

CALIFORNIA COASTAL COMMISSION

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Prepared October 25, 2001 (for November 14, 2001 Hearing)

To: Commissioners and Interested Persons

From: Tami Grove, Deputy Director

RECORD PACKET COPY

Subject: **City of Watsonville LCP Major Amendment Number 1-01 (Area C Agricultural Buffers and Offsite Permit Timing Modifications)**. Proposed major amendment to the City of Watsonville certified Local Coastal Program to be presented for public hearing and action at the California Coastal Commission's Wednesday, November 14, 2001 meeting to take place at the Hyatt Regency Los Angeles (711 South Hope Street, Los Angeles, CA 90017, Phone: 213-683-1234).

Summary

The City of Watsonville is proposing to change its certified Local Coastal Program (LCP), both the LCP Land Use Plan (LUP) and the LCP Implementation Plan (IP), to modify agricultural buffer and offsite permit timing requirements for development of Area C. These changes are proposed to address LCP issues associated with the development of the Pajaro Valley Unified School District's New Millennium High School project. The New Millennium High School was reviewed by the Commission at the October hearing in San Diego within the context of a substantial issue hearing in light of nine separate appeals filed (the Commission found that the appeals did not raise a substantial issue and declined to take jurisdiction over the coastal development permit (CDP) at that time).

The proposed CDP timing changes would modify LCP requirements that currently require a valid Santa Cruz County CDP be approved for any offsite improvements (such as the necessary road, sewer, and water infrastructure proposed for Harkins Slough Road to serve the high school) prior to exercising the City CDP for the high school. The changes would allow the City's high school CDP to be exercised in advance of any County CDP(s) provided that funding and CEQA work is guaranteed for a bridge spanning the West Branch of Struve Slough. Under the proposed changes, all offsite improvements would need to be completed and open to public use prior to occupancy of the school. Such changes do not substantively alter the LCP and the Commission's previous decisions (including the "no substantial issue" finding on the appeal) regarding the high school project and can be approved without modification.

The proposed agricultural buffer changes would allow for limited school activities (parking, playfields, and pathways) to take place within the required 200-foot agricultural setback buffer that applies on the interior of Area C. Certified LCP policies currently allow for a similar list of uses within buffers on the perimeter of Area C. The submitted policy text, however, could lead to confusion because it is not clear as to where the restricted use buffer area would apply. Minor modifications are suggested to address these areas of confusion.

**California Coastal Commission****November Meeting in Los Angeles**Staff: Central Coast District Approved by: *C.T. 10/24/01*

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With the suggested modifications, the LUP changes can be found consistent with the Coastal Act, and the IP changes can be found consistent with and adequate to carry out the LUP. The changes will facilitate the development of the New Millennium High School. As so modified, staff recommends that the Commission approve the LCP amendment.

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I. Staff Recommendation – Motions and Resolutions

Staff recommends that the Commission, after public hearing, **approve the proposed amendment only if modified**. The Commission needs to make 4 separate motions in order to act on this recommendation.

1. Denial of Land Use Plan Major Amendment # 1-01 as Submitted

Staff recommends a **NO** vote on the motion below. Failure of this motion will result in denial of the LUP portion of the amendment as submitted and adoption of the following resolution and the findings in this staff report. The motion passes only by an affirmative vote of a majority of the appointed Commissioners.

Motion (1 of 4). I move that the Commission **certify** Major Amendment #1-01 to the City of Watsonville Local Coastal Program Land Use Plan as submitted by the City of Watsonville.

Resolution to Deny. The Commission hereby **denies** Major Amendment #1-01 to the City of Watsonville Local Coastal Program Land Use Plan as submitted by City of Watsonville and adopts the findings set forth in this staff report on the grounds that the amendment does not



conform with the policies of Chapter 3 of the Coastal Act. Certification of the Local Coastal Program Land Use Plan amendment would not comply with the California Environmental Quality Act because there are feasible alternatives or mitigation measures which could substantially lessen any significant adverse effect which the Local Coastal Program Land Use Plan Amendment may have on the environment.

2. Denial of Implementation Plan Major Amendment # 1-01 as Submitted

Staff recommends a **YES** vote on the motion below. Passage of this motion will result in rejection of the IP portion of the amendment and the adoption of the following resolution and the findings in this staff report. The motion passes only by an affirmative vote of a majority of the Commissioners present.

Motion (2 of 4). I move that the Commission **reject** Major Amendment #1-01 to the City of Watsonville Local Coastal Program Implementation Plan as submitted by the City of Watsonville.

Resolution to Deny. The Commission hereby **denies** certification of Major Amendment #1-01 to the City of Watsonville Local Coastal Program Implementation Plan as submitted by the City of Watsonville and adopts the findings set forth in this staff report on the grounds that, as submitted, the Implementation Plan amendment is not consistent with and not adequate to carry out the certified Land Use Plan. Certification of the Implementation Plan amendment would not comply with the California Environmental Quality Act because there are feasible alternatives or mitigation measures which could substantially lessen any significant adverse effect which the Implementation Plan Amendment may have on the environment.

3. Approval of Land Use Plan Major Amendment # 1-01 if Modified

Staff recommends a **YES** vote on the motion below. Passage of the motion will result in the certification of the LUP portion of the amendment with suggested modifications and adoption of the following resolution and the findings in this staff report. The motion to certify with suggested modifications passes only upon an affirmative vote of the majority of the appointed Commissioners.

Motion (3 of 4). I move that the Commission **certify** Major Amendment #1-01 to the County of Santa Cruz Local Coastal Program Land Use Plan if it is modified as suggested in this staff report.

Resolution to Certify with Suggested Modifications. The Commission hereby **certifies** Major Amendment #1-01 to the City of Watsonville Local Coastal Program Land Use Plan if modified as suggested and adopts the findings set forth in this staff report on the grounds that the Land Use Plan amendment with suggested modifications will meet the requirements of and be in conformity with the policies of Chapter 3 of the Coastal Act. Certification of the Land Use Plan amendment if modified as suggested complies with the California Environmental Quality Act because either: (1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment; or (2) there



are no further feasible alternatives or mitigation measures that would substantially lessen any significant adverse impacts which the Land Use Plan Amendment may have on the environment.

4. Approval of Implementation Plan Major Amendment # 1-01 If Modified

Staff recommends a **YES** vote on the motion below. Passage of this motion will result in certification of the IP portion of the amendment with suggested modifications and the adoption of the following resolution and the findings in this staff report. The motion passes only by an affirmative vote of a majority of the Commissioners present.

Motion (4 of 4). I move that the Commission certify Major Amendment #1-01 to the City of Watsonville Local Coastal Program Implementation Plan if it is modified as suggested in this staff report.

Resolution to Certify with Suggested Modifications. The Commission hereby certifies Major Amendment #1-01 to the City of Watsonville Local Coastal Program Implementation Plan if modified as suggested and adopts the findings set forth in this staff report on the grounds that, as modified, the Implementation Plan amendment is consistent with and adequate to carry out the certified Land Use Plan. Certification of the Implementation Plan amendment if modified as suggested complies with the California Environmental Quality Act because either: (1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment; or (2) there are no further feasible alternatives or mitigation measures that would substantially lessen any significant adverse impacts which the Implementation Plan Amendment may have on the environment.

II. Suggested Modifications

The Commission hereby suggests the following modifications to the proposed LCP amendment, which are necessary to make the requisite Coastal Act and Land Use Plan consistency findings. If the City of Watsonville accepts each of the suggested modifications within six months of Commission action, by formal resolution of the City Council, the corresponding amendment will become effective upon Commission concurrence with the Executive Director's finding that this acceptance has been properly accomplished. Where applicable, underlined text indicates text to be added, and ~~cross-through text~~ indicates text to be deleted.

- 1. Changes to LUP Policy III(C)(3)(p) and IP Section 9-5.705(c)(4)(xiii).** The proposed changes to Land Use Plan Policy III(C)(3)(p) and Implementation Plan Section 9-5.705(c)(4)(xiii) are approved as submitted. No modifications are necessary.
- 2. Changes to LUP Figure 2A.** The proposed changes to Land Use Plan Figure 2A are not approved. Land Use Plan Figure 2A shall not be changed. Rather, the existing certified Land Use Plan Figure 2A shall be retained.



3. LUP Policy III.C.4. The proposed changes to Land Use Plan Policy III.C.4 (Criteria for Non-Agricultural Use) are not approved. Instead, the following text shall be added to the end of Land Use Plan Policy III.C.4:

For a public school only, the 200-foot agricultural buffer located along the northern boundary of the public school property may contain a 150-foot "Public School Restricted Use Area" on the southern edge of the buffer within which limited public school parking, sports fields, and pathways only shall be allowed; buildings and any other structures shall be prohibited in this area.

4. IP Section 9-5.705(c)(4)(i). The proposed changes to Implementation Plan Section 9-5.705(c)(4)(i) are not approved. Instead, all references to "Area C" shall be modified to "Zone C" in Implementation Plan Section 9-5.705(c)(4)(i), and the following text shall be added to the end of Implementation Plan Section 9-5.705(c)(4)(i):

For a public school only, the 200-foot agricultural buffer located along the northern boundary of the public school property may contain a 150-foot "Public School Restricted Use Area" on the southern edge of the buffer within which limited public school parking, sports fields, and pathways only shall be allowed; buildings and any other structures shall be prohibited in this area.

5. IP Section 9-5.705(g)(6). Implementation Plan Section 9-5.705(g)(6) shall be amended as follows:

(6) Agricultural Buffers. Provide and maintain a buffer of at least 200' between agricultural land and non-agricultural uses on the property devoted to the non-agricultural uses. The setback shall incorporate vegetative or other physical barriers and be as wide as necessary as determined to minimize potential land use conflicts. The buffer area shall be permanently protected and restricted by easement or dedication pursuant to Section 9-5.705(g)(5), such document to incorporate the objectives and requirements herein. Buffer plantings or any other required barriers shall be maintained in perpetuity. Uses allowed in the buffers shall be limited to student agricultural activities, septic systems, any habitat improvements as may be specified in a habitat restoration plan (see Section 9-5.705(g)(4), and, for Area C only: (a) one road crossing of the minimum width for public safety purposes as necessary to serve the permitted use; ~~and/or~~ (b) limited public school parking, sports fields, and pathways within the "Public School Restricted Use Area" portion of the 200-foot agricultural buffer on the perimeter of Area C as shown on LUP Figure 2A; buildings and any other structures shall be prohibited in this area; ~~and/or~~ (c) for a public school only, the 200-foot agricultural buffer located along the northern boundary of the public school property may contain a 150-foot "Public School Restricted Use Area" on the southern edge of the buffer within which limited public school parking, sports fields, and pathways only shall be allowed; buildings and any other structures shall be prohibited in this area.



III. Findings and Declarations

The Commission finds and declares as follows:

A. Standard of Review

The standard of review for the proposed modifications to the City's LUP is consistency with the Coastal Act. The standard of review for proposed modifications to the City's IP is that they must be consistent with and adequate to carry out the policies of the LUP. In general, Coastal Act policies set broad statewide direction that are generally refined by local government LUP policies giving local guidance as to the kinds, locations, and intensities of coastal development. IP (zoning) standards then typically further refine LUP policies to provide guidance on a parcel by parcel level.

B. Watsonville LCP Background

Watsonville Coastal Zone Location

The Watsonville coastal zone is located in the rolling hills just outside of the lower Pajaro Valley in south Santa Cruz County. The Pajaro Valley is in the agricultural center of Santa Cruz County. Favorable climate, combined with some of the most fertile soils in the State, make this an extremely productive agricultural region. Agriculture is the principle base of the local economy, although tourism (and particularly eco-tourism) are making inroads in this area. Agricultural lands extend the three miles west of the City of Watsonville to the Monterey Bay with only a few enclaves of other development (e.g., Pajaro Dunes and Sunset Beach, which are non-contiguous oceanfront second home developments) representing the only non-agricultural urban land uses west of the City of Watsonville.

Only a small portion (less than 10%) of the City of Watsonville lies within the coastal zone. This area constitutes approximately 300 acres. Generally, the coastal zone boundary follows State Highway One as it runs through Watsonville and South Santa Cruz County. However, about 75 acres of the City of Watsonville west of Highway One were deleted from the Coastal Zone by the legislature in 1979. This excluded area west of the Highway and out of the coastal zone has since been heavily developed with urban structures and uses, and it provides a marked contrast to the surrounding coastal zone lands that are essentially undeveloped farmlands and sensitive habitat areas.

See exhibit A.

LCP Framework

For purposes of LCP planning, the City has divided their coastal zone into six areas (described as coastal areas A, B, C, D, E, and R). Coastal Areas A, B, and C are located directly west of Highway One, Coastal Area R is the Highway One and local road right-of-ways, and Coastal Areas D and E represent two non-contiguous public facility developments west of the City (i.e., "islands" within the City limits but separated geographically from the City). Coastal Area D is currently developed with the City's wastewater treatment facility on the Pajaro River, while Coastal Area E serves as the City's landfill. The



City's Local Coastal Program has both policies that are applicable to all five coastal areas and policies that provide further clarification relevant only to each specific coastal area.

In addition to specific policies, the Local Coastal Program includes several sections that provide detailed description and analysis of coastal resource issues present in the City of Watsonville (and the LCP policies that address them). The LCP groups the larger regional issues into: (1) conversion of agricultural land to urban use; (2) development opportunities; and (3) protection of resources. Issues specific to each respective area of the City's coastal zone (A - R) are also identified. Among other things, these additional sections describe the identification and analysis of the City's environmentally sensitive habitat areas, detail erosion, sediment and runoff standards, and identify development constraints and potential for each coastal area. These issue discussions in the certified LCP clearly identify core Coastal Act issues including the conversion of agricultural land to urban uses; establishment of a rural-urban boundary; preservation of agricultural land; appropriate water/sewer utility service areas; and protection (and acquisition) of sensitive resource areas.

Original LCP Certification

On December 2, 1982, the Coastal Commission certified the City of Watsonville's Land Use Plan; this certification was dependent upon the City modifying the LUP in several ways suggested by the Commission. The suggested modifications included clarification that wetland upland transition areas were to be considered wetlands, and identification of a process for identifying habitat areas. The Watsonville City Council accepted the suggested modifications on January 25, 1983. Soon thereafter, the Commission's Executive Director reported the result of the City's action on the modifications to the Commission and the LUP was effectively certified as of April 14, 1983.

Subsequently, on June 7, 1988 the Commission certified the City's Implementation Plan; as with the LUP, this certification was dependent upon the City modifying the Plan as suggested by the Commission. The City modified the IP as suggested by the Commission, and the IP was effectively certified on November 15, 1988. The City assumed coastal permitting authority on December 8, 1988.

