

BEFORE THE PLANNING COMMISSION OF THE COUNTY OF SAN BENITO

A RESOLUTION OF THE SAN BENITO)
COUNTY PLANNING COMMISSION)
APPROVING A MODIFICATION TO THE)
BENNETT RANCH TENTATIVE)
SUBDIVISION MAP TSM 15-93 TO MOVE)
THE SECONDARY ACCESS TO SOUTHSIDE)
ROAD (STREET C) SOUTHWARD)
APPROXIMATELY 517.5 FEET, KEEPING)
THE SAME NUMBER OF LOTS.

Resolution No. 2018-01
(Post PC 2/21/2018 Final)

WHEREAS, The Bennett Ranch Tentative Subdivision Map TSM 15-93 was approved by the Planning Commission on November 15, 2017, subject to 46 conditions of approval and a Mitigation Monitoring and Reporting Program; and

WHEREAS, the subject parcel is on the east side of Southside Road, south of Enterprise Road, San Benito County, CA (APN: 020-290-049-000) and is approximately 27.26 acres in area; and

WHEREAS, the subject parcel has a General Plan Designation of RM Residential Mixed and a Zoning Designation of R-1 Single Family Residential; and

WHEREAS, Hollister Land Partners LLC/Catalyst Development Partners has filed an application to modify the approved Bennett Ranch Tentative Subdivision Map TSM 15-93; and

WHEREAS, on December 13, 2017, the applicant submitted a revised Tentative Subdivision Map and an accompanying traffic study prepared by Wood Rogers, Inc.; and

WHEREAS, more specifically, the applicant is proposing to move the secondary access to Southside Road (Street C) down or southward approximately 517.5 feet, keeping the same number of lots; and

WHEREAS, County staff received the revised map and Traffic Study prepared by Wood Rogers, Inc. via e-mail, and at the direction of the County Engineer distributed these plans and traffic study to Fehr and Peers Inc., to peer-review the submittal; and

WHEREAS, on January 10, 2016, the peer review of the plans and traffic report was returned with comments and corrections. On January 26, 2018 the applicant's traffic engineer, Wood Rogers, Inc., following the direction and comments of the peer review, resubmitted a corrected traffic analysis; and

WHEREAS, the Planning Commission of the County of San Benito reviewed the proposal to move the secondary access to Southside Road (Street C) southward approximately 517.5 feet, keeping the same number of lots, at a duly noticed public hearing held at the Planning Commission's regularly scheduled meetings on February 21, 2018; and

WHEREAS, on February 21, 2018, the Planning Commission in considering the proposed modification to the Bennett Ranch Tentative Subdivision Map TSM 15-93 as described herein and in the staff report for February 21, 2018, heard and received all oral and written testimony and evidence that was made, presented, or filed, and all persons present at the hearing were given an opportunity to hear and be heard with respect to any matter related to the petition; and

WHEREAS, the Planning Commission found that the proposal is substantially the same as the Planning Commission's approval of TSM 15-93 on November 15, 2017. The applicant has provided for a full-access second point of ingress and egress for the new residents, not merely an EVA; and

WHEREAS, the Planning Commission of the County of San Benito finds that no enhancements or clarifications are necessary to the California Environmental Quality Act (CEQA) Findings and Evidence, and only minor modifications are necessary to the Subdivision Findings and Evidence as documented in the November 15, 2017 Planning Commission Notice of Decision, attached as Exhibit A to the February 21, 2018 staff report; and

WHEREAS, the Planning Commission reaffirms and acknowledges the Findings and Evidence for CEQA and Subdivision Approval contained in the November 15, 2017 Notice of Decision, and hereby modifies and updates that document with this Resolution by including the date of this Planning Commission determination on February 21, 2018 and changing the graphic exhibit for Condition #12 to reflect the relocated Street C; and

WHEREAS, at the conclusion of the public testimony, the Planning Commission closed the public hearing, deliberated and considered the merits of the proposal to move the secondary access to Southside Road (Street C) southward approximately 517.5 feet, keeping the same number of lots, modifying the Bennett Ranch Tentative Subdivision Map TSM 15-93; and

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

California Environmental Quality Act (CEQA) Findings:

Finding 1: The initial study/mitigated negative declaration for Bennett Ranch Project - 3061 Southside Road Tentative Subdivision Map (TSM) 15-93 has been prepared in compliance with the provisions of the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the San Benito County Implementing Procedures for the California Environmental Quality Act.

Evidence: Materials in the preparation of the initial study and mitigated negative declaration are filed in the project record located at the San Benito County Planning Department in file TSM 15-93. Public review of the initial study was conducted from Friday, August 18, 2017 to Monday, September 18, 2017. Notice of Availability of the proposed Mitigated Negative Declaration was mailed to interested parties and to property owners within 300 feet of the project site and posted at public locations in the County, including the County of San Benito Website (www.cosb.us).

Finding 2: The Planning Commission has considered the initial study/mitigated negative declaration together with all comments received from the public review process.

Evidence: The Planning Commission considered all evidence regarding this project, including any written and verbal responses from the public hearing on September 18, 2017.

Finding 3: The initial study/mitigated negative declaration reflects the independent judgment of the Planning Commission.

Evidence: The San Benito County Planning Department prepared the initial study with assistance from First Carbon Solutions of Walnut Creek, California. The Planning Commission considered and reviewed the initial study/mitigated negative declaration and considered public comments and supplemental information prior to action on the mitigated negative declaration.

Finding 4: The Planning Commission has found that there is no substantial evidence that the proposed project will have a significant effect on the environment.

Evidence: After considerations of the initial study/mitigated negative declaration, the Planning Commission found that the project as proposed, with the adoption of the mitigation measures and conditions of approval, would not have a significant effect on the environment.

BE IT FURTHER RESOLVED by the Planning Commission of the County of San Benito that it hereby finds as follows:

Subdivision Findings:

Finding 1: The proposed map TSM 15-93, including the proposed modification to move the secondary access to Southside Road (Street C) southward approximately 517.5 feet keeping the same number of lots, is consistent with the General Plan and any applicable specific plan.

Evidence: The Project site is located within the Residential Mixed (RM) General Plan land use designation and would be consistent with the Residential Mixed (RM) land use designation. The purpose of the RM General Plan designation is to allow areas of unincorporated urban uses where circulation and utility services exist. The designation allows mixed-use developments at a density of up to 20 dwelling units per acre. As the Project includes the construction of 84 single-family units on an

approximately 26-acre site at approximately 3.23 Dwelling Units per acre it does not exceed the density and other relevant provisions in the RM designation.

