



**SAN BENITO COUNTY
PLANNING COMMISSION**

Vincent Ringheden District No. 1	Richard Way District No. 2	Robert Scagliotti District No. 3 - Vice-Chair	Robert Gibson District No. 4 - Chair	Celeste Toledo-Bocanegra District No. 5
--	--------------------------------------	--	---	---

Board of Supervisors Chambers 481 Fourth Street, Hollister, CA 95023

PLANNING COMMISSION - REGULAR SESSION-
JANUARY 17, 2024
6:00 PM

NOTICE OF TEMPORARY PROCEDURES FOR PLANNING COMMISSION MEETINGS

The meeting will be available through Zoom, YouTube, and Peak Agenda for those who wish to join or require accommodations

Members of the public may participate remotely via zoom at the following link <https://zoom.us/join> with the following Webinar ID and Password:

Webinar ID: 858 5042 4143
Webinar Password: 252426
Join by phone: +1 (408) 638-0968

*Those participating by phone who would like to make a comment can use the “raise hand” feature by dialing “*9”. In order to receive the full zoom experience, please make sure your application is up to date.*

Remote zoom participation for members of the public is provided for convenience only. In the event that the zoom connection malfunctions for any reason, the board of supervisors reserves the right to conduct the meeting without remote access.

Remote Viewing:

Members of the public who wish to watch the meeting can view a livestream of the meeting online through either the:

A. Community Media Access Partnership (CMAP) YouTube
Page: https://www.youtube.com/channel/UCLj3iW3_dsDzbYqnY1KdCvA.

B. Peak Agenda Page: https://cosb.granicus.com/ViewPublisher.php?view_id=1

Written Comments & Email Public Comment

Members of the public may submit comments via email by 5:00 PM on the Monday prior to Planning Commission meeting to the Resource Management Agency at sbcplan@cosb.us.

Public Comment Guidelines

A. The San Benito County Board of Supervisor's welcomes your comments.

B. If participating on Zoom, once you are selected you will hear that you have been unmuted: At this time, please state your first name, last name, and county you reside in for the record.

C. Each individual speaker will be limited to a presentation total of three (3) minutes, or such other time as may be designed by the Chair.

D. Speakers are encouraged to keep your comments, brief and to the point, and not to repeat prior testimony, so that as many people as possible can be heard. Your cooperation is appreciated.

If you have any questions, please contact the Resource Management Agency at sbcplan@cosb.us.

1 CALL TO ORDER

2 PLEDGE OF ALLEGIANCE

3 ROLL CALL

4 DEPARTMENT ANNOUNCEMENTS

4.1. [RESOURCE MANAGEMENT AGENCY - A. PRADO, DIRECTOR OF PLANNING AND BUILDING-Accept informational report on recent project applications submitted following December 2023.](#)

4.2. [RESOURCE MANAGEMENT AGENCY - A. PRADO, DIRECTOR OF PLANNING AND BUILDING-Update on SALC grant.](#)

[San Benito County SALC Planning Grant Application.pdf](#)

4.3. [RESOURCE MANAGEMENT AGENCY - A. PRADO, DIRECTOR OF PLANNING AND BUILDING-Update on upcoming Planning Commission calendar and scheduling needs.](#)

[2024 CHAIR Schedule.pdf](#)

5 PUBLIC COMMENT

6 CONSENT AGENDA

These items will be considered as a whole without discussion unless a particular item is requested by a member of the Commission, Staff or the public to be removed from the Consent Agenda. Approval of a consent item means approval of the recommended action as specified in the Staff Report.

If any member of the public wishes to comment on a Consent Agenda Item please fill out a speaker card present it to the Clerk prior to consideration of the Consent Agenda and request the item be removed and considered separately.

- 6.1. **RESOURCE MANAGEMENT AGENCY - A. PRADO, DIRECTOR OF PLANNING AND BUILDING-Acknowledge the Certificate of Posting for the January 17th,2024 Regular Planning Commission Meeting.**

Certificate of Posting 2024-01-17

- 6.2. **RESOURCE MANAGEMENT AGENCY - A. PRADO, DIRECTOR OF PLANNING AND BUILDING-Approve the draft Planning Commission Minutes from the Special Meeting of December 13th, 2023.**

2023-12-13_PC_MINUTES_DRAFT.pdf

7 ADOPTION OF ACTION MINUTES

8 REGULAR AGENDA

- 8.1. **RESOURCE MANAGEMENT AGENCY - A. PRADO, DIRECTOR OF PLANNING AND BUILDING-Nomination of Chair and Vice Chair for the Planning Commission.**

- 8.2. **RESOURCE MANAGEMENT AGENCY - A. PRADO, DIRECTOR OF PLANNING AND BUILDING-Confirmation of Planning Commission Meeting calendar for 2024.**

2024 Planning Commission Meeting Schedule

- 8.3. **RESOURCE MANAGEMENT AGENCY - A. PRADO, DIRECTOR OF PLANNING AND BUILDING-Receive presentation from the Economic Development Council (EDC) on Comprehensive Economic Development Strategy (CEDS) update 2023-2027.**

EDC Presentation to Planning Commission on CEDS (01-17-23).pptx

9 PUBLIC HEARING

- 9.1. **RESOURCE MANAGEMENT AGENCY - A. PRADO, DIRECTOR OF PLANNING AND BUILDING-Hold a public hearing and consider resolution regarding County Planning file PLN220060, a use to allow for private camping and the operation of Bar SZ RanchÂ SBC FILE Number:790**

RESpc_2024-nn_PLN220060_240117 Borland 1983 & 1989 Old Hernandez Road--MPK202401171329_FINAL.pdf

SRpc_PLN220060_240117 Borland 1983 & 1989 Old Hernandez Road--MPK202401171329_FINAL.pdf

- 9.2. **RESOURCE MANAGEMENT AGENCY - A. PRADO, DIRECTOR OF PLANNING AND BUILDING-Hold a public hearing and consider adopting a resolution regarding County Planning file PLN230007 (Minor Subdivision / Tentative Parcel Map) This project proposes to subdivide an existing 19.42-acre parcel into three separate parcels, measuring 5.44 acres, 5.43 acres, and 8.55 acres, respectively.**

2024-01-17_RESPC_2024-XX_PLN230007 PIERCE SANTA ANA VALLEY ROAD (FINAL).pdf

2024-01-17_SRPC_PLN230007 SANTA ANA VALLEY ROAD (FINAL).pdf

- 9.3. **RESOURCE MANAGEMENT AGENCY - A. PRADO, DIRECTOR OF PLANNING AND**

BUILDING-The project proposes to subdivide an existing 7.51-acre parcel into three parcels of 2.50-acres, 2.50-acres, and 2.51-acres.

2024-01-17-RESPC_2024-

XX_PLN230006_MINOR_SUBDIVISION_120_ENTERPRISE_ROAD_GARCIA(FINA
2024-01-

07_SRPC_PLN230006_MS_GARCIA_120_ENTERPRISE_RD_STAFF_REPORT
(FINAL).pdf

10 COMMISSIONER ANNOUNCEMENTS

11 ADJOURNMENT

NOTE: A copy of this Agenda is published on the County's Web site by the Friday preceding each Commission meeting and may be viewed at www.cosb.us. All proposed agenda items with supportive documents are available for viewing at the San Benito County Administration Building, 481 Fourth Street, Hollister, CA between the hours of 8:00 a.m. & 5:00 p.m., Monday through Friday (except holidays.) This is the same packet that the Planning Commission reviews and discusses at the Commission meeting. The project planner's name and email address has been added at the end of each project description.

As required by Government Code Section 54957.5 any public record distributed to the Planning Commission less than 72 hours prior to this meeting in connection with any agenda item shall be made available for public inspection at the Planning Department, 2301 Technology Parkway, Hollister, CA 95023. Public records distributed during the meeting will be available for public inspection at the meeting if prepared by the County. If the public record is prepared by some other person and distributed at the meeting it will be made available for public inspection following the meeting at the Planning Department.

APPEAL NOTICE: Any person aggrieved by the decision of the Planning Commission may appeal the decision within ten (10) calendar days to the Board of Supervisors. The notice of appeal must be in writing and shall set forth specifically wherein the Planning Commission's decision was inappropriate or unjustified. Appeal forms are available from the Clerk of the Board at the San Benito County Administration Office, 481 Fourth Street, Hollister and the San Benito County Planning Department, 2301 Technology Parkway, Hollister.

NOTE: In compliance with the Americans with Disabilities Act (ADA) the Board of Supervisors meeting facility is accessible to persons with disabilities. If you need special assistance to participate in this meeting, please contact the Clerk of the Board's office at (831) 636-4000 at least 48 hours before the meeting to enable the County to make reasonable arrangements to ensure accessibility.



**SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM**

**Vincent
Ringheden**
District No. 1

**Richard
Way**
District No. 2

**Robert
Scagliotti**
District No. 3
- Vice-Chair

**Robert
Gibson**
District No. 4
- Chair

**Celeste Toledo-
Bocanegra**
District No. 5

Item Number: 4.1

MEETING DATE: 01/17/2024

DEPARTMENT: RESOURCE MANAGEMENT AGENCY

AGENDA ITEM PREPARER: Arielle Goodspeed

SUBJECT:

**RESOURCE MANAGEMENT AGENCY - A. PRADO, DIRECTOR OF PLANNING AND BUILDING-
Accept informational report on recent project applications submitted following December 2023.**

AGENDA SECTION:

DEPARTMENT ANNOUNCEMENTS

BACKGROUND/SUMMARY:

Planning staff have received XX (XX) planning applications on or after the prior Regular Planning Commission Meeting of December 13, 2023.

STRATEGIC PLAN GOALS: 1. Operational Development & Excellence

No

STRATEGIC PLAN GOALS: 2. Planning And Sustainable Growth

Yes

STRATEGIC PLAN GOALS: 3. Technology

No

STRATEGIC PLAN GOALS: 4. Community Engagement

Yes

STRATEGIC PLAN GOALS: 5. Health & Safe Community

No

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission receive the informational report, and if desired give staff guidance on the project applications.

ATTACHMENTS:



**SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM**

**Vincent
Ringheden**
District No. 1

**Richard
Way**
District No. 2

**Robert
Scagliotti**
District No. 3
- Vice-Chair

**Robert
Gibson**
District No. 4
- Chair

**Celeste Toledo-
Bocanegra**
District No. 5

Item Number: 4.2

MEETING DATE: 01/17/2024

DEPARTMENT: RESOURCE MANAGEMENT AGENCY

AGENDA ITEM PREPARER: Arielle Goodspeed

SUBJECT:

**RESOURCE MANAGEMENT AGENCY - A. PRADO, DIRECTOR OF PLANNING AND BUILDING-
Update on SALC grant.**

AGENDA SECTION:

DEPARTMENT ANNOUNCEMENTS

BACKGROUND/SUMMARY:

The Sustainable Agricultural Land Conservation program (SALC) is a grant program administered by the Strategic Growth Council and implemented by the California State Department of Conservation (DoC) that utilizes Cap-and-Trade proceeds to protect agricultural lands at risk of conversion to other uses. The program's planning grants provide funding to develop and implement goals, policies, and programs that support the conservation and economic viability of the local agricultural sector while also addressing other challenges important to communities such as housing, job creation, water supply, environmental justice, habitat preservation, and climate change. Since 2014, SALC has invested over \$300 million in planning and conservation easements to develop strategic plans and protect roughly 140,000 acres of the state's important agricultural lands. The Department of Conservation (DoC) is offering no cost technical assistance to support jurisdictions in developing viable projects and submit grant applications for Round 9. San Benito County has been offered technical assistance, which would mean application support and early project support (if awarded) from the DoC's consultants with expertise in developing SALC planning projects. The planning grants are currently up to \$500,000 and require a 10 percent match. Draft guidelines are available here. The County applied for a Agricultural Conservation Planning Grant under SALC, these grants are awarded to develop and implement plans for the protection of agricultural lands under pressure of being converted to non-agricultural uses. The goals of SALC are to: Protect agricultural lands that support infill and compact development
Contribute to carbon neutrality Support sustainable land management Support coordinated land use planning
Support Executive Order N-82-20 by: Safeguarding the State's economic sustainability and food security Protecting biodiversity Enabling enduring conservation measures on working lands, in partnership with land managers and natural resource user groups Building climate resilience, reducing risk from extreme climate events, and contributing to the State's effort to combat climate change Advancing equity and opportunity for all regions of California. On December 14, 2023 the Strategic Growth Council awarded San Benito County \$500,000 under

planning grantees to work on an Agricultural Element. Full press release here: <https://sgc.ca.gov/news/2023/12-18a.html> and grant application attached below.

STRATEGIC PLAN GOALS: 1. Operational Development & Excellence

No

STRATEGIC PLAN GOALS: 2. Planning And Sustainable Growth

Yes

STRATEGIC PLAN GOALS: 3. Technology

No

STRATEGIC PLAN GOALS: 4. Community Engagement

Yes

STRATEGIC PLAN GOALS: 5. Health & Safe Community

No

STAFF RECOMMENDATION:

Staff recommends the Planning Commission receive update and provide any comments.

ATTACHMENTS:

[San Benito County SALC Planning Grant Application.pdf](#)

San Benito County Sustainable Agriculture and Land Conservation Project

APPENDIX I – Planning Grant Application

Submittal Requirements

Please use the Grant Application Checklist found below to ensure that all necessary materials are submitted to facilitate prompt application review. Incomplete applications may not be evaluated or considered for funding at the sole discretion of the State.

Application Requirements

Applicants are highly encouraged to submit a pre-proposal to the Department prior to applying. Please refer to the Pre-Proposals section of the Guidelines for additional information.

Receipt of the digital application by the Department determines the official submittal date and time. SALC staff will acknowledge receipt of the digital application via email to the Contact Person listed on the Cover Sheet.

Please submit the items below to the Department of Conservation via email to salcp@conservation.ca.gov.

Planning Grant Application Checklist

All grant applications must include the following:

Please indicate with a checkmark that these items are included in your application.

- Completed Cover Sheet
- Executive Summary
- Application Questions
- Work Plan
- Budget
- Map(s) of the Project's Geographic Area
- Signed Authorizing Resolution from Governing Bodies
- Priority Population Benefits Checklist (Optional)
- Stakeholder Collaboration Letters (Optional)

Materials should be presented in the order indicated in the checklist. Clearly number and label each item, and number all pages in sequential order.

Please do not submit additional materials that have not been specifically requested (e.g., press clippings or brochures) as they will not be considered during the evaluation.

Planning Grant Cover Sheet

Basic Information

Project Title: San Benito County Sustainable Agricultural and Land Conservation
 Applicant Name: San Benito County
 Department / Office: Resource Management Agency
 Federal Employer ID Number: 94-6000530
 Mailing Address: 481 4th St, Hollister, CA 95023

Project Funding

Location (County and/or City): County
 State Assembly District: 30th
 State Senate District: 12th
 Priority Population Status: **Y** **N** [If yes, attach Priority Population Benefits Table]
 Grant Request Amount: \$500,000.00
 Matching Funds Pending: 0
 Matching Funds Committed: \$50,000.00
 Total Estimated Project Cost: \$550,000.00

Applicant Information

Contact Person: Arielle Goodspeed
 Title: Principal Planner
 Phone Number: 831-902-2547
 Email Address: agoodspeed@cosb.us

Was this project developed with assistance from a SALC Technical Assistance Provider?: **Y** **N**

If yes, provide details: San Benito County Resource Management Agency Planning Division received technical assistance from Serena Unger (Planning Consultant-Urban and Regional Strategies) and Amie McPhee (Founder-CULTIVATE). Technical assistance was accessible, instructive, and clearly appreciated by the Resource Management Agency Planning Staff.

Executive Summary

Please provide a brief overview of the project (**1-page** maximum). This overview should describe the following:

- Describe the planning project(s) being proposed.
- Why the proposed project is an appropriate planning project for protecting agricultural lands in your jurisdiction.
- Who are participating stakeholders and how will they be incorporated into the plan.
- Any critical deadlines.

EXECUTIVE SUMMARY

San Benito County Resource Management Agency (RMA) Planning Division will oversee the San Benito County SALC Project. The County will hire a consultant(s) to implement the San Benito SALC Project. The consultant(s) will coordinate and receive support from the project team and input from project partners to ensure the completion of project activities, including data collection, mapping, research, and community engagement. The RMA Planning Division upon completion of the San Benito SALC Project Plan will deliver, as a primary goal, a draft Agricultural Element to incorporate in the San Benito County General Plan. Additional deliverables will support a consensus driven strategy to effectively reduce the threat of conversion to non-agricultural land uses, decrease Green House Gas Emissions and a work plan incorporating a robust community outreach and engagement activities. The final plan will serve as a road map accommodating the shared interest and common goals of San Benito County's diverse community.

San Benito County, with the SALC Project Plan, proposes to address deficiencies in land use policies to enhance the protection of its agricultural land base. The County's 2035 General Plan does not include requirements under Government Code Section 65565 for its agricultural land component. References to agricultural policies are found within the Land Use Element and not under the Natural and Cultural Resource Element. These policies are inadequate in protecting the County's agricultural land base. The San Benito County General Plan designates Agriculture (A) designation to have a density of one dwelling unit per (5) acres and Rangeland (RG) to have a density of one dwelling unit per (40) acres. The Agriculture (A) land use designation does not differentiate between irrigated lands or lands with high quality soils. A review is needed to assess and determine whether the acreage requirement is adequate for the preservation of Agricultural Productive and working land. Also, the County's only existing policy for agricultural mitigation solely addresses Prime Farmland that is class 1 soils. Further review and classification are needed. The California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) requires the three classifications of farmland (Prime Farmland, Farmland of Statewide Importance, and Unique Farmland) to "have been used for irrigated agriculture production at some time during the four years prior to the mapping date." By including the land use information in addition to the soil type, the FMMP compiles its California Farmland Conversion Report.

This report captures high-quality farmland that is removed from production. It does not, however, indicate that the farmland is incapable of being productive. Unfortunately, the FMMP maps and definitions are used by many counties to determine whether a developer is required to mitigate the loss of farmland. Developers have learned that they can purchase the land and stop farming for a few years so that it no longer qualifies as Important Farmland on the FMMP maps, and therefore they do not need to contribute to the conservation of local agriculture through mitigation.

The proposed plan will consider adding the Farmland of Local Importance category or other policies for preservation of lands with high quality soil types that are not continuously irrigated but that have access to viable sources of irrigation. In addition to the FMMP qualifier for Agricultural Lands, the project team will review "Prime agricultural land" as defined in subsection "(c)" of California Government Code Section 51201, a provision of the California Land Conservation Act of 1965, also known as the Williamson Act.

APPLICATION QUESTIONS

- 1. Are you a county, city, local area formation commission, council of government, municipal planning organization, regional transportation planning agency, groundwater sustainability agency, or special district with land use or transportation planning authority, and federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the Native American Heritage Commission?**

A County

- 2. Are you a Resource Conservation District, special district with a mission related to agricultural preservation, academic institutions, land trusts and other agricultural non-profit organizations? Have you partnered with one or more of the organizations listed above? Will you be able to provide evidence, by the time of the application, that one or more of the organizations listed above will enter into a memorandum of understanding for the project demonstrating support for the project and SALC's purposes? Please provide information detailing the partners roles in the project and confirmation that the partners will consider adopting the plan resulting from the project.**

San Benito County's Resource Management Agency (RMA) Planning Division will oversee the development of the San Benito County Sustainable Agriculture and Land Conservation (SALC) Project. A project team, created by the RMA, will help implement and complete the project. The project team will partner with the San Benito Resource Conservation District (SBRCD), the San Benito Agricultural Land Trust (SBALT), and other project partners. Together the RMA and its project partners will create an Agricultural Element in the San Benito County General Plan and develop goals, policies, and objectives to protect San Benito County's agricultural land base, reduce conversion to non-agricultural uses, reduce GHG emissions, and support economic investment. Though we do not expect to enter into an MOU with a partnering agency, our project team and project partners will clearly define the roles and responsibilities to ensure project deliverables are met.

- 3. Describe the proposed planning project. Include details such as the anticipated outcomes and deliverables; agricultural land base, economy, regional food systems and infrastructure within the project area; and amount and quality of agricultural land that can be expected to receive protection through the proposed project. Include maps of important farmland, jurisdictional boundaries, and other pertinent data that would portray the project scope (as attachments to the application).**

The San Benito County SALC Project will develop a plan to reduce the threat of conversion of agricultural lands to non-agricultural uses and identify environmental, public health, cultural, transportation and other co-benefits that contribute to the conservation and sustainability of the County's agricultural and natural lands. The proposed plan will include the creation of an Agricultural Element for inclusion in the County's General Plan pursuant to Government Code section 65565.

Additionally, the San Benito County SALC Project, using proven communications tools, will deliver a collaborative-based workplan featuring a robust community

engagement plan emphasizing input from priority populations. The workplan will be publicly shared and include up to date information about the planning project and information about agricultural land conservation and GHG reduction strategies.

The project aims to update San Benito County's 2035 General Plan with an Agricultural Element inclusive of policies that promote effective agricultural and working lands conservation throughout the County. The project team will perform the following activities using a consensus-based decision-making process to determine final recommendations and plan:

- A. Facilitate partnership with SBRCDC, SBALT, the cities of Hollister and San Juan Bautista, San Benito County Farm Bureau, University of California Cooperative Extension, and others to align with the implementation of the San Benito County SALC Project; and implement a robust community engagement program and stakeholder advisory group to ensure the County's diverse voices are engaged in the planning process.
 - B. Assess and analyze local policies and regulations that potentially inhibit or enhance the economic viability and future investment of agricultural operations and natural lands.
 - C. Pursue an Agricultural Element in the San Benito County General Plan to ensure that it clearly defines and differentiates types of agricultural uses consistent with FMMP standards, compatible uses with agriculture, and facilitates the growth of the ag economy.
 - D. Adopt science-based soil policies to better inform planning activities and mitigation.
 - E. Develop a mapping and risk assessment tool to quantify the potential for agricultural land to be converted to other uses based on factors such as vulnerability to projected urban growth, ownership structure (investor-owned vs. farmer-owned), and regulatory factors such as zoning.
 - F. Conduct an analysis of climate change impacts and positive outcomes that can be achieved through climate adaptation and mitigation measures.
 - G. Integrate and align relevant local, regional, and state policies, and other relevant documents and resources.
 - H. Comply with California Government Code requirements to facilitate, develop and adopt Agricultural Element into San Benito County General Plan
- 4. Why and to what extent agricultural land is being converted to other uses within the project area? To what extent those conversion risks are expected to continue? How will the proposed project address those conversion risks? Include an overview of anticipated data sets, tools, and policies to be reviewed, aligned with, or created during the course of the work plan.**

San Benito County, a bedroom community for Silicon Valley, faces immense development pressure. According to the 2010-20 U.S. Census, San Benito County's population grew 17.8%, which is the second fastest rate among all California counties. According to the Farmland Mapping and Monitoring Program, nearly 17,000 acres of SB County farmland were converted to urban development between 1992 and 2016, an average of seven hundred acres a year. Threats to future conversion of agricultural

land can be attributed to multiple factors. Road widening and other related infrastructure improvements at Highway 156 and Highway 152, and the reroute of Highway 25 can attract e-commerce businesses and other types of industry. Also, agricultural land has been identified as areas suitable for energy production. Currently, there are swaths of land where solar is being designed to allow growing or grazing underneath the installed panels.

The San Benito County SALC Project team will comprehensively research and analyze the amount and condition of agricultural land that is being converted to non-agricultural use and thoroughly assesses land conversion risks. Furthermore, the project team will evaluate relevant data, local policies, and ordinances with the intent to provide clarity and consistency between both policies and ordinances. Appropriate tools and policies to achieve the workplan goals and objectives will be identified to ensure the workplan is pragmatic and implementable.

The data sets and tools:

The Monterey Bay region is one of the largest agricultural production areas in the United States, with over 1.5 million acres used for agricultural purposes and agricultural production worth over \$5 billion annually. Land use development and climate change pose great risks to the natural and working lands throughout the region. The proposed project will develop a mapping process to quantify the potential for agricultural land to be converted to other uses based on factors such as vulnerability to projected urban growth, ownership structure (investor-owned vs. farmer-owned), and regulatory factors such as zoning. More information can be drawn from the following documents:

- San Benito County General Plan
- San Benito County Comprehensive Economic Development Strategy
- San Benito County Habitat Conservation Plan/ Natural Community Conservation Plan
- Hollister General Plan Update,
- San Benito Regional Transportation Plan, and other relevant documents

The sourced data will help support the addition of an Agricultural Element to the San Benito County General Plan and identify policies and actions that ensure land use patterns that emphasize efficient use of land and infrastructure while protecting agricultural and working lands. The proposed tools can help interested individuals and organizations better understand the benefits of natural and working lands, the risks posed by climate change, and the positive impact that climate adaptation and mitigation measures could bring that result in land conservation throughout the region. Additionally, a revised science-based soil classification system will inform planning activities and mitigation.

5. How will the project avoid or reduce greenhouse gas emissions?

Central California Coast Communities must address the impact of climate change and reduce GHG emission attributable to the overall decrease in annual

precipitation, increasing temperatures, and the increased frequency of wildfires. In the effort to avoid and reduce GHG emissions within our agricultural/natural lands at most risk of conversion, our planning work will analyze and discuss policies, practices, and opportunities to expand soil health practices for carbon storage, increase climate resiliency strategies, and enhance soil water retention, air quality, and improve economic return for landowner through potential new revenue streams.

Also, the SALC Project Team will identify tools to increase our understanding of the co-benefits of the agricultural/working and natural lands, the risks posed by climate change and the positive impact achieved through climate adaptation and mitigation measures. Planning activities will include a survey of land uses and land use change, land cover and land cover change, vegetation health, and changes in GHG emissions from natural and working lands. We will consider costs, analyze trends, outcomes, and approaches supporting or providing economic, environmental, public health, cultural and other co-benefits to agricultural/natural lands, workers, and landowners.

The planning work will provide us with an opportunity to research practices and policies, including many that are already in operation, to prepare an implementable long-term strategy to reduce, and in some instances, avoid GHG emissions. For example, our planning project can take a practical look into the following opportunities relevant to agricultural/natural lands:

- Develop vulnerability assessments to integrate biophysical and environmental stressors, heat, and socioeconomic factors.
- Identify, as part of the mapping activity, the most suitable lands for development
- Explore a Transfer Development Rights Program; also Identify, as part of the mapping exercise, the most suitable lands for development and at the same time the priority preservation areas.
- Promote whole-farm conservation plans, carbon farm plans and organic system plans.
- Protect agricultural lands from development through conservation easements.
- Support storm runoff as well as redirection of water during periods of extended high flows to allow water to sink into aquifers, in a manner that does not worsen water quality issues and ensures diversions are protective of native fish and wildlife.

(Source: Natural and Working Lands Climate Smart Strategy)

6. How will the proposed project implement an adopted or draft Sustainable Communities Strategy or, if a Sustainable Communities Strategy is not required for a region by law, a regional plan that includes policies and programs to reduce greenhouse gas emissions? Provide references to the specific goals, objectives, or policies that the project supports.

San Benito County is a member of the Association of Monterey Bay Area Governments (AMBAG). Consistent with SB 375, AMBAG adopted a Sustainable Communities Strategy (SCS), primarily focused on the City of Hollister. In place since 2016, and last updated on a 5-year schedule in 2022, AMBAG's SCS can inform our

selection of GHG emission reduction and avoidance measures, and recommendations. This includes adopting long-range plans, for non-urban place types, to align transportation, housing, and land use decisions toward achieving GHG emissions reduction targets set by the California Air Resources Board (CARB). The SCS tool kit addresses economic development, transportation programs, policies, and initiatives and can be used by the project team to help facilitate community discussion, guide policy discussions and shape future policy decisions and practices.

The project will identify the mitigation potential of the natural and agricultural lands in the region and identify threats posed by climate change; The results could align with Metropolitan Transportation Plan and Sustainable Communities Strategies goals, objectives, and policies relative to long range land use, transportation planning, economic development, accessibility, conservation equity, equity, infill development, public health, conservation and the preservation of cultural and natural resources, and more. The project team will maintain stakeholder engagement throughout the development of the project and provide results to regional stakeholders to inform future land use planning and conservation decisions.

7. How is the proposed plan consistent with California's Planning Priorities?

The state planning priorities, "to promote equity, strengthen the economy, protect the environment, and promote public health and safety" are broadly consistent with the County's 2035 General Plan goals and policies. Specifically, the planning project goal and objectives are consistent with the following California Planning Priority: "To protect environmental and agricultural resources by protecting, preserving, and enhancing the state's most valuable natural resources, including working landscapes such as farm, range, and forest lands, natural lands such as wetlands, watersheds, wildlife habitats, and other wildlands, recreation lands such as parks, trails, greenbelts, and other open space, and landscapes with locally unique features and areas identified by the state as deserving special protection". The San Benito General Plan, however, lacks specificity. Clarity and guidance will be achieved with the creation of an Agricultural Element.

8. What economic, environmental, public health, cultural or other co-benefits that would arise from the project? How will those co-benefits be measured?

The San Benito County SALC Project, over the long-term, will support the development of resilient communities, the increasing biodiversity and propagation of native species, negative emissions, green jobs, improved public health conditions and deepening partnerships with local Native American Tribal Bands. The co-benefits of the planning project include, but are not limited to the following:

Environment co-benefits

- Preventing conversion of agricultural lands to non-agricultural uses, or more intensive land uses

Social co-benefits

- Employment, creation of Green Jobs

- Cooperation between various sectors in society

Economic opportunities

- Economic Development, expand green job opportunities and opportunities and economic opportunities to farmers and landowners.

The project plan will incorporate actions and recommendations embedded in California's Pathways to 30x30 to guide and accelerate land conservation and implement land use policies. This includes the exploring strategies, relevant to San Benito County, to consider and possible implement the following actions:

1. Accelerate Regionally Led Conservation
2. Execute Strategic Land Acquisitions
3. Increase Voluntary Conservation Easements
4. Enhance Conservation of Existing Public Lands
5. Institutionalize Advance Mitigation
6. Expand and Accelerate Environmental Restoration and Stewardship
7. Strengthen Coordination Among Governments
8. Align Investments to Maximize Conservation Benefits
9. Advance and Promote Complementary Conservation Measures
10. Evaluate Conservation Outcomes and Adaptively Manage

The project team will measure Co-benefits with tools provided by CalARB and California Climate Investments (CCI). CCI/CalARB Quantification Methodologies and Calculator Tools can help us estimate greenhouse gas (GHG) emission reductions and co-benefits among a variety of environmental, social, economic, energy and other related categories and activities.

9. How will the project benefit priority populations; beginning or Veteran farmers and ranchers; residents of disadvantaged or low-income communities; or federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the Native American Heritage Commission and/or a priority population?

The project plan will address climate change and its impact upon the socio-economic and health condition of San Benito's priority populations. The project team, therefore, will engage with historically underserved communities, including farmers, local ranchers, immigrant communities, and Native American Tribal Bands of San Benito County. The diversity of San Benito County will be represented in the community engagement process.

The input and the experience of San Benito County's diverse priority populations is critical to the immediate and long-term value of the project. According to the California Healthy Place Index (HPI 2023) 60% of families living in north San Benito County experience poorer overall health and economic conditions than 39.1% of other California communities. Fifty percent or more students at 46% of the public schools operating within the San Benito County Unified School District, including elementary, middle school and high schools, are eligible for free and reduced meals.

Demographically, 81% of students enrolled in the Hollister School District are Latinx, and 88% are BIPOC.

In the Central Coast, including San Benito County, farmers, local ranchers, and workers are facing challenges on several fronts. The Central Coast region, despite experiencing an extremely wet season, on a regular basis will encounter lengthy droughts. Temperatures-especially inland- will continue to rise, and the threat of wildfires will increase (Natural and Working Lands Climate Smart Strategy – Regional Profiles, Central Coast). Concurrently other significant changes are occurring. According to the California Department of Conservation (Farmland Mapping and Monitoring Program) farmland of local importance has reduced, since 2000, from 37,000 acres to approximately 16,000 acres, while over the same period, urban and built-up land has increased.

San Benito County has many small-scale, beginning, non-English speaking farmers who lack technical assistance and resources to implement conservation planning and climate smart agricultural practices. Also, over the past several decades, the population of Indigenous farmers has grown in San Benito County. The Triqui community, from the Mexican state of Oaxaca, have emigrated to San Benito, and other areas of California. Escaping political prosecution and violence, many Triqui emigres have become farm workers. The Triqui community, and other Indigenous communities, including Mixtec and Zapotec are among the fastest growing farm worker populations in California. The Triqui, Mixtec and Zapotec language and culture is unique and a priority population providing many benefits to our County. The County is and will continue to work hand-in-hand with San Benito County's Indigenous population and farmworkers.

Additionally, the project team will coordinate its effort with the Amah Mutsun Tribal Band of San Juan Bautista. The Amah Mutsun Tribal Band, a non-federally recognized California Native American Tribe, is distinct and separate from other Coastal California Native American Tribal Bands and is committed to the stewardship of their ancestral lands and waters in San Benito County. Notably, the Amah Mutsun created a Land Trust in 2015 as an instrument to help foster resiliency among its people and build the capacity needed to combat the impact of climate change.

Understanding Tribal farming practices and their benefit to the agricultural economy will be prioritized. San Benito County has been working with the tribal bands. We have been incorporating indigenous land stewardship, and creating opportunities to restore local indigenous agricultural practices Same thing add a sentence about farmworkers as a priority population and how the most deserving agricultural workers are not forgotten.

- 10. How will the proposal complement other efforts in the region, including comprehensive planning efforts (e.g., Greenprints, general or special plan objectives or goals), and agricultural land use policies (e.g., Williamson Act)? How would the project leverage other permanently protected lands to promote location and resource-efficient development?**

The project team will conduct a comprehensive assessment and analysis of existing policies and plans to support a General Plan Update and research other planning affecting the County's agricultural and natural lands, and climate change policies, practices, and approaches. The research will include, but is not limited to the following:

- San Benito County General Plan – proposed for amendment as part of this project.
- Williamson Act
- San Benito County Economic Development Strategy
- Hollister General Plan Update (Agricultural Preservation Chapter)
- San Benito Regional Transportation Plan
- San Benito County Fire Plan (for defensible space, ecological health, and rangeland improvement)
- Habitat Conservation Plan/Natural Community Conservation Plan (Currently under development)
- Association of Monterey Bay Governments: 2045 Metropolitan Transportation Plan & the Sustainable Communities Strategy and Sustainable Communities Strategy

11. What is the applicant's experience in developing and implementing similar projects? What are the internal resources and capacity to complete the proposed work or will consultants or contractors be required? Are there professional staff qualified to develop and successfully implement the proposal? If not, please describe how will the applicant acquire this expertise.

San Benito County Resource Management Agency (RMA) Planning Division will manage the project. The Planning Division and Land Use Division oversees land use, development, and resource protection on behalf of the County, and is responsible for the administration of the General Plan, Specific Plans, the Zoning Ordinance, compliance with the California Environmental Quality Act (CEQA) and assistance to the community in meeting planning and land use requirements. The Planning Division has successfully completed the San Benito County 2035 General Plan, numerous specific plans, and special projects. Moreover, the Planning Division is currently in the process of developing a multi-species and multi-phased county-wide joint Habitat Conservation Plan (HCP) and Natural Community Conservation Plan (NCCP) called the San Benito County Conservation Plan (SBCCP). Throughout the development of its planning projects, the RMA's Planning Division has proven its ability to engage stakeholders and build consensus for its respective projects.

The RMA's Planning Division will issue an RFP and select the best qualified consultant or consultant team to implement the San Benito County SALC Project under the management of the Planning Division. The consultant(s) will work directly with the project team.

12. Which stakeholders will participate in the proposed project? How will these stakeholders participate?

The project team has identified the following stakeholders for the planning project:

- San Benito County Resource Management Agency
- San Benito Agricultural Land Trust
- San Benito Resource Conservation District
- San Benito County Farm Bureau
- U.S. Fish & Wildlife Service Ventura Fish and Wildlife Office
- Amah Mutsun Tribal Band
- California Department of Fish & Wildlife Central Region (Region 4)
- City of Hollister
- City of San Juan Bautista
- Council of San Benito County Governments
- Association Monterey Bay Area Governments
- San Benito County Water District
- Pajaro Valley Water Management Agency
- Pajaro Compass Network
- San Benito Working Landscapes Group
- California FarmLink
- California Rangeland Trust
- Caltrans
- Pinnacles National Park
- U.S. Bureau of Land Management
- Natural Resource Conservation Service
- Trust for Public Land
- The Nature Conservancy
- Point Blue Conservation Science
- California Native Plant Society
- REACH San Benito Parks Foundation

San Benito Agricultural Land Trust (SBALT) staff and the San Benito Resource Conservation District (SBRCD) participated actively in the development of this pre-proposal. Should the County be invited to submit a full funding proposal, both organizations will continue to participate in the development of the San Benito County SALC Project. Other stakeholders listed, should funding be awarded, will be invited to engage in the development of a full proposal and the San Benito County SALC Project.

San Benito County SALC Workplan

Task Number	Performance Measure	Timeline <small>*Some timelines may overlap and possibly exceed months estimated below</small>	Total Requested Grant Funds
<p>Task 1: Project Management and Coordination</p> <p>Sub-Task A: Identify and retain a Planning and Land Use Consultant.</p> <p>Sub-Task B: Kick-off meeting, schedule, coordination, oversight, updates, and meetings</p>	<p>A. Resource Management Agency (RMA) issue a Request for Proposal</p> <p>Deliverable: RMA hires planning and Land Use Consultant</p> <p>B. One Kick-off and Monthly coordination meetings</p> <p>Deliverable: Project coordination meetings</p>	<p>Months 1-2 and then on-going throughout project</p>	<p>\$51,080 +/-</p>
<p>Task 2: Mapping and Risk Assessment</p> <p>Sub-Task A: Develop GIS mapping tool to evaluate agricultural lands and inform Tasks 3-7.</p>	<p>A. Report, using mapping and risk assessment tool, quantifying the potential for agricultural land to be converted.</p> <p>Deliverable: Mapping and Risk Assessment Report</p>	<p>Months 2-6</p>	<p>\$42,820 +/-</p>
<p>Task 3: Review Existing General Plan Land Use Designations and Policies</p> <p>Sub-Task A: Review General Plan policies consistent with FMMP standards to facilitate the growth of the agricultural economy.</p> <p>Sub-Task B: Gather and review relevant local, regional, and state policies.</p>	<p>A. Consultant completes review.</p> <p>B. Consultant completes review.</p>	<p>Months 3-8</p>	<p>\$68,470 +/-</p>

<p>Sub-Task: C. Research science-based soil policies to better inform planning activities and mitigation.</p>	<p>C. Consultant completes research and requisite activities.</p> <p>Deliverable: Completed report of General Plan land use designations and policies, including recommendations for the Agricultural Element</p>		
<p>Task 4: Community Engagement and Partnership Development</p> <p>Sub-Task A: Develop a community engagement and outreach plan.</p> <p>Subtask B: Assemble an advisory SALC Stakeholder Planning Group</p> <p>Sub-Task C: Input and review of task deliverables from key local and regional organizations.</p> <p>Sub-task D: Meet gov. code section 65351 requirements for public involvement in preparation for amendment of general plan</p> <p>Sub-task E: Meet gov. code section requirements 65352.5 coordination of agencies for general plan amendment.</p>	<p>A. Community engagement plan</p> <p>B. SALC Stakeholder Planning Group meetings</p> <p>C. Conduct a minimum of four community meetings with Stakeholder and community groups with check points throughout the project.</p> <p>D. Report on meeting results</p> <p>E. Report on meeting results</p> <p>F. Report Results</p>	<p>A. Months 2-4</p> <p>B. Months 2-4 and then on-going throughout project</p> <p>C. On-going throughout project</p> <p>D. On-going throughout project</p> <p>E. On-going throughout project</p> <p>F. On-going throughout project</p>	<p>\$134,340 +/-</p>

<p>Sub-task F: Meet Gov. code section 65352.3 and 65352.4 general plan review by CA Native American tribes and consultation defined and SB 18 consultation as required for general plan amendment</p>	<p>Deliverable: Stakeholder Input Report, includes results from sub-tasks A-F</p>		
<p>Task 5: Economic Assessment and Analysis of Agricultural and Natural lands</p> <p>Sub-Task A: Baseline analysis quantifying the cumulative economic effects of San Benito County agriculture</p> <p>Sub-Task B: Identify and project potential future economic development opportunities.</p> <p>Sub-Task C: Build an agricultural economic development plan</p>	<p>A – B. Report completed on economic viability and future investment in agricultural operations and natural lands.</p> <p>Deliverable: San Benito County Agricultural and Natural Lands Economic Assessment and Opportunities Report, including recommendations for the Agricultural Element</p>	<p>Months 5-12</p>	<p>\$68,120 +/-</p>
<p>Task 6: Climate Change Analysis</p> <p>Sub-Task A. Coordinate with separate effort being done with County work on a Climate Action Plan</p>	<p>Report on climate change impacts and potential outcomes achieved through climate adaptation and mitigation measures with criteria.</p> <p>Deliverable: Climate Change Impact Analysis, including recommendations for the agricultural element</p>	<p>Months 5-12</p>	<p>\$24,770 +/-</p>

<p>Task 7: Agricultural Element Documents</p> <p>Subtask A: Admin draft with all requirements for gov. code section 65565 Agricultural land; requirements</p> <p>Subtask B: Public Draft and Public Comment and referral of plans, gov. code section 65352 for general plan amendment</p>	<p>A. Consultant provides progress report.</p> <p>B. Consultant provides progress reports.</p> <p>Deliverable: Admin draft Public Draft Final Draft that incorporates comments received from Public Draft</p>	Months 6-24	\$118,000 +/-
<p>Task 8: Plan Completion</p> <p>Sub-Task A: Final Draft Present to Planning Commission with Environmental documents as required under CEQA*</p> <p>Sub-Task B: Present plan to Board of Supervisors</p> <p>Sub-Task C: Board adopted resolution.</p> <p>Sub-Task D: Agricultural Element Adoption Process tasks required per CA Govt. Code.</p> <p>Public Hearing 65353 Planning Commission public</p>	<p>A-C. Final Draft placed on San Benito County BoS agenda, presented, and approved. Resolution executed and filed.</p> <p>Deliverable: Draft Plan approved by San Benito County BoS.</p> <p>D. Complete CA. Govt Code Requirements for general plan amendment</p> <p>Deliverable: San Benito County Agricultural Element</p>	Months 20-24	\$42,380+/-

<p>notice and hearing for general plan amendment</p> <p>65354 Planning Commission recommendations for general plan amendment</p> <p>65354.5 Appeal Process: Establishment of procedures for requesting hearing before planning agency for general plan amendment.</p> <p>65355 Legislative body notice and hearing for general plan amendment</p> <p>65356 Legislative referral to legislative body to adopt or amend a general plan by resolution for general plan amendment.</p> <p>65357 Copies of adopted Agricultural Element sent to all relevant public entities</p>	<p>adopted into General Plan</p>		
---	----------------------------------	--	--

*Development of environmental documents, as required under CEQA, will be funded by County

Narrative:

Task 1: Project Management and Coordination

The San Benito County Resource Management Agency (RMA) will hire a qualified Planning and Land Use Consultant through a Request for Proposal process. The selected consultant will manage the planning project and coordinate tasks with RMA staff. Tasks include organizing meetings with stakeholders, partners, and staff and providing regular updates and progress reports.

Task 2: Mapping and Risk Assessment

A qualified consultant, in coordination with the RMA, will develop a GIS mapping tool to evaluate and measure the potential for agricultural land conversion. The mapping and risk assessment task will inform tasks 3-7. The consultant will complete a risk and assessment report.

Task 3: Review existing General Plan land use designations and policies.

The consultant will deliver a complete research-based report providing recommendations and guidance related to the Agricultural Element. Additionally, the report will include a comprehensive review of County's General Plan land use designations, recommendations to integrate and align relevant local, state, and regional policies, science-based soil policies and practices, and Farmland Mapping and Monitoring Program standards to support the growth of the County's agricultural economy.

