



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 ~ DECEMBER 3, 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

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

A. Approve Affidavit of Posting Agenda

B. Approve Affidavit of Posting Public Hearing Notice

C. Approve Minutes of the September 3, 2019 Meeting

5. Public Hearing Items

A. Recommend to the City Council Approval of the Second Addendum 2015-2019 Housing Element, Mitigated Negative Declaration" in support of adoption of the 5th Cycle Housing Element Four-Year Update (2019-2023)

B. Recommend to the City Council Adoption of the 5th Cycle Housing Element Four-Year Update (2019-2023)

C. Consider a Resolution Finding the Site and Design Review Request for 107 Third Street is exempt from the California Environmental Quality Act (CEQA) pursuant to Article 19, Section 15331 (Class 31).

**D. Consider a Resolution for a Site and Design Review Application for a Mixed Use Development consisting of a restaurant, bar, and residential units located at 107 Third Street (Casa Rosa), as Recommended by the Historic Resources Board.
Applicant: Raeid Farhat**

- 6. Comments**
 - A. Planning Commissioners**
 - B. Associate City Planner**
 - C. City Manager**

- 7. Adjournment**

AFFIDAVIT OF POSTING

I, TRISH PAETZ, DO NOW DECLARE, UNDER THE PENALTIES OF PERJURY THAT I AM THE DEPUTY CITY CLERK IN THE CITY OF SAN JUAN BAUTISTA AND THAT I POSTED THREE (3) TRUE COPIES OF THE ATTACHED PLANNING COMMISSION AGENDA. I FURTHER DECLARE THAT I POSTED SAID AGENDA ON THE 27th DAY OF NOVEMBER 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 27th DAY OF NOVEMBER 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 22nd DAY OF NOVEMBER 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 22nd DAY OF NOVEMBER 2019.



TRISH PAETZ, DEPUTY CITY CLERK

NOTICE OF PUBLIC HEARING BY THE SAN JUAN BAUTISTA PLANNING COMMISSION

NOTICE IS HEREBY GIVEN by the City of San Juan Bautista that, pursuant to Government Code Section 65090, a public hearing will be conducted at the regular Planning Commission meeting to be held on Tuesday, December 3, 2019, at 6:00 PM, at City Hall Council Chambers located in the San Juan Bautista City Hall, at 311 Second Street in San Juan Bautista, CA. The public hearing will be held to consider:

1. A recommendation to the City Council regarding the approval of "2nd Addendum San Juan Bautista 2015-2019 Housing Element, Mitigated Negative Declaration" in support of adoption of the *San Juan Bautista 5th Cycle Housing Element Four-Year Update (2019-2023)*.
2. A recommendation to the City Council regarding the adoption of *San Juan Bautista 5th Cycle Housing Element Four-Year Update (2019-2023)*. The adoption of this Housing Element is an amendment to the San Juan Bautista General Plan and affects all properties in the city.
3. A Resolution for a Site and Design Review Application (SDR 2019-03) for a mixed use development consisting of a restaurant, bar, and residential units located at 107 Third Street, San Juan Bautista (APN: 002-021-004).
4. A Resolution finding the Site and Design Review request is exempt from the California Environmental Quality Act (CEQA) pursuant to Article 19, Section 15331 (Class 31). Applicant: Raeid Farhat

ALL INTERESTED PARTIES wishing to provide oral comment on the matters described above may do so at this meeting or may provide written comments. Staff reports and the full text of the items to be discussed will be available for public review at City Hall on November 26, 2019. Written comments may be hand delivered; 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, no later than 5:00 p.m., December 3, 2019.

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

Posted: November 22, 2019

**CITY OF SAN JUAN BAUTISTA
PLANNING COMMISSION REGULAR MEETING
SEPTEMBER 3, 2019
DRAFT MINUTES**

1. CALL TO ORDER –Chairman Freels called the meeting to order at 6:20 P.M.

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

Absent: Commissioner Matchain

Staff Present: City Manager Reynolds, City Clerk Cent,
Associate City Planner Kennedy

2. PUBLIC COMMENT

No comments were received.

3. INFORMAL PROJECT REVIEW

Associate City Planner Kennedy reported there was no Informal Projects to review.

4. CONSENT ITEMS

A. Approve Affidavit of Posting Agenda

B. Approve Affidavit of Posting Public Hearing Notice

C. Approve Affidavit of Mailing Public Hearing Notice

D. Approve Minutes for the March 12, 2019 Meeting

E. Approve Minutes for the April 2, 2019 Meeting

Joline Cosio commented on the March 12, 2019 Planning Commission Minutes (Item 4D) that the minutes did not reflect what she had said during public comment and provided a handout of what she had said about the Lausen sewer. She gave a copy of an email to City Manager Reynolds and City Clerk Cent, and read from the email regarding the condition of the sewer. Chairman Freels asked if what she had handed out on March 12, 2019 would have been kept. City Clerk Cent responded that anything handed out would be in the file for that meeting and offered to retrieve the folder for the March 12, 2019 Planning Commission meeting, which she did. After returning to her seat, City Clerk Cent provided the email in question. After discussion with staff, Ms. Cosio's handout from tonight's meeting would be recorded as public comment for the September 3, 2019 Planning Commission meeting. Commissioner Delgado made a motion to approve the Minutes for the March 12, 2019 Meeting. Second by Commissioner Brewer. Motion passed 4-0 with Commissioner Matchain absent.

5. ACTION ITEMS

A. Consider a Recommendation from the Historic Resources Board for a Minor Alteration to a Building at 205 Third Street, APN 002-190-011, in the Downtown Historic District, to include paint and signage

There was no public comment. Commissioner Delgado made a motion to adopt

Resolution 2019-17 Approving a Minor Historic Alteration for Exterior Changes for a Tenant Improvement for a New Tavern Located at 205 Third Street in San Juan Bautista. APN 002-190-011. Second by Commissioner Medeiros. Motion passed 4-0 with Commissioner Matchain absent.

6. PUBLIC HEARING ITEMS

A. Recommend to the City Council Adoption of the City's General Plan Housing Element that covers the State of California's 5th Cycle Requirements. This item is subject to California Environmental Quality Act (CEQA) requirements.

Associate City Planner Kennedy reviewed his staff report, and then introduced Martin Carver of EMC Planning Group who provided a slide presentation.

(1) Recommend to the City Council Approval of a Mitigated Negative Declaration for the Housing Element Update

Chairman Freels opened the public hearing. Jolene Cosio spoke to whether waiting 60 days after the approval of the Mitigated Negative Declaration applied in this situation. City Manager Reynolds responded that it does not apply as this is not a subdivision map. John Hopper was concerned about a large housing project affecting wildlife in the area and the need for a full, updated environmental review. City Manager Reynolds confirmed a development would be subject to a full CEQA review.

(2) Recommend to the City Council an Amendment to the Municipal Code—Reasonable Accommodation

Martin Carver reviewed the staff report and continued with the slide presentation. Chairman Freels opened the Public Hearing. Cara Vonk was concerned about Planning Commission review of side and back setbacks. There was discussion between Commissioners and staff.

(3) Recommend to the City Council an Amendment to the Municipal Code—Sewer and Water Service Priority

Martin Carver reviewed the staff report and continued with the slide presentation. Chairman Freels opened the public hearing. Cara Vonk was concerned that the resolution does not define lower income households. Chairman Freels closed the public hearing. There was discussion among Commissioners and staff regarding the definition of low income and State mandates.

(4) Recommend to the City Council an Amendment to the City Zoning Ordinance—Accessory Dwelling Units, Transitional and Supportive Housing, Emergency Shelters, and Special Development Standards for Rezoned Site

Martin Carver reviewed the staff report and continued with the slide presentation. Chairman Freels opened the public hearing. Gail Hatter, representative of the owners of Site C (APN 002-520-001) on Lang Street, spoke regarding the interpretation of the last bullet point in the chart in the staff report regarding subdivisions. Cara Vonk was concerned about the wording in the proposed ordinances in regards to design review. Chairman Freels closed the public hearing. There was discussion between Commissioners and the staff.

(5) Recommend to the City Council General Plan Amendments and Zone Changes for Adequate Sites for APN 002-320-007 and APN 002-350-030 on Muckelemi Street (currently zoned Commercial to be Amended to High Density Residential) and APN 002-520-001 on Lang Street (currently zoned Low Density Residential to be Amended to High Density Residential)

Martin Carver reviewed the staff report and continued with the slide presentation. He listed the rankings of the three sites based on the workshop held on August 13, 2019. Chairman Freels opened the public hearing. Ricardo Vallejo was opposed to both areas. Darryl Kriner, Paul Skelton, and Max Hori were opposed to the Lang Street site. Scott Stotler spoke regarding responsible and reasonable developments as the owner of 99 Lang Street. Diana Carr was concerned about slide areas on the Lang Street site. Jolene Cosio supported mixed use on Sites A and B and opposed Site C. Cara Vonk supported Site A (APN 002-320-007 and 008) and opposed Site B (APN 002-350-030). John Hopper supported mixed use, and Sites A and B should be protected for Transient Occupancy Tax and Sales Tax. Scott Stotler expressed concern about mixed use zoning. Chairman Freels closed the public hearing at 8:00 P.M. Commissioners discussed the proposed sites. City Manager Reynolds reported staff had contact with the owner of a fourth site next to Site B. Commissioners and staff continued to discuss. City Manager Reynolds proposed a special meeting where Site C would no longer be considered, and Sites A and B and the additional site next to Site B would be considered, and focus would be on the zoning changes.

(6) Recommend Approval of the San Juan Bautista 2015-2019 Housing Element

Martin Carver reviewed the staff report. No public comments were received. A question and answer period followed.

Commissioner Medeiros motioned to adopt Resolution 2019-18 Recommending Approval of a Mitigated Negative Declaration Prepared for the Adoption of the San Juan Bautista General Plan Housing Element (2015-2019 Cycle) and Various Implementing Actions, Including: 1. Reasonable Accommodation Ordinance 2. Public Services Priorities Ordinance 3. Municipal Code Title 11 (Zoning) Text Amendments Ordinance 4. General Plan Amendment for One (1) Affordable Housing Site 5. Zone Change for One (1) Affordable Housing Site. Chairman Freels asked about amendments if another site is added. City Manager Reynolds responded with direction to take a vote on each item currently before the Commission and continue Item 6A(5) to a special meeting on September 24, 2019. Whereupon, Commissioner Medeiros restated his motion to adopt Resolution 2019-18 Recommending Approval of a Mitigated Negative Declaration Prepared for the Adoption of the San Juan Bautista General Plan Housing Element (2015-2019 Cycle) and Various Implementing Actions, Including: 1. Reasonable Accommodation Ordinance 2. Public Services Priorities Ordinance 3. Municipal Code Title 11 (Zoning) Text Amendments Ordinance 4. General Plan Amendment for One (1) Affordable Housing Site 5. Zone Change for One (1) Affordable Housing Site. Second by Commissioner Brewer. Motion passed 4-0 with Commissioner Matchain absent.

Commissioner Medeiros made a motion to adopt Resolution 2019-19 Recommending Approval of Amendments to Chapter 2-5 (Reserved) of Title 2 (Government Organization and Administration) of the San Juan Bautista Municipal Code to Address Reasonable Accommodation. Second by Chairman Freels. Motion passed 4-0 with Commissioner Matchain absent.

Commissioner Medeiros made a motion to adopt Resolution 2019-20 Recommending Approval of Amendments to Section 5-9-310 (Application For Sewer Permits) of Chapter 5-9 (Uniform Wastewater Regulation) of Title 5 (Public Health, Safety and Welfare) and Section 6-4-105 (Extension Of Water Mains) of Chapter 6-4 (Water Service) of Title 6 (Public Services) of the San Juan Bautista Municipal Code, to Address Priority Utility Services for Affordable Housing. Second by Commissioner Brewer. Motion passed 4-0 with Commissioner Matchain absent.

Commissioner Medeiros made a motion to adopt Resolution 2019-21 Recommending Approval of Amendments to Various Sections of Title 11 (Zoning) of the San Juan Bautista Municipal Code, Including: • Section 11-02-050 (Permitted And Conditional Uses By Zoning District, Use Matrix); • Section 11-03-010 (Development Standards Matrix) • Section 11-04-050 (Secondary Dwelling Units), • Section 11-29-010 (Definitions); All for the Purpose of Implementing the San Juan Bautista General Plan Housing Element. Second by Commissioner Brewer. Motion passed 4-0 with Commissioner Matchain absent.

Commissioner Medeiros made a motion to adopt Resolution 2019-22 Recommending to the City Council Adoption of the General Plan Housing Element (2015-2019 Cycle), Consistent With Section 65580 Et. Seq. of the California Government Code. Second by Commissioner Brewer. Motion passed 4-0 with Commissioner Matchain absent.

7. DISCUSSION ITEMS

A. Transient Occupancy Tax on Short Term Rentals

City Manager Reynolds reviewed City Attorney Mall's staff report. A question and answer period followed. Cara Vonk asked how many short-term rentals there are in San Juan Bautista as imposing a tax seemed like a lot of work. Staff and Commissioners continued their discussion. City Manager Reynolds stated he would report to the City Council the Commission does not oppose a transient occupancy tax on short term rentals in the City of San Juan Bautista.

8. COMMENTS

A. Planning Commissioners

Commissioner Freels thanked all who participated in the State-mandated housing element process.

B. Associate City Planner

Associate City Planner Kennedy reminded all about the 150th Anniversary celebration coming up this Saturday, and listed the events including the Sip & Stroll on Sunday.

C. City Manager

City Manager Reynolds thanked the Commissioners for their hard work and diligence in

preparing for the meeting.

9. ADJOURNMENT

The meeting was adjourned at 8:40 P.M.



CITY OF SAN JUAN BAUTISTA PLANNING COMMISSION STAFF REPORT

AGENDA TITLE: RECOMMENDATION OF APPROVAL FOR 2nd ADDENDUM TO
MITIGATED NEGATIVE DECLARATION IN SUPPORT OF HOUSING
ELEMENT ADOPTION

DATE: December 3, 2019

DEPARTMENT HEAD: Todd Kennedy, Associate Planner

RECOMMENDED ACTION: Receive a report from City staff and housing element consultant and approve Resolution PC-2019-XX (Attachment 1), which recommends that the City Council approve “2nd Addendum San Juan Bautista 2015-2019 Housing Element Mitigated Negative Declaration” in support of adoption of the *San Juan Bautista 5th Cycle Housing Element Four-Year Update (2019-2023)*.

BACKGROUND INFORMATION: The City of San Juan Bautista recently completed the first of two required updates to its General Plan Housing Element¹. The City is now poised to adopt the second of these required updates, and this action must be accompanied by an analysis pursuant to the California Environmental Quality Act (CEQA). This analysis consists of a CEQA addendum entitled: “2nd Addendum San Juan Bautista 2015-2019 Housing Element Mitigated Negative Declaration.”² The original Initial Study/Mitigated Negative Declaration evaluated the adoption of the previous housing element (i.e., *San Juan Bautista General Plan 2015-2019 Housing Element*) and various implementing actions.

This 2nd Addendum provides additional environmental analysis and information concerning the changes to the City’s General Plan Housing Element that would occur as a result of the adoption of the *San Juan Bautista 5th Cycle Housing Element Four-Year Update (2019-2023)*. The update makes limited changes to the previously adopted Housing Element, including:

1. Updated information on public participation;
2. New analysis and information on AB 2162 that requires supportive housing by right where multi-family and mixed use are allowed;
3. Updated information on changes to the Zoning Ordinance made during the course of the previous housing element update;

¹ The California Department of Housing and Community Development has established that San Juan Bautista is required to prepare a 4-year update to its 2015-2019 Housing Element by December 31, 2019.

² Addendum #1 provided an analysis of the re-zoning of land to meet the City’s Regional Housing Needs Allocation and was approved by the City Council at its September 16, 2019 meeting.

4. New analysis and information on SB 35 that exempts qualifying affordable housing projects from CEQA review and requires “by right” development;
5. New information on short-term rental regulations;
6. Updated analysis of progress made on last housing element; and
7. Four new housing programs
 - a. Supportive Housing by Right;
 - b. Low Barrier Navigation Centers;
 - c. SB 35 Permit Streamlining; and
 - d. Advertise Reasonable Accommodations.

The proposed changes to the previous housing element described above would not involve any condition described in CEQA Guidelines Section 15162 calling for the preparation of a subsequent negative declaration.

Resolution CC-2019-XX, adopting the CEQA addendum, is provided in Attachment 1, and the 2nd Addendum is attached as an exhibit to the resolution (see Attachment 1, Exhibit A). The original Mitigated Negative Declaration is also attached to the resolution as Exhibit B (see Attachment 1, Exhibit B).

Attachments:

1. Resolution recommending approval of 2nd Addendum to the Mitigated Negative Declaration, with exhibits

RESOLUTION PC-2019-XX**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN JUAN BAUTISTA RECOMMENDING TO THE CITY COUNCIL THAT IT ADOPT A SECOND ADDENDUM TO THE SAN JUAN BAUTISTA 2015-2019 HOUSING ELEMENT MITIGATED NEGATIVE DECLARATION**

WHEREAS, the City of San Juan Bautista adopted a Mitigated Negative Declaration on (October 8, 2019) in support of its adoption of the *City of San Juan Bautista 2015-2019 Housing Element* and various implementing actions; and

WHEREAS, the City of San Juan Bautista is now considering the approval of its second housing element update, entitled: *City of San Juan Bautista 5th Cycle Housing Element Four-Year Update (2019-2023)*; and

WHEREAS, under CEQA Guidelines, Section 15164, a Lead Agency shall prepare an addendum to an adopted mitigated negative declaration if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a Subsequent Negative Declaration have occurred; and

WHEREAS, under CEQA Guidelines Section 15162, when a mitigated negative declaration has been adopted for a project, no subsequent mitigated negative declaration shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:

- A. Substantial changes are proposed in the project which will require major revisions to the previous negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- B. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- C. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous negative declaration was adopted shows any of the following:
 1. The project will have one or more significant effects not discussed in the previous negative declaration;
 2. Significant effects previously examined will be substantially more severe than shown in the previous [mitigated negative declaration];

3. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
4. Mitigation measures or alternatives which are considerably different from those analyzed in the previous [mitigated negative declaration] would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative; and

WHEREAS, an addendum need not be circulated for public review but can be included in, or attached to, the originally adopted negative declaration (CEQA Guidelines, Section 15164 [c]);

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of San Juan Bautista hereby recommends to the City Council of the City of San Juan Bautista that it adopt “2nd Addendum San Juan Bautista 2015-2019 Housing Element Mitigated Negative Declaration” (see Exhibit A), and makes the following findings:

- A. Only minor technical changes or additions to the adopted Mitigated Negative Declaration are necessary to consider the project, and none of the conditions described in Section 15162 calling for the preparation of a subsequent Negative Declaration have occurred;
- B. The Addendum was completed in compliance with CEQA;
- C. The City Council reviewed and considered the information contained in the 2nd Addendum, along with the original adopted Mitigation Negative Declaration adopted on October 8, 2019 (attached as Exhibit B), and found it adequate and complete based on the City’s independent judgment and analysis;
- D. On the basis of the whole record, there is no substantial evidence that the project will have a significant effect on the environment; and
- E. Documents and other materials constituting the record of the proceedings upon which the City’s decision and its findings are based are located at the Office of the City Clerk of the City of San Juan Bautista, 311 2nd Street, San Juan Bautista, CA 95045.

THE FOREGOING RESOLUTION was approved by the San Juan Bautista Planning Commission at its regular meeting held on the 3rd day of December, 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Scott Freels, Chairperson

ATTEST:

Trish Paetz, Deputy City Clerk

Exhibits:

- A. 2nd Addendum to Mitigated Negative Declaration
- B. Original Adopted Initial Study/Mitigated Negative Declaration

2nd Addendum

San Juan Bautista 2015-2019 Housing Element Mitigated Negative Declaration

December 3, 2019



**Prepared by
EMC Planning Group**

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2ND ADDENDUM

**SAN JUAN BAUTISTA
2015-2019 HOUSING ELEMENT
MITIGATED NEGATIVE DECLARATION**

PREPARED FOR

City of San Juan Bautista

Todd Kennedy, Associate Planner

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December 3, 2019

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2nd Addendum San Juan Bautista 2015-2019 Housing Element Mitigated Negative Declaration

CEQA APPROACH

This document evaluates the *San Juan Bautista 5th Cycle Housing Element Four-Year Update (2019-2023)* (“*Four-Year Update Housing Element*”), which includes revisions to the previous *San Juan Bautista 2015-2019 Housing Element* (“*2015-2019 Housing Element*”) adopted by the City of San Juan Bautista (“*City*”) on September 16, 2019. A Mitigated Negative Declaration was prepared to analyze the 2015-2019 Housing Element on July 30, 2019 and adopted by the City on October 8, 2019. The Four-Year Update Housing Element would not involve any condition described in CEQA Guidelines Section 15162 calling for the preparation of a subsequent negative declaration.

This document is a second addendum to the *San Juan Bautista 2015-2019 Housing Element Mitigated Negative Declaration*. The subjects addressed by this addendum are the following revisions:

1. Updated information on public participation;
2. New analysis and information on AB 2162 that requires supportive housing by right where multi-family and mixed use are allowed;
3. Updated information on changes to the Zoning Ordinance made during the course of the previous housing element update;
4. New analysis and information on SB 35 that exempts qualifying affordable housing projects from CEQA review and requires “by right” development;
5. New information on short-term rental regulations;
6. Updated analysis of progress made on last housing element; and
7. Four new housing programs:
 - a. Supportive Housing by Right;
 - b. Low Barrier Navigation Centers;
 - c. SB 35 Permit Streamlining; and
 - d. Advertise Reasonable Accommodations.

This addendum reviews the changes and updates in the state’s housing laws and requirements by the California Housing and Community Development Department (“HCD”) and examines whether, as a result of these changes or new information, any new or worsened impacts could occur that were not identified in the Mitigated Negative Declaration.

The City has determined that a second addendum to the Mitigated Negative Declaration is an appropriate environmental document for environmental review of the Four-Year Update Housing Element. This addendum discusses only the environmental topics and CEQA checklist questions that are specifically relevant to the Four-Year Update Housing Element and its subsequent updates to the 2015-2019 Housing Element. Unless otherwise stated, the sources used in this document can also be found in Section E, Sources, of the Mitigated Negative Declaration.

CHANGES TO THE PROJECT DESCRIPTION

State law requires housing elements to be updated periodically, and because the City missed its 2015 deadline, HCD now requires the City to adopt housing elements on a four-year cycle—two updates instead of just one. The City has prepared the second housing element update to cover the period 2019-2023 (i.e. the Four-Year Update Housing Element). The draft of the Four-Year Update Housing Element was sent to HCD for its initial 60-day review on September 30, 2019. City staff received HCD comments on this draft on October 21, 2019, and a revised document that responded to HCD comments was sent back to HCD on October 28, 2019. HCD reviewed this revised draft and informed City Staff that it had no further comments.

The Four-Year Update Housing Element includes the following revisions:

1. Updated information on public participation;
2. New analysis and information on AB 2162 that requires supportive housing by right where multi-family and mixed use are allowed;
3. Updated information on changes to the Zoning Ordinance made during the course of the previous housing element update;
4. New analysis and information on SB 35 that exempts qualifying affordable housing projects from CEQA review and requires “by right” development;
5. New information on short-term rental regulations;
6. Updated analysis of progress made on last housing element; and
7. Four new housing programs:
 - a. Supportive Housing by Right;

- b. Low Barrier Navigation Centers;
- c. SB 35 Permit Streamlining; and
- d. Advertise Reasonable Accommodations.

To support the adoption of the Four-Year Update Housing Element, a public workshop occurred on August 13, 2019. Noticing for the workshop was mailed to 14 different housing organizations in the region, plus direct emails were sent to approximately 250 residents. Notices were also posted on the City's main website, on social media, and at City Hall. Approximately 20 persons attended the workshop and offered comments about ways to increase affordable housing, the best locations for lower income housing and emergency shelters, and accessory dwelling units.

The Four-Year Update Housing Element is supported by this second addendum to the Mitigated Negative Declaration that evaluated the environmental effects of the 2015-2019 Housing Element adopted on September 16, 2019. As indicated previously, the addendum evaluates the revisions contained in the Four-Year Update Housing Element (outlined above), none of which would result in a significant impact or the worsening of an existing significant impact; the remainder of this document will provide support for this statement.

ANALYSIS

The following environmental analysis of Four-Year Update Housing Element supplements the Mitigated Negative Declaration. For the following sections, the Four-Year Update Housing Element is also referred to as "proposed project." Additional information can be found in the Mitigated Negative Declaration and is referenced where applicable.

Section 1.0, Aesthetics

The purpose of the proposed project is to update the 2015-2019 Housing Element with new information and to provide programs necessary to respond to recent changes in State Housing Law. The proposed project targets the supply of housing on lands already designated for urban development by the City's adopted 2015-2019 Housing Element and General Plan. No specific housing developments are being approved as part of the proposed project, and the adoption of the proposed project would not directly or indirectly result in adverse aesthetic impacts.

Section 2.0, Agriculture and Forest Resources

The purpose of the proposed project is to update the 2015-2019 Housing Element with new information and to provide programs necessary to respond to recent changes in State Housing Law. The proposed project targets the supply of housing on lands already

designated for urban development by the City's adopted 2015-2019 Housing Element and General Plan. No specific housing developments are being approved as part of the proposed project, and the adoption of the proposed project would not directly or indirectly result in adverse agricultural impacts.

Section 3.0, Air Quality

The purpose of the proposed project is to update the 2015-2019 Housing Element with new information and to provide programs necessary to respond to recent changes in State Housing Law. The proposed project targets the supply of housing on lands already designated for urban development by the City's adopted 2015-2019 Housing Element and General Plan. No specific housing developments are being approved as part of the proposed project, and the adoption of the proposed project would not directly or indirectly result in adverse air quality impacts.

Section 4.0, Biological Resources

The purpose of the proposed project is to update the 2015-2019 Housing Element with new information and to provide programs necessary to respond to recent changes in State Housing Law. The proposed project targets the supply of housing on lands already designated for urban development by the City's adopted 2015-2019 Housing Element and General Plan. No specific housing developments are being approved as part of the proposed project, and the adoption of the proposed project would not directly or indirectly result in adverse impacts to biological resources.

Section 5.0, Cultural Resources

The purpose of the proposed project is to update the 2015-2019 Housing Element with new information and to provide programs necessary to respond to recent changes in State Housing Law. The proposed project targets the supply of housing on lands already designated for urban development by the City's adopted 2015-2019 Housing Element and General Plan. No specific housing developments are being approved as part of the proposed project, and the adoption of the proposed project would not directly or indirectly result in adverse impacts to cultural resources.

Section 6.0, Energy

The purpose of the proposed project is to update the 2015-2019 Housing Element with new information and to provide programs necessary to respond to recent changes in State Housing Law. The proposed project targets the supply of housing on lands already designated for urban development by the City's adopted 2015-2019 Housing Element and General Plan. No specific housing developments are being approved as part of the proposed

project, and the adoption of the proposed project would not directly or indirectly result in adverse energy impacts.

Section 7.0, Geology and Soils

The purpose of the proposed project is to update the 2015-2019 Housing Element with new information and to provide programs necessary to respond to recent changes in State Housing Law. The proposed project targets the supply of housing on lands already designated for urban development by the City's adopted 2015-2019 Housing Element and General Plan. No specific housing developments are being approved as part of the proposed project and the adoption of the proposed project directly or indirectly result in adverse geology and soil impacts.

Section 8.0, Greenhouse Gas Emissions

The purpose of the proposed project is to update the 2015-2019 Housing Element with new information and to provide programs necessary to respond to recent changes in State Housing Law. The proposed project targets the supply of housing on lands already designated for urban development by the City's adopted 2015-2019 Housing Element and General Plan. No specific housing developments are being approved as part of the proposed project, and the adoption of the proposed project would not directly or indirectly result in adverse greenhouse gas emission impacts.

Section 10.0, Hydrology and Water Quality

The purpose of the proposed project is to update the 2015-2019 Housing Element with new information and to provide programs necessary to respond to recent changes in State Housing Law. The proposed project targets the supply of housing on lands already designated for urban development by the City's adopted 2015-2019 Housing Element and General Plan. No specific housing developments are being approved as part of the proposed project, and the adoption of the proposed project would not directly or indirectly result in adverse hydrology and water quality impacts.

Section 11.0, Land Use

The purpose of the proposed project is to update the 2015-2019 Housing Element with new information and to provide programs necessary to respond to recent changes in State Housing Law. The proposed project targets the supply of housing on lands already designated for urban development by the City's adopted 2015-2019 Housing Element and General Plan. After adoption of the proposed project, the City will have met all required state housing laws and, therefore, would not conflict with land use policies or plans or result in any adverse land use impacts.

Section 12.0, Mineral Resources

The purpose of the proposed project is to update the 2015-2019 Housing Element with new information and to provide programs necessary to respond to recent changes in State Housing Law. The proposed project targets the supply of housing on lands already designated for urban development by the City's adopted 2015-2019 Housing Element and General Plan. No specific housing developments are being approved as part of the proposed project, and the adoption of the proposed project would not directly or indirectly result in adverse impacts related to mineral resources.

Section 13.0, Noise

The purpose of the proposed project is to update the 2015-2019 Housing Element with new information and to provide programs necessary to respond to recent changes in State Housing Law. The proposed project targets the supply of housing on lands already designated for urban development by the City's adopted 2015-2019 Housing Element and General Plan. No specific housing developments are being approved as part of the proposed project, and the adoption of the proposed project would not directly or indirectly result in adverse noise impacts.

Section 14.0, Population and Housing

The proposed project involves the adoption of four (4) new housing programs in order to meet the requirements of the state housing laws. Adoption of the proposed project would not result in unplanned population growth within the City as the state is requiring (and consequently, the City is expecting) an increase in the availability of affordable housing units within the City's boundaries. Therefore, the potential population growth would not be unplanned. The purpose of the proposed project is to support additional housing units on land that is currently vacant or underutilized and, therefore, the proposed project would not result in the displacement of substantial numbers of existing people or housing.

Section 15.0, Public Services

The purpose of the proposed project is to update the 2015-2019 Housing Element with new information and to provide programs necessary to respond to recent changes in State Housing Law. The proposed project targets the supply of housing on lands already designated for urban development by the City's adopted 2015-2019 Housing Element and General Plan. No specific housing developments are being approved as part of the proposed project, and the adoption of the proposed project would not directly or indirectly result in adverse impacts associated with public services.

