



City of San Juan Bautista

The "City of History"

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AGENDA

REVISED
3/1/17

PLANNING COMMISSION MEETING

CITY HALL COUNCIL CHAMBERS
311 Second Street
San Juan Bautista, California

TUESDAY ~ MARCH 7, 2017

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
Roll Call

6:00 PM

2. Public Comment

3. Informal Project Review

Any potential and/or future project applicant may present his project to the Commission during Informal Project Review for the purpose of gaining information as preliminary feedback only. No formal application is required and no action will be taken by the Commission on any item at this time.

4. Consent Items

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 Planning Commission, a staff member, or a citizen.

- A. Approve Affidavit of Posting Agenda**
- B. Approve Affidavits of Posting and Public Hearing Notice**
- C. Approve Minutes of the July 5, 2016 Meeting**
- D. Approve Minutes of the August 2, 2016 Meeting**
- E. Approve Minutes of the September 6, 2016 Meeting**

5. Discussion Items

- A. Staff Report on Site and Design Review Regulations, Guidelines, and Procedures**

6. Public Hearing Items

- A. Consider Approval of Site and Design Review Permit SDR 2016-1102 Rancho Vista Subdivision Tract No. 322 Applicant: Meritage Homes**
 - i. Adopt Resolution 2017-XX Approving Site and Design Review Permit for four (4) base floorplans with variation of exterior elevations of Rancho Vista Housing units**

- B. Consider Approval of Site and Design Review Permit (SDR 2016-1101) Copperleaf Subdivision (APN 012-130-031) at 200-300 San Juan Bautista-Hollister Road Applicant: Edenbridge Homes Inc.**
 - i. Adopt Resolution 2017-XX Approving Site and Design Review Permit for three (3) base floor plans and one floor plan for reserved secondary rental unit with variations of exterior elevations for Copperleaf Housing units.**
- C. Consider Approval of Site and Design Review Permit (SDR 2017-101) for a Multiple Family Residential Two Story Duplex Unit at 1114 Third Street (APN 002-260-046). Applicant: Manuel Lopez**
 - i. Approve Resolution 2017-XX Adopting a Categorical Exemption "In-Fill project."**
 - ii. Approve Resolution 2017-XX Approving Site and Design Review Permit**
- D. Consider Approval of Site and Design Review Permit (SDR 2017-301) for 107 Third Street (formerly Casa Rosa) and Accept the Recommendation from the Historic Resources Board. Applicant: Greg and Christin Burda.**
 - i. Approve Resolution 2017-XX Adopting a Categorical Exemption Section 15331.**
 - ii. Approve Resolution 2017-XX Approving Site and Design Review Permit SDR 2017-301**
- E. Adopt Resolution 2017-XX Recommending to the City Council amendment to San Juan Bautista Municipal Code Section 10-02-540 Appeals**

7. Comments & Reports

- A. Planning Commissioner's Conference Report**
- B. Community Development Director**
- C. City Manager**

8. Adjournment



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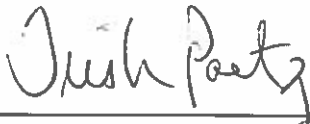
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 - ii. Approve Resolution 2017-XX Approving Site and Design Review Permit SDR 2017-301**
 - E. Adopt Resolution 2017-XX Recommending to the City Council amendment to San Juan Bautista Municipal Code Section 10-02-540 Appeals**
- 6. Comments & Reports**
- A. Planning Commissioner's Conference Report**
 - B. Community Development Director**
 - C. City Manager**
- 7. Adjournment**

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 PLANNING COMMISSION AGENDA. I FURTHER DECLARE THAT I POSTED SAID AGENDA ON THE 1st DAY OF MARCH 2017, 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 1st DAY OF MARCH 2017.



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 AND MAILED THREE (3) TRUE COPIES OF THE ATTACHED PLANNING COMMISSION PUBLIC HEARING NOTICE. I FURTHER DECLARE THAT I POSTED SAID NOTICE ON THE 24th DAY OF FEBRUARY 2017, 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 28th DAY OF FEBRUARY 2017.



TRISH PAETZ, DEPUTY CITY CLERK

NOTICE OF PUBLIC HEARING

Pursuant to Government Code Section 65090, the Planning Commission of the City of San Juan Bautista gives notice of a public hearing on **March 7, 2017 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 Approval of a Site and Design Review Permit for the Rancho Vista Subdivision. Applicant: Meritage Homes (Continued from February 7 Agenda)**
- **Consider Approval of a Site and Design Review Permit for the Copperleaf Subdivision at 200-300 San Juan-Hollister Road (APN 012-130-021,023 & 031). Applicant: Edenbridge Homes (Continued from February 7 Agenda)**
- **Consider Approval of Site and Design Review Permit for a Multiple Family Residential Two Story Duplex Unit at 1114 Third Street (APN 002-260-046). Applicant: Manuel Lopez (Continued from February 7 Agenda)**
- **Consider Recommending to City Council Amendment of the SJB Municipal Code, Section 10-2-540(c), to reflect the same 10 day appeal period stated in Government Code Section 66452.5(a).**
- **Consider Approval of a Site and Design Review Permit for 107 Third Street (APN 002-021-004). Applicants: Greg and Kristin Burda**

Staff reports and the full text of all items to be discussed will be available for public review at City Hall prior to the meeting. All members of the public are encouraged to attend the meeting and may address the Historic Resources Board and Planning Commission on the issues 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 emailed to cityplanning@san-juan-bautista.ca.us, not later than **5:00 p.m., March 7, 2017.**

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 and Mailed: 2/24/2017

**CITY OF SAN JUAN BAUTISTA
PLANNING COMMISSION REGULAR MEETING
JULY 5, 2016
DRAFT MINUTES**

1. CALL TO ORDER – Chairman Franco called the meeting to order at 6:29 p.m.

B. ROLL CALL **Present:** Chairman Franco, Commissioners Guibert, Medeiros, Gredassoff, and Coke

Staff Present: City Manager Grimsley, Asst. Planner Luquin and Administrative Services Manager Paetz

2. PUBLIC COMMENT

Jolene Cosio asked for an update of new streets in the Rancho Vista subdivision, specifically, where it will connect with Third Street. City Manager Grimsley responded that the builders want to connect Third Street to Lavagnino Street first.

3. INFORMAL PROJECT REVIEW

Nothing was presented.

4. CONSENT ITEMS

- A. Approve Affidavit of Posting Agenda**
- B. Approve Affidavit of Posting and Mailing Public Hearing Notices**
- C. Approve Minutes of January 5, 2016 Meeting**
- D. Approve Minutes of March 1, 2016 Meeting**
- E. Approve Minutes of April 5, 2016 Meeting**

A motion was made by Commissioner Guibert and seconded by Vice Chairperson Medeiros to approve all items on the consent agenda. The motion passed unanimously, 5-0.

5. PUBLIC HEARING ITEMS

A. Consider Approval of the Amended D'Ambrosio Vista Tentative Map into two phases, Phase 1 Lots 1-8 and Phase 2 Lots 9-27

i. Approve Resolution 2016-26 Recommending to the City Council the Amendment of the Tentative Map into two phases

As three Commissioners live within 300 feet of the property, Commissioners Gredassoff, Guibert and Medeiros drew straws to determine which of the three would remain in order to maintain a quorum. Commissioner Medeiros won the straw vote.

Commissioners Guibert and Gredassoff recused themselves and left Council Chambers.

Staff presented the project. Members of Elite Development were present as well as a representative for the project, Allen Andrade of San Benito Engineering. Mr. Andrade responded to questions regarding grading. Chairperson Franco provided corrections to the resolution and mitigation measures, including hours of construction. Chairman Franco then opened the public hearing. Karyn Gredasoff offered suggestions for layout of single story and double story units, walking path between Lots number 22 and 24, speed table on Third Street, problem with debris pile (will be eliminated during grading), and suggested incorporating pet waste receptacles into the subdivision. John Ferreira suggested eliminating the mow strip. Chairman Franco closed the public hearing.

A motion was made by Commissioner Coke and seconded by Vice Chairman Medeiros to approve Resolution 2016-26 Approving the Amendment to the D'Ambroiso Vista PUD Tentative Map, Phase 1, Lots 1-8 and Phase 2, Lots 9-27 with corrections. The motion passed, 3-0-0-2 with Commissioners Gredasoff and Guibert recused.

B. Consider Approval for Site and Design Review for D'Ambrosio Vista Lot 1-8 Phase One

i. Adopt Resolution 2016-27 Approving Site and Design Review for D'Ambrosio Vista Phase One

Architect Roberto Garcia explained the proposed home designs (8 homes, 3 designs). Chairperson Franco opened the public hearing. There was no public comment. Chairperson Franco closed the public hearing.

A motion was made by Commissioner Coke and seconded by Vice Chairman Medeiros to approve Resolution 2016-27 Approving the Site and Design Review for D'Ambrosio Vista Lot 1-8 Phase One. The motion passed, 3-0-0-2 with Commissioners Gredasoff and Guibert recused.

Whereupon, Commissioners Guibert and Gredasoff returned to the dais.

C. Consider Amending the Site and Design Review for 403A Seventh Street. Applicant: Anthony Nicola.

i. Approve Resolution 2016-28 Approving Site and Design Review for 403A Seventh Street

Staff presented a report. The applicant was present. Chairman Franco opened the public hearing. Jolene Cosio commented that the Commission could not recommend paint colors because the residence is not in the Historic District. Chairman Franco closed the public hearing.

A motion was made by Vice Chairman Medeiros and seconded by Commissioner Guibert to approve Resolution 2016-28 Amending the Site and design Review for 403A Seventh Street. The motion passed unanimously, 5-0.

D. Consider Approval of a Site and Design Review for a Secondary Unit at 505 Second Street. Applicant: Andy Moore.

i. Approve Resolution 2016-29 Approving Site and Design Review for a Secondary Unit at 505 Second Street.

Staff presented a report, noting the property is not in the Historical District. The applicant was present and described the structure as a 590 square foot secondary unit. Discussion ensued about ADA accessibility.

A motion was made by Commissioner Gredasoff and seconded by Commissioner Guibert to approve Resolution 2016-29 approving the Site and Design Review for a Secondary unit at 505 Second Street. The motion passed unanimously, 5-0.

E. Consider Revision of the Proposed Noise Ordinance Recommended by the City Attorney

Staff presented a report. Chairman Franco requested the proposed document include numbered lines and the date of edit in a footer on each page. This item was continued.

F. Consider Revision of the Proposed Home Occupations Ordinance Recommended by the City Attorney

Staff presented a report. There was discussion and changes were suggested.

A motion was made by Vice Chairman Medeiros and seconded by Commissioner Guibert to accept the recommendations of the City Attorney and approve Resolution 2016-30. The motion passed unanimously, 5-0.

6. DISCUSSION ITEMS

A. Review Existing Fencing Regulations in the SJBMC and Design Guidelines

This item was continued.

B. Brewery Update

Staff provided an update.

C. Harvey's Lock-Up Update

Staff provided an update on compliance with use permit conditions.

D. Orchard Park

Staff summarized a proposal to State Parks for shared use of the orchard as a park.

E. Future Preservation Month Recognition

There was discussion about the process.

8. COMMENTS & REPORTS

A. Planning Commissioners

Commissioner Medeiros commented that the City branding presentation should be brought to the Commission.

B. City Manager

No comments were received.

C. Assistant Planner

No comments were received.

D. Strategic Planning Committee

Commissioners received a report.

9. ADJOURNMENT

The meeting adjourned at 9:28 p.m.

**CITY OF SAN JUAN BAUTISTA
PLANNING COMMISSION REGULAR MEETING
AUGUST 2, 2016
DRAFT SUMMARY MINUTES**

1. CALL TO ORDER – Chairman Franco called the meeting to order at 6:12 P.M.

B. ROLL CALL

Present: Chairman Franco, Commissioners Guibert, Medeiros, and Gredassoff

Absent: Commissioner Coke

Staff Present: City Manager Grimsley, Asst. Planner Luquin and City Clerk Schobert

2. Public Comment

No public comments were received.

3. Informal Project Review

Any potential and/or future project applicant may present his project to the Commission during Informal Project Review for the purpose of gaining information as preliminary feedback only. No formal application is required and no action will be taken by the Commission on any item at this time.

A. Secondary Unit at 501 Sixth Street. Applicants Richard De Andrade & Nicole Fisher

Applicant Richard Andrade proposed a 534 sq. ft. project in the City. There was discussion about accessibility. City Manager Grimsley explained how impact fees are applied.

During public comment, John McCormack spoke in support of the project.

4. Consent Items

- A. Approve Affidavit of Posting Agenda**
- B. Approve Affidavits of Posting and Mailing Public Hearing Notices**
- C. Approve Minutes for the May 3, 2016 Meeting**
- D. Approve Minutes for the June 7, 2016 Meeting**

The minutes for the May 3, 2016 meeting and minutes for the June 7, 2016 meeting were pulled from the consent agenda pending further review.

A motion was made by Commissioner Guibert seconded by Commissioner Medeiros to approve Items A and B on the Consent Agenda. The motion passed 4-0-0-1, with Commissioner Coke absent.

5. Public Hearing Items

A. Consider Recommendation from the Historic Resources Board to the Planning Commission for Support for the Mission San Juan Bautista Preservation and Seismic Upgrade

The project architect for Architectural Resources Group (ARG), was present and responded to questions regarding roofing materials.

There were no public comments.

A motion was made by Commissioner Medeiros and seconded by Chairman Guibert to support the Mission San Juan Bautista Preservation and Seismic Upgrade project. The motion passed 4-0-0-1 with Commissioner Coke absent.

B. Consider Resolution 2016-XX Noise Regulations with Recommendation to City Council (Continued until Workshop)

Item was continued.

C. Consider Approval and Adoption of the Initial Study and Mitigated Negative Declaration for the Proposed Copperleaf Subdivision Project, situated on the north side of San Juan-Hollister Road, 300 feet east of Salinas Grade Road, APN 002-130-012, 021, 023 & 031

i. Consider Approval of Resolution 2016-32 Adoption of an Initial Study and Mitigated Negative Declaration for the Copperleaf Subdivision Project

Staff presented a report. Project representative Deborah Kruse reported on the draft mitigated negative declaration (MND) and initial study (IS) stating a CD of the MND was sent to various county and state agencies. Chairman Guibert commented that the Commissioners did not receive a CD. IT was noted that the IS and MND were available on the City website and a hard copy available for public view at City Hall and at the library and a notice of determination was filed with the County Clerk.

Commissioner Franco requested Item 24 on the proposed resolution should be changed to say, "The proposed project is consistent with policies and the Municipal Code".

Commissioner Gredassoff commented on the code of land use and stated that he did not agree with the verbiage in regards to the walkability in the project. Chairman Guibert stated that she agreed with Commissioner Gredassoff. Both commissioners do not support the project.

Commissioner Gredassoff inquired the origin of the site dirt. Representative Kathy Oesterreich stated stockpiled dirt came from Apple site in San Jose, and other areas. Chairperson Franco opened the public hearing. John McCormack spoke in favor of the project. Kurt Kurasaki inquired about the hydrology report. Georgana Gularte spoke in favor of the project. Chairperson Franco closed the public hearing.

A motion was made by Commissioner Gredassoff and seconded by Vice Chairman Medeiros to approve Resolution 2016-31 and adopt an Initial Study and Mitigated Negative Declaration for the Copperleaf Subdivision Project after removing the June 8

public hearing and changing finding number 24 to say, "The proposed project is consistent with the policies of General Plan and Zoning Ordinance of the San Juan Bautista Municipal Code." The motion passed 3-1-0-1 with Chairman Guibert voting against and Commissioner Coke absent.

D. Consider Approval of a Vested Tentative Map for the Proposed Copperleaf Subdivision located on the north side of San Juan- Hollister Road, 300 feet east of Salinas Grade Road, APN 002-130-012.

i. Consider Approval of Resolution 2016-XX Approving a Vested Tentative Map for the Proposed Copperleaf Subdivision.

Staff presented a report. Project representative Kathy Oesterreich presented the tentative map.

Chairman Guibert requested that the conditions of approval include requirement for drought-tolerant landscaping. Commissioner Franco requested that the conditions of approval should include provisions from the City's Dark Sky Ordinance.

Chairperson Franco opened the public hearing. There being no public comments, Chairperson Franco closed the public hearing.

A motion was made by Vice Chairman Medeiros and seconded by Chairman Franco to approve a resolution approving a Vested Tentative Map for the Proposed Copperleaf Subdivision. The vote was 2-2-0-1 with Commissioners Guibert and Gredasoff voting against and Commissioner Coke absent. The item was continued to the September meeting to allow staff to prepare a resolution for denial with the required findings.

6. Discussion Items

A. Consider Revisions to Fencing Regulations in the SJBMC & Design Guidelines
Commissioners discussed having a workshop.

B. Consider Revisions to the SJBMC Chapter 11-11 Parking (Schedule a workshop)

C. Performance Bonds, Labor & Material Bonds requirements for projects
Commissioner Guibert spoke regarding bonds.

D. 10 Franklin Street, Building Permit No. 0563 Residential Project (Neubauer)

E. Future Landscaping Plans for 10 Franklin Street Residential Project

City Manager Grimsley stated that Commissioner Guibert gave him information regarding the project as a historical home. City Manager Grimsley stated that he would notify the property owner.

F. Former Taix Residents at 10 Franklin Street.

City Manager Grimsley stated that Commissioner Guibert has done research on the

historic home.

G. Water Wells Summary

City Manager Grimsley stated that water well information has been provided. Nitrates are low in city water.

H. Del Webb Project (San Juan Oaks Golf Property)

City Manager Grimsley reported that there was no new information. The project's application was pulled from the County Planning process.

