

## Attachment 1

BEFORE THE BOARD OF SUPERVISORS  
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. \_\_\_\_\_

On the motion of Supervisor  
duly seconded by Supervisor  
the following Resolution is adopted:

RESOLUTION AMENDING THE GENERAL PLAN/ LOCAL COASTAL PROGRAM LAND  
USE PLAN AND IMPLEMENTING ORDINANCES RELATING TO NEW MILLENNIUM HIGH  
SCHOOL MEMORANDUM OF UNDERSTANDING

WHEREAS, the County of Santa Cruz, the City of Watsonville and the California Coastal Commission came to an agreement regarding the proposed west of Highway One (Edwards property) location of the Pajaro Valley Unified School District's (PVUSD's) proposed New Millennium High School, provided that the City of Watsonville agreed not to pursue major additional annexations in the environmentally sensitive lands west of Highway One; and

WHEREAS, the Board of Supervisors, on March 14, 2000, entered into a Memorandum of Understanding (MOU) with the City of Watsonville and the California Coastal Commission, codifying the agreement through restrictions on the extension of wastewater and potable water supply pipelines from the City of Watsonville to lands west of Highway One, thereby minimizing the likelihood of urban expansion in that area; and

WHEREAS, the City of Watsonville, by vote of the City Council on March 14, 2000, agreed to execute the MOU; and

WHEREAS, on March 16, 2000, the California Coastal Commission considered and certified, with suggested modifications, the City of Watsonville's Local Coastal Program (LCP) Major Amendment Number 1-99 designed to modify the City's LCP to allow the PVUSD to pursue a high school on the Edwards property north of Harkins Slough Road and west of Highway One; and

WHEREAS, the MOU included three major proposed actions for which the County was to be responsible for holding a public hearing to consider implementing, no later than March 16, 2001; and

WHEREAS, the County's responsibilities under the MOU included:

- a. Establishment of a one-foot wide wastewater and potable water supply utility prohibition overlay district that would run along, and immediately adjacent to, the City of Watsonville's city limits west of Highway 1; and
- b. Establishing a policy/standard that limits the width of Harkins Slough Road to the minimum necessary to serve the new high school (assuming this and not Airport Blvd. is the primary access route selected), and which encourages improvements that would enhance habitat connectivity under the roadway (e.g., a new bridge span over West Struve Slough, or at least larger culverts); and

- c. Establishing a policy/standard that requires the County to reserve a one-foot non-access strip around any wastewater or potable water supply easements granted to the City over or through County-owned land (including County rights-of-way) west of Highway One; and

WHEREAS, the County also agreed in the MOU to require a super-majority vote of the County Board of Supervisors to make any amendment, including revocation, to the General Plan/LCP Land Use Plan policies that fulfill the requirements of the MOU; and

WHEREAS, the County intends to fulfill the requirements of the MOU through the attached proposed amendments to County General Plan/LCP Land Use Plan and the County Zoning Ordinance/LCP Implementation Plan (Exhibits 1-A and 1-B); and

WHEREAS, the Planning Commission, on February 28, 2001, following a duly noticed public meeting recommended that the amendments to the General Plan/Local Coastal Program Land Use Plan and implementing ordinances, as set forth in Exhibits 1-A and 1-B, and the CEQA Categorical Exemption, incorporated herein by reference, be approved by the Board of Supervisors and submitted to the Coastal Commission as part of the Local Coastal Program Update.

