Owner's Statement

We hereby state that we are the owners of, or have some right, title, or interest in and to the real property included within the subdivision shown upon the herein map; that we are the only persons whose consent is necessary to pass a clear title to said real property: that we hereby consent to the preparation and filing of said map and subdivision as shown within the distinctive boundary line.

The real property described below is dedicated in fee for public purposes: We hereby irrevocably dedicate to public use and offer to dedicate to the County of San Benito all streets and portions of streets not heretofore existing and designated as Parcel A1-Southside Road, Parcel A2-Southside Road, Parcel B-Hospital Road, Parcel C-Colorado Way, Parcel D-Sacramento Way, Parcel E1-Kern Way, Parcel E2-Kern Way, Parcel F1-Klamath Way, Parcel F2-Klamath Way, Parcel G-San Joaquin Court, Parcel H-Walker Way, Parcel I-Kings Way, Parcel J-Fulton Way, and Parcel K-Mojave Way as shown on this map; said dedications and offers of dedication are for any and all public uses under, upon, and over said streets and portions thereof.

We also hereby irrevocably dedicate to public use and offer to dedicate in fee to the County of San Benito for all public service purposes including open space, landscaping/recreational amenities, drainage, public services, and all appurtenances thereto within said subdivision to the above under, on or over those certain areas designated as Parcel M-Open Space as shown on this map.

The real property described below is dedicated as an easement for public purposes: We hereby irrevocably dedicate to the public for public use and offer to dedicate to the County of San Benito easements for any and all public service purposes including sidewalks, poles, wires, conduits for storm, sanitary, water, gas, electric, telephone and telephone facilities, soundwalls, public utilities and appurtenances to the above under, on or over those certain areas designated as PUE (public utility easement). The aforementioned public utility easement shall remain open and free from buildings and structures of any kind except public utility structures and their appurtenances, drainage structures and lawful fences.

We also hereby offer to dedicate to the Sunnyslope County Water District as an easement for water service purposes all streets (Parcels A thru K and Parcel L- Interim Fulton Way) and all PUE's as designated on this map.

We also hereby offer to dedicate as an easement to the County of San Benito Parcel L-Interim Fulton Way and the interim easements on Lots 130 and 131 as easements for ingress, egress, drainage, and utilities. Said easements are interim until such time as Kern Way is connected to Southside Road or the westerly extension of Enterprise Road. These interim easements shall remain in full effect until such time as the Board of Supervisors determines sufficient access is provided to this subdivision and records a quitclaim of said

We also hereby irrevocably dedicate to the public for public use and offer to dedicate to the County of San Benito storm drainage easements in, under, over, upon and across those certain strips of land delineated and designated as SDE (storm drainage easement) as shown on this map.

As Owner:	
KB Home, South Bay Inc., a California Corporatio	n
By:	

Acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA	
COUNTY OF	_
on,,	before me,
personally appeared	
ontea -	
subscribed to the within instrument and	sfactory evidence to be the person whose name is d acknowledged to me that he/she executed the same to by his/her signature on the instrument the person, or son acted, executed the instrument.

I Certify under PENALTY OF PERJURY under the laws of the State of California that the

WITNESS my hand and official seal.

foregoing paragraph is true and correct.

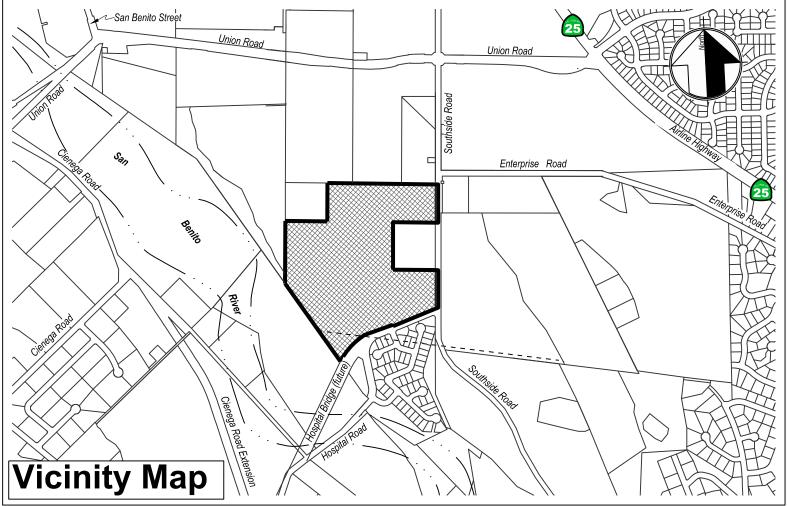
Name, Notary Public in and for said County and State

Principal County of Business: Commission Expires: Commission # of Notary:

Tract No. 342 **Sunnyside Estates**

In the unincorporated territory of the County of San Benito, State of California Being a portion of Homestead Lots 42 & 45 of the Rancho San Justo as shown on that map thereof recorded in Book 1 of Maps, at Page 64, **San Benito County Records**

Job No. 217051 **July 2018**



Signature Omissions:

Pursuant to Section 66436 of the California Subdivision Map Act, the signature of the following parties have been omitted:

1. James Harold Bray and Debbie Raye Bray, Co-Trustees of the Bray Family Trust UA 12/1/92, and F. Ronald Culler and Veronica I. Culler, Co-Trustees of the Culler Living Trust dated December 16, 1982, -- regarding a non-exclusive easement for incress. egress, public utilities, and incidental purposes recorded 4/19/2012 as instrument 2012-003571 San Benito County Records reserving the Grantors the right to relocate said easement per conditions stated therein.

Acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA	
COUNTY OF	
On ,	before me,
personally appeared	
who proved to me on the basis of satisf	factory evidence to be the person whose name is

who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I Certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Name , Notary Public in and for said County and State	(Seal)
Principal County of Business:	
Commission Expires:	
Commission # of Notary:	

Clerk of the Board of Supervisors Statement

, clerk of the San Benito County Board Of Supervisors, hereby state that said Board approved the within map on the ____ day of _ 2017 and on behalf of the County, the following offers of dedication, shown on the within map, on behalf of the public are accepted or rejected as indicated below by circling the action that applies for each dedication:

Dedication Accepted Rejected or	Accepted 8	subject to ir	nprovement (cnoose one)
Streets In fee	Accepted	Rejected	Accepted Subject to Improvement
Parcel L as easement	Accepted	Rejected	Accepted Subject to Improvement
Interim easements on Lots 130&131	Accepted	Rejected	Accepted Subject to Improvement
Parcel M In fee	Accepted	Rejected	Accepted Subject to Improvement
Public Utility Easements (PUE)	Accepted	Rejected	Accepted Subject to Improvement
Storm Drainage Easements (SDE)	Accepted	Rejected	Accepted Subject to Improvement
for public uses in conformity with te	erms of the	offer of ded	ication, subject to condition that the
County of San Benito is not respon	sible or liab	ole for any c	ost or expense of any offer
accepted unless authorized by sep	arate action	n of the Boa	rd of Supervisors (if no choice is
circled then it is rejected).			

Ву:			
	County Clerk and Ex Officio Clerk of the	Date	•
	Board of Supervisors of the County		
	of San Benito County, State of California		

Statement of Sunnyalana County Water District

I, Donald G. Ridenhour, General Manager of the Shereby certify that on the day of water service purposes, all streets (Parcels A thru all PUE's as designated on the Map entitled "Track	_, 2018, I accept on behalf of the public, for K and Parcel L- Interim Fulton Way) and
Donald G. Ridenhour, General Manager	 Date

Surveyor's Statement

LS 7741,

I hereby state that this map and the field survey, upon which the map is based, were made by me or under my direction in conformance with the requirements of the Subdivision Map Act and local ordinance, at the request of KB Home South Bay Inc., during September 2017, that the survey is true and complete as shown, that all the monuments are of the character and occupy the positions indicated, or that they will be set in such positions within one year of the recordation of this map and that the monuments are, or will be, sufficient to enable the survey to be retraced. I hereby state that this final map substantia

ally conforms to the conditiona	ally approved tentative n	nap.
ndrade exp. 12/31/2019	// <i>/16/2018</i> Date	EXP. 12-31-2019 NO. 7741

County Engineer's Statement

I hereby state that I have examined the Final Map of Tract No. 342, Sunnyside Estates and that the subdivision as shown is substantially the same as it appeared on the tentative map, and any approved alterations thereof and that all provisions of Chapter 2 of the Subdivision Map Act and of any local ordinances applicable at the time of the approval of the tentative map have been complied with.

Deems Katada, County Engineer
San Benito County, California
RCE 80613, exp 3/31/2019

County Surveyor's Statement

I hereby state that I have examined this map, that the subdivision shown hereon is substantially the same as it appeared on the tentative map and any approved alterations thereof, that all provisions of Chapter 2 of the Subdivision Map Act and of any local ordinances applicable at the time of approval of the tentative map have been complied with, and that I am satisfied that this map is technically correct.

George Y. Marchenko, County Surveyor	
San Benito County, California	
LS 6964, exp 3/30/2019	

Planning Commission Sta	temen	t
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I hereby state that the tentative map for the Final map shown hereon was conditionally approved on May 18, 2016, by the Planning Commission of the County of San Benito, California, and that the map shown hereon substantially conforms to the approved tentative subdivision map.

