

ZONING / PERMIT PROCESSING
831/420-5100 • FAX 831/420-5434
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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT

809 Center Street • Room 206 • Santa Cruz, CA 95060 • www.cityofsantacruz.com
Juliana Rebagliati, Director

Comprehensive Settlement Agreement Summary

- ❑ **Enrollment:** The 2005 LRDP projected a full-time equivalent (FTE) on campus 3-quarter average (fall-winter-spring) combined graduate and undergraduate enrollment of 19,500 in academic year 2020-2021. The Settlement Agreement revised the 2005 LRDP enrollment projections by limited undergraduate enrollment to 17,500, and total on-campus combined graduate and undergraduate to 19,480 in academic year 2020-2021. Enrollment will be adjusted downward by UCSC if its settlement housing commitment (see below) is not met or water demand increases during a City service area-wide moratorium.
- ❑ **Housing:** UCSC will provide 7,125 beds for student enrollment up to 15,000 and will provide additional housing to accommodate 67 percent of new-student enrollment above 15,000. This results in provision of a total of 10,125 available beds for an enrollment of 19,500. The 2005 LRDP originally called for UCSC to provide housing for 50 percent of undergraduates and 25 percent of graduate students during the life of LRDP for a total of 9,190 beds. The Settlement Agreement increases student housing by 935 beds that will be provided by new construction, remodeling and off-campus housing, the latter of which is limited to no more than 225 beds. UCSC will also contribute specified fees to the City for each UCSC-owned or leased, off-campus student bed that results in a tax revenue loss to the City (which will be used by the City to support services for UCSC's off-campus population. UCSC's increased housing commitment will revert to the 2005 LRDP commitment under conditions specified in the Settlement Agreement.
- ❑ **Water and Sewer Services:** In order to support UCSC in achieving its on-campus housing commitment, the City agreed to continue to provide water service to the campus through the existing connections. The Settlement Agreement requires the City and UCSC to concurrently apply to the Santa Cruz LAFCO for a Sphere of Influence amendment (City application) and for extraterritorial water and sewer services (University application) for the area identified as the North Campus to allow for the development of 3,175,000 gross square feet of additional building space as described in the 2005 LRDP. The Agreement provides that UCSC's housing commitment under the Agreement will be excused if the LAFCO decision is legally challenged, and the final judicial determination upholds a LAFCO denial or reverses a LAFCO approval of the University's application.

UCSC will pay a fee for increased water use (equivalent to the City's "system development charges") to cover its proportional share of use of City-developed new water source capacity and the City's construction of public facilities to serve UCSC's non-drought water demand on the main campus. Additionally, UCSC will comply with any service area-wide water restrictions and mandatory use curtailment imposed by the City in response to a declaration of water shortage emergency and/or if the City establishes a service area-wide moratorium on new connections because of a water shortage emergency.

- **Traffic:** UCSC will limit traffic increases to the main campus to 3,900 average daily trips (ADT) (for a total of 28,700) with a monitoring program to insure compliance. If the traffic is exceeded, UCSC will reduce ADT by one or more of the following: adjusting enrollment, adjusting on-campus workforce or through implementation of ADT-reducing measures). This traffic increase will be increased by 1,300 ADT in the event UCSC is prohibited from developing the North Campus area or the City fails to amend its Sphere of Influence. Furthermore, the parties agreed that UCSC's ability to meet applicable traffic commitments requires the City, County and Santa Cruz Metropolitan Transit District to continue existing services and provide transportation enhancements, but the City and UCSC will continue to work cooperatively on measures to reduce peak hour trips.

UCSC will pre-pay its proportional share of roadway infrastructure improvements associated with additional ADT generated by the 2005 LRDP. The ADT will be based on the City's Traffic Impact Fee program and will be equal to the fee paid by private developers. These payments fulfill UCSC's "fair share" commitment to 2005 LRDP mitigation measures (). UCSC will also pay for existing ADT related to its 2300 Delaware Avenue property, and for new ADT at the Marine Sciences campus as development is approved at the rate then in effect. Additionally, UCSC will provide other financial contributions to specified parking and road/intersection projects.

- **2005 LRDP & LRDP EIR:** In recognition of the purpose and intent of Measures I and J¹ adopted by the City in November 2006, UCSC agrees that the next major amendment to the LRDP will include a comprehensive analysis of potentially feasible alternative locations to accommodate proposed UCSC enrollment growth beyond that analyzed in the 2005 LRDP EIR (i.e., satellite campuses, remove classrooms). Additionally, UCSC will continue to fund all warranted "University Assistance Measures" as specified in the Agreement.

