

ORDINANCE NO. 2019-06

AN ORDINANCE OF THE CITY OF SAN JUAN BAUTISTA, STATE OF CALIFORNIA, REVISING SECTION 11-18-030 (SITE PLAN AND DESIGN REVIEW PROCEDURES) OF TITLE 11 (ZONING) OF THE SAN JUAN BAUTISTA MUNICIPAL CODE, FOR THE PURPOSE OF IMPLEMENTING THE SAN JUAN BAUTISTA GENERAL PLAN HOUSING ELEMENT

WHEREAS, pursuant to Article XI, Section 7 of the California Constitution, the City of San Juan Bautista may adopt and enforce ordinances and regulations not in conflict with general laws to protect and promote the public health, safety, and welfare of its citizens; and

WHEREAS, the San Juan Bautista General Plan Housing Element, Housing Program 3.1 (Adequate Sites Program), calls for the amendment of the San Juan Bautista Municipal Code to include the implementation of special development standards for new affordable housing sites; and

WHEREAS, this Ordinance protects the public health, safety and welfare by amending the San Juan Bautista Municipal Code to be consistent with mandates imposed by federal and state statute related to housing; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA), an Initial Study/Negative Declaration was prepared and circulated for public review and comment. The initial study found the environmental effects of the policies and programs contained in the General Plan Housing Element, including environmental evaluation for the proposed changes to Title 11 (Zoning), to be less than significant, with mitigation; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA), an Addendum to the Initial Study/Negative Declaration was prepared to evaluate the addition of special MU (Mixed Use) conditions for APN 002-350-002.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA DOES ORDAIN AS FOLLOWS:

SECTION 1. RECITALS. All of the recitals set forth above are held to be true and correct and by this reference are hereby incorporated herein as findings.

SECTION 2. REVISIONS. Section 11-03-010 (Development standards matrix), of Chapter 11-03 (Zoning District Development Standards) of Title 11 (Zoning) of the San Juan Bautista Municipal Code is revised to include new footnotes #14 and #15 in and at the end of the table contained in this section, as follows:

11-03-010 Development standards matrix.

The following table sets forth development standards for each zoning district. Superscript numbers refer to additional standards shown in the notes below the table.

District	Minimum Lot Area (Gross)	Minimum Lot Width	Density Range du/acre ¹	Floor Area Ratio	Building Coverage	Maximum Height story/feet	Minimum Setbacks Front/Side/Rear
R-1-7 ¹³	7,000 sq. ft. ²	50 ft.	0.50 – 5	0.45	0.45	2/30	F: 20 ft. ⁵ S: 5 ft. ⁷ R: 20 ft.
R-1-6	6,000 sq. ft.	45 ft.	0.50 – 5	0.45	0.50	2/30	F: 20 ft. ⁵ S: 5 ft. ⁷ R: 20 ft.
R-1-5	5,000 sq. ft.	35 ft.	0.50 – 7	0.48	0.50	2/30	F: 20 ft. S: 5 ft. R: 15 ft.
R-2	8,000 sq. ft. ^{3,4}	60 ft.	6 – 10	0.60 ²	0.45	2/35	F: 20 ft. ⁵ S: 5 ft. ⁶ R: 10 ft.
R-3	10,000 sq. ft.	80 ft.	11 – 21	0.70	0.50	2/35	F: 20 ft. S: 5 ft. R: 10 ft. per story
C	5,000 sq. ft.	50 ft.	NA	0.75	0.85	3/50	Note ⁸
MU ^{14, 15}	Note ⁹	25 ft.	8 – 15	Note ⁹	0.85	3/50	Note ¹⁰
I	10,000 sq. ft.	100 ft.	NA	0.50	0.90	NA/50	F: 30 ft. S: 10 ft. R: 20 ft. ¹⁰
P	0.5 acres	100 ft.	NA	0.10	0.10	1/25	F: 20 ft. S: 10 ft. R: 20 ft.
PF	NA	NA	NA	0.70	NA	2/35	Note ¹¹
A	5 acres	NA	NA	NA	0.10	2/35	Note ¹²

Notes:

- ¹ A calculation that results in a fraction of 0.50 and above shall be counted as a whole unit
- ² May be reduced by the Planning Commission based upon individual site topography and building design layout of the parcel, property or project and the standards as defined in SJBMC 11-04-050
- ³ May be reduced to four thousand five hundred (4,500) sq. ft. with 0.45 FAR in a planned unit development.
- ⁴ May be reduced to four thousand (4,000) sq. ft. with a planned unit development permit
- ⁵ Twenty-five feet (25') for detached garage. Front yard setback may be reduced to fifteen feet (15') to meet design guidelines when approved by the Planning Commission for large developments of more than twenty (20) homes
- ⁶ Ten feet (10') for side facing street at a corner lot parcel
- ⁷ Five feet (5') for detached garages and carports not exceeding fifteen feet (15') in height

- ⁸ Setbacks in the C district shall be consistent but not absolute with the bordering residential district. Deviations to setbacks may be allowed by the Planning Commission on an individual basis
- ⁹ For structure within the downtown historic district, the floor area ratio may be 1.5. All other areas designated MU, the floor area ratio shall be 0.75. FAR may be increased or decreased upon approval of a use or conditional use permit based upon individual projects to preserve the character of the area and/or as an incentive to encourage mixed use development projects
- ¹⁰ Ten percent (10%) of the depth of the lot or ten feet (10'), whichever is less. Planning Commission may allow deviations of the setbacks based upon individual project site plan and building layout
- ¹¹ The minimum front, side, and rear yards in the PF district shall be equal to the front, side and rear yards required in the most restrictive abutting district; provided, that no yard adjoining a street shall be less than twenty feet (20') and that no interior yard shall be less than ten feet (10')
- ¹² Forty feet (40') if used in connection with or for the housing of livestock
- ¹³ The Planning Commission may grant a designation of R-1-6 and R-1-5 on any lot within the R-1 single-family zoning district that meet criteria of Section 11-04-010 on a case per case basis taking into consideration topography, surrounding neighborhood, design diversity, economic conditions and housing needs
- ¹⁴ Special standards and conditions apply to one affordable housing site (APN 002-350-002) in this zoning district through the year 2024 only, as follows:
- The allowable density for the designated affordable housing site is a minimum of 20 units per acre and a maximum of 24 units per acre;
 - Twenty (20) percent of the residential development on the affordable housing site must be owner-occupied and/or rental multi-family uses that are affordable to lower-income households;
 - All development on this affordable housing site must be permitted by right (i.e., no conditional use permit, planned development permit, or other discretionary review or approval); and
 - Any development that takes place on APN 002-350-002 would accommodate necessary historic preservation efforts on or off site that would be in compliance with the City of San Juan Bautista Historic Resource Preservation Ordinance (Chp. 11-06) and the Secretary of Interior Standards.

Except for those usual standards in conflict with the special standards and conditions above, all usual development standards for this zoning district (as shown in the table) also apply to the affordable housing site.

- ¹⁵ Additional special standards and conditions apply to one affordable housing site (APN 002-350-002) in this zoning district, as follows:
- The owner of the site has the right to develop this mixed-use site as 100 percent multi-family housing without a Conditional Use Permit or other discretionary action;
 - If the owner of the site chooses to develop the site as mixed use (commercial and residential combined), then at least 50 percent of floor area must be developed as a minimum of 16 multi-family dwellings; and
 - Any development that takes place on APN 002-350-002 would accommodate necessary historic preservation efforts on or off site that would be in compliance with the City of San Juan Bautista Historic Resource Preservation Ordinance (Chp. 11-06) and the Secretary of Interior Standards.

SECTION 3. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more section, subsection, sentence, clause, or phrase should be declared invalid.

SECTION 4. EFFECTIVE DATE. This ordinance shall take effect and be in force 30 days after its adoption and shall be published as required by law.

THE FOREGOING ORDINANCE was first read at a regular meeting of the San Juan Bautista City Council on the 15th day of October, 2019, and was passed and adopted at a regular meeting of the San Juan Bautista City Council on the 19th day of November 2019.

AYES: Flores, Edge, Freeman, DeVries, Jordan

NOES: None

ABSENT: None

ABSTAIN: None



Mayor César Flores

ATTEST:



Laura Cent, City Clerk