

4.1 LAND USE AND PLANNING

4.1.1 INTRODUCTION

This section describes the existing on-site and surrounding land uses and evaluates the potential effects of the proposed project on existing land uses. CPR, acting in the role of a state agency, must consider relevant federal and state land use policies, but is not subject to plans, policies, and regulations adopted by local agencies. Nevertheless, a discussion of relevant local plans and policies is provided in this section because conflicts with them could potentially result in environmental impacts. The discussion does not imply that CPR would be subject to local plans or regulations, either directly or through the CEQA process.

4.1.2 ENVIRONMENTAL SETTING

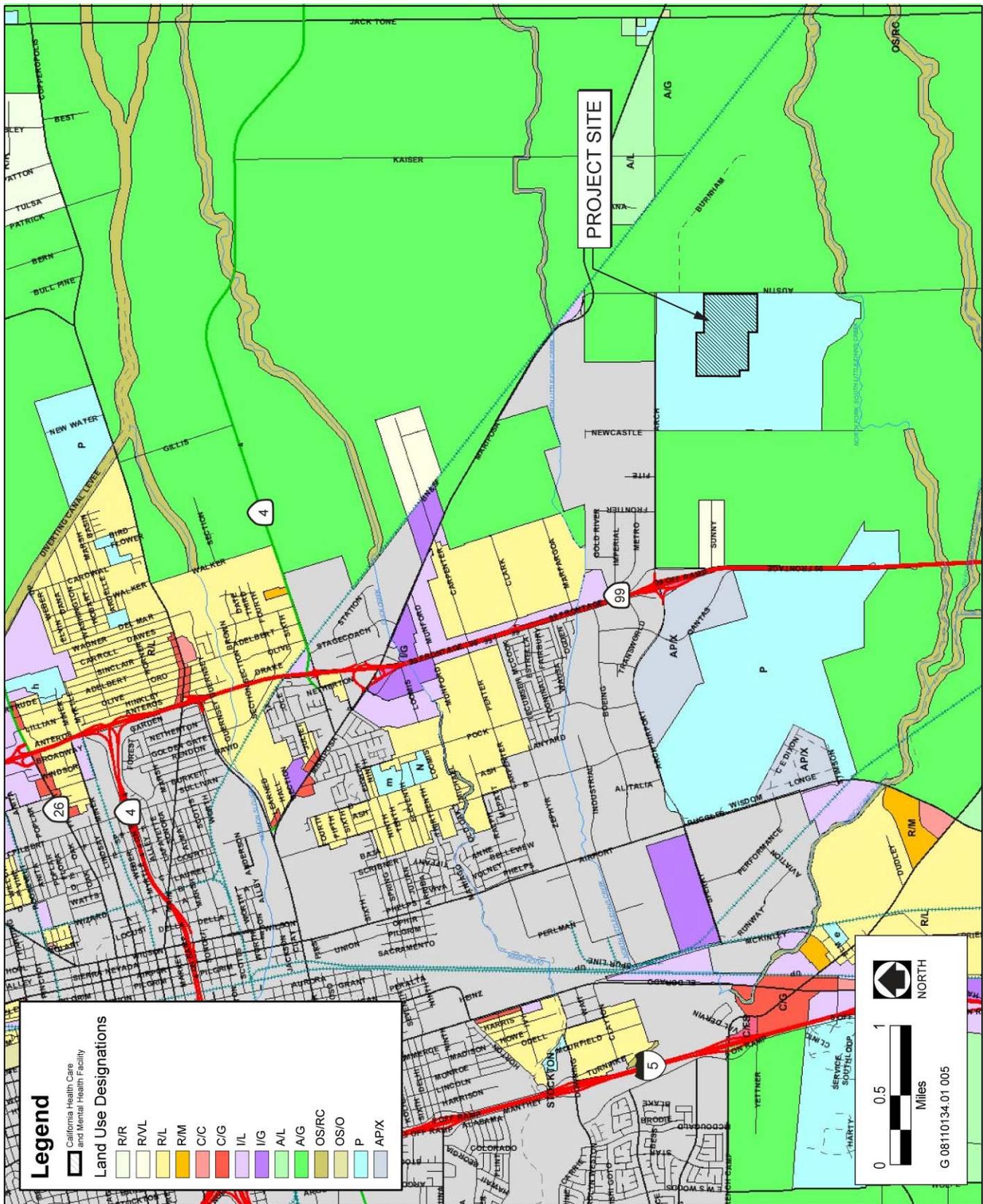
The 144.2-acre project site is located at 7650 South Newcastle Road on entirely state-owned land in unincorporated central San Joaquin County, southeast of the Stockton city limit. The Stockton city limit is located approximately one-third mile north of the site (see Exhibit 3-2 in Chapter 3, “Project Description”). Austin Road forms the eastern boundary of the site. The site is bounded by Arch Road on the north, agricultural land and the Northern California Youth Correctional Center (NCYCC) on the west, NCYCC and agricultural land on the south, and Austin Road on the east. The project site is designated Public (P) in the *San Joaquin County General Plan 2010* (County General Plan) (San Joaquin County 1992) and is zoned Public Facilities (P-F). Exhibit 4.1-1 shows the project on the land use diagram of the County General Plan. The project site is located in the City of Stockton’s 2035 urban-services boundary and sphere of influence and is designated Institutional on the *City of Stockton General Plan 2035* (City General Plan) land use diagram (City of Stockton 2007). Exhibit 4.1-2 shows the project on the land use diagram.

