



# City of San Juan Bautista

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## AGENDA

### PLANNING COMMISSION MEETING

*\*Revised 7/29/16\**

CITY HALL COUNCIL CHAMBERS  
311 Second Street  
San Juan Bautista, California  
**TUESDAY – AUGUST 2, 2016**

*In compliance with the American with Disabilities Act, if you need special assistance to attend or participate in the meeting, please call the City Clerk's Office at (831) 623-4661, extension 13 at least 48 hours prior to the meeting.*

*Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at the meeting and in the City Clerk's office located at City Hall, 311 Second Street, San Juan Bautista, California during normal business hours.*

**1. Call to Order  
Roll Call**

**6:00 PM**

**2. Public Comment**

**3. Informal Project Review**

Any potential and/or future project applicant may present his 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. Secondary Unit at 501 Sixth Street. Applicants Richard De Andrade & Nicole Fisher.**

**4. Consent Items**

- A. Approve Affidavit of Posting Agenda**
- B. Approve Affidavits of Posting and Mailing Public Hearing Notices**
- C. Approve Minutes for the May 3, 2016 Meeting**
- D. Approve Minutes for the June 7, 2016 Meeting**

**5. Public Hearing Items**

- A. Consider recommendation from the Historic Resources Board to the Planning Commission for support for the Mission San Juan Bautista Preservation and Seismic Upgrade**
- B. Consider Resolution 2016-XX Noise regulations with recommendation to City Council  
(Continued until Workshop)**
- C. Consider approval and adoption of the Initial Study and Mitigated Negative Declaration for the proposed Copperleaf Subdivision Project, situated on the north side of San Juan-Hollister Road, 300 feet east of Salinas Grade Road, APN 002-130-012, 021, 023 & 031**
  - i. Consider Approval of Resolution 2016-XX Adoption of an Initial Study and Mitigated**

## **Negative Declaration for the Copperleaf Subdivision Project**

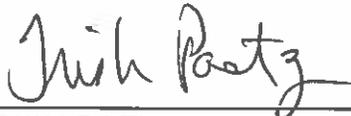
- D. Consider Approval of a Vested Tentative Map for the Proposed Copperleaf Subdivision located on the north side of San Juan- Hollister Road, 300 feet east of Salinas Grade Road, APN 002-130-012.**
  - i. Consider Approval of Resolution 2016-XX Approving a Vested Tentative Map for the Proposed Copperleaf Subdivision.**
  
- 6. Discussion Items**
  - A. Consider revisions to Fencing Regulations in the SJBMC & Design Guidelines**
  - B. Consider revisions to the SJBMC Chapter 11-11 Parking (Schedule a workshop)**
  - C. Performance Bonds, Labor & Material Bonds requirements for projects**
  - D. 10 Franklin Street, Building Permit No. 0563 Residential Project (Neubauer)**
  - E. Future Landscaping plans for 10 Franklin Street residential project**
  - F. Former Taix Residents at 10 Franklin Street.**
  - G. Water Wells summary**
  - H. Del Webb Project (San Juan Oaks Golf Property)**
  - I. Increases in development impact fees (Proposition 218)**
  - J. San Benito County Planning Commission Meeting August 3<sup>rd</sup>.**
  
- 7. Comments & Reports**
  - A. Planning Commissioners**
  - B. City Manager**
  - C. Assistant City Planner**
  - D. Strategic Planning Committee Report**
  
- 8. Adjournment**

**AFFIDAVIT OF POSTING**

I, TRISH PAETZ, DO NOW DECLARE, UNDER THE PENALTIES OF PERJURY THAT I AM THE DEPUTY CITY CLERK 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 27<sup>th</sup> DAY OF JULY 2016, 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 27<sup>th</sup> DAY OF JULY 2016.



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TRISH PAETZ, DEPUTY CITY CLERK

**AFFIDAVIT OF POSTING**

I, TRISH PAETZ, DO NOW DECLARE, UNDER THE PENALTIES OF PERJURY THAT I AM THE DEPUTY CITY CLERK IN THE CITY OF SAN JUAN BAUTISTA AND THAT I POSTED THREE (3) TRUE COPIES OF THE ATTACHED PLANNING COMMISSION PUBLIC HEARING NOTICE. I FURTHER DECLARE THAT I POSTED SAID NOTICE ON THE 22<sup>nd</sup> DAY OF JULY 2016, 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.
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SIGNED AT SAN JUAN BAUTISTA, COUNTY OF SAN BENITO, CALIFORNIA,  
ON THE 22<sup>nd</sup> DAY OF JULY 2016.



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TRISH PAETZ, DEPUTY CITY CLERK

**CITY OF SAN JUAN BAUTISTA  
PLANNING COMMISSION REGULAR MEETING  
MAY 3, 2016  
DRAFT MINUTES**

**1. CALL TO ORDER** – Chairman Franco called the meeting to order at 6:44 p.m.

**B. ROLL CALL**      **Present:**      Chairman Franco, Commissioners Guibert,  
Medeiros, Gredassoff, and Coke

**Staff Present:** City Manager Grimsley, Asst. Planner Luquin  
and Administrative Services Manager Paetz

**2. PUBLIC COMMENT**

No comments were received.

**3. INFORMAL PROJECT REVIEW3**

The Obronskys presented plans for a 750 square foot manufactured home on Lausen Drive. Commissioners expressed concerned about the shed roof on the structure. During public comment, Jolene Cosio spoke in support of the project but was concerned with the road.

**4. CONSENT ITEMS**

**A. Approve Affidavit of Posting Agenda**

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

**C. Approve Minutes of February 2, 2016 Meeting**

A motion was made by Commissioner Guibert and seconded by Vice Chairman Medeiros to approve Items A and B on the consent agenda. The motion passed unanimously, 5-0.

A motion was made by Commissioner Gredassoff and seconded by Commissioner Guibert to approve the minutes with changes. The motion passed unanimously, 5-0.

Draw straws. Eric and Wanda step out. Five minute break taken.

**5. PUBLIC HEARING ITEMS**

**A. Consider Approval of the amended D'Ambrosio Vista Tentative map into two phases, Phase 1 Lots 1-8 and Phase 2 Lots 9-27**

**i. Approve Resolution 2016-20 Recommending to the City Council the Amendment of the Tentative Map into two phases**

As three Commissioners live within 300 feet of the property, Commissioners Gredassoff, Guibert, and Medeiros drew straws to determine which of the three would remain in

order to maintain a quorum. Commissioner Medeiros won the straw vote.

Commissioners Guibert and Gredassoff recused themselves and left Council Chambers.

Staff presented the project. A representative for the project, Allen Andrade of San Benito Engineering was present to answer questions. Chairperson Franco opened the public hearing. Karyn Gredassoff was concerned with speeding traffic. Jolene Cosio spoke in support of raised crosswalks as traffic calming device, and was concerned with "one dig" rule. Salena Kennedy was concerned with dust during the grading process.

A motion was made by Commissioner Coke and seconded by Vice Chairman Medeiros to approve Resolution 2016-20 Approving the Amendment to the D'Ambroiso Vista PUD Tentative Map, Phase 1, Lots 1-8 and Phase 2, Lots 9-27. The motion passed, 3-0-0-2 with Commissioners Gredassoff and Guibert recused.

**B. Consider Approval for Site and Design Review for D'Ambrosio Vista Lot 1-8 Phase One**

**i. Adopt Resolution 2016-XX Approving Site and Design Review for D'Ambrosio Vista Phase One**

Staff provided a report. The applicant was present. Chairperson Franco opened the public hearing. Karyn Gredassoff was concerned that all the homes would be two story. Cara Vonk was also concerned with the size of the homes, that they are of Mediterranean styling, some on a hillside, and the garage in view from the street. During public comment Jolene comments on affordable housing aspect, 8 homes, to meet goals. Chairperson Franco closed the public hearing.

The item was continued to the next meeting.

**C. Consider approval of a Site and Design Review for 415 Seventh Street Minor Subdivision, front elevations only. Applicant Al Valles.**

**i. Approve Resolution 2016-XX Approving Site and Design Review for the front elevations at 415 Seventh Street**

This item was continued.

**D. Review and Comment on Initial Study and Mitigated Negative Declaration for the Copperleaf Subdivision Project, situated on the north side of San Juan-Hollister Road, 300 feet east of Salinas Grade Road, APN 002-130-012, 021, 023 & 031.**

This is a continuation of last month's public hearing and no action will be taken at this time. Chairperson Franco opened the public hearing. Jolene Cosio was concerned the City is rushing forward as the property has not been annexed into the City yet, and with moving a well for a developer. Cara Vonk was concerned with a historic resource on the property (a barn), and for recognition of the railroad for the cement plant that use to be located on the property. Project Representative Kathy Oesterreich and City Manager

Grimsley addressed the issues brought up during public comment. Chairperson Franco closed the public hearing.

## **6. ACTION ITEMS**

### **A. Consider Resolution 2016-21 Approving Changes to the Planning Commission By-Laws**

A motion was made by Commissioner Guibert and seconded by Vice Chairman Medeiros to approve Resolution 2016-21 Amending the Planning Commission by-laws. The motion passed unanimously, 5-0.

### **B. Consider Approval of Historic Downtown Streetscape Guidelines**

This item was continued to next month.

### **C. Consider Approval of Resolution 2016-22 Recognizing a Residential Structure for National Preservation Month**

Chairman Franco presented. There were not public comments.

A motion was made by Commissioner Guibert and seconded by Commissioner Coke to approve Resolution 2016-22 recognizing Tom and Dee Koch during National Preservation Month. The motion passed unanimously, 5-0.

### **D. Consider Approval of Resolution 2016-23 Recognizing a Commercial Structure for National Preservation Month**

Chairman Franco presented. There were no public comments.

A motion was made by Commissioner Medeiros and seconded by Commissioner Guibert to approve Resolution 2016-22 recognizing Pastor and Mrs. John Amelio during National Preservation Month. The motion passed unanimously, 5-0.

### **E. Reschedule June Meeting: Conflicts with Primary Election**

The next Planning Commission meeting was scheduled for Wednesday, June 8, 2016 at 6:00 p.m.

## **7. DISCUSSION ITEMS**

### **A. Review Existing Fencing Regulations in the SJBMC and Design Guidelines**

This item was tabled and will be brought back at the Commission's request.

### **B. Brewery Update**

Staff presented a report to the Historic Resources Board earlier tonight.

### **C. Planning Commission Permit Expiration Times**

Chairperson Franco suggested use permits be approved for one year but will conduct research and before bringing this item back to the Commission.

### **D. Orchard Park**

Staff presented a report to the Historic Resources Board earlier tonight.

**E. Future Preservation Month Recognition**

There was discussion about the process.

