



# City of San Juan Bautista

*The "City of History"*

[www.san-juan-bautista.ca.us](http://www.san-juan-bautista.ca.us)

## **AGENDA**

### **CITY COUNCIL SPECIAL MEETING**

CITY HALL  
311 Second Street  
San Juan Bautista, California

**TUESDAY ~ OCTOBER 8, 2019**

*In compliance with the American with Disabilities Act, if you need special assistance to attend or participate in the meeting, please call the City Clerk's Office at (831) 623-4661, extension 13 at least 48 hours prior to the meeting.*

*Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at the meeting and in the City Clerk's office located at City Hall, 311 Second Street, San Juan Bautista, California during normal business hours.*

- 1. Call to Order**  
**Pledge of Allegiance**  
**Roll Call**

**6:00 PM**

- 2. Public Comment (limited to items on the agenda)**

- 3. Consent Agenda**

All matters listed under the Consent Agenda may be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of these items unless requested by a member of the City Council, a staff member, or a citizen.

- A. Approve Affidavit of Posting Agenda**  
**B. Approve Affidavit of Posting Public Hearing**

- 4. Public Hearing**

**A. Consider a Resolution to approve a Mitigated Negative Declaration for the Housing Element Update and all implementing ordinances. At their public hearing on September 3, 2019, Planning Commission voted unanimously (4-0) to recommend to City Council approval of the Mitigated Negative Declaration.**

**B. Consider a Resolution to amend the San Juan Bautista General Plan by the adoption of an updated 2015-2019 Housing Element. At their public hearing on September 3, 2019, the Planning Commission voted unanimously (4-0) to recommend to the City Council the approval of the Housing Element Update.**

- 5. Adjournment**

**AFFIDAVIT OF POSTING**

I, TRISH PAETZ, DO NOW DECLARE, UNDER THE PENALTIES OF PERJURY THAT I AM THE DEPUTY CITY CLERK FOR THE CITY OF SAN JUAN BAUTISTA, AND THAT I POSTED THREE (3) TRUE COPIES OF THE ATTACHED SPECIAL CITY COUNCIL MEETING AGENDA. I FURTHER DECLARE THAT I POSTED SAID AGENDA ON THE 1<sup>st</sup> DAY OF OCTOBER 2019, AND I POSTED THEM IN THE FOLLOWING LOCATIONS IN SAID CITY OF SAN JUAN BAUTISTA, COUNTY OF SAN BENITO, CALIFORNIA.

1. ON THE BULLETIN BOARD AT CITY HALL, 311 SECOND STREET.
2. ON THE BULLETIN BOARD AT THE CITY LIBRARY, 801 SECOND STREET.
3. ON THE BULLETIN BOARD AT THE ENTRANCE TO THE UNITED STATES POST OFFICE, 301 THE ALAMEDA

SIGNED AT SAN JUAN BAUTISTA, COUNTY OF SAN BENITO, CALIFORNIA,  
ON THE 1<sup>ST</sup> DAY OF OCTOBER 2019.



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TRISH PAETZ, DEPUTY CITY CLERK

### AFFIDAVIT OF POSTING

I, TRISH PAETZ, DO NOW DECLARE, UNDER THE PENALTIES OF PERJURY THAT I AM THE DEPUTY CITY CLERK IN THE CITY OF SAN JUAN BAUTISTA AND THAT I POSTED THREE (3) TRUE COPIES OF THE ATTACHED CITY COUNCIL PUBLIC HEARING NOTICE. I FURTHER DECLARE THAT I POSTED SAID NOTICE ON THE 27<sup>th</sup> DAY OF SEPTEMBER 2019, AND I POSTED THEM IN THE FOLLOWING LOCATIONS IN SAID CITY OF SAN JUAN BAUTISTA, COUNTY OF SAN BENITO, CALIFORNIA.

1. ON THE BULLETIN BOARD AT CITY HALL, 311 SECOND STREET.
2. ON THE BULLETIN BOARD AT THE CITY LIBRARY, 801 SECOND STREET.
3. ON THE BULLETIN BOARD AT THE ENTRANCE TO THE UNITED STATES POST OFFICE, 301 THE ALAMEDA

SIGNED AT SAN JUAN BAUTISTA, COUNTY OF SAN BENITO, CALIFORNIA,  
ON THE 27<sup>TH</sup> DAY OF SEPTEMBER 2019.



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TRISH PAETZ, DEPUTY CITY CLERK

## **NOTICE OF PUBLIC HEARING CITY OF SAN JUAN BAUTISTA**

Pursuant to Government Code Section 65090, the City Council of the City of San Juan Bautista gives notice of a Special Meeting and Public Hearing on **October 8, 2019** at 6:00 p.m. in the Council Chambers at San Juan Bautista City Hall, 311 Second Street. During the public hearing, the following items will be discussed:

- Consider a Resolution to approve a Mitigated Negative Declaration for the Housing Element Update and all implementing ordinances. At their public hearing on September 3, 2019, Planning Commission voted unanimously (4-0) to recommend to City Council approval of the Mitigated Negative Declaration.
- Consider a Resolution to amend the San Juan Bautista General Plan by the adoption of an updated 2015-2019 Housing Element. At their public hearing on September 3, 2019, the Planning Commission voted unanimously (4-0) to recommend to the City Council the approval of the Housing Element Update.

Staff reports and the full text of all items to be discussed will be available for public review at City Hall on **October 1, 2019**. All members of the public are encouraged to attend the meeting and may address the City Council on the issue during the public hearing. Written comments may be hand delivered or mailed to City Hall (311 Second Street, P.O. Box 1420, San Juan Bautista, CA 95045), or e-mailed to [cityplanning@san-juan-bautista.ca.us](mailto:cityplanning@san-juan-bautista.ca.us), not later than **5:00 p.m., October 8, 2019**.

If a challenge is made on the action of the proposed project, pursuant to Government Code Section 65009 court testimony may be limited to only those issues raised at the public hearing described in this notice or in written correspondence delivered to the City at or prior to the public hearing.

Posted: September 27, 2019





## CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT

**AGENDA TITLE:** ADOPTION OF THE 2015-2019 HOUSING ELEMENT

**DATE:** September 17, 2019

**DEPARTMENT HEAD:** Don Reynolds, City Manager

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**RECOMMENDED ACTION:** Receive a report from City staff and the City's housing element Consultant, hold a public hearing to receive public comment, and approve Resolution 2019-XX (Attachment 1), which approves the City of San Juan Bautista General Plan Housing Element (2015-2019 Cycle), and Resolution 2019-XX (Attachment 2), which approves the Mitigated Negative Declaration.

**BACKGROUND INFORMATION:** State law requires housing elements to be updated periodically, and the most recent update was due on December 15, 2015. Because the City missed this deadline, it must now adopt two consecutive four-year housing elements in order to return to the current standard eight-year cycle. This means that San Juan Bautista is required to complete the update that was due in December 2015 as soon as possible (to complete the first four-year cycle for the period 2015-2019) and then undertake and complete a second update (to complete the second four-year cycle for the period 2020-2023) by December 15, 2019.

The housing element update that is now before the City Council covers the first four year cycle for the period 2015-2019. Staff and consultant will return before the end of the year with a second update that covers the period 2020-2023. The second four-year housing element is targeted for City adoption in December 2019, and if the City makes this deadline and its 2023 deadline, then it will revert back to the standard eight-year housing element cycle.

To support the adoption of this first housing element update, staff and consultant conducted a public workshop on February 20, 2019. Noticing for the workshop was mailed to 14 different housing organizations in the region, plus direct emails were sent to approximately 250 residents. Notices were also posted on the City's main website, on social media, and at City Hall. A total of 22 people attended the workshop, primarily residents of the City, and there was a general consensus and enthusiastic about the need for affordable housing in the City.

Staff and consultants prepared a Preliminary Draft Housing Element in April 2019 and submitted it for review by the California Department of Housing and Community Development (HCD). HCD completed its review with a letter to the City dated June 7, 2019, which contained several suggested edits and additions, plus a caution that certification would be withheld until action was taken by the City to implement certain housing programs—promised in the last housing element—that are needed to achieve conformance with state housing element law.

Staff and consultants have revised the housing element document to address the concerns raised by HCD, and it has also prepared several ordinances and a resolution to implement certain housing programs from the prior housing element.

Planning Commission Recommendation: On February 20<sup>th</sup> an introductory workshop was held to discuss the Housing Element and seek public input. It was then sent to the State Housing and Community Development for review. The edits were included in the final draft that returned to the Planning Commission on August 6, 2019. On August 13, 2019, a Special Planning Commission a second public workshop was held at the Community Hall. At their regular hearing held on September 3, 2019, Planning Commission was presented with six different actions, the first five (shown below) require that Ordinances to be adopted, and the last just a resolution:

1. CEQA Review;
2. Reasonable Accommodations - a process for administering these;
3. Reserving sewer and water utilities for housing first;
4. Zoning Ordinance Text Amendments;
5. General Plan Re-Zone of one of three properties; and
6. Approval of the Housing Element.

The Commission made a series of motions recommending to the City Council approval of the Housing Element and all of the Ordinances but #5; the re-zoning of the three properties. In this deliberation, it was decided that Property "C" on Lang Street was no longer subject to further consideration. Instead the property at 70 Muckelemei was added for consideration. After further analysis, it will to the Commission October 1. The Ordinances that allow development "by-right" (Accessory Dwelling Units, Homeless Shelters, etc.) will be subject to design approval. This design review is required for the Ordinances for them to be consistent with the General Plan. This needs to be added to the existing language and will also have to return to the Commission for consideration October 1.

City Council Action: It is now appropriate for the City Council to hold a public hearing and take action to adopt of the San Juan Bautista General Plan Housing Element (2015-2019 Cycle). (Item 6 above). Attached to this report is a Resolution for the City Council's consideration to adopt the new San Juan Bautista General Plan Housing Element (2015-2019 Cycle), which is attached to the resolution of approval.

The proposed adoption of the General Plan Housing Element is supported by an Initial Study and Mitigated Negative Declaration that evaluated the environmental effects of the action in accordance with the California Environmental Quality Act. The Initial Study found that, with mitigations, the action would engender no substantial effects on the environment. Council action to adopt this document will be done at the regular hearing on October 15, 2019. Also, at that hearing, the ordinances recommended by Commission will be heard by Council as well. The reason for this is because the City is working on a grant application to the State due on October 11, 2019. One of the application requirements is to have an adopted Housing Element. The implementing ordinances may follow the adopted Housing Element.

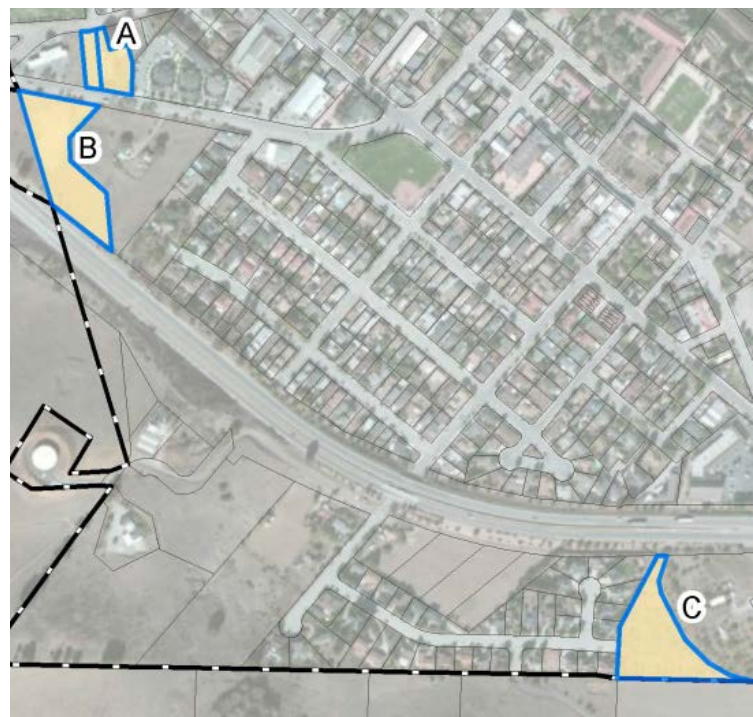
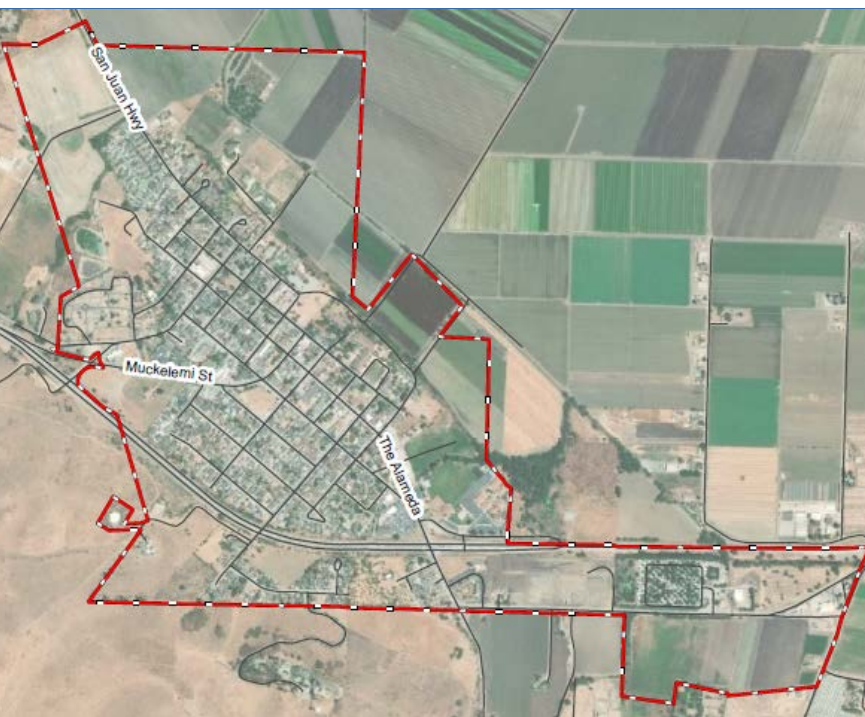
**Attachments:**

1. Resolution approving a Mitigated Negative Declaration
2. Resolution adopting the Housing Element

Proposed Mitigated Negative Declaration

# San Juan Bautista 2015-2019 Housing Element

July 30, 2019



Prepared by  
EMC Planning Group



# City of San Juan Bautista

*The “City of History”*

P.O. Box 1420  
311 Second Street  
San Juan Bautista  
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(831) 623-4661  
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**City Council  
Mayor**  
César E. Flores

**Vice V. Mayor**  
Mary Edge

**Councilmember**  
John Freeman

**Councilmember**  
Dan DeVries

**Councilmember**  
Leslie Jordan

**City Manager**  
Don Reynolds

**City Clerk**  
Laura Cent

**City Treasurer**  
Chuck Geiger

## NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

In compliance with the California Environmental Quality Act (CEQA), City of San Juan Bautista has undertaken environmental review for the proposed Housing Element Update and adoption of various ordinances, and intends to adopt a Mitigated Negative Declaration. The City of San Juan Bautista invites all interested persons and agencies to comment on the proposed San Juan Bautista 2015-2019 Housing Element Mitigated Negative Declaration.

**Lead Agency:** City of San Juan Bautista

**Project Location:** San Juan Bautista

**Project Description:** The proposed project is an update to the previously certified San Juan Bautista 2009-2014 Housing Element, plus adoption of various ordinances to implement past and current Housing Element programs. Each of the following are components of the proposed project:

- Housing Element Update;
- Re-Designation and Rezoning for Adequate Sites;
- Zoning Ordinance Text Amendment – Special Development Standards for Rezoned Site;
- Zoning Ordinance Text Amendment – Transitional and Supportive Housing, Emergency Shelters;
- Municipal Code Amendment – Reasonable Accommodations;
- Municipal Code Amendment – Sewer and Water Service Priority; and
- Zoning Ordinance Text Amendment – Accessory Dwelling Units.

**Public Review Period:** Begins– August 1, 2019  
Ends – August 30, 2019

**Proposed Mitigated  
Negative Declaration  
is Available for Public  
Review at these  
Locations:** San Juan Bautista Planning Department  
311 2nd Street  
San Juan Bautista, CA 95045  
<https://www.san-juan-bautista.ca.us/>

**Address Where  
Written Comments  
May be Sent:** Todd Kennedy, Associate Planner  
San Juan Bautista Planning Department  
311 2nd Street  
San Juan Bautista, CA 95045

**Public Hearing:** Date: October 15, 2019  
Time: 6:00PM  
Location: San Juan Bautista City Hall  
311 2nd Street  
San Juan Bautista, CA 95045

PROPOSED MITIGATED NEGATIVE DECLARATION

# SAN JUAN BAUTISTA 2015-2019 HOUSING ELEMENT

PREPARED FOR

**City of San Juan Bautista**

Todd Kennedy, Associate Planner

311 2nd Street

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July 30, 2019

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# PROPOSED MITIGATED NEGATIVE DECLARATION

## In Compliance with the California Environmental Quality Act (CEQA)

Project Name	San Juan Bautista 2015-2019 Housing Element
Lead Agency	City of San Juan Bautista
Project Proponent	City of San Juan Bautista
Project Location	San Juan Bautista
Project Description	<p>The proposed project is an update to the previously certified San Juan Bautista 2009-2014 Housing Element, plus adoption of various ordinances to implement past and current Housing Element programs. Each of the following are components of the proposed project:</p> <ul style="list-style-type: none"><li>▪ Housing Element Update;</li><li>▪ Re-Designation and Rezoning for Adequate Sites;</li><li>▪ Zoning Ordinance Text Amendment – Special Development Standards for Rezoned Site;</li><li>▪ Zoning Ordinance Text Amendment – Transitional and Supportive Housing, Emergency Shelters;</li><li>▪ Municipal Code Amendment – Reasonable Accommodations;</li><li>▪ Municipal Code Amendment – Sewer and Water Service Priority; and</li><li>▪ Zoning Ordinance Text Amendment – Accessory Dwelling Units.</li></ul>
Public Review Period	<p>Begins– August 1, 2019 Ends – August 30, 2019</p>
Written Comments To	<p>Todd Kennedy, Associate Planner San Juan Bautista Planning Department 311 2nd Street San Juan Bautista, CA 95045</p>

Proposed Findings

The City of San Juan Bautista is the custodian of the documents and other material that constitute the record of proceedings upon which this decision is based.

The initial study indicates that the proposed project has the potential to result in significant adverse environmental impacts. However, the mitigation measures identified in the initial study would reduce the impacts to a less than significant level. There is no substantial evidence, in light of the whole record before the lead agency (City of San Juan Bautista) that the project, with mitigation measures incorporated, may have a significant effect on the environment. See the following project-specific mitigation measures:

*Mitigation Measures*

The following is a list of applicable mitigation measures to reduce impacts to a less than significant level. Many of the following mitigation measures are extracted from the *Draft (sic) City of San Juan Bautista 2035 General Plan Final Environmental Impact Report*, and in some cases these mitigation measures from the *Draft (sic) City of San Juan Bautista 2035 General Plan Final Environmental Impact Report* have been edited to bring them up to date. In addition to these edited mitigation measures, there are new mitigation measures proposed as a result of this initial study.

*Air Quality*

AIR-2g To reduce dust emissions from demolition, grading, and construction activities on sites greater than 2.2 acres, the following language shall be included in all grading and construction plans for the project prior to issuance of demolition or grading permits:

Dust control measures shall be employed to reduce visible dust leaving the project site. The following measures or equally effective substitute measures shall be used:

- a. Use recycled water to add moisture to the areas of disturbed soils twice a day, every day, to prevent visible dust from being blown by the wind;
- b. Apply chemical soil stabilizers or dust suppressants on disturbed soils that will not be actively graded for a period of four or more consecutive days;



- c. Apply non-toxic binders and/or hydro seed disturbed soils where grading is completed, but on which more than four days will pass prior to paving, foundation construction, or placement of other permanent cover;
- d. Cover or otherwise stabilize stockpiles that will not be actively used for a period of four or more consecutive days, or water at least twice daily as necessary to prevent visible dust leaving the site, using raw or recycled water when feasible;
- e. Maintain at least two feet of freeboard and cover all trucks hauling dirt, sand, or loose materials;
- f. Install wheel washers at all construction site exit points, and sweep streets if visible soil material is carried onto paved surfaces;
- g. Stop grading, and earth moving if winds exceed 15 miles per hour;
- h. Pave roads, driveways, and parking areas at the earliest point feasible within the construction schedule;
- i. Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 48 hours of receiving the complaint. The phone number of the Monterey Bay Air Resources District shall also be visible to ensure compliance with Rule 402 (Nuisance); and
- j. Limit the area under construction at any one time.

AIR-4a ~~Avoid or prohibit the siting of new sensitive land uses~~ Prior to approval of development projects that include sensitive land uses including high density residential projects, applicants will be required to prepare a health risk assessment for projects located within 500 feet of a freeway, within 300 feet of a dry cleaning operation, and 300 feet of a large gas station. The health risk assessment should identify mitigation measures that would reduce health impacts to sensitive receptors to a less-than-significant level. Measures may include, but are not limited to, installation of air filtration devices in the buildings; installation of a vegetative barrier between the buildings and freeway; and cleaning, maintenance, and monitoring of buildings for air flow leaks.

*Biological Resources*

BIO-1e: Avoid effects to ~~California Tiger Salamander~~ special-status amphibian and reptile species. a) Prior to commencing any ground-disturbing activities, the work area will be assessed by ~~CDFW~~ or a qualified biologist for potential California tiger salamander (CTS), California red-legged frog (CRLF), and western pond turtle (WPT) habitat. All potential CTS breeding ponds and upland habitat with 1.34 miles of a potential breeding pond will be considered suitable habitat. All potential CRLF breeding ponds and upland habitat with 1.0 miles of a potential breeding pond will be considered suitable habitat. All potential WPT breeding ponds and upland habitat with 0.2 miles of a potential breeding pond will be considered suitable habitat. Ground-disturbing activities will avoid areas that contain suitable breeding and upland habitat for CTS, CRLF, and WPT whenever possible.

BIO-1f: Minimize effects to ~~California Tiger Salamander~~ special-status amphibian and reptile species.

- a. ~~Prior to conducting ground-disturbing activities in suitable~~ To determine if CTS, CRLF, and WPT are present in potential habitat, the applicant will conduct a minimum of 2 years of surveys to determine the presence/absence of special-status amphibian and reptile species in accordance with the *Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander* (USFWS 2003) and the Revised Guidance on Site Assessments and Field Surveys for the California Red-legged Frog (USFWS 2005). There are no formal protocols for surveys for WPT, however protocol surveys for CTS and CRLF have a high likelihood of also detecting WPT. In consultation with the USFWS, and CDFW, the applicant may modify survey protocols to reflect site conditions and known utilization of habitat by CTS, CRLF, and WPT. In the absence of protocol surveys, ~~CDFW~~ the applicant will assume presence of CTS, CRLF, and WPT in all potential breeding and upland refugia habitats.
- b. To the extent feasible, all ground-disturbing activities will be designed to avoid impacts to suitable CTS, CRLF, and WPT upland habitat. Such avoidance measures may include adjusting access routes or choosing alternate locations.
- c. In the absence of conducting 2 years of protocol surveys or in the event protocol surveys detect CTS, CRLF, and WPT CDFW the applicant will consult with the CDFW and USFWS and obtain the necessary Incidental

Take Authorization permits. Permit requirements may include (but not be limited to), after consultation will implement the following minimization measures during construction in suitable CTS habitat:

- Prior to commencing ground disturbing activities, construction workers will be educated regarding CTS, CRLF, and WPT and the measures intended to protect ~~this~~ these species. ~~When feasible, there will be a 50-foot no-disturbance buffer around burrows that provide suitable upland habitat for CTS.~~
- Burrows considered suitable for CTS will be determined by a qualified biologist, approved by CDFW and USFWS. All suitable burrows directly impacted by construction will be hand excavated under the supervision of a qualified wildlife biologist.
- If CTS, CRLF, or WPT are found, the biologist will relocate the organism to the nearest burrow that is outside of the construction impact area.
- All ground-disturbing work will occur during daylight hours in coordination with CDFW and USFWS, and depending on the level of rainfall and site conditions. ~~CDFW~~ The applicant's qualified biologist will monitor the National Weather Service (NWS) 72-hour forecast for the work area. If a 70% or greater chance of rainfall is predicted within 72 hours of project activity, all activities in areas within 1.3 miles of potential or known CTS, CRLF, or WPT breeding sites will cease until no further rain is forecast. If work must continue when rain is forecast, a qualified biologist will survey the Project site before construction begins each day rain is forecast. If rain exceeds 0.25 inch during a 24-hour period, work will cease until no further rain is forecast. This restriction is not applicable for areas located greater than 1.3 miles from potential or known ~~CTS~~ breeding sites once they have been encircled with ~~CTS~~ exclusion fencing. However, even after exclusion fencing is installed, this condition would still apply to construction related traffic moving through areas within 1.3 miles of potential or known ~~CTS~~ breeding sites but outside of the ~~salamander~~ exclusion fencing (e.g. on roads).
- For work conducted during the ~~CTS~~ migration season (November 1 to May 31), exclusionary fencing will be erected around the construction site during ground-disturbing activities after hand excavation of

burrows has been completed. A qualified biologist will visit the site weekly to ensure that the fencing is in good working condition. Fencing material and design will be subject to the approval of the CDFW and USFWS. If exclusionary fencing is not used, a qualified biological monitor will be on-site during all ground disturbance activities. Exclusion fencing will also be placed around all spoils and stockpiles.

- For work conducted during the ~~CTS~~ migration season (November 1 to May 31), a qualified biologist will survey the active work areas (including access roads) in mornings following measurable precipitation events. Construction may commence once the biologist has confirmed that no CTS, CRLF, or WPT are in the work area. Prior to beginning work each day, underneath equipment and stored pipes greater than 1.2 inches (3 cm) in diameter will be inspected for CTS, CRLF, and WPT. If any are found they will be allowed to move out of the construction area under their own accord.
- Trenches and holes will be covered and inspected daily for stranded animals. Trenches and holes deeper than 1 foot will contain escape ramps (maximum slope of 2:1) to allow trapped animals to escape uncovered holes or trenches. Holes and trenches will be inspected prior to filling.
- All food and food-related trash will be enclosed in sealed trash containers at the end of each workday and removed completely from the construction site once every three days to avoid attracting wildlife.
- A speed limit of 15 mph will be maintained on dirt roads.
- All equipment will be maintained such that there are no leaks of automotive fluids such as fuels, oils, and solvents. Any fuel or oil leaks will be cleaned up immediately and disposed of properly.
- Plastic monofilament netting (erosion control matting) or similar material will not be used at the Project site because ~~CTS animals~~ may become entangled or trapped. Acceptable substitutes include coconut coir matting or tackified hydroseeding compounds.
- Hazardous materials such as fuels, oils, solvents, etc. will be stored in sealable containers in a designated location that is at least 100 feet from ponds, wetlands, or ~~and~~ the San Joaquin River channel. If it is not

feasible to store hazardous materials 100 feet from ponds, wetlands ~~and or~~ the river channel, then spill containment measures will be implemented to prevent the possibility of accidental discharges to wetlands and waters.

BIO-3a: ~~Wetland~~ A wetland delineation shall be prepared by the applicant to document the extent of jurisdictional features on or adjacent to potential rezone site C. if any construction activity could result in impacts to wetlands/waters that may be potentially considered jurisdictional. If the wetlands/waters are deemed jurisdictional and construction activities are proposed that could impact these features, permits from the USACE, CDFW and/or RWQCB shall be obtained prior to construction, as needed. Setbacks from the wetlands/water features may be required to protect habitat and water quality.

BIO-2a: A 100-foot setback area shall be established along all rivers, streams, and creeks within the planning area. The setback shall be measured from the top of bank, or outside edge of riparian woodland, whichever is greater. A 100-foot setback area shall be established along wetlands not associated with creeks (i.e., seasonal wetland swales or ponds within the planning area. The riparian setback shall be measured from the top of bank, or outside edge of riparian woodland, whichever is greater. The wetland setback shall be measured from the outside edge of the wetland.

For man-made, channelized, urban, or heavily disturbed linear aquatic features, many of which lack riparian or wetland vegetation, a reduced setback distance may be appropriate. Modifications to the 100-foot buffer requirement may be considered when recommended by a qualified biologist and approved by the City of San Juan Bautista.

Development activities would be prohibited in the setback area; the City shall consider exceptions for open space recreational uses (i.e., trails, playfields, and picnic areas). No building or structures shall be developed in the setback area. The existing riparian woodland or wetland shall be protected from construction disturbance. Fencing shall be temporarily placed at the outside edge of the setback area. This fencing shall remain in-place until construction is complete. If recreational trails are placed within the buffer area, implement a revegetation program wherein a vegetative buffer is established between the trail and the outside edge of the riparian woodland.

Project developers shall be required to retain creeks and wetlands in their natural channels rather than placing them in culverts or underground pipes, where feasible. Where stream banks must be deepened, widened or straightened, they

should be landscaped and revegetated afterward. Where wetlands are impacted, they should be re-created afterwards. If impacts are incurred to creeks and/or riparian woodlands as part of development within the planning area, the project applicant shall develop and implement a riparian/wetland habitat mitigation and management plan. The plan shall specify the replacement ratio for impacts to riparian resources and to wetland resources, pursuant to current state and federal policies. The project applicant shall receive authorization to fill wetlands and "other" waters from the US Army Corps of Engineers, pursuant to the requirements of the Clean Water Act. The project applicant shall also obtain a water quality certification (or waiver) from the Regional Water Quality Control Board, consistent with requirements of this State agency. The project applicant shall also obtain a 1601/1603 Streambed Alteration Agreement from the California Department of Fish and Game, pursuant to Fish and Game Code. These permits shall be received prior to any site grading that may occur in or immediately adjacent to creeks or wetlands.

The project applicant shall also receive authorization from the National Marine Fisheries Service for "take" of steelhead and from the U. S. Fish and Wildlife Service for "take" of California red-legged frog, if work cannot avoid impacts to creek resources and/or these species. Pursuant to provisions of the Section 404 permit, 1601/1603 Streambed Alteration Agreement and State water quality certification (or waiver), the project applicant shall implement a riparian/wetland mitigation plan, and any other measures so identified by regulatory agencies. This plan shall identify measures for the applicant to compensate for unavoidable impacts to riparian or wetland resources. A minimum 1:1 replacement ratio is typically recommended for impacted wetland resources to satisfy requirements of the U.S. Army Corps of Engineers and the Regional Water Quality Control Board (RWQCB). A minimum 3:1 replacement ratio is typically recommended for impacted riparian resources to satisfy requirements of the CDFG. The applicant shall also identify and implement a 5-year maintenance and monitoring program.

INITIAL STUDY

# SAN JUAN BAUTISTA 2015-2019 HOUSING ELEMENT

PREPARED FOR

**City of San Juan Bautista**

Todd Kennedy, Associate Planner

311 2nd Street

San Juan Bautista, CA 95045

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PREPARED BY

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July 30, 2019

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## A. BACKGROUND

Project Title	San Juan Bautista 2015-2019 Housing Element
Lead Agency Contact Person and Phone Number	Todd Kennedy, Associate Planner 831-623-4661, ext. 20
Date Prepared	July 30, 2019
Study Prepared by	EMC Planning Group Inc. 301 Lighthouse Avenue, Suite C Monterey, CA 93940 Teri Wissler Adam, Senior Principal Martin Carver, AICP, Principal Shoshana Wangerin, Assistant Planner Janet Walther, MS, Principal Biologist Tanya Kalaskar, MS, Assistant Planner Taylor Hawkins, Assistant Planner
Project Location	City of San Juan Bautista
Project Sponsor Name and Address	San Juan Bautista Planning Department 311 2 <sup>nd</sup> Street San Juan Bautista, CA 95045
General Plan Designation	Citywide (various designations)
Zoning	Citywide (various districts)

### Setting

The City of San Juan Bautista is located in the northwest portion of San Benito County, near the Monterey County and Santa Clara County borders. The city is one of two incorporated cities in San Benito County and is situated 2.5 miles east of U.S. Highway 101 with State Route 156 passing through the southern half of the City boundary. The San Andreas Fault zone, Santa Cruz Mountains section, also bisects San Juan Bautista from northwest to southeast. [Figure 1, Location Map](#), shows the city's regional and vicinity location. [Figure 2, Aerial Photograph](#), presents the approximately 455-acre city boundary on an aerial photograph.

## Description of Project

The proposed project is an update to the previously certified *San Juan Bautista 2009-2014 Housing Element*, plus adoption of various ordinances to implement past and current Housing Element programs (“proposed project”). Each component of the proposed project is described below in more detail.

## Housing Element Update

The housing element is a required element in a general plan. In accordance with state law, the City of San Juan Bautista has prepared a draft update to its *San Juan Bautista 2009-2014 Housing Element* for the 2015-2019 planning period. The update includes updated information on housing stock characteristics, updated information on governmental and non-governmental constraints, updated information on special housing needs, updated information on housing resources, and new and revised housing programs.

Specific recommendations for the updates to the City’s goals, policies, and programs are provided within the draft *San Juan Bautista 2015-2019 Housing Element*. The core goals and policies have not changed from the previously certified *San Juan Bautista 2009-2014 Housing Element*.

## Re-Designation and Rezoning for Adequate Sites (High Density) (Housing Program 3.1)

In addition to revisions and update of the City’s Housing Element, the proposed project also includes the adoption of a resolution to amend the San Juan Bautista Land Use Diagram located within the City’s *2035 General Plan* (“general plan”) and an ordinance to amend the San Juan Bautista Zoning Map. These actions are necessary to provide one additional site to accommodate high density housing for affordable housing development. The three potential sites are listed and described below and their locations are presented in [Figure 3, Potential R-3 Rezone Sites](#). The City Council will choose one site when adopting this ordinance.

- A. Potential Rezone Site A, 0.88 acres (APN: 002-320-007 and 002-320-080);
- B. Potential Rezone Site B, 2.30 acres (APN: 002-350-030); and
- C. Potential Rezone Site C, 2.30 acres (portion of APN: 002-510-001).

Each of the three potential re-designation/rezone sites are adjacent to existing residential neighborhoods, and, therefore, would have access to utilities such as electricity and gas.

### *Potential R-3 Rezone Site A*

Potential R-3 Rezone Site A (“Site A”) is 0.88 acres and consists of two parcels, APNs 002-320-007 and 002-320-008. Site A is currently designated Commercial on the General Plan Land Use Diagram and zoned “C” Commercial on the Zoning Map. The site is located

between Monterey Street and Muckelemi Street and includes one structure and one trailer that are both dilapidated. Surrounding uses consist of commercial, residences and vacant land.

### ***Potential R-3 Rezone Site B***

Potential R-3 Rezone Site B ("Site B") is 2.30 acres and consists of APN 002-350-030. Site B is currently designated Commercial on the General Plan Land Use Diagram and zoned "C" Commercial on the Zoning Map. The site is vacant and is located near the corner of Monterey Street, Muckelemi Street, and State Route 156. Surrounding uses include vacant land and commercial.

### ***Potential R-3 Rezone Site C***

Potential R-3 Rezone Site C ("Site C") is approximately 2.30 acres and consists of a portion of APN 002-520-001. Site C is currently an orchard. It is designated Low Density Residential on the General Plan Land Use Diagram and is zoned "R-1" Low Density Residential on the Zoning Map. Site C is located on the southern border of the city limit line with the surrounding uses including residential, orchard, and vacant land in unincorporated San Benito County. A creek runs along the eastern border of Site C.

Table 1, [Potential Rezone Sites and Existing Development Potential](#), presents the existing and proposed development potential for each site. Table 2, [Potential Rezone Sites and Population Projections](#), presents the population projections for each site.

**Table 1 Potential Rezone Sites and Development Potential<sup>1</sup>**

Potential Rezone Site	Size (Acres)	Existing General Plan Designation	Existing Zoning	Existing Zoning Development Potential <sup>2</sup>	Proposed R-3 Zoning Development Potential <sup>3</sup>	Change in Development Potential <sup>4</sup>
Site A	0.88	Commercial	Commercial (C)	28,750 sf	21 units	<28,750 sf Commercial> +21 HDR units
Site B	2.30	Commercial	Commercial (C)	75,141 sf	55 units	<75,141 sf Commercial> +55 HDR units
Site C	2.30	Low Density Residential (LDR)	Low Density (R-1)	16 units LDR	55 units	<16 LDR units> +55 HDR units

SOURCE: EMC Planning Group 2019

NOTE:

(1) Values may vary due to rounding.

(2) The City's Municipal Code states that the maximum density allowed for the Low Density (R-1) Zoning District is up to 7 units per acre. For the Commercial (C) Zoning District, the floor area ratio is 0.75.

(3) Assuming a maximum of 24 units per acre as required by special standards and conditions that will apply to the chosen rezoning site. See 2015-2019 Housing Element update Table 4-5.

(4) LDR = Low Density Residential; HDR = High Density Residential; sf = square feet

**Table 2 Potential Rezone Sites and Population Projections**

Potential Rezone Site	Size (Acres)	Existing General Plan Designation	Existing Zoning <sup>1</sup>	Existing Zoning Population Projection <sup>2</sup>	Proposed R-3 Zoning Population Projection <sup>2,3</sup>	Population Projection Difference <sup>4</sup>
Site A	0.88	Commercial	Commercial (C)	0	56	56
Site B	2.30	Commercial	Commercial (C)	0	146	146
Site C	2.30	Low Density Residential	Low Density (R-1)	43	146	103

SOURCE: EMC Planning Group 2019, California Department of Finance 2018

NOTE:

(1) The City's Municipal Code states that the maximum density allowed for the Low Density (R-1) Zoning District is up to 7 units per acre. For the Commercial (C) Zoning District, density range is not applicable.

(2) According to the California Department of Finance, Table 2: E-5 City/County Population and Housing Estimates, 1/2018, the City of San Juan Bautista is comprised of 2.64 persons per household.

(3) Assuming a maximum of 24 units per acre as required by special standards and conditions that will apply to the chosen rezoned site. See 2015-2019 Housing Element update Table 4-5.

(4) Values may vary due to rounding.

## **Zoning Ordinance Text Amendment – Special Development Standards for Rezoned Site (Housing Program 3.1)**

The proposed project includes the implementation of special development standards for a new affordable housing site. Whichever site is chosen by the City for re-designation and rezoning to provide adequate affordable housing opportunities, recent changes in State housing law require special development conditions apply to the site. These changes include:

- Special standards and conditions apply only to the chosen site and only through the year 2024;
- The allowable density for the chosen site is a minimum of 20 units per acre and a maximum of 24 units per acre;
- 20 percent of the development on the chosen site must be owner-occupied and/or rental multi-family uses that are affordable to lower-income households; and
- All development on the chosen site must be permitted by right (i.e., no conditional use permit, planned development permit, or other discretionary review or approval), although development on the chosen site is subject to applicable general plan policies, applicable general plan EIR mitigation measures, and the mitigation measures presented in this initial study and included in the mitigated negative declaration.

### **Zoning Ordinance Text Amendment – Transitional and Supportive Housing, Emergency Shelters (Housing Program 3.6)**

The proposed project includes an amendment to the San Juan Bautista Zoning Ordinance to permit supportive and transitional housing and emergency shelters in all districts where residential uses are allowed, without discretionary action.

### **Municipal Code Amendment – Reasonable Accommodations (Housing Program 5.2)**

The proposed project includes an amendment to the San Juan Bautista Municipal Code to create a procedure wherein persons with physical and developmental disabilities seeking equal access to housing may request reasonable accommodation in the application of zoning laws and other land use regulations, policies, and procedures.

### **Municipal Code Amendment – Sewer and Water Service Priority (Housing Program 5.3)**

The proposed project includes an amendment to the San Juan Bautista Municipal Code to grant a priority for sewer and water service hook-ups to developments that help meet the City's share of the regional need for lower-income housing.

### **Zoning Ordinance Text Amendment – Accessory Dwelling Units (Housing Program 4.4)**

The proposed project includes an amendment to the San Juan Bautista Zoning Ordinance to update the City's existing Second Unit Ordinance to better facilitate the development of accessory dwelling units, including additional approaches to encourage accessory unit development (e.g., establishing pre-approved design prototypes) to encourage and stimulate the development of accessory units. This also includes an action to rename the code section to refer to "accessory dwelling units" (instead of "second dwelling units").

## **Methodology**

This initial study tiers from the *City of San Juan Bautista 2035 General Plan Final Environmental Impact Report* ("general plan EIR"). Of all the proposed changes, only one new housing program has the potential to result in a substantial change to the environment – a revised adequate sites program. The revised adequate sites program identifies three new potential housing sites. The City Council will be asked to choose one of these sites for high-density housing. It also sets forth special development standards for the site that is ultimately rezoned, consistent with changes in California housing law (see Program 3.1). Where new information is available, as is the case with biological resources, the new information is discussed and a revised analysis is provided. In some cases, modifications to general plan EIR mitigation measures are proposed. Otherwise, urbanization of land within the planning area, including these three sites, was adequately evaluated in the general plan EIR.

