6:00 PM ~ CALL TO ORDER

1. NOTICE OF TEMPORARY PROCEDURES FOR PLANNING COMMISSION MEETINGS

Attendance at the Planning Commission meeting is closed to the public per Executive Order N-29-30. The public may join meeting by Zoom (https://zoom.us/join) per the instruction stated below.

Meeting ID: 657-911-729

Pursuant to California Governor Gavin Newsom’s Executive Order N-29-20 issued on March 17, 2020, relating to the convening of public meetings in response to the COVID-19 pandemic, members of the County Planning Commission are allowed to attend the meeting via teleconference and to participate in the meeting to the same extent as if they were present.

Members of the public may participate in Planning Commission meetings in the following ways:

1. Remote Viewing
Members of the public who wish to watch the meeting can view a livestream of the meeting online through Community Media Access Partnership (CMAP) YouTube, San Benito County Government https://www.youtube.com/channel/UCLj3iW3_dsDzbYqnY1KdCvA.

2. Written Comments & Email Public Comment
Members of the public may submit comments via email by 5:00 PM on the Tuesday prior to the Planning Commission meeting to the Resource Management Agency at sbcplan@cosb.us. Regardless of whether the matter is on the agenda, every effort will be made to provide Planning Commission members with your comments before the agenda item is heard.
Planning Commission meeting Zoom Instructions for remote Participants:

Three ways to attend Zoom meetings: over the phone, on a web browser, or through the Zoom App. Each meeting will have a meeting ID, which is a unique number associated with an instant or scheduled meeting (found at the top of this text).

1. **Over the phone (Audio only):**
   - (669) 900-6833 or (408) 638-0968.

2. **Open the Web-browser:**
   - https://zoom.us/join

3. **Smart device Application:**

**Zoom Audio Only (phone)**

If you are calling in as audio-only, please dial (669) 900-6833 or (408) 638-0968.

1. It will ask you to enter the **Meeting ID, 657-911-729**, followed by the “#” key (pound key), which can be found at the top page of the agenda. The meeting agenda can be found at http://cosb.us/
2. It will then ask for a **Participant ID**, press the “#” key (pound key) to continue.
3. Once you enter the Zoom meeting, you will automatically be placed on mute.
4. **Public Comment:** If you are using a phone, please press “*9” (star-nine) to raise your hand, and the Zoom facilitator will unmute you when your turn arrives.

**Zoom on Web-browser or Zoom app for Tablet or Smartphone**

If joining through web-browser, launch the address https://zoom.us/join or launch the Zoom app on your Tablet or Smartphone:

1. Select “JOIN A MEETING”
2. The participant will be prompted to enter **Meeting ID** and name to join the meeting. The Meeting ID can be found at the top of this text, and the meeting agenda can be found at http://cosb.us/
3. The participant can launch audio through their computer or set it up through the phone.
4. **Public Comment:** Select the “Participants Tab” and click “Raise hand” icon, and the Zoom facilitator will unmute you when your turn arrives.

**Public Comment Guidelines**

- If participating on Zoom, once you are selected you will hear that you have been unmuted: At this time, state your first name, last name, and county you reside in for the record.
- The San Benito County Planning Commission welcomes your comments.
- Each individual speaker will be limited to a presentation total of three (3) minutes.
- Please keep your comments, brief, to the point, and do not 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 831 637-5313 or at sbcplan@cosb.us.

PLEDGE OF ALLEGIANCE

ROLL CALL

DEPARTMENT ANNOUNCEMENTS

PUBLIC COMMENT

The San Benito County Planning Commission welcomes you to this meeting and encourages your participation.

- If you wish to speak on a matter which does NOT appear on the agenda, you may do so during the Public Comment period at the beginning of the meeting. Please complete a Speaker Card and provide to the Clerk prior to the meeting. Except as otherwise provided by law; no action shall be taken on any item NOT appearing on the Agenda or items that have been continued to a future public hearing date. When addressing the Commission, please state your name for the record. Please address the Commission as a whole through the Chair. This open forum period is provided to allow members of the public an opportunity to address the Planning Commission on general issues of land use planning and community development. It is not intended for comments on items on the current agenda, any pending items.
- If you wish to speak on an item contained in the Agenda, please complete a Speaker Card identifying the Item(s) and provide it to the Clerk prior to consideration of the item.
- Each individual speaker will be limited to a three (3) minute presentation.

CONSENT AGENDA

ACKNOWLEDGEMENT OF PUBLIC HEARING

ACKNOWLEDGEMENT OF CERTIFICATE OF POSTING

- 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.

2. Acknowledge Certificate of Posting

PUBLIC HEARING

3. **PLN190055 (Use Permit):** OWNER/APPLICANT: Kristen Noel Damm/Andy Damm. APN: 021-100-039. LOCATION: 3028 Cienega Road, Hollister. REQUEST: The applicant proposes to use an existing metal building for the processing and sale of agricultural products grown on-site (small batch wine/beer from existing vineyards). GENERAL PLAN: Agriculture (A). ZONING: Agricultural Productive (AP). ENVIRONMENTAL REVIEW: Categorically Exempt, per CEQA Guidelines Section 15303 (New Construction or Conversion of Small Structures). PLANNER: Richard Felsing (rfelsing@cosb.us)
REGULAR AGENDA