**8. COMMENTS & REPORTS**

**A. Planning Commissioners**

Commissioner Medeiros commented that the branding presentation should be brought to the Commission.

**B. City Manager**

No comments were received.

**C. Assistant Planner**

No comments were received.

**D. Strategic Planning Committee**

Commissioners received a report.

**9. ADJOURNMENT**

The meeting adjourned at 9:28 p.m.

**CITY OF SAN JUAN BAUTISTA  
PLANNING COMMISSION SPECIAL MEETING  
JUNE 8, 2016  
DRAFT MINUTES**

**1. CALL TO ORDER** – Chairman Franco called the meeting to order at 6:16 p.m.

**B. ROLL CALL**      **Present:**            Commissioners Guibert, Gredassoff and Coke

**Absent:**                Commissioners Franco and Medeiros

**Staff Present:**    City Manager Grimsley, Asst. Planner Luquin  
and Administrative Services Manager Paetz

Commissioner Guibert chaired the meeting in the absence of the Chairperson and Vice Chairperson.

**2. PUBLIC COMMENT** – only on items on the agenda

No comments were received.

**3. INFORMAL PROJECT REVIEW**

**A. The Village at San Juan Bautista**

Applicant Bill Coffey presented a project of 108 modular homes on the south side of Highway 156. During public comment, George Dias spoke in concern with the number of developments being proposed in San Juan Bautista.

**4. CONSENT ITEMS**

**A. Approve Affidavit of Posting Agenda**

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

A motion was made by Commissioner Coke and seconded by Commissioner Gredassoff to approve all items on the consent agenda. The motion passed unanimously, 5-0.

**5. PUBLIC HEARING ITEMS**

**A. Consider Approval of the Amended D'Ambrosio Vista Tentative map into two phases, Phase 1 Lots 1-8 and Phase 2 Lots 9-27**

**i. Approve Resolution 2016-XX Recommending to the City Council the Amendment of the Tentative Map into two phases**

This item was continued.

**B. Consider Approval for Site and Design Review for D'Ambrosio Vista Lot 1-8 Phase One**

**i. Adopt Resolution 2016-XX approving site and design review for D'Ambrosio Vista Phase One**

The item was continued.

**C. Consider Approval of the Initial Study and Mitigated Negative Declaration for the Copperleaf Subdivision Project, situated on the north side of San Juan-Hollister Road, 300 feet east of Salinas Grade Road, APN 002-130-012, 021, 023 & 031.**

This item was continued.

A five minute recess was taken.

**D. Consider Approval for Site and Design Review for 415 Seventh Street Minor Subdivision, front two lots (lots 26-27) elevations only. Applicant: Al Valles**

**i. Approve Resolution 2016-XX Approving the Site and Design Review for the front two lots' elevations at 415 Seventh Street.**

Staff presented the project. The applicant was present. Acting Chairperson Guibert opened the public hearing. No comments were made. Acting Chairperson Guibert closed the public hearing.

A motion was made by Commissioner Gredasoff and seconded by Commissioner Coke to approve a site and design review permit for the front elevations of Parcel 1 and 2 at 415 Seventh Street. The motion passed 3-0-0-2 with Commissioners Franco and Medeiros absent.

**E. Consider Approval of a Site and Design Review for a Secondary Unit a 505 Second Street. Applicant: Andy Moore.**

This item was continued.

**F. Consider Revision of the Proposed Noise Ordinance Recommended by the City Attorney.**

Staff presented changes advised by the City Attorney, classifying noise as a nuisance. This item was continued to July.

**G. Consider Revision of the Proposed Home Occupations Ordinance Recommended by the City Attorney**

This item was continued.

**H. Consider Recommendation by the Planning Commission to Approve a Site and Design Review for the Re-roofing of the Old Adobe at 101 Third Street. Applicant: Emily Renzel**

This item was recommended for approval by the Historic Resources Board.

A motion was made by Commissioner Gredasoff and seconded by Commissioner Coke to approve Resolution 2016-25 approving a site and design review for the re-roofing of the Old Adobe at 101 Third Street (APN 002-190-011) and adding to the

resolution that the applicant will comply with the California Building Code and the California Historical Building Code. The motion passed 3-0-0-2 with Commissioners Franco and Medeiros absent.

## **6. DISCUSSION ITEMS**

- A. Review Existing Fencing Regulations in the SJBMC and Design Guidelines.**
- B. Abbe Park Covered Bus Stop Improvement Project**
- C. New Water Wells**
- D. Fuel Station update**
- E. Loayza Property**
- F. Wastewater Treatment Plant Sludge Removal**
- G. Third Street Painting**
- H. Stop Sign at Franklin Street and Third Street heading south**

City Manager Grimsley provided an update on each discussion item. No public comments were received.

**Eric: Car show in SJB.**

## **8. COMMENTS & REPORTS**

### **A. Planning Commissioners**

Commissioner Coke requested updates on Harvey's Lockup and the Brewery. Commissioner Gredassoff commented on accusations as being nearly libelous on Facebook. Commissioner Guibert commented the City was left with a mess on the streets after the rib cook-off. Commissioner Gredassoff announced there would be a car show in San Juan Bautista on June 25.

### **B. City Manager**

City Manager Grimsley commented the Council's budget meeting on June 16 would concentrate on police and fire.

### **C. Assistant Planner**

No comments were received.

### **D. Strategic Planning Committee**

Commissioners received a report.

## **9. ADJOURNMENT**

The meeting adjourned at 8:30 p.m.

# **CITY OF SAN JUAN BAUTISTA**

## **PLANNING COMMISSION STAFF REPORT**

**DATE:** July 26, 2016

**SUBJECT:** Proposed City-Wide Noise Ordinance

**DISCUSSION:** The Noise Ordinance has been revised per the City Attorneys request. The revisions were minimal and the Application and Enforcement portions were completely removed. The City Attorney has also stated many cities are adopting noise ordinances that veer away from measuring decibels and are going towards regulation based on complaints and types of noises that cause public nuisance. Staff has taken the considerations from the City Attorney into account and is forwarding information to the Planning Commission for further determination. We want to be certain that all of the Planning Commissioner's needs and concerns are included as well. Staff has made a list of noise regulations from neighboring cities that are similar to those mentioned by the City Attorney and has determined where the proposed regulations can properly be implemented/ amended in the San Juan Bautista Municipal Code.

**RECOMMENDATION:** Staff recommends that the Planning Commission review all Noise Ordinance attachments, add or amend as needed to provide a sustainable and effective Noise Ordinance. Once finalized, the Planning Commission will make the appropriate recommendation for amendment of the Noise Ordinance into the San Juan Bautista Municipal Code.

### **ATTACHMENTS:**

1. Approved Planning Commission Resolution 2016-17(16)
2. City Attorney Edited Version with Comments
3. Noise Regulations with proposed SJBMC Sections
4. Revised Resolution 2016-XX Amending the San Juan Bautista Municipal Code adding Chapter 11-30; Regulations for Establishing a Noise Ordinance within the City of San Juan Bautista.

### **ACTION:**

1. Adopt Resolution 2016-XX Recommending to the City Council Amendment of the San Juan Bautista Municipal Code and Adding Chapter 11-30; Regulations for Establishing a Noise Ordinance within the City of San Juan Bautista.

## **CITY OF SAN JUAN BAUTISTA**

### **PLANNING COMMISSION STAFF REPORT**

**DATE:** July 25, 2016

**SUBJECT:** Approval and Adoption of Initial Study and Mitigated Negative Declaration for the proposed Copperleaf Subdivision Project on 13.30 acres along San Juan- Hollister Road.

**APPLICANT:** Edenbridge Homes Inc.

**DISCUSSION:** The applicant has submitted for review the environmental documents consisting of an Initial Study and a Mitigated Negative Declaration for the proposed subdivision located on Kathleen Manning's 13.3 acres (APN 002-130-012, 021, 023 and 031) located north of San Juan-Hollister Road. The comment and review period was set from April 13<sup>th</sup> through May 13<sup>th</sup>. During the General Plan update the proposed project area was designated as R-1 Low Density Residential. The proposed Copperleaf Subdivision will consist of 45 new single family homes, nine accessory living units, and an open space area that will include a drainage retention pond and community park. The City's existing Well No. 2 on the property will be relocated to a 0.280 acre parcel located at the southeast corner of the property. The existing dilapidated barn will be evaluated for structural integrity, historical value and cultural significances. The property owners indicated they will dismantle the barn, store it at the ranch site and reconstruct the barn on their property situated on San Juan Highway. A portion of the barn site is zoned commercial and is designated to be rezoned to residential so it will conform to the 2035 general plan. The 13.30 acres were approved to be pre-zoned to Low Density Residential (R-1) in March by the Planning Commission (3/1/16) and City Council (3/15/16, second reading on 4/19/16). The initial study identifies air quality, greenhouse gas emissions, biological resources, hydraulics and hydrology, geotechnical, seismic, traffic, noise and phase 1 & 2 Environmental Site Assessment and potential mitigation measures to reduce the impact to less than significant.

#### **RECOMMENDATION:**

1. Review and conduct a Public Hearing to receive input regarding the Initial Study and Mitigated Negative Declaration for the Copperleaf Subdivision Project.
2. Adopt Resolution 2016-XX for adoption and approval of the Initial Study and Mitigated Negative Declaration for the Copperleaf Subdivision Project.

#### **ATTACHMENTS:**

1. APN Map
2. Initial Study and Mitigated Negative Declaration
3. Conditions of Approval

## **RESOLUTION 2016-XX**

### **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN JUAN BAUTISTA APPROVING THE INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION FOR THE PROPOSED 45 LOT COPPERLEAF SUBDIVISION SITUATED ON THE NORTH SIDE OF SAN JUAN-HOLLISTER ROAD**

**WHEREAS**, the Planning Commission has conducted a public hearing on May 3<sup>rd</sup>, June 8<sup>th</sup>, and August 2<sup>nd</sup>, 2016 to receive and hear all public comments, written correspondence, electronic communication and oral input on the Initial Study and Mitigated Negative Declaration for the proposed Copperleaf 45 lot subdivision, and

**WHEREAS**, the Initial Study and Mitigated Negative Declaration was prepared for the City of San Juan Bautista by Olberding Environmental, Inc. dated July 2016 for the Planning Commission to review, discuss, evaluate and consider approval for the proposed 45 lot Copperleaf Subdivision, and

**WHEREAS**, the Planning Commission upon receiving and reviewing the staff report, initial study and Mitigated Negative Declaration together with conditions of approval, mitigation measures, monitoring and reporting programs, all public input, written comments, electronic communication and in light of the whole record before them, there is no evidence that the proposed subdivision may have significant impacts on the environment which cannot be mitigated to a level of less than significant with proper conditions of approval and mitigation measures. The following findings are made to support the approval of the Initial Study and Mitigated Negative Declaration together with the conditions of approval, mitigation measures, monitoring and reporting programs.

