

## 4.12 Land Use and Recreation

### 4.12.1 Introduction

This section describes existing land uses and recreational facilities in the vicinity of the Project sites and evaluates the potential land use and recreational facilities impacts that could result from construction and operation of the Project. This addresses whether the Project would physically divide existing communities, conflict with existing land use policies, and degrade or otherwise require construction of recreational facilities.

Comments received during Project scoping relative to Land Use expressed concerns related to siting of the AWPf near a residential area and inconsistencies with existing general plans. These comments have been considered in the preparation of this analysis. No comments relative to Recreation were received.

Potential impacts on land uses associated with groundwater recharge operations are discussed in Section 4.10, *Hydrology Resources – Groundwater*.

### 4.12.2 Environmental Setting

Santa Cruz County is located on the coast between the San Francisco Bay Area and the Monterey Peninsula. Santa Cruz is the second smallest county in California, encompassing a total area of 282,240 acres (441 square miles).

The physical environment of Santa Cruz County is varied in character, containing such features as the forested Santa Cruz Mountains in the north and northeast, the mid-county coastal terraces (where a large portion of the county's population is located), and the alluvial south county, which is predominately in agricultural use. The coastal communities of Aptos, Soquel, La Selva Beach, Rio Del Mar, Seascape, and Seacliff Beach are in eastern Santa Cruz County and border the Monterey Bay.

Five major state highways connect Santa Cruz with adjacent counties. Highway 1 follows the coast from San Francisco south to the cities of Santa Cruz, Capitola, Watsonville, and Monterey. Highway 9 traverses the county from the city of Santa Cruz through the unincorporated communities of Felton, Ben Lomond, and Boulder Creek. Highway 17 traverses west-to-east from the city of Santa Cruz through the Santa Cruz Mountains to Santa Clara County. Highways 129 and 152 connect the city of Watsonville with neighboring Santa Clara County.

Consistent with the California Coastal Act of 1976 and local Measure J (the growth management referendum of 1978), the County maintains a distinction between urban and rural areas through the use of a stable urban/rural boundary. Urban and rural areas are delineated by an Urban Services Line (USL) and a Rural Services Line (RSL).

Urban development is concentrated within the four incorporated cities of Scotts Valley, Santa Cruz, Capitola, and Watsonville and the unincorporated areas of Live Oak, Soquel, Aptos,

and Freedom, as defined by the USL. It is Santa Cruz County policy to direct a large share of growth into areas within the USL to facilitate the provision of services and preserve the character of the rural portion of the county.

The Project, shown on **Figure 4.12-1**, would be located in unincorporated areas of Santa Cruz County, and the cities of Santa Cruz and Capitola. The Project area for the land use impact analysis includes the area within and surrounding the Project component sites. Land uses in the Project area are governed by local general plans, local coastal programs (LCPs), and zoning codes of the local jurisdictions, except on state and federal lands.

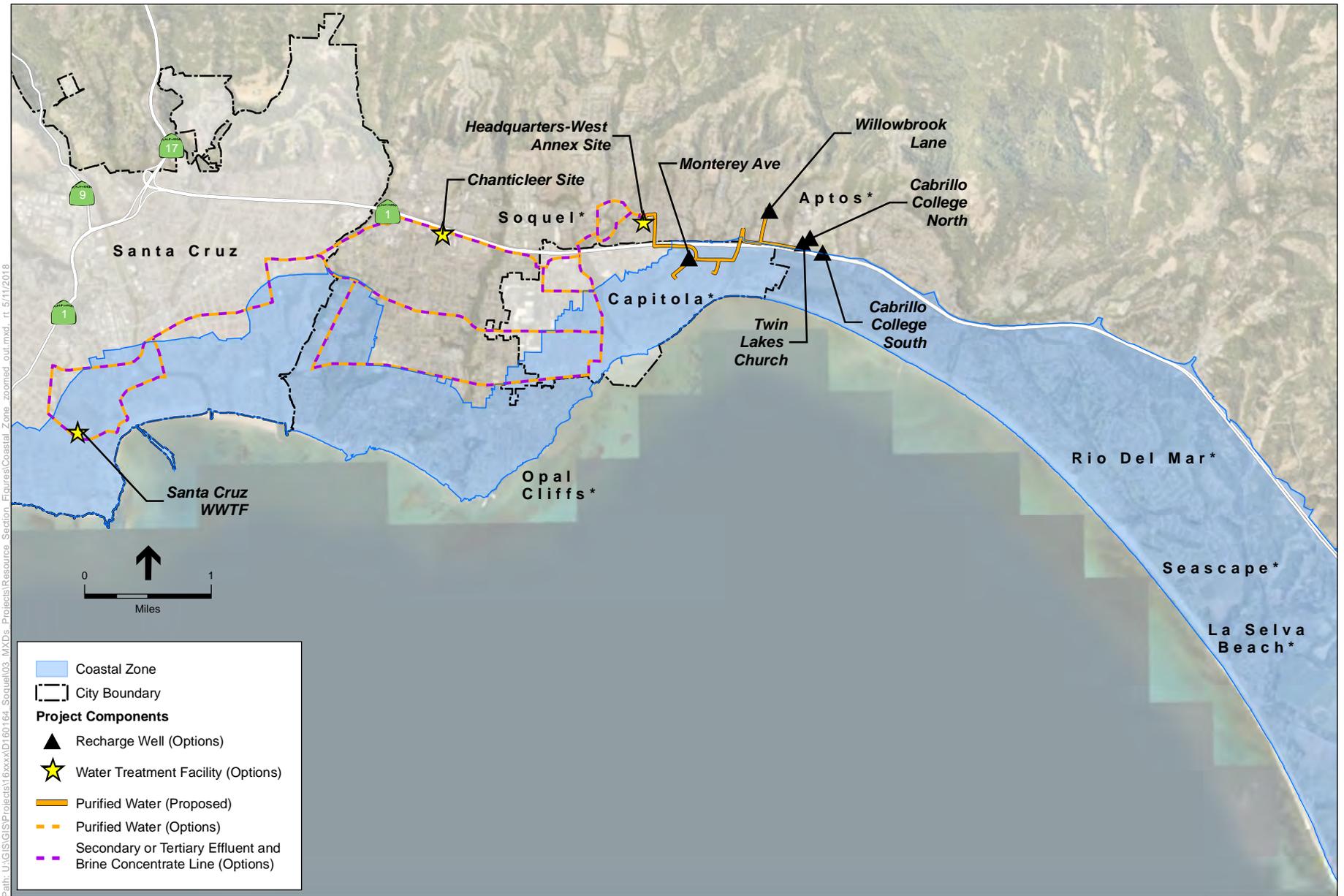
In addition to the areas within the USL, there are also urban enclaves (located outside the USL) that may or may not have all urban services. These enclaves are defined by an RSL and include Davenport, Boulder Creek, Boulder Creek Country Club, Bear Creek Estates, Ben Lomond, Felton, Paradise Park, La Selva Beach, Place de Mer, Sand Dollar Beach, Canon del Sol, Sunset Beach, Pajaro Dunes North, and Pajaro.

### **Existing Land Use**

Land uses in the Project area are predominantly urban, residential, and public. Some underground pipeline components of the Project would be within the coastal zone, as defined by the California Coastal Act (CCA) and thus would be subject to regulation pursuant to the CCA or applicable LCP. Figure 4.12-1 shows the extent of coastal zone in the Project area. **Table 4.12-1** summarizes existing land uses, land use jurisdictions, and general plan land use designations and zoning classifications for the sites of the respective Project components.

### **Recreational Resources**

There are a variety of recreational resources throughout Santa Cruz County, including the Monterey Bay National Marine Sanctuary, numerous state parks and beaches, county parks, and city and neighborhood parks and gardens. These resources provide a wide range of recreational opportunities from surfing and boating, to hiking and bird watching, to biking and skateboarding, among many others. Given the extent of the Project, mainly due to the potential pipeline options, a considerable number of parks and recreational facilities occur in the Project vicinity. **Table 4.12-2** presents parks within 0.25 miles of Project components. As the table indicates, the majority of parks and open space areas occur in the vicinity of the pipeline alignments, with few in proximity to potential AWPf or recharge well sites. Bikeways are addressed in Section 4.15, *Transportation*.



Path: U:\GIS\GIS\Projects\160164\_Soquel\03\_MXD\Projects\Resource\_Section\_Figures\Coastal\_Zone\_zoomed\_out.mxd, rt. 5/11/2018

\*Community served by Soquel Creek Water District

Pure Water Soquel: Groundwater Replenishment and Seawater Intrusion Prevention. 160164

SOURCE: SqCWD, 2017; Santa Cruz County, 2017

**Figure 4.12-1**  
Coastal Zone within the Project Vicinity

**TABLE 4.12-1  
DESIGNATED LAND USES OF PROJECT SITES**

<b>Project Site</b>	<b>Jurisdiction</b>	<b>Predominant Land Use</b>	<b>Zoning Designation</b>
<b>Project Components</b>			
SC WWTF (pump station, tertiary, advanced water purification facility)	City of Santa Cruz	Community Facilities	Public Facilities (P-F)
Chanticleer Site (advanced water purification facility)	Unincorporated Santa Cruz County, Live Oak Planning Area	Service Commercial (C-S), Community Commercial (C-C); Urban Residential, High Density (R-UH); Urban Residential, Medium Density (R-UM); Public Facilities (P)	Light Industrial (M-1)
Headquarters-West Annex (advanced water purification facility)	Unincorporated Santa Cruz County, Soquel Planning Area	Urban Residential, Low Density (R-UL), Public Facilities (P)	Single-Family Residential (R-1)
Willowbrook Lane (recharge and monitoring wells)	Unincorporated Santa Cruz County	Parks, Recreation, and Open Space (O-R), Urban Residential, Medium Density (R-UM)	Parks, Recreation and Open Space (PR)
Monterey Avenue (recharge and monitoring wells)	City of Capitola	Single-Family Residential (R-SF), Parks and Open Space (P/OS)	Public Facilities (PF-F)
Cabrillo College (recharge and monitoring wells)	Unincorporated Santa Cruz County	Public Facilities (P), Urban Residential – Very Low Density (R-UVL)	Public Facilities (PF)
Twin Lakes Church (recharge and monitoring wells)	Unincorporated Santa Cruz County	Urban Open Space (O-U), Public Facility (P)	Public Facilities (PF)
Pipelines	Unincorporated Santa Cruz County, Soquel Planning Area, City of Capitola, City of Santa Cruz	Public Facilities (P); Urban Residential, Medium Density (R-UM); Parks and Open Space (P/OS); Single-Family Residential (R-SF)	Public Facilities (PF), Single-Family Residential (R-SF), Light Industrial (M-1)

SOURCES: Santa Cruz County, Geographic Information Services, 2018. Available at <http://gis.co.santa-cruz.ca.us/PublicGISWeb/>; City of Santa Cruz Planning and Community Development, City of Santa Cruz General Plan and Local Coastal Plan, 2012; City of Capitola Community Development, Capitola General Plan, 2014.

**TABLE 4.12-2  
PARKS AND OPEN SPACE WITHIN 0.25 MILES OF PROJECT COMPONENTS**

<b>Proposed Facility</b>	<b>Public Recreational Areas Within 0.25 Mile</b>
SC WWTF (pump station, tertiary, advanced water purification facility)	Neary Lagoon Wildlife Refuge, Depot Park
Chanticleer Site (advanced water purification facility)	--
Headquarters-West Annex (advanced water purification facility)	Soquel Lions Park
Willowbrook Lane (recharge and monitoring wells)	Willowbrook Park
Monterey Ave (recharge and monitoring wells)	Monterey Park, Cortez Park
Cabrillo College (recharge and monitoring wells)	Cabrillo College Campus Athletic Facilities (e.g., ballfields, track, tennis courts)
Twin Lakes Church (recharge and monitoring wells)	Cabrillo College Campus Athletic Facilities (e.g., ballfields, track, tennis courts), New Brighton State Beach
Pipeline Segment from SCWWTF north to Broadway-Campbell Street	Neary Lagoon Wildlife Refuge, Mike Fox Park, Depot Park, Riverside Gardens Park, Laurel Park, San Lorenzo Park, La Barranca Park
Pipeline Segment from SCWWTF south to Broadway-Campbell Street	Carmelita Cottages Park, Beach Flats Park, Mike Fox Park, Jesse Street Marsh, San Lorenzo Park, Poet's Park, Riverside Gardens Park, Dutra Overlook Park, Neary Lagoon Wildlife Refuge, Depot Park, La Barranca Park
Pipeline Segment from Broadway-Campbell Street to Soquel Avenue-Capitola Road	Mike Fox Park, Jesse Street Marsh, Star of the Sea Park, San Lorenzo Park, Central Park, Eastside Park, Arana Gulch, Riverside Gardens Park
Pipeline Segment from Soquel Avenue-Capitola Road to Gross Road-41st Avenue	Peery Park, Arana Gulch, Coffee Lane Park
Pipeline Segment from Soquel Avenue-Capitola Road to Capitola Road-7th Avenue	Arana Gulch, Jose Avenue Park
Pipeline Segment from Capitola Road-7th Avenue south to Capitola Road-49th Avenue	Arana Gulch, Brommer Park, Hestwood Park, Jose Avenue Park, Chanticleer Park, Jade Street Park, Soquel Creek Park
Pipeline Segment from Capitola Road-7th Avenue to Capitola Road-49th Avenue [south via Rail Road ROW]	Jade Street Park, Frederick Street Park, Arana Gulch, Twin Lakes Park, Simpkins Swim Center, Brommer Park, Twin Lakes State Beach, Felt Street Park, Soquel Creek Park, Peery Park, Jose Avenue Park, Twin Lakes State Beach
Pipeline Segment from Capitola Road-49th Avenue to Clares Street-Wharf Road	Soquel Creek Park
Pipeline Segment from Clares Street-Wharf Road to Gross Road-41st Avenue	Peery Park
Pipeline Segment from Clares Street-Wharf Road to Auto Plaza Drive-Wharf Road	Peery Park
Pipeline Segment from Auto Plaza Drive-41st Avenue to Auto Plaza Drive-Wharf Road	Peery Park
Pipeline Segment from Auto Plaza Drive-Wharf Road to Soquel-Wharf Road-Porter Street	Peery Park, Soquel Lions Park
Pipeline Segment from Soquel-Wharf Road-Porter Street to Soquel Drive-E. Walnut Street	Soquel Lions Park, Anna Jean Cummings Park
Pipeline Segment from Soquel-Wharf Road-Porter Street to Soquel Drive-E. Walnut Street	Soquel Lions Park
Pipeline Segment from Headquarters – West Annex Site to Recharge Well Sites [via Rosedale Avenue, Kennedy Drive, Monterey Avenue, Park Avenue, Willowbrook Lane, Cabrillo College Drive	Monterey Avenue Park, Cortez Park, Soquel Lions Park, Willowbrook Park, Richard Vessey Park, New Brighton State Beach, Noble Gulch Park

SOURCE: Santa Cruz County, Geographic Information Services, 2018. Available at <http://gis.co.santa-cruz.ca.us/PublicGISWeb/>.

### 4.12.3 Regulatory Framework

This section provides an overview of applicable federal, state, and local environmental laws, policies, plans, regulations, and/or guidelines (hereafter referred to generally as “regulatory requirements”) relevant to land use and recreational resources. A brief summary of each is provided. Discussion of potential conflicts with these regulatory requirements are addressed in Section 4.12.4, *Impacts and Mitigation Measures*.

#### **Federal and State Regulations**

Applicable land use plan, policies, and regulations of agencies with jurisdiction over the Project are detailed below.

##### ***Coastal Zone Management Act***

The Coastal Zone Management Act (CZMA) of 1972 provides for management of the nation’s coastal resources, including the Great Lakes, and balances economic development with environmental conservation. The California Coastal Commission has jurisdiction for CZMA implementation throughout the state.<sup>1</sup> The California Coastal Act contains numerous enforceable policies that are directed at protecting and, where feasible, restoring coastal resources. The California Coastal Commission applies the Coastal Act’s policies when reviewing applications for coastal development permits in California state waters. The Coastal Commission also applies land use policies when reviewing federally licensed and permitted activities to ensure they are consistent with the State’s coastal management program in accordance with the CZMA federal consistency provision.

##### ***California Government Code***

California Government Code Section 53091 (d) and (e) provides that facilities for the production, generation, storage, treatment, and transmission of water supplies are exempt from local (i.e., city and county) building and zoning ordinances. The facilities evaluated in this EIR all relate exclusively to the production, generation, treatment, and transmission of water and are, therefore, legally exempt from Santa Cruz County, City of Santa Cruz, and City of Capitola building and zoning ordinances.

##### ***California State Lands Commission***

The State Lands Commission has jurisdiction and management authority over all ungranted tidelands, submerged lands, and the beds of navigable lakes and waterways. The State Lands Commission also has certain residual and review authority for tidelands and submerged lands legislatively granted in trust to local jurisdictions. All tidelands and submerged lands, granted and ungranted, as well as navigable lakes and waterways, are subject to the protections of the Common Law Public Trust.

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<sup>1</sup> Except within the San Francisco Bay-Delta where the Bay Conservation and Development Commission has authority for implementation of CZMA within its jurisdictional area.

### **California Coastal Act**

The California Coastal Act (Public Resources Code Section 30000 et seq.) was enacted by the State Legislature in 1976 to provide long-term protection of the state's 1,100-mile coastline for the benefit of current and future generations. The Coastal Act provides for the long-term management of lands within California's coastal zone boundary, as established by the Legislature and defined in Coastal Act (Section 30103). The width of the coastal zone varies across the state, extending inland a couple hundred feet in some locations to 5 miles in others, and offshore out to 3 miles. The landward extent of the coastal zone in the Project vicinity is shown on Figure 4.12-1.

The basic goals of the Coastal Act, per Public Resources Code Section 30001.5, are:

- (a) Protect, maintain, and, where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources.
- (b) Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state.
- (c) Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resources conservation principles and constitutionally protected rights of private property owners.
- (d) Assure priority for coastal-dependent and coastal-related development over other development on the coast.
- (e) Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone.

The Coastal Act includes specific policies to achieve these goals within the coastal zone (see Division 20 of the Public Resources Code). These policies constitute the statutory standards applied to coastal planning and regulatory decisions made by the CCC, pursuant to the Coastal Act. The Coastal Act requires that individual jurisdictions adopt an LCP to implement the Coastal Act at the local level. As discussed below, upon certification of the LCP by the CCC, the local government becomes the coastal development permit (CDP) permitting authority.

### **Local Coastal Programs**

The Coastal Act created a unique partnership between the state (acting through the CCC) and local government entities (15 coastal counties and 61 cities) to manage the conservation and development of coastal resources through a comprehensive planning and regulatory program. This is accomplished primarily through the preparation of local coastal programs, or policies and regulations adopted by coastal local governments to carry out Coastal Act policies at the local level. Upon CCC certification of a local coastal program, authority for issuance of coastal development permits is transferred from the state to the certified local government. The County of Santa Cruz and the Cities of Santa Cruz and Capitola have adopted LCP's which have been certified. The SC WWTF, the Monterey Avenue Recharge Well, and some pipeline segments are within the limits of the Local Coastal Zone, and so are subject to the regulations of the relevant jurisdiction's Local Coastal Programs. The local coastal programs for these jurisdictions and their relevant regulations and policies are described in more detail below.

## Local Regulations

California state law requires each county and city to adopt “a comprehensive, long-term general plan for the physical development of the county or city, and any land outside its boundaries which bears relation to its planning” (Government Code section 65300). State Planning and Zoning Law (Government Code Section 65302(a)) establishes the requirements for elements to be included in the general plan. Applicability of general plan and local zoning codes to the Project are described below. Section 4.12.4, *Impacts and Mitigation Measures*, discusses specific provisions applicable to the Project.

### **Santa Cruz County**

The Santa Cruz County General Plan is integrated with the Local Coastal Program (County General Plan and LCP) and was most recently certified by the California Coastal Commission in 1994 (County of Santa Cruz, 1994). It is a comprehensive, long-term planning document for the unincorporated areas of the County. The County General Plan and LCP provide policies and programs to guide the future growth and physical development of the unincorporated portion of the County. The Land Use Element of the County General Plan and LCP provides for the designation and location of all types of land uses throughout unincorporated County lands.

The Santa Cruz County planning and zoning regulations are set forth in Title 13 (Planning and Zoning Regulations) of the County’s municipal code. The County’s zoning regulations (Chapter 13.10) identify public utility facilities as allowable uses with the zoning classifications of the County sites for which Project components are proposed with a use permit, unless exempt by federal or state law (i.e., Chanticleer Site, Headquarters-West Annex, Willowbrook Lane Recharge Well Site, Cabrillo College Recharge Well Sites, Twin Lakes Church Recharge Well Site; see Table 4.12-1). Pursuant to Chapter 13.20, all Project elements located in or which cross the Coastal Zone would require a coastal development permit. Per chapter 9.70, an encroachment would be required for the installation of pipelines within county-maintained roads and rights-of-way.

The Sustainable Santa Cruz County Plan is another County document relevant to land use within the Project area. The Plan describes principles and strategies for a sustainable development pattern in Santa Cruz County (County of Santa Cruz, 2014). The primary goal of the Plan is to reduce the production of greenhouse gas emissions, which are principally generated by cars in Santa Cruz County. Strategies recommended include locating housing, employment, and services closer together; developing in already developed areas (infill); giving pedestrians and bicyclists more priority along certain streets; and improving the regional economy. The Plan includes suggestions for amendments to the general plan and zoning regulations to encourage sustainable development, which would require a public hearing and environmental review process before they are adopted.

### **City of Santa Cruz**

The City adopted its current General Plan in 2012 (City of Santa Cruz, 2012). The City’s *General Plan 2030* addresses state-mandated topics (Land Use, Circulation, Conservation, Open Space, Safety, and Noise), as well as Community Design, Historic Preservation, Arts and Culture, Civic and Community Facilities, and Economic Development. It contains goals, policies, and

implementation measures that provide planning guidance for the future of the City. Specifically, the Land Use Element includes a discussion of current land uses and defines allowable uses within land use designations identified on the City's Land Use Map.

The City's certified LCP was not updated as part of *General Plan 2030*, but is currently being revised as a separate document. The existing LCP is contained in the City's *General Plan and Local Coastal Program 1990-2005* and includes designated coastal policies, regulations, and maps applicable to the coastal zone portions of the City (City of Santa Cruz, 2007). The LCP was last amended in 2007 with the addition of the Citywide Creeks and Wetlands Management Plan.

The City of Santa Cruz planning and zoning regulations are set forth in Title 24 (Zoning) of the City's municipal code. The City's zoning regulations (Chapter 24.10) identify public utility facilities as allowable uses with the zoning classification of the site for which Project components are proposed (i.e., SC WWTF; see Table 4.12-1) with a special use permit, unless exempt by federal or state law. Pursuant to Chapter 24.08, the District would be required to obtain a coastal development permit for those components of the Project proposed within the coastal zone. Per Chapter 15.28, an encroachment permit would be required for the installation of pipelines within city-maintained roads and rights-of-way.

### ***City of Capitola***

The *City of Capitola General Plan* was adopted in 2014 and provides a comprehensive vision for future development in Capitola (Capitola, 2014). It contains land use designations for Capitola and adjacent planning areas and contains goals, policies, and programs for each general plan element. The General Plan also includes the relevant goals, policies, and programs of the City's certified LCP, which was certified as a separate document in 1981 and subsequently amended in 2001 and 2005.

The City planning and zoning regulations are set forth in Title 17 (Zoning) of the City's municipal code. The City's zoning regulations (Chapter 17.42) identify public utility facilities as allowable uses within the zoning classification of the site for which Project components are proposed (i.e., Monterey Ave Recharge Well Site; see Table 4.12-1) with a conditional use permit, unless exempt by federal or state law. Pursuant to Chapter 17.46, the District would be required to obtain a coastal development permit for those components of the Project proposed within the coastal zone. Per Chapter 15.28, an encroachment permit would be required for the installation of pipelines within city-maintained roads and rights-of-way.

### ***Special Districts***

#### **Santa Cruz County Regional Transportation Commission**

The Santa Cruz County Regional Transportation Commission (SCCRTC) is an autonomous regional transportation planning agency headquartered in downtown Santa Cruz. The SCCRTC was created by the State of California in 1972 to carry out transportation responsibilities that cross city-county boundaries in Santa Cruz County. The SCCRTC is leading the planning effort for the Monterey Bay Sanctuary Scenic Trail Network and Rail Trail in Santa Cruz County. The SCCRTC staff is currently analyzing four scenarios for the Rail Trail, which include a trail-only option as well as bus, passenger, and freight train use of the corridor, which is planned to be

brought before the commission in December 2018. These trails will provide approximately 50 miles of multi-use bicycle/pedestrian trails spanning the length of Santa Cruz County and spur trails connecting to neighborhoods, schools, parks, coastal access areas, transit hubs, commercial centers, and existing trails (SCCRTC, 2018).

## 4.12.4 Impacts and Mitigation Measures

### Significance Criteria

Based on Appendix G of the CEQA Guidelines, the Project would have a significant impact on land use if it would:

- 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 general plan, specific plan, local coastal program, or zoning ordinance and with Coastal Zone Management Act) adopted for the purpose of avoiding or mitigating an environmental effect.
- Conflict with applicable habitat conservation plan or natural community conservation plan;
- Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or
- Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

### Approach to Analysis

This analysis evaluates the potential for Project construction or operations to conflict with existing adopted plans and regulations, and the potential for these activities to degrade or otherwise require new recreational facilities. The analysis considers applicable policy and planning documents, and existent recreational lands and facilities in the Project area, as described above. The evaluation of potential conflicts with plans, policies, and regulations included the following steps:

1. determining the applicability of relevant land use plans, policies and regulations to the Project based on location, applicability to this type of Project, and authority of each jurisdiction,
2. assessing whether the plan, policy, or regulation was adopted for the purpose of reducing an environmental effect, and
3. analyzing whether the Project would fundamentally conflict with the policy, plan or regulation.

The discussion in Impact LU-1, below, addresses applicable regulatory requirements and the Project's potential to conflict with those requirements. Potential effects on bikeways are addressed in Section 4.15, *Transportation*.

### **Areas of No Project Impact**

Due to the nature of the Project, this EIR does not analyze the following criteria for the reasons described below:

- ***Physically divide an established community.*** None of the proposed facilities or construction activities would physically divide an established community. All of the linear facilities that are proposed as part of the Project (e.g., pipelines) would be underground, except where pipelines span existing bridges, and the overlying areas would be restored after construction. During construction, immediate access to neighborhoods, commercial areas, schools, and parks could be temporarily disrupted (e.g., lane closures or detours). But these impacts would be temporary and would not divide an established community (see Section 4.15, *Transportation*, for additional discussion). Proposed above-ground Project components, including the treatment facilities and recharge and monitoring wells, would be constructed within the limits of existing parcels, and would, therefore, not divide an established community. Thus, the criterion related to the division of an established community is not applicable to the Project and is not discussed further.
- ***Conflict with any applicable habitat conservation plan or natural community conservation plan.*** This criterion is addressed in Section 4.4, *Biological Resources*, of this EIR.
- ***Increase the use of existing neighborhood and regional parks or other recreational facilities.*** The Project does not propose to construct new homes or businesses and, with only approximately six additional operational staff positions required (and that could come from within the Project vicinity), would not increase the number of residents in the Project area. (see Chapter 6, *Other CEQA Considerations*, for discussion of indirect effects related to growth.) The Project would occur in the vicinity of and could be noticeable to users of recreational facilities, as presented in Table 4.12-2. For example, construction of the Willowbrook Recharge Well would occur on a parcel situated between Willowbrook Park and nearby private recreational facilities associated with Santa Cruz Montessori School. And construction of the Cabrillo College Recharge Wells would occur on sites near the school's ballfields and other nearby private recreational facilities associated with Twin Lakes Church.

The Project would not directly affect or restrict access to park or recreational facilities. Nor would the Project be expected to cause permanent displacement of users of these areas. Construction activities would, however, be noticeable to users of the park and recreational facilities. As a result, some may choose to utilize other parks and recreational facilities in the Project area during Project construction.

As represented in Table 4.12-2, there are a substantial number of parks and recreational facilities within 0.25 miles of proposed Project sites, and many more within the broader Project vicinity (i.e., cities of Santa Cruz and Capitola, and communities of Live Oak, Soquel, and Aptos). Accordingly, sufficient alternative recreational facilities exist in the immediate Project area to accommodate any temporarily "displaced" recreationists, and that any increased use of these facilities caused by the Project would not result in substantial physical deterioration. Therefore, this significance criterion is not discussed further.

- ***Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.*** The Project does not include recreational facilities and would not result in the need for new or expanded recreational facilities. Thus, the significance criterion related to the construction or expansion of recreational facilities is not applicable to the Project and is not discussed further.

## Impact Summary

A summary of the impact conclusions is presented in **Table 4.12-3**. The detailed impact discussion follows.

**TABLE 4.12-3  
 SUMMARY OF IMPACTS – LAND USE AND RECREATION**

Impacts	Significance Determinations
<b>Impact 4.12-1:</b> The Proposed Project would not conflict with applicable land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect.	LS

NOTE:  
 LS = Less than Significant impact, no mitigation required

## Impact Discussion

### **Impact 4.12-1: The Proposed Project would not conflict with applicable land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect. (*Less than Significant*)**

This section evaluates the Project’s potential to conflict with applicable plans, policies, and regulations pertaining to land use. The applicable plans, policies, and regulations related to these topics are presented in Section 4.12.3, *Regulatory Framework*, and discussed further in the following paragraphs.

Section 15125(d) of the CEQA Guidelines requires that EIRs discuss “any inconsistencies between the proposed project and the applicable general plans, specific plans and regional plans.” There are numerous plans, policies, and regulations that either are implicated by relevant significance criteria or were adopted for environmental purposes and thus are evaluated under the appropriate topical sections of this EIR. As an example, Section 4.3, *Air Quality*, evaluates whether the Project would conflict with or obstruct implementation of an applicable air quality plan. Accordingly, potential conflicts with air quality plans are discussed in Section 4.3.

### **State Plans, Policies and Regulations**

#### **California Coastal Act**

As discussed in Section 4.12.3, *Regulatory Framework*, the California Coastal Act outlines broad policy goals for the State’s coastal zone. As also noted in that section, where an LCP has been certified, responsibility for implementing Coastal Act policies is transferred to the local government and the LCP becomes the standard of review for planning and permitting decisions. All of the Project components under consideration within the coastal zone would occur on sites subject to a certified LCP. Accordingly, the policies of the applicable LCPs would be expected to be the primary standard of review for permitting decisions. However, it is possible the Coastal Act policies could have direct applicability to some or all portions of the Project, depending upon State and local agency interpretations of jurisdiction, and the selected permitting pathway. Therefore, this EIR considers generally the potential for the Project to conflict with the broad policy goals of the Coastal Act, while acknowledging that determinations regarding Project

conformity are ultimately made by the California Coastal Commission. As presented in **Table 4.12-4**, below, the Project would not be expected to conflict with the Coastal Act’s policy goals. The impact, would therefore be less than significant.

**TABLE 4.12-4  
 CALIFORNIA COASTAL ACT POLICY GOALS**

Policies	Consistency
Section 30001.5	
(a) Protect, maintain, and, where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources.	<b>No Conflict.</b> The purpose of the Project is to help address overdraft conditions within the groundwater basin. The Project would protect, maintain, and enhance coastal resources by: 1) locating primarily within previously developed areas; 2) utilizing treated effluent as a supply source; 3) helping to achieve sustainable groundwater pumping; 4) reducing the rate of seawater intrusion into coastal aquifers; and 5) providing increased water supply reliability for all users within the coastal zone, including coastal-dependent, recreational and visitor serving.
(b) Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state.	<b>No Conflict.</b> The Project would be located primarily within previously developed areas and would utilize treated effluent as a supply source.
(c) Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resources conservation principles and constitutionally protected rights of private property owners.	<b>No Conflict.</b> Project construction and operations would occur on sites landward of the shoreline. With the potential exception of temporary lane closures along some roads within the coastal zone, the Project would not be expected to affect public shoreline access or recreational opportunities.
(d) Assure priority for coastal-dependent and coastal-related development over other development on the coast.	<b>No Conflict.</b> The purpose of the Project is to replenish the groundwater basin. It does not propose increased groundwater pumping or other supply increases, such that water allocations would be affected. Nevertheless, the Project would increase water supply reliability within the coastal zone, thereby benefitting existing and potential future coastal-dependent and coastal-related customers within the District’s service area.
(e) Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone.	<b>No Conflict.</b> The District is coordinating with state and local agencies, stakeholders, and communities interested in and/or affected by the Project. These include the State and Regional Water Quality Control Boards, California Coastal Commission, County of Santa Cruz, cities of Santa Cruz and Capitola, customers within the District’s service area, and the general public. Coordination efforts have included one-on-one meetings between District and agency staffs, open houses, and scoping meetings, among others.

**California Government Code**

As noted in Section 4.12.3, *Regulatory Framework*, California Government Code Section 53091 (d) and (e) provides that facilities for the production, generation, storage, treatment, and transmission of water supplies are exempt from local (i.e., city and county) building and zoning ordinances. As Project facilities each relate to the production, generation, treatment, and transmission of water and are, they would be expected to be exempt from Santa Cruz County, City of Santa Cruz, and City of Capitola building and zoning ordinances, including associated permitting requirements. However, as discussed further in the sections that follow, the policies of general plans and LCPs within these jurisdictions would continue to apply.

**Local Plans, Policies and Regulations**

County of Santa Cruz

**Table 4.12-5** Identifies the Santa Cruz County General Plan and Local Coastal Plan goals, policies and objectives related to land use and applicable to the Project. The table includes an analysis of the Project’s potential to conflict with these provisions.

**TABLE 4.12-5  
 APPLICABLE COUNTY OF SANTA CRUZ COUNTY – RELEVANT PLANS AND POLICIES**

Policies	Consistency
General Plan and LCP – Land Use	
<p><b>2.2.3 Reservation of Public Works capacity for Coastal Priority Uses</b>                      (LCP) In the Coastal Zone, reserve capacity in existing or planned public works facilities for Coastal Priority Uses.</p>	<p><b>No Conflict.</b> The Project would not modify the District’s water supply capacity or allocations</p>
<p><b>Policy 2.21.2 Location of Public Facility/Institutional Land Uses</b>                      Allow public facility uses in all urban residential land use designation and zoning districts as well as limited public facility uses in commercial designations and districts as regulated in Volume II of the County Code.</p>	<p><b>No Conflict.</b> Volume II of the County Code (Title 13) provides the specific regulations and requirements for public facilities built in different zoning districts. The Project public facilities would be located in areas zoned Light Industrial; Single-Family Residential; and Parks, Recreation, and Open Space. The Project public facilities are allowed in these zoning districts. The specific municipal codes are described under <i>Local Regulations</i>.</p>
<p><b>2.21.6 Cooperative Planning of Public Facility/ Institutional Uses</b>                      Encourage cooperative planning and Master Plan review between appropriate review agencies such as the Regional Water Quality Control Board, Health Services Planning Agency, Air Resources Control District, etc., to assure adequate assessment of public facility needs.</p>	<p><b>No Conflict.</b> The District has been actively coordinating with state and local agencies with interest in the Project, including the cities of Santa Cruz and Capitola, County of Santa Cruz, and State Water Resources Control Board, among others.</p>
General Plan – Objective 2.22 Coastal Dependent Development	
<p>(LCP) To ensure priority for coastal-dependent and coastal-related development over other development on the coast.</p> <p><b>2.22.1 Priority of Uses within the Coastal Zone</b>                      (LCP) Maintain a hierarchy of land use priorities within the Coastal Zone:</p> <p><i>First Priority:</i> Agriculture and coastal-dependent industry</p> <p><i>Second Priority:</i> Recreation, including public parks; visitors serving commercial uses; and coastal recreation facilities.</p> <p><i>Third Priority:</i> Private residential, general industrial, and general commercial uses.</p>	<p><b>No Conflict.</b> Project components proposed for locations within in the County’s Coastal Zone are limited to pipelines, which would be buried/underground within existing developed areas, inland from the coast, and would not preclude coastal-dependent uses.</p>
<p><b>2.22.2 Maintaining Priority Uses</b>                      (LCP) Prohibit the conversion of any existing priority use to another use, except for another use of equal or higher priority.</p>	<p><b>No Conflict.</b> Existing priority uses would be maintained as part of the Project.</p>

As noted in Section 4.12.3, *Regulatory Framework*, the County’s zoning regulations (Chapter 13.10) identify public utility facilities as allowable uses with the zoning classification of the site for which Project components are proposed (i.e., Chanticleer Site, Headquarters-West Annex, Willowbrook Lane Recharge Well Site, Cabrillo College Recharge Well Sites and Twin

Lakes Church Recharge Well Site; see Table 4.12-1) with a use permit, unless exempt by federal or state law. Pursuant to California Government Code Section 53091 (d) and (e), which exempts from local building and zoning regulations facilities for the production, generation, storage, treatment, and transmission of water supplies, the County’s special use permit requirement would not apply.