Section 16.0, Recreation

The purpose of the proposed project is to update the 2015-2019 Housing Element with new information and to provide programs necessary to respond to recent changes in State Housing Law. The proposed project targets the supply of housing on lands already designated for urban development by the City's adopted 2015-2019 Housing Element and General Plan. No specific housing developments are being approved as part of the proposed project, and the adoption of the proposed project would not directly or indirectly result in adverse impacts associated with existing recreational facilities.

Section 17.0, Transportation

The purpose of the proposed project is to update the 2015-2019 Housing Element with new information and to provide programs necessary to respond to recent changes in State Housing Law. The proposed project targets the supply of housing on lands already designated for urban development by the City's adopted 2015-2019 Housing Element and General Plan. No specific housing developments are being approved as part of the proposed project, and the adoption of the proposed project would not directly or indirectly result in adverse impacts related to transportation.

Section 18.0, Tribal Cultural Resources

Pursuant to CEQA Guidelines Section 15164, an invitation to consult on the Mitigated Negative Declaration was transmitted on May 20, 2019 to four tribes determined to be affiliated with the area impacted by the Housing Element update and associated implementing actions. The proposed project does not change or alter the boundary of the study area identified in the Mitigated Negative Declaration and, therefore, is covered by the invitation for consultation. No further discussion is required.

Section 19.0, Utilities and Service Systems

The purpose of the proposed project is to update the 2015-2019 Housing Element with new information and to provide programs necessary to respond to recent changes in State Housing Law. The proposed project targets the supply of housing on lands already designated for urban development by the City's adopted 2015-2019 Housing Element and General Plan. No specific housing developments are being approved as part of the proposed project, and the adoption of the proposed project would not directly or indirectly result in adverse impacts to the existing utilities and service systems.

Section 20.0, Wildfire

The purpose of the proposed project is to update the 2015-2019 Housing Element with new information and to provide programs necessary to respond to recent changes in State Housing Law. The proposed project targets the supply of housing on lands already

designated for urban development by the City's adopted 2015-2019 Housing Element and General Plan. No specific housing developments are being approved as part of the proposed project, and the adoption of the proposed project would not directly or indirectly result in adverse impacts related to wildfires.

Section 21.0, Mandatory Findings of Significance

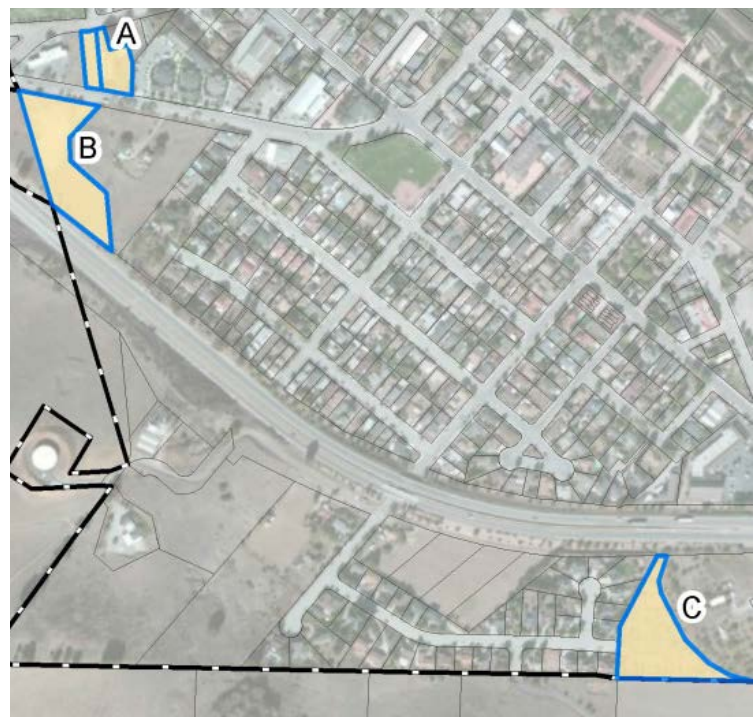
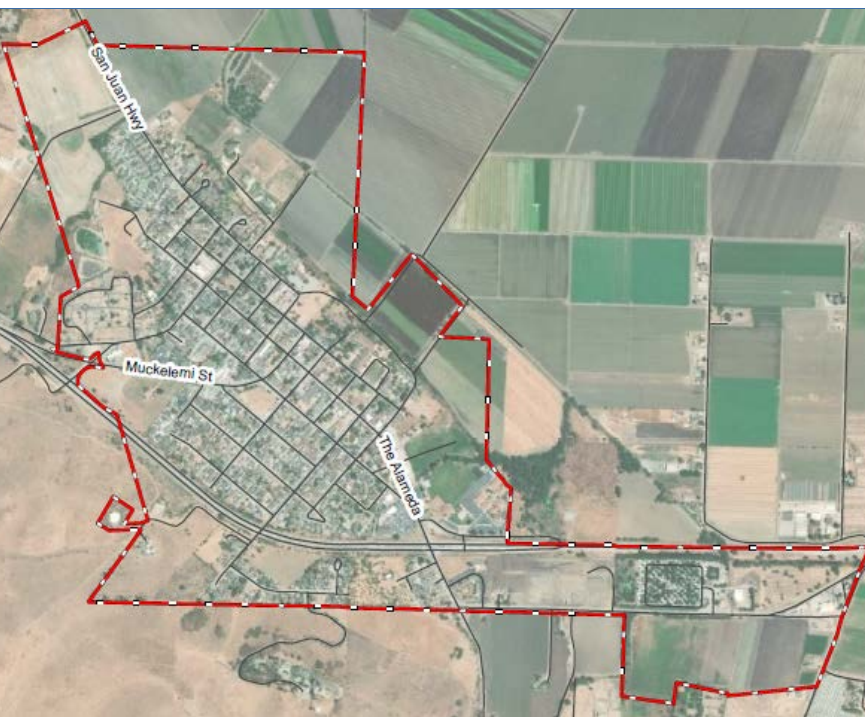
The purpose of the proposed project is to update the 2015-2019 Housing Element with new information and to provide programs necessary to respond to recent changes in State Housing Law. The proposed project targets the supply of housing on lands already designated for urban development by the City's adopted 2015-2019 Housing Element and General Plan. No specific housing developments are being approved as part of the proposed project, and the adoption of the proposed project would not directly or indirectly:

- a. Degrade the quality of the environment; substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; substantially reduce the number or restrict the range of an endangered, rare, or threatened species; or eliminate important examples of the major periods of California history or prehistory;
- b. Have impacts that are individually limited, but cumulatively considerable; or
- c. Cause substantial adverse effects on human beings, either directly or indirectly.

Proposed Mitigated Negative Declaration

San Juan Bautista 2015-2019 Housing Element

July 30, 2019



Prepared by
EMC Planning Group



City of San Juan Bautista

The “City of History”

P.O. Box 1420
311 Second Street
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Mayor**
César E. Flores

Vice V. Mayor
Mary Edge

Councilmember
John Freeman

Councilmember
Dan DeVries

Councilmember
Leslie Jordan

City Manager
Don Reynolds

City Clerk
Laura Cent

City Treasurer
Chuck Geiger

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

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

Lead Agency: City of San Juan Bautista

Project Location: San Juan Bautista

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

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

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

**Proposed Mitigated
Negative Declaration
is Available for Public
Review at these
Locations:** San Juan Bautista Planning Department
311 2nd Street
San Juan Bautista, CA 95045

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

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

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

PROPOSED MITIGATED NEGATIVE DECLARATION

SAN JUAN BAUTISTA 2015-2019 HOUSING ELEMENT

PREPARED FOR

City of San Juan Bautista

Todd Kennedy, Associate Planner

311 2nd Street

San Juan Bautista, CA 95045

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July 30, 2019

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PROPOSED MITIGATED NEGATIVE DECLARATION

In Compliance with the California Environmental Quality Act (CEQA)

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

Proposed Findings

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

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

Mitigation Measures

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

Air Quality

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

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

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

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

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

Biological Resources

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

INITIAL STUDY

SAN JUAN BAUTISTA 2015-2019 HOUSING ELEMENT

PREPARED FOR

City of San Juan Bautista

Todd Kennedy, Associate Planner

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San Juan Bautista, CA 95045

Tel 831.623.4661

PREPARED BY

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July 30, 2019

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Appendix A Air Quality Management Plan Consistency Determination

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A. BACKGROUND

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

Setting

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

Description of Project

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

Housing Element Update

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

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

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

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

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

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

Potential R-3 Rezone Site A

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

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

Potential R-3 Rezone Site B

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

Potential R-3 Rezone Site C

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

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

Table 1 Potential Rezone Sites and Development Potential¹

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

SOURCE: EMC Planning Group 2019

NOTE:

(1) Values may vary due to rounding.

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

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

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

Table 2 Potential Rezone Sites and Population Projections

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

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

NOTE:

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

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

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

(4) Values may vary due to rounding.

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

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

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

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

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

Municipal Code Amendment – Reasonable Accommodations (Housing Program 5.2)

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

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

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

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

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

Methodology

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

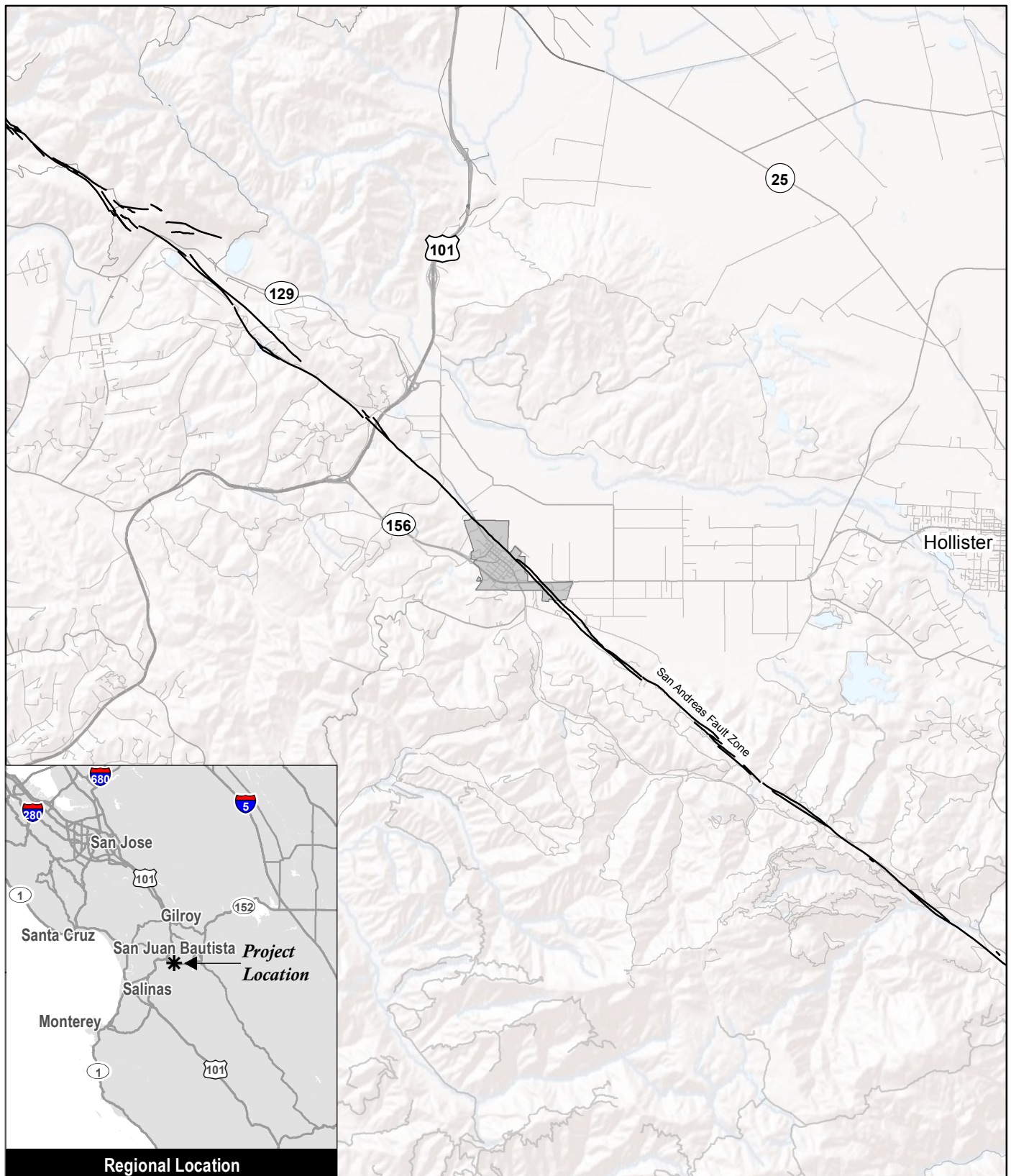
Other Public Agencies Whose Approval is Required

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

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

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

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



Source: ESRI 2018, San Benito County GIS 2016

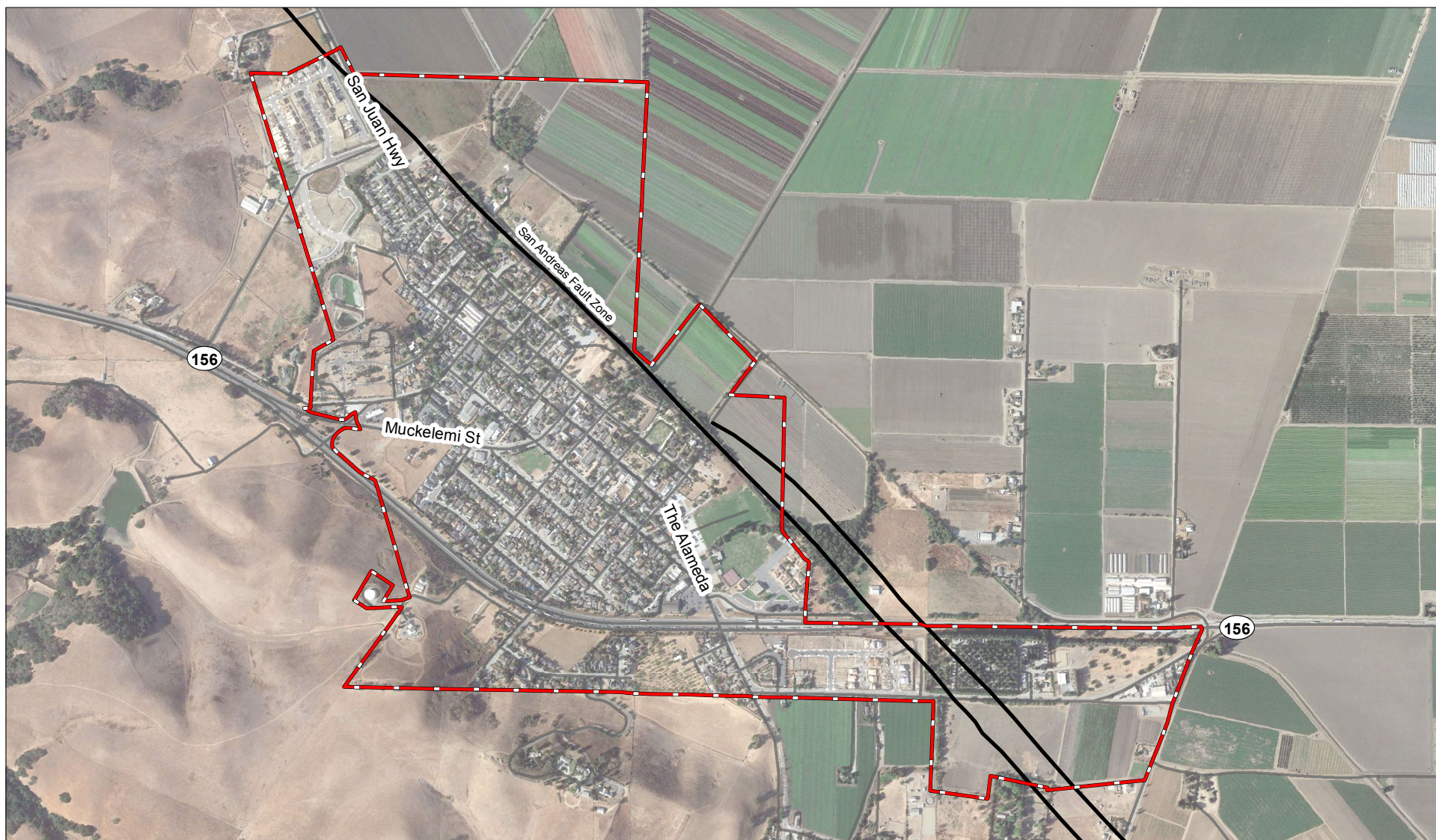
Figure 1

Location Map



San Juan Bautista 2015-2019 Housing Element Initial Study

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0 1250 feet



City Limit

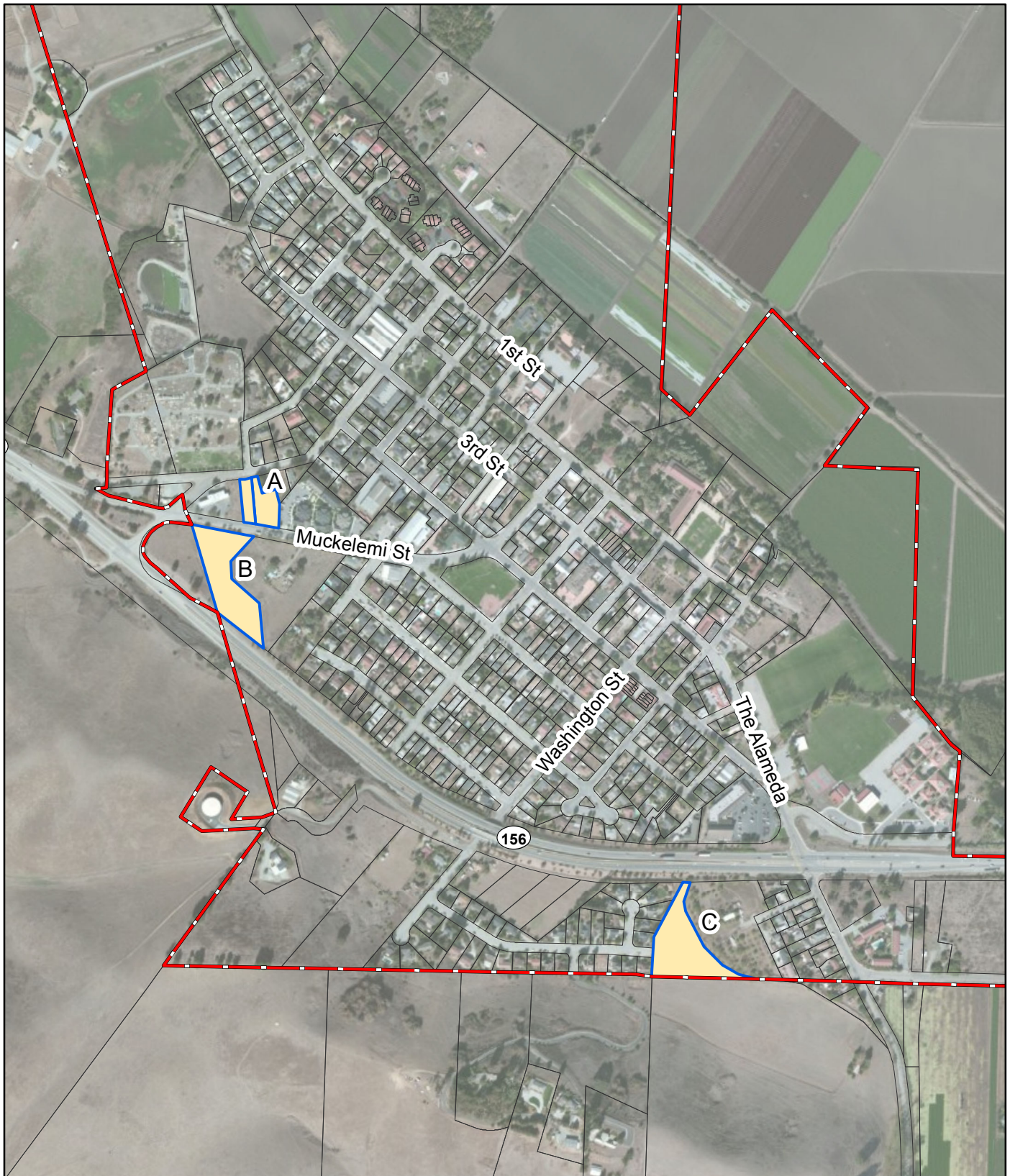
Source: ESRI 2019, San Benito County GIS 2016



Figure 2
Aerial Photograph

San Juan Bautista 2015-2019 Housing Element Initial Study

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Source: ESRI 2019, San Benito County GIS 2018

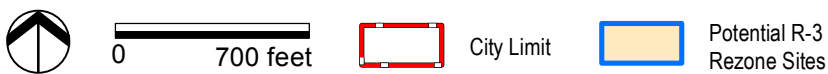


Figure 3

Potential R-3 Rezone Sites

San Juan Bautista 2015-2019 Housing Element Initial Study



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B. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

C. DETERMINATION

On the basis of this initial evaluation:

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

Todd Kennedy, Associate Planner

Date

D. EVALUATION OF ENVIRONMENTAL IMPACTS

Notes

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

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

1. AESTHETICS

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

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

Comments:

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

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

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

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

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

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

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

2. AGRICULTURE AND FOREST RESOURCES

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

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

Comments:

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

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

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

3. AIR QUALITY

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

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

Comments:

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

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

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

- b. Under state criteria, the air basin is designated as a nonattainment area for ozone and inhalable particulate matter (PM₁₀). The general plan EIR found that potentially significant impacts related to air quality standards violation would be reduced to less-than-significant levels with the implementation of Mitigation Measures AIR-2a through AIR-2f.

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

- Emit 137 pounds per day or more of direct and indirect volatile organic compounds (VOC);
- Emit 137 pounds per day or more of direct and indirect nitrogen oxides (NO_x);
- Directly emit 550 pounds per day or more of carbon monoxide (CO);
- Emit 82 pounds per day or more of suspended particulate matter (PM₁₀) on-site and from vehicle travel on unpaved roads off-site; or
- Directly emit 150 pounds per day or more of sulfur oxides (SO_x).

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

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

Construction Impacts. From the CalEEMod results included as Appendix B, total PM₁₀ emissions during construction on potential rezone Site A would be the same under existing and proposed conditions. The total PM₁₀ emissions during construction on potential rezone Sites B and C under proposed zoning are greater than those under existing zoning.

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

Mitigation Measure

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

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

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

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

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

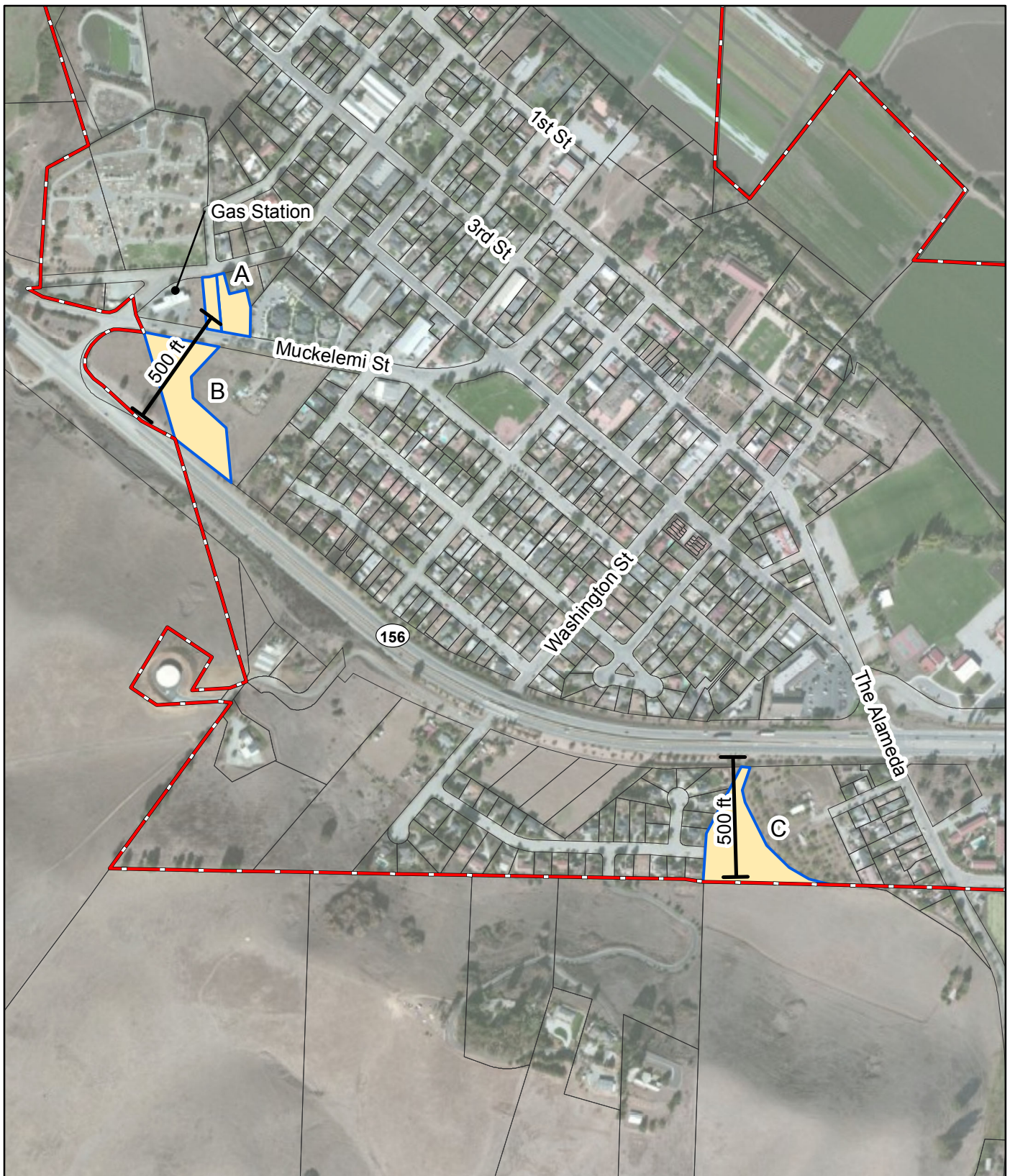
Mitigation Measure

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

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

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

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Source: ESRI 2019, San Benticio County GIS 2018

Figure 4

Potential Rezone Sites Proximity to Sources of Toxic Air Contaminants

San Juan Bautista 2015-2019 Housing Element Initial Study



0 575 feet



City Limit



Potential R-3
Rezone Sites



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4. BIOLOGICAL RESOURCES

Would the project:

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

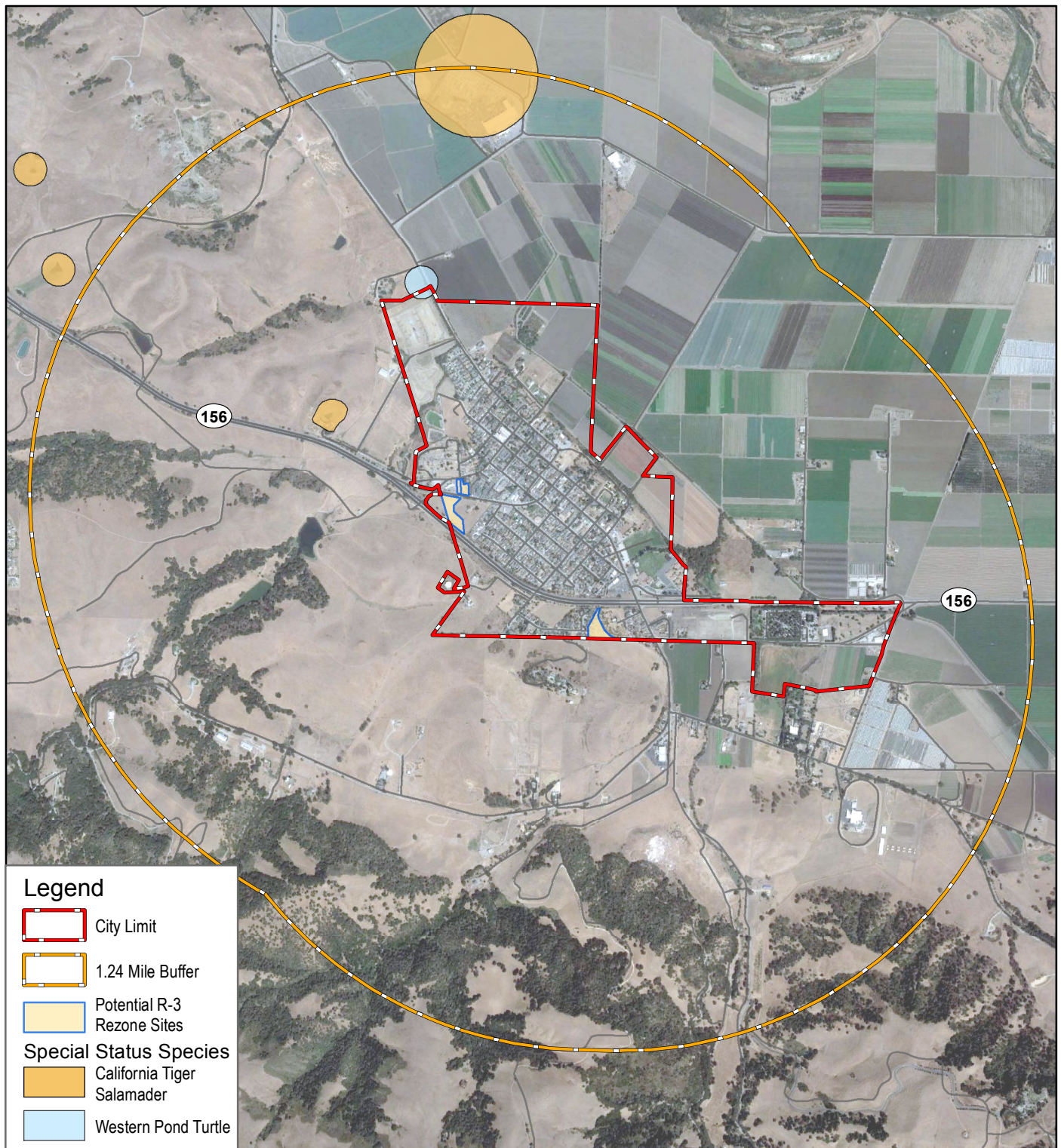
Comments:

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

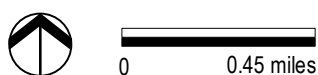
limits (p. 151). The City's general plan EIR Map 4.4-1 indicates that there may be some special-status wildlife species occurring in the area. A recent review of the California Natural Diversity Database ["CNDDDB", California Department of Fish and Wildlife (CDFW) 2019] indicates that special-status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

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

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



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



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

Figure 5

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

San Juan Bautista 2015-2019 Housing Element Initial Study

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

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

Mitigation Measures

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

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

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

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

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

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

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

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

Mitigation Measure

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

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

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

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

Mitigation Measure

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

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

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

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

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

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

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

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

5. CULTURAL RESOURCES

Would the project:

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

Comments:

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

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

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

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

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

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

6. ENERGY

Would the project:

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

Comments:

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

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

7. GEOLOGY AND SOILS

Would the project:

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

Comments:

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

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

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

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

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

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

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

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

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

8. GREENHOUSE GAS EMISSIONS

Would the project:

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

Comments:

- a,b. The general plan EIR found that implementation of the general plan would not generate greenhouse gas emissions (GHG) that exceed the plan-level efficiency-based threshold of 6.6 MT CO₂e per service population per year, which is based on the California Air Resources Board's (CARB) emissions reduction goals.