Task 4: Community Engagement and Partnership Development

The RMA and the consultant, together, will implement an outreach and community and partnership engagement plan to ensure the County's diversity and priority populations are participating in the planning process. A minimum of four meetings will be held. Additionally, an advisory SALC Stakeholder Planning Group will serve as an advisory role by regularly providing input on a monthly basis to the Consultant and the RMA staff. The RMA will ensure community outreach and engagement best practices and proven methodologies are used to ensure a successful level of community participation. Individuals and organizations not represented in the stakeholder group that may have interest in the development of the plan will also be identified and invited to participate. The consultant will create minutes, or a summary document of comments and recommendations received. The information gained in this step will inform our work in the tasks that follow.

Task 5: Economic Assessment and Analysis of Agricultural and Natural lands

A qualified consultant will assess and analyze San Benito County's agricultural and natural lands to help determine economic viability and present potential future investments, and other related opportunities. The project consultant will deliver an Economic Assessment and Opportunities Report with recommendations for the Agricultural Element

Task 6: Climate Change Analysis

The County is currently working on a climate action plan. Together, the Consultant and County will coordinate their effort to ensure consistency and deliver a Climate Change Impact Analysis with recommendations for the agricultural element.

Task 7: Agricultural Element Documents

The project goal is to develop and include an Agricultural Element in the San Benito County General Plan. In this task, the planning and land use consultant, per California Government Code, will prepare an administrative draft and public draft, ready for public comment. The final draft will incorporate comments received from the Public Draft.

Task 8: Plan Completion

This task includes the final actions necessary, per California Government Code and policy to complete the project goals. The consultant will present the final SALC plan and the Agricultural Element to the County Planning Commission for approval before proceeding to the County Board of Supervisors for adoption.

BUDGET DETAIL

Attachment 4: Budget Detail Worksheet:

Grantee Name: San Benito County

Grant #: PG03_San Benito

Budget Item	Units (if applicable)	Rate (if applicable)	Program		Grand Total
			Reimbursement Request	Grantee Match	
Task 1: Project Management					
Consultant (not to exceed)		*Per RFP	\$ 45,000.00	\$ -	\$ 45,000.00
Staff (See rate information below in Table 2)		**134/PER HOUR	\$ -	\$ 3,000.00	\$ 3,000.00
San Benito Agricultural Land Trust: Executive Director	8.00	70.00	\$ 560.00		\$ 560.00
San Benito Agricultural Land Trust: Project Manager	0.00	65.00	\$ -	\$ -	\$ -
San Benito Resource Conservation District	36.00	70.00	\$ 2,520.00		\$ 2,520.00
Subtotal			\$ 48,080.00	\$ 3,000.00	\$ 51,080.00
Task 2 Mapping and Risk Assessment					
Consultant (not to exceed)		*Per RFP	\$ 40,000.00	\$ -	\$ 40,000.00
Staff (See rate information below in Table 2)		**Varies. See rates below.	\$ -	\$ 1,000.00	\$ 1,000.00
San Benito Agricultural Land Trust: Executive Director	20.00	70.00	\$ 1,400.00		\$ 1,400.00
San Benito Agricultural Land Trust: Project Manager	0.00	65.00	\$ -		\$ -
San Benito Resource Conservation District	6.00	70.00	\$ 420.00		\$ 420.00
Subtotal			\$ 41,820.00	\$ 1,000.00	\$ 42,820.00
Task 3 Review Existing General Plan Land Use Designations and Policies					
Consultant (not to exceed)		*Per RFP	\$ 65,000.00	\$ -	\$ 65,000.00
Staff (See rate information below in Table 2)		**Varies. See rates below.	\$ -	\$ 1,000.00	\$ 1,000.00
San Benito Agricultural Land Trust: Executive Director	20.00	70.00	\$ 1,400.00		\$ 1,400.00
San Benito Agricultural Land Trust: Project Manager	10.00	65.00	\$ 650.00		\$ 650.00
San Benito Resource Conservation District	6.00	70.00	\$ 420.00		\$ 420.00
Subtotal			\$ 67,470.00	\$ 1,000.00	\$ 68,470.00
Task 4 Community Engagement and Partnership Development					
Consultant (not to exceed)		*Per RFP	\$ 105,000.00	\$ -	\$ 105,000.00
Staff (See rate information below in Table 2)		**Varies. See rates below.	\$ -	\$ 5,000.00	\$ 5,000.00
San Benito Agricultural Land Trust: Executive Director	60.00	70.00	\$ 4,200.00		\$ 4,200.00
San Benito Agricultural Land Trust: Project Manager	200.00	65.00	\$ 13,000.00		\$ 13,000.00
San Benito Resource Conservation District	102.00	70.00	\$ 7,140.00		\$ 7,140.00
Subtotal			\$ 129,340.00	\$ 5,000.00	\$ 134,340.00
Task 5 Economic Assessment and Analysis of Agricultural and Natural Lands					
Consultant (not to exceed)		*Per RFP	\$ 60,000.00	\$ -	\$ 60,000.00
Staff (See rate information below in Table 2)		**Varies. See rates below.	\$ -	\$ 1,000.00	\$ 1,000.00
San Benito Agricultural Land Trust: Executive Director	40.00	70.00	\$ 2,800.00		\$ 2,800.00
San Benito Agricultural Land Trust: Project Manager	60.00	65.00	\$ 3,900.00		\$ 3,900.00
San Benito Resource Conservation District	6.00	70.00	\$ 420.00		\$ 420.00
Subtotal			\$ 67,120.00	\$ 1,000.00	\$ 68,120.00
Task 6 Climate Change Analysis					
Consultant			\$ 20,000.00		\$ 20,000.00
Staff				\$ 1,000.00	\$ 1,000.00
San Benito Agricultural Land Trust: Executive Director	20.00	70.00	\$ 1,400.00		\$ 1,400.00
San Benito Agricultural Land Trust: Project Manager	30.00	65.00	\$ 1,950.00		\$ 1,950.00
San Benito Resource Conservation District	6.00	70.00	\$ 420.00		\$ 420.00
Subtotal			\$ 23,770.00	\$ 1,000.00	\$ 24,770.00
Task 7 Agricultural Element Documents					
Consultant			\$ 105,000.00		\$ 109,000.00
Staff				\$ 4,600.00	\$ 4,600.00
San Benito Agricultural Land Trust: Executive Director	20.00	70.00	\$ 1,400.00		\$ 1,400.00
San Benito Agricultural Land Trust: Project Manager	40.00	65.00	\$ 2,600.00		\$ 2,600.00
San Benito Resource Conservation District	6.00	70.00	\$ 420.00		\$ 420.00
Subtotal			\$ 109,420.00	\$ 4,600.00	\$ 118,020.00
Task 8 Plan Completion					
Consultant			\$ 8,160.00	\$ 31,840.00	\$ 40,000.00
Staff				\$ 1,560.00	\$ 1,560.00
San Benito Agricultural Land Trust: Executive Director	2.00	70.00	\$ 140.00		\$ 140.00
San Benito Agricultural Land Trust: Project Manager	4.00	65.00	\$ 260.00		\$ 260.00
San Benito Resource Conservation District	6.00	70.00	\$ 420.00		\$ 420.00
Subtotal			\$ 8,980.00	\$ 33,400.00	\$ 42,380.00
Grand Total			\$ 496,000.00	\$ 50,000.00	\$ 550,000.00

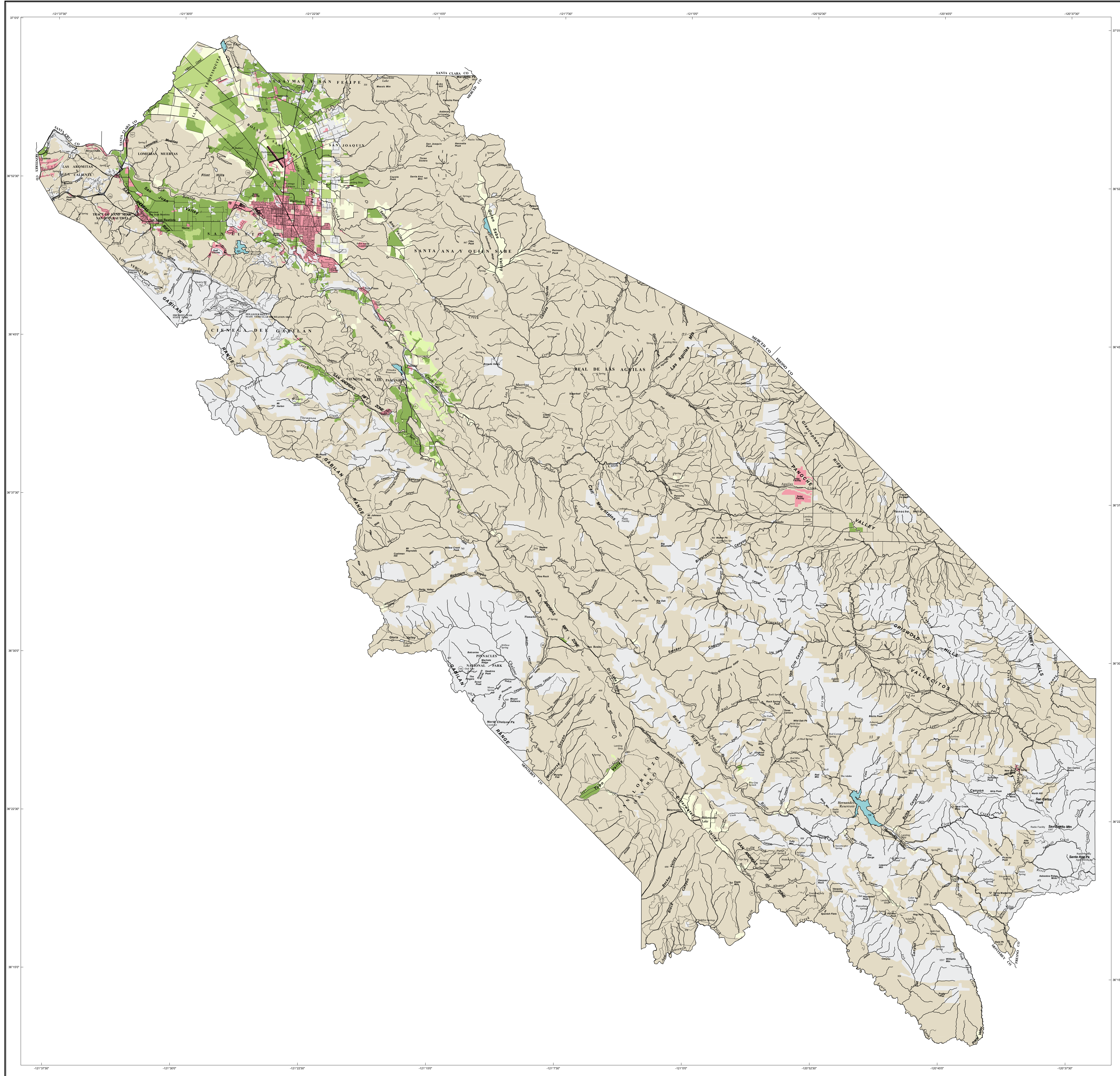
MAPS: SAN BENITO COUNTY AGRICULTURE AND NATURAL LAND



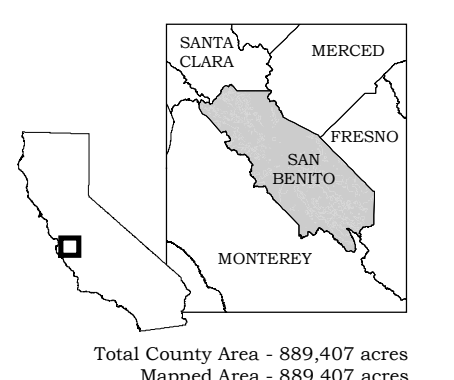
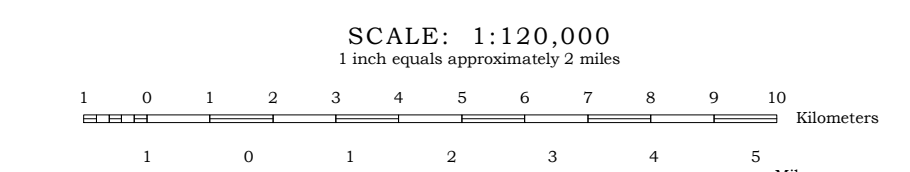
STATE OF CALIFORNIA
Gavin Newsom, Governor
THE NATURAL RESOURCES AGENCY
Wide Crawford, Secretary
DEPARTMENT OF CONSERVATION
David Shabazian, Director

SAN BENITO COUNTY IMPORTANT FARMLAND 2020

CALIFORNIA DEPARTMENT OF CONSERVATION
DIVISION OF LAND RESOURCE PROTECTION
FARMLAND MAPPING AND MONITORING PROGRAM



- PRIME FARMLAND**
PRIME FARMLAND HAS THE BEST COMBINATION OF PHYSICAL AND CHEMICAL FEATURES ABLE TO SUSTAIN LONG-TERM AGRICULTURAL PRODUCTION. THIS LAND HAS THE SOIL QUALITY, GROWING SEASON, AND MOISTURE SUPPLY NEEDED TO PRODUCE SUSTAINED HIGH YIELDS. LAND MUST HAVE BEEN USED FOR IRRIGATED AGRICULTURAL PRODUCTION AT SOME TIME DURING THE FOUR YEARS PRIOR TO THE MAPPING DATE.
- FARMLAND OF STATEWIDE IMPORTANCE**
FARMLAND OF STATEWIDE IMPORTANCE IS SIMILAR TO PRIME FARMLAND BUT WITH MINOR SHORTCOMINGS, SUCH AS GREATER SLOPES OR LESS ABILITY TO STORE SOIL MOISTURE. LAND MUST HAVE BEEN USED FOR IRRIGATED AGRICULTURAL PRODUCTION AT SOME TIME DURING THE FOUR YEARS PRIOR TO THE MAPPING DATE.
- UNIQUE FARMLAND**
UNIQUE FARMLAND CONSISTS OF LESSER QUALITY SOILS USED FOR THE PRODUCTION OF THE STATE'S LEADING AGRICULTURAL CROPS. THIS LAND IS USUALLY IRRIGATED, BUT MAY INCLUDE NONIRRIGATED ORCHARDS OR VINEYARDS AS FOUND IN SOME CLIMATIC ZONES IN CALIFORNIA. LAND MUST HAVE BEEN CROPPED AT SOME TIME DURING THE FOUR YEARS PRIOR TO THE MAPPING DATE.
- FARMLAND OF LOCAL IMPORTANCE**
LAND CULTIVATED AS DRY CROPLAND. USUAL CROPS ARE WHEAT, BARLEY, OATS, SAFFLOWER, AND GRAIN HAY. ALSO, ORCHARDS AFFECTED BY BORON WITHIN THE AREA SPECIFIED IN COUNTY RESOLUTION NUMBER 84-3.
- GRAZING LAND**
GRAZING LAND IS LAND ON WHICH THE EXISTING VEGETATION IS SUITED TO THE GRAZING OF LIVESTOCK.
- URBAN AND BUILT-UP LAND**
URBAN AND BUILT-UP LAND IS OCCUPIED BY STRUCTURES WITH A BUILDING DENSITY OF AT LEAST 1 UNIT TO 1.5 ACRES, OR APPROXIMATELY 6 STRUCTURES TO A 10-ACRE PARCEL. COMMON EXAMPLES INCLUDE RESIDENTIAL, INDUSTRIAL, COMMERCIAL, INSTITUTIONAL FACILITIES, CEMETERIES, AIRPORTS, GOLF COURSES, SANITARY LANDFILLS, SEWAGE TREATMENT, AND WATER CONTROL STRUCTURES.
- OTHER LAND**
OTHER LAND IS LAND NOT INCLUDED IN ANY OTHER MAPPING CATEGORY. COMMON EXAMPLES INCLUDE LOW DENSITY RURAL DEVELOPMENTS, BRUSH, TIMBER, WETLAND, AND RIPARIAN AREAS NOT SUITABLE FOR LIVESTOCK GRAZING, CONFINED LIVESTOCK, POULTRY, OR AQUACULTURE FACILITIES, STRIP MINES, BORROW PITS, AND WATER BODIES SMALLER THAN 40 ACRES. VACANT AND NONAGRICULTURAL LAND SURROUNDING ALL SIDES BY URBAN DEVELOPMENT AND GREATER THAN 40 ACRES IS MAPPED AS OTHER LAND.
- WATER**
PERENNIAL WATER BODIES WITH AN EXTENT OF AT LEAST 40 ACRES.



Important Farmland Maps are compiled by the Farmland Mapping and Monitoring Program (FMMP) pursuant to Section 65570 of the California Government Code. To create the maps, FMMP combines current land use information with U.S. Department of Agriculture-Natural Resources Conservation Service (NRCS) soil survey data. Soil units qualifying for Prime Farmland and Farmland of Statewide Importance are determined by the NRCS. Changes to soil profiles subsequent to publication of NRCS Gridded Soil Survey Geographic (gSSURGO) Database for California, September 25, 2018 are not reflected on this map. This map was developed using NRCS gridded digital soil data (gSSURGO) and may contain individual soil units less than one acre.

Land use status is determined using current and historic aerial imagery, supplemental GIS data, and field verification. Imagery sources may include public domain datasets, web-based information, and commercially purchased data, depending on data availability. Supplemental data on land management status is obtained from federal, state, and local governments. Map reviewers at the local level contribute valuable information with their comments and suggestions.

County boundaries for the 2020 Important Farmland Series are from the California Department of Forestry and Fire Protection's Fire and Resource Assessment Program (FRAP) 2018 version of California Counties GIS data.

Cultural base information for the Important Farmland Maps was derived from public domain data sets, based upon design of the U.S. Geological Survey, with updates generated by digitizing over current imagery.

This map should be used within the limits of its purpose - as a current inventory of agricultural land resources. This map does not necessarily reflect general plan or zoning designations, city limit lines, changing economic or market conditions, or other factors which may be taken into consideration when land use policies are determined. This map is not designed for parcel-specific planning purposes due to its scale and the ten-acre minimum land use mapping unit. Classification of important farmland and urban areas on this map is based on best available data. The information has been delineated as accurately as possible at 1:24,000 scale, but no claim to meet 1:24,000 National Map Accuracy Standards is made due to variations in the quality of source data.

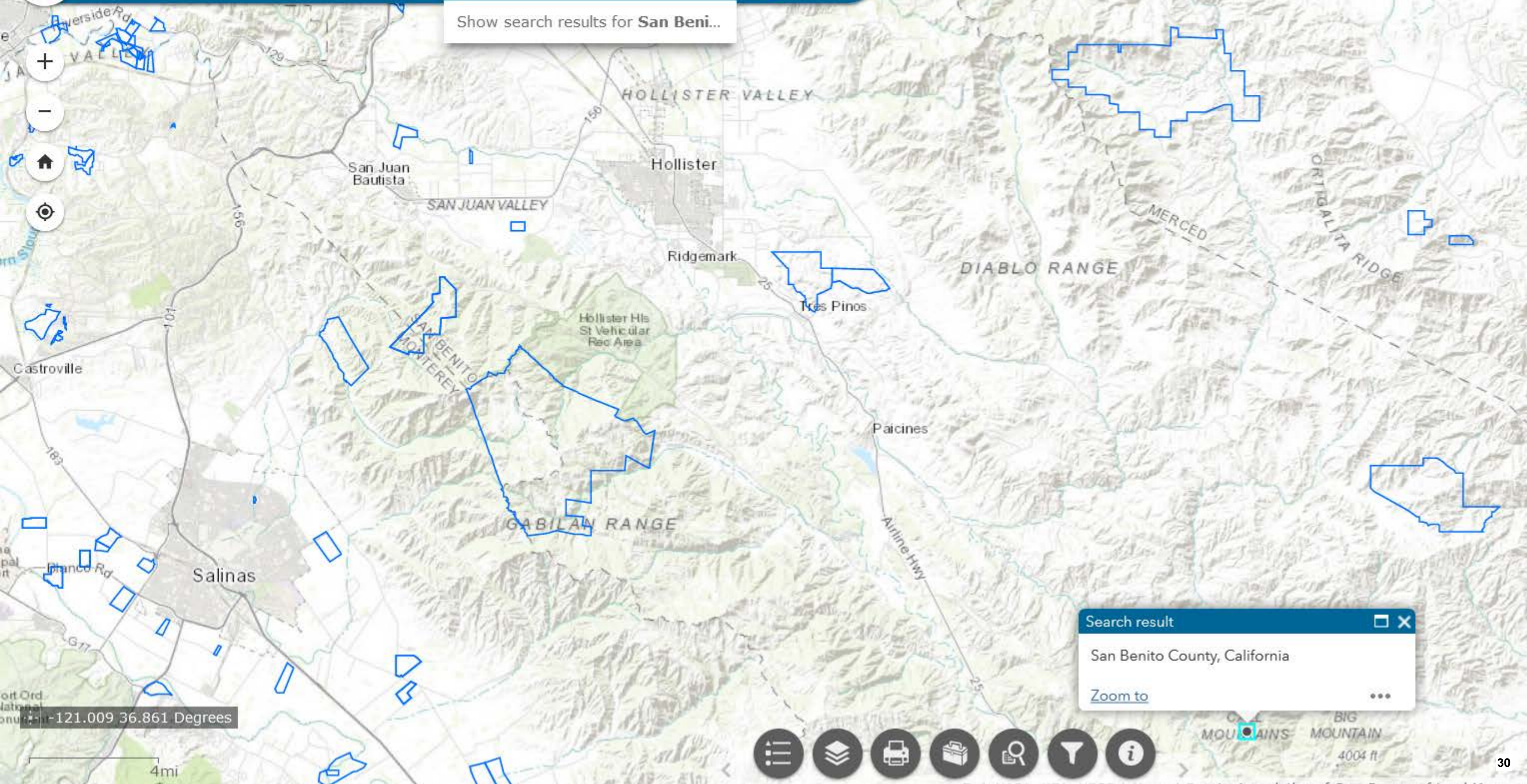
The Department of Conservation makes no warranties as to the suitability of this product for any particular purpose.

Additional data is available at www.conservacion.ca.gov/dlrp/fmmp, including detail on the program, statistics, and GIS data for download. Contact the:

Farmland Mapping and Monitoring Program
715 P Street, MS 1904
Sacramento, CA 95814
Phone: (916) 324-0850
e-mail: fmmp@conservation.ca.gov

© California Department of Conservation, Division of Land Resource Protection, 2023.
Map published April 2023.

Show search results for San Beni...



-121.009 36.861 Degrees

Search result
San Benito County, California
Zoom to



SAN BENITO COUNTY
1984-2018 Land Use Summary
 Farmland Mapping and Monitoring Program
 CALIFORNIA DEPARTMENT OF CONSERVATION

LAND USE CATEGORY	ACREAGE (1) 1984	ACREAGE (1) 1986	ACREAGE (1) 1988	ACREAGE (1) 1990	ACREAGE (1) 1992	ACREAGE 1994	ACREAGE 1996	ACREAGE 1998	ACREAGE 2000	ACREAGE 2002 (2)	ACREAGE 2004	ACREAGE 2006	ACREAGE 2008	ACREAGE 2010	ACREAGE 2012	ACREAGE 2014 (3)	ACREAGE 2016	ACREAGE 2018	1984-2018 NET ACREAGE CHANGED	AVERAGE ANNUAL ACREAGE CHANGE
Prime Farmland	38,743	42,421	42,610	41,991	41,322	35,968	35,429	34,278	33,902	32,509	32,085	30,432	28,701	27,427	27,446	26,981	26,833	26,796	-11,947	-351
Farmland of Statewide Importance	16,871	12,912	13,049	12,821	12,682	11,746	11,616	9,766	9,597	9,040	9,464	9,106	6,587	6,476	6,359	6,913	7,107	7,960	-8,911	-262
Unique Farmland	1,668	1,729	1,674	1,779	1,747	861	847	901	1,119	2,581	2,625	2,578	2,399	2,252	2,258	2,261	2,412	2,414	746	22
Farmland of Local Importance	34,037	35,381	36,632	37,744	38,392	42,721	39,045	39,381	37,083	32,922	27,389	26,482	23,234	21,311	20,448	18,573	17,157	16,115	-17,922	-527
Important Farmland Subtotal	91,319	92,443	93,965	94,335	94,143	91,296	86,937	84,326	81,701	77,052	71,563	68,598	60,921	57,466	56,511	54,728	53,509	53,285	-38,034	-1,119
Grazing Land	596,180	592,250	589,946	586,761	586,557	588,775	592,444	593,629	595,537	598,926	603,616	605,732	612,455	614,820	615,859	616,957	618,326	617,365	21,185	623
Agricultural Land Subtotal	687,499	684,693	683,911	681,096	680,700	680,071	679,381	677,955	677,238	675,978	675,179	674,330	673,376	672,286	672,370	671,685	671,835	670,650	-16,849	-496
Urban and Built-Up Land	4,390	4,580	4,902	5,470	5,614	5,746	6,180	6,748	7,032	7,416	7,644	7,780	7,902	8,023	8,045	8,061	8,145	8,922	4,532	133
Other Land	196,485	199,079	199,478	201,725	201,977	202,474	202,730	203,665	203,977	204,857	205,427	206,138	206,968	207,935	207,829	208,516	208,313	208,726	12,241	360
Water Area	1,013	1,036	1,097	1,097	1,097	1,097	1,097	1,019	1,140	1,140	1,140	1,140	1,140	1,145	1,145	1,145	1,110	1,109	96	3
Total Area Inventoried	889,387	889,388	889,388	889,388	889,388	889,388	889,388	889,387	889,387	889,391	889,390	889,388	889,386	889,389	889,389	889,407	889,403	889,407	20	1

(1) Figures are generated from the most current version of the GIS data. Files dating from 1984 through 1992 were reprocessed with a standardized county line in the Albers Equal Area projection, and other boundary improvements.
 (2) Due to the incorporation of digital soil survey data (SSURGO) in 2002, acreages for farmland, grazing and other land categories may differ from those published in the 2000-2002 Farmland Conversion Report.
 (3) Conversion of geospatial data to North American Datum 1983 (NAD 83) led to minor changes in total FMMP acreage beginning in 2014.

PERCENTAGE OF COUNTY INVENTORIED: 100%

**TABLE A-27
SAN BENITO COUNTY
2016-2018 Land Use Conversion**

CALIFORNIA DEPARTMENT OF CONSERVATION
Division of Land Resource Protection

Farmland Mapping and Monitoring Program

**PART I
County Summary and Change by Land Use Category**

LAND USE CATEGORY	TOTAL ACREAGE 2016	TOTAL ACREAGE 2018	2016-18 ACRES LOST (-)	2016-18 ACRES GAINED (+)	2016-18 TOTAL ACREAGE CHANGED	2016-18 NET ACREAGE CHANGED
Prime Farmland	26,834	26,796	662	624	1,286	-38
Farmland of Statewide Importance	7,108	7,960	109	961	1,070	852
Unique Farmland	2,413	2,414	87	88	175	1
Farmland of Local Importance	17,157	16,115	2,149	1,107	3,256	-1,042
IMPORTANT FARMLAND SUBTOTAL	53,512	53,285	3,007	2,780	5,787	-227
Grazing Land	618,327	617,365	2,283	1,321	3,604	-962
AGRICULTURAL LAND SUBTOTAL	671,839	670,650	5,290	4,101	9,391	-1,189
Urban and Built-up Land	8,146	8,922	65	841	906	776
Other Land	208,313	208,726	163	576	739	413
Water Area	1,109	1,109	0	0	0	0
TOTAL AREA INVENTORIED	889,407	889,407	5,518	5,518	11,036	0

**PART II
Land Committed to Nonagricultural Use**

LAND USE CATEGORY	TOTAL ACREAGE 2018
Prime Farmland	DATA
Farmland of Statewide Importance	NOT
Unique Farmland	AVAILABLE
Farmland of Local Importance	Blank
IMPORTANT FARMLAND SUBTOTAL	Blank
Grazing Land	Blank
AGRICULTURAL LAND SUBTOTAL	Blank
Urban and Built-up Land	Blank
Other Land	Blank
Water Area	Blank
TOTAL ACREAGE REPORTED	Blank

PART III Land Use Conversion from 2016 to 2018

LAND USE CATEGORY	Prime Farmland	Farmland of Statewide Importance	Unique Farmland	Farmland of Local Importance	Subtotal Important Farmland	Grazing Land	Total Agricultural Land	Urban and Built-up Land	Other Land	Water Area	Total Converted To Another Use
Prime Farmland	to: --	0	0	109	109	316	425	127	110	0	662
Farmland of Statewide Importance	to: 0	--	0	29	29	47	76	18	15	0	109
Unique Farmland	to: 0	0	--	15	15	40	55	15	17	0	87
Farmland of Local Importance	to: 341	834	13	--	1,188	846	2,034	51	64	0	2,149
IMPORTANT FARMLAND SUBTOTAL	341	834	13	153	1,341	1,249	2,590	211	206	0	3,007
Grazing Land	to: 225	119	75	936	1,355	--	1,355	566	362	0	2,283
AGRICULTURAL LAND SUBTOTAL	566	953	88	1,089	2,696	1,249	3,945	777	568	0	5,290
Urban and Built-up Land (1)	to: 0	0	0	2	2	55	57	--	8	0	65
Other Land	to: 58	8	0	16	82	17	99	64	--	0	163
Water Area	to: 0	0	0	0	0	0	0	0	0	--	0
TOTAL ACREAGE CONVERTED	to: 624	961	88	1,107	2,780	1,321	4,101	841	576	0	5,518

(1) Conversion from Urban and Built-up Land is primarily due to a lack of sufficient infrastructure and the use of detailed digital imagery to delineate more distinct urban boundaries.

Blank Row
Blank Row
Blank Row
Blank Row
Blank Row
Blank Row
Blank Row

SAN BENITO COUNTY

End of worksheet.

SAN BENITO COUNTY

**TABLE A-28
SAN BENITO COUNTY
2018-2020 Land Use Conversion**

CALIFORNIA DEPARTMENT OF CONSERVATION
Division of Land Resource Protection

Farmland Mapping and Monitoring Program

**PART I
County Summary and Change by Land Use Category**

LAND USE CATEGORY	TOTAL ACREAGE 2018	TOTAL ACREAGE 2020	2018-2020 ACRES LOST (-)	2018-2020 ACRES GAINED (+)	2018-2020 TOTAL ACREAGE CHANGED	2018-2020 NET ACREAGE CHANGED
Prime Farmland	26,797	26,527	457	187	644	-270
Farmland of Statewide Importance	7,962	7,920	103	61	164	-42
Unique Farmland	2,413	2,808	98	493	591	395
Farmland of Local Importance	16,115	14,783	1,761	429	2,190	-1,332
IMPORTANT FARMLAND SUBTOTAL	53,287	52,038	2,419	1,170	3,589	-1,249
Grazing Land	617,365	617,641	1,551	1,827	3,378	276
AGRICULTURAL LAND SUBTOTAL	670,652	669,679	3,970	2,997	6,967	-973
Urban and Built-up Land	8,920	9,332	165	577	742	412
Other Land	208,727	209,323	66	662	728	596
Water Area	1,108	1,073	35	0	35	-35
TOTAL AREA INVENTORIED	889,407	889,407	4,236	4,236	8,472	0

**PART II
Land Committed to Nonagricultural Use**

LAND USE CATEGORY	TOTAL ACREAGE 2020
Prime Farmland	DATA
Farmland of Statewide Importance	NOT
Unique Farmland	AVAILABLE
Farmland of Local Importance	Blank
IMPORTANT FARMLAND SUBTOTAL	Blank
Grazing Land	Blank
AGRICULTURAL LAND SUBTOTAL	Blank
Urban and Built-up Land	Blank
Other Land	Blank
Water Area	Blank
TOTAL ACREAGE REPORTED	Blank

PART III Land Use Conversion from 2018 to 2020

LAND USE CATEGORY	Prime Farmland	Farmland of Statewide Importance	Unique Farmland	Farmland of Local Importance	Subtotal Important Farmland	Grazing Land	Total Agricultural Land	Urban and Built-up Land	Other Land	Water Area	Total Converted To Another Use
Prime Farmland	to: --	0	0	95	95	208	303	40	114	0	457
Farmland of Statewide Importance	to: 0	--	0	7	7	92	99	0	4	0	103
Unique Farmland	to: 0	0	--	0	0	63	63	0	35	0	98
Farmland of Local Importance (1)	to: 55	56	13	--	124	1,408	1,532	127	102	0	1,761
IMPORTANT FARMLAND SUBTOTAL	55	56	13	102	226	1,771	1,997	167	255	0	2,419
Grazing Land	to: 121	4	480	305	910	--	910	382	259	0	1,551
AGRICULTURAL LAND SUBTOTAL	176	60	493	407	1,136	1,771	2,907	549	514	0	3,970
Urban and Built-up Land (2)	to: 2	0	0	4	6	17	23	--	142	0	165
Other Land	to: 9	1	0	18	28	10	38	28	--	0	66
Water Area	to: 0	0	0	0	0	29	29	0	6	--	35
TOTAL ACREAGE CONVERTED	to: 187	61	493	429	1,170	1,827	2,997	577	662	0	4,236

(1) Conversion to Grazing Land is primarily due to nonirrigated grain areas being left idle for four or more update cycles.

(2) Conversion from Urban and Built-up Land is primarily due to a lack of sufficient infrastructure and the use of detailed digital imagery to delineate more distinct urban boundaries.

Blank Row
Blank Row
Blank Row
Blank Row
Blank Row
Blank Row

SAN BENITO COUNTY
End of worksheet.

SAN BENITO COUNTY

BEFORE THE BOARD OF SUPERVISORS, COUNTY OF SAN BENITO

RESOLUTION NO. 2023- 32

A RESOLUTION OF THE COUNTY BOARD OF SUPERVISORS OF SAN BENITO COUNTY AUTHORIZING APPLICATION FOR, AND RECEIPT OF, SUSTAINABLE AGRICULTURAL LAND CONSERVATION PROGRAM (SALC)

WHEREAS, the State of California, Department of Conservation has issued a Notice of Funding Availability (NOFA) dated February 2023, for its Sustainable Agricultural Land Conservation Program (SALC); and

WHEREAS, the County Board of Supervisors of the County of San Benito desires to submit a project application for the SALC program to apply for a Agricultural Conservation Planning Grant under SALC, these grants are awarded to develop and implement plans for the protection of agricultural lands under pressure of being converted to non-agricultural uses and will submit a 2023 SALC grant application as described in the SALC NOFA and SALC Grants Program Guidelines released by the Department of Conservation for the SALC Program; and

WHEREAS, the SALC is a grant program administered by the Strategic Growth Council and implemented by the California State Department of Conservation (DoC) that utilizes Cap-and-Trade proceeds to protect agricultural lands at risk of conversion to other uses. The program's planning grants provide funding to develop and implement goals, policies, and programs that support the conservation and economic viability of the local agricultural sector while also addressing other challenges important to communities such as housing, job creation, water supply, environmental justice, habitat preservation, and climate change. Since 2014, SALC has invested over \$300 million in planning and conservation easements to develop strategic plans and protect roughly 140,000 acres of the state's important agricultural lands.

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN BENITO RESOLVES AS FOLLOWS:

SECTION 1. The County of San Benito is hereby authorized and directed to apply for and submit to the Department of Conservation the 2023 SALC application in the amount of \$500,000 with a 10 percent County match.

SECTION 2. In connection with the SALC grant, if the application is approved by the Department of Conservation, the Resource Management Agency Planning and Building Director, Abraham Prado, is authorized to enter into, execute, and deliver a State of California Department of Conservation, and any and all other documents required or deemed necessary or appropriate to evidence and secure the SALC grant, the County's obligations related thereto, and all

amendments thereto (collectively, the “SALC Grant Documents”).

SECTION 3. The Resource Management Agency Planning and Building Director, Abraham Prado, is authorized to execute the County of San Benito Planning Grants Program application, the PGP Grant Documents, and any amendments thereto, on behalf of the County as required by the Department for receipt of the SALC Grant.

ADOPTED March 14, 2023, by the County Board of Supervisors of the County of San Benito by the following vote:

AYES: Sotelo, Curro, Zanger, Kosmicki, Gonzales

NOES: None

ABSENT: None

ABSTAIN: None

DocuSigned by:

Mindy Sotelo

BCAC4A983F63409...

Mindy Sotelo, Chairperson
San Benito County Board of Supervisors

ATTEST:
Vanessa Delgado, Clerk of the Board

APPROVED AS TO FORM:
Barbara Thompson, County Counsel

DocuSigned by:

Vanessa Delgado

3BEFBC2E3B23439...

By: *Joel Ellinwood*
Joel Ellinwood, Assistant County Counsel

Date: March 14, 2023

Date: March 14, 2023

BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN BENITO**Resolution 2023- 31**

A RESOLUTION OF THE SAN BENITO COUNTY BOARD OF SUPERVISORS TO INITIATE A GENERAL PLAN AMENDMENT PROCESS FOR THE NATURAL AND CULTURAL RESOURCE ELEMENT AND LAND USE ELEMENT TO REVIEW, MODIFY, AND IMPLEMENT SECTIONS AND POLICIES SPECIFICALLY RELATING TO AGRICULTURE, TRANSFER OF DEVELOPMENT CREDITS, CULTURAL AND HISTORIC RESOURCES, AND OTHER NATURAL RESOURCES FROM THE 2035 SAN BENITO COUNTY GENERAL PLAN.

WHEREAS, the General Plan specifies that any implementation of the policy would require a General Plan Amendment and Specific Plan application, together with compliance with the California Environmental Quality Act (CEQA), through public hearings before both the Planning Commission and Board of Supervisors; and

WHEREAS, per California Government Code Section 65565:

(a) A city or county may develop an agricultural land component of the city or county's open-space element or a separate agricultural land element. If a city or county chooses to develop an agricultural land component of the open-space element or an agricultural land element, the agricultural land component of the open-space element or the agricultural land element shall do the following:

(1) Identify and map, utilizing the designations in the Farmland Monitoring and Mapping Program pursuant to Section 65570 or soil surveys conducted by the United States Natural Resources Conservation Service where applicable, agricultural lands within the city's or county's jurisdiction.

(2) Establish a comprehensive set of goals, policies, and objectives based on the information identified pursuant to paragraph (1) to support long-term protection of agricultural land. In developing these goals, policies, and objectives, a city or county may include; and

WHEREAS, the San Benito County 2035 General Plan does not include agricultural land component within the County's open-space element or as a separate agricultural land element, nor does it cover all the requirements under California Government code 65565; and

WHEREAS, the San Benito County 2035 General Plan Agriculture (A) land use designation has a maximum residential density of 1 dwelling unit per 5 acres and the Rangeland (RG) land use designation has a maximum residential density of 1 dwelling unit per 40 acres; and

WHEREAS, the adopted 6th cycle Regional Housing Need Allocation (RHNA) goals emphasize that residential growth should occur predominantly within the City of Hollister and not in areas of productive farmland of the unincorporated County; and

WHEREAS, the 2035 San Benito County General Plan would have to be amended to implement this change in policy and the amendment process can be initiated by the Board of Supervisors in accordance with San Benito County Code (SBCC) section 19.29.003: "Either the county, or any interested party, may initiate the consideration of a General Plan amendment or a Specific Plan or Specific Plan amendment. The county may initiate a General Plan amendment or consideration of a Specific Plan by formal action of the Planning Commission or the Board of Supervisors." Also see SBCC section 25.01.011 E. (Ordinance No. 1043, June 28, 2022); and

WHEREAS, the Board of Supervisors finds that the foregoing recitals and findings are true and correct, and adopts this Resolution based on the entirety of the record;

NOW THEREFORE BE IT RESOLVED that based on the evidence in the record, the Board of Supervisors of the County of San Benito hereby finds as follows:

1. Pursuant to Section 15262 initiation of a proposed General Plan Amendment involves only feasibility or planning studies for possible future actions which the Board of Supervisors has not yet approved or adopted, but which will include the preparation of an EIR or Negative Declaration and is therefore statutorily exempt.
2. Pursuant to Section 15061 (b)(3) of the CEQA Guidelines, the County of San Benito has determined, on the basis of substantial evidence in the light of the whole record, that:
 - (a) Under CEQA Guidelines 15061(b)(3), CEQA review is not required because it can be seen with certainty that there is no possibility that the adoption of the resolution will not have significant effect on the environment and that the future work on the General Plan amendment will have the appropriate environmental review.

BE IT FURTHER RESOLVED THAT the Board of Supervisors hereby initiates a General Plan amendment process to review, revise and implement policies under the Natural and Cultural Resource Element, and Land Use Element sections and policies specifically relating to agriculture, transfer of development credits, and cultural and historic resources, and other natural resources, in the 2035 San Benito County General Plan.

BE IT FURTHER RESOLVED THAT County staff of the Planning and Land Use Division of the Resource Management Agency is hereby directed to prepare the necessary studies and reports for the amendment of the 2035 San Benito County General Plan in accordance with this Resolution, and present for consideration of the San Benito County Planning Commission for recommendation and adoption by the Board of Supervisors as soon thereafter as is reasonably feasible.


PASSED AND ADOPTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN BENITO THIS 14TH DAY OF MARCH 2023 BY THE FOLLOWING VOTE:

AYES: Sotelo, Curro, Zanger, Kosmicki, Gonzales

NOES: None

ABSENT: None

ABSTAIN: None

DocuSigned by:

 BCAC4A933F63409...
 Mindy Sotelo, Chair
 San Benito County Board of Supervisors

Page 2 of 4

ATTEST:
Vanessa Delgado, Clerk of the Board

APPROVED AS TO LEGAL FORM:
Barbara J. Thompson, County Counsel

DocuSigned by:
Vanessa Delgado
By: _____
38EFBC2E3823439...
Clerk of the Board

By: *Joel Ellinwood*

Joel Ellinwood, Assistant County Counsel

PLANNING

California Climate Investments 2018 Funding Guidelines Benefit Criteria Table



Project Type: PLANNING

California Climate Investments are required to meet minimum levels of investments to projects that benefit residents of disadvantaged communities, low-income communities, and low-income households, collectively referred to as “priority populations.”

All projects counting toward the statutory investment minimums must be located within an identified community and benefit individuals living within that community, or directly benefit residents of low-income households anywhere in the State. Administering agencies must determine if a project meets the criteria for providing direct, meaningful, and assured benefits to priority populations using the following evaluation approach:

Step 1: Identify the Priority Population(s). Be located within a census tract identified as a disadvantaged community or low-income community, or directly benefit residents of a low-income household;

Step 2: Address a Need. Meaningfully address an important community or household need for the disadvantaged community, low-income community, or low-income household; and

Step 3: Provide a Benefit. Using the evaluation criteria, identify at least one direct, meaningful, and assured benefit that the project provides to priority populations. The benefit provided must directly address the identified need.

Only investments that meet these criteria will be counted toward achieving the statutory investment minimums identified for priority populations. Administering agencies can fund projects that otherwise provide meaningful benefits, but do not meet these criteria; however, those projects will not be counted toward investment minimums.

The following table includes criteria for administering agencies to use to determine whether projects satisfy each of the three steps. The criteria are designed to enable administering agencies to readily make an objective “yes” or “no” decision about whether a particular project provides a benefit to a priority population.

Administering agencies must use the criteria table that is applicable to the specific project type(s) funded. For complex projects, there may be more than one applicable criteria table. A complete list of available criteria tables is available at:

www.arb.ca.gov/cci-fundingguidelines.

Administering agencies must refer to CARB’s Funding Guidelines for direction on how to use the criteria table in program design and implementation, project evaluation, project selection, and reporting (www.arb.ca.gov/cci-fundingguidelines).

Project Type: Projects directly benefits priority populations by increasing their capacity to develop plans that enhance access to funds or enable the implementation of projects that reduce vulnerability and/or improve response to climate hazards and other risks. Planning activities may be implemented as a standalone project or as part of a larger, more comprehensive California Climate Investments project.

Projects must satisfy the applicable criteria through Step 3 to be considered to provide direct, meaningful, and assured benefits to priority populations and count toward statutory investment minimums.

Step 1 – Identify the Priority Population(s).¹ Evaluate the project against each of the following criteria. Check all boxes that apply.

Note: For this project type, project location is the geographic boundaries of the region covered by a plan, partnership, or collaborative. For projects that comprise discrete events (e.g., outreach, workshops, seminars), project location is the location of the event.