Evidence: *While not subject to a specific plan, the proposed project's is consistent with the uses allowed in the County's Single-Family Residential R1-District zoning designation. Permitted uses in the R1 zone include single-family dwellings with a minimum building site area of 5,000 square feet (where a public sewer and public water supply are available). The Project proposes to be served by nearby roadways and to connect to the City of Hollister's wastewater treatment plant for sewer service (subject to any required approvals from other public agencies, e.g., LAFCO and/or the City of Hollister) and to the Sunnyslope County Water District (SSCWD) for water service, and therefore the 5,000 sf minimum lot requirement applies to the Project. All home sites would be on lots greater than 5,000 sf, and would therefore be consistent with this requirement.*

Finding 2: *The design or improvements of the proposed subdivision is consistent with the General Plan and any applicable specific plan.*

Evidence: *While no parks or open space have been provided within the project area for the new residents or community, the applicant has proposed payment of In-lieu fees to meet park requirements. Per Code, fair market value of the in lieu fee is to be determined by the County Assessor (Section 23.15.008(F) (1)).*

Evidence: *While no affordable housing has been proposed within the design and improvements of the subdivision, the applicant has offered to pay a \$4,500 fee to the County per unit at the time of building permit issuance to compensate the County for the project's share of affordable housing. Over time as building permits are issued for the 84 homes to be constructed, \$378,000 will be collected. This has been included as a Condition of Approval.*

Evidence: *Subject to obtaining basic sewer and water utility services from the City of Hollister and the Sunnyslope County Water District, the project will be required to design and install improvements (such as a potential sewer lift station) appropriate to the needs of those providers to provide service to the project. (Systems may need to be sized in a manner that will allow for future connections and service capacities.) A condition of approval has been added to the project requiring proof of these service and written contractual agreements for these services, prior to ground disturbance and any preparation of the property for infrastructure or residential development.*

Evidence: *The Project proposes road right-of-way, drainage improvements, water piping, and other infrastructure to serve the Project.*

These have been reviewed by the appropriate County departments and the Planning Commission and have been determined to be consistent with the design standards set forth in the San Benito County Code. The General Plan consistency findings are hereby reaffirmed and incorporated herein by reference. In particular, the General Plan's Public Facilities Element, Policies 1.1 through 1.13 describes improvement design standards for infrastructure and public services; staff has determined the subdivision design and improvements described in TSM 15-93 and the subsequent addition of a fully improved secondary access point in agreement with neighboring property owners, are consistent with the above mentioned policies. The General Plan's Circulation Element, Policies 1.2 through 2.6 describe improvement design

standards for road improvements and requirements for new development within the County; the improvements set forth in the proposed map have been determined to be consistent with all of the above mentioned policies.

Finding 3: The site is physically suitable for the type of development.

Evidence: *Staff and the Planning Commission evaluated the proposed modification to TSM 15-93 to move the secondary access to Southside Road (Street C) southward approximately 517.5 feet, keeping the same number of lots, and all associated materials provided in connection with the application for, and modification to TSM 15-93 and have determined that the type of development described in the map is consistent with that described in the Initial Study/Mitigated Negative Declaration. Setbacks have been observed from known fault line zones and soils are capable of supporting single family development.*

Finding 4: The site is physically suitable for the proposed density of development.

Evidence: *Staff and the Planning Commission evaluated the proposed vesting tentative subdivision map and all associated materials provided in connection with the application for TSM 15-93, and have determined that the site is physically suitable for the proposed density of development described in the map and is consistent with that described in the proposed Mitigated Negative Declaration and the underlying RM General Plan land use designation. Cross-reference the Evidence for Finding #1 above.*

Finding 5: The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

Evidence: *The Initial Study / Mitigated Negative Declaration identified potentially significant impacts to biological resources and proposed mitigation measures designed to reduce the potential impacts to a less than significant level. The Project incorporates the mitigation measures from the Initial Study / Mitigated Negative Declaration including those pertaining to biological impacts.*

Staff and the Planning Commission evaluated the proposed vesting tentative subdivision map and all associated materials provided in connection with the application for TSM 15-93, and have determined that the design of the subdivision and proposed improvements are consistent with that described in the Initial Study / Mitigated Negative Declaration. The findings and determinations regarding potential impacts to biological resources and mitigation of those impacts are incorporated herein by reference.

Evidence: *Comments received from the Central Coast Regional Water Quality Control Board (CCRWWCB) have been addressed in an errata of the ISMND to clarify that the project will be held to local and regional water quality control standards. See EXHIBIT E of the November 15, 2017 staff report to the Planning Commission.*

Finding 6: The design of the subdivision or the type of improvements is not likely to cause serious public health problems.

Evidence: *The Initial Study/Mitigated Negative Declaration evaluated potentially significant impacts pertaining to public health and proposed mitigation measures designed to reduce the potential impacts to a less than significant level. Additionally, the applicant has provided for a secondary full-street access and has offered \$10,000 in funding for striping and signage across Sunnyslope Road at Hospital*

Road to enhance public safety at the southerly subdivision access. Staff and the Planning Commission evaluated the proposed vesting tentative subdivision map and all associated materials provided in connection with the application for TSM 15-93, and have determined that the design of the subdivision and type of improvements (subject to the qualifications in the above findings) are consistent with that described in the Initial Study/Mitigated Negative.

Finding 7: The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

Evidence: Staff and the Planning Commission evaluated the proposed amended vesting tentative subdivision map and all associated materials provided in connection with the application for TSM 15-93, and have determined that any easements for public access or use have been identified on the tentative map and shall be maintained.

Finding 8: Subject to Section 66474.4 of the Government Code, the land is not subject to a contract entered into pursuant to the California Land Conservation Act of 1965 and that the resulting parcels following a subdivision of that land are not too small to sustain their agricultural use.

Evidence: The Project site is not subject to a Land Conservation Act (Williamson Act) contract. While the site currently contains an orchard and has undeveloped grazing fields, agricultural activities have not occurred on-site since 2014 and the land is not currently irrigated. The General Plan and Zoning Designation anticipate residential development for the property, and efforts to sustain agricultural uses here and for the surrounding areas have been redirected to residential development. Mitigation Measures for the loss of agricultural lands were made components of the 2035 General Plan update and accordingly with implementation of MM AG-1, impacts would be less than significant.

Finding 9: Subject to Section 66474.6 of the Government Code, the discharge of waste from the proposed subdivision into an existing community sewer system would not result in violation of existing requirements prescribed by the Central Coast Regional Water Quality Control Board pursuant to Division 7 of the Water Code.

Evidence: The proposed parcel(s) are proposed to be connected to the Hollister Water Reclamation Facility in accordance with the Hollister Urban Area Master Water and Wastewater Plan. The Project would not use septic tanks or any alternative wastewater disposal system. Therefore, no impacts related to the use of septic tanks or alternative wastewater systems would occur.

BE IT FURTHER RESOLVED by the Planning Commission of the County of San Benito that based on the foregoing findings and evidence in the record, that the proposal to move the secondary access to Southside Road (Street C) southward approximately 517.5 feet, keeping the same number of lots and modifying the Bennett Ranch Tentative Subdivision Map TSM 15-93 is approved with the following conditions of approval.