ON-SITE LAND USES

The project site comprises two land uses. The western portion of the site is located on the existing Karl Holton Youth Correctional Facility, which was closed in 2003. The eastern portion of the project site is a cultivated agricultural field on entirely state-owned land.

SURROUNDING LAND USES

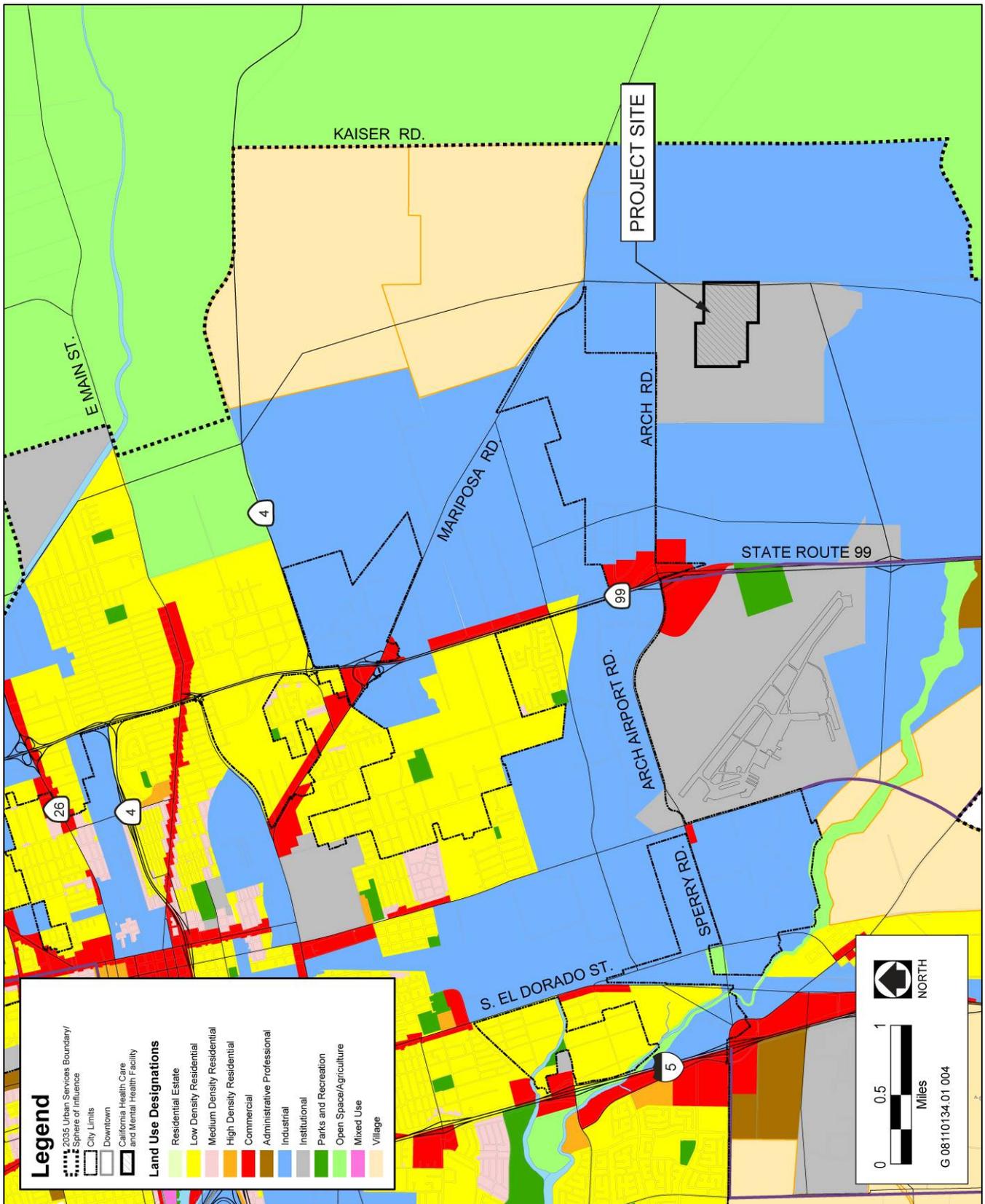
Land use patterns in the vicinity of the project site include institutional and agricultural land uses. The existing NCYCC abuts the project site to the west (O. H. Close Youth Correctional Facility), southwest (N. A. Chaderjian Youth Correctional Facility), and south (DeWitt Nelson Youth Correctional Facility). The DeWitt Nelson facility was closed in July 2008. An agricultural field abuts the project site for the remaining southern portion of the site. The Richard A. McGee Correctional Training Center Annex (CTCA) on Arch Road, formerly the Northern California Women’s Facility, abuts the project site. The California Department of Corrections and Rehabilitation (CDCR) has approved a project to convert the CTCA facility into the Northern California Re-Entry Facility (NRCF), to provide counseling, services, job training, and housing placement services for up to 500 adult male inmates who are a year or less from their release dates. A new dormitory unit and medical building will be added to the NRCF site. The California Conservation Corps (CCC) Delta Services Center (Delta Services Center) is an approved (but not yet constructed) project; it is located north and west of the site, abutting the O. H. Close Youth Correctional Facility to the north. The Delta Services Center will consist of an administrative building, educational and recreational buildings, four residential buildings, a multi-purpose building, a hazardous materials storage shed, and a warehouse. Land east and across Austin Road is designated General Agriculture (A/G) in the County General Plan (San Joaquin County 