

RESOLUTION NO. _____ (CM)

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE DENYING AN APPEAL (#PP2025-8623) OF PLANNING COMMISSION'S DENIAL OF AN APPEAL (PP2024-8160) AND UPHOLDING ZONING ADMINISTRATOR'S DENIAL OF AN ADMINISTRATIVE REVIEW PERMIT FOR THE DEMOLITION OF A NONCONFORMING, ONE-STORY, DETACHED GARAGE AND CONSTRUCTION OF A NEW EXPANDED DETACHED GARAGE WITH A NEW SECOND-STORY ACCESSORY DWELLING UNIT (#PP2024-7815) LOCATED AT 79 MONTE VISTA AVENUE (APN: 018-521-01)

WHEREAS, the subject parcel is located at 79 Monte Vista Avenue (APN: 018-521-01); and

WHEREAS, the site is occupied by an existing, one-story, single-family residence with an existing, nonconforming, detached, two-car garage located directly on the side and rear lot lines; and

WHEREAS, the project site is designated Residential Low Density on the General Plan Land Use Map and is located within the Single Family-Low Density (R-1) zoning district; and

WHEREAS, the R-1 zoning district is a residential zone in which single-family residential uses and accessory dwelling units are principally permitted uses; and

WHEREAS, on October 1, 2024, Peter Odryna, applicant, on behalf of Trina Coffman and Herbert Gomez, property owners, submitted an application (#PP2024-7815) for an Administrative Review Permit for the demolition of an existing, nonconforming, two-car, detached garage and construction of a new, three-car, detached garage with a new, detached, 754-square-foot, second-story, accessory dwelling unit (ADU) located at 79 Monte Vista Avenue (APN: 018-521-01); and

WHEREAS, on October 21, 2024, the Zoning Administrator provided the applicant with a determination letter denying Administrative Review Permit #2024-7815 and

identifying the completeness issues that would need to be addressed for the application to be approved, including compliance with the required four-foot side and rear yard setbacks; and

WHEREAS, on October 29, 2024, the applicant submitted a response to the determination letter that disputing the Zoning Administrator’s denial of Administrative Review Permit #PP2024-7815 based on the contention that the project qualified for the setback exemption in Government Code Section 66314(d)(7) “because there is no specific language to indicate a height restriction defined in this legislation;” and

WHEREAS, on October 31, 2024, City staff met with the applicant to discuss the applicant’s response letter. In the meeting, staff informed the applicant that the phrase ‘and to the same dimensions’ in Government Code Section 66314(d)(7) would include height because the existing garage to be demolished and rebuilt is a three-dimensional structure; and

WHEREAS, on October 31, 2024, City staff emailed the applicant to share a link to the California Department of Housing and Community Development Accessory Dwelling Unit Handbook (2022), which includes guidance related to the application of Government Code Section 66314(d)(7) and states that the term ‘dimensions’ as used in that section includes height; and

WHEREAS, on November 14, 2024, City staff received Appeal #PP2024-8160 of the Zoning Administrator denial of Administrative Review Permit #PP2024-7815; and

WHEREAS, on January 7, 2025, the Planning Commission adopted Resolution No. 01-25 (PC) denying an appeal (#2024-8160) and upholding the Zoning

Administrator's denial of an Administrative Review Permit for the demolition of an existing, nonconforming, two-car, detached garage and construction of a new, three-car, detached garage with a new, detached, 754-square-foot, second-story accessory dwelling unit (#PP2024-7815) located at 79 Monte Vista Avenue (APN: 018-521-01); and

WHEREAS, on January 21, 2025, City staff received Appeal #PP2025-8623 of the Planning Commission's denial of Appeal #PP2024-8160 for the Zoning Administrator denial of Administrative Review Permit #PP2024-7815; and

WHEREAS, notice of time and place of the hearing to consider Appeal #PP2025-8623 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 Appeal #PP2025-8623 of the Planning Commission's denial of Appeal #2024-8160 of the Zoning Administrator denial of an Administrative Review Permit (#2024-7815) for the demolition of an existing, nonconforming, two-car, detached garage and construction of a new, three-car, detached garage with a new, detached, 754-square-foot, second-story, ADU located at 79 Monte Vista Avenue (APN: 018-521-01) and has made the finding that the Zoning Administrator denial of ARP #PP2023-6297 was correct because the project does not comply with the required four-foot side and rear yard setbacks and does not qualify for the setback exemption in Government Code Section 66314(d)(7).

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

Section 1. The foregoing recitals are true and correct and are incorporated into this resolution as findings of the City Council.

Section 2. As set forth in CEQA Guidelines Section 15270(a), “CEQA does not apply to projects which a public agency rejects or disapproves.” Therefore, a denial of the project would not be subject to CEQA.

Section 3. The City Council of the City of Watsonville hereby finds based upon all of the evidence in the record that the action taken by the Planning Commission to deny Appeal #PP2024-8160 and uphold the determination of the Zoning Administrator denying an Administrative Review Permit for the demolition of an existing, nonconforming, two-car, detached garage and construction of a new, three-car, detached garage with a new, detached, 754-square-foot, second-story, ADU located at 79 Monte Vista Avenue (APN: 018-521-01) was not erroneously taken and the Planning Commission’s decision is consistent with the Zoning District regulations and in this case Government Code Sections 66314-66332.

Section 4. The City Council of the City of Watsonville does hereby deny Appeal #PP2025-8623 of the Planning Commission’s denial of Appeal #PP2024-8160 of the Zoning Administrator’s denial of an Administrative Review Permit for the demolition of an existing, nonconforming, two-car, detached garage and construction of a new, three-car, detached garage with a new, detached, 754-square-foot, second-story, ADU located at 79 Monte Vista Avenue (APN: 018-521-01) on the basis that the proposed project does not comply with the required four-foot side and rear yard setbacks and does not qualify for the setback exemption in Government Code Section 66314(d)(7) and therefore

upholds the Zoning Administrator's denial of Administrative Review Permit #PP2024-7815.
