

3.10 Land Use and Land Use Planning

This section provides an assessment of project effects related to land use and planning, and addresses whether the proposed project would physically divide existing communities and potential conflicts with existing land use policies. An assessment of the proposed project's potential to conflict with the County of San Luis Obispo's General Plan, Local Coastal Program (LCP) and Coastal Zone Land Use Ordinance (CZLUO) and the City of Morro Bay's General Plan, LCP and City of Morro Bay Zoning Ordinance.

This analysis complies with Subdivision 15125(d) of the *CEQA Guidelines*, which directs all EIRs to discuss a project's potential to conflict with applicable plans, policies, and regulations adopted for the purpose of avoiding or mitigating environmental effects, including general plans and regional plans. Potential conflicts with policies related to specific environmental issues (e.g., water quality, cultural resources) are addressed in the environmental topic areas included in other sections of this EIR.

3.10.1 Environmental Setting

Local Setting

Some components of the proposed project are located in an unincorporated portion of the County of San Luis Obispo (County), while others are within the City of Morro Bay (City). Specifically, the preferred WRF site is located within the County while the lift station, distribution system and conveyance pipelines between the lift station and WRF site are located within the City. The entire study area is located within the Coastal Zone as defined by the California Coastal Act (see Figure 1-1 in Chapter 1).

Proposed WRF Site

The preferred WRF site would be located within a portion of the Estero Planning Area in the County, which occupies a narrow strip along the coast north of the City and south of the unincorporated community of Los Osos. The Estero Planning Area is characterized by its natural setting including volcanic peaks, green valleys, coastal terraces, and hillsides (County of San Luis Obispo, 2009). The area surrounding the preferred WRF site is mostly undeveloped. The Bayside Care Center senior living facility is located just southwest of the preferred WRF site. The preferred WRF site is otherwise surrounded to the west, north and east by undeveloped grazing land. Immediately east of the preferred WRF site is an unnamed drainage that is a tributary to Chorro Creek. Highway 1 is located approximately 690 feet south of the southern boundary of the preferred WRF site, and across Highway 1, at the intersection of Highway 1 and South Bay Boulevard is a church, mortuary and a mobile home park.

Proposed Lift Station

Morro Rock is one of the defining geologic and topographic characteristics of Morro Bay. The City's land use pattern is largely defined by Morro Harbor, which is a working waterfront that services commercial fishing operations and offers recreational opportunities. The most dense

residential and commercial land uses are located south of Morro Rock around Morro Bay, inland from the sandspit located in the middle of the harbor. Moving outward and eastward from the Harbor, the City is surrounded by agricultural land uses that serve to maintain a buffer around the town, isolating it from other development (City of Morro Bay, 2004). The proposed lift station would either be located within the City's existing Corporation Yard on Atascadero Road (Option 1A) or adjacent to Atascadero Road along the public right-of-way (Option 5A). Those locations are just north and east of the existing WWTP and the City's Corporation Yard. Morro Bay High School is located just north of Atascadero Road and the Morro Strand RV Park is also located along Atascadero Road just northeast of the proposed lift station locations. Developed areas are more heavily concentrated further inland of the proposed lift station sites, on the east side of Highway 1.

Proposed Conveyance Pipelines

There are two options for the proposed recycled water conveyance pipeline alignments, a west alignment and an east alignment. The raw wastewater and brine/wet weather discharge pipeline would run along the majority of the proposed west alignment starting at the proposed injection well area as shown in Figure 2-2 and culminating at the proposed WRF site.

IPR West Alignment (West Alignment)

The proposed west alignment starts at the proposed lift station and travels south along J Street and east around the perimeter of Lila Keiser Park before following an existing parkway/bike path across Morro Creek and south until it meets Main Street. The remainder of the alignment is generally located within existing rights-of-way. The alignment continues southeast along the Main Street right-of-way to Quintana Road. Along Main Street, to the west are residential uses separated from the right-of-way by a landscaped berm, and to the east are commercial uses. The west alignment continues along Quintana Road, a frontage road that generally parallels Highway 1, until it reaches a point just west of the Bay Boulevard interchange where it crosses Highway 1. Commercial and light industrial uses exist along the south side of Quintana Road until La Loma Avenue. Along that segment of Quintana Road there are some commercial uses located on the north side of Quintana Road near Main Street, otherwise the remainder of Quintana Road on the north is bordered by Highway 1. The segment of Quintana Road from La Loma Avenue to the crossing point abuts a portion of Morro Bay State Park the south, and Highway 1 to the north. After crossing Highway 1, the west alignment continues east along Teresa Road to South Bay Boulevard, where it heads north to the proposed WRF site. Teresa Road fronts Highway 1 and serves as the entry road to the Bayside Care Center nursing home.

IPR East Alignment (East Alignment)

The proposed east alignment starts at the proposed injection well area (IPR East) as shown in Figure 2-2 and culminates at the preferred WRF site. The proposed east alignment would extend west along Errol Street to Main Street. Along the north side of Errol Street are commercial uses, and a mobile home park is located to the south. The east alignment continues along Main Street to Radcliff Avenue. That segment of the alignment fronts Highway 1 to the west and commercial uses, an RV park, and open space to the east. The east alignment continues east along Radcliff Avenue to the end of Bolton Drive within a residential neighborhood. The east alignment

continues from the end of Bolton Road to Teresa Road. This segment generally parallels Highway 1 and is located within undeveloped grazing land. The east alignment continues east along Teresa Road to South Bay Boulevard, where it heads north to the proposed WRF site. Teresa Road fronts Highway 1 and serves as the entry road to the Bayside Care Center nursing home.

