

Community Development Department
Status Report
September – October 2023
Brian Foucht, Community Development Director

Key Topics: (Note: as part of the Assistant City Manager/Community Development Director responsibilities during September and October, the ACM-CD Director has regularly consulted with the City Manager on each of the following subject areas prior to taking any action)

- Economic Development
- Housing Element
- PLHA grant funds 318k for ADU rehabilitation awarded; program marketing and administrative tasks: intake, applications, marketing
- REAP program subgrant awarded for Downtown Planning
- Economic Development: EDCAC participation in CalEd; Main Street
- UGB ad hoc committee

- Community Development Administration

1. Instituted weekly reporting regarding Building Permit status;
2. Contract administration (ongoing) : Meg Clovis, David J Powers Associates (DJPA); EMC Planning Group (ADU Ordinance, Housing Element Peer Review, Community Plan (GPA)); Realty Planning Group (Housing Element) ; Harris and Associates (final Inclusionary Housing Report);
3. Coordinated / processed Special Event applications (Harvest Festival, Williams Ltd, Rainbow Run);
4. ADU Improvement Program development with RGS/Building Inspection/FD; ADU program flyer in Water Bill (twice);
5. Agenda coordination and related notices (CC, PC, HRB, EDCAC, Business Forum, UGB Ad Hoc); meetings with Chairpersons, attendance at meetings, follow up permit issuance, staff reports and follow up agendas; extensive communication with CC, UGB, PC, EDCAC chairs, members, (discussions with CM);
6. Applicant meetings (45 Washington St., 400 The Alameda, 701 Third Street, Loayza, Fulton, Orozco/Lombardo; Third Street subdivision, Health Foundation Muckelemi);
7. Code enforcement coordination; extensive and repetitive correspondence with Lombardo, City Attorney, DJPA;

8. Grant administration and reporting and close out (REAP, LEAP, SB2); AMBAG and HCD coordination re deadlines and extensions;
9. Business License Review (25 new), Building Permit(9 new) review.
10. Served as acting City Manager during the absence (vacation) of the City Manager twice during this period.

- **Transportation Planning:**

1. Community Development Director completed debrief with CM and Caltrans staff re 2023-24 unfunded application;
2. Community Development Director coordinated with Civic Well (Leonard, Zykofsky, Meyer) re resubmittal 2024-25 Multi-Modal Center grant.

- **Community (Advance) Planning**

1. REAP 2.0: The Community Development Director authored, prepared and submitted an application for \$85,000 in grant funds for the Third Street Master Plan. This application was funded and a MOU has been executed. These funds will be combined with other funds in 2024 to prepare a Master Plan.
2. Permanent Local Housing Allocation (AGREEMENT NUMBER 22-PLHA-17765) – ADU improvement program. The Community Development Director received 3 applications were received in October.

The California Department of Housing and Community Development (Department) provided contract authorization 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.

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

The MOU/contract was approved in October 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 Community Development Director has initiated interdepartmental review (with participation by the CM) and is creating an application process and standards for issuance of improvement grants for qualified projects and thereafter to monitor use of funds.

3. Housing Element : the Housing Element was submitted to the Community Development Director for review and hearings during the summer 2023 and thereafter sent to HCD for 90 day review in September. The Community Development Director and consultant will participate in the first 90 day review in early November, 2023. ACM-CD Director and City Manager conducted administrative draft document review

4. Zoning Ordinance Amendments: Outdoor Commercial Activities

The ACM-CD Director prepared a draft Zoning Code amendment, provided the draft to CM for review and comment, met with business owners together with Planning Commission Chair in June and prepared and presented an ordinance for the Planning Commission review. Planning Commission appointed an ad hoc committee to review the ordinance, which then met with business owners and provided general comments suggesting more flexibility. The Community Development Director prepared a revised ordinance, which was accepted by the Planning Commission for hearings in December 2023 and January 2024. The Community Development Director will extend previously issued TULP permits will be extended.

