



# City of San Juan Bautista

*The "City of History"*

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

## AGENDA

### REGULAR PLANNING COMMISSION MEETING

**TUESDAY ~ NOVEMBER 1, 2022 ~ 6:00 P.M.**

CITY HALL COUNCIL CHAMBERS

311 Second Street

San Juan Bautista, California

**~ HYBRID MEETING ~**

**PUBLIC PARTICIPATION BY ZOOM AND IN PERSON**

*NOTICE: The Planning Commission will hold its public meetings in person, with a virtual option for public participation based on availability. The City of San Juan Bautista utilizes Zoom teleconferencing technology for virtual public participation; however, we make no representation or warranty of any kind, regarding the adequacy, reliability, or availability of the use of this platform in this manner. Participation by members of the public through this means is at their own risk. (Zoom teleconferencing may not be available at all meetings.) If you wish to make a public comment remotely during the meeting, please use the zoom registration link below:*

#### **THIS MEETING WILL BE OPEN TO THE PUBLIC UNDER THE FOLLOWING CONDITIONS:**

All Attendees must comply and wear a face covering if not fully vaccinated and show proof. If providing proof attendees will not need to wear a face covering. If you are exempt from the state face covering guidance or not fully vaccinated, you will be required to wear a mask to attend the meeting; All attendees must comply with any other rules of procedures/instructions announced by the Chair and/or City Staff. Any violations of the above may result in the Chair closing the meeting, effective immediately, or clearing the room, as well as other enforcement actions. The meeting will be available through Zoom for those who wish to join or require accommodations with the instructions below:

The meeting can also be accessed by the public in the following methods: Through Zoom (<https://zoom.us/join>) per the instruction stated below, and on Facebook.

**Join Zoom Webinar** <https://zoom.us/j/89074980241>

**or call 1 (669) 900-6833**

**Webinar ID: 890 7498 0241**

**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 Chair 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 Chair may decide, consistent with the time limit for all other speakers for the particular agenda item. Comments from other platforms will not be considered during the meeting. If you would like to participate during the meeting you **MUST** use Zoom.

If you are unable to join the meeting, written comments may be mailed to the Community Development Director at City Hall (P.O. Box 1420, San Juan Bautista, CA 95045), or emailed to [ACM-CDDirector@San-Juan-Bautista.ca.us](mailto:ACM-CDDirector@San-Juan-Bautista.ca.us) not later than 5:00 p.m. on November 1, 2022 and will be read into the record during public comment on the item.

In compliance with the Americans with Disabilities Act, 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 Planning Commission 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](http://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](mailto:deputycityclerk@san-juan-bautista.ca.us) or calling the Deputy Clerk (831) 623-4661 during normal business hours.

**1. Call to Order**

**Roll Call**

**Pledge of Allegiance**

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

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

**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.

**A. No projects to present.**

**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 Planning Commission, a staff member, or a citizen.

**A. Approve Affidavit of Posting Agenda**

**B. Approve Affidavit of Posting and Mailing Public Hearing Notice**

**C. Approve Minutes of the August 2, 2022 Meeting**

**D. Approve Minutes of the October 4, 2022 Meeting**

**5. Public Hearing Items**

**A. Consider a Use Permit to allow expansion of a Non-Conforming Single Family Residence in the "I" Industrial Zoning District via a Use Accessory Dwelling Unit (ADU) on property located at 830 Mission Vineyard Rd (APN 002-550-019). The Applicant is Olivier Griss.**

**CEQA: The project is exempt from CEQA per CEQA Guideline Sections 15303 (New construction or conversion of small structures)**

**6. Information Items:**

**A. Annexation Application – Christopher Ranch**

**B. Historic Preservation Consultant PSA**

**C. Permanent Local Housing Grant – ADU Rehabilitation; and Homeless Services**

**7. Comments**

- A. Planning Commissioners**
- B. Community Development Director Report**

**8. Adjournment**

### AFFIDAVIT OF POSTING

I, TRISH PAETZ, DO NOW DECLARE, UNDER THE PENALTIES OF PERJURY THAT I AM THE ACTING ADMINISTRATIVE SERVICES MANAGER 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 28<sup>th</sup> DAY OF OCTOBER 2022, 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 28<sup>th</sup> DAY OF OCTOBER 2022.



TRISH PAETZ  
ACTING ADMINISTRATIVE SERVICES MANAGER

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

Pursuant to Government Code Section 65090, the **Planning Commission** of the City of San Juan Bautista gives notice of a public hearing on **November 1, 2022** at 6:00 p.m.

NOTICE: The Planning Commission will hold its public meetings in person, with a virtual option for public participation based on availability. The City of San Juan Bautista utilizes Zoom teleconferencing technology for virtual public participation; however, we make no representation or warranty of any kind, regarding the adequacy, reliability, or availability of the use of this platform in this manner. Participation by members of the public through this means is at their own risk. If you wish to make a public comment remotely during the meeting, please use the zoom registration link: <https://us02web.zoom.us/j/89074980241>.

During the public hearing, the following items will be discussed:

- **Use Permit to allow expansion of a Non-Conforming Single Family Residence in the "I" Industrial Zoning District via Accessory Dwelling Unit (ADU) on property located at 830 Mission Vineyard Rd (APN 002-550-019). The Applicant is Olivier Griss.**

**CEQA:** The project is exempt from CEQA per CEQA Guideline Sections 15303 (New construction or conversion of small structures)

Staff reports and the full text of all items to be discussed will be available for public review at City Hall and on the City website on **October 28, 2022**. All members of the public are encouraged to attend the meeting remotely via Zoom at <https://us02web.zoom.us/j/89074980241> or in person, and may address the Planning Commission on the issue during the public hearing. Written comments may be hand delivered or mailed to City Hall (311 Second Street, P.O. Box 1420, San Juan Bautista, CA 95045), or emailed to [acm-cddirector@san-juan-bautista.ca.us](mailto:acm-cddirector@san-juan-bautista.ca.us), not later than **5:00 p.m., November 1, 2022**.

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

**Posted: October 21, 2022**



**City of San Juan Bautista**  
**REGULAR PLANNING COMMISSION MEETING**  
**AUGUST 2, 2022**  
**MINUTES**

**1. Call to Order**

The meeting of the San Juan Bautista Planning Commission was called to order by Chair Delgado at 6:04 p.m.

**2. Roll Call**

**Chair Delgado**

**Vice Chair Jackie Morris-Lopez**

**Commissioner: Medeiros**

City Attorney Rathie announced that since Commissioner Matchain has missed more than 2 meetings in a 6-month period, he is automatically discharged of his duties as a Commissioner. No action needs to be taken at this time.

**3. Pledge of Allegiance was led by Commissioner Medeiros**

**4. Public Comment on Items Not on the Agenda but Within the Subject Matter Jurisdiction of the Planning Commission**

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

Chair Delgado asked for public comments on items not on the agenda, seeing none, she closed the public comment portion.

**5. Presentations**

- a. San Benito County Projects by Abraham Prada, Assistant Director of San Benito County Resource Management Agency (RMA)

Abraham Prada, Assistant Director of San Benito County Resource Management Agency, gave the PowerPoint presentation. He covered several projects including Travelers Station, Betabel, and Strada Verde Innovation Park.

Commissioner Medeiros asked if there was a measure regarding the planning of these projects.

Commissioner Jackie Morris-Lopez asked questions regarding these projects.

**6. Consent Items**

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

**Planning Commission Minutes  
August 2, 2022**

- a. Approve Affidavit of Posting the Agenda
- b. Approve Minutes of the September 7, 2021 Regular Meeting
- c. Approve Minutes of the June 9, 2022 Regular Meeting
- d. Approve Minutes of the May 19, 2022 Special Meeting
- e. Approve Minutes of the March 1, 2022 Regular Meeting
- f. Approve Minutes of the February 8, 2022 Special Meeting

**Motion by Vice Commissioner Morris-Lopez, seconded by Commissioner Medeiros to approve the Consent Calendar as presented. Passed 3/0**

<b>AYES:</b>	<b>3</b>	<b>Commissioners: Morris-Lopez, Medeiros, Chair Delgado</b>
<b>NOES:</b>	<b>0</b>	<b>Commissioners:</b>
<b>ABSENT:</b>	<b>0</b>	<b>Commissioners:</b>

**7. Action Items**

- a. Report of the Ad Hoc Committee on the Open Letter from the City Council to the Planning Commission

Commissioner Medeiros gave a presentation regarding the Open Letter from the City Council. Discussion, PowerPoint, and recommendations were provided.

Chair Delgado has requested information on how to run a meeting, Brown Act, etc. for her to run a formal and concise meeting under the laws and requirements required. She requested this letter be rescinded by the Council.

Chair Delgado asked for public comments, the following citizens spoke. G. Alvarez thanked all for the discussion. EJ Sabathia thanked Commissioner Medeiros for his presentation and noted he was not proud of how some of the meetings were run.

**Motion: Amendment to the motion by Chair Delgado, seconded by Medeiros to add friendly amendment adding for all agenda materials to comply to the Brown Act. Passed 3/0/0**

<b>AYES:</b>	<b>3</b>	<b>Commissioners: Medeiros, Morris-Lopez, Delgado</b>
<b>NOES:</b>	<b>0</b>	<b>Commissioners:</b>
<b>ABSENT:</b>	<b>0</b>	<b>Commissioners:</b>

**Motion by Commissioner Medeiros, seconded by Chair Delgado to accept the presentation from the Ad Hoc Committee and recommending the Planning Commission to take steps to improve ways of conducting meetings and furthering education opportunities and for staff to provide all agenda materials to comply to the Brown Act. Passed 3/0/0**

<b>AYES:</b>	<b>3</b>	<b>Commissioners: Medeiros, Morris-Lopez, Delgado</b>
<b>NOES:</b>	<b>0</b>	<b>Commissioners:</b>
<b>ABSENT:</b>	<b>0</b>	<b>Commissioners:</b>

**b. Discussion Items**

a. Communication with Planning Commission

Brian Foucht , Assistant City Manager presented topics of items that may further your knowledge for the Planning Commissioners.

Items of interest from Commission: Commissioner Medeiros requested training, Commissioner Morris-Lopez, Design, and Chair Delgado, ADU count.

Chair Delgado asked for public comments, the following citizen(s) spoke: Wanda Guibert noted that when she was a planning commissioner, they receive the agenda packet on Friday's.

b. General Plan

Brain Foucht, Assistant City Manager led the discussion and noted that the General Plan will be available in hard copies.

Commissioner Morris-Lopez request looking at document for review and possible amendments.

Commissioner Medeiros requested a workshop.

Chair Delgado asked for public comments, the following citizens spoke: G. Alvarez, great idea to share the General Plan with public as to what this document is intended.

c. Code Enforcement

Brian Foucht, Assistant City Manager updated the Planning Commission on Code Enforcement matters and community compliance.

**c. Information Items**

a. News Paper Articles: Community Plan and Community Foundation proposal

Chair Delgado asked for public comments, the following citizens spoke: EJ Sabathia noted the meeting became informational and the editorial noted transparency in the agencies. G Alvarez shed light on the CalAIM initiative.

b. Distribution of the General Plan, Historic SJB Plan, and the Design Guidelines

c. Memo: Community Plan Accomplishments and Next Steps

Brian Fought, Assistant City Manager noted staff is taking all input and provide a better job for the community and our staff.

**d. Comments**

a. Planning Commissioners

Commissioner Morris-Lopez noted this is a critical time for development she would like to hear from everyone.



**Planning Commission Minutes  
August 2, 2022**

Commissioner Medeiros mentioned he looks forward to learning more and noted his sorrow on the lose of commissioners. He also noted, would like to see a script for meetings efficiency and collaboration.

Chair Delgado thanked staff, public, Clerk, etc. for all their work.

b. Community Development Director Report

**8. Adjournment**

**Motion by Commissioner Medeiros, seconded by Vice Commissioner Morris-Lopez, being no further business adjourned at 9:33 p.m.**

Respectfully submitted,

Lori Frontella  
Recording Secretary

**CITY OF SAN JUAN BAUTISTA  
PLANNING COMMISSION MEETING  
OCTOBER 4, 2022, at 6:00 P.M.**

**DRAFT MINUTES**

1. **CALL TO ORDER** – Chair Delgado called the meeting to order at 6:35 p.m.

**ROLL CALL**

**Present:** Chair Delgado, Vice Chair Morris-Lopez, and Commissioner Medeiros

**Absent:** Commissioner Correia

**Vacant:** One position is vacant

**Staff Present:** Community Development Director Brian Foucht and RGS Clerk Advisor Norma I. Alley, MMC

**PLEDGE OF ALLEGIANCE** – Chair Delgado led the Pledge of Allegiance.

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

Chair Delgado called for public comments, seeing none, she closed public comments.

3. **Informal Project Review**
  - A. **No projects to present.**

There were not projects to present.