- A. Is the project located within the boundaries of a **disadvantaged community census tract**?
- B. Is the project located within the boundaries of a **low-income community census tract**?
- C. Is the project located outside of a disadvantaged community, but **within ½-mile of a disadvantaged community and within a low-income community census tract**?
- D. Is the project located within the boundaries of a **low-income household**?

If a project does not meet at least one of the qualifying criteria in Step 1, the project does not count toward statutory investment minimums and no further evaluation is needed. If the project meets at least one Step 1 criterion, continue the evaluation in Step 2.

¹ An online mapping tool of identified disadvantaged communities and low-income communities, and a “look-up” tool list of “low-income” thresholds by county and household size are available at: <https://www.arb.ca.gov/cc-communityinvestments>.

PLANNING

Step 2 – Address a Need. *Identify an important community or household need and evaluate whether the project provides a benefit that meaningfully addresses that need.*

To identify a need that the project will address, agencies and/or applicants can use a variety of approaches:

- A. **Recommended Approach:** Host community meetings, workshops, outreach efforts, or public meetings as part of the planning process to engage local residents and community groups for input on community or household needs, and document how the received input was or will be considered in the design and/or selection of projects to address those needs;
- B. **Recommended Approach:** Receive documentation of support from local community-based organizations and/or residents (e.g., letters, emails) identifying a need that the project addresses and demonstrating that the project has broad community support;
- C. **Alternative Approach:** Where direct engagement is infeasible, look at the individual factors in CalEnviroScreen that are most impacting an identified disadvantaged or low-income community (i.e., factors that score above the 75th percentile), and confirm that the project will reduce the impacts of at least one of those factors; or
- D. **Alternative Approach:** Where direct engagement is infeasible, refer to the list of common needs for priority populations in CARB’s Funding Guidelines Table 5 and confirm that the project addresses at least one listed need.

Describe identified community or household need(s):

The San Benito SALC Project will directly engage priority populations, including Tribal Bands and indigenous populations residing and working within the County. Translation equipment and tools will be used to enhance communication between the SALC Team and participants. This effort will address needs and provide benefits to prioritized populations in San Benito County.

If the project addresses a community or household need as described in Step 2, proceed to Step 3. If the project does not address a community or household need, it will not count toward statutory investment minimums and no further evaluation is needed.

PLANNING

Step 3 – Provide a Benefit. Evaluate the project against each of the following criteria to determine if it provides direct, meaningful, and assured benefits to priority populations. The benefit provided must directly address the identified need.

Project must meet at least one of the following benefit criteria:

- A. Project directly engages priority populations in developing actionable plans that address community needs, reduce environmental burdens, or improve public health in their community;
- B. Project or plan includes components that, when executed, reduce direct risk to priority populations from climate hazards such as: fire (e.g., defensible space); flooding, coastal inundation, wave impacts, or erosion;
- C. Project or plan includes components that, when executed, improve the ability of priority populations to respond to climate risk (e.g., emergency preparedness plan).
- D. Project or plan includes actionable components that, when executed, meets the criteria in benefit criteria table for the applicable project type.

If the project meets the criteria in Steps 1, 2, and 3, it will be considered as providing direct, meaningful, and assured benefits to priority populations and will be counted toward statutory investment minimums.

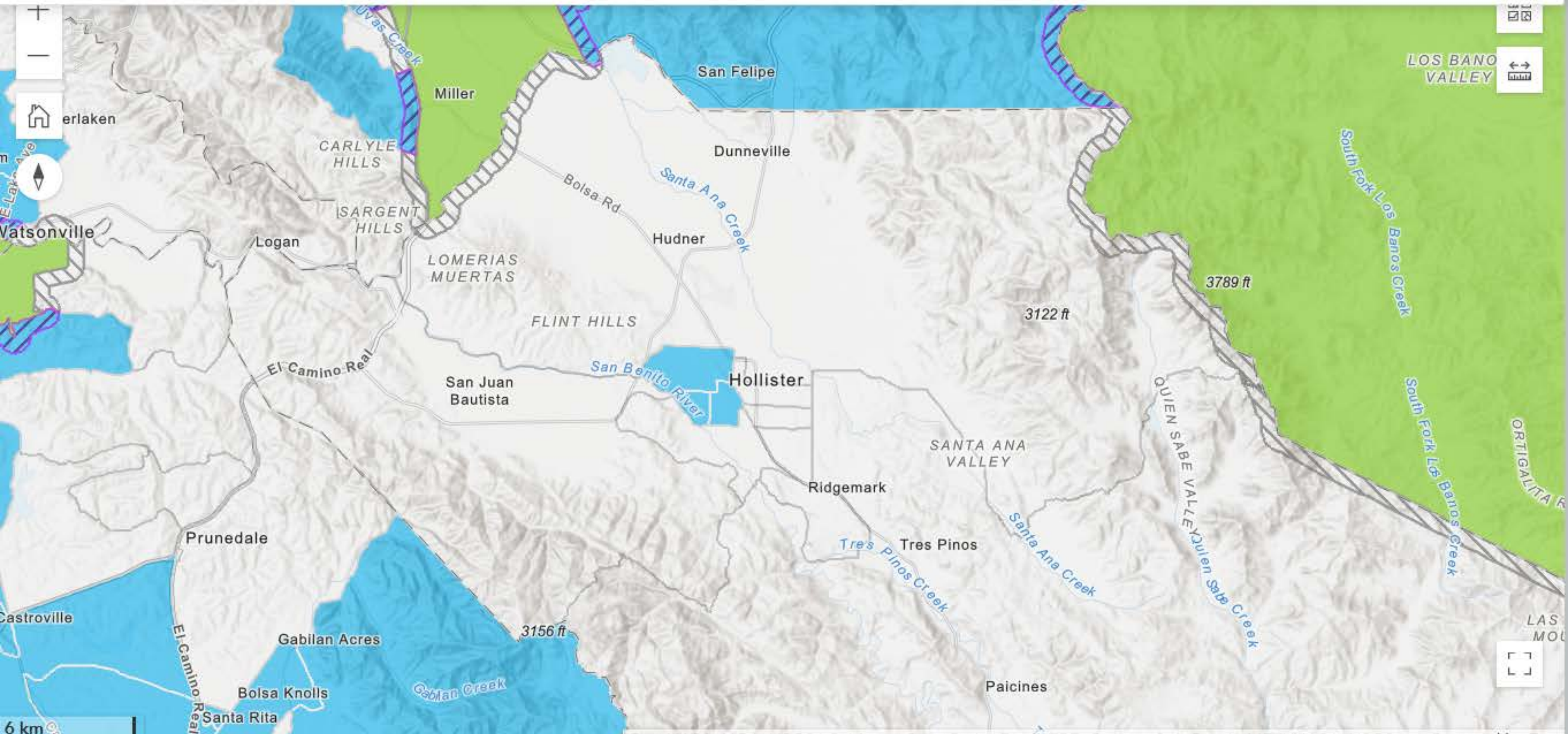
Yes, the County will continue to work directly, and formally with tribal bands. The County, through policy and practice, has supported indigenous land stewardship and the tribal bands effort to restore local indigenous agricultural practices and improve the sustainability of natural and agricultural lands within San Benito County. Additionally, the County will include leadership from the farmworker community, its leaders and representatives, in the planning project. We acknowledge the farmworkers contributions to San Benito's agricultural economy. As a major contributor, to our economy, their voice is integral to this planning project. Notably, we have received letter of support from our priority populations for the SALC Planning Project.

San Benito County, CA, USA

Legend

Map Layers

Search result



Priority Populations 2023 Update

Disadvantaged Communities Tribal Lands



Disadvantaged Communities CES4



Buffer Low income Communities



Low income Communities

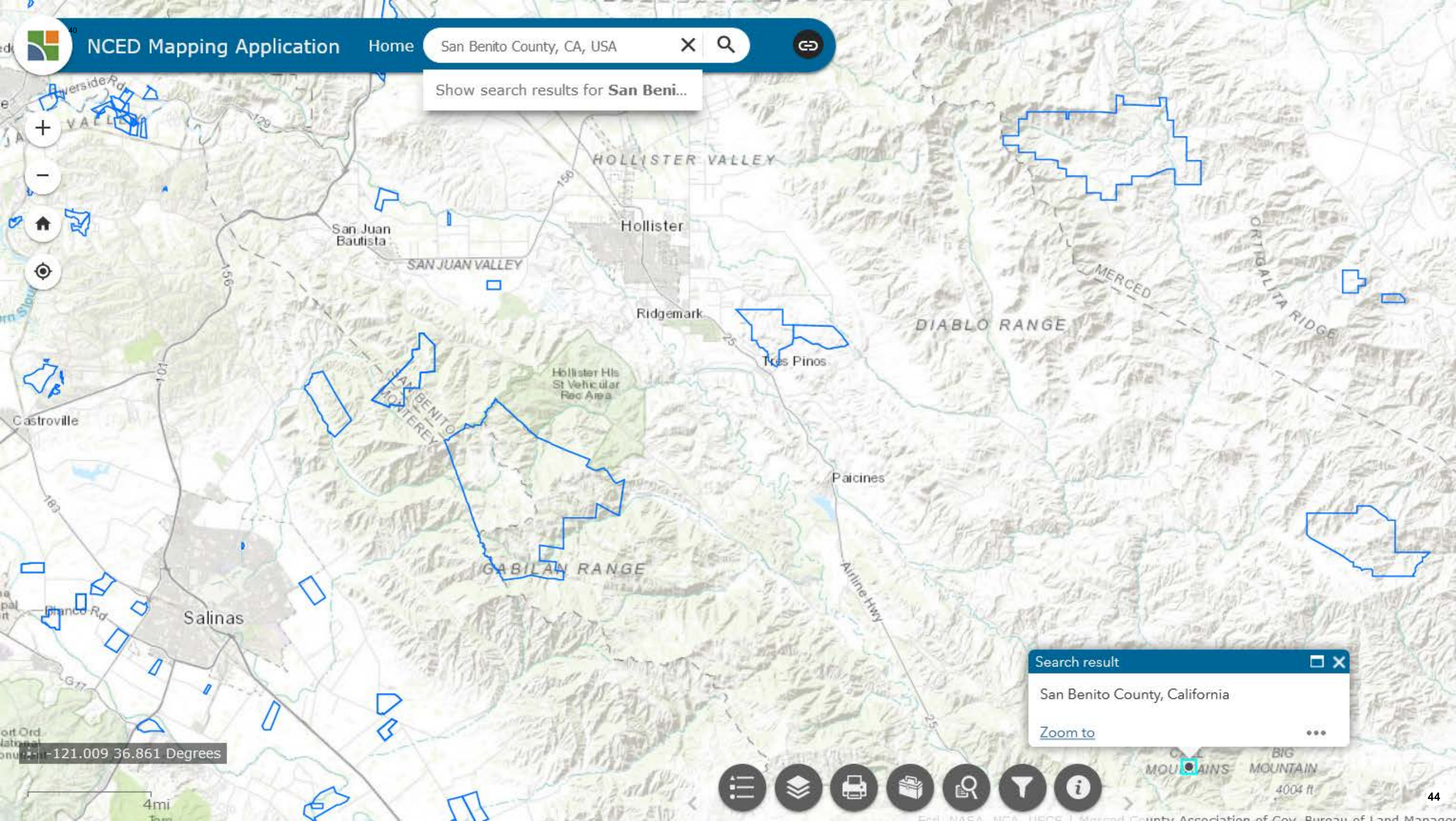


Buffer Low income Household Eligible



Low income Household Eligible

Show search results for San Beni...



-121.009 36.861 Degrees

Search result □ ✕

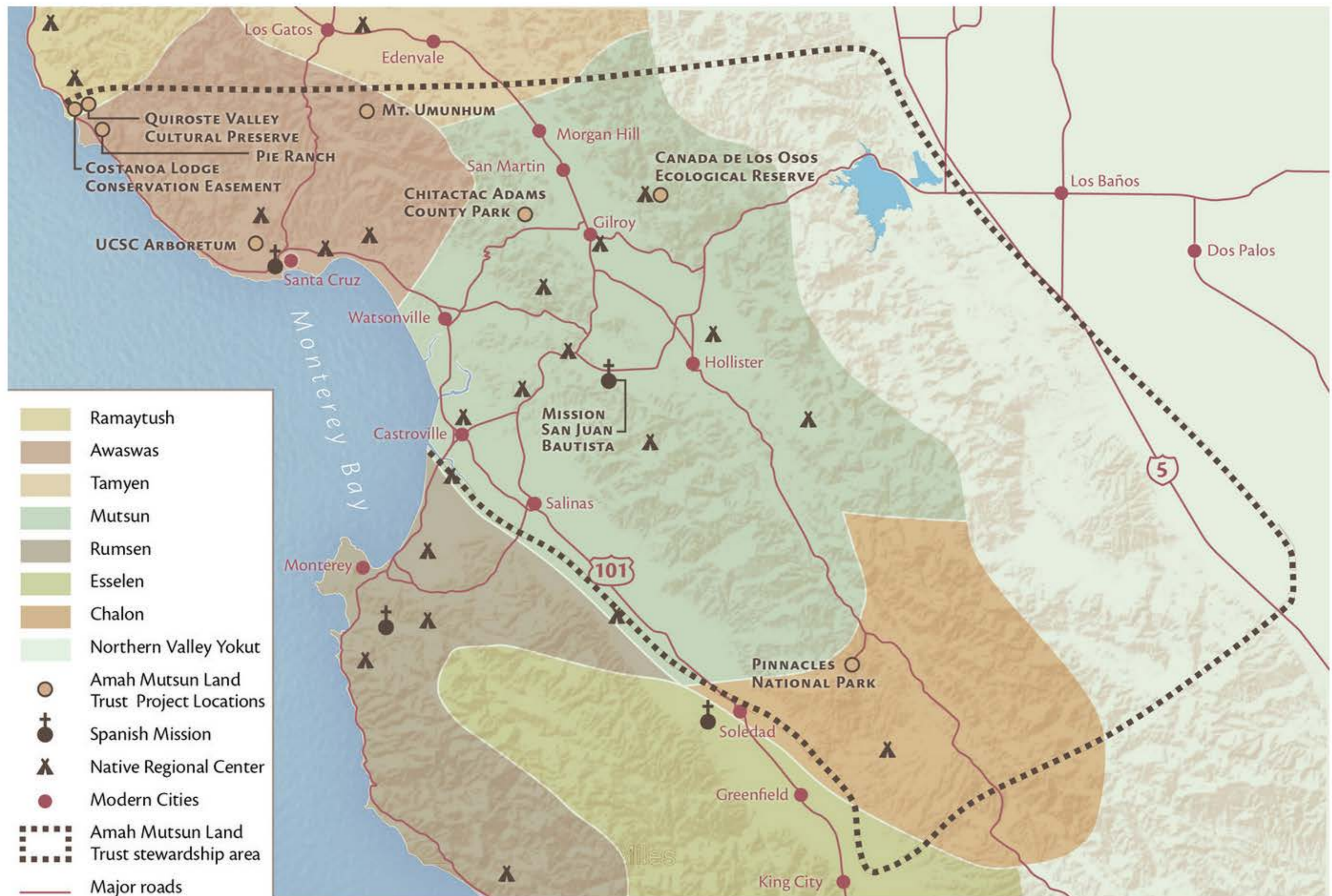
San Benito County, California

[Zoom to](#) ⋮



The Amah Mutsun Tribal Band currently has an enrolled membership of nearly 600 BIA documented Indians. These are the Previously Recognized Tribal group listed by the Indian Service Bureau (now known as the Bureau of Indian Affairs) as the “San Juan Band.”

All lineages comprising the “Amah Mutsun Tribal Band” are the direct descendents of the aboriginal Tribal groups whose villages and territories fell under the sphere of influence of Missions San Juan Bautista (Mutsun) and Santa Cruz (Awaswas) during the late 18th, 19th and early 20th centuries.



The traditional territory of the Amah Mutsun encompasses all or portions of the modern Counties of San Benito, Monterey, Santa Cruz, Santa Clara, and San Mateo. Historically comprised of more than 20 politically distinct peoples, the modern tribe represents the surviving descendant families of these historic groups.

For more information, check [The Tribal Band website](#)

Board of Directors:

Michael Reeves

President

Paul Hain

Vice-President

Emily Renzel

Secretary

Rick Carpenedo

Treasurer

Jessica Brem

Nikhilesh Dholakia

Sara Steiner

September 8, 2023

Department of Conservation
 Division of Land Resource Protection
 Sustainable Agricultural Lands Conservation Program
 715 P Street, MS 1904,
 Sacramento, CA 95814

RE: San Benito County Sustainable Agriculture and Land Conservation Project

Advisors &**Committee****Members:**

Dave Brigantino

Michael Brigantino

Christine Breen

Sallie Calhoun

Robert Connolly

Zooey Diggory

Dan Dungy

Katherine Foster

Mark Gibson

Jeremy Lackey

Julie Morris

Laura Naccarato

Ron Ross

Cathy Summa-Wolfe

Kerry Tobias

To Whom it May Concern:

The San Benito Agricultural Land Trust (SBALT) is writing in support of the San Benito County's proposal to the Sustainable Agricultural Lands Conservation Program for a Planning Grant to fund the San Benito County Sustainable Agriculture and Land Conservation Project. SBALT is a member of the stakeholder group that developed the proposed project because we recognize the importance of having an Agricultural Element in our county general plan.

Our mission is to "conserve regionally significant lands that sustain productive agriculture...". One of SBALT's roles as the local land trust is to permanently conserve agricultural land. The County is a critical partner in achieving this goal. If the application is awarded, we will be committed to being a part of the team working on this project.

Agriculture is San Benito County's top industry, yet it faces many challenges such as water supply reductions, increased pest pressures for both agriculture and the environment, labor shortages, high land and energy costs, and the continuing encroachment of urban development into fertile farm and ranch land. Increasing amounts of natural disasters such as wildfires have also threatened the long-term economic viability. Together, these challenges have made significant impacts on markets and the food supply chain.



Sound Finances

Ethical Conduct

Responsible Governance

Lasting Stewardship

We believe that a well-designed agricultural conservation plan, while not a complete remedy of these problems, will provide the agricultural community an important source of operational flexibility and economic resilience in the face of these profound challenges. We urge you to approve the application, so we can begin planning a future that works for farmers, ranchers, farmworkers, and all those in our county and beyond who depend on them and the important service they and the land provide.

We support, and commit to assisting with, the San Benito County Sustainable Agriculture and Land Conservation Program.

Feel free to contact me if you have any questions.

Thank you,



Lynn Overtree
Executive Director



Amah Mutsun Tribal Band of Costanoan/Ohlone Indians

Historically known as "San Juan Bautista Band and San Juan Band" Indians of California
PO Box 5272 | Galt, CA 95622

Department of Conservation
Division of Land Resource Protection
Sustainable Agricultural Lands Conservation Program
715 P Street, MS 1904,
Sacramento, CA 95814

September 8, 2023

Re: Hollister County Sustainable Agricultural Land Conservation grant application

To Whom it May Concern,

On behalf of the Hollister County and its supporters, we would like to express firm support for the Sustainable Agricultural Land Conservation planning grant application referenced above. Our organization is a member of the stakeholder group that developed the proposal project, which we believe could play an important role in maintaining production agriculture as a key component of Hollister County's economy, community, and landscape. If the application is approved, we are committed to ensuring the project's success.

The Amah Mutsun Tribal Band comprises the descendants of the Indigenous peoples taken to Missions Santa Cruz and San Juan Bautista. Currently there are nearly 600 Tribal Citizens enrolled in the Amah Mutsun Tribal Band. Our ancestors lived on these lands for fifteen thousand years or more. Our ancestors were not hunters and gatherers, they were very effective land stewards and managers and we are actively working to restore these practices. As an Indigenous organization, we have a strong understanding of the way local agriculture has changed over time in response to threats and opportunities. From our perspective, the industry has never faced a more difficult set of challenges than it does today.

Many of these are described in some detail in the application, such as water-supply reductions, increased pest pressures for both agriculture and the environment, labor shortages, high land and energy costs, the continuing encroachment of urban development into fertile farm and ranch land. Increasing amounts of natural disasters such as wildfires have also threatened the long-term economic viability. Together, these challenges have made significant impacts on markets and the food supply chain.

We believe that a well-designed agricultural conservation plan, while not a complete remedy of these problems, will provide the agricultural community an important source of operational flexibility and economic resilience in the face of these profound challenges. We urge you to approve the application, so we can begin planning a future that works for farmers, ranchers, farm workers, and all those in our county who depend on them and the important service they and the land provide.

Sincerely,



Amah Mutsun Tribal Band of Costanoan/Ohlone Indians
Historically known as "San Juan Bautista Band and San Juan Band" Indians of California
PO Box 5272 | Galt, CA 95622

Valentin Lopez
Amah Mutsun Tribal Chairman





2337 Technology Parkway, Suite C
 Hollister, California 95023
 Phone: (831) 637-4360, ext. 2339
www.rcdsanbenito.org

Department of Conservation
 Division of Land Resource Protection
 Sustainable Agricultural Lands Conservation Program
 715 P Street, MS 1904,
 Sacramento, CA 95814

September 8, 2023

Re: San Benito County Sustainable Agriculture and Land Conservation Project

To Whom it May Concern,

On behalf of the **San Benito Resource Conservation District (RCD)** and its Board of Directors, I am writing to express firm support for the Sustainable Agricultural Lands Conservation (SALC) planning grant application referenced above. The San Benito RCD is a member of the stakeholder group that developed the proposal project during the past 9 months. We believe that the development of an Agriculture Element for San Benito County's General Plan will play an important role in maintaining production agriculture as a key component of San Benito County's economy, community, and landscape.

This SALC Planning grant, if awarded, would provide funding to the County to develop and implement plans for the protection of agricultural lands under pressure of being converted to non-agricultural uses. Specifically, the planning grant would be used to develop a much-needed Agriculture Element for the County's General Plan, and to more clearly define the categories of agricultural lands that merit protection, so that loopholes can no longer be used to avoid mitigation.

The San Benito RCD's mission is to provide outreach, education, and technical and financial assistance to address soil and water quality, climate resilience, and ecosystem health on private and public lands in San Benito County. The RCD partners closely with the USDA Natural Resources Conservation Service (NRCS), and the conservation *of* and *on* San Benito's working farmlands and rangelands is a major focus of the RCD's work. Should this grant be awarded, the San Benito RCD looks forward to bringing our experience with agriculture and conservation to the process of developing an Agriculture Element for the General Plan, in partnership with the County, the San Benito Agricultural Land Trust, and other agricultural and community stakeholders.

We urge you to approve this application, so that we can begin planning a future for San Benito County in which we value and protect our agricultural lands, revitalize our local economy, and increase climate resilience.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Karminder Brown".

Karminder Brown
 Executive Director



Latino Coalition of San Benito County

P.O. Box 504 Hollister, CA 95024

www.sbclatinocoalition.com

Attn: Arielle Goodspeed
Principal Planner
Resource Management Agency
2301 Technology Parkway
Hollister CA 95023

RE: Support Letter for the California Sustainable Agricultural Lands Conservation Program

Dear Ms. Goodspeed:

It gives the Latino Coalition of San Benito County the extreme pleasure of submitting a letter of support to the county of San Benito for the California Sustainable Agricultural Lands Conservation Program. Our Coalition is dedicated to developing strategic growth for affordable housing and more sustainable communities.

As climate change and sprawling urban development increase the burden on agricultural lands, sustainable land management needs to be prioritized. We are always hopeful that this delicate balance of housing and food can harmoniously coincide for all San Benito County residents, now and in the future.

We hope that our support of this program, and the County of San Benito, will ensure our most deserving agricultural workers are not forgotten. As the future vision develops, let's respect the craft of agriculture while providing homes for all. This is the mission, passion, and dedication of the Latino Coalition of San Benito County, thank you.

Sincerely,

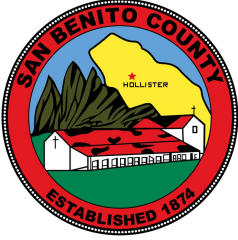
Mickie Solorio Luna – President

Latino Coalition of San Benito County

P.O Box 504

Hollister, CA. 95024

<https://sbclatinocoalition.com>



**SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM**

**Vincent
Ringheden**
District No. 1

**Richard
Way**
District No. 2

**Robert
Scagliotti**
District No. 3
- Vice-Chair

**Robert
Gibson**
District No. 4
- Chair

**Celeste Toledo-
Bocanegra**
District No. 5

Item Number: 4.3

MEETING DATE: 01/17/2024

DEPARTMENT: RESOURCE MANAGEMENT AGENCY

AGENDA ITEM PREPARER: Arielle Goodspeed

SUBJECT:

**RESOURCE MANAGEMENT AGENCY - A. PRADO, DIRECTOR OF PLANNING AND BUILDING-
Update on upcoming Planning Commission calendar and scheduling needs.**

AGENDA SECTION:

DEPARTMENT ANNOUNCEMENTS

BACKGROUND/SUMMARY:

Review of items scheduled and items to schedule.

STRATEGIC PLAN GOALS: 1. Operational Development & Excellence

Yes

STRATEGIC PLAN GOALS: 2. Planning And Sustainable Growth

No

STRATEGIC PLAN GOALS: 3. Technology

No

STRATEGIC PLAN GOALS: 4. Community Engagement

No

STRATEGIC PLAN GOALS: 5. Health & Safe Community

No

STAFF RECOMMENDATION:

Staff recommends listening to upcoming schedule and determine dates for upcoming special meetings.

ATTACHMENTS:

[2024 CHAIR Schedule.pdf](#)

Planning Commission HEARING DATE	REPORT TITLE	REPORT AUTHOR	Continued or Scheduled	CEQA Approach	NOTES
	PLANNING COMMISSION ITEMS TO SCHEDULE				
1/17/2024	Planning Commission Ethics Training	Sean Cameron	Scheduled	N/A	Schedule as a special meeting
1/17/24	PLANNING COMMISSION				
Planning Commission HEARING DATE	REPORT TITLE	REPORT AUTHOR	Continued or Scheduled	CEQA Approach	NOTES
1/17/2024	New Applications	Victor Tafoya	Scheduled	N/A	
1/17/2024	Planning Commission 2024 Calendar	Arielle Goodspeed	Scheduled	N/A	
1/17/2024	Planning Commission Chair and Vice Chair	Arielle Goodspeed	Scheduled	N/A	
1/17/2024	Update on Salc Grant	Arielle Goodspeed	Scheduled	N/A	
1/17/2024	ED-A and C: Presentation from EDC regarding CEDS	EDC	Scheduled	N/A	
1/17/2023	Discussion ordinance to limit new driveways on certain County Roads (i.e. Union, Fairview, Buena Vista)	Steve Loope /Sean Cameron	Scheduled	N/A	
1/17/2024	PLN230007 Pierce MS	Jonathan Olivas	Scheduled	Exempt	Freelance
1/17/2024	PLN220060 (Borland UP/1989 Old Hernandez Road	Victor Tafoya	Scheduled	Exempt	Freelance
1/17/2024	PLN230006 Garcia MS	Jonathan Olivas	Continued from 12/13/23	Exempt	Freelance
1/31/24	SPECIAL PLANNING COMMISSION				
Planning Commission HEARING DATE	REPORT TITLE	REPORT AUTHOR	Continued or Scheduled	CEQA Approach	NOTES
1/31/2024	PLN210002 John Smith Landfill Expansion	Stan Ketchum / Bre Mobieus	Continued from 10/30/2023	EIR	
2/21/24	PLANNING COMMISSION				
Planning Commission HEARING DATE	REPORT TITLE	REPORT AUTHOR	Continued or Scheduled	CEQA Approach	NOTES
2/21/2024	General Plan APR	Arielle Goodspeed	Scheduled	N/A	
2/21/2024	Housing Element APR	Stephanie Reck	Scheduled	N/A	
2/21/2024	PLN230014 Casillas MS	Jonathan Olivas	Scheduled	Exempt	
2/21/2024	PLN230024 Grimsley MS	Jonathan Olivas	Scheduled	Exempt	
3/20/24	PLANNING COMMISSION				
Planning Commission HEARING DATE	REPORT TITLE	REPORT AUTHOR	Continued or Scheduled	CEQA Approach	NOTES

3/20/2024	Title 25 Zoning Code Update	Arielle Goodspeed	Scheduled	Exempt	
4/17/24	PLANNING COMMISSION				
Planning Commission HEARING DATE	REPORT TITLE	REPORT AUTHOR	Continued or Scheduled	CEQA Approach	NOTES
5/15/23	PLANNING COMMISSION				
Planning Commission HEARING DATE	REPORT TITLE	REPORT AUTHOR	Continued or Scheduled	CEQA Approach	NOTES
6/19/24	PLANNING COMMISSION				
Planning Commission HEARING DATE	REPORT TITLE	REPORT AUTHOR	Continued or Scheduled	CEQA Approach	NOTES
7/17/24	PLANNING COMMISSION				
Planning Commission HEARING DATE	REPORT TITLE	REPORT AUTHOR	Continued or Scheduled	CEQA Approach	NOTES
8/21/24	PLANNING COMMISSION				
Planning Commission HEARING DATE	REPORT TITLE	REPORT AUTHOR	Continued or Scheduled	CEQA Approach	NOTES
9/18/24	PLANNING COMMISSION				
Planning Commission HEARING DATE	REPORT TITLE	REPORT AUTHOR	Continued or Scheduled	CEQA Approach	NOTES
10/16/24	PLANNING COMMISSION				
Planning Commission HEARING DATE	REPORT TITLE	REPORT AUTHOR	Continued or Scheduled	CEQA Approach	NOTES

11/20/24	PLANNING COMMISSION				
Planning Commission HEARING DATE	REPORT TITLE	REPORT AUTHOR	Continued or Scheduled	CEQA Approach	NOTES
12/18/24	PLANNING COMMISSION				
Planning Commission HEARING DATE	REPORT TITLE	REPORT AUTHOR	Continued or Scheduled	CEQA Approach	NOTES



**SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM**

**Vincent
Ringheden**
District No. 1

**Richard
Way**
District No. 2

**Robert
Scagliotti**
District No. 3
- Vice-Chair

**Robert
Gibson**
District No. 4
- Chair

**Celeste Toledo-
Bocanegra**
District No. 5

Item Number: 6.1

MEETING DATE: 01/17/2024

DEPARTMENT: RESOURCE MANAGEMENT AGENCY

AGENDA ITEM PREPARER: Stephanie Reck

SUBJECT:

**RESOURCE MANAGEMENT AGENCY - A. PRADO, DIRECTOR OF PLANNING AND BUILDING-
Acknowledge the Certificate of Posting for the January 17th, 2024 Regular Planning Commission
Meeting.**

AGENDA SECTION:

CONSENT AGENDA

BACKGROUND/SUMMARY:

N/A

STRATEGIC PLAN GOALS: 1. Operational Development & Excellence

Yes

STRATEGIC PLAN GOALS: 2. Planning And Sustainable Growth

No

STRATEGIC PLAN GOALS: 3. Technology

No

STRATEGIC PLAN GOALS: 4. Community Engagement

Yes

STRATEGIC PLAN GOALS: 5. Health & Safe Community

No

STAFF RECOMMENDATION:

Acknowledge the Certificate of Posting for the January 17th, 2024 Regular Planning Commission Meeting.

ATTACHMENTS:

[Certificate of Posting 2024-01-17](#)

*San Benito County Planning Commission
2301 Technology Parkway
Hollister, CA 95023*



CERTIFICATE OF AGENDA POSTING

Pursuant to Government Code §59454.2(a), I, Stephanie Reck, certify that the **REGULAR MEETING AGENDA** for the **SAN BENITO COUNTY PLANNING COMMISSION MEETING** scheduled for January 17, 2024 was posted at the following locations, freely accessible to the public, on this day of January 10, 2024:

The bulletin board outside the front entrance of the San Benito County Planning Department, 2301 Technology Parkway, Hollister, CA

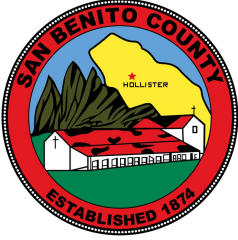
AND

The bulletin board outside the front entrance of the San Benito County Administration Building, 481 Fourth Street, Hollister, CA

AND

On The San Benito County website <https://www.cosb.us/> in the Events Calendar.

Stephanie Reck
Associate Planner
County of San Benito



**SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM**

**Vincent
Ringheden**
District No. 1

**Richard
Way**
District No. 2

**Robert
Scagliotti**
District No. 3
- Vice-Chair

**Robert
Gibson**
District No. 4
- Chair

**Celeste Toledo-
Bocanegra**
District No. 5

Item Number: 6.2

MEETING DATE: 01/17/2024

DEPARTMENT: RESOURCE MANAGEMENT AGENCY

AGENDA ITEM PREPARER: Stephanie Reck

SUBJECT:

**RESOURCE MANAGEMENT AGENCY - A. PRADO, DIRECTOR OF PLANNING AND BUILDING-
Approve the draft Planning Commision Minutes from the Special Meeting of December 13th, 2023.**

AGENDA SECTION:

CONSENT AGENDA

BACKGROUND/SUMMARY:

N/A

STRATEGIC PLAN GOALS: 1. Operational Development & Excellence

Yes

STRATEGIC PLAN GOALS: 2. Planning And Sustainable Growth

No

STRATEGIC PLAN GOALS: 3. Technology

No

STRATEGIC PLAN GOALS: 4. Community Engagement

Yes

STRATEGIC PLAN GOALS: 5. Health & Safe Community

No

STAFF RECOMMENDATION:

Approve the draft Planning Commission Minutes from the Special Meeting of December 13th, 2023.

ATTACHMENTS:

[2023-12-13_PC_MINUTES_DRAFT.pdf](#)



**SAN BENITO COUNTY
PLANNING COMMISSION**

Vincent Ringheden District No. 1
Richard Way District No. 2
Robert Scagliotti District No. 3
Robert Gibson District No. 4
Celeste Toledo-Bocanegra District No. 5
- Vice-Chair - Chair

Board of Supervisors Chambers 481 Fourth Street, Hollister, CA 95023

**PLANNING COMMISSION - SPECIAL SESSION-
DECEMBER 13, 2023, MINUTES**

NOTICE OF TEMPORARY PROCEDURES FOR PLANNING COMMISSION MEETINGS

The meeting will be available through Zoom, YouTube, and Peak Agenda for those who wish to join or require accommodations

Members of the public may participate remotely via zoom at the following link

<https://zoom.us/join> with the following Webinar ID and Password:

Webinar ID: 882 4146 4626

Webinar Password: 344725

Or join by phone: +1 (408) 638-0968

Those participating by phone who would like to make a comment can use the “raise hand” feature by dialing “*9”. In order to receive the full zoom experience, please make sure your application is up to date.

Remote zoom participation for members of the public is provided for convenience only. In the event that the zoom connection malfunctions for any reason, the board of supervisors reserves the right to conduct the meeting without remote access.

Remote Viewing:

Members of the public who wish to watch the meeting can view a livestream of the meeting online through either the:

A. Community Media Access Partnership (CMAP) YouTube

Page: https://www.youtube.com/channel/UCLj3iW3_dsDzbYqnY1KdCvA.

B. Peak Agenda Page: https://cosb.granicus.com/ViewPublisher.php?view_id=1

Written Comments & Email Public Comment

Members of the public may submit comments via email by 5:00 PM on the Monday prior to Planning Commission meeting to the Resource Management Agency at sbcplan@cosb.us.

Public Comment Guidelines

A. The San Benito County Board of Supervisor's welcomes your comments.

B. If participating on Zoom, once you are selected you will hear that you have been unmuted: At this time, please state your first name, last name, and county you reside in for the record.

C. Each individual speaker will be limited to a presentation total of three (3) minutes, or such other time as may be designed by the Chair.

D. Speakers are encouraged to keep your comments, brief and to the point, and not to repeat prior testimony, so that as many people as possible can be heard. Your cooperation is appreciated.

If you have any questions, please contact the Resource Management Agency at sbcplan@cosb.us.

Stephanie Reck, Associate Planner, read the temporary teleconference instructions.

1. CALL TO ORDER

Robert Gibson, Chair of the Planing Commission, called the meeting to order at 6:00 p.m.

2. PLEDGE OF ALLEGIANCE

Celeste Toledo Bocanegra, Planning Commissioner, led the Pledge of Allegiance.

3. ROLL CALL

Stephanie Reck, Associate Planner, conducted roll call.

Vincent Ringheden, Planning Commissioner, was present chambers.

Richard Way, Planning Commissioner, was present in chambers.

Robert Scagliotti, Vice-Chair of the Planning Commission, was present in chambers.

Robert Gibson, Chair of the Planning Commission, was present in chambers.

Celeste Toledo-Bocanegra, Planning Commissioner, was present in chambers.

4. CERTIFICATE OF POSTING

5. CONSENT AGENDA

These items will be considered as a whole without discussion unless a particular item is requested by a member of the Commission, Staff or the public to be removed from the Consent Agenda. Approval of a consent item means approval of the recommended action as specified in the Staff Report.

If any member of the public wishes to comment on a Consent Agenda Item please fill out a speaker card present it to the Clerk prior to consideration of the Consent Agenda and request the item be removed and considered separately.

5.1 RESOURCE MANAGEMENT AGENCY - A. PRADO, DIRECTOR OF PLANNING AND BUILDING-

Acknowledge certificate of posting for the December 13, 2023, Special Planning Commission Meeting.

Richard Way, Planning Commissioner, motioned to acknowledge the certificate of posting.

Robert Scagliotti, Vice-Chair of the Planning Commissioner, seconded this motion.

Motion passed five (5) to zero (0).

Moved by Richard Way; seconded by Robert Scagliotti to Confirm.

Motion Passed: 5- 0

Voting For: Vincent Ringheden, Richard Way, Robert Scagliotti, Robert Gibson, Celeste Toledo-Bocanegra

Voting Against: None

5.2 RESOURCE MANAGEMENT AGENCY - A. PRADO, DIRECTOR OF PLANNING AND BUILDING-

Approve the draft Planning Commission Minutes from the Regular Meeting of November 15th, 2023.

Robert Scagliotti, Vice-Chair of the Planning Commission, motioned to adopt the minutes from the November 15th Planning Commission.

Celeste Toledo-Bocanegra, Planning Commissioner, seconded this motion.

Motion passed five (5) to zero (0).

Moved by Robert Scagliotti; seconded by Celeste Toledo-Bocanegra to Approve. **Motion Passed:** 5- 0

Voting For: Vincent Ringheden, Richard Way, Robert Scagliotti, Robert Gibson, Celeste Toledo-Bocanegra

Voting Against: None

6. REGULAR AGENDA

6.1 RESOURCE MANAGEMENT AGENCY - A. PRADO, DIRECTOR OF PLANNING AND BUILDING-

Receive update and approve amendments to the Procedures for the Transaction of Business for Planning Commissioners.

Arielle Goodspeed, Principal Planner, presented amendments to the Procedures for the Transaction of Business for Planning Commissioners.

Discussion was had regarding titles that were updated, noticing timeframe for public agendas, and allowing the chair to cancel public meetings when necessary.

Robert Scagliotti, Vice-Chair of the Planning Commission, motioned to adopt the amendments to the procedures for the transaction of business for planning commissioners.

Vincent Ringheden, Planning Commissioner, seconded this motion.

Motion passed five (5) to zero (0).

Moved by Robert Scagliotti; seconded by Vincent Ringheden to Approve.

Motion Passed: 5- 0

Voting For: Vincent Ringheden, Richard Way, Robert Scagliotti, Robert Gibson, Celeste Toledo-Bocanegra

Voting Against: None

6.2 RESOURCE MANAGEMENT AGENCY - S. LOUPE, PUBLIC WORKS ADMINISTRATOR-

Receive informational presentation regarding the status of the Santana Ranch drainage ponds.

SBC FILE NUMBER: 105.3

Steve Loupe, Public Works Administrator, presented information regarding the Santana Ranch drainage ponds.

Discussion was had among the commissioners regarding who the developers are for Santana Ranch, what funds are being used for the improvements to

Fairview Road, if ongoing construction is halted until the drainage issues are fixed, whether the drainage ponds could handle another winter like last year, what the City of Hollister drainage codes are, and if the flood zones and basins could be updated from a 100 year event to a 10 year event.

Public Comment in chambers by Barbara Snyder, Brigitte Baumann-Thorp, and Maureen Nelson.

No public comment via Zoom.

Public comment is closed.

Steve Loupe, Public Works Administrator, stated that no more homes that drain into Basin A will be built until the developers are in compliance. Staff shared that the County of San Benito are on a list with the state to have the flood zones updated.

6.3 RESOURCE MANAGEMENT AGENCY - A. PRADO, DIRECTOR OF PLANNING AND BUILDING-

Department Announcements.

Arielle Goodspeed, Principal Planner, presented recent planning applications that have been received since the last meeting. She presented staff announcements and the schedule for 2024 Planning Commission Meetings.

Public comment in chambers by Barry Katz, Brigitte Baumann-Thorp, and Maureen Nelson.

Public comment via Zoom by Mary Hsia-Coron.

Public comment period is closed.

7. PUBLIC HEARING

7.1 RESOURCE MANAGEMENT AGENCY - A. PRADO, DIRECTOR OF PLANNING AND BUILDING-

Hold a public hearing regarding County Planning file PLN230006 (Minor Subdivision / Tentative Parcel Map). This project proposes to subdivide an existing 7.51-acre parcel into three separate parcels, measuring 2.50-acres, 2.50-acres, and 2.51-acres, respectively. Staff will recommend continuation of the hearing to the regular meeting of January 17th, 2024.

Jonathan Olivas, Assistant Planner, requested a continuation of PLN230006 due to outstanding agency comments to be continued to January 17th, 2024.

No public comment in chambers or via Zoom.

Richard Way, Planning Commissioner, motioned to continue PLN230006.

Robert Scagliotti, Vice-Chair of the Planning Commission, seconded this motion.

Motion passed five (5) to zero (0).

Moved by Richard Way; seconded by Robert Scagliotti to Continue.

Motion Passed: 5- 0

Voting For: Vincent Ringheden, Richard Way, Robert Scagliotti, Robert Gibson, Celeste Toledo-Bocanegra

Voting Against: None

7.2 RESOURCE MANAGMENT AGENCY- A. PRADO, DIRECTOR - PLANNING AND BUILDING

Hold a public hearing and consider adopting a resolution recommending to the County Board of Supervisors a General Plan map and text amendment (project also known as County Planning file REF230001) for removal of New Community Study Areas (NCSAs) from maps found in the San Benito County 2035 General Plan Land Use Element and removal of related New Community policy text throughout the General Plan.

Michael Kelly, Senior Planner, presented a resolution with the intent to remove the New Community Study Areas (San Juan Study Area, Bolsa Study Area, Union Study Area, and the Fairview Study Area) from the General Plan.

No public comment in chambers or via Zoom.

Discussion was had among the commissioners regarding whether the Bolsa study area encompasses or overlaps what would be Strada Verde if it were to proceed and if the removal of the New Community Study Areas would make it easier for Strata Verde to be developed.

Michael Kelly, Senior Planner, stated that Strada Verde envisions something different than what is proposed by the Bolsa Study Area so it does not have a direct correlation and could be determined independent of the New Community Study Area.

Robert Scagliotti, Vice-Chair of the Planning Commission, motioned to adopt the resolution with recommendation to the Board of Supervisors from the

Planning Commission to remove the New Community Study Areas from the General Plan.

Celeste Toledo Bocanegra, Planning Commissioner, seconded this motion.

Motion passed five (5) to zero (0).

Moved by Robert Scagliotti; seconded by Celeste Toledo-Bocanegra to Authorize. **Motion Passed: 5- 0**

Voting For: Vincent Ringheden, Richard Way, Robert Scagliotti, Robert Gibson, Celeste Toledo-Bocanegra

Voting Against: None

8. ADJOURNMENT

Robert Scagliotti, Vice-Chair of the Planning Commission, motioned to adjourn the meeting.

Celeste Toledo Bocanegra, Planning Commissioner, seconded this motion.

Motion passed five (5) to zero (0).