**WHEREAS**, the Planning Commission hereby makes the following findings:

1. Policy LU 2.5.1: Development strategies to address the need for new housing as well as the need for rehabilitation and preservation of existing structures.
2. Policy LU 2.6.1: Reduce conflicts between incompatible land uses.
3. Objective LU 2.4: Increase the amount of infill development.
4. Policy LU 2.4.1: Facilitate vacant and other areas to accommodate development.
5. Goal LU 3: A compact small town with distinctive architecture.
6. Goal LU 4: A walkable, pedestrian friendly, and visually rich town.
7. Objective LU 4.1: Develop a walkable and pedestrian friendly street programs and initiatives.
8. Program LU 4.1.1.3: Design streets so that children can walk to school,
9. Goal HO 1: An adequate housing supply that meets San Juan Bautista's needs.
10. Objective HO 1.1: Accommodate at least 450 additional housing units by 2035 to fulfill regional housing needs assessment housing projections as mandated by San Benito Council of Governments.
11. Policy HO 1.1: Promote new housing production in targeted growth areas.
12. Objective HO 2.1: Accommodate 112 additional affordable housing units by 2035, including 45 affordable rental units and 67 affordable owner occupied units.

13. Objective HO 2.1.1.1: Permit secondary units, while educating the public about secondary units as an opportunity to provide additional affordable housing.
14. Program HO 2.1.1.3: Provide development incentives for affordable housing such as reductions in minimum lot sizes for single family residential districts.
15. Objective HO 2.2: Accommodate new market rate housing units as housing needs arise.
16. Policy HO 2.2.1: Allow sufficient land and housing density to accommodate market rate housing growth targets and develop regulations that allow smaller size residential lots.
17. Goal HO 3: Respect for the character of San Juan Bautista
18. Objective HO 3.1: Promote housing that fits with the City's architectural character.
19. Goal CO 1: Growth and development balanced with environmental equality.
20. Program CO 1.2.2.1: Underutilized or vacant lands should be given priority for development.
21. Program N 1.2.1.1: Implement traffic calming devices on State Route 156, city streets to slow traffic speed.
22. Goal PS 1: A Community safe from earthquakes and other geologic hazards.
23. The proposed project will mitigate the impacts to a less than significant level with conditions of approval and mitigation measures.
24. The proposed project is consistent with the General Plan and Zoning District of the City of San Juan Bautista.

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Commission of the City of San Juan Bautista does hereby approve the Initial Study and Mitigated Negative Declaration for the proposed 45 lot Copperleaf Subdivision.

**PASSED AND ADOPTED** by the Planning Commission of the City of San Juan Bautista on this 2<sup>th</sup> day of August, 2016 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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**Chairperson Ernest J. Franco**

**ATTEST:**

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**Trish Paetz, Deputy City Clerk**

## CONDITIONS OF APPROVAL

1. The applicant shall dedicate, improve and guarantee by bond the following streets, roads or cul-de-sac as shown upon the approved vested tentative map labeled Tentative Map for Copperleaf Subdivision, including but not limited to concrete curbs, gutters, sidewalks, aggregate base, asphalt street surfacing, sewer mains and laterals, water mains and water service laterals, underground electrical, telephone, and cable TV conforming to City of San Juan Bautista Standard specifications.
  - a. Street Copperleaf Lane
  - b. Street Cedar Court
  - c. Street Cypress Lane
2. The applicant shall improve and guarantee by bond the half street improvements along San Juan-Hollister Road including but not limited to concrete curbs, gutters, sidewalk, sewer mains, manhole, water valves, fire hydrants, underground electrical, telephone, cable TV, asphalt surfacing, aggregate base, pavement centerline striping, bike lane striping, street name signs, architectural fence, low shrubbery landscaping and drip irrigation system. The improvements shall extend from Lot 1 to the easterly end of the curb, gutter and sidewalk of the Hacienda de Leal motel. Provisions shall be made for one 16' wide concrete driveway to lot C.
3. The applicant shall enter into a subdivision agreement and post a faithful performance bond, and a labor and materials bond guaranteeing construction of all improvements within the subdivision.
4. The applicant shall submit a grading, erosion control and storm water pollution prevention plan (SWPPP) for all earthwork and grading activities proposed for the subdivision.
5. The applicant shall obtain an encroachment permit for all improvements in the San Juan-Hollister Road.
6. The applicant shall enter into an indemnification and hold harmless agreement with the City of San Juan Bautista for the approval of the subdivision.
7. The applicant shall submit a geotechnical soils report for the subdivision with recommendations for the structural sections of street improvements, foundation design standards for buildings and structures and recommendation for field testing, inspections and compaction standards.
8. The applicant shall submit an archaeological report to the City prior to approval of the tentative map.
9. The applicant shall submit a drainage report to the City showing the on-site storm water drainage system, retention capacity and application for the submittal of a conditional letter of map amendment (CLOMA) to the Federal Emergency Management Agency.
10. The applicant shall install fire hydrants within the subdivision. The location shall be determined by the City Engineer.

11. The applicant shall relocate and underground the electrical distribution line running across lots 7, 8, 11 and 12 to a location as determined in the final improvement plans and coordinate with the utility company.
12. The applicant shall install an architectural sound wall along the rear lots 10 through 23 and architectural side yard fence along San Juan-Hollister Road of lots 27, 28, 36, 37, 45, and 1. A fence shall be constructed along the west property line of lots 9, 10 and Lot C.
13. The applicant shall improve half street frontage along San Juan-Hollister road and grade lot B and the 28 feet wide Lot A to finish elevation, and participate in a fair share portion of the cost to install a domestic well meeting the City Standards together with electrical service, fencing and security night lighting.
14. The applicant shall submit improvement plans and construct a storm drainage retention pond for all surface runoff water from the subdivision. The storm drainage retention pond shall be designed with multiple elevation levels. The pond shall have a perimeter fence with access gates or entrance which restrict pedestrian and maintenance equipment access during periods of heavy rain.
15. The applicant shall submit a traffic report to the City identifying traffic volumes, patterns, and pedestrian traffic, together with mitigation measures to address impacts to the vehicular and pedestrian traffic at the intersection of The Alameda and State Highway 156.
16. The applicant shall install street lights within the subdivision that conform to the City adopted dark sky ordinance. Location shall be determined by the City in coordination with the utility company.
17. The applicant shall submit plans to Caltrans for the installation of pedestrian push button signal facilities on existing signal poles situated on the east side of the intersection and install a painted pedestrian cross walk across State Highway 156 on the east side of the intersection from the south side to north side of the Alameda.
18. The applicant shall participate in fair share costs for the construction of a deceleration right turn lane and an east bound right turn overlap signal phase at the intersection of State Highway 156 in accordance with the recommendation of the traffic study report from Hatch Mott McDonald.
19. The applicant shall, as part of the Subdivision agreement noted in condition 3 above, pay a subdivision improvement plan check fee of 1% and improvement plan inspection fee of 2% of the improvements cost identified in the subdivision agreement.
20. The applicant shall submit to the City a Site and Design Review Permit application for all homes and/or secondary units proposed. The application shall consist of a site plan showing all setbacks and property line dimensions, floor plans with square footage calculations, exterior elevation of all four sides, a landscaping and irrigation plan showing the

- drought resistant plants, turf areas not exceeding 25% of the front yard area and a layout or schematic of the drip irrigation systems.
21. The applicant shall obtain a building permit for each home and pay building permit fees, plan check fees, electrical permit fees, plumbing permit fees, mechanical permit fees, fire sprinkler permit fees, strong motion instrumentation fees, green fees, water connection fees, sewer connection fees, traffic impact fee, public safety development fees, park development fees, storm drainage development fees, library development fees and public/civic facilities development fees for each dwelling permit issued. The applicant may elect to use four or five base model plans for the building permit plan check fees and the City will give credit to each subsequent building permit issuing the same plans.
  22. The applicant shall install a domestic water and fire sprinkler service to each home with a water utility box conforming to the city's standard plan B3-3. A separate ball valve or equal shall be installed behind each water service box.
  23. The applicant shall form and implement a landscaping and lighting district for the subdivision.
  24. The applicant shall form a Community Street Maintenance District for the maintenance, repair and replacement of the storm drain facilities, park facilities and street sweeping.
  25. The applicant shall install street lighting equipped with LED fixtures within the subdivision. Location shall be determined by the City Engineer in coordination with the utility company.
  26. The applicant shall contribute a fair share contribution, not exceeding 17% of the cost of a round-about improvement project at the intersection of The Alameda and San Juan-Hollister Road.
  27. The applicant shall install a small community park with walkways, benches, picnic tables, landscaping, trees, turf area and irrigation facilities at the northwest quadrant of lot A.
  28. The applicant shall install group mail box pick up facilities in the subdivision. Location shall be coordinated with the local US Postal Service Office Manager.
  29. The applicant shall construct a school bus stop area within the subdivision within the vicinity of Lot A.
  30. The applicant shall submit to the Planning Commission an application for temporary on-site sales signs and one off-premise sign within the area for marketing and sales purposes.
  31. The applicant shall allow construction activities within the subdivision to hours between 7:30 A.M. to 6:00 P.M. Monday through Saturday. No construction shall be allowed on Sundays and Holidays.
  32. The applicant shall restrict all loud noises, vibratory equipment, trucks backup devices, and gas powered compaction tools to hours between 8:30 A.M. to 4:00 P.M. during the permitted days of the week for

- construction. No construction on Sundays or holidays unless it is done within a closed building or structure.
33. The applicant shall have the following note placed on all construction drawings and plans. "If prehistoric archaeological resources or human remains are unexpectedly discovered during construction, work shall be halted within 10 meters ( 25 feet) of the find until it can be evaluated by a qualified professional archeologist. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented."
  34. The applicant shall obtain all right of ways and easements required and necessary for the construction and completion of the Copperleaf subdivision.
  35. The applicant shall submit to the City and San Benito County Environmental Health a hazardous waste management plan together with emergency contact information.
  36. The applicant shall submit to the City a solid waste disposal plan for all solid waste material disposed of from the project site.
  37. The applicant shall submit a copy of the permit from the Monterey Bay Area Air Pollution Control District.
  38. The applicant shall install a separate water service lateral to each lot for a fire sprinkler system and potable water. The services shall conform to the City's standard. Separate water, sewer, electrical and telephone services shall be to each secondary unit constructed.
  39. A note shall be placed upon all improvement plans for all grading, excavation and embankment during high wind periods shall cease. The City Planning Department or building inspector shall contact the contractor when construction activities shall cease due to high winds.
  40. Prior to final occupancy, a final building inspection shall be performed by the City.
  41. Prior to issuance of a building permit, school impact fee shall be paid. Confirmation of the payment shall be submitted to the City.
  42. The applicant shall restrict the number of two story structures built on each street frontage to no more than seventy (70%). The roof line shall vary in style, roof pitch, design, color and type of roof material. All structures within the subdivision shall incorporate drought tolerant landscaping, drip irrigation systems and have a least one street tree within the lot frontage of each house.
  43. The applicant shall submit the final map of the phase to be recorded together with all the necessary documentation, recording fees, subdivisions guarantees, department of real estate papers, landscaping and maintenance district authority.
  44. All residential homes shall be constructed and designed for future solar conversions.

