



SAN BENITO COUNTY PLANNING COMMISSION

Eduardo
Navarro
District No. 1

Valerie Eglund
District No. 2

Robert Eggers
District No. 3

Robert
Gibson
District No. 4

Robert Rodriguez
District No. 5

*County Administration Building - Board of Supervisors Chambers, 481 Fourth Street, Hollister,
California*

REGULAR MEETING AGENDA August 21, 2019 6:00 PM

6:00 PM ~ CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PLANNING COMMISSIONER ANNOUNCEMENTS

DEPARTMENT ANNOUNCEMENTS

PUBLIC COMMENT

The San Benito County Planning Commission welcomes you to this meeting and encourages your participation.

- If you wish to speak on a matter which does **NOT** appear on the agenda, you may do so during the Public Comment period at the beginning of the meeting. Please complete a Speaker Card and provide to the Clerk prior to the meeting. Except as otherwise provided by law; no action shall be taken on any item NOT appearing on the Agenda or items that have been continued to a future public hearing date. When addressing the Commission, **please state your name for the record**. Please address the Commission as a whole through the Chair. This open forum period is provided to allow members of the public an opportunity to address the Planning Commission on general issues of land use planning and community development. It is not intended for comments on items on the current agenda, any pending items.
- If you wish to speak on an item contained in the Agenda, please complete a Speaker Card identifying the Item(s) and provide it to the Clerk prior to consideration of the item.
- **Each individual speaker will be limited to a three (3) minute presentation.**

CONSENT AGENDA

ACKNOWLEDGEMENT OF PUBLIC HEARING

ACKNOWLEDGEMENT OF CERTIFICATE OF POSTING

- These items will be considered as a whole without discussion unless a particular item is requested by

a member of the Commission, Staff or the public to be removed from the Consent Agenda. Approval of a consent item means approval of the recommended action as specified in the Staff Report.

- If any member of the public wishes to comment on a Consent Agenda Item please fill out a speaker card present it to the Clerk prior to consideration of the Consent Agenda and request the item be removed and considered separately.

PUBLIC HEARING

1. Continuation of:

Tentative Subdivision Map (TSM) 09-82: OWNER/APPLICANT: Roth Bypass Trust/Roth Family Living Trust. APN: 011-270-007. LOCATION: 240 Cole Road, ½-mile north of Route 101 at San Juan Road, near Aromas. REQUEST: To subdivide a 37.43-acre property into six residential parcels plus one remainder parcel, all of 5 to 6 acres in area, in addition to building access drives and infrastructure to serve the lots. GENERAL PLAN: Rural (R). ZONING: Rural/Open Space (R/OS). ENVIRONMENTAL EVALUATION: Initial Study/Mitigated Negative Declaration. PLANNER: Michael Kelly (*mkelly@cosb.us*).

2. **Tentative Subdivision Map (TSM) 16-97:** OWNER: Bray Family Trust and Culler Living Trust. APPLICANT: James Bray. APN: 020-280-054. LOCATION: ¼-mile west of Southside Rd.–Enterprise Rd. intersection, near Hollister. REQUEST: To rezone a four-acre parcel from Agricultural Productive (AP) to Single-family Residential (R1) and subdivide the site into 11 lots, including 10 between 6,000 and 7,600 square feet for residential use plus one lot for public utility use, together with a SSCWD water line, a City of Hollister sewer line, approximately 700 feet of additional length to Mojave Way and Fulton Way, and earthmoving for the street extension and building sites. GENERAL PLAN: Residential Mixed (RM). ZONING: Agricultural Productive (AP). ENVIRONMENTAL EVALUATION: Initial Study/Negative Declaration. PLANNER: Michael Kelly (*mkelly@cosb.us*).

DISCUSSION

3. Discussion of PC Members assigning "Discussion Items" to staff.

ADJOURN

NOTE: A copy of this Agenda is published on the County's Web site by the Friday preceding each Commission meeting and may be viewed at www.cosb.us. All proposed agenda items with supportive documents are available for viewing at the San Benito County Administration Building, 481 Fourth Street, Hollister, CA between the hours of 8:00 a.m. & 5:00 p.m., Monday through Friday (except holidays.) This is the same packet that the Planning Commission reviews and discusses at the Commission meeting. The project planner's name and email address has been added at the end of each project description. As required by Government Code Section 54957.5 any public record distributed to the Planning Commission less than 72 hours prior to this meeting in connection with any agenda item shall be made available for public inspection at the Planning Department, 2301 Technology Parkway, Hollister, CA 95023. Public records distributed during the meeting will be available for public inspection at the meeting if prepared by the County. If the public record is prepared by some other person and distributed at the meeting it will be made available for public inspection following the meeting at the Planning Department.

APPEAL NOTICE: Any person aggrieved by the decision of the Planning Commission may appeal the decision within ten (10) calendar days to the Board of Supervisors. The notice of appeal must be in writing and shall set forth specifically wherein the Planning Commission's decision was inappropriate or unjustified. Appeal forms are available from the Clerk of the Board at the San Benito County Administration Office, 481 Fourth Street, Hollister and the San Benito County Planning Department, 2301

Technology Parkway, Hollister.

NOTE: In compliance with the Americans with Disabilities Act (ADA) the Board of Supervisors meeting facility is accessible to persons with disabilities. If you need special assistance to participate in this meeting, please contact the Clerk of the Board's office at (831) 636-4000 at least 48 hours before the meeting to enable the County to make reasonable arrangements to ensure accessibility.



SAN BENITO COUNTY AGENDA ITEM TRANSMITTAL FORM

Eduardo Navarro
District No. 1

Valerie Eglund
District No. 2

Robert Eggers
District No. 3

Robert Gibson
District No. 4

Robert Rodriguez
District No. 5

Item Number: 1.

MEETING DATE: 8/21/2019

DEPARTMENT: RESOURCE MANAGEMENT AGENCY

DEPT HEAD/DIRECTOR: Harry Mavrogenes

AGENDA ITEM PREPARER: Michael Kelly

SBC DEPT FILE NUMBER:

SUBJECT:

Continuation of:

Tentative Subdivision Map (TSM) 09-82: OWNER/APPLICANT: Roth Bypass Trust/Roth Family Living Trust. APN: 011-270-007. LOCATION: 240 Cole Road, ½-mile north of Route 101 at San Juan Road, near Aromas. REQUEST: To subdivide a 37.43-acre property into six residential parcels plus one remainder parcel, all of 5 to 6 acres in area, in addition to building access drives and infrastructure to serve the lots. GENERAL PLAN: Rural (R). ZONING: Rural/Open Space (R/OS). ENVIRONMENTAL EVALUATION: Initial Study/Mitigated Negative Declaration. PLANNER: Michael Kelly (mkelly@cosb.us).

AGENDA SECTION:

PUBLIC HEARING

BACKGROUND/SUMMARY:

Applicant request for continuation: The project applicant has requested that the agenda item be continued to the Planning Commission meeting of September 18, 2019. The applicant has stated that both she and her representative will be unavailable to attend the August 21 Planning Commission meeting and intends for at least one of the two to be present upon the Commission's deliberation and decision on the project. A concern has also been raised on the maintenance of

the private road Ricardo Drive, from which the proposed new residential lots would be accessed, and the applicant prefers more time to discuss the details of the maintenance requirements.

The project consists of the subdivision of an existing 37.43-acre parcel into seven residential lots, specifically six new lots, each for residential use, and one remainder lot with an existing residence. The size of new lots would range from 5.00 to 5.65 acres. Development of the property would include construction of a new access road connecting to Ricardo Drive. In addition, each lot would include construction of driveways, building sites, on-site septic systems, and trenching for underground utilities.

BUDGETED:

SBC BUDGET LINE ITEM NUMBER:

CURRENT FY COST:

STAFF RECOMMENDATION:

Staff recommends that the agenda item be continued to the Planning Commission meeting on the date certain of September 18, 2019, at the request of the project applicant.

ADDITIONAL PERSONNEL:



SAN BENITO COUNTY AGENDA ITEM TRANSMITTAL FORM

Eduardo Navarro
District No. 1

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District No. 5

Item Number: 2.

MEETING DATE: 8/21/2019

DEPARTMENT: RESOURCE MANAGEMENT AGENCY

DEPT HEAD/DIRECTOR: Harry Mavrogenes

AGENDA ITEM PREPARER: Michael Kelly

SBC DEPT FILE NUMBER:

SUBJECT:

Tentative Subdivision Map (TSM) 16-97: OWNER: Bray Family Trust and Culler Living Trust. APPLICANT: James Bray. APN: 020-280-054. LOCATION: ¼-mile west of Southside Rd.–Enterprise Rd. intersection, near Hollister. REQUEST: To rezone a four-acre parcel from Agricultural Productive (AP) to Single-family Residential (R1) and subdivide the site into 11 lots, including 10 between 6,000 and 7,600 square feet for residential use plus one lot for public utility use, together with a SSCWD water line, a City of Hollister sewer line, approximately 700 feet of additional length to Mojave Way and Fulton Way, and earthmoving for the street extension and building sites. GENERAL PLAN: Residential Mixed (RM). ZONING: Agricultural Productive (AP). ENVIRONMENTAL EVALUATION: Initial Study/Negative Declaration. PLANNER: Michael Kelly (mkelly@cosb.us).

AGENDA SECTION:

PUBLIC HEARING

BACKGROUND/SUMMARY:

The proposed project would rezone a four-acre parcel to single-family residential use and subdivide it into 11 lots. Of these, 10 would contain between 6,000 and 7,600 square feet and be used for residential use, while the one other lot would be reserved for public utility use by the

Sunnyslope County Water District (SSCWD). The lots would be located adjacent to and accessible via the Sunnyside Estates subdivision (TSM 14-91). Earthmoving of 3,900 cubic yards cut and 4,100 cubic yards fill would be necessary to configure streets and building sites. The project is proposed to be served by a SSCWD water line, a City of Hollister sewer line, and approximately 700 feet of street extension to Mojave Way and Fulton Way, all currently established or under construction to the project site edge as components of Sunnyside Estates.

BUDGETED:

SBC BUDGET LINE ITEM NUMBER:

CURRENT FY COST:

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission review the staff report, hold a public hearing, and hear any proponents and opponents of the proposed project. Staff further recommends that the Planning Commission adopt the attached resolution to recommend to the Board of Supervisors adoption of Single-family Residential (R1) zoning on the project site and to approve Tentative Subdivision Map 16-97 subject to the findings and conditions of approval included within the resolution, the rezoning action being one of those conditions.

ADDITIONAL PERSONNEL:

ATTACHMENTS:

Description	Upload Date	Type
Staff Report	8/14/2019	Staff Report
Attachment B (part 1 of 2). Planning Commission Resolution 2019-__ (draft)	8/14/2019	Resolution
Attachment B (part 2 of 2). Resolution Exhibit A—Draft rezone ordinance	8/14/2019	Ordinance
Attachment C. Initial Study/Negative Declaration	8/14/2019	Backup Material

STAFF REPORT

PROJECT INFORMATION:

Application: Tentative Subdivision Map 16-97
Public Hearing: August 21, 2019
Applicant: James Bray
Owner: Bray Family Trust and Culler Living Trust
Location: Quarter-mile west of Southside Rd.–Enterprise Rd. intersection, near Hollister
APN: 020-280-054
Zoning: Agricultural Productive (AP)
General Plan: Residential Mixed (RM)
Planner: Michael Kelly

PROJECT DESCRIPTION

The proposed project would rezone a four-acre parcel to single-family residential use and subdivide it into 11 lots. Of these, 10 would contain between 6,000 and 7,600 square feet and be used for residential use, while the one other lot would be reserved for public utility use by the Sunnyslope County Water District (SSCWD). The lots would be located adjacent to and accessible via the Sunnyside Estates subdivision (TSM 14-91). Earthmoving of 3,900 cubic yards cut and 4,100 cubic yards fill would be necessary to configure streets and building sites. The project is proposed to be served by a SSCWD water line, a City of Hollister sewer line, and approximately 700 feet of street extension to Mojave Way and Fulton Way, all currently established or under construction to the project site edge as components of Sunnyside Estates.

SITE DESCRIPTION

Currently on the project site's approximately four acres, located a quarter-mile west of Southside Road, a walnut orchard sits on relatively flat land sloping about one percent on average. North and west of the site are gradually sloping agricultural lands and rural residences on lots of 5 to 35 acres.

The neighboring property and another directly across Southside Road to the east have recently been approved for 284 residential lots between them, with construction underway on both sites. In particular, this project would be accessed from the east through the 200-lot Sunnyside Estates subdivision (TSM 14-91). This subdivision, TSM 16-97, would function as an extension of Sunnyside Estates' approved lots and streets, including right-of-way dedication for a public street that completes westerly loop connection from two parallel Sunnyside Estates streets, Mojave Way and Fulton Way. In addition, the Bennett Ranch subdivision (TSM 15-93) is also under construction to create 84 lots eastward across Southside Road from Sunnyside Estates, and the existing 56-residence Riverview Estates stands a quarter mile southeast of TSM 16-97. As a result of these nearby subdivisions, residential development would line Southside Road for beyond a quarter-mile and would surround the Southside Road–Hospital Road intersection.

Legal Lot of Record: Formerly APN 20-28-15, legally transferred by 1958 deed found in County Official Records Book 239 Page 530, then adjusted by Lot Line Adjustment 12-550, or County Official Records document 2012-0003517.

Minimum Building Site Allowed: 5,000 square feet.

Land Use: Ten lots for single-family residential use.

Sewage Disposal: City of Hollister.

Water: Sunnyslope County Water District.

State Farmland Map Designation: Prime Farmland.

Land Conservation Act (Williamson Act): Not a preserve.

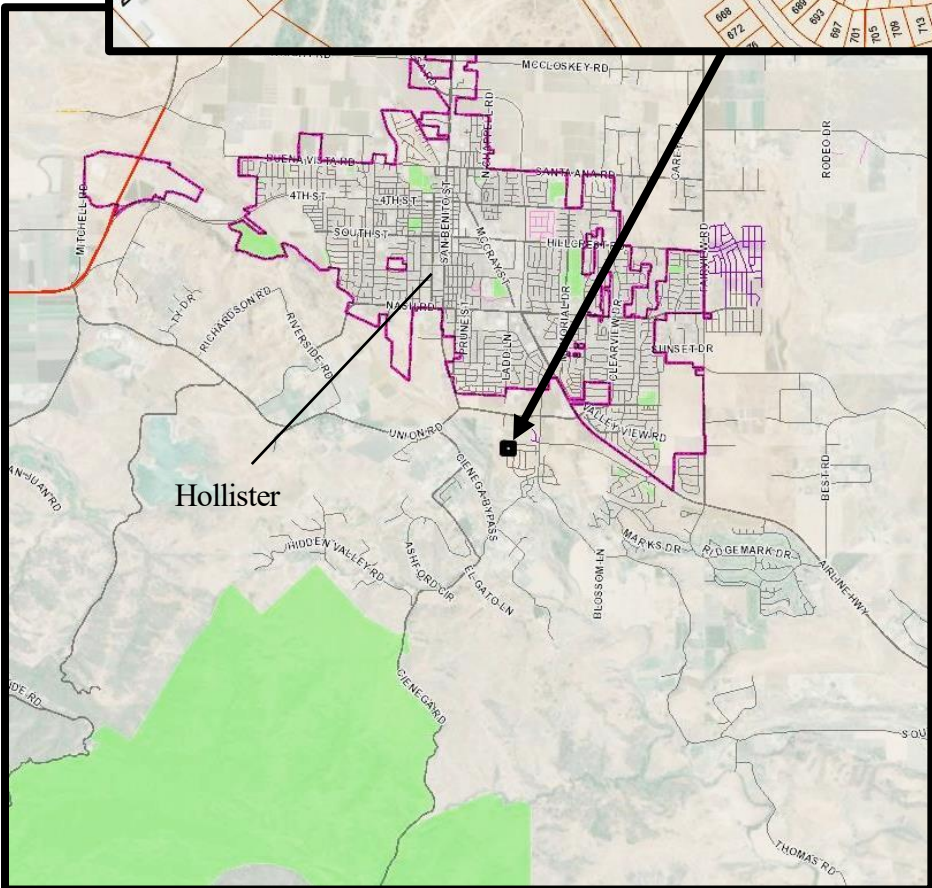
Soils: Sorrento silt loam, 0 to 2 percent slopes (Grade 1), and Metz sandy loam, 0 to 2 percent slopes (Grade 1).

Seismic: Not within an Alquist–Priolo Earthquake Fault Zone.

FEMA Flood Zone: Zone X, or areas determined to be outside the 0.2% annual chance floodplain, according to FEMA Flood Insurance Rate Map 06069C0185D, effective April 16, 2009.

Fire Severity: Non-wildland/non-urban (local responsibility area).

Archaeological sensitivity: Some sensitivity at lot's southwest corner.



PLANNING AND ZONING

The site is under the Residential Mixed (RM) designation in the San Benito County 2035 General Plan. Properties under this designation may be considered eligible for “an unincorporated village or neighborhood atmosphere composed primarily of residential land uses” with up to 20 dwelling units per acre.

The designation allows areas of unincorporated urban uses where public infrastructure such as circulation and utilities exist that are necessary to support increased density, largely in or near areas that are already developed. The intensity of development is to be directly proportional to the availability of these services, with a maximum of 20 dwelling units per acre allowed in areas so designated. The designation requires 30 percent of new residential dwelling units with available public sewer and water to include mixed residential types with an average development density of 8 units per acre.

This property is currently subject to the Agricultural Productive (AP) zoning designation, which allows only a lower density of residences. For consistency with the General Plan RM designation, this project includes rezoning the site from Agricultural Productive (AP) to Single-family Residential (R1). This district allows building sites of 5,000 square feet at minimum where public sewer and public water services are available.

