



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

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ALVIN JAMES, DIRECTOR

May 17, 2002

Agenda: June 11, 2002

Board of Supervisors
County of Santa Cruz
701 Ocean Street
Santa Cruz, California 95060

**PUBLIC HEARING TO CONSIDER A RESOLUTION TO APPROVE REVISED
GENERAL PLAN/LOCAL COASTAL PROGRAM LAND USE PLAN AMENDMENTS
AND COUNTY CODELOCAL COASTAL PROGRAM IMPLEMENTATION PLAN
AMENDMENTS RELATED TO NEW MILLENNIUM HIGH SCHOOL
MEMORANDUM OF UNDERSTANDING**

Members of the Board:

On March 5, 2002, your Board adopted a Resolution accepting the "suggested modifications" of the California Coastal Commission (CCC) regarding the General Plan/Local Coastal Program (GPLCP) Land Use Plan and ordinance amendments relating to the implementation of the Memorandum of Understanding between the County, the City of Watsonville and the CCC concerning the proposed New Millennium High School. In addition to accepting the modifications suggested by the CCC, your Board also added language to both the GPLCP and the implementing ordinances to clearly allow potable water pipelines to serve allowed uses on land zoned as Commercial Agricultural.

As directed by your Board, this action was transmitted to the CCC for its review. Staff had expected that the CCC would have certified the County's acceptance of their suggested modifications and that the new language would have been separated out as a re-submittal. However, CCC staff has determined based on their regulations that the GPLCP amendments, in their entirety, must be resubmitted to the CCC and that your Board must adopt a new Resolution authorizing the re-submittal (see CCC letter dated April 23, 2002 included as Attachment 2).

BACKGROUND AND DISCUSSION

On March 14, 2000, your Board entered into a Memorandum of Understanding (MOU) with the City of Watsonville and the CCC as part of the agreement to allow the proposed New Millennium High School to be built on the City of Watsonville's Coastal Zone Area C (APN 018-281-19), west of Highway One. As part of the MOU, the County agreed to implement

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policies and ordinances that would discourage further westward urban expansion by the City, primarily through limitations on wastewater and potable water pipeline extensions from the City to areas west of Highway One.

On March 27, 2001 your Board approved the GP/LCP Land Use Plan and implementing ordinance amendments, which were subsequently forwarded to the California Coastal Commission (CCC) for their approval and certification as required under the Coastal Act. A full discussion of the of the issues and proposed GP/LCP and ordinance amendments can be found in the report submitted to your Board for this public hearing (Attachment 3 - on file with the Clerk of the Board).

On September 12, 2001, the CCC considered and approved, with suggested modifications, these amendments. Coastal Act regulations required that your Board take action on the CCC's suggested modifications within six months of the CCC's action (by March 12, 2002), or the GPLCP and ordinance amendments would have to be re-submitted for CCC review. A full discussion of the CCC's suggested modifications can be found in the March 5, 2002 report to your Board (Attachment 4 - on file with the Clerk of the Board).

A status report on the Harkins Slough Bridge project will be presented to your Board by the Public Works and Planning Departments on June 25, 2002.

PROPOSED GENERAL PLAN/LCP AND IMPLEMENTING ORDINANCE AMENDMENTS

On March 5, 2002, your Board approved the CCC's suggested modifications and several revisions to the CCC's suggested modifications that would allow for potable water pipeline extensions to address the likelihood that groundwater pumping in the coastal area of the San Andreas Planning Area will be curtailed in the future, and thus it will be necessary to provide not only water for irrigation but also water for the existing and future residents of the agricultural properties west of Highway One.

Prior to March 5, 2002, staff had reviewed the language and intent of the MOU with a number of persons who were involved in the development of the agreement. It was clear that the over-riding goals of the MOU were to prohibit any urban development west of Highway One, to provide mechanisms to support the continuation of commercial agricultural uses in this area and to promote the enhancement of environmentally sensitive areas such as the sloughs and wetlands.

The language approved by your Board on March 27, 2001 included provisions that would have accomplished these goals. However, the modifications suggested by the CCC eliminated any reference to the provision of potable water supplies to serve the commercial agricultural uses in this area. The reason stated in the CCC staff report was that nothing in the policy or ordinance language prohibits the construction of non-potable water supply utilities to serve the agricultural uses, thereby allowing for the potential development of irrigation pipelines from the inland areas to replace groundwater pumping in the coastal area. The CCC's concern regarding the provision of potable water pipelines was that these utilities would inevitably lead to urban development. Unfortunately, this stance doesn't address the need to provide potable water supplies to the residences on the agricultural land, including existing and future agricultural worker housing.

In the MOU, an exception was adopted that staff believes addressed this issue in very specific terms. This exception was:

(a) 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 agricultural uses principally and conditionally permitted under the present County Commercial Agricultural Zoning district, including agricultural worker housing

It is clear that the first section of the exemption addresses the Gilbertson property, a parcel which is owned by the City of Watsonville and located in the flight path of the Watsonville Municipal Airport. The City has not determined the future uses of the property but this language would allow the City to develop the property with urban services. Because this property is located in the flight path of the airport, residential uses of any kind are prohibited.