3.10.2 Regulatory Framework

State

California Coastal Act

The California Coastal Act (Public Resources Code (PRC) section 30000 *et seq.*) (Coastal Act) was enacted 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 management of lands within California's Coastal Zone boundary, as established by the Legislature and defined in Coastal Act (PRC 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 Coastal Act authorizes the State of California to regulate development within the Coastal Zone, defined as the area between the seaward limits of the state's jurisdiction and generally 1,000 yards landward from the mean high-tide line of the sea. The Coastal Zone in the project vicinity is shown in Figure 1-1.

The Coastal Act includes specific policies for management of natural resources and public access within the coastal zone. Those policies constitute the statutory standards applied to coastal planning and regulatory decisions made by the California Coastal Commission (CCC) and by local governments, pursuant to the Coastal Act. The basic goals of the Coastal Act, per PRC 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's coastal resources planning and management policies cover six areas: public access, recreation, the marine environment, land resources, development, and industry. The policies articulate requirements for public access and for protection of marine resources and environmentally sensitive habitat areas. They lay out clear priorities for concentrating

development in urbanized areas, preserving agriculture and open space, protecting fishing and coastal-dependent industry, promoting recreational use of the coast, and giving priority to visitor-serving commercial uses over general commercial or residential development. In particular, relevant Coastal Act policies that would be applicable to the proposed project are those related to public access and recreation. The proposed project does not interfere with public access or the provision of sufficient recreation and low-cost visitor and recreation facilities.

The Coastal Act requires individual jurisdictions adopt an LCP to implement the Coastal Act at the local level. Upon certification of the LCP by the CCC, the local government becomes the Coastal Development Permit (CDP) permitting authority. The County and the City have adopted LCPs, which have been certified. Upon certification of the LCP, the LCP serves as the standard for review to determine any conflicts with the Coastal Act, including avoidance of hazard areas and designated sensitive view areas, protection of archaeological resources, maximizing and protecting public access, and maximizing wastewater reclamation. Relevant LCP policies that would be applicable to the proposed project and an assessment of the proposed project's potential to conflict with any applicable LCP policies adopted for the purpose of avoiding or mitigating an environmental effect are described in the impact analysis below (see Table 3.10-2 and Table 3.10-3).

The County and City are working closely to implement the proposed project, which will ensure compliance with a directive from the CCC to relocate the WRF outside of a coastal hazard area and sensitive view areas, two of the reasons the CCC denied the CDP for replacing/upgrading the existing WWTP in its current location.¹

San Luis Obispo Local Agency Formation Commission (LAFCO)

San Luis Obispo Local Agency Formation Commission (LAFCO) implements the Knox-Cortese-Hertzberg Act of 2000. More specifically, the State of California gives LAFCO the authority to achieve the following objectives:

- Encourage orderly formation of local government agencies. Consider proposals for formation of new local governmental agencies including Cities and Special Districts. LAFCO is also responsible for considering annexations and detachments for agencies. LAFCO also determines the Sphere of Influence, which is a plan for the probable physical boundary of a City or Special District. Reviews proposals based on a variety of factors including: a plan for services submitted by the agency, resource and infrastructure capacity, and the need for services.
- Preserve agricultural land resources. Considers the impact that a proposal may have on existing agricultural lands with focus on prime agricultural lands. San Luis Obispo LAFCO has adopted specific policies regarding the preservation of agricultural resources.

¹ In January 2013, the CCC denied the City and Cayucos Sanitary District's project application for the CDP to demolish the existing WWTP and construct a new treatment facility on the same site. The basis for that denial included the CCC's assessment the new facilities would be inconsistent with the Morro Bay Local Coastal Plan's zoning provisions, failed to avoid coastal hazards, failed to include a sizeable reclaimed water component, and that the project location was within an LCP-designated sensitive view area.

- Discourages urban sprawl. Urban sprawl can best be described as irregular and disorganized growth occurring without apparent design or plan. By discouraging sprawl, LAFCO limits the misuse of land resources and promotes a more efficient system of services by local governmental agencies.

The preferred WRF site is located immediately adjacent to the Morro Bay service area. However, it is not currently located within the City's sphere of influence. The 396-acre parcel that the preferred WRF site is located within was studied in LAFCO's Morro Bay Sphere of Influence (SOI) Update and Municipal Service Review (MSR) in 2017. The study identified two roughly 15-acre portions of the 396-acre parcel considered viable locations for a future WRF site. LAFCO recommended the SOI should exclude the larger, 396-acre parcel with exception of a future WRF site. LAFCO further recommended, if the City selected the site and builds a treatment facility, then LAFCO would support the City's selection and would process an SOI and annexation proposal at that time (San Luis Obispo LAFCO, 2017).

Local

County of San Luis Obispo General Plan and Local Coastal Plan

The County General Plan is integrated with the Local Coastal Program and was first adopted by the County and certified by the California Coastal Commission in 1988. The Land Use Element provides a framework for planning within the Coastal Zone and serves as the Land Use Plan portion of the County Local Coastal Program (LCP). In addition to a framework and coastal plan policies, the Land Use Plan includes Area Plans and land use category maps. The County land use category maps also serve as the zoning maps. The Land Use Plan together with the Coastal Zone Land Use Ordinance (CZLUO) and related maps comprise the Local Coastal Program (County of San Luis Obispo, 2011).