Moved by Robert Scagliotti; seconded by Celeste Toledo-Bocanegra to Authorize. **Motion Passed: 5 - 0**

Voting For: Vincent Ringheden, Richard Way, Robert Scagliotti, Robert Gibson, Celeste Toledo-Bocanegra

Voting Against: None

NOTE: A copy of this Agenda is published on the County's Web site by the Friday preceding each Commission meeting and may be viewed at www.cosb.us. All proposed agenda items with supportive documents are available for viewing at the San Benito County Administration Building, 481 Fourth Street, Hollister, CA between the hours of 8:00 a.m. & 5:00 p.m., Monday through Friday (except holidays.) This is the same packet that the Planning Commission reviews and discusses at the Commission meeting. The project planner's name and email address has been added at the end of each project description. As required by Government Code Section 54957.5 any public record distributed to the Planning Commission less than 72 hours prior to this meeting in connection with any agenda item shall be made available for public inspection at the Planning Department, 2301 Technology Parkway, Hollister, CA 95023. Public records distributed during the meeting will be available for public inspection at the meeting if prepared by the County. If the public record is prepared by some other person and distributed at the meeting it will be made available for public inspection following the meeting at the Planning Department.

APPEAL NOTICE: Any person aggrieved by the decision of the Planning Commission may appeal the decision within ten (10) calendar days to the Board of Supervisors. The notice of appeal must be in writing and shall set forth specifically wherein the Planning Commission's decision was inappropriate or unjustified. Appeal forms are available from the Clerk of the Board at the San Benito County Administration Office, 481 Fourth Street, Hollister and the San Benito County Planning Department, 2301 Technology Parkway, Hollister.

NOTE: In compliance with the Americans with Disabilities Act (ADA) the Board of Supervisors meeting facility is accessible to persons with disabilities. If you need special assistance to participate in this meeting, please contact the Clerk of the Board's office at (831) 636-4000 at least 48 hours before the meeting to enable the County to make reasonable arrangements to ensure accessibility.



**SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM**

Vincent Ringheden
District No. 1

Richard Way
District No. 2

Robert Scagliotti
District No. 3
- Vice-Chair

Robert Gibson
District No. 4
- Chair

Celeste Toledo-Bocanegra
District No. 5

Item Number: 8.1

MEETING DATE: 01/17/2024

DEPARTMENT: RESOURCE MANAGEMENT AGENCY

AGENDA ITEM PREPARER: Arielle Goodspeed

SUBJECT:

**RESOURCE MANAGEMENT AGENCY - A. PRADO, DIRECTOR OF PLANNING AND BUILDING-
Nomination of Chair and Vice Chair for the Planning Commission.**

AGENDA SECTION:

REGULAR AGENDA

BACKGROUND/SUMMARY:

Nomination for the Chair and Vice Chair: As long as all new Planning Commissioners have been appointed by the Board of Supervisors by the first meeting in January, the Chair and Vice-Chair shall be elected annually at the first meeting in January of each calendar year. If all new Planning Commissioners have not yet been appointed and sworn in by the first meeting in January, the election for the Chair and Vice-Chair shall occur during the first meeting in February of each calendar year. In the absence or inability of either to act, the members present shall select a member to act as Chair Pro-Tern for that meeting. However, if the Chair or Vice-Chair later arrives, the Chair or Vice-Chair shall then assume responsibility for the meeting upon arrival.

STRATEGIC PLAN GOALS: 1. Operational Development & Excellence

No

STRATEGIC PLAN GOALS: 2. Planning And Sustainable Growth

Yes

STRATEGIC PLAN GOALS: 3. Technology

No

STRATEGIC PLAN GOALS: 4. Community Engagement

Yes

STRATEGIC PLAN GOALS: 5. Health & Safe Community

No

STAFF RECOMMENDATION:

Staff recommends that if all Planning Commissioners have been appointed and sworn in by the January 17, 2024 Planning Commission meeting to nominate and appoint the Chair and Vice Chair of the Planning Commission.

ATTACHMENTS:



**SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM**

**Vincent
Ringheden**
District No. 1

**Richard
Way**
District No. 2

**Robert
Scagliotti**
District No. 3
- Vice-Chair

**Robert
Gibson**
District No. 4
- Chair

**Celeste Toledo-
Bocanegra**
District No. 5

Item Number: 8.2

MEETING DATE: 01/17/2024

DEPARTMENT: RESOURCE MANAGEMENT AGENCY

AGENDA ITEM PREPARER: Arielle Goodspeed

SUBJECT:

**RESOURCE MANAGEMENT AGENCY - A. PRADO, DIRECTOR OF PLANNING AND BUILDING-
Confirmation of Planning Commission Meeting calendar for 2024.**

AGENDA SECTION:

REGULAR AGENDA

BACKGROUND/SUMMARY:

Confirmation of meeting calendar; regularly scheduled Planning Commission meetings are proposed for the third Wednesday of each month at 6 p.m.. Please confirm and adopt the following schedule for 2024.

January 17, 2024

February 21, 2024

March 20, 2024

April 17, 2024

May 15, 2024

June 19, 2024

July 17, 2024

August 21, 2024

September 18, 2024

October 16, 2024

November 20, 2024

December 18, 2024

STRATEGIC PLAN GOALS: 1. Operational Development & Excellence

Yes

STRATEGIC PLAN GOALS: 2. Planning And Sustainable Growth

No

STRATEGIC PLAN GOALS: 3. Technology

No

STRATEGIC PLAN GOALS: 4. Community Engagement

No

STRATEGIC PLAN GOALS: 5. Health & Safe Community

No

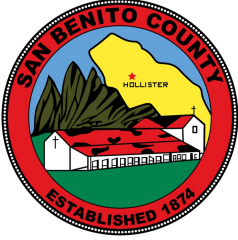
STAFF RECOMMENDATION:

Staff recommends adopting the 2024 Planning Commission meeting calendar.

ATTACHMENTS:

[2024 Planning Commission Meeting Schedule](#)

Planning Commission HEARING DATE	Meeting
Wednesday, January 17, 2024	REGULAR PLANNING COMMISSION
Wednesday, January 31, 2024	SPECIAL PLANNING COMMISSION
Wednesday, February 21, 2024	REGULAR PLANNING COMMISSION
Wednesday, March 20, 2024	REGULAR PLANNING COMMISSION
Wednesday, April 17, 2024	REGULAR PLANNING COMMISSION
Monday, May 15, 2023	REGULAR PLANNING COMMISSION
Wednesday, June 19, 2024	REGULAR PLANNING COMMISSION
Wednesday, July 17, 2024	REGULAR PLANNING COMMISSION
Wednesday, August 21, 2024	REGULAR PLANNING COMMISSION
Wednesday, September 18, 2024	REGULAR PLANNING COMMISSION
Wednesday, October 16, 2024	REGULAR PLANNING COMMISSION
Wednesday, November 20, 2024	REGULAR PLANNING COMMISSION
Wednesday, December 18, 2024	REGULAR PLANNING COMMISSION



**SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM**

**Vincent
Ringheden**
District No. 1

**Richard
Way**
District No. 2

**Robert
Scagliotti**
District No. 3
- Vice-Chair

**Robert
Gibson**
District No. 4
- Chair

**Celeste Toledo-
Bocanegra**
District No. 5

Item Number: 8.3

MEETING DATE: 01/17/2024

DEPARTMENT: RESOURCE MANAGEMENT AGENCY

AGENDA ITEM PREPARER: Arielle Goodspeed

SUBJECT:

**RESOURCE MANAGEMENT AGENCY - A. PRADO, DIRECTOR OF PLANNING AND BUILDING-
Receive presentation from the Economic Development Council (EDC) on Comprehensive
Economic Development Strategy (CEDs) update 2023-2027.**

AGENDA SECTION:

REGULAR AGENDA

BACKGROUND/SUMMARY:

Marie Jones, the EDC CEDs consultant, will present the 2023-2027 CEDs update.

STRATEGIC PLAN GOALS: 1. Operational Development & Excellence

No

STRATEGIC PLAN GOALS: 2. Planning And Sustainable Growth

Yes

STRATEGIC PLAN GOALS: 3. Technology

No

STRATEGIC PLAN GOALS: 4. Community Engagement

Yes

STRATEGIC PLAN GOALS: 5. Health & Safe Community

No

STAFF RECOMMENDATION:

Staff recommends the Planning Commission receive presentation from the Economic Development Council (EDC) on Comprehensive Economic Development Strategy (CEDS) update 2023-2027 and any provide comments.

ATTACHMENTS:

[EDC Presentation to Planning Commission on CEDS \(01-17-23\).pptx](#)

SAN BENITO COUNTY
COMPREHENSIVE ECONOMIC
DEVELOPMENT STRATEGY
(CEDDS) UPDATE
2023-2027



January 17, 2023

Wahlstrom & Associates / Marie Jones Consulting

CEDS

1. Purpose
2. Process
3. Contents
 1. Vision
 2. Economic Context & Analysis
 3. SWOT Analysis
 4. Economic Development Projects
 5. Resiliency Projects

At only 41 pages it's a short read.

Wahlstrom & Associates / Marie Jones Consulting



PURPOSE: THE CEDS BRINGS FUNDING TO LOCAL PROJECTS



EDA
U.S. ECONOMIC DEVELOPMENT ADMINISTRATION
A bureau within
the U.S. Department
of Commerce

- American Rescue Plan
- Inflation Reduction Act
- Infrastructure Bill
- Planning & Technical Assistance
- Future Appropriations

**CEDS
Grants &
Loans**

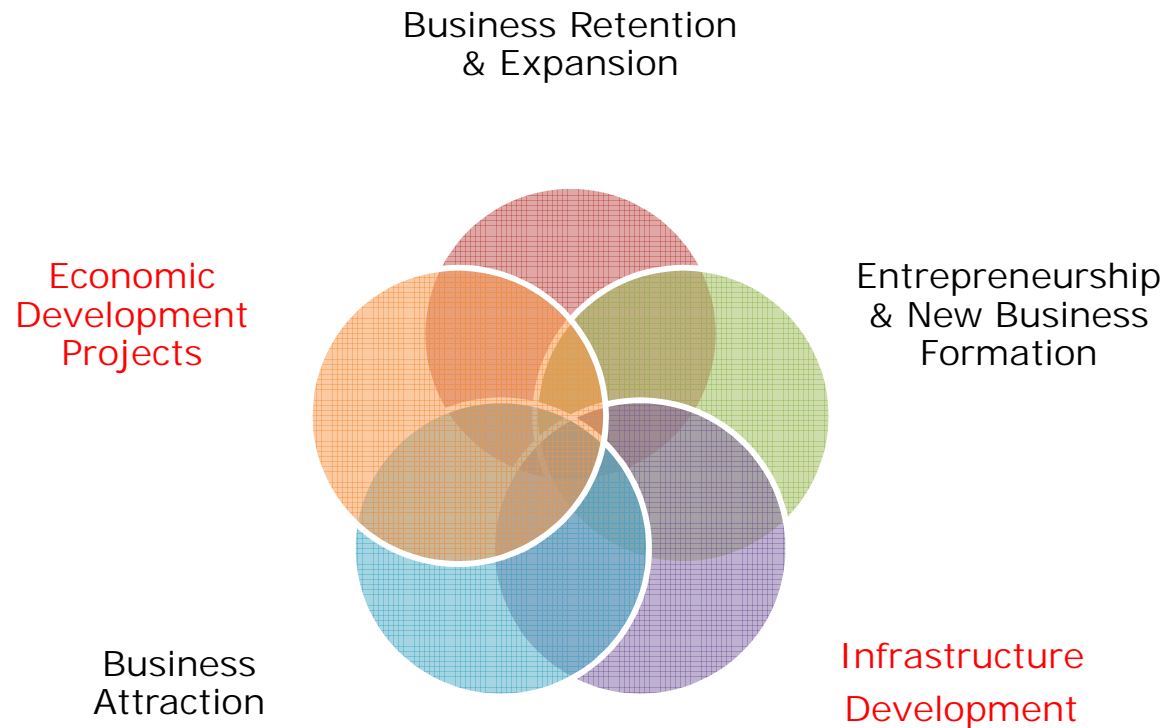


EDC
ECONOMIC
DEVELOPMENT
CORPORATION
OF SAN BENITO COUNTY

- Local Communities
- Local Government
- Local Businesses

Wahlstrom & Associates / Marie Jones Consulting

THE CEDS SUPPORTS ECONOMIC DEVELOPMENT



PROCESS: ADOPTION & AMENDMENT

- Consultants Work
 - Economic Analysis
 - Project Identification
 - Key informant interviews and survey
 - Prepare draft CEDS
- Public Presentations in Hollister and San Juan Bautista
 - Prepare public-review CEDS based on public comments and input
- Mandatory 30-day Public Review Summer 2023
 - Make final edits to CEDS based on comments received
- Final CEDs Adopted by Board of Supervisors on October 24, 2023
- Can Make Annual Amendments to Add/Remove Projects
- Annual Progress Report to EDA
- New/Updated CEDS Must be Prepared Every 5 Years

1. CEDS VISION

VISION STATEMENT

Engage in collaborative efforts between all agencies, stakeholders and the community to build our sustainable and resilient economy.

ACTION STATEMENTS

We will increase prosperity for all by working to ensure that we:

- Support the production sectors of manufacturing, aerospace, biomedical devices and agriculture.
- Stabilize the health care sector.
- Engage in proactive workforce development from K-12 to career through vocational training, access to higher education and capitalizing on the strengths of the diverse community.
- Encourage, expand and strengthen entrepreneurship.
- Focus on smart growth through infill mixed-use development and the preservation of open space and agricultural lands.
- Develop affordable and walkable live-work-play communities.
- Develop an interconnected multi-modal transportation network.

2. ECONOMIC ANALYSIS & INSIGHTS

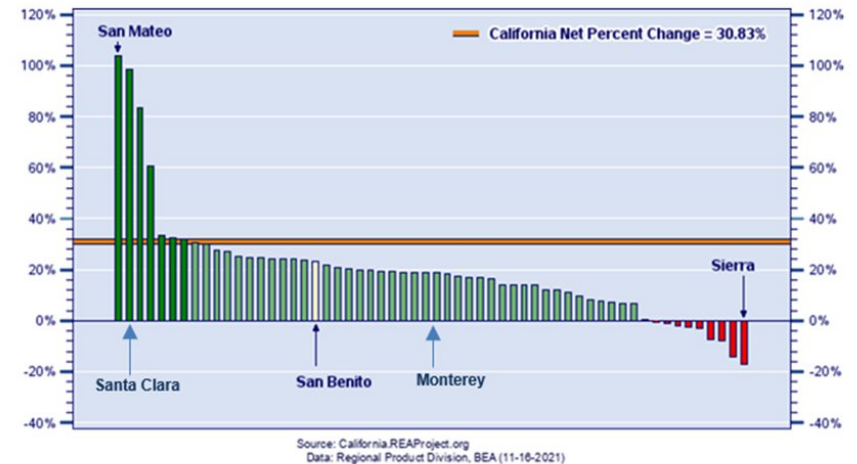
Perception 1: San Benito County's Economy is Not Particularly Strong.

Reality:

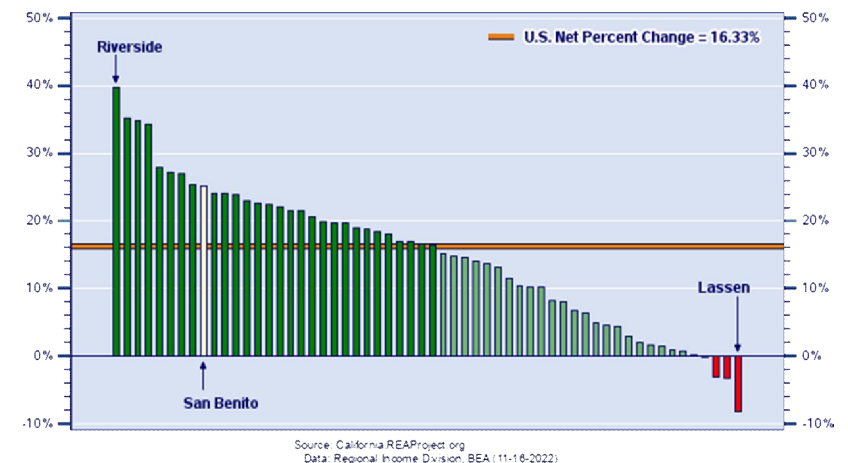
- San Benito County has a very competitive and rapidly growing economy that is well diversified and, therefore, more resilient to economic recessions than many.
- Job growth and GDP growth for San Benito County are both strong, placing the County within the top 25% of counties in California.
- Annual job growth was higher in San Benito County (1.1%) than neighboring three county region (0.7%)

Wahlstrom & Associates / Marie Jones Consulting

GDP Growth 2010-2020, California Counties



Employment Growth by County, 2010 vs 2021, Net Percent Change



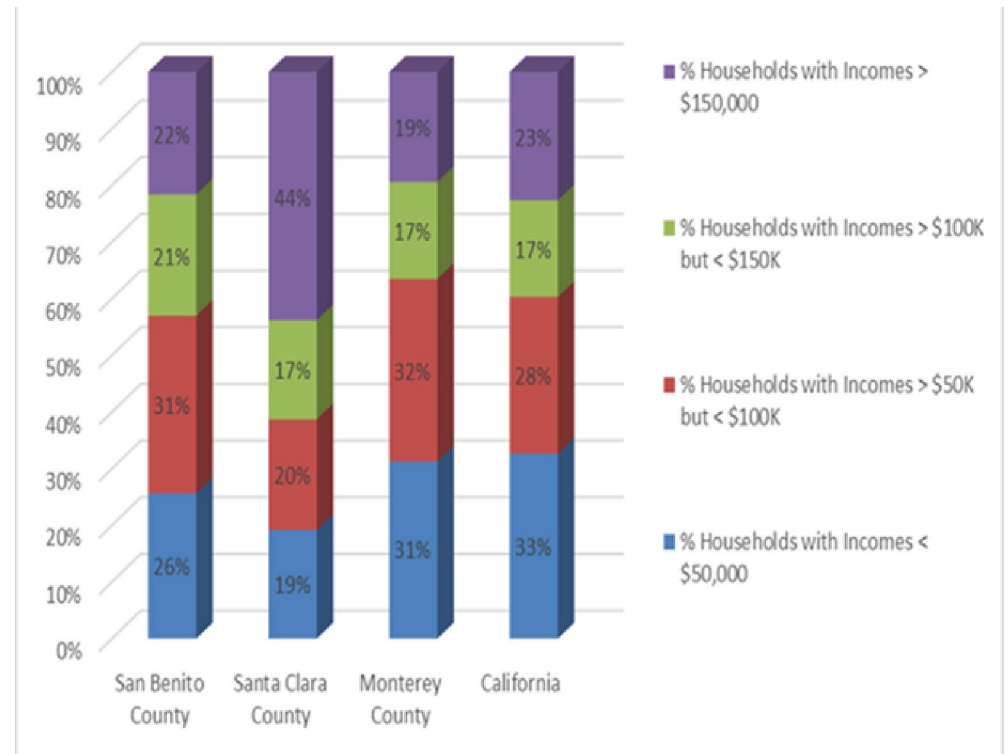
ECONOMIC INSIGHTS

Perception 2: San Benito County Has High Levels Of Income Inequality

Reality:

- San Benito County has a relatively equitable income distribution, poverty is low, and unemployment is down.
- 53% of San Benito County households earn middle-class incomes, which is much higher than Santa Clara County (37%) or Monterey County (49%), or California (45%).

Income Distribution, 2021



ECONOMIC INSIGHTS

Perception 3: Attracting Global Technology Companies Will Keep Local Workers from Commuting Out of County, Which Will Reduce Traffic Congestion.

Reality:

- County has 18,000 jobs & 27,000 workers.
- San Benito County’s tech workforce accounts for a small fraction (14%) of the 16,700 workers who commute to jobs out of the County.
- 14,400 of the commuters leaving the County are employed in working class jobs: construction, education, retail, health care and other place-specific service sectors that cannot be “moved” to San Benito County.
- Attracting high-tech jobs to San Benito County will not employ construction, retail, health, or public service workers that commute out.

Table 6: Jobs and Employment by Industry - Proxy for Commuter’s Jobs, San Benito County 2021

Figure 8
Employment by Industry Characteristics Among Out-of-County Commuters, 2021

	San Benito County Jobs	% Total	County Residents Employed	% Total	Out of County Jobs	Outcommuters not Employed Locally	Out of County Commuters
Goods Producing							
Agricultural, Forestry & Fishing	1,945	10%	1,850	7%	0	290	290
Mining	180	1%	100	0%	0	20	20
Construction	1,575	8%	3,070	11%	1,495	470	1,965
Manufacturing	3,045	16%	3,260	12%	215	500	715
Service Providing							
Utilities	40	0%	390	1%	350	60	410
Wholesale Trade, Warehousing & Storage	345	2%	900	3%	555	140	695
Retail Trade	1,370	7%	3,290	12%	1,920	510	2,430
Transportation	780	4%	970	4%	190	150	340
Information	40	0%	390	1%	350	60	410
Financial & Insurance	200	1%	580	2%	380	90	470
Real Estate Rental & Leasing	160	1%	410	2%	250	60	310
Professional & Technical Services	260	1%	2,260	8%	2,000	350	2,350
Management & Administrative Services	1,030	5%	1,310	5%	280	200	480
Waste Management	75	0%	NA	NA			
Management & Administrative Services	60	0%	1,310	5%	1,250		
Waste Management	1,245	7%	NA	NA			
Private Education	125	1%	NA	NA			
Health Services	1,245	7%	3,130	12%	1,885	480	2,365
Arts, Entertainment & Recreation	125	1%	490	2%	365	80	445
Lodging	110	1%	130	0%	20	20	40
Food Services	1,370	7%	1,630	6%	260	250	510
Other Services	475	3%	1,080	4%	605	170	775
Government							
Federal Government	115	1%	110	0%	0	20	20
State Government	85	0%	NA	NA			
Local Government							
Public Education	1,240	7%	2,260	8%	1,020	350	1,370
Public Administration	840	4%	1,215	4%	375	190	565
Other Local Government	735	4%	NA	NA			
Total Employment	18,815		27,200		12,520	4,200	16,700

Data Sources: Jobs from U.S. Bureau of Labor Statistics; Employment from US Census, 2023
Analysis: Wahlstrom & Associates and Marie Jones Consulting

ECONOMIC INSIGHTS

Perception 4: Economic prosperity in San Benito County can occur without the Latino community's active engagement.

Reality:

San Benito County's economy cannot be successful without the success and contributions of Latinos, which comprise 61% of the community.

- Local jurisdictions, agencies and non-profits must support Latino entrepreneurs and business owners and help build upon the strength of this economic/cultural sector.

Perception 5: Economic development in San Benito County should focus on business attraction to reduce traffic congestion.

Reality:

"Shoot at anything that flies, take credit for anything that falls" is an old economic development saying.

- However not all jobs are equal and not all businesses bring equal benefits to the county.
- For example, the new "fulfillment center" will bring significant truck traffic to already congested roads.
- Likewise, the fulfillment center and two cannabis production operations have maxed out the electrical substation, limiting growth of existing businesses and attraction of new business.

3. SWOT - STRENGTHS & WEAKNESSES

STRENGTHS

- Strategic location
- Hollister Airport
- Strong local employers
- Good workforce
- Great climate
- Great soils
- Visitor attractions
- Access to large skilled regional workforce
- Lots of developable land
- Lower housing costs than neighboring Santa Clara County

WEAKNESSES

- Wastewater treatment
- Lack of adequate electrical power delivered by the Hollister PG&E substation
- Highways 152, 25, and 156 are highly congested
- Hiring challenges for all businesses
- Lack of access to higher-education institutions
- Broadband services are inconsistent/unavailable
- Shortage of arts and entertainment activities
- Many outdoor recreation facilities lack amenities
- High housing costs
- Inconsistent access to quality, affordable childcare
- Rural areas lack access to commercial services, transportation, jobs, and business services
- Public schools have a sometime undeserved, negative reputation
- Congested roadways impact family life and worker productivity

OPPORTUNITIES, & THREATS

OPPORTUNITIES

- Expand solar-power facilities. Establish an Enhanced Infrastructure Finance District (EIFD) to upgrade the Hollister Substation
- Assist existing businesses to expand through good planning, streamlined approvals, targeted workforce training and access to small business finance
- Expanding all housing types: ADUs, workforce, affordable and market rate units
- Attract new higher-density, smart-growth developments
- Leverage the arts as an economic development initiative
- Continue to expand all transportation modes (roads, bike lanes, walkways, etc.)
- Connect youth to the workforce
- Continue to leverage local, State, and Federal funds
- Leverage local, State and Federal funds and programs for major transportation initiatives
- Partner with new community college campus and expand workforce training opportunities
- Reimagine downtown Hollister and San Juan Bautista as higher-density communities

THREATS

- More frequent droughts, flooding, wildfires and other severe weather events associated with climate change
- Nearby earthquake faults and an actual earthquake
- Inadequate funding to maintain and improve the existing water, sewer, flood control, storm drains, and roadway systems
- Changing consumer and worker behavior during the COVID-19 pandemic threatened the economic viability of each downtown district
- Potential closure of Hazel Hawkins Hospital
- Ongoing tension between pro-development and community groups dedicated to preserving the existing landscape
- Collaboration between San Benito County and the two cities is sometimes inconsistent
- Some segments of residents are not involved in community and civic life
- Many large employers are also not active in San Benito County

4. SAN BENITO COUNTY ECONOMIC DEVELOPMENT INITIATIVES

Countywide Urgent and Ongoing Initiatives

1. Retain Hospital Facilities in San Benito County
2. Generate New Electrical Power Needed to Support Additional Business Attraction & Expansion
3. Develop a New Gavilan College Campus
4. Expand the Youth Empowerment Hub (YEHUB)

Countywide 5+ year Initiatives

5. Implement the Proposed Automotive Research and Testing Facilities at Highway 156 and San Felipe Road
6. Implement the Proposed Commercial Center within the Santana Ranch Subdivision
7. Implement the Commercial Development Project at Hwy. 101 and Betabel Road.

Countywide Long-Term Initiatives

8. Improve Internet Access for All Businesses and Residents of San Benito County
9. Establish a Countywide Tourism Initiative
10. Develop the Proposed Autonomous Vehicle Innovation Park
11. Expand Outdoor Recreation

CITY ECONOMIC DEVELOPMENT INITIATIVES

City of Hollister Initiatives

12. Revitalize Downtown Hollister
13. Attract Investors and Developers to Build New Hangers at the Hollister Municipal Airport
14. Develop Open-Space Taxiways to Allow Businesses Access to the Runways at the Hollister Municipal Airport

City of San Juan Bautista Initiatives

15. Implement Wastewater Treatment Services Compliance Initiative
16. Develop A New Source of Clean Drinking Water for the City of San Juan Bautista
17. City of San Juan Bautista Multi-Modal Transportation Project
18. San Juan Bautista Tourism Initiative
19. Prepare a Third Street Master Plan

OTHER INITIATIVES – 2023

Other Economic Development Advocacies and Ideas	
Protect Prime Agricultural Land	Establish a New Performing Arts Center in the region
Place Crop Signs on Farms to Promote Agricultural Tourism	Finish Storm Drain Plan for Industrially Zoned Land (San Juan Bautista)
Add Electric Vehicle Charging Stations Throughout the County	Initiate an Historical Cultural Trail in San Juan Bautista
Create an Entrepreneurship Initiative	Develop New Cold Storage Facilities
Farm and Wine Tours	Establish a Community or Senior Center in San Juan Bautista
Continue to Promote Regular Farmer's Markets (Hollister)	Establish an Agricultural Streambed Maintenance and Water Restoration Program
Develop a Telecommute Center (Hollister)	

5. RESILIENCY PLAN

PROJECTS

Energy

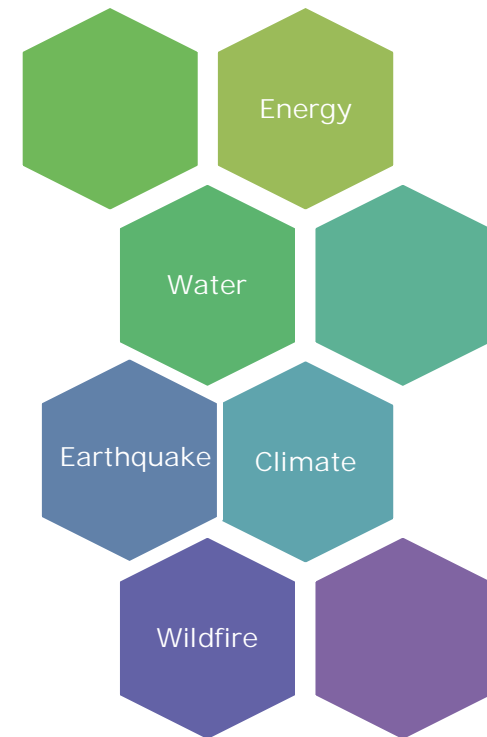
- Complete a Microgrid Feasibility Study to support electrical power expansion for New Development at the Hollister Municipal Airport and the larger region
- Support development of Solar Farms to provide alternative renewable energy for San Benito County
- Continue advocating to PG&E and the CPUC for more Electric Power in San Benito County
- San Benito County Energy Resiliency Project

Water

- Pacheco Reservoir Expansion Project
- Expand Managed Aquifer Recharge
- Hollister Urban Area Water and Wastewater Master Planning Project
- City of San Juan Bautista Regional Water and Wastewater Solution
- North County Project

Climate

- Climate Action Plan
- San Benito County Climate Mitigation Project



RESILIENCY PLAN

Earthquake

- Replace Union Bridge with Earthquake and Flood-Resistant/Proof Construction
- Retrofit Water Supply Systems of San Benito County, City of Hollister, City of San Juan Bautista, San Benito County Water District, and Sunnyslope Water District
- Inventory County and City Buildings that Require Seismic Retrofit and Identify all the Critical Facilities in the County and Cities
- Perform Upgrades to the Hollister Municipal Airport in Case of Widespread or Local Disasters
- Assess San Felipe Dam Failure Scenarios in Relation to the San Benito County Region
- Develop a Countywide Emergency Operations Center as Part of the New Public Safety Building
- Comply with State of California and Federal Requirements to Assess the Vulnerability of Dams to Damage from Earthquakes, Landslides, Liquefaction, or Security Threats

Fire

- Address the Fire Hazard Area of Tres Pinos in Terms of Water Delivery and Fire Risk Mitigation
- Encourage Underground Phone and Electrical Utility Lines
- Require New Developments to Provide Adequate Access, Onsite Fire Protection Systems, Evacuation Signage, and Fire Breaks
- Ensure Adequate Fire Equipment Road or Fire Road Access to Developed and Open Space Areas

Floods

- Identify Ingress and Egress Routes for Flooding for the City of Hollister, City of San Juan Bautista, and for San Benito County Areas Affected
- Assess San Felipe Dam Failure Scenarios in Relation to the San Benito County Region
- Assess the Pajaro River Flood Plain and its Risk to San Benito County Areas
- Work for Better Cooperation Among the Patchwork of Agencies Managing Flood Control Issues

Thank You!



**SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM**

**Vincent
Ringheden**
District No. 1

**Richard
Way**
District No. 2

**Robert
Scagliotti**
District No. 3
- Vice-Chair

**Robert
Gibson**
District No. 4
- Chair

**Celeste Toledo-
Bocanegra**
District No. 5

Item Number: 9.1

MEETING DATE: 01/17/2024

DEPARTMENT: RESOURCE MANAGEMENT AGENCY

AGENDA ITEM PREPARER: Victor Tafoya

SUBJECT:

**RESOURCE MANAGEMENT AGENCY - A. PRADO, DIRECTOR OF PLANNING AND BUILDING-
Hold a public hearing and consider resolution regarding County Planning file PLN220060, a use
to allow for private camping and the operation of Bar SZ Ranch
SBC FILE Number:790**

AGENDA SECTION:

PUBLIC HEARING

BACKGROUND/SUMMARY:

Promise Land 1926 LLC Ranch, spanning approximately 2,300 acres, is a working ranch proposing to operate an agricultural recreation area on a small portion of less than an acre. The Use Permit encompasses two separate activities: camping and events, each operating independently. Private camping is designated on APN 028-160-031, available from March 15th to November 1st. Camping, scheduled in advance, features portable restrooms during use, with no permanent facilities. No open campfires are allowed, and campers provide their own equipment. This area is easily accessible, not in a flood hazard zone or wetlands, and is not under an LCA contract. The event area, on APN 028-160-009, involves Cowboy Village for events up to 100 people, with no more than 12 events per year.. Events, effectively outdoors, don't occur from November to February. Restrooms are portable, and water for safety is sourced from well WP16-031. No cooking on-site; catering is required for food/alcohol events. No new construction is proposed, ensuring no ground disturbance. Parking complies with SBC ordinances, with adequate existing spaces for guests and employees.

Initially, the conditional use permit was scheduled for the June 21, 2023, Planning Commission meeting. However, upon evaluation, the Planning staff identified sensitive environmental features at the project site, located at 1989 Old Hernandez Rd. Consequently, the proposed project underwent revisions to account for these environmental considerations and address concerns related to the intensity of use.

STRATEGIC PLAN GOALS: 1. Operational Development & Excellence

No

STRATEGIC PLAN GOALS: 2. Planning And Sustainable Growth

Yes

STRATEGIC PLAN GOALS: 3. Technology

No

STRATEGIC PLAN GOALS: 4. Community Engagement

No

STRATEGIC PLAN GOALS: 5. Health & Safe Community

Yes

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission review the staff report, hold a public hearing, and hear any proponents and opponents of the proposed project. Staff further recommends that the Planning Commission consider Resolution 2024-___ and adopt said resolution, subject to the findings and conditions of approval included therein, in order to approve the conditional use permit amendment under County Planning file PLN220060.

ATTACHMENTS:

[RESpc_2024-nn_PLN220060_240117 Borland 1983 & 1989 Old Hernandez Road--MPK202401171329_FINAL.pdf](#)
[SRpc_PLN220060_240117 Borland 1983 & 1989 Old Hernandez Road--MPK202401171329_FINAL.pdf](#)

BEFORE THE PLANNING COMMISSION OF THE COUNTY OF SAN BENITO

RESOLUTION 2024-___

A RESOLUTION OF THE SAN BENITO COUNTY PLANNING COMMISSION APPROVING, FOLLOWING THE CONSIDERATION OF COUNTY PLANNING FILE **PLN220060**, A CONDITIONAL USE PERMIT TO ALLOW FOR PRIVATE CAMPING AND THE OPERATION OF BAR SZ RANCH LOCATED AT 1983 AND 1989 OLD HERNANDEZ ROAD, PAICINES, CA 95043. THE PROJECT ENTAILS THE OPERATION OF AN AGRICULTURAL RECREATION AREA THAT COMPRISES TWO DISTINCT ACTIVITIES, INCLUDING A WEDDING VENUE, CORPORATE AND CHARITY EVENT FACILITY, AND PRIVATE CAMPING.

WHEREAS, the subject parcel is located at 1983 and 1989 Old Hernandez Road, near Highway 25, San Benito County (County), California (Assessor's Parcel 028-160-031 and 028-160-009) and is 137.19 acres in area; and

WHEREAS, Tim Borland has filed an application December 28, 2022, to obtain a use permit for the operation of an agricultural recreation area that includes a private camping and wedding venue, corporate and charity events in four existing buildings that include a hitching post, two barns, a round pen, and a seating area; and

WHEREAS, County staff received the proposal as County Planning file PLN220060 and distributed this plan to responsible County and peer agencies for review and comment; and

WHEREAS, the subject parcel currently has a General Plan land use designation of Rangeland (RG) and a zoning designation of Agricultural Rangeland (AR); and

WHEREAS, the project is consistent with the parcels under Rangeland (RG) land use designation in the General Plan and it meets or fulfills Policy LU-3.1 (Agricultural Diversification), and Policy LU-3.2 (Agricultural Integrity and Flexibility), and ED-5.5 (Outdoor Recreational Venues) as proposed because the agricultural recreation area activities will provide for flexibility and economic viability for the farming and ranching operations; and

WHEREAS, the subject parcel is consistent with the parcel's Agricultural Rangeland (AR) zoning designation that permits agriculture in general and with County Code §25.03.004 allowing a conditional use permit for commercial outdoor recreational uses; and

WHEREAS, the Planning Commission of the County of San Benito reviewed the use permit at its regularly scheduled meeting held on January 17, 2024; and

WHEREAS, at said meeting the Planning Commission reviewed all written and oral information presented to them by County staff and the public at the public hearing; and

WHEREAS, at the conclusion of the public testimony, the Planning Commission closed the public hearing, deliberated, and considered the merits of the proposal; and

WHEREAS, the Planning Commission, in its independent judgment, regards the proposed activity as qualifying for an exemption from the California Environmental Quality Act (CEQA) under State CEQA Guidelines §15301 (the operation, repair, maintenance permitting, leasing, licensing, or minor alterations

of existing public or private structure), §15303(C) (new construction or conversion of small structure), and §15304 (minor alterations of land); and

WHEREAS, the Planning Commission finds the intensity of the activity proposed under the use County Planning file PLN220060 consistent with the Rangeland (RG) land use designation currently in effect for the property under the General Plan Land Use Element and this designation reflects the intended use of the land,

NOW, THEREFORE, BE IT RESOLVED that, based on the evidence in the record, the Planning Commission of the County of San Benito hereby finds as stated in **Exhibit A**, and

BE IT FURTHER RESOLVED by the Planning Commission of the County of San Benito that, based on the foregoing findings and evidence in the record, the Planning Commission hereby approves the conditional use permit subject to the conditions of approval found in **Exhibit B**.

PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE COUNTY OF SAN BENITO THIS 17th DAY OF JANUARY, 2024, BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

Robert Gibson, Chair
San Benito County Planning Commission

ATTEST:

M. Abraham Prado, Director of Planning, Building & Code Enforcement
Resource Management Agency of San Benito County

California Environmental Quality Act (CEQA) Finding:

Finding: Pursuant to San Benito County Local Guidelines for the California Environmental Quality Act, this project qualifies for an exemption from CEQA under State CEQA §15301 (Existing Facilities), §15303(C) (New Constructions or Conversion of Small Structures), and §15304 (Minor Alterations of Land),

Evidence: Section 15301 (Existing Facilities) exemptions consist of “the operation, repair, maintenance, permitting, leasing, licensing, or minor alterations of existing public or private structures.” The proposed agricultural recreation area occupies less than an acre on the approximate existing 2,300 acre working ranch and relies on already developed ranch buildings, eliminating the need for new construction. Notably, the project involves two separate uses, camping and events, operating independently within existing facilities and minimal amenities. Private camping on Assessor’s Parcel Number (APN) 028-160-031 is seasonal, scheduled in advance, and offers minimal amenities such as portable restrooms. Events, hosted in the Cowboy Village area on APN 028-160-009, utilize existing structures and outdoor spaces, accommodating up to 100 people with no more than 12 events annually. Additionally, the project avoids flood-prone periods and limits events to developed areas.

Evidence: Section, §15303(C) (New Constructions or Conversion of Small Structures) consist of “A store, motel, office, restaurant, or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding 2,500 square feet in floor area.” The proposed project involves the use of four existing buildings for private events, including a barn, a hitching post, a round pen, and a seating area. No structures mentioned above exceed 2,500 square feet in floor area. Furthermore, the project does not involve any significant expansion or alteration of the existing buildings, and the use of the structures for private events is consistent with the recreational uses permitted under agriculture rangeland zoning.

Evidence: Section 15304 (Minor Alterations of Land) exemptions consist of “minor public or private alterations in the condition of land, water and/or vegetation which do not involve removal of healthy, mature, scenic trees.” The project involves the use of Cowboy Village for private events and would not involve any alterations to the existing condition of the land, water, or vegetation. The buildings to be used for the events are existing structures, and the events are held outdoors, with no proposed changes to the surrounding environment. Additionally, no trees, such as healthy, mature, scenic trees, are mentioned to be removed or altered in any way.

Use Permit Findings

Finding 1: That the proposed use is properly located in relation to the General Plan, and the community as a whole and to other land uses, transportation, and service facilities in the vicinity.

Evidence: Conditions of approval have been included for this project to manage impacts to the health, safety, and welfare of the surrounding residents. In addition, the project can be found consistent with the County General Plan:

- The General Plan Land Use Element designation for the site is Rangeland (RG). The project proposal for the Bar SZ Ranch aligns with the intent of the district by maintaining the property for agricultural rangeland and preserving open space and agriculture. While the project includes activities such as weddings, corporate and charity events and private camping, these activities are ancillary to the primary focus on agricultural operations and recreational experiences on the working ranch. The project supports the agriculture economy and diversifies revenue streams, ultimately contributing to the preservation of open space and agriculture in the area.
- The General Plan land use designation of Rangeland (RG) allows support uses that directly support agriculture operations.
- The site’s R land use district establishes a maximum floor-area ratio of 0.1; the resulting land use currently is and would remain below a floor-area ratio of 0.01.

Exhibit A to Resolution

- *General Plan Policy LU-1.10 (Development Site Suitability).* The subject property mostly lacks the hazards that the policy encourages projects to avoid. One such hazard that the project would not avoid is its location in a 100-year flood zone, in which construction is subject to flooding-focused requirements under California Building Code, County Code Chapter 19.15 (Flood Damage Prevention), and County Code §25.08.026 (Zoning Code Floodplain Development Standards).
- *Policy LU-3.1 (Agricultural Diversification).* The policy instructs that the County “support existing farms, vineyards, and other agricultural operations.” The private camping and events, characterized by their temporary and low-impact nature, contribute to diversifying the use of the land without compromising its primary agricultural function.
- *Policy LU-3.2 (Agricultural Integrity and Flexibility).* The County is expected to “provide for flexibility and economic viability of farming and ranching operations.” By proposing an agricultural recreation area on a small portion of the working ranch, the project demonstrates a thoughtful approach to integrating non-agricultural uses without compromising the integrity of the overall farming and ranching operations.
- *Implementation Program ED-H (New and Existing Business Support).* The project would reflect the program’s direction to develop “incentives to attract new investment and support existing local businesses, particularly small locally owned businesses.”
- *Policy ED-4.5 (Tourist Hotels and Resorts).* The County should “create new opportunities for tourist attractions.
- *Policy ED-4.6 (Bed and Breakfast Inns and Boutique Resort).* The County is expected to “encourage the development of bed and breakfast inns and boutique resorts located throughout the rural parts of the county.”
- *Policy ED-5.5 (Outdoor Recreational Venues).* The "Promise Land 1926 LLC Ranch" operation, featuring camping and events, aligns with the County's goal to foster diverse outdoor recreation for residents and visitors. The incorporation of camping and events contributes to the county's goal of providing varied recreational opportunities for both residents and visitors.
- *Policy NCR-7.12 (Archaeological Artifacts).* The project site is understood to have high sensitivity for cultural resources. Compliance with standard procedures included in conditions of project approval would address potential for disturbance of any such resources. Project description indicates no proposed changes to the surrounding environment.
- *Policy NCR-9.1 (Light Pollution Reduction).* A condition of approval requires compliance with exterior lighting limits under the Zone II regulations of County Code Chapter 19.31.

Finding 2: That the proposed use, if it complies with the conditions upon which approval is made contingent, will not adversely affect other properties in the vicinity or cause any damage, hazard, or nuisance to persons or property.

Evidence: County departments and responsible agencies have reviewed the application and have recommended conditions of project approval to address possible effects on the vicinity and the overall County general public and to prevent hazard or nuisance to persons and property. Activity beyond the scope of the proposed use as approved by the County shall require further permit review.

Finding 3: The proposed use is conditionally permitted within the applicable zone and complies with all other applicable provisions of this Title and all other titles of the County of San Benito County Code, the General Plan and any applicable Specific Plan

Evidence: The proposed events components of the use permit align with the Director's Determination criteria for a land use not explicitly outlined in Chapter 25.03. These events on the ranch are comparable to allowable uses in the zoning district, presenting no greater impact on factors such as activity level, traffic, and noise compared to the camping component of the proposed use permit. The intended use aligns with the purpose and intent of the zoning district, maintaining consistency with the goals, objectives, and policies outlined in the General Plan. Additionally, conditions of approval have been established to mitigate potential environmental impacts.

