

5. Environmental Analysis

5.10 LAND USE AND PLANNING

This section of the Draft Environmental Impact Report (DEIR) evaluates the potential impacts to land use in the City of Banning from implementation of the proposed Rancho San Gorgonio Specific Plan.

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

The Southern California Association of Governments (SCAG) submitted a Notice of Preparation (NOP) comment letter addressing land use and planning. SCAG suggests reviewing the proposed project's consistency with SCAG's 2012 Regional Transportation Plan/Sustainable Communities Strategy. The NOP comment letter is included in Appendix B. Consistency analysis of the proposed project and the 2016 RTP/SCS is described below in Section 5.10.3.

5.10.1 Environmental Setting

5.10.1.1 REGULATORY BACKGROUND

State, regional and local laws, regulations, plans, or guidelines that are potentially applicable to the proposed project are summarized below.

Regional

Southern California Association of Governments

Southern California Association of Governments (SCAG) is a council of governments representing Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties. SCAG is the federally recognized metropolitan planning organization for this region, which encompasses over 38,000 square miles. SCAG is a regional planning agency and a forum for addressing regional issues concerning transportation, the economy, community development, and the environment. SCAG is also the regional clearinghouse for projects requiring environmental documentation under federal and state law. In this role, SCAG reviews proposed development and infrastructure projects to analyze their impacts on regional planning programs. As the southern California region's metropolitan planning organization, SCAG cooperates with the South Coast Air Quality Management District, the California Department of Transportation (Caltrans), and other agencies in preparing regional planning documents. SCAG has developed regional plans to achieve specific regional objectives, as discussed below.

Regional Transportation Plan/Sustainable Communities Strategy

The 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) was adopted in April 2016 (SCAG 2016). Major themes in the 2016 RTP/SCS include integrating strategies for land use and

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transportation; striving for sustainability; protecting and preserving existing transportation infrastructure; increasing capacity through improved systems managements; providing more transportation choices; leveraging technology; responding to demographic and housing market changes; supporting commerce, economic growth, and opportunity; promoting the links between public health, environmental protection, and economic opportunity; and incorporating the principles of social equity and environmental justice into the plan.

The SCS outlines a development pattern for the region, which, when integrated with the transportation network and other transportation measures and policies, would reduce GHG emissions from transportation (excluding goods movement). The SCS is meant to provide growth strategies that will achieve the regional GHG emissions reduction targets. However, the SCS does not require that local general plans, specific plans, or zoning be consistent with the SCS; instead, it provides incentives to governments and developers for consistency.

Unique to the SCAG region is the option for subregions to create their own SCSs. However, the West Riverside Council of Governments, of which the City of Banning is a member jurisdiction, has not chosen to do this, but relies on SCAG's 2016-2040 RTP/SCS.

Western Riverside County Multiple-Species Habitat Conservation Plan (MSHCP)

The Western Riverside County MSHCP covers 146 species and 14 natural communities within a plan area of about 1.26 million acres—or 1,970 square miles—extending from the western Riverside County boundary to the San Jacinto Mountains. It includes all unincorporated Riverside County as well as 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. The Western Riverside County MSHCP is administered by the Western Riverside County Regional Conservation Authority and was approved by the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife in 2004.

The goal of the Conservation Authority is to fulfill the mandate of the MSHCP to set aside 500,000 acres of western Riverside County for preserving habitat and protecting the 146 species listed in the MSHCP. In order to do so, the MSHCP has established protected “criteria cells” throughout the plan area; criteria cells are core areas with adequate resources to provide and support live-in habitat for one or more species listed in the MSHCP.

Local

City of Banning General Plan and Zoning Designations

The portion of the project site within the city limits (671 acres) is predominantly designated Very Low Density Residential with limited Medium Density Residential, Rural Residential, and Open Space-Resources (see Figure 3-3, *Current Land Use Designations*). The 161-acre portion in the City's sphere of influence (SOI) is designated Ranch/Agriculture. The project site's zoning and land use designations are the same.

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County of Riverside General Plan Designations

The 161-acre portion of the project site in the City's SOI is officially within unincorporated Riverside County. According to the Riverside County General Plan, the entire portion is designated Agriculture.

Banning Municipal Airport Comprehensive Land Use Plan

Airport authorities and other agencies regulate aircraft activity. The City of Banning has no direct authority over airport development and operations. The State Aeronautics Act of the California Public Utilities Code (§§ 21001 et seq.) establishes statewide requirements for airport land use compatibility planning and requires nearly every county to create an airport land use commission (ALUC) or other alternative. The Riverside County ALUC is responsible for airport land use planning in the county.

The Riverside County ALUC adopted the Banning Comprehensive Land Use Plan for the Banning Municipal Airport in August 1993 to protect and promote the safety and welfare of residents in the vicinity of the airport and users of the airport while ensuring continued operation of the airport. This includes protecting the general public from adverse effects of aircraft noise, ensuring people and facilities are not concentrated in areas susceptible to aircraft accidents, and keeping structures from encroaching upon or adversely affecting the use of navigable airspace.

The plan consists of land use compatibility guidelines, which include noise, safety, and height compatibility guidelines. The plan also contains figures showing the Banning Municipal Airport's safety zones, FAR Part 77 surfaces, airport influence area, and noise contours. Portions of the project site are within the airport's land use compatibility zones, and therefore the proposed project is required to comply with these compatibility guidelines.

5.10.1.2 EXISTING CONDITIONS

Existing Land Uses

Onsite Uses

The project site is used as rangeland for cattle and horses. There are no buildings onsite. Southern California Edison maintains two easements on the project site for overhead electrical transmission lines. One of these easements is 50 feet wide, runs east-west through the middle of the site, and contains overhead 115 kilovolt utility lines and towers. The other easement, in the southeast corner of the site, is 300 feet wide with overhead power lines and towers and a gas line. The transmission line locations are shown on Figure 3-3, *Aerial Photograph*.

Surrounding Uses

Surrounding land uses include residential properties to the north along Westward Avenue, a KOA Campground to the east, Banning High School to the northeast, and Mt. San Jacinto Community College San Gorgonio Pass campus to the northwest. Other surrounding land to the east, south, and west consists of rural residential and agricultural uses and vacant land. The site is approximately 0.5 mile south of the Ramsey

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Street commercial corridor and Banning's downtown area. Banning Municipal Airport is about 1.1 miles northeast of the site (see Figures 3-3, *Aerial Photograph*, and 4-1, *Surrounding Jurisdictions*).

Airport Land Use Compatibility

The principal arrival and departure tracks for Banning Municipal Airport—about 1.1 mile northeast of the project site—extend east and west from the airport and do not pass over the project site. However, a small area in the northeast portion of the project site is within land use compatibility Zone E (see Figure 5.8-1, *Land Use Compatibility Zones*). Nearly all land uses are compatible and allowed in Zone E. Uses that are potentially compatible with various restrictions are fish and game preserves; spectator-oriented sports stadiums or complexes; fairgrounds and race tracks; theaters, auditoriums, and large assembly halls; outdoor theaters; and sanitary landfills.

