

4.10 LAND USE

4.10.1 Setting

a. Regional Setting. The Project Site is located in unincorporated San Benito County, which occupies approximately 1,389 square miles and consists of both urban and rural land uses. Approximately 75 percent of the County's land area is in either agricultural or rangeland use. San Benito County is considered part of the Monterey Bay Area. It is located in the Coast Range Mountains, south of the City of San Jose, and west of the Central Valley. San Benito County is bordered on the north by Santa Cruz and Santa Clara counties, on the east by Merced and Fresno counties, and on the south and west by Monterey County.

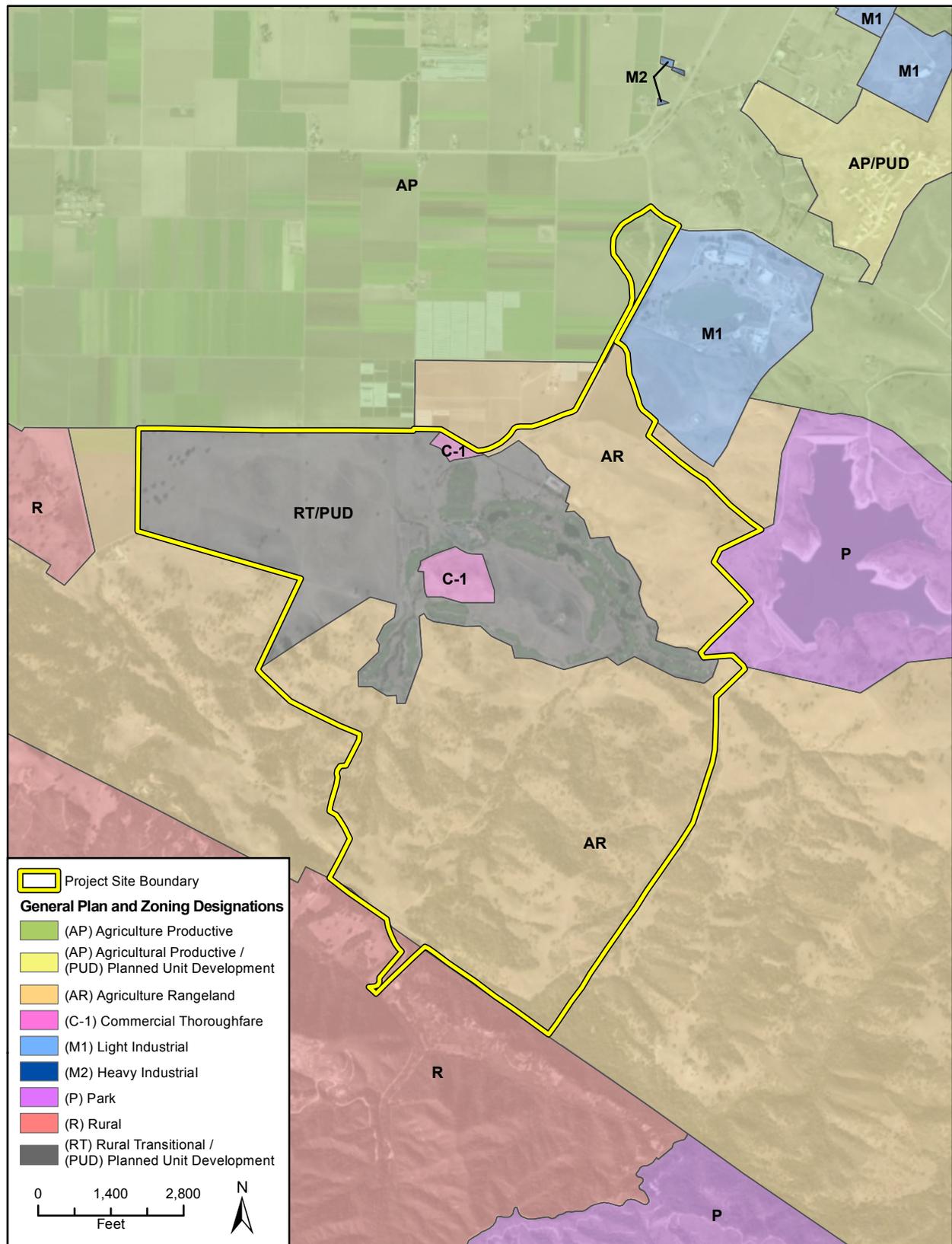
The Project Site is located within a predominately agricultural corridor between the Cities of Hollister and San Juan Bautista, which are the only two incorporated cities in the County. State Route 156 (SR 156) is the primary roadway connecting these two cities, and agricultural uses border both sides of this State Route. The Project Site is located approximately three miles southwest of the City of Hollister, approximately three and one half miles southeast of the City of San Juan Bautista, and approximately one mile south of SR 156. The San Justo Reservoir is located approximately 0.25 mile east of the Project Site's boundary.

b. Project Site Setting. The Project Site encompasses approximately 1,994 acres located in the central northeastern portion of unincorporated San Benito County. A portion of the Project Site is currently developed with the San Juan Oaks Golf Club, which includes an 18-hole golf course, clubhouse, driving range and support structures (collectively, "Existing Golf Club"); the remainder of the site is used for agricultural activities, including approximately 1,131 acres of grazing land (75% of total agricultural land); approximately 315 acres (21%) of dryland farming; and approximately 56 acres (4%) of row crops, which is limited to an organic olive orchard near Union Road (approximately 13 acres) and row crops east of San Juan Oaks Drive (approximately 43 acres).