Conditions of Approval of Use Permit:

Planning:

- 1. **Indemnification:** APPLICANT shall defend, indemnify, and hold San Benito County, its agents, officers, and/or employees (hereinafter "COUNTY") free and harmless from any and all suits, fees, claims, demands, causes of action, proceedings (hereinafter collectively referred to as "Legal Action"), costs, losses, damages, liabilities and expenses (including, but not limited to, an award of attorneys' fees, expert witness fees, and court costs) incurred by COUNTY arising (directly or indirectly) or resulting from the review, processing, consideration, or approval of APPLICANT'S Project or action taken by COUNTY thereon, including Legal Actions based on the negligence of COUNTY. APPLICANT will reimburse COUNTY for any damages, costs, or fees awarded pursuant to any settlement, default judgment, or other judgment taken against the County, whether the result of Applicant's decision not to defend Legal Action or otherwise. COUNTY retains its discretion to direct counsel regarding whether to defend, settle, appeal, or take other action regarding any Legal Action. APPLICANT shall defend COUNTY'S actions with competent legal counsel of APPLICANT's choice without charge to COUNTY, subject to COUNTY approval, which shall not be unreasonably withheld. Nothing contained in the foregoing, however, shall be construed to limit the discretion of COUNTY, in the interest of the public welfare, to settle, defend, or appeal, or to decline settlement or to terminate or forego defense or appeal of a Legal Action. Furthermore, in no event shall COUNTY have any obligation or liability to APPLICANT in connection with COUNTY'S defense or prosecution of litigation related to the Project (including, but not limited to, the outcome thereof) or in the event COUNTY elects not to prosecute a case or defend litigation brought against it. If either COUNTY or APPLICANT determines in good faith that common counsel presents a bona fide conflict of interest, then COUNTY may employ separate counsel to represent or defend the COUNTY, and APPLICANT shall pay the reasonable attorneys' fees and costs of such counsel within thirty (30) days of receiving an itemized billing statement or statements. [Planning]
- 2. **Successors in Interest:** The conditions of approval are binding on all successors in interest of Applicant, whether succession is by agreement, operation of law, or other means, including but not limited to all future owners utilizing this use permit. [Planning]
- 3. **Agreement with All Conditions of Approval:** Prior to or upon approval by the Planning Commission, the Applicant shall sign the statement below certifying that Applicant is in agreement with all conditions of approval. [Planning]

I certify that I understand and agree to comply with all Conditions of Approval imposed by the Planning Commission, or Board of Supervisors as applicable, on this Permit.

Applicant Signature: _____

Date: _____

- 4. **Conformity with Plan:** The applicant shall demonstrate that the use of the site conforms substantially to the proposed site/project plan (as illustrated in **Exhibit C**), and conditions of approval as approved by the Planning Commission. Any increase in the nature or intensity of land use on the site beyond that already analyzed shall be subject to further Planning review and approval. Approved plans and specifications shall not be changed, modified or altered without written authorization from the

Planning Department. All work shall be in accordance with the approved plans and with San Benito County Code. [Planning]

5. **Compliance Documentation:** Within 60 days of the approval of this Conditional Use Permit. The applicant shall submit a summary response in writing to these conditions of approval documenting compliance with each condition, including dates of compliance and referencing documents or other evidence of compliance. [Planning]
6. **Staff Review Invoices:** Within 60 days of approval of the Conditional Use Permit, the applicant shall pay all remaining invoices for reimbursement of County staff time related to the review of the use permit to be paid in full. Payment of these invoices are a prerequisite to commencing the staff verification of compliance with conditions of approval for this project. Additionally, the project proponent shall be responsible for the payment of fees associated with the review and monitoring of the conditions of approval. Failure to comply with this condition may result in the suspension or revocation of the Conditional Use Permit. [Planning]
7. **Notice of Exemption (Fish & Game Fees):** The applicant/owner shall be required to file a Notice of Exemption for the project. The notice shall be provided by the County Planning Department and filed with the County Clerk within five (5) days of approval of the project. An administrative fee of \$50.00 shall be submitted to the Resource Management Agency for the filing of the notice. [Planning/CDFW]
8. **County Business License:** All businesses are subject to San Benito County Code Title 5 Article IV Business License Tax. [Planning]
9. **Camping Stays:** Camping activities are expressly limited to a temporary stay of fewer than 30 days, with campers allowed to stay only for the duration specified in their scheduled and approved reservation within the seasonal availability from March 15th through November 1st. Permanent or long-term residency is strictly prohibited, ensuring the use remains consistent with the intended agricultural recreation purpose and prevents adverse impacts on the surrounding environment. The responsibility for managing camping reservations and ensuring adherence to the specified timeframes lies jointly with the property owner and the campers. [Planning]
10. **Maximum Event Capacity:** The maximum number of people allowed for private events held at Cowboy Village shall not exceed 100 attendees. This limitation is in place to ensure the safety and manageability of events, while also considering the capacity of the existing facilities and the surrounding environment. The event organizer shall be responsible for monitoring and enforcing this limit to ensure compliance. [Planning]
11. **Maximum Annual Event Frequency:** The number of private events at Cowboy Village in a calendar year is capped at 12, with events permitted from March 15 through November 1st. This limitation is implemented to maintain a harmonious balance between occasional events and the preservation of the serene environment. It takes into account factors like existing facility capacity, environmental impact, and community well-being. The event organizer is tasked with monitoring and ensuring compliance with this annual limit as specified in the conditions. Additionally, in the event of forecasted excessive rain from March 15th through November 1st, any scheduled event shall be canceled. [Public Words, Planning]
12. **Security Personnel Requirement:** If alcohol is to be served, private security shall be arranged at the at a rate of one guard per 50 attendees. This measure is implemented to ensure the safety and security of guests and property during events. The event organizer holds the responsibility of coordinating with a licensed security service provider and guaranteeing compliance with this requirement for the entire duration of the event. [Planning]
13. **Activities Allowed:** The permitted activities on the Bar SZ Ranch, including the wedding venue, corporate and charity events, and camping, shall be limited to those described in the project

description. No additional activities shall be permitted without prior approval from the relevant authorities. [Planning]

14. **Site Plan Conformity:** All activities, including camping and events, shall be confined to the designated areas as illustrated in Exhibit C of the site plan. This condition reinforces the requirement for strict adherence to the approved site plan, ensuring that all proposed activities occur only within the specified locations.
15. **Parking Compliance Requirement:** Business operations shall comply to the specifications outlined in County Zoning §25.07.010 (Parking).
16. **Hours of Operation:** The hours of operation may vary with the event, but all amplifies music shall be turned down at 10 pm and ceased at 12 am.
17. **Noise:** Business operation shall comply with the noise-level standards of County Code Chapter 19.39. [Planning]
18. **Cultural Resources:** A note shall be placed on the project improvement plan to state that that any property owner who, at any time in the preparation for or process of excavation or otherwise disturbing the ground, discovers any human remains of any age, or any significant archaeological artifact or other evidence of an archeological site shall:
 - a. cease and desist from further excavation and disturbances within two hundred feet of the discovery or in any nearby area reasonably suspected to overlie adjacent remains.
 - b. arrange for staking completely around the area of discovery by visible stakes no more than ten feet apart, forming a circle having a radius of no less than one hundred feet from the point of discovery, provided that such staking need not take place on adjoining property unless the owner of the adjoining property authorizes such staking and that said staking not include flags or other devices which may attract vandals.
 - c. notify the County Sheriff–Coroner and County Resource Management Agency of the discovery if human and/or questionable remains have been discovered; and
 - d. grant, subject to due legal process, to all duly authorized representatives of the Coroner and the Resource Management Agency permission to enter onto the property and to take all actions consistent with Chapter 19.05 of San Benito County Code, with State Health and Human Safety Code §7050.5, and with State Government Code Title 3 Division 2 Part 3 Chapter 10 (§27460 et seq.). [Planning]
19. **Exterior Lighting:** Prior to issuance of a building permit, the property owner shall submit an exterior lighting plan for review and approval by the County Resource Management Agency. The lighting plan shall comply with Chapter 19.31 of the San Benito County Code for Zone II lighting requirements. The approved lighting plan for the proposed building expansion shall be installed prior to final occupancy of said building. [Planning]
20. **Landscaping:** The site shall be maintained in a litter-free and weed-free condition. All storage of equipment and other items shall be inside or behind the structure so that it is not visible from the public right-of-way. No trees of six-inches diameter at breast (dwb) or larger shall be removed from site without prior approval of the planning department [Planning]
21. **Flood Zone:** In accordance with County Code §19.15.070(C)(3), nonresidential construction shall either be elevated to conform with County Code §19.15.070(C)(1) or (2) or together with attendant utility and sanitary facilities:
 - a. Be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;

- b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
- c. Be certified by a registered professional engineer or architect that the standards of this division are satisfied. The certifications shall be provided to the Floodplain Administrator. [Planning]

Public Works:

- 22. **Drainage:** The applicant shall take measures to prevent debris from the event area entering the river [Public Works]
- 23. **Warning Signs for Bridge/ Low Water Crossing:** Warning signs must be visibly placed on each side of the bridge/low water crossing, clearly indicating that crossing is prohibited for both vehicles and pedestrians when water begins to overtop the bridge/low water crossing.

Fire:

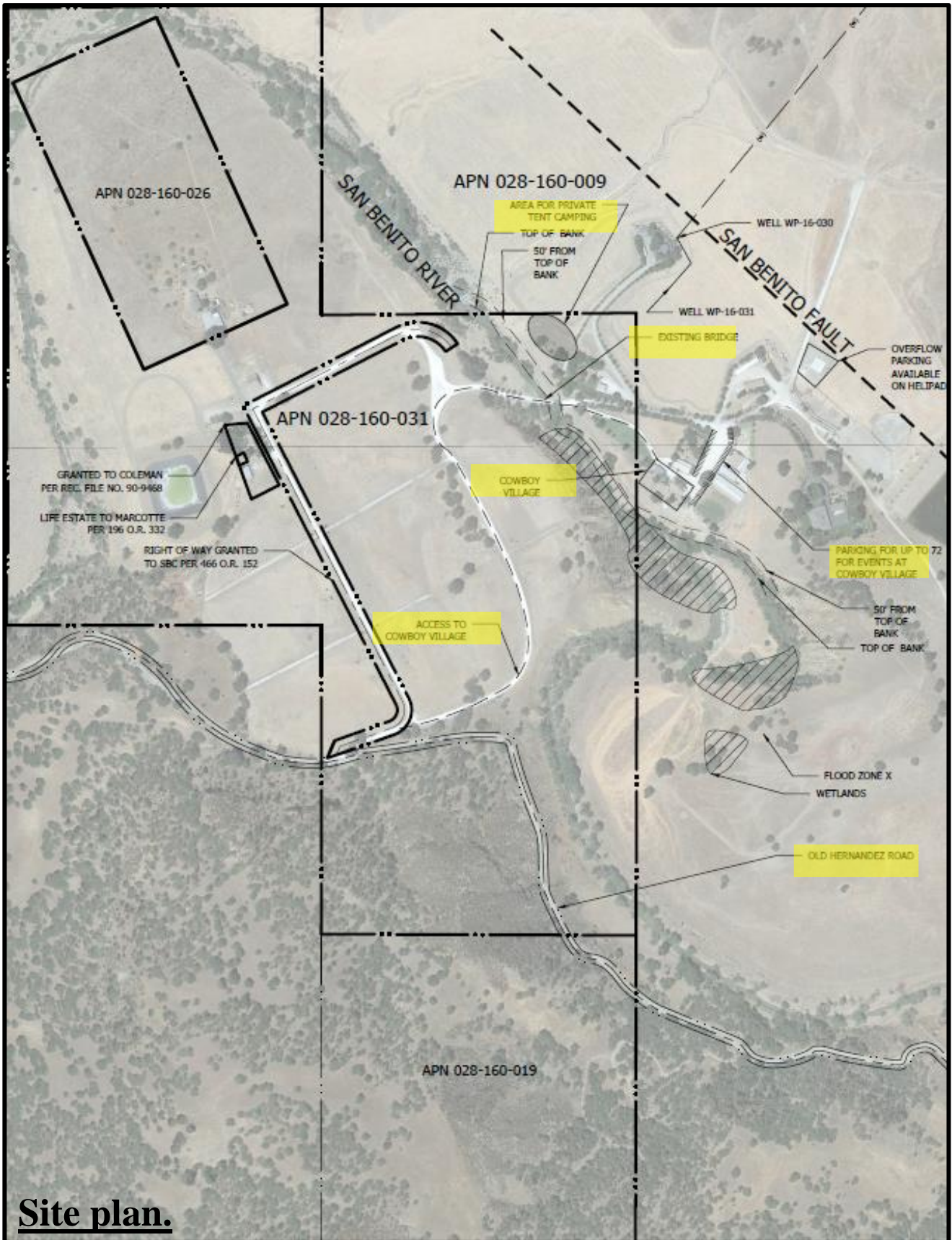
- 24. **Fire Code:** Any and all development on this property, shall meet the standards set forth in the latest adopted editions of the California Fire Code, California Building Code, San Benito County Ordinances 822 and 823, Public Resources Codes 4290 and 4291 and all other related codes as they apply to a project of this type and size.
 - a. The applicant shall make contact with Fire Department before operations for additional comments, concerns, plan submissions and fire inspections. [County Fire]

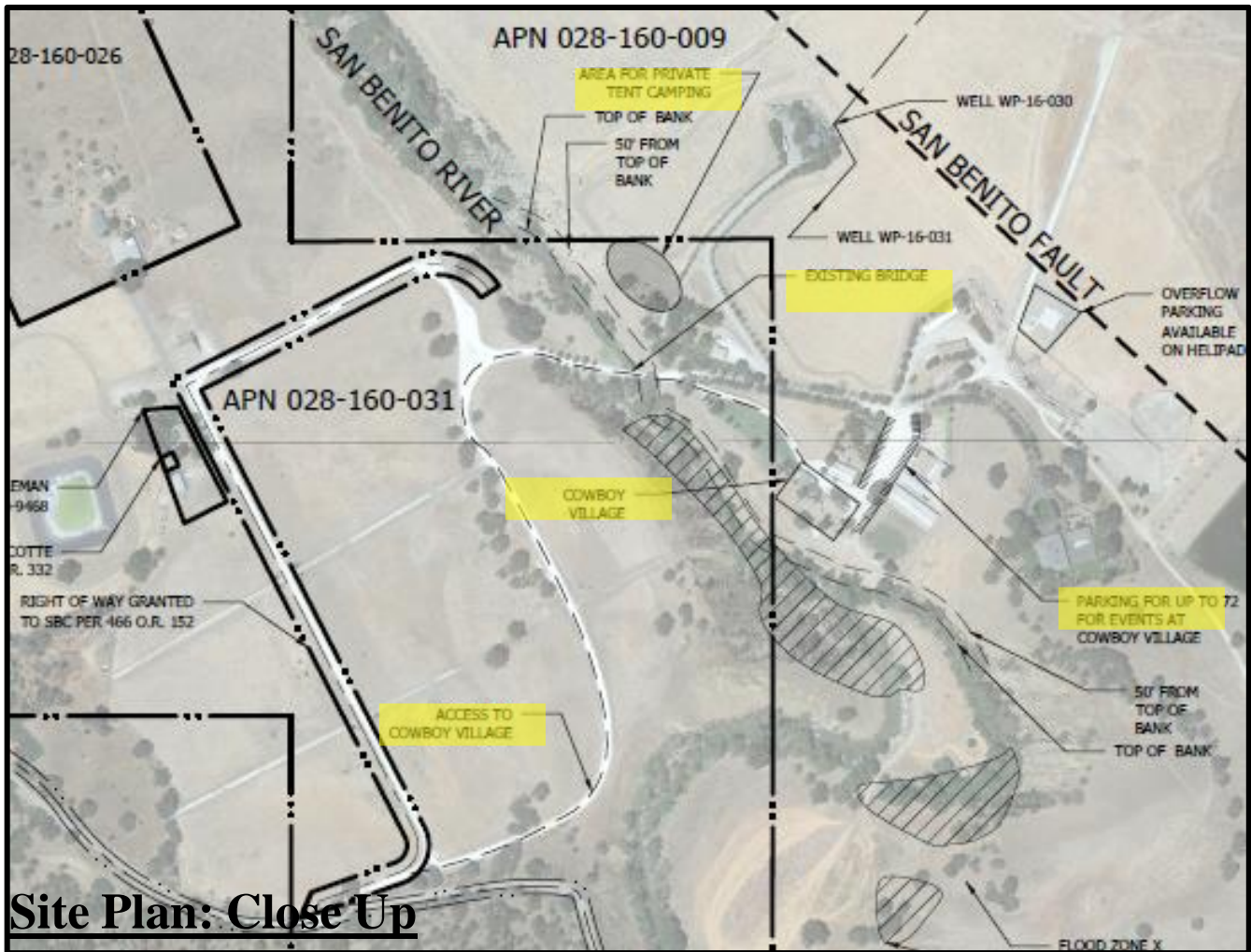
Environmental Health:

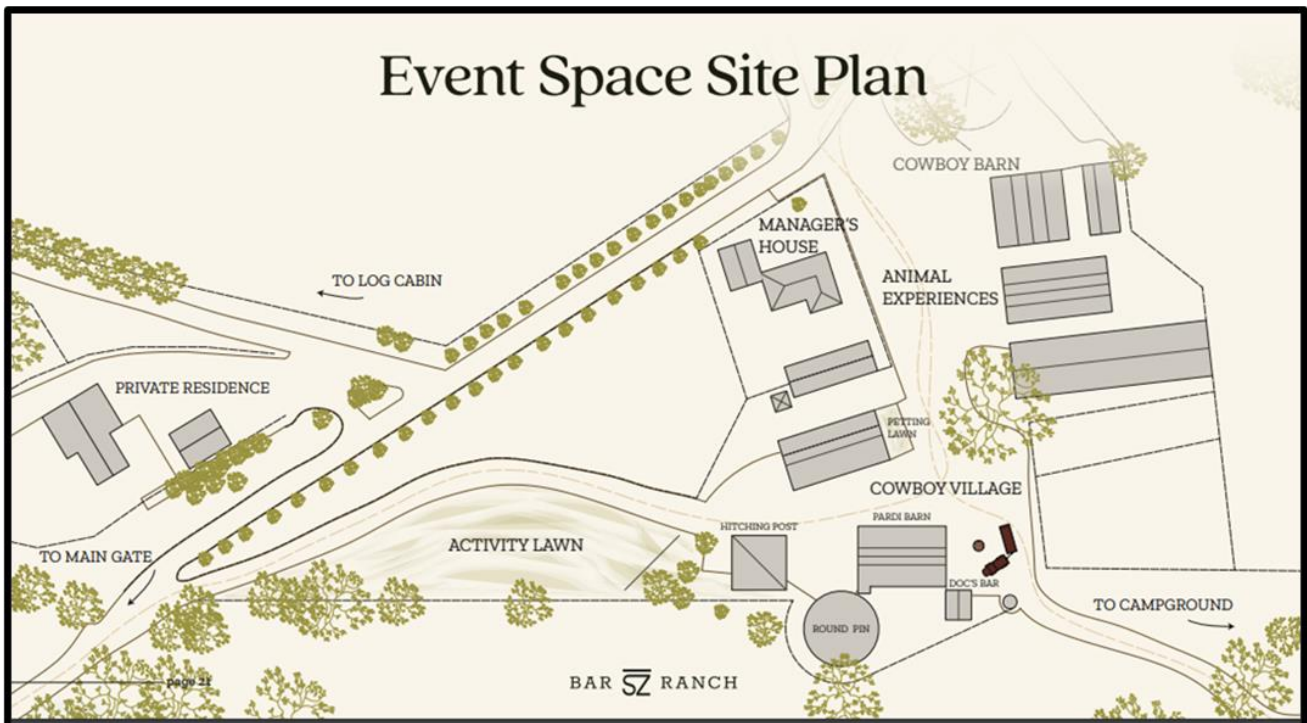
- 25. **Hazardous Materials:** If any hazardous materials are to be stored in any existing or proposed facility/building/structure, a Hazardous Materials Business Plan (HMBP) must be completed and submitted to this department. [Environmental Health]
- 26. **Water:** It is the owner's responsibility to ensure all water systems meet the required flow in gallons per minute for the number of connections allowed and that the water quality meets the standards of Title 22 of California Code of Regulations.
- 27. **Sewage Disposal:** Portable restrooms will be provided for the proposed private events and camping.
- 28. **Commercial Retail Food/ Beverage Facilities:** The owner shall contact the Department of Environmental Health regarding food facility permit and organizer permit.

Building Department:

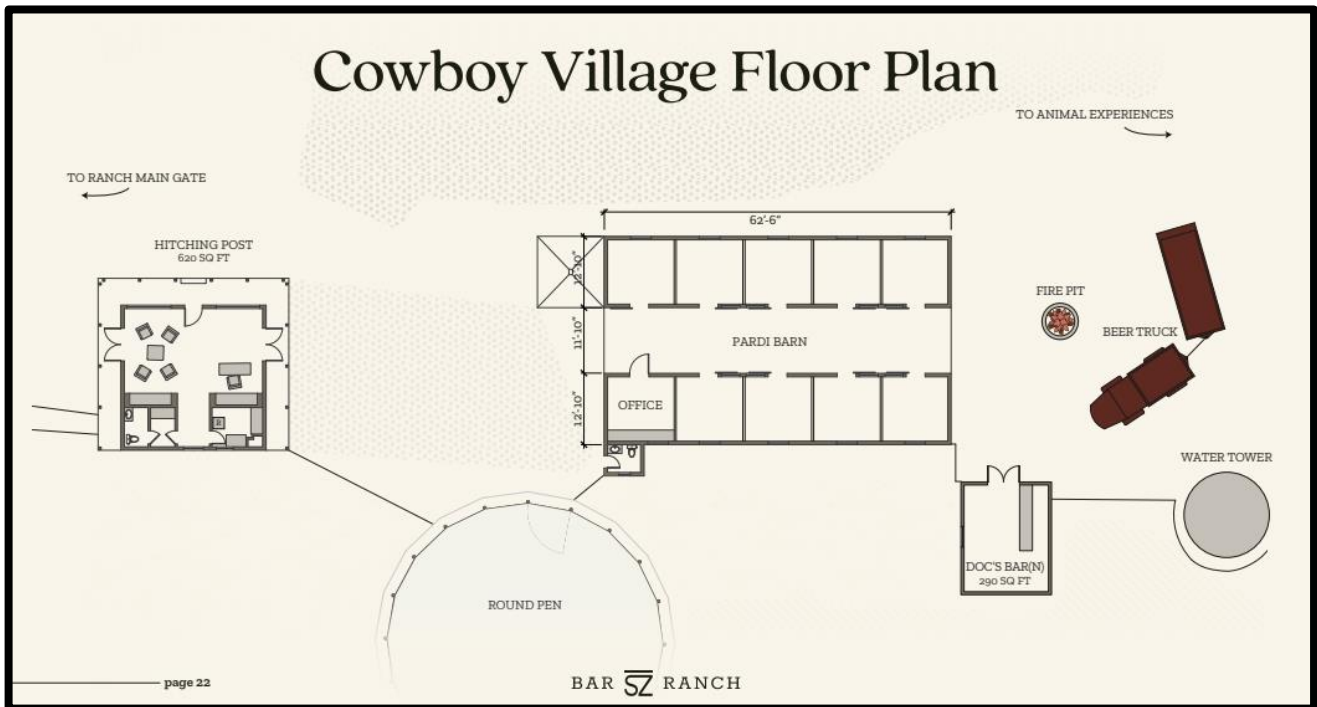
- 29. **Building Permit Updates for Commercial Facilities:** Prior to the utilization of existing facilities, such as the hitching post, Pardi barn, round pen, Doc's barn, and the beer truck/seating area, for commercial purposes, the project proponent must secure all required building permits. This is essential to bring the structures into compliance with the Building Code, ensuring adherence to commercial use standards. Compliance includes, but is not limited to, meeting fire safety regulations, accessibility standards, sanitation and hygiene requirements, and any other pertinent building codes. The project applicants are expected to collaborate closely with the County Building Division to obtain the necessary permits and promptly undertake any essential upgrades or modifications.







Cowboy Village: Space that will be used to host events.



Cowboy Village: Featuring four existing structures that include the Hitching Post, Pardi Barn, Round Pen, and Doc's Barn,



HITCHING POST - NORTH ELEVATION



HITCHING POST- POST RAIN



ROUND PEN - WEST ELEVATION



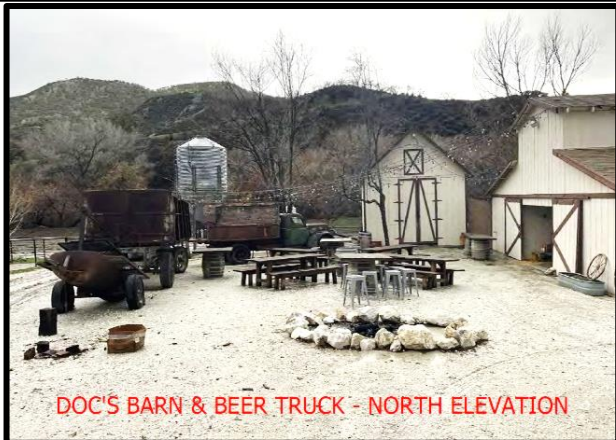
ROUND PEN- POST RAIN



PARDI BARN - EAST ELEVATION



PARDI BARN- POST RAIN



DOC'S BARN & BEER TRUCK - NORTH ELEVATION



DOC'S BARN & BEER TRUCK- POST RAIN

STAFF REPORT

PROJECT INFORMATION

Application: PLN220060 (Conditional Use Permit)
Public Hearing: January 17, 2024
Applicant: Tim Borland
Owner: Promise Land 1926 LLC
Location: 1983 and 1989 Old Hernandez Road
(2 miles east of Highway 25, 3 miles west of Pinnacles National Park)
APN: 028-160-009
Zoning: Agricultural Rangeland (AR)
General Plan: Rangeland (RG)
Planner: Victor Tafoya

PROJECT DESCRIPTION

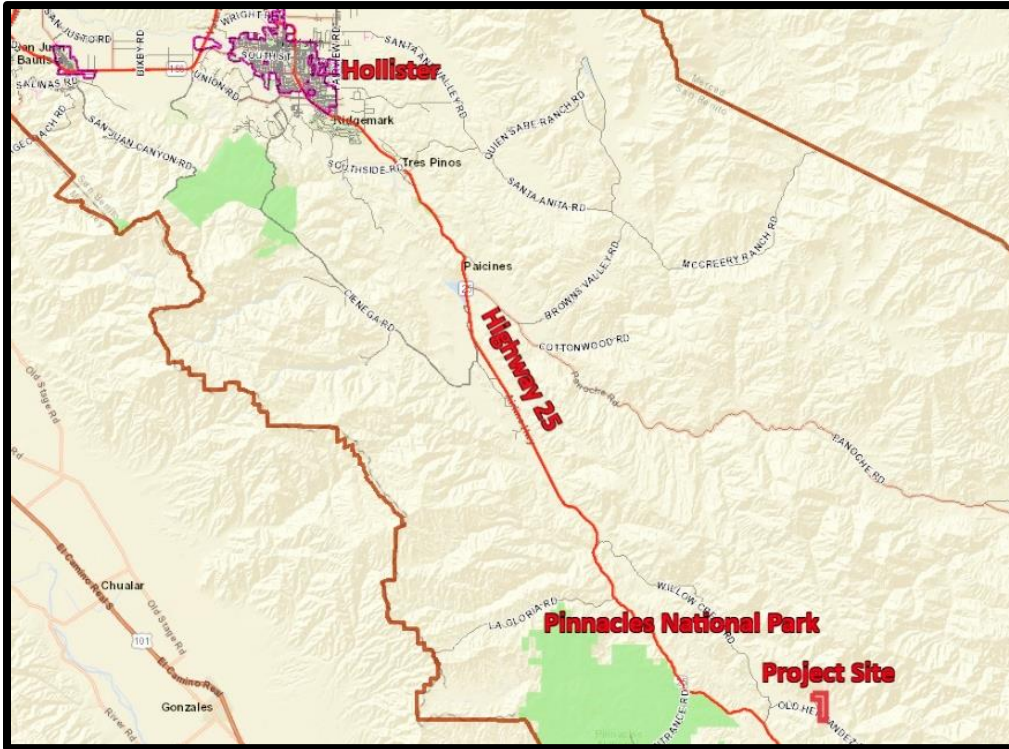
Promise Land 1926 LLC Ranch is a working ranch of approximately 2,300 acres. The owner proposes to operate an agricultural recreation area on a less than an acre portion of the property. This area of the ranch is already developed with ranch buildings and does not require new construction. The Use Permit will cover two separate uses on the property at 1983 and 1989 Old Hernandez Rd: 1) Camping, and 2) Events. The two uses will operate independently from each other.



Private camping is proposed on APN 028-160-031. Private Camping area has no permanent facilities associated with it. Camping is available March 15th through November 1st, but must be scheduled ahead of time, and is attractive to people planning to visit Pinnacles National Park when the Pinnacles camping is full. When there are scheduled campers, portable restrooms will be contracted and brought to the site. No other amenities are provided, and no open campfires are allowed. Campers may bring propane stoves for their use and must provide their own food and tents. No shower or cooking facilities are provided. The camping area will be adjacent to current residences and out-buildings. It is easily accessible from the current internal ranch road system.

The Event area is accessed through Parcel APN 028-160-031. An area known as Cowboy Village, consisting of four existing structures and an outdoor space, approximately 18,000 square feet. Cowboy Village consists of the Hitching Post, the Pardi Barn, the Round Pen, Doc's Barn and the beer truck/seating area and fire pit. Parking for up to 60 cars is available on the existing base rock area adjacent to Cowboy Village, in front of existing barns. These buildings are small; events would use the outdoor area between buildings and the seating area. Because the events are effectively outdoors, no events are scheduled from November to February. In the instance of excessive rain from March 15th through November 1st, the event would be canceled. There will be no more than 12 events annually accommodating up to 100 people. The times will vary with the event, but all music must be turned down at 10 pm, and off at 12 pm.

No restrooms are available for events – portable restrooms must be rented. There is water available from a well (approved under Well Permit 16-031) for fire and life safety use; the applicant is pursuing a Local Small Water Permit. No cooking is done on site – any events requiring food and/or alcohol must be catered. If alcohol is to be served, private security must be arranged at a rate of one guard per 50 attendees. Outdoor string lighting is provided for guests in the seating area. There is also an area light at the west end of the Pardi Barn that illuminates the outdoor area by the Round Pen and Hitching Post, along with porch lighting on the Hitching Post. All amplified music must comply with San Benito County noise ordinance.



SITE DESCRIPTION

The proposed project is located 2 miles east of Highway 25 and 3 miles west of the Pinnacles National Park in an unincorporated area of San Benito County California near the unincorporated community of Paicines and spans Assessor’s Parcel Number (“APN”) 028-160-031 and 028-160-009. The project site is situated along Old Hernandez Road, and access to Cowboy Village can be obtained by taking a dirt road that leads to an

Legal Lot of Record: The Parcel was established as a legal lot of records in book 13 of Maps, at page 17 on February 16th, 2000.
Minimum Building Site Allowed: 40 acres under AR zone.
Sewage Disposal: Septic System
Water: Private well on site.
State Farmland Map Designation: Mixture of grazing land and other land.
Land Conservation Act (Williamson Act): Yes. L.C.A Contract No. 60-21
Soils: Sorrento silty clay loam, 2 to 9 percent slopes, MLR 14. *
Seismic Not within an Alquist–Priolo fault zone.
FEMA Flood Zone: Zone A (within 100-year floodplain)
Fire Severity: High/Very High
Archaeological sensitivity: Property is within High Sensitivity.
 *Project Footprint

existing bridge over the San Benito River. Cowboy Village is located on the other side of the bridge.

The private camping area is thoughtfully positioned within a rural and agricultural landscape. Here, amid the open fields, wooded areas, and grazing pastures, camping activities are seamlessly integrated into the working ranch environment, paying homage to the rich agricultural heritage of the region. Its location, in close proximity to the majestic Pinnacles National Park, enhances its environmental significance. This proximity not only adds an additional layer of natural allure but also presents opportunities for visitors to engage in outdoor exploration and revel in the unspoiled beauty of the surroundings.

The event area, nestled amidst the natural beauty of the region, stands as a testament to the ranch's commitment to preserving the environment. Surrounded by rolling hills, expansive meadows, and positioned along the winding San Benito River, Cowboy Village exists within a meticulously curated

environmental setting. This space is defined by its remarkable biodiversity and wildlife, showcasing a diverse habitat that supports various plant and animal species. Native grasses, oak woodlands, and riparian vegetation along the riverbanks contribute to the ecological richness of the area. Throughout the ranch, wildlife such as deer, birds, and small mammals gracefully coexist, creating an immersive experience for all who venture into this harmonious intersection of nature and ranch life.

This parcel used for the event area is in a Land Conservation Act (LCA) contract, but the property owners have applied for and received approval from the LCA committee for this use. The use does not propose any new construction or take any current agricultural land out of commercial production. While portions of Cowboy Village are in Flood Hazard Zone X as shown on the Flood Insurance Map 06069C525D, dated April 16, 2009, it is over 50 feet from the bank of the San Benito River. The area is not proposed to be used from November through February, so there would be no conflict with any flooding that is more likely in those months than in other months. It is worth noting that during the heavy rains of the 2022–2023 winter, the creek did not rise to the level of these buildings. The area south of Cowboy Village, closer to the river, is designated as a potential wetland and red-legged frog habitat. It is the intent of the owners to limit events to the developed area of Cowboy Village, and discourage guests from migrating south, toward the river. No new construction is proposed as part of this application, so there is no anticipated ground disturbance.

Initially, the conditional use permit was scheduled for the June 21, 2023, Planning Commission meeting. However, upon evaluation, the Planning staff identified sensitive environmental features at the project site, located at 1989 Old Hernandez Rd. Consequently, the proposed project underwent revisions to account for these environmental considerations and address concerns related to the intensity of use.

PLANNING AND ZONING

The site is under the Rangeland (RG) land use designation in the San Benito County 2035 General Plan. This designation intends “allow support uses that directly support agricultural operations” while also allowing “commercial outdoor recreational uses, including but not limited to RV parks, hunting clubs and golf courses.” One dwelling per forty acres is allowed and therefore additional dwellings will be limited to the lot and density standards per the sites Agricultural Rangeland zoning. The plan includes a policy to “support existing farms, vineyards, and other agricultural operations.”

This property is also currently subject to the Agricultural Rangeland (AR) zone, a designation very similar to the General Plan designation of the same name in terms of land use and intensity of use. The AR zone allows agriculture in general, with County Code §25.03.004 allowing a conditional use permit for commercial outdoor recreational uses.

ENVIRONMENTAL EVALUATION

Pursuant to San Benito County Local Guidelines for the California Environmental Quality Act, this project qualifies for an exemption from CEQA under State CEQA Guidelines §15301 (Existing Facilities), §15303(C) (New Construction or Conversion of Small Structure), and §15304 (Minor Alteration of Land). The attached resolution contains finding conveying this together with supporting evidence. This evidence includes the use of the existing structures and minimal alteration to existing structures. The findings also consider aspects of the site’s environmental sensitivity and further consider the use of regulations and typical conditions of approval that would minimize environmental impacts.

STAFF ANALYSIS

The proposed project is consistent with the Agricultural rangeland (AR) zoning district, allowing for the operation of an agricultural recreation area under a conditional use permit. In addition, it aligns with the Rangeland (RG) land use designation in the General Plan, which allows for the support uses that directly contribute to agriculture operations. The present proposal can be found consistent with the General Plan:

- The General Plan Land Use Element designation for the site is Rangeland (RG). The project proposal for the Bar SZ Ranch aligns with the intent of the district by maintaining the property for agricultural rangeland and preserving open space and agriculture. While the project includes activities such as weddings, corporate and charity events and private camping, these activities are ancillary to the primary focus on agricultural operations and recreational experiences on the working ranch. The project supports the agriculture economy and diversifies revenue streams, ultimately contributing to the preservation of open space and agriculture in the area.
- The General Plan land use designation of Rangeland (RG) encourages the development of outdoor recreation venues for visitors and residents alike, such as mountain climbing, hiking, horseback riding, camping, birding, hunting, and fishing.
- The site's RG land use district establishes a maximum floor-area ratio of 0.1; the resulting land use currently is and would remain below a floor-area ratio of 0.01.
- General Plan Policy LU-1.10 (Development Site Suitability). The subject property mostly lacks the hazards that the policy encourages projects to avoid. One such hazard that the project would not avoid is its location in a 100-year flood zone, in which construction is subject to flooding-focused requirements under California Building Code, County Code Chapter 19.15 (Flood Damage Prevention), and County Code §25.08.026 (Zoning Code Floodplain Development Standards).
- Policy LU-3.1 (Agricultural Diversification). The policy instructs that the County "support existing farms, vineyards, and other agricultural operations." The private camping and events, characterized by their temporary and low-impact nature, contribute to diversifying the use of the land without compromising its primary agricultural function.
- Policy LU-3.2 (Agricultural Integrity and Flexibility). The County is expected to "provide for flexibility and economic viability of farming and ranching operations." By proposing an agricultural recreation area on a small portion of the working ranch, the project demonstrates a thoughtful approach to integrating non-agricultural uses without compromising the integrity of the overall farming and ranching operations.
- Implementation Program ED-H (New and Existing Business Support). The project would reflect the program's direction to develop "incentives to attract new investment and support existing local businesses, particularly small locally owned businesses."
- Policy ED-5.5 (Outdoor Recreational Venues). The "Promise Land 1926 LLC Ranch" operation, featuring camping and events, aligns with the County's goal to foster diverse outdoor recreation for residents and visitors. The incorporation of camping and events contributes to the county's goal of providing varied recreational opportunities for both residents and visitors.
- Policy NCR-7.12 (Archaeological Artifacts). The project site is understood to have high sensitivity for cultural resources. Compliance with standard procedures included in conditions of project approval would address potential for disturbance of any such resources.
- Policy NCR-9.1 (Light Pollution Reduction). A condition of approval requires compliance with exterior lighting limits under the Zone II regulations of County Code Chapter 19.31.

The project aligns with the fundamental objective of establishing agricultural preserves under the Land Conservation Act, emphasizing agricultural support and the conservation of agricultural land. The inclusion of outdoor recreational uses and event centers is permissible, provided they are incidental and do not pose a detriment to agricultural activities.

The AR zoning text¹ includes conditional uses that allow commercial recreational uses. These include the operation of commercial outdoor recreational use. General Plan Policy LU-3.6 supports this by encouraging appropriately located services supportive to the “economic viability of commercial agriculture” such as the subject property’s business. This proposed use is consistent with the goals of the San Benito County 2035 General Plan, which advocates for the support of existing farms and the diversification of agriculture throughout the county.

The attached resolution recommended for adoption contains conditions of approval to address effects of the existing use’s expansion. The conditions would control environmental impact and maintain County oversight of the use permit.

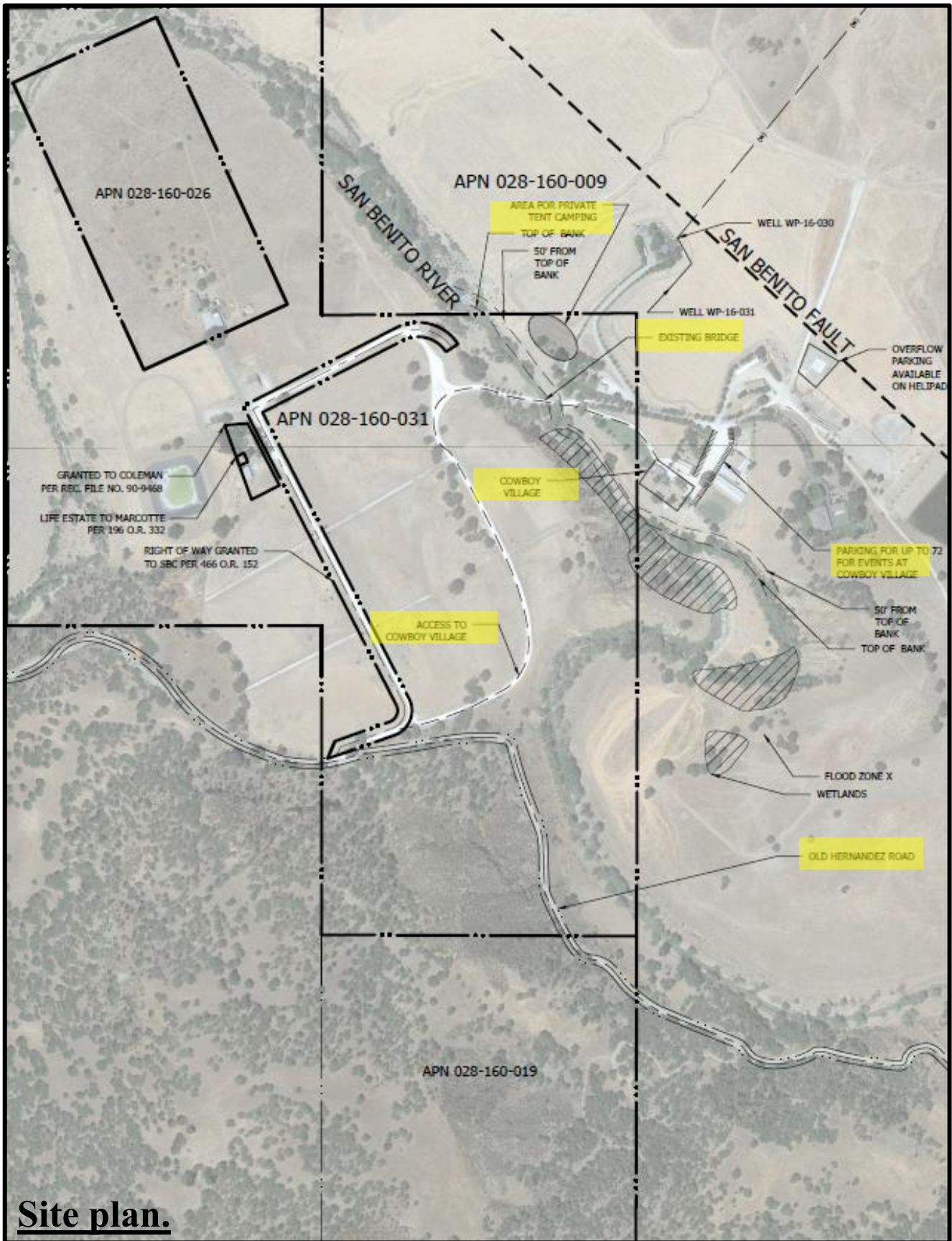
STAFF RECOMMENDATION

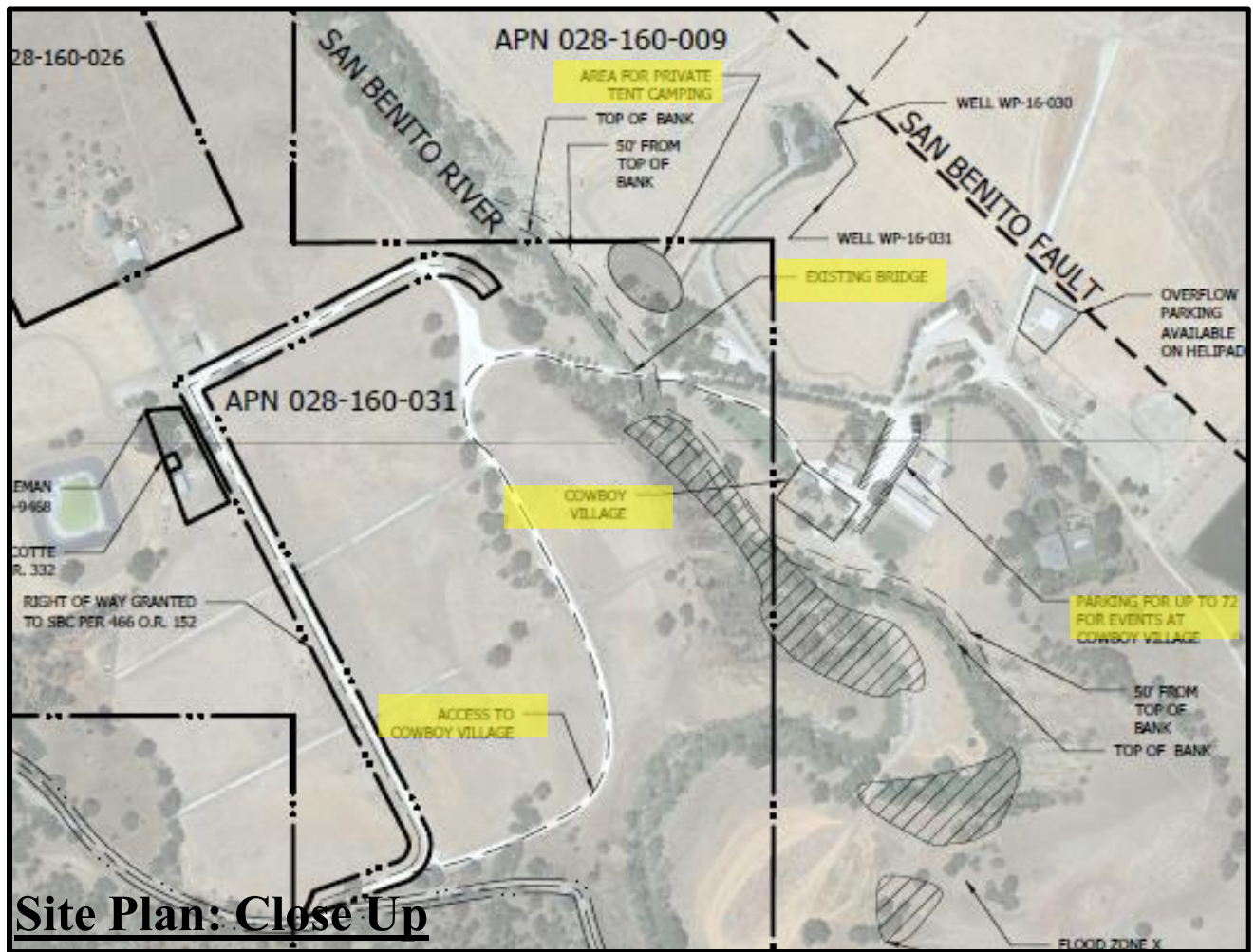
Staff recommends that the Planning Commission review the staff report, hold a public hearing, and hear any proponents and opponents of the proposed project. Staff further recommends that the Planning Commission consider Resolution 2024-___ and adopt said resolution, subject to the findings and conditions of approval included therein, in order to approve the conditional use permit amendment under County Planning file PLN220060.

