

**To the Honorable Clerk of the City of Watsonville:** We, the undersigned, registered and qualified voters of the City of Watsonville, hereby propose an initiative measure to amend the Watsonville General Plan. We petition you to submit this measure to the City Council of the City of Watsonville for processing in accordance with the Elections Code. The measure provides as follows:

***Watsonville Planned Growth and Farmland Protection Initiative***

The people of the City of Watsonville do hereby ordain as follows:

**SECTION 1: PURPOSE, EFFECT, AND FINDINGS**

- A. **Purpose:** The purpose of the Watsonville Planned Growth and Farmland Protection Initiative (“Initiative”) is to promote stability in long-term planning for the City of Watsonville by extending key features of the Watsonville Urban Limit Line and Development Timing Initiative, otherwise known as the Watsonville Orderly Growth and Agricultural Protection Initiative or Measure U, which added cornerstone policies within the General Plan that establish geographic limits for long-term development while allowing sufficient flexibility within those limits to respond to the City’s changing needs over time.
- B. **Effect:** This Initiative amends the City of Watsonville General Plan to require voter approval for amendments to the City’s existing Urban Limit Line (also referred to as the “ULL”) and related policies until November 3, 2040. The voter approval requirements currently expire on November 1, 2022 or November 1, 2027 depending on the segment of the ULL.
- C. **Findings:** The people of the City of Watsonville find that this Initiative promotes the health, safety, welfare, and quality of life of City residents, based upon the following:
  - 1. In November 2002, City of Watsonville voters approved the Watsonville Urban Limit Line and Development Timing Initiative, otherwise known as the Watsonville Orderly Growth and Agricultural Protection Initiative or Measure U. Measure U defined a new Urban Limit Line for the City and directed the phasing of development within the Urban Limit Line to promote continued economic development and efficient urban growth while sustaining and enhancing the agricultural economy in the City and surrounding region.
  - 2. Measure U has succeeded in managing the City’s growth in a manner that fosters and protects the unique character of Watsonville by allowing appropriate economic development and residential growth, while protecting and promoting important agricultural, open space, and other natural resource uses.
  - 3. Likewise, Measure U has encouraged efficient growth patterns and protected quality of life in Watsonville by concentrating future development largely within or adjacent to existing developed areas where adequate infrastructure and services can be provided.

4. This Initiative will build on Measure U's success, and will continue to promote stability in long-term planning for the City of Watsonville by designating appropriate geographical areas for urban development over the next 18 years.
5. Specifically, this Initiative amends the General Plan to extend the voter approval requirement for amendments to the City's existing Urban Limit Line, related diagrams (Land Use Diagram and Development Planning Areas & Urban Limit Line map), Policies 3.B and 3.C, and Implementation Measures 3.C.1 through 3.C.3 through November 3, 2040. The diagrams, with amendments, are shown in Exhibit A (General Plan Land Use Diagram) and Exhibit B (Development Planning Areas & Urban Limit Line map). The text of Policy 3.B and Implementation Measures 3.C.1 and 3.C.3, with amendments, are provided in Sections 2 and 3 below. Policy 3.C and Implementation Measure 3.C.2 are not amended by this Initiative but are provided for reference in Exhibit C.
6. Land use in the area west of the City is controlled by a Memorandum of Understanding among the City, the County of Santa Cruz, and the California Coastal Commission ("MOU"), provided for reference in Exhibit D. Measure U provided that the MOU's provisions "govern the City's planning and development policies" in that area. Measure U also provided that in the event the MOU terminated for any reason, the "Westerly ULL" could not be amended except by a vote of the people or pursuant to another exception until November 1, 2027. This Initiative extends the voter approval requirement to November 3, 2040 and renames the Westerly ULL as ULL Segment 3 but otherwise does not substantively change this provision.
7. Measure U required development in the Buena Vista and Atkinson Lane areas to proceed on a phased schedule. However, these phasing requirements expired in 2010 (Atkinson Lane) and 2016 (Buena Vista), and are therefore obsolete. This Initiative removes these obsolete requirements from the General Plan.
8. Measure U imposed use restrictions on certain areas in the City, and provided that these restrictions could not be amended without a vote of the people until November 1, 2022, or November 1, 2027, depending on the area. This Initiative leaves Measure U's use restrictions in place and does not extend or otherwise alter the dates after which these use restrictions may be amended by the City Council without voter approval. For clarity, the voter approval requirements for the use restrictions found in amended Implementation Measures 3.G.1 and 3.G.2 are now provided in a new Implementation Measure 3.G.4.
9. To the extent this Initiative does not amend or readopt text or exhibits adopted by Measure U, such text and exhibits may be further amended in accordance with state law.
10. As the General Plan's Housing Element shows, the land within the Urban Limit Line provides sufficient capacity to accommodate the City's regional housing needs allocation and to meet state housing law goals. This Initiative allows the



City to continue to meet housing needs for all economic segments of the population by directing the development of housing into areas where services and infrastructure can be provided more economically. It also includes exceptions to the voter approval requirement for amendments that are necessary to implement state or federal housing law.

## SECTION 2: GENERAL PLAN AMENDMENTS

This Initiative hereby amends the Watsonville 2005 General Plan ("General Plan"), as it existed on June 3, 2021, the date that the notice of intent to circulate this Initiative was submitted to the elections official of the City of Watsonville ("Submittal Date"). Text to be inserted in the General Plan is indicated in **bold** type, and text to be deleted is indicated in ~~strike through~~ type. Text in standard type currently appears in the General Plan. The language below may be repealed or amended only by a vote of the people.

1. Implementation Measure 3.C.3, commencing on page 36.1 of General Plan Chapter 3, Growth and Conservation Strategy, is amended, and readopted as amended, as follows:

Amendments to Urban Limit Line and ~~Development Phasing and Related~~ Policies. The Urban Limit Line shown on the Land Use Diagram of the General Plan, the ~~figure map~~ entitled "Development **Planning Phasing** Areas and Urban Limit Line" and Policies 3.B, **and 3.C, and 3.G** and ~~their respective~~ Implementation measures, ~~3.B.1 and 2, 3.C.1 through 3.C.3, and 3.G.1 through 3.G.3~~ (collectively "**ULL Maps and Policies**"), were adopted by the people of the City of Watsonville through the Watsonville Orderly Growth and Agricultural Protection Initiative and may only **be** amended by a vote of the people of the City of Watsonville except as follows:

a) The City Council may reorganize, renumber, or reorder **the Land Use Diagram, the Development Planning Areas and Urban Limit Line map, Policies 3.B and 3.C, and Implementation Measures 3.C.1 through 3.C.3** ~~the ULL Maps and Policies~~ in the course of regular updates to the General Plan provided that these policies and implementation measures remain in the General Plan.

~~bd)~~ The City Council may amend the location of the ULL, provided that the amended boundary is inside the limits of the ULL **described in Implementation Measure 3.C.1** ~~as established by the Watsonville Orderly Growth and Agricultural Protection Initiative.~~

~~ce)~~ On or after November ~~31, 2040~~2027, the City Council may amend ~~the 25-year ULL Segments 1 and 2~~ shown on the Land Use Diagram of the General Plan, **Policies 3.B and 3.C, and Implementation Measures 3.C.1 through 3.C.3** ~~and related ULL Maps and Policies. On or after November 1, 2022, the City Council may amend the 20-year ULL and related ULL Maps and Policies. Should the MOU terminate for any reason, the City Council on or after November 31, 2040~~2027, may amend ~~the Westerly ULL Segment 3 and related ULL Maps and Policies,~~ provided, however that earlier Council amendments of ~~the Westerly ULL Segment 3~~ are permitted where necessary to accommodate public facilities as set forth in ~~Policy Implementation Measure 3.C.1 and the MOU. At the time of such amendments, the City may amend any other provision of the General Plan to conform to the amended ULL Maps and Policies.~~

**d) After November 3, 2040, the ULL shall remain in place and Policies 3.B and 3.C and Implementation Measures 3.C.1 through 3.C.3 shall retain their full force and effect until the City Council amends the General Plan in accordance with state law without a vote of the people.**

