

## CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE  
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# Th8a

**Prepared February 17, 2006 (for the March 9, 2006 hearing)**

**To:** Commissioners and Interested Persons

**From:** Steve Monowitz, District Manager  
Rick Hyman, Deputy Chief Planner  
Susan Craig, Coastal Planner

**Subject: Santa Cruz County LCP Major Amendment Number 2-05 Part A (Recycled Wastewater Facilities On Ag Land)** Proposed major amendment to the Santa Cruz County certified Local Coastal Program to be presented for public hearing and Commission action at the California Coastal Commission's March 9, 2006 meeting to take place at the Hyatt Regency Monterey, 1 Golf Course Road, Monterey.

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## SYNOPSIS

The County of Santa Cruz is proposing to amend its certified Local Coastal Program (LCP) to allow recycled wastewater facilities on agriculturally-designated land as a conditional use, subject to development criteria that require such facilities be located adjacent to existing municipal wastewater treatment plants, minimize the conversion of cultivated agricultural land, and restrict use of recycled water to agricultural irrigation.

The subject amendment is intended to accommodate a proposed Watsonville Recycled Water Facility (RWF) adjacent to the existing Watsonville Wastewater Treatment Facility (WTF), which is located on the seaward side of Highway One near the Pajaro River and surrounded by agricultural uses (see Exhibits #3 & #4 for location maps and aerial photo). The Watsonville RWF project is a joint project of the City of Watsonville and the Pajaro Valley Water Management Agency to reduce current levels of groundwater pumping and associated problems of seawater intrusion, while maintaining existing agricultural uses in the Pajaro Valley.

The amendment would also establish wastewater recycling facilities (i.e., tertiary treatment facilities) as a conditionally permitted use on agricultural land adjacent to the wastewater treatment plants at Davenport and Buena Vista Drive, although no such development is proposed at this time. The construction and operation of wastewater recycling facilities will be subject to future coastal development permit reviews and approvals, and must comply with the standards established by this amendment as well as all other applicable LCP provisions. Santa Cruz County actions on coastal development permits for such facilities will be appealable to the Coastal Commission.



California Coastal Commission

March 2006 Meeting in Monterey

Staff: S.Craig Approved by:

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**SUMMARY OF STAFF RECOMMENDATION**

In accordance with Chapter 6 of the Coastal Act, staff has reviewed the proposed changes to the Land Use Plan (LUP) for conformance with the Coastal Act, and the Implementation Plan (IP) amendments for their consistency with, and ability to carry out, the amended Land Use Plan. The main issue raised by the amendment is protection of coastal agriculture. The wastewater recycling facilities allowed by the amendment will have an overall benefit on coastal agriculture within the coastal zone areas of Santa Cruz and Monterey counties by providing an alternative source of irrigation water in areas where continued use of groundwater for agricultural irrigation could exacerbate seawater intrusion problems to the point where irrigated agriculture will no longer be possible, absent another source of water.

However, the submitted amendment does not adequately address Coastal Act and LUP requirements to maintain the maximum amount of prime agricultural land in agricultural production, and to minimize conflicts between agricultural and non-agricultural land uses, for the following reasons:

- The requirement that wastewater recycling facilities minimize reductions in the acreage of agricultural land applies only to lands *under cultivation*, rather than all prime agricultural land.
- The amendment does not require mitigation to offset the loss of prime agricultural land associated with facility construction, and;
- Potential conflicts with adjacent agricultural activities during facility construction and operation are not required to be avoided.

Staff therefore recommends **approval** of Santa Cruz County Local Coastal Program Amendment No. 2-05 (Part A) **only if it is modified** to require that wastewater recycling facilities minimize the conversion of all agricultural land (whether or not such land is currently being cultivated), provide mitigation measures to offset the loss of agricultural land due to facility construction, and to minimize potential conflicts with adjacent agricultural uses associated with facility construction and operation. With the identified modifications, staff recommends that the Commission find that the proposed Land Use Plan amendment is consistent with and adequate to carry out the policies of the Coastal Act, and that the proposed Zoning Ordinance amendment is consistent with and adequate to carry out the policies of the modified Land Use Plan.