The overall Project Site is characterized by rolling hills and ridges separated by northwest trending valleys. The majority of the residential component of the Project would be developed on the northern third of the Project Site, in the relatively flat northwestern part of the site. The topographic relief across the overall site is approximately 900 feet, with elevations ranging from approximately 1,120 feet above mean sea level (msl) in the hilly southeastern portion of the overall site to about 220 msl near the relatively flat pasturelands toward the westerly edge of the Project Site. Topographic elevations within the area to be developed with the residential uses includes approximately 350 feet above msl in the southeastern portion of the development (approximately 450 feet msl at the proposed water tank site) to approximately 220 feet above msl in the northwestern portion. Several small streams drain the site from south to north. Several of these drainage channels are natural; however, some channels have been relocated and realigned to facilitate agricultural production.

c. Adjacent Land Uses. The existing, adopted General Plan (1985) land use designations and the existing zoning designations for the Project Site and immediate vicinity are shown on Figure 4.10-1.





Imagery provided by ESRI and its licensors © 2015.
 Zoning/Land Use from County of San Benito, 2013.

Current Adopted General Plan Designations

Figure 4.10-1

As shown therein, the Project Site is bordered by land designated under the County's General Plan and Zoning Ordinance as Rural (R) to the southwest; Agricultural Rangeland (AR) to the northwest and southeast; Agricultural Productive (AP) and Heavy Industrial (M2) to the north; Light Industrial (M1) to the northeast; and (P) to the east (refer to Figure 4.10-1).

Agricultural land in the form of row crops is located directly north and west of the Project Site; areas of open land, some of which are used for grazing, irrigated pasture and dry-farming, are located to the south, east and west.

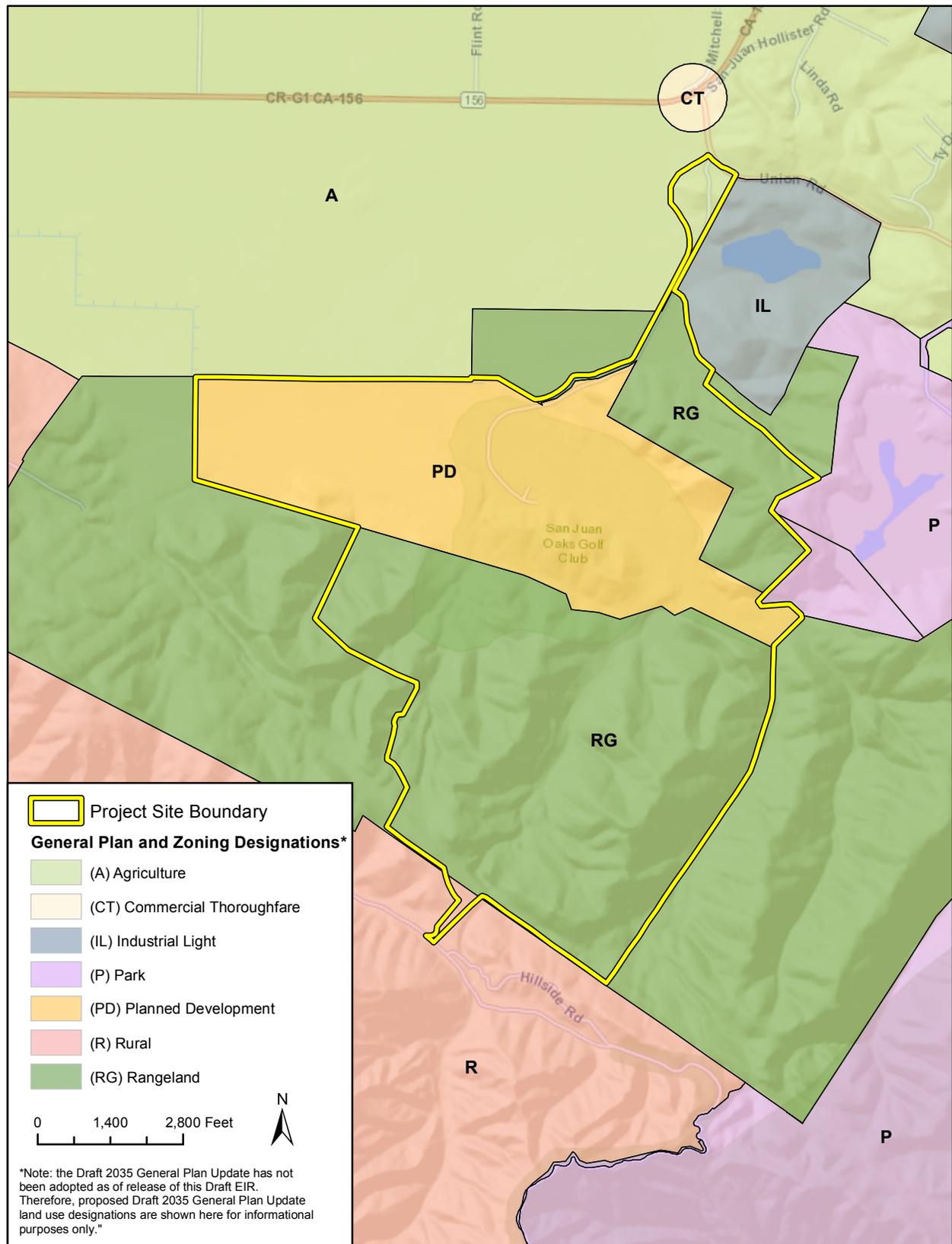
Industrial uses are also located east of the Project Site. Additional heavy industrial uses, including, among others, an industrial facility used for explosives manufacturing and testing, is located approximately one mile north of the Project Site near the intersection of San Juan Oaks Drive and Union Road.