4. **2014-2023 Housing Element Progress Report for 2019:** REQUEST: Receive a report on the progress made on implementation of the 2014-2023 Housing Element of the General Plan and approve the Housing and Community Development Annual Housing Element Progress Report for 2019, to be submitted to the Office of Planning & Research and Housing & Community Development (HCD). The Housing Element of the San Benito County 2035 General Plan identifies the County's housing conditions and needs, establishes the goals, objectives, and policies that are the foundation of the County's housing strategy. The report indicates the jurisdiction’s status and progress in implementing the Housing Element for 2019 (Government Code 65400). ENVIRONMENTAL REVIEW: Exempt per CEQA Guidelines Section §15378(b)(5) as "organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment." PRESENTER: Jamila Saqqa (jasaqqa@cosb.us)

PLANNING COMMISSION ANNOUNCEMENTS

ADJOURN

**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.
MEETING DATE: 4/15/2020

DEPARTMENT: RESOURCE MANAGEMENT AGENCY

DEPT HEAD/DIRECTOR: Harry Mavrogenes

AGENDA ITEM PREPARER: Michael Kelly, Arielle Goodspeed

SBC DEPT FILE NUMBER:

SUBJECT:

Acknowledge Certificate of Posting

AGENDA SECTION:

CONSENT AGENDA

BACKGROUND/SUMMARY:

The certificate of posting and proof of Hollister Free Lance publication of public notice for the April 15 Planning Commission meeting are attached.

BUDGETED:

SBC BUDGET LINE ITEM NUMBER:
CURRENT FY COST:

STAFF RECOMMENDATION:

Staff requests acknowledgment of the certificate of posting.

ADDITIONAL PERSONNEL:

ATTACHMENTS:

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<tr>
<th>Description</th>
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<tbody>
<tr>
<td>Certificate of Posting</td>
<td>4/9/2020</td>
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CERTIFICATE OF AGENDA POSTING

Pursuant to Government Code §59454.2(a), I, __Arielle Goodspeed____________________

 certify that the REGULAR AGENDA for the SAN BENITO COUNTY
PLANNING COMMISSION MEETING scheduled for __April 15, 2020__,
was posted at the San Benito County Planning Department, 2301 Technology
Parkway, Hollister, CA and on the San Benito County website www.cosb.us
on this __April 9, 2020__.

All locations freely accessible to the general public.

______________________________
Arielle Goodspeed
Arielle Goodspeed
Assistant Planner
I am a resident of the State of California and over the age of eighteen years, and not a party to or interested in the above entitled matter.

I am the principal clerk of the publisher of the Free Lance, published in the city of Hollister, County of San Benito, State of California, Friday, and on line for which said newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of San Benito, State of California, under the date of June 19, 1952, Action Number 5330, that the notice of which the annexed is a printed copy had been published in each issue thereof and not in any supplement on the following date:


I, under penalty of perjury that the foregoing is true and correct. This declaration has been executed ON APRIL 3, 2020.

HOLLISTER FREE LANCE
615 San Benito Street, Suite 210
Hollister, CA 95023

/s/ Juliana B. Pulcrano
Legal Publications Specialist
Hollister Free Lance,
Gilroy Dispatch, Morgan Hill Times
Phone # (408) 709 3952
E-mail: jpulcrano@newsmedia.com
Website: www.sanbenito.com

NOTICE OF PUBLIC HEARING
COUNTY OF SAN BENITO PLANNING COMMISSION
MEETING OF APRIL 15, 2020, at 6:00 p.m.

NOTICE IS HEREBY FURTHER GIVEN that the Planning Commission will hold a Public Hearing on the following items in the San Benito County Board of Supervisors Chambers located at 481 Fourth Street, Hollister, California, on Wednesday, April 15, 2020, at 6:00 p.m. or as near as possible thereafter, at which time and place interested persons may appear and be heard thereon.

Preparations are being made to allow remote and visual and audio access to this meeting.

Join Zoom Meeting
https://zoom.us/s/657911729
Dial by your location
+1 408 638 0968 US (San Jose), or
+1 669 900 6833 US (San Jose)
Meeting ID: 657 911 729
Meeting ID: 657 911 729
Find your local number: https://zoom.us/u/abx1aacy8x

PLN190052 (Use Permit): OWNER: Callan-Krieger Family Trust. APPLICANT: New Cingular Wireless PCS dba AT&T Mobility Contact: Sara King. LOCATION: 32005 Airline Highway Paicines CA 95043. APN: 028-130-026. REQUEST: A Use Permit to establish a new unmanned telecommunications facility consisting of a 30' x 30' AT&T lease area with 12 panel antennas (three sets of four antennas) and 24 remote radio heads or units installed on a proposed 100' tall monopole tower. In addition, the proposed project will be installing an eight foot by eight foot high modular building with walk-in communication equipment closet and backup generator within the proposed AT&T lease area. GENERAL PLAN DESIGNATION: Rangeland (R). ZONING DISTRICT: Agricultural Rangeland (AR). ENVIRONMENTAL REVIEW: Categorically Exempt, per CEQA Guidelines Section 15303(d) (New Construction or Conversion of Small Structures). PLANNER: Arielle Goodspeed (agoodspeed@cosb.us)

PLN190055 (Use Permit): OWNER/APPLICANT: Kristen Noel Damm/Andy Damm. APN: 021-100-039. LOCATION: 3028 Cienega Road, Hollister. REQUEST: The applicant proposes to use an existing metal building for the processing and sale of agricultural products grown on-site (small batch wine/beer from existing vineyards). GENERAL PLAN: Agriculture (A). ZONING: Agricultural Productive (AP). ENVIRONMENTAL REVIEW: Categorically Exempt, per CEQA Guidelines Section 15301 and 15303 (Existing Facilities and New Construction or Conversion of Small Structures). PLANNER: Richard Felsing (rfelsing@cosb.us)