As shown on Figure 4.12-1, Project facilities are proposed for locations both in and outside the County’s Coastal Zone. Pursuant to Chapter 13.20, a CDP would be required for Project components in the Coastal zone. As indicated in Chapter 3, *Project Description*, the District would prepare and submit to the County and or CCC for review and approval a Coastal Development Permit application.<sup>2</sup> Issuance of the CDP must meet all applicable land use regulations and findings consistent with the CCA and County’s LCP.

Similarly, pipelines for the Project would require an encroachment permit pursuant to Chapter 9.70 of the County municipal code. As also indicated in Chapter 3 of this EIR, the District would prepare and submit to the Public Works Department for review and approval an encroachment permit application.

For the reasons set forth in Table 4.12-3, and through adherence to the above-referenced provisions, the Project would not conflict with applicable County of Santa Cruz land use policies and regulations. The impact would be less than significant.

City of Santa Cruz

**Table 4.12-6** identifies all City of Santa Cruz General Plan and Local Coastal Program policies, objectives, and programs related to land use and applicable to the Project. The table includes an analysis of the Project’s potential to conflict with these provisions.

**TABLE 4.12-6  
 APPLICABLE CITY OF SANTA CRUZ LAND USE PLANS AND POLICIES**

Policies	Project’s Potential to Conflict
General Plan	
<p><b>Goal CC2 Comprehensive community facilities and services</b>                      CC2.1 Provide community services and facilities in keeping with the needs of a growing and diverse population.</p>	<p><b>No Conflict.</b> The Project would provide a supplemental water supply that would enable continued provision of community services in a manner that meets the needs of the population, while also protecting groundwater resources.</p>
<p>CC3.6 Coordinate major land use planning decisions in all three jurisdictions served by the City water system based on water supply availability.</p>	<p><b>No Conflict.</b> The District has been actively coordinating with state and local agencies with interest in the Project, including the cities of Santa Cruz and Capitola, County of Santa Cruz, and State Water Resources Control Board, among others.</p>
<p><b>Land Use Element 1.2.2</b>                      Work with the County to ensure that lands within the City’s Planning Area are developed with appropriate uses.</p>	

<sup>2</sup> Pursuant to Coastal Act Section 30601.3, where a project is proposed for areas subject to a certified LCP and the CCC’s retained jurisdiction, the CCC may process a consolidated permit, provided that all parties (i.e., the LCP jurisdiction, the CCC, and the applicant) agree.

**TABLE 4.12-6 (CONTINUED)**  
**APPLICABLE CITY OF SANTA CRUZ LAND USE PLANS AND POLICIES**

Policies	Project's Potential to Conflict
<b>Local Coastal Program – Coastal Policies</b>	
<p><b>Economic Development Element</b></p> <p>3.1 Encourage the expansion and selective attraction of industrial uses that do not pollute or use excessive resources, such as water and energy, and are appropriate for Santa Cruz' character and discourage inappropriate uses from considering a Santa Cruz location.</p>	<p><b>No Conflict.</b> The Project would involve reclamation of wastewater to reduce impacts on the basin's groundwater supply. The treatment facilities would be sited within existing developed or disturbed areas and be powered by electricity. Therefore, the Project would neither pollute or use excessive resources that would be inappropriate for the City's character.</p>
<p><b>Environmental Quality Element</b></p> <p><i>H. Wastewater Treatment</i></p> <p>7.2 Maintain and upgrade the wastewater collection and treatment system in an environmentally sound and fiscally efficient manner, as needed, due to increases in population, unit flows, and changes in land use.</p>	<p><b>No Conflict.</b> The Project could involve development of treatment facilities within the SC WWTF complex. These facilities would be sited within existing developed areas of the complex, would complement the existing treatment system, and would be funded by the Soquel Creek Water District.</p>
<p><b>Land Use Element</b></p> <p><i>B. Balanced Community</i></p> <p>Ensure that future growth and development of Santa Cruz occurs consistent with the City's carrying capacity and that such growth and development does not lead to the overdraft of any water source, the creation of unacceptable levels of air pollution, or the loss of prime agricultural land.</p>	<p><b>No Conflict.</b> The Project would provide a supplemental supply of water necessary to reduce overdraft conditions within the basin. The Project would not result in a net increase in overall water supply, such that it would cause growth or development of Santa Cruz which could lead to the overdraft of any water source, unacceptable levels of air pollution, or loss of agricultural lands. (See Chapter 6, <i>Other CEQA Considerations</i>, for additional discussion of growth.)</p>
<p><b>E. Concurrency</b></p> <p>4.2 Consider natural and developed resources in the siting and construction of community facilities ensuring that development relates both visually and functionally to the surrounding environment and that natural resources are protected.</p>	<p><b>No Conflict.</b> The Project could involve development of treatment and conveyance facilities within the SC WWTF complex and roadway rights-of-way. These facilities would be sited within existing developed areas of the complex and roadways, would complement the existing treatment system, and would be funded by the Soquel Creek Water District.</p>
<b>Local Coastal Program – Neary Lagoon Management Plan</b>	
<p><b>Coastal Act Goals</b></p> <p>3) Give priority to coastal-dependent development — uses of land and water that by their very nature require coastal sites — over other development on the coast.</p>	<p><b>No Conflict.</b> The Project components proposed at the SC WWTF would be within the footprint of the existing SC WWTF and would not preclude future coastal-dependent uses.</p>
<p><b>Land Use</b></p> <p>6.1.3 Continue to adhere to and enforce LCP requirements that restrict the types of structures allowable within the 100-foot buffer around the lagoon and wetland areas.</p>	<p><b>No Conflict.</b> The Project components proposed at the SC WWTF would be within the footprint of the existing SC WWTF and would not affect access to the park and adjacent facilities.</p>
<p><b>Community Facilities</b></p> <p>7.1 Preserve access to the park and adjacent utilities.</p> <p>7.1.1 Continue to maintain the main entry road to Neary Lagoon as part of the wastewater treatment plant facilities.</p> <p>8.1 Improve the quality and amount of public access opportunities at the lagoon.</p> <p>8.5 Improve and develop a new plan for recreation facilities in management zone J and limit active recreation uses to this zone of the management area.</p>	

As noted in Section 4.12.3, *Regulatory Framework*, the City's zoning regulations (Chapter 24.10) identify public utility facilities as allowable uses with the zoning classification of the site for

which Project components are proposed (i.e., SC WWTF; see Table 4.12-1) with a special use permit, unless exempt by federal or state law. Pursuant to California Government Code Section 53091 (d) and (e), which exempts from local building and zoning regulations facilities for the production, generation, storage, treatment, and transmission of water supplies, the City's special use permit requirement would not apply.