Date John Geurtin, Secretary of the Planning Commission	retary of the Planning Commis	John Geurtin,	Date
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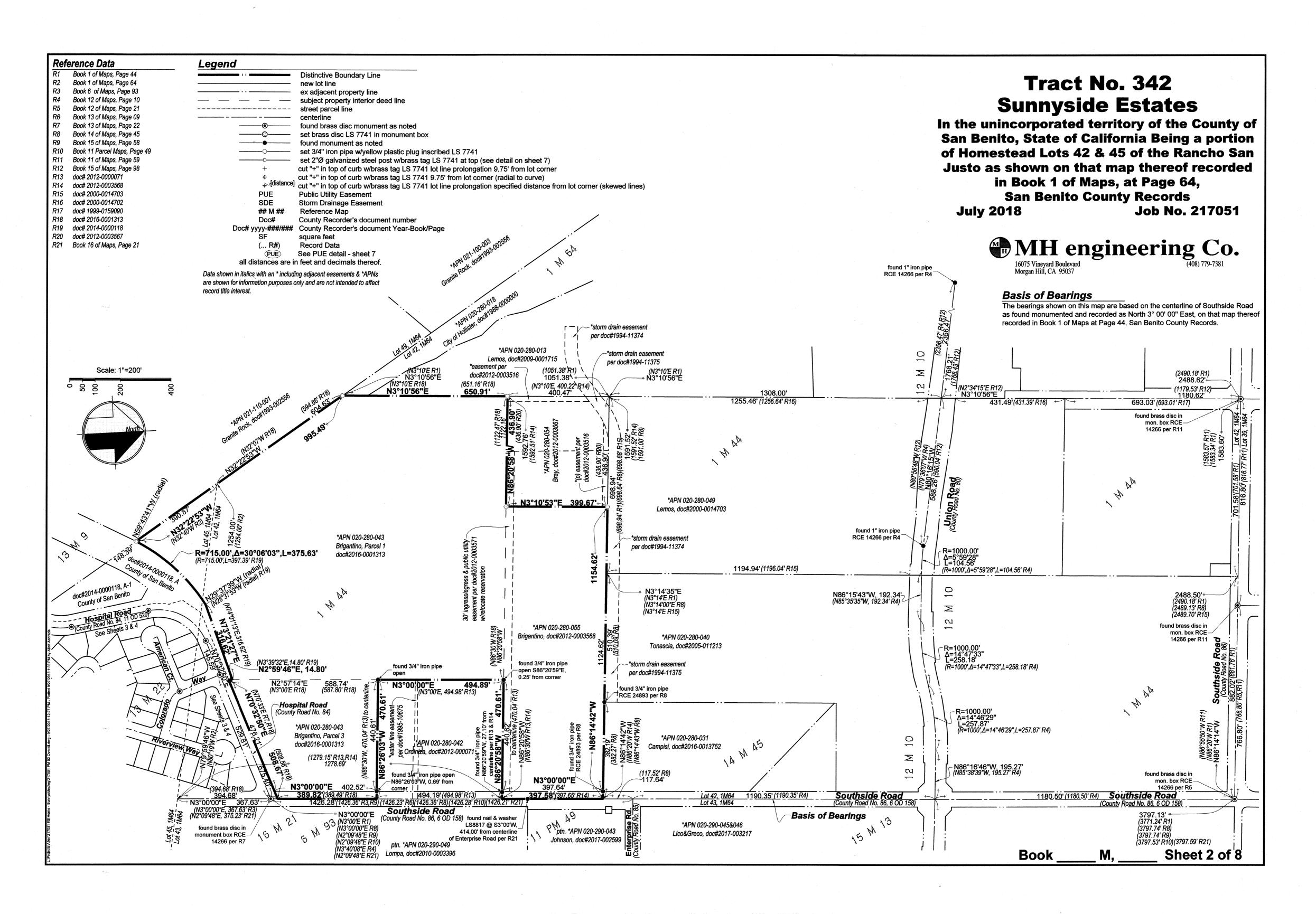
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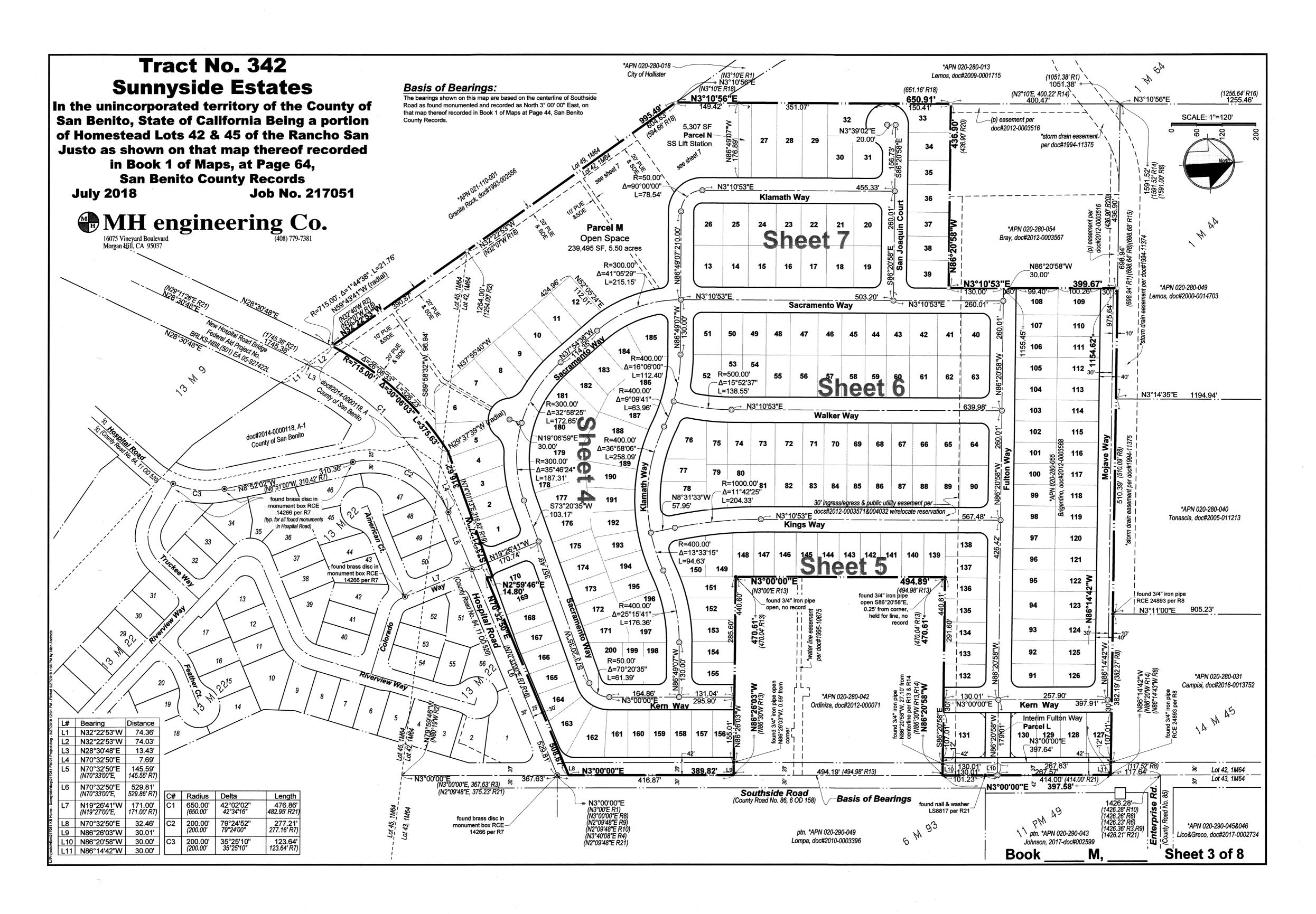
"Geotechnical Investigation, Sunnyside Estates Residential Development, Hollister California" by Stevens Ferrone & Bailey, SFB Project No. 104-131, Dated December 5, 2017.

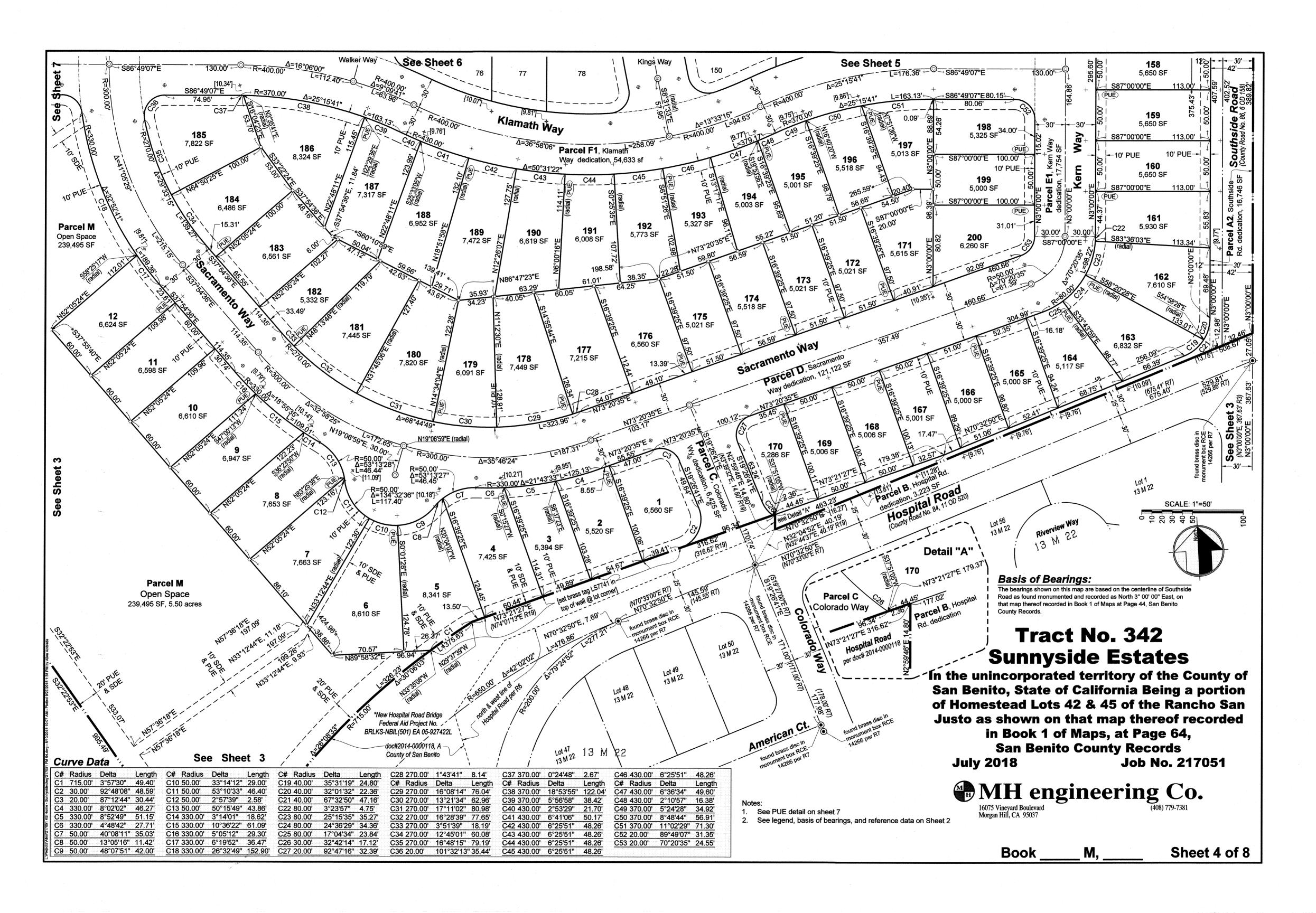
County Recorder's Statement					
Filed this day of	, 20	at	M,		
in Book of Maps, at Pages	at the reques	t of MH er	ngineering Co.		
File No	_ Fee \$				
Joe Paul Gonzalez, County Recorder of San	Benito County				
Bv.					