## **Other Public Agencies Whose Approval is Required**

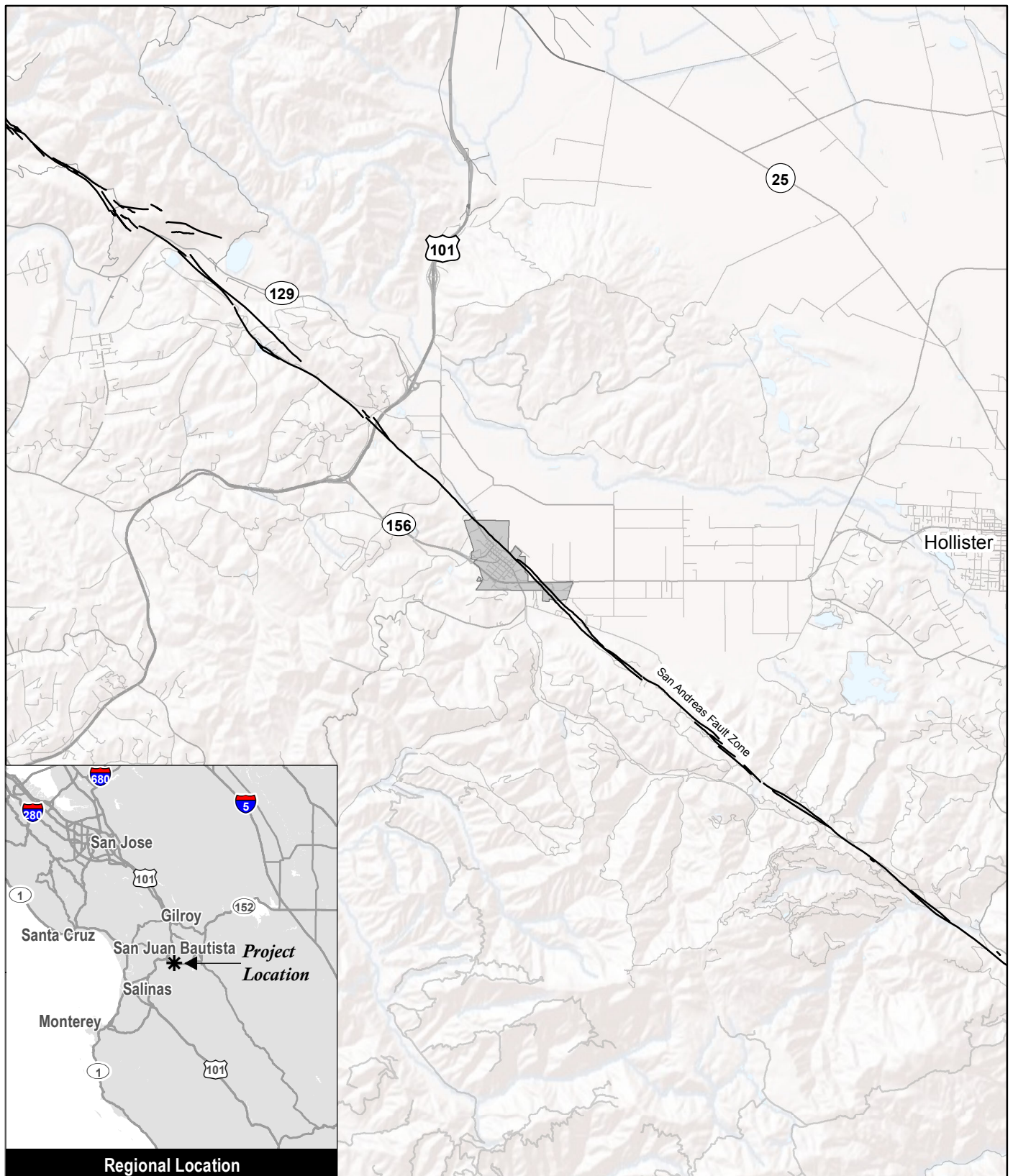
Pursuant to state law, the California Department of Housing and Community Development (“HCD”) must certify any housing element update prepared by the City in order for it to become effective. The draft mitigated negative declaration will be circulated for a public review period through the State Clearinghouse for a period of at least 30 days. After the public review period is complete, the City will respond to the comments and prepare a final mitigated negative declaration for City Council review and potential adoption prior to the approval of the *San Juan Bautista 2015-2019 Housing Element*.

### **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?**

Letters were sent to four tribes traditionally or culturally affiliated with the project area on May 20, 2019. No California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1.

*Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission’s Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.*





Source: ESRI 2018, San Benito County GIS 2016

Figure 1

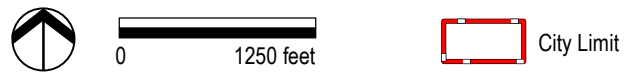
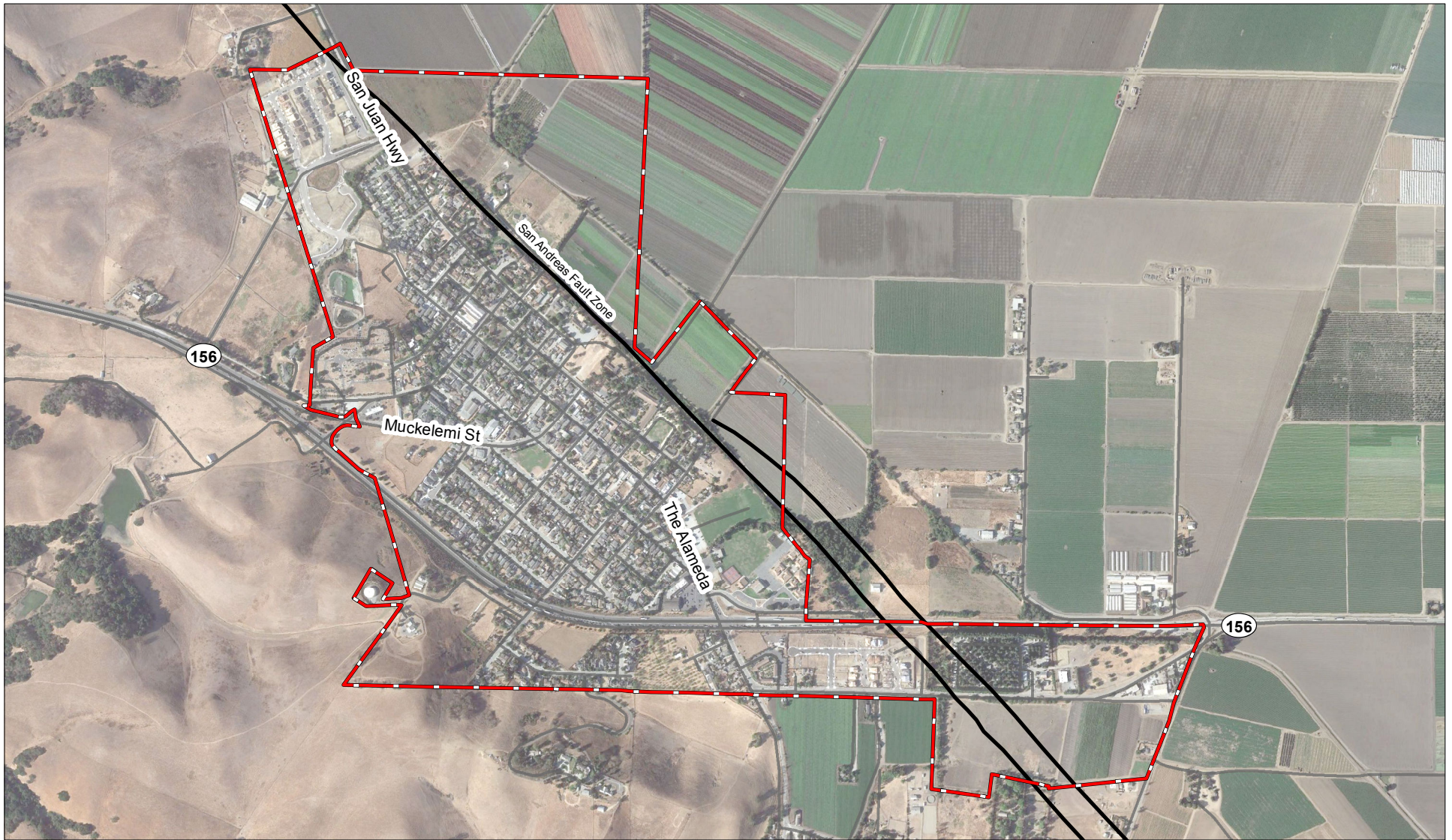
# Location Map



San Juan Bautista 2015-2019 Housing Element Initial Study



*This side intentionally left blank.*



Source: ESRI 2019, San Benito County GIS 2016

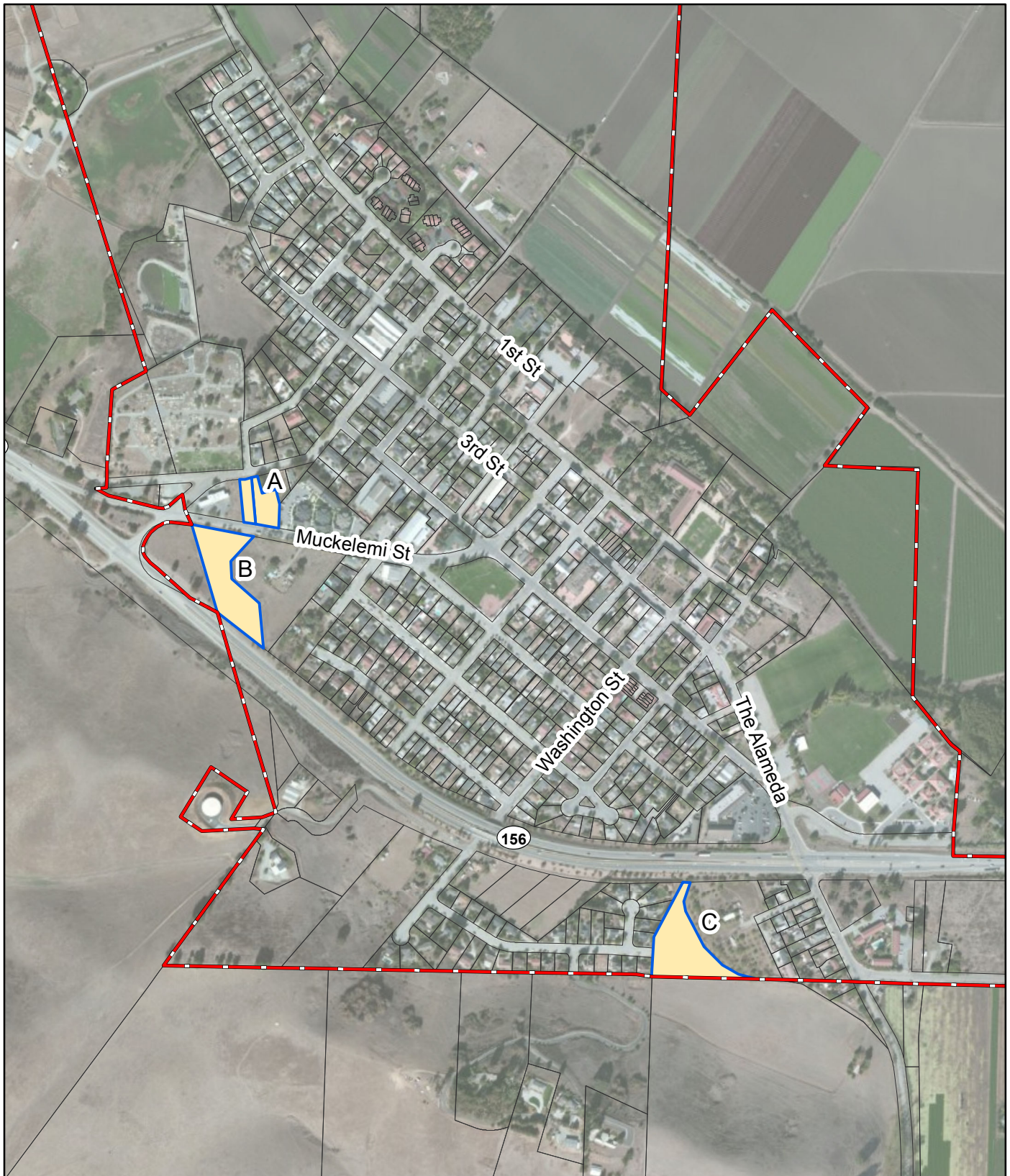


Figure 2  
Aerial Photograph

San Juan Bautista 2015-2019 Housing Element Initial Study

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Source: ESRI 2019, San Benito County GIS 2018

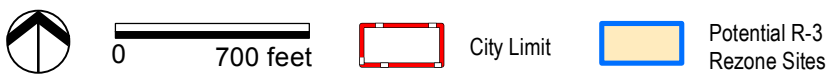


Figure 3

## Potential R-3 Rezone Sites

San Juan Bautista 2015-2019 Housing Element Initial Study



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## B. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Aesthetics                         | <input type="checkbox"/> Greenhouse Gas Emissions           | <input type="checkbox"/> Population/Housing        |
| <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Hazards & Hazardous Materials      | <input type="checkbox"/> Public Services           |
| <input type="checkbox"/> Air Quality                        | <input type="checkbox"/> Hydrology/Water Quality            | <input type="checkbox"/> Recreation                |
| <input type="checkbox"/> Biological Resources               | <input type="checkbox"/> Land Use/Planning                  | <input type="checkbox"/> Transportation            |
| <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Mandatory Findings of Significance | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Energy                             | <input type="checkbox"/> Mineral Resources                  | <input type="checkbox"/> Utilities/Service Systems |
| <input type="checkbox"/> Geology/Soils                      | <input type="checkbox"/> Noise                              | <input type="checkbox"/> Wildfire                  |

## C. DETERMINATION

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (1) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (2) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

---

Todd Kennedy, Associate Planner

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Date

## D. EVALUATION OF ENVIRONMENTAL IMPACTS

### Notes

1. A brief explanation is provided for all answers except “No Impact” answers that are adequately supported by the information sources cited in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer is explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once it has been determined that a particular physical impact may occur, then the checklist answers indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Negative Declaration: Less-Than-Significant Impact with Mitigation Measures Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less-Than-Significant Impact.” The mitigation measures are described, along with a brief explanation of how they reduce the effect to a less-than-significant level (mitigation measures from section XVII, “Earlier Analyses,” may be cross-referenced).
5. Earlier analyses are used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier document or negative declaration. [Section 15063(c)(3)(D)] In this case, a brief discussion would identify the following:
  - a. “Earlier Analysis Used” identifies and states where such document is available for review.
  - b. “Impact Adequately Addressed” identifies which effects from the checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and states whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c. “Mitigation Measures” — For effects that are “Less-Than-Significant Impact with Mitigation Measures Incorporated,” mitigation measures are described which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.



6. Checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances, etc.) are incorporated. Each reference to a previously prepared or outside document, where appropriate, includes a reference to the page or pages where the statement is substantiated.
7. "Supporting Information Sources" — A source list is attached, and other sources used or individuals contacted are cited in the discussion.
8. This is the format recommended in the CEQA Guidelines as amended 2018.
9. The explanation of each issue identifies:
  - a. The significance criteria or threshold, if any, used to evaluate each question; and
  - b. The mitigation measure identified, if any to reduce the impact to less than significant.

# 1. AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista? (1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway? (1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? (1, 2, 4, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? (1, 3, 4, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Comments:

- a,b. As presented within the general plan EIR, there are no officially designated scenic vistas or view corridors in the city (p. 71) and there are no designated state scenic highways in or adjacent to the city (p. 73).
- c. The proposed project may result in development of one of the three potential rezone sites with high density housing instead of commercial on Sites A and B or low density residential on Site C. The three potential sites are located in areas that are visible from State Route 156, which is a publicly accessible vantage point. Site B is currently vacant and Site C is currently an orchard. Although Site A is considered developed, it includes a dilapidated structure and trailer.

Site A and B are both currently zoned for commercial uses and are proposed for high density residential uses; the maximum height allowed in the commercial district is 15 feet higher than what is allowed in the high density residential district. Therefore, if Sites A or B are chosen for rezone to high density residential, the allowed height for any future development would be less than what is already anticipated by the general plan.

Site C is currently zoned for low density residential and is proposed for high density residential. The maximum allowed height for low density residential is five (5) feet below what is allowed for high density residential; both zoning districts allow up to two stories. Therefore, if Site C is chosen for rezone to high density residential, future potential development at this site could create a greater change in potential development than what was anticipated by the general plan. However, the general plan EIR indicates that no mitigation measures are needed for aesthetic impacts (p. 78) and the height difference of five (5) feet is inconsequential and would not create a significant adverse impact.

Therefore, the proposed project would not create an adverse impact related to the quality of public views of the site. There would be no increase in visual impacts related to the quality of public views associated with rezoning one of the sites.

- d. Sites B and C are currently undeveloped and anticipated for commercial and low density residential uses, respectively, in the general plan; therefore, the new sources of light and glare from the future development of commercial and low density residential uses have been foreseen by the City. Due to the dilapidated nature of the structure and trailer on Site A, it would be conservative to assume that new and/or additional sources of light or glare would occur with development of the anticipated commercial uses, as designated in the general plan.

However, none of the programs proposed as part of the proposed project would result in substantial levels of nighttime lighting or daytime glare that significantly differs from typical residential development nor would the proposed project result in more intense levels of light and glare than what is already anticipated from the current uses designated for each site in the general plan. Nevertheless, any development that would occur on any one of the rezone sites would result in some light and glare impacts compared to existing conditions.

The City has a lighting standards (Chapter 11-13 of the Municipal Code), which controls and minimizes light pollution. Future residential development projects within the City would be required to be designed and constructed in accordance with Chapter 11-13. The general plan EIR states that no mitigation measures are needed for aesthetic impacts (p. 78), resulting in a less than significant impacts related to light and glare as a result of the proposed project.

## 2. AGRICULTURE AND FOREST RESOURCES

In determining whether impacts on agricultural resources are significant environmental effects and in assessing impacts on agriculture and farmland, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use? (1, 3, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract? (1, 3, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (1, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in the loss of forest land or conversion of forest land to non-forest use? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use or conversion of forest land to non-forest use? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Comments:

- a-e. Sites A is currently developed with a dilapidated structure and trailer, Site B is currently vacant, and Site C is currently an orchard. According to the California Department of Conservation's Important Farmland, Site A is designated as "Urban and Built-up Land" and Site B and Site C are designated "Grazing Land" (California Department of Conservation 2018).

The proposed project does not identify additional lands for potential conversion to urban uses and therefore results in no new or more severe impacts than those already analyzed in the general plan EIR. According to the general plan EIR's Map 4.2-6, there are no Williamson Act lands within the City and, therefore, the proposed project would not conflict with a Williamson Act contract. The City does not include lands zoned as forested land or Timberland Production.

There would be no increase in agricultural impacts associated with rezoning one of the sites.

### 3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan? (1, 3, 13, 14, 15, 16)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard? (1, 3, 17, 18)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Expose sensitive receptors to substantial pollutant concentrations? (1, 3, 6, 17, 19)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Result in other emissions (such as those leading to odors adversely affecting a substantial number of people? (1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### Comments:

- a. The City of San Juan Bautista is located within the North Central Coast Air Basin (hereinafter “air basin”), which is under the jurisdiction of the Monterey Bay Air Resources District (hereinafter “air district”). The general plan EIR concluded that impacts related to conflicts with the applicable air quality management plan would be less than significant with no mitigation required.

The air district’s most recent adopted plan is *2012-2015 Air Quality Management Plan for the Monterey Bay Region* (hereinafter “air quality management plan”). The air district specifies air quality management plan consistency for population-related projects only. Population-related emissions have been estimated in the air quality management plan using population forecasts adopted by the Association of Monterey Bay Area Governments (AMBAG). Population-related projects that are consistent with these forecasts are consistent with the air quality management plan. AMBAG recently updated its regional population forecast in June 2018, but the air district has not yet updated the air quality management plan. The air district recommends using the 2018 AMBAG regional population forecast to determine a project’s consistency with the air quality management plan (David Frisbey, email message, September 26, 2018).

The air district consistency determination spreadsheet was used to assess the proposed project's population in comparison to the AMBAG's 2018 population forecasts (using housing units as a proxy for population). The results of the evaluation are included as [Appendix A, Air Quality Management Plan Consistency Determination](#). With the proposed project, the city's cumulative housing stock would be 676 units below AMBAG projections for the year 2025. Since the project is within the population projections, the proposed project would not conflict with or obstruct implementation of the air quality management plan.

- b. Under state criteria, the air basin is designated as a nonattainment area for ozone and inhalable particulate matter (PM<sub>10</sub>). The general plan EIR found that potentially significant impacts related to air quality standards violation would be reduced to less-than-significant levels with the implementation of Mitigation Measures AIR-2a through AIR-2f.

The air district is responsible for monitoring air quality in the air basin. The air district has developed criteria pollutant emissions thresholds, which are used to determine whether or not a proposed project would result in a cumulatively considerable net increase of criteria pollutants during operations and/or construction. Based on the air district's CEQA Air Quality Guidelines (hereinafter "air district CEQA Guidelines"), a project would have a significant cumulative air quality impact if it would:

- Emit 137 pounds per day or more of direct and indirect volatile organic compounds (VOC);
- Emit 137 pounds per day or more of direct and indirect nitrogen oxides (NO<sub>x</sub>);
- Directly emit 550 pounds per day or more of carbon monoxide (CO);
- Emit 82 pounds per day or more of suspended particulate matter (PM<sub>10</sub>) on-site and from vehicle travel on unpaved roads off-site; or
- Directly emit 150 pounds per day or more of sulfur oxides (SO<sub>x</sub>).

**Operational Impacts.** The operational criteria air pollutant emissions that would be generated by future development on potential rezone Sites A, B, and C under the existing zoning and under the proposed zoning have been estimated using California Emissions Estimator Model (CalEEMod) Version 2016.3.2. Refer to [Appendix B, CalEEMod Results](#), for the emissions modeling results. The results indicate that future development on Sites A, B and C under proposed zoning would result in fewer operational criteria air pollutant emissions than future development under the existing zoning. Further, the results for proposed conditions show that future

development on Sites A, B, and C would not result in operational criteria air pollutant emissions that exceed the air district thresholds, resulting in a cumulatively less-than-significant impact on air quality.

**Construction Impacts.** From the CalEEMod results included as Appendix B, total PM<sub>10</sub> emissions during construction on potential rezone Site A would be the same under existing and proposed conditions. The total PM<sub>10</sub> emissions during construction on potential rezone Sites B and C under proposed zoning are greater than those under existing zoning.

Air district CEQA Guidelines Table 5-2, Construction Activity with Potentially Significant Impacts, identifies the level of construction activity that could result in significant temporary fugitive dust impacts if not mitigated. Construction activities with grading and excavation that disturb more than 2.2 acres per day and construction activities with minimal earthmoving that disturb more than 8.1 acres per day are assumed to be above the 82 pounds of particulate matter per day threshold of significance. Construction activities on the 0.88-acre Site A are not likely to exceed the air district's thresholds, resulting in a less-than-significant impact. Construction activities on the 2.30-acre Site B and 2.30-acre Site C are likely to exceed the air district's threshold of 2.2 acres per day, resulting in a significant impact on air quality. Implementation of the following mitigation measure would reduce this impact to less than significant.

#### ***Mitigation Measure***

AIR-2g To reduce dust emissions from demolition, grading, and construction activities on sites greater than 2.2 acres, the following language shall be included in all grading and construction plans for the project prior to issuance of demolition or grading permits:

Dust control measures shall be employed to reduce visible dust leaving the project site. The following measures or equally effective substitute measures shall be used:

- a. Use recycled water to add moisture to the areas of disturbed soils twice a day, every day, to prevent visible dust from being blown by the wind;
- b. Apply chemical soil stabilizers or dust suppressants on disturbed soils that will not be actively graded for a period of four or more consecutive days;



- c. Apply non-toxic binders and/or hydro seed disturbed soils where grading is completed, but on which more than four days will pass prior to paving, foundation construction, or placement of other permanent cover;
  - d. Cover or otherwise stabilize stockpiles that will not be actively used for a period of four or more consecutive days, or water at least twice daily as necessary to prevent visible dust leaving the site, using raw or recycled water when feasible;
  - e. Maintain at least two feet of freeboard and cover all trucks hauling dirt, sand, or loose materials;
  - f. Install wheel washers at all construction site exit points, and sweep streets if visible soil material is carried onto paved surfaces;
  - g. Stop grading, and earth moving if winds exceed 15 miles per hour;
  - h. Pave roads, driveways, and parking areas at the earliest point feasible within the construction schedule;
  - i. Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 48 hours of receiving the complaint. The phone number of the Monterey Bay Air Resources District shall also be visible to ensure compliance with Rule 402 (Nuisance); and
  - j. Limit the area under construction at any one time.
- c. The general plan EIR identified Mitigation Measures AIR-4a and AIR-4b to reduce exposure of sensitive receptors to substantial pollutant concentrations resulting from buildout of the general plan. Mitigation measure AIR-4a prohibits siting new sensitive land uses within 500 feet of a freeway, 300 feet of a dry cleaning operation, and 300 feet of a large gas station; where a large gas station is defined as a facility with throughput of 3.6 million gallons per year or greater (City of San Juan Bautista 2015, p. 121). Site A, a potential rezone site, is adjacent to a gas station, located at 63 Muckelemi Street in the City of San Juan Bautista. The gas station has a throughput of approximately 3 million gallons per year (Amy Clymo, email message, July 15, 2019). Therefore, Site A is not within 300 feet of a large gas station. According to the air district CEQA Guidelines, a sensitive receptor is generally defined as any residence including private homes, condominiums, apartments, and living quarters;

education resources such as preschools and kindergarten through grade twelve (k-12) schools; daycare centers; and health care facilities such as hospitals or retirement and nursing homes. Each of the three potential rezone sites is near sensitive receptors (i.e. residences and the San Juan School) and within 500 feet of State Route 156. [Figure 4, Potential Rezone Sites Proximity to Sources of Toxic Air Contaminants](#). Therefore, future development on any one of the potential rezone sites could result in a significant impact to sensitive receptors. Implementation of the following edits to Mitigation Measure AIR 4a is recommended to reduce this impact to a less-than-significant level.

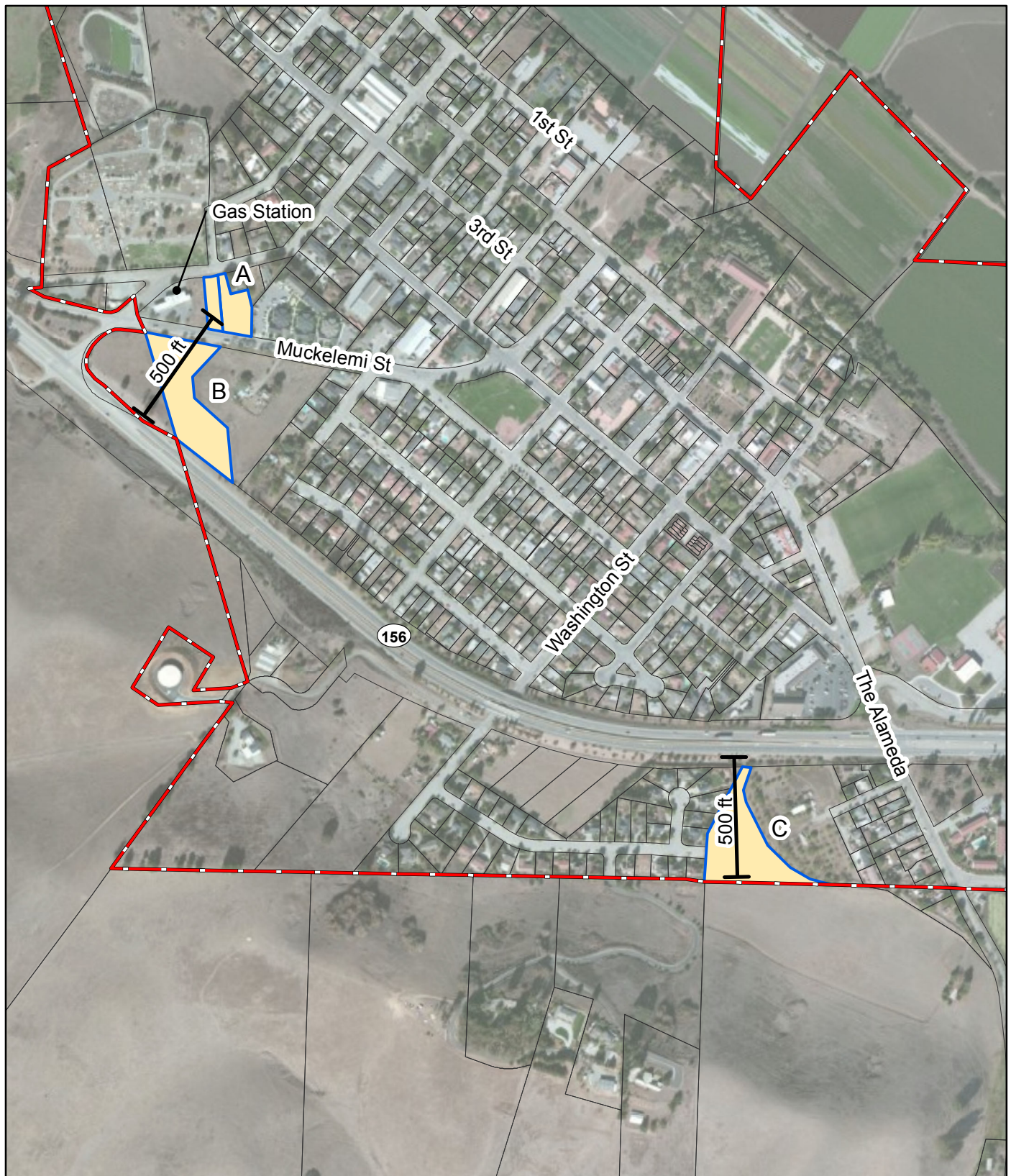
### ***Mitigation Measure***

AIR-4a ~~Avoid or prohibit the siting of new sensitive land uses~~ Prior to approval of development projects that include sensitive land uses including high density residential projects, applicants will be required to prepare a health risk assessment for projects located within 500 feet of a freeway, within 300 feet of a dry cleaning operation, and 300 feet of a large gas station. The health risk assessment should identify mitigation measures that would reduce health impacts to sensitive receptors to a less-than-significant level. Measures may include, but are not limited to, installation of air filtration devices in the buildings; installation of a vegetative barrier between the buildings and freeway; and cleaning, maintenance, and monitoring of buildings for air flow leaks.

- d. As indicated within the general plan EIR, the City does not have any existing regulations or policies and programs governing the siting of new sensitive land use near odor sources (p. 135). The general plan EIR concluded that impacts related to odor sources would be less than significant if the following mitigation was implemented: Mitigation Measures AIR-5a, which states that an assessment of the distance between a new sensitive land use and odor emitters would occur, and Mitigation Measure AIR-5b, which states the avoidance or prohibition of new odor sources within the screening distances of existing sensitive receptors.

Potential future development as a result of the proposed project would not produce any objectionable odors during its operation. Potential future construction activities associated with development of one of the three rezone sites, such as demolition and grading, may temporarily generate objectionable odors. However, since odor-generating construction activities would be localized, sporadic, and short-term in nature, this impact would be less than significant.

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Source: ESRI 2019, San Benticio County GIS 2018

Figure 4

## Potential Rezone Sites Proximity to Sources of Toxic Air Contaminants

San Juan Bautista 2015-2019 Housing Element Initial Study



0 575 feet



City Limit



Potential R-3  
Rezone Sites



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## 4. BIOLOGICAL RESOURCES

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service? (1, 3, 7, 8, 9, 10, 11)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service? (1, 3)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.), through direct removal, filling, hydrological interruption, or other means? (1, 3)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Comments:

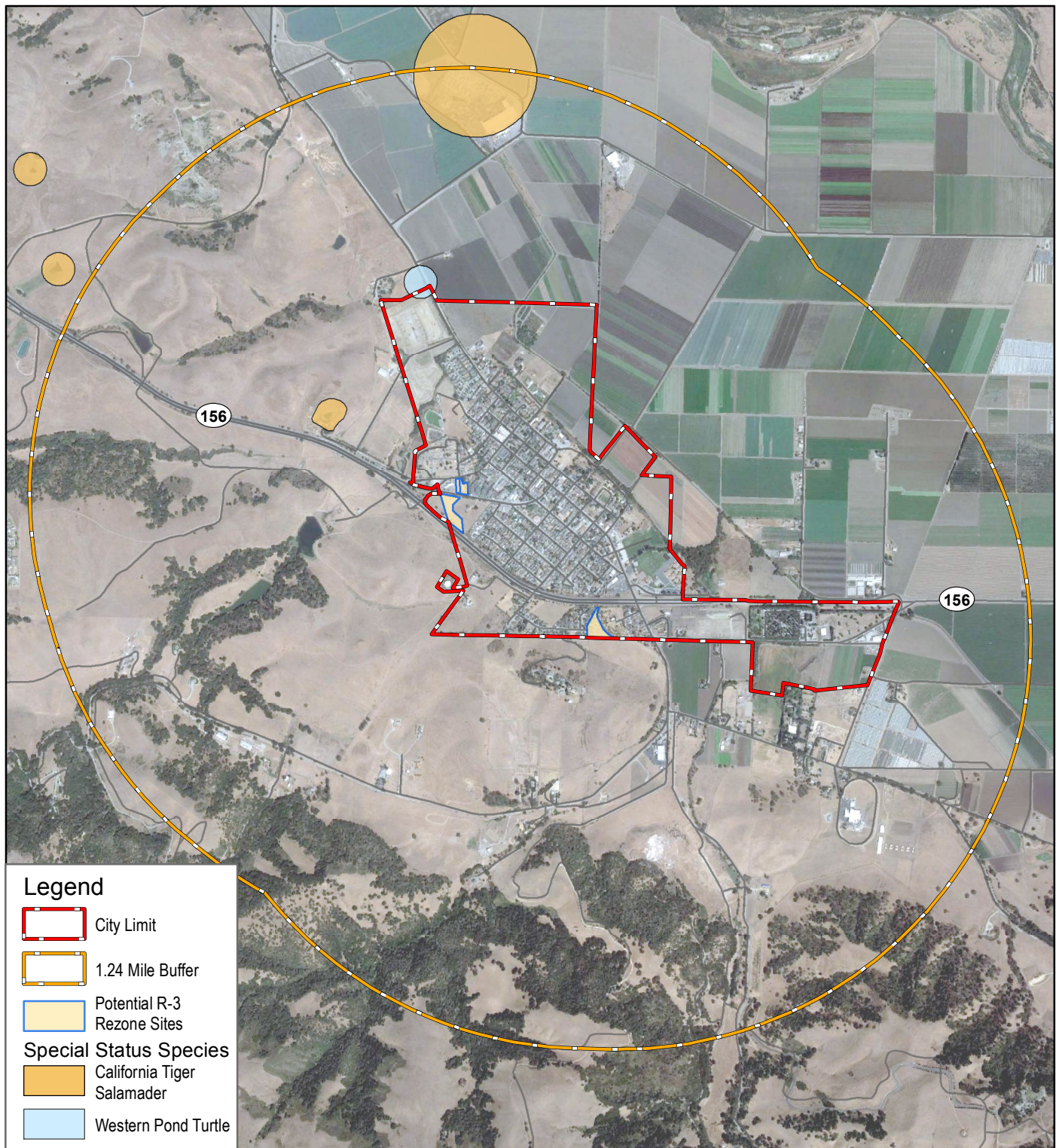
- a. Impacts to biological resources would be no different under the proposed zoning than they would be under the existing zoning. The City's general plan EIR Map 4.4-2 and analysis indicates that no rare plant species are likely to occur within the City



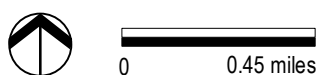
limits (p. 151). The City's general plan EIR Map 4.4-1 indicates that there may be some special-status wildlife species occurring in the area. A recent review of the California Natural Diversity Database ["CNDDDB", California Department of Fish and Wildlife (CDFW) 2019] indicates that special-status species with the potential to occur within or to migrate through Sites A, B, and C, include the federally-listed threatened and state-listed threatened California tiger salamander (*Ambystoma californiense*), federally-listed threatened and state-listed species of special concern California red-legged frog (*Rana draytonii*), and the state-listed species of concern western pond turtle (*Emmys marmorata*). Please refer to [Figure 5, Recorded Observations of Special-Status Species in the Vicinity of the Potential Rezone Sites](#).

The California tiger salamander is a large, stocky terrestrial salamander requires two primary habitat components: aquatic breeding sites and upland terrestrial refuge sites. Aquatic habitats include ephemeral water bodies such as vernal pools, ponds, depressional pools, sag ponds, and other wetlands. Suitable upland habitat for California tiger salamander typically includes grazed annual grassland containing concentrations of small mammal burrows or other underground habitat within 1.24 miles of potential aquatic breeding habitat where there are no obvious barriers to dispersal (USFWS 2003). The CNDDDB includes California tiger salamander observation number 258 from 1991, located approximately 0.39 miles from Site A, 0.35 miles from Site B, and approximately 0.92 miles from Site C. Observation number 78 is also found within the 1.24-mile dispersal distance. Please note that the CNDDDB only includes observations of special-status species and does not represent a complete inventory of species present. As shown on Figure 4.4-6 of the City's general plan EIR (p. 159), there are a number of additional ponds and aquatic features in the vicinity of the potential rezone sites that could support California tiger salamander and provide a source of individuals that may move through or utilize the potential rezone sites.

Similar to the California tiger salamander, the California red-legged frog may occur in streams, ephemeral ponds, and pools where water remains long enough for breeding. California red-legged frog are almost always found near water, but may disperse up to one mile from their aquatic breeding habitats to upland habitats during the dry season (USFWS 2005). Although there are no records within one mile of the potential rezone sites, as shown on Figure 4.4-6 of the City's general plan EIR (p. 159), there are a number of additional ponds and aquatic features in the vicinity of the potential rezone sites that could support California red-legged frog and provide a source of individuals that may move through or utilize the potential rezone sites.



Note: This figure presents California Natural Diversity Database (CNDDDB) occurrence records maintained by the California Department of Fish and Wildlife. Species records indicate positive occurrences only; lack of occurrence data does not indicate species are not present. Some records represent historical and/or extirpated occurrences. There may be additional special-status species occurrences within this area which have not been observed or reported.



Source: ESRI 2019, San Benito County GIS 2018, California Department of Fish and Wildlife 2019

Figure 5

## Recorded Observations of Special Status Species in the Vicinity of the Potential Rezone Sites

San Juan Bautista 2015-2019 Housing Element Initial Study



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Western pond turtle occurs in permanent or nearly permanent aquatic features with basking sites such as partially submerged logs, rocks, mats of floating vegetation, or open mud banks. The home range of western pond turtles is typically quite restricted; however, ongoing research indicates that in many areas, turtles may leave the watercourse in late fall and move up to approximately 0.2 miles into upland habitats where they burrow into duff and/or soil and overwinter (Pilliod et. al. 2013). Although there are no records within 0.2 miles of the potential rezone sites, as shown on Figure 4.4-6 of the City's general plan EIR (p. 159), there are aquatic features that could support western pond turtle and provide a source of individuals that may move through or utilize potential rezone site C.

The general plan EIR identified the potential presence of special-status species in San Juan Bautista and Mitigation Measure BIO-1a through BIO-1h and BIO-2d are applicable to all three rezone sites. In addition, the following edits to Mitigation Measures BIO-1e and BIO-1f are recommended:

### ***Mitigation Measures***

- BIO-1e: Avoid effects to ~~California Tiger Salamander~~ special-status amphibian and reptile species. a) Prior to commencing any ground-disturbing activities, the work area will be assessed by ~~CDFW~~ or a qualified biologist for potential California tiger salamander (CTS), California red-legged frog (CRLF), and western pond turtle (WPT) habitat. All potential CTS breeding ponds and upland habitat with 1.34 miles of a potential breeding pond will be considered suitable habitat. All potential CRLF breeding ponds and upland habitat with 1.0 miles of a potential breeding pond will be considered suitable habitat. All potential WPT breeding ponds and upland habitat with 0.2 miles of a potential breeding pond will be considered suitable habitat. Ground-disturbing activities will avoid areas that contain suitable breeding and upland habitat for CTS, CRLF, and WPT whenever possible.
- BIO-1f: Minimize effects to ~~California Tiger Salamander~~ special-status amphibian and reptile species.
- a. ~~Prior to conducting ground-disturbing activities in suitable~~ To determine if CTS, CRLF, and WPT are present in potential habitat, the applicant will conduct a minimum of 2 years of surveys to determine the presence/absence of special-status amphibian and reptile species in accordance with the *Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander* (USFWS 2003) and the

Revised Guidance on Site Assessments and Field Surveys for the California Red-legged Frog (USFWS 2005). There are no formal protocols for surveys for WPT, however protocol surveys for CTS and CRLF have a high likelihood of also detecting WPT. In consultation with the USFWS, and CDFW, the applicant may modify survey protocols to reflect site conditions and known utilization of habitat by CTS, CRLF, and WPT. In the absence of protocol surveys, CDFW the applicant will assume presence of CTS, CRLF, and WPT in all potential breeding and upland refugia habitats.

- b. To the extent feasible, all ground-disturbing activities will be designed to avoid impacts to suitable CTS, CRLF, and WPT upland habitat. Such avoidance measures may include adjusting access routes or choosing alternate locations.
- c. In the absence of conducting 2 years of protocol surveys or in the event protocol surveys detect CTS, CRLF, and WPT CDFW the applicant will consult with the CDFW and USFWS and obtain the necessary Incidental Take Authorization permits. Permit requirements may include (but not be limited to), after consultation will implement the following minimization measures during construction in suitable CTS habitat:
  - Prior to commencing ground disturbing activities, construction workers will be educated regarding CTS, CRLF, and WPT and the measures intended to protect ~~this~~ these species. ~~When feasible, there will be a 50-foot no-disturbance buffer around burrows that provide suitable upland habitat for CTS.~~
  - Burrows considered suitable for CTS will be determined by a qualified biologist, approved by CDFW and USFWS. All suitable burrows directly impacted by construction will be hand excavated under the supervision of a qualified wildlife biologist.
  - If CTS, CRLF, or WPT are found, the biologist will relocate the organism to the nearest burrow that is outside of the construction impact area.