Building Height

An area in the eastern portion of the site is in an area where building heights are limited pursuant to Federal Aviation Administration (FAA) Part 77 Regulations to prevent obstructions to navigable airspace (RCALUC 2005). The maximum allowable building height is approximately 2,454 feet above mean sea level on the eastern project site boundary at the southeast corner of the KOA Campground, and it rises to 2,569 feet above mean sea level at the edge of the regulated area,— which passes through the northern project boundary about 220 feet east of 12th Street (see Figure 5.8-2, *Height Limits per FAA Part 77 Regulations*).

5.10.2 Thresholds of Significance

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

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

The Initial Study, included as Appendix A, substantiates that impacts associated with Threshold LU-1 would be less than significant. This impact will not be addressed in the following analysis.

5.10.3 Environmental Impacts

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

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Impact 5.10-1: Upon adoption of the Specific Plan and approval of its required entitlements, the proposed project would not conflict with land use and zoning designations under the City and county general plans. [Threshold LU-2]

Impact Analysis: As shown in Figure 3-4, *Current Land Use Designations*, the portion of the project site within the City of Banning (670 acres) is designated and zoned Very Low Density Residential, Medium Density Residential, Rural Residential, and Open Space-Resources. The 161-acre portion in the City's SOI and unincorporated Riverside County is designated Ranch/Agriculture by the City's land use plan and Agriculture by the county land use plan.

The proposed land uses on the project site would not be compatible with current land use designations. However, the proposed project includes a general plan amendment and zone change to reflect the proposed Specific Plan zoning and land use designations. In addition, the project would require approval from the Riverside County Local Agency Formation Commission to annex the 161 acres currently in the City's SOI and unincorporated Riverside County into Banning's city limits (see Section 3.5, *Intended Uses of the EIR*, for a full list of required approvals). Upon approval of the general plan amendment, zone change, and 161-acre annexation, the proposed project would be compatible with the City's land use and zoning designations, and impacts would be less than significant.

Impact 5.10-2: The proposed project would not conflict with the goals of the Southern California Association of Governments' 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy goals. [Threshold LU-2]

Impact Analysis: Table 5.7-6 in Section 5.7, *Greenhouse Gas Emissions*, provides an assessment of the proposed project's relationship to pertinent SCAG 2016 RTP/SCS goals. The analysis in Table 5.7-6, *Consistency with SCAG's 2012-2035 RTP/SCS Goals*, concludes that the proposed project would be consistent with applicable RTP/SCS goals. Therefore, implementation of the proposed project would not result in significant land use impacts related to relevant RTP/SCS goals.

Impact 5.10-3: The proposed project would be consistent with applicable goals and policies from the City of Banning General Plan. [Threshold LU-2]

Impact Analysis: A detailed analysis of the proposed project's consistency with applicable City of Banning General Plan policies is provided in Table 5.10-1. The analysis concludes that the proposed project would be consistent with applicable general plan policies. Therefore, implementation of the proposed project would not result in significant land use impacts.

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Table 5.10-1 City of Banning General Plan Consistency Analysis

Applicable Policies	Project Consistency Analysis
Land Use Element	
GOAL 1: A balanced, well planned community including businesses which provides a functional pattern of land uses and enhances the quality of life for all Banning residents.	
Policy 1: The City shall maintain a land use map which assures a balance of residential, commercial, industrial, open space and public lands.	Consistent: Once adopted, the Specific Plan designations will become part of the City's land use map. The proposed master planned community would include residential, commercial, school, and open space land uses.
Policy 3: Development in all land use categories shall be of the highest quality.	Consistent: The Specific Plan includes design guidelines that are intended to provide an overall framework for future development and to achieve a sense of community identity, character, scale, and sensitivity. These guidelines provide the means to protect and maintain long-term quality and value. Accordingly, the design guidelines apply to all residential, commercial, and landscape construction.
Policy 4: Specific Plans shall be required for projects 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.	Consistent: The proposed project includes more than one residential land use designation; a combination of residential and commercial uses; and extension of infrastructure. Thus, the project is proposed as a Specific Plan.
Policy 5: All land use proposals shall be consistent with the goals, policies and programs of this General Plan, and with the Zoning Ordinance.	Consistent: The proposed project requires a general plan amendment to allow for the land uses and densities proposed in the Specific Plan. Upon approval, the project would be consistent with the City's general plan. The Specific Plan is prepared consistent with Section 17.96 of the Banning Zoning Code. Section 3, <i>Design Guidelines</i> , and Section 4, <i>Development Regulations</i> , in the Specific Plan would become the zoning for the project site in tandem with the Banning Zoning Ordinance. The zoning ordinance would continue to apply to the project area where the Specific Plan does not include new regulations.
Residential	
GOAL: A broad range of housing types to fill the needs of the City's current and future residents.	
Policy 1: The land use map shall provide a range of housing densities while considering land use compatibility with non-residential land uses.	Consistent: The proposed Specific Plan includes a variety of residential densities (very low, low, medium, and medium high density). Parks and open spaces and a commercial area are also proposed as compatible land uses near the residential homes.
Policy 2: Projects adjacent to existing neighborhoods shall be carefully reviewed to assure that neighborhood character is protected.	Consistent: The proposed Specific Plan and subsequent development is expected to be carefully reviewed by the City of Banning. The Specific Plan is separated from adjacent existing neighborhoods by existing and planned roadways for the most part (e.g., Westward Avenue, Sunset Avenue, and San Gorgonio Avenue/SR-243). The Specific Plan, as indicated in Section 2.3, <i>Circulation</i> , prohibits vehicular access to these perimeter roadways with the exception of limited access points on Sunset Avenue, Westward Avenue, 22nd Street, 8th Street and San Gorgonio Avenue. The Project Perimeter Roadway guidelines in Section 3.3.4 and the Buffer, Edge Treatment and Transitional Area guidelines in Section 3.3.5 provide required landscaped setback standards to create a buffer between existing and proposed neighborhoods in order to protect the character of those neighborhoods. In addition, Section 3.3.9 of the Specific Plan requires community-themed, decorative perimeter walls around the entire project area for the same purpose of defining and separating community identity and character.