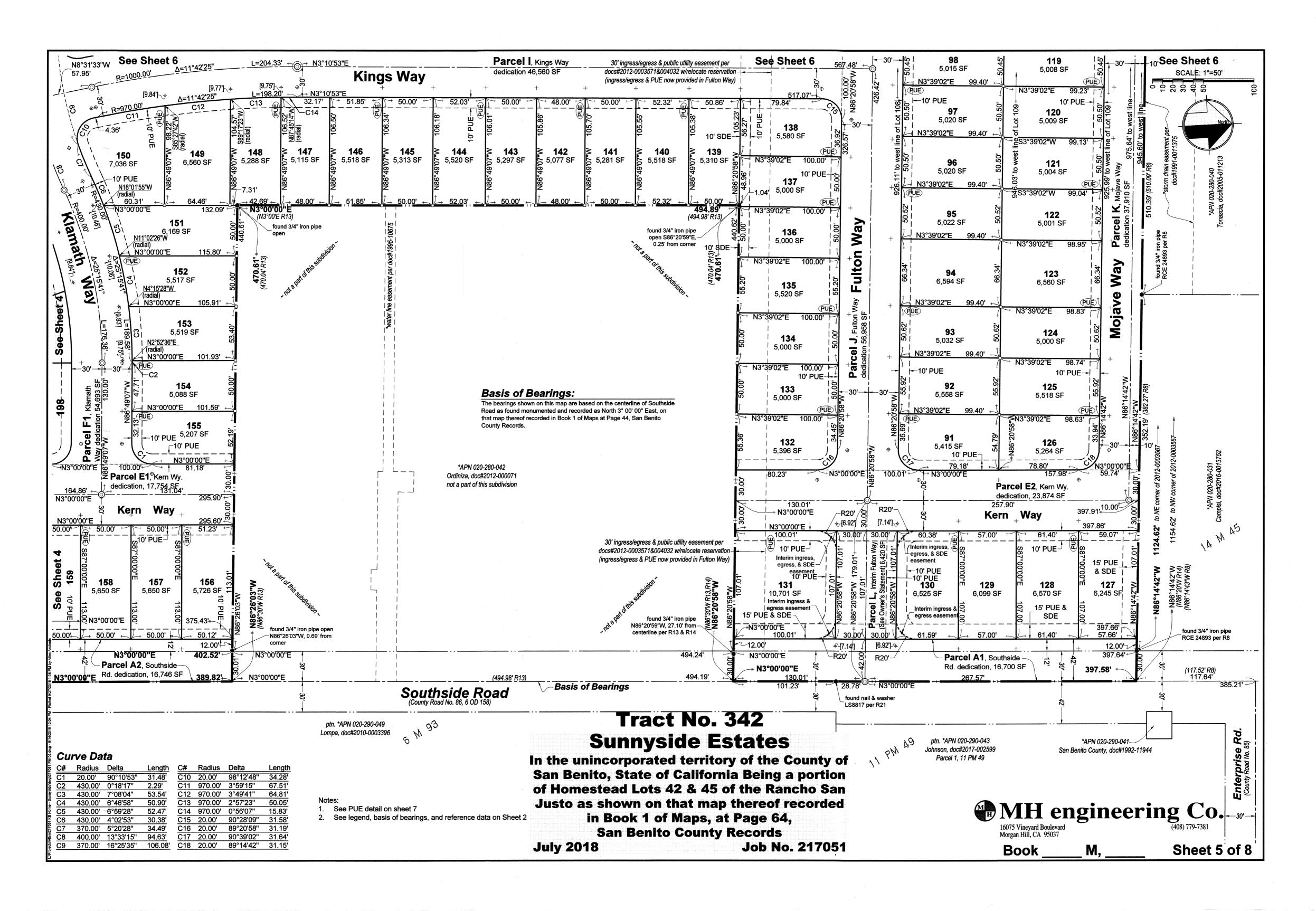


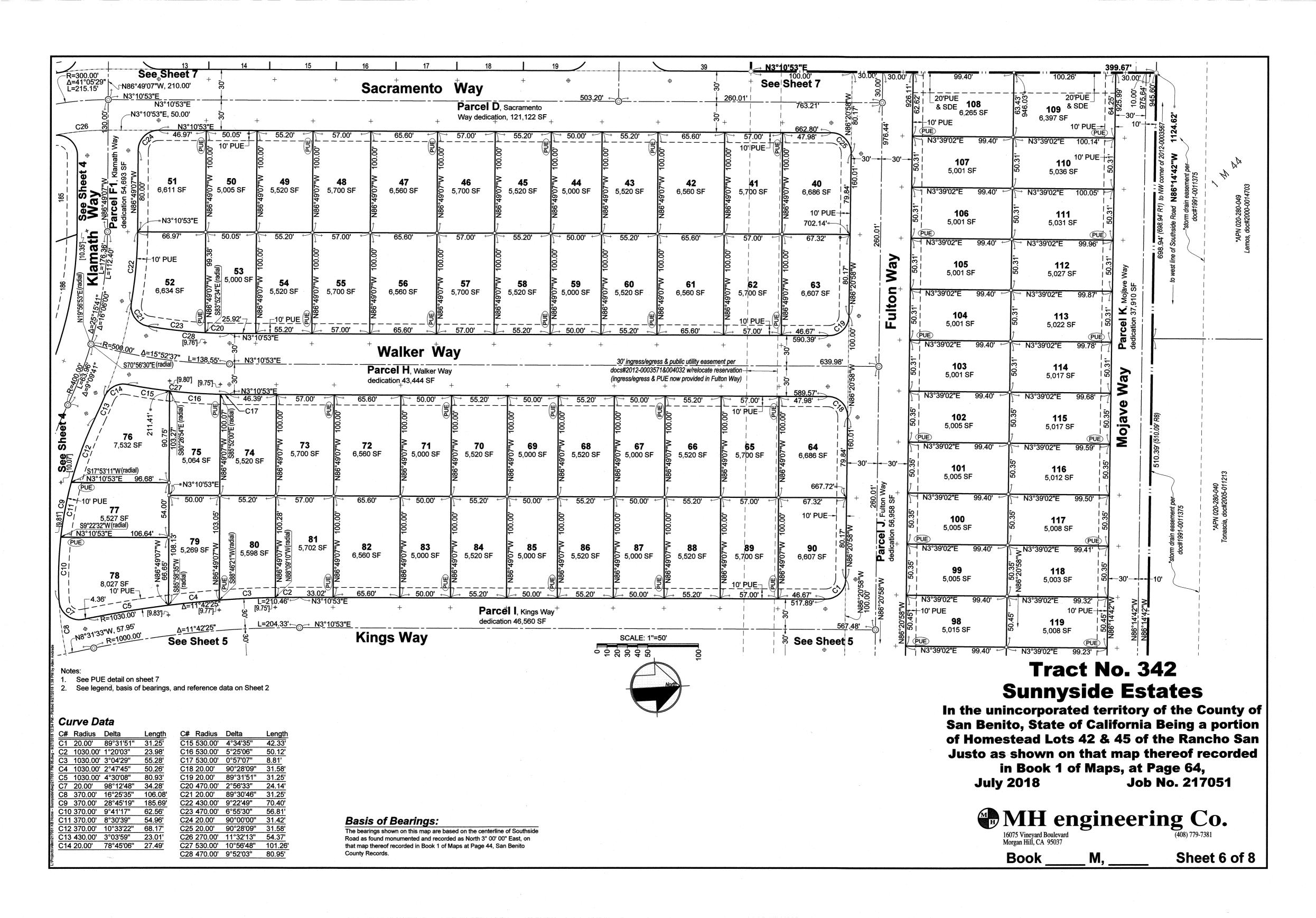
Book M,	Sheet 1 of 8
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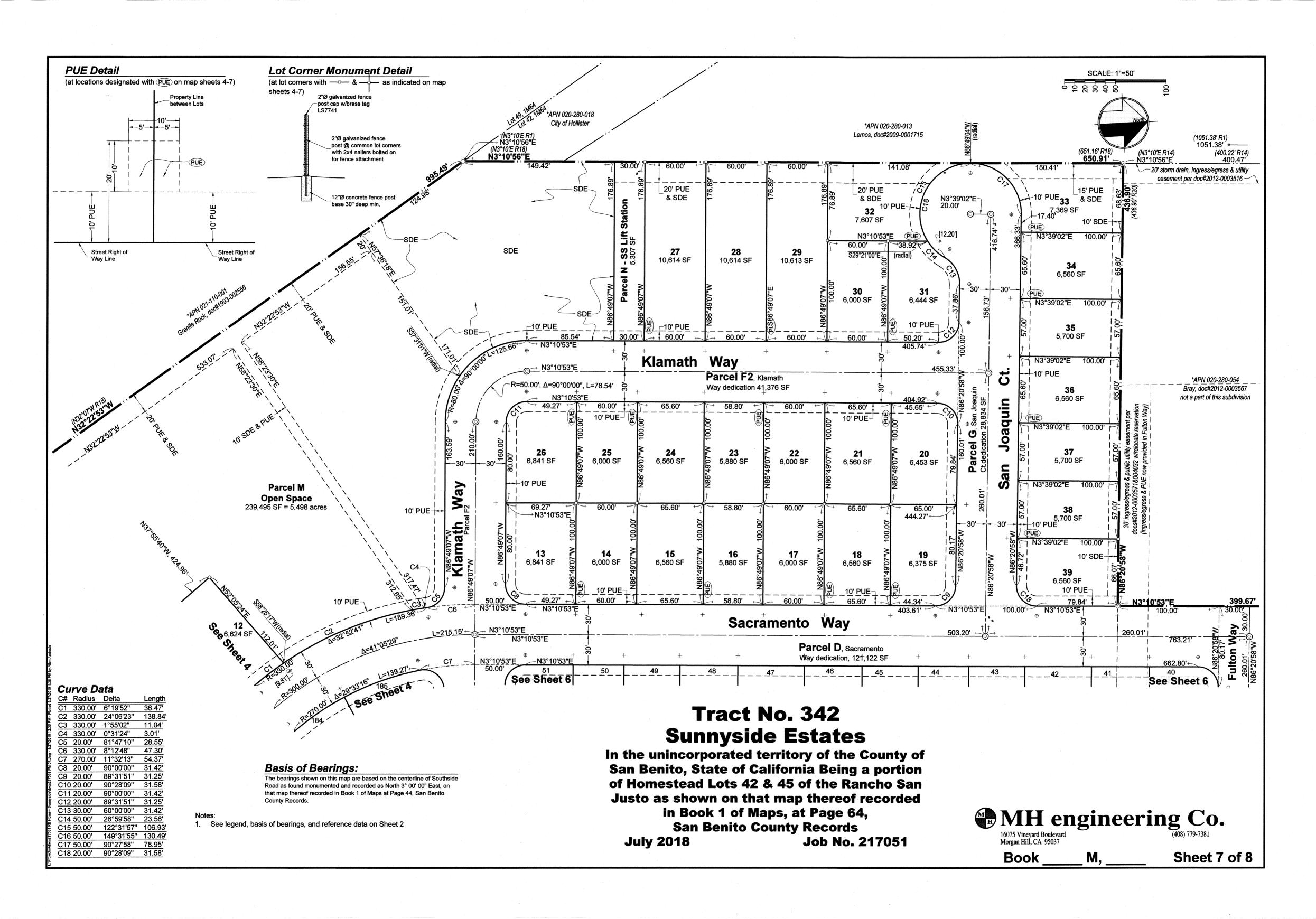