For future projects under the 2005 LRDP, UCSC will not "tier" from or otherwise rely on the 2005 LRDP EIR water or housing analyses as invalidated by the Santa Cruz Superior Court (section 6.2). (Because the housing-related concerns raised in the LRDP litigation involved only *off-campus* housing, the City understands this portion of the settlement only prohibits reliance on the LRDP EIR housing analysis as it relates to off-site housing.) The Settlement Agreement also acknowledges that the Santa Cruz Superior Court decision did not invalidate the LRDP EIR's traffic analysis and that the Court's decision regarding the adequacy of traffic mitigation is resolved by the Settlement Agreement.

¹ See the LAND USE (Chapter 4.3) section of this EIR for further discussion of these measures and subsequent City-adopted ordinances.

Information about LAFCO applications

Why are the City of Santa Cruz and UC Santa Cruz applying to LAFCO to extend water and sewer services to an undeveloped area of the campus?

As part of the [Comprehensive Settlement Agreement](#) that the City of Santa Cruz, County of Santa Cruz, CLUE citizens group, and other individuals reached with UC Santa Cruz about the campus's Long-Range Development Plan in August 2008, all parties agreed that UCSC would construct more on-campus housing than called for in the original 2005 LRDP. In the LRDP, UCSC committed to on-campus housing for 50 percent of undergraduates and 25 percent of graduate students; in the settlement agreement, UCSC also agreed to accommodate 67 percent of student enrollment above the 15,000-student level.

All parties acknowledged that the increased housing commitment was dependent on the campus's ability to construct housing in the North Campus. Accordingly, the agreement called for the City to apply for an extension of its Sphere of Influence (SOI) and for UCSC to apply for "extraterritorial" water and sewer service for a 374-acre portion of the UCSC campus outside of the City's limits. Both applications were submitted to LAFCO by the agreement's October 2008 deadline.

The purpose of the applications, to be considered by the county's Local Agency Formation Commission (LAFCO), is to provide water and sewer services to this area of the campus, thereby implementing the parties' on-campus housing goals as set forth in their agreement.

Why are these LAFCO applications an important part of the Comprehensive Settlement Agreement?

The agreement calls for the campus to build additional on-campus housing to ease pressures on the local housing market and to reduce university impacts on off-campus roads and neighborhoods.

In addition, increasing the percentage of on-campus housing was viewed by the parties as an effective way to reduce per-capita water use, including use during a drought-caused water curtailment.

The LAFCO process was also viewed by the parties as a make-sense alternative to proceeding with costly litigation to resolve disputes between the City, University, County, and local citizens regarding interpretation of water contracts leading up to the establishment of the UCSC campus.

What happens if the LAFCO applications are not approved?

If the LAFCO applications are not approved, all parties to the settlement agreed that the commitment UCSC made to house more students on campus would be voided.

This could lead to a higher proportion of that growth being served by off-campus housing and consequential increased traffic on city and county roadways; off-campus growth in the City's service area would still be served by City water.

Fact check: UCSC and Water

- UCSC's water use represents about 5 percent of the total demand from the Santa Cruz Water Department, according to the City's 2005 Urban Water Management Plan.

- The total projected water use on campus, even if UCSC grows to 19,500 students as described in the 2005 LRDP EIR and the settlement, would be 50 million gallons less per year than the water use projected under the University's former (1988) LRDP that contemplated a projected student population of 15,000.
- The City's recently completed Water Supply Assessment determined that the City has enough water — in regular rainfall years — to more than accommodate UCSC growth as articulated in the LRDP. And, that the City doesn't have enough water — irrespective of the LRDP — in drought years.
- That's why the City is pursuing an alternate water source — a desalination cooperative project with the Soquel Creek Water District — to accommodate a drought-year shortfall that exists today, irrespective of growth that may or may not occur under UCSC's LRDP. For the pilot "desal" plant, UCSC provided space and access to the seawater supply at Long Marine Laboratory.
- When the City asked all of its customers in 2009 to reduce their consumption following several years of below-normal rainfall, UCSC responded by reducing its consumption by 32 percent, more than twice the City's required reduction.
- Through the Comprehensive Settlement Agreement, the University agreed to immediately implement water conservation improvements that are expected to result in 30 million gallons of water savings.
- The Comprehensive Settlement Agreement assures that UCSC will pay for all of the water it uses and for its share of related infrastructure improvements on the same terms and conditions as any other user in the City's service area, and similarly contractually assures that UCSC will be bound by the same drought response/conservation requirements as other City Water Department customers during drought years.
- Because the University is a State entity, the City cannot legally regulate the University in the way it regulates other Water Department customers. This is why the legally binding contractual obligations that the University has assumed through the Comprehensive Settlement Agreement are so important to the City, County, and their citizens.