The City of San Juan Bautista is located within the boundaries of the Monterey Bay Air Resources District ("air district"). To date, the air district has not adopted CEQA guidance for analysis of GHG effects of land use projects (e.g. numerical thresholds of significance,) nor has it prepared a qualified GHG reduction plan for use/reference by local agencies located within the air district. Further, San Benito County and the City have not adopted a GHG reduction emissions plan or climate action plan (City of San Juan Bautista 2015, p. 240). Therefore, the applicable plan or policy for regulating emissions of greenhouse gases is the statewide emissions targets set by CARB, which requires reducing emissions below the 6.6 MT CO₂e per capita thresholds of significance.

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

Site A

Existing Zoning. Total construction emissions are projected at 70.97 MT CO₂e.

Amortized over a 30-year operational lifetime, the annual amortized emissions would be approximately 2.37 MT CO₂e per year. Operational emissions are projected at

943.56 MT CO₂e per year. Therefore, total GHG emissions associated with future development on Site A under existing zoning would be the sum of amortized construction emissions and operational emissions or 945.93 MT CO₂e per year.

Proposed Zoning. Total construction emissions are projected at 69.06 MT CO₂e. Amortized over a 30-year operational lifetime, the annual amortized emissions would be approximately 2.30 MT CO₂e per year. Operational emissions are projected at 213.61 MT CO₂e per year. Therefore, total GHG emissions associated with future development on Site A under proposed zoning would be the sum of amortized construction emissions and operational emissions or 215.91 MT CO₂e per year. This is less than the GHG emissions estimate under existing conditions.

Service population is the sum of the number of jobs and the number of residents generated by a project. Service population associated with future development on Site A under proposed conditions would be the number of residents or 56 (from Table 2). Future development on Site A under proposed zoning would generate approximately 3.86 MT CO₂e per year per service population (215.91/56). This is below the threshold of 6.6 MT CO₂e per service population per year.

Site B

Existing Zoning. Total construction emissions are projected at 324.64 MT CO₂e. Amortized over a 30-year operational lifetime, the annual amortized emissions would be approximately 10.82 MT CO₂e per year. Operational emissions are projected at 2,406.08 MT CO₂e per year. Therefore, total GHG emissions associated with future development on Site B under existing zoning would be the sum of amortized construction emissions and operational emissions or 2,416.90 MT CO₂e per year.

Proposed Zoning. Total construction emissions are projected at 319.30 MT CO₂e. Amortized over a 30-year operational lifetime, the annual amortized emissions would be approximately 10.64 MT CO₂e per year. Operational emissions are projected at 546.14 MT CO₂e per year. Therefore, total GHG emissions associated with future development on Site B under proposed zoning would be the sum of amortized construction emissions and operational emissions or 556.78 MT CO₂e per year. This is less than the GHG emissions estimate under existing conditions.

Service population is the sum of the number of jobs and the number of residents generated by a project. Service population associated with future development on Site B under proposed conditions would be the number of residents or 146 (from Table 2). Future development on Site B under proposed zoning would generate approximately 3.81 MT CO₂e per year per service population (556.78/146). This is below the threshold of 6.6 MT CO₂e per service population per year.

Site C

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

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

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

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

9. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

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

Comments:

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

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

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

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

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

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

10. HYDROLOGY AND WATER QUALITY

Would the project:

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

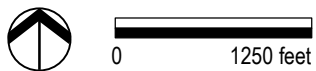
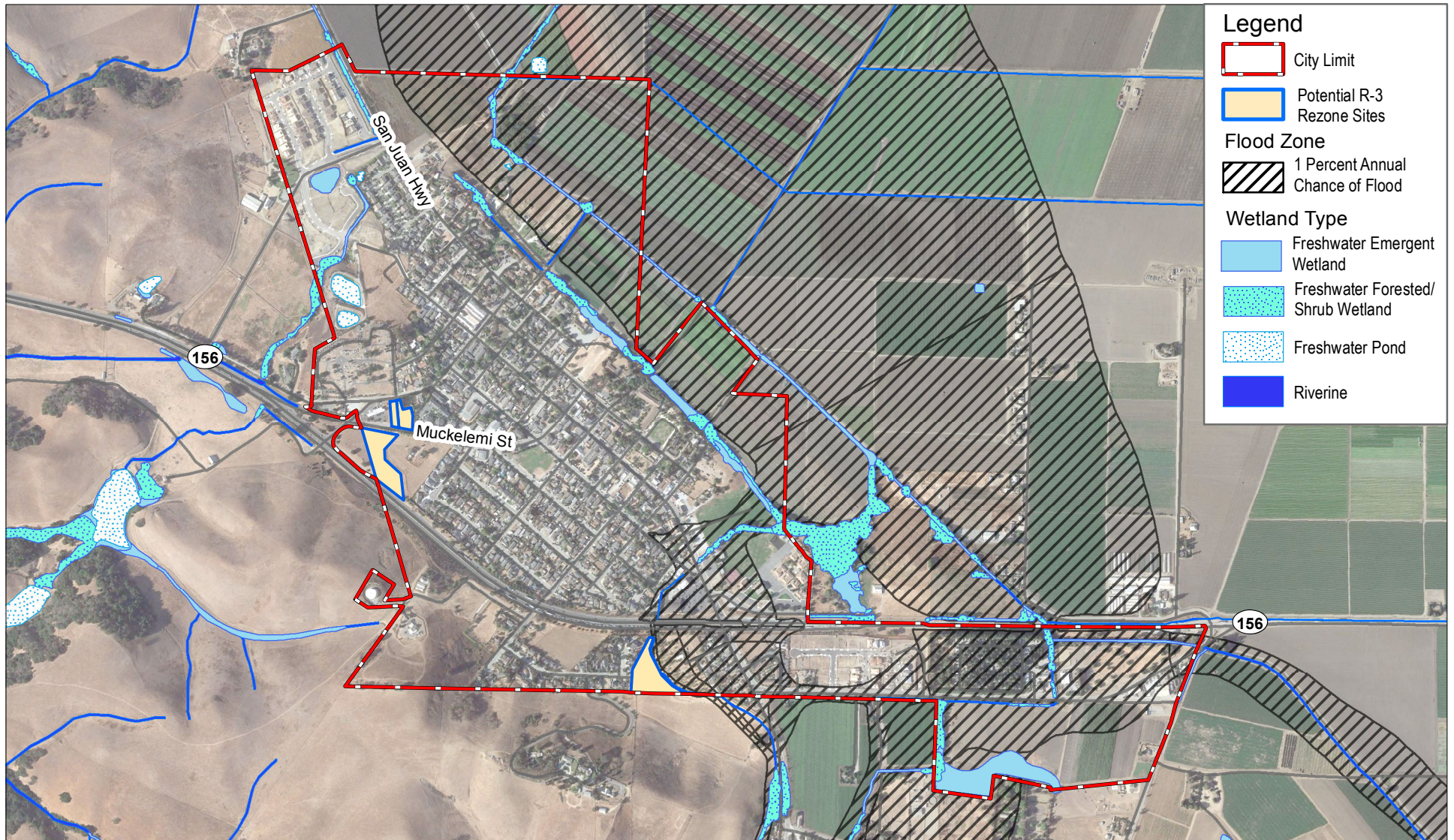
Comments:

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

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

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

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



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

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11. LAND USE AND PLANNING

Would the project:

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

Comments:

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

12. MINERAL RESOURCES

Would the project:

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

Comments:

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

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

13. NOISE

Would the project:

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

Comments:

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

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

14. POPULATION AND HOUSING

Would the project:

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

Comments:

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

15. PUBLIC SERVICES

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

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

Comments:

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

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

16. RECREATION

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

Comments:

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

17. TRANSPORTATION

Would the project:

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

Comments:

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

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

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

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

18. TRIBAL CULTURAL RESOURCES

Would the project:

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

Comments:

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

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

19. UTILITIES AND SERVICES SYSTEMS

Would the project:

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

Comments:

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

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

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

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

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

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

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

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

20. WILDFIRE

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

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

Comments:

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

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

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

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

21. MANDATORY FINDINGS OF SIGNIFICANCE

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

Comments:

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

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

E. SOURCES

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http://ambag.org/sites/default/files/documents/2018_Regional_Growth_Forecast.pdf
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18. **EMC Planning Group. July 15, 2019. *CalEMod Results*. Monterey, CA. Appendix B.**
19. Clymo, Amy, Engineering/Compliance Manager, Monterey Bay Air Resources District. Email message to consultant, 15 July 2019.

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

EXHIBIT B

SAN JUAN BAUTISTA 2015-2019 HOUSING ELEMENT MITIGATED NEGATIVE
DECLARATION

EXHIBIT A

2ND ADDENDUM SAN JUAN BAUTISTA 2015-2019 HOUSING ELEMENT
MITIGATED NEGATIVE DECLARATION



CITY OF SAN JUAN BAUTISTA PLANNING COMMISSION STAFF REPORT

AGENDA TITLE: PUBLIC HEARING AND RECOMMENDATION OF APPROVAL FOR
THE SAN JUAN BAUTISTA 5th CYCLE HOUSING ELEMENT FOUR-
YEAR UPDATE (2019-2023)

DATE: December 3, 2019

DEPARTMENT HEAD: Todd Kennedy, Associate Planner

RECOMMENDED ACTION: Receive a report from City staff and the City's housing element consultant, hold a public hearing to receive public comment, and approve Resolution PC-2019-XX (Attachment 1), which recommends to the City Council approval of the *San Juan Bautista 5th Cycle Housing Element Four-Year Update (2019-2023)*.

BACKGROUND INFORMATION: State law requires housing elements to be updated periodically, and the last update for San Juan Bautista was required in 2015. Because the City missed its 2015 deadline, the State Housing and Community Development Department (HCD) now requires the City to adopt housing elements on a four-year cycle. This means that the City is required to complete both its 2015 update and a second four-year update that is due on December 31, 2019. The 2015 update (for the period 2015-2019) was recently adopted on October 8, 2019, and HCD certification was issued on November 22, 2019. If the City can meet the December 31st deadline for adopting the four-year update and also complete its 2023 update on time, then the City returns to the standard eight-year housing element update cycle.

While HCD is considering the 2015 update, City staff and consultant have prepared a second housing element update to cover the period 2019-2023. This is referred to as the Four-Year Update, and a draft of this document was sent to HCD for its initial 60-day review on September 30, 2019. City Staff received HCD comments on this draft on October 21, 2019, and a revised document that responded to HCD comments was sent back to HCD on October 28, 2019. HCD reviewed this revised draft and informed City Staff that it had no further comments.

The 4-Year Update includes the following revisions:

1. Updated information on public participation;
2. New analysis and information on AB 2162 that requires supportive housing by right where multi-family and mixed use are allowed;
3. Updated information on changes to the Zoning Ordinance made during the course of the previous housing element update;

4. New analysis and information on SB 35 that exempts qualifying affordable housing projects from CEQA review and requires “by right” development;
5. New information on short-term rental regulations;
6. Updated analysis of progress made on last housing element; and
7. Four new housing programs
 - a. Supportive Housing by Right;
 - b. Low Barrier Navigation Centers;
 - c. SB 35 Permit Streamlining; and
 - d. Advertise Reasonable Accommodations.

City Staff is now requesting that the Planning Commission make a formal recommendation to the City Council to adopt this 2nd four-year housing element update. The recommendation must take the form of a resolution, and a resolution recommending approval of the housing element is attached (see Attachment 1). The *San Juan Bautista 5th Cycle Housing Element Four-Year Update (2019-2023)*, which contains the edits suggested by HCD, is attached to the resolution as Exhibit A.

To support the adoption of this four-year housing element update, staff and consultant conducted a public workshop on August 13, 2019. Noticing for the workshop was mailed to multiple different housing organizations in the region, plus direct emails were sent to approximately 250 residents. Notices were also posted on the City’s main website, on social media, and at City Hall. Approximately 20 persons attended the workshop and offered comments about ways to increase affordable housing, the best locations for lower income housing and emergency shelters, and accessory dwelling units.

The proposed adoption of the *San Juan Bautista 5th Cycle Housing Element Four-Year Update (2019-2023)* is supported by an addendum to the Initial Study and Mitigated Negative Declaration that evaluated the environmental effects of the 1st housing element update adopted on October 8, 2019. The addendum evaluates the revisions contained in the four-year update (outlined above), none of which would result in a significant impact or the worsening of an existing significant impact. Earlier in the evening the Planning Commission considered a recommendation on the CEQA addendum.

Attachment:

1. HCD Certification of First (2015-2019) Housing Element
2. HCD Review of Draft Housing Element Update
3. Resolution Recommending approval of 2nd Housing Element update, with Housing Element document attached as Exhibit A

**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



November 22, 2019

Don Reynolds, City Manager
City of San Juan Bautista
311 Second Street
P. O. Box 1420
San Juan Bautista, CA 95045

Dear Don Reynolds:

RE: San Juan Bautista's 5th Cycle (2015-2023) Adopted Housing Element

Thank you for submitting San Juan Bautista's Housing Element adopted October 8, 2019 and received for review on October 15, 2019. In addition, the city submitted Ordinance Nos. 2019-06, 2019-07, 2019-08, and 2019-09 on November 21, 2019. Pursuant to Government Code section 65585, subdivision (h), the California Department of Housing and Community Development (HCD) is reporting the results of its review.

HCD is pleased to find the adopted Housing Element in full compliance with state Housing Element law (Article 10.6 of the Government Code). The adopted element addresses the statutory requirements described in HCD's June 7, 2019 review. HCD's finding was based on, among other reasons, the city's adoption of ordinances implementing zoning that accommodates emergency shelters without discretionary action and provides adequate sites to accommodate the city's Regional Housing Needs Allocation (RHNA) for lower-income households.

Please note the due date for the City of San Juan Bautista to revise its next Housing Element is December 31, 2019. Gov. 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 of December 31, 2015 for San Benito County Council of Governments localities to revise its element every four years until adopting at least two consecutive revisions by the applicable due dates. For more information on Housing Element adoption requirements, please visit our website at: http://www.hcd.ca.gov/community-development/housing-element/housing-element-memos/docs/sb375_final100413.pdf

For your information, some general plan element updates are triggered by Housing Element adoption. HCD reminds San Juan Bautista to consider timing provisions and welcomes the opportunity to provide assistance. For information, please see the

Technical Advisories issued by the Governor's Office of Planning and Research at:
http://opr.ca.gov/docs/OPR_Appendix_C_final.pdf and
http://opr.ca.gov/docs/Final_6.26.15.pdf.

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 program; and the SB 2 Planning Grants as well as ongoing SB 2 funding consider Housing Element compliance and/or annual reporting requirements pursuant to Gov. Code section 65400. With Housing Element compliance, San Juan Bautista meets the Housing Element requirements for these funding sources.

HCD appreciates the dedication and assistance that Todd Kennedy, Associate Planner, and the city's consultants provided throughout the course of the Housing Element review. HCD wishes San Juan Bautista success in implementing its Housing Element and looks forward to following its progress through the General Plan annual progress reports pursuant to Gov. Code section 65400. If HCD can provide additional assistance in implementing the Housing Element, please contact Greg Nickless, of our staff, at (916) 274-6244.

Sincerely,

A handwritten signature in black ink, appearing to read "Zachary Olmstead", written in a cursive style.

Zachary Olmstead
Deputy Director

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833
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www.hcd.ca.gov



November 25, 2019

Don Reynolds, City Manager
City of San Juan Bautista
311 Second Street
P. O. Box 1420
San Juan Bautista, CA 95045

Dear Don Reynolds:

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

Thank you for submitting San Juan Bautista's draft revised Housing Element update received for review on October 2, 2019 along with revisions received on October 28, 2019. Pursuant to Government Code section 65585, subdivision (b), the California Department of Housing and Community Development (HCD) is reporting the results of its review. Our review was facilitated by a telephone conversation on October 21, 2019 with you, Todd Kennedy, Associate Planner, and Martin Carver, San Juan Bautista's consultant.

The draft element, incorporating the revisions submitted, meets the statutory requirements of state Housing Element law. The Housing Element will comply with state Housing Element law (Article 10.6 of the Government Code) when it is adopted, submitted to and approved by HCD, in accordance with Gov. Code section 65585, subd. (g).

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. The city is subject to the four-year revision requirement, provided the city adopts its Housing Element on or before December 31, 2019.

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 must continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available while considering and incorporating comments where appropriate.

For your information, some general plan element updates are triggered by Housing Element adoption. HCD reminds San Juan Bautista to consider timing provisions and

welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at: http://opr.ca.gov/docs/OPR_Appendix_C_final.pdf and http://opr.ca.gov/docs/Final_6.26.15.pdf.

Several federal, state, and regional funding programs consider Housing Element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable Communities grant; the Strategic Growth Council and HCD's Affordable Housing and Sustainable Communities programs; and the SB 2 Planning Grants 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 meets Housing Element requirements for these funding sources.

HCD appreciates the hard work and dedication Todd Kennedy and Martin Carver provided in preparing the Housing Element and looks forward to receiving San Juan Bautista's adopted Housing Element. If you have any questions or need additional technical assistance, please contact Greg Nickless, of our staff, at (916) 274-6244.

Sincerely,

A handwritten signature in black ink, appearing to read "Shannan West". The signature is fluid and cursive, with the first name "Shannan" written in a larger, more prominent script than the last name "West".

Shannan West
Land Use & Planning Manager

RESOLUTION PC-2019-XX**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN JUAN BAUTISTA RECOMMENDING TO THE CITY COUNCIL ADOPTION OF THE GENERAL PLAN HOUSING ELEMENT (FOUR-YEAR UPDATE), CONSISTENT WITH SECTION 65580 ET SEQ. OF THE CALIFORNIA GOVERNMENT CODE**

WHEREAS, the City of San Juan Bautista is required by State law to prepare and adopt a General Plan for the long-term physical growth and development of the City; and

WHEREAS, the Housing Element is one of seven State-mandated elements to be included in the General Plan; and

WHEREAS, the California Department of Housing and Community Development has established that San Juan Bautista is required to prepare a four-year update to its 2015-2019 Housing Element by December 31, 2019; and

WHEREAS, the City held a housing element workshop on August 13, 2019, pursuant to housing element law, to allow the residents and area housing organizations the opportunity to provide their opinions on the City's housing needs; and

WHEREAS, City staff and consultants subsequently prepared a draft Housing Element update for review by the California Department of Housing and Community Development (HCD); and

WHEREAS, HCD reviewed the draft document and provided a review letter on November 25, 2019 outlining the revisions necessary for the draft housing element to be in compliance with state Housing Element law (Government Code §65580 et seq.); and

WHEREAS, City staff and consultant revised the draft Housing Element update to address HCD concerns, and this document is now ready for formal recommendation to the City Council; and

WHEREAS, the City Council adopted a Mitigated Negative Declaration, prepared for adoption of the San Juan Bautista 2015-2019 Housing Element at its regular meeting on October 8, 2019; and

WHEREAS, Staff and consultant have analyzed the *San Juan Bautista 5th Cycle Housing Element Four-Year Update (2019-2023)* and have concluded that that an addendum to the adopted "San Juan Bautista 2015-2019 Housing Element Mitigated Negative Declaration" adopted by the City Council on October 8, 2019 would be the appropriate level of analysis to address the impacts of updated Housing Element; and

WHEREAS, the Planning Commission at its regular December 3, 2019 meeting considered “2nd Addendum San Juan Bautista 2015-2019 Housing Element Mitigated Negative Declaration” and, after taking public testimony, recommended approval of said addendum to the City Council; and

WHEREAS, the Planning Commission finds the *San Juan Bautista 5th Cycle Housing Element Four-Year Update (2019-2023)* to be consistent with, and suitable for, incorporation into the City’s General Plan; and

WHEREAS, the Planning Commission must make a recommendation to the City Council regarding the proposed update to the Housing Element prior to the City Council taking action on the Housing Element update.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of San Juan Bautista hereby recommends to the San Juan Bautista City Council approval of the *San Juan Bautista 5th Cycle Housing Element Four-Year Update (2019-2023)*.

THE FOREGOING RESOLUTION was approved at a regular meeting of the Planning Commission of the City of San Juan Bautista held on the 3rd day of December, 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Scott Freels, Chairperson

ATTEST:

Trish Paetz, Deputy City Clerk

Exhibit:

A. *San Juan Bautista 5th Cycle Housing Element Four-Year Update (2019-2023)*

EXHIBIT A

SAN JUAN BAUTISTA 5TH CYCLE HOUSING ELEMENT FOUR-YEAR
UPDATE (2019-2023)

San Juan Bautista 5th Cycle Housing Element Four-Year Update (2019-2023)

Public Review Draft

December 3, 2019



Prepared by
EMC Planning Group

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SAN JUAN BAUTISTA
5TH CYCLE HOUSING ELEMENT
FOUR-YEAR UPDATE
(2019 – 2023)

Public Review Draft

PREPARED FOR
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December 3, 2019

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A. Community Context

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

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

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

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

Within this broad context, San Juan Bautista must address key housing challenges over the 2019-2023 planning period. These challenges include: (1) providing sites for additional housing; (2) providing for a range in types and prices of housing; (3) looking at ways to address the need to improve and rehabilitate housing and neighborhoods; (4) providing for those with special housing needs; and 5) maintaining and improving the local environment and quality of life in San Juan Bautista. The 2019-2023 Housing Element addresses each of these issues.

B. State Policy and Authorization

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

State law previously required housing elements to be updated at least every 5 years. The standard cycle is now 8 years and is tied to the region’s transportation planning. The 2009-2014 San Juan Bautista Housing Element covered the 5-year period spanning 2009 through 2014. This 4th Cycle Housing Element was in compliance, but the City had not adopted a housing element for the 5th Cycle, which was due on December 15, 2015 to cover the planning period from 2015-2023. Because the City missed this deadline, it must now adopt 2 consecutive 4-year housing elements to return to the current standard 8-year cycle. Having adopted the 1st of these two four-year housing elements, the City is now preparing its 2nd four-year housing element.

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

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

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

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

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

C. Role of Housing Element

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

The Housing Elements consists of the following major components:

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

D. Data Sources

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

E. Relationship to the General Plan

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

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

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

F. Community Involvement

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

Workshop. For this 2nd four-year update, the City conducted a fully noticed Public Workshop on August 13, 2019. The program was structured to solicit questions, comments, and discussion on the Housing Element and potential sites for low and very low income housing and emergency shelters. Notices were distributed to various non-profit and community organizations, housing stakeholders and other interested parties. In addition, the event was posted on the City website, the Welcome Center, the library, at local businesses, and on several of the City's social media sites. The following groups were invited and noticed of this workshop:

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

Approximately 20 persons attended the workshop and offered comments about ways to increase affordable housing, the best locations for lower income housing and emergency shelters, and accessory dwelling units. These citizen comments and recommendations were considered in preparing the housing element. [Spanish translation was available at the public workshop.](#)

State Review. This 2nd-four-year update ~~will be~~was submitted to the State Department of Housing and Community Development's (HCD) [on October 2, 2019](#) for its 60-day review and comment. [This draft document was posted online for public review on October 21, 2019.](#) ~~Once ePreliminary comments are were~~ received back [on October 21, 2019](#), and the draft updated document ~~will be~~was revised to address HCD's comments. ~~and brought before the Planning Commission and City Council for adoption.~~ Following

City adoption, HCD will review and certified the Housing Element, which will be in effect through December 31, 2023.

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

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The Community Profile discusses population and household characteristics of San Juan Bautista residents, summarizes available housing, and outlines the City's housing needs through 2023. Later chapters of the Housing Element discuss the various constraints, resources, and programs to address housing needs.

A. Demographic Characteristics

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

1. Population Trends

The City has experienced a cycle of “booms” and “busts,” with population dwindling in some decades, and surging in others. In 1870, San Juan Bautista had more than 2,600 residents; almost 400 people more than it has today. By 1910, the City's population had declined to 326. It doubled between 1910 and 1930, dropped during the 1930s, grew rapidly during the 1940s, and remained flat during the 1950s. In more recent times, the population has continued to grow at an uneven rate with faster growth during the 1970s, 1980s, and 2000s and a slight decline during the 1990s. The 2017 population is 2,081, an increase of 219 people from the 2010 population of 1,862¹.

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

2. Age Characteristics

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

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

¹ U.S. Census Bureau/American Fact Finder

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

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

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

Source: United States Census – American Fact Finder

3. Race and Ethnicity

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

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

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

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

Source: United States Census –American FactFinder

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

4. Household Type

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

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

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

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

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

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

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

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

Source: United States Census – American Fact Finder

5. Income

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

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

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

Source: United States Census – American FactFinder

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

Table 2-6: Distribution of Households per Income Level

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

*Derived and interpolated from Table 2-5 above.

B. Special Needs Groups

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

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

Table 2-7: Special Needs Population

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

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

Notations:

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

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

1. Senior Households

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

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

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

2. Disabled Persons

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

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

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

3. Mental and Developmental Disabilities

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

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

4. Families

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

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

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

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

According to the 2017 Census, San Juan Bautista has 193 large households. The housing needs of large households could be met by larger units, or depending on household make-up, 2 or more smaller units. Because most of the larger units in San Juan Bautista are expensive, lower-income large households commonly reside in smaller units, frequently resulting in overcrowding. To address overcrowding, the City will be working to develop housing opportunities for all sized households.

5. Farm Workers

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

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

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

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

Table 2-8: San Benito County Farms and Workers

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

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

Table 2-9: San Benito County Farm Labor Workers

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

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

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

(2) Employees that work 150 days or more.

6. Homeless Persons

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

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

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

C. Housing Stock Characteristics

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

1. Housing Growth

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

2. Structure Type

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

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

	2009 - 2018
Total housing units	58
Single Family Residence	57
Accessory Dwelling Units	1
2 or more units	0
Mobile home	0

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

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

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

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

Source: DOF Table E-5 2019

3. Vacancy Characteristics

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

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

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

Source: 2010 Census

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

4. Housing Condition

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

5. Housing Prices

Home values and rent, according to Zillow (August 2019) are presented in Table 2-13 below. As shown, the average monthly rate in the City is \$2,447 each month and the average housing value is \$614,000. However, Zillow also states that the median home value in the City is \$647,700 and the median price of homes currently listed in the City is \$784,900.

Assuming a 10 percent down payment, a 30-year fixed mortgage, and a 5 percent interest rate, the monthly principal and interest payment on the median-priced home in San Juan Bautista would be \$3,164.

Property taxes, insurance, and utilities would yield an additional monthly housing cost of about \$1,700 a month. At 30 percent of gross income, the household would need to earn at least \$194,560 to afford such a home. While such house payments would be prohibitively high for most San Juan Bautista households, they could seem very attractive to would-be homebuyers from the Santa Clara Valley or the Monterey Peninsula.

Table 2-13: Home Value and Monthly Rent

Year	Housing Value	Monthly Rent
2015	\$570,000	\$2,149
2016	\$618,000	\$2,356
2017	\$625,000	\$2,548
2018	\$601,000	\$2,524
2019	\$655,000	\$2,656
<i>Average</i>	<i>\$614,000</i>	<i>\$2,447</i>

Source: Zillow accessed in August 2019 through
<https://www.zillow.com/san-juan-bautista-ca/home-values/>

5. Housing Affordability

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

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

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

Affordability by Household Income

- ✓ **Extremely Low-Income Households:** The U.S. Department of Housing and Urban Development (HUD) uses the Federal Poverty Guidelines to determine the extremely low-income limit. HUD compares the applicable guidelines with 60 percent of the very low-income limit and chooses the greater limit of the 2. This value may not exceed the very low-income level.
- ✓ **Very Low-Income Households:** Very low-income limits reflect 50 percent of the median family income and HUD's median family income value generally equals 2 times HUD's 4-person very low-income limit. Given the expensive costs of single-family homes and also rising cost of condominiums in San Juan Bautista, very low-income households could not afford to own a single-family home without considerable public assistance. Very low income households are thus

confined to rental housing, and some rent a room within a house. A large family (5 or more persons), may in many cases only be able to afford to rent a studio or one-bedroom unit, which would be too small. In practical terms, a large family would have to overpay for housing just to live in an inadequately sized rental unit.

- ✓ **Low-Income Households:** Low-income limits represent the higher level of: 80 percent of the median family income or 80 percent of state non-metropolitan median family income. According to the Department of Housing and Community Development's State Income Limits for 2019, the low-income limit reflects 160 percent of the very low-income limit, with some exceptions.
- ✓ **Moderate-Income Households:** The moderate-income limit is equal to 120 percent of the County's area median income for 4-person households. One-person households and small families may be able to afford a limited number of 2-bedroom single-family homes and some condominiums available on the market without public assistance. Large families should be able to afford a few 3-bedroom homes, provided that down payment and closing costs can be managed.

Table 2-14: Upper Limits for Income Brackets in San Benito County: April 2019

Persons in Household	Extremely Low Income	Very Low Income	Low Income	Median Income	Moderate Income
1	\$21,450	\$35,700	\$57,150	\$59,150	\$71,000
2	\$24,500	\$40,800	\$65,300	\$67,600	\$81,100
3	\$27,550	\$45,900	\$73,450	\$76,050	\$91,250
4	\$30,600	\$51,000	\$81,600	\$84,500	\$101,400

Source: California Department of Housing and Community Development 2019 State Income Limits

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

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

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

D. Regional Housing Needs

State law requires all regional councils of governments, including the San Benito Council of Governments (SB+COG), to determine the existing and projected housing need for its region (Government Code Section 665580 et seq.). SB+COG is also responsible for determining the portion allocated to each jurisdiction

within the region. This is called the Regional Housing Needs Allocation (RHNA) process. The City's housing targets were presented in Chapter 1.