Since October 2016 the subdivision process has been required to contribute inclusionary housing under County Ordinance 951. However, this project was considered a complete submittal earlier in 2016, when affordable housing regulations were incentive-based and voluntary. While more recent subdivisions would be subject to current rules, this project is subject to the prior standards.

ENVIRONMENTAL EVALUATION

An initial study resulting in a proposed negative declaration was prepared for this project under CEQA. The study identifies impacts that would potentially occur as a result of the proposed development and finds them all less than significant. Planning staff circulated the study for comment during a public review period from July 26 to August 16, 2019, and no comments resulting in substantial revision of the document were given at the time of this report’s writing.

STAFF ANALYSIS

Upon construction the subdivision would very likely appear to be a seamless extension of the Sunnyside Estates development, currently under construction and approved under Tentative Subdivision Map 14-91. Precisely the same land use found along Fulton Way and Mojave Way would continue westward along those streets and add 10 residential lots to the neighboring 200. The existing development and the current proposal are located within the Residential Mixed (RM) designation of the County General Plan and would match the designation’s definition of unincorporated lands uses of an urban residential density close to utility services and circulation. As earlier noted, the new development was described by the initial study under CEQA to result in no environmental impacts that can be called significant.

The property is adjacent to areas served by City of Hollister wastewater treatment but presently does not have access to that service. A recommended condition of approval requires that the developer demonstrate this access by obtaining approval from the City of Hollister and Local Agency Formation Commission (LAFCo) to obtain the City’s wastewater treatment service.

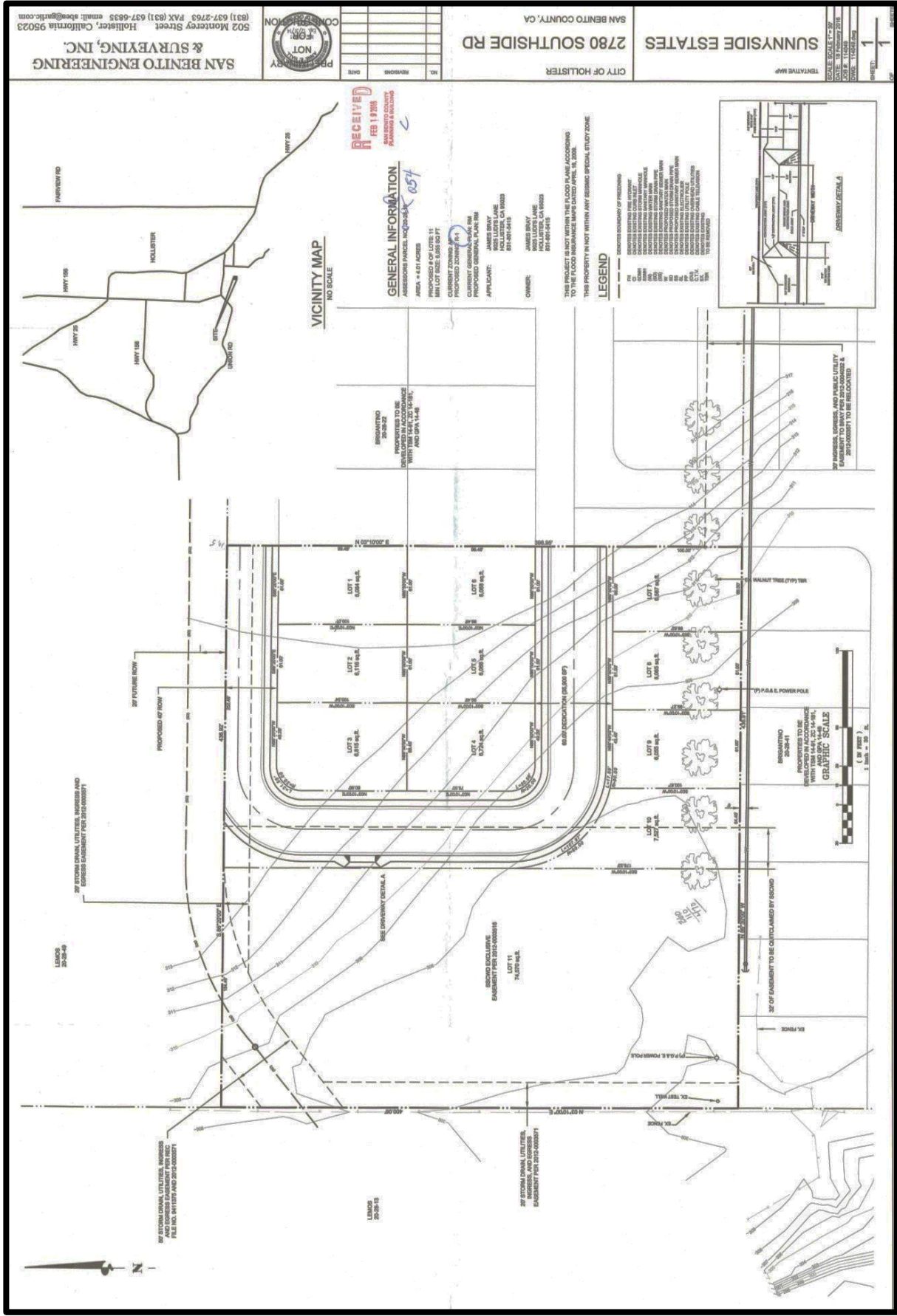
STAFF RECOMMENDATION

Staff recommends that the Planning Commission review the staff report, hold a public hearing, and hear any proponents and opponents of the proposed project. Staff further recommends that the Planning Commission adopt the attached resolution to recommend to the Board of Supervisors adoption of Single-family Residential

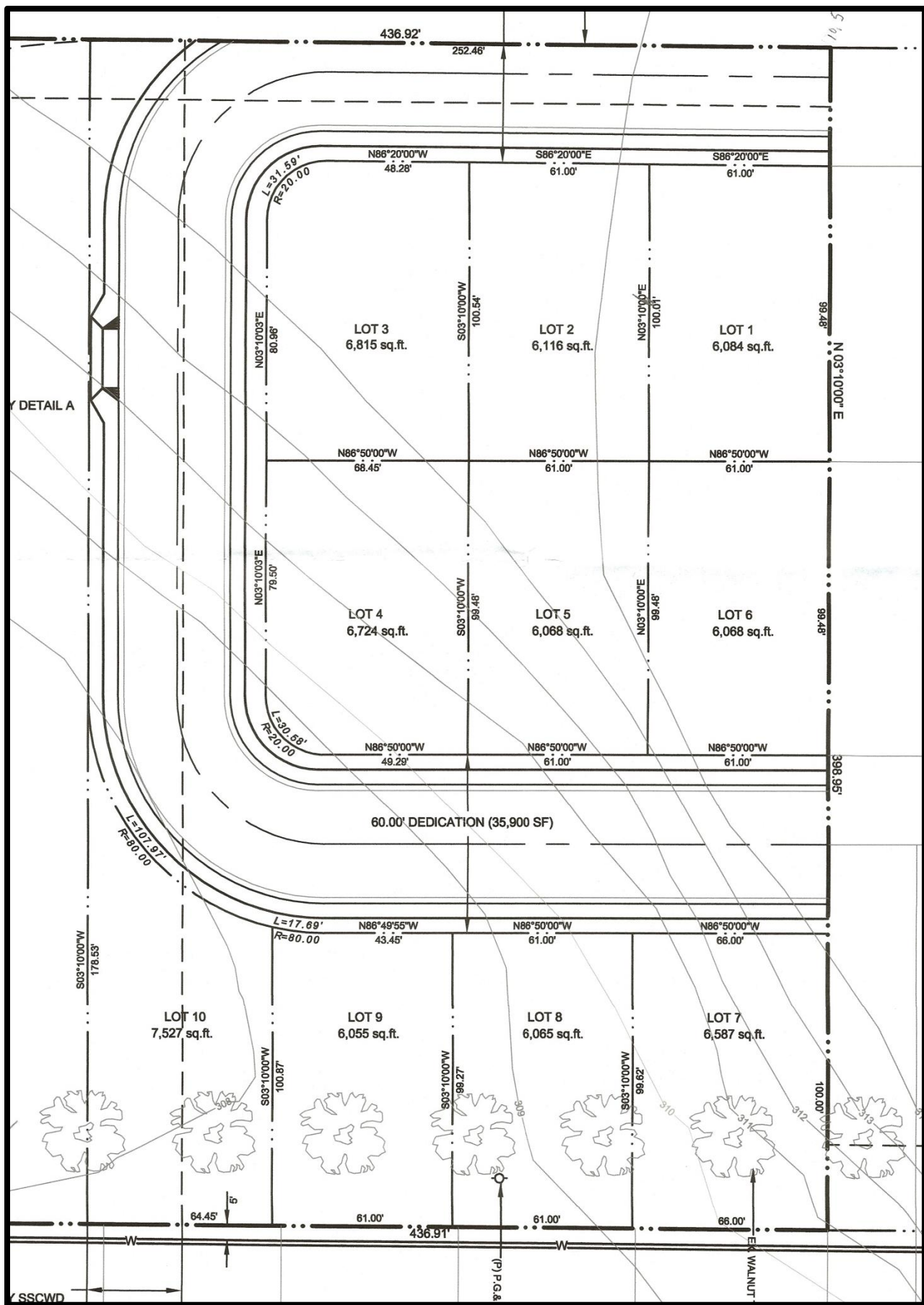
(R1) zoning on the project site and to approve Tentative Subdivision Map 16-97 subject to the findings and conditions of approval included within the resolution, the rezoning action being one of those conditions.

ATTACHMENTS

- A. Tentative Map
- B. Planning Commission Resolution 2019-____ (draft)
 - Includes draft rezone ordinance as Exhibit A to the Resolution
- C. Initial Study/Negative Declaration



Attachment A. Proposed Tentative Subdivision Map. The subdivision forms a street loop connecting Fulton Way from the south to the parallel Mojave Way to the north, with new residential lots along each street and a utility lot for a well site at the west.



Attachment A (continued). Proposed Tentative Subdivision Map (detail of residential lots)

BEFORE THE PLANNING COMMISSION OF THE COUNTY OF SAN BENITO

A RESOLUTION OF THE SAN BENITO COUNTY PLANNING) **Resolution No. 2019-____**
COMMISSION CONDITIONALLY APPROVING TENTATIVE)
SUBDIVISION MAP (TSM) 16-97 AND RECOMMENDING TO)
THE BOARD OF SUPERVISORS ENACTMENT OF A ZONING)
MAP AMENDMENT FOR SINGLE-FAMILY RESIDENTIAL (R1))
ZONING.)

WHEREAS, the subject parcel is located at the western ends of Fulton Way and Mojave Way, one quarter-mile west of the Southside Rd.–Enterprise Rd. intersection, near Hollister in unincorporated San Benito County, California (Assessor's Parcel 020-280-054) and is four acres in area; and

WHEREAS, James Bray on behalf of the property owners Bray Family Trust and Culler Living Trust has filed an application for a tentative subdivision map to separate the property into 10 residential lots and one additional lot for utility purposes, together with a rezoning action to permit the changed land use; and

WHEREAS, the tentative subdivision map would be permissible provided the County Board of Supervisors approve and enact a zoning map amendment designating the project site as Single-family Residential (R1) zoning; and

WHEREAS, the subject property currently has a General Plan Land Use Element designation of Residential Mixed (RM) and a zoning designation of Agricultural Productive (AP); and

WHEREAS, the subject property was recognized as a legal parcel under the State Subdivision Map Act with a 1958 transfer by deed found in County Official Records Book 239 Page 530 and then shaped into its current dimensions following review and approval of Lot Line Adjustment 12-550 under the authority of the San Benito County Planning Director; and

WHEREAS, the Planning Commission of the County of San Benito reviewed the zone change and tentative subdivision map at its regularly scheduled meeting held on August 21, 2019, and reviewed all written and oral information presented to them by County staff and the public at the public hearing; and

WHEREAS, the Planning Commission finds the layout and intensity of the tentative subdivision map consistent with the Residential Mixed (RM) land use designation currently in effect for the property under the General Plan Land Use Element; and

WHEREAS, the Planning Commission finds a zoning map amendment to change the project site's zoning from Agricultural Productive (AP) to Single-family Residential (R1) consistent with the Residential Mixed (RM) land use designation currently in effect for the property under the General Plan Land Use Element; and

WHEREAS, proposed use of the property would use physical infrastructure currently available and already established to the project site property edge, including public roads and water and sewer lines; and

WHEREAS, the County prepared an initial study/negative declaration (IS/ND) for the project consistent with the requirements of the California Environmental Quality Act (CEQA); and

WHEREAS, the County circulated the IS/ND for public comment from July 26 through August 16, 2019; and

WHEREAS, the IS/ND was presented to the Planning Commission, which reviewed and considered the information contained in the IS/ND prior to making its recommendation on the project; and

WHEREAS, the IS/ND reflects the County of San Benito's independent judgment and analysis; and

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

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

California Environmental Quality Act (CEQA) Findings:

Finding 1: The initial study for TSM 16-97 has been prepared in compliance with the provisions of the California Environmental Quality Act, the State CEQA Guidelines and the San Benito County Implementing Procedures for the California Environmental Quality Act.

***Evidence:** All provisions including both State and County environmental guidelines and policies for the preparation of an initial study have been followed. The environmental documents in the preparation of the initial study are filed in the project record located at the San Benito County Resource Management Agency in file number TSM 16-97.*

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

***Evidence:** An initial study/negative declaration IS/ND was prepared and circulated publicly to receive comments from members of the public and other public agencies. The IS/ND document, the staff report, and verbal testimony were presented to the Planning Commission in preparation for, and during, the August 21, 2019, Planning Commission meeting.*

Finding 3: The negative declaration reflects the independent judgment of the Planning Commission.

***Evidence:** Planning staff researched and composed the IS/ND and circulated the resulting document to the public, in addition to preparing the staff report. The IS/ND and the staff report were both reviewed by the Planning Commission. Based upon their review of the project information, the Planning Commission's decision reflects their independent evaluation and judgment of the project.*

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

***Evidence:** The Planning Commission considered all the evidence, both written and oral, presented at the public hearing prior to adoption of the negative declaration. The Planning Commission determined that, based on this evidence, the project as proposed with the conditions of approval included in the staff report would maintain impact at a level less than significant.*

Zone Change Findings:

Finding 1: The approval of the zone petition will serve the public necessity, convenience and general welfare and is good zoning practice.

***Evidence:** The rezoning would continue the current neighboring pattern of single-family-residential land use in terms of permitted and conditional uses and building intensity. The result of the zone change would be reflective of previous nearby residential developments containing similar housing types on similar lot types.*

Finding 2: This zone change is consistent with the general plan and any applicable special plan.

Evidence: *The zone change implements for this specific parcel the intent of the Residential Mixed (RM) designation under the County 2035 General Plan by establishing zoning that would allow the land use envisioned in the General Plan. The proposal for the zone change occurs as part of a project that includes features that policies of the General Plan expect of new development. No further special plan, such as a specific plan, is in effect in this location.*

Subdivision Findings:

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

Evidence: *Following the Board of Supervisors' approval of the zone change petition, the subdivision, with required conditions of approval, will comply with General Plan policies regarding land use under the Residential Mixed (RM) designation. The proposed residential development on the property would be consistent with the RM designation in its layout and intensity. The conditional approval of the tentative map will not be effective unless and until the Board of Supervisors approves the rezoning of the property to Single-family Residential (R1), a zoning district compatible with the General Plan RM designation. No specific plan is in effect on this property.*

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

Evidence: *The project is consistent with the General Plan in terms of use and density. The proposed project would provide adequate access, connections to water service, septic systems, and other infrastructure in a manner compliant with General Plan policies, and the proposal is similar to development on the site's east and south edges. Planning and Public Works staff of the County Resource Management Agency have analyzed the proposed subdivision and determined that the subdivision's design and improvements are consistent with General Plan policies and Subdivision Ordinance design standards provided compliance with conditions of approval. No specific plan affects the subject property.*

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

Evidence: *The site is overall lacking in physical hazards and sensitivity that would be in conflict with the proposed intensity of residential use. Physical access is readily available via public streets directly abutting the subject property in two locations.*

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

Evidence: *As earlier mentioned, the site does not present physical hazards or sensitivity that the proposed density would exacerbate. Water use and wastewater disposal would not depend on the immediate site's physical qualities, such as soil characteristics and distance from septic systems, as the development proposes public water and sewer service. The project overall complies with the maximum density defined for the site by the General Plan and Zoning Ordinance.*

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

Evidence: *The project's initial study/negative declaration (IS/ND) for the project identified no resulting environmental impact that would be so significant as to be unavoidable or to require mitigation. The site is not mapped or otherwise identified as exceptional habitat for fish or wildlife.*

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

Evidence: *The appropriate County departments analyzed the project for potential serious public health problems. Evidence from this review does not suggest that the proposed project or improvements could cause serious problems for public health, provided compliance with conditions of approval relevant to*

public health concerns. Any future development on the project site will be subject to additional review as part of building permit issuance. The site is not located close to natural hazards, does not sit near incompatible land uses, and would be served by public water and sewer services.

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

Evidence: Any easements for public access or use have been identified on the tentative map and shall be maintained.

Finding 8: Subject to §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: The property is neither currently subject to nor eligible for a Land Conservation Act (Williamson Act) contract, and the Government Code §66474.4 criteria requiring denial of a tentative subdivision map are not relevant.

Finding 9: Subject to §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 project proposes use of the City of Hollister sewer main along Southside Road and the connecting lines within the neighboring Sunnyside Estates development. The project's IS/ND notes that the March 2018 City of Hollister Sanitary Sewer System Master Plan Update found functioning of the Southside Road main to be adequate, and the Sunnyside Estates environmental impact report described that development's sewer infrastructure to be sufficient for both that project and the current proposal. The IS/ND states that the developer "will be expected as a condition of approval to demonstrate proper access to the sewer system and confirm adequate capacity in the system to serve this development"; this condition is included.

