



City of San Juan Bautista

The "City of History"

www.san-juan-bautista.ca.us

AGENDA

REGULAR PLANNING COMMISSION MEETING

TUESDAY ~ FEBRUARY 2, 2021 ~ 6:00 P.M.

~ PUBLIC PARTICIPATION BY ZOOM ONLY ~

Join Zoom Meeting <https://zoom.us/j/89599478162>

or call 1 (669) 900-6833

Meeting ID: 895 9947 8162

THIS MEETING WILL BE CONDUCTED PURSUANT TO THE PROVISIONS OF THE GOVERNOR'S EXECUTIVE ORDER N-29-20

In order to minimize the spread of the COVID 19 virus the Planning Commission is conducting this meeting by Zoom conference and will be offering alternative options for public participation. *Please follow the Governor's Shelter in Place Order and the CDC Guidelines regarding preventative measures and do your part to help flatten the curve and prevent further spread of COVID-19.*

PUBLIC COMMENTS WILL BE TAKEN ON AGENDA ITEMS BEFORE ACTION IS TAKEN BY THE PLANNING COMMISSION. DURING THE MEETING: TO PROVIDE VERBAL PUBLIC COMMENTS ON AN AGENDA ITEM DURING THIS MEETING CALL THE PHONE NUMBER LISTED ABOVE OR LOG INTO ZOOM AND ENTER THE MEETING ID NUMBER AS LISTED ABOVE.

When the Chairperson announces public comment is open for the item which you wish to speak, press *9 on your telephone keypad or if joining by Zoom, use the raise your hand icon. When called to speak, please limit your comments to three (3) minutes, or such other time as the Chairperson may decide, consistent with the time limit for all other speakers for the particular agenda item.

Written comments may be mailed to the Deputy City Clerk at City Hall (P.O. Box 1420, San Juan Bautista, CA 95045), or emailed to deputycityclerk@san-juan-bautista.ca.us not later than 5:00 p.m., February 2, 2021, and will be read into the record during public comment on the item.

In compliance with the Americans with Disabilities Act, and Governor's Order N-29-20, the City will make reasonable arrangements to ensure accessibility to this meeting. If you need special assistance to participate in this meeting, please contact the Deputy City Clerk a minimum of 48 hours prior to the meeting at (831) 623-4661.

If you challenge any planning or land use decision made at this meeting in court, you may be limited to raising only those issues you or someone else raised at the public hearing held at this meeting, or in written correspondence delivered to the City Council at, or prior to, the public hearing. Please take notice that the time within which to seek judicial review of any final administrative determination reached at this meeting is governed by Section 1094.6 of the California Code of Civil Procedure.

Materials related to all items on this agenda are available in the agenda packet on the City website www.san-juan-bautista.ca.us subject to Staff's ability to post the documents before the meeting, or by emailing deputycityclerk@san-juan-bautista.ca.us or calling the Deputy Clerk (831) 623-4661 during normal business hours.

**1. Call to Order
Roll Call**

**2. Public Comment on Items Not on the Agenda but Within the Subject Matter
Jurisdiction of the City Council**

This portion of the meeting is reserved for persons desiring to address the Council on matters not on this agenda. The law does not permit Council action or extended discussion of any item not on the agenda except under special circumstances. If Council action is requested, the Council may place the matter on a future agenda.

3. Ceremonial Items

A. Select New Chairperson and Vice Chairperson

4. Consent Items

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

A. Approve Affidavit of Posting the Agenda

B. Approve Minutes of the November 11, 2020 Planning Commission Meeting

5. Action Items

A. Consider Recommendation of the Historic Resources Board to Extend the Term of the Temporary Parklets on Third Street One Hundred Eight Days or Until September 30, 2021 – City Manager Reynolds

B. Consider Again Franklin Park Design, Addressing Concerns with the ADA Walkway, Lighting, and Fire Hydrant – Lead Library Tech Rochelle Eagen

6. Discussion Items

A. Review Proposed Re-Organization of Planning and Community Development Department, Review City Council Strategic Plan, and Suggest Areas for Change and Reconsideration – City Manager Reynolds

B. Report on the URB Ad Hoc Committee Status, and the Housing and Community Development Grant Status – City Manager Reynolds

7. Comments

A. Planning Commissioners

B. City Manager

C. City Planner

8. 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 28th DAY OF JANUARY 2021, AND I POSTED THEM IN THE FOLLOWING LOCATIONS IN SAID CITY OF SAN JUAN BAUTISTA, COUNTY OF SAN BENITO, CALIFORNIA.