I. Increases in Development Impact Fees (Proposition 218)

City Manager Grimsley stated that there would need to be a fee study, inquire with users of the system, and have a petition for the General election.

J. San Benito County Joint Planning Commissioners Meeting August 3rd.

Chairman Franco stated that a joint meeting with Commissioners from San Benito County Planning, Hollister Planning, and San Juan Bautista Planning was brought together by County Planning Commissioner Ray Pierce to discuss planning issues within the county.

7. Comments & Reports

A. Planning Commissioners

B. City Manager

C. Assistant City Planner

D. Strategic Planning Committee Report

8. Adjournment – Meeting adjourned at 9:45 p.m.

**CITY OF SAN JUAN BAUTISTA
PLANNING COMMISSION REGULAR MEETING
SEPTEMBER 6, 2016
DRAFT MINUTES**

1. CALL TO ORDER – Chairman Franco called the meeting to order at 6:22 p.m.

B. ROLL CALL **Present:** Chairman Franco, Commissioners Guibert, Medeiros, Gredassoff, and Coke

Staff Present: Asst. Planner Luquin and Administrative Services Manager Paetz

2. PUBLIC COMMENT

Zoey Diggery asked about restrictions to renovations in the Historic District.

3. INFORMAL PROJECT REVIEW

There were no informal projects for review.

4. CONSENT ITEMS

A. Approve Affidavit of Posting Agenda

B. Approve Affidavit of Posting and Mailing Public Hearing Notices

C. Approve Minutes of May 3, 2016 Meeting

D. Approve Minutes of June 8, 2016 Meeting

E. Approve Minutes of August 2, 2016

A motion was made by Commissioner Guibert and seconded by Vice Chairman Medeiros to approve Items A and B on the consent agenda. The motion passed unanimously, 5-0.

Chairman Franco requested the Commission discuss item 6H, Lowered Development Fees for Secondary Units out of sequence.

6H. Lowered Development Fees for Secondary Units

Chairman Franco provided a report supporting secondary units for mandatory Section 8 housing. During public comment Cara Vonk spoke in support of lower fees for secondary units. John McCormack spoke in support of lowering fees for secondary units and then questioned why someone would want to build a secondary unit if it will become Section 8 housing.

Chairman Franco recused himself and left the dais, as he lives within 300 feet of the project on Sixth Street. Vice Chairman Medeiros chaired the meeting for the subsequent public hearing item.

5. PUBLIC HEARING ITEMS

A. Consider Approval of Site and Design Review for a Secondary Unit at 501 Sixth Street, APN 002-360-012. Applicants: Richard De Andrade and Nicole Fisher

The applicant was not present. This item was continued.

Chairman Franco returned to the dais.

B. Consider Approval of a Vested Tentative map for the proposed Copperleaf Subdivision located on the north side of San Juan-Hollister Road, 300 feet east of Salinas Grade Road, APN 002-130-012.

i. Consider Approval of Resolution 2016-XX Approving a Vested Tentative Map for the Proposed Copperleaf Subdivision

Staff presented a report. Edenbridge representative Kathy Oesterreich was present as well as the traffic engineer. Chairman Franco opened the public hearing. Cara Vonk was concerned with the thirteen feet of fill dirt, the elevation of the project, City wells, sewer sludge removal project, the pellet water softening plant, the earthquake fault, mailboxes for the project, and did not support rolled curbs or cul de sacs, and proposed turning the barn into a recreation center. John Freeman was concerned with traffic. Staff read written comments from Fiona Eliason against the project, Robert Eliason against the project, Leanne Brothers against the project, and Jim Ostick against the project. Property owner Kathleen Manning stated her husband intended to move the barn. Kathy Oesterreich stated impact fees will help pay for the City's pellet water softening plant and sewer sludge removal. Traffic consultant Keith Higgings commented that a pedestrian crossing is not ideal but it is within standards. Consultant Armente Jensen responded to questions about rolled curbs. Jackie Morris Lopez spoke against the project. Georgana Gulate spoke in support of the project. Dan DeVries spoke about his work on the Creekbridge subdivision some years ago. Chairman Franco closed the public hearing. Assistant Planner Luquin read from the staff report the monetary benefits derived from this project.

Vice Chairman Medeiros spoke in favor of the project. Commissioner Guibert commented that walk ability is non-existent and proposed other options for the property. Commissioner Gredassoff asked if this project will be revenue neutral, suggested bringing in a consultant to address the issues at the developer's expense, and listed General Plan policies and objectives not present in the project. Commissioner Coke commented the project is not compatible to the existing community, she does not like sound walls, stated this is not the right time for this project and felt the City should focus more on business development. Chairman Franco was concerned with over extending the City's limited staff and commented on how businesses are closing in the City.

A motion was made by Vice Chairman Medeiros and seconded by Commissioner Gredassoff to approve the project. A roll call vote was taken and the motion failed, 1-4-0-0, with Commissioner Medeiros voting in favor.

There was discussion on the process involved with denying the project.

Regular Planning Commission Meeting – September 6, 2016

A motion was made by Commissioner Guibert and seconded by Commissioner Coke to continue the item to the next meeting so Commissioners could develop a resolution listing their reasons for denying the project. The motion passed 4-1-0-0 with Vice Chairman Medeiros voting against.

There was continued discussion with members of the public with regards to clarification of the vote and the process.

Chairman Franco called for a five minute recess.

C. Consider Amending SJBMC Chapter 11-03-010, Zoning District Development Standards

Staff presented a report. There was discussion. Errors were found in the resolution presented for approval. The item was continued.

6. DISCUSSION ITEMS

A. Review Existing Fencing Regulations in the SJBMC and Design Guidelines

This item was tabled and will be brought back at the Commission's request.

B. Brewery Update

Staff presented a report. There was no public comment.

C. Planning Commission Permit Expiration Times

Chairperson Franco suggested use permits be approved for one year but will conduct research before bringing this item back to the Commission. There was no public comment.

D. Orchard Park

Staff presented a report. There was no public comment.

E. Future Preservation Month Recognition

There was discussion about the process. There was no public comment.

8. COMMENTS & REPORTS

A. Planning Commissioners

Commissioner Medeiros commented that the branding presentation should be brought to the Commission.

B. City Manager

No comments were received.

C. Assistant Planner

No comments were received.

D. Strategic Planning Committee

Commissioners received a report.

Regular Planning Commission Meeting – September 6, 2016

9. ADJOURNMENT

The meeting adjourned at 9:28 p.m.

CITY OF SAN JUAN BAUTISTA

PLANNING COMMISSION

STAFF REPORT

DATE: March 7th, 2017

SUBJECT: Site and Design Review Regulations, Guidelines, and Procedures

DISCUSSION: At the request of the Planning Commission, staff put together a brief overview of the Site and Design Review Permit process. This overview will cover:

- What local ordinances regulate Site and Design Review?
- What parts of a project might not be open to challenges/changes by the Planning Commission?
- What parts of a project are open to challenges/changes by the Planning Commission?
- What are the legal requirements in terms of taking action on the Site and Design Review Permit application?

Much of the language in the ordinances regulating Site and Design Review Permit is broad, and that is because each project comes into the process with a very different set of circumstances (e.g. – some have Development Agreements, which allow them to adhere to an agreed upon set of requirements that can be different from what is stated in the San Juan Bautista Municipal Code). This overview will focus on the most general aspects of project review and will purposely avoid making reference to any specific projects, as several specific projects will be analyzed later in the meeting.

What local ordinances regulate Site and Design Review?

Site and Design Review is regulated by Section 11-18 of the San Juan Bautista Municipal Code (SJBMC) and the City of San Juan Bautista Design Guidelines. Specifically, Section 11-18-030 describes the Site plan and design review procedures, Section 11-18-040 describes the Findings for decision, and Chapter 5 of the Design Guidelines describes and recommends specific design elements that should be considered during the Site and Design Review process. SJBMC Section 11-18 and Chapter 5 of the Design Guidelines are attached.

What parts of a project might not be open to challenges/changes by the Planning Commission?

Site and Design Review generally occurs after multiple parts of a project have already been approved. Those approvals, which can include the environmental review documents (e.g. – Environmental Impact Reports, Negative Declarations, and Mitigated Negative Declarations), Vesting Tentative Maps, and Final Maps, may cover some of the requirements listed in Section 11-18 of the San Juan Bautista Municipal Code. In addition, some of the steps in the approval process, such as the certification of the Final Map, are Ministerial, which means that they require approval by qualified city staff, such as the City Engineer. The following parts of a project might not be open to challenges/changes by the Planning Commission during Site and Design Review if they have already been included in prior approvals for the project:

- **11-18-040(A)** – The project is consistent with the standards and requirements of the San Juan Bautista Municipal Code.
 - Can be approved by adopting the Final Map
- **11-18-040(B)** – The project is consistent with the goals and policies of the General Plan and any applicable specific or community plans.
 - Can be approved as part of the environmental document or Vesting Tentative Map
- **11-18-040(C)** – The project contributes to safeguarding the City's heritage and cultural and historic resources.
 - Can be analyzed and approved as part of the environmental document
- **11-18-040(H)** – The design and layout of the 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.
 - Can be analyzed and approved as part of the environmental review document and the mitigation measures.
- **11-18-040(I)** – 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.
 - Can be approved as part of the environmental review documents, Tentative Maps, mitigation measures, subdivision improvement agreements and/or Development Agreements.

What parts of a project are open to challenges/changes by the Planning Commission?

Despite the fact that many of the project components have already been approved by the time the project reaches Site and Design Review, it is still a critically important part of the project approval process, because it determines how the project fits with the desired look and feel of the town, as expressed in the City of San Juan Bautista Design Guidelines. The following parts of a project are generally open to challenges/changes by the Planning Commission during Site and Design Review:

- **11-18-040(D)** - 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.
- **11-18-040(E)** - 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.
- **11-18-040(F)** – The project effectively uses architectural details to break up mass. Roof planes are varied without being overly complex. Otherwise monotonous long or two-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.
- **11-18-040(G)** - 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.

What are the legal requirements in terms of taking action on the Site and Design Review Permit application?

Broad discretion is given to cities to exercise design review control, so long as any aesthetic regulation is related to the public health, safety, and welfare. The Planning Commission can go beyond the environmental concerns addressed in the CEQA process and focus on the suitability of the project within the affected neighborhood, but it cannot undo a decision that has already been made. Design review can mitigate purely aesthetic impacts to levels of insignificance.

CHAPTER 5.0

Architectural Design Guidelines: Single and Multi-Family Residential Structures

5.1 Which Style is Appropriate?

As input to the preparation of this design guidelines manual, a visual survey was held on April 4, 2000 wherein members of the community viewed over 100 images of buildings with varying architectural styles and scales and then voted for their preferences. In terms of residential development preferences, the results showed strong desire to maintain the vernacular mix of housing styles present in San Juan. Participants revealed a preference for homes with Queen Anne, Bungalow, and Classic Vernacular influence, as well as some with an authentic Spanish/Mission flair (e.g. not suburban subdivision adaptations). Monterey styles and accurate Mission style architecture were discussed as possible preferred styles for multi-family units, with the overall desire for units that were single-family scaled. Distaste for ranch-style houses, phony Mission architecture, and houses with street fronting garages was also expressed.

Ultimately, choosing which architectural style, including contemporary styles, to use is a matter of choice - keeping in mind the existing context and vocabulary of adjacent development, as well as the will of the community to maintain and strengthen its eclectic, vernacular image and preserve traditional neighborhood design. The residential design guidelines are applicable throughout the City of San Juan Bautista.

Residential architecture
in San Juan Bautista



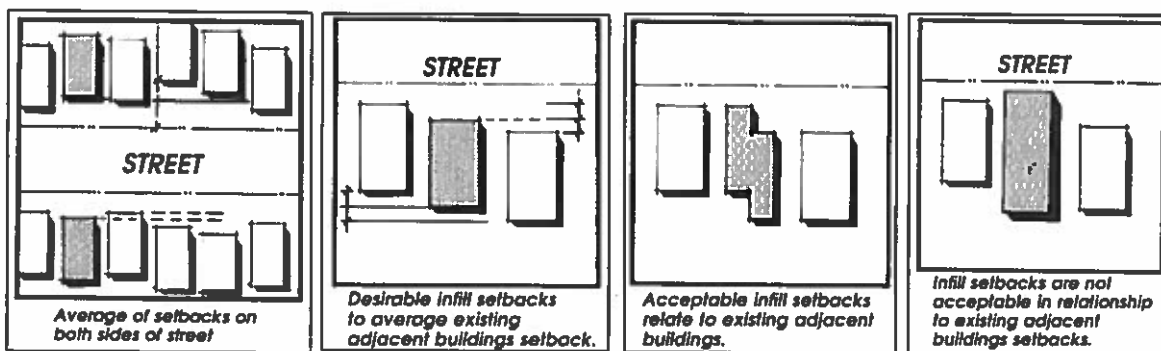
5.2 Single Family Residential – Infill Development

A number of opportunities for single family infill development exist within the Historic District and throughout the community. The following guidelines are intended to ensure that new infill development respects the existing pattern, scale, and character of San Juan Bautista's existing neighborhoods. Within this context, the single most important issue related to infill development is one of style and scale compatibility. When new, potentially larger, homes are developed adjacent to older single family residences there are concerns that the height and bulk (scale) of the new infill houses will have a negative impact on their smaller scale neighbors.

Site Plan Considerations New infill houses should continue the functional, on-site relationships of the surrounding neighborhood. For example, some of the common site configurations found in San Juan Bautista are prominent entries facing the street, front porches, ample front yards and detached garages located toward the rear of the property.

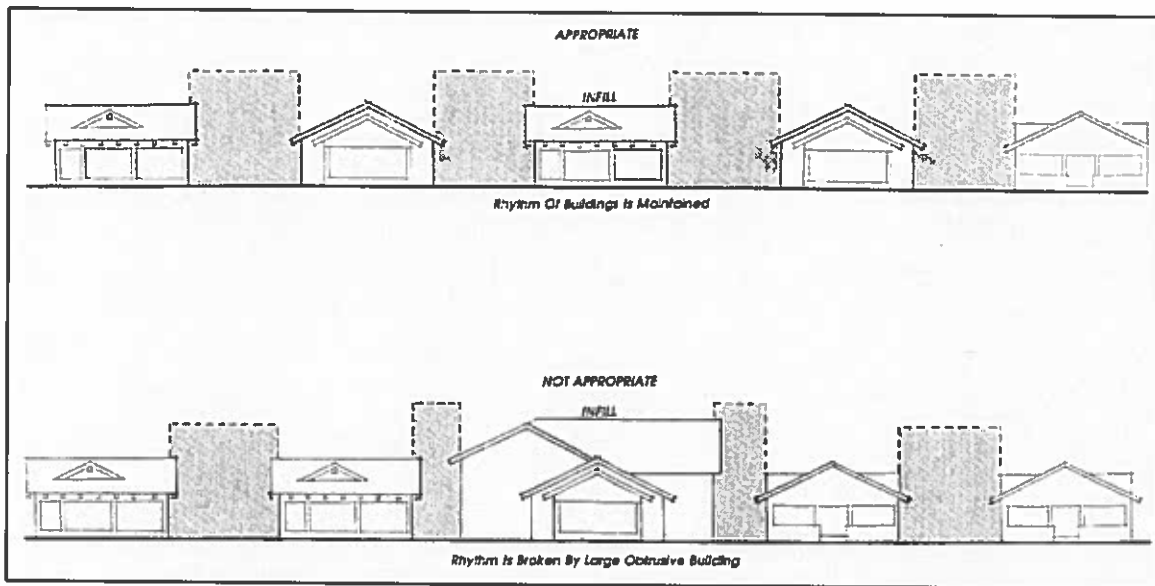
Minimum front yard setbacks are established in the Zoning Ordinance. However, in order to maintain a consistency within a neighborhood, front yard setbacks for new infill should follow either of these criteria when possible:

- ❖ They should be consistent with the average setback of all houses on both sides of the street as the new house; or
- ❖ They should be consistent with the average setback of the two immediately adjacent houses. In this case, the new house may be averaged in a step pattern.



Front yard setbacks for single family infill housing

Moving past a sequence of buildings, one experiences a rhythm of recurrent building masses in relation to spaces (setbacks) between them. This rhythm is necessary in maintaining the element of harmony in a neighborhood's development pattern. The existing development pattern may establish either a regular or irregular pattern. New projects should be respectful of the existing open space pattern and should provide side yards that respect the existing pattern (see figure on next page).



Consistent side yard setback patterns help maintain scale in single family infill development

Architectural Considerations

1. Building Design

The architectural style of a new house may be contemporary (see discussion later in this section) or the style may be reflective of one of the historic styles within San Juan Bautista (see Chapter 3.0) or another historic style that was popular in California. Whatever architectural style is selected, the primary consideration should be that it respects the scale and character of the surrounding neighborhood.

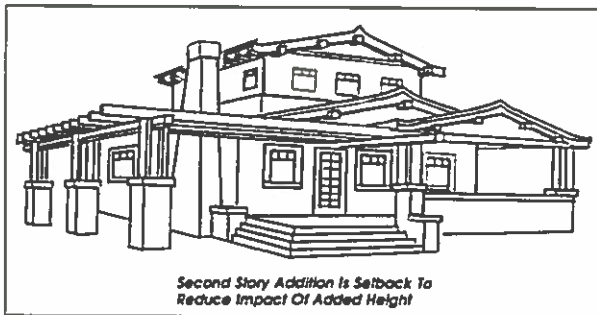
In adopting a historic architectural style it is not necessary, nor desirable, to achieve an exact replication of the style with all of its characteristic details and decoration. Rather, the goal should be to incorporate the most distinctive character defining features of the style. For instance, Queen Anne houses typically have steeply pitched roofs, wood siding, and are very vertical in their overall appearance. By incorporating these and other prominent architectural and site planning features, a new house can be a welcome addition to San Juan's neighborhoods.