The second section of the exception refers to “agricultural uses that are principally and conditionally allowed under the present County Commercial Agricultural Zoning district, including agricultural worker housing.” Staff believes that the modifications suggested by the California Coastal Commission (CCC) are in conflict with this exception because the modified language would prohibit the construction of potable water pipelines to serve uses allowed in the Commercial Agricultural zone district, including single-family residences and agricultural housing.

While staff shares the CCC’s concern that these potable water pipelines ‘could’ lead to urban development in the future, a greater concern is that not providing replacement water supplies to agricultural properties which have to eliminate groundwater pumping could result in greater pressure to convert agricultural land to non-agricultural uses, including rural residential subdivisions. Without alternate water supplies, the viability of these agricultural lands for continued agricultural use could be limited. Under County LCP policies and the Coastal Act, a good case could be made for conversion to non-agricultural land uses.

In order to address this issue, staff proposed, and on March 5, 2002, your Board approved, a revision to the suggested modifications of the CCC that was consistent with the MOU and, hopefully, addressed the concerns of the CCC. This language was a revision to the exception shown above, as follows:

*(a) 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;*

(b) The agricultural uses principally and conditionally permitted under the present County Commercial Agricultural Zoning district, including agricultural worker housing, on Type 3 Agricultural Land as designated by the Santa Cruz County Local Coastal Program Land Use Plan;

These revisions are included in Attachment 1 (Exhibits 1-A and 1-B to the Resolution).

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The new language approved by your Board makes it clear that potable water may be provided to commercial agricultural properties for all uses allowed in the Commercial Agricultural zone district. Other provisions of the MOU implementation policies and ordinance require that there be non-access strips encircling the pipelines and that the pipelines be sized to limit the capacity of the pipeline to the excepted uses. These provisions will ensure that unintended urban development cannot occur. In addition, any water or wastewater pipeline to be extended from the City of Watsonville into the coastal zone will require a Coastal Permit, each subject to review and appeal by the California Coastal Commission (CCC).

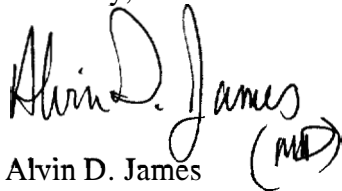
CONCLUSION AND RECOMMENDATION

While most of the CCC's suggested modifications were minor in nature and were intended to clarify the intent and application of the policies and ordinances, the modifications did not clearly allow the extension of potable water pipelines to serve existing and future agricultural uses. Staff believes that it is essential that language to allow for this infrastructure be included to address the likelihood that groundwater pumping in the coastal area of the San Andreas Planning Area will be curtailed in the future. It will be necessary to provide not only water for irrigation but also water for the existing and future residents of these agricultural properties. The language of the MOU clearly supports this intention. Therefore, the revised language your Board approved on March 5, 2002 met the intent of the MOU.

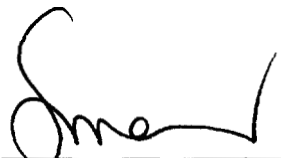
However, because Coastal Commission staff determined, based on their regulations, that the County-approved revisions necessitate re-submittal of the GPLCP amendments, and that your Board must adopt a new resolution approving the revisions and authorizing re-submittal of the GPLCP amendments. It is, therefore, RECOMMENDED that your Board:

1. Adopt the attached Resolution Approving General Plan/Local Coastal Program Land Use Plan and Implementing Ordinance Amendments Related to the New Millennium High School Memorandum of Understanding (Attachment 1); and
2. Direct Planning Department staff to resubmit the modified amendments, with the revised language regarding the exception to allow potable water for commercial agricultural uses, to the Coastal Commission for their final certification.

Sincerely,


 Alvin D. James
 Planning Director

RECOMMENDED:



 Susan A. Mauriello, CAO

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ATTACHMENTS:

- 1. Resolution Amending the General Plan/Local Coastal Program Land Use Plan and Implementing Ordinances Relating to the New Millennium High School Memorandum of Understanding, and Authorizing Their Submittal to the Coastal Commission.

Exhibit 1-A: County General Plan/LCP Land Use Plan Amendment

Exhibit 1-B: Implementing Ordinance Amendments (County Code Sections 13.10.490 through 13.10.493, 17.02.081, and 16.32.090(c)(A)(11)) s
- 2. Letter of Charles Lester, California Coastal Commission, to Alvin James, Planning Director, dated April 23, 2002.
- 3. Letter of Alvin James, Planning Director, dated March 15, 2001 (item no. 72, March 27, 2001 agenda – on file with Clerk of the Board)
- 4. Letter of Alvin James, Planning Director, dated February 28, 2002 (item no. 38, March 5, 2002 agenda – on file with Clerk of the Board)

cc: County Counsel
 California Coastal Commission, Central Coast District
 Assembly Member Fred Keeley
 Pajaro Valley Unified School District
 City of Watsonville
 Department of Public **Works**

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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 P W S D 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

Attachment 1

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 27, 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.