ATTACHMENTS

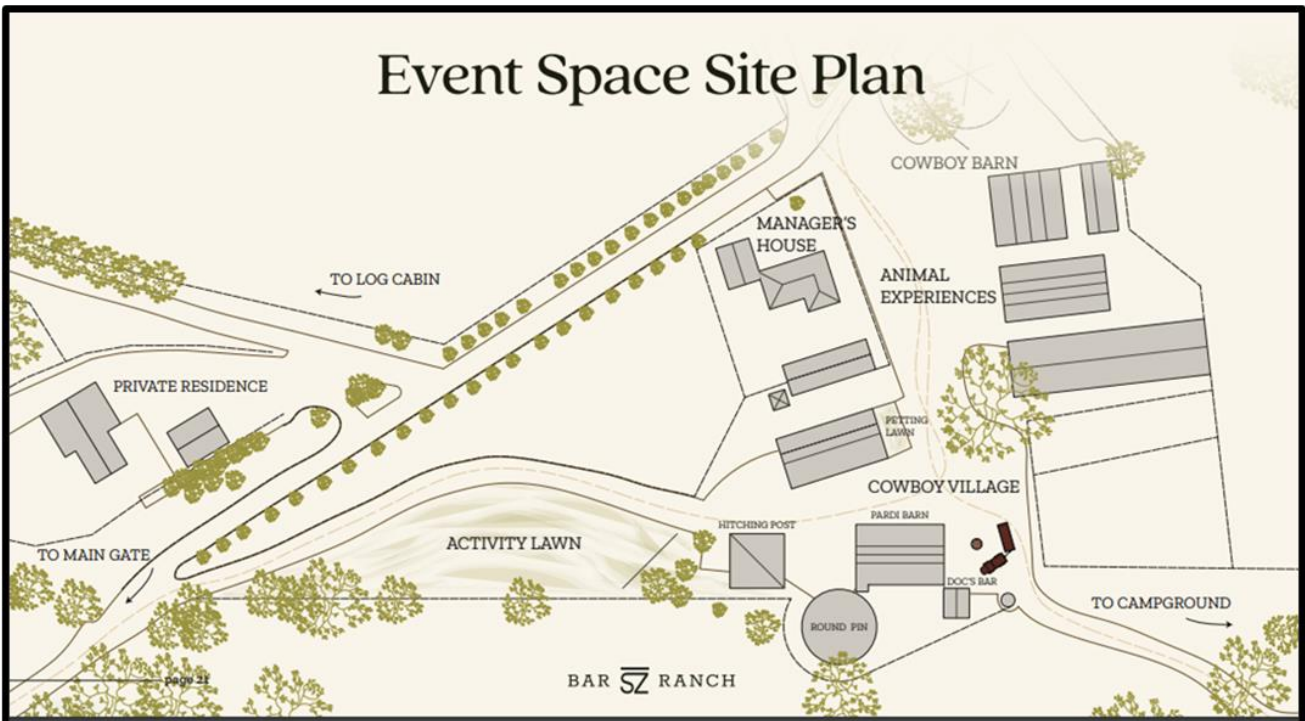
- A. Site Plan and Building Illustrations
- B. Planning Commission Resolution 2024-___ (draft), including
 - Exhibit A, Findings
 - Exhibit B, Conditions of Approval
 - Exhibit C, Project Plan

¹ County Code §25.03.004, including Table 25.03-B.

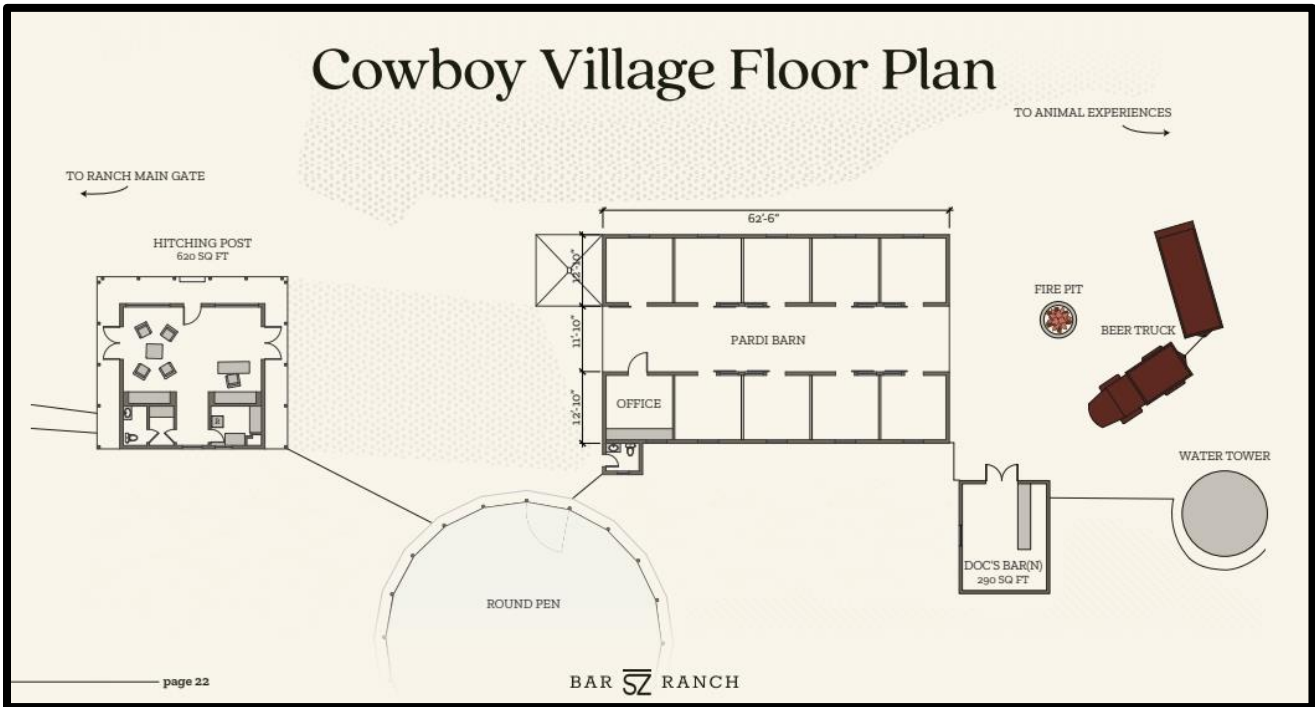




Site Plan: Close Up



Cowboy Village: Space that will be used to host events.



Cowboy Village: Featuring four existing structures that include the Hitching Post, Pardi Barn, Round Pen, and Doc's Barn,



HITCHING POST - NORTH ELEVATION



HITCHING POST- POST RAIN



ROUND PEN - WEST ELEVATION



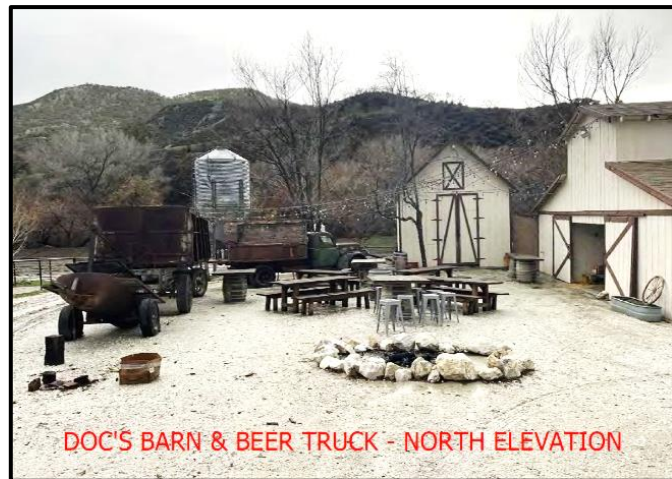
ROUND PEN- POST RAIN



PARDI BARN - EAST ELEVATION



PARDI BARN- POST RAIN



DOC'S BARN & BEER TRUCK - NORTH ELEVATION



DOC'S BARN & BEER TRUCK- POST RAIN



**SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM**

Vincent Ringheden
District No. 1

Richard Way
District No. 2

Robert Scagliotti
District No. 3
- Vice-Chair

Robert Gibson
District No. 4
- Chair

Celeste Toledo-Bocanegra
District No. 5

Item Number: 9.2

MEETING DATE: 01/17/2024

DEPARTMENT: RESOURCE MANAGEMENT AGENCY

AGENDA ITEM PREPARER: Jonathan Olivas

SUBJECT:

RESOURCE MANAGEMENT AGENCY - A. PRADO, DIRECTOR OF PLANNING AND BUILDING- Hold a public hearing and consider adopting a resolution regarding County Planning file PLN230007 (Minor Subdivision / Tentative Parcel Map) This project proposes to subdivide an existing 19.42-acre parcel into three separate parcels, measuring 5.44 acres, 5.43 acres, and 8.55 acres, respectively.

AGENDA SECTION:

PUBLIC HEARING

BACKGROUND/SUMMARY:

This project entails the subdivision of an existing 19.42-acre parcel into three separate parcels, measuring 5.44 acres, 5.43 acres, and 8.55 acres, respectively. The project site is currently undeveloped land. This project proposes only minor grading for a drive and proposes no other construction.

STRATEGIC PLAN GOALS: 1. Operational Development & Excellence

No

STRATEGIC PLAN GOALS: 2. Planning And Sustainable Growth

Yes

STRATEGIC PLAN GOALS: 3. Technology

No

STRATEGIC PLAN GOALS: 4. Community Engagement

No

STRATEGIC PLAN GOALS: 5. Health & Safe Community

No

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission review the staff report and review the attached draft resolution in Attachment B, which includes findings and recommended conditions of approval. Staff further recommends that the Planning Commission make the findings included in the resolution and adopt the resolution to approve the PLN230007 minor subdivision/tentative parcel map, subject to the conditions of approval found in the resolution.

ATTACHMENTS:

[2024-01-17_RESPC_2024-XX_PLN230007 PIERCE SANTA ANA VALLEY ROAD \(FINAL\).pdf](#)

[2024-01-17_SRPC_PLN230007 SANTA ANA VALLEY ROAD \(FINAL\).pdf](#)

BEFORE THE PLANNING COMMISSION OF THE COUNTY OF SAN BENITO

Resolution 2024-___

A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF SAN BENITO, STATE OF CALIFORNIA, TO APPROVE COUNTY PLANNING FILE PLN230007, A PROPOSAL FOR A TENTATIVE PARCEL MAP TO SUBDIVIDE AN EXISTING 19.42 ACRE PARCEL INTO THREE LOTS OF 5.44 ACRES, 5.43 ACRES, AND 8.55 ACRES.

WHEREAS, the subject parcel is located along Santa Ana Valley Road approximately 1.5 miles east of the intersection of Fairview Road and Santa Ana Valley Road. Approximately 4 miles northeast of downtown Hollister, in the unincorporated area of San Benito County (“County”), California (Assessor’s Parcel 025-090-069) and currently contains 19.42 acres; and

WHEREAS, San Benito Engineering has filed an application for a minor subdivision/tentative parcel map (illustrated in **Attachment C**) to subdivide the property into three lots for 5.44 acres, 5.43, and 8.55 acres; and

WHEREAS, the property is currently a legal lot first recorded as a remainder lot in San Benito County Official Records as Book 11 of Parcel Maps Page 10, July 2008, approved by the County as Minor Subdivision 1196-06, then followed by Certificate of Compliance 13-88, July 2013, recorded as San Benito County Official Records Document 2013-0010240; and

WHEREAS, the property currently contains no existing residences; and

WHEREAS, the property currently has a General Plan land use designation of Rangeland (R) and a zoning designation of Agricultural Productive (AP); and

WHEREAS, prior to the current Minor Subdivision, the previous owners filed for both General Plan Amendment 05-27 and Zone Change 05-152 on February 28th, 2006, both of which were approved by the San Benito County Board of Supervisors under Resolution 2006-16, with this action resulting in the property’s General Plan designation changing from the equivalent of today’s Rangeland (RG) to the equivalent of Agriculture (A) and also resulting in the zone change from Agricultural Rangeland (AR) to Agricultural Productive (AP); and

WHEREAS, these designations allow potential single-family dwellings with a minimum building site of five acres, with the proposed lots having 5.44 acres, 5.43 acres, and 8.55 acres, respectively; and

WHEREAS, the applicant and owner have demonstrated adequate street access, septic-system suitability, and water availability to demonstrate the subject parcel’s usability and buildability to the satisfaction of responsible County personnel; and

WHEREAS, the Planning Commission has determined the project qualifies for an exemption from the California Environmental Quality Act (CEQA) under State CEQA Guidelines §15061(b)(3) (the “common sense exemption”) and Class 1 of Categorical Exemptions §15301 (Existing Facilities, subparagraph c); and

WHEREAS, the Planning Commission of the County of San Benito reviewed the minor subdivision application at its regularly scheduled meeting held on January 17th, 2024; and

WHEREAS, the Planning Commission of the County of San Benito reviewed all written and oral information presented to them by County staff and the public at the public hearing; and

WHEREAS, at the conclusion of the public testimony, the Planning Commission closed the public hearing, deliberated, and considered the merits of the proposal; and

NOW THEREFORE BE IT RESOLVED that, based on the evidence in the record, the Planning Commission of the County of San Benito hereby finds as stated in **Attachment A**.

BE IT FURTHER RESOLVED by the Planning Commission of the County of San Benito that, based on the foregoing findings and evidence in the record, the Planning Commission hereby approves County Planning file PLN230007 and its minor subdivision/tentative parcel map subject to the conditions of approval found in **Attachment B** and as illustrated in **Attachment C**.

PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE COUNTY OF SAN BENITO THIS 17TH DAY OF JANUARY 2024 BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

Robert Gibson, Chair
San Benito County Planning Commission

ATTEST:

M. Abraham Prado, Director, Planning, Building, and Code Enforcement
Resource Management Agency San Benito County

California Environmental Quality Act (CEQA) Finding:

Finding 1: The project qualifies for an exemption from the California Environmental Quality Act under State CEQA Guidelines Section 15061 (Review for Exemption, subparagraph (b)(3), the “common sense” exemption) and Section 15301 (Class 1 of Categorical Exemptions, Existing Facilities, subparagraph c).

Evidence: *The project qualifies for the §15061(b)(3) exemption due to the clear assurance that the proposed subdivision will not result in a significant impact on the environment. This project as submitted, only proposes minor grading for a driveway and for drainage to offset the resulting increase in impervious surface. There is no other ground disturbance or construction activities proposed as part of this project. Consequently, the project proposes no disruptions within areas of ecological, seismic, historical, or any other environmental sensitivity. Although the project site contains culturally sensitive floodplain, and wetland areas, the applicant's proposal primarily revolves around delineating new property boundaries and does not include plans for new construction. The current zoning regulations already allow for nearly the same level of land use as what could occur with or without this subdivision.*

This subdivision does involve minor ground disturbance activities related to road construction, frontage improvements, grading, water access, or other Subdivision Ordinance requirements, as stated earlier in this document. These activities fall under CEQA Class 1 of Categorical Exemption (State CEQA Guidelines §15301, Existing Facilities, subparagraph c). This exemption is applicable to projects that primarily involve the maintenance, repair, or minor alteration of existing infrastructure, such as roads, sidewalks, and bicycle facilities. However, this exemption requires that these projects must not expand the existing or former use, such as the addition of extra automobile lanes to roadways; this project does not expand this use.

In the context of safeguarding cultural resources, condition 13 lays out a set of stringent procedures that are mandated in the event of discovering human remains or significant archaeological artifacts during excavation or ground disturbances. All excavation activities must cease within a 200-foot radius of any discovery or suspected related remains, with a visible stake circle of at least 100 feet radius marking the area; staking on adjoining properties requires owner authorization, and timely notification to authorities is required for human or significant remains, granting authorized representatives the right to enter the property and protect cultural resources in line with San Benito County Code and applicable laws.

Moreover, this project is anticipated to have an insignificant cumulative impact on the area. A recent comparable subdivision, Minor Subdivision 1243-17, was approved in 2019 less than a mile away, involving the creation of lots and easements for four parcels and a remainder lot. However, it resulted in minimal development. Projects in the vicinity of larger size such as Santana Ranch (Santana Ranch Specific Plan 2009) have already had their cumulative impacts accounted for in their own respective environmental reviews. Any potential future development, especially those that would lead to increased population density or other significant alterations, will undergo a comprehensive evaluation, and require additional approval from the County.

Subdivision Findings:

Finding 1: The proposed map is consistent with the General Plan or any applicable specific plan.

Evidence: *The property is designated as Agriculture (A) by the General Plan and Agricultural Productive (AP) by the Zoning Ordinance. The County finds that this project to be consistent with the General Plan based on General Plan Amendment (GPA) 05-27 and Zone Change (ZC) 05-152. These were both passed prior to the current Minor Subdivision by the San Benito County Board of Supervisors under Resolution 2006-16, which resulted in this property's General Plan designation being changed from the equivalent of today's Rangeland (RGRG)¹ to the equivalent of today's Agriculture (A).² This action also resulted in the zone change from Agricultural Rangeland (AR) to Agricultural Productive (AP) as well.*

Similar decisions were made on Minor Subdivision 1243-17 (Del Curto), in which case the County found that the applicant had successfully processed a General Plan Amendment and Zone Change request (GPA 08-38 and ZC 08-166). This General Plan Amendment allowed a change from an RG-district-equivalent designation with 40-acre minimum parcel sizes to an A-district-equivalent designation with 5-acre minimum parcel sizes, allowing for a change from the Agricultural Rangeland (AR) zoning district to the AP (Agricultural Productive) zoning district.

The purpose underlying the current project's property's A General Plan designation is to uphold agricultural productivity, particularly on Prime Farmland, encompassing various productive land types such as crops, vineyards, and grazing areas. This designation permits agricultural support uses, essential facilities, and one primary residential unit per lot, all in aid of preserving agricultural viability. The intent of the AP zoning designation is to facilitate diverse agricultural activities as articulated in the General Plan, which includes supporting agriculture-related activities like vineyards, wineries, and associated uses. Additionally, it allows for limited low-density residential development while prioritizing the preservation of prime farmland. Given that the proposed project involves no construction and that the existing residences align with both zoning and General Plan designations, the proposed map remains congruent with the intent of the General Plan's A district and the AP zoning district.

In addition, this project aligns with General Plan Policy LU-3.12 (Agricultural Viability of Small Parcel Sizes). This policy expects that project applicants seeking to subdivide agriculturally zoned parcels must demonstrate the ongoing feasibility of lots smaller than 40 acres for commercial agriculture operations. In this case, the parcel's existing 19.42-acre parcel size is already too small for viable commercial agriculture even without the proposed subdivision.

Any potential future development, particularly those entailing an increase in density, would necessitate further evaluation by the County. No specific plan has been adopted in this particular area.

Finding 2: The design or improvements of the proposed subdivision is consistent with the General Plan and any applicable specific plan.

Evidence: *Given the previously approved General Plan Amendment 05-27 and Zone Change 05-152, the project maintains consistency with the General Plan concerning the subdivision's layout and enhancements, which the County Resource Management Agency's Planning and Public Works staff have*

¹ In the County General Plan prior to its 2015 comprehensive replacement, the equivalent of today's RG General Plan district was known as Agricultural Rangeland (AR). This is not to be confused with the Agricultural Rangeland (AR) zoning district.

² In the General Plan before 2015, the equivalent of today's A General Plan district was known as Agricultural Productive (AP). This is not to be confused with the Agricultural Productive (AP) zoning district.

reviewed. The proposed project has demonstrated appropriate access, connections to water services, and other infrastructure, all executed in accordance with the guidelines specified in General Plan Policies PFS-4.1 (Adequate Water Treatment and Delivery Facilities), PFS-5.6 (Septic System Design), and LU-1.10 (Development Site Suitability). Conditions of approval address these topics. The applicant is required under existing regulations to demonstrate septic system viability upon proposing any development in the future.

The layout and enhancements also align with the Subdivision Ordinance's design standards, contingent upon compliance with the stipulated conditions of approval. No specific plan pertains to the subject property.

Finding 3: The site is physically suitable for the type of development.

Evidence: *The three resulting lots meet the minimum 5-acre density requirement of the (AP) zone. This ensures the continuation of the current land use while also allowing for future uses in accordance with current zoning regulations, thereby securing future agricultural viability and productivity. This ensures continued use and enjoyment of the property for both the future and existing landowners. The project proposes no new construction.*

Any potential future development, particularly those entailing an increase in density, would necessitate further evaluation by the County. Any future development would be required to substantially comply with regulations requiring septic systems be properly designed to function in the site's specific conditions. The conditions of project approval reflect review by the County Environmental Health Division of septic system use, including attention to soil compatibility. This site is overall lacking in physical hazards and is also void of any environmentally sensitive areas like cultural resources, biological resources, flood zones, or Alquist-Priolo fault zones.

Finding 4: The site is physically suitable for the density of development.

Evidence: *The project proposes to establish three new parcels, measuring 5.44 acres, 5.43 acres, and 8.55 acres respectively. This subdivision will not result in increased density or uses beyond current zoning allowances. The General Plan's land use district permits one dwelling per five acres, with the County Zoning Ordinance aligning the minimum lot size with this requirement. The only additional uses allowed by the subdivision would be three accessory units, with one allowable on each of the proposed parcels. This project proposes no construction. This subdivision changes little about what entitlements would be allowed and the applicant proposes only the new lines and not building, as the zoning already allows nearly the same degree of use without the subdivision.*

The project has no landslide, seismic, or other geophysical hazards of note that would compromise the physical suitability of the potential density of this development.

Finding 5: The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

Evidence: *The site is not mapped or otherwise identified as exceptional habitat for fish or wildlife. The parcel at present is undeveloped. The project proposes no new construction at this time. The aforementioned potential uses are currently allowed under the current zoning even without the proposed subdivision, with the exception of the three potential ADUs. However, this minor degree of change would not create high risk of substantial damage to the environment, including wildlife and its habitat.*

Finding 6: The design of the subdivision or the type of improvements is not likely to cause serious public health problems.

Evidence: Project improvements have been reviewed by relevant agencies in consideration of public health, and conditions of approval have been included to ensure public health. This includes emphasis on water quality with regard to well and septic system use and on controlling effects from grading including water runoff and dust emissions. Evidence in the record does not suggest that the proposed project or improvements could cause serious problems for public health. Any future development on the project site will be subject to additional review as part of building permit issuance.

Finding 7: The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through, or use of, property within the proposed subdivision.

Evidence: The project would affect no such easement.

Finding 8: Subject to Section 66474.4 of the Government Code, the land is not subject to a contract entered into pursuant to the California Land Conservation Act of 1965 and the resulting parcels following a subdivision of that land are not too small to sustain their agricultural use.

Evidence: As confirmed by the office of the County Assessor, the project site is not subject to a Land Conservation Act (Williamson Act) Contract.

Finding 9: Subject to Section 66474.6 of the Government Code, that the discharge of waste from the proposed subdivision into an existing community sewer system would not result in violation of existing requirements prescribed by the Central Coast Regional Water Quality Control Board pursuant to Division 7 of the Water Code.

Evidence: The project does not include the use of a community sewer system; instead, should any future development occur new septic systems will be utilized for sewage disposal and the applicant would need to show the viability of these systems via a soils report. The proposed subdivision as submitted has undergone a review by the County Division of Environmental Health and has been determined to be in compliance with all existing requirements set forth by the Central Coast Regional Water Quality Control Board, provided that the conditions of project approval are met.

Finding 10: The design and location of each lot in the subdivision, and the subdivision as a whole, are consistent with any applicable regulations adopted by the State Board of Forestry and Fire Protection pursuant to Public Resources Code §4290 and §4291 (per Government Code §66474.02(a)(1)).

Evidence: The County Fire Department, its staff composed of City of Hollister Fire Department personnel under contract with the County, has reviewed the proposed subdivision design and has made recommendations, accordingly, incorporated into conditions of approval.

Finding 11: Structural fire protection and suppression services will be available for the subdivision through CAL FIRE and/or the San Benito County Fire Department (per Government Code §66474.02(a)(2)).

Evidence: The subject property is within a local responsibility area designated as non-wildland/non-urban. The County Fire Department, staffed by the City of Hollister Fire Department, generally gives response for fire suppression and other related emergency services, with additional aid given by the California Department of Forestry and Fire Protection, or CAL FIRE. The nearest fire station is Hollister Fire Station, station No. 1, which is located at 110 5th Street. This station is approximately 4½ miles southwest from the project site by road. The next closest fire station is Hollister Fire Station No. 2, which is approximately 5 miles southwest by road from the project site by road. The nearest CAL FIRE station

is located at 1979 Fairview Road, Hollister, CA 95023, approximately 3 miles south from the project site by road.

Finding 12: Ingress and egress for the subdivision meet the regulations regarding road standards for fire equipment access adopted pursuant to Public Resources Code §4290 and any applicable local ordinance.

Evidence: *Qualified personnel from responsible agencies have reviewed the proposed minor subdivision including its proposed ingress/egress improvements and have determined the design to be sufficient for fire safety, provided adherence to the recommended conditions of project approval.*

Conditions of Approval:

1. **Indemnification:** APPLICANT shall defend, indemnify, and hold San Benito County, its agents, officers, and/or employees (hereinafter “COUNTY”) free and harmless from any and all suits, fees, claims, demands, causes of action, proceedings (hereinafter collectively referred to as “Legal Action”), costs, losses, damages, liabilities and expenses (including, but not limited to, an award of attorneys’ fees, expert witness fees, and court costs) incurred by COUNTY arising (directly or indirectly) or resulting from the review, processing, consideration, or approval of APPLICANT’S Project or action taken by COUNTY thereon, including Legal Actions based on the negligence of COUNTY. APPLICANT will reimburse COUNTY for any damages, costs, or fees awarded pursuant to any settlement, default judgment, or other judgment taken against the County, whether the result of Applicant’s decision not to defend Legal Action or otherwise. COUNTY retains its discretion to direct counsel regarding whether to defend, settle, appeal, or take other action regarding any Legal Action. APPLICANT shall defend COUNTY’S actions with competent legal counsel of APPLICANT’s choice without charge to COUNTY, subject to COUNTY approval, which shall not be unreasonably withheld. Nothing contained in the foregoing, however, shall be construed to limit the discretion of COUNTY, in the interest of the public welfare, to settle, defend, or appeal, or to decline settlement or to terminate or forego defense or appeal of a Legal Action. Furthermore, in no event shall COUNTY have any obligation or liability to APPLICANT in connection with COUNTY’S defense or prosecution of litigation related to the Project (including, but not limited to, the outcome thereof) or in the event COUNTY elects not to prosecute a case or defend litigation brought against it. If either COUNTY or APPLICANT determines in good faith that common counsel presents a bona fide conflict of interest, then COUNTY may employ separate counsel to represent or defend the COUNTY, and APPLICANT shall pay the reasonable attorneys’ fees and costs of such counsel within thirty (30) days of receiving an itemized billing statement or statements. [Planning]
2. **Conformity to Plan:** The development and use of the site shall conform substantially to the proposed site plan (**illustrated in Attachment C**) and Conditions of Approval as approved by the Planning Commission. Any increase, change, or modification in the nature or intensity of the land use on the site shall be subject to further Planning Commission review and approval. [Planning]
3. **Conditions of Approval:** Prior to or upon approval of the subdivision by the Planning Commission, Applicant shall sign the statement below certifying that Applicant is in agreement with all Conditions of Approval. [Planning]

I certify that I understand and agree to comply with all Conditions of Approval imposed by the Planning Commission, or Board of Supervisors as applicable, on this Permit.

Applicant Signature: _____

Date: _____

4. **Compliance Documentation:** Prior to map recordation, the permittee shall submit a summary response in writing to these Conditions of Approval documenting compliance with each condition, including dates of compliance and referencing documents or other evidence of compliance. [Planning]

5. **Notice of Exemption (California Department of Fish and Wildlife Fees):** The applicant/owner shall be required to file a Notice of Exemption for the project. In accordance with State CEQA Guidelines §15062, the notice shall be provided by the County Resource Management Agency and filed with the County Clerk within five (5) days of approval of the project. An administrative fee of \$50.00 shall be submitted to the Resource Management Agency Planning staff for the filing of the notice. [Planning, California Department of Fish and Wildlife]
6. **Condition of Approval Reporting:** Prior to the recordation of the Parcel map, the applicant/owner, County Counsel and the County Planning Director shall agree to and sign the Condition of Approval form(s). A deposit will be collected from the applicant proportionate to staff time to administer verification of applicant's satisfaction of conditions. If multiple Final Maps are filed, separate agreements with new builders/owners may be required. [Planning]
7. **Staff Review Invoices:** Within 60 days of approval of the tentative map, the applicant shall pay all remaining invoices for reimbursement of County staff time related to the review of the tentative map to be paid in full. Additionally, the project applicant shall be responsible for payment of fees associated with the review and monitoring of the conditions of approval. Payment of these invoices shall be a prerequisite to commencing the Staff verification of compliance with the Conditions of Approval for this project. Failure to comply with this condition shall result in a hold on the tentative map until such time that this condition is complied with or that the tentative map expires, whichever occurs first. [Planning]
8. **Assessment:** Prior to recordation of the parcel map, the applicant shall pay applicable security for taxes and special assessments as required by Sections 66492, 66493, and 66494 of the Subdivision Map Act; this includes pre-payment of taxes for the current year the final parcel map is recorded. [Planning, Assessor]
9. **Recordation:** The applicant shall submit a parcel map to the County subject to the approval of the County Resource Management Agency and recorded with the County Recorder. The tentative parcel map shall expire two (2) years after the Planning Commission approval date, unless extended as provided by the Subdivision Map Act and the County Subdivision Ordinance. Failure to record a parcel map within the period of approval or a period of extension shall terminate all subdivision proceedings. [Public Works, Planning]
10. **Easements:** The parcel map shall show all easements for access, utilities, and drainage. All future development shall maintain a ten (10) foot setback from the noted easements. [Public Works, Planning]
11. **Construction Hours:** As required the San Benito County General Plan HS-8.3 (Construction Noise) and San Benito County Code, Title 19, Chapter 19.39 *et seq.* Article IV, Sound Level Restrictions; construction shall be limited to the hours of 7 a.m. to 6 p.m., Monday through Friday and 8 a.m. 5 p.m. on Saturday. No construction activities shall be allowed on Sundays and holidays. [Planning]
12. **Exterior Lighting:** All exterior lighting for new development shall be unobtrusive, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. All fixtures shall comply with County Ordinance 748 (along with the requirements of Zone II regulations set within Ordinance 748). [Planning]
13. **Cultural Resources:** If, at any time in the preparation for or process of excavation or otherwise disturbing the ground, discovery occurs of any human remains of any age, or any significant artifact or other evidence of an archeological site, the applicant or builder shall:

- a. Cease and desist from further excavation and disturbances within two hundred feet of the discovery or in any nearby area reasonably suspected to overlie adjacent remains.
- b. Arrange for staking completely around the area of discovery by visible stakes no more than ten feet apart, forming a circle having a radius of not less than one hundred feet from the point of discovery; provided, however, that such staking need not take place on adjoining property unless the owner of the adjoining property authorizes such staking. Said staking shall not include flags or other devices which may attract vandals.
- c. Notify the Sheriff–Coroner of the discovery if human and/or questionable remains have been discovered. The Resource Management Agency Director shall also be notified.
- d. Subject to the legal process, grant all duly authorized representatives of the Coroner and the Resource Management Agency Director permission to enter onto the property and to take all actions consistent with Chapter 19.05 of the San Benito County Code and consistent with §7050.5 of the Health and Human Safety Code and Chapter 10 (commencing with §27460) of Part 3 of Division 2 of Title 3 of the Government Code. [Planning]

14. **Water Treatment:** Use of on-site regenerating water softeners shall be prohibited. [Planning]

15. **Habitat Conservation Plan Impact Fees:** In accordance with County Ordinance 541, which sets fees for the habitat conservation plan financing and kit fox protection measures, the applicant shall contribute, prior to recordation of the parcel map, a habitat conservation plan mitigation fee of \$1800.00 (\$600 for each lot over 5.1 acres and \$300 per lot 1.1 to 5 acres). [Planning]

16. **Dust Control:** The applicant shall incorporate the following requirements into grading activities occurring as part of this project:

- a. All graded areas shall be watered at least twice daily. If dust is not adequately controlled, then a more frequent watering schedule shall be incorporated. Frequency shall be based on the type of operation, soil, and wind exposure.
- b. All grading activities during periods of high wind, over 15 mph, are prohibited.
- c. Haul trucks shall maintain at least two feet of freeboard.
- d. All trucks hauling dirt, sand, or loose materials shall be covered.
- e. Inactive storage piles shall be covered.
- f. Streets shall be swept if visible soil material is carried out from the construction site. [Planning]

County Division of Environmental Health:

17. **Sewage Disposal:** It is the owner’s responsibility to ensure all existing septic systems meet the required setback from all property lines and to show proof that all properties are feasible for installation of a septic system prior to issuance of any building permit. [Environmental Health]

18. **Water:** It is the owner’s responsibility to ensure all water systems meet the required flow in gallons per minute for the number of connections allowed and that the water quality meets the standards of Title 22 of California Code of Regulations. The owner shall complete the application for a Local Small Water System (LSWS) permit and pay all fees with this department. [Environmental Health]

19. **Hazardous Materials:** If any hazardous materials are to be stored in any existing or proposed facilities/buildings/structures, a Hazardous Materials Business Plan (HMBP) must be completed and submitted to County Division of Environmental Health. [Environmental Health]

San Benito County Water District:

20. **Well Rights and Agreements:** It is the owner’s responsibility to ensure that well rights (shared well agreements), water line easements, and access agreements are in order. [County Water District]

San Benito County Fire:

- 21. **Fire Access Roads:** Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus (not less than 75,000 lbs. unless authorized by the FAHJ) and shall be provided with an approved surface so as to provide all-weather driving capabilities. The paving and sub-base shall be installed to the standards specified with the Fire Department. [County Fire]
- 22. **Fire Road Access Radius:** The horizontal inside radius of a fire apparatus access road shall comply with the County public and private road standards approved by the Jurisdiction. [County Fire]
- 23. **Fire Water Supply:** An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction.
- 24. **Fire Water Supply Development:** Water supply needs to be common for development on each parcel to have own water supply and water storage for fire suppression. Fire hydrants to be located at street side 100 feet from roadways protected at each residence. Or common fire hydrants that are standard size every 500 feet.
- 25. **Fire:** Prior to issuance of a building permit or beginning any construction fire access and water supply for that parcel shall be in place and operable. Any and all development on this property shall be required to meet the standards set forth in the latest editions of the California Fire Code, Public Resources Codes 4290 and 4291, Ordinances 822 and 823 of the San Benito County Code and other related codes as they apply to a project of this type and size. A note to this effect shall be placed on an additional sheet to the parcel map. [County Fire]

Public Works Division:

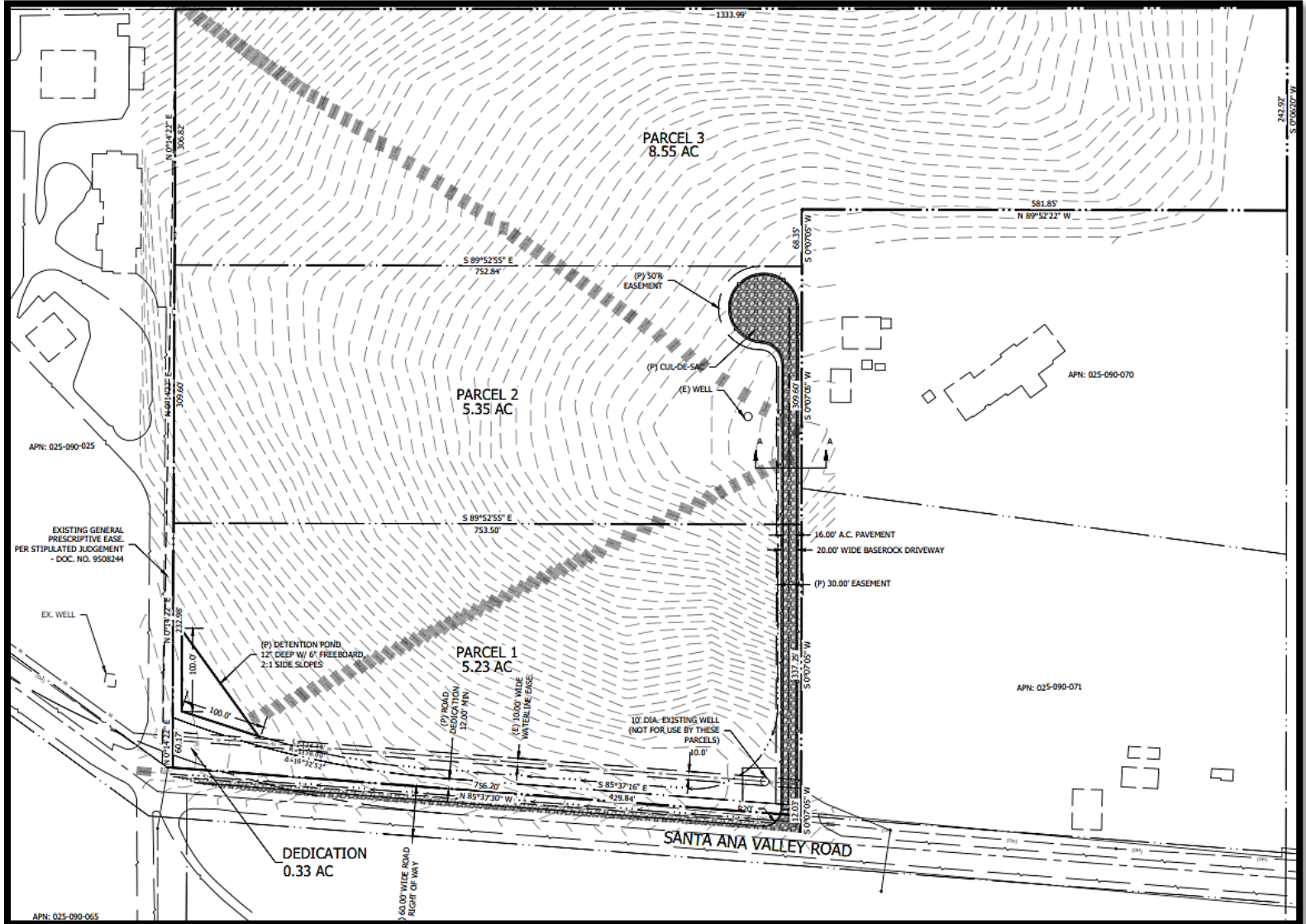
- 26. **Dedication of Right-of-Way:** Prior to recordation of the Parcel Map, the applicant shall make the following irrevocable offers of dedication to San Benito County and the public for public use:
 - a) Half of 84 feet right-of-way along property frontage on Santa Ana Valley Road.
 - b) A non-access strip along Santa Ana Valley Road frontage to limit the access to the proposed common driveway.
 - c) Adequate right of way of way radius along Santa Ana Valley Road property frontage at the southwestern corner of the property, to accommodate a minimum 55 mile per hour roadway design. [§ 23.15.002 Dedication of Streets, Alleys and Other Public Rights-of-Way or Easement] [Public Works]
- 27. **Frontage Improvements:** Prior to recordation of the Parcel Map, which triggers the obligations imposed on property owners and its successors in interest, per Deferred Improvement Agreement (Recorded Document Number 2008-0010127), hence the following required improvement shall be constructed:
 - a) Half of 28-foot Asphaltic Concrete on 38-foot roadbed Aggregate Base along the entire property frontage of Santa Ana Valley Road. [Public Works]

28. **Right of Way Easement:** Prior to recordation of the Parcel Map, the applicant shall show on the Parcel Map the 30' road right-of-way easement along with standard 50' radius turn around facility for the common driveway as shown on the Tentative Map. [Public Works]
29. **Driveway Improvement:** Prior to recordation of the Parcel Map, the applicant shall improve the common driveway by constructing 16 feet AC on 18 feet roadbed, along with standard 40 feet radius paved surface on 42 feet radius roadbed turn around facility.
30. **Drainage:** As part of submission of engineered improvement plans for this project, the applicant shall comply with County Storm Drainage Design Standards (See County Code § 23.31.040-045), hence, shall mitigate concentrated or increased runoff resulting from the impermeable surfaces created by the project. Included in this will be drainage calculations and construction details for the proposed detention pond. Details and direction of flows of drainage swales and grades shall also be included. Applicant shall ensure that runoff from the proposed improvement(s) shall be directed to existing drainage systems and/or drainage easements and shall not negatively impact neighboring properties. Applicant shall also be required to implement drainage and erosion control measures for the project during construction operations to mitigate storm water runoff, to avoid contamination to natural drainage easements, creeks and/or waterways, hence, erosion control measures shall also be shown on the plans. All drainage improvements must be installed in conjunction with any improvements that would create impermeable surfaces as part of this project. [§ 23.17.003 (B); § 23.31 Article III] [Public Works]
31. **Improvement Plan:** As part of submission of Improvement Plan for this project, applicant shall include utility plans and have them approved by each corresponding utility companies when applicable, which includes but not necessarily limited to water, gas, electric, telephone, and cablevision, and shall furnish copies said approved plans to Public Works Department for concurrence. Said plans shall be part of the final or approved Improvement Plan. [Public Works]
32. **Utilities:** All proposed utilities within the subdivision and along peripheral streets shall be placed underground except those facilities exempted by Public Utilities Commission regulations, unless waived by the Planning Commission in lieu of a fee for undergrounding. Each unit or lot within the subdivision shall be served by gas, electric, telephone and cablevision facilities where available. All necessary utilities must be installed prior to recordation of the Parcel Map. [§ 23.17.003 REQUIRED IMPROVEMENTS, (E); (F)] [Public Works]
33. **Storm Water Retention Plan:** If disturbed area exceeds one (1) acre, the applicant shall be responsible for complying with the California State Water Resources Control Board's Construction Stormwater General Permit (General Permit) as amended, file a complete Notice of Intent (NOI) package, and develop a Storm Water Pollution Prevention Plan (SWPPP) conforming to the General Permit. A Waste Discharge Identification (WDID) number or Erosivity Waiver shall be provided to the Public Works Division prior to start of any construction activities as part of this project. A note to this effect shall be added on the Improvement Plans. [Public Works]
34. **Utility Improvement Plans:** As part of submission of Improvement Plan for this project, applicant shall include utility plans and have them approved by each corresponding utility companies when applicable, which includes but not necessarily limited to water, gas, electric, telephone, and cablevision, and shall furnish copies said approved plans to Public Works Department for concurrence. Said plans shall be part of the final or approved Improvement Plan. [Public Works]
35. **Stormwater Pollution Prevention:** If disturbed area exceeds one (1) acre, the applicant shall be responsible for complying with the California State Water Resources Control Board's Construction Stormwater General Permit (General Permit) as amended, file a complete Notice of Intent (NOI)

package, and develop a Storm Water Pollution Prevention Plan (SWPPP) conforming to the General Permit. A Waste Discharge Identification (WDID) number or Erosivity Waiver shall be provided to the Public Works Division prior to start of any construction activities as part of this project. A note to this effect must be added on the Improvement Plans. [Public Works]

36. **Road Maintenance:** Prior to recordation of the parcel map, the applicant shall prepare and establish a road maintenance agreement, for the purposes of street sweeping and maintenance of road, drainage, and other improvements, which shall be recorded on the subject property in satisfaction of County Code §23.25.007 (Maintenance of Subdivision Facilities). The maintenance agreement shall serve as an agreement among the subject property's owner(s) at the time of map recordation and among all successors in interest. shall designate said owners as being responsible for said maintenance, and shall be a covenant running with the land, binding upon current owners and their successors in interest. [Public Works]
37. **Encroachment Permit:** Pursuant to §19.27.004 of the County Code, the applicant shall obtain a Public Works Encroachment Permit for any work being performed within the County Right-of-Way, and for any road offered for dedication to the County prior to commencement of any improvements associated with this project.
38. **Warranty Security:** Upon completion of required improvements, applicant shall provide warranty security in an amount not less than 10% of the estimated cost of construction of the improvements to guarantee the improvements against any defective work or labor done or defective materials used in the construction or installation of the improvements throughout the warranty period which shall be the period of one year following completion and acceptance of the improvements. [§ 23.17.009(C)(4)] [Public Works]
39. **As Built Improvement Plans:** Prior to the recordation of the Parcel Map or before release of alternate Bond, one set of "As Built" Improvement Plans on a suitable reproducible media shall be prepared by the applicant's engineer and shall be submitted to Engineering. [§ 23.31.002.(K)(1)] [Public Works]
40. **Community Facilities District:** Prior to the recordation of the Parcel Map, the project area shall annex into Mello-Roos Community Facilities District (CFD) No. 2018-1 to fund the project's fair share of project-specific costs, as well as to offset the project's impact on general county costs. The applicant, on behalf of future landowners, shall agree to pay any such taxes/fees as may be determined in the reasonable discretion of the County to fund both project specific and countywide costs, through the CFD process. Applicant shall further pay all costs incurred by the County for the CFD annexation process, including but not limited to any necessary fiscal impact fee study. [Public Works]
41. **Dedication of Parkland:** Pursuant to San Benito County Code of Ordinances Section 23.15.008 Dedication of Parkland, the subdivider shall be required to dedicate land, pay a fee in lieu thereof, or a combination of both, at the option of the County, for park and recreational purposes. [Public Works]
42. **Street Name:** Prior to recordation of the Final Map, the applicant shall submit a list of proposed street names (for the common drive serving proposed Parcels 1, 2, and 3) to the county's Communications Department for road name approval. [§23.07.003] [Public Works]

ATTACHMENT C to Planning Commission Resolution (Site Plan)



STAFF REPORT

PROJECT INFORMATION:

Application: PLN230007 (Minor Subdivision)
Date of Hearing: January 17th, 2024
Applicant: San Benito Engineering
Owner(s): Peggy & Ray Pierce
Location: Santa Ana Valley Road (approximately 1.5 miles east of the intersection of Fairview Road and Santa Ana Valley Road.)
APN: 025-090-069
General Plan: Agriculture (A)
Zoning: Agricultural Productive (AP)
Project Planner: Jonathan Olivas

PROJECT DESCRIPTION

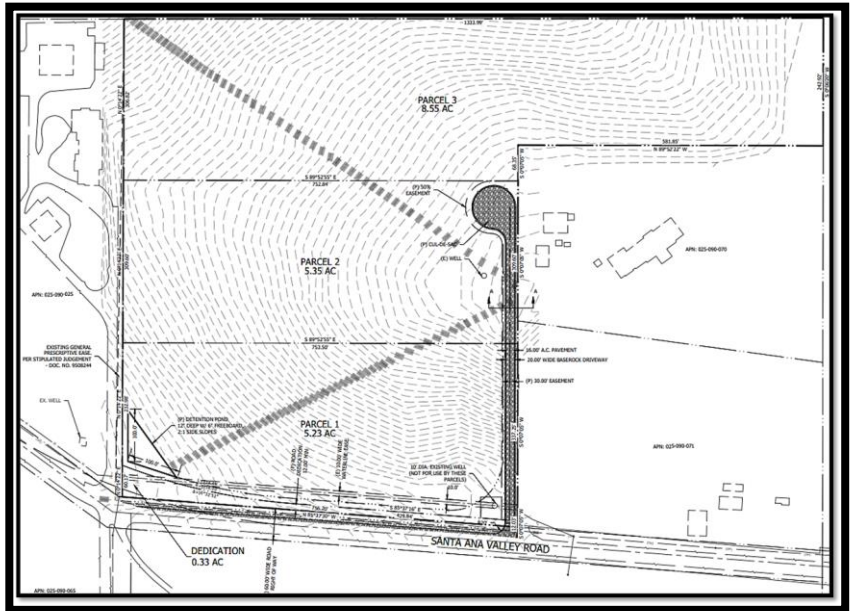
This project entails the subdivision of an existing 19.42-acre parcel into three separate parcels, measuring 5.44 acres, 5.43 acres, and 8.55 acres, respectively. The project is currently undeveloped land. This project proposes only minor grading for a drive and proposes no other construction.