1. Existing Housing Needs

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

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

Overcrowding

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

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

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

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

Source: California Department of Housing and Community Development 2012

Overpayment

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

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

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

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

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

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

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

Table 2-17: Overpayment Lower Income Households

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

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

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

2. Low Income Housing Needs

According to the California Department of Housing and Community Development's 5th Housing Element data package, San Juan Bautista had approximately 65 extremely low income households, representing approximately 12 percent of the total households. Out of the 345 renters in San Juan Bautista, 68 percent experienced a housing cost burden. Approximately 36 percent of the 210 owners had a cost burden as well. Amongst all households overpaying, 70 percent of renters experienced housing problems and 30 percent of owners did as well. The housing cost burden was highest amongst renters in lower income households paying more than 30 percent totaling at 82 percent while 18 percent of owners (34 percent total occupied households) were using more than 30 percent of their income for housing. Approximately 22 percent of all occupied households (16 percent of renters and 6 percent of owners) experienced a severe housing cost burden of greater than 50 percent of household income.

Table 2-18: Housing Needs for ELI¹ Households

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

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

Notes: (1) ELI = extremely low income

Projected Need

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

3. Future Housing Need

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

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

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

4. Assisted Housing At-Risk of Conversion

Existing housing that receives governmental assistance is often a significant source of affordable housing in many communities. According to the San Benito County 5th Cycle Housing Element, the Santa Cruz Housing Authority provided a total of 344 Housing Choice Voucher Program (Section 8) tenant-based vouchers in the cities of Hollister and San Juan Bautista. The Housing Element includes a target to conserve these vouchers through 2023.

There are no deed-restricted housing units in San Juan Bautista at this time, but the recent housing developments will be providing inclusionary units under affordability deed restrictions, or paying an in lieu fee that will finance the construction of deed-restricted housing units. Newly constructed ADUs that fall within the State definitions will have restrictions regarding ownership and occupancy, and by their nature, are expected to provide moderately priced housing.

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

A. Market Constraints

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

1. Development Costs

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

Construction Costs

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

Land Costs

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

Labor Costs

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

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

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

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

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

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

2. Mortgage and Rehabilitation Financing

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

3. Foreclosures

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

4. Typical Development Time Frame

The ability of development companies to move from full entitlements and permits to construction can affect housing affordability. If the typical development time frame exceeds one year, this can increase holding costs and drive up the cost of housing construction.

According to City staff, the typical timeframe between entitlements/permits and construction is nine to 14 months in San Juan Bautista, roughly within the suggested one-year timeframe. This timeframe will be re-evaluated in the next Housing Element update, but for now, no new housing program is provided.

B. Governmental Constraints

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

1. Provisions for a Variety of Housing Types

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

Multi-Family Housing

Multi-family housing makes up approximately 26 percent of the existing housing stock in San Juan Bautista (2017 Census). The City's Zoning Ordinance expressly permits multi-family projects in the R-2 and R-3 zoning districts. In the R-3 zone, multi-family developments can be built up to a density of 21 units per acre. In addition, multi-family housing, such as apartments and condominiums, is permitted with site review in the Mixed Use (MU) district; residential located above commercial is also conditionally permitted in the Commercial (C) district. The maximum density for the MU is 15 units per acre.

Typical timelines to process permits for residential development in the MU district varies greatly. More complex projects, such as apartment, condominium or townhouse complex developments may require approval of both the Planning Commission and City Council, and take considerably longer to gain approval by nature of the processing required. As multi-unit projects are a significant part of how San Juan Bautista can meet State mandated affordable housing goals, streamlining the development process through programs and policies identified in Chapter 5. Table 3-1 summarizes housing types permitted by zoning district.

Table 3-1: Conventional Housing Types Permitted by Zone

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

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

Notations:

P = Permitted (No Public Hearing)

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

S = Site Review (note: *ADUs located within existing structures are allowed without any site review or other discretion)

Accessory Dwelling Units

Section 11-04-050 of the City's Zoning Ordinance includes provisions allowing the development of accessory dwelling units (ADUs), and the City recently revised these provisions to be fully compliant with AB 2299, which became effective January 1, 2017. The revised ADU provisions in Section 11-04-050 now require ministerial approval of ADUs if the unit complies with certain parking requirements, the maximum allowable size of an attached ADU, and setback requirements, as follows:

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

The units are principally permitted on appropriately sized lots within the R-1, R-2, and R-3 zoning districts. The purpose of permitting additional living units is to allow more efficient use of existing housing and to

provide the opportunity to develop small housing units meeting the housing needs of the community while preserving the integrity of single-family neighborhoods.

Approval of ADUs that are part of an existing structure are approved ministerially, with no site plan or architectural review. Approval of ADUs that are to be located in new structures is subject to site plan and design review requirements, and historic review requirements (same as single family homes). The maximum floor area of an ADU is 1,200 square feet or 50 percent of the floor area of the main residence on the lot, whichever is less.

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

Factory Built Housing and Mobile Homes

The City permits manufactured and factory built housing in all districts that allow single family dwellings (i.e., R-1, R-2, and A Districts), provided that the units are consistent with the current 2016 California Building Code (CBC) regulations and what will soon be the updated CBC effective January 1, 2020. Mobile homes comprise approximately 2 percent of the housing stock in San Juan Bautista. Mobile home parks are only permitted, with site review, in the R-3 residential zone. There are two mobile home parks in the City. Because of the limited number of tenants affected and the cost of implementing, the City has not chosen to adopt a Mobile Home Rent Stabilization Ordinance.

Special Needs Housing

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

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

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

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

Notations:

P = Permitted (No Public Hearing)

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

S = Site Review

X = Not permitted

Residential Care Facilities

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

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

Transitional and Supportive Housing

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

~~Supportive housing is not expressly identified in the zoning ordinance. The City currently permits, with site review, transitional housing in the R-1, R-2, R-3, and A zoning districts and conditionally permits transitional housing in the MU and PF zoning districts.~~

As part of this Housing Element update and in response to recent State requirements (SB-2) that mandate transitional housing by right, the City ~~will~~ amended the Zoning Ordinance in October 2019 to explicitly address supportive and transitional housing facilities in public facilities and residential districts by right- ~~(see Housing Program 3.6).~~ Presently, based on the capacity analysis conducted in Chapter 4, there is adequate capacity to provide transitional and supportive housing facilities in residential districts. The Zoning Ordinance now permits transitional and supportive housing as a residential use, subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.

In 2018, AB 2162 was passed into law requiring permanent supportive housing by right where multifamily and mixed use are permitted, including non-residential zones permitting multifamily uses. The City's Zoning Ordinance is currently out of compliance with this new law, so a housing program has been included in this update to bring the Zoning Ordinance into compliance with the requirements of AB 2162 within one year (see Program 3.7, in Chapter 5, below).

Government Code Section 65660 et seq. requires that local jurisdictions allow low barrier navigation centers by right in areas zoned for mixed use and non-residential zones permitting multifamily uses. A "low barrier navigation center" is a service-enriched shelter that focuses on moving people into permanent housing while providing temporary living facilities. The City's Zoning Ordinance is currently out of compliance with this law, so a housing program has been included in this update to bring the Zoning Ordinance into compliance with the requirements of Government Code Section 65660 et seq. within one year (see Program 3.8, in Chapter 5, below). ~~It has been determined that transitional housing must be accommodated in any existing residence and Housing Program 3.6 would allow this use without conditional requirements.~~

Emergency ~~Land~~ Homeless Shelters

An emergency ~~shelter~~/homeless shelter, expressly addressed in the Zoning Ordinance, is a facility that provides shelter to families or individuals on a limited, short-term basis. The City amended its Zoning Ordinance to allow for emergency/homeless shelters, with no discretion by the City, within the PF District. The City also permits emergency/homeless shelters in the R-1, R-2, R-3, and MU zoning districts as a conditional use.

Farm Labor Housing

Housing for migrant or short-term farmworkers, such as labor camps and specialized dormitory-style living facilities are currently not specifically identified in the zoning ordinance. The City has determined that Farmworker Housing is permitted in zoning districts R-2 and R-3 with Site Review. The Municipal Code was amended in October 2014 to conform to the provisions of Sec. 17021.5 and Sec. 17021.6 of the Health and Safety Code (The Employee Housing Act).

In addition to complying with the minimum requirements of the Employee Housing Act, the City has: (1) removed constraints on the development of housing for farmworkers, including minimum parcel size and requiring the farmworkers to work on the property the housing is located, (2) established procedures and development standards to promote certainty in approval and (3) ensured density requirements permit a variety of housing types (i.e., multifamily, dormitory, etc.) The City has also evaluated development standards, or other factors that might place a constraint on the development of housing for farmworkers with local stakeholders and nonprofit developers and modify zoning and development standards, to ensure zoning encourages and facilitates housing for farmworkers. The City has considered other changes including using its inclusionary housing program for farmworkers as a means of increasing the number of farmworker housing units.

2. Development Standards

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

Residential Development Standards

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

Table 3-3: Land Use Categories Permitting Residential Use

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

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

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

Table 3-4: Residential Development Standards

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

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

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

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

In ~~fall~~October 2019, the City revised its Zoning Ordinance to include special development standards for a mixed-use parcel added to the list of available sites s-re-zoned to R-3, after the close of the update period, to accommodate the City's RHNA (see Table 4-1 in Chapter 4, below). These standards read as follows:

Special standards and conditions apply to one affordable housing site (APN 002-350-002) in this zoning district (MU Mixed Use) ~~[R-3]~~ through the year 2024 only, as follows:

- *The allowable density for the designated affordable housing site is a minimum of 20 units per acre and a maximum of 24 units per acre;*
- *Twenty (20) percent of the development on the affordable housing site must be owner-occupied and/or rental multi-family uses that are affordable to lower-income households; and*
- *All development on this affordable housing site must be permitted by right (i.e., no conditional use permit, planned development permit, or other discretionary review or approval).*
- *The owner of the site has the right to develop this mixed-use site as 100 percent multi-family housing without a Conditional Use Permit or other discretionary action,*
- *If the owner of the site chooses to develop the site as mixed use (commercial and residential, combined), then at least 50 percent of floor area must be developed as a minimum of 16 multi-family dwellings; and*
- *Any development that takes place on APN 002-350-002 would accommodate necessary historic preservation efforts on or off site that would be in compliance with the City of San Juan Bautista Historic Resource Preservation Ordinance (Chp. 11-06) and the Secretary of Interior Standards.*

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

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

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

Density: The maximum density permitted, defined in terms of the number of units per acre, varies by zone. The maximum density ranges from 5.0 units per acre in the R-1 (single family) zone to 21 units per acre in the high-density R-3 zone (up to 24 units per care for a designated affordable housing site). The City also permits housing in the Mixed Use zone. By permitting a range of densities, the City facilitates the development of a variety of housing types, ranging from low-density single-family residences to apartment and condominium complexes. The City also encourages new housing to be developed at the highest end of the permitted density ranges to maximize the number of units available. An analysis of actual development densities and permit times is presented in the next section.

Structural Limits: Zoning Ordinance regulations affect the size of structures by setting limits on lot coverage and h8height. Generally, San Juan Bautista's residential development standards are comparable to those Hollister and San Benito County, including minimum lot area and h8height standards. For example, the maximum building h8height (35 feet) in San Juan Bautista's R-3 zone is the same as the 35 feet in the Hollister R-3 zoning district. Single-family lot sizes are also generally the same size as in Hollister and San Benito County.

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

The City requires one parking space for ADU, and that space can be provided in tandem with existing spaces or in the front yard setback. No parking is required for ADUs if the ADU meets any of the following:

- Is within a half mile from public transit;
- Is within an architecturally and historically significant historic district;
- Is part of an existing primary residence or an existing accessory structure;
- Is in an area where on-street parking permits are required, but not offered to the occupant of the ADU; or
- Is located within one block of a car share area.

Table 3-5: Parking Requirements

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

Source: SJB Zoning Ordinance, Chapter 11-11.

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

²See explanation above

Flexibility in Development Standards

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

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

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

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

Reasonable Accommodation: State housing law requires a Housing Element to contain an analysis that demonstrates local efforts to remove governmental constraints that hinder the locality from meeting its share of the regional housing need and from meeting the need for housing for persons with disabilities, including persons with developmental disabilities. This requirement came about in the 2001 legislative session (SB 520) and supplements the provisions of the Federal Fair Housing Amendments Act of 1988. In 2010, this requirement was supplemented with Senate Bill 812 requiring housing elements to include an analysis of persons with developmental disabilities.

Consistent with recent changes in State law, the City of San Juan Bautista amended its municipal code in 2019 to provide reasonable accommodations for individuals with disabilities to make requests for reasonable accommodation with respect to zoning, permit processing, or building laws. [A new housing program has been added to this Housing Element update to advertise these new reasonable accommodation provisions to the community at large \(see Program 5.2, in Chapter 5, below\).](#)

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

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

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

3. Development Permit Procedures

The Community Development Director/City Planner is principally responsible for review and processing of residential development applications and as appropriate, coordinating the processing of those applications with other City functions and outside agencies. The City uses various development permits to

ensure quality housing within San Juan Bautista, while minimizing the costs associated with lengthy review. The following permits are most frequently used in San Juan Bautista.

Site Plan and Design Review (and Historic Review)

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

Required findings for Site Plan and Design Review include:

- The project is consistent with the standards and requirements of the San Juan Bautista Municipal Code.
- The project is consistent with the goals and policies of the General Plan and any applicable specific or community plans.
- The project contributes to safeguarding the City's heritage and cultural and historic resources.
- The project is compatible with the surrounding character of the environment because the architectural design, materials and colors harmonize with the character of surrounding development, or other improvements on the site and specific design elements (e.g., balconies, fencing, screening of equipment and utility installations, signs, and lighting) are incorporated into the project.
- The location and configuration of the project harmonizes with the site and with surrounding sites or structures. Structures do not dominate their surroundings to an extent inappropriate to their use and do not unnecessarily block significant views or solar access to adjacent properties.
- The project effectively uses architectural details to break up mass. Roof planes are varied without being overly complex. Otherwise monotonous long or 2-story walls are well-articulated with details such as building off-sets and window features that are compatible with the design and not overly ornate.
- The landscape design, if any, including the location, type, size, color, texture, and coverage of plant materials, provisions for irrigation, and protection of landscape elements have been considered to create visual relief and complement the structures to provide an attractive and water-conserving environment.
- The design and layout of the proposed project does not interfere with the use and enjoyment of neighboring existing or future development, does not result in vehicular and/or pedestrian hazards, and promotes public health, safety, and welfare.
- The existing or proposed public facilities necessary to accommodate the proposed project (e.g., fire protection devices, public utilities, sewers, sidewalks, storm drains, street lights, traffic control devices, width and pavement of adjoining streets, etc.) are available to serve the subject site.

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

Multifamily Housing Permits

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

Conditional Use Permits

The City may require a Conditional Use Permit (CUP) for projects requiring special attention to site planning. Such projects currently include residential uses in commercial zones, larger community care facilities, emergency shelters and transitional housing. Under SB-2, the City has amended the Zoning Ordinance to allow transitional housing without requiring such conditional use permits in the R-1, R-2 and R-3 Zoning Districts. To apply for these permits, an applicant must submit site plans, floor plans, elevation illustrations, grading/drainage plan, soils and drainage reports, and other material. The time frames

associated with securing a discretionary permit depends on the public hearing process and staff review process. Depending on environmental review times and public hearings, a CUP may take a few months, with final action by the Planning Commission.

Planned Unit Development (PUD) Permits

The PUD process is an integrated development review process; meaning the application covers all applicable planning review processes. The PUD process provides the City and developer flexibility in design and utilization of land which yields a more cost effective and better product for both the applicant and community. Without an EIR, PUD applications are processed from initiation to approval in 6-9 months. Developers often use the Planned Development (PUD) process to produce creative projects on problem lots larger than one acre in size, where conventional zoning requirements and approaches would often preclude them.

Permit Streamlining

In 2017, the California Legislature passed SB 35 to address streamlined review for affordable housing projects. SB 35 applies to cities and counties that have not made sufficient progress toward meeting their affordable housing goals for above-moderate and lower income levels as mandated by the State. In an effort to meet the affordable housing goals, SB 35 requires cities and counties to streamline review and approval of eligible affordable housing projects through a ministerial approval process, exempting such projects from environmental review under the California Environmental Quality Act ("CEQA"). HCD has determined that the City of San Juan Bautista is subject to SB 35 streamlining provisions.²

A new housing program has been added to in this Housing Element update to address the provisions of SB 35 (see Program 4.4, in Chapter 5, below).

Permit Processing Summary

In summary, the City's permit processes facilitate the construction of quality housing in a timely manner. The timeframes are reasonable and, where applicable, well within the requirements of the Permit Streamlining Act. To further streamline processing and reduce constraints on the production and

² http://www.hcd.ca.gov/community-development/housing-element/docs/SB35_StatewideDeterminationSummary01312018.pdf

improvement of housing, the PUD process uses concurrent processing. In addition, qualified affordable housing projects receive priority processing in advance of all non-priority items. Finally, the City's one-stop permit center continues to provide prompt service, benefiting the City and developers by facilitating the production of quality housing.

4. Developed Densities and Permit Times

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

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

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

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

Rancho Vista

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

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

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

Copperleaf

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

- 45 lots, 1 unit per lot to equal 45 units, plus 10 additional Secondary Dwelling Units placed on 10 various lots within the development. The total is 55 units.
- 13.3 acres
- R-1 Zone (Low Density Residential)
- 4.1 units per net acre (actual)
- The Planning Commission first reviewed the tentative map and design on March 1, 2016. The final map was approved by City Council on April 13, 2017. Permits are currently being pulled.

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

Hillside Vistas

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

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

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

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

5. Growth Management

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

1. Providing adequate opportunity for residential development in accordance with the General Plan; and
2. Within the limitations of sewer and water capacity. The growth management ordinance, as revised, has not impacted production of housing. The growth cap is representative of General Plan capacity. Further, the allocation process reflects incentives for development of senior, disabled and lower income households. The Growth Management Ordinance does not apply beyond 2015, and a program is included to remove it from the City's municipal code.

The City currently has no growth control ordinance in effect.

6. Building Codes and Site Improvements

Section 10-1-110 of the City’s zoning ordinance states, “The Building Code for the City of San Juan Bautista shall be the latest current edition of the Uniform Building Code and any appendices thereto as adopted by the International Building Officials Conference.” Therefore, in essence, the City has adopted the current 2016 California Building Code (CBC) and will adopt the upcoming 2020 CBC (effective January 1, 2020), which establishes standards and requires inspections at various stages of construction to ensure code compliance and minimum health and safety standards. The City has adopted no amendment to the CBC.

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

Every 3 years, the State of California selects and adopts new construction regulations substantially based upon uniform model codes. Local governments may incorporate local amendments to the California Standards Building Code, provided appropriate findings are made. Most recently, the California Building Standards Commission adopted the 2016 California Building Standards Code effective January 1, 2017. The 2019 update will become effective on January 1, 2020.

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

7. Fees and Exactions

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

To help encourage development and limit government fee constraints, the City of San Juan Bautista has streamlined and lowered its processing fees. The City collects various fees from developers to cover the costs of processing permits. The fees are collected as a deposit by the City with hours tracked by the City. These include fees for planning and zoning approvals, Subdivision Map Act approvals, CEQA review, plan check services, building permits, etc. Common Planning fees (as adopted in April 2019) include:

- Conditional Use Permit (Major/Minor): \$1,575/\$787.50
- Site Plan and Design Review (Major/Minor): \$1,575/\$603.75
- Tentative Parcel Map (Major/Minor): \$5,250/\$2,625
- General Plan Amendment: \$3,675
- Rezoning: \$3,675
- Planned Unit Development Permit/Amendment: \$5,250
- CEQA Review: Consultant Cost + Fish & Wildlife Fee

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

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

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

8. Short-Term Rental Ordinance

The City does not currently have a short-term rental ordinance that regulates the use of housing in the city for short-term use. The City is, however, in the process of adopting an ordinance that would apply its transient occupancy tax to short-term rentals. This ordinance is expected to be adopted in late 2019.

C. Environmental and Infrastructure Constraints

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

1. Environmental Constraints

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

Geologic Hazards

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

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

Flood Hazards

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

Fire Hazards

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

2. Public Facilities and Services

In planning for growth, it is important to ensure that adequate public facilities and services are available to meet the anticipated demand. In compliance with the provision of AB 1087, the City provides a copy of its current Housing Element to water and sewer service providers.

Discussed below are some of the public services in the City.

Water Supply

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

Sewer Service

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

The General Plan EIR states that the City's sewer plant has a dry capacity of 0.27 million gallons per day and a wet capacity of 0.5 million gallons per day. The sewer plant can currently process flows greater than the current average in the city and therefore, can accommodate the expected increase in wastewater production. According to the City's August 2018 reporting, the City pumped an average of approximately 0.096 million gallons of wastewater per day from pump station #1. The current sewer plant has sufficient capacity to serve additional housing. New residential projects are required to pay water and sewer connection and user fees to the City.

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

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

A. Regional Housing Needs

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

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

- a. **New Housing Production.** Since the RHNA takes several years to develop prior to the Housing Element planning period of 2015-2023, jurisdictions may count the number of new units built and occupied from 2014 toward their RHNA requirements.
- b. **Rehabilitation/Preservation.** Under State law, cities can also count up to 25 percent of their RHNA for the rehabilitation of qualified substandard units. Cities may also count a portion of the affordable units which would otherwise revert to market rents but are preserved through committed assistance from the jurisdiction.
- c. **Available Land for Development.** Cities may also count potential housing production on suitably zoned vacant and underutilized sites within the community. Cities must document how zoning and development standards on the sites facilitate housing.

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

B. City Incentives towards Housing Production

This section discusses city incentives for housing production.

1. Inclusionary Housing Ordinance

In 2007, the City adopted an Inclusionary Housing Ordinance as a means to provide permanent affordable housing for very low and low income households. For sale projects of 6 or more units and rental projects of 5 or more units are required to either provide units affordable to very low or low income households or pay an affordable housing in-lieu fee. The in-lieu fee is established at the time of entitlement and is based on the amount sufficient to subsidize a median priced home in San Juan Bautista. The in-lieu fees are estimated for multifamily and single family to be from \$5,000 - \$11,000. Through the development agreement negotiation process, fee reductions or waivers are sometimes approved based on project-specific findings.

The Ordinance does not apply to congregate care, residential care facilities, secondary dwelling units and similar facilities. One constraint is that most lots developable in the City due to the size don't hit the threshold of providing mandatory affordable units. The City has found that developers fit under the

requirement of fewer than six units. The City will continue to monitor this ordinance as part of the Inclusionary Housing Program to make sure it does not become a constraint for any future developments. Reservation requirements pursuant to the City's Zoning Ordinance are as follows:

Reservation of For-Sale Units

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

Reservation of Rental Units

1. No rental residential project subject to this Chapter (including time extensions) shall be permitted unless at least one (1) affordable unit is reserved for very low- or low-income households for each five (5) units of market-rate housing.
2. Calculation of Reservation Requirement. The provisions of this subsection shall apply to the calculation of the number of housing units to be reserved in any rental housing development.
3. Design and Construction of Reserved Units. The design and exterior appearance of the reserved units shall be compatible with and substantially the same as the non-reserved units within the development and shall contain proportionately the same or a larger number of bedrooms and square footage per reserved unit as the non-reserved units.
4. Rental Restriction. The rent to be charged for a reserved housing unit shall be so limited as to be affordable to very low- or low-income households.

5. **Deed Restriction.** A deed of restriction, covenant, and/or other instrument enforceable by the City and approved by the City Attorney shall be recorded against the title of the property within which the reserved units are located limiting the rental of the reserved units as described in subsection (B)(4) of this section. This rent restriction shall be in effect for a minimum of fifty-5 (55) years. Additionally, the property shall be so restricted as to prohibit the conversion of the restricted units for the term of the rent restriction to a condominium, stock cooperative, community apartment, or such other form of ownership which would eliminate the restricted units as rental units.

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

2. Affordable Housing Incentives

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

3. Planned Unit Developments

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

4. Mixed Use District

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

5. Cooperation with Non Profit Organizations

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

6. Access to Persons with Disabilities

State law requires that cities analyze potential and actual constraints upon housing for persons with disabilities, demonstrate efforts to remove government constraints, and include programs to accommodate housing designed for disabled persons, including those with developmental disabilities. As part of the City's 5th Cycle Housing Element process, the City analyzed its Zoning Ordinance, permitting procedures, development standards, and building codes to identify potential impediments. Where found, the Program Section (Chapter 5) proposes specific actions and implementation schedules to remove such impediments. The City will continue to review and enhance those proposed actions and implementation schedules in this Housing Element. The following summarizes the findings from the analysis.

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

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

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

C. Availability of Sites for Housing

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

For this Housing Element update, a parcel-specific vacant and underutilized site inventory was performed by updating a survey conducted for the General Plan, and using data from San Benito County's GIS and the County Assessor's database. Existing uses on each site were considered. City staff refined the list to include only lots that could realistically be developed. Development capacity for sites situated in flood plains or sensitive habitat areas was reduced. Sites selected also had or will have adequate infrastructure, public services, and access to facilities. A 20 percent reduction was applied to larger sites to yield a net development area to accommodate infrastructure improvements. Smaller sites (one acre or less) with immediate street access were assumed developable at full density.

1. Vacant and Partially Vacant Development Sites

The City has identified a number of vacant sites, and one partially vacant site, within the existing City limits that are zoned for residential use or mixed use (that includes residential component). These sites are adjacent to local streets and could be developed with localized improvements to water, sewer, ~~and~~ storm drainage lines, ~~and dry utilities~~. As discussed in the next section of this chapter, several of the sites have water, sewer, and storm drainage constraints. Further analysis for the partially vacant site is provided below.

Partially Vacant Affordable Housing Site

With regard to APN: 002-350-002 listed in Table 4-1 below (Map #2.5), the City added special development standards to its Zoning Ordinance in October 2019 to ensure that the regulations governing development of this late-adopted affordable housing site complied with state law. These special development standards were inserted in the form of two new footnotes—Footnote #14 and Footnote #15—as follows:

¹⁴ Special standards and conditions apply to one affordable housing site (APN 002-350-002) in this zoning district through the year 2024 only, as follows:

- The allowable density for the designated affordable housing site is a minimum of 20 units per acre and a maximum of 24 units per acre;
- Twenty (20) percent of the residential development on the affordable housing site must be owner-occupied and/or rental multi-family uses that are affordable to lower-income households; and
- All development on this affordable housing site must be permitted by right (i.e., no conditional use permit, planned development permit, or other discretionary review or approval).
- Any development that takes place on APN 002-350-002 would accommodate necessary historic preservation efforts on or off site that would be in compliance with the City of San Juan Bautista Historic Resource Preservation Ordinance (Chp. 11-06) and the Secretary of Interior Standards.

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

¹⁵ Additional special standards and conditions apply to one affordable housing site (APN 002-350-002) in this zoning district, as follows:

- The owner of the site has the right to develop this mixed-use site as 100 percent multi-family housing without a Conditional Use Permit or other discretionary action,
- If the owner of the site chooses to develop the site as mixed use (commercial and residential, combined), then at least 50 percent of floor area must be developed as a minimum of 16 multi-family dwellings; and
- Any development that takes place on APN 002-350-002 would accommodate necessary historic preservation efforts on or off site that would be in compliance with the City of San

Juan Bautista Historic Resource Preservation Ordinance (Chp. 11-06) and the Secretary of Interior Standards.

This affordable housing site (Map #2.5) was evaluated in an addendum to the Initial Study prepared for Housing Element adoption. This site is a partially vacant parcel comprised of 3.84 acres and zoned for mixed use, with public utilities available to the site. The property to the west of the site is zoned for commercial use, and property to the east is zoned for residential use. The size of this site would accommodate a large residential project whose residents would provide ready market for neighboring commercial and other mixed uses.

The Initial Study addendum indicated that development of this site would be constrained by four categories of environmental impact—historical resources, biological resources, air quality, and land use.

Historical Resources: With regard to historical resources, the 3.84-acre site contains the old Chalmers House, which is located on approximately 0.4 acres of the site and considered a locally significant historical resource. The special MU (Mixed Use) conditions placed on this site included a requirement to protect the potentially historic Chalmers House from any significant degradation. This condition ensures that impacts related to historical resources would be less than significant.

Biological Resources: With regard to biological impacts, the site is also located within 0.39 miles of a known breeding habitat for the California tiger salamander, which means that biological monitoring would be required during ground disturbance activities.

Air Quality Impacts: With regard to air quality impacts, the site is located immediately adjacent to Highway 156 and therefore subject to toxic air contaminants generated by vehicles operating on the highway. This means that property developers would have to undertake a toxic air contaminants analysis to determine what measures might be necessary to ensure future residents are not exposed to contaminants.

Land Use Impacts: With regard to land use impacts, the site is located next to a vacant commercial property on one side, an existing single-family development on the other side, an existing multi-family development across the street, and Highway 156 immediately south of the site. The neighboring vacant commercial property, once developed, would be minimally compatible with the proposed high-density residential use. The highway use to the south would be considered a less-than-perfect neighbor.

Complete Housing Sites Inventory

A complete list of housing sites is shown in ~~As discussed in the next section of this chapter, several of the sites have water, sewer, and storm drainage constraints. The sites are listed in~~ Table 4-1 and illustrated in Figure 4-1. Table 4-2 provides a summary of the sites by income level.