- All ground-disturbing work will occur during daylight hours in coordination with CDFW and USFWS, and depending on the level of rainfall and site conditions. ~~CDFW~~ The applicant's qualified biologist will monitor the National Weather Service (NWS) 72-hour forecast for the work area. If a 70% or greater chance of rainfall is predicted within 72 hours of project activity, all activities in areas within 1.3 miles of potential or known CTS, CRLF, or WPT breeding sites will cease until no further rain is forecast. If work must continue when rain is forecast, a qualified biologist will survey the Project site before construction begins each day rain is forecast. If rain exceeds 0.25 inch during a 24-hour period, work will cease until no further rain is forecast. This restriction is not applicable for areas located greater than 1.3 miles from potential or known ~~CTS~~ breeding sites once they have been encircled with ~~CTS~~ exclusion fencing. However, even after exclusion fencing is installed, this condition would still apply to construction related traffic moving through areas within 1.3 miles of potential or known ~~CTS~~ breeding sites but outside of the ~~salamander~~ exclusion fencing (e.g. on roads).
- For work conducted during the ~~CTS~~ migration season (November 1 to May 31), exclusionary fencing will be erected around the construction site during ground-disturbing activities after hand excavation of burrows has been completed. A qualified biologist will visit the site weekly to ensure that the fencing is in good working condition. Fencing material and design will be subject to the approval of the CDFW and USFWS. If exclusionary fencing is not used, a qualified biological monitor will be on-site during all ground disturbance activities. Exclusion fencing will also be placed around all spoils and stockpiles.
- For work conducted during the ~~CTS~~ migration season (November 1 to May 31), a qualified biologist will survey the active work areas (including access roads) in mornings following measurable precipitation events. Construction may commence once the biologist has confirmed that no

CTS, CRLF, or WPT are in the work area. Prior to beginning work each day, underneath equipment and stored pipes greater than 1.2 inches (3 cm) in diameter will be inspected for CTS, CRLF, and WPT. If any are found they will be allowed to move out of the construction area under their own accord.

- Trenches and holes will be covered and inspected daily for stranded animals. Trenches and holes deeper than 1 foot will contain escape ramps (maximum slope of 2:1) to allow trapped animals to escape uncovered holes or trenches. Holes and trenches will be inspected prior to filling.
- All food and food-related trash will be enclosed in sealed trash containers at the end of each workday and removed completely from the construction site once every three days to avoid attracting wildlife.
- A speed limit of 15 mph will be maintained on dirt roads.
- All equipment will be maintained such that there are no leaks of automotive fluids such as fuels, oils, and solvents. Any fuel or oil leaks will be cleaned up immediately and disposed of properly.
- Plastic monofilament netting (erosion control matting) or similar material will not be used at the Project site because CTS-animals may become entangled or trapped. Acceptable substitutes include coconut coir matting or tackified hydroseeding compounds.
- Hazardous materials such as fuels, oils, solvents, etc. will be stored in sealable containers in a designated location that is at least 100 feet from ponds, wetlands, or ~~and~~ the San Joaquin River channel. If it is not feasible to store hazardous materials 100 feet from ponds, wetlands and or the river channel, then spill containment measures will be implemented to prevent the possibility of accidental discharges to wetlands and waters.

With implementation of these mitigation measures, impacts to CTS, CRLF, and WPT as a result of potential future development on Sites A, B, or C would be reduced to a less-than-significant level.

- b,c. Sites A and B do not involve wetlands or potentially jurisdictional waters, but Site C includes a creek mapped in the National Wetlands Inventory along the eastern border of the site. Potentially jurisdictional features (drainage ditches) may also be present along the northern and western site boundaries. The general plan EIR identified the potential presence of jurisdictional aquatic features in San Juan Bautista and mitigation measure BIO-3a, which requires an analysis of potentially jurisdictional features, is applicable to rezone site C. The following edits to Mitigation Measure BIO-3a are recommended:

***Mitigation Measure***

BIO-3a: ~~Wetland A wetland~~ delineation shall be prepared by the applicant to document the extent of jurisdictional features on or adjacent to potential rezone site C. if any construction activity could result in impacts to wetlands/waters that may be potentially considered jurisdictional. If the wetlands/waters are deemed jurisdictional and construction activities are proposed that could impact these features, permits from the USACE, CDFW and/or RWQCB shall be obtained prior to construction, as needed. Setbacks from the wetlands/water features may be required to protect habitat and water quality.

The protection of linear aquatic features such as ditches, canals, creeks, streams, and rivers is typically accomplished through maintaining a buffer along both sides of the feature. The width and possible compatible uses within the buffer are typically dependent on a number of factors, including the:

- Extent and composition of vegetation present;
- Level of disturbance at the feature;
- Potential presence of special-status species; and
- Hydrologic connection and value of the feature.

The general plan EIR includes Mitigation Measure BIO-2a, which requires a 100-foot setback from all rivers, streams, creeks and wetlands, and is applicable to potential rezone site C. However, this measure does not include setback recommendations for jurisdictional man-made, channelized, urban, or heavily disturbed linear aquatic features, many of which lack riparian or wetland vegetation. If considered jurisdictional, a reduced buffer size may be sufficient to protect resources present along the ditches and creek at potential rezone site C. The following edits to Mitigation Measure BIO-2a is recommended:

### ***Mitigation Measure***

BIO-2a: A 100-foot setback area shall be established along all rivers, streams, and creeks within the planning area. The setback shall be measured from the top of bank, or outside edge of riparian woodland, whichever is greater. A 100-foot setback area shall be established along wetlands not associated with creeks (i.e., seasonal wetland swales or ponds) within the planning area. The riparian setback shall be measured from the top of bank, or outside edge of riparian woodland, whichever is greater. The wetland setback shall be measured from the outside edge of the wetland.

For man-made, channelized, urban, or heavily disturbed linear aquatic features, many of which lack riparian or wetland vegetation, a reduced setback distance may be appropriate. Modifications to the 100-foot buffer requirement may be considered when recommended by a qualified biologist and approved by the City of San Juan Bautista.

Development activities would be prohibited in the setback area; the City shall consider exceptions for open space recreational uses (i.e., trails, playfields, and picnic areas). No building or structures shall be developed in the setback area. The existing riparian woodland or wetland shall be protected from construction disturbance. Fencing shall be temporarily placed at the outside edge of the setback area. This fencing shall remain in-place until construction is complete. If recreational trails are placed within the buffer area, implement a revegetation program wherein a vegetative buffer is established between the trail and the outside edge of the riparian woodland.

Project developers shall be required to retain creeks and wetlands in their natural channels rather than placing them in culverts or underground pipes, where feasible. Where stream banks must be deepened, widened or straightened, they should be landscaped and revegetated afterward. Where wetlands are impacted, they should be re-created afterwards. If impacts are incurred to creeks and/or riparian woodlands as part of development within the planning area, the project applicant shall develop and implement a riparian/wetland habitat mitigation and management plan. The plan shall specify the replacement ratio for impacts to riparian resources and to wetland resources, pursuant to current state and federal policies. The project applicant shall receive authorization to fill wetlands and "other" waters from the US Army Corps of Engineers, pursuant to the

requirements of the Clean Water Act. The project applicant shall also obtain a water quality certification (or waiver) from the Regional Water Quality Control Board, consistent with requirements of this State agency. The project applicant shall also obtain a 1601/1603 Streambed Alteration Agreement from the California Department of Fish and Game, pursuant to Fish and Game Code. These permits shall be received prior to any site grading that may occur in or immediately adjacent to creeks or wetlands.

The project applicant shall also receive authorization from the National Marine Fisheries Service for “take” of steelhead and from the U. S. Fish and Wildlife Service for “take” of California red-legged frog, if work cannot avoid impacts to creek resources and/or these species. Pursuant to provisions of the Section 404 permit, 1601/1603 Streambed Alteration Agreement and State water quality certification (or waiver), the project applicant shall implement a riparian/wetland mitigation plan, and any other measures so identified by regulatory agencies. This plan shall identify measures for the applicant to compensate for unavoidable impacts to riparian or wetland resources. A minimum 1:1 replacement ratio is typically recommended for impacted wetland resources to satisfy requirements of the U.S. Army Corps of Engineers and the Regional Water Quality Control Board (RWQCB). A minimum 3:1 replacement ratio is typically recommended for impacted riparian resources to satisfy requirements of the CDFG. The applicant shall also identify and implement a 5-year maintenance and monitoring program.

- d. As shown in general plan EIR map 4.4-7 (p. 163), San Juan Bautista is outside of major migratory corridors as identified by the California Essential Habitat Connectivity Project. Therefore, potential future development on any one of the rezone sites would not impact said wildlife corridors. Further, the general plan EIR states that given the urbanized environment of the city, its vehicular infrastructure, and human and pet presence, opportunities for wildlife movement in the urbanized portion of the City are minimal (p. 162); it is later stated that there would be no impact related to interfering with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites (p. 163).
- e. The general plan EIR concluded that there would be no conflicts with any local policies or ordinances protecting biological resources since there are no existing local policies or ordinances governing biological resources apart from state and federal mandates (p. 165).



- f. There are no adopted Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or state habitat conservation plan that applies to the City (City of San Juan Bautista 2015, p. 168).

## 5. CULTURAL RESOURCES

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource pursuant to section 15064.5? (1, 3, 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to section 15064.5? (1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Disturb any human remains, including those interred outside of dedicated cemeteries? (1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Comments:

- a,b. The proposed project would not alter the City's evaluation or review process addressing cultural resources. According to the general plan EIR (p. 188), "most of the area within San Juan Bautista and its sphere of influence is archaeologically sensitive." Mitigation Measure CULT-4b states, "The City shall require field surveys for projects in sensitive areas, and use of the SHPO Clearinghouse and the NAHC's list of sacred sites." Additionally, any and all future development as a result of the proposed project would be required to stop construction if historic, cultural, or paleontological resources are discovered, as required by general plan EIR Mitigation Measure CULT-1a, which requires that if a resource is discovered that all work come to a halt until the Coroner and Native American Heritage Commission are consulted. If the resources are found to be significant, the mitigation requires a qualified archaeologist recommend measures to protect the site or the area that contains archaeological, paleontological, or unique geological resources, or to draft a data recovery plan for excavation, analysis, and curation of the identified materials consistent with Public Resources Code §21083.2 and State CEQA Guidelines §15126.4(b) as they may be amended for any identified adverse effects to cultural and historic resources. If significant resources are discovered on site during construction activities, implementation of general plan EIR Mitigation Measure CULT-1a, which is required to be implemented with any development in San Juan Bautista, would ensure there would be not significant cultural resources impacts.

In addition to the above-mentioned mitigation, the City's adopted Historic Resource Preservation Ordinance (Chapter 11.06), which supports the protection of local

historical resources, would also be implemented if Site A is chosen for rezone as it is the only site that contains an existing structure. This structure would be analyzed under Section 11-06-070, which includes systematic inventory and identification of historic resources, and Section 11-06-080, which includes historic resource criteria. According to the *City of San Juan Bautista General Plan Update Background Report 2013-2014*, it is unlikely that the existing structure on Site A would meet the criteria for a historic resource as it is not located within the City's historic district or identified as a nationally registered place as indicated on Maps 13.1 and 13.2, respectively (City of San Juan Bautista 2014, p. 240 and 242, respectively). If the structure on Site A is considered to be historic, the developers would be required to comply with the procedures listed within Section 11-06-120, Site plan and design review permit procedure for historic resources.

- c. There is always the possibility of an accidental discovery of human remains during construction activities. Disturbance of Native American human remains is considered a significant adverse environmental impact.

Implementation of general plan EIR mitigation measure CULT 4b and CULT-1a discussed above would ensure possible impacts to accidentally discovered Native American human remains would not be significant.

There would be no increase in potential cultural resources impacts associated with rezoning one of the sites.

## 6. ENERGY

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Comments:

- a,b. The three primary sources of long-term energy consumption from the proposed project will be use of vehicle fuel, natural gas, and electricity. Future development on each of the potential rezone sites under the proposed zoning could result in increased energy consumption as compared to development under the existing zoning.

A multitude of state regulations and legislative acts are aimed at improving vehicle fuel efficiency, energy efficiency, and enhancing energy conservation. For example, in the transportation sector, the representative legislation and standards for improving transportation fuel efficiency include, but are not limited to the Pavley I, the Advanced Clean Car standards, and Senate Bill 375. The gradual increased usage of electric cars powered with cleaner electricity will also reduce fossil fuel usage associated with transportation. In the renewable energy use sector, representative legislation for the use of renewable energy includes, but is not limited to Senate Bill 350 and Executive Order B-16-12. In the building energy use sector, representative legislation and standards for reducing natural gas and electricity consumption include, but are not limited to Assembly Bill 2021, CALGreen, and Title 24 building standards. The San Juan Bautista enforces the California Building Code Standards through the development process. Conformance with applicable energy conservation/efficiency regulations and standards would ensure that the proposed project does not directly or indirectly result in inefficient, wasteful, and unnecessary consumption of energy.

## 7. GEOLOGY AND SOILS

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
(1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42? (1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(2) Strong seismic ground shaking? (1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(3) Seismic-related ground failure, including liquefaction? (1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(4) Landslides? (1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? (1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on expansive soil, creating substantial direct or indirect risks to life or property? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Comments:

- a,c. **Known Earthquake Fault.** The San Andreas Fault runs through the City from northwest to southeast (refer to Figures 1 and 2); however, according to the general plan EIR, the City is “not classified as a hazard zone, because it is located on a creeping fault section of the San Andreas Fault line” (p. 209). The City has an earthquake development constraints map that shows a 100-foot buffer along the fault line and areas within this zone “should not be prime candidates for development or redevelopment” (City of San Juan Bautista 2015, p. 209).

Sites A and B, which are designated for commercial uses by the general plan, and Site C, which is designated for low density residential uses by the general plan are all not located within the above-mentioned fault zone and the rezone of the chosen site to high density residential would not change this. Therefore, there would be no impact as a result of rezone and subsequent future development of the chosen site.

**Ground shaking.** The proposed project includes the rezone of Site A, B, or C from commercial or low density residential to high density residential. The impacts from seismic-related ground shaking would not change from a commercial or low density residential use to high density residential uses. Therefore, there would be no impact as a result of rezone and subsequent future development of the chosen site.

**Seismic-related Liquefaction.** The general plan EIR states that seismic ground failure risks such as liquefaction are minimal in the City due to its lack of flooding and extensive quantity of clay soils (p. 207). Further, the impacts from seismic-related liquefaction would not change from a commercial or low density residential use to high density residential uses. Therefore, there would be no impact as a result of rezone and subsequent future development of the chosen site.

**Landslides.** Landslides are determined in the general plan EIR to be unlikely due to the topography and the location of the City’s urban core (p. 207). Further, the impacts from landslides would not change from a commercial or low density residential use to high density residential uses. Therefore, there would be no impact as a result of rezone and subsequent future development of the chosen site.

**Unstable Soils.** The impacts related to unstable soils would not change from a commercial or low density residential use to a high density residential use. Therefore, there would be no impact as a result of rezone and subsequent future development of the chosen site.

- b. The impacts related to soil erosion would not change from a commercial or low density residential use to a high density residential use. Therefore, there would be no impact as a result of rezone and subsequent future development of the chosen site.

- d. The impacts related to expansive soils would not change from a commercial or low density residential use to a high density residential use. Therefore, there would be no impact as a result of rezone and subsequent future development of the chosen site.
- e. The City currently provides sewer services (City of San Juan Bautista 2015, p. 221) and the existing land use designation of commercial for Sites A and B, and low density residential for Site C would hook in to the City's sewer system and not include the use of septic systems. The rezone and subsequent future development of the chosen site to high density residential uses would not change this, and, therefore, there would be no impact.
- f. There are no unique geologic features located on or adjacent to any one of the rezone sites.

The rezone of the chosen site from either a commercial or low density residential use to a high density residential use would not increase the potential impacts related to paleontological resources.

## 8. GREENHOUSE GAS EMISSIONS

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (1, 3, 18)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (1, 3, 18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Comments:

- a,b. The general plan EIR found that implementation of the general plan would not generate greenhouse gas emissions (GHG) that exceed the plan-level efficiency-based threshold of 6.6 MT CO<sub>2</sub>e per service population per year, which is based on the California Air Resources Board's (CARB) emissions reduction goals.

The City of San Juan Bautista is located within the boundaries of the Monterey Bay Air Resources District ("air district"). To date, the air district has not adopted CEQA guidance for analysis of GHG effects of land use projects (e.g. numerical thresholds of significance,) nor has it prepared a qualified GHG reduction plan for use/reference by local agencies located within the air district. Further, San Benito County and the City have not adopted a GHG reduction emissions plan or climate action plan (City of San Juan Bautista 2015, p. 240). Therefore, the applicable plan or policy for regulating emissions of greenhouse gases is the statewide emissions targets set by CARB, which requires reducing emissions below the 6.6 MT CO<sub>2</sub>e per capita thresholds of significance.

GHG emissions that would be generated by construction and operation of future development on Sites A, B, and C under the existing zoning and under the proposed zoning have been estimated using California Emissions Estimator Model Version 2016.3.2. Refer to [Appendix B, CalEEMod Results](#), for detailed results. The GHG emissions associated with each site are discussed below.

#### *Site A*

**Existing Zoning.** Total construction emissions are projected at 70.97 MT CO<sub>2</sub>e.

Amortized over a 30-year operational lifetime, the annual amortized emissions would be approximately 2.37 MT CO<sub>2</sub>e per year. Operational emissions are projected at



943.56 MT CO<sub>2</sub>e per year. Therefore, total GHG emissions associated with future development on Site A under existing zoning would be the sum of amortized construction emissions and operational emissions or 945.93 MT CO<sub>2</sub>e per year.

**Proposed Zoning.** Total construction emissions are projected at 69.06 MT CO<sub>2</sub>e. Amortized over a 30-year operational lifetime, the annual amortized emissions would be approximately 2.30 MT CO<sub>2</sub>e per year. Operational emissions are projected at 213.61 MT CO<sub>2</sub>e per year. Therefore, total GHG emissions associated with future development on Site A under proposed zoning would be the sum of amortized construction emissions and operational emissions or 215.91 MT CO<sub>2</sub>e per year. This is less than the GHG emissions estimate under existing conditions.

Service population is the sum of the number of jobs and the number of residents generated by a project. Service population associated with future development on Site A under proposed conditions would be the number of residents or 56 (from Table 2). Future development on Site A under proposed zoning would generate approximately 3.86 MT CO<sub>2</sub>e per year per service population (215.91/56). This is below the threshold of 6.6 MT CO<sub>2</sub>e per service population per year.

### ***Site B***

**Existing Zoning.** Total construction emissions are projected at 324.64 MT CO<sub>2</sub>e. Amortized over a 30-year operational lifetime, the annual amortized emissions would be approximately 10.82 MT CO<sub>2</sub>e per year. Operational emissions are projected at 2,406.08 MT CO<sub>2</sub>e per year. Therefore, total GHG emissions associated with future development on Site B under existing zoning would be the sum of amortized construction emissions and operational emissions or 2,416.90 MT CO<sub>2</sub>e per year.

**Proposed Zoning.** Total construction emissions are projected at 319.30 MT CO<sub>2</sub>e. Amortized over a 30-year operational lifetime, the annual amortized emissions would be approximately 10.64 MT CO<sub>2</sub>e per year. Operational emissions are projected at 546.14 MT CO<sub>2</sub>e per year. Therefore, total GHG emissions associated with future development on Site B under proposed zoning would be the sum of amortized construction emissions and operational emissions or 556.78 MT CO<sub>2</sub>e per year. This is less than the GHG emissions estimate under existing conditions.

Service population is the sum of the number of jobs and the number of residents generated by a project. Service population associated with future development on Site B under proposed conditions would be the number of residents or 146 (from Table 2). Future development on Site B under proposed zoning would generate approximately 3.81 MT CO<sub>2</sub>e per year per service population (556.78/146). This is below the threshold of 6.6 MT CO<sub>2</sub>e per service population per year.

### *Site C*

**Existing Zoning.** Total construction emissions are projected at 280.93 MT CO<sub>2e</sub>. Amortized over a 30-year operational lifetime, the annual amortized emissions would be approximately 9.36 MT CO<sub>2e</sub> per year. Operational emissions are projected at 264.30 MT CO<sub>2e</sub> per year. Therefore, total GHG emissions associated with future development on Site C under existing zoning would be the sum of amortized construction emissions and operational emissions or 273.66 MT CO<sub>2e</sub> per year.

**Proposed Zoning.** Total construction emissions are projected at 319.30 MT CO<sub>2e</sub>. Amortized over a 30-year operational lifetime, the annual amortized emissions would be approximately 10.64 MT CO<sub>2e</sub> per year. Operational emissions are projected at 546.14 MT CO<sub>2e</sub> per year. Therefore, total GHG emissions associated with future development on Site C under proposed zoning would be the sum of amortized construction emissions and operational emissions or 556.78 MT CO<sub>2e</sub> per year. This is greater than the GHG emissions estimate under existing conditions.

Service population is the sum of the number of jobs and the number of residents generated by a project. Service population associated with future development on Site B under proposed conditions would be the number of residents or 146 (from Table 2). Future development on Site C under proposed zoning would generate approximately 3.81 MT CO<sub>2e</sub> per year per service population (556.78/146). This is below the threshold of 6.6 MT CO<sub>2e</sub> per service population per year.

Therefore, future development on each of the three potential rezone sites under proposed zoning would generate GHG emissions that do not exceed the threshold of significance and would not conflict an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

## 9. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (1, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, create a significant hazard to the public or the environment? (1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. For a project located within an airport land-use plan or, where such a plan has not been adopted, within two miles of a public airport or a public-use airport, result in a safety hazard or excessive noise for people residing or working in the project area? (1, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? (1, 3, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Comments:

- a. The current designation of the potential rezone sites as commercial or low density residential uses do not involve the transport or use of significant quantities of hazardous materials. The rezone of one of the sites to high density residential uses would not change this and, therefore, there would be no impact.

- b. The general plan EIR states that the general plan does not propose any land uses that would create accident conditions for the release of hazardous materials in the long-term (p. 259). The general plan also anticipates commercial uses at Sites A and B, and low density residential uses at Site C, which would not involve a significant hazard to the public or the environment through hazardous materials. The rezone of the chosen site to high density residential would not change this and, therefore, there would be no impact.
- c. Although Sites A and B are not within one-quarter mile of an existing school, Site C is within one-quarter mile of San Juan School. However, the general plan anticipates low density residential at Site C and, therefore, does not anticipate the emissions or the handling of hazardous materials at this site. If Site C were chosen to be rezoned to high density residential, the circumstances would not change; no emissions or handling of hazardous materials would occur at the site.
- d-f. According to the general plan EIR, the City does not include any sites listed on the hazardous materials compilation pursuant to Government Code section 65962.5 (p. 260) and, thus, there would be no impact.

The City, inclusive of all three rezone sites, is also located 12 miles southwest of the Hollister Municipal Airport (City of San Juan Bautista 2015, p. 255) and, therefore, there would be no safety hazard or excessive noise for people residing or working in the area.

The existing designations of the potential rezone sites of commercial or low density residential do not include changes to any roadways. The rezone of the chosen site to high density residential would not change this and, therefore, there would be no impact related to an emergency response plan or emergency evacuation plan.

- g. All three rezone sites are within high or moderate fire severity zones according to San Benito County's WebGIS. However, the general plan EIR illustrates on Map 4.8-2 that each site is within the "Preferred Land Use and Growth Areas," which supports the commercial or low density residential uses that are anticipated by the general plan at each of the rezone sites. Therefore, the rezone of the chosen site to high density residential would not increase the potential impacts related to wildfires as development is currently anticipated at each site for either commercial or low density residential uses.

There would be no increase in potential hazards and hazardous materials impacts associated with rezoning one of the sites.

## 10. HYDROLOGY AND WATER QUALITY

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? (1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? (1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
(1) Result in substantial erosion or siltation on- or off-site; (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(2) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite; (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(3) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or(1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(4) Impede or redirect flood flows? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? (1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Comments:

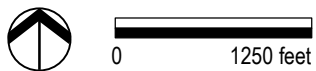
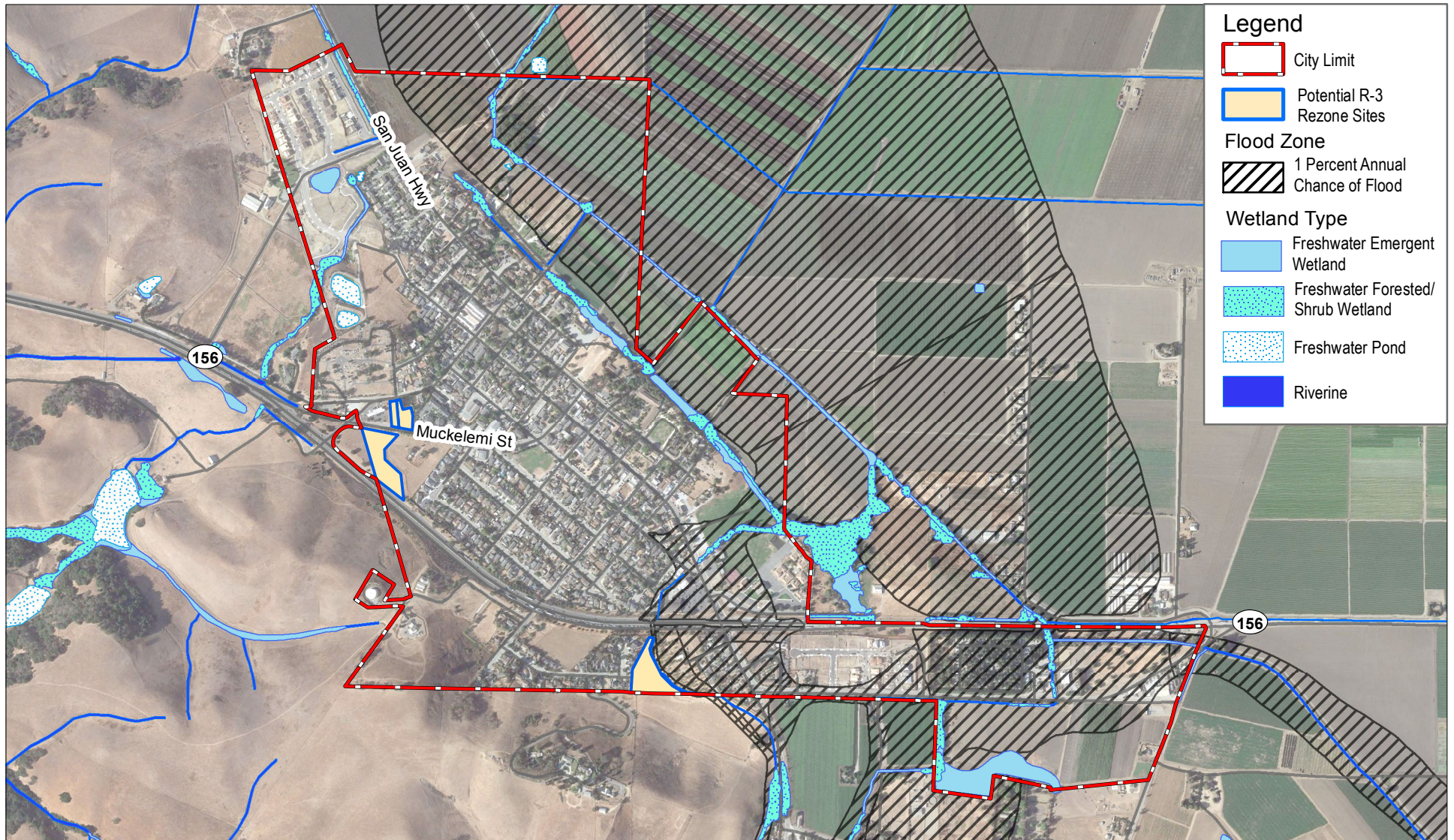
- a. General Plan Policies CO 2.1.1 and PF 1.1.2 encourage the improvement and protection of City's water quality and groundwater supply. The State Water Resources Control Board is responsible for regulating and permitting the City's storm water discharges under the National Pollutant Discharge Elimination System ("NPDES") General Permit/Waste Discharge Requirements for Storm Water Discharges from Small Municipal Separate Storm Water Sewer System. The intent of the NPDES permit is to mitigate pollution from storm water run-off and storm water drainage systems in order to minimize impact to water quality and groundwater. This will also reduce or prevent the impacts from accidental discharge of contaminants into the City's water supply.

The rezone of the chosen site from commercial or low density residential uses to high density residential uses would not increase the impacts related to water quality standards or waste discharge requirements. Therefore, there would be no impact as a result of rezone or subsequent development of the chosen site with high density residential uses.

- b. The rezone of the chosen site from commercial or low density residential uses to high density residential uses would not increase the impacts on groundwater supply or recharge. Therefore, there would be no impact as a result of rezone or subsequent development of the chosen site with high density residential uses.
- c. The rezone of the chosen site from commercial or low density residential uses to high density residential uses would not increase the impacts related to erosion or siltation on- or offsite; flooding on- or offsite; exceeding the capacity of existing or planned storm water drainage systems; or the redirecting flood flows. Therefore, there would be no impact as a result of rezone or subsequent development of the chosen site with high density residential uses.
- d. According to the general plan EIR, the City's location has minimal to no risk for flood hazards including sea level rise, tsunamis, inundation by seiche, and mudflow (p. 294). In addition, Sites A, B, and C are not located within any of these hazard zones; see [Figure 6, Existing Flood Hazards and Wetlands](#).
- e. The rezone of the chosen site from commercial or low density residential uses to high density residential uses would not increase the impacts related to a conflict with a water quality control plan or sustainable groundwater management plan. Therefore, there would be no impact as a result of rezone or subsequent development of the chosen site with high density residential uses.

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Source: ESRI 2019, San Benito County GIS 2016, FEMA 2019

Figure 6  
Existing Flood Hazard and Wetlands  
San Juan Bautista 2015-2019 Housing Element Initial Study



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## 11. LAND USE AND PLANNING

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a. Physically divide an established community? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause any significant environmental impact due to a conflict with any land-use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Comments:

- a. Projects that have the potential to physically divide an established community include new freeways and highways, major arterial streets, and railroad lines. None of these activities are planned as part of the rezone of the chosen site from commercial or low density residential uses to high density residential uses. Therefore, would not physically divide an established community.
- b. The proposed project involves the rezone of the chosen site from commercial or low density residential uses to high density residential uses. This rezone and subsequent future development to high density residential uses would not increase impacts related to a conflict with any land-use plan, policy, or regulation.

## 12. MINERAL RESOURCES

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a. Result in loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in the loss of availability of a locally important mineral resource recovery site delineated in a local general plan, specific plan, or other land-use plan? (1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Comments:

- a,b. According to the City's general plan EIR, there are no mineral resources sites located within the City limits (p. 329) and, therefore, the proposed project would not result in the loss of availability of a known or locally important mineral resource.

There would be no increase in potential mineral resources impacts associated with rezoning one of the sites.

## 13. NOISE

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a. Result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or in applicable standards of other agencies? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in generation of excessive ground-borne vibration or ground borne noise levels? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. For a project located within the vicinity of a private airstrip or an airport land-use plan or, where such a plan has not been adopted, within two miles of a public airport or public-use airport, expose people residing or working in the project area to excessive noise levels? (1, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Comments:

- a,b. The proposed project includes the rezone of Site A, B, or C from commercial or low density residential to high density residential. The impacts related to temporary or permanent increases in ambient noise levels, and ground-borne vibration levels would not change from a commercial or low density residential use to a high density residential use. Therefore, there would be no impact as a result of rezone and subsequent future development of the chosen site to high density residential.
- c. There are no airports or airport land use plans within the City (City of San Juan Bautista 2015, p. 361) and as a result, the proposed project would not result in exposure of people residing or working in the project area to excessive noise levels.

There would be no increase in noise impacts associated with rezoning one of the sites.

## 14. POPULATION AND HOUSING

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a. Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)? (1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Comments:

- a. As required by State law, the proposed project is designed to address the housing needs projected for the City by ensuring that sufficient sites are available and that existing constraints are reduced or removed in order to encourage housing production to meet the community's need. The proposed project is designed to facilitate the development of high density housing in order to meet anticipated population growth and would result in an increase in population. However, the increase in population that would result from the rezone of the chosen site would not constitute a substantial unplanned population growth as the general plan anticipates increased growth in its population up to 2035; therefore, this impact would be less than significant.
- b. Development on any one of the rezone sites would not displace people or housing, necessitating the construction of replacement housing elsewhere.

## 15. PUBLIC SERVICES

Would the project result in substantial adverse physical impacts associated with the provision of or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Fire protection? (1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Police protection? (1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Schools? (1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Parks? (1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Other public facilities? (1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Comments:

a-e. See Section 14.0, Population and Housing, checklist question a). The proposed project has the potential to result in an additional 55 high density housing units with an additional population of 146 people. This has the potential to impact public services and facilities in a manner that could require the need for new or physically altered facilities, the construction of which would result in an adverse environmental impact.

Sites A, B, and C consist of commercial or low density land use designations and the chosen site would be rezoned to high density residential. The rezone of the chosen site may increase impacts related to public services but not to a significant level. Therefore, there would be a less than significant impact on public services and facilities.

## 16. RECREATION

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment? (1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Comments:

- a,b. See Section 14.0, Population and Housing, checklist question a). The proposed project has the potential to result in an additional 55 high density housing units with an additional population of 146 people. However, as stated in the previous Section 15.0, Public Services, rezone of the chosen site may increase impacts related to public facilities, such as recreation facilities, but not to a significant level. Therefore, there would be a less than significant impact on existing recreational facilities.

## 17. TRANSPORTATION

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? (1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? (1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (1, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (1, 3, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Result in inadequate emergency access? (1, 3, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decreased the performance or safety of such facilities? (1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Comments:

- a,f. In general, multi-family housing produces approximately the same volume (or only slightly more) of daily traffic as retail commercial uses (as is the case with Site A and B) (commercial use: 1 acre = 43,560 sf; 43,560 sf x .4 FAR = 17,424 sf of floor area; 17,424 sf x 9 trips/1,000 sf = 157 trips; residential use: 1 acre x 24 du/acre = 24 du; 24 du x 7 trips/du = 168 trips). In terms of re-zoning/re-designation from low-density



residential to multi-family residential use (as is the case with Site C), multi-family residential use would generate more than twice as much traffic than the low-density residential use it replaced (low-density residential: 1 acre x 7 du/acre = 7 du; 7 du x 10 trips/du = 70 trips; multi-family residential: 1 acre x 24 du/acre = 24 units; 24 du x 7 trips/du = 168 trips). Therefore, the proposed project could result in substantially greater traffic or conflict with an applicable plan, ordinance, or policy addressing the circulation system in the area, including transit, roadway, bicycle and pedestrian facilities.

However, this significant impact would be reduced to a level of less than significant with implementation of general plan EIR Mitigation Measure TRANS-1, which requires the preparation of a travel impact study prior to approval of a development application to evaluate traffic and transportation impacts associated with the proposed development.

- b. As stated in the general plan EIR, there is no County or City Congestion Management Programs in place for the City of San Juan Bautista or San Benito County (p. 435), and, therefore, the proposed project would have no conflicts.
- c. There are no airports located within or near the City. Therefore, the proposed project would not result in the change of any air traffic patterns.
- d,e. Development as any one of the rezone sites would not include geometric design features that would increase hazards or include incompatible uses because all development would be subject to design and safety standards, specified under the City's Municipal Code, which references the California Building Code and portions of the International Fire Code (City of San Juan Bautista 2015, p. 436). In addition, future development would not provide inadequate emergency access as it would be required to comply with the City's Municipal Code, which regulates access on new development sites, as presented in the general plan EIR (p. 436).

## 18. TRIBAL CULTURAL RESOURCES

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
(1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources code section 5020.1(k), or (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Comments:

- a. Letters were sent on May 20, 2019 to a list of four tribes that were determined by the Native American Heritage Commission to have cultural and traditional affiliation to the areas impacted by the proposed project. No responses were received under AB 52; therefore, no discussion is required.

A response was received under SB 18, which is discussed in Section 5.0 Cultural Resources.

## 19. UTILITIES AND SERVICES SYSTEMS

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? (1, 2, 3, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? (1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (1, 2, 3, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? (1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? (1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Comments:

- a,c. **Water Demand.** The City's general plan EIR conservatively estimated water demand with build out of the general plan. The City concluded that new water facilities (i.e. the City's new pellet plant) may be required in order to accommodate the growth as a result of buildout of the general plan (Mitigation Measure US-2, p. 467). Development of the chosen site could impact the City's water facilities and high density residential uses could result in higher levels of water use than the currently anticipated commercial or low density residential uses. However, the impacts would not create significant impacts that would result in the need for new water facilities.

Any impacts related to water capacity would be also be mitigated by the requirement of a development impact fee as stated in the City's Municipal Code, Chapter 3-8, Article 4.

**Wastewater Generation and Treatment.** The City's wastewater treatment plant provides wastewater collection and treatment to residents of the City. Rezone of the chosen site from commercial or low density residential to high density residential may increase impacts on the capacity of the wastewater treatment plant. The wastewater treatment plant is located on the western border of the City limits and north of the City cemetery and has a dry capacity of 270,000 gallons per day ("gpd") and a wet capacity of 500,000 gpd (City of San Juan Bautista 2015). According to the general plan EIR, the wastewater treatment plant was processing up to 176,000 gpd in 2012 (p. 454). The general plan EIR states that even with a population increase, the wastewater treatment plant has enough capacity to accommodate buildout of the general plan (p. 454). Although development of the chosen site could impact the City's wastewater facilities and high density residential uses could result in higher levels of water use than the currently anticipated commercial or low density residential uses, the impacts would not create significant impacts that would result in the need for new wastewater facilities. In addition, the City has development impact fees within its Municipal Code, Chapter 3-8 Article 5, which would further ensure these impacts on wastewater consumption or wastewater treatment as a result of the proposed project would be less than significant.

**Storm Water.** As stated in the general plan EIR, the City does not have a coordinated drainage system and, therefore, improvements to the storm drain system are already anticipated even without the future growth anticipated at buildout of the general plan (p. 460). Although development of the chosen site could impact the City's storm water system, the rezone of the chosen site would not create significant impacts that would result in the need for new storm water facilities as the general plan currently anticipates commercial or low density residential uses at each site.

The proposed project would also not require the construction or relocation of new or expanded electric power, natural gas, or telecommunication facilities.

- b. The proposed project promotes high density housing development and, in general, high density residential uses could result in higher levels of water use than the existing anticipated uses of commercial or low density residential. However, the City has sufficient water supply for what would be a modest increase in water usage. The general plan EIR evaluated the impacts to the City's water supply and concluded that San Juan Bautista has adequate groundwater resources to accommodate the

population as well as the projected population growth (p. 282). Therefore, impact related to the City's water supply as a result of the proposed project would be less than significant.

- d. As stated in the City's general plan EIR, the City's solid waste is managed by the County's Integrated Waste Management Department and San Juan Bautista residents and businesses send 836 tons of waste to John Smith Road Landfill in an average year (p. 464). The general plan EIR states that due to the City's low per-capita disposal rate and small population, there would be minimal impact on the existing landfill capacity (p. 465). Rezone of the chosen site could result in an increase in the demand for solid waste disposal; however, the increase would not result in solid waste amounts that would significantly impact the capacity at the John Smith Road Landfill.
- e. The primary relevant state regulation pertaining to the proposed project is California Integrated Waste Management Act (AB 939), which requires cities and counties to divert 50 percent of their solid waste from landfills. The City has met its diversion goal of 50 percent (City San Juan Bautista 2015, p. 467). Therefore, the proposed project would be in compliance with solid waste regulations and there would be no impact.

## 20. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a. Substantially impair an adopted emergency response plan or emergency evacuation plan? (1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of wildfire? (1, 2, 3, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? (1, 2, 3, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? (1, 2, 3, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Comments:

According to the general plan, the three rezone sites are all located near or on lands classified as very high fire hazard severity zones (Map 4.14, p. 60). The proposed project, which includes re-zoning/re-designation for additional residential use, could subject additional population to wildfire risk.

- a. The proposed project would not impair an adopted emergency response plan or emergency evacuation plan because development associated with the chosen site would not be located in an area that would affect emergency services or evacuation of the City.
- b. See Section 9.0, Hazards and Hazardous Materials, checklist question g). Rezone of the chosen site to high density residential would not significantly increase the potential impacts related to exacerbating wildfires as development is currently

anticipated at each site for either commercial or low density residential uses. Further, each potential rezone site is relatively flat and, therefore, would not exacerbate wildfire risks due to slope or prevailing winds.

- c. See Section 9.0, Hazards and Hazardous Materials, checklist question g). The rezone and subsequent development of the chosen site from commercial or low density residential to high density residential could require the installation of associated infrastructure. However, rezone of the chosen site to high density residential would not exacerbate fire risk to a significant level as development is currently anticipated at each site for commercial or low density residential uses.
- d. See Section 9.0, Hazards and Hazardous Materials, checklist question g). The development of the chosen site would minimally increase the population, which would place people and structures in way of wildfire risks. However, refer to Section 7.0, Geology and Soils, checklist questions a/c); impacts related to landslides would not change from a commercial or low density residential use to high density residential uses with rezone of the chosen site. Therefore, rezone of the chosen site would result in less than significant impacts associated with exposing people or structures to wildfire risks.