2014-2023 Housing Element Progress Report for 2019: REQUEST: Receive and approve the Housing and Community Development Annual Housing Element Progress Report for 2019. The Housing Element of the San Benito County 2035 General Plan identifies the County’s housing conditions and needs, establishes the goals, objectives, and policies that are the foundation of the County’s housing strategy. The report indicates the jurisdiction’s status and
progress in implementing the Housing Element for 2019 (Government Code 65400).ENVIRONMENTAL REVIEW: Categorically Exempt, per CEQA Guidelines Section 15378(b)(5) as “organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.” PRESENTER: Jamila Saqqa (jasaqqa@cosb.us)

If you challenge these items in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the County of San Benito at, or prior to, the Public Hearing. Written comments on any of these items may be submitted to Janet Slibsager, Clerk of the Board, at jslibsager@cosb.us, or comments can be sent via U.S. mail to: Janet Slibsager, Clerk of the Board, 481 Fourth Street, 1st Floor, Hollister, CA 95023. Verbal and written comments may also be submitted at the public hearing.

Documents related to these items may be inspected by the public on weekdays between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, at the County Resource Management Agency, 2301 Technology Parkway, Hollister, CA. Please note that the items listed are only the agenda items that require a public hearing. Please call the Project Planner if there are any questions and/or for complete agenda information at 831 637-5313.

Dated: March 27, 2020

PUBLISHED: Friday, April 3, 2020 ~ Hollister Free Lance

(Pub HF 4/3)
MEETING DATE: 4/15/2020

DEPARTMENT: RESOURCE MANAGEMENT AGENCY

DEPT HEAD/DIRECTOR: Harry Mavrogenes

AGENDA ITEM PREPARER: Richard Felsing

SBC DEPT FILE NUMBER:

SUBJECT:

**PLN190055 (Use Permit):** OWNER/APPLICANT: Kristen Noel Damm/Andy Damm. APN: 021-100-039. LOCATION: 3028 Cienega Road, Hollister. REQUEST: The applicant proposes to use an existing metal building for the processing and sale of agricultural products grown on-site (small batch wine/beer from existing vineyards). GENERAL PLAN: Agriculture (A). ZONING: Agricultural Productive (AP). ENVIRONMENTAL REVIEW: Categorically Exempt, per CEQA Guidelines Section 15303 (New Construction or Conversion of Small Structures). PLANNER: Richard Felsing (rfelsing@cosb.us)

AGENDA SECTION:

PUBLIC HEARING

BACKGROUND/SUMMARY:

Operating a winery or wine/beer tasting room is subject to a State of California Alcohol Beverage Control (ABC) license, under which specific activities are allowed. ABC policy is to grant such licenses so long as the County or municipality approves the relevant land use permit. Approval of the County’s conditional use permit is in turn conditioned on an applicant meeting and adhering to statutory requirements of the ABC and other state agencies and county departments.
Wineries and wine-tasting rooms require a conditional use permit under Agricultural Productive (AP) zoning (SBCC §25.07.005/22(V) Agricultural processing; §25.07.005(K) Permanent stands for the sale of agricultural products).

**BUDGETED:**

**SBC BUDGET LINE ITEM NUMBER:**

**CURRENT FY COST:**

**STAFF RECOMMENDATION:**

Staff recommends that the Planning Commission approve Use Permit PLN190055 by acting on the attached draft resolution for approval.

**ADDITIONAL PERSONNEL:**

**ATTACHMENTS:**

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<td>Staff Report</td>
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<td>Staff Report</td>
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<tr>
<td>Planning Commission Resolution 2020-___ (draft)</td>
<td>4/8/2020</td>
<td>Resolution</td>
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</table>
STAFF REPORT

PROJECT DATA:
Application: PLN 190055 / Use Permit / Wine Tasting Room/Winery
Public Hearing: April 15, 2020
Applicant/Owner: Adam Damm / Kristin Noel Damm
Location: 3028 Cienega Road, Hollister
APN: 021-100-039
General Plan: Agriculture (A)
Zoning: Agricultural Productive (AP)
Planner: Richard Felsing

PROJECT DESCRIPTION: The project proposes to operate a wine- and beer-tasting room, and to manufacture alcohol under Type 02 Winegrower and Type 23 Small Beer Manufacturer ABC licenses in an existing 4,500sf metal building, on property under family ownership at 3028 Cienega Road. The applicants intend to provide an authentic San Benito County cultural experience catering to families and wine enthusiasts, with operational activities responding to seasonal crop cycles and market demand.

SITE DESCRIPTION: The subject property consists of 5 acres of agricultural land planted in vineyards and for hops production. The mostly-level parcel is located due west of the Cienega Road Bypass and accessed by private driveway from the ‘by-passed’ segment of Cienega Road (See Figure 1. Vicinity Map). Several abutting parcels are owned by the Damm family and crops for processing would be drawn from about 11.4 total acres now in cultivation. The rural landscape is characterized by land in hay production, vineyards, and residential uses. To the east several 5-acre AP-zoned parcels host similar residential and agricultural uses.

Scenic Highway: No
Seismic: No.
Fire Hazard: Non-Wildland/Non-Urban Fire Hazard Severity Zone
Floodplain: None / Zone X. FIRM Panel Map # 06069C0185I
Archaeological Sensitivity: High Sensitivity; no project impacts.
Kit Fox Habitat: Within Impact Fee Area for Habitat Conservation Plan.
Other Endangered or Sensitive Species: None known.

BACKGROUND: Operating a winery or wine/beer tasting room is subject to a State of California Alcohol Beverage Control (ABC) license, under which specific activities are allowed. ABC policy is to grant such licenses so long as the County or municipality approves the relevant land use permit. Approval of the County’s conditional use permit is in turn conditioned on an applicant meeting and adhering to statutory requirements of the ABC and other state agencies and county departments.