~~f) The Land Use Diagram in the General Plan and the other ULL Maps and Policies and related land use designations adopted pursuant to the Watsonville Orderly Growth and Agricultural Protection Initiative may be amended by the Watsonville City Council in their entirety if, within eighteen months of submittal by the City of a complete application (including applicable environmental review documents), the Santa Cruz LAFCO does not amend the Watsonville Sphere of Influence to a configuration substantially corresponding to the ULL.~~

~~g) The Land Use Diagram in the General Plan and the other ULL Maps and Policies and related land use designations adopted pursuant to the Watsonville Orderly Growth and Agricultural Protection Initiative may be amended by the Watsonville City Council in their entirety if, within one year of submittal by the City of a complete annexation application (including applicable environmental review documents) for land within the ULL that is consistent with the phasing of development and other provisions of Policy 3.G, the Santa Cruz LAFCO does not approve the annexation in a manner substantially corresponding to the application.~~

**e) The City Council may amend the location of the ULL, Policies 3.B and 3.C, or Implementation Measures 3.C.1 through 3.C.3 if the City Council determines that doing so is necessary to comply with state or federal law regarding the provision of housing. The City Council may do so only if it first makes each of the following findings based on substantial evidence:**

**(i) A specific provision of state or federal law requires the City to accommodate the housing that will be permitted by the amendment;**

**(ii) The amendment permits no greater density than that necessary to accommodate the required housing; and**

**(iii) An alternative site within the ULL is not available to satisfy the specific state or federal housing law.**

**2. On page 36.6 of General Plan Chapter 3, Growth and Conservation Strategy, add the following Implementation Measure 3.G.4:**

**Amendments to Permitted Uses. The permitted uses adopted in Policy 3.G and Implementation Measures 3.G.1 and 3.G.2 were adopted by the people of the City of Watsonville through the Watsonville Orderly Growth and Agricultural Protection Initiative and may only be amended by a vote of the people of the City of Watsonville except as follows:**

**a) The City Council may reorganize, renumber, or reorder Policy 3.G and Implementation Measures 3.G.1 and 3.G.2 in the course of regular updates to the General Plan provided that these policies and implementation measures remain in the General Plan.**



b) On or after November 1, 2022, the City Council may amend Implementation Measure 3.G.1 in accordance with state law without a vote of the people. Unless and until the City Council makes any such amendment, Implementation Measure 3.G.1 shall retain its full force and effect.

c) On or after November 1, 2027, the City Council may amend Policy 3.G and Implementation Measure 3.G.2 in accordance with state law without a vote of the people. Unless and until the City Council makes any such amendment, Policy 3.G and Implementation Measure 3.G.2 shall retain their full force and effect.

d) The City Council may amend Policy 3.G or Implementation Measures 3.G.1 and 3.G.2 if the City Council determines that doing so is necessary to comply with state or federal law regarding the provision of housing. The City Council may do so only if it first makes each of the following findings based on substantial evidence:

(i) A specific provision of state or federal law requires the City to accommodate the housing that will be permitted by the amendment;

(ii) The amendment permits no greater density than that necessary to accommodate the required housing; and

(iii) An alternative site is not available to satisfy the specific state or federal housing law.

### SECTION 3: CONFORMING AMENDMENTS

The General Plan is further amended as set forth below in order to promote internal consistency among the various sections of the General Plan. Text to be inserted in the General Plan is indicated in **bold** type. Text to be deleted from the General Plan is indicated in ~~strikeout~~ type. Text in standard type currently appears in the General Plan and is not changed or readopted by this Initiative. The language adopted in the following amendments may be further amended as appropriate without a vote of the people, during the course of further updates and revisions to the General Plan, so long as such amendments are consistent with the Initiative including Implementation Measures 3.C.3 and 3.G.4.

- A. The text in the second full paragraph of page 30, appearing under the heading “Urban Limit Line and Greenbelt” in General Plan Chapter 3, Growth and Conservation Strategy, is amended as follows:

The Urban Limit Line is shown on the land Use Diagram and Development Planning Areas and Urban Limit Line map. This Urban Limit Line was adopted by a vote of the people of Watsonville and, with certain exceptions described in Implementation Measure 3.C.3 of this Plan, cannot be amended except by a vote of the people until on or after November 13, 2027~~2040~~, for the 25-year Urban Limit Line and, should that Memorandum of Understanding (MOU) terminate, the westerly Urban Limit Line, and until on or after November 1, 2022, for the 20-year Urban Limit Line.

- B. Policy 3.B, commencing on page 34 of General Plan Chapter 3, Growth and Conservation Strategy, is amended as follows:

The City ~~may~~**shall** pursue annexation of undeveloped and underdeveloped land between the City limit boundary and Urban Limit Line (ULL) ~~where necessary in phases~~ to allow efficient expansion of urban infrastructure and promote development of lands within existing urban areas before development of lands in outlying areas. The segments of the ULL are defined in Implementation Measure 3.C.1 and shown in the General Plan Land Use Diagram. ~~The City shall not initiate annexation applications to LAFCO or adopt rezoning ordinances for urban development unless the annexation or rezoning would be consistent with the phasing policies in Implementation Measure 3.G.2; provided that, to the extent then applicable State law allows for simultaneous LAFCO approval of annexation of multiple areas subject to phasing conditions, the City may pursue such multiple annexations provided that the phasing is consistent with this policy.~~ Except as provided in Implementation Measure 3.C.3, the City shall not initiate any annexation of land: (1) beyond the ~~25-year~~ ULL **Segments 1 or 2** until on or after November ~~13, 2027~~**2040**; (2) beyond the ~~20-year~~ ULL until on or after November ~~1, 2022~~; or (3) beyond the ~~westerly~~ ULL **Segment 3** as long as the Memorandum of Understanding between the City of Watsonville, Santa Cruz County, and the Coastal Commission (City of Watsonville Resolution 69-00 (CM), adopted March 14, 2000 ("MOU")) remains in effect. Should that MOU terminate for any reason, the City shall not initiate annexations of land beyond the ~~westerly~~ ULL **Segment 3** until on or after November ~~3, 2040~~**2027** except as required to accommodate public facilities described in the MOU.

- C. Implementation Measure 3.C.1, commencing on page 35 of General Plan Chapter 3, Growth and Conservation Strategy, is amended as follows:

Urban Limit Line Location - The Urban Limit Line has been delineated through the cooperative efforts of interested individuals and organizations and adopted by vote of the people of the City of Watsonville through the Watsonville Orderly Growth and Agricultural Protection Initiative. The specific location represents a shared vision, taking into account and balancing agricultural and open space lands preservation, economic development and stability, environmental integrity, and social equity. The location of the Urban Limit Line is based on practical considerations such as: the size of parcels, location of lot lines, existing development at urban densities, environmentally sensitive areas; and other natural features such as the Corralitos Creek, Salsipuedes Creek, Pajaro River, sloughs, and topography. The Urban Limit Line consists of three segments as follows:

**ULL Segment 1**~~Twenty-Year ULL~~. Until on or after November ~~31, 2040~~**2022**, the ~~20-Year~~ ULL **Segment 1** may not be amended except by vote of the people or as provided in Implementation Measure 3.C.3. This segment of the ULL is in two parts and located as follows:

The first part of **ULL Segment 1** commences near the most southwesterly corner of APN: 015-211-03, at the intersection of the north side of Highway 1 and City limits; then northwesterly along the north boundary of Highway 1 approximately 850 feet to a point where Larkin Valley Road leaves Highway 1 in a northerly direction; then northwesterly along Larkin Valley Road, to the intersection with Buena Vista Road; then northwesterly along Old Adobe Road to the most westerly corner of APN: 49-171-07; then leaving Old Adobe Road, northeasterly in a straight



line to the northerly corner of APN: 49-171-21 (where the said line intersects with Calabazas Road); then northwesterly along Calabazas Road to the most westerly boundary of APN: 49-511-03; then northeasterly along said boundary  $\pm 700'$  to the top of a ridge (identified as contour elevation 180 feet in the most recent applicable quadrant of the United States Geological Survey map); then southeasterly along the top of said ridge (said ridge runs parallel with Calabazas Road, more or less) to a point where said ridge line intersects the northwesterly boundary of APN: 49-181-19; then northeasterly along said northwesterly boundary to Freedom Boulevard at a point on Freedom Boulevard where said APN: 49-181-19 intersects the southerly right-of-way of Freedom Boulevard at which point the initial segment of ~~the 20-year~~ **ULL Segment 1** ceases and ~~the 25-year~~ **ULL Segment 2** commences.

