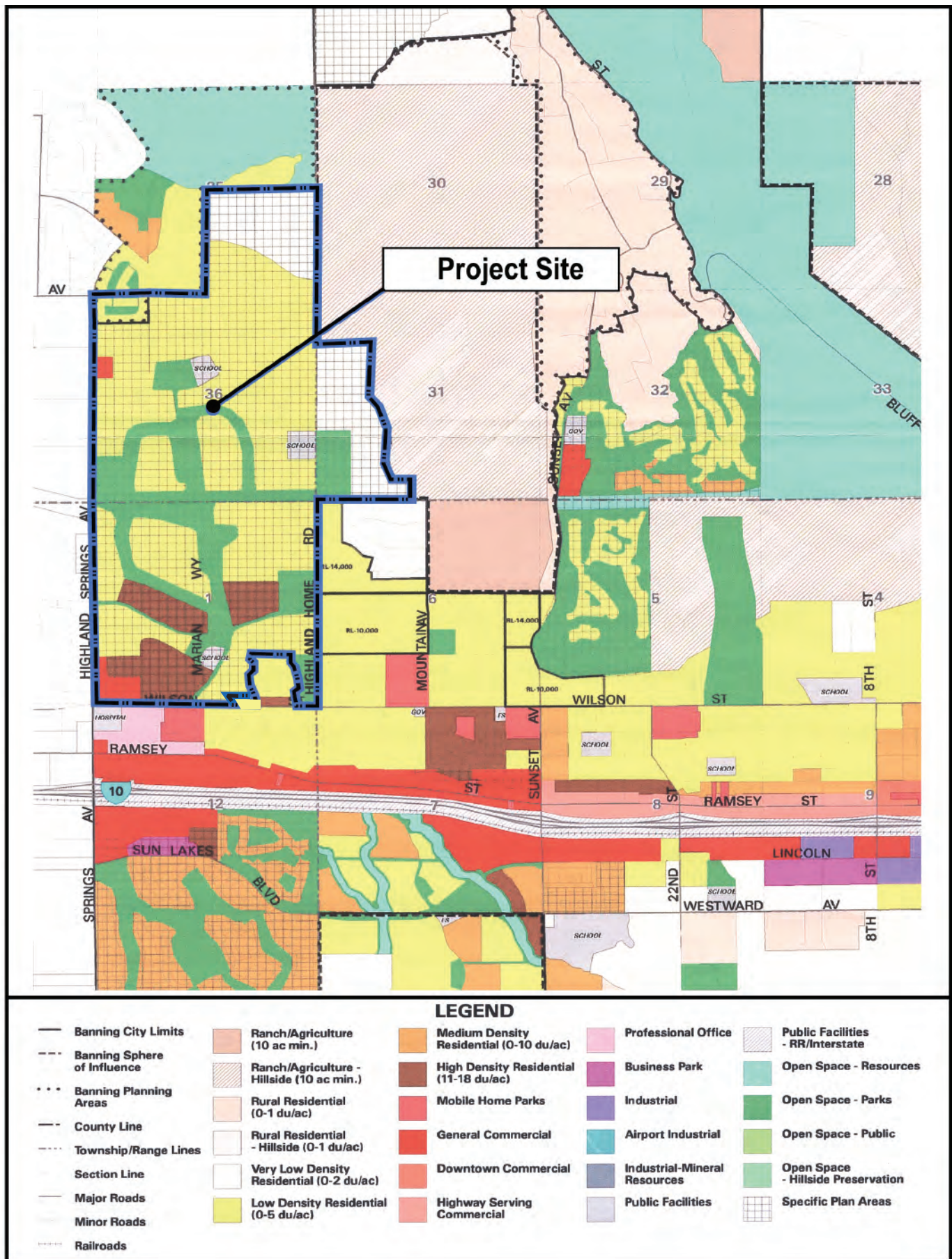
It is anticipated that future development within the City would result in changes to the existing land use environment through the conversion of vacant land to developed uses, or through conversions of existing land uses (e.g., from residential to commercial). Development pursuant to the proposed Specific Plan would not conflict with the designated land uses in the General Plan and Zoning Code. With adoption of the proposed General Plan Amendment, the proposed Specific Plan would be compatible with the land uses that surround the proposed Project.