45. The applicant shall submit to the City a copy of the PG&E utility underground electrical, telephone, gas and communication plans for the subdivision.
46. The applicant shall provide sound reduction-type windows on the rear of the homes of lots 10 through 23.
47. The applicant shall remove the old barn situated on lot 9.

# CITY OF SAN JUAN BAUTISTA

## PLANNING COMMISSION STAFF REPORT

**DATE:** July 26, 2016

**SUBJECT:** COPPERLEAF SUBDIVISION TENTATIVE MAP

**APPLICANT:** Edenbridge Homes Inc.

**LOCATION:** 13.3 acres situated in between SR 156 and San Juan- Hollister Rd.

**PARCEL SIZE:** 13.30 Acres (12.51 acres that will be developed)

**GENERAL PLAN:** Low Density Residential

**ZONING:** R-1 Low Density Residential District

**ALLOWABLE DENSITY:** 0.5 – 5.0 Unit per acre

**PROPOSED DENSITY:** 3.59 Units per acre

**DISCUSSION:** The 12.52- acre Project is located on the north side of Old San Juan Hollister Road, about 300 feet east of the intersection with The Alameda/Salinas Grade Road, in the City of San Juan Bautista, California. State Highway 156 is adjacent to the Project's northern boundary. There are two entrances to the Project from the Old San Juan Hollister Road. No site access will be available from State Highway 156. The 13.30 acre parcel was part of a ranch, commonly known as the Nyland Ranch. The property owner, Kathleen Manning, petitioned to the City Council on March 5, 2015. More recently, on March 1, 2016, the Planning Commission approved and recommended to City Council to pre-zone with intent to annex the 13.30 acres into the City as R-1, Low Density Residential. Then, on March 15, 2016 City Council was introduced with an Ordinance for the pre-zoning of the 13.30 acre Nyland Ranch with intent to annex into the City. Nonetheless, the pre-zoning and intent to annex Ordinance was adopted on April 19, 2016. San Benito County LAFCO was experiencing a transition with the Executive Officer position that endured from April 2016 until June 2016. The annexation packet was sent to LAFCO on March 18, 2016 to assure being on the April Agenda. Only administrative issues were held at the monthly LAFCO meeting from April through June. In June staff attended LAFCO meeting for the appointment of LAFCO Executive Officer, and during the public comment portion of the meeting it asked that LAFCO Commission consider holding a special meeting to have a public hearing for projects that were tabled during the transition, including the 13.30 acre parcel. LAFCO agreed to hold the special meeting on July 14, 2016 and approved the annexation. The 13.30 acre parcel is inside the City of San Juan Bautista's jurisdiction for planning and land use administration.

### **PROJECT DESCRIPTION:**

The Copperleaf residential development will consist of 45 new single family residences and with an open space area that includes a drainage retention pond (Lot A). An existing municipal well will be relocated to the southeast corner of the site (Lot B). The homes will meet City R-1 zoning standards that include minimum lot area (gross) – 7,000 square feet, density range of 0.50 to 5

dwelling units per acre, building coverage of 40 percent and a floor to area ratio (FAR) of 0.45. In addition, the Project will include curbs, gutter, sidewalks, street trees, landscaping, and street lighting that will complement the other residential neighborhoods in the City. A masonry sound wall (height varies upon location) will be constructed along the Project's northern boundary with State Highway 156. A public sidewalk will be provided along Old San Juan Hollister Road.

#### **ANALYSIS:**

The proposed subdivision will incorporate mitigated measure together with conditions of approval that will reduce the impacts to less than significant. This will include, but not be limited to, improving existing streets, constructing new streets, public utilities, a park, landscaped area, pedestrian walkways and pay impact fees for the future expansion of infrastructure and public facilities of the City.

The impact to the City's water and sewer systems have been identified by the following analysis.

#### **WATER AND SEWER ANALYSIS**

##### **Water System**

The City of San Juan Bautista owns and operates a public water system which provides potable water to the 1,930 residents. The system consist of three water wells, a 1.3 million gallon steel water storage tank and several miles of water lines. The average historical production of water pumped from the underground basin is 280 acre feet per year. (91,230,000 gallon). Well No. 1, located at the mouth of San Juan Canyon Road, provides the city with the best quality of water; however, the production capacity of Well No. 1 is limited due to its smaller drainage basin area. Well No. 1 has a pumping capacity of up to 300 gpm but is only used between 125 to 140 gpm for daily production needs. Well No. 2 is used to meet the balance of the daily and peak water demands. Well No. 2 is situated on a small 20' x 20' parcel lying 300 feet north of the San Juan-Hollister Road and surrounded by APN 012-130 031. Well No. 2 has a pumping capacity of 450 gpm but is only operated as needed to supplement Well No. 1 production for meeting water demands. Well No. 3 is currently inactive and out of service due to high nitrates levels exceeding state requirements. Back in the early part of 2014, the City experienced nitrate problems in Well No. 2 which exceeded the state maximum allowable levels. A compliance order was issued limiting the production until the level of nitrates could be reduced below the allowable limits established by the State of California Department of Public Health. A Compliance Order No. 02-05-14R-001 was issued by the State Department of Public Health on May 30, 2014 and subsequently amended by Compliance Order No. 02-05-15C-007 on June 12, 2015, requiring the City to submit a time schedule for the construction of a new well. The City submitted a time schedule and initiated actions to construct a new Well No. 4 conforming to state standards. The City authorized Maggiora Brothers Drilling Inc. to drill a test well at the site of Well No. 4. The test well proved positive to determine the site is suitable for construction of a new well. Acquisition of the site is proceeding with the land owner and construction plans; applications for a permit are being prepared for submittal to the State Department of Public Health.

The production of domestic water from the two active well is sufficient to meet the current daily and peak demands of the city. Both wells have additional production capacity to meet future growth demands.

**Water Wells:**

Current well production from Well No. 1 & 2 (21,000 g p h) 350 g p m  
Current daily demand 245,000 g p d

Projects approved. Based on 322 g/DU

D'Ambrosio PUD Third Street 27 Lots Estimated daily demand 8,700 g p d  
Rancho Vista Subdivision 86 Lot Estimated daily demand 27,700 g p d  
Fuel Station 404 The Alameda Estimated daily demand 15,400 g p d  
Proposed project, lots 45 single family units 14,500 g p d  
Total daily demand 311,300 g p d

Existing well production: Production is based upon the pump schedules from Wells No. 1 and 2, at the current rate of 350 gpm. to meet the daily demand. This would require both pumps to operate for a period of 15 hours per day to meet the daily demand.

**New Well**

Proposed new well No. 4 (estimated pumping capacity 400 g p m)  
Normal operational pumping rate 300 g p m

Future New Well No. 5 300 g p m

The two existing wells are capable of provide daily production to meet the daily and peak demands of the city. With the new Wells No. 4 & 5, the water system will be capable of meeting future water needs. All new development will be required to install and meet water system standards and pay water connection impact fees. Development will also be required to create a special maintenance and service benefit district and well as a landscaping and lighting district.

**Waste Water Treatment Plant:**

The City's Waste Water Treatment Plant situate at the end of Third Street and is classified by the State Water Resources Control Board, Central Coast Region pursuant to Title 23, California Code of Regulations Divisions 3, Chapter 26, Sections 3670-3719.6. The treatment plan has a classification of III. The plant design flow is 0.270 MGD (PWWF) and 0.240 MGD (ADWF). The current plant is operating at a daily flow rate between 0.122 MGD to 0.149 MGD. The WWTP facility handles the daily flows, however is subject to periodical odor problems due to a built up of sludge in the secondary treatment pond. The city has plans for the removal of the sludge, which will aid in the treatment process and decrease the odors. The City Council has

committed funds in their annual fiscal budget to address the sludge removal. Steps have been taken to implement an ongoing sludge removal process that will maintain the treatment process of the ponds.

Current average flows to treatment facility. 122,000 to 149,000 g p d

**Approved Projects:**

Approved D'Ambrosio PUD Third St. 27 Lots	Estimated discharge	4,500 g p d
Approved Rancho Vista Subdivision 86 Lots	Estimated discharge	14,200 g p d
Approved Fuel Station at The Alameda	Estimated discharge	9,020 g p d
Proposed project 45 lots	Estimated discharge	7,500 g p d
	Total discharge	184,220 g p d (82.2%)
	Treatment Plant ADWF	224,000 g p d

The existing waste water treatment plant has the capacity to treat existing population and the proposed increases from projects. Planned sludge removal will decrease the periodical odor occurrences. All new development will be required to pay development sewer connection impact fees upon building issuance.

**Sanitary Sewer Collection System:**

The sanitary sewer collection system, consists of sewer mains, laterals, manholes, cleanouts, collects sanitary effluent from each residential homes, business, and industrial operations. The system is a combination of sewer lines and mains that vary in size from four inches in diameter (4") to fifteen inches (15"). Many of the sewer mains are old and were installed at the turn of the century and have flow restricted capacities and infiltration problems. Infiltration is the primary source of storm waters entering the collection system during period of rain. This often causes pumping problems at the waste water treatment facility due to the limited capacity of the pumps. Isolating infiltration point is an ongoing program and will continue to be a problem in the future. Maintenance and continual upgrading the system is part of each year capital improvement budget and over an extended period, many of the sewer lines will be upgraded to a more modern type compression gasket or solvent joint, thus reducing infiltration and tree root infestation. The primary collection main, running through the City from San Juan-Hollister Road to the treatment plant at the end of Third Street was up graded in 2008-2009. The primary sewer main has the existing and future capacity to transmit effluent to the treatment plant.

