



**SAN BENITO COUNTY  
AGENDA ITEM  
TRANSMITTAL FORM**

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Vice Chair

Peter Hernandez  
District No. 3  
Chair

Bob Tiffany  
District No. 4

Bea Gonzales  
District No. 5

**Item Number: 1.2**

**MEETING DATE:** 09/13/2022

**DEPARTMENT:** RESOURCE MANAGEMENT AGENCY

**AGENDA ITEM PREPARER:** Arielle Goodspeed

**DEPT HEAD/DIRECTOR:** Abraham Prado

**SUBJECT:**

**RESOURCE MANAGEMENT AGENCY - A. PRADO, ASST. DIRECTOR - PLANNING AND BUILDING**

Adopt resolution to initiate a General Plan amendment process to eliminate or modify the New Community Study Areas from the 2035 San Benito County General Plan, and provide additional direction to staff regarding possible urgency ordinance.

SBC FILE NUMBER: 790

RESOLUTION NO.: 2022-103

**AGENDA SECTION:**

REGULAR AGENDA

**BACKGROUND/SUMMARY:**

At the regular meeting of the Board of Supervisors of August 23, 2022, the Board directed a resolution be brought back indicating that the Board does not support housing in the northwest area of the County of San Benito identified as the Bolsa New Community Study Area. The Bolsa Study Area is identified as 1 of 4 New Community Study Areas in the Land Use Element of the San Benito County 2035 General Plan. A copy of the the New Community Study Area section is attached. A map of the areas is also attached and can found on pdf page 75/194 in the following link to the San Benito County 2035 General Plan: <https://www.cosb.us/home/showdocument?id=5859>.

The Bolsa Study Area is further identified as an area consisting of approximately 11,657 acres with approximately 170 parcels as indicated in the attached Bolsa Study Area pdf and excel sheet. The San Benito County 2035 General Plan designates the Bolsa Study Area mostly within the Agriculture (A) and Rangeland (RG) Land Use designations. The San Benito County 2035 General Plan Agriculture (A) land use designation has a maximum residential

density of 1 dwelling unit per 5 acres and the Rangeland (RG) land use designation has a maximum residential density of 1 dwelling unit per 40 acres.

The General Plan provides that although New Community Study Areas can include a range of possibilities from new towns to mixed-use master planned communities, the General Plan specifies that any implementation of the policy would require a General Plan Amendment and Specific Plan application, together with compliance with the California Environmental Quality Act (CEQA), through public hearings before both the Planning Commission and Board of Supervisors. There are currently no applications for General Plan Amendments and Specific Plans needed to develop any new towns or master planned communities in any of the New Community Study Areas.

Since the 2035 San Benito County was adopted in 2015, it has become apparent that a number of policies and resource constraints may make residential development in the Bolsa New Community Study Area in particular to be undesirable, including inadequate transportation infrastructure until such time as Highway 25 and other county arterial road capacity can be constructed and condition improved, provide better jobs and housing balance in the county, and measures to preserve and protect significant areas of important productive farmland within the Bolsa area can be established. Recently adopted 6th cycle Regional Housing Need Allocation (RHNA) goals emphasize that residential growth should occur predominantly within the City of Hollister and not in areas of productive farmland of the unincorporated County. Limiting development in the unincorporated portions of San Benito County to commercial or industrial uses to provide jobs and positive tax revenue and impact fees is a priority under the Economic Development element of the General Plan.

Since 2015 large areas of the San Juan New Community Study Area have been or are in the process of being set aside with open space, habitat, or agricultural conservation easements or land trusts, making most of the designated area unsuitable for development as a "new community". Much of the Fairview Community Study Area was already developed in large lot (5-acre) agriculturally-zoned residential subdivisions in the 1990s, while most of the remainder consists of prime or important agricultural land which may be best preserved and protected. The Union Road New Community Study Area includes the already planned San Juan Oaks development, five community service area residential developments (Hidden Valley #15, Union Heights #35, Ashford Highlands #38, Hollister Ranch Estates #49, Monte Bello #52) and significant areas (over 400 acres) of prime agricultural lands that as a result have limited areas that might be consistent with an opportunity for the development of a new community. In short, a land capability analysis should be done in evaluating what if any part of a new community plan area should be retained in a general plan amendment.

The 2035 San Benito County General Plan would have to be amended to implement this change in policy. The amendment process can be initiated by the Board of Supervisors in accordance with San Benito County Code (SBCC) section 19.29.003: "Either the county, or any interested party, may initiate the consideration of a General Plan amendment or a Specific Plan or Specific Plan amendment. The county may initiate a General Plan amendment or consideration of a Specific Plan by formal action of the Planning Commission or the Board of Supervisors." [Emphasis added]. Also see SBCC section 25.01.011 E. (Ordinance No. 1043, June 29, 2022).

Although the amendment to the General Plan would not take effect until the process outlined above is complete, the Board of Supervisors could, by a 4/5 vote, adopt an urgency ordinance

that would take immediate effect to prohibit or restrict residential development in the Bolsa or other New Community Study Areas of the County while the General Plan Amendment process is under way for a period of up to two years, pursuant to Government Code section 65858 (attached). Should the Board give direction, staff can prepare such an urgency ordinance for adoption at a future Board meeting.

**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**

Yes

**STRATEGIC PLAN GOALS: 5. Health & Safe Community**

Yes

**BUDGETED:**

N/A

**BUDGET ADJUSTMENT NEEDED:**

N/A

**SOURCE OF FUNDING:**

General Fund

**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:

1. Adopt resolution to initiate the General Plan amendment process to eliminate or modify the New Community Study Areas in the General Plan.
2. Provide staff direction on bringing forward an urgency ordinance pursuant to prohibit or restrict residential development in the Bolsa or other New Community Study Areas of the County while the General Plan Amendment process is under way for consideration at a future Board meeting.

**BOARD ACTION RESULTS:**

Adopted Resolution No.:2022-103 per staff recommendation.  
Accepted to provide staff direction. (5/0 Vote)

**ATTACHMENTS:**

[SBCC 19.29.003](#)

[Gov Code 65858](#)

[New Community Study Area excerpt of 2035 General Plan pp. 73-81](#)

[New Community Study Area Map](#)

[RESpc\\_2022-\\_to\\_Initiate\\_GPANewCommunityStudyAreas\\_20220913](#)