

City of San Juan Bautista

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AGENDA

REGULAR PLANNING COMMISSION MEETING

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

TUESDAY ~ JULY 2, 2019

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

Any writings or documents provided to a majority of the Planning Commission 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 their 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 Agenda

- A. Approve Affidavit of Posting Agenda
- B. Approve Affidavit of Posting Public Hearing Notice
- C. Approve Affidavit of Mailing Public Hearing Notice
- D. Approve the Minutes of the May 7, 2019 Meeting
- E. Approve the Minutes of the January 8, 2019 Meeting

5. Public Hearing Items

A. Recommend to the City Council Amendments to the Meritage Homes Development Agreement for the Rancho Vista Subdivision

6. Action Items

A. Approve Sign Review for Lois' Unique Home Furnishings in the Downtown Historic District, 301 Third Street, APN 002-170-005

7. Discussion Items

- A. Proposed San Benito County Major Subdivision in the City's Sphere of Influence at 333 Mission Vineyard Road, APN 012-190-012
- **B. Proposed Noise Ordinance for Hours of Construction Activity**
- C. Update on the Housing Element
- D. Report from Planner on Current and Upcoming Projects

- F. Report from Sub Committee for Separating the Planning Commission from the Historic Resources Board
- 8. Comments
 - A. Planning Commissioners
 B. Associate City Planner
 C. City Manager
- 9. 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 26th DAY OF JUNE 2019, AND I POSTED THEM IN THE FOLLOWING LOCATIONS IN SAID CITY OF SAN JUAN BAUTISTA, COUNTY OF SAN BENITO, CALIFORNIA.

- 1. ON THE BULLETIN BOARD AT CITY HALL, 311 SECOND STREET.
- 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 26th DAY OF JUNE 2019.

TRISH PAETZ, DEPUTY CITY CLERK

AFFIDAVIT OF POSTING

I, TRISH PAETZ, DO NOW DECLARE, UNDER THE PENALTIES OF PERJURY THAT I AM THE DEPUTY CITY CLERK IN THE CITY OF SAN JUAN BAUTISTA AND THAT I POSTED THREE (3) TRUE COPIES OF THE ATTACHED PLANNING COMMISSION PUBLIC HEARING NOTICE. I FURTHER DECLARE THAT I POSTED SAID NOTICE ON THE 21st DAY OF JUNE 2019, AND I POSTED THEM IN THE FOLLOWING LOCATIONS IN SAID CITY OF SAN JUAN BAUTISTA, COUNTY OF SAN BENITO, CALIFORNIA.

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

SIGNED AT SAN JUAN BAUTISTA, COUNTY OF SAN BENITO, CALIFORNIA, ON THE 26TH DAY OF JUNE 2019.

TRISH PAETZ, DEPUTY CITY CLERK

NOTICE OF PUBLIC HEARING CITY OF SAN JUAN BAUTISTA

Pursuant to Government Code Section 65090, the Planning Commission of the City of San Juan Bautista gives notice of a public hearing on **July 2, 2019** at 6:00 p.m. in the Council Chambers at San Juan Bautista City Hall, 311 Second Street. During the public hearing, the following item will be discussed:

 Consider recommending to the City Council an amendment to the Meritage Homes Development Agreement (Rancho Vista Subdivision)

Staff reports and the full text of the item to be discussed will be available for public review at City Hall on **June 25**, **2019**. All members of the public are encouraged to attend the meeting and may address the City Council on the issue during the public hearing. Written comments may be hand delivered or mailed to City Hall (311 Second Street, P.O. Box 1420, San Juan Bautista, CA 95045), or e-mailed to cityplanning@san-juan-bautista.ca.us, not later than **5:00 p.m., July 2, 2019.**

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

AFFIDAVIT OF MAILING

I, TODD KENNEDY, DO NOW DECLARE, UNDER THE PENALTIES OF PERJURY THAT I AM THE ASSOCIATE PLANNER IN THE CITY OF SAN JUAN BAUTISTA AND THAT I MAILED COPIES OF THE ATTACHED PLANNING COMMISSION PUBLIC HEARING NOTICE ON JUNE 21, 2019. I FURTHER DECLARE THAT I MAILED COPIES OF THE PUBLIC HEARING NOTICE TO OWNERS OF PROPERTIES LISTED ON THE SAN BENITO COUNTY ASSESSORS PARCEL LIST LOCATED WITHIN 300 FEET OF THE RANCHO VISTA SUBDIVISION IN THE CITY OF SAN JUAN BAUTISTA, CALIFORNIA.

SIGNED AT SAN JUAN BAUTISTA, COUNTY OF SAN BENITO, CALIFORNIA, ON THE 26TH DAY OF JUNE 2019.

TODD KENNEDY, ASSOCIATE PLANNER

NOTICE OF PUBLIC HEARING CITY OF SAN JUAN BAUTISTA

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CITY OF SAN JUAN BAUTISTA PLANNING COMMISSION REGULAR MEETING MAY 7, 2019 DRAFT MINUTES

1. CALL TO ORDER - Chairperson Boyd called the meeting to order at 6:46 p.m.

B. ROLL CALL Present: Commissioners Freels, Brewer, Medeiros, and

Matchain

Absent: Commissioner Delgado

Staff Present: Associate Planner Kennedy, Interim City

Manager Tewes and Administrative Services

Manager Paetz

2. PUBLIC COMMENT

No comments were received.

3. PRESENTATION BY MARY GILBERT, EXECUTIVE DIRECTOR OF SAN BENITO COUNTY COUNCIL OF GOVERNMENTS

4. INFORMAL PROJECT REVIEW

Nothing presented.

5. ACTION ITEMS

A. Approve Affidavit of Posting Agenda

A motion was made by Commissioner Brewer and seconded by Commissioner Matchain to approve the affidavit of posting agenda. The motion passed unanimously, 4-0-0-1, with Commissioner Delgado absent.

B. Approve Minutes of April 2, 2019 Meeting

A motion was made by Commissioner Medeiros and seconded by Commissioner Brewer to approve the minutes of the April 2, 2019 meeting. The motion passed unanimously, 4-0-0-1, with Commissioner Delgado absent.

C. Consider Resolution 2019-11 Approving Selection of a Residential Structure for Preservation Month

A motion was made by Commissioner Matchain and seconded by Commissioner Brewer to approve Resolution 2019-11 recognizing Georgana Gularte during National Preservation Month and recommend to the City Council. The motion passed unanimously, 4-0-0-1, with Commissioner Delgado absent.

D. Consider Resolution 2019-12 Approving Selection of a Commercial Structure for Preservation Month

A motion was made by Commissioner Medeiros and seconded by Commissioner Brewer to approve Resolution 2019-12 recognizing the 18th Barrel Tasting Room during National Preservation Month and recommend to the City Council. The motion passed unanimously, 4-0-0-1, with Commissioner Delgado absent.

6. DISCUSSION ITEMS

A. Report from Planner on current and upcoming projects.

Associate Planner Kennedy explained specific projects on the report and responded to questions posed by commissioners.

7. COMMENTS & REPORTS

A. Planning Commissioners

Chairman Freels commented on the Rib Cook earlier this month, stating he felt it was a good event.

B. City Planner

No comments received.

C. City Manager

Interim City Manager Tewes informed commissioners they would be asked to review and approve the list of Capital Improvement Projects for the fiscal year 2019-2020 budget next month.

8. ADJOURNMENT

The meeting adjourned at 7:35 p.m.

CITY OF SAN JUAN BAUTISTA PLANNING COMMISSION REGULAR MEETING JANUARY 8, 2019 DRAFT MINUTES

1. CALL TO ORDER - Vice Chairperson Freels called the meeting to order at 8:00 p.m.

B. ROLL CALL Present: Commissioners Freels, Brewer, Medeiros,

Delgado, and Matchain

Staff Present: Associate Planner Kennedy, City Manager

LaForge and Administrative Services Manager

Paetz

2. CEREMONIAL ITEMS

A. Selection of New Planning Commission Chairperson

Commissioner Brewer nominated Scott Freels to serve as Chairperson of the Planning Commission. Commissioner Medeiros seconded the nomination. Commissioners voted 5-0 to appoint Scott Freels as Chairperson of the Planning Commission.

B. Selection of New Planning Commission Vice Chairperson

Commissioner Brewer nominated Luis Matchain to serve as Vice Chairperson of the Planning Commission. Commissioner Medeiros seconded the nomination. Commissioners voted 5-0 to appoint Luis Matchain as Vice Chairperson of the Planning Commission.

3. PUBLIC COMMENT

No comments were received.

4. INFORMAL PROJECT REVIEW

Nothing presented.

5. ACTION ITEMS

A. Approve Affidavit of Posting Agenda

A motion was made by Commissioner Brewer and seconded by Commissioner Delgado to approve the affidavit of posting agenda. The motion passed unanimously, 5-0.

B. Consider Placement of a Decorative Rock at Luck Park at the Corner of Monterey and Third Streets by the San Juan Bautista Historical Society and approve a Resolution.

Associate Planner Kennedy provided a report. The Historic Resources Board reviewed this item and they recommend approval. No public comment was received.

A motion was made by Commissioner Delgado and seconded by Commissioner Medeiros to approve Resolution 2019-01 approving a sign permit and minor alteration for the placement of a stone marker at the corner of Monterey and Third Streets at Luck Park. The motion passed unanimously, 5-0.

C. Consider a New Awning, Signage and Decorative Paint on the Inaka Japanese Restaurant at 313 Third Street and Approve a Resolution. The applicant is Steve Io.

Associate Planner Kennedy provided a report. The applicant was present and responded to questions. The Historic Resources Board reviewed this item and they recommend approval. No public comment was received.

A motion was made by Commissioner Delgado and seconded by Commissioner Medeiros to approve Resolution 2019-02 approving a minor alteration for exterior changes for a tenant improvement for a new restaurant located at 313 Third Street. The motion passed unanimously, 5-0.

D. Consider Placement of a Kiosk Between 313 and 319 Third Street and Approve a Resolution. The applicant is Halina Kleinsmith of the San Juan Bautista Strategic Plan Committee

Associate Planner Kennedy provided a report. The Historic Resources Board reviewed this item and they recommend approval. The applicant was present and responded to questions. During public comment Jolene Cosio spoke in favor of the kiosk.

A motion was made by Commissioner Medeiros and seconded by Commissioner Brewer to approve Resolution 2019-03 approving the installation of a kiosk between 313 and 319 Third Street, with the condition it be reviewed by City's insurance provider and the City Attorney. The motion passed unanimously, 5-0.

E. Consider and Recommend to City Council the La Casa Rosa Engineer and Construction Proposal to Move Forward Under Abatement

City Manager LaForge provided a report. The Historic Resources Board reviewed this item and they recommend approval. There was no public comment received.

A motion was made by Commissioner Medeiros and seconded by Commissioner Delgado to approve Resolution 2019-04 to approve a design review to make the necessary changes and improvements to La Casa Rosa at 107 Third Street, APN 002-021-004. The motion passed unanimously, 5-0.

F. Consider the Proposed Design and Construction of New Restrooms at Verutti Park at the Corner of Second Street and San Jose Street and Approve a Resolution

Associate Planner Kennedy provided a report. City Manager LaForge responded to questions. During public comment Louise Covert spoke in support. Cara Vonk suggested windows for the restrooms. Jolene Cosio provided information about PG&E light poles. Whereupon the item was continued to the next Planning Commission meeting.

G. Consider Recommending to the City Council the Hiring of EMC Planning Group to Assist the City with Updating the Housing Element

Associate Planner Kennedy provided a staff report. City Manager LaForge responded to questions about update cycles for the Housing Element as required by the State of California. During public comment, Jolene Cosio provided information about the General Plan update conducted in 2015. Cara Vonk provided input on the General Plan update as well. This item was continued to a Special Planning Commission meeting set for January 14 at 4:00 p.m.

6. DISCUSSION ITEMS

A. Report from Planner on current and upcoming projects.

Associate Planner Kennedy explained specific projects on the report and responded to questions posed by commissioners. During public comment, Jackie Morris Lopez commented on one of the projects.

B. Social Media Policy Refresher

City Manager LaForge provided the City's Social Media Policy to Commissioners and asked that they confirm receipt of the policy. There was discussion about the appropriateness of the policy. During public comment, Jolene Cosio and Jackie Morris Lopez felt the policy was appropriate for use by the staff.

7. COMMENTS & REPORTS

A. Planning Commissioners

No comments received.

B. City Planner

No comments received.

C. City Manager

No comments received.

8. ADJOURNMENT

The meeting adjourned at 9:45 p.m.



CITY OF SAN JUAN BAUTISTA PLANNING COMMISSION STAFF REPORT

ACTION ITEM: AMENDMENT TO RANCHO VISTA DEVELOPMENT

AGREEMENT TO ADDRESS AMBIGUITIES AND RESOLVE

A DISPUTE ABOUT INTERPRETATION

DATE: June 26, 2019

DEPARTMENT HEAD: Interim City Manager Tewes

<u>RECOMMENDED ACTION:</u> Review proposed Amendment to the Development Agreement and approve resolution recommending to the City Council adoption of an ordinance approving the amendment

BACKGROUND: In 2015 the City and Robert Fulton entered into a Development Agreement setting forth the obligations of the City and the Developer. State law and the City's Municipal Code authorize such agreements which typically "lock in" fees and approvals, in exchange for public benefits. Under the Agreement and subsequent amendments the Developer, now Meritage Homes, has contributed \$579,850 over and above its required fees to address the City's water supply problem.

As described in the attached staff report to the City Council, a legal dispute has arisen regarding the City's interpretation of the portion of the agreement setting forth the building permit and development impact fees. Meritage contends that it based its decision to purchase the project from Fulton based on an understanding of how fees would be calculated, but that the City adopted an interpretation of ambiguous language which increased its fee obligations.

To resolve the dispute and avoid legal proceedings, an amendment is recommended that does the following:

• Clarifies that the "locked in" building fees apply only to the habitable space of each house and that patios and garages will be charged building permit fees in accordance with current schedules

- Recommits the City to not charge fees not covered by the Development Agreement
- Provides that development impact fees will be paid on a "per unit" basis (and not vary with the square footage of a house) and that the fees will be those fees in effect on July 1, 2019
- Requires Meritage to provide additional public benefits by contributing \$25,000 to be used by the City to make safety improvements to the sewer lift station.

