



**SAN BENITO COUNTY
AGENDA ITEM
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Item Number: 7.1

MEETING DATE: 08/20/2025

DEPARTMENT: RESOURCE MANAGEMENT AGENCY

AGENDA ITEM PREPARER: Jonathan Olivas

SUBJECT:

RESOURCE MANAGMENT AGENCY- A. PRADO, ASSISTANT DIRECTOR - PLANNING AND BUILDING -

Hold a public hearing and consider adopting a resolution regarding County Planning File PLN250043 (Russell) Minor Subdivision at 1175 Comstock Road an amendment to County Planning file PLN220004 (original approval of the Minor Subdivision) request to reword conditions 25,26 & 33 to include "escrow account" in lieu of bonding for construction of improvements; acceptance of improvements; and preparation of as-built-plans.

SBC FILE NUMBER: 790

AGENDA SECTION:

PUBLIC HEARING

BACKGROUND/SUMMARY:

PLN220004 is a minor subdivision of a 38.93-acre parcel located at 1175 Comstock Road, approved by the Planning Commission on August 21, 2024. The subdivision creates four parcels measuring approximately 23.57 acres, 5.00 acres, 5.00 acres, and 5.00 acres. The project was found consistent with the General Plan and zoning designations and was evaluated under CEQA through an Initial Study/Mitigated Negative Declaration.

Following project approval, Conditions 25, 26, and 33 were modified to allow the use of bonding as an alternative to constructing public improvements prior to recordation of the parcel map. However, County policy has since changed to prohibit bonding for private-party projects. In consultation with County Counsel, staff identified the use of an escrow account as an alternative method of securing the required improvements. County Counsel supports this approach, subject to Planning Commission approval.

The applicant is requesting Planning Commission approval to amend the conditions of approval to allow the use of an escrow account in lieu of a performance bond, while retaining the requirements for geotechnical engineer acceptance and preparation of as-built plans.

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

No

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission approve the proposed amendment to the conditions of approval for PLN220004 to allow the required public improvements to be secured through an escrow account in lieu of a performance bond. The revised conditions would continue to require acceptance of the improvements by a geotechnical engineer and preparation of as-built plans prior to release of escrow funds and/or recordation of the parcel map.

ATTACHMENTS:

[Amendment Resolution](#)

[Staff Summary](#)

[Power Point](#)

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