

BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN BENITO

RESOLUTION NO. 2026-5

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN BENITO, CALIFORNIA, APPROVING A GENERAL PLAN AMENDMENT (REF250003), AN AMENDMENT TO THE GENERAL PLAN LAND USE ELEMENT AND LAND USE ELEMENT MAP, TO IMPLEMENT REZONES REQUIRED BY THE ADOPTED 2023-2031 HOUSING ELEMENT (REF250001) ALONG WITH AN INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”)

WHEREAS, Government Code § 65300 requires that each jurisdiction in California adopt a comprehensive General Plan for the long-term physical development of the jurisdiction; and

WHEREAS, Government Code § 65358 allows the County, when it deems it to be in the public interest, to amend all or part of the General Plan subject to certain requirements; and

WHEREAS, Government Code § 65588(e)(4) requires the County to review and update its Housing Element for the 2023-2031 planning period; and

WHEREAS, The California Department of Housing and Community Development (HCD) reviewed the County of San Benito’s 2023-2031 Housing Element 6th Cycle and on April 1st, 2025, issued findings that the Housing Element would substantially comply with State Housing Element Law (Government Code Section 65580 *et seq.*) subject to the adoption of the Housing Element and approval of necessary zoning amendments as set forth in **Exhibit “E”**; and

WHEREAS, at its regular meeting of May 20, 2025, the County of San Benito adopted the General Plan Amendment (REF250001) 2023-2031 Housing Element 6th Cycle update in accordance with State law and has identified sites and rezones that can accommodate housing units meeting the County’s RHNA (**Exhibit F**); and

WHEREAS, the subject Housing Element Implementation Project efforts (a General Plan Land Use Element and Map Amendment, Zone Change, and Text Amendments - the “Housing Element Implementation Project REF250003”) were identified by HCD as being necessary prior to certification of the Housing Element, and the Housing Element Implementation Project implements the strategies identified in the updated Housing Element to address the established Regional Housing Needs Allocation (“RHNA”); and

WHEREAS, the County initiated a General Plan Land Use Amendment to implement the necessary Land Use Amendments required for Housing Element certification; and

WHEREAS, the Housing Element Implementation Project amends the General Plan Land Use Map (**Exhibit A**) to establish a new land use designation (Residential High) and amends the General Plan Land Use Element (**Exhibit B**) to establish the Residential High Land Use Designation to support the Housing Element Implementation Project strategies within the updated Housing Element; and

WHEREAS, the Housing Element Implementation Project amends the Land Use Designations of APNs 0201700250, 0200800220, 0200400360, 0200600140, 0253500670, 0201700370, 0201700380, 0201700390, 0200400590, and 0202800070 from “Residential Mixed” to “Residential High,” and amends the Land Use Designation of APNs 0192300320 and 0191400080 from “Agriculture” to “Residential High”; and

WHEREAS, pursuant to the California Environmental Quality Act (“CEQA”), an Initial Study and Mitigated Negative Declaration (“IS/MND”) was prepared for the Housing Element Implementation Project (**Exhibit C**) in compliance with CEQA and the local environmental review guidelines; and

WHEREAS, pursuant to the California Environmental Quality Act (“CEQA”), a Notice of Intent to adopt a Mitigated Negative Declaration for the Housing Element Implementation Project was posted with the San Benito County Clerk’s Office on September 11th, 2025 (**Exhibit D**); and

WHEREAS, pursuant to CEQA, the IS/MND was circulated for the required 30-day public review period from September 12th, 2025, to October 13th, 2025; and

WHEREAS, the County of San Benito Planning Commission reviewed and considered the proposed General Plan Amendment along with all written and oral testimony presented at a regularly scheduled public hearing held on November 19th, 2025; and

WHEREAS, the County of San Benito Planning Department on October 31st, 2025, caused to be published a legal notice in the Hollister Free Lance, a local paper of general circulation, indicating the date, time and location of the Planning Commission public hearing on proposed General Plan Amendment (REF250003) Housing Element Implementation Project and mailed this notice to the property owners of the 12 candidate parcel sites, including individuals within 300 foot radius, 20 days prior to the public hearing pursuant to California Government Code 65854(b)(2); and

WHEREAS, the County of San Benito Planning Commission adopted Resolution 2025-18, recommending the County of San Benito Board of Supervisors deny General Plan Amendment (REF250003), at a regularly scheduled public hearing held on November 19th, 2025; and

