3.3.14 Land Use and Planning

Introduction

The purpose of the Land Use and Planning section is to identify and evaluate potential conflicts between the project or LRDP and 1) local land use plans and policies (including the campus LRDP); and 2) existing land uses. Although the University of California is constitutionally exempt from the application of local plans and policies, mitigation measures should be suggested to reduce or minimize any physical consequences of potential conflicts. Environmental documents should include a statement such as: “The University of California is constitutionally exempt under Article IX, Section 9 from local land use regulation including general plans and zoning, but seeks to cooperate with local jurisdictions to reduce any physical consequences of potential land use conflicts to the extent feasible.” (See http://www.leginfo.ca.gov/calaw.html)

Responsible Agencies

The following are those agencies potentially responsible for land use issues:

- **California Coastal Commission** (see http://www.coastal.ca.gov/web). Pursuant to the California Coastal Act of 1976, the Coastal Commission is responsible for:

  1. protecting and, where feasible, enhancing the overall quality of the Coastal Zone environment and its resources, and

  2. ensuring orderly, balanced use of resources, taking into account social and economic needs.

  The Commission's primary tool for accomplishing these objectives is the Local Coastal Plan, which sets forth policies and a land use plan for protecting and guiding development within Local Coastal Zones. At UC campuses, under a special process, the Coastal Commission reviews and approves the LRDP, which in effect serves as the equivalent of a Local Coastal Plan.

- The State Lands Commission (see http://www.slc.ca.gov) has jurisdiction over dredging or alteration of structures, mineral extraction and geothermal exploration of State lands, as well as for a series of more general uses of State lands, including income-producing enterprises and right-of-ways. (See California Public Resources Code, Section 6201 et. seq. http://www.leginfo.ca.gov/calaw.html).

LRDP EIR

The Land Use and Planning Section of an LRDP EIR should identify and evaluate potential land use, zoning, and policy conflicts between the proposed LRDP and existing local land uses and policies. If the LRDP is comprised of multiple sub-areas or encompasses more than one local jurisdiction, the analysis should be organized by sub-area and jurisdiction. Graphic aids should be used as needed to
depict boundaries and districts. The contextual nature of land use conflicts, i.e., issues of noise/habitat sensitivity, should be described. An assessment of cumulative impacts should also be included.

**Project EIR**

The Land Use and Planning Section of a Project EIR should analyze whether the project is in conformance with the LRDP. Further, it should analyze the project in relation to any other relevant existing land use plans.

The Land Use and Planning Section should also identify and evaluate potential conflicts between existing land uses and those that are proposed as part of the project. It should also analyze potential conflicts over the intensity and patterns of use in order to ensure that the project does not result in incompatible uses or nuisance impacts to sensitive receptors (such as residences, medical facilities, schools, churches, etc.) and business.

If a project is not consistent with the LRDP land use designation, explain why the project is proposed at that site, what other sites were considered, how the site is proposed to be redesignated, and what effect, if any, the redesignation will have (i.e., will there still be adequate land appropriately designated to accommodate the remainder of the LRDP program).

**Standards of Significance**

Would the project:

- Physically divide an established community?
- Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the LRDP, general plan, specific plan, local coastal plan, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?
- Conflict with any applicable habitat conservation plan or natural community conservation plan?
- For projects exempt from local land use regulations and controls, substantially conflict with those regulations and controls such that a significant incompatibility is created with any existing land use at the periphery of the campus.
- Exceed an applicable LRDP or program EIR standard of significance? This question enables the campus to define a campus specific land use impact.

**Analytical Methods**

- Collect applicable and/or relevant regional and local land use plans and ordinances (LRDP, City, County, Association of Governments, and Coastal Commission).
• Summarize existing land uses and relevant policy provisions of plans.

• Determine whether the project proposes land uses in the coastal zone that are considered priority land uses by the Coastal Act, including coastal-dependent industry, recreation, visitor-serving commercial facilities, and agriculture.

• Analyze potential conflicts between campus periphery land uses and local land uses.

• Identify potential cumulative impacts.

• If a project is not consistent with the LRDP land use designation, explain why the project is proposed at that site, what alternative sites were considered, how the site is proposed to be redesignated, and what effect, if any, the redesignation will have (i.e., will there still be adequate land to appropriately designated to accommodate the remainder of the LRDP program.)

**Generally Feasible Mitigation Measures**

Generally, specific mitigation measures for land use impacts should not be developed until the LRDP and LRDP EIR for the campus are finalized. Mitigation would depend on project-specific impacts, or impacts particular to each campus environment. Following are general types of mitigation, and/or guidelines on how to formulate mitigation.

• Provide buffers or setbacks at campus edges

• Consider compatible densities and land use types at campus edges

• Conform to the extent feasible, consistent with University goals and objectives, with local land use limitations relevant to the project.

**LRDP Inconsistency**

If a project site is inconsistent with the LRDP land use designation, the project can either amend the LRDP as part of the project, or the amendment can be a mitigation. The analysis of the LRDP amendment must be included in the project environmental analysis. Normally the Regents will amend the LRDP at the time of project design approval.

The analysis of the LRDP amendment must describe:

• The land area to be redesignated;

• The proposed new land use designation;

• Other sites that were considered for the project, and why they were unacceptable;
• Why an LRDP amendment is required rather than locating the project on an appropriately designated area.

• Whether the land use redesignation will affect the rest of the LRDP program (i.e. will there be adequate remaining land appropriately designated for the remainder of the program).