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Table 5.10-1 City of Banning General Plan Consistency Analysis

Applicable Policies	Project Consistency Analysis
<i>Commercial</i>	
GOAL: Sufficient and appropriately located public facilities to serve the needs of the City's residents, businesses and visitors.	
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.	Consistent: The proposed Specific Plan designates approximately 9.3 acres for Neighborhood Commercial land use. The commercial area is anticipated to accommodate businesses that provide day-to-day shopping and service needs. These commercial uses would be compatible with the existing Mt. San Jacinto Community College campus directly west and residential homes to the north and east. Additional residential homes are proposed south of the commercial use area.
<i>Public Facilities</i>	
GOAL: Sufficient and appropriately located public facilities to serve the needs of the City's residents, businesses and visitors.	
Policy 2: The City shall review projects, particularly those which propose master planned communities, to assure that public facilities are provided to meet the needs of the project and the surrounding area.	<p>Consistent: The Specific Plan identifies sites where public facilities may be provided onsite (Planning Areas [PA] 10, 16-A and 16-B). PA 10 is designated as park use but also includes a proposed fire station facility. PA 16-A could include a potential pump station site for potable water, recycled water, wastewater treatment and recycling, or similar public facility use, and PA 16-B is set aside for a planned City electrical substation use.</p> <p>In addition, Section 5.16, <i>Utilities and Service Systems</i>, of this DEIR analyzes the project's impacts on water, wastewater, solid waste, and dry utilities (natural gas and electricity). Based on the analysis, the proposed project would not adversely impact existing public facilities and would be required to pay development impact fees to offset impacts on existing resources.</p>
<i>Open Space and Conservation</i>	
GOAL: The conservation and management of open space areas to provide recreational opportunities and protect important resources in perpetuity.	
Policy 1: Lands preserved through conservation easements, acquired by private or public agencies, or dedicated for open space shall be designated for the appropriate Open Space land use category on the land use map as they are preserved.	Consistent: Natural open space proposed within the project area has been designated "Open Space" on the Specific Plan land use map.
<i>Economic Development Element</i>	
GOAL: A balanced, broadly-based economy that provides a full range of economic and employment opportunities, while maintaining high standards of development and environmental protection.	
Policy 9: All development interests, including residential, commercial and industrial project proponents, shall be responsible for their fair share of on-site and off-site improvements required to support their development proposals. Such improvements may include, but are not limited to, street construction and signalization, grade separation, utility extension, drainage facilities, and parks.	Consistent: All development proposals submitted under this Specific Plan would be responsible for fair share of both on-site and off-site improvements required to support the proposed development.
Policy 10: Continue to cultivate cooperative relationships with the Morongo Band of Mission Indians and Bureau of Indian Affairs, particularly regarding development of Indian lands within and adjacent to the planning area, and development and enhancement of community facilities that provide joint benefit to the Tribe and the City.	Consistent: Tribal lands are not within or adjacent to the Specific Plan area. However, tribal lands are approximately five miles to the northeast of the project site. The City met with the Morongo, Pala, Soboba, and Rincon tribes several times during the EIR process and discussed and resolved concerns regarding the proposed project.

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Table 5.10-1 City of Banning General Plan Consistency Analysis

Applicable Policies	Project Consistency Analysis
Circulation Element	
GOAL: A safe and efficient transportation system.	
Policy 1: The City's recommended General Plan Street System shall be strictly implemented.	<p>Consistent: Modifications are proposed for Arterial, Major, and Collector roadways within the Specific Plan to allow for expanded parkways for landscaping, multipurpose trails, and water quality drainage features, in order to achieve a better community design. The proposed roadway network in the Specific Plan would work around the existing Pershing Creek water flow and respond to the village organization of the land plan. East-west travel through the Specific Plan area would still be possible; the horizontal alignment of the proposed internal roadway network would be designed to discourage cut-through traffic and would provide circulation for trips generated by the land uses within the Specific Plan.</p> <p>In addition, the Specific Plan proposes a modified Local Street section with a 56-foot right-of-way (ROW) instead of the 60-foot ROW in the general plan. The 56-foot ROW in the Specific Plan is viewed as a superior design for this planned community as it provides for less pavement, less impervious surface, less drainage water runoff from streets, and less heat generation, and it may provide traffic calming (narrower streets have been found to be conducive to lower traffic speeds). The 56-foot street section would still provide adequate emergency access. The County of Riverside, including the county fire department, also accepts the 56-foot ROW section.</p>
Policy 2: Local streets shall be scaled to encourage neighborhood interaction, pedestrian safety and reduced speeds.	<p>Consistent: See response to Circulation Element Policy 1, above.</p> <p>The Specific Plan proposes numerous local roadways as access points to each Planning Area. These roads would have a standard 56-foot ROW, with one 10-foot travel lane in each direction, 8-foot parking lanes, and 4-foot concrete sidewalks on either side. Sidewalks on local streets may be adjacent to the curb or separated by a landscape strip. Additionally, a 3-foot public utility easement may be on both sides of the road ROW.</p>
Policy 6: The City shall maintain peak hour Level of Service C or better on all local intersections, except those on Ramsey Street and at I-10 interchanges, where level of service D or better shall be maintained.	<p>Consistent: According to the traffic impact analysis prepared for the proposed project, after implementation of mitigation measures set forth in Section 5.15, <i>Transportation and Traffic</i>, of the DEIR, all of the intersections in the City of Banning's jurisdiction that were analyzed in the project Traffic Impact Analysis would operate at acceptable LOS C or better. The project would therefore be consistent with this policy.</p>
Policy 7: New development proposals shall pay their fair share for the improvement of street within and surrounding their projects on which they have an impact, including roadways, bridges, grade separations and traffic signals.	<p>Consistent: All development proposals submitted under the Specific Plan would be required to pay their fair share for roadway improvements surrounding their project.</p>
Policy 8: Traffic calming devices shall be integrated into all City streets to the greatest extent possible and all new streets shall be designed to achieve desired speeds.	<p>Consistent: The Specific Plan includes requirements for traffic calming devices, including roundabouts and intersections with smaller turning radii. In addition, the proposed roadways within the project site flow in a meandering pattern, thereby reducing traffic speeds.</p>
Policy 10: Sidewalks shall be provided on all roadways 66 feet wide or wider. In Rural Residential and use designation pathways shall be provided.	<p>Consistent: The Specific Plan includes development of sidewalks on all roadways wider than 56 feet. The Specific Plan also proposes a pedestrian walkway paseo in PAs 14-A, -B, -C, and -D and 15-A and -B.</p>
Policy 11: Sidewalks or other pedestrian walkways shall be required on all streets within all new subdivisions.	<p>Consistent: Sidewalks would be provided on all Specific Plan major, arterial, collector and local roads. All roadway cross-sections would include sidewalks.</p>
Policy 17: Encourage the expansion of an integrated Pass transit system.	<p>Consistent: The Specific Plan Circulation Plan calls for the extension of existing Pass Transit bus routes to expand bus services within and around the project site.</p>
Policy 19: Bus pullouts shall be designed into all	<p>Consistent: Bus turnouts would be provided on roadways within the project site based</p>

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Table 5.10-1 City of Banning General Plan Consistency Analysis

