

APPELLANT'S ADDENDUM TO RESPONSE TO WATSONVILLE CITY STAFF AGENDA REPORT

**SUBJECT: APPEAL (#PP2024-8380) OF PLANNING
COMMISSION'S DENIAL OF AN APPEAL (#PP2024-7954) OF
ZONING ADMINISTRATOR APPROVAL OF AN
ADMINISTRATIVE REVIEW PERMIT FOR A LOW-BARRIER
NAVIGATION CENTER (#PP2023-6297) LOCATED AT 118 1ST
STREET, 5 CHERRY COURT, AND 120 1ST STREET**

**REFERENCE: Agenda Item 11.a of the March 11, 2025 Watsonville
City Council Meeting**

Date: March 11, 2025

Appellant: Catalina Torres, Neighborhood Leader

Coalición del Distrito Uno Oeste para Familias, Seguridad y Justicia Social

121 Second Street, Apartment F

Watsonville, CA 95076



CATALINA TORRES ADDENDUM TO CITY STAFF - APPEAL TO CITY COUNCIL

2. Appellant Addendum Response:

In the first paragraph on Page 11 of the Agenda Report, Staff makes the assertion that SB 4 has logic that allows by-right development of affordable housing. This assertion is correct to the degree that the specific qualifiers are met.

Staff then asserts that such by-right authority makes a conditional use, such as a church, to be exempt from any local zoning code obligation to obtain a conditional use permit approval as a predicated step for developing qualified affordable housing. This assertion is incorrect. SB 4 does no such thing. There is no language in SB 4 to substantiate such an assertion.

Staff then asserts that their logic is likewise applicable to by-right development of an LBNC in accordance with Government Section 65600, *et seq.* Staff's assertion is incorrect. Just like SB 4 does for affordable housing, Section 65600, *et seq.*, does bestow by-right privileges for an LBNC. However, just like SB 4, Section 6500, *et seq.*, does not pre-empt local zoning code authority over conditional uses. This was explained in detail on pages 4 and 5 of the December 16, 2024 Appeal by Catalina Torres to the City Council.

In that same paragraph, Staff asserts that the "LBNC is a project submitted by the County of Monterey, not the existing church."

Staff's assertion is false. On the relevant Zoning Clearance Application, PP 2023-6297, the Westview Presbyterian Church is identified as the Applicant and the Reverend Dan Hoffman is the one who signed and dated the application.

In addition, reference is made to the Memorandum (dated September 4, 2024) from Sonia De La Rosa to the City, which was part of the referenced Zoning Clearing Application. In the first paragraph of that document, it is stated that the Tiny Village is to

CATALINA TORRES ADDENDUM TO CITY STAFF - APPEAL TO CITY COUNCIL

be developed by Dignity Moves, the Counties of Monterey and Santa Cruz, and the Westview Presbyterian Church, as a partnership collectively referred to as the Village Partners.

Even on paragraph 1, of page 5 of the Agenda Report, the Proposed Project is described as follows:

The proposed project involves construction of a 34-bed low-barrier navigation center to be developed by Dignity Moves and the Counties of Monterey and Santa Cruz, in partnership with the site property owner, Westview Presbyterian Church.

The remarkable significance of this fact is that the City Staff are contradicting themselves in their Agenda Report on this issue.

The preceding information is conclusive evidence that verifies that the Church is part and parcel of the submitting entity for the project.

Moreover, this line **misrepresents the actual application process**. The County of Monterey **did not submit the application independently**—it did so **in partnership with** the church. That makes the church part of the process, not just a passive property owner.

5. Appellant Addendum Response:

In the paragraph of Item 5 of page 11 of the Staff Report, Staff makes the assertion that the fact that a new church use is considered a conditional use in the Downtown Core zoning district is not relevant to the Zoning Administrator's decision. City Staff has confused the issue here. **In the Downtown Core zoning district, both new and existing churches are conditional uses.**

In the case of an existing church use on the property where an LBNC is being proposed, the church use is required to obtain approval of a conditional use permit as a

CATALINA TORRES ADDENDUM TO CITY STAFF - APPEAL TO CITY COUNCIL

necessary predicated step for establishing the LBNC on the site. On the other hand, consider the case where there isn't an existing church use on the site, but there is an existing LBNC. If a new church use was proposed for such a site, it would be required to obtain approval of a conditional use permit that would have to accommodate the existing LBNC through its design, use permit conditions of approval, and go through a discretionary approval process.

In both cases, the conditional use status of the church activates the requirement for zoning administration to address the conditional use issue.