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

SIGNED AT SAN JUAN BAUTISTA, COUNTY OF SAN BENITO, CALIFORNIA,
ON THE 28th DAY OF JANUARY 2021.



TRISH PAETZ, DEPUTY CITY CLERK

**CITY OF SAN JUAN BAUTISTA
PLANNING COMMISSION SPECIAL MEETING
NOVEMBER 10, 2020
DRAFT MINUTES**

(Meeting held via Zoom Internet Video/Audio Conference Service)

1. CALL TO ORDER – Chairman Freels called the meeting to order at 7:52 p.m.

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

Staff Present: Sr. Planner David Mack, City Manager
Reynolds and Deputy City Clerk Paetz

2. PUBLIC COMMENT

There was no public comment.

3. CONSENT ITEMS

A. Approve Affidavit of Posting Agenda

B. Approve Affidavit of Posting Public Hearing Notice

C. Approve Minutes for the August 4, 2020 Meeting

A motion was made by Commissioner Delgado and seconded by Commissioner Matchain to approve all items on the Consent Agenda. The motion passed unanimously, 5-0.

4. PUBLIC HEARING ITEMS

A. Consider an Amendment to the SJB General Plan to change the land use designation from “Public Facilities” to “Industrial” and Zoning Map Amendment to change the land use zoning from “Public Facilities” to “Industrial” of former City well site located at the corner of Mission Vineyard Road and San Juan Hollister Road (APN: 002-550-007).

City Contract Senior Planner David Mack provided a report stating in August 2018 the City Council approved a land swap/purchase agreement with Dale Coke to come into compliance with the EPA compliance order. Not in the agreement was consideration of the underlying land use designations/zoning of the parcel. Therefore, upon execution of the agreement and upon finalization of all terms, the Well 3 property was never rezoned from public facilities to industrial to replace the land use and zoning of the Well 6 property which was exchanged. The result has left the new Coke property with a zoning and designation that is not useable in the manner as the prior Coke owned land (Well 3). The purpose of this project is to remedy the land use/zoning situation and allow the Well 6 property to be utilized in the same manner as the Well 3 property was used. There was discussion among Commissioners and staff. Chairperson Freels opened the public hearing. Dan DeVries stated this was a very bad deal for the City, and a good

Special Planning Commission Meeting – November 10, 2020

deal for Coke. Chairperson Freels closed the public hearing. A motion was made by Commissioner Medeiros and seconded by Commissioner Brewer to Approve Resolution 2020-06 recommending approval of a general plan land use map amendment to reclassify the property land use designation from “public facility” to “industrial” for the property located at the corner of Mission Vineyard Road and Old San Juan Hollister Road (APN 002-550-007). The motion passed unanimously, 5-0.

A motion was made by Commissioner Medeiros and seconded by Commissioner Brewer to approve Resolution 2020-07 recommending to the city Council adoption of an ordinance amending the City of San Juan Bautista zoning map rezoning the property located at the corner of Mission Vineyard Road and Old San Juan Hollister Road (APN 002-550-007) from “Public Facilities” to “Industrial”. The motion passed unanimously, 5-0.

5. ACTION ITEMS

A. Approve Resolution 2020-08 Recommending to the City Council Extending the Term of the Temporary Parklets on Thirds Street Ninety Days

The Planning Commission accepted the recommendation of the Historic Resources Board. There was no further discussion on the item by the Commission and there was no public comment received. A motion was made by Commissioner Delgado and seconded by Commissioner Matchain to approve Resolution 2020-08 recommending that the City Council extend the term of the temporary parklets on Third Street ninety days or until March 30th, 2021. The motion passed unanimously, 5-0.

