

RESOLUTION NO. 2019-33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA APPROVING A LETTER IN OPPOSITION TO AMENDMENT OF SAN BENITO COUNTY CODE, TITLE 25 "ZONING CODE" TO ADD A NEW ZONING DISTRICT TO BE DESIGNATED AS THE REGIONAL COMMERCIAL (C-3) ZONING DISTRICT

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WHEREAS, on June 18, 2019, the City Council reviewed the Staff Report and County Planning Staff's recommendation adopted at the meeting of the County Planning Commission held on May 15, 2019, that the San Benito County Board of Supervisors approve a new zoning district which would establish commercial regional nodes to facilitate development; and

WHEREAS, commercial development of such nodes is initially proposed to take place and be located at: Betabel Road; Highway 129/Searle Road; Rocks Ranch/Red Barn; and Livestock 101; and

WHEREAS, on June 18, 2019, the City Council heard public comment from City residents and from members of the public residing within the County, all of whom spoke in opposition to the recommendation of the County Planning Commission; and

WHEREAS, the City Council on June 18, 2019, directed that a letter to the San Benito County Board of Supervisors be prepared expressing this Council's opposition to amendment of San Benito County Code, Title 25 "Zoning Code" to establish new Regional Commercial (C-3) Zoning District and the establishment of the four initial nodes.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The letter attached hereto as Exhibit A is approved for the Mayor's signature.

SECTION 2. The City Manager's office is authorized to transmit the letter to the Clerk of the San Benito County Board of Supervisors and request that the letter be included in the record for the Board of Supervisors consideration of the Planning Commission's recommendation at the Board's meeting on July 23, 2019, or whenever that matter may next come before the Board.

PASSED AND ADOPTED at a duly noticed meeting of the City Council of the City of San Juan Bautista duly held on the 16th day of July, 2019, by the following vote:

AYES: Freeman, Jordan, Edge, Flores
NOES: None
ABSENT: None
ABSTAIN: None
RECUSE: DeVries



César E. Flores, Mayor



Laura Cent, City Clerk



City of San Juan Bautista

The "City of History"

P.O. Box 1420
311 Second Street
San Juan Bautista,
California 95045
Main: (831) 623-4661
Fax: (831) 623-4093

City Council

Mayor
César E. Flores

Vice Mayor
Mary Vazquez Edge

Council Member
Leslie Q. Jordan

Council Member
John Freeman

Council Member
Dan DeVries

City Manager
Don Reynolds

City Clerk
Laura Cent

City Treasurer
Chuck Geiger

July 16, 2019

Board of Supervisors of the County of San Benito
County Government Center
481 Fourth Street
Hollister, California 95023

Re: Opposition of the City of San Juan Bautista to Amendment
Amendment of County Code, Title 25 "Zoning Code"
to Add New Regional Commercial (C-3) Zoning District.

Dear Chair Medina and Fellow Supervisors:

On behalf of the City Council of the City of San Juan Bautista ("City"), as Mayor of the City, I write in opposition to the proposal before you to add a new Regional Commercial (C-3) Zoning District to the County's Zoning Ordinance to implement the intent of the 2035 County General Plan by designating three Commercial Regional Nodes for subsequent development and amending the General Plan to designate a fourth Commercial Regional Node and to allow commercial development by changing the current zoning designations for these properties from their current designations as agricultural and rural properties.

At the City Council meeting of June 18, 2019, the members of the Council reviewed the Staff Report and the County Planning Staff's recommendation from the meeting of the County Planning Commission held on May 15, 2019, to approve the new zoning district. During the meeting the Council received numerous comments from City residents and persons residing within the County, all of whom spoke in opposition to adding the Regional Commercial Zoning District designation to the County's Zoning Ordinance in furtherance of establishing Commercial Regional Nodes ("Nodes") and thereby facilitating development on the first four of these Nodes to be located at:

1. Betabel Road
2. Highway 129/Searle Road
3. Rocks Road/Red Barn
4. Livestock 101

The City understands that each of these four Nodes is to have a separate and distinct commercial theme as follows: the 55.5 acres of the "Betabel Node" is to

be developed with a mid-century roadside theme employing googie, streamline moderne, art deco architectural styles; the 39.7 acres of the “Highway 129/Searle Road Node” is to reflect an early farmstead theme employing Italinete, Victorian and Colonial Revival styles; the 72-acre “Rocks Ranch Node” theme is that of an old California village featuring false fronts, Spanish-influenced roof lines, Dutch gables and lean-to sheds¹; while the 159.3 acres of the “Livestock 101 Node” would reflect the attributes of a working cattle or horse ranch in a Central California style. The city further understands that lodging, restaurant, gas station and fast food establishments and other visitor-serving commercial attributes, as well as a possible residential component, are to be associated with some or all of these Nodes.