Vernacular – Pointed Style
45 Monterey

New builders should become familiar with the various architectural styles in the

community and particularly with those in the immediate vicinity of their property. Height and scale of existing homes should be considered. Height and scale are important considerations because new infill houses are sometimes taller than one story and their height and bulk can impose on adjacent residences. The height of new houses should be



considered within the context of their surroundings. Buildings with greater height should consider setbacks at the second story to reduce impacts on adjacent single story residences.

Front porches are commonly found architectural features on most of San Juan Bautista's historic homes. The incorporation of porches on new houses is encouraged for both practical and aesthetic value. These elements should be integrated to break up large front facades and add human scale.



Front porches are encouraged
(Lovett House)

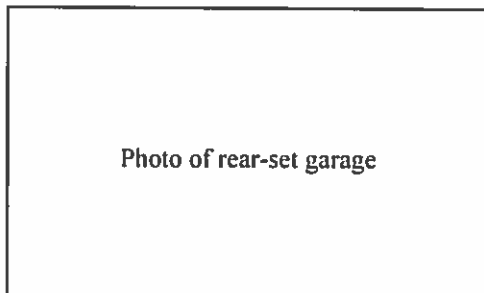


Photo of rear-set garage

Rear-set garages are encouraged

Garages are generally not visible or prominent part of the City's historic homes. Where possible, garages should be constructed near the rear property of new homes. At a minimum, garages fronting the streets should include double doors to break up the surface, and should be located behind the primary façade of the residence rather than exhibit only a large blank wall.

Garage not visible from front façade of this home in San Juan Bautista



Color schemes for new houses should consider house color in the surrounding neighborhood in order to maintain compatibility and harmony. Refer to the discussion in Chapter 4.6 regarding color for more guidance.

In taking the above factors into account, it is possible that a compatible design scheme will be thoroughly contemporary, without any overt historical references. Quality contemporary designs and materials are permitted, provided they pass the tests for compatibility.

The use of an architect or design professional is highly encouraged in the design of new infill construction. It is possible to approach this design challenge of compatibility while remaining within desired economic parameters. Good design need not mean extra expense.



Where there is no alternative for a rear-set garage, double doors are encouraged in single family infill



Existing residential architecture in San Juan Bautista

2. Screening

The construction of a new house offers many opportunities to screen mechanical and other equipment through the proper placement of such items. The following items should be considered:

- ❖ All flashing or sheet metal should be painted to match the material to which it is attached.
- ❖ All vent stacks and pipes should be painted to match the roof or wall material from which they project.
- ❖ Satellite dish antennas should be screened from view from the street.
- ❖ Any solar panels should be integrated into the roof design or hidden from street level view.
- ❖ All mechanical and electrical fixtures and equipment shall be adequately and decoratively screened. The screen shall be considered an element of the overall design of the project and shall blend with the architectural design of the new house.

5.3 New Single Family Neighborhoods

The intent of these design guidelines is to allow flexibility in the design of new residential neighborhoods (subdivisions), and provide for the protection of San Juan's intimate, traditional neighborhood character by encouraging architectural variety, promoting pedestrian activity, protecting existing natural features, and providing meaningful open space. These design guidelines supplement existing Zoning Ordinance requirements for new construction.



Appropriately scaled and designed neighborhood

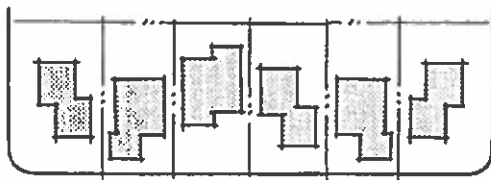
Site Planning Considerations

The relationship of individual residential units in a new neighborhood should be functional, attractive, and create visual variety along the projects streets.

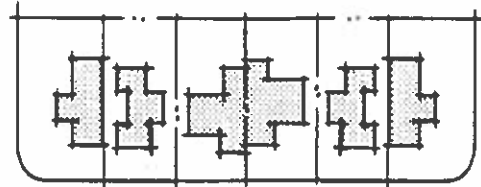
1. Variation of Development Patterns

Variation of development patterns within new neighborhoods is necessary to achieve visual diversity and avoid the appearance of monotonous development. One or more of the following techniques should be incorporated into the project's design to help achieve diversity.

- ❖ Varied front yard setbacks – Placement of homes and garages close to or back from the street creates different patterns of visible open space. The structures themselves, when close to the street, also add diversity to the view.
- ❖ Varied side yard setbacks – Varying the distance between adjoining homes, or between homes and fences results in different types of yards and private patio areas.

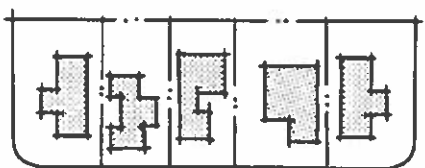


Varied Front Setbacks

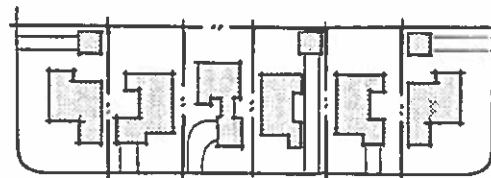


Varied Side Yard Setbacks

- ❖ Varied lot widths – Making some lots wider, and some narrower, than the average lot provides different amounts of open area between structures. It also allows placement of different sizes and shapes of homes which can give a neighborhood more character and individuality.
- ❖ Varied garage placement and orientation – In order to prevent garages from dominating the front of the house and to maintain traditional home building in San Juan Bautista, they should be variably placed, preferably in rear yards or oriented with a side entry.



Varied Lot Widths



Varied Garage Placement and Orientation

2. Traditional Neighborhood Streets

While new residential development streets need not exactly replicate existing San Juan Bautista neighborhoods, the general pattern of block lengths, widths, and shapes should bear some resemblance to the older parts of town.

- ❖ Traditional grid-style streets with short rectangular or square blocks are preferred for new neighborhoods. Suburban curvilinear streets, cul-de-sacs, T-turnarounds, gated and/or dead-end streets should be avoided. New project streets should connect with existing City streets to form a continuous network of streets whenever possible.
- ❖ Streetwidths of adjacent neighborhoods should be continued, where appropriate.
- ❖ Less than 40 foot-wide streets are encouraged
- ❖ Residences and other structures should help define the street environment and the transition between public and private space.
- ❖ Rolling curbs are discouraged. Vertical-faced curbs, consistent with existing San Juan Bautista neighborhoods, are encouraged.
- ❖ Landscaping and the use of parkways and planted medians should be used to frame, soften, and embellish the quality of residential streets. Refer to Chapter 2.4 for additional recommendations regarding landscaping.



Cul-de-sac streets conflict with the existing residential character of San Juan Bautista

3. Walls

- ❖ Walled and gated communities contradict the charm and friendly character of San Juan Bautista. New neighborhoods with perimeter gates and walls are strongly discouraged.
- ❖ In some circumstances, low walls and landscaping may be used to create land buffers from adjacent incompatible uses. Refer to Chapter 2.4, 2.5, and 2.6 for additional details.

Architectural Considerations

1. Building Design

- ❖ While no specific style of architecture is required for residential structures, the existing architectural styles described in Chapter 3.0 should be consulted. In general, the architecture shall consider compatibility with surrounding character, including

building style, form, size, color, material, and roofline. Individual dwelling units should be easily distinguishable from one another.

- ❖ The design of houses shall be varied within new neighborhoods to create diversity and interest. A significant difference in the massing, composition, and architectural style (not just finish materials and colors) of each adjacent house shall be accomplished. One design should not be repeated more frequently than every fourth house. Buildings with greater height should consider setbacks at the second story to reduce impacts on adjacent single story residences.



Garages should ideally be located at the rear of residential lots

- ❖ If a side or rear elevation faces a street, it shall be designed with the same care and attention to detail, and preferably using the same materials as the front elevation.
- ❖ Building design should feature the residential living space as the primary element, rather than allowing the garage door to dominate the home's front elevation. Ideally, some garages should be detached and located at the rear of residential lots. Where attached garages are included, side entries or recessed front entries are encouraged, as well as the use of double garage doors. No more than fifty percent (50%) of a home's front elevation shall be devoted a garage.

2. Façade and Roof Articulation

- ❖ The articulation of facades and the massing of structures give them interest and scale. Long, uninterrupted exterior walls shall be avoided on all elevations. The integration of varied textures, openings, recesses, and design accents on building walls is strongly encouraged to soften the architecture.

- ❖ Rooflines shall be representative of the architectural design and scale of the units underneath them. Full sloped roofs and roof articulation are encouraged. Roof articulation may be achieved by use of traditional roof forms such as gables, hips, and dormers. Flat roofs on residential structures are discouraged.



Front porches are encouraged in new neighborhoods

- ❖ Front porches are common architectural features found in San Juan Bautista's existing

neighborhoods. Incorporating verandas and porches on new residential structures is encouraged. The use of balconies on two story units is also encouraged. These elements should be integrated to break up large front facades and add human scale.

3. Building Materials

- ❖ The choice of building materials is important in providing an attractive dwelling unit. Materials should be consistently applied and shall be chosen to work harmoniously with adjacent materials. Piecemeal embellishment is to be avoided.
- ❖ Exterior materials and architectural details shall relate to each other in ways that are traditional and/or logical. For example, heavy materials should appear to support lighter ones. A single building should remain stylistically consistent. For example, Mediterranean Revival details are consistent with stucco houses and clay tile roofs; period trims on otherwise contemporary buildings are generally inappropriate.
- ❖ Paint color should vary in new neighborhoods to avoid monotony and homogeneity. For guidance in color selection, refer to Chapter 4.6.

4. Screening

- ❖ The construction of a new house offers many opportunities to screen mechanical and other equipment through the proper placement of such items. See section 5.2 for guidelines.

5.4 Multi-Family Residential Developments

Multi-family dwellings or developments, because of their higher densities, tend to generate larger parking areas, bulkier structures, and an overall decrease in private open space. However, well-designed multi-family and outdoor spaces can also contribute to a visually pleasing environment that supports San Juan's local character and promotes social interaction and pride among its residents. The following guidelines, while not exhaustive, are intended to help alleviate some of the concerns associated with multi-family dwellings.

Site Plan Considerations All new multi-family development should respect the context and fabric of the existing neighborhood, reflect its best design features, and generally be compatible with surrounding quality development.

1. Context

- ❖ Natural amenities, including views, mature trees, or other similar features unique to the site should be preserved and incorporated into developments whenever possible.
- ❖ Development of sloped properties shall generally follow the natural contours of the land. Terraced parking lots, stepped building pads, and larger setbacks should be used

Chapter 11-18 SITE PLAN AND DESIGN REVIEW

Sections:

Article 1. Procedure

- [11-18-010](#) Intent.
- [11-18-020](#) Applicability.
- [11-18-030](#) Site plan and design review procedures.
- [11-18-040](#) Findings for decision.

Article 1. Procedure

11-18-010 Intent.

The intent of this Chapter is to establish comprehensive design review procedures that will:

- (A) Recognize the interdependence of land values, aesthetics, and the historic uniqueness of the City and implement this interdependence to the City's benefit;
- (B) Encourage the orderly and harmonious appearance of structures and property within the City along with associated facilities such as landscaping, parking areas, utility installations, signs, etc.;
- (C) Encourage the orderly development of residences within areas served by public infrastructure;
- (D) Assist the public in understanding the City's design guidelines;
- (E) Encourage the use of a variety of architectural styles, varied parcel sizes and densities, and maintenance of views;
- (F) Develop property in a manner that respects the physical and environmental characteristics of each site;
- (G) Encourage appropriate site planning and design, compatible with the design and use of surrounding properties and with the City in general;
- (H) Encourage site and structural development that exemplifies the best professional design practices;

- (I) Ensure that each new development is designed to best comply with the purpose and intent of the zoning district in which the property is located;
- (J) Ensure access to each property and a circulation pattern that is safe and convenient for both pedestrians and vehicles;
- (K) Minimize any potential adverse effects and related impacts on surrounding properties and the environment;
- (L) Implement the goals and policies of the General Plan, any applicable specific plan, and those plans that have been adopted in furtherance of the General Plan; and
- (M) Foster design practices that result in creative, imaginative solutions, and a quality design for the City and not to restrict imagination, innovation, or variety.

11-18-020 Applicability.

Site plan and design review approval pursuant to this Chapter is required for the following:

- (A) Projects subject to SJBMC 11-08-050, Historic resource and historic district registration criteria; and
- (B) New construction, relocation and major exterior maintenance of all structures for residential, commercial, mixed use, industrial, planned unit, institutional, and public purposes.

11-18-030 Site plan and design review procedures.

- (A) Application. The City shall make available a site plan and design review application with a required fee to be determined by City Council. A complete application shall include, at minimum, all plans, elevations, specifications, and sample materials required to fully describe the project, as well as any additional information required by the City.
- (B) Review and Approval.
 - (1) Design Review Approval by Planning Commission. In addition to consideration of other discretionary land use permits required by a project, the Planning Commission shall hold a properly noticed public hearing to consider all complete applications made to the City for site plan and design review and

consider recommendations forwarded by the Historic Resources Board for those projects that fall within the provisions of SJBMC 11-08-050. In addition, site plan and design review applications for new homes, homes proposed to be expanded by seventy-five percent (75%) or more (habitable or not), and/or include a new second story, shall require Planning Commission review and approval.

(2) Design Review Approval by City Manager or Designee. Except for projects falling within the provisions of SJBMC 11-08-050, single-family residential projects on a single parcel (new construction, relocation, exterior alterations, remodels) in the R-1 district that include less than a seventy-five percent (75%) increase in building area (habitable or not), do not include a second story, and are not new homes, shall obtain administrative approval by the City Manager or designee through a properly noticed public hearing, based on findings that all R-1 district zoning and design requirements are satisfied. This administrative process is appealable pursuant to Chapter 11-25 SJBMC.

(C) Public Noticing. Notice of hearing shall be per Government Code

Sections 65090 and 65091 (i.e., written notification for those within three hundred feet (300') of the subject parcel boundary at least ten (10) days prior to decision).

11-18-040 Findings for decision.

The following findings are required for approval of a site plan and design review permit. Approval of projects requiring Historic Resources Board review shall require the additional findings set forth in SJBMC 11-08-090(C):

- (A) The project is consistent with the standards and requirements of the San Juan Bautista Municipal Code.
- (B) The project is consistent with the goals and policies of the General Plan and any applicable specific or community plans.
- (C) The project contributes to safeguarding the City's heritage and cultural and historic resources.
- (D) 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.

- (E) 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.
- (F) The project effectively uses architectural details to break up mass. Roof planes are varied without being overly complex. Otherwise monotonous long or two-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.
- (G) 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.
- (H) 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.
- (I) 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.

Legislative History: Ords. 2007-03 (2/20/07), 2007-23 (12/18/07).

At this point, the packet reverts from the
Revised Agenda from 03-01-17 to the original
agenda from 02-28-17, starting with Item 5A
Site and Design Review 2016-12 Rancho Vista Subdivision

CITY OF SAN JUAN BAUTISTA

PLANNING COMMISSION

STAFF REPORT

DATE: March 7th, 2017

SUBJECT: Site and Design Review 2016-1202 Rancho Vista Subdivision

DISCUSSION: At their regular meeting on Tuesday, January 3rd, 2017, the San Juan Bautista Planning Commission conducted their first site and design review for the Rancho Vista subdivision. Based on this initial review, they directed staff to create a list of items they would like to see addressed when the project comes back for the second round of site and design review at the next regular Planning Commission meeting on Tuesday, February 7th, 2017. These items, and the efforts the applicant has made to address them, are listed below.

- 1. Include more diversity of garage door options**
 - a. Meritage has provided four separate garage door designs to cover each of the four elevation styles: Early California, Craftsman, French Country, and Cottage. See Attachment 5 for details.
- 2. Present a list of the street trees being considered**
 - a. Meritage has submitted a selection of street trees based on the City's approved street tree list. See Attachments 7 and 8 for street tree selections and descriptions.
- 3. Submit language for a condition of approval for the Site and Design Permit that will ensure a variety of elevations/housing designs on each street of the subdivision**
 - a. Meritage submitted the following language to be used as a condition of approval for the Site and Design Permit:
 - i. "In order to achieve housing variety and diversity, the applicant shall avoid repetition of elevation styles for neighboring homes or homes that face one another on the same street."
- 4. Submit a description and elevations indicating how the drainage issues along the North boundary of the project will be mitigated**
 - a. While the drainage design along the North boundary of the project area does not fall under the purview of the Site and Design Permit review, to achieve maximum transparency, the applicant has

included an exhibit with their approved set of plans (from licensed engineers) illustrating how the drainage there is designed. See Attachment 9 for the North Property Line Plan View.

5. Present the official subdivision sign for Planning Commission review

- a. Entry sign design review submittal will be deferred to a later date for Planning Commission review.

6. Reconsider using and/or redesign Plan 245-2401 – French Country

- a. In response to comments from the Planning Commission, Meritage has replaced the two-story French Country design with a two-story Cottage design. See Attachment 3 for the Architectural Design Narrative for the Cottage Elevation, Attachment 4 for the Alternative Elevations for 2-story French Country, and Attachment 6 for Existing Structure Examples here in San Juan Bautista.
- b. The French Country style would still be used for single-story units.