d. Regulatory Setting. The County's existing, adopted General Plan (1985) Land Use Element, Open Space and Conservation Element, and the County's Zoning Ordinance regulate land use planning in unincorporated San Benito County. The requirements and restrictions of each of these regulatory documents that pertain to land use are set forth below, and the Project's consistency with these and other General Plan goals, objectives, and policies applicable to the Project, are further described in in the impact analysis below.

The Project Site is currently designated by the General Plan (1985) as Rural Transitional (RT)/Planned Unit Development (PUD) Overlay, Commercial Thoroughfare (C-1), Agriculture Productive (AP), Agriculture Rangeland (AR), and Rural (R). As shown in Figure 4.10-1, the majority of the Project Site is designated AR, with the northernmost portion of the Project Site (adjacent to Union Road) designated AP. The central portion of the site is designated RT/PUD, with small areas of C-1 in the center and northern portions of the RT/PUD area. The current zoning for the site is the same as the General Plan designations for the site, as shown in Figure 4.10-1. These on-site General Plan and zoning designations were applied to the site in 2003 with the approval of the 2003 San Juan Oaks Golf Club General Plan Amendment/ Zone Change/Vesting Tentative Tract Map. The previously approved project allows for the development of 156 market rate residential units, 30 affordable units, a resort hotel, a village commercial site, a park, open space, an additional 18-hole golf course, and an additional nine-hole golf course. None of the previously approved uses have been constructed. The existing Vesting Tentative Map expires on July 27, 2017.

It should be noted that the County is currently preparing an update to the General Plan. The Draft 2035 General Plan Update, which has not been adopted as of release of this Draft SEIR, includes a land use change on the Project Site from RT/PUD, C-1, AP, AR, and R to Planned Development (PD), Rangeland (RG), Agriculture (A), and Rural (R). The current adopted General Plan designations are shown in Figure 4.10-1 and the Draft 2035 General Plan Update proposed designations are shown in Figure 4.10-2. The proposed General Plan Update policies that pertain to the Project are listed under *Draft 2035 General Plan Update* below; however, because the Draft 2035 General Plan Update has not been adopted by the Board of Supervisors as of the writing of this SEIR, this information is being provided for informational purposes only.





Imagery provided by ESRI and its licensors © 2015.
 County of San Benito and EMC Planning Group, May 2014.

Public Review Draft 2035 General Plan
 Update Proposed Designations

Figure 4.10-2

Current Adopted San Benito County General Plan. The current adopted San Benito County General Plan Land Use Element (1992), Open Space and Conservation Element (1994), and Housing Element (2010) provide guidance regarding land use. Relevant land use goals, policies and objectives are listed below:

Land Use Element:

- Policy 3* *Grade 1 soils as defined in the Soils Survey of San Benito County shall be the highest priority for protection of soil resources.*
- Policy 4* *Development proposals adjacent to Grade 1 agricultural lands and soils suitable for the production of row crops, flowers, or orchards shall be required to mitigate potential land use conflicts with agricultural operations.*
- Policy 5* *Encourage the private development of participatory recreational facilities, such as riding areas, camping facilities and hunting clubs.*
- Policy 7* *It is the policy of the County to consider transfer of development credits (TDC) programs, land trusts, and purchase of development credits (PDC) programs to provide financial incentives to protect and preserve agricultural soil resources and to protect the integrity of important agricultural areas for future uses.*
- Policy 8* *The residential areas of the County shall be developed at densities up to 20 dwelling units per acre. For areas within the Sphere of Influence Rural/Urban land use designation, the density of 20 units per acre or the standards of Hollister may be used to allow for affordability, unmet special needs housing, affordable multi-family rental housing.*
- Policy 9* *The type of development allowed within the residential areas include residential, agricultural, and open space. Trails, parks, and public facilities, including schools and churches, may be allowed subject to use permits.*
- Policy 12* *The County shall utilize specific zoning tools, such as Planned Unit Developments to allow for clustering and density transfer as a means to provide innovative and diversified development, and to avoid hazardous areas while maintaining the rural character of the County provided that the development design and density is consistent with Policy 9 and actions.*
- Policy 15* *The majority of development with a density greater than two units per acre shall occur within the Cities of San Juan Bautista, Hollister and the Paicines Ranch Resort project site. All commercial development providing comparative shopping and serving a regional need, major cultural and institutional uses and all industrial uses (excluding agricultural related uses and low profile compatible industry) shall occur within the Cities, except for those uses which by their nature should or could be located in undeveloped areas.*
- Policy 22* *To allow commercial areas in the unincorporated areas to develop, a general plan amendment shall be required for the establishment of new commercial areas. In some limited situations, new small scale isolated commercial operations will be allowed as overlay zoning in other land use categories.*