Wineries and wine-tasting rooms require a conditional use permit under Agricultural Productive (AP) zoning (SBCC §25.07.005/22(V) Agricultural processing; §25.07.005(K) Permanent stands for the sale of agricultural products).
PLANNING AND ZONING: The site is designated Agriculture (A) in the County General Plan and as Agricultural Productive (AP) in the Zoning Ordinance. Agricultural processing and sales of produce and value-added products are defined as land uses “that directly support agricultural operations” in the County.

The purpose of the Agriculture (A) land use designation is to “maintain the productivity of agricultural land,” and is applied to “agriculturally productive lands of various types, including crop land, vineyards, and grazing lands.” The designation “allows agricultural support uses, such as processing, wineries, and other necessary … facilities” (Table 3-1, SBC 2035 General Plan).

The proposed project fulfills Goal ED-4 and Policy ED-4.1 of the County General Plan, which calls for “the expansion of the wine and hospitality industries in order to ensure San Benito County becomes a regional leader in the wine industry and a premier tourist destination,” in part by “establishing and maintaining a Wine/Hospitality Priority District” (Figure 2). The project is situated about a mile from the Union & Cienega Road intersection, near the gateway to the Wine/Hospitality Priority District.

Wine tasting rooms and wineries are both conditional uses under Agricultural Rangeland (AR) zoning (SBCC §25.07.005(K) Permanent stands for the sale of agricultural products, and §25.07.005(V) Agricultural processing). The proposed wine tasting room and winery are both consistent with AR zoning, subject to approval by the Planning Commission as a conditional use.
Figure 2. Wine/Hospitality Priority Area

Figure 3. Project Site, APN 021-100-039
Figure 4. Patio and Vineyards, looking northeast

Figure 5. Facility Layout

- Future Wine-Beer Production
- Processing Floor
- Exits
  - ADA Portable Toilets
  - Outdoor Patio
  - Parking
OPERATIONS PLAN: The project proposes to manufacture wine and beer in the existing 4,500 square foot metal building, under Type 2 Winegrower and Type 23 Small Beer Manufacturer ABC licenses (California Alcohol Beverage Control Board). Winegrower licenses allow for winemaking from grapes grown off-site; the Small Beer Manufacturer license limits annual production to 60,000 barrels. Sales and product-tasting hours would be tailored to market demand. An owner-operator/family-member will be on-site during all hours of operation.

Agricultural processing would occur seasonally, with limited hours matching the modest scale of operations, proposed as: 8:00am to 5:00pm, Monday through Friday, and work potentially running to 10:00pm in response to crop cycles and harvest requirements.

Hours of operation of the permanent stand for sale of agricultural products—the wine/beer tasting facility—are tentatively proposed on Friday 8:00am–7:00pm (closing just after sunset), Saturday 10:00am–8:00pm, Sunday 10:00am–5:00pm—and when open for processing on-site sales would be open 8:00am–7:00pm Monday–Thursday. Hours and activities will be tailored in response to different market segments (e.g., families - Sunday mornings; wine enthusiasts - Friday evenings).

Any food (beyond crackers & pretzels) or beverages served or sold beyond that produced on-site would be subject to review by the County Environmental Health Division. Any significant changes to the operations plan (e.g., interior usage by the public, floor area expansion) would occur only with prior without consultation with county staff. The wine tasting facility includes a patio area and ADA-compliant restrooms or porta-potties; interior sales activities are to be reviewed for compliance with safety and building Ordinances.
Character of the Operation. The wine-tasting room and wine/beer-making facility will follow the hours of operation proposed above. The facility may host a grape stop or hops harvest at or around harvest time. Events: the vineyard and facility may be rented for private events or offered for use by nonprofit groups (e.g., Boy Scouts). Visitors would be invited to tour the facility, at such time that occupancy requirements are met pursuant to standard County Building and Fire inspections. The facility layout proposes outdoor seating and interior production.

Attendance. Initial projections indicate that 12 persons may visit throughout the course of a single day, maximum; with gradual increases in attendance likely over time.

Access. Visitors would access the facility from Cienega Road, via an access driveway, now part-paved/part-gravel, improved to rural commercial driveway approach standards.

Parking. The existing gravel parking area accommodates approximately 12 vehicles, with ample space to increase capacity.

ADA Compliance. Building access is through the main door or roll-up door, which are at-grade, ADA-compliant, and subject to standard inspection prior to occupancy.

Exterior Patio Seating Area. Initial plans call for 6 to 8 tables, to meet the initial estimate of 12 daily visitors.

Interior Production Floor. The alcohol production area, proposed at 1,500 square feet, will be limited to 2,500 square feet. Any expansion that increases floor area Building Occupancy will be determined and limited by Fire Occupancy Clearance Inspection. The owners will meet all building/fire occupancy requirements prior to any interior use by visitors.

Patio—Music. A small Bluetooth-type speaker will provide soft background music at very low levels. The owner/operators will monitor noise at the property boundaries to ensure compliance with the County noise ordinance.

Patio—Lighting. The patio is equipped with dimmable string lights; any other fixtures installed will comply with the County lighting design ordinance.

Brewery. Brewing activities will utilize a one-barrel turnkey brewing system with an annual maximum of 250 barrels (estimated). Plans call for brewing one or two barrels per week for a projected annual production of 52-104 barrels.

Winemaking is limited by grapes grown on-site/-abutting family-owned acreage (11 acres). Water Source. The facility will be supplied from two wells that now serve the existing building with potable water. Brewing and winemaking will utilize the same Dam Good Spring Water distributed by the owners.