SITE DESCRIPTION

The proposed project is situated at 505 Blossom Lane and encompasses an approximately 19.42-acre parcel (Assessor's Parcel Number [APN] 025-090-069). The site is located approximately 4 miles east of downtown Hollister within unincorporated San Benito County.

Positioned around 1.5 miles to the east of the intersection of Fairview Road and Santa Ana Valley Road, this project occupies a rural area surrounded by agricultural activities.

This property has historically been utilized for agricultural purposes and presently accommodates two houses, a driveway, two septic tanks, drain fields, and a shared well. Notably, no new construction is proposed as part of this project. The neighboring parcels are predominantly employed for agricultural functions, encompassing grazing and row crops, as well as housing rural residences. One of the contiguous parcels to the northeast is under the Land Conservation Act (Williamson Act) as agricultural preserves, but the project site itself does not fall within a Williamson Act contract. Properties akin in size to the subject property in the vicinity are commonly dedicated to activities like row and field crops, orchards, grazing, and the establishment of rural residences. (See *Figure 1 Vicinity Map*)



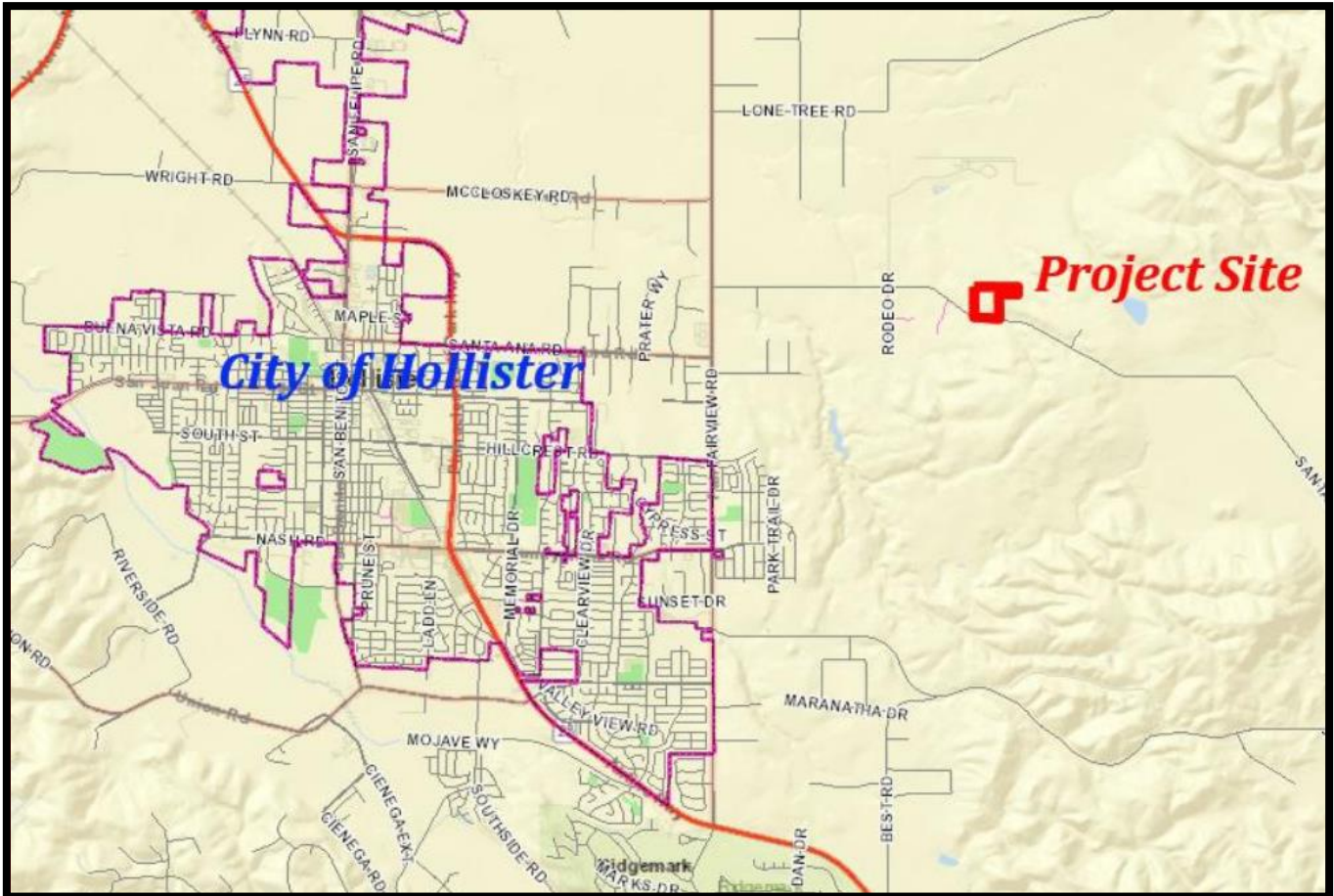


Figure 1 Vicinity Map

Legal Lot of Record: A legal lot first recorded as a remainder lot in San Benito County Official Records as Book 11 of Parcel Maps Page 10, July 2008, approved by the County as Minor Subdivision 1196-06, then followed by Certificate of Compliance 13-88, recorded as San Benito County Official Records Document 2013-0010240.

Minimum Building Site Allowed: 5 acres under AP zone.

Sewage Disposal: Septic System.

Water: Private well.

State Farmland Map Designation: Grazing Land (Per 2020 FMMP).

Land Conservation Act (Williamson Act): Not under Williamson Act Contract.

Soils: Diablo Clay, 9 to 15 percent slopes (Grade 3, capability units IIIe-5 (15): soils in this series are moderately deep to very deep and well drained, permeability is moderately slow to slow, with water-holding capacity 5 to 12 inches); Diablo Clay, 15 to 30 percent slopes, eroded (Grade 4, capability units IVe-5 (15): soils in this series are moderately deep to deep and well drained, permeability is moderately slow to slow, with water holding capacity 4 to 10 inches.)

Seismic: Not located within an Alquist-Priolo Fault Zone.

FEMA Flood Zone: Not located within a FEMA Flood Zone.

Fire Severity: Non-Wildland/Non-Urban/Moderate.

Archaeological sensitivity: No.

Habitat Conservation Plan Study Area Interim Mitigation Fee: Within fee area.

Other Endangered or Sensitive Species: None of special consideration.

PLANNING AND ZONING

The property has an Agricultural (A) designation per the General Plan and is designated as Agricultural Productive (AP) under the Zoning Ordinance. The purpose underlying the A General Plan designation is to uphold agricultural productivity, particularly on Prime Farmland, encompassing various productive land types such as crops, vineyards, and grazing areas. This designation permits agricultural support uses, essential facilities, and one primary residential unit per lot, all in aid of preserving agricultural viability. The intent of the AP zoning designation is to facilitate diverse agricultural activities as articulated in the General Plan, which includes supporting agriculture-related activities like vineyards, wineries, and associated uses. Additionally, it allows for limited low-density residential development while prioritizing the preservation of prime farmland. Given that the proposed project involves only minimal grading and no other construction and that the existing residences align with both zoning and General Plan designations, the proposed map is consistent with the intent of the General Plan's A district and the AP zoning district. This project is also consistent with other General Plan policy, as detailed in Staff Analysis.

Amendments to General Plan and zoning. The previous owners of this property submitted for both a General Plan Amendment 05-27 and Zone Change 05-152. These were both passed prior to the current Minor Subdivision by the San Benito County Board of Supervisors under Resolution 2006-16, which resulted in this property's General Plan designation being changed from the equivalent of today's Rangeland (RG) district to the equivalent of today's Agriculture (A) district.¹ It is also worth noting that a similar decision was made on Minor Subdivision 1243-17 (Del Curto), in which case the County, in its 2019 project approval, recognized the General Plan Amendment and Zone Change completed on that property in 2009 (GPA 08-38 and ZC 08-166). This General Plan Amendment redesignated the site from its RG-district-equivalent 40-acre parcel minimum to allow for an A-district-equivalent 5-acre parcel minimum; the Zone Change enacted the same under zoning, remapping the site from 40-acre-minimum Agricultural Rangeland (AR) zoning to 5-acre-minimum Agricultural Productive (AP).

ENVIRONMENTAL EVALUATION

Under the Guidelines for Implementation of the California Environmental Quality Act (State CEQA Guidelines), the project qualifies for the §15061(b)(3) exemption (the "common sense exemption") due to the clear assurance that the proposed subdivision will not result in a significant impact on the environment. This project as submitted only proposes minor grading for a driveway and for drainage to offset the resulting increase in impervious surface. There is no other ground disturbance or construction activities proposed as part of this project. Consequently, the project proposes no disruptions within areas of ecological, seismic, historical, or any other environmental sensitivity. The current zoning regulations already allow for nearly the same level of land use as what could occur with or without this subdivision.

This subdivision does involve minor ground disturbance activities related to road construction, frontage improvements, grading, water access, and other Subdivision Ordinance requirements, as stated earlier in this document. These activities fall under CEQA Class 1 of Categorical Exemptions (State CEQA Guidelines §15301, Existing Facilities, subparagraph c). This exemption is applicable to projects that primarily involve the maintenance, repair, or minor alteration of existing infrastructure, such as roads, sidewalks, and bicycle facilities. However, this exemption requires that these projects must not expand the existing or former use, such as the addition of extra automobile lanes to roadways. This project does not expand this use.

¹ Under the County General Plan prior to its 2015 comprehensive replacement, the equivalent of today's Rangeland (RG) district was called Agricultural Rangeland (AR), and the equivalent of today's Agriculture (A) district was called Agricultural Productive (AP). The San Benito County 2035 General Plan established the RG and A districts as being nearly the same in function as its pre-2015 counterparts. The former AR and AP General Plan districts are not to be confused with the two current, functionally similar zoning districts of the same name.

In the context of safeguarding cultural resources, condition 13 lays out a set of stringent procedures that are mandated in the event of discovering human remains or significant archaeological artifacts during excavation or ground disturbances. All excavation activities must cease within a 200-foot radius of any discovery or suspected related remains, with a visible stake circle of at least 100 feet radius marking the area; staking on adjoining properties requires owner authorization, and timely notification to authorities is required for human or significant remains, granting authorized representatives the right to enter the property and protect cultural resources in line with San Benito County Code and applicable laws.

Moreover, this project is anticipated to have an insignificant cumulative impact on the area. A recent comparable subdivision, Minor Subdivision 1243-17, approved three years ago less than a mile away, involving the creation of lots and easements for four parcels and a remainder lot. However, it resulted in minimal development. Projects in the vicinity of larger size such as Santana Ranch (Santana Ranch Specific Plan 2009) have already had their cumulative impacts accounted for in their own respective environmental reviews. Any potential future development, especially those that would lead to increased population density or other significant alterations, will undergo a comprehensive evaluation, and require additional approval from the County.

STAFF ANALYSIS

This type of project is required to be consistent with both its zoning and its General Plan designation. Subdivisions must also adhere to additional requirements outlined in San Benito County Code Title 23 (Subdivisions) and California Government Code Section 66410 *et seq.* (Subdivision Map Act).

One applicable General Plan policy is LU-3.12 (Agricultural Viability of Small Parcel Sizes); this policy expects that project applicants seeking to subdivide agriculturally zoned parcels must demonstrate the ongoing feasibility of lots smaller than 40 acres for commercial agriculture operations. In this case, the parcel's existing 19.42-acre size is already too small for viable commercial agriculture even without the proposed subdivision. The project does not propose any new construction.

This subdivision will not result in increased density or uses beyond current zoning allowances. The General Plan's land use district permits one dwelling per five acres, with the County Zoning Ordinance aligning the minimum lot size with this requirement. The proposed plan's three lots, with 5.23 acres, 5.35 acres, and 8.55 acres, adhere to the zoning density requirements of the AP zoning district. These parcels contain no significant geophysical hazards that could compromise their development suitability. Furthermore, this subdivision brings about minimal changes to what entitlements would be allowed, with the applicant proposing only new property lines and minor grading for a driveway for fire access and with no other construction proposed. Additionally, the existing zoning already permits nearly the same degree of land use without necessitating the subdivision.

Improvements. The project is consistent with the General Plan in terms of use and density. The proposed project would provide adequate access, connections to water service, and other infrastructure in a manner compliant with General Plan policies PFS-4.1 (Adequate Water Treatment and Delivery Facilities), PFS-5.6 (Septic System Design), and LU-1.10 (Development Site Suitability). County Resource Management Agency Planning and Public Works staff and the County Environmental Health Division have analyzed the proposed subdivision and determined that the subdivision's design and improvements are consistent with the aforementioned General Plan policies and Subdivision Ordinance design standards in Title 23 Subdivisions Chapter 23.25 (Design Requirements) provided compliance with conditions of approval.

Project improvements have been reviewed by relevant agencies with a focus on public health considerations. Conditions of approval have been incorporated to ensure public health, with a particular emphasis on water quality related to well and septic system use and controlling potential effects from grading, including water

runoff and dust emissions. There is no evidence in the record to suggest that the proposed project or its improvements could cause significant problems for public health.

Future potential development up to three residences could use the existing shared well and would need their own individual new septic system. Should future development occur the applicant will need to provide proof of viability of the soil for septic system. The conditions of project approval reflect review by the County Environmental Health Division of septic system use, including attention to soil compatibility. The site is overall lacking in physical hazards. This subdivision has further been reviewed by relevant agencies for compliance with regulations, reduction of environmental effects, public health, and proper design. These agencies have offered conditions of approval that are included in the attached resolution.

Any future development on the project site will undergo additional review as part of the building permit issuance process. The project does not affect any easements for public access through the site, and the project site is not subject to a Land Conservation Act (Williamson Act) contract. (See Attachment B.)

Natural features and hazards. The site is not designated as exceptional habitat for fish or wildlife. The parcel is currently undeveloped. The existing structures align with the current zoning regulations, with the exception of the potential addition of one accessory dwelling unit (ADU), though no new construction is proposed. However, this minor change would not pose a high risk of substantial environmental damage, including harm to wildlife and their habitat.

The subject property is located within a local responsibility area designated as a moderate fire hazard. The County Fire Department, composed of City of Hollister Fire Department personnel, generally manages fire suppression and other related emergency services, with additional support from the California Department of Forestry and Fire Protection (CAL FIRE). The closest fire stations are CAL FIRE at 1979 Fairview Road, 3 miles away by road and Hollister Fire Station 1 in Downtown Hollister, located 4½ miles away by road. Qualified personnel from responsible agencies have reviewed the proposed minor subdivision, including its proposed ingress/egress improvements, and have determined the design to be sufficient for fire safety, provided that the recommended conditions of project approval are followed.

Furthermore, the County Fire Department, comprising personnel contracted from the City of Hollister Fire Department, has evaluated the design of the proposed subdivision. Their assessment resulted in a series of recommendations that have been integrated into the conditions of approval for the project.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission review the staff report and review the attached draft resolution in Attachment B, which includes findings and recommended conditions of approval. Staff further recommends that the Planning Commission make the findings included in the resolution and adopt the resolution to approve the PLN230007 minor subdivision/tentative parcel map, subject to the conditions of approval found in the resolution.

ATTACHMENTS

- A. Site Photos
- B. Planning Commission Resolution 2023-____ (draft) including
 - Attachment A California Environmental Quality Act (CEQA) Findings
 - Attachment B Conditions of Approval
 - Attachment C Tentative Map

Attachment A
Site Photos



Facing east from near the center of the property.



Facing west from near the center of the property.

Attachment A
(continued)



Facing north from near the center of the property.



Facing south from near the center of the property.



**SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM**

**Vincent
Ringheden**
District No. 1

**Richard
Way**
District No. 2

**Robert
Scagliotti**
District No. 3
- Vice-Chair

**Robert
Gibson**
District No. 4
- Chair

**Celeste Toledo-
Bocanegra**
District No. 5

Item Number: 9.3

MEETING DATE: 01/17/2024

DEPARTMENT: RESOURCE MANAGEMENT AGENCY

AGENDA ITEM PREPARER: Jonathan Olivas

SUBJECT:

RESOURCE MANAGEMENT AGENCY - A. PRADO, DIRECTOR OF PLANNING AND BUILDING-
The project proposes to subdivide an existing 7.51-acre parcel into three parcels of 2.50-acres, 2.50-acres, and 2.51-acres.

AGENDA SECTION:

PUBLIC HEARING

BACKGROUND/SUMMARY:

The project proposes to subdivide an existing 7.51-acre parcel into three parcels of 2.50-acres, 2.50-acres, and 2.51-acres. There are two existing residences, a driveway, two septic tanks, drain fields, and a shared well on the neighboring parcel (Assessor's Parcel Number [APN] 020-290-054.)

STRATEGIC PLAN GOALS: 1. Operational Development & Excellence

No

STRATEGIC PLAN GOALS: 2. Planning And Sustainable Growth

Yes

STRATEGIC PLAN GOALS: 3. Technology

No

STRATEGIC PLAN GOALS: 4. Community Engagement

No

STRATEGIC PLAN GOALS: 5. Health & Safe Community

No

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission review the staff report and review the attached draft resolution in Attachment B, which includes findings and recommended conditions of approval. Staff further recommends that the Planning Commission make the findings included in the resolution and adopt the resolution to approve the PLN230006 minor subdivision/tentative parcel map, subject to the conditions of approval found in the resolution.

ATTACHMENTS:

[2024-01-17-RESPC_2024-](#)

[XX_PLN230006_MINOR_SUBDIVISION_120_ENTERPRISE_ROAD_GARCIA\(FINAL\).pdf](#)

[2024-01-07_SRPC_PLN230006_MS_GARCIA_120_ENTERPRISE_RD_STAFF_REPORT \(FINAL\).pdf](#)

BEFORE THE PLANNING COMMISSION OF THE COUNTY OF SAN BENITO

Resolution 2023-___

A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF SAN BENITO, STATE OF CALIFORNIA, TO APPROVE COUNTY PLANNING FILE PLN230006, A PROPOSAL FOR A TENTATIVE PARCEL MAP TO SUBDIVIDE AN EXISTING 7.07-ACRE PARCEL INTO THREE LOTS OF 2.5-ACRES, 2.5-ACRES, AND 2.51-ACRES.

WHEREAS, the subject parcel is located at 120 Enterprise Road near Hollister, San Benito County (“County”), California (Assessor’s Parcel 020-290-053) and currently contains 7.07-acres; and

WHEREAS, San Benito Engineering has filed an application for a minor subdivision/tentative parcel map (illustrated in **Attachment C**) to subdivide the property into three lots of 2.5-acres, 2.5-acres, and 2.51 acres; and

WHEREAS, the property is currently a legal lot recorded in San Benito County Official Records as Book 11 of Parcel Maps Page 49, Parcel 2, January 4th, 2017, recorded in San Benito County Official Records as document P.M. No. 1234-15; and

WHEREAS, the property currently contains two residences with the address of 120 Enterprise Road; and

WHEREAS, the property currently has a General Plan land use designation of Residential Mixed (RM) and a zoning designation of Single Family Residential (R-1); and

WHEREAS, the applicant and owner have demonstrated adequate street access, indicate the presence of two existing dwellings with existing septic and well systems, and proposes that the additional parcel 3 will have a new well drilled and new septic system when developed; and

WHEREAS, the Planning Commission has determined the project qualifies for a “common sense exemption” under Article 5 of the California Environmental Quality Act Guidelines Section 15061(b)(3) and CEQA Class 1 Categorical Exemption §15301 Existing Facilities (c); and

WHEREAS, the proposal has been reviewed in consideration of current, existing regulations that are designed to diminish the degree of negative environmental effect that could otherwise result from activities similar to the currently proposed project, and conditions of project approval have been included for the same purpose; and

WHEREAS, the Planning Commission of the County of San Benito reviewed the minor subdivision application at its regular meeting held on November 15th, 2023; and

WHEREAS, the Planning Commission of the County of San Benito reviewed all written and oral information presented to them by County staff and the public at the public hearing; and

WHEREAS, at the conclusion of the public testimony, the Planning Commission closed the public hearing, deliberated, and considered the merits of the proposal,

NOW THEREFORE BE IT RESOLVED that, based on the evidence in the record, the Planning Commission of the County of San Benito hereby finds as stated in **Attachment A**.

BE IT FURTHER RESOLVED by the Planning Commission of the County of San Benito that, based on the foregoing findings and evidence in the record, the Planning Commission hereby approves County Planning file PLN230006 and its minor subdivision/tentative parcel map subject to the conditions of approval found in **Attachment B** and as illustrated in **Attachment C**.

PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE COUNTY OF SAN BENITO THIS 17TH DAY OF JANUARY 2024 BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

Robert Gibson, Chair
San Benito County Planning Commission

ATTEST:

M. Abraham Prado, Director, Planning, Building, and Code Enforcement
Resource Management Agency San Benito County

California Environmental Quality Act (CEQA) Finding:

Finding 1: The project qualifies for a “common sense” exemption under Article 5 of the California Environmental Quality Act Guidelines Section 15061 (Review for Exemption, subparagraph (b)(3)) and Section 15301 (Existing Facilities, subparagraph c).

Evidence: To comply with San Benito County code, a typical subdivision would involve ground disturbance activities related to road construction, frontage improvements, grading, water access, or other development requirements, these will be required as part of this subdivision. However, these activities fall under CEQA Class 1 Categorical Exemption (State CEQA Guidelines §15301 (Existing Facilities, subparagraph c)). This exemption is applicable to projects that primarily involve the maintenance, repair, or minor alteration of existing infrastructure, such as roads, sidewalks, and bicycle facilities. However, this exemption requires that these projects must not expand the existing or former use, such as the addition of extra automobile lanes to roadways.

The project as submitted does not propose any ground disturbance or construction activities beyond the required grading and frontage improvements described above. Consequently, the project proposes no disruptions within any areas of ecological, seismic, historical, or any other environmental sensitivity. Although the project site contains culturally sensitive area the applicant's proposal primarily revolves around delineating new property boundaries and does not include plans for new construction. The current zoning regulations already allow for nearly the same level of land use as what could occur with or without this subdivision.

Additionally, in the context of safeguarding cultural resources, condition eleven lays out a set of stringent procedures that are mandated in the event of discovering human remains or significant archaeological artifacts during excavation or ground disturbances. All excavation activities must cease within a 200-foot radius of any discovery or suspected related remains, with a visible stake circle of at least 100 feet radius marking the area; staking on adjoining properties requires owner authorization, and timely notification to authorities is required for human or significant remains, granting authorized representatives the right to enter the property and protect cultural resources in line with San Benito County Code and applicable laws.

Furthermore, this project is unlikely to have a significant cumulative impact on the area. The last subdivision of a comparable size and scope, which occurred three years ago, took place less than a mile away and involved the creation of new lots and easements to facilitate access to a water tower. However, it did not result in any additional development. Projects in the vicinity of larger size such as Vista Del Calabria, Bennet Ranch, and Sunnyside Estates have already had their cumulative impacts accounted for in their own respective environmental reviews. Any potential future development, especially those that would lead to increased population density or other significant alterations, will undergo a comprehensive evaluation, and require additional approval from the County.

Subdivision Findings:

Finding 1: The proposed map is consistent with the General Plan or any applicable specific plan.

Evidence: The property has a Residential Mixed (RM) designation per the General Plan and is designated as Single Family Residential (R-1) under the Zoning Ordinance. The purpose underlying the RM General

Plan designation is to allow areas of unincorporated urban uses where circulation and utility services exist. This designation applies to areas that are largely developed and have public infrastructure and services necessary to support the increased density. The intent of the R-1 zoning designation is to provide primarily for the development of single-family neighborhoods, with appropriate supporting uses. Attached or multi-family housing is not permitted, except for accessory dwelling units and where state law mandates approval of these types of housing. Given that the proposed project involves no construction and that the existing residences align with both zoning and General Plan designations, the proposed map remains congruent with the intent of the General Plan's RM district and the R-1 zoning district.

In addition, this project aligns with General Plan Policy LU-4.2 (Urban Residential Development) which encourages the County to ensure new urban residential development occurs in areas that have, or can provide, adequate public facilities and services to support such uses. This parcel is located within the Sunnyslope Water district which could provide future public water service and the Urban Influence Area where the City of Hollister could provide future public sewer service. This property is also located near Union Road and less than a mile from Highway 25. Which is in further consistent with General Plan Policy LU-4.2 which encourages this type of development to be near existing and future major transportation networks, transit and/or bicycle corridors, pedestrian paths and trails, and employment centers.

Any potential future development, particularly those entailing an increase in density, would necessitate further evaluation by the County. No specific plan has been adopted in this particular area.

Finding 2: The design or improvements of the proposed subdivision is consistent with the General Plan and any applicable specific plan.

Evidence: The project maintains consistency with the General Plan concerning the subdivision's layout and enhancements, which the County Resource Management Agency's Planning and Public Works staff have reviewed. The proposed project has demonstrated appropriate access, connections to water services, septic systems, and other infrastructure, all executed in accordance with the guidelines specified in General Plan policies PFS-4.1 (Adequate Water Treatment and Delivery Facilities), PFS-5.6 (Septic System Design), and LU-1.10 (Development Site Suitability). Conditions of approval address these topics.

The layout and enhancements also align with the Subdivision Ordinance's design standards, contingent upon compliance with the stipulated conditions of approval. No specific plan pertains to the subject property.

Finding 3: The site is physically suitable for the type of development.

Evidence: The three proposed lots meet the minimum 2.5-acre density requirement of the (R-1) zone (when no public water or sewer is available.) This ensures the continuation of the current land use while also allowing for future uses in accordance with current zoning regulations, thereby securing future development of single-family neighborhoods and supporting uses. This ensures continued use and enjoyment of the property for both the future and existing landowners. The project proposes no new construction beyond the existing residential and agricultural use. The dwelling on the proposed Parcel Two will make use of the preexisting septic and well systems. Similarly, the existing dwelling located on the proposed Parcel One will utilize the preexisting well and septic systems. Moreover, the conditions of approval require a review by the County Environmental Health Division of septic system use there, with a specific focus on soil compatibility. Both systems were installed in adherence to regulations that

mandated appropriate design to ensure effective operation within the specific soil conditions at this site. The project site otherwise lacks physical hazards.

Finding 4: The site is physically suitable for the density of development.

Evidence: The project aims to create three parcels, each measuring 2.5 acres, 2.5 acres, and 2.51 acres, respectively. This subdivision will not result in increased density or uses beyond what is currently allowed by the zoning regulations. The General Plan's land use district permits one dwelling per 2.5 acres when public water and sewer services are not available, and the County Zoning Ordinance aligns the minimum lot size with this requirement. The proposed plan includes two 2.5-acre lots and one 2.51-acre lot, ensuring that the proposed parcels adhere to the maximum zoning density, without public water and sewer services. These parcels do not have any significant geophysical hazards that could compromise their suitability for development.

Furthermore, this subdivision will change little in terms of what entitlements would be allowed, as the applicant is only proposing new property lines. The existing zoning regulations already permit nearly the same degree of use as the proposed subdivision. This project is in alignment with the existing zoning and land use regulations, ensuring that it complies with the current standards and does not increase density or uses beyond what is allowed.

Finding 5: The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

Evidence: The site is not mapped or otherwise identified as exceptional habitat for fish or wildlife. The parcel at present is developed with two single-family dwellings, a driveway, a well with piping, and septic system for the dwellings. The project proposes no new construction at this time. The aforementioned uses are currently allowed under the current zoning without the proposed subdivision. However, the minor degree of change would not create high risk of substantial damage to the environment, including wildlife and its habitat.

Finding 6: The design of the subdivision or the type of improvements is not likely to cause serious public health problems.

Evidence: Project improvements have been reviewed by relevant agencies in consideration of public health, and conditions of approval have been included to ensure public health. This includes emphasis on water quality with regard to well and septic system use and on controlling effects from grading including water runoff and dust emissions. Evidence in the record does not suggest that the proposed project or improvements could cause serious problems for public health. Any future development on the project site will be subject to additional review as part of building permit issuance.

Finding 7: The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through, or use of, property within the proposed subdivision.

Evidence: The project would affect no such easement.

Finding 8: Subject to Section 66474.4 of the Government Code, the land is not subject to a contract entered into pursuant to the California Land Conservation Act of 1965 and the resulting parcels following a subdivision of that land are not too small to sustain their agricultural use.

Evidence: As confirmed by the office of the County Assessor, the project site is not subject to a Land Conservation Act (Williamson Act) contract.

Finding 9: Subject to Section 66474.6 of the Government Code, that the discharge of waste from the proposed subdivision into an existing community sewer system would not result in violation of existing requirements prescribed by the Central Coast Regional Water Quality Control Board pursuant to Division 7 of the Water Code.

Evidence: The project does not include the use of a community sewer system; instead, existing septic systems will be utilized for sewage disposal. The proposed subdivision has undergone a review by the County Division of Environmental Health and has been determined to be in compliance with all existing requirements set forth by the Central Coast Regional Water Quality Control Board, provided that the conditions of project approval are met.

Finding 10: The design and location of each lot in the subdivision, and the subdivision as a whole, are consistent with any applicable regulations adopted by the State Board of Forestry and Fire Protection pursuant to Public Resources Code §4290 and §4291 (per Government Code §66474.02(a)(1)).

Evidence: The County Fire Department, its staff composed of City of Hollister Fire Department personnel under contract with the County, has reviewed the proposed subdivision design and has made recommendations accordingly, incorporated into conditions of approval.

Finding 11: Structural fire protection and suppression services will be available for the subdivision through CAL FIRE and/or the San Benito County Fire Department (per Government Code §66474.02(a)(2)).

Evidence: The subject property is within a local responsibility area designated as non-wildland/non-urban. The County Fire Department, staffed by the City of Hollister Fire Department, generally gives response for fire suppression and other related emergency services, with additional aid given by the California Department of Forestry and Fire Protection, or CAL FIRE. The closest fire stations are Hollister Fire Station 2 in southeast Hollister 1 mile by road and CAL FIRE at 1979 Fairview Road, 3 miles by road.

Finding 12: Ingress and egress for the subdivision meet the regulations regarding road standards for fire equipment access adopted pursuant to Public Resources Code §4290 and any applicable local ordinance.

Evidence: Qualified personnel from responsible agencies have reviewed the proposed minor subdivision including its proposed ingress/egress improvements and have determined the design to be sufficient for fire safety, provided adherence to the recommended conditions of project approval.

Conditions of Approval:

1. **Indemnification:** APPLICANT shall defend, indemnify, and hold San Benito County, its agents, officers, and/or employees (hereinafter “COUNTY”) free and harmless from any and all suits, fees, claims, demands, causes of action, proceedings (hereinafter collectively referred to as “Legal Action”), costs, losses, damages, liabilities and expenses (including, but not limited to, an award of attorneys’ fees, expert witness fees, and court costs) incurred by COUNTY arising (directly or indirectly) or resulting from the review, processing, consideration, or approval of APPLICANT’S Project or action taken by COUNTY thereon, including Legal Actions based on the negligence of COUNTY. APPLICANT will reimburse COUNTY for any damages, costs, or fees awarded pursuant to any settlement, default judgment, or other judgment taken against the County, whether the result of Applicant’s decision not to defend Legal Action or otherwise. COUNTY retains its discretion to direct counsel regarding whether to defend, settle, appeal, or take other action regarding any Legal Action. APPLICANT shall defend COUNTY'S actions with competent legal counsel of APPLICANT’s choice without charge to COUNTY, subject to COUNTY approval, which shall not be unreasonably withheld. Nothing contained in the foregoing, however, shall be construed to limit the discretion of COUNTY, in the interest of the public welfare, to settle, defend, or appeal, or to decline settlement or to terminate or forego defense or appeal of a Legal Action. Furthermore, in no event shall COUNTY have any obligation or liability to APPLICANT in connection with COUNTY'S defense or prosecution of litigation related to the Project (including, but not limited to, the outcome thereof) or in the event COUNTY elects not to prosecute a case or defend litigation brought against it. If either COUNTY or APPLICANT determines in good faith that common counsel presents a bona fide conflict of interest, then COUNTY may employ separate counsel to represent or defend the COUNTY, and APPLICANT shall pay the reasonable attorneys’ fees and costs of such counsel within thirty (30) days of receiving an itemized billing statement or statements. [Planning]
2. **Conformity to Plan:** The development and use of the site shall conform substantially to the proposed site plan (illustrated in Attachment C) and Conditions of Approval as approved by the Planning Commission. Any increase, change, or modification in the nature or intensity of the land use on the site shall be subject to further Planning Commission review and approval. [Planning]
3. **Conditions of Approval:** Prior to or upon approval of the subdivision by the Planning Commission, Applicant shall sign the statement below certifying that Applicant is in agreement with all Conditions of Approval. [Planning]

I certify that I understand and agree to comply with all Conditions of Approval imposed by the Planning Commission, or Board of Supervisors as applicable, on this Permit.

Applicant Signature: _____

Date: _____

4. **Compliance Documentation:** Prior to map recordation, the permittee shall submit a summary response in writing to these Conditions of Approval documenting compliance with each condition, including dates of compliance and referencing documents or other evidence of compliance. [Planning]

5. **Notice of Exemption (California Department of Fish and Wildlife Fees):** The applicant/owner shall be required to file a Notice of Exemption for the project. In accordance with State CEQA Guidelines §15062, the notice shall be provided by the County Resource Management Agency and filed with the County Clerk within five (5) days of approval of the project. An administrative fee of \$50.⁰⁰ shall be submitted to the Resource Management Agency Planning staff for the filing of the notice. [Planning, California Department of Fish and Wildlife]
6. **Condition of Approval:** Prior to the recordation of the Parcel map, the applicant/owner, County Counsel and the County Planning Director shall agree to and sign the Condition of Approval form(s). A deposit will be collected from the applicant proportionate to staff time to administer verification of applicant's satisfaction of conditions. If multiple Final Maps are filed, separate agreements with new builders/owners may be required. [Planning]
7. **Staff Review Invoices:** Within 60 days of approval of the tentative map, the applicant shall pay all remaining invoices for reimbursement of County staff time related to the review of the tentative map to be paid in full. Additionally, the project applicant shall be responsible for payment of fees associated with the review and monitoring of the conditions of approval. Payment of these invoices shall be a prerequisite to commencing the Staff verification of compliance with the Conditions of Approval for this project. Failure to comply with this condition shall result in a hold on the tentative map until such time that this condition is complied with or that the tentative map expires, whichever occurs first. [Planning]
8. **Assessment:** Prior to recordation of the parcel map, the applicant shall pay applicable security for taxes and special assessments as required by Sections 66492, 66493, and 66494 of the Subdivision Map Act; this includes pre-payment of taxes for the current year the final parcel map is recorded. [Planning, Assessor]
9. **Recordation:** The applicant shall submit a parcel map to the County subject to the approval of the County Resource Management Agency and recorded with the County Recorder. The tentative parcel map shall expire two (2) years after the Planning Commission approval date, unless extended as provided by the Subdivision Map Act and the County Subdivision Ordinance. Failure to record a parcel map within the period of approval or a period of extension shall terminate all subdivision proceedings. [Public Works, Planning]
10. **Easements:** The parcel map shall show all easements for access, utilities, and drainage. All future development shall maintain a ten (10) foot setback from the noted easements. [Public Works, Planning]
11. **Cultural Resources:** If, at any time in the preparation for or process of excavation or otherwise disturbing the ground, discovery occurs of any human remains of any age, or any significant artifact or other evidence of an archeological site, the applicant or builder shall:
 - a. Cease and desist from further excavation and disturbances within two hundred feet of the discovery or in any nearby area reasonably suspected to overlie adjacent remains.
 - b. Arrange for staking completely around the area of discovery by visible stakes no more than ten feet apart, forming a circle having a radius of not less than one hundred feet from the point of discovery; provided, however, that such staking need not take place on adjoining property unless the owner of the adjoining property authorizes such staking. Said staking shall not include flags or other devices which may attract vandals.