Estero Area Plan and Geologic Study Area (GSA)

The preferred WRF site is located within the Estero Area Plan and the Geologic Study Area (GSA) combining designation. That site is located outside of the Urban Reserve Line (URL), which is coterminous with the boundary between the City and County. The GSA designation when applied to lands outside the URL signifies that the area is subject to high landslide risk potential. The Estero Area Plan provides additional policy guidance and standards unique to the plan area. Combining designations are overlay designations that are applied to areas with hazardous conditions or resources of particular public value and where more detailed project review is needed.

The existing land use designations for the preferred WRF site and surrounding areas are depicted in **Figure 3.10-1** and further described below.

The majority of the Estero Planning Area is designated Agriculture, including the preferred WRF site and surrounding properties to the north, east and south. To the west, the preferred WRF site abuts the City. Land use designations within the City are described in further detail in the subsequent section.

The Agriculture designation allows Public Utility Facilities as a special use, which is allowable subject to special standards and/or processing requirements, unless otherwise limited by a specific planning area standard. Public Utility Facilities are defined as:

Fixed-base structures and facilities serving as junction points for transferring utility services from one transmission voltage to another or to local distribution and service voltages. These uses include any of the following facilities: electrical substations and switching stations; telephone switching facilities; natural gas regulating and distribution facilities; public water system wells, treatment plants and storage; and community wastewater treatment plants, settling ponds and disposal fields (County of San Luis Obispo, 2011).

County of San Luis Obispo Coastal Zone Land Use Ordinance (CZLUO)

As defined above, Public Utility Facilities uses within the County's Agriculture designation are subject to the special use standards in the San Luis Obispo Coastal Zone Land Use Ordinance (CZLUO) (County of San Luis Obispo, 2011). The CZLUO was adopted in 1988 and most recently revised in December 2014. Development within the Coastal Zone as defined by the Coastal Act of 1976 is subject to the CZLUO. As set forth in Section 30106 of the Coastal Act, "development" in the Coastal Zone means:

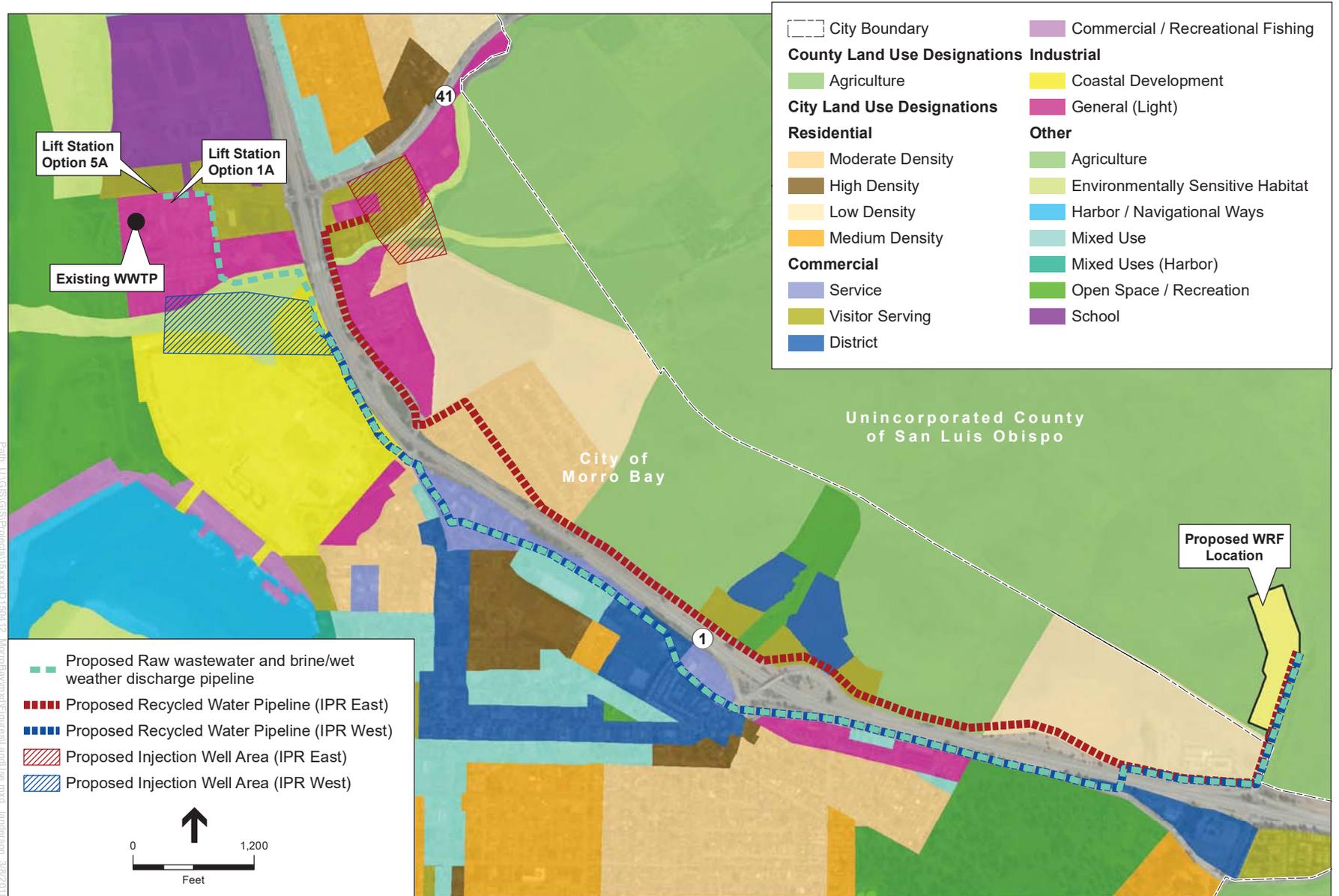
construction, reconstruction, demolition, or alteration of size of any structure, including any facility of any private, public or municipal utility

As used in the CZLUO,

structure includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.