## 21. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a. Does the project have the potential to substantially degrade the quality of the environment; substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; substantially reduce the number or restrict the range of an endangered, rare, or threatened species; or eliminate important examples of the major periods of California history or prehistory? (1, 2, 3, 4, 6, 7, 8, 9, 10, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects) (1, 2, 3, 4, 6, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly? (1, 2, 3, 4, 6, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Comments:

- a. The proposed project would not result in any changes of existing City land use policies. The purpose of the proposed project is to identify lands to help the City meet its remaining RHNA. Therefore, the proposed project includes the possible re-zoning/re-designation of property to high density residential use (from commercial use or low-density residential use), but this change in land use would not result in significant impacts related to the increase the potential for the substantial degradation of the quality of the environment; would not substantially reduce the habitat of a fish or wildlife species; would not cause a fish or wildlife population to drop below self-sustaining levels; would not threaten to eliminate a plant or animal community; would not substantially reduce the number or restrict the range of an endangered, rare, or threatened species; and would not eliminate important examples of the major periods of California history or prehistory.



- b. The proposed project would not result in any changes of existing City land use policies. The purpose of the proposed project is to identify lands to help the City meet its remaining RHNA. Therefore, the proposed project includes the possible re-zoning/re-designation of property to high density residential use (from commercial use or low-density residential use), but this change in land use would not result in significant impacts that are individually limited, but cumulatively considerable.
- c. The proposed project would not result in any changes of existing City land use policies. The purpose of the proposed project is to identify lands to help the City meet its remaining RHNA. Therefore, the proposed project includes the possible re-zoning/re-designation of property to high density residential use (from commercial use or low-density residential use), but this change in land use would not result in substantially greater adverse effects on human beings, either directly or indirectly, than the current land use designations of the rezone sites of commercial and low density residential.

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All documents in **bold** are available for review at the City of San Juan Bautista City Hall, 311 2nd Street, San Juan Bautista, California 95045, (831) 623-4661, during normal business hours.

# **City of San Juan Bautista 2015-2019 Housing Element**

Public Review Draft

July 12, 2019

Prepared by  
**EMC Planning Group**

# CITY OF SAN JUAN BAUTISTA 2015-2019 HOUSING ELEMENT

Public Review Draft

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July 12, 2019

This document was produced on recycled paper.



# Introduction

## A. Community Context

The City of San Juan Bautista is located in the northwest portion of San Benito County, near the Monterey County and Santa Clara County borders. San Juan Bautista provides a variety of housing, shopping, jobs, attractions, recreation opportunities, and natural resources for its residents and visitors alike. Also, as one of 2 incorporated cities in San Benito County, San Juan Bautista is the base for much of the County's agriculture industry. The City is the home of Mission San Juan which is visited by thousands of people each year. San Juan Bautista also offers other unique assets—the geography of the surrounding hills and mountains, historic downtown, proximity to the Silicon Valley, and pleasant year-round climate—all of which make San Juan Bautista an attractive place to live, work, and retire.

During the 1990s and into the new millennium, the County of San Benito experienced substantial growth pressures primarily reflecting the spillover of employees from Santa Clara County and the Silicon Valley seeking less expensive housing within commute distances. The cost of living in San Benito County remains relatively high (particularly in relation to household incomes) due to its proximity to employment centers in the Silicon Valley, and, as such, the residents of San Juan Bautista continue to experience increased housing prices, overpayment, and overcrowding. Compounding this issue is the need to find ways to upgrade existing housing and reinvest in infrastructure to serve those homes and businesses.

To address the City's housing goals, a variety of environmental, regional, budgetary, and quality of life issues must be addressed. These constraints include the following:

- **Environmental and Historic Features.** San Juan Bautista has many natural and historic features, which provide for a unique quality of life for residents.
- **Planned Growth.** San Juan Bautista has developed in a compact fashion due, in part, to the topography, the San Andreas Fault, and adjoining agricultural activities. This growth has been planned to coincide with the availability of both municipal water and sanitary sewer.
- **Budgetary Constraints.** The availability of funds to support housing programs is uncertain, but is expected to be more robust in this housing element period, perhaps enabling San Juan Bautista to better address its local housing needs.
- **Maintaining Community Character.** San Juan Bautista residents are committed to maintaining the rural character, historic resources, agricultural economy, environmental features, and other unique aspects of the community.

Within this broad context, San Juan Bautista must address key housing challenges over the 2015-2019 planning period. These challenges include: (1) providing sites for additional housing; (2) providing for a range in types and prices of housing; (3) looking at ways to address the need to improve and rehabilitate housing and neighborhoods; (4) providing for those with special housing needs; and 5) maintaining and improving the local environment and quality of life in San Juan Bautista. The 2015-2019 Housing Element addresses each of these issues.

## B. State Policy and Authorization

The California State Legislature identifies the attainment of a decent home and suitable living environment for every resident as the State’s major housing goal. Recognizing the important role of local planning programs in pursuing this goal, the Legislature has mandated that all cities and counties prepare a housing element as part of their comprehensive general plan. Section 65302(c) of the Government Code sets forth the specific components to be contained in a community’s housing element.

State law previously required housing elements to be updated at least every 5 years. The standard cycle is now 8 years and is tied to the region’s transportation planning. The 2009-2014 San Juan Bautista Housing Element covered the 5-year period spanning 2009 through 2014. This 4th Cycle Housing Element was in compliance, but the City has not adopted a housing element for the 5th Cycle, which was due on December 15, 2015 to cover the planning period from 2015-2023. Because the City missed this deadline, it must now adopt 2 consecutive 4-year housing elements to return to the current standard 8-year cycle.

California law requires that each city and county, when preparing its State-mandated Housing Element, develop local housing programs to meet its “fair share” of existing and future housing needs for all income groups, also known as the Regional Housing Needs Allocation (RHNA). This fair share concept seeks to ensure that each jurisdiction, to the extent feasible and appropriate, provides housing for its resident population, and those households who might reasonably be expected to reside within the jurisdiction, with a variety of housing appropriate to their needs.

The fair share allocation process begins with the State Department of Finance’s (DOF) population projections for the State and regions of the State. The Department of Housing and Community Development (HCD) uses the DOF population projections to determine housing needs by region in California. Once this occurs, the regional planning agency (or in San Juan Bautista’s case), the San Benito Council of Governments (SB+COG) allocates a share of the regional housing needs (RHNA) to each jurisdiction within the region, which is separated into 4 income categories. This Housing Element will review the City’s progress toward its RHNA from the 4<sup>th</sup> Cycle Housing Element (which was a total of 49 units) and the City’s current RHNA share (which is a total of 41 units). A breakdown of the 2015-2023 RHNA by income target is provided in Table 1-1, below.

**Table 1-1: San Juan Bautista’s Share of Regional Housing Needs 2015-2023**

Income Category	City’s Share of Regional Housing Needs	
	Number of Units	Percent of Total Units
Extremely Low Income	5	12%
Very Low	5	12%
Low	6	15%
Moderate	8	20%
Above Moderate	17	41%
<b>Total</b>	<b>41</b>	<b>100%</b>

Source: California Department of Housing and Community Development, 2014-2023

## C. Role of Housing Element

Unlike other General Plan elements that typically cover a much longer planning horizon (10 to 20 years), the Housing Element covers a core timeframe of 8 years. Within this timeframe, the Housing Element identifies strategies and programs that focus on: (1) preserving and improving housing and neighborhoods; (2) providing adequate housing sites; (3) assisting in the provision of affordable housing; (4) removing governmental and other constraints to housing investment; and (5) promoting fair and equal housing opportunities.

The Housing Elements consists of the following major components:

- An analysis of the City's demographics, housing characteristics, and existing and future housing needs
- A review of potential market, governments, and environmental constraints to meeting the City's identified housing needs
- An evaluation of the land, financial, and organizational resources available to address the City's identified housing needs
- A statement of the Housing Plan to address the City's identified housing needs, including housing goals, policies and programs

## D. Data Sources

In preparing the Housing Element, the preparers consulted various sources of information. As more recent reliable information is difficult to find in most cases, Census 2017 data was used as the baseline for most demographic information. Additional sources include the Census of Agriculture, the California Department of Housing and Community Development, the Office of Policy Development and Research, the San Benito County Housing Element 2014-2023, California Department of Finance population projections, employment data from the State of California Employment Development Department, and the most recent data available from service agencies and other governmental agencies. In addition, the City's 2015-2019 Housing Element implements the most recent changes to State Housing Element law, including those specifying quantified results, identification of suitable sites for lower income housing, and changes affecting the development, maintenance, and improvement of transitional housing and housing for persons with disabilities.

## E. Relationship to the General Plan

In addition to the Housing Element, the City's other General Plan elements directly or indirectly affect the development of housing. The Housing Element has been reviewed to ensure consistency with the other elements of the General Plan.

The City's General Plan, establishes a goal for the City to grow as a compact, unified city, maintaining clear definition between rural and urban uses. The General Plan consists of a number of chapters/elements that address both the State-mandated planning issues plus optional subjects that are of particular concern to the City.

The City will ensure consistency between the Housing Element and the other General Plan Elements so that policies introduced in one element are consistent with other elements. One Housing Element program may ultimately change the land use diagram for some of the land south of State Route 156.



## F. Community Involvement

Public input on housing needs and strategies is critical to developing appropriate and effective City housing programs. As part of the Housing Element update, the City undertook an effort to involve residents, policy makers, and service providers in and around the San Juan Bautista Community. Recently, the City developed a Housing Needs survey that was conveyed via utility billing to obtain local resident input. The City has also conducted an outreach campaign that incorporated workshops, media releases, public meetings, and plans to conduct public hearings before the Planning Commission and City Council in conjunction with releasing the draft Housing Element to the Department of Housing and Community Development.

**Workshop.** The City conducted a fully noticed Public Workshop on February 20, 2019. The program was structured to solicit questions, comments, and discussion on the Housing Element and potential sites for low and very low income housing and emergency shelters. Notices were distributed to various non-profit and community organizations, housing stakeholders and other interested parties. In addition, the event was posted on the City website, the Welcome Center, the library, at local businesses, and on several of the City's social media sites. The following groups were invited and noticed of this workshop:

- California Rural Legal Assistance
- San Benito County Chamber of Commerce
- Emmaus House
- San Benito County LULAC
- South County Housing Corporation
- The Red Cross—San Benito County
- Aromas-San Juan Unified School District
- Community Food Bank of San Benito
- San Benito County Workforce Development Board
- Habitat for Humanity
- Community Action Agency
- The Homeless Coalition of San Benito County
- Community Homeless Solutions
- Coalition of Homeless Services Providers

A total of 22 persons attended the workshop and offered input into the best locations for lower income housing and emergency shelters, and these citizen site recommendations were considered in preparing the housing element.

**State Review.** The Housing Element has been reviewed by the State Department of Housing and Community Development's (HCD) and revised to address HCD's comments. Following City adoption, HCD reviewed and certified the Housing Element, which will be in effect through December 31, 2019.

**Adoption Hearings.** The Planning Commission (recommending body) and the City Council (adopting body), held public hearings prior to adoption, during which the public had additional opportunities to comment. Copies of the draft Housing Element were available for review at the City Hall and public library prior to the hearings. **[NOTE: PLAN DEVELOPMENT IS ONGOING AND HEARINGS WILL OCCUR IN THE FUTURE]**

The Community Profile discusses population and household characteristics of San Juan Bautista residents, summarizes available housing, and outlines the City's housing needs through 2019. Later chapters of the Housing Element discuss the various constraints, resources, and programs to address housing needs.

## A. Demographic Characteristics

The amount and type of housing needed in San Juan Bautista is largely determined by population growth, various demographic characteristics and the quality of the existing housing stock. These variables—age, race/ethnicity, occupation, and income level—combine to influence the type of housing needed.

### 1. Population Trends

The City has experienced a cycle of “booms” and “busts,” with population dwindling in some decades, and surging in others. In 1870, San Juan Bautista had more than 2,600 residents; almost 400 people more than it has today. By 1910, the City's population had declined to 326. It doubled between 1910 and 1930, dropped during the 1930s, grew rapidly during the 1940s, and remained flat during the 1950s. In more recent times, the population has continued to grow at an uneven rate with faster growth during the 1970s, 1980s, and 2000s and a slight decline during the 1990s. The 2017 population is 2,212, an increase of 350 people from the 2010 population of 1,862<sup>1</sup>.

Since 1950, the City has grown much more slowly than the County as a whole. While San Benito County's population has increased by more than 200 percent since 1950, San Juan Bautista's population has increased by only about 50 percent.

### 2. Age Characteristics

A community's housing needs are determined in part by the age characteristics of residents. Each age group has distinct lifestyles, family type and size, income levels, and housing preferences. As people move through each stage of life, their housing needs and preferences change. As a result, evaluating the age characteristics of a community is important in addressing the housing needs of its residents.

The median age in San Juan Bautista at the last update in 2010 was 38.7 and now in 2017 it is 36.2. San Benito County median age at the last update in 2010 was 34.3 and now in 2017 it is 35.4. Table 2-1 indicates that San Juan Bautista has a higher proportion of seniors than San Benito County as a whole. Some 15.2 percent of all San Juan residents are over 65, compared to 11.8 percent countywide (and 8.4 percent in Hollister). The housing needs of seniors are often significant, due to seniors' limited incomes and higher health care costs. Housing for seniors also may require certain physical attributes, such as handicap ramps, grab bars, and easy access to local services.

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<sup>1</sup> County of San Benito housing Element Revision, 2001 – 2008; and U.S. Census Bureau/American Fact Finder

At the other end of the age spectrum, 29.6 percent of all San Juan Bautista residents are 19 or under, compared to 29.3 percent in the County as a whole. The City has a high concentration of children under 5, suggesting a surge in elementary school enrollment during the coming years. It has an unusually low concentration of adults aged 20-24, suggesting that there are limited housing (and job) opportunities for persons in this age group. A larger supply of affordable rental units might allow young people to remain in San Juan Bautista after graduating from high school or college. About a third of all San Juan Bautista residents are in the “first-time home buyer” age cohort (25-44), which is comparable to the percentage in the County as a whole.

**Table 2-1: Age Distribution of San Juan Bautista and San Benito County, 2017**

Age	San Juan Bautista		San Benito County	
	Population	Percent	Population	Percent
<b>Under 5 years</b>	223	10.1%	3,889	6.6%
<b>5 to 9 years</b>	113	5.1%	4,187	7.1%
<b>10 to 14 years</b>	111	5.0%	4,707	8.0%
<b>15 to 19 years</b>	208	9.4%	4,469	7.6%
<b>20 to 24 years</b>	85	3.8%	4,062	6.9%
<b>25 to 34 years</b>	363	16.4%	7,702	13.1%
<b>35 to 44 years</b>	186	8.4%	7,612	13.0%
<b>45 to 54 years</b>	322	14.6%	8,117	13.8%
<b>55 to 59 years</b>	124	5.6%	3,852	6.6%
<b>60 to 64 years</b>	139	6.3%	3,184	5.4%
<b>65 to 74 years</b>	166	7.5%	4,109	7.0%
<b>75 to 84 years</b>	124	5.5%	1,868	3.2%
<b>85 years and over</b>	48	2.2%	913	1.6%
<b>Total population</b>	<b>2,212</b>	<b>100.00%</b>	<b>58,671</b>	<b>100.0%</b>

Source: United States Census – American FactFinder

### 3. Race and Ethnicity

Various factors affect the present race and ethnic distribution the residents of San Juan Bautista’s today. San Juan Bautista’s rural roots, the presence of the agricultural industry, proximity to Silicon Valley and Highway 101, and the historic availability of affordable housing all have contributed to the race and ethnic composition of the community today. Understanding these dynamics is important in providing insight into the City’s existing and changing housing needs.

The racial and ethnic composition of San Juan Bautista residents is shown in Table 2-2. Just fewer than 44 percent of the City’s residents are non-Hispanic whites. About 54 percent of residents are of Hispanic origin. Less than 2 percent of San Juan Bautista’s residents belong to other racial groups. In San Juan Bautista the Hispanic population increased slightly and White Non-Hispanic decreased. More notable was the change the County has had, seeing an increase in about 3 percent in the Hispanic population and a decrease of 3 percent in the non-Hispanic whites (see Table 2-2). Among San Juan Bautista’s Hispanic residents, 83 percent were of Mexican heritage.

**Table 2-2: Racial and Ethnic Distribution of San Juan Bautista and San Benito County, 2017**

Ethnicity	San Juan Bautista		% Change 2000-2010	San Benito County		% Change 2000-2010
	Number	Percent		Number	Percent	
<b>White, Non-Hispanic</b>	940	42.50%	-1.4%	20,872	35.6%	-2.7%
<b>Hispanic Origin</b>	1,189	43.80%	5.1%	34,561	58.9%	2.5%
<b>Black</b>	0	0%	-0.6%	437	0.7%	-0.2%
<b>Asian-Pacific Islander</b>	48	2.2%	-0.6%	1,657	2.9%	0.3%
<b>Native American</b>	0	0%	-3.1%	178	0.3%	-1.3%
<b>Other Races</b>	35	1.6%	0.7%	966	1.6%	1.4%
<b>Total</b>	<b>2,212</b>	<b>100.00%</b>		<b>58,671</b>	<b>100.00%</b>	

Source: United States Census –American FactFinder

According to the California Department of Education in 2017-18, English Learners represented 24 percent (269) of all students in the Aromas/San Juan Unified School District. Of this total, Spanish was the primary language for 263 of the 269 students. Overall, the School District race and ethnicity demographics represent a higher proportion of Hispanic than the City itself. This difference reflects higher Hispanic numbers in the Aromas area and the higher number of Hispanic households with children under 18 years of age.

#### 4. Household Type

According to the 2017 Census, the average household size in San Juan Bautista is 2.68 persons. As Table 2-3 indicates, this is close to the State average (2.96), and lower than the San Benito County average of approximately 3.23 persons per household. About 27 percent of the City's households consist of people living alone (up from 23 percent in 2010), while 25 percent consist of large families -- defined as 4 or more persons per household (up from 14.7 percent in 2017). The relatively broad distribution of household sizes suggests a demand for a wide variety of housing types, from small units suitable for one person to large homes for families with 4 or more children.

**Table 2-3: Household Size in San Juan Bautista, San Benito County and California, 2017**

Type	San Juan Bautista		San Benito County		California	
	Number	Percent <sup>1</sup>	Number	Percent <sup>1</sup>	Number	Percent <sup>1</sup>
Total Households	788	100	17,440	100	12,888,128	100
1 Person	216	27	2,479	14	3,075,683	24
2 Person	210	27	5,116	29	3,890,262	30
3 Person	169	21	3,460	20	2,146,964	17
4 Person or more	193	25	6,385	37	3,775,219	29
Persons per Household	2.68		3.23		2.96	

Source: United States Census – American FactFinder, California Department of Finance

Table 2-4 shows a vast majority of the City's households are families. Married couples with children and other families represent the largest number and percentage of households in San Juan Bautista. It is noteworthy that approximately 27 percent of all households are made up of persons living alone. Housing demands for persons living alone can differ significantly from family households particularly as those single person households age.

Household size and composition is a complex issue, often reflective of market conditions as well as demographic factors. The relatively high cost of housing in San Juan Bautista, coupled with the lower incomes of many residents, has resulted in some sharing of homes and units. In addition, cultural preferences toward the elderly and other extended family members impacts household size. Again, it appears that future housing opportunities will need to look at a wide range of types and sizes.

**Table 2-4: Household Type and Presence of Children, 2017**

Households			Sub Group			Within Households		
Family Households	507	64%	Husband-wife family	321	63%	With related children under 18	267	53%
			Male, no wife present	103	20%	With own children under 18	251	50%
			Female, no husband present	83	16%			
				507	100%			
Non-family Households	281	36%	Householder living alone	216	77%	Male 65 years and older	12	8%
						Female 65 years and older	36	23%
<b>Total Households</b>	<b>788</b>	<b>100%</b>						

Source: United States Census – American FactFinder

## 5. Income

As shown in Table 2-5, in 2017, the median household income in San Juan Bautista was \$66,833, compared to \$80,760 countywide (and \$77,823 in Hollister). Table 2-5 indicates that 15 percent of all San Juan Bautista households earned less than \$25,000 a year, compared to 12 percent countywide. On the other hand, 66 percent of all San Juan Bautista households earned more than \$50,000 a year, compared to 17 percent countywide.

**Table 2-5: Income Distribution of San Juan Bautista and San Benito County Households, 2017**

	San Juan Bautista		Hollister		San Benito County	
	Number	Percent	Number	Percent	Number	Percent
<b>Total households</b>	<b>788</b>	<b>100</b>	<b>10,418</b>	<b>100</b>	<b>17,440</b>	<b>100</b>
<b>Less than \$10,000</b>	20	2.5%	256	2.5%	356	2%
<b>\$10,000 to \$14,999</b>	32	4.1%	5445	4.3%	630	3.6%
<b>\$15,000 to \$24,999</b>	67	8.5%	659	6.3%	1,076	6.2%
<b>\$25,000 to \$34,999</b>	70	8.9%	643	6.2%	1,096	6.3%
<b>\$35,000 to \$49,999</b>	76	9.6%	1,253	12%	1,930	11.1%
<b>\$50,000 to \$74,999</b>	170	21.6%	1,790	17.2%	3,100	17.8%
<b>\$75,000 to \$99,999</b>	138	17.5%	1,716	16.5%	2,523	14.5%
<b>\$100,000 to \$149,999</b>	118	15%	2,158	20.7%	3,641	20.9%
<b>\$150,000 to \$199,999</b>	31	3.9%	924	8.9%	1,627	9.3%
<b>\$200,000 or more</b>	66	8.4%	574	5.5%	1,461	8.4%
<b>Median household income (dollars)</b>	66,833	(X)	77,823	(X)	80,760	(X)

Source: United States Census – American FactFinder

In 2017, approximately 319 San Juan Bautista residents (14 percent of the population) were classified by the Census as living in households below the poverty level, defined as earning less than 30% of the median household income for the County. See Table 2-6 below for a breakdown between the City and the County on the distribution of residents with an income classified as very low, low and moderate.

**Table 2-6: Distribution of Households per Income Level**

	San Juan Bautista	San Benito County
<b>Very Low Income</b>	142	3,850
<b>Low Income</b>	147	2,937
<b>Moderate Income</b>	178	1,990
<b>Above Moderate</b>	321	8,663
<b>Total</b>	<b>788</b>	<b>17,440</b>

\*Derived and interpolated from Table 2-5 above.

## B. Special Needs Groups

Certain groups in San Juan Bautista and San Benito County encounter greater difficulty finding decent, affordable housing based on their special needs and/or circumstances. Special circumstances may be related to one's employment and income, family characteristics, medical condition or disability, and/or household characteristics. A major emphasis of the Housing Element, per State law, is to ensure that persons from all walks of life have the opportunity to find suitable housing in San Juan Bautista.

State Housing Element law identifies the following "special needs" groups: senior households, disabled persons, single-parent households, female-headed households, large households, persons and families in need of emergency shelter, and farm workers. This section provides a discussion of housing needs for each particular group, and identifies the major programs and services available to address their housing and supportive service needs. San Juan Bautista is an extremely small City with relatively small disabled, homeless and non-senior special needs populations. Data from the 2000, 2010, and 2017 U.S. Census Bureau has been used to determine the size of special needs groups in San Juan Bautista. However, there is no reliable count available for the City of San Juan Bautista regarding farmworkers and homeless persons and therefore, these 2 special needs groups are not provided below. Table 2-7 summarizes special needs groups residing in the City.

**Table 2-7: Special Needs Population**

	2000	2010	2017
<b>Special Needs Group</b>	<b>Number</b>		
<b>Senior Households<sup>(1)</sup></b>	51	117	188
<b>Disabled Persons<sup>(2)</sup></b>	493	*	236 <sup>(3)</sup>
<b>Single-Parent Families w Children</b>	65	126	186
<b>Large Households<sup>(4)</sup></b>	77	100	193 <sup>(5)</sup>

Sources: 2000, 2010, 2017 U.S. Census Bureau.

Notations:

1. Households headed by persons age 65 years or older.
2. A person with a physical, mental, or emotional condition that lasts over a long period of time that makes it difficult to live independently.
3. Totals for the 6 disability types combined.
4. Households with 5 or more members residing in a home
5. 2017 data only provides 4 or more members in a household.

\*A disability is defined differently from the 2000 to 2010 Census. 2010 Census data is unavailable.

## 1. Senior Households

According to 2017 Census data, 188 households in San Juan Bautista (24%) were headed by seniors (persons age 65 years and older), a significant increase over the preceding decades (e.g. in 2010 senior households were 12 percent of total households). Senior households typically have special housing needs due to 3 primary circumstances: fixed income, high health care costs, and physical disabilities.

More senior householders in San Juan Bautista are homeowners than renters (17 percent and 7 percent, respectively) (U.S. Census Bureau, 2017). Because of physical and/or other limitations, senior homeowners may have difficulty performing regular home maintenance or repair activities. Senior women are especially in need of assistance. For those who rent housing, senior renters can benefit greatly from rental assistance.

Various programs can address senior needs including congregate care, supportive services, rental subsidies, shared housing, and housing rehabilitation assistance. For frail seniors or those with disabilities, housing with architectural design features accommodating disabilities can help ensure continued independent living. (Housing for disabled people is discussed in the following section.) Seniors with mobility/self-care limitations also benefit from public transportation assistance, food services, and other supportive services. Senior housing with supportive services can be provided to allow independent living. There are currently no designated senior only housing facilities in the City, nor are there any State licensed congregate care facilities.

## 2. Disabled Persons

Disabled persons have special housing needs because of their fixed income, the lack of accessible and affordable housing, and higher health costs associated with their disability. A disability is defined broadly by the Census Bureau as a physical, mental, or emotional condition that lasts over a long period of time that makes it difficult to live independently. According to the U.S. Census Bureau, disability data comes from the American Community Survey, the Survey of Income and Program Participation, and the Current Population Survey; all 3 surveys ask about 6 disability types: hearing difficulty, vision difficulty, cognitive difficulty, ambulatory difficulty, self-care difficulty, and independent living difficulty. According to U.S. 2017 Census data, San Juan Bautista has 236 disabled residents, representing 11 percent of City residents. Of these persons, only 14 (4 percent) are seniors.

To meet the unique housing needs of the disabled, the City, through San Benito County and the State of California, participates in various programs to assist the disabled. The County Health Services Administration, State Department of Social Services, and the Social Security Administration provide support services. The City's building code also requires new residential construction comply with the Federal Americans with Disabilities Act (ADA), which requires a minimum percentage of units in new developments to be fully accessible to the physically disabled as well as California Title 24 accessibility requirements.

Living arrangements for disabled persons depend on the severity of the disability. Many persons live independently with other family members. To maintain independent living, disabled persons may need special housing design features, income support, and in-home supportive services for persons with medical conditions. According to the California Department of Social Services, for those requiring a more supportive setting, San Juan Bautista has no licensed care facilities. There are; however, licensed facilities within San Benito County.



### 3. Mental and Developmental Disabilities

Persons with a mental disability (defined within 2017 Census as cognitive difficulty) fall within the definition afforded by the Americans with Disabilities Act and thus are entitled to fair housing. According to the 2017 U.S. Census Bureau, there are approximately 67 persons (4 percent) over the age of 5 years old with a cognitive difficulty in San Juan Bautista. The San Andreas Regional Center (local office in Gilroy) assists persons with developmental disabilities who live in the city of San Juan Bautista. In California, “Developmental Disability” means a disability that is attributable to mental retardation, cerebral palsy, epilepsy, autism, or disabling conditions found to be closely related to mental retardation or to require treatment similar to that required for individuals with mental retardation. Persons with such disorders may have difficulty finding suitable housing due to a shortage of appropriate housing, the inability to afford housing, or even discrimination in being considered for housing.

San Benito County works with non-profits and public agencies to address housing needs. In San Juan Bautista, San Benito County is the primary agency developing and managing housing for persons with psychiatric and developmental disabilities. The California Services Development Corporation of San Benito County, a non-profit organization, works with people of developmental disabilities, who are capable of holding jobs and affording rent, to find affordable housing within the County. The San Andreas Regional Center provides job training, placement and life skills assistance to San Juan Bautista and San Benito County on the whole.

### 4. Families

In recent years, the high cost of housing has placed an escalating burden on families, any individual or group of 2 or more individuals, in San Juan Bautista. As moderate and lower income families increasingly can no longer afford the median-priced home, market conditions have led to a higher prevalence of overpayment, overcrowding, and substandard living conditions. Of all family households, single parents with children and large families are disproportionately impacted. While the housing bubble of late has provided some relief in terms of “for-sale” housing prices, the cost for rental housing has not reflected this downward trend. Compounding the issue has been the extended recession with high unemployment in both San Benito County proper as well as the region.

- ✓ **Single-Parent/Female-Headed.** Single-parent/female-headed households with children often require special consideration and assistance as a result of their greater need for affordable housing, accessible day care, health care, and a variety of other supportive services. Single-parent/female-headed households also tend to receive unequal treatment in the rental housing market, which is a fair housing concern. Moreover, because of their relatively lower household incomes, single-parent/female-headed households also have limited opportunities for finding affordable, decent, and safe housing.

The U.S. Census Bureau, 2017 Census, reported that in San Juan Bautista there are 186 single-parent households with children under 18, of which 83 are headed by females. The Census also indicates that 11 percent of female-headed families with children less than 18 years live below the poverty level, this percentage decreased in comparison to percentage reported in the 2010 Census.

- ✓ **Large Households.** Large households are defined as households having 5 or more members residing in the home; however, the 2017 Census data only provides 4 or more members in a household. These households constitute a special needs group because of an often limited supply of adequately sized, affordable housing unit. Because of high housing costs, families and/or extended families are forced to live together under one roof.

According to the 2017 Census, San Juan Bautista has 193 large households. The housing needs of large households could be met by larger units, or depending on household make-up, 2 or more smaller units.



Because most of the larger units in San Juan Bautista are expensive, lower-income large households commonly reside in smaller units, frequently resulting in overcrowding. To address overcrowding, the City will be working to develop housing opportunities for all sized households.

## 5. Farm workers

Estimating the size of the agricultural labor force is challenging as farm workers are historically undercounted by the census and other data sources. Farm workers are typically categorized into 3 groups: (1) permanent, (2) seasonal, (3) migrant. Permanent farm workers are typically employed year round and full-time with the same employer. A seasonal farm worker works on average less than 150 days a year and earns at least half of his/her earned income from farm work. Seasonal farm workers include persons that reside in the County full time but may only work during a portion of the harvest of one or more crops, and/or migrant farm workers that utilize temporary housing only during the harvest and then leave the area. A seasonal worker that is a resident may seek other temporary work in the off- season and may have difficulty finding affordable housing because periods of employment are sporadic and the pay is low. Migrant farm workers are seasonal farm workers who have to travel to do the farm work so that he/she is unable to return to his/her permanent residence within the same day. Migrant farm workers arrive during the cultivating or harvesting of crops and leave when work is not available. Generally, a migrant laborer will seek housing in a labor camp, rentals, vehicles, overcrowded conditions, or substandard facilities if there are insufficient migrant labor facilities. A portion of the farm workers may also be undocumented foreign workers who may come to the area during the harvest season and then leave. Some undocumented foreign workers may stay because they lack insufficient funds to return home. The areas agricultural has transition over time from orchards to row crops, which has transitioned much of San Benito County's farm labor to a permanent workforce.

According to the 2012 Census of Agriculture, San Benito County reported 628 farms in 2012. This means there was a minute increase in the total number of farms since 2007, when the county reported 625 farms. The county also has a higher number of permanent farm workers (1,118) as opposed to seasonal farm workers (1,051), with a total of 2,169 farm workers. The needs of farm workers are unique in how the nature of their work is often seasonal. This means their housing needs may only be during certain times and/or their income will be highly restricted (affecting their ability to afford housing) during part of the year. Further, they often have a restricted income and limited English speaking skills.

Although the city does not have seasonal and permanent farmworker housing within the city limits, the USDA provides a 2012 Census of San Benito County's farm statistics and county data regarding migrant seasonal farm workers. 2017 Census data lists 13 workers employed in agriculture, but it is not known what positions these worker hold.

**Table 2-8: San Benito County Farms and Workers**

	Farm workers	Farms
<b>Farm Operations with fewer than 10 Employees</b>		
Permanent	355	128
Seasonal (e.g., less than 150 days)	374	126
<b>Total</b>	<b>729</b>	<b>254</b>
<b>Farm Operations with 10 or more Employees</b>		
Permanent	763	29
Seasonal (e.g., less than 150 days)	677	24
<b>Total</b>	<b>1,440</b>	<b>53</b>
<b>Grand Total</b>	<b>2,169</b>	<b>307</b>

Source: 2012 Census of Agriculture Volume 1, Part 5 (Table 7, Hired Farm Labor – Workers and Payroll: 2012, p. 299)

**Table 2-9: San Benito County Farm Labor Workers**

<b>Year</b>	<b>2007</b>	<b>2012</b>
<b>Hired farm labor (farms)</b>	228	242
<b>Hired farm labor (workers)</b>	2945	2169
<b>Hired seasonal farm labor<sup>(1)</sup> (workers)</b>	1458	1051
<b>Hired permanent farm labor<sup>(2)</sup> (workers)</b>	1487	1118

Source: 2012 Census of Agricultural Volume 1, Part 5 (Table 7, Hired Farm Labor – Workers and Payroll: 2012, p. 299)

Notes: (1) Employees that work less than 150 days.

(2) Employees that work 150 days or more.

Due to the nature of their work and the lower income, farm workers often face difficulties with housing affordability, overcrowding, and substandard conditions. San Juan Bautista has a High Density Residential and a Mixed Use District that are intended to provide for a broad variety of housing choices, especially in the lower cost ranges. There is no dedicated farmworker housing within the city limits, but there is a farmworker housing establishment just south of the city. Hollister, which is located about 8 miles away from San Juan Bautista, has 2 and 3 bedroom apartments dedicated specifically to farm worker families.

## 6. Homeless Persons

Homelessness is not one of the more pressing issues in San Benito County as a whole. Recent surveys of the city estimate about 0 to 3 homeless persons in San Juan Bautista. The City participates in the countywide winter shelters by the “faith-based” community.

The homeless are considered a special needs group because loss of shelter can result in a loss of a sense of well-being. Persons and families that become homeless may lose all of their possessions. The shelter needs for these persons vary from temporary shelter, transitional shelter, and counseling and support services. Special facilities may be needed for substance abusers, persons suffering from AIDS, the mentally ill and persons/families displaced by job loss and or lack of affordable housing.

There are currently no homeless facilities in San Juan Bautista, but Table 4-1 (Vacant Parcel Inventory) presented in Chapter 4, below, includes a 0.48-acre underutilized site zoned for Public Facilities that would be appropriate for a homeless shelter. Currently, there is no provision for transitional housing within the City Zoning Ordinance. Pursuant to State law, the City is in the process of addressing this within its Zoning Code through its adoption of an ordinance to amend the allowed uses within residentially zoned areas in the City to accommodate transitional housing as allowed. There are several Emergency Shelters/Transitional Housing services available in San Benito County.

## C. Housing Stock Characteristics

This section of the Housing Element addresses the housing characteristics and conditions in San Juan Bautista. Housing factors evaluated include housing stock and growth, tenure and vacancy rates, age and condition, housing costs, and affordability.

### 1. Housing Growth

The City of San Juan Bautista is a small City that embraces its history and its heritage. The City has experienced moderate housing growth over the last twenty years with the addition of both single family and multiple family housing units. Moderate to slow growth in new housing is anticipated through 2023. The City is within commute range of the jobs-rich Silicon Valley, and this factor places price-pressure on the local housing market.

## 2. Structure Type

Table 2-10 tracks the changing mix of San Juan Bautista's housing stock between 2009 and 2018, based on the City's records for new construction. According to the City's records, 83 new housing units were added to the City's housing stock between 2010 and 2018; 37 of which were added in 2018.

**Table 2-10: New Housing Units by Structure Type, 2009-2018**

	<b>2010 - 2018</b>
<b>Total housing units</b>	58
<b>Single Family Residence</b>	57
<b>Accessory Dwelling Units</b>	1
<b>2 or more units</b>	0
<b>Mobile home</b>	0

Source: DOF Table E-5 2019; City's new housing construction counts

Table 2-11 compares the housing composition of San Juan Bautista with that of the County and Hollister. About 72 percent of all San Juan Bautista's units are single-family detached and attached homes, about 25 percent are in multi-unit buildings, and 3 percent are mobile homes.

**Table 2-11: Housing Unit Profile: San Juan Bautista and Nearby Jurisdictions, 2019**

	<b>San Juan Bautista</b>		<b>San Benito County</b>		<b>Hollister</b>	
	<b>Number</b>	<b>%</b>	<b>Number</b>	<b>%</b>	<b>Number</b>	<b>%</b>
<b>Total housing units</b>	<b>803</b>	<b>100</b>	<b>18,935</b>	<b>100</b>	<b>11,259</b>	<b>100</b>
<b>1-unit, detached</b>	501	62	14,771	78	8,333	74
<b>1-unit, attached</b>	77	10	747	4	327	3
<b>2 to 4 units</b>	130	16	1,408	7	1,242	11
<b>5 + units</b>	70	9	1,156	6	995	9
<b>Mobile home</b>	25	3	853	5	362	3

Source: DOF Table E-5 2019

## 3. Vacancy Characteristics

In all, there were 64 vacant units at the time the Census was taken in 2010. However, only 31 of these units were available for rent or for sale, resulting in a vacancy rate of 8.6 percent. The vacancy rate was higher than the rate in the County as a whole (5.6 percent). The vacancy rate has increased slightly from the 7.8 percent vacancy rate reported for San Juan Bautista in the 2000 Census. A vacancy rate of 4 or 5 percent is indicative of a fairly healthy housing market. However, because the rents or prices of the vacant units are not provided by the Census, there is no way to know if they are affordable.

**Table 2-12: Vacancy Characteristics: San Juan Bautista and San Benito County, 2010**

Vacancy Status	San Juan Bautista		San Benito County	
	Number	Percent	Number	Percent
For rent	18	28.1	315	29.6
For sale only	13	20.3	222	20.8
Rented or sold, not occupied	3	4.7	73	6.9
For seasonal, recreational, or occasional use	9	14.1	154	14.5
For migratory workers	0	0	13	1.2
Other vacant	21	32.8	288	27.0
<b>Total Vacant Units</b>	<b>64</b>	<b>100</b>	<b>1,065</b>	<b>100</b>

Source: 2010 Census

About 33 housing units in San Juan Bautista were vacant at the time of the Census but not available for rent or sale. Most of these units are used seasonally or for recreational use. Some may be used by migrant workers. The Statewide Housing Plan suggests that a gross vacancy rate (all vacant units, including those not for sale or rent) of 6-8 percent is desirable in an area with a large seasonal labor force. The gross vacancy rate in San Juan Bautista is 7.8 percent.

#### 4. Housing Condition

The Census indicates that about 20 percent of the City's housing stock was built before 1940. This is a higher percentage than in most cities in California and suggests that rehabilitation needs may be higher in San Juan Bautista than elsewhere in the region. A windshield survey conducted in early 2013 indicated that about 7 percent of the City's single family housing stock had some sign of exterior deterioration. Typical conditions observed included peeling paint, sagging roofs, and disheveled outbuildings (including sheds and detached garages). The City estimates that fewer than 5 units have deteriorated to the point where they cannot feasibly be repaired.

#### 5. Housing Value

The median home value in San Juan Bautista increased from \$265,100 in 2000, to \$466,500 in 2017, an increase of 76 percent. The rate of increase experienced in the County as a whole was 62 percent, where home prices increased from \$284,000 to \$459,700 in the same period.

In contrast, median rents in the San Juan Bautista fell from \$806 in 2000 to \$683 in 2017. Also in 2017, the median rent in San Juan Bautista was \$71 higher than in the County as a whole and \$117 higher than the median rent in Hollister (U.S. Census Bureau 2017).

Assuming a 10 percent down payment, a 30-year fixed mortgage, and a 5 percent interest rate, the monthly principal and interest payment on the median priced (\$654,800, according to the Zillow Home Value Index in March 2019) home in San Juan Bautista would be \$3,164. Property taxes, insurance, and utilities would yield an additional monthly housing cost of about \$1,700 a month. At 30 percent of gross income, the household would need to earn at least \$194,560 to afford such a home. While such house payments would be prohibitively high for most San Juan households, they could seem very attractive to would-be homebuyers from the Santa Clara Valley or the Monterey Peninsula. Home Value and rent data is presented in Table 2-13.

Table 2-13: Home Value

	San Juan Bautista		San Benito County	
Value	Number	Percent	Number	Percent
	367	100	11,103	100
Less than \$50,000	0	0	338	3
\$50,000 to \$99,999	0	0	125	1.1
\$100,000 to \$149,999	0	0	136	1.2
\$150,000 to \$199,999	16	4.4	255	2.3
\$200,000 to \$299,999	54	14.7	954	8.6
\$300,000 to \$499,999	143	39	4,926	44.4
\$500,000 to \$999,999	131	35.7	3,965	35.7
\$1,000,000 or more	23	6.3	404	3.6

Source: 2017 Census

## 5. Housing Affordability

Housing affordability is influenced by a number of factors. Rising housing costs, coupled with stagnant or declining real incomes, are making housing less affordable for an increasing number of households. This section analyzes the ability of San Juan Bautista households to secure housing in one of the least affordable regions in California.