1992) and is zoned Agriculture 40 acres (AG-40). The lands are currently irrigated cropland. Two single-family residences are located directly across Austin Road, one across from the northeast corner of the project site and the other across from the southeast corner of the site. A third single-family residence exists farther south, approximately 750 feet from the site. The Opus Logistics Center (currently under construction) is located north of Arch Road within the city of Stockton city limit.



Source: San Joaquin County 1992

Land Use Diagram in the Current San Joaquin County General Plan

Exhibit 4.1-1



Source: City of Stockton 2006

Land Use Diagram in the City of Stockton General Plan 2035

Exhibit 4.1-2

4.1.3 REGULATORY CONSIDERATIONS

FEDERAL AND STATE PLANS, POLICIES, REGULATIONS, AND LAWS

No federal or state land use plans, policies, regulations, or laws are applicable to the proposed project.

LOCAL PLANS, POLICIES, REGULATIONS, AND ORDINANCES

The State of California requires each city and county to prepare a general plan to guide all physical planning in its jurisdiction. General plans contain maps, descriptions of existing and long-term goals for orderly growth and development, and policies and implementation programs to meet the stated goals. Local general plan policies and zoning ordinances, as they relate to the project site, are summarized below. The proposed health care and mental health care facility would be under the jurisdiction of CPR acting in the role of a state agency. State agencies are not subject (as established by *Hall vs. City of Taft* [1952] 47 Cal.2d 177) to comply with countywide or local plans, policies, or zoning regulations. Nevertheless, development of nearby land uses, consistent with adopted local plans, could conflict with the proposed project; therefore, the project could result in potentially significant environmental impacts if it is inconsistent with nearby planned land uses.