ENVIRONMENTAL EVALUATION: The proposed project would be categorically exempt from the California Environmental Quality Act (CEQA) under Section §15303(c) New Construction or Conversion of Small Structures. The proposed use will not involve any hazardous substances. The conversion of the existing structure will utilize only 1,500 square feet, well under the 2,500 square foot maximum floor area available under this exemption. The wine tasting room will generate far less traffic volumes well under the volumes generated by stores, restaurants or similar facilities specified by the Class 3 Exemption. No environmentally sensitive feature has been identified for the surrounding area.

STAFF ANALYSIS: The proposed wine-tasting room and winery fulfills the County’s land use policies and goals, as defined by San Benito County’s 2035 General Plan and zoning ordinance. Diversifying entrepreneurial activity in the agricultural sector is a core economic development strategy given the County’s agricultural assets.
Approval would implement these objectives by further developing the Wine/Hospitality Priority Area (ED-4, pp. 4-5–4-7, 2035 General Plan, County of San Benito). The proposed project is consistent with Agricultural Productive (AP) zoning, under which wine- and beer-tasting rooms and wineries are defined as conditional uses (SBCC §25.07.022/5(K) Permanent Stands for the Sale of Agricultural Products, 25.07.022/5(V) Agricultural processing).

Note that §25.07.004(J) Permitted Uses limits crops/products sold at “Seasonal stands ... to “produce grown on the premises”; AP Agricultural Productive zoning does not impose this constraint on conditional uses.

Standard and special conditions of approval ensure that no substantial adverse impacts to neighboring properties are likely to occur. Potential adverse impacts on neighboring persons or property may be reduced or eliminated by the Planning Commission (Chapter 25.43: Conditional Use Permits). Noise and light impacts are governed by existing county ordinances (see Conditions of Approval Nos. 12 & 13; §19.39 Noise Control Regulations and §19.31: Development Lighting).

Potential traffic safety and wayfinding impacts are addressed by requiring installation of signage so that visitors are able to easily distinguish the driveway entrance at 3028 Cienega, and are readily able to find that location from the Cienega Road Bypass, subject to the satisfaction of the County Engineer. (see Condition of Approval No. 11; Art. III. Sign Regulations, §25.29.065–76).

Limited hours reflecting seasonal production of wines and beer, combined with adherence to specified conditions, ensure potential adverse impacts would not be expected to cause hazard and nuisance to neighboring properties or persons.

**STAFF RECOMMENDATION:** Staff has reviewed the proposal and can find no objection to the proposed request on the project site. Staff recommends that the Planning Commission approve Use Permit PLN190055 by acting on the attached draft resolution for Approval.

**Attachments**

Exhibit A. Resolution for approval, with attachments:
   Attachment 1. Project Site Map

Exhibit B: Project Data Sheet (following page)
Project proposal: To operate a wine- and beer-tasting room, and make small-batch wines and beers, consistent with a State of California ABC license, from wine & beer from grapes & hops grown on-site.

Assessor Parcel Number: 021-100-039

Legal Lot of Record: The 5-acre subject parcel was established as a legal lot of record as shown on Book 11 of Parcel Maps at Page 22, Official Records of the County of San Benito, recorded June 28, 2012.

Permit Requirement: Conditional Use Permit

Zoning: Agricultural Productive (AP)

General Plan: Agricultural (A)

Land Use: Adjacent properties are vacant, in pasture and larger than 5 acres, or are about 5 acres in size and owned by the dam family. Nearby 5-acre lots are in orchard, vineyard, pasture or residential uses.

Minimum Building Site Allowed: 5 Acres

Lot Size: 5 acres

Sewage Disposal: On-site septic

Water: On-site wells

CEQA Determination: Exempt per §15303(c) New Construction or Conversion of Small Structures.

FEMA Flood Zone: Not in Floodplain. Zone X, areas determined to be outside the 0.2% annual chance floodplain, according to FEMA FIRM Panel 06069C0185ID, effective April 15, 2009.

Fire Severity: Non-Wildland/Non-Urban Fire Hazard Severity Zone

Within earthquake fault zone: Not in a fault zone. The San Andreas Fault is located to the southwest, and is not in proximity to the project site; though the Calaveras-Periclines Fault runs along the San Benito River to the northeast, the project size is outside that fault zone.

Williamson Act Contract Area: No

Is the proposal consistent with the General Plan Designation and Zoning? Yes. The Agriculture (A) General Plan designation allows wineries as agricultural processing facilities; Agricultural Productive (AP) zoning allows processing and sales of value-added products from crops grown on-site.
BEFORE THE PLANNING COMMISSION OF THE COUNTY OF SAN BENITO

A RESOLUTION OF THE SAN BENITO COUNTY PLANNING COMMISSION
APPROVING PLN190055, A USE PERMIT FOR A WINE TASTING ROOM &
WINERY, AT 2038 CIENEGA ROAD, APN 021-100-039.

Resolution No. 2020—

WHEREAS, Adam and Kristen Noel Damm filed an application on October 03, 2019, to use an existing metal building on property under their ownership at 2038 Cienega Road for processing and sale of agricultural products grown on-site, to make and sell small-batch wines and beers from existing vineyards and hops fields; and

WHEREAS, County staff received the Use Permit proposal (File #PLN190055) and distributed this plan to responsible County and peer agencies for review and comment; and

WHEREAS, subject parcel APN 021-100-039 is reached from Cienega Road, south of the Cienega Bypass (off the ‘bypassed’ segment of Cienega), about a mile from Union Road & Cienega Road intersection, San Benito County, CA and is 5.00 acres in area; and

WHEREAS, Use Permit PLN190055 proposes to establish a wine and beer-tasting room, and to establish a small-batch winery/brewery, in an existing 3,600 sf building now used for storage; and