- Policy 25 *New neighborhood commercial areas shall be permitted if located within reasonable distance of a community, is centrally located to serve a rural community that is lacking neighborhood commercial services or where the need for expanded neighborhood commercial services can be demonstrated.*
- Policy 29 *Expansion or creation of any new commercial land uses shall mitigate incompatibility with adjoining land uses.*
- Policy 32 *Specific development sites shall be free from the hazards identified within the Open Space and Conservation Element Maps (e.g. faults, landslides, hillsides over 30% slope, flood plains). The site shall also be on soil suitable for building and maintaining well and septic systems (i.e. avoid impervious soils, high percolation or high groundwater areas, set back from creeks). Absent adequate mitigation, development shall not be located on environmentally sensitive lands (wetlands, erodable soil, archaeological resources, important plant and animal communities).*
- Policy 33 *Specific development sites shall avoid, when possible, locating in an environmentally sensitive area (wetlands, erodable soils, important plant and animal communities, archaeological resources).*
- Policy 35 *The County shall encourage energy and water conservation techniques and energy efficiency in all new building design, orientation and construction.*
- Policy 36 *The County should maintain high standards of siting and design in the development of all land uses. Standards and criteria shall be established by the County.*
- Policy 37 *The individual and cumulative effects of development proposals that generate population growth shall be evaluated and all available means shall be used to assist full mitigation of school facility impacts.*

Open Space and Conservation Element:

- Policy 1 *Major subdivisions or intense development shall not be allowed within potential habitat of Federal or State listed rare, threatened, or endangered plant or animal species until said development(s) prepares habitat plans for the species unless an interim measure has been taken to mitigate the effect of development.*
- Policy 2 *Maintain corridors for habitat. In rural areas, road and development sites shall be designed to maintain habitat connectivity with a system of corridors for wildlife or plant species and avoiding fragmentation of open space areas. Measures to maintain the long-term health of the plant and animal communities in the area shall be incorporated into project design such as buffers, consolidation of/or rerouting access, transitional landscaping, linking nearby open space areas, and habitat corridors.*
- Policy 3 *Mitigation for wetland development. Development shall be sited to avoid encroachment on wetlands. Mitigation shall be required for any development proposals that have the potential to reduce wetland habitat from primary or secondary effects of the development.*



- Policy 6 Exotic Plants and Animals. It is the policy of the County to work with State, Federal, and local agencies and land owners to develop programs to reduce the destruction of plant and animal life and habitat caused by invasive plants and animals.*
- Policy 7 Grading, erosion, and native tree removal. It is the policy of the County to minimize erosion resulting from grading and cutting and native tree removal for all development proposals.*
- Policy 8 Development in drainage basins. It is the County's policy to minimize development/uses within drainage basins that could alter the path of watercourses and impede groundwater recharge.*
- Policy 9 Water quality improvement. It is the policy of the County to cooperate with the Regional Water Quality Control Board to improve water quality problems identified for the County, to maintain water quality on all drainage, and to develop policies and programs for the protection and enhancement of habitat for fish on major tributaries to the Pajaro River (San Benito River, Pacheco Creek) and water quality in the Silver Creek watershed.*
- Policy 10 Air quality. The County recognizes air as a natural resource and will strive to maintain air quality through proper land use planning. It shall be the County's policy to utilize land use and transportation controls for the protection and enhancement of air quality. Finally, it will be the County's policy to review public and private development proposals in light of possible recreational and open space potential.*
- Policy 12 Direct development to urban areas. It will be the County's policy to apply land use controls to ensure that only non-urban uses are located beyond Sphere's of Influence and Urban Reserve Areas, except for specific areas designated Rural/Urban, Area of Special Study, Residential Commercial, or Industrial on the General Plan Land Use Map.*
- Policy 13 Specific plan requirements. It will be the County's policy to require specific plans for small, large, new, or expanding communities that are not incorporated which would clearly identify centers of urban growth and land uses within these areas.*
- Policy 16 Open space around cities. It is the County's policy to preserve a rural atmosphere by directing population growth and public service extensions to infill development and avoiding leapfrog growth.*
- Policy 17 Ridgeline development. To preserve the rural character of the area, new development shall be directed away from the horizon through the use of building envelopes and integration of building architecture into the contour of the horizon.*
- Policy 18 Protect rural atmosphere and natural resources. General Plan Amendments, Specific Plans, Area Plans, and Area of Special Study that result in a net increase in general plan buildout (Table 1 of the Land Use Element), shall*



include methods to conserve open space for natural resources including agriculture, wildlife habitat, and water (e.g., conservation easements and/or other similar resource protection measures). Proposed development areas shall also include measures to protect resources on-site and contiguous to the project with the use of clustering, conservation easements, and other similar programs.