Pursuant to Section 23.08.288 of the CZLUO, any new public use facility or modification of an existing public use facility in the Agriculture, Rural Lands, Residential, Office and Professional, and Commercial land use categories requires approval of a Development Plan consistent with the requirements of Section 23.02.034 (Development Plan) and additional application requirements of Section 23.08.288 (b). In addition, pursuant to Section 23.08.288(c), the following development standards apply in addition to any that may be established as conditions of approval:

- 1) Environmental quality assurance. An environmental quality assurance program covering all aspects of construction and operation shall be submitted prior to construction of any project component. This program will include a schedule and plan for monitoring and demonstrating compliance with all conditions required by the Development Plan. Specific requirements of this environmental quality assurance program will be determined during the environmental review process and Development Plan review and approval process.



SOURCE: ESRI 2016; City of Morro Bay; San Luis Obispo County

Morro Bay Water Reclamation Facility Project. 150412

Figure 3.10-1
County and City Land Use Designations

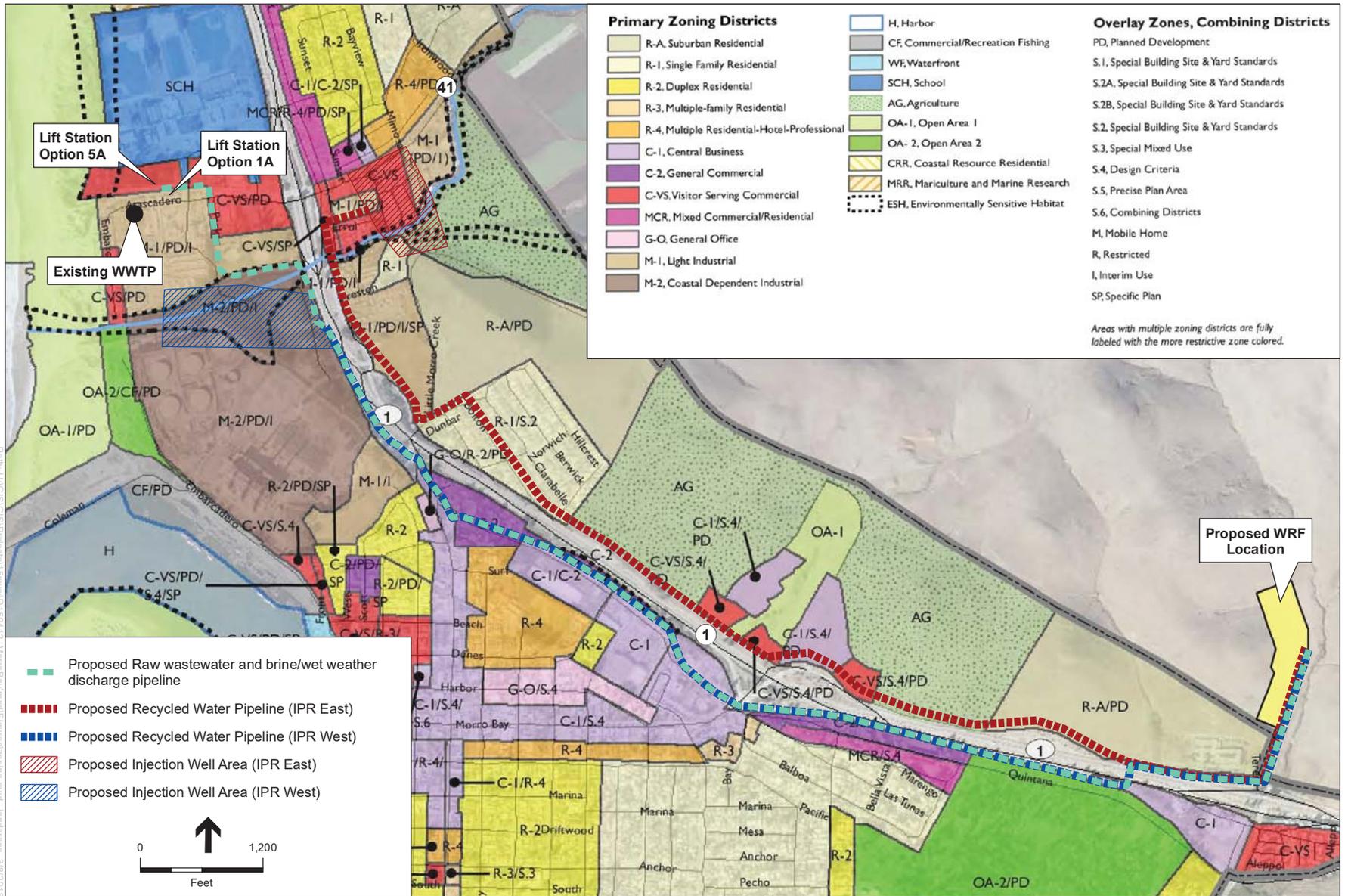
- 2) Clearing and revegetation. The land area exposed and the vegetation removed during construction shall be the minimum necessary to install and operate the facility. Topsoil will be stripped and stored separately. Disturbed areas no longer required for operation will be regarded, covered with topsoil and replanted during the next appropriate season.
- 3) Fencing and screening. Public Utility Facilities shall be screened on all sides. An effective visual barrier will be established through the use of a solid wall, fencing and/or landscaping. The adequacy of the proposed screening will be determined during the land use permitting process.