San Joaquin County General Plan

The County General Plan was adopted in 1992 and includes community plans for each of San Joaquin County's (County's) 11 planning subareas. Overall, the County General Plan establishes a land use goal to provide an organized and orderly development pattern that concentrates urban development in urban communities to protect the County's agricultural and natural resources (San Joaquin County 1992).

The County General Plan establishes several land use designations that specify allowable development types within each of the County's planning subareas. The General Agriculture designation is applied to agricultural areas that have viable commercial farming on large land areas (San Joaquin County 1992). The zoning designation on surrounding properties is AG-40, which defines 40-acre minimum lot sizes.

San Joaquin Council of Governments Airport Land Use Compatibility Plan

Land uses and development adjacent to airports in San Joaquin County is governed by the San Joaquin Council of Governments' (SJCOG's) *Airport Land Use Compatibility Plan* (ALUCP). The plan, adopted in 1993, is currently being updated and is expected to be approved in January 2009. The ALUCP establishes development criteria, such as allowable building heights and building materials, for subareas measured at specific distances within the areas of influence of San Joaquin County airports. Stockton Metropolitan Airport, Tracy Municipal Airport, Lodi Airport, Kingdon Airport, New Jerusalem Airport, and Lodi Airpark are covered by the ALUCP.

Stockton Metropolitan Airport is the largest airport in the county and its nearest runway terminates approximately 1.5 miles west of the project site. Stockton Metropolitan Airport includes two parallel runways, high-speed taxiways, aircraft parking and storage facilities, a passenger terminal, automobile parking, and commercial/industrial areas. Airport activities include passenger service, air cargo transport, and some military use. The northeastern border of Stockton Metropolitan Airport's area of influence encompasses the O. H. Close, N. A. Chaderjian, and DeWitt Nelson Youth Correctional Facilities and the southwest corner of the Karl Holton Youth Correctional Facility (project site). The entire state-owned property, including NCYCC and CTCA, is designated as a noise-sensitive area.

The ALUCP identifies design standards that apply to county and city development projects. The ALUCP states that habitable structures must be designed to reduce interior noise to 45 decibels and that buildings should not use reflective materials on the exterior (SJCOG 1993: Appendix B, Exhibit B-1). Transmission lines within the ALUCP area of influence are to be located underground so not to interfere with aircraft communications and

navigation and to avoid conflicts with low-flying aircraft. Discussion related to noise impacts associated with the airport is found in Section 4.5, “Noise.”

In addition to broad requirements for development within Stockton Metropolitan Airport’s area of influence, the ALUCP establishes requirements for subareas located closer to the airport. These areas include runway protection zones, inner approach and climbout areas, outer approach and climbout areas, and transitional zones. The project site is not located within any of these subareas.

San Joaquin County Multi-Species Habitat Conservation and Open Space Plan

The *San Joaquin County Multi-Species Habitat Conservation and Open Space Plan* (SJMSCP) is a 50-year plan to provide a strategy for balancing the projected development of more than 109,300 acres of existing open space (as of 1999) with the preservation of the agricultural economy, open space, and habitat for several endangered species in San Joaquin County (SJCOG 1999). The SJMSCP was prepared by the County and the U.S. Fish and Wildlife Service, and the County and cities within the county can participate in the terms of the plan by choosing to adopt it and its implementation agreement.

The SJMSCP addresses potential impacts on nearly 100 special-status plant, fish, and wildlife species in 52 vegetation communities scattered throughout San Joaquin County. Land types are separated into three categories: “natural open space lands,” “agricultural habitat open space lands,” and “multi-purpose open space lands.” Natural open spaces are those that retain natural vegetation and are not cultivated. Preservation of these lands is the primary focus of the SJMSCP. Agricultural habitat open spaces include perennial and annual croplands and some ruderal vegetation types, while multi-purpose open spaces include open spaces not defined in the other two categories. Preservation of these lands is a secondary priority for the SJMSCP.