onditions of Approval TSM 14-91:

er Notice of Decision, TSM 14-91, May 18,2016, Owner/Applicant John Brigantino, San Benito Realty Inc. APNs 020-280-022,041,043,&007

- Hold Harmless: Pursuant to Section 66474.9 of the California Government Code, upon written notice by the County, the subdivider shall defend, indemnify and hold harmless San Benito County and its agents, officers and employees from any claim, action or proceeding against San Benito County or its agents, officers or employees to attack, set
- defense pursuant to Section 66474.9 of the Government Code. [RMA] 24. Water Softeners: If water softeners are proposed to be installed on any residential units within the Project, then a note shall be placed on the subdivision improvement plans Conformity to Plan: The development and use of the Project site shall conform substantially to the proposed site plan and Conditions of Approval as approved by the Planning Commission and by the Board of Supervisors in their approval of the Sunnyside Estates Project. Any increase, change, or modification in the nature or intensity of the land use on the Project site shall be subject to further Planning Commission review and approval in accordance with applicable laws. [RMA
- Compliance Documentation: Prior to recordation of any and all Final Map(s), the subdivider shall submit to the County Resource Management Agency ("RMA") a summary response in writing establishing compliance with these conditions of approval, including dates of compliance and referencing documents or other evidence of compliance.
- Assessment: Prior to recordation of any and all Final Map(s), the subdivider shall pay applicable security for taxes and special assessments as required by Sections 66492,
- 66493, and 66494 of the Subdivision Map Act; this includes pre-payment of taxes for the current year the Final Map at issue is recorded. [RMA, Assessor Recordation: The subdivider shall submit a Final Map or multiple final maps to the County and the Final Map(s) shall be considered by the San Benito County Board of Subdivision Map Act and the County's Subdivision Ordinance, Failure to record a Final Map in accordance with applicable laws within the period of approval or a period of
- extension shall terminate all subdivision proceedings. [RMA] Easements: The Final Map(s) shall show all necessary easements for access, utilities, and drainage. [RMA]
- days of approval of the amended vesting tentative subdivision map. California Department of Fish and Wildlife fee (\$3,069.75 Fish & Wildlife Code section 711.4(d)) must be submitted with the filing. A copy of the filed notice shall be submitted to the County RMA. Should the Notice not be filed and the fee not paid within five (5) days, the application 28. Public Park Improvements: The subdivider shall offer to dedicate land to the County as shown on the vesting TSM for one community park (totaling approximately 3.156 acres), is subject to action described in Public Resource Code section 21167 and the Project is not operative, vested, or final until the Notice is filed and the fee is paid (Public
- Conditions of Approval, Easements, and Restrictions: Prior to recordation of any and all Final Map(s) all unmet conditions of approval, mitigation measures, easements, and restrictions shall be noted on a separate sheet(s), and other documentation as required by the County (e.g., subdivision improvement agreement, deferred improvement agreement, etc.), along with adequate security, and recorded with the Final Map(s). [RMA]
- Community Facilities District (CFD): Prior to filing with the County of the first Final Map, the subdivider shall cooperate and diligently work with the County to form a Community Facilities District (CFD) or other mutually acceptable financing district or mechanism to enable the Project to remain revenue neutral in accordance with an approved fiscal impact study funded by the Project applicant and conducted by the County's consultant. Said fiscal impact study shall determine: whether the Project would be fiscally positive or negative, and if the latter, then said study shall identify the amount of additional funding needed to ensure revenue neutrality and shall also provide any other information necessary (determined in the County's reasonable discretion) to facilitate the formation of the above-referenced CFD. Prior to recordation of the first Final Map, the CFD or other mutually acceptable financing district or mechanism to enable the Project to remain revenue neutral shall be adopted and formed to the satisfaction of the RMA Director. The subdivider shall cover any and all actual County costs associated with said formation/annexation proceedings. All related processing fees, including State Board of Equalization fees, must be submitted prior to recordation of the first Final Map. [RMA, County Counsel]
- Improvement Plans: Prior to the filing of the first Final Map, the subdivider shall submit for approval by the County RMA, the following Plans, which shall govern subsequent development of the Sunnyside Estates Project:
- a Infrastructure Improvement Plan

Resources Code section 21089(b)), IRMAI

- b. Phasing Plan (if applicable);
- c. Potable Water Improvement Plan
- d. Reclaimed/Recycled Water Improvement Plan;
- f. Storm Drainage Improvement Plan, including detention facilities integrated into open spaces as landscaped areas;
- g. Park and Recreational Improvement Plan
- h. Landscape Improvement Plan for parks, recreational facilities, detention facilities, streets, and other open space areas, including walls, fences, berms, street lighting, hardscape, and planting plans; and
- i. Exterior Lighting Plan for all exterior lighting demonstrating conformance with Title 19, Chapter 19.31 of the San Benito County Code
- The Project site shall be developed consistent with these approved improvement plans for the overall Project site, which was submitted in connection with TSM 14-91, meeting the criteria specified Project approvals. Prior to the recordation of each Final Map, the subdivider shall submit for approval by the County RMA, improvement plans for the proposed subdivision that would be necessary to serve the development (as determined in County's reasonable discretion) shown in each said Final Map, with all packbone infrastructure necessary (as determined in County's reasonable discretion) to serve the phase of the Project being covered by the improvement plan submitted with the first Final Map. Improvement plans shall be provided for review and approval at least 60-days prior to the recordation of each said Final Map. [RMA]
- Construction Hours: A note shall be placed on an additional sheet to the Final Map(s) that states: "As required by County Ordinance, Construction on the parcels shall be limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday
- . Development Fees: The subdivider shall pay all applicable Development Fees as required by the County of San Benito Code or otherwise, which shall be in the then-applicable amount as of the date when the subdivider applies for each building permit, as provided in Section 23.13.003 of the San Benito County Code. This provision excludes any ure affordable housing fees, as addressed in condition 44. Credits (if any) shall be based on actual Project improvements and dedications and compliant with the respective
- Mitigation Monitoring: Prior to the recordation of any and all Final Map(s), the subdivider/owner(s), County Counsel, and the RMA Director shall agree to and sign the Mitigation 32 Monitoring Program form(s). The subdivider/owner(s) shall comply with all the mitigation measures set forth in the Mitigation Monitoring and Reporting Program (MMRP), which was previously adopted by the Board of Supervisors for the Sunnyside Estates Project on March 8, 2016, as Exhibit D to Board Resolution No. 2016-11, and which is incorporated herein by reference, to reduce or avoid, to the extent feasible, the potentially significant and significant impacts of the Sunnyside Estates Project. In adopting these mitigation measures, the Planning Commission intends to adopt each of the mitigation measures identified by the EIR and applicable to the Project. Accordingly, in the event a ation measure recommended in the EIR has inadvertently been omitted from the MMRP, such mitigation measure as set forth in the EIR is hereby adopted and incorporated by reference. In addition, in the event the language describing a mitigation measure set forth in the MMRP fails to accurately reflect the mitigation measure in the EIR due to a clerical error, the language of the mitigation measure as set forth in the EIR shall control, unless the language of the mitigation measure has been specifically and
- Exterior Lighting: Prior to recordation of the first Final Map, the subdivider shall submit an exterior lighting plan, demonstrating conformance with Title 19, Chapter 19,31 of the San Benito County Code. A note shall be placed on the Final Map(s) stating: "Night lighting of public areas shall be kept to the minimum necessary for safety and security purposes. Exterior lighting within 100 feet of open space shall be shielded and aimed as needed to avoid spillover into open space areas and conservation ea Decorative lighting shall be low intensity. Prior to recordation of the first final map, the subdivider shall submit a lighting plan for approval by the County RMA. The County RMA
- Building and Planning Division shall check the submitted plans for compliance and shall site inspect one year after completion of tract development for compliance 5. Public Parks Maintenance and Operations: The operation and maintenance of the Public Parks shall be funded by the residents of the Project through an approved CFD or similar financial mechanism that ensures on-going operation and maintenance of the facilities at levels acceptable to the County with sufficient financial resources, and in accordance with the approved fiscal impact study prepared pursuant to Condition No. 9 above. Once County accepts the dedication for said Public Parks, then County shall operate and maintain said parks (by itself or through a third party entity) subject to provision of sufficient funding pursuant to the above referenced CFD. The operating rules for the Public Parks shall be approved by the RMA. Restrooms (if constructed) shall be available for all members of the public and shall be open during generally daylight hours. The CFD or similar funding mechanism utilized by the applicant(s)/developer(s) to provide revenue neutrality shall be structured to build reserves sufficient for replacements and repairs to keep the Public Parks in good working condition.
- . Air Quality: A note shall be included in the improvement plans to minimize particulate emissions and shall state: "The contractor shall require water trucks to operate in conjunction with grading equipment and application of water shall be made as frequently as is necessary to control dust at a minimum of three times a day. If the dust is not adequately controlled through the application of water, grading activities will be suspended and an hourly watering schedule and/or maximum limit on the daily number of cubic
- yards to be graded will be imposed prior to the resumption of grading. In addition, all grading activities during periods of high winds (over 15 mph) are prohibited." [Planning] 33. 33 not included in Approval Notice Roadway Improvements: The subdivider shall install the improvements as shown on the TSM and applicable conditions of approval, and in all applicable improvement plans, in 34. Biotic Conditions: The subdivider shall meet the following biotic conditions required as mitigation measures set forth in the Sunnyside Estates EIR:
- accordance with the County of San Benito's applicable design and development standards. a. Said improvements shall include, without limitation, the following
- i. Southside Road: The subdivider shall construct half of the 64 feet curb to curb paved surface with standard curb, gutter and sidewalk along the whole property frontage
- ii. Hospital Road: The subdivider shall construct half of the 40 feet curb to curb paved surface with standard curb, gutter and sidewalk along the whole property frontage along Hospital Road. In the event that the County has not realigned Hospital Road at the time subdivision improvements are constructed, applicant shall bond for the curb, gutter and sidewalk proposed for the Hospital Road frontage to the west of Colorado Way. These improvements shall conform to the design of the future Hospital
- iii, Internal Roadways: The subdivider shall construct all interior streets within the subdivision with full 40 feet curb to curb payed surfaces, a standard 40 feet radius payed surface turnaround facilities at each end, and a standard payed knuckle. iv. Street 2: The subdivider shall construct 30 feet partial paved surface with standard curb, gutter and detached sidewalk on one side (property side) along the southern
- frontage of Street 2.
- b. Prior to recording each Final Map, the subdivider shall bond for or construct all roadway improvements that are necessary (as determined in the County's reasonable discretion) to serve the development shown on each such Final Map, with all backbone roadway and related infrastructure necessary (as determined in County's reasonable discretion to serve the entire Project located within or around the Project site to be bonded for and/or constructed in connection with the first Final Map.
- Easements: The Final Map(s) shall show all necessary easements for access, utilities, and drainage
- . | Street Names: Prior to recordation of the first Final Map and pursuant to Section 23.07.003(A) of the San Benito County Code, the subdivider must submit a list of proposed street names to the County communications department for road name approval.
- Drainage Standards: The subdivider shall be required to submit grading and drainage plans to the RMA, Building and Planning Division and Public Works Division for approval of the plans and issuance of grading permits. The grading and drainage plans shall be designed to minimize erosion and water quality impacts, to the extent feasible, and shall be consistent with the Project's SWPPP and Chapter 19.17 (Grading, Drainage and Erosion Control Ordinance) of the San Benito County Code. The plans shall include the
 - a. Graded areas shall be revegetated with deep-rooted, native, non-invasive drought tolerant species to minimize slope failure and erosion potential. Geotextile binding fabrics shall be used if necessary to hold slope soils until vegetation is established;
 - b. Temporary storage of construction equipment shall be limited to a minimum of 100 feet away from drainages on the Project Site; and
 - c. Erosion control structures shall be installed.
 - The grading and drainage plans shall be submitted for review and approval by the RMA, Building and Planning Division and Public Works Division, and issuance of grading permits. Upon approval of the plans and issuance of grading permits, the subdivider shall notify the RMA, Building and Planning Division prior to commencement of grading. The notification shall be provided in writing, and indicate the date of planned grading commencement. Components of the grading plan shall be implemented prior to issuance of certificates of occupancy. The subdivider shall photo document revegetation and provide sufficient documentation to the RMA, Building and Planning Division to ensure compliance with the plans and grading permit. The subdivider shall provide sufficient documentation, to the County's satisfaction, that the technical aspects of the grading activities are being properly monitored. The subdivider shall ensure installation of erosion control structures prior to beginning of construction of any structures. subject to review and approval by the County.
 - As per County Code Chapter 19.17, as part of the submission of engineered improvement plans for this Project, the subdivider shall comply with County Drainage Standards and provide drainage and erosion control details for the Project, including drainage calculations and construction details for a retention pond for impermeable surfaces created as part of this Project, consistent with the EIR's project description and mitigation measures. Details and directions of flows of drainage swales and grades
- All drainage improvements must be installed or bonded for prior to recordation of the first Final Map.
- Encroachment Permit: Pursuant to Section 19.27.004 of the San Benito County Code, prior to commencement of any work being performed within the County right-of-way, the subdivider shall obtain an Encroachment Permit.
- As Built Plans; Prior to the recordation of the first Final Map or before release of alternate Bond, one set of "As Built" Improvement Plans for any off-site public improvement