The Development Plan process includes a public hearing before the Review Authority. Action on the Development Plan is discretionary and serves as the local government equivalent of a coastal development permit action in accordance with the Coastal Act.

City of Morro Bay General Plan and Local Coastal Plan

The City's current General Plan was adopted in 1988 and the Local Coastal Program was certified by the California Coastal Commission in 1982. Existing land use and zoning designations for the preferred WRF site and surrounding areas are depicted in **Figure 3.10-1** and **Figure 3.10-2** respectively and are further described below. A large portion of the proposed recycled water pipeline, the proposed injection well sites, and the proposed lift station are within the City. The proposed recycled water pipeline passes through several land use and zoning designations. Along IPR East, land use designations include: Low and Moderate Density residential, Agriculture, Environmentally Sensitive Habitat, General (Light) industrial and Visitor Serving. Along IPR West, land use designations include: Low Density Residential, District Commercial, Open Space/Recreation, General (Light) Industrial, Service Commercial, Coastal Development Industrial, Environmentally Sensitive Habitat and Visitor Serving. The existing land use designations and corresponding zoning for project components, with the exception of pipelines, also are listed in **Table 3.10-1** and described below.

The City's 1988 General Plan and 1982 Local Coastal Program currently govern the components of the proposed project within the City. However, it should be noted the City is currently in the process of comprehensively updating the General Plan and Local Coastal Program. The General Plan and Local Coastal Program (GP/LCP) Update, referred to as Plan Morro Bay, was initiated in early 2016 and is estimated to be completed by the end of 2018. The City has completed their initial outreach, community baseline assessment, key issues and policies report, vision and values statement and the draft vulnerability assessment. The intent of the GP/LCP update is to ensure the proposed WRF is consistent with and is coordinated within the planning framework of the updated Plan. A preferred Land Use Map was selected in August 2017 that designates the preferred WRF site as Public/Institutional and a Notice of Preparation (NOP) for the EIR analyzing the updating of the City's land use regulations was prepared in November 2017. The City is currently preparing the Draft Plan and EIR and adoption hearings are anticipated to occur in the Fall/Winter 2018.



SOURCE: ESRI 2016

Morro Bay Water Reclamation Facility Project. 150412

Figure 3.10-2
City of Morro Bay Zoning

**TABLE 3.10-1
 ABOVE-GROUND COMPONENTS EXISTING LAND USE AND ZONING DESIGNATIONS (CITY OF MORRO BAY)**

Project Site	1988 General Plan Land Use Designation/1982 Local Coastal Program Designation	Existing Zoning /Zoning Overlay
Lift Station Option 1A	General (Light) Industrial	M-1 - Light Industrial
Lift Station Option 5A	Visitor Serving	CVS - Visitor Serving Commercial/PD - Planned Development
Proposed Injection Wells Site (IPR West)	General (Light) Industrial,	M-2 - Coastal Dependent Industrial/PD - Planned Development /I- Interim Use
	Environmentally Sensitive Habitat	M-2 – Coastal Dependent/PD-Planned Development/I – Interim Use
	Coastal Dependent Industrial	M-1 – Light Industrial/PD – Planned Development/I-Interim Use
		M-2 – Light Industrial/PD – Planned Development/I-Interim Use
Proposed Injection Wells Site (IPR East)	General (Light) Industrial	M-1 – Light Industrial/PD – Planned Development/I – Interim Use
	Visitor-Serving Commercial	C-VS – Visitor Serving Commercial
	Environmentally Sensitive Habitat	AG – Agriculture
	Moderate Density Residential	R-1 – Single-Family Residential
	Low Density Residential	R-A/PD – Suburban Residential/Planned Development

City of Morro Bay Zoning Ordinance

The City’s Zoning Ordinance implements the General Plan and serves as the implementation plan for the LCP. As shown in Figure 3.10-2, there are a range of zoning designations that apply to the project sites. The following describes the intent of each zoning designation as well as applicable overlay designations.

The proposed project includes the construction of new public utility facilities. Public Utility Facilities, include but are not limited to water wells, substations, switching stations, pipelines, transmission lines and similar utility uses. Public Utility Facilities are considered a special use and are allowed in any of the above listed zoning designations subject to approval of a conditional use permit processed in accordance with the provisions of Chapter 17.60 and Subdivision 17.30.030 (P)(1)(a) of the Morro Bay Municipal Code (MBMC), which provides the following additional finding applicable to new pipelines.

- a. Routes of All New Lines. The routes of all new lines shall, to the maximum extent feasible, avoid important coastal resources such as recreation and environmentally sensitive areas. Where such resources cannot be avoided, and will be adversely affected, the planning commission/city council shall require appropriate mitigation measures. These measures may include, but are not limited to precluding construction during peak visitor seasons in recreational areas, precluding construction during nesting or breeding seasons in sensitive habitat areas, the vegetation of graded areas, the undergrounding of utility facilities, the preparation of an oil spill contingency plan for new pipelines, restrictions of the use of herbicides, and various erosion control measures (as appropriate);

The proposed project is also subject to approval of a Coastal Development Permit in accordance with the provisions of MBMC Chapter 17.58.

3.10.3 Impacts and Mitigation Measures

Significance Criteria

Appendix G of the *CEQA Guidelines* recommends significance criteria for the evaluation of impacts related to land uses in the project area. Those same criteria are provided below. This Draft EIR assumes implementation of the proposed project would have a significant impact related to land use and planning 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, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect; or
- Conflict with any habitat conservation plan or natural community conservation plan.