Applicable Policies	Project Consistency Analysis
new projects on arterial roadways, to allow buses to leave the flow of traffic and reduce congestion.	on recommendations from the City of Banning and the Pass Transit Agency.
Policy 25: The City shall develop and implement plans for a coordinated and connected bicycle lane networked in the community that allows for safe use of bicycles on City streets.	Consistent: The Specific Plan would provide bike lanes on all proposed arterial and collector streets.
Policy 27: The City shall provide for a comprehensive, interconnected recreational trails system suitable for bicycles, equestrians and/or pedestrians.	Consistent: The proposed project provides for nonmotorized circulation, including bicycle lanes, pedestrian sidewalks, multipurpose trails, and equestrian trails.
Parks and Recreation Element	
GOAL: A high quality public park system with adequate land and facilities to provide recreational facilities and activities for the City's residents.	
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.	Consistent: The General Plan establishes 5 acres per 1,000 residents as the population/acreage ratio for parkland in the City. The Specific Plan includes over 210 acres of parks and open space, not including parkway area adjacent to the main roadways. The proposed parks include the Rancho San Gorgonio Community Park, Confluence Park, two neighborhood parks, and linear trails along the existing drainage channels.
	The proposed project would increase the City's population by approximately 9,038 residents. Thus, the project should provide approximately 16.9 acres of parkland to meet the City's 5 acres per 1,000 residents parkland goal. Given that the project proposes 210 acres of parks and open space, the Specific Plan would meet the parkland requirements.
Policy 4: Encourage the development of recreational programs and activities that serve all population segments, including children, the elderly and the disabled.	Consistent: The Specific Plan contains over 210 acres of parks and open space. The Specific plan includes the Rancho San Gorgonio Community Park, Confluence Park, two neighborhood parks, and linear trails that can be used by children, adults, the elderly, and the disabled.
Policy 5: The City shall consider alternative methods of providing parks and recreational amenities to meet future population demands.	Consistent: The gross park acreage proposed under the Specific Plan totals to about 210 acres or 25 percent of the project area and provides a mix of facilities for both passive and active recreational uses.
Policy 6: The City shall develop and implement plans for a coordinated and connected bicycle lane network in the community that allows for safe use of bicycles on City streets.	Consistent: The Specific Plan would implement bike lanes on side shoulder lanes of all proposed arterial and collector roadways. These bicycle lanes would assist in providing connections to regional and local facilities, in addition to the residential communities within the project.
Policy 8: The City shall provide for a comprehensive, interconnected recreational trails system suitable for bicycles, equestrians and/or pedestrians.	Consistent: The nonmotorized circulation master plan for the Specific Plan identifies proposed walkways, paseos, multipurpose trails, equestrian trails, trail heads, and bike lanes.
Housing Element (2013-2021)	
GOAL: Provide adequate sites for new residential construction to meet the needs of all segments of the community without compromising the character of the City.	
Policy 2.1: Provide adequate sites for a range of new housing construction to meet the Regional Housing Need Assessment (RHNA) for Banning of 3,792 units during the 2014-2021 planning period.	Consistent: The proposed project is a primarily residential master planned community with very low to medium high density. The proposed homes would contribute to Banning's RHNA goals for the 2014-2021 planning period.
GOAL: Assist in the development of housing that is affordable to all segments of the community.	
Policy 3.1: Support the development of housing affordable to all income groups by utilizing a variety	Consistent: The Specific Plan enables the development of housing at various densities and affordabilities.

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Applicable Policies	Project Consistency Analysis
of public and private efforts.	
Policy 3.2: Assist the development of housing that targets the needs of special populations, including the elderly, persons with disabilities, and homeless.	Consistent: Development within the Specific Plan area would meet the latest design standards for the disabled and would provide housing opportunities for the aged.
Policy 3.3: Promote the development of attractive and safe housing to meet community needs.	Consistent: The Specific Plan includes low, medium, and medium-high density residential development, which would provide a range of housing types for residents. Design guidelines in the Specific Plan would also ensure the architectural design of the homes and villages fit well with one another to create a unified and attractive community.
GOAL: Promote equal opportunity for housing throughout the City of Banning.	
Policy 5.2: Continue to further fair housing choices by actively expanding housing opportunities and removing impediments to fair housing.	Consistent: The Specific Plan includes low and medium density residential development that would provide a range of housing types for residents. The Specific Plan complies with all fair housing laws and would not allow housing discrimination.
Policy 5.3: Encourage the development or renovation of residential units that are accessible to disabled persons or are adaptable for conversion to residential use by disabled persons.	Consistent: Development within the Specific Plan area would meet the latest design standards for the disabled and would provide housing opportunities for the aged.
GOAL: Promote residential energy conservation and sustainable development.	
Policy 6.1: Support energy conservation and sustainable residential development through construction technology and land use planning.	Consistent: Development in accordance with the Specific Plan is required to be energy efficient using various energy conservation and generation practices, including strategies and techniques that are at least equal to the California Green Building Standards and California Energy Code of Title 24.
Water Resources Element	
GOAL: A balance of development which assures the maintenance of the water supply and its continued high quality.	
Policy 1: New development projects proposing 50 units on property whose General Plan Land Use designation would allow 50 units, and/or 10 acres of commercial/industrial/other development, or more, whether through a tract map, Specific Plan or other planning application, shall be required to fund the provision of its entire water supply, either through SWP, recycled water or other means, as a condition of approval.	Consistent: The Specific Plan provides the necessary infrastructure to meet its projected water demand, as detailed in the Water Supply Assessment (see Appendix J) and analyzed in Section 5.16, <i>Utilities and Service Systems</i> , of this DEIR. In addition, the Specific Plan requires future developments to implement water conservation strategies that are at least equal to the California Green Building Standards and California Energy Code of Title 24. The project also proposes the efficient use of potable water through mandated building and site design. Further, the Specific Plan proposes an on-site recycled water distribution system and can accommodate a water reclamation treatment facility if necessary, to create nonpotable water supplies.
Policy 2: The City shall require the use of drought tolerant, low water consuming landscaping as a means of reducing water demand for new development.	Consistent: The Specific Plan will comply with the City's 2006 Landscape Standards which set new maximum applied water allowance (MAWA) requirements for new landscapes and require documentation of MAWA calculations. Based on these standards, it is expected that new landscaping for the proposed project would use 25% less water than what was typically applied in the City's previous landscape design requirements. In addition, the 2013 California Green Building Standards requires use of weather or soil moisture irrigation controllers on all new residential landscaping. Studies have shown that these controllers result in an additional 13% water savings.
Policy 3: The City shall require the use of recycled wastewater for new development, or where it is unavailable, the infrastructure for recycled water when it becomes available, as a means of reducing demand for groundwater resources.	Consistent: The City has planned the expansion and upgrade of its main wastewater treatment plant to provide capacity for the treatment of up to 1.5 million gallons per day of wastewater to tertiary standards. The Specific Plan area would receive recycled water from the City's main plant when made available by the City. An alternative for wastewater treatment recycled water generation for the project could include a satellite package plant developed within the project site by the developer on Planning Area 16-A, which would then be owned and operated by the City.

