

RESOLUTION NO. 02-25 (PC)

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WATSONVILLE, CALIFORNIA, RECOMMENDING TO THE 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

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 Planning Commission for consideration and recommendation to City Council; 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 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 Planning Commission has considered all evidence received, both oral and documentary, and the matter was submitted for recommendation.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Watsonville, California, as follows:

Good cause appearing, the Planning Commission of the City of Watsonville does hereby find the project exempt under the California Environmental Quality Act (CEQA) pursuant to the common sense exemption in California Code of Regulations Title 14, §15061(b)(3).

BE IT FURTHER RESOLVED, the Planning Commission hereby makes the findings required by Watsonville Municipal Code §14-12.807, attached hereto and marked as Exhibit “A,” and recommends the City Council adopt by ordinance the zoning code text amendment attached hereto and marked as Exhibit “B.”

I HEREBY CERTIFY that the foregoing Resolution was introduced at a regular meeting of the Planning Commission of the City of Watsonville, California, held on the 10th day of February 2025, by Commissioner Radin, who moved its adoption, which motion being duly seconded by Commissioner Rojas, was upon roll call, carried and the resolution adopted by the following vote:

Ayes: Commissioners: Acosta, Dodge, Radin, Rojas


Noes: Commissioners: Hurst, Veitch-Olson

Absent: Commissioners: Sencion

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Justin Meek, Secretary
Planning Commission

Signed by:

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Ed Acosta, Chairperson
Planning Commission

**CITY OF WATSONVILLE
PLANNING COMMISSION**

EXHIBIT "A"

Zoning Code Text Amendment Findings (WMC § 14-12.807)

A. That the proposed amendment is consistent with the policies in the General Plan.

The proposed zoning code amendment is consistent with the following goals, policies, and implementation measures of the 2005 General Plan:

- **Land Use Element Goal 4.7 Land Use Suitability:** Ensure that the orderly development of land for the needs of the existing and projected population within the City limit and Sphere of Influence is based on the land's overall suitability, including; the accessibility of existing and proposed public facilities, services, and utilities; physical and financial constraints; and/or growth inducing impacts.

Supportive Evidence: Land located within the CT, CNS, and CV zoning districts is zoned for commercial uses. In addition, based on the location restrictions and conditionally and principally permitted uses, each of these zoning districts has been designed to accommodate auto-oriented uses. With locations along thoroughfare locations, near major streets and arterials, or in other areas catering to tourists and visitors, many parcels in these zoning districts are suitable for drive-through development.

- **Policy 4.G Land Use Suitability:** The City shall encourage the development of urban uses on those lands best suited for urban uses and discourage it on land unsuited for urban uses.

Supportive Evidence: Land located within the CT, CNS, and CV zoning districts is zoned for commercial uses. In addition, based on the location restrictions and conditionally and principally permitted uses, each of these zoning districts has been designed to accommodate auto-oriented uses. With locations along thoroughfare locations, near major streets and arterials, or in other areas catering to tourists and visitors, many parcels in these zoning districts are suitable for drive-through development.

- **Land Use Element Goal 4.3 Commercial Land Use:** Revitalize the central business district and provide adequate neighborhood commercial services.

Supportive Evidence: The proposed modifications to Chapter 14-41 would allow the development of more drive-through facilities within the City, providing more opportunities for the establishment of new neighborhood

commercial services.

- **Land Use Element Implementation Measure 4.C.2 Neighborhood Commercial Land Use:** The City shall designate an appropriate amount of land for neighborhood commercial services to meet the daily shopping needs of surrounding residential populations of 5,000 to 7,000 persons.

Supportive Evidence: The proposed modifications to Chapter 14-41 would allow the development of more drive-through facilities within the City, providing more opportunities for the establishment of new neighborhood commercial services to meet the daily shopping needs of surrounding residential populations.

- **Land Use Element Implementation Measure 4.I.2 Zoning Code Review:** The City shall annually review and update the Zoning Code for consistency with the General Plan and Land Use Diagram. In addition, the review shall evaluate whether the Zoning Code can be improved to better address the long-term land use objectives.

Supportive Evidence: WMC Chapter 14-41 has not been updated since 2000. After evaluating Chapter 14-41 in October 2024, the City Council directed Staff to bring forward options for modifying the chapter to allow the development of additional drive-through facilities within the city. On January 14, 2025, Council recommended exempting the CT, CNS, and CV zoning districts from the 150-foot setback from parcels zoned for residential uses in order to better address the City's long-term land use objectives related to economic development.

B. That the proposed amendment is compatible to the extent possible with the actual and general planned use of the adjacent properties.

Supportive Evidence: Land located within the CT, CNS, and CV zoning districts is zoned for commercial uses. In addition, with locations along thoroughfare locations, near major streets and arterials, or in other areas catering to tourists and visitors, many parcels in these zoning districts lend themselves to auto-oriented development.