Methodology

The potential impacts to land use associated with the various components of the project were evaluated on a qualitative basis. The evaluation of impacts is based on professional judgement, the significance criteria established by the CEQA Plus guidelines and a comparison with relevant land use policies and standards for consistency.

Impact Analysis

Divide Established Community

Impact 3.10-1: The proposed project would not physically divide an established community. Project components are located in areas that are not established residential communities and would not disconnect any established communities. There would be no impact.

The proposed construction and operation of the project would not create any physical barriers or linear development within an established community. As a result, there would not be impacts related to physically dividing an established community.

WRF

The proposed WRF would be located on an approximately 10- to 15-acre site of a larger 396-acre agricultural parcel. The majority of the surrounding area is undeveloped, grazing land. There nearest development is an existing nursing home located southwest of the preferred WRF site. However, the preferred WRF site development would not create a physical barrier or physically disconnect the existing nursing home from any established communities within the vicinity of the preferred project site.

Lift Station

The proposed lift station would be located within the existing Corporation Yard or along the right of way of Atascadero Road across the street from the existing Corporation Yard. There are no existing residential developments within the vicinity of the proposed lift station sites. Thus, development of the proposed lift station would not physically divide two established residential communities.

Conveyance Pipelines

The conveyance pipelines would be constructed in trenches within existing rights-of-way or underground and would not result in the creation of a physical barrier that would divide an established community.

Injection and Monitoring Wells

The injection and monitoring wells would be constructed primarily underground. The injection wellheads would occupy a footprint of approximately 200 square feet, enclosed by a fence no greater than 8 feet tall. The wellhead would not be of sufficient size or massing to create a physical barrier that would divide an established community.

Decommissioning of Current WWTP

The decommissioning of the existing WWTP and the eventual removal of this facility would not create a physical barrier that would divide an established community.

Mitigation Measures

None required.

Significance Determination

No Impact.

Land Use Plans and Policies

Impact 3.10-2: The project would not conflict with applicable land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect, including the City or County General Plan, Local Coastal Plan, Coastal Zone Land Use Ordinance, or Zoning Ordinance. There would be no impact.

Consistent with the *CEQA Guidelines* subdivision 15125(d), an EIR shall discuss potential conflicts between a proposed project and applicable plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect, including those of a General Plan and regional plans. The following analysis addresses that requirement, as it pertains to land use. In addition, policies related to specific environmental issues are addressed in other chapters of this

Draft EIR within particular topical sections (e.g. Chapter 3.2 Agriculture, Chapter 3.4 Biological Resources).

As discussed in Section 3.10.2 Regulatory Framework, applicable land use plans, policies and regulations include the San Luis Obispo General Plan, LCP and CZLUO and the City’s General Plan, LCP and Zoning Ordinance. The proposed WRF would be located within the County and is subject to the policies and regulations of the San Luis Obispo General Plan, LCP and CZLUO. The proposed lift station, distribution system and conveyance pipelines between the lift station and preferred WRF site are located within the City and are subject to the policies and regulations of the City’s General Plan, LCP and Zoning Ordinance.

The proposed project’s potential to conflict with the above listed land use plans, policies and regulations is addressed in the tables that follow.

The evaluation of potential conflicts with the plans and policies is intended to provide perspective on whether the proposed project could conflict with the framework of goals and policies the City and County have adopted to guide growth and development. The following discussion and tables summarize the relevant sections of the applicable plans and ordinances and evaluate the proposed project’s potential to conflict with these guiding policies and regulations.

County of San Luis Obispo General Plan and Local Coastal Plan

Table 3.10-2 identifies all County land use goals, policies and objectives relevant to the proposed project from the Land Use Element, including the Estero Area Plan, which along with the land use maps serve as the LCP land use plan. The table includes an analysis of the project’s potential to conflict with these goals, policies and objectives. In order to implement the proposed project, the County would be required to process and adopt a Coastal Development Permit in the form of a Development Plan.

**TABLE 3.10-2
 POTENTIAL TO CONFLICT WITH COUNTY OF SAN LUIS OBISPO GENERAL PLAN AND LOCAL COASTAL PLAN**

Policies	Project’s Potential to Conflict
<p>FRAMEWORK FOR PLANNING COASTAL ZONE General Goals and Objectives</p>	
<p>Goal 1: Preserve open space, scenic natural beauty and natural resources. Conserve energy resources. Protect agricultural land and resources.</p> <p>Objective 1. Environment – Maintain and protect a living environment that is safe, healthful and pleasant for all residents by:</p> <p>c. Giving highest priority to avoiding significant environmental impacts from development through site and project design alternatives. Where such impacts cannot be avoided, minimize and mitigate them to the extent feasible.</p>	<p>No Conflict. The WRF project site was selected after a rigorous site selection and review process that included constraints and alternatives reports that considered a wide range of sites and examined them for suitability based on a variety of criteria related to cost, environmental, logistical and engineering issues and prioritized based on a robust public outreach program. Through this process, which started with 17 possible sites, the current project site was chosen as the most suitable. Site selection was guided by goals adopted by the Morro Bay City Council adopted in 2013 and updated in 2017. In addition, the site layout of the WRF as described in the Facility Master Plan and shown in Chapter 2 of this Draft EIR, has been designed to minimize the footprint of the facilities to avoid impacts to rangeland and the unnamed drainage. The proposed architectural treatment including massing, colors and</p>