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#### IV. Exhibits

- Exhibit 1: Proposed Land Use Plan Amendments
- Exhibit 2: Proposed Zoning Ordinance Amendments
- Exhibit 3: Location Map of Existing Watsonville Wastewater Treatment Facility
- Exhibit 4: Aerial Photograph of Existing Watsonville Wastewater Treatment Facility

### 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 four motions in order to act on this recommendation.

1. Denial of Land Use Plan Major Amendment Number 2-05 (Part A) as Submitted  
**Motion (1 of 4).** I move that the Commission **certify** Land Use Plan Amendment (SCO-MAJ-2-05, Part A) as submitted by the County of Santa Cruz.

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

**Resolution to Deny.** The Commission hereby **denies** certification of the Land Use Plan Amendment (SCO-MAJ-2-05, Part A) as submitted by the County of Santa Cruz 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 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 impact which the Land Use Plan Amendment may have on the environment.

2. Approval of Land Use Plan Major Amendment Number 2-05 (Part A), if Modified  
**Motion (2 of 4).** I move that the Commission **certify** Land Use Plan Amendment (SCO-MAJ-2-05, Part A) for the County of Santa Cruz if it is modified as suggested in this staff report.

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

**Resolution to Certify with Suggested Modifications.** The Commission hereby **certifies** the Land Use Plan Amendment (SCO-MAJ-2-05, Part A) for the County of Santa Cruz 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.

3. Denial of Implementation Plan Major Amendment Number 2-05 (Part A) as Submitted  
**Motion (3 of 4).** I move that the Commission **reject** Major Amendment Number 2-05 (Part A) to the Santa Cruz County Local Coastal Program Implementation Plan as submitted by Santa Cruz County.

Staff recommends a **YES** vote on the motion below. Passage of this motion will result in rejection 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.

**Resolution to Deny.** The Commission hereby **denies** certification of Major Amendment Number 2-05 (Part A) to the Santa Cruz County Local Coastal Program Implementation Plan as submitted by Santa Cruz County 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.

4. Approval of Implementation Plan Major Amendment Number 2-05 (Part A) if Modified  
**Motion (4 of 4).** I move that the Commission **certify** Major Amendment Number 2-05 (Part A) to the Santa Cruz County Local Coastal Program Implementation Plan if it is modified as suggested in this staff report.

Staff recommends a **YES** vote on the motion below. Passage of this motion will result in certification 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.

**Resolution to Certify with Suggested Modifications.** The Commission hereby **certifies** Part A of Major Amendment Number 2-05 to the Santa Cruz County 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 Land Use Plan and Zoning Ordinance consistency findings. If the County of Santa Cruz accepts each of the suggested modifications within six months of Commission action (i.e., by September 9, 2006), by formal resolution of the Board of Supervisors, the corresponding amendment will become effective upon Commission concurrence with the Executive Director's finding that this acceptance has been properly accomplished. Text in ~~strikethrough~~ format denotes text to be deleted and text in underline format denotes text to be added

### 1. Modify LUP Policy 5.13.6(c) as follows:

(c) The use consists of an interim public use which does not impair long-term agricultural viability, or consists of a permanent public use that will result in the production of recycled wastewater solely for agricultural irrigation; and that minimizes and offsets the loss of agricultural land resulting from facility construction;

### 2. Modify new Zoning Ordinance Section 13.10.635 (c) as follows:

(c) ~~Minimal e~~Conflicts with adjacent commercial agricultural activities shall result resulting from either construction or operation of the wastewater recycling facility use, shall be avoided, among other ways, by staging construction activities and establishing traffic routes in a manner that does not interfere with adjacent agricultural activities. either during its construction or operation.

### 3. Modify new Zoning Ordinance Section 13.10.635(d) as follows:

The facility shall minimize reduction of acreage of ~~cultivated~~agricultural lands, and shall prevent a reduction in land available for agricultural production by offsetting the loss of agricultural land associated with facility construction. Mitigation measures that may be used to offset the loss of agricultural land resulting from project construction include, but are not limited to:

- enabling fallow agricultural land to be put back into production;
- protecting or restoring agricultural operations on lands where non-agricultural development has been permitted, among other ways by acquiring the land or obtaining an affirmative agricultural easement;



- improving the productivity of degraded or marginal agricultural land by transporting the topsoil from the development site to such land; and,
- any combination of the above, or similar measures.

