



# SAN BENITO COUNTY PLANNING COMMISSION

---

<b>Mark Tognazzini</b> District No. 1 <b>CHAIR</b>	<b>Dan DeVries</b> District No. 2	<b>Gordon Machado</b> District No. 3	<b>Richard Bettencourt</b> District No. 4	<b>Robert Scattini</b> District No. 5
--	--------------------------------------	---	--	--

---

County Administration Building – Board of Supervisor Chambers, 481 Fourth Street, Hollister, California

## ***REGULAR MEETING AGENDA***

### **JULY 18, 2007**

***THERE WILL BE NO NEW BUSINESS AGENDA ITEMS HEARD AFTER 9:30 P.M.***

#### ***6:00 PM ~ CALL TO ORDER***

- ***Pledge of Allegiance***
- ***Roll Noted ~ Commissioners present noted by Clerk***
- ***Director's ~ Staff Report***

#### ***NEW BUSINESS***

- ***Welcome Newly Appointed District #5 Commissioner – Robbie Scattini***
- ***Election of Vice-Chair for remainder of term***

#### ***PUBLIC COMMENT***

**The San Benito County Planning Commission welcomes you to this meeting and encourages your participation.**

- If you wish to speak on a matter which does **NOT** appear on the agenda, you may do so during the Public Comment period at the beginning of the meeting.. Please complete a Speaker Card and provide to the Clerk prior to the meeting. Except as otherwise provided by law; no action shall be taken on any item **NOT** appearing on the Agenda or items that have been continued to a future public hearing date. When addressing the Commission, **please state your name for the record**. Please address the Commission as a whole through the Chair. This open forum period is provided to allow members of the public an opportunity to address the Planning Commission on general issues of land use planning and community development. It is not intended for comments on items on the current agenda, any pending items.
- If you wish to speak on an item contained in the Agenda, please complete a Speaker Card identifying the Item(s) and provide it to the Clerk prior to consideration of the item.
- **Each individual speaker will be limited to a presentation total of three 3 minutes.**

## **CONSENT AGENDA**

- These items will be considered as a whole without discussion unless a particular item is requested by a member of the Commission, Staff or the public to be removed from the Consent Agenda. Approval of a consent item means approval of the recommended action as specified in the Staff Report.
  - If any member of the public wishes to comment on a Consent Agenda Item please fill out a speaker card present it to the Clerk prior to consideration of the Consent Agenda and request the item be removed and considered separately.
1. Acknowledge Public Hearing Notice
  2. Acknowledge Certificate of Posting
  3. Minutes of June 20, 2007

## **CONTINUED ITEM COMMISSION ACTION**

4. Transaction of Business Annual Review

## **CONTINUED PUBLIC HEARINGS**

5. **ZONE CHANGE NO. ZC 06-150 and COMMERCIAL DISTRICT REVIEW NO. CDR 59-06** APPLICANT/OWNER: John & Jae Eade. LOCATION: Northwest side of the intersection of State Highway 25 and Southside Road, Tres Pinos. APN: 22-20-09 and 22-20-10. REQUEST: **FINDINGS FOR DENIAL OF** Zone Change from Rural/Urban (R/URB) to Commercial Thoroughfare District (C-1) for the development of a commercial lodging facility. ZONING: Rural/Urban. ENVIRONMENTAL REVIEW: Mitigated Negative Declaration. **PROJECT PLANNER: Chuck Ortwein** ([cortwein@planning.co.san-benito.ca.us](mailto:cortwein@planning.co.san-benito.ca.us)) (continued from 6-20-07)
6. **MINOR SUBDIVISION NO. 1187-06** – APPLICANT: Chris Ferguson. LOCATION: 1946 Carr Ave., Aromas. APN: 11-08-58 REQUEST: To subdivide a 7.35 acre parcel into 2 parcels of 4.85 and 2.5. ZONING: Rural Transitional (RT). ENVIRONMENTAL EVALUATION: Mitigated Negative Declaration. **PLANNER: Chuck Ortwein** ([cortwein@planning.co.san-benito.ca.us](mailto:cortwein@planning.co.san-benito.ca.us)) (continued from 6-20-07)
7. **MINOR SUBDIVISION NO. 1203-07** – APPLICANT: Ken May. LOCATION: Chateau Drive, between Carr Road and Merrill Road. APN: 11-23-09 REQUEST: To subdivide 16.10 acres into three parcels of 5.5 acres, 5.51 acres and 5.09 acres. ZONING: Rural (R). ENVIRONMENTAL EVALUATION: Mitigated Negative Declaration. **PLANNER: Lissette Knight** ([lknight@planning.co.san-benito.ca.us](mailto:lknight@planning.co.san-benito.ca.us)) (continued from 06-20-07)
8. **USE PERMIT NO. 969-07** – APPLICANT: Earthbound Farms. LOCATION: 1721 San Juan Highway, San Juan Bautista. APN: 12-02-16 & 12-05-10 REQUEST: To amend Use Permit 779-99 to treat their process water to a tertiary treatment quality level capable of being reclaimed. ZONING: Agricultural Productive (AP). ENVIRONMENTAL EVALUATION: Mitigated Negative Declaration. **PLANNER: Lissette Knight** ([lknight@planning.co.san-benito.ca.us](mailto:lknight@planning.co.san-benito.ca.us)) (continued from 06-20-07)