WHEREAS, the subject parcel has a General Plan designation of A Agriculture and a Zoning designation of AP Agricultural Productive; and

WHEREAS, the proposed winery and wine tasting room conforms to the County of San Benito 2035 General Plan Agriculture land use designation, and are allowed uses under Agricultural Productive (AP) zoning with a conditional use permit; and

WHEREAS, the proposed agricultural processing and sales facilities fulfill the General Plan’s objectives and policies, which call for “the expansion of the wine and hospitality industries in order to ensure San Benito County becomes a regional leader in the wine industry and a premier tourist destination” (Goal ED-4, Policy ED-4.1; and

WHEREAS, as agricultural processing and sales facilities, wineries and breweries are allowed under Agricultural Productive (AP) zoning (SBCC §25.07.022/SBCC §25.07.005(K) Permanent stands for the sale of agricultural products; SBCC §25.07.022/§25.07.005(V) Agricultural processing); and

WHEREAS, no unusual circumstances, features of the land, or unexpected issues have arisen that prevent approval of this use permit; and

WHEREAS, the County assessed the potential for any substantial effect on the environment by the project consistent with the requirements of the California Environmental Quality Act (CEQA); and

WHEREAS, on April 15, 2020, the Planning Commission in considering Use Permit PLN190055 as described herein and in the staff report, heard and received all oral and written
testimony and evidence that was made, presented, or filed, and all persons present were given an opportunity to hear and be heard with respect to any matter related to the petition; 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 follows:

California Environmental Quality Act (CEQA) Finding

Finding: Pursuant to San Benito County Local Guidelines for the California Environmental Quality Act, this project is categorically exempt under CEQA Section §15303 New Construction or Conversion of Small Structures.

Evidence: The proposed use will not involve any hazardous substances. The conversion of the existing structure will utilize only 1,500 square feet, well under the 2,500 square foot maximum floor area available under this exemption. The wine tasting room will generate far less traffic volumes well under the volumes generated by stores, restaurants or similar facilities specified by the Class 3 Exemption. No environmentally sensitive feature has been identified for the surrounding area.

BE IT FURTHER RESOLVED by the Planning Commission of the County of San Benito that it hereby finds as follows:

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: The General Plan Land Use Element designation for the site is Agriculture (A) which is designed to maintain the productivity of agricultural land, by allowing agricultural support uses such as agricultural processing facilities and wineries, for that purpose. The proposed winery/brewery and wine tasting room are agricultural support uses that conform to this land use designation and to other General Plan provisions.

Evidence: The project site is properly related to other land uses protected by the Agriculture (A) land use designation such as open space and grazing, and is properly located in relation to other wineries and wine tasting rooms within the Wine/Hospitality Priority Area (see Figure 2, Staff Report) along Cienega Road to the south. Cienega provides adequate road access. The project would generate traffic consistent with the proposed use; any impacts of traffic generated by would be addressed by County ordinance and standard conditions of approval, as applied by responsible County agencies.

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: The proposed project will be subject to the California Building Code. County departments and responsible agencies have reviewed the application and recommended conditions of project approval to address possible effects on the vicinity, to protect the 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 review.
## 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. **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, 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 development and use of the site shall conform substantially to the proposed project description, site plan, 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 attached to this Resolution (Attachments 1, 2) and with San Benito County Code. [Planning]
5. **Compliance Documentation:** 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. **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 made out to the ‘County of San Benito’ shall be submitted to the Planning Department for the filing of the notice. [Planning/CDFW]

7. **Timing:** This conditional use permit shall remain valid for up to three years, within which time it shall be formalized and acted upon by the construction, occupancy, and use of the property.

8. **Building Permit Required:** Prior to use, the applicant shall apply for building permits for interior remodeling of the space or modification of the structure, including electrical, plumbing, or mechanical permits. [Planning]

9. **Occupancy and Capacity:** The owner shall notify the Building Official and Fire Inspector of any changes in occupancy of the metal structure. The owner shall log daily attendance and vehicle numbers, and provide to the County Engineer or Planning Director upon request.

10. **ABC License:** The owner shall obtain Type 2 and Type 23 ABC Licenses and comply with terms of both the ABC licenses and this use permit. The applicant shall log production and notify the Planning Director of changes in license type.

11. **Signage and Wayfinding:** The owner shall install signage sufficient to clearly distinguish the driveway entrance at Cienega Road and to effectively direct patrons, the public, and fire/emergency personnel to the proposed facility from the Cienega Road Bypass, to the satisfaction of the County Engineer. [Planning]


13. **Lighting:** Shielded, downward-directed lighting fixtures shall be utilized to reduce or eliminate adverse light impacts on nearby properties, in compliance with exterior lighting design requirements (§19.31: Development Lighting). [Planning]

**Fire Department**

14. **Inspection:** Prior to occupancy, the project shall undergo an Occupancy Clearance Inspection.

15. **Wharf hydrants and sprinklers:** Prior to occupancy and public use, the owner shall install a wharf hydrant (2½-inch standard), to the satisfaction of the Fire Inspector.

16. **Fire Road Design Standards:** The owner/applicant shall comply with the county’s Fire Design Standards in improving the access road to the proposed project.

17. The project 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. [Fire, Public Works]

**Division of Environmental Health**

18. **Sewage Disposal:** The owner shall contact a licensed third party septic system installer to locate and draw a detailed plot plan for the existing septic system and provide the latest service report. *The applicant and County staff have located the plot plan and report on file with the Environmental Health Division.*
19. **Title 22 Water Quality and Quantity Standards:** The owner shall comply with Title 22 water quality and quantity standards, to the satisfaction of the County Environmental Health Division. *An initial water quality well test will be supplemented with water quality and quantity tests to meet Title 22 requirements.*

20. **Future Food/Beverage Service:** Prior to offering any food services, the owner shall notify Environmental Health to acquire appropriate permits, and modify this use permit if necessary, should the owner desire to sell or offer food or non-alcoholic beverages. Commercial premises set aside for wine tasting shall not be considered a “Food Facility” and shall be limited to offering crackers/pretzels with wine or any other beverages consumed on-site or offered for purchase (California Retail Food Code §113789(c)(5)).