The agreement does not revise any of the conditions of approval or relieve Meritage of its obligations under the Subdivision Improvement Agreement.

Attachments:

June 18, 2019 Staff Report to the City Council Ordinance Resolution 2019-XX



CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT

AGENDA TITLE: AMENDMENT TO RANCHO VISTA DEVELOPMENT

AGREEMENT

MEETING DATE: June 18, 2019

DEPARTMENT HEAD: Interim City Manager Tewes

RECOMMENDATION:

Review proposed amendments and set public hearing for July 16, 2019.

The City and the original subdivider of the Rancho Vista project entered into a Development Agreement to "lock in" certain city fees and to provide extra benefits to the community in the form of financial contributions to resolving the City's water supply problem.

The agreement has some ambiguity as to the calculation of the building fees and impact fees that has led to a dispute with the current developer, Meritage Homes. The City has interpreted the agreement in a way that Meritage contends is inconsistent with the original understanding and increases the cost of development above the costs that had been anticipated. As a result, Meritage has been paying the city's building and impact fees "under protest" in order to preserve its legal right to dispute the fees in court if necessary.

Meritage and the City Manager have reached an agreement to settle the dispute and propose an amendment to the Development Agreement to resolve the ambiguities and to "lock in" impact fees at their current rates.

Under the City Code, a Development Agreement must be noticed for a public hearing in the same manner as an amendment to the Zoning Ordinance. Therefore, it is necessary for the Council to call for a public hearing at a subsequent date and provide written notice in a newspaper of general circulation.

The following discussion outlines the disputed ambiguity, and the proposed resolution.

The ambiguity

Section 2.10 of the Development Agreement specifies the application of "development fees" which shall be paid on a "dwelling by dwelling" basis. The agreement specifies that the fees will be adjusted up or down to the extent the "actual home" varies from

2400 square feet. The agreement specifically states that both building permit fees and development impact fees will vary in relation to the size of the "actual home."

It is typical that impact fees are charged on a "per unit" basis for residential projects, and that they do not vary with the size of the residential unit. However, the Rancho Vista development agreement clearly requires them to vary. As a result, the amount of fee revenue received by the city is dependent on the size of the unit.

The ambiguity arises on the meaning of "dwelling unit" and "actual home," and "floor plan." In a typical case building permits are provided for three types of construction: "conditioned space", "patio" and "garage" with different fee schedules established in the Building Code. The Development Agreement does not make that distinction. It refers to the "actual home" and establishes the base permit fee at \$2,125.50 per "floor plan." In fact, at the time of the DA, the permit fee for "conditioned space" of 2400 square feet would have been \$2,125.50.

The City has interpreted the "actual home" to include all three elements in a "floor plan"; namely; conditioned space, patio, and garage. That means if the total square footage of a "floor plan" is greater than 2400 sf, then both the building permit fees and the impact fees are increased proportionately. Meritage has insisted that the variance in fees should be based only on the square footage of "conditioned space" in order to be consistent with the assumptions at the time of the original agreement. The City contends that the total floor plan should be considered because it could not have been the intent that patios and garages not pay anything for a building permit.

It is unusual that the development impact fees would vary with the size of the unit, since the usual purpose of a development agreement would be to "lock in" fees so as to evaluate the construction loan values and return on investment. [In some cities, certain impact fees might vary with the number of bedrooms, but that is not the case in San Juan Bautista.] Nonetheless, the Rancho Vista Development Agreement specifically provides that the impact fees will vary with the size of a "floor plan."

Inconsistencies with the Development Agreement

The Development Agreement clearly limits the fees to be charged to those listed in the agreement. However, three other types of fees within the discretion of the City have been assessed: a) fire inspection fees; b) "planning plan check fee" and c) "engineering plan check fee." These three fees should not have been charged and will not be charged for future applications.

<u>Fire.</u> The City has contracted with Hollister Fire Department to, among other things, conduct fire inspections. The compensation for those services is established in the agreement and is not increased by separate fees paid to the City of Hollister. Going forward, those fees will no longer be charged to Meritage.

<u>Planning and Engineering Plan Check.</u> Although the City fee schedule establishes an appropriate fee for planning and engineering review of building applications, the Development Agreement does not authorize those charges in the case

of Meritage. The amount collected so far will either be reimbursed to Meritage or used as a credit against future permit fees.

The proposed resolution

To settle all disputes and legal claims that may arise, it is proposed that the Development Agreement be amended to:

- 1. Lock in the building permit fees for "conditioned space" at the rates established at the time of the original agreement; and provide that Meritage's permit fees for patios and garages will be locked in at current rates.
- 2. Require the building permit fees to vary with the variance in the square footage of "conditioned space" from 2400 square feet.
- 3. The development impact fees will be charged on a "per residential unit" basis, and will not vary with size; but the fees will be charged and "locked in" at the current rates which are about 15.6% higher than the impact fee schedule at the time of the original agreement.
- 4. Meritage may apply for all the remaining permits prior to December 31, 2019 in order to avoid redesign for anticipated building code changes. All permits must be "pulled" (with fees paid) by December 31, 2020 or the applications must be revised to reflect then current building codes.
- 5. In exchange for these clarifications, Meritage will provide additional public benefits to the City comprised of a one-time payment of \$25,000 which will be used to make enhancements to the sewer lift station at Rancho Vista that were not included in the approved public improvement plans.

ATTACHMENTS:

Excerpt from Development Agreement

... Excerpt from April 17, 2015

- (d) In the event that City requires Developer to install a specific improvement (for example, a traffic signal), Developer' obligation to pay the fees otherwise owing under this Development Agreement regarding the category of improvement Developer are installing shall be satisfied by the installation of such improvement; and if the costs of the improvement to Developer exceed Developer' fair share fee obligation, Developer shall be entitled to credits or reimbursement agreement of such improvement costs in excess of Developer' obligation.
- (e) The Parties recognize that certain Conditions of Approval attached to Project Approvals require some Offsite Facilities and Infrastructure (such as the widening of Third Street), and that such requirements shall addressed in an Oversizing reimbursement agreement of 2.09 (a),(b),(c) and (d).

2.10 Development Fees.

- (a) Developer shall be obligated to pay only those building permit fees and impact fees (collectively, "Development Fees") listed in this Section 2.10.
- (b) Development Fees shall be paid on a dwelling by dwelling basis, and shall be due no sooner than building permit issuance, unless indicated otherwise below. For the Term of this Development Agreement, the Development Fees shall be as set forth below. The amount of these listed Development Fees are based on a typical 2,400 square foot home. If the size of the actual home for which a building permit is issued varies from the typical 2,400 square foot home standard the Development Fees shall be adjusted accordingly. For example, if the size of the actual home for which a building permit is requested is 2,640 square feet (a 10% increase over 2,400 square feet), then the amount of the Development Fees owing for that building permit shall be raised by ten percent (10%). Likewise, as another example, if the size of the actual home for which a building permit is requested is 2,160 square feet (a 10% decrease of 2,400 square feet), then the amount of the Development Fees owing for that building permit shall be reduced by ten percent (10%). Again, the amount of these listed Development Fees are based on a 2,400 square foot home, and are as follows:
- (1) Building Permit (UBC) Fee in the amount of \$2,125.25 per floor plan, payable at building permit issuance for each such building permit sought.
- (2) Plan Check Fee in the amount of \$1,034.00 per dwelling unit, payable at building permit issuance for each such building permit sought.
- (3) Electrical Permit (Average) Fee in the amount of \$280.00 per dwelling unit, payable at building permit issuance for each such building permit sought.
- (4) Plumbing Permit Fee in the estimated amount of \$190.00 per dwelling unit, payable at building permit issuance for each such building permit sought.
- (5) Mechanical Permit Fee in the amount of \$120.00 per dwelling unit, payable at building permit issuance for each such building permit sought.
- (6) Strong Motion Instrumentation Fee in the amount of \$30.00 per dwelling unit, payable at building permit issuance for each such building permit sought.

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- (7) Green Fee in the amount of \$12.00 per dwelling unit, payable at building permit issuance for each such building permit sought.
- (8) Water Connection Fee in the amount of \$7,550.00 per dwelling unit, payable at building permit issuance for each such building permit sought.
- (9) Traffic Fee in the amount of \$1,717.00 per dwelling unit, payable at building permit issuance for each such building permit sought.
- (10) Public Safety Fee in the amount of \$1,543.00 per dwelling unit, payable at building permit issuance for each such building permit sought.
- (11) Park Development Fee in the amount of \$782.00 per dwelling unit, payable at building permit issuance for each such building permit sought.
- (12) Storm Drain Fee in the amount of \$1,554.00 per dwelling unit, payable at building permit issuance for each such building permit sought.
- (13) Library Fee in the amount of \$1,995.00 per dwelling unit, payable at building permit issuance for each such building permit sought.
- (14) Civic/Public Improvement Fee in the amount of \$1,483.00 per dwelling unit, payable at building permit issuance for each such building permit sought.
- (15) In addition, it is understood that the Aromas/San Juan School District currently collects a School Fee of approximately \$2.97 per square foot of habitable space.
- (16) Fire Sprinkler inspection fee in the amount of \$150.00 per dwelling unit, payable at building permit issuance for each such building permit sought.
- (17) Sewer Connection Fee in the amount of \$5,240.00 per dwelling Unit, payable at building permit issuance for each such building permit sought.
- (c) If a request for a dwelling plan that has previously paid a plan check fees and is reused on another lot or site and there are no structural changed or modification other than cosmetic or exterior architectural appendages, no plan check fees will be required.
- (d) No additional Development Fees shall be imposed on the Project during the Term of this Development Agreement.

2.11 HOA Establishment/Maintenance.

- (a) Developer may form, in Developer's sole and exclusive discretion, a Home Owners' Association or other similar associations (collectively, "HOA(s)").
- (b) For the purposes of this Development Agreement, "HOA Property" shall mean that property inside the Project that is owned and controlled by the HOA(s).

ORDINANCE NO. 2019-XX

AN ORDINANCE OF THE CITY OF SAN JUAN BAUTISTA APPROVING A THIRD AMENDMENT TO DEVELOPMENT AGREEMENT WITH MERITAGE HOMES OF CALIFORNIA, INC. REGARDING THE RANCHO VISTA PROJECT

WHEREAS, to strengthen the public planning process, encourage private participation in comprehensive planning and reduce the economic risk of development, the Legislature of the State of California adopted Government Code Sections 65864 et seq. (the "Development Agreement Statute") which authorizes cities to enter into agreements for the development of real property with any person having a legal or equitable interest in such property in order to establish certain development rights in such property; and

WHEREAS, in accordance with the Development Agreement Statute, the City of San Juan Bautista (the "City") has enacted Chapter 10-6 of the San Juan Bautista Municipal Code (the "Development Agreement Regulations") to implement procedures for the processing and approval of development agreements in accordance with the Development Agreement Statute; and

WHEREAS, the City and R.L. Fulton Holding Company, LLC, predecessor in interest to Meritage Homes of California Inc. ("Developer"), previously entered into that certain Development Agreement dated as of March 17, 2015 (the "Development Agreement"), pursuant to which the City and R.L. Fulton Holding Company, LLC agreed to certain matters with respect to the development of 86 lots (the "Project") on certain real property consisting of approximately 28.35 acres, located in the northerly part of the City, on the west side of the San Juan Highway, within the current city limits boundary (the "Project Site"), which is more particularly described in the Development Agreement; and

WHEREAS, the City and Developer have amended the Development Agreement twice previously with those certain Amendments to the Development Agreement dated as of June 1, 2015 and August _____, 2018 (the "Amended Development Agreement"); and

WHEREAS, prior to its adoption of the Development Agreement, the City has approved am Initial Study and Mitigated Negative Declaration for the Project Site (the "IS/MND") a General Plan Amendment (the "General Plan Amendment"), rezoning, and a vesting tentative map (collectively the "Project Approvals"); and

WHEREAS, consistent with the Project Approvals, the Developer is in the process of developing the Project on the Project Site; and

WHEREAS, the City and Developer have negotiated the terms of this Third Amendment to the Development Agreement (the "Third Amendment") amending the terms of the Amended Development Agreement; and this Ordinance No. 2019-___; and.

WHEREAS, the complexity, magnitude and long-term buildout of the Project would be difficult for the Developer to undertake if the City had not determined, through the Amended Development Agreement, to inject a sufficient degree of certainty in the land use regulatory process to justify the substantial financial investment associated with development of the Project; and

WHEREAS, the Third Amendment to the Development Agreement will assure both the City and Developer that the Project can proceed without disruption caused by a change in City planning and development policies and requirements, which assurance will thereby reduce the actual or perceived risk of planning, financing and proceeding with construction of the Project and promote the achievement of the private and public objectives of the Project; and

WHEREAS, pursuant to Section 65867 of the Government Code, the Planning Commission held a duly noticed public hearing on July 2, 2019, on the Third Amendment to the Development Agreement during which public hearing the Planning Commission received comments from the Developer, City staff, and members of the general public; and

forward the Third Amer	•	ne Planning Commission, elected to Agreement to the City Council with a; and
Council, on Amendment to the Dev	, 2019, held a duly no elopment Agreement, durin	ne Government Code, the City oticed public hearing on the Third og which public hearing, the City staff, and members of the general

THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. This Ordinance incorporates, and by this reference makes a part hereof, the Amended Development Agreement and the Third Amendment to the Development Agreement substantially in the form on file with the City Clerk as of the date of passage of this Ordinance, subject to the provisions of Section ___ hereof.

SECTION 2. This Ordinance is adopted under the authority of Government Code Section 65864 et seq., and pursuant to Chapter 10.6 of the Municipal Code of the City of San Juan Bautista, which was added by City Ordinance No. 2007-09, establishing procedures and requirements for consideration of development agreements pursuant to Government Code Section 65864 et seq. (the "Development Agreement Regulations").