- Policy 23 Avoid land use conflicts. The County policy should be to assign compatible land uses adjacent to agricultural lands and selected mineral resource lands to ensure their protection. The County should encourage the use of the Williamson Act, as well as agricultural zoning and other legislative means to preserve large agricultural open space areas.*
- Policy 25 Legislative methods to protect agriculture and rural identity. It is the County's policy to use the Williamson Act, agricultural zoning, and legislative means, where appropriate, to preserve agricultural resources, maintain a rural identity, and to define and shape the urban form. Residential growth should be directed to where services are already provided and to the least productive agricultural land.*
- Policy 28 Maintain viable sizes for agriculture. It shall be the policy of the County to assure that units of land which are suitable for agricultural purposes are maintained.*
- Policy 29 Energy conservation. It will be the County's policy to encourage the use of energy-efficient design in new construction.*
- Policy 30 Water quality from development. It is the policy of the County to require development projects that could contribute to the contamination and/or degradation of groundwater quality to be redesigned to avoid significant impacts.*
- Policy 31 Wastewater treatment. Wastewater treatment systems shall be designed to ensure the long-term protection of groundwater resources in San Benito County. Septic systems shall be limited to areas where sewer services are not available and where it can be demonstrated that septic systems will not contaminate groundwater. Every effort should be made in developing and existing developed areas to reduce the use of septic systems in favor of domestic wastewater treatment. Domestic wastewater treatment systems shall be required to use tertiary wastewater treatment as defined by Title 22.*
- Policy 32 Groundwater studies for new development. To prevent overdrafting in San Benito County, a groundwater development plan shall be required for appropriate new development proposals.*
- Policy 33 Water conservation. To ensure more efficient use of groundwater resources it will be the policy of the County to require conservation of water resources in San Benito County and encourage inter-agency conservation to develop policies and programs for the protection and enhancement of habitat for fish on major tributaries to the Pajaro River (San Benito River, Pacheco Creek).*



- Policy 34 Evidence water quality and quantity for development: Approval of new developments shall not be allowed without evidence of adequate water quality and quantity.*
- Policy 37 Development policy for hazardous areas. It will be the policy of the County to limit densities in areas that are environmentally hazardous (fault, landslides/erosion, hillsides over 30% slope, flood plains) to levels that are acceptable for public health and safety for citizens and property. It is the County's policy to apply zoning categories, and scenic easements for the protection of environmentally hazardous or aesthetically valuable resources.*
- Policy 38 Restrict creation of new lots in hazardous areas. It is the policy of the County to prohibit new subdivision or lot-line adjustments that will create new lots located entirely within hazardous areas (slopes greater than or equal to 30%, 100-year flood plain, landslide/erosion hazard, fault zone).*
- Policy 41 Fire safety. New development will not be allowed where access is a fire safety risk.*
- Policy 42 Flood hazard. One of the County's prime responsibilities is for the health, safety, and welfare of its citizens and property. Because the County recognizes the inherent dangers of construction or development within a flood prone area, it shall be the County's policy to discourage development within areas identified as potential flood hazard areas. Furthermore, it is the County's policy to protect and preserve the 100-year flood plain on the most recent adopted FEMA maps or other maps as wetland resources, watersheds, and tributaries as natural resources for water supply, groundwater recharge, riparian habitat, and fishes.*
- Policy 43 Reduce effects of flooding from development. It is the County's policy to take measures to reduce potential effects of flooding from new development and encourage flood control improvements.*
- Policy 45 Private recreation facilities. It will be the County's policy to utilize land use ordinances to encourage land owners to provide private recreational facilities and open space areas. It will also be the County's policy to allow for an economic return on land while it is being utilized as open space.*
- Policy 46 County and City bike plans. It will be the County's policy to require new development to provide easements for trails/bikeways identified in the City of Hollister Parks and Recreation Master Plan and to be consistent with the San Benito County Bike Plan.*
- Policy 55 Recreation and open space provide for recreation. It shall be the County's policy to acquire, develop, operate, and maintain a comprehensive space system of open space land uses and recreational facilities to provide for the low-intensity trails, picnicking, informal sports, park benches, and active recreational needs (sports fields for youth and adult league play) of the County population.*



Policy 56 Ratio of parks to population. Recreational facilities for existing and new development in the unincorporated areas of the County shall be provided to meet the needs of the population based on a ratio of five acres of park land per 1000 persons.

Housing Element:

Policy 1B The County shall ensure that housing is affordable to extremely low, very low, low, and moderate-income families and members of the local workforce (e.g. teachers, fire and police, farm workers). Affordable housing units shall continue to be exempt from growth management programs in San Benito County.

Policy 1I The County shall actively promote the development and rehabilitation of housing to meet the needs of special needs groups including the needs of seniors, people with disabilities, farm workers, the homeless, people with HIV/AIDS, people in need of mental health [services], single parent families, large families, and other persons identified as having special housing needs.

Policy 2A The County shall encourage and assist the construction of a variety of housing types with varying densities and prices, for both sales and rental that are affordable to all income groups, particularly very low income and special needs groups.

Policy 2C The County shall assure that new housing efficiently uses land and causes minimum environmental impact.

Policy 2L The County shall require, through specific plans, neighborhood design standards and development review, a mix of housing types, densities, designs and prices/rents in each planning area where land is available.

Policy 2M The County shall disperse lower, moderate and higher cost housing throughout the County, each planning area and each subdivision where feasible due to the availability of land and adequate service facilities.

Policy 2R The County shall use land efficiently to encourage a diversity of housing types and to implement "smart" and sustainable development principles.

Policy 5E The County shall promote energy efficient land use planning by incorporating energy conservation as a major criterion for future decision making.

Draft 2035 General Plan Update. The proposed (but not yet adopted) 2035 General Plan Land Use Element, Economic Development Element, and Circulation Element provide the following goals, policies and objectives pertaining to land use. Because the Draft 2035 General Plan has not yet been adopted by the Board of Supervisors, these policies are included for informational purposes only.