The second part of ~~the 20-year~~ **ULL Segment 1** commences at a point at the northerly intersection of the present City limits and East Lake Avenue, then southeasterly along existing City limits, to the northeasterly corner of Lot 578, Tract 719 Bay Village No. 6 (64 Maps at Page 47, Santa Cruz County Records); then easterly and southerly around the extension of the property described in Santa Cruz County Local Agency Formation Commission Resolution 883 (Village Associates/Delta Way Reorganization) to the most easterly corner of Lot 143, Tract 721, Pajaro Village Sub. No. 2 (64 Map, Page 13); then southeasterly along existing City limits to Salsipuedes Creek; then generally southerly and westerly along the City limits to its intersection of West Beach Street and Lee Road, where it ends (hereafter referenced as "~~20-Year~~ **ULL Segment 1**").

~~ULL Segment 2~~ Twenty-five Year ULL. Until on or after November 31, ~~2040~~2027, ~~the 25-year~~ **ULL Segment 2** may not be amended except by vote of the people or as provided in Implementation Measure 3.C.3. This segment of the ULL is located as follows:

Commencing at the most northerly corner of APN: 49-181-19; then southeasterly along Freedom Boulevard to its intersection with the City limits; then, northeasterly along said City limits to the intersection of Corralitos Creek and Airport Boulevard; then along said Corralitos Creek to Green Valley Road; then northerly following the City limits, along Green Valley Road, to Holohan Road; then easterly, following the City limits, along Holohan Road to the most easterly corner of APN 19-861-23; then southerly along the easterly boundary of APN 19-861-23 and its extension along the City limits to its intersection with Corralitos Creek; then easterly along Corralitos Creek to the northeastern corner of APN: 19-241-23; then easterly along the northeastern boundary of APN: 48-231-01, the northern boundary of APN: 48-231-17 and approximately 446 feet along the northwestern boundary of APN: 48-231-18 to a point; then southerly, approximately 870 feet across APN: 48-231-18 to the northernmost point on APN: 48-251-09; then easterly and southerly along the easterly boundary of APN: 48-251-09 to the City limits; then continuing easterly and northerly along the City limits to the intersection of East Lake Avenue and Coleman Avenue (hereafter referenced as "~~25-year~~ **ULL Segment 2**").

~~Westerly~~ **ULL Segment 3**. This segment of the ULL constitutes the Eastern boundary of an area that currently remains undeveloped as specified by a Memorandum of Understanding between the City of Watsonville, Santa Cruz County, and the Coastal Commission (**approved by** City of Watsonville Resolution 69-00 (CM), adopted March 14, 2000, hereafter referenced as "MOU"). **The MOU was adopted to minimize conflicts between agricultural and urban land uses by establishing a stable westerly city boundary separating urban and rural areas.** As long as at

this MOU remains in effect, its provisions govern the City's planning and development policies in the area west of the ~~Westerly ULL Segment 3 (Development Phasing Area G on the Development Planning Areas and Urban Limit Line map)~~. Should the MOU terminate for any reason, ~~the Westerly ULL Segment 3~~, nonetheless, may not be amended until on or after November 31, 2040 ~~2027~~ except by a vote of the people or as provided in Implementation Measure 3.C.3 or for public facilities described in the MOU. This segment of the ULL is located as follows:

Commencing at the point on the City limits at the intersection of West Beach Street and Lee Road; then, along said City limits southerly, westerly and northerly to a point on Highway 1; then crossing Highway 1 to a point on the northeastern side; then westerly along Highway 1 approximately  $\pm 1,000$  feet to a point on the City limits and Highway 1; then generally northwesterly to the intersection of Highway 1 and the extension of Larkin Valley Road (hereafter referenced as "~~Westerly ULL Segment 3~~").

- D. Policy 3.G, commencing on page 36.5 of General Plan Chapter 3, Growth and Conservation Strategy, is amended as follows:

**Policy 3.G Use Restrictions**~~Development Phasing~~

In order to provide coordinated and comprehensive planning, ~~actual~~ development shall proceed **subject to the use restrictions**~~according to the phasing schedule for the area or in the specific plan identified for each the area.~~

- E. Implementation Measure 3.G.1, commencing on page 36.5 of General Plan Chapter 3, Growth and Conservation Strategy, is deleted as follows:

~~Specific Plan Approval—The following areas, shown in Figure 4-11, shall require a specific plan approval prior to, or concurrent with, subdivision or other development approvals. Areas include:~~

- ~~• — Buena Vista I, II, and III~~
- ~~• Atkinson Lane~~

- F. Implementation Measure 3.G.2, commencing on page 36.5 of General Plan Chapter 3, Growth and Conservation Strategy, is renumbered as Implementation Measure 3.G.1 and is amended as follows:

~~Phasing of Development and Permitted Uses (Through November 1, 2022, Voter Approval Required to Amend) – The City shall include provisions in applicable development approvals to phase development of the lands shown on the Development Planning Areas and Urban Limit Line map shall be subject to the uses described below. map immediately following Section 3.G.2 ("Development Phasing Areas and Urban Limit Line") in the manner described below.~~

~~Area A, Buena Vista, lies within the ULL and shall be processed for development in phases as follows:~~



~~Uses in Area A, Buena Vista I, shall be~~ may be processed for development as soon as possible following completion of a specific plan calling for primarily residential uses, with some neighborhood commercial, light industrial, schools, open space and parks.

~~No final map for Buena Vista II may be recorded until after 2016, or after final maps have been recorded for fifty percent of the residential units in Buena Vista I, whichever is earlier, but in any event not before January 2010 and following completion of a specific plan.~~

~~No final map for Buena Vista III may be recorded until after 2016, or after final maps have been recorded for fifty percent of the residential units in Buena Vista II, whichever is earlier, but in any event not before January 2012 and following completion of a specific plan.~~

~~Area B, Atkinson Lane, lies within the ULL. No tentative map shall be approved until after January 1, 2010, and after completion of a specific plan. Uses in this area shall be restricted to residential with a requirement that at least fifty percent of the number of units be deed restricted affordable workforce housing with an emphasis on the housing of agricultural workers. "Affordable" shall mean a category of housing that may be purchased or rented by a household with very low (50% of annual Watsonville median household income ("mhi")), low (80% mhi), median (100% mhi), moderate (120% mhi), or above moderate (150% mhi) income.~~

~~Area C, the area South of Corralitos Creek, lies outside of the ULL, is subject to Annexation Policy 3.B and shall not be subject to planning or processing for development until on or after November 1, 2027.~~

~~Area D, the area East of East Lake Avenue, lies outside of the ULL, is subject to Annexation Policy 3.B and shall not be subject to planning or processing for development until on or after November 1, 2022.~~

~~Area E, the Villages, lies within the ULL and may be planned and processed for development as soon as possible pursuant to applicable State law and shall be used primarily for senior housing.~~

~~Area F, the Manabe/Burgstrom area, lies within the ULL and may be planned and processed for development as soon as possible pursuant to applicable State law. Uses in Area F, the Ow area, this area shall be restricted to industrial and other job-generating uses.~~

~~Area G, the area west of the Westerly ULL, shall be subject to the MOU. Should that MOU terminate for any reason, the area shall, nonetheless, not be subject to planning or processing for development until on or after November 1, 2027, except for water service, waste water service, leachate lines or other public facilities, as provided in the MOU or as provided in Policy 3.C and related Implementation Measures.~~