4. **Consent Agenda**
  - A. **Approve Affidavit of Posting the Agenda**
  - B. **Approve Affidavit of Posting and Mailing Public Hearing Notice**
  - C. **Approve Minutes for the September 6, 2022 Meeting**

Chair Delgado called for public comments. Seeing no one come forward, she closed public comment.

Commissioners noted the minutes were not written in the same form and format as previously and requested they be changed.

A motion was made by Commissioner Medeiros to approve the Consent Calendar in its entirety. The motion was seconded by Chair Delgado. The motion passed on a roll call vote of 3 Yes/0 No/1 Absent (Correia)/1 Vacant.

## **5. Discussion Items**

- A. Consider a Resolution of the San Juan Bautista Planning Commission to accept the recommendation of the Historic Resources Board to approve a Site and Design Review Permit for Historic Resources for renovation and reconstruction of a Single Family Residence located at 903 Third Street (APN 002-290-048) (Holdaway; Agarwal)**

Community Development Director Brian Foucht presented the staff report and fielded questions.

Rakesh Agarwal, Applicant/Owner, presented the report on behalf of the applicant and requested approval. Mr. Agarwal fielded questions.

Chair Delgado called for public comment. Seeing no one come forward, she closed public comments.

A motion was made by Commissioner Medeiros to approve a resolution accepting the recommendation of the Historic Resources Board to approve a Site and Design Review Permit for Historic Resources for renovation and reconstruction of a Single Family Residence located at 903 Third Street (APN 002-290-048) (Holdaway; Agarwal). The motion was seconded by Chair Delgado. The motion passed on a roll call vote of 3 Yes/0 No/1 Absent (Correia)/1 Vacant.

## **6. Comments**

### **A. Planning Commissioners**

Commissioner Medeiros had no comments.

Vice Chair Morris-Lopez reported she would be attending a planning workshop at the end of the week.

Chair Delgado thanked the staff and commissioners for all they do and thanked the public for attending.

### **B. Community Development Director Report**

Community Development Director Brian Foucht reported on the Community Plan Guiding Principles.

## **7. Adjournment**

Motion to adjourn the meeting was made by Commissioner Medeiros. The motion was seconded by Chair Delgado. There being no further business, the meeting adjourned at 7:16 p.m.

Respectfully submitted,

Norma Alley



## CITY OF SAN JUAN BAUTISTA PLANNING COMMISSION STAFF REPORT

**AGENDA TITLE:** Use Permit to allow expansion of a Non-Conforming Single Family Residence in the “I” Industrial Zoning District via Accessory Dwelling Unit (ADU) on property located at 830 Mission Vineyard Rd (APN 002-550-019). The Applicant is Olivier Griss.  
**CEQA:**

**CEQA DETERMINATION:** The project is exempt from CEQA per CEQA Guideline Sections 15303 (New construction or conversion of small structures)

**Iworq Permit No. 206**

**MEETING DATE:** November 1, 2022

**SUBMITTED BY:** Brian Foucht, Community Development Director

---

### **RECOMMENDED ACTION(S)::**

Staff recommends that *the Planning Commission Adopt a Resolution Approving Use Permit to expand a Non-Conforming Residential Use in a “I” Industrial District via an Accessory Dwelling Unit subject to conditions and based on findings contained in the Resolution attached to the staff report dated November 1, 2022.*

### **A. BACKGROUND INFORMATION:**

**The following Zoning Ordinance provisions establish the basis for consideration of a Use Permit for the subject application for Accessory Dwelling Unit on this property within the Industrial District:**

1. *Zoning Ordinance Section 11-02-050 Permitted and Conditional Uses By Zoning District, Use Matrix* establishes Accessory Dwelling Units are allowed in a residential district (R-1 – R-3 and Mixed use U Districts) i.e. Accessory Dwelling Units are not allowed in Industrial Districts;
2. *Zoning Ordinance Section 1-15-090 Expansion of nonconforming uses and buildings or structures.*

(A) Nonconforming Use. A nonconforming use may only be expanded by securing a conditional use permit pursuant to Chapter [11-20](#) SJBMC.

3. *Zoning Ordinance Section 04.5-060 Single-unit (R-1) zones*

*(A) Generally. One (1) detached accessory dwelling unit of new construction shall be allowed on a parcel with an existing or proposed single-unit dwelling if it meets all the following requirements:*

*(1) Location. Is detached from the primary dwelling.*

*(2) Size. At a minimum meets the requirements of an efficiency unit and at a maximum shall not exceed eight hundred fifty (850) square feet if it has no more than one (1) bedroom or one thousand (1,000) square feet if it has two (2) or more bedrooms.*

*(3) Setbacks. Has a front yard setback that is not less than the setback required in this Title for the zoning district in which it is located, or as illustrated in SJBMC [11-04.5-120](#), has side and rear setbacks of at least four feet (4'), and complies with applicable Building and Fire Codes.*

*(4) Height. Does not exceed a height of sixteen feet (16'), excepting the creation of a converted accessory dwelling unit within the existing footprint on a property of an existing detached accessory structure.*

*(5) Planning Commission Approval. Any proposed detached accessory dwelling unit that exceeds a height of sixteen feet (16') shall obtain a site plan and design review permit by the Planning Commission pursuant to SJBMC [11-18-030](#)*

**1-15-090 Expansion of nonconforming uses and buildings or structures.**

(A) Nonconforming Use. A nonconforming use may only be expanded by securing a conditional use permit pursuant to Chapter [11-20](#) SJBMC.

**11-20-030 Findings.**

*The following findings are required for a use permit and must be based on substantial evidence in view of the whole record:*

*(A) That the use is necessary or desirable in relation to the purposes and intent of the San Juan Bautista General Plan, zoning ordinance, and the economic, social and environmental status of the City;*

*(B) That the use will be properly related to other uses, transportation facilities, and other public facilities in the area, and will not cause undue environmental impacts relating to noise, odor, pollution, etc.; and*

*(C) That the use will not adversely affect the health or safety of persons living or working in the vicinity, or be materially detrimental to the public welfare of the City and its residents.*

## **B. Discussion**

Residential Uses are not allowed in the “I” (Industrial) Zoning District; therefore, the existing single-family residence on the subject property is considered a “nonconforming use”. Accessory Dwelling Units (ADUs) are permitted in all residential districts “by right” in accordance with the City’s adopted Accessory Dwelling Unit Ordinance referenced above. Attached, detached, converted or junior ADUs are conservatively interpreted as an expansion of the principal non-nonconforming residential use.

Findings for issuance of a Use Permit referenced generally refer to the absence of any detriment of the of the proposed use on the adjacent and surrounding uses or the City and its residents. The subject property is located in an area where existing uses are rural and semi-rural, and single-family residential uses are typically not associated with subdivisions; but rather are associated with more rural land uses.

The issue to be addressed is whether future conversion of surrounding properties to industrial land use could be constrained if the nature of an expanded residential land use would create conflicts greater than those anticipated with the existing residential use. Given the nature of the proposed expanded residential land use as accessory to a single family residential land use; i.e. the density of the land use is not increased (Govt. Code Section 65852.2.D.(7)). In this respect it is noted that the proposed ADU complies with maximum square foot requirements for detached ADUs (1000 sq.ft.), height (SB 897, 2022 modifies San Juan Bautista ADU ordinance limit of 16’ and allows detached ADUs up to 18’ in height), and proposes extensive setbacks:

Front – 52’+  
Side – 47’  
Rear – 50’

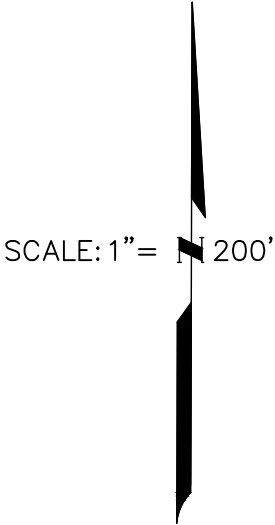
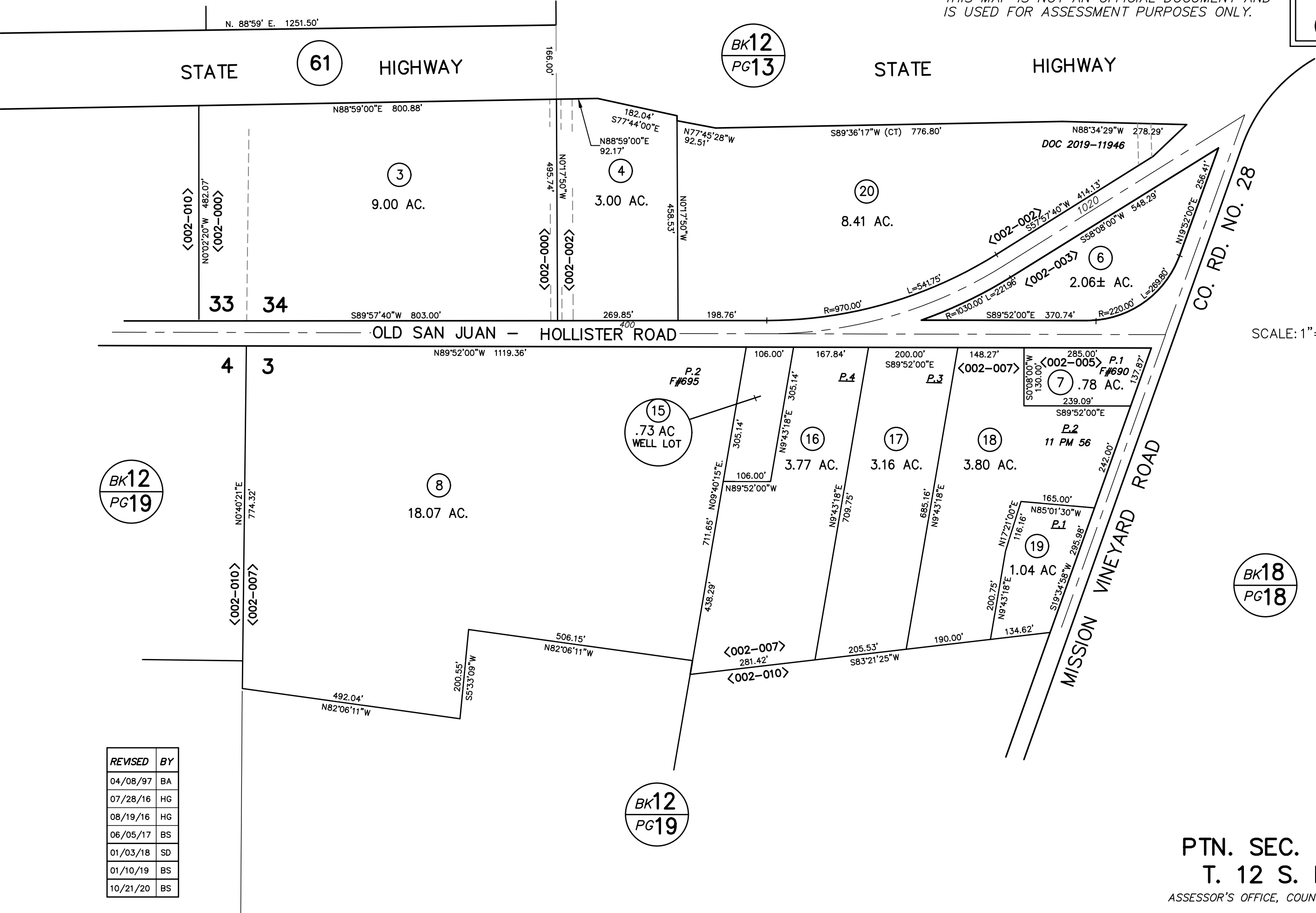
Therefore, it is not likely that this expansion will create conflicts greater than anticipated with the current residential land use.

## **Attachments**

1. AP Map; Location Map
2. Project Plans
3. Project Location Planning Commission Resolution (includes findings and conditions)

THIS MAP IS NOT AN OFFICIAL DOCUMENT AND  
IS USED FOR ASSESSMENT PURPOSES ONLY.

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REVISED	BY
04/08/97	BA
07/28/16	HG
08/19/16	HG
06/05/17	BS
01/03/18	SD
01/10/19	BS
10/21/20	BS

PTN. SEC. 33 7 34  
T. 12 S. R. 4 E.

ASSESSOR'S OFFICE, COUNTY OF SAN BENITO, CA.



