



**SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM**

Betsy Dirks
District No. 1

Kollin Kosmicki
District No. 2
Vice Chair

Peter Hernandez
District No. 3
Chair

Bob Tiffany
District No. 4

Bea Gonzales
District No. 5

Item Number: 4.27

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 file PLN190067, regarding a temporary mobile home for an on-site property caretaker at 642 Bolado Road, Tres Pinos (Assessor's Parcel 022-250-015).

SBC FILE NUMBER: 790

RESOLUTION NO.: 2022-157

AGENDA SECTION:

CONSENT AGENDA

BACKGROUND/SUMMARY:

On June 24, 2021, County Resource Management Agency Planning staff administratively approved County Planning file PLN190067, regarding a temporary mobile home for an on-site property caretaker at 642 Bolado Road, Tres Pinos (Assessor's Parcel 022-250-015). Within the Notice of Staff Action, which represents permit approval, condition 6 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:

No

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 file PLN190067.

ATTACHMENTS:

[Resolution - PLN190067 221213 deed restriction authorization](#)

[Att a DEEDRESTRICTION PLN190067 22 Balaji Matha 642 Bolado unrecorded](#)