- G. On page 36.6 of General Plan Chapter 3, Growth and Conservation Strategy, add the following Implementation Measure 3.G.2 below renumbered Implementation Measure 3.G.1:

**Permitted Uses (Through November 1, 2027, Voter Approval Required to Amend) – The lands shown on the Development Planning Areas and Urban Limit Line map shall be subject to the uses described below.**



**Uses in Area B, Atkinson Lane shall be restricted to residential with a requirement that at least fifty percent of the number of units be deed restricted affordable workforce housing with an emphasis on the housing of agricultural workers. "Affordable" shall mean a category of housing that may be purchased or rented by a household with very low (50% of annual Watsonville median household income ("mhi")), low (80% mhi), median (100% mhi), moderate (120% mhi), or above moderate (150% mhi) income.**

- H. The text in the first paragraph of page 11, appearing under the heading "Chapter 3 – Growth and Conservation Strategy" in General Plan Chapter 1, Executive Summary, is amended as follows:

This chapter focuses on Watsonville's growth strategy with respect to the surrounding region. Three planning boundaries - the Watsonville Planning Area, the urban limit line, and the Sphere of Influence - and related policies are used to plan future growth. ~~In addition to these boundaries, measures to address the pace and phasing of growth include: a requirement for specific plans, each of which contains its own development phasing schedule for newly annexed areas. Measures calling for the specific plans are listed in chapters 3 and 4.~~

- I. The text in the second bullet point on page 11, appearing under the heading "Chapter 3 – Growth and Conservation Strategy" in General Plan Chapter 1, Executive Summary, is amended as follows:

~~Provide for a moderate and orderly pace of urban development that respects existing community character and provides for a clear separation between urban and agricultural land uses~~

- J. The text in the fourth paragraph on page 11, appearing under the heading "Chapter 3 – Growth and Conservation Strategy" in General Plan Chapter 1, Executive Summary, is amended as follows:

The planned number of dwelling units per acre (density) is the highest in Santa Cruz County. Urban development and provision of jobs, housing, parks, and educational facilities are planned for land within expanded city boundaries to avoid "leapfrog" development. In this way, urban services, such as water and sewer, can be delivered to residents at the lowest possible cost and agricultural land is preserved to the maximum extent feasible. The dense pattern of development within city boundaries supports the preservation of agricultural land and open space beyond the urban limit line. Less dense development of the city would require encroachment into lands beyond this ~~proposed~~ boundary.

- K. The following text is inserted under the heading "Agricultural Lands" on page 114 of General Plan Chapter 9, Environmental Resources Management:

**This section (Agricultural Lands), including Figure 9-1, discusses the City's Urban Limit Line as it existed in 1994. The City's Urban Limit Line since has been amended as set forth in Chapter 3.**

- L. The following text is inserted under the heading "Biological Resources" on page 117 of General Plan Chapter 9, Environmental Resources Management:



**This section (Biological Resources), including Figure 9-2, discusses the City's Urban Limit Line as it existed in 1994. The City's Urban Limit Line since has been amended as set forth in Chapter 3.**

- M. The following text is inserted under the first paragraph under the heading "Goals for Environmental Resource Management" on page 121 of General Plan Chapter 9, Environmental Resources Management:

**All references to the urban limit line in the goals below are to the Urban Limit Line established by Policy 3.C and Implementation Measure 3.C.1.**

- N. The following text is inserted under the first paragraph under the heading "Policies and Implementation Measures" on page 122 of General Plan Chapter 9, Environmental Resources Management:

**All references to the urban limit line in the policies and implementation measures below are to the Urban Limit Line established by Policy 3.C and Implementation Measures 3.C.1.**

- O. General Plan Land Use Diagram Amendments:

The General Plan Land Use Diagram is hereby amended as shown in Exhibit A to reflect the changes this Initiative makes to the names of the three ULL segments. Text to be inserted in the Diagram is indicated in **bold** type. Text to be deleted from the Diagram is indicated in ~~strikeout~~ type. These changes do not affect the location of the ULL, which remains in the same location it was on the Submittal Date. Except for changes shown in bold and ~~strikeout~~ type, the information depicted on Exhibit A is provided for illustrative purposes only and is not amended by this Initiative.

- P. General Plan Development Planning Areas & Urban Limit Line Map Amendments:

Measure U adopted the "Development Planning Areas & Urban Limit Line" map for inclusion in the General Plan. However, due to an apparent clerical error, the map is not currently included in the General Plan available from the City. Accordingly, the City is directed to insert the Development Planning Areas & Urban Limit Line map, as amended below, into the General Plan.

The Development Planning Areas & Urban Limit Line map is hereby amended as shown in Exhibit B to reflect the changes this Initiative makes to the names of the three ULL segments and conforming edits to the use restrictions. Text to be inserted in the map is indicated in **bold** type. Text to be deleted from the map is indicated in ~~strikeout~~ type. These changes do not affect the location of the ULL, which remains in the same location it was on the Submittal Date. Except for changes to the names of the three ULL segments and conforming edits to the use restrictions, the information depicted on Exhibit B is provided for illustrative purposes only and is not amended by this Initiative.

#### SECTION 4: IMPLEMENTATION

- A. **Effective Date:** “Effective Date” means the date that the Initiative became effective pursuant to state law.
- B. **City of Watsonville General Plan:** Upon the Effective Date of this Initiative, the provisions of Section 2 and Section 3 of the Initiative are hereby inserted into the City of Watsonville General Plan, as an amendment thereof; except that if the four amendments of the mandatory elements of the General Plan permitted by state law for any given calendar year have already been utilized in the year in which the Initiative becomes effective, this General Plan amendment shall be the first amendment inserted into the City of Watsonville General Plan on January 1 of the following year. Upon the Effective Date of this Initiative, any provisions of the Municipal Code or of any other City of Watsonville plan, ordinance, or resolution that are inconsistent with the provisions adopted by this Initiative shall not be applied or enforced in a manner inconsistent with this Initiative.
- C. **Interim Amendments:** The City of Watsonville General Plan in effect on the Submittal Date as amended by this Initiative comprises an integrated, internally consistent, and compatible statement of policies for the City of Watsonville. In order to ensure that nothing in this Initiative measure would prevent the General Plan from being an integrated, internally consistent, and compatible statement of the policies of the City, as required by state law, and to ensure that the actions of the voters in enacting this Initiative are given effect, any amendment or update to the General Plan that is adopted between the Submittal Date and the date that the General Plan is amended by this Initiative measure shall, to the extent that such interim-enacted provision is inconsistent with the General Plan provisions adopted by this Initiative, be amended as soon as possible to ensure consistency between the provisions adopted by this Initiative and other provisions of the General Plan.
- D. **Other City Plans, Ordinances, and Policies:** The City of Watsonville is hereby authorized and directed to amend the City of Watsonville General Plan and other ordinances and policies affected by this Initiative as soon as possible and periodically thereafter as necessary to ensure consistency between the provisions adopted in this Initiative and other sections of the General Plan and other City plans, ordinances, and policies.
- E. **Implementing Ordinances:** The City Council is authorized, after a duly noticed public hearing, to adopt implementing ordinances, guidelines, rules, and/or regulations, as necessary, to further the purposes of this Initiative.
- F. **Enforcement and Defense of Initiative:** The City Council shall take all steps reasonably necessary to enforce this Initiative and to defend it against any challenge to its validity.
- G. **Exemptions:** The provisions of this Initiative shall not apply to the extent, but only to the extent, that they would violate the constitution or laws of the United States or the State of California. Should any application of the Initiative effect an unconstitutional taking of



private property, an exemption is permitted only to the minimum extent necessary to avoid such a taking. Likewise, this Initiative shall not apply to any development project or ongoing activity that has obtained, as of the Effective Date of the Initiative, a vested right pursuant to state law.

