

Addendum to the Certified 2035 San Benito County General Plan Update EIR

Regional Commercial C-3 District

County of San Benito

September 4, 2019



ADDENDUM TO THE CERTIFIED 2035 SAN BENITO COUNTY
GENERAL PLAN UPDATE EIR

REGIONAL COMMERCIAL C-3 DISTRICT

State Clearinghouse # 2011111016

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September 4, 2019

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1.0 Introduction

1.1 PURPOSE

This document is an addendum to the *Environmental Impact Report for the San Benito County 2035 General Plan*, State Clearinghouse No. 2011111016 (General Plan EIR), certified on July 21, 2015. The General Plan EIR analyzed the *San Benito County 2035 General Plan* (General Plan), which was adopted by San Benito County (County) Board of Supervisors on the same date. The proposed project addressed by this addendum (hereinafter “Addendum”) is the establishment of the County’s Regional Commercial (C-3) District (referred to interchangeably as “C-3 Zoning District” or “proposed project”), with the environmental analysis herein prepared pursuant to the provisions of the California Environmental Quality Act (CEQA) Guidelines Section 15164. The C-3 District allows for the rezone of four Commercial Regional Node areas referred to as “Betabel”, “State Route 129”, “Rocks Ranch”, and “Livestock 101.” According to Section 15164 of the CEQA Guidelines, an addendum to a previously certified EIR is the appropriate environmental document in instances when “only minor technical changes or additions are necessary” and when the new information does not involve new significant environmental effects beyond those identified in the previously certified EIR.

1.2 BACKGROUND

The San Benito County 2035 General Plan (“General Plan”) identified four locations along U.S. Highway 101 as Regional Commercial “nodes.” Those nodes are referred to by the names “Betabel Road,” “State Route 129,” “Rocks Ranch”, and “U.S. Highway 101 and State Route 156.” Prior to certification of the General Plan EIR and adoption of the General Plan, the San Benito County Planning Commission held a public hearing, during which a recommendation was made to the County Board of Supervisors to delete the node at the intersection of U.S. Highway 101 and State Route 156. As a result, General Plan policy LU-5.3 was edited to direct the exclusion of the U.S. Highway 101 and State Route 156 node and the State Route 156 node was removed from Figure 3-5 of the General Plan and Figure 3-6 of the General Plan EIR. The Planning Commission recommended that this node be moved to the “Livestock 101” location. A motion was passed that recommended approval of the General Plan and General Plan EIR with the exclusion of U.S. Highway 101 and State Route 156 node and the addition of a node at Livestock 101. This removal and addition was considered at the

Board of Supervisors hearing and the Board of Supervisors adopted the General Plan and certified the General Plan EIR with the understanding that the node would be moved from State Route 156 to Livestock 101. However, due to a clerical error, the Livestock 101 node was not included in the final General Plan Land Use Map. Because it was the intent of the Planning Commission and Board of Supervisors for the Livestock 101 node to be included in the General Plan, this node is being considered for a C-3 rezone and is analyzed along with the other three proposed C-3 nodes for cumulative impact analysis in determining if there are new or substantially more severe impacts than those analyzed in the General Plan EIR.

Consistent with state law, the 2035 General Plan included standards of population density and building intensity for each of the land use designations appearing on the Land Use Diagram (General Plan EIR p. 3-43). Table 3-7 of the General Plan EIR identified these standards, and lists the acreage of the County allocated to each land use type. Table 3-7 identified 126-acres of Commercial Regional (CR) area at a Floor Area Ratio (FAR) of 0.8 (General Plan EIR p. 3-43). At maximum buildout of the 126 acres, this would result in 4,390,000 square feet of Commercial Regional Development (General Plan EIR p. 3-43). The General Plan EIR did not assume all land uses depicted in the Land Use Diagram would be built out by 2035 to their absolute maximum potential. Instead, the General Plan EIR evaluated the impacts of forecasted development that will likely occur through the year 2035 consistent with CEQA requirements that an EIR evaluate the “reasonably foreseeable” direct and indirect impacts of a proposed project. The General Plan EIR utilized conservative population, housing, and employment forecasts to evaluate the reasonably foreseeable impacts of General Plan buildout of the General Plan Land Use Diagram (General Plan EIR pp. 4-5, 4-8 and 4-12).

The development capacity identified in the C-3 District is 235,750 square feet per node for a total of 943,000 square feet four nodes. Cumulative development capacity at the nodes is presented in Table 1-1, Development Capacity at the Commercial Nodes with C-3 District code.

While the General Plan EIR did not consider maximum (100 percent) buildout of the Land Use Diagram, (summarized in Table 3-7) including Commercial Regional uses, the General Plan EIR utilized conservative growth forecasts that were deemed to adequately represent reasonably foreseeable buildout of the General Plan Land Use Diagram (General Plan EIR pp. 4-5, 4-8 and 4-12). Because General Plan EIR Table 3-7 identified up to 4,390, 000 square feet of development, even a conservative forecast of the amount of development encompassed under the Commercial Regional designation would far exceed the 943,000 square feet of possible future development at maximum (100 percent) buildout of the nodes under the C-3 District. The C-3 District substantially limits development capacity compared to Commercial Regional buildout identified in the General Plan EIR Table 3-7, and cumulative development allowed under the C-3 District would fit within the growth projections utilized in the General Plan EIR analysis.

Table 1-1 Development Capacity at the Commercial Nodes per C-3 District Code¹

Land Uses	Number of Rooms/Units Per Node	Square Feet Per Room/Unit	Number of Commercial Nodes	Total Square Feet
Retail	NA	100,000	4	400,000
Hotel	125	750		375,000
Residential	30	1,400		168,000
Total				943,000

SOURCE: C-3 District Code 2019

NOTES:

1. The development capacity for each node equals 100,000 square feet of retail plus 93,750 square feet of hotel (125 rooms X 750 square feet per room) plus 42,000 square feet of residential (30 units X 1,400 square per room) or a total of 235,750 square feet development capacity per node

The General Plan EIR analyzed the coverage impacts from development under the 2035 General Plan at a program or community level and is therefore not site specific due to the wide geographical area covered (General Plan EIR p. 8-1). The impact analysis is quantitative where data is reasonably available and is otherwise qualitative (General Plan EIR p. 8-1). The C-3 District implements the General Plan and is not a development specific project. The General Plan EIR assumed 126 acres of Commercial Regional development (General Plan EIR p. 3-43), but did not identify specific boundaries for this designation (see General Plan Figure 3-5). The proposed Rocks Ranch, Betabel, State Route 129, and Livestock rezones would total 298.5 acres which is 172.5 acres beyond that identified in the General Plan EIR. However, no specific parcels were analyzed by the General Plan EIR, and, rather, general geographic areas were considered. Therefore, the analysis contained in the General Plan EIR adequately addresses potential coverage impacts associated with the zoning implementation.

Two buildout scenarios were evaluated in the General Plan EIR, Scenario 1 the Hollister-Centered Growth Scenario, accounts for projected growth in new areas, primarily in and around the incorporated City of Hollister. Scenario 1 envisions that the majority of new population growth would occur in the unincorporated area of the County in and around the City of Hollister SOI. This growth scenario analyzes likely buildout under the proposed 2035 Land Use Diagram. Scenario 2 envisions that growth would primarily be accommodated in new community study areas, with most of this growth occurring along the State Route 25 corridor (General Plan EIR p 4-12).

This Addendum relies on the environmental analysis in Section 3.0, which addresses environmental checklist issues adapted from the CEQA Guidelines Appendix G. The Addendum reviews the changes proposed by the proposed project and examines whether, as a result of any changes or new information, any new or worsened impacts could occur that

were not identified in the certified General Plan EIR. In accordance with the CEQA Guidelines, the County has determined that an Addendum to the certified General Plan EIR is an appropriate environmental document for the proposed project because only minor changes to the certified General Plan EIR are required (see Section 4.0, Changes to General Plan EIR).

An addendum was completed for each of the four proposed C-3 rezones: Betabel Road, Highway 129, Rocks Ranch, and Livestoc 101 to evaluate reasonably foreseeable direct and indirect site specific impacts and to determine whether new or substantially more severe environmental impacts not analyzed in the General Plan EIR would result from implementation of the proposed C-3 Zoning District.

2.0 Project Information

2.1 PROJECT LOCATION AND SETTING

San Benito County is located in central California, surrounded by Santa Clara County to the north, Fresno County to the east, Merced County to the east and south, and Monterey County to the west and south. [Figure 2-1, Location Map](#), shows the County's regional location.

The County is served by State Route 25, which runs north-south through the middle of the County; State Route 156, which runs east-west through the northern portion of the County; and U.S. Highway 101, which runs north/south through the northwest corner of the County. U.S. Highway 101 provides a major connection between northern and southern California. The majority of the County consists of steep mountains, rolling and rocky hillsides, and open grassland vegetation, with agricultural and grazing lands primarily located through the central and northern valley portions of the County. The San Andreas Fault runs through the center of the County. This geologic feature separates the County's two distinct mountain ranges: the Diablo Range to the east and the Gabilan Range to the west.

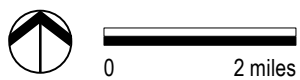
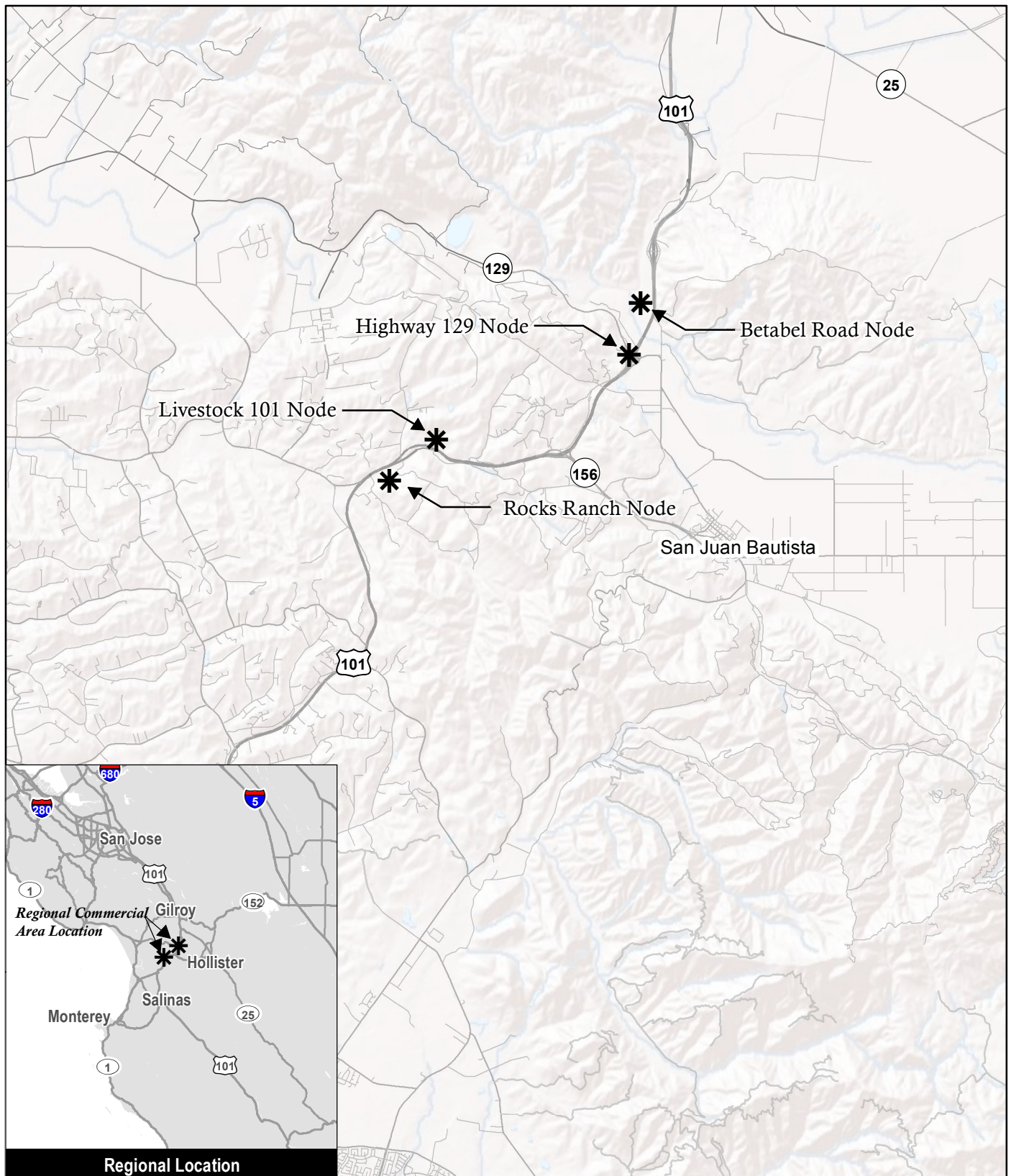
2.2 PROJECT DESCRIPTION

The proposed project is an amendment to Chapter 25.16 of the County's Zoning Code to add Article IV, Regional Commercial (C-3) Zoning District (hereinafter "C-3 Zoning District"). The establishment of the C-3 Zoning District includes textual regulations and delineation of boundaries on the County's zoning map. The proposed amendment to the zoning map includes four locations or nodes for the C-3 Zoning District, all of which are located along U.S. Highway 101. The C-3 Zoning District includes special regulations and standards for each commercial node site. The C-3 Zoning District text is included as [Appendix B](#). The proposed zoning maps illustrate the C-3 zone change to C-3, presented in [Figure 2-2, Current and Proposed Zoning Map for Betabel Road](#), [Figure 2-3, Current and Proposed Zoning Map for State Route 129](#), [Figure 2-4, Current and Proposed Zoning Map for Rocks Ranch](#), [Figure 2-5, Current and Proposed Zoning Map for Livestock 101](#).

The proposed project would result in a zone change from Agricultural Rangeland/Floodplain (AR/FP) to Regional Commercial (C-3) at the Betabel Road site; from Agricultural

2.0 Project Information

Rangeland/Floodplain (AR/FP), Commercial Thoroughfare (C1), and Rural (R) to Regional Commercial (C-3) at the Highway 129 site; and from Agricultural Productive (AP), Agricultural Rangeland (AR) to Regional Commercial (C-3) at the Rocks Ranch site and from Rural (R) and Neighborhood Commercial (CN) to Regional Commercial at the Livestock 101 site.



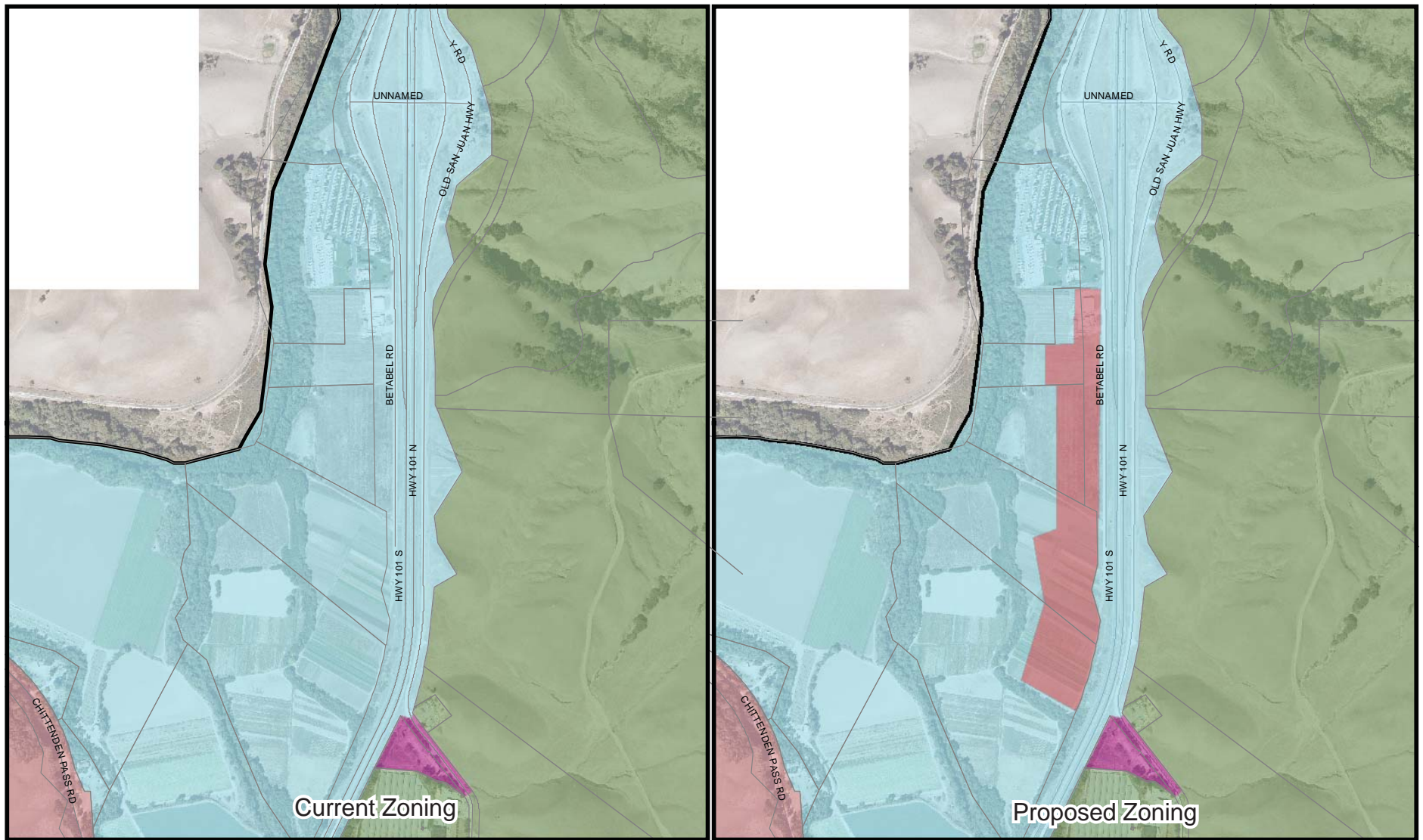
Source: ESRI 2019



Figure 2-1
Location Map

Regional Commercial C-3 District
Addendum to the Certified 2035 San Benito General Plan Update EIR

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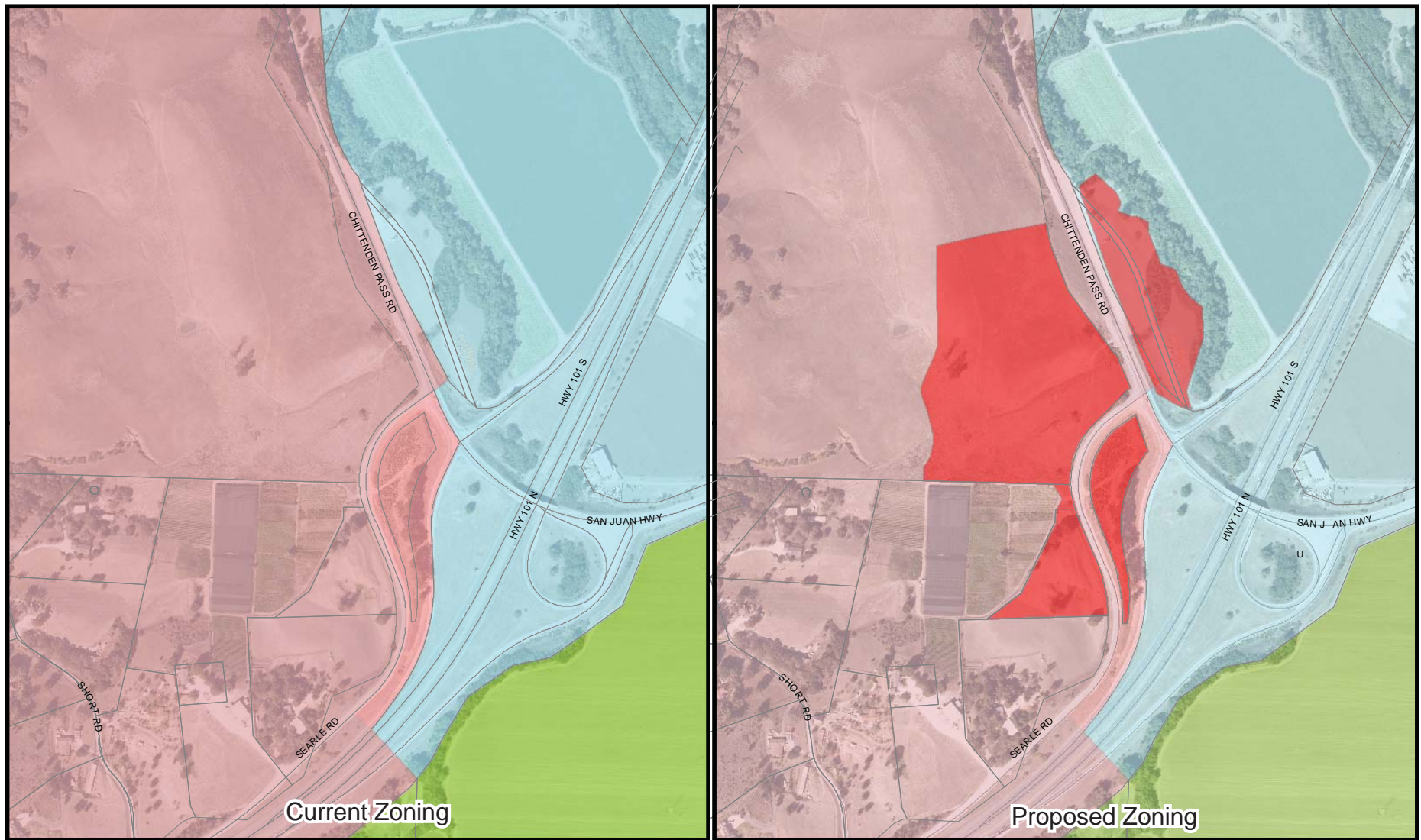
Zoning

M2/MR	AR	C2	M2/MR	R/PUD	RR
AP	AR/FP	C3	MR	R1	RT
AP/M1	AR/MR	M1	P	R1/PUD	RT/PUD
AP/PUD	C1	M2	R	RM	

Source: San Benito County 2019

Figure 2-2
Current and Proposed Zoning Map for Betabel Road

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Zoning

M2/MR	AR	C2	M2/MR	R/PUD	RR
AP	AR/FP	C3	MR	R1	RT
AP/M1	AR/MR	M1	P	R1/PUD	RT/PUD
AP/PUD	C1	M2	R	RM	

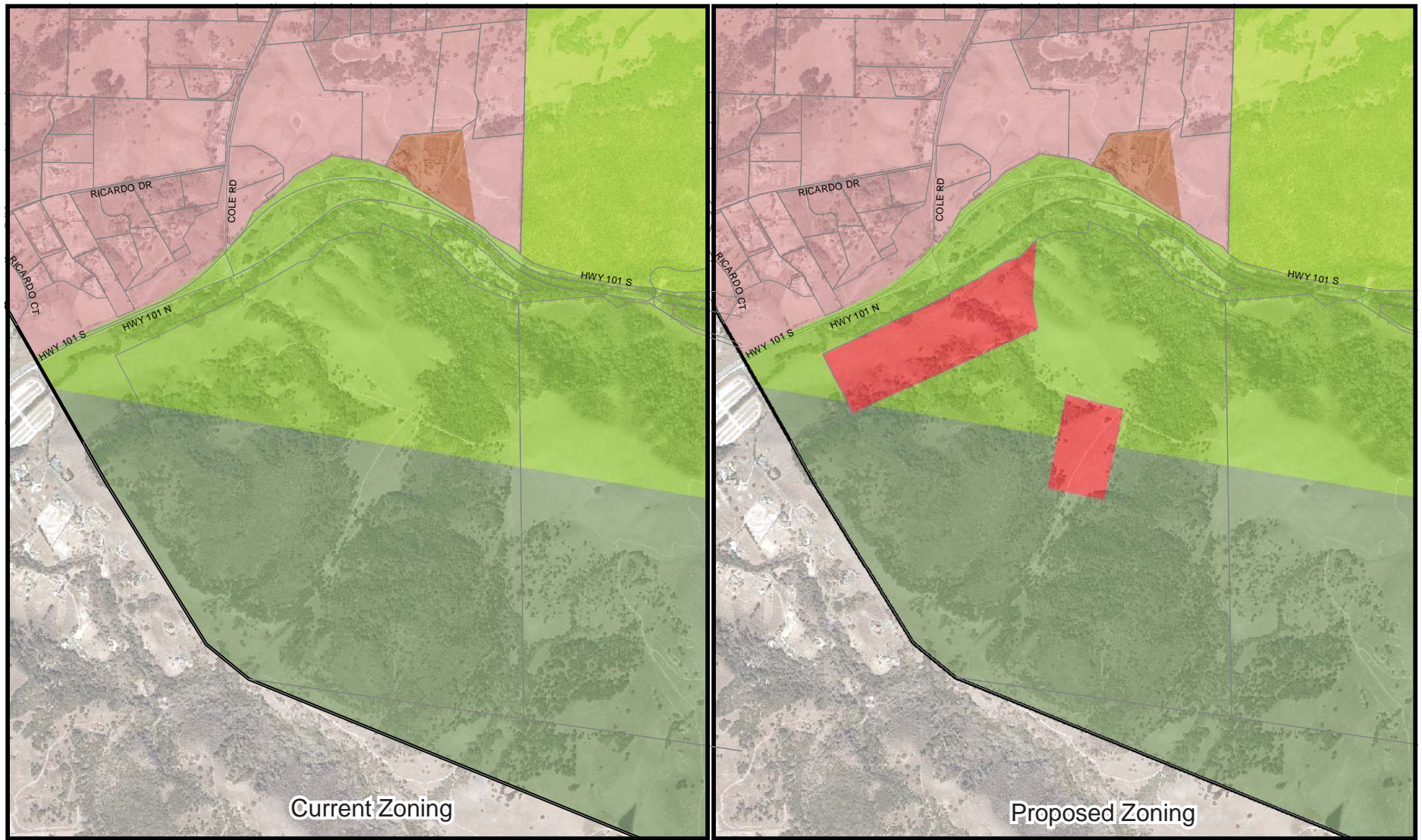
Source: San Benito County 2019

Figure 2-3

Current and Proposed Zoning Map for State Route 129

Regional Commercial C-3 District
Addendum to the Certified 2035 San Benito General Plan Update EIR

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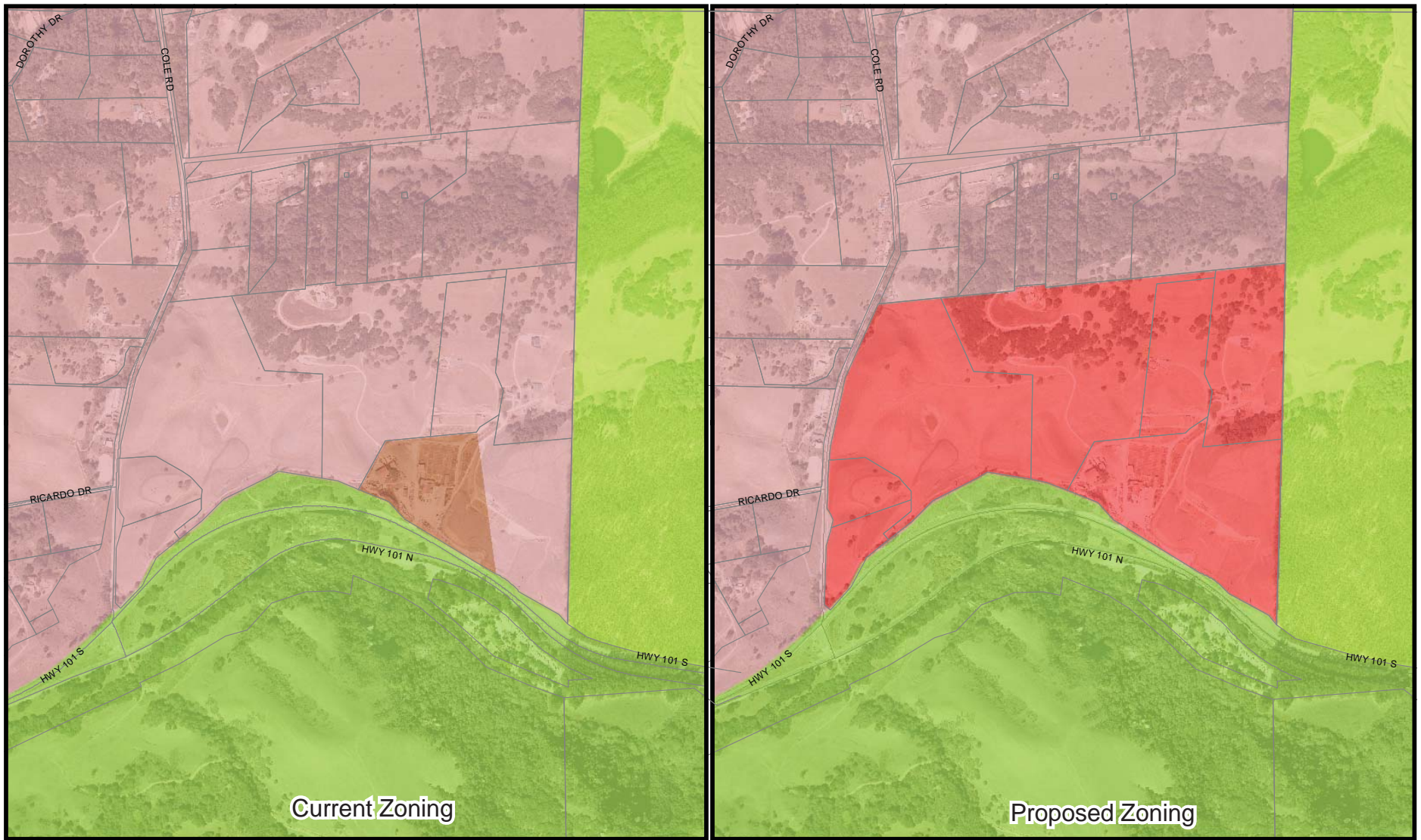
Zoning

M2/MR	AR	C2	M2/MR	R/PUD	RR
AP	AR/FP	C3	MR	R1	RT
AP/M1	AR/MR	M1	P	R1/PUD	RT/PUD
AP/PUD	C1	M2	R	RM	

Source: San Benito County 2019

Figure 2-4
Current and Proposed Zoning Map for Rocks Ranch

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Zoning

M2/MR	AR	C2	M2/MR	R/PUD	RR
AP	AR/FP	C3	MR	R1	RT
AP/M1	AR/MR	M1	P	R1/PUD	RT/PUD
AP/PUD	C1	M2	R	RM	

Source: San Benito County 2019

Figure 2-5
Current and Proposed Zoning Map for Livestock 101

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3.0 Environmental Analysis

The analysis on which this Addendum is based is included in [Appendix A, Regional Commercial C-3 District Addendum Analysis](#), which analyzes impacts associated with adoption of the C-3 Zoning District and subsequent rezone of four commercial node sites. Four separate Addenda were prepared for the rezone of each of the commercial nodes sites pursuant to the provisions of CEQA. The Regional Commercial C-3 District Addendum and four individual node addenda determined that the proposed rezones would not result in any new or more severe impacts at the four commercial node sites than was already analyzed in the certified General Plan EIR.

