



**Draft**

# SAN BENITO COUNTY PLANNING COMMISSION

Eduardo Navarro  
District No. 1

Valerie Egland  
District No. 2

Robert Eggers  
District No. 3

Robert Gibson  
District No. 4

Robert Rodriguez  
District No. 5

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

## REGULAR MEETING MINUTES

April 17, 2019

6:00 PM

**6:04 PM ~ CALL TO ORDER**

### PLEDGE OF ALLEGIANCE

#### ROLL CALL

*All Commissioners Present: Chair Robert J. Rodriguez, Vice-Chair Valerie Egland, Robert Gibson, Eduardo Navarro, Robert Eggers.*

*Staff Present: Principal Planner, Taven Kinison Brown; Permit Technician, Anita Gutierrez, Deputy County Counsel Michael Ziman, Assistant Planner Richard Felsing, Associate Planner Michael Kelly, Housing Coordinator Jamila Saqqa.*

### PLANNING COMMISSIONER ANNOUNCEMENTS

*None*

### DEPARTMENT ANNOUNCEMENTS

*Principal Planner Taven Kinison Brown announced Public Notice is put into the newspaper, posted downtown, and mailed to neighbors, but was not entered into Novus on County calendar. Per rules and regulations we hit for of the required public noticing. In addition, we learned that a new law came into effect in January that if the County has a website we are required to make available to the public 72 hours prior. Due to this PLN190001Minor Subdivision will need to be continued. UP-1168-17 was already set to be continued due to develop conditions of approval that will reduce adverse impacts on nearby persons and property made by neighbors Rich and Lizz Hunter. Regular Agenda item to continue as planned for the update on Housing Programs. May Planning Commission will be stacked up.*

## **PUBLIC COMMENT**

*R. Bettencourt asked why we went from two Planning Commission Meetings a month to only one.*

*Principal Planner, Taven Kinison Brown responded that one meeting a month is not doing a disservice to the community. If a second meeting is needed for a particular month, then a special meeting can be called.*

## **CONSENT AGENDA**

1. Acknowledgement of public hearing
2. Acknowledgement of certificate of posting

*The Commission acknowledged the certificate of posting that was missed and public hearing.*

## **PUBLIC HEARING**

1. **Continued from March 20, 2019. Use Permit UP 1168-17: SWANK FARMS.**  
OWNER/APPLICANT: Richard & Bonnie Swank. APN: 026-130-026 and a portion of 016-140-012. LOCATION: 4751 Pacheco Pass Highway (the frontage road). REQUEST: To use the 21.3-acre parcel for an agritourism operation and event center, to include Swank Farms' annual corn maze and related seasonal attractions. GENERAL PLAN: Agriculture (A). ZONING: Agricultural Productive (AP). ENVIRONMENTAL EVALUATION: Categorically Exempt. §15301, §15303(e), 15304(e). PLANNER: Richard Felsing ([rfelsing@cosb.us](mailto:rfelsing@cosb.us)).

*A motion to continue to May Planning Commission meeting was made by Commissioner Gibson, seconded by Commissioner Eggers and it was carried 5-0.*

2. **PLN190001 (Minor Subdivision): APPLICANT: Gordon Wynn.**  
OWNER: Wynn 1999 Revocable Trust. APN: 025-570-005. LOCATION: 201 Tortola Way, 1 1/3 mile east of Fairview Road–Santa Ana Valley Road intersection. REQUEST: To subdivide a 20-acre property into two parcels each with 10 acres, with Parcel 2 already developed with a residence and with a new drive and building site for Parcel 1. GENERAL PLAN: Agriculture (A). ZONING: Agricultural Productive (AP). ENVIRONMENTAL EVALUATION: State CEQA Guidelines Sections 15303 (New Construction or Conversion of Small Structures), 15304 (Minor Alterations to Land), and 15305 (Minor Alterations in Land Use Limitations). PLANNER: Michael Kelly ([mkelly@cosb.us](mailto:mkelly@cosb.us)).

