



**SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM**

Dom Zanger
District No. 1
Vice-Chair

Kollin Kosmicki
District No. 2
Chair

Mindy Sotelo
District No. 3

Angela Curro
District No. 4

Ignacio Velazquez
District No. 5

Item Number: 1.9

MEETING DATE: 08/26/2025

DEPARTMENT: RESOURCE MANAGEMENT AGENCY

AGENDA ITEM PREPARER: Stephanie Reck

DEPT HEAD/DIRECTOR: Abraham Prado

SUBJECT:

RESOURCE MANAGEMENT AGENCY - S. LOUPE, PUBLIC WORKS ADMINISTRATOR

Accept the second reading of an "Ordinance to amend provisions of Title 23 Subdivisions Chapter 01 (General Provisions) Section 23.01.004 (Definitions), Chapter 17 (Improvements) Section 23.17.002 (Standards for Improvements), and Section 23.17.003 (Required Improvements)", and adopt amendments during the second reading on Consent Agenda on August 26, 2025.

SBC FILE NUMBER: 790

ORDINANCE NO.:1084

AGENDA SECTION:

CONSENT AGENDA

BACKGROUND/SUMMARY:

The draft amended Title 23 Subdivisions of the San Benito County Code was made available for public review in April of 2024.

Staff presented the requested amendments to Title 23 (Subdivisions) of the San Benito County Code during the April 17th, 2024, Regular Meeting of the Planning Commission. During this meeting the Planning Commission continued the item and directed staff to conduct additional amendments to include, but not limited to, Planning Commission's authority to recommend to the Board of Supervisors the use of in-lieu fees for future undergrounding of utilities throughout the county and to include limitations on improvement requirements under a subdivision of four (4) or fewer lots.

The Planning Commission reviewed the additional amendments during the August 7th, 2024, Public Hearing where they continued the item and directed staff to conduct additional amendments to include, but not limited to, increased requirements for road improvements.

The Planning Commission reviewed the additional amendments during the Special Meeting of November 6th, 2024, where the Planning Commission continued the item and directed staff to return with additional amendments to include, but not limited to, full-width road improvements.

The Planning Commission reviewed the additional amendments during a duly noticed Public Hearing of the Planning Commission on April 16th, 2025, where the Planning Commission continued the item and recommended staff to return with additional amendments to include, but not limited to, additional requirements for road improvements.

The planning Commission reviewed the additional amendments as part of Regular Agenda during the May 21st, 2025 Planning Commission meeting, where the Planning Commission continued the item and directed staff to return for Public Hearing during the next regularly scheduled meeting of June 18th, 2025 and recommended that staff implement additional language to include, but not limited to, examples of roadway improvements for subdivisions between 5-50 lots and 50 or more lots.

A duly noticed Public Hearing was held on June 18th, 2025, during a Regular Meeting of the Planning Commission where the draft amendments of Title 23 (Subdivisions) Chapter 01 (General Provisions) Section 23.01.004 (Definitions), and Chapter 17 (Improvements) Section 23.17.002 (Standards for Improvement), and Section 23.17.003 (Required Improvements) of the San Benito County Code were reviewed by the San Benito County Planning Commission and approved for recommendation to the Board of Supervisors.

These revisions strive to make the code more clear, concise, and user friendly.

Summary of changes include, but are not limited to:

- Added definitions of Frontage and Urban Level Services;
- requiring undergrounding of utilities in urban level service areas;
- Subdivisions of four or fewer lots shall have property dedications and frontage improvements for the half width of the road, unless the CEQA process determines otherwise;
- Subdivisions of five or more lots shall have property dedications and frontage improvements for the full width of the road;
- Subdivisions between five and fifty lots are required to perform a traffic nexus study;
- Subdivision of more than fifty lots shall conduct a traffic study and/or enter into a Development Agreement;
- Improvements required for all subdivisions of five or more lots shall be consistent with the circulation and transportation element of the General Plan,
- Area Plan, Master Plan and any applicable specific plan, as well as any Streets and Highways Master Plan;
- Planning Commission's authority to recommend to the Board of Supervisors the use of in-lieu fees for future undergrounding of utilities throughout the county.

A duly noticed public hearing was held on August 12th, 2025, during a Regular Meeting of the Board of Supervisors. The Board passed the amendments as written and also directed staff to return to the Planning Commission to discuss additional provisions for the undergrounding of utilities. The amendments are being adopted during the second reading on August 26th, 2025 and staff will be returning to the Planning Commission per the direction of the Board.

FISCAL IMPACT:

N/A

STAFF RECOMMENDATION:

Staff recommends the Board of Supervisors hold the second reading of the ordinance on Consent Agenda on August 26th, 2025 and adopt the amendments to Title 23 Subdivision.

ATTACHMENTS:

[Board Agenda Fact Sheet - Ordinance Title 23](#)

[Chapter 21.04 Local Tenant Preference](#)

[BOS Ordinance - COCO Executed](#)

[Presentation](#)

[Public Hearing Notice and Summary of Ordinance](#)