RECOMMENDATION: The applicant has addressed all of the concerns stated by the Planning Commission at their January 3, 2017, regular meeting and resubmitted revisions accordingly. The mixture of the four basic house plans with different architectural front elevations provides a wide variety of combinations for individual styles and models within the Rancho Vista Subdivision. The buildings substantially conform to the San Juan Bautista's Design Guidelines, which provide guidelines and criteria for site plan considerations, architectural building design, façade, roof line articulations, building exterior materials, and paint colors. The four basic house plans with the frontage options, roof designs, multiple garage door options, and front yard setback articulations provide a variety of housing units that meets and conforms to the City's design guidelines and provide a livable residential setting with open space, park, pedestrian walkways, raised crosswalks, playground facilities, and a covered bus stop area.

ACTION:

- A. Receive the Staff Report supporting floor plans, exterior elevation documents.
- B. Open the public hearing and receive comments, oral testimony, written comments, and electronic communication.
- C. Close the public hearing and discuss the proposal for the site and design review permit of the residential homes.
- D. Adopt Resolution 2017-XX Approving the Site and Design Review Permit for Rancho Vista Subdivision Project No. 2016-1202

RESOLUTION 2017-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN JUAN BAUTISTA APPROVING THE SITE PLANS AND DESIGN REVIEW PERMIT FOR RANCHO VISTA SUBDIVISION PROJECT SDR-2016-1202

WHEREAS, the Planning Commission conducted public hearings on January 3rd, 2017, February 7th, 2017 and March 7th, 2017 for the site and design review permit of Rancho Vista Subdivision Project 2016-1202, and

WHEREAS, the public hearings were conducted in accordance with Chapter 11-18 of the San Juan Bautista Municipal Code, and

WHEREAS, the Planning Commission received written comments and oral public testimony on the site plans and design review permit application of residential homes to be constructed within Rancho Vista Subdivision, and

WHEREAS, on March 7th, 2017, the Planning Commission, upon reviewing the information provided, the oral comments, written correspondence, does hereby make a determination that the project is part of an “ongoing project” that received approval from the Planning Commission of a Mitigated Negative Declaration with findings, conditions of approval, mitigation measures, and mitigation monitoring programs on December 16th, 2014, and

WHEREAS, the Planning Commission, based upon the public hearing and the entire record before them, makes the following findings to support the “ongoing project” of a previously approved Mitigated Negative Declaration.as enumerated in Resolution 2014-31.

1. The proposed residential structures are designed in a manner that respects the physical and environmental characteristics of each site.
2. The proposed residential structures are consistent with the standards and requirements of the San Juan Bautista Municipal Code, zoning regulations of the R-1 district and design guidelines.
3. The proposed residential structures are consistent with the goals and policies of the 2035 General Plan and any applicable specific or community plans.
4. The proposed residential structures are compatible with the surrounding character of the community in terms of architecture design, materials, and colors.
5. The proposed residential structures are located and configured on each site so as to be consistent and harmonious with the surrounding area.
6. The proposed residential structures incorporate the landscaping design that meets the provisions and guidelines of drought tolerant plants, trees, and shrubbery and the City’s mandatory drought regulations.
7. The proposed residential structures will not interfere with the use and enjoyment of neighboring homes and will promote the health, safety, and welfare of the area.
8. The existing and proposed public facilities to accommodate the proposed residential structures, including sidewalks, street lights, fire hydrants, street and vehicular access, and sanitary sewer facilities, will be available to the sites.

9. That the project is consistent with the density of the zoning district which it is located within.
10. That the proposed use is necessary or desirable in relation to the purposes and intent of the San Juan Bautista 2035 General Plan, the title, and the economic, social, and environmental status of the city.
11. That the uses will be properly related to other uses and transportation facilities in the area, and will not cause undue environmental impact relating to noise, odor, pollution, etc., with the implementation of proper mitigation measures outlined in the environmental document.
12. That the uses will not adversely affect the health or safety of persons living or working in the vicinity, or be materially detrimental to the public welfare of the city and its residents.
13. That the mitigation measures, monitoring programs, and conditions of approval for the project will result in the project having a less than significant impact on the environment.
14. That the project is consistent with the goals and objectives of the 2035 General Plan, to allow for urban development that is consistent and compatible to the surrounding areas and within the City's public service capabilities.
15. That the project is within the City's adopted sphere of influence, adjacent to existing city boundaries and has water, sewer, and public utilities available to the property for orderly and continuous outward growth of urban development without significant extension of public utility services.
16. That the mitigation measures identified in the initial study and mitigated negative declaration report show that there is no substantial evidence, in light of the whole record before the Planning Commission, that the project may have a significant effect on the environment.
17. That the project, as agreed by the applicant, with the mitigation measures, monitoring programs, and conditions of approval, would avoid effects or impacts to where there is no significant adverse effects to the environment of the surrounding area.
18. That the project is consistent with Policy LU 2.5.1: Development strategies to address the need for new housing as well as the need for rehabilitation and preservation of existing structures.
19. That the project is consistent with Policy LU 2.6.1: Reduce conflicts between incompatible land uses.
20. That the project is consistent with Objective LU 2.4: Increase the amount of infill development.
21. Policy LU 2.4.1: Facilitate vacant and other areas to accommodate development.
22. Goal LU 3: A compact small town with distinctive architecture.
23. Goal HO 1: An adequate housing supply that meets San Juan Bautista's needs.
24. Objective HO 1.1: Accommodate additional housing units by 2035 to fulfill regional housing needs assessment projected by San Benito Council of Governments.
25. Policy HO 1.1: Promote new housing production in targeted growth areas.
26. Objective HO 2.1.1.1: Permit secondary units, while educating the public about secondary units as an opportunity to provide additional affordable housing.
27. Objective HO 2.2: Accommodate new market rate housing units as housing needs arise.
28. Policy HO 2.2.1: Allow sufficient land and housing density to accommodate market rate housing growth targets and develop regulations that allow smaller size residential lots.
29. Goal HO 3: Respect for the character of San Juan Bautista

- 30. Objective HO 3.1: Promote housing that fits with the City's architectural character.
- 31. Goal CO 1: Growth and development balanced with environmental equality.
- 32. Program CO 1.2.2.1: Underutilized or vacant lands should be given priority for development.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of San Juan Bautista hereby, in accordance with SJBMC, Section 11-18-030, approves the site and design review permit for the four plans with variations of architectural front elevations, depths, and widths within the Rancho Vista Subdivision. The approval of the site and design review permit is subject to the conditions of approval for the vested tentative map, Mitigated Negative Declaration, Mitigate Monitoring Program and Approved Development Agreement.

CONDITIONS OF APPROVAL

1. The applicant shall dedicate necessary right of ways, improve streets to geometric dimensions, structural cross section, underground utilities, and guarantee by bond the following streets, roads and cul-de-sacs as shown upon the approved Vested Tentative Map.
 - a. Third Street from Donner to Rancho Way
 - b. Lavagnino Drive from San Juan Highway to 200 feet west of Third Street intersection
 - c. Caetano Place from Rancho Way to south terminus at cul-de-sac.
 - d. Vista Way from Rancho Way to Lavagnino Drive
 - e. Rancho Way from Caetano Place to 150 feet west of Third Street intersection
 - f. Trailside Drive northerly 500 feet to cul-de-sac
 - g. Trailside Court southerly 350 feet to cul-de-sac.
 - h. Street improvements on San Juan Highway/First Street at Lavagnino Drive, a round-a-bout intersection and asphalt overlay northerly 480 feet to City limits; center landscaped parkway area, lane striping, and traffic signage.
2. The applicant shall provide the City with a faithful performance and labor, materials bond for all improvements necessary for the completion of the subdivision.
3. The applicant shall submit a grading, erosion control, and storm water pollution prevention plan (SWPPP) for all earthworks and grading activities of the project.
4. The applicant shall obtain an encroachment permit for any work within the public right of way along Third Street and First Street (San Juan Highway).
5. The applicant shall enter into an indemnification and hold harmless agreement with the City of San Juan Bautista for the approval of the project and an agreement to pay processing fees for land use application and access to project site.

6. The applicant shall repair and reconstruct all damaged and broken sidewalks, curbs, gutters and storm drain facilities within existing public right of ways of Third Street and First Street (San Juan Highway) arising out of the construction of the improvements required for the completion of the subdivision.
7. The applicant shall submit to the City a geotechnical soils report for the subdivision with recommendations for building foundations, structural design standards for streets and roads and field compaction testing and inspections.
8. The applicant shall submit an archaeological report to the City prior to vested tentative map approval.
9. The applicant shall install fire hydrants within the subdivision as shown on the approved vested tentative map and approved improvement plans.
10. The applicant shall dedicate to the City a rectangular area approximately 0.387 acres more or less for inclusion into the waste water treatment plant site. The rectangular area lies adjacent to and west of the treatment plant and at the most southerly portion of the 28.35 acre parcel of land shown on the vested tentative map.
11. The applicant shall install a sanitary sewer lift station and connect the force main to the sanitary sewer treatment plant situated at 1300 Third Street. The applicant may elect the option to connect to the existing sewer lift station on Ahwahnee Drive and upgrade the lift station to accommodate the increase flow of effluent from the subdivision. The applicants engineer shall submit a report to the City analyzing the pumping capacity for any upgrades necessary for the lift station.
12. The applicant shall form and implement a Community Facilities Assessment District for the continual maintenance repair and replacement of a sanitary sewer lift station, storm drain channel maintenance, street sweeping and open space maintenance.
13. The applicant shall form and implement a landscaping and Lighting District for the subdivision.
14. The applicant shall install architectural street light standards and fixtures within the subdivision similar to the lighting system within Creek Bridge Subdivision and or Third Street Downtown Historic District.
15. The applicant shall construct a roundabout intersection at First Street (San Juan Highway) and Lavagnino Drive with landscaped center parkway area, lane striping, and traffic directional signage.
16. The applicant shall install six feet wide meandering granite fines pedestrian walkway on the east side from the Trailside Drive and along the east side of Trailside Court to and across the detention pond and natural open space to Lavagnino Drive. The meandering granite fine walkway shall include landscaping.

17. The applicant shall install a six feet wide granite fines pedestrian walkway on the south side of Lavagnino Drive from Third Street to First Street (San Juan Highway) including landscaping.
18. The applicant shall install a six feet wide granite fines pedestrian walkway along the east side of the west fork of the San Juan Creek from Third Street to the open space area northerly of lots 82 thru 85.
19. The applicant shall install landscaping and security lighting along the pedestrian walkways and park areas listed in condition 16, 17, and 18 above.
20. The applicant shall install two pedestrian fitness stations and or rest stops along the pedestrian walkways listed in conditions 16, 17, and 18 above. Location to be determined during construction of the phases approved on the vested tentative map.
21. The applicant shall obtain a stream bed alternation permit, and provide a copy to the City, from the State of California, Department of Fish and Wildlife for the construction of a street crossing of the West fork of San Juan Creek at Third Street, the pedestrian overcrossing of the Creek, northerly of Lavagnino Drive with First Street (San Juan Highway) and all stream bed alternations within the subdivision.
22. The applicant shall construct a center island together with street trees, irrigation system, and ground cover from First Street (San Juan Highway) to Rancho Vista Drive.
23. The applicant shall install striping and delineate a bicycle lane northerly along Third Street from Donner Drive to Lavagnino Drive, and westerly along Lavagnino Drive from Third Street to First Street (San Juan Highway).
24. The applicant shall install a meandering 5 feet wide granite fines pedestrian walkway along the northerly property lines of lot 77 and 78 together with a meandering open rail fence, four feet in height adjacent to and on the north side of the 5 feet meandering walkway.
25. The applicant shall install a meandering 5 feet wide concrete sidewalk along the Third Street and Lavagnino side of the natural open space area together with an open rail fence between the walkway and natural open space area.
26. The applicant shall obtain a permit if required by the Army Corp of Engineers in conjunction with the stream bed alternation permit from the Fish and Wildlife Service. If a permit is required, a copy shall be submitted to the City.
27. The applicant shall landscape with low growing drought tolerant plants and scrubs the area between the westerly property line along San Juan Highway and existing trees and fence. The applicant shall repair and repaint as necessary the existing split rail fence along the east side of B Street from the southerly Cul-de-sac to the north boundary of the Subdivision. The landscaping shall be drip irrigation system.

28. The applicant shall install Group mail box pick up areas throughout the subdivision and determined by the US Postal Service Office of San Juan Bautista.
29. The applicant shall improve the entrance to the waste water treatment plant with curb, gutter, sidewalk, recessed entrance gate, fencing, and landscaping.
30. The applicant shall install a school bus stop area within the subdivision. The school bus stop area shall have a covered roof area with an all-weather surfacing and bus turn out lane. The applicant shall submit the final design of the bus stop area to the city prior to construction.
31. The applicant shall submit a sign application to the Planning Commission for all temporary on-site sales office signs and one sign at each of the principal entrances on Third Street and Lavagnino Drive during the construction and within a two year period after final approval and acceptance of the improvements of the subdivision phase. The signs shall provide for directions and information to the sales office and other essential features needed for potential buyers of homes to access the subdivision. The applicant may also make application for temporary off premises signs at Hwy. 156 and The Alameda, Hwy. 156 and Monterey Street, and San Juan Highway within the city limits during the course of construction of the subdivision.
32. The applicant shall be restricted to the hours of 7:00 A.M to 6:00 P.M. Monday through Saturday for all construction work on lots 71 to 77 and lots 82 to 85. No construction will be allowed on Sundays.
33. The applicant shall restrict all loud noises, vibratory equipment, trucks backup devices, and gas powered compaction tools to hours between 8:30 A.M to 4:00 P.M. during the permitted days of the week for construction on lot 71 to 77, 82 to 85. No construction on Sundays unless it is within a confined building where all noises are contained inside the building.
34. The applicant shall have the following note placed upon all construction plans and drawings of the project.

"If prehistoric or historic archaeological resources or human remains are unexpectedly discovered during construction, work shall be halted within 50 meters (160 feet more or less) of the find until it can be evaluated by a qualified professional archeologist. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented."
35. The applicant shall obtain all right of ways and easements required and necessary for the construction and completion of the subdivision.
36. The applicant shall submit to the City and Health Department a hazardous waste management plan together with emergency contact information.
37. The applicant shall submit to the City a solid waste disposal plan for all solid waste material disposed of from the project site.

38. The applicant shall submit a copy to the City of the Monterey Bay Air Pollution Control District permit.
39. The applicant shall submit construction plans and drawing of all improvements within the various phases of the subdivision. The plans shall include utilities include but not limited to water, sewer, storm drain, electrical, gas, telephone, and communications. The utilities shall conform to the utility company's standard and City of San Juan Bautista Standards.
40. The applicant shall install a separate water service lateral to each lot for a fire sprinkler system. The service shall conform to the City's Standard.
41. The applicant shall place a note on the construction plans and drawings that all grading activities at the project site shall cease during high wind periods. The City Planning Department shall be contacted when construction activities has ceased due to high winds.
42. The applicant shall request and obtain a final inspection before a certificate of occupancy to the building is issued.
43. The applicant shall submit an application to the Planning Commission for site and design review permit approval for the housing types to be constructed on each lot together with plans for secondary units in accordance with Article 2 "Applicable Law", Section 2.13 (a), (b) of the adopted Development Agreement.
44. The applicant shall pay all planning, building permit, plan checking, inspection, site and design, utility connections, impact, capacity impact and development review fees prior to commencement of construction of the various phases or issuance of building permits.
45. The applicant shall provide the city with confirmation that the school impact fees have been paid prior to the City's issuance of a building permit for any lots within the subdivision.
46. The applicant shall install an oversize sanitary sewer transmission line for the wastewater treatment plant to the north boundary of the subdivision. The Applicant shall enter into a reimbursable agreement with the City of San Juan for payment of the cost of the oversize line.
47. The applicant shall restrict the number of two story house on each street frontage to no more than 70%. The roof line shall vary in style, roof pitch, design, color, and type of roof materials. All home within the subdivision shall incorporate drought tolerant landscaping, drip irrigation systems, and have at least one street tree within the lot frontage of each house.
48. The applicant shall submit the final map of the phase to be recorded to the City for approval by the City Council. A copy of the approved Vested Tentative Map, lot closures, traverse sheets, subdivision guarantee document, application fee bonds, and subdivision agreement.
49. The applicant shall submit a development agreement to the Planning Commission for review and consideration. Upon review and approval by the Planning Commission, the Development agreement shall be recommended to the City Council for review and approval. The

- development agreement must be approved by the City Council prior to the City Council taking final action on any phase of final subdivision map.
50. The applicant shall submit a final copy of the Development agreement to the City for processing and recordation. The development agreement shall have the all subdivider's signatures, notary certificate, and recording fee.
51. The Vested Tentative map is shall be valid for a period of 24 months from the date of approval by the Planning Commission. The vested tentative map can be extend for a one year period. (Gov't code 66452.6(a).)
52. In order to achieve housing variety and diversity, the applicant shall avoid repetition of elevation styles for neighboring homes or homes that face one another on the same street.

PASSED AND ADOPTED by the Planning Commission of the City of San Juan Bautista on this 7th day of March 2017, by the following vote.

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

John Hopper, Chairperson

Trish Paetz, Deputy City Clerk

All Site and Design Review Documents
For the Rancho Vista Subdivision
Can be found at:

<http://www.san-juan-bautista.ca.us/planning/>

CITY OF SAN JUAN BAUTISTA

PLANNING COMMISSION

STAFF REPORT

DATE: March 7th, 2017

SUBJECT: Site and Design Review Permit 2016-1201

APPLICANT: Edenbridge Homes Inc.