The members of the public who spoke to the City Council articulated what the Council found to be well-reasoned, sincere and serious expressions of concern as to the development and the effects of development of commercial Nodes in general and to the specific conceptual development proposals. In summary, those concerns which are also shared by the City Council include:

(a) The potential to destroy forever the rural and natural attributes which make the City and the County unique and attractive places to live, work and recreate. The relatively massive nature and the aesthetics of the proposed developments would fundamentally change the character of our environment without adequate consideration for protecting the interests or the property values of residents in those areas. Despite the “country theme park” attributes for each of proposed Nodes, the inevitable result would be regional urbanization and a loss of identity.

(b) Any one of the proposed developments would have a significant and negative effect, and in combination possibly a devastating effect, on the water supplies for the entire region which are already in certain areas in a critical overdraft condition with significant numbers of wells having gone dry. For the Betabel Node, due to its location in a floodplain an above ground septic sewer systems may be the only viable wastewater alternative thereby creating the risk of a effluent discharge into the Pajaro or San Benito Rivers and local streams.

The Final Environmental Impact Report for the 2035 San Benito County General Plan Update was prepared four years ago and hydrological conditions for the prospective water supplies intended to serve each Node have almost certainly changed. The C-3 Zone District Initial Studies and Addenda to the Revised Draft EIR 2035 San Benito County General Plan for the Rocks Ranch/Red Barn Node, located within the Pajaro Valley Groundwater Basin, and the Livestock 101 Node, located predominately within the Pajaro Valley Groundwater Basin, both include the San Benito County Water District’s recommendation for further “hydrogeological study as part of a water supply report for [each] site to establish the sustainable water supply prior to development. [Emphasis added]” The City believes this should serve as a “red flag” and on that basis urges the Board of Supervisors to require that those hydrological studies be performed prior to changing the Zoning Ordinance and adding new regional commercial development on the scale contemplated which would further draw on the already limited supplies of potable water.

(c) Each of these proposed developments would create even more traffic on roads which have difficulty accommodating even the current volume of traffic. The weekly traffic jams now

¹ As San Juan Bautista is this year celebrating its sesquicentennial, we find it particularly ironic that Section 25.16.078 “Special Regulations for Rocks Ranch Node” of the proposed amendment to Title 25 of the County’s Zoning Ordinance uses photos of buildings located in San Juan Bautista to portray the attributes of what is sought for that Node’s “Old California Village” theme.

experienced with greater and greater frequency on Highway 101 would become an even more frequent occurrence with the associated and corresponding loss of air quality.

(d) The areas proposed for the commercial Nodes each serve as important wildlife corridors which would be negatively impacted by development.

(e) The City of San Juan Bautista will inevitably experience a significant loss of revenue as visitors are increasingly diverted to the Nodes and away from our city.

Some members of the public who addressed remarks to the City Council complained and were frustrated by their belief that there was little information provided concerning the effect of establishing zoning designation C-3 Regional Commercial when the 2035 County General Plan was adopted.

In its discussion the Council as well as some members of the public recognized that there is a legitimate need for revenue-generating commercial development options and that in the effort to facilitate commercial development the City and the County have similar and shared interests and needs. However, the City Council has significant concerns regarding the wisdom of the Board of Supervisors adopting the changes to the County's Zoning Ordinance as recommended by the Planning Commission and, on that basis, wishes to convey to the Board its opposition and objection to the amendment of Title 25, the County's Zoning Code to add a designation of Regional Commercial (C-3) Zoning District and to the creation and the development of the four Nodes as described herein.

The City appreciates the Board's attention to these concerns and the City Council is willing to work together with the County to ensure commercial development can take place in locations and in a manner and scale that continues to protect the shared interest of our residents and the unique and special attributes of our respective jurisdictions.

Respectfully,

César E. Flores
Mayor

CEF:rwr

cc: Council Members
City Manager