WHEREAS, the Board of Supervisors, on March 13, 2001, following a duly noticed public meeting, considered the amendments to the General Plan/Local Coastal Program Land Use Plan and implementing ordinances, as set forth in Exhibits 1-A and 1-B, and the CEQA Categorical Exemption, incorporated herein by reference, the staff report, and all testimony and evidence received at the public hearing; and

WHEREAS, the Board of Supervisors finds that the proposed amendments are consistent with the California Coastal Act; and

WHEREAS, the proposed amendments to the General Plan/LCP Land Use Plan and to the Zoning Ordinance/LCP Implementation Plan have been found to be categorically exempt from the California Environmental Quality Act (CEQA), consistent with the provisions of CEQA and the County of Santa Cruz Environmental Review Guidelines; and

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Board of Supervisors approves amendments to the General Plan/Local Coastal Program Land Use Plan and implementing ordinances, as set forth in Attachments 1, Exhibit 1-A and 1-B, and the CEQA Categorical Exemption, incorporated herein by reference, and authorizes their submittal to the California Coastal Commission as part of the next round of Amendments.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this \_\_\_\_\_ day of \_\_\_\_\_, 2001 by the following vote:


AYES: SUPERVISORS  
 NOES: SUPERVISORS  
 ABSENT: SUPERVISORS  
 ABSTAIN: SUPERVISORS

---

Chairperson of the Board of Supervisors

Attachment 1

ATTEST: \_\_\_\_\_  
Clerk of the Board of Supervisors

APPROVED AS TO FORM: \_\_\_\_\_  
  
County Counsel

cc: County Counsel  
Planning Department

## Exhibit 1-A

**General Plan/LCP Amendments  
To Implement New Watsonville High School MOU**

**LAND USE ELEMENT****OBJECTIVE 2.1      URBAN/RURAL DISTINCTION**

**Policy 2.1.12              Urban/Rural Boundary - San Andreas Planning Area (per MOU/City  
(LCP)                      of Watsonville Amendment 1-99)**

Maintain a stable urban rural boundary and protect rural agricultural land, wetlands, and/or other environmentally sensitive habitat areas by ensuring that there will be no additional urban development outside the western boundary of the City of Watsonville, and by providing for concentrated urban development within City of Watsonville city limits. Any amendments to this policy, including revocation, require a super-majority vote of the Board of Supervisors.

**Policy 2.1.13              Prohibition On Utility Extensions - San Andreas Planning Area (per  
(LCP)                      MOU/City of Watsonville LCP Amendment 1-99)**

Prohibit the extension of new wastewater and/or potable water utilities, emanating from within the City of Watsonville into the San Andreas Planning Area, by establishing a Utility Prohibition Strip along and immediately adjacent to the City's boundaries west of Highway One, so as to discourage additional urban development in the Coastal Zone west of the City of Watsonville. Exceptions to this policy are listed below in Program f (1-6). Any amendments to this policy, including revocation, require a super-majority vote of the Board of Supervisors.

**Policy 2.1.14              Minimize Utility Sizing - San Andreas Planning Area  
(LCP)**

Any new wastewater or potable water supply pipelines emanating from within the City of Watsonville City limits, as allowed for in Program f (1-6) below, shall be limited in size to the minimum capacity necessary to serve the intended existing and/or proposed development so as to discourage additional urban development in the coastal zone west of the City of Watsonville. Any amendments to this policy, including revocation, require a super-majority vote of the Board of Supervisors.

**Policy 2.1.15  
(LCP)****Watsonville Utility Pipeline Non-Access Strips - San Andreas Planning Area (per MOU/City of Watsonville LCP Amendment 1-99)**

In the San Andreas Planning Area, designate one-foot wide Pipeline Non-Access Strips along both sides of any existing or new: 1) wastewater or potable water supply pipeline easements granted to the City of Watsonville by the County; and/or 2) wastewater or potable water supply pipelines emanating from the City of Watsonville and crossing County right-of-way or other County land. The one-foot wide Pipeline Non-Access Strips shall completely surround any such pipelines and/or pipeline easements, and will prohibit any future pipeline attachments and/or extensions to the affected pipeline, thus discouraging additional urban development in the Coastal Zone west of the City of Watsonville. Any amendments to this policy, including revocation, require a super-majority vote of the Board of Supervisors.