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Table 5.10-1 City of Banning General Plan Consistency Analysis

Applicable Policies	Project Consistency Analysis
Policy 4: Require that all new development be connected to the sewage treatment system, or install dry sewers until such time as that connection is possible.	<p>Consistent: The project would connect to an existing 21-inch sewer trunk line south of Wesley Street, east of San Gorgonio Avenue. This existing sewer main has been determined to be adequate to accommodate the proposed development. A system of main pipelines would be installed throughout the project, with larger lines as the backbone infrastructure for smaller local sewer lines distributed throughout the various planning areas.</p> <p>An alternative for wastewater treatment recycled water generation for the project could include a satellite package plant developed within the project site by the developer on Planning Area 16-A, which would then be owned and operated by the City.</p>
Policy 5: The City shall provide guidelines for the development of on-site storm water retention facilities consistent with local and regional drainage plans and community design standards.	<p>Consistent: The Specific Plan lists development standards for the project area's drainage plan, which includes requirements indicated in the Riverside County Flood Control District and Water Conservation District Hydrology Manual, and the City of Banning flood control standards.</p>
Policy 7: The City shall ensure that no development proceeds that has potential to create groundwater hazards from point and nonpoint sources, and shall confer with other appropriate agencies, as necessary, to assure adequate review and mitigation.	<p>Consistent: Section 5.9, <i>Hydrology and Water Quality</i>, of this DEIR analyzes potential project impacts on water quality. A water quality management plan was also prepared for the proposed project that outlined best management practices (BMPs) related to site design, source control, and treatment control. Construction BMPs are also proposed to ensure development does not adversely impact groundwater quality.</p>
GOAL: Open space and conservation lands that are preserved and managed in perpetuity for the protection of environmental resources or hazards, and the provisions of enhanced recreational opportunities and scenic qualities in the City.	
Policy 1: Identify and assess lands in the City, its sphere-of-influence and planning area, that are suitable for preservation as public or private, passive or active open space.	<p>Consistent: The project proposes 210 acres (25%) of the project site as parks and open space. This includes four major planned parks and four village paseos, intended to provide recreational trails, seating, and landscaping/shade trees as a unifying feature that connects the residential, open space, and park/recreational areas within the Specific Plan area and to outside uses. Open space within the project area includes the preserved natural Smith Creek and Pershing Creek drainages, with 100-foot-wide linear park and landscape setback areas from the edges of the existing natural streambeds. In addition, PA 17 is to be preserved as natural open space.</p>
Policy 4: The City shall preserve all watercourses and washes necessary for regional flood control, ground water recharge areas and drainage for open space and recreational purposes.	<p>Consistent: Open space within the project area includes natural areas, landscaped areas, easements, and drainage open spaces, including the preserved natural Smith Creek and Pershing Creek drainages.</p>
Policy 5: The City shall preserve permanent open space edges or greenbelts that define the physical limits of the City and provide physical separation between adjoining neighborhoods.	<p>Consistent: The Specific Plan area's network of open space areas and greenbelts would connect and delineate residential areas with trail systems and landscaped areas.</p>
Policy 7: Drought tolerant landscaping materials and design features shall be incorporated into parks, roadway medians, common area landscaping, public facilities, and other appropriate open space lands to retain and preserve the natural environment.	<p>Consistent: The use of drought-tolerant plants is required in the Specific Plan pursuant to the design guidelines (Section 3).</p>
Biological Resources Element	
GOAL: A pattern of community development that supports a functional, productive, harmonious and balanced relationship between the built and natural environment.	
Policy 1: The City shall continue to participate in the preservation of habitat for endangered, threatened and sensitive species.	<p>Consistent: Section 5.4, <i>Biological Resources</i>, of this DEIR analyzes project impacts on existing biological resources, including endangered, threatened, and sensitive species. According to the analysis, development of the project would impact several sensitive species and habitats, including the burrowing owl and Los Angeles pocket</p>

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Table 5.10-1 City of Banning General Plan Consistency Analysis

Applicable Policies	Project Consistency Analysis
	<p>mouse. Therefore, mitigation is provided to ensure impacts are reduced to less than significant.</p> <p>Biological studies and surveys were conducted by LSA Associates and are included as Appendix D of this DEIR.</p>
Policy 2: As part of the development review process, the City shall evaluate projects based on their impact on existing habitat and wildlife, and for the land's value as viable open space.	<p>Consistent: The 2006 Banning General Plan as originally adopted includes approximately 89 acres of Open Space-Resources in the Specific Plan area. However, the Specific Plan sets aside over 160 acres of open space within PAs 17, 14 (paseo), and 15 (creeks), 70 acres more than what the existing General Plan anticipated. Additionally, as previously stated, Section 5.4, <i>Biological Resources</i>, provides mitigation measures to ensure impacts to sensitive species and habitats onsite are minimized to less than significant levels.</p> <p>Biological studies and surveys were conducted by LSA Associates and are included as Appendix D of this DEIR.</p>
Policy 3: The City shall encourage and cooperate with other agencies in establishing multiple use corridors that take advantage of drainage channels and utility easements as wildlife corridors, public access and links between open space areas and the built environment.	<p>Consistent: Open space within the Specific Plan area includes natural areas, landscaped areas, easements, and drainage open spaces, including the preserved natural Smith Creek and Pershing Creek drainages. Combination retention-detention basins are proposed as a joint-use type, combining park uses with infiltration for stormwater quality with a detention basin for peak runoff mitigation. Smith Creek and Pershing Creek would also be preserved as wildlife corridors.</p>
Policy 4: Drainage channels, utility corridors and pipeline easements shall be preserved in natural open space to the greatest extent possible.	<p>Consistent: See response to Biological Resources Element Policy 3, above.</p>
Policy 5: The City shall promote the protection of biodiversity and encourage an appreciation of the natural environment and biological resources.	<p>Consistent: See response to Biological Resources Element Policies 1 and 2, above.</p> <p>The proposed open space areas encourage location and design that promote the natural beauty of the site's surrounding foothills, such as the use of preserved natural creek open space for planned linear parks along both sides of the converging Pershing and Smith creeks. Sustainable community design strategies for low impact development within the project site include the preservation of open space and minimization of land disturbance within the main creek areas of the Specific Plan, which reduces impacts to local terrestrial plants and animals and preserves the integrity of the ecological and biological systems.</p>
Archaeological and Historic Resources Element	
<p>GOAL: Documentation, maintenance, preservation, conservation and enhancement of archaeological and historic sites, artifacts, traditions and other elements of the City's cultural heritage.</p>	
Policy 1: The City shall exercise its responsibility to identify, document and evaluate archaeological, historical and cultural resources that may be affected by proposed development projects and other activities.	<p>Consistent: A cultural resources assessment was prepared by BCR Consulting, which analyzes existing cultural resources and project impacts on these resources (see Appendix F of this DEIR). Based on the report and Section 5.5, <i>Cultural Resources</i>, development of the project could impact identified historic and archaeological resources; however, mitigation is provided to ensure impacts to these resources are reduced to less than significant levels.</p>
Policy 2: The City shall expand and enhance its historic preservation efforts.	<p>Consistent: The proposed Specific Plan Design Guidelines promotes the preservation of the area's historic community character by emphasizing a rural, desert ranch theme through architectural features, building material, massing, lighting, etc.</p>
Policy 3: Establish and maintain a confidential inventory of archaeological and historical resources within the City, including those identified by the Eastern Information Center (EIC) at the University of California, Riverside and in focused cultural	<p>Consistent: See response to Archaeological and Historic Resources Element Policy 1, above.</p>