GENERAL NOTES

- The code editions to be followed:  
California Plumbing Code 2019 Edition California Building Code 2019 Edition  
California Electrical Code 2019 Edition California Mechanical Code 2019 Edition  
California Energy Standards 2019 Edition California Green Building Standards Code 2019 Edition  
California Residential Code 2019 Edition California Fire Code 2019 Edition
- Hold down devices must be secured in place prior to foundation inspection.
- Fasteners in preservative-treated wood (anchor bolts, nails, screws, etc.) shall be of an approved silicon bronze or copper, stainless steel or hot-dipped zinc coated steel.
- Foundation sills shall be a naturally durable wood or a preservative-treated wood.
- Anchor bolts shall be a minimum of 1/2 inch diameter in SDC D and 5/8 inch minimum diameter in SDC E.
- Anchor bolts shall be embedded a minimum of 7 inches into foundation.
- Anchor bolts shall not be spaced more than 6 feet apart in SDC D and no more than 4 feet apart in SDC E.
- There shall be a minimum of 2 bolts per sill piece with one bolt not located more than 12 inches or not less than 4 inches of each end of the sill piece.
- Washers for anchor bolts shall be a minimum of 3 inches by 3 inches by 0.229 inch thick. Steel plate washers may be slotted.
- Minimum compression strength of concrete shall be 2,500 psi.
- Reinforcing Steel to be a minimum of ASTM A615 Grade 60.
- Framing lumber shall be Douglas Fir #2 (unless noted otherwise).
- Wall framing shall comply with CRC Table 2308.5.1.
- Nailing shall be in compliance with CRC Table 2304.10.1.
- Foundation vents to be 6"x14" @ 8'-0" o.c. max.
- Block or double joist under all walls. Blocking at 8'-0" o.c. max (not applicable with TJI's).
- Attic and foundation venting shall be a minimum of 1/150 of the area to be vented.
- Smoke detectors and carbon monoxide alarms in new structures shall receive their primary power from the house primary wiring and shall have a battery backup.
- Egress requirements for sleeping rooms:  
a. Min. net clear operable dimension of 24" in height. b. Min. net clear operable dimension of 20" in width.  
c. Min. net clear operable dimension of 5.7 square feet d. Maximum distance to floor is 44"
- Joints and other openings in the building envelope that are potential sources of air leakage shall be caulked, gasketed, weather-stripped or otherwise sealed to limit infiltration and exfiltration.
- The first 5' of hot and cold water pipes from the storage tank from non-recirculating systems shall be thermally insulated with a minimum of 1" (75') thick insulation for hot (cold) water pipes with a diameter of less than or equal to 2" or 1.5" (1") for hot (cold) water pipes with a diameter of greater than 2" and conform to Cal Energy Code 150.0.(12)
- The builder/contractor shall provide the owner and County Building Department a copy of the CF-2R Installation Certificate at the time of inspection.
- Air ducts installed under a floor in a crawl space shall be installed as to maintain a vertical clearance of 18" for all portions of the duct that would obstruct access to any part of the crawl space.
- Shower compartments and walls above bathtubs with installed shower heads shall be finished with a smooth, non-absorbent surface to a height of not less than 72" above finish floor. Ceramic tile is to be installed over fiber-cement or cementitious backer board.
- The maximum hot water temperature discharging from the bathtub, shower and whirlpool bathtub filler shall be limited to 120 degrees Fahrenheit. The water heater thermostat shall not be considered a control for the meeting of this provision.
- Plumbing fixtures are required to meet the following maximum flow rates; shower heads 1.8 gpm @ 80 psi, kitchen faucet 1.8 gpm @ 60 psi, lav faucets 1.2 gpm @ 60 psi and water closets 1.28 gallons per flush.
- The shower valve shall be a pressure balance type, thermostatic mixing type or a combination pressure balance/thermostatic mixing type.
- Fiber-cement, fiber-mat reinforced cementitious backer units, glass mat gypsum backers of fiber-reinforced gypsum backers in compliance with ASTM C 1288, C 1325, C 1178 or C 1278 respectively and installed in accordance with manufacturer's recommendations shall be used as backers for wall tile in tub and shower areas and wall panels in shower areas [CRC R702.4.2]
- Ceramic tile surfaces shall be installed in accordance with ANSI A108.1, A108.4 through A108.6, A108.11, A118.1, A118.3, A136.1, and A157.1. [CRC R702.4.1]
- The waste outlet and tailpiece for the shower shall be a minimum 2" in diameter.

OWNER: Olivier & Sarah Griss  
830 Mission Vineyard Road  
San Juan Bautista, CA 95045

PROJECT DATA:  
A.P.N. 002 - 550 - 019 - 000  
Zoning Industrial  
Occupancy Group R-3  
Construction Type V-B Non-Sprinkled  
Parcel Size 45,909 sq. ft. 1.04 Ac.  
Lot Coverage < 10%  
Proposed ADU 236 sq. ft.

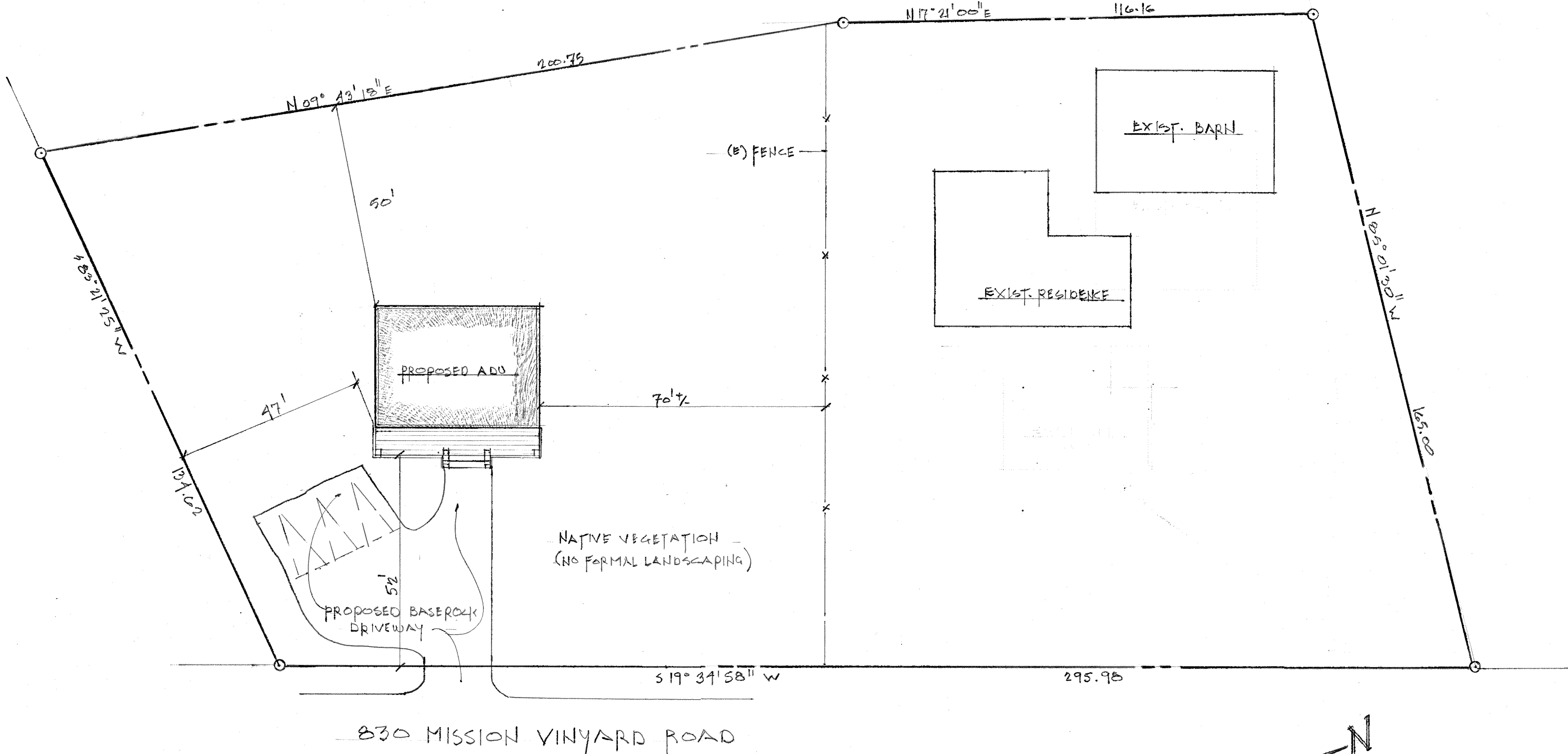
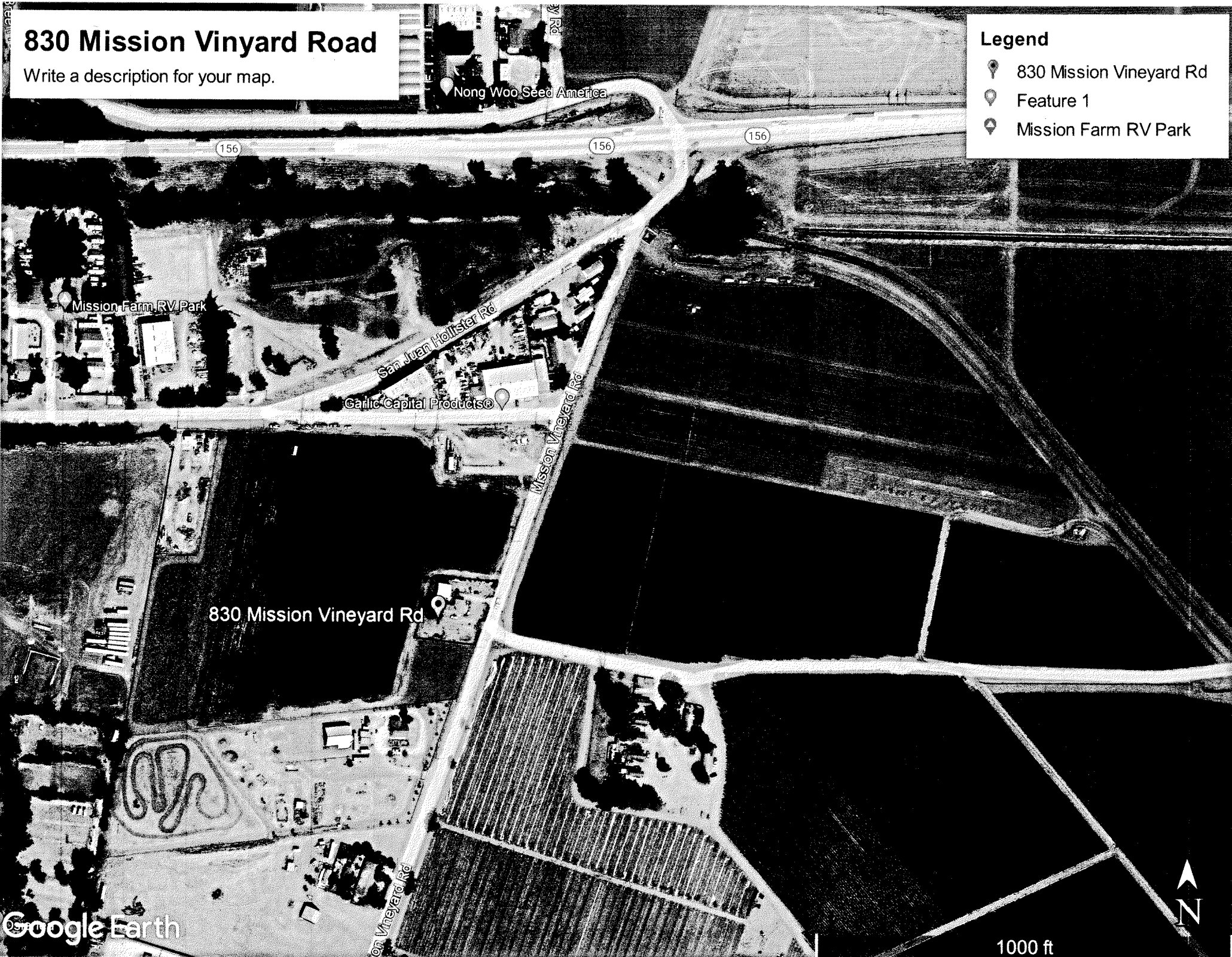
SCOPE OF WORK:  
• Construct a 1,200 sq. ft. 3 bedroom, 2 bathroom ADU with a 240 sq. ft. covered deck.  
• Paint color to be a light green with white trim to match existing residence.