Table 4-1: Housing Sites Inventory

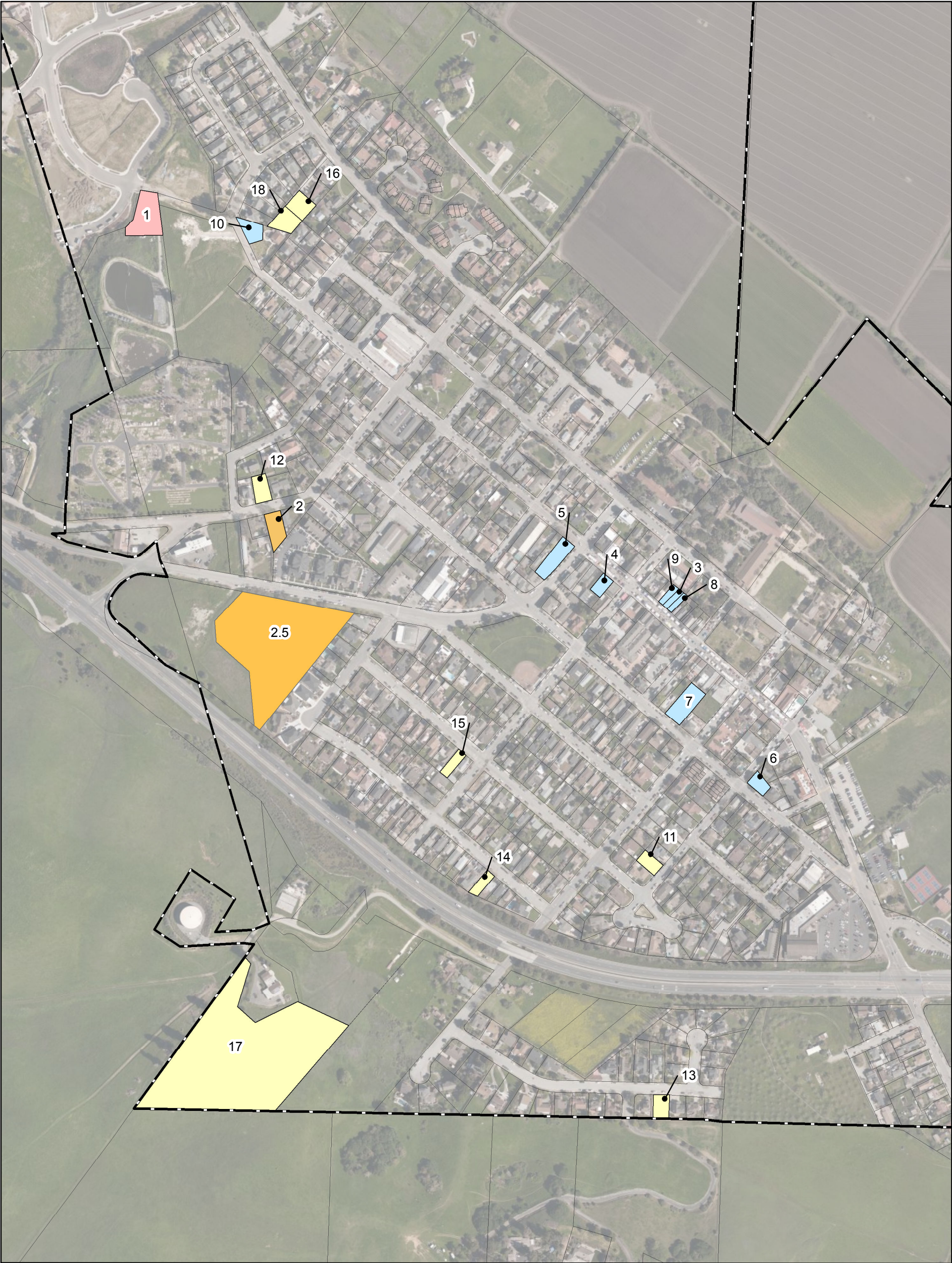
Map #	APN	Acres	Net Acres	General Plan	Zoning	Density	Afford. Level	Capacity
1	0022200030	0.48	0.48	Public Facility	PF	FAR 0.7	See note (1)	See note (1)
	Subtotal		0.48				--	--
2	0023200090	0.22	0.22	Medium Density	R-3	15	L VL	3
2.5	0023500020	3.84	3.44	High-Density Mixed Use	R-3 MU	15 20	L VL	51-68 See note (2)
	Subtotal		3.6644				Subtotal	5468
2	0023200090	0.22	0.22	Medium Density	R-3	15	L VL M	3
3	0021600130	0.05	0.05	Mixed Use	MU	10	M	1
4	0021500030	0.11	0.11	Mixed Use	MU	10	M	1
5	0021300040	0.27	0.27	Mixed Use	MU	10	M	3
6	0024700080	0.12	0.12	Mixed Use	MU	10	M	1
7	0021900100	0.31	0.31	Mixed Use	MU	10	M	3
8	0021600140	0.05	0.05	Mixed Use	MU	10	M	1
9	0021600120	0.06	0.06	Mixed Use	MU	10	M	1
10	0022600460	0.17	0.17	Medium Density	R-2	10	M	2
	Subtotal		1.4436				Subtotal	1316
11	0024300200	0.13	0.13	Medium Density	R-1	5	AM	1
12	0022900430	0.17	0.17	Medium Density	R-1	5	AM	1
13	0025630020	0.15	0.15	Low Density	R-1	5	AM	1
14	0024200170	0.11	0.11	Low Density	R-1	5	AM	1
15	0023800130	0.11	0.11	Low Density	R-1	5	AM	1
16	0022600240	0.19	0.19	Low Density	R-1	5	AM	1
17	0025400070	9.72	7.78	Low Density	R-1	5	AM	39
18	0022600230	0.20	0.20	Low Density	R-1	5	AM	1
	Subtotal		8.84				Subtotal	46
	Total		14.12				Subtotal	143130

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

Notes: (1) Zoning appropriate for homeless shelter.






(2) This site is partially vacant. Approximately 0.4 acres of this site is occupied by a farmhouse that is considered historically significant. Special development conditions that have been incorporated into the Zoning Ordinance require preservation of this farmhouse and its 0.4-acre site. In addition, special development conditions apply to this site as required by Government Code §65583.2(h).

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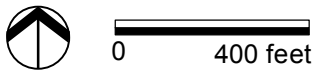


Legend

Affordability Level

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

Note: See table 4-1 for map number explanation.



Source:ESRI 2019, San Benito County GIS 2018

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

Affordability Level	Net Acres	Capacity	RHNA	Unmet Need
Homeless Shelter	0.48	n/a	n/a	n/a
Extremely Low, Very Low, and Low	3. 6644	5468	16	0
Moderate	1. 4436	4316	8	0
Above Moderate	8.84	46	17	0

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

The development capacity estimates are based on the low-end of the allowed density range for each district, with at least one unit per lot. As can be seen, the City has adequate sites within the city limits to accommodate its share of low and very low income units.

2. Additional Capacity for Affordable Housing

In addition to the sites listed in Table 4-1, above, the City has mechanisms in place that will also contribute to meeting the City's current and future RHNA. These include the City's Inclusionary Housing Ordinance, mixed-use infill, and accessory dwelling units.

Inclusionary Housing Ordinance

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

Mixed-Use Infill

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

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

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

Secondary Dwelling Units (ADUs)

In fall 2019, the City revised its Second Unit Ordinance to comply with all state law regulating ADUs. According to the City's 2018 adopted planning fees, a use permit would cost the applicant \$1,500 for major development or \$750 for minor.

During the City's initiation of changes to the Second Unit Ordinance, many property owners expressed interest in pursuing permits for second units. Six accessory dwelling units were built during this planning period.

3. Additional Housing Capacity within the Urban Growth Boundary

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

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

D. Progress toward RHNA

San Juan Bautista has made some progress towards meeting its share of the regional housing needs during the first four-year segment of the 2015-2023 planning period. According to the California Department of Finance, San Juan Bautista added 53 units between 2015 and 2019. Six of these units were accessory dwelling units built on lots containing single family dwellings. Table 4-6 below illustrates the number of housing units by income level that have been built during this planning period.

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

Affordability Distribution	Housing Units by Income Level
Very Low	0
Low	0
Moderate	0
Above Moderate	53
Total Units	53

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

As summarized in Table 4-7, the City can fully address its RHNA through a combination of past housing production during this planning period, remaining capacity in residential and commercial areas, and a combination of second units and infill development.

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

Affordability Distribution	RHNA	Credits Toward RHNA	
		Units Approved	Remaining Need
Very Low	10	0	10
Low	6	0	6
Moderate	8	0	8
Above Moderate	17	53	0
Total Units	41	53	24

Source: City of San Juan Bautista

E. Financial Resources

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

Table 4-8: Financial Resources for Housing Activities

Program Name	Description	Eligible Activities
1. Federal Programs		
Community Development Block Grant (CDBG)	Grants awarded to the City on a formula basis for housing and community development activities. The City is currently not eligible for CDBG due to non-certification of Housing Element.	-Acquisition -Rehabilitation -Home Buyer Assistance -Economic Development -Homeless Assistance -Public Services
Emergency Shelter Grants (ESG)	Grants potentially available to the City through the County to implement a broad range of activities that serve homeless persons. Funding availability is uncertain for the current year.	-Shelter Construction -Shelter Operation -Social Services -Homeless Prevention
HOME	Grant program available to the City on a competitive basis for housing activities. City competes for funds through the State’s allocation process.	-Acquisition -Rehabilitation -Home Buyer Assistance -Rental Assistance

Program Name	Description	Eligible Activities
Low-Income Housing Tax Credits (LIHTC)	Tax credits available to persons and corporations that invest in low-income rental housing. Proceeds from the sales are typically used to create housing.	-New Construction -Acquisition -Rehabilitation
Mortgage Credit Certificate (MCC) Program	Income tax credits available to first-time homebuyers to buy new or existing single-family housing. Santa Cruz County Housing Authority makes certificates available.	-Home Buyer Assistance
Housing Choice Voucher Program	Rental assistance payments through Santa Cruz County Housing Authority to owners of private market rate units on behalf of very low-income tenants.	-Rental Assistance -Home Buyer Assistance
Section 202	Grants to non-profit developers of supportive housing for the elderly.	-Acquisition -Rehabilitation -New Construction
Section 203(k)	Provides long-term low interest loans at fixed rate to finance acquisition and rehabilitation of eligible property.	-Land Acquisition -Rehabilitation -Relocation of Unit -Refinance Existing Indebtedness
Section 811	Grants to non-profit developers of supportive housing for persons with disabilities, including group homes, independent living facilities and intermediate care facilities	-Acquisition -Rehabilitation -New Construction -Rental Assistance
U.S. Department of Agriculture (USDA) Housing Programs (Sections 514/516)	Below market-rate loans and grants for farmworkers rental housing.	-New Construction -Rehabilitation
2. State Programs		
SB 2 Planning Grants Program	Provides funding and technical assistance to all local governments to prepare, adopt, and implement plans and process improvements that streamline housing approvals and accelerate housing production.	- Updates to general plans, community plans, specific plans, local planning related to implementation of sustainable communities strategies, or local coastal plans. -Updates to zoning ordinances. -Environmental analyses that eliminate the need for project-specific review. -Local process improvements that expedite local planning and permitting.
Affordable Housing Partnership Program (AHPP)	Provides lower interest rate CHFA loans to home buyers who receive local secondary financing.	-Home Buyer Assistance

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

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

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

1. Community Development Block Grant (CDBG) Funds

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

2. HOME Investment Partnership Program Funds

Federal HOME funds can be used for activities that promote housing and homeownership for lower-income households. Such activities include the following: building acquisition, new construction, moderate or substantial rehabilitation, first-time homebuyer assistance and tenant-based assistance. A federal priority for use of these funds is preservation of at-risk housing stock. The State HOME Income Limits for San Benito County were updated in 2019 and became effective in June 28, 2019.

San Juan Bautista has not applied for or secured HOME funds through the State HCD (through a competitive process). Administrative costs of the program and the limited size of San Juan Bautista may limit the utility of this program. The City currently does not receive any HOME funds.

3. Affordable Housing In-Lieu Fee

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

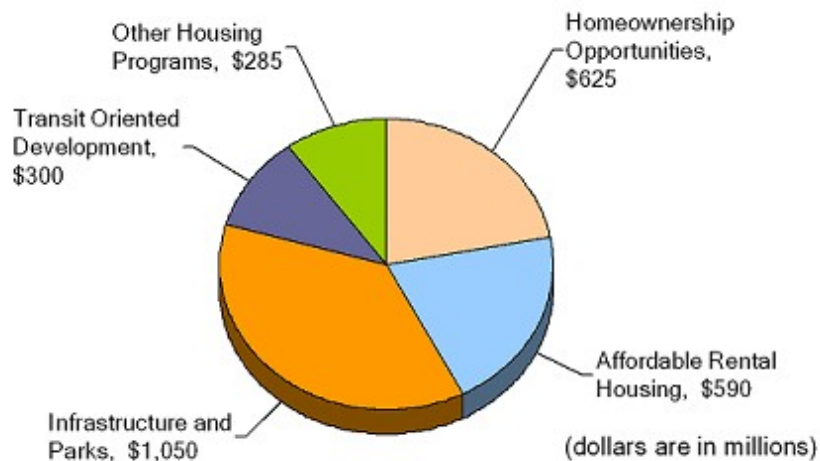
4. Housing Choice Voucher Program

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

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

Due to the State's budget deficit, only limited State funds have been available for affordable housing activities. However, California voters in 2006 approved a \$2.9 billion bond (Proposition 1c) to address the State's affordable housing challenges. According to the Department of Housing and Community Development (HCD), the housing bond will establish funding for housing and infrastructure programs to produce an estimated 118,000 housing units, 2,350 homeless shelter spaces, and infrastructure projects that help infill housing development such as water, sewer, parks, and transportation improvements. Specifically, the bond will be allocated according to Figure 4-2 as shown below.

Figure 4-2: Prop 1C Bond Allocation



Source: State Department of Housing and Community Development

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

F. Administrative Resources

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

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

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

2. South County Housing (SCH)

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

3. Mid-Peninsula Housing Coalition (MPHC)

Mid-Peninsula is an established regional nonprofit organization involved in the development, management, acquisition and rehabilitation of affordable rental housing. MPHC primarily develops affordable family and senior rental apartments. Since it was founded in 1971, MPHC has developed over

3,700 affordable housing units in 6 Northern California counties. MPHC has also rehabilitated over 300 units in blighted neighborhoods. In addition, MPHC has been involved in the preservation of affordable housing units that are at risk of converting to market rate uses.

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

CHISPA is one of the largest private non-profit developers in Monterey and Santa Cruz County. To date, CHISPA has produced more than 1,000 units of very low, low, and moderate-income housing throughout Monterey County. Most of CHISPA's rental, homeownership, and cooperative projects serve large families and include 3- and 4-bedroom townhouse-style units with open space and tot lots. CHISPA remains a resource and a potential partner for San Juan Bautista.

5. Habitat for Humanity

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

6. Salvation Army

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

7. Housing Choices Coalition (HCC)

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

8. Project WeHOPE / Dignity on Wheels

WeHOPE offers 4 main programs to help homeless individuals:

- a. Transitional/Supportive Housing Program. This is a 120-day program that is intended to deal with the systemic issues related to homelessness. Clients entering this program take a series of classes, set weekly goals, meet weekly with his or her case manager, participate in a mandatory savings program, do daily housing searches, and are a positive role model for emergency clients also staying at the WeHOPE Shelter.
- b. Dignity on Wheels Mobile Hygiene Outreach Program. Dignity on Wheels is a mobile hygiene outreach program that provides free showers and laundry service for the homeless living in encampments, rotating shelters, in their vehicles or other temporary spaces where they do not have access to such amenities.

- c. H.O.P.E. Jobs H.O.P.E. Jobs is a program that offers WeHOPE clients and the general community with free certification courses to become a Security Guard or Custodial Technician. The classes are taught by nationally certified instructors within their professional industry. Each individual who successfully receives a certificate of completion for either class are able to apply for hundreds of qualified jobs throughout California.
- d. Dignity @ Work This program is offered to support formerly incarcerated individuals to become successful in all aspects of their lives. We offer comprehensive training in diverse related disciplines that provide life, communication, problem solving and financial management skills followed by job and entrepreneurship training to set the stage for successful employment either as a business owner or employee in a high-demand, low barrier to entry fields.

9. Schools/Social Services

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

G. Opportunities for Energy Conservation

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

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

The following are among the alternative ways to meet these energy standards. Alternative 1 is a passive solar approach which requires proper solar orientation, appropriate levels of thermal mass, south facing windows, and moderate insulation levels. Alternative 2 generally requires higher levels of insulation than

Alternative 1, but has no thermal mass or window orientation requirements. Alternative 3 is without passive solar design but requires active solar water heating in exchange for less stringent insulation and/or glazing requirements.

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

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

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

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

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

2. AMBAG EnergyWatch

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

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Sections 2, 3, and 4 of the Housing Element establish the housing needs, constraints, and resources in San Juan Bautista. This section of the Housing Plan sets forth the City's goals, policies, programs, and quantified objectives to address the identified housing needs for the 2019-2023 planning period, and reviews progress made during the prior planning period.

A. Housing Goals

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

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

1. Housing and Neighborhood Conservation

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

2. Housing Assistance

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

3. Housing Production

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

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

4. Removal of Government Constraints

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

5. Fair and Equal Housing Opportunity

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

The following are the 5 overarching goals of the City for the 2019-2023 housing planning period:

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

B. Policies and Programs

The housing programs described under this section contain existing programs as well as future programs needed to address identified housing needs. It is important to note that the current State budget crisis, withholding of housing funds, and unfunded mandates may restrict the ability of the City to implement these programs.

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

- | | |
|------------|--|
| Policy 1.1 | Encourage homeowners and landlords to maintain properties in sound condition through the City's residential rehabilitation assistance programs and code enforcement efforts. |
| Policy 1.2 | Encourage citizen involvement to preserve, maintain, and revitalize the City's housing stock and neighborhoods including historical and architecturally significant buildings and neighborhoods. |
| Policy 1.3 | Support housing builders in the acquisition, rehabilitation, and maintenance of older residential properties, and development of new projects, as long-term affordable housing. |

- Policy 1.4 Preserve the existing stock of affordable housing, including mobile homes, through City regulations and financial and other forms of assistance.
- Policy 1.5 Invest in public infrastructure and provide appropriate public services and facilities as financially practicable.

1.1. Code Enforcement Program

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

Program Objective:

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

ONGOING

General Fund

Building Official and City Manager

1.2. Housing Rehabilitation Program

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

Program Objective:

The City anticipates, upon certification, seeking CDBG funds. As part of that process, the City will determine the amount requested and the percentage that might go to housing rehabilitation and authorizations. Additionally, the City will annually contact area non-profits that provide assistance to low and moderate income households continue to seek out partnerships. The City will advertise the availability of any funding/programs through brochures at City Hall, and posting on the City's website.

Quantified Object

2 units per year

Annually

CDBG

Building Official and City Manager

1.3. Lead and Asbestos Abatement Education Program

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

Program Objective:

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

ONGOING

General Fund

Building Official and City Manager

1.4. Preservation of Affordable Housing Program

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

Program Objective:

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

ONGOING

General Fund and Housing In-lieu fees

City Planner and City Manager

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

- | | |
|------------|---|
| Policy 2.1 | Encourage the provision of jobs and housing by annexing areas for new employment opportunities and promoting the City's programs with current and future business owners. |
| Policy 2.2 | Continue to support the provision of rental assistance to lower-income households, and encourage property owners to list units with the Housing Authority of the County of Santa Cruz. |
| Policy 2.4 | Continue to enforce notification requirements for lower income persons displaced due to demolition, reuse, or rehabilitation as a result of code enforcement. |
| Policy 2.5 | Support efforts by non-profits to evaluate the needs for transitional and emergency housing in San Juan Bautista, including support of grant applications and assistance in identification of suitable sites. |
| Policy 2.6 | Encourage and support, as feasible, non-profit and for-profit agencies who provide supportive services and alternative housing options for persons with special housing needs in San Juan Bautista and San Benito County. |
| Policy 2.7 | Support the provision of child care facilities throughout the community. |

- | | |
|-------------|---|
| Policy 2.8 | Allow emergency shelters in at least one zone by right, allowing residential uses in order to provide housing for families or individuals on a limited, short-term basis. |
| Policy 2.9 | Recognize transitional housing as a residential use and allow this use in all zones that allow residential uses. |
| Policy 2.10 | Support the development of housing for special needs populations by continuing to allow residential care facilities, manufactured housing, and transition/supportive housing in all zones where single family development is allowed. |

2.1. Housing Choice Voucher Program

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

Program Objective:

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

ONGOING

Federal

City Manager in liaison with County

2.2. Child Care Facilities Program

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

Program Objective:

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

ONGOING

General Fund

City Planner and City Manager

2.3. Grants Program

Over the years, California voters and legislators have authorize the issuance of bonds to support new and continued affordable or special needs housing programs, emergency shelters,

neighborhood and downtown revitalization efforts, supportive services, mobility improvements, and a variety of other programs that help meet the housing needs of communities across the State. The Federal Housing and Urban Development Department offers a large number of grants, including Community Development Block Grants, Continuum of Care, and Choice Neighborhood Grants.

Program Objective:

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

ONGOING

General Fund/Grants

City Planner and City Manager

GOAL 3.0 AVAILABLE HOUSING FOR ALL INCOME GROUPS.

- | | |
|------------|--|
| Policy 3.1 | Encourage the production of housing that meets the needs of all economic segments, including lower-, moderate-, and above moderate-income households, to achieve a balanced community. |
| Policy 3.2 | Provide high quality rental and ownership housing opportunities for current and future residents that are affordable to a diverse range of income levels. |
| Policy 3.3 | Encourage a variety of housing types to address the needs of farmworkers, including affordable rentals, mobile homes, single room occupancy hotels, manufactured and factory-built housing, and group housing. |
| Policy 3.4 | Continue to implement the Inclusionary Housing Ordinance, Density Bonus Ordinance, and other programs as a means of integrating affordable units within new residential development. |
| Policy 3.5 | Pursue State, Federal, and other funding sources for housing activities as a means to leverage local funds and maximize assistance. |
| Policy 3.6 | Encourage and support the efforts of non-profit organizations that develop housing affordable to very low-, low-, and moderate-income households. |
| Policy 3.7 | Examine the feasibility of developing quality live/work housing, as appropriate, as a means to provide affordable housing. |
| Policy 3.8 | Ensure that adequate infrastructure, public facilities, water and services are available or in place to support the development of new housing. |

3.1. Adequate Sites Program

A key component of the Housing Element is maintaining adequate sites to accommodate the City's RHNA share. The City currently has identified sufficient sites to meet its RHNA. Nonetheless, in anticipation of a higher affordable housing allocation in the next housing element cycle, the City is working prepare a specific plan for a new growth area.

Program Objective:

The City will pursue an SB 2 Planning Grant to fund the development of a specific plan for an area located south of State Route 156.

2020

General Fund

City Planner and City Manager

Program Objective:

The City will prepare a specific plan for an area located south of State Route 156 to accelerate the development of housing in the City.

2020

SB 2 Grant

City Planner and City Manager

Program Objective:

The City will initiate annexation of the area for which a specific plan was prepared with SB 2 grant funds.

2022

General Fund

City Planner and City Manager

3.2. Inclusionary Housing Ordinance Program

Under the Inclusionary Housing Ordinance (Chapter 11-09), developers are required to set aside a certain portion of units in projects of six or more units for targeted income level groups. The term of affordability is a minimum of 55 years. Developers who exceed the minimum number of affordable units may be eligible for density bonuses per State law. The Inclusionary Housing Ordinance also allows for an in-lieu fee, but this fee is insufficient to fund affordable housing that is not built under the Inclusionary Housing Ordinance.

Program Objective:

The City will review and revise its Inclusionary Housing Ordinance to ensure that the private sector assists in meeting the housing needs of all income groups in San Juan Bautista through direct construction of affordable units. Part of this revision will include an assessment of raising the in-lieu fees.

ONGOING

General Fund

City Planner and Finance Manager

Program Objective:

The City will identify suitable affordable housing projects and fund direct financial assistance, land write-downs, regulatory incentives, and other forms of assistance from its accumulated Inclusionary Housing Program account. It will also pursue SB 2 Grant Funds that after the initial year will be devoted to activities that directly reduce the cost of affordable housing.

ONGOING

General Fund

City Planner and Finance Manager

3.3. Non-Profit Housing Partnership Program

Non-profit housing developers play an important role in providing affordable housing in the State. The City has the authority to grant direct financial assistance, land write-downs, regulatory

incentives, and other forms of assistance to a number of developers to provide both ownership and rental housing to extremely low income, lower- and moderate-income households.

Program Objective:

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

ONGOING

General Fund/Grants

City Planner and City Manager

3.4. Mixed-Use Development Program

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

Program Objective:

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

ONGOING

General Fund

City Planner and City Manager

3.5. Single Room Occupancy

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

Program Objective:

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

2020

General Fund

City Planner and City Manager

3.6. Small and Nonconforming Lot Consolidation

The City will provide technical assistance to property owners and developers in support of lot consolidation through a variety of actions. Such actions include identifying and publicizing

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

Program Objective:

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

Annually

General Fund

City Planner and City Manager

3.7. Supportive Housing by Right

The City will streamline and expedite the approval of supportive housing to better address the need of its residents experiencing homelessness, as required by AB 2162 adopted in 2018.

Program Objective:

The City will revise its Zoning Ordinance to allow supportive housing by right in zones where multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses. This revision will also address any other changes to the Zoning Ordinance required by AB 2162.

December 2020

General Fund

City Planner and City Manager

3.8. Low Barrier Navigation Centers

The City will accommodate the approval of low barrier navigation centers to better address the need of its residents experiencing homelessness, as required by Government Code 65660 et seq.

Program Objective:

The City will revise its Zoning Ordinance to allow low barrier navigation centers by right in zones where multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses. This revision will also address any other changes to the Zoning Ordinance required by Government Code 65660 et seq.

December 2020

General Fund

City Planner and City Manager

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

- Policy 4.1 Provide regulatory and/or financial incentives, where appropriate, to offset or reduce the costs of affordable housing development, including density bonuses and flexibility in site development standards.

- | | |
|------------|--|
| Policy 4.2 | Implement and enforce residential design guidelines to ensure that the community's expectations are met with respect to the quality and style of housing projects. |
| Policy 4.3 | Provide priority processing to affordable housing projects |
| Policy 4.4 | Expressly permit and educate the public about secondary units as a means to provide additional affordable housing opportunities. |
| Policy 4.5 | Periodically review City regulations, ordinances, departmental processing procedures and residential fees related to rehabilitations and/or construction to assess their impact on housing costs, and revise as appropriate. |
| Policy 4.6 | Provide regulatory and financial incentives, as appropriate and financially practicable, to facilitate the development of supportive housing for families with children, and other special needs groups |
| Policy 4.7 | Review and update Title 11, Zoning Ordinance, of the San Juan Bautista Municipal Code, to achieve community-wide objectives. |
| Policy 4.8 | Continue to support the incorporation of energy efficient devices in existing housing and utilization of energy efficient designs for new housing |
| Policy 4.9 | Revise the land use map within the General Plan and rezone several parcels of land on the outer boundaries of the City limits to help facilitate low income housing development consistent with State requirements |

4.1. Planned Unit Development District (PUD) Program

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

Program Objective:

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

ONGOING

General Fund

City Planner and City Manager

4.2. Site Plan and Design Review Process Program

The City requires site plan and design review (or Historic Review) for new development and substantial remodels. Within the designated Historic Districts, the City bases its decisions on the City's Historic District Ordinance. The Planning Commission, meeting as a separate body, serves as

the Historic Board. This action has served to streamline processes for the City and applicant alike. Site Plan and Review approvals outside the Hillside area, are administrative.

Program Objective:

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

ONGOING

General Fund

City Planner and City Manager

4.3. Accessory Dwelling Unit Ordinance Program

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

Program Objective:

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

QUANTIFIED OBJECTIVE

SEPTEMBER 2020

General Fund

2 units per year

(consider additional approaches)

City Planner and City Manager

4.4. SB 35 Permit Streamlining

SB 35 requires cities and counties to streamline review and approval of eligible affordable housing projects through a ministerial approval process, exempting such projects from environmental review under the California Environmental Quality Act ("CEQA"). This process does not allow public hearings to consider the merits of the project; rather, only design review or public oversight of the development is allowed, which must be objective and strictly focused on assessing compliance with criteria required for streamlined projects as well as objective design review of the project.

Program Objective:

The City will revise its zoning ordinance to provide a streamlined development review process for affordable housing projects in the city, consistent with the provisions of SB 35.

December 2020

General Fund

City Planner and City Manager

GOAL 5.0 FAIR AND EQUAL HOUSING OPPORTUNITY FOR ALL PERSONS.

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

5.1. Fair Housing Program

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

Program Objective:

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

ONGOING

General Fund

City Planner and City Manager

5.2. Advertise Reasonable Accommodations

In 2019, the City revised its Municipal Code to provide a procedure wherein reasonable accommodations in the application of building and planning regulations are provided to persons with disabilities. To ensure that residents are aware of these new provisions, the City intends to advertise the new provisions.

Program Objective:

The City will publish, post, and distribute informational flyers advertising and explaining new provisions in the San Juan Bautista Municipal Code related to reasonable accommodations.

January 2020

General Fund

City Planner and City Manager

C. 5th Cycle (Part 2) Quantified Objectives

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

Table 5-1 Quantified Objectives

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

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

D. General Plan Consistency

According to Government Code Section 65300.5, the California Legislature intends that the General Plan and its elements comprise an integrated, internally consistent and compatible statement of policies for the local jurisdiction. Accordingly, it is necessary during the course of the Housing Element update to evaluate any impact new policies, objectives, or programs may have on other elements of the General Plan.

At this time, the Housing Element does not necessitate or propose significant changes to any other element of San Juan Bautista's General Plan. However, if it becomes apparent that changes to any element are needed, the Planning Commission and City Council will propose such changes for consideration. The City will also review the Housing Element for internal consistency when any amendments are made to safety, conservation, and land use elements, based on the requirements of Government Code Section 65302.

~~D~~.E. Review of 5th Cycle Programs (1st 4-Year Update)

To address community conditions and housing needs identified in the adopted 2015-2019 Housing Element, the City took action to facilitate the development of housing. The actions sought to accommodate the City's regional housing needs allocation, assist in the production and rehabilitation of a wide range of housing and shelter, and establish supportive services for all income levels and special interest groups. The goals and programs have been evaluated in light of what the City has done or what other agencies or groups have completed during 2015-2019.

Overall, the goals, policies, and programs in the 2015-2019 Housing Element assisted in providing housing opportunities for all income categories, as well as meeting a diversity of housing needs. According to California Department of Finance data, a total of 53 new housing units were built within the City of San Juan Bautista between the years 2015-2019. Table 5-2 reviews progress made on implementation of housing programs from the previous Housing Element.