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Applicable Policies	Project Consistency Analysis
resources studies.	
Policy 4: Sensitive archaeological and historic resources shall be protected from vandalism and illegal collection, to the greatest extent possible.	Consistent: See response to Archaeological and Historic Resources Element Policy 1, above.
Air Quality Element	
GOAL: To preserve and enhance local and regional air quality for the protection of the health and welfare of the community.	
Policy 3: City land use planning efforts shall assure that sensitive receptors are separated from polluting point sources.	Consistent: The Specific Plan's land use plan separates residential and commercial areas and does not include industrial uses.
Policy 4: Development proposals brought before the City shall be reviewed for their potential to adversely impact local and regional air quality and shall be required to mitigate any significant impacts.	Consistent: An air quality analysis was prepared as part of the proposed project to identify project impacts on local and regional air quality (see Appendix C). Based on the analysis in Section 5.3, <i>Air Quality</i> , the project would generate construction and operational pollutants in exceedance of the South Coast Air Quality Management District's significance thresholds. However, mitigation measures are provided to reduce these impacts.
Policy 5: The City shall promote the use of clean and/or renewable alternative energy sources for transportation, heating and cooling.	Consistent: The Specific Plan proposes pedestrian trails and pathways, bike paths and neighborhood electric vehicle travel ways, as well as sustainable community design strategies in Section 3.5, including strategies and techniques that are at least equal to the California Green Building Standards and California Energy Code of Title 24. For example, the strategies in Section 3.5.3 require the development to install photovoltaic panels on a minimum of 25% of the units within the development. The panels shall be capable of generating 25% of the projected electricity demand of each proposed housing unit at a minimum. For nonresidential projects, photovoltaic panels shall be installed that shall provide a minimum of 25% of the electrical demand of the nonresidential building.
Policy 6: The City shall support the development of facilities and projects that facilitate and enhance the use of alternative modes of transportation, including pedestrian-oriented retail and activity centers, dedicated bicycle paths and lanes, and community-wide multi-use trails.	Consistent: The Specific Plan provides sustainable community design strategies for walkability and mobility (Section 3.2.5, <i>Site Planning/Neighborhood Design</i>), including development of facilities for pedestrian, bicycle, and equestrian use.
Energy and Mineral Resources Element	
GOAL: Efficient, sustainable and environmentally appropriate use and management of energy and mineral resources, assuring their long-term availability and affordability.	
Policy 1: Promote energy conservation throughout all areas of the community and sectors of the local economy, including the planning and construction of urban uses and in City and regional transportation systems.	Consistent: The Specific Plan provides sustainable community design strategies (Sections 3.5.3, <i>Energy Efficiency</i> , and 3.5.5, <i>Materials Efficiency</i>), including the incorporation of features and options that reduce energy demand and promote use of alternative energy sources and nonmotorized transportation.
Policy 2: Promote the integration of alternative energy systems, including but not limited to solar thermal, photovoltaic and other clean energy systems, directly into building design and construction.	Consistent: See response to Air Quality Element Policy 6 and Energy and Mineral Resources Element Policy 1, above.

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Table 5.10-1 City of Banning General Plan Consistency Analysis

Applicable Policies	Project Consistency Analysis
Geotechnical Element	
GOAL: Increased protection and safety of human life, land, and property from the effects of seismic and geotechnical hazards.	
Policy 4: To minimize the potential impacts of subsidence due to extraction of groundwater, the City shall actively support and participate in local and regional efforts at groundwater conservation and recharge.	Consistent: Section 3.5 of the Specific Plan requires development to be water efficient, using various water conservation strategies and techniques that are at least equal to the California Green Building Standards and California Energy Code of Title 24. The Specific Plan proposes the efficient use of potable water through mandated building and site design requirements. In addition, the Specific Plan proposes an on-site recycled water distribution system and can accommodate a water reclamation treatment facility, if necessary, to create nonpotable water supplies.
Flooding and Hydrology Element	
GOAL: A comprehensive system of flood control facilities and services effectively protecting lives and property.	
Policy 2: Major drainage facilities, including debris basins and flood control channels, shall be designed to maximize their use as multipurpose recreational or open space sites, consistent with the functional requirements of these facilities.	Consistent: Open space within the Specific Plan area includes the preserved natural Smith Creek and Pershing Creek drainages, with 100-foot-wide linear park and landscape setback areas from the edges of the existing natural streambeds.
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 project's grading plan promotes appropriate erosion control measures as part of a comprehensive grading and drainage plan to reduce erosion and urban runoff. Additionally, proposed changes to onsite creeks would move parts of the project site out of the existing 100-year flood zone. For example, the 100-year flood zone along Montgomery Creek and Gilman Home Channel would be removed due to the undergrounding of the creek and channel segment. The undergrounding of the creek and channel would also result in a minor change to the 100-year flood zone near Smith Creek. Submittal of a Letter of Map Revision (LOMR) to the Federal Emergency Management Agency (FEMA) would be required to address these changes in flood zone mapping. Upon approval of the LOMR, the areas proposed for development would not be within FEMA's designated 100-year flood zones. Additionally, the Specific Plan includes 100-foot setbacks for residences and streets from 100-year flood zones. Considering the proposed drainage improvements, including proposed storm drains for conveying offsite drainage through the site to Pershing Creek and confluence basins; the reduction in 100-year flood zones onsite due to undergrounding of some streams; and the aforementioned setbacks, Specific Plan buildout would not substantial hazards to people or structures from 100-year floods.
Policy 7: Assure that adequate, safe, all-weather crossing over drainage facilities and flood control channels are provided where necessary, and are maintained for passage during major storm events.	Consistent: The crossing at Sunset Avenue is proposed to be a series of culverts across the streambed, with a roadway established above the culverts, elevated such that the full 100-year storm would be conveyed through the culverts, leaving Sunset Avenue passable during a storm. The Specific Plan also includes drainage plan development standards that ensure adequate, safe, all-weather crossing over drainage facilities and flood control channels. The standards require periodic inspection and maintenance of these facilities.
Noise Element	
GOAL: 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 Design Guidelines provide buffering guidelines for commercial and community facility properties adjacent to residential properties in order to provide protection from excess noise, traffic, and glare.