WHEREAS, the County of San Benito Planning Department on December 5th, 2025, caused to be published a legal notice in the Hollister Free Lance, a local paper of general circulation, indicating the date, time, and location of the public hearing on proposed General Plan Amendment (REF250003) Housing Element Implementation Project pursuant to Government Code 65856(b), and also mailed notices to the property owners of the 12 candidate parcel sites, including individuals within 300 foot radius, 10 days prior to the public hearing, which went over and above the statutory publication requirements; and

WHEREAS, the San Benito County Board of Supervisors reviewed and considered the proposed General Plan Amendment (REF250003) Housing Element Implementation Project, the recommendation of the Planning Commission, as reflected in Planning Commission Resolution 2025-18, the entire administrative record of the Planning Commission along with all written and oral testimony presented at public hearing of a regular meeting on November 19th, 2025; and

NOW, THEREFORE, BE IT RESOLVED that, based on the evidence in the record, the County of San Benito Board of Supervisors hereby finds as follows:

Finding 1. The recitals contained in this Resolution and the Housing Element Implementation Project contained in the attached **Exhibits A-G** are true and correct, and incorporated by this reference as if fully set forth herein.

Finding 2. Based upon all evidence in the record, the Housing Element Implementation Project substantially complies with Housing Element Law (Gov. Code 65580 et seq.) and satisfies HCD’s April 1st, 2025, Findings (**Exhibit E**), as required by State law.

Finding 3. The Housing Element Implementation Project has been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (“CEQA”) and CEQA Guidelines. An Initial Study/Mitigated Negative Declaration (“IS/MND”) has been prepared for the project for the County, as the lead agency. The IS/MND was prepared pursuant with the requirements of CEQA on the basis that there may be significant environmental impacts on specific environmental areas as a result of the project, but potential impacts have been mitigated to a level below significance through mitigation measures. Subsequent housing developments proposed will be subject to compliance with CEQA as they are submitted.

Finding 4. The Housing Element Implementation Project complies with the Measure A Empower Voters to Make Land Use Decisions Initiative as the proposed rezoning is necessary to comply with State housing requirements and the re-designation only includes lands necessary for that compliance.


Finding 5. This Resolution will not adversely affect the health, safety or welfare of the residents within the community, is in the public interest of the County of San Benito, is consistent with the County of San Benito General Plan and its various elements, and will not be contrary to other goals, objectives and/or policies of the County of San Benito County Code.

Finding 6. The Board of Supervisors has considered the Planning Commission’s recommendation to deny the General Plan Amendment based on concerns regarding notice to affected property owners. The Board finds that all noticing requirements required by State law were satisfied, that the noticing provided exceeded statutory requirements, and that any additional notice suggested by the Planning Commission was discretionary rather than legally required. The Board therefore disagrees with the Planning Commission’s recommendation and finds that the notice provided was adequate and does not constitute a basis for denial.

BE IT FURTHER RESOLVED, that based on the evidence on the record and based on the foregoing findings, the Board of Supervisors of the County of San Benito adopts the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (MMRP) included as Exhibit C to limit any environmental impacts to a level less than significant, and based on the findings contained referenced in this resolution, that the County Board of Supervisors adopt the General Plan Amendment (REF250003) Housing Element Implementation Project as set forth in **Exhibit “B,”** and authorize the Director of Planning and Building, or their designee, to file all necessary documents with the California Department of Housing and Community Development (HCD) on behalf of the County.

PASSED AND ADOPTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN BENITO THIS 13th DAY OF JANUARY 2026 BY THE FOLLOWING VOTE:

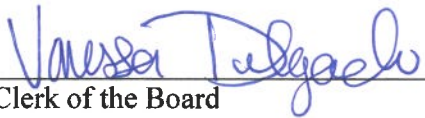
AYES: 5 - Zanger, Velazquez, Kosmicki, Sotelo, Curro
NOES: 0 - None
ABSENT: 0 - None
ABSTAIN: 0 - None



Dom Zanger, Chair
San Benito County Board of Supervisors

ATTEST:
Vanessa Delgado, Clerk of the Board

APPROVED AS TO LEGAL FORM:
Sean Cameron, Assistant County Counsel

By: 

Clerk of the Board

By: 

