

**ORDINANCE 2016-02**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA  
AMENDING THE SAN JUAN BAUTISTA MUNICIPAL CODE CHAPTER SECTION  
11-02-050: PERMITTED AND CONDITIONAL USES BY ZONING DISTRICT USE  
MATRIX**

**WHEREAS**, the Planning Commission of the City of San Juan Bautista conducted a series of special meetings in conjunction with regularly scheduled meetings, to gather public input and opinions for amending the Use Matrix in Chapter 11-02, Section 11-02-050, and

**WHEREAS**, the Planning Commission recommends to the City Council amending of the Use Matrix, and

**WHEREAS**, the City Council recognizes the need to update the matrix to reflect current and prospective allowable uses within the City of San Juan Bautista, and

**WHEREAS**, 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-9:** Maintain a local growth management program which protects San Juan Bautista from uncontrolled growth, ensures the adequacy of community services and facilities, avoids boom and bust cycles of growth, and conserves the aesthetic and historical qualities of the community.

**POLICY L-10:** Protect residential areas from the effects of potentially incompatible uses. Where new commercial or mixed use development is allowed adjacent to residentially zoned districts, maintain standards for circulation, setbacks, landscaping, and architecture which ensure compatibility between the uses.

**POLICY L-18:** Support new mixed use development on the remaining vacant and underdeveloped sites in San Juan Bautista, particularly Downtown along Muckelemi Street.

**POLICY L-25:** Encourage light industry and agriculture industry as a means of generating jobs and tax revenues. Industrial and business park areas should be attractively designed and should minimize adverse impacts on the environment and surrounding properties.

**POLICY L-27:** Attract businesses and services which provide day- to- day needs of local residents as well as the needs of the visitors.

**POLICY H-5:** Allow residential uses in all areas designated for commercial and mixed use on the Land Use Diagram, where combined with commercial uses and compatible with the other goals and policies in the General Plan.

**THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA DOES HEREBY ORDAIN AS FOLLOWS:**

1. Environmental Determination. The project is exempt from environmental review per CEQA Guidelines under Section 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).
2. Chapter 11-02-050 Amended. Chapter 11-02-050 of the Municipal Code, entitled "Permitted and Conditional Uses by Zoning District" is hereby amended as set forth in the attached five (5) pages, marked Exhibit "A," and incorporated herein by reference thereto.
3. Effective Date. This ordinance shall be in full force and effect 30 days after its final passage and adoption.
4. Severability. If any portion of this ordinance is found to be unconstitutional or invalid the City Council hereby declares that it would have enacted the remainder of this Ordinance regardless of the absence of any such invalid part.
5. Posting of Ordinance. Within fifteen (15) days after the passage of this ordinance, the City Clerk shall cause it to be posted on the internet and in the public places designated by resolution of the City Council.

The foregoing ordinance was introduced at a regular meeting of the City Council of the City of San Juan Bautista duly held on December 15, 2015, and was passed and adopted at a regular meeting duly held on January 19, 2016 by the following vote:

**AYES: Lund, West, Martorana, Edge**

**NOES: None**

**ABSENT: Boch**

**ABSTAIN: None**

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**Rick Edge, Mayor**

**ATTEST:**

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**City Clerk Connie Schobert**

**APPROVED AS TO FORM:**

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**Deborah Mall, City Attorney**

**Exhibit “A”**

**Chapter 11-02-050**

**PERMITTED AND CONDITIONAL USES BY ZONING DISTRICT**

<b>ZONING DISTRICTS</b>	
<b>R-1</b>	<b>LOW DENSITY RESIDENTIAL</b>
<b>R-2</b>	<b>MEDIUM DENSITY RESIDENTIAL</b>
<b>R-3</b>	<b>HIGH DENSITY RESIDENTIAL</b>
<b>C</b>	<b>COMMERCIAL</b>
<b>MU</b>	<b>MIXED USE</b>
<b>I</b>	<b>INDUSTRIAL</b>
<b>P</b>	<b>PARK</b>
<b>PF</b>	<b>PUBLIC FACILITIES</b>
<b>A</b>	<b>AGRICUTURAL</b>