SHEET INDEX:  
Sheet 1: Site Plan, Vicinity Map and Notes  
Sheet 2: Floor Plan, Electrical Plan, & Notes  
Sheet 3: Foundation Plan, Roof Framing & Details  
Sheet 4: Sections  
Sheet 5: Elevations  
Sheet D.1: Engineering Notes  
Sheet D.2: Engineering Details & Shear Wall Schedule  
Page EN.1 & EN.2: Title 24 Energy Calculations  
Page GB.1: Green Building Requirements

DESIGNER:  
ROBIN ALAGA  
250 Evening Hill Lane  
Watsonville, CA 95076  
831.419.4919

STRUCTURAL ENGINEER:  
TIM WANN  
2941 Park Ave. Suite J  
Soquel, CA 95073  
831.479.1513

ENERGY CONSULTANT:  
A PLUS GREEN ENERGY SERVICE  
41C Hanger Way  
Watsonville, CA 95076  
831.728.7717



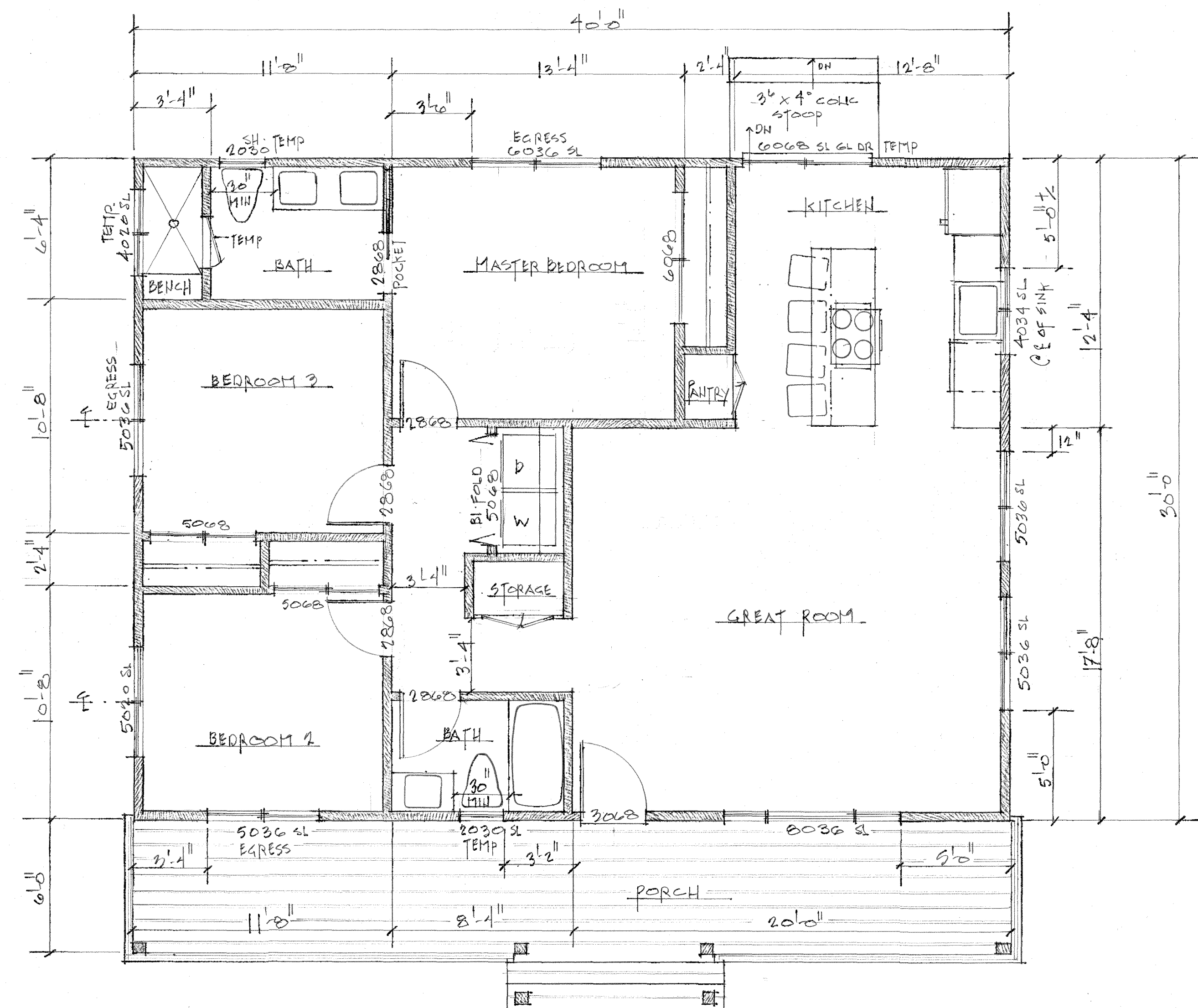
REVISIONS	BY

ROBIN ALAGA  
250 Evening Hill Lane  
Watsonville, CA 95076  
Phone: (831) 724-4994 Cell: (831) 419-4919  
e-mail: alagane@gmail.com

GRISS A.D.U.  
Olivier & Sarah Griss olivier-griss@gmail.com 831.521.7094  
830 Mission Vineyard Road, San Juan Bautista, CA 95045  
A.P.N. 002 - 550 - 019 - 000

DRAWN ROBIN
CHECKED
DATE 18 AUGUST 22
SCALE NOTED
JOB NO. 22-35
SHEET 1
OF 1 SHEETS





# FLOOR PLAN

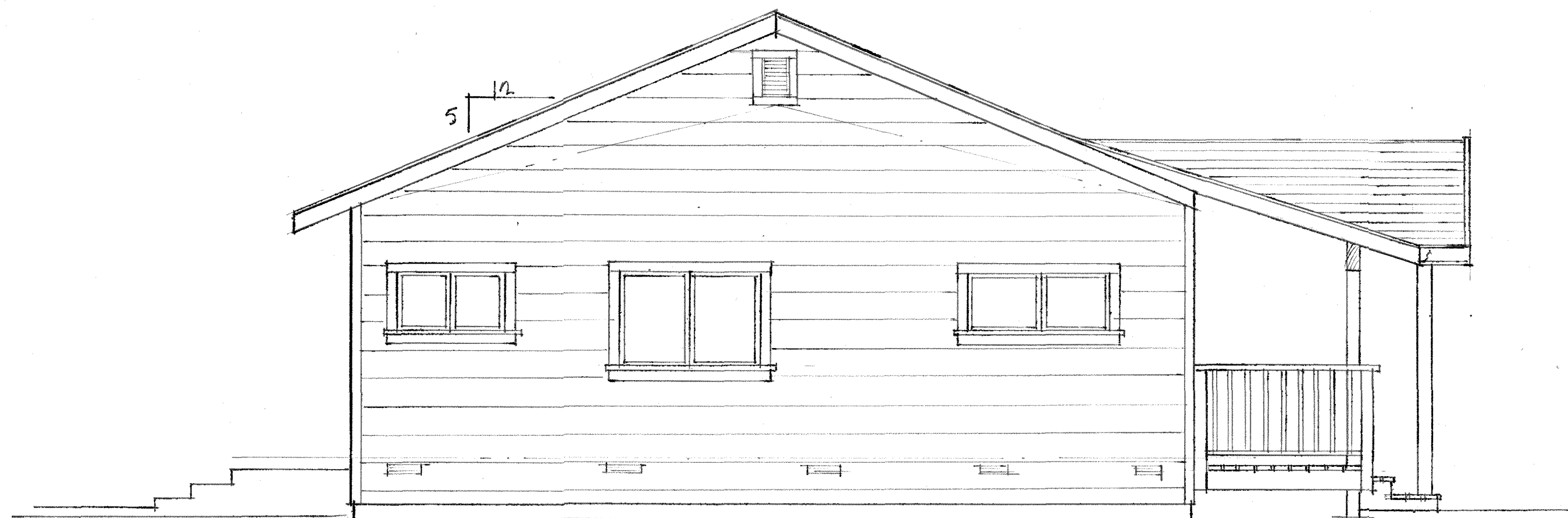
SCALE: 1/4" = 1'-0"

REVISIONS	BY

**ROBIN ALAGA**  
 250 Evening Hill Lane, Corralitos, CA 95076  
 Phone: (831) 724-4994 Cell: (831) 449-4919  
 e-mail: alagac@comcast.net

**GRISS A.D.U.**  
 Olivier & Sarah Griss olivier.griss@gmail.com 851.521.7094  
 850 Mission Vineyard Road San Juan Bautista, CA 95045  
 A.P.N. 002 - 550 - 019 - 000

DRAWN ROBIN	CHECKED
DATE 18 AUGUST 2022	SCALE 1/4" = 1'-0"
JOB NO. 12-40	SHEET 2
OF	SHEETS



SOUTH ELEVATION

SCALE: 1/4" = 1'-0"



EAST ELEVATION

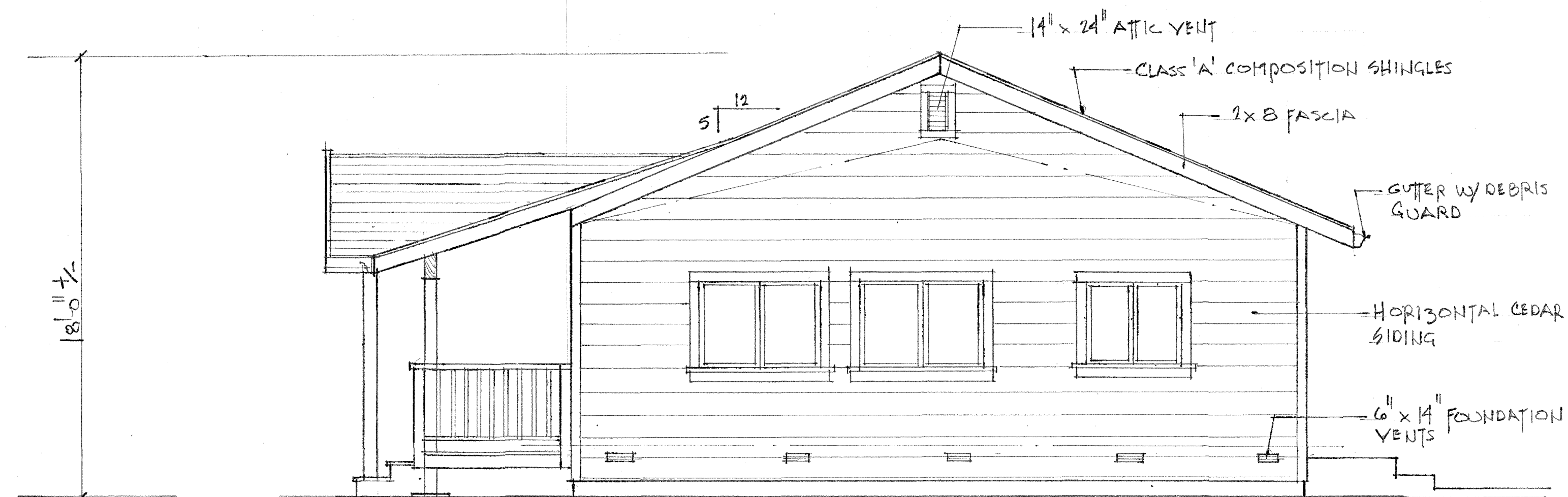
SCALE: 1/4" = 1'-0"

COLORS	
ADU MAIN BODY	LIGHT GREEN TO MATCH EXISTING RESIDENCE
TRIM	WHITE TO MATCH EXISTING RESIDENCE
ROOF	DARK BROWN COMPOSITION SHINGLES



WEST ELEVATION

SCALE: 1/4" = 1'-0"



NORTH ELEVATION

SCALE: 1/4" = 1'-0"

REVISIONS	BY

**ROBIN ALAGA**  
250 Evening Hill Lane, Corralitos, CA 95076  
Phone: (831) 724-4994 Cell: (831) 419-4919  
e-mail: alagaur@gmail.com

**GRISS A.D.U.**  
Oliver & Sarah Griss oliver.griss@gmail.com 831.521.7094  
850 Mission Vineyard Road, San Juan Bautista, CA 95045  
A.P.N. 002 - 550 - 019 - 000

DRAWN	ROBIN
CHECKED	
DATE	18 - AUG - 2022
SCALE	1/4" = 1'-0"
JOB NO.	22-35
SHEET	5
OF	5 SHEETS

Received

OCT 06 2022

830 MISSION VINYARD ROAD

City of San Juan Bautista

# EXTERIOR COLORS & MATERIALS

## SIDING



Benjamin Moore  
Soft Fern

## TRIM

Benjamin Moore  
2-White

## ROOFING



Certainteed  
Woodland Cedarwood Abbey

## WINDOW SASH

Milgard  
White Vinyl

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EAST ELEVATION





NORTH ELEVATION

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WEST ELEVATION

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SOUTH ELEVATION

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OCT 06 2022

City of San Juan Bautista

SIDING



SIDING



## RESOLUTION 2022-XX

### **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN JUAN BAUTISTA APPROVING A USE PERMIT TO ALLOW EXPANSION OF A NON-CONFORMING SINGLE FAMILY RESIDENCE IN THE "I" INDUSTRIAL ZONING DISTRICT VIA AN ACCESSORY DWELLING UNIT (ADU) ON PROPERTY LOCATED AT 830 MISSION VINEYARD RD (APN 002-550-019) (GRISS)**

**WHEREAS**, on August 18, 2022 Dan Devries applied for a Use Permit on behalf of Olivier Griss (Applicant) to allow for expansion of a nonconforming residential use via a 1,200 sq. ft accessory dwelling unit as illustrated on plans dated August 18, 2022 (exhibit A);

**WHEREAS**, the proposed Use Permit to expand a nonconforming residential use via an accessory dwelling unit is Categorically Exempt from CEQA in accordance with Guideline Section 15303 (new construction or conversion of small structures)

**WHEREAS**, the proposed Use, subject to conditions in the attached Exhibit, will enable the following findings:

- (A) Finding: the use is necessary or desirable in relation to the purposes and intent of the San Juan Bautista General Plan, zoning ordinance, and the economic, social and environmental status of the City.