SECTION 3. In accordance with Section 10-6-080 of the Development Agreement Regulations, the City Council hereby finds and determines, as follows: (a) The Third Amendment to the Development Agreement is consistent with the objectives, policies, general land uses and programs in the General Plan and any applicable

specific plan; (b) The Third Amendment to the Development Agreement is compatible with the uses authorized in, and the regulations prescribed for, the land use districts in which the Property which is subject to the Development Agreement is located; (c) The Third Amendment to the Development Agreement is in conformity with public convenience, general welfare and good land use practice; (d) The Third Amendment to the Development Agreement will not be detrimental to the public health, safety and general welfare; (e) The Third Amendment to the Development Agreement will not adversely affect the orderly development of property or the preservation of property values; and (f) The Third Amendment to the Development Agreement is consistent with the provisions of Government Code Sections 65864 through 65869.5. (g) Based on the information provided that no new environmental review for the project is required pursuant to CEQA Guidelines Section 15162 and that the IS/MND shall serve as the environmental review for the approval of the Third Amendment to the Development Agreement.

SECTION 4. The foregoing findings and determinations are based upon the following: (a) The Recitals set forth in this Ordinance, which are deemed true and correct; (b) The IS/MND; (c) The City's General Plan; (d) The San Juan Bautista Zoning Map; (e) All City staff reports (and all other public reports and documents) prepared for the Planning Commission, City Council, or others relating to the IS/MND, the General Plan Amendments, the Development Agreement, the First and Second Amendments to the Development Agreement and other actions relating to the Property; (f) All documentary and oral evidence received at public hearing or submitted to the Planning Commission or City during the comment period relating to the Third Amendment; and (g) All other matters of common knowledge to the City Council, including, but not limited to the City's fiscal and financial status; City policies and regulations; reports, projections and correspondence related to development within and surrounding the City; State laws and regulations and publications.

SECTION 5. The City Council hereby approves the Third Amendment to the Development Agreement, subject further to such minor, conforming and clarifying changes consistent with the terms hereof as may be approved by the City Manager prior to execution hereof, as follows:

Section 2.10 shall be repealed and replaced to read in its entirety as follows:

"2.10 **Development Fees**

- a) Developer shall be obligated to pay only those City building permit fees and City impact fees listed in this Section 2.10.b and 2.10.e.
- b) Building Permit Fees shall be paid on a dwelling by dwelling basis and shall be due no sooner than building permit issuance, unless indicated otherwise below. For the Term of this Development Agreement, the Building Permit Fees shall be as set forth below. Developer shall pay a proportionate share, as defined below, of building permit fees for "conditioned or living space" as defined in the Building

Code; and shall pay for all other permitted space, such as patios and garages, the current fees established by the City and the Building Code. The amount of these listed Building Permit Fees is based on a base case of 2400 square feet of conditioned space per dwelling. If the size of the actual conditioned space for a dwelling unit varies from the base case of 2400 square feet the building permit fees will be adjusted accordingly. For example, if the size of the actual conditioned space for which a building permit is requested is 2,640 square feet (a 10% increase over 2,400 square feet), then the amount of the building permit fee owing for that building permit fee shall be increased by 10%. Likewise, as another example, if the size of the conditioned space for which a building permit is requested is 2,160 square feet (a 10% decrease from 2,400 square feet of conditioned space) then the amount of the Building Permit Fees shall be reduced by ten percent (10%). The listed Building Permit Fees are based on 2400 square feet of conditioned space per dwelling unit. All spaces other than conditioned spaces will be charged based on the square footage of such construction, the tables within the Building Code and the City's rate structure. For the Term of this Development Agreement, the Building Permit Fees shall be:

- 1) Building Permit (UBC) Fee in the amount of \$2,125.25 per floor plan, payable at building permit issuance for each such building permit sought.
- 2) Plan Check Fee in the amount of \$1,034.00 per dwelling unit, payable at building permit issuance for each such building permit sought.
- 3) Electrical Permit (Average) Fee in the amount of \$280.00 per dwelling unit, payable at building permit issuance for each such building permit sought.
- 4) Plumbing Permit Fee in the estimated amount of \$190.00 per dwelling unit, payable at building permit issuance for each such building permit sought.
- 5) Mechanical Permit Fee in the amount of \$120.00 per dwelling unit, payable at building permit issuance for each such building permit sought.
- 6) Strong Motion Instrumentation Fee in the amount of \$30.00 per dwelling unit, payable at building permit issuance for each such building permit sought.
- 7) Green Fee in the amount of \$12.00 per dwelling unit, payable at building permit issuance for each such building permit sought.
- (c) If a request for a dwelling plan that has previously paid a plan check fees and is reused on another lot or site and there are no structural changed or modification other than cosmetic or exterior architectural appendages, no plan check fees will be required.

- (d) No additional Development Fees shall be imposed on the Project during the Term of this Development Agreement.
- e) Development Impact Fees shall be paid on a dwelling by dwelling unit basis, and will not vary with the size of the unit. The development impact fees shall be paid in accordance with the following schedule which comprises the fees in effect as of July 1, 2019.
 - 1) Water Connection Fee in the amount of \$9,002.29 per dwelling unit, payable at building permit issuance for each such building permit sought.
 - 2) Traffic Fee in the amount of \$2,045.92 per dwelling unit, payable at building permit issuance for each such building permit sought.
 - 3) Public Safety Fee in the amount of \$1,838.59 per dwelling unit, payable at building permit issuance for each such building permit sought.
 - 4) Park Development Fee in the amount of \$931.90 per dwelling unit, payable at building permit issuance for each such building permit sought.
 - 5) Storm Drain Fee in the amount of \$1,851.70 per dwelling unit, payable at building permit issuance for each such building permit sought.
 - 6) Library Fee in the amount of \$2,377.18 per dwelling unit, payable at building permit issuance for each such building permit sought.
 - 7) Civic/Public improvement Fee in the amount of \$\$1,767.09 per dwelling unit payable at building permit issuance for each such building permit sought.
 - 8) In addition, it is understood that the Aromas/San Juan School District collects a School Fee per square foot of habitable space.
 - 9) Fire Sprinkler inspection fee in the amount of \$150 per dwelling unit, payable at building permit issuance for each such building permit sought.
 - 10) Sewer Connection Fee in the amount of \$6,243.81 per dwelling unit, payable at building permit issuance for each such building permit sought."

Section 2.01 (e) shall be added to read in its entirety as follows:

"(e) In exchange for the benefits provided by this Third Amendment to the Development Agreement, Developer agrees to provide an additional public benefit to the City by contributing \$25,000 to be used by the City to install upgrades to the Sewer Lift Station at Rancho Vista. Unless, the City Manager and the Developer agree to have the improvements installed by the Developer, the payment shall be due upon execution of this ordinance."

SECTION 6. Upon the effective date of this Ordinance as provided in Section 9 hereof, the Mayor and City Clerk are hereby authorized and directed to execute the Third Amendment to the Development Agreement on behalf of the City of San Juan Bautista.

SECTION 7. The City Manager is hereby authorized and directed to perform all acts authorized to be performed by the City Manager in the administration of the Third Amendment to the Development Agreement and the Amended Development Agreement pursuant to the terms of the Amended Development Agreement as amended by the Third Amendment, including but not limited to provisions for certain administrative amendments and transfers and assignments as authorized therein.

SECTION 8. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 9. This Ordinance shall be in full force and effect thirty (30) days after its passage and adoption; as certified by the City Clerk.

THE FOREGOING C	RDINANC	E was first read	at a regular m	eeting of the San
Juan Bautista City Council of	on the	day of		2019, and was
passed and adopted at a reg	gular meeti	ing of the San Ju	an Bautista C	ity Council on the
day of	2019			
AYES:				
NOES:				
ABSTAIN:				
ABSENT:				
Cėsar E. Flores, Mayor				
ATTEST: Laura Cent City C	lerk			

RESOLUTION 2019-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN JUAN BAUTISTA APPROVING AN AMENDMENT TO THE RANCH VISTA SUBDIVSION DEVELOPMENT AGREEMENT BETWEEN MERITAGE HOMES OF CALIFORNIA AND THE CITY OF SAN JUAN BAUTISTA AND RECOMMENDS TO THE CITY COUNCIL

WHEREAS, the developer of the Rancho Vista Subdivision desires to amend the development agreement to resolve ambiguities, and

WHEREAS, the Planning Commission of the City of San Juan Bautista, conducted a public hearing on the amendments to the development agreement for the Rancho Vista Subdivision, and

WHEREAS, the Planning Commission received the staff report, the City Council staff report, public testimony, written comments, electronic communications and public input on the Rancho Vista Subdivision development agreement, and

WHEREAS, the Planning Commission reviewed and considered all the information presented at the public hearing and the oral testimony, written comments and electronic communication from the public concerning the amendment to the development agreement, and in light of the whole record before the Planning Commission, hereby makes the finding that the amendment to the development agreement will resolve the ambiguities identified by Meritage Homes of California in the existing development agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City Council hereby approves the amendments to the Development Agreement between the City of San Juan Bautista and Meritage Homes of California for the Rancho Vista Subdivision and makes a recommendation to the City Council.

PASSED AND ADOPTED by the Planning Commission of the City of San Juan Bautista this 2nd, day of July, 2019 by the following vote.

AYES:	
NOES:	
ABSENT:	
ABSTAIN:	
ATTEST:	Scott Freels, Chairperson
Trish Paetz, Deputy, City Clerk	

CITY OF SAN JUAN BAUTISTA

HISTORIC RESOURCES BOARD/PLANNING COMMISSION

STAFF REPORT

DATE: June 26, 2019

Proposal: CONSIDER A SIGN PACKAGE IN THE HISTORIC DISTRICT FOR

LOIS' UNIQUE HOME FURNISHING

Location: 301 Third Street, APN 002-170-005

DISCUSSION:

City staff received an application for Sign Review for two proposed signs to be located on the front and street side of an existing building located within the Third Street Downtown Historic District. The building is not identified in the City Inventory of Historic Resources and appears to have been built in 1971, and previously housed Union Bank. A local retail shop, Lois' Unique Home Furnishings, relocated and now occupies the building. The Zoning classification is Mixed-Use (MU), and retail is a permissible use in the MU zone. This new use does not involve any alterations to the building and there are no issues related to Fire or Building Codes, therefore, there is no need for further Planning review on the use itself. This current review is only for the sign package.

There are two proposed signs to be reviewed. Both signs are a folding material and have been handmade drawn with art and match in size, color, design and logo. Both signs are 16 square feet, but they differ in shape. One sign is a long rectangular shape that is 2 feet by 8 feet (16 square feet) and the other sign is a square with 4 feet by 4 feet dimensions (16 square feet). The City Sign Ordinance (Section 11-10 of the Zoning Code) requires signs in the Mixed-Use Zoning district to have a limit on size of .25 square feet for every one linear foot of street frontage. Corner lots like the subject lot, may add in the additional street frontage along the side street to the front street. There is a total of 148 feet of combined street frontage based on running rough measurements using mapping applications and aerial views. Total signage allowed is 37 square feet (148 x .25). Two 16 square foot signs equal 32 square feet so both of these signs are below the allowable size limits.

The proposed signs are to be framed with wooden material and painted white. Both signs have elaborate art designs and meet the design guidelines. One of the signs will be placed on the front side facing Third Street. Based on the design and color, the blend with the building appears to be a match. The other sign will be placed on the side of the building facing Mariposa Street. That sign will be placed on the wall under the overhang where it will have limited visibility from the street, but visible from the sidewalk.

ACTION:

Staff recommends the Historic Resources Board recommend approval of this proposal sign package to the Planning Commission and that Planning Commission make a motion to approve this proposal with the maximum size of 16 square feet per sign. Staff does not see any issue with this sign proposal. It appears to compliment the design of the building, blend in with the Downtown Historic District, and provide identification of the business for tourists and residents alike.

Recommended Condition of Approval for Resolution

1. The existing parking lot in the rear of the site shall be open to the public during business hours.

Attached:

Draft Resolution
Sign Images
Sign Images with frame
Photos of the property

RESOLUTION 2019 - xx

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN JUAN BAUTISTA APPROVING A SIGN REVIEW FOR A NEW RETAIL BUSINESS LOCATED AT 301 THIRD STREET IN SAN JUAN BAUTISTA. APN 002-170-005

WHEREAS, the Historic Resources Board conducted a public hearing on July 2, 2019 to review the proposed Sign Review, and

WHEREAS, the Historic Resources Board received oral comments, written correspondence, electronic communication and public testimony at the public hearing, and

WHEREAS, the Historic Resources Board has reviewed the proposed sign on the parcel within the Third Street Historic District and forwarded a recommendation to the Planning Commission with conditions, and

WHEREAS, the Historic Resources Board made a recommendation of approval of the proposed Sign Review with conditions to the Planning Commission, and

WHEREAS, the Planning Commission conducted a public hearing on July 2, 2019 to review the proposed Sign Review, and

WHEREAS, the Planning Commission received oral comments, written correspondence, electronic communication and public testimony at the public hearing, and

WHEREAS, the Planning Commission has considered the recommendation from the Historic Resources Board and makes the following finding to approve the Sign Review request.

1. That the proposed Sign Review request is compatible with the historic context of the Historic District and that it does not have any impacts on the character of the property and buildings.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of San Juan Bautista hereby approves the Sign Review located at 301 Third Street, San Juan Bautista, California, subject to the following conditions.

1. The existing parking lot in the rear of the site shall be open to the public during business hours.

PASSED AND ADOPTED by the Planning Commission of the City of San Juan Bautista at a regular meeting held on July 2, 2019 by the following vote:			
AYES:			
NOES:			
ABSENT:			
ABSTAIN:			
	Scott Freels, Chairperson		
ATTEST:			
Trish Paetz, Deputy City Clerk			











CITY OF SAN JUAN BAUTISTA

HISTORIC RESOURCES BOARD/PLANNING COMMISSION

STAFF MEMO

DATE: June 26, 2019

ITEM DISCRIPTION: PROPOSED MAJOR SUBDIVISION IN SAN BENITO COUNTY OF A

30 ACRE PARCEL LOCATED AT 333 MISSION VINEYARD ROAD (APN #012-190-012), ZONED AGRICULTURAL AND WITHIN THE

CITY'S SPHERE OF INFLUENCE

DISCUSSION:

This item is inform the Planning Commission of a proposed Project located within the San Benito County jurisdiction. This county project is a Major Subdivision to divide a 30 acre parcel into 6 parcels, and no development is proposed.