Finding 10: 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 Public Resources Code §4290 and §4291 (per Government Code §66474.02(a)(1)).

Evidence: The County Fire Department, its staff composed of City of Hollister Fire Department personnel under contract with the County, has reviewed the proposed subdivision design and has made recommendations accordingly.

Finding 11: Structural fire protection and suppression services will be available for the subdivision through CAL FIRE and/or the San Benito County Fire Department (per Government Code §66474.02(a)(2)).

Evidence: The subject property is located within a local responsibility area designated "non-wildland/non-urban." Structural fire protection and other related emergency services are provided by the City of Hollister Fire Department, serving in the unincorporated areas as the County Fire Department. Its closest fire station is Hollister Fire Station 2, less than one mile to the northeast, with another station in Downtown Hollister and a CAL FIRE facility at Hollister's eastern edge. CAL FIRE, or the California Department of Forestry and Fire Protection, generally gives response for wildfire suppression, with additional County Fire Department aid when needed, although the project IS/ND finds wildfire hazard to be not a significant risk on this project site.

Finding 12: Ingress and egress for the subdivision meet the regulations regarding road standards for fire equipment access adopted pursuant to Public Resources Code §4290 and any applicable local ordinance.

Evidence: *Qualified personnel from responsible agencies have reviewed the proposed subdivision including its proposed ingress/egress improvements and have determined the design to be sufficient for fire safety, provided adherence to the recommended conditions of project approval.*

BE IT FURTHER RESOLVED by the Planning Commission of the County of San Benito that, based on the foregoing findings and considerations and based on the evidence in the record, the Planning Commission hereby recommends that the Board of Supervisors adopt the proposed ordinance attached hereto as Exhibit “A,” to amend the zoning map for the subject property from Agricultural Productive (AP) to Single-family Residential (R1); and

BE IT FURTHER RESOLVED by the Planning Commission of the County of San Benito that, based on the foregoing findings and evidence in the record, the Planning Commission hereby approves the tentative subdivision map on the condition that the Board of Supervisors adopt the aforementioned zoning map amendment ordinance and also subject to the following conditions of approval:

Conditions of Approval:

Planning:

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. [Planning]
2. **Successors in Interest:** The conditions of approval are binding on all successors in interest of Applicant, whether succession is by agreement, operation of law, or other means, including but not limited to all future owners utilizing this use permit. [Planning]

3. **Agreement with All Conditions of Approval:** Prior to or upon approval by the Planning Commission, Applicant shall sign the statement below certifying that Applicant is in agreement with all conditions of approval. [Planning]

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

Applicant Signature: _____

Date: _____

4. **Conformity with Plan:** The development and use of the site shall conform substantially to the proposed tentative subdivision map and Conditions of Approval as approved by the Planning Commission. Any increase, change, or modification in the nature or intensity of the land use on the site shall be subject to further Planning Commission review and approval. [Planning]
5. **Recordation:** The applicant shall submit a subdivision map to the County for review and the subdivision map, when approved by the County Resource Management Agency, shall be recorded 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 subdivision map within the period of approval or a period of extension shall terminate all subdivision proceedings. [Public Works, Planning]
6. **Compliance Documentation:** Prior to recordation of the final subdivision map, the applicant 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]
7. **Assessment:** Prior to recordation of the final subdivision 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 subdivision map is recorded. [Planning, Assessor]
8. **Easements:** The final subdivision map shall show all easements for access, utilities, and drainage. [Public Works, Planning]
9. **Notice of Determination (California Department of Fish and Wildlife Fees):** The applicant/developer/owner shall file a Notice of Determination, provided by the County Resource Management Agency, with the County Clerk within five (5) days of approval of the tentative subdivision map. The State Department of Fish and Wildlife fee (\$2,354.75 as of January 1, 2019, per Fish and Game Code §711.4(d) plus \$50 County Clerk processing fee) shall be submitted with the filing. A copy of the filed notice shall be submitted to the County Resource Management Agency. Should the Notice not be filed and the fee not paid within five (5) days, the application is subject to action described in Public Resource Code §21167 and the project is not operative, vested, or final until the Notice is filed and the fee is paid (Public Resources Code §21089(b)). [Planning, California Department of Fish and Wildlife]
10. **Parkland Dedication:** Prior to final subdivision map approval, and pursuant to County Code §23.15.008 (Dedication of Parkland), the subdivider shall be required to dedicate land, pay a fee in

lieu thereof or a combination of both, at the option of the County, for park and recreational purposes. [Planning, Public Works]

11. **Habitat Conservation Plan Impact Fees:** In accordance with County Ordinance 541, which sets fees for the habitat conservation plan financing and kit fox protection measures, the applicant shall provide to the County Resource Management Agency, prior to recordation of the final subdivision map, a habitat conservation plan interim mitigation fee payment of \$150.00 for each lot under one acre in area, for a total of \$1,500 for the ten residential lots, each smaller than one acre. [Planning]
12. **Cultural Resources:** A note shall be placed on the project improvement plan to state that that any property owner who, at any time in the preparation for or process of excavation or otherwise disturbing the ground, discovers any human remains of any age, or any significant archaeological artifact or other evidence of an archeological site 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 no less than one hundred feet from the point of discovery, provided that such staking need not take place on adjoining property unless the owner of the adjoining property authorizes such staking and that said staking not include flags or other devices which may attract vandals;
 - c. notify the County Sheriff–Coroner and County Resource Management Agency of the discovery if human and/or questionable remains have been discovered; and
 - d. grant, subject to due legal process, to all duly authorized representatives of the Coroner and the Resource Management Agency permission to enter onto the property and to take all actions consistent with Chapter 19.05 of San Benito County Code, with State Health and Human Safety Code §7050.5, and with State Government Code Title 3 Division 2 Part 3 Chapter 10 (§27460 *et seq.*). [Planning]
13. **Water Treatment:** Use of on-site regenerating water softeners shall be prohibited, while off-site regeneration softening systems may be used subject to the approval of the San Benito County Water District. A note to this effect shall be placed on the final subdivision map. [Planning]
14. **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 748 (along with the requirements of Zone II regulations set within Ordinance 748). [Planning]
15. **Construction Hours:** As required by County Ordinance 667, construction shall be limited to the hours of 7 a.m. to 7 p.m., Monday through Saturday. No construction activities shall be allowed on Sundays and holidays. [Planning]
16. **City of Hollister Sewer Connection:** Prior to recordation of the final subdivision map, the applicant shall demonstrate proof of proper access to the City of Hollister sewer system and confirm adequate capacity in the City system to serve this development. Upon demonstrating proof of written contractual agreements for this service (that will also clarify financial obligations of concerned parties), the project shall be required to design and install improvements appropriate to the needs of those providers to provide service to this project. [Planning]
17. **Agricultural Preservation:**
 - a. Prior to issuance of the first permit for ground disturbing activity, the subdivider shall provide that for every one acre of Prime Farmland on the site that is permanently converted to non-agricultural use as a result of Project development, one acre of land of comparable agricultural productivity shall be preserved in perpetuity. Said preservation shall be satisfied by the applicant through:

- Granting a perpetual conservation easement(s), deed restriction(s), or other farmland conservation mechanism(s) to the County or qualifying entity which has been approved by the County, such as the San Benito County Agricultural Trust, for the purpose of permanently preserving agricultural land. The required easement(s) area or deed restriction(s) shall therefore total a minimum of four acres of Prime Farmland. The land covered by said off-site easement(s) or deed restriction(s) shall be located in San Benito County; or
 - Making an in-lieu payment to a qualifying entity which has been approved by the County, such as the San Benito County Agricultural Trust, to be applied toward the future purchase of a minimum of four acres of Prime Farmland in San Benito County, together with an endowment amount as may be required. The payment amount shall be determined by the qualifying entity or a licensed appraiser; or
 - Making an in-lieu payment to a qualifying entity which has been approved by the County, such as the San Benito County Agricultural Trust, to be applied toward a future perpetual conservation easement, deed restriction, or other farmland conservation mechanism to preserve a minimum of four acres of Prime Farmland in San Benito County. The amount of the payment shall be equal to 110% of the amount determined by the qualifying entity or a licensed appraiser; or
 - Any combination of the above.
- b. Prior to issuance of the first permit for ground disturbing activity for the Project, the subdivider shall provide evidence of the recorded easement(s) or deed restriction(s) or evidence of payment to the County Resource Management Agency or qualifying entity, such as the San Benito County Agricultural Trust, for approval to demonstrate compliance with this condition of approval.

18. Particulate Emissions Control:

- a. The applicant shall observe the following Best Management Practices requirements during grading activities:
- All graded areas shall be watered at least twice daily. If dust is not adequately controlled, then a more frequent watering schedule shall be incorporated. Frequency shall be based on the type of operation, soil, and wind exposure.
 - All grading activities during periods of high wind, over 15 mph, are prohibited.
 - Chemical soil stabilizers shall be applied to inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days).
 - Nontoxic binders (e.g., latex acrylic copolymer) shall be applied to exposed areas after cut-and-fill operations.
 - Haul trucks shall maintain at least two feet of freeboard.
 - All trucks hauling dirt, sand, or loose materials shall be covered.
 - Inactive storage piles shall be covered.
 - Wheel washers shall be installed at the entrance to construction sites for all exiting trucks.
 - Streets shall be swept if visible soil material is carried out from the construction site.
 - A publicly visible sign shall be posted that includes the telephone number and person to contact regarding dust complaints. The phone number of the Monterey Bay Air Resources District shall be included on the sign to ensure compliance with Rule 402 (Nuisance). [Monterey Bay Air Resources District, Planning]

- b. A note shall be placed on the subdivision map that “No permanently installed wood-burning devices shall be allowed in new construction within this subdivision.” [Planning, per General Plan Policy HS-5.13]
- 19. **Preconstruction Meeting:** Prior to the commencement of any grading or construction activities, a preconstruction meeting shall be held on the site. The meeting shall include representatives of each of the selected contractors, any consultant who will conduct required monitoring, the owner/applicant, Resource Management Agency Planning staff and any other appropriate County departments. The purpose of the meeting is to review the conditions of approval that are applicable to the grading and construction of the approved development. [Planning]
- 20. **Staff Review Invoices:** Within 60 days of approval of the tentative subdivision map, the applicant shall pay all remaining invoices for reimbursement of County staff time related to the review of the tentative subdivision map. [Planning]
- 21. **Zone Change:** The tentative subdivision map shall not be operative or in effect unless and until the San Benito County Board of Supervisors approves the zone change petition associated with this project. Should the Board of Supervisors deny the zone change petition, conditional approval of the tentative map shall be automatically nullified and voided by the Board of Supervisor’s denial. In the event the Board of Supervisors makes changes to the proposed zone change petition, the tentative subdivision map shall return to the Planning Commission for further review and approval of any changes to conditions of approval, consistent with the Board of Supervisors’ revisions to the zone change petition. [Planning]

Public Works:

- 22. **Enterprise Drainage Basin Benefit Area:** The proposed project being within the Enterprise Drainage Basin, the applicant shall contribute, prior to the recordation of the final subdivision map, to the existing mapped Enterprise Drainage Basin Benefit Area in a per-lot amount representing a fair share per County Board of Supervisors Resolution 99-53, and per Hollister Partners contract approved on August 12, 2003, by the Board of Supervisors. [Public Works]
- 23. **Improvement Plan:** Prior to recording of the final subdivision map, the applicant shall be required to submit an Improvement Plan prepared by a licensed Engineer to County Resource Management Agency Public Works staff for review and approval.
 - a. Prior to the recordation of the final subdivision map or before release of alternate Bond, one set of “As Built” Improvement Plans on a suitable reproducible media shall be prepared by the applicant’s engineer and delivered to the Public Works Department, in accordance with County Code §23.31.002(K)(1). [Public Works]

24. Drainage:

- a. In compliance with County Code § 23.17.003(B), as part of the submission of engineered improvement plans for this project, the applicant shall comply with County Drainage Standards and therefore shall provide storm drainage system capable of collecting and conveying runoff generated by the proposed project for a 100-year flood. The storm drain system shall provide for the protection of abutting and off-site properties that could be adversely affected by any increase in runoff attributed to the proposed subdivision. Included in this will be drainage calculations and construction details for the proposed retention/detention pond or any other alternate drainage system. All drainage improvements shall be installed or bonded for prior to recordation of the Final Map.
- b. Prior to start of grading and/or construction activities, a Storm Water Pollution Prevention Plan (SWPPP) prepared by a certified QSD/QSP (Qualified SWPPP Developer/Qualified SWPPP Practitioner) shall be submitted to County Public Works Department. A QSD/QSP shall be retained for the duration of the construction and shall be responsible to coordinate and comply

with requirements by the Regional Water Quality Control Board, to file Notice of Intent (per Construction General Permit Order No. 2009-0009-DWQ as amended by 2010-0014 DWQ), and to monitor the project as to compliance with requirements until its completion. [Public Works]

25. **Community Facilities District:** Prior to recordation of final subdivision map, this development shall be required to annex into the Community Facilities District No. 2018-1 (Residential Services) and Future Annexation Area, created per Resolution 2018-55. [Public Works]
26. **Road Dedication:** Prior to recordation of the final subdivision map, the applicant shall make the following irrevocable offers of dedication in accordance with County Code §23.15.002, Chapter 23.29, and §23.31.023:
 - a. Full 60-foot right-of-way along the southern frontage of lots 4, 5, and 6 and western frontage of lots 3 and 4.
 - b. 40-foot right-of-way dedication of the northern frontage of lots 1, 2, and 3.
 - c. Dedication of road shall consider and provide required curve radius at the corners of intersections (provide the required curve radius at corner of lot 7) and shall accommodate the ADA ramp per City of Hollister standards, also used by the County. [Public Works]
27. **Roadway Improvements:** Prior to recordation of the final subdivision map, the applicant shall bond for or make the following roadway improvements per County Code Chapter 23.17:
 - a. Full 40-foot curb-to-curb paved surface on 42-foot roadbed with standard curb, gutter and detached sidewalk along the southern frontage of proposed lots 4, 5, and 6 and the western frontage of lots 3 and 4.
 - b. 30-foot partial paved surface with standard curb, gutter and detached sidewalk on one side (property side) along the northern frontage of lots 1, 2, and 3. [Public Works]
28. **Soil Report:** In accordance with County Code §23.31.023, as part of the submission of Improvement Plan for this project, a design-level geotechnical engineering investigations report shall be submitted for review by Public Works Department, and the same (once reviewed and accepted) shall be the basis of the design of improvements. Prior to recordation of the final subdivision 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 be placed on the final subdivision map referencing the aforementioned report for future reference by potential property owners. [Public Works]
29. **Utilities:**
 - a. As part of submission of Improvement Plan for this project, applicant shall include utility plans and have them approved by each corresponding utility companies when applicable, which includes but not necessarily limited to sanitary sewer, water, gas, electric, telephone, and cablevision, and shall furnish copies said approved plans to Public Works Department for concurrence. Said plans shall be part of the final or approved Improvement Plan.
 - b. All proposed utilities within the subdivision and along peripheral streets shall be placed underground except those facilities exempted by Public Utilities Commission regulations, per County Code §23.17.003(F). All necessary utilities shall be installed or bonded for prior to recordation of the Final Map. [Public Works]
30. **Encroachment Permit:** Pursuant to §19.27.004 of the County Code, the applicant shall obtain a Public Works Encroachment Permit for any work being performed within the County Right-of-Way or any road offered for dedication to the County prior to commencement of any improvements associated with this project. [Public Works]
31. **Improvements Warranty Security:** In accordance with County Code §23.17.009(C)(4), the 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. [Public Works]

Fire:

32. **Fire Code:** The project shall meet the standards set forth in the latest adopted editions of the California Fire Code, California Building Code, San Benito County Ordinances 822 and 823, Public Resources Codes 4290 and 4291 and all other related codes as they apply to a project of this type and size.

Division of Environmental Health:

33. **Hazardous Materials:** If any hazardous materials are to be stored on the site of the proposed project, a Hazardous Materials Business Plan shall be completed and submitted to the County Division of Environmental Health. [Environmental Health]

Sunnyslope County Water District:

34. **Water Service Agreement:** Prior to issuance of the first building permit within this subdivision, the applicant shall enter into a water service agreement with the Sunnyslope County Water District to specify terms and conditions for water service. [Sunnyslope County Water District]
35. **Well Site:** Prior to issuance of the first building permit within this subdivision, Lot 11, currently used as a Sunnyslope County Water District (SSCWD) exclusive easement for a test well, shall be transferred by grant deed to the SSCWD as a future water well site. [Sunnyslope County Water District]

PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE COUNTY OF SAN BENITO THIS 21ST DAY OF AUGUST 2019 BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

Robert Rodriguez, Chair
San Benito County Planning Commission

ATTEST:

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

BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN BENITO

AN ORDINANCE OF THE SAN BENITO COUNTY) ORDINANCE NO. _____
BOARD OF SUPERVISORS TO APPROVE THE)
REZONING OF THE PARCEL DESCRIBED HEREIN)
TO THE SINGLE-FAMILY RESIDENTIAL (R1))
ZONING DISTRICT AS PART OF TENTATIVE)
SUBDIVISION MAP 16-97)

1 **The Board of Supervisors of the County of San Benito, State of California, does ordain as follows:**

2 The property shown in Exhibit A (attached), also identified as San Benito County Assessor's Parcel
3 Number 020-280-054, is hereby designated to be subject to the zoning district of Single-family
4 Residential (R1) as set forth in San Benito County Ordinance 479 §10.

