

BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN BENITO

**A RESOLUTION OF THE SAN
BENITO COUNTY BOARD OF
SUPERVISORS APPROVING A
VESTING TENTATIVE SUBDIVISION
MAP FILE PLN190009 TO DIVIDE
THE 4.88-ACRE PROPERTY
LOCATED AT 3110 SOUTHSIDE
ROAD INTO 24 SINGLE-FAMILY
LOTS FOR 100% AFFORDABLE
HOUSING (APN 020-320-032)**

Resolution No. 2019-xx

WHEREAS, San Benito Engineering on behalf of the Community Development Services Corporation (CDSC) (Sonny Flores, Executive Director) filed an application to subdivide a 4.88-acre lot under their ownership at 3110 Southside Road (File # PLN190009) on February 6, 2019; and

WHEREAS, County staff received the Vesting Tentative Subdivision map proposal and distributed this plan to responsible County and peer agencies for review and comment; and

WHEREAS, the subject property is located on the west side of Southside Road just southerly of Hospital Road in unincorporated San Benito County, CA (APN 020-320-032) and is approximately 4.88-acres in area; and

WHEREAS, the Tentative Map PLN190009 proposes to subdivide the 4.88-acre subject parcel into 24 single-family detached residential lots for a 100% affordable housing project; and

WHEREAS, no unusual circumstances, features of the land, or unexpected issues have arisen that prevent approval of this tentative map; and

WHEREAS, the subject site has a 2035 General Plan Land Use Diagram designation of Public/Quasi-Public (PQP) and a Zoning Designation of Single-family Residential (R1); and

WHEREAS, the County assessed the potential for any substantial effect on the environment for the project consistent with the requirements of the California Environmental quality Act (CEQA); and

WHEREAS, on November 20, 2019, the Planning Commission considered the Vesting Tentative Subdivision Map PLN190009 as described herein and in the staff report, heard and received all oral and written testimony and evidence that was made, presented or filed, and all persons present at the hearing were given an opportunity to hear and be heard with respect to any matter related to the project; and

WHEREAS, at the conclusion of the public testimony, the Planning Commission closed the public hearing, deliberated, and considered the merits of the proposal; and

WHEREAS, the Planning Commission of the County of San Benito found that no enhancements or clarifications are necessary to the California Environmental Quality Act (CEQA) Findings and Evidence, nor to the Subdivision Findings and Evidence; and

WHEREAS, the Board of Supervisors will consider the prerequisite General Plan Amendment and Zoning Change before the vesting tentative subdivision map can be acted upon; and

WHEREAS, the Planning Commission adopted a resolution that recommended the County of San Benito Board of Supervisors approve the proposed vesting tentative subdivision map subject to their approval of the related General Plan Amendment and Zoning Change requests; and

WHEREAS, on (date tbd), the Board of Supervisors considered the Vesting Tentative Map PLN190009 as described herein and in the staff report, heard and received all oral and written testimony and evidence that was made, presented or filed, and all persons present at the hearing were given an opportunity to hear and be heard with respect to any matter related to the project; and

WHEREAS, at the conclusion of the public testimony, the Board of Supervisors closed the public hearing, deliberated, and considered the merits of the proposal; and

WHEREAS, the Board of Supervisors of the County of San Benito found that no enhancements or clarifications are necessary to the California Environmental Quality Act (CEQA) Findings and Evidence, nor to the Subdivision Findings and Evidence; and

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

California Environmental Quality Act (CEQA)

Finding 1: That the project is Categorically Exempt, per California Environmental Quality Act (CEQA) Guidelines Section 15061 (b) (3).

***Evidence:** The proposed tentative subdivision map is for a 100% affordable housing project for the very low and low-income groups. The proposed project meets all of the criteria for the Affordable Housing Exemption found in CEQA Guidelines Sections 15194 and 15192, except that the project does not meet the location requirement relating to population density. As stated in the Housing Element the need for affordable housing is not any less in an area with a lower population density. Except for this density requirement, the project would otherwise be exempt from CEQA. The proposed project density is dense by unincorporated County standards. Based on this reasoning, the vesting tentative subdivision map can also be found exempt per CEQA Guidelines Section 15061(b) (3). This approach facilitates implementation of the County Housing Element and is consistent with the Governor's recent direction to construct more affordable housing units statewide.*

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

Subdivision Findings

Finding 1: The proposed map is consistent with the General Plan or any applicable specific plan.