**CONDITIONS OF APPROVAL AND
MITIGATION MONITORING AND REPORTING PROGRAM**

1. **Indemnification:** APPLICANT shall defend, indemnify, and hold San Benito County, its agents, officers, and/or employees (hereinafter "COUNTY") free and harmless from any and all suits, fees, claims, demands, causes of action, proceedings (hereinafter collectively referred to as "Legal Action"), costs, losses, damages, liabilities and expenses (including, but not limited to, an award of attorneys' fees, expert witness fees, and court costs) incurred by COUNTY arising (directly or indirectly) or resulting from the review, processing, consideration, or approval of APPLICANT'S Project or action taken by COUNTY thereon, including Legal Actions based on the negligence of COUNTY. APPLICANT will reimburse COUNTY for any damages, costs, or fees awarded pursuant to any settlement, default judgment, or other judgment taken against the County, whether the result of Applicant's decision not to defend legal action or otherwise. COUNTY retains its discretion to direct counsel regarding whether to defend, settle, appeal, or take other action regarding any Legal Action. County shall promptly notify the Applicant of any claim, action or proceeding, and cooperate fully in the defense. (Gov. Code 66474.9 (b) (2)). In addition, Applicant cannot be required to pay or perform any settlement unless the settlement is approved by the applicant. [Planning, County Counsel]
2. **Conformity to Plan:** The development of the site shall conform substantially to the Tentative Map 15-93 (**EXHIBIT A to the Planning Commission Staff Report of 11/15/2017**) and Conditions of Approval and environmental mitigation measures as approved by the Planning Commission and as modified by the Planning Commission February 21, 2018 (**EXHIBIT C to the Planning Commission Staff Report of 2/21/2018**). [Planning]
3. **Conditions of Approval:** Prior to or upon approval by the Planning Commission, Applicant shall sign the statement below certifying that Applicant is in agreement with all Conditions of Approval. [Planning]

I certify that I understand and agree to comply with all Conditions of Approval imposed by the Planning Commission, or Board of Supervisors as applicable, on this Permit.

Applicant Signature: _____

Date: _____

4. **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) days of approval of the vesting tentative subdivision map. California Department of Fish and Wildlife fee of \$2,266.25 (\$2,216.25 + \$50.00 County Clerk Processing Fee) – 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 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 Resources Code section 21089(b)). [RMA]

5. **Mitigation Monitoring:** Upon approval of Vesting Tentative Map 15-93 by the Planning Commission, the subdivider/owner(s), County Counsel, and the RMA Director shall agree to and sign the Mitigation 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), incorporated herein by reference, to reduce or avoid, to the extent feasible, the potentially significant and significant impacts of the Fay / Bennett / Hollister Land Partners LLC Project. In adopting these mitigation measures, the Planning Commission intends to adopt each of the mitigation measures identified by the Initial Study/Mitigated Negative Declaration and applicable to the Project. [RMA, County Counsel]

6. **Revenue Neutrality of Project; Cooperation in Forming Financing Districts.**

- *Revenue Neutrality Generally.* The parties acknowledge and agree that Owners are required to ensure Revenue Neutrality of the Project through the formation and implementation of the CFD.
- *Formation and Implementation of CFD.* Owners shall cooperate in the establishment of the CFD and the imposition of the related levy over the Property, including, without limitation, not exercising any right of protest; funding County's consultant to prepare any and all studies and other documentation necessary to form the CFD; and paying all of County's costs and expenses associated with the CFD formation and implementation process. After Owners have initiated said formation process, the County shall use diligent and good faith efforts to complete said formation process within one hundred eighty (180) days after County issues the required Notice of Intention for Form the 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 (in part or in whole) 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(s) 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]

7. **A Homeowners Association** (as defined in Section 23.01.004), duly incorporated under the laws of the State of California, shall be formed for this subdivision. The covenants and restrictions for the subdivision shall provide for its formation and operation and delineate the rights and obligations of the association, its directors and its members (which must include the right of the association, through its members, to levy assessments that are a legal obligation of members and a lien on subdivided property owned by members of the association). The homeowners

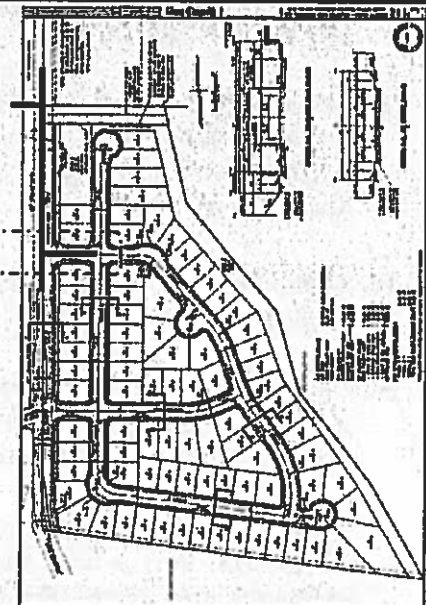
association shall be activated at or before the time of approval of the final or parcel map, for the purpose of:

Street lighting, street sweeping, road maintenance, storm drainage, landscaping maintenance and other services directly related to the subdivision.

An applicant may propose another option to developing a homeowners association. If so, the applicant's request shall be brought before the Board of Supervisors, reviewed and approved prior to or during approval of the final or parcel map, and any approved alternative shall be activated at or before the time of approval of the final map by the Board of Supervisors. [§23.25.007 (SBC Code)]

8. **Habitat Conservation Plan Impact Fees:** Prior to recordation of the subdivision map in accordance with County Ordinance 541 which sets fees for the habitat conservation plan financing and kit fox protection measures, the applicant shall contribute a habitat conservation plan mitigation fee of \$150.00 for each lot under 1 acre. In this case, all 84 lots are less than one-acre in size and \$12,600 is payable to the Planning Division. [Planning]
9. **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]
10. **Affordable Housing Fee.** The applicant shall pay a \$4,500 fee to the County per unit at the time of building permit issuance to compensate the County for the project's share of affordable housing. Over time as building permits are issued for the 84 homes to be constructed, \$378,000 will be collected.
11. **Parks.** Prior to map recordation, the applicant shall pay an in lieu fee equivalent to 1.26 acres of land equivalent in value to those lands being develop by the applicant (pre-development approval). Per Code, fair market value of the in lieu fee is to be determined by the County Assessor (Section 23.15.008(F) (1)).
12. **The applicant shall provide Secondary Access.**
 - A) Prior to recordation of a Final Map, the applicant shall demonstrate that the project has the rights and or agreements in place to construct a County-acceptable second street access to the subdivision.
 - B) Prior to occupancy of the 43rd unit, the fully improved secondary public street access shall be installed and functional.
 - C) A street easement shall be dedicated adjacent to the northern end of Street A to allow for future connections to properties north of the subject project. The easement shall be recorded on the property deed in a form approved by the County. (Added by Planning Commission 2/21/2018).