21. **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 this department.

**Public Works**

23. **Encroachment Permit:** The applicant shall obtain a Public Works Encroachment Permit for any work being performed in the County right-of-way (ROW), pursuant to §19.27.004 of the San Benito County Code.

24. **Driveway Standards:** The owner shall comply with rural driveway design requirements to ensure that the driveway approach meets/is improved to Agricultural/Commercial driveway approach standard. (§23.31.023 Design Standards; §23.31.023(G) Driveways). Public Works defers approval of the existing/proposed access road to the Fire Department. (Chapter 23.27: Fire Design Standards; §23.27.004 Standards).

25. **Signage & Traffic Safety:** Signage adequate to ensure traffic safety and reduce potential adverse impacts of vehicle circulation shall be subject the satisfaction of the County Engineer.
PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE COUNTY OF SAN BENITO THIS 15TH DAY OF APRIL 2020 BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

___________________________________
Valerie Egland, Chair
San Benito County Planning Commission

ATTEST:

___________________________________
Taven M. Kinison Brown, Principal Planner
Resource Management Agency San Benito County
Attachment 1. Project Site Map
MEETING DATE: 4/15/2020

DEPARTMENT: RESOURCE MANAGEMENT AGENCY

DEPT HEAD/DIRECTOR: Harry Mavrogenes

AGENDA ITEM PREPARER: Jamila Saqqa

SBC DEPT FILE NUMBER:

SUBJECT:

2014-2023 Housing Element Progress Report for 2019: REQUEST: Receive a report on the progress made on implementation of the 2014–2023 Housing Element of the General Plan and approve the Housing and Community Development Annual Housing Element Progress Report for 2019, to be submitted to the Office of Planning & Research and Housing & Community Development (HCD). The Housing Element of the San Benito County 2035 General Plan identifies the County's housing conditions and needs, establishes the goals, objectives, and policies that are the foundation of the County's housing strategy. The report indicates the jurisdiction's status and progress in implementing the Housing Element for 2019 (Government Code 65400). ENVIRONMENTAL REVIEW: Exempt per CEQA Guidelines Section §15378(b) (5) as "organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment." PRESENTER: Jamila Saqqa (jasaqqa@cosb.us)

AGENDA SECTION:

REGULAR AGENDA

BACKGROUND/SUMMARY:

As required by State law, an annual report must be submitted to the Governor’s Office of Planning
and Research (OPR) and to the California Department of Housing and Community Development (HCD), identifying the progress made with various housing programs contained in the General Plan, including local efforts to remove governmental constraints to the maintenance, improvement and development of housing.

The 2019 Housing Element Annual Progress Report (APR) identifies the actions undertaken by San Benito County in the previous calendar year to carry out the Housing Element’s implementation programs.

The full report is attached to this agenda item in the NovusAgenda publication of this meeting packet, available at [sanbenito.novusagenda.com/agendapublic/](http://sanbenito.novusagenda.com/agendapublic/). Readers of other versions of this meeting packet, such as PDF, may request the report from the Resource Management Agency at 831 637-5313 or sbcplan@cosb.us.

**BUDGETED:**

**SBC BUDGET LINE ITEM NUMBER:**

**CURRENT FY COST:**

**STAFF RECOMMENDATION:**

Staff requests the Planning Commission to accept the 2019 Housing Element Progress Report, which was submitted to the California Housing & Community Development and the Office of Planning & Research. Staff is seeking directional support to accomplish the Housing Element program goals and specific updates.

**ADDITIONAL PERSONNEL:**

**ATTACHMENTS:**

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BACKGROUND/SUMMARY

San Benito County’s General Plan includes goals, policies, and programs necessary to achieve the community’s vision for future development. The Housing Element within the General Plan provides policy direction on how the County will achieve local and State goals for the maintenance, improvement, and development of housing in San Benito County. Within the Housing Element are specific implementation programs set forth with specific timelines, goals, and objectives. Please follow the links below to access the General Plan and Housing Element:

- [San Benito County 2035 General Plan](#) (adopted by the County Board of Supervisors July 21, 2015)
- [2014–2023 Housing Element](#) (adopted by the County Board of Supervisors April 12, 2016)
- [2035 General Plan Background Materials and Historical Documents](#)

As required by State law, an annual report must be submitted to the Governor’s Office of Planning and Research (OPR) and to the California Department of Housing and Community Development (HCD), identifying the progress made with various housing programs contained in the General Plan, including local efforts to remove governmental constraints to the maintenance, improvement and development of housing. The 2019 Housing Element Annual Progress Report (APR) identifies the actions undertaken by San Benito County in the previous calendar year to carry out the Housing Element’s implementation programs.

NEW INFORMATION FOR 2019

New changes to the Annual Housing Element Progress Report were implemented in the 2019 report due to AB 1486. Passed in 2019 AB 1486 addresses the disposal of land owned by the jurisdiction. The new report includes all planning activating completed in the calendar year not just the number of units built. The updated reporting guidelines help provide a more robust viewpoint of past, current, and future projects the State can anticipate seeing completed from San Benito County.