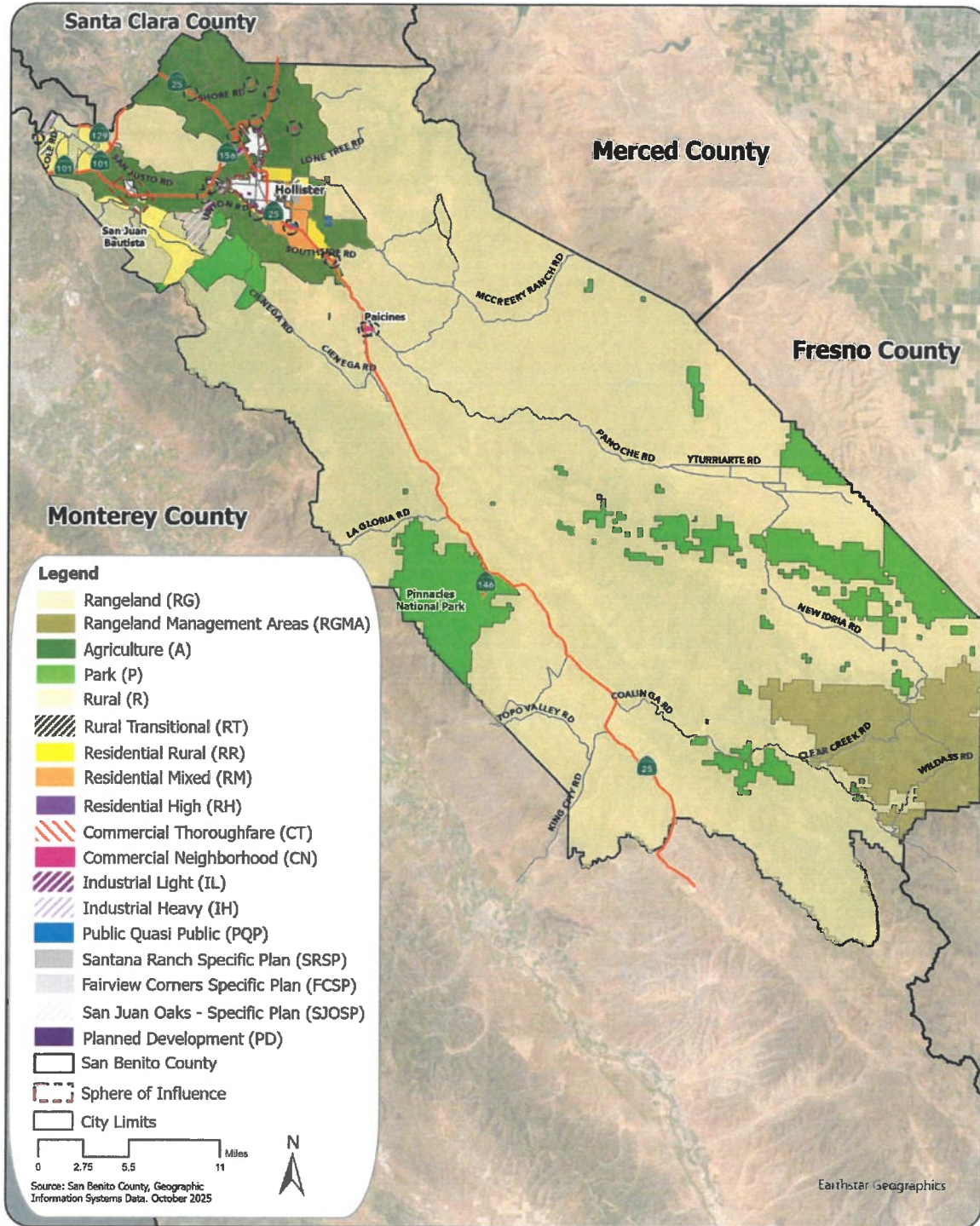
Assistant County Counsel

Date: 01/13/2026

Date: January 6, 2026

Exhibit "A"