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.

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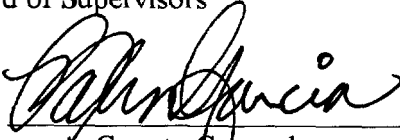
Attachment 1

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this _____ day of _____, 2002 by the following vote:

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

Chairperson of the Board of Supervisors

ATTEST: _____
Clerk of the Board of Supervisors

APPROVED AS TO FORM: 
County Counsel

cc: County Counsel
Planning Department

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Proposed Policies/Programs

**(Includes Coastal Commission’s Suggested Modifications
and 3/5/02 Board of Supervisors Revision)**

**(Coastal Commission Deletions in ~~Strikeout~~; Additions in *Italics*)
(County Proposed Revisions in ~~Shading~~)**

LAND USE ELEMENT

OBJECTIVE 2.1 URBAN/RURAL DISTINCTION

Policy 2.1.12 (LCP) Urban/Rural Boundary - San Andreas Planning Area (~~per MOU/City 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 (LCP) Prohibition On Utility Extensions - San Andreas Planning Area (~~per 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 (LCP) Minimize Utility Sizing - San Andreas Planning Area

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.

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**Policy 2.1.15
(LCP)**

Watsonville Utility Pipeline Non-Access Strips - San Andreas Planning Area (~~per MOU/City of Watsonville LCP~~)

In the San Andreas Planning Area, designate one-foot wide Pipeline Non-Access Strips along ~~both~~ **all** 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 018-281-19)~~ **City of Watsonville Coastal Zone Area C**, 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

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Exhibit 1-A

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, ***extend*** the Utility Prohibition Strip ~~shall be extended northward along the western edge of the Highway One right-of-way to Mar Monte Avenue~~ ***district to abut and surround the new City area as necessary to maintain a continuous utility prohibition zone along the western edge of all new City lands and/or Highway One so as to discourage urban development in the farmlands, wetlands and other environmentally sensitive habitat areas in the Coastal Zone west of the City..***

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:

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Exhibit 1-A

- 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~~
- ~~2) To serve the agricultural uses principally and conditionally permitted under the present County Commercial Agricultural Zoning district, including agricultural worker housing, on Type 3 Agricultural Land as designated in the Santa Cruz County Local Coastal Program Land Use Plan.~~
- ~~3) Leachate lines to and from the City and County landfills and the City wastewater treatment plant, or pipelines to distribute recycled water or wastewater from the City wastewater treatment plant for agricultural uses;~~
- ~~4) Pipelines to distribute water for environmental restoration, maintenance or ~~other~~ _____;~~
- ~~5) 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.~~
- ~~6) Wastewater and potable/*domestic* water supply utility pipelines/easements necessary to serve the New Millennium High School or other permitted use on the City of Watsonville Coastal Zone Area C Edwards property (APN 018-281-19), 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.

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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, ~~111-018-281-19~~) *that (1) expand the roadway prism outside of the existing paved area; or (2) constitute a major public works project; or (3) are necessary to serve permitted development located within City of Watsonville Coastal Zone Area C shall provide enhanced habitat connectivity: 1) for Hanson Slough, & the Hanson Slough portion of the road is improved (e.g., by replacing the existing culvert with an alternative structure, such as a box culvert, that better connects slough resources on either side of Harkins Slough Road); and 2) 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 by ~~R~~ 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.

Proposed Implementing Ordinance Amendments

**(Includes Coastal Commission’s Suggested Modifications and
3/5/02 Board of Supervisors Revisions)**

**(Coastal Commission Deletions in ~~Strikeout~~, Additions in *Italics*)
(County Proposed Revisions in ~~shading~~)**

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 17.02.081 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 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. 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) *Where the city limit of Watsonville is coterminous with the western edge of the Highway One right-of-way, or where the city limit of Watsonville is east of Highway One, 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~~ *is modified through annexation*, subsequent to the effective date of this section *through annexation* to include either ~~of~~ *County lands located west of Highway One, or County lands located east of Highway One and abutting the Highway One right-of-way*, those properties and/or public road rights-of-way on the County side of the so annexed area. *In the event of such an annexation, the annexation shall be conditioned for the affected County properties on the County side of the so annexed area to be rezoned with the “W” combining zone district;*
- (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

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 17.02.081 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 018-281-19)~~ **City of Watsonville Coastal Zone Area C**, 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~~) **that (1) expand the roadway prism outside of the existing paved area; or (2) constitute a major public works project; or (3) are necessary to serve permitted development located within City of Watsonville Coastal Zone Area C** shall provide enhanced habitat connectivity: **1) for Hanson Slough, if the Hanson Slough portion of the road is improved (e.g., by replacing the existing culvert with an alternative structure, such as a box culvert, that better connects slough resources on either side of Harkins Slough Road); and 2) 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 by 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

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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 _____, 2002, 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

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CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
PHONE: (831) 427-4863
FAX: (331) 427-4877