Previous LCP Amendments

There have been two previous City of Watsonville LCP amendments approved by the Commission. Major Amendment Number 1-98 (approved with suggested modifications on April 8, 1998, effective May 13, 1988) expanded the types of public recreational use that would be permitted in Area A of the City's coastal zone (in the northwestern corner of the City) in order to allow a golf driving range. Major Amendment Number 1-99 (approved with suggested modifications on March 16, 2001, certified October 12, 2001) allowed public schools as a conditional use on Area C subject to a number of specific measures and performance criteria (in light of the sensitivity of the Watsonville Slough system on-site, the fertile agricultural lands, the rural agrarian landscape, and the location west of the urban-rural boundary at Highway One) in order to allow for a high school to be pursued on Area C.



C. City Coastal Zone Area C

The proposed amendment applies only to City Coastal Zone Area C policies. Area C is located to the north of Harkins Slough Road at its intersection with Lee Road, west of Highway 1 on the western outskirts of the City of Watsonville. Area C is currently composed of seven parcels totaling approximately 139 acres (assessor parcel numbers 018-281-02, 08, 12, 14, 15, 18, and 19); this area represents the largest contiguous block of land within the City's coastal zone. See exhibit A.

Area C is situated within a larger geographic region of extremely low intensity development without public services (water and sewer) and dominated by agricultural uses.¹ This region extends from the western border of the City at Highway 1 all the way to the Pacific Ocean. Areas to the west and south (immediately outside the City's boundaries surrounding Area C) in unincorporated Santa Cruz County are designated by the County as Commercial Agriculture and Open Space (Watsonville Slough Ecological Reserve). Land use designations for the areas remaining within the City's jurisdiction to the north and east are designated as Environmental Management and Public. Across Highway 1 inland to the north and east are areas zoned for Industrial, Environmental Management, Residential-Low Density, Public, Residential-Medium Density, and General Commercial. As of 1997, Area C was a part of a larger single strawberry farming operation extending west outside of City limits.²

Agricultural Use of Area C

Watsonville's coastal zone is part of an area where agriculture is paramount to the economy. According to the *Pajaro Valley Futures Study, November 1998*, "unlike other cities in Santa Cruz County, Watsonville's economy is almost entirely dependent on agriculture." This study provides valuable information both in the form of statistical analysis of trends in crop acreage and values over the past 20 years; and also qualitative assessments based on interviews with people who work in the industry everyday – growers, processors, labor, service industries, real estate, etc. The following is a summary of the study's findings:

The ideal growing conditions in the Pajaro Valley create high demand for the finite amount of agricultural land and land values that are considerably higher than in nearby areas. While urbanization may escalate land values to 8 to 10 times the value for agriculture, the high agricultural land values indicate the importance of the Pajaro Valley as agricultural land. Over the past twenty years agricultural production in the Pajaro Valley have increasingly shifted to higher income commodities such as strawberries, while apple production has declined. This is likely to continue as outside competition and high costs of land, water, and labor make lower income crops less economical.

Area C has been in agricultural use for many years. The LCP defines the agricultural lands here as prime agricultural lands within the meaning of the Coastal Act. Historic agricultural use in the Pajaro Valley

¹ See exhibit A for graphics showing public services in the Area C vicinity, and showing the range of agricultural lands stretching to the Monterey Bay west of the City.

² South Santa Cruz County Ranch Maps, Santa Cruz County Agricultural Commissioner's Office (1997).



dates back to pre-European times. The subject site was originally part of James Hanson's dairy in the 1800's and appears to have stayed in grazing use until recently, as documented by historic aerial photographic analysis. Also, at times the grasses were mowed and likely used for feed, as evidenced by hay bales on the site in a 1931 aerial photograph. The background report to the LUP written in 1982 says the site at that time was partially in grazing use and partially in row crops.³ Current agricultural use of the subject parcel has been strawberry cultivation, a use that has been occurring for the last decade.

Area C is situated in an agricultural area indistinguishable from surrounding and adjacent strawberry farms. According to the South Santa Cruz County Ranch Maps of 1997, other agricultural properties within the vicinity and region of the subject site have been used for pasture, strawberries, and vegetables.⁴ This document reveals that use across Harkins Slough Road to the southwest has more recently been for vegetable crops and a small amount of grazing. Until recently there was also an apple orchard located to the southwest as well. However, the trees have since been removed. Use of the lands adjacent to Area C to the west and northwest has also more recently been for grazing and strawberry cultivation.

Watsonville Slough System on Area C

Area C also encompasses large tracts of wetland resources, including portions of Hanson Slough and West Branch Struve Slough. Hanson and West Branch Struve Slough are two of the six major branches of the Watsonville Slough System (see exhibit A). The Watsonville Slough System drains an approximately 13,000 acre coastal watershed in south Santa Cruz County. This slough system, which winds in and out of the City of Watsonville and ultimately to the Pajaro River Lagoon/Estuary and on to the Monterey Bay, is probably the largest and most significant wetland habitat between Pescadero Marsh (in San Mateo County) to the north and Elkhorn Slough (in Monterey County) to the south. The entire Watsonville Slough System has been designated by the California Department of Fish and Game (CDFG) as an "Area of Special Biological Importance."

The Watsonville Slough System extends from areas well inland of Highway One all the way to the Monterey Bay.⁵ The Slough System includes approximately 800 acres of (flat) wetland area.⁶ Although difficult to estimate with any degree of accuracy, this Slough System has been reduced in scale over time. Farming in and around the sloughs has been ongoing since the 1850s, and much of the sloughs have been channelized, graded, and used for agricultural production or grazing at "one time or another. Encroaching urbanization in and around the City of Watsonville has also led to direct encroachment into slough areas over time. Best estimates are that the Watsonville Slough System once included over 1,000

³ California Department of Water Resources Maps show the part of the site closest to Harkins Slough Road in row crops in 1975 and the entire farmable portion of the site in row crops in 1982.

⁴ Santa Cruz County Agricultural Commission, *South Santa Cruz County Ranch Maps 1997*.

⁵ Again, see exhibit A.

⁶ As estimated in *Water Resources Management Plan for Watsonville Slough System Santa Cruz County* (AMBAG, November 1995).



acres of wetland slough habitat.⁷ It is likely that the Slough System was once even larger given that these estimates are based on sparse historical data going back approximately 120 years.

Despite its historical reduction, the Watsonville Slough System remains a very important ecological system. It contains significant areas of fresh and salt water wetland, marsh, and open water areas, riparian and oak woodlands, as well as dune and coastal scrub communities nearer the coast. The diversity of habitat and its coastal location along the Pacific Coast Flyway combine to make the Slough System an important resting, feeding and refuge area for migratory, seasonal and resident waterfowl. In addition, the Slough System is home to many other birds, amphibians, reptiles, and other animals – some of these species protected by the Federal and State Endangered Species Acts – which likewise use this diverse habitat. The rich prey base supports a high diversity of raptor and other predators. Various plant species of concern, some of these endangered as well, are also prevalent in the Slough System. United States Fish and Wildlife Service (USFWS) and the California Department of Fish and Game (CDFG) have both indicated that the Watsonville Slough system as a whole, as well as the portions of it that are found on Area C, is biologically sensitive habitat particularly worthy of vigilant protection. In letters last year, CDFG indicated that all of Area C should be considered ESHA within the meaning of the Coastal Act and USFWS recommended “taking the broadest view possible in interpreting the extent of ESHA resources on the site.”⁸

D. Purpose of the Proposed Amendment

The City has approved a CDP for a high school to be located on Area C.⁹ The City and School District indicate that: (1) the CDP timing requirements of the LCP relating to off-site improvements outside of the City in Harkins Slough Road could jeopardize the high school project since any timing delays might put at risk the State hardship funding for the project; and (2) the LCP’s agricultural buffer requirements on the interior of Area C further squeeze the School District into a smaller acreage that compromises the ability to provide necessary school facilities (since site constraints on Area C render much of the Area C land undevelopable for a school). The proposed LCP amendment is designed to address these LCP issues associated with the high school development.¹⁰

⁷ *Restoring Converted Wetlands: A Case Study In Watsonville, California A Thesis Presented to The Faculty of the Department of Environmental Studies San José State University in Partial Fulfillment of the Requirements for the Degree Master of Science* by Karl Schwing, 1999, examined land survey maps from 1881 and 1908 and calculated 1,026 and 1,187 wetland acres, respectively, in the Watsonville Slough system. It should be noted that these maps did not contain wetland delineations, rather they generally depicted sloughs and marshes. Examination of aerial photographs found 500 acres of wetland in 1985 and 652 acres in 1994.

⁸ CDFG February 15, 2000 letter and USFWS March 32, 2000 letter; both on City LCP Amendment 1-99 (the LCP amendment that allowed the school use on Area C) when the amendment was pending at the Commission last year.

⁹ At their October hearing in San Diego, the Commission reviewed nine separate appeals filed with respect to the City’s decision (Appeal Number A-3-WAT-01-070). At that hearing, the Commission found that the appeals did not raise a substantial issue and declined to take jurisdiction over the coastal development permit.

¹⁰ Note that the Commission, on appeal, declined to take jurisdiction over the City’s CDP at their October 2001 hearing in San Diego.



E. Description of LCP Amendment

The proposed CDP timing changes would modify LCP requirements that currently require a valid Santa Cruz County CDP be approved for any offsite improvements (such as the necessary road, sewer, and water infrastructure proposed for Harkins Slough Road to serve the high school) prior to exercising the City CDP for the high school. The changes would allow the City's high school CDP to be exercised in advance of any County CDP(s) provided that funding and CEQA work is guaranteed for a bridge spanning the West Branch of Struve Slough. Under the proposed changes, all offsite improvements would need to be completed and open to public use prior to occupancy of the school. The changes would modify LUP Policy III(C)(3)(p) and IP Section 9-5.705(c)(4)(xiii).

The proposed agricultural buffer changes would allow for limited school activities (parking, playfields, and pathways) to take place within the required 200-foot agricultural setback buffer that applies on the interior of Area C. Currently, no such uses are allowed within the required 200-foot agricultural setback buffer. The changes would modify LUP Figure 2A, LUP Policy III(C)(4), and IP Section 9-5.705(c)(4)(i).

See exhibit B for the resolutions and ordinances defining the proposed LCP text, see exhibit C for proposed changes to LUP Figure 2A, and see exhibit D for the proposed amendment in cross-through and underline format.

F. Coastal Act and LUP Consistency

In order to approve a Land Use Plan amendment, it must be consistent with the Coastal Act. In order to approve an Implementation Plan amendment, it must be consistent with and adequate to carry out the Land Use Plan.

Applicable Policies

Coastal Act policies directed towards agricultural buffers and the adequacy of public services to support development are applicable:

Section 30241. The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the area's agricultural economy, and conflicts shall be minimized between agricultural and urban land uses through all of the following:

- (a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban land uses.*
- (b) By limiting conversions of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses or where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.*



- (c) By permitting the conversion of agricultural land surrounded by urban uses where the conversion of the land would be consistent with Section 30250.*
- (d) By developing available lands not suited for agriculture prior to the conversion of agricultural lands.*
- (e) By assuring that public service and facility expansions and nonagricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.*
- (f) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision (b), and all development adjacent to prime agricultural lands shall not diminish the productivity of such prime agricultural lands.*

Section 30250(a). New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

Consistency Analysis – CDP Timing Changes

The permit timing changes proposed will not alter the fundamental outcome envisioned by the LCP for Area C and the offsite improvements necessary to support Area C. The existing LCP CDP timing policy is structured to ensure that all County permits are in place prior to exercising the City LCP. The reason for this is to ensure that the County permitting process is not prejudiced by a scenario in which (a) a school is partially built and then resource issues require the offsite improvements be denied; and/or (b) a school is built and ready to use but the County CDP has not yet been approved. Under these scenarios or permutations thereof, there would be pressure to quickly approve offsite work, even if potential impacts and mitigations were not fully understood, or were fully understood and negative impacts disregarded. As proposed by the City, the school CDP could be exercised provided funding is assured and CEQA work is guaranteed for a bridge spanning the West Branch of Struve Slough; all such offsite improvements would then need to be completed and open to public use prior to occupancy of the school.

Road improvements are necessary on Harkins Slough Road if it is to be brought out of the one-hundred year flood plain and thus provide all-season access to the school site.¹¹ If the LCP is not amended, however, the School District indicates that the timing delays necessary to secure County CDPs would jeopardize the State hardship funding available for school development.¹² Ultimately, the proposed LUP changes would ensure that adequate public services are available to serve the high school development

¹¹ Harkins Slough Road provides the only access to the chosen school site.

¹² Potential approvals for (and construction of) Harkins Slough Road improvements are not anticipated until late 2003.



prior to its occupancy, and can be found consistent with Coastal Act Section 30250(a). Since the IP changes proposed simply mirror the LUP changes, these IP changes too can be found consistent with and adequate to carry out the LUP. See suggested modification 1.

Consistency Analysis – Agricultural Buffer Requirements

The approved high school site will be located adjacent to ongoing agricultural operations to the north, west, and south. This includes grazing land west of the site on the adjacent Rocha property in Santa Cruz County, organic farming south of the site across Harkins Slough Road, and cultivated fields extending north and west within both the City and adjacent lands in the County. There are typical incompatibility issues at urban-agricultural land use interface (including, among others, noise, dust, odors, and pesticide application).¹³ As such, adequate buffers are necessary to ensure that continued agricultural cultivation is not threatened by proximity to non-agricultural uses should standard agricultural practices (such as chemical spraying and fertilizing) or ongoing agricultural by-products (such as dust and noise from machine operations – cultivating, spraying, harvesting, et al) be seen as incompatible and/or a threat to the non-agricultural uses.

The LCP requires a 200 foot agricultural buffer for development on Area C. On the interior of Area C, only a very limited set of uses is allowed within this buffer area (i.e., agricultural activities, septic systems, habitat restoration). On the border of Area C, there is a “Public School Restricted Use Area” within a portion of the required 200 foot buffer within which additional uses are allowed (i.e., public school parking, sports fields, and pathways).¹⁴ This restricted use area ranges from 50 to 150 feet and was allowed by the Commission to provide additional acreage for a public school use in light of the identified acreage needs of the School District when the LCP amendment was approved last year to allow a public school to be developed on Area C.¹⁵ The Commission found as follows:

Given the nature and intensity of the school use, and given Santa Cruz County's buffer standards (that apply elsewhere in the vicinity), a 200-foot buffer between any public school use and adjacent agriculture is the minimum appropriate (see modification 4.A.2). However, the Commission recognizes that, according to the School District, in excess of a 50-acre campus is required to accommodate a 2,200 student high school facility on Area C. In order to ensure

¹³ Such incompatibilities are heightened in particular in light of the obvious conflicts between sensitive receptors (i.e., school children) and pesticide application. In recent years, concerns have been raised by District parents concerning PVUSD schools (e.g., Ohlone and Amesti) adjacent to agricultural fields. Current requirements for users of “restricted materials” are such that they must obtain both special training and a site-specific permit from their county agricultural commissioner. One such “restricted material” that may be used on adjacent strawberry fields is Methyl Bromide, which is scheduled to be phased out of use by 2005. Methyl Bromide is a fumigant commonly used in strawberry cultivation operations. Before the Agricultural Commissioner can issue a permit they must first take into account the presence of sensitive sites in the area. Sensitive sites typically include schools, hospitals, and residential neighborhoods. Faced with this, an Agricultural Commissioner may deny the permit, or may require specific use practices designed to protect health and the environment.