The mitigation measures used to offset the loss of agricultural land associated with facility construction shall enhance agricultural productivity within the project service area to an extent that is equal or better than the productivity of the agricultural land lost from project construction, and shall be implemented in a manner that is consistent with the coastal resource protection provisions of the LCP, such as those protecting environmentally sensitive habitat areas, riparian corridors, wetlands, and coastal water quality.

#### **4. Modify Zoning Ordinance Section 13.10.314(a)(3) as follows:**

The use consists of an interim public use which does not impair long-term agricultural viability, or consists of a permanent public use that will result in the production of recycled wastewater solely for agricultural irrigation and that limits and mitigates the impacts of facility construction on agriculture consistent with the requirements of Section 13.10.635; and...

### III. Findings and Declarations

The Commission finds and declares as follows:

#### A. Standard of Review

The standard of review for the proposed amendments to the County's LUP is consistency with the Coastal Act. The standard of review for the proposed amendments to the County's IP is that they must be consistent with and adequate to carry out the policies of the amended LUP.

#### B. Proposed LCP Amendment

##### 1. Background

The County of Santa Cruz is proposing to amend its Land Use Plan and Zoning Ordinance to make tertiary-level wastewater treatment facilities an allowed conditional use on agriculturally-zoned parcels, if such facilities are located adjacent to an existing municipal wastewater treatment plant and if the water that will be produced from the tertiary treatment plant will be used solely for the purpose of agricultural irrigation. Additional criteria, such as a design that minimizes encroachment onto agricultural land, are also required for a tertiary wastewater treatment facility to qualify as an allowed use on agricultural land. Currently, the production of irrigation water for farming is not recognized in County land use plan policies and zoning ordinance regulations as an allowed use on agricultural land.



The subject amendment has been submitted to allow for construction of the Watsonville Recycled Water Facility (RWF) adjacent to the existing Watsonville Wastewater Treatment Facility (WTF), which is located just off of Beach Road on Panabaker Lane (see Exhibits #3 & #4 for location maps and aerial photo). The Watsonville RWF project is a joint project of the City of Watsonville and the Pajaro Valley Water Management Agency. The existing WTF is located on an “island” of incorporated City of Watsonville land. The adjacent areas to the east and the west of the WTF that are proposed to be used for the RWF are located on unincorporated County land that is zoned Commercial Agricultural (CA). Under the currently proposed plan, approximately 14.1 acres of prime agricultural land would be required to accommodate the new RWF. At this time the Commission is only approving the LCP amendments and not the coastal permit for the RWF, which is both in the City and County’s jurisdictions and which would be appealable to the Commission.

The proposed amendment was submitted on December 7, 2005. After receiving additional information requested from the Applicant, the amendment submittal was filed as complete on February 2, 2006.

## 2. Analysis of Land Use Plan Amendments

Coastal Act Section 30241 protects prime agricultural land and requires that the maximum amount of prime agricultural land be maintained in production, and states:

*30241. The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas’ 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.*

The clear intent of section 30241 is to maintain prime agricultural land in agricultural production and assure that agricultural land is not converted to non-agricultural land uses except in limited circumstances on the periphery of designated urban areas. Thus, the presumption inherent in Coastal Act Section 30241 is that conversion of agricultural lands is prohibited unless there is some basic incompatibility or conflict with immediately adjacent urban land uses that makes agricultural use no



longer viable, or unless conversion would complete a logical urban area and/or help to establish a stable urban-rural boundary that better protects agricultural land.<sup>1</sup>

The Coastal Act also contemplates that both the identification and protection of agricultural land, and its possible conversion to non-agricultural land uses, will be specifically addressed through LCP planning. In particular, the Coastal Act contemplates that in conjunction with the identification of urban-rural boundaries, agricultural lands will be designated and restricted to agricultural land uses, unless a future LCP amendment is approved that allows the conversion of the land to non-agricultural uses.

The proposed amendment would amend the certified Land Use Plan to designate recycled water facilities, which provide water solely for agricultural production purposes, to be an allowed use on agriculturally zoned land (see Exhibit #1 for proposed Land Use Plan amendments). As discussed above, the proposed amendment has been submitted to facilitate development of a Recycled Water Facility (RWF) on prime agricultural land located adjacent to the existing Watsonville Wastewater Treatment Facility (WTF) (Exhibits #3 & #4).

