



City of Watsonville

"A Community of Opportunities"

October 21, 2024

Peter Odryna
200 Citron Drive
Soquel, CA 95073

Application submitted: October 1, 2024
File Number: PP2024-7815

Re: Incompleteness of Application for an Administrative Review Permit for a New Detached Garage and Second-Story Accessory Dwelling Unit

Dear Peter Odryna:

Thank you for submitting your recent application for an Administrative Review Permit for a new detached garage with a second-story ADU. The purpose of this letter is to inform you that staff has reviewed your application, determined that it **does not comply with state law regulating accessory dwelling units (ADUs)**. City Staff cannot approve administrative review permits that do not comply with the requirements of the Watsonville Municipal Code or state law, therefore Administrative Review Permit #PP2024-7815 is **denied**.

This letter provides detailed comments from staff within the Community Development Department with guidance for designing a project that complies with state ADU law. Please submit revised plans and associated documents electronically to the Project Planner. For an appointment to resubmit the contents of this letter, please contact the project planner.

Project Overview

The proposed project includes the demolition of an existing nonconforming detached garage and construction of a new, detached, nonconforming garage, a new second-story ADU measuring 750 square feet with a 222-square-foot deck at 79 Monte Vista Avenue (APN 018-521-01).

The property currently contains a 2,488-square-foot single-family residence with a detached garage totaling 580 square feet on an 11,195-square-foot parcel. To accommodate the new garage and ADU, the existing detached garage will be demolished. This property falls within the Residential Low Density (R-LD) designation on the General Plan Land Use Map and lies within the Single Family Residential-Low Density (R-1) Zoning District.

Per Watsonville Municipal Code (WMC) [Section 14-12.400\(b\)\(5\)](#), single-family residential development is exempt from the Design Review requirements. Therefore, the project is only required to obtain an Administrative Review Permit via the application process described in WMC [Section 14-12.301](#). The Zoning Administrator reviews the application to ensure compliance with the Watsonville Municipal Code and any other applicable state laws, in this case the current state ADU law located in Government Code [Sections 66314-66332](#).

COMPLETENESS ISSUES

Planning

1. **Nonconforming garage.** The project proposes the demolition of the existing nonconforming garage and reconstruction in the same footprint with an additional 300 square feet of unconditioned space. The proposed garage, as new construction, is required to meet the setbacks for accessory structures in [WMC Section 14-40.030](#). For an accessory building with an accessory dwelling unit that exceeds 16 feet in height, a 5-foot setback from rear and side yard property lines is required.
2. **ADU Setbacks.** Because the City of Watsonville's ADU Ordinance ([WMC Chapter 14-23](#)) is out of compliance with state law, the City utilizes Government Code [Sections 66314-66332](#) to regulate ADU development within the city. Per Government Code Section 66321(b)(3), the City can require an accessory dwelling unit to have four-foot side and rear yard setbacks. The proposed project does not comply with this requirement.
3. **Conversion of Existing Structures.** Government Code Section 66314(d)(7) states that *"no setback shall be required for an existing living area or accessory structure or a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit, and a setback of no more than four feet from the side and rear lot lines shall be required for an accessory dwelling unit that is not converted from an existing structure or a new structure constructed in the same location and to the same dimensions as an existing structure."* The proposed project does not propose converting the existing nonconforming garage into an ADU, and even if it did, the new garage with the ADU is not the same dimensions as the existing nonconforming garage, so the setback exemption does not apply and four-foot side and rear yard setbacks are required for both the garage and the ADU.

NEXT STEPS

If you have any questions regarding the incomplete letter, please contact Associate Planner Ivan Carmona at (831) 768-3078 or ivan.carmona@watsonville.gov. I look forward to working with you to bring this project to completion. Thank you for your time.

Sincerely,



Ivan Carmona
Associate Planner