¹⁴ See existing LUP Figure 2A attached as exhibit C.

¹⁵ At that time, the District indicated that in excess of 50 acres were required to develop a 2,200 student high school at this location. Since then, the District is now pursuing development of the 2,200 student high school on roughly 25 to 30 acres at Area C (i.e., the project approved by the City).



adequate acreage to meet the District's identified acreage requirement, the Commission finds that a reduced agricultural buffer for a public school (only) will ensure that the school use, and particularly the areas subject to high student activity, are adequately separated from ongoing agricultural operations. As such, conflicts between school and agricultural uses are addressed. Accordingly, the Commission's suggested modifications allow for limited public school parking lot, sports field, and pathway development within the "Restricted Use Area" of the 200-foot required agricultural buffer on Area C (as shown on Figure 18). This "Restricted Use Area" is not meant for buildings or other structural uses.

Normally a similar "restricted use area" on the interior of Area C could lead to additional land use conflict at the agricultural-urban interface. However, the situation at Area C is different because the approved high school project included assurance that the remainder of Area C north of where school facilities are planned will be permanently protected to remain in agriculture, open space and/or habitat uses. This will be accomplished through acquiring title to the land by an appropriate public or non-profit entity (i.e., one with such a preservation mandate), and through property restrictions to be recorded on the remainder property. These provisions to be accomplished prior to the exercise of the high school CDP per the City-approved project. As such, the proposed LUP changes can be found conceptually consistent with the Coastal Act. Since the IP changes proposed simply mirror the LUP changes, these IP changes too can be found conceptually consistent with and adequate to carry out the LUP.

Unfortunately, the changes as proposed could lead to confusion in their application for 2 reasons:

1. The proposed change to LUP Figure 2A maps the 200 foot buffer and restricted use area in a location that does not correspond to the high school site map. As such, the area within which such restricted uses would be allowed does not apply to the area in which such exemption is necessary for high school development. Fortunately, this issue can be easily addressed by not amending LUP Figure 2A and instead making it clear through LCP text as to the parameters of the restricted use area. While LUP Figure 2A, and LCP policies in general for Area C, are ripe for change in light of the expected public acquisition of Area C, the proposed LUP Figure 2A change is unnecessary and only serves to confuse LCP implementation. See suggested modifications 2, 3, and 4.
2. The proposal does not include any proposed changes to IP Section 9-5.705(g)(6) ("Agricultural Buffers"). Because of this, and since IP Section 9-5.705(g)(6) also applies to Area C, there could be confusion in LCP implementation. Fortunately, this issue can be easily addressed by including similar language IP Section 9-5.705(g)(6) allowing the LCP restricted use area. See suggested modification 5.

Conclusion

The Commission must determine whether the LUP with the proposed amendment is consistent with the Coastal Act. As submitted by the City, the proposed amendment to the LUP would not clearly define the agricultural buffering requirements for Area C and, therefore, consistency with the applicable policies of Chapter 3 of the Coastal Act is not guaranteed. As such, the proposed LUP amendment must be denied as submitted. Since the IP portion of the proposed amendment simply mimics the proposed LUP



changes, and since the LUP amendment must be denied, so too must the IP amendment.

Fortunately, there are minor modifications that can be made to address the identified issues and thereby allow a finding of Coastal Act and LUP consistency. If so modified in all of the ways outlined here according to the cited modification texts, then the LUP as amended by the proposed amendment, and as further modified as suggested above and in the cited modification texts, is approved as satisfying Coastal Act Chapter 3 policies as discussed in this finding. Similarly, if so modified in all of the ways outlined here according to the cited modification texts, then the IP as amended by the proposed amendment, and as further modified as suggested above and in the cited modification texts, is approved as being consistent with and adequate to carry out the certified LUP as amended.

G. California Environmental Quality Act (CEQA)

The Coastal Commission's review and development process for LCPs and LCP amendments has been certified by the Secretary of Resources as being the functional equivalent of the environmental review required by CEQA. Therefore, local governments are not required to undertake environmental analysis of proposed LCP amendments, although the Commission can and does use any environmental information that the local government has developed. CEQA requires that alternatives to the proposed action be reviewed and considered for their potential impact on the environment and that the least damaging feasible alternative be chosen as the alternative to undertake.

The City in this case did not analyze the proposed amendment under CEQA. This staff report has discussed the relevant coastal resource issues with the proposal, and has recommended appropriate suggested modifications to avoid and/or lessen any potential for adverse impacts to said resources. All public comments received to date have been addressed in the findings above. All above Coastal Act findings are incorporated herein in their entirety by reference.

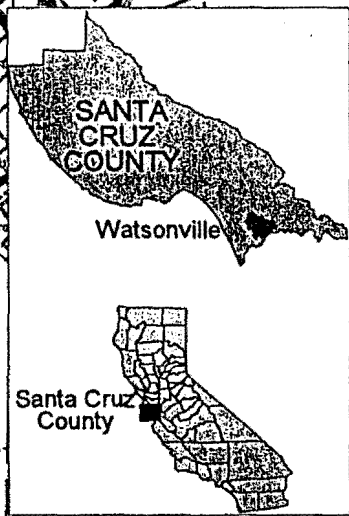
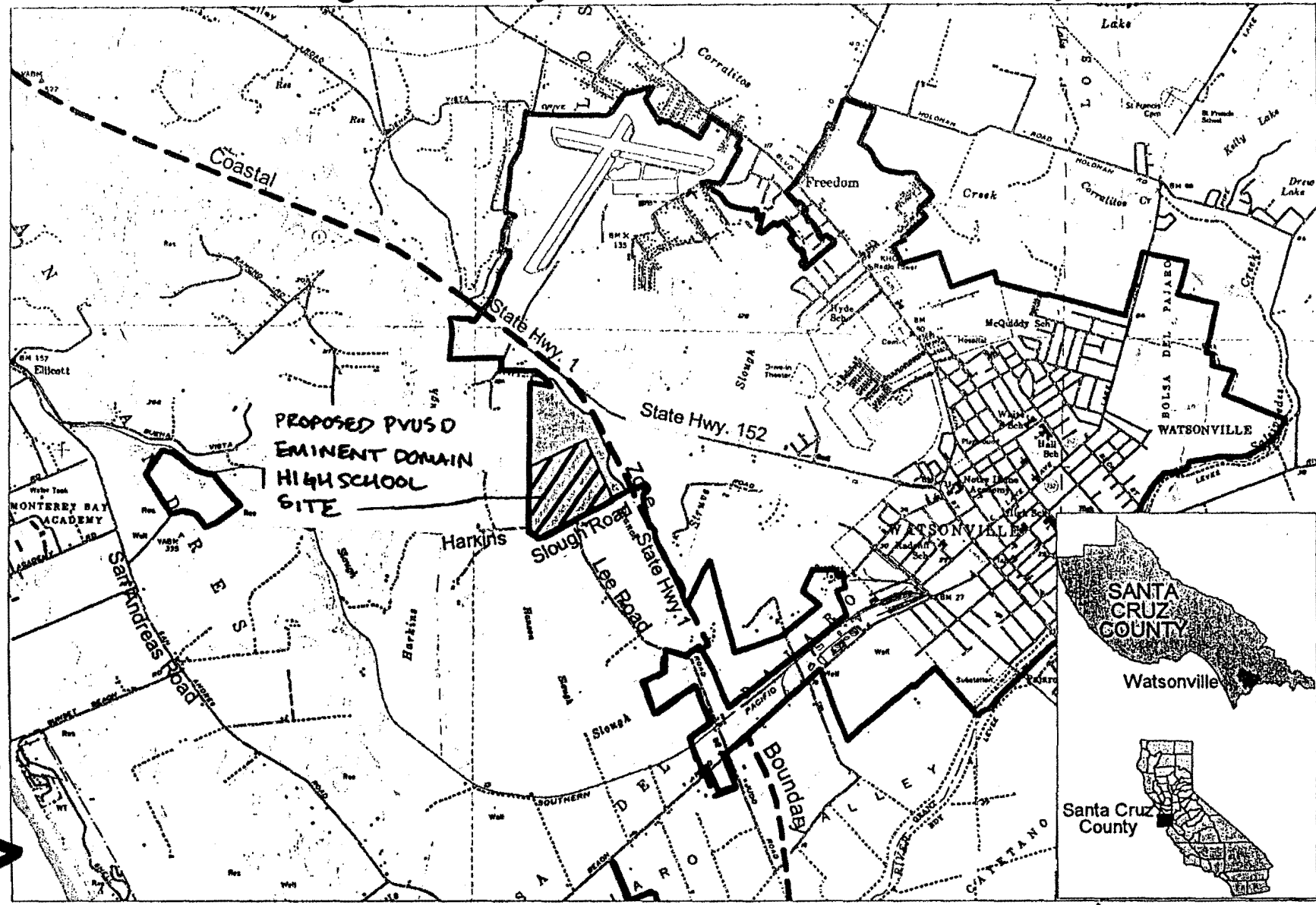
As such, there are no additional feasible alternatives nor feasible mitigation measures available which would substantially lessen any significant adverse environmental effects which approval of the amendment, as modified, would have on the environment within the meaning of CEQA. Thus, if so modified, the proposed amendment will not result in any significant environmental effects for which feasible mitigation measures have not been employed consistent with CEQA Section 21080.5(d)(2)(A).






City of Watsonville Major LCP Amendment 1-01

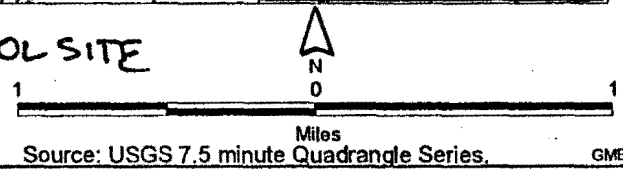
Exhibits

Figure 2: City of Watsonville and Vicinity



-  PROPOSED HIGH SCHOOL SITE
-  Project Area C
-  City of Watsonville

- NOTE -
Locations approximate. For illustrative purposes only.



Source: USGS 7.5 minute Quadrangle Series.