According to the County, the proposed amendment is integral to Pajaro Valley Water Management Agency (PVWMA) plans for eliminating groundwater pumping while maintaining existing irrigated agricultural use in the coastal portions of the Pajaro Valley, which is located in south Santa Cruz County. It is well documented that the aquifers that underlie the Pajaro Valley and its vicinity have been experiencing seawater intrusion in the coastal area due to long-term overdraft of the groundwater basin. Continued groundwater pumping would exacerbate coastal Pajaro Valley's existing seawater intrusion problem to the point where irrigated agriculture will no longer be possible there, absent another source of water. The proposed amendment would facilitate approval of the RWF, which would initially provide tertiary-level treatment of 4,000 acre-feet per year of the secondary-level treated effluent coming from the existing WTF.. This effluent would be blended with clean water pumped from more inland portions of the basin, then transported via PVWMA's new coastal distribution system of irrigation water pipelines to agricultural fields near the coastline. The resulting blended mix would be used solely for crop irrigation of approximately 2,000 acres of prime agricultural land in the coastal area of the Pajaro Valley. Thus, this portion of the proposed LUP amendment supports the intent of Coastal Act Section 30241 regarding maintaining the maximum amount of prime agricultural land in production because it will provide a new source of water for approximately 2,000 acres of prime agricultural land in the coastal zone that is currently threatened by seawater intrusion.

The proposed LUP amendment allows for the development of recycled wastewater facilities on land designated as Commercial Agriculture as long as these facilities are in the immediate proximity of an existing municipal wastewater treatment plant (see Exhibit #1 for LUP amendment language). In

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<sup>1</sup> Coastal Act section 30113 defines prime agricultural land as those lands defined as prime in sections (1), (2), (3), and (4) of Williamson Act section 51201(c). This includes: (1) All land that qualifies for rating as class I or class II in the Natural Resource Conservation Service land use capability classifications. (2) Land which qualifies for rating 80 through 100 in the Storie Index Rating. (3) Land which supports livestock used for the production of food and fiber and which has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture. (4) Land planted with fruit- or nut-bearing trees, vines, bushes or crops which have a nonbearing period of less than five years and which will normally return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than two hundred dollars (\$200) per acre.





addition to the WTF, there are two other wastewater treatment facilities located in Santa Cruz County (Davenport and Buena Vista). These facilities are also located adjacent to agricultural land. Thus, although there are thousands of acres of land in Santa Cruz County designated Commercial Agriculture, the proposed LCP amendment would limit development of recycled wastewater facilities to these three specific sites, i.e., recycled wastewater facilities would *not* be an allowable use on the vast majority of agricultural land in the County. In addition, according to the County, it is unlikely that recycled water facilities, if proposed in the future at the Davenport and/or Buena Vista sites, would be built on adjacent agriculturally-zoned land because the parcels upon which the existing facilities are located are quite large and presumably would have the space available for the necessary advanced treatment equipment without encroaching into adjacent agriculturally-zoned land. In any event, if a recycle wastewater facility was ever proposed on agricultural land adjacent to either the Davenport or Buena Vista sites, the language of the proposed amendment would require the water produced from the facility to be used solely for agricultural irrigation purposes, helping fulfill the intent of Coastal Act Section 30241 to maintain the maximum amount of prime agricultural land in production.

Despite the overall benefits to agriculture associated with the establishment of wastewater recycling facilities that may offer a more reliable and less environmentally damaging source of water for irrigation, the amendment submittal does not fully comply with the directive of Coastal Act Section 30241 to maintain the maximum amount of prime agricultural land in agricultural production. To ensure consistency with Coastal Act Section 30241, **Modification #1** is needed. This modification adds language to amended LUP Policy 5.13.6(c) that requires recycled wastewater facilities to minimize and offset the loss of agricultural land associated with the construction of wastewater recycling facilities. **Modification #3** specifies the way in which this policy shall be implemented by specifying the types of mitigation measures that may be used to offset the loss of agricultural land resulting from project construction, which include, but are not limited to:

- enabling fallow agricultural land to be put back into production;
- protecting or restoring agricultural operations on lands where non-agricultural development has been permitted, among other ways by acquiring the land or obtaining an affirmative agricultural easement;
- improving the productivity of degraded or marginal agricultural land by transporting the topsoil from the development site to such land; and,
- any combination of the above, or similar measures.