***Evidence:** The property is designated as Public/Quasi-Public (PQP) on the 2035 General Plan Land Use Diagram and is in the Single-family Residential (R1) Zoning District. The purpose of the PQP land use designation is to provide for public and quasi-public uses. As part of the proposed project, the County amended the PQP designation to allow the proposed affordable housing project. The proposed project includes a change in zoning to the R1 district that is compatible with the surrounding uses. Urban residential districts are established to provide areas in suitable locations for the various types of dwelling accommodations needed in the county and to provide a means of regulating the density and distribution of the population in conformance with the general plan. designation is to allow areas of unincorporated urban uses where circulation and utility services exist. There are no adopted Specific Plans in this area.*

Finding 2: That the site is physically suitable for the type of development.

***Evidence 2:** The site is suitable for the proposed affordable housing development in that the site has direct access from Southside Road and public sewer and domestic water service is available. The site was remediated for previous toxic substances and cleared by the State Department of Toxic Substances. The area of the site to be developed is vacant and relatively flat in grade. The site is not located within a FEMA flood zone.*

Finding 3: That the site is physically suitable for the density of development.

***Evidence 3:** Public utilities are available to support the proposed 24 single-family residential units. The project includes improvements for public streets and storm drainage. There are no physical constraints on the site that would preclude the proposed project density.*

Finding 4: That the subdivision design or proposed improvements are unlikely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

***Evidence 4:** There are no known special status plant or animal species present on the site. The site is not mapped or otherwise identified as suitable habitat for fish or wildlife. The existing 4.88-acre property is vacant with some non-native vegetation except for one oak tree that will be saved. No evidence is available of any potential to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife or their habitat.*

Finding 5: That the design of the subdivision or the type of improvements is not likely to cause serious public health problems.

***Evidence 5:** The project improvements have been reviewed by Responsible Agencies to ensure that the proposed subdivision would not have an impact on public health. No development is proposed. There is no evidence in the record that the proposal could cause serious problems for public health.*

Finding 6: That the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through, or use of, property within the proposed subdivision.

***Evidence 6:** The project will not conflict with any existing easements, but will require the applicant to establish and maintain new easements for wet utilities and storm drainage improvements prior to the recordation of the Final Map.*

Finding 7: That Subject to Section 66474.4 of the Government Code, the land is not subject to a contract entered into pursuant to the California Land Conservation Act of 1965.

***Evidence 7:** The project was reviewed by the San Benito County Assessor. The Assessor did not identify this property as subject to a Williamson Act Contract.*

Finding 8: That subject to Section 66474.6 of the Government Code, the discharge of waste from the proposed subdivision into an existing community sewer system would not result in violation of existing requirements prescribed by the Central Coast Regional Water Quality Control Board pursuant to Division 7 of the Water Code.

***Evidence:** The proposed subdivision will be served by the City of Hollister sewage treatment plant. The City or Sunnyslope Water District will provide domestic water service. There is no indication from the Division of Environmental Health that the project as proposed would result in a violation of existing requirements prescribed by the Central Coast Regional Water Quality Control Board pursuant to Division 7 of the Water Code.*

Finding 9: That the subject parcel's boundaries and terrain make it advisable for the Planning Commission to grant an exception to the specified depth-to-width ratio, pursuant to Code §23.25.011(B).

***Evidence 9:** The project is a 100% affordable housing project and as such is eligible for a Density Bonus request under state law and county code. County Code Subsection (D) of 21.03.013 provides for an applicant/developer to submit to the County a proposal for the specific incentives or concessions that the applicant requests pursuant to this section. The County is required to grant the concession or incentive requested by the applicant developer unless the County makes a written finding, based upon substantial evidence. CDSC did submit a density bonus request letter, dated July 11, 2019, prepared by Goldfarb Lipman Attorneys. The letter requests three regulatory concessions; undergrounding, lot depth requirements and mixed development types. The request also includes waivers for public street width, R1 setbacks and on-site recreation.*

Finding 10: That, through characteristics specific to the subject property, and through aspects necessary to the proposed subdivision, the applicant has demonstrated the continued agricultural viability of parcels under 40 acres in size. (LU-3.12 Agricultural Viability of Small Parcel Sizes).

***Evidence 10:** The 4.88-acre property is currently vacant and was previously used for non-agricultural use as a County hospital for many decades.*

Finding 11: The design and location of each lot in the subdivision, and the subdivision as a whole, are consistent with any applicable regulations adopted by the State Board of Forestry and Fire Protection pursuant to Sections 4290 and 4291 of the Public Resources Code (GC §66474.02, subd. (A) (1)).