Although the project is outside the San Juan Bautista city limits, it is located within the City's Sphere of Influence. As such, City staff would like to gather input from the Planning Commission to present to the County, and to assist staff in taking a position on the project. The County zoning classification is Agricultural with 5 acre minimum parcel size. This subdivision will divide the main parcel into 5 parcels that are just over an acre in size and the sixth parcel will be 25 acres.

The San Benito County General Plan states that for any project taking place within any city Sphere of Influence, shall require them to obtain water and sewer services.

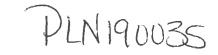
ACTION:

No action necessary. This item is for Commission review and to gather input for submission to the County.

ATTACHED:

Project Vicinity Map Application Project Information Subdivision Map Parcel Map







COUNTY OF SAN BENITO RESOURCE MANAGEMENT AGENCY PLANNING AND BUILDING INSPECTION SERVICES

2301 Technology Parkway Hollister, CA 95023-2513

Phone: (831) 637-5313 E-mail: sbcplan@cosb.us

PROJECT APPLICATION

This application is for (check all that apply)
If request is not listed, please describe here:

	Accessory Dwelling Unit		Appeal: Staff Decision
	Appeal: Planning Commission		Building Site Review
	Certificate of Compliance		C-District Review
	Design Review		General Plan Amendment
	Grading		Hillside Design Review
1	Let-Line-Adjustment		M-District review
V	Major Subdivision)	Minor Subdivision (No sewer/water)
-	Minor Subdivision (Sewer Water)		Non-Conforming Review
	Preliminary Review Letter		Rural Home Enterprise
	Senior Dwelling Unit		Temporary Use Permit
	Special Plan Review		Specific Plan
	Use Permit		Use Permit Amendment
	Use Permit Renewal		Sign Permit
	Variance	1	Zone Change

I. Owner(s) Name:James P. and Kathle	en C. Dassel	
Address: 451 Mission Vineyard Road	City: San Juan Bautista	State: CA
Telephone: 831.623.4185	Zip Code: 95045	=
2. Applicant's/Agent's Name:James P. D	assel	
Address: 451 Mission Vineyard Road	City: San Juan Bautista	State: CA
Telephone: 408.804.0104	Zip Code: 95045	_
3. Property Address and Nearest Cross Street	t:	
333 Mission Vineyard Road		
4. Assessor's Parcel Number: 012-190-012 (no	ote APN not updated since LLA PLN 17-0010 appro	oved, recorded, and perfected 3/2/2018)
5. Current Zoning: AP-5 General I	Plan Designation: AP	
6. Property area (acres or square feet) 30.65	6 acres	

of the hillside areas as agricultural pasture.	note continued use				
. REZONING OR AMENDMENT ONLY: The applicant wishes to amend Section	of the San				
denito County Code, from a Zoning District to a	Zoning				
REZONING OR AMENDMENT ONLY: The applicant wishes to amend Section denito County Code, from a Zoning District to a District or some other classification.					
9. GENERAL PLAN AMENDMENT ONLY: Describe the proposed amendment					
A CHIDDWIGON INFORMATION ONLY					
0. SUBDIVISION INFORMATION ONLY: Proposed Number of Lets 6					
Existing Number of Lots 2 Proposed Number of Lots 6 Existing Lot Size(s) 5.000 acres & 25.656 acres Proposed Lot Sizes Five 1+acre	e & One 25 acre				
Existing Lot Size(s) 5.000 acres & 25.000 acres 1 Toposed Lot Sizes Five 1+acre	e a One 25 acre				
Number of Parcels included in Adjustment	9				
Will the adjustment relocate a building area?	×				
Will the adjustment relocate a building area? Existing Parcel Sizes: Proposed Parcel Sizes:					
Will the adjustment relocate a building area?					
Will the adjustment relocate a building area? Existing Parcel Sizes: Proposed Parcel Sizes:					
Will the adjustment relocate a building area?					
Will the adjustment relocate a building area?	qualifies the property or				
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Will the adjustment relocate a building area? Existing Parcel Sizes: Proposed Parcel Sizes: Are all parcels under same ownership? 2. VARIANCES ONLY: Describe the Variance request Describe any exceptional or extraordinary circumstances applying to the property involved that project for a Variance: 13. Residential Construction: Check all that Apply					
Accessory Extrached Detached Detached					

7. Describe the proposed project:

this time

No. of employees				
No. of existing parking spaces No. of proposed p	arking spaces			
No. of Loading Spaces Hours of Ope	eration:			
No. of Loading Spaces Hours of Operation Any hazardous materials manufactured or used on site?				
If yes, what types?				
15. Will grading or filling be required: YESNO	If yes, list cu	bic yards_	225cy cut /	225cy fill ±
16. Will the project require development on slopes greater tha	n 20%? YES _	N(o_ √ _	
17. Will any trees be removed? YESNO				
If yes, list number, size and type N/A				
18. How will water be supplied:	Wells		Mutual S	ystem City o
19. How will wastewater be removed from the site:	Septic Tank	<u>√</u>	Mutual S	
20. Is the property currently used for Agricultural purposes:	YES_	NO		
21. Is this land under Williamson Act Contract:	YES	NO V		
	_			
AFFIDAVI				
I hereby consent to and make application for the above reference exhibits submitted herewith are true and correct to the best of m justify approval of this request is mine alone, and that neither to obligation to support or approve the requests contained herein.	d land use action knowledge. I	further acl	knowledge th	at the burden
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I hereby consent to and make application for the above reference exhibits submitted herewith are true and correct to the best of m justify approval of this request is mine alone, and that neither to obligation to support or approve the requests contained herein. Owner Signature Applicant/Agent Signature If there are multiple property owners, please attach a consent letter PLANNING DIVISION Date Submitted: Expiration of 30-day review	d land use action y knowledge. I he County staff for each owner of the county staff for each owner of the county when the county we have a county with the county when the county we have a county with the co	further acl	knowledge the ounty official of the ounty official of the ounty official of the ounty official of the ounty official official official ounty oun	at the burden as are under as 2019

Preliminary Septic Suitability Evaluation
Dassel Tentative Map
333 Mission Vineyard Road, San Juan Bautista
APN 012-190-012, San Juan Bautista, CA

(prepared per 23.07.003.H San Benito County Code)

Job# 216052 1/29/2019

Project Description:

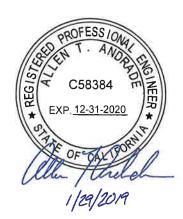
The proposed development includes the subdivision of the project site into five 1+ acre parcels and one 25 acre parcel. Each parcel is anticipated to include a future single family residence, on-site septic system, and a driveway connecting to Mission Vineyard Road. Improvements shall include the widening of Mission Vineyard Road, surface grading for road side ditches, driveways, and associated drainage as well as underground dry utility services and water services. Nominal grading is anticipated, as all proposed improvements are located in the flat areas adjacent to Mission Vineyard Road.

This evaluation is a supplement to the preliminary soil report prepared by MH engineering for this Tentative Map. Items herein are additional information pertaining to the suitability of the site to accommodate conventional on-site septic systems for residences typically found in the AP-5, or RR Zoning. A conventional on-site septic system includes a septic tank, and drainfield designed in accordance with the requirements of the San Benito County Environmental Health Department. The proposed minimum lot size is 1+ acre and is consistent with the residential development immediately east of the project which includes 4 homes on 1 acre lots with on-site septic systems that were installed in the mid 1960s and have been functioning appropriately for the past 53 years which is the primary evidence that the area is suitable for the proposed development. The groundwater elevation in the area varies seasonally between 15 and 30 feet, and the area is considered suitable for on-site septic systems if the soils have adequate infiltration rates. Review of the USDA SCS Soil Survey, and NRCS USDA Web Soil Survey indicate that site soils in the development area include HaA -Hanford coarse sandy loams which is classified to have rapid permeability and the Web Soil Survey results indicated a saturated hydraulic conductivity in the range of 2 to 7 inches per hour which does not limit the functionality of a septic drainfield designed in accordance with the requirements of the San Benito County Environmental Health Department. Upon approval of the proposed tentative map, each site shall be conditioned to perform design level percolation testing in the actual location of any proposed septic system to ensure that the system design is based on the site specific percolation rate for the actual installation area and the appropriate system loading based on the size and components of any proposed residence.

Contents:

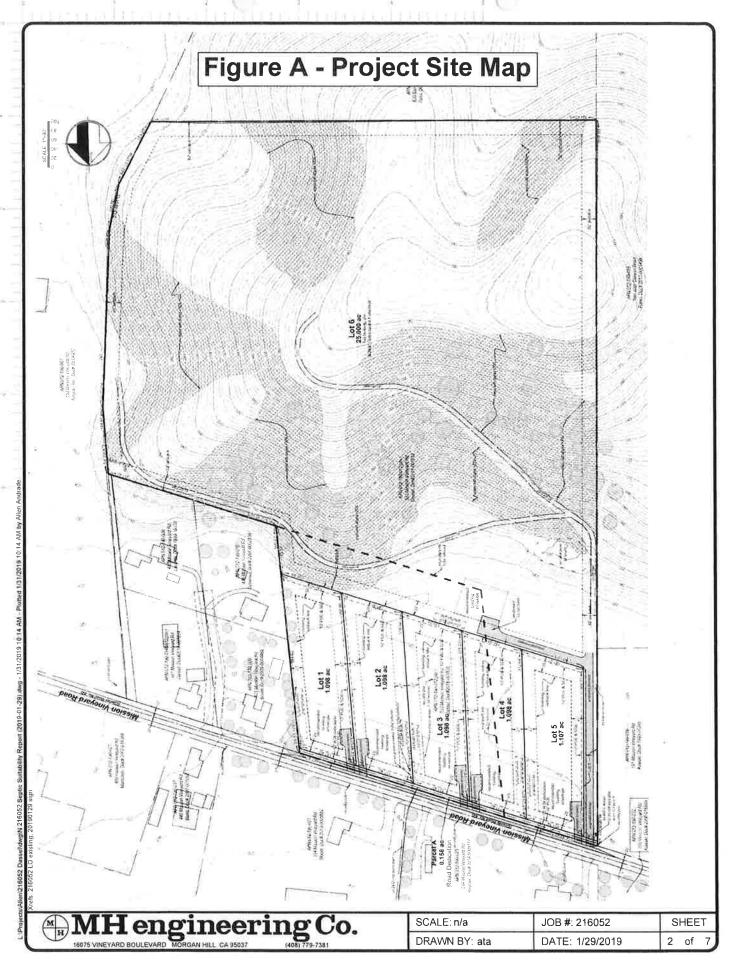
dwg - 1/31/2019 10:14 AM - Plotted 1/31/2019 10:14 AM by Allen

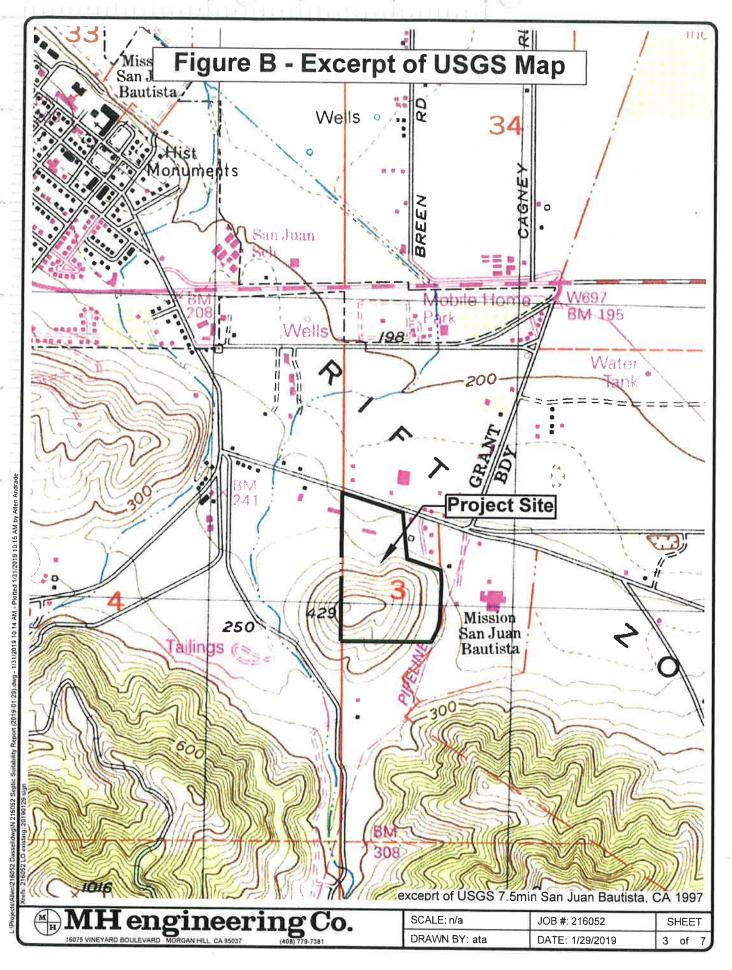
- 1. Septic Suitability Evaluation
- 2. Figure A: Project Site Plan
- 3. Figure B: USGS Map excerpt
- 4. Figure C: Soils Map
- 5. Figure D: Soil Description & Representative Profile

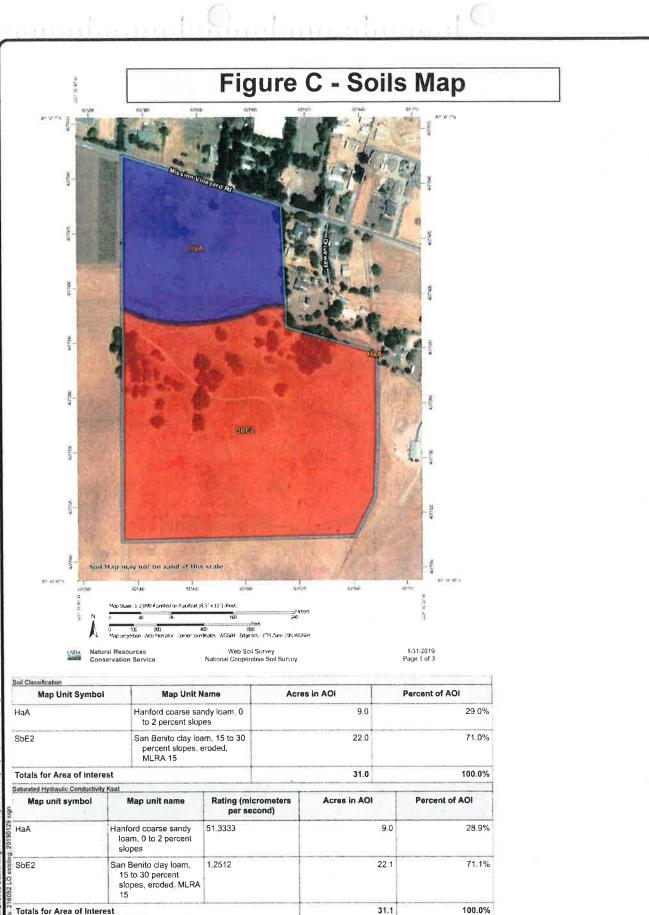


MH engineer	ing Co.
16075 VINEYARD BOULEVARD MORGAN HILL, CA 95037	(408) 779-7381

SCALE: n/a	JOB #: 216052	SHEET
DRAWN BY: ata	DATE: 1/29/2019	1 of 7







SCALE: n/a	JOB #: 216052	S	HEE	T
DRAWN BY: ata	DATE: 1/29/2019	4	of	7

Excerpt & Representative Profile - Hanford Series in Vicinity of Proposed Project (from USDA SCS Soil Survey, San Benito County, California - pages 24&25)

Hanford Series

The Hanford series consists of well-drained loamy soils that formed in alluvium derived from acid igneous rock. These soils are nearly level to sloping; they occur on flood plains and fans. The vegetation consists of annual grasses and forbs and scattered oaks and Digger pine. A few small areas are in brush. Elevations range from 200 to 2,000 feet above sea level. Annual rainfall is 12 to 16 inches. Average annual temperature is about 60° F., and the frost-free period is about 260 days. The main associated soils are the Sheridan, Auberry, and Salinas.