<b>Use (Residential)</b>	<b>R1</b>	<b>R2</b>	<b>R3</b>	<b>C</b>	<b>MU</b>	<b>I</b>	<b>P</b>	<b>PF</b>	<b>A</b>
Accessory buildings	<b>P, S</b>	<b>P, S</b>	<b>P, S</b>						<b>P, S</b>
Co-housing/ shared housing			<b>C</b>		<b>C</b>				
Day care facilities, large	<b>P, C, S</b>	<b>P, S</b>	<b>P, S</b>	<b>C</b>	<b>C</b>			<b>C</b>	
Day care facilities, small	<b>P, S</b>	<b>P, S</b>	<b>P, S</b>	<b>C</b>	<b>C</b>			<b>C</b>	<b>P, S</b>
Emergency shelter	<b>C</b>	<b>C</b>	<b>C</b>		<b>C, P</b>			<b>C</b>	
Farmworker housing		<b>P, S</b>	<b>P, S</b>						<b>P, S</b>
Home occupations	<b>P</b>	<b>P</b>	<b>P</b>		<b>C</b>				<b>P</b>
Hostel			<b>C</b>	<b>C</b>	<b>P</b>				
Manufactured homes	<b>P, S</b>	<b>P, S</b>							<b>P, S</b>
Mobile home parks			<b>P, S</b>						
Multiple-family dwellings		<b>P, S</b>	<b>P, S</b>		<b>P, S</b>				
Rooming and boarding		<b>C</b>	<b>C</b>						
Residential care facilities, small 1-6	<b>P, S</b>	<b>P, S</b>	<b>P, S</b>						
Residential care facilities, large 7+			<b>P, S</b>						
Residential located above commercial				<b>C</b>	<b>P</b>				
Secondary units	<b>P, S</b>	<b>P, S</b>	<b>P, S</b>		<b>C</b>				<b>P, S</b>
Single-family dwellings	<b>P, S</b>	<b>P, S</b>							<b>P, S</b>

Transitional housing, homeless shelter	<b>P, S</b>	<b>P, S</b>	<b>P, S</b>		<b>C</b>			<b>C</b>	<b>P, S</b>
Duplex/ Duets		<b>P, S</b>	<b>P, S</b>						
<b>P – Permitted; C – Conditional; S – Site Review</b>									
<b>Use (Commercial)</b>	<b>R1</b>	<b>R2</b>	<b>R3</b>	<b>C</b>	<b>MU</b>	<b>I</b>	<b>P</b>	<b>PF</b>	<b>A</b>
Adult entertainment facility						<b>C</b>			
Agricultural machinery sales and service						<b>P</b>			
Agricultural processing facilities, when processing products are raised on same property									<b>C</b>
Agricultural uses that are soil-dependent including crop and tree farming, dry land farming, green-houses, and vineyards									<b>P</b>
Agriculture- wholesale animal- raising facilities/ livestock grazing									<b>C</b>
Alcoholic beverage, off site sales				<b>P</b>	<b>P</b>	<b>P</b>			
Alcoholic beverage, on site sales				<b>C, P</b>	<b>C, P</b>	<b>C</b>			
Ambulance services				<b>C</b>		<b>P</b>		<b>P</b>	
Animal boarding and services						<b>C</b>			<b>C</b>
Animal hospital/ veterinary office						<b>C</b>			
Antennas and tele-communications facilities				<b>C</b>	<b>C</b>	<b>C</b>		<b>C</b>	<b>C</b>
Antique and collectible shop				<b>P</b>	<b>P</b>	<b>P</b>			
Assembly use/ public assembly	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>P</b>		<b>C</b>	<b>C</b>	
Auction house				<b>C</b>	<b>C</b>	<b>C</b>			<b>C</b>
Automated teller machines (ATM)				<b>C</b>	<b>C</b>				
Automobile Sales New/ Used						<b>C</b>			

Automobile Service Stations Repair				C		C			
Automobile Parts				P		P			
Automobile Storage						C			C
Automobile Washing				C		C			
Bakeries, Retail				P	P				
Bakeries, Wholesale						P			
Bank				P	P				
Bed and Breakfast Inns		P	P	P	C				
Bicycle sales, rentals and service				P	P	P			
Boat Sales New/Used						C			
Bowling Alley				C		C			
Brewery				C		C			
Financial Institutions				P	P				
Blueprinting Services						C			
Building Materials Services						C			
Business Services				P	P				
Catering Services				P		P			
Card Room				C		C			
Cemeteries, public and private								P, S	
Instructional services				C	C	C		C	
Commercial recreation and entertainment						C	C		C
Communication facilities						C		C	C
Community gardens	C	C	C					C	
Contractor's yard						C			
Convenience stores- retail				C	C				
Dance studio, gymnasium, music studio				C		C			
Drug stores- retail				P	P				
Equipment sales, services, and rentals							C		C
Feed Store				C		P, S			P, S
Food and beverage sales, wholesale				P	P				
Fortune-telling				C	C				
Funeral				C		C			
Galleries, arts, crafts, and artist studios					P				