ATTACHMENT 2**April 23, 2002**

Alvin James, Director
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060

Subject: ***LCP Amendment Request 1-01 (PVUSD High School MOU)***

Dear Mr. James:

We received your correspondence package related to the above-referenced Local Coastal Program (LCP) amendment notifying us of the Board of Supervisor's recent action with respect to the Coastal Commission's suggested modifications in this matter. We have reviewed Board Resolution Number 67-2002 and companion Ordinance Number 4656C and their related attachments adopted by the Board on March 5, 2002. Please note that the Board's action is not legally adequate to satisfy the requirements of Section 13544 of the California Code of Regulations. Because the six month time frame for acceptance of the Commission's modifications in their totality ended on March 12, 2002, the Commission's September 12, 2001 LCP amendment approval has subsequently expired.

Accordingly, we consider the package submitted to be a resubmittal of the original LCP amendment request (with modified language that reflects the Commission's previous suggested modifications and the Board's additional changes proposed). As a resubmittal, the LCP amendment request would be considered the first round of LCP amendments for 2002, and must be further evaluated to ensure adequate information has been included to allow for a staff recommendation on the proposed amendment to be developed for the Commission. We would anticipate that we could use much of the information already submitted with the previous file, but that there may need to be additional information provided to analyze the amendment text ultimately now proposed. At a minimum, such a resubmittal will require a new Board resolution consistent with California Code of Regulations Section 13551.

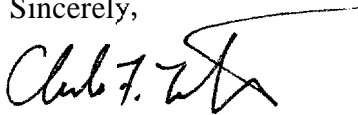
Please confirm our understanding that the package submitted should be considered the first round of LCP amendments for 2002. Once we have received your confirmation and the new Board resolution, we will review the submitted file for completeness (including the materials previously submitted in support of the original amendment request) and inform you of any additional materials that are necessary to complete our review. If you prefer to wait to submit the resubmittal with other LCP amendments that are pending for round one of 2002, please inform us to this as soon as possible.

Please don't hesitate to contact me at (831) 427-4863 if you should have any questions regarding this matter.

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Alvin James, Santa Cruz County Planning Director
LCP Amendment Request 1-01 (PVUSD High School MOU)
April 23, 2002
Page 2

Sincerely,



Charles Lester
Acting Deputy Director
Central Coast District Office

cc: Supervisor Ellen Pirie
Mark Deming & Frank Barron, Santa Cruz County Planning Department
John Doughty, City of Watsonville Community Development Department
Charles McNiesh & Doug Coty, Pajaro Valley Water Management Agency

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COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET, SUITE 310, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123
ALVIN JAMES, JDIRECTOR

March 15,2001

AGENDA: March 27,2001

Board of Supervisors
County of Santa Cruz
701 Ocean Street
Santa Cruz, California 95060

SUBJECT: FURTHER PUBLIC HEARING TO CONSIDER THE PLANNING COMMISSION'S RECOMMENDATION REGARDING GENERAL PLAN/LOCAL COASTAL PROGRAM LAND USE PLAN AMENDMENTS AND COUNTY CODELOCAL COASTAL PROGRAM IMPLEMENTATION PLAN AMENDMENTS RELATED TO NEW MILLENNIUM HIGH SCHOOL MEMORANDUM OF UNDERSTANDING (MOU)

Members of the Board:

The matter before your Board at this time is the further consideration of the Planning Commission's recommendation regarding the proposed amendments to the County General Plan/Local Coastal Program Land Use Plan and implementing ordinances related to the New Millennium High School MOU. This item was originally presented to your Board at your March 13, 2001 meeting, however, due to an omission in the original public noticing process, County Counsel has recommended that the public hearing be continued to the March 27, 2001 Board of Supervisors meeting.

The public noticing omission consisted of a single affected landowner not being sent notice of the Board of Supervisors March 13,2001 public hearing on the matter. However, this landowner was sent notice of the February 28, 2001 Planning Commission public hearing on this issue. Because of this omission, a letter from the landowner's attorney was received (Attachment 5).

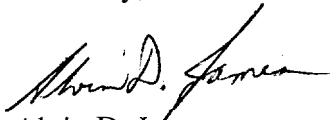
As Attachment #6 of this letter you will find the original staff report on this issue that was provided to your Board for the March 13, 2001 meeting (item #38 of the March 13, 2001 agenda). Also attached separately are the proposed General Plan/Local Coastal Program (LCP) Land Use Plan amendments and implementing ordinance amendments, with the revisions your Board approved at the March 13, 2001 meeting (Attachments 1, 2, and 3), and the proposed California Environmental Quality Act (CEQA) Categorical Exemption form (Attachment 4).