- c. Notify the Sheriff–Coroner of the discovery if human and/or questionable remains have been discovered. The Resource Management Agency Director shall also be notified.
 - d. Subject to the legal process, grant all duly authorized representatives of the Coroner and the Resource Management Agency Director permission to enter onto the property and to take all actions consistent with Chapter 19.05 of the San Benito County Code and consistent with §7050.5 of the Health and Human Safety Code and Chapter 10 (commencing with §27460) of Part 3 of Division 2 of Title 3 of the Government Code. [Planning]
12. **Water Treatment:** Use of on-site regenerating water softeners shall be prohibited. [Planning]
13. **Exterior Lighting:** All exterior lighting for new development shall be unobtrusive, harmonious with the local area, and constructed or located so that only the intended area is illuminated, and off-site glare is fully controlled. All fixtures shall comply with County Ordinance 748 (along with the requirements of Zone II regulations set within Ordinance 748). [Planning]
14. **Habitat Conservation Plan Impact Fees:** In accordance with County Ordinance 541, which sets fees for the habitat conservation plan financing and kit fox protection measures, the applicant shall contribute, prior to recordation of the parcel map, a habitat conservation plan mitigation fee of \$900.00 (\$600 for each lot over 5.1 acres and \$300 per lot 1.1 to 5 acres). [Planning]
15. **Dust Control:** A note shall be placed on the improvement plans for the proposed subdivision to state that the applicant/owner shall incorporate the following requirements into any grading activities occurring as part of this project:
- a. All graded areas shall be watered at least twice daily. If dust is not adequately controlled, then a more frequent watering schedule shall be incorporated. Frequency shall be based on the type of operation, soil, and wind exposure.
 - b. All grading activities during periods of high wind, over 15 mph, are prohibited.
 - c. Haul trucks shall maintain at least two feet of freeboard.
 - d. All trucks hauling dirt, sand, or loose materials shall be covered.
 - e. Inactive storage piles shall be covered.
 - f. Streets shall be swept if visible soil material is carried out from the construction site. [Planning]

County Division of Environmental Health:

16. **Sewage Disposal:** It is the owner’s responsibility to ensure all existing septic systems meet the required setback from all property lines and to show proof that all properties are feasible for installation of a septic system. [Environmental Health]
17. **Water:** Sunnyslope Water District will provide potable water to the proposed parcels, as specified in conditions 19-21.
18. **Hazardous Materials:** If any hazardous materials are to be stored in any existing or proposed facilities/buildings/structures, a Hazardous Materials Business Plan (HMBP) must be completed and submitted to County Division of Environmental Health. [Environmental Health]

Sunnyslope County Water District:

19. **Water Service:** SSCWD will allow three services to be taken from the 16” main with the installation of a three-valve cluster, leading to a 6” fire hydrant to be installed approximately midway along the frontage and at the back of the sidewalk. The valve cluster is necessary for line isolation, and the hydrant serves the purposes needed for service main maintenance and fire protection.
- a. Please note that further subdivision or developments proposed exceeding single-family residential use will require additional water line planning and water service looping. [SSCWD]
 - b. The developer is required to complete these improvements at their expense and shall pay for all water connection fees applicable at the time of connection. [SSCWD]
20. **Other Water Source:** If another water source is available for these lots, SSCWD will defer to allow the alternate water source. However, in the event that a State Small Water System is required to service the development, SSCWD does not support the permit of such a system, and the developer shall take steps to connect to the public utility. [SSCWD]
21. **Future Sewer:** SSCWD will allow septic service for the development as proposed. However, this public utility conditions these lots with the requirement to connect to sewer at any future time when increased lot densities are proposed. The developer will be responsible for the expense of all improvements required for connection at that time. [SSCWD]

San Benito County Fire:

22. **Fire:** Prior to issuance of a building permit or beginning any construction, fire access and water supply for that parcel shall be in place and operable. Any and all development on this property shall be required to meet the standards set forth in the latest editions of the California Fire Code, Public Resources Codes 4290 and 4291, Ordinances 822 and 823 of the San Benito County Code and other related codes as they apply to a project of this type and size. A note to this effect shall be placed on an additional sheet to the parcel map. [County Fire]

Public Works Division:

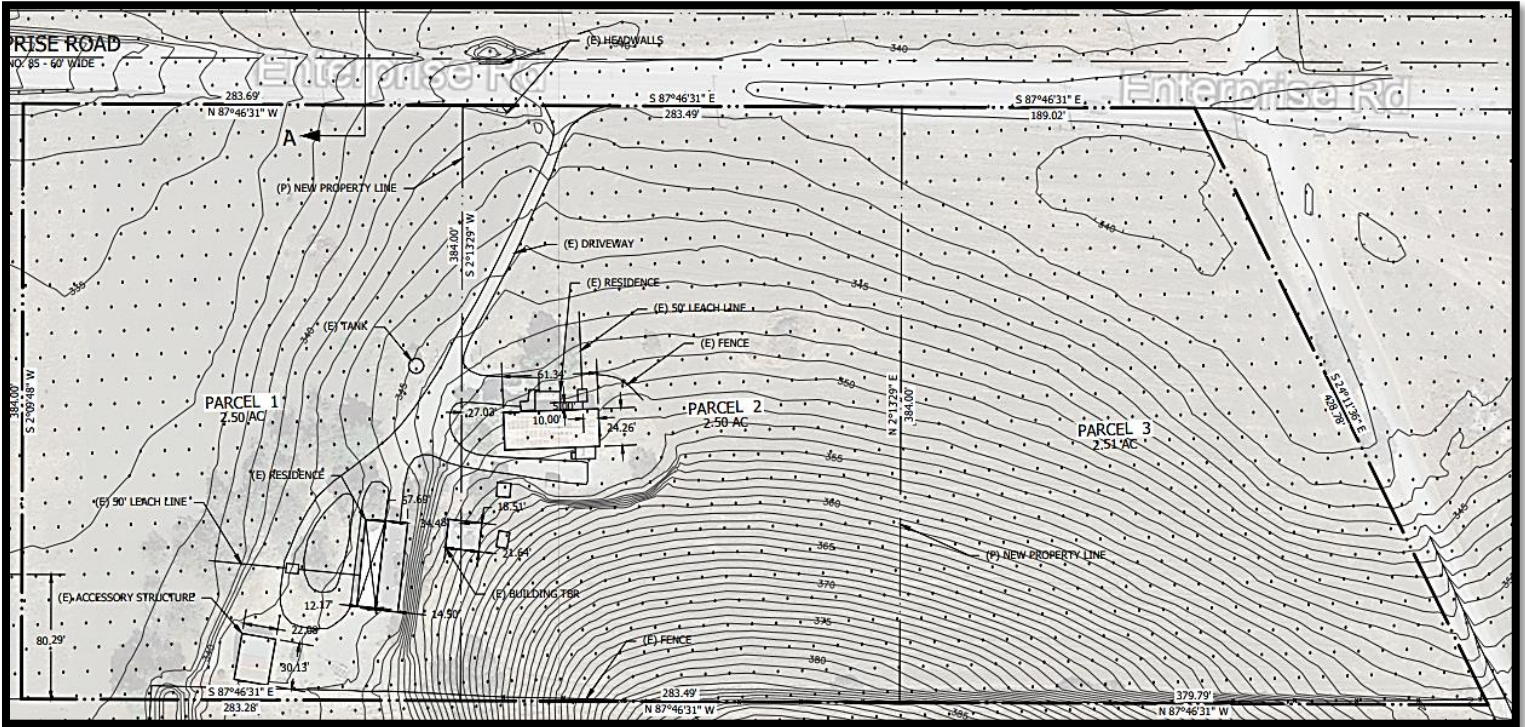
23. **Improvement Agreement:** Prior to recordation of the Parcel Map, which triggers the obligations imposed on property owners and its successors in interest, per Deferred Improvement Agreement (Recorded Document Number 2017-0000072), hence the following required improvement shall be constructed:
- a) Half of 64-foot AC on 66-foot roadbed (AB) with standard curb, gutter, sidewalk and bike lane along the entire property frontage of Southside Road.
 - b) Half of 40-foot AC on 42-foot roadbed (AB) with standard curb, gutter, sidewalk and bike lane along the entire property frontage of Enterprise Road, including widening of box culvert.
 - c) Since the property is within a seismic special study zone, the above required improvements shall be based on the recommendations by the Soils Engineer, hence, a comprehensive design level geotechnical engineering investigations report shall be submitted for review by the County Engineer as part of submission of engineered improvement plan for this project. [Public Works]
24. **Seismic Special Study Zone:** Since the property is within a seismic special study zone, prior to issuance of permit for any development of the property, a comprehensive design-level geotechnical engineering investigations report shall be submitted for review by the County Engineer, and the same (once reviewed and accepted) shall be the basis of the design of any proposed improvements within

the property. Prior to acceptance of any required improvements, a letter of geotechnical compliance shall be submitted to Public Works Department upon completion of site improvements. A note shall be placed on the parcel map to this effect. [§ 23.31.023] [Public Works]

25. **Drainage:** As part of submission of engineered improvement plans for this project, the applicant shall comply with County Storm Drainage Design Standards (§ 23.31.040-045), hence, shall mitigate concentrated or increased runoff resulting from the impermeable surfaces created by the project. Included in this will be drainage calculations and construction details for either a retention or detention pond. Details and direction of flows of drainage swales and grades shall also be included. All drainage improvements must be installed in conjunction with any improvements that would create impermeable surfaces as part of this project. [Public Works]
26. **Water and Sewer Connections:** Since the project is within the district jurisdictions of City of Hollister Sewer System and Sunnyslope County Water District Water System, any proposed connection to their system shall require review and approval by either or both Agencies. This may require additional fees not limited to, map or plan checking fees and inspection fees other than what the County will be collecting. A note shall be placed on the parcel map to this effect.
27. **Utility Plans:** As part of submission of Improvement Plans for this project, applicant shall include utility plans and have them approved by each corresponding utility companies when applicable, which includes but not necessarily limited to sanitary sewer, water, gas, electric, telephone, and cablevision, and shall furnish copies said approved plans to Public Works Department for concurrence. Said plans shall be part of the final or approved Improvement Plans.
28. **Utilities:** All proposed utilities within the subdivision and along peripheral streets shall be placed underground except those facilities exempted by Public Utilities Commission regulations, unless waived by the Planning Commission in lieu of a fee for undergrounding. Each unit or lot within the subdivision shall be served by gas, electric, telephone and cablevision facilities where available. All necessary utilities must be installed prior to recordation of the Parcel Map. [§ 23.17.003 REQUIRED IMPROVEMENTS, (E); (F)]
29. **Storm Water Retention Plan:** If disturbed area exceeds one (1) acre, the applicant shall be responsible for complying with the California State Water Resources Control Board's Construction Stormwater General Permit (General Permit) as amended, file a complete Notice of Intent (NOI) package, and develop a Storm Water Pollution Prevention Plan (SWPPP) conforming to the General Permit. A Waste Discharge Identification (WDID) number or Erosivity Waiver shall be provided to the Public Works Division prior to start of any construction activities as part of this project. A note to this effect shall be added on the Improvement Plans. [Public Works]
30. **Community Facilities District Annexation:** Prior to the recordation of the Parcel Map, the project area shall annex into Mello-Roos Community Facilities District (CFD) No. 2018-1 to fund the project's fair share of project-specific costs, as well as to offset the project's impact on general county costs. The applicant, on behalf of future landowners, shall agree to pay any such taxes/fees as may be determined in the reasonable discretion of the County to fund both project specific and countywide costs, through the CFD process. Applicant shall further pay all costs incurred by the County for the CFD annexation process, including but not limited to any necessary fiscal impact fee study.
31. **Dedication of Parkland:** Prior to recordation of the Parcel Map, pursuant to San Benito County Code of Ordinances Section 23.15.008 Dedication of Parkland, the subdivider shall dedicate land, pay a fee in lieu thereof or a combination of both, at the option of the County, for park and recreational purposes.

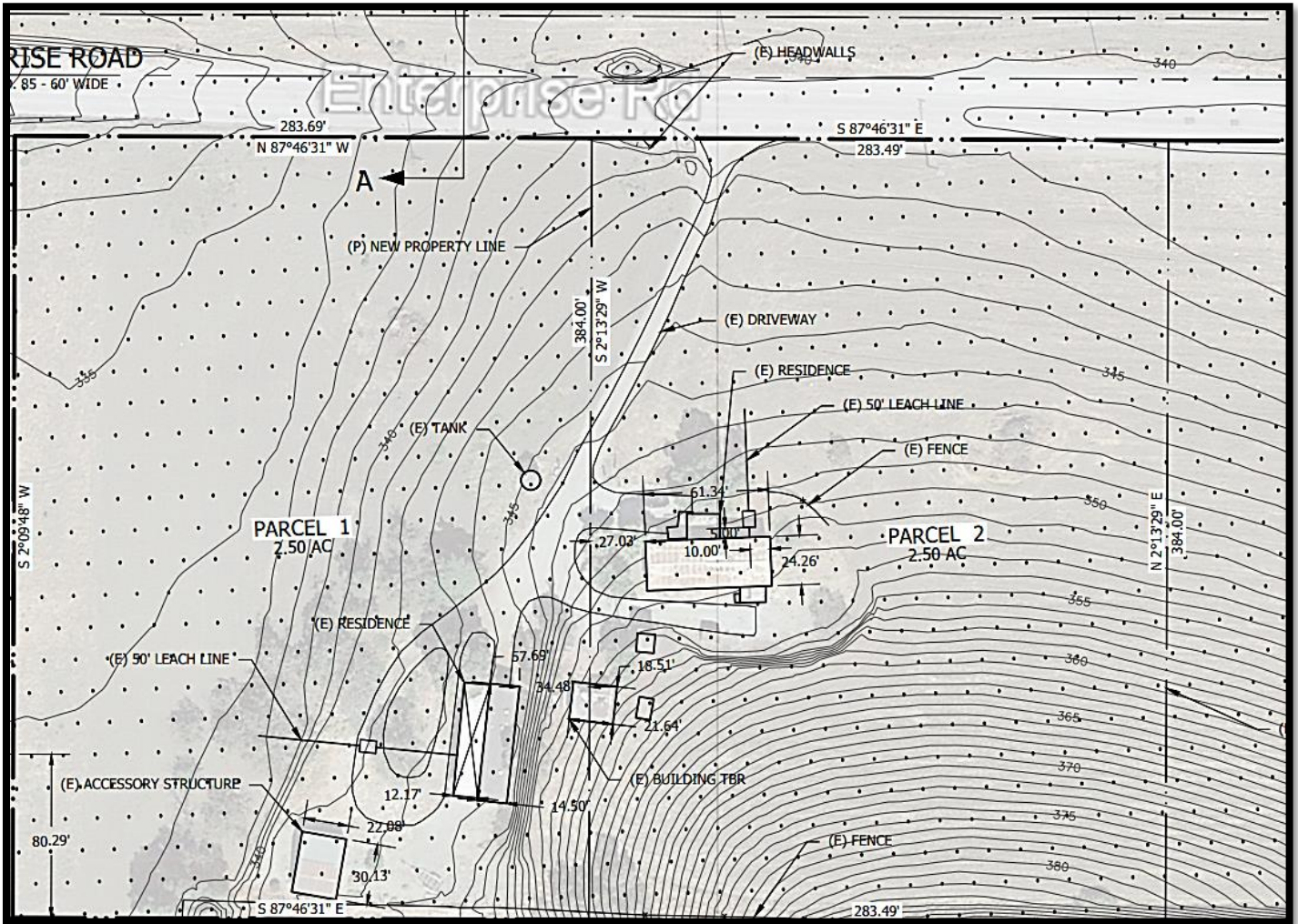
32. **Enterprise Drainage Basin Impact Fee:** The proposed project is subject to Enterprise Drainage Basin Benefit Area impact fee per Board Resolution 99-53, and per Hollister Partners contract approved by the board on 8/12/2003. Said fee shall be paid prior to recordation of the Parcel Map.
33. **Encroachment Permit:** Pursuant to § 19.27.004 of the County Code, the applicant shall obtain a Public Works Encroachment Permit for any work being performed within the County Right-of-Way or any road offered for dedication to the County prior to commencement of any improvements associated with this project.
34. **Warranty Security:** Upon completion of required improvements, applicant shall provide warranty security in an amount not less than 10% of the estimated cost of construction of the improvements to guarantee the improvements against any defective work or labor done or defective materials used in the construction or installation of the improvements throughout the warranty period which shall be the period of one year following completion and acceptance of the improvements. [§ 23.17.009(C)(4)]
35. **As-Built Improvement Plans:** Prior to the recordation of the Parcel Map or before release of alternate Bond, one set of “As Built” Improvement Plans on a suitable reproducible media shall be prepared by the applicant’s engineer and delivered to the Public Works Department. [§ 23.31.002.(K)(1)]

ATTACHMENT C to Planning Commission Resolution (Site Plan)



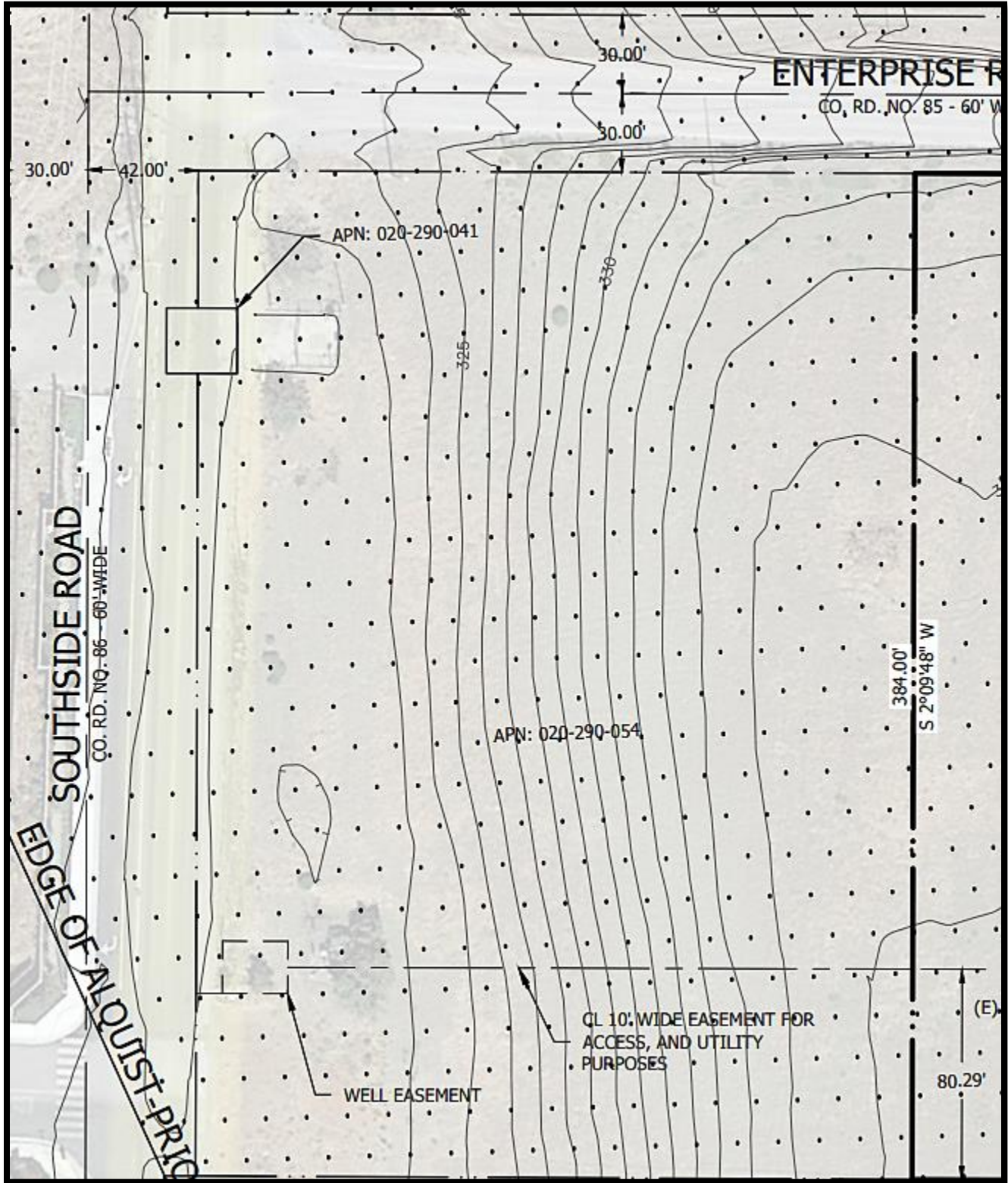
General overview of the site plan.

ATTACHMENT C to Planning Commission Resolution (Site Plan) (Cont.)



Close up of site plan showing existing residences on Parcel one and Parcel two as well as septic systems. No construction is proposed and Parcel three is empty land used for Agriculture.

ATTACHMENT C to Planning Commission Resolution (Site Plan) (Cont.)



This close up of the site plans shows the existing well easement and utility easements on the existing neighboring parcel APN # 020-290-054.

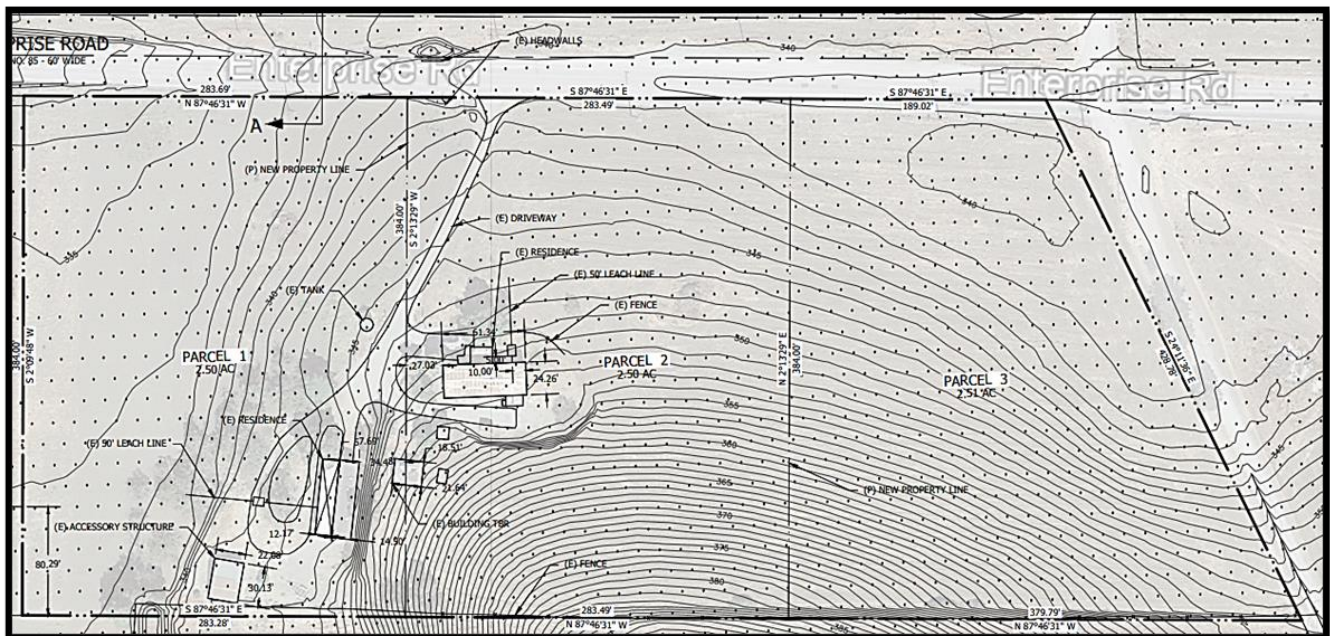
STAFF REPORT

PROJECT INFORMATION:

Application: PLN230006 (Minor Subdivision)
Date of Hearing: December 13th, 2023
Applicant: San Benito Engineering
Owner: Avila, Roberto Garcia HWCP; Gracilazo, Laura
Location: 120 Enterprise Road (approximately 300 feet east of the intersection of Southside Road and Enterprise Road)
APN: 020-290-053
General Plan: Residential Mixed (RM)
Zoning: Single Family Residential (R-1)
Project Planner: Jonathan Olivas

PROJECT DESCRIPTION

This project entails the subdivision of an existing 7.51-acre parcel into three separate parcels, measuring 2.50-acres, 2.50-acres, and 2.51-acres, respectively. The applicant wishes to maintain the existing residential and agricultural uses present on the property, and this project proposes no construction. There are two existing residences, a driveway, two septic tanks, drain fields, and a shared well on the neighboring parcel (Assessor's Parcel Number [APN] 020-290-054).



SITE DESCRIPTION

The proposed project is situated at 120 Enterprise Road and encompasses an approximately 7.51-acre parcel (Assessor's Parcel Number [APN] 020-290-053). The site is located approximately 2.5 miles south of downtown Hollister within the unincorporated region of San Benito County. Positioned approximately 300 feet to the east of the junction of Southside Road and Enterprise Road, this project occupies a rural area with some agricultural activities.

Historically, the project site has been utilized for agricultural purposes and presently accommodates two houses, a driveway, two septic tanks, drain fields, and a shared well on Assessor's Parcel Number [APN] 020-290-054. Notably, no new construction forms part of this project. The neighboring parcels are predominantly employed for residential uses with some agricultural functions as well. None of the contiguous parcels to the project site are under the Land Conservation Act (Williamson Act) as agricultural preserves, nor is the project site itself.

Properties akin in size to the subject property in the vicinity are commonly dedicated to the establishment of residences and some are agricultural in nature with row crops or orchards.

Legal Lot of Record: A legal lot recorded in San Benito County Official Records as Book 11 of Parcel Maps Page 49, Parcel 2, January 4th, 2017, said parcel map also titled "PM No. 1234-15."

Minimum Building Site Allowed: 2.5 acres under R-1 zone when no public water or public sewer is present.

Sewage Disposal: Septic System.

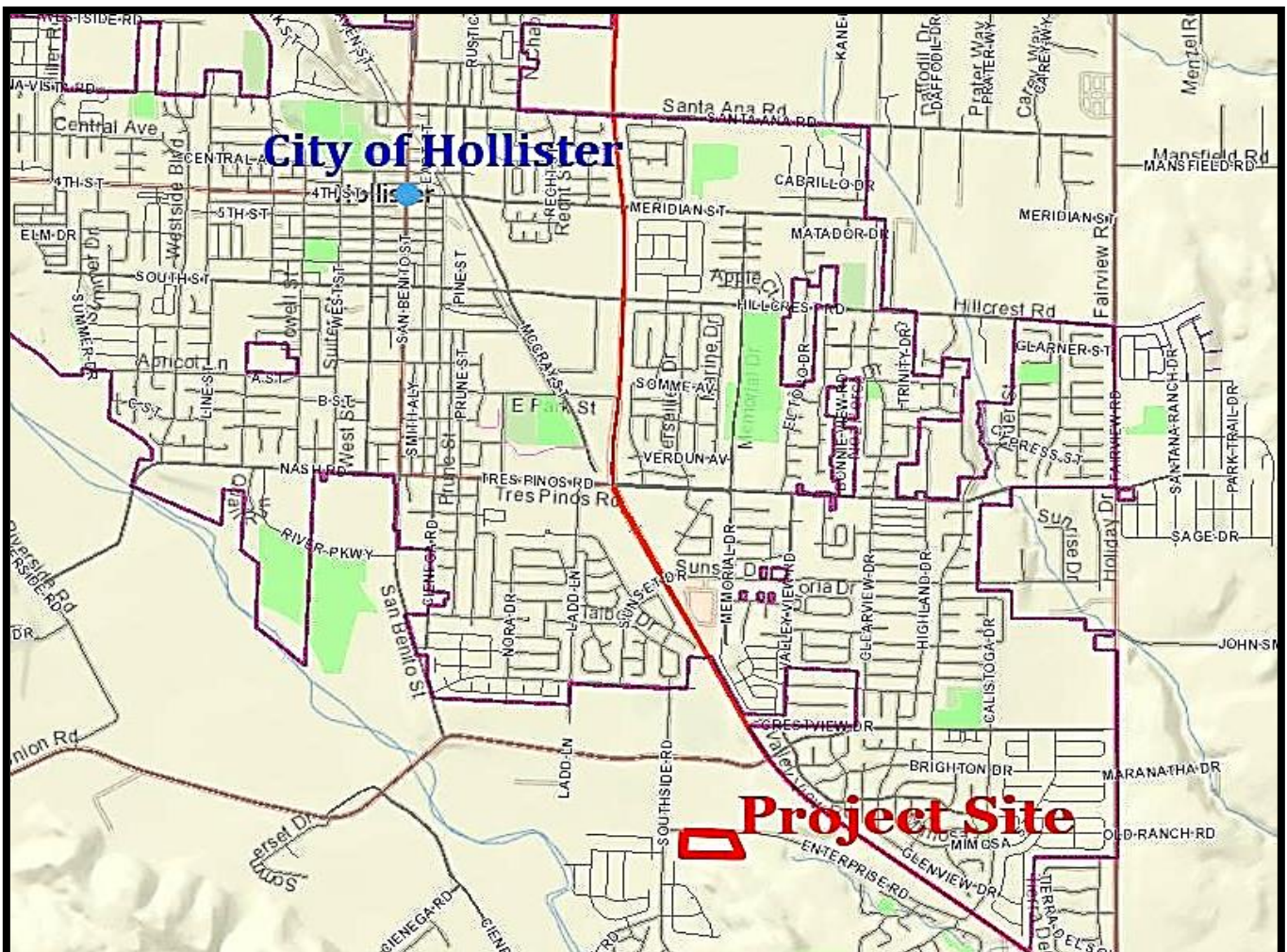
Water: Private shared well (located off-site on APN 020-29-054).

State Farmland Map Designation: Prime Farmland, Unique Farmland, and Other land (Per 2020 FMMP).

Land Conservation Act (Williamson Act): Not under Williamson Act Contract.

Soils: Reiff Sandy Loam (Grade 1, capability units I-1 (14) soils in this unit are very deep and well drained), Soper Gravelly Loam (Grade 3, capability units IVE-1 (15) soils in this unit are deep and well drained).

Seismic: This site is located within an Alquist-Priolo fault zone. There is one active fault zone that traverses the project site per the California Department of Conservation (Earthquake Hazard Zone App), the Calaveras Fault



Zone.

FEMA Flood Zone: FEMA Zone AE (this property is partially located in a 100-year floodplain that runs west to east through the eastern corner of the property).

Fire Severity: Non-Wildland/Non-Urban/Moderate

Archaeological sensitivity: Yes

Kit Fox Habitat: Within Kit Fox impact fee area.

Other Endangered or Sensitive Species: None of special consideration.

PLANNING AND ZONING

The property has a Residential Mixed (RM) designation per the General Plan and is designated as Single Family Residential (R-1) under the Zoning Ordinance. The purpose underlying the RM General Plan designation is to allow areas of unincorporated urban uses where circulation and utility services exist. This designation applies to areas that are largely developed and have public infrastructure and services necessary to support the increased density. The intent of the R-1 zoning designation is to provide primarily for the development of single-family neighborhoods, with appropriate supporting uses. Attached or multi-family housing is not permitted, except for accessory dwelling units and where state law mandates approval of these types of housing. Given that the proposed project involves no construction and that the existing residences align with both zoning and General Plan designations, the proposed map remains congruent with the intent of the General Plan's RM district and the R-1 zoning district. This project is also consistent with General Plan policy as well. (See Staff Analysis for more detailed consideration.)

ENVIRONMENTAL EVALUATION

The project qualifies for the §15061(b)(3) exemption due to the clear assurance that the proposed subdivision will not result in a significant impact on the environment. This project as submitted, only proposes minor grading for a driveway and for drainage to offset the resulting increase in impervious surface. There is no other ground disturbance or construction activities proposed as part of this project. Consequently, the project proposes no disruptions within areas of ecological, seismic, historical, or any other environmental sensitivity. Although the project site contains culturally sensitive floodplain, and wetland areas, the applicant's proposal primarily revolves around delineating new property boundaries and does not include plans for new construction. The current zoning regulations already allow for nearly the same level of land use as what could occur with or without this subdivision.

This subdivision does involve minor ground disturbance activities related to road construction, frontage improvements, grading, water access, or other development requirements, as stated earlier in this document. These activities fall under CEQA Class 1 Categorical Exemption (State CEQA Guidelines §15301 (Existing Facilities, subparagraph c)). This exemption is applicable to projects that primarily involve the maintenance, repair, or minor alteration of existing infrastructure, such as roads, sidewalks, and bicycle facilities. However, this exemption requires that these projects must not expand the existing or former use, such as the addition of extra automobile lanes to roadways.

In the context of safeguarding cultural resources, condition nine lays out a set of stringent procedures that are mandated in the event of discovering human remains or significant archaeological artifacts during excavation or ground disturbances. All excavation activities must cease within a 200-foot radius of any discovery or suspected related remains, with a visible stake circle of at least 100 feet radius marking the area; staking on adjoining properties requires owner authorization, and timely notification to authorities is required for human or significant remains, granting authorized representatives the right to enter the property and protect cultural resources in line with San Benito County Code and applicable laws.

The proposed project site is situated in the Alquist-Priolo Earthquake Zones, indicating greater potential for strong seismic ground shaking during its design life. Any potential future development must comply with seismic safety regulations, including the California Building Code and Title 24 of the California Administrative Code. San Benito County Code 25.08.028 Seismic Safety Development Standards will also apply, ensuring adherence to safety standards. Condition 14 of the Conditions of Approval restricts residences to areas outside the 100-year floodplain, mitigating potential adverse impacts. As the project involves no current construction and prohibits future construction in the floodplain, it is expected to have a less than significant impact level on seismic and flood safety.

Moreover, this project is anticipated to have an insignificant cumulative impact on the area. A recent comparable subdivision, Minor Subdivision 1240-16, took place three years ago less than a mile away, involving the creation of lots and easements for water tower access. However, it did not result in additional development. Larger projects nearby, such as Vista Del Calabria (Planning file PLN190070), Bennett Ranch (Tentative Subdivision Map 15-93), and Sunnyside Estates (Tentative Subdivision Map 14-91), have already undergone comprehensive environmental reviews with adopted mitigation measures addressing cumulative impacts. Any potential future development, particularly those affecting population density or causing significant alterations, will undergo comprehensive evaluation and require additional approval from the County.

STAFF ANALYSIS

This type of project is required to be consistent with both its zoning and its General Plan designation as this analysis will explain. Subdivisions must also adhere to additional requirements outlined in San Benito County Code Title 23 (Subdivisions) and California Government Code Section 66410 *et seq.* (Subdivision Map Act).

One such applicable General Plan policy is LU-4.2 (Urban Residential Development) which encourages the County to ensure new urban residential development occurs in areas that have, or can provide, adequate public facilities and services to support such uses. The San Benito County Water District recommends that any future development should be served by Sunnyslope County Water District and the City of Hollister for public sewer service. This property is located in an area within both the Sunnyslope County Water District boundary and the City of Hollister public sewer service boundary; however, this would require further review by both agencies for feasibility and prior to permitting of either connection. This property is also located near Union Road and less than a mile from Highway 25. This is further consistent with General Plan Policy LU-4.2 which encourages this type of development to be near existing and future major transportation networks, transit and/or bicycle corridors, pedestrian paths and trails, and employment centers. Any potential future development, particularly those entailing an increase in density, would necessitate further evaluation by the County. No specific plan has been adopted in this particular area.

The proposed subdivision adheres to current zoning allowances, maintaining a 2.5-acre density in alignment with General Plan and County Zoning Ordinance requirements. The plan features two 2.50-acre lots and a 2.51-acre lot, all complying with R-1 zoning district density standards. The project site, located in the Alquist-Priolo Earthquake Zones, ensures seismic safety through compliance with California Building Code, Title 24 of the California Administrative Code, and San Benito County Code 25.08.028 Seismic Safety Development Standards.

Condition 14 of the Conditions of Approval prevents construction in the 100-year floodplain, mitigating potential adverse impacts on flood safety. The project, involving no current or future construction, is expected to have a minimal impact on seismic and flood safety. Notably, the subdivision introduces minimal changes to entitlements, merely adjusting property lines without necessitating new construction. In summary, the proposal maintains current land use standards, emphasizing safety and minimizing impact on the environment.

Improvements. The layout and improvements of the subdivision are consistent with the guidelines outlined in the General Plan. The Planning and Public Works staff of the County Resource Management Agency have reviewed the proposed project, ensuring that it includes appropriate access, connections to water services, septic systems, and other essential infrastructure elements in accordance with the directives specified in General Plan policies, including PFS-4.1 (Adequate Water Treatment and Delivery Facilities), PFS-5.6 (Septic System Design), and LU-1.10 (Development Site Suitability). Conditions of approval have been established to address these specific aspects. Moreover, the project's layout and enhancements conform to the design standards outlined in the Subdivision Ordinance, provided that they comply with the specified conditions of approval.

The dwellings on both designated Parcel Two and the current dwelling on proposed Parcel One will rely on the existing septic and well systems. This project will not use a public sewer system, as previously mentioned. To ensure the suitability of these septic systems, the conditions of approval mandate a review of site conditions with a particular emphasis on soil compatibility. For this purpose, County Environmental Health checked the project for compliance with all the existing requirements set forth by the Central Coast Regional Water Quality Control Board, contingent upon the satisfaction of the conditions outlined in the project's approval. Both septic and well systems were initially installed in compliance with regulations, guaranteeing their effective operation within the specific soil conditions of this site.

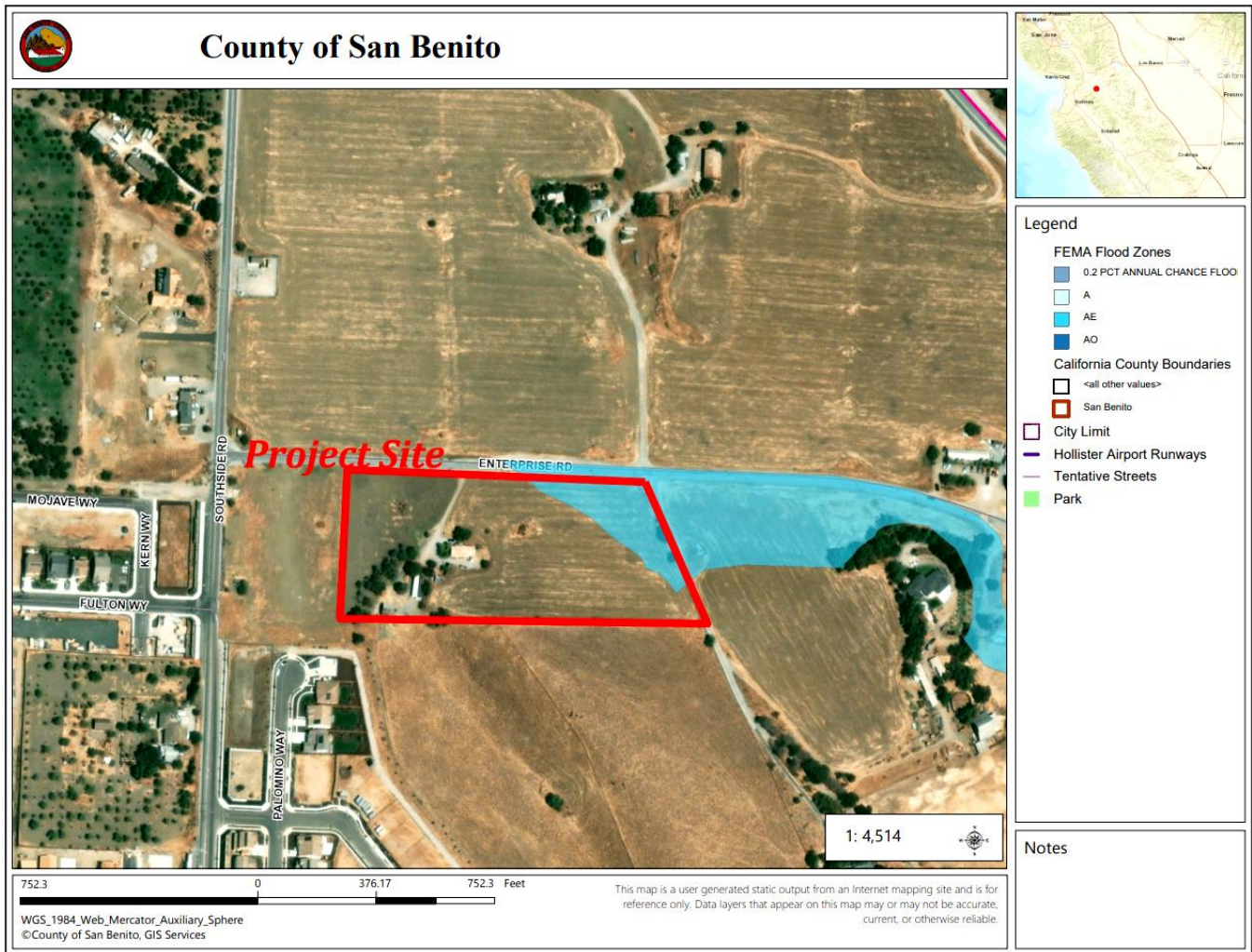
Project improvements have been reviewed by relevant agencies with a focus on public health considerations. Conditions of approval have been incorporated to ensure public health, with a particular emphasis on water quality related to well and septic system use and controlling potential effects from grading, including water runoff and dust emissions. There is no evidence in the record to suggest that the proposed project or its improvements could cause significant problems for public health.

Furthermore, the County Fire Department, comprising personnel contracted from the City of Hollister Fire Department, has evaluated the design of the proposed subdivision. Their assessment resulted in a series of recommendations that have been integrated into the conditions of approval for the project.

Any future development on the project site will undergo additional review as part of the building permit issuance process. The project does not affect any easements for public access through the site, and the project site is not subject to a Land Conservation Act (Williamson Act) contract.

Natural features and hazards. Although a small portion of Parcel three lies within a 100-year floodplain mapped by FEMA in Flood Zone AE, primarily in the northwestern corner of the property, the current agricultural use of this area of the project site will not impact or disturb these areas, as the project does not involve new construction. Additionally, no further construction would be allowable in the flood plain as a result of this subdivision (see condition 14.) This project is also consistent with General Plan Policy HS-2.1 (Minimum Flood Protection) this policy expects that all new developments must adhere to stringent flood protection standards designed to provide a minimum level of protection

against a 100-year flood event. These requirements are in alignment with local, state, and federal regulations, aiming to effectively mitigate the potential for flood-related damages. (See image below.)



This image displays the Flood Plain area in the northeast corner of the project site. This area is classified by FEMA as being in the AE category of Flood Plain.

The site is located within the Alquist-Priolo Earthquake Zone. Due to the site’s location in a seismically active region and within an Earthquake Zone, the proposed project would be subject to a low likelihood of strong seismic ground shaking during its design life. This is in part due to the fact that any potential future development would be required to be in compliance with all applicable building requirements related to seismic safety, including applicable provisions of the California Building Code and Title 24 of the California Administrative Code which would ensure that potential adverse impacts would be reduced to a less than significant impact level. Additionally, this project would be subject to San Benito County Code 25.08.028 Seismic Safety Development Standards which would further ensure that potential adverse impacts would not have an adverse effect on the project site. The project site otherwise lacks physical hazards.

The site is not designated as exceptional habitat for fish or wildlife. The parcel currently contains two single-family homes, a driveway, a well with piping, and a septic system servicing one of the dwellings. The existing structures align with the current zoning regulations, and the potential addition of one

additional residence and accessory dwelling unit (ADU) also fits within the intent of the R-1 zoning designation, though no new construction is proposed. However, this minor change would not pose a high risk of substantial environmental damage, including harm to wildlife and their habitat.

In the context of preserving cultural resources, Condition eleven outlines a series of stringent procedures that must be followed if human remains, or significant archaeological artifacts are discovered during excavation or ground-disturbing activities. These measures are mandated to ensure the protection of such findings. If such discoveries occur, all excavation work must immediately cease within a 200-foot radius of the find or any area suspected to be related. A visible stake circle, with a minimum radius of 100 feet, must be erected to mark the perimeter of this protected zone. Any staking on adjoining properties necessitates owner authorization. Moreover, prompt notification to the relevant authorities is mandatory in the case of human remains or significant archaeological artifacts. This notification grants authorized representatives the right to enter the property and safeguard cultural resources in accordance with the San Benito County Code and applicable laws.

In addition to Condition eleven, General Plan Policy NCR-7.9 (Tribal Consultation) directs the County to engage in consultations with Native American tribes concerning proposed development projects and changes to land use policies. This commitment aligns with the State's Local and Tribal Intergovernmental Consultation requirements. To ensure consistency with NCR-7.9 and in compliance with AB 52, Tribal consultation letters were sent to the relevant tribes in the area. No responses were received within the stipulated 30-day period.

The subject property is located within a local responsibility area designated as non-wildland/non-urban. The County Fire Department, along with the City of Hollister Fire Department personnel, generally manages fire suppression and other related emergency services, with additional support from the California Department of Forestry and Fire Protection (CAL FIRE). The closest fire stations are Hollister Fire Station 2 in southeast Hollister, located 2 miles away by road, and CAL FIRE at 1979 Fairview Road, 4 miles away by road. Qualified personnel from responsible agencies have reviewed the proposed minor subdivision, including its proposed ingress/egress improvements, and have determined the design to be sufficient for fire safety, provided that the recommended conditions of project approval are followed.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission review the staff report and review the attached draft resolution in Attachment B, which includes findings and recommended conditions of approval. Staff further recommends that the Planning Commission make the findings included in the resolution and adopt the resolution to approve the PLN230006 minor subdivision/tentative parcel map, subject to the conditions of approval found in the resolution.

ATTACHMENTS

- A. Site Images
- B. Planning Commission Resolution 2023-___ (draft) including.
 - Attachment A CEQA Findings & Subdivision Findings
 - Attachment B Conditions of Approval
 - Attachment C Site Plans

Attachment A (Site Photos)



Project Site facing north towards Enterprise Road.

Attachment A (Site Photos) (Cont.)



Project site facing east toward Quail Hollow and future Vista Del Calabria.

Attachment A (Site Photos) (Cont.)



Project site facing west toward Sunnyside Estates.

Attachment A (Site Photos) (Cont.)



Project site facing south with Appaloosa Way beyond the crest of the hill. This was taken on the proposed boundary of Parcel two and three.