To ensure that the loss of agricultural land associated with construction of wastewater recycling facilities will not result in a reduction of agricultural productivity, **Modification #3** further specifies that mitigation measures used to offset the loss of agricultural land associated with facility construction shall enhance agricultural productivity within the project service area to an extent that is equal or better than the productivity of the agricultural land lost from project construction, and shall be implemented in a manner that is consistent with the coastal resource protection provisions of the LCP, such as those



protecting environmentally sensitive habitat areas, riparian corridors, wetlands, and coastal water quality. With these modifications, the proposed Land Use Plan amendment is consistent with Coastal Act Section 30241, which requires that the maximum amount of prime agricultural land be maintained in agricultural production.

Coastal Act Section 30241 also requires conflicts between agriculture and urban land uses to be minimized, and regulates the conversion of agricultural land to prevent such conflicts. In this case, the proposed use that would be allowed to convert agricultural land is not an urban type use, as the wastewater recycling facilities will essentially be an expansion of existing public work facilities that are currently located in rural areas. In addition, this type of use is not anticipated to create conflicts with adjacent agricultural uses, except perhaps on a temporary basis during project construction, and over the long term if transportation routes to and from the facility interfere with farming operations. To address these potential conflicts, **Modifications #2 and #4** require such conflicts to be avoided, among other ways, by staging construction activities and establishing traffic routes in a manner that does not interfere with adjacent agricultural activities.

As required by Coastal Act Section 30241(d), the County, the City of Watsonville, and the PVWMA explored the option of location the proposed wastewater treatment facility outside of agricultural areas, and concluded that it is necessary to construct the facility adjacent to the existing wastewater treatment plant because pumping treatment plant effluent to a remote location for tertiary treatment and then back to the coastal area for distribution to farms would be cost prohibitive, and would waste limited energy resources. Thus, the amendment, as modified, is inconsistent with Coastal Act Section 30241 regarding conversion of prime agricultural land.

### 3. Analysis of Implementation Plan Amendments

Please see Exhibit #1 for applicable Santa Cruz County LCP Policies that provide protection for agricultural land. The standard of review for the proposed amendments to the County's Implementation Plan (IP) is that they must be consistent with and adequate to carry out the policies of the amended LUP.

The proposed IP amendments modify Chapter 13.10 of the Santa Cruz County Code to allow recycled wastewater facilities to be located on agriculturally zoned land, subject to specific criteria (see Exhibit #2 for the proposed IP amendment language). Most of the language in the IP amendment mirrors that of the proposed LUP amendments, i.e., allowing for recycled water facilities on agriculturally-zoned land, requiring that such facilities be located adjacent to or in the immediate proximity of an existing publicly owned and operated municipal wastewater treatment plant, and requiring that the recycled municipal wastewater be used for agricultural irrigation.

Proposed Section 13.10.635, however, requires that a wastewater treatment facility create "minimal" conflicts with adjacent commercial agricultural activities. LUP Policy 5.13.6(d) requires that all conditional uses on agricultural lands be sited to *avoid* conflicts with principal agricultural activities in the area. Thus, **Modification #2** is needed. This modification adds language to Section 13.10.635 to require that conflicts between adjacent agricultural use and wastewater treatment facility use be avoided,



as discussed above. In addition, proposed amended Section 13.10.635(d) requires that recycled water facilities minimize the reduction of acreage of cultivated agricultural lands. This is inconsistent with LUP Policy 5.13.6(c) as it will be modified (see Modification #1 above), which requires that the conversion of agricultural lands associated with facility construction be minimized and mitigated. **Modifications #3 and #4** modify and supplement the submitted IP amendment as necessary to ensure that the amended LUP policies, as modified, can be effectively carried out. With these modifications, the proposed Implementation Plan amendment is consistent with the agricultural policies of the modified Land Use Plan.

### C. 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.

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).