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4.0

Changes to the General Plan EIR

The General Plan EIR identified the acreage associated with each land use designation in Table 3-7, Area of County by Land Use Designation and Land Use Standards. A total of 126 acres were identified as Commercial Regional (CR) in Table 3-7. However, no specific boundaries were delineated for each Commercial Regional (CR) node sites. The proposed C-3 Zoning District would define specific boundaries for each node. The Betabel Road, Highway 129, Rocks Ranch, and Livestock 101 commercial node sites would total 298.5 acres. Therefore, the proposed C-3 Zoning District would increase the acreage of the Commercial Regional (CR) land use designation by 172.5 acres. Changes to Table 3-7, Area of County Land Use Designation and Land Use Standards of the General Plan EIR are presented in strikethrough and underline below.

Table 3-7 Area of County by Land Use Designation and Land Use Standards

Land Use Designation	Acreage	Percent	Max du/ac ⁴	Max. Non-Residential FAR ⁴	Avg. PPH ⁴	Avg. ED ⁴
Rangeland (RG)	634,703 <u>634,657.02</u>	71.66% <u>71.65%</u>	1/40	0.1	3.4	
Rangeland Management Area (RGMA)	48,560	5.48%	1/40	0.1	3.4	
Agriculture (A)	62,638	7.03% <u>7.07%</u>	1/5	0.5	3.4	
Rural (R)	10,911 <u>1075.1</u>	1.23% <u>0.12%</u>	1/5	----	3.4	----
Rural Transitional (RT)	691	0.08%	1/2.5	----	3.4	----
Residential Rural (RR)	1,694	0.19%	2/1	----	3.4	----
Residential Mixed (RM)	2,202	0.25%	Multiple ⁵	0.8	3.4	
Commercial Neighborhood (CN)	159	0.02%	1-20/1	0.8	3.4	500
Commercial Thoroughfare (CT)	283	0.03%	----	0.8	----	500
Commercial Regional (CR)	126 <u>289.5</u>	0.01% <u>0.032%</u>	----	0.8	----	500
Industrial Heavy (IH)	589	0.07%	----	0.8	----	800
Industrial Light (IL)	552	0.06%	----	0.8	----	800

4.0 Changes to the General Plan EIR

Land Use Designation	Acreage	Percent	Max du/ac ⁴	Max. Non- Residential FAR ⁴	Avg. PPH ⁴	Avg. ED ⁴
Parks (P)	121,157	13.60% 13.68%	----	0.1	----	
Public/Quasi-Public (POP)	358	0.04%	----	1.0	-----	
Santana Ranch Specific Plan (SRSP)	301	0.03%	Multiple ¹			
Fairview Corners Specific Plan (FCSP)	64	0.007%	Multiple ²			
Planned Development (PD)	752	0.08%	N/A ³			
Total	885,740	100%				

SOURCE: San Benito County 2010, 2012, 2014, 2019

NOTES:

1. The Santana Ranch Specific Plan includes a total of 1,092 dwelling units of various housing types and densities, including 774 single-family residential units at densities of 1.0 to 5.0 units per acre, and 318 multiple residential units at 5.1 to 12 units per acre. It also includes 9.7 acres of commercial retail and 2.0 acres of office development.
2. The Fairview Corners Specific Plan includes a total of approximately 60-acre single-family residential units located to the east of the City of Hollister, including 220 housing units and open space.
3. The San Juan Oaks Planned Development Area is adjacent to the existing San Juan Oaks Golf Course. Until some time as the BOS may approve a Specific Plan and other necessary entitlements are approved by the County, this area will remain designated "Rural Transitional" and Commercial Thoroughfare."
4. du/ac = dwelling unit per acre, FAR = floor area ratio, PPH = persons per household, ED = employee density in sq. ft. per employee.
5. 1-20 dwelling units/1 acre or mobile home parks with an average of 8 dwelling units/1 acre.

5.0 Conclusion

The environmental analysis presented in Section 3 of this Addendum revealed that with the changes to the certified General Plan EIR, the proposed C-3 Zoning District will not result in new significant impacts or substantially increase the severity of previously identified significant effects in the General Plan EIR. There are no mitigation measures or alternatives that were previously found not to be feasible that will in fact be feasible, or that will be considerably different from those analyzed in the certified General Plan EIR, which will substantially reduce one or more significant impacts. No further environmental review is required.

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6.0 Sources

1. County of San Benito. July 21, 2015. *San Benito County 2035 General Plan*.
<http://cosb.us/wp-content/uploads/Adopted-2035-GPU.pdf>
2. County of San Benito Planning and Building Department. March 16, 2015. *2035 San Benito County General Plan Update Revised Draft Environmental Impact Report*. SCH #2011111016. http://cosb.us/wp-content/uploads/01_2035-GPU-Revised-Draft-EIR.pdf
3. County of San Benito Planning and Building Department. June 19, 2015. *2035 San Benito County General Plan Update Final Environmental Impact Report*. SCH #2011111016. http://cosb.us/wp-content/uploads/03_2035-GPU-Final-EIR.pdf.

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APPENDIX A

REGIONAL COMMERCIAL C-3 DISTRICT ADDENDUM ANALYSIS

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A. BACKGROUND

Project Title	Regional Commercial C-3 District
Lead Agency Contact Person and Phone Number	Darryl Boyd or Taven Kinison Brown (831) 637-5313
Date Prepared	September 4, 2019
Project Sponsor Name and Address	County of San Benito

Location and Setting

San Benito County is located in central California, surrounded by Santa Clara County to the north, Fresno County to the east, Merced County to the east and south, and Monterey County to the west and south.

The County is served by State Route 25, which runs north-south through the middle of the County; State Route 156, which runs east-west through the northern portion of the County; and U.S. Highway 101, which runs north/south through the northwest corner of the County. U.S. Highway 101 provides a major connection between northern and southern California. The majority of the County consists of steep mountains, rolling and rocky hillsides, and open grassland vegetation, with agricultural and grazing lands primarily located through the central and northern valley portions of the County. The San Andreas Fault runs through the center of the County. This geologic feature separates the County's two distinct mountain ranges: the Diablo Range to the east and the Gabilan Range to the west.

Background

The *San Benito County 2035 General Plan* ("General Plan") identified four locations along U.S. Highway 101 as Regional Commercial "nodes." Those nodes are referred to by the names "Betabel Road," "State Route 129," "Rocks Ranch," and "U.S. Highway 101 and State Route 156." Prior to certification of the General Plan EIR and adoption of the General Plan, the San Benito County Planning Commission held a public hearing, during which a recommendation was made to the County Board of Supervisors to delete the node at the intersection of U.S. Highway 101 and State Route 156. As a result, General Plan policy LU-5.3 was edited to direct the exclusion of the U.S. Highway 101 and State Route 156 node, and the State Route 156 node was removed from Figure 3-5 of the General Plan. The Planning Commission recommended that this node be moved to the "Livestock 101" location. A motion was passed that recommended approval of the General Plan and General Plan EIR with the exclusion of U.S. Highway 101 and State Route 156 node and the addition of a node at Livestock 101. This removal and addition was considered at the Board of Supervisors hearing, and the Board of Supervisors adopted the General Plan and certified the General Plan EIR with the

understanding that the node would be moved from U.S. Highway 101 and State Route 156 to Livestock 101. However, due to a clerical error, the Livestock 101 node was not included in the final General Plan Land Use Map. Because it was the intent of the Planning Commission and Board of Supervisors for the Livestock 101 node to be included in the General Plan, this node is being considered for a C-3 rezone and is analyzed along with the other three proposed C-3 nodes for cumulative impact analysis in determining if there are new or substantially more severe impacts than those analyzed in the General Plan EIR.¹

Description of Project

The proposed project is an amendment to Chapter 25.16 of the County's Zoning Code to add Article IV, Regional Commercial (C-3) Zoning District (hereinafter "C-3 Zoning District"). The establishment of the C-3 Zoning District includes textual regulations and delineation of C-3 node boundaries on the County's zoning map. The proposed amendment to the zoning map could result in the rezoning of four locations or nodes (Betabel, State Route 129, Rocks Ranch, Livestock 101) for the C-3 Zoning District, all of which are located along U.S. Highway 101. The C-3 Zoning District includes special regulations and standards for each commercial node site. The C-3 Zoning District text is included as [Appendix B](#).

The proposed project could result in a zone change from Agricultural Rangeland/Floodplain (AR/FP) to Regional Commercial (C-3) at the Betabel Road site; from Agricultural Rangeland/Floodplain (AR/FP), Commercial Thoroughfare (C1), and Rural (R) to Regional Commercial (C-3) at the State Route 129 site, from Agricultural Productive (AP) and Agricultural Rangeland (AR) to Regional Commercial (C-3) at the Rocks Ranch site, and from Rural (R) and Neighborhood Commercial (C-2) to Regional Commercial at the Livestock 101 site.

The C-3 District code establishes several approval levels for allowed uses, including through Site Plan Review, Use Permit, or a Master Development Plan process. A few uses including crop and tree farming, truck gardening, and grazing are allowed by right. Other uses are as approved by the Planning Director or Planning Commission, either with a Conditional Use Permit or a Master Development Plan. The Master Development Plan includes narrative describing land use, any deviations from the established development standards, a site plan, lighting plan, landscaping plan, and sign program.

Building heights would generally be limited to 35 feet, but could be allowed up to 65 feet if authorized by the Planning Commission through approval of a Master Development Plan. Retail commercial floor area would generally be limited to 85,000 square feet within any node, but could be expanded to 100,000 square feet if authorized by the Planning

¹ See the Zoning Code Amendment for Livestock 101 Commercial Node Addendum for analysis regarding why shifting the U.S. Highway 101 and State Route 156 node to the Livestock 101 location does not result in new or more significant impacts than analyzed in the General Plan EIR.

Commission through approval of a Master Development Plan. Hotel rooms (and associated public and back-of-house space) would be restricted to 750 square feet per room with no more than 125 hotel rooms within each node. The maximum residential development would be limited to 30 units per node with each unit no larger than 1,400 square feet. Residential development would be a minor component within any node, and only authorized by the Planning Commission through approval of a Master Development Plan.

Development would be required to be set back at least 35 feet from streets and 150 feet from U.S. Highway 101 travel lanes. Reservations with development restrictions would be established for areas located within or near riparian vegetation, on slopes over 30 percent, and in flood zones. Cumulative development capacity at the nodes is presented in [Table 1, Development Capacity at the Commercial Nodes per C-3 District code](#).

The C-3 District code also has several specific topical regulations. Section 25.16.067 would establish parking requirements in addition to those already in the County Code; for example, parking lots would be designed to the minimum size, and limited to a single double-loaded aisle, without additional landscape requirements. Section 25.16.068 would supplement the County's existing sign regulations, specifying maximum height and appearance of signs, and authorizing County promotional and information signs at the nodes. Section 25.16.069 would impose the County's most-stringent lighting requirements, minimize light spill into natural areas, and control the color qualities of lighting. Section 25.16.070 would impose additional grading restrictions, prohibit the removal of any protected oak trees, and limit the area of landscaping that could be irrigated.

Each node would have an established theme that would drive that node's visual character and promote an aspect of the County's history or economy.

CEQA Approach

The *Revised Draft Environmental Impact Report San Benito County 2035 General Plan, State Clearinghouse No. 2011111016*, was certified on July 21, 2015 ("General Plan EIR"). The General Plan EIR analyzed the *San Benito County 2035 General Plan* ("General Plan"), which was adopted by the San Benito County Board of Supervisors on the same date. A Notice of Determination was posted and filed for the General Plan EIR on July 23, 2015. Filing and posting of notice commences running of 30 day statute of limitations for legal challenges to the approval. The statute of limitations for legal challenges to the General Plan EIR ran on August 23, 2015.

This addendum reviews the Regional Commercial (C-3) Zoning District and examines whether, as a result of changes to the proposed project or new information that was not known but could have been known, any new or substantially more significant impacts could occur that were not identified in the General Plan EIR.

Consistent with state law, the 2035 General Plan included standards of population density and building intensity for each of the land use designations appearing on the Land Use Diagram (General Plan EIR p. 3-43). Table 3-7 of the General Plan EIR identified these standards and lists the acreage of the County allocated to each land use type. Table 3-7 identified 126-acres of Commercial Regional (CR) area at a Floor Area Ratio (FAR) of 0.8 (General Plan EIR p. 3-43). At maximum buildout of the 126 acres, this would result in 4,390,000 square feet of Commercial Regional Development (General Plan EIR p. 3-43). The General Plan EIR did not assume all land uses depicted in the Land Use Diagram would be built out by 2035 to their absolute maximum potential. Instead, the General Plan EIR evaluated the impacts of forecasted development that will likely occur through the year 2035 consistent with CEQA requirements that an EIR evaluate the “reasonably foreseeable” direct and indirect impacts of a proposed project. The General Plan EIR utilized conservative population, housing, and employment forecasts to evaluate the reasonably foreseeable impacts of General Plan buildout of the General Plan Land Use Diagram (General Plan EIR pp. 4-5, 4-8 and 4-12).

The development capacity identified in the C-3 District is 235,750 square feet per node for a total of 943,000 square feet four nodes. Cumulative development capacity at the nodes is presented in Table 1, Development Capacity at the Commercial Nodes with C-3 District code.

Table 1 Development Capacity at the Commercial Nodes per C-3 District Code¹

Land Uses	Number of Rooms/Units Per Node	Square Feet Per Room/Unit	Number of Commercial Nodes	Total Square Feet
Retail	NA	100,000	4	400,000
Hotel	125	750		375,000
Residential	30	1,400		168,000
Total				943,000

SOURCE: C-3 District Code 2019

NOTES:

1. The development capacity for each node equals 100,000 square feet of retail plus 93,750 square feet of hotel (125 rooms X 750 square feet per room) plus 42,000 square feet of residential (30 units X 1,400 square per room) or a total of 235,750 square feet development capacity per node

While the General Plan EIR did not consider maximum (100 percent) buildout of the Land Use Diagram, (summarized in Table 3-7) including Commercial Regional uses, the General Plan EIR utilized conservative growth forecasts that were deemed to adequately represent reasonably foreseeable buildout of the General Plan Land Use Diagram (General Plan EIR pp. 4-5, 4-8 and 4-12). Because General Plan EIR Table 3-7 identified up to 4,390,000 square feet of development, even a conservative forecast of the amount of development

encompassed under the Commercial Regional designation would far exceed the 943,000 square feet of possible future development at maximum (100 percent) buildout of the nodes under the C-3 District. The C-3 District substantially limits development capacity compared to Commercial Regional buildout identified in the General Plan EIR Table 3-7, and cumulative development allowed under the C-3 District would fit within the growth projections utilized in the General Plan EIR analysis. Therefore, growth and development intensity related impacts associated with the proposed C-3 District were adequately analyzed by the General Plan EIR (General Plan EIR p. 3-43).

The General Plan EIR analyzed the coverage impacts from development under the 2035 General Plan at a program or community level and is therefore not site specific due to the wide geographical area covered (General Plan EIR p. 4-12, 4-13). The impact analysis is quantitative where data is reasonably available and is otherwise qualitative (General Plan EIR p. 4-4). The C-3 zoning change implements the General Plan and is not a development specific project. The General Plan EIR assumed 126 acres of Commercial Regional development (General Plan EIR p. 3-43), but did not identify specific boundaries for this designation (see General Plan Figure 3-5). The Betabel, State Route 129, Rocks Ranch, and Livestock 101 rezones total 298.5 acres which is 172.5 acres beyond that identified in the General Plan EIR. However, no specific parcels were analyzed by the General Plan EIR, and, rather, general geographic areas were considered. Because no site specific development plans are proposed at this time, reasonably foreseeable future development impacts within these general geographic areas are considered.

The environmental review does not analyze any specific development project. In accordance with the California Environmental Quality Act ("CEQA") Guidelines, the County has determined that an addendum to the General Plan EIR is an appropriate environmental document for the proposed project.

Additional project-level environmental review will be required for future development projects except for those projects allowed as a matter of right, which include grazing, truck farming, and crop and tree farming.

Since the General Plan EIR was certified, amendments to the CEQA Guidelines have been adopted by the state, including changes to the Guidelines Appendix G (Environmental Checklist). The amendments to Appendix G include new discussion topics of vehicle miles traveled for transportation issues (in response to SB 743), and the addition of wildfire, energy, and new, expanded, or relocated natural gas, electric power, and telecommunications facilities as separate topics to address. This addendum addresses the new discussion topics included in Appendix G.

Other Public Agencies Whose Approval is Required

None for zoning implementation.

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

Public Resources Code section 21080.3.1 applies to any project for which a Notice of Preparation, Notice of Mitigated Negative Declaration or Notice of Negative Declaration is filed. This CEQA document is an Addendum to a certified Environmental Impact Report. No new or substantially more severe environmental impacts were found to occur with the rezoning of the C-3 District nodes. A Notice of Preparation, Notice of Mitigated Negative Declaration or Negative Declaration were not filed as part of this project.

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

B. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

- | | | |
|---|---|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Transportation |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Mandatory Findings of Significance | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Energy | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Utilities/Service Systems |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Noise | <input type="checkbox"/> Wildfire |

Since all environmental effects are determined to have been accounted for in the General Plan EIR, and no new or substantially more severe impact is identified in this addendum, none of these boxes have been checked.

C. DETERMINATION

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☒ I find that the proposed project COULD have a significant effect on the environment, however all potentially significant effects (1) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, (2) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, and (3) would not be new or substantially more severe than identified in an earlier EIR or NEGATIVE DECLARATION. The proposed project would require minor changes to an earlier EIR or NEGATIVE DECLARATION, and an ADDENDUM will be prepared.

Taven Kinison Brown, Principal Planner

Date

D. EVALUATION OF ENVIRONMENTAL IMPACTS

Notes

1. Checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances, etc.) are incorporated. Each reference to a previously prepared or outside document, where appropriate, includes a reference to the page or pages where the statement is substantiated.
2. “Supporting Information Sources” — A source list is attached, and sources used or individuals contacted are cited in the discussion.
3. This is the format recommended in the CEQA Guidelines as amended January 2018.
4. The explanation of each issue identifies the significance criteria or threshold, if any, used to evaluate each question; and
5. Per CEQA Guidelines § 15164, Addendum to an EIR or Negative Declaration,
 - (a) The lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.
 - (b) An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.
 - (c) An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration.
 - (d) The decision-making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project.
 - (e) A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's required findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.
6. Per CEQA Guidelines § 15162, Subsequent EIRs and Negative Declarations,
 - (a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:
 - (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

(b) If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subdivision (a). Otherwise the lead agency shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation.

(c) Once a project has been approved, the lead agency's role in project approval is completed, unless further discretionary approval on that project is required. Information appearing after an approval does not require reopening of that approval. If after the project is approved, any of the conditions described in subdivision (a) occurs, a subsequent EIR or negative declaration shall only be prepared by the public agency which grants the next discretionary approval for the project, if any. In this situation no other responsible agency shall grant an approval for the project until the subsequent EIR has been certified or subsequent negative declaration adopted.

(d) A subsequent EIR or subsequent negative declaration shall be given the same notice and public review as required under Section 15087 or Section 15072. A subsequent EIR or negative declaration shall state where the previous document is available and can be reviewed.

This addenda determined that no new impacts would result from the C-3 zoning implementation, but minor modifications were required to the General Plan EIR and, therefore, an addendum was the appropriate CEQA document to be prepared. Per CEQA guidelines section 15162, the General Plan EIR was certified for the County 2035 General Plan and no subsequent EIR is necessitated because there are no substantial changes proposed that would require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; there are no substantial changes with respect to the circumstances under which the project is undertaken which would require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete that would demonstrate that the project will have one or more significant effects not discussed in the previous EIR; would have significant effects previously examined that are substantially more severe than shown in the previous EIR; that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or that mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

1. AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	No Substantial Increase in the Severity of Previously Identified Significant Effects	No New Impact
a. Have a substantial adverse effect on a scenic vista? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state or county scenic highway? (1,2,3,4,8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

The General Plan EIR's aesthetics and visual resources evaluation includes a review of visual and scenic resources potentially affected by the implementation of the 2035 General Plan and the projected development envisioned under the General Plan. The General Plan EIR evaluated four Commercial Regional "node" development opportunity areas. (General Plan EIR Figure, 3-4, 3-6). While no specific boundaries were delineated for Commercial Regional areas in the General Plan, general geographic node areas were identified and analyzed in the General Plan EIR. As discussed in Section 4.4.7, Potential Growth Scenarios, the General Plan EIR analysis takes into account two possible growth scenarios. However, the General Plan EIR states that due to the programmatic level of analysis in the EIR, there will be no difference in the potential impacts to aesthetic and visual resources that would result from the two growth scenarios because the County would apply the 2035 General Plan policies, including additional policies from mitigation measures contained in the certified EIR addressing aesthetic and visual resources, equally in approving any development, regardless

of location (General Plan EIR Pp. 5-11- 5-12). Site specific analysis of impacts to aesthetic and visual resources would be required for particular development proposals that may be considered in the future (General Plan p. EIR 5-12). The Regional Commercial (C-3) District creates the corresponding zoning for the General Plan Commercial Regional land use designation. The C-3 District also delineates Regional Commercial C-3 boundaries on the zoning map that correspond with the general node areas identified in the General Plan. While project specific impacts could not be analyzed by the General Plan EIR, the general geographic node areas were considered in the analysis, and it was determined that future development of these areas would not result in aesthetic impacts, with exception to lighting, with the implementation of General Plan policies. All future development within the C-3 zones would be required to adhere to General Plan policies in addition to supplemental C-3 District standards for the protection of aesthetic resources. Similar to the General Plan, the C-3 Zoning District is a community level project and not a specific development project. As such, development specific environmental analysis would be speculative and the community level General Plan EIR appropriately analyzes potential impacts associated with the proposed project. As future development projects are proposed, more site/development project specific CEQA analysis will be required.

- a. San Benito County's scenic vistas consist of views of agriculture and rangelands including row crops, pastures, orchards, vineyards, ranches, and farms. The County contains numerous scenic vistas and viewsheds of nearby and distant ridgelines of the central Coast Range Mountains (General Plan EIR p. 5-33). The General Plan EIR determined that given the potential scale of development allowed under the 2035 General Plan, future development could impede scenic views of distant agricultural and rangeland uses and central coast mountain ranges from the existing viewpoints. Limited impedance of views associated with buildout of the General Plan, including the identified Commercial Regional nodes, would be consistent with a rural landscape, where clusters of development are set within a larger landscape context, and the larger landscape predominates visually (General Plan EIR pp. 5-34 – 5-35). General Plan Policy LU-5.4 emphasizes the importance of scenic resource protection in the establishment of the Commercial Regional nodes (General Plan p. 3-24). Per this policy, nodes serve to cluster development thereby limiting potential aesthetic impacts associated with urban sprawl. Goal LU-7 encourages screening of visual impacts associated with building and site features along eligible scenic highways and County-designated scenic highways (General Plan p. 3-28 – 3-29). Additionally, it requires screening considerations of certain buildings and site features to minimize impacts to views as seen by motorists thereby protecting the scenic corridor. Goal NCR-8 minimizes impacts to visual resources by requiring architectural review for potential view obstruction (General Plan p. 8-13 - 8-15). The General Plan EIR determined that future development allowed by the General Plan, including

Commercial Regional development, would be required to comply with General Plan goals, policies, and actions intended to protect scenic views and scenic resources which would ensure impacts to scenic vistas are less than significant (General Plan EIR pp. 5-33 – 5-35). When specific development proposals are submitted to the County for the County's review and consideration, supplemental environmental review will be required pursuant to the provisions of the C-3 code and CEQA's definition of a project.

The proposed C-3 District code establishes the corresponding zoning for the Commercial Regional node areas identified in the General Plan and delineates specific Regional Commercial (C-3) zone boundaries within the areas identified on Figures 3-4 and 3-6 of the General Plan EIR². These areas were considered for Commercial Regional development in the General Plan EIR and, as discussed above, it was determined that development of these areas would not result in significant impacts to scenic vistas with implementation of General Plan policies (General Plan EIR pp. 5-34 – 5-35). Additionally, the code provides supplemental detailed development regulations for sites already designated as regional commercial nodes that would ensure visually appropriate development that preserves and complements the scenic rural setting. Building heights would generally be limited to 35 feet, with an exception of up to 65 feet if authorized by the Planning Commission through approval of a Master Development Plan (Section 25.16.065). In conformance with General Plan policy LU-5.3, the proposed code includes development standards specifically for the purpose of protecting scenic qualities Section 25.16.069 provides standards for lighting, Section 25.16.065 provides architectural standards, Section 25.16.068 outlines restrictions on signage, and Section 25.16.070 imposes grading limitations and landscaping standards. Future development within the project site would be required to comply with General Plan policies and the C-3 development standards. Future development of the C-3 District nodes would not result in new or substantially more severe impacts than those identified in the General Plan EIR.

- b. As identified in the General Plan EIR, there are no state-designated scenic highways within San Benito County (General Plan EIR p. 5-35). Therefore, the future C-3 District would have no potential impact on scenic resources within a state scenic highway. According to the General Plan, U.S. Highway 101, State Route 143, and State Route 129 are County-designated scenic highways and State Route 156 is eligible for scenic designation (General Plan p. 8-13). The Commercial Regional nodes are located along Highway 101 and at State Route 129, see General Plan EIR

² Due to a clerical error, General Plan Figure 3-5 only identifies three nodes. However, as explained in the Background section, four nodes (Betabel, State Route 129, Rocks Ranch, Livestock 101) were approved by the Planning Commission and the County Board of Supervisors and analyzed in the General Plan EIR.

Figures 3-4, 3-6. The General Plan EIR determined that implementation of General Plan policies would ensure that general design criteria, building setback standards, open space buffers, and landscaping improvements are in place that would protect scenic resources within the County-designated scenic highway (General Plan EIR 5-41). These policies would also ensure that a thorough County review of development projects occurs (General Plan EIR 5-40). Scenic resources immediately adjacent to the County-designated scenic highways are within the County's Scenic Highway (SH) district, which is intended to preserve the scenic qualities along scenic highway corridors. The SH district applies to all land outside the transportation corridor right-of-way, but immediately adjacent to the right-of-way (General Plan EIR pp 5-35- 5-36). For U.S Highway 101, the SH district applies to land within 400 feet on either side of the highway (General Plan EIR pp 5-35-5-36). The SH District also provides a setback for potential development, the distance of which reduces the apparent heights of buildings and other potential visual obstructions to the foothills views of the Gabilan and Diablo ranges, among other visual resources. Goal LU-7 encourages screening of visual impacts associated with building and site features along eligible scenic highways and County-designated scenic highways (General Plan p. 3-28). Goal LU-7 additionally requires screening considerations of certain buildings and site features to minimize impacts to views as seen by motorists thereby protecting the scenic corridor (General Plan pp. 3-28- 3-29). The General Plan EIR determined that such criteria and review processes would lessen impacts to scenic resources visible along important scenic highways and would ensure impacts associated with future development are less than significant (General Plan EIR p. 5-35).