The surface layer is grayish-brown and dark gravishbrown loam or coarse sandy loam about 20 inches thick. The next layer is grayish-brown loam about 4 inches thick. It is underlain by stratified coarse loamy sand and sandy loam that ranges from 22 to 40 inches. Below this

is pale-brown coarse loamy sand.

The Hanford soils are used for irrigated walnuts, pears, sugar beets, tomatoes, and vegetables; for irrigated and dryland wine grapes; and for dryland grain and incidental pasture.

Hanford coarse sandy loam, 0 to 2 percent slopes (HoA).-This soil is nearly level and lies on flood plains along drainageways and in the larger valleys,

Representative profile: North of private road to St. Francis Retreat, 1 mile southeast of San Juan Bautista. 200 yards northeast of race track.

Ap=0 to 8 inches, grayish-brown (10YR 5/2) coarse sandy loam, very dark grayish brown (10YR 3/2) when moist; weak, fine, granular structure; hard when dry, very friable when moist, nonsticky and non-plastic when wet; plentiful very fine and fine roots; few, very fine and fine, interstiial porcs; slightly acid; clear, smooth boundary.

Al=8 to 20 inches, dark grayish-brown (10YR 4/2) coarse sandy loam, very dark grayish brown (10YR 3/2).

A1—8 to 20 inches, dark graylsh-brown (10YR 4/2) coarse sandy loam, very dark grayish brown (10YR 3/2) when moist; weak, coarse, subangular blocky structure; hard when dry, very friable when moist, non-sticky and nonplastic when wet; few very fine and fine roots; few, very fine and fine, interstitial pores; slightly acid; abrupt, smooth boundary.

AC—20 to 26 inches, grayish-brown (10YR 5/2) loam, very dark grayish brown (10YR 3/2) when moist; weak, medium, subangular blocky structure; hard when dry, very friable when moist, slightly sticky and slightly plastic when wet; few very fine and fine roots; common, very line and fine, interstitial pores;

roots; common, very fine and fine, interstitial pores; 1-inch layer of coarse sand at top of horizon; slightly acid; cleur, smooth boundary.

acid; clear, smooth boundary.

IIC1—20 to 48 inches, grayish-brown (10YR 5/2), stratified, loamy coarse sand and sandy loam, very dark grayish brown (10YR 3/2) when moist; single grain; loose when dry, loose when moist, nonsticky and nonplastic when wet; few very fine and fine roots; slightly acid; clear, smooth boundary.

IIC2—48 to 70 inches, pale-brown (10YR 6/3) loamy coarse sand, dark brown (10YR 3/3) when moist; weak, fine, subangular blocky structure; slightly hard when dry, very frlable when moist, nonsticky and non-

dry, very friable when moist, nonsticky and non-plastic when wet; slightly acid; clear, smooth bound-

Included with this soil are some small areas of Salinas soils and some soils that are sandy throughout the profile. This soil has low to moderate fertility. Available water holding capacity is about 6 to 8 inches. Permeability is rapid, runoff is very slow, and the hazard of crosion is

slight to none. The root zone is very deep.

This soil is used for irrigated fruits, nuts, row and field crops and for dryland grain and incidental pasture. Capability units IIs-4 (14) and IIIs-4 (15).

MH	MH	en	gin	eeri	ng Co.
$\overline{\mathbf{v}}$	16075 VINEYARD B		_	CA 95037	(408) 779-7381

SCALE: n/a JOB #: 216052		SHEET		
DRAWN BY: ata	DATE: 1/29/2019	5 of 7		

Lot 4 Lot 5

- residential use on the site unless approved by the County
 4 Project is designed as a PUD per 25 19 002 to facilitate the Five 1+ acre lots
- smillar to existing development adjacent to the east and One 25 acre to! to promote continued use of the hillside areas as agricultural pasture 5 Proruse on sile was pasture animal stables and a modular home removed in 2016 when current owner took possession

Prior Development on site. Site formerly had a residence and Agricultural outbuildings that were removed in 2016. Site has histonically been used for fair iming on the flat ground and grazing on the hillades. Proposed Project Subdivide existing 5.00 ac 8.25.65 ac parcels into 5.1 sice parcels plus 1.25a bit with a 24 acre agricultural open space easement, required widening of the Mission Vineyard Road frontage as required per County road standards. Vegetation on site is only grasses and cope disturbed areas will be replanted to match current upon completion of required improvements.

Proposed Density = 5 acres per Lot Existing Land Use = Agriculture Proposed Land Use = Agriculture Open Space = 24 ac open space easement

Vesting

Exp 17.51-2000

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engineering

MH

THE PERSON NAMED IN COLUMN 1

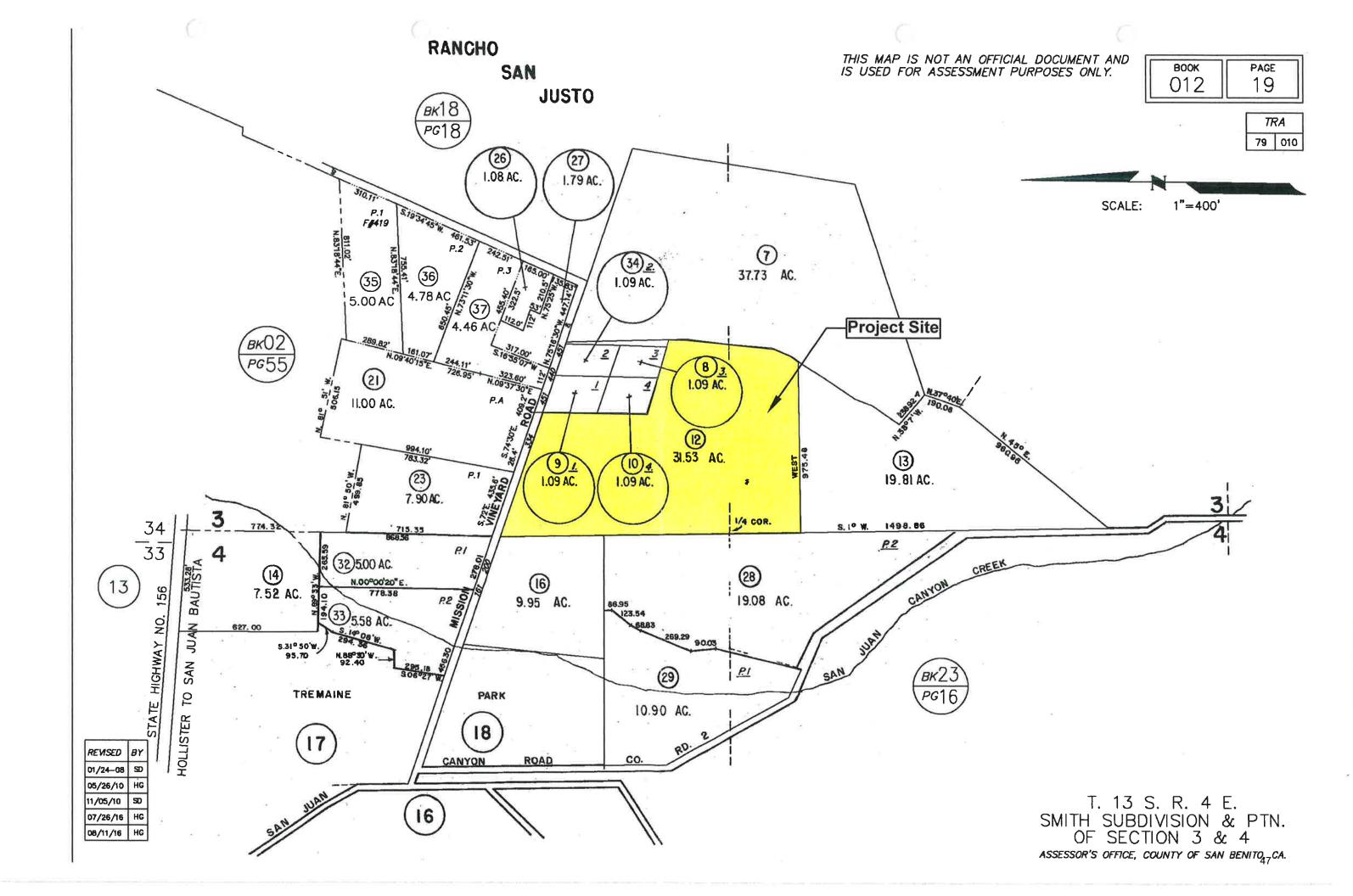
w-aerial background n Vineyard Road

Tentative Map wasel, 333 Mission

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CITY OF SAN JUAN BAUTISTA

PLANNING COMMISSION

STAFF MEMO

DATE: June 26, 2019

SUBJECT: DISCUSSION OF A PAST DRAFT NOISE ORDINANCE

DISCUSSION:

During recent construction, staff received a query from a resident on the hours of construction activity allowed in the City. There was reference made to a past resolution passed by Planning Commission, to which staff investigated. Resolution 2016-17, passed at the April 5, 2016 Planning Commission meeting, requesting a code amendment to address noise issues. The item was taken to Council, but was never adopted. Based on the minutes, the item was reviewed by Council, but sent back to staff and Planning Commission for further review.

Because of the current construction activities, and concern about special events, staff is bringing this matter to Planning Commission as a discussion item.

ACTION:

No action necessary at this time.

Attached:

PC Resolution 2016-17 Minutes from April 5, 2016 Planning Commission Hearing Minutes from May 17, 2016 City Council Hearing

1	RESOLUTION 2016-17
2 3 4 5	A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN JUAN BAUTISTA APPROVING THE NOISE ORDINANCE AND RECOMMENDING TO THE CITY COUNCIL AMENDMENT OF THE SAN JUAN BAUTISTA MUNICIPAL CODE TO ADD CHAPTER 11-30 REGULATING NOISE
6	
7 8 9	WHEREAS , the General Plan of the City of San Juan Bautista provides the basic framework for the Planning Commission to regulate and guide growth within the City and surrounding sphere of influence, and
10 11	WHEREAS , the Planning Commission has reviewed the San Juan Bautista Municipal Code for its ability to regulate noise, and
12 13	WHEREAS, the Planning Commission recognizes the current Municipal Code lacks the ability to regulate noise in the city, and
14 15	WHEREAS, the Planning Commission has reviewed, analyzed and developed comprehensive regulations and standards for regulating noise, and
16 17 18 19 20 21	WHEREAS, the Planning Commission finds that the project is exempt from environmental review per CEQA Guidelines under the General Rule (Section 15061(b)(3)). The project involves updates and revisions to existing regulations. The proposed code amendments are consistent with California Law, specifically Government Code section 65850.5 and Civil Code section 714. It can be said with certainty that the proposed Municipal Code text amendments will have no significant negative effect on the environment.
22 23 24 25	NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of San Juan Bautista does hereby approve Exhibit "A," Noise Regulations, and recommends to the City Council the adoption thereof and amendment of the San Juan Bautista Municipal Code, adding Chapter 11-30,
26	"Noise Regulations," as described in Exhibit "A" that follows:
27	Exhibit A
28 29	Said exceptions shall apply only to the extent and during the hours specified in each of the following enumerated exceptions.
30 31 32 33 34	(a) General Daytime Exception. Any noise source which does not produce a noise level exceeding seventy (70) dBA at a distance of twenty-five (25) feet under its most noisy condition of use shall be exempt if (a) between the hours of eight (8) a.m. and eight (8) p.m. Monday through Friday, nine (9) a.m. and eight (8) p.m. on Saturday, except Sundays and holidays, when the exemption herein shall apply between ten (10) a.m. and six (6) p.m.
35 36	(b) Construction. Except for construction on residential property as described in subsection (c) of this section, construction, alteration and repair activities which are authorized by valid city