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Applicable Policies	Project Consistency Analysis
Policy 2: The relationship between land use designations in the Land Use Element and changes in the circulation patterns of the City, as well as individual developments, shall be monitored and mitigated.	Consistent: Project implementation is conditioned on implementation of circulation improvements that would reduce impacts from project-generated traffic, which would further reduce the level of noise generated.
Policy 3: Private sector project proposals shall include measures that assure that noise exposures levels comply with State of California noise insulation standards as defined in Title 25 (California Noise Insulation Standards) and/or Banning Ordinances 1138 and 1234, whichever is more restrictive.	Consistent: Development of the proposed project would comply with the City of Banning Municipal Code, Ord. No. 11381, 1004, Section 11D-02, which has established noise standards.
Policy 6: All development proposals within the noise impact area of the Interstate and the railroad shall mitigate both noise levels and vibration to acceptable levels through the preparation of focused studies and analysis in the development review and environmental review process.	Consistent: Based on Section 5.11, <i>Noise</i> , the noise levels at the north site boundary from trains on the UPRR track are below 59 dBA CNEL. The north site boundary is about 2,250 feet south of the centerline of Interstate 10 (I-10). The 65 dBA CNEL impact zone for noise from I-10 extends up to 1,399 feet from the centerline of I-10, and the 60 dBA CNEL impact zone up to 3,011 feet from the centerline of I-10. The acceptable noise threshold for single-family residential uses is 60 dBA CNEL. Thus, the project site would not be impacted by railroad noise above the aforementioned threshold. Part of the project site is within the 60 dBA CNEL impact zone for noise from I-10. Projects developed in that portion of the project site pursuant to the Specific Plan would conduct focused noise studies and would implement mitigation measures to reduce noise levels on the sites of those projects to 60 dBA CNEL or lower. Such focused noise studies and mitigation measures are not included in this draft EIR, as they address impacts of the environment on the project. ¹
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, onsite traffic, and use of parking, loading and trash storage facilities.	Consistent: The Specific Plan Design Guidelines includes standards that minimize the impacts associated with the operation of air conditioning and heating equipment, loading and trash storage facilities, and on-site parking. The Specific Plan's Circulation Plan Standards address on-site traffic.
Wildland Fire Hazards Element	
GOAL: 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 water supplies and pressures are available during a fire, earthquake or both.	Consistent: The Specific Plan proposes reservoir capacity to serve the anticipated need for potable water for project buildup in order to maintain water storage needed for operations, emergency shortage, and fire protection.
Water, Wastewater, and Utilities Element	
GOAL: A comprehensive range of water, wastewater and utility services and facilities that adequately, cost-effectively and safely meet the immediate and long-term needs of the City.	
Policy 1: The City shall coordinate between the City Utility Department-Water Division, Banning Heights Mutual Water Company, Beaumont/Cherry Valley Water Agency, San Gorgonio Pass Water Agency, California Regional Water Quality Control Board and Riverside County Environmental Health to protect and preserve local and regional water resources against overexploitation and	Consistent: See response to Water Resources Element Policy 1, above. The City also has current plans to utilize recycled water for nonpotable irrigation demands that will reduce the demand on potable water supplies for the proposed project.

¹ The California Supreme Court ruled that most impacts of the environment on future residents or users of a project are not subject to CEQA review (California Supreme Court. *California Building Industry Association v. Bay Area Air Quality Management District* [2015], 62 Cal. 4th 369).

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Applicable Policies	Project Consistency Analysis
contamination.	
Policy 2: Sewer connection shall be required at the time a lot is developed when service is available.	Consistent: The existing sewer main that the project would connect to has been determined to be adequate to accommodate the proposed development. A system of main pipelines would be installed throughout the project, with larger lines serving as the backbone infrastructure and smaller local sewer lines distributed throughout the various planning areas. The point of connection for the project sewer would be an existing 21-inch sewer main approximately 450 feet south of Wesley Street and 600 feet east of San Gorgonio Avenue.
Policy 12: The City shall encourage in others and itself the use of alternative fuel vehicles.	Consistent: The intent of the Specific Plan is to allow electric low-speed vehicles and neighborhood electric vehicles on all internal project streets.
Policy 14: The City shall encourage alternative energy use for individual property owners and consider developing an incentive program.	Consistent: The Specific Plan provides sustainable community design strategies in Section 3.5, including the incorporation of features and options that reduce energy demand and promote use of alternative energy sources and nonmotorized transportation. For example, the strategies in Section 3.5.3 require the development to install photovoltaic panels on a minimum of 25% of the units within the development. The panels shall be capable of generating 25% of the projected electricity demand of each proposed housing unit at a minimum. For nonresidential projects, photovoltaic panels shall be installed which shall provide a minimum of 25% of the electrical demand of the nonresidential building.
Schools and Libraries Element	
GOAL: The provision of quality school and library facilities in the City that are accessible, safe and conveniently located within the community.	
Policy 1: Assist, cooperate and coordinate with the Banning and Beaumont Unified School Districts and state agencies in identifying, acquiring and developing school sites needed to meet future growth demands. Encourage the selection of potential school sites that are centrally located in areas of existing or future residential development.	Consistent: PA 16-C is set aside and planned for a 14-acre Banning Unified School District (BUSD) elementary school. The school site is in the northeast portion of the Specific Plan at a location and size requested by BUSD and shares a property line with Banning High School. The proposed Rancho San Gorgonio Elementary School is currently being planned by BUSD, separate from the proposed project. However, the Specific Plan master developer would provide mass graded pad, fully developed street access, sidewalks, and utility connection stubs for the school site.
Policy 3: Schools and libraries shall be protected from excessive noise and traffic conditions, incompatible land uses, and the threat of on-site disturbance to the greatest extent practicable.	Consistent: Noise and traffic impacts from the proposed project are analyzed in the noise study and traffic impact analysis (Appendices L and N of this DEIR). The Specific Plan does not propose development of a library, and the nearest existing library is at 1928 West Nicolet Street about 0.9 mile north of the project site. No significant noise impacts of the proposed project were identified on Nicolet Street or on San Gorgonio Avenue, the nearest cross-street. An elementary school is proposed onsite in Planning Area 16-C at the northeast corner of two proposed roadways, Rancho San Gorgonio Parkway and B Street. Rancho San Gorgonio Parkway would be a divided modified arterial. B Street would be a modified collector. A noise analysis would be required during planning for the elementary school. It is expected that instructional buildings would be set back from Rancho San Gorgonio Parkway such that no excessive noise would impact instruction. There are no incompatible existing or proposed land uses next to the school site, as the site is surrounded by Banning High School (existing) to the east, rural residential use (existing) to the north, and residential uses (proposed) to the south and west. The elementary school site would be protected from excessive traffic conditions. Total project trip generation at buildout year 2035 is estimated at 31,698 vehicles per day. As several roadways would enter the site, only some fraction of that volume is expected to use Rancho San Gorgonio Parkway past the school site.