Commercial Regional node areas were identified in the General Plan (see General Plan EIR Figure 3-6) and impacts associated with future development of this general geographic area were generally considered in the General Plan EIR (see General Plan EIR pp. 4-4, 9-1). It was determined that development of the node areas would not result in significant impacts to the County designated scenic corridor with implementation of General Plan policies (General Plan EIR p. 5-35). General Plan policies would remain applicable to future development in the C-3 zones, and the C-3 District includes supplemental policies for the protection of scenic resources to ensure visual impacts are limited. Section 25.16.066 prevents structures within 150 feet from the side line of the nearest U.S. Highway 101 travel lane, or closer than 50 feet from the side line of an on- or off-ramp with the exception that freestanding signs may be located within these areas. Section 25.16.067 (E) requires the screening of parking lots and loading areas from public roadways. Section 25.16.070 (B) requires the visibility of driveways and access roads on slopes of greater than five percent to be fully screened from views from scenic highways. Future development of the C-3 District

nodes would not result in new or substantially more severe impacts than those identified in the General Plan EIR. Moreover, development specific review is required pursuant to the C-3 code.

- c. Defining visual characteristics of San Benito County include agricultural croplands, rangelands, rolling hills, open spaces, historic towns and mining sites, and views of the central Coast Range Mountains. According to the General Plan EIR, buildout of the General Plan would lead to urban development and other activities that could substantially degrade the existing visual character or quality of the County and its surroundings. The General Plan EIR identified Mitigation Measures AES-3a and AES-3b, which restrict development on hillsides and require that new development appears complementary to existing rural or low intensity land uses through the use of vegetative screening and topography and that development be appropriate to the setting by appearing similar to existing uses in the vicinity (General Plan EIR pp. 5-46- 5-47). These mitigation measures are reflected in General Plan Policies NCR-8.9, NCR-8.11 (General Plan EIR p. 5-32), and NCR-8.12 (General Plan EIR p 5-46). Additionally, Goal NCR-8 requires the preservation of visual qualities and the character of its communities and rural landscape (General Plan EIR p. 5-29). The General Plan EIR found that implementation of General Plan goals and policies and these mitigation measures would reduce degradation of the existing visual character or quality of public views of to less than significant (General Plan EIR p. 5-46).

Commercial Regional nodes were identified in the General Plan and Commercial Regional development was analyzed as part of the General Plan EIR. The C-3 District code limits development capacity within the nodes and provides supplemental development standards to ensure preservation of rural scenic character. General Plan Goal NCR-8, requires the preservation of attractive visual qualities of scenic vistas and corridors (General Plan EIR p. 5-46). The code additionally provides standards for lighting (Section 25.16.069), architecture (Section 25.16.065), restrictions on signage (25.16.068), and grading limitations and landscaping standards (Section 25.16.070). Any development within the C-3 nodes would remain subject to General Plan goals, policies (including Plan Policies NCR-8.9, NCR-8.11, and NCR-8.12, which reflect Mitigation Measures AES-3a and AES-3b), and actions promoting high-quality design, as well as to the County's design review process, and additional development standards identified within the code to reduce the potential for scenic impacts. The C-3 District would not result in greater visual degradation than that previously identified in the General Plan EIR.

- d. The General Plan EIR determined that development anticipated in the General Plan could create new sources of substantial light or glare, which would adversely affect day and nighttime views in the County. Specifically, the General Plan EIR found that increased outdoor lighting could result in light pollution that would increase impacts

on light sensitive areas, including parks, such as Fremont Peak State Park and Pinnacles National Park (General Plan EIR pp. 5-47- 5-48). To protect these light-sensitive park areas, the existing County provisions contain three lighting zones. The lighting zones allow increasing flexibility in the uses of outdoor lighting based on the distance each zone is from the light-sensitive parks. The first lighting zone extends approximately five miles from the centers of Fremont Peak State Park and Pinnacles National Park, the second lighting zone extends eight miles from the outer boundary of the first zone, and the third zone includes all remaining land in the County. In general, growth allowed under the 2035 General Plan is directed to less impactful zones. General Plan EIR Mitigation Measure AES-4 established a General Plan Goal NCR-9 and General Plan Policy NCR-9.1 to promote the preservation of dark skies and to reduce the potential for nighttime light pollution related to new sources of lighting and spillover light and glare, especially with respect to sensitive uses related to astronomical observatories (General Plan EIR pp. 5-48 – 5-49), in keeping with current County regulations (refer to County Code Chapter 19.31, Development Lighting). However, because interior and exterior lighting due to urban development outside of existing urban boundaries and from scattered residential development in agricultural areas could still contribute to light pollution, the General Plan EIR determined that this impact would remain significant and unavoidable (General Plan EIR pp. 5-46- 5-49).

The four C-3 District nodes all fall within the second lighting zone (Zone II) from Fremont State Park, and any future development would be required to comply with Section 19.31.008 which specifies special lighting requirements for Zone II to minimize light pollution and glare. Additionally, any future development within the C-3 District nodes would be required to comply with General Plan Policies and General Plan EIR Mitigation Measure AES-4 (discussed above). The C-3 District code includes supplemental lighting policies in Section 25.16.070 that require lighting design to minimize light spill into natural areas by using cut-off fixtures directing light to the ground, and not flooding the site or adjacent areas with light. The less dense development allowed under the code would likely result in lesser light and glare impacts than those evaluated in the General Plan EIR (General Plan EIR pp. 5-46- 5-49). However, it would be speculative to estimate future development specific impacts. Development specific CEQA analysis will be completed at the time specific development projects are proposed. The C-3 District would not result in any new or substantially more severe impacts than those already analyzed in the General Plan EIR.

2. AGRICULTURE AND FOREST RESOURCES

In determining whether impacts on agricultural resources are significant environmental effects and in assessing impacts on agriculture and farmland, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	No Substantial Increase in the Severity of Previously Identified Significant Effects	No New Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use? (1,2,3,4,5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract? (1,2,3,4,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in the loss of forest land or conversion of forest land to non-forest use? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use or conversion of forest land to non-forest use? (1,2,3,4,5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

- a. The General Plan EIR's agricultural and forestry resources evaluation included a review of agricultural and forestry resources potentially affected by the development permitted under the 2035 General Plan. To determine the estimated amount of Important Farmland, which includes Prime Farmland, Unique Farmland, and Farmland of Statewide Importance that would be converted to non-agricultural uses under the proposed 2035 General Plan, an inventory of all productive farmland, as cataloged by the Department of Conservation Farmland Mapping and Monitoring Program (FMMP), located within land uses that would be designated as urban uses under the 2035 General Plan, was completed (General Plan EIR p. 6-16, 6-23). For purposes of General Plan EIR analysis, urban uses included Commercial Regional uses (General Plan EIR p. 6-23). Using Geographic Information Systems (GIS), the amount of developed land was calculated according to the urban/built-up FMMP land classifications. The remaining undeveloped land to be classified with urban land use designations was calculated by subtracting land in the FMMP data set from the total land area that would be classified for urban uses under the 2035 General Plan. Because the General Plan and General Plan EIR did not identify specific boundaries for Commercial Regional land uses, the General Plan EIR analyzed 25 acres of Prime Farmland acres that could be converted as a result of future Commercial Regional development.

According to the General Plan EIR, General Plan policies would permit the loss of Important Farmland to urban development both on land with urban land use designations and from growth in scattered locations, specifically on Agricultural and Rangeland land use designations (General Plan Policy 6-36). Mitigation Measure AG-1a, which encourages a 1:1 ratio of preserved Prime Farmland on- or off-site (General Plan EIR p. 6-36), encourages preservation of Prime Farmland against future loss. However, this mitigation measure would ultimately not mitigate the loss of Important Farmland to a less-than-significant level. The General Plan EIR determined that the 2035 General Plan would result in the loss of important farmland to urban uses and was determined to be a significant and unavoidable impact (General Plan EIR p. 6-36- 6-37).

The General Plan EIR anticipated conversion of 25 acres of Prime Farmland by the C-3 nodes, and future development of the C-3 nodes would result in conversion of no more than 25 acres of land that meets the definition for Important Farmland (See, Zoning Code Amendment for Betabel Road Commercial Node Addendum Section D. 2.a.). The C-3 District would not result in new or impacts or substantially increase the severity of effects already analyzed in the General Plan EIR.

- b. No Williamson Act contract lands exist within C-3 District's four C-3 node boundaries. The C-3 nodes include areas zoned for Agriculture. However, the General Plan identifies these general areas as Commercial Regional nodes. Because no corresponding Commercial Regional zoning exists for the future development anticipated in the General Plan, development would conflict with existing zoning for agricultural uses. Therefore, proposed C3- District would allow for zoning code consistency with the General Plan.

Because four nodes were designated for Commercial Regional uses in the General Plan, future conversion of the zoning to C-3, Regional Commercial was anticipated in the General Plan EIR. The C-3 District would not result in additional impacts or substantially increase the severity of impacts than those already analyzed in the General Plan EIR.

- c,d. The four C-3 nodes do not contain forest lands and, therefore, there would be no conversion, loss of, or conflict with existing zoning for forest land (as defined in Public Resources Code section 12220(g)) or conflict with zoning for timberland (as defined by Government Code section 51104(g)). Therefore, the C-3 District would have no impact on forest land or timberland, and would not result in conversion of forest land to non-forest use.
- e. Buildout of the General Plan would lead to urban development that would result in direct impacts to agricultural resources, including the conversion of Important Farmland to non-agricultural uses; see discussion under checklist item "a" above. According to the General Plan EIR, indirect changes caused by urban development may include a variety of nuisance effects due to the expansion of the urban fringe, resulting in tensions between urban development and the sustainability of local agriculture (General Plan Policy 6-36). Despite the General Plan policies that protect farmland, other General Plan policies would permit the loss of farmland within land designated for urban uses and due to growth at scattered locations outside land designated for urban uses. The General Plan EIR concluded that even with the implementation of Mitigation Measures AG-1a through AG-1c, AG-2a and AG-2b, this impact would remain significant and unavoidable (General Plan EIR p 6-30- 6-39). The County adopted a statement of overriding considerations for this impact.

As discussed in item "a," there would be no more than 25 acres of Important Farmland converted within the C-3 node boundaries, and the project would not result in a substantial increase in the severity of previously identified significant effects in the General Plan EIR. The C-3 District code would minimize nuisance effects associated with the expansion of the urban fringe requiring development to be clustered where feasible. Future development within the nodes will be required to

comply with the County's comprehensive "right to farm" ordinance, which is contained in Article 1 (Agricultural Community Disclosure) of Chapter 19.01 (Agricultural Provisions) of the San Benito County Code of Ordinances. Additionally, the GP EIR indicates nuisance claims are more likely to arise from residential development than other uses. The C-3 District code Section 25.16.065(F) limits residential development density allowed in C-3 nodes, which will reduce secondary impacts. Until specific development projects and uses are proposed, the potential for nuisance conflicts is unknown. Project-level environmental review will be required for future specific development projects as applications for those projects are processed. The C-3 District would not result in any new or substantially more severe secondary agricultural impacts than those already analyzed in the General Plan EIR.

3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	No Substantial Increase in the Severity of Previously Identified Significant Effects	No New Impact
a. Conflict with or obstruct implementation of the applicable air quality plan? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Expose sensitive receptors to substantial pollutant concentrations? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in other emissions (such as those leading to odors adversely affecting a substantial number of people? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

As discussed in the CEQA Approach Section, consistent with state law, the 2035 General Plan includes standards of population density and building intensity for each of the land use designations appearing on the Land Use Diagram. Table 3-7 of the General Plan EIR identifies these standards, and lists the acreage of the County allocated to each land use type. Table 3-7 identifies 126-acres of Commercial Regional (CR) area at a Floor Area Ratio (FAR) of 0.8. At maximum buildout, this would result in 4,390,000 square feet of Commercial Regional Development (General Plan EIR p. 3-43). The General Plan EIR does not assume all land uses depicted in the Land Use Diagram would be built out by 2035 to their absolute maximum potential. Instead, the General Plan EIR evaluates the impacts of forecasted development that will likely occur through the year 2035 consistent with CEQA requirements that an EIR evaluate the “reasonably foreseeable” direct and indirect impacts of a proposed project. The General Plan EIR utilized conservative population, housing, and employment forecasts to evaluate the reasonably foreseeable impacts of General Plan buildout of the General Plan Land Use Diagram (General Plan EIR pp. 4-5, 4-8, 4-10 and 4-12).

The development capacity identified in the C-3 District is 235,750 square feet per node for a total of 943,000 square feet for four nodes. While the General Plan EIR did not consider maximum (100 percent) buildout of the Land Use Diagram, (summarized in Table 3-7) including Commercial Regional uses, the General Plan EIR utilized conservative growth forecasts that were deemed to adequately represent reasonably foreseeable buildout of the General Plan Land Use Diagram; because General Plan EIR Table 3-7 indicated up to 4,390,000 square feet of development, even a conservative forecast of the amount of development encompassed under the Commercial Regional designation would far exceed the 943,000 square feet of possible future development of the four nodes at maximum buildout. The C-3 District substantially limits development capacity compared to Commercial Regional buildout indicated in General Plan Table 3-7, such that cumulative development allowed under the C-3 District would fit within the growth projections utilized in the General Plan EIR. Additionally, the uses allowed within the nodes are consistent with the Commercial Regional uses identified in the General Plan and analyzed in the General Plan EIR which include shopping centers, truck and automobile stations, tourist-serving commercial uses, and hotels/motels (General Plan p. 3-6; General Plan EIR p. 3-37, General Plan EIR p 3-43). The C-3 District would not result in new or substantially more severe air quality impacts beyond those identified in the General Plan EIR.

- a. San Benito County, including the project site, is located in the North Central Coast Air Basin (hereinafter “air basin”), which is under the jurisdiction of the Monterey Bay Air Resources District (hereinafter “air district”). The air district defines a conflict with an air quality plan as one in which a project is inconsistent with the most recent air quality plan and/or emits 137 pounds or more per day of VOC or NOx. Although the project will not emit 137 pounds or more per day of VOC or NOx, the General Plan EIR found it is nonetheless inconsistent with the relevant air quality plan (General Plan EIR p. 7-23).

Consistency with an air quality plan is measured by whether the number of housing units proposed by a project or in a plan is consistent with the total number of housing units projected by Association of Monterey Bay Area Governments (AMBAG) and included in the relevant air quality plan (General Plan EIR pp 7-23- 7-24). Because the General Plan EIR utilized different housing unit projections than those included in the air quality plan, this amounted to an inconsistency with the air quality plan (General Plan EIR p. 7-29). While General Plan Policy AD-2.5 requires coordination between San Benito County, the air district, and other affected agencies to ensure that population and employment associated with buildout will be incorporated into future air quality plans, there is no guarantee this coordination will occur. Therefore, the General Plan EIR found the impact significant and unavoidable (General Plan EIR p. 7-23).

The C-3 District code Section 25.16.065 (F) would limit residential development to 301,400 square foot units per node. As previously discussed, the growth projections identified in the General Plan EIR captured potential overall future buildout and associated growth of the nodes where overall development is limited to 235,750 square feet per node, including residential. There would be no new or substantially more severe effects than those identified in the General Plan EIR.

- b. Under state criteria, the air basin is designated as a nonattainment area for ozone and inhalable particulate matter (PM₁₀). The General Plan EIR found that operational emissions of ROG, NO_x, and PM₁₀ from future development associated with the General Plan would be reduced to less-than-significant levels with the implementation of Mitigation Measure AIR-1 (refer to checklist item “a” above). The air district construction mitigation requirements listed in the *CEQA Air Quality Guidelines* are sufficient to reduce PM₁₀ emissions during construction activity to a less-than-significant level (General Plan EIR p 7-23). The County has incorporated several policies into its General Plan that would reduce a project’s contribution to cumulative air emissions. Policy HS-5.1 ensures development projects incorporate feasible mitigation measures to reduce construction and operational air quality emissions, and consult with the Monterey Bay Unified Air Pollution Control District early in the development review process (General Plan EIR p. 7-15). Policy HS-5.2 requires adequate distances between sensitive land uses and facilities or operations that may produce toxic or hazardous air pollutants (General Plan EIR p. 7-15). Policy HS-5.4 requires developers to reduce particulate emissions from construction (e.g., grading, excavation, and demolition) consistent with standards established by the Monterey Bay Unified Air Pollution Control District (General Plan EIR p. 7-16). Policy 5.6 requires the County to work in coordination with the Monterey Bay Unified Air Pollution Control District to minimize air emissions from construction activities associated with proposed development (General Plan EIR p. 7-17). Policy LU-3.3 supports farms that implement programs to conserve energy (General Plan EIR, p. 7-15). Energy conservation measures would likely reduce emissions associated with the combustion of fossil fuels (General Plan EIR p. 7-13). Policies C-1.1, C-1.2, and C-1.1; Policies C-2.1 to C-2.3; Policies C-3.1 to C-3.6; and Policies C-4.1 and C-4.2 encourage connected transportation modes, non-automobile forms of travel to reduce air emissions associated with vehicle miles traveled and automobile use (General Plan EIR pp. 7-18- 7-23). The General Plan EIR concluded that future development anticipated in the General Plan would result in less-than-cumulatively considerable impacts (General Plan EIR p. 7-29 – 7-32).

Future development within C-3 nodes will be required to comply with General Plan policies identified above for the reduction of air pollution. As discussed above, the C-3 District code limits development per node to 235,750 square feet per node for a total of 943,000 square feet for all four nodes. The General Plan Land Use Diagram was summarized in Table 3-7 which indicated 4,390,000 square feet of Commercial Regional uses. While the General Plan EIR did not consider maximum (100 percent) buildout of the Land Use Diagram, the General Plan EIR utilized conservative growth forecasts that were deemed to adequately represent reasonably foreseeable buildout of the General Plan Land Use Diagram. Because the C-3 District substantially limits development capacity compared to Commercial Regional buildout identified in the General Plan Table 3-7, cumulative development allowed under the C-3 District would fit within the growth projections utilized in the General Plan EIR air quality analysis and would not result in new or substantially more severe effects than those analyzed in the General Plan EIR (General Plan EIR p 3-43).

- c. According to the air district, all residences, education centers, daycare facilities, and health care facilities are considered “sensitive receptors.” The air district defines a significant impact to a sensitive receptor as one that would cause a violation of PM₁₀, carbon monoxide (CO), or toxic air contaminants (TAC) standards at an existing or reasonably foreseeable receptor. According to the General Plan EIR, buildout of land uses anticipated in the General Plan has the potential to expose County residents or other sensitive receptors to substantial pollutant concentrations via the addition of new roadways and subsequent traffic emissions, as well as construction and operation emissions from new development projects. General Plan Policies HS-5.2, HS-5.4 and HS-5.5 are designed to protect County residents from emissions of CO, PM₁₀, and TACs by establishing adequate buffer areas between sensitive receptors and sources of toxic or hazardous air emissions. The General Plan EIR determined that implementation of the General Plan policies would reduce the impacts of pollutants on sensitive receptors to a less-than-significant level (General Plan EIR p. 7-15- 7-23).

Four nodes were designated for Commercial Regional uses in the General Plan and were considered for commercial regional development in the General Plan EIR. Future development within the C-3 District nodes would be required to comply with General Plan goals, policies, and actions intended to protect sensitive receptors. The Livestock 101, State Route 129, and Rocks Ranch C-3 node are within 1000 feet of residences. However, future development of the nodes would not introduce new or worsened emissions of CO, PM₁₀, and TACs beyond those analyzed in the General Plan EIR. Because the Regional Commercial land uses allowed under the C-3 District would be consistent with those analyzed in the General Plan EIR, the proposed

project would not expose additional sensitive receptors to CO, PM₁₀, and TACs. The C-3 District would not result in any new or substantially more severe effects than those already analyzed in the General Plan EIR (General Plan EIR p. 7-33- 7-34).

- d. New residential land uses downwind of locations with objectionable odors could be subject to potential land use conflicts that could expose a substantial number of people to objectionable odors. However, General Plan Policy HS-5.2 is designed to protect County residents from noxious odors generated by facilities or operations that may produce substantial odors (General Plan EIR p. 7-15). The General Plan EIR found this impact to be less than significant (General Plan EIR p. 7-35).

The Regional Commercial land uses which include shopping centers, truck and automobile stations, tourist-serving commercial uses, and hotels/motels allowed within the C-3 District nodes are consistent with the uses analyzed in the General Plan EIR. Therefore, the proposed project would not introduce new sources of odors other than those that were analyzed in the General Plan EIR, or expose additional sensitive receptors to odors beyond those analyzed in the General Plan EIR. Future development within the C-3 nodes would be required to comply with and implement Policy HS-5.2, which protects County residents from noxious odors (General Plan EIR p. 7-15). Once future site specific development projects are proposed, site specific environmental review will be undertaken to analyze project specific impacts. The C-3 District would not result in any new or substantially more severe impacts than those already analyzed in the General Plan EIR.

4. BIOLOGICAL RESOURCES

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	No Substantial Increase in the Severity of Previously Identified Significant Effects	No New Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? (1,2,3,4,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.), through direct removal, filling, hydrological interruption, or other means? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (1,2,3,4,13)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

The General Plan identifies Commercial Regional “node” opportunity areas where future Commercial Regional development is anticipated. While the General Plan EIR project description identified the potential for 126 acres of Commercial Regional area (General Plan EIR p. 3-43), neither the General Plan nor General Plan EIR identified specific boundaries associated with the Commercial Regional nodes (see General Plan EIR Figure 3-6). The General Plan EIR analyzed the County’s biological resources and potential impacts on them from development under the 2035 General Plan at a program or community level. The impact analysis is quantitative where data is reasonably available and (otherwise) qualitative (General Plan EIR p. 8-1). It is not site specific because of the wide geographical area covered (General Plan EIR p. 8-1).

The C-3 District is a community level project and not a development specific project. While biological impacts within the four C-3 District node boundaries were not analyzed in the General Plan EIR, these general geographic areas were considered. The total acreage of the four C-3 nodes would be 298.5 acres, which is 172.5 acres beyond that identified in EIR. However, per Section 25.16.065 the development capacity of the C-3 District is 235,750 square feet per node for a total of 943,000 square feet for all four nodes. While the General Plan EIR did not consider maximum (100 percent) buildout of the Land Use Diagram, which indicates 4,390,000 square feet of Commercial Regional development capacity (summarized in Table 3-7), the General Plan EIR utilized conservative growth forecasts that were deemed to adequately represent reasonably foreseeable buildout of the General Plan Land Use Diagram. Because the C-3 district substantially limits development capacity compared to Commercial Regional buildout indicated in the General Plan Table 3-7, cumulative development allowed under the C-3 District would fit within the growth projections utilized in the General Plan EIR analysis. The C-3 zoning implementation is a community level planning tool and not a development specific project. While biological impacts within the four C-3 boundaries were not analyzed in the General Plan EIR, the General Plan EIR considered reasonably foreseeable buildout of the General Plan land use diagram, which included Commercial Regional node development at the locations identified in General Plan EIR Figures 3-4 and 3-6. In addition to the programmatic level of review provided for in the General Plan EIR, as part of subsequent, project-specific environmental analysis, the County will be required to analyze impacts to biological resources at development project site specific level. An attempt to analyze development and site -specific impacts to biological resources at this time would be speculative.

- a. The General Plan EIR analyzed potential effects on biological resources using a Geographic Information System (GIS) biological data set overlain on a 2035 General Plan future land use GIS data set (General Plan EIR p. 8-35). A search of state and federal databases identified 46 special-status plant species and 63 special-status

wildlife species as occurring or potentially occurring in the County. Designated critical habitat in the County totals approximately 236,000 acres (vernal pool fairy shrimp, California red-legged frog, and California tiger salamander) and approximately 162 stream miles (steelhead). According to the General Plan EIR, future development of land uses consistent with the General Plan and construction of new infrastructure to support these land uses have the potential to directly or indirectly impact candidate, sensitive, special-status species, or their habitats. The General Plan EIR determined that a total of between 18,166 and 26,064 acres of habitat could be permanently lost if development occurs in all areas where it is permitted under the proposed 2035 General Plan or in areas proposed for future study. General Plan EIR Mitigation Measure BIO-1a (reflected in General Plan Policies NCR-2.8 and NCR-2.9) ensures that biological resources are adequately evaluated and protective measures are sufficiently funded during the entitlement and development process for individual projects (General Plan EIR p. 8-58). Mitigation Measure Bio-1b requires protection of oak woodlands, native grasslands, riparian and aquatic resources, and vernal pools and wetlands as well as protection against the introduction/spread of invasive plant species (General Plan EIR pp. 8-58-8-60). Mitigation Measure BIO-2b (reflected in General Plan Policy NCR-2.5) requires that urban development avoid encroachment into sensitive habitats in the County to the extent practicable (General Plan EIR p. 8-61). Mitigation Measure BIO-2c (reflected in General Plan Policy NCR-2.10) limits the introduction of non-native, invasive species to a project site (General Plan EIR p. 8-61). However, implementation programs and actions undertaken by the County, together with the mitigation measures identified in the General Plan EIR would only partially offset impacts on biological resources associated with urban or rural development. Consequently, the impact was determined to be significant and unavoidable (General Plan EIR pp. 8-58- 8-62).

Figure 8-2, CNDDDB Plant Occurrences within San Benito County, Figure 8-3 CNDDDB Wildlife Occurrences within San Benito County, and Figure 8-4, USFWS Designated Critical Habitat within San Benito County (based on the (GIS) biological data set) do not identify the occurrence of special status plant or wildlife species, or USFWS designated critical habitat within the C-3 node boundaries (General Plan EIR pp. 8-12- 8-18). However, other sources have indicated the possible presence of special status species and habitat within the State Route 129 and Livestock 101 C-3 nodes (See, Zoning Code Amendment for State Route 129 Commercial Node Addendum, Section 4.0, Biological Resources and Zoning Code Amendment for Livestock 101 Commercial Node Addendum, Section 4.0, Biological Resources). Future development will be required to undergo project specific CEQA review and implement mitigation measures and General Plan policies to reduce impacts to wildlife. Section 25.16.075 (C)(4) of the C-3 District code requires development within

the State Route 129 C-3 node to be designed to protect upland habitat and protected-species migration areas associated with an off-site pond to the southwest.

Additionally, the any future development within the C-3 nodes would be required to comply with the General Plan Mitigation Measure BIO-1a (reflected in General Plan Policies NCR-2.8 and NCR-2.9, Mitigation Measure BIO-2b (reflected in General Plan Policy NCR-2.5) and Mitigation Measure BIO-2c (reflected in General Plan Policy NCR-2.10) for the protection of special-status species, which were determined to partially mitigate impacts on biological resources associated with urban or rural development (General Plan EIR pp. 8-58- 8-62).

The General Plan EIR identified a significant and unavoidable impact to special status species and habitat that could result from implementation of the General Plan. A statement of overriding considerations was adopted for this impact (General Plan EIR p. 8-35). Reasonably foreseeable development allowed by the C-3 District would not result in any new or substantially more severe impacts than those already analyzed in the General Plan EIR.

- b. Several riparian and other sensitive natural communities occur in the unincorporated County. According to the General Plan EIR, future development associated with the General Plan could result in long-term degradation of riparian and other sensitive plant communities, resulting in fragmentation, isolation of an important wildlife habitat, or disruption of natural wildlife movement corridors and/or important rearing habitat for juvenile steelhead. The General Plan EIR found that General Plan policies combined with Mitigation Measures BIO-1a, BIO-2b, and BIO-2c (reflected in General Plan Policies NCR-2.5, 2.8, 2.9, and 2.10 and discussed in section “a”), which serve to mitigate impacts to riparian habitat as well as the introduction/spread of invasive species, would help mitigate impacts to riparian areas, oak woodlands, and other sensitive communities. Policy LU-1.8, requires all submitted site plans, tentative maps, and parcel maps to depict all environmentally sensitive areas (General Plan EIR pp. 8-37- 8-38). Early identification of sensitive habitat areas and areas where listed and special-status species are known to occur will help in designing development plans that avoid such areas as feasible, and thereby minimize impacts to these resources. Policy LU-1.10 requires adequate mitigation for any development located on environmentally sensitive lands. In assuring adequate mitigation for loss of important plant and animal communities at the onset of the permitting process, the County is assuring that impacts on such communities will be mitigated (General Plan EIR pp. 8-37- 8-38). Additionally, NCR-1.1 and NCR 4.4 require an integrated open space network which protects water quality; helps preserve wildlife habitat such as riparian corridors, buffer zones, and wetlands; and provides dispersal corridors for wildlife (General Plan EIR p 8-46). NCR-2.1 requires coordinated habitat preservation, NCR -2.4 requires preservation of habitat corridors, and NCR -2.5 and

NCR-4.1 require mitigation for wetlands impacts (General Plan EIR pp. 8-42- 8-45). However, the General Plan has no specific protection framework for prevention of invasive plant species or requirements for developers to assess impacts to in-stream flows. Furthermore, implementation programs and actions undertaken by the County would only partially offset impacts to riparian areas and other sensitive habitats (General Plan EIR pp. 8-37- 8-38). Consequently, development of land uses consistent with the General Plan would substantially convert sensitive habitats to urban and developed rural uses, and result in a significant and unavoidable impact (General Plan EIR pp. 8-59- 8-60).

Future development in the County under the proposed C-3 District code would be required to comply with all applicable regulations protecting riparian habitat and sensitive natural communities including General Plan policies, identified above, intended to protect these biological resources and County Ordinance 708 which protects riparian ecosystems from effects of grading. Development restrictions would be established by the proposed C-3 District code for areas located within or near riparian vegetation. Section 25.16.066 (F) requires setbacks and riparian reservations, which will limit development near, and reduce impacts to, the San Benito River, Sargent Creek, and San Juan Canyon Creek. The General Plan EIR identified a significant and unavoidable impact to riparian habitat and sensitive communities associated with implementation of the General Plan (General Plan EIR p. 8-59). Reasonably foreseeable future development allowed by the C-3 District would not result in any new or substantially more severe impacts than those already analyzed in the General Plan EIR.