***Evidence 11:** The project site lies within the Non-wildland/non-urban fire severity zone. A designated State Responsibility Area (SRA) for wildland fire suppression is provided by the California Department of Forestry and Fire Protection (CALFIRE). Structural fire protection and other related emergency services are the responsibility of the San Benito County Fire District.*

Finding 12: Structural fire protection and suppression services will be available for the subdivision through CALFIRE and/or the *San Benito County Fire District*. (GC §66474.02, subd. (a) (2)).

***Evidence 12:** The closest career staffed fire station is the City of Hollister Fire Station #2 located about one mile from the project site at 2240 Valleyview Road, Hollister (northwest corner of Airline Highway and Union Road) and Hollister Fire Station #1 is located about 3 miles away in Downtown. CALFIRE also operates a Fire Attack Base at the Hollister Airport, 5.2 miles from the site. Hollister Fire Department provides additional fire protection support services.*

Finding 13: Ingress and egress for the subdivision meet the regulations regarding road standards for fire equipment access adopted pursuant to Section 4290 of the Public Resources Code and any applicable local ordinance. (GC §66474.02, subd. (a) (3)).

***Evidence 13:** Qualified personnel from Responsible Agencies have reviewed the proposed subdivision and found that the proposed improvements are adequate to provide ingress/egress pursuant to applicable Fire Codes.*

BE IT FURTHER RESOLVED by the Board of Supervisors of the County of San Benito that based on the foregoing findings and evidence in the record, that the proposed vesting tentative map to subdivide the 4.88-acre property located at 3110 Southside Road (APN 020-320-032) into 24-single-family lots for affordable housing, is approved with the following conditions of approval.

CONDITIONS OF APPROVAL

- 1. Indemnification.** APPLICANT shall defend, indemnify, and hold San Benito County, its agents, officers, and/or employees (hereinafter “COUNTY”) free and harmless from any and all suits, fees, claims, demands, causes of action, proceedings (hereinafter collectively referred to as “Legal Action”), costs, losses, damages, liabilities and expenses (including, but not limited to, an award of attorneys’ fees, expert witness fees, and court costs) incurred by COUNTY arising (directly or indirectly) or resulting from the review, processing, consideration, or approval of APPLICANT’S Project or action taken by COUNTY thereon, including Legal Actions based on the negligence of COUNTY. APPLICANT will reimburse COUNTY for any damages, costs, or fees awarded pursuant to any settlement, default judgment, or other judgment taken against the County, whether the result of Applicant’s decision not to defend Legal Action or otherwise. COUNTY retains its discretion to direct counsel regarding whether to defend, settle, appeal, or take other action regarding any Legal Action. APPLICANT shall defend COUNTY’S actions with competent legal counsel of APPLICANT’s choice without charge to COUNTY, subject to COUNTY approval, which shall not be unreasonably withheld. Nothing contained in the foregoing, however, shall be construed to limit the discretion of COUNTY, in the interest of the public welfare, to settle, defend, or appeal, or to decline settlement or to terminate or forego defense or appeal of a Legal Action. Furthermore, in no event shall COUNTY have any obligation or liability to APPLICANT in connection with COUNTY’S defense or prosecution of litigation related to the Project (including, but not limited to, the outcome thereof) or in the event, COUNTY elects not to prosecute a case or defend litigation brought against it. If either COUNTY or APPLICANT determines in good faith that common counsel presents a bona fide conflict of interest, then COUNTY may employ separate counsel to represent or defend the COUNTY, and APPLICANT shall pay the reasonable attorneys’ fees and costs of such counsel within thirty (30)-days of receiving an itemized billing statement or statements. [County Counsel]
- 2. Conformity to Plan.** The development of the site shall conform substantially to the proposed Riverview Estates II Tentative Subdivision Map consisting of ten (10) sheets prepared by San Benito Engineering, dated November 1, 2019 and the Conditions of Approval as approved by the Board of Supervisors. [Planning]
- 3. Conditions of Approval.** Prior to or upon approval of the tentative subdivision map by the Board of Supervisors, the Applicant shall sign the statement below certifying that they are in agreement with all Conditions of Approval. [Planning]

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

Applicant Signature: _____

Date: _____

4. **CEQA Notice of Exemption** (Fish & Game Fees). The applicant/owner shall be required to file a Notice of Exemption for the project. The notice shall be provided by the County Planning Department and filed with the County Clerk within five (5) days of approval of the project. The applicant shall submit payment of an administrative fee of \$50.00 to the Planning Department for the filing of the notice. [Planning, CDFG]
5. **Compliance Documentation.** Prior to recordation of the Final Map the permittee shall submit a summary response in writing to these Conditions of Approval documenting compliance with each condition, including dates of compliance and referencing documents or other evidence of compliance. [Planning]
6. **Assessment.** Prior to recordation of the Final Map, the applicant shall pay applicable security for taxes and special assessments as required by Sections 66492, 66493, and 66494 of the Subdivision Map Act; this includes pre-payment of taxes for the current year the Final Map is recorded. [Planning, Assessor]
7. **Recordation.** The applicant shall submit a Final Map to the County for review and approval by the County Resource Management Agency. The applicant shall be responsible for recording the approved Final Map with the County Recorder. The tentative subdivision map shall expire two (2) years after the Planning Commission approval date, unless extended as provided by the Subdivision Map Act and the County Subdivision Ordinance. Failure to record a final map within the period of approval or a period of extension shall terminate all subdivision proceedings. [Public Works, Planning]
8. **Cultural Resources.** If, at any time in the preparation for or process of excavation or otherwise disturbing the ground, discovery occurs of any human remains of any age, or any significant artifact or other evidence of an archeological site, the applicant or builder shall:
 - a. Cease and desist from further excavation and disturbances within two hundred feet of the discovery or in any nearby area reasonably suspected to overlie adjacent remains.
 - b. Arrange for staking completely around the area of discovery by visible stakes no more than ten feet apart, forming a circle having a radius of not less than one hundred feet from the point of discovery; provided, however, that such staking need not take place on adjoining property unless the owner of the adjoining property authorizes such staking. Said staking shall not include flags or other devices which may attract vandals.
 - c. Notify the Sheriff-Coroner of the discovery if human and/or questionable remains have been discovered. The Resource Management Agency Director shall also be notified.
 - d. Subject to the legal process, grant all duly authorized representatives of the Coroner and the Resource Management Agency Director permission to enter onto the property and to take all actions consistent with Chapter 19.05 of the San Benito County Code and consistent with §7050.5 of the Health and Human Safety Code and Chapter 10 (commencing with §27460) of Part 3 of Division 2 of Title 3 of the Government Code.
9. **Fire Protection.** Prior to issuance of a building permit or beginning any construction for any one parcel, fire access and water supply for that parcel shall be in place and operable. A note to this effect shall be placed on an additional sheet to the parcel map.

- 10. Addressing.** Driveway addresses shall be installed so they are visible to responding emergency personnel. A note to this effect shall be placed on an additional sheet to the parcel map.
- 11. Temporary Addressing.** Prior to and during construction, temporary addressing shall be posted at the entrance to the project. It shall be plainly visible for emergency equipment. A note to this effect shall be placed on an additional sheet to the parcel map.
- 12. Dust Control.** A note shall be placed on the improvement plans for the proposed subdivision that states when any grading occurs for property improvements and/or development the owner shall water all graded areas at least twice daily. If dust is not adequately controlled, then a more frequent watering schedule shall be incorporated. All grading activities during periods of high wind (over 15 mph) are prohibited.
- 13. Exterior Lighting:** All exterior lighting for new development shall be unobtrusive, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. All fixtures shall comply with County Ordinance. Prior to the issuance of a building permit, the applicant shall submit to the Building and Planning Department an exterior lighting plan which shall indicate the location, type, and wattage of all proposed lighting fixtures and include catalog sheets for each fixture. [Planning]
- 14. Non-Buildable Areas:** Areas in excess of 30% slopes shall be designated on the Final Map as non-buildable areas.

HOUSING AFFORDABILITY

- 15. Density Bonus.** The project is required at all times to include more than 30% of its total units as affordable housing for lower income households in order to maintain qualification for the requested density bonus, regulatory concessions and waivers on which the project is based.
- 16. Affordability.** Any and all development on this property shall comply with the San Benito County Affordable Housing Ordinance Chapter 21.03. Prior to the recordation of the Final Map and/or prior to the issuance of building permits the applicant shall enter into an affordable housing agreement acceptable to the RMA Director that contains specific requirements implementing the condition of approval including, but not limited to, as applicable, the number of inclusionary units, the level of affordability, location and type of inclusionary units, timing of construction of inclusionary units contained in the development, and amount of the in-lieu fee, if any.