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

Program	Review for 2015-2019 planning period
Code Enforcement	The City has continued to carry out code enforcement activities.
Housing Rehabilitation	The City did not implement this program during this planning period.
Lead and Asbestos Containment and Abatement Education	The City has continued to carry out these activities in conjunction with the air quality district.
Preservation of Affordable Housing	The City did not have any deed-restricted or other program-driven affordable housing units to conserve during this planning period.
Section 8 Rental Assistance	The City has continued to support San Benito County's efforts to provide rental vouchers to needy residents during this planning period.
Child Care	The City did not implement this program with regard to facilitating the development of child care components with larger developments during this planning period.
Application for Grants and Loans	The City applied for SB 2 Planning Grant funds to support the preparation of a specific plan for an area south of State Route 156 that is within the City General Plan planning area and Sphere of Influence, but outside of the current city limits.
Adequate Sites Program	The City added special development conditions to APN 002-350-002 to High Density/R-3 and thereby completed its efforts to ensure that sufficient sites are available to meet San Juan Bautista's RHNA. The City also adopted special development standards for this site in compliance with Government Code §65583.2(h). This program has been modified to focus on preparation of a specific plan for a development area south of State Route 156.
Inclusionary Housing Ordinance	In fall 2019, the City adopted a local density bonus ordinance consistent with current state law governing density bonus. This program has been re-written for the 2019-2023 period to acknowledge the revised code, plus devote time to re-tooling the Inclusionary Housing Ordinance to make it more effective. This includes evaluating the in-lieu fee structure to ensure that such fees actually cover the costs of providing affordable housing.
Partnership with Non-Profit Housing Agencies	The City has continued to form relationships with non-profit housing agencies during this planning period.
Mixed-Use Development	The City has continued to promote mixed-use development in Downtown San Juan Bautista. The City is currently (fall 2019) working with a private property owner to develop new mixed housing and commercial use in Downtown.
Transitional Housing, Supportive Housing and Emergency Shelters	In fall 2019, the City adopted an ordinance correcting deficiencies in the San Juan Bautista's Municipal Code addressing transitional and supportive housing and emergency shelters in its zoning regulations. This program has been deleted in this 2019-2023 update.
Small and Nonconforming	The City did not implement this program during this planning period.

Program	Review for 2015-2019 planning period
Lot Consolidation	
Density Bonuses	In fall 2019, the City adopted a local density bonus ordinance consistent with current state law governing density bonus. This program has been deleted in this 2019-2023 update.
Planned Unit Development District (PUD)	The City has continued to allow Planned Unit Development designations in order to provide flexibility in developments and facilitate creative housing options.
Site Plan and Design Review Process	The City has continued to utilize the Site Plan and Design Review process during this planning period.
Accessory Dwelling Unit Ordinance	In fall 2019, the City began work on a local accessory dwelling unit ordinance. Planning Commission considered the revised code at its September 3 and October 1, 2019 meetings. This effort was put on hold pending new legislation that may come into effect in January 2020.
Zoning Ordinance Update	In fall 2019, the City adopted an ordinance making various changes to the San Juan Bautista Municipal Code. The work addressed transitional and supportive housing, emergency shelters, and special development standards for affordable housing sites, consistent with Government Code §65583.2(h). This program has been deleted in this 2019-2023 update.
Fair Housing Program	The City has continued to support the State Office of Fair Employment and Housing, California Rural Legal Assistance, and equal opportunity lending programs.
Housing for Disabled Persons	Completed. See report on Zoning Ordinance Update above. This program has been deleted in this 2019-2023 update.
Reasonable Accommodations	In fall 2019, the City adopted an ordinance addressing transitional and supportive housing. This program has been deleted in this 2019-2023 update.
Special Needs Housing	Completed. See report on Zoning Ordinance Update above. This program has been deleted in this 2019-2023 update.
Water Service Priority	In fall 2019, the City adopted an ordinance addressing water and sewer service priority for affordable housing projects. This program has been deleted in this 2019-2023 update.
Farmworker Housing	The City did not implement this program during this planning period.

SOURCE: EMC Planning Group 2019

Housing production during the planning period is compared to the 2015-2019 RHNA in Table 5-3 below:

Table 5-3: Comparison of Housing Needs to Production 2015-2019

Income Category	City's Share of Regional Housing Needs	
	Number of Units	Constructed
Very Low	<u>1041</u>	0
Low	<u>68</u>	<u>20</u>
Moderate	<u>840</u>	<u>40</u>
Above Moderate	<u>1720</u>	<u>533</u>
Total	<u>4149</u>	<u>653</u>

Source: City of San Juan Bautista 2019



CITY OF SAN JUAN BAUTISTA PLANNING COMMISSION STAFF REPORT

AGENDA TITLE: Consider a Resolution finding the project categorically exempt per Section 15331 of the California Environmental Quality Act (CEQA) Guidelines; and consider a Resolution to approve a Site and Design Review (SDR 2019-03) for a mixed use development consisting of a restaurant, bar, and residential units located at 107 Third Street, San Juan Bautista (APN: 002-021-004).

MEETING DATE: December 3, 2019

SUBMITTED BY: David J. R. Mack, AICP
Project Manager/Senior Planner (contract)

DEPARTMENT HEAD: Don Reynolds, City Manager

APPLICANT: Raeid Farhat

ZONING/LAND USE: Mixed Use

RECOMMENDED ACTION(S):

Staff recommends the Planning Commission take the following actions:

- 1) Adopt a Resolution finding the project categorically exempt per Section 15331 (Class 31) of the California Environmental Quality Act Guidelines; and
- 2) Adopt a Resolution approving a Minor Site and Design Review (SDR 2019-03) to a previously approved restoration/remodel for the project located at 107 Third Street (Casa Rosa).

BACKGROUND INFORMATION:

La Casa Rosa has experienced various instances of unpermitted work in recent years. Between the Fall of 2015 through the winter of 2016, the structures on the site were significantly altered without the benefit of permits, including removal of walls, ceiling, and floors. It is not clear how long unpermitted work was allowed to occur on the property.

In 2017 the City of San Juan Bautista considered and approved a Site and Design Review Permit (SDR 2017-31) for a “restaurant, bar, and residential unit” at 107 Third Street (Casa Rosa) for Greg and Christin Burda, pursuant to Planning Commission Resolutions Nos. 2017-07 (CEQA exemption) and 2017-08 (Project) (**Attachments 3 and 4**).

Subsequent to the 2017 approval, although the Burda's were required to obtain construction permits prior to the commencement of any work, including demolition activities, additional unpermitted work was again conducted, which included and the entire rear, non-historic, portion of the structure, walls, and removal of existing courtyard and driveway pavers. Citations were issued to "stop work" on the building in July of 2018, due to the lack of permits.

In February of 2019, Staff came before the City Council requesting that immediate structural changes and remedies be authorized to stabilize the structure and abate any potential public health and safety concerns. At this time the Council adopted Resolution 2019-09 declaring the property a public nuisance and ordering abatement of said nuisances (**Attachment 5**).

In March of 2019, the provided structural support work to prevent the balcony from failing, at a cost of approximately \$15,000, and a lien was place on the property title. (NOTE: Through the lien, the City was reimbursed its expenses in November of 2019, when the property was resold.)

In late 2019, the property was put up for public auction/foreclosure and acquired by the current owner/applicant, Raeid Farhat, who is proposing to once again restore/rehabilitate the subject property (main structure) in a similar nature/proposal to the prior entitlement, plus the addition of three new residential units located on the rear (non-historical) portion of the property.

PROJECT AMENDMENTS:

While the new application is similar to the prior 2017 entitlement, the new applicant is proposing a few project amendments. Both the 2017 entitlement and the new proposal are detailed below:

2017 Entitlement (Burda) – SDR 2017-31		(3,618 sq ft TOTAL)
		(FAR – 0.86)
<u>Main Building (Historical)</u>		
- Restaurant / Bar	– 1 st Floor	(915 sq ft)
- Residential Unit (2bd/2bth)	– 2 nd Floor	(1,040 sq ft)
<u>Rear Area/Addition (Non-Historical)</u>		
- Expanded dining area		(156 sq ft)
- Kitchen area		(542 sq ft)
- Utilities area		(138 sq ft)
- Garage area		(386 sq ft)
- Storage area		(441 sq ft)

**2019 Application (Farhat) – SDR 2019-03 (3,983 sq ft TOTAL)
(FAR – 0.95)**

Main Building (Historical)

- Restaurant / Bar – 1st Floor (979 sq ft)
- Residential Unit (2bd/2bth) - 2nd Floor (1,040 sq ft)

Rear Area/Addition (Non-Historical)

- Kitchen Area (535 sq ft)
- Utilities Area/Restroom (189 sq ft)
- Residential Units (x3 – 1bd/1bth)
 - o Unit 1 (412 sq ft)
 - o Unit 2 (357 sq ft)
 - o Unit 3 (471 sq ft)

A comparison of the two projects shows that the proposed project is approximately 365 square feet larger than the 2017 entitlement, but retains the same approximate footprint. The added square footage is a portion of the second-story residential dwelling (Unit 3). Additionally, the proposed project does not include the development of the expanded dining area, the garage, or the storage area. These three areas, and the associated square-footage, is proposed as additional residential development (Units 1, 2, and 3) in the rear portion of the property.

PROCESS:

Chapter 11-06 of the San Juan Bautista Municipal Code (SJBMC) lays out the processes for handling applications for alterations to properties that are included in the City of San Juan Bautista Register of Historic Properties, including both contributing buildings with status codes 1 through 5, and noncontributing buildings.

Under SJBMC Section 11-06-120, “Site plan and design review permit procedure for historic resources”, Staff must review permit applications and determine the following:

- 1) **If the structure is more than forty-five (45) years old;**
 - a. This structure was originally built in 1870 and is more than forty-five years old.
- 2) **If the property has been previously inventoried as part of a Citywide comprehensive survey and what the current status code for the property is (see SJBMC 11-06-090 for status codes);**
 - a. This property was previously inventoried as part of the citywide comprehensive survey, and has a status code of 5D1.
- 3) **If the property is listed on the City Register of Historic Resources;**
 - a. This property is listed on the City Register of Historic Resources.

- 4) **If the Property is located within the boundaries of a designated historic district regardless of individual significance;**
 - a. This property is located within the boundaries of the designated historic district.
- 5) **If the property will require additional evaluation as part of the application process; and**
 - a. As part of the previous entitlement process (2017), a historic report (“Secretary of the Interior’s Standards Review”) was prepared to analyze the previously proposed exterior modifications.
 - b. The current project is designed to include/mimic the same exterior modifications and recommendations from the 2017 report. No additional review beyond that conducted in 2017 is required.
- 6) **If the proposed alteration is a minor or major alteration.**
 - a. The 2017 entitlement was considered a major alteration due to the potential to degrade the exterior features and façade of the original building. The original entitlement was processed a “major” alteration.
 - b. The current proposal mimics the prior entitlement, with regards to the main historic building (main floor restaurant and second floor residence), the rear, non-historic, portion of the site will be developed with three (3) new residential units instead of the originally proposed garage, storage and utility area(s). Therefore, the current proposal is also considered to be a “major” alteration.

Based on the above determinations, the proper review procedure can be found in Section 11-06-120(C)(5):

“(5) Applications for major alterations or demolition to properties that are included in the City of San Juan Bautista Register of Historic Resources, including those properties that contribute to a designated historic district with status codes of 1 through 5 or to noncontributing buildings within designated historic districts, shall require the following:

- (a) A historic resource evaluation and impact report shall be prepared by a qualified architectural historian that includes a discussion of the property’s historic significance, the determination of the project impacts and the application of how the project does or does not meet the Secretary of the Interior’s Standards for the Treatment of Historic Properties and the City of San Juan Bautista Design Guidelines. The report will also include a discussion on how the proposed changes may cause a substantial adverse change in the significance of the historic resource in accordance with CEQA Guidelines and a discussion as to how the proposed project may impact the significance of a surrounding historic district, as applicable. The report may also include proposed measures to minimize or mitigate significant impacts, if such impacts exist.”*

An historic resource evaluation and impact report was prepared for the prior entitlement in 2017, by Rebecca Salgado, Architectural Historian at Garavaglia Architecture, Inc. The proposed project is designed to be consist with the recommendation of the 2017 report, and will involve the same scope of work (for main building) and incorporates the same recommendations.

(b) The historic resource evaluation and impacts report will be attached to the site plan and design review application for review by the Historic Resources Board. The HRB will review the recommended impacts and treatments and make recommendation to the Planning Commission and applicant on ways to conform to the Secretary of the Interior's Standards for the Treatment of Historic Properties and the City of San Juan Bautista's Design Guidelines. The Planning Commission will have discretionary authority over the approval of the application. Appeals on the determination made to the Planning Commission shall be directed to the City Council for approval.

The prior historic resource evaluation and impact report (2017) has been attached to the Site and Design Review application for the proposed project. The initial entitlement (and report) discussed the operation of a main level restaurant, bar, and second-level residential unit (2bd/2bth) located within the main structure. The current project retains these same uses and locations. The 2017 report confirmed that the project as designed is “generally compliant with all ten of the Secretary of the Interior’s Standards for the Treatment of Historic Properties.” There is no need for a historical analysis for the rear portion of the site, as it was not previously deemed to be of a historic nature or contribute to the historical context of the site and/or main building.

The initial project involved one effect on the property’s identified character-defining features, which was the proposed removal of a historic window at the secondary west elevation. The 2017 report states that the window is “minimally visible from the street”.

(c) Proposed major alterations that comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties shall be considered a Class 31 categorical exemption under CEQA and no further review is required.

The 2017 historical resource evaluation and impacts report determined that the initial entitled project was generally compliant with all 10 of the Standards, so that project was approved using the Class 31 categorical exemption. The proposed project is incorporating the same restoration and rehabilitation activities approved in the 2017 entitlement, and would also be consistent with all 10 Standards. Therefore the proposed project can also be considered and approved using the same Class 31 categorical exemption.

The proposed project also includes new construction on a parcel containing a historic resources, therefore, Section 11-06-120(C)(7) and its required findings are also applicable:

“(7) Applications for new construction (a) on a parcel containing a historic resource, (b) within a designated historic district, or (c) within the gateway entries adjacent to the historic districts; or plaques within the City’s designated historic districts; and any other project not discussed herein that may affect a historic resource in the City of San Juan Bautista shall be reviewed by the Historic Resources Board for consistency with the Secretary of the Interior’s Standards for the Treatment of Historic Properties, the City Design Guidelines, the City of San Juan Bautista Historic Preservation Plan, and neighborhood compatibility for recommendation to the Planning Commission.

(a) Approval of all site plan and design review permit applications shall require the following findings in addition to findings required by SJBMC 11-18-040 (Site Plan and Design Review):

(i) The project has been reviewed in compliance with the California Environmental Quality Act (CEQA);

The project is categorically exempt from CEQA per Section 15331 (Class 31) as it incorporates the restoration/rehabilitation of a historic resource, and the all new proposed additions will not diminish or degrade the historical character or nature of the subject property.

(ii) The project is consistent with the Secretary of the Interior’s Standards for Treatment of Historic Properties;

The 2017 historical resources report confirmed that the project as designed is “generally compliant with all ten of the Secretary of the Interior’s Standards for the Treatment of Historic Properties.” There is no need for a historical analysis for the rear portion of the site, as it was not previously deemed to be of a historic nature or contribute to the historical context of the site and/or main building.

(iii) The project is consistent with the goals and policies of the San Juan Bautista Design Guidelines;

There is no evidence on the record that the proposed project is inconsistent with the San Juan Bautista Design Guidelines. The proposed project will restore and rehabilitate the front (historical) portion of the existing structure, and the proposed rear addition will be constructed in a manner to compliment and blend in with the historical construction on site.

- (iv) ***That the proposal will not adversely affect the character of the historic resource or designated historic district; and***

There is no evidence on the record that the proposed project will adversely affect the character of the historic resource or designated historic district. The project will restore/rehabilitate an existing historic structure and will revive the historical uses (restaurant and residence) of the main/front building. The proposed rear addition will be constructed to be consistent with the character of the neighborhood and will not be readily visible from Third Street.

- (v) ***That the proposal will be compatible with the appearance of existing improvements on the site and that the new work will be compatible with massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.***

The project involves the restoration of the existing front (historical) building to the same massing, size, scale and features. The rear addition is the same footprint as previously entitled in 2017 (see project comparison above). The proposed massing, size, and scale of the additions are in keeping with the main building (two stories) and will not be visible from Third Street. The architectural style of the addition will be of a consistent style to blend and compliment the historic architecture. There is no evidence on the record to indicate that the project will be incompatible with existing improvements on site.

ANALYSIS:

Development Standards:

The City of San Juan Bautista Zoning District Development Standards (Chapter 11-03) provides the following standards for the Mixed Use (MU) district.

District	Minimum Lot Area (Gross)	Minimum Lot Width	Density Range du/acre ¹	Floor Area Ratio	Building Coverage	Maximum Height story/feet	Minimum Setbacks Front/ Side/Rear
MU	Note ⁹	25 ft.	8 – 15	Note ⁹	0.85	3/50	Note ¹⁰

⁹ For structure within the downtown historic district, the floor area ratio may be 1.5. All other areas designated MU, the floor area ratio shall be 0.75. FAR may be increased or decreased upon approval of a use or conditional use permit based upon individual projects to preserve the character of the area and/or as an incentive to encourage mixed use development projects.

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

As detailed above, the project is consistent with the allowable Floor Area Ratio (FAR) of 1.5, in that it proposes an FAR of approximately 0.95. Furthermore, the proposed height is below 3 stories and does not exceed 50 feet. Finally, the proposed lot coverage is about 0.60 [2,472 sq. ft. / 4,172 sq. ft. (lot size)], below the 0.85 allowance.

Affordable Housing

The Project will provide 4 total units (1-2bd/2bth unit; 3-1bd/1bth units) all of which would be available as “affordable housing” at the “moderate income” level.

Under government code Section 65915(b)(1)(D), and 65915(f)(4), the applicant would qualify for a density bonus of 35%, and 1 entitlement/concession (by right) for the provision of the affordable housing at a level exceeding forty-percent (40%) of the total unit count.

The Mixed Use zoning classification allows densities between 8-15 units/acre, which would allow a baseline of approximately 1-2 units. A density bonus of 35%, as afforded through Section 65915, would allow 1 extra unit to be constructed, for a total of 3 units. However in this case, the applicant/developer is requesting to his entitled incentive/concession to allow one additional unit to be constructed on site, for a total of 4 units. The justification for this request, is due to the cost of the required restoration/rehabilitation of the historic structure. Without the ability to generate additional rental income/revenue from the residential portion of the development, the overall project is not economically feasible.

In order for the City to deny the requested incentive/concession, the three specific findings need to be made, as detailed in Section 65915(d)(1), which specifically states:

“d)(1) An applicant for a density bonus pursuant to subdivision (b) may submit to a city, county, or city and county a proposal for the specific incentives or concessions that the applicant requests pursuant to this section, and may request a meeting with the city, county, or city and county. The city, county, or city and county shall grant the concession or incentive requested by the applicant unless the city, county, or city and county makes a written finding, based upon substantial evidence, of any of the following:

“(A) The concession or incentive does not result in identifiable and actual cost reductions, consistent with subdivision (k), to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in subdivision (c).

(B) The concession or incentive would have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the development unaffordable to low-income and moderate-income households.

(C) The concession or incentive would be contrary to state or federal law.”

In this particular case, the findings for denial of the incentive/concession cannot be made, as the increased density allowance is 1) not contrary to state or federal law; 2) will not have a specific adverse impact upon public health and safety or on the physical environmental or on real property that is in the California Register of Historical Resources (the rear of the property is not historic and the three units are not within the historic main building); and 3) the without the incentive/concession the project is not economically feasible to construct (restoration/rehabilitation of the main building) and would render the construction of affordable housing unachievable.

Furthermore, the City is required to construct 41 “affordable housing” units under its assigned Regional Housing Needs Assessment (RHNA), of which 8 units shall be at the “moderate income” level. If entitled, this project would provide 50% (4) of the required 8 “moderate income” units; and nearly 10% (4 of 41) of the overall RHNA “affordable units” assigned to San Juan Bautista.

Parking

As mentioned above, the City granted an entitlement in 2017 (Burda) to allow the re-establishment of a restaurant, bar and second-level residential unit. At the time of entitlement, no additional parking, on- or off-site, was required to be provided for the development. The current project proposal mimics those uses in the same location (see project comparison above), but adds three additional “affordable housing units” on the rear of the property. Therefore, Staff believes that any additional parking shall only apply to the three new residential (1bd/1bth) units being supplied; therefore a maximum of three additional parking spaces (1 per unit) would be required for the proposed project. Due to the shape of the subject property, parking is not able to be provided on-site. Section 11-11-130 allows the City Manager to waive on-site parking, under certain circumstances (See analysis below). However, on-street parking is available and would be consistent with the provisions and parking requirements for Mixed Use developments, as analyzed below.

San Juan Bautista Municipal Code Section 11-11-120 details the parking requirements for Mixed Use zoning designations:

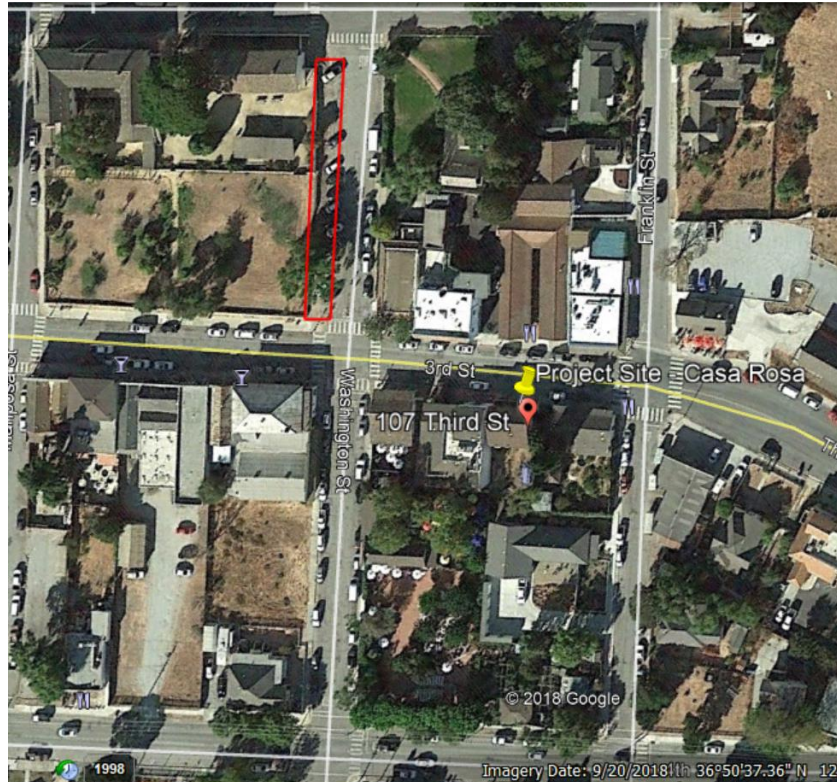
- (A) On-Street Parking. Existing or required paved parking spaces for standard-sized vehicles in a public street or alley that abuts a parcel are eligible to meet part or all of the parking requirements for the development on that parcel. For parcels with mixed use development within the MU district, the number of on-street parking spaces for standard-sized vehicles within one hundred fifty feet (150') of a parcel, or the number that will be within one hundred fifty feet (150') upon completion of planned street/parking improvements, whichever is greater, may be counted toward the required number of parking spaces for commercial or mixed uses.***

Staff conducted research regarding the available on-street parking within the vicinity of 150-feet of the subject property. The areas identified, included along

Third Street, Franklin Street, and Washington Street. These three streets, provide as many has 20-25+ available parking spaces at any given time. Staff believes that available on-street parking is sufficient to meet the requirement of 3 additional parking spaces.

(B) Off-Street Parking Reduction. For parcels with mixed use development within the MU district, the number of off-street parking spaces required by this Section shall be reduced by ten (10) spaces or twenty-five percent (25%) of the otherwise required number of spaces, whichever is greater, if the parcel is within four hundred feet (400') of a public parking lot or garage. To be eligible for the parking space reduction, the property owner shall pay an in-lieu parking fee in accordance with subsection (F) of this Section.

The Planning Commission could determine that the project is subject to a parking reduction (10-spaces or 25% of required, which is greater), as the parcel is located in the vicinity of various public parking lots/areas located north along Washington Street (see photo). Should the Commission determine the project is eligible, the project could be subject to payment of a parking in-lieu fee, in an amount to be determined by the Planning Commission as detailed in subsection (F) below.



(F) In-Lieu Fee. The Planning Commission may determine that strict compliance with the off-street parking standard set forth in this Chapter is contrary to the goal of preserving and enhancing the historical character and pedestrian nature of the MU district. Upon making such a determination, an in-lieu parking fee shall be

imposed in the manner and amount set by City Council. The funds shall be retained by the City and shall be used exclusively for the purpose of acquiring and developing public off-street parking facilities to serve the MU district.

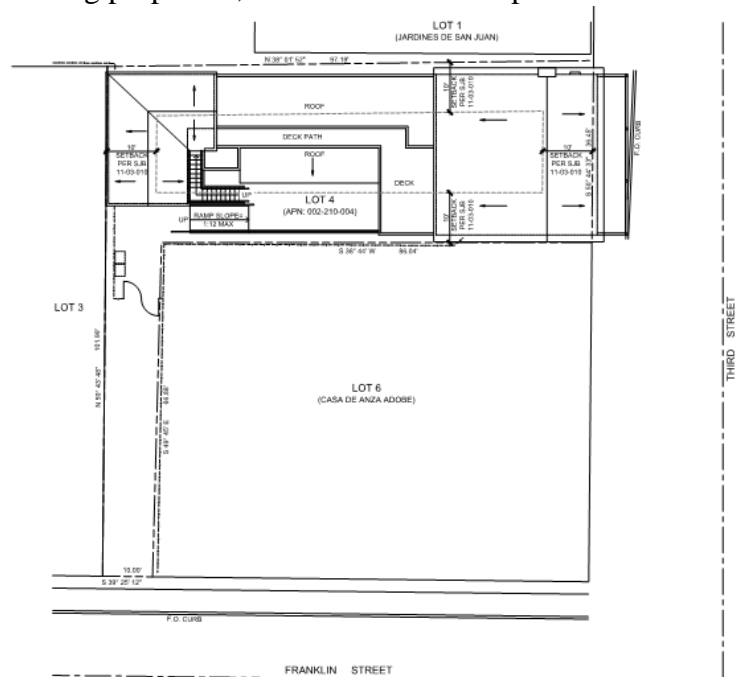
Should the Planning Commission determine that the project is entitled to an “Off-Street Parking Reduction” subject to subsection (b) above, the Commission should determine if the payment of an in-lieu fee is required for the Project. If an in-lieu if required, the Planning Commission should also determine the appropriate amount of such payment for the waving of three-parking spaces.

As mentioned above, adequate on-street parking is available within 150-feet of the development site and could also be used to satisfy the parking requirement for the three additional units. At this time, Staff has not conditioned the project with the payment of an in-lieu fee.

Section 11-11-130, states the following:

“In order to allow a use to meet its parking requirements in a location other than on the same parcel on which the use is located, the City Manager or designee must make the finding that said parcel is unable to accommodate the required parking due to its size, shape, location, or the presence of existing buildings.”

The configuration of the subject parcel does not allow “on-site” parking. The only existing “driveway” to the site is located off Franklin Street, measures approximately 10-feet in width (doesn’t allow two-way vehicular movement), and is located immediately adjacent to (within 1-foot) the property line of the two surrounding properties, as shown in the site plan below:



REQUIRED FINDINGS FOR SITE PLAN AND DESIGN REVIEW (CHAPTER 11-18):

The following findings are required for the approval of a Site Plan and Design Review

Application:

(A) The project is consistent with the standards and requirements of the San Juan Bautista Municipal Code.

As designed the project is consistent with the standard and requirements of the San Juan Bautista Municipal Code, in so much as the project is compliant with all development standards applicable to the Mixed Use zoning designation and the Historic Preservation Ordinance(s).

(B) The project is consistent with the goals and policies of the General Plan and any applicable specific or community plans.

As designed, the project is consistent with goals and policies of the General Plan, specifically relating to Infill Development (Policy LU-2.1.3; Objective LU-2.4; Objective LU-2.5; Policy LU-4.1.2), and Housing (Objective HO-1.1; Program HO-2.1.1.3; Policy HO-3.3.1; Policy HO-4.1.2.1).

Policy LU-2.1.3 – Encourage mixed-use and commercial developments along the corridor of Muckelemi Street, 3rd Street, and The Alameda.

The project is located on 3rd Street and consists of a mixed-used (residential/commercial) development.

Objective LU-2.4 – Increase the amount of infill development in the City.

The project consists of infill development. The current site houses a mostly demolished structure, and will restore and/or rehabilitate the historic structure and add residential units on the site.

Objective LU-2.5 – Diversify housing stock to accommodate all San Juan residents.

The project will provide new affordable housing units, as the “moderate income” level, which will provide additional housing stock to a specific income level of San Juan Bautista residents.

Policy LU-4.1.2 – Identify and diversity land uses compatible with mixed-use land use patterns.

The proposed project will continue and re-establish the mixed use land use pattern within the identified historic downtown area.

Objective HO-1.1 – Accommodate at least 450 additional housing units by 2035 to fulfill Regional Housing Needs Assessment (RHNA) housing unit projects as mandated by the San Benito Council of Governments.

The City is required to construct 41 “affordable housing” units under its assigned Regional Housing Needs Assessment (RHNA), of which 8 units shall be at the “moderate income” level. If entitled, this project would provide 50% (4) of the required 8 “moderate income” units; and nearly 10% (4 of 41) of the overall RHNA “affordable units” assigned to San Juan Bautista.

Program HO-2.1.1.3 – Provide development incentives for affordable housing, such as reductions in minimum parking requirements, density bonuses, and minimum lot sizes for single family residential districts.

As detailed throughout the report, the project is requesting a reduction/waiving for the parking requirements, and requesting increased density allowance(s) to provide new housing units, and have an economically viable project to allow the restoration/rehabilitation of a historic building.

Policy HO-3.3.1 – Allow for medium- and high-density housing in the downtown core.

The project will provide housing on the rear of the property on two various levels of the building in a mixed-use building.

Program HO-4.1.2.1 – Adopt an ordinance with incentives for housing developments in the Mixed-Use District through the use of regulatory mechanisms such as, but not limited to, density bonuses, development fee waivers, or expedited permitting.

While an ordinance has yet to be fully developed, the project is within a Mixed-Use District and is requesting a density bonus, and reduction/waiving in parking standards. Staff has attempted to process this application timely (expedited permitting). All of these requests/actions are in keeping with the intent of the policy.

(C) The project contributes to safeguarding the City’s heritage and cultural and historic resources.

The project is designed to restore/rehabilitate a historical structure within the downtown area. The restoration and rehabilitation the structure will contribute to the City’s heritage, cultural and historical resources.

- (D) The project is compatible with the surrounding character of the environment because the architectural design, materials and colors harmonize with the character of surrounding development, or other improvements on the site and specific design elements (e.g., balconies, fencing, screening of equipment and utility installations, signs, and lighting) are incorporated into the project.***

The project incorporates the same architectural design, materials and colors, as the existing historical main structure. Therefore once completed the project, plus rear addition, will harmonize with the aesthetics and character of the surrounding developments both on and off site.