Evidence: the propose project, as depicted on plans dated August 18, 2022 is an accessory dwelling unit that, with conditions, will comply with requirements of San Juan Bautista Municipal Code Section 11-04.5. The proposed expansion via an ADU consistent with, and in excess of, minimum design standards with ministerial development standards of Municipal Code Section 11-04.5 will not exacerbate any future land use conflict that may impair the viability of any future industrial land use.

- (B) Finding: The use will be properly related to other uses, transportation facilities, and other public facilities in the area, and will not cause undue environmental impacts relating to noise, odor, pollution, etc.

Evidence: conditions of approval require that the accessory dwelling unit, as a residential use that is accessory to a single family residence, will comply with Fire, Building and Public Health codes and regulations.

- (C) Finding: The use will not adversely affect the health or safety of persons living or working in the vicinity, or be materially detrimental to the public welfare of the City and its residents.

Evidence: The proposed use, as designed referenced in plans dated August 18, 2022 and subject to conditions in the attached Exhibit, will not alter the residential density, or change the manner in which the property is utilized to an extent that would impair the use of surrounding properties, or impair to a greater extent than existing land uses, the improvement of surrounding properties to accommodate industrial land uses.

NOW, THEREFORE, BE RESOLVED that the San Juan Bautista Planning Commission APPROVES expansion of a nonconforming residential use via an accessory dwelling unit on 830 Mission Vineyard Road based on findings and subject to conditions contained in Exhibit A.

**PASSED AND ADOPTED** by the Planning Commission of the City of San Juan Bautista on this 1st day of November 2022, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

---

Yolanda Delgado, Chairperson

**ATTEST:**

---

Trish Paetz, Planning Commission Secretary

EXHIBIT 'A'  
Conditions of Approval  
830 Mission Vineyard Rd (APN 002-550-019) (Griss)  
November 1, 2022

**Planning Dept.**

1. Prior to the issuance of a Building or Grading Permit applicant shall submit revised plans demonstrating the accessory dwelling is 1000 sq. ft. or less, not including any portion not defined as habitable space.
2. Prior to issuance of a Building or Grading Permit, applicant shall submit written evidence by the Fire Marshall of compliance with Fire Dept and City Engineer Requirements.

**City Engineer**

3. Prior to issuance of a Building, Grading or Encroachment Permit applicant shall submit an engineered site development plan for review and approval in writing by the City Engineer. The site development plan shall include the following:
  - a) Grading Plan showing existing and proposed contours for the building pad, driveway and parking areas.
  - b) Surface water and storm water plan;
  - c) Location of on-site utilities and off site connections
  - d) Parking areas and driveway shall comply with SJB MC Chapter 11-1 *Parking* with respect to dimensions and surfacing. An encroachment permit shall be required for the interface between the on-site driveway and the City Right of Way. The design of driveway entrances to the site shall be reviewed and approved by the City Engineer.
4. Prior to issuance of a Building or Grading Permit applicant shall submit written evidence of review and approval by the San Benito County Environmental Health Dept of septic system(s) serving the existing and proposed residences.

**Fire Dept.**

5. 506.1 **Require a key box** or other approved emergency access device to be installed in an approved location. The key box or other approved emergency access device shall be of an approved type and shall contain keys or other information to gain necessary access as required by the fire code official. Knox automatic key switch, Knox pad lock on a gate or automatic gate.

6. 603.6.6 **Spark arresters.** An approved spark arrester shall be installed on all chimneys, incinerators, smokestacks or similar devices using solid fuel for conveying smoke or hot gases to the outer air.
7. 903.2 **Approved automatic sprinkler systems** shall be provided in all new buildings and structures constructed, moved into or relocated within the jurisdiction. **REQUIRED IF OVER 1200 SQUARE FEET WITH WATER SUPPLY AND WATER STORAGE-1 TANK OR IF MAIN HOME DOES HAVE FIRE SPRINKLERS. IF KEPT BELOW 1200. Sq ft. and main home does not have sprinklers then ADU does not require them.**
8. O103.1 **Driveways** shall be defined as access pathways for one or two parcels. Driveways shall not be less than 12 feet wide unobstructed, with an unobstructed vertical clearance of not less than 15 feet. The grade for all driveways shall not exceed 15 percent with a maximum side slope of 5%. Where the grade exceeds 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. If permitted by the fire code official, grades over 15% shall be paved with perpendicularly grooved concrete. The driveway surface shall be capable of supporting the imposed load of fire apparatus (22 tons), and be accessible by conventional-drive vehicles, including sedans. For driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400-foot intervals. Turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum of 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be 30 feet long with a minimum 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the driveway. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length.
9. O103.2 **Gates** providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gate entrances shall be at least the width of the traffic lane but in no case less than 14 feet wide. Where a one-way road with a single traffic lane provides access to a gated entrance, a 40-foot turning radius shall be used. Where gates are to be locked, the installation of a key box, lock or Knox key switch is required.
10. O104.2 **Addresses for buildings.** Letters, numbers and symbols for addresses shall be a minimum of 4-inch height. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are

required at a single driveway, they shall be mounted on a single sign. Permanent address numbers shall be posted prior to requesting final clearance.

11. O105.1 **Water systems** shall be installed and made serviceable prior to the time of construction. Water systems constructed, extended or modified to serve a new development, a change of use, or an intensification of use, shall be designed to meet, in addition to average daily demand, the standards shown in The San Benito County General Plan, NFPA Standard 1142, or other adopted standards. The quantity of water required pursuant to this chapter shall be in addition to the domestic demand and shall be permanently and immediately available
12. O105.3 **Single parcel fire protection water supply.** For development of structures totaling less than 3,000 square feet on a single parcel, the minimum fire protection water supply shall be 4,900 gallons (1 tank) 3,000 square feet or more on a single parcel, the minimum fire protection water supply shall be 9,800 gallons (2 tanks). For development of structures totaling more than 10,000 square feet on a single parcel, the reviewing authority may require additional fire protection water supply.
13. O105.4 **Fire hydrants and valves.** A fire hydrant or fire valve is required. The hydrant or fire valve shall be 18 inches above grade, 8 feet from flammable vegetation, no closer than 4 feet nor further than 12 feet from a roadway, and in a location where fire apparatus using it will not block the roadway. The hydrant serving any building shall be not less than 50 feet and by road from the building it is to serve. Minimum hydrant standards shall include a brass head and valve with at least one 2 1/2 inch National Hose outlet supplied by a minimum 4 inch main and riser. **More restrictive hydrant requirements may be applied by the Reviewing Authority.** Each hydrant/valve shall be identified with a reflectorized blue marker, with minimum dimensions of 3 inches, located on the driveway address sign, non-combustible post or fire hydrant riser. **2 ½ in. wharf fire hydrant acceptable.**
14. O109.1 **Standard defensible space requirements.** Combustible vegetation shall be removed from within a minimum of 100 feet or to the property line from structures, whichever is closer.
15. **Schedule final fire** life safety inspection pay associated fees at 831-636-4325



## CITY OF SAN JUAN BAUTISTA

P.O. Box 1420, 311 Second Street  
San Juan Bautista, CA 95045

## PLANNING DEPARTMENT

Phone: (831) 623-4661  
Fax: (831) 623-4093

## PLANNING APPLICATION COVER PAGE

## TYPE OF APPLICATION (CHECK ALL THAT APPLY).

- |   |  |
|---|--|
| <input type="checkbox"/> <u>Historic Resource Design Review</u> | <input checked="" type="checkbox"/> Annexation     |
| <input type="checkbox"/> Informal Project Review                | <input type="checkbox"/> Urban Growth Boundary     |
| <input type="checkbox"/> Major Projects                         | <input type="checkbox"/> Rezoning / Pre-zoning     |
| <input type="checkbox"/> Minor Projects                         | <input type="checkbox"/> General Plan Amendment    |
| <input type="checkbox"/> <u>Design Review</u>                   | <input type="checkbox"/> Zoning Text Amendment     |
| <input type="checkbox"/> Informal Project Review                | <input type="checkbox"/> Certificate of Compliance |
| <input type="checkbox"/> Major Projects                         | <input type="checkbox"/> Lot Line Adjustment       |
| <input type="checkbox"/> Minor Projects                         | <input type="checkbox"/> Secondary Dwelling Unit   |
| <input type="checkbox"/> Sign Permit                            | <input type="checkbox"/> Variance                  |
| <input type="checkbox"/> Conditional Use Permit/Amendment       | <input type="checkbox"/> Permit Amendment          |
| <input type="checkbox"/> Tentative Map Major                    | <input type="checkbox"/> Appeal                    |
| <input type="checkbox"/> Tentative Map Minor                    | <input type="checkbox"/> Other _____               |
| <input type="checkbox"/> Planning Unit Development              |  |

## Applicant(s):

Name: Robert FultonMailing Address: 1343 Locust St Ste 204, Walnut Creek, CA 94596Phone: 925-519-9020 email: fulton136@comcast.net

## Property/Land Owner(s):

Name: D. Christopher & Sons, LLCMailing Address: 1149 San Juan Hwy, San Juan Bautista, CA 95045

Phone: \_\_\_\_\_

Name and mailing address of property owner's or applicant's duly authorized agent who is to be furnished with notice of hearing (Section 65091 – California Government Code):

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone: \_\_\_\_\_ email: \_\_\_\_\_

Project Address/Location: 1149 San Juan Hwy, San Juan BautistaMost Current Assessor's Parcel Number: 012-200-003- & 012-200-008

## For Office Use Only:

Date Application Submitted \_\_\_\_\_ Deposit Collected \$ \_\_\_\_\_ Date \_\_\_\_\_

Date Application Complete \_\_\_\_\_ Billing Number \_\_\_\_\_

File Number(s) \_\_\_\_\_

Received

OCT 13 2022

12/17/2013

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City of San Juan Bautista



## CITY OF SAN JUAN BAUTISTA

P.O. Box 1420, 311 Second Street  
San Juan Bautista, Ca 95045

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Phone: (831) 623-4661

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**OCT 13 2022**

**City of San Juan Bautista**

### ENVIRONMENTAL INFORMATION

#### ENVIRONMENTAL SETTING

Please provide the following information on a separate piece of paper:

- ☐ Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, cultural and historic resources, and any scenic aspects of the sites. Describe any existing structures on the site and the uses of those structures.
- ☐ Describe the surrounding properties, including information on topography, soil stability, plants and animals, cultural and historic resources, and any scenic aspects of the area. Indicate the type and intensity of land uses, and the scale of the development.

#### ENVIRONMENTAL CHECKLIST:

Would the Project result in the following (provide a brief description for each item checked "yes"):

Change in existing features of any streams, creeks, lakes, or wetlands: ( ) Yes ( ☒ ) No

No changes to exiting streams are proposed

Change in scenic views or vistas from existing residential areas or public land or roads: ( ☒ ) Yes ( ) No

The annexation would not change the existing views, but it would allow future development, which would result in a change to existing views

Use or disposal of hazardous materials, toxic substances, flammable materials, or explosives: ( ) Yes ( ☒ ) No

The request is for residential pre-zoning, not a commercial or industrial use.

Change in ocean, bay, lake, stream, or ground water quality or quantity, or alteration of existing drainage patterns: ( ) Yes ( ☒ ) No

Change in pattern, scale, or character of surrounding area of project: ( ) Yes ( ☒ ) No

The property is on the border of residential urban use and rural county use. This annexation would bring the property in with a use compatible to the neighboring properties.



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City of San Juan Bautista

Significant amounts of solid waste or litter:

( ) Yes (X) No

No change is proposed as part of this annexation, although it will allow for development in the future. Any future development would go through a separate review process with the city of San Juan Bautista.

Substantial alteration to topography or ground contours:

( ) Yes (X) No

No change is proposed as part of this annexation, although it will allow for development in the future. Any future development would go through a separate review process with the city of San Juan Bautista.

Change in dust, ash, smoke, fumes, or odors in the vicinity of the project:

( ) Yes (X) No

No change is proposed as part of this annexation, although it will allow for development in the future. Any future development would go through a separate review process with the city of San Juan Bautista.

Substantial change in existing noise or vibration levels in the vicinity:

( ) Yes (X) No

No change is proposed as part of this annexation, although it will allow for development in the future. Any future development would go through a separate review process with the city of San Juan Bautista.

Building on filled land or on a slope of 10 percent or more:

( ) Yes (X) No

No change is proposed as part of this annexation, although it will allow for development in the future. Any future development would go through a separate review process with the city of San Juan Bautista.

Substantial change in demand for municipal services (police, fire, water, sewer, etc.):

( ) Yes (X) No

No change is proposed as part of this annexation, although it will allow for development in the future. Any future development would go through a separate review process with the city of San Juan Bautista.

Substantial increase in fossil fuel consumption (electricity, oil, natural gas, etc):

( ) Yes (X) No

No change is proposed as part of this annexation, although it will allow for development in the future. Any future development would go through a separate review process with the city of San Juan Bautista.