- building permit shall be prohibited on Sundays and holidays and shall be prohibited except
- between the hours of eight (8) a.m. and six (6) p.m. Monday through Friday, nine (9) a.m. and
- six (6) p.m. on Saturday provided that the construction, demolition or repair activities during
- 40 those hours meet the following standards:
- 41 (1) No individual piece of equipment shall produce a noise level exceeding one hundred
- and ten (110) dBA at a distance of twenty-five (25) feet. If the device is housed within a
- 43 structure on the property, the measurement shall be made outside the structure at a distance as
- close to twenty-five (25) feet from the equipment as possible.
- 45 (2) The noise level at any point outside of the property line of the project shall not exceed 46 one hundred ten (110) dBA.
- 47 (3) The holder of a valid construction permit for a construction project in a non-residential
- zone shall post a sign at all entrances to the construction site upon commencement of
- 49 construction, for the purpose of informing all contractors and subcontractors, their employees,
- agents, materials personnel and all other persons at the construction site, of the basic
- 51 requirements of this chapter.
- 52 (A) Said sign(s) shall be posted at least five (5) feet above ground level, and shall be of a
- white background, with black lettering, which lettering shall be a minimum of one and one-half
- 54 $(1 \frac{1}{2})$ inches in height.
- 55 (B) Said sign shall read as follows:
- 56 CONSTRUCTION HOURS
- *All projects are subject to further regulation per situational basis*
- 58 FOR NON-RESIDENTIAL PROPERTY
- 59 (Includes Any and All Deliveries)
- 60 MONDAY FRIDAY......7:00 a.m. to 6:00 p.m.
- 61 SATURDAY......9:00 a.m. to 6:00 p.m.
- 62 SUNDAY/HOLIDAYS......Construction prohibited.
- Violation of this Ordinance is a misdemeanor punishable by a maximum of six (6) months in jail,
- \$1,000 fine, or both. Violators will be prosecuted.
- 65 (a) Construction on Residential Property. Construction, alteration, demolition or repair
- activities conducted in a residential zone, authorized by valid city building permit, shall be
- 67 prohibited on Sundays and holidays and is prohibited on all other days except during the hours of
- 68 eight (8) a.m. and six (6) p.m. Monday through Friday, nine (9) a.m. and six (6) p.m. on
- 69 Saturday, provided that the construction, demolition or repair activities during those hours meet
- 70 the following standards:

- 71 (1) No individual piece of equipment shall produce a noise level exceeding one hundred 72 ten (110) dBA at a distance of twenty-five (25) feet. If the device is housed within a structure on 73 the property, the measurement shall be made outside the structure at a distance as close to 74 twenty-five (25) feet from the equipment as possible.
 - (2) The noise level at any point outside of the property plane of the project shall not exceed one hundred ten (110) dBA.
 - (3) The holder of a valid building permit for a construction project located within any residential zone shall post a sign at all entrances to the construction site upon commencement of construction, for the purpose of informing all contractors and subcontractors, their employees, agents, materialmen and all other persons at the construction site, of the basic requirements of this chapter.
- 82 (A) Said sign(s) shall be posted no less than three (3) feet and no more than five (5) feet 83 above ground level, shall be visible from the adjacent street, and shall be of a white background, 84 with black lettering, which lettering shall be a minimum of one and one-half inches (1 ½) in 85 height.
 - (B) Said sign shall read as follows:
 - **HOURS FOR RESIDENTIAL Areas (including R1, R2, R3, MU)**
- 88 (includes any and all deliveries)

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- 89 MONDAY-FRIDAY......7:00 a.m. to 6:00 p.m.
- 90 SATURDAY/SUNDAY/HOLIDAYS.....9:00 a.m. to 6:00 p.m.
- Violation of this Ordinance is a misdemeanor punishable by a maximum of six (6) months in jail, \$1,000 fine, or both. Violators will be prosecuted.
 - (a) Other Equipment. Equipment used by city employees, city contractors, or public utility companies or their contractors, not covered by subsections (b) and (c) of this section, shall be allowed during the same hours as the exception set forth in subsection (b) of this section, providing no piece of equipment shall produce a noise level which exceeds one hundred ten (110) dBA, measured at a distance of twenty-five (25) feet from the equipment.
 - (b) Residential Power Equipment. Residential power equipment shall be allowed during the hours of eight (8) a.m. and eight (8) p.m. Monday through Friday, nine (9) a.m. and six (6) p.m. Saturday, Sundays and holidays, providing it does not produce a noise level that exceeds ninety-five (95) dBA measured at twenty-five feet (25) from the equipment and is not being operated for construction.
- 103 (c) Leaf Blowers.
 - (1) No person shall operate any leaf blower which does not bear an affixed manufacturer's label indicating the model number of the leaf blower and designating a noise level not in excess of sixty-five (65) dBA when measured from a distance of fifty feet (55) utilizing American

- National Standard Institute methodology. Any leaf blower which bears such a manufacturer's label shall be presumed to comply with any noise level limit of this chapter provided that it is operated with all mufflers and full extension tubes supplied by the manufacturer for that leaf blower. No person shall operate any leaf blower without attachment of all mufflers and full extension tubes supplied by the manufacturer for that leaf blower.
 - (2) No person shall operate any leaf blowers within a residential zone except during the following hours: nine (9) a.m. and five (5) p.m. Monday through Friday and ten (10) a.m. and four (4) p.m. Saturday. No person shall operate any leaf blower within any non-residential zone except during the following hours: eight (8) a.m. and six (6) p.m. Monday through Friday, and ten (10) a.m. to four (4) p.m. Saturday. No landscaping and/or yard maintenance crews/individuals shall operate any leaf blowers on Sundays and holidays. In addition to all authorizations and restrictions otherwise provided in this chapter, public streets, sidewalks, and parking lots in historic and industrial districts and all city parks may be cleaned between eight (8) a.m. and twelve (12) p.m. using leaf blowers which bear an affixed manufacturer's label indicating the model number of the leaf blower and designating a noise level not in excess of sixty-five (65) dBA when measured from a distance of fifty (50) feet utilizing American National Standard Institute methodology.
 - (e) Refuse Collection. Refuse collection activities in residential areas shall be permitted between the hours of six (6) a.m. and six (6) p.m. daily, provided they do not produce a noise level in excess of ninety-five (95) dBA measured at a distance of twenty-five (25) feet from the activity.
 - (f) Safety Devices. Aural warning devices which are required by law to protect the health, safety and welfare of the community shall not produce a noise level more than three (3) dBA above the standard or minimum level stipulated by law.
 - (g) Emergencies. Noises related to emergency situation such as sirens are exempt from this chapter.
 - (h) Public Parking Lot Cleaning. Cleaning equipment (other than leaf blowers), when used in public parking lots, shall be allowed during the hours of eight (8) a.m. and twelve (12) p.m. daily, providing no such piece of equipment shall produce a noise level that exceeds ninety (90) dBA measured at a distance of twenty-five (25) feet.
- Historic District Street Cleaning. Cleaning equipment (other than leaf blowers), when used in public streets and public sidewalks within the public right-of-way in historic districts shall be allowed during the hours of eight (8) a.m. and twelve (12) p.m. daily, providing no such piece of equipment shall produce a noise level that exceeds ninety (90) dBA measured at a distance of twenty-five (25) feet.

California Vehicle Code

Motorcycle Limits

144 145	27202. For the purposes of Section 27200, the following noise limits shall apply to any motorcycle, other than a motor-driven cycle, manufactured:
146	(1) After 1969, and before 1973
147	(2) After 1972, and before 197586 dba
148	(3) After 1974, and before 198683 dba
149	(4) After 198580 dba
150	Pre-1970 Motorcycle Limit
151 152	27201. For the purposes of Section 27200, the noise limit of ninety-two (92) dbA shall apply to any motorcycle manufactured before 1970.
153	RADIOS, RECORD PLAYERS DISTURBING PEACE IN NEIGHBORHOOD:
154 155 156 157 158 159 160 161 162 163 164 165 166	It shall be unlawful for any person within the city to use or operate or cause to be operated or to play any radio, phonograph, jukebox, record player, loudspeaker, musical instrument, mechanical device, machine, apparatus, or instrument for intensification or amplification of the human voice or any sound or noise in a manner so loud as to be calculated to disturb the peace and good order of the neighborhood or sleep of ordinary persons in nearby residences or so loud as to unreasonably disturb and interfere with the peace and comfort of the occupants of nearby residences. The operation of any such instrument, phonograph, jukebox, machine or device in such manner as to be plainly audible at a distance of one hundred feet (100') from the building, structure, vehicle, or place in which, or on which it is situated or located shall be prima facie evidence of a violation of this section.
167	
168	EXTERIOR NOISE STANDARDS:
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170 171 172 173 174 175	A. It is unlawful for any person at any location within the incorporated areas of the city to create any noise, or to allow the creation of any noise, on property owned, leased, occupied or otherwise controlled by such person which causes the exterior noise level when measured at any affected residence, school, hospital, church or public library to exceed the noise level standards as set forth in the following table:
176	EYTEDIOD MOISE I EVEL STANDADDS JRA

Category	Daytime 7:00 A.M. To 10:00 P.M.	Nighttime 10:00 P.M. To 7:00 A.M.
Hourly Leq	50	45
Maximum sound level (L _{MAX})	70	65

B. In the event the measured ambient noise level without the alleged offensive source in operation exceeds the applicable noise level standard in either category above, the applicable standard or standards shall be adjusted so as to equal the ambient noise level.

182 C. Each of the noise level standards specified above shall be reduced by five (5) dB for pure tone 183 noises, noises consisting primarily of speech or music, or for recurring impulsive noises.

D. If the intruding noise source is continuous and cannot reasonably be discontinued or stopped for a time period whereby the ambient noise level without the source can be measured, the noise level measured while the source is in operation shall be compared directly to the noise level standards.

RESIDENTIAL INTERIOR NOISE STANDARDS:

A. It is unlawful for any person at any location within the incorporated areas of the city, to operate or cause to be operated within a dwelling unit or on property occupied by a nonresidential use, any source of sound or to allow the creation of any noise which causes the noise level when measured inside another dwelling unit to exceed the noise level standards as set forth in the following table:

INTERIOR NOISE LEVEL STANDARDS, dBA

Category	Daytime 7:00 A.M. To 10:00 P.M.	Nighttime 10:00 P.M. To 7:00 A.M.
Maximum sound level (L _{MAX})	55	45

B. The noise level standards specified above shall be reduced by five (5) dB for pure tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises.

201 202 203 204 205	C. If the intruding noise source is continuous and cannot reasonably be discontinued or stopped for a time period whereby the ambient noise level without the source can be measured, the noise level measured while the source is in operation shall be compared directly to the noise level standards.							
206								
207 208		ID ADOPTED by the Plann arch, 2016 by the following w	ing Commission of the City of San Juan Bautista this vote:					
209								
210	AYES:	Guibert, Medeiros, Gred	assoff, Coke, Franco					
211								
212	NOES:	None						
213								
214	ABSENT:	None						
215								
216	ABSTAIN:	None						
217								
218								
219			Chairperson Ernest J. Franco					
220								
221	ATTEST:							
222								
223								
224	Trish Paetz,	Deputy City Clerk						
225								

CITY OF SAN JUAN BAUTISTA PLANNING COMMISSION REGULAR MEETING APRIL 5, 2016 MINUTES

1. CALL TO ORDER - Chairman Franco called the meeting to order at 6:55 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. CEREMONIAL ITEMS

A. Introduction and Swearing-In of Planning Commissioner Lorraine Coke

3. PUBLIC COMMENT

No comments were received.

4. INFORMAL PROJECT REVIEW

Nothing was presented.

5. CONSENT ITEMS

- A. Approve Affidavit of Posting Agenda
- B. Approve Affidavit of Posting Public Hearing Notices
- C. Approve Minutes of January 5, 2015 Meeting

Staff requested the minutes be pulled from the consent agenda as they are not complete.

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

6. PUBLIC HEARING ITEMS

A. Consider Amendment to the SJBMC 11-30 Rules and Regulations for Home Occupation Business Permit

i. Adopt Resolution 2016-16 for a Categorical Exemption under Section 15321, Class 21 of CEQA to approve and Recommend Rules and Regulations for Home Occupation Businesses

Staff presented a draft ordinance which included changes made last month. A question and answer period follow. Chairman Franco opened the public hearing. Jolene Cosio asks for clarification on sections of the ordinance.

A motion was made by Commissioner Guibert and seconded by Commissioner Gredassoff to approve Resolution 2016-16 recommending to the City Council approval of regulations for a home occupation ordinance. The motion passed unanimously, 5-0.

B. Consider Amendment to the SJBMC Adding Section 11-04, Noise Ordinance i. Adopt Resolution 2016-17 for a Categorical Exemption under Section 15308 and 16321 of CEQA to approve and recommend Section 11-04, Noise Ordinance Staff provided a proposed draft ordinance. A question and answer period followed. Chairman Franco opened the public hearing. Jolene Cosio commented on sections of the ordinance. Chairman Franco closed the public hearing.

A motion was made by Commissioner Coke and seconded by Vice Chairman Medeiros to approve Resolution 2016-17 recommending to the City Council approval of an ordinance dealing with noise. The motion passed unanimously, 5-0.

- C. Consider a Site and Design Review Permit for a Single Family Home and Secondary Unit at 403 Seventh Street, APN 002-380-020. The applicant is Anthony Nicola.
- i. Approve Resolution 2016-18 Adopting a Categorical Exemption for the project under Section 15303(a) of CEQA and Approving a Site and Design Review Permit for a Single Family Unit

Staff provided a report and sketches for site and design review of the project. The applicant was present. Chairman Franco opened the public hearing. Cara Vonk spoke in support of having the garage at the back. Greg Guevara was concerned with the pitch of the roof on the second floor as it relates to the pitch of the roof on his home next door to the property. Jolene Cosio asked whether requirement for curb, gutter and sidewalk should be in the conditions of approval. Chairman Franco closed the public hearing. A question and answer period followed.

A motion was made by Vice Chairman Medeiros and seconded by Commissioner Medeiros and seconded by Commissioner Coke to approve Resolution 2016-18 adopting a categorical exemption for the project. The motion passed unanimously, 5-0.

i. Approve Resolution 2016-19 for site and design review for a single family unit at APN 002-380-020.

A motion was made by Commissioner Guibert and seconded by Commissioner Gredassoff to approve Resolution 2016-19 approving a site and design review permit for a single residential unit on Seventh Street (APN 002-380-020). The motion passed unanimously, 5-0.