Policies	Project's Potential to Conflict
	<p>materials is designed to ensure compatibility with the agricultural building forms in the area and tree plantings would provide additional visual screening of structures. Additional mitigation measures have been identified in Chapter 3.4 Biological Resources to ensure that site design minimizes project specific impacts to natural resources to the lowest extent possible.</p>
<p>Goal 2: Strengthen and direct development toward existing and strategically planned communities.</p> <p>Objective 3. Public Services and Facilities – Avoid the use of public resources, services, and facilities beyond their renewable capacities.</p> <p>c. Locating new public service facilities as close as possible to the users. If facilities are necessary in rural areas, allow for sufficient buffers to protect environmentally sensitive and agricultural areas.</p>	<p>No Conflict. As discussed under Goal 1, the WRF site was selected after a rigorous review process that determined it to be the most physically suitable location for the WRF. In addition, as described above, the WRF has been designed to minimize the footprint of the facilities to avoid impacts to rangeland and the unnamed drainages. As described in Chapter 3.2 Agriculture and Forestry Resources, the WRF would occupy only 4 percent of the 396-acre parcel on which it would be located, and which would still be available for grazing. As described in Chapter 3.4, Biological Resources, the WRF layout also would meet LCP setback requirement of 100 feet from riparian areas.</p>
<p>Goal 11: Strengthen regional cooperation</p> <p>Objective 1 Work closely with cities and regional agencies to achieve common land use goals.</p> <p>Objective 2. Collaborate with communities, stakeholders and the public to plan according to strategic growth goals and objectives and encourage “ownership” of the process and the outcomes.</p>	<p>No Conflict. The County of San Luis Obispo and the City of Morro Bay are working closely to implement the new WRF facility which will ensure compliance with a directive from the California Coastal Commission to relocate the Morro Bay Wastewater Treatment facilities outside of a coastal hazard area and would achieve goals identified by the City of Morro Bay City Council for the facility. In addition, the site alternatives and constraints analysis process included robust community outreach that prioritized site selection. In addition, the current project is consistent with recommendations provided by LAFCO during their MSR process which reviewed the potential for a future WRF site at the selected location.</p>
<p>Public Service Objectives and Implementing Strategies</p>	
<p>Objective 3. Provide additional public resources, services and facilities in sufficient time to avoid overburdening existing resources, services and facilities while sustaining their availability for future generations.</p> <p>Conduct long term planning (20+ years) to fund and provide additional, sustainable public resources, services and facilities in sufficient time to avoid overburdening existing resources, services and facilities.</p> <p>Schedule development to occur when needed services are available or can be supplied concurrently</p>	<p>No Conflict. As stated previously, the new WRF facility is designed to meet the requirements of the California State Water Resources Control Board to meet secondary treatment requirements. The RWQCB’s executive officer has indicated that the project be implemented by 2021 in order to meet the goals of the RWQCB. The project location also meets the requirements of the Coastal Commission to avoid coastal hazards which also helps to ensure the physical sustainability of the proposed facility for future generations. In addition, the project provides a significant reclaimed water component intended to augment the City’s water supplies and the project has been designed for energy efficiency to maximize opportunities for funding and to further ensure sustainability.</p>
<p>ESTERO AREA PLAN</p>	
<p>Public Facilities, Services and Resources</p>	
<p>B. Wastewater</p> <p>1. Wastewater Recycling. Sewage disposal agencies should work with the County Public Works and Health Departments and the Regional Water Quality Control Board to develop a program to find alternative uses for treated wastewater, such as irrigation (e.g., on agricultural lands and the Morro Bay Golf Course), groundwater recharge, and environmental enhancement.</p>	<p>No Conflict. One of the primary reasons for the proposed project was to comply with the Regional Water Quality Control Board requirements to meet secondary treatment requirements. The project includes a Master Water Reclamation Plan to explore the most feasible approach to reclaim water for future use to augment existing City water supplies. The Master Water Reclamation Plan identifies a recommended approach to implementing a recycled water program consistent with RWQCB objectives.</p>

Policies	Project's Potential to Conflict
Environmental and Cultural Resource Policies and Programs	
<p>V. Morro Bay Estuary and Its Watershed</p> <p>A. Policies, Cayucos and Rural Area</p> <p>5. Where feasible, implement applicable provisions of the Comprehensive Conservation and Management Plan for Morro Bay published by the Morro Bay National Estuary Program through special programs, land use planning strategies, review of development proposals, and public education.</p>	<p>No Conflict. The Comprehensive Conservation and Management Plan for Morro Bay, BMP-12, supports the increase in treatment levels and the upgrades for recycled water distribution both of which the proposed project incorporates. Additional discussion of consistency with the Comprehensive Conservation and Management Plan is discussed in Chapter 3.4 Biological Resources.</p>
<p>Geologic Study Areas</p> <p>Moor Bay and Cayucos Hillside. A geologic report prepared by a certified engineering geologist is required for hillside development adjacent to the city of Morro Bay and the Cayucos Urban Reserve Line.</p>	<p>No Conflict. A geotechnical report and hydrogeology report were prepared for the project. See Chapter 3.6 Geology for additional discussion.</p>

County of San Luis Obispo Coastal Zone Land Use Ordinance

As shown in Figure 3.10-1, the preferred WRF site is located within the Agriculture land use category. According to Table O in the Land Use Element, Public Utility Facilities (which includes WRF facilities) is an allowed use in the Agriculture land use category subject to the approval of a Development Plan or a Coastal Development Permit for projects located within the Coastal Zone. As indicated in Chapter 2, Project Description, the City would prepare and submit to the County for review and approval a Coastal Development Permit which must meet all applicable land use regulations and findings consistent with the CZLUO. That includes consistency with Section 23.02.034 Development Plan and the additional application requirements of Section 23.08.288 (b) as well as the development standards provided in Section 23.08.288(c). Through adherence to the above-referenced provisions, the project would not conflict with the County's CZLUO.