## **SECTION 5: EFFECT OF COMPETING OR ALTERNATIVE MEASURE ON THE SAME BALLOT**

This Initiative amends the City of Watsonville General Plan to require voter approval for amendments to the Urban Limit Line and related policies until November 3, 2040. By voting for this Initiative, the voters expressly declare their intent that any other measure which appears on the same ballot as this Initiative and conflicts with any provision of this Initiative, shall be deemed to conflict with the entire cohesive scheme adopted by this Initiative. Because of this conflict, if this Initiative and any such other City of Watsonville measure receive a majority of votes by the voters voting thereon at the same election, then the measure receiving the most votes in favor shall prevail and no provision of the other measure shall take effect. For the purposes of this Section 5, any other measure that appears on the same ballot as this Initiative and purports to amend any provision of this Initiative shall be deemed to directly conflict with this entire Initiative.

## **SECTION 6: SEVERABILITY AND INTERPRETATION**

This Initiative shall be broadly construed in order to achieve its purpose.

This Initiative shall be interpreted so as to be consistent with all applicable federal, state, and city laws, rules, and regulations. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, part, or portion of this Initiative is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Initiative. The voters hereby declare that this Initiative, and each section, subsection, paragraph, subparagraph, sentence, clause, phrase, part, or portion thereof would have been adopted or passed even if one or more sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, parts, or portions were declared invalid or unconstitutional. If any provision of this Initiative is held invalid as applied to any person or circumstance, such invalidity shall not affect any application of this Initiative that can be given effect without the invalid application.

Any singular term shall include the plural and any plural term shall include the singular. The title and captions of the various sections in this Initiative are for convenience and organization only, and are not intended to be referred to in construing the provisions of this Initiative.

## **SECTION 7: AMENDMENT OR REPEAL**

Except as otherwise provided herein, this Initiative may be amended or repealed only by a vote of the people of the City of Watsonville.

## **SECTION 8: EXHIBITS**

This Initiative includes exhibits which are attached and made a part of this Initiative:

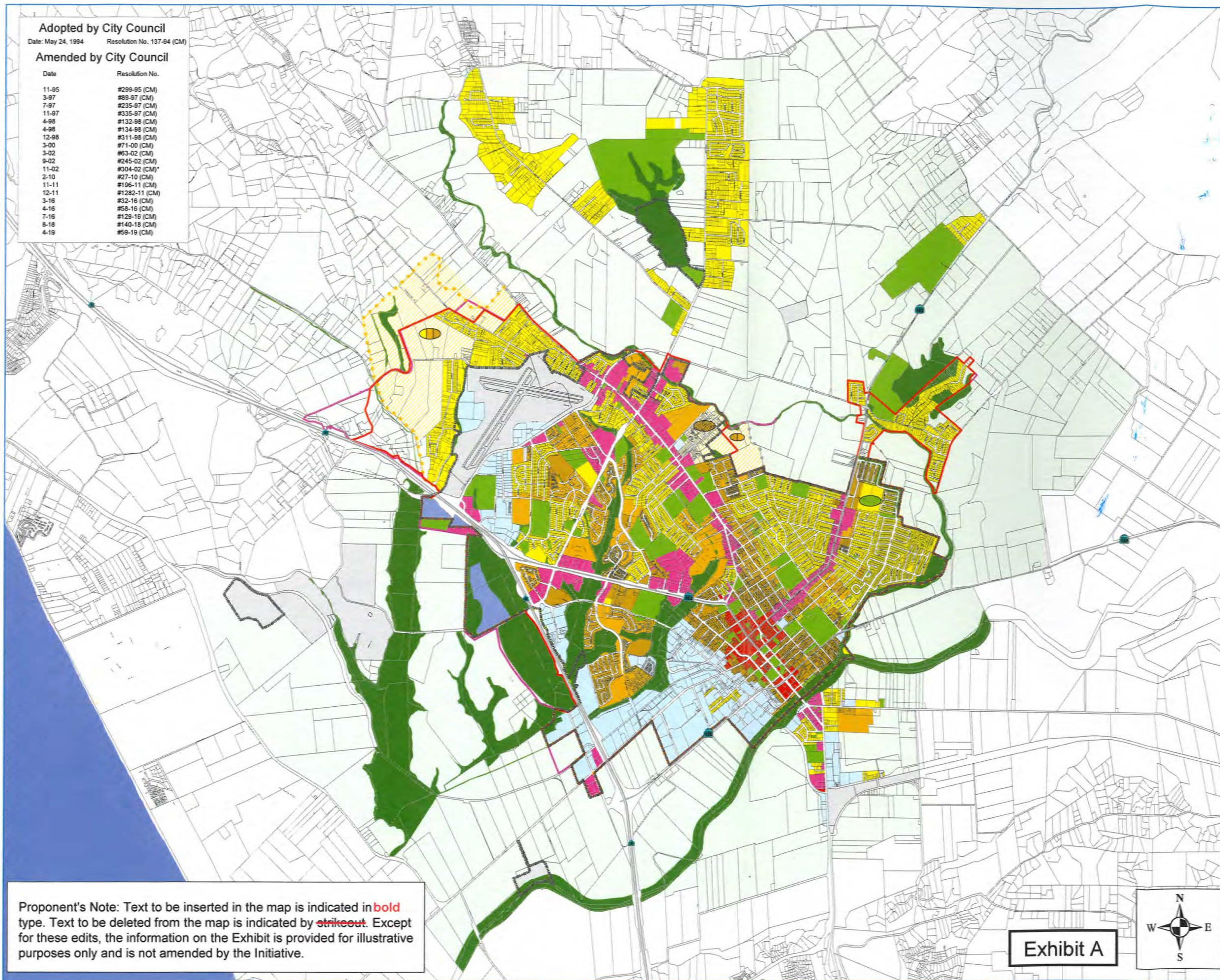
Exhibit A: City of Watsonville General Plan Land Use Diagram (as amended by the *Watsonville Planned Growth and Farmland Protection Initiative*)

Exhibit B: City of Watsonville General Plan Development Planning & Urban Limit Line map (as amended by the *Watsonville Planned Growth and Farmland Protection Initiative*)

Exhibit C: City of Watsonville General Plan Policy 3.C and Implementation Measure 3.C.2 (attached for reference purposes only)

Exhibit D: Memorandum of Understanding Regarding the City of Watsonville Local Coastal Plan Amendment 1-99 (attached for reference purposes only)





Adopted by City Council	
Date: May 24, 1994 Resolution No. 137-84 (CM)	
Amended by City Council	
Date	Resolution No.
11-95	#299-95 (CM)
3-97	#89-97 (CM)
7-97	#235-97 (CM)
11-97	#335-97 (CM)
4-98	#132-98 (CM)
4-98	#134-98 (CM)
12-98	#311-98 (CM)
3-00	#71-00 (CM)
3-02	#63-02 (CM)
9-02	#245-02 (CM)
11-02	#304-02 (CM)*
2-10	#27-10 (CM)
11-11	#196-11 (CM)
12-11	#1282-11 (CM)
3-16	#32-16 (CM)
4-16	#58-16 (CM)
7-16	#129-16 (CM)
8-18	#140-18 (CM)
4-19	#59-19 (CM)

# Land Use Diagram

## Watsonville 2005 General Plan



- Residential**
- Residential Low Density**  
Equal to, or less than, 7.99 units per net acre
  - Residential Medium Density**  
8 to 13.99 units per net acre
  - Residential High Density**  
14 to 42 units per net acre
- Commercial, Office, and Industrial**
- Central Commercial**
  - General Commercial**
  - Industrial**
- Open Space, Community Facilities, Agriculture, and Coastal Zone**
- Greenbelt**
  - Environmental Management**
  - Public/Quasi-Public**
  - Transportation, Communications, & Utilities**
  - Agriculture**
  - Coastal Zone**
- Circulation**
- Other**
- Specific Plan Area**  
The proportion of land uses shown in the insets is conceptual only, subject to the outcome of the specific plan. In addition to the primary uses shown in the insets, specific plan areas may contain secondary uses described in the Land Use C.
- Boundaries and Symbols**
- City Limit**
  - 20-yr. Urban Limit Line Segment 1**
  - 25-yr. Urban Limit Line Segment 2**
  - Western Urban Limit Line Segment 3**
  - Parcels**
  - Sphere of Influence May 2000**