GENERAL PLAN: Low Density Residential

ZONING: R-1 Single Family Residential District

REQUEST: Site and Design Review Approval for homes to be constructed in Copperleaf Subdivision

DISCUSSION: The applicant has submitted the revisions to the three basic plans with changes of the architecture front elevations. The Spanish elevations incorporated arches on the front porch and garage doors with arch windows on the upper sectional leaf. The Cottage elevation incorporated a garage door with windows and truss diagonal bracing on the four garage panels. The Western elevations changed the garage door with an "x" pattern as well as the front porch to give a more western appearance. Bungalow changed the garage door with windows and panel modifications. The approval for site and design review of residential home plans to the Copperleaf Subdivision provide a variety of styles which give the diversity to the subdivision that incorporates many of the City's design guidelines.

Plan 1: 2330 Sq. Ft w/ 4 frontage styles & Deep & Wide options.

(Single story, four bedroom two car garage)

Types of frontage styles and roof designs:

Spanish Frontage

Western False Frontage

Bungalow Frontage

Cottage Frontage

Of the above four frontage styles of Plan 1, two options; Deep & Wide

- a. Deep Bungalow (A-4)
- b. Wide Bungalow (A-7 & A-9)
- c. Deep Spanish (A-6)
- d. Wide Spanish (A-11)

- e. Deep Western False (A-5)
- f. Wide Western False (A-10)
- g. Deep Cottage (A-3)
- h. Wide Cottage (A-8)

PLAN 2: 2670 Sq. Ft., 4 frontage styles (Single Story, four bedroom with 3 car tandem garage)

Types of frontage styles and roof designs:

- Spanish Frontage
- Western Frontage
- Cottage Frontage
- Bungalow Frontage

PLAN 3: 2906 Sq. Ft., 4 Frontage Styles (Two Story, five bedroom with 3 car tandem garage)

Types of frontage styles and roof designs

- Spanish Frontage
- Western Frontage
- Cottage Frontage
- Bungalow Frontage

SECONDARY: ACCESSORY UNITS 402 Sq. Ft. w/ enclosed garage

RECOMMENDATION: The mixture of the three basic house plans with different architectural front elevations provides a wide variety of combinations for individual styles and models within the Copperleaf Subdivision. San Juan Bautista's Design Guidelines provides guidelines and criteria for site plan considerations, architectural building design, façade, roof line articulations, building exterior materials and paint colors. The three basic house plans with the frontage options, roof designs and site setbacks provide a variety of housing units that substantially conforms with the City's design guideline.

The following mixture of house plans are proposed;

	Plan 1; deep floor plan	10 units
35.5 %	Plan 1; wide floor plan	6 units
33.4%	Plan 2; standard floor plan	15 units
31.1%	Plan 3; standard floor plan	14 units
100.0%	Secondary accessory	9 units

ACTION:

- A. Receive the updated staff report with floor plans, revised exterior elevations per comments express at the January 3rd and February 7th meeting.

- B. Open the public hearing and receive comments, oral testimony, written comments and electronic communication on the Site and Design of the proposed residential homes, site layout and landscaped front yards.
- C. Close the public hearing and discuss the proposals for the site and design review permit to the mix of the three base homes with the variation of the exterior elevation, roof design and exterior siding.
- D. Adopt Resolution 2016-XX Approving the Site and Design Review Permit for Copperleaf Subdivision Project No. 2016-1201

All Site and Design Review Documents
For the Copperleaf Subdivision
Can be found at:

<http://www.san-juan-bautista.ca.us/planning/>

CITY OF SAN JUAN BAUTISTA

STAFF REPORT – PLANNING COMMISSION

DATE: March 7th, 2017

SUBJECT: Copperleaf Subdivision Project Summary

The following is a summary of the project.

1. Applicant submitted an application for Annexation, pre-zoning, general plan amendment, tentative map on December 19th, 2014.
2. Staff reviewed application and accepted the application as complete on January 5th, 2015.
3. Staff prepared an initial study questionnaire and environmental checklist of the anticipated impacts of the project and concluded that the applicant should prepare a mitigated negative declaration to address the impacts identified on the environmental checklist.
4. Petition to the City Council from Landowner, Kathleen Manning to initiate annexation of property received on March 5th, 2015
5. Planning Commission approved 2035 General Plan and recommended to City Council the same on February 2nd, 2016
6. City Council approved the 2035 General Plan on February 16th, 2016
7. Planning Commission approved negative declaration and pre-zoning of the 13.3 acres of Kathleen Manning and recommended to City Council the same on March 1st, 2016
8. City Council adopted negative declaration and pre-zoning of 13.3 acres of Kathleen Manning on March 15th, 2106
9. Application to LAFCO submitted on April 27th, 2016, for annexation as low density residential zoning.
10. LAFCO failed to include the City request for consideration at their May 26th meeting.
11. LAFCO again failed to include the City request for consideration at their June meeting.
12. LAFCO did not hold a meeting June 2016 due to the San Benito County Rodeo.
13. The City requested a special meeting of LAFCO to hear the request for annexation of the 13.3 acres.
14. LAFCO held a special meeting on July 14th, 2016, and approved the annexation.
15. Planning Commission reviewed and approved the mitigated negative declaration for Copperleaf subdivision on August 2nd, 2016
16. The Planning Commission, at their regularly scheduled meeting on September 6th, 2016, could not adopt a resolution for a denial for Copperleaf Subdivision and continued the matter to October 4th, 2016. The Assistant Planner failed to inform the Planning Commission that, after the adoption of the environmental document (mitigated negative declaration), there was a 50 day period within which they were required to take action on the tentative map, and that failure to take action would result in the vesting tentative map being automatically approved by rule of law under the provisions of the Subdivision Map Act.

17. The Planning Commission, at their regularly scheduled meeting on October 4th, 2016, 63 days after the environmental document was approved, adopted Resolution 2016-34 denying the Vested Tentative Map of Copperleaf.
18. The City Council held a hearing on November 1st, 2016, to address the matter, and based upon the evidence, found that the vesting tentative map was automatically approved by failure to take action on the map within the 50 day period.
19. The City Council adopted Resolution 2016-57 on November 1st, 2016, “declaring the vested tentative map (VTM 2016-01) for the Copperleaf Subdivision with mitigation measures, monitoring and reporting programs, and conditions of approval approved pursuant to Section 66542.4 of the Subdivision Map Act and San Juan Municipal Code Section 10-02-530”.
20. The Planning Commission approved the Lot Line Adjustment and rezoning of 0.0665 acres in Resolution 2017-03 and Resolution 2017-01 on January 3rd, 2016.
21. The City Council adopted Resolution 2017-05 on February 21st, 2017, approving the final map of Copperleaf Subdivision, Tract No. 337 together with subdivision agreement in accordance with the San Juan Bautista Municipal Code Chapter 10-2.

RESOLUTION 2017-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN JUAN BAUTISTA APPROVING THE SITE PLANS AND DESIGN REVIEW PERMIT FOR COPPERLEAF SUBDIVISION PROJECT SDR-2016-1201

WHEREAS, the Planning Commission conducted a public hearing on January 3rd, 2017, February 7th, 2017 and March 7th, 2017 for the site and design review permit of Copperleaf Subdivision Project 2016-1201, and

WHEREAS, the public hearing was conducted in accordance with Chapter 11-18 of the San Juan Bautista Municipal Code, and

WHEREAS, the Planning Commission received written comments and oral public testimony on the site plans and design review permit application of residential homes to be constructed within Copperleaf Subdivision, and

WHEREAS, the Planning Commission, upon reviewing the information provided, makes the determination that the project is part of an ongoing project that has received previous approval from the Planning Commission for a Mitigated Negative Declaration with findings on August 2nd, 2016 by Resolution 2016-31, and

WHEREAS, the Planning Commission, based upon the public hearing testimony and the entire record before them, makes the following findings to support the determination that the project is part of an ongoing project previously approved by Mitigated Negative Declaration in Resolution 2016-31.

1. The proposed residential structures are in a design manner that respects the physical and environmental characteristics of each site.
2. The proposed residential structures are substantially consistent with the standards and requirements of the San Juan Bautista Municipal Code and design guidelines.
3. The proposed residential structures are substantially consistent with the goals and policies of the 2035 General Plan and any applicable specific or community plans.
4. The proposed residential structures are compatible with the surrounding character of the community in terms of architecture design, materials and colors.
5. The proposed residential structures are located and configured on each site so as to be consistent and harmonious with the surrounding area.
6. The proposed residential structures incorporate the landscaping design that meets the provisions and guidelines of drought tolerant plants, trees and shrubbery and the City's mandatory drought regulations.
7. The proposed residential structures will not interfere with the use and enjoyment of neighboring homes and will promote the health, safety and welfare of the area.
8. The existing and proposed public facilities to accommodate the proposed residential structures, including sidewalks, street lights, fire hydrants, street and vehicular access, and sanitary sewer facilities, will be available to the sites.

9. That the project is consistent with the density of the zoning district to which it is located within.
10. That the proposed use is necessary or desirable in relation to the purposes and intent of the San Juan Bautista 2035 General Plan, the title, and the economic, social and environmental status of the city.
11. That the uses will be properly related to other uses and transportation facilities in the area, and will not cause undue environmental impact relating to noise, odor, pollution, etc., with the implementation of proper mitigation measures outlined in the environmental document.
12. That the uses will not adversely affect the health or safety of persons living or working in the vicinity, or be materially detrimental to the public welfare of the city and its residents.
13. That the mitigation measures, monitoring programs and conditions of approval for the project will result in the project having a less than significant impact on the environment.
14. That the project is consistent with the goals and objectives of the 2035 General Plan, to allow for urban development that is consistent and compatible to the surrounding areas and within the City's public service capabilities.
15. That the project is within the City's adopted sphere of influence, adjacent to existing city boundaries and has water, sewer, public utilities available to the property for orderly and continuous outward growth of urban development without significant extension of public utility services.
16. That the mitigation measures identified in the initial study and mitigated negative declaration report show that there is no substantial evidence, in light of the whole record before the Planning Commission, that the project may have a significant effect on the environment.
17. That the project, as agreed by the applicant, with the mitigation measures, monitoring programs and conditions of approval, would avoid effects or impacts to where there is no significant adverse effects to the environment of the surrounding area.
18. That the project is consistent with Policy LU 2.5.1: Development strategies to address the need for new housing as well as the need for rehabilitation and preservation of existing structures.
19. That the project is consistent with Policy LU 2.6.1: Reduce conflicts between incompatible land uses.
20. That the project is consistent with Objective LU 2.4: Increase the amount of infill development.
21. Policy LU 2.4.1: Facilitate vacant and other areas to accommodate development.
22. Goal LU 3: A compact small town with distinctive architecture.
23. Goal HO 1: An adequate housing supply that meets San Juan Bautista's needs.
24. Objective HO 1.1: Accommodate additional housing units by 2035 to fulfill regional housing needs assessment projected by San Benito Council of Governments.
25. Policy HO 1.1: Promote new housing production in targeted growth areas.
26. Objective HO 2.1.1.1: Permit secondary units, while educating the public about secondary units as an opportunity to provide additional affordable housing.
27. Objective HO 2.2: Accommodate new market rate housing units as housing needs arise.
28. Policy HO 2.2.1: Allow sufficient land and housing density to accommodate market rate housing growth targets and develop regulations that allow smaller size residential lots.

29. Goal HO 3: Respect for the character of San Juan Bautista
30. Objective HO 3.1: Promote housing that fits with the City's architectural character.
31. Goal CO 1: Growth and development balanced with environmental equality.
32. Program CO 1.2.2.1: Underutilized or vacant lands should be given priority for development.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of San Juan Bautista hereby approves the site and design review permit in accordance with Section 11-18-030 of the Municipal Code for the three floor plans with variations of architectural front elevations, depths, and widths together with a floor plan for reserved secondary rental units within the Copperleaf Subdivision. The reserved secondary units will conform to SJBMC Section 11-09-400 (B) (1), (2), (4), (5). Approval of the site and design review permit is subject to the conditions of approval for the subdivision and the requirement per SJBMC Section 11-09-400 (4) & (5) "Deed Restriction" for secondary reserve rental units.

CONDITIONS OF APPROVAL

1. The applicant shall dedicate, improve and guarantee by bond the following streets, roads or cul-de-sac as shown upon the approved vested tentative map labeled Tentative Map for Copperleaf Subdivision, including but not limited to concrete curbs, gutters, sidewalks, aggregate base, asphalt street surfacing, sewer mains and laterals, water mains and water service laterals, underground electrical, telephone, cable TV conforming to City of San Juan Bautista Standard specification.
 - a. Street Copperleaf Lane
 - b. Street Cedar Court
 - c. Street Cypress Lane
2. The applicant shall improve and guarantee by bond the half street improvements along San Juan-Hollister Road including but not limited to concrete curbs, gutters, sidewalk, sewer mains, manhole, water valves, fire hydrants, underground electrical, telephone, cable TV, asphalt surfacing, aggregate base, pavement centerline stripping, bike lane striping, street name signs, architectural fence, low shrubbery landscaping and drip irrigation system. The improvements shall extend from Lot 1 to the easterly end of the curb, gutter and sidewalk of the Hacienda de Leal motel. Provisions shall be made for one 16' wide concrete driveway to lot C.
3. The applicant shall enter into a Subdivision Agreement and post a faithful performance bond, labor and materials bond guaranteeing construction all improvements within the subdivision.
4. The applicant shall submit a grading, erosion control and storm water pollution prevention plan (SWPPP) for all earthwork and grading activities proposed for the subdivision.
5. The applicant shall obtain an encroachment permit for all improvement in the San Juan-Hollister, Road.
6. The applicant shall enter into an indemnification and hold harmless agreement with the City of San Juan Bautista for the approval of the subdivision.

7. The applicant shall submit a geotechnical soils report for the subdivision with recommendations for the structural sections of street improvements, foundation design standards for building and structures and recommendation for field testing, inspections and compaction standards.
8. The applicant shall submit an archaeological report to the City prior to approval of the tentative map.
9. The applicant shall submit a drainage report to the City showing the on-site storm water drainage system, retention capacity and application for the submittal of a Conditional letter of map amendment (CLOMA) to Federal Emergency Management Agency.
10. The applicant shall install fire hydrants within the subdivision. The location shall be determined by the City Engineer.
11. The applicant shall relocate and underground the electrical distribution line running across lots 7, 8, 11 and 12 to a location as determine in the final improvement plans and coordination with the utility company.
12. The applicant shall install an architectural sound wall, similar to the existing sound wall on State Route 156, along the rear lots of 10 through 23 and extended along the open space "A" for 220 feet. Also an architectural side yard fence along San Juan-Hollister Road of lots 27, 28, 36, 37, 45, and 1. A fence shall be constructed along the west property line of lot 9, 10 and Lot C.
13. The applicant shall extend the street improvements to the east boundary of the subdivision, provide finish rough grade to lot B and the 28 feet wide maintenance driveway to Lot A. The applicant shall dedicate to the City a 100'x100 lot designated lot B and participate in a fair share portion of the cost to install a domestic well meeting the City Standards together with electrical service, fencing and security night lighting. The applicant shall upon approval from the state and activation of the new well on lot B, remove and demolition of well no. 2 in accordance with state well standards.
14. The applicant shall submit improvement plans and construct a storm drainage retention pond for all surface runoff water from the subdivision.
The storm drainage retention pond shall be designed with multiple elevation levels. The pond shall have a perimeter fence with access gates or entrance which restrict pedestrian and maintenance equipment access during heavy rainy periods.
15. The applicant shall submit a traffic report to the City identifying traffic volumes, patterns, pedestrian traffic, together with mitigations measures to address impacts to the vehicular and pedestrian traffic at the intersection of The Alameda and State highway 156.
16. The applicant shall install street lights within the subdivision that conform to the City adopted dark sky ordinance. Location shall be determined by the City in coordination with the utility company.
17. The applicant shall submit plans to Caltrans for the installation of pedestrian push button signal facilities on existing signal poles situated on the east side of the intersection and install a painted pedestrian cross walk across State Highway 156 on the east side of the intersection from the south side to north side of the Alameda.
18. The applicant shall participate in fair share cost for the construction of a deceleration right turn lane and an east bound right turn overlap signal phase at the intersection of State Highway 156 in accordance with the recommendation of the traffic study report from Hatch Mott McDonald.

19. The applicant shall as part of the Subdivision Agreement, noted in condition 3 above, pay a subdivision improvement plan check fee of 1.5% and improvement plan inspection fee of 2% of the improvements cost identified in the subdivision agreement. The inspection fees shall be use for on-site inspection services to the subdivision during construction.
20. The applicant shall submit to the City a Site and Design Review Permit application for all homes and secondary rental units proposed. The application shall consist of a site plan showing all setbacks and property line dimensions, floor plans with square footage calculations, exterior elevation of all four sides, a landscaping and irrigation plan showing the drought resistant plants, turf areas not exceeding 25% of the front yard area and a layout or schematic of the drip irrigation systems.
21. The applicant shall obtain a building permit for each home and pay building permit fee, plan check fee, electrical permit fee, plumbing permit fee, mechanical permit fee, fire sprinkler permit fee, strong motion instrumentation fee, green fee, water connection fee when allowed by the State, sewer connection fee, traffic impact fee, public safety development fee, park development fee, storm drainage development fee, library development fee and public/civic facilities development fees for each dwelling permit issued. The applicant may elect to use three or four base model plans for the building permit plan check fees and the City will establish credit to each subsequent building permit issuing the same floor plans and structural improvements.
22. The applicant shall install a domestic water and fire sprinkler service to each home with a water utility box conforming to the city's standard plan B3-3. A separate ball valve or equal shall be install behind each water service box.
23. The applicant shall form and implement a landscaping and lighting district for the subdivision to maintain the landscaping and electrical costs for the street lights. The internal street light standard shall be similar to those in the down town area.
24. The applicant shall form a Community Maintenance Service District for the continual maintenance, repair of streets, storm drain facilities, park facilities and street sweeping.
25. The applicant shall install all street lighting equipped with LED fixtures within the subdivision. Location shall be determined by the City Engineer in coordination with the utility company.
26. The applicant shall contribute a fair share contribution, not exceeding 15% of the cost of a roundabout improvement project at the intersection of The Alameda and San Juan-Hollister Road.
27. The applicant shall install a small community park with walkways, benches, picnic tables, drought tolerant landscaping, trees, and turf area and irrigation facilities at the northwest quadrant of lot A.
28. Mail service for all resident of the subdivision shall be picked up at the Post Office, located in the Windmill Market complex, unless deemed otherwise by the San Juan Bautista Post Office Manager. If postal service is provided to the subdivision, group cluster drop-off boxes shall be provided at locations throughout the subdivision.
29. The applicant shall construct a school bus stop area within the subdivision within the vicinity of Lot A, or as determined by the School District. Bus services will be provided by the Aromas-San Juan School District.
30. The applicant shall submit to the Planning Commission an application for all temporary on-site sales signs and one off- premises sign for marketing and sales purposes.