As shown on Figure 4.12-1, Project facilities are proposed for locations both in and outside the County's Coastal Zone. Pursuant to Chapter 24.08, a CDP would be required for Project components in the Coastal zone. As indicated in Chapter 3, *Project Description*, the District would prepare and submit to the City and/or CCC for review and approval a Coastal Development Permit application. Issuance of the CDP must meet all applicable land use regulations and findings consistent with the CCA and City's LCP.

Similarly, pipelines for the Project would require an encroachment permit pursuant to Chapter 15.28 of the City's municipal code. As also indicated in Chapter 3 of this EIR, the District would prepare and submit to the Public Works Department for review and approval an excavation (encroachment) permit application.

For the reasons set forth in Table 4.12-3, and through adherence to the above-referenced provisions, the Project would not conflict with applicable City of Santa Cruz land use policies and regulations. The impact would be less than significant.

#### City of Capitola

**Table 4.12-7** identifies City of Capitola General Plan and Local Coastal Plan policies, objectives, and programs related to land use and applicable to the Project. The table includes an analysis of the Project's potential to conflict with these provisions.

As noted in Section 4.12.3, *Regulatory Framework*, the City's zoning regulations (Chapter 17.42) identify public utility facilities as allowable uses with the zoning classification of the site for which Project components are proposed (i.e., Monterey Ave Recharge Well Site; see Table 4.12-1) with a conditional use permit, unless exempt by federal or state law. Pursuant to California Government Code Section 53091 (d) and (e), which exempts from local building and zoning regulations facilities for the production, generation, storage, treatment, and transmission of water supplies, the City's special use permit requirement would not apply.

As shown on Figure 4.12-1, Project facilities are proposed for locations both in and outside the County's Coastal Zone. Pursuant to Chapter 17.46, a CDP would be required for Project components in the Coastal zone. As indicated in Chapter 3, *Project Description*, the District would prepare and submit to the City and/or CCC for review and approval a Coastal Development Permit application. Issuance of the CDP must meet all applicable land use regulations and findings consistent with the CCA and City's LCP.

Similarly, pipelines for the Project would require an encroachment permit pursuant to Chapter 15.28 of the City's municipal code. As also indicated in Chapter 3 of this EIR, the District would prepare and submit to the Public Works Department for review and approval an excavation (encroachment) permit application.

**TABLE 4.12-7  
 APPLICABLE LAND USE PLANS AND POLICIES**

Policies	Project's Potential to Conflict
<b>City of Capitola General Plan and Local Coastal Plan</b>	
<p>Goal LU-4 Protect and enhance the special character of residential neighborhoods.</p> <p>Policy LU-4.4 Public Facilities. Ensure that adequate public infrastructure, facilities, and services are maintained in residential neighborhoods.</p> <p>Policy LU-4.7 Planning Projects. Ensure that future planning efforts for non-residential areas carefully consider potential impacts on adjacent residential neighborhoods.</p>	<p><b>No Conflict.</b> The Monterey Avenue Recharge Well, the only above-ground Project component proposed for Capitola, would be sited within District-owned property which currently contains water-related infrastructure, and is surrounded by an approximately 6-foot tall cinderblock wall. The proposed use would not be substantially different from original intended purpose at the site.</p>
<p>Policy LU-7.2 Public Infrastructure. Ensure that all improvements to public infrastructure, including roadways, parking, sidewalks, bicycle facilities, public signage, and street trees, support a pedestrian-friendly environment and a distinctive sense of place.</p>	
<p>Goal OSC-1 Promote sustainability as a foundation for Capitola's way of life.</p> <p>Policy OSC-1.4 Regional Partnerships. Continue to work with neighboring cities, Santa Cruz County, the Association of Monterey Bay Area Governments (AMBAG), and other governmental agencies to promote sustainability throughout the region.</p> <p>Policy OSC-1.5 New Development. Encourage all new development projects in Capitola to incorporate sustainable building techniques.</p>	<p><b>No Conflict.</b> The District has been actively coordinating with state and local agencies with interest in the Project, including the cities of Santa Cruz and Capitola, County of Santa Cruz, and State Water Resources Control Board, among others. The purpose of the Project is to improve the sustainability of the District's groundwater supply.</p>

For the reasons set forth in Table 4.12-3, and through adherence to the above-referenced provisions, the Project would not conflict with applicable City of Capitola land use policies and regulations. The impact would be less than significant.

**Mitigation:** None required.

### 4.12.5 References – Land Use and Recreation

City of Capitola Community Development, 2014. *Capitola General Plan*.

City of Santa Cruz, 2007. *City of Santa Cruz Local Coastal Program*. Last amended October 25, 1994.

City of Santa Cruz Planning and Community Development, 2012. *City of Santa Cruz General Plan 2030*.

City of Santa Cruz, 2008. *City-wide Creeks and Wetlands Management Plan*.

County of Santa Cruz, 1994. *Santa Cruz County General Plan and Local Coastal Program*, May 24, 1994.

County of Santa Cruz, 2014. *Sustainable Santa Cruz County Plan*. Available at <http://www.sccoplanning.com/Portals/2/County/planning/policy/sustainablesantacruzcounty/Final-Plan-Ch1-Ch4.pdf>. Accessed on May 9, 2018.

County of Santa Cruz, 2018. Geographic Information Services, Available at <http://gis.co.santa-cruz.ca.us/PublicGISWeb/>. Accessed on January 31, 2018.

Santa Cruz County Regional Transportation Commission (SCCRTC), 2018. Monterey Bay Sanctuary Scenic Trail Network/Rail Tail Webpage. Available at <https://sccrtc.org/projects/multi-modal/monterey-bay-sanctuary-scenic-trail/>. Accessed on February 9, 2018.