Land Use Element:

- LU-1.1 *Countywide Development. The County shall focus future development in areas around cities where infrastructure and public services are available, within existing unincorporated communities, and within a limited number of new communities, provided they meet the requirements of goal section LU-7.*
- LU-1.2 *Sustainable Development Patterns. The County shall promote compact, clustered development patterns that use land efficiently; reduce pollution and the expenditure of energy and other resources; and facilitate walking, bicycling, and transit use; and encourage employment centers and shopping areas to be proximate to residential areas to reduce vehicle trips. Such patterns would apply to infill development, unincorporated communities, and the New Community Study Areas. The County recognizes that the New Community Study Areas comprise locations that can promote such sustainable development.*
- LU-2.1 *Sustainable Building Practices. The County shall promote, and where appropriate, require sustainable building practices that incorporate a “whole system” approach to designing and constructing buildings that consume less energy, water, and other resources; facilitate natural ventilation; use daylight efficiently; and are healthy, safe, comfortable, and durable.*
- LU-2.2 *Green Sustainable Building Practices. The County shall encourage sustainable building practices that go beyond the minimum requirements of the Title 24 CalGreen Code (i.e., Tier 1 or Tier 2 measures) and to design new buildings to achieve a green building standard such as Leadership in Energy and Environmental Design (LEED).*
- LU-2.4 *Solar Access. The County shall encourage new residential sub-divisions and new commercial, office, industrial, and public buildings to be oriented and landscaped to enhance natural lighting and solar access in order to maximize energy efficiency.*
- LU-4.1 *Housing Stock Diversity. The County shall encourage a balance of housing types, locations, and price ranges within the county to accommodate a variety of families from all socio-economic backgrounds.*
- LU-4.2 *Urban Residential Development. The County shall ensure new urban residential development (e.g., greater than two units per acre) occurs in areas that have, or can provide, adequate public facilities and services to support such uses, and are near existing and future major transportation networks, transit and/or bicycle corridors, pedestrian paths and trails, and employment centers.*
- LU-4.5 *Innovative Site Planning and Residential Design. The County shall encourage new residential developments to use innovative site planning techniques and to incorporate design features that increase the design quality, and energy efficiency, and water conservation of structures and landscapes while protecting the surrounding environment.*



- LU-4.6 *Clustered Residential Program. The County shall continue to encourage the clustering of residential uses and the use of creative site planning techniques to promote preservation of agricultural land and open space areas.*
- LU-4.7 *Clustered Residential Site Layout. The County shall encourage clustered residential development be designed to respect existing natural features (e.g., rivers and streams, hills and ridge lines, and substantial tree stands) as appropriate to the density and character of the development, and if applicable to use such features to separate clustered parcels from farming areas.*
- LU-4.8 *Conservation Easements Related to Clustered Residential Development. The County shall encourage new clustered residential development to provide agricultural and/or other appropriate open space easements on farming or open space parcel(s) at the time that the development occurs, or if a multi-phased Planned Development, according to an adopted specific plan.*
- LU-5.2 *New Commercial Thoroughfare Nodes. The County shall encourage new Commercial Thoroughfare (CT) nodes, as shown on the Land Use Diagram, serving travelers and tourists along state routes. The County shall require these uses to have adequate public services, be compatible with surrounding land uses, and respect the scenic character of the county. Figure 3-5 shows the locations, Table 3-1 describes the land use designation, and Appendix A, Glossary defines "Centralized Commercial Node Development".*
- LU-5.6 *Visitor-Oriented Commercial Uses. The County shall encourage visitor-oriented commercial uses that promote the local history, local economy (e.g., agriculture, wineries, recreation), and market locally-produced agricultural products.*
- LU-5.7 *Mixed-Use Development. The County shall encourage both vertical and horizontal mixed-use development within community centers and near or along transportation and transit corridors, bicycle paths, and pedestrian and trail routes as a means of providing efficient land use, housing, and transportation options for county residents. The County shall ensure that mixed use developments include appropriate transit, bicycle, and pedestrian facilities.*
- LU-8.1 *New Community Purpose. The County shall consider applications for New Communities on a case-by-case basis in order to accommodate future growth in new, balanced communities.*
- LU-8.2 *New Community Threshold. The County shall consider any proposed development project that is a unique, self-contained new development a New Community, and as such, subject to the policies of this goal section. The Director of Planning and Building Inspection Services will have the discretion to determine which projects constitute a New Community, but they would generally be projects that cannot be developed under existing allowed residential densities, even with clustered residential incentives, and contain a variety of proposed uses, including residential, employment, neighborhood retail, as well as an emphasis on pedestrian and bicycle circulation and recreational opportunities. The County would especially like to further the development of any project that*



would provide significant connection to and expansion of the county and regional trail network.