**PROPOSED AMENDMENT TO SANTA CRUZ COUNTY  
GENERAL PLAN/LOCAL COASTAL PROGRAM**

**CHAPTER 5: CONSERVATION AND OPEN SPACE**

**Proposed Additions Shown in Highlight**

**AGRICULTURE**

**Objective 5.13 Commercial Agricultural Land**

(LCP) To maintain for exclusive agricultural use those lands identified on the County Agricultural Resources Maps as best suited to the commercial production of food, fiber and ornamental crops and livestock and to prevent conversion of commercial agricultural land to non-agricultural uses. To recognize that agriculture is a priority land use and to resolve policy conflicts in favor of preserving and promoting agriculture on designated commercial agricultural lands.

**Policies**

**5.13.1 Designation of Commercial Agriculture Land**

(LCP) Designate on the General Plan and LCP Resources and Constraints Maps as Agricultural Resource all land which meets the criteria (as defined in the General Plan Glossary) for commercial agricultural land.

**5.13.2 Types of Agriculture Land**

(LCP) Maintain by County ordinance specific agricultural land type designations for parcels identified as commercial agricultural land based on the criteria set forth in the General Plan and LCP Land Use Plan\* and maintain Agricultural Resources Maps, by County ordinance to identify the distribution of the following types of Commercial Agricultural Land in the County:

- Type 1A – Viable Agricultural Land
- Type 1B – Viable Agricultural Land in Utility Assessment Districts
- Type 2A – Limited Agricultural Land
- Type 2B – Limited Agricultural Land – Geographically Isolated
- Type 2C – Limited Agricultural Land in Utility Assessment Districts
- Type 2D – Limited Agricultural Land Experiencing Use Conflicts
- Type 3 – Viable Agricultural Land Within the Coastal Zone

\*See Glossary for detailed definition of Agricultural Land, Commercial.

**5.13.3 Land Use Designations for Agricultural Resource Lands**

(LCP) All lands designated as Agricultural Resource shall be maintained in an Agricultural Land Use designation, unless the property is included in a public park or biotic reserve and assigned as Parks, Recreation and Open Space (O-R), Resource Conservation (O-C), or Public Facility (P) land use designations.



EXHIBIT 1-A

**5.13.4 Zoning of Agricultural Resource Land**

(LCP) Maintain all lands designated as Agricultural Resource in the "CA", Commercial Agricultural Zone District, except for land in agricultural preserves zoned to the "AP", Agricultural Preserve Zone District or the "A-P", Agriculture Zone District and Agriculture Preserve Combining Zone District; timber resource land zoned to the "TP", Timber Production Zone District; or public parks and biotic conservation areas zoned to the "PR", Parks, Recreation and Open Space Zone District.

**5.13.5 Principal Permitted Uses on Commercial Agricultural (CA) Zoned Land**

(LCP) Maintain a Commercial Agricultural (CA) Zone District for application to commercial agricultural lands that are intended to be maintained exclusively for long-term commercial agricultural use. Allow principal permitted uses in the CA Zone District to include only agricultural pursuits for the commercial cultivation of plant crops, including food, flower, and fiber crops and raising of animals including grazing and livestock production and, outside the coastal zone, timber harvesting operations.

**5.13.6 Conditional Uses on Commercial Agricultural (CA) Zoned Lands**

(LCP) All conditional uses shall be subject to standards which specify siting and development criteria including: size, location and density. Allow conditional uses on CA zoned lands based upon the following conditions:

- (a) The use constitutes the principal agricultural use of the parcel; or
- (b) The use is ancillary incidental, or accessory to the principal agricultural use of the parcel; or
- (c) The use consists of an interim public use which does not impair long term agricultural viability, or consists of a permanent public use that will result in the production of recycled wastewater solely for agricultural irrigation; and
- (d) The use is sited to avoid conflicts with principal agricultural activities in the area; and
- (e) The use is sited to avoid, where possible, or otherwise minimize the removal of land from agricultural production.