5 This ordinance shall take effect and be in full force and effect thirty (30) days after its passage, and,
6 before expiration of fifteen (15) days after passage of this ordinance, it shall be published once with the
7 names of the members of the Board of Supervisors voting for and against the ordinance in the *Hollister*
8 *Free Lance*, a newspaper of general circulation published in the County of San Benito, State of
9 California.

10 The foregoing Ordinance was passed and adopted by the Board of Supervisors of the County of San
11 Benito, State of California, at the regular meeting of said Board held on the [day] day of
12 [month] [year] by the following vote:

13 AYES: SUPERVISORS:

14 NOES: SUPERVISORS:

15 ABSENT: SUPERVISORS:

16 ABSTAIN: SUPERVISORS:

17
18
19
20
21

By: _____
Mark Medina, Chair

ATTEST:
Janet Slibsager, Clerk of the Board

APPROVED AS TO LEGAL FORM
Barbara Thompson, County Counsel

By: _____

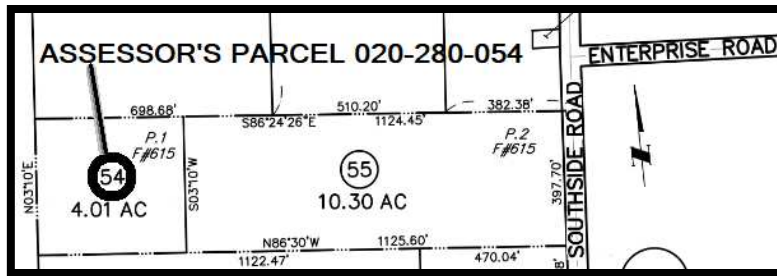
By: _____

Date: _____

Date: _____

EXHIBIT A to the Ordinance. Legal description for subject property, Assessor's Parcel Number 020-280-054.

That part of Homestead Lot 42, of the San Justo Rancho, according to the map thereof filed July 21, 1876, in Volume 1 of Maps, at Page 64, San Benito County Records, bounded and particularly described as follows: The westerly 436.90 feet measured at right angles from the westerly line of the lands described in that certain quit claim deed filed for record on September 17, 2002, as document number 2002-14716 at said County Recorder's office. The above legal description is pursuant to that certain lot line adjustment described as "Parcel 1" recorded April 17, 2012, as instrument no. 2012-3517 of Official Records. Assessor's Parcel 020-280-054.

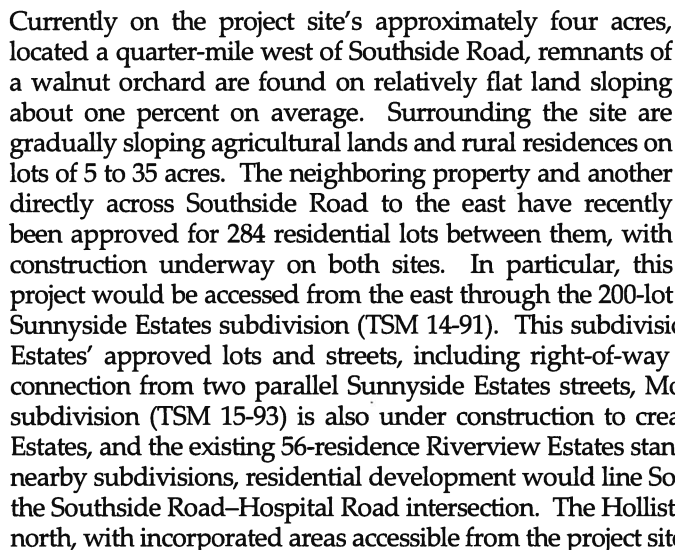


TO: ☒ Interested Individuals
☒ San Benito County Clerk

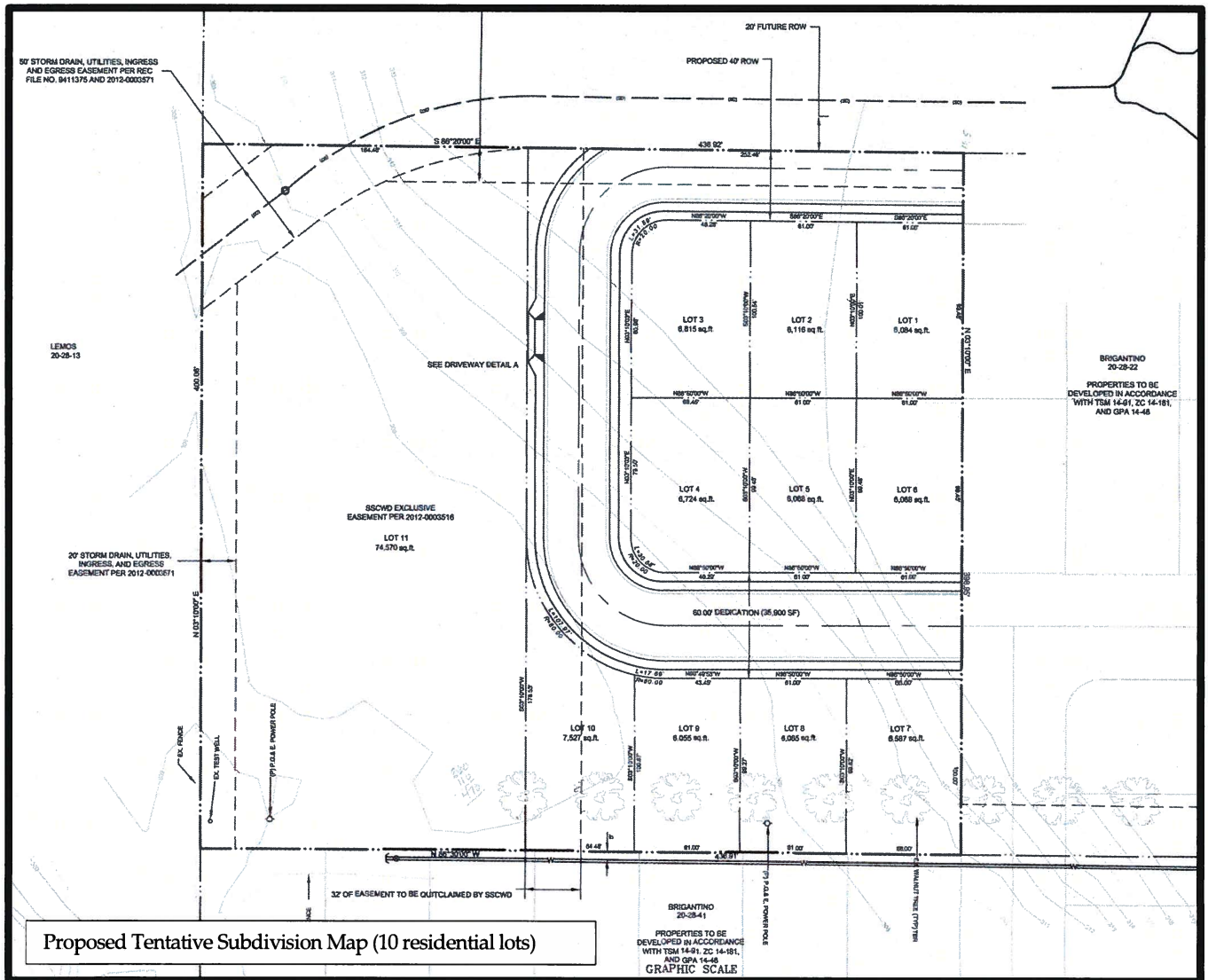
Contact Person: Michael Kelly, Associate Planner, 831 902-2287

Project Applicant: James Bray

The proposed project would rezone a four-acre parcel to single-family residential use and subdivide it into 11 lots. Of these, 10 would contain between 6,000 and 7,600 square feet and be used for residential use, while the one other lot would be reserved for public utility use by the Sunnyslope County Water District (SSCWD). The lots would be located adjacent to and accessible via the Sunnyside Estates subdivision (TSM 14-91). Earthmoving of 3,900 cubic yards cut and 4,100 cubic yards fill would be necessary to configure streets and building sites. The project is proposed to be served by a SSCWD water line, a City of Hollister sewer line, and approximately 700 feet of street extension to Mojave Way and Fulton Way, all currently established or under construction to the project site edge as components of Sunnyside Estates.



The site is under the Residential Mixed (RM) designation in the San Benito County 2035 General Plan. Properties under this designation may be considered eligible for “an unincorporated village or neighborhood atmosphere composed primarily of residential land uses” with up to 20 dwelling units per acre. The designation allows areas of unincorporated urban uses where public infrastructure such as circulation and utilities exist that are necessary to support increased density, largely in or near areas that are already developed. The intensity of development is to be directly proportional to the availability of these services, with a maximum of 20 dwelling units per acre allowed in areas so designated. The designation requires 30 percent of new residential dwelling units with available public sewer and water to include mixed residential types with an average development density of 8 units per acre. This property is currently subject to the Agricultural Productive (AP) zoning designation, which allows only a lower density of residences. For consistency with the General Plan RM designation, this project includes rezoning the site from Agricultural Productive (AP) to Single-family Residential (R1). This district allows building sites of 5,000 square feet at minimum where public sewer and public water services are available.



NOTICE IS HEREBY GIVEN that the Initial Study for TSM 16-97 is available for public review and that the County as **LEAD AGENCY** intends to adopt a Negative Declaration for this project, which finds that the project will not have a significant effect on the environment. The public review period in which comments will be accepted for the proposed Negative Declaration begins **July 26, 2019**, and ends at 5 p.m. on **August 16, 2019**. The project's Initial Study, its proposed Negative Declaration, and the documents referenced in the Initial Study and Negative Declaration are available for review at the County Resource Management Agency at the above address. Comments may be addressed to the contact person noted above, and written comments are preferred. Please reference the project file number in all communications. **NOTICE IS HEREBY FURTHER GIVEN** that a public hearing for this project before the County Planning Commission is tentatively scheduled for 6 p.m., **August 21, 2019** (or as soon thereafter as the matter may be heard), in the Board of Supervisors Chambers of San Benito County, located at 481 Fourth Street, Hollister, California, at which time and place interested persons may appear and be heard thereon.

Michael Kelly

Signature

Associate Planner
Title

July 26, 2019

Date



San Benito County Resource Management Agency

Public Works / Planning & Building / Parks / Integrated Waste

SAN BENITO COUNTY NOTICE OF PROPOSED NEGATIVE DECLARATION

TO: Responsible agencies, Trustee agencies, other County Departments, and interested parties
FROM: San Benito County Resource Management Agency

This notice is to inform you that the San Benito County Resource Management Agency has prepared an Initial Study and intends to recommend filing a Negative Declaration for the project identified below. The public review period for the Initial Study is from **July 26 to August 16, 2019**. The document is available for review at the address listed below. Comments may be addressed to the contact person, Michael Kelly, Associate Planner. Written comments are preferred. Please use the project file number in all communication.

- 1. Project title and/or file number:** Tentative Subdivision Map (TSM) 16-97
- 2. Lead agency name and address:** San Benito County Resource Management Agency
2301 Technology Parkway
Hollister, CA 95023-2513
- 3. Contact person and phone number:** Michael Kelly, Associate Planner, 831 902-2287
- 4. Project location:** At the western end of Fulton Way, one quarter-mile west of the Southside Road–Enterprise Road intersection, near Hollister (Assessor's Parcel 020-280-054)
- 5. Project sponsor's name and address:** James Bray
9025 Ludi's Lane
Hollister, California 95023-9405
- 6. General Plan designation:** Residential Mixed (RM)
- 7. Zoning:** Agricultural Productive (AP)
- 8. Description of project:** The proposed project would rezone a four-acre parcel to single-family residential use and subdivide it into 11 lots. Of these, 10 would contain between 6,000 and 7,600 square feet and be used for residential use, while the one other lot would be reserved for public utility use by the Sunnyslope County Water District (SSCWD). The lots would be located adjacent to and accessible via the Sunnyside Estates subdivision (TSM 14-91). Earthmoving of 3,900 cubic yards cut and 4,100 cubic yards fill would be necessary to configure streets and building sites. The project is proposed to be served by a SSCWD water line, a City of Hollister sewer line, and approximately 700 feet of street extension to Mojave Way and Fulton Way, all currently established or under construction to the project site edge as components of Sunnyside Estates.
- 9. Surrounding land uses and setting:** Currently on the project site's approximately four acres, located a quarter-mile west of Southside Road, remnants of a walnut orchard are found on relatively flat land sloping about one percent on average. Surrounding the site are gradually sloping agricultural lands and rural residences on lots of 5 to 35 acres.

The neighboring property and another directly across Southside Road to the east have recently been approved for 284 residential lots between them, with construction underway on both sites. In particular, this project would be accessed from the east through the 200-lot Sunnyside Estates subdivision (TSM 14-91). This subdivision, TSM 16-97, would function as an extension of Sunnyside Estates' approved lots and streets, including right-of-way dedication for a public street that completes westerly loop connection from two parallel Sunnyside Estates streets, Mojave Way and Fulton Way. In addition, the Bennett Ranch subdivision (TSM 15-93) is also under construction to create 84 lots eastward across Southside Road from Sunnyside Estates, and the existing 56-residence Riverview Estates stands a quarter mile southeast of TSM 16-97. As a result of these nearby subdivisions, residential development would line Southside Road for beyond a quarter-mile and would surround the Southside Road–Hospital Road intersection.

The Hollister city limit and sphere of influence lines are a half mile to the north, with incorporated areas accessible from the project site via Southside and Enterprise Roads.

<u>Seismic zone:</u>	Not within an Alquist–Priolo fault zone [13e].
<u>Fire hazard:</u>	Non-wildland/non-urban [13f].
<u>Floodplain:</u>	Zone X (outside the 100-year floodplain) [13g].
<u>Archaeological sensitivity:</u>	Some sensitivity at lot's southwest corner [13h].
<u>Habitat conservation area:</u>	Within the San Benito County Habitat Conservation Plan fee area.
<u>Landslide:</u>	Least susceptible [13c].
<u>Soils:</u>	Sorrento silt loam, 0 to 2 percent slopes (Grade 1), and Metz sandy loam, 0 to 2 percent slopes (Grade 1).

- 10. Planning and zoning:** The site is under the Residential Mixed (RM) designation in the San Benito County 2035 General Plan. Properties under this designation may be considered eligible for “an unincorporated village or neighborhood atmosphere composed primarily of residential land uses” with up to 20 dwelling units per acre.

The designation allows areas of unincorporated urban uses where public infrastructure such as circulation and utilities exist that are necessary to support increased density, largely in or near areas that are already developed. The intensity of development is to be directly proportional to the availability of these services, with a maximum of 20 dwelling units per acre allowed in areas so designated. The designation requires 30 percent of new residential dwelling units with available public sewer and water to include mixed residential types with an average development density of 8 units per acre.

This property is currently subject to the Agricultural Productive (AP) zoning designation, which allows only a lower density of residences. For consistency with the General Plan RM designation, this project includes rezoning the site from Agricultural Productive (AP) to Single-family Residential (R1). This district allows building sites of 5,000 square feet at minimum where public sewer and public water services are available.

- 11. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):**
With the County as lead agency, responsible public agencies for tentative map review and subsequent discretionary actions include SSCWD, City of Hollister wastewater authority, and the San Benito County Local Agency Formation Commission (LAFCo).

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

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 although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) 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, nothing further is required.

Michael Kelly

Signature

July 26, 2019

Date

Michael Kelly

Printed Name

San Benito County Resource Mgmt.