Relationship to a larger project or a series of projects:

( ) Yes (X) No

Substantial change or increase of traffic on surrounding roads and highways:

( ) Yes (X) No

No change is proposed as part of this annexation, but a proposed corridor is shown on the exhibits that would provide circulation between the Lavaganino Dr and Larios Dr. The applicant would suggest that this connection be a Condition of Approval for any future development.



# CITY OF SAN JUAN BAUTISTA

P.O. Box 1420, 311 Second Street  
San Juan Bautista, CA 95045

## PLANNING DEPARTMENT

Phone: (831) 623-4661  
Fax: (831) 623-4093

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City of San Juan Bautista

### PROJECT DESCRIPTION

Name of Project Applicant: Robert Fulton

Mailing Address: 1343 Locust St #204, Walnut Creek, CA 94596 Phone: 925-519-9020

Name of the project: \_\_\_\_\_

Project location (address and/or Assessor's Parcel Number(s): 012-200-003 & 012-200-008

1149 San Juan Hwy, San Juan Bautista, CA 95045

Size of project site (acreage): 63.67 acres

Existing General Plan Land Use Designation: AP (county)

Existing Zoning Designation: AP (county)

Describe the existing land use(s) of the site: \_\_\_\_\_

The site is currently a single family rural home, with a residence, mobile home, barn, arena  
corrals and pasture.

Describe the existing land use of properties surrounding the site: \_\_\_\_\_

Single family residential, SJB wastewater treatment plant, and ranching

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OCT 13 2022

Describe the proposed land use(s)/Project: \_\_\_\_\_

This project is to pre-zone the property and annex it into the City of San Juan Bautista. No change is proposed as part of this annexation, although it will allow for development in the future. Any future development would go through a separate review process with the city of San Juan Bautista.

For residential uses, indicate the number, type, and size of the units: \_\_\_\_\_

Any future development will be consistent with the zoning.

For proposed use, the estimated number of employees, and the hours of operation: N/A

List and describe any other permits or public approvals required for this project, including those required by city, regional, state, and federal agencies: \_\_\_\_\_

CEQA, City of San Juan Bautista approval, LAFCO approval

OCT 18 2022

City of San Juan Bautista

Please describe the proposed scheduling and implementation of the project: \_\_\_\_\_

No change is proposed as part of this annexation, although it will allow for development in the future.

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Please provide any additional relevant information that can assist in the processing of this application: \_\_\_\_\_

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## CITY OF SAN JUAN BAUTISTA

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San Juan Bautista, CA 95045

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## PLANNING DEPARTMENT

Phone: (831) 623-4661

Fax: (831) 623-4093

### ANNEXATION

The process of having property annexed into the City of San Juan Bautista requires approval from the City of San Juan Bautista and the San Benito County Local Agency Formation Commission (LAFCO). Annexations must comply with the Cortese-Knox Government Reorganization Act of 2000, and the policies of the San Benito County LAFCO.

#### APPLICATION REQUIREMENTS:

- ☐ Required application fee of \$5,250
- ☐ All items described and specified by Chapter 10-2, Article 4 & 5 of the City Municipal Code (refer to the attached sheets or to the City Website).
  - ☐ 262.50 fee for a Notice of Exemption (NOE), or
  - ☐ CEQA Review (IS/MND or EIR). The applicant shall either submit an appropriate level CEQA document (IS/MND or EIR) prepared for the project by the applicant, to the City for peer review and processing OR submit a deposit in the amount of \$5,300 to be used for the preparation of an appropriate CEQA document. Fees will be charged to the applicant on a Time and Materials basis, using approximately \$222.00 per hour.
  - ☐ Notice of Determination (NOD). An additional fee is charged by the California Department of Fish and Game for their review of all environmental documents: Check with the California Department of Fish and Game for the fee. There is also a County Recording fee. Fees are updated each year. Check with County Recorders Office for exact fees.
- ☐ Planning Application Cover page (not required if filed with previous application)
- ☐ Legal description per the requirements of LAFCO and the State Board of Equalization (metes and bounds) of each property in proposed annexation area
- ☐ Annexation Map indicating the proposed annexation area, the property boundaries, and the Assessor Parcel Numbers. Map to conform to State and LAFCO requirements.
- ☐ County Assessor's Map identifying the annexation area.
- ☐ The names, addresses, and signatures of all property owners within the annexation area that are in favor of the proposed annexation.
- ☐ The names and address of all registered voters in the proposed annexation area.
- ☐ Annexation Form (see attached)
- ☐ Environmental Information form (see attached)
- ☐ Provide mailing labels addressed to the current property owners of all units located on properties within 300' of the project site's property lines. Mailing labels for occupants of rental units will be addressed to "Occupant".

**Note:** All items must be included in the application in order for it to be deemed complete. Failure to include the requested items may result in a delay of the application process.

## ANNEXATION FORM

OCT 13 2022 OCT 15 2022

City of San Juan ~~San Juan~~ San Juan Bautista

- ☐ Applicant Name: Robert Fulton
- ☐ Location of proposed annexation: APN 012-200-003 & 012-200-008
- ☐ Total Acreage: 63.68 acres
- ☐ The area proposed for annexation is:
- ☒ Uninhabited (11 or fewer voters)
- ☐ Inhabited (12 or more voters)
- ☐ What is the estimated population of the area to be annexed? 3
- ☐ Provide the following information for each property within the proposed annexation area:

APN	Acreage	County Zoning	Land Use Designation	Existing Use	Proposed Use
<u>012-200-008</u>	<u>58.68</u>	<u>RR</u>	<u>RR</u>	<u>single family home</u>	<u>R-1-6, R-3</u>
<u>012-200-003</u>	<u>4.99</u>	<u>RR</u>	<u>RR</u>	<u>undeveloped</u>	<u>R-1-6, R-3</u>

Why is the proposed annexation necessary? \_\_\_\_\_

Annexation is in keeping with the current San Juan Bautista General Plan and the views expressed by city residents in the recent charettes discussing the new General Plan

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City of San Juan Bautista

Are any of the properties proposed for annexation under Williamson Act Contract? If yes, identify and explain the status of each contract: No

Is the area proposed for annexation within the City's Urban Growth Boundary? Yes

What school district would serve the proposed annexation? San Juan schools

Does the annexation involve residual properties? If yes, list the residual properties and provide an explanation of why it is necessary to include them with the annexation.

The property has a single family home, but is zoned rural residential

Describe the services that will be extended to the annexation area. Include information on water, sewer, gas, electricity, fire, and police.

All services would be needed, but the annexation provides an opportunity to loop existing services from Lavaganino Dr and Larios/Monterey St

Indicate the public improvements that would have to occur to provide services to the proposed annexation area:

No improvements are required at this time. In the event of future development, services would be connected at Lavaganino Dr, which already has existing stubs to the property line. Improvements to Larios Dr and extension of services in Larios, would be required.

Resolved

OCT 13 2022

City of San Juan Bautista

Indicate any and all constraints of the property including but not limited to Flood Hazards, Seismic/Earthquake hazards, Landslide & Unstable soil, Prime Agriculture Designation, Ridgeline and Steep Slopes and Williamson Act Contract: \_\_\_\_\_  
Portions of the property are indicated as having wetlands and landslide susceptibility. However, these areas will be in the portion of the pre-zoning designated "non-buildable". A portion of the property is marked as Grade 1 soil, but the land is not currently farmed, and has not been recently - it does not support viable farming

Property Description:

Attach a legal description of the property boundaries.

Applicant(s):

Robert Fulton

*Robert Fulton*

Date: *10/6/22*

Date:

Property Owners:

D. Christopher & Sons, LLC

Date:



Received  
OCT 13 2022  
City of San Juan Bautista

Indicate any and all constraints of the property including but not limited to Flood Hazards, Seismic/Earthquake hazards, Landslide & Unstable soil, Prime Agriculture Designation, Ridgeline and Steep Slopes and Williamson Act Contract:\_\_\_\_\_

Portions of the property are indicated as having wetlands and landslide susceptibility. However, these areas will be in the portion of the pre-zoning designated "non-buildable". A portion of the property is marked as Grade 1 soil, but the land is not currently farmed, and has not been recently - it does not support viable farming.

Property Description:

Attach a legal description of the property boundaries.

Applicant(s):

Robert Fuiton

Date: 10/6/22

Date:

Property Owners:

D. Christopher & Sons, LLC

Date: 10/7/22

WA Christopher

Received  
**OCT 13 2022**  
 City of San Juan Bautista



- PRE-ZONE R-1-F  
62.15 ACRES
- PRE-ZONE R-3  
1.51 ACRES
- OPEN SPACE EASEMENT  
24.56 ACRES

**SAN BENTO ENGINEERING & SURVEYING, INC.**  
 514 Monterey Street  
 Redding, California 96003  
 (916) 837-2743 FAX: (916) 837-2451 email: sbeng@aol.com

**PRE-ZONING MAP**

CITY OF SAN JUAN BAUTISTA  
**APN 012-200-008 & 003**  
 SAN BENTO COUNTY, CALIFORNIA







## CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT

**AGENDA ITEM:**                    **PROFESSIONAL SERVICES: HISTORIC  
PRESERVATION PROGRAM**

**MEETING DATE:**            October 18, 2022

**DEPARTMENT HEAD:** Brian Foucht, Community Development Director

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### **RECOMMENDATION:**

Staff recommends that the City Council authorize the City Manager to execute a contract for professional services related to the City's Historic Preservation Program.

### **INFORMATION:**

The scope of services generally corresponds to the historic preservation activities, policies and regulations established in the General Plan Historic Preservation and Community Design Element, the City's Historic Preservation Ordinance, Design Guidelines and Historic San Juan Bautista Plan. While staff is able to administer the City's program, expert advice and consultation will save time and avoid errors as we work to ensure the integrity of the City's historical character, fabric and ambience. Knowledgeable, reliable and consistent expert assistance should be hallmarks of this extremely important City program.

The Historic Resources Board (October 4, 2022) recommended the following overall three – part scope of services:

1. An assessment of documents and current practices regarding historic preservation;
2. On-call services to assist staff in advising applicants regarding application of standards and guidelines; and
3. Recommendations regarding maintenance of our CLG status.

#### **1. Document Assessment**

The following historic preservation documents will be reviewed, and recommendations will be provided regarding their implementation:

- a. The San Juan Bautista Design Guidelines, April 20, 2004
- b. The 2006 Cultural Resource Inventory and Context Statement
- c. The 1981 Cultural Resource Survey

- d. The Certified Local Government Agreement and Reporting Requirements
- e. The Historic Preservation Ordinance (Chapter 11.06)
- f. The Historic Preservation related sections of the San Juan Bautista Plan
- g. Coordination with the Historical Society

## **2. On-Call Historic Preservation Services**

- a. Conduct historic assessments and evaluations
- b. Peer review historic assessments, evaluations and reports prepared by others
- c. Prepare historic preservation reports at the City's request
- d. Provide staff support during public meetings as needed
- e. Meet with or consult with staff and/or applicants to address issues with historic buildings and/or existing City policies or procedures related to historic preservation
- f. Assist staff with inspecting historic buildings for damage due to neglect, misuse, or environmental catastrophe
- g. Establish Maintain a list of qualified consultants for individual applicant use and referral as required in SJB MC 11-06-040 ( C )

## **3. CLG status**

- a) Assist the HRB and staff in preparing the annual status report to SHPO;
- b) Recommend useful CPF and other training for HRB members;
- c) Maintain the list of qualified Architectural Historians in accordance with the Historic Preservation Ordinance;
- d) Review and recommend for use by the City any tools and techniques such Historic Preservation Easements and tax incentive programs.
- e) Recommend and advise staff regarding funding sources to enhance preservation activities and resources.

Staff is carefully considering a sole source professional services agreement with a "uniquely qualified" consultant for this purpose. Unique qualifications will include:

- M.A. in Historic Preservation
- Broad and varied consulting experience as Architectural Historian of record
- Significant experience in local government Historic Preservation programming and support, including work with Historic Resources Review and Resources Boards
- Substantial working knowledge of Secretary of the Interior Standards and Guidelines for the Treatment of Historic Properties
- Qualifications as Historian and Architectural Historian under the Secretary of Interior's Professional Qualifications Standards (36 CFR Part 61).

**FISCAL IMPACTS:**

Portions of the budget for services will be directly expensed to applicants for services related to both major and minor Historic Resources Review. Other related general services will be funded from the Planning Services Operational Budget. Approximately 97% of the \$100,000 Budget remaining. Staff anticipates approximately \$25,000 during the first year, followed by an evaluation of services and alternative funding sources.