- a. Increase Property Tax base and revenues
  1. City of San Juan Bautista
  2. County of San Benito
  3. Gavilan Community College
  4. San Juan-Aromas School District
  5. San Juan Cemetery District
  6. San Benito Hospital District

7. San Benito County Board of Education
  8. San Benito County Water District
  9. State Fire District
- b. Increase Sales Tax revenues
  - c. Increase Gas Tax revenues
  - d. Increase Vehicle License fees
  - e. Increase property document transfer fees
  - f. Increase Water and Sewer revenues
  - g. New Water and Sewer impact fees
  - h. New Traffic impact fees
  - i. New Public Safety Impact fees
  - j. New Park Development impact fees
  - k. New Storm Drainage impact fees
  - l. New Library Impact fees
  - m. New Public/Civic Impact fees
  - n. New School Impact fees

**RECOMMENDED ACTION:**

- Receive Staff Report
- Open the Public Hearing
- Verify Posting of notice
- Receive presentation from applicant
- Receive oral and written comments from the public
- Close public hearing
- Discussion and deliberation by Commission
- Make the finding based upon independent review and judgment of the whole record before the Commission.
  - a. That the project is consistent with the density of the zoning district for which it is located within.
  - b. That the use is necessary or desirable in relation to the purposes and intent of the San Juan Bautista General Plan, the title, and the economic, social and environmental status of the City.
  - c. That the use will be properly related to other uses, transportation facilities in the area, and will not cause undue environmental impact relating to noise, odor, pollution, etc., with implementation of proper mitigation measures
  - d. 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.
  - e. That the mitigation measures, monitoring programs and conditions of approval for the project will result in the project having a less than significant impact to the environment.
  - f. That the proposed project is consistent with the goals and objectives of the General Plan to allow for urban growth that is consistent and compatible to the surrounding areas and with the City's public service capabilities.

- g. That the proposed project is inside the city limits, currently serviced with public utilities and is an orderly and outward growth of urban development without significant extension of urban utility services.
  - h. That the initial study and mitigation measures identified in the Mitigated Negative Declaration Environmental Report show that there is no substantial evidence, in light of the whole record before the Planning Commission, that the project may have a significant effect on the environment, and
  - i. That the project plans as agreed by the applicant with the mitigation measures, monitoring programs, and conditions of approval would avoid effects or impacts to where there is no significant adverse effects to environment of the surrounding area, and
  - j. That the Planning Commission based upon its independent judgment and analysis of the whole record before it and the mitigation measures, monitoring programs and conditions of approval, that there is no substantial evidence that the project will have a significant effect on the environment.
- **Adopt Resolution 2016-XX** Approving the Vested Tentative Map VTM 2016-01 with mitigation measures, monitoring & reporting programs and conditions of approval.

**ATTACHMENTS:**

1. Vested Tentative Map
1. Petition to Annex
3. Resolution 2016-10: PC approves Pre-Zoning/ Annexation
4. Resolution 2016-14: CC approves Pre-Zoning/ Annexation
5. Ordinance 2016-03: CC Adopts Pre-Zoning? Annexation
6. Resolution 2016-XX Approving Vested Tentative Map VTM 2016-01 w/ Findings, Mitigation Measures, Monitoring and Reporting Program and Conditions of Approval

## **RESOLUTION 2016-XX**

### **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN JUAN BAUTISTA APPROVING THE VESTED TENTATIVE MAP (VTM 2016-01) FOR THE COPPERLEAF SUBDIVISION WITH MITIGATION MEASURES, MONITORING AND REPORTING PROGRAMS, AND CONDITIONS OF APPROVAL**

**WHEREAS**, the Planning Commission conducted a public hearing on May 3<sup>rd</sup>, 2016, June 8<sup>th</sup>, 2016 to review and receive comments on the proposed Copperleaf Subdivision and a public hearing on August 2, 2016 for the purpose of receiving oral and written comments, public testimony and input for the approval of a Vested Tentative Map for the Copperleaf Subdivision, and

**WHEREAS**, the Planning Commission received the staff report, conditions of approval, proposed mitigation measure and monitoring programs, oral public testimony, written comments, electronic communication and citizen input on the proposed Copperleaf Subdivision, and

**WHEREAS**, the Planning Commission reviewed and considered all the information presented, and considered all information that was presented during the public hearing, and the information from the initial study and mitigated negative declaration prepared for the City of San Juan Bautista by Olberding Environmental , Inc. dated July 2016, and in light of the whole record before the Planning Commission, determined that there is sufficient evidence that approval of the Vested Tentative Map for the 45 lot Copperleaf Subdivision , together with mitigation measures, conditions of approval and mitigation monitoring program identified in Exhibit B of the staff report ,would have a less than significant impact on the environment of the surrounding and immediate area.

The Planning Commission hereby makes the following findings to support the approval of the Vested Tentative Map (VTM 2016-01) for the Copperleaf Subdivision.

1. That the project is consistent with the density of the zoning district to which it is located within.
2. That the proposed use is necessary or desirable in relation to the purposes and intent of the San Juan Bautista 2035 General Plan, the title, and the economic, social and environmental status of the city.
3. That the uses will be properly related to other uses and transportation facilities in the area, and will not cause undue environmental impact relating to noise, odor, pollution, etc., with the implementation of proper mitigation measures outlined in the environmental document.
4. That the uses 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.
5. That the mitigation measures, monitoring programs and conditions of approval for the project will result in the project having a less than significant impact on the environment.
6. That the project is consistent with the goals and objectives of the 2035 General Plan, to allow for urban development that is consistent and compatible to the surrounding areas and within the City's public service capabilities.

7. That the project is within the City's adopted sphere of influence, adjacent to existing city boundaries and has water, sewer, public utilities available to the property for orderly and continuous outward growth of urban development without significant extension of public utility services.
8. That the mitigation measures identified in the initial study and mitigated negative declaration report show that there is no substantial evidence, in light of the whole record before the Planning Commission, that the project may have a significant effect on the environment.
9. That the project, as agreed by the applicant, with the mitigation measures, monitoring programs and conditions of approval, would avoid effects or impacts to where there is no significant adverse effects to the environment of the surrounding area.
10. That the project is consistent with Policy LU 2.5.1: Development strategies to address the need for new housing as well as the need for rehabilitation and preservation of existing structures.
11. That the project is consistent with Policy LU 2.6.1: Reduce conflicts between incompatible land uses.
12. That the project is consistent with Objective LU 2.4: Increase the amount of infill development.
13. Policy LU 2.4.1: Facilitate vacant and other areas to accommodate development.
14. Goal LU 3: A compact small town with distinctive architecture.
15. Goal LU 4: A walkable, pedestrian friendly, and visually rich town.
16. Objective LU 4.1: Develop a walkable and pedestrian friendly street programs and initiatives.
17. Program LU 4.1.1.3: Design streets so that children can walk to school,
18. Goal HO 1: An adequate housing supply that meets San Juan Bautista's needs.
19. Objective HO 1.1: Accommodate additional housing units by 2035 to fulfill regional housing needs assessment projected by San Benito Council of Governments.
20. Policy HO 1.1: Promote new housing production in targeted growth areas.
21. Objective HO 2.1.1.1: Permit secondary units, while educating the public about secondary units as an opportunity to provide additional affordable housing.
22. Program HO 2.1.1.3: Provide development incentives for affordable housing such as reductions in minimum lot sizes for single family residential districts.
23. Objective HO 2.2: Accommodate new market rate housing units as housing needs arise.
24. Policy HO 2.2.1: Allow sufficient land and housing density to accommodate market rate housing growth targets and develop regulations that allow smaller size residential lots.
25. Goal HO 3: Respect for the character of San Juan Bautista
26. Objective HO 3.1: Promote housing that fits with the City's architectural character.
27. Goal CO 1: Growth and development balanced with environmental equality.
28. Program CO 1.2.2.1: Underutilized or vacant lands should be given priority for development.
29. Goal PS 1: A Community safe from earthquakes and other geologic hazards.
30. The proposed project is consistent with the General Plan and Zoning District of the City of San Juan Bautista.

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Commission of the City of San Juan Bautista, does hereby approve the Vested Tentative Map (VTM 2016-01) for the Copperleaf Subdivision with Exhibit “A”, Conditions of Approval and Exhibit “B”, Mitigation Measure with a Monitoring and Reporting Programs attached and made a part hereof.

**PASSED AND ADOPTED** by the Planning Commission on the 2<sup>nd</sup> day of August, 2016 by the following vote.

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
Chairperson Ernest J. Franco

**ATTEST:**

\_\_\_\_\_  
Trish Paetz, Deputy City Clerk



## **EXHIBIT A**

### **CONDITIONS OF APPROVAL**

1. The applicant shall dedicate, improve and guarantee by bond the following streets, roads or cul-de-sac as shown upon the approved vested tentative map labeled Tentative Map for Copperleaf Subdivision, including but not limited to concrete curbs, gutters, sidewalks, aggregate base, asphalt street surfacing, sewer mains and laterals, water mains and water service laterals, underground electrical, telephone, cable TV conforming to City of San Juan Bautista Standard specification.
  - a. Street Copperleaf Lane
  - b. Street Cedar Court
  - c. Street Cypress Lane
2. The applicant shall improve and guarantee by bond the half street improvements along San Juan-Hollister Road including but not limited to concrete curbs, gutters, sidewalk, sewer mains, manhole, water valves, fire hydrants, underground electrical, telephone, cable TV, asphalt surfacing, aggregate base, pavement centerline stripping, bike lane striping, street name signs, architectural fence, low shrubbery landscaping and drip irrigation system. The improvements shall extend from Lot 1 to the easterly end of the curb, gutter and sidewalk of the Hacienda de Leal motel. Provisions shall be made for one 16' wide concrete driveway to lot C.
3. The applicant shall enter into a subdivision agreement and post a faithful performance bond, labor and materials bond guaranteeing construction all improvements within the subdivision.
4. The applicant shall submit a grading, erosion control and storm water pollution prevention plan (SWPPP) for all earthwork and grading activities proposed for the subdivision.
5. The applicant shall obtain an encroachment permit for all improvement in the San Juan-Hollister, Road.
6. The applicant shall enter into an indemnification and hold harmless agreement with the City of San Juan Bautista for the approval of the subdivision.
7. The applicant shall submit a geotechnical soils report for the subdivision with recommendations for the structural sections of street improvements, foundation design standards for building and structures and recommendation for field testing, inspections and compaction standards.
8. The applicant shall submit an archaeological report to the City prior to approval of the tentative map.
9. The applicant shall submit a drainage report to the City showing the on-site storm water drainage system, retention capacity and application for the submittal of a Conditional letter of map amendment (CLOMA) to Federal Emergency Management Agency.
10. The applicant shall install fire hydrants within the subdivision. The location shall be determined by the City Engineer.
11. The applicant shall relocate and underground the electrical distribution line running across lots 7, 8, 11 and 12 to a location as determine in the final improvement plans and coordination with the utility company.