**Policy 2.1.16  
(LCP)****Harkins Slough Road Improvements (per MOU/City of Watsonville LCP Amendment 1-99)**

Harkins Slough Road (including the proposed Highway One overpass/interchange improvements) shall be limited to the minimum width/capacity necessary to provide for roadway, bikeway and/or pedestrian access: 1) to serve the New Millennium High School or other permitted development on the Edwards site (APN 01 8-281-19), and/or 2) as needed to meet minimum County or Caltrans design standards. Any such road improvements shall be designed in tandem with the development to be served by the road improvements in such a way as to minimize the linear extent of any such road improvements; Harkins Slough Road improvements not necessary to serve the permitted development to be served are prohibited. Any such improvements made to Harkins Slough Road pursuant to this policy shall also be consistent with Policy 5.1.16. Any amendments to this policy, including revocation, require a super-majority vote of the Board of Supervisors.

**Programs**

- e. Establish and maintain, upon County-owned lands in the San Andreas Planning Area (including County rights-of-way), a one-foot wide Pipeline Non-Access Strip along both sides of any existing or future: 1) wastewater or potable water supply pipeline easements granted to the City of Watsonville by the County; and/or 2) wastewater or potable water supply pipelines emanating from the City of Watsonville and crossing County right-of-way or other County land. The one-foot wide Pipeline Non-Access Strips shall completely surround any such pipelines and/or pipeline easements. New pipeline connections to the existing wastewater or potable

water pipeline will be prohibited through, over, or under the Pipeline Non-Access Strips.

- f. Create a Utility Prohibition Combining Zone overlay district that establishes and maintains a one-foot wide wastewater and potable water supply Utility Prohibition Strip, across, over, or under which wastewater and/or potable water utility pipelines or pipeline extensions will not be permitted. The Utility Prohibition Combining Zone overlay district will be applied to parcels located to the west of and abutting the western edge of the Highway One right-of-way. Where the Watsonville City limits encompass parcels west of Highway One, the combining zone overlay district shall apply to all parcels directly abutting the Watsonville City limits (and to parcels abutting any County right-of-way that is contiguous with the Watsonville City limits west of Highway One). The Utility Prohibition Strip will be located along the parcel boundaries that directly abut either the Highway One right-of-way or the Watsonville City limits, as applicable. The Utility Prohibition Strip shall extend north of Watsonville to Buena Vista Drive and south to the Monterey County line, to the points where Buena Vista Drive and the County line each intersect the western edge of the Highway One right-of-way. If additional County land in the “Buena Vista” area northwest of Watsonville is annexed into the City of Watsonville, the Utility Prohibition Strip shall be extended northward along the western edge of the Highway One right-of-way to Mar Monte Avenue.

The Utility Prohibition Combining Zone District shall initially be applied to the parcels with the following Assessor Parcel Numbers:

**052-011-46, 052-011-57, 052-011-66, 052-011-67, 052-011-77, 052-511-01, 052-511-05, 052-511-06, 052-511-08, 052-511-10, 052-511-11, 052-511-12, 052-511-13, 052-021-15, 052-021-21, 052-021-30, 052-021-31, 052-081-37, 052-081-38, 052-081-39, 052-091-41, 052-091-42, 052-103-13, 052-103-14, 052-221-14, 052-221-15, 052-221-17, 052-222-10, 052-222-22, 052-581-09, 052-581-10, 052-581-11, 052-271-03, 052-271-04, 052-272-01, and 052-272-02.**

New wastewater and potable water supply utility pipelines/easements from the City of Watsonville shall also be prohibited from crossing or otherwise occupying any and all County rights-of-way (including those on Harkins Slough Road, Lee Road, and Ranport Road) where they border or contact the Watsonville City limits west of Highway One. Wastewater and/or potable water utility pipeline extensions will not be permitted through or across the one-foot wide Utility Prohibition Strip, with the following exceptions:

- 1) Wastewater and potable water supply utility extensions may be provided to APN 052-011-46 (Gilbertson parcel) with capacities limited to those sufficient to serve only uses on that parcel, and the agricultural uses principally and conditionally permitted under the

present County Commercial Agricultural Zoning district, including agricultural worker housing.