6. DISCUSSION ITEMS

A. Update by Urban Growth Boundary – Sphere of Influence Ad Hoc Committee

The Planning Commission received an update by members of the UGB-SOI Ad Hoc Committee. During public comment, Cara Vonk spoke in support of the ad hoc committee’s work.

7. COMMENTS

A. Planning Commissioners

Outgoing Commissioner and newly elected City Council Member Scott Freels thanked everyone and stated he enjoyed being on the Planning Commission, and announced an event to be held at the VFW Hall.

B. Senior Planner

No comments were received.

C. City Manager

No comments were received.

8. ADJOURNMENT

The meeting adjourned at 9:25 p.m.



CITY OF SAN JUAN BAUTISTA HISTORIC RESOURCES BOARD AND PLANNING COMMISSION STAFF REPORT

AGENDA TITLE: Six Month Extension of the Third Street Parklet Program

MEETING DATE: February 2, 2021

SUBMITTED BY: Don Reynolds, City Manager

RECOMMENDED ACTION(S):

City Staff is asking the Planning Commission to adopt a resolution extending the term of the encroachment permits allowing the temporary use of the public right of way to accommodate private, outdoor business activity (“Parklets”) for 6-months from March 30, 2021, to September 30, and request staff during that time to develop draft policies and procedures, that would guide a decision of whether or not to make Parklets permanent.

BACKGROUND INFORMATION:

In April the City started meeting with its downtown businesses, and has since held 34 meetings of the “Business Forum.” From the Business Forum came a plan to help businesses re-open. In support of this plan, the City Council adopted Resolution 2020-24 on May 19, 2020, to assist businesses that could remain open, to re-open outdoors onto the public right of way (Third Street) during the Emergency. This was originally approved for a three-month period ending December 31, 2020. On November 10, 2020, the City Council agreed to extend the parklets another 90-days until March 30, 2021, to evaluate if or how a “permanent” parklet program could be established.

The Business Forum acted to establish a “Permanent Parklet Sub-Committee” and they have met four times. The Historic Society is represented and an active contributor. At the January 21st meeting, it was agreed that a six-month extension be considered while a “permanent” policy was discussed. A “permanent” policy may replace the temporary policies initiated during the State of Emergency.

DISCUSSION:

Staff reviewed City Municipal Code Chapter 11, and reported back to the Sub-Committee regarding how the codes would have to be updated. Outdoor dining is covered under the commercial zoning but not mixed use. The use of temporary power, signs and noise are

considerations. Building a parklet is certainly new construction, but not directly impacting a historic structure. The City wish to require an HRB public hearing to receive a Major Alteration Approval by the HRB (11-06-120 et al). Typically in a case where a temporary pilot program exists and these practices become City policy, and the Code is updated, those activities that occur before adoption are deemed to be compliant with the new codes (“Grandfathered,” and not subject to new scrutiny or approvals).

Recent policies from surrounding cities were also shared. San Jose allows parklets only for the duration of the current State of Emergency. Morgan Hill is using annual renewal of an encroachment permit to manage their exiting parklets. The definition of “permanent” is the one issue that is difficult to wrestle with.

A literal interpretation of “Permanent” Parklets would require an extensive rethinking of the historic Third Street district. The City Attorney and City Planner explained that a comprehensive plan for Third Street would have to be created, that speaks specifically to every stakeholder. This would include residents, the Mission, State Parks, School District, Historical Society, business and property owners. Before the City abandons its right-of-way on Third Street, the whole community has to be on-board, because the concerns is that once it is gone, the City could not change back. If or when right-of-way is abandoned, the utilities will need to be relocated, and the major construction will trigger new storm-water treatments that may include planters and bio-swales. As mentioned last November, a full CEQA review will be required that includes traffic and parking impacts.