- c. According to the General Plan EIR, development anticipated in the General Plan could potentially result in the loss of wetlands and waters of the United States and/or the state, including named or unnamed streams, vernal pools, salt marshes, freshwater marshes, and other types of seasonal and perennial wetland communities. Wetlands and other waters would be affected through direct removal, filling, hydrological interruption, alteration of bed and bank, and other construction-related activities. General Plan EIR Mitigation Measure BIO-1a (reflected in General Plan Policies NCR-2.8 and NCR-2.9) ensures that biological resources are adequately evaluated and protective measures are sufficiently funded during the entitlement and development process for individual projects (General Plan EIR p. 8-58). Mitigation Measure Bio-1b requires protection of oak woodlands, native grasslands, riparian and aquatic resources, and vernal pools and wetlands as well as protection against the introduction/spread of invasive plant species (General Plan EIR p. 8-58, 8-61). Mitigation Measure BIO-2b (reflected in General Plan Policy NCR-2.5) requires that urban development avoid encroachment into sensitive habitats in the County to the extent practicable (General Plan EIR p. 8-61). Mitigation Measure BIO-2c (reflected in General Plan Policy NCR-2.10) limits the introduction of non-native, invasive species

to a project site (General Plan EIR p. 8-61). Policy LU-1.8 requires all submitted site plans, tentative maps, and parcel maps to depict all environmentally sensitive areas (General Plan EIR p. 8-37). Early identification of sensitive habitat areas and areas where listed and special-status species are known to occur will help in designing development plans that avoid such areas as feasible, and thereby minimize impacts to these resources. Policy LU-1.10 requires adequate mitigation for any development located on environmentally sensitive lands (General Plan EIR p. 8-38). In assuring that adequate mitigation for loss for important plant and animal communities at the onset of the permitting process, the County is assuring that impacts on such communities will be mitigated (General Plan EIR pp. 8-37- 8-38). Additionally, Policy NCR-1.1 and Policy NCR-4.4 require an integrated open space network which acts to help preserve wildlife habitat as a form of open space, Policy NCR-2.1 requires coordinated habitat preservation, Policy NCR-2.4 requires preservation of habitat corridors, and Policy NCR-4.1 require mitigation for wetlands impacts (General Plan EIR pp. 8-42, 8-45- 8-46). The General Plan EIR determined with implementation of General Plan policies and mitigation measures, which would require identification and protection of federally protected wetland habitat, consistent with federal no-net loss requirements, the potential impacts to federally protected wetlands would be less than significant (General Plan EIR pp. 8-58- 8-62).

A suspected vernal pool was located on the southeastern part of the Livestock 101 property and could be potential habitat for two federally threatened wildlife species (Livestock 101 Addendum, Section 4.0, Biological Resources, checklist question c). Future development within C-3 District would be required to comply with all applicable regulations protecting state and federal wetlands and would be required to comply with the General Plan policies and mitigation measures, identified above which would require identification and protection of federally protected wetland habitat, consistent with federal no-net loss requirements (General Plan EIR pp. 8-37, 8-42- 8-45, 8-63). Additionally, future development projects must undergo site-specific CEQA review. Therefore, the proposed project would not result in any new or substantially more severe impacts than those identified in the General Plan EIR.

- d. According to the General Plan EIR, development undertaken under the General Plan could potentially result in the fragmentation and degradation of wildlife habitat, leading to interference with species movement, wildlife migration corridors, and nursery sites. General Plan EIR Mitigation Measure BIO-1a (reflected in General Plan Policies NCR-2.8 and NCR-2.9) ensures that biological resources are adequately evaluated and protective measures are sufficiently funded during the entitlement and development process for individual projects. The General Plan EIR found that implementation of General Plan policies in addition to Mitigation Measure BIO-1a would reduce this impact to a less-than-significant level (General Plan EIR pp. 8-37, 8-63).

Four C-3 District nodes are adjacent to U.S. Highway 101. The most successful and ecologically significant movement by wildlife across U.S. Highway 101 occurs from Tar Creek south to the San Benito River. There is potential for San Juan Canyon Creek, east of State Route 129 node, to serve as a wildlife corridor. Additionally, due to the largely undeveloped nature of the four nodes, new construction and new roadways have the potential to fragment any existing habitats leading to interference with species movement, wildlife migration corridors, and nursery sites (See Zoning Code Amendment for Rocks Ranch Commercial Node Addendum Section 4.0, Biological Resources, Zoning Code Amendment for State Route 129 Commercial Node Addendum Section 4.0, Biological Resources, Zoning Code Amendment for Livestock 101 Commercial Node Addendum Section 4.0, Biological Resources, Zoning Code Amendment for Betabel Commercial Node Addendum Section 4.0, Biological Resources). Mitigation Measure BIO-1a, would provide assurances that wildlife movement corridors and natural nurseries would be adequately evaluated when a development project is proposed and protective measures are sufficiently funded (General Plan EIR, p. 8-58). Additionally, any development must comply with General Plan policies that protect wildlife movement, including Policy LU-1.8, which requires early identification of sensitive habitat areas and areas where listed and special-status species are known to occur, will help in designing development plans that avoid such areas as feasible and thereby minimize impacts to these resources (General Plan EIR 8-37); Policy LU-1.10, which requires that adequate mitigation for loss for important plant and animal communities is offered at the onset of the permitting process, thereby ensuring that impacts on such communities will be mitigated (General Plan EIR 8-38); Policy NCR-2.1, which requires the County to work with property owners and Federal and State agencies to identify feasible and economically-viable methods of protecting and enhancing natural habitats and biological resources in the County (General Plan EIR 8-42); Policy, NCR-2.4, which requires the protection and enhancement wildlife migration and movement corridors (in particular, contiguous habitat areas) to ensure the health and long-term survival of local animal and plant populations (General Plan EIR, p. 8-43); and, Policy NCR 4.4 which encourages conservation and, where feasible, creation or restoration of open space areas that serve as wildlife dispersal corridors such as riparian corridors, buffer zones, wetlands, undeveloped open space areas, and drainage canals (General Plan EIR p 8-46). Future development within the C-3 District nodes would be required to comply with these General Plan policies and mitigation measures which would ensure that there would be no new or substantially more severe impacts than those already analyzed in the General Plan EIR.

- e. Private and public activities undertaken under the General Plan could potentially conflict with local policies protecting oak woodlands. This would be a potentially

significant impact. The General Plan includes several policies protecting oak woodlands in the County. General Plan Policy AD-2.3 requires the County to continue to coordinate discretionary project review and permitting activities with applicable federal and state regulatory agencies as required by law (General Plan EIR p 8-36). This coordination will lead to better management of oak woodland resources. Other General Plan policies, including NCR-1.1, NCR-1.2, and NCR-4.4, establishing and protecting open space preservation and acquisition, would result in direct benefits to oak woodland conservation, as oak woodlands constitute a significant portion of the native vegetation in the County (General Plan EIR pp 8-42-8-45). General Plan Policy NCR-2.3 directs the County to consider development of a state Natural Communities Conservation Plan (NCCP) and Habitat Conservation Plan (HCP) (General Plan EIR, p. 8-43). Because this policy does not require the County to develop a NCCP and HCP, future development consistent with the General Plan could substantially convert oak woodlands to urban and rural uses, resulting in a significant and unavoidable impact (General Plan EIR pp. 8-36, 8-42- 8-46).

Future development within the C-3 District nodes would be required to comply with all applicable regulations and General Plan policies protecting oak woodlands and other natural communities. Additionally, Section 25.16.070 of the C-3 District code prohibits any oak tree removal. Therefore, there would be no impact to oak woodlands, C-3 District would not result in any new or substantially more severe impacts than those already analyzed in the General Plan EIR.

- f. There are currently no HCPs, NCCPs, or other local habitat conservation plans in effect in the County. The General Plan would not conflict with any existing HCPs, NCCPs, or local habitat management plans since none have been adopted in the County (General Plan EIR p. 8-66). General Plan Policy NCR-2.3 requires the County, in cooperation with other federal and state agencies, to consider developing an HCP and NCCP for listed and candidate species. The General Plan EIR found this impact to be less than significant.

The C-3 District would not conflict with any existing HCPs, NCCPs, or local habitat management plans since none have been adopted in the County.

5. CULTURAL RESOURCES

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	No Substantial Increase in the Severity of Previously Identified Significant Effects	No New Impact
a. Cause a substantial adverse change in the significance of a historical resource pursuant to section 15064.5? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to section 15064.5? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Disturb any human remains, including those interred outside of dedicated cemeteries? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

The General Plan identifies Commercial Regional “node” opportunity areas where future Commercial Regional development is anticipated. However, neither the General Plan nor General Plan EIR identified specific boundaries associated with the Commercial Regional nodes. The proposed C-3 District delineates specific C-3 Regional Commercial boundaries. The General Plan analyzed the County’s cultural resources and potential impacts on them from development under the 2035 General Plan at a program or community level in the General Plan EIR. Given the community-level evaluation of the proposed 2035 General Plan, specific project-level impacts were not identified or discussed since the exact locations of future development projects are not currently known and thus to evaluate such impacts at this level would be speculative. Rather, the General Plan EIR provides a programmatic analysis of potential impacts based on reasonably available information. The C-3 zoning implementation is a community level planning tool and not a development specific project. While cultural impacts within the specific proposed C-3 boundaries were not analyzed in the General Plan EIR, the General Plan EIR considered reasonably foreseeable buildout of the General Plan land use diagram, which included Commercial Regional node development at the locations identified in General Plan EIR Figures 3-4 and 3-6. In addition to the programmatic level of review provided for in the General Plan EIR, as part of subsequent, project-specific environmental analysis, the County will be required to analyze impacts to cultural resources at development project site specific level. An attempt to analyze development and site specific impacts to cultural resources at this time would be speculative.

- a. According to the General Plan EIR, the majority of historic properties in the County are in the incorporated cities of Hollister and San Juan Bautista, with the exception of two small historic communities, Paicines and Tres Pinos, located in the southern portion of the County (General Plan EIR p. 9-22). According to the General Plan EIR, implementation of the General Plan could result in substantial adverse changes in the significance of a historical resource. The Natural and Cultural Resources Element contains Goal NCR-1 to preserve valuable open space lands that provide wildlife habitat and conserve natural and visual resources of the County (General Plan EIR 9-23). The County's implementation of this goal reduces potential impacts to historical resources by limiting development at locations that contain open space lands, thereby protecting significant historical resources that may be located in such areas. Additionally, the Natural Resources and Cultural Resources Element contains various policies designed to encourage and support the restoration and protection of cultural resources, particularly in agricultural and open space areas, where evidence indicates that many undiscovered historical resources may remain. The Natural and Cultural Resources Element contains Goal NCR-7 to protect the unique cultural and historic resources in the County. The General Plan EIR determined that implementation of these goals and policies under Goal NCR-7 and program NCR-F would serve to identify and help protect cultural and historical resources in open space areas, retain the County's historical character, and minimize impacts to cultural and historical resources in all areas of the County (General Plan EIR pp. 9-21- 9-23). The General Plan EIR determined that Mitigation Measure CUL-1, together with the requirements of state and federal regulations, would reduce the potential that new development and related infrastructure projects within the unincorporated portion of the County would substantially damage or permanently destroy significant known or unknown historical resources (See General Plan EIR p. 9-24). The General Plan EIR found this impact to be less than significant (See General Plan EIR pp. 9-23- 9-24).

The C-3 District nodes are not located near the incorporated cities of Hollister or San Juan Bautista nor are the nodes located near the County's two small historic communities, Paicines and Tres Pinos, all of which contain the known historic properties within the County. Further site specific evaluation, tribal consultation, and, if appropriate, site and resource specific mitigation will be formulated at the time of Master Planning or a Use Permit application for the site as part of the required development specific CEQA review to ensure any potential impacts are adequately mitigated. Additionally, future development within the C-3 District nodes would be required to adhere to state and federal regulations, General Plan policies, and Mitigation Measure CUL-1, previously identified, all of which will ensure impacts to potential as-yet-undiscovered resources will be minimized. The C-3 District code, Chapter 25.16.065 (D)-(F), supports GP Policy NCR-1.1, which protects

cultural resources by limiting ground disturbance, by restricting development area and intensity of development. The proposed project would not result in any new or substantially more severe impacts than those already analyzed in the General Plan EIR (General Plan EIR pp. 9-17, 9-21).

- b,c. According to the General Plan EIR, urban or other anticipated development in the General Plan would lead to construction activities such as grading and sub-surface excavation (General Plan EIR p. 9-24). Construction activities could cause a substantial adverse change in the significance of an archaeological resource, or could disturb human remains, including those interred outside formal cemeteries. The General Plan does not contain a specific policy to cease all construction activities to minimize impacts to undiscovered human remains, in the event they are discovered. However, state legislation, specifically the California Health and Safety Code section 7050.5, requires that construction or excavation must be suspended in the vicinity of the discovery of human remains until the County coroner can determine whether the remains may be those of a Native American. Therefore, although there is no specific policy to reduce impacts to human remains, County compliance with state laws and regulations, including Administrative Code, Title 14, section 4307, Public Resources Code section 5097 et seq., Health and Safety Code section 7050.5, and California Penal Code section 622½, would ensure impacts to human remains are minimized. While the General Plan goals and policies, in combination with state requirements, would reduce impacts to known archaeological resources, additional mitigating measures must become part of the planning process for future project-specific development proposals to ensure impacts to such resources are minimized. The General Plan EIR determined that implementation of Mitigation Measures CUL-1 and CUL-2a (reflected in General Plan Policies NCR-1.1, 7.10, and 7.11) would reduce this impact to a less-than-significant level (General Plan EIR p. 9-21- 9-27).

Future development allowed within the C-3 District nodes would be subject to the state laws and regulations, including Administrative Code, Title 14, section 4307, Public Resources Code section 5097 et seq., Penal Code section 622½, and California Health and Safety Code section 7050.5, which require construction or excavation to be suspended in the vicinity of a discovered human remain until the County coroner can determine whether the remains may be those of a Native American. In addition, future development would implement all applicable General Plan goals and policies in order to reduce potential impacts to archaeological resources and disturbance of discovered human remains, including Policy NCR 1.1 which encourages and supports the restoration and protection of tribal and other cultural resources, particularly in agricultural and open space areas; Policy NCR-7.11 which prohibits unauthorized grading, collection, or degradation of Native American, archaeological,

or paleontological resources; and Policy NCR-7.12, which requires preparation of an archaeological report prior to the issuance of any project permit or approval in areas determined to contain significant historic or prehistoric archaeological artifacts and when the development of the project may result in the disturbance of the site (General Plan EIR pp. 9-17- 9-21). When specific development proposals are submitted to the County for the County's review and consideration, supplemental environmental review will be required pursuant to the provisions of the C-3 code and CEQA's definition of a project. The C-3 District would not result in any new or substantially more severe impacts than those already analyzed in the General Plan EIR.

6. ENERGY

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	No Substantial Increase in the Severity of Previously Identified Significant Effects	No New Impact
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments:

- a,b. Buildout of the General Plan would increase energy consumption in the County. Energy resources (diesel and gasoline fuel) will be used during construction of projects anticipated in the General Plan. Energy will be consumed to provide lighting, heating, and cooling for development under the General Plan. Energy will also be consumed by transportation and vehicle use by projects anticipated in the General Plan. The General Plan EIR found that policies contained within the General Plan would promote smart energy use and efficiency and would reduce adverse environmental impacts associated with inefficient, wasteful, and unnecessary energy consumption to less-than-significant levels (General Plan EIR pp. 11-63- 11-68).

Future development within the C-3 District nodes in conformance with the proposed C-3 District code standards could contribute to the impacts to energy resources identified in the General Plan EIR.

The General Plan EIR did not assume all land uses depicted in the Land Use Diagram would be built out by 2035 to their absolute maximum potential. Instead, the General Plan EIR evaluated the impacts of forecasted development that will likely occur through the year 2035 consistent with CEQA requirements that an EIR evaluate the “reasonably foreseeable” direct and indirect impacts of a proposed project. The General Plan EIR utilized conservative population, housing, and employment forecasts to evaluate the reasonably foreseeable impacts of General Plan buildout of the General Plan Land Use Diagram (General Plan EIR pp. 4-5, 4-8 and 4-12).

The development capacity identified in the C-3 District is 235,750 square feet per node for a total of 943,000 for all four nodes. While the General Plan EIR did not consider maximum (100 percent) buildout of the Land Use Diagram, (summarized in General Plan EIR Table 3-7) including Commercial Regional uses, the General Plan EIR utilized conservative growth forecasts that were deemed to adequately represent reasonably foreseeable buildout of the General Plan Land Use Diagram. Because the C-3 district substantially limits development capacity compared to Commercial Regional buildout indicated in General Plan EIR Table 3-7, cumulative development allowed under the C-3 District would fit within the growth projections utilized in the General Plan EIR analysis. Therefore, energy impacts associated with the proposed C-3 District were adequately analyzed by the General Plan EIR. Energy use will be dependent on site-specific circumstances, which will be analyzed at the time specific development projects are proposed. Future development would be required to comply with all State regulations intended to reduce energy consumption such as the California Building Code as well as San Benito County Code Chapter 19.31, which encourages lighting practices and systems that conserve energy. Further, future development will be required to comply with General Plan policies intended to increase renewable energy provision, promote energy conservation, and increase overall energy efficiency throughout the County. These include Policies LU-2.1 and 2.2, which require sustainable building practices; LU-2.3, which identifies energy conservation standards for new construction; LU-2.4, which encourage new residential subdivisions and new commercial, office, industrial, and public buildings to be oriented and landscaped to enhance natural lighting and solar access in order to maximize energy efficiency; and LU-5.7, which encourages efficient land uses which will reduce energy consumption (General Plan EIR pp. 11-37, 11-38; General Plan p. 3-24)). The C-3 District would not result in any new or substantially more severe impacts than those already analyzed in the General Plan EIR.

7. GEOLOGY AND SOILS

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	No Substantial Increase in the Severity of Previously Identified Significant Effects	No New Impact
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
(1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42? (1,2,3,4,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(2) Strong seismic ground shaking? (1,2,3,4,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(3) Seismic-related ground failure, including liquefaction? (1,2,3,4,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(4) Landslides? (1,2,3,4,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on expansive soil, creating substantial direct or indirect risks to life or property? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

According to the General Plan EIR, the evaluation of potential seismic hazards and soil impacts associated with implementation of the proposed 2035 General Plan was based on applicable federal, state and regional laws, regulations, codes, and guidelines, and seismic hazard maps. The evaluation also assesses whether the goals and policies in the 2035 General Plan promote adequate planning and oversight when authorizing the location, construction, and operation of any new development subject to the County's jurisdiction in order to help prevent or reduce potential hazards to persons or property, and minimize impacts to soil and mineral resources available for agricultural, industrial, and habitat uses (General Plan EIR p. 10-22). The County would apply 2035 General Plan policies, as well as mitigation measures contained in the General Plan EIR, which address geologic hazards. Given the typically site-specific nature of these impacts, future site- and project-level analysis would be required for particular development proposals. The C-3 zoning implementation is a community level planning tool and not a development specific project. While geologic impacts within the specific proposed C-3 boundaries were not analyzed in the General Plan EIR, the General Plan EIR considered reasonably foreseeable buildout of the General Plan land use diagram which included Commercial Regional node development at the locations identified in General Plan Figure 3-5³.

- a. According to the General Plan EIR, with several prominent faults traversing the County, the area is known to be seismically active. Landslide risk in the County is expected to be concentrated along the steep topographic slopes and active faults that line the County (General Plan EIR p. 10-33). Development under the General Plan could expose structures and persons to potential seismic hazards, including ground shaking, liquefaction, and landslides. The General Plan EIR did not identify significant impacts related to increased risk of human harm and property damage from rupture of a known earthquake fault, seismic ground shaking, liquefaction, and landslides that would not be reduced to less than significant through compliance with General Plan Policy LU-1.6 which prohibits development on hillsides with a 30 percent or greater slope; Policy LU-1.8 which requires site plans to identify steep slopes and severe erosion hazards prior to project approval to allow for more thoughtful avoidance, design, and construction measures to prevent erosion and soil loss during construction and longer term operation of the site; Policy LU-1.10 which encourages avoidance of development near steep slopes, faults, and landslides.; Policy HS-1.7, which ensures the development, maintenance, and implementation of a Multi-Hazard Mitigation Plan; Policy HS-3.1, requiring that all proposed critical

³ Due to a clerical error, General Plan Figure 3-5 only identifies three nodes. However, as explained in the Background section, four nodes were approved by the County Board of Supervisors and analyzed in the General Plan EIR.

structures have earthquake resistant designs; Policy HS-3.3, which promotes the maintenance and improvement of the County's geotechnical database; Policy HS-3.4, which delegates County responsibility for identifying and abating existing structures that would be hazardous in an earthquake event; Policy HS-3.6, which ensures the enforcement of the standards set forth in the California Building Code related to construction on unstable soils; Policy HS- 3.8 and Policy HS-3.2 which require, where appropriate, liquefaction studies and that proposed structures be constructed in a manner to minimize potential damage due to subsidence or liquefaction and applicable federal, state and local laws governing potential effects from geologic hazards (General Plan EIR pp. 10-23, 10-30- 10-33).

The four C-3 District nodes are not within an Alquist-Priolo Earthquake Fault Zone and future development within the nodes would be subject to compliance with all applicable regulations intended to reduce hazards associated with seismicity, liquefaction, and landslides, including the California Building Code and applicable federal, state and local laws governing potential effects from geologic hazards. Additionally, future development will be required to comply with the General Plan policies, discussed above, to reduce seismic hazards. Future development would be subject to compliance with geotechnical design requirements, intended to reduce the risks of human harm and property damage from seismic events. The proposed C-3 District would not result in any new or substantially more severe impacts than those already analyzed in the General Plan EIR (General Plan EIR pp. 10-34- 10-36).

- b. According to the General Plan EIR, development anticipated in the General Plan would convert predominantly undeveloped land to urban uses with an increased potential for soil erosion and loss of topsoil during construction-related soil disturbance activities. The General Plan EIR did not identify significant impacts related to soil erosion or topsoil loss that would not be reduced to less than significant through compliance of General Plan policies and applicable federal, state and local laws governing potential effects from soils hazards (General Plan EIR p. 10-36- 10-38).

Future development of the C-3 District nodes would be subject to compliance with all federal and state laws and regulations intended to avoid or reduce potential effects from soil erosion and loss and would not interfere with General Plan policies intended to reduce these impacts. Additionally, General Plan Land Use Policy LU-1.6 would reduce the risk to the public from potential landslides; Policy LU-1.8 requires all submitted site plans, tentative maps, and parcel maps to depict all environmentally sensitive and hazardous areas; and Policy LU-1.10, which encourages specific development sites to avoid natural and manmade hazards, would

reduce potential for aggravated soil erosion (General Plan EIR p. 10-23). Further, General Plan NCR Policy NCR-4.7 would aid in preventing soil loss through best management practices (General Plan EIR pp. 10-23, 10-26). The proposed project would not increase the level of development beyond that already addressed in the General Plan EIR as C-3 District code limits development capacity within the C-3 District to 235,750 square feet per node for a total of 943,000 square feet for all four nodes. The C-3 District would not result in any new or substantially more severe impacts than those already analyzed in the General Plan EIR.

- c,d. Development under the General Plan could lead to development and related infrastructure being located on unstable or expansive soils, or could expose such development to other geologic hazards. The General Plan EIR did not identify significant impacts related to unstable or expansive soils or on- or off-site landslide, lateral spreading, subsidence, or collapse that would not be reduced to less than significant through compliance with a comprehensive body of construction requirements enforced by the County as required under applicable federal, state and local laws and regulations, and the goals and policies set forth in the General Plan that would avoid or reduce the effect of geologic hazards (General Plan EIR pp. 10-34- 10-36).

Future development within C-3 District nodes would be subject to compliance with all federal and state laws and regulations intended to avoid or reduce potential effects from unstable or expansive soils or result in any of the above-mentioned geologic hazards and would not interfere with General Plan policies intended to reduce these impacts, including Policy LU-1.8, which requires all submitted site plans, tentative maps, and parcel maps to depict all hazardous areas including fault zones, 30 percent or greater slopes, and severe erosion hazards prior to project approval to allow for more effective avoidance, design, and construction measures and Policy LU-1.10, which encourages avoidance of development near faults, landslides, or other hazardous areas (General Plan EIR p. 10-23). Additionally, the future development would be subject to General Plan Policy LU-1.6, which would reduce the risk to the public from potential landslides (General Plan EIR pp. 10-23); Policy HS-3.2, which requires structures to be designed and built to hold up to the occurrence of near-surface subsidence or liquefaction; Policy HS-3.6, which ensures the enforcement of the standards set forth in the California Building Code related to construction on unstable soils; Policy HS-3.7, which requires setbacks from fault traces; and Policy HS-3.8, ensuring that development is appropriately designed in areas with high liquefaction potential (General Plan EIR pp. 10-31- 10- 32). Further environmental review is not yet appropriate since the parcels for development are known; additional review is impractical until site-specific development is proposed due to the variation

in soil types across the nodes such that the exact site of a building will affect its vulnerability to landslide, lateral spreading, subsidence, liquefaction, or expansive soils (General Plan EIR pp. 10-32- 10- 34). The proposed project would not increase the allowed level of development beyond that already anticipated in the General Plan. Therefore, the C-3 District would not result in any new or substantially more severe impacts than those already analyzed in the General Plan EIR.

- e. Most of the unincorporated County relies on individual septic systems for wastewater treatment. Installation and operation of septic tanks or similar individual wastewater disposal systems in unfit soils can lead to the degradation of groundwater quality or nearby waterways, and ultimately impact domestic groundwater and/or surface water sources. The General Plan EIR did not identify significant impacts related to soil capability to support the use of septic tanks or alternative wastewater disposal systems that would not be reduced to less than significant through compliance with County septic systems standards and General Plan Policy LU-1.10, which prohibits septic systems from being built into unsuitable soils (General Plan EIR p. 10-23); Policies PFS-5.5 and PFS-5.6 that reinforce continued oversight and design review by the County to ensure compliance with the Regional Water Quality Control Board's regulations and continued water and soil quality protection (General Plan EIR p. 10-39); Policy PFS-5.7, which avoids impacts to groundwater and soil resources by encouraging the consideration of alternative rural wastewater systems for individual homeowners (General Plan EIR pp. 10-24- 10-25); and Policies NCR-4.15 and NCR-4.16, which encourage new developments to be located in areas where they can easily tie into existing domestic wastewater treatment systems (General Plan EIR p. 10-27).

Future development in the C-3 nodes would be subject to compliance with all applicable standards and regulations intended to avoid or minimize potential effects from unfit soils for use of septic systems and would be required to implement General Plan policies intended to reduce these impacts. Additionally, General Plan Policies LU-1.10, NCR-4.15, and 4.16 (described above) would only allow for new septic systems where sewer systems are unavailable and soils are adequate for protecting groundwater. The County would assess proposed septic systems and their design and location prior to issuing a permit to install or replace a septic system. It is not practical to undertake further site/project specific environmental review until future projects are proposed and the exact location of septic tanks (if applicable) is known, which would allow analysis of the specific soil. The C-3 District would not result in any new or substantially more severe impacts than those already analyzed in the General Plan EIR.

- f. Development under the General Plan would lead to construction activities such as grading and sub-surface excavation. Construction activities could cause a substantial adverse change in the significance of a geological or paleontological resource. The General Plan EIR identified potentially significant impacts related to directly or indirectly destroying unique geological or paleontological resources that would be reduced to a less-than-significant level through the combination of compliance with applicable state requirements, General Plan policies, and Mitigation Measures CUL-1 and CUL-2b (General Plan EIR pp. 9-23 - 9-27).

Future development of the C-3 nodes would be subject to compliance with all applicable regulations intended to protect unique geological and paleontological resources and would be required to implement General Plan policies intended to reduce these impacts. Goal NCR-1 and its supporting policies encourage limitations on development and therefore result in minimized ground disturbance which could result in impacts to paleontological resources (General Plan p. 8-2). General Plan Policy NCR-7.11 prohibits unauthorized grading to ensure further protection of paleontological resources in the event that they are discovered (General Plan p. 8-13). Additionally, the proposed project would be subject to Administrative Code, Title 14, Section 4307, which protects paleontological and geological features. The proposed project does not increase the level of development beyond that already addressed in the General Plan. The C-3 District would not result in any new or substantially more severe impacts than those already analyzed in the General Plan EIR.

8. GREENHOUSE GAS EMISSIONS

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	No Substantial Increase in the Severity of Previously Identified Significant Effects	No New Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

As discussed in the CEQA Approach Section, consistent with state law, the 2035 General Plan includes standards of population density and building intensity for each of the land use designations appearing on the Land Use Diagram. Table 3-7 of the General Plan EIR identifies these standards and lists the acreage of the County allocated to each land use type. Table 3-7 identifies 126-acres of Commercial Regional (CR) area at a Floor Area Ratio (FAR) of 0.8. At maximum buildout, this would result in 4,390,000 square feet of Commercial Regional Development (General Plan EIR p. 3-43). The General Plan EIR does not assume all land uses depicted in the Land Use Diagram would be built out by 2035 to their absolute maximum potential. Instead, the General Plan EIR evaluates the impacts of forecasted development that will likely occur through the year 2035, consistent with CEQA requirements that an EIR evaluate the “reasonably foreseeable” direct and indirect impacts of a proposed project. The General Plan EIR utilized conservative population, housing, and employment forecasts to evaluate the reasonably foreseeable impacts of General Plan buildout of the General Plan Land Use Diagram (General Plan EIR p 4-5- 4-12).