City of Morro Bay General Plan and Local Coastal Program

Table 3.10-3 identifies all City land use policies, objectives and programs relevant to the proposed project from the General Plan and Local Coastal Program. The table includes an analysis of the proposed project's potential to conflict with those policies, objectives and programs. In order to implement the proposed lift station, distribution system and conveyance pipelines, the City would be required to process a Coastal Development Permit.

**TABLE 3.10-3
 POTENTIAL TO CONFLICT WITH CITY OF MORRO BAY GENERAL PLAN AND LOCAL COASTAL PLAN**

Policies	Project's Potential to Conflict
City of Morro Bay General Plan and LCP	
<p>Coastal-Dependent Industrial Uses</p> <p>Policy LU-39: Industrial uses located on or adjacent to the harbor and beaches shall be regulated to protect the environment and priorities shall be established for coastal dependent land uses.</p> <p><i>Program LU-39.3 The Morro Bay Wastewater Treatment facilities shall be protected in their present location since an important operational element, the outfall line, is coastal dependent. (LCP 123)</i></p>	<p>No Conflict. The proposed lift stations are not proposed to be located on or adjacent to the harbor and beaches and the removal of the existing WWTP would create the opportunity for new coastal-dependent land uses and the project would not relocate the outfall line.</p>
<p>Public Facilities</p> <p>Objective: Maintain the level of service of public facilities in a manner consistent with the expectations that have resulted from past levels of service. Efforts should continue to strive towards improving public facilities, but should occur with careful recognition of the range of costs supportable by the community (LUE55)</p> <p><i>Program LU-77.2: Improvements in public facilities should also respond to the positive impact they can have on the overall community image. (LUE 55)</i></p> <p><i>Program LU-77.4: It should be the practice of the City to give highest priority to those public facility programs that would solve existing problems and overcome existing deficiencies in the public facilities system. (LUE 55)</i></p>	<p>No Conflict. The proposed WRF and associated project components fulfill directives from the California State Water Resources Control Board and the Coastal Commission to meet regulatory requirements. The project would not impact levels of service and would remedy deficiencies in the existing public facilities system. In addition, the decommissioning and ultimate removal of the existing WWTP facility would allow the community to evaluate potential future development proposals for the site in keeping with its overall community image priorities.</p>
<p>Wastewater – Related Policies and Programs</p> <p>Policy LU-81: The City shall endeavor to implement its Wastewater Treatment Program. (OS 86)</p> <p>Program LU-81.1: The City will continue a program of providing wastewater treatment facilities to accommodate the build-out population of 12,195, determined to be the buildout figure in Coastal Development Permit No. 406-01, which permitted further expansion of the wastewater treatment facilities to 2.4 mgd. (LCP 96)</p>	<p>No Conflict. The City is currently embarking on a process to update its General Plan and LCP, which will evaluate future population for the City. As part of the City's preliminary analysis for the General Plan Update, they estimated a build-out population of 12,015 in the year 2040. This projection is less than the 12,200 which was established as an ultimate population cap under Measure F (Ordinance 266) adopted in 1984 and referenced in Program LU81.1. The proposed WRF facility has been designed to accommodate the buildout population as specified in the General Plan and anticipated in the General Plan Update and therefore is not in conflict with this program.</p>

City of Morro Bay Zoning Ordinance

The proposed project includes the construction of lift station, distribution system and conveyance pipelines, which are identified as new public utility facilities considered a special use in the City's Zoning Ordinance. As a special use, Public Utility Facilities are allowed within any zoning designation, subject to approval of a Conditional Use Permit. As stated previously, Public Utility Facilities, include, but are not limited to, water wells, substations, switching stations, pipelines, transmission lines and similar utility uses.

In addition, the proposed project is subject to approval of a Coastal Development Permit. As indicated in Chapter 2, Project Description, the City would submit applications for a Conditional Use Permit and Coastal Development Permit. Through adherence to the above-referenced permitting requirements, the project would not conflict with the City's Zoning Ordinance.

Mitigation Measures

None required.

Significance Determination

Less than Significant.

Habitat Conservation Plan

Impact 3.10-3: The project would not be not located in or adjacent to a habitat conservation plan or a natural community conservation plan and therefore would not conflict with a habitat conservation plan or natural community conservation plan. There would be no impact.

The proposed project would not be located in or adjacent to a habitat conservation plan or a natural community conservation plan. Therefore, the project would not result in a conflict with a habitat conservation plan or community conservation plan.

Mitigation Measures

None required.

Significance Determination

Less than Significant.

References

City of Morro Bay, 2004. City of Morro Bay General Plan/Local Coastal Plan, February 23, 2004

County of San Luis Obispo, 2009. The Land Use Element and Local Coastal Plan of the San Luis Obispo County General Plan, Estero Area Plan, Revised January 2009

County of San Luis Obispo, 2011. Framework for Planning Coastal Zone, Revised November 2011.

San Luis Obispo Local Agency Formation Commission (LAFCO), 2017. City of Morro Bay Adopted Sphere of Influence Update Municipal Service Review, August 17, 2017.

County of San Luis Obispo, 2016. Land Use Ordinances, Title 22 and 23 of the County Municipal Code, December 2016.