It is RECOMMENDED that your Board:

1. Conduct a public hearing on this matter; and

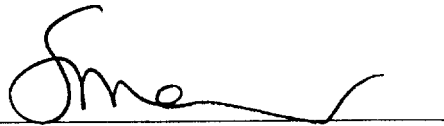
2. Adopt the Resolution amending the General Plan/Local Coastal Program Land Use Plan and implementing ordinances to implement the requirements of the New Millennium High School Memorandum of Understanding (Attachment 1); and
3. Adopt the Implementing Ordinances (County Code Sections 13.10.490 through 13.10.493, 17.02.081, and 16.32.090(c)(A)(11)) relating to the New Millennium High School Memorandum of Understanding (Attachment 2); and
4. Adopt the Ordinance amending County Code Chapter 13.10 by changing the zoning of certain parcels west of the Watsonville City limits (Attachment 4); and
5. Certify the CEQA Categorical Exemption (Attachment 5) for the amendments; and
6. Direct the Planning Department to transmit the Local Coastal Program and implementing ordinance amendments to the California Coastal Commission for review and certification of the amendments.

Sincerely,



Alvin D. James
Planning Director

RECOMMENDED



Susan A. Mauriello
County Administrative Officer

Attachments:

1. Resolution Recommending Approval of the Proposed General Plan/Local Coastal Program Land Use Plan Amendments
 - Exhibit 1-A: Amendments to the County General Plan/Local Coastal Program Land Use Plan
 - Exhibit 1-B: Ordinance amending County Zoning Ordinance/LCP Implementation Plan (County Code Sections 13.10.490 through 13.10.493, 17.02.081, and 16.32.090(c)(A)(11))
2. Ordinance amending County Zoning Ordinance/LCP Implementation Plan (County Code Sections 13.10.490 through 13.10.493, 17.02.081, and 16.32.090(c)(A)(11))

3. Proposed Ordinance amending County Code Chapter 13.10 by changing the zoning of certain parcels west of Watsonville City limits
4. CEQA Categorical Exemption
5. Letter of Attorney Alexander Hensen dated March 13,2001
6. Letter of Alvin James, Planning Director, dated March 1, 2001 (item #38, March 13,2001 Board of Supervisors Agenda)

cc: County Counsel
California Coastal Commission, Central Coast District
Assembly Member Fred Keeley
Pajaro Valley Unified School District
City of Watsonville
Department of Public Works

Attachment 1

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

RESOLUTION NO. 89A-2001

On the motion of Supervisor **Wormhoudt**
duly seconded by Supervisor **Almquist**
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

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COUNTY OF SANTA CRUZ
STATE OF CALIFORNIA



AT THE BOARD OF SUPERVISORS MEETING

On the Date of March, 27, 2001

REGULAR AGENDA Item No. 072

(Further public hearing held to consider General Plan/Local Coastal Program Land Use Plan Amendments (and County Code/Local Coastal Program Implementation Plan Amendments related to New Millennium High School Memorandum of Understanding (closed public hearing; adopted RESOLUTION NO. 89A-2001 (amending the General Plan/Local Coastal Program Land Use Plan and Implementing Ordinance to implement the requirements of the New Millennium High School Memorandum of Understanding; adopted ORDINANCE NO. 4609A 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 17.02.081 and 16.32.090(c)(A)(11), relating to improvements to Harkin Slough Road, to the Santa Cruz County Code; adopted ORDINANCE NO. 4610A amending Chapter 13.10 of the Santa Cruz County Code changing properties from one (or several) Zone District(s) to another (or others); certified the California Environmental Quality Act Categorical Exemption for the amendments; and directed the Planning Department to transmit the Local Coastal Program and implementing ordinance amendments to the California Coastal Commission for review and certification of the amendments with an additional direction to change the date in Resolution No. 89A-2001, page two, fourth paragraph from March 13, 2001 to March 27, 2001...

Further public hearing held to consider General Plan/Local Coastal Program Land Use Plan Amendments and County Code/Local Coastal Program Implementation Plan Amendments related to New Millennium High School Memorandum of Understanding;

Closed public hearing;

Upon the motion of Supervisor Wormhoudt, duly seconded by Supervisor Almquist, the Board, by unanimous vote, adopted RESOLUTION NO. 89A-2001 amending the General Plan/Local Coastal Program Land Use Plan and Implementing Ordinance to implement the requirements of the New Millennium High School Memorandum of Understanding; adopted ORDINANCE NO. 4609A adding County Code Section 13.10.490, 13.10.491, 13.10.492 and 13.10.493 establishing a Watsonville Utility Prohibi-

State of California, County of Santa Cruz-ss.

I, Susan A. Mauriello, Ex-officio Clerk of the Board of Supervisors of the County of Santa Cruz, State of California, do hereby certify that the foregoing is a true and correct copy of the order made and entered in the Minutes of said Board of Supervisors. In witness thereof I have hereunto set my hand and affixed the seal of said Board of Supervisors.