- (E) The location and configuration of the project harmonizes with the site and with surrounding sites or structures. Structures do not dominate their surroundings to an extent inappropriate to their use and do not unnecessarily block significant views or solar access to adjacent properties.***

The location and configuration of the proposed project is similar to prior development on site, which was previously demolished without permits. The design of the project harmonizes with the style of the surrounding sites and structures, in so much as it two stories, screened from view of Third Street, and will restore/rehabilitate the main building to its historic character and design. The project will not unnecessarily block views or solar access to adjacent properties in any direction.

- (F) The project effectively uses architectural details to break up mass. Roof planes are varied without being overly complex. Otherwise monotonous long or two-story walls are well-articulated with details such as building off-sets and window features that are compatible with the design and not overly ornate.***

The project is designed to mimic the prior “shed-roof” design of the prior development (rear of the property) and will restore/rehabilitate the main historic building to its original design (windows/doors), architecture (roof/overhangs) and familiar color (pink).

- (G) The landscape design, if any, including the location, type, size, color, texture, and coverage of plant materials, provisions for irrigation, and protection of landscape elements have been considered to create visual relief and complement the structures to provide an attractive and water-conserving environment.***

The project has been conditioned to provide landscape plan prior to issuance of any construction permits (building and/or grading). The only area available for potential landscaping is in the rear patio/courtyard, which is not visible from adjacent streets. At the time of landscape plan submittal, Staff will ensure that landscaping will provide adequate visual relief and will be consistent with existing landscaping within the surrounding neighborhood(s).

(H) The design and layout of the proposed project does not interfere with the use and enjoyment of neighboring existing or future development, does not result in vehicular and/or pedestrian hazards, and promotes public health, safety, and welfare.

The project as designed will not interfere with the use and/or enjoyment of neighboring existing or future development. The project re-establishes the previous historic and entitled uses within the main building (restaurant, bar and residence), and reconstructs the prior footprint to add supplemental “allowed” uses within the mixed uses designation (residential). The surrounding properties include the same mixed uses and the project would be consistent with those adjacent/neighboring uses/properties. The project would not result in hazards associated with public health, safety, and welfare, in so much that the project is required to be constructed to be in compliance with fire and building codes, and the associated building permits will be reviewed by public safety and building personnel prior to issuance.

(I) The existing or proposed public facilities necessary to accommodate the proposed project (e.g., fire protection devices, public utilities, sewers, sidewalks, storm drains, street lights, traffic control devices, width and pavement of adjoining streets, etc.) are available to serve the subject site.

Existing public facilities (sewer and water) exist to accommodate the proposed project. The property has existing connections to both sewer and water. The project site is fronted by existing public sidewalk(s). The project does not require street lights or other traffic control devices.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

The California Environmental Quality Act (CEQA) Class 31 categorically exempts projects “limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings.” The proposed project is consistent with a previously prepared historical report (2017) and prior entitlement/project approved for the project site. The proposed project includes the restoration and rehabilitation of the exterior (front and sides) of the buildings, which is the identified historical portion of the structure. The 2017 report identified that the proposed prior and current restoration/rehabilitation was consistent with the Secretary of the Interior’s Standard for the Treatment of Historic Properties. Therefore, as proposed the current project can be consistent to be exempt from CEQA pursuant to Section 15331 (Class 31) of the CEQA Guidelines.

RECOMMENDATION:

Staff recommends the Historic Resources Board / Planning Commission take the following actions:

- 1) Adopt a Resolution finding the project categorically exempt per Section 15331 of the California Environmental Quality Act; and
- 2) Adopt a Resolution approving DR 2019-03, per the Findings and Evidence and subject to the recommended Conditions of Approval.

ATTACHMENTS:

1. Draft CEQA Resolution
2. Draft Resolution of Approval, including:
 - a. Exhibit A – Conditions of Approval
 - b. Exhibit B – Project Plans
3. Planning Commission Resolution No. 2017-07
4. Planning Commission Resolution No. 2017-08
5. City Council Resolution No. 2019-09

**DRAFT
RESOLUTION 2019-XX**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN JUAN BAUTISTA MAKING A DETERMINATION FOR A CATEGORICAL EXEMPTION FOR SITE AND DESIGN REVIEW (SDR 2019-03) FOR A MIXED USE DEVELOPMENT CONSISTING OF A RESTAURANT, BAR, AND RESIDENTIAL UNITS LOCATED AT 107 THIRD STREET, SAN JUAN BAUTISTA (APN: 002-021-004).

WHEREAS, the City of San Juan Bautista Community Development Department received an application for Site and Design Review (SDR 2019-03) for a mixed use development consisting of a restaurant, bar, and 4 residential units (1-2 bed/2 bath unit and 3 – 1 bed/1 bath units) on September 24, 2019; and

WHEREAS, the application was timely processed and brought before the Planning Commission for consideration on December 3, 2019, at which time the Planning Commission held a duly noticed public hearing, received oral comments, received public input, and received the staff report for the application; and

WHEREAS, City staff reviewed the application, made the required determinations under San Juan Bautista Municipal Code (SJBMC) Section 11-06-120(B) and, based on those determinations, followed the Appropriate Review Application Procedure in SJBMC Section 11-06-120(C)(5); and

WHEREAS, the Historic Resources Board evaluated the application materials and found that the project met the requirements of California Environmental Quality Act (CEQA) Guidelines Section 15331, “Historical Resource Restoration/Rehabilitation”, and recommended that the Planning Commission adopt a resolution making a determination for a categorical exemption; and

WHEREAS, based upon the whole record before the Planning Commission and in light of the proposed project situated at 107 Third Street (APN: 002-021-004) the Planning Commission determined that the project is Categorically Exempt under CEQA Section 15331, “Historical Resource Restoration/Rehabilitation”, because the proposed project will restore/rehabilitate a designated historical building within the San Juan Bautista Historic District, in manner consistent with the Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings”, and in compliance with the previously prepared historical report (2017).

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of San Juan Bautista hereby approves the Categorical Exemption of Section 15331 of the CEQA Guidelines for a Site and Design Review Permit (SDR 2019-03) for a mixed use development, consisting of a restaurant, bar, and 4 residential units, located at 107 Third Street (APN: 002-021-004), San Juan Bautista.

PASSED AND ADOPTED by the Planning Commission of the City of San Juan Bautista on this 3rd day of December, 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Scott Freels, Chairperson

ATTEST:

Trish Paetz, Deputy City Clerk

**DRAFT
RESOLUTION 2019-XX**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN JUAN BAUTISTA APPROVING A SITE AND ARCHITECTURAL DESIGN REVIEW PERMIT (SDR 2019-03) FOR A MIXED USE DEVELOPMENT CONSISTING OF A RESTAURANT, BAR, AND RESIDENTIAL UNITS LOCATED AT 107 THIRD STREET, SAN JUAN BAUTISTA (APN: 002-021-004).

WHEREAS, the City of San Juan Bautista Community Development Department received an application for Site and Design Review (SDR 2019-03) for a mixed use development consisting of a restaurant, bar, and 4 residential units (1-2 bed/2 bath unit and 3 – 1 bed/1 bath units) on September 24, 2019; and

WHEREAS, the Historic Resources Board timely conducted a public hearing on December 3, 2019, to consider approval of a Site and Design Review (SDR 2019-03) for a mixed use development consisting of a restaurant, bar, and residential units (4; 3-1 bed/1 bath and 1-2 bed/2 bath) located at 107 Third Street (APN: 002-021-004); and

WHEREAS, City Staff reviewed the application, made the required determination under San Juan Bautista Municipal Code (SBJMC) Section 11-06-120(B) and, based on those determinations, followed the Appropriate Review Application Procedure(s) in SBJMC Section 11-06-120(C)(5); and

WHEREAS, the Historic Resources Board reviewed the application, a previously prepared historic resource evaluation and impact report, received oral testimony, public input, and a staff report for the mixed use project; and

WHEREAS, the Planning Commission received a recommendation from the Historic Resources Board that they adopt a resolution making a determination that the proposed project is Categorically Exempt from the California Environmental Quality Act (CEQA) Guidelines, pursuant to Section 15331 (Class 31), “Historical Resource Restoration/Rehabilitation”, because the proposed project will restore/rehabilitate a designated historical building within the San Juan Bautista Historic District, in manner consistent with the Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings”, and in compliance with the previously prepared historical report (2017); and

WHEREAS, the Planning Commission received a recommendation from the Historic Resources Board that they adopt a resolution approving a Site and Design Review Permit (SDR 2019-03) for a mixed use development consisting of a restaurant, bar, and residential units, located on the subject site; and

WHEREAS, the Planning Commission timely conducted a public hearing on December 3, 2019 to consider approval of a Site and Design Review Permit (SDR 2019-03) for a mixed use development consisting of a restaurant, bar, and residential units, located on the subject site; and

WHEREAS, the Planning Commission, upon reviewing the proposed building plans, site layout of the structures, setbacks, height, exterior elevations, architectural style, density, and design of the overall project in relationship to the surrounding area, determined that the project is Categorically Exempt under Section 15331 (Class 31) of the California Environmental Quality Act (CEQA) Guidelines, “Historical Resource Restoration/Rehabilitation”, because the proposed project will restore/rehabilitate a designated historical building within the San Juan Bautista Historic District, in manner consistent with the Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings”, and in compliance with the previously prepared historical report (2017); and

WHEREAS, upon reviewing the proposed building plans, site layout of the structures, setbacks, height, exterior elevations, architectural style, density, and design of the overall project in relationship to the surrounding area, the Planning Commission found that the project meets all of the Site and Design Review requirements in Section 11-06 and 11-18 of the San Juan Bautista Municipal Code, City of San Juan Bautista Design Guidelines, and 2035 San Juan Bautista General Plan, as detailed below:

SECTION 11-06 HISTORIC RESOURCES FINDINGS:

Section 11-06-120, “Site plan and design review permit procedure for historic resources”, Staff must review permit applications and determine the following:

1) If the structure is more than forty-five (45) years old;

This structure was originally built in 1870 and is more than forty-five years old.

2) If the property has been previously inventoried as part of a Citywide comprehensive survey and what the current status code for the property is (see SJBMC 11-06-090 for status codes);

This property was previously inventoried as part of the citywide comprehensive survey, and has a status code of 5D1.

3) If the property is listed on the City Register of Historic Resources;

This property is listed on the City Register of Historic Resources.

4) If the Property is located within the boundaries of a designated historic district regardless of individual significance;

This property is located within the boundaries of the designated historic district.

5) If the property will require additional evaluation as part of the application process; and

As part of the previous entitlement process (2017), a historic report (“Secretary of the Interior’s Standards Review”) was prepared to analyze the previously proposed exterior modifications.

The current project is designed to include/mimic the same exterior modifications and recommendations from the 2017 report. No additional review beyond that conducted in 2017 is required.

6) If the proposed alteration is a minor or major alteration.

The 2017 entitlement was considered a major alteration due to the potential to degrade the exterior features and façade of the original building. The original entitlement was processed a “major” alteration.

The current proposal mimics the prior entitlement, with regards to the main historic building (main floor restaurant and second floor residence), the rear, non-historic, portion of the site will be developed with three (3) new residential units instead of the originally proposed garage, storage and utility area(s). Therefore, the current proposal is also considered to be a “major” alteration.

SECTION 11-06-120(C)(7) – NEW CONSTRUCTION ON HISTORIC SITES:

Approval of all site plan and design review permit applications shall require the following findings:

7) The project has been reviewed in compliance with the California Environmental Quality Act (CEQA);

The project is categorically exempt from CEQA per Section 15331 (Class 31) as it incorporates the restoration/rehabilitation of a historic resource, and the all new proposed additions will not diminish or degrade the historical character or nature of the subject property.

8) The project is consistent with the Secretary of the Interior’s Standards for Treatment of Historic Properties;

The 2017 historical resources report confirmed that the project as designed is “generally compliant with all ten of the Secretary of the Interior’s Standards for the Treatment of Historic Properties.” There is no need for a historical analysis for the rear portion of the site, as it was not previously deemed to be of a historic nature or contribute to the historical context of the site and/or main building.

9) The project is consistent with the goals and policies of the San Juan Bautista Design Guidelines;

There is no evidence on the record that the proposed project is inconsistent with the San Juan Bautista Design Guidelines. The proposed project will restore and rehabilitate the front (historical) portion of the existing structure, and the proposed rear addition will be constructed in a manner to compliment and blend in with the historical construction on site.

10) That the proposal will not adversely affect the character of the historic resource or designated historic district; and

There is no evidence on the record that the proposed project will adversely affect the character of the historic resource or designated historic district. The project will restore/rehabilitate an existing historic structure and will revive the historical uses (restaurant and residence) of the main/front building. The proposed rear addition will be constructed to be consistent with the character of the neighborhood and will not be readily visible from Third Street.

11) That the proposal will be compatible with the appearance of existing improvements on the site and that the new work will be compatible with massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

The project involves the restoration of the existing front (historical) building to the same massing, size, scale and features. The rear addition is the same footprint as previously entitled in 2017 (see project comparison above). The proposed massing, size, and scale of the additions are in keeping with the main building (two stories) and will not be visible from Third Street. The architectural style of the addition will be of a consistent style to blend and compliment the historic architecture. There is no evidence on the record to indicate that the project will be incompatible with existing improvements on site.

SECTION 11-18 - SITE PLAN AND DESIGN REVIEW FINDINGS:

The following findings are required for the approval of a Site Plan and Design Review Application:

12) The project is consistent with the standards and requirements of the San Juan Bautista Municipal Code.

As designed the project is consistent with the standard and requirements of the San Juan Bautista Municipal Code, in so much as the project is compliant with all development standards applicable to the Mixed Use zoning designation and the Historic Preservation Ordinance(s).

13) The project is consistent with the goals and policies of the General Plan and any applicable specific or community plans.

As designed, the project is consistent with goals and policies of the General Plan, specifically relating to Infill Development (Policy LU-2.1.3; Objective LU-2.4; Objective LU-2.5; Policy LU-4.1.2), and Housing (Objective HO-1.1; Program HO-2.1.1.3; Policy HO-3.3.1; Policy HO-4.1.2.1).

Policy LU-2.1.3 – Encourage mixed-use and commercial developments along the corridor of Muckelemy Street, 3rd Street, and The Alameda.

The project is located on 3rd Street and consists of a mixed-used (residential/commercial) development.

Objective LU-2.4 – Increase the amount of infill development in the City.

The project consists of infill development. The current site houses a mostly demolished structure, and will restore and/or rehabilitate the historic structure and add residential units on the site.

Objective LU-2.5 – Diversify housing stock to accommodate all San Juan residents.

The project will provide new affordable housing units, as the “moderate income” level, which will provide additional housing stock to a specific income level of San Juan Bautista residents.

Policy LU-4.1.2 – Identify and diversity land uses compatible with mixed-use land use patterns.

The proposed project will continue and re-establish the mixed use land use pattern within the identified historic downtown area.

Objective HO-1.1 – Accommodate at least 450 additional housing units by 2035 to fulfill Regional Housing Needs Assessment (RHNA) housing unit projects as mandated by the San Benito Council of Governments.

The City is required to construct 41 “affordable housing” units under its assigned Regional Housing Needs Assessment (RHNA), of which 8 units shall be at the “moderate income” level. If entitled, this project would provide 50% (4) of the required 8 “moderate income” units; and nearly 10% (4 of 41) of the overall RHNA “affordable units” assigned to San Juan Bautista.

Program HO-2.1.1.3 – Provide development incentives for affordable housing, such as reductions in minimum parking requirements, density bonuses, and minimum lot sizes for single family residential districts.

As detailed throughout the report, the project is requesting a reduction/waiving for the parking requirements, and requesting increased density allowance(s) to provide new housing units, and have an economically viable project to allow the restoration/rehabilitation of a historic building.

Policy HO-3.3.1 – Allow for medium- and high-density housing in the downtown core.

The project will provide housing on the rear of the property on two various levels of the building in a mixed-use building.

Program HO-4.1.2.1 – Adopt an ordinance with incentives for housing developments in the Mixed-Use District through the use of regulatory mechanisms such as, but not limited to, density bonuses, development fee waivers, or expedited permitting.

While an ordinance has yet to be fully developed, the project is within a Mixed-Use District and is requesting a density bonus, and reduction/waiving in parking standards. Staff has attempted to process this application timely (expedited permitting). All of these requests/actions are in keeping with the intent of the policy.

14) The project contributes to safeguarding the City’s heritage and cultural and historic resources.

The project is designed to restore/rehabilitate a historical structure within the downtown area. The restoration and rehabilitation the structure will contribute to the City’s heritage, cultural and historical resources.

15) The project is compatible with the surrounding character of the environment because the architectural design, materials and colors harmonize with the character of surrounding development, or other improvements on the site and specific design elements (e.g., balconies, fencing, screening of equipment and utility installations, signs, and lighting) are incorporated into the project.

The project incorporates the same architectural design, materials and colors, as the existing historical main structure. Therefore once completed the project, plus rear addition, will harmonize with the aesthetics and character of the surrounding developments both on and off site.

16) The location and configuration of the project harmonizes with the site and with surrounding sites or structures. Structures do not dominate their surroundings to an extent inappropriate to their use and do not unnecessarily block significant views or solar access to adjacent properties.

The location and configuration of the proposed project is similar to prior development on site, which was previously demolished without permits. The design of the project harmonizes with the style of the surrounding sites and structures, in so much as it two stories, screened from view of Third Street, and will restore/rehabilitate the main building to its historic character and design. The project will not unnecessarily block views or solar access to adjacent properties in any direction.

- 17) The project effectively uses architectural details to break up mass. Roof planes are varied without being overly complex. Otherwise monotonous long or two-story walls are well-articulated with details such as building off-sets and window features that are compatible with the design and not overly ornate.**

The project is designed to mimic the prior “shed-roof” design of the prior development (rear of the property) and will restore/rehabilitate the main historic building to its original design (windows/doors), architecture (roof/overhangs) and familiar color (pink).

- 18) The landscape design, if any, including the location, type, size, color, texture, and coverage of plant materials, provisions for irrigation, and protection of landscape elements have been considered to create visual relief and complement the structures to provide an attractive and water-conserving environment.**

The project has been conditioned to provide landscape plan prior to issuance of any construction permits (building and/or grading). The only area available for potential landscaping is in the rear patio/courtyard, which is not visible from adjacent streets. At the time of landscape plan submittal, Staff will ensure that landscaping will provide adequate visual relief and will be consistent with existing landscaping within the surrounding neighborhood(s).

- 19) The design and layout of the proposed project does not interfere with the use and enjoyment of neighboring existing or future development, does not result in vehicular and/or pedestrian hazards, and promotes public health, safety, and welfare.**

The project as designed will not interfere with the use and/or enjoyment of neighboring existing or future development. The project re-establishes the previous historic and entitled uses within the main building (restaurant, bar and residence), and reconstructs the prior footprint to add supplemental “allowed” uses within the mixed uses designation (residential). The surrounding properties include the same mixed uses and the project would be consistent with those adjacent/neighboring uses/properties. The project would not result in hazards associated with public health, safety, and welfare, in so much that the project is required to be constructed to be in compliance with fire and building codes, and the associated building permits will be reviewed by public safety and building personnel prior to issuance.

- 20) The existing or proposed public facilities necessary to accommodate the proposed project (e.g., fire protection devices, public utilities, sewers, sidewalks, storm drains, street lights, traffic control devices, width and pavement of adjoining streets, etc.) are available to serve the subject site.**

Existing public facilities (sewer and water) exist to accommodate the proposed project. The property has existing connections to both sewer and water. The project site is fronted by existing public sidewalk(s). The project does not require street lights or other traffic control devices.

SECTION 11-03 – MIXED USE STANDARDS:**21) Projects shall comply with all development standards for the mixed use zoning designation.**

The project is consistent with all development standards including allowable Floor Area Ratio (FAR) of 1.5, in that it proposes an FAR of approximately 0.95; height as the proposed height is below 3 stories and does not exceed 50 feet; and lot coverage, in so much as the proposed lot coverage is about 0.60 [2,472 sq. ft. / 4,172 sq. ft. (lot size)], below the 0.85 allowance.

SECTION 11-11-120 – PARKING –MIXED USE:

San Juan Bautista Municipal Code Section 11-11-120 details the parking requirements for Mixed Use zoning designations:

22) On-Street Parking. Existing or required paved parking spaces for standard-sized vehicles in a public street or alley that abuts a parcel are eligible to meet part or all of the parking requirements for the development on that parcel. For parcels with mixed use development within the MU district, the number of on-street parking spaces for standard-sized vehicles within one hundred fifty feet (150') of a parcel, or the number that will be within one hundred fifty feet (150') upon completion of planned street/parking improvements, whichever is greater, may be counted toward the required number of parking spaces for commercial or mixed uses.

Staff conducted research regarding the available on-street parking within the vicinity of 150-feet of the subject property. The areas identified, included along Third Street, Franklin Street, and Washington Street. These three streets, provide as many as 20-25+ available parking spaces at any given time. Staff believes that available on-street parking is sufficient to meet the requirement of 3 additional parking spaces.

23) Off-Street Parking Reduction. For parcels with mixed use development within the MU district, the number of off-street parking spaces required by this Section shall be reduced by ten (10) spaces or twenty-five percent (25%) of the otherwise required number of spaces, whichever is greater, if the parcel is within four hundred feet (400') of a public parking lot or garage. To be eligible for the parking space reduction, the property owner shall pay an in-lieu parking fee in accordance with subsection (F) of this Section.

The Planning Commission could determine that the project is subject to a parking reduction (10-spaces or 25% of required, which is greater), as the parcel is located in the vicinity of various public parking lots/areas located north along Washington Street (see photo). Should the Commission determine the project is eligible, the

project could be subject to payment of a parking in-lieu fee, in an amount determined by the Planning Commission.

- 24) In-Lieu Fee. The Planning Commission may determine that strict compliance with the off-street parking standard set forth in this Chapter is contrary to the goal of preserving and enhancing the historical character and pedestrian nature of the MU district. Upon making such a determination, an in-lieu parking fee shall be imposed in the manner and amount set by City Council. The funds shall be retained by the City and shall be used exclusively for the purpose of acquiring and developing public off-street parking facilities to serve the MU district.**

If the Planning Commission determines that the project is entitled to an “Off-Street Parking Reduction” subject to subsection (b) above, the Commission should determine if the payment of an in-lieu fee is required for the Project. If an in-lieu if required, the Planning Commission should also determine the appropriate amount of such payment for the waving of three-parking spaces.

As mentioned above, adequate on-street parking is available within 150-feet of the development site and could also be used to satisfy the parking requirement for the three additional units. At this time, Staff has not conditioned the project with the payment of an in-lieu fee.

SECTION 11-11-130 – OFF-SITE PARKING ALLOWANCE:

- 25) In order to allow a use to meet its parking requirements in a location other than on the same parcel on which the use is located, the City Manager or designee must make the finding that said parcel is unable to accommodate the required parking due to its size, shape, location, or the presence of existing buildings.**

The configuration of the subject parcel does not allow “on-site” parking. The only existing “driveway” to the site is located off Franklin Street, measures approximately 10-feet in width (doesn’t allow two-way vehicular movement), and is located immediately adjacent to (within 1-foot) the property line of the two surrounding properties.

26) AFFORDABLE HOUSING – GOVERNMENT CODE 65915 COMPLIANCE:

Under government code Section 65915(b)(1)(D), and 65915(f)(4), the applicant would qualify for a density bonus of 35%, and 1 entitlement/concession (by right) for the provision of the affordable housing at a level exceeding forty-percent (40%) of the total unit count.

The Mixed Use zoning classification allows densities between 8-15 units/acre, which would allow a baseline of approximately 1-2 units. A density bonus of 35%, as afforded through Section 65915, would allow 1 extra unit to be constructed, for a total

of 3 units. The Project will provide 4 total units (1-2bd/2bth unit; 3-1bd/1bth units) all of which would be available as “affordable housing” at the “moderate income” level.

The applicant/developer is requesting to his entitled incentive/concession to allow one additional unit to be constructed on site, for a total of 4 units. The justification for this request, is due to the cost of the required restoration/rehabilitation of the historic structure. Without the ability to generate additional rental income/revenue from the residential portion of the development, the overall project is not economically feasible.

In order for the City to deny the requested incentive/concession, the three specific findings need to be made, as detailed in Section 65915(d)(1), which specifically states:

“d)(1) An applicant for a density bonus pursuant to subdivision (b) may submit to a city, county, or city and county a proposal for the specific incentives or concessions that the applicant requests pursuant to this section, and may request a meeting with the city, county, or city and county. The city, county, or city and county shall grant the concession or incentive requested by the applicant unless the city, county, or city and county makes a written finding, based upon substantial evidence, of any of the following:

“(A) The concession or incentive does not result in identifiable and actual cost reductions, consistent with subdivision (k), to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in subdivision (c).

(B) The concession or incentive would have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the development unaffordable to low-income and moderate-income households.

(C) The concession or incentive would be contrary to state or federal law.”

Findings for denial of the incentive/concession cannot be made, as the increased density allowance is: 1) not contrary to state or federal law; 2) will not have a specific adverse impact upon public health and safety or on the physical environmental or on real property that is in the California Register of Historical Resources (the rear of the property is not historic and the three units are not within the historic main building);

and 3) the without the incentive/concession the project is not economically feasible to construct (restoration/rehabilitation of the main building) and would render the construction of affordable housing unachievable.

The City is required to construct 41 “affordable housing” units under its assigned Regional Housing Needs Assessment (RHNA), of which 8 units shall be at the “moderate income” level. If entitled, this project would provide 50% (4) of the required 8 “moderate income” units; and nearly 10% (4 of 41) of the overall RHNA “affordable units” assigned to San Juan Bautista.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of San Bautista approves the Site and Design Review Application (SDR 2019-03) for the mixed use development consisting of a restaurant, bar, and 4 residential units (1-2 bed/2 bath unit and 3 – 1 bed/1 bath units), located at 107 Third Street (APN: 002-021-004) San Juan Bautista, subject to the Conditions of Approval attached as **Exhibit A** and in substantial conformance to the plans attached as **Exhibit B**.

PASSED AND ADOPTED by the Planning Commission of the City of San Juan Bautista on this 3rd day of December, 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Scott Freels, Planning Commission Chair

ATTEST:

Trish Paetz, Deputy City Clerk

EXHIBIT A
CONDITIONS OF APPROVAL

- 1) Prior to issuance of a building and/or grading permit, the Applicant/Owner shall enter into a Development Agreement with the City of San Juan Bautista. The Development Agreement shall be reviewed, signed, and notarized by both the City and the Applicant. The Applicant/Owner shall be responsible to pay fees for all review time and City/Legal costs prior to recordation and acceptance of the document.
- 2) All Conditions of Approval shall be placed as “Notes” and shown on a separate sheet of all proposed building and/or grading plans.
- 3) The Applicant/Owner shall enter into an Indemnification and Hold Harmless Agreement with the City of San Juan Bautista for the approval of the proposed project. The Applicant/Owner shall be responsible to pay fees for all review time and City/Legal costs prior to recordation and acceptance of the document.
- 4) The Applicant/Owner shall enter into an Affordable Housing Agreement for the restriction of all units to be rented at the “Moderate Income” level. The Affordable Housing agreement shall be reviewed, signed and notarized by both the City and Applicant prior to recordation. The Applicant/Owner shall be responsible to pay fees for all review time and City/Legal costs prior to recordation and acceptance of the document.
- 5) Prior to issuance of a building and/or grading permit, the Applicant/Owner shall submit a landscaping and irrigation plan to the City for review and approval by the City Manager.
- 6) The Applicant/Owner shall submit an on-site lighting plan conforming to the City’s “Dark Sky” regulations and provided hooded shield deflectors on all lighting fixtures. All lighting within the inner courtyard shall be directed downward or deflected in a direction/manner away from adjacent residential homes. All on-site exterior lighting shall be equipped with warm white illumination.
- 7) The Applicant/Owner shall obtain appropriate encroachment permit(s) for all work required within the City of San Juan Bautista public right of way.
- 8) The Applicant/Owner shall install/upgrade the domestic water, fire sprinkler, and monitoring service to each residential unit and commercial use within the proposed project. The applicant shall comply with all requirement within the Fire Code and/or those determined to be appropriate by the Fire Chief.
- 9)

- 10) Prior to issuance of a building permit, the Owner/Applicant shall ensure that a complete One-Hour separation wall/ceiling from the first floor to the second floor has been shown on the proposed plans.
- 11) The proposed kitchen in the restaurant on the first floor shall be determined if it is a commercial kitchen. A Class One Hood shall be required if the kitchen is a commercial kitchen.
- 12) The occupancy load needs to be determined for the proposed restaurant. If the occupancy load is 50 or above, two exits to the Public Right-of-Way shall be provided.
- 13) Prior to issuance of construction permits, the Owner/Applicant shall ensure each residence has its own water meter. All meters (size and services) shall be clearly shown on the proposed plans.
- 14) Mail service for all residential units of the project shall be picked up at the Post Office located in the Windmill Market complex. The Applicant/Owner shall work with the City and the Post Office to ensure that separate addresses are assigned to each residential unit (4 in total) and each commercial use (1 in total).
- 15) The Applicant/Owner shall submit to the Planning Department an application for all temporary on-site sales/rental signs and/or business signs for marketing purposes of both the residential and commercial use of the site. Such application(s) may include approval of a sign permit(s).
- 16) The Applicant/Owner shall have the following note placed on all construction drawings and plans:
“If prehistoric archaeological resources or human resources are unexpectedly discovered during construction, work shall be immediately halted within 10 meters (25 feet) of the find until it can be evaluated by a qualified professional archeologist. If the find is determined to be significant, appropriate measures shall be formulated and implemented.”
- 17) The Applicant/Owner shall submit to the City a solid waste disposal plan for all solid waste material disposed of from the project site.
- 18) The Applicant/Owner shall submit a copy of the permit from the Monterey Bay Air Resources District (MBARD) any demolition and/or construction activities.
- 19) Prior to occupancy of the residential and/or commercial use(s), a final building inspection shall be performed by the City.

