

**CALIFORNIA COASTAL COMMISSION**

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

**F3c****January 29, 2004 (for February 20, 2004 Hearing)****RECORD PACKET COPY****To:** Coastal Commissioners and Interested Persons**From:** Diane Landry, Central Coast District Manager  
Dan Carl, Coastal Planner**Subject: Certification Review for Santa Cruz County Local Coastal Program Amendment Number 1-02 Part 3 (PVUSD High School MOU)**

At the September 2003 Coastal Commission meeting in Eureka, the Commission approved, with suggested modifications, Santa Cruz County Local Coastal Program (LCP) Major Amendment Number 1-02 Part 3. This amendment does two things.

First, it puts in place a series of policies designed to prevent urban development in the farmlands, wetlands and other environmentally sensitive areas west of the City of Watsonville. This area is primarily agricultural, mostly zoned for commercial agriculture (CA), and is interlaced with significant habitat within the hills and valleys, including the fingers of the Watsonville Slough system as it wends its way to the Monterey Bay. The new policies provide an additional level of protection to further safeguard the rolling agricultural and habitat landscape from non-compatible development. The main way that this is accomplished is through a new utility prohibition zoning district that applies to the boundary of the County and the City of Watsonville on the west side of Highway One in south Santa Cruz County. The new district implements a series of new LCP policies geared towards maintaining the stable urban-rural boundary at Highway One in south County. The extension of sewer and potable water utilities is prohibited across the new district.

Second, the amendment provides Land Use Plan (LUP) and Implementation Plan (IP, or zoning) policies that describe standards for improvements to Harkins Slough Road. These standards are designed to protect the environmentally sensitive habitats of both the West Branch of Struve Slough and Hanson Slough that both cross under Harkins Slough Road in the event that the road is improved to serve development (for example, for access to the currently under construction high school, as is currently proposed).

The LCP amendment fulfills the County's obligations under the MOU between the City, County, and Coastal Commission. The MOU was a result of the City LCP amendment (certified by the Commission in October 2000) that modified the City's LCP to allow the high school use on Area C of the City of Watsonville coastal zone. [Note: The high school has since been permitted and is currently under construction. Litigation (against the City, the School District, and the Commission) associated with the coastal permit decision is still pending (*Hernandez and Reader v. City of Watsonville et al.*, Santa Cruz Superior Court No. 142326).]

By action taken November 25, 2003, Santa Cruz County adopted the amending LCP text as directed by the Commission's suggested modifications (see exhibit A). This action was taken within the required six month timeframe.



**California Coastal Commission**  
**February 2004 Meeting in La Jolla**

The Executive Director has determined that the actions taken by the County are legally adequate and that the amended LCP should be certified. The Executive Director recommends that the Commission concur with this determination and that the LCP, as amended, be certified. If the Commission concurs, the amended LCP will be certified as of today's date (i.e., February 20, 2004), and notification of this certification and Commission concurrence will be forwarded to the County.

**Motion.** I move that the Commission concur with the Executive Director's determination that the actions taken by Santa Cruz County to accept the Commission's suggested modifications for LCP Amendment 1-02 Part 3 are legally adequate.

**Executive Director's Recommendation.** The Executive Director recommends a **YES** vote on the motion. Passage of this motion will result in certification of the Santa Cruz County LCP as directed by the Commission's approval with suggested modifications of LCP Amendment 1-02 Part 3; the amended LCP will be certified as of today's date (i.e., February 20, 2004). The motion passes only by affirmative vote of a majority of the Commissioners present.

**Exhibits**

Exhibit A: County's Acceptance of the Coastal Commission's Suggested LCP Modifications



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

RESOLUTION NO. 342-2003

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

RESOLUTION ACCEPTING THE CALIFORNIA COASTAL COMMISSION'S MODIFICATIONS  
TO PREVIOUSLY APPROVED GENERAL PLAN/ LOCAL COASTAL PROGRAM LAND USE  
PLAN AND IMPLEMENTING ORDINANCE AMENDMENTS RELATED TO THE  
MEMORANDUM OF UNDERSTANDING FOR THE THIRD PAJARO VALLEY UNIFIED SCHOOL  
DISTRICT HIGH SCHOOL

WHEREAS, the Board of Supervisors, on March 14, 2000, entered into a Memorandum of Understanding (MOU) representing concurrence regarding the location of the Pajaro Valley Unified School District's proposed third high school on City of Watsonville's Coastal Zone Area C, provided that the City of Watsonville agreed not to pursue major additional annexations in the environmentally sensitive lands west of Highway One, to be enforced through restrictions on the extension of wastewater and potable water supply pipelines from the City of Watsonville to lands west of Highway One; and