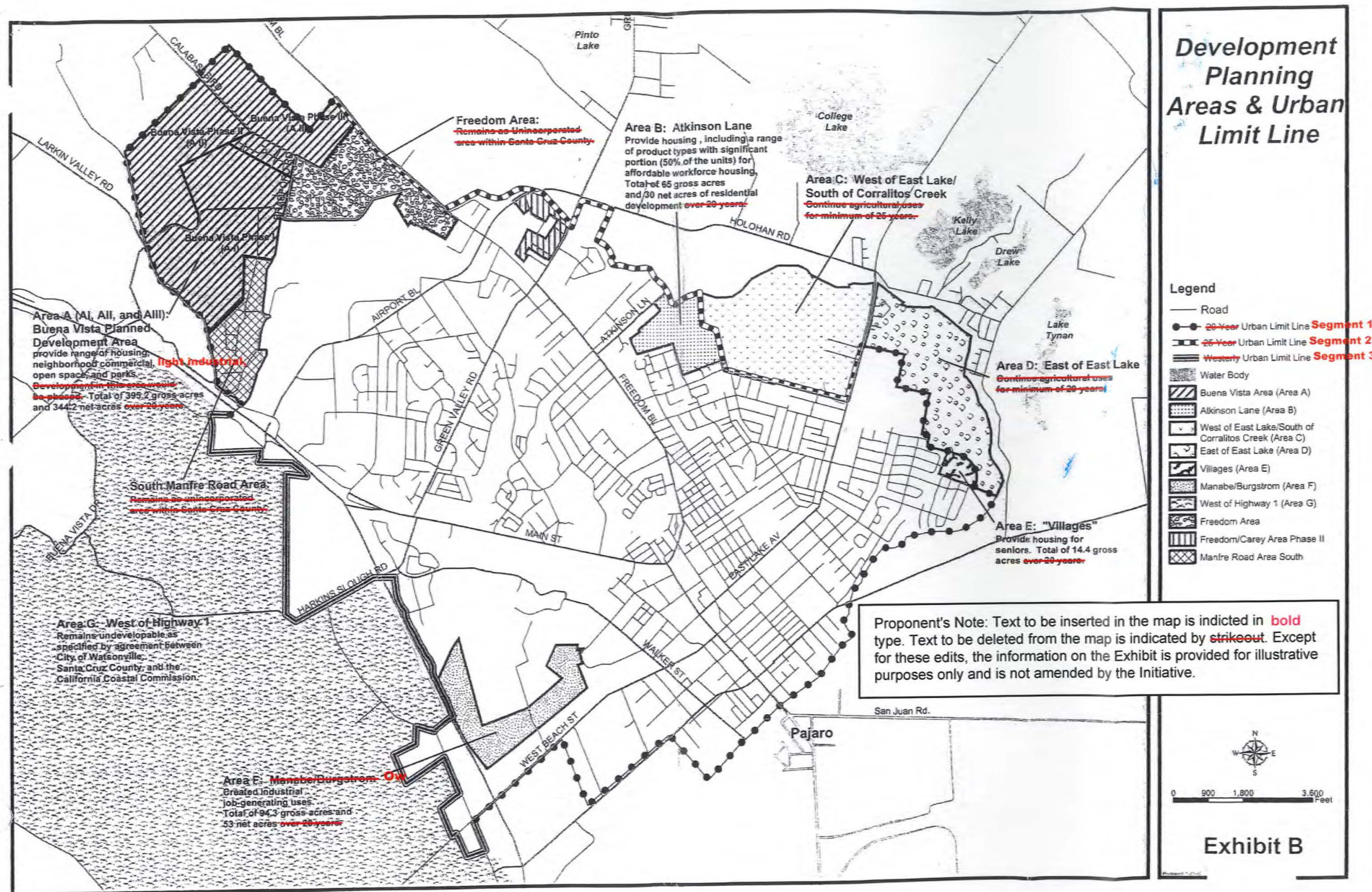
**Notes:**

1. The land use designations can be fully understood only through reference to the General plan document. For further information, please contact the Watsonville Community Development department, 250 Main St., Watsonville, CA 95077.

2. The Redevelopment Area is shown in the Land Use Chapter (4) of the General Plan.

\* Amend the Watsonville 2005 General Plan to impose certain restrictions on subsequent amendments as provided in the Watsonville Urban Limit Line and Development Timing Initiative.







### **Exhibit C**

The existing General Plan includes the Policy and Implementation Measure provided below. The Policy and Implementation Measure are not amended or readopted by this Initiative and are attached for reference purposes only.

#### **Policy 3.C Urban Limit Line**

The City's Urban Limit Line is shown on the Land Use Diagram of the General Plan.

#### **Implementation Measures 3.C.2**

County Cooperation – The City shall participate in the revision of the Santa Cruz and Monterey County General Plans and other planning efforts in the Watsonville Planning Area. The City shall encourage both counties to actively promote agricultural and open space land uses on lands beyond the Urban Limit Line and strictly prohibit further residential sprawl on lands beyond the Urban Limit Line within the Watsonville Planning Area.

4851  
5653

RESOLUTION NO. 69-00 (CM)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
WATSONVILLE APPROVING MEMORANDUM OF  
UNDERSTANDING REGARDING THE CITY OF  
WATSONVILLE LOCAL COASTAL PLAN ("LCP")  
AMENDMENT 1-99 AND AUTHORIZING AND DIRECTING  
THE MAYOR TO EXECUTE SAME

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

1. That the Memorandum of Understanding regarding the City of  
Watsonville Local Coastal Plan ("LCP") Amendment 1-99, a copy of which is attached  
hereto and incorporated herein by this reference, is fair and equitable and is hereby  
ratified and approved.
2. That the Mayor is hereby authorized and directed to execute the  
Memorandum of Understanding for and on behalf of the City of Watsonville.

\*\*\*\*\*

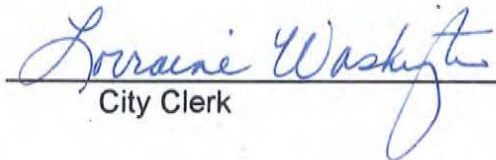


The foregoing resolution was introduced at a regular meeting of the Council of the City of Watsonville, held on the 14th day of March, 2000, by Council Member Phares, who moved its adoption, which motion being duly seconded by Council Member Gomez, was upon roll call carried and the resolution adopted by the following vote:

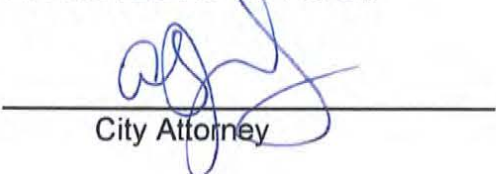
AYES:	COUNCIL MEMBERS:	Bobeda, Doering-Nielsen, Gomez, Lopez, Phares, Carter, Rios
NOES:	COUNCIL MEMBERS:	None
ABSENT:	COUNCIL MEMBERS:	None

  
Oscar Rios, Mayor

ATTEST:

  
City Clerk

APPROVED AS TO FORM:

  
City Attorney

## **MEMORANDUM OF UNDERSTANDING REGARDING CITY OF WATSONVILLE LCP AMENDMENT 1-99**

This Memorandum of Understanding is by and between the City of Watsonville (hereinafter, the "City"), the County of Santa Cruz (hereinafter, the "County"), and the California Coastal Commission (hereinafter, the "Commission").