Future development in this portion of the City would also be reviewed for consistency with adopted land use plans and policies by the City, in accordance with the requirements of CEQA, the California Zoning and Planning Law and the *California Subdivision Map Act*, all of which require findings of plan and policy consistency prior to approval of entitlements for development. It should be noted that future projects could include General Plan amendments and/or zone changes. However, each proposed amendment or zone change would require specific consistency analysis and, up adoption, would not conflict with the General Plan or City Code. For this reason, the cumulative impact associated with conflict of future development

with adopted plans and policies would be less than significant. In addition, as noted, development of the proposed Specific Plan would be compatible with surrounding land uses and would not conflict with applicable plans or policies. Therefore, the cumulative impact of the proposed Project with respect to future development would not be cumulatively considerable and is, therefore, less than significant.

#### **4.10.6 LEVEL OF SIGNIFICANCE AFTER MITIGATION**

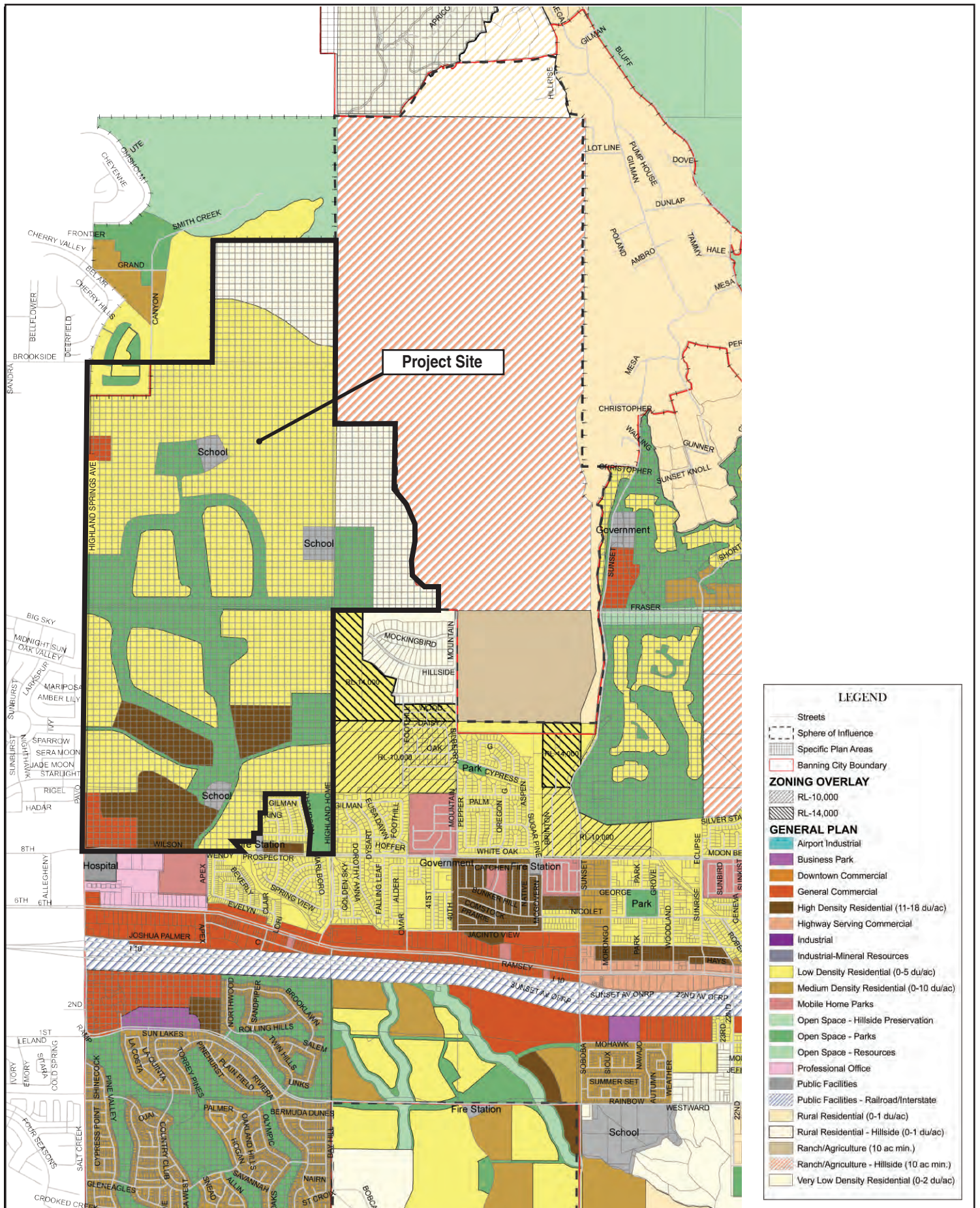
Implementation of the proposed Project would result in less than significant impacts involving potential conflicts with the Banning General Plan and Development Code.