Approved revision to "second" access to
Southside Road, February 21, 2018



- 13. Demonstration of Public Water and Sewer Service.** Prior to ground disturbance and preparation of the property for infrastructure or residential development, the applicant shall demonstrate proof of sewer and water utility services from the City of Hollister and the Sunnyslope County Water District. Upon demonstrating proof of written contractual agreements for these services (that will also clarify financial obligations of concerned parties), the project will be required to design and install improvements (such as a potential sewer lift station) appropriate to the needs of those providers to provide service to the project. (Systems may need to be sized in a manner that will allow for future connections and service capacities.)
- 14. 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 vesting TSM and in all applicable Water Improvement Plans, pursuant to San Benito County Standards.
- 15. Sanitary Sewer Improvements:** The subdivider shall install sanitary sewer improvements that are sufficient to serve the Project, as shown on the vesting TSM and in all applicable Wastewater Improvement Plans, pursuant to San Benito County Standards.
- 16. Compliance Documentation:** The permittee shall submit a summary response in writing to these Conditions of Approval and Mitigation Measures documenting compliance with each condition and mitigation measure, including dates of compliance and referencing documents or other evidence of compliance. [Planning]
- 17. 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 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 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]
- 18. 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.
- 19. Easements:** The Final Map(s) shall show all necessary easements for access, utilities, and drainage. [RMA]
- 20. 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."
- 21. 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 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 structures.

ENVIRONMENTAL HEALTH DEPARTMENT:

- 22. Sewage Disposal.** The proposed Project states service will be provided by the City of Hollister.
- 23. Water.** The proposed project states that will be provided by the Sunnyslope Community Water District
- 24. Hazardous Materials.** If any hazardous materials are to be stored in any proposed facility, a hazardous Materials Business Plan must be completed and submitted to the Environmental Health Department.

SAN BENITO COUNTY FIRE:

- 25. Fire:** Any and all development on this Project site shall be required to meet the standards set forth in the latest editions of the 2016 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 2016 California Fire Code."

SAN BENITO COUNTY WATER MANAGEMENT DISTRICT: Prior to site disturbance, the applicant shall demonstrate to the San Benito County RMA that they have met the needs and conditions of the San Benito County Water Management District as follows:

- 26. Project Grading** The application states that the project will involve 65,600 cubic yards of cut and 57,800 cubic yards of fill. The disposal and deposition of overburden should be reviewed, whether on or off site, and mitigation measures and/or conditions of approval should be included to prevent harmful impacts to surface and groundwater quality resulting from erosion and sediment transport.

- 27. Potable Water Supply** The applicant should submit an 'intent to serve' letter from Sunnyslope County Water District, that includes acknowledgement of the proposed project scope.
- 28. Wastewater Disposal.** The applicant should submit an 'intent to serve' letter from Sunnyslope County Water District, that includes acknowledgement of the proposed project scope. (Planning Note: The applicant intends to approach the City of Hollister for service)
- 29. Fire Protection Water Supply:** If the County requires additional fire protection measures, the fire suppression water supply source, flow rate and storage capacity of appurtenant facilities should be described and the location of said facilities should be illustrated on the site plan. Adequacy of any proposed fire suppression water supply should be reviewed for conformance with the storage capacity requirements of the County Fire Department.
- 30. Stormwater Runoff Management**
- a. Storm drainage from this project will contain nutrients, sediments, debris, and oxygen demanding substances. The development should conform to all NPDES requirements in effect, as well as the Central Coast Regional Water Quality Control Board Basin Plan with regard to storm water discharge quality. This project may also be required to develop and implement a Storm Water Management Plan. The project, as currently proposed, appears to do nothing to meet the "maximum extent practicable" (abbr. MEP) standard set by Central Coast Regional Water Quality Control Board for NPDES stormwater compliance. Measures including bio-retention and hydro modification, to mimic a pre-development hydro graph, may be required to insure the MEP standard and reduce potential impacts to a 'less than significant' level.
 - b. In order to prevent harmful impacts to downstream and/or downslope properties due to increased volume and concentrated flows of storm water runoff:
 - i. the applicant should submit engineer signed and stamped calculations for drainage control structures (e.g. pond facilities), drainage piping, discharge orifices, etc. which should comply with County Drainage Standards;
 - ii. The applicant should submit engineer signed and stamped calculations showing the velocity of concentrated flow versus critical velocity of the soil for the project site; and
 - iii. If the velocity of flow is greater than the critical velocity for the concentrated runoff, then the applicant should mitigate for accordingly (e.g. rip-rap or vegetated energy dissipation, erosion control).
 - c. The development should conform to NPDES requirements in effect when grading permits are issued on the new parcels. The project will require a Storm Water Pollution Prevention Plan (SWPPP) that identifies Best Management Practices (BMPs) to be incorporated into the project. Said construction BMPs should include, but are not limited to: installing straw wattles and silt-fencing on the downstream side of construction, installing gravel bags around all inlets to drainage features potentially impacted by construction. Sufficient dust control should also be required during construction to minimize dispersion of small particulate matter.

PUBLIC WORKS DIVISION:

31. Prior to recordation of the Final Map, the applicant must make the following irrevocable offers of dedication [§ 23.15.002 Dedication of Streets, Alleys and Other Public Rights-of-Way or easement]:
 - a. Half of 84 foot right-of-way along the whole property frontage on Southside Road plus slope easement.
 - b. Full 60 foot right-of-way for all streets within the subdivision with standard 50 feet radius right-of-way for the turnaround facility at each ends and standard knuckle per City of Hollister Standards.
 - c. Dedication must consider and provide required curve radius at the corners of intersections and accommodate curb ramp consistent with ADA requirement.
32. Prior to recordation of the Final Map, the applicant must bond for or make the following roadway improvements (§ 23.17 Improvements):
 - a. Half of 64 feet curb to curb width AC pavement on 66 feet roadbed along the whole property frontage on Southside Road including but not limited to curb, gutter, detached sidewalk, curb ramp consistent with ADA requirement at corners of intersections, Class II bike Lane, Class I Trail, street lights and street trees. Improvements must conform or must be consistent with the other proposed or already approved subdivision along Southside Road.
 - b. Full 40 feet curb to curb paved surface on 42 foot roadbed for all streets within the subdivision with standard 40 feet radius paved surface on 41 foot radius roadbed turnaround facilities at each end and standard knuckles, including but not limited to curb, gutter, detached sidewalk, curb ramp consistent with ADA requirement, street lights and street trees. [§ 23.29 Road Standards; § 23.27.004(E)]
33. Prior to recordation of the final map, applicant shall comply with the recommendations by the traffic report by:
 - Pay Traffic Impact Mitigation Fee (TIMF) for Union Rd. /Airline HWY.
 - Pay Traffic Impact Mitigation Fee (TIMF) for Enterprise Rd. /Airline HWY.
 - If the project has direct impact on deterioration of existing level of service (LOS) on any given intersection below LOS D, Immediate improvements to LOS D or better is upon the project. The applicant may enter into a reimbursement agreement with the county to receive reimbursement when funding available in the traffic impact mitigation fee account (TIMF).
34. As part of the submission of engineered Improvement Plans for this project, the recommendations in the following reports shall be incorporated into the design of the improvement plans:
 - The Review of Earthquake Faults Investigation (File No. SH-12620-GC) by Earth Systems Pacific,
 - The Earthquake Fault Investigation by Geo-Logic Associates (Project No. 2014.0158), and
 - The Site Specific Geotechnical Investigation done by Earth Systems Pacific mentioned in the Geo-Logic Associates report.