## Margaret E. Clovis

14024 Reservation Rd.  
Salinas, CA 93908

(H): (831) 210 9574

### PROFESSIONAL PROFILE

- Recognized ability to visualize a venture from conception to completion. High energy level and positive attitude toward work. Proven people skills, consensus building, customer service sensitivity, and personal creativity. Team player with proven ability to develop rapport and build productive relationships with co-workers, partners, and members of the community.
- Recognized interpersonal written and verbal communication skills, working effectively with people of diverse personalities, backgrounds, and temperaments. Strong experience in oral presentations to small and large groups. Exceptional organizational skills and a proven ability to establish, develop, and implement new ideas and procedures. Recognized for professional commitment and integrity.
- Recognized expert in local history and deeply committed to sharing the diverse stories of people who have contributed to the tapestry of California's heritage. Meets the Secretary of the Interior's Professional Qualifications in History and Architectural History.

### EXPERIENCE

#### HISTORIC PRESERVATION

Served as Historic Preservation Officer for Monterey County for thirty years. Wrote Monterey County's Historic Preservation Ordinance, Mills Act Ordinance, and prepared Certified Local Government (CLG) application. Staff to Monterey County's Historic Resources Review Board (HRRB) and Historical Advisory Commission (HAC). Responsible for CLG program administration requirements including grants and annual report. Oversaw preparation of Spreckels Historic District Design Review Guidelines, Fort Ord Design Review Guidelines and Preservation Plan, Monterey County's Historic Preservation Plan, Cultural Resource Surveys and context statements for Agricultural Properties in the Salinas Valley, the San Antonio Valley, North County, Pebble Beach, and revisions to Monterey County's Historic Preservation Ordinance. Administered preparation of HABS/HAER reports required as mitigations. Developed and administered Mills Act program for Monterey County. Prepared application and secured designation as a Preserve America Community for Monterey County.

Planned and implemented the restoration, furnishing and interpretation of three Monterey County Parks house museums and the Cooper-Molera Adobe in Monterey, a National Trust for Historic Preservation (NTHP) property. Consulted on the restoration of County-owned historic properties. Oversaw management and maintenance of historic buildings in Monterey County Parks.

Performed CEQA analysis for projects impacting cultural resources including the application of the Secretary of the Interior's Standards for the Treatment of Historic Properties. Reviewed Phase One and Phase Two reports from historic preservation consultants. Worked with owners of historic buildings on renovation solutions that met the Secretary of the Interior's Standards.

#### INTERPRETATION

Developed and implemented interpretive plans for Monterey County Parks, Monterey State Historic Park, and the NTHP. Oversaw numerous exhibitions on Monterey County's history, from planning to



installation, for Monterey County Parks, Monterey State Historic Park, the NTHP, Salinas Valley Memorial Hospital and Monterey Airport's Art in the Airport program.

### **ADMINISTRATION**

Prepared and administered budget for Historical Division of Monterey County Parks. Supervised staff for Monterey County Museum, Environmental Center, and Cooper-Molera Adobe. Prepared and presented staff reports to HRRB, HAC, Monterey County Planning Commission, and Monterey County Board of Supervisors.

### **GRANTS**

Wrote and administered over 200 successful grant applications from both public and private sources, for the Monterey County Parks Foundation, Monterey County Museum, HAC, HRRB, Monterey County Parks Department, Monterey County Planning Department, Monterey County Redevelopment Agency, and National Trust for Historic Preservation.

### **EDUCATION**

Boston University, Boston, MA., *M.A., Preservation Studies*  
Mills College, Oakland, CA., *B.A., Art History*

### **EMPLOYMENT HISTORY**

***Historic Preservation Consultant***, 2017 – present  
City of Carmel-by-the-Sea, City of Monterey, and private clients

***Co-Director of Interpretation & Community Partnerships for the Cooper-Molera Adobe***, 2017 – 2020  
National Trust for Historic Preservation

***Cultural Affairs Manager***, 2000 – Retired 2017  
Monterey County Resource Management Agency, Salinas, CA

***Museum Manager***, 1991- 2000  
Monterey County Parks, Salinas, CA

***Historical Coordinator***, 1981-1991  
Monterey County Parks, Salinas, CA

***Architectural Historian***, 1979-1981  
Charles Hall Page & Associates, San Francisco, CA

### **COMMUNITY VOLUNTEER**

Community Foundation for Monterey County, Member, Grants Committee  
Monterey County Historical Society, Board Member  
Historic Resources Board for City of Salinas, Chair

### **PUBLICATIONS**

*The Salinas Valley*, Arcadia Press, 2005  
*Monterey County's North Coast*, Arcadia Press, 2006

## **AGREEMENT FOR PROFESSIONAL SERVICES**

### **PREAMBLE**

This Agreement for the performance of professional services ("Agreement") is made and entered into on this 20<sup>th</sup> day of October 2022 ("Effective Date"), by and between the City of San Juan Bautista, with its principal place of business located at 311 2nd Street / P.O. Box 1420, San Juan Bautista, CA 95045 ("City") and Margaret (Meg) Clovis, Architectural Historian located at 14024 Reservation Rd., Salinas, CA 93908 ("Consultant"). City and Consultant may be referred to individually as a "Party" or collectively as the "Parties" or the "Parties to this Agreement."

### **RECITALS**

WHEREAS, City desires to secure professional services as described in Exhibit "A" entitled "Scope of Services and Fee Schedule"; and

WHEREAS, Consultant hereby represents that it possesses and will maintain the professional qualifications and expertise to provide such services as follows:

- M.A. in Historic Preservation
- Broad and varied consulting experience as Architectural Historian of record
- Significant experience in local government Historic Preservation programming and support, including work with Historic Resources Review and Resources Boards
- Substantial working knowledge of Secretary of the Interior Standards and Guidelines for the Treatment of Historic Properties
- Qualifications as Historian and Architectural Historian under the Secretary of Interior's Professional Qualifications Standards (36 CFR Part 61).

and;

WHEREAS, the Parties have specified herein the terms and conditions under which such services will be provided and paid for.

NOW, THEREFORE, the Parties hereto agree as follows:

### **AGREEMENT PROVISIONS**

#### **1. SCOPE OF SERVICES**

Except as specified in this Agreement, Consultant shall furnish all technical and professional services, including labor, material, equipment, transportation, supervision, and expertise (collectively referred to as "Services") to satisfactorily complete the work required by City at its own risk and expense. Services to be provided include

- A. Assessment of documents and current practices regarding historic preservation;

- B. On-call services to assist staff in advising applicants regarding application of standards and guidelines; and
- C. Recommendations regarding maintenance of our CLG status.

Services are more fully described in Exhibit "A", entitled "Scope of Services and Fee Schedule". Specific services, such as review of Historic Resources Site and Design Permits and Peer Review of submitted evaluations pursuant to this agreement shall be via Task Order specifying subordinate consultant responsibilities and fees. All of the exhibits referenced in this Agreement are attached and incorporated by this reference.

**2. TERM OF AGREEMENT**

- A. Consultant will begin providing the Services described herein upon receipt of an executed Agreement from City.
- B. Unless extended by mutual written agreement of Parties, or terminated earlier in accordance with this Agreement, Consultant's obligation to perform Services shall commence as described above in paragraph 2A and shall continue in full force and effect for a three (3) year term from the date executed by City, or until satisfactory completion of all Services.

**3. RESPONSIBILITY OF CONSULTANT**

Consultant shall be responsible for the quality, technical accuracy, and coordination of Services furnished under this Agreement. Consultant will endeavor to provide Services in a manner consistent with the level of care and skill ordinarily exercised by other professionals providing the same service in the same locale. Consultant shall be solely responsible to City for the performance of Consultant, and any of its employees, agents, subcontractors, or suppliers under this Agreement.

Compliance with Laws. Consultant shall use the standard of care in its profession to comply with all applicable federal, state, and local laws, codes, ordinances, and regulations.

**4. RESPONSIBILITY OF CITY**

- A. On behalf of City, the City Manager shall be City's authorized representative and will ensure all required budget, purchase orders, service orders and any other internal documentation necessary to comply with the terms of this agreement are properly and timely prepared in order to enable Consultant to continue services according to terms of Agreement.
- B. On behalf of City, the City Manager or designee shall be City's authorized representative in the interpretation and enforcement of all work performed in

connection with this Agreement. The City Manager shall render decisions in a timely manner pertaining to documents submitted by Consultant in order to avoid unreasonable delay in the orderly and sequential progress of Consultant's services. The City Manager or designee may delegate authority in connection with this Agreement to designees. Consultant shall promptly comply with instructions from City Manager and/or his/her designees.

5. **PAYMENT OF COMPENSATION**

- A. In consideration for Consultant's performance of Services, City shall pay Consultant pursuant to Consultant's Standard Rate Schedule, the current version of which is outlined in the attached Exhibit "A", entitled "Scope of Services and Fee Schedule." Payments made by City under this Agreement shall be the amounts charged for Services provided and billed by Consultant, subject to verification by City, pursuant to the standard rates set forth in the Fee Schedule. City shall compensate Consultant for services performed within the limits of the City Manager's authority.
- B. Consultant shall bill City on a monthly basis for Services provided by Consultant during the preceding month, subject to verification by City. Payment to Consultant for Services will be made within thirty (30) days of date of Consultant invoice. Amounts unpaid 60 days after invoice date shall bear interest at the rate of 1% per month.
- C. The total disbursement of payments for this contract in its total shall not exceed \$50,000 (Fifty - Thousand Dollars).

6. **RIGHT TO TERMINATION**

Both parties reserve the right to terminate this Agreement at any time, with or without cause, upon thirty (30) days written notice to the other party. As of the date of termination, Consultant shall immediately cease all services hereunder, except such as may be specifically approved by both Consultant and City's authorized representative after termination has been noticed under this provision ("windup services"). Consultant shall be entitled to compensation for all services rendered prior to termination, and any agreed-upon windup services.

7. **NO ASSIGNMENT OF AGREEMENT/SUCCESSORS IN INTEREST**

This Agreement is a contract for professional services. City and Consultant bind themselves, their partners, successors, assigns, executors and administrators to all covenants of this Agreement. Except as otherwise set forth in this Agreement, no interest in this Agreement shall be assigned or transferred, either voluntarily or by operation of law, without the prior written approval of both parties.

8. **NO AUTHORITY TO BIND CITY**

Consultant shall not have authority, expressed or implied, to act on behalf of City as an agent, or to bind City to any obligations whatsoever, unless specifically authorized in writing by the City Manager or his/her authorized representative.

9. **NO THIRD PARTY BENEFICIARY**

This Agreement shall not be construed to be an Agreement for the benefit of any third party or parties and no third party or parties shall have any claim or right of action under this Agreement for any cause whatsoever.

10. **CONSULTANT IS AN INDEPENDENT CONSULTANT**

It is agreed that in performing the work required under this Agreement, Consultant and any person employed by or contracted with Consultant to furnish labor and/or materials under this Agreement is neither an agent nor employee of City. Consultant has full rights to manage its employees subject to the requirements of the law.

11. **CONFIDENTIALITY OF MATERIAL**

All memoranda, specifications, plans, data, drawings, descriptions, documents, discussions or other information received by or for Consultant and all other written information submitted to Consultant in connection with the performance of this Agreement shall be held confidential by Consultant and shall not, without the prior written consent of City, be used for any purposes other than the performance of the Services nor be disclosed to an entity not connected with performance of the Services. Nothing furnished to Consultant, which is otherwise known to Consultant or becomes generally known to the public or is of public record, shall be deemed confidential. Nothing under this Agreement shall be construed to interfere with the City's performance of its obligations under the CA Public Records Act.

12. **RIGHT OF CITY TO INSPECT RECORDS OF CONSULTANT**

City, through its authorized employees, representatives or agents shall have the right during the term of this Agreement and for three (3) years from the date of final payment for goods or services provided under this Agreement, to audit the books and records of Consultant for the purpose of verifying any and all charges made by Consultant in connection with Consultant's compensation under this Agreement, including termination of Consultant. Consultant agrees to maintain sufficient books and records in accordance with generally accepted accounting principles to establish the correctness of all charges submitted to City. City shall disallow any expenses not so recorded.

Consultant shall submit to City any and all reports concerning its performance under this Agreement that may be requested by City in writing. Consultant agrees to assist City in meeting City's reporting requirements to the State and other agencies with respect to Consultant's Services hereunder.

**13. CORRECTION OF SERVICES**

Consultant will be given the opportunity and agrees to correct any incomplete, inaccurate or defective Services at no further cost to City, when such defects are due to the negligence, errors, or omissions of Consultant.

**14. FORCE MAJEURE**

The time for performance of services to be rendered pursuant to this Agreement may be extended because of any delays due to unforeseeable causes beyond the control and without the fault or negligence of Consultant, including, but not restricted to, acts of God or of any public enemy, acts of the government, fires, earthquakes, floods, epidemic, quarantine restrictions, riots, strikes, freight embargoes and unusually severe weather if Consultant shall, within ten (10) days of the commencement of such condition, notify the City Manager, who shall thereupon ascertain the facts and extent of any necessary delay, and extend the time for performing services if such delay is not the fault of Consultant. City Manager's determination in this respect shall be final and conclusive upon the parties to this Agreement.