SOURCE: RBF Consulting, Butterfield Specific Plan, May 25, 2011 (Exhibit 2.2)  
City of Banning General Plan Exhibit VI-2, March 16, 2006

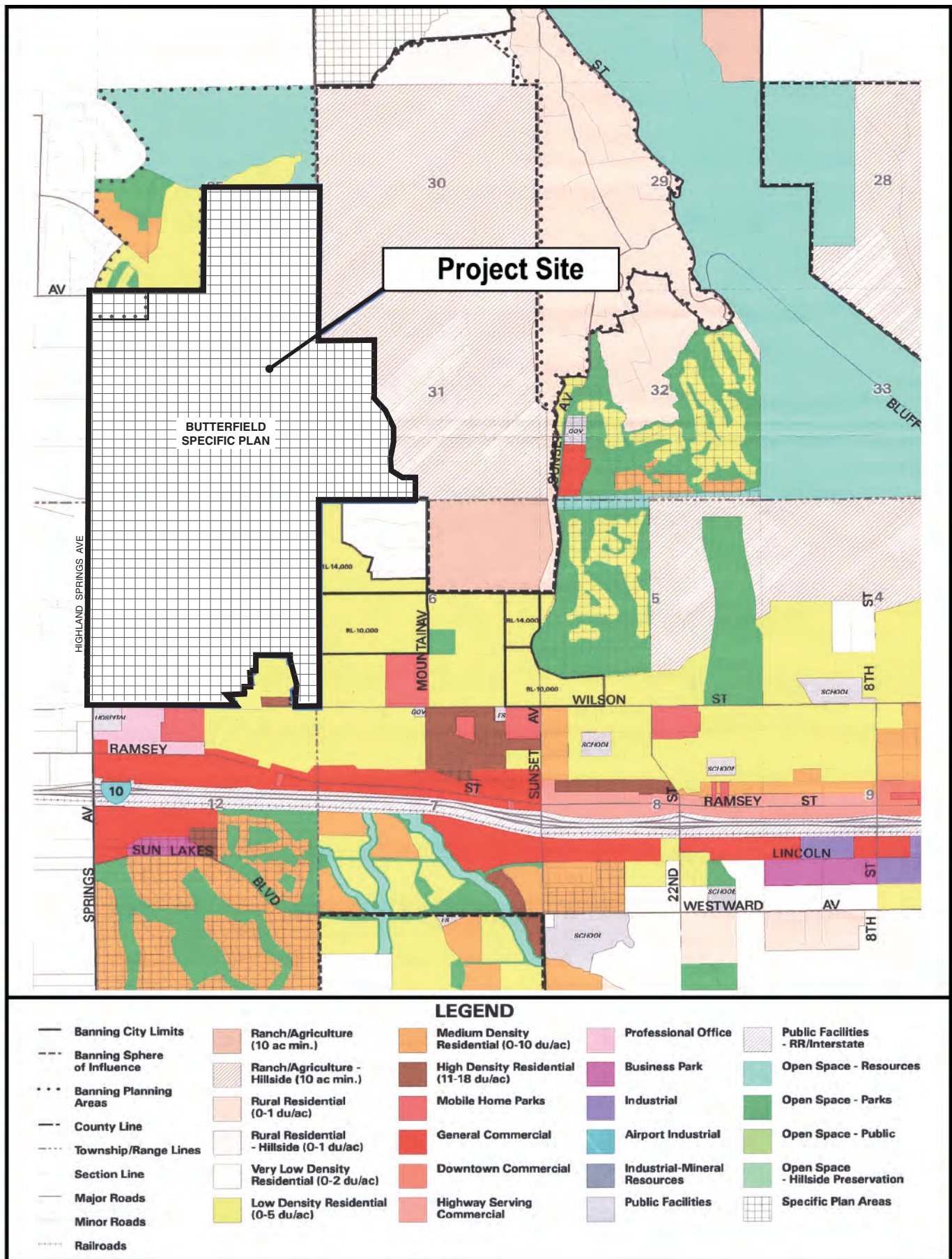
PARDEE HOMES • BUTTERFIELD SPECIFIC PLAN EIR

## Existing City of Banning General Plan Land Use Designations



SOURCE: RBF Consulting, Butterfield Specific Plan, May 25, 2011 (Exhibit 2.3)

PARDEE HOMES • BUTTERFIELD SPECIFIC PLAN EIR  
Existing City of Banning Zoning



SOURCE: RBF Consulting, Butterfield Specific Plan, May 25, 2011 (Exhibit 2.2)  
City of Banning General Plan Exhibit III-2, March 16, 2006