Also prior to recordation of the Final Map:

- A complete compilation of test reports along with a letter from Soils Engineer attesting compliance with requirements and recommendations shall be submitted to Public Works Department upon completion of site improvements.
- A note shall also be placed on the Final Map referencing the aforementioned report for future reference by potential property owners. [§ 23.31.023]

35. As part of the submission of engineered improvement plans for this project, the applicant shall comply with County Drainage Standards and provide drainage and erosion control details for the project. Included in this will be drainage calculations and construction details for the proposed retention/detention pond for impermeable surfaces created as part of this project. All drainage improvements must be installed or bonded for prior to recordation of the Final Map. [§ 23.17.003.(B)]
36. Prior to start of grading and/or construction activities, a Storm Water Pollution Prevention Plan (SWPPP) prepared by a certified QSD/QSP (Qualified SWPPP Developer/Qualified SWPPP Practitioner) shall be submitted to County Public Works Department. A QSD/QSP should be retained for the duration of the construction and should be responsible to coordinate and comply with requirements by the Regional Water Quality Control Board, to file Notice of Intent (per Construction General Permit Order No. 2009-0009-DWQ as amended by 2010-0014 DWQ), and to monitor the project as to compliance with requirements until its completion.
37. As part of submission of Improvement Plans for this project, applicant shall include utility plans and have them approved by each corresponding utility companies when applicable, which includes but not necessarily limited to sanitary sewer, water, gas, electric, telephone, and cablevision, and shall furnish copies said approved plans to Public Works Department for concurrence. Said plans shall be part of the final or approved Improvement Plan.
38. As part of submission of engineered Improvement Plans for this project, the applicant shall do utility coordination with surrounding properties to be able to have a systematic utility system within the neighboring properties and future developments. This may require utility easements to be provided whenever necessary and these shall be shown on the improvement plans to be submitted to the county for approval.
39. All proposed utilities within the subdivision and along peripheral streets shall be placed underground except those facilities exempted by Public Utilities Commission regulations [§23.17.003(F)]. All necessary utilities must be installed or bonded for prior to recordation of the Final Map.
40. Prior to recordation of the Final Map, the applicant must submit a list of proposed street names (for Street A, Street B, & Street C) to the county's Communications Department for road name approval. [§23.07.003]
41. Prior to the recordation of the final map, the applicant/sub-divider shall be required to dedicate land, pay a fee in lieu thereof or a combination of both, at the option of the County for park and recreational purposes. [Per county code § 23.15.008]

42. The proposed project is within the Enterprise Drainage Basin; therefore, prior to the recordation of the final map the applicant shall be required to pay a fee towards the Enterprise Drainage Basin Benefit Area.
43. Pursuant to §19.27.004 of the County Code, the applicant shall obtain a Public Works Encroachment Permit for any work being performed within the County Right-of-Way or any road offered for dedication to the County prior to commencement of any improvements associated with this project.
44. Upon completion of required improvements, applicant shall provide warranty security in the amount not less than 10% of the estimated cost of construction of the improvements to guarantee the improvements against any defective work or labor done or defective materials used in the construction or installation of the improvements throughout the warranty period which shall be the period of one year following completion and acceptance of the improvements. [§ 23.17.009.4]
45. Prior to the recordation of the Final Map or before release of alternate Bond, one set of "As Built" Improvement Plans on a suitable reproducible media (PDF file and hardcopy file) shall be prepared by the applicant's engineer and delivered to the Public Works Department. [§ 23.31.002.(K)(1)]

THE MITIGATION MONITORING AND REPORTING PROGRAM

46. The Mitigation Monitoring and Reporting Program for the Bennett Ranch Project - 3061 Southside Road Draft Initial Study/Mitigated Negative Declaration San Benito County, California is hereby incorporated into these conditions of approval and made a part. See the attached pages that follow.

Table 1: Bennett Ranch Project-3061 Southside Road Mitigation Monitoring and Reporting Program

Mitigation Measures		Method of Verification	Timing of Verification	Responsible Agency or Party	Verification of Completion	
					Date	Initial
1. Aesthetics						
MM AES-1 (A) Design Standards Prior to issuance of the first building permit for the project, the project proponent shall submit anticipated design components to the County for review and approval in order to confirm consistency with applicable standards, requirements and design guidelines. Said components shall, at minimum, satisfy the following: <ul style="list-style-type: none">• Natural building materials and colors compatible with surrounding terrain (earth-tones and non-reflective paints) shall be used on exterior surfaces of all structures, including fences and walls.• Color combinations used on individual home roofs, walls, and fascia shall be selected as to avoid high contrast, such as very dark brown adjacent to white.• Roof vents shall be the same earth tone shade as the surrounding roof surface.• 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.• Building windows shall be tinted with an antireflective material.	Review by staff for potential action by the Director or Planning Commission	Prior to the recordation of the first final map	County of San Benito Resource Management Agency (RMA)			
MM AES-1 (B) Landscaping Prior to the recordation of the first final map, the project proponent shall submit tract-wide landscaping plans to the County for review and approval. Figure 7 and Figure 8 in Section 2.0, Project Description, show the currently proposed conceptual landscape plan. Tract-wide landscaping plans shall comply with the following requirements: <ul style="list-style-type: none">• Landscaping installed as part of tract improvements shall include fencing along the north and east side of	Review by Public Works Department and Planning Department for potential action by the Director or Planning Commission	Prior to the recordation of the first final map	County of San Benito RMA			

the project.					
<ul style="list-style-type: none"> Landscaping shall consist of drought-tolerant native species, as feasible, along with other acceptable species identified by the County as appropriate. Only natural fiber, biodegradable materials shall be used. 					

Table 1 (cont.): Bennett Ranch Project-3061 Southside Road Mitigation Monitoring and Reporting Program

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
2. Agriculture and Forestry Resources					
<p>MM AG-1: Prior to issuance of any grading permits, the Project proponent shall provide that for every one (1) acre of FMMP Important Farmland (Prime Farmland, Farmland of Statewide Importance, and Unique Farmland) on the Project 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 (for a total of 14 acres). Said mitigation shall be satisfied by the applicant through:</p> <p>a. 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 Land Trust, for the purpose of permanently preserving agricultural land. The required easement(s) area or deed restriction(s) shall therefore total a minimum of 14 acres of FMMP Important Farmland. The land covered by said off-site easement(s) or deed restriction(s) shall be located in San Benito County; or</p> <p>b. Making an in-lieu payment to a qualifying entity</p>	Provide evidence of the recorded easement deed restriction or evidence of payment to the County Planning Department or qualifying entity, such as the San Benito County Agricultural trust for approval.	Prior to issuance of any grading permits	County of San Benito RMA		

Table 1 (cont.): Bennett Ranch Project-3061 Southside Road Mitigation Monitoring and Reporting Program