WHEREAS, the County's responsibilities under the MOU included amending the General Plan/Local Coastal Program (LCP) Land Use Plan and County Code/LCP Implementation Plan to provide for: (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) Establishment of a policy/standard that limits the width of Harkins Slough Road to the minimum necessary to serve the new high school (assuming this and not Airport Blvd. is the primary access route selected), and which encourages improvements that would enhance habitat connectivity under the roadway (e.g., a new bridge span over West Struve Slough, or at least larger culverts); and (c) Establishment of 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 Board of Supervisors, on March 27, 2001, following a duly noticed public meeting, approved amendments to the General Plan/LCP Land Use Plan and County Code/LCP Implementation Plan to fulfill the County's obligations under the MOU, and directed staff to forward the amendments to the California Coastal Commission for their certification as required under the Coastal Act, and

WHEREAS, on September 12, 2001, the California Coastal Commission considered and denied as submitted, but then approved with suggested modifications, the proposed General Plan/LCP Land Use Plan and to the County Code/LCP Implementation Plan amendments as Santa Cruz County's LCP Major Amendment 1-01 (Part 2); and

WHEREAS, on March 5, 2002, the Board of Supervisors, following a duly noticed public hearing, considered the modifications suggested by the California Coastal Commission and addressed the concerns raised at the public hearing regarding the future water service needs of agricultural uses in the Coastal Zone through proposed revisions to the Land Use Plan and Implementing Ordinances; and

Attachment 1

WHEREAS, Coastal Commission staff determined that the proposed revisions addressing future water service needs were not consistent with their suggested modifications and, therefore, necessitated re-submittal of the General Plan/LCP and implementing ordinance amendments; and

WHEREAS, on July 1, 2003 the County resubmitted the General Plan/LCP Amendments as Major LCP Amendment 1-02 (Part 3); and

WHEREAS, on September 10, 2003, the California Coastal Commission denied the amendment as submitted, but voted to approve it if their suggested modifications were to be adopted by the County within six (6) months of September 10, 2003; and

WHEREAS, the primary effect of the Coastal Commission modifications would be to remove all but one of the exceptions to the Utility Prohibition Zone that were in the version of the amendment previously approved by the County, and that the only exception retained would be for wastewater and water supply pipelines to serve the third PVUSD high school, and that most of the other exceptions would be noted as possible exceptions that would be subject to separate future LCP amendments; and

WHEREAS, the proposed General Plan/LCP Land Use Plan and County Code/LCP Implementation Plan amendments, as modified by the Coastal Commission, are found to be categorically exempt from the California Environmental Quality Act (CEQA), consistent with the provisions of CEQA and the County of Santa Cruz Environmental Review Guidelines; and

WHEREAS, the Santa Cruz County Board of Supervisors has six (6) months from the date of the Coastal Commission action (i.e., until March 10, 2004) to adopt the Coastal Commission's suggested modifications to LCP Major Amendment 1-02 (Part 3);

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Board of Supervisors approves the Coastal Commission's suggested modifications to the previously approved amendments to the General Plan/LCP Land Use Plan and County Code/LCP Implementation Plan, as set forth in Exhibits 1-A and 1-B to this Resolution, and authorizes their re-submittal to the California Coastal Commission for their final certification.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this 25th day of November, 2003 by the following vote:

|          |             |  |
|----------|-------------|--|
| AYES:    | SUPERVISORS | Beautz, Wormhoudt, Campos, Stone and Pirie |
| NOES:    | SUPERVISORS | None                                       |
| ABSENT:  | SUPERVISORS | None                                       |
| ABSTAIN: | SUPERVISORS | None                                       |

ELLEN PIRIE

Chairperson of the Board of Supervisors

ATTEST: GAIL T. BORKOWSKI  
Clerk of the Board of Supervisors

APPROVED AS TO FORM: David Kandel  
County Counsel

STATE OF CALIFORNIA )  
COUNTY OF SANTA CRUZ ) ss  
I, SUSAN A. MAURIELLO, County Administrative Officer and 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 resolution passed and adopted by and entered in the minutes of the said board. In witness whereof I have hereunto set my hand and affixed the seal of the said Board on 11/26 2003  
SUSAN A. MAURIELLO, County Administrative Officer

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cc: County Counsel, Planning Department, California Coastal Commission

CCC Exhibit A  
(page 2 of 12 pages)

**Coastal Commission's Suggested Modifications to  
Major LCP Amendment 1-02 (Part 3) - General Plan/LCP Land Use Plan Amendments  
Implementing the MOU for the Third PVUSD High School**

(Coastal Commission Deletions in ~~Strikeout~~, Additions Underlined)