Agency

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors, as well as general standards (e.g., the project would not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analyses Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
 - a. the significance criteria or threshold, if any, used to evaluate each question; and
 - b. the mitigation measure identified, if any, to reduce the impact to less than significance.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) In nonurbanized 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Response:

- a) **Less Than Significant Impact** — The County 2035 General Plan contains policies regarding scenic resources. This includes protection of certain scenic corridors, with limits on signs, grading, architecture, and landscaping in these corridors. This project is located away from those designated corridors. Other policies address aesthetic issues more generally, primarily with regard to hills, signs, and landscaping in designated agricultural areas.
- b) **Less Than Significant Impact** — San Benito County has no designated State scenic highways [16]; while some area highways are eligible for the designation, the project site is not located within view of any such highway. The County has locally designated certain highways as scenic [1f], but the project site is away from those, too. The site has no other specially designated scenic resources.
- c) **Less Than Significant Impact** — The project is located a half-mile south of the Hollister corporate boundary and the residential development located there. Closer to the project site are the under-construction residential developments of Sunnyside Estates, neighboring the site, and Bennett Ranch, opposite Southside Road, plus the established Riverview Estates development opposite Hospital Road. Development on this four-acre site would closely resemble that of these neighboring developments and the neighborhood character already emerging from these changes to the project vicinity.
- d) **Less Than Significant Impact** — The site is within Zone II as defined by County Development Lighting Regulations (Ordinance 748), intended to limit nighttime glare affecting the Fremont Peak observatory and Pinnacles National Monument. New lighting for residences will be required to comply with the ordinance to prevent excessive glare.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
II. AGRICULTURE AND FORESTRY RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. 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:				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code § 12220(g)), timberland (as defined by Public Resources Code § 4526), or timberland zoned Timberland Production (as defined by Government Code § 51104(g))?	<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?	<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 non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Response:

- a) **Less Than Significant Impact** — The subject property is composed of Prime Farmland as mapped in 2016 by the Farmland Mapping and Monitoring Program [13k] and contains Grade-1 soils [5]. The site's four acres would all be converted from this quality of farmland to residential and utility use. This change would diminish the area's agricultural productivity by a small degree, the land's viability for agricultural already compromised by the construction of the directly neighboring Sunnyside Estates development.
- The General Plan contains Land Use Implementation Program LA-B in order to avoid significant environmental impact from the loss of high-quality farmland; in accordance with this program, the applicant is obligated to preserve an equal amount of similar farmland within San Benito County. Planning staff considers the following requirement sufficient to carry out Program LA-B and will include this as condition of project approval:
- Prior to issuance of the first permit for ground disturbing activity, the subdivider shall provide that for every one acre of Prime Farmland on the site that is permanently converted to non-agricultural use as a result of Project development, one acre of land of comparable agricultural productivity shall be preserved in perpetuity. Said preservation shall be satisfied by the applicant through:

- Granting a perpetual conservation easement(s), deed restriction(s), or other farmland conservation mechanism(s) to the County or qualifying entity which has been approved by the County, such as the San Benito County Agricultural Trust, for the purpose of permanently preserving agricultural land. The required easement(s) area or deed restriction(s) shall therefore total a minimum of four acres of Prime Farmland. The land covered by said off-site easement(s) or deed restriction(s) shall be located in San Benito County; or
 - Making an in-lieu payment to a qualifying entity which has been approved by the County, such as the San Benito County Agricultural Trust, to be applied toward the future purchase of a minimum of four acres of Prime Farmland in San Benito County, together with an endowment amount as may be required. The payment amount shall be determined by the qualifying entity or a licensed appraiser; or
 - Making an in-lieu payment to a qualifying entity which has been approved by the County, such as the San Benito County Agricultural Trust, to be applied toward a future perpetual conservation easement, deed restriction, or other farmland conservation mechanism to preserve a minimum of four acres of Prime Farmland in San Benito County. The amount of the payment shall be equal to 110% of the amount determined by the qualifying entity or a licensed appraiser; or
 - Any combination of the above.
- Prior to issuance of the first permit for ground disturbing activity for the Project, the subdivider shall provide evidence of the recorded easement(s) or deed restriction(s) or evidence of payment to the County Resource Management Agency or qualifying entity, such as the San Benito County Agricultural Trust, for approval to demonstrate compliance with this condition of approval.
- b) **Less Than Significant Impact** — The property is not subject to a Williamson Act contract. Although the site is presently zoned Agricultural Productive (AP), the property lies directly between lands of Rural Residential (RR) zoning to the north and Single-Family Residential (R1) to the south, where agriculture is secondary or restricted. Agriculture potential on the property is substantially limited by both its location and its four-acre size.
- c,d) **No Impact** — The project site is not forested, its tree cover in recent years limited to orchard use.
- e) **Less Than Significant Impact** — See items a through d. The subdivision would function as an extension of the neighboring Sunnyside Estates development, currently under construction and already limiting the agricultural viability of the subject property.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
III. 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:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response:

- a) **Less Than Significant Impact** — The subject property sits within the North Central Coast Air Basin (NCCAB), overseen by the Monterey Bay Air Resources District (MBARD),¹ which serves San Benito, Santa Cruz, and Monterey Counties. MBARD prepared its Air Quality Management Plan (AQMP) in 2016 using forecasting of regional population, housing, and employment growth. The forecast was prepared by the Association of Monterey Bay Area Governments (AMBAG) in 2014 and took into account land uses illustrated in area jurisdictions' general plans at the time; that included the depiction of the subject property under the County's then-General Plan. Since that time the County has adopted a new General Plan that changed the subject property and surroundings from planned agricultural land uses to Residential Mixed (RM), which could contribute to a rise in population beyond that allowed under the earlier plan and above the AMBAG forecast. Likewise, the newer General Plan assumes greater population growth would occur in the overall unincorporated area over the 20 years following adoption than the AMBAG forecast predicted for the same period.

However, this development is likely to be completed in a shorter time frame, during which County and AQMP assumptions from AMBAG are more in agreement. While the County predicted 29,711 unincorporated residents in 2020 [1j], the current AQMP cites a forecast of 31,135, implying that the current AQMD accommodates more population and resulting impacts for 2020 than the County did. In addition, the project's 10 residential lots would result in a much smaller addition to population than the 284 new lots neighboring the project site and a very minor share of overall unincorporated population growth. In consideration of the likely project timeline and the project's scale, this proposal would not conflict with the AQMP.

- b) **Less Than Significant Impact** — The County recognizes air as a natural resource, strives to maintain air quality through proper land use planning, and, under General Plan Health and Safety Element Goal HS-5, seeks to "improve local and regional air quality to protect residents from the adverse effects of poor air quality." The goal is supported by several policies including the reduction of 10-micron particulate matter (PM₁₀) emissions from construction.

As described in the AQMP, San Benito County has nonattainment status for ozone (O₃) and PM₁₀ under State standards. The AQMP further describes the occurrence of ozone as being primarily the result of San Francisco Bay Area emissions arriving in San Benito County by wind. This presence of ozone would occur regardless of the proposed residential construction. The plan also describes ozone as the product of interaction between reactive organic gases and nitrogen oxide, with motor vehicle use among the main sources of those pollutants. The subdivision would result in motor vehicle use that would likely release these pollutants and generate ozone. However, the location of the development is such that motor vehicle use would be approximately the same as for the other similar development in and around Hollister. The air quality effects of new land uses mapped in the General Plan, including this property's proposed use, were also considered and discussed in the plan's environmental impact report prior to the adoption of the plan. Adherence to the plan's air quality policies will reduce impact of cumulative pollutant increase to a level less than significant.

¹ Formerly known as the Monterey Bay Area Unified Air Pollution Control District (MBUAPCD).

The project's air quality impacts were analyzed using CalEEMod Version 2013.2.2. The following table shows the daily emission of MBARD criteria pollutants of concern modeled by CalEEMod:

Unmitigated Construction Impacts (pounds per day)²						
	ROG	NO_x	CO	SO₂	PM₁₀	PM_{2.5}
	4.553125	17.539375	16.185	0.02525	1.504375	1.1825
<i>Significance threshold³</i>	137	137	550	none	82	55
<i>Threshold exceedance⁴</i>	no	no	no	no	no	no

Mitigated Construction Impacts (pounds per day)						
	ROG	NO_x	CO	SO₂	PM₁₀	PM_{2.5}
	4.553125	17.539375	16.185	0.02525	1.259375	1.050625
<i>Significance threshold</i>	137	137	550	none	82	55
<i>Threshold exceedance</i>	no	no	no	no	no	no

Unmitigated Operational Impacts (pounds per day)⁵						
	ROG	NO_x	CO	SO₂	PM₁₀	PM_{2.5}
<i>Area</i>	16.1381	0.2172	19.6787	7.4100×10^{-3}	2.6533	2.6532
<i>Energy</i>	0.0104	0.0891	0.0379	5.7000×10^{-4}	7.2000×10^{-3}	7.2000×10^{-3}
<i>Mobile</i>	0.6413	2.0038	10.4798	0.0162	0.8593	0.2203
Total	16.7898	2.3101	30.1964	0.02418	3.5198	2.8807
<i>Significance threshold</i>	137	137	550	none	82	55
<i>Threshold exceedance</i>	no	no	no	no	no	no

Mitigated Operational Impacts (pounds per day)						
	ROG	NO_x	CO	SO₂	PM₁₀	PM_{2.5}
<i>Area</i>	16.1381	0.2172	19.6787	7.4100×10^{-3}	2.6533	2.6532
<i>Energy</i>	0.0104	0.0891	0.0379	5.7000×10^{-4}	7.2000×10^{-3}	7.2000×10^{-3}
<i>Mobile</i>	0.6413	2.0038	10.4798	0.0162	0.8593	0.2203
Total	16.7898	2.3101	30.1964	0.02418	3.5198	2.8807
<i>Significance threshold</i>	137	137	550	none	82	55
<i>Threshold exceedance</i>	no	no	no	no	no	no

MBARD has established thresholds of significance, which define certain rates of pollutant emission that would constitute a significant impact; as shown in the table, the modeled emissions would not exceed those thresholds. Still, PM₁₀ emissions could occur at substantial levels during grading activities, and dust control will prevent unhealthful concentrations of airborne pollutants during the earthmoving. General Plan Policy HS-5.1 requires the applicant to reduce air emissions from construction and operational sources, with Policy HS-5.4 more specifically requiring PM₁₀ emissions reduction in construction projects. For a similar purpose, Policy HS-5.13 requires that wood-burning devices be prohibited from new development. By observing the following conditions of project approval that will be added to the tentative subdivision map review, the applicant's compliance with these policies will avoid impact of this type beyond an insignificant level:

² ROG—reactive organic gases, or volatile organic compounds; NO_x—nitrogen oxides; CO—carbon monoxide; SO₂—sulfur dioxide; PM₁₀—particulate matter of 10 or fewer microns in diameter; PM_{2.5}—particulate matter of 2.5 or fewer microns in diameter.

³ As adopted by the Monterey Bay Air Resources District (MBARD).

⁴ If the threshold is exceeded, a significant environmental impact occurs, and mitigation would be proposed.

⁵ The amount for each operational pollutant is chosen from the season in which emission is greater, as modeled by CalEEMod. All figures represent summer and winter emissions equally except that mobile ROG, NO_x, and CO represent winter while mobile SO₂ represents summer.

- The applicant shall observe the following Best Management Practices requirements during grading activities:
 - All graded areas shall be watered at least twice daily. If dust is not adequately controlled, then a more frequent watering schedule shall be incorporated. Frequency shall be based on the type of operation, soil, and wind exposure.
 - All grading activities during periods of high wind, over 15 mph, are prohibited.
 - Chemical soil stabilizers shall be applied to inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days).
 - Nontoxic binders (e.g., latex acrylic copolymer) shall be applied to exposed areas after cut-and-fill operations.
 - Haul trucks shall maintain at least two feet of freeboard.
 - All trucks hauling dirt, sand, or loose materials shall be covered.
 - Inactive storage piles shall be covered.
 - Wheel washers shall be installed at the entrance to construction sites for all exiting trucks.
 - Streets shall be swept if visible soil material is carried out from the construction site.
 - A publicly visible sign shall be posted that includes the telephone number and person to contact regarding dust complaints. The phone number of the Monterey Bay Air Resources District shall be included on the sign to ensure compliance with Rule 402 (Nuisance).
- A note shall be placed on the subdivision map that "No permanently installed wood-burning devices shall be allowed in new construction within this subdivision."

- c) **Less Than Significant Impact**— The site is located about one third of mile from Ladd Lane Elementary School and a half-mile from San Andreas Continuation High School, with Hollister Presbyterian Preschool and Hollister Montessori School slightly farther. Young people in these schools could be especially affected by pollutants emitted by construction. However, modeled emission levels below significance thresholds combined with dust control measures will result in an insignificant health impact. Implementation of the General Plan policies HS-5.4 and HS-5.13 to reduce PM₁₀ emissions for construction projects and prohibit wood-burning devices as conditions of project approval will assure a less than significant impact.
- d) **No Impact** — No land use is proposed that is likely to generate substantially bothersome odors [9].

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES. Would the project:				
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, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<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, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Response:

a,d) **Less Than Significant Impact** — The biological resources review for the neighboring Sunnyside Estates development, or Tentative Subdivision Map 14-91, included most of this project's subject property in its boundary, and the great majority of change to the project setting results from Sunnyside Estates. The site and vicinity have also been historically affected by agricultural practices.

The project site is located in the Hollister quadrangle as mapped by the United States Geological Survey. The quadrangle, covering approximately 50 square miles, is known to contain habitat for the San Joaquin kit fox (*Vulpes macrotis mutica*), California tiger salamander (*Ambystoma californiense*), bank swallow (*Riparia riparia*), tricolored blackbird (*Agelaius tricolor*), and California red-legged frog (*Rana draytonii*).

However, the site is not mapped within a habitat footprint of species requiring special attention [13m]. The proposed development would take place a quarter-mile west of Southside Road, the primary road connection for the area, and adjacent to the 200-lot Sunnyside Estates development, currently under construction, designed in a similar manner, and partially surrounding the project site [8]. The presence of Sunnyside Estates could discourage the exchange of wildlife between the project site and the wetland habitat found in the San Benito River. The site contains no water features and very little tree cover that would encourage habitat for sensitive wildlife [7,8]. This project's development would bring further change to the area but would create a less-than-significant impact to wildlife and habitat as the project site is already diminished as a feasible site for natural wildlife habitat.

b,c) **Less Than Significant Impact** — The site itself does not contain wetlands [17] or riparian habitat [6]. Within 500 feet to the southwest is the San Benito River [13j], which contains riverine and palustrine freshwater forested/shrub wetland areas [17]. The property minimally slopes downward to the west at two percent [13j] and lacks channels that would directly deposit runoff or contaminants into wetlands. The project as proposed would not disturb these wetland areas, with construction held to existing standards containing effects within the project site and drainage from new construction directed to the Sunnyside Estates retention pond to release stormwater in a steady manner. See Section VII (Geology and Soil) and Section X (Hydrology and Water Quality) for discussion on erosion and water quality. Development proposed by this project would disturb the site but create an impact to wetlands that is less than significant.

e,f) **Less Than Significant Impact** — No habitat conservation plans, natural community conservation plans, or other approved local, regional, or state habitat conservation plans include the project site. The site is located within the Habitat Conservation Plan (HCP) Preliminary Study Area, as defined by County Ordinance 541, and shall be subject to an HCP interim mitigation fee upon construction per this ordinance. While County Code includes the Woodland Conservation Ordinance, the area to be developed does not contain tree cover subject to the ordinance. See Section IV (Biological Resources) for further discussion of habitat.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Response:

a-c) **Less Than Significant Impact** — The site does not contain historic resources [22] or known or probable archaeological resources [13h]. However, discovery of any archaeological resources or sites will require procedures in compliance with County Ordinance 610, which addresses archeological finds.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. ENERGY. Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Response:

a,b) **Less Than Significant Impact** — The project could result in the arrival of new residents who would use energy in addition to that used by the current population, although the change is likely to be consistent with regional population growth and minimal when considered at that scale. New residential construction would be subject to the California Building Code Title 24 standards for energy efficiency.

The County of San Benito does not have a local renewable energy or energy efficiency plan in place, and therefore the project proposal is not in conflict with such an unwritten plan. The County General Plan does, however, include policies and procedures applicable to all development in the County addressing sustainable development patterns, green sustainable building practices, solar access, and energy conservation in construction. The present proposal is not inconsistent with these policies.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. GEOLOGY AND SOILS. Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Response:

a)

i-iii) **Less Than Significant Impact** — The project site is not located within an Alquist-Priolo Earthquake Fault Zone, although two fault zones pass to the site's east and west, approximately 300 feet and 1,000 feet away, respectively [13e]. In general across the local area, strong shaking is likely [8], but, being away from mapped faults and steeper slopes, seismic events are unlikely to cause ground failure. A possible exception is liquefaction,

although the site is mapped as having a low to medium risk of liquefaction. A geotechnical report is a requirement of all residences of the type proposed in this project and will determine requirements for proper structural design in the natural soil conditions of the project site. The required adherence to the report's recommendations will allow natural geologic risks to create an impact that is less than significant.

- iv) **No Impact** — The level subject property is not in a location susceptible to landsliding [8,13c].
- b) **Less Than Significant Impact** — Sorrento silt loam and Metz sandy loam of the types found on 0 to 2 percent slopes together cover the entire project site, and both types have an erosion risk of "slight to none" [5]. Erosion will not likely be a problem for the proposed use on the site. If the soil were susceptible to erosion, the proposed drainage system described in Section X (Hydrology and Water Quality) item c would prevent the stormwater diverted by the new impermeable surfaces of the houses and pavement from eroding the earth around the site.
- c,d) **Less Than Significant Impact** — As noted in item a, liquefaction is a low to medium risk for the site. This site's Metz sandy loam has "low" shrink-swell potential, while its Sorrento silt loam has "moderate" shrink-swell potential [5]. Other geologic hazards, if any, would be identified in a geotechnical report, a requirement prior to building permits for the types of residences proposed by this project, and the report would recommend measures to minimize geologic risk.
- e) **No Impact** — Although the site's soils present "slight" to "moderate" limits on the use of septic systems, the project proposes the use of a City of Hollister sewer connection and would not be affected by the soils' permeability conditions. See Section X (Hydrology and Water Quality) for further discussion.
- f) **Less Than Significant Impact** — The project site is not known to have unique paleontological or geologic features, and the project's physical effects would be limited to the site itself, avoiding effects to off-site paleontological and geologic features.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. GREENHOUSE GAS EMISSIONS. Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Response:

- a,b) **Less Than Significant Impact** — Emissions of certain gases into the atmosphere have resulted in a warming trend across the globe, and human activity is believed to be an influence on this trend. Releases of greenhouse gases (GHG)—carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), and water vapor, which occur naturally and prevent the escape of heat energy from the Earth's atmosphere—have been unnaturally increased by activities such as fossil-fuel consumption. The warming trend became especially pronounced in the 1990s, leading to the warmest years in human history. Believed future impacts of climate change may include significant weather-pattern changes, decreased water availability, increased occurrence of wildfires, and resulting health effects.

In 2006, State Assembly Bill (AB) 32, the Global Warming Solutions Act of 2006, set a goal of reducing GHG emissions to 1990 levels by 2020. Subsequently, 2007's State Senate Bill (SB) 97 added greenhouse-gas emissions to the set of environmental issues requiring analysis under CEQA. In addition, the County General Plan Health and Safety Element contains Goal HS-5, to "improve local and regional air quality to protect residents from the adverse effects of poor air quality," and also contains policies supporting programs for greenhouse-gas reduction, although policy specifically addressing the proposed development is not included.

According to analysis of the project using CalEEMod Version 2013.2.2, the project would emit carbon-dioxide-equivalent substances, or GHG, in amounts shown in the table. No standard established for San Benito County and its air basin, managed by the Monterey Bay Air Resources District (MBARD), is available to indicate whether emissions could be considered significant. However, the San Luis Obispo County Air Pollution Control District (SLOCAPCD) uses detailed standards that can be used to analyze this project's emissions. Under SLOCAPCD standards, a project's GHG emissions can be considered a less-than-significant impact if the project is modeled to emit fewer than 1,150 metric tons per year of carbon dioxide equivalent annually. This takes into account both operational impacts (including area-, energy-, mobile-, waste-, and water-related sources) and construction impacts; because construction is a one-time activity, SLOCAPCD practices instruct that emissions be amortized, or spread, across a 50-year period and then added to operational impacts. The sum of these annual GHG emissions, as shown in the table, amounts to less than the aforementioned SLOCAPCD threshold. Therefore, the greenhouse-gas emissions of the proposed project can be considered less than significant under SLOCAPCD standards. The threshold set by SLOCAPCD can be reached by far larger projects, such as suburban developments of hundreds of residences [20] but would not be reached by projects of a much smaller scale like that of this proposal.

Greenhouse Gas Emissions (metric tons per year)		
	Unmitigated	Mitigated
<i>Construction⁶</i>	6.96	6.96
<i>Area</i>	15.29	15.29
<i>Energy</i>	39.60	39.60
<i>Mobile</i>	204.30	204.30
<i>Waste</i>	8.01	8.01
<i>Water</i>	2.26	2.26
Total	276.41	276.41
<i>Per person⁷</i>	9.21	9.21

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<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?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

⁶ Both figures are the quotient from amortizing 348.10 metric tons emitted by project construction across a 50-year life cycle.

⁷ These two figures represent the project's total resulting metric tons of greenhouse gas emissions per capita of the project site's potential 30 future residents (see Section XIV, Population and Housing, for discussion on this future population figure).

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Response:

- a-c) **No Impact** — The project proposes no use or transportation of hazardous materials [9]. Any future use of hazardous materials in this residential development is unlikely but will require permitting by the County Division of Environmental Health.
- d) **Less Than Significant Impact** — The site is not on a list of hazardous-materials sites [13l]. Neighboring the subject property are two sites of voluntary cleanups, one being at the directly adjacent Sunnyside Estates development and the other a quarter-mile southeast at the former Southside Road convalescent hospital, demolished in 2018 for potential housing development.
- e) **No Impact** — The property is located approximately 4½ miles (as the crow flies) from Hollister Municipal Airport property. According to the Hollister Airport Land Use Compatibility Plan [19], the property is outside the Airport Influence Area and away from its safety zones and modeled flight paths. The nearest private airstrip is also located approximately 4½ miles away and poses no risk to future residents [8].
- f) **Less Than Significant Impact** — The proposal would expand the neighborhood's existing residential use, which in itself would not present an added barrier to emergency response. Access to and from the site would be designed to current standards established with emergency response as a consideration. In addition, Chapter 11.01 of the San Benito County Code states that the County of San Benito Disaster Council is responsible for the development of the County of San Benito emergency plan, which provides for mobilization of the County's resources during times of major emergency within the County. The proposed project would not interfere with implementation of an adopted emergency response plan or emergency evacuation plan.
- g) **Less Than Significant Impact** — The site is located one half-mile to City of Hollister limits and is designated "non-wildland/non-urban" for fire protection purposes [13f]. Wildland fire risk is not a significant issue on the property, and the project site is close to incorporated Hollister, benefiting from fast response times by fire-response personnel. Fire Station 2, serving Hollister and unincorporated county areas, is located just less than one mile by road [8]. Construction of all new structures will be required to perform measures in conformance with California Fire Code.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
X. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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:				
i) result in a substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) 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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Response:

- a) **Less Than Significant Impact** — The residential project proposes use of public water service through the Sunnyslope County Water District and use of the City of Hollister wastewater disposal system. Development of this type and scale is subject to existing public health requirements overseen by the Central Coast Regional Water Quality Control Board in order to ensure that the proposed project does not contaminate groundwater and expose on- and off-site population and land uses to health hazards and pollution. See item c for discussion of surface water drainage.
- b) **Less Than Significant Impact** — As described in item a, the project proposes to connect to the Sunnyslope County Water District water system and would incrementally increase demand on that public service. As described in item c, the proposed development would establish impervious surfaces but would direct stormwater runoff to storm drains and a basin constructed as part of the adjacent Sunnyside Estates subdivision.

- c) **Less Than Significant Impact** — The project application proposes impervious surfaces including structures and pavement for street extension and driveways, which would divert drainage within the impervious area's footprint. Construction activities would also have potential to affect drainage and also introduce impurities into runoff. County Code §23.31.001 et seq. defines "design standards for the construction of subdivisions, and commercial and other types of development." The proposed residential project and its construction are subject to these standards, which address project engineering concerns including drainage. A project of this type will be subject to conditions of approval addressing these issues and implementing relevant regulations, with an applicant in general being required to submit improvement plans that include depiction of how additional runoff resulting from impervious surfaces will be controlled. For this purpose drainage is proposed to run into storm drains connecting with the Sunnyside Estates system, now under construction, and arrive in that subdivision's retention pond. The Sunnyside Estates tentative subdivision map describes the pond as having additional capacity that can serve TSM 16-97 in addition to Sunnyside Estates. This arrangement will compensate for the impervious surface by regulating stormwater's flow to prevent erosion and diminish the runoff's impurities that could arrive in the area's drainage and groundwater.
- d) **No Impact** — The property is not within a 100-year flood hazard area, and the project proposes no housing or other structures within a flood zone [13g]. The site is neither located downstream of a levee or dam holding a substantial volume of water that could present substantial risk to the subject property [13j] nor located near a body of water that could experience a tsunami or seiche.
- e) **Less Than Significant Impact** — See items a through c.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Response:

- a) **No Impact** — The project as proposed would extend the existing surrounding land uses onto the subject property. The project itself would further establish community and not construct a divide.
- b) **Less Than Significant Impact** — The site has been considered for residential use by the County under its General Plan, adopted in 2015 and planning ahead through 2035. The plan was adopted with policies added or changed to mitigate environmental impacts resulting from the plan itself. County Planning staff has considered the policies and believes the subdivision and rezoning proposal is consistent with the policies in terms of project location, design, relationship to natural features and resources, transportation, housing availability, access to public services, contribution to fair share for public services, and other factors. Parts of this consistency are discussed in other sections of this analysis. In addition, this project would function as a ten-lot extension to the neighboring 200-lot Sunnyside Estates, a project reviewed under an environmental impact report (EIR) certified in January 2016. With the resemblance of TSM 16-97's residential land use to that of Sunnyside Estates and this project's physical connection to its neighbor, the EIR's description of Sunnyside Estates' consistency with the General Plan is similar to TSM 16-97's relationship to the General Plan. The combination of the applicant's submitted design and the conditions of project approval would address or adequately satisfy relevant policies of the General Plan.
- Furthermore, the project proposal has been reviewed according to existing County Code and other related regulations on the topic of environment and has been found on that basis to be suitable for proceeding into later stages of project review,

including CEQA analysis, with conditions of project approval to be made a part of a future project decision where needed to implement those regulations.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Response:

- a,b) **Less Than Significant Impact** — The project site is located near a bank of a portion of the San Benito River that has been locally mapped as a Mineral Resource (MR) combining district under County zoning. The State Department of Conservation designates the site itself and its surroundings as MRZ-3, or an area with mineral deposits of uncertain significance [1i]. The property has historically been used for agriculture, as have other lands in the area in level areas close to the river, while at the same time the direct vicinity of the project site is approved and under construction for residential development. These lands outside the river bed have generally neither been used nor been proposed for mineral extraction, which would require a conditional use permit in the AP zone.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. NOISE. Would the project result in:				
a) 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 applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response:

- a,b) **Less Than Significant Impact** — The General Plan Noise Element addresses noise from aircraft, ground transportation, industry, and construction. Grading and construction activities will temporarily expose neighboring properties to increased noise, while noise levels will increase incrementally as a result of a small increase in population within the immediate vicinity. While the changed land use would likely raise noise levels, the level would be consistent with that of a residential neighborhood such as the adjacent, significantly larger Sunnyside Estates subdivision and that of the land use envisioned for the area in the County General Plan. Noise levels are governed and limited by County Ordinance 667 §1(XV) (County Code §25.37.035) and Ordinance 872 (County Code Chapter 19.39); this includes noise resulting from construction, which will be limited by the ordinances to the hours of 7 a.m. to 7 p.m. except Sundays and federal holidays.
- c) **No Impact** — This site is not located near air traffic facilities. The nearest such facilities are the Hollister Municipal Airport and the Christensen private airstrip, each just over 4 miles away.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. POPULATION AND HOUSING. Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response:

- a) **Less Than Significant Impact** — As estimated for 2018, population of San Benito County is 61,537, with an unincorporated population of 19,823 [21]. The proposed residential development could accommodate 30 people (assuming a household size of 3 persons for the primary residences as considered in the environmental impact report for the neighboring Sunnyside Estates development) [20].
The preparation of the County General Plan contemplated the location and density of future population and housing across the unincorporated area. As the project site is located in the Residential Mixed (RM) General Plan land use district, the proposed residential lots do not vary from this plan and would not represent population growth beyond that already considered. The project would occur on property adjacent on two sides to property already under development at a similar density. In addition, Sunnyslope County Water District water lines and City of Hollister sewer lines are already under construction to run to the adjacent property. Public residential streets are also under construction there, with the current proposal TSM 16-97's 700 feet of street length adding to the far greater amount of residential street length in the neighboring development. Conditions for population growth already exist in the area with insubstantial inducement from this project.
- b) **No Impact** — The project, enabling the construction of new housing on currently vacant and historically agricultural land, would not require displacement of any existing housing and residents.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. PUBLIC SERVICES. Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, 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 public services:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Response:

- a) **Less Than Significant Impact** — Demand for these services, funded by the County as a whole, would rise incrementally as a result of possible population growth. Impact fees, e.g., for parks and schools, would help fund increased use of these services and will be a requirement of building permit issuance for the proposed development under County Code Chapter 5.01. County Code §23.15.008 requires that development contribute to parkland through dedication of land or an equivalent in-lieu fee.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. RECREATION.				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Response:

- a,b) **Less Than Significant Impact** — The project does not include construction of recreational facilities, and use of parks in the area could slightly increase. Population increases in general will require eventual construction and expansion of recreational facilities; Section XV (Public Services) notes the parkland dedication requirements of County Code §23.15.008 applicable to this project and further discusses increased demands on public facilities. Meanwhile, the directly neighboring Sunnyside Estates development involved dedication of park space that would give recreational opportunities to this project's residents and the rest of the public.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. TRANSPORTATION. Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response:

- a) **Less Than Significant Impact** — The County General Plan's Circulation Element Policy C-1.12 states that the "County shall endeavor to maintain a General Plan target goal of LOS D at all locations." The Circulation Element's policies and actions, as well as the County Subdivision Ordinance, require the developer to provide road dedication and construction in conjunction with the project.⁸ The County in its initial review of the project has determined the proposed road improvements would comply with County Subdivision Ordinance road standards and accordingly create conditions in the area to maintain an acceptable level of performance. In addition, payment of the transportation impact mitigation fee (TIMF), funding transportation improvements in the area as selected by prior transportation plan documents, is a prerequisite of residential building permits' issuance under County Code §5.01.250.
- The County's review of the much larger subdivisions near this project, Sunnyside Estates and Bennett Ranch, were also reviewed according to the County Subdivision Ordinance and held to its standards. Further review of each development under CEQA took place, with mitigation resulting from identification of the greater transportation impacts created by their larger scale. Of the two, Sunnyside Estates was the larger at 200 lots and required changes to the area's road facilities as a result of its CEQA analysis. Bennett Ranch, with 84 lots, was also expected to create transportation impacts, but its CEQA analysis found that only TIMF payment upon building permit issuance was necessary in responding to those impacts. The present project would contain 10 residential lots and have a far less significant effect by comparison, and each building permit will be subject to the TIMF to help address its share of effects on the area's transportation system.
- b) **Less Than Significant Impact** — Using modeling by CalEEMod Version 2013.2.2, the project is estimated to result in 359,195 vehicle miles traveled annually, or 98 daily miles per residence (assuming 10 dwellings). The figure assumes a

⁸ Road standards are defined in County Code §23.29.001, dedication requirements are defined by County Code §23.15.002, and improvement requirements defined in County Code Chapter 23.17.

rural setting to account for the site's distance outside metropolitan areas. This choice could result in a higher estimate than in an urban setting but might be lower if the model could take into account the proximity of incorporated Hollister, its central areas and businesses as geographically close to the project as to much existing development within city limits. San Benito County currently does not have a threshold of significance adopted or recognized for vehicle miles traveled, and vehicle travel resulting from this project would therefore not conflict with an applicable threshold.

- c,d) **No Impact** — The project's additional street right-of-way and physical street features are both proposed and required to comply with County Subdivision Ordinance road standards, including geometry and sight distance, developed in part to accommodate safety and emergency access.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. TRIBAL CULTURAL RESOURCES.				
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, 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:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) 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 § 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) 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 § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Response:

- a) **Less Than Significant Impact** — The site is not on a register of historical resources or places and contains no known significant cultural resources [13h,22]. Presently no California Native American tribe has requested regular consultation in review of discretionary projects under Assembly Bill 52 (2014), although larger projects within the jurisdiction involve communication with tribes, and communication in general is available on other projects. See also the discussion in Section V (Cultural Resources).

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIX. UTILITIES AND SERVICE SYSTEMS. Would the project:				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the waste water treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Response:

- a) **Less Than Significant Impact** — Utility facilities already exist in the vicinity and have recently been expanded to serve the neighboring Sunnyside Estates development (Tentative Subdivision Map 14-91). New construction to expand these facilities would take place under this project in proportion to new demands from the 10 proposed residential lots. The utility extension for these lots would not in itself enable substantial new growth beyond the bounds of the project, and effects of the utility extension would be limited to the project site alone.
- b) **Less Than Significant Impact** — The proposed residences are intended to connect to the Sunnyslope County Water District water system and would incrementally increase use of the system's supply. The district has acknowledged willingness and ability to provide water service to the proposed project. Water supplies are derived from a combination of groundwater and imported water from the Central Valley Project and are actively managed by the San Benito County Water District; the 2015 Hollister Urban Area Urban Water Management Plan further describes planning and practices that would maintain water availability during wet and dry years.
- c) **Less Than Significant Impact** — The project is expected to connect to the City of Hollister sewer system via the newly constructed lines within the Sunnyside Estates development that lead to the sewer main and lift station along Southside Road. The City of Hollister Sanitary Sewer System Master Plan Update of March 2018 describes the Southside Road sewer facilities as having no hydraulic deficiencies, with flows at an acceptable velocity. According to the Sunnyside Estates environmental impact report, the lift station installed as part of that development would have enough capacity to serve both Sunnyside Estates and this project. The project developer will be expected as a condition of approval to demonstrate proper access to the sewer system and confirm adequate capacity in the system to serve this development.

- d,e) **Less Than Significant Impact** — The site will be served by the John Smith Landfill, the primary site for solid waste disposal for San Benito County. Solid waste disposal is governed by County Code Chapter 15.01, under which the proposed use would be required to have its solid waste collected for disposal in the John Smith Landfill, which currently has sufficient capacity to accommodate the project. The chapter also provides for recycling, and awarding by the County of a collection franchise is subject to County General Plan Policy PFS-7.5, requiring waste management practices “to meet or exceed State waste diversion requirements [diversion from landfill facilities] of 50 percent.”

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XX. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<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 a wildfire?	<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?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Response:

- a) **Less Than Significant Impact** — As noted in item g of Section IX (Hazards and Hazardous Materials), the site would receive fast response times by fire-response personnel from the property’s location one half-mile to Hollister city limits and one mile by road to Fire Station 2. The site, designated “non-wildland/non-urban,” is located three quarters of a mile northeast of the nearest State responsibility area and just over two miles northeast of the nearest area of very high fire hazard. Please also see Section IX item f, regarding emergency planning.
- As discussed in Section XVII (Transportation), access is required to comply with County Subdivision Ordinance road standards, which are designed in part based on emergency access and include standards made applicable based on a site’s degree of hazard, especially fire risk.
- b–d) **Less Than Significant Impact** — In the development’s valley floor location, residents would be exposed to fire risks and fire-related effects to a degree approximately equal to that of much other existing residential development of a similar design and density in the project vicinity. All infrastructure for fire safety would be typical of that of a residential subdivision, similar to that found in the neighboring residential developments under construction, and would limit hazard generated by fire. Under California Fire Code, the neighborhood will have hydrants, and the residences will have fire sprinklers. The site is not in the likely path of any landslide, with the nearest landslide-susceptible slope located a half-mile away and no known landslide features in the vicinity.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XXI. MANDATORY FINDINGS OF SIGNIFICANCE.				
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 a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<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.)	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Response:

- a) **Less Than Significant Impact** — Section II (Agriculture and Forestry Resources) notes no significant change to woodlands. Section III (Air Quality) describes potential effects on air and reduction of impacts to a level less than significant based on adopted General Plan policy. Section IV (Biological Resources) finds impacts less than significant to native habitat conditions on and around the property. Section V (Cultural Resources) notes neither historic nor prehistoric resources on or near the property, though County Ordinance 610 sets requirements in case of an archaeological find. Section VII (Geology and Soils) and Section X (Hydrology and Water Quality) describe prevention of erosion, and the latter section identifies practices to prevent on-site grading and new structures from degrading water quality.
- b) **Less Than Significant Impact** — Section XVII (Transportation) notes that transportation to and from the project has potential for impacts that would be addressed by County Subdivision Ordinance and transportation impact mitigation fee (TIMF) requirements, and these programs have been established to address cumulative effects of local development in general. Air quality, greenhouse gas, and water quality effects could be counted as contributing to a cumulative effect with other projects, but pollution control measures combined with project design would keep the contribution less than significant. Population could rise from the project, but cumulative population-related effects are addressed by requirements applicable to other topics, such as air quality and transportation, in addition to existing programs and practices responding to population growth, such as impact fees. In addition, the County 2035 General Plan has been adopted, and its environmental impact report has been certified, in part to consider and give cohesive policy addressing cumulative effects of the various activities taking place in San Benito County on an ongoing basis.
- c) **Less Than Significant Impact** — As discussed in Section III (Air Quality), emissions resulting from the project would not exceed MBARD thresholds of significance, but particulate-emitting activity such as construction could otherwise create health impacts that would be less than significant by observing existing requirements including General Plan

policy. Section VII (Geology and Soil) discusses potential geological issues that can be addressed by geotechnical design that existing regulations require for this project. Section IX (Hazards and Hazardous Materials) and Section XX (Wildfire) describe emergency access, especially with regard to fire risk, and determine that the project location and the area's road network are suitable for emergency response. Section XIII (Noise) discusses regulations limiting noise levels. Other effects on humans would either be insignificant or be unlikely to occur. Section XIX (Utilities and Service Systems) identifies practices to maintain long-term availability of water, and Section X (Hydrology and Water Quality) mentions existing regulation to preserve the water's quality for human health.