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
<p>which has been approved by the County, such as the San Benito County Agricultural Land Trust, to be applied toward the future purchase of a minimum of 14 acres of FMMP Important 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</p> <p>c. Making an in-lieu payment to a qualifying entity which has been approved by the County, such as the San Benito County Agricultural Land Trust, to be applied toward a future perpetual conservation easement, deed restriction, or other farmland conservation mechanism to preserve a minimum of 14 acres of FMMP Important Farmland in San Benito County. The amount of the payment shall be equal to 110 percent of the amount determined by the qualifying entity or a licensed appraiser; or</p> <p>d. Any combination of the above.</p>					
4. Biological Resources					
<p>MM BIO-1: The Project shall adhere to and demonstrate compliance with the following requirements to the satisfaction of the County:</p> <ul style="list-style-type: none"> • Avoidance of grading during the wet season <u>if feasible</u> (defined as the months of October to April), <u>and upon approval of the RMA Director</u>; • A pre-construction survey of the site for California red-legged frog and California tiger salamander by a 	Planning Review	Prior to issuance of grading permits.	County of San Benito RMA		

Table 1 (cont.): Bennett Ranch Project-3061 Southside Road Mitigation Monitoring and Reporting Program

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
<p>qualified biologist prior to the start of construction activities; and</p> <ul style="list-style-type: none"> • A worker training session, conducted by a qualified biologist, informing construction workers of the biology of the California red-legged frogs and California tiger salamander and the requirements and procedures in the event these species are encountered during construction. 					
<p>MM BIO-2: A pre-construction survey of the site by a qualified biologist prior to the start of construction activities shall be conducted, along with related measures involving avoidance of kit foxes during construction (such as maintenance of buffers around dens in the unlikely event that the species is detected during the pre-construction survey), per the Standardized Recommendations For Protection Of The San Joaquin Kit Fox Prior To Or During Ground Disturbance (USFWS 1999).</p>	Planning Review	Prior to issuance of grading permits.	County of San Benito RMA		

Table 1 (cont.): Bennett Ranch Project-3061 Southside Road Mitigation Monitoring and Reporting Program

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
<p>MM BIO-3: The project shall adhere to and demonstrate compliance with the following requirements to the satisfaction of the County:</p> <ul style="list-style-type: none"> • A pre-construction survey of the site for burrowing owl presence by a qualified biologist is required prior to the start of construction activities ; • Should burrowing owls be discovered on or near the site, construction activities shall be avoided within 250 feet of active burrows during the breeding season (February 1 through August 31); and • Eviction of owls from burrows will only be allowed during the nonbreeding season. 	Planning Review	Prior to issuance of grading permits.	County of San Benito RMA	Date	Initial
<p>MM BIO-4: The project shall adhere to and demonstrate compliance with the following requirements to the satisfaction of the County: A pre-construction survey of the site for American Badger presence by a qualified biologist is required prior to the start of construction activities.</p> <ul style="list-style-type: none"> • Should an active badger den be discovered on or near the site, construction activities shall be avoided within 250 feet of active dens; and • Eviction of American Badgers from dens will only be allowed during the nonbreeding season. 	Planning Review	Prior to issuance of grading permits.	County of San Benito RMA	Date	Initial
<p>MM BIO-5: Avoidance and minimization measures to satisfy General Plan Policy NCR-2.2 shall be implemented to reduce the potential for proposed development of the site to result in significant impacts to roosting bats. Such measures shall include the following:</p>	Planning Review	Prior to issuance of grading permits.	County of San Benito RMA	Date	Initial

Table 1 (cont.): Bennett Ranch Project-3061 Southside Road Mitigation Monitoring and Reporting Program

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
<ul style="list-style-type: none"> • Pre-construction surveys of all potential roosting structures by a qualified biologist prior to construction; • Maintenance of disturbance-free buffers around active roosts during the maternity season (March 15 to August 31) to avoid impacting young bats that are not volant (i.e., that cannot fly); and • The eviction of bats will only be allowed outside of the maternity season. 					
<p>MM BIO-6: The following measures shall be implemented to ensure compliance with the Migratory Bird Treaty Act and California Fish and Game Code:</p> <ul style="list-style-type: none"> • Construction activities shall be avoided during the nesting season (i.e., February 1 to August 31) to the extent feasible. • Potential nesting substrate (e.g., bushes, trees, snags, grass, and suitable artificial surfaces) should be removed during the non-breeding season (i.e., they should be removed between September 1 and January 31), if feasible, to help preclude nesting on the site by birds. If it is not feasible to schedule vegetation removal during the non-breeding season, then pre-construction surveys for nesting birds shall be conducted by a qualified ornithologist to ensure that no nests will be disturbed during construction activities. This survey shall be conducted no more than seven days prior to the initiation of construction activities. During this survey, the ornithologist shall inspect all trees, shrubs, and other potential nesting 	Planning Review	Prior to issuance of grading and during construction	Director, County of San Benito RMA		

Table 1 (cont.): Bennett Ranch Project-3061 Southside Road Mitigation Monitoring and Reporting Program

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
habitats in and immediately adjacent to the site for nests. If an active nest is found sufficiently close to work areas to be disturbed by these activities, the ornithologist, in consultation with the CDFW, shall determine the extent of a buffer zone to be established around the nest, typically a 300 foot radius for raptors and a 100 foot radius for other birds, to ensure that no nests of species protected by the Migratory Bird Treaty Act or the California Fish and Game Code will be disturbed during construction activities.					
MM BIO-7: Prior to grading activities, the Project Applicant shall obtain a tree permit for all black walnut trees located on-site pursuant to Chapter 25.29 Article VII "Tree Protection." Permit requirements are clarified under Chapter 24.29.214, and no work shall commence prior to the approval of the permit by the County's Director of Planning and Building Services.	Planning Review	Prior to issuance of grading and during construction	County of San Benito RMA		
5. Cultural Resources					
MM CUL-1: If cultural resources or Tribal Cultural Resources are encountered during ground-disturbing activities, work within a 50-foot radius of the find shall be halted and an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (NPS 1983) should be contacted immediately to evaluate the find. If necessary, the evaluation may require preparation of a treatment plan and archaeological testing for CRHR eligibility. If the discovery proves to be	Review of NAHC correspondence; onsite inspection/ monitoring by County and Applicant	In the event cultural resources or Tribal Cultural Resources are encountered during ground-disturbing activities	County of San Benito RMA		

Table 1 (cont.): Bennett Ranch Project-3061 Southside Road Mitigation Monitoring and Reporting Program

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
significant under CEQA and cannot be avoided by the Project, additional work such as data recovery excavation may be warranted to exhaust the data potential of the resource, thereby reducing any impact to a less-than-significant level. All subsequent archaeological work shall be performed at the direction of the County and the developer would be responsible for the additional cost to perform the work.					
MM CUL-2: If human remains are found, State of California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. In accordance with this code, in the event of an unanticipated discovery of human remains, the County Coroner would be notified immediately. If the human remains are determined to be prehistoric, the coroner will notify the Native American Heritage Commission, which will determine and notify a most likely descendant (MLD). The MLD would complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.	Review of NAHC correspondence; onsite inspection/ monitoring by County and Applicant	In the event human remains are found during site disturbance/construction	County of San Benito RMA		
MM CUL-3: Paleontological Monitoring Program: Prior to construction activity, a qualified paleontologist shall prepare a Paleontological Monitoring Program to be implemented during project ground disturbance activity.	Review of NAHC correspondence; onsite inspection/ monitoring by County and	Prior to construction activity	County of San Benito RMA		