12. The applicant shall install an architectural sound wall along the rear lots of 10 through 23 and architectural side yard fence along San Juan-Hollister Road of lots 27, 28, 36, 37, 45, and 1. A fence shall be constructed along the west property line of lot 9, 10 and Lot C.
13. The applicant shall improve half street frontage along San Juan-Hollister road and grade lot B and the 28 feet wide Lot A to finish elevation, and participate in a fair share portion of the cost to install a domestic well meeting the City Standards together with electrical service, fencing and security night lighting.
14. The applicant shall submit improvement plans and construct a storm drainage retention pond for all surface runoff water from the subdivision.  
The storm drainage retention pond shall be designed with multiple elevation levels. The pond shall have a perimeter fence with access gates or entrance which restrict pedestrian and maintenance equipment access during heavy rainy periods.
15. The applicant shall submit a traffic report to the City identifying traffic volumes, patterns, pedestrian traffic, together with mitigations measures to address impacts to the vehicular and pedestrian traffic at the intersection of The Alameda and State highway 156.
16. The applicant shall install street lights within the subdivision that conform to the City adopted dark sky ordinance. Location shall be determined by the City in coordination with the utility company.
17. The applicant shall submit plans to Caltrans for the installation of pedestrian push button signal facilities on existing signal poles situated on the east side of the intersection and install a painted pedestrian cross walk across State Highway 156 on the east side of the intersection from the south side to north side of the Alameda.
18. The applicant shall participate in fair share cost for the construction of a deceleration right turn lane and an east bound right turn overlap signal phase at the intersection of State Highway 156 in accordance with the recommendation of the traffic study report from Hatch Mott McDonald
19. The applicant shall as part of the Subdivision agreement, noted in condition 3 above, pay a subdivision improvement plan check fee of 1% and improvement plan inspection fee of 2% of the improvements cost identified in the subdivision agreement.
20. The applicant shall submit to the City a Site and Design Review Permit application for all homes and or secondary units proposed. The application shall consist of a site plan showing all setbacks and property line dimensions, floor plans with square footage calculations, exterior elevation of all four sides, a landscaping and irrigation plan showing the drought resistant plants, turf areas not exceeding 25% of the front yard area and a layout or schematic of the drip irrigation systems.
21. The applicant shall obtain a building permit for each home and pay building permit fee, plan check fee, electrical permit fee, plumbing permit fee, mechanical permit fee, fire sprinkler permit fee, strong motion instrumentation fee, green fee, water connection fee, sewer connection fee, traffic impact fee, public safety development fee, park development fee, storm drainage development fee, library development fee and public/civic facilities development fees for each dwelling permit issued. The applicant may elect to use four or five base model plans for the building permit plan check fees and the City will give credit to each subsequent building permit issuing the same plans.

22. The applicant shall install a domestic water and fire sprinkler service to each home with a water utility box conforming to the city's standard plan B3-3. A separate ball valve or equal shall be install behind each water service box.
23. The applicant shall form and implement a landscaping and lighting district for the subdivision.
24. The applicant shall form a Community Street Maintenance District for the maintenance, repair and replacement of the storm drain facilities, park facilities and street sweeping
25. The applicant shall install street lighting equipped with LED fixtures within the subdivision. Location shall be determined by the City Engineer in coordination with the utility company.
26. The applicant shall contribute a fair share contribution, not exceeding 17% of the cost of a round-a-bout improvement project at the intersection of The Alameda and San Juan-Hollister Road.
27. The applicant shall install a small community park with walkways, benches, picnic tables, landscaping, trees, turf area and irrigation facilities at the northwest quadrant of lot A.
28. The applicant shall install Group mail box pick up facilities in the subdivision. Location shall be coordinated with the local US Postal Service Office Manager.
29. The applicant shall construct a school bus stop area within the subdivision within the vicinity of Lot A.
30. The applicant shall submit to the Planning Commission an application for a temporary on-site sales signs and one off- premise sign within the area for marketing and sales purposes.
31. The applicant shall allow construction activities within the subdivision to hours between 7:30 A.M. to 6:00 P.M. Monday through Saturday. No construction shall be allowed on Sundays and Holidays.
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33. The applicant shall have the following note placed on all construction drawings and plans. "if prehistoric archaeological resources or human remains are unexpectedly discovered during construction, work shall be halted within 10 meters ( 25 feet) of the find until it can be evaluated by a qualified professional archeologist. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented."
34. The applicant shall obtain all right of ways and easements required and necessary for the construction and completion of the Copperleaf subdivision.
35. The applicant shall submit to the City and San Benito County Environmental Health a hazardous waste management plan together with emergency contact information.
36. The applicant shall submit to the City a solid waste disposal plan for all solid waste material disposed of from the project site.
37. The applicant shall submit a copy of the permit from the Monterey Bay Area Air Pollution Control District.

38. The applicant shall install a separate water service lateral to each lot for a fire sprinkler system and potable water. The services shall conform to the City's standard. Separate water, sewer, electrical and telephone services shall be to each secondary unit constructed.
39. A note shall be placed upon all improvement plans for all grading, excavation and embankment during high wind periods shall cease. The City Planning Department or building inspector shall contact the contractor when construction activities shall cease due to high winds.
40. Prior to final occupancy, a final building inspection shall be performed by the City.
41. Prior to issuance of a building permit, school impact fee shall be paid. Confirmation of the payment shall be submitted to the City.
42. The applicant shall restrict the number of two story structure built on each street frontage to no more than seventy (70%). The roof line shall vary in style, roof pitch, design, color and type of roof material. All structures within the subdivision shall incorporate a drought tolerant landscaping, drip irrigation systems and have a least one street tree within the lot frontage of each house.
43. The applicant shall submit the final map of the phase to be recorded together with all the necessary documentation, recording fees, subdivisions guarantees, department of real estate papers, landscaping and maintenance district authority.
44. All residential homes shall be constructed and designed for future solar conversions.
45. The applicant shall submit to the City a copy of the P.G. & E utility underground electrical, telephone, gas and communication plans for the subdivision.
46. The applicant shall provide sound reduction-type windows on the rear of all homes of lots 10 through 23.
47. The applicant, in accordance assessment findings in the WSA, Inc. Cultural Resources Assessment Report dated October 2015, shall remove the old barn, cabin and modern outbuilding situated on lot 9.

**EXHIBIT B  
MITIGATION MONITORING AND REPORTING**

Environmental Topic	Mitigation Measures	Implementation Responsibility
<p style="text-align: center;"><b>AESTHETICS</b></p> <p><b>AESTHETICS-1: Site Plan and Landscape Plan</b></p>	<p><b>AES-1</b> The applicant shall submit for review a Project site plan that shows design features including a landscape and irrigation plan to the City prior to approval of the Final Map. The site plan and landscaping design shall depict the types of vegetation planned for areas adjacent to driveways, streets, and storm drainage areas, as well as landscaping of the individual residences to complement the planned architectural design and to uphold the visual quality of the site. The landscape plan shall also depict Project sound walls (along State Route 156) per the noise study, plus fences, and other design features. The Project shall meet the City's site plan and design review standards, as outlined in the City's Municipal Code, and General Plan 2035 Conservation Policy that supports use of local native plant species for landscaping, and avoidance of invasive plant species.</p>	<p style="text-align: center;">Project Site Developer(s)</p>
<p><b>AESTHETICS-2: Lighting Plan</b></p>	<p><b>AES-2</b> The applicant shall submit a lighting plan for the Project conforming to the City's dark sky regulations and standards, with provisions for shields on all lighting fixtures. All light fixtures shall be directed into the Project site.</p>	<p style="text-align: center;">Project Site Developer(s)</p>
<p style="text-align: center;"><b>AIR RESOURCES</b></p> <p><b>AIR RESOURCES-1: Limit Exposure to Sources of TAC Emissions</b></p>	<p><b>AIR-1</b> The Project shall include the following measures to minimize long-term TAC exposure for new Project occupants: • Design buildings and site to limit exposure from sources of TAC emissions. The site layout shall locate windows and air intakes as far as possible from Highway 156 traffic lanes, using Figure 6 as a guide. Any modifications to the site design shall incorporate buffers between residences and the freeway. • To the greatest degree possible, plant vegetation along the Project site boundary with Highway 156 and around outdoor use areas. This barrier shall</p>	<p style="text-align: center;">Project Site Developer(s)</p>

	<p>include trees and shrubs that provide a dense vegetative barrier. • Mechanical ventilation shall be installed on an individual unit-by-unit basis, with individual air intake and exhaust ducts ventilating each unit separately in the case of single-family housing. Install air filtration in residential buildings where cancer risk is greater than 10 in one million (see Figure 6). Air filtration devices shall be rated MERV11 or higher. To ensure adequate health protection to sensitive receptors, this ventilation system shall meet the following minimal design standards: o A MERV11 filter or higher rating at receptors shown to exceed 10 in one million (or 1 in 100,000 cancer risk) in Figure 6; o At least one air exchange(s) per hour of fresh outside filtered air; and o At least four air exchange(s) per hour recirculation. • Ensure that the property purchase documents include assurance that new owners are provided information on the ventilation system, including cleaning and maintenance requirements.</p>	
<p><b>BIOLOGICAL RESOURCES</b></p> <p><b>BIOLOGY-1: Pre-construction Bird Survey</b></p>	<p><b>BIO-1</b> If Project construction-related activities would take place during the nesting season (February through August), preconstruction surveys for nesting passerine birds within the Project site, and the surrounding area of influence of the Project site, should be conducted by a competent biologist prior to the commencement of the tree removal or site grading activities. Nesting bird surveys shall be conducted no more than 30 days prior to any vegetation removal. If any bird listed under the Migratory Bird Treaty Act is found to be nesting within the Project site or within the area of influence, an adequate protective buffer zone should be established by a qualified biologist to protect the nesting site. This buffer shall be a minimum of 75 feet from the Project activities for passerine birds, and a minimum of 200 feet for raptors (birds-of prey). The distance shall be determined by a competent biologist based on the site conditions (topography, if the nest is in a line of sight of the construction and the sensitivity of the birds nesting). The nest site(s) shall be monitored by a competent biologist periodically to see if the birds are stressed by the</p>	<p><b>Project Site Developer(s)</b></p>