5. Community Plan Program

The Community Development Director worked with the CM and the UGB Committee to completed a Committee recommendation to the City Council in October 2023. The Community Development Director is working with EMC Planning Group to revise the Community Plan scope of work before the end of 2023 to plan for infill development rather than an expanded Sphere of Influence. The Community Development Director is working with HCD regarding possible submittal of an infill – oriented Community Plan during the first quarter of 2024.

- Code Enforcement

1. The Community Development Director is hands-on this code enforcement matter deemed a public nuisance and ordered abated by the City Council in November 2022. The Community Development Director issued a temporary use permit issued to allow the owner to operate a trucking business that will expire in December 2023. The Community Development Director has been working with the CEQA consultant to complete a peer review of information submitted by the owner to enable issuance of a Development Permit to remedy the violation. The Community Development Director is expected that a resolution to this violation will be determined before the end of the year. The ACM-CD director is coordinating with the City Attorney and the CM on this matter.

2. The Community Development Director will begin working with the Code Enforcement Officer regarding abatement of nuisances and zoning code enforcement at the direction of the CM.
- Economic Development Program
 1. With input from the EDCAC, the San Benito County EDCorp completed the CEDS and, in October 2023, the SBC BOS approved the CEDS for submittal to EDA. This enables SJB and SBC to seek funds for economic development programs and initiatives.
 2. The Community Development Director has arranged for training and resources to the EDCAC via CalEd and the Main Street organization.
 3. The Governor’s Office Of Business Development, Central Coast Region (GoBiz) and the SBC EDCorp are consistent contributors to the EDCAC.
 4. The Community Development Director, in October, completed over 40 hours of economic training via the CalEd Keys Course in prerequisite for more advance training in 2023-24.
 5. The Community Development Director has facilitated two EDCAC meetings including preparation of reports, minutes and the agenda.
 6. The ACM-CD Director has coordinated with the CM.

- Historic Preservation, Landscapes, Trees

The City has contracted with a qualified Architectural Historian, Meg Clovis to provide essential guidance to staff, applicants and stakeholders, including the Historical Society, regarding all facets of Historic Preservation programs. The Community Development Director coordinates evaluation of projects and the City’s Historic Preservation program. The following are recommendations regarding Historic Preservation procedures:

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.

a) 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.

b) 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.

c) 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.

d) 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.

e) 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).

f) 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.

g) 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 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).

- Current Planning (Development Projects) The Community Development Director is the sole current planning practitioner on behalf of the City (notices, staff reports, draft agendas, etc). The following are projects currently under discussion and review:
 1. 45 Washington Street duplex and two ADUs; approved
 2. 400 The Alameda Fueling Station; CUP approved; SDR pending PC review
 3. 701 Third Street non-historical SFD remodel; pending plan check and issuance of Building Permits
 4. 903 Third Street Historical SFD remodel; under construction; monitored historical resource
 5. 302 Third Street Historical Apt remodel; approved/monitored historical resource
 6. 205 The Alameda JJ Burger; approved; LLA administratively approved and recorded
 7. 107 Third Street Casa Rosa; under construction/monitored historical resource
 8. Muckelemi Street Neils Market; under construction; site circulation plan pending approval; DPR form updated; building not historical
 9. Muckelemi Street Health Foundation; interdepartmental concept plan preliminary review

10. Ambrosia approved final map; preliminary concept plan review for duplex units
11. Loayza Minor Subdivision; First Street/Lavagnino Dr.; under construction. Grading permit issued; 8 lot Vesting Tentative Map preliminary concept plan submitted for staff review and comment.
12. Lang Street Extension Vesting Tentative Map; preliminary review by staff; flood plain issues unresolved pending completion of area-wide storm drain master plan for So of 156.
13. TULP for 451 San Juan Hollister Rd (coordination with CM)
14. TULP for Vertigo and 9 other businesses for outdoor retail and dining (coordination with CM).

END