**15. FAIR EMPLOYMENT**

Consultant shall not discriminate against any employee or applicant for employment because of race, color, creed, national origin, sex, age, condition of physical handicap, religion, ethnic background, or marital status, in violation of state or federal law.

**16. HOLD HARMLESS/INDEMNIFICATION**

Consultant agrees, to the fullest extent permitted by law, to indemnify and hold harmless City from any and all losses, damages, liabilities or costs (including reasonable defense costs recoverable under applicable law on account of negligence) resulting from third-party claims to the extent caused by Consultant's recklessness, willful misconduct, or Consultant's negligent acts, errors or omissions in the performance of Services under this Agreement or that of anyone for whom Consultant is legally responsible, except to the extent caused by City's negligence, recklessness or willful misconduct or that of anyone for whom City is legally responsible. For the purposes of this Agreement, to the extent applicable, the provisions of California Civil Code Section 2782.8 are incorporated herein by reference.

**17. INSURANCE REQUIREMENTS**

- A.** Without limiting Consultant's indemnification of City, and prior to commencing any Services required under this Agreement, Consultant shall purchase and maintain in full force and effect, at its sole cost and expense, the following insurance policies with at least the indicated coverage's, provisions and endorsements:

1. Commercial General Liability Policy (bodily injury and property damage):  
Policy limits are subject to review, but shall in no event be less than, the following:  
\$1,000,000 Each Occurrence  
\$1,000,000 General Aggregate  
\$1,000,000 Products/Completed Operations Aggregate  
\$1,000,000 Personal Injury
2. Workers' Compensation Insurance Policy as required by statute and employer's liability with limits of at least one million dollars (\$1,000,000) policy limit Bodily Injury by disease, one million dollars (\$1,000,000) each accident/Bodily Injury and one million dollars (\$1,000,000) each employee Bodily Injury by disease.
3. Comprehensive Business Automobile Liability Insurance Policy with policy limits at minimum limit of not less than one million dollars (\$1,000,000) each accident using. Liability coverage shall apply to all owned, non-owned and hired autos.
4. Professional Liability or Errors and Omissions Insurance as appropriate shall be written on a policy form coverage specifically designed to protect against acts, errors or omissions of Consultant. Coverage shall be in an amount of not less than one million dollars (\$1,000,000) per claim/aggregate.

**B. EVIDENCE OF COVERAGE**

Prior to commencement of any Services under this Agreement, Consultant, shall, at its sole cost and expense, purchase and maintain not less than the minimum insurance coverage with endorsements and deductibles indicated in this Agreement. Consultant shall file with City all certificates for required insurance policies for City's approval as to adequacy of insurance protection.

**C. ADDITIONAL INSURED ENDORSEMENT**

General liability insurance shall include endorsements that:

- a. Identify the policy number;
- b. Include a statement that "the City of San Juan Bautista, including its officers, employees and volunteers are additional insureds";
- c. Include a statement that the insurance shall be primary and that the insurance shall not be cancelled except upon prior written consent to City (30 days prior);
- d. Endorsements must be signed by the insurance City or broker, and provided to the City;

- e. Any deviations from the above insurance requirements must be approved by the City's counsel.

**18. AMENDMENTS**

It is mutually understood and agreed that no alteration or variation of the terms of this Agreement shall be valid unless made in writing and signed by the Parties and incorporated into this Agreement. Such changes, which are mutually agreed upon by City and Consultant, shall be incorporated via amendments to this Agreement.

**19. WAIVER**

No term or provision hereof shall be deemed waived and no default or breach excused, unless such waiver or consent shall be in writing and signed by the party claimed to have waived or consented to such breach. The consent by any party to, or waiver of, a breach or default by the other, shall not constitute a consent to, waiver of, or excuse for, any other different or subsequent breach or default

The failure of either party to insist upon or enforce strict conformance by the other party of any provision of this Agreement or to exercise any right under this Agreement shall not be construed as a waiver or relinquishment of such party's right unless made in writing and shall not constitute any subsequent waiver or relinquishment.

**20. INTEGRATED DOCUMENT - TOTALITY OF AGREEMENT**

This Agreement embodies the Agreement between City and Consultant and its terms and conditions. No other understanding, agreements, conversations, or otherwise, with any officer, agent, or employee of City prior to execution of this Agreement shall affect or modify any of the terms or obligations contained in any documents comprising this Agreement. Any such verbal agreement shall be considered as unofficial information and in no way binding upon City.

All exhibits referred to in this Agreement and any addenda, appendices, attachments, and schedules to this Agreement which, from time to time, may be referred to in any duly executed amendment hereto, are by such reference incorporated in this Agreement and will be deemed to be a part of this Agreement.

**21. SEVERABILITY CLAUSE**

In the event any one or more of the provisions contained herein shall, for any reason, be held invalid, illegal or unenforceable in any respect, it shall not affect the validity of the other provisions which shall remain in full force and effect.

If any part of this agreement is for any reason held to be excessively broad as to time, duration, geographical scope, activity or subject, it will be construed, by limiting or



reducing it, so as to be enforceable to the extent reasonably necessary for the protection of the City.

**22. NOTICES**

All notices to the Parties shall, unless otherwise requested in writing, be sent to City addressed as follows:

City Manager  
City of San Juan Bautista  
311 2nd Street / P.O. Box 1420  
San Juan Bautista, CA 95045

And to Consultant addressed as follows:

Meg Clovis  
14024 Reservation Rd.,  
Salinas, CA 93908

**23. STATUTES AND LAW GOVERNING CONTRACT**

This Agreement shall be governed and construed in accordance with the statutes and laws of the State of California.

**24. WAIVER OF CONSEQUENTIAL DAMAGES**

City and Consultant mutually agree to waive all claims of consequential damages arising from disputes, claims, or other matters relating to this Agreement.

**25. DISPUTE RESOLUTION**

- A.** Unless otherwise mutually agreed to by the Parties, any controversies between Consultant and City regarding the construction or application of this Agreement, and claims arising out of this Agreement or its breach, shall be submitted to mediation within thirty (30) days of the written request of one Party after the service of that request on the other Party.
- B.** The Parties may agree on one mediator. If they cannot agree on one mediator, the Party demanding mediation shall request that the Superior Court of San Mateo appoint a mediator. The mediation meeting shall not exceed one day or eight (8) hours. The Parties may agree to extend the time allowed for mediation under this Agreement.
- C.** The costs of a mediator shall be borne by the Parties equally, and each Party shall bear its own costs incurred in connection with mediation, including but not limited to attorneys' fees.

**26. VENUE**

In the event that suit shall be brought by either Party, the Parties agree that the venue shall be exclusively vested in the State Courts of the County of San Mateo or where otherwise appropriate, exclusively in the United States District Court, Northern District of California, San Francisco.

**27. SIGNATURES**

The individuals executing this Agreement represent and warrant that they have the right, power, legal capacity and authority to enter into and to execute this Agreement on behalf of the respective legal entities of Consultant and City.

The Parties acknowledge and accept the terms and conditions of this Agreement as evidenced by the following signatures of their duly authorized representatives. It is the intent of the Parties that this Agreement shall become operative on the Effective Date.

Approved as to form:

"City"

"Consultant"

City of San Juan Bautista

Margaret Clovis

---

Don Reynolds  
City Manager

---

Margaret Clovis

**Exhibit A**  
**Scope of Services and Fee Schedule**

**The following are services and fees:**

- An assessment of documents and current practices regarding historic preservation;
- On-call services to assist staff in advising applicants regarding application of standards and guidelines; and
- Recommendations regarding maintenance of the City of San Juan Bautista CLG status.

**1. Document Assessment**

The following historic preservation documents will be reviewed, and recommendations will be provided regarding their implementation:

- a. The San Juan Bautista Design Guidelines, April 20, 2004
- b. The 2006 Cultural Resource Inventory and Context Statement
- c. The 1981 Cultural Resource Survey
- d. The Certified Local Government Agreement and Reporting Requirements
- e. The Historic Preservation Ordinance (Chapter 11.06)
- f. The Historic Preservation related sections of the San Juan Bautista Plan
- g. Coordination with the Historical Society

**2. On-Call Historic Preservation Services**

- a. Conduct historic assessments and evaluations
- b. Peer review historic assessments, evaluations and reports prepared by others
- c. Prepare historic preservation reports at the City's request
- d. Provide staff support during public meetings as needed
- e. Meet with or consult with staff and/or applicants to address issues with historic buildings and/or existing City policies or procedures related to historic preservation
- f. Assist staff with inspecting historic buildings for damage due to neglect, misuse, or environmental catastrophe
- g. Establish Maintain a list of qualified consultants for individual applicant use and referral as required in SJB MC 11-06-040 ( C )

**3. CLG status**

- a) Assist the HRB and staff in preparing the annual status report to SHPO;
- b) Recommend useful CPF and other training for HRB members;
- c) Maintain the list of qualified Architectural Historians in accordance with the Historic Preservation Ordinance;
- d) Review and recommend for use by the City any tools and techniques such Historic Preservation Easements and tax incentive programs.

- e) Recommend and advise staff regarding funding sources to enhance preservation activities and resources.

**Fee Schedule:**

- For services listed an hourly rate of \_\_\_\_\_/hour;
- A flat rate for specific Historic Resources Permit review, including any peer review.



# Permanent Local Housing Allocation (PLHA) Program

Funding to be provided by California State Housing and  
Community Development Department



## PLHA Funding Background

- Building Homes and Jobs Act (SB2) enacted in 2017, as part of State 15-bill housing package.
- SB2 established \$75 recording fee to increase supply of affordable housing.
- County Recorders collected Funds annually.
- Amount of funding fluctuates yearly.
- PLHA Program created to provide funds back to the local governments.
- San Juan Bautista is eligible for estimated **\$455,999** over five years.



## PLHA Application Background

- Year 1 and Year 2 Allocation Applications were not submitted.
- City can apply for Year 1 through Year 3 now.
- Year 3 Allocation Application deadline October 31, 2022.
- If Year 1 funds not applied for now, funds will revert to State.
- PLHA Application must be submitted with Five-Year Plan



## PLHA Funding

- 2020 Year 1 Notice of Funding Availability (NOFA) released. City Allocation **\$75,999** of 2019 funds.
- 2021 Year 2 NOFA released. City allocation **\$114,549** of 2020 funds.
- 2022 Year 3 NOFA released. City allocation **\$122,280** of 2021 funds.  
**Application funding Total \$312,828.**
- Estimated funds remaining during Five Year PLHA Plan:
  - 2024 Year 4 estimate allocation **\$71,585.50**
  - 2025 Year 5 estimate allocation **\$71,585.50****Five-Year PLHA Plan Total \$455,999.**





## PLHA Eligible Activities

1. Development, Rehab of Rental Housing (up to 120% Area Median Income)
2. Development, Rehab of Rental/ownership housing ADUs (up to 120% AMI)
3. Matching Funds for Local Housing Trust Fund Program
4. Matching Funds for Low-Moderate Income Housing Asset Funds
5. Capitalized Reserves for Permanent Supportive Housing (up to 30% AMI)
6. Assisting persons experiencing or at risk of homelessness
7. Accessibility modifications in Owner Occupied housing (up to 80% AMI)
8. Acquisition, Rehab of vacant homes and apartments (up to 120% AMI)
9. Homeownership opportunities, Down Payment assistance (up to 120% AMI)
10. Fiscal incentives by County to City to incentivize Approval of Affordable Housing

## PLHA Five-Year Activities Proposed

- Year 1 \
- Year 2 100% to Accessory Dwelling Unit (ADU) Compliance Program
- Year 3 /

Total \$312,828

- Year 4 \
  - Year 5 /
- 50% ADU Program; 50% Homeless Supportive Services (HSS)

ADU Total: \$71,585.50 HSS Total: \$71,585.50



## Proposed ADU Program Explained

Grants to Homeowners up to **\$15,000** for Non-Compliant ADUs

- Address Health and Safety violations
- Help Low-Income Homeowners
- Help Low-Income Renters
- Increase supply of affordable housing
  - Require 30-day minimum occupancy
  - Five-Year Deed Restriction

Program Activity costs (Inspections, write-up, construction oversight, etc.)



## PLHA Future Years

Year 4 (2023) and Year 5 (2024):

- Continuation of ADU Compliance Program
- Homeless Supportive Services- Partner with County of San Benito to provide:
  - A. Rapid rehousing in conformance with federal rules contained in 24 CFR Section 576.104;
  - B. Rental assistance with a term of at least six (6) months (rental arrears not eligible);
  - C. Street outreach, and other supportive/case management services that allow people to obtain and retain housing;
  - D. Operating and capital costs for navigation centers and emergency shelters

## QUESTIONS?



Brian Foucht, AICP  
Asst. City Manager / CD Director  
311 Second St. – PO Box 1420  
San Juan Bautista, CA 95045  
831-623-4661 x 20 (office)  
831-207-5430 (cell)  
[ACM-CDDirector@san-juan-bautista.ca.us](mailto:ACM-CDDirector@san-juan-bautista.ca.us)