**5.13.6.1 Biomedical Livestock Operations**

(LCP) Allow Biomedical Livestock Operations as a Level V Conditional Use on agriculturally zoned land, subject to all other provisions of the General Plan-Local Coastal Program, to the provisions of the Zoning Ordinance applicable to agriculturally zoned land, and to standards which assure protection of the public health, safety and welfare, while prohibiting Biomedical Laboratories on agriculturally zoned land. (Added by Res. 390-97)

**5.13.7 Agriculturally Oriented Structures**

Allow only agriculturally oriented structures or dwellings on Commercial Agricultural Land, including structures associated with recycled wastewater (i.e., tertiary treatment) facilities in the immediate proximity of existing municipal



EXHIBIT 1-A

wastewater treatment plants for the production of recycled wastewater to be used solely for agricultural irrigation; prohibit non-agricultural residential land use when in conflict with the fundamental objective of preserving agriculture.

**5.13.8 Location of Agricultural Support Facilities**

Require agricultural support facilities, where permitted on designated Agricultural lands, to locate either off good agricultural soils, or when this is not feasible, on the perimeter of good agricultural soils.



ATTACHMENT 3

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

**AN ORDINANCE AMENDING CHAPTER 13.10 OF THE SANTA CRUZ COUNTY CODE TO ALLOW RECYCLED WATER FACILITIES TO BE LOCATED ON AGRICULTURALLY-ZONED LAND, SUBJECT TO SPECIFIC CRITERIA**

The Board of Supervisors of the County of Santa Cruz ordains as follows:

**SECTION I**

Subdivision (b) of Section 13.10.312 of the Santa Cruz County Code is hereby amended by adding the category "Recycled municipal wastewater facilities" to the Agricultural Uses Chart under "Agricultural Support and Related Facilities" and below the category "Recreational activities", to read as follows:

USE	CA	A	AP
Recycled municipal wastewater (i.e. tertiary treatment) facilities for the production of recycled water solely for agricultural irrigation use, subject to the provisions of Section 13.10.635	7	7	7

**SECTION II**

The Santa Cruz County Code is hereby amended to add Section 13.10.635, to read as follows:

**Section 13.10.635 – Recycled water facilities for the production of recycled municipal wastewater for agricultural irrigation use.**

Construction and operation of recycled water facilities providing tertiary-level treatment on land zoned CA, A or AP shall be allowed, subject to the following regulations:

a. Such facilities shall be located adjacent to or in the immediate proximity of an existing publicly owned and operated municipal wastewater treatment plant.

b. Such facilities shall be intended and used for the sole purpose of producing recycled municipal wastewater to be used for agricultural irrigation.

c. Minimal conflicts with adjacent commercial agricultural activities shall result from the wastewater recycling facility use, either during its construction or operation.



ATTACHMENT 3

d. The facility shall minimize reduction of acreage of cultivated agricultural lands.

**SECTION III**

Subdivision (a)(3) of Section 13.10.314 of the Santa Cruz County Code is hereby amended, to read as follows:

3. The use consists of an interim public use which does not impair long term agricultural viability, or consists of a permanent public use that will result in the production of recycled wastewater solely for agricultural irrigation; and

**SECTION IV**

This ordinance shall become effective on the 31<sup>st</sup> day following adoption or upon certification by the California Coastal Commission, whichever is latest.

PASSED AND ADOPTED this 22<sup>nd</sup> day of November 2005, by the Board of Supervisors of the County of Santa Cruz by the following vote:

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

\_\_\_\_\_  
Chairman of the Board of Supervisors

Attest: \_\_\_\_\_  
Clerk of the Board

APPROVED AS TO FORM:

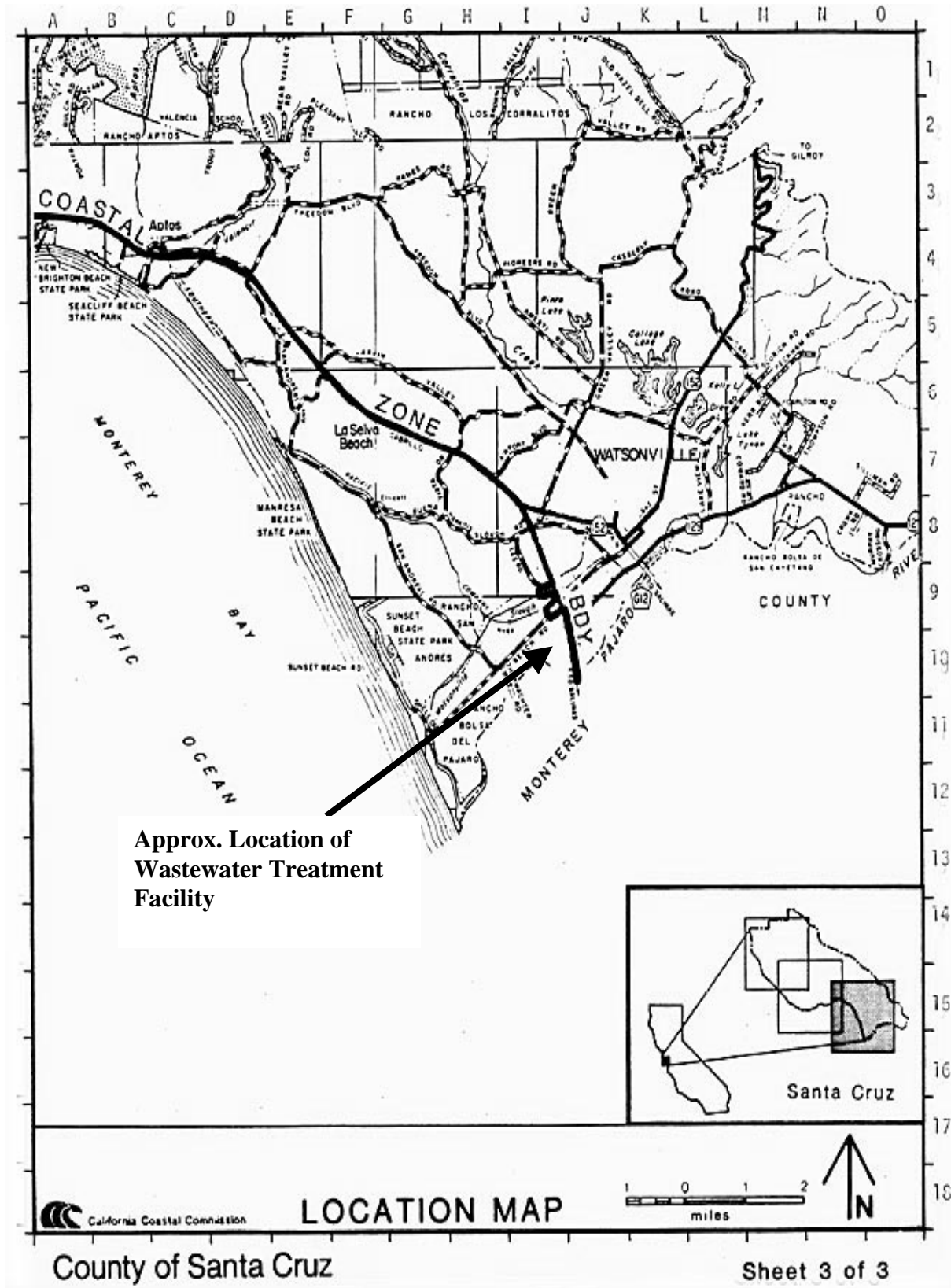
\_\_\_\_\_  
Assistant County Counsel

DISTRIBUTION: County Council  
CAO  
Planning Department  
Public Works Department

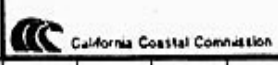
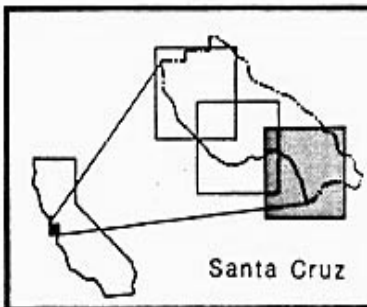
**Exhibit #2**  
**Page 2 of 2**  
**SCO-MAJ-2-05 (Part A)**



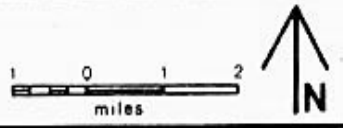




Approx. Location of  
Wastewater Treatment  
Facility



LOCATION MAP



County of Santa Cruz

Sheet 3 of 3

Exhibit #3  
Page 1 of 1  
SCO-MAJ-2-05 (Part A)



California Coastal Commission



**Exhibit #4**  
**Page 1 of 1**  
**SCO-MAJ-2-05 (Part A)**