Every year, the National Association of Home Builders (NAHB) tracks the ability of households to afford a home in almost 2,000 metropolitan areas across the country. NAHB develops a Housing Opportunity Index (HOI) for a given area that is defined as the share of homes sold in that area that would have been affordable to a family earning the median income. In the past, less than 10 percent of the homes sold in the neighboring Santa Cruz-Watsonville metropolitan area have been affordable to the median family. Housing prices in San Juan Bautista have historically reflected this joining area.

The affordability of housing in San Juan Bautista can be inferred by comparing the cost of renting or owning a home in San Juan Bautista with the income levels of different size households. The following page shows the annual income ranges for very low, low, and moderate-income households by household size and the maximum affordable housing payment based on the federal standard of 30 percent of household income. Standard housing costs for utilities, taxes, and property insurance are also shown. From these assumptions, the affordability of housing for a variety of income levels can be determined.

### Affordability by Household Income

- ✓ **Extremely Low-Income Households:** The U.S. Department of Housing and Urban Development (HUD) uses the Federal Poverty Guidelines to determine the extremely low-income limit. HUD compares the applicable guidelines with 60 percent of the very low-income limit and chooses the greater limit of the 2. This value may not exceed the very low-income level.
- ✓ **Very Low-Income Households:** Very low-income limits reflect 50 percent of the median family income and HUD's median family income value generally equals 2 times HUD's 4-person very low-income limit. Given the expensive costs of single-family homes and also rising cost of condominiums in San Juan Bautista, very low-income households could not afford to own a single-family home without considerable public assistance. Very low income households are thus confined to rental housing, and some rent a room within a house. A large family (5 or more persons), may in many cases only be able to afford to rent a studio or one-bedroom unit, which would be too small. In practical terms, a large family would have to overpay for housing just to live in an inadequately sized rental unit.

- ✓ **Low-Income Households:** Low-income limits represent the higher level of: 80 percent of the median family income or 80 percent of state non-metropolitan median family income. According to the Department of Housing and Community Development's State Income Limits for 2018, the low-income limit reflects 160 percent of the very low-income limit, with some exceptions.
- ✓ **Moderate-Income Households:** The moderate-income limit is equal to 120 percent of the County's area median income for 4-person households. One-person households and small families may be able to afford a limited number of 2-bedroom single-family homes and some condominiums available on the market without public assistance. Large families should be able to afford a few 3-bedroom homes, provided that down payment and closing costs can be managed.

**Table 2-14: Upper Limits for Income Brackets in San Benito County: April 2018**

Persons in Household	Extremely Low Income	Very Low Income	Low Income	Median Income	Moderate Income
1	\$19,600	\$32,600	\$52,200	\$56,750	\$68,100
2	\$22,400	\$37,250	\$59,650	\$64,900	\$77,850
3	\$25,200	\$41,900.	\$67,100	\$73,000	\$87,550
4	\$27,950	\$46,550	\$74,550	\$81,100	\$97,300
5	\$30,200	\$50,300	\$80,550	\$87,600	\$105,100
6	\$33,740	\$54,000	\$86,500	\$94,100	\$112,850
7	\$38,060	\$57,750	\$92,450	\$100,550	\$120,650
8	\$42,380	\$61,450	\$98,450	\$107,050	\$128,450

Source: California Department of Housing and Community Development 2018 State Income Limits

The following income range amounts are based on a median family income of \$81,100 in 2015 for San Benito County as reported in the San Benito County Housing Element (2014-2023):

- Extremely Low Income: less than \$24,330
- Very Low Income: \$24,331 - \$40,550
- Other Low Income: \$40,551 - \$64,880
- Moderate Income: \$64,881 - \$97,320
- Above Moderate Income: \$97,321 and greater

The median monthly housing cost was \$1,692 (or \$20,304 annually) in 2017 for an existing home and the monthly housing cost for a new home estimates at approximately \$3,280 (or \$39,360 annually). In order to pay only 30 percent of household income for existing housing, a monthly income of \$14,425 (\$173,100 annually) is needed to afford an existing home and \$16,974 (\$203,685 annually) to afford a new home. From this calculation, only above moderate income households could afford to purchase an existing home in San Juan Bautista. Given the price of new housing units, not even moderate income levels could afford to become homeowners.

## D. Regional Housing Needs

State law requires all regional councils of governments, including the San Benito Council of Governments (SB+COG), to determine the existing and projected housing need for its region (Government Code Section 665580 et seq.). SB+COG is also responsible for determining the portion allocated to each jurisdiction within the region. This is called the Regional Housing Needs Allocation (RHNA) process. The City's housing targets were presented in Chapter 1.

## 1. Existing Housing Needs

A continuing priority of the City is enhancing or maintaining residents' quality of life. A key measure of quality of life in a community is the extent of "housing problems." Housing problems primarily include overcrowding and overpayment, which are defined below:

- ✓ **Overcrowding:** Refers to a housing unit that is occupied by more than one person per room, excluding kitchens, bathrooms, hallways, and porches.
- ✓ **Overpayment:** Refers to a household paying 30 percent or more of its gross income for rent (either mortgage or rent), including costs for utilities, property insurance, and real estate taxes.

### Overcrowding

Overcrowding occurs when housing costs are so high relative to income that families double or triple up to devote income to other basic needs such as food and medical care. Overcrowding also tends to result in accelerated deterioration of homes, a shortage of off-street parking, increased strain on public infrastructure, and additional traffic congestion. Therefore, maintaining a reasonable level of occupancy and alleviating overcrowding are critical to improving the quality of life in the community.

According to the California Department of Housing and Community Development's 5<sup>th</sup> Housing Element data package, 60 households in San Juan Bautista live in overcrowded conditions. Table 2-15 details household sizes for San Juan Bautista. Per the U.S. Census Bureau, overcrowding is defined as households with more than one person per room. Renters typically are more likely to live in overcrowded conditions or overpay for housing. Renters represent 87 percent of all overcrowded housing units. In San Juan Bautista, 45percent of all renters overpay for housing, compared to about 16 percent of owners.

**Table 2-15: tenure and Overcrowding: San Juan Bautista and San Benito County, 2012**

	San Juan Bautista		San Benito County	
	Number	Percent	Number	Percent
<b>Occupied housing units</b>	<b>586</b>	<b>100%</b>	<b>16,840</b>	<b>100%</b>
Average household size of owner-occupied unit	2.56	(X)	3.14	(X)
Average household size of renter-occupied unit	2.93	(X)	3.48	(X)
<b>Renter occupied:</b>	<b>344</b>	<b>59%</b>	<b>6,012</b>	<b>36%</b>
0.50 or less occupants per room	168	49%	2,541	42%
0.51 to 1.00 occupants per room	124	36%	2,626	44%
1.01 to 1.50 occupants per room	49	14%	501	8%
1.51 to 2.00 occupants per room	3	0.9%	254	4%
2.01 or more occupants per room	0	0%	90	1%
<b>Owner occupied:</b>	<b>242</b>	<b>41%</b>	<b>10,828</b>	<b>64%</b>
0.50 or less occupants per room	172	71%	7,312	68%
0.51 to 1.00 occupants per room	62	26%	3,028	28%
1.01 to 1.50 occupants per room	8	3%	403	4%
1.51 to 2.00 occupants per room	0	0%	35	0%
2.01 or more occupants per room	0	0%	50	0%
<b>Total Units with more than 1 persons per room</b>	<b>60</b>	<b>10%</b>	<b>1,333</b>	<b>8%</b>

Source: California Department of Housing and Community Development 2012

### Overpayment

Housing overpayment occurs when housing costs increase faster than income. As is the case for many jurisdictions in California, it is not uncommon to overpay for housing in San Juan Bautista especially in light of the recent housing bubble and subsequent collapse. However, to the extent that overpayment is often disproportionately concentrated among the most vulnerable members of the community, maintaining a reasonable level of housing cost burden is an important contributor to quality of life.

Housing overpayment remains a significant problem in San Benito County, where many households pay a substantial portion of their income for housing. The problem is particularly severe for renters. Over the past decade, housing overpayment has increased significantly for homeowners but declined slightly for renters. This trend has shifted somewhat as the price of “for sale” homes have declined while interest rates have remained at historically low rates.

The following table shows that 45 percent of extremely low-income households in San Juan Bautista pay 30 percent or more of their gross income for rent.



**Table 2-16: Overpayment for Housing among All San Juan Bautista Households**

% of Household Income Spent on Housing Costs	Renters	Owners	Totals
More than 30%	155	34	189
Extremely Low Income (0-30%)	35	15	26%
Income between 30%-50%	55	15	37%
Income between 50%-80%	65	4	37%
More than 30% but less than 50%	65	0	65
Extremely Low Income (0-30%)	0	0	0%
Income between 30%-50%	15	0	23%
Income between 50%-80%	50	0	77%
More than 50%	90	34	124
Extremely Low Income (0-30%)	35	15	40%
Income between 30%-50%	40	15	44%
Income between 50%-80%	15	4	15%
Total households	345	210	-

Source: California Housing and Community Development Department 2007-2011 data

Within San Juan Bautista, both renters and owners of lower income households are experiencing overpayment. Overpayment is defined as paying more than 30 percent of a household's gross income for housing. The following table displays the total overpaying households, and highlights how lower incomes are particularly subjected to overpayment.

**Table 2-17: Overpayment Lower Income Households**

Households	Renters	Owners	Total
Total Households Overpaying	185	79	264
<b>Lower Income Households</b>			
Total Lower Income Households Overpaying	190	55	245
Lower Income Households Overpaying (30% of Income)	155	34	189
Lower Income Households Overpaying (50% of Income)	90	34	124

Source: California Department of Housing and Community Development, 2007-2011

Overpayment amongst renters is the highest, with 70 percent of total overpaying households being renters. Further, lower income renting households are more prone to overpayment, with 82 percent paying over 30 percent of income and 73 percent paying over 50 percent of income.

## 2. Low Income Housing Needs

According to the California Department of Housing and Community Development's 5<sup>th</sup> Housing Element data package, San Juan Bautista had approximately 65 extremely low income households, representing approximately 12 percent of the total households. Out of the 345 renters in San Juan Bautista, 68 percent experienced a housing cost burden. Approximately 36 percent of the 210 owners had a cost burden as well. Amongst all households overpaying, 70 percent of renters experienced housing problems and 30 percent of owners did as well. The housing cost burden was highest amongst renters in lower income

households paying more than 30 percent totaling at 82 percent while 18 percent of owners (34 percent total occupied households) were using more than 30 percent of their income for housing. Approximately 22 percent of all occupied households (16 percent of renters and 6 percent of owners) experienced a severe housing cost burden of greater than 50 percent of household income.

**Table 2-18: Housing Needs for ELI<sup>1</sup> Households**

	<b>Renters</b>	<b>Owners</b>	<b>Total</b>
Total Number of Households	465	390	855
Total Number of ELI Households	170	25	195
Percent of ELI with any household problems	31	6	37
Percent of ELI with Housing Cost Burden	31	6	37
Percent of ELI with Severe Housing Cost Burden (50% of income)	29	6	35
Total Percent of Households Experiencing Severe Housing Cost Burden	37	6	43

Source: Office of Policy Development and Research - Consolidated Planning/Comprehensive Housing Affordability Strategy Data, 2011-2015

Notes: (1) ELI = extremely low income

### Projected Need

The City currently has very low housing need allocation of 10 units. If San Juan Bautista assumes 50 percent of their very low-income regional housing need is extremely low-income households, the City has a projected need of 5 units for extremely low income households.

## 3. Future Housing Need

Future housing need refers to the share of the region's housing need that has been allocated to a community. In allocating the region's future housing needs to jurisdictions, SB+COG is required to take into account planning considerations in Section 65584 of the State Government Code. These include market demand for housing, employment and commuting, availability of suitable sites and public facilities, type and tenure of housing, and other factors. SB+COG calculates future housing needs based upon regional and local forecasts of household growth, adjusted to allow for a sufficient number of units needed for normal vacancies and the replacement of units demolished or converted during the 2014-2019 timeframe.

After construction need is determined, SB+COG applies a "fair share" formula to determine the number of housing units to be affordable at different income levels. The fair share calculation is performed to meet the State mandate to reduce the disproportionate concentration of lower-income households in any one community and ensure that each city shares in the region's need for affordable housing.

Table 1-1, presented in Section 1, summarizes San Juan Bautista's share, 41 units, of the region's future housing need for the 2014-2023 planning period.

## 4. Assisted Housing At-Risk of Conversion

Existing housing that receives governmental assistance is often a significant source of affordable housing in many communities. According to the San Benito County 5th Cycle Housing Element, the Santa Cruz Housing Authority provided a total of 344 Housing Choice Voucher Program (Section 8) tenant-based vouchers in the cities of Hollister and San Juan Bautista. The Housing Element includes a target to conserve these vouchers through 2019.

There are no deed-restricted housing units in San Juan Bautista at this time, but the recent housing developments will be providing inclusionary units under affordability deed restrictions, or paying an in lieu

fee that will finance the construction of deed-restricted housing units. Newly constructed ADUs that fall within the State definitions will have restrictions regarding ownership and occupancy, and by their nature, are expected to provide moderately priced housing.

The City recognizes that adequate and affordable housing for all income groups strengthens the community. Many factors can work to encourage or constrain the development, maintenance, and improvement of San Juan Bautista's housing stock. These include market mechanisms, government codes, and physical and environmental constraints. This section addresses those potential constraints.

## A. Market Constraints

Land costs, construction costs, and market financing contribute to the cost of housing reinvestment and production. Although market conditions represent the primary driver, the City retains some leverage in instituting policies and programs to address market factors. The following discussion highlights market constraints to the production, maintenance, and improvement of housing.

### 1. Development Costs

The price of single-family housing and rents for apartments largely reflect construction costs, the cost of land and labor costs. As housing development costs increase, so does the price of housing. In San Juan Bautista, proximity to Silicon Valley employment centers coupled with limited land resulted in increasing home prices and rents during the first part of the housing element cycle.

#### Construction Costs

Construction costs vary widely according to the type of development, and the presence of environmental conditions. The International Code Council (ICC) established in 2018 that the average cost of good quality construction is \$161.95 per square foot for multi-family homes and \$151.10 per square foot for single-family homes. Costs can also fluctuate based on project specific conditions such as poor soil conditions and/or contamination. San Juan Bautista is a historic community with a strong desire for new development to be of quality aesthetic design. A reduction in amenities and the quality of building materials could result in lower sales prices but not be in keeping with the community character. Prefabricated factory-built or manufactured housing, which is permitted in San Juan Bautista, may provide for lower priced housing by reducing construction and labor costs.

#### Land Costs

Another key cost component is raw land and any necessary improvements. Unlike construction costs and labor costs, the cost of residential and commercial sites in the City is highly variable. Cost considerations include the number of units or density of development permitted on a particular site and the location of the site in relation to other amenities. As finished vacant land becomes scarce, developers begin to pursue more costly underutilized sites, which may require the demolition of existing uses before a new project can be constructed. Thus, the price of land can vary significantly even assuming the same proposed project. Because of the limited size of the community and minimal land turnover, it is difficult to gauge per square foot values accurately. However, based on realty websites, it can be estimated that approximately 5 (5) acres of land within the City can cost up to \$600,000 depending on its locations and views ([https://www.realtor.com/realestateandhomes-search/San-Juan-Bautista\\_CA/type-land](https://www.realtor.com/realestateandhomes-search/San-Juan-Bautista_CA/type-land)).

#### Labor Costs

Historically, the cost of labor has been a fixed cost component of housing construction. Similar to the cost of construction materials, labor costs are relatively stable throughout a metropolitan area and beyond the

control of local governments. Thus, labor costs become a fixed cost in comparison to other more site-specific costs, such as land. In recent years, however, labor organizations pushed for changes in State law which affected labor costs for public works projects as well as housing.

In January 2002, Senate Bill 975 significantly expanded the definition of public works projects and the application of the State's prevailing wage requirements to such projects. The bill also expands the definition of what constitutes public funds and captures significantly more projects beyond traditional public works projects that involve public/private partnerships. SB-975 requires payment of prevailing wages for most private projects built under an agreement with a public agency providing assistance to the project. The breadth of the legislation substantially limits the ability of public agencies and private entities to structure transactions to avoid prevailing wages for private construction work. While the City has not been in the position to provide assistance to potential housing projects, any future assistance will be affected by this legislation.

SB-972 provides some relief by exempting from prevailing wage requirements the following projects:

- self-help housing projects in which no less than 500 hours of the construction work is performed by the homebuyers;
- the new construction, rehabilitation, or expansion of a temporary or transitional housing facility for the homeless;
- assistance for the rehabilitation of a single-family home; and
- affordable housing projects funded by below-market rate loans that allocates at least 40 percent of its units for at least 20 years to low income households (80% of median family income)

While providing some relief, SB-972 falls short of what the City and other jurisdictions desire and feel is necessary to produce housing.

## 2. Mortgage and Rehabilitation Financing

The availability of financing affects a person's ability to purchase or improve a home. As the requirements for qualification have changed, so has the ability of individuals and families to obtain financing for home purchase and improvement. Again, because of the limited size of San Juan Bautista, detailed information specific to the City is difficult to locate. Housing prices have limited the ability of lower income households to purchase in San Juan Bautista. Fixed incomes and depressed values have made refinancing for improvement extremely difficult in the City. Combined with the City's lack of financial resources to assist, residents will continue to find it difficult to maintain and improve their homes. The City hopes to obtain Community Development Block Grant Funds in the future which can be used to assist property owners and neighborhoods.

## 3. Foreclosures

Although foreclosure rates increased significantly during the recession, the housing market has recovered and foreclosure rates have returned to a normal level. It is not unusual for homes that are in the foreclosure process to sit vacant and unmaintained for months on end. This impact destabilizes neighborhoods, encourages vandalism and other forms of criminal activity, and contributes to lower property values; vacant homes represent a potential detriment to existing neighborhoods. Where problems have arisen in San Juan Bautista, the City has found enforcement through normal property maintenance provisions to be difficult, primarily because the many homes are owned by out of area banks with little or no tie to the community.

## B. Governmental Constraints

Local policies and regulations can impact the price and availability of housing and in particular, the provision of affordable housing. Land use controls, site improvement requirements, and permit processing procedures may present constraints to the maintenance, development, and improvement of housing. This section discusses potential governmental constraints.

### 1. Provisions for a Variety of Housing Types

This section discusses the various types of housing that are accommodated in the City of San Juan Bautista.

#### Multi-Family Housing

Multi-family housing makes up approximately 26% of the existing housing stock in San Juan Bautista (2017 Census). The City's Zoning Ordinance expressly permits multi-family projects in the R-2 and R-3 zoning districts. In the R-3 zone, multi-family developments can be built up to a density of 21 units per acre. In addition, multi-family housing, such as apartments and condominiums, is permitted with site review in the Mixed Use (MU) district; residential located above commercial is conditionally permitted in the Commercial (C) district. The maximum density for the MU is 15 units per acre. Typical timelines to process permits for residential development in the MU district varies greatly. More complex projects, such as apartment, condominium or townhouse complex developments may require approval of both the Planning Commission and City Council, and take considerably longer to gain approval by nature of the processing required. As multi-unit projects are a significant part of how San Juan Bautista can meet State mandated affordable housing goals, streamlining the development process through programs and policies identified in Chapter 5. Table 3-1 summarizes housing types permitted by zoning district.

**Table 3-1: Conventional Housing Types Permitted by Zone**

Housing Types Permitted	Residential Zones			Commercial Zones		Other
	R-1	R-2	R-3	C	MU	A
Single-family dwellings	P,S	P,S	X	X	X	P,S
Residential above commercial	X	X	X	C	P	X
Manufactured homes	P,S	P,S	X	X	X	P,S
Co-housing/shared housing	X	X	C	X	C	X
Multiple-Family	X	P,S	P,S	X	P,S	X
Mobile home parks	X	X	P,S	X	X	X
Secondary Units	P,S	P,S	P,S	X	C	P,S
Transitional housing	P,S	P,S	P,S	X	C	P,S
Residential care facilities - small	P,S	P,S	P,S	X	X	X
Residential care facilities - large	X	X	P,S	X	X	X
Farmworker housing	X	P,S	P,S	X	X	P,S

Source: City of San Juan Bautista Municipal Code, Title 11

Notations:

P = Permitted (No Public Hearing)

C = Conditional Use Permit (CUP) issued by Planning Commission with Public Hearing

S = Site Review

X = Not permitted

**Accessory Dwelling Units**

Section 11-04-050 of the City's Zoning Ordinance includes provisions allowing the development of accessory dwelling units (ADUs), formerly called secondary dwelling units, which meet minimum development standards to accommodate the rental market. However, AB 2299, which became effective January 1, 2017, requires a local government to ministerially approve ADUs if the unit complies with certain parking requirements, the maximum allowable size of an attached ADU, and setback requirements, as follows:

- The unit is not intended for sale separate from the primary residence and may be rented;
- The lot is zoned for single-family or multifamily use and contains an existing, single-family dwelling;
- The unit is either attached to an existing dwelling or located within the living area of the existing dwelling or detached and on the same lot;
- The increased floor area of the unit does not exceed 50% of the existing living area, with a maximum increase in floor area of 1,200 square feet;
- The total area of floor space for a detached accessory dwelling unit does not exceed 1,200 square feet;
- No passageway can be required;
- No setback can be required from an existing garage that is converted to an ADU;
- Compliance with local building code requirements; and
- Approval by the local health officer where private sewage disposal system is being used.

The units are principally permitted on appropriately sized lots within the R-1, R-2, and R-3 zoning districts. The purpose of permitting additional living units is to allow more efficient use of existing housing and to provide the opportunity to develop small housing units meeting the housing needs of the community while preserving the integrity of single-family neighborhoods.

Approval of ADUs is subject to site plan and design review requirements, and historic review requirements (same as single family homes). The maximum floor area of an ADU is 600 square feet. As of the 2001-2006 Housing Element, the City has revised the Zoning Ordinance to facilitate the removal of barriers to developing ADUs in accordance with previous State law. Since the adoption of new regulations in 2017, only a minimal number of new accessory dwelling units have been approved and constructed. It shall be noted that the City made changes to its Zoning Ordinance that stem from the previous 2001-2006 City Housing Element programs, but the City plans to conduct additional updates to the City's Zoning Ordinance, through programs provided in this Housing Element, to comply with the State's 2017 updates to ADU laws (i.e. SB 1069, AB 2299, AB 2406).

In 2016, the City revised its development impact fees to correct impact and building permit fees for ADUs. This was necessary because in 2013, when the City revised its development impact fees for residential construction, the revision had the unintended consequence of raising fees for ADUs disproportionately. Where the total fee per square foot of residential construction was \$16.54 for a typical single family dwelling unit, the fee for the ADU was \$44.97 per square foot. The 2016 revision reduced impact fees for the ADU to 25% of the fee for the typical single family dwelling unit ( $\$23,334 \times 25\% = \$5,834$ ). It also reduced building permit fees for the ADU to \$810.95, from \$1,075.

## Factory Built Housing and Mobile Homes

The City permits manufactured and factory built housing in all districts that allow single family dwellings (i.e., R-1, R-2, and A Districts), provided that the units are consistent with the 2016 California Building Code (CBC) regulations. Mobile homes comprise approximately 2% of the housing stock in San Juan Bautista. Mobile home parks are only permitted, with site review, in the R-3 residential zone. There are 2 mobile home parks in the City. Because of the limited number of tenants affected and the cost of implementing, the City has not chosen to adopt a Mobile Home Rent Stabilization Ordinance.

## Special Needs Housing

In addition to conventional housing, the City also permits various special needs housing to allow persons with special needs equal access to housing opportunities in San Juan Bautista. These facilities include residential care facilities, transitional housing, emergency shelters, group care facilities, and farm labor housing. Specific zoning code provisions for these uses are detailed in Table 3-2.

**Table 3-2: Special Needs Housing Types Permitted by Zone**

Housing Types Permitted	Residential Zones			Commercial Zones		Other	
	R-1	R-2	R-3	C	MU	PF	A
Emergency Shelter	C	C	C	X	C	C	X
Homeless Shelter	P,S	P,S	P,S	X	C	C	P,S
Rooming and boarding	X	C	C	X	X	X	X
Residential care facilities - small	P,S	P,S	P,S	X	X	X	X
Residential care facilities - large	X	X	P,S	X	X	X	X
Transitional Housing	P,S	P,S	P,S	X	C	C	P,S
Farmworker housing	X	P,S	P,S	X	X	X	P,S

Source: City of San Juan Bautista Municipal Code, Title 11

### Notations:

P = Permitted (No Public Hearing)

C = Conditional Use Permit (CUP) issued by Planning Commission with Public Hearing

S = Site Review

X = Not permitted

## Residential Care Facilities

According to the Community Care Facilities Act in the California Health and Safety Code, facilities serving 6 or fewer persons (including foster care) must be permitted by right in all residential zones allowing single-family housing. Such facilities cannot be subject to more stringent development standards, fees or other standards than single-family homes in the same district.

The San Juan Bautista Zoning Ordinance contains provisions for both small (6 or fewer persons) and larger residential care facilities (7 or more persons) and allows small residential care facilities in all zones where a single family home is allowed, and the same standards apply to both. Furthermore, the Zoning Ordinance contains no special provisions for residential care facilities that would limit the number of facilities that could be developed in proximity to one another.

## Transitional and Supportive Housing

Transitional housing is typically defined as temporary (often 6 months to 2 years) housing for an individual or family transitioning to permanent housing or for youth that are moving out of the foster care system. Supportive housing is designed for individuals facing long-term living challenges that would otherwise be incapable of living independently. Mixed-Use zoning has the most vacant space located near services,



such as public restrooms. The Zoning Ordinance expressly addresses transitional housing within the City. Supportive housing is not expressly identified in the zoning ordinance. The City currently permits, with site review, transitional housing in the R-1, R-2, R-3, and A zoning districts and conditionally permits transitional housing in the MU and PF zoning districts..

As part of this Housing Element update and in response to recent State requirements (SB-2) that mandate transitional housing by right, the City will amend the Zoning Ordinance to explicitly address supportive and transitional housing facilities in public facilities and residential districts by right (see Housing Program 3.6). Presently, based on the capacity analysis conducted in Chapter 4, there is adequate capacity to provide transitional and supportive housing facilities in residential districts. It has been determined that transitional housing must be accommodated in any existing residence and Housing Program 3.6 would allow this use without conditional requirements.

### **Emergency and Homeless Shelters**

An emergency shelter, expressly addressed in the Zoning Ordinance, is a facility that provides shelter to families or individuals on a limited, short-term basis. The City currently permits emergency shelters in the R-1, R-2, R-3, PF, and MU zoning districts as a conditional use. By State law, the City is only required to permit emergency shelter in at least one zoning district. The City will amend the Zoning Ordinance to allow for emergency shelters, with no discretion by the City, within the PF District. There is one officially designated emergency shelter within the City, the Community Center. The Mission could be another emergency shelter if needed. Other places such as the Veterans of Foreign Wars, Native Daughters, and City Hall could all be used as emergency shelters, but have not been officially designated as such. All of these facilities are close to city services and within the proximity of a bus stop.

### **Farm Labor Housing**

Housing for migrant or short-term farmworkers, such as labor camps and specialized dormitory-style living facilities are currently not specifically identified in the zoning ordinance. The City has determined that Farmworker Housing is permitted in zoning districts R-2 and R-3 with Site Review. The Municipal Code was amended in October 2014 to conform to the provisions of Sec. 17021.5 and Sec. 17021.6 of the Health and Safety Code (The Employee Housing Act). In addition to complying with the minimum requirements of the Employee Housing Act, the City has: (1) removed constraints on the development of housing for farmworkers, including minimum parcel size and requiring the farmworkers to work on the property the housing is located, (2) established procedures and development standards to promote certainty in approval and (3) ensured density requirements permit a variety of housing types (i.e., multifamily, dormitory, etc.) The City has also evaluated development standards, or other factors that might place a constraint on the development of housing for farmworkers with local stakeholders and nonprofit developers and modify zoning and development standards, to ensure zoning encourages and facilitates housing for farmworkers. The City has considered other changes including using its inclusionary housing program for farmworkers as a means of increasing the number of farmworker housing units.

## **2. Development Standards**

Adopted in 2015, the General Plan Land Use Element sets forth the City's policies regarding local land development. These policies, together with existing zoning regulations, establish the amount and distribution of land allocated for different uses. The Land Use Element provides for residential land use categories and commercial/mixed use categories, which permit residential units as a conditional use, as summarized below in Table 3-3.

**Table 3-3: Land Use Categories Permitting Residential Use**

General Plan Land Use Category	Zoning District	Residential Density (Units per Net Acre)	Typical Housing Types
Rural Residential and Low Density Residential	R-1	0.5 to 5.0 or 7.0 <sup>1</sup>	Exclusively single-family homes in low density and established neighborhood settings.
Medium Density Residential	R-2	6 to 10	Cluster developments, mini-lot subdivisions, condominiums, townhomes, apartments, mobile homes
High Density Residential	R-3	11 to 21	Multi-story apartment and condominium complexes
Agriculture	A	0.5 to 7.0 (10% lot coverage)	Farmworker housing, single-family homes, manufactured homes, transitional housing, and homeless shelters
Commercial	C	Based on nearest multi-family residential districts (R-2 or R-3)	Apartments, single room occupancy units and condominiums provided units are located above commercial use
Mixed Use	MU	15	Apartments, single room occupancy units, and condominiums primarily in conjunction with commercial uses on a site

Source: Land Use Element, 2035 City of San Juan Bautista General Plan, and Title 11 of the San Juan Bautista Municipal Code

Notes: (1) District R-1-5 of the City's Municipal Code states a density range of 0.50 to 7, while Districts R-1-6 and R-1-7 both have a range of 0.50 to 5.

### Residential Development Standards

The City regulates the type, location, density, and scale of residential development primarily through the Zoning Ordinance. Zoning regulations are designed to protect and promote the health, safety, and general welfare of residents, as well as implement the policies of the General Plan. The Zoning Ordinance also serves to preserve the character and integrity of neighborhoods. The Ordinance sets forth the City's specific residential development standards, summarized in Table 3-4. As discussed above, in addition to residential zones, residential uses are also permitted in the Commercial and Mixed Use Zoning District.

**Table 3-4: Residential Development Standards**

Zoning District	Maximum Density (du/ac)	Minimum Lot Size (sq. ft.)	Maximum Building Coverage (%)	Maximum Building H8 (ft.)	Side Setback	Front Setback	Rear Setback
R-1	7	7,000	50%	30' (2 stories)	5'	20'	20'
R-2	10	8,000	45%	35' (2 stories)	5'	20'	10'
R-3	21	10,000	50%	35' (2 stories)	5'	20'	10'
A	7	n/a	10%	30' (2 stories)	40'	40'	40'
C	None	5,000	85%	50' (3 stories)	(1)	(1)	(1)
MU	15	NA	85%	50' (3 stories)	(2)	(2)	(2)

Source: City of San Juan Bautista Municipal Code, Title 11

Notes: (1) The same as the bordering residential district.

(2) 10 percent of the depth of the lot or 10 feet, whichever is less. Planning Commission may allow deviations of the setbacks based upon individual project site plan and building layout.

Development standards may limit the number of units that may be constructed on a particular piece of property and thus increase the unit costs of development. However, as described below, there is no direct evidence that the development standards have impeded the production of housing in the City.

The City does require in residential or mixed use projects of 6 or more units shall be approved in any area of the City unless at least one such housing unit is reserved for sale to very low- or low- income households or reserved as rental units for very low- or low-income households for each 5 units of market-rate housing. The City will continue to evaluate its development standards to ensure that the standards do not impede housing production.

*Density:* The maximum density permitted, defined in terms of the number of units per acre, varies by zone. The maximum density ranges from 5.0 units per acre in the R-1 (single family) zone to 21 units per acre in the high-density R-3 zone. The City also permits in the Mixed Use zone. By permitting a range of densities, the City facilitates the development of a variety of housing types, ranging from low-density single-family residences to apartment and condominium complexes. The City also encourages new housing to be developed at the highest end of the permitted density ranges to maximize the number of units available. An analysis of actual development densities and permit times is presented in the next section.

*Structural Limits:* Zoning Ordinance regulations affect the size of structures by setting limits on lot coverage and h8. Generally, San Juan Bautista's residential development standards are comparable to those Hollister and San Benito County, including minimum lot area and h8 standards. For example, the maximum building h8 (35 feet) in San Juan Bautista's R-3 zone is the same as the 35 feet in the Hollister R-3 zoning district. Single-family lot sizes are also generally the same size as in Hollister and San Benito County.

*Parking Requirements:* The City's parking requirements for residential districts vary by housing type and anticipated parking needs, and increase by unit size (number of bedrooms). For single-family projects, every dwelling shall be provided with at least 2 parking spaces, at least one space shall be covered by a garage or carport. For multi-family projects, a minimum of one covered space is required, plus guest parking at a ratio of one-half space per unit. The number of required uncovered spaces required varies from zero for a studio unit to a maximum of 2 uncovered spaces for 4 or more bedroom units. The ordinance provides the opportunity for Planning Commission waiver of the covered parking requirement. Parking requirements may also be reduced through the use of Density Bonus per State law. The City's parking requirements are similar to those in many jurisdictions in California and reflective of private vehicle ownership rates in San Juan Bautista. Table 3-5 shows parking requirements for the base residential districts.

Table 3-5: Parking Requirements

Housing Type (1)	Covered Spaces	Uncovered Spaces	Guest Parking
Single-Family Dwelling	1	1	--
Multifamily Dwelling			
Studio	1	--	½ space per unit
1-Bedroom	1	--	½ space per unit
2-Bedroom	1	1	½ space per unit
3-Bedroom	1	1	½ space per unit
4-Bedroom	1	2	½ space per unit
Emergency Shelter	1 space per 5 beds	--	--
Transitional Housing	1 space per unit	--	--
Affordable Housing	1	--	--

Source: SJB Zoning Ordinance, Chapter 11-11.

Note: (1) Off-Street Parking Reduction. For parcels with mixed use development within the MU district, the number of off-street parking spaces required by this section shall be reduced by 10 spaces or 25% of the otherwise required number of spaces, whichever is greater, if the parcel is within 400' of a public parking lot or garage.

### Flexibility in Development Standards

The City offers various mechanisms to provide relief from development standards typically required of all residential projects, including allowing residential uses in commercial districts, density bonuses, variances, and planned unit development.

*Residential Uses in Commercial Districts:* As the availability of vacant and underutilized residential land has diminished, property owners have considered building housing in the downtown commercial area. The City permits housing in the Mixed Use (MU) district, and conditionally in the Commercial (C) district if the residential use is located above a commercial use. By allowing residential uses in commercial areas, the City has identified additional areas where new housing may be built. Several units have been approved and/or constructed in the MU district.

*Density Bonus:* In compliance with State law, the City offers a density bonus (up to 50 percent) in the Mixed Use District for special needs housing and 100 percent affordable housing to developers. The City relies on California Government Code Section 65915 for guidance on proposals.

*Non-conforming Ordinance:* The Non-conforming Ordinance was structured to help the City maintain its existing housing stock. The Ordinance allows existing parcels to maintain non-conforming units based on density, setbacks, or lot coverage. The ordinance also permits the expansion of non-conforming use by conditional use permit and a non-conforming structure by administrative review. The non-conforming ordinance protects existing housing by allowing residents an option to maintain and in some cases expand existing units.

*Reasonable Accommodation:* State housing law requires a Housing Element to contain an analysis that demonstrates local efforts to remove governmental constraints that hinder the locality from meeting its share of the regional housing need and from meeting the need for housing for persons with disabilities, including persons with developmental disabilities. This requirement came about in the 2001 legislative session (SB 520) and supplements the provisions of the Federal Fair Housing Amendments Act of 1988. In

2010, this requirement was supplemented with Senate Bill 812 requiring housing elements to include an analysis of persons with developmental disabilities.

San Juan Bautista does not currently have any processes for individuals with disabilities to make requests for reasonable accommodation with respect to zoning, permit processing, or building laws. Neither has the City made any efforts to remove constraints on housing for persons with disabilities, such as accommodating procedures for the approval of group homes, ADA retrofit efforts, an evaluation of the zoning code for ADA compliance or other measures that provide flexibility. Accordingly, the City does not currently make information available about requesting a reasonable accommodation with respect to zoning, permit processing, or building laws.

On a related matter, the City has defined “Family” in its Zoning Ordinance (see Chapter 11-29 of the San Juan Bautista Municipal Code) as follows:

“Family” means 2 or more persons living together as a single housekeeping unit in a dwelling unit; provided, that this shall not exclude the renting of rooms in a dwelling unit as permitted by district regulations.

As this definition makes no reference to “blood relationship,” it does not pose an unreasonable government constraint on the price and availability of housing and in particular, the provision of affordable housing.

### 3. Development Permit Procedures

The Community Development Director/City Planner is principally responsible for review and processing of residential development applications and as appropriate, coordinating the processing of those applications with other City functions and outside agencies. The City uses various development permits to ensure quality housing within San Juan Bautista, while minimizing the costs associated with lengthy review. The following permits are most frequently used in San Juan Bautista.

#### **Site Plan and Design Review (and Historic Review)**

The City requires Site Plan and Design Review for new commercial and multi-family projects in the City. Depending on the nature of the project, remodels of residential structures may be subject to review where located within the City’s Historic District. This process is intended to ensure that development standards are met and aesthetic qualities are maintained both in and outside the Historic District. From the time of submittal and completeness to Planning Commission review, the processing timeline is generally up to 2 months. The process is straight forward so long as the applicants have met all of the applicable codes regarding building, fire, engineering, planning, etc.

Required findings for Site Plan and Design Review include:

- The project is consistent with the standards and requirements of the San Juan Bautista Municipal Code.
- The project is consistent with the goals and policies of the General Plan and any applicable specific or community plans.
- The project contributes to safeguarding the City’s heritage and cultural and historic resources.
- The project is compatible with the surrounding character of the environment because the architectural design, materials and colors harmonize with the character of surrounding development, or other improvements on the site and specific design elements (e.g., balconies, fencing, screening of equipment and utility installations, signs, and lighting) are incorporated into the project.

- The location and configuration of the project harmonizes with the site and with surrounding sites or structures. Structures do not dominate their surroundings to an extent inappropriate to their use and do not unnecessarily block significant views or solar access to adjacent properties.
- The project effectively uses architectural details to break up mass. Roof planes are varied without being overly complex. Otherwise monotonous long or 2-story walls are well-articulated with details such as building off-sets and window features that are compatible with the design and not overly ornate.
- The landscape design, if any, including the location, type, size, color, texture, and coverage of plant materials, provisions for irrigation, and protection of landscape elements have been considered to create visual relief and complement the structures to provide an attractive and water-conserving environment.
- The design and layout of the proposed project does not interfere with the use and enjoyment of neighboring existing or future development, does not result in vehicular and/or pedestrian hazards, and promotes public health, safety, and welfare.
- The existing or proposed public facilities necessary to accommodate the proposed project (e.g., fire protection devices, public utilities, sewers, sidewalks, storm drains, street lights, traffic control devices, width and pavement of adjoining streets, etc.) are available to serve the subject site.

These findings constitute an objective set of standards and guidelines that allow an applicant for a residential development permit to determine what is required in order to mitigate cost impacts. Planning Commission approval is required for Site Plan and Design Review.

### **Multifamily housing permits**

The City has an informal review opportunity allowing an interested developer to present their tentative project plans to the Planning Commission to get input before making the building application. The City is also available to help give guidance on what the City's standard are for multifamily residential. The applicant will need fill out a building permit and give the City all the required pieces of information to review the project. Once the information is reviewed by staff it will be brought to the Planning Commission for review. If the applicant took advantage of the informal review and addressed the concerns of the Planning Commission then the project has a higher rate for approval the 1st time. Once the Planning Commission approves the project then the build permit can be issued. This process time frame can vary from between one and 3 months.

### **Conditional Use Permits**

The City may require a Conditional Use Permit (CUP) for projects requiring special attention to site planning. Such projects currently include residential uses in commercial zones, larger community care facilities, emergency shelters and transitional housing. Under SB-2, the City has amended the Zoning Ordinance to allow transitional housing without requiring such conditional use permits in the R-1, R-2 and R-3 Zoning Districts. To apply for these permits, an applicant must submit site plans, floor plans, elevation illustrations, grading/drainage plan, soils and drainage reports, and other material. The time frames associated with securing a discretionary permit depends on the public hearing process and staff review process. Depending on environmental review times and public hearings, a CUP may take a few months, with final action by the Planning Commission.

### **Planned Unit Development (PUD) Permits**

The PUD process is an integrated development review process; meaning the application covers all applicable planning review processes. The PUD process provides the City and developer flexibility in

design and utilization of land which yields a more cost effective and better product for both the applicant and community. Without an EIR, PUD applications are processed from initiation to approval in 6-9 months. Developers often use the Planned Development (PUD) process to produce creative projects on problem lots larger than one acre in size, where conventional zoning requirements and approaches would often preclude them.

### **Permit Processing Summary**

In summary, the City's permit processes facilitate the construction of quality housing in a timely manner. The timeframes are reasonable and, where applicable, well within the requirements of the Permit Streamlining Act. To further streamline processing and reduce constraints on the production and improvement of housing, the PUD process uses concurrent processing. In addition, qualified affordable housing projects receive priority processing in advance of all non-priority items. Finally, the City's one-stop permit center continues to provide prompt service, benefiting the City and developers by facilitating the production of quality housing.

## **4. Developed Densities and Permit Times**

The following is an analysis of requests to develop housing at densities below those anticipated in compliance with Government Code §65583.2.

