



SAN BENITO COUNTY AGENDA ITEM TRANSMITTAL FORM

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Item Number: 7.1

MEETING DATE: 08/19/2026

DEPARTMENT: RESOURCE MANAGEMENT AGENCY

AGENDA ITEM PREPARER: Rebekah Mojica

SUBJECT:

RESOURCE MANAGEMENT AGENCY - A. PRADO, DIRECTOR OF PLANNING AND BUILDING -
Receive report and recommendation for the Notice of Property Disposition and Notice of Property
Acquisition of the San Benito High School District's intent to (1) dispose of one (1) parcel,
approximately 49.68 acres (APN: 019-120-009), located on Wright Road; and (2) acquire one (1)
parcel, approximately 33.58 acres (APN: 019-110-019), for the District's proposed new high school
campus.
SBC FILE NUMBER: 790

AGENDA SECTION:

REGULAR AGENDA

BACKGROUND/SUMMARY:

On July 20, 2026, the San Benito High School District ("District") provided the attached notices of its intent to (1) dispose of APN: 019-120-009, approximately 49.68 acres located on Wright Road; and (2) acquire APN: 019-110-019, approximately 33.58 acres, for use as part of the District's proposed new high school campus. Under state law identified below, the Planning Commission is required to provide its report and recommendation regarding the conformity of the proposed disposition and acquisition with the County's adopted general plan. The District will then consider the report and recommendation of the Planning Commission prior to disposing of or acquiring those parcels.

This matter follows the Planning Commission's prior consideration of the District's proposed new high school location. On November 20, 2024, the Planning Commission considered the District's earlier notice of intent to acquire APNs 019-120-041, 019-120-042, and 019-120-009 (collectively approximately 63.66 acres) for the proposed high school campus. After public comment, the Planning Commission voted unanimously to recommend disapproval of the proposed site, finding it conflicted with numerous policies in the County General Plan and would significantly impact agricultural lands, including Prime Farmland and Farmland of Statewide Importance. The Planning Commission's December 2, 2024 report and recommendation letter to the District detailed concerns regarding loss of agricultural lands, traffic and

circulation, wildfire and evacuation safety, and the need for a full Environmental Impact Report ("EIR") under the California Environmental Quality Act ("CEQA").

The District now proposes to dispose of APN 019-120-009 (the 49.68 acre parcel that was part of the original proposed site) in connection with the acquisition of APN 019-110-019, a 33.58-acre parcel that the District states is more suited for use as the site of the new high school. The District intends to use the entirety of the newly acquired parcel for the construction and operation of school facilities and related improvements.

Government Code Section 65402 requires the Planning Commission to report on the conformity of both the proposed disposition and the proposed acquisition with the County's adopted general plan within forty (40) days of receipt of the District's notices. Public Resources Code section 21151.2 requires the Planning Commission to investigate the proposed acquisition site and submit a written report and recommendation within thirty (30) days of receipt of notice. The District has combined both statutory notice requirements in its July 20, 2026 acquisition letter. Failure to report within these statutory periods shall be deemed approval of the transactions as being in conformity with the general plan.

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:](#)

To promote the safety of pupils and comprehensive community planning the governing board of each school district before acquiring title to property for a new school site or for an addition to a present school site, shall give the planning commission having jurisdiction notice in writing of the proposed acquisition. The planning commission shall investigate the proposed site and within 30 days after receipt of the notice shall submit to the governing board a written report of the investigation and its recommendations concerning acquisition of the site.

The governing board shall not acquire title to the property until the report of the planning commission has been received. If the report does not favor the acquisition of the property for a school site, or for an

addition to a present school site, the governing board of the school district shall not acquire title to the property until 30 days after the commission's report is received.

[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 proposed disposition of APN 019-120-009 and the proposed acquisition of APN 019-110-019 and provide direction to staff regarding any recommendations to include in a report to the District, including whether the proposed transactions are consistent with the County General Plan and whether the District should prepare an EIR for the development of the new high school. Staff further recommend that the Planning Commission's report reiterate the concerns and recommendations set forth in its December 2, 2024 letter to the District, including the need for a complete traffic study, compensatory mitigation for loss of agricultural lands, and analysis of safe access for vehicles and pedestrians.

ATTACHMENTS:

[July 20, 2026 Notice of Property Acquisition - New High School Site](#)

[July 20, 2026 Notice of Property Disposition](#)

[Draft Report and Recommendation - SBHSD Property Acquisition and Disposition - SBC PC](#)

San Benito High School District Property Notice - PowerPoint.