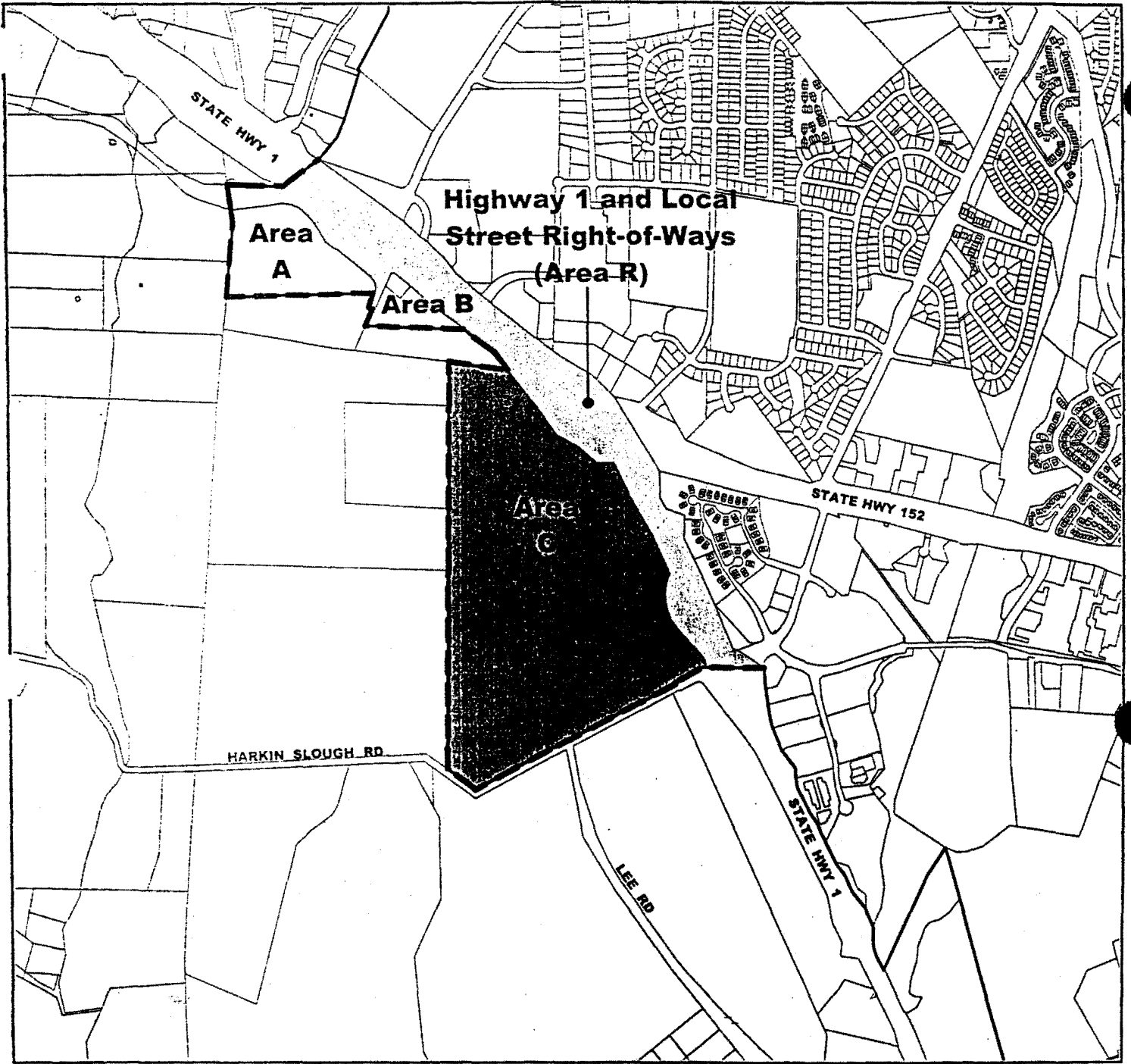
GMB, 2/00

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




LOCATION MAPS
EXHIBIT
A

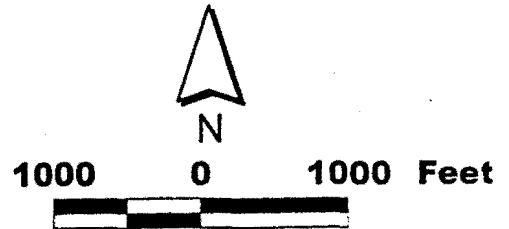
1 of 8

Figure 1A: COASTAL ZONE AREA R - UTILITY PROHIBITION DISTRICT



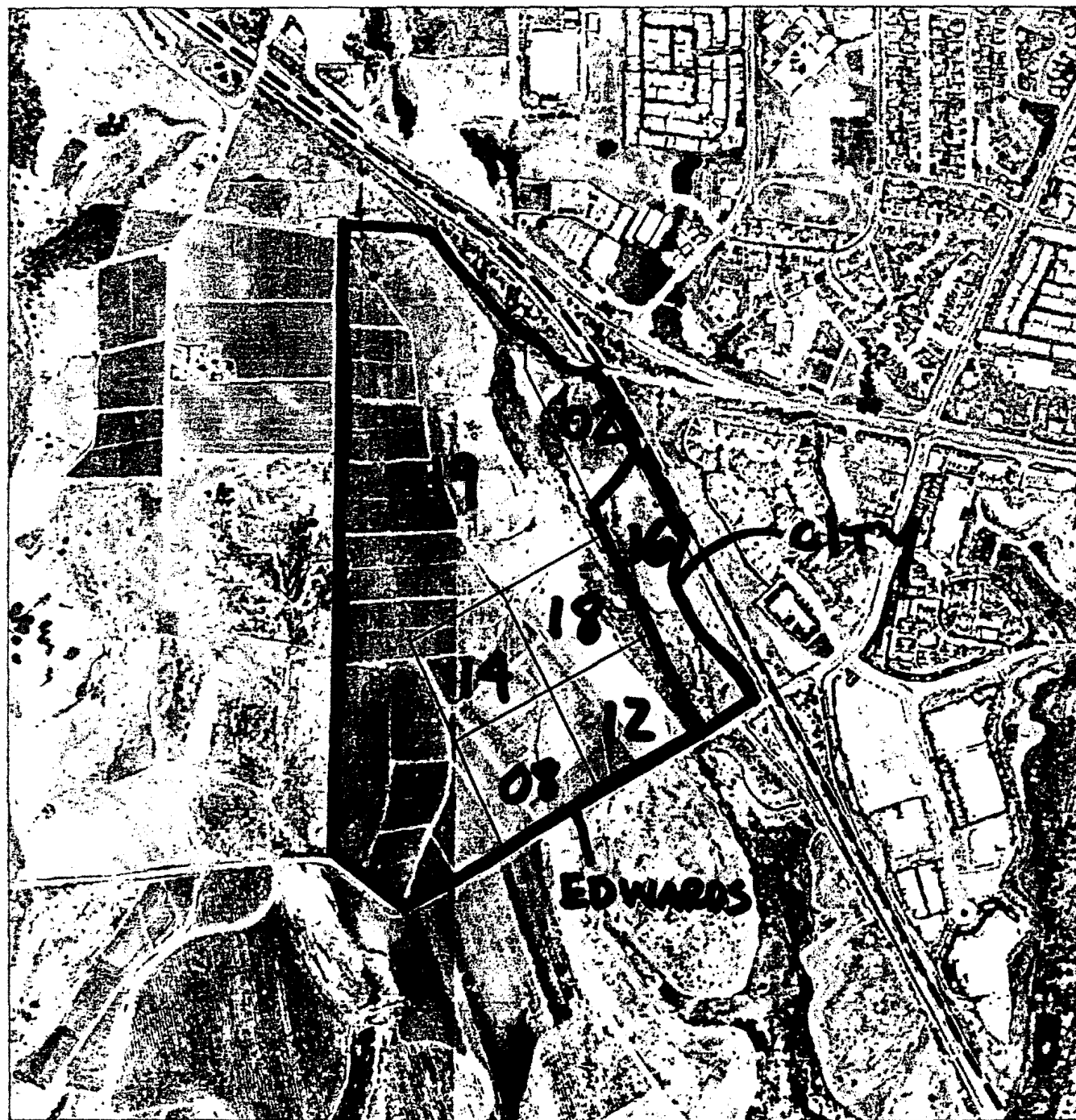
Legend

-  *Special Study Area*
-  *Highway 1 and Local Street Right-of-Ways (Area R)*
-  *Utility Prohibition*
-  *Overlay District*
-  *City Limit*
-  *Parcels*



This Document is a graphic representation only of the best available sources. The City of Watsonville assumes no responsibility for any errors. **EXHIBIT A**
 Photo Source: 1993 USGS ORTHOPHOTO 2 of 8

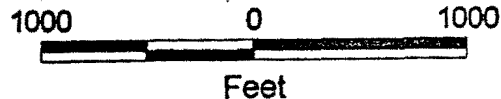
Figure 4: Area C Parcels



— Area C
 - - Coastal Zone Boundary


All Assessor's Parcel Numbers are from
 book 018, page 281

Ownership:
 City of Watsonville- #2, #15
 Edwards- #8, #12, #14, #18, #19
 Photo Source: Air Flight Service.
 6/22/1994.



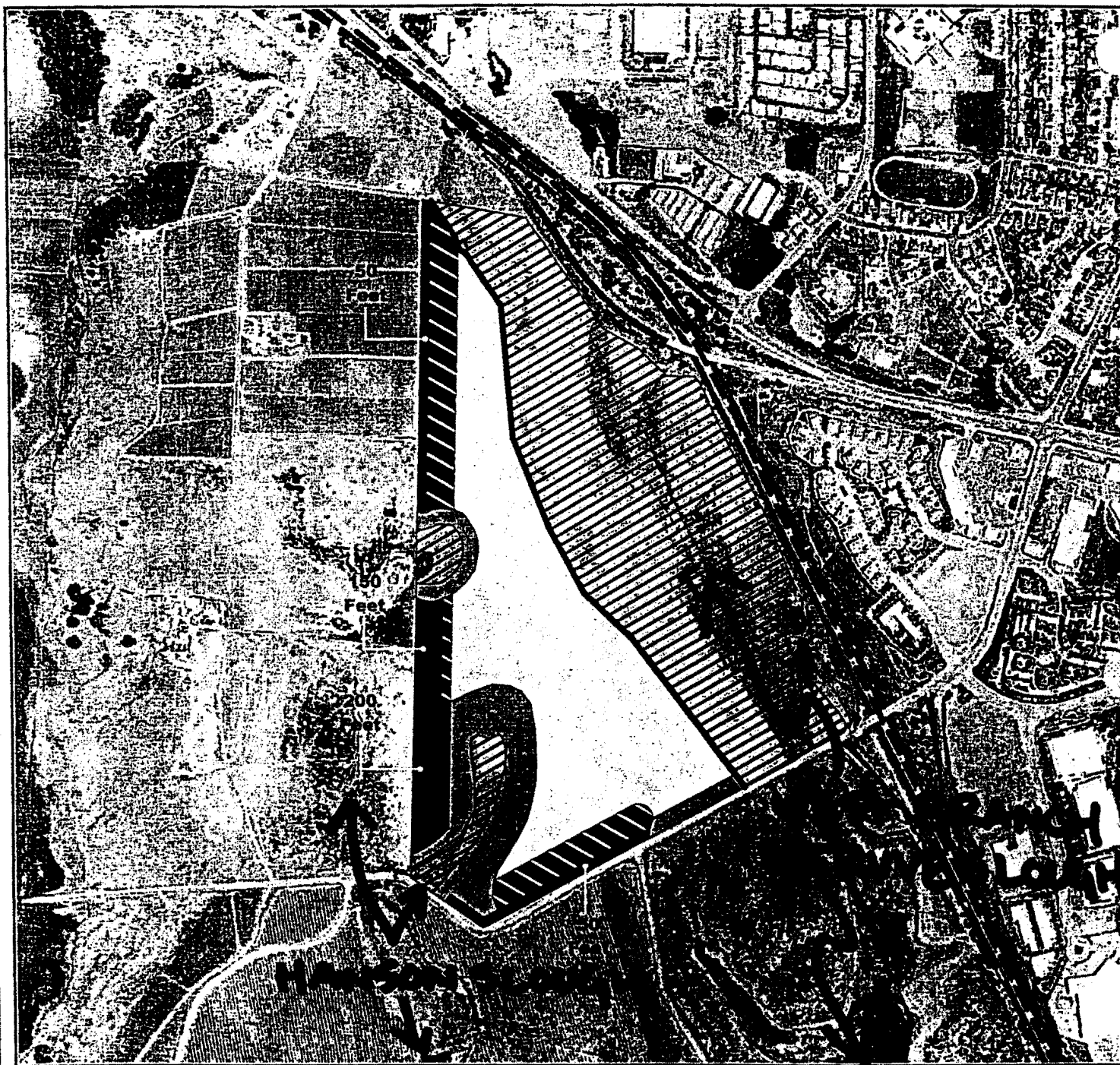
Feet








- NOTE -
 Locations approximate.
 For illustrative purposes only.

 Technical Services Division
 California Coastal Commission

GMB, JVC: 2/00

Figure 2A: COASTAL ZONE AREA C - CONSTRAINTS



-  Agricultural Setback *700 Foot*
-  Public School Restricted Use Area Within Agricultural Setback
-  Recommended Development Envelope
-  ESHA*
-  ESHA BUFFER
-  Farm Road
-  Coastal Zone Boundary



500 0 500 Feet

*ESHA designation over West Branch Struve Slough also protects visual resources and minimizes land form alteration.

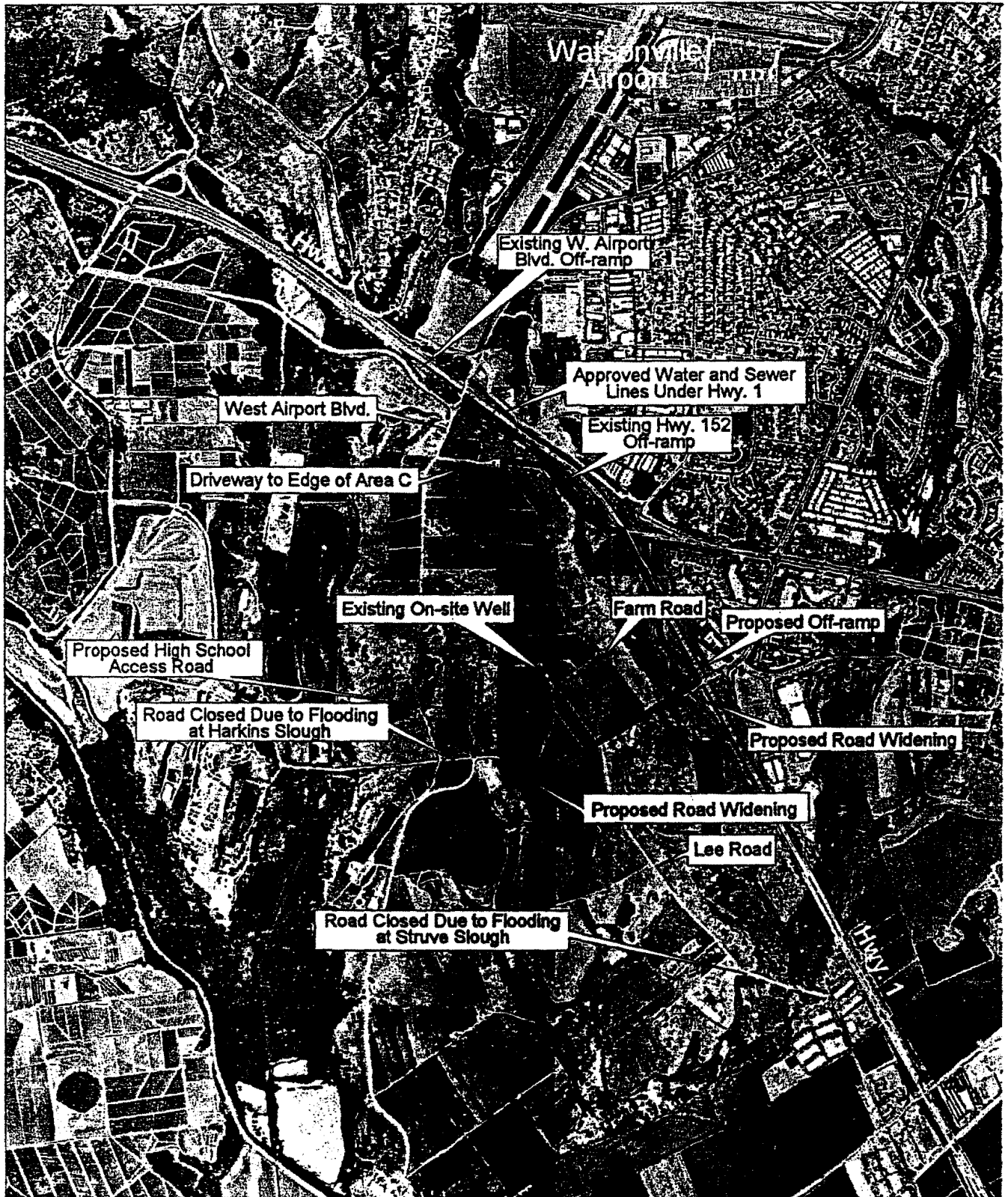
This Document is a graphic representation only of the best available sources. The City of Watsonville assumes no responsibility for any errors.

Photo Source: 1993 USGS ORTHOPHOTO


EXHIBIT A

4 of 8

Figure 10: Selected Public Services in Vicinity of Area C



- NOTE -
Locations approximate.
For illustrative purposes only.

 Technical Services Division
California Coastal Commission

— Area C

Data Source: Watsonville LCP Major
Amendment 1-99 Administrative Record.
Photo Source: Air Flight Service, 6/22/1994.



