



**SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM**

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Item Number: 6.1

MEETING DATE: **09/10/2025**

DEPARTMENT: **RESOURCE MANAGEMENT AGENCY**

AGENDA ITEM PREPARER: Arielle Goodspeed

SUBJECT:

RESOURCE MANAGEMENT AGENCY - A. PRADO, DIRECTOR OF PLANNING AND BUILDING -
Receive notice, presentation, and recommendation for the Notice of Consideration of District
Property as a Future High School Site, the property is approximately 69.25-acres (APNs 025-190-0190) located along the Best Road and State Route 25/Airline Highway in the County.

SBC FILE NUMBER: 790

AGENDA SECTION:

REGULAR AGENDA

BACKGROUND/SUMMARY:

On August 20, 2025, the San Benito High School District (“District”) provided the attached notice of its intent to consider siting a new high school on property acquired by the District on December 30, 1997. The property is approximately 69.25-acres (APNs 025-190-0190) located along the Best Road and State Route 25/Airline Highway in the County. Under state law identified below, the District is required first submit the proposed action to its planning agency for a report on its conformity with the general plan and to consider the report and recommendation of the Planning Commission.

Given that the County cannot exercise land use authority over the development of the proposed future high school and the District can render the County’s zoning ordinance inapplicable to the proposed high school site, staff recommends that the Planning Commission’s recommendation regarding the District’s consideration of District property of the parcel include the request that the District prepare a full Environmental Impact Report (“EIR”) under the California Environmental Quality Act (“CEQA”) for the proposed high school to ensure that concerns of the community and potential impacts to the environment are fully considered and mitigated.

While the County could not serve as the lead agency for an EIR, an EIR would ensure that the potential impacts of the proposed high school would be disclosed and mitigated, including potential impacts to the loss of agricultural lands and impacts to the existing residents and future students related to wildfire and

evacuation. An EIR would also ensure a thorough traffic study is completed to analyze and design safe access and that impacts to the County roadway system are mitigated.

The County has requested the District to provide any documents supporting its due diligence and considerations in acquiring the parcels as well as a summary of its analysis supporting the District's decision for the location of the proposed future high school. Any such documents will be provided to the Planning Commission, if received. Planning Staff have also invited the District to make a presentation to the Planning Commission during the agenda item.

Relevant government code related to this item:

[Government Code section 65402:](#)

(a) If a general plan or part thereof has been adopted, no real property shall be acquired by dedication or otherwise for street, square, park or other public purposes, and no real property shall be disposed of, no street shall be vacated or abandoned, and no public building or structure shall be constructed or authorized, if the adopted general plan or part thereof applies thereto, until the location, purpose and extent of such acquisition or disposition, such street vacation or abandonment, or such public building or structure have been submitted to and reported upon by the planning agency as to conformity with said adopted general plan or part thereof. The planning agency shall render its report as to conformity with said adopted general plan or part thereof within forty (40) days after the matter was submitted to it, or such longer period of time as may be designated by the legislative body. . . .

(c) A local agency shall not acquire real property for any of the purposes specified in paragraph (a) nor dispose of any real property, nor construct or authorize a public building or structure, in any county or city, if such county or city has adopted a general plan or part thereof and such general plan or part thereof is applicable thereto, until the location, purpose and extent of such acquisition, disposition, or such public building or structure have been submitted to and reported upon by the planning agency having jurisdiction, as to conformity with said adopted general plan or part thereof. Failure of the planning agency to report within forty (40) days after the matter has been submitted to it shall be conclusively deemed a finding that the proposed acquisition, disposition, or public building or structure is in conformity with said adopted general plan or part thereof. If the planning agency disapproves the location, purpose or extent of such acquisition, disposition, or the public building or structure, the disapproval may be overruled by the local agency.

[Public Resources Code section 21151.2:](#)

A school district may not acquire title to property for a new or expanded school site without giving written notice to the planning commission that has jurisdiction over the site. The planning commission must investigate the site and report back to the school board within 30 days, and the board may not purchase the site until the report has been received. If the commission report does not favor the acquisition of the site, the board must wait 30 days after receiving the report before acquiring the site.

[Education Code subdivision 17215.5\(a\):](#)

Prior to commencing the acquisition of real property for a new school site in an area designated in a city, county, or city and county general plan for agricultural use and zoned for agricultural production, the governing board of a school district shall make all of the following findings:

- (1) The school district has notified and consulted with the city, county, or city and county within which the prospective school site is to be located.
- (2) The final site selection has been evaluated by the governing board of the school district based on all factors affecting the public interest and not limited to selection on the basis of the cost of the land.

(3) The school district will attempt to minimize any public health and safety issues resulting from the neighboring agricultural uses that may affect the pupils and employees at the school site.

STRATEGIC PLAN GOALS: 1. Operational Development & Excellence

No

STRATEGIC PLAN GOALS: 2. Planning And Sustainable Growth

Yes

STRATEGIC PLAN GOALS: 3. Technology

No

STRATEGIC PLAN GOALS: 4. Community Engagement

No

STRATEGIC PLAN GOALS: 5. Health & Safe Community

Yes

STAFF RECOMMENDATION:

Staff recommend the Planning Commission consider the Best Road Property overall location of a future high school and provide direction to staff regarding any recommendations to include in a report to the District, including the finding that the San Benito High School District should prepare an EIR for the development of the new high school.

ATTACHMENTS:

San Benito High School District Powerpoint Consideration of District Property as a Future High School Site (9.10.25)

Consideration of District Property as a Future High School Site 8.20.2025

2025_06_25_All Students (2024-25 Enrollment Heat Map & Points) wDraft May 2025

Development Data (PUB email) (1) (2)