31. The applicant shall allow construction activities within the subdivision to hours between 7:30 A.M. to 6:00 P.M. Monday through Friday and 8:30 A.M. to 5:30 P.M. on Saturdays. No construction shall be allowed on Sundays and State or Federal Holidays.
32. The applicant shall restrict all loud noises, vibratory equipment, trucks backup devices, and gas powered compaction tools to hours between 8:30 A.M. to 4:00 P.M. during the permitted days of the week for construction. No construction on Sundays and State or Federal Holidays unless it is done within a closed building or structure.
33. The applicant shall have the following note placed on all construction drawings and plans. "If prehistoric archaeological resources or human remains are unexpectedly discovered during construction, work shall be halted within 10 meters (25 feet) of the find until it can be evaluated by a qualified professional archeologist. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented."
34. The applicant shall obtain all rights of way and easements required and necessary for the construction and completion of the Copperleaf subdivision.
35. The applicant shall submit to the City and San Benito County Environmental Health a hazardous waste management plan together with emergency contact information.
36. The applicant shall submit to the City a solid waste disposal plan for all solid waste material disposed of from the project site.
37. The applicant shall submit a copy of the permit from the Monterey Bay Area Air Pollution Control District if required.
38. The applicant shall install a separate water service lateral to each lot for a fire sprinkler system and potable water. The services shall conform to the City standards. Separate water, electrical and telephone services shall be to each secondary unit constructed.
39. A note shall be placed upon all improvement plans for all grading, excavation and embankment during high wind periods shall cease. The City Planning Department or building inspector shall contact the contractor when construction activities shall cease due to high winds.
40. Prior to final occupancy of the residential structures, a final building inspection shall be performed by the City.
41. Prior to issuance of a building permit, school impact fee shall be paid to the Aromas-San Juan school District. Confirmation of the payment shall be submitted to the City.
42. The applicant shall restrict the number of two story structure built on each street frontage to no more than seventy (70%). The roof line shall vary in style, roof pitch, design, color and type of roof material. All structures within the subdivision shall incorporate a drought tolerant landscaping, drip irrigation systems and have a least one street tree within the lot frontage of each house. Turf area shall be minimized to the best practices.
43. The applicant shall submit the final map of the phases to be recorded if applicable together with all the necessary documentation, recording fees, subdivisions guarantees, tax clearance letter, executed subdivision agreement,
44. All residential homes shall be constructed and designed for future solar conversions.
45. The applicant shall submit to the City a copy of the P.G. & E utility underground electrical, telephone, gas and communication plans for the subdivision.
46. The applicant shall provide sound reduction-type windows on the rear of all homes of lots 10 through 23 backing up on State Highway Route 156.

47. The applicant, in accordance with assessment findings in the WSA, Inc. Cultural Resources Assessment Report dated October 2015, shall remove the old barn, cabin and modern outbuilding situated on lot 9.

PASSED AND ADOPTED by the Planning Commission of the City of San Juan Bautista on this 7th day of March 2017 by the following vote.

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

John Hopper, Chairperson

Trish Paetz, Deputy City Clerk

CITY OF SAN JUAN BAUTISTA

PLANNING COMMISSION

STAFF REPORT

DATE: March 7th, 2017

SUBJECT: Site and Design Review – 1114A & B Third Street

Applicant: Manuel & Mary Lopez

General Plan: Medium Density Residential

Zoning: R-2 Medium Density Residential

Assessor Parcel No.: 002-026-046

Size: 0.1607 Acres

Existing Land Use: Vacant

Environmental Review: Under Section 15332 "Infill Development Project" (a) thru (e) the project is categorical exempt from CEQA guidelines.

Details: The applicant is requesting site and design review approval for a two story duplex situated on the vacant parcel at 1114 Third Street. The existing 0.1607 acre parcel was created by a minor land division on August 8th, 2006 by the Planning Commission. The minor subdivision fulfilled the conditions of approval by installing street improvements along Third Street including but not limited to curbs, gutters, sidewalks, pavement widening, water meters, fire hydrant and a driveway. The parcel proposed for the duplex has sat vacant since the parcel was created and last year the property owner constructed a stucco fence along the Third Street frontage of the property. In addition, the property owner constructed a retaining wall along the common property line between parcel 1 and 2. (See attached assessor parcel map.)

The proposed duplex conforms to the setbacks, height restrictions and lot coverage. The parcel is an R-2 zoning district, which allows multiple family housing. The exterior architecture features stucco siding with tile roofing. Landscaping in the front yard is drought tolerant shrubbery and plants. Drip irrigation is proposed throughout. There is no lawn or turf areas proposed.

Action Required:

1. Verify posting and notices of public hearing
2. Open the Public Hearing
3. Receive staff report and supporting documents
4. Receive written comments, e-mail communication, oral testimony and public input.
5. Close the public hearing
6. Commission to discuss the project
7. Based upon your independent review and judgment of the staff report, written comments, e-mail communication and oral testimony on the project, the Planning Commission take the following actions.
 - A. Adopt Resolution 2017-XX, A Resolution of the Planning Commission of the City of San Juan Bautista makes a determination a categorical exemption under Section 15332 of the California Environmental Quality Act.
 - B. Adopt Resolution 2017-XX, A Resolution of the Planning Commission of the City of San Juan Bautista approving Site and Design Review for Manual Lopez at 1114 Third Street, Project No. 2017-101. (Assessor Parcel No. 002-26-046) with conditions of approval outlined in attached Exhibit "A", mitigation measures outlined in Exhibit "B" and mitigation monitoring program outlined in Exhibit "C".

EXHIBIT "A"

Conditions of Approval

1. The applicant shall submit final building plans to the building department, conforming to the City of San Juan Bautista building code and other code compliances required.
2. The applicant shall obtain an encroachment permit for all work performed in the public right of way on Church Street.
3. The applicant shall enter into a hold harmless agreement with the City of San Juan Bautista.
4. The applicant shall extend water services to each apartment in the project, conforming to City of San Juan Bautista Standards B 3-3.
5. The applicant shall extend sanitary sewer services to each apartment.
6. The applicant shall install a standard driveway to each apartment conforming to City of San Juan Bautista Standards A-7.
7. The applicant shall underground electrical and communication services to each apartment within the project.
8. The applicant shall construct and install handicap sidewalks ramp on the frontage of Third Street to align with the proposed round about pavement striping plans.
9. The applicant shall install a storm drainage system that meets the Storm Water Pollution Prevention Plan Guidelines, and discharge the storm runoff water to the nearest storm water facility.
10. The applicant shall install landscaping for each apartment as shown on the approved site and design plans. The landscaping plans reflecting a maximum of 25% of front yard to be lawn or turf area. All irrigation system shall be drip irrigation for all planted areas and semi-arid drought resistant plants, trees and shrubs.

11. The applicant shall install fire sprinkler systems in both structures.
12. The applicant shall restrict loud noises, vibratory equipment, truck backup devices and gas powered compaction tools utilized on the project site. Hours of construction shall be limited from 7:30 A.M. to 5:00 P.M. Monday through Friday and 8:30A.M. to 5:00 P.M. Saturday. No construction work shall be allowed on Sunday and holidays unless it is within a confined building where all noises are contained inside the building.
13. The applicant shall pay the school impact fees prior to receiving a building permit from the City of San Juan Bautista.
14. The applicant shall pay the City development impact, building, electrical, plumbing, mechanical, green, and strong motion fees prior to receiving building permits for all structures within the project.
15. The applicant will design and construct each building to be solar ready.
16. The applicant shall cause the existing guy wire to be relocated or removed in accordance with P G & E requirements.
17. The applicant shall remove the existing fence along the property line of Third Street at each driveway for a minimum width of 22 feet.

EXHIBIT "B"

MITIGATION MEASURES

MM-1 Landscaping Plan for front yards of each lot to use drought resistant plants, drip irrigation system, minimum one tree along street frontage or within front yard and maximum of 25% of front yard as turf or lawn area.

MM-2 Wood burning fireplace shall be prohibited on all units within the project boundaries.

MM-3 Erosion control for project shall be implemented to prevent soil erosion during grading operation and construction activities between the months of October through April.

MM-4 Unidentified Cultural Resources: During the grading and earth moving operation, a note shall be placed on all construction documents and all personnel operating equipment shall be informed of the responsibility to halt all work if pre- historic evidence is discovered. If pre-historic evidence is discovered, the applicant shall notify the City immediately.

MM-5 Seismic Hazards: All structures within the project shall be designed to the latest seismic standard of the California Building Codes.

MM-6 A foundation report from the design engineer or architect shall be submitted for the project demonstrating the foundation system conforms to the building codes for compaction, expansive soils and foundation soil bearing pressures of the two apartment structures within the project. In lieu of the foundation report, the applicant may certify the soil bearing pressure of the foundation load bearing elements is less than 1,000 pound per square feet.

MM-7 Construction Noise and Vibration: Hours shall be restricted for all construction activities that produce noise and vibrations as noted in condition no. 12 of the conditions of approval.

MM-8 A storm drain system will be install to meet the SWPPP guidelines and inspected by the City of San Juan Bautista.

MM-9 All grading and earth moving work shall halt during high wind periods. Contractor shall apply water to all areas subject to dust or air borne disturbance.

EXHIBIT “C”

MITIGATION MONITORING AND REPORTING

Mitigation Measure	Implementation Responsibility	Monitoring Responsibility
MM-1	Project Site Developer	City Planning and Building Department Personnel (831) 623-4661 Ext. 11 or 14
MM-2	Project Designer or Site Developer	City Planning and Building Department Personnel (831) 623-4661 Ext. 11 or 14
MM-3	Project Site Developer	City Planning and Building Department Personnel (831) 623-4661 Ext. 11 or 14
MM-4	Site Contractor or Developer	City Planning and Building Department Personnel
MM-5	Project Designer, Architect or Engineer.	Building Inspector City Engineer (831) 623-4661 Ext. 14
MM-6	Project Site Designer and or Developer.	City Building Inspector
MM-7	Project Site Developer and Contractor.	City Building Inspector
MM-8	Project Site Developer	Project Engineer and City Engineer
MM-9	Project Site Contractor	City Building Inspector and Project Site Contractor

February 28, 2017

San Juan Bautista City Hall
Attn: Planning Commission
311 Second Street
San Juan Bautista, CA 95045

SITE AND DESIGN REVIEW FOR 1114 THIRD STREET (APN 002-260-046)

To The San Juan Bautista Planning Commission:

My wife and I would like to bring to your attention some concerns we have regarding the proposed two story duplex that is being planned for the lot immediately adjacent to our home. Please reference the items below and attached supporting documents.

- Referencing Title 11 Chapter 11-02 of the Municipal Code.
 - The intent of the residential (R) zoning districts is to:
 - (5) Protect adjoining lower density residential districts from excessive noise or loss of sun, light, quiet, and privacy resulting from proximity to multiple-family dwellings;

This portion of the municipal code addresses a large part of our concern. We live in a low density neighborhood adjacent to a medium density lot and hope that the above protections can be considered. Building a two story duplex only 7 feet from the shared fence line will have the structure looming over our fence, providing the housing unit with unobstructed views into our backyard and all of our south facing windows, thus removing any semblance of privacy we currently have. It will reduce our sun, hinder our plants and provide increased noise generated by squeezing a multi-family dwelling into the limited space.

The upcoming project, Hillside Vistas, across the street from this location is also designed as low density and the east side of the lot in question is also a single family home. This would be a two story duplex surrounded on all sides by single family homes and will negatively affect all of the homes surrounding it and soon to be built across from it.

- Referencing Title 11 Chapter 01-030 of the Municipal Code.
 - The purpose of this Title is to protect and to promote the public health, safety, peace, comfort, convenience, and general welfare. More specifically, this Title is adopted in order to achieve the following objectives:
 - (E) To promote a safe, effective traffic circulation system.
 - (F) To foster the provision of adequate off-street parking and off-street loading facilities.

Another potential issue pertains to the parking study that was done for the development planned for the south side of Third Street did not take into account the loss of street parking and

additional usage from these proposed additional residences. Any parking overflow will go down Donner Street as traffic from Third Street is already backing up to this location. Another parking study would need to be completed to factor in the additional load to identify any issues that may arise, for instance, the additional guest parking required which would be another ½ space per unit per 11-11-150-B-7 of the municipal code.

- Referencing Title 11 Chapter 18-040 of the Municipal Code
 - The following findings are required for approval of a site plan and design review permit:
(E) 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.

This 2 story structure would be approximately 12ft from our single story home thereby dominating our home, blocking the view out of our main living spaces. We also intend to have solar panels installed on the roof in the near future, this structure would likely shade the portion of the roof where the panels would reside.

There are existing issues and code violations from this builder regarding his adjacent lot which should be addressed prior to approving any additional construction.

- The concrete wall that was built surrounding the property encroaches on a fire hydrant, breaking fire code.
- A telco utility box is enclosed on 3 sides by this wall allowing no access.
- Along most of our shared fence line the builder doubled up and built that wall adjacent to our fence line, leaving no space between them to be able to clear debris or perform any maintenance on the outside of our fence.
- If city vehicles need access for any reason to the easements in our backyard for the storm drainage manholes and pipes the only path is through a solid concrete wall due the way it was built.

In conclusion, we understand the desire to build and expand on this property but believe that a two story, multi family dwelling in this location is too much to ask of the surrounding homes and planned development of the area. A single story structure would be far less obtrusive to the surrounding properties as well as generating less load on the parking situation.

While reviewing this project, we ask that you take a moment to consider that if this was your neighborhood would you feel these codes and intents should be upheld?

Thanks in advance for taking this into consideration as you evaluate this project.

Regards,

Shawn and Lindsey Collins
1 Donner St

San Juan Bautista, CA 95045

FLOOR PLAN NOTES

- [illegible]

WALL TYPES

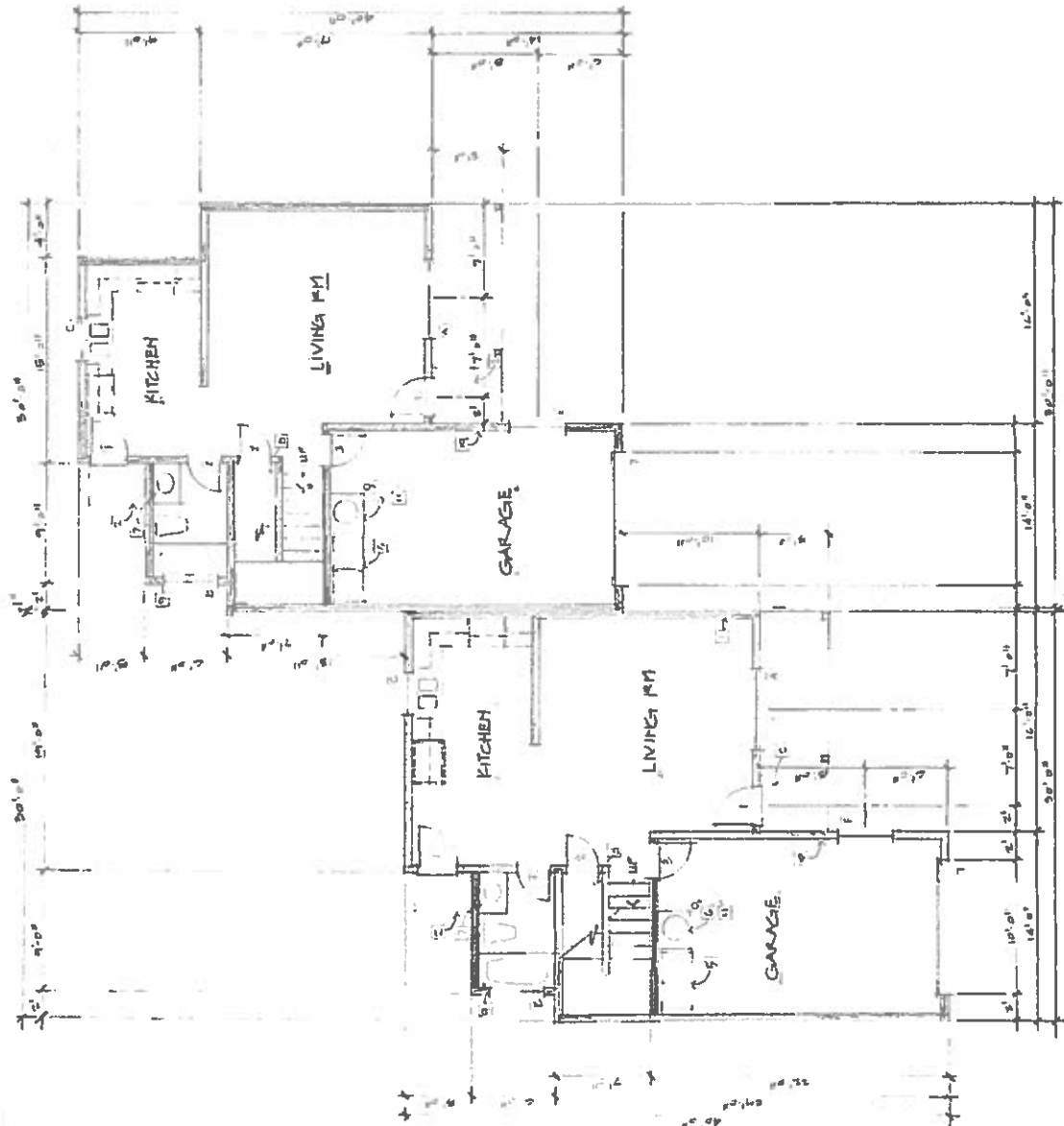
- 180 STUDENT 15-02

DOOR SCHEDULE

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2	3000	SC	00	64000000
3	3000	SC	00	64000000
4	3000	SC	00	64000000
5	3000	SC	00	64000000
6	3000	SC	00	64000000
7	3000	SC	00	64000000