Below is a description of the different tabs within the Annual Progress Report:

- Table A – Includes data on housing units and developments for which an application was submitted and “deemed complete” during the reporting year.
• Table A2 – This table requires information for a project’s affordability component and includes data on net new housing units and developments that have received (a) an entitlement; (b) a building permit; or (c) a certificate of occupancy.
• Table B – Provides a summary of prior permitting activity (permits issued) in the current Cycle including activity for the current reporting year.
• Table C (not applicable) – Sites identified or rezoned properties to accommodate shortfall housing need. This table only applies if the County identifies sites from the previous planning period, has a shortfall of sites as identified in the housing element, or is identifying additional sites required by no net loss law.
• Table D – Reports the status and progress of the housing element program and policy implementation for all programs described in the housing element.
• Table E (not applicable) – This table only applies if the County approved any commercial development bonuses during the reporting year. To qualify, an applicant for a commercial development enters into an agreement for partnered housing to contribute affordable housing through a joint project or two separate projects encompassing affordable housing and the commercial developer receives a development bonus.
• Table F (not applicable) – Identifies units rehabilitated, preserved, and acquired for alternative adequate sites.
• Table G (not applicable) – Identifies county owned lands included in the Housing Element Sites inventory that have been sold, leased, or otherwise disposed.
• Summary Table – The summary table auto-populates from data entered on other tables related to project entitlements completed during the reporting year and if those projects received streamlined review pursuant to SB 35 Streamlining Provisions. It is important to note that for projects where building permits were issued in 2019, the entitlements were likely issued in previous years and are not reflected in this summary table.

**STAFF ANALYSIS**

**Housing Needs**
The Housing Element is approved and covers the present period through the year 2023. The total RHNA for unincorporated San Benito County is 837 total units. As listed in Table B of Attachment A The information shows the progress completed towards the Regional Housing Needs Allocation (RHNA). Currently we have constructed 60% of the entire housing needs for this period, which is 509 units.
- For Very Low to Low Income the allocation is a total of 318 units and no new units have been constructed.
- For Moderate Income the allocation is 164 and a total of 4 total units have been constructed.
- For Above Moderate income the allocation is 355 and 505 units have been constructed, so we have exceeded our expectation for RHNA for above moderate housing.

**Permit Activity**
2017-2019 have been some of the strongest construction periods for the County, compared to the previous Housing Element reports, where the average was below 30 units. In 2019 San Benito County issued 212 housing building permits, which was an increase from the previous year. A majority of the 212 building permits issued were for above moderate-income units from the Santana Ranch, Bennet Ranch, and Sunnyside Estates subdivisions.

Program Implementation

Program HOU 2-10 Affordable Housing Requirement: In the Summer of 2019 Staff began the Affordable Housing Ad Hoc public meetings to analyze affordable housing options and amendments to the current Affordable Housing Ordinance. In 2019 the Ad Hoc Committee began working with consultant Vernazza Wolfe Associates to complete a feasibility study analysis. The feasibility study is expected to research and develop an in-lieu fee if a development is approved to pay the fee.

Program HOU 1-1, 4, 5,6: Part of the program implementation includes functions completed by the Health & Human Services Workforce Development Division. In 2019 Health and Human Services Agency received various grants including Community Services Development Grant (CSDG), and Home Emergency Assistance Program (HEAP).

Program HOU 2-4 Annual Monitoring: Staff continues to complete annual monitoring to ensure residents are following resale restrictions.

There are a few programs, which have not been addressed such as expanding permitting for mobile home parks and identifying additional zoning districts mobile homes would be allows.

Future Plans

San Benito County approved the Riverview II affordable housing project. The project will provide 24 single family homes for the very-low and low-income households. The project received multiple funding sources and is being completed by the local non-profit Community Services Development Corporations (CSDC). Additionally, the Santana Ranch Development, though approved prior to this Housing Element, will be constructing approximately 110 low and moderate rental units, which when completed will be added to the RHNA.

In October 2019 San Benito County RMA applied for the Building Homes & Jobs Act (SB 2, 2017) Planning Grants Program, which our small jurisdiction was entitled to receive $160,000. In 2020 we received confirmation our application was approved. The Planning Grant Program award will be used to update current zoning/code ordinances and develop pre-approved architectural accessory dwelling unit site plans. The site plans will allow customers to choose a pre-approved plan to save time and money.
Local Early Action Planning (LEAP) Grant provides a one-time non-competitive grant to cities/counties to update their planning documents and implement process improvements to prepare for the 6th cycle RHNA. Eligible grant activities include, but not limited to establishing pro-housing policies, streamline planning processes, prepare/adopt a Housing Element. The maximum grant amount San Benito County is eligible to is $65,000. The application is due July 1, 2020 and must be expended by December 31, 2023.

An additional non-competitive grant is Permanent Local Housing Allocation (PLHA), which is the second year funding from the Building Homes & Jobs Act (SB 2, 2017). The purpose of the grant is to provide a permanent source of funding to help cities/counties implement plans to increase the affordable housing stock. Eligible grant activities include, but are not limited to down payment assistance, rental assistance, predevelopment, development, acquisition, rehabilitation, and preservation of multi-family rental housing. The grant is a five-year plan, so the first round of expected funding for San Benito County is $121,182 with an anticipated five-year grant award to be about $727,093. The grant award amount is based on the Community Development Block Grant (CDBG) established formula specified in Title 42 United States Code (USC), Section 5306. The grant application is due July 27, 2020.

Lastly, staff has noticed major qualifying thresholds to be eligible for the State funded grants include a jurisdiction submitting the required Annual Housing Element Progress Report and having an approved Housing Element. If a jurisdiction has not followed the State regulations, they were not eligible to the funding. It is critical for the department to continue to submit the Annual Housing Element Report and ensure the next Housing Element is approved by HCD.