



**SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM**

Betsy Dirks
District No. 1

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District No. 2
Vice Chair

Peter Hernandez
District No. 3
Chair

Bob Tiffany
District No. 4

Bea Gonzales
District No. 5

Item Number: 4.29

MEETING DATE: 12/13/2022

DEPARTMENT: RESOURCE MANAGEMENT AGENCY

AGENDA ITEM PREPARER: Michael Kelly

DEPT HEAD/DIRECTOR: Abraham Prado

SUBJECT:

RESOURCE MANAGEMENT AGENCY – A. PRADO, ASSISTANT DIRECTOR PLANNING AND BUILDING

Adopt Resolution to authorize the County Planning Director to sign and accept, on behalf of the County, the deed restriction required as a condition of approval for approved County Planning files PLN210043 and PLN220007, regarding two temporary mobile homes for agricultural employees at 1740 Santa Ana Road (Assessor's Parcel 019-220-068).

SBC FILE NUMBER: 790

RESOLUTION NO.: 2022-158

AGENDA SECTION:

CONSENT AGENDA

BACKGROUND/SUMMARY:

On May 10, 2022, the County Board of Supervisors adopted Resolution 2022-48, approving County Planning files PLN210043 and PLN220007, regarding two temporary mobile homes for agricultural employees at 1740 Santa Ana Road (Assessor's Parcel 019-220-068). Within this resolution, condition 7 of approval required that the property owner "file a Declaration of Permit Restriction [deed restriction] with the County Recorder," with the declaration to incorporate all conditions of approval in addition to zoning regulations in effect at that time regarding temporary mobile homes. Planning staff has prepared this deed restriction document, and the property owners have signed the document with notary public acknowledgment.

This declaration requires Board approval. The attached deed restriction text includes the declaration that "Grantors [property owners] irrevocably covenant with County that the [stated] restrictions on the use and enjoyment of the subject property be created and be attached to, and become part of the deed to the subject property." The deed restriction therefore grants the County an interest in real property, and

accepting this interest requires Board authorization.

To complete this deed restriction, the Board will need to authorize the Planning Director (or current equivalent, the Assistant Director of Planning and Building) to sign the deed restriction on the County's behalf. Planning staff would then give the property owners the document to record with the County Recorder's office.

RESOLUTION OR ORDINANCE NEEDED FOR THIS ITEM:

Yes

CONTRACT NEEDED FOR THIS ITEM:

N/A

CONTRACT AND RFP HISTORY:

N/A

LAST CONTRACT AMOUNT OR N/A:

N/A

STATE IF THIS IS A NEW CONTRACT/ HOW MANY PAST AMENDED CONTRACTS/ OR N/A:

N/A

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

BUDGETED:

N/A

BUDGET ADJUSTMENT NEEDED:

N/A

SOURCE OF FUNDING:

N/A

UNFUNDED MANDATE:

N/A

SBC BUDGET LINE ITEM NUMBER:

N/A

CURRENT FY COST:

N/A

STAFF RECOMMENDATION:

Staff recommends that the Board of Supervisors adopt the resolution to authorize the County Planning Director to sign and accept, on behalf of the Board, the deed restriction required as a condition of approval for approved County Planning files PLN210043 and PLN220007.

ATTACHMENTS:

[RESOLUTION BOS PLN210043 221122 deed restriction authorization](#)

[Att A DEEDRESTRICTION PLN210043 22mmdd 1740 Santa Ana 202210241653unrecorded](#)

[Att B RESbos 2022-48 PLN220007 220510 BoS appeal PLN210043 approve 2xTMH](#)