The development capacity identified in the C-3 District is 235,750 square feet per node for a total of 943,000 square feet for all four nodes. While the General Plan EIR did not consider maximum (100 percent) buildout of the Land Use Diagram, (summarized in Table 3-7) including Commercial Regional uses, the General Plan EIR utilized conservative growth forecasts that were deemed to adequately represent reasonably foreseeable buildout of the General Plan Land Use Diagram. Because the C-3 District substantially limits development capacity compared to Commercial

Regional buildout indicated in the General Plan Table 3-7, cumulative development allowed under the C-3 District would fit within the growth projections utilized in the General Plan EIR analysis.

- a,b. Buildout of the General Plan would result in greenhouse gas (GHG) emissions from the construction and operation of new rural and urban developments in the County. Direct sources of GHG emissions include mobile sources, combustion of natural gas, and landscaping activities. Indirect GHG emission sources include electricity consumption, solid waste disposal, and water and wastewater treatment. Even though State legislation together with General Plan policies and air district requirements will reduce GHG emissions, the GHG emissions volume will still exceed the thresholds of significance. The General Plan EIR identified Mitigation Measure GHG-1 that sets forth the standards for a GHG reduction strategy, when prepared, to not only implement the GHG reduction policies in the General Plan, but also accomplish the County's goal of reducing GHG emissions (General Plan EIR p. 11-68). However, the General Plan EIR determined that even with the GHG reduction strategy, it is possible that this impact would be significant and unavoidable because many aspects of the GHG reduction strategy depend on actions outside the control of the County. The General Plan EIR concluded that the impacts due to greenhouse gas emissions would remain significant and unavoidable (General Plan EIR p. 11-68 – 11-69). The County adopted a statement of overriding considerations in regard to GHG emissions.

The General Plan EIR found that the General Plan policy that directs creation of the C-3 District would reduce vehicle miles travelled, and consequently GHG emissions, by placing commercial development in convenient locations that would reduce trip lengths (General Plan EIR, p. 22-24). It is anticipated that the commercial nodes would place retail services closer to rural residents and that most other trips to the commercial nodes would be pass-by trips from people already traveling on U.S. Highway 101. Future development of the C-3 District nodes in conformance with the proposed C-3 District code standards would contribute to the construction and operational emissions impacts identified in the General Plan EIR dependent on site-specific circumstances, which will be analyzed at the time specific development projects are proposed. All future development would be required to comply with state regulations, General Plan policies, and air district requirements. General Plan Policies LU-1.1, LU-1.2, LU-2.7, LU-4.2, LU-4.4, LU-5.3, and LU-5.6 promote smart growth and mixed use to reduce the number and length of vehicle trips (General Plan EIR pp. 11-37- 11-40). General Plan Policies C-1.1, C-1.2, C-1.10, C-2.1, and C-2.2 promote transit, bicycling, and pedestrian trips (General Plan EIR p. 11-42- 11-44). The California Building Code and General Plan Policies LU-2.1 and LU-2.2 promote

sustainable building practices. General Plan Policy LU-2.3 requires energy conservation standards for new construction, and LU-2.4 requires new buildings to be oriented and landscaped to enhance natural lighting and solar access (General Plan EIR pp. 11-37- 11-38). The proposed C-3 District Code provides detailed development regulations that limit the intensity of future development and the types of land uses allowed within the node and would allow for uses consistent with the land uses analyzed in the General Plan. Site specific development proposals will be reviewed for design features that reduce GHGs such as walkability. Future development within the C-3 District nodes would fit within the growth projections utilized in the General Plan EIR analysis. The C-3 District would not result in any new or substantially more severe impacts than those already analyzed in the General Plan EIR.

9. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	No Substantial Increase in the Severity of Previously Identified Significant Effects	No New Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (1,2,3,4,8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, create a significant hazard to the public or the environment? (1,2,3,4,9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. For a project located within an airport land-use plan or, where such a plan has not been adopted, within two miles of a public airport or a public-use airport, result in a safety hazard or excessive noise for people residing or working in the project area? (1,2,3,4,8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? (1,2,3,4,10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

- a,b. Urban development and other land use activities anticipated in the General Plan would require the routine transport, use, or disposal of hazardous materials and wastes within the County. This could result in reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Implementation of the General Plan goals and policies, in combination with federal, state and local laws and regulations designed to reduce the effects of the routine use, transport, and disposal of hazardous materials, would minimize public health and environmental hazards. The General Plan EIR found that this would be a less than significant impact (General Plan EIR pp. 12-37- 12-40).

The General Plan EIR considered four Regional Commercial nodes. The C-3 District nodes would not result in the development of future new uses or intensify uses that would be expected to use, transport, or dispose hazardous materials beyond what was identified in the General Plan EIR. The types of land uses allowed by the C-3 District which include shopping centers, truck and automobile stations, tourist-serving commercial uses, and hotels/motels are consistent with those analyzed in the General Plan EIR. Future development within the project site will be required to comply with all applicable regulations related to hazardous materials and would be compatible with General Plan policies that reduce risk from the transport, use, disposal and potential release of hazardous materials, including Policy HS-5.2 which limits development of new sensitive land uses near uses involving hazardous materials (General Plan EIR p. 12-29); Policy HS-6.1 which requires proper storage and disposal of hazardous materials (General Plan EIR p. 12-29); and Policy HS-6.3 which requires land use consistency with the Hazardous Waste Management Plan (General Plan EIR p. 12-30). The C-3 District would not result in any new or substantially more severe impacts than those already analyzed in the General Plan EIR.

- c. Buildout of land uses anticipated in the General Plan would lead to urban and other development and the intensification of land uses that could emit hazardous emissions or result in the handling of hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school, depending on the location of the individual development project being proposed. The General Plan contains policies that would encourage protection of the safety of the residents, students, faculty, staff, and visitors at school sites. The General Plan EIR identified Mitigation Measure HAZ-2, which would result in additional protection for existing private and public school sites, and potentially lead to additional mitigation for effects to private and public school facilities arising from the development of urban and other uses and related infrastructure identified in the General Plan (General Plan EIR, p. 12-42).

Therefore, Mitigation Measure HAZ-2, together with the goals and policies of the General Plan and adherence with applicable requirements of state and federal regulations would reduce this impact to less than significant (General Plan EIR pp. 12-40- 12-42).

Although one of the proposed C-3 nodes (State Route 129) is located within one-quarter of a mile of a school, future development within the project site would be required to comply with all applicable regulations related to hazardous materials associated with proximity to existing school sites, and this area was considered for Commercial Regional development in the General Plan EIR (see General Plan Figure 3.4). Additionally, General Plan Policy HS-5.2 limits development of new sensitive land uses near uses involving hazardous materials, and HS-6.1 requires proper storage and disposal of hazardous materials (General Plan EIR p. 12-29). Additionally, future development proposals will be reviewed by the County to ensure no hazardous or incompatible land use will be permitted within proximity to a school. The C-3 District would not result in any new or substantially more severe impacts than those already analyzed in the General Plan EIR (General Plan EIR p. 12-29).

- d. Development anticipated in the General Plan could be situated at a location that is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, could create a significant hazard to the public or environment. The General Plan EIR determined that in addition to various state programs that require the clean-up of contaminated sites, the County would regulate hazardous material concerns and site contamination on a case-by-case basis as part of the development site review process for any future project within the County (General Plan EIR p. 12-42). Further, the General Plan contains various goals and policies intended to reduce the impacts of hazardous sites due to contamination, and to ensure the safety of County residents, visitors, and businesses. The General Plan EIR concluded that the potential for new development in areas with residual contamination that could pose health hazards to the County's residents and visitors would be less than significant (General Plan EIR pp. 12-37- 12-40).

A search of the Envirostor website revealed that none of the C-3 District nodes are included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5, and there are no listed hazardous sites within one half mile of any Commercial Node. Therefore, future development within the C-3 District nodes would not create a hazard to the public or environment.

- e. San Benito County has two public-use airports (Hollister Municipal Airport and Frazier Lake Airpark), one private airport (Christensen Ranch Airport), and several landing strips scattered throughout the county. Buildout of the General Plan could lead to urban development and other land use activities within the area regulated by an airport land use plan, or where such a plan has not been adopted, within the vicinity of a public or private airport, resulting in a safety hazard for people residing or working in the project area. The General Plan includes numerous goals and policies that would reduce land use compatibility issues and safety concerns that could impact the capability and functionality of the County's aviation system. The General Plan EIR found that Mitigation Measure HAZ-4 would provide additional protection against airport safety hazards arising from development of urban uses and related infrastructure anticipated in the General Plan (General Plan EIR, p. 12-49). Therefore, the General Plan EIR determined that impacts related to siting of new uses near airports would be reduced to less than significant (General Plan EIR p. 12-44 - 12-49).

None of the C-3 District nodes are within an airport land use plan, within two miles of a public airport, or near a private landing strip. Therefore, future development within the C-3 District nodes would not result in a safety hazard or excessive noise for people residing or working in the node.

- f. According to the General Plan EIR, development anticipated in the General Plan would involve population growth that would result in an increased demand for emergency services within the County. Such growth would involve an increase in the current number of vehicles traveling on County roadways. As a result, in the long term, emergency response on highways and roadways could become impaired due to traffic congestion. Roadways that operate at unacceptable levels of service would be unable to accommodate efficient, timely, and safe access and emergency response, potentially interfering with emergency response or emergency evacuation plans. The General Plan contains policies to avoid emergency response and evacuation related impacts; increased traffic and increased demands on emergency services would not physically impair the implementation of an adopted emergency response and evacuation plan. The General Plan EIR found this impact to be less than significant (General Plan EIR p. 12-49- 12-50).

Future development will be required to comply with General Plan Policies HS-1.11 requiring adequate road capacity for emergencies, C-1.5 requiring transportation mitigation funding, and C-1.12 requiring minimum LOS level D to ensure adequate access and prompt response time, and would not allow any features or uses that

would interfere with an adopted emergency response plan or emergency evacuation plan (General Plan EIR p. 12-26, 12-34- 12-35). The C-3 District would not result in any new or substantially more severe impacts than those already analyzed in the General Plan EIR

- g. Refer to Section 20, Wildfire for the discussion of impacts from wildland fires.

10. HYDROLOGY AND WATER QUALITY

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	No Substantial Increase in the Severity of Previously Identified Significant Effects	No New Impact
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? (1,2,3,4,12, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
(1) Result in substantial erosion or siltation on- or off-site; (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(2) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite; (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(3) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or(1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(4) Impede or redirect flood flows? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? (1,2,3,4,11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments:

- a. Buildout of the General Plan would result in increased development that could result in discharges of contaminated water to surface water bodies or groundwater. The General Plan EIR did not identify significant impacts related to water quality or the violation of water quality standards or waste discharge requirements as a result of buildout of General Plan land uses, including Commercial Regional uses, that would not be reduced to a less-than-significant level by compliance with state and federal discharge requirements and General Plan policies intended to protect water quality and groundwater quality laws and regulations (General Plan EIR p.13-33 and 13-42).

Future development allowed within the C-3 District nodes would be subject to compliance with the County Code requirements for water quality and surface and groundwater quality, as well as General Plan policies, applicable state and federal regulations, and permitting requirements intended to protect water quality and surface and groundwater quality impacts. Section 19.17.005 of the County Grading Ordinance prohibits grading within 50 feet of the top bank of a stream, creek, or river. General Plan Policy LU-1.2 promotes compact and clustered development resulting in a reduced construction footprint, thereby reducing short-term pollutant loads, and reduces the extent of impervious pavement and resultant storm water runoff volume and hydrocarbon pollution (General Plan EIR p. 13-20). Policy LU-1.6 restricts development on hillsides with a 30 percent or greater slope to prevent increased storm water runoff that could contaminate surface water (General Plan EIR p. 13-21). Policy LU- 1.8 requires site plans to identify environmentally sensitive areas to assist with designing development plans that avoid such areas as feasible, and thereby minimize impacts to these resources (General Plan EIR p. 13-21). Policy LU-1.10 requires that development avoid unsuitable sites and mitigate development on environmentally sensitive lands, thereby protecting water quality by prohibiting development on steep slopes (General Plan EIR p. 13-22). Policy PFS-6.3 encourages natural storm water drainage systems to encourage groundwater recharge (General Plan EIR pp. 13-25). PFS-6.4 requires new site designs to focus on spreading and infiltrating storm water and incorporating natural watercourses when possible, thereby reducing the volume of runoff that leaves the site, minimizing storm water drainage concentrations (General Plan EIR p. 13-25). Policy PFS-6.7 requires compliance with State and Federal non-point source pollutant discharge requirements for the protection of water quality (General Plan EIR p. 13-26). Policy PFS-6.8 requires drainage systems to be designed/maintained to minimize erosion and sedimentation to prevent impacts to water quality (General Plan EIR pp. 13-25–13-26). Policy NCR-4.7 requires implementation of Best Management Practices (BMPs) during construction and operation to reduce water quality impacts from

runoff (General Plan EIR p. 13-28). Site and development specific CEQA review is speculative until the precise location of a development is known, particularly with respect to proximity to the San Benito River, Sargent Creek, and San Juan Canyon Creek. The proposed project would not result in any new or substantially more severe impacts than those already analyzed in the General Plan EIR.

- b. Buildout of the General Plan would lead to urban and other development, including construction of buildings and paving that would lead to increased impervious surfaces, thereby interfering with groundwater recharge and resulting in a decrease in groundwater volumes. The General Plan EIR did not identify significant impacts related to the decrease in groundwater supplies or interference with groundwater recharge as a result of buildout of General Plan land uses that would not be reduced to less-than-significant levels through compliance with General Plan policies intended to protect groundwater recharge directly and indirectly (General Plan EIR, p. 13-36). Further, the General Plan EIR stated that the quantity of groundwater recharge would be increased by additional urban use of Central Valley Project water with subsequent treated wastewater percolation (General Plan EIR p. 13-36). The General Plan EIR also confirms that future water supplies are sufficient to meet future water demands, recognizing that groundwater supply is available to supplement reduced imported surface water supplies during droughts and shortages (General Plan EIR p. 13-36).

The Livestock 101 and Rocks Ranch nodes lie outside the jurisdiction of any surrounding water management agency or water district (See Zoning Code Amendment for Rocks Ranch Commercial Node Addendum Section 10, Hydrology and Water Quality and Zoning Code Amendment for Livestock 101 Commercial Node Addendum Section 10 Hydrology and Water Quality). They lie an area generally underlain by granite rock formations that have reduced well yields and are more prone to overdraft. However, the Livestock 101 node includes two existing wells. One of which is a new well that produces 50- 60 gallons per minute (gpm). Rocks Ranch has six wells, including 2 wells that produce 300 gpm and 35 gpm. Additionally, future development within the proposed C-3 District nodes would be required to comply with General Plan policies, County Code requirements and applicable state and federal permitting requirements to encourage infiltration and groundwater recharge to reduce impacts to less than significant. Applicable General Plan policies include Policy PFS-6.3 which encourages natural storm water drainage systems to encourage groundwater recharge (General Plan EIR p. 13-25); Policy PFS-6.4 which requires new site designs to focus on spreading and infiltrating storm water and incorporating natural watercourses when possible (General Plan EIR p. 13-25); Policy NCR-4.5 which encourages new development to preserve, where

feasible, areas that provide important groundwater recharge (General Plan EIR p. 13-27); and Policy LU-1.2 which encourages concentrated development with reduced footprints thereby reducing development of impervious pavement and structures (General Plan EIR p. 13-20). Further, the C-3 District code provides detailed development regulations for sites already designated as regional commercial nodes by the General Plan and would not create new or substantially increase the severity of impacts on groundwater supplies or groundwater recharge than what has already been analyzed in the General Plan EIR. Section 25.16.064 (I) of the C-3 District code requires proof of a sustainable water source sufficient to serve the use or uses identified in the Master Development Plan or Use Permit shall be submitted with the Master Development Plan or Use Permit application for review and approval by the Planning Director.

The development capacity identified in the C-3 District is 235,750 square feet per node for a total of 943,000 square feet of possible development if considering all four nodes. While the General Plan EIR did not consider maximum (100 percent) buildout of the Land Use Diagram, (summarized in Table 3-7) including Commercial Regional uses, the General Plan EIR utilized conservative growth forecasts that were deemed to adequately represent reasonably foreseeable buildout of the General Plan Land Use Diagram. Because the C-3 district substantially limits development capacity compared to Commercial Regional buildout indicated in the General Plan Table 3-7, cumulative development allowed under the C-3 District would fit within the growth projections utilized in the General Plan EIR analysis. The limited development allowed within the node areas would lessen the amount of impervious surfaces thereby encouraging greater groundwater recharge. The types of land uses, amount of development, and land use patterns allowed under the proposed project would be consistent with those anticipated in the General Plan and analyzed in the General Plan EIR. The project would not result in new or substantially more severe impacts than those evaluated in the General Plan EIR.

- c. Development anticipated in the General Plan would lead to continued urban and other development that could alter existing drainage patterns and result in increases in the rate or amount of storm water runoff. The General Plan EIR found that adherence with the General Plan policies, County Grading Ordinance, and other state and federal water quality regulations would result in less-than-significant impacts related to altering existing drainage patterns in a manner that could result in destabilizing banks, flooding, substantial erosion, or siltation, or in a manner that substantially increases the rate or amount of surface runoff in a manner that would result in flooding. The General Plan also found that the impacts related to increases in the rate or amount of storm water runoff could be reduced to less-than-significant

levels with the enforcement of existing federal, state and local laws and regulations regarding storm water management, coupled with implementation of the policies set forth in the General Plan (General Plan EIR pp. 13-32- 13-38).

The types of land uses, amount of development, and land use patterns allowed in the C-3 District would be consistent with those anticipated in the General Plan and analyzed in the General Plan EIR. Future development within the C-3 District nodes would be required to comply with General Plan policies, the Grading Ordinance, applicable state and federal regulations, and permitting requirements intended to reduce and control runoff. Section 19.17.005 of the County Grading Ordinance, prohibits grading within 50 feet of the top bank of a stream, creek, or river. Policy NCR-4.4 encourages conservation and, where feasible, creation or restoration of open space areas which will protect existing drainage patterns (General Plan EIR p. 13-27). NCR-4.7 requires implementation BMPs during construction and operation to reduce runoff (General Plan EIR p. 13-28). General Plan Policy PFS-6.3 encourages the use of natural storm water drainage systems (General Plan EIR p. 13-23). Policy PFS-6.7 requires compliance with State and Federal non-point source pollutant discharge requirements (General Plan EIR p. 13-26). PFS-6.8 requires drainage systems to be designed/maintained to minimize erosion and sedimentation to prevent impacts to water quality (General Plan EIR p. 13-26). Policy LU-1.2 promotes compact and clustered development resulting in a reduced construction footprint thereby reducing short-term pollutant loads and reduces the extent of impervious pavement and resultant storm water runoff volume (General Plan EIR p. 13-20). Policy LU-1.6 restricts development on hillsides with a 30 percent or greater slope to prevent increased storm water runoff (General Plan EIR p. 13-21). General Plan Policy LU-1.8 requires site plans, tentative maps, and parcel maps must depict environmentally sensitive areas (General Plan EIR p. 13-21). By requiring site plans to identify 30 percent or greater slopes and severe erosion hazards prior to project approval. LU-1.10 requires that development avoid unsuitable sites and mitigate development on environmentally sensitive lands thereby limiting runoff by prohibiting development on steep slopes (General Plan EIR p.13-22). PFS-6.4 requires new site designs to focus on spreading and infiltrating storm water and incorporating natural watercourses when possible, thereby reducing the volume of runoff that leaves the site minimizing any potential for erosion or flooding downstream of the site (General Plan EIR p. 13-25). Additionally, the C-3 District provides detailed development regulations for the nodes and, as previously discussed, limits development intensity allowed within the nodes. Therefore, the potential for impacts to drainage patterns resulting in storm water runoff would be lessened (General Plan EIR p. 13-28). The proposed project would not result in new or substantially more severe environmental impacts than those already analyzed in the General Plan EIR.

- d. San Benito County is located a significant distance from the coast or any sizeable lakes, thereby eliminating the potential for a tsunami or seiche. Buildout of the General Plan may lead to development within regulatory floodplains. The General Plan EIR did not identify significant impacts related to inundation in flood hazard zones as a result of buildout of General Plan land uses that would not be reduced to less-than-significant levels through compliance with General Plan policies and requirements of the Federal Emergency Management Agency (FEMA) (General Plan EIR pp. 13-43- 13-44).

While portions of the State Route 129 and Betabel nodes lie within 100-year floodplains, the C-3 District code provides detailed development regulations for sites designated as Regional Commercial nodes in the General Plan and would not result in more development than identified in the General Plan and analyzed in the General Plan EIR. Section 25.16.066 of the C-3 District code states that flood zones designated by the FEMA must be included within flood zone reservations. Per Section 25.16.066 (E), development in flood zone reservations will be restricted to driveways, parking, signs, picnicking, sports, temporary structures, freestanding signs, and permanent structures that are in compliance with the provisions of Chapter 19.15. Future development within the project site would be required to comply with FEMA standards and would be subject to General Plan policies intended to reduce flooding risks. Policy LU-1.8 requires site plans, tentative maps, and parcel maps to depict environmentally sensitive areas (General Plan EIR p. 13-21). By requiring site plans to identify 100-year floodplains prior to project approval, the policy advocates avoidance of structures in those areas, or adequate mitigation for any structures deemed necessary (General Plan EIR p. 13-21). Policy LU-1.10 requires that development avoid unsuitable sites and mitigate development on environmentally sensitive lands thereby limiting runoff by prohibiting development on steep slopes (General Plan EIR p. 13-22). Policy H-2.1 requires a minimum 100-year flood protection for all new development in accordance with local, State, and Federal requirements to avoid or minimize the risk of flood damage (General Plan EIR p. 13-29). Site specific analysis is not practical until the precise location of a development project is known. The C-3 District would not result in any new or substantially more severe impacts than those already analyzed in the General Plan EIR.

- e. The December 2018 amendments to Appendix G of the CEQA Guidelines introduced this new checklist question as a part of the Hydrology and Water Quality section. The General Plan EIR does not include an evaluation of the impacts as a result of the General Plan conflicting with or obstructing implementation of a water quality control plan or sustainable groundwater management plan. Although the San Benito County Water District is in the process of drafting a Groundwater Sustainability Plan,

there is currently no plan by which to evaluate consistency. However, the General Plan EIR identified that conformance with the applicable General Plan policies and regulatory programs that require implementation of site design measures, low-impact development methods and best management practices would prevent adverse impacts to water quality and surface and groundwater quality. Additionally, General Plan Policy NCR-4.1 states that the County shall consider implementing the Regional Water Quality Control Board Basin Plan policies to improve areas of low water quality, maintain water quality on all drainage, and protect and enhance habitat for fish and other wildlife on major tributaries to the Pajaro River (San Benito River, Pacheco Creek) and the Silver Creek watershed (General Plan EIR p. 13-27).

The C-3 District code would not conflict with any water quality control plan or sustainable groundwater management plan, and future development will be required to comply with these specific plans as well. Future development within the C-3 District nodes would be required to comply with General Plan policies, including Policy NCR-4.7, which requires implementation BMPs during construction and operation to reduce runoff, and Policy PFS-6.2, which requires implementation of BMPs (e.g., Low Impact Development) in the development, upgrading, and maintenance of storm water facilities and services to reduce pollutants from entering natural water bodies while allowing storm water reuse and groundwater recharge. Future projects would also be required to comply with applicable state and federal regulations. Therefore, the proposed project would not interfere with these policies and regulations. The proposed project would not result in impacts.

11. LAND USE AND PLANNING

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	No Substantial Increase in the Severity of Previously Identified Significant Effects	No New Impact
a. Physically divide an established community? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause any significant environmental impact due to a conflict with any land-use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

- a. Although the General Plan has been designed to support orderly and well-balanced development patterns, development anticipated in the General Plan could physically divide a community. The General Plan EIR did not identify significant impacts related to physically dividing an established community that would not be reduced to less than significant through compliance with General Plan policies and goals together with Mitigation Measures LU-1a and LU-b; these mitigation measures would ensure that the County consider community integrity when reviewing proposals for new developments (General Plan EIR p. 14-44). The General Plan identified Commercial Regional “node” areas, and the General Plan EIR specifically determined that the Commercial Regional nodes would minimize the division of established communities (General Plan EIR p. 14-41).

The proposed project implements the corresponding C-3 District zoning for the Commercial Regional land use node designations that were analyzed in the General Plan EIR. No changes to the conclusions of the General Plan EIR would occur with implementation of the proposed project. Therefore, the C-3 District would not result in any new or substantially more severe impacts than those already analyzed in the General Plan EIR.

- b. General plan policies addressing environmental resources were reviewed for applicability and consistency with the proposed project. The County did not identify any applicable policies with which the C-3 District conflicts.

12. MINERAL RESOURCES

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	No Substantial Increase in the Severity of Previously Identified Significant Effects	No New Impact
a. Result in loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in the loss of availability of a locally important mineral resource recovery site delineated in a local general plan, specific plan, or other land-use plan? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

- a,b. Mineral resources in the County are primarily sand and aggregate based and include 33 million tons of permitted sand and gravel reserves, 113 million tons of unpermitted sand and gravel reserves, and 386 million tons of crushed rock resources in the northern portions of the County (General Plan EIR, p. 10-37). There are several goals and policies set forth in the General Plan that address mineral resource losses that could result from development consistent with the General Plan, including General Plan Goal NCR-5 to protect and support economically viable mineral resource extraction while avoiding land use conflicts and environmental impacts from current and historical mining activities (General Plan EIR p. 10-27) and General Plan Policy NCR 5.1 which prevents incompatible urban or other inappropriate encroachment into valuable mineral resource areas (General Plan EIR p. 10-27). The General Plan EIR concluded that the General Plan policies contained in the Natural and Cultural Resources Element would avoid or reduce the loss of known mineral resources or a locally important mineral resource recovery site, resulting in a less-than-significant impact (General Plan EIR, p. 10-36- 10-38).

No mineral resources are identified within the four C-3 District node boundaries. The nodes were designated for Regional Commercial uses in the General Plan and analyzed in the General Plan EIR. Future development of the nodes would be subject to the applicable General Plan goals and policies related to mineral resource protection and would not interfere with the intention of these policies. Therefore, the proposed project would not result in any new or substantially more severe impacts than those already analyzed in the General Plan EIR.

13. NOISE

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	No Substantial Increase in the Severity of Previously Identified Significant Effects	No New Impact
a. Result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or in applicable standards of other agencies? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in generation of excessive ground-borne vibration or ground borne noise levels? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. For a project located within the vicinity of a private airstrip or an airport land-use plan or, where such a plan has not been adopted, within two miles of a public airport or public-use airport, expose people residing or working in the project area to excessive noise levels? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

The development capacity identified in the C-3 District is 235,750 square feet per node for a total of 943,000 square feet if considering all four nodes. While the General Plan EIR did not consider maximum (100 percent) buildout of the Land Use Diagram, (summarized in Table 3-7) including Commercial Regional uses, the General Plan EIR utilized conservative growth forecasts that were deemed to adequately represent reasonably foreseeable buildout of the General Plan Land Use Diagram; because General Plan EIR Table 3-7 indicated up to 4,390,000 square feet of development, even a conservative forecast of the amount of development encompassed under the Commercial Regional designation would far exceed the 943,000 square feet of possible future development at maximum buildout of all four nodes. The C-3 district substantially limits development capacity compared to Commercial Regional buildout indicated in General Plan Table 3-7, such that cumulative development allowed under the C-3 District would fit within the envelope of the growth projections utilized in the General Plan EIR (General Plan EIR p. 3-43). Additionally, the uses allowed within the C-3 District, which include shopping centers, truck and automobile stations, tourist-serving commercial uses, and hotels/motels, are

consistent with the Commercial Regional uses identified in the General Plan and analyzed in the General Plan EIR. The C-3 District would not result in new or substantially more severe noise impacts beyond those identified in the General Plan EIR.

- a. Development anticipated in the General Plan could lead to increases in transportation-generated noise levels along existing streets and highways. Increased noise levels could exceed noise levels deemed acceptable by the County for existing sensitive uses. The General Plan includes policies that would ensure that no noise-sensitive land uses would be exposed to noise levels generated by new noise-producing uses in excess of County standards. The General Plan EIR identified policies that would reduce noise impacts. Policy HS-8.1 establishes maximum acceptable noise levels for both transportation and non- transportation noise sources, and requires mitigation where noise levels exceed levels deemed acceptable (General Plan EIR p. 15-19). Policy HS-8.2 requires an acoustical analysis to be performed prior to any development approval (except those allowed by right) where proposed land uses may produce or be exposed to noise levels exceeding the “normally acceptable” criteria (General Plan EIR p. 15-19). Mitigation Measure NSE-1, reflected in Policy HS- 8.9, requires implementation of State minimum noise insulation interior performance standard of 45 dBA Ldn for residential and motel/hotel uses, which will reduce noise levels arising from the development (General Plan EIR p. 15-23 - 15-24). Mitigation Measure NSE-4 requires the installation of noise barriers and other appropriate noise mitigation measures to reduce traffic noise levels at sensitive receptor locations (General Plan EIR, p. 15-29 – 15-30). Although a combination of the General Plan policies and Mitigation Measure NSE-1 and NSE-4 could be highly effective in reducing noise levels on a countywide basis, it is not possible to state with absolute certainty that it would be possible to mitigate this impact at every noise-sensitive use within the County. As a result, this impact would remain significant and unavoidable (General Plan EIR pp. 15-23- 15-30).