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COUNTY OF SANTA CRUZ
STATE OF CALIFORNIA



AT THE BOARD OF SUPERVISORS MEETING

On the Date of March 27, 2001

REGULAR AGENDA Item No. 072

tion Combining District; and adding sections 17.02.081 and 16.32.090(c)(A)(11), relating to improvements to Harkin Slough Road, to the Santa Cruz County Code; adopted ORDINANCE NO. 4610A amending Chapter 13.10 of the Santa Cruz County Code changing properties from one (or several) Zone District(s) to another (or others); certified the California Environmental Quality Act Categorical Exemption for the amendments; and directed the Planning Department to transmit the Local Coastal Program and implementing ordinance amendments to the California Coastal Commission for review and certification of the amendments with an additional direction to change the date in Resolution No. 89A-2001, page two, fourth paragraph from March 13, 2001 to March 27, 2001

cc:

County Counsel
California Coastal Commission, Central Coast District
Assembly Member Fred Keeley
Pajaro Valley Unified School District
City of Watsonville
Department of Public Works

State of California, County of Santa Cruz-ss.

I, Susan A. Mauriello, Ex-officio Clerk of the Board of Supervisors of the County of Santa Cruz, State of California, do hereby certify that the foregoing is a true and correct copy of the order made and entered in the Minutes of said Board of Supervisors. In witness thereof I have hereunto set my hand and affixed the seal of said Board of Supervisors.

Page 2 of 2

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by _____, Deputy Clerk, ON April 6, 2001.



County of Santa Cruz

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060
(831)464-2180 FAX. (831)454-2131 TDD: (831)454-2123

ALVIN D. JAMES, DIRECTOR

February 25, 2002

Agenda: March 5, 2001

Board of Supervisors
County of Santa Cruz
701 Ocean Street
Santa Cruz, California 95060

CONTINUED PUBLIC HEARING TO CONSIDER CALIFORNIA COASTAL COMMISSION MODIFICATIONS TO THE GENERAL PLAN/LOCAL COASTAL PROGRAM LAND USE PLAN AMENDMENTS AND COUNTY CODE LOCAL COASTAL PROGRAM IMPLEMENTATION PLAN AMENDMENTS RELATED TO THE NEW MILLENNIUM HIGH SCHOOL MEMORANDUM OF UNDERSTANDING

Members of the Board:

On November 6, 2001, your Board considered certain modifications suggested by the California Coastal Commission (CCC) to the County's General Plan/Local Coastal Program Land Use Plan (LCP) and ordinance amendments that had been developed to implement the Memorandum of Understanding between the County, City of Watsonville and the Coastal Commission regarding the Pajaro Valley Unified School District's proposed New Millennium High School (Attachment 3). At that meeting, various questions were raised regarding the modifications suggested by the CCC and the effect these modifications would have on providing for future water supplies to serve the existing agricultural uses in the coastal areas in the San Andreas Planning Area. Because this area of the County is experiencing sea water intrusion and worsening groundwater quality, your Board continued the public hearing to this date so that staff could develop alternate language to specifically address the various options for providing water to support the continuation of commercial agricultural uses consistent with the LCP and California Coastal Act.

BACKGROUND

On March 14, 2000, your Board entered into a Memorandum of Understanding (MOU) with the City of Watsonville and the California Coastal Commission as part of the agreement to allow the proposed New Millennium High School to be built on the City of Watsonville's Coastal Zone Area C (APN 018-281-19), west of Highway One. As part of the MOU, the County agreed to implement policies and ordinances that would discourage further westward urban expansion by the City, primarily through limitations on wastewater and potable water pipeline extensions from

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the City to areas west of Highway One.

The coastal zone area west of Highway One is primarily agricultural and mostly zoned for Commercial Agriculture (CA), but also contains extensive wetlands and other environmentally sensitive areas. The General Plan/LCP Land Use Plan policies and implementing ordinances developed to meet the stipulations of the MOU establish a utility prohibition overlay district that would apply to the boundary of County and the City of Watsonville, west of Highway One from Buena Vista Road to the Monterey County line. The new utility prohibition district is intended to maintain a stable urban/rural boundary at Highway One by prohibiting the extension of sewer and potable water utilities across the district, with certain exceptions as provided for in the MOU.

In addition, the proposed General Plan/LCP and ordinance amendments would ensure that any capacity-increasing improvements made to Harkins Slough Road would protect and enhance environmentally sensitive habitats in wetland areas that the road crosses. This would likely include the construction of a bridge where Harkins Slough Road crosses the West Branch of Struve Slough, replacing the existing culverts.

Specifically, the General Plan/LCP Land Use Plan and implementing ordinance amendments designed to fulfill the County's obligations under the New Millennium High School MOU include the following elements:

1. Establishment of a one-foot wide utility prohibition overlay district that runs along, and immediately adjacent to, the City of Watsonville's city limits west of Highway 1 (with exceptions as explained below¹);

¹ (a) 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 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; and

(e) Wastewater and potable water supply utility pipeline/easements necessary to serve the New Millennium High School or other permitted use on the City of Watsonville Coastal Zone Area C, with the condition that the pipeline sizes be limited to the minimum capacity required to serve that use only.

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- 2. A policy limiting the width of Harkins Slough Road to the minimum necessary to serve the new high school, and encouraging improvements that would enhance habitat connectivity under the roadway; and
- 3. A policy reserving a non-access strip around all wastewater or potable water supply easements granted to the City of Watsonville over or through County-owned land (including County rights-of-way) west of Highway One.