XXII. LIST OF REFERENCES

The numbers indicated in the checklist in parentheses refer to this numbered list:

1. San Benito County General Plan
 - a. Land Use Element
 - b. Economic Development Element
 - c. Housing Element
 - d. Circulation Element
 - e. Public Facilities and Services Element
 - f. Natural and Cultural Resources Element
 - g. Health and Safety Element
 - h. Administration Element
 - i. Background Report, November 2010
 - j. Revised Draft Environmental Impact Report, March 16, 2015
2. San Benito County Ordinances
3. Zoning Ordinance
4. Grading Ordinance
5. *Soil Survey for San Benito County*, 021-000-009, 1969, US Dept. of Agriculture, SCS.
6. Natural Diversity Data Base for San Benito County.
7. Field Inspection.
8. Staff Knowledge of Area.
9. Project File
10. *Air Quality Management Plan*, Monterey Bay Air Resources District.
11. *Water Quality Control Plan for the Central Coastal Basin*, California Regional Water Quality Control Board, Central Coast Region, 2017 <https://www.waterboards.ca.gov/centralcoast/publications_forms/publications/basin_plan/>.
12. *AMBAG Population Projections*, Association of Monterey Bay Area Governments
13. Maps
 - a. General Plan Land Use Map
 - b. Zoning Map, San Benito County
 - c. Landslide Hazard Identification Maps: Relative Susceptibility Map
 - d. Landslide Hazard Identification Maps: Landslide and Related Features Map
 - e. Alquist-Priolo Fault Hazard Maps, 1986
 - f. Fire Hazard Severity Zones in State Responsibility Areas
 - g. FEMA Flood Insurance Rate Map panel 06069C0185D, dated April 16, 2009
 - h. San Benito County Sensitivity Maps, Prehistoric Cultural Resources
 - i. Habitat Conservation Plan Impact Fee Map (County Ordinance 541)
 - j. U.S.G.S. Quadrangle: Hollister
 - k. San Benito County Important Farmland 2016 Map, California Department of Conservation, Division of Land Resource Protection, Office of Land Conservation, Farmland Mapping and Monitoring Program <<https://www.conservation.ca.gov/dlrp/fmmp/Pages/SanBenito.aspx>>
 - l. Envirostor, California Department of Toxic Substances Control <www.envirostor.dtsc.ca.gov/public/>, April 24, 2019.
 - m. U.S. Fish and Wildlife Service Critical Habitat for Threatened & Endangered Species Map
14. *CEQA Air Quality Guidelines*, Monterey Bay Air Resources District
15. *Trip Generation* (3rd edition), Institute of Transportation Engineers
16. California Scenic Highway Mapping System, California Department of Transportation <http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/>
17. Wetlands Geodatabase, U.S. Fish and Wildlife Service, Division of Habitat and Resource Conservation <<https://www.fws.gov/wetlands/data/Mapper.html>>
18. Web Soil Survey, National Cooperative Soil Survey, Natural Resources Conservation Service <<http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>>
19. Hollister Municipal Airport Land Use Compatibility Plan, San Benito County Airport Land Use Commission, 2012.
20. Sunnyside Estates Environmental Impact Report (Zone Change 14-181, General Plan Amendment 14-48, and Tentative Subdivision Map 14-91)
21. U.S. Census Bureau, Annual Estimates of the Resident Population April 1, 2010, to July 1, 2018 <factfinder.census.gov>.
22. San Benito County 1992 General Plan Environmental Resource and Constraints Inventory (adopted 1994).

XXIII. FIGURES

1. Vicinity Map
2. Proposed Tentative Subdivision Map

✂

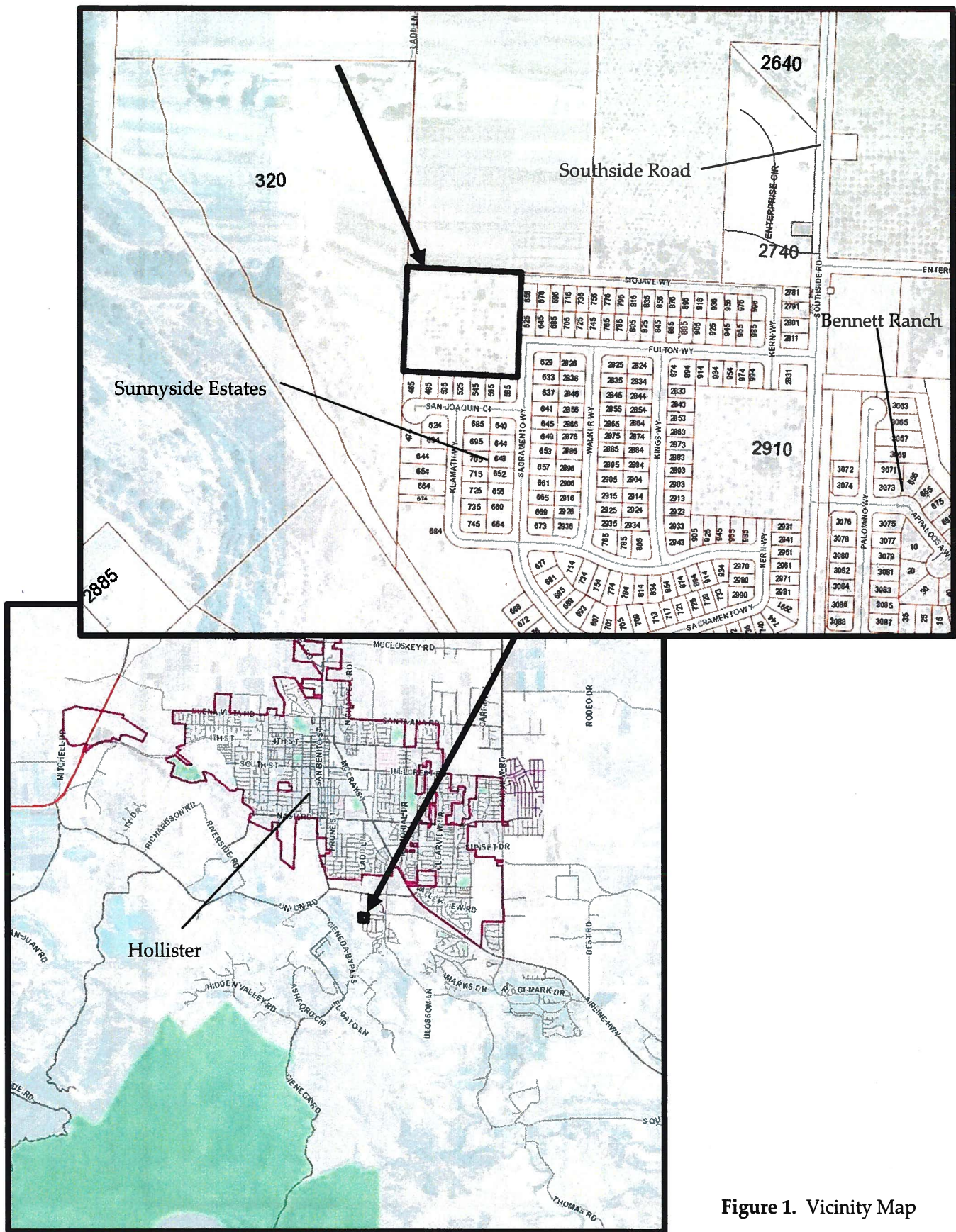


Figure 1. Vicinity Map

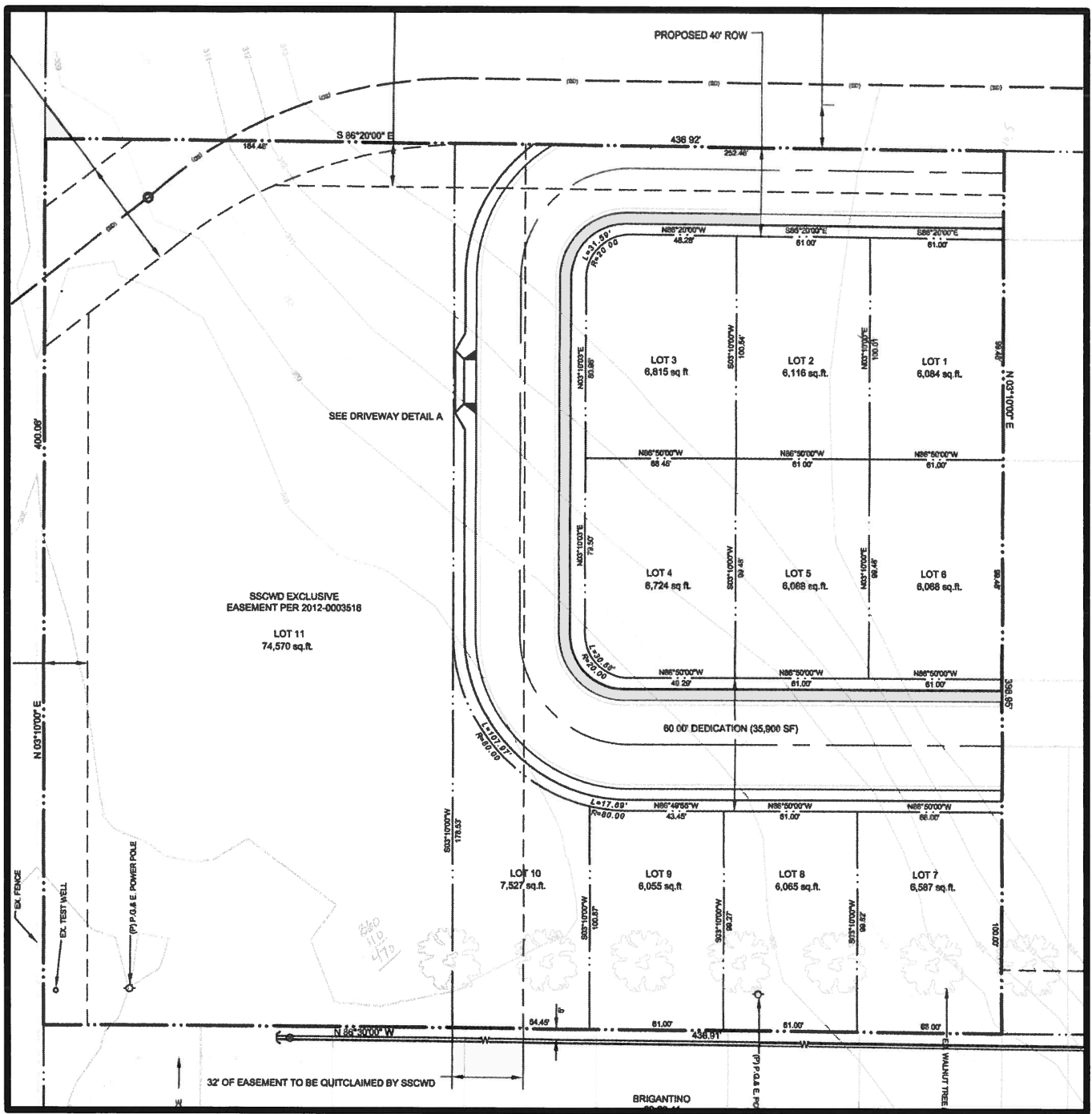


Figure 2 (continued). Proposed Tentative Subdivision Map (closer view)



SAN BENITO COUNTY AGENDA ITEM TRANSMITTAL FORM

Eduardo Navarro
District No. 1

Valerie Eglund
District No. 2

Robert Eggers
District No. 3

Robert Gibson
District No. 4

Robert Rodriguez
District No. 5

Item Number: 3.

MEETING DATE: 8/21/2019

DEPARTMENT: RESOURCE MANAGEMENT AGENCY

DEPT HEAD/DIRECTOR: Harry Mavrogenes

AGENDA ITEM PREPARER: Taven M. Kinison Brown

SBC DEPT FILE NUMBER:

SUBJECT:

Discussion of PC Members assigning "Discussion Items" to staff.

AGENDA SECTION:

DISCUSSION - REGULAR MEETING

BACKGROUND/SUMMARY:

At the July 17, 2019 Planning Commissioner Gibson, requested that the Commission have a discussion of how to give RMA planning staff research assignments and tasks to complete.

Through Chairman Rodriguez, a motion was made by the Commission to set this discussion of "Discussion Items" for the next meeting of the Planning Commission, August 21, 2019.

Staff met with Chairman Rodriguez for guidance in preparation for this item.

BUDGETED:

SBC BUDGET LINE ITEM NUMBER:**CURRENT FY COST:****STAFF RECOMMENDATION:**

Staff recommends that the Planning Commission receive a brief introduction to the matter from staff, before engaging in discussion and deliberation.

ADDITIONAL PERSONNEL:**ATTACHMENTS:****Description**

Staff Introduction of Discussion Item

2035 GP Administration Element

Upload Date Type

8/14/2019

Staff Report

8/14/2019

Backup Material



COUNTY OF SAN BENITO
RESOURCE MANAGEMENT AGENCY
PLANNING AND BUILDING INSPECTION SERVICES

2301 Technology Parkway
Hollister, CA 95023-2513

Phone: (831) 637-5313
E-mail: sbcplan@cosb.us

TO: Planning Commissioners
FROM: Taven M. Kinison Brown
DATE: August 21, 2019
RE: **Discussion of Discussion Items**

Summary:

At the July 17, 2019 Planning Commissioner Gibson, requested that the Commission have a discussion of how to give RMA planning staff assignments and tasks to complete. Through Chairman Rodriguez, a motion was made by the Commission to set this discussion of "Discussion Items" for the next meeting of the Planning Commission, August 21, 2019. Staff met with Chairman Rodriguez August 7, 2019 for guidance in preparation for this item.

Recommendation:

Staff recommends that the Planning Commission receive a brief introduction to the matter from staff (see Discussion below) before engaging in deliberation.

Discussion:

Only meeting once a month, and reviewing one or several development review items each month, the Planning Commission may not be aware of the ongoing and progressive work of the Planning Division within the Resource Management Agency. What is staff working on? What are staff's priorities? As the Commission enters into this discussion, staff wanted to inform the Commission about the work we do daily and monthly that is not necessarily visible during an evening public hearing review of a given project.

In addition to introducing the *major projects presently under review*, staff will share the *administrative, programmatic, and functional improvements* that we are presently working on. Staff then will recommend a selection of *General Plan Subject Matters* that we may report progress back to the Commission on, suggesting that staff present on a quarterly basis.

Major Projects Presently Under Review:

US 101 Commercial Nodes	Private property owners have paid to have the County process implementation of General Plan elements and objectives. The collective project is the development of a new C-3 Commercial Regional Zoning Designation to be applied to several intersection of Hwy 101 within San Benito County. Scheduled for BOS deliberation and action in September. Staff assistance and environmental work under contract with EMC Planning Group.
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Riverside II	A new Affordable Housing Proposal at the old hospital site adjacent to the City yard on Southside Road.
Wynn / Coates Development within Ridgemark	A proposal to construct 190 homes and commercial facilities, including a hotel on former golf course areas within the Ridgemark Community. General Plan Amendment, Zoning Contract Amendment, Zoning Code Amendment, Major Subdivision Proposal, Use Permit, Housing and Design considerations. EIR under contract with EMC Planning Group.
Lico Subdivision Proposal of ~150 Lots	Proposal to subdivide. Applicant wishes to enter a Development Agreement with the County to assure some housing is affordable to teachers, law enforcement officers and others within the San Benito Community.
Lima Specific Plan Proposal for ~1,300 units south of Ridgemark	The Richland group has proposed a Specific Plan to eventually entitle approximately ~1,300 new units south of Ridgemark, and north of the Granite Rock Quarry. Issues of access from Highway 25 and Vineyard Estates, water source and supply, wastewater treatment, traffic and other issues are being engaged. EIR under Contract with Rincon Consultants, Inc.
Saunders Use Permit for RV Camping at Panoche Valley Inn	A proposal to provide formal hookups and pads for RV Camping at the Panoche Valley Inn. Biology remains an outstanding issue, and the CEQA Initial Study is being written in-house.
Chen Day Care / Montessori proposal	Applicants have proposed a day care facility at an existing Tudor-styled home in a well-established neighborhood for fourteen children 2-6 years of age. Applicants intend to offer a Montessori-styled program. Applicants presently operate larger facilities in the San Jose area.
Javid Assisted Care Facility at Ridgemark	150 unit senior assisted care facility off of Hwy 25 at Ridgemark. CEQA Initial Study under contract with EMC Planning Group.
Sunnyslope Christian Church Expansion on Santana Valley Road	The subject property currently is the site of a church with related facilities, including gathering spaces, a children's day care and preschool, a pastor's residence, and parking. The applicant proposes to add to this by constructing a new 12,437 square-foot sanctuary building toward the rear of the property and 12,827 square feet of additional parking. CEQA Initial Study under contract with SWCA.
Roth/Caldwell subdivision at Cole and Ricardo, Aromas	A request to subdivide a 37.43-acre property into six residential parcels plus one remainder parcel, all lots are 5 to 6 acres in area, in addition to building access drives and infrastructure to serve the lots, Aromas area. CEQA Initial Study prepared by DDA Denise Duffy and Associates.
Bray / Culler 10-lot Subdivision at Sunnyslope / Brigrantino	A request to rezone a four-acre parcel from Agricultural Productive (AP) to Single-family Residential (R1) and subdivide the site into 11 lots, including 10 between 6,000 and 7,600 square feet for residential use plus one lot for public utility use, together with a SSCWD water line, a City of Hollister sewer line, approximately 700 feet of additional length to Mojave Way and Fulton Way, and earthmoving for the street extension and building sites. The CEQA Initial Study was written in-house.