- 2) Leachate lines to and from the City and County landfills and the City wastewater treatment plant;
  - 3) Pipelines to distribute water for environmental restoration, maintenance or enhancement;
  - 4) Only for the specific purpose of accommodating new development within the City east of Highway One, expansion of the main wastewater utility line from the City sewer treatment plant is exempted from this prohibition, subject to all applicable regulatory review and approvals.
  - 5) Wastewater and potable water supply utility pipelines/easements necessary to serve the New Millennium High School or other permitted use on the Edwards property (APN 0 18-28 1 -19), with the condition that the pipeline sizes be limited to the minimum capacity required to serve that use only.
  - 6) If APN 052-271-04 (Green Farm) is annexed into the City of Watsonville, the Utility Prohibition Combining Zoning District designation shall be applied to any and all parcels surrounding it, as necessary to maintain a continuous Utility Prohibition Strip around the City boundaries west of Highway One.
- g. Endeavor to acquire, or to encourage other appropriate third parties (e.g., land trusts or other non-profit organizations) to acquire, the one-foot wide Utility Prohibition Strip, as described above in Program f, as permanently held easements on each affected parcel.

## **CONSERVATION AND OPEN SPACE ELEMENT**

### **OBJECTIVE 5.1 BIOLOGICAL DIVERSITY**

#### **Restoration of Damaged Sensitive Habitats**

#### **Policy 5.1.16 (LCP)**

#### **Harkins Slough Road Improvements (per MOU/City of Watsonville Amendment 1-99)**

Any major Harkins Slough Road improvements (e.g., improvements related to the Highway One overpass/interchange and/or permitted development on the Edwards site, APN 018-28 1-1 9) shall provide enhanced habitat connectivity between the west branch of Struve Slough north of Harkins Slough Road and the Department of Fish and Game reserve south of

Harkins Slough Road. Replacing the culverts under Harkins Slough Road with a bridge of adequate span to provide for flood protection and habitat connectivity with regard to slough resources on either side of Harkins Slough Road is the preferred alternative, unless an alternative that is environmentally equivalent or superior to a bridge is identified. Fill of any portion of the west branch of Struve Slough, except for incidental public services, is prohibited. Any such major road improvements to Harkins Slough Road shall include measures to protect habitat, and shall be sited and designed to minimize the amount of noise, lights, glare and activity visible and/or audible within the sloughs. Night lighting shall be limited to the minimum necessary to meet safety requirements and shall incorporate design features that limit the height and intensity of the lighting to the greatest extent feasible; provide shielding and reflectors to minimize on-site and off-site light spill and glare to the greatest extent feasible; avoid any direct illumination of sensitive habitat areas; and incorporate timing devices to ensure that the roadway is illuminated only during those hours necessary for school functions and never for an all night period. Any such major improvements made to Harkins Slough road pursuant to this policy shall also be consistent with Policy 2.1.16. Any amendments to this policy, including revocation, require a super-majority vote of the Board of Supervisors.



## Exhibit 1-B

## ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE ADDING COUNTY CODE SECTION 13.10.490, 13.10.491, 13.10.492 AND 13.10.493 ESTABLISHING A WATSONVILLE UTILITY PROHIBITION COMBINING DISTRICT; AND ADDING SECTIONS 17.02.08 1 AND 16.32.090(c)(A)( 11), RELATING TO IMPROVEMENTS TO HARKIN SLOUGH ROAD, TO THE SANTA CRUZ COUNTY CODE

## SECTION I

The Santa Cruz County Code is hereby amended by adding Sections 13.10.490, 13.10.491, 13.10.492 and 13.10.493 to read as follows:

**13.10.490      “W” Watsonville Utility Prohibition Combining District**

**13.10.491      Purposes of the Watsonville Utility Prohibition “W” Combining District.**

In order to implement General Plan/Local Coastal Program Land Use Plan Policy 2.1.13, and in compliance with the Memorandum of Understanding (MOU), between the County of Santa Cruz, the City of Watsonville, and the California Coastal Commission (entered into on March 14, 2000), the “W” Watsonville Utility Prohibition Combining District is established. The purpose of the Watsonville Utility Prohibition or “W” Combining District is to prevent the provision of urban services to undeveloped/rural areas west of the City of Watsonville, so as to discourage urban development in the farmlands, wetlands and other environmentally sensitive areas in the Coastal Zone west of Watsonville. The Watsonville Utility Prohibition or “W” Combining District establishes a one-foot wide wastewater and potable water Utility Prohibition Strip upon parcels and public road rights-of way to the west of, and abutting, the western edge of the Highway One right-of-way, and the Watsonville City limits where the City extends west of Highway One. The Utility Prohibition Strip shall extend north to Buena Vista Drive and south to the Monterey County line, directly adjacent to the western edge of Highway One right-of-way. The Utility Prohibition Strip shall be located along the parcel boundary closest to the Watsonville City limits or the Highway One right-of-way, as applicable. Wastewater and/or potable water utility pipelines or pipeline extensions will not be permitted through or across the one-foot wide Utility Prohibition Strip, with certain exceptions as set forth in Section 13.10.493. Any amendments to this and the following sections, including revocation, require a super-majority vote of the Board of Supervisors.

**13.10.492      Designation of the Watsonville Utility Prohibition “W” Combining District.**

The Watsonville Utility Prohibition “W” Combining District designation, establishing the one-foot wide Utility Prohibition Strip, shall be applied to:

- (a) Where the city limits of Watsonville lie west of State Highway One, those properties and public road rights-of-way directly bordering the City limits of

Watsonville (and also to parcels abutting any County right-of-way that is contiguous with the Watsonville City limits west of Highway One);

- (b) Those properties and public road rights-of-way bordering the western edge of the Highway One right-of-way, along the stretch of Highway One between Buena Vista Drive to the north and the Monterey County line to the south;
- (c) Where the city limits of Watsonville are modified through annexation, subsequent to the effective date of this section, to include either county lands located west of Highway One, those properties and/or public road rights-of-way on the County side of the so annexed area;
- (d) If and when the “Buena Vista” area northwest of Watsonville is annexed into the City of Watsonville, those properties along the western edge of the Highway One right-of-way between Buena Vista Drive and Mar Monte Avenue.

**13.10.493      Use and Development Standards in the Watsonville Utility Prohibition “W” Combining District**

In addition to the regulations for development and use imposed by the basic zone district, all properties with a “W” combining zone designation, as set forth in Section 13.10.492, shall contain a one-foot wide wastewater and potable water Utility Prohibition Strip. The Utility Prohibition Strip shall be located contiguous to the parcel boundary for all portions of the parcel abutting any part of the Watsonville City limits west of Highway 1. For parcels abutting the Highway One right-of-way, the Utility Prohibition Strip shall be located contiguous to the parcel boundary for all portions of the parcel abutting any part of the Highway One right-of-way. The Utility Prohibition Strip shall extend north of Watsonville to Buena Vista Drive and south to the Monterey County line, to the points where Buena Vista Drive and the County line each intersect the western edge of the Highway One right-of-way. For the applicable County road right-of-way areas, the one-foot wide Utility Prohibition Strip shall run parallel to the City limits and/or along the edge of the right-of-way closest to the City limits. Placement of wastewater or potable water utility pipelines will not be permitted through, over, or under the Utility Prohibition Strip, except for:

- (a) Wastewater and potable water supply utility extensions may be provided to APN 052-01 1-46 (Gilbertson parcel) with capacities limited to those sufficient to serve only uses on that parcel, and the agricultural uses principally and conditionally permitted under the present County Commercial Agricultural Zoning district, including agricultural worker housing.
- (b) Leachate lines to and from the City and County landfills and the City wastewater treatment plant;

- (c) Pipelines to distribute water for environmental restoration, maintenance or enhancement;
- (d) Only for the specific purpose of accommodating new development within the City east of Highway One, expansion of the main wastewater utility line from the City sewer treatment plant is exempted from this prohibition, subject to all applicable regulatory review and approvals.
- (e) Wastewater and potable water supply utility pipelines/easements necessary to serve the New Millennium High School, with the condition that the pipeline sizes be limited to the minimum capacity required to serve the high school only.
- (f) If APN 052-271-04 (Green Farm) is annexed into the City of Watsonville, the Utility Prohibition Combining Zoning District designation shall be applied to any and all parcels surrounding it, as necessary to maintain a continuous Utility Prohibition Strip around the City boundaries west of Highway One.