- LU-8.3 *New Community Location Requirements. The County shall only accept applications for the establishment of New Communities if:*
- a. They are accessible to existing major transportation routes and corridors, such as State highways, and/or provide opportunities for public transit.*
 - b. They are accessible to employment centers.*
- LU-8.5 *Sustainable New Communities. The County shall encourage New Communities to be planned and designed to reflect the spirit and intent of sustainable growth strategies, such as providing, as appropriate to the site and scale of the proposed New Community:*
- a. Easy access to major transportation links, transit, and bicycle networks;*
 - b. A balance between jobs and housing;*
 - c. Good internal connectivity and good connectivity to the community at large;*
 - d. A reduced parking footprint; a transportation demand management program;*
 - e. Institutions such as schools within walking distance from residences;*
 - f. Distinct, compact, walkable neighborhoods, each with a recognizable center;*
 - g. Walkable streets with shade trees and side-walks or walking paths;*
 - h. Habitat avoidance and conservation plans; and*
 - i. Restoration of resources such as riparian corridors; and permanent preservation of open space.*
- LU-8.6 *New Community Infrastructure Commitments. The County shall require project applicants for New Communities to study and commit to the County, through a development agreement, that water, wastewater, transportation, and other necessary infrastructure needs can be provided as part of the approval of any New Community.*
- LU-8.7 *New Community Public Services Commitments. The County shall require project applicants for New Communities to study and commit to the County, through a development agreement, that necessary long-term public services funding can be provided as part of the approval of any New Community.*
- LU-8.8 *Transportation Efficiency of New Communities. The County shall encourage New Communities to be designed to maximize internal transportation efficiency through designs that minimize trip generation. Design features could include higher density residential uses near employment uses, schools, and neighborhood retail, as well as enhanced pedestrian, bicycling, and transit opportunities.*
- LU-8.9 *Conservation of Land. The County encourages project applicants for New Communities to use conservation techniques, such as the techniques contained in policies under Goals 3 and 4 of the Land Use Element, as an incentive to protect farmland and focus future development away from the most productive farmland.*
- LU-9.7 *County General Plan Consistency Report. The County shall monitor and report to the Local Agency Formation Commission (LAFCO) regarding the consistency with the General Plan with any proposed changes in the sphere of influence or*



other urban boundaries for governmental entities that provide water or sewer services.

- LU-9.8 *Sewer and Water Service Commitments. The County shall require new development within the spheres of influence of Hollister or San Juan Bautista to obtain sewer and water service commitments from either the Cities or appropriate special districts prior to project approval.*

Economic Development Element:

- ED-8.1 *Increased Park/Open Space Use and Connection. Create new park space, connect existing and future parks and open space areas/corridors, and encourage public art throughout the County.*
- ED-8.2 *Park and Recreation Maintenance and Establishment. Improve existing parks and recreational facilities, where feasible, in need of repair or upgrading, and acknowledge the positive impact on property values from building and maintaining high quality parks across the County. Establish, where applicable, a range of parks and open spaces, including tot lots, neighborhood parks, community parks, skate parks, sports fields and courts, organized sports complexes, plazas/greens and/or green- ways/parkways within new neighborhoods, business districts and commercial areas.*

Circulation Element:

- C-1.3 *Roadway Improvement Aesthetics. The County shall require roadway improvements to be designed to conform to existing landforms and to include landscaping and/or other treatments to ensure that aesthetics are preserved, including the county's rural character.*

A consistency analysis of the Project with applicable Draft 2035 General Plan Update land use goals, policies and objectives, including key policies listed above, is evaluated in Table 4.10-2 below. However, because the Draft 2035 General Plan Update has not been adopted as of the writing of this SEIR, this consistency analysis is provided for informational purposes only.

4.10.2 Previous Environmental Review

The 2003 *San Juan Oaks Golf Club General Plan Amendment/Zone Change/Vesting Tentative Subdivision Map EIR* (2003 EIR) examined the land use setting of the Project Site and vicinity and the potential significant impacts resulting from development under the San Juan Oaks Golf Club General Plan Amendment/Zone Change/Vesting Tentative Subdivision Map Project. The 2003 EIR concluded that impacts related to land use compatibility with adjoining land uses to be either less than significant or less than significant with mitigation measures identified in the EIR. Specifically, impacts related to temporary noise and air quality impacts due to the use of construction equipment and generation of fugitive dust were determined to be temporary and minor in nature, and therefore less than significant. Long-term compatibility with adjacent sensitive residential receptors was determined to be potentially significant, but mitigated through implementation of mitigation measures identified for noise and air quality impacts. The 2003 Project was further found to be inconsistent with the existing AR and AP zoning and



land use designations of the Project Site; however, implementation of the proposed General Plan Amendment and Zone Change would result in a less than significant impact. Finally, the proximity of residential uses to the then-proposed proposed golf courses were determined to pose a potential hazard. This impact was mitigated through a disclosure of errant golf ball hazards upon the transfer of real property and execution of leases on the Project Site.

The 2003 San Juan Oaks Golf Club project included a General Plan Amendment/Zone Change/Vesting Tentative Tract Map. This previously approved project allowed for the development of 156 market rate residential units, 30 affordable units, a resort hotel, a village commercial site, a park, a permanent wildlife habitat/open space, an additional 18-hole golf course, and an additional nine-hole golf course. None of the previously approved uses have been constructed.

Although the 2003 EIR addressed land use impacts, substantial changes to the previously approved 2003 San Juan Oaks Golf Club project are proposed as part of the Del Webb at San Juan Oaks Specific Plan project.