	<p>construction activities and if the protective buffer needs to be increased. Once the young have fledged and are flying well enough to avoid Project construction zones (typically by August), the Project can proceed without further regard to the nest site.</p>	
<p><b>BIOLOGY-2: Pre-construction Bat Survey</b></p>	<p><b>BIO-2</b> To avoid “take” of special status bats, the following mitigation measures shall be implemented prior to the removal of any existing trees or structures, including the barn, on the Project site:  <b>a)</b> A bat habitat assessment shall be conducted by a qualified bat biologist during seasonal periods of bat activity (mid-February through mid-October – ca. Feb. 15 –Apr. 15, and Aug. 15 – October 30), to determine suitability of each existing structure as bat roost habitat.  <b>b)</b> Structures found to have no suitable openings can be considered clear for Project activities as long as they are maintained so that new openings do not occur.  <b>c)</b> Structures found to provide suitable roosting habitat, but without evidence of use by bats, may be sealed until Project activities occur, as recommended by the bat biologist. Structures with openings and exhibiting evidence of use by bats shall be scheduled for humane bat exclusion and eviction, conducted during appropriate seasons, and under supervision of a qualified bat biologist.  <b>d)</b> Bat exclusion and eviction shall only occur between February 15 and April 15, and from August 15 through October 30, in order to avoid take of non-volant (non-flying or inactive, either young, or seasonally torpid) individuals.  <b>ORA</b> qualified wildlife biologist experienced in surveying for and identifying bat species should survey the portion of the Project where tree removal is proposed to determine if any special-status bats reside in the trees. Any special-status bats identified should be removed without harm. Bat houses sufficient to shelter the number of bats removed should be erected in open space areas that would not be disturbed by Project development.</p>	<p><b>Project Site Developer(s)</b></p>
<p><b>CULTURAL RESOURCES</b></p>		
<p><b>CULTURAL-1: Historic and Prehistoric Resources</b></p>	<p><b>CULT-1</b> In accordance with CEQA Guideline §15064.5 (f), should any previously unknown historic-period resources, including but not</p>	

	<p>limited to privies, trash deposits or similar debris, be discovered during grading, trenching, or other on-site excavation(s), earthwork within the immediate vicinity of such discoveries shall be stopped until a qualified professional archaeologist has an opportunity to evaluate the potential significance of the find. If the find is recommended as not significant, excavation will resume. If the find is recommended to be potentially significant, or requires further testing in order to make such a determination, the archaeologist in consultation with the Project sponsor and the lead agency will develop an appropriate plan to mitigate the loss of the resource. Significant resources typically include intact deposits with physical integrity, such as refuse-filled privies, that contain the variety and quantity of artifacts required to answer research questions regarding the historic development of the Project area. Sparse sheet refuse scatters and isolated artifacts are not typically considered significant. Should any previously unknown prehistoric resources, including but not limited to charcoal, obsidian or chert flakes, grinding bowls, shell fragments, bone, or pockets of dark, friable soils be discovered during grading, trenching, or other on-site excavation(s), earthwork within 25 feet of such discoveries shall be stopped until a qualified professional archaeologist has an opportunity to evaluate the potential significance of the find and suggest the appropriate steps to protect the resource.</p>	<p>Project Site Developer(s)</p>
<p><b>CULTURAL-2: Unidentified Human Remains</b></p>	<p><b>CULT-2</b> If human remains are encountered during earth-disturbing activities for the Project, all work in the adjacent area shall stop immediately and the San Benito County Coroner's office shall be notified. If the coroner determines the remains are Native American, the coroner shall contact the NAHC within 24 hours, and the NAHC shall identify the person or persons it believes to be the most likely descendant (MLD) of the deceased Native American. The MLD may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any</p>	<p>Project Site Developer(s)</p>

	associated grave goods as provided in Public Resources Code Section 5097.98.	
<b>GEOLOGY AND SOILS</b>		
<b>GEOLOGY AND SOILS-1: Geologic Instability</b>	<b>GEO-1</b> Seismic and other soil and geologic instability shall be addressed by adhering to design recommendations in the Project's geotechnical design report and to the satisfaction of the Project engineer and City staff.	<b>Project Site Developer(s)</b>
<b>GEOLOGY AND SOILS-2: Soil Erosion</b>	<b>GEO-2</b> Soil erosion shall be addresses by development and implementation of construction and post-construction erosion control programs in the form of a SWPPP and a SWMP, and otherwise adhering to design recommendations in the Project's geotechnical design report and to the satisfaction of the Project engineer and City staff.	<b>Project Site Developer(s)</b>
<b>GEOLOGY AND SOILS-3: Expansive Soils</b>	<b>GEO-3</b> The presence of expansive soils shall be addressed in foundation, infrastructure, and roadway design according to the Project's geotechnical design report and to the satisfaction of the Project engineer and City staff.	<b>Project Site Developer(s)</b>
<b>HAZARDS AND HAZARDOUS MATERIALS</b>		
<b>HAZARDS and HAZARDOUS MATERIALS-1: Soil Hazard</b>	<b>HAZ-1</b> The potential migration of contaminated soils from Lot C onto the Project site shall be addressed through the construction of a permanent wall along the Project boundary (shown on Attachment 1, Figure 8).	<b>Project Site Developer(s)</b>
<b>HYDROLOGY AND WATER QUALITY</b>		
<b>HYDROLOGY-1: Stormwater Pollution</b>	<b>HYD-1</b> The applicant shall retain a qualified SWPPP consultant to prepare and submit a Stormwater Pollution Prevention Plan (SWPPP) to the City of San Juan Bautista that identified specific actions and maps Best Management Practices (BMPs) to prevent stormwater pollution during construction activities.	<b>Project Site Developer(s)</b>
<b>HYDROLOGY-2: Flood Management</b>	<b>HYD-2</b> To comply with FEMA requirements and the San Juan Bautista Municipal Code (section 12-1-400), the lowest floor elevation of each	

	<p>structure in the Zone AO shall be 1 foot above the highest adjacent grade. The final grading of each building in the special flood hazard area shall be at least at the base flood elevation as indicated in Table 5 (Draft IS/MND page 36).</p>	<p>Project Site Developer(s)</p>
<p><b>NOISE</b></p> <p><b>NOISE-1a: Limit Exposure to Noise Sources</b></p> <p><b>NOISE-1b: Limit Exposure to Noise Sources</b></p>	<p><b>NOI-1a</b> Ensure that all residents have access to outdoor use areas that achieve the City of San Juan Bautista’s exterior noise criteria (Normally Acceptable 60 dBA Ldn for residential uses or Conditionally Acceptable 70 dBA Ldn after noise reduction features are included in the design). Based on the site plan provided, achieving 65 dBA Ldn would be possible for all residential land uses with the construction of a 9-foot high wall along the northern edge of the proposed development. The final barrier limits and heights shall be confirmed during final design, based on the latest site plan and grading plan.</p> <p><b>NOI-1b</b> A qualified acoustical consultant shall review the final site plan, building elevations, and floor plans prior to construction and recommend building treatments to reduce interior noise levels to 45 dBA Ldn or lower. Treatments would include, but are not limited to, sound rated windows and doors, sound rated wall and window constructions, acoustical caulking, protected ventilation openings, etc. Results of the analysis, including the description of the necessary noise control treatments, shall be incorporated in the building plans and approved design.</p> <p><b>NOI-1c</b> Provide a suitable form of forced-air mechanical ventilation, as determined by the local building official, for all residences on the project site, so that windows can be kept closed at the occupant’s discretion to control interior noise and achieve the interior noise.</p> <p><b>NOI-2</b> The construction contractor will implement the following controls in order to reduce construction noise levels emanating from the site, limit construction hours, and minimize disruption and annoyance. With the</p>	<p>Project Site Developer(s)</p> <p>Project Site Developer(s)</p> <p>Project Site Developer(s)</p>

	<p>implementation of these measures, the substantial temporary increase in ambient noise levels would be less-than-significant: • Limit construction activity to weekdays between 7:00 am and 7:00 pm and Saturdays and holidays between 9:00 am and 7:00 pm, with no construction on Sundays; • Locate stationary noise-generating equipment as far as possible from sensitive receptors when sensitive receptors adjoin or are near a construction project area; • Construct sound walls or other noise reduction measures prior to developing the project site, where feasible; • Equip all internal combustion engine driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment; • Prohibit all unnecessary idling of internal combustion engines; and • Utilize “quiet” models of air compressors and other stationary noise sources where technology exists.</p>	<p>Project Site Developer(s)</p>
<p><b>TRANSPORTATION AND TRAFFIC</b></p> <p><b>TRAFFIC-1: Cumulative Project Traffic</b></p>	<p><b>TRAF-1</b> The Project shall contribute (20 % of the cost) toward recommended traffic improvements (i.e. the exclusive eastbound right turn lane and the eastbound right turn overlap signal phase) based upon the percentage of the added traffic. In addition, the Project will be responsible for payment of the San Benito County Transportation Impact Mitigation Fee.</p>	<p>Project Site Developer(s)</p>

## EXHIBIT A

### CONDITIONS OF APPROVAL

1. The applicant shall dedicate, improve and guarantee by bond the following streets, roads or cul-de-sac as shown upon the approved vested tentative map labeled Tentative Map for Copperleaf Subdivision, including but not limited to concrete curbs, gutters, sidewalks, aggregate base, asphalt street surfacing, sewer mains and laterals, water mains and water service laterals, underground electrical, telephone, and cable TV conforming to City of San Juan Bautista Standard specifications.
  - a. Street Copperleaf Lane
  - b. Street Cedar Court
  - c. Street Cypress Lane
2. The applicant shall improve and guarantee by bond the half street improvements along San Juan-Hollister Road including but not limited to concrete curbs, gutters, sidewalk, sewer mains, manhole, water valves, fire hydrants, underground electrical, telephone, cable TV, asphalt surfacing, aggregate base, pavement centerline striping, bike lane striping, street name signs, architectural fence, low shrubbery landscaping and drip irrigation system. The improvements shall extend from Lot 1 to the easterly end of the curb, gutter and sidewalk of the Hacienda de Leal motel. Provisions shall be made for one 16' wide concrete driveway to lot C.
3. The applicant shall enter into a subdivision agreement and post a faithful performance bond, and a labor and materials bond guaranteeing construction of all improvements within the subdivision.
4. The applicant shall submit a grading, erosion control and storm water pollution prevention plan (SWPPP) for all earthwork and grading activities proposed for the subdivision.
5. The applicant shall obtain an encroachment permit for all improvements in the San Juan-Hollister Road.
6. The applicant shall enter into an indemnification and hold harmless agreement with the City of San Juan Bautista for the approval of the subdivision.
7. The applicant shall submit a geotechnical soils report for the subdivision with recommendations for the structural sections of street improvements, foundation design standards for buildings and structures and recommendation for field testing, inspections and compaction standards.
8. The applicant shall submit an archaeological report to the City prior to approval of the tentative map.
9. The applicant shall submit a drainage report to the City showing the on-site storm water drainage system, retention capacity and application for

