



# SAN BENITO COUNTY PLANNING COMMISSION

Mark Tognazzini  
District No. 1  
Chair

Valerie Eglund  
District No. 2

Pat Loe  
District No. 3

Ray Pierce  
District No. 4

Robert Rodriguez  
District No. 5  
Vice Chair

County Administration Building - Board of Supervisors Chambers, 481 Fourth Street, Hollister, California

## REGULAR MEETING MINUTES October 17, 2018 6:00 p.m.

**6:06 PM ~ CALL TO ORDER**

**PLEDGE OF ALLEGIANCE - Commissioner Ray Pierce**

**ROLL CALL**

*Commissioners Present:* Present: Vice-Chair Robert J. Rodriguez, and Commissioners Ray Pierce, Valerie Eglund, and Pat Loe  
Not Present: Chair Mark Tognazzini

*Staff Present:* Principal Planner, Taven M. Kinison Brown; Permit Technician, Anita Gutierrez; Permit Technician, Rosie Habing; Interim Assistant County Counsel, Michael Ziman

**BOARD ANNOUNCEMENTS - None**

**DEPARTMENT ANNOUNCEMENTS - None**

**ACKNOWLEDGEMENT OF CERTIFICATE OF POSTING**

**PUBLIC COMMENT - None**

- 1. Tentative Subdivision Map 17-104:** OWNER/APPLICANT: Elizabeth Ann Williams/Scott Stotler. LOCATION: Approximately 1735 Santa Ana Road (Assessor's Parcel Number 019-310-0090). REQUEST: Project applicant proposes to subdivide one approximately 21-acre parcel into twenty parcels of 1.0 to 1.2 acres each, to be used as single-family home sites. Two parcels would access a proposed Meridian Street extension; eighteen parcels would access a proposed road to run south from Santa Ana Road to the proposed Meridian Street extension. GENERAL PLAN DESIGNATION: Residential Mixed (RM). ZONING: Rural R

Discussions on item #2 continued to December 5, 2018  
Chair Rodriguez made motion to continue

Commissioner Loe 2nd motion. Motion passed 4/0

3. **2035 General Plan Implementation** - Project update on preparation and application of new C-3 Regional Commercial Zoning District for four (4) designated Commercial Regional (CR) Nodes located along U.S. Highway 101 generally located at Betabel Road, U.S. 101/Hwy 129/Searle Road, Livestock 101/Cole Road and Rocks Ranch/Red Barn.

Commissioner Ray Pierce wanted to bring attention to the 101 Livestock commercial node. He stated that the Live Stock node was never part of the study and it wasn't included in the EIR. He requested to have 101 pulled to isolate this node due to not being part of the EIR study. He asked if possible separate action may be needed to approve the 101 node since it was never part of commercial discussion or General Plan study.

Principal Planner Daryl Boyd informed Commissioner Pierce that the owners of 101 Livestock would apply for a General Plan amendment to have their property added to the commercial nodes.

Principal Planner Taven Kinison Brown informed the Planning Commissioners that these concerns are the purpose for bringing this item in front of the commission, as a check in or as a way to get direction.

Principal Planner Daryl Boyd made a presentation on Commercial Regional nodes. One of the issues that has come up is that Livestock 101 was intended to be the fourth node, but after doing research and listening to the Planning commission tapes, Livestock 101 was not included as being the fourth node. Planning department staff will continue to do research. The owner of Livestock 101 would need to apply for a General Plan amendment and have an CEQA study done to add as the fourth node.

Need to create new C3 zoning district to implement the General Plan. Need text for map backup or standards for future properties to apply for C3 zoning. Purpose of the meeting tonight is to get early input on how to define C3 zoning, what uses that should be allowed or prohibited? Also questions regarding the language in the GP regarding design reviews and architectural styles.

Commissioner Valerie Egland understands that property owners between the nodes be aware that there is no intent for strip of commercial nodes along 101 and the nodes are to be discreet. In between the nodes it has been described as scenic corridor and only the nodes area can be commercial area. Let it be known that the 101 Livestock is a historic site it has been in the County for over 50 years and is attached to the county ranching and agricultural community and may need special review.

Consultant Richard James made presentation EMC is under contract with San Benito County to do the implementation of the Commercial nodes zoning. EMC's task is to create boundaries for zoning and write text of C3 code to back up map and to give the uses, development and standards for development under the C3 code. Three key pieces taken from LU5.3 nodes would be located at or near Highway interchanges, will be subject to design review and contribute to the preservation of the scenic areas. There have been site visits to determine which properties should be included in the commercial nodes zoning boundaries. Areas of prime farm land have been removed, flood zones, riparian and steep slopes have also been removed.

Commissioner Pierce asked for definition of steep slopes 30% or more?

Richard of EMC responded County Code is 15% or 30% depending on the context. Also taken into consideration is if you build on it would you be able to still keep it scenic. Staff found there are

certain areas which this would not be possible. We visited four possible node areas.

- **Node area # 1** -Betabel node area started at 139 acres but after visiting the site took out all but 55 acres theme considered is Vintage America.
- **Node area #2** HWY 129 there is about 40 acres possible and theme considered is The Farm and would encourage service and hospitality uses.
- **Node area #3** Livestock 101 site has main access off 101 with a right turn lane in and out only due to HWY split 2<sup>nd</sup> access is available or does exist off a dirt road to Cole Road. There will be a 400 ft. set back because it is considered along the scenic corridor. The existing uses will continue and theme considered is The Ranch formal access on Cole Road. Taking traffic from a commercial zone and dumping on to a residential road is that advised.
- **Node area #4** Rocks Ranch possible 280 acres, but not all acres buildable due to County Woodland preserve. Theme is early California Village. Signage would not be bill board style.