The General Plan EIR determined that buildout of the General Plan would facilitate the construction of new projects within the County (General Plan EIR p. 15-30). Residences and businesses located adjacent to proposed development sites could be affected at times by construction noise. Major noise-generating construction activities associated with new projects would include removal of existing pavement and structures, site grading and excavation, the installation of utilities, the construction of building cores and shells, paving, and landscaping. Future development would be required to comply with the County’s Noise Control Ordinance, Chapter 19.31. Section 19.31.030 establishes maximum permissible noise levels for Commercial uses with which future development must comply. Policy HS-8.1 establishes maximum

acceptable noise levels for both transportation and non-transportation noise sources, and requires mitigation where noise levels exceed levels deemed acceptable (General Plan EIR pp. 15-19, 15-28). General Plan Policy HS-8.3 limits construction activities to between the hours of 7:00 a.m. to 6:00 p.m. on weekdays, and within the hours of 8:00 a.m. to 5:00 p.m. on weekends (General Plan EIR p. 15-19). In addition to policies set forth in the General Plan, the General Plan EIR identified the following mitigation measures/policies to reduce short-term noise impacts associated with construction activity to less-than-significant levels: NSE-5a (Policy HS-8.3) limits construction noise (General Plan EIR p. 15-32 and 15-33); NSE-5b, reflected in Code section 19.39.051 (H) of the San Benito County Code of Ordinances, limits times that noise generating construction activities would be exempt from County noise control regulations to between the hours of 7:00 a.m. to 6:00 p.m. on weekdays and 8:00 am and 5:00 pm on Saturdays (no construction shall be allowed on Sundays or federal holidays) (General Plan EIR p. 15-33); NSE-4 (Policy HS-8.11) requires new projects to include appropriate noise mitigation measures to reduce noise levels in compliance with the County standards within sensitive areas (General Plan EIR p. 15-19, 15-28); and, NSE-5c (Policy HS-8.12) requires all construction projects that will be constructed within 500 feet of sensitive receptors to develop and implement construction noise control plans that include construction noise level controls to reduce noise levels as low as practical (General Plan EIR p. 15-33).

Future development within the C-3 District nodes would be required to comply with the above General Plan and County Code noise reduction measures. The development capacity for the C-3 District is limited to 235,750 square feet per node for a total of 943,000 square feet for four nodes. Because General Plan EIR Table 3-7 identified up to 4,390,000 square feet of development, even a conservative forecast of the amount of development encompassed under the Commercial Regional designation would far exceed the 943,000 square feet of possible future development at maximum buildout of all four nodes. Additionally, the uses allowed by the C-3 District are consistent with those allowed within the Commercial Regional land use designations and those analyzed in the General Plan EIR and would not generate unique sources or noise levels beyond those identified in the General Plan EIR. The C-3 District would not result in any new or substantially more severe impacts than those already analyzed in the General Plan EIR. Additional site/development specific analysis is not practical until a specific development project is proposed because the precise location, amount of construction at any given time, and proposed uses are not yet known, and these factors will determine the construction and operational noise generated.

- b. The General Plan could facilitate the construction of sensitive land uses within portions of the County where known vibration sources exist or are currently planned, primarily along the existing active railroad corridors or where ground-borne noise levels exceed County noise standards. The General Plan EIR did not identify significant impacts related to excessive ground-borne vibration or noise levels that would not be reduced to less-than-significant levels through compliance with General Plan policies (General Plan EIR p. 15-26).

The C-3 District does not allow for unique uses or intensify uses that will expose people to ground-borne vibration or noise levels. Future development within the C-3 District nodes will be required to comply with all noise regulations and General Plan policies intended to prevent or reduce ground-borne vibration. General Plan Policy HS-8.6 requires new residential and commercial uses located adjacent to major freeways to follow the Federal Transit Administration (FTA) screening distance criteria (General Plan EIR p. 15-20). Therefore, the County will require any development proposal to undergo project-level review. Project level review at this time is impractical because no specific development project is proposed and the precise location of buildings will determine the risk for excessive ground-borne vibration or noise. Per Section 25.16.066 (D) of the C-3 District code, future development would be required to be set back at least 35 feet from the street and 150 feet from U.S. Highway 101 travel lanes, which would largely eliminate potential noise impacts. The C-3 District would not result in any new or substantially more severe impacts related to excessive ground-borne vibration or noise levels than those identified and addressed in the General Plan EIR.

- c. According to the General Plan EIR, buildout of the General Plan could lead to the development of sensitive land uses in areas that would be subject to adverse noise levels from aircraft operations and introduce new uses within the airport land use compatibility plan areas that could expose existing sensitive land uses to additional excessive noise levels not from aircraft. The General Plan EIR did not identify significant impacts related to the exposure of excessive noise levels within the Hollister Municipal Airport or the Frazier Lake Airpark airport land use compatibility plan or a private airstrip that would not be reduced to less than significant through the combined compliance of applicable General Plan policies and Mitigation Measure NSE-6 (General Plan EIR p. 15-34).

According to General Plan Figure 3-2, the C-3 District nodes are not located within two miles of the two County airports, Hollister Airport and Frazier Lake Airpark, or within the vicinity of a private airstrip or an airport land-use plan. Therefore, the C-3 District would not expose people residing or working in the C-3 node areas to excessive noise levels.

14. POPULATION AND HOUSING

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	No Substantial Increase in the Severity of Previously Identified Significant Effects	No New Impact
a. Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

- a. The General Plan EIR utilized population, housing, and employment forecasts through the year 2035 to evaluate the “reasonably foreseeable” direct and indirect impacts of General Plan buildout (“projected 2035 buildout”). The level of growth and development that would be enabled by the 2035 General Plan, or projected 2035 buildout was based on the 2008 AMBAG population forecasts and the Department of Finance and US Census historical employment and dwelling unit forecasts for the County (General Plan EIR p. 4-5- 4-9). According to the 2008 AMBAG forecast, by 2035 the County population is projected to increase by approximately 39,500 residents for a total population of 94,731, including incorporated cities. Additionally, using the historic Department of Finance and US Census historical forecast of 0.287 jobs per resident and 2.70 persons per dwelling unit, anticipated employment is 7,500 to 8,600 new jobs and anticipated new dwelling units that could accommodate the anticipated population growth would be 13,545 units within the unincorporated County by 2035. The forecasts were deemed conservative estimates of buildout and were used to analyze the impacts associated with the reasonably foreseeable development of uses identified in Table 3-7 of the EIR, including Commercial Regional uses.

While the General Plan EIR did not consider maximum (100 percent) buildout of the Land Use Diagram, (summarized in Table 3-7) including Commercial Regional uses, the General Plan EIR utilized conservative growth forecasts that were deemed to

adequately represent reasonably foreseeable buildout of the General Plan Land Use Diagram. Because General Plan EIR Table 3-7 identified up to 4,390,000 square feet of development, even a conservative forecast of the amount of development encompassed under the Commercial Regional designation would far exceed the 943,000 square feet of possible future development at maximum buildout of all four nodes. The C-3 district substantially limits development capacity compared to Commercial Regional buildout indicated in the General Plan EIR Table 3-7, and cumulative development allowed under the C-3 District would fit within the growth projections utilized in the General Plan EIR analysis. Section 25.16.065 (F) of the C-3 District code allows for limited residential development at each node (30 units per node). The growth projections identified in the General Plan EIR would conservatively capture potential cumulative future buildout and associated growth associated with the C-3 District, because overall development is substantially limited per node compared to development considered in the General Plan EIR. Therefore, population growth associated with the C-3 District was adequately analyzed by the General Plan EIR.

The General Plan EIR identified substantial unplanned population growth as a result of the General Plan implementation as a significant and unavoidable impact. The C-3 District would not change the conclusions of nor would it result in any new or substantially more severe impacts than those already analyzed in the General Plan EIR.

- b. The General Plan EIR states that because the General Plan envisions development projects only in locations depicted by the General Plan maps, and contains goals and policies to preserve existing neighborhoods and housing under the 2007-2014 Housing Element, implementation of the General Plan land uses would not displace substantial population or housing, resulting in a less-than-significant impact (General Plan EIR p. 16-21).

The types of land uses, amount of development, and land use patterns allowed under the C-3 District would be consistent with those analyzed in the General Plan EIR. The cumulative commercial node sites identified for inclusion in the proposed C-3 District are either vacant or occupied principally by commercial development. The C-3 District code Section 25.16.065 (F) allows for housing at 30 units per node. Therefore, the proposed project would not result in displacement-related impacts not already analyzed in the General Plan EIR.

15. PUBLIC SERVICES

Would the project result in substantial adverse physical impacts associated with the provision of or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	No Substantial Increase in the Severity of Previously Identified Significant Effects	No New Impact
a. Fire protection? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Police protection? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Schools? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Parks? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Other public facilities? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

- a-e. Buildout of the General Plan would allow development and the construction of residential and non-residential uses and related infrastructure that would increase the demand for public services within the unincorporated County and result in the expansion or construction of new facilities. The General Plan EIR did not find significant impacts to the County's ability to provide fire protection, law enforcement, schools, parks, and other services at a community-level that could not be reduced to a less than significant level with implementation of General Plan policies. The General Plan EIR also noted that plans for new public facilities would need to be evaluated on a case-by-case basis and undergo project-level environmental review.

The development capacity identified in the C-3 District is 235,750 square feet per node for a total of 943,000 square feet for four nodes. While the General Plan EIR did not consider maximum (100 percent) buildout of the Land Use Diagram, (summarized in Table 3-7) including Commercial Regional uses, the General Plan EIR utilized conservative growth forecasts that were deemed to adequately represent reasonably foreseeable population growth/buildout of the General Plan Land Use Diagram; because General Plan EIR Table 3-7 identified up to 4,390,000 square feet of development, even a conservative forecast of the amount of development

encompassed under the Commercial Regional designation would far exceed the 943,000 square feet of possible future development at maximum buildout of the four nodes. The C-3 District substantially limits development capacity compared to Commercial Regional buildout indicated in General Plan Table 3-7, such that cumulative development allowed under the C-3 District would fit within the growth projections utilized in the General Plan EIR. Additionally, the uses allowed within the C-3 District are consistent with the Commercial Regional uses identified in the General Plan and analyzed in the General Plan EIR, which include shopping centers, truck and automobile stations, tourist-serving commercial uses, and hotels/motels (General Plan p. 3-6; General Plan EIR p. 3-37). Therefore, the rezone of four nodes would not cumulatively generate population growth not already analyzed in the General Plan EIR and would subsequently not increase demands for public services beyond those analyzed in the General Plan EIR. Future development within the C-3 District nodes would be required to pay all required impact fees and would be subject to General Plan policies intended to ensure adequate service provision including Policies PFS-1.11 (pay fair share) (General Plan EIR, p. 17-23), PFS-1.12 (requirement to mitigate service impacts through fees or other methods) (General Plan EIR, p. 17-23), PFS-12.5 (incorporate crime prevention into development design) (General Plan EIR, p. 17-25), PFS-13.6 (visible signage to aid in emergency response) (General Plan EIR, p. 17-26), PFS-13.9 (all development must will be reviewed for compliance with the California Fire Code and other State laws) (General Plan EIR, p. 17-26), and LU-1.1 (consolidate development where infrastructure and services are available) (General Plan EIR, p. 17-27). The C-3 District would not result in any new or substantially more severe impacts than those already analyzed in the General Plan EIR.

16. RECREATION

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	No Substantial Increase in the Severity of Previously Identified Significant Effects	No New Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

- a,b. The General Plan plans for development due to population growth, which would increase the use of and overall demand for existing park and recreational facilities within the County, such that existing recreational conditions would deteriorate and new recreational amenities would be needed. The County utilizes a standard of five acres of parkland for every 1000 residents (Policy NCR-3.2 - General Plan EIR, p. 18-16). The General Plan EIR determined that the County already has enough parkland to meet its requirements at buildout for County parks and recreation areas (it already provides 899 acres, and only 474 acres are required at buildout) (General Plan EIR, p. 18-24). The General Plan EIR determined that the General Plan contains goals and policies to adequately maintain existing facilities and fund the development of new park facilities to serve new residents and visitors and impacts would be less than significant (General Plan EIR, p. 18-23). Further, project-level impacts from new recreational facilities would be evaluated on a case-by-case basis through the environmental review process (General Plan EIR pp. 18-23- 18-24).

The types of land uses allowed under the proposed C-3 District code are consistent with the land uses analyzed in the General Plan EIR, which include shopping centers, truck and automobile stations, tourist-serving commercial uses, and hotels/motels. Therefore, the proposed project would not generate population growth not already analyzed in the General Plan EIR and would subsequently not increase demands for parks and other recreational facilities beyond those analyzed in the General Plan EIR. Future development will be subject to Policy NRC-3.2 which requires that the park

ratio standard be met (General Plan EIR, p. 18-16); Policy NRC-1.2 encourages the establishment and protection of open space (General Plan EIR, p. 18-15); Policy PFS-1.9 which requires evaluation of public facility capacity, level of service, and funding needs when reviewing new projects (General Plan EIR, p. 18-22), and the numerous circulation policies (Policies C-1.2, C-2.1 to C-2.3, C-2.12) aimed at promoting bicycling, walking, and equestrian activities. In addition, future development within the C-3 District nodes would be required to pay all required impact fees (General Plan EIR p. 18-18 - p. 18-21). The C-3 District would not result in any new or substantially more severe impacts than those already analyzed in the General Plan EIR.

17. TRANSPORTATION

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	No Substantial Increase in the Severity of Previously Identified Significant Effects	No New Impact
a. Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Would the project conflict or be inconsistent with CEQA guidelines section 15064.3, subdivision (b)? (1,2,3,4,8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in inadequate emergency access? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

The General Plan EIR analyzed transportation impacts using Level of Service (LOS) standards. The 2019 amendments to Appendix G of the State CEQA Guidelines recommend addressing vehicle miles traveled (“VMT”) as a metric for determining the significance of transportation impacts, as codified in the CEQA Guidelines Section 15064.3, subd (b). Although the State CEQA Guidelines identify July of 2020 as the implementation date for using this new metric, the County has chosen to use the new VMT metric in this addendum; however, a discussion of the proposed project’s LOS impacts compared to the amount of development evaluated in the General Plan EIR is also included at the end of this section.

- a. The General Plan EIR analyzed transportation impacts under two potential growth scenarios: Scenario 1, where growth would occur in the unincorporated area of the County in and around the City of Hollister Sphere of Influence, and Scenario 2, where the growth would be roughly equal to that expected under Scenario 1 but that the development would occur both in and around Hollister and along the State Route 25 corridor to the north.

The General Plan EIR identified significant and unavoidable impacts related to the performance of a circulation system for both Scenario 1 and Scenario 2, as a result of buildout of the General Plan land uses (General Plan EIR p. 19-51). Significant and unavoidable traffic impacts were identified on State Route 25 and State Route 156 (General Plan EIR p. 19-54, 19-55), but no significant traffic impacts were identified on U.S. Highway 101 or State Route 129. Mitigation Measures TC-1a.i through TC-1f are intended to maintain acceptable levels of service on all state highways and freeways and local roadway segments with associated key intersections (General Plan EIR p. 19-52 - 19-64). However, these measures require cooperation and potentially funding from agencies other than the County, so implementation of these improvements cannot be guaranteed solely through the County's actions. As a result, the impact would be significant and unavoidable for State Route 25 and State Route 156, but remain less than significant U.S. Highway 101 or State Route 129 (General Plan EIR pp. 19-51- 9-55).

Conversely, the General Plan EIR did not identify a significant impact regarding conflicts with adopted plans and policies specifically related to alternative transportation including as public transit, bicycle, and pedestrian facilities, as a result of buildout of the General Plan land uses, that would not be reduced to a less-than-significant level with compliance of the comprehensive General Plan policy support for alternative transportation modes (General Plan EIR p. 19-75).

The development capacity identified in the C-3 District is 235,750 square feet per node for a total of 943,000 square feet of possible development for four nodes. While the General Plan EIR did not consider maximum (100 percent) buildout of the Land Use Diagram (summarized in Table 3-7) including Commercial Regional uses, the General Plan EIR utilized conservative growth forecasts that were deemed to adequately represent reasonably foreseeable buildout of the General Plan Land Use Diagram. Because General Plan EIR Table 3-7 indicated up to 4,390,000 square feet of development, even a conservative forecast of the amount of development encompassed under the Commercial Regional designation would far exceed the 943,000 square feet of possible future development at maximum buildout of all four nodes. Because the C-3 District substantially limits development capacity compared to Commercial Regional buildout indicated in the General Plan Table 3-7, cumulative development allowed under the C-3 District would fit within the growth projections utilized in General Plan EIR. Additionally, the uses allowed within the C-3 District are consistent with the Commercial Regional uses identified in the General Plan and analyzed in the General Plan EIR which include shopping centers, truck and automobile stations, tourist-serving commercial uses, and hotels/motels (General Plan p. 3-6; General Plan EIR p. 3-37). Therefore, the types of land uses, amount of

development, and land use patterns allowed under the proposed C-3 District would be consistent with those analyzed in the General Plan EIR and, therefore, would generate vehicle trips and traffic patterns similar to those analyzed in the General Plan EIR. Due to the nature of the uses allowed within the nodes and their locations along a major regional corridor, a significant number of trips are expected to be pass-by trips, trips that were already using U.S. Highway 101, but diverted to the project site. The percentage of pass-by trip diversions will be estimated for the project site, and for the cumulative sites, when specific development applications are processed. The C-3 District would not create any changes to the County's circulation system that would conflict with the San Benito County Governments' Regional Transportation Plan, an ordinance, or a policy addressing the circulation system. The C-3 District would not exacerbate the significant and unavoidable conflict with state and local roadway improvements requiring cooperation and potentially funding from agencies other than the County. Further, the future development would be required to comply with General Plan policies that provide for an integrated network of bicycle facilities, support an expanded and better connected pedestrian network, and plan for the needs of transit users. Therefore, the proposed project would not result in any new or substantially more severe impacts than those already analyzed in the General Plan EIR.

- b. Due to the 2019 amendment of the CEQA Guidelines, CEQA Guidelines section 15064.3, subdivision (b), which provides criteria for analyzing transportation impacts by using vehicle miles traveled (VMT), was not specifically evaluated within the General Plan EIR. However, the types of land uses, amount of development, and land use patterns allowed under the proposed project would be consistent with those analyzed in the General Plan EIR. Development allowed under the proposed project would generate vehicle trips and traffic patterns similar to those analyzed in the General Plan EIR.

The C-3 District nodes are not currently located within one-half mile of a high quality transit corridor. However, due to the nature of the uses and their locations along a major regional corridor, a significant number of trips are expected to be pass-by trips, trips that were already using U.S. Highway 101, but diverted to the project site. The percentage of pass-by trip diversions will be estimated for the cumulative sites, when specific development applications are processed.

In addition, future development within the C-3 District nodes would implement, and subsequently comply with, multiple General Plan policies, which have been determined to reduce VMT. Table 2 presented below provides a list of General Plan policies that reduce the VMT for development projects (General Plan EIR p. 11-37).

Table 2 2035 General Plan Policies that Reduce VMT

General Plan Policies	How the Policies Avoid or Reduce VMT
<p>LU-1.2 The County shall promote compact, clustered development patterns that use land efficiently; reduce pollution and the expenditure of energy and other resources; and facilitate walking, bicycling, and transit use; and encourage employment centers and shopping areas to be proximate to residential areas to reduce vehicle trips. Such patterns would apply to infill development, unincorporated communities, and the New Community Study Areas. The County recognizes that the New Community Study Areas comprise locations that can promote such sustainable development.</p>	<p>Encourages sustainable development patterns that reduce energy use and encourage walking, bicycling, and transit use. Reduces VMT and associated GHG emissions.</p>
<p>LU-2.7 The County shall encourage new development in locations that provide connectivity between existing transportation facilities to increase efficiency, reduce congestion, and improve safety.</p>	<p>Requires new development to be located adjacent to transportation corridors. Reduces VMT and GHG emissions.</p>
<p>LU-5.1 The County shall encourage new Commercial Neighborhood (CN) nodes, as shown on the Land Use Diagram, so long as they are located within a reasonable walking distance of a community, are centrally located to serve an unincorporated community that is lacking neighborhood commercial services, or where the need for expanded neighborhood commercial services can be demonstrated. The County shall encourage neighborhood commercial uses to connect to residential uses along transit corridors and bicycle and pedestrian paths, as appropriate to the context, and include appropriate transit, bicycle, and pedestrian facilities.</p>	<p>Limits new neighborhood commercial to locations near residences. Reduces VMT to and from commercial centers and offices and associated GHG emissions.</p>
<p>LU-5.3 The County shall encourage new Commercial Regional (CR) nodes to be located at or near existing or future highway interchanges, major intersections, and along existing or future transit facilities. Facilities should be located consistent with Figure 3-5 (and exclude the intersection of U.S. Highway 101 and State Route 156). In order to respect the scenic character of the county, new development at these commercial nodes shall be subject to design review before the County Planning Commission. Further, development within these commercial nodes is encouraged to contribute to the preservation of scenic areas along the designated scenic corridors within the County. The County shall also encourage additional access to new regional commercial centers through bicycle and pedestrian connections from residential uses as appropriate to the context.</p>	<p>Encourages regional commercial centers to be located near highway interchanges and transportation infrastructure. Reduce VMT to and from commercial centers and offices and associated GHG emissions.</p>
<p>LU-5.7 The County shall encourage both vertical and horizontal mixed-use development within community centers and near or along transportation and transit corridors, bicycle paths, and pedestrian and trail routes as a means of providing efficient land use, housing, and transportation options for county residents. The County shall ensure that mixed use developments include appropriate transit, bicycle, and pedestrian facilities.</p>	<p>Encourages mixed-use development by reducing the distances between residences and employment centers, which would reduce VMT to and from commercial centers and offices and associated GHG emissions.</p>
<p>LU-6.2 Where appropriate, the County shall encourage new employment centers and industrial developments near existing or future highway interchanges and major intersections and along existing or future transit, bicycle, and pedestrian and trail corridors, and include transit, bicycle, and pedestrian facilities. The County shall ensure that industrial uses and employment center developments include appropriate transit, bicycle, and pedestrian facilities.</p>	<p>Encourages new employment centers and industry to locate near transportation infrastructure. These policies would encourage alternative modes of transportation, reduce VMT associated with employment centers and industry, and reduce GHG emissions.</p>
<p>Goal C-1: Roadways To provide an adequate road system that is safe, efficient, reliable, and within the County's ability to finance and maintain.</p>	<p>Establishes the policy of the County to provide an adequate roadway system.</p>
<p>C-1.1 Intermodal Connectivity The County shall ensure that, whenever possible, roadway, highway, public transit systems, and pedestrian and bicycle trails are interconnected with other modes of transportation.</p>	<p>Encourages intermodal connectivity to encourage other forms of transportation and reduce VMT.</p>

General Plan Policies	How the Policies Avoid or Reduce VMT
Goal C-2: Pedestrian, Equestrian, and Bicycle Trails To provide a safe, continuous, and accessible system of facilities for bicycle and pedestrian travel in appropriate areas of the County.	Encourages non-vehicular modes of travel to reduce congestion and facilitate safety.
Policy C-2.1: Bicycle, Pedestrian, and Equestrian Systems. The County shall encourage complete, safe, and interconnected bicycle, pedestrian, and equestrian systems that serve both commuter travel and recreational use, and provide access to major destinations in the County.	Encourages non-vehicular modes of travel to reduce congestion and facilitate safety.
Policy C-2.2 The County shall plan, design, and construct pedestrian routes and bikeways consistent with the 2009 County Bikeway and Pedestrian Master Plan or its succeeding plan. Priority shall be given to bicycle commuting routes, routes to schools, bike lanes on all new streets classified as arterials or collectors, and bike lanes on or adjacent to existing heavily traveled roads.	Prioritizes non-vehicular route construction to encourage alternative modes of travel to reduce congestion.
Policy C-2.8: Sidewalks or Pedestrian Paths in Subdivisions The County shall encourage project applicants to provide sidewalks or other safe and convenient accommodations for pedestrians (e.g., shared- space streets) on all new roads or modifications to existing roads, as appropriate to the context, in accordance with County roadway design standards.	Requires that safe pedestrian circulation be provided, promoting safe pedestrian travel and thereby reducing vehicle usage and congestion.
Policy C-2.12: Pedestrian Improvements The County shall work with SBCOG to support the installation of roadway improvements that better accommodate pedestrians, such as countdown signals at signalized intersections, audible signals for the visually-impaired and pedestrian-friendly signal timing.	Requires that safe pedestrian circulation be provided, promoting safe pedestrian travel and thereby reducing vehicle usage and congestion.

Source: County of San Benito General Plan and Draft EIR

NOTE: The General Plan states that sustainability, greenhouse gas emissions reduction, and climate change adaptations are addressed by policies throughout the General Plan. Each policy that promotes sustainability or addresses climate change is indicated with a [world] icon (page 1-23). Consistent with this statement, the policies listed within the table above all promote sustainability and/or address climate change.

Future development allowed by the C-3 District would be required to implement, and subsequently comply with, the applicable General Plan policies listed within Table 2 above. As stated within CEQA Guidelines section 15064.3, subdivision (b)(2), projects that reduce VMT should be presumed to have a less-than-significant impact. General Plan Policy LU-5.3 encourages the creation of the Commercial Nodes to be located at or near existing or future highway interchanges, major intersections, and along existing or future transit facilities to reduce the number of vehicle miles traveled to get to commercial centers (General Plan EIR p. 19-40). This policy also encourages additional access to new regional commercial centers through bicycle and pedestrian connections from residential uses as appropriate to the context to reduce VMT (General Plan p. 3-23- 3-24). Therefore, the C-3 District, as implementation of General Plan Policy LU-5.3, and consistent with the General Plan, would result in decreased VMT. Further, the proposed project would not result in any new or substantially more severe transportation impacts than those evaluated within the General Plan EIR, and would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).

- c. The General Plan EIR did not identify significant impacts related to a substantial increase in hazards due to a geometric design feature or incompatible use, as a result of buildout of the General Plan land uses, that would not be reduced to a less-than-significant level through compliance with General Plan policies and programs intended to avoid or reduce future traffic hazards; no mitigation is required (General Plan EIR p. 19-73).

The proposed project establishes development regulations and maps the boundaries of the C-3 District. More detailed site-specific analysis will be conducted for the C-3 District nodes when specific development applications are processed.

Site/development specific projects must meet the County's design review requirements to ensure inadequate design features do not occur. Future development will be required to be consistent with goals and policies promoting safe roads. These include Goal C-1 (provide an adequate road system that is safe, efficient, and reliable) and Policy C-1.5 (mitigation fees to pay for new and expanded transportation facilities) and C-1.14 (driveway siting) (General Plan EIR, p. 19-43, p. 19-45, p. 19-47, respectively); Goal C-2 (provide safe facilities for bicycle and pedestrian travel) (General Plan EIR, p. 19-47) and Policies C-2.1 (safe bicycle, pedestrian, and equestrian systems), C-2.8 (encourage sidewalks or other accommodations for pedestrians), C-2.12 (pedestrian friendly roadway improvements) (General Plan EIR, p. 19-48); and Goal C-5 (safe and efficient movement of goods) (General Plan EIR, p. 19-48). The C-3 District would not result in any new or substantially more severe impacts than those already analyzed in the General Plan EIR.

- d. The General Plan EIR did not identify significant impacts related to inadequate emergency access, as a result of buildout of the General Plan land uses that would not be reduced to a less-than-significant level through compliance with General Plan policies established to preserve adequate emergency access that would meet the response time goals of service providers; no mitigation is required (General Plan EIR p. 19-73).

More detailed site-specific analysis regarding emergency access will be conducted for C-3 District nodes when specific development applications are processed. Site-/development specific projects will be required to comply with County policies requiring adequate emergency access be maintained. These include Goal C-1 (provide an adequate road system that is safe, efficient, and reliable) (General Plan EIR, p. 19-43), Policy C-1.5 (mitigation fees to pay for new and expanded transportation facilities) (General Plan EIR, p. 19-45), Goal HS-1 (emergency preparedness) (General Plan EIR, p. 19-49), and Policy HS-1.11 (requiring roads to be of adequate capacity for use in emergency) (General Plan EIR, p. 19-50). The C-3 District would not result in any new or substantially more severe impacts than those identified in the General Plan EIR.