ENVIRONMENTAL HEALTH DIVISION

- 17. Potable Water.** The project is served by the City of Hollister or Sunnyslope Water District for domestic water. Final Map approval does not constitute validation of an acceptable drinking water system or source. Proof of a drinking water system or source will be required prior to the issuance of a building permit.

- 18. Sewage Disposal.** The project is served by the City of Hollister Sewer Treatment Facility. Final Map approval does not constitute validation of site suitability for an acceptable sewage disposal system. Proof of an adequate wastewater disposal system will be required prior to the issuance of a building permit.
- 19. Hazardous Materials.** If any hazardous materials are to be stored during construction or in any proposed facilities/buildings/structures, a Hazardous Materials Plan must be completed and submitted to the Environmental Health Division.

FIRE DEPARTMENT

- 20. Fire Code.** Any and all development on this property shall be required to meet the standards set forth in the latest editions of the 2016 California Fire Code, Public Resources Codes 4290 and 4291, Ordinances 822 and 823 of the San Benito County Code and other related codes as they apply to a project of this type and size.
- 21. Fire Hydrants.** The exact number and location of new fire hydrants will be at the discretion of the City of Hollister Fire Department prior to the approval of Improvement Plans and the Final Map.

PUBLIC WORKS DIVISION

- 22. Improvement Plans:** Prior to recordation of the Final Map, the applicant shall submit for approval by the County Public Works Department, improvement plans for the proposed subdivision. [Public Works]
- 23. Easements.** Prior to the recordation of the Final Map, all utility easements must be shown on the map. If the easements will be altered in any way, this must be reflected on the Final Map and taken into account in the Improvement Plans.
- 24. Vertical Alignment.** The preliminary vertical alignment profile concept is acceptable based on County Standards (§ 23.31.023). A vertical curve will be required to avoid a 10% grade break. Additional information will be required with the Improvement Plans and detailed grading plans and revisions may be required as part of the improvement plan review and approval.
- 25. Overhead Utility Lines.** The proposed overhead utility lines shall meet all street crossing standards. Overhead lines crossing the proposed driveway will be a minimum of 18 feet over the proposed elevation of the road or otherwise meet applicable requirements.
- 26. Retaining Walls.** Retaining walls greater than four (4) feet in height require building permits and their design shall be shown as part of the improvement plans. Slopes in excess of 5% are not allowed within 10 feet of the building foundations per the Uniform Building Code. Provide adequate drainage away from the building foundations with a drainage path to Street 'A'.
- 27. Acoustical Analysis.** Prior to approval of improvement plans and recordation of the Final Map a noise study shall be prepared by a qualified professional to determine the appropriate

window sound rating for any houses potentially affected by traffic noise from Southside Road. The intent is to avoid the need for construction of a sound wall along Southside Road if possible.

- 28. SWPPP:** If disturbed area exceeds one (1) acre, the applicant shall be responsible for complying with the California State Water Resources Control Board's Construction Stormwater General Permit (General Permit) as amended, file a complete Notice of Intent (NOI) package, and develop a Storm Water Pollution Prevention Plan (SWPPP) conforming to the General Permit. A Waste Discharge Identification (WDID) number or Erosivity Waiver shall be provided to Engineering prior to start of any construction activities as part of this project. A note to this effect must be added on the Improvement Plans.
- 29. Encroachment Permit:** Applicant must obtain an Encroachment Permit from Public Works Division for any work being performed within the County right-of-way or for any road offered for dedication to the County prior to commencement of any improvements associated with this project.
- 30. Utility Plans:** As part of submission of the Improvement Plan for this project, the applicant shall include utility plans and have them approved by each corresponding utility company when applicable, which includes, but not necessarily limited to, sanitary sewer, water, gas, electric, telephone, and cablevision, and shall furnish copies said approved plans to Public Works Department for concurrence. Said plans shall be part of the approved Improvement Plan set.
- 31. Utilities:** All proposed utilities within the subdivision shall be placed underground except those facilities exempted by Public Utilities Commission regulations [*§23.17.003(F)*]. All necessary utilities must be installed or bonded for prior to recordation of the Final Map.
- 32. Warranty Security:** Upon completion of required improvements, prior to the recordation of the Final Map or before release of alternate Bond, applicant shall provide warranty security in an amount not less than 10% of the estimated cost of construction of the improvements to guarantee the improvements against any defective work or labor done or defective materials used in the construction or installation of the improvements throughout the warranty period which shall be the period of one year following completion and acceptance of the improvements (*§ 23.17.009.4*).
- 33. As Built Plans:** Prior to the recordation of the Final Map or before release of alternate Bond, one set of "As Built" Improvement Plans on a suitable reproducible media (PDF file and hardcopy file) shall be prepared by the applicant's engineer and delivered to the Public Works Department. [*§ 23.31.002 (K)(1)*]
- 34. County Service Area:** Prior to recordation of the Final Map, the project shall annex into the existing CSA #53, or another CSA as determined appropriate and adequate. If the project does not annex into CSA #53 or another CSA then condition no. 39 (CFD) shall apply. The intent is for the project to annex into either a CSA or the CFD.

