

SAN BENITO COUNTY CLERK - RECORDER
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IN SAN BENITO COUNTY

DEC 19 2018

PETER CEFALU
JOE PAUL GONZALEZ COUNTY CLERK
BY: [Signature]
DEPUTY CLERK

#18-030

Notice of Exemption

To: ✓ Office of Planning and Research
PO Box 3044, 1400 Tenth Street, Rm 222
Sacramento, CA 95812-3044

✓ County Clerk
San Benito County
440 5th Street
Hollister, CA 95023

From: Planning Department
City of San Juan Bautista
P.O. Box 1420
San Juan Bautista, CA 95045

Project Title: Zone Change and Major Historic Alteration for Franklin Street

Project Location - Specific:

- 11 Franklin Street – APN 002-340-006 and 002-340-007
- 17 Franklin Street – APN 002-340-003

Project Location – City: San Juan Bautista

Project Location – County: San Benito

Description of Project: This project includes a Zone Change for three parcels located along Franklin Street in San Juan Bautista. This project is City-Initiated and being put forward in order to make a correction to the current Zoning Map. Before the Zoning Map was updated in 2016, those parcels were zoned Mixed-Use (MU). After the Zoning Map Update, those parcels were rezoned to Public Facility (PF). That change was unintended and created an issue for the subject parcels by making them non-conforming. One of the properties currently has a residential use onsite and the other one has a restaurant onsite. Staff's goal is to amend this error identified in the Zoning Map.

On December 18, 2018, following a duly-noticed public hearing, the City of San Juan Bautista City Council voted to approve the Zone Change. No appeals have been filed. A copy of the document(s) may be examined at 311 2nd Street, San Juan Bautista, CA 95045

Name of Public Agency Approving Project: San Juan Bautista City Council

Name of Person or Agency Carrying Out Project: City of San Juan Bautista

Exempt Status: (check one)

- o Ministerial (Sec. 21080(b)(1); 15268);
- o Declared Emergency (Sec. 21080(b)(3); 15269(a));
- o Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ✓ Categorical Exemption. State type and section number:
- o Statutory Exemptions. State code number:

Reasons why project is exempt: this zoning map amendment is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines 15378, 15064.5, 15303, 15315, 15331, 15332, 15061(b)(3), and 15300.2 for the following reasons:

1. Under CEQA Guidelines Section 15061(b)(3), CEQA review is not required because there is no possibility that this Zone Change may have a significant effect upon the environment.
2. Under CEQA Guidelines Section 15064.5, this project includes a Zone Change and a Major Historic Alteration to the site located at 11 Franklin Street. The site is listed in the City Inventory of Historic Resources as a Potential Historic Resource. The Major Historic Alteration includes the reconstruction of an accessory building in its original footprint using the same materials and design. There is no issue or concern related to Historic Preservation per the Historic Architectural Report submitted to City Staff. Also, there is no issue related to landscaping as well. There was research done on the landscaping at 11 Franklin and there was no landscape plan or list of species indicated. It was

agreed with City Staff and the property owner to include enhanced landscaping, preservation of original species and historic contributions to be placed onsite to enhance landscaping on site. No further alterations are proposed related to outdoor features at 11 Franklin Street.

2. Under CEQA Guidelines Section 15378, the proposed Zone Change is considered a project under CEQA per Section 15378(a)(1) because the change has the potential of allowing development that has the potential of creating a significant impact on the environment. The parcels affected by this Zone Change already have development onsite and are built out. Furthermore, they are listed in the City of San Juan Bautista Inventory of Historic Resources. Therefore, any future physical alterations on those properties will require historic review and CEQA review.