- shall be prepared by the subdivider's engineer and delivered to the RMA, Public Works Division
- 23. Fire: Any and all development on this Project site shall be required to meet the standards set forth in the latest editions of the 2013 California Fire Code, or if subsequently amended, the standards set forth in the latest editions of the California Fire Code, Public Resources Code 4290 and 4291. Sections 21.01.020 through 21.01.024 of the San Benito County Code and other related codes as they apply to a project of this type and size. A note shall be placed on an additional sheet to the Final Map(s) that states: "Prior to the issuance of any permits for new development, the applicant shall comply with all requirements of the 2013 California Fire Code
- and on an additional sheet to the Final Map(s) that states: "Self-regenerating water softener appliances (SRWS) shall not be installed in any structure on-site. A SRWS is defined as a water softening device that removes calcium and magnesium salts from water by using an ion-exchange resin utilizing sodium chloride during the ion-exchange process. The ion-exchange resin used in SRWS's is recharged by using a sodium chloride brine solution which is subsequently discharged into the sewer system. However water softeners recharged by portable cartridges supplied by service providers where the brine solution resulting is not discharged into the sewer system may be allowed." If water softeners are proposed to be installed on any residential units within the Project, then only acceptable water softeners (as defined above) shall be shown on plans submitted to the San Benito County RMA, Building and Planning Division for review and approval. The prohibition of SRWSs shall be included in Covenants, Conditions and Restrictions (CC&Rs), with oversight by the County RMA, Building and Planning Division, as appropriate. The County RMA, Building and Planning Division shall review site plans for compliance prior to issuance of building permits. County inspectors may inspect site for installation of permitted water softeners prior to occupancy of the
- Supervisors, following review and approval by the County RMA and recorded with the County Recorder. The Vesting Tentative Subdivision Map shall expire as specified by the 25. Domestic Water: The subdivider shall provide the necessary domestic water system improvements that are sufficient to deliver water and provide water service to the Project, as shown on the TSM and in all applicable Water Improvement Plans, pursuant to San Benito County Standard
 - 26. Sanitary Sewer Improvements: The subdivider shall install sanitary sewer improvements that are sufficient to serve the Project, as shown on the TSM and in all applicable lastewater Improvement Plans, pursuant to San Benito County Standards.
- Notice of Determination (California Fish & Wildlife Fees): The subdivider shall file the Notice of Determination, provided by the County RMA, with the County Clerk within five (5)27. Roadway Landscaping Improvements: The subdivider shall install roadway landscape improvements as shown on the TSM and in all applicable Landscape Improvements. Plans, pursuant to San Benito County Standards and in accordance with these Conditions of Approva
 - and prior to recordation of the final map, the subdivider shall construct or bond for the construction of infrastructure to provide utilities services (e.g., water, sewer, and ctricity) to the community park and shall make a payment of \$100,000 toward the construction of initial park improvements at the community park. Once the County accepts said offer of dedication, then County shall operate and maintain said Public Parks subject to sufficient funding being provided by the Project's CFD pursuant to these Conditions of Approval to provide for the operation and maintenance of the Public Parks, including replacements and repairs to keep the Public Parks in good working condition. 29. Common Open Space Improvements: The subdivider shall offer to dedicate to the County 2.153 acres of common area open space, as shown on the TSM, and in all applicable improvement plans, pursuant to San Benito County Standards. Once the County accepts said offer of dedication, then County shall operate and maintain said common area
 - open space subject to sufficient funding being provided by the Project's CFD pursuant to these Conditions of Approval. raffic: The subdivider shall be required to implement the following traffic related improvements as mitigation measures set forth in the Sunnyside Estates EIR:
 - a. Union Road/Airline Highway (SR 25). The subdivider shall facilitate modification of the existing traffic signal at the Union Road/Airline Highway (SR 25) intersection to include a protected left-turn phasing for the eastbound and westbound approaches, and to add a right turn only lane to the eastbound approach, as follows. Prior to approval of the first Final map, the subdivider shall provide a conceptual design and cost estimate acceptable to the Public Works Department for said improvement and shall deposit with the County the amount of funds identified in the cost estimate. Portions of the cost to design and construct said improvements that are part of the full build out of the intersection as contemplated in the TIMF shall receive credit and/or be subject to reimbursement from the TIMF in accordance with applicable
 - County procedures. The subdivider shall also fund the County's application for Caltrans permitting to allow construction. [Mitigation Measure T-1(a)] b. Union Road/Airline Highway (SR 25). Prior to issuance of each building permit, the subdivider shall pay the then-applicable Regional Traffic Impact Mitigation Fee
 - (TIMF) to the County of San Benito as a fair share contribution toward the Airline Highway (SR 25) and Union Road widening projects. [Mitigation Measure T-1(b)] c, Southside Road/Union Road, The subdivider shall install "Left Turn Yield On Green" signs for both the northbound and southbound intersection approaches to the
 - Southside Road/Union Road intersection prior to issuance of the first certificate of occupancy for the project. [Mitigation Measure T-1(c)] 31. Aesthetics Conditions: The subdivider shall meet the following aesthetic conditions required as mitigation measures set forth in the Sunnyside Estates EIR:
 - a. Design Standards: Prior to issuance of the first building permit for the Project, the subdivider shall submit design standards to the County for review and approval. i. Natural building materials and colors compatible with surrounding terrain (earth-tones and non-reflective paints) shall be used on exterior surfaces of all structures,
 - ii. Color combinations used on individual home roofs, walls, and facias shall be selected as to avoid high contrast, such as very dark brown adjacent to white.
 - iii. Roof vents shall be the same earth tone shade as the surrounding roof surface.
 - iv. All structures facing any public street or neighboring property shall use minimally reflective glass and all other materials and colors used on the exterior of buildings and structures shall be selected with attention to minimizing reflective glare.
 - v. Building windows shall be tinted with an antireflective material The final map for the tract shall include a note indicating that this requirement will be met prior to issuance of building permits. Standards and materials shall be denoted on building plans. A copy of the standards shall be submitted with grading and building plans prior to zoning clearance approval for individual lot development. The final map for the tract shall include a note indicating that this requirement will be met prior to issuance of building permits. Standards and materials shall be denoted on building plans A copy of the standards shall be submitted with grading and building plans prior to zoning clearance approval for individual lot development. [Mitigation Measure AES-1(a)] b. Landscaping: Prior to final map recordation, the subdivider shall submit tract-wide landscaping plans to the County for review and approval. Tract-wide landscaping 35. Cultural: The subdivider shall meet the following conditions required as mitigation measures set forth in the Sunnyside Estates El
 - plans shall comply with the following requirements: Landscaping installed as part of tract improvements shall include screening along the project perimeters.
 - ii. Landscaping shall consist of drought-tolerant native species.
 - iii. Only natural fiber, biodegradable materials shall be used
 - Agricultural Resources Conditions: The subdivider shall meet the following agricultural resources conditions required as mitigation measures set forth in the Sunnyside Estates Agricultural Conservation: Prior to issuance of the first permit for ground disturbing activity, the subdivider shall provide that for every one (1) acre of Importan
 - Farmland (Prime Farmland, Farmland of Statewide Importance, and Unique Farmland) on the site that is permanently converted to non-agricultural use as a result of Project development, one (1) acre of land of comparable agricultural productivity shall be preserved in perpetuity. Said mitigation shall be satisfied by the applicant
 - Granting a perpetual conservation easement(s), deed restriction(s), or other farmland conservation mechanism(s) to the County or qualifying entity which has been approved by the County, such as the San Benito County Agricultural Trust, for the purpose of permanently preserving agricultural land. The required easement(s) area or deed restriction(s) shall therefore total a minimum of 13,3 acres of Prime Farmland. The land covered by said off-site easement(s) or deed restriction(s) shall be
 - ii. Making an in-lieu payment to a qualifying entity which has been approved by the County, such as the San Benito County Agricultural Trust, to be applied toward the future purchase of a minimum of 13.3 acres of Prime Farmland in San Benito County, together with an endowment amount as may be required. The payment amount shall be determined by the qualifying entity or a licensed appraiser; or
 - iii. Making an in-lieu payment to a qualifying entity which has been approved by the County, such as the San Benito County Agricultural Trust, to be applied toward a future perpetual conservation easement, deed restriction, or other farmland conservation mechanism to preserve a minimum of 13.3 acres of Prime Farmland in San Benito County. The amount of the payment shall be equal to 110% of the amount determined by the qualifying entity or a licensed appraiser; or
 - Prior to issuance of the first permit for ground disturbing activity for the Project, the subdivider shall provide evidence of the recorded easement(s), deed restriction(s), or vidence of payment to the County Planning Department or qualifying entity, such as the San Benito County Agricultural Trust, for approval to demonstrate compliance with this Mitigation Measure. [Mitigation Measure AG-1]
 - b. Barrier to Protect Agricultural Operations: Prior to issuance of a building permit for the proposed Project, the subdivider shall submit a site plan to San Benito County for review and approval, showing a fence along the northern property line, adjacent to agricultural land to the north. The fence shall be at least six feet in height. [Mitigation