- D. Consider Rezoning a 0.0655 acre parcel of land situated 251.17 feet north of the north line of San Juan-Hollister Road (APN 002-520-011) from Commercial Zoning to R-1 Low Density Residential Zoning District
- i. Approve Resolution 2016-XX Recommending to the City Council rezoning of APN 002-520-011 from commercial Zoning to R-1 Low Density Residential.

This item was continued to the next meeting.

E. Review and Comment on an Initial Study and Mitigated Negative Declaration for the 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.

This item was continued to the next meeting.

7. ACTION ITEMS

A. Consider Resolution Approving Changes to the Planning Commission By-Laws

This item was continued.

B. Consider Public Structure and Residential Structure to Recognize during Preservation Month

A motion was made by Commissioner Guibert and seconded by Commissioner Coke to accept the recommendation of the Historic Resources Board to honor Glad Tidings Church and the Marentis House during Preservation Month. The motion passed unanimously, 5-0.

C. Consider Approval of Historic Downtown Streetscape Guidelines

City Manager Grimsley commented the streetscape guidelines are in conflict with his authority to maintain health and safety standards in the community. Commissioner Gredassoff responded that the City Manager has authority in emergency situations.

This item was continued to next month.

8. DISCUSSION ITEMS

A. Review Existing Fencing Regulations in the SJBMC and Design Guidelines This item was continued to the next meeting.

B. Harvey's Lock-up Update

Staff provided an update.

9. COMMENTS & REPORTS

A. Planning Commissioners

Commmissioner Gredassoff encouraged everyone that wants to get involved in City planning to come to the Planning Commission meetings; social media is not the place to get reliable information. Commissioner Guibert announced the Library will host a mixer tomorrow at 5 pm. Chairman Franco reminded the public they can purchase succulents in the Community Hall on April 23rd and 24th.

B. City Manager

City Manager Grimsley announced the Annual Arts and Crafts Fair is this weekend, and the San Juan Committee discussed city branding at a recent meeting.

C. Assistant Planner

No comments were received.

D. Strategic Planning Committee Commissioners received a report.

9. ADJOURNMENT

The meeting adjourned at 9:00 p.m.

CITY OF SAN JUAN BAUTISTA CITY COUNCIL REGULAR MEETING MAY 17, 2016

MINUTES

1. CALL TO ORDER – Mayor Rick Edge called the meeting to order at 6:00 p.m.

A. PLEDGE OF ALLEGIANCE – Mayor Edge led the pledge of allegiance.

B. ROLL CALL Present: Mayor Edge, Vice Mayor Martorana, Council Members

Lund, Boch and West

Staff Present: City Manager Grimsley, City Clerk Schobert,

City Attorney Mall, Deputy City Clerk Paetz,

City Treasurer Geiger

2. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Justin Alnas was concerned with speeding observed around the intersection of Sixth and Washington Streets. Valerie Egland spoke in support of Measure P.

3. CONSENT ITEMS

- A. Approve Affidavit of Posting Agenda
- **B.** Approve Affidavit of Posting Public Hearing Notice
- C. Waive Reading of Ordinances and Resolutions on Tonight's Agenda Beyond Title
- D. Approve Resolution 2016-23 Approving the Report Prepared in Connection with the Fiscal Year 2016-17 Levy of Assessments in Connection with Valle Vista Landscape and Lighting Maintenance Assessment District No. 1
- E. Approve Resolution 2016-24 Declaring the City's Intention to Levy and Collect Assessments Within Valle Vista Landscape and Lighting Maintenance Assessment District No. 1 for Fiscal Year 2016-17 and Setting the Time and Place for a Hearing on Said Assessment
- F. Approve Resolution 2016-25 Authorizing the Participating Regional Authority, On Its Behalf, Submittal of a Payment Program Application by a Lead Agency for which San Benito County Integrated Waste Management Regional Agency is Eligible
- G. Approve Resolution 2016-26 for Street Closure Double Road Race
- H. Approve Resolution 2016-27 Calling a General Municipal Election to be Held on November 8, 2016, Requesting that San Benito County Agree to Consolidation of Said Election with the Statewide General Election to be Held on Said Date, and Requesting the County to Render Services in Connection with Said Consolidated Election

I. Approve Minutes for February 16, 2016

J. Approve Minutes for March 15, 2016

Mayor Edge asked that the minutes for February and March be pulled from the Consent Agenda for discussion.

A motion was made by Council Member Lund and seconded by Council Member West to approve all items on the consent agenda except the minutes. The motion passed unanimously, 5-0.

Changes were noted to the February and March minutes.

A motion was made by Mayor Edge and seconded by Council Member West to approve the minutes for February 16, 2016 and the minutes for March 15, 2016 with changes as noted. The motion passed unanimously, 5-0.

Mayor Edge requested Action Item 6A be moved up in the agenda and presented immediately.

6A. Consider Adoption of Multijurisdictional Hazard Mitigation Plan – Kevin O'Neill, San Benito County OES Manager

Council listened to a presentation by Kevin O'Neill.

A motion was made by Vice Mayor Martorana and seconded by Council Member West to approve Resolution 2016-22 Adopting the San Benito County Operational Area Multi-Jurisdictional Local Hazard Mitigation Plan. The motion passed unanimously, 5-0.

4. PRESENTATIONS, INFORMATIONAL ITEMS AND REPORTS

A. Report on Tourism – Juli Vieira, San Benito County Chamber of Commerce Council viewed a power point presentation on activities promoting tourism in San Benito County.

B. Planning Commission Presentation of Certificates of Recognition for National Preservation Month – Ernest Franco, Planning Commission Chairman

Planning Commission Chairman Franco announced that Glad Tidings Church and the residence at 1111 First Street would receive recognition during National Preservation Month.

C. Licensing of Tobacco Retailers – Samantha Perez, Director, County Health & Human Services Agency

Council received a presentation from Director Perez and youth from the community active with the project.

D. Monthly Financial Statements and Treasurer's Report

City Treasurer Geiger presented the Treasurer's Report and reviewed the warrant list with Council. There were no public comments.

E. Sheriff's Report: Monthly Activity

A representative of the Sheriff's department was not present, and a written report was not available. There were no public comments.

F. Fire Chief's Report

A representative of the Hollister Fire Department reviewed the Fire Chief's report and responded to questions. There were no public comments.

G. Library Report

Council received a report. There were no public comments.

H. Administrative Report

City Manager Grimsley reviewed his report and responded to questions from the Council. There were no public comments.

I. Public Meetings and City Council Committee Reports

Council members explained what was discussed at the meetings where they represent the City.

J. Report by Neighborhood Watch

No report was provided.

5. PUBLIC HEARING ITEMS

A. Consider Adopting an Ordinance Adding Section 5-28 Requiring Licensing of Tobacco Retailers

Samela Perez and Lynn Mello of San Benito County Health and Human Services Agency presented a report. Mayor Edge opened the public hearing. John Freeman spoke in support of the ordinance. There were no other comments. Mayor Edge closed the public hearing.

A motion was made by Mayor Edge and seconded by Vice Mayor Martorana to introduce an ordinance adding Section 5-28 to the Municipal Code requiring licensing of tobacco retailers in the City of San Juan Bautista. The motion passed 4-1-0-0 with Council Member West voting against.

B. Consider Adopting an Ordinance adding Section 11-04 to the Municipal Code, Dealing with Noise

This item was continued to a future meeting so the Planning Commission can review and approve enhancements provided by the City Attorney.

C. Consider Adopting an Ordinance Adding Section 11-30 to the Municipal Code, Rules and Regulations for Home Occupation Business Permits

This item was continued to a future meeting so the Planning Commission can review and approve enhancements provided by the City Attorney.

D. Consider Approval of an Amendment to the D'Ambrosio Tentative Map into Two Phases, Phase 1 (Lots 1-8) and Phase 2 (Lots 9-27)

This item was continued to a future meeting.

6. ACTION ITEMS

A. Adoption of Multijurisdictional Hazard Mitigation Plan

This item was presented earlier in the meeting.

B. Consider Contract for Billing Software

This item was continued to a special meeting on May 25, 2016.

C. Consider Resolution 2016-XX Establishing a Water and Sewer Payment Plan for Limited Income Individuals

This item was continued to the June Regular meeting.

D. Consider Approval of Youth Commissioner Advisor Job Description

This item was pulled as it had already been approved last month.

E. Approve Strategic Planning Committee Request for Joint Use Agreement with Aromas-San Juan Unified School District for San Juan School Facilities

Members of the public expressed a need for a City/School District joint use agreement for public access to the basketball courts at the San Juan Elementary School. City Manager Grimsley was asked to address the topic with School District personnel.

7. COMMENTS

A. City Council

No comments were received.

B. City Manager

City Manager Grimsley reported the City received a grant for \$47,000 from the San Benito County Council of Governments to make improvements to the bus stop enclosure at Abbe Park.

C. City Attorney

No comments were received.

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The meeting was adjourned at 8:10 p.m.	
ATTEST:	Rick Edge, Mayor
Trish Paetz, Deputy City Clerk	

CITY OF SAN JUAN BAUTISTA

PLANNING COMMISSION

STAFF REPORT

DATE: June 26, 2019

SUBJECT: UPDATE ON THE HOUSING ELEMENT TO 5TH CYCLE STANDARDS

Discussion: To provide an update on the status of the Housing Element

Update

CURRENT STATUS:

Below is a status report on the 2015 – 2019 Cycle Housing Element.

The Department of Housing and Community Development (HCD) issued their comments on the June 7th deadline as scheduled. There were several comments that regarding zoning changes to allow emergency shelters without discretionary action as well as other comments. Also, the period for Native American Tribal Consultation expired on June 17th. There was an inquiry from the Amah Mutsun Tribe requesting consultation. The consultant, EMC Planning Group, is moving forward with both the Tribal Consultation efforts and the necessary Zoning Amendments and changes addressing the HCD comments. There were two contract amendments signed between the City and EMC Planning Group in order for EMC to move forward in completing tasks relative to HCD comments.

The Housing Element Update process consists of fifteen tasks that cover the 2015-2019 Element and the 2019 – 2023 Element. Presently, the <u>first five tasks</u> have been completed through the Draft First Four-Year Housing Element reviewed by HCD. The next tasks are to be completed as follows:

Task 6:	Public Draft Housing Element.	Target Date:	August - 2019
Task 7:	CEQA Documentation.	Target Date:	August - 2019
Task 8:	Housing Element Certification.	Target Date:	September – 2019

Task 9: Communications

and Administration. Target Date: On going

Task 10: Public Outreach. Target Date: September - 2019

Task 11: Sites Inventory

and Permits Update. Target Date: October – 2019

Task 12: Second Four-Year Housing

Element Drafts. Target Date: October – 2019
Task 13: CEQA Documentation. Target Date: November – 2019
Task 14: Housing Element Certification. Target Date: December - 2019

Please note, these dates may change. At the next Planning Commission hearing, staff will provide an update and new dates may be included.

ACTION:

No action necessary. Staff wanted to provide an update.

Attached:

HCD Response Letter

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT DIVISION OF HOUSING POLICY DEVELOPMENT

2020 W. El Camino Avenue, Suite 500 Sacramento, CA 95833 (916) 263-2911 / FAX (916) 263-7453 www.hcd.ca.gov



June 7, 2019

Todd Kennedy, Associate Planner City of San Juan Bautista 311 Second Street P.O. Box 1420 San Juan Bautista, CA 95045

Dear Todd Kennedy:

RE: Review of the City of San Juan Bautista's 5th Cycle (2015-2023) Draft Housing Element

Thank you for submitting San Juan Bautista's draft housing element received for review on April 8, 2019 along with revisions received on June 3, 2019. Pursuant to Government Code section 65585, subdivision (b), the Department of Housing and Community Development (HCD) is reporting the results of its review. The review was facilitated by a telephone conversation on May 7, 2019 with Richard James and Shoshana Wangerin of EMC Planning Group.

The draft element with revisions addresses many statutory requirements; however, revisions will be necessary to comply with state housing element law (Article 10.6 of the Government Code). In particular, the Adequate Sites Program must be revised to meet all of the requirements of Gov. Code section 65583.2, subd. (h) and (i).

In addition, the housing element cannot be found in compliance until the city has amended zoning to permit a year round emergency shelter without discretionary action pursuant to Gov. Code section 65583, subd. (a)(4)(A). Program 12 (Transitional Housing, Supportive Housing and Emergency Shelters) identified in the previous element, committed to amend the zoning ordinance to permit emergency shelters without discretionary action within one year of the adoption of the 4th cycle housing element. As noted in the current element on page 5-15, Program 12 has not been implemented. Once the city adopts a zoning ordinance to allow emergency shelters by-right, a copy of the resolution or ordinance should be transmitted to HCD.

The enclosed appendix describes these and other revisions needed to comply with state housing element law. (Article10.6 of the Government Code).

Government Code section 65588, subdivision (e)(4) requires a jurisdiction that failed to adopt its housing element within 120 calendar days from the statutory due date to revise its element every four years until adopting at least two consecutive revisions by the applicable due dates. San Juan Bautista did not meet the requirements of Gov. Code section 65588, subdivision (e)(4); therefore, it is subject to the four-year revision requirement until the city has adopted at least two consecutive updated revisions by the applicable due dates.

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, CalTrans Senate Bill (SB) 1 Sustainable Communities grants; the Strategic Growth Council and HCD's Affordable Housing and Sustainable Communities programs; and the upcoming SB 2 Planning grant as well as ongoing SB 2 funding consider housing element compliance and/or annual reporting requirements pursuant to Gov. Code section 65400. With a compliant housing element, San Juan Bautista will meet housing element requirements for some funding sources.

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the city should continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available and considering and incorporating comments where appropriate.

HCD is committed to assisting San Juan Bautista in addressing all statutory requirements of housing element law. If you have any questions or need additional technical assistance, please contact Greg Nickless, of our staff, at (916) 274-6244.

Sincerely,

Zack Olmstead Deputy Director

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Enclosure

APPENDIX CITY OF SAN JUAN BAUTISTA

The following changes would bring San Juan Bautista's housing element into compliance with Article 10.6 of the Government Code. Accompanying each recommended change, we cite the supporting section of the Government Code.