- 35. Dedication of Parkland:** In accordance with San Benito County Code of Ordinances Section 23.15.008, “Dedication of Parkland,” the applicant must dedicate land; pay a fee in lieu thereof or a combination of both, at the option of the County; for park and recreational purposes. The project is 100% affordable housing and will be treated accordingly for any applicable exceptions or reductions.
- 36. Geotechnical Report Compliance:** As part of the submission of Improvement Plans for this project, the recommendations of the geotechnical investigation report prepared by Earth Systems (File No. 300564-001), shall be referenced and incorporated into the design of the improvement plans. Prior to recordation of the Final Map, a complete compilation of test reports along with a letter from Soils Engineer attesting compliance with requirements and recommendations shall be submitted to Public Works Department upon completion of site improvements. A note shall also be placed on the Final Map referencing the aforementioned report for future reference by potential property owners. [§ 23.31.023]
- 37. Bonds:** Prior to recordation of the Final Map, the applicant shall bond for or construct the roadway improvements necessary for Street A including the following:
- Full 36 foot curb to curb paved section with curb and gutter, and an adjoining 3 foot park strip and 4 foot sidewalk in a 56 foot right of way—along the whole property frontage along Street ‘A’.
 - Full 40 foot paved radius and roadbed section for the cul-de-sac bulb (turnaround) with curb, gutter, and adjoining sidewalk per 2016 California Fire Code.
 - Including any project related Southside Road improvements
- 38. Roadway Dedication.** Prior to recordation of the Final Map the applicant must make the following irrevocable offers of dedication [§23.15.002 *Dedication of Streets, Alleys and Other Public Rights-of-way or easement*] to the satisfaction of the RMA Director:
- Full 56-feet right-of-way for all streets within the subdivision with standard 40-foot radius at turnaround facilities.
- 39. Community Facilities District.** Prior to the recordation of the Final Map, if the project does not annex into CSA#53 then the project area shall annex into Mello-Roos Community Facilities District (CFD) No. 2018-1 to fund the project’s fair share of project specific costs, as well as to offset the project’s impact on general county costs. The applicant, on behalf of future landowners, shall agree to pay any such taxes or fees as may be determined in the reasonable discretion of the County to fund both project specific and countywide costs through the CFD process. Applicant shall further pay all costs incurred by the County for the CFD annexation process including, but not limited to, any necessary fiscal impact fee study.

SAN BENITO COUNTY WATER DISTRICT

- 40. Storm Water Discharge.** The development shall conform to all NPDES requirements in effect, as well as the Central Coast Regional Water Quality Control Board Basin Plan with regard to storm water discharge quality. The project may be required to develop and implement a Storm Water Management Plan.

PASSED AND ADOPTED by the Board of Supervisors, County of San Benito, State of California on this ____day of ___, 20___, by the following vote:

AYES: SUPERVISORS
NOES: SUPERVISORS
ABSTAINING: SUPERVISORS
ABSENT: SUPERVISORS

By _____
Mark Medina, Chairperson
Board of Supervisors, County of San Benito

ATTEST:
Janet Slibsager, Clerk of the Board

APPROVED AS TO LEGAL FORM:
Barbara Thompson, County Counsel

By: _____
[name] Deputy Clerk

By: _____
[name] [title] County Counsel

Date: _____

Date: _____

Attachment 1
Riverview Estates II Vesting Tentative Subdivision Map
County File PLN 190009

(consisting of ten (10) sheets prepared by San Benito Engineering, dated November 1, 2019)

Draft