

**ORDINANCE NO. Introduction (CM)**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE AMENDING CHAPTER 14-41 (DRIVE-THROUGH FACILITY RESTRICTIONS) OF THE WATSONVILLE MUNICIPAL CODE TO REMOVE THE 150-FOOT RESIDENTIAL SETBACK REQUIREMENT FROM THE THOROUGHFARE COMMERCIAL (CT), NEIGHBORHOOD SHOPPING CENTER (CNS), AND VISITOR COMMERCIAL (CV) ZONING DISTRICTS**

**WHEREAS**, Watsonville Municipal Code (WMC) Chapter 14-41 regulates the design and location of drive-through facilities in the City; and

**WHEREAS**, WMC § 14-41.100(a)(1) prohibits drive-through lanes, speakers, menu boards, and/or take out windows within one hundred fifty (150') feet from any property boundary line of a parcel zoned for residential purposes; and

**WHEREAS**, on October 22, 2024, City staff presented an overview of Chapter 14-41 Drive-Through Facilities Restrictions to the City Council for review and discussion. City Council provided direction to staff to bring back an analysis of modification options to Council for review; and

**WHEREAS**, on January 14, 2025, City staff presented options for modification of Chapter 14-41 Drive-Through Facility Restrictions to the City Council for review, discussion, and direction. City Council directed staff to bring an ordinance modifying Chapter 14-41 to exclude the Thoroughfare Commercial (CT), Neighborhood Shopping Center (CNS), and Visitor Commercial (CV) zoning districts from the 150-foot setback requirement in WMC § 14-41.100(a)(1) to the Planning Commission for consideration and recommendation to City Council; and

**WHEREAS**, on February 10, 2025, the Planning Commission adopted Resolution No. 02-25 (PC) recommending to City Council adoption of an ordinance amending

Chapter 14-41 (Drive-Through Facility Restrictions) of the Watsonville Municipal Code to remove the 150-foot residential setback requirement from the Thoroughfare Commercial (CT), Neighborhood Shopping Center (CNS), and Visitor Commercial (CV) zoning districts; and

**WHEREAS**, making the following modifications to WMC § 14-41.100(a)(1) will exempt the Thoroughfare Commercial (CT), Neighborhood Shopping Center (CNS), and Visitor Commercial (CV) zoning districts from the 150-foot setback requirement; and

*WMC § 14-41.100(a)(1) – In the CN zoning district, no ~~No~~ drive-through lane, speakers, menu boards and/or take out windows shall be located within one hundred fifty (150') feet from any property boundary line of a parcel zoned for residential purposes.*

**WHEREAS**, City Staff reviewed the project under the California Environmental Quality Act (CEQA) and determined that the project qualifies for a common sense exemption under California Code of Regulations Title 14, §15061(b)(3) because the proposed zoning text amendment does not have the potential for causing a significant impact on the environment and it can be seen with certainty that there is no possibility that the amendment may have a significant effect on the environment; and

**WHEREAS**, notice of time and place of the hearing to consider the zoning code text amendment was given as required by law and a public hearing was held according to Part 9: Public Hearing Notice Provisions of Chapter 14-10: Administration and Procedure of the WMC; and

**WHEREAS**, the City Council has considered all evidence received, both oral and documentary, and the matter was submitted for recommendation.

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

**SECTION 1: RECITALS.**

The foregoing recitals are adopted herein as true and correct and as the basis for this ordinance.

**SECTION 2: ENACTMENT.**

1. That the City Council of the City of Watsonville does hereby make the findings required by Watsonville Municipal Code §14-12.807, attached hereto and marked as Exhibit “A,” and adopt by ordinance the zoning code text amendment attached hereto and marked as Exhibit “B.”

2. That the City Clerk of the City of Watsonville is hereby authorized and directed to make the zoning code text amendment, attached hereto and marked as “Exhibit B”, and to designate the effective date and number of the ordinance authorizing the change.

**SECTION 3: CEQA.**

Adoption of an ordinance amending the text of Chapter 14-41 (Drive-Through Facility Restrictions) of the Watsonville Municipal Code is exempt from the California Environmental Quality Act (CEQA) pursuant to the common sense exemption in CEQA Guidelines (14 Cal. Code Regs. §§ 15000 *et. seq.*) Section 15061(b)(3), as it can be seen with certainty that there is no possibility that the proposed zoning text amendment will have a significant effect on the environment.

**SECTION 4: 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 5: EFFECTIVE DATE.**

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

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