CPR is not a participating permitted agency under the SJMSCP, and as a state agency developing state property, CPR is not required to contribute to the SJMSCP’s fund. If CPR desires to participate, it may voluntarily do so, as a third party, upon concurrence of the joint powers authority that the project is consistent with the definition of “major impact projects” (SJMSCP, Section 8.2.1.5.C). Major impact projects are defined as, among other things, “airports, sanitary landfills, hazardous waste disposal sites, and correctional institutions” (SJCOG 1999:8-18).

CITY OF STOCKTON GENERAL PLAN 2035

In April 2003, the Stockton City Council approved a work program for the update of the 1990 *City of Stockton General Plan*. The update of the general plan was approved by the Stockton City Council in December 2007. The 2035 land use diagram shows that the City of Stockton plans to expand the city limits to include the project site and designates the project site “Institutional.” All lands surrounding the project site have been designated for Industrial uses. Exhibit 4.1-2 shows the project site on the land use diagram for the *City of Stockton General Plan 2035*.

4.1.4 IMPACTS AND MITIGATION MEASURES

SIGNIFICANCE CRITERIA

In accordance with Appendix G of the State *CEQA Guidelines*, an impact of the proposed project related to land use and planning would be considered significant if project implementation would:

- ▶ physically divide an established community;
- ▶ conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect; or
- ▶ conflict with any applicable habitat conservation plan or natural community conservation plan.

PROJECT IMPACTS AND MITIGATION MEASURES

IMPACT LAND-1 **Physical Division of an Established Community.** *The proposed project would be located entirely on state-owned property among existing operational correctional facilities and agricultural property and would not physically divide an established community. (Less than significant)*

The proposed project would be located at an existing and closed youth correctional facility that is surrounded by other operational and nonoperational correctional facilities and agricultural land. Few residences exist in the project vicinity. All proposed improvements would be located on the existing state land, and generally in the same location where current correctional uses are located. Therefore, the project would not divide an established community. This impact would be less than significant.

Mitigation Measure(s) for Impact LAND-1:

No significant impacts would occur, so no mitigation measures are required.

IMPACT LAND-2 **Conflict with an Applicable Land Use Plan, Policy, or Regulation of an Agency with Jurisdiction over the Project.** *The proposed project is not subject to local plans, policies, or goals; nonetheless, it is consistent with the planned land uses and zoning for the site. (Less than significant)*

The project site is designated Public (P) under the County General Plan and is zoned Public Facilities (P-F). Consistent with this designation, a large portion of the site is developed with a former youth correctional facility. The proposed correctional health care facility would also remain consistent with this designation. CPR is not subject to local planning requirements; nonetheless, the proposed project is consistent with the zoning and land use designations for the site and would not conflict with any adopted environmental plans, policies, or goals. Therefore, this impact would be less than significant.

Mitigation Measure(s) for Impact LAND-2:

No significant impacts would occur, so no mitigation measures are required.

IMPACT LAND-3 **Conflict with an Applicable Habitat Conservation Plan or Natural Community Conservation Plan.** *The proposed project does not conflict with the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan. (Less than significant)*

CPR is not a participating permitted agency under the SJMSCP and is not required to participate in the plan. Mitigation measures for impacts resulting in the conversion of agricultural habitats, including foraging habitat for Swainson's hawk and other raptors and other special-status species that may occur in riparian and wetland habitats (see Section 4.7, "Biological Resources"), and Important Farmland (see Section 4.2, "Agricultural Resources") have been identified. CPR will request third-party participation in the SJMSCP and will implement the project-specific biological resource avoidance and minimization measures identified in the SJMSCP. Therefore, the proposed project does not conflict with implementation of the SJMSCP and potential impacts on resources protected under the SJMSCP would be mitigated. Therefore, this impact would be less than significant.

Mitigation Measure(s) for Impact LAND-3:

No significant impacts would occur, so no mitigation measures are required.