- the submittal of a conditional letter of map amendment (CLOMA) to the Federal Emergency Management Agency.
10. The applicant shall install fire hydrants within the subdivision. The location shall be determined by the City Engineer.
  11. The applicant shall relocate and underground the electrical distribution line running across lots 7, 8, 11 and 12 to a location as determined in the final improvement plans and coordinate with the utility company.
  12. The applicant shall install an architectural sound wall along the rear lots 10 through 23 and architectural side yard fence along San Juan-Hollister Road of lots 27, 28, 36, 37, 45, and 1. A fence shall be constructed along the west property line of lots 9, 10 and Lot C.
  13. The applicant shall improve half street frontage along San Juan-Hollister road and grade lot B and the 28 feet wide Lot A to finish elevation, and participate in a fair share portion of the cost to install a domestic well meeting the City Standards together with electrical service, fencing and security night lighting.
  14. The applicant shall submit improvement plans and construct a storm drainage retention pond for all surface runoff water from the subdivision. The storm drainage retention pond shall be designed with multiple elevation levels. The pond shall have a perimeter fence with access gates or entrance which restrict pedestrian and maintenance equipment access during periods of heavy rain.
  15. The applicant shall submit a traffic report to the City identifying traffic volumes, patterns, and pedestrian traffic, together with mitigation measures to address impacts to the vehicular and pedestrian traffic at the intersection of The Alameda and State Highway 156.
  16. The applicant shall install street lights within the subdivision that conform to the City adopted dark sky ordinance. Location shall be determined by the City in coordination with the utility company.
  17. The applicant shall submit plans to Caltrans for the installation of pedestrian push button signal facilities on existing signal poles situated on the east side of the intersection and install a painted pedestrian cross walk across State Highway 156 on the east side of the intersection from the south side to north side of the Alameda.
  18. The applicant shall participate in fair share costs for the construction of a deceleration right turn lane and an east bound right turn overlap signal phase at the intersection of State Highway 156 in accordance with the recommendation of the traffic study report from Hatch Mott McDonald.
  19. The applicant shall, as part of the Subdivision agreement noted in condition 3 above, pay a subdivision improvement plan check fee of 1% and improvement plan inspection fee of 2% of the improvements cost identified in the subdivision agreement.
  20. The applicant shall submit to the City a Site and Design Review Permit application for all homes and/or secondary units proposed. The

application shall consist of a site plan showing all setbacks and property line dimensions, floor plans with square footage calculations, exterior elevation of all four sides, a landscaping and irrigation plan showing the drought resistant plants, turf areas not exceeding 25% of the front yard area and a layout or schematic of the drip irrigation systems.

21. The applicant shall obtain a building permit for each home and pay building permit fees, plan check fees, electrical permit fees, plumbing permit fees, mechanical permit fees, fire sprinkler permit fees, strong motion instrumentation fees, green fees, water connection fees, sewer connection fees, traffic impact fee, public safety development fees, park development fees, storm drainage development fees, library development fees and public/civic facilities development fees for each dwelling permit issued. The applicant may elect to use four or five base model plans for the building permit plan check fees and the City will give credit to each subsequent building permit issuing the same plans.
22. The applicant shall install a domestic water and fire sprinkler service to each home with a water utility box conforming to the city's standard plan B3-3. A separate ball valve or equal shall be installed behind each water service box.
23. The applicant shall form and implement a landscaping and lighting district for the subdivision.
24. The applicant shall form a Community Street Maintenance District for the maintenance, repair and replacement of the storm drain facilities, park facilities and street sweeping.
25. The applicant shall install street lighting equipped with LED fixtures within the subdivision. Location shall be determined by the City Engineer in coordination with the utility company.
26. The applicant shall contribute a fair share contribution, not exceeding 17% of the cost of a round-about improvement project at the intersection of The Alameda and San Juan-Hollister Road.
27. The applicant shall install a small community park with walkways, benches, picnic tables, landscaping, trees, turf area and irrigation facilities at the northwest quadrant of lot A.
28. The applicant shall install group mail box pick up facilities in the subdivision. Location shall be coordinated with the local US Postal Service Office Manager.
29. The applicant shall construct a school bus stop area within the subdivision within the vicinity of Lot A.
30. The applicant shall submit to the Planning Commission an application for temporary on-site sales signs and one off- premise sign within the area for marketing and sales purposes.
31. The applicant shall allow construction activities within the subdivision to hours between 7:30 A.M. to 6:00 P.M. Monday through Saturday. No construction shall be allowed on Sundays and Holidays.

32. The applicant shall restrict all loud noises, vibratory equipment, trucks backup devices, and gas powered compaction tools to hours between 8:30 A.M. to 4:00 P.M. during the permitted days of the week for construction. No construction on Sundays or holidays unless it is done within a closed building or structure.
33. The applicant shall have the following note placed on all construction drawings and plans. "If prehistoric archaeological resources or human remains are unexpectedly discovered during construction, work shall be halted within 10 meters ( 25 feet) of the find until it can be evaluated by a qualified professional archeologist. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented."
34. The applicant shall obtain all right of ways and easements required and necessary for the construction and completion of the Copperleaf subdivision.
35. The applicant shall submit to the City and San Benito County Environmental Health a hazardous waste management plan together with emergency contact information.
36. The applicant shall submit to the City a solid waste disposal plan for all solid waste material disposed of from the project site.
37. The applicant shall submit a copy of the permit from the Monterey Bay Area Air Pollution Control District.
38. The applicant shall install a separate water service lateral to each lot for a fire sprinkler system and potable water. The services shall conform to the City's standard. Separate water, sewer, electrical and telephone services shall be to each secondary unit constructed.
39. A note shall be placed upon all improvement plans for all grading, excavation and embankment during high wind periods shall cease. The City Planning Department or building inspector shall contact the contractor when construction activities shall cease due to high winds.
40. Prior to final occupancy, a final building inspection shall be performed by the City.
41. Prior to issuance of a building permit, school impact fee shall be paid. Confirmation of the payment shall be submitted to the City.
42. The applicant shall restrict the number of two story structures built on each street frontage to no more than seventy (70%). The roof line shall vary in style, roof pitch, design, color and type of roof material. All structures within the subdivision shall incorporate drought tolerant landscaping, drip irrigation systems and have a least one street tree within the lot frontage of each house.
43. The applicant shall submit the final map of the phase to be recorded together with all the necessary documentation, recording fees, subdivisions guarantees, department of real estate papers, landscaping and maintenance district authority.

44. All residential homes shall be constructed and designed for future solar conversions.
45. The applicant shall submit to the City a copy of the PG&E utility underground electrical, telephone, gas and communication plans for the subdivision.
46. The applicant shall provide sound reduction-type windows on the rear of the homes of lots 10 through 23.
47. The applicant shall remove the old barn situated on lot 9.

## Performance Bonds for Projects.

1. Performance Bonds. The City requires all subdivision, minor subdivision and major commercial development to post bonds in the amount of 100% faithful performance of the estimated or actual bid price of cost for construction of the project or building. In addition, the City requires a 50% labor and materials bond for the cost of the project or building. The Bonding Companies provides the necessary forms, documentation of performance, bonding company address, contact person and bond surety number. The City also requires notification of any lapse or expiration of the bonds posted for projects.

The following projects are pending with requirements for bonds.

1. Rancho Vista Subdivision
2. Elite PUD Development (D'Ambrosio)
3. Minor Subdivision 44 Church Street (Al Valles)
4. LLA 2016-801, 415 Seventh Street Project (Al Valles)

## CITY OF SAN JUAN BAUTISTA EXISTING WATER WELLS

### Well No. 1

Located on a 15' x 20' parcel situated on the east side of San Juan Canyon Road approximately 1600 feet south of Mission Vineyard Road

Constructed 1946

Well Depth 128 feet

Static water level 81 feet

Pump size 25 HP

Pump flow rate 300 g p m

Pump flow rate for daily production 125-145 g p m

### Well No. 2

Located on a 20'x20' parcel situated 350 feet north of San Juan-Hollister Road and 1100 feet east of The Alameda and San Juan Grade Road.

Constructed 1960

Well depth 315 feet

Static water level 32 feet

Pump size 50 HP

Pump flow rate 420 g p m

Pump flow rate for daily production 200-240 g p m

### Well No. 3

Located on a 0.78 acre parcel situated at the southwest corner of San Juan-Hollister and Mission Vineyard Road.

Constructed 1978

Well depth 400 feet

Static water level 117 feet

Pump size 50 HP

Pump flow rate 450 g p m

Pump flow rate in production Variable 250-300 g p m

Well is inactive and not used for potable water due to high nitrate levels.

Well no. 3 is currently used for agriculture crop application.

Well No. 4 Proposed

Well No. 5 Proposed

**Existing Development impact Fees/per connection**

Water Connection Fee	\$7,550.00
Sewer Connection Fee	\$5,240.00
Traffic Impact Fee R-1	\$1,717.00
Traffic Impact Fee R-2 & R-3	\$1,058.00
Traffic Impact Fee Com.	\$2,056.00
Public Safety Impact Fee	\$1,543.00
Park Development Impact Fee	\$2,250.00
Storm Drain Impact Fee	\$1,554.00
Library Impact Fee	\$1,995.00
Public/Civic development Impact Fee	<u>\$1,483.00</u>
Subtotal	\$23,332.00

School Impact Fee \$2.97/Sq. Ft.	
Typical 2,200 Sq. Ft. Dwelling	<u>\$6,634.00</u>
Subtotal	\$29,966.00

**Existing Building Permit Fees based upon 2,200 sq. ft. house**

Typical Building Permit Fee	\$ 1,752.00
Typical Pan Check Fee	\$ 853.00
Typical Electrical Permit Fee	\$ 270.00
Typical Plumbing Permit Fee	\$ 175.00
Typical Mechanical Permit Fee	\$ 110.00
Green Fee (State mandated)	\$ 12.00
SMIP Permit Fee (State Mandated)	\$ 24.00
Fire Sprinkler Permit Fee	\$ 150.00
Water Meter transmitter & utility box	<u>\$ 252.00</u>

Typical Grand Total \$ 33,564.00

**Proposition 218**

To increase the development Impact Fees would require a 218 process.

**Proposition 218:**

Article XIII D, § 6 (b) establishes five substantive limitation on fees subject to Proposition 218 provisions.

1. Fee revenues cannot exceed the funds required to provide the service (cost of service limitation).
2. Fee revenues cannot be used for any purposes other than that for which the fee is imposed (use limitation).

3. The amount of the fee imposed on a parcel or person as an incident of property ownership cannot exceed the proportional cost of service attributable to the parcel (proportionality limitation).
4. Fees may be imposed only for service actually used by, or immediately available to, the owner of the property (service limitation).
5. Fees may not be imposed for general governmental services where the service is available to the public at large in substantially the same manner as it is to property owners (general purpose limitation).

**Estimate Cost to conduct a 218 Process.**

- a. Prepare a Nexus study and financial analysis of the cost to provide services. Estimated Cost \$15,000-\$20,000
- b. Conduct a Voter's election ballot for approval of a rate increase (mail ballot). Estimate Cost \$ 3,500-\$4,000
- c. Hold Public Hearing for the adoption of a Ordinance imposing new fees Estimated Cost \$ 800- \$ 1,000