Housing element technical assistance information is available on HCD's website at http://www.hcd.ca.gov/community-development/housing-element/housing-element-memos.shtml. Among other resources, the Housing Element section contains HCD's latest technical assistance tool, *Building Blocks for Effective Housing Elements (Building Blocks)*, available at http://www.hcd.ca.gov/community-development/building-blocks/index.shtml and includes the Government Code addressing state housing element law and other resources.

A. Housing Needs, Resources, and Constraints

1. An inventory of land suitable and available for residential development, including vacant sites and sites having realistic and demonstrated potential for redevelopment during the planning period to meet the locality's housing need for a designated income level, and an analysis of the relationship of zoning and public facilities and services to these sites. (Gov. Code, § 65583, subd. (a)(3).)

<u>Supportive Housing</u>: The element should describe the city's procedure for complying with Gov.Code section 65651, subd. Section 65651 requires jurisdictions to allow supportive housing by right in zones allowing multifamily housing, including mixed-use and nonresidential zones when the development meets certain requirements.

<u>Emergency Shelters</u>: As noted previously, the housing element cannot be found in compliance with state housing element law until the city has amended its zoning ordinance to permit year round emergency shelter(s) without discretionary action pursuant to Gov. Code section 65583, subd. (a)(4)(A).

2. An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of subdivision (c), and for persons with disabilities as identified in the analysis pursuant to paragraph (7), including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures (Gov. Code, § 65583, subd. (a)(5).)

Land Use Controls: The element must describe and analyze the design review guidelines and process, including approval procedures and decision-making criteria, for their impact as potential constraints on housing supply and affordability. For example, the analysis could describe required findings and identify the entities authorized to issue decisions. The element must demonstrate this process is not a constraint or it must include a program to address this permitting requirement, as appropriate. For additional information and sample analysis, see the *Building Blocks* at http://www.hcd.ca.gov/community-development/building-blocks/constraints/processing-permitting-procedures.shtml.

3. An analysis of potential and actual nongovernmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the availability of financing, the price of land, the cost of construction, the requests to develop housing at densities below those anticipated in the analysis required by subdivision (c) of Gov. Code section 65583.2, and the length of time between receiving approval for a housing development and submittal of an application for building permits for that housing development that hinder the construction of a locality's share of the regional housing need in accordance with Gov. Code section 65584 (Gov. Code, § 65583, subd. (a)(6).)

<u>Developed Densities and Permit Times</u>: The element must be revised to include analysis of requests to develop housing at densities below the density anticipated in zones, and the typical length of time between receiving project approval for a housing development and submittal of an application for building permits that potentially hinder the construction of a locality's share of the regional housing need.

B. Housing Programs

1. Identify actions that will be taken to make sites available during the planning period with appropriate zoning and development standards and with services and facilities to accommodate that portion of the city's or county's share of the regional housing need for each income level that could not be accommodated on sites identified in the inventory completed pursuant to paragraph (3) of subdivision (a) without rezoning, and to comply with the requirements of Gov. Code section 65584.09. Sites shall be identified as needed to facilitate and encourage the development of a variety of types of housing for all income levels, including multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural employees, supportive housing, single-room occupancy units, emergency shelters, and transitional housing (Gov. Code, § 65583, subd. (c)(1).)

As noted in the Finding A-1, the element does not include a complete analysis; as a result, the adequacy of zoning has not been established. Based on the results of a complete analysis, programs may need to be added, or revised, to address zoning for a variety of housing types. In addition, the element must include a program(s) to identify sites with appropriate zoning to accommodate the regional housing need within the planning period. (Gov. Code, § 65583.2, subd. (h) and (i).) and the Adequate Sites Program must be revised to:

- Enumerate the number of units to be accommodated by the shortfall rezoning,
- Enumerate the acreage to be rezoned,
- Permit owner-occupied and rental multifamily uses by-right in which 20 percent or more of the units are affordable to lower-income households. By-right means local government review must not require a conditional use permit, planned unit development permit, or other discretionary review of approval,
- Accommodate a minimum of 16 units per site.
- Accommodate a minimum density of 20 units per acre,
- If more than 50 percent of the lower-income shortfall is accommodated on sites not designated for exclusively residential uses, the zone must allow,
- Development of 100% residential and

 When a mix of uses is allowed, a minimum or 50 percent of the square footage must be designated for residential use

Technical assistance can be found on HCD's *Building Blocks* website at http://www.hcd.ca.gov/community-development/building-blocks/program-requirements/identify-adequate-sites.shtml.

2. Address and, where appropriate and legally possible, remove governmental and nongovernmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities. The program shall remove constraints to, and provide reasonable accommodations for housing designed for, intended for occupancy by, or with supportive services for, persons with disabilities. (Gov. Code, § 65583, subd. (c)(3).)

As noted in Finding A-2, the element does not include a complete analysis of potential governmental and non-governmental constraints. Depending upon the results of that analysis, the city may need to revise or add programs and address and remove or mitigate any identified constraints.

Transitional Housing, Supportive Housing, Emergency Shelters, and Special Needs and Developmental Disability Groups Programs: The program does not describe actions consistent with Gov. Code section 65583, subd. (a) (5). The program must be revised to allow Transitional and Supportive housing not limited to residential zones, but in all zones allowing residential uses (including mixed-use and commercial) subject only to the same processes that apply to the same type of unit in the same zone. For additional information, see the Building Blocks' at http://www.hcd.ca.gov/community-development/building-blocks/site-inventory-analysis/zoning-for-variety-housing-types.shtml and HCD's SB 2 memo at http://www.hcd.ca.gov/community-development/housing-element/housing-element/housing-element-memos/docs/sb2 memo050708.pdf.

<u>Transitional Housing, Supportive Housing, Emergency Shelters, and Special Needs and Developmental Disability Groups Programs</u>: The program commits to allow emergency shelters in the Public Facilities (PF) District without discretionary action. As noted previously, the housing element cannot be found in compliance with State housing element law until the program is implemented and the city has amended its zoning ordinance to permit year round emergency shelter(s) without discretionary action pursuant to Gov. Code section 65583, subd. (a)(4)(A).

Project Name - Current City/Development Projects - Upgrades, Changes, Fixes	. Issues/Notes/general info	Status	Permit Issuance Violations	Comments/Complaints/Questions	Likelihood of Completion (Red or Green)
1 Casa Rosa	Plans came in from the structural engineer to address the balcony. Staff has approved and new posts to support the balcony. (6/18/19)	Support posts have been installed for the balcony	Site Design and Review performed by HRB and Planning Commission approved in April of 2017. No building permits applied for or approved. Structural improvements for the balcony were submitted and aaproved for the balcony. Building has been tagged as an unsafe structure. Violations of the Municipal Code include Section 5-8-110 and Section 5-8-190.	Structural Plans have been approved and posts have been installed making the balcony safe. (6/18/19)	Right of way has been reopened. The issue of Public Safety has been resolved by the temporary measures of the balcony reinforcement. (6/18/19)
2 Fault Line Restaurant	Permits have been issued for the reconstruction. (5/28/2019)	Zoning classification onsite is Mixed- Use.	Have been issued duirng the week of 5/14/19. none	Permits have been issued. 5/28/19	Issued (5/28/19)
3 10 Franklin existing contruction, alteration, and demolition	Approved per permit issuance by Permit Number 2017149 in 2015. Construction has been ongoing. Building Offical reviewed the plans and permit material. Determined it as valid and may continue as approved. Property owner must apply for the zone change through application process and initiate the CEQA review. The property owner has been notified and will be in touch with city staff. Staff followed up with an email. No response of 6/18/19.	phase 1 for the multi-unit building construction is currently underway.	yes none	It is anticipated to demolish at least one of the other buildings onsite. The property owner has given the ok to include his property in that change. Property owner must move forward with zone change by their application if they wish to change the zone from Public Facility to Mixed - Use. Futher CEQA review is required as part of the process. Property owner will be in touch with city staff. Staff followed up with an email. No response of 6/18/19	Property owner has been notified of the City's position. Awating response on the next steps.
4 Harvey's Lockup	progress is being made on the frontage & right-of-way improvements. Interior sprinklers have been installed in one area of the building, but need to cover the entire building per Fire Code. Fire Alarm and smoke dectectors have been installed. Agreement is being met. (5/28/19)	Frontage work is in progress. Fire sprinkler work and prevention system to be completed in all phases. Applicant is ahead of schedule.	No active building permits. Encroachment permit to be pulled as needed.	Requirments of conditions of approval are in progress. After checking in, the applicants are working towards inspections. A final inspection for the fire alarm system has been scheduled for 3/6/19. The inspection took place on March 6, 2019 and it passed per the Fire Marshall. Progress is being made to meet the entire agreement (5/28/19)	his contractor to install
5 Rancho Vista Subdivision	42 homes have received Occupancy. 4 new permits have been applied for, approved, and issued. (6/18/19)		42 homes have received Occupancy. 4 new permits have been applied for, approved, and issued. (6/18/19)	Construction on new homes is ongoing with occupancy being granted. (6/18/19)	In Progress - Estimated Build out in 2021.

	Project Name - Current City/Development Projects - Upgrades, Changes, Fixes	Issues/Notes/general info	Status	Permit Issuance	Violations	Comments/Complaints/Questions	Likelihood of Completion (Red or Green)
6	Copperleaf Subdivision	Copperleaf's stated Phase 2 has begun and some Homes from Phase 1 have been granted occupancy. More permits have been reviewed and signed off. (6/19/19)	Under Construction	31 permits have been issued.	n/a	No comments or complaints. (6/18/19)	In Progress - Estimate of Winter 2020
7		Work continues on both subdivisions while smaller projects take place inside the city. Notable Projects include Midnight Express Warehouse undergoing plan check and Hillside Vista (D'Ambrosia) Phase 2 is being discussed. Code Enforcement is making regular rounds of the city, looking for work taking place without permits, parking violations, and other nuisances. (5/28/19)	n/a	n/a	none	None at this time. (5/28/19)	n/a
8	70 Muckelemi	Applicant wishes to either demolish or alter the Chalmers House onsite that is in bad condition. He wishes to develop the site with a mix of uses and housing units. Discussion is underway with the property owner and interest on the neighboring parcel has been noted. Both parties met with city staff and met eachother for the first time. (5/28/19)	Staff has reviewed past documents onsite from 2006. It was determined the applicant should start with brand new documents because of the age and how the circumstances have changed.	no	No violations. There was a notice of nusiance because of the condition of the old chalmers house.	Property owner presented an informal project review to Planning Commission on 2/5/19. General response was positive and are looking forward to reviewing plans. Adjacent Parcel has interest. Parties met with city staff on 4/3/19 (5/28/19).	No-ETA yet, but discussion is continuing.
9	Brewery	Staff is working with the property owner. Met with the property owner on 12/5/18. Staff followed up, the applicants are creating the plans and preparing for submittal. Staff followed up with phone calls to the applicants. No response as of 6/18/19.	no applications yet, working with owner for submittal.	No permits issued	none	Staff is working with the property owner. Met with the property owner on 12/5/18. Staff followed up, the applicants are creating the plans and preparing for submittal. Staff followed up with phone calls. No response as of 6/18/19.	no-ETA yet
10	General Plan Timeline	Draft Housing Element has been completed and was turned into the State HCD on 4/4/19. HCD responded with comments and EMC has incorporated them and will submit back to HCD. 60-day period ended on 6/7/19. Commnets have been issued. Consultant and staff are working through the comments. Triba consultation period has ended on 6/17/19. One request for consultation has been issued. Consultant is moving forward per contract amendment. (6/26/19)	n/a	n/a	n/a	Staff is working on getting the Housing Element in compliance for the State. 60-day period ended on 6/7/19. Commnets have been issued. Consultant and staff are working through the comments. Tribal consultation period has ended on 6/17/19. One request for consultation has been issued. Consultant is moving forward per contract amendment. (6/26/19)	end of 2019
1	Hillside Vistas	First Phase Approved for first 8 lots. Master set is under review for design. No construction has started. Phase 2 is anticipated. Higher density residential development may be done on phase 2. Awaiting further response (5/28/19)	Phase 1 completed and anticipated to be built out. Phase 2 to come.	No permits have been issued.	none	Staff has followed up with them and met with them on 2/7/19. Plan revisions are taking place. Phase 2 may be redone with a higher density residential development. (5/28/19)	The developer has met with staff. Eager to continue with the project
2		Planning Commission approved the minor subdivision back on June 4th. Project Engineer and City Engineer are working together along with staff for completion. (6/26/19)	CEQA review completed. Staff is starting review.	No permits issued	none	Planning Commission approved the minor subdivision back on June 4th. Project Engineer and City Engineer are working together along with staff for completion. (6/26/19)	June of 2019
	Gas Station to be located along The Alameda and Hwy 156	Awaiting plan submittal. (6/26/19)	can move forward.	no permits have been issued	none	A decelartion lane would need to be installed along Hwy 156. Awaiting plan submittal. (6/26/19)	Court ruled in favor of the project

	Project Name - Current City/Development Projects - Upgrades, Changes, Fixes	Issues/Notes/general info	Status	Permit Issuance	Violations	Comments/Complaints/Questions	Likelihood of Completion (Red or Green)
	4 Midnight Express	Approved by Commission Resolution. Applicant reduced the size of their project and would like to do it in phases. A temporary Use Permit was approved by Staff in December of 2018. Applicant submitted a new application on June 14, 2019. Staff is reviewing that includes Building, Fire, and Engineering. (6/26/19)	Lawaiting annlicant response	Temporary Use Permit renewal has been applied for.	n/a	Applicants would like to reduce the intensity of the project scope by reducing the size of the building from 15,000 squure feet to 5,000 square feet and do the project in phases. Applicant submitted a new application on June 14, 2019. Staff from Building, Fire, and Engineering will be reviewing and comments and conditions will be crafted. (6/26/19)	staff has issued first round of comments after review.
Ī	Infrastructure						
	1 Iraffic Circle	Roundabout is under review. Street classifications for the First Street Segment has been determined as a Major Collector. Minor Subdivision has been approved by Commission. (6/26/19)	under review	n/a	n/a	Street classification for First Street has been determined as a major collector. Minor subdivision for the ROW has been approved (6/26/19).	progress is continuing