 - a. California Tiger Salamander (CTS) and Red legged Frog (RLF) Pre-construction Survey and Impact Avoidance: Not less than 14 days prior to the start of any construction activities (including staging and mobilization), a qualified biologist shall conduct pre-construction surveys within suitable habitat on-site and within the 500-foot buffer area near the San Benito River. The biologist shall also oversee installation of exclusion fencing where suitable habitat is present to prevent these species from entering active work areas. If no CTS or RLF are observed, no further mitigation is necessary.

If either of these species, during all life stages, are identified within the work area, construction and grading in these areas shall be halted, and the County, CDFW, and A report of survey efforts shall be submitted to the County Resource Management Agency, Planning and Land Use Division, CDFW, and USFWS within 30 days of completion to document compliance. The report shall include the dates, times, weather conditions, aquatic and terrestrial habitat conditions, agency consultation if individuals are discovered, and personnel involved in the surveys. [Mitigation Measure BIO-1(a)]

- b. Western Pond Turtle, Western Spadefoot Toad, and San Joaquin Whipsnake (Coachwhip) Pre-construction Survey, Capture, and Relocation: Not less than 14 days prior to the start of any construction activities (including staging and mobilization), a qualified biologist shall conduct surveys for western pond turtle, western spadefoot toad, and San Joaquin Whipsnake (coachwhip) within suitable habitat on the project site and within the 500-foot buffer area near the San Benito River. The biologist shall also oversee installation of exclusion fencing where suitable habitat is present to prevent these species from entering active work areas. If any of these specie are identified within the work area they shall be captured and relocated to suitable habitat within the same or nearest suitable habitat. CNDDB Field Survey Forms shall be submitted to the CDFW for all special status animal species observed. The relocation site shall include suitable micro habitat and ecological features for each
- Western pond turtle habitat shall include a pool surrounded by vegetation for escape cover.
- ii. Western spadefoot toad habitat shall include open sandy or gravely areas within the San Benito River
- iii. San Joaquin Whipsnake (coachwhip) habitat shall include suitable small mammal burrows to provide immediate escape and cover.
- If any of these species are observed by construction personnel within or adjacent to the project area, all work within the vicinity of the observation shall be halted and the qualified biologist shall be notified immediately to evaluate the occurrence and relocate the animal as necessary. Only a qualified biologist shall capture and relocate wildlife. Construction personnel are not permitted to handle animals.
- A report of all pre-construction survey efforts shall be submitted to the County Resource Management Agency, Planning and Land Use Division and CDFW within 30 days of The report shall also include for each captured special status animal, the UTM coordinates and habitat descriptions of the capture and release site (in UTM coordinates), the forth in the Sunnyside Estates EIR. length of time between capture and release, and the general health of the individual(s). [Mitigation Measure BIO-1(b) c. Burrowing Owl Pre-construction Surveys. Avoidance, and/or Exclusion: A qualified biologist shall conduct a pre-construction clearance survey prior to ground
- disturbance activities within all suitable habitat to confirm the presence/absence of burrowing owls. The surveys shall be consistent with the recommended survey methodology provided by CDFW (2012). Clearance surveys shall be conducted within 14 days prior to any construction and ground disturbance activities. If no burrowing owls are observed, no further actions are required.

If burrowing owls or active burrows are detected during the pre-construction clearance surveys, avoidance buffers shall be implemented in accordance with the CDFW (2012) and Burrowing Owl Consortium (1993) minimization mitigation measures. If Burrowing owls are detected, prior to ground disturbance, coordination with the CDFW by a qualified biologist shall occur to establish the appropriate avoidance buffer distances specific for the project's activities and level of expected disturbance A report of all pre-construction survey efforts shall be submitted to the County Planning and Land Use Division and CDFW within 30 days of completion of the survey effort to document compliance. The report shall include the dates, times, weather conditions, and personnel involved in the surveys and monitoring. The report shall also include each observed special status animal, the UTM coordinates and habitat descriptions. If relocation is required, separate reporting as required within the Burrowing Owl Exclusion Plan and Mitigation and Monitoring Plan shall also be submitted to the County Resource Management Agency, Planning and Land Use Division and CDFW. If avoidance of burrowing owls is not feasible, a Burrowing Owl Exclusion Plan and Mitigation and Monitoring Plan shall be developed by a qualified biologist in accordance with the CDFW (2012) and Burrowing Owl Consortium (1993). The Plan shall be provided to the applicable local CDFW office prior to implementation. A qualified biologist

shall coordinate with the CDFW to determine the appropriate exclusion methods (passive or active relocation) for the project to relocate burrowing owls to a suitable offsite

location. Relocation of owls can only occur during the non-breeding season. [Mitigation Measure BIO-1(c)]

- d. BIO-1(d) American Badger Pre-construction Surveys and Impact Avoidance: A qualified biologist shall conduct pre-construction clearance surveys for American badger within the project site. Clearance surveys should be conducted for American badger, within 14 days of the start of any ground-disturbing activity. Surveys need not be conducted for all areas of suitable habitat at one time; they may be phased so that surveys occur within 14 days of that portion of the site being disturbed. If no potential American badger individuals or dens are present, no further mitigation is necessar
- If special status species are detected or potential American badger dens are present, the following measures shall be implemented
- i. If the qualified biologist determines that potential American badger dens are inactive, the biologist shall excavate these dens during the first clearance survey. The dens shall be excavated by hand with a shovel to prevent badgers from re-use during construction
- ii. If the qualified biologist determines that potential dens may be active, an on-site passive relocation program shall be implemented. This program shall consist of excluding badgers from occupied burrows by installation of one way doors at burrow entrances, remote camera monitoring of the burrow for one week to confirm usage has been discontinued, and excavation and collapse of the burrow to prevent reoccupation. After the qualified biologist determines that badgers have stopped using active dens within the project boundary, the dens shall be hand-excavated with a shovel to prevent re-use during construction.
- iii. Construction activities shall not occur within 30 feet of active badger dens.

A report of all pre-construction survey efforts shall be submitted to the County Resource Management Agency, Planning and Land Use Division and CDFW within 30 days of completion of the survey effort to document compliance. The report shall include the dates, times, weather conditions, and personnel involved in the surveys and monitoring The report shall also include each observed special status animal, the UTM coordinates and habitat descriptions, a description of any passive relocation if applicable.