WINDOW SCHEDULE

SPIN	SIZE	TYPE	LOCATION	PRICE	REMARKS
A	3000	1.6.12	4.0	25	VERY FINE
B	4000	2.0.13	4.0	20	VERY FINE
C	5000	2.4.15	4.0	25	VERY FINE
D	6000	2.8.15	4.0	25	VERY FINE
E	6000	3.2.15	2.2	25	VERY FINE



FLOOR PLAN

REV	DESCRIPTION	DATE
1		
2		
3		
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6		
7		
8		
9		
10		

WESLEY JAY BEEBE - ARCHITECT
 P.O. BOX 1743
 1045 CRYSTAL
 97930-1743 FAX (503) 385-0488

DATE	10/1/88
PROJECT	1045 CRYSTAL
CLIENT	1045 CRYSTAL
ARCHITECT	WESLEY JAY BEEBE - ARCHITECT
3	

FLOOR PLAN NOTES

1. SEE ALL OTHER WALLS
2. SEE ALL OTHER WALLS
3. SEE ALL OTHER WALLS
4. SEE ALL OTHER WALLS
5. SEE ALL OTHER WALLS
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WALL TYPES

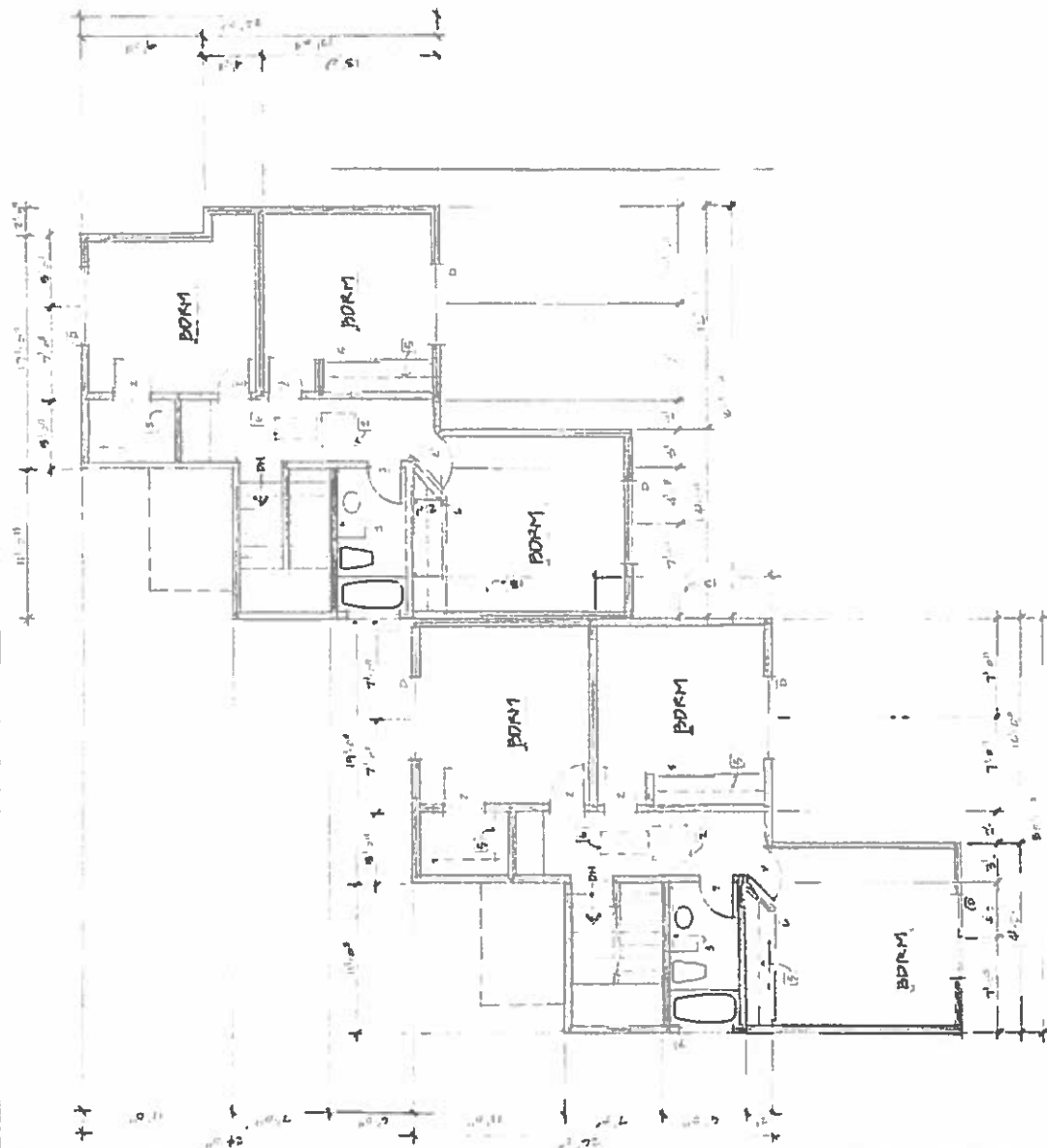
- 1. 1/2" TYPE @ 16" O.C.
- 2. 1/2" TYPE @ 16" O.C.

DOOR SCHEDULE

TYPE	SIZE	TYPE	THICKNESS
1	36" x 80"	1	1/2"
2	36" x 80"	2	1/2"
3	36" x 80"	3	1/2"
4	36" x 80"	4	1/2"
5	36" x 80"	5	1/2"
6	36" x 80"	6	1/2"
7	36" x 80"	7	1/2"
8	36" x 80"	8	1/2"
9	36" x 80"	9	1/2"
10	36" x 80"	10	1/2"

WINDOW SCHEDULE

TYPE	SIZE	TYPE	THICKNESS
1	36" x 80"	1	1/2"
2	36" x 80"	2	1/2"
3	36" x 80"	3	1/2"
4	36" x 80"	4	1/2"
5	36" x 80"	5	1/2"
6	36" x 80"	6	1/2"
7	36" x 80"	7	1/2"
8	36" x 80"	8	1/2"
9	36" x 80"	9	1/2"
10	36" x 80"	10	1/2"



UPPER FLOOR PLAN

REV:

DATE	
BY	
CHECKED	
DATE	
SCALE	
PROJECT	
4	

WESLEY JAY BEEBE - ARCHITECT

PO BOX 1743

1000 CRYSTAL

90920-1743 FAX (911) 365-0480

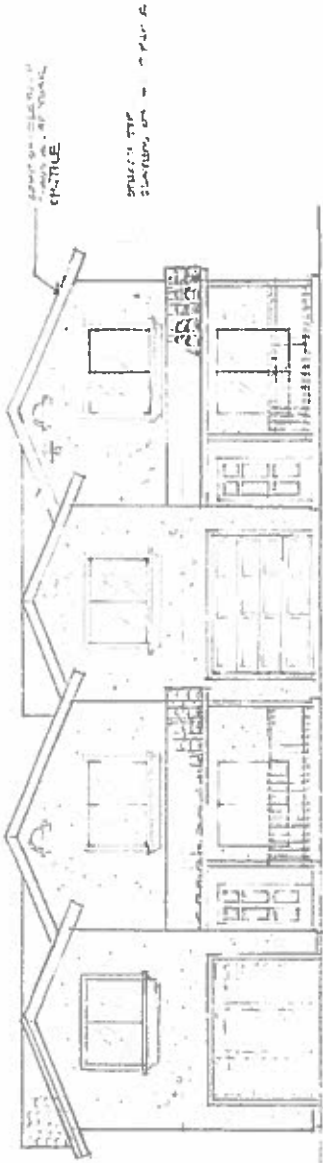


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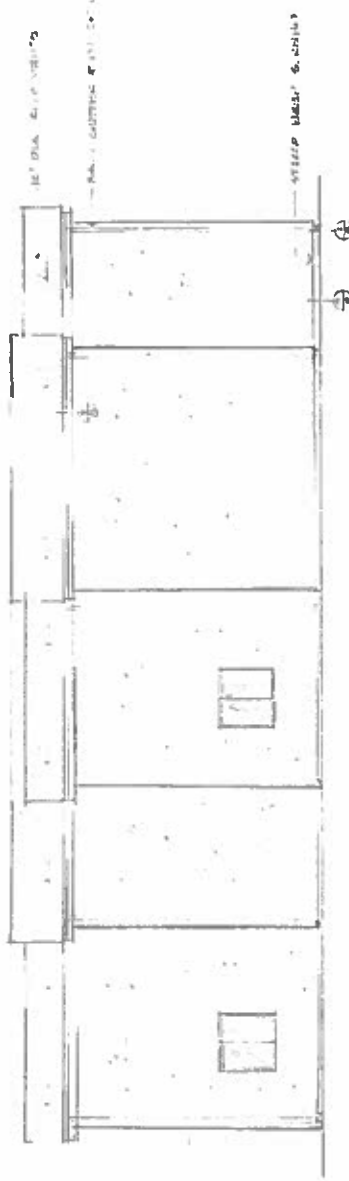
ATTIC VENTS

AREA VENTED 200 SQ. FT.
 VENT LOCATIONS 14 1/2" DIA. VENTS
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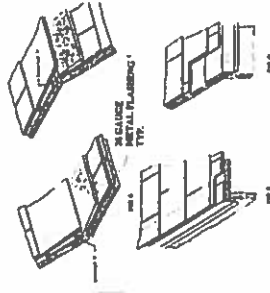
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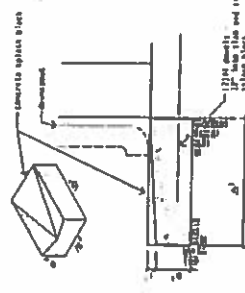
WEST ELEVATION



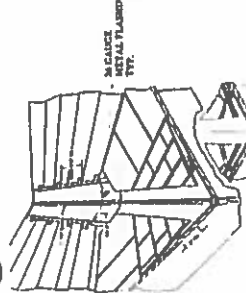
SOUTH ELEVATION



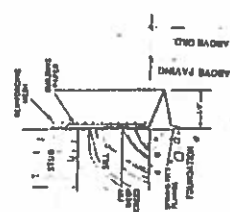
FLASHING AT ROOF



SPLASH BLOCK 1 1/2" x 1 1/2" x 3"



FLASHING



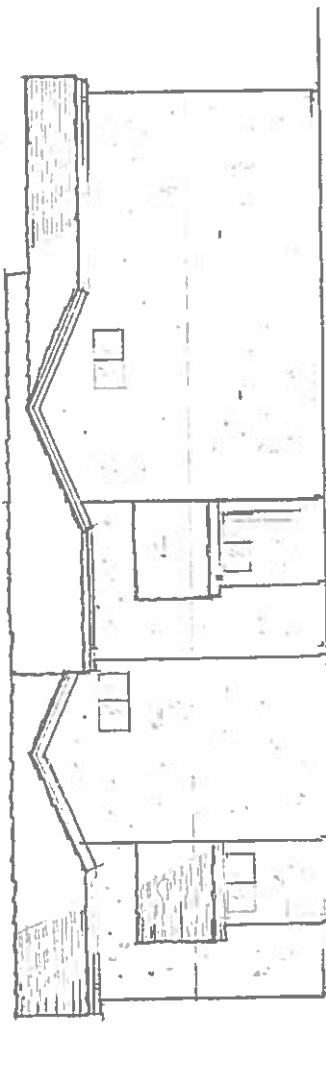
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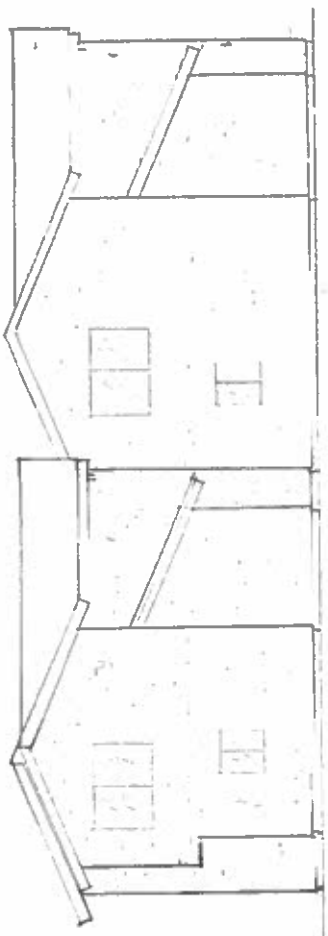
DATE	
BY	
CHECKED	
APPROVED	
REVISIONS	

WESLEY JAY BEEBE - ARCHITECT
PO BOX 1743
DANA POINT CA 92629-0810
TEL 949-365-0810 FAX 949-365-0880

NO.	DATE	DESCRIPTION
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NORTH ELEVATION



EAST ELEVATION

All Site and Design Review Documents
For the Manuel Lopez Project (SDR-2017-101)

Can be found at:

<http://www.san-juan-bautista.ca.us/planning/>

RESOLUTION 2017-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN JUAN BAUTISTA ADOPTING A STATUTORY AND CATEGORIAL EXEMPTION FOR SITE AND DESIGN REVIEW (SDR 2017-101) FOR A MULTIPLE FAMILY RESIDENTIAL TWO STORY DUPLEX UNIT AT 1114 THIRD STREET

WHEREAS, the Planning Commission received an application for Site and Design Review for construction of a two story multiple family residential duplex unit; and

WHEREAS, the Planning Commission received oral comments and public input and the staff report on March 7th, 2017 for the Site and Design Review Permit (SDR 2017-101); and

WHEREAS, the Planning Commission evaluated the site design, setbacks, floor plans, exterior elevations, architectural style and mass in relationship to the surrounding area and the design guidelines of the City, and

WHEREAS, based upon the whole record before the Planning Commission and in light of the proposed two story duplex residential unit situated at 1114 Third Street, the Planning Commission determined that the project is Statutory and Categorical exempt under CEQA guidelines Section 15268 and 15332. And make the following findings.

1. The project is consistent with the 2035 General Plan designation and polices as well as zoning designation and regulations.
2. The project is consistent with the standards and requirements of the San Juan Bautista Municipal Code
3. The proposed project occurs within the City limits of San Juan Bautista and the project site is not more than five acres in size and is substantially surrounded by urban uses.
4. The project site has no value as habitat for endangered, rare or threatened species.
5. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
6. The site can be adequately served by all municipal utilities and public services.
7. The site and design review of the duplex project is a ministerial action for determining compliance with site layout, setbacks, heights, lot coverage and exterior architectural style, landscaping, water conservation irrigation systems and compatibility with the surrounding character of adjacent housing for issuance of a building permit which will conform to the existing zoning regulations and design guidelines.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of San Juan Bautista hereby approves the Statutory and Categorical Exemption of CEQA guidelines for a Site and Design Review Permit of two story multiple family residential duplex unit at 1114 Third Street with conditions of approval and mitigation measures

PASSED AND ADOPTED by the Planning Commission of the City of San Juan Bautista on this 7th day of March, 2017 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chairperson John Hopper

ATTEST:

Trish Paetz, Deputy City Clerk

RESOLUTION 2017-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN JUAN BAUTISTA APPROVING SITE AND DESIGN REVIEW PERMIT FOR A DUPLEX RESIDENTIAL HOMES AT 1114 THIRD STREET (SDR 2017-101) MANUEL LOPEZ (APN 002-260-046)

WHEREAS, the Planning Commission conducted a public hearing on February 7th, 2017 to consider approval of a Site and Design Review Permit for duplex residential house at 1114 Third Street, and

WHEREAS, the Planning Commission reviewed the application, received oral testimony, public input and a staff report for the project to construct a multiple family residential housing unit consisting of a two story duplex at 1114 Third Street, and

WHEREAS, upon reviewing the proposed building plans, site layout of the structures, setbacks, exterior elevations, site drainage, conceptual landscaping plan, architectural style, style of the homes in relationship to the surrounding area and the proposed conditions of approval to mitigate the impacts to the project to the area, the Planning Commission determines that the project is Statutory exempt under Section 15268 "Ministerial Project" and Categorical exempt under Section 15332 "Infill Development Project".

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of San Bautista approves the Site and Design Review for project SDR 2017-101 for the two story (duplex) multiple family residential structure at 1114 Third Street, subject to the following findings and conditions, mitigation measures, monitoring reporting programs.