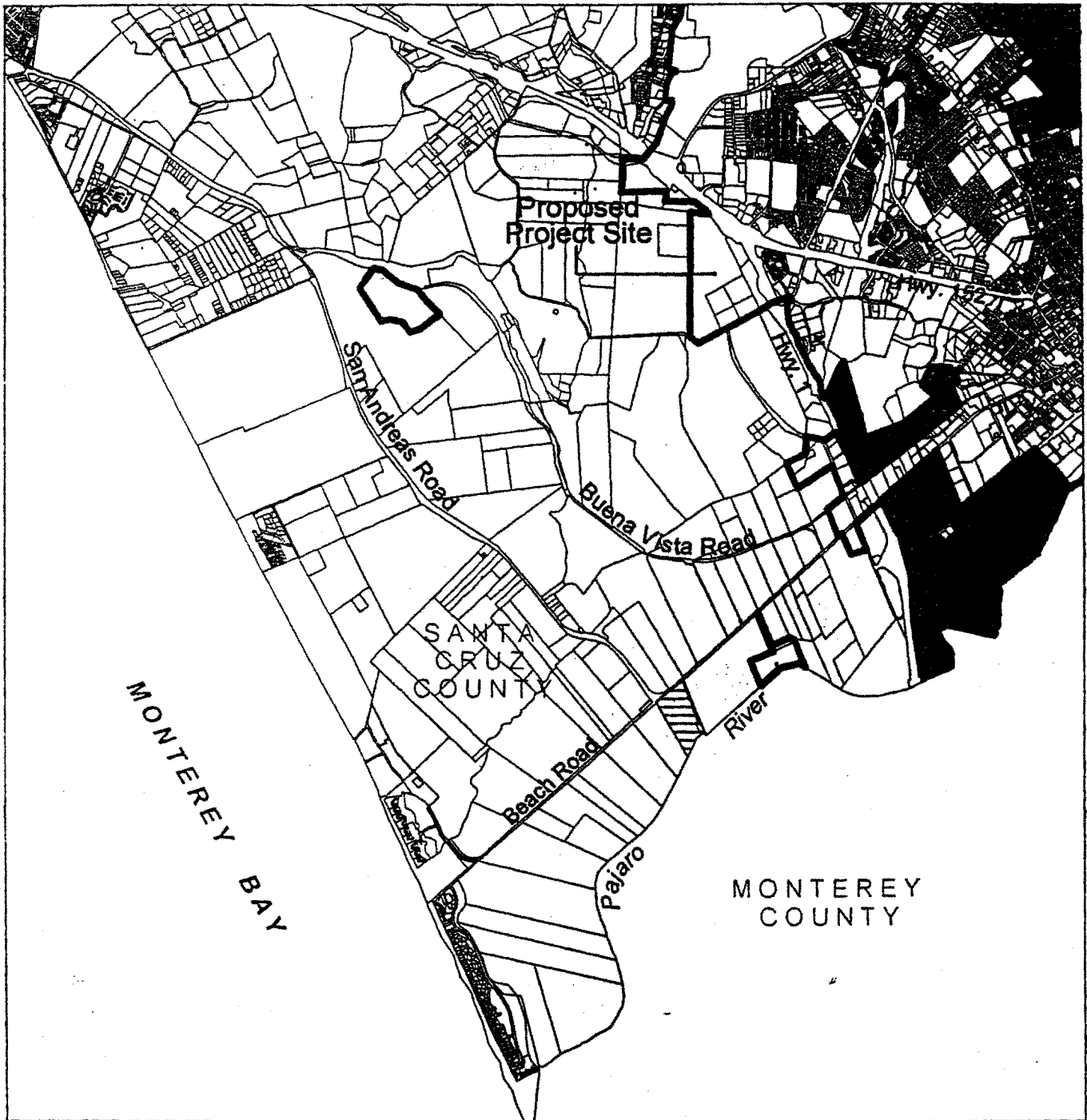
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EXHIBIT A
5 of 8







Figure 11: County Agricultural Lands in Vicinity of Area C

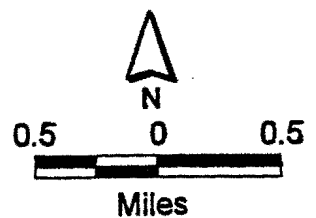


- NOTE -

The information depicted on this map is subject to revision. Locations approximate. For illustrative purposes only.

Technical Services Division
California Coastal Commission

-  Viable Agricultural Land in Coastal Zone
-  Viable Agricultural Land
-  Agricultural Preservation Zone
-  Limited Agricultural Land-Geographically Isolated
-  City of Watsonville
-  Parcels

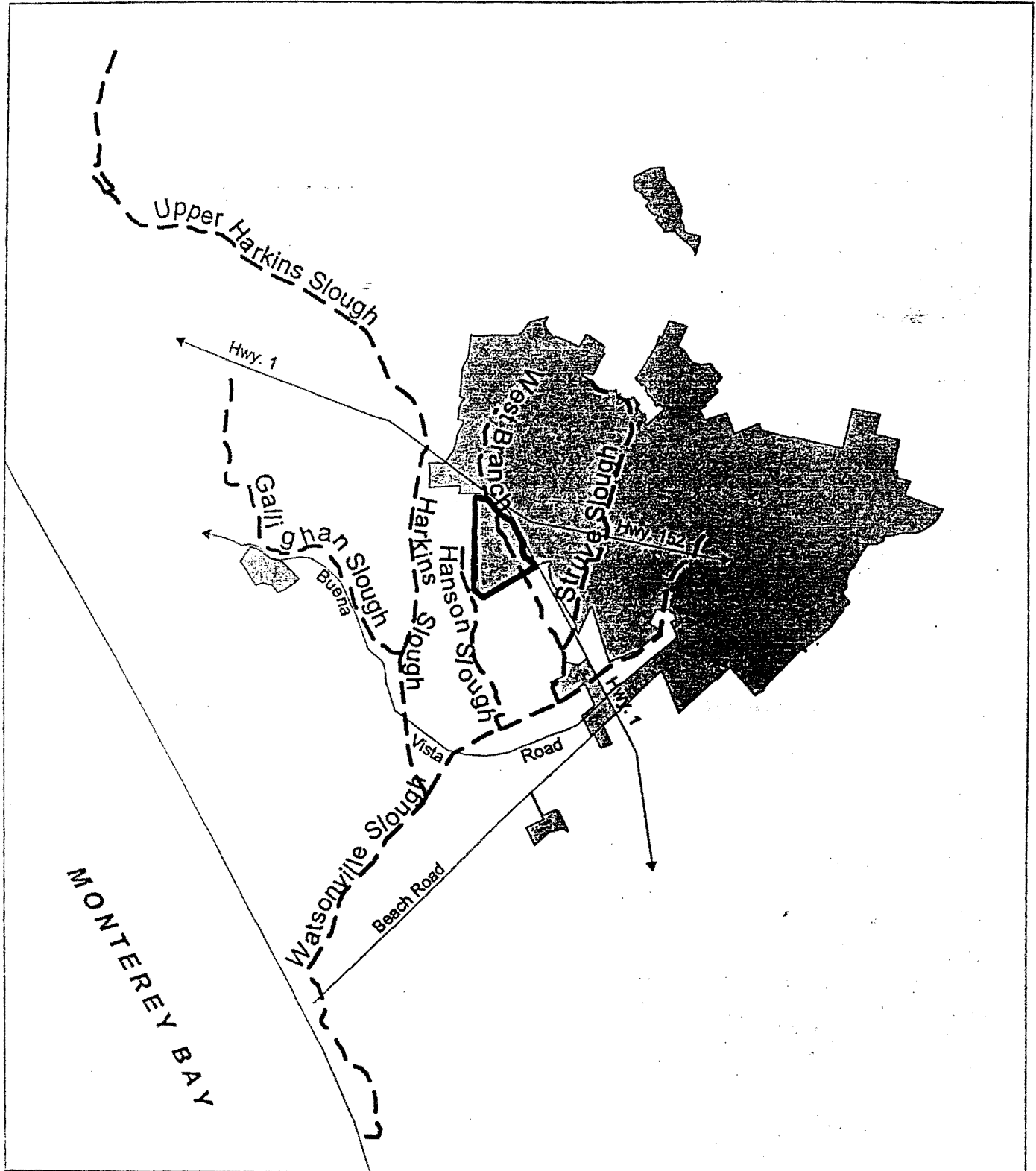


Data Source: Santa Cruz County Planning Department, 2000 County LCP and General Plan Agricultural Land Classifications. (City Agricultural Land not shown).

GM5, 200



Figure 12: Main Branches of Watsonville Slough



- NOTE -
Locations approximate.
For illustrative purposes only.



Technical Services Division
California Coastal Commission

-- Slough System

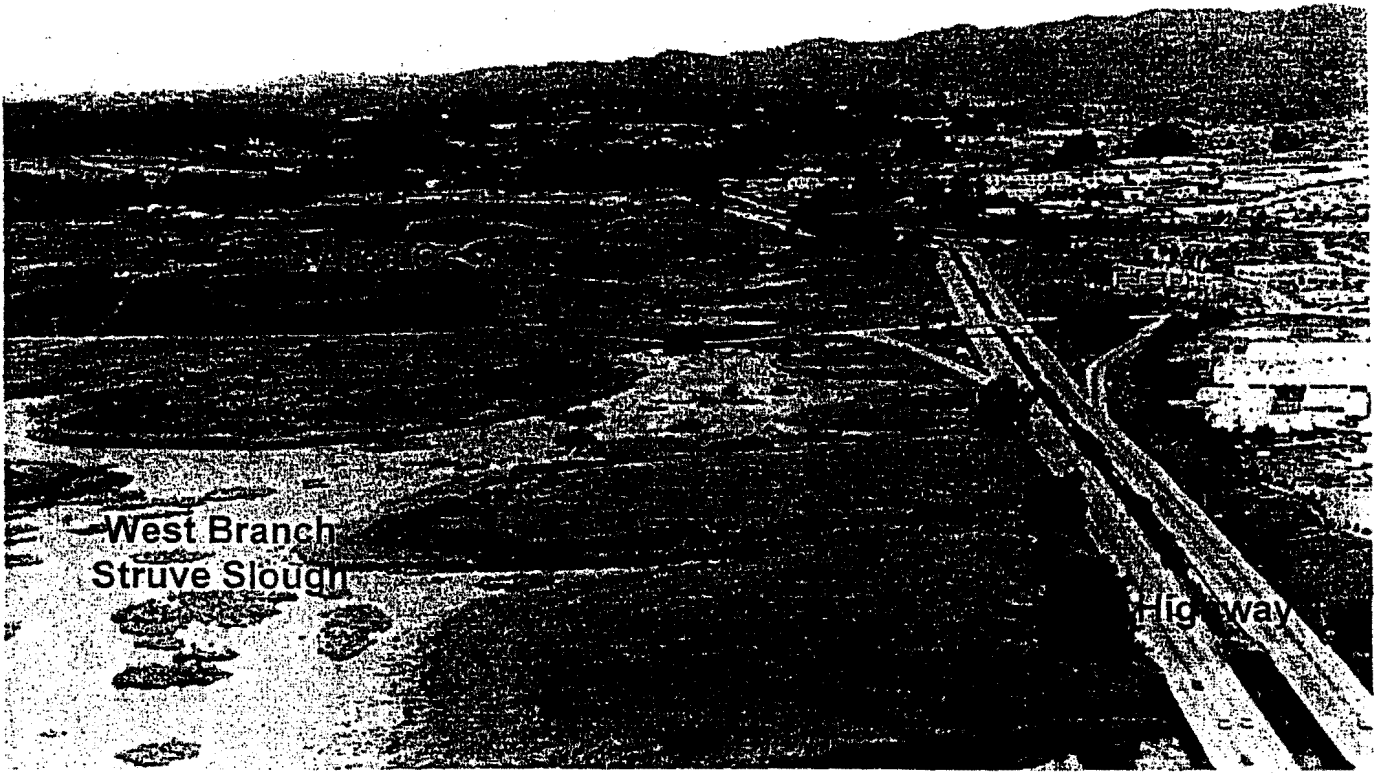
— Area C



City of Watsonville

Data Source: WATER Project
California Coastal Commission, 12/97.





View of Area C Site Looking North

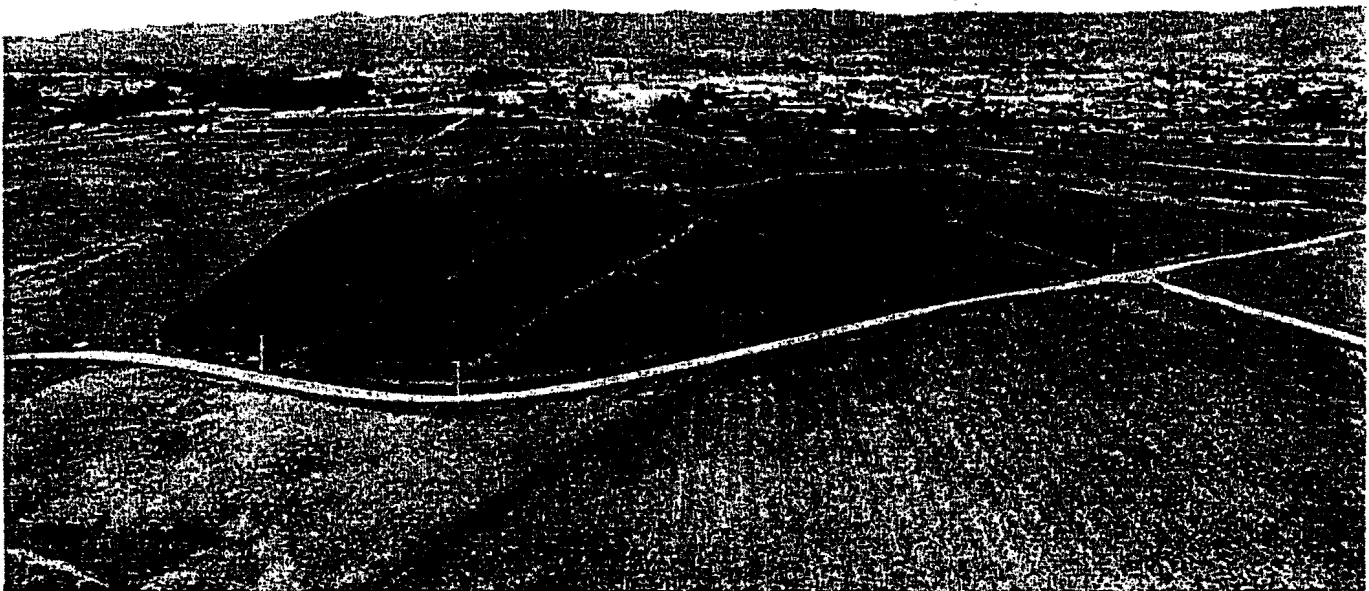


EXHIBIT A
8 of 8

RECEIVED

JUL 17 2001

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

RESOLUTION NO. 170-01 (CM)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE APPROVING THE TWELFTH (12TH) AMENDMENT NO. 01-22 TO THE WATSONVILLE 2005 GENERAL PLAN BY AMENDING THE WATSONVILLE 2005 LOCAL COASTAL PROGRAM LAND USE PLAN TO MAKE MINOR MODIFICATIONS TO FIGURE 2A, SECTIONS III C.3 (p) AND C.4 AND DIRECTING SUCH CHANGES TO BE MADE TO THE WATSONVILLE 2005 GENERAL PLAN OF THE CITY OF WATSONVILLE

CERTIFICATION

STATE OF CALIFORNIA }
COUNTY OF SANTA CRUZ }
I, Shirley Washburn, CITY CLERK OF THE CITY OF WATSONVILLE IN THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA, HEREBY CERTIFY THAT THE ATTACHED RESOLUTION NO. 170-01 IS A TRUE AND CORRECT COPY OF THE ORIGINAL OF SAID RESOLUTION AS IT APPEARS UPON THE OFFICIAL RECORDS OF SAID CITY OF WATSONVILLE.
DATED: 7/12/01

Shirley Washburn
CITY CLERK OF THE CITY OF WATSONVILLE

WHEREAS, the California Coastal Commission approved the *Watsonville 2005 Coastal Program* ("LCP") amendments recommended by the Coastal Commission Staff on March 16, 2000, and such amendments were confirmed on June 14, 2000, by the California Coastal Commission approval; and

WHEREAS, such amendments concerned, inter alia, the proposed third high school and City-wide Coastal Zone issues; and

WHEREAS, the City Council adopted amendments to its LCP (GPA-2-00, TA-2-99) consistent with the requests of the California Coastal Commission which were adopted by City Council Resolution No. 245-00 (CM) and Ordinance No. 1096-00 (CM) on August 22, 2000, and were thereafter determined to be consistent with the *Watsonville 2005 General Plan* and the California Coastal Act; and

WHEREAS, the California Coastal Commission certified such LCP amendments on October 12, 2000; and

WHEREAS, pursuant to Section 65358(b) of the Government Code, the General Plan may only be amended four times during any calendar year by a General Law city; and

WHEREAS, on May 24, 1994, the *Watsonville 2005 General Plan* was adopted by Resolution No. 137-94 (CM); and

WHEREAS, on November 7, 1995, the *Watsonville 2005 General Plan* was amended by Resolution No. 299-95 (CM) adopting GPA-1-95 thereby affecting 451 East Beach Street.

