

ORDINANCE 2014-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA TO AMEND SECTION 11-04-110 AND CHAPTER 11-29 OF THE SAN JUAN BAUTISTA MUNICIPAL CODE TO MODIFY PROVISIONS FOR DESIGN AND ARCHITECTURAL REVIEW OF RETAIL BUSINESSES, RESTAURANT BUSINESSES, AND VISITOR ACCOMMODATIONS WITHIN THE CITY OF SAN JUAN BAUTISTA

THE CITY COUNCIL ORDAINS AS FOLLOWS:

SECTION 1: The City Council finds and determines the following:

A. The continued vitality of the City's economy is dependent upon tourism, and upon the ability of the City's commercial zone districts and Third Street Historic Districts to attract both residents and visitors.

B. Preservation of the existing character and scale of the City's commercial zoned district and Third Street Historic District is vital to the continuation of the City's ability to attract tourism and other visitors.

C. Preservation of the existing character and scale of the City's commercial zoned district and Third Street Historic District is also important to maintain the distinctive small town charm and character enjoyed by current residents.

D. All retail businesses, restaurant businesses, and visitor accommodations in the commercial zoned districts shall be reviewed in accordance with Chapter 11-18, Site Plan and Design Review and all retail businesses, restaurant businesses, visitor accommodations in the Third Street Historic Mixed Use District shall be reviewed for compliance with Chapter 11-06, Historical Resources Preservation.

SECTION 2: Chapter 11-29-010, of the San Juan Bautista Municipal Code is hereby amended to delete the following definitions: "Large-Scale Retail Business Development" means any structure five thousand (5,000) square feet, or more, to be occupied by any one (1) retail establishment. This definition does not include service and community establishment, including, but not limited to, banks, insurance brokerages, real estate brokerages, health centers, governmental uses, community centers, theaters, religious or fraternal uses, and similar establishments. A proposed development where retail sales are an incidental or accessory use to the primary use is not included within this definition. "Formula visitors accommodations" means a visitors accommodation business that incorporates physical features common among one(1) or

more of the other visitor accommodation businesses owned by the same company and that is required by contractual or other arrangement to maintain standardized series, merchandise, uniforms, décor, logos, architecture, signs, or similar features. "Formula retail or restaurant business development" means a retail, restaurant, or fast-food business that is required by contractual or other arrangement to maintain standardized services, merchandise, menus, ingredients, food preparation, uniforms, décor, logos, architecture, signs, or similar features.

SECTION 3: Chapter 11-29 of the San Juan Bautista Municipal Code is hereby amended to add the following definitions:

"RETAIL BUSINESS DEVELOPMENT" means any structure 7,000 square feet, or more, to be occupied by any one retail establishment. This definition does not include service and community establishments, including, but not limited to, banks, insurance brokerages, real estate brokerages, health centers, governmental uses, community centers, theaters, religious or fraternal uses, and similar establishments. A proposed development where retail sales are an incidental or accessory use to the primary use is not included within this definition."

"RESTAURANT BUSINESS DEVELOPMENT" means a restaurant, or quick serve business that is required by contractual, lease or franchise arrangements to maintain standardized services, merchandise, menus, ingredients, food preparation, architecture, signs, or similar features."

"VISITOR ACCOMMODATIONS DEVELOPMENT" means a visitor accommodation business that incorporates physical features common among one or more other visitor accommodation businesses owned by the same company and corporation by contractual, lease or franchise arrangements to maintain standardized services, architecture, signs, or similar features."

SECTION 4: Section 11-04-110 of the San Juan Bautista Municipal Code is hereby amended to read as follows:

11-04, Article 1, Development Standard; Section 11-04-110, delete Large-scale retail business, formula retail or restaurant business, formula visitor accommodations and add Retail Business Development, Restaurant business Development, Visitors Accommodations Development.

Section 11-04-110 to read as follows; Retail businesses, Restaurant businesses, and Visitor accommodations.

(A) The following findings shall be required:

- (1) The business offers merchandise and/or services that add to the diversity and character of the City.

- (2) The business will complement and enhance the character of the City.
- (3) Both exterior and interior appearance and presentation of the business are compatible with the existing scale of development, distinctive architecture and pedestrian orientation of the town character and results in an enhancement of the look and feel (i.e., character) of the surrounding area.
- (4) All signs shall conform to the City sign standards and San Juan Bautista Design Guidelines.
- (5) Drive-through quick serve establishments shall be allowed only in auto-oriented highway frontage commercial zoned districts.
- (6) All buildings must comply with the San Juan Bautista Design Guidelines.
- (7) San Juan Bautista Historic District will allow retail business, restaurant business, and visitor accommodations on vacant parcels that could be developed and will be reviewed in accordance with Chapter 11-18, Site Plan and Design Review and Chapter 11-06 ,Historical Resources Preservation of the San Juan Bautista Municipal Code.

(B) Application Procedure and approval. Retail businesses, restaurant businesses, and visitor accommodations are subject to review by the Planning Commission and if within the Historic District shall be reviewed by the Historic Resource Board. Application shall be submitted to the City for the required review and on the appropriate forms.

SECTION 5: Environmental Determination. The City Council determines that the following findings reflect the independent judgment of the City Council. The City Council finds that this Ordinance is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines 15061(b)(3), 15183, 15308, 15378, and Public Resources Code section 21083.3(e) Under CEQA Guidelines Section 15183 and Public Resources Code section 21083.3(e), the proposed regulations are consistent with the San Juan Bautista General Plan. The following General Plan policies support adoption of the ordinance:

POLICY L-16: Maintain Downtown as the City’s primary area for pedestrian oriented retail and service activities. Encourage additional pedestrian-oriented retail stores in this area, with continuous ground floor retail and service activity along Third Street between Franklin and Muckelemi.

POLICY L-21: Support the development of land at the western and eastern “gateways” to Downtown with mixed uses that convey a positive image of the City to residents and visitors.

POLICY L-23: Support existing small and locally-owned businesses in San Juan Bautista.

POLICY L-24: Support the establishment of new tourist-oriented businesses that are consistent with the town's role as an historic center, an arts and cultural center, an agricultural center, and a showcase of Early California living.

POLICY C-13:

Discourage the use of "standard" production architecture for corporate commercial chain stores, gas stations, fast food restaurants, and other franchises. The design of such establishments should reflect the architectural heritage of San Juan Bautista.

SECTION 6: Effective Date. This Ordinance shall take effect 30 days after its final adoption by the City Council.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of San Juan Bautista this 18th day of March, 2014 by the following vote:

AYES: Moore, Cosio, Edge, Lund, Boch

NOES: None

ABSENT: None

ABSTAIN: None

Mayor Andy Moore

ATTEST:

Linda G. McIntyre, City Clerk

APPROVED AS TO FORM:

George Thatcher, City Attorney