

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

A RESOLUTION OF THE SAN BENITO COUNTY PLANNING ) **Resolution No. 2019-xx**  
COMMISSION RECOMMENDING TO THE BOARD OF )  
SUPERVISORS APPROVAL OF FILE PLN190009, INCLUDING A )  
GENERAL PLAN TEXT AMENDMENT, CHANGING THE )  
COUNTY ZONING MAP AND A VESTING TENTATIVE )  
SUBDIVISION MAP FOR A 100% AFFORDABLE HOUSING  
PROJECT AT 3110 SOUTHSIDE ROAD

**WHEREAS**, with regard to File PLN 190009 the property owners, Community Services Development Corporation (CSDC), filed a request to amend the 2035 General Plan, change the zoning district and subdivide a 4.88-acre property located at 3110 Southside Road (APN 020-320-032) for a 100% affordable housing project consisting of 24 single-family lots and related dedications and improvements; and

**WHEREAS**, the subject property currently has a 2035 General Plan Land Use Diagram designation of Public/Quasi-Public (PQPQ) and a zoning designation of Agricultural Productive (AP) and

**WHEREAS**, residential subdivisions are not allowed in the PQP designation or AP district a general plan amendment and rezoning are required for the proposed affordable housing subdivision; and

**WHEREAS**, the staff recommends the PQP designation be amended with the additional text: “An alternate use of property designated PQP may be approved without an amendment to the Land Use Diagram if such alternate use is compatible with existing and planned uses on neighboring properties and is consistent with applicable General Plan policies.”; and

**WHEREAS**, because the project is a 100% affordable housing project it is eligible for and has requested a density bonus request and other concessions consistent with applicable State law and County code; and

**WHEREAS**, the Planning Commission of the County of San Benito reviewed the proposed project at its duly noticed, regularly scheduled meeting held on November 20, 2019, and reviewed all written and oral information presented to them by County staff and the public at the public hearing; and

**WHEREAS**, in accordance with County Code §19.29.004, the Planning Commission has considered the General Plan Text Amendment to the Public/Quasi-Public Land Use designation; and

**WHEREAS**, in accordance with County Code §25.45.005, the Planning Commission found the Zoning Map change to Single-family (R1) both consistent with and implements the 2035 General Plan goals and policies and is good zoning practice; and

**WHEREAS**, in accordance with County Code §23.07.006, the Planning Commission finds that the proposed 100% affordable single-family subdivision, together with the provisions for its design and improvement and conditions of approval, is consistent with the General Plan as amended; and

**WHEREAS**, the Planning Commission concurs with the determination the project can be found Exempt from the requirements of California Environmental Quality Act (CEQA) under Sections 15194, 15192 and 15061(b)(3) of the CEQA Guidelines; and

**WHEREAS**, at the conclusion of the public testimony, the Planning Commission closed the public hearing, deliberated, and considered the merits of the General Plan Text Amendment, Zoning Map changes and vesting tentative subdivision map,

**NOW THEREFORE BE IT RESOLVED** that, based on all the evidence in the record, the Planning Commission of the County of San Benito hereby finds as follows:

### **2035 General Plan Text Amendment**

The recommended text change to the General Plan Land Use Diagram designation of Public/Quasi-Public to allow alternate land uses with compatibility findings has very limited applicability and will facilitate the construction of affordable housing.

### **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 Addendum to the 2035 General Plan Update Final Environmental Impact Report (Resolution 2015-58) under Sections 15164 and 15162 of the California Environmental Quality Act Guidelines.

***Evidence:** The proposed tentative subdivision map is for a 100% affordable housing project for the very low and low-income groups. The proposed project meets all of the criteria for the Affordable Housing Exemption found in CEQA Guidelines Sections 15194 and 15192, except that the project does not meet the location requirement relating to population density. As stated in the County's Housing Element the need for affordable housing is not any less in an area with a lower population density.*

***Evidence:** Except for this density requirement, the project would otherwise be exempt from CEQA. The proposed project density is dense by unincorporated County standards. Based on this reasoning, the vesting tentative subdivision map can also be found exempt per CEQA Guidelines Section 15061(b) (3). This approach facilitates implementation of the County Housing Element and is consistent with the Governor's recent direction to construct more affordable housing units statewide.*

### **Zone Map Change Findings:**

**Finding 1:** This zone change is consistent with the 2035 General Plan and any applicable special plan.

***Evidence:** For the reasons set forth in the staff report, incorporated herein by this reference, the Planning Commission finds that the zone changes are consistent with the 2035 General Plan in that the purpose of the project is to implement the 2035 General Plan and Housing Element. The zoning map amendment is consistent with the applicable General Plan goals and policies. The Zoning Map changes are consistent with the General Plan Land Use and Housing Elements. No other special plan, such as a specific plan, is in effect at any of these locations.*

**Finding 2:** The approval of the zone petition will serve the public necessity, convenience and general welfare, and is a good zoning practice.

***Evidence:** The adoption of the change to the Zoning Map will serve the public necessity, convenience and general welfare in that the 2035 General Plan goals and policies, and the Land Use and Housing Elements will be implemented. The Zoning map change is a good zoning practice in that the provisions, standards and requirements of the Single-family (R1) District will be implemented in accordance with the General Plan.*

**BE IT FURTHER RESOLVED** by the Planning Commission of the County of San Benito that based on the foregoing findings and considerations, and based on the evidence in the record, the

Planning Commission hereby makes the following findings and recommends that the Board of Supervisors 1) adopt a resolution approving the proposed General Plan Text Amendment to PQP, 2) adopt an ordinance to amend the County Zoning Map to Single-family (R1) and 3) adopt a resolution approving the Vesting Tentative Subdivision Map for the 24-lot affordable housing project with standard and special conditions of approval.

1. The project is Exempt under Guidelines Sections 15194, 15192 and 15061 (b) (3) and not subject to the requirements of CEQA.
2. The General Plan Text Amendment advances the goals and policies of the General Plan and the Housing Element to facilitate affordable housing.
3. The Zoning Map change is consistent with the 2035 General Plan, as amended and there is not any applicable special plan. The zone change will serve the public necessity, convenience and general welfare, and is a good zoning practice.
4. The approval of the Vesting Tentative Subdivision Map is consistent with the General Plan as amended, R1 zoning district and includes approval of the density bonus requests and concessions.

**PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE COUNTY OF SAN BENITO ON THIS 20<sup>TH</sup> DAY OF NOVEMBER 2019 BY THE FOLLOWING VOTE:**

AYES:

NOES:

ABSENT:

ABSTAIN:

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Robert Rodriguez, Chair  
San Benito County Planning Commission

ATTEST:

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Taven M. Kinison Brown, Principal Planner  
Resource Management Agency San Benito County