EXHIBIT B

GPA 1-95 was the first (1st) amendment to the *Watsonville 2005 General Plan* and the first (1st) amendment of the 1995 calendar year; and

WHEREAS, on March 25, 1997, the *Watsonville 2005 General Plan* was amended by Resolution No. 89-97 (CM) adopting GPA-2-94 thereby affecting certain lands west of Lee Road owned by Vincent Tai. GPA 2-94 was the second (2nd) amendment to the *Watsonville 2005 General Plan* and the first (1st) amendment of the 1997 calendar year; and

WHEREAS, on July 22, 1997, the *Watsonville 2005 General Plan* was amended by Resolution No. 235-97 (CM) adopting GPA-2-97 thereby affecting certain property at 527 Center Street Watsonville, owned by John Fiorovich. GPA 2-97 was the third (3rd) amendment to the *Watsonville 2005 General Plan* and the second (2nd) amendment of the 1997 calendar year; and

WHEREAS, on November 4, 1997, the *Watsonville 2005 General Plan* was amended by Resolution No. 335-97 (CM) adopting GPA-3-97 thereby affecting certain property at 567 Auto Center Drive owned by Robert Erickson. GPA-3-97 was the fourth (4th) amendment to the *Watsonville 2005 General Plan* and the third (3rd) amendment of the 1997 calendar year; and

WHEREAS, on April 28, 1998, the *Watsonville 2005 General Plan* was amended by Resolution No. 132-98 (CM) adopting GPA-1-98 to redesignate 98 parcels in the vicinity of Airport Boulevard and Loma Prieta Avenue. GPA-1-98 was the fifth (5th) amendment to the *Watsonville 2005 General Plan* and the first (1st) amendment of the 1998 calendar year; and

WHEREAS, on April 28, 1998, the *Watsonville 2005 General Plan* was amended by Resolution No. 134-98 (CM) adopting GPA-2-98 to redesignate 141.2 acres outside the City Limits of the City of Watsonville (Freedom/Carey Annexation). GPA-2-98 was the sixth (6th) amendment to the *Watsonville 2005 General Plan* and the second (2nd) amendment of the 1998 calendar year; and

EXH. B
2 OF 14



WHEREAS, on December 8, 1998, the *Watsonville 2005 General Plan* was amended by Resolution No. 311-98 (CM) adopting GPA-3-98 to amend the Land Use Diagram of the Land Use and Community Development Element of the *Watsonville 2005 General Plan* requesting redesignation of Assessors Parcel Numbers 019-861-20 & 21 as part of a mixed use hospital re-use development project (298 Green Valley Road, Watsonville). GPA 3-98 was the seventh (7th) amendment to the *Watsonville 2005 General Plan* and the third (3rd) amendment of the 1998 calendar year; and

WHEREAS, on July 27, 1999, the City Council adopted Resolution No. 224-99 (CM) approving the eighth (8th) amendment to the *Housing Element, 1991 - 1996* of the *Watsonville 2005 General Plan* (GPA-2-99) and the first (1st) amendment of 1999 calendar year; and

WHEREAS, on March 10, 2000, the City Council adopted Resolution No. 71-00 (CM) approving the ninth (9th) amendment to the *Watsonville 2005 General Plan* (GPA-1-00) and the first (1st) amendment of 2000 to eliminate the Lands West of Lee Road as a "Special Study Area"; and

WHEREAS, on August 22, 2000, the Council adopted Resolution No. 245-00 (CM) approving the tenth (10th) and the second (2nd) amendment to the *Watsonville 2005 General Plan* (GPA-2-00) to amend the *Watsonville 2005 Local Coastal Program* to allow development of the New Millennium High School; and

WHEREAS, on June 12, 2001, the Council adopted Resolution No. 142-01 (CM) approving the eleventh (11th) amendment to the *Watsonville 2005 General Plan* and the first (1st) amendment of the 2001 calendar year by amending the Housing Element of such General Plan; and

WHEREAS, this proposed General Plan Amendment, if adopted, will be the twelfth (12th) amendment to the *Watsonville 2005 General Plan* and the second (2nd) amendment of the 2001 calendar year; and

EXH. B

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3



WHEREAS, this City has now received requests for the development of a high school on property zoned CZ-C in the Coastal Zone which required modification to the City's Local Coastal Program; and

WHEREAS, the California Coastal Commission, acting as the lead agency, conducted review of the proposed LCP amendments and acted as a functional equivalent agency for CEQA review and has determined that if the land use designations are modified as specified by the LCP amendments adopted by resolution, that the project will not result in significant environmental effects for which feasible mitigation measures cannot be employed consistent with CEQA Public Resources Code Section 21080.5 (2)(A); and

WHEREAS, on June 4, 2001, a duly noticed public hearing was conducted before the City Planning Commission; and after considering all written and verbal evidence, made a recommendation to the City Council that the proposed twelfth (12th) Amendment No. 01-22 to the *Watsonville 2005 General Plan* amending the *Watsonville 2005 Local Coastal Program* be adopted; and

WHEREAS, notice of time and place of hearing for approval of the General Plan Amendment was given at the time and in the manner prescribed by Section 14-10.1004 of Title 14 of the Watsonville Municipal Code and California Code of Regulations Section 13551. The matter was called for hearing; evidence both oral and documentary was introduced, was received, and the matter was submitted for decision.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, AS FOLLOWS:

That good cause appearing therefor and based upon the Findings attached hereto and incorporated herein as Exhibit "A," that the twelfth (12th) Amendment No. 01-22 to the *Watsonville 2005 General Plan* amending the *Watsonville 2005 Local Coastal Program* as follows is hereby approved:

EXH. B
4 of 14

4
12

1. That the changes in the *Local Coastal Implementation Plan* as set forth in Ordinance No. 1112-01 (CM) are hereby incorporated in the *Watsonville 2005 Local Coastal Program*.

2. That the Council authorizes the City Manager or representative to submit this *Watsonville 2005 Local Coastal Program* amendment to the California Coastal Commission to be effective upon certification of the amendment by the California Coastal Commission.

3. That the *Land Use Plan* of the *Watsonville 2005 Local Coastal Program* is hereby amended as follows:

Figure 2A (Coastal Zone Area C - Constraints) is hereby replaced by a new Figure 2A attached hereto and incorporated herein.

Subsection p of Standard C.3 (Performance Standards for all Development) is hereby amended to read as follows:

"Standard C.3. Performance Standards for All Development

p. Prior to the exercise of any Coastal Development Permit for Area "C," a valid Coastal Development Permit issued by the County of Santa Cruz for any off-site improvements outside of Area "C" directly related to development within Area "C" shall be in place. The only exception to this requirement shall be for the off-site improvements (including the bridge at Harkins Slough Road if Harkins Slough Road is to be used for access pursuant to Land Use Policy III (C)(3)(o), road improvements and utilities outside of Area "C" directly related to development of a public school within Area "C") necessary to support a public school on Area "C." In the event that the development within Area "C" will be a public school, off site improvements outside of Area "C" directly related to development within Area "C," pursuant to a valid Coastal Development Permit, shall be completed and open for public use prior to occupancy of the public school. If Harkins Slough Road is used for access, via a bridge pursuant to Land Use Policy III (C)(3)(o), the Coastal Development Permit for a public school within Area "C" may be exercised upon the award of a contract for an environmental impact report or other applicable environmental study addressing the bridge and offsite road improvements and utilities outside of Area "C" directly related to development of a public school within Area "C" and, further, upon provision of written confirmation of available, committed funding for the bridge and environmental study thereof."

Standard C.4 (Criteria for Non-Agricultural Use) is hereby amended to read as follows:

"C.4 Criteria for Non-Agricultural Use

Habitat preservation and restoration uses that remove agricultural land from production in or adjacent to habitat areas or on slopes are permitted, pursuant to a restoration plan prepared by a biologist. Other non-agricultural use may be permitted only if: (1) continued or renewed agricultural use is demonstrated to be infeasible because it cannot be accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors; or (2) if agricultural use on the site (or the part of the site proposed for non-agricultural use) has ceased, then non-agricultural use may be permitted only if renewed agricultural use is not feasible. An exception to making this finding (in the preceding sentence) may only be made to allow a public school (subject to Land Use Plan Policy III.C.(2)(c)). Non-agricultural development within Area C shall not be allowed unless a Specific Plan (see Land Use Plan Policy III.C.(3)(n)) is first adopted that: defines all development areas for Area C; provides permanent measures to protect areas within Area C outside of the development envelope shown on Land Use Plan Figure 2A and outside of the building envelope pursuant to Policy C.3.(q); and ensures that all plan policies will be met. Any non-agricultural use of a portion of Area C shall be sited to optimize agricultural use on the remainder of the site and on adjacent agricultural lands in unincorporated Santa Cruz County. At a minimum, a 200 foot, permanently protected (i.e., by easement or dedication) agricultural buffer (located on the portion of property devoted to non-agricultural uses) that incorporates vegetative or other physical barriers, shall be required to minimize potential land use conflicts. Limited public school parking, sports fields, and pathways only shall be allowed within the "Public School Restricted Use Area" portion of the 200-foot agricultural buffer on the perimeter of Area C as shown on Land Use Plan Figure 2A; buildings and any other structures shall be prohibited in this area. In the event that the public school district is unable to acquire the entire Area C, a 200-foot protected agricultural buffer shall also be located at the boundary between that portion of Area C acquired by the public school district and the remaining portion of Area C, which buffer shall also contain a "Public School Restricted Use Area" subject to the same limitations as the 200-foot agricultural buffers on the perimeter of Area C as shown in Land Use Plan Figure 2A."

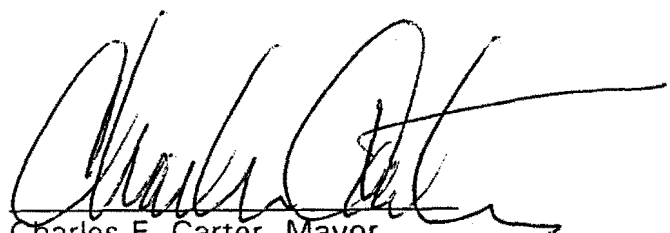
EXH. B

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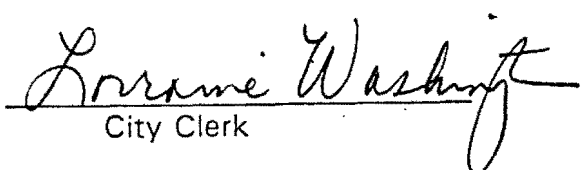
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The foregoing resolution was introduced at a regular meeting of the Council of the City of Watsonville, held on the 26th day of June, 2001, by Council Member Phares, who moved its adoption, which motion being duly seconded by Council Member de la Paz, was upon roll call carried and the resolution adopted by the following vote:

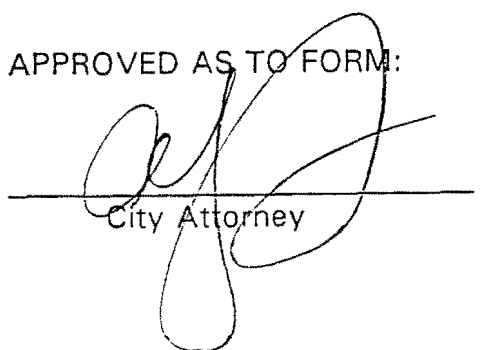
AYES:	COUNCIL MEMBERS:	Bobeda, de la Paz, Doering-Nielsen, Gomez, Lopez, Phares, Carter
NOES:	COUNCIL MEMBERS:	None
ABSENT:	COUNCIL MEMBERS:	None


Charles E. Carter, Mayor

ATTEST:

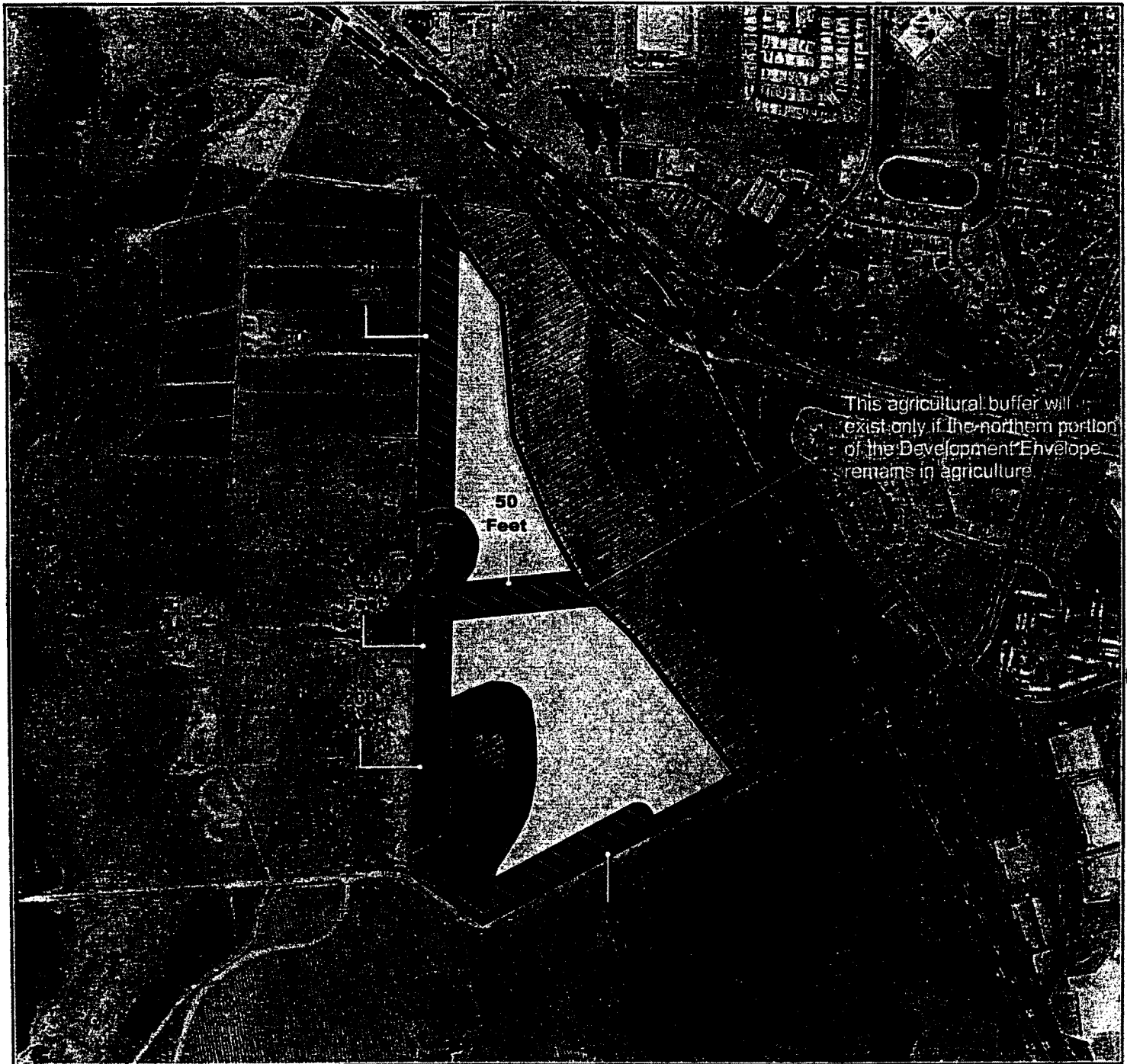

City Clerk








APPROVED AS TO FORM:


City Attorney

EXH. B
7 OF 14
7
15

Figure 2A: COASTAL ZONE AREA C - CONSTRAINTS



-  Agricultural Setback
-  Public School Restricted Use Area Within Agricultural Setback
-  Recommended Development Envelope
-  ESHA*
-  ESHA BUFFER
-  Farm Road
-  Coastal Zone Boundary

Attachment/Exhibit to:
Resolution No. 170-01 (CM)



500 0 500 Feet



EXH. B
8 of 14

*ESHA designation over West Branch Struve Slough also protects visual resources and minimizes land form alteration.

This document is a graphic representation only of the best available sources. The City of Watsonville assumes no responsibility for any errors.

Photo source: 1993 USGS ORTHOPHOTO

CITY OF WATSONVILLE
CITY COUNCIL **RECEIVED**

JUL 17 2001

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Application No.: 01-22
APN: 18-281-08, 09,10, and 11
Applicant: City of Watsonville
Hearing Date: June 26, 2001

GENERAL PLAN AND TEXT AMENDMENT FINDINGS

1. The proposed amendments to the Coastal Land Use Plan and Coastal Zone Implementation Plan are in the public interest.

Supportive Evidence

The proposed amendments will support the timely development of the New Millennium High School Project in Coastal Zone Area C by allowing construction of the school to proceed while permits for the Harkins Slough Bridge improvements are pursued, as long as the bridge improvements are completed prior to the school's opening. The project will be subject to all aspects of the revised Local Coastal Plan (LCP) and be integrated into the project design. The new high school will serve to reduce overcrowding and provide better education for children in the Pajaro Valley Unified School District (PVUSD) and, therefore, is in the public interest.

2. The proposed amendments to the Coastal Land Use Plan and Coastal Zone Implementation Plan will not result in land use conflicts.

Supportive evidence

The proposed land use amendments will minimize any potential land use conflicts with coastal resources associated with the proposed New Millennium High School Project by establishing an agricultural buffer requirement on the north side of the Edwards' property that is consistent with the intent of the other agricultural buffers for the high school. This buffer will allow limited school facilities such as parking, sports fields, and pathways within a portion of the 200-foot agricultural buffer area where no buffer currently exists.

3. The proposed amendments are consistent with the Watsonville 2005 General Plan and the California Coastal Act.

Supportive evidence

The proposed amendments are consistent with the California Coastal Act in that revisions establish a reasonable timeline to complete a project that is envisioned under the certified LCP and creates a consistent interpretation for the agricultural buffer that was already approved for the school on the western and southern boundaries, thereby, protecting adjacent agricultural activities and uses.

Attachment/Exhibit to **EXH. B**
Resolution No. 170-01 (CM) **9014**

EXHIBIT A
Page 1 of 1

RECEIVED

JUL 17 2001

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

ORDINANCE NO. 1112-01 (CM)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE AMENDING SUBSECTIONS (c)(4)(i) AND (c)(4)(xiii) (ZONE C, PERFORMANCE STANDARDS) OF SECTION 9-5.705 (REGULATIONS) OF ARTICLE 7 (DISTRICT REGULATIONS) OF CHAPTER 9-5 (COASTAL ZONE IMPLEMENTATION PLAN) OF TITLE 9 (PLANNING & ZONING) OF THE WATSONVILLE MUNICIPAL CODE REGARDING THE COASTAL IMPLEMENTATION PLAN

CERTIFICATION

STATE OF CALIFORNIA }
COUNTY OF SANTA CRUZ } SS

I, CORRAINE WASHINGTON, CITY CLERK OF THE CITY OF WATSONVILLE IN THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA, HEREBY CERTIFY THAT THE ATTACHED ORDINANCE NO. 1112-01 IS A TRUE AND CORRECT COPY OF THE ORIGINAL OF SAID ORDINANCE AS IT APPEARS UPON THE OFFICIAL RECORDS OF SAID CITY OF WATSONVILLE.
DATED: 7/16/01

CITY CLERK OF THE CITY OF WATSONVILLE

THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, DO

HEREBY ORDAIN AS FOLLOWS:

SECTION 1. ENACTMENT.

Both Ordinance 1096-00 (CM) adopted by Council on September 12, 2000, and this Ordinance shall be automatically rescinded upon notice by the Pajaro Valley Unified School District (PVUSD) to the Executive Director of the California Coastal Commission that the PVUSD has irrevocably abandoned any project to construct a public school on the site as described in the March 14, 2000, *Memorandum of Understanding Regarding City of Watsonville LCP Amendment 1-99* (MOU) between the City of Watsonville, the County of Santa Cruz and the California Coastal Commission, otherwise it shall remain in full force and -effect.

Subsections (c)(4)(i) and (c)(4)(xiii) (Zone C, Performance Standards) of Section 9-5.705 (Regulations) of Article 7 (District Regulations) of Chapter 9-5 (Coastal Zone

EXH. B
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Implementation Plan) of Title 9 (Planning & Zoning) of the Watsonville Municipal Code are hereby amended to read in their entirety as follows:

"(i) Habitat preservation and restoration uses that remove agricultural land from production in or adjacent to habitat areas or on slopes are permitted, pursuant to a restoration plan prepared by a biologist pursuant to Section 9-5.705(g)(4). For other non-agricultural use an Agricultural Viability Report must be prepared and must have concluded: (1) continued agricultural use is demonstrated to be infeasible pursuant to Section 9-5.815; or (2) if agricultural use on the site (or the part of the site proposed for non-agricultural use) has ceased, then non-agricultural use may be permitted only if renewed agricultural use is demonstrated to be infeasible pursuant to Section 9-5.815. An exception to making this finding (in the preceding sentence) may only be made to allow a public school (subject to Section 9-5.704(c)). Non-agricultural development within Zone C shall not be allowed unless a Specific Plan (see Section 9-5.705(c)(4)(xv)) is first adopted that: defines all development areas for Zone C; provides permanent measures to protect areas within Zone C outside of the development envelope shown on Land Use Plan Figure 2A and outside of the building envelope pursuant to Section 9-5.705(c)(1); and ensures that all plan policies will be met. Any non-agricultural use of a portion of Zone C shall be sited to optimize agricultural use on the remainder of the site and on adjacent agricultural lands in unincorporated Santa Cruz County, including, but not limited to maintenance of a 200-foot agricultural buffer consistent with Section 9-5.705(g)(6). Limited public school parking, sports fields, and pathways only shall be allowed within the "Public School Restricted Use Area" portion of the 200-foot agricultural buffer on the perimeter of Zone C as shown on Land Use Plan Figure 2A; buildings and any other structures shall be prohibited in this area. In the event that the public school district is unable to acquire the entire Zone C, a 200-foot protected agricultural buffer shall also be located at the boundary between that portion of Zone C acquired by the public school district and the remaining portion of Zone C, which buffer shall also contain a "Public School Restricted Use Area" subject to the same limitations as the 200-foot agricultural buffer on the perimeter of Zone C as shown in Land Use Plan Figure 2A.

(xiii) Prior to the exercise of any Coastal Development Permit for Zone C, a valid Coastal Development Permit issued by the County of Santa Cruz for any off-site improvements outside of Zone C directly related to development within Zone C shall be in place. The only exception to this requirement shall be for the off-site improvements (including the bridge at Harkins Slough Road if Harkins Slough Road is to be used for access pursuant to Land Use Policy III (C)(3)(o), road improvements and utilities outside of Zone C directly related to development of a public school within Zone C) necessary to support a public school in Zone C. In the

EXH. B

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event that the development within Zone C will be a public school, off-site improvements outside of Zone C directly related to development within Zone C, pursuant to a valid Coastal Development Permit, shall be completed and open for public use prior to occupancy of the public school. If Harkins Slough Road is used for access, via a bridge pursuant to Land Use Policy III (C)(3)(o), the Coastal Development Permit for a public school within Zone C may be exercised upon the award of a contract for an environmental impact report or other applicable environmental study addressing the bridge and off-site road improvements and utilities outside of Zone C directly related to development of a public school within Zone C and, further, upon provision of written confirmation of available, committed funding for the bridge and environmental study thereof."

SECTION 2. PUBLICATION.

This ordinance shall be published in the Watsonville Register-Pajaronian in compliance with the provisions of the Charter of the City of Watsonville.

SECTION 3. CERTIFICATION.

This ordinance shall be transmitted to the California Coastal Commission to obtain approval and certification.

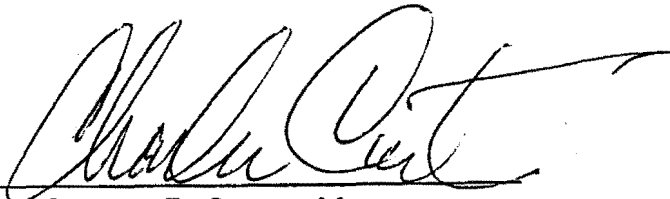
SECTION 4. EFFECTIVE DATE.

This ordinance shall be in force and take effect not before thirty (30) days from and after its final adoption and not before certification from the Coastal Commission.

EXH. B
12 OF 14 **(20)**


The foregoing ordinance was introduced at a regular meeting of the City Council of the City of Watsonville, held on the 26th day of June, 2001, by Council Member Lopez, who moved its adoption, which motion being duly seconded by Council Member de la Paz, was upon roll call carried and ordered printed and published by the following vote:

AYES:	COUNCIL MEMBERS:	Bobeda, de la Paz, Doering-Nielsen, Gomez, Lopez, Phares, Carter
NOES:	COUNCIL MEMBERS:	None
ABSENT:	COUNCIL MEMBERS:	None



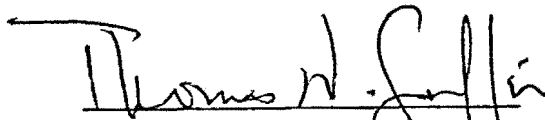
Charles E. Carter, Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



City Attorney

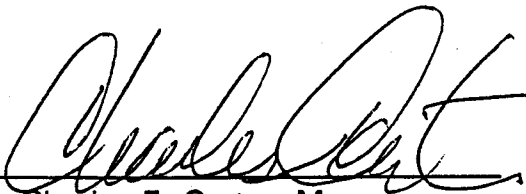
ORDINANCE NO. 1112-01 (CM)

The foregoing ordinance, having been printed and published as required by the Charter of the City of Watsonville, and coming on for final consideration at the regular meeting of the Council of the City of Watsonville, held on the 10th day of July, 2001, by Council Member Bobeda, who moved its adoption, which motion being duly seconded by Council Member Phares, was upon roll call carried and the ordinance finally adopted by the following vote:

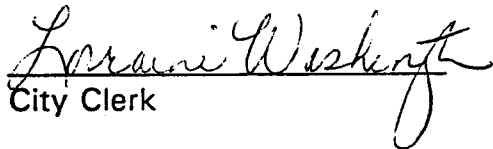
AYES: COUNCIL MEMBERS: Bobeda, de la Paz, Doering-Nielsen, Gomez, Lopez, Phares, Carter

NOES: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None


Charles E. Carter, Mayor

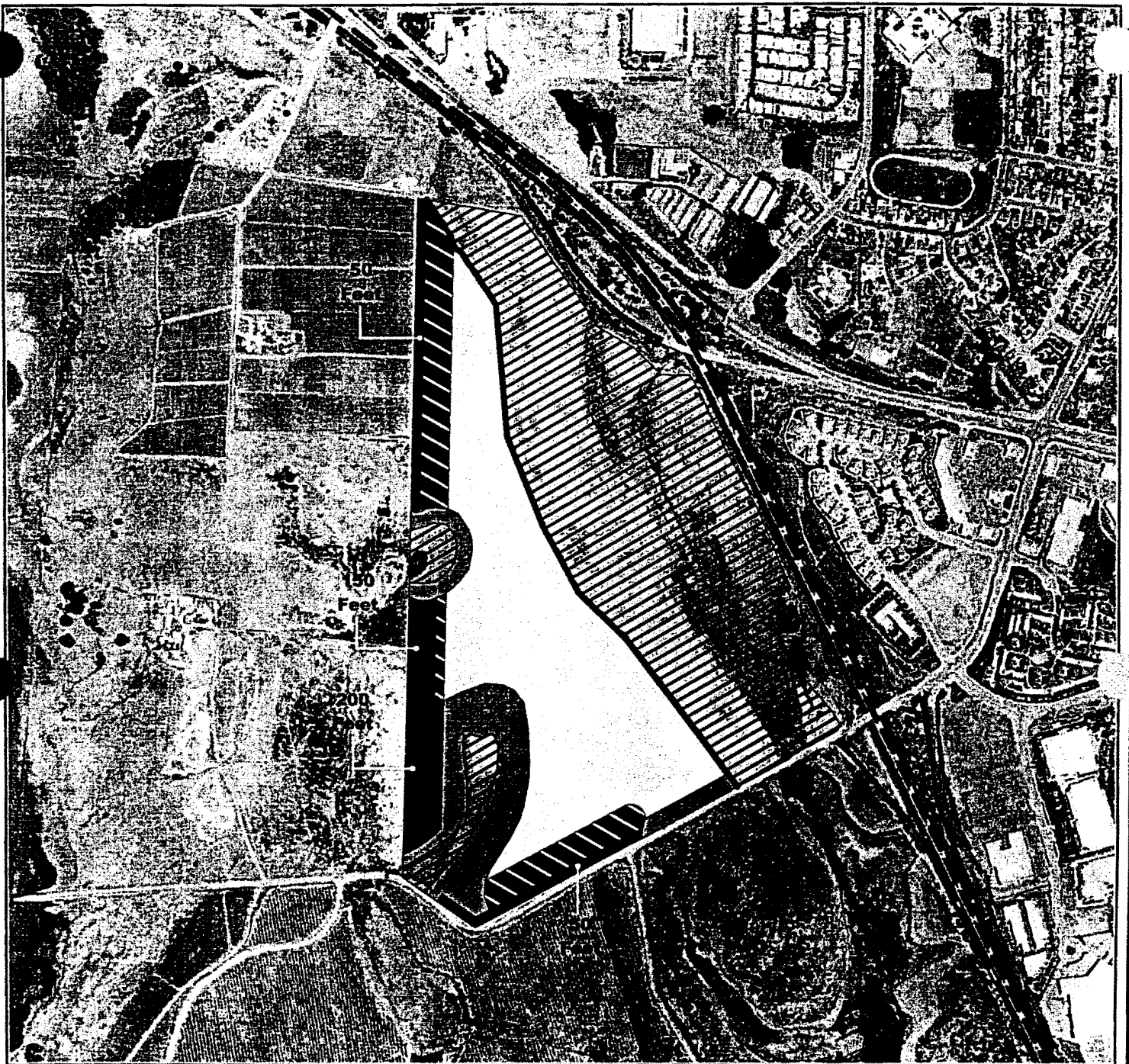
ATTEST:









City Clerk

EFFECTIVE DATE:

AUGUST 9, 2001

Figure 2A: COASTAL ZONE AREA C - CONSTRAINTS



-  Agricultural Setback *700 Foot*
-  Public School Restricted Use Area Within Agricultural Setback
-  Recommended Development Envelope
-  ESHA*
-  ESHA BUFFER
-  Farm Road
-  Coastal Zone Boundary



500 0 500 Feet



EXHIBIT C
1 OF 2

*ESHA designation over West Branch Struve Slough also protects visual resources and minimizes land form alteration.

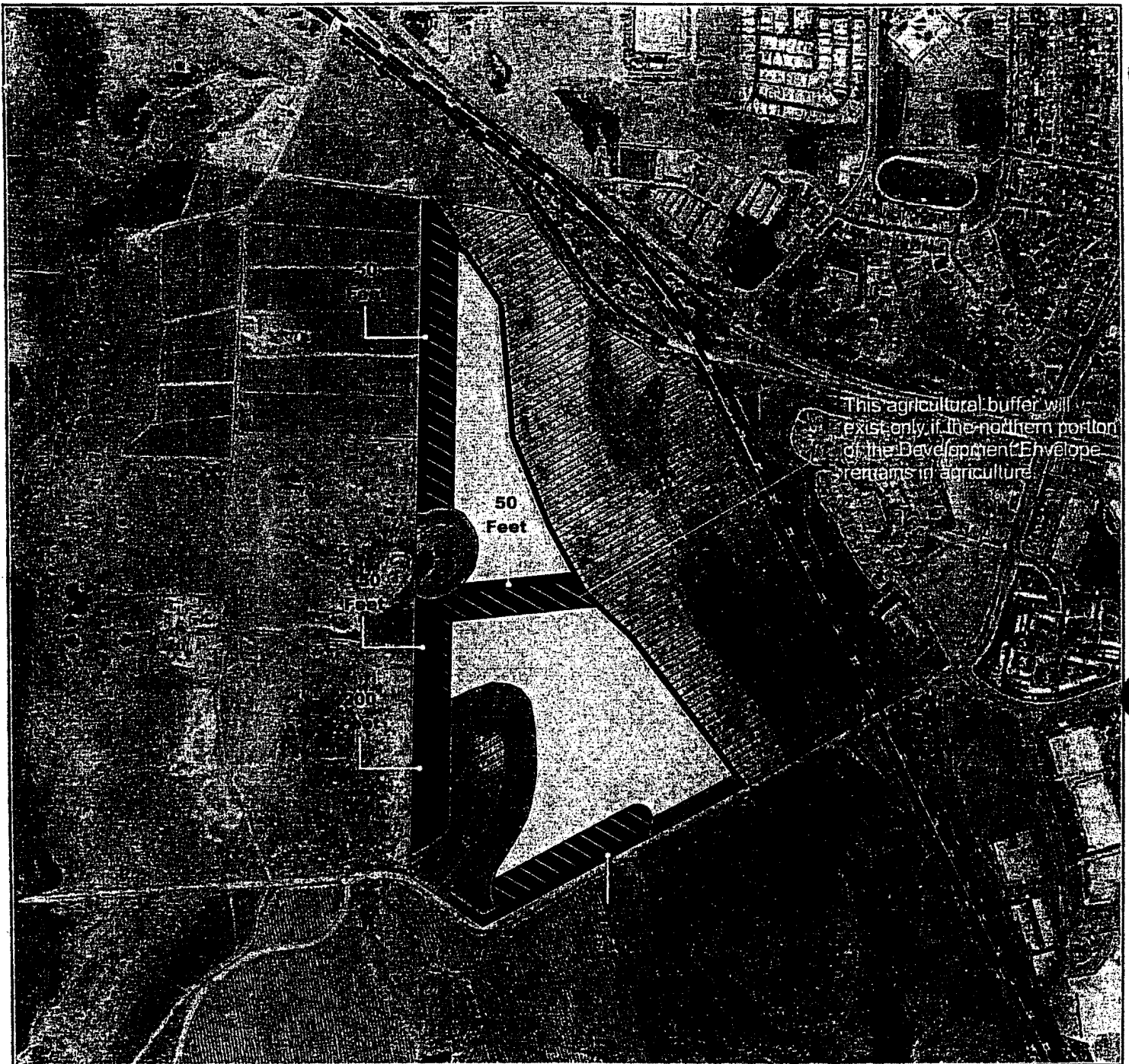
EXISTING LUP 2A








(23)

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Photo Source: 1993 USGS ORTHOPHOTO

Figure 2A: COASTAL ZONE AREA C - CONSTRAINTS

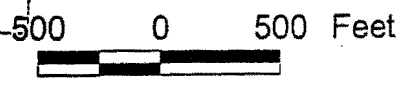


-  Agricultural Setback
-  Public School Restricted Use Area Within Agricultural Setback
-  Recommended Development Envelope
-  ESHA*
-  ESHA BUFFER
-  Farm Road
-  Coastal Zone Boundary

Attachment/Exhibit to:
Resolution No. 170-01 (CM)



EXHIBIT C
2 OF 2



*ESHA designation over West Branch Struve Slough also protects visual resources and minimizes land form alteration.

**PROPOSED
LUP 2A**

2A

This document is a graphic representation only of the best available sources. The City of Watsonville assumes no responsibility for any errors.

Photo Source: 1993 USGS ORTHOPHOTO

NOTE:

STRIKE - THROUGH IS TEXT PROPOSED FOR DELETION
UNDERLINE IS TEXT PROPOSED TO BE ADDED.

Land Use Plan - Section III. Policies Affecting Specific Areas

PROPOSED CHANGES
TO LWP POLICY III(C)(3)(P)

"Standard C.3. Performance Standards for All Development

p. ~~All development associated with Area C within unincorporated Santa Cruz County shall have a valid County~~ Prior to the exercise of any Coastal Development Permit beforefor Area "C," any City valid Coastal Development Permit can be exercised.

Issued by the County of Santa Cruz for any off-site improvements outside of Area "C" directly related to development within Area "C" shall be in place. The only exception to this requirement shall be for the off-site improvements (including the bridge at Harkins Slough Road if Harkins Slough Road is to be used for access pursuant to Land Use Policy III (C)(3)(o), road improvements and utilities outside of Area "C" directly related to development of a public school within Area "C") necessary to support a public school on Area "C." In the event that the development within Area "C" will be a public school, off site improvements outside of Area "C" directly related to development within Area "C," pursuant to a valid Coastal Development Permit, shall be completed and open for public use prior to occupancy of the public school. If Harkins Slough Road is used for access, via a bridge pursuant to Land Use Policy III (C)(3)(o), the Coastal Development Permit for a public school within Area "C" may be exercised upon the award of a contract for an environmental impact report or other applicable environmental study addressing the bridge and offsite road improvements and utilities outside of Area "C" directly related to development of a public school within Area "C" and, further, upon provision of written confirmation of available, committed funding for the bridge and environmental study thereof."

Standard C.4 (Criteria for Non-Agricultural Use) is hereby amended to read as follows:

PROPOSED CHANGES
TO LWP POLICY
III(C)(4)

"C.4 Criteria for Non-Agricultural Use

NOTE: UNDERLINE HERE IS NOT NEW TEXT, RATHER IT IS EMPHASIS IN EXISTING LWP TEXT

Habitat preservation and restoration uses that remove agricultural land from production in or adjacent to habitat areas or on slopes are permitted, pursuant to a restoration plan prepared by a biologist. Other non-agricultural use may be permitted only if: (1) continued or renewed agricultural use is demonstrated to be infeasible because it cannot be accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors; or (2) if agricultural use on the site (or the part of the site proposed for non-agricultural use) has ceased, then non-agricultural use may be permitted only if renewed agricultural use is not feasible. An exception to making this finding (in the preceding sentence) may only be made to allow a public school (subject to Land Use Plan Policy III.C.(2)(c)). Non-agricultural development within Area C shall not be allowed unless a Specific Plan (see Land Use Plan Policy III.C.(3)(n)) is first adopted that: defines all development areas for Area C; provides permanent measures to protect areas within Area C outside of the development envelope shown on Land Use Plan Figure 2A and outside of the building envelope pursuant to Policy C.3.(q); and ensures that all plan policies will be met. Any non-agricultural use of a portion of Area C shall be sited to optimize agricultural use on the remainder of the site and on adjacent agricultural lands in unincorporated Santa Cruz County. At a minimum, a 200 foot, permanently protected (i.e., by easement or dedication) agricultural buffer (located on the portion of property devoted to non-agricultural uses) that incorporates

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PREVIOUS
PAGE

vegetative or other physical barriers, shall be required to minimize potential land use conflicts. Limited public school parking, sports fields, and pathways only shall be allowed within the "Public School Restricted Use Area" portion of the 200-foot agricultural buffer on the perimeter of Area C as shown on Land Use Plan Figure 2A; buildings and any other structures shall be prohibited in this area. In the event that the public school district is unable to acquire the entire Area C, a 200-foot protected agricultural buffer shall also be located at the boundary between that portion of Area C acquired by the public school district and the remaining portion of Area C, which buffer shall also contain a "Public School Restricted Use Area" subject to the same limitations as the 200-foot agricultural buffers on the perimeter of Area C as shown in Land Use Plan Figure 2A.

PROPOSED CHANGES TO
LUP POLICY III (C)(4)

EXH. D (2014)



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Watsonville Municipal Code

JUL 17 2001

Coastal Implementation Plan.

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

PROPOSED CHANGE
TO IP SECTION
9-5.705(c)(4)(i)

Sec. 9-5.705. Regulations

(c) Zone C. Performance Standards

(4) Special Conditions and finding required for issuing a special use permit and/or coastal permit.

(i) Habitat preservation and restoration uses that remove agricultural land from production in or adjacent to habitat areas or on slopes are permitted, pursuant to a restoration plan prepared by a biologist pursuant to Section 9-5.705(g)(4). For other non-agricultural use an Agricultural Viability Report must be prepared and must have concluded: (1) continued agricultural use is demonstrated to be infeasible pursuant to Section 9-5.815; or (2) if agricultural use on the site (or the part of the site proposed for non-agricultural use) has ceased, then non-agricultural use may be permitted only if renewed agricultural use is demonstrated to be infeasible pursuant to Section 9-5.815. An exception to making this finding (in the preceding sentence) may only be made to allow a public school (subject to Section 9-5.704(c)). Non-agricultural development within AreaZone C shall not be allowed unless a Specific Plan (see Section 9-5.705(c)(4)(xv)) is first adopted that: defines all development areas for AreaZone C; provides permanent measures to protect areas within AreaZone C outside of the development envelope shown on Land Use Plan Figure 2A and outside of the building envelope pursuant to Section 9-5.705(c)(1); and ensures that all plan policies will be met. Any non-agricultural use of a portion of AreaZone C shall be sited to optimize agricultural use on the remainder of the site and on adjacent agricultural lands in unincorporated Santa Cruz County, including, but not limited to maintenance of a 200 foot agricultural buffer consistent with Section 9-5.705(g)(6). Limited public school parking, sports fields, and pathways only shall be allowed within the "Public School Restricted Use Area" portion of the 200-foot agricultural buffer on the perimeter of AreaZone C as shown on Land Use Plan Figure 2A; buildings and any other structures shall be prohibited in this area. In the event that the public school district is unable to acquire the entire Zone C, a 200-foot protected agricultural buffer shall also be located at the boundary between that portion of Zone C acquired by the public school district and the remaining portion of Zone C, which buffer shall also contain a "Public School Restricted Use Area" subject to the same limitations as the 200-foot agricultural buffers on the perimeter of Zone C as shown in Land Use Plan Figure 2A.

PROPOSED
CHANGES TO
IP SECTION
9-5.705
(c)(4)(iii)

(xiii) ~~All development associated with Area C within unincorporated Santa Cruz County shall have a valid County~~ Prior to the exercise of any Coastal Development Permit before for Zone C, any City valid Coastal Development Permit can be exercised issued by the County of Santa Cruz for any off-site improvements outside of Zone C directly related to development within Zone

EXH. D (30F4)

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CONT.
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PREVIOUS PAGE

C shall be in place. The only exception to this requirement shall be for the off-site improvements (including the bridge at Harkins Slough Road if Harkins Slough Road is to be used for access pursuant to Land Use Policy III (C)(3)(o), road improvements and utilities outside of Zone C directly related to development of a public school within Zone C) necessary to support a public school on Zone C. In the event that the development within Zone C will be a public school, off site improvements outside of Zone C directly related to development within Zone C, pursuant to a valid Coastal Development Permit, shall be completed and open for public use prior to occupancy of the public school. If Harkins Slough Road is used for access, via a bridge pursuant to Land Use Policy III (C)(3)(o), the Coastal Development Permit for a public school within Zone C may be exercised upon the award of a contract for an environmental impact report or other applicable environmental study addressing the bridge and offsite road improvements and utilities outside of Zone C directly related to development of a public school within Zone C and, further, upon provision of written confirmation of available, committed funding for the bridge and environmental study thereof."

PROPOSED CHANGES TO
IP SECTION 9-5.705(c)(4)(xiii)

EXH. D (40#4)

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