There were 3 housing developments approved by the City of San Juan Bautista since 2014. These include:

- Rancho Vista – 91 units
- Copperleaf – 55 units
- Hillside Vistas – 27 units

The data for each of the 3 developments is listed below.

### **Rancho Vista**

Rancho Vista was developed by Meritage Homes (permits being pulled/construction on going)

- 85 lots, 1 unit per lot to equal 85 units, plus 6 additional Secondary Dwelling Units placed on 6 various lots within the development. Total is 91 units
- 29.43 acres
- R-1 Zone (Low Density Residential)
- 3.1 units per net acre (actual)
- The project was first proposed in early 2014. City Council approved zone change and the Mitigated Negative Declaration on December 4, 2014. The final map was approved by City Council on June 26, 2018. Building permits are currently being pulled.

This Housing Element assumes a density of 5.0 dwelling units per gross acre in the R-1 Zoning District (see Table 4.1 below). This is roughly equivalent to 4.0 dwelling units per net acre (assuming a 20% gross-to-net conversion factor). Rancho Vista achieved 3.1 dwelling units per acre.

### **Copperleaf**

Copperleaf was developed by Edenbridge Homes (permits being pulled/construction on going).

- 45 lots, 1 unit per lot to equal 45 units, plus 10 additional Secondary Dwelling Units placed on 10 various lots within the development. The total is 55 units.



- 13.3 acres
- R-1 Zone (Low Density Residential)
- 4.1 units per net acre (actual)
- The Planning Commission first reviewed the tentative map and design on March 1, 2016. The final map was approved by City Council on April 13, 2017. Permits are currently being pulled.

This Housing Element assumes a density of 5.0 dwelling units per gross acre in the R-1 Zoning District (see Table 4.1 below). This is roughly equivalent to 4.0 dwelling units per net acre (assuming a 20% gross-to-net conversion factor). Copperleaf achieved 4.1 dwelling units per acre.

### **Hillside Vistas**

Hillside Vistas was developed by Elite Development (no construction has started, final map needs to be completed).

- 27 lots. No units have been proposed or constructed. Final map approved for 8 lots as single family residential.
- 5 acres
- R-2 Zone (Medium Density Residential)
- 5.4 units per net acre (actual)
- Planning Commission approved the tentative Map for 27 lots on August 5, 2014. The City Council approved the Final Map for 8 lots out of the 27 lots on October 18, 2016. The remaining 19 lots need to be complete via Final Map. Currently, there has been discussion with the developer and City Staff about increasing the density of the area where the remaining 19 lots are located. No action has been taken at this time.

This Housing Element assumes a density of 8.0 dwelling units per gross acre in the R-2 Zoning District (see Table 4.1 below). This is roughly equivalent to 6.0 dwelling units per net acre (assuming 20% gross-to-net conversion factor). Hillside Vistas achieved 5.4 dwelling units per net acre.

Of the 3 projects undertaken since the last Housing Element, 2 came in slightly under the assumed density, and one came in slightly above. Given the minimal amount of housing construction that has occurred since 2008, these results do not conclusively indicate that housing policies are a hindrance to the construction of the San Juan Bautista's share of regional housing needs. Instead, the shortfalls are more likely a result of site conditions that resulted in an actual gross-to-net conversion factor that was greater than 20%.

## **5. Growth Management**

The City of San Juan Bautista has a history of growth control ordinances. On January 12, 2009, by Order and Judgment of the Superior Court of San Benito County, the City's Growth Management Ordinance was found to be invalid, unlawful and unenforceable. Per Ordinance No. 2009-03, a new Growth Management Ordinance was enacted with the express intent of:

1. Providing adequate opportunity for residential development in accordance with the General Plan; and
2. Within the limitations of sewer and water capacity. The growth management ordinance, as revised, has not impacted production of housing. The growth cap is representative of General Plan capacity. Further, the allocation process reflects incentives for development of senior,



disabled and lower income households. The Growth Management Ordinance does not apply beyond 2015, and a program is included to remove it from the City's municipal code.

The City currently has no growth control ordinance in effect.

## 6. Building Codes and Site Improvements

Section 10-1-110 of the City's zoning ordinance states, "The Building Code for the City of San Juan Bautista shall be the latest current edition of the Uniform Building Code and any appendices thereto as adopted by the International Building Officials Conference." Therefore, in essence, the City has adopted the 2016 California Building Code (CBC), which establishes standards and requires inspections at various stages of construction to ensure code compliance and minimum health and safety standards. The City has adopted no amendment to the CBC.

The City's Building Code also requires new residential construction to comply with the Federal Americans with Disabilities Act (ADA), which specifies a minimum percentage of dwelling units in certain developments that must be fully accessible to the physically disabled. Although these standards and the time required for inspections increase housing production costs and may impact the viability of rehabilitation of older properties, the codes are mandated for all jurisdictions in California.

Every 3 years, the State of California selects and adopts new construction regulations substantially based upon uniform model codes. Local governments may incorporate local amendments to the California Standards Building Code, provided appropriate findings are made. Most recently, the California Building Standards Commission adopted the 2016 California Building Standards Code effective January 1, 2017.

Site improvements cover the range of water, sewer, circulation, and other services and infrastructure needed to facilitate residential developments. To ensure adequate improvements are in place, San Juan Bautista requires pro-rata payments for off-site extension of water, sewer and storm drain systems, and traffic signals. Requiring developers to make site improvements, pay pro-rata shares toward infrastructure costs, and pay for additional public services will increase the cost of housing and impact the affordability of the homes. While site improvements increase housing costs, they are standard for most jurisdictions. Moreover, site improvements are necessary to maintain the quality of life desired by City residents, and ensure that public services and facilities are in place at the time of need.

## 7. Fees and Exactions

Housing construction imposes short- and long-term costs on communities. Short-term costs include the cost of providing planning services and inspections. New residential developments can also result in significant long-term costs to maintain and improve the City's infrastructure, facilities, parks, and streets. In response to the taxing constraints imposed by Proposition 13, many California cities have relied increasingly on planning and development fees to fund the provision of services needed by new housing.

To help encourage development and limit government fee constraints, the City of San Juan Bautista has streamlined and lowered its processing fees. The City collects various fees from developers to cover the costs of processing permits. The fees are collected as a deposit by the City with hours tracked by the City. These include fees for planning and zoning approvals, Subdivision Map Act approvals, CEQA review, plan check services, building permits, etc. Common Planning fees include:

- Conditional Use Permit (Major/Minor): \$1,500/\$750
- Site Plan and Design Review-Minor: \$575
- tentative Parcel Map Minor: \$2,500
- General Plan Amendment: \$3,500

- Rezoning: \$3,500
- Planned Unit Development Permit: \$5,000
- CEQA Review: Consultant Cost + Fish & Wildlife Fee

San Juan Bautista also collects fees to cover the costs of providing the necessary services and infrastructure related to new development projects and it collects impact fees pursuant to AB 1600. These fees are typically assessed on a per square foot basis. City staff estimates that City impact fees for a 1,800 square foot home would be approximately \$38,400 and for a 3,000 square foot 4-plex the fees per unit would be about \$9,600. The multifamily estimate is based off a 3,000 square foot 4-plex with an estimated construction cost of \$375,000. The cost of the fees would be about 10 percent of the total costs of development.

Given the size of the community and the nature of public improvements, these fees are necessary to insure that existing residents are not subsidizing new development. These development fees are also assessed to commercial and industrial projects; residential uses are not being unfairly burdened. Fees have not constrained the development of affordable housing. To ensure that fees do not constrain affordable housing, fee reductions or waivers are sometimes granted based on project-specific findings. Moreover, a variety of residential uses are not required to pay fees or provide units under the City's Inclusionary Housing Ordinance.

The practice of reducing planning and development fees in light of SB-975 has impacted construction costs and also made private/public partnerships scant. This will have the unintended effect of reducing the availability and affordability of housing. Although it is hoped that land costs will decrease to reflect the increased costs associated with SB-975, the most recent housing cycle provides insufficient basis for such a conclusion.

## C. Environmental and Infrastructure Constraints

Physical environmental conditions affect the feasibility and cost of residential developments. Environmental issues include the suitability of land for development, as well as the provision of adequate infrastructure and services. This section addresses potential environmental and infrastructure constraints.

### 1. Environmental Constraints

Environmental constraints and hazards affect existing and future residential developments in varying degrees. Discussed below are the major environmental constraints in the City. (More detailed discussion of environmental safety issues is provided in the Safety Element of the General Plan.)

#### Geologic Hazards

San Juan Bautista lies adjacent to the San Andreas Fault zone. The U.S. Geological Survey has estimated that the San Andreas Fault could produce an earthquake of 8.5 magnitude on the Richter Scale. Such events would be expected to cause significant structural damage. The City is also subject to ground shaking from the Calaveras Fault located 8 miles east of the City. Throughout the years, San Juan Bautista has been impacted and structures damaged by seismic activity; the most recent occurring in 1989.

While liquefaction and ground failure are problems in areas adjacent to the City, the primary threat to San Juan Bautista is ground shaking and fault "creep". Ground shaking can cause major structure failure while Fault "creep" is a serious threat to City infrastructure including wet utilities, roads and sidewalks. There is a threat of landslides in a small portion of the City. Due to the presence of unreinforced masonry structures in San Juan Bautista, a sizable earthquake could cause structures to fail. To mitigate the risks of seismic activity, building costs are necessarily higher in San Juan Bautista.

**Flood Hazards**

Floods do not represent a significant hazard to most of the City of San Juan Bautista. A small portion of the City is affected by the San Juan Creek and its tributaries. However, some lands identified for residential development in this housing element are not impacted by flood hazards. Refer to the map of vacant sites, which also shows flooding constraints.

**Fire Hazards**

Residential fire potential is comparatively high in certain areas of the City due to the age of a significant portion of the housing stock and the historic downtown. In 2008, a series of over 800 wildfires broke out across the State including wildfires in Santa Cruz County. As drought conditions persist, the risk of wildfire remains high. Wildland fires occasionally break out in the grasslands and on the dry, chaparral-covered hills, but are normally contained long before they threaten urban areas. The California Division of Forestry has primary responsibility for fire suppression in watershed areas. Under provisions of mutual aid agreements, the San Juan Bautista volunteer fire provides reciprocal aid to other jurisdictions.

**2. Public Facilities and Services**

In planning for growth, it is important to ensure that adequate public facilities and services are available to meet the anticipated demand. Discussed below are some of the public services in the City.

**Water Supply**

Water use in the San Juan Bautista area consists of a combination of residential, agricultural irrigation, and water-intensive food processing/industrial uses. Agricultural uses continue to comprise between 80 to 90 percent of the water demand for the region. San Juan Bautista's metered water supply is obtained from City-owned groundwater wells. The water system serves the City and a small portion of unincorporated areas of the County. The system currently consists of one storage facility, 3 wells. Two replacement wells (Well #4 and Well #5) were recently constructed and a State Water Resources Control Board violation noted in October 2016 resulted in a moratorium on new connections. The moratorium was officially lifted in December 2018. According to the City's Water Forum in January 2017, the combination of Well #1, Well #5, and Well #6 meets or exceeds the redundancy and source capacity requirements from the State for both current and future demand. As of 2017, the City's water system serves approximately 2,212 residents and the City has installed 720 water meters and 275 new meter boxes. The new water system must have the capacity to meet the projected Maximum Day Demand of approximately 371,091 gallons per day. Water availability is a critical planning issue for San Benito County and the State as a whole. The City works collaboratively with the San Benito County Water District. It is anticipated that discussion will continue regarding intertie of the City and District water systems. Most areas of the underlying aquifer do not show significant groundwater depletion, although some agricultural areas within the basin have been excessively pumped. As of December 2018, the connection moratorium, previously implemented in October 2016 by the State Water Resource Control Board, had been lifted and a new water system permit has been issued to the City in 2019.

**Sewer Service**

San Juan Bautista provides wastewater treatment for the incorporated City. The existing wastewater treatment plant is located at the northerly terminus of Third Street. The present capacity of the City's sewer treatment plant is adequate to meet existing and future anticipated waste water flows.

The General Plan EIR states that the City's sewer plant has a dry capacity of 0.27 million gallons per day and a wet capacity of 0.5 million gallons per day. The sewer plant can currently process flows greater than the current average in the city and therefore, can accommodate the expected increase in wastewater

production. According to the City's August 2018 reporting, the City pumped an average of approximately 0.096 million gallons of wastewater per day from pump station #1. The current sewer plant has sufficient capacity to serve additional housing. New residential projects are required to pay water and sewer connection and user fees to the City.

San Juan Bautista presently provides new water and sewer services to all in-City applicants who are permitted to develop new residential development. If the provision of new water and sewer services becomes limited as the utility approaches capacity, priority for new services will be given to affordable housing projects as required by section 65589.7 of the California Government Code.

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This section analyzes the resources available for the development, rehabilitation, and preservation of housing in San Juan Bautista. This includes an evaluation of the availability of land resources, the City's ability to satisfy its share of the region's future housing needs, the financial resources available to support housing activities, and the administrative resources available to assist in implementing the City's housing programs.

## A. Regional Housing Needs

As presented in Section 1, San Juan Bautista is allocated 41 new units for the entire 5th Cycle 2015-2023 planning period (see Table 1-1). San Juan Bautista must demonstrate that adequate sites will be available to address its share of the regional housing need for the planning period of 2015 - 2023.

The Department of Housing and Community Development allows cities 3 ways to address this requirement:

- a. **New Housing Production.** Since the RHNA takes several years to develop prior to the Housing Element planning period of 2009-2014, jurisdictions may count the number of new units built and occupied from 2009 toward their RHNA requirements.
- b. **Rehabilitation/Preservation.** Under State law, cities can also count up to 25% of their RHNA for the rehabilitation of qualified substandard units. Cities may also count a portion of the affordable units which would otherwise revert to market rents but are preserved through committed assistance from the jurisdiction.
- c. **Available Land for Development.** Cities may also count potential housing production on suitably zoned vacant and underutilized sites within the community. Cities must document how zoning and development standards on the sites facilitate housing.

The following discussion shows how the City will meet its RHNA for the 2015-2023 planning period, including accommodation of housing for low and very low income households.

## B. City Incentives towards Housing Production

This section discusses city incentives for housing production.

### 1. Inclusionary Housing Ordinance

In 2007, the City adopted an Inclusionary Housing Ordinance as a means to provide permanent affordable housing for very low and low income households. For sale projects of 6 or more units and rental projects of 5 or more units are required to either provide units affordable to very low or low income households or pay an affordable housing in-lieu fee. The in-lieu fee is established at the time of entitlement and is based on the amount sufficient to subsidize a median priced home in San Juan Bautista. The in-lieu fees are estimated for multifamily and single family to be from \$5,000 - \$11,000. Through the development agreement negotiation process, fee reductions or waivers are sometimes approved based on project-specific findings. The Ordinance does not apply to congregate care, residential care facilities, secondary dwelling units and similar facilities. The City of San Juan Bautista has not seen the effects of implementing this ordinance since there has not been any development to determine if the ordinance constrains housing development. Although we have had developers come to town to look at potential vacant lots, they have only investigated what the local requirements are to perform a cost benefit analysis for multi-

family units. One constraint is that most lots developable in the City due to the size don't hit the threshold of providing mandatory affordable units. The City has found that developers fit under the requirement of fewer than 6 units. The City will continue to monitor this ordinance as part of the Inclusionary Housing Program to make sure it does not become a constraint for any future developments. Reservation requirements pursuant to the City's Zoning Ordinance are as follows:

**Reservation of For-Sale Units**

1. No for-sale residential project of 6 (6) or more units subject to this Chapter shall be approved in any area of the City unless at least one (1) such housing unit is reserved for sale to very low- or low-income households or reserved as rental units for very low- or low-income households for each 5 (5) units of market-rate housing.
2. Calculation of Reservation Requirement. The calculation of the number of housing units to be reserved shall be made utilizing the total number of housing units in the residential project prior to including any increase in the allowable number of such housing units authorized by any density bonus granted pursuant to Government Code Section 65915 et seq. If the calculation of the number of housing units to be reserved results in a fraction of a whole number, the developer may either reserve one (1) additional housing unit or pay a partial in-lieu fee equal to the remaining fraction. The amount of the in-lieu fee shall be determined according to SJPMC 11-09-505.
3. Timing for Construction of Reserved Units. The reserved units shall be constructed either prior to or simultaneously with the non-reserved units within the development. If the development is being constructed in phases, the percentage of reserved units to be constructed in each phase shall be equivalent to one (1) reserved unit for every 5 (5) market rate units being constructed in that phase.
4. Sales Price. The initial sales price and the resale sales price of reserved units shall be limited to ensure that the price is and remains affordable to very low- or low-income households as defined in SJPMC 11-09-300.
5. Sales Restriction. Reserved units shall be sold or resold only to eligible very low- or low-income households. A deed restriction, covenant, and/or other instrument enforceable by the City and approved by the City Attorney limiting the resale of such units to eligible very low- or low-income households shall be recorded against the title of all reserved units. The duration of such resale restrictions shall be a minimum of fifty-5 (55) years.
6. Rental Restriction. The requirements in subsection (B) of this Section shall apply if rental housing is provided as the reserved units.

**Reservation of Rental Units**

1. No rental residential project subject to this Chapter (including time extensions) shall be permitted unless at least one (1) affordable unit is reserved for very low- or low-income households for each 5 (5) units of market-rate housing.
2. Calculation of Reservation Requirement. The provisions of this subsection shall apply to the calculation of the number of housing units to be reserved in any rental housing development.

3. Design and Construction of Reserved Units. The design and exterior appearance of the reserved units shall be compatible with and substantially the same as the non-reserved units within the development and shall contain proportionately the same or a larger number of bedrooms and square footage per reserved unit as the non-reserved units.
4. Rental Restriction. The rent to be charged for a reserved housing unit shall be so limited as to be affordable to very low- or low-income households.
5. Deed Restriction. A deed of restriction, covenant, and/or other instrument enforceable by the City and approved by the City Attorney shall be recorded against the title of the property within which the reserved units are located limiting the rental of the reserved units as described in subsection (B)(4) of this section. This rent restriction shall be in effect for a minimum of fifty-5 (55) years. Additionally, the property shall be so restricted as to prohibit the conversion of the restricted units for the term of the rent restriction to a condominium, stock cooperative, community apartment, or such other form of ownership which would eliminate the restricted units as rental units.

The Ordinance will help to ensure that units affordable to low and very low income households will be produced or acquired.

## 2. Affordable Housing Incentives

Under the State density bonus law projects may be eligible for an additional density bonus (up to a 35 percent). Moreover, per State law, the City is obligated to offer additional regulatory and financial incentives, including a reduction in development standards, modified parking, modified street widths, direct financial aid or loans, etc. To date, no project proponents have sought density bonus under State law.

## 3. Planned Unit Developments

The City provides other regulatory and financial incentives to encourage creative housing projects. The Planned Unit Development permit process allows for significant modifications in lot sizes, street widths, density, open space, and many other features in a residential project. Projects which are larger than one acre are encouraged to file for a PUD to take advantage of design flexibility afforded the project by the ordinance. During the planning period, one PUD application has been filed.

## 4. Mixed Use District

The City's Mixed Use District allows for types of housing that would not otherwise be accommodated within the City, such as upper floor apartments over commercial uses. This housing type is generally less expensive than single family homes, and provides a chance to live near the downtown area.

## 5. Cooperation with Non Profit Organizations

The City of San Juan Bautista works with nonprofit organizations on a variety of issues and needs within the community. The City will continue to work with non-profits to address housing needs in the City. Limited financial capacity and land capacity limits the attractiveness of San Juan Bautista to such partnerships.

## 6. Access to Persons with Disabilities

State law requires that cities analyze potential and actual constraints upon housing for persons with disabilities, demonstrate efforts to remove government constraints, and include programs to accommodate housing designed for disabled persons, including those with developmental disabilities. As part of the City's 5th Cycle Housing Element process, the City analyzed its Zoning Ordinance, permitting



procedures, development standards, and building codes to identify potential impediments. Where found, the Program Section (Chapter 5) proposes specific actions and implementation schedules to remove such impediments. The City will continue to review and enhance those proposed actions and implementation schedules in this Housing Element. The following summarizes the findings from the analysis.

1. **Zoning and Land Use.** State and Federal housing laws encourage an inclusive living environment, where persons of all walks of life have the opportunity to find housing suited to their needs. The City's zoning code permits a range of housing types suitable to special needs groups covered under the uses "Residential Care Facilities." Group homes (home where a small number of unrelated people in need of care, support, or supervision can live together) serving 6 or fewer persons are permitted by right in all 3 residential zoning districts and larger facilities (7 or more persons) are permitted in the R-3 zoning district. The City may consider making changes to better facilitate the development of housing for persons with disabilities. The City could, for example, amend the zoning code to include a definition of group homes, or residential care facilities, to clarify what type of facility is allowed as an accessory use in all residential districts.
2. **Building Codes and Development Standards.** The City enforces Title 24 of the California Code of Regulations, which regulates the access and adaptability of buildings to accommodate persons with disabilities. In addition, the City's building code requires compliance with the 1988 amendments to the Fair Housing Act, which requires a minimum percentage of dwelling units in new developments to be fully accessible to the physically disabled. The Americans with Disabilities Act (ADA) requires new residential buildings consisting of 3 or more units to incorporate design features, including: (1) adaptive design features for the interior of the unit; (2) accessible public and common use portions; and (3) sufficiently wider doors to allow wheelchair access. The City ensures that plans meet ADA accessibility standards.

The City provides for modified/reduced parking for projects located within the Mixed Use District. Additionally, the parking ordinance allows joint use of parking as well as in-lieu parking fees. Each of these provisions could assist in the development of housing for persons with disabilities.

3. **Permitting Procedures.** The City does not require special building codes or additional levels of review to build, improve, or convert housing for disabled persons. Per State law, requests for modifications to ensure housing access, such as ramps up to 30 inches in height, do not require a building permit and are processed over the counter. The City uses a standard entitlement processes to ensure that facilities are sited and operated in a manner compatible with surrounding land uses.

## C. Availability of Sites for Housing

A critical component of the Housing Element is the identification of adequate sites to accommodate projected future housing development, and evaluation of the adequacy of these sites in fulfilling the City's share of regional housing needs as determined by SB+COG. The adequacy of sites is demonstrated by analyzing the density and development standards of various parcels to determine development potential and by ensuring that appropriate infrastructure, public services, and facilities will be available to serve the sites. Citywide constraints to development were discussed in earlier sections, specifically Chapter 3.

For this Housing Element update, a parcel-specific vacant and underutilized site inventory was performed by updating a survey conducted for the General Plan, and using data from San Benito County's GIS and the County Assessor's database. Existing uses on each site were considered. City staff refined the list to include only lots that could realistically be developed. Development capacity for sites situated in flood plains or sensitive habitat areas was reduced. Sites selected also had or will have adequate infrastructure,

public services, and access to facilities. A 20% reduction was applied to larger sites to yield a net development area to accommodate infrastructure improvements. Smaller sites (one acre or less) with immediate street access were assumed developable at full density.

## 1. Vacant Development Sites

The City has identified a number of vacant sites within the existing City limits that are zoned for residential use or mixed use (that includes residential component). These sites are adjacent to local streets and could be developed with localized improvements to water, sewer, and storm drainage lines. As discussed in the next section of this chapter, several of the sites have water, sewer, and storm drainage constraints. The sites are listed in Table 4-1 and illustrated in Figure 4-1. Table 4-2 provides a summary of the sites by income level.

**Table 4-1: Vacant Parcel Inventory**

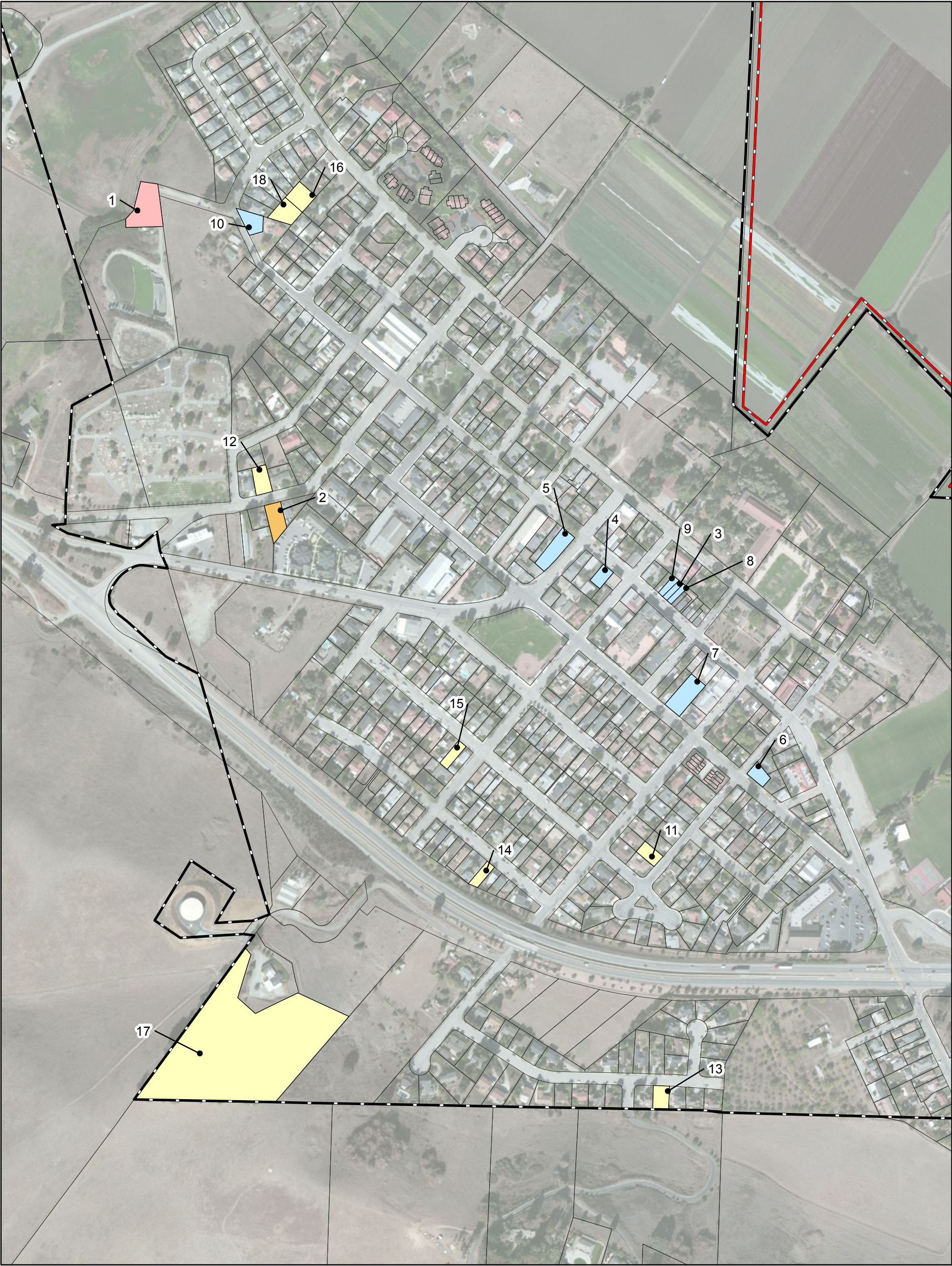
Map #	APN	Acres	Net Acres	General Plan	Zoning	Density	Afford. Level	Capacity
1	0022200030	0.48	0.48	Public Facility	PF	FAR 0.7	See note (1)	See note (1)
	Subtotal		0.48				--	--
2	0023200090	0.22	0.22	Medium Density	R-3	15	L VL	3
	Subtotal		0.22				Subtotal	3
3	0021600130	0.05	0.05	Mixed Use	MU	10	M	1
4	0021500030	0.11	0.11	Mixed Use	MU	10	M	1
5	0021300040	0.27	0.27	Mixed Use	MU	10	M	3
6	0024700080	0.12	0.12	Mixed Use	MU	10	M	1
7	0021900100	0.31	0.31	Mixed Use	MU	10	M	3
8	0021600140	0.05	0.05	Mixed Use	MU	10	M	1
9	0021600120	0.06	0.06	Mixed Use	MU	10	M	1
10	0022600460	0.17	0.17	Medium Density	R-2	10	M	2
	Subtotal		1.14				Subtotal	13
11	0024300200	0.13	0.13	Medium Density	R-1	5	AM	1
12	0022900430	0.17	0.17	Medium Density	R-1	5	AM	1
13	0025630020	0.15	0.15	Low Density	R-1	5	AM	1
14	0024200170	0.11	0.11	Low Density	R-1	5	AM	1
15	0023800130	0.11	0.11	Low Density	R-1	5	AM	1
16	0022600240	0.19	0.19	Low Density	R-1	5	AM	1
17	0025400070	9.72	7.78	Low Density	R-1	5	AM	39
18	0022600230	0.20	0.20	Low Density	R-1	5	AM	1
	Subtotal		8.84				Subtotal	46
	Total		10.20				Subtotal	62

Source: EMC Planning Group, Inc.; City of San Juan Bautista

Note: (1) Zoning appropriate for homeless shelter.

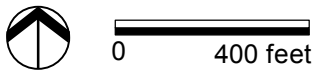
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Legend

-  City Limit  Sphere of Influence
-  Zoning Appropriate for Homeless Shelter  Very Low Income  Moderate Income  Above Moderate



Source: ESRI 2019, San Bentio County GIS 2018

Figure 4-1  
Vacant and Available Housing Sites  
San Juan Bautista Housing Element



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**Table 4-2: Summary of Vacant Sites by Assumed Income Level**

<b>Affordability Level</b>	<b>Net Acres</b>	<b>Capacity</b>	<b>RHNA</b>	<b>Unmet Need</b>
Homeless Shelter	0.48	n/a	n/a	n/a
Extremely Low, Very Low, and Low	0.22	3	16	13
Moderate	1.14	13	8	0
Above Moderate	24.83	46	17	0

Source: EMC Planning Group, Inc.; City of San Juan Bautista

The development capacity estimates are based on the low-end of the allowed density range for each district, with at least one unit per lot. As can be seen, the City lacks adequate sites within the city limits to accommodate its share of low and very low income units. Therefore, a program is included to re-zone land to R-3 to accommodate very low and low income housing. Several potential sites have been identified.

San Juan Bautista has 6 vacant infill residential parcels within the City boundary lines that are considered good candidates for the R-3 rezone. Once rezoned, these sites will have met the minimum lot size standards for the R-3 Zoning District. While some of the parcels provide additional potential capacity, it is unlikely that all of these units will be developed at densities or with deed restrictions requiring below market sale or rent.

Upon application of the City's Inclusionary Housing Ordinance, one out of every 6 market-rate housing units shall be reserved for sale to very low, low, or moderate income households or reserved as rental units for very low, low, or moderate income households. Therefore, a portion of the homes constructed on these sites would be required to be made available as affordable units, and would reduce the land necessary for re-zoning to R-3.

## 2. Underutilized Sites

Because of limited vacant land in San Juan Bautista, much new housing will likely be built as infill on underutilized residential, mixed use, and commercial sites. Underutilized sites are those in which the existing use is built well below the maximum density allowed in that zone. The City envisions that this process will continue to occur because it creates greater efficiencies and economic opportunity. Although present interest in such projects has diminished as a result of the economic crisis, the foreseeable future will include similar endeavors to maximize sites. City development standards for new projects further encourages consolidation in order to meet the requirements triggered by new development such as setbacks, fire access, circulation and others.

Typically, sites best suited to reuse are those in which the density of the development could be doubled. On mixed use and commercial sites most likely to be developed, it is anticipated that a pattern of mixed use buildings with ground level commercial retail and residential apartments and condominiums above will be likely. On underutilized residential parcels, rezoning to R-3 districts to allow for multi-family duplexes and triplexes are likely for smaller properties. In many cases, these underutilized sites can be maximized via the use of Planned Unit Developments and density bonuses, which allow greater flexibility in development standards, particularly on small constrained lots.

Under current zoning, there are approximately thirteen (13) developable, underutilized lots that are large enough to be further divided or potentially suitable for apartments. Table 4-3, Underutilized Parcels, provides the list of underutilized parcels within the City. These parcels are also illustrated in Figure 4-1. For this Housing Element period, none of these parcels are intended to count toward the City's Regional Housing Needs Allocation.

**Table 4-3: Underutilized Parcels**

Map #	APN	Acres	Net Acres	General Plan	Zoning	Density	Afford. Level	Capacity
19	0023500020	3.84	3.10	Mixed Use	MU	10	M	31
20	0021900070	0.14	0.14	Mixed Use	MU	10	M	1
21	0021900110	0.38	0.38	Mixed Use	MU	10	M	4
22	0024600050	0.26	0.26	Mixed Use	MU	10	M	3
23	0024800030	0.12	0.12	Mixed Use	MU	10	M	1
24	0024800040	0.52	0.52	Mixed Use	MU	10	M	5
25	0021900010	0.24	0.24	Mixed Use	MU	10	M	2
	Subtotal		4.76					47
26	0025200010	5.96 <sup>1</sup>	4.77	Low Density	R-1	5	AM	24
27	0025100010	6.27	5.02	Low Density	R-1	5	AM	25
28	0022700020	0.77	0.77	Low Density	R-1	5	AM	4
29	0022900330	0.77	0.77	Medium Density	R-1	5	AM	4
30	0022400050	0.38	0.38	Medium Density	R-1	5	AM	2
	Subtotal		11.71					59
	Total		16.47					106

Notes: (1) These parcels may ultimately be divided to allow for Lang Street to be continuous. This divide would result in 2 roughly 3-acre parcels.

**Table 4-4: Summary of Underutilized Sites by Assumed Income Level**

Affordability Level	Net Acres	Capacity
Very Low / Low	0	0
Moderate	4.76	47
Above Moderate	11.71	59

### 3. Potential Re-Zone Sites

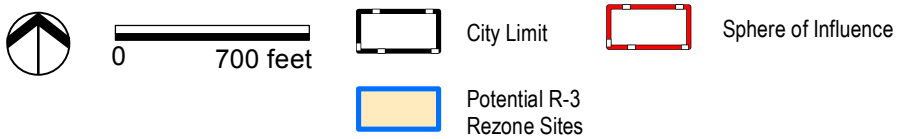
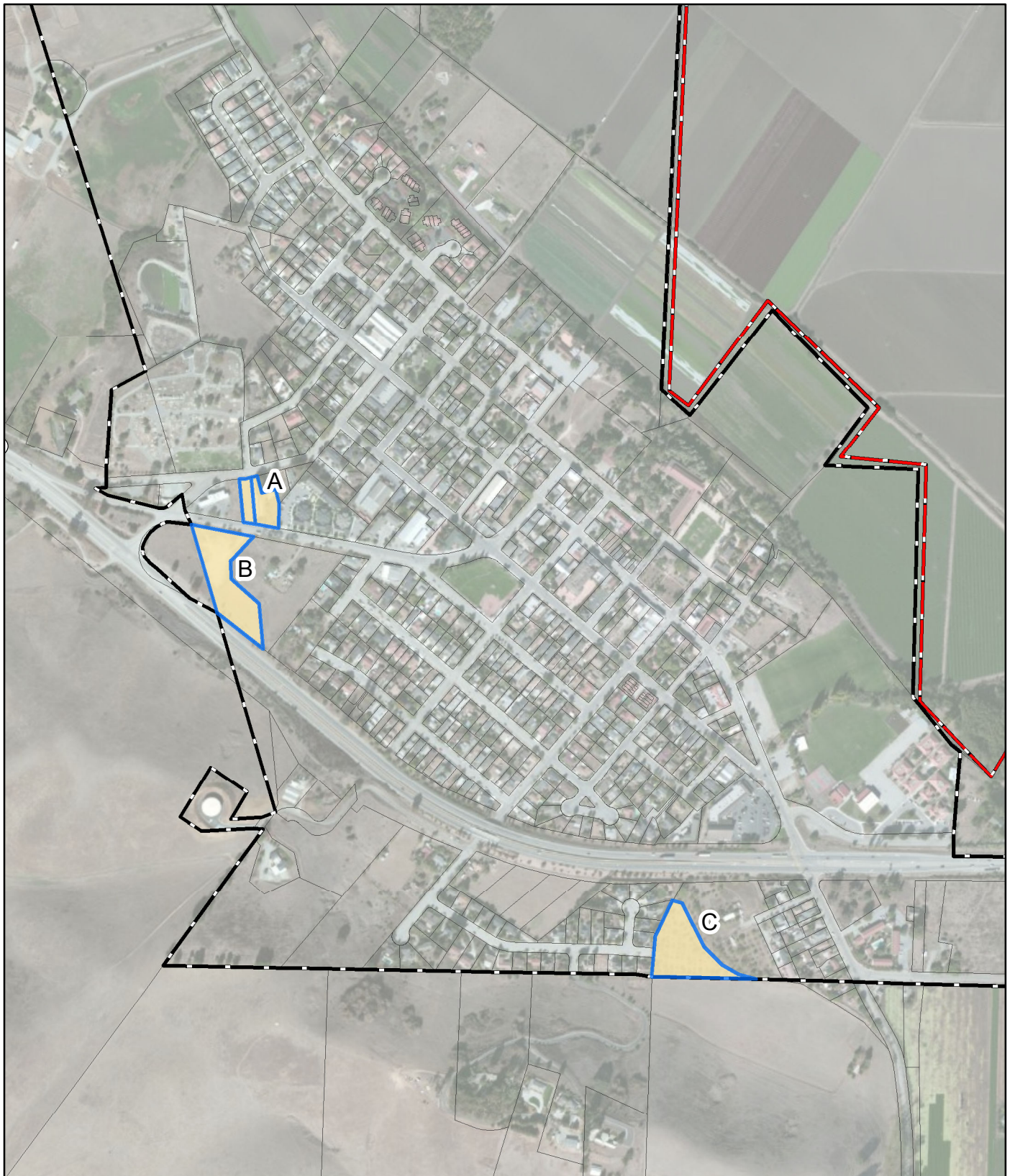
Table 4-5, below, identifies 3 potential parcels, one or more of which could be re-zoned to the R-3 District to accommodate lower-income housing. These parcels are illustrated on Figure 4-2.

**Table 4-5: Potential Re-Zone Sites<sup>1</sup>**

Map #	APN	Acres	General Plan	Current Zoning	Proposed Zoning	Density	Potential Units
A <sup>2</sup>	002-320-007, 80	0.88	Commercial	C	R-3	20-24 du/ac	17-21
B	002-350-030	2.30	Commercial	C / MU	R-3	20-24 du/ac	46-55
C	002-520-001	2.30	Low Density	R-1	R-3	20-24 du/ac	46-55

Notes: (1) Special standards and conditions apply, through the year 2024 only, to any of these sites that are chosen for rezoning to R-3, as follows: (a) the allowable density for each site is a minimum of 20 units per acre and a maximum of 24 units per acre; (b) 20 percent of the development on each site must be owner-occupied and/or rental multi-family uses that are affordable to lower-income households; and (c) all development on these sites is permitted by right (i.e., no conditional use permit, planned development permit, or other discretionary review or approval).

(2) These 2 parcels are intended to be combined into one parcel that is 0.88 acres in size.



Source: ESRI 2019, San Benito County GIS 2018



Figure 4-2  
Potential R-3 Rezone Sites

San Juan Bautista Housing Element

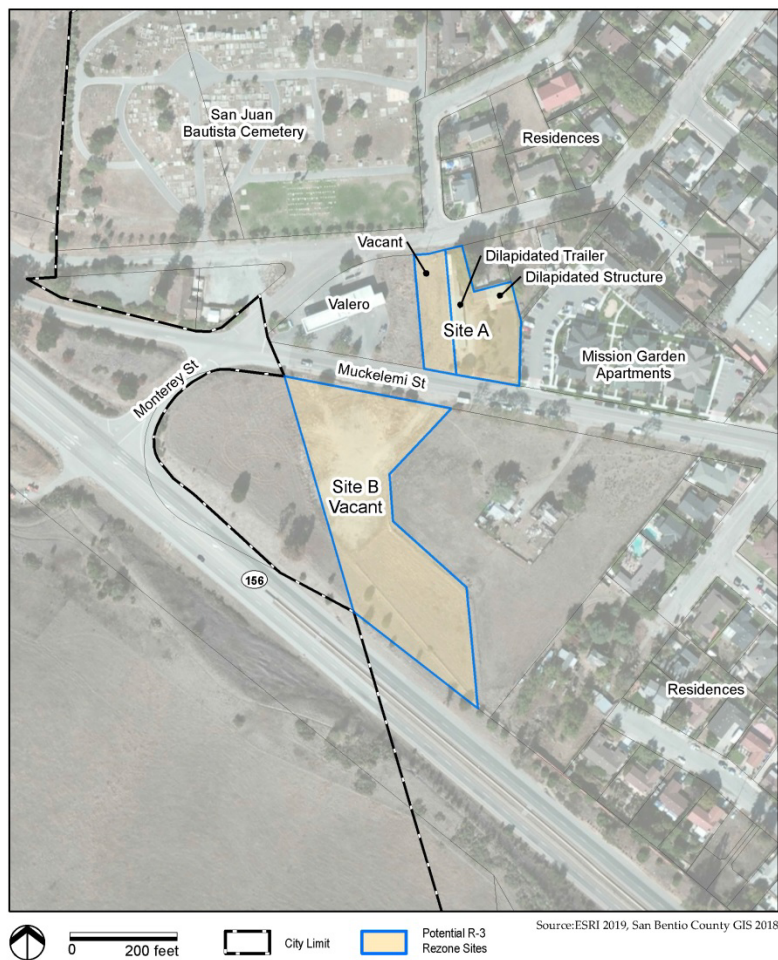


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**Existing Conditions for Potential Re-zone Sites.** Of the 4 total parcels that make up the 3 sites considered to be the most suitable for re-zone to the R-3 district (see Table 4-6 and Figure 4-2 above), only 2 parcels are currently vacant (half of Potential Re-zone Site A and all of Potential Re-zone Site B). Each of the 3 potential re-zone sites are adjacent to existing residential neighborhoods, and, therefore, would have easy access to utilities such as electricity and gas.