**PUBLIC HEARING ITEMS  
COMMISSION ACTION**

9. **MINOR SUBDIVISION NO. 1200-07** – APPLICANT: Gloria Ballard, MH Engineering. OWNER: Timothy Gray. LOCATION: 363 Orchard Hill Rd., San Juan Bautista APN: 11-29-72. REQUEST: To subdivide a 17.72-acre site into three parcels of 7.01, 5.46, and 5.25 acres. ZONING: Rural (R)/Open Space (OS). ENVIRONMENTAL EVALUATION: Mitigated Negative Declaration. **PROJECT PLANNER: Michael Kelly ([mkelly@planning.co.san-benito.ca.us](mailto:mkelly@planning.co.san-benito.ca.us))**
10. **REQUEST TO REBUILD A NON-CONFORMING STRUCTURE** - APPLICANT: Tony Bruscia. LOCATION: 74 Barnes Lane, Hollister. APN: 19-31-27 REQUEST: Planning Commission is to make a determination under Section 18-196.3, titled Damaged or Destroyed Nonconformities of the San Benito County Code, Chapter 18 (Zoning Ordinance). The Planning Commission shall consider whether to permit re-building a non-conforming structure destroyed by fire; a rental home to be built within its existing footprint. ZONING: Rural Residential (RR). ENVIRONMENTAL EVALUATION: Categorically Exempt. **PLANNER: Lissette Knight ([lknight@planning.co.san-benito.ca.us](mailto:lknight@planning.co.san-benito.ca.us))**
11. **TSM NO. 06-72 & ZONE CHANGE NO. 07-51** – APPLICANT: Ted Intravia. LOCATION: 3291 San Juan Hollister Road. APN: 21-13-30 REQUEST: To rezone and subdivide 32.48 acres to a PUD. The subdivision would create 5 parcels with an average size of 1.06 acres and a remainder of 27.15 acres. ZONING: Agricultural Productive (AP). ENVIRONMENTAL EVALUATION: Mitigated Negative Declaration. **PLANNER: Chuck Ortwein ([cortwein@planning.co.san-benito.ca.us](mailto:cortwein@planning.co.san-benito.ca.us))**
12. **CAPITAL IMPROVEMENT PROJECTS** APPLICANT: San Benito County. LOCATION: Countywide. REQUEST: Find Capital Improvement Projects consistent with the General Plan. ENVIRONMENTAL EVALUATION: Various Determinations **PROJECT BY SAN BENITO COUNTY PUBLIC WORKS DEPT.**
13. Update on future Planning Commission discussion items

**INFORMATIONAL – NON-ACTION ITEM**

***Commissioner Announcements/Reports/Discussions***

**ADJOURN TO AUGUST 1, 2007**

**General Email: [planningmail@yahoo.com](mailto:planningmail@yahoo.com)**

**APPEAL NOTICE:** Any person aggrieved by the decision of the Planning Commission may appeal the decision within ten (10) calendar days to the Board of Supervisors. The notice of appeal must be in writing and shall set forth specifically wherein the Planning Commission's decision was inappropriate or unjustified. Appeal forms are available from the Clerk of the Board at the San Benito County Administration Office, 481 Fourth Street, Hollister and the San Benito County Planning Department, 3224 Southside Road, Hollister.

**NOTE:** A copy of this Agenda is published on the County's Web site by the Friday preceding each Commission meeting and may be viewed at [www.san-benito.ca.us/agendas](http://www.san-benito.ca.us/agendas). All proposed agenda items with supportive documents are available for viewing at the San Benito County Administration Building, 481 Fourth Street, Hollister, CA between the hours of 8:00 a.m. & 5:00 p.m., Monday through Friday (except holidays.) This is the same packet that the Planning Commission reviews and discusses at the Commission meeting. The project planner's name and email address has been added at the end of each project description. In compliance with the Americans with Disabilities Act (ADA) the San Benito County Planning Commission meeting facility is accessible to persons with disabilities. If you need special assistance to participate in this meeting, please contact the Commission Clerk office at (831) 637-5313 at least 48-hours before the meeting to enable the County to make reasonable arrangements to ensure accessibility.