Code C3 would include:

Intent Statement or purpose statements  
Allowed uses & approval process  
Development standards  
Signage- scenic/ historic regional tourism signage  
Special regulations- theme, arch, development or layout.  
Admin. Use Permit: Retail, dining, fuel  
Conditional Use Permit: Repair, vet clinic or alcohol sales

Commissioner Ray Pierce asked if Livestock 101 could be removed from node so that moving forward with the other nodes would not holdup other 3 nodes which are approved.

Taven asked what would be needed to add Livestock 101.

Michael Groves EMC responded if further research determines that they were not included in the initial review another type of CEQA will need to be done. Formal initial study or extended initial study with mitigated negative declaration.

Commissioner Pat Loe asked what opportunity would the neighbors have to give input on the 101 inclusion?

They would return to the next meeting and speak at that time. That would be the time to come back and see what has been presented and what next step would be.

#### OPEN PUBLIC COMMENT

- Citizen Andy Hsia Coren- Concerns of overpass, Hill sacred site arch. Importance Elk Horn Slough Biologically Sensitive Flat area becomes a marsh when it rains. Cole Road is a quiet country road does not need more traffic.
- Commissioner Valerie Egland- Elk Horn Slough is a valid area of interest
- Citizen Mary Hsia-Coron- Water problem in the area. Ballan Tree well went dry. Pipe in water from Aromas Water District for Rancho Larios. Where will water come from for these projects?
- Citizen Kim Lavagnino- 129 & 101 connect with her family property. What is needed to participate or include her property in the C3 nodes?
- Citizen Seth Capron- Huge change, EIR is necessary and projects should require more than an administrative permit. EIR more appropriate, use permit is more fitting process. Questions what General plan traffic level is or will be C or D?
- Citizen Robert Robe- Does not like development across the street from his home. It will ruin the view he feels any changes should be subtle. He likes the ideal of a dude ranch.

- Citizen Steve Zorra- moved here because of beauty. Concerned with additional impact on roads. Already feels the impact with the new growth in San Juan Bautista. Appropriate resources such a law, safety, and fire should be taken into consideration.
- Citizen Todd Azevedo- Directly looking down on new flyover for San Juan. Fly over has made it safer but noise pollution light and noise of trucks a concern as well as water concerns. Does not fit with rural atmosphere of the area.
- Citizen Darlene Azevedo- Many neighbors with horses, people walking their dogs; traffic on Cole Road a small country road would impact her community safety and disturbance of their small quite community.
- Citizen Pat Lerman- Thank you San Benito County for trying to bring in revenue. Major concern is water, where does the determination of the lack of water factor in. Would like water to be a benchmark when considering, traffic Cal-Trans 101 inappropriate due to egress & ingress? Is any of this in the Coastal Zone? Will Coastal zone be impacted? History & culture is there Native American land or monuments in the area?
- Citizen Helen Kastner- Cole Road resident NO WATER, also needs sewage. Concerned on impact on to secondary roads and the effect it will have. Many items to consider and other areas to consider as commercial nodes.
- Citizen Jane Rekedal – Traffic will be impacted regardless of what the EIR Traffic study shows. Hotel on top of 129 interchange not appropriate for the area needs to be located in lower area so it is not so obvious. Noise & light pollution will be enhanced not only from traffic but from buildings keeps lights on 24 hours. Believe Cole rd. should be kept to 5 acre minimum lots.
- 101 livestock Jim Warran owner - 101 livestock was always considered a commercial node; confusion may be coming from the fact that they are already a commercial property for 45 years. Before he started it was a junk yard and junky flea market. He went from 1 full time employee to 20 full time employees did not make it by tearing the Country up or making it look bad. Livestock 101 has water gave water to Aromas water district to supply water to Rancho Larios. Made Cole Road safer.
- Commissioner Ray Pierce asked Jim Warren to speak with Darryl regarding initial study.
- Citizen Bill Hunter- School Rd. resident. If well goes dry what is the recourse. Are there other nodes or is West San Benito County shouldering all the burden. Who is this going to benefit the County or the Property owners?
- Commissioner Ray Pierce pointed out other nodes in the County.
- Commissioner Pat Loe- Property owners in the area have a main concern of water and what will be going into the area. Nothing should be handled administrative. CEQA review and EIR's feels more information is needed.
- Commissioner Valerie Egland- Familiar with Aromas concerns and feels they are valid.
- Commissioner Ray Pierce – Water is major concern and would like more information on how existing well will be preserved so that area is not dried up. Water has always been a concern in that area. Water, access and sewer should be reviewed and an in place before approving a project.
- Michael Groves will bring back more information in the January meeting. Yes at project level there will be more CEQA review.

Closed public comments

#### 4. General Plan Discussion -

At the request of Commissioner Ray Pierce: “Are there any updates to the General Plan?”

Pat Loe where are we in line with getting the Zoning Implementation in line with the General Plan?

We are at step 1 how long will it take give me a time?

RMAA Director John Guertin stated that the commercial nodes are where we are at. Lack of staff making it difficult but over the last year. Strides have been made. General Plan implementation is case by case. Fees have been updated and implemented.

**Minutes prepared by:**

*Principal Planner, Taven M. Kinison Brown and Permit Technician, Anita Gutierrez*

***ADJOURN TO December 5, 2018 @ 6:00 P.M.***

**ADJOURN 8:54 PM**

**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](http://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.