**LAND USE ELEMENT**

**OBJECTIVE 2.1 URBAN/RURAL DISTINCTION**

**Policy 2.1.12 Urban/Rural Boundary - San Andreas Planning Area  
(LCP)**

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

**Policy 2.1.13 Prohibition On Utility Extensions - San Andreas Planning Area  
(LCP)**

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

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

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

**Policy 2.1.15  
(LCP)**

**Watsonville Utility Pipeline Non-Access Strips - San Andreas Planning Area**

In the San Andreas Planning Area, designate one-foot wide Pipeline Non-Access Strips along 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**

Harkins Slough Road (including ~~the proposed~~ any 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~~ high school development on the 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~~ all sides of any existing or future: 1) wastewater or potable water supply pipeline easements granted to the City of Watsonville by the County; and/or 2) wastewater or potable water supply pipelines emanating from the City of Watsonville and crossing County right-of-way or other County land. The one-foot wide Pipeline Non-Access Strips shall completely surround any such pipelines and/or pipeline easements. New pipeline connections to the existing wastewater or potable water pipeline will be prohibited through, over, or under the Pipeline Non-Access Strips.

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

- ~~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.~~

- ~~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;~~
  - ~~4) Pipelines to distribute water for environmental restoration, maintenance or enhancement;~~
  - ~~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, with the condition that the pipeline sizes be limited to the minimum capacity required to serve that use only.~~
- g. Endeavor to acquire, or to encourage other appropriate third parties (e.g., land trusts or other non-profit organizations) to acquire, the one-foot wide Utility Prohibition Strip, as described above in Program f, as permanently held easements on each affected parcel.

## CONSERVATION AND OPEN SPACE ELEMENT

### OBJECTIVE 5.1 BIOLOGICAL DIVERSITY

#### Restoration of Damaged Sensitive Habitats

#### Policy 5.1.16 (LCP)

#### Harkins Slough Road Improvements

Any Harkins Slough Road improvements 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, unless an alternative that is environmentally equivalent or superior to a bridge is identified. Fill of any portion of the west branch of Struve Slough, except for incidental public services, is prohibited. Any such road improvements 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 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 Incorporating Coastal Commission's  
Suggested Modifications**

**(Coastal Commission Deletions in ~~Strikethrough~~, Additions Underlined)**

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.**

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

October 29, 2003

**CCC Exhibit A**  
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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 limit of Watsonville is modified subsequent to the effective date of this section through annexation to include either 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.

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

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

- (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) ~~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.~~
- (c) ~~Leachate lines to and from the City and County landfills and the City wastewater treatment plant.~~
- (d) ~~Pipelines to distribute water for environmental restoration, maintenance or enhancement.~~
- (e) ~~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.~~
- (f) ~~Wastewater and potable water supply utility pipelines/easements necessary to serve areas B and C as designated by the City of Watsonville's LCP, with the condition that the pipeline sizes be limited to the minimum capacity required to serve the allowed uses.~~

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

Any additional exceptions to the "W" combining district wastewater and potable water utility pipeline prohibition shall be prohibited without an LCP amendment, subject to all LCP amendment and CEQA analysis and approval standards. If such an amendment adds any exception(s) to the "W" combining district prohibitions, development shall not commence pursuant to the certified exception(s) unless and until all applicable regulatory reviews have been completed, and all required approvals, including but not limited to an appealable coastal development permit, have been granted. Without prejudice as to their appropriateness, further exceptions that may be pursued through normal and required LCP amendment and CEQA processes in the future include:

- (a) Potable water and wastewater service to the Gilbertson parcel (APN 052-011-46), and the agricultural uses principally and conditionally permitted under the present County commercial agricultural zoning district,

including agricultural worker housing;

- (b) Leachate lines to and from the City and County landfill and the City wastewater treatment plant; and
- (c) Pipelines to distribute water for environmental restoration, maintenance or enhancement.

## 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~~ any 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 high school development on the 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 Harkins Slough Road improvements 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, unless an alternative that is environmentally equivalent or superior to a bridge is identified. Fill of any portion of the west branch of Struve Slough, except for incidental public services, is prohibited. Any such road improvements shall include measures to protect habitat, and shall be sited and designed to minimize the amount of noise, lights, glare and activity visible and/or audible within the sloughs. Night lighting shall be limited to the minimum necessary to meet safety requirements and shall incorporate design features that limit the height and intensity of the lighting to the greatest extent feasible; provide shielding and reflectors to minimize on-site and off-site light spill and glare to the greatest extent feasible; avoid any direct illumination of sensitive habitat areas; and incorporate timing devices to ensure that the roadway is illuminated only during those hours necessary for school functions and never for an all night period. Any 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 on the 31<sup>st</sup> day following adoption, or upon certification by the California Coastal Commission, whichever is later.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2003, 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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**CCC Exhibit A**  
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