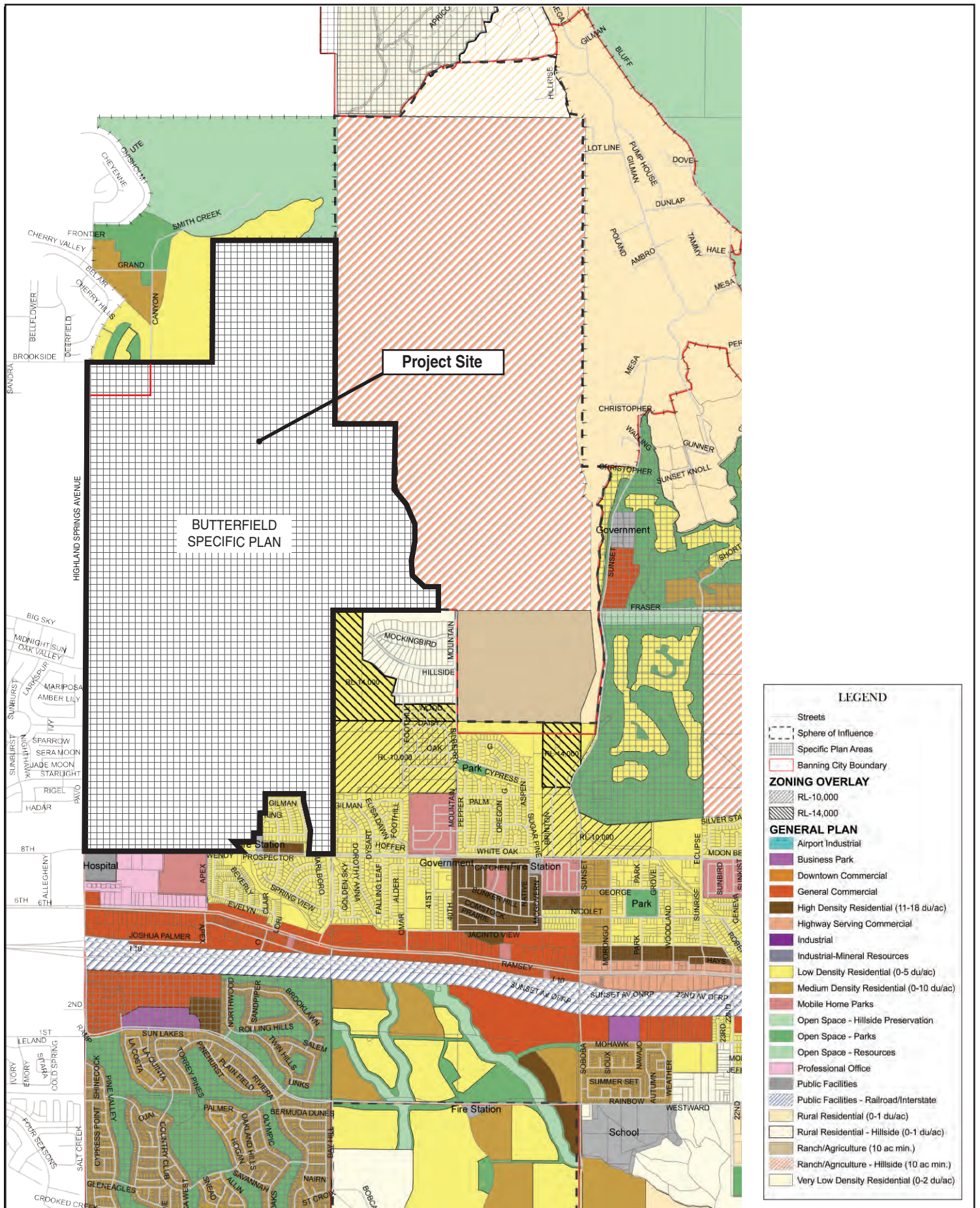
PARDEE HOMES • BUTTERFIELD SPECIFIC PLAN EIR



## Proposed Amended City of Banning General Plan Designation

5/27/11 JN: 65-100290

EXHIBIT 4.10-3



SOURCE: RBF Consulting, Butterfield Specific Plan, May 25, 2011 (Exhibit 2.3)  
City of Banning Zoning Map, October 7, 2008



NOT TO SCALE

5/27/11 JN: 65-100290

PARDEE HOMES • BUTTERFIELD SPECIFIC PLAN EIR  
**Proposed Amended City of Banning Zoning**

EXHIBIT 4.10-4