Table 1 (cont.): Bennett Ranch Project-3061 Southside Road Mitigation Monitoring and Reporting Program

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
<p>This program shall include worker awareness training and procedures for reporting if a paleontological resource is found. Typical components include the following:</p> <ul style="list-style-type: none"> • Paleontological Worker Environmental Awareness Program: Prior to the start of construction, construction personnel shall be informed on the appearance of fossils and the procedures for notifying paleontological staff should fossils be discovered by construction staff. The county shall establish the procedure for notifying a qualified paleontologist to make a determination about fossils found during excavation. Developer shall be responsible for the costs of a monitoring paleontologist, as determined necessary by the County. • Paleontological Monitoring: Any excavations exceeding 3 feet in depth shall be monitored on a full-time basis by a qualified paleontological monitor. Ground disturbing activity that does not exceed 3 feet in depth does not require paleontological monitoring. Should no fossils be observed during the first 50 percent of excavations exceeding 3 feet in depth, paleontological monitoring may be reduced to weekly spot-checking under the discretion of the qualified paleontologist. Developer shall be responsible for the costs of a monitoring paleontologist, as determined necessary by the County. • Salvage of Fossils: If fossils are discovered, a qualified paleontologist (or the paleontological monitor) shall recover them. Typically, fossils can be safely salvaged quickly by a single paleontologist and not disrupt 	Applicant				

Table 1 (cont.): Bennett Ranch Project-3061 Southside Road Mitigation Monitoring and Reporting Program

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
<p>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 monitoring or on-call 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. Developer shall be responsible for the costs of a monitoring paleontologist, as determined necessary by the County.</p> <ul style="list-style-type: none"> • Preparation and Curation of Recovered Fossils: 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 (such as the WSC or SBCM), along with all pertinent field notes, photos, data, and maps. • Final Paleontological Monitoring Report: Upon completion of ground disturbing activity (and curation of fossils if necessary) the qualified paleontologist shall prepare a final monitoring report outlining the results of the monitoring program. The report shall include discussion of the location, duration, and methods of the monitoring, stratigraphic sections, any recovered fossils, and the scientific significance of those fossils, and where fossils were curated. 					

Table 1 (cont.): Bennett Ranch Project-3061 Southside Road Mitigation Monitoring and Reporting Program

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
6. Geology and Soils					
MM GEO-1: Design of proposed structures on the site shall be done in conformance with the seismic provisions of the 2016 CBC and the recommendations of the Earthquake Fault Investigation prepared by Geo-Logic Associated (dated June 10, 2015) and the Geotechnical Engineering Report conducted by Earth Systems Pacific (dated April 25, 2015) including setbacks from identified faults. A qualified geotechnical engineer, as determined by the County, shall review the final foundation and building plans to ensure conformance with the recommendations.	Review of site plans; onsite inspection	Prior to issuance of building permit	County of San Benito RMA		
MM GEO-2: The Applicant shall obtain a qualified geologist to perform a follow up site-specific investigation of secondary seismic hazards including liquefaction and landslide susceptibility, lateral spreading, and seismic settlement. Should any secondary seismic hazards be found to exist on-site, the geologist will determine standards for construction for proposed structures on the Site. A qualified geotechnical engineer shall review the final foundation and building plans to ensure conformance with the recommendations before building permits are issued by the County. The builder will demonstrate conformance with the approved plans in construction inspections.	Review of site plans; onsite inspection	Prior to issuance of building permit	County of San Benito RMA		
MM GEO-3: Design and construction of fills, cuts, foundations, retaining walls, and slabs shall recognize the presence of upper soil with loose consistency and the presence of previously-placed undocumented fill and completed in compliance with the recommendations of the ESP (2015) report. Grading measures such as over-excavation for cut/fill building pads and removing	Review of site plans; onsite inspection	Prior to issuance of building permit	County of San Benito RMA		

Table 1 (cont.): Bennett Ranch Project-3061 Southside Road Mitigation Monitoring and Reporting Program

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
undocumented fill in the areas of the existing residences and driveways shall occur consistent with the geotechnical recommendations. A qualified geotechnical engineer shall review the final grading and foundation plans to ensure conformance with the recommendations.					
MM GEO-4: The Applicant shall adhere to the recommendations of the ESP (2015) Geotechnical Engineering Report regarding expansive soils on-site. As set forth in said recommendations, post-tensioned slabs or structural mat foundations should be designed to withstand forces related to soil expansion and contraction. In addition, the soil should be moisture conditioned, and non-expansive imported material should be placed in areas to receive exterior concrete flatwork.	Review of site plans; onsite inspection	Prior to issuance of building permit	County of San Benito RMA		
8. Hazards and Hazardous Materials					
MM HAZ-1: Prior to issuance of demolition permits, the Project applicant shall retain a hazardous materials contractor to inspect the Project site (including all existing structures and buildings to be demolished) for the presence of asbestos-containing materials and lead-based paint. If these materials are determined to be present, they shall be removed and disposed of by a registered asbestos abatement contractor in accordance with applicable federal, state, and local laws and regulations. If these materials are determined not to be present, no further action is necessary. The applicant shall submit documentation verifying compliance with	Periodic onsite inspection/ monitoring	Prior to issuance of demolition permits	County of San Benito RMA		

Table 1 (cont.): Bennett Ranch Project-3061 Southside Road Mitigation Monitoring and Reporting Program

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
this mitigation measure as part of the demolition permit application.					

Table 1 (cont.): Bennett Ranch Project-3061 Southside Road Mitigation Monitoring and Reporting Program

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
12. Noise					
<p>MM NOI-1a: Construction Noise Attenuation Best Management Practices (BMPs). For all construction activity at the Project site, noise attenuation BMPs shall be employed to ensure that noise levels are maintained within levels allowed under Section 19.39.051 of the San Benito County Code. Such techniques shall include:</p> <ul style="list-style-type: none"> • Install a temporary noise barrier on the western boundary of the Project site along Southside Road during construction. Temporary noise barriers should be made of noise-resistant material sufficient to achieve a Sound Transmission Class (STC) rating of STC 30 or greater, based on sound transmission loss data taken according to ASTM Test Method E90. To be effective, the barrier must be long and tall enough to completely block the line-of-sight between the noise source and the receptors. Any gaps between adjacent panels must be filled-in to avoid having noise penetrate directly through the barrier. • Equip mobile or fixed "package" equipment (e.g., arc welders, air compressors) with shrouds, sound blankets, and noise-control features that are readily available for that type of equipment. • All diesel equipment shall be operated with closed engine doors and shall be equipped with mufflers and air-inlet silencers, where appropriate, that meet or exceed original factory specification. • For stationary equipment, the applicant shall designate equipment areas with appropriate acoustic shielding on building and grading plans. Equipment and shielding shall be installed prior to construction and 	Record in contract specifications; Periodic onsite inspection/monitoring	Prior to and during construction	County of San Benito RMA		