Proposed Land Use Map



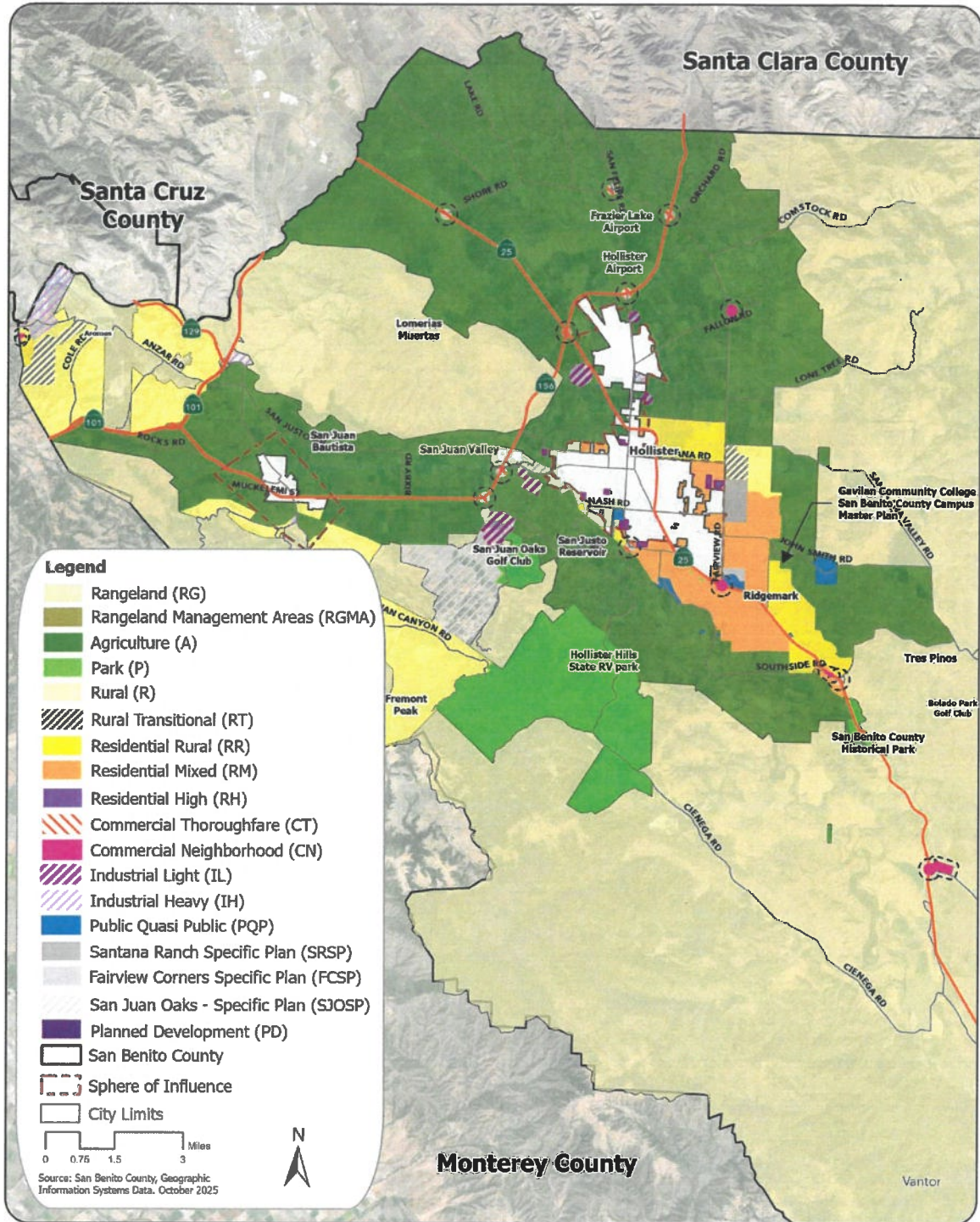


Exhibit “B”

Proposed Land Use Element Amendment

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Exhibit “C”

Initial Study and Mitigated Negative Declaration

All attachments below can be found here: <https://www.sanbenitocountyca.gov/departments/resource-management-agency/planning-and-land-use-division/current-major-planning-projects>

Final IS/MND:

<https://www.sanbenitocountyca.gov/home/showpublisheddocument/14907/638985493041034156>

Errata to IS/MND and Mitigation Monitoring and Reporting Program:

<https://www.sanbenitocountyca.gov/home/showpublisheddocument/14905/638985493031481186>

Exhibit “D”

Notice of Intent to adopt a Mitigated Negative Declaration for the Housing Element Implementation Project

<https://www.sanbenitocountyca.gov/home/showpublisheddocument/14826/638975182063396896>

Exhibit “E”

HCD Letter of Statutory Compliance dated April 1st, 2025

<https://www.sanbenitocountyca.gov/home/showpublisheddocument/14306/638858601723300000>

Exhibit “F”

2023-2031 Housing Element 6th Cycle Update

<https://www.sanbenitocountyca.gov/home/showpublisheddocument/14304/638858592378200000>

Exhibit “G”

Planning Commission Staff Report dated November 19th, 2025, with regards to the 2023 – 2031 Housing Element Implementation Project (REF250003) is hereby attached by reference.

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