

***BEFORE THE PLANNING COMMISSION OF THE COUNTY OF SAN BENITO***

**Resolution No. 2022-\_\_\_\_\_**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF SAN BENITO, STATE OF CALIFORNIA, RECOMMENDING THE BOARD OF SUPERVISORS DELETE TITLE 25 OF THE SAN BENITO COUNTY CODE IN ITS ENTIRETY AND REPLACE IT WITH THE ATTACHED TITLE 25 CHAPTERS 25.01 – 25.09 AS THE ZONING CODE OF THE COUNTY OF SAN BENITO.**

**WHEREAS**, on April 27, 2022, the Planning Commission held a duly noticed public hearing on the proposed ordinance amending the current Zoning Code, San Benito County Code Title 25 by deleting it in its entirety and replacing it with the revised and reorganized Title 25, Chapters 25.01-25.09; and

**WHEREAS**, the Planning Commission recognized that portions of the San Benito County Zoning Code required updates since the last comprehensive zoning code update was in 1984, to conform with recently enacted provisions of state law, to implement the 2035 General Plan, and to make the code more clear, concise, and user friendly, modernize land uses and regulations, and to streamline development review; and

**WHEREAS**, the County applied to the State of California for grant funding under the “SB 2” process to fund the updating of the Zoning Code consistent with the purposes of SB 2, the Building Homes and Jobs Act (Stats 2017, Ch. 354) codified at Health and Safety Code § 50470 (b)(1)(A) to update planning documents and zoning ordinances in order to streamline housing production, including, but not limited to, local process updates that improve and expedite local permitting; and

**WHEREAS**, the County received a grant from the State of California to fund updates to the Zoning Code and Accessory Dwelling Unit (ADU) Program of the General Plan to further the objectives listed above; and

**WHEREAS**, work on the updated Zoning Code commenced in late 2020; and

**WHEREAS**, staff and the County’s consultants have created a draft updated Zoning Code which achieves the goals set forth in the County’s application to the State of California through the SB-2 grant process; and

**WHEREAS**, the updates revise the text of the following sections of the Zoning Code: 25.01,, 25.03, 25.05, 25.07, 25.09, 25.11, 25.12, 25.13, 25.14, 25.15, 25.16, 25.17, 25.19, 25.21, 25.23, 25.25, 25.27, 25.29, 25.31, 25.33, 25.37, 25.39, 25.41, 25.43, 25.45, 25.47, 25.49, 25.51; and

**WHEREAS**, new Zoning Code sections have been reorganized by grouping similar topics together into 9 chapters to make them easier to find, putting all administrative functions are now in one section, added chapter for Specific Use standards, eliminated redundant sections, added numerous explanatory illustrations, moving topics into a more logical order—like topics grouped together, added tables for permitted uses and development standards, revised and simplified permitted and conditional uses, especially to streamline review and approval of agricultural uses, eliminated some types of permits that were seldom or never used, added sections required by changes in state law

such as Accessory Dwelling Units pursuant to Government Code § 65862.2; and to provide specific guidance to staff, the public, and businesses on these topics; and

**WHEREAS**, the draft updated Zoning Code was made available for public review in December 2021; and

**WHEREAS**, the draft updated Zoning Code was reviewed by the San Benito County Planning Commission,; and

**NOW THEREFORE BE IT RESOLVED**, that based on the evidence in the record, the Planning Commission of the County of San Benito hereby recommends that the Board of Supervisors adopt the attached proposed ordinance provisions to delete the current Title 25 of the San Benito County Code in its entirety and replace it with the attached Title 25 Chapters Sections 25.01 to 25.09, as the Zoning Code of the County of San Benito.

**PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE COUNTY OF SAN BENITO THIS 27<sup>th</sup> DAY OF APRIL 2022 BY THE FOLLOWING VOTE:**

AYES:

NOES:

ABSENT:

ABSTAIN:

---

**Robert Gibson**, Chair  
San Benito County Planning Commission

**ATTEST:**

By: \_\_\_\_\_  
**Abraham Prado**, Assistant Director – Planning & Building  
Resource Management Agency San Benito County