Table 1 (cont.): Bennett Ranch Project-3061 Southside Road Mitigation Monitoring and Reporting Program

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
<p>remain in the designated location throughout construction activities.</p> <ul style="list-style-type: none"> Electrical power shall be used to power air compressors and similar power tools. Construction vehicles and equipment shall be left idling for no longer than 5 minutes when not in use. 					
<p>MM NOI-1b: Construction Activity Timing. Except for emergency repair of public service utilities, or where an exception is issued by the County Planning & Building Department, no operation of tools or equipment used in construction, drilling, repair, alteration, or demolition work shall occur daily between the hours of 7:00 p.m. and 7:00 a.m., or any time on Sundays, holidays, or after sunset.</p> <p>The movement of construction-related vehicles, with the exception of passenger vehicles, along roadways adjacent to sensitive receptors shall be limited to the hours between 7:00 a.m. and 7:00 p.m., Monday through Saturday. No movement of heavy equipment shall occur on Sundays, holidays, or after sunset.</p>	Record in contract specifications; Periodic onsite inspection/monitoring	Prior to and during construction	County of San Benito RMA		
<p>MM NOI-1c: Implementation of the following multi-part mitigation measure is required to reduce potential construction period noise impacts:</p> <ul style="list-style-type: none"> The construction contractor shall ensure that all equipment driven by internal combustion engines shall be equipped with mufflers, which are in good condition and appropriate for the equipment. The construction contractor shall ensure that 	Record in contract specifications; Periodic onsite inspection/monitoring	Prior to and during construction	County of San Benito RMA		

Table 1 (cont.): Bennett Ranch Project-3061 Southside Road Mitigation Monitoring and Reporting Program

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
<p>unnecessary idling of internal combustion engines (i.e., idling in excess of 5 minutes) is prohibited.</p> <ul style="list-style-type: none"> The construction contractor shall utilize "quiet" models of air compressors and other stationary noise sources where technology exists. At all times during project grading and construction, the construction contractor shall ensure that stationary noise-generating equipment shall be located as far as practicable from sensitive receptors and placed so that emitted noise is directed away from adjacent residences. The construction contractor shall ensure that the construction staging areas shall be located to create the greatest feasible distance between the staging area and noise-sensitive receptors nearest the Project site. 					
<p>NOI-1(d): Construction Vehicle Travel 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. Construction vehicles and haul trucks must utilize roadways that avoid residential neighborhoods and sensitive receptors where possible. The applicant shall submit a proposed construction vehicle and hauling route for County Planning & Building Department review and approval prior to grading/building permit issuance. The approved construction vehicle and hauling route shall be used for the duration of project construction.</p>	Record in contract specifications; Periodic onsite inspection/monitoring	Prior to and during construction	County of San Benito RMA		

Table 1 (cont.): Bennett Ranch Project-3061 Southside Road Mitigation Monitoring and Reporting Program

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
NOI-1(e): Neighboring Property Owner Notification and Construction Noise Complaints. The contractor shall inform residents and business operators at properties within 240 feet of the Project site of proposed construction timelines and noise complaint procedures to minimize potential annoyance related to construction noise. Proof of mailing the notices shall be provided to the County Planning & Building Department before the County issues grading or building permits. Signs shall be in place before beginning of and throughout grading and construction activities. Noise-related complaints shall be directed to the County Planning & Building Department.	Record in contract specifications; Periodic onsite inspection/monitoring	Prior to and during construction	County of San Benito RMA		
16. Transportation/Traffic					
MM TRANS-1: Applicant will pay their fair share through the TIMF fee to complete the following improvements: modify the existing traffic signal at the intersection of Union Road and Airline Highway (SR-25) to include protected left-turn phasing for the eastbound and westbound approaches and to add a right-turn only lane to the eastbound approach. With these improvements, this intersection is projected to provide "Existing" and "Existing plus Project" AM and PM peak-hour LOS "C" operations. Alternatively, this intersection is projected to provide acceptable LOS operations with Airline Highway (SR-25) and Union Road widening (TIMF Projects 4, 9 and 10).	Record in conditions of approval; periodic onsite inspection/monitoring	Prior to issuance of certificate	County of San Benito RMA		
18. Utilities and Service Systems					

Table 1 (cont.): Bennett Ranch Project-3061 Southside Road Mitigation Monitoring and Reporting Program

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
MM UTIL-1: Southside Road Sewer Main Capacity. Prior to approval of the final map(s), the applicant shall confirm the required size and installation cost of the planned upgrade to the Southside Road sewer main, to address the identified cumulative impact. The estimated cost (including design, permitting and construction) along with the applicant's pro-rata share, shall be reviewed and approved by the County of San Benito and City of Hollister. Prior to approval of the final map, the Applicant shall pay its pro rata fair share towards the construction of the planned improvements.	Record in conditions of approval; periodic onsite inspection/monitoring	Prior to approval of the final map	County of San Benito RMA		
MM UTIL-2: Southside Lift Station Improvements. In order to ensure that existing City of Hollister wastewater conveyance infrastructure can accommodate flows from the proposed Project, as a condition of map approval, the Applicant shall be obligated to fund and construct all lift station improvements recommended in the Wallace Group memo of March 24, 2017, and/or as modified in the subsequent Wallace Group memo dated July 27, 2017 (both memos included in Appendix K of the Draft IS/MND), subject to review and approval by the County Engineer and City of Hollister. Such improvements shall be constructed prior to issuance of the first building permit for the project. As noted in the Wallace Group memos, these recommended improvements may include the following: <ul style="list-style-type: none"> • A permanent on-site generator and automatic transfer switch shall be installed at the Southside Liftstation. 	Record in conditions of approval; periodic onsite inspection/monitoring	Prior to approval of the final map	County of San Benito RMA		

Table 1 (cont.): Bennett Ranch Project-3061 Southside Road Mitigation Monitoring and Reporting Program

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
<ul style="list-style-type: none"> To increase the existing wet well storage capacity and improve the response time in case of pump failure as requested by the City of Hollister, a new 6-foot wet well is to be constructed adjacent to the existing wet well. The two wet wells are to be connected at the pump off level elevation so that the adjacent wet well empties after every cycle. Considering the future peak flow from all reasonably foreseeable development identified in the Wallace Group memo of March 24, 2017, the required response time during a peak hour flow failure shall be no less than 6.2 minutes (T = 1,957 gallons/315 gpm = 6.2 minutes). 					

Taven M. Kinison Brown
San Benito County
Planning & Building Inspection Services
Resource Management Agency

Date

PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE COUNTY OF SAN BENITO THIS 21ST DAY OF FEBRUARY 2018 BY THE FOLLOWING VOTE:

AYES: Chair Mark Tognazzini and Commissioners Valerie Egland, Pat Loe, and Ray Pierce.

NOES: None

ABSENT: Commissioner Robert Rodriguez

ABSTAIN: None

Mark Tognazzini, Chair
San Benito County Planning Commission

ATTEST:

Taven M. Kinison Brown, Principal Planner
Resource Management Agency San Benito County

