

BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN BENITO

A RESOLUTION OF THE SAN BENITO COUNTY BOARD) Resolution 2019-____
OF SUPERVISORS TO AFFIRM THE CONDITIONAL)
APPROVAL OF A TENTATIVE SUBDIVISION MAP)
PROPOSED UNDER COUNTY PLANNING FILE PLN170009.)

1 **WHEREAS**, the subject parcel is located on the north frontage of South Ridgemark Drive between its
2 intersections with Ridgemark Drive and Lanini Drive within the private Ridgemark residential and golf
3 course development in San Benito County, California (Assessor’s Parcel 020-650-020) and is 0.64 acres
4 in area; and

5 **WHEREAS**, the subject property currently has a General Plan Land Use Element designation of
6 Residential Mixed (RM) and a zoning designation of Residential Multiple (RM); and

7 **WHEREAS**, the subject property was earlier shaped into its current dimensions following review and
8 approval of Lot Line Adjustment 05-468 under the authority of the San Benito County Planning
9 Director; and

10 **WHEREAS**, the property has earlier been constructed with three residential duplex buildings, or six
11 residences total, under County building permits 2013-471, -472, and -473; and

12 **WHEREAS**, the property owner Chao Wu has filed an application to subdivide the property into six lots
13 of non-standard dimensions with non-standard building setbacks; and

14 **WHEREAS**, the project applicant has proposed to accommodate the subdivision’s non-standard design
15 elements by requesting rezoning of the property to the designation of Residential Multiple/Planned Unit
16 Development (RM/PUD) through the adoption of the rezone of the parcel described above to a
17 Residential Multiple/Planned Unit Development (RM/PUD) zoning district; and

18 **WHEREAS**, the Planning Commission of the County of San Benito reviewed the zone change and
19 tentative subdivision map at its regularly scheduled meeting held on December 5, 2018, and reviewed all
20 written and oral information presented to them by County staff and the public at the public hearing
21 before the Planning Commission; and

22 **WHEREAS**, in accordance with County Code §23.25.004, a portion of the County Subdivision
23 Ordinance regarding planned unit development, the Planning Commission found the planned unit
24 development conducive to a desirable living environment at no disadvantage to the general public in its
25 departure from standard lot design including the use of reduced building setbacks to the extent shown on
26 the tentative subdivision map; and

27 **WHEREAS**, the Planning Commission found the form, layout, and intensity of the property’s existing
28 construction consistent with the land use designations currently in effect for the property under the
29 General Plan Land Use Element and County Code Title 25 (Zoning) and also consistent with the
30 Planned Unit Development (PUD) combining district as overlaid onto the Residential Multiple (RM)
31 base district, provided the project’s satisfaction of planned unit development provisions in the County
32 Subdivision Ordinance (County Code §23.25.004); and

33 **WHEREAS**, the project neither proposes nor enables new construction on the already-built subject
34 property; and

35 **WHEREAS**, all future and foreseeable use of the property would use infrastructure already available
36 and established in the neighborhood; and

37 **WHEREAS**, the property owner has demonstrated that the property and the resulting lots, historically
38 neighboring and separate from the surrounding Ridgemark development, have access to private
39 Ridgemark roads equivalent to access by Ridgemark residents and property owners; and

40 **WHEREAS**, the Planning Commission determined the project qualifies for Class 1 of Categorical
41 Exemptions under California Environmental Quality Act Guidelines; and

42 **WHEREAS**, at the conclusion of the public testimony, the Planning Commission closed its public
43 hearing, deliberated, considered the merits of the proposal and evidence in the record, and adopted
44 Planning Commission Resolution 2018-12; and

45 **WHEREAS**, Planning Commission Resolution 2018-12 recommended that the Board of Supervisors of
46 the County of San Benito adopt an ordinance to enact said zone change and constituted conditional
47 approval of the tentative subdivision map based on adoption of said ordinance by the Board of
48 Supervisors; and

49 **WHEREAS**, the Board of Supervisors reviewed the zone change and tentative subdivision map
50 contained in Planning Commission Resolution 2018-12, along with all written and oral testimony
51 presented at a regularly scheduled public hearing held on February 5, 2019; and

52 **WHEREAS**, at the conclusion of the public testimony, the Board of Supervisors closed its public
53 hearing, deliberated, and considered the merits of the proposal,

54 **NOW THEREFORE BE IT RESOLVED** that, based on the evidence in the record, the Board of
55 Supervisors of the County of San Benito hereby makes the requisite findings for the purposes of the
56 California Environmental Quality Act (CEQA), the Zone Change, the Planned Unit Development, and
57 the Subdivision for the reasons set forth in Planning Commission Resolution 2018-12 and as otherwise
58 documented in the administrative record; and

59 **BE IT FURTHER RESOLVED** that, provided the aforementioned zoning map amendment being
60 considered and passed concurrently at the same meeting of the Board of Supervisors, and based on the
61 foregoing findings and evidence in the record, the Board of Supervisors hereby affirms the conditional
62 approval of the aforementioned tentative subdivision map by the Planning Commission, subject to the
63 conditions of approval in Planning Commission Resolution 2018-12.
64

65 PASSED AND ADOPTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN
66 BENITO THIS 5TH DAY OF FEBRUARY 2019 BY THE FOLLOWING VOTE:

67
68 AYES Supervisor(s):
69 NOES Supervisor(s):
70 ABSENT Supervisor(s):
71 ABSTAIN Supervisor(s):

By: _____
Mark Medina, Chair of the Board of Supervisors

ATTEST:

APPROVED AS TO LEGAL FORM

By: _____
Janet Slibsager, Clerk of the Board of Supervisors

By: Barbara Thompson
Barbara Thompson, County Counsel

Date: _____

Date: 1/31/19