FINDINGS

1. The project is consistent with the 2035 General Plan designation and polices as well as zoning designation and regulations.
2. The project is consistent with the standards and requirements of the San Juan Bautista Municipal Code
3. The proposed project occurs within the City limits of San Juan Bautista and the project site is not more than five acres in size and is substantially surrounded by urban uses.
4. The project site has no value as habitat for endangered, rare or threatened species.
5. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
6. The site can be adequately served by all municipal utilities and public services.
7. The site and design review of the duplex project is a ministerial action under CEQA for determining compliance with site layout, setbacks, heights, lot coverage and exterior architectural style, landscaping, water conservation irrigation systems and compatibility with the surrounding character of adjacent housing to which the issuance of a

building permit will conform to the existing zoning regulations and design guidelines of the municipal code.

CONDITIONS OF APPROVAL

1. The applicant shall submit final building plans to the building department, conforming to the City of San Juan Bautista building code and other code compliances required.
2. The applicant shall obtain an encroachment permit for all work performed in the public right of way on Church Street.
3. The applicant shall enter into a hold harmless agreement with the City of San Juan Bautista.
4. The applicant shall extend water services to each apartment in the project, conforming to City of San Juan Bautista Standards B 3-3.
5. The applicant shall extend sanitary sewer services to each apartment.
6. The applicant shall install a standard driveway to each apartment conforming to City of San Juan Bautista Standards A-7.
7. The applicant shall underground electrical and communication services to each apartment within the project.
8. The applicant shall construct and install handicap sidewalks ramp on the frontage of Third Street to align with the proposed round a bout pavement striping plans.
9. The applicant shall install a storm drainage system that meets the Storm Water Pollution Prevention Plan Regulations and Guidelines, and discharge the storm runoff water to the nearest storm water facility.
10. The applicant shall install landscaping for each apartment as shown on the approved site and design plans. The landscaping plans reflecting a maximum of 25% of front yard to be lawn or turf area. All irrigation system shall be drip irrigation for all planted areas and semi-arid drought resistant plants, trees and shrubs.
11. The applicant shall install fire sprinkler systems in both structures.
12. The applicant shall restrict loud noises, vibratory equipment, truck backup devices and gas powered compaction tools utilized on the project site. Hours of construction shall be limited from 7:30 A.M. to 5:00 P.M. Monday through Saturday. No construction work shall be allowed on Sunday and holidays unless it is within a confined building where all noises are contained inside the building.
13. The applicant shall pay the school impact fees prior to receiving a building permit from the City of San Juan Bautista.
14. The applicant shall pay the City development impact, building, electrical, plumbing, mechanical, green, and Strong Motion fees prior to receiving building permits for all structures within the project. .
15. The applicant will design each structure to be solar installation ready.
16. The applicant shall cause the existing guy wire to be removed or relocated in accordance with P G & E requirements.
17. The applicant shall remove the existing fence along the property line of Third Street at each driveway.

MITIGATION MEASURES

MM-1 Landscaping Plan for front yards of each lot to use drought resistant plants, drip irrigation system, minimum one tree along street frontage or within front yard and maximum of 25% of front yard as turf or lawn area.

MM-2 Wood burning fireplace shall be prohibited on all lots within the project boundaries.

MM-3 Erosion control for project shall be implemented to prevent soil erosion during grading operation and construction activities between the months of October through April.

MM-4 Unidentified Cultural Resources: During the grading and earth moving operation, a note shall be placed on all construction documents and all personnel operating equipment shall be informed of the responsibility to halt all work if pre- historic evidence is discovered.

MM-5 Seismic Hazards: All structures within the project shall be designed to the latest seismic standard of the California Building Codes.

MM-6 A foundation report from the design engineer or architect shall be submitted for the project demonstrating the foundation system conforms to the building codes for compaction, expansive soils and foundation soil bearing pressures of the two apartment structures within the project.

MM-7 Construction Noise and Vibration: Hours shall be restricted for all construction activities that produce noise and vibrations conforming to the conditions of approval.

MM-8 A storm drain system will be install to meet the SWPPP requirements.

MM-9 All grading and earth moving work shall halt during high wind periods. Contractor shall apply water to all areas subject to dust or air borne disturbance.

MITIGATION MONITORING AND REPORTING

Mitigation Measure	Implementation Responsibility	Monitoring Responsibility
MM-1	Project Site Developer	City Planning and Building Department Personnel (831) 623-4661 Ext. 14
MM-2	Project Designer or Site Developer	City Building Inspection Department
MM-3	Project Site Developer	City Planning and Building Department Personnel (831) 623-4661 Ext. 14
MM-4	Site Contractor or Developer	City Planning and Building Department Personnel
MM-5	Project Designer, Architect or Engineer.	Building Inspector City Engineer
MM-6	Project Site Designer and or Developer.	City Building Inspector

MM-7	Project Site Developer and Contractor.	City Building Inspector
MM-8	Project Site Developer	Project Private Engineer and City Engineer
MM-9	Project Site Contractor	City Building Inspector and Project Site Contractor

PASSED AND ADOPTED by the Planning Commission of the City of San Juan Bautista at a regular meeting held on the 7th day of February, 2017 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chairperson John Hopper

ATTEST:

Deputy City Clerk Trish Paetz

CITY OF SAN JUAN BAUTISTA

PLANNING COMMISSION

STAFF REPORT

DATE: March 7th, 2017

SUBJECT: Site and Design Review – 107 Third Street

Applicant: Greg and Christin Burda

Zoning: Mixed Use

Assessor Parcel No.: 002-021-004

Size: 3917.279 ft²

Existing Land Use: Mixed Use

Environmental Review: Under Section 15332 of the California Environmental Quality Act, "Infill Development Projects" (a) through (e), the project is Categorically Exempt.

Details: The property is located in the Mixed Use zone in the Historic District with commercial uses (Anza House and Jardines) on both sides on Third Street and a residential property behind it. The applicant is requesting site and design review approval for a restaurant and bar on the first floor with a two bedroom/two bathroom residential unit on the second floor. The proposed use would be a continuance of the previous use, which was an owner-occupied business.

Action Required:

1. Verify posting of notice of public hearing
2. Open the Public Hearing
3. Receive staff report and supporting documents
4. Receive written comments, e-mail communication, oral testimony and public input.
5. Close the public hearing
6. Commission to discuss the project
7. Based upon your independent review and judgment of the staff report, written comments, email communication, and oral testimony on the project, the Planning Commission should take the following actions.

- A. Adopt Resolution 2017-XX, A Resolution of the Planning Commission of the City of San Juan Bautista making a determination for a categorical exemption under Section 15332 of the California Environmental Quality Act.
- B. Adopt Resolution 2017-XX, A Resolution of the Planning Commission of the City of San Juan Bautista approving Site and Design Review for Greg and Christin Burda at 107 Third Street, Project No. 2017-31. (Assessor Parcel No. 002-021-004).

All Site and Design Review Documents
For the Burda Project (SDR 2017-31)

Can be found at:

<http://www.san-juan-bautista.ca.us/planning/>

RESOLUTION 2017-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN JUAN BAUTISTA MAKING A DETERMINATION FOR A CATEGORIAL EXEMPTION FOR SITE AND DESIGN REVIEW (SDR 2017-31) FOR A MIXED USE RESTAURANT, BAR, AND RESIDENTIAL UNIT AT 107 THIRD STREET

WHEREAS, the Planning Commission received an application for Site and Design Review for a restaurant, bar, and residential unit at 107 Third Street; and

WHEREAS, the Planning Commission received oral comments and public input and the staff report on March 7th, 2017 for the Site and Design Review Permit (SDR 2017-31); and

WHEREAS, the Historic Resources Board evaluated the application materials and found that the project met the requirements of Section 15332, "In-Fill Development Projects", of the California Environmental Quality Act and recommended that the Planning Commission adopt a resolution making a determination for a categorical exemption, and

WHEREAS, the Historic Resources Board evaluated the site design, setbacks, floor plans, exterior elevations, architectural style, and mass in relationship to the surrounding area and the design guidelines of the City and recommended that the Planning Commission adopt a resolution approving Site and Design Review for 107 Third Street, Project No. 2017-31 (APN 002-021-004), and

WHEREAS, the Planning Commission evaluated the site design, setbacks, floor plans, exterior elevations, architectural style, and mass in relationship to the surrounding area and the design guidelines of the City, and

WHEREAS, based upon the whole record before the Planning Commission and in light of the proposed restaurant, bar, and residential unit situated at 107 Third Street, the Planning Commission determined that the project is Categorically Exempt under CEQA guidelines Section 15332 and made the following findings.

1. The project is consistent with the 2035 General Plan designation and polices as well as zoning designation and regulations.
2. The proposed project occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
3. The project site has no value as habitat for endangered, rare, or threatened species.
4. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

5. The site can be adequately served by all municipal utilities and public services.
6. The project is consistent with the standards and requirements of the San Juan Bautista Municipal Code.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of San Juan Bautista hereby approves the Categorical Exemption of CEQA guidelines for a Site and Design Review Permit (SDR 2017-31) for a restaurant, bar, and residential unit at 107 Third Street.

PASSED AND ADOPTED by the Planning Commission of the City of San Juan Bautista on this 7th day of March, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chairperson John Hopper

ATTEST:

Trish Paetz, Deputy City Clerk

RESOLUTION 2017-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN JUAN BAUTISTA APPROVING A SITE AND DESIGN REVIEW PERMIT FOR A RESTAURANT, BAR, AND RESIDENTIAL UNIT AT 107 THIRD STREET (SDR 2017-31) GREG AND CHRISTIN BURDA (APN 002-021-004)

WHEREAS, the Historic Resources Board conducted a public hearing on March 7th, 2017, to consider approval of a Site and Design Review Permit for a restaurant, bar, and residential unit at 107 Third Street, and

WHEREAS, the Historic Resources Board reviewed the application, received oral testimony, public input, and a staff report for the project consisting of a restaurant, bar, and residential housing unit at 107 Third Street, and

WHEREAS, the Planning Commission received a recommendation from the Historic Resources Board that they adopt a resolution making a determination for a Categorical Exemption reviewed the application, received oral testimony, public input, and a staff report for the project consisting of a restaurant, bar, and residential housing unit at 107 Third Street, and

WHEREAS, the Planning Commission received a recommendation from the Historic Resources Board that they adopt a resolution approving a Site and Design Review Permit for a restaurant, bar, and residential housing unit at 107 Third Street, and

WHEREAS, the Planning Commission conducted a public hearing on March 7th, 2017, to consider approval of a Site and Design Review Permit for a restaurant, bar, and residential unit at 107 Third Street, and

WHEREAS, the Planning Commission, upon reviewing the proposed building plans, site layout of the structures, setbacks, exterior elevations, site drainage, conceptual landscaping plan, architectural style, and style of the project in relationship to the surrounding area, determined that the project is Categorically Exempt under Section 15332 "Infill Development Project" of the California Environmental Quality Act, and

WHEREAS, upon reviewing the proposed building plans, site layout of the structures, setbacks, exterior elevations, site drainage, conceptual landscaping plan, architectural style, and style of the project in relationship to the surrounding area, the Planning Commission found that the project meets all of the Site and Design Review requirements in Section 11-18 of the San Juan Bautista Municipal Code and the City of San Juan Bautista Design Guidelines,

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of San Bautista approves the Site and Design Review for project SDR 2017-31 for the restaurant, bar, and residential unit at 107 Third Street.

PASSED AND ADOPTED by the Planning Commission of the City of San Juan Bautista on this 7th day of March 2017 by the following vote.

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

John Hopper, Chairperson

Trish Paetz, Deputy City Clerk

CITY OF SAN JUAN BAUTISTA

PLANNING COMMISSION

STAFF REPORT

DATE: March 7th, 2017

SUBJECT: Consider Amendment of SJBMC Section 10-20540 (C)

DISCUSSION: During the consideration of a recent appeal, an inconsistency was discovered between the appeal periods of the San Juan Bautista Municipal Code (SJBMC) and the Subdivision Map Act. Section 10-2-540(c) of the SJBMC states:

*Within **fifteen calendar days** after action, the subdivider or any interested person may appeal any action of the Planning Commission to the City Council. Appeals to the City Council shall be submitted in writing to the City Clerk. Said appeals shall reference the tentative map number and shall state fully the nature and extent of the appeal and the reason why it is taken. Such appeal and the hearing thereon shall be conducted in the manner provided by Government Code Section 66452.5(a) and (b) and subsection (D) of this section.*

The Subdivision Map Act, however, which is the part of the California Government Code pertaining to subdivisions (and the section called out specifically in the SJBMC section cited above), in Section 66452.5(a) states:

The subdivider, or any tenant of the subject property, in the case of a proposed conversion of residential real property to a condominium project, community apartment project, or stock cooperative project, may appeal from any action of the advisory agency with respect to a tentative map to the appeal board established by local ordinance or, if none, to the legislative body.

*The appeal shall be filed with the clerk of the appeal board, or if there is none, with the clerk of the legislative body within **10 days** after the action of the advisory agency from which the appeal is being taken. Upon the filing of an appeal, the appeal board or legislative body shall set the matter for hearing. The hearing shall be*

held within 30 days after the date of filing the appeal. Within 10 days following the conclusion of the hearing, the appeal board or legislative body shall render its decision on the appeal.

The conflict caused by the inconsistency between what is stated in SJBMC Section 10-2-540(c) and what is stated in Government Code Section 66452.5(a) presents a problem for the planning and administrative staff when handling appeals because the authority of the California Government Code supersedes that of the San Juan Bautista Municipal Code. The two sections should be consistent in the application of the number of calendar days during which an appeal can be filed. 10 days is the most commonly used appeal period in the SJBMC (see table below), and it is also consistent with the stated appeal period in Government Code Section 66452.5(a).

City of San Juan Bautista Municipal Code - Appeal Periods			
Chapter #	Chapter Title	Section #	Appeal Period (Days)
Chapter 3-3	Business Licenses	3-3-530	10
Chapter 3-4	Transient Occupancy Tax	3-4-235	15
Chapter 5-6	Weed Abatement	5-6-135	10
Chapter 5-7	Animal Regulation	5-7-330	5
Chapter 5-9	Uniform Wastewater Regulation	5-9-900	10
Chapter 5-22	Dilapidated Buildings	5-22-120	30 (court action)
Chapter 5-26	Spray Paint and Graffiti	5-26-175	10
Chapter 5-29	Massage Establishments and Massage Services	5-29-335	2
Chapter 7-8	Encroachments	7-8-605	None
Chapter 9-1	Abandoned, Wrecked, Dismantled or Inoperative Vehicles	9-1-150	5
Chapter 10-2	Subdivisions	10-2-540	15
Chapter 11-6	Historic Resources Preservation	11-6-160	5
Chapter 11-25	Appeals	11-25-030	10
Chapter 12-1	Flood Hazard Prevention	12-1-535	10

RECOMMENDATION:

To make the San Juan Bautista Municipal Code consistent with the California Government Code, staff is recommending the Planning Commission recommend to City Council that San Juan Bautista Municipal Code Section 10-2-540(c) be amended to reflect the same 10 day appeal period stated in Government Code Section 66452.5(a).

RESOLUTION 2017-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN JUAN BAUTISTA RECOMMENDING THE CITY COUNCIL AMEND SECTION 10-02-540 (C) OF THE SAN JUAN BAUTISTA MUNICIPAL CODE FOR APPEAL PERIODS

WHEREAS the San Juan Bautista Municipal has established appeal periods for various functions, duties, and administrative actions in seven Chapters of the Municipal Code, and

WHEREAS appeals are designed to establish a procedural process for interested parties, customers, and applicants an opportunity to appeal legislative, administrative, discretionary, and judicial decisions or actions which have been delegated to the planning Commission, various boards, advisory commissions, and employees to the City Council, and

WHEREAS over the last few months, a recent land use decision of the Planning Commission was appealed to the City Council which resulted in a conflict with the City's code and the Subdivision Map Act, and

WHEREAS, the conflict caused by the inconsistency between the SJBMC, Section 10-02-540 (c) and Government Code Section 66452.5 (a) presented a problem for the City Council and Planning Commission in administering the procedural process, and

WHEREAS, the number of days of an appeal period of Section 10-02-540 (c) of the San Juan Bautista Municipal Code (15 days) and the Subdivision Map Act of the California Government Code (10 days) were found to be inconsistent in administering the appeal process and should be amended for internal consistency with the State Codes.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission recommends to the City Council to amend Chapter 10-02-540 (c) to read as follows;

10-02-540 Appeals.

(A) The City Council shall be the Appeal Board.

(B) As used herein, the term "interested person adversely affected" means any City department, public agency, public utility, or any person claiming that the decisions is likely to result in personal economic loss or damage to his property.

(C) Within **ten (10)** calendar days after action, the subdivider or any interested person may appeal any action of the Planning

Commission to the City Council. Appeals to the City Council shall be submitted in writing to the City Clerk. Said appeals shall reference the ***project and*** tentative map number and shall state fully the nature and extent of the appeal, ***how the Planning Commission erred in their decision***, and the reasons why it is taken. Such appeal and the hearing thereon shall be conducted in the manner provided by Government Code Section 66452.5 (a) and (b) and subsection (D) of this Section

- (D) Whenever a public hearing is held pursuant to this Section, it shall be conducted as required by the Government Code Section 66451.3. Notice of the time and place thereof, and the general description of the location of the proposed subdivision shall be given at least ten(10) days before the hearing by publication once in a newspaper of general circulation in the City of San Juan Bautista. Any interested person may appear at such hearing and shall be heard.

PASSED AND ADOPTED by the Planning Commission of the City of San Juan Bautista on this 7th day of March 2017, by the following vote.

AYES:

NOES:

ABSENT:

ABSTAIN:

John Hopper Chairperson

ATTEST:

Deputy City Clerk Trish Paetz