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Table 5.10-1 City of Banning General Plan Consistency Analysis

Applicable Policies	Project Consistency Analysis
Policy 4: The City shall cooperate in securing school impact fees from developers, in accordance with state law.	<p>Consistent: Project applicants of projects in accordance with the Specific Plan would be required to pay school impact fees in accordance with Senate Bill 50 to offset the increased need for school services. BUSD school impacts fees are currently set at \$3.36 per square foot for residential uses and \$0.54 per square foot for commercial uses.</p> <p>Section 5.13, <i>Public Services</i>, of this DEIR analyzes project impacts on BUSD services. Based on the analysis, the proposed project would not adversely impact BUSD's existing school capacities and facilities.</p>
Policy 11: The City shall coordinate with the Banning Public Library to assure that adequate library space, services and resources are provided to meet the educational and literary needs of the community.	<p>Consistent: Project applicants of projects in accordance with the Specific Plan would be required to pay library impact fees in accordance with City requirements to offset the increased need for library services.</p> <p>Section 5.13, <i>Public Services</i>, of this DEIR analyzes project impacts on library services. Based on the analysis, the proposed project would not adversely impact library services in the City.</p>
Police and Fire Protection Element	
<p>GOAL: The highest possible quality and level of service for fire and police protection to preserve and protect the health, welfare and property of residents, business owners, visitors and property owners.</p>	
Policy 1: The City shall work closely with the Fire and Police Departments to assure that adequate facilities are constructed and service is provided as development and growth occur to maintain and enhance levels of service and insurance ratings.	<p>Consistent: PA 10, which is designated for Park use as the Rancho San Gorgonio Community Park site, provides for a fire station site and facility on the east side of that site and would be reserved for that use if the City determines it to be necessary.</p> <p>Section 5.13, <i>Public Services</i>, of this DEIR also analyzes project impacts on fire and police services. Banning Fire Services and Banning Police Department were contacted to determine whether the project would adversely impact existing fire and police services within Banning. Based on the analysis, fire and police services would be able to adequately serve the proposed project. In addition, project applicants of future projects in accordance with the Specific Plan would be required to pay police and fire development impact fees or provide facilities to offset the increased need for services. Section 15.72.010 of the City's Municipal Code requires payment of fire and police facilities fees to offset impacts.</p>
Policy 3: The City shall strictly enforce fire standards and regulations in the course of reviewing development and building plans and conducting building inspections of large multiple family projects, community buildings, commercial structures and motel structures.	Consistent: Development of the project site would require that the Banning Fire Services Fire Chief review all plans prior to ground disturbance for adequate fire safety standards and regulations.
Policy 4: All proposed development projects shall demonstrate the availability of adequate fire flows prior to approval.	Consistent: See response to Police and Fire Protection Element Policy 3, above.
Policy 5: Crime prevention design techniques, including the use of "defensible space," high security hardware, optimal site planning and building orientation, and other design approaches to enhance security shall be incorporated in new and substantially remodeled development.	Consistent: Development of the project site would require security lighting and site planning and orientation to enhance security.

Source: City of Banning General Plan 2006, Rancho San Gorgonio Specific Plan 2015.

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Impact 5.10-4: The proposed project would comply with land use compatibility and building height restrictions established under the Banning Municipal Airport Comprehensive Land Use Plan. [Threshold LU-2]

Impact Analysis:

Land Use Compatibility

As shown in Figure 5.8-1, *Land Use Compatibility Map*, two small portions of the northeast project site fall within Zone E of the Banning Municipal Airport's compatibility zones. Nearly all land uses are compatible and allowed in Zone E. Uses that are potentially compatible with various restrictions are fish and game preserves; spectator-oriented sports stadiums or complexes; fairgrounds and race tracks; theaters, auditoriums, and large assembly halls; outdoor theaters; and sanitary landfills.

Based on the proposed land use plan, the proposed uses that fall within Zone E are designated for park/paseo, residential (low and medium density), school, and public facility uses. All of these proposed land uses would be compatible within Zone E. Thus, impacts would be less than significant.

Height Restriction Compatibility

As analyzed under Impact 5.8-1 of Section 5.8, *Hazards and Hazardous Materials*, a portion of the proposed project site would fall within an area where building heights are limited pursuant to FAA Part 77 Regulations to prevent obstructions to air navigation at Banning Municipal Airport (see Figure 5.8-3, *Height Limits per FAA Part 77 Regulations*). Based on the height restrictions detailed in Table 5.8-1 and shown on Figure 5.8-3, *Maximum Allowable Building Heights*, building height restrictions range from about 202 feet at the northeast corner of the site to 262 feet where Smith Creek crosses the eastern site boundary. However, maximum building heights in the proposed Specific Plan range from 35 to 45 feet for residential uses, 35 feet for recreational uses, and 50 feet for commercial uses. Proposed land uses in the eastern portion of the site would consist of residential (low and medium density), park, public facility, and elementary school. Maximum building heights in that area would be 35 feet. Therefore, proposed heights of buildings that would be constructed pursuant to the Specific Plan would be within FAA Part 77 height limits, and Specific Plan buildout would comply with building height restrictions as established in the Banning Municipal Airport Comprehensive Land Use Plan. Impacts would be less than significant.

Impact 5.10-5: The proposed project would be consistent with the Western Riverside County Multiple-Species Habitat Conservation Plan. [Threshold LU-3]

Impact Analysis: As analyzed under Impact 5.4-6 of Section 5.4, *Biological Resources*, the proposed project would be consistent with the Western Riverside County MSHCP. The project's consistency with the MSHCP is analyzed in the "MSHCP Consistency and Determination of Equivalent or Superior Preservation" (DBESP) report (see Appendix E of this DEIR). Appropriate mitigation measures are provided in Section 5.4 to ensure project consistency with the MSHCP.

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5.10.4 Cumulative Impacts

Implementation of the proposed project, in conjunction with other cumulative development in accordance with the City's general plan, could cause citywide land use and planning impacts. However, upon adoption of the Rancho San Gorgonio Specific Plan, the proposed project would be consistent with applicable plans, goals, policies, and regulations of the City's general plan, the City's zoning regulations, and SCAG's RTP/SCS, as provided in detail above. As with the future development that would occur under the proposed project, cumulative development projects in accordance with the City's general plan would be subject to compliance with the regional and local plans reviewed in this section. Therefore, implementation of cumulative development projects would not combine with the proposed project to result in cumulatively considerable land use impacts.

5.10.5 Existing Regulations

No existing regulations are applicable to land use and planning impacts of the proposed project.

5.10.6 Level of Significance Before Mitigation

Upon implementation of regulatory requirements, the following impacts would be less than significant: 5.10-1, 5.10-2, 5.10-3, 5.10-4, and 5.10-5.

5.10.7 Mitigation Measures

Impacts are less than significant and no mitigation measures are required.

5.10.8 Level of Significance After Mitigation

No mitigation measures are identified and impacts remain less than significant.

5.10.9 References

Southern California Association of Governments (SCAG). 2016. 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy.
<http://scagrtpsc.net/Documents/2016/final/f2016RTPSCS.pdf>.

LSA Associates (LSA). 2015, November 6. MSHCP Consistency for the Rancho San Gorgonio Planned Community Project in Banning, California.

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