The 2005 General Plan General Commercial land use classification includes general categories of allowed uses, such as: retail sales; personal, professional, financial, business and medical offices and services; entertainment; lodging; restaurants; and automobile sales. These uses are intended to serve the needs of the community and the surrounding region. The proposed amendment is compatible with the general planned uses because auto-oriented uses are identified as allowed uses within the General Commercial land use classification.

The proposed amendment is compatible with the existing uses of the adjacent

commercial properties along East Lake Avenue because they are either developed with auto-oriented uses or vacant. In addition, to ensure that future development is compatible with existing adjacent residential uses, future development projects will be analyzed under the California Environmental Quality Act (CEQA). Through this process, any potentially significant environmental impacts will be identified and any necessary mitigation measures will be developed and included as conditions of approval on the project.

**CITY OF WATSONVILLE
PLANNING COMMISSION**

EXHIBIT "B"

**Chapter 14-41
DRIVE-THROUGH FACILITY RESTRICTIONS**

Sections:

- 14-41.100 Purpose of chapter.
- 14-41.101 Use permit required.
- 14-41.102 Design standards.
- 14-41.104 Non-conforming uses.

14-41.100 Purpose of chapter.

The purpose of this chapter is to regulate the design and location of Drive-Through Facilities in the City. Notwithstanding any other provision in this Code, Drive-Through Facilities shall be permitted only on property located in commercial zones that also meet the following conditions:

(a) Location.

- (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.
- (2) No more than one Drive-Through Facility shall be located within two hundred (200') feet of the nearest point of a signalized intersection except as set forth in (3) below.
- (3) No Drive-Through Facility shall be located within three hundred (300') feet of any of the following "gateway" intersections:
 - (i) Main Street at Front Street
 - (ii) Main Street at Freedom Boulevard
 - (iii) Main Street at Green Valley Road
 - (iv) Riverside Drive at Rodriguez Street
 - (v) Riverside Drive at Blackburn Street
 - (vi) Freedom Boulevard at Airport Boulevard
 - (vii) East Lake Avenue at Martinelli Street

(§ 1, Ord. 1095-00 C-M, eff. October 12, 2000)

14-41.101 Use permit required.

(a) No drive-through facility shall be allowed in the following commercial districts, without a special use permit issued by the Planning Commission:

- (1) CT, Thoroughfare Commercial
- (2) CNS, Neighborhood Shopping Center
- (3) CN, Neighborhood Commercial
- (4) CV, Visitor Commercial

(§ 1, Ord. 1095-00 C-M, eff. October 12, 2000)

14-41.102 Design standards.

Drive-Through Facilities shall be designed and situated in such a manner so that:

- (a) Trash facilities are located to accommodate patrons using the drive-through facilities in an areas away from residential uses;
- (b) Lighting, noise, fumes, rodents, pests and odors can either be eliminated, mitigate or reduced so as not to adversely affect neighboring properties or uses;
- (c) The impact on neighboring properties or uses due to activities associated with the proposed facility and its hours of operation do not unreasonably interfere with adjoining residential uses;
- (d) Traffic generated by the Drive-Through Facility can be reasonably accommodated by the property and neighborhood streets, without creating a materially adverse traffic impact, or a material or safety hazard to vehicles or pedestrians;
- (e) On-site pedestrian walkways shall not intersect the drive-through vehicle lanes, except visibility is clear, and the pedestrian walkway is emphasizes by enriched paving and striping;
- (f) Drive-through lanes include a minimum fourteen (14') foot width on curves and a minimum eleven (11') foot width on straight sections;
- (g) Drive-through lanes provide sufficient vehicle stacking area behind the menu board to accommodate a minimum of four (4) cars;
- (h) No drive-through lanes shall exit directly onto a public right-of-way;
- (i) Landscaping shall screen drive-through and drive-in lanes from the public right-of-way and shall minimize the visual impact of the menu board and directional signs;
- (j) Drive-through lanes shall be constructed with (PCC) concrete;
- (k) Drive-through lanes shall be set back from the face of the curb of any street frontage a minimum of twenty (20') feet;
 - (1) Only one menu board may be permitted and shall be a maximum of thirty (30) square feet in the area of the sign face, with a maximum height of seven (7') feet and shall face away from the street.

(§ 1, Ord. 1095-00 C-M, eff. October 12, 2000)

14-41.104 Non-conforming uses.

No Drive-Through Facility, which otherwise complies with this Code, shall hereafter be considered non-conforming except as provided herein. If an existing Drive-Through Facility requests a zoning change or modification to its use permit, it shall comply with this chapter.

(§ 1, Ord. 1095-00 C-M, eff. October 12, 2000)