In addition, the MOU also required that any future amendments to these General Plan/LCP Land Use Plan policy changes, including revocation, require a super majority vote of the Board of Supervisors.

On March 27, 2001 your Board approved the General Plan/LCP Land Use Plan and implementing ordinance amendments, which were subsequently forwarded to the California Coastal Commission for their approval and certification as required under the Coastal Act. On September 12, 2001, the Coastal Commission considered and approved, with suggested modifications, these amendments. Coastal Act regulations require that your Board take action on the Coastal Commission's modifications within *six* months of the Commission's action (by March 12, 2002), or the General Plan/LCP and ordinance amendments will have to be re-submitted for Coastal Commission review.

DISCUSSION OF COASTAL COMMISSION MODIFICATIONS

The Coastal Commission's suggested modifications to the General Plan/LCP and ordinance amendments previously approved by your Board primarily consist of minor changes that provide clarification, remove redundancies, or strengthen environmental protection provisions. The most substantive of the Coastal Commission modifications clarify the procedures to be followed by the County in the event of future annexation to the City of Watsonville, and expand the provision of habitat connectivity in the event of improvements to Harkins Slough Road.

Regarding future annexations by the City of Watsonville in or near the Coastal Zone, the previously approved versions of the General Plan/LCP and implementing ordinance amendments had stated that the utility prohibition zone would be extended north to Mar Monte Avenue in the event of annexation of the Buena Vista area north of the City. The suggested modified language simplifies the policy by stating that, in the event of any new annexation by the City in or near the Coastal Zone, the utility prohibition zone would be extended around the outer boundary of the annexed area. This would not only address potential annexation to the north of the City (e.g., the Buena Vista area) but also the "Green Farm" site, south west of the Riverside Avenue interchange, thus making the explicit exemption regarding the Green Farm site (Program f, subsection 6) unnecessary.

Regarding habitat connectivity, the Coastal Commission's suggested modifications would expand the intent of the original version of the amendments by including habitat connectivity improvements at the Harkins Slough Road crossing of Hansen Slough, in addition to the crossing at West Struve Slough. The Coastal Commission is proposing that a larger culvert be installed at Hansen Slough thus improving connectivity between the portion of Hansen Slough upstream from

Airport. The City has not determined the future uses of the property but this language would allow the City to develop the property with urban services. Because this property is located in the flight path of the airport, residential uses of any kind are prohibited.

The second section of the exception refers to "agricultural uses that are principally and conditionally allowed under the present County Commercial Agricultural Zoning district, including agricultural worker housing." Staff believes that the modifications suggested by the CCC are in conflict with this exception because the modified language would prohibit the construction of potable water pipelines to serve uses allowed in the Commercial Agricultural zone district, including single-family residences and agricultural housing.

While staff shares the CCC's concern that these potable water pipelines 'could' lead to urban development in the future, a greater concern is that not providing replacement water supplies to agricultural properties which have to eliminate groundwater pumping could result in greater pressure to convert agricultural land to non-agricultural uses, including rural residential subdivisions. Without alternate water supplies, the viability of these agricultural lands for continued agricultural use could be limited. Under County LCP policies and the Coastal Act, a good case could be made for conversion to non-agricultural land uses.

In order to address this issue, staff has proposed a revision to the suggested modifications of the CCC that will be consistent with the MOU and, hopefully, addresses the concerns of the CCC. This language would be a revision to the exception shown above, as follows:

- (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;
- (b) The agricultural uses principally and conditionally permitted under the present County Commercial Agricultural Zoning district, including agricultural worker housing, on Type 3 Agricultural Land as designated by the Santa Cruz County Local Coastal Program Land Use Plan;

These revisions are included in Attachment 1 (Exhibits 1-A and 1-B to the Resolution) and Attachment 2 (Ordinance).

The proposed language makes it clear that potable water may be provided to commercial agricultural properties for all uses allowed in the Commercial Agricultural zone district. Other provisions of the MOU implementation policies and ordinance require that there be non-access strips encircling the pipelines and that the pipelines be sized to limit the capacity of the pipeline to the excepted uses. These provisions will ensure that unintended urban development cannot occur. In addition, any water or wastewater pipeline to be extended from the City of Watsonville into the coastal zone will require a Coastal Permit, each subject to review and appeal by the CCC.

Staff has discussed the issue of future water service to the agricultural uses in the coastal zone with staff from the Coastal Commission, but no agreement has been reached on appropriate language to implement the exemption. Staff is recommending that your Board consider and adopt

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this revision at this time so that the time limits for action on this LCP amendment, as noted above, do not expire. If your Board adopts this language, staff will submit the revision to the CCC and continue our discussions with the CCC staff and the Commission.