Salinas is implementing its Downtown Vibrancy Plan now. The Vibrancy Plan started in 2013 with stakeholder conversations and was approved by the City Council in March 2015. Its four chapters include an extensive traffic flow analysis, parking study and plan to consolidate surface parking into parking structures, attracting housing developments to buildout second and third floors, and the building of the heart of the City through public art, and other amenities. I wrote this plan for Salinas and shared it with the Business Forum’s Sub-Committee. It seems like a lot to grasp for our little downtown.

If “Permanent” is considered a policy for parklets that is permanent, not parklets themselves, much more can be creatively considered. Like Morgan Hill, they could be put on a one-year review cycle. Still, a new parklet under-non-emergency conditions, is new construction, and may be subject to the HRB’s approval as a “Major Design Review.” A building permit will also be required.

Saturation is another consideration. When are there too many parklets? Currently there are 14 parklets, (a few of them are double), with 2-more approved and not built, and 2 applications pending. If 18 is enough, maybe a moratorium should be considered to slow down the process. This will help preserve parking, allow time to develop additional parking alternatives, including new angle parking at the entrance and exit of the Third Street, and possibly leasing the school’s parking lot on weekends.

The focus of the parklet policy has shifted away from making parklets permanent, to creating instead a permanent policy for parklets that are renewed on an annual basis, combining design review/alteration, building permit and encroachment permits into a new “Parklet Permit.”

If the parklets are extended for another 6-months, many of them will be year old by the time the policy considerations are fully vetted. Attached is a resolution for the Planning Commission to consider, asking the City Council to approve the parklet extension.

Attached- Draft Resolution

RESOLUTION 2021-XX

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN JUAN
BAUTISTA RECOMMENDING THAT THE CITY COUNCIL EXTEND THE
TERM OF THE TEMPORARY PARKLETS ON THIRD STREET
ONE HUNDRED EIGHTY DAYS OR UNTIL SEPTEMBER 30TH 2021**

WHEREAS, in an effort to control the pandemic caused by the COVID-19 Virus, City Council declared a State of Emergency March 17, 2020; and

WHEREAS, the shelter in place health orders that followed the state of emergency closed all but essential businesses; and

WHEREAS, this closure of businesses was harmful to the City's economy and the City, among many other things, initiated the Transformation of Third Street by adopting Resolution 2020-24, on May 19, 2020; and

WHEREAS, to implement the Transformation of Third Street, business owners were offered the opportunity to expand their business onto the public right-of-way and build decks, also known as "parklets," where customers could sit safely and enjoy their services; and

WHEREAS, in an effort to protect the historic nature of the downtown, these parklets have to be built in compliance with the City historic design guidelines and, on June 18, 2020, the Historic Resources Board approved design guidelines for this purpose; and

WHEREAS, the parklet program was approved by the City Council for a period of six months ending December 31, 2020, and extended until March 30, 2021 on November 10, 2020, but many have asked the City to consider developing a parklet policy that governs the use of the City's right-of-way for out-door dining and retail sales.

WHEREAS, developing a permanent parklet policy for the whole City to embrace takes time, but this could be accomplished in the next six months.

WHEREAS, the Historic Resources Board recommends to the Planning Commission that it adopt a Resolution recommending a ninety-day extension of the parklet program to the City Council for approval to allow for consideration of making parklets permanent.

NOW THEREFORE, BE IT RESOLVED THAT THE PLANNING COMMISSION:

1. Agrees with the recommendation from the Historic Resources Board;
2. Recommends to the City Council that the term of the Transformation of Third Street and the parklets be extended for one hundred eighty days, or until September 30, 2021.

3. That staff prepare the policies and procedures necessary for a public debate of a City policy that governs all matters related to parklets going forward, after the current State of Emergency has ended.

PASSED AND ADOPTED by the Planning Commission of the City of San Juan Bautista on the 2nd day February, 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chairperson

ATTEST:

Trish Paetz, Deputy City Clerk