**Whereas**, the City has submitted an amendment to its certified Local Coastal Program (LCP) to modify performance standards and add "public school" as a conditional use in order to provide for the development of a public school on the west side of Highway One north of Harkins Slough Road on land currently designated for agriculture and other low intensity uses (hereinafter, the "site"); and

**Whereas**, the City has accepted a final EIR for the development of a public high school on the site; and

**Whereas**, Andrew Mills of Santa Barbara, California on behalf of the Pajaro Valley Unified School District (hereafter "PVUSD") performed an agricultural viability study, dated August 20, 1997, as part of the Third High School Environmental Impact Report, Revised Final version dated September 1998. This study concluded that there is a reasonable likelihood that the land within the project boundaries will fall out of agricultural use within the not too distant future as increasing production costs, declining marginal profitability, and pressures to convert marginal land to non-farm uses converge; and

**Whereas**, Section 30241 of the Coastal Act provides as follows;

MEMORANDUM OF UNDERSTANDING REGARDING CITY OF WATSONVILLE LCP  
AMENDMENT 1-99

Page 2

---

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 area's 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.



MEMORANDUM OF UNDERSTANDING REGARDING CITY OF WATSONVILLE LCP  
AMENDMENT 1-99

Page 3

- (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; and

**Whereas**, under Section 30007.5 of the Coastal Act the Legislature found and recognized that conflicts may occur between one or more policies of the Act and therefore declared that in carrying out the Act such conflicts are to be resolved in a manner which on balance is the most protective of significant coastal resources. In this context, the Legislature declared that broader policies which, for example, serve to concentrate development in close proximity to urban and employment centers may be more protective, overall, than specific wildlife habitat and other similar resource policies; and,

**Whereas**, an evaluation of the site by Coastal Commission staff concludes the site contains prime agricultural land, as defined in Section 30113 of the Coastal Act, that it has historically been farmed and it currently produces commercial strawberry crops; and

**Whereas**, the site is immediately adjacent to productive prime agricultural land; and

**Whereas**, development of the high school will result in the conversion of all agricultural land on the site to a public facilities use and extend urban uses into an agricultural area; and

MEMORANDUM OF UNDERSTANDING REGARDING CITY OF WATSONVILLE LCP  
AMENDMENT 1-99

Page 4

---

**Whereas,** Section 30242 of the Coastal Act requires that non prime agricultural land shall not be converted to non agricultural use unless continued or renewed farming is not feasible or the conversion would preserve prime agricultural land or concentrate development consistent with 30250 of the Coastal Act; and

**Whereas,** Section 30243 of the Coastal Act requires that the long term productivity of soils and timberlands be protected, and

**Whereas,** the site is outside the current developed area of the City of Watsonville, and development of the high school, which includes the extension of sewer and water utilities and substantial improvements to Harkins Slough Road, may result in an incentive for future urban development on rural agricultural lands within Santa Cruz County, west of Highway One outside the current boundaries of the City; and

**Whereas,** Section 30250 of the Coastal Act requires that new urban development be located within existing developed areas able to accommodate such development, except as otherwise provided in the Coastal Act; and

**Whereas,** the site selected for the high school contains environmentally sensitive habitat areas as defined in Section 30107.5 of the Coastal Act and wetlands, as defined in Section 30121 of the Coastal Act; and

**Whereas,** Section 30240 of the Coastal Act protects environmentally sensitive habitats from significant disruptions of habitat values, permits only



MEMORANDUM OF UNDERSTANDING REGARDING CITY OF WATSONVILLE LCP  
AMENDMENT 1-99

Page 5

development dependant on the habitat to be placed in these areas and requires that new development located adjacent to environmentally sensitive habitats be sited to prevent impacts that would significantly degrade those areas and shall be compatible with the continuation of the habitat; and

**Whereas,** Section 30233 of the Coastal Act requires the protection of wetlands and limits the development of non-resource-dependent uses within them; and

**Whereas,** The City, the County and the Commission desire to (1) maintain a stable urban rural boundary by ensuring that there will be no additional urban development outside the current western boundary of the City of Watsonville ( See Exhibit A ), and (2) protect rural agricultural lands and wetlands and other environmentally sensitive habitats while providing for concentrated urban development in the City of Watsonville and

**Whereas,** Notwithstanding the policy stated above, the parties understand that the City reserves the right, consistent with all applicable requirements, to pursue the potential annexation of only one additional parcel, identified as " Green Farm ", ( APN 052-271-04); and

**Now, therefore,** the City, the County and the Commission agree as follows:

1. **EFFECT OF ABANDONMENT.** Except as provided in this paragraph, City, County and Commission agree that this MOU, the certification of the Watsonville LCP Amendment 1-99, and any associated ordinances and resolutions shall, by their own terms, be rescinded, and be of no further



MEMORANDUM OF UNDERSTANDING REGARDING CITY OF WATSONVILLE LCP  
AMENDMENT 1-99

Page 6

force and effect, upon notice by PVUSD to the Executive Director of the Coastal Commission that it has irrevocably abandoned any project to construct a public school on the site, except as follows. The City agrees that, in this event, it will submit, within one year of PVUSD's notice of abandonment, a comprehensive update of the City's LCP for review and action by the Coastal Commission.

**2. CITY ACTION** Within six months of the Commission's adoption of suggested modifications on the City's 1999 LCP submittal, the City shall act in good faith to hold a public hearing to consider adoption and submission for certification by the Commission of amendments to the City's LCP and will similarly consider the adoption of amendments to the City's General Plan for non-Coastal Zone areas of the City west of Highway One, that include the following elements:

- a. A "right-to farm" ordinance that provides protections to agricultural uses adjacent to the City of Watsonville, west of Highway One;
- b. Establishment of a (1) one foot wide utility prohibition overlay district along the boundary of existing Coastal Zone Areas A, B, and C (see Exhibit A) across which the placement of wastewater utility pipeline and potable water utility pipelines is prohibited, except that the parties agree that certain exceptions to this policy may be pursued through normal and required legal processes without need for amendment to this MOU and

MEMORANDUM OF UNDERSTANDING REGARDING CITY OF WATSONVILLE LCP  
AMENDMENT 1-99

Page 7

notwithstanding Section 11 of this MOU.<sup>1</sup> The limitations of this subparagraph (b) shall not however restrict the repair, replacement, maintenance, refurbishment or functional improvements of existing water and sewer lines insofar as necessary to maintain existing capacity of said existing lines as of the date of this MOU (in other words, no physical expansion of existing lines).

- c. A policy and/or standard as may be applicable stating that, except for the "Green Farm" parcel (Santa Cruz County Tax Assessor's Parcel Number 052-271-04) as provided in the recitals to this Memorandum above, the City will not pursue any additional annexations to the City west of Highway One, nor support any annexations to the City from third parties in that geographic area, unless both of the following findings can be made:

- i. The land to be annexed is not designated Viable Agricultural Land Within the Coastal Zone (Type 3) by the Santa Cruz County General Plan/Local Coastal Program Land Use Plan, or the land to be annexed has been re-

<sup>1</sup> Acknowledged exceptions include: (1) 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; (2) Leachate lines to and from the City and County landfill and the City Wastewater Treatment Plant; and (3) pipelines to distribute water for environmental restoration, maintenance or enhancement. Acknowledgement of these possible exceptions in no way binds any of the parties in future legal decision-making processes.



MEMORANDUM OF UNDERSTANDING REGARDING CITY OF WATSONVILLE LCP  
AMENDMENT 1-99

Page 8

designated from Viable Agricultural Land Within the Coastal Zone to a different land use designation by the County of Santa Cruz through a Local Coastal Program Land Use Plan amendment and rezoning; and

- ii. The land is not Environmentally Sensitive Habitat, (including wetlands) as defined in Title 16, Section 16.32 of the County's LCP or in Sections 30107.5 or 30121 of the Coastal Act.
  - d. A policy and/or standard as may be applicable stating that if a third party annexation west of Highway One is approved inconsistent with (i) or (ii) above, the City will limit zoning of the incorporated land to that zoning most equivalent to the County's agriculture or open space designation; and prohibit (a) the extension of urban services to this land and (b) any subdivisions of the annexed land except those required for agricultural lease purposes
3. **CITY ACTION** Within six months of the Commission's adoption of suggested modifications to the City's 1999 LCP amendment submittal, the City shall act in good faith to hold a public hearing to consider the adoption and submission for certification by the Commission of amendments to its LCP, that include the following elements:



MEMORANDUM OF UNDERSTANDING REGARDING CITY OF WATSONVILLE LCP  
AMENDMENT 1-99

Page 9

- 
- a. Policies and/or standards as may be applicable that i) prohibit nonresource-dependent development in ESHAs/wetlands except, that in wetlands, incidental public service purposes including, but not limited to, burying cables and pipelines, may also be allowed; ii) protect ESHAs/wetlands against any significant disruption of habitat values; iii) provide for adequate buffers between the school use and ESHA/wetlands, through siting and design, to prevent impacts that would significantly degrade these areas; iv) ensure that the site development is compatible with the continuance of these ESHAs/wetlands; and
  - b. Policies and/or standards as may be applicable that provide adequate buffers to minimize conflicts between agricultural uses and the high school;
4. **SUPER MAJORITY VOTE.** Any of the amendments to the LCP or General Plan identified in Sections 2 and 3 approved by the City for submission to the Commission as LCP amendments or as amendments to the City's General Plan for areas outside the Coastal Zone West of Highway One shall include a requirement that future amendments to or revocation of these provisions shall require approval by a super majority of the City Council. (Five votes to amend or revoke.)
5. **COUNTY ACTION** Within one year of the Commission's adoption of suggested modifications on the City's 1999 LCP submittal, the County will

MEMORANDUM OF UNDERSTANDING REGARDING CITY OF WATSONVILLE LCP  
AMENDMENT 1-99

Page 10

act in good faith and hold a public hearing to consider the adoption and submission for certification by the Commission of amendments to the County's LCP and similar amendments to its General Plan, that include the following elements:

- a. Establishment of a (1) one foot wide utility prohibition overlay district along and immediately adjacent to the City's boundaries west of Highway One (City limits) (as shown on Exhibit A<sup>2</sup>) across which the placement of wastewater utility pipelines and potable water utility pipelines is prohibited, except that the parties agree the certain exceptions to this policy may be pursued through normal and required legal processes without need to amendment to this MOU and notwithstanding section 11 of this MOU.<sup>3</sup> The limitations of this subparagraph (a) shall not however restrict the repair, replacement, maintenance, refurbishment or functional improvements of existing water and sewer lines insofar as necessary to maintain existing capacity of

<sup>2</sup> All parties agree that no amendment to this MOU is necessary to extend the utility prohibition overlay district around APN# 052-271-04 if it is annexed, subject to all planning and regulatory processes.

<sup>3</sup> Acknowledged exceptions include: (1) 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; (2) Leachate lines to and from the City and County landfill and the City Wastewater Treatment Plant; and (3) pipelines to distribute water for environmental restoration, maintenance or enhancement. Acknowledgement of these possible exceptions in no way binds any of the parties in future legal decision-making processes.



MEMORANDUM OF UNDERSTANDING REGARDING CITY OF WATSONVILLE LCP  
AMENDMENT 1-99

Page 11

said existing lines as of the date of this MOU (in other words, no physical expansion of existing lines)<sup>4</sup>.

- b. A policy and/or standard as may be applicable that limits the width of Harkins Slough Road to the minimum width of roadway, bikeway and pedestrian ways necessary to serve the High School or as otherwise needed to meet minimum County or Cal Trans design standards as applicable; and, that encourages other improvements needed to provide habitat connectivity between the west branch of Struve Slough on Area "C" and the California Department of Fish and Game Reserve on the south side of Harkins Slough Road adjacent to the school site.
- c. A policy and/or standard as may be applicable that requires the County to reserve a one-foot non-access strip around any easements granted to the City for wastewater utility pipelines and potable water utility pipelines so as to limit future utility extensions inconsistent with this agreement.

**6. SUPER-MAJORITY VOTE.** Any of the amendments to the LCP or General Plan identified in Section 5 approved by the County for submission to the Commission as LCP amendments or as amendments to the County's General Plan shall include a requirement that future amendments to, or

<sup>4</sup> 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.

MEMORANDUM OF UNDERSTANDING REGARDING CITY OF WATSONVILLE LCP  
AMENDMENT 1-99

Page 12

revocation of, these provisions shall require approval by a super majority of the County Board of Supervisors. (Four votes to amend or revoke.)

**7. COASTAL COMMISSION ACTION** Within the statutory time limits, the Coastal Commission shall, in good faith, hold a public hearing to consider the approval of amendments submitted to the Commission pursuant to this agreement by the City or the County

**8. HARKINS SLOUGH INTERCHANGE.** The City, County and Commission agree to consider the effects of the execution of this Memorandum on limiting growth inducing impacts that might otherwise result from any future City project proposals for improving the Highway 1 Harkins Slough Interchange.

**9. SUPER-MAJORITY VOTE.** A super-majority vote to amend or revoke amendments to the City and County LCP's and General Plans as provided by Sections 3 and 5 of this Memorandum shall be required.

**10. REFERENDUM.** Any legislative action taken by the City or the County pursuant to this agreement is subject to referendum under Article 2, Section 11 of the Constitution of the State of California, or the City Charter.

**11. AMENDMENTS.** This Memorandum may only be amended by the agreement of all parties hereto, i.e., the City Council, Board of Supervisors and the Coastal Commission. An amendment means a change in this Memorandum that deletes, modifies, explains or adds a provision (or a portion thereof) to this Memorandum. All amendments must be written to be



MEMORANDUM OF UNDERSTANDING REGARDING CITY OF WATSONVILLE LCP  
AMENDMENT 1-99

Page 13

effective. If any party to this Memorandum requests an amendment to this Memorandum, such party shall promptly notify the other parties in writing. Such written notice shall be directed to the executive officer of the parties to whom the request is made, and to the PVUSD, The Santa Cruz group of the Sierra Club, Santa Cruz Chapter of the Community Alliance with Family Farmers, and the Watsonville Wetlands Watch. For each such proposed amendment, such notice shall specify with particularity: the general nature of the proposed amendment, all factual, technical or legal bases for the proposed amendment, the identity of the persons within each agency or elsewhere who propose and who have personal knowledge of the reasons and bases for such proposed amendment, and the proposed language of the amendment. Within 30 days of receiving such written notice, appointed or elected representatives of each of the parties with meaningful authority to recommend amendments shall diligently meet and in good faith discuss such request. Such meetings will require public notification. Public notification will, at a minimum, consist of an advisory notification on the public agendas of the three signatory parties. Such meetings shall continue to be held diligently until the amendment is either accepted or rejected.

**12. INTERPRETATION AND RESOLUTION OF AMBIGUITIES.** If any party deems any provision of this Memorandum vague or ambiguous, such party shall follow the process described for amendments in Section 11. Interpretations and resolution of ambiguities must be agreed to by the City

MEMORANDUM OF UNDERSTANDING REGARDING CITY OF WATSONVILLE LCP  
AMENDMENT 1-99

Page 14

Council, Board of Supervisors and the Coastal Commission in order to be effective.

**13. LEGISLATION.** The City and County shall support legislation relative to this Memorandum that shall permit any person to petition a court of competent jurisdiction to require the City, the County and/or the Commission to comply with the terms of this Memorandum, including any amendments hereto. Such legislation shall not become enforceable until (1) the County and City both have Housing Elements in their respective General Plans certified by the California Department of Housing and Community Development and (2) either the County or City commence any official action to rescind the "supermajority" voting requirements contained herein.

**14. EFFECTIVE DATE.** This Memorandum of Understanding will become effective upon its duly authorized execution by the Mayor of the City, Chairperson of the County Board and the Executive Director of the Commission.

//

//

//

//

//

//



MEMORANDUM OF UNDERSTANDING REGARDING CITY OF WATSONVILLE LCP  
AMENDMENT 1-99

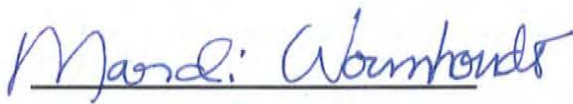
Page 15

City of Watsonville

  
Mayor

9-12-00  
Date

County of Santa Cruz

  
Chair of the Board of Supervisors

9/13/00  
Date

California Coastal Commission

  
Executive Director

9/8/00  
Date