Any such wastewater or potable water supply pipeline(s) allowed by exception in the “W” combining zone district shall be limited in size to the minimum capacity necessary to serve the so excepted use. The limitations in the “W” combining zone district shall not restrict the repair, replacement, maintenance, refurbishment, or functional improvements of existing water and sewer pipelines insofar as necessary to maintain existing capacity without physical expansion of such existing pipelines.

## SECTION II

The Santa Cruz County Code is hereby amended by adding Section 17.02.08 1 to read as follows:

### **17.02.081      Harkin Slough Road**

Harkins Slough Road (including the proposed Highway One overpass/interchange improvements) shall be limited to the minimum width/capacity necessary to provide for roadway, bikeway and/or pedestrian access: 1) to serve the New Millennium High School or other permitted development on the Edwards site (APN 018-28 1-1 9), and/or 2) as needed to meet minimum County or Caltrans design standards. Any such road improvements shall be designed in tandem with the development to be served by the road improvements in such a way as to minimize the linear extent of any such road improvements; Harkins Slough Road improvements not necessary to serve the permitted development to be served are prohibited. Any such improvements made to Harkins Slough Road pursuant to this policy shall also be consistent with County Code Section 16.32.090(c)(A)( 11). Any amendments to this section, including revocation, require a super-majority vote of the Board of Supervisors.

### SECTION III

The Santa Cruz County Code is hereby amended by adding Section 16.32.090(c)(A)(11) to read as follows:

#### **16.32.090(c)(A)(11) Wetlands Conditions**

Any major Harkins Slough Road improvements (e.g., improvements related to the Highway One overpass/interchange and/or development on the Edwards site - APN 018-281-19) shall provide enhanced habitat connectivity between the west branch of Struve Slough north of Harkins Slough Road and the Department of Fish and Game reserve south of Harkins Slough Road. Replacing the culverts under Harkins Slough Road with a bridge of adequate span to provide for flood protection and habitat connectivity with regard to slough resources on either side of Harkins Slough Road is the preferred alternative, unless an alternative that is environmentally equivalent or superior to a bridge is identified. Fill of any portion of the west branch of Struve Slough, except for incidental public services, is prohibited. Any such road improvements shall include measures to protect habitat, and shall be sited and designed to minimize the amount of noise, lights, glare and activity visible and/or audible within the sloughs. Night lighting shall be limited to the minimum necessary to meet safety requirements and shall incorporate design features that limit the height and intensity of the lighting to the greatest extent feasible; provide shielding and reflectors to minimize on-site and off-site light spill and glare to the greatest extent feasible; avoid any direct illumination of sensitive habitat areas; and incorporate timing devices to ensure that the roadway is illuminated only during those hours necessary for school functions and never for an all night period. Any major improvements made to Harkins Slough road pursuant to this policy shall also be consistent with County Code Section 17.02.081. Any amendments to this section, including revocation, require a super-majority vote of the Board of Supervisors.

### SECTION IV

This Ordinance shall take effect upon certification by the California Coastal Commission.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2001, by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES: SUPERVISORS

NOES: SUPERVISORS

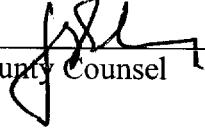
ABSENT: SUPERVISORS

ABSTAIN: SUPERVISORS

---

CHAIRPERSON, BOARD OF SUPERVISORS

ATTEST: \_\_\_\_\_  
Clerk of the Board

APPROVED AS TO FORM:  \_\_\_\_\_  
County Counsel

Copies to: Planning Department  
County Counsel