- 20) Prior to issuance of a building permit, school impact fees shall be paid to the Aromas-San Juan school District, for the residential uses. A copy of such payment shall be submitted to the City.
- 21) All residential units shall be constructed and designed to allow future solar conversions.
- 22) The Applicant/Owner shall show undergrounding of all utilities (electrical, water, sewer, gas, telephone/internet, cable) on improvement and construction plans.
- 23) The Applicant/Owner shall provide sound reduction-type windows on all residential units (except the front of the historical building).
- 24) The Applicant/Owner shall follow the recommendations and preservation/rehabilitation standards found within the "Secretary of the Interior's Standard Review" (Historical Report) prepared by Garavaglia Architects on March 24, 2017. Any deviation of the recommendations and/or standards contained in this report will require review by the City of San Juan Bautista Historical Review Board and Planning Commission.
- 25) The Applicant/Owner shall NOT use the historic balcony as "occupied space" or as a porch/deck. The historical architectural design and features of the balcony shall be retained and restored/rehabilitated, pursuant to the recommendations found in the Historical Report prepared on March 24, 2017 by Garavaglia Architects.
- 26) The Applicant/Owner shall retain the existing chimney on the exterior of the historical structure. The chimney shall be abandoned and sealed from interior use, and structurally re-enforced/strapped, per the recommendations of a qualified structural engineer. The Owner/Applicant shall bear all responsibility and cost for the preservation of this feature.
- 27) Construction on the site shall be restricted to the hours of 7:00 AM to 6:00 PM (Monday through Friday) and 8:00 AM to 5:00 PM (Saturday). No construction shall be allowed on Sundays or Federal Holidays.
- 28) The applicant shall select mechanical equipment to meet applicable noise standard. To be considered "Normally Acceptable" mechanical noise would need to be limited to DNL 60 dB at the nearest residential property line.
- 29) All truck deliveries to the site that require the use of back-up alarms shall be limited to daytime hours only.
- 30) All grading permits shall reference specific City of Hollister Design Standards for storm drains, water laterals, sewer cleanouts, storm drain inlets and other public improvements. (<http://hollister.ca.gov/government/city-departments/engineering/engineering-standards/>)

- 31) Any required erosion control measures including construction entrance and inlet protection along Third Street shall be shown on the grading permit(s).
- 32) Prior to issuance of a grading and/or building permit, the Applicant/Owner shall provide detailed cost estimate for all construction within public right-of-way (Utilities, drainage, sidewalk, driveway approach, etc.). Proposed plans shall show replacement of any broken sidewalk(s) along the property frontage(s).
- 33) Prior to issuance of a building permit, the Applicant/Owner shall show location of storage of trash, recycle and green waste containers.



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107 THIRD STREET

SAN JUAN BAUTISTA
REMODEL

SHEET NOTES

- PROPERTY LINES & EXISTING STRUCTURE ARE BASED ON A SURVEY PREPARED BY SAN BENITO ENGINEERING & SURVEYING, INC., DATED 2/15/2017.
- REQUIRED ATTIC VENTILATION PER 2016 CBC 1203.2:

FRONT ATTIC

AREA: $31' \times 31' = 961$ SF
REQ'D. VENTILATION:
 $961 \text{ SF} / 150 = 6.4 \text{ SF} = 921.6 \text{ SQ IN}$
FURNISHED VENTILATION (LOW) IN VENT-BOTH EAVES):
 $6.75 \text{ SQ IN} / \text{LF} \times 62 \text{ LF} = 418.5 \text{ SQ IN}$
FURNISHED VENTILATION (HIGH) COR-A-VENT V-400E:
 $17 \text{ SQ IN} / \text{LF} \times 31 \text{ LF} = 527 \text{ SQ IN}$
TOTAL:
 $527 \text{ SQ IN} + 418.5 \text{ SQ. IN} = 945.5 \text{ SQ IN}$

KITCHEN ATTIC

AREA: $44.5' \times 14.5' = 645$ SF
REQ'D. VENTILATION:
 $645 \text{ SF} / 150 = 4.3 \text{ SF} = 619.2 \text{ SQ IN}$
 $619.2 \text{ SQ IN} / 3 = 206 \text{ SQ IN} / \text{VENT}$
(TOTAL OF 3)
FURNISHED VENTILATION :
 $A = (3.14) r^2$; $r = \text{SQ ROOT} (A / 3.14)$
 $= \text{SQ ROOT} (206 / 3.14)$
 $= 8" \text{ R}$; USE 16" Ø VENT

REAR ATTIC

AREA: 436 SF (L SHAPED ATTIC)
REQ'D. VENTILATION:
 $436 \text{ SF} / 150 = 2.9 \text{ SF} = 418 \text{ SQ IN}$
FURNISHED VENTILATION (2 GABLE END OPENINGS)
 $418 \text{ SQ IN} / 2 = 209 \text{ SQ IN}$
 $= \approx 16" \times 16" \text{ SQ IN GABLE END VENT}$
TOTAL:
512 SQ IN (GROSS)

- REQUIRED UNDER FLOOR VENTILATION PER CBC 1203.4

AREA:

FRONT: $31' \times 31' = 961$ SF
REAR DINING ROOM / KITCHEN: 915 SF (IRREGULAR SHAPE)
TOTAL = 1,867 SF

REQUIRED VENTILATION OPENINGS:
 $1,876 \text{ SF} / 150 = 12.5 \text{ SF}$
TOTAL VENT AREA

FURNISHED OPENINGS:

TYP. FDN. VENT
 $= 6" \times 14" = 84 \text{ SQ IN} = .6 \text{ SF}$
 $12.5 \text{ SF} / .6 \text{ SF} / \text{VENT}$
 $= 21 \text{ FDN. VENTS TOTAL}$
ARRANGE TO PROVIDE
REQ'D. CROSS-VENTILATION

KEY NOTES

- TWO-STORY EXISTING BUILDING: RESTAURANT ON 1ST FLOOR; RESIDENTIAL ON 2ND FLOOR.
- ONE-STORY BUILDING: RESTAURANT KITCHEN & SUPPORT AREAS.
- 2ND STORY REAR ADDITION OVER GARAGE.
- 2ND FLOOR ROOF DECK.
- PARAPET WALL, TO CONCEAL MECHANICAL EQUIPMENT. ALIGN HEIGHT W/PATIO SIDE.
- (E) BALCONY OVER SIDEWALK.
- (E) BRICK PAVING, EXPANDED FOR DRIVEWAY USE.
- ELECTRICAL SERVICE ENTRANCE.
- (N) TRASH CONTAINER LOCATION.
- (N) RAMP.
- (E) WD. FENCE.
- COMPOSITION SHINGLE ROOFING.
- CAP SHEET ROOFING.
- ACCESSIBLE PATH OF TRAVEL
- PRECAST CONC. STAIRS.

PROJ. NO. 2019 - 089

SCALE AS NOTED

DATE 27 DEC 2016

PHASE SD

DRAWN HA

CHECKED AW

NO. DATE REVISION

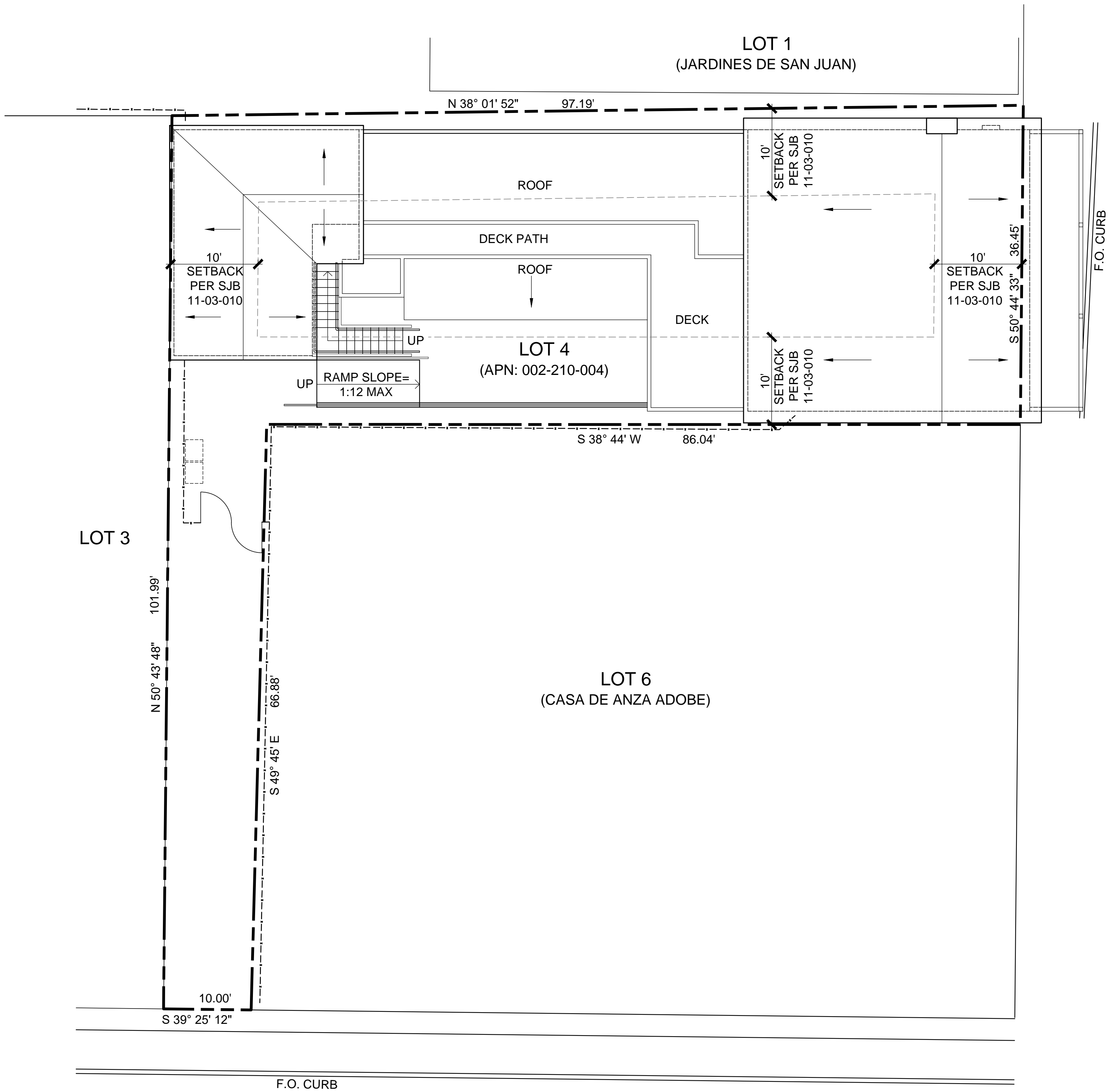
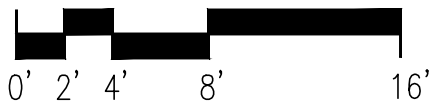
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1 SITE PLAN
SCALE: 1/8" = 1'-0"



THIRD STREET

FRANKLIN STREET

SHEET NOTES

1.

PROTECT IN PLACE ALL EXISTING (E) ELEMENTS TO REMAIN, TO PREVENT DAMAGE DURING DEMOLITION OF ADJACENT AREAS.
2.

REMOVE & OFF-HAUL (E) BUILDING ELEMENTS SHOWN DASHED AS DEMOLITION, OR AS NOTED, INCLUDING PARTITIONS, DOORS, FLOOR / ROOF FRAMING & CASEWORK.
3.

PROTECT IN PLACE ALL (E) FLOORING TO REMAIN, U.O.N.
4.

.SALVAGE (E) BOARD & BATTEN SIDING TO THE GREATEST EXTENT POSSIBLE FOR REINSTALLATION ON EXTERIOR WALLS
5.

REMOVE (E) ROOFING DOWN TO (E) SHEATHING.
6.

REMOVE ALL (E) MECHANICAL EQUIPMENT, U.O.N.
7.

REMOVE (E) INTERIOR PANELS, WIRING, LIGHTING & OTHER ELECTRICAL EQUIPMENT, U.O.N.
8.

REMOVE (E) PLUMBING FIXTURES, FITTINGS, PIPING & HOT WATER HEATERS, U.O.N.
9.

REMOVE MISCELLANEOUS NON-REAL PERSONAL PROPERTY, U.O.N.
10.

COORDINATE DEMOLITION DRAWINGS W/STRUCTURAL DRAWINGS FOR LOCATIONS OF NEW (N) FOOTINGS, SHEAR WALLS & OTHER STRUCTURAL ELEMENTS.
11.

ALL (E) HISTORIC WINDOWS & DOORS, TRIM & OTHER SIMILAR ELEMENTS ARE TO REMAIN IN PLACE, U.O.N.
12.

COORDINATE STORAGE LOCATION WITH OWNER FOR ANY DEMOLITION ITEMS TO BE SALVAGED.

KEY NOTES

- 1

REMOVE (E) HEARTH & FACE OF FIREPLACE BACK FLUSH W/ F.O.S.
- 2

PROTECT IN PLACE ALL (E) STEPS TO REMAIN AT BUILDING ENTRANCE.
- 3

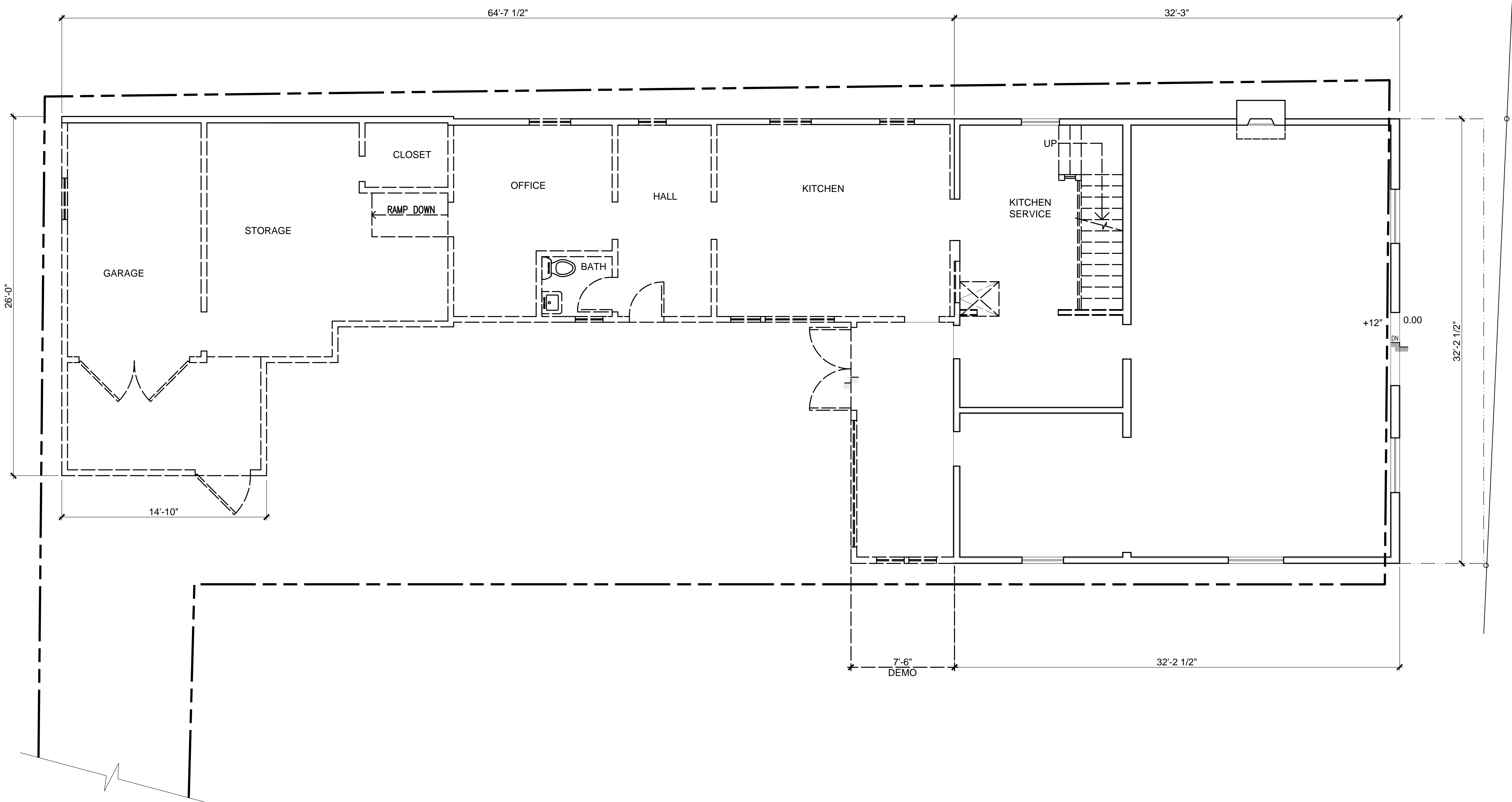
REMOVE (E) WINDOWS & TRIM.
- 4

PROTECT (E) WINDOW.
- 5

REMOVE BUILT-OUT BASE IN FRONT OF (E) DOORS; PROTECT (E) DOORS.
- 6

REMOVE FURRING.
- 7

REMOVED PORTION OF STRUCTURE TO BE REBUILT.



1 FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"



Attachment 2
Exhibit B
Page 2 of 5
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SUITE 1800
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www.garavaglia.com

107 THIRD STREET
SAN JUAN BAUTISTA
REMODEL

FLOOR PLAN

FIRST
EXISTING / DEMO

PROJ. NO. 2019 - 089
SCALE AS NOTED
DATE 27 DEC 2016
PHASE SD
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107 THIRD STREET

SAN JUAN BAUTISTA
REMODEL

FLOOR PLAN

FIRST
PROPOSED

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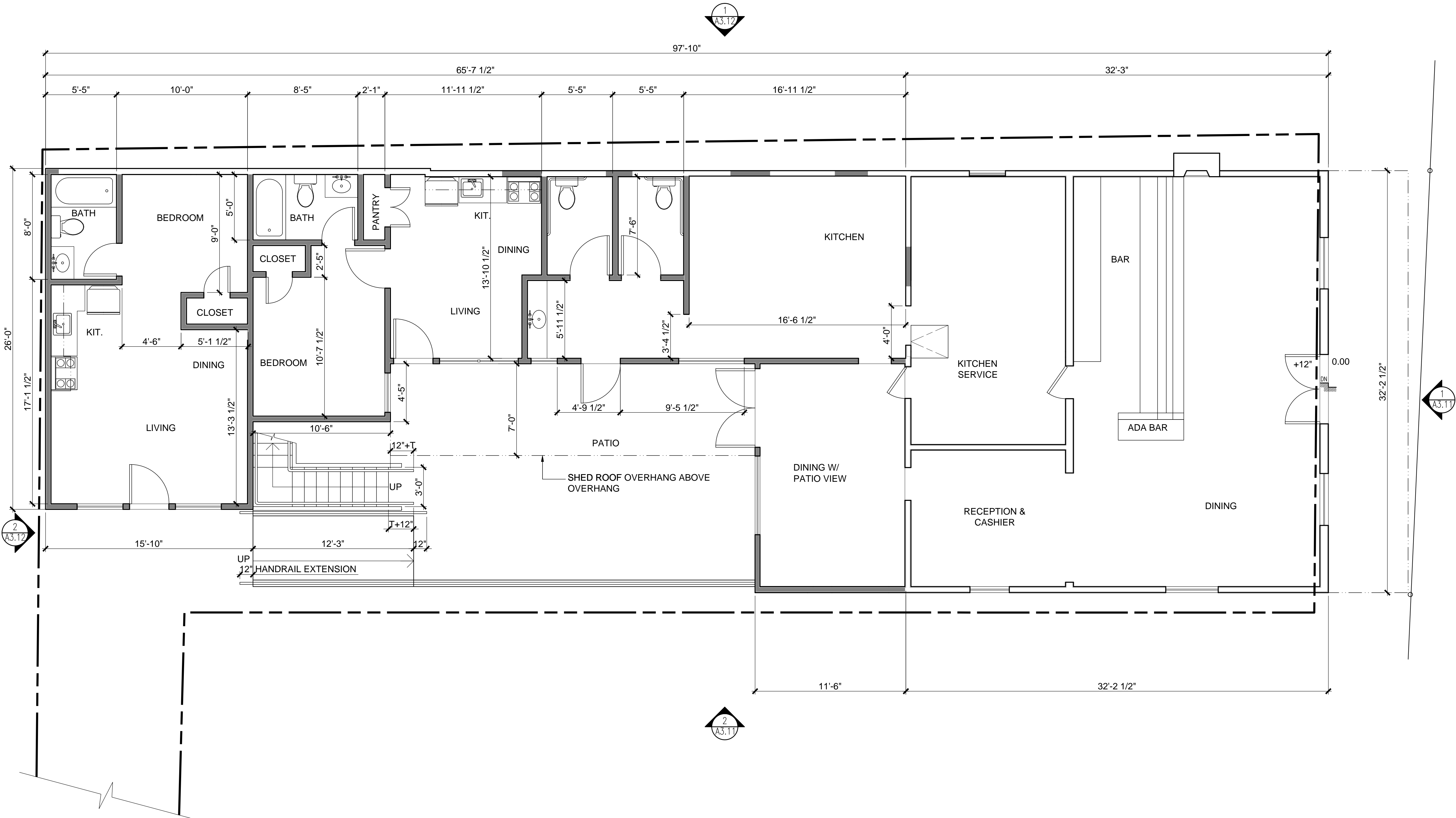
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KEY NOTES

- EDGE OF BALCONY OVERHANG, ABOVE.
- INSTALL (N) WALL FINISH OVER (E) FIREPLACE OPENING.
- (N) EXT. SIDING TO MATCH & ALIGN W/ (E) ADJACENT SIDING.
- (N) PERMEABLE PAVING. MAX. SLOPE: 2%. SLOPE TO DRAIN.
- ADD REQUIRED FIRE PROTECTION AT WINDOWS AND EXTERIOR WALLS ADJACENT TO SIDE AND REAR PROPERTY LINES, PER 2016 CHBC 8-402.1.
- METAL RAILING.
- CRAWL SPACE ACCESS.

SHEET NOTES

- PROTECT IN PLACE ALL EXISTING (E) ELEMENTS TO REMAIN, TO PREVENT DAMAGE DURING CONSTRUCTION OF (N) PROPOSED ADJACENT AREAS.
- COORDINATE PROPOSED SCOPE OF WORK W/ ENGINEERING DRAWINGS FOR LOCATIONS OF NEW (N) FOOTINGS, SHEAR WALLS & OTHER BUILDING ELEMENTS.
- ALL (E) HISTORIC WINDOWS & DOORS, TRIM & OTHER SIMILAR ELEMENTS ARE TO REMAIN IN PLACE & BE PROTECTED FROM DAMAGE FOR THE DURATION OF CONSTRUCTION, U.O.N.



1

FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0"



SHEET NOTES

1.

PROTECT IN PLACE ALL EXISTING (E) ELEMENTS TO REMAIN, TO PREVENT DAMAGE DURING CONSTRUCTION OF (N) PROPOSED ADJACENT AREAS.
2.

COORDINATE PROPOSED SCOPE OF WORK W/ ENGINEERING DRAWINGS FOR LOCATIONS OF NEW (N) FOOTINGS, SHEAR WALLS & OTHER BUILDING ELEMENTS.
3.

ALL (E) HISTORIC WINDOWS & DOORS, TRIM & OTHER SIMILAR ELEMENTS ARE TO REMAIN IN PLACE & BE PROTECTED FROM DAMAGE FOR THE DURATION OF CONSTRUCTION, U.O.N.

KEY NOTES

- 1

EDGE OF ROOF OVERHANG. 6" OVERHANG TYP. AT (N) REAR 2ND-STORY ADDITION.
- 2

INSTALL (N) WALL FINISH OVER (E) FIREPLACE OPENING.
- 3

ROOF RIDGE ABOVE.
- 4

(N) CAP SHEET ROOFING BELOW DECKING, O/ (N) STRUCTURAL SHEATHING. MINIMUM 1/4"/FT. SLOPE TO DRAIN.
- 5

(N) 42" HIGH GUARD WALL.
- 6

(N) 36" WIDE BLIND GATE, WITH WD. CAP AND FINISH SIDING TO MATCH ADJACENT PARAPET WALL.
- 7

(N) ROOF DRAIN W/ OVERFLOW THRU-WALL SCUPPER.
- 8

(N) WD. PALLETIZED DECKING.
- 9

PATCH FLOOR AT FORMER STAIRS.
- 10

REPAIR (E) BALCONY OVER SIDEWALK.
- 11

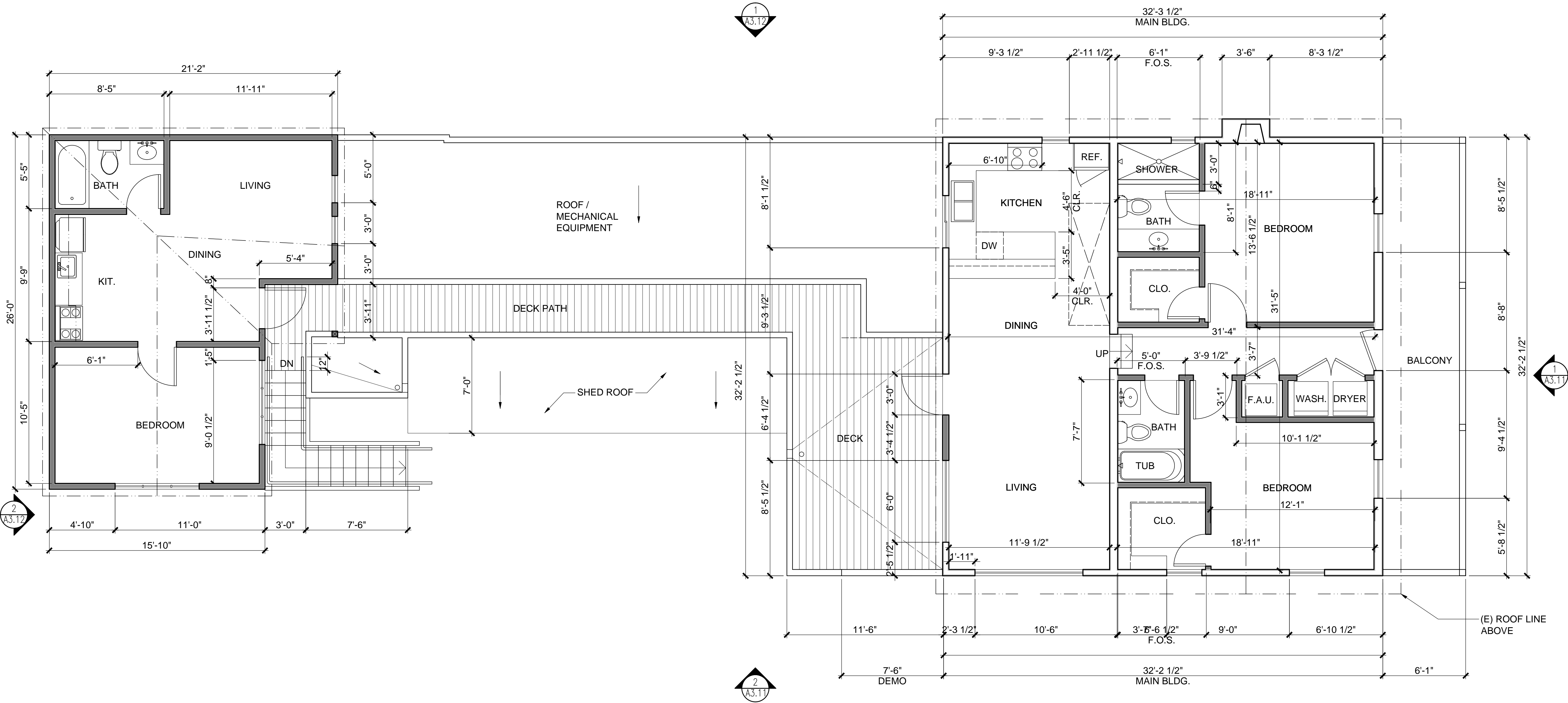
(N) STAIRS W/ HANDRAILS.
- 12

ALIGN T.O. PARAPET W/ T.O. GUARD @ DECK.
- 13

DOOR TO BE KEPT LOCKED; NO ACCESS TO FRONT BALCONY.
- 14

ADD REQUIRED FIRE PROTECTION AT WINDOWS AND EXTERIOR WALLS ADJACENT TO SIDE AND REAR PROPERTY LINES, PER 2016 CHBC 8-402.1.
- 15

METAL RAILING.



1 SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

107 THIRD STREET
SAN JUAN BAUTISTA
REMODEL

FLOOR PLAN
SECOND
PROPOSED

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SCALE AS NOTED
DATE 27 DEC 2016
PHASE SD
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SHEET NOTES

1.

PROTECT IN PLACE ALL EXISTING (E) ELEMENTS TO REMAIN, TO PREVENT DAMAGE DURING CONSTRUCTION OF (N) PROPOSED ADJACENT AREAS.
2.

PROTECT IN PLACE ALL (E) EXTERIOR ROOF OVERHANGS & OTHER TRIM, U.O.N.
3.

COORDINATE PROPOSED SCOPE OF WORK W/ ENGINEERING DRAWINGS FOR LOCATIONS OF (N) STRUCTURAL & OTHER BUILDING ELEMENTS.
4.

ALL (E) HISTORIC WINDOWS & DOORS, TRIM & OTHER SIMILAR ELEMENTS ARE TO REMAIN IN PLACE & BE PROTECTED FROM DAMAGE FOR THE DURATION OF CONSTRUCTION, U.O.N.

KEY NOTES

- 1

(E) WD. SIDING, REPAIR AS REQUIRED.
- 2

(N) WD. BOARD-&-BATTEN SIDING, TO MATCH PROFILE OF (E).
- 3

(E) FRONT BALCONY OVERLOOKING STREET, REPAIR AS REQUIRED.
- 4

42" HIGH GUARD WALL.
- 5

ALIGN T.O. PARAPET W/ T.O. GUARD @ DECK.
- 6

(N) LAP SIDING.
- 7

(N) SHED ROOF.
- 8

THRU-WALL OVERFLOW SCUPPER.
- 9

(N) "CARRIAGE STYLE" SECTIONAL OVERHEAD GARAGE DOOR.
- 10

(N) WOOD WINDOWS.
- 11

(N) HANDRAIL @ RAMP.
- 12

REPAIR (E) DOORS, ADD FULL PERIMETER WEATHER STRIPPING AND FIXED CLOSED.
- 13

RIDGE VENT. SEE DET. 13/A-801.
- 14

GABLE END ATTIC VENT.



Attachment 2
Exhibit B
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EXTERIOR ELEVATIONS

PROPOSED

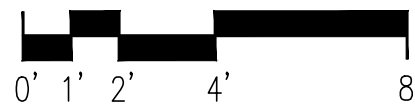
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2 EAST ELEVATION

SCALE: 1/4" = 1'-0"



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