



San Benito County Resource Management Agency

Public Works / Planning & Building / Parks / Integrated Waste

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July 13, 2018

To those whom this may concern:

Regarding: Minor Modification to the Santana Ranch Development Agreement and Specific Plan
Community Park construction required at 300th Occupancy, deferred to 505th Occupancy
to Accommodate School District needs.

There has been expressed a need by the local school district to use a designated future community park area adjacent to a future school site within the Santana Ranch development, to store available and locally graded earth materials needed for school construction. At issue is that the housing developer is obligated to construct and deliver the Community Park by the 300th occupancy of new units within Santa Ranch – and this point is approaching in the near term – yet the school will not be ready to use the stored soils needed for their future schools site development and construction until a time following the 300th occupancy.

This Minor Modification moves the 300th occupancy to the 505th occupancy. This will provide the school an opportunity to avail themselves to the stored nearby soils for their school construction, and at a time frame that works with their construction schedule. The 505th occupancy threshold re-establishes a “point-certain” for the housing developer to complete and deliver the Community Park.

Under the explicit authority and clarification of the Planning Director’s authority under the DA and Specific Plan, the Planning Director is authorized to make such Minor Modifications subject to making a few findings. This Minor Modification will not:

(1) Modify any zoning regulation or standard;

Evidence: The change of a timing threshold for performance by the developer to deliver a Community Park per the Specific Plan and Development Agreement does not modify any zoning regulation or standard.

(2) Modify the Figure 2-1 Land Use Map or Table 2-1 in a manner that is inconsistent with Article 2, Section 2.3. of this Specific Plan;

Evidence: The change of a timing threshold for performance by the developer to deliver a Community Park does not modify the Figure 2-1 Land Use Map or Table 2-1.

(3) Cause any other change to the Project that would result in a new significant adverse, unmitigated environmental impact or any significant increase in any previously-identified environmental impact pursuant to Public Resources Code section 21166;

Evidence: The change of a timing threshold for performance by the developer to deliver a Community Park will not cause any other change to the Project that would result in a new significant adverse, unmitigated environmental impact or any significant increase in any previously-identified environmental impact pursuant to Public Resources Code section 21166. In fact, by allowing the temporary storage of graded spoils material to remain proximate to the school site that will be constructed reduces truck and transportation effects of storing such materials off-site, and then returning them to the school construction site once ready to be integrated into the school site preparation. This will also reduce the expenses that would be incurred with such off-site storage.

(4) Be inconsistent with the purpose and intent of the Specific Plan.

Evidence: The change of a timing threshold for performance by the developer to deliver a Community Park, will still result in the construction of a Community Park, and is not inconsistent with the purpose and intent of the Specific Plan.

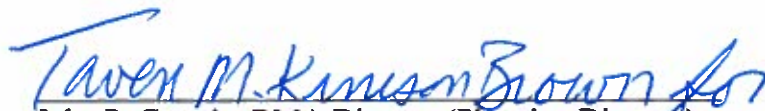
Therefore, the proposal to change the timing threshold for performance by the developer to deliver a Community Park, is considered a Minor Modification to the Development Agreement within the allowances of the Santana Ranch Specific Plan, and is hereby granted.

The modified language of the *Development Agreement By and Between the County of San Benito and Santana Ranch Landowners Exhibit 8 Milestones* is modified as follows (Bullet 3):

- Construct Community Park prior to issuance of the Certificate of Occupancy of the 300th 505th dwelling unit (pg8-23 sp).

The modified language of the *Santana Ranch Specific Plan, Phasing, (Implementation Section, page 8-23)* is modified as follows:

The Community Park, including all improvements, shall be constructed no later than the occupancy of the 300th 505th dwelling unit.


John P. Guertin, RMA Director (Planning Director)


Date