Floriani Ranch Proposals – Formerly for a new town, now for Autonomous Vehicle Testing.	Over 4 square miles of development proposal, adjacent to and south of Hwy 25 and west of Pajaro River.
Giacalone / Christopher Proposal at Fairview and Hwy 156	For Autonomous Vehicle Testing and to include local trade school opportunities for job training.
<i>Major Administrative Functions:</i>	
Public Counter and telephone inquiries	Staff regularly rotates responsibility for assisting our walk-in customers and telephone calls. Counter engagement varies from just a few minutes to over an hour in many cases.
Monitoring Major and Minor Projects under construction	Ongoing construction at Santana Ranch, 200 homes within Brigantino / Sunnyside, 84 homes at Bennet Ranch, others too.
Lot Line Adjustments / Special Plan Reviews/ Minor Use Permits	Numerous lot line adjustments, large barns and garages and accessory structures, cellular towers and ministerial reviews.
PRA – Public Records Act Requests	Staff is responsible for retrieving and assembling project and query information requested under the State law for public records disclosure. Staff is obligated to produce responsive records within 10 days. Generally includes ALL submitted materials, e-mail records, transactions and other “public records.”
COG and Regional Meetings	Growth Management and Projections / New alignments for Hwy 152 in the North County area, Support for the ALUC Airport Land Use Commission / Frazier Lake Airport CLUP.
Public Works Department Assistance	
Code Enforcement Assistance	
Building Department Assistance	
Integrated Waste Management and LAFCo Assistance	
Parks Facility Rentals	
Second units / mobile homes	
Seasonal items	Pumpkin Patches and Christmas Tree Sales

Programmatic and Function Improvements we are working on.

RMA Cannabis Program Implementation	From review and tracking of zoning verification forms, to engaging use permits for facility construction
SMARA – State Mining and Reclamation Act Compliance for 18 Surface mines in SBC.	Centralize Files, Update Files, Visit all Mines, Photographic Records, Verification of Payments through Accounting, more. RFP currently on the street for a new consultant contractor.
Acella Automation and Permit Tracking Systems	Daily procedures and increased use and utility. Developing the Citizen Access portal.
Zoning Code Update	Updating for changed State laws; updating for common sense; updating as required for General Plan Implementation.
Procedures Manual	Recording procedures for basic and specific functions of the department. Format and form; Centralized access; certified as official or with current practice dates
InterAgency Review Committee / DRC	Conduct monthly meetings as needed to review complex projects and to collaborate across agencies for improved interactions.
Housing Element and Housing in General	Providing support to the Housing Coordinator as well as engaging ad hoc committee in pursuit of a suite of options to more effectuate the construction of affordable housing in SBC, including impact fee reductions.
Web Site Improvements	Site needs a complete makeover.
Support of the Planning Commission	Meeting minutes, packets and electronic media, training, memberships and reporting
Fee Ordinance Repair	Consultation with other Departments, Finding other County Code Sections that have Fees written into them and are severely outdated, CEQA Fees, Create a new Fee for Condition Compliance and MMRP Review; close out deposit projects up to the Public Hearing; create and add conditions of approval to make this happen.
Contract Management Assistance	Broadly across numerous projects; consultant billings and verification of work performed. Going to a rotational CEQA and Planning Services list of qualified firms. Will revise practice of needing to go to BOS for contracts NOT involving County expenditures.
Team meetings and individual one-to-one staff meetings	To better effectuate project management and information sharing. Coordination of tasks and calendars
New Literature and Improvements to the practice	As we can, we try to read new periodicals and reports of planning projects and improved procedures, attend regional meetings with our professional associates and sometimes, even attend a conference.

General Plan Subject Matters to prioritize (Some may need additional County funding):

- Zoning Code Consistency and Update. Subdivision Ordinance, Building and Engineering Regulations, Land Use and Environmental Regulations, and Traffic Regulations. (2035 GP Program AD-H, LU-K)
- Housing. ADUs Accessory Dwelling Units, senior units, farmworker housing, labor camps, mobile homes, tiny houses, ADU construction on site, in-lieu fees. (State Law changes, Zoning Code, fee structure, processing)
- Economic Development: Economic Development Strategy, Staff Resources, Marketing Program, Commercial and industrial Sites Database, Wine/Hospitality Combining District, Tourist Promotion Program, Signage and Wayfinding Program, New and Existing Business Support, Economic Development and Revenue Agreement. (2035 GP Section 4)

See the attached Administrative Element of the General Plan

Reporting to PC and Engaging in Discussion

RMA staff received the notes from Administrative Analyst, Dulce Alonso who spoke candidly with each of the Planning Commissioners who expressed their concerns. Interestingly, across the Commission, the concerns seemed to focus on:

- Housing
- Commercial business permit processing
- General Plan Updates / Changes
- San Benito County Planning Processes
- Impact Fees
- Planning associations / seminars / training

To staff, it would appear that if the Commission helped prioritize the next level of **General Plan Subject Matters** (above), that would go a long way to meeting the information and leadership needs of the Planning Commission. Staff could present progress and direction at quarterly intervals. Either:

Suggestion

Staff suggests that the Planning Commission engage in discussion on these matters, open public testimony and then deliberate a recommendation for staff, through the Chairman, to bring back a single **General Plan Subject Matter** to the Planning Commission to help fulfill our General Plan and community obligations.

- Working to fix and update the Zoning Code and associated regulations for consistency with state law
- Modernizing our approach to housing in the Community, and
- Implementing components of the Economic Development Element

Staff anticipates that a quarterly interval would allow enough constructive and demonstrable progress for most matters. Some may require additional financial resources from the County.



SECTION 10

ADMINISTRATION ELEMENT

The County Board of Supervisors is the local governing body for land use and environmental matters within the unincorporated parts of the county. The 2035 General Plan is the principal policy document that will guide their decisions. In order to stay current and be an effective and useful document for the County, the General Plan must be periodically reviewed, maintained, and implemented in a systematic and consistent manner. In addition to regular maintenance, the County must coordinate land use and environmental decision with other agencies and organizations. This element provides guidance for how San Benito County administers the 2035 General Plan. This includes the development review and permitting process, environmental justice, interagency coordination, and general plan maintenance.



Development Review and Decision-Making Process

The County Board of Supervisors is ultimately responsible for making land use and environmental decisions in the unincorporated parts of the county (e.g., areas outside of city limits). In order to be fair and efficient, the County must ensure the development review and permitting process is streamlined and applied consistently to all project applicants.

The County must also ensure that decisions do not disproportionately affect one segment of the community in a negative way. This is commonly referred to as environmental justice. Environmental justice, which is a State legal requirement, refers to the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of criminal and environmental laws, regulations, and policies. The intent of environmental justice is to ensure that all persons are able to live in a safe and healthy environment.

The focus of this goal section is to establish a development review process that is efficient for both the County and project applicants, while ensuring that land use decision are fair and predictable.



San Benito County Administration Building. (Photo by Rene Rodriguez)

GOAL AD-1

To ensure that the development review process and the decisions made by the Board of Supervisors are efficient, fair, and to the greatest extent feasible, predictable.

AD-1.1 Equal Public Participation

The County shall ensure that all community residents, business owners, works, and other stakeholders have meaningful opportunities to participate in the decision-making process. (RDR/SO/PI)

AD-1.2 Reducing Disproportionate Land Use Decisions

The County shall ensure the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of land use and environmental laws, regulations, and policies. The County shall strive to ensure that no part of the community suffers disproportionately from adverse human health or environmental effects, and that all residents live in a clean, healthy, and sustainable community. (RDR/SO)

AD-1.3 Equitable Distribution of New Public Facilities and Services

The County shall plan for the equitable distribution of new public facilities and services that increase and enhance the quality of life in unincorporated neighborhoods and communities. The County shall not burden one area or segment of the community disproportionately with necessary, but undesirable land uses. (RDR/MPSP)

AD-1.4 Development Review and Permitting Streamlining Process

The County shall maintain a development review and permit process that is cost and time efficient. The County shall ensure that permitting procedures and regulations are applied consistent manner to all project applicants. (RDR)



AD-1.5 Digital Government

The County shall expand digital services, such as online streaming meeting video, property searches, permitting, and administration services in order to provide the public greater access to information and more efficient services. (SO/PI)

Inter-Agency Coordination

While the County has authority over land use and environmental decisions in the unincorporated parts of the county, there are many local, regional, State, and Federal agencies that also have some planning, permitting, or development review responsibilities in San Benito County. Coordination between the County and these agencies is critical to the successful implementation of the General Plan. The focus of this goal section is to promote inter-agency coordination during the planning and development review and approval process. (Note: See the *Land Use Element* for policies specific to land use decisions in the *City Fringe Areas*, and the *Public Facilities and Services Element* for policies specific to school district coordination).



Implementing the General Plan will require coordination with local, regional, State, and Federal agencies that have planning responsibilities in the county. (Photo of the Bureau of Land Management office in Hollister, by Rene Rodríguez)

GOAL AD-2

To cooperate and coordinate with applicable local, regional, State, and Federal jurisdictions and agencies in order to achieve mutually-beneficial development, environmental, and economic goals.

AD-2.1 City Policy Consultations

The County shall consult with the Cities of Hollister and San Juan Bautista in the early stages of preparing general plan amendments and other policy changes that may impact growth or the ability to provide urban services for land within the cities adopted spheres of influence. (RDR/IGC)

AD-2.2 Annexation Revenue Neutrality

The County shall maintain annexation agreements with the Cities of Hollister and San Juan Bautista to ensure revenue neutrality and account for, and fully reimburse, the County for maintenance and operation of all relevant programs and services. (FB/SO/IGC)

AD-2.3 Federal and State Agency Coordination

The County shall continue to coordinate discretionary project review and permitting activities with applicable Federal and State regulatory agencies as required by law. (RDR/IGC)

AD-2.4 State and National Park Coordination

The County shall continue to coordinate planning and preservation efforts with State and National Park agencies to ensure the long-term environmental and economic health of the parks. (RDR/IGC)



AD-2.5 Air Quality Management Coordination

The County shall continue to coordinate with the Monterey Bay Unified Air Pollution Control District (MBUAPCD) and affected agencies and neighboring jurisdictions in the North Central Coast Air Basin to ensure regional cooperation on cross-jurisdictional and regional transportation and air quality issues, and to establish parallel air quality programs and implementation measures. *(RDR/MPSP/IGC)*

AD-2.6 Native American Tribe Consultation/Coordination

The County shall ensure effective inter-governmental review procedures with the Ohlone Indians and other legally-recognized Native American tribes regarding their landholdings and interests in San Benito County in order to achieve the best possible outcomes consistent with the General Plan. *(RDR/IGC)*

General Plan Maintenance

The effectiveness of the General Plan ultimately depends on how well it is implemented and maintained by the County over time. The General Plan is a dynamic document, and needs to respond to changing conditions and circumstances over the next 25 years. It should not simply be “kept on a shelf.” Rather, the document should be reviewed and updated as necessary in order to respond to changing conditions in the county and changes to State requirements.

State law requires most actions of local government affecting the physical environment be consistent with the general plan, and sets out guidelines for how the plan should be monitored, updated, and amended. The focus of this goal section is to ensure that the County maintains the General Plan and updates appropriate regulations and ordinances so they are consistent with the plan.



The 2030 General Plan will be updated as necessary to respond to changes in the county. (Photo of the view from Park Hill in Hollister, by Rene Rodriguez)

GOAL AD-3

To provide a clear framework for the ongoing administration, maintenance, and implementation of the San Benito County 2035 General Plan.

AD-3.1 General Plan Annual Reviews (PSR)

The County shall annually review the General Plan and report on its implementation status to the Planning Commission and Board of Supervisors, as required by State law. *(RDR/PSR/PI)*



AD-3.2 Five-Year General Plan Reviews

The County should conduct a major review of the General Plan every five years from the date of adoption and revise the plan as deemed necessary to address changing conditions. As part of this review, the County shall update the goals, policies, and implementation programs to be consistent with appropriate changes in State law. *(RDR)*

AD-3.3 Housing Element Updates

The County shall update the Housing Element on a periodic basis as mandated by State law. These updates shall be coordinated with the State Department of Housing and Community Development to ensure the updated element will achieve

State certification upon adoption by the Board of Supervisors. *(RDR)*


AD-3.4 General Plan Amendments

The County shall amend the General Plan no more than four times per calendar year, except for additional amendments allowed by State law. Each amendment may include multiple changes as allowed by State law. *(RDR)*


AD-3.5 Ordinance Consistency

The County shall maintain all applicable County ordinances and regulations to ensure their consistency with the adopted 2035 General Plan. *(RDR)*




 Administration Implementation Programs		2012-2014	2015-2020	2020-2035	Annual	Ongoing
Program AD-A: Development Review and Permit Streamlining The County shall review its existing development review and permitting process in order to improve the efficiency for both the County and project applicants. This may include, as necessary, the following components: <ol style="list-style-type: none"> Use a triage system to minimize permit backlog during periods of high development demand. This can include identifying projects that will need considerable staff resource to review early in the process in order for them to be efficiently managed. Provide regular status reports on project review schedules to the Planning Commission and Board of Supervisors during public meetings. Use consistent processing procedures for all projects. Provide pre-application meetings to coordinate review of large or complex projects. <i>(RDR)</i> 		x				
Implements Policy(ies)	AD-1.4					
Responsible Department(s)	Planning and Building Inspection Services					
Supporting Department(s)	Public Works, Housing and Economic Development					
Program AD-B: Digital Government The County shall identify and implement measures to expand the public digital access to County government functions. This should include providing online streaming meeting video, property searches, permitting, and administration services in order to provide the public greater access to information and more efficient services. <i>(SO/PI)</i>			x			
Implements Policy(ies)	AD-1.5					
Responsible Department(s)	Information Technology					
Supporting Department(s)	Planning and Building Inspection Services, Public Works					
Program AD-C: City Annexation Agreements The County shall maintain annexation agreements with the Cities of Hollister and San Juan Bautista that clearly identify tax sharing and revenue neutrality agreements related to the provision of public services and facilities. <i>(MPSP/SO/FB)</i>						x
Implements Policy(ies)	AD-2.2					
Responsible Department(s)	County Administrative Officer					
Supporting Department(s)	Planning and Building Inspection Services, Public Works					



 Administration Implementation Programs		2012-2014	2015-2020	2020-2035	Annual	Ongoing
Program AD-D: Annual General Plan Reviews The County shall review the General Plan annually, focusing principally on actions undertaken in the previous year to carry out the implementation programs of the plan. County staff shall provide a report to the Board of Supervisors that includes recommendations for amendments to the General Plan, if applicable. This review shall be used to satisfy annual reporting requirements to the Governor's Office of Planning and Research and mitigation monitoring program requirements of Public Resources Code §21081.6. (PSR)					x	
Implements Policy(ies)	AD-3.1					
Responsible Department(s)	Planning and Building Inspection Services					
Supporting Department(s)	County Administrative Officer					
Program AD-E: Five Year General Plan Review The County shall conduct a major review of the General Plan beginning every five years from the adoption date of this 2035 General Plan. The review shall focus on amendments that are necessary for the plan to stay relevant with current issues and consistent with State legal requirements. (RDR)			x	x		x
Implements Policy(ies)	AD-3.2					
Responsible Department(s)	Planning and Building Inspection Services					
Supporting Department(s)	County Administrative Officer					
Program AD-F: Periodic Housing Element Updates The County shall update the Housing Element on a periodic basis as required by Article 10.6 of the Government Code (§65580-65590). These updates shall be coordinated with the State Department of Housing and Community Development to ensure the updated element will achieve State certification upon adoption by the Board of Supervisors. (RDR)		x	x	x		
Implements Policy(ies)	AD-3.3					
Responsible Department(s)	Planning and Building Inspection Services					
Supporting Department(s)	Housing and Economic Development					
Program AD-G: General Plan Review and Updating Funding The County shall investigate and identify, as appropriate, financial mechanisms to be used for funding updates of the General Plan. (FB)			x			



 Administration Implementation Programs		2012-2014	2015-2020	2020-2035	Annual	Ongoing
Implements Policy(ies)	AD-3.1, AD-3.2, AD-3.3					
Responsible Department(s)	County Administrative Officer					
Supporting Department(s)	Planning and Building Inspection Services					
Program AD-H: Ordinance Consistency The County shall review and amend, as necessary, applicable ordinances and regulations to ensure consistency with the 2035 General Plan. These shall include at a minimum the following: Zoning Ordinance, Subdivision Ordinance, Building and Engineering Regulations, Land Use and Environmental Regulations, and Traffic Regulations. (RDR)		X				X
Implements Policy(ies)	AD-3.5					
Responsible Department(s)	Planning and Building Inspection Services					
Supporting Department(s)	Public Works, Housing and Economic Development					