Public storage						<b>C</b>			
Golf course								<b>C</b>	
Grocery stores and deli's				<b>P</b>	<b>P</b>				
Ice cream shops				<b>P</b>	<b>P</b>				
Inn	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>				<b>C</b>
Laboratories/ Research				<b>C</b>		<b>C</b>			<b>C</b>
Laundromats, dry cleaning				<b>P</b>		<b>P</b>			
Maintenance and repair services (non- automotive)				<b>C</b>	<b>C</b>	<b>P</b>			
Manufacturing, assembly, packaging, processing, and other industrial operation where all emissions are effectively confined						<b>P, S</b>			
Medical clinics and laboratories				<b>P</b>		<b>P</b>			
Motels and hotels				<b>C</b>	<b>C</b>				
Bars, nightclubs				<b>C</b>	<b>C</b>				
Offices (business, professional, administrative, and executive)				<b>P</b>	<b>P</b>	<b>P</b>			
Outdoor dining as an accessory use to a principal on-site restaurant				<b>C</b>	<b>C</b>				
Pawn shops				<b>C</b>	<b>C</b>				
Personal services				<b>P</b>	<b>P</b>				
Pet Store, including grooming as long as no kenneling services are provided				<b>P</b>	<b>C, S</b>				
Plant nursery – Indoor				<b>C</b>	<b>C</b>				<b>P</b>
Plant nursery – Outdoor				<b>C</b>	<b>C</b>				<b>P</b>
Pool and billiards establishment				<b>C</b>	<b>C</b>				
Printing, publishing, and blueprint services						<b>P</b>			
Public utilities facilities	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>		<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>
Recreation facilities commercial				<b>C</b>		<b>P</b>	<b>C</b>	<b>C</b>	<b>C</b>

Recreational vehicle parks			<b>P</b>						
Recycling facilities						<b>C</b>			
Recycling drop off				<b>C</b>		<b>P</b>			
Research and Development						<b>C</b>			<b>C</b>
Restaurant			<b>C</b>	<b>P</b>	<b>P</b>				
Retail shops				<b>P</b>	<b>P</b>				
Secondhand or consignment shops				<b>C</b>	<b>C</b>	<b>C</b>			
Shopping centers				<b>P</b>	<b>C</b>				
Special events				<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	
Theater				<b>C</b>		<b>P</b>			
Tow yard/ impound						<b>C</b>			
Warehousing						<b>C</b>			<b>P</b>
Wineries and wine tasting						<b>C</b>			<b>C</b>
Wine tasting				<b>P</b>	<b>P</b>	<b>C</b>			

**P – Permitted; C – Conditional; S – Site Review**

<b>Use (Public)</b>	<b>R1</b>	<b>R2</b>	<b>R3</b>	<b>C</b>	<b>MU</b>	<b>I</b>	<b>P</b>	<b>PF</b>	<b>A</b>
Clubs and lodges				<b>C</b>		<b>C</b>		<b>C</b>	
Community centers					<b>P</b>		<b>C</b>	<b>C</b>	
Convalescent hospitals/ nursing homes			<b>C</b>	<b>P</b>	<b>C</b>				
Cultural or historical establishment (museum, library, etc.)				<b>C</b>			<b>C</b>	<b>C</b>	
Government offices				<b>C</b>	<b>C</b>	<b>C</b>		<b>C</b>	
Parking lot, public				<b>C</b>			<b>C</b>	<b>C</b>	
Parks and playgrounds, public	<b>C</b>	<b>C</b>	<b>C</b>						
Public utility service yards						<b>C</b>			
Recreational facilities, Noncommercial	<b>C</b>	<b>C</b>	<b>C</b>						
Places of worship	<b>C</b>	<b>C</b>	<b>C</b>						
Schools, accredited/ public	<b>C</b>	<b>C</b>	<b>C</b>					<b>C</b>	
Utilities	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>

**P – Permitted; C – Conditional; S – Site Review**