LOS Analysis

Traffic impacts were evaluated according to the standards set forth by the County and Caltrans using the Transportation Research Board's (TRB) *Highway Capacity Manual 2000* (HCM2000) LOS methodologies (TRB 2000). As relevant to the proposed project, the County adopted LOS level D as its threshold of significance: i.e., the General Plan EIR determined that a significant adverse effect would occur if the LOS on a state highway degrades from an acceptable LOS D or better under baseline conditions to an unacceptable LOS E or F under project conditions. The General Plan EIR found LOS C was not an appropriate threshold of significance because achieving LOS C at buildout is not considered fundable, necessary, or desirable (General Plan EIR p. 19-21 through 19-22).

The General Plan EIR found that there would be no significant LOS impacts to either Highway 101 or State Route 129 due to the General Plan update. Table 3, LOS Impacts at General Plan Buildout below, illustrates existing conditions, full buildout for each scenario and full buildout with mitigation for each scenario. These are summarized for the highway sections adjacent to the proposed project below.

Table 3 LOS Impacts at General Plan Buildout

U.S. 101 Sections	Existing LOS (AM/PM peak)	Buildout LOS Scenario 1	Buildout LOS w/ mitigation Scenario 1	Buildout LOS Scenario 2	Buildout LOS w/ mitigation Scenario 2
SR-156E to SR-129	A/B	C/D	B/C	C/D	B/C
SR-129 to County Line	B/B	C/C	C/C	C/C	C/C
SR-129 Sections					
County Line to U.S. 101	D/D	D/D	D/D	D/D	D/D

SOURCE: San Benito County General Plan EIR

Future development C-3 District nodes will be required to comply with General Plan Policies that reduce LOS impacts including LU-1.2 (encouraging new development located in areas well served by various transportation modes) (General Plan EIR, p. 19-40), LU-5.3 (encouraging commercial development to be located in areas well served by various transportation modes) (General Plan EIR, p. 19-40), LU-5.7 (encouraging new development located in areas well served by various transportation modes) (General Plan EIR, p. 19-37), C-1.5 (ensuring available funding to maintain and expand transportation facilities in the County) (General Plan EIR, p. 19-45) and Goal C-2 (encouraging non-vehicular modes of travel) (General Plan EIR, p. 19-47) and related policies to encourage pedestrians and bicycling: Policies C-2.2, which requires the County to construct pedestrian routes and bikeways

(General Plan EIR, p. 18-20), C-2.8, which requires that safe pedestrian circulation be provided by project applicants (General Plan EIR, p. 19-48), and C-2.12 which encourages a reduction in heavy truck traffic in inappropriate locations (General Plan EIR, p. 19-48). These policies serve to reduce vehicular use which would reduce congestion and LOS impacts.

LOS impacts are determined using the number of vehicle trips associated with a project, which is based upon a project's land use and size. The General Plan EIR utilized conservative growth forecasts that were deemed to adequately represent reasonably foreseeable buildout of the General Plan Land Use Diagram; because General Plan EIR Table 3-7 identified up to 4,390,000 square feet of development, even a conservative forecast of the amount of development encompassed under the Commercial Regional designation would far exceed the 943,000 square feet of possible future development at maximum buildout of all four nodes. Because the C-3 District substantially limits development capacity compared to Commercial Regional buildout indicated in the General Plan Table 3-7, cumulative development allowed under the C-3 District would fit within the growth projections utilized in the General Plan EIR. Additionally, the uses allowed within the C-3 District are consistent with the Commercial Regional uses identified in the General Plan and analyzed in the General Plan EIR, which include shopping centers, truck and automobile stations, tourist-serving commercial uses, and hotels/motels (General Plan p. 3-6; General Plan EIR p. 3-37). Therefore, the proposed project would not result in new or substantially more severe impacts than those identified in the General Plan EIR. Site/development specific traffic impacts will be analyzed for site-specific proposals. Because the proposed project consists of zoning implementation and not a specific development project, it would be speculative to analyze a specific amount or timing of traffic generated until specific development proposals are made.

18. TRIBAL CULTURAL RESOURCES

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	No Substantial Increase in the Severity of Previously Identified Significant Effects	No New Impact
a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
(1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources code section 5020.1(k), or (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

- a. The General Plan EIR indicates that no sacred lands sites were identified as areas of concern with implementation of the General Plan (General Plan EIR p. 9-27) and determined its impact on tribal cultural resource properties or sites to be less than significant with implementation of state laws and consultation guidelines in addition to implementing Mitigation Measure CUL-1, which would reduce the potential for new development within the unincorporated portions of the County to cause an adverse change in the significance of a tribal cultural resource properties or sites (General Plan EIR, p. 9-28). All future development within the C-3 zones would be required to comply with state laws, regulations, and consultation guidelines and to implement Mitigation Measure CUL-1, thereby reducing impacts to less than

significant. Additionally, as future development projects are proposed, more site/development project specific CEQA analysis will be required.

The CEQA statute as amended by Assembly Bill 52 (Public Resources Code Sections 21073 and 21074) defines “California Native American tribe” and “tribal cultural resources.” A California Native American tribe is defined as a Native American tribe located in California that is on the contact list maintained by the Native American Heritage Commission. Tribal cultural resources are defined as sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a Native American Tribe, as well as resources determined to be historic resources under the criteria for listing on the California Register of Historic Resources. Public Resources Code section 21080.3.1 requires consultation with California Native American tribes traditionally and culturally affiliated with the project area. It applies to any project for which a Notice of Preparation, Notice of Mitigated Negative Declaration, or Notice of Negative Declaration is filed. This addendum was drafted to determine whether or not new or substantially more severe environmental impacts would occur with implementation of the C-3 District than were identified in the General Plan EIR. A Notice of Preparation, Notice of Mitigated Negative Declaration, or Negative Declaration were not filed as part of this project. Therefore, AB-52 consultation is not required.

19. UTILITIES AND SERVICES SYSTEMS

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	No Substantial Increase in the Severity of Previously Identified Significant Effects	No New Impact
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? (1,2,3,4,12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

Buildout of the General Plan would allow development and the construction of residential and non-residential uses and related infrastructure that would increase the demand for public services within the unincorporated County and result in the expansion or construction of new facilities. The General Plan EIR did not identify significant impacts to the County's ability to provide fire protection, law enforcement, schools, parks, and other services at a community level that could not be reduced with implementation of General Plan policies. The General Plan EIR determined that no mitigation was necessary and that

future plans for new public facilities would need to be evaluated on a case-by-case basis and undergo project-level environmental review.

The development capacity identified in the C-3 District is 235,750 square feet per node for a total of 943,000 square feet of possible development for four nodes. While the General Plan EIR did not consider maximum (100 percent) buildout of the Land Use Diagram, (summarized in Table 3-7) including Commercial Regional uses, the General Plan EIR utilized conservative growth forecasts that were deemed to adequately represent reasonably foreseeable buildout of the General Plan Land Use Diagram. Because General Plan EIR Table 3-7 identified up to 4,390,000 square feet of development, even a conservative forecast of the amount of development encompassed under the Commercial Regional designation would far exceed the 943,000 square feet of possible future development at maximum buildout of all four nodes. Because the C-3 District substantially limits development capacity compared to Commercial Regional buildout identified in the General Plan Table 3-7, cumulative development allowed under the C-3 District would fit within the growth projections utilized in the General Plan EIR. Additionally, the uses allowed within the C-3 District are consistent with the Commercial Regional uses identified in the General Plan and analyzed in the General Plan EIR.

- a,c. As presented within the General Plan EIR, implementation of General Plan land uses would result in future development leading to increased demands associated with water treatment and distribution infrastructure wastewater collection, treatment, and disposal infrastructure (General Plan EIR p. 20-57) and storm water drainage facilities (General Plan EIR p. 20-60). However, future facility construction plans would be evaluated on a case-by-case basis and undergo project-level environmental review, which would ensure additional compliance with specific federal, state, and local regulations designed to avoid or reduce environmental effects. The potential environmental effects of constructing and operating new and expanded potable water utility infrastructure, wastewater utility infrastructure, or storm water drainage facilities to support development identified in the General Plan are evaluated in Chapters 5 through 22 of the General Plan EIR. The General Plan EIR determined that construction and expansion of water facilities (General Plan EIR p. 20-57), wastewater facilities (General Plan EIR p. 20-61), and storm water drainage facilities (General Plan EIR p. 20-61) would ensure wastewater treatment providers have adequate capacity to serve the demand as a result of buildout of the General Plan in addition to the wastewater provider's existing commitments (General Plan EIR, p. 20-60).

The types and patterns of land use development intensities and density allowed under the proposed C-3 District are consistent with General Plan land use designations and with the level of growth analyzed in the General Plan EIR.

Implementation of the proposed project would not generate an increase in population and subsequent increased demands on utilities and service systems beyond the level of increased service demand analyzed in the General Plan EIR. In addition, the General Plan policies intended to protect and enhance utility resources and infrastructure in the County would remain in effect. General Plan Policy PFS-3.8 requires County support integrated water management (General Plan EIR, p. 20-32). This Policy recognizes the importance of integrated planning for water, wastewater, and storm water, and promotes the coordinated development of each supply. Policies PFS-4.1 (General Plan EIR, p. 20-32), PFS-5.3 (General Plan EIR, p. 20-34), and PFS-5.4 (General Plan EIR, p. 20-34) ensure adequate water supply, treatment, and delivery facilities prior to project approval. Policy PFS-4.2 requires verification of adequate water and wastewater service and verification of payment of fees prior to approval of final map (General Plan EIR, p. 20-33). Policies PFS-5.5 (General Plan EIR, p. 20-35), PFS-5.6 (General Plan EIR, p. 20-35), NRC-4.15 (General Plan EIR, p. 20-39), and NRC-4.16 (General Plan EIR, p. 20-39) outline restrictions for septic systems and reliance on septic systems. Policies PFS-6.1 (General Plan EIR, p. 20-36), PFS-6.2 (General Plan EIR, p. 20-36), PFS-6.4 (General Plan EIR, p. 20-36), PFS-6.5 (General Plan EIR, p. 20-37), and PFS-6.7 (General Plan EIR, p. 20-37) obligate new developments to design, install, and maintain adequate storm water drainage facilities and outline other storm water drainage requirements. The proposed project would not result in any new or substantially more severe impacts than those already analyzed in the General Plan EIR. Site/development specific analysis is impractical until a development project is proposed, confirming the extent of development and specific types of uses which will create variable demand for water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities.

- b. As stated within the General Plan EIR, existing water supplies that serve agricultural, municipal, and industrial uses were examined to determine if they would be adequate to accommodate future water demands from increased population growth and urban footprint at buildout of the General Plan. Based on the Water Supply Assessment prepared for the General Plan EIR, water supplies were determined to be sufficient to serve planned uses at buildout of the General Plan; therefore, this impact was determined to be less than significant (General Plan EIR p. 20-40).

The General Plan EIR utilized conservative growth forecasts that were deemed to adequately represent reasonably foreseeable buildout of the General Plan Land Use Diagram, because General Plan EIR Table 3-7 identified up to 4,390,000 square feet of development, even a conservative forecast of the amount of development encompassed under the Commercial Regional designation would far exceed the 943,000 square feet of possible development identified for the nodes. The C-3 district substantially limits development capacity compared to Commercial Regional

buildout identified in the General Plan Table 3-7, cumulative development allowed under the C-3 District would fit within the growth projections utilized in the General Plan EIR. Additionally, the uses allowed within the C-3 District are consistent with the Commercial Regional uses identified in the General Plan and analyzed in the General Plan EIR. Therefore, the proposed project would not result in new or substantially more severe impacts than those identified in the General Plan EIR. While Livestock 101 and Rocks Ranch nodes lie above granite rock formations outside the jurisdiction of any surrounding water management agency or water district, they contain wells producing between 35-300 gpm (See Zoning Code Amendment for Rocks Ranch Commercial Node Addendum and Zoning Code Amendment for Livestock 101 Commercial Node Addendum, Section 10.0, Hydrology and Water Quality, checklist question b). Additionally, Section 25.16.064 (I) of the C-3 District code requires proof of a sustainable water source sufficient to serve the use or uses identified in the Master Development Plan or Use Permit shall be submitted with the Master Development Plan or Use Permit application for review and approval by the Planning Director. Evaluation of the adequacy of water for specific development is impractical until a development project is proposed. Specifically, different commercial uses have different water supply requirements, so this cannot be analyzed at this stage. The proposed project would not generate an increase in water demands beyond the level of increased demand analyzed in the General Plan EIR. In addition, the General Plan policies intended to protect and enhance utility resources and infrastructure in the County would remain in effect. General Plan policies that would ensure or protect water supply include Policies PFS-3.7 (groundwater management), PFS-3.8 (support integrated water management), PFS-3.9 (requires new developments to prepare a source water sufficiency study and water supply assessment analysis), and PFS-4.1 (ensures adequate water supply, treatment, and delivery facilities prior to project approval) (General Plan EIR, p. 20-32). The C-3 District would not result in any new or substantially more severe impacts than those already analyzed in the General Plan EIR.

- d,e. Development anticipated in the General Plan could result in an increased demand for solid waste handling and disposal facilities. Policies set forth in the General Plan would assure that adequate solid waste disposal facilities would be provided. With the General Plan's solid waste goals and policies directed to ensure that there are adequate facilities to meet the County's needs through the General Plan buildout, the General Plan EIR determined that this impact would be less than significant (General Plan EIR, p. 20-61).

The types and patterns of land use development intensities and density allowed under the proposed C-3 District are consistent with General Plan land use designations and with the level of growth analyzed in the General Plan EIR.

Implementation of the proposed project would not generate an increase in population and subsequent increased demands on utilities and service systems beyond the level of increased service demand analyzed in the General Plan EIR. Site specific analysis is impractical until a development project is proposed, confirming the extent of development and specific types of uses which would impact the amount of waste generated. Future development within C-3 District nodes would be required to comply with General Plan policies intended to accommodate solid waste disposal needs in the County. General Plan Policy PFS-7.1 requires the County to ensure that there is adequate capacity within the solid waste system for the collection, transportation, processing, recycling, and disposal of solid waste to meet the needs of existing and projected development (General Plan EIR, p. 20-37). General Plan PFS-7.3 requires non-residential development to provide for on-site recycling facilities prior to being issued a building permit in order to lessen the amount of material that needs to be placed in the landfill, thereby complying with federal, state, and local statutes and regulations governing solid waste (General Plan EIR, p. 20-38). PFS-7.5 requires waste diversion through recycling, reduction, and composting in order to meet the state waste diversion of 75 percent, thereby complying with federal, state, and local statutes and regulations governing solid waste (General Plan EIR, p. 20-38). Policy PFS-7.6 requires construction material recycling (General Plan EIR, p. 20-38). The C-3 District node would not result in any new or substantially more severe impacts than those already analyzed in the General Plan EIR.

20. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	No Substantial Increase in the Severity of Previously Identified Significant Effects	No New Impact
a. Substantially impair an adopted emergency response plan or emergency evacuation plan? (1,2,3,4,10)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of wildfire? (1,2,3,4,10)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? (1,2,3,4,10)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? (1,2,3,4,10)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments:

The 2018 amendments to Appendix G of the CEQA Guidelines introduced wildfire as part of the new topics to be addressed.

- a-d. Wildfire impacts were not separately evaluated in the General Plan EIR. However, the General Plan EIR did identify that both urban and wildland fire hazards exist in the County (General Plan EIR, p. 12-7), creating a potential for large, damaging, and costly wildfires. Buildout of the General Plan would expose people or structures to a significant risk of loss, injury, or death involving wildland fires. There are several General Plan goals, policies and implementation programs contained in the Health and Safety Element related to increasing fire response capabilities, supporting fire prevention measures, and encouraging design solutions that provide better fire

response and accessibility to reduce wildfire impacts. The General Plan also contains policies to avoid emergency response and evacuation related impacts, such that increased traffic and increased demands on emergency services would not physically impair the implementation of an adopted emergency response and evacuation plan. The General Plan EIR found that in addition to the goals and policies outlined in the Health and Safety Element, adherence with other federal and state laws, policies and regulations would help to reduce wildfire risks to less than significant (General Plan EIR, p. 12-52).

The C-3 District code, Section 25.16.071(I) requires all site improvements to be in compliance with applicable state and local fire-resistance and fire protective standards. Additionally, future development would be subject to General Plan policies related to fire resistance measures and emergency response times. Policy HS-1.11 requires the County to ensure that roads are of adequate capacity for use in times of emergency (General Plan EIR, p. 12-26). Policy HS-1.14 requires the County to discourage development in areas that may be more severely impacted by climate change, including areas at high risk of wildfire or flooding, unless proper design mitigation is included in the project (General Plan EIR, p. 12-26). Policy HS-4.2 requires the County to develop, maintain, and implement appropriate fire protection water standard to be applied to all urban and rural development (General Plan EIR, p. 12-27). Policy HS-4.4 mandates that the County require development in high-fire-hazard areas to be designed and constructed in a manner that minimizes the risk from fire hazards and meets all applicable State and County fire standards (General Plan EIR, p. 12-27). Policy HS-4.5 requires development in high-fire-hazard areas to have fire-resistant vegetation, cleared fire breaks separating communities or clusters of structures from native vegetation, or a long-term comprehensive vegetation and fuel management program consistent with State codes 4290 and 4291 for wildland fire interface and vegetation management (General Plan EIR, p. 12-28). Policy HS-4.6 encourages clear zones and weed abatement around new and existing residential structures in high-fire-hazard areas and assist property owners in identifying how clear zones should be maintained (General Plan EIR, p. 12-28). The proposed project would not interfere with General Plan policies intended to ensure adequate access and prompt response time, and would not allow any features or uses that would interfere with an adopted emergency response plan or emergency evacuation plan. There is a potential for air pollutant accumulation from wildland fires. There is also a potential for future development within the project site to be subject to increased risks of downslope or downstream flooding or landslides, as a result of post-fire slope instability or wildfire-related drainage changes, should a wildfire occur. The presence of wildland fire hazards requires all future development to meet special standards corresponding with each degree of risk. This includes standards as listed in

the California Building Code Chapter 7A–Wildland-Urban Interface Fire Conformance Checklist, which provides a reasonable level of exterior wildfire exposure protection for buildings in wildland-urban interface fire areas. Further, all development is required to comply with federal and state regulations for development within the Wildland-Urban Interface, ingress and egress requirements of the Hollister Fire Department, and General Plan policies to reduce impacts to emergency response, wildfire, and air pollution in the County. Therefore, this impact would be less than significant.

21. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	No Substantial Increase in the Severity of Previously Identified Significant Effects	No New Impact
a. Does the project have the potential to substantially degrade the quality of the environment; substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; substantially reduce the number or restrict the range of an endangered, rare, or threatened species; or eliminate important examples of the major periods of California history or prehistory? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects) (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly? (1,2,3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

- a. It was determined that reasonably foreseeable development under the proposed C-3 District would not result in any new or substantially more severe biological or historical resources impacts than those already analyzed in the General Plan EIR.
- b. A cumulative impact analysis was completed in the General Plan EIR included San Benito County, the incorporated cities within San Benito County, and the adjacent counties. The General Plan EIR determined that there would be cumulatively considerable impacts associated with implementation of the General Plan to agricultural resources, air quality, biological resources, cultural resources, GHG, hydrology and water quality, land use, noise, population and housing, public services,

recreation, transportation, and utilities and services, (General Plan EIR pp. 22-8-22-16). As discussed in this addendum, the State Route 129, Betabel, Rocks Ranch, and Livestock 101 rezones to C-3 would not result in any new or substantially more severe impacts than those cumulative impacts identified in the General Plan EIR. No additional rezones under the C-3 District are anticipated.

- c. It was determined that reasonably foreseeable development within the C-3 District nodes would not result in any new or substantially more severe substantial adverse effects on human beings, either directly or indirectly.

E. SOURCES

1. **County of San Benito. May 8, 2019. San Benito County Regional Commercial (C-3) District Zoning Code.**
2. **County of San Benito. March 2015. *Revised Draft Environmental Impact Report – 2035 San Benito County General Plan Update – State Clearinghouse #2011111016*. Hollister, CA.**
3. **County of San Benito. June 2015. *Final Environmental Impact Report – 2035 San Benito County General Plan Update – State Clearinghouse #2011111016*. Hollister, CA.**
4. **County of San Benito. July 2015. *San Benito County 2035 General Plan*. Hollister, CA.**
5. California Department of Conservation. 2016. *California Important Farmland Finder*; Accessed May 1, 2019. <https://maps.conservation.ca.gov/DLRP/CIFF/>
6. California Department of Conservation. 2015. *San Benito County Williamson Act FY 2014/2015*; Accessed April 12, 2019. ftp://ftp.consrv.ca.gov/pub/dlrp/wa/SanBenito_14_15_WA.pdf
7. County of San Benito. “San Benito County GIS.” Accessed on May 1, 2019. http://gis.cosb.us/Html5Viewer_2_0/Index.html?configBase=http://gis.cosb.us/Geocortex/Essentials/REST/sites/SBC/viewers/Public/virtualdirectory/Resources/Config/Default
8. Google Earth. 2019. Google Earth Pro.
9. California Department of Toxic Substances Control. 2019. EnviroStor Database; Accessed April 5, 2019. <http://www.envirostor.dtsc.ca.gov/public/>
10. California Department of Forestry and Fire Protection. 2007. *San Benito County FHSZ Map*; Accessed April 11, 2019. http://frap.fire.ca.gov/webdata/maps/san_benito/fhszs_map.35.pdf
11. Federal Emergency Management Agency. 2019. *FEMA Flood Map Service Center*; Accessed April 12, 2019. <https://msc.fema.gov/portal>
12. James, Richard, Principal, EMC Planning Group. Meeting with the Robert Johnson, General Manager, Aromas Water District and Jeff Cattaneo, General Manager, San Benito County Water District on April 24, 2019.

13. Santa Clara Valley Transportation Authority. March 2013. *U.S. 101 Improvement Project between Monterey Street and State Route 129 Draft Environmental Impact Report SCH# 2007102141*. San Jose, CA.
14. EMC Planning Group Personal Communication with Landowner, Mark Johnson, August 13, 2019
15. Bellinger, Gail. EMC Planning Group. Archaeological and Biological Pedestrian Survey. July 21, 2019, and August 19, 2019.
16. EMC Planning Group Personal Communication with Rocks Ranch Landowner

All documents indicated in **bold** are available for review at the **County of San Benito, 2301 Technology Parkway, Hollister, CA 95023, (831) 239-9461** during normal business hours.

All documents listed above are available for review at EMC Planning Group Inc., 301 Lighthouse Avenue, Suite C, Monterey, California 93940, (831) 649-1799 during normal business hours.

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APPENDIX B

ARTICLE IV. REGIONAL COMMERCIAL (C-3) DISTRICT CODE

Planning Commission Draft – May 8, 2019, Revised August 29, 2019

Blue code highlights are internal to the C-3 regulations

Green code highlights are external to the C-3 regulations

Amend 25.05.001 to add:

C-3	Regional Commercial
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Amend Section 25.03.002 to read:

DESIGN THEME. A conceptual description of the physical and visual characteristics of a development proposal, with emphasis on the aesthetic qualities.

NODE. A concentration of development at or within a reasonable distance of an intersection of interchange.

TRUCK GARDENING. The growing of vegetables, herbs, or flowers for sale.

Amend title of Chapter 25.16 to read:

CHAPTER 25.16: COMMERCIAL THOROUGHFARE (C-1), NEIGHBORHOOD COMMERCIAL (C-2), AND REGIONAL COMMERCIAL (C-3) DISTRICTS

Amend 25.16.001 to add:

(C) The C-3 Regional Commercial district shall act as an independent standalone (not combining) district. All of the C-3 district regulations, development standards and procedures are set forth in Article IV.

Amend Chapter 25.16 to add:

ARTICLE IV. REGIONAL COMMERCIAL (C-3) DISTRICT

§ 25.16.060 INTENT.

§ 25.16.061 PERMITTED USES

§ 25.16.062 PERMITTED USES, SITE PLAN REVIEW.

§ 25.16.063 PERMITTED USES, USE PERMIT REQUIRED IN EACH CASE.

§ 25.16.064 PERMITTED USES, MASTER DEVELOPMENT PLAN.

§ 25.16.065 DEVELOPMENT STANDARDS.

§ 25.16.066 YARDS AND RESERVATIONS.

§ 25.16.067 PARKING, LOADING AND ACCESS/CIRCULATION.

§ 25.16.068 SIGNS.

§ 25.16.069 LIGHTING.

§ 25.16.070 GRADING AND LANDSCAPING.

§ 25.16.071 THEME AND TOURISM MARKETING PLANS.

§ 25.16.072 PROCEDURES AND FINDINGS.

§ 25.16.073 CONTINUANCE OF EXISTING USES.

§ 25.16.074 SPECIAL REGULATIONS FOR BETABEL ROAD NODE.

§ 25.16.075 SPECIAL REGULATIONS FOR HIGHWAY 129 NODE.

§ 25.16.076 SPECIAL REGULATIONS FOR ROCKS RANCH NODE.

§ 25.16.077 SPECIAL REGULATIONS FOR LIVESTOCK NODE.

§ 25.16.060 INTENT.

The Regional Commercial (C-3) district is specifically intended to serve tourist traffic by providing for establishments offering accommodations, supplies, or services geared to travelers and visitors, and to provide for select uses such as commercial amusement or recreation, and sales and promotion of regionally sourced goods that showcase San Benito County's history and agricultural economy and heritage. The C-3 district will be positioned at limited and well-spaced nodes along state or federal highways as designated on the General Plan Land Use Diagram and specifically defined on the Zoning Map. Special development standards are incorporated in the district regulations in order to provide for visually appropriate development that preserves and complements the scenic rural setting, and ensures orderly site design that facilitates access and minimizes traffic hazards. Each C-3 district node is to have a theme that establishes architectural style and character for that node. Each C-3 district node shall integrate displays dedicated to the marketing of San Benito County tourism themes and information, art, products, and services.

§ 25.16.061 PERMITTED USES

The following uses shall be permitted by right in the C-3 district:

- (A) Crop and tree farming and truck gardening;
- (B) Grazing;
- (C) Uses allowed in the Article I. Agricultural and Rangeland (AR) District; and
- (D) Existing and future C-2 uses identified in Article III, Neighborhood Commercial (C-2) District, shall be allowed within the boundaries of areas previously designated as C-2. New Neighborhood Commercial C-2 uses must comply with the level of approval identified in [Article III](#) for each permitted use. In lieu of Site Plan Review, Administrative Permit, and/or Conditional Use Permits required by

Article III, the applicant for new development within the C-3 district previously designated as a C-2 district, may prepare a Master Development Plan consistent with § 25.16.065. Existing C-2 uses are presumed consistent with the C-3 district regulations, development standards, and procedures set forth in [Article IV](#).

§ 25.16.062 PERMITTED USES, SITE PLAN REVIEW.

The following uses are permitted in the C-3 district with an administrative Site Plan Review approved by the Planning Director in accordance with [§25.16.072 \(A\) 1](#):

- (A) Changes of existing commercial uses pre-existing or established under this code, within an existing site or structure, provided that the change will not alter the nature or intensity of the use of the site or structure, and subject to submittal and review of a site plan and/or project summary detailing the change and demonstrating how it is similar to the previously approved use;
- (B) Public parks, playgrounds, and open spaces;
- (C) Uses for which a determination of consistency with an approved Master Development Plan is necessary;
- (D) Uses for which a general or conceptual description is approved in a Master Development Plan, or additional detail is provided after approval of a Master Development Plan; and
- (E) Final site plans, lighting plans, landscape plans, and sign programs, where such have not been approved in final form as part of a Planning Commission approval.

§ 25.16.063 PERMITTED USES, USE PERMIT REQUIRED IN EACH CASE.

The following uses are permitted in the C-3 district with a Master Development Plan in accordance with § 25.16.064, or a Conditional Use Permit issued by the Planning Commission at a noticed public hearing. If the proposed site development includes 1 acre or more or a mix of use types within any node, a Master Development Plan shall be required for that node or portion of that node.

- (A) Retail business establishments, including drugstore, fruits, vegetables, and groceries, plants, art or antiques, books, camping and recreational gear and supplies, hardware, clothing, souvenirs, etc.;
- (B) Eating and drinking establishments, including restaurants, delicatessens, bakeries, coffee houses, and soda fountains;
- (C) Drive-in eating and drinking;
- (D) Off-sale of alcoholic beverages, with an emphasis on San Benito County products;
- (E) Motels, hotels, bed and breakfasts, and other overnight accommodations limited to stays of 30 nights or fewer;
- (F) Recreational trailer parks, campgrounds, and resorts;
- (G) Commercial entertainment and amusement, including theaters;
- (H) Museums, exhibits, and information centers;
- (I) Outdoor recreation or education;

- (J) Miniature golf, swimming, tennis, sporting and social clubs;
- (K) Automobile service stations with incidental minor repair;
- (L) Agricultural product sampling and/or agricultural production or processing not occupying more than 5,000 square feet;
- (M) Laundromat and laundry services;
- (N) Caretaker units and employee housing;
- (O) Limited medium or high density residential uses secondary to commercial uses and provided as part of an integrated mixed use development;
- (P) Customary accessory uses to the above;
- (Q) Wayfinding signs, lighting, circulation, landscaping, or operational programs associated with the above uses;
- (R) Themed wall and billboard-type murals, not including business identification names, logos, or iconography;
- (S) Design Themes and Marketing Plans;
- (T) Outdoor display or storage of merchandise, if not pre-existing;
- (U) Vehicle repair shops including system and component repair and service, glass, tires, and similar, but not including painting, body and fender work, or motor and transmission rebuilding as principal uses;
- (V) Truck stops/travel plazas;
- (W) Medical or veterinary offices or clinics;
- (X) Limited business or professional offices not secondary to commercial uses;
- (Y) Customary accessory uses to the above;
- (Z) Wayfinding signs, lighting, circulation, landscaping, or operational programs associated with the above uses;
- (AA) Themed wall and billboard-type murals, that do include business identification names, logos, or iconography;
- (BB) Fruit and vegetable stands;
- (CC) Souvenir and curio shops, roadside stands; and
- (DD) Other uses similar to the above as may be determined by the Planning Commission.