CONCLUSION AND RECOMMENDATION

While most of the California Coastal Commission's suggested modifications are minor in nature and are intended to clarify the intent and application of the policies and ordinances, the modifications do not clearly allow the extension of potable water pipelines to serve existing and future agricultural uses. Staff believes that it is essential that language to allow for this infrastructure be included to address the likelihood that groundwater pumping in the coastal area of the San Andreas Planning Area will be curtailed in the future. It will be necessary to provide not only water for irrigation but also water for the existing and future residents of these agricultural properties. The language of the MOU clearly supports this intention. Therefore, revised language has been prepared for your Board's consideration to meet the intent of the MOU.

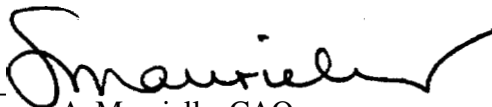
It is, therefore, RECOMMENDED that your Board:

1. Adopt the attached Resolution Revising the California Coastal Commission's Suggested Modifications to Previously Approved General Plan/Local Coastal Program Land Use Plan and Implementing Ordinance Amendments Related to the New Millennium High School Memorandum of Understanding (Attachment 1) approving the Coastal Commission's suggested modifications to the County General Plan/LCP Land Use Plan and Implementing ordinances amendments with the revision discussed above; and
2. Adopt the Revised Ordinance Adding County Code Sections 13.10.490, 13.10.491, 13.10.492 and 13.10.493 Establishing a Watsonville Utility Prohibition Combining District; and Adding Sections 17.02.081 and 16.32.090(c)(a)(11), Relating to Improvements to Harkins Slough Road, to the Santa Cruz County Code (Attachment 2); and
3. Direct Planning Department staff to forward the modified amendments, with the revised language regarding the exception to allow potable water for commercial agricultural uses, to the Coastal Commission for their final certification.

Sincerely,


 Alvin D. James
 Alvin D. James
 Planning Director

RECOMMENDED


 Susan A. Mauriello, CAO

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Attachments:

1. Resolution Revising the Coastal commission’s Suggested Modification to the General Plan/LCP Land Use Plan and Implementing Ordinance Amendments
 - Exhibit 1-A: Coastal Commission Suggested Modifications to the County General Plan/LCP Land Use Plan Amendment, with Revisions
 - Exhibit 1-B: Coastal Commission Suggested Modifications to the Implementing ordinances Amendments (County Code Sections 13.10.490 through 13.10.493, 17.02.081, and 16.32.090(c)(A)(11)), with Revisions
2. Revised Ordinance amending Implementing ordinances (County Code Sections 13.10.490 through 13.10.493, 17.02.081, and 16.32.090(c)(A)(11))
3. Letter of Alvin D. James, Planning Director, dated October 22, 2001 (item no. 59, November 6, 2001 agenda)

cc: County Counsel
 California Coastal Commission, Central Coast District
 Assembly Member Fred Keeley
 Pajaro Valley Unified School District
 City of Watsonville
 Department of Public Works
 Pajaro Valley Water Management Agency

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amount of \$461,779.28 for preliminary bridge design and preparation of environmental documents for the Harkins Slough Road Bridge project; authorized the Director of Public Works to sign the agreement; approved agreement between the County Planning Department and the Pajaro Valley Unified School District for the school's cost for preparation of the Environmental Impact Report and Environmental Assessment; authorized the Director of Planning to sign the agreement with the Pajaro Valley Unified School District; and directed Public Works and County Planning to report back on or before June 25, 2002 on the status of the project, as recommended by the Director of Public Works

34. APPROVED amendment to contract for the Highlands County Park Master Plan and Skate Park project in the amount of \$1,157.20 and authorized the Director of Parks, Open Space and Cultural Services to sign the agreement on behalf of the County, as recommended by the Director of Parks Open Space and Cultural Services

35. CONTINUED TO MARCH 12, 2002 consideration to accept and file the Feasibility Report for the Proposed San Lorenzo Valley Redevelopment project

36. AS THE BOARD OF DIRECTORS OF THE SANTA CRUZ COUNTY REDEVELOPMENT AGENCY, ADOPTED RESOLUTION NO. 65-2002 Accepting Unanticipated Revenue from Tax Increment Fund in the amount of \$161,868 for Office Remodel Project; and adopted RESOLUTION NO. 66-2002 Accepting unanticipated Revenue from Tax Increment Fund Reserves in the amount of \$161,868 for Office Remodel Project, as recommended by the Redevelopment Agency Administrator

37. AS THE BOARD OF DIRECTORS OF THE SANTA CRUZ COUNTY REDEVELOPMENT AGENCY, CONTINUED TO MARCH 12, 2002 consideration to approve contract with Seifel Consulting, Incorporated in the amount of \$183,560 to prepare various studies related to establishing the San Lorenzo Valley Redevelopment Project Area

37.1 DIRECTED County Counsel and the Planning Director to assign staff to attend meetings and assist in the review of issues raised in the development of a proposed urban growth boundary for the City of Watsonville, as recommended by Supervisor Pirie

REGULAR AGENDA

38. Continued public hearing to consider Coastal Commission Modifications to the General Plan/Local Coastal Program Land Use Plan Amendments and County

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