**Potential Re-zone Site A** (only APN: 002-320-007). This underutilized parcel is comprised of 0.57 acres and currently zoned for commercial. The parcel includes one structure and one trailer that are both dilapidated, and the City re-zone could create an incentive for redevelopment. The size of the site would be better suited for residential redevelopment, which would blend with the adjacent apartment complex to the east. See Image 1 below.

**Potential Re-zone Site B** (APN: 002-350-030). This vacant parcel is comprised of 2.30 acres and currently zoned for commercial/mixed use, with public utilities available to the site. Property to the west of the site is zoned for commercial use, and property to the east is zoned for mixed use. The size of this site would accommodate a large residential project whose residents would provide ready market for neighboring commercial and other mixed uses. See Image 1 below.



**Image 1:** This aerial image shows the existing land on and surrounding Potential Re-zone Sites A and B.

**Potential Re-zone Site C** (APN: 002-520-001). This underutilized parcel is currently zoned for low density residential and in its entirety is comprised of 5.96 acres. However, for the purposes of re-zoning to R-3, the City is looking at the southwestern portion (approximately 2.30 acres) of this parcel. Image 2 below shows the portion of the site that would be re-zoned to R-3.



Google map

Image 2: This aerial image shows the existing land on and surrounding Potential Re-zone Site C.

#### 4. Infill and Second Unit Potential

**Mixed-Use Infill.** The City’s General Plan and Zoning Ordinance apply a “Mixed Use” land use category to the central business district and the City’s 2 “gateway” areas. Residential uses are encouraged on the second floors of commercial buildings on sites with this designation and live-work and artist studio development is supported. This type of development has been an important affordable housing resource in San Juan Bautista. A number of lower priced rental units and shop owner residences exist above stores and restaurants on Third Street. The designation also provides places where housing, small business, and workshop space can be combined on the same site. The City is targeting this area for attaining its moderate income housing.

Residential development within the Mixed Use District is allowed subordinate to commercial uses at a density up to 15 units per acre when located above or behind a commercial use with the exception of

senior and affordable housing projects. Per the City's Inclusionary Housing Ordinance, new construction for uses that are exclusively residential (i.e. that do not include a commercial component) on a property that does not already contain a commercial use is only allowed if the proposed new use meets an identified affordable housing need. Such projects would also receive an increase in allowable density of at least 50 percent (if the project is 100 percent affordable) and flexibility in parking requirements. These provisions provide incentive to preserve existing residential uses and construct new affordable housing. With the residential density of 15 units per acre combined with commercial uses, each residential unit is anticipated to be relatively small and thus deemed "affordable" by design. Having only residential without a commercial component, the realistic capacity could reach 20 units per acre.

From 2000 to 2014, 9 housing units were constructed within the Mixed Use District: 4 within a new mixed use project and 5 on underdeveloped sites that contained a commercial component. Since 2014, no additional mixed use residential units have been built.

**Secondary Dwelling Units.** The City revised its Second Unit Ordinance to comply with AB 1866. Specifically, the ordinance was revised to allow second units as a permitted use in all residential zoning districts, provided they meet the development standards set forth by the particular zoning district in which they are located. Second units may also be conditionally permitted when they do not meet up to 2 such standards. These "exceptions" to the development standards may be approved by the Planning Commission through the granting of a Use Permit. According to the City's 2018 adopted planning fees, a use permit would cost the applicant \$1,500 for major development or \$750 for minor. This total cost may increase due to the costs related to the Design Review Permit process. Recent changes to the Secondary Dwelling Unit (newly titled Accessory Dwelling Units) State law will require amendments to the City's Zoning Ordinance.

During the City's consideration and adoption of the revised Second Unit Ordinance, many property owners expressed interest in pursuing permits for second units. Though the potential for new second units Citywide is great, only one secondary unit was built during this planning period.

## 5. Potential Capacity within the Urban Growth Boundary

The General Plan designates an Urban Growth Boundary that encompasses about 325 acres within the City limits and another 145 acres to be annexed and provided with urban services by the City. Development of land outside the City limits at urban densities requires annexation to the City. City Annexations are subject to review and approval by the Local Agency Formation Commission of San Benito County (LAFCO).

The City annexed 6 different portions of land within the urban growth boundary between 2015 and 2017. The City's approximately 13-acre Copperleaf residential subdivision project was annexed into the City in 2016 (Document ID 2016-0009779). The remaining annexations were of non-residential land: a 32-acre piece of land on the southeastern-end of the City was annexed in 2015 for industrial development (Document ID 2015-0010254); an approximately one-acre piece of land on the western side of the City was annexed in 2015 (Document ID 2015-0010253); an approximately 2-acre and 3-acre piece of land were annexed in 2017 and 2015, respectively (Document IDs 2017-0009704 and 2015-0010258); and another 2-acre piece of land to the north of the City was annexed in 2015 (Document ID 2015-0010256).

## D. Progress toward RHNA

San Juan Bautista has made some progress towards meeting its share of the regional housing needs during the current planning period. According to the California Department of Finance, San Juan Bautista added 53 units between 2015 and 2019. 4 of these units were assessor dwelling units built on lots containing single family dwellings and appropriately count toward the City's low-income need, as each is small in size and is either rented for a price commensurate with its small size or occupied by family members for free. Table 4-6 below illustrates the number of housing units by income level that have been built during this planning period.

**Table 4-6: Housing Units Built During Current Planning Period (2015-2019)**

Affordability Distribution	Housing Units by Income Level
Very Low	0
Low	4
Moderate	0
Above Moderate	49
<b>Total Units</b>	<b>53</b>

Source: DOF Table E-5 2019; City of San Juan Bautista

As summarized in Table 4-7, the City can fully address most of its RHNA through a combination of past housing production during this planning period, remaining capacity in residential and commercial areas, and a combination of second units and infill development. Re-zoning will be necessary to provide adequate sites for low and very low income housing.

**Table 4-7: Remaining Need Based on Units Approved/Under Construction**

Affordability Distribution	RHNA	Credits Toward RHNA	
		Units Approved	Remaining Need
Very Low	10	0	10
Low	6	4	2
Moderate	8	0	8
Above Moderate	17	49	0
<b>Total Units</b>	<b>41</b>	<b>53</b>	<b>20</b>

Source: City of San Juan Bautista

## E. Financial Resources

San Juan Bautista currently has no staff or financial resources to develop a "stand alone" housing development program. As such, the City will need to partner with non-profit agencies, San Benito County and other parties to address housing needs in the City. While the City currently does not access many of the programs and funds available, the City may in the future choose to avail itself to the affordable housing funds provided via local, State, Federal and private resources. The following section describes the 5 largest housing funding sources the City can use for housing production, rehabilitation, or preservation: CDBG grants, HOME funds, redevelopment set-aside funds, affordable housing in-lieu fees, the Housing Choice Voucher Program, and Proposition 46 funds. Table 4-8 provides an inventory of financial resources available.



**Table 4-8: Financial Resources for Housing Activities**

Program Name	Description	Eligible Activities
<b>1. Federal Programs</b>		
Community Development Block Grant (CDBG)	Grants awarded to the City on a formula basis for housing and community development activities. The City is currently not eligible for CDBG due to non-certification of Housing Element.	-Acquisition -Rehabilitation -Home Buyer Assistance -Economic Development -Homeless Assistance -Public Services
Emergency Shelter Grants (ESG)	Grants potentially available to the City through the County to implement a broad range of activities that serve homeless persons. Funding availability is uncertain for the current year.	-Shelter Construction -Shelter Operation -Social Services -Homeless Prevention
HOME	Grant program available to the City on a competitive basis for housing activities. City competes for funds through the State's allocation process.	-Acquisition -Rehabilitation -Home Buyer Assistance -Rental Assistance
Low-Income Housing Tax Credits (LIHTC)	Tax credits available to persons and corporations that invest in low-income rental housing. Proceeds from the sales are typically used to create housing.	-New Construction -Acquisition -Rehabilitation
Mortgage Credit Certificate (MCC) Program	Income tax credits available to first-time homebuyers to buy new or existing single-family housing. Santa Cruz County Housing Authority makes certificates available.	-Home Buyer Assistance
Housing Choice Voucher Program	Rental assistance payments through Santa Cruz County Housing Authority to owners of private market rate units on behalf of very low-income tenants.	-Rental Assistance -Home Buyer Assistance
Section 202	Grants to non-profit developers of supportive housing for the elderly.	-Acquisition -Rehabilitation -New Construction
Section 203(k)	Provides long-term low interest loans at fixed rate to finance acquisition and rehabilitation of eligible property.	-Land Acquisition -Rehabilitation -Relocation of Unit -Refinance Existing Indebtedness
Section 811	Grants to non-profit developers of supportive housing for persons with disabilities, including group homes, independent living facilities and intermediate care facilities	-Acquisition -Rehabilitation -New Construction -Rental Assistance
U.S. Department of Agriculture (USDA) Housing Programs (Sections 514/516)	Below market-rate loans and grants for farmworkers rental housing.	-New Construction -Rehabilitation

Program Name	Description	Eligible Activities
<b>2. State Programs</b>		
Affordable Housing Partnership Program (AHPP)	Provides lower interest rate CHFA loans to home buyers who receive local secondary financing.	-Home Buyer Assistance
CalHOME	Provides grants to local governments and non-profit agencies for local home buyer assistance and owner-occupied rehabilitation program and new home development projects. Will finance the acquisition, rehabilitation, and replacement of manufactured homes.	-Home Buyer Assistance -Rehabilitation -New Construction
California Housing Assistance Program	Provides 3% silent second loans in conjunction with 97% CHFA first loans to give eligible buyers 100% financing.	-Home Buyer Assistance
California Housing Finance Agency (CHFA) Rental Housing Programs	Below market rate financing offered to builders and developers of multi-family and elderly rental housing. Tax exempt bonds provide below-market mortgages.	-New Construction -Rehabilitation -Acquisition
California Housing Finance Agency (CHFA) Home Mortgage Purchase Program	CHFA sells tax-exempt bonds to make below-market loans to first-time buyers. Program operates through participating lenders who originate loans for CHFA.	-Home Buyer Assistance
California Self-Help Housing Program (CSHHP)	Provides grants for the administration of mutual self-help housing projects.	-Home Buyer Assistance -New Construction
Downtown Rebound	Funding to facilitate infill development and conversion of commercial buildings for "live-work" spaces.	-Rehabilitation
Emergency Housing and Assistance	Provides grants to support emergency housing.	-Shelters & Transitional Housing
Emergency Shelter	Grants awarded to non-profit organizations for shelter support services.	-Support Services
Extra Credit Teacher Program	Provides \$7,500 silent second loans with forgivable interest in conjunction with lower interest rate CHFA first loans to assist eligible teachers to buy homes.	-Home Buyer Assistance
Farmworker Housing	Provides State tax credits for farmworker housing projects.	-New Construction -Rehabilitation
Housing Enabled by Local Partnerships (HELP)	Provides 3% interest rate loans, with repayment terms up to 10 years, to local government entities for locally-determined affordable housing priorities.	-New Construction -Rehabilitation -Acquisition -Home Buyer Assistance -Site Acquisition -Site Development

Program Name	Description	Eligible Activities
Joe Serna Jr. Farmworker Housing Grant Program (FWHG)	Provide recoverable grants for the acquisition, development and financing of ownership and rental housing for farmworkers.	-Home Buyer Assistance -Rehabilitation -New Construction
Multi-Family Housing Program (MHP)	Deferred payment loans for the new construction, rehabilitation and preservation of rental housing.	-New Construction -Rehabilitation -Preservation
Self-help Builder Assistance Program (SHBAP)	Provides lower interest rate CHFA loans to owner-builders who participate in self-help housing projects. Also provides site acquisition, development and construction financing for self-help housing projects.	-Home Buyer Assistance -New Construction -Site Acquisition -Site Development
Supportive Housing/Minors Leaving Foster Care	Funding for housing and services for mentally ill, disabled and persons needing support services to live independently.	-Supportive Housing -Foster Care
<b>3. Local Programs</b>		
Affordable Housing In- Lieu Fees	The City collects in-lieu fee contributions from residential, commercial, and industrial development under the provisions of the Inclusionary Housing Ordinance.	-Acquisition -Rehabilitation -New Construction
Financial Incentives under the	The City's Density Bonus Ordinance offers financial incentives. The City uses the State provisions for density bonuses.	-New Construction
Tax Exempt Housing Revenue Bond	The City can support low-income housing by issuing housing mortgage revenue bonds requiring the developer to lease a fixed percentage of the units to low-income families at specified rental rates.	-New Construction -Acquisition -Rehabilitation
<b>4. Private Resources/Financing Programs</b>		
California Community Reinvestment Corporation (CCRC)	Non-profit mortgage banking consortium designed to provide long term debt financing for affordable multi-family rental housing. Non-profit and for profit developers contact member banks.	-New Construction -Rehabilitation -Acquisition
Federal National Mortgage Association (Fannie Mae)	-Fixed rate mortgages issued by private mortgage insurers.	-Home Buyer Assistance
	-Mortgages which fund the purchase and rehabilitation of a home.	-Home Buyer Assistance -Rehabilitation
	-Low Down-Payment Mortgages for Single-Family Homes in underserved low-income and minority cities.	-Home Buyer Assistance
Freddie Mac Home Works	Provides first and second mortgages that include rehabilitation loan. City provides gap financing for rehabilitation component. Households earning up to 80% MFI qualify.	-Home Buyer Assistance



Program Name	Description	Eligible Activities
Savings Association Mortgage Company Inc.	Pooling process to fund loans for affordable ownership and rental housing projects. Non-profit and for profit developers contact member institutions.	-New construction of rentals, cooperatives, self help housing, homeless shelters, and group homes

Source: Compiled by Cotton/Bridges/Associates, November 2002.

## 1. Community Development Block Grant (CDBG) Funds

The CDBG program provides funds for a range of community development activities. The program is flexible in that the funds can be used for a range of activities including, but not limited to: acquisition and/or disposition of real estate or property, public facilities and improvements, relocation, rehabilitation and construction (under certain limitations) of housing, homeownership assistance, and also clearance activities. Currently, the City is not a recipient of funds. The City may choose, upon Housing Element Certification, to pursue CDBG funds on a competitive basis. CDBG funds are currently being targeted in federal budget reductions. It is unknown to what extent CDBG will be available to assist the City.

## 2. HOME Investment Partnership Program Funds

Federal HOME funds can be used for activities that promote housing and homeownership for lower-income households. Such activities include the following: building acquisition, new construction, moderate or substantial rehabilitation, first-time homebuyer assistance and tenant-based assistance. A federal priority for use of these funds is preservation of at-risk housing stock. San Juan Bautista has not applied for or secured HOME funds through the State HCD (through a competitive process).

Administrative costs of the program and the limited size of San Juan Bautista may limit the utility of this program. The City currently does not receive any HOME funds.

## 3. Affordable Housing In-Lieu Fee

The City collects in-lieu fee contributions from residential projects if housing is not provided onsite, under the provisions of the Inclusionary Housing Ordinance. These fees, by ordinance, are required to be used to address affordable housing needs in the City. The City's Municipal Code Chapters 11-09-500 through 11-09-510 provide descriptions of the in-lieu fees.

## 4. Housing Choice Voucher Program

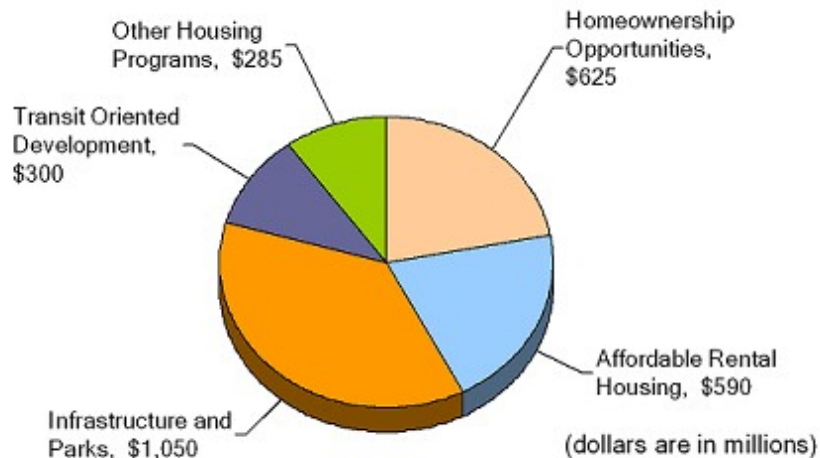
The Housing Choice Voucher Program is a Federal program that provides rental assistance to very low-income persons in need of affordable housing. The Housing Choice Voucher Program offers a voucher. A voucher pays the difference between the payment standard (an exception to fair market rent) and what a tenant can afford to pay (e.g. 30 percent of their income). A voucher allows a tenant to choose housing that may cost above the payment standard, with the tenant paying the extra cost. The County of San Benito contracts with the Housing Authority of Santa Cruz County to administer the Housing Choice Voucher Program in San Benito County (San Juan Bautista). The Housing Choice Voucher Program may now be used to assist certificate holders to buy a home as well. According to the Housing Authority of Santa Cruz County's data for 2018, a total of 15 households in the City are receiving vouchers.

## 5. Proposition 1C: Housing and Emergency Shelter Trust Fund Act of 2006

Due to the State's budget deficit, only limited State funds have been available for affordable housing activities. However, California voters in 2006 approved a \$2.9 billion bond (Proposition 1c) to address the State's affordable housing challenges. According to the Department of Housing and Community

Development (HCD), the housing bond will establish funding for housing and infrastructure programs to produce an estimated 118,000 housing units, 2,350 homeless shelter spaces, and infrastructure projects that help infill housing development such as water, sewer, parks, and transportation improvements. Specifically, the bond will be allocated according to Figure 4-3 as shown below.

Figure 4-3: Prop 1C Bond Allocation



Source: State Department of Housing and Community Development

These bond funds will be available on a competitive basis for the entire state and represent a major opportunity for the City to leverage local monies in support of affordable housing.

## F. Administrative Resources

Described below is a sample of public and non-profit agencies that have been involved in housing activities in the San Juan Bautista area. These and other agencies play important roles in meeting the housing needs of the community. In particular, they are or can be involved in the improvement of housing stock, expansion of affordable housing opportunities, preservation of existing affordable housing, and/or provision of housing assistance to households in need.

### 1. San Benito County/Housing Authority of the County of Santa Cruz

The Housing Authority of the County of Santa Cruz was created to provide housing assistance for Santa Cruz County's lower- and moderate-income residents. The Housing Authority administers the Housing Choice Voucher Program and manages public housing developments. The Housing Authority also administers various programs, including the Mortgage Credit Certificate and Mobile Home Resident Ownership Programs. In addition, the Authority issues mortgage-backed revenue bonds to assist developers in providing affordable rental housing and single-family bonds for homeownership assistance. San Benito County contracts with the Housing Authority.

### 2. South County Housing (SCH)

SCH is a private non-profit organization that provides housing for low- income families living in coastal, mid-California. SCH has achieved distinction through the creation of 1,300 single-and multifamily units for farmworker families, seniors, seasonal laborers, single parents, low-income families and the homeless. SCH is also the owner/manager of more than 700 rental units affordably priced for low-income individuals and families. These properties, housing more than 3,000 residents, are maintained under the auspices of South County Housing Property Management Corporation.

### 3. Mid-Peninsula Housing Coalition (MPHC)

Mid-Peninsula is an established regional nonprofit organization involved in the development, management, acquisition and rehabilitation of affordable rental housing. MPHC primarily develops affordable family and senior rental apartments. Since it was founded in 1971, MPHC has developed over 3,700 affordable housing units in 6 Northern California counties. MPHC has also rehabilitated over 300 units in blighted neighborhoods. In addition, MPHC has been involved in the preservation of affordable housing units that are at risk of converting to market rate uses.

### 4. Community Housing Improvement Systems and Planning Association, Inc. (CHISPA)

CHISPA is one of the largest private non-profit developers in Monterey and Santa Cruz County. To date, CHISPA has produced more than 1,000 units of very low, low, and moderate-income housing throughout Monterey County. Most of CHISPA's rental, homeownership, and cooperative projects serve large families and include 3- and 4-bedroom townhouse-style units with open space and tot lots. To date, CHISPA has not worked in San Benito County, they remain a resource and a potential partner for San Juan Bautista.

### 5. Habitat for Humanity

Habitat for Humanity is a non-profit, Christian organization dedicated to building affordable housing and rehabilitating homes for lower income families. Habitat builds and repairs homes with the help of volunteers and partner families. Habitat homes are sold to partner families at no profit with affordable, no-interest loans. Volunteers, churches, businesses, and other groups provide most of the labor for the homes. Government agencies or individuals typically donate land for new homes.

### 6. Salvation Army

The Salvation Army is a Christian non-profit organization that offers a variety of services, including: services for youth and seniors; a transitional housing program for persons in need, including those recovering from addictive behaviors; human services; and emergency/disaster relief. When a natural disaster or civil disorder occurs, the Salvation Army provides various recovery services, including shelter, counseling, congregate feeding, financial assistance, and reconstruction. Shelters may be established in Salvation Army facilities or other sites.

### 7. Housing Choices Coalition (HCC)

Housing Choices Coalition is a local nonprofit organization that creates and implements innovative strategies to provide quality living options for people with developmental disabilities in Santa Clara County, Monterey County, and Santa Cruz County. The Coalition aims to ensure that a variety of housing options are available to people with developmental disabilities, including rental housing, home ownership and cooperative and/or shared housing. The Coalition works in partnership with developers, funders, and others in the planning and development of new affordable housing and the securing of housing units for use by people with developmental disabilities.

### 8. Project WeHOPE / Dignity on Wheels

WeHOPE offers 4 main programs to help homeless individuals:

- a. Transitional/Supportive Housing Program. This is a 120-day program that is intended to deal with the systemic issues related to homelessness. Clients entering this program take a series of classes, set weekly goals, meet weekly with his or her case manager, participate in a mandatory savings program, do daily housing searches, and are a positive role model for emergency clients also staying at the WeHOPE Shelter.

- b. Dignity on Wheels Mobile Hygiene Outreach Program. Dignity on Wheels is a mobile hygiene outreach program that provides free showers and laundry service for the homeless living in encampments, rotating shelters, in their vehicles or other temporary spaces where they do not have access to such amenities.
- c. H.O.P.E. Jobs H.O.P.E. Jobs is a program that offers WeHOPE clients and the general community with free certification courses to become a Security Guard or Custodial Technician. The classes are taught by nationally certified instructors within their professional industry. Each individual who successfully receives a certificate of completion for either class are able to apply for hundreds of qualified jobs throughout California.
- d. Dignity @ Work This program is offered to support formerly incarcerated individuals to become successful in all aspects of their lives. We offer comprehensive training in diverse related disciplines that provide life, communication, problem solving and financial management skills followed by job and entrepreneurship training to set the stage for successful employment either as a business owner or employee in a high-demand, low barrier to entry fields.

## 9. Schools/Social Services

San Juan Bautista's local high school, Anzar High School, has programs that work with migrant household's children to help them pass the California High School Exit Exam (CHASEE). English learners, who have not passed one or both parts of the CHASEE are entitled to receive "intensive instruction and services" for up to 2 consecutive academic years after their completion of grade 12 or until they pass both parts of the CHASEE. Because many migrant households experience language barriers, this program works with children, who claim English as their second language, to help them receive a high school diploma. The Aromas-San Juan Unified School District also operates bus systems which have designated stops in rural areas of Aromas and San Juan Bautista. These bus routes help ensure migrant children, who may live in more remote locations and have parents who leave for work in the fields early, still have access to attending school.

## G. Opportunities for Energy Conservation

Not since the 1970s has energy conservation been a more important issue in California. With the escalation in energy prices during the past few years, consumers and builders have once again become more aware of energy costs. The City of San Juan Bautista recognizes that prosperity and economic development cannot be achieved at the expense of our environment. The City must strike a balance between development and environmental stewardship to keep our economy strong and, at the same time, protect our environment. The following section highlights building standards and conservation codes contributing to that success.

Title 24 of the California Administrative Code sets forth mandatory energy standards for new development, and requires adoption of an "energy budget." In turn, the home building industry must comply with these standards while localities are responsible for enforcing the energy conservation regulations. In February 2015, San Juan Bautista worked with the Monterey Bay SEED Fund to analyze several sites within the City (City Hall, City Yard, Community Center, Wastewater Treatment Plant, and the Pellet Plant) to determine any potential technical issues with implementing solar installation and in March 2015, each signed an agreement for cooperative purchasing of renewable energy. Since this agreement in 2015, the City has not adopted a Solar Energy Code for the purpose of reducing energy costs for new residential developments nor has the City adopted an energy budget. However, State law (both the Residential Building Code and CalGreen) have standards that significantly reduce energy use in new residential construction.

The following are among the alternative ways to meet these energy standards. Alternative 1 is a passive solar approach which requires proper solar orientation, appropriate levels of thermal mass, south facing windows, and moderate insulation levels. Alternative 2 generally requires higher levels of insulation than Alternative 1, but has no thermal mass or window orientation requirements. Alternative 3 is without passive solar design but requires active solar water heating in exchange for less stringent insulation and/or glazing requirements.

Increasing energy costs, persistent drought and climate change have reshaped how Californians think when it comes to buying new homes. Solar roof panels have become increasingly commonplace over the past several decades, with both State and federal tax credits available. Energy-efficient appliances and landscaping have become amenities of choice for this class of homebuyer. Developers can make the most of this paradigm shift by embracing “green” building practices that incorporate the energy and water efficiencies that consumers desire as well as environmentally friendly construction that minimizes waste and maximizes the use of resources.

## 1. Monterey Bay Community Power and Pacific Gas & Electric (PG&E)

Monterey Bay Community Power, the new community choice aggregation agency in the 3-county region, opened its doors in 2018, providing 100% carbon-free electric power to its customers. In addition, Pacific Gas & Electric provides both natural gas and electricity to residential consumers in San Benito County, including the City of San Juan Bautista. PG&E also participates in several other energy assistance programs which help qualified homeowners and renters conserve energy and control costs. These include:

- a. The California Alternate Rates for Energy Program (CARE) provides a 15% monthly discount on energy rates to income-qualified households, agricultural employee housing, shelters, hospices and other qualified non-profit group living facilities.
- b. The Relief for Energy Assistance through Community Help (REACH) Program provides one-time energy assistance to low-income customers who have experienced severe hardships and have no other way to pay their energy bill.
- c. The Balanced Payment Plan (BPP) is designed to eliminate big swings in a customer's monthly payments by averaging energy costs over the year.
- d. The Low Income Home Energy Assistance Program (LIHEAP) provides eligible low-income persons, via local governmental and nonprofits, financial assistance to offset energy costs and weatherize homes to improve efficiency.

Beyond the savings involved with making intelligent efficiency investments there are a variety of funds available to the community that can help absorb some of the initial cost. PG&E Rebates are available at: <http://www.pge.com/myhome/saveenergymoney/rebates/index.shtml>.

## 2. AMBAG EnergyWatch

The City of San Juan Bautista is a member of the Association of Monterey Bay Area Governments (AMBAG). AMBAG operates a PG&E funded EnergyWatch Program that provides energy saving assistance to local governments, non-profits, schools and low to moderate income households.

Sections 2, 3, and 4 of the Housing Element establish the housing needs, constraints, and resources in San Juan Bautista. This section of the Housing Plan sets forth the City's goals, policies, programs, and quantified objectives to address the identified housing needs for the 2015-2019 planning period, and reviews progress made during the prior planning period.

## A. Housing Goals

The goals and policies contained in the Housing Element address San Juan Bautista's housing needs and are implemented through the programs, policies, and staff of the City. In drafting these goals and policies, Section 65583 of the Government Code requires the housing element to address 5 major areas:

- Housing and Neighborhood Conservation
- Provision of Housing Assistance
- Housing Production
- Removal of Governmental Constraints
- Equal Housing Opportunity

### 1. Housing and Neighborhood Conservation

Conserving and improving the housing stock is an important goal. Approximately 64 percent of the occupied housing units in San Juan Bautista are 50 years old or older, an age when most homes begin to have major rehabilitation needs. The City supports neighborhood preservation and upgrading through provisions of the building code and code enforcement.

### 2. Housing Assistance

San Juan Bautista is a small community of just over 2,000 residents. As such, the number of persons with special housing needs, including seniors, large families, disabled persons, homeless persons, single parent families, and students, among others is relatively small. Nevertheless, these groups may face greater difficulty in finding decent and affordable housing due to special circumstances. Special circumstances may be related to one's income, family characteristics, disability, or health issues. The City remains committed to addressing the special needs of San Juan Bautista residents.

### 3. Housing Production

Housing diversity is important to ensure that all households, regardless of age, income level, and household type, have the opportunity to find housing suited to their lifestyle. Part of this diversity is addressed through the regional housing needs assessment process, which encourages the provision of housing for all economic segments in the community. However, housing diversity is also addressed by supporting alternative housing options for residents with special housing needs.

The City has an Inclusionary Housing ordinance to promote the development of housing for lower income households in San Juan Bautista.

#### 4. Removal of Government Constraints

Under State law, the Housing Element must address, and where legally possible, remove governmental constraints affecting the maintenance, improvement, and development of housing. The City's programs are designed to mitigate government constraints on housing and facilitate development of housing affordable to lower-and moderate-income households, including families, seniors, and persons with special needs.

#### 5. Fair and Equal Housing Opportunity

Ensuring fair and equal housing opportunity is an important goal. Whether through mediating disputes, investigating bona fide complaints of discrimination, or through the provision of education services, the provision of fair housing services is important to ensuring fair and equal access to housing. San Juan Bautista supports the provision of fair housing opportunity through its housing element policies.

The following are the 5 overarching goals of the City for the 2015-2019 housing planning period:

<b>GOAL 1.0</b>	<b>SAFE AFFORDABLE HOUSING MEETING THE NEEDS OF ALL RESIDENTS</b>
<b>GOAL 2.0</b>	<b>HOUSING OPPORTUNITIES FOR ALL ECONOMIC SEGMENTS AND SPECIAL NEEDS GROUPS</b>
<b>GOAL 3.0</b>	<b>AVAILABLE HOUSING FOR ALL INCOME GROUPS</b>
<b>GOAL 4.0</b>	<b>REASONABLE GOVERNMENTAL CONSTRAINTS ON THE DEVELOPMENT OF HOUSING</b>
<b>GOAL 5.0</b>	<b>FAIR AND EQUAL HOUSING OPPORTUNITY FOR ALL PERSONS</b>

### B. Policies and Programs

The housing programs described under this section contain existing programs as well as future programs needed to address identified housing needs. Chart 5-3, at the end of this section, provides a summary of each program, the 5-year objective, timeframe for implementation, funding sources, and the agency responsible to implement the program. However, it is important to note that the current State budget crisis, withholding of housing funds, and unfunded mandates may restrict the ability of the City to implement these programs.



**GOAL 1.0: SAFE AFFORDABLE HOUSING MEETING THE NEEDS OF ALL RESIDENTS**

- Policy 1.1 Encourage homeowners and landlords to maintain properties in sound condition through the City's residential rehabilitation assistance programs and code enforcement efforts.
- Policy 1.2 Encourage citizen involvement to preserve, maintain, and revitalize the City's housing stock and neighborhoods including historical and architecturally significant buildings and neighborhoods.
- Policy 1.3 Support housing builders in the acquisition, rehabilitation, and maintenance of older residential properties, and development of new projects, as long-term affordable housing.
- Policy 1.4 Preserve the existing stock of affordable housing, including mobile homes, through City regulations and financial and other forms of assistance.
- Policy 1.5 Invest in public infrastructure and provide appropriate public services and facilities as financially practicable.

**1.1. Code Enforcement Program**

Code enforcement is a means to ensure that the character and quality of neighborhoods is enhanced and maintained, and safety hazards resolved. Code enforcement efforts in San Juan Bautista focus on bringing substandard units into compliance with City building, housing, and property maintenance codes.

***Program Objective:***

*The City will continue to carry out code enforcement activities, including performing property inspections and citing code violations, when necessary.*

ONGOING

General Fund

Building Official and City Manager

**1.2. Housing Rehabilitation Program**

Housing rehabilitation is critical to improve neighborhoods. The City does not currently have financial resources to develop a housing rehabilitation program. The City may choose to seek CDBG funds which could be used, in part, to assist lower income households in weatherization and other rehabilitation. The City also anticipates partnerships with non-profits in the area that may provide these types of services and opportunities for City residents.

***Program Objective:***

*The City anticipates, upon certification, seeking CDBG funds. As part of that process, the City will determine the amount requested and the percentage that might go to housing rehabilitation and authorizations. Additionally, the City will annually contact area non-profits that provide assistance to low and moderate income households continue to seek out partnerships. The City*



*will advertise the availability of any funding/programs through brochures at City Hall, and posting on the City's website.*

*Quantified Object*  
*Annually*  
*CDBG*

*2 units per year*

*Building Official and City Manager*

### **1.3. Lead and Asbestos Abatement Education Program**

As an older and established community, San Juan Bautista has a significant stock of older homes, many of which are historically significant, located in and around the downtown as well as recently annexed areas. Some of these units are in poor condition and are predominantly occupied by lower-income households. Because of their age, many of these units are likely to contain lead-based paint and/or asbestos hazards.

***Program Objective:***

*The City will offer brochures on lead and asbestos containment and abatement. The City will also, in conjunction with the air quality district, implement applicable State and/or federally mandated containment and abatement procedures for remodels and demolitions. Information will be made available at City Hall and posting on the City's website.*

*ONGOING*  
*General Fund*

*Building Official and City Manager*

### **1.4. Preservation of Affordable Housing Program**

San Juan Bautista has a limited stock of affordable housing units receiving public subsidies or regulated by the City's Inclusionary Housing Ordinance. The Inclusionary Housing Ordinance units have a 55-year affordability restriction, and all are new units. None of the Community Choice vouchers have been identified to be at risk during this cycle. If one or more affordable housing units are lost, the City will actively work to replace the lost affordable housing.

***Program Objective:***

*The City will continue to monitor affordable housing units through establishment of a database. The City will work with San Benito County to ensure Housing Choice Voucher Program vouchers remain available to San Juan Bautista residents.*

*ONGOING*  
*General Fund and Housing In-lieu fees*

*City Planner and City Manager*

## **GOAL 2.0      HOUSING OPPORTUNITIES FOR ALL ECONOMIC SEGMENTS AND SPECIAL NEEDS GROUPS.**

- |            |  |
|------------|--|
| Policy 2.1 | Encourage the provision of jobs and housing by annexing areas for new employment opportunities and promoting the City's programs with current and future business owners.              |
| Policy 2.2 | Continue to support the provision of rental assistance to lower-income households, and encourage property owners to list units with the Housing Authority of the County of Santa Cruz. |

- Policy 2.4 Continue to enforce notification requirements for lower income persons displaced due to demolition, reuse, or rehabilitation as a result of code enforcement.
- Policy 2.5 Support efforts by non-profits to evaluate the needs for transitional and emergency housing in San Juan Bautista, including support of grant applications and assistance in identification of suitable sites.
- Policy 2.6 Encourage and support, as feasible, non-profit and for-profit agencies who provide supportive services and alternative housing options for persons with special housing needs in San Juan Bautista and San Benito County.
- Policy 2.7 Support the provision of child care facilities throughout the community.
- Policy 2.8 Allow emergency shelters in at least one zone by right, allowing residential uses in order to provide housing for families or individuals on a limited, short-term basis.
- Policy 2.9 Recognize transitional housing as a residential use and allow this use in all zones that allow residential uses.
- Policy 2.10 Support the development of housing for special needs populations by continuing to allow residential care facilities, manufactured housing, and transition/supportive housing in all zones where single family development is allowed.

### **2.1. Housing Choice Voucher Program**

The County of Santa Cruz Housing Authority administers the Housing Choice Voucher Program on behalf of San Benito County (San Juan Bautista). The Housing Choice Voucher Program extends rental subsidies to very low-income households, including families, seniors, the disabled, and farmworkers. The Housing Choice Voucher Program offers a voucher that pays the difference between the current fair market rent (FMR) and what a tenant can afford to pay (i.e. 30% of household income). The voucher allows a tenant to choose housing that costs above the payment standard, provided that the tenant pays the extra cost. According to the Housing Authority of the County of Santa Cruz, a total of 15 households in San Juan Bautista as of 2018 receive vouchers. Housing Choice Voucher Program may now be used to assist certificate holders to purchase a home as well.

#### ***Program Objective:***

*The City will continue to support San Benito County's efforts to provide rental vouchers to needy residents. The City will continue to encourage San Benito County, the Housing Authority or other agencies to list available rentals for the San Juan Bautista area.*

**ONGOING**

*Federal*

*City Manager in liaison with County*

**2.2. Child Care Facilities Program**

Most San Juan Bautista residents commute to work outside the City. As such, there is and likely will continue to be, a need for child care facilities.

***Program Objective:***

*The City will continue to allow child care facilities in residential districts, and facilitate the development child care component with larger developments. The City will also evaluate Title 11 to ensure that it meets applicable State laws relative to child care facilities.*

ONGOING

General Fund

City Planner and City Manager

**2.3. Grants Program**

Over the years, California voters and legislators have authorize the issuance of bonds to support new and continued affordable or special needs housing programs, emergency shelters, neighborhood and downtown revitalization efforts, supportive services, mobility improvements, and a variety of other programs that help meet the housing needs of communities across the State. The Federal Housing and Urban Development Department offers a large number of grants, including Community Development Block Grants, Continuum of Care, and Choice Neighborhood Grants.

***Program Objective:***

*The City will investigate funds available under a variety of programs, and where staffing and other limitations allow, pursue those funds bi- annually until the funds expire with a designated nonprofit partner in order to meet the housing needs of San Juan Bautista residents.*

ONGOING

General Fund/Grants

City Planner and City Manager

**GOAL 3.0 AVAILABLE HOUSING FOR ALL INCOME GROUPS.**

- |            |  |
|------------|--|
| Policy 3.1 | Encourage the production of housing that meets the needs of all economic segments, including lower-, moderate-, and above moderate-income households, to achieve a balanced community.                         |
| Policy 3.2 | Provide high quality rental and ownership housing opportunities for current and future residents that are affordable to a diverse range of income levels.  |
| Policy 3.3 | Encourage a variety of housing types to address the needs of farmworkers, including affordable rentals, mobile homes, single room occupancy hotels, manufactured and factory-built housing, and group housing. |
| Policy 3.4 | Continue to implement the Inclusionary Housing Ordinance, Density Bonus Ordinance, and other programs as a means of integrating affordable units within new residential development.                           |
| Policy 3.5 | Pursue State, Federal, and other funding sources for housing activities as a means to leverage local funds and maximize assistance.  |

Policy 3.6	Encourage and support the efforts of non-profit organizations that develop housing affordable to very low- low-, and moderate-income households.
Policy 3.7	Examine the feasibility of developing quality live/work housing, as appropriate, as a means to provide affordable housing.
Policy 3.8	Ensure that adequate infrastructure, public facilities, water and services are available or in place to support the development of new housing.

### 3.1. Adequate Sites Program

A key component of the Housing Element is the identification of adequate sites to accommodate the City's RHNA share. The City has identified 3 vacant sites where new high density housing may be developed if the site is re-zoned to R-3 (refer to Table 4-5, Potential Re-Zone Sites, for an enumeration of the number of units and acreage). Any one of these 3 sites would accommodate a minimum of 16 units per site and minimum density of 20 units per acre.

The City's General Plan identifies a relatively small area for future growth, which would be subject to future LAFCO approval, but which could accommodate additional affordable housing in the future. The City rescinded an older growth management ordinance and adopted a new growth management ordinance in 2009. The latter ordinance was operative only until 2015.

**Program Objective:**

*Rezone at least one acre of land within the City limits to High Density Residential/R-3. Three vacant parcels have been identified for consideration by the City Council. Any such site chosen for re-zoning must be of sufficient size to allow a minimum of 16 dwelling units.*

AUGUST 2019

General Fund

City Planner and City Manager

**Program Objective:**

*Repeal the City's in-operative growth management ordinance.*

AUGUST 2019

General Fund

City Planner and City Manager

**Program Objective:**

*The City will amend its Zoning Ordinance to permit owner-occupied and rental multi-family uses by right in which 20 percent or more of the units are affordable to lower income households.*

2020

General Fund

City Planner and City Manager

**Program Objective:**

*The City will initiate annexation of a site to be zoned R-3. It is anticipated that this site will be located south of State Route 156 and be developed as deed-restricted affordable or special needs housing. If a comparable site is identified within the City limits, this program may be deferred.*

2022

General Fund

City Planner and City Manager

### 3.2. Inclusionary Housing Ordinance Program

Under the Inclusionary Housing Ordinance (Chapter 11-09), developers are required to set aside a certain portion of units in projects of 6 or more units for targeted income level groups. The term of affordability is a minimum of 55 years. Developers who exceed the minimum number of affordable units may be eligible for density bonuses per State law. The City has not, to date, chosen to codify its own density bonus provisions outside of the Mixed Use District.