3. Under CEQA Guidelines Section 15303, the proposed Zone Change includes the property located 11 Franklin Street. By this Zone Change, the allowance of the reconstruction of an accessory building in kind and in the same location and footprint will be permissible by building permit and the approval of a Major Historic Alteration with conditions by the City of San Juan Bautista Planning Commission on October 2, 2018. One of the conditions includes the approval is contingent upon the approval of the Zone Change and a Lot Merge on site as well. Section 15303(e) covers the exemption where accessory structures including garages may be included. This accessory building is to be used for storage and a garage. The square footage is 820 square feet. This building is a reconstruction using the same material, design, footprint, and does not include any further excavation or increase of square footage, height or anything else where there would be a significant impact on the environment. Aside from that reconstruction, there is no other development proposed on 11 Franklin Street and 17 Franklin Street.

4. Under CEQA Guidelines Section 15305, this project includes a Lot Merge to take place on 11 Franklin Street. This site does not have a slope of more than 20% and the lot merge includes a minor lot line adjustment that does not create any new parcel. This merges two parcels into one parcel. This process is necessary because the accessory building to be reconstructed currently encroaches across the property line that separates the two parcels. As currently proposed, the accessory building cannot be built bisecting a property line. Both parcels are owned by the same property owner. This lot merge would eliminate that issue and the accessory building can be proposed as shown.

5. Under CEQA Guidelines Section 15300.2, there is no finding that significant impact on the environment is identified. There is no cumulative impact on the environment identified as well. No new construction or development is proposed as part of this Zone Change. This project is only a correction and states a change to the zoning classification on the two properties. There are no hazardous waste sites or scenic highways identified in the immediate area. There is no adverse impact on any historic resources with this Zone Change. At 11 Franklin Street, there is reconstruction of an accessory building to be rebuilt in its original footprint and using original material and design. The building will be built in its original footprint using the same infrastructure and elements of the original foundation. The foundation is to be repaired and altered so current building and health and safety codes are met. No further ground disturbance will be taking place other than what is necessary to reconstruct the accessory building in kind. Any further development or alterations on site will require further CEQA review. No other historic resources are intended to be impacted in any way with this Zone Change.

6. Under CEQA Guidelines Section 15331, this project includes a Zone Change that will effect two properties located at 11 Franklin Street and 17 Franklin Street. Both of these properties are listed in the City of San Juan Bautista Inventory of Historic Resources because the structures currently onsite have historic significance. There is no development of any kind proposed at 17 Franklin Street. At 11 Franklin Street, there was an accessory building located onsite and it is indicated in the inventory report. The building was demolished because of damages that previously took place. As part of this project with the Zone Change, the new zoning development standards will allow the building to be reconstructed in its original footprint, which is located next to the property line adjacent to 17 Franklin Street. This reconstruction is a rehabilitation, restoration, and repair of a feature to a property that is listed as a potential historic resource in the City of San Juan Bautista Inventory of Historic Resources.

7. Under CEQA Guidelines Section 15332, this project includes an in-fill development with the accessory building reconstruction. The project is consistent with all applicable general plan policies and designations as well as with the new zoning designations and regulations. This project occurs within the city limits and is less than five acres in size. Both 11 Franklin Street and 17 Franklin Street are less than one acre when combined. This project has no value as habitat for endangered, rare, or threatened

species. Approval of this project would not result in any significant effects relating to traffic, noise, air, or water quality. Both sites can be and are already adequately served by all required utilities and public services.

8. Any potential indirect secondary impacts of the proposed Zone Change on the physical environment are speculative and are not reasonably foreseeable, and are, therefore, not subject to review under CEQA.

9. There is no substantiated opinion or reasonable argument to determine that the Zone Change will cause impacts that are subject to review under CEQA.

10. There are no unusual circumstances that would necessitate CEQA review.

Lead Agency: City of San Juan Bautista
Contact Person: Todd Kennedy, Associate Planner
Area Code/Telephone/Extension: 831-623-4661

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project?
 Yes No



Todd Kennedy
Associate Planner

12-19-18
Date

- Signed by Lead Agency
- Signed by Applicant

Date received for filing at OPR: