

Community Development Department
Status Report
March – April 2023
Brian Foucht, Community Development Director

Key Topics:

- ATP to be referenced in the CEDS.
- Housing Element Contract Planning Firm Selected – work has started
- PLHA grant funds 318k for ADU rehabilitation awarded; program marketing and applications beginning in May/June, 2023
- EDCAC accepts committee reports for inclusion in report to City Council. Report to be completed in May
- Historic Preservation Consultant requested to provide scope and budget for priority HR tasks hired and completes first set of recommendations
- UGB Committee PC and CC members selected; Meeting scheduled for May 23
- Transportation and Housing programs aligned with future REAP 2.0

A. Community Development Administration

1. Development Review Committee: DRC was mostly special event review, with one review of a duplex and two ADU units for 45 Washington Street.
2. Grant Administration –
 - ATP Program The Active Transportation Project (ATP) closed in February with approval by the City Council on February 21, 2023. Final Invoicing to Caltrans was completed at the end of February.

Upon approval of the ATP, staff and CivicWell (as sub-applicant), prepared and submitted an application for a \$350,000 grant under the Sustainable Transportation Planning grant funds, under the Sustainable Communities Grant Subgrant program for a “*multi-modal transportation center integrated plan*” . The overall schedule for grant submission, review, funding and project implementation is as follows:

March 9, 2023 – Grant application deadline

Spring 2023 – Application evaluation and management approval of grant recommendations

Summer 2023 – Grant announcements

Fall 2023 – Grant recipients begin project activities

Winter-Summer 2026 – Grant projects are completed, and grant funds expire (expiration dates depend on grant recipient and fund-type)

- *A new round of REAP funding is on the horizon via REAP 2.0.*

REAP 2.0 provides funds to accelerate housing production and facilitate compliance with the 6th Cycle of the housing element, including RHNA allocations and advance the State’s sustainable communities strategy. The REAP 2.0 objectives are: accelerate infill development that facilitates housing supply, choice and affordability and affirmatively furthering fair housing VMT reduction (*especially transit/multimodal project elements*). The City’s intention for multi-modal network improvements to reduce VMTs, especially give SJBs high percentage of commuters, will be eligible for \$125,000 in non-competitive funds and will also align competitively with the REAP 2.0 objectives.

The next steps for the REAP 2.0 program anticipates that AMBAG Board will direct staff to issue Notice of Funding Availability (May – June 2023)

- Permanent Local Housing Allocation

On August 17 HCD issued a NOFA Permanent Local Housing Allocation (PLHA) Program. The City received notice that \$499,000 in grant funds over 5 years. The City Council has approved the use of these funds for ADU health and safety improvements (first three years) and homeless services (second and third years). The grant application was submitted prior to November 30, 2022. Allocation, award and expenditure deadlines are as follows:

Allocation Years	Appropriation Date	Application Deadline	Award Deadline	Expenditure Deadline
Year 1 (2019)	7/1/2019	Fall 2022	April 2023	4/30/2024
Year 2 (2020)	7/1/2020	Fall 2023	April 2024	4/30/2025
Year 3 (2021)	7/1/2021	Fall 2024	April 2025	4/30/2026
Year 4 (2022)	7/1/2022	Fall 2025	April 2026	4/30/2027
Year 5 (2023)	7/1/2023	Fall 2026	April 2027	4/30/2028

The California Department of Housing and Community Development (Department) notified the City on February 15, 2023 that SJB has been awarded a Permanent Local Housing Allocation (PLHA) program award in the amount of \$312,828. This letter constitutes notice of the designation of PLHA program funds for use in San Benito County for the following activities:

- Rehabilitation of Accessory Dwelling Units
- Five Percent (5%) Administrative Costs

The Community Development Dept has asked Regional Government Services (RGS) to develop an administrative program to handle requests for rehabilitation funds and related individual projects. A special effort has been made to market this program as an opportunity to receive needed funds, rather than a compliance program. Staff will develop administrative programming and begin marketing the program in May/June 2023.

- Housing Element : The City issued an RFP for completion of the 6th Cycle Housing Element, and consultant has been selected and work is underway via a Purchase Order for approximately \$48,000 in costs. \$175,000 has been budgeted for this exercise, and the proposed consultant budget, including fair housing is \$134,880.
- Code Enforcement
 - a. Progress was made on various issues associated with 451 San Juan Hollister Rd.. A temporary use permit has been issued to allow the owner to operate a trucking business while City and Responsible Agency Permits are being completed. A contract for environmental review of the Development Permit application is before the City Council in May.
 - b. Staff addressed issues related to outdoor retail and outdoor dining related to food trucks. This was a contentious issue involving a tremendous amount of staff time. Planning and Code Enforcement staff continue to work together on this topic. Enforcement of these regulations is made more difficult because some in the community believe that the City’s regulations are no longer aligned with common practices should be changed. The CD director determined that a Temporary Use Of Land Permit would help businesses with associated food truck operators. Use permits are a required permanent solution.
 - c. The following Compliance Orders and red-tag/stop work orders:
 - 451 San Juan Hollister Rd. (Declaration of Nuisance and Order to Abate - Orozco)
 - Jardines freezer installation (red tag)
 - Blue Bird re-roof (red tag)
 - Outdoor dining via food trucks (*no citations have been issued, only verbal contact and compliance orders*)
 - Outdoor retail sale and pop – up outdoor retail sale (contact and compliance orders - various businesses)
- Community Plan Program

UGB Committee meetings are scheduled to resume on May 23. Staff received a notice from HCD that SB2 Grant funds must be expended by September 2023.
- Economic Development Program
 - a. The San Benito County EDC has completed public outreach and data gathering for the CEDS and an administrative draft has been released for stakeholder review.
 - b. The EDCAC has complete subcommittee reports and is awaiting delivery of a draft report.

- c. The Governor’s Office Of Business Development, Central Coast Region (GoBiz) and the SBC EDC (corporation) are consistent contributors to the EDCAC;

- d. Update on CERF

The Uplift Central Coast Coalition – led by REACH, the Ventura EDC, and Monterey Bay Economic Partnership – will officially kick off the CERF Planning Phase process at a virtual gathering on March 10th from 10am and 11am. The Planning Phase consists of a two-year economic development planning process with the goal of creating an inclusive economic development plan for the six Central Coast counties, which includes San Benito County. Attendees of the virtual gathering will receive an update on the planning process, meet the CERF team, and learn about opportunities to engage in the work ahead.

- e. GO-Biz Updates

The California Competes Tax Credit application period is currently open until March 20th, with at least \$99.7 million in available tax credits. This program is an income tax credit available to businesses that want to locate in California or stay and grow in California. Businesses of any industry, size, or location can apply. GO-Biz will be hosting informational webinars on March 8th and 16th to provide an overview of the application process. Here is a link to the Cal Competes web page on the GO-Biz website with the registration links for the webinar [California Competes](#). - GO-Biz recently released an updated version of their California Business Investment Guide, which provides a comprehensive overview of relevant state funding programs. A link to the guide can be found here [California Business Investment Guide 2023](#).

- f. Changes to the San Benito County Economic Development Advisory Committee and the Economic Development Partnership:

- Historic Preservation, Landscapes, Trees

The City Council has contracted with a qualified Architectural Historian to provide essential guidance to staff, applicants and stakeholders, including the Historical Society, regarding all facets of Historic Preservation programs. Meg Clovis has been contracted to provide this support and has completed an initial evaluation of program documents, has advised City staff on development applications and meets with the SJB Historical Society. The following are recommendations regarding Historic Preservation Documents:

Historic Preservation Ordinance

San Juan Bautista’s Historic Preservation Ordinance was first adopted in 1981 and then amended and incorporated into the City’s Zoning Ordinance sometime after 2006. The City’s ordinance contains

most of the sections recommended by the California Office of Historic Preservation in their Technical Assistance Bulletin #14. Following are some observations that would clarify the ordinance and strengthen the City's historic preservation program.