- e. Western Red Bat Pre-Construction Surveys and Impact Avoidance: A qualified biologist shall conduct a western red bat roost-habitat assessment and conduct presence/absence surveys for special status western red bats where suitable maternity roosting habitat is present (e.g., orchards, mature trees) during the breeding season (approximately August 1 to October 1). Surveys shall be conducted using acoustic detectors and by searching tree cavities, crevices, and other areas where western red bats may roost. Surveys shall be conducted not more than 30 days prior to initiation of construction activities during the western red bat breeding season.
- within a 500-foot buffer around the maternity colony until it is determined by a qualified biologist that the young have dispersed. Bat roosts shall be removed under the supervision of the qualified biologist after the breeding season has ended but before the onset of winter when temperatures are too cold for bat movement A report of survey efforts shall be submitted to the County Resource Management Agency, Planning and Land Use Division and CDFW within 30 days of completion of the surveys to document compliance. The report shall include the dates, times, weather conditions, and personnel involved in the surveys, and if maternity roosts are observed and avoided. [Mitigation Measure BIO-1(e)]

Areas where bats' maternity roosts are located shall be avoided where feasible. If a maternity colony has become established, all construction activities shall be postponed

- f. Construction Best Management Practices: To avoid impacts to aquatic and terrestrial habitats, the following construction Best Management Practices (BMPs) shall be incorporated into all grading and construction plans
- i. Designation of a 15 mile per hour speed limit in all construction areas. All vehicles and equipment shall be parked on pavement, existing roads, and previously disturbed areas, and clearing of vegetation for vehicle access shall be avoided to the greatest extent feasible
- ii. The number of access routes, number and size of staging areas, and the total area of the activity shall be limited to the minimum necessary to achieve the goal of the iii. Designation of equipment washout and fueling areas to be located within the limits of grading at a minimum of 100 feet from areas that drain into waters, wetlands (i.e., 39. Acoustical: The subdivider shall meet the following conditions pertaining to noise required as mitigation measures set forth in the Sunnyside Estates EIR.
- the San Benito River), or other sensitive resources as identified by a qualified biologist. Washout areas shall be designed to fully contain polluted water and materials
- iv. Daily construction work schedules shall be limited to daylight hours only, consistent with applicable County code provisions noted in Section 4.11. Noise.
- v. Mufflers shall be used on all construction equipment and vehicles shall be in good operating condition.
- vi. Drip pans shall be placed under all stationary vehicles and mechanical equipment
- vii. All trash shall be placed in sealed containers and shall be removed from the project site a minimum of once per week
- viii. No pets are permitted on project site during construction. [Mitigation Measure BIO-1(f)] g. Pre-construction Surveys for Nesting Birds and Raptors: For construction activities occurring during the nesting season (generally February 1 to August 31), surveys for nesting birds and raptors covered by the CFC and the MBTA (including, but not limited to special status species including the California homed lark, Cooper's hawk, burrowing owl, white-tailed kite and yellow-breasted chat) shall be conducted by a qualified biologist no more than 14 days prior to initiation of any construction activities, including construction staging and vegetation removal. The surveys shall include the entire disturbance areas plus a 200-foot buffer around any disturbance areas. If active nests are located, all construction work shall be conducted outside a buffer zone from the nest to be determined by the qualified biologist. The buffer shall be a minimum of 50 feet for non-raptor bird species and at least 150 feet for raptor species, Larger buffers may be required depending upon the status of the nest and the construction activities occurring in the vicinity of the nest. The biologist shall have full discretion for establishing a suitable buffer. The buffer area(s) shall be closed to all construction personnel and equipment until the adults and young are no longer reliant on the nest site. A qualified biologist shall confirm that
- h. Landscaping Plan: The landscaping plans prepared in accordance with Mitigation Measure AES-1(b) shall indicate the locations and species of plants to be installed. Noxious, invasive, and/or non-native plant species that are recognized on the Federal Noxious Weed List, California Noxious Weeds List, and/or California Invasive Plant Council Lists 1, 2, and 4 shall not be permitted. [Mitigation Measure BIO-2]

breeding/nesting is completed and young have fledged the nest prior to removal of the buffer. [Mitigation Measure BIO-2]

a. Unanticipated Discovery of Cultural Remains: If previously unidentified cultural resources are encountered during construction or land disturbance activities, work shall stop within 50 feet of the find and the County of San Benito shall be notified at once to assess the nature, extent, and potential significance of any cultural resource find The subdivider shall retain a qualified archaeologist to implement a Phase II subsurface testing program to determine the resource boundaries, assess the integrity of the resource, and evaluate the resource's significance through a study of its features and artifacts.

If the resource is determined significant, the County of San Benito and/or implementing agency may choose to allow the capping of the area containing the resource using culturally sterile and chemically neutral fill material. If such capping occurs, then a qualified archaeologist shall be retained to monitor the placement of fill upon the resource. If a significant resource will not be capped, the results and recommendations of the Phase II study shall determine the need for a Phase III data recovery program designed to record and remove significant cultural materials that could otherwise be tampered with. If the resource is determined to be not significant, no capping and/or further archaeological investigation or mitigation shall be required. The results and recommendations of the Phase II study shall determine the need for construction monitoring, If monitoring is warranted, a qualified archaeologist shall be retained by the subdivider to be present during all earth moving activities that have the potential to affect rchaeological or historical resources. In the event that previously unidentified prehistoric or historic archaeological materials are encountered duri mitigation measure shall take effect. A monitoring report shall be submitted to the County upon completion of construction. [Mitigation Measure CR-2]

- b. Paleontological Resource Construction Monitoring; Ground disturbing activity that does not exceed three feet in depth in areas of low paleontological sensitivity sha not require paleontological monitoring. Any excavations within areas of high paleontological sensitivity (i.e., Pleistocene aged deposits) and those areas potentially underlain by Pleistocene aged deposits (i.e., Holocene-aged alluvial valley sediments) that exceed three feet in depth shall be monitored on a full-time basis by a qualified paleontological monitor (see Figure 4.5-1). If no fossils are observed during the first 50 percent of excavations in Holocene aged sediments exceeding three feet in depth, or if the qualified paleontologists can determine that excavations below 3-5 feet are not disturbing Pleistocene aged (or other potentially fossil-contain sediments, then paleontological monitoring shall be reduced to spot-checking under the discretion of the qualified paleontologist, subject to approval from San Benito County, [Mitigation Measure CR-3(a)]
- c. Fossil Salvage: If fossils are discovered, the qualified paleontologist (or paleontological monitor) shall recover them. Typically, fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity. In some cases larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. In this case the paleontologist shall have the authority to temporarily direct, divert or halt construction activity to ensure that the fossil(s) can be removed in a safe and timely manner. Once salvaged, fossils shall be identified to the lowest possible taxonomic level, prepared to a curation-ready condition and curated in a scientific institution with a permanent paleontological collection, along with all pertinent field notes, photos, data, and maps Mitigation
- d. Unanticipated Discovery of Human Remains: If previously unidentified human remains are encountered during project construction, Mitigation Measure CR-4 shall take effect. State Health and Safety Code Section 7050.5 shall be adhered to, which requires that no further disturbance shall occur until the County Coroner (depending on the jurisdiction in which the discovery occurs) has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the NAHC. The NAHC would then identify the person(s) thought to be the Most Likely Descendent (MLD) of the deceased Native American, who would then help determine what course of action should be taken in dealing with the remains.
- eology and Soils: The subdivider shall meet the following conditions pertaining to geology and soils required as mitigation measures set forth in the Sunnyside Estates EIR. a. Fault Hazard Disclosure. Upon the transfer of real property and execution of leases on lots 5 through 12 and 27 through 29, the transferor shall be required to deliver to 43. Deed Notifications -In addition to the notes otherwise required to be included on the Final Maps, the subdivider shall notify all potential purchasers of residences of the following the following shall not the notes of the following shall not the final Maps and execution of leases on lots 5 through 12 and 27 through 29, the transferor shall be required to deliver to 43. the prospective transferee a written disclosure statement that indicates the presence of the Alquist-Priolo Fault Zone and notes that no habitable structures shall be constructed within the zone in conformance with the Alquist-Priolo Earthquake Fault Zoning Act. [Mitigation Measure GEO-1]
- Adherence to Gentechnical Report: Prior to the issuance of the first building permit, the developer(s) of inc improvement plans for review and approval by San Benito County that confirm compliance with the recommendations included in the Geotechnical Feasibility Investigation prepared by Stevens, Ferrone & Baily in 2011 (see Appendix E of the EIR) for building foundations. These recommendations include the following:
- All foundations shall be designed to resist differential settlement of supporting soils of 1 inch across typical column spacings.
- ii. Foundations shall consist of continuous and isolated spread footings bearing on a three foot-thick layer of engineered fill.
- iii. Footings shall be founded at a depth of approximately 18 inches below the lowest adjacent grade, depending on design-bearing capacities. iv. Interior slabs-on-grade shall be approximately 5 inches in thickness and supported by underlying, compacted, native soils.
- v. Alternatively, foundations may consist of post-tensioned slabs approximately 10 inches in thickness.
- vi. A vapor retarder shall be constructed below the slabs to reduce the potential for vapor transmission through the slabs-on-grade. Concrete shall be poured directly onto the membrane. [Mitigation Measure GEO-3]
- c. Expansive Soils Testing and Structural Reinforcement: Prior to the issuance of the first building permit, the developer(s) of individual lots on the project site shall contract with a qualified geotechnical scientist to conduct soil tests to determine the location of expansive soils on-site, consistent with Section 1803.5.3 of the 2013 California Building Code. If these soil tests indicate that expansive soils occur on-site, then building foundations shall be designed to resist differential volume changes and to prevent structural damage from expansive soils, pursuant to Sections 1808.6.1 and 1808.6.2 of the California Building Code. If expansive soils are removed in lieu of designing resistant foundations, then they shall be removed to a depth sufficient to ensure constant moisture content in the remaining soil, as required by Section 1808.6.3 of the California Building Code. The active zone of expansive soil (defined as the zone of soil that has the potential to produce heave or settlement) also may be stabilized in lieu of designing resistant foundations, consistent with Section 1808.6.4 of the California Building Code. [Mitigation Measure GEO-6]
- completion of the survey effort to document compliance. The report shall include the dates, times, weather conditions, and personnel involved in the surveys and monitoring. 37. Greenhouse Gas Emissions/Climate Change: The subdivider shall meet the following condition pertaining to greenhouse gas emissions required as a mitigation measure set
 - a. Energy Efficiency Measures for Common Areas: The applicant shall incorporate the following energy efficiency measures into the site design:
 - i. Install high efficiency lighting (i.e. metal halide post too lights) in public areas, such as street lights and the park that shall increase energy efficiency by at least 17
 - ii. Use water efficient irrigation systems in public landscaped areas. Prior to issuance of the first permit for ground disturbing activity, the applicant shall provide site plans for the Planning and Building Inspection Services Department to review and approve, which incorporates the above-referenced energy efficiency measures. [Mitigation
 - b. Energy Efficiency Measures for Future Single-Family Homes: Residential units built as part of the proposed project shall incorporate the following energy efficiency
 - i. Exceed adopted Title 24 energy requirements by a minimum of ten percent (rather than five percent, as proposed) through implementation of energy reduction
 - measures, which may include (but would not be limited to): ii. Use locally made building materials for construction of the project and associated infrastructure when such materials are locally available;
 - iii. Use of materials which are resource efficient, recyclable, with long life cycles; iv. Install energy-reducing shading mechanisms for windows, porches, patios, walkways, etc.;
 - v. Install energy reducing day lighting systems (e.g. skylights, light shelves, transom windows);

