

ORDINANCE NO. FINAL ADOPTION (CM)

AN UNCODIFIED ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE APPROVING REZONING ON ASSESSOR'S PARCEL NUMBER 017-161-51 LOCATED AT 215 LOCUST STREET, WATSONVILLE, CALIFORNIA, TO ALLOW THE PERMANENT ESTABLISHMENT OF A 525-STUDENT CHARTER SCHOOL FOR GRADES 6-12 IN AN EXISTING 27,000± SQUARE-FOOT BUILDING WITH AN 8,500± SQUARE-FOOT MEZZANINE ON A 2.1± ACRE SITE, AND DIRECTING CHANGES TO BE MADE ON THE ZONING MAP OF THE CITY OF WATSONVILLE

WHEREAS, Ceiba College Preparatory Academy ("Ceiba") is a public charter school serving more than 500 students. For its first five years, from 2008 to 2013, Ceiba operated out of two locations in downtown Watsonville. In 2013, Tom Brown on behalf of Ceiba proposed to relocate the school to its current location under one roof. Ceiba planned on leasing the building on a temporary basis while they looked for a permanent location for purchase; and

WHEREAS, on June 4, 2013, the Planning Commission of the City of Watsonville ("City") adopted Resolution No. 08-13, approving Special Use Permit with Environmental Review (PP2012-251), to allow establishment of a 525-student charter school for grades 6-12 in a vacant 27,000± square-foot industrial building at 260 West Riverside Drive (APN 017-161-51). This action allowed Ceiba to use the premises for a period of up to 10 years while a permanent school site was identified for purchase; and

WHEREAS, Ceiba has made substantial improvements to the building. In October 2013, the City issued Ceiba a Building Permit (BP2013-185) for converting the existing industrial building into a school, including adding an 8,500± square-foot mezzanine, toilet rooms, bearing and non-bearing walls, HVAC system, and electrical power and lighting upgrades. Subsequent tenant improvements to the building include new gas service (EP2014-38), fire sprinkler upgrades (FP2014-36), classroom

alterations (BP2018-45), new and relocated fire pendants based on new ceiling and classroom partitions (FP2018-62), new smoke and fire alarms (FP2018-76), new carport with solar panels (BP2019-185), and replacement paving and wall studs due to water damage (RP2020-7); and

WHEREAS, on May 27, 2021, Elizabeth Sanborn Falcon, with Benchmark Realty Advisors, on behalf of Ceiba College Preparatory Academy, applicant, and Spinnaker Ventures LLC, property owner, submitted an application for a General Plan Map Amendment (to change the site's land use designation from Industrial to Public/Quasi-Public), Zoning Map Amendment (to change the site's zoning designation from IG to N for Institutional), and Special Use Permit (App. No. 1737) to allow the existing school use to remain permanently ("project"); and

WHEREAS, as the subject property is currently designated Industrial on the General Plan Land Use Diagram and is within the IG Zoning District, the proposed amendments would enable the formal recognition of the existing school use on the premises; and

WHEREAS, issuance of the requested Special Use Permit would allow the permanent establishment of a 525-student charter school for grades 6-12 on the subject property; and

WHEREAS, on April 5, 2022, the Planning Commission voted 3-2 to recommend approval to Council. However, an affirmative vote of the majority of the full Commission, not just of the members present at the meeting, is required. Therefore, no action was taken and, in effect, the Planning Commission is making "no recommendation" to the City Council. Since the Planning Commission only makes a recommendation to Council, the project applications are still forwarded to the City Council for final action; and

WHEREAS, notice of time and place of the hearing to consider General Plan Map Amendment, Zoning Map Amendment, and Special Use Permit with Environmental Review (App #1737) was given at the time and in the manner prescribed by the Zoning Ordinance of the City of Watsonville. The matter called for hearing evidence both oral and documentary introduced and received, and the matter submitted for decision; and

WHEREAS, the City Council has considered all written and verbal evidence regarding this application at the public hearing and has made Findings, attached hereto and marked as Exhibit "A," in support of the Zoning Map Amendment (APP #1737) to change the Zoning District from General Industrial (IG) to Institutional (N) for the property with Assessor's Parcel Number 017-161-51 in order to allow the permanent establishment of a 525-student charter school for grades 6-12 in an existing 27,000± square-foot building with an 8,500± square-foot mezzanine on a 2.1± acre site located at 215 Locust Street, Watsonville, California (APN 017-161-51).

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: ENVIRONMENTAL DETERMINATION.

The City Council determines that the project is exempt from the California Environmental Quality Act (CEQA), in that the project would not result the change, intensification or expansion of an existing use and the allowance of an existing school use on a permanent basis would not result in a significant effect on the environment (CEQA Guidelines § 15301 (Class 1)). The project is also exempt under the "common sense" exemption because it can be seen with certainty that there is no possibility that this action may have a significant effect on the environment (CEQA Guidelines §15061(b)(3)).

SECTION 2: REZONING.

1. That the City Council of the City of Watsonville does hereby adopt a Zoning Map Amendment, changing the zoning from General Industrial (IG) to Institutional (N) for Santa Cruz County Assessor's Parcel Number 017-161-51 and has made Findings, attached hereto and marked as Exhibit "A", for the property located at 215 Locust Street, Watsonville, California to allow to allow the permanent establishment of a 525-student charter school for grades 6-12 in an existing 27,000± square-foot building with an 8,500± square-foot mezzanine on a 2.1± acre site (APN: 017-161-51).

2. That the City Clerk of the City of Watsonville is hereby authorized and directed to make the changes shown upon the official "Zoning Map of the City of Watsonville" a portion of which is marked as Exhibit "B," a copy of which is attached hereto, and to designate the effective date and number of the ordinance authorizing the change.

SECTION 3. PUBLICATION.

This ordinance shall be published in the Watsonville Register-Pajaronian and/or Santa Cruz Sentinel in compliance with the provisions of the Charter of the City of Watsonville.

SECTION 4. EFFECTIVE DATE.

This ordinance shall take effect thirty (30) days after its final adoption.