Recommendations

11-06-040 Powers and Duties

One of the HRB's powers and duties is public outreach. Both the Historical Society and the City have links to certain documents but there is no single site where all documents can be accessed. San Juan Bautista residents should be able to retrieve information about historic properties from review requirements to design guidelines. All properties identified in the 1981 and 2006 surveys should be combined in a Master List, as well as all properties currently included in the City's Register of Historic Resources.

11-06-070 Systematic Inventory and Identification of Historic Resources

An on-going effort to survey a community's resources is essential to identifying and preserving its historic assets, however the survey process, especially an intensive survey, is extremely expensive. More and more communities are updating their historic context statements in order to establish eligibility criteria and integrity thresholds for potential historic properties. Rather than conducting a static survey, a Context Statement that identifies Significant Themes, Associated Property Types and establishes Registration Requirements will give a jurisdiction much more flexibility and continuity in the management of their historic preservation program.

11-06-120 C Design Review

A resource does not need to have been identified previously either through listing or survey to be considered significant under CEQA. In addition to assessing whether historic resources potentially impacted by a proposed project are listed or have been identified in a survey process, lead agencies have a responsibility to evaluate them against the California Register criteria prior to making a finding as to the proposed project's impacts to historical resources (PRC Section 21084.1, 14 CCR Section 15064.5(3)). The review of un-surveyed or registered properties should be included in 11-06-120.

11-06-090 Procedures for Listing a Historic Resource

Listing requirements should require the submittal of applicable DPR forms to maintain consistency with the current inventories.

11-06-120 Design Review

The format and content for Phase Two (Design Review) reports should be specified (see City Of Monterey, County of Monterey, City of Carmel, or City of Pacific Grove for examples).

1981 and 2006 Context Statements and Surveys

Both the 1981 and 2006 Context Statements and Surveys generated valuable historical information about San Juan Bautista and recorded many properties on DPR forms. The current context statements do not, however, provide a framework for determining eligibility or integrity thresholds for potential historic properties. The California Office of Historic Preservation explains:

“Historic contexts statements are intended to provide an analytical framework for identifying and evaluating resources by focusing on and concisely explaining *what* aspects of geography, history, and culture significantly shaped the physical development of the community or region’s land use patterns and built environment over time, *what* important property types were associated with those developments, *why* they are important, and *what* characteristics they need to have to be considered an important representation of their type and context.

By focusing on property types rather than individual buildings or architectural styles, and providing clear criteria for evaluating significance and integrity, a good context provides a template for identifying, evaluating, and developing plans for the treatment of historical resources even in the absence of complete knowledge of individual properties. “Property types” is the concept that links history with the built environment.”

Good examples of the referenced analytical framework are included in Pacific Grove’s Context Statement and the Pebble Beach Context Statement, among others.

The San Juan Bautista Historical Society has suggested updating the City’s current context statement with the addition of property types related to the automobile including gas stations, garages and auto tourism businesses.

Funding Sources

The California Office of Historic Preservation offers grant opportunities to Certified Local Governments (CLG). These grants focus on generating planning documents that support historic preservation.

preservation efforts such as Context Statements, National Register nominations, and Design Guidelines. San Juan Bautista received CLG grants to prepare the 2006 Context Statement and Survey and to complete the Third Street National Register nomination. The CLG grants require a 50% match which can be met through volunteer hours and staff time. It is recommended to include at least \$10,000 of City funds in the match to insure responses to an RFP.

There are no grant funds available for owners of registered historic properties. Preservation incentives are available through Federal Tax Credits (for income producing properties only), the Mills Act, and the new California Historic Rehabilitation Tax Credit (SB451).