**Program Objective:**

*The City will continue to implement the Inclusionary Housing Ordinance to ensure that the private sector assists in meeting the housing needs of all income groups in San Juan Bautista through direct construction of affordable units or payment of an in-lieu fee.*

ONGOING

General Fund

City Planner and Finance Manager

**Program Objective:**

*The City will identify suitable affordable housing projects and fund direct financial assistance, land write-downs, regulatory incentives, and other forms of assistance from its accumulated Inclusionary Housing Program account.*

ONGOING

General Fund

City Planner and Finance Manager

### 3.3. Non-Profit Housing Partnership Program

Non-profit housing developers play an important role in providing affordable housing in the State. The City has the authority to grant direct financial assistance, land write-downs, regulatory incentives, and other forms of assistance to a number of developers to provide both ownership and rental housing to extremely low income, lower- and moderate-income households.

**Program Objective:**

*The City will continue to form relationships with non-profit organizations and look at opportunities in forming partnerships. As funds are available, the City will grant financial assistance, land write-downs, regulatory incentives, and/or other forms of assistance to non-profit developers of affordable and special needs housing.*

ONGOING

General Fund/Grants

City Planner and City Manager

### 3.4. Mixed-Use Development Program

San Juan Bautista has zoned a large portion of the downtown area as Mixed Use. These areas have been historically commercial with some residential uses. Adding additional residential development in these areas will create more activity within the downtown, provide a variety of housing types near work and shopping, and enhance public safety. Inclusion of residential uses in the mixed-use area is encouraged through the use of incentives such as reduced parking requirements and shared parking (between commercial and residential uses). The City has several incentives for the provision of special needs and affordable housing in the Mixed Use District, including a density bonus of up to 50 percent (for a maximum density of 22.5 units per acre for 100 percent affordable housing projects).

**Program Objective:**

*The City will continue to promote residential uses in the Mixed Use District. Whenever feasible, the City will encourage the highest allowable residential densities in MU zone through the Density Bonus and Planned Unit Development.*

ONGOING

General Fund

City Planner and City Manager

**3.5. Single Room Occupancy**

To ensure zoning flexibility that allows for the development of single-room occupancy units (SROs), the City will update its zoning ordinance to allow SROs by conditional use permit in the Mixed Use zones near services and the Abbe Park transit station. In addition, to help meet the needs of extremely low-income households, the City will prioritize funding and/or offer financial incentives or regulatory concessions to encourage the development of SROs.

**Program Objective:**

*The City will amend the zoning ordinance to comply with statutory requirements for single-room occupancy residences.*

2020

General Fund

City Planner and City Manager

**3.6. Transitional Housing, Supportive Housing, Emergency Shelters, and Special Needs and Developmental Disability Groups**

For consistency with recently adopted state law, the City needs to update its zoning code to better accommodate transitional and supportive housing, and emergency shelters for the homeless. Additionally, each special needs and developmental disability group (such as senior citizens, single-parent households, persons with developmental disabilities, homeless persons, and farmworkers) has special requirements to permit them to afford or live within their housing.

**Program Objective:**

*The City will revise its zoning ordinance list of allowable uses within all zoning districts that allow residential uses, including Mixed Use and Commercial, to permit transitional and supportive housing by right. Transitional and supportive housing will be subject to the same processes that apply to the same type of unit in the same zone. The City will also review and amend the zoning ordinance definitions to ensure that transitional and supportive housing are defined as residential uses.*

August 2019

General Fund

City Planner and City Manager

**Program Objective:**

*The City will revise the list of allowable uses within the Public Facilities (PF) District to allow for the construction of emergency shelters and a homeless shelter, or use of an existing structure, such as the community center, as a year-round homeless shelter, all through non-discretionary permitting. The City will also amend the zoning ordinance to allow emergency housing through non-discretionary permitting in the PF District.*

August 2019

General Fund

City Planner and City Manager

**Program Objective:**

*The City will review its zoning code and ensure that the text of the code provides appropriate definitions and standards for special needs and developmental disability groups and support facilities, including disabled persons, residential care facilities, and supportive housing. The zoning code will be amended to conform to the provisions of Sec. 17021.5 and Sec.17021.6 of the Health and Safety Code in regard to employee and farmworker housing.*

2020

General Fund

City Planner and City Manager

**3.7. Small and Nonconforming Lot Consolidation**

The City will provide technical assistance to property owners and developers in support of lot consolidation through a variety of actions. Such actions include identifying and publicizing opportunities for potential consolidation. In addition, these opportunities will be flexibly paired with Planned Unit Development (PUD) and density bonus options to allow the greatest amount of flexibility possible. This could include permit streamlining, reduction in setbacks, parking requirements or fees for parking district impacts and other impact fees. The ultimate goal of this policy is to encourage and incentivize more intense residential development in areas that are historically underutilized and nonconforming when 2 adjacent lots are vacant or underutilized.

**Program Objective:**

*The City will facilitate consolidation of smaller parcels in the Mixed Use District and other residential districts by publicizing the underutilized sites inventory on the City's website and making it available at the planning counter, providing technical assistance to property owners and developers in support of lot consolidation. The Council will also evaluate the deferral or lowering of development fees as appropriate.*

Annually

General Fund

City Planner and City Manager

**GOAL 4.0: REASONABLE GOVERNMENTAL CONSTRAINTS ON THE DEVELOPMENT OF HOUSING.**

- |            |  |
|------------|--|
| Policy 4.1 | Provide regulatory and/or financial incentives, where appropriate, to offset or reduce the costs of affordable housing development, including density bonuses and flexibility in site development standards. |
| Policy 4.2 | Implement and enforce residential design guidelines to ensure that the community's expectations are met with respect to the quality and style of housing projects.   |
| Policy 4.3 | Provide priority processing to affordable housing projects   |
| Policy 4.4 | Expressly permit and educate the public about secondary units as a means to provide additional affordable housing opportunities.   |

- Policy 4.5 Periodically review City regulations, ordinances, departmental processing procedures and residential fees related to rehabilitations and/or construction to assess their impact on housing costs, and revise as appropriate.
- Policy 4.6 Provide regulatory and financial incentives, as appropriate and financially practicable, to facilitate the development of supportive housing for families with children, and other special needs groups
- Policy 4.7 Review and update Title 11, Zoning Ordinance, of the San Juan Bautista Municipal Code, to achieve community-wide objectives.
- Policy 4.8 Continue to support the incorporation of energy efficient devices in existing housing and utilization of energy efficient designs for new housing
- Policy 4.9 Revise the land use map within the General Plan and rezone several parcels of land on the outer boundaries of the City limits to help facilitate low income housing development consistent with State requirements

#### **4.1. Density Bonus Program**

As noted earlier, the City has not chosen to codify density bonus provisions but relies on Government Code density bonus requirements. The City has chosen to codify density bonus provisions within its Mixed Use District, to provide up to a 50 percent bonus to projects that address special needs housing outcomes and to address inconsistencies with State law. Density bonus law requires the provision of regulatory incentives, and reduced parking requirements. Regulatory concessions include modifications of development standards or zoning requirements that result in identifiable cost reductions (e.g., setbacks, lot size). Upon request, parking requirements may be adjusted to the State minimum outlined in AB 1866.

##### ***Program Objective:***

*The City will evaluate the benefits of codification of density bonus provisions to provide incentives, and/or regulatory concessions to facilitate the development of additional affordable housing for especially extremely low income families, particularly in areas with underutilized sites that may benefit from deviations in development standards.*

2023

General Fund

City Planner and City Manager

#### **4.2. Planned Unit Development District (PUD) Program**

A PUD designation allows the regulations of the underlying zoning district to be superseded, modified, or amended, to create a superior housing development design. The City will continue to use this tool to allow a PUD to, among other things, permit higher densities through smaller than standard lots, reduced set-backs, narrower streets, and other deviations from conventional zoning regulations.



**Program Objective:**

*The City will continue to allow PUDs in order to provide flexibility in developments and facilitate creative housing options.*

ONGOING

General Fund

City Planner and City Manager

**4.3. Site Plan and Design Review Process Program**

The City requires site plan and design review (or Historic Review) for new development and substantial remodels. Within the designated Historic Districts, the City bases its decisions on the City's Historic District Ordinance. The Planning Commission, meeting as a separate body, serves as the Historic Board. This action has served to streamline processes for the City and applicant alike. Site Plan and Review approvals outside the Hillside area, are administrative.

**Program Objective:**

*The City will continue to utilize the Site Plan and Design Review processes as a means to reduce processing times and reduce the potential impact the design review process may have on housing supply.*

ONGOING

General Fund

City Planner and City Manager

**4.4. Accessory Dwelling Unit Ordinance Program**

Accessory Dwelling Units provide an important housing opportunity for seniors, college students, and other lower income or special needs groups. Given the limited supply of developable land in San Juan Bautista, integrating accessory dwelling units in existing residential neighborhoods presents an opportunity for the City to accommodate needed rental housing. In 2013, the City Council adopted Chapter 11-02-050 of the Zoning Code, regulating (formerly called) Secondary Dwelling Units, in compliance with new State law, which required all jurisdictions to permit such uses by right in residential zones. Since adoption of the Ordinance, a minimal number of accessory dwelling units have been constructed in the City. The City has not adopted the more recent assessor dwelling unit provisions from AB-1069 and AB-2299.

**Program Objective:**

*The City will continue to use the Accessory Dwelling Unit Ordinance to provide in-fill residential housing throughout the City. The City will consider potential additional approaches to encourage accessory unit development including establishing pre-approved design prototypes to encourage and stimulate the development of accessory units.*

QUANTIFIED OBJECTIVE

2 units per year

SEPTEMBER 2020

(consider additional approaches)

General Fund

City Planner and City Manager

**Program Objective:**

*The City will replace its definition of second unit with a definition of accessory dwelling unit, and update the planning approval matrix (Section 11-04-050) to ensure the approvals listed are consistent with current state law.*

AUGUST 2019

General Fund

City Planner and City Manager

**Program Objective:**

*The City will update its Accessory Dwelling Unit Ordinance for conformity with changes in state law related to parking requirements, maximum unit size, and utility metering, and to address differences that may apply to attached or detached units.*

AUGUST 2019

General Fund

City Planner and City Manager

**GOAL 5.0 FAIR AND EQUAL HOUSING OPPORTUNITY FOR ALL PERSONS.**

- Policy 5.1 Continue to enforce fair housing laws prohibiting arbitrary discrimination in the building, financing, selling or renting of housing on the basis of race, religion, family status, national origin, disability, or other such factors.
- Policy 5.2 Continue to support organizations that offer fair housing and mediation services to San Juan Bautista residents.
- Policy 5.3 Promote and support, as feasible, housing that meets the special needs of large families, single-parent/female-headed households, families with children, students, elderly persons, homeless persons, farm workers, and the disabled.
- Policy 5.4 Encourage the provision of housing adaptable to the physically disabled through integration of universal design features in new development, and compliance with Title 24 of the California Health and Safety Code.

**5.1. Fair Housing Program**

The City supports fair housing and refers all alleged cases of discrimination to the State Office of Fair Employment and Housing and the California Rural Legal Assistance (CRLA). The City supports equal opportunity lending programs and non-discriminatory practices.

**Program Objective:**

*The City will continue to support the State Office of Fair Employment and Housing, California Rural Legal Assistance, and equal opportunity lending programs. The City will support efforts by the Housing Authority or other agency to list units accessible to disabled persons. The City will also make available at City Hall copies of the Consumer Affairs "Tenant Rights and Responsibilities" booklet, and Fannie-Mae's "Your Credit Rights."*

ONGOING

General Fund

City Planner and City Manager

**5.2. Reasonable Accommodations**

In 2010, Senate Bill 812 required a Housing Element to contain an analysis that demonstrates local efforts to remove governmental constraints that hinder the locality from meeting its share of the regional housing need and from meeting the need for housing for persons with disabilities, including persons with

developmental disabilities. The City has no procedure in place and intends to correct its code to address this issue.

**Program Objective:**

*Consistent with SB 812 provisions, the City shall amend its Municipal Code to create a procedure wherein persons with disabilities, including persons with developmental disabilities, seeking equal access to housing may request reasonable accommodation in the application of zoning laws and other land use regulations, policies, and procedures.*

AUGUST 2019

General Fund

City Planner and City Manager

### 5.3. Water Service Priority Program

CA SB 1087 (2005) requires water and sewer providers to adopt written policies and procedures that grant a priority for service hook-ups to developments that help meet the community's share of the regional need for lower-income housing. In addition, the law prohibits water/sewer providers from denying, conditioning approval of, or reducing amounts of service for any affordable housing Project unless specific written findings are made.

**Program Objective:**

*The City will establish a policy to prioritize utility rights for affordable housing projects when water availability letters are drafted to project applicants.*

AUGUST 2019

General Fund

Public Works Director

## C. 5th Cycle Quantified Objectives

Table 5-1 summarizes San Juan Bautista's Quantified Objectives for the 5th Housing Element Cycle.

**Table 5-1 Quantified Objectives**

Income Level	New Construction	Rehabilitation	Conservation / Preservation (1)
Extremely Low	2	1	n/a
Very Low	7	1	n/a
Low	7	0	n/a
Moderate	20	0	n/a
Above Moderate	94	0	n/a
<b>Total</b>	<b>130</b>	<b>2</b>	n/a

Note: (1) The City has no units at risk of conversion in the current Housing Element period

## D. Review of 4th Cycle Programs

To address community conditions and housing needs identified in the adopted 2009-2014 Housing Element, the City adopted actions to facilitate the development of housing. The actions sought to accommodate the City's regional housing needs allocation, assist in the production and

rehabilitation of a wide range of housing and shelter, and establish supportive services for all income levels and special interest groups.

Many factors can affect the ability of the City to meet the expectations that were adopted in the Housing Element. The goals and programs have been evaluated in light of what the City has done or what other agencies or groups have completed during 2009-2014. Outside factors affecting the success of the Housing Element include the effects of the economy in general, and the decreasing availability of state and federal funding.

Overall, the goals, policies, and programs in the 2009-2014 Housing Element assisted in providing housing opportunities for all income categories, as well as meeting a diversity of housing needs. Total housing unit data is not available for 2009, but according to Census data, a total of 295 new housing units were built within the City of San Juan Bautista between the years 2010-2014. Table 5-2 reviews progress made on implementation of housing programs from the previous Housing Element.

**Table 5-2 Review of Adopted Programs from 4th Cycle Housing Element**

<b>Program</b>	<b>Review for 2009-2014 planning period</b>
Code Enforcement	The City has continued to carry out code enforcement activities.
Housing Rehabilitation	The City did not implement this program during this planning period.
Lead and Asbestos Containment and Abatement Education	The City has continued to carry out these activities in conjunction with the air quality district.
Preservation of Affordable Housing	The City did not have any deed-restricted or other program-driven affordable housing units during this planning period.
Section 8 Rental Assistance	The City has continued to support San Benito County's efforts to provide rental vouchers to needy residents during this planning period.
Child Care	The City did not implement this program with regard to facilitating the development of child care components with larger developments during this planning period.
Application for Grants and Loans	The City did not successfully pursue funds available under Propositions 46, 1C, or other affordable housing programs biannually during this planning period.
Adequate Sites Program	The City did not rezone APN 002-260-011 to High Density/R-3. The City approved a subdivision map on this parcel and retained the existing R-2 zoning.
Inclusionary Housing Ordinance	The City did not codify density bonus provisions reflecting State law Section 65915 during this planning period.
Partnership with Non-Profit Housing Agencies	The City has continued to form relationships with non-profit housing agencies during this planning period.

Program	Review for 2009-2014 planning period
Mixed-Use Development	The City did not amend the Mixed-Use District to allow up to 20 units per acre; the density standard remains at 15 units per acre with up to a 50 percent density bonus for special needs housing and 100 percent affordable housing.
Transitional Housing, Supportive Housing and Emergency Shelters	The City included both transitional housing and emergency shelters in its planning approval matrix, but does not have code sections regarding these uses, and does not define supportive housing.
Small and Nonconforming Lot Consolidation	The City did not implement this program during this planning period.
Density Bonuses	The City continues to use the Govt. Code provisions for density bonus, and also offers an alternative density bonus (up to 50 percent) in the Mixed Use District for special needs housing and 100 percent affordable housing.
Planned Unit Development District (PUD)	The City has continued to allow Planned Unit Development designations in order to provide flexibility in developments and facilitate creative housing options.
Site Plan and Design Review Process	The City has continued to utilize the Site Plan and Design Review process during this planning period.
Secondary Dwelling Unit Ordinance	The City has continued to implement this program during this planning period, but few second units were approved or built.
Zoning Ordinance Update	The City did not implement this program during this planning period.
Fair Housing Program	The City has continued to support the State Office of Fair Employment and Housing, California Rural Legal Assistance, and equal opportunity lending programs.
Housing for Disabled Persons	The City did not implement the evaluation within this program during this planning period.
Special Needs Housing	The City did not implement the Supportive Housing portion of this program during this planning period. The City does not include Supportive Housing in its Municipal Code.
Water Service Priority	The City did not implement this program during this planning period.
Farmworker Housing	The City did not implement this program during this planning period.

SOURCE: EMC Planning Group 2019

Housing production during the planning period is compared to the 2009-2015 RHNA in Table 5-3 below:

**Table 5-3: Comparison of Housing Needs to Production 2009-2015**

Income Category	City's Share of Regional Housing Needs	
	Number of Units	Constructed
Very Low	11	0
Low	8	2
Moderate	10	1
Above Moderate	20	3
<b>Total</b>	<b>49</b>	<b>6</b>

Source: City of San Juan Bautista 2019

**RESOLUTION 2019-XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA APPROVING A MITIGATED NEGATIVE DECLARATION PREPARED FOR THE ADOPTION OF THE SAN JUAN BAUTISTA GENERAL PLAN HOUSING ELEMENT (2015-2019 CYCLE) AND VARIOUS IMPLEMENTING ACTIONS, INCLUDING:**

- 1. REASONABLE ACCOMMODATION ORDINANCE**
- 2. PUBLIC SERVICES PRIORITIES ORDINANCE**
- 3. MUNICIPAL CODE TITLE 11 (ZONING) TEXT AMENDMENTS ORDINANCE**
- 4. GENERAL PLAN AMENDMENT FOR ONE (1) AFFORDABLE HOUSING SITE**
- 5. ZONE CHANGE FOR ONE (1) AFFORDABLE HOUSING SITE**

**WHEREAS**, the City of San Juan Bautista is requesting adoption of the San Juan Bautista General Plan Housing Element (2015-2019 Cycle); and

**WHEREAS**, the City of San Juan Bautista is also requesting the approval of various ordinances and resolution implementing the Housing Element, including:

1. Reasonable Accommodation Ordinance;
2. Public Services Priorities Ordinance;
3. Municipal Code Title 11 (Zoning) Text Amendments Ordinance;
4. General Plan Amendment for one (1) Affordable Housing Site; and
5. Zone Change for one (1) Affordable Housing Site; and

**WHEREAS**, the City, as lead agency under the California Environmental Quality Act (Pub. Res. Act § 21000 et seq.) has prepared an Initial Study to evaluate the potentially significant environmental effects of the project; and

**WHEREAS**, the mitigation measures provided in the Initial Study would reduce significant impacts to a less than significant level and therefore, the project with mitigation measures incorporated, would not have a significant effect on the environment; and

**WHEREAS**, the City prepared a Mitigated Negative Declaration for the Project pursuant to the requirements of CEQA Guidelines Section 15070 and the applicant has agreed to the mitigation measures; and

**WHEREAS**, the City prepared a Notice of Completion of a Mitigated Negative Declaration and a Notice of Intent to Adopt the Mitigated Negative Declaration and sent the

notices along with the Mitigated Negative Declaration to the State Clearinghouse, as well as to local and regional public agencies and service providers; and

**WHEREAS**, the Notice of Intent for adoption of the Mitigated Negative Declaration, pursuant to the requirements of CEQA Guidelines Section 15072, was posted with the San Benito County Clerk and published in the local San Juan Bautista newspaper; and

**WHEREAS**, the Mitigated Negative Declaration was circulated for the required 30-day public review period, ending on August 30, 2019, and was made available for review pursuant to the requirements of CEQA Guidelines Section 15073; and

**WHEREAS**, the Planning Commission of the City of San Juan Bautista considered the Mitigated Negative Declaration at its regular meeting on September 3, 2019 and recommended approval to the City Council; and

**WHEREAS**, a revision was made to the Housing Element to allow additional flexibility in selecting a site to accommodate lower-income housing units to meet the Regional Housing Needs Allocation, and a corresponding change was made to the mitigated negative declaration following the close of public comment, the change to the mitigated negative declaration is not a “substantial revision” per CEQA Guidelines Section 15073.5, and no additional public review is required.

**NOW THEREFORE, BE IT RESOLVED** that the City Council of the City of San Juan Bautista hereby approves the Mitigated Negative Declaration prepared for the San Juan Bautista General Plan Housing Element (2015-2019 Cycle) and various ordinances and resolution implementing the Housing Element, and makes the following findings:

1. The Mitigated Negative Declaration has been completed in compliance with CEQA and its implementing guidelines; and
2. On the basis of the whole record, including the Initial Study and comments received on the Mitigated Negative Declaration during the public review period, there is no substantial evidence that the project will have a significant effect on the environment; and
3. The Mitigated Negative Declaration reflects the City’s independent judgement and analysis; and
4. Documents and other materials constituting the record of the proceedings upon which the City’s decision and its findings are based are located at the Office of the City Clerk of the City of San Juan Bautista, 311 2nd Street, San Juan Bautista, CA 95045.



**THE FOREGOING RESOLUTION** was approved by the San Juan Bautista City Council at a meeting of the City Council held on the 8<sup>th</sup> day of October, 2019, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

---

Mayor César E. Flores

**ATTEST:**

---

Laura Cent, City Clerk

□

## PLANNING AND PLANNING COMMISSION SUPPORTING DOCUMENTS



Gavin Newsom  
Governor

STATE OF CALIFORNIA  
Governor's Office of Planning and Research  
State Clearinghouse and Planning Unit



Kate Gordon  
Director

September 26, 2019

Todd Kennedy  
San Juan Bautista, City of  
311 2nd Street  
San Juan Bautista, CA 95045

Subject: San Juan Bautista 2015-2019 Housing Element  
SCH#: 2019089009

Dear Todd Kennedy:

The State Clearinghouse submitted the above named MND to selected state agencies for review. The review period closed on 8/30/2019, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act, please visit: <https://ceqanet.opr.ca.gov/2019089009/2> for full details about your project.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan  
Director, State Clearinghouse

## **RESOLUTION 2019-18**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN JUAN BAUTISTA RECOMMENDING APPROVAL OF A MITIGATED NEGATIVE DECLARATION PREPARED FOR THE ADOPTION OF THE SAN JUAN BAUTISTA GENERAL PLAN HOUSING ELEMENT (2015-2019 CYCLE) AND VARIOUS IMPLEMENTING ACTIONS, INCLUDING:**

- 1. REASONABLE ACCOMMODATION ORDINANCE**
- 2. PUBLIC SERVICES PRIORITIES ORDINANCE**
- 3. MUNICIPAL CODE TITLE 11 (ZONING) TEXT AMENDMENTS ORDINANCE**
- 4. GENERAL PLAN AMENDMENT FOR ONE (1) AFFORDABLE HOUSING SITE**
- 5. ZONE CHANGE FOR ONE (1) AFFORDABLE HOUSING SITE**

**WHEREAS**, the City of San Juan Bautista is requesting adoption of the San Juan Bautista General Plan Housing Element (2015-2019 Cycle); and

**WHEREAS**, the City of San Juan Bautista is also requesting the approval of various ordinances and resolution implementing the Housing Element, including:

1. Reasonable Accommodation Ordinance;
2. Public Services Priorities Ordinance;
3. Municipal Code Title 11 (Zoning) Text Amendments Ordinance;
4. General Plan Amendment for one (1) Affordable Housing Site; and
5. Zone Change for one (1) Affordable Housing Site; and

**WHEREAS**, the City, as lead agency under the California Environmental Quality Act (Pub. Res. Act § 21000 et seq.) has prepared an Initial Study to evaluate the potentially significant environmental effects of the project; and

**WHEREAS**, the mitigation measures provided in the Initial Study would reduce significant impacts to a less than significant level and therefore, the project with mitigation measures incorporated, would not have a significant effect on the environment; and

**WHEREAS**, the City prepared a Mitigated Negative Declaration for the Project pursuant to the requirements of CEQA Guidelines Section 15070 and the applicant has agreed to the mitigation measures; and

**WHEREAS**, the City prepared a Notice of Completion of a Mitigated Negative Declaration and a Notice of Intent to Adopt the Mitigated Negative Declaration and sent the notices along with the Mitigated Negative Declaration to the State Clearinghouse, as well as to local and regional public agencies and service providers; and

**WHEREAS**, the Notice of Intent for adoption of the Mitigated Negative Declaration, pursuant to the requirements of CEQA Guidelines Section 15072, was posted with the San Benito County Clerk and published in the local San Juan Bautista newspaper; and

**WHEREAS**, the Mitigated Negative Declaration was circulated for the required 30-day public review period, ending on August 30, 2019, and was made available for review pursuant to the requirements of CEQA Guidelines Section 15073; and

**WHEREAS**, several comments were received on the Mitigated Negative Declaration.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of San Juan Bautista hereby recommends the City Council adopt the Mitigated Negative Declaration prepared for the San Juan Bautista General Plan Housing Element (2015-2019 Cycle) and various ordinances and resolution implementing the Housing Element, and make the following findings:

1. The Mitigated Negative Declaration has been completed in compliance with CEQA and its implementing guidelines; and
2. On the basis of the whole record, including the Initial Study and comments received on the Mitigated Negative Declaration during the public review period, there is no substantial evidence that the project will have a significant effect on the environment; and
3. The Mitigated Negative Declaration reflects the City's independent judgement and analysis; and
4. Documents and other materials constituting the record of the proceedings upon which the City's decision and its findings are based are located at the Office of the City Clerk of the City of San Juan Bautista, 311 Second Street, San Juan Bautista, CA 95045.

**THE FOREGOING RESOLUTION** was moved to recommend approval to the San Juan Bautista City Council at a regular meeting of the Planning Commission of the City of San Juan Bautista held on the 3<sup>rd</sup> day of September, 2019, by the following vote:

**AYES:**        **Brewer, Delgado, Medeiros, Freels**


**NOES:**        **None**

**ABSENT:**     **Matchain**

**ABSTAIN:**   **None**

**ATTEST:**

  
\_\_\_\_\_  
Trish Paetz, Deputy City Clerk

  
\_\_\_\_\_  
Scott Freels, Chairperson

## CITY OF SAN JUAN BAUTISTA

### PLANNING COMMISSION

#### STAFF REPORT

**DATE:** September 3, 2019

**Item:** Recommend to the City Council Adoption of the City's General Plan Housing Element that covers the State of California's 5<sup>th</sup> Cycle requirements. This item is subject to the California Environmental Quality Act (CEQA) requirements.

#### BACKGROUND:

Included with this report is the Housing Element packet that includes the Implementing Ordinances, the Draft Housing Element, and the Draft Mitigated Negative Declaration for CEQA review. The staff reports, resolutions and supporting documents for this item are contained in the Implementing Ordinances Packet. The six bulleted action items cover CEQA, zoning and city code text amendments, Zoning and General Plan Amendments for adequate sites, and the Draft Housing Element all for Planning Commission Review and Recommendation.

City Staff contracted with EMC Planning Group to assist with the Housing Element Update. Both City Staff and EMC Staff have been working on the Housing Element update to 5<sup>th</sup> Cycle standards since January of 2019. Several activities took place during that time including public workshops on February 20, 2019 and August 13, 2019, Planning Commission and City Council updates, and a State Review of the document.

Planning Commission discussed the Draft Housing Element at a hearing on August 6, 2019. Providing Planning Commission makes a recommendation, the Draft Housing Element will move on to the City Council for review and adoption at their October 15, 2019 Regular Meeting.

#### **ACTION: (Adopt 7 Resolutions)**

**Adopt a Resolution** Recommending Approval of a Mitigated Negative Declaration Prepared for the Adoption of the San Juan Bautista General Plan Housing Element (2015-2019 Cycle) and Various Implementing Actions, Including: 1. Reasonable Accommodation Ordinance, 2. Public Services Priorities Ordinance, 3. Municipal Code Title 11 (Zoning) Text Amendments Ordinance, 4. General Plan Amendment for One (1) Affordable Housing Site, 5. Zone Change or One (1) Affordable Housing Site

**Adopt a Resolution** Recommending Approval of Amendments to Chapter 2-5 (Reserved) of Title 2 (Government Organization and Administration) of the San Juan Bautista Municipal Code to Address Reasonable Accommodation

**Adopt a Resolution** Recommending Approval of Amendments to Section 5-9-310 (Application for Sewer Permits) of Chapter 5-9 (Uniform Wastewater Regulation) Of Title 5 (Public Health, Safety and Welfare) and Section 6-4-105 (Extension of Water Mains) Of Chapter 6-4 (Water Service) of Title 6 (Public Services) of the San Juan Bautista Municipal Code, to Address Priority Utility Services for Affordable Housing

**Adopt a Resolution** Recommending Approval of Amendments to Various Sections of Title 11 (Zoning) of the San Juan Bautista Municipal Code, Including Section 11-02-050 (Permitted and Conditional Uses By Zoning District, Use Matrix), Section 11-03-010 (Development Standards Matrix), Section 11-04-050 Secondary Dwelling Units), Section 11-29-010 (Definitions); all for the Purpose of Implementing the San Juan Bautista General Plan Housing Element

**Adopt a Resolution** Recommending to the City Council the Amendment of the General Plan Land Use Diagram for APN [APN to be inserted] from "[Existing Designation To Be Inserted]" To "High Density Residential," for the Purpose of Implementing the San Juan Bautista Housing Element

**Adopt a Resolution** Recommending to the City Council a Zone Change for APN [APN to be inserted] from "[Existing Zoning to be inserted]" to R-3, High Density Residential," for the Purpose of Implementing the San Juan Bautista Housing Element

**Adopt a Resolution** Recommending to the City Council Adoption of the General Plan Housing Element (2015-2019 Cycle), Consistent with Section 65580 Et. Seq. of the California Government Code

**Attached:**

1. Table of Contents
2. Planning Commission Packaging Material (Implementing Ordinances) that include Items 1-6 (Table of Contents) for complete implementation
3. Draft Housing Element Document
4. Draft Mitigated Negative Declaration

## **NOTICE OF PUBLIC HEARING CITY OF SAN JUAN BAUTISTA**

Pursuant to Government Code Section 65090, the Planning Commission of the City of San Juan Bautista gives notice of a public hearing on **September 3, 2019** at 6:00 p.m. in the Council Chambers at San Juan Bautista City Hall, 311 Second Street. During the public hearing, the following items will be discussed:

- Consider a recommendation for approval of a Mitigated Negative Declaration for the Housing Element Update.
- Consider a recommendation for Municipal Code Amendment – Reasonable Accommodation
- Consider a recommendation for a Municipal Code Amendment – Sewer and Water Service Priority
- Consider a recommendation for a Zoning Ordinance Text Amendment – Accessory Dwelling Units, Transitional and Supportive Housing, Emergency Shelters, and Special Development Standards for Rezoned Site.
- Consider General Plan Amendments and Zone Changes for Adequate Sites for the parcels 002-320-007 and 002-320-008 on Muckelemei Street (currently zoned Commercial to be amended to High Density Residential), 002-350-030 on Muckelemei Street (currently zone Commercial to be amended to High Density Residential), and 002-520-001 on Lang Street (currently zoned Low Density Residential to be amended to High Density Residential).
- Consider recommending approval for the San Juan Bautista 2015-2019 Housing Element.

Staff reports and the full text of all items to be discussed will be available for public review at City Hall on **August 27, 2019**. All members of the public are encouraged to attend the meeting and may address the City Council on the issue during the public hearing. Written comments may be hand delivered or mailed to City Hall (311 Second Street, P.O. Box 1420, San Juan Bautista, CA 95045), or e-mailed to [cityplanning@san-juan-bautista.ca.us](mailto:cityplanning@san-juan-bautista.ca.us), not later than **5:00 p.m., September 3, 2019**.

If a challenge is made on the action of the proposed project, pursuant to Government Code Section 65009 court testimony may be limited to only those issues raised at the public hearing described in this notice or in written correspondence delivered to the City at or prior to the public hearing.

Posted: August 23, 2019



**RESOLUTION 2019-XX****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA ADOPTING THE GENERAL PLAN HOUSING ELEMENT (2015-2019 CYCLE), CONSISTENT WITH SECTION 65580 ET. SEQ. OF THE CALIFORNIA GOVERNMENT CODE**

**WHEREAS**, the City of San Juan Bautista is required by State law to prepare and adopt a General Plan for the long-term physical growth and development of the City; and

**WHEREAS**, the Housing Element is one of seven State mandated elements to be included in the General Plan; and

**WHEREAS**, the California Department of Housing and Community Development established a State planning period (2014 to 2023) and is requiring all local governments within the regional jurisdiction of the Association of Monterey Bay Area Government (AMBAG) to update their Housing Elements by December 31, 2015; and

**WHEREAS**, the City held a Housing Element workshop on February 20, 2019, pursuant to Housing Element law, to allow the residents and the surrounding housing organizations the opportunity to provide their opinions on the City's housing needs; and

**WHEREAS**, a draft update to the Housing Element of the General Plan has been prepared for adoption by the City Council pursuant to the requirements of state Housing Element law (Government Code §65580 et seq.); and

**WHEREAS**, the Planning Commission, at its regular meeting on September 3, 2019, recommended that the City Council adopt the updated Housing Element, as described in Exhibit A; and

**WHEREAS**, in accordance with the California Environmental Quality Act (CEQA), an initial study, prepared and circulated for public review and comment, found the 5<sup>th</sup> Cycle Housing Element to have minimal impacts supporting the City's adoption of a Mitigated Negative Declaration; and

**WHEREAS**, the Planning Commission has recommended approval of a Mitigated Negative Declaration at its regular meeting on September 3, 2019; and

**WHEREAS**, the Planning Commission found the updated Housing Element to be consistent with, and suitable for, incorporation into the City's General Plan and recommended approval of the Housing Element to the City Council of the City of San Juan Bautista.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council adopts the San Juan Bautista General Plan Housing Element for the planning period 2015-2019 (5<sup>th</sup> Cycle Housing Element).

**THE FOREGOING RESOLUTION** was approved by the San Juan Bautista City Council at a meeting of the City Council held on the 8<sup>th</sup> day of October, 2019, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Mayor César E. Flores

**ATTEST:**

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Trish Paetz, Deputy City Clerk

## **RESOLUTION 2019-22**

### **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN JUAN BAUTISTA RECOMMENDING TO THE CITY COUNCIL ADOPTION OF THE GENERAL PLAN HOUSING ELEMENT (2015-2019 CYCLE), CONSISTENT WITH SECTION 65580 ET. SEQ. OF THE CALIFORNIA GOVERNMENT CODE**

**WHEREAS**, the City of San Juan Bautista is required by State law to prepare and adopt a General Plan for the long-term physical growth and development of the City; and

**WHEREAS**, the Housing Element is one of seven State mandated elements to be included in the General Plan; and

**WHEREAS**, the California Department of Housing and Community Development established a State planning period (2014 to 2023) and is requiring all local governments within the regional jurisdiction of the Association of Monterey Bay Area Government (AMBAG) to update their Housing Elements by December 31, 2015; and

**WHEREAS**, a draft update to the Housing Element of the General Plan has been prepared for adoption by the City Council pursuant to the requirements of state Housing Element law (Government Code §65580 et seq.); and

**WHEREAS**, in accordance with the California Environmental Quality Act (CEQA), staff and consultants have prepared an Initial Study of the possible environmental consequences of the updated Housing Element has been prepared; and

**WHEREAS**, The Planning Commission has recommended approval of a Mitigated Negative Declaration; and

**WHEREAS**, The Planning Commission, at its regular meeting on December 13, 2017, recommended that the City Council adopt the updated Housing Element, as described in Exhibit A; and

**WHEREAS**, it has been determined in the Initial Study that the project will have a less than significant effect on the environment, and a Mitigated Negative Declaration can be adopted; and

**WHEREAS**, a Notice of Intent to Adopt a Mitigated Negative Declaration was circulated and published for public review and comment in accordance with the requirements of CEQA; and

**WHEREAS**, no evidence was submitted in response to the Notice of Intent to Adopt a Mitigated Negative Declaration that indicates the project may actually produce a significant environmental impact; and

**WHEREAS**, the City held a housing element workshop on February 20, 2019, pursuant to housing element law, to allow the residents and the surrounding housing organizations the opportunity to provide their opinions on the City's housing needs; and

**WHEREAS**, in accordance with the California Environmental Quality Act (CEQA), an initial study, prepared and circulated for public review and comment, found the 5<sup>th</sup> Cycle Housing Element to have minimal impacts supporting the City's adoption of a Mitigated Negative Declaration; and

**WHEREAS**, the Initial Study and Notice of Intent to adopt a Mitigated Negative Declaration was circulated through the local clearinghouse (Council of San Benito County Governments), distributed to those appropriate local agencies, and advertised for public hearing as required by the CEQA and associated CEQA Guidelines; and

**WHEREAS**, HCD provided a review letter on June 7, 2019 outlining the remaining items to be addressed for the updated housing element to be satisfactory by the State; and

**WHEREAS**, the Planning Commission finds the first four-year housing element, the 2015-2019 5<sup>th</sup> Cycle Housing Element, to be consistent with, and suitable for incorporation within, the City's current General Plan; and

**WHEREAS**, the Planning Commission must make a recommendation to the City Council of the City of San Juan Bautista regarding the proposed update to the Housing Element and the associated environmental review prior to the City Council taking action on the update to the Housing Element.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of San Juan Bautista hereby recommends to the City Council approval of the San Juan Bautista General Plan Housing Element for the planning period 2015-2019 (5<sup>th</sup> Cycle Housing Element).

**THE FOREGOING RESOLUTION** was moved to recommend approval of the San Juan Bautista General Plan Housing Element 2015-2019, which report is incorporated herein by reference; to the San Juan Bautista City Council at a regular meeting of the Planning Commission of the City of San Juan Bautista held on the 3<sup>rd</sup> day of September, 2019, by the following vote:

**AYES:**        **Brewer, Delgado, Medeiros, Freels**

**NOES:**        **None**

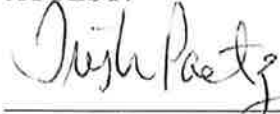
**ABSENT:**    **Matchain**

**ABSTAIN:**   **None**



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Scott Freels, Chairperson

**ATTEST:**



\_\_\_\_\_  
Trish Paetz, Deputy City Clerk

## **Todd Kennedy**

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**From:** Don Reynolds  
**Sent:** Friday, August 30, 2019 5:01 PM  
**To:** Commissioner Matchain; Commissioner Brewer; Commissioner Delgado; Commissioner Medeiros; Commissioner Freels  
**Cc:** Todd Kennedy; Martin Carver  
**Subject:** Tuesday's Commission Meeting update

Good afternoon Commissioners-

Tuesday's Planning Commission agenda includes the Housing Element. Staff has been listening to more than one concern about the proposal to change the zoning on three sites on four parcels from their current status (2 commercial and 1- "R-1") to "R-3" to accommodate a higher density zoning on one or all three of the sites. This will be an interesting deliberation, as staff will present three ideas rather than just one. The Housing Element can be approved by the State with the R-3 zoning change as presented, and it will also approve a change to mixed use, if the housing component is "R-3." The third option is to create a zoning "overlay" leaving the current zoning the same, but allowing a housing development to be built without the need for a conditional use permit. The issue with the Overlay approach is that if the subject property is developed with only commercial uses, than the City has to find another parcel of the same capacity and re-zone it to R-3. Option three has the potential of kicking the hard decision "down the road." Staff recommends the first options, but at least we have a back-up plan that the State will approve.

We will provide more detail about these options Tuesday the 3<sup>rd</sup>.

Please do not hesitate to contact me if you have questions about this item or anything else on the Agenda.

Thank you and have a great weekend.

Don Reynolds  
City Manager  
City of San Juan Bautista  
(831) 623-4661  
C (831) 594-6322

## Todd Kennedy

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**From:** Todd Kennedy  
**Sent:** Tuesday, September 03, 2019 12:06 PM  
**To:** 'Dale Ellis'  
**Cc:** Don Reynolds  
**Subject:** RE: 99 Lang Street

Hi Dale,

Thanks for reaching out. Based on our phone call just now, it looks like you have what you need.

As we were talking, you may send me a written statement for me pass along to the Planning Commission. Tonight will be review and recommendation to City Council at their October 15<sup>th</sup> hearing.

Thanks for your help on this!

**Todd Kennedy**  
Associate Planner  
City of San Juan Bautista  
[cityplanning@san-juan-bautista.ca.us](mailto:cityplanning@san-juan-bautista.ca.us)  
831-623-4661, Ext. 20  
Physical Address: 311 2<sup>nd</sup> Street  
Mailing Address: P.O. Box 1420  
San Juan Bautista, CA 95045

**From:** Dale Ellis [mailto:[dale@alombardolaw.com](mailto:dale@alombardolaw.com)]  
**Sent:** Tuesday, September 03, 2019 8:49 AM  
**To:** Todd Kennedy <[CityPlanning@san-juan-bautista.ca.us](mailto:CityPlanning@san-juan-bautista.ca.us)>  
**Subject:** 99 Lang Street

We were just made aware of this matter. I found the PC agenda on line but could not find the staff report. Can you email that to me please?

Thank you.

Dale Ellis  
ANTHONY LOMBARDO & ASSOCIATES  
A Professional Corporation  
144 W. Gabilan Street  
Salinas, CA 93901  
Tel: (831) 751-2330  
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