*A motion to continue to May Planning Commission meeting was made by Commissioner Gibson, seconded by Commissioner Eggers and it was carried 5-0.*

## **REGULAR AGENDA**

3. **RESOURCE MANAGEMENT AGENCY - HOUSING PROGRAMS.**

Receive a report on the progress made on Implementation of the 2014-2035 Housing Element, including an introduction to the County of San Benito's Annual Progress Report (APR) submitted to the Office of Planning and Research. PROJECT STAFF: Jamila Saqqa. ([jsaqqa@cosb.us](mailto:jsaqqa@cosb.us))

*Housing Coordinator Jamila Saqqa presented the Annual Housing Element Progress Report and PowerPoint slides.*

Housing Coordinator provided a recap of the Annual Housing Element Progress report which provides detail of the progress made toward the construction of housing units and progress to achieving goals in the Housing Element. The report is due April 1<sup>st</sup> of each year. The report is submitted to both the Housing & Community Development and the Office of Planning & Research

Housing Coordinator indicated there have been changes to the report format including the type of information needed to report. Housing Coordinator indicated due to new assembly bills the Progress Report will not show the number of units built per year, but will also demonstrate approved and entitled projects, so the State is aware of future anticipated development.

Housing Coordinator indicated there are future grant programs from the passing of SB 2, which will be used to assist Planning Departments. The passing of SB 2 collects an additional \$75 recording fee. For the first year 50% of collected funding will be available for Planning Departments to streamline approval process and update ordinance/zoning rules

Staff member Taven Kinison Brown provided a table related to the approved projects and the number of completed building permits per project. Mr. Kinison Brown indicated no permits have been issued for the Bluffs Project.

Next both staff members Jamila Saqqa and Taven Kinison Brown discussed San Benito County's current Inclusionary Housing Policy, which requires new development to provide a minimum of 15% on-site affordable housing for incomes ranging from very low to moderate income. Staff members indicated the requirement for off-site construction is 20%. Staff member Taven Kinison Brown expressed how the purpose of the Inclusionary Policy is to provide inclusion to all and to not create an isolated housing development that is separated based on income.

Staff member Taven Kinison Brown also indicated within the Affordable Housing Ordinance there is a Housing Advisory Committee body, which is comprised of two members of the Board of Supervisors, two members of the Planning Commission, and two members of the public. Staff indicated the representative body has not been established and need to develop the bylaws for the committee. Staff member Kinison Brown indicated the past housing impact fee of \$4,500, which is currently being collected on several projects is too low and will need to development an appropriate fee based on land and construction costs.

Staff member Jamila Saqqa stated she will work with the Housing Advisory Committee and the RMA director to move forward to adopt a more feasible fee.

Commission Robert Gibson expressed the need to update the Affordable Housing Ordinance because there is no current established fee and we need to get away from the \$4,500 in lieu

fee.

Staff member Jamila Saqqa indicated with the changes in state law a nexus study is not required as a means to develop an in lieu fee and a gap analysis is a sufficient means to provide information related to a fee.

Staff member Kinison Brown indicated an Ad Hoc Committee can be established as a means to update the Affordable Housing Ordinance and establish an in-lieu fee.

Commissioners Eggers and Gibson volunteered to be part of the Affordable Housing Ad Hoc Committee.

Public Comment was opened

Resident Richard Bettencourt asked if with the program an individual has to be a resident for a number of years in order to ensure our current residents receive housing.

Staff member Jamila Saqqa indicated there no requirement to be a resident for a certain number of years, but priority is given to local who work and/or live in the county.

Commission Robert Rodriguez discussed and requested information about the current area median income for San Benito County.

Staff member Jamila Saqqa indicated the State Housing & Community Development Department released annual statements for the area median income for all California Counties. Currently the area median income for a family of four in San Benito County is \$81,000. Jamila Saqqa indicated that with the Affordable Housing Ordinance the income is tied to San Benito County, so if a resident of another county were to move and seek to reside in the one of the inclusionary homes the income would be based on the county's area median income.

Commissions Robert Rodriguez and Robert Gibson do not agree with Area Median Income and believe it is not reflective of the County.

Commissioners Robert Gibson and Robert Eggers requested and agreed to be part of the Affordable Housing Ad Hoc Committee.

Chair Robert Rodriguez approved and appointed Robert Gibson and Robert Eggers on the committee.

Commissioner Valerie Eglund indicated Mary Paxton, who works for the City of Hollister applies for many grants, so there may be other individuals who we can speak with and gain more of an understanding related to other funding sources for affordable housing.

## **DISCUSSION**

4. Discuss an invitation to Hollister and San Juan Bautista Planning Commissions to conduct bi-annual joint meetings.

Commissioner Robert Gibson will coordinate with other entities

**ADJOURN** at 7:27

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*Minutes prepared by Assistant Planner, Arielle Goodspeed*