- vi. Use of water efficient landscapes
- viii. Use low-energy street lights and parking lot lights (i.e. sodium); and ix. Use of light colored water-based paint and roofing materials
- x. Install high efficiency lighting in single-family homes that increases energy efficiency by at least 17 percent; and
- xi. Install low-flow faucets, showerheads, and toilets. The subdivider shall submit calculations and analysis from qualified Title 24 consultant that documents the 10% reduction below current Title 24 standards for Planning and Building Inspection Services Department review and approval. Prior to issuance of building permits, the subdivider shall provide site/design plans for the Planning and Building Inspection Services Department staff's review and approval, which shall incorporate the above-referenced energy efficiency measures into design plans.
- c. GHG Offsets: Prior to issuance of the first permit for ground disturbing activity, the subdivider shall purchase carbon offsets equating to 2,485 MT CO2e in order to reduce GHG emissions below threshold levels. The carbon offsets shall be purchased through the Climate Action Reserve, which has been approved by the Californ Cap-and-Trade Program as meeting the required offset protocols. The applicant shall register for a client account with this registry and purchase 2,485 Climate Resei
- Tonnes (CRT). Purchased carbon offsets and the amount purchased shall be approved by County Planning Department staff prior to permit approval. The applicant shall provide the County with evidence establishing the purchase of carbon offsets. [Mitigation Measure GHG-1(c)] 38. Hazardous Materials: The subdivider shall meet the following condition pertaining to hazardous materials required as a mitigation measure set forth in the Sunnyside Estates
 - a. Soil Sampling and Remediation: Prior to issuance of the first permit for ground disturbing activity, a contaminated soil assessment shall be completed in the portion land to be graded in the southeastern part of the project site, where AEI Consultants collected additional soil samples for the Phase II ESA. A contaminated soil assessment shall also be completed in the portion of land to be graded at the existing walnut orchard in the northern part of the project site. Soil samples shall be collected under the supervision of a professional geologist or professional civil engineer to determine the presence or absence of contaminated soil in these areas. T sampling density shall be in accordance with guidance from San Benito County Environmental Health Services, so as to define the volume of soil that may require remediation. Laboratory analysis of soil samples shall be analyzed for the presence of organochlorine pesticides, including dieldrin, in accordance with EPA Test Method SW8081A. If soil sampling indicates the presence of pesticides exceeding applicable environmental screening levels, the soil assessment shall identify the

If concentrations of contaminants warrant remediation, contaminated materials shall be remediated either prior to or concurrent with construction and a Phase III ESA's be prepared. A Phase III ESA shall generally include a soil management plan which establishes design and implementation of remediation. Cleanup may include excavation, disposal, bio-remediation, or any other treatment of conditions subject to regulatory action. All necessary reports, regulations and permits shall be followed to achieve cleanup of the site. The contaminated materials shall be remediated under the supervision of an environmental consultant licensed to oversee such remediation and under the direction of the lead oversight agency. The remediation program shall also be approved by a regulatory oversight agency, such as the San Benito County Environmental Health Services, RWQCB, or the Department of Toxic Substances Control, All proper waste handling and disposal procedures shall be followed, Upon completion of the remediation, the environmental consultant shall prepare a report summarizing the project, the remediation approach implemented, and the analytical

results after completion of the remediation, including all waste disposal or treatment manifests. [Mitigation Measure HAZ-3]

a. Construction Activity Timing Disclosure: Signs stating the restrictions regarding the hours of construction as regulated by the 2035 General Plan shall be provided by

the developer and posted on-site. Signs shall be placed prior to beginning of and throughout grading and construction activities. Prior to issuance of the first permit for ground disturbing activity, the subdivider shall submit a plan, which shall be reviewed and approved by the County, describing the location and dates on which the signs will be posted to the Planning and Building Inspection Services Department. The subdivider shall allow County Building Inspectors to access the project site to monitor compliance by spot checking these signs and the hours during which construction occurs, and to respond to noise compliants. [Mitigation

- b. Construction Equipment: Properly maintain construction equipment and ensure that all internal combustion engine driven machinery with intake and exhaust muffler and engine shrouds (if the equipment had such devices installed as part of its standard equipment package) are in good condition and appropriate for the equipment Equipment engine shrouds shall be closed during equipment operation. Whenever feasible, electrical power shall be used to run air compressors and similar power tools rather than diesel equipment. The developer shall require all contractors, as a condition of contract, to maintain and tune-up all construction equipment to minimize noise emissions. [Mitigation Measure N-1(b)]
- c. Vehicle Equipment Idling: Construction vehicles and equipment shall not be left idling for longer than five minutes when not in use. [Mitigation Measure N-1(c)] d. Stationary Equipment, Stationary construction equipment that generates noise that exceeds 55 dBA Leg at the boundaries of the nearby residential uses shall be shielded. Temporary noise barriers used during construction activity shall be made of noise-resistant material sufficient to achieve a Sound Transmission Class (STO rating of STC 40 or greater, based on sound transmission loss data taken according to ASTM Test Method E90. Such a barrier may provide as much as a 10 dB insertion loss, provided it is positioned as close as possible to the noise source or to the receptors. To be effective, the barrier must be long and tall enough (a minim height of eight feet) to completely block the line-of-sight between the noise source and the receptors. The gaps between adjacent panels must be filled-in to avoid having noise penetrate directly through the barrier. The recommended minimum noise barrier or sound blanket requirements would reduce construction noise levels by

The equipment area with appropriate acoustical shielding shall be designated on building and grading plans. Equipment and shielding shall remain in the designated location throughout construction activities

Prior to issuance of the first permit for ground disturbing activity, the subdivider shall submit building and grading plans that show the appropriate construction equipment noise reduction measures to the Planning and Building Inspection Services Department. Compliance shall be monitored by County Building Inspectors. [Mitigation Measure

- e. Construction Route. All construction traffic to and from the Project Site shall be routed via designated truck routes where feasible. All construction-related heavy truck traffic in residential areas shall be prohibited where feasible. [Mitigation Measure N-1(e)]
- f. Workers' Radios: All noise from workers' radios shall be controlled to a point that they are not audible at sensitive receptors near the construction activity. [Mitigation g. Construction Plan: Prior to issuance of the first permit for ground disturbing activity and/or building permits, the contractor shall prepare and submit to the County for
- approval a detailed construction plan identifying the schedule for major noise-generating construction activity. [Mitigation Measure N-1(g)] h, Disturbance Coordinator: A "noise disturbance coordinator" shall be designated by the contractor. The noise disturbance coordinator would be responsible for responding to any local complaints about construction noise. The noise disturbance coordinator shall determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall require that reasonable measures warranted to correct the problem be implemented. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule. [Mitigation Measure N-1(h)]
- 40. Utilities: All proposed utilities within the subdivision and along peripheral streets shall be placed underground except those facilities exempted by Public Utilities Commissio regulations. All necessary utilities must be installed or bonded for prior to recordation of the Final Map. The subdivider shall meet the following conditions pertaining to utilities required as mitigation measures set forth in the Sunnyside Estates EIR: a. Water Conveyance Infrastructure: All recommendations in the Sunnyside Estates Sewer Analysis (Wallace Group, 2014, see Appendix M of the EIR) shall be
 - implemented to ensure that existing City of Hollister wastewater conveyance infrastructure can accommodate flows from the proposed project. These include, but are

full satisfaction of the Project's affordable housing obligation to the County.

- The proposed on-site lift station shall be located outside of the street right-of-way on a dedicated parcel or easement ii. The maximum flow for the proposed lift station shall be designed to be no greater than 157 gallons per minute (GPM). If it is designed to be greater than 157 GPM, the 8-inch sewer main in Southside Road shall be upsized to meet the proposed flows. The existing sewer main capacity in Southside Road shall be re-checked by the applicant once the lift station information is available.
- iii. A permanent on-site generator and automatic transfer switch shall be installed at the Southside Lift Station prior to connection of the proposed project. iv. The City of Hollister shall review and approve the design approach prior to issuance of building permits. Compliance shall be monitored by County Building Inspecto
- and Permit Compliance. [Mitigation Measure U-2] 41. Model Homes: Prior to issuance of a building permit for model homes, the subdivider shall provide an exhibit depicting model home location, construction traffic routing, and general traffic circulation, for approval by the RMA.
- 42. Variation of Units: Prior to the issuance of building permits for production homes, the subdivider shall submit an exhibit to the County RMA, Building and Planning Division, TI exhibit shall show a visual variety of appearances of the units so that identical units are not placed next to each other. Some of the items that would assure visual variety would be differences in floor plans, elevation treatment, color, and building orientation
- through signed disclosure documents and recorded deeds: a. Right to Farm: That the Project Site is located within an Agricultural Area and that San Benito County is a "Right to farm" County which allows the agricultural uses to operate regardless of poise, odors and dust impacts to the residences

b. Water Softener Restrictions -Self-regenerating water softener appliances (SRWS) shall not be installed in any structure on-site. A SRWS is defined as a water soften

ion-exchange resin used in SRWS's is recharged by using a sodium chloride brine solution which is subsequently discharged into the sewer system. However, water

device that removes calcium and magnesium salts from water by using an ion-exchange resin utilizing sodium chloride during the ion-exchange process. The

softeners recharged by portable cartridges supplied by service providers where the brine solution resulting is not discharged into the sewer system may be allowed. These disclosures shall run with the property and shall be provided by the property transferor to purchaser(s) and/or tenant(s) upon the transfer of real property at issue and/or execution of lease(s) on the Project Site 44. Affordable Housing In Lieu Fee: The applicant shall pay an affordable housing in-lieu fee in the amount of \$4,500 per unit, paid on a per-unit basis prior to the County's

issuance of each building permit for the construction of single-family residential units, for a total affordable housing in-lieu fee payment of \$900,000. Said payment shall be in

Additional Map Sheet Relating to TSM 14-91, Tract 342

The information shown hereon is derived from public records or reports and does not imply the correctness or sufficiency of those records or reports by the preparer of this sheet. This sheet is for informational purposes, describing conditions as of the date of filing, and is not intended to affect record title interest.



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