§ 25.16.064 PERMITTED USES, MASTER DEVELOPMENT PLAN.

- (A) In lieu of Site Plan Review and/or Conditional Use Permits the applicant for development within the C-3 district may prepare a Master Development Plan subject to approval by the Planning Commission, consisting of a narrative and standards, theme and marketing plan, site plan, lighting plan, landscaping plan, and sign programs for the entirety of the District node, or a sub-section not immediately contiguous (e. g., separated by a street, property line, etc.) with the remainder of the District node, within which development is proposed.
- (B) Architectural Theme, drawn from San Benito County history and landscapes. The submittal shall include proposed architectural concept and general site theme, including architectural materials, colors, building elevations, site planning, layout of connecting spaces and pathways, landscaping, wayfinding, and signs.

- (C) The narrative and standards shall provide the following information:
1. A description of the land uses to be included within the District, correlating those uses to the site plan.
 2. A table of approximate square footage of each proposed use.
 3. A description of any deviations from established development standards.
- (D) A site plan shall provide the following information:
1. Lot boundaries and names of adjacent streets.
 2. Adjacent structures, public utilities, and all easements within 50 feet of the lot boundary.
 3. Existing built features and trees.
 4. Topographic contour lines, existing water features, and flood zone boundaries.
 5. Existing utilities and easements.
 6. Yard and building setback lines.
 7. Locations of proposed buildings, paved areas, and landscaped areas.
 8. Proposed access, circulation and parking plan including typical dimensions.
 9. Size of proposed building footprints and floor areas and lot coverage.
 10. Locations of proposed freestanding signs and lights.
 11. Proposed site drainage features and non-point source compliance.
 12. Proposed wastewater disposal facilities and generation calculations.
 13. Proposed water supply wells, water lines, and utility lines and demand calculations.
 14. The final site plan shall contain additional detail as determined necessary by the Planning Director.
- (E) A lighting plan shall provide the following information:
1. Drawings and specifications required by [§19.31.011](#).
 2. Coordination with lighted signs included in a sign program.
 3. The lighting plan shall conform to the requirements of [§25.16.069](#).
 4. A final lighting plan shall specify bulb type and color, specific lighting fixtures, and be accompanied by a photometric analysis and graphics.
- (F) A landscaping plan shall provide the following information:
1. Overall plan matched to the site plan, showing general location of planting and hardscape areas.
 2. Location, species, size, and health of any tree, meeting the definition in [§ 25.29.212](#), to be removed.
 3. Location, species, size, and health of any tree, meeting the definition in [§ 25.29.212](#) and located within 20 feet of proposed development, to be preserved.
 4. Locations and general description of new trees and shrubs.
 5. Location and type of groundcover plants or materials.

6. Description of hardscaped areas, including materials, colors, and typical dimensions.
7. Descriptions of landscape structures including benches, arbors, fences, and screens.
8. On sites where improvements are proposed on slopes of five percent or greater, the landscape plan or a separate grading and erosion control plan, shall provide a map of cut and fill areas, earthwork quantities, construction and post-construction erosion control details, retaining structures, and vegetative screening plans.
9. The landscaping plan shall conform to the requirements of [§25.16.070](#).
10. Irrigation plan.
11. The final landscape plan shall provide compliance with the Model Water Efficient Landscape Ordinance.
12. The final landscape plan shall list the species and container size of each plant.

(G) A sign program shall provide the following information:

1. Site plan showing location and orientation for each attached and detached sign.
2. Schematic drawing showing approximate size, shape, colors, and materials of each sign.
3. Schematic drawing showing type and size of supporting components.
4. Elevation views of the building(s) showing the proposed sign(s).
5. Description of sign illumination method and intensity.
6. The sign program shall conform to the requirements of [§25.16.068](#).
7. If a height exception is requested in accordance with [§25.16.068\(D\)](#), a visual study demonstrating that the requested sign height is warranted.
8. The final sign program shall provide exact heights, sign dimensions, materials, anchoring details, and lighting specifications if applicable

(H) Final site plans, lighting plans, landscape plans, and sign programs shall include detail and specifications adequate for the Planning Director to ascertain that the plans and programs meet all County requirements.

(I) Proof of a sustainable water source sufficient to serve the use or uses identified in the Master Development Plan or Use Permit shall be submitted with the Master Development Plan or Use Permit application for review and approval by the Planning Director. This could come in the form of a will serve letter from a water purveyor or, for on-site water a hydrogeological report with well springs or surface water locations and sustainable production yield tests. The hydrogeological report would be subject to review and approval of the Health Department prior to its submittal to the Planning Director.

§ 25.16.065 DEVELOPMENT STANDARDS.

(A) The minimum lot area in the C-3 district shall be one acre.

- (B) The maximum height of structures in the C-3 district shall generally be 35 feet; however, a Master Development Plan may allow heights up to 65 feet.
- (C) Buildings, including accessory buildings, shall not cover a total of more than 40 percent of the lot area, exclusive of any portion of the lot area located within riparian or hillside reservations.
- (D) Motel, hotel, bed and breakfast, and other overnight accommodations shall be limited to stays of 30 nights or fewer, and shall not exceed 125 rooms within any node. The hotel rooms (and associated public and back-of-house space) shall not exceed 750 square feet per room.
- (E) Total retail commercial floor area within any node shall not generally exceed 85,000 square feet, however, a Master Development Plan may allow up to 100,000 square feet.
- (F) Residential and caretaker units shall not exceed 30 units per node at 1,400 square feet per unit, and shall be a minor component within any node, as established by the Master Development Plan.
- (G) All storage shall be within a completely enclosed building unless otherwise allowed by an approved use permit.
- (H) Auxiliary uses serving the development, such as access ways, water, and sewer infrastructure including water tanks, water lines, sewer and septic areas and lines, utilities, or other similar uses, may be developed outside of the node boundaries.

§ 25.16.066 YARDS AND RESERVATIONS.

- (A) Except as otherwise required in this section, or as established in a Master Development Plan, yards shall be consistent with the provisions of §25.29.005 and §25.29.006.
- (B) Yards contiguous to streets shall be a minimum of 35 feet measured from the right-of-way or plan line. Yards contiguous to rural or residential zoning districts shall be a minimum of 50 feet measured from the contiguous property line with the exception that non-commercial structures may be set back from the property line in accordance with the requirements of the adjoining district.
- (C) No structures, parking, or storage shall be permitted within the yards required in subsection (B), with the exception that non-commercial structures and freestanding signs may be located within yards contiguous to streets or highways.
- (D) Notwithstanding §19.27.001 or subsection (B), no structures shall be located closer than 150 feet from the side line of the nearest U.S. Highway 101 travel lane, or closer than 50 feet from the side line of an on- or off-ramp with the exception that freestanding signs may be located within these areas.

- (E) Flood zones designated by the Federal Emergency Management Agency shall be included within flood zone reservations. Development in flood zone reservations shall be restricted to driveways, parking, signs, picnicking, sports, temporary structures, freestanding signs, and permanent structures that are in compliance with the provisions of [chapter 19.15](#).
- (F) Water courses and associated riparian vegetation, inclusive of a 100 foot wide buffer area from top of bank and edge of vegetation of the Pajaro River or San Benito River, and 50 foot wide buffer area from top of bank and edge of vegetation of other natural water courses, shall be included within riparian reservations. Development in riparian reservations shall be restricted to storm water management, habitat restoration, access drives not resulting in a net loss of vegetation, and passive recreational activities.
- (G) Slopes in excess of 30 percent shall be included within slope reservations. No development shall be allowed within slope reservations.
- (H) The requirements of [§25.15.060](#) through [§25.15.068](#) shall apply to locations within the defined scenic corridor, except that application of [§25.15.063](#) and [§25.15.064](#) shall be modified for consistency with the list of uses established by the Master Development Plan.

§ 25.16.067 PARKING, LOADING AND CIRCULATION.

- (A) Except as otherwise required in this section, or as established in a Master Development Plan, parking shall be required in the C-3 district as provided in [chapter 25.31](#).
- (B) When considering multiple use parking in accordance with [§25.31.042](#), the lowest number of parking spaces that is adequate shall be provided in order that parking areas be kept as compact as possible.
- (C) Unless specifically authorized by the Planning Commission, no parking area shall exceed a single double-loaded aisle without a landscaped separation of at least 12 feet between aisles.
- (D) Parking lots shall be landscaped to include native shade trees.
- (E) Parking lots and loading areas shall be visually screened from public roadways.
- (F) Loading and unloading areas shall be required to comply with [§25.31.064](#).
- (G) Each lot or contiguous development site shall have not more than two access-ways to any one street or highway, which shall comply with the following requirements:

1. The width of any access-way leading to or from a street or highway shall not exceed 36 feet nor be less than 15 feet at the right-of-way line. The alignment of access-ways and curb return dimensions shall be determined by the County Engineer.
2. At its intersection with the lot line, no part of any access-way shall be nearer than 20 feet to any other access-way on the same lot, nor shall any part of any access-way be nearer than ten feet to any side or rear property line at its intersection with a right-of-way line. The use of common access-ways by two or more permitted uses shall be required in order to reduce the number and closeness of access points along highways. When a site is adjacent to both a local County road and a State Highway, access shall be limited to the local County road and/or existing or historic access points onto the State Highway.
3. The location and number of access-ways shall be so arranged in relation to other access-ways, streets or highways, and site improvements, that they will reduce the possibilities of traffic hazards to the extent feasible in the judgment of the County Engineer.

§ 25.16.068 SIGNS.

- (A) Except as otherwise required or allowed in this section, or as established in a Master Development Plan, on-site signs shall be consistent with the provisions of §25.29.060 through §25.29.076.
- (B) In addition to the signs described in §25.29.070, the following sign types shall be prohibited.
 1. Internally illuminated plastic signs;
 2. Signs with flashing or animated lights, or moving or changing text, or images;
 3. Signs that conflict with the lighting requirements of §25.16.069.
- (C) Sign types to be encouraged include sandblasted redwood or similar hand-crafted, hand-painted custom signs with “elemental” components, such as wood, steel, iron, brick, stone, etc. and exterior down-oriented lighting fixtures, if lighting is provided.
- (D) An alternative calculation of sign area may be used, allowing one square foot of sign area for each 150 feet of building coverage area, with no single sign or group of signs exceeding 150 square feet.
- (E) Maximum height of signs shall be 45 feet. On sites where views from the highway of a sign constructed to the maximum height would be demonstrated obscured by terrain or vegetation, a sign height exception may be granted through the Master Development Plan, provided no additional height shall be allowed than is necessary to make the sign visible to travelers.
- (F) Regional signs to promote San Benito County and the commercial nodes shall located at or near entry points to the County.

1. The regional signs shall alert travelers of entry into San Benito County, and provide information on services and tourism destinations within the County.
2. The regional signs shall only be located at or near the north and south ends of the County along U.S. Highway 101, and along State Route 129 within or west of the Highway 129 node.
3. The regional signs shall be designed to harmonize with the natural scenery, with a distinctive design that relates to the history, pre-history, landscape, or culture of San Benito County. The regional signs shall not have the appearance of a billboard.
4. The northern regional sign should be visible in advance of the Betabel Road off-ramp from southbound U.S. Highway 101. The northern regional sign may optionally be located outside of the Betabel Road node to the north.
5. The southern regional sign should be visible in advance of the San Juan Road off-ramp from northbound U.S. Highway 101. The southern regional sign may optionally be located outside of the Rocks Ranch node to the south, subject to agreement with the County of Monterey; the County may enter into a reciprocal agreement to permit a Monterey County sign within San Benito County.
6. The Highway 129 regional sign should be visible in advance of Searle Road.
7. The regional signs should identify all of the commercial nodes along U.S. Highway 101 and provide wayfinding information.
8. The regional signs may be placed on private property or within County right-of-way, but shall not be located within State right-of-way. As part of approval of a Master Development Plan, the County may require establishment of an easement to accommodate the sign.
9. The County may establish a special development impact fee or other financing mechanism within the C-3 district to fund construction and maintenance of the regional signs by the County.

§ 25.16.069 LIGHTING.

- (A) Except as otherwise required in this section, or as established in a Master Development Plan, lighting shall be consistent with the provisions of [chapter 19.31](#).
- (B) Exterior lighting shall not be positioned in excess of 25 feet above the ground surface, except as may be allowed under [§25.16.068 \(D\)](#) for a sign height exception.
- (C) Lighting shall be designed to minimize light spill into natural areas by using cut-off fixtures directing light to the ground, and not flooding the site or adjacent areas with light.
- (D) Lighting for signs shall be designed to illuminate the sign without direct visibility of the light source.

- (E) Permanently installed lighting shall not blink or flash unless required for navigation, safety, or similar purposes.
- (F) LED or other energy efficient lighting technologies shall be required.
- (G) Light color should generally be between 2,200 and 3,000 Kelvin, subject to the discretion of the approving authority for special circumstances.
- (H) No lighting that is directed upward shall be allowed.

§ 25.16.070 GRADING AND LANDSCAPING.

- (A) Development on slopes of 15 percent or greater shall be subject to the provisions of §25.29.030 through §25.29.036.
- (B) Visibility of driveways and access roads on slopes of greater than five percent shall be minimized to the extent feasible using careful siting, terracing, existing vegetation, or new vegetation. Visibility of driveways and access roads on slopes of greater than five percent shall be fully screened from views from scenic highways.
- (C) Portions of a site not covered by structures, pavement, or natural vegetation/rock shall be landscaped with native drought tolerant or low water usage.
- (D) Landscaping and screening trees shall be selected from the list of native trees included in Exhibit A to chapter 19.33.
- (E) Woodlands canopy cover shall be retained in accordance with chapter 19.33.
- (F) No oak tree, as included within the definition in §25.29.212, shall be removed for construction of structures, utilities, parking, or roads; all development shall primarily be sited within areas clear of oak trees. Careful and thoughtful site planning may allow for selected trimming of such trees to best accommodate structures or pathways.
- (G) No greater than 10 percent of total landscape planting areas may be irrigated, unless a rainwater catchment system is used as the sole source of irrigation on areas exceeding the 10 percent limit.
- (H) Grading and ground disturbance shall be subject to the provisions of chapter 19.05.
- (I) All site improvements shall be in compliance with applicable state and local fire-resistance and fire protective standards.

- (J) Utilities and support systems, including transformers, conducting wires, pipes, trash enclosures, and heating or cooling equipment, shall be screened from view, with a door or gate at the access point. Structural screens shall be of compatible design to the primary buildings; fences or walls shall be of decorative design or screened at least 50 percent by vegetation. Public safety or convenience items (e.g. fire hydrants, trash receptacles, and drinking fountains) shall not be subject to this section.

§ 25.16.071 THEME AND TOURISM MARKETING PLANS.

- (A) The applicant and/or property owners within each C-3 district node shall prepare a comprehensive design theme description and tourism marketing plan, which shall be consistent throughout that C-3 district node (see § 25.16.064, Architectural Theme).
- (B) The design theme description shall be consistent with §25.16.074 et seq. and provide the following information at a minimum:
 - 1. Verbal description of the intended overall visual character of the node, and accompanying photographs or illustrations as needed to augment the verbal description.
 - 2. Description of the architectural style or defining architectural characteristics.
 - 3. Description of the intended types of uses, structures, lighting, landscaping, and signs, and how those embody and reinforce the theme.
- (C) The County tourism marketing program shall provide the following information at a minimum:
 - 1. Designation and description of a space, building, or scheme comprising at least 300-square feet.
 - 2. Description of the San Benito County tourism themes and information, art, products, and services to be showcased.
 - 3. Description of the presentation of the tourism themes.
- (D) The theme and tourism marketing plans shall be approved prior to consideration of development applications.

§ 25.16.072 PROCEDURES AND FINDINGS.

- (A) Permitting Procedures.
 - 1. Site Plan Review. Site Plan Review permits shall be limited to the minor use applications as listed in § 25.16.062, and determinations shall be made based on materials necessary to adequately describe the proposed use, in a letter issued by the Planning Director, without the need for public notice. If a Master Development Plan has been approved, the determination shall be made by the Planning Director with a pre-noticed administrative determination.

2. Master Development Plan. Master Development Plans, including amendments thereto, shall be approved by the Planning Commission, or the Board of Supervisors on appeal, and approved by resolution.
3. Master Development Plan Implementation. The Planning Director shall make the following determinations within areas with an approved Master Development Plan: approvals of final site plan, sign program, lighting plan, or landscape plans; interpretations of uses permitted by a Master Development Plan; and minor adjustments to standards within a Master Development Plan, not to exceed 10 percent of the established standard. Uses conceptually described in an approved Master Development Plan, shall require administrative Site Plan Review by the Planning Director, in accordance with § 25.16.062, to establish consistency with the Master Development Plan.

(B) Findings. As part of a pre-noticed administrative determination by the Planning Director or after a public hearing by the Planning Commission, the Planning Director or Planning Commission may approve or conditionally approve the application under its purview if the following findings can be made:

1. That the proposed use is properly located in relation to the district regulations, the general plan, and to the community as a whole. Other land uses, transportation, service facilities, and utilities shall be considered in the review;
2. That the proposed use is designed for visual compatibility with the environment and scenic qualities of the scenic corridor;
3. That the proposed use will not cause any damage, hazard or nuisance to persons or property.

If the Planning Director is unable to make these findings, the request may be appealed to the Planning Commission, and if upon appeal the Planning Commission cannot make these findings, the application must be denied, and their decision is final. A subsequent use permit request can be made for consideration by the Planning Commission. If the Planning Commission cannot make those findings, the request may be appealed to the Board of Supervisors, and if on appeal, the Board of Supervisors cannot make these findings, the application must be denied the their decision is final.

(C) Review by Other Agencies. Every application accepted for a proposed use in the C-3 district, lying within the boundaries of the "sphere of influence" of any governmental agency, shall be submitted for review and comment to said agency within five (5) days of acceptance of said application. Said agency shall have fifteen (15) days to review and comment upon the application.

(D) Appeals. Appeals of decisions shall be as set forth in chapter 25.47.

- (E) Termination of Inactive Permits and Uses. If operation of an approved use fails to commence within the timeframe identified in the Master Development Plan, two (2) years from approval of the Master Development Plan if not otherwise stated, the use shall be deemed to have been abandoned, and an amendment to the Master Development Plan shall be required to re-establish the use. A notice of pending termination shall be posted no less than eleven (11) months after presumed abandonment, and the permit shall expire thirty (30) days after the two (2)-year anniversary date contained in notice as posted if the use is not reactivated per the determination of the Planning Director. If an operating use is suspended for more than one year, a Site Plan Review shall be required to re-establish the use.
- (F) Establishment of C-3 District Nodes. Establishment of an additional C-3 district node on the zoning map shall not be approved without concurrent adoption of a zoning code amendment to provide special regulations for the proposed additional node, and designation as a regional commercial node on General Plan Land Use Figure 3-5, Commercial and Industrial Nodes.
- (G) Legal descriptions shall be required as part of final engineering in implementation of a Master Development Plan.

§ 25.16.073 CONTINUANCE OF EXISTING USES.

Legal uses existing upon adoption of this chapter shall be allowed uses, provided legal operations continue with no suspension or abeyance in excess of one year. If operation of a use is suspended for more than one year, the use shall be deemed to have been abandoned and §25.16.072 (E) shall apply.

§ 25.16.074 SPECIAL REGULATIONS FOR BETABEL ROAD NODE.

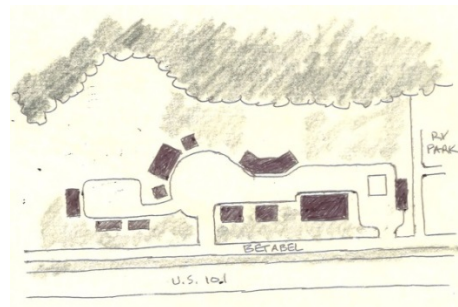
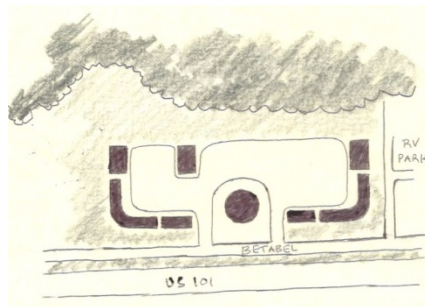
The following special regulations and standards shall apply in the regional commercial node at Betabel Road.

- (A) Theme. The Betabel Road node theme is mid-century roadside. Key characteristics shall relate to the auto-oriented development of the pre- and post-World War II eras.
- (B) Architecture. Typical building types, styles, and features include:
 1. Post-modern styles including Googie, streamline moderne, and/or art deco, and variations thereof.
 2. Steel, glass, illuminated paneling, and other fabricated materials associated with the architectural styles.
 3. Unique sweeping, cantilevered, or projecting rooflines.
 4. Neon or lighting as an architectural element but not as the dominant feature.
 5. Fins, cut-outs, stylized shapes, and other decorative embellishments.
 6. The accompanying photographs portray representative architectural examples, and are not prescriptive.



(C) Site Design and Scenic Resource Compatibility. The following site design features shall be required:

1. Landscaping shall be designed to reduce visibility of parking lots from U.S. Highway 101.
2. Landscaping shall feature full-sized trees to the eastern side of the buildings to partially screen the buildings from U.S. Highway 101. Unobscured views of the buildings are permitted from Betabel Road.
3. Buildings should be clustered near the north end of the node, and less intense development shall be located nearest to the San Benito River.
4. The accompanying sketches portray conceptual site design examples, and are not prescriptive.



(D) Regional Sign for Southbound Traffic. Development within the Betabel Road node shall include a regional sign oriented for southbound U.S. Highway 101 visibility, subject to [§25.16.068 \(E\)](#).

§ 25.16.075 SPECIAL REGULATIONS FOR HIGHWAY 129 NODE.

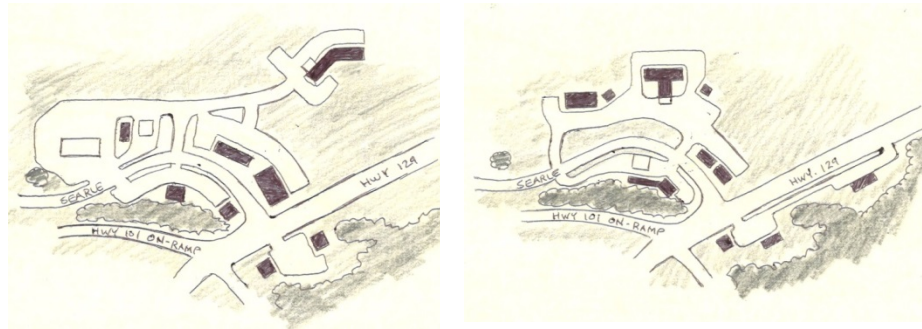
The following special regulations and standards shall apply in the regional commercial node at Highway 129/Searle Road.

- (A) Theme. The Highway 129 node theme is early farmstead. Key characteristics shall include a primary building evoking a farmhouse, a secondary building emulating a barn, with various out-buildings (which can include accessory structures such as a windmill or water tank) and an overall pastoral feel.
- (B) Architecture. Typical building types, styles, and features include:
 - 1. Italianate, Victorian, Colonial Revival, or similar period style for the main building. Secondary buildings should be simpler and less-decorated, but employing characteristics of the main building architectural style. Barn and outbuildings may utilize a rural rustic style if desired.
 - 2. Lap siding, shingles, and/or stucco.
 - 3. Massing, roof forms, windows, and trim associated with the selected architectural style.
 - 4. The accompanying photographs portray representative architectural examples, and are not prescriptive.



- (C) Site Design and Scenic Resource Compatibility.
 - 1. As viewed from U.S. Highway 101 and State Route 129, no roofline shall extend above the ridgeline or hilltop.

2. Development shall be clustered where feasible and focused along Searle Road, the northwest side of State Route 129, and the strip along the eastern side of State Route 129.
3. Except as may be allowed by subsection (D), the hillside to the southwest side of State Route 129, and immediately adjacent to the highway, shall remain in open space.
4. Development shall be designed to protect upland habitat and protected-species migration areas associated with the off-site pond to the southwest.
5. Building colors shall be chosen from palettes historically associated with the selected architectural style.
6. Access from and street improvements at intersections with State Route 129 shall be designed in accordance with Caltrans standards.
7. Regional Sign for Eastbound Traffic. Development within the Highway 129 node shall include a regional sign oriented for eastbound State Route 129 visibility, subject to [§25.16.068 \(E\)](#).
8. The accompanying sketches portray conceptual site design examples, and are not prescriptive.



§ 25.16.076 SPECIAL REGULATIONS FOR ROCKS RANCH NODE.

The following special regulations and standards shall apply in the regional commercial node at Rocks Ranch/Red Barn.

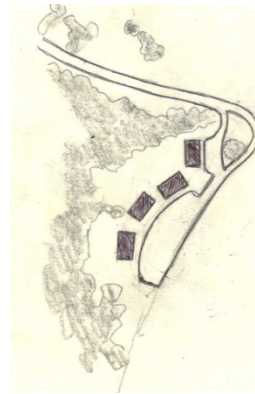
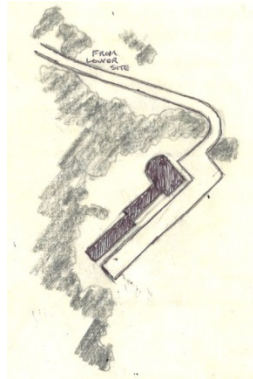
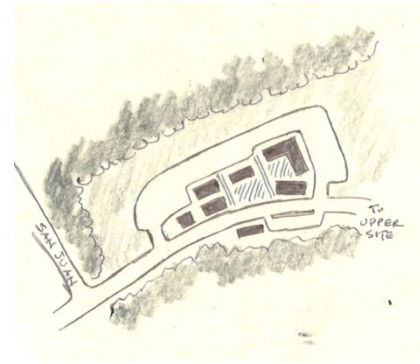
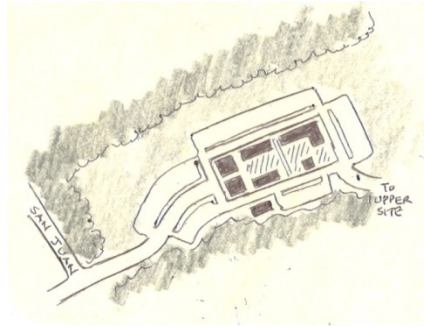
- (A) Theme. The Rocks Ranch node theme is Old California village or small town. Key characteristics include small-scale buildings arranged to enclose outdoor public space.
- (B) Architecture. Typical building types, styles, and features include:
 1. Individual small-scale buildings.
 2. Variable roofs including gables, Dutch gables, Spanish-influenced roof parapets, false fronts, and lean-to sheds.

3. Clapboard siding or bare wood.
4. Double-hung or casement windows.
5. Covered arcades fronting buildings.
6. The accompanying photographs portray representative architectural examples, and are not prescriptive.



(C) Site Design and Scenic Resource Compatibility.

1. Structures shall be organized along street frontages, and/or clustered, in either case providing for interconnecting pedestrian ways and public plaza or park space.
2. Buildings and signs on the lower portion of the site shall be only minimally visible from U.S. Highway 101.
3. Buildings and signs on the upper portion of the site shall be nestled into the hillsides and trees, and not visible from U.S. Highway 101. A single larger building may be included on the upper site.
4. The accompanying sketches portray conceptual site design examples, and are not prescriptive.



- (D) Regional Sign for Northbound Traffic. Development within the Rocks Ranch node shall include a regional sign oriented for northbound U.S. Highway 101 visibility, subject to [§25.16.068 \(E\)](#).

§ 25.16.077 SPECIAL REGULATIONS FOR LIVESTOCK 101 NODE.

The following special regulations and standards shall apply in the regional commercial node at Livestock 101.

- (A) Theme. The Livestock 101 node theme is working cattle or horse ranch. Key characteristics shall include one or two major structures with smaller outlying structures and open spaces.
- (B) Architecture. Typical building types, styles and features include:
1. Barn(s) in traditional central California style, with steeper central roof pitches and side sheds or a monitor.
 2. Farmhouse in any traditional style.
 3. Weathering steel, standing seam, wood, or similar rustic finishes.
 4. The accompanying photographs portray representative architectural examples, and are not prescriptive.



(C) Site Design and Scenic Resource Compatibility

1. Building design and placement shall emphasize compatibility with adjacent rural uses and be clustered where feasible.
2. Views of the western tree line from U.S. Highway 101 shall be preserved.
3. Structures in the southeast corner of the site shall be screened from U.S. Highway 101 by native vegetation.
4. Customer or guest vehicular access from Cole Road shall be inbound only. Site operations traffic and emergency traffic may use Cole Road inbound or outbound.
5. Access from U.S. Highway 101 shall be designed in accordance with Caltrans standards.

(D) The accompanying sketches portray conceptual site design examples, and are not prescriptive.