The development footprint of the 2003 San Juan Oaks Golf Club Project and the current proposed Project are substantially similar, as shown in Figure 1-1 in Section 1.0, *Introduction*. However, substantial changes to the previously approved 2003 San Juan Oaks Golf Club project are proposed as part of Del Webb at San Juan Oaks Specific Plan Project. Specifically, the Del Webb at San Juan Oaks Specific Plan project proposes to increase the previously approved overall impervious building area from approximately 193 acres to approximately 323 acres, increase the total number of residential dwellings from 186 single-family residential dwellings to 1,084 single-family residential dwellings, increase the neighborhood commercial area from approximately seven acres to approximately 14 acres, increase roadway areas from approximately 44 acres to approximately 88 acres, increase the permanent wildlife habitat/open space from approximately 1,163 acres to approximately 1,243 acres, and develop an approximately ten-acre amenity center. In addition, the Project would provide for the permanent preservation of approximately 153 acres of off-site prime agricultural land. These proposed changes have the potential to substantially alter and potentially increase the severity of land use impacts associated with the Project. Therefore, the following impact analysis has been prepared pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15162(a).

4.10.3 Impact Analysis

a. Methodology and Significance Thresholds. In accordance with Appendix G of the *State CEQA Guidelines*, the proposed Project would result in potentially significant land use impacts if it would:

- 1) *Physically divide an established community;*
- 2) *Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect; or*
- 3) *Conflict with any applicable habitat conservation plan or natural community conservation plan.*

As identified in Section 3.0, *Environmental Setting*, the proposed Project would not physically divide an established community as it is located in unincorporated San Benito County; the



Project Site is approximately three miles southwest of the City of Hollister and approximately 3.5 miles southeast of the City of San Juan Bautista. The Project Site is not located within the boundaries of an adopted Habitat Conservation Plan or Natural Community Conservation Plan. Therefore, these issues are not discussed further in this section and the analysis focuses on potential conflicts with applicable land use plans, policies, and regulations (Threshold 2). Further discussion regarding Thresholds 1 and 3 can be found in Section 4.15, *Effects Found Not to Be Significant*.

Compatibility between proposed on-site land uses and adjacent land uses during both construction and operation are described in Section 4.2, *Agricultural Resources* (Impact AG-2), Section 4.3, *Air Quality* (Impacts AQ-3 and AQ-5), and Section 4.11, *Noise* (Impacts NOI-1, NOI-2, and NOI-3).

b. Project Impacts and Mitigation Measures.

Impact LU-1 The proposed Project would not conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the Project adopted for the purpose of avoiding or mitigating an environmental impact. Therefore, development of the Project would result in a Class III, less than significant, impact. [Threshold number 2]

Background and Context. The proposed Project is subject to the existing San Benito County General Plan, which was adopted by the Board of Supervisors in 1985. The General Plan (1985), as it has been amended from time to time, establishes County policies for the growth and development of the County of San Benito. Among other things, it identifies policies necessary to protect and enhance those features and services which contribute to the quality of life enjoyed by County citizens.

The General Plan (1985) is a comprehensive policy plan which sets forth a series of written statements (goals, policies and objectives) defining the direction, character and composition of future land use development, and establishes guidelines (policies and actions) necessary to attain conformance with the plan. It is made up of eight elements and the General Plan Maps, which accompany the elements. The elements are: 1) Land Use, 2) Housing (2007–2014), 3) Open Space and Conservation, 4) Seismic Safety/Safety, 5) Noise, 6) Transportation, 7) Scenic Roads and Highways, and 8) Environmental Resources and Constraints Inventory. The General Plan Map visually represents the physical relationship of all portions of the text, including development densities.

General Plans are reviewed annually and should be updated every three years to insure that the most recent technical data, community goals and state law requirements are recognized. Major updates typically occur every 10-30 years, depending on changes in land use patterns, growth and development pressures, new regulations, etc.

In March 2015, San Benito County released for public review the Draft 2035 General Plan Update; however, the Draft 2035 General Plan Update has not been adopted by the Board of Supervisors as of the writing of this SEIR. If and when it is adopted by the Board of Supervisors, it would replace the General Plan (1985). The Draft 2035 General Plan Update has been reorganized and includes the following eight elements: 1) Land Use, 2) Economic Development,



3) Housing, 4) Circulation, 5) Public Facilities and Services, 6) Natural and Cultural Resources, 7) Health and Safety, and 8) Administration.

A narrative analysis of the Project's consistency with the General Plan is provided below, including an analysis of both the current adopted 1985 General Plan and the (yet to be adopted) Public Review Draft 2035 General Plan Update, as of the publication of this Draft SEIR. While the existing General Plan (1985) applies for CEQA compliance purposes since it is the governing document as of the date of this Draft SEIR, the consistency analysis of the Draft 2035 General Plan Update is also provided for informational purposes only.

1985 General Plan Consistency Assessment. Under the existing adopted 1985 General Plan, the Project Site is designated by the General Plan as Rural Transitional (RT)/Planned Unit Development (PUD) Overlay, Commercial Thoroughfare (C-1), Agriculture Productive (AP), Agriculture Rangeland (AR), and Rural (R), as shown in Figure 4.10-1. As described in Table 4.10-1, the proposed Project would not substantially conflict with the current land use designation and zoning designation of the site, which assumed development consistent with the previously approved San Juan Oaks Vesting Tentative Subdivision Map Project (2003). With the adoption of the Specific Plan and related re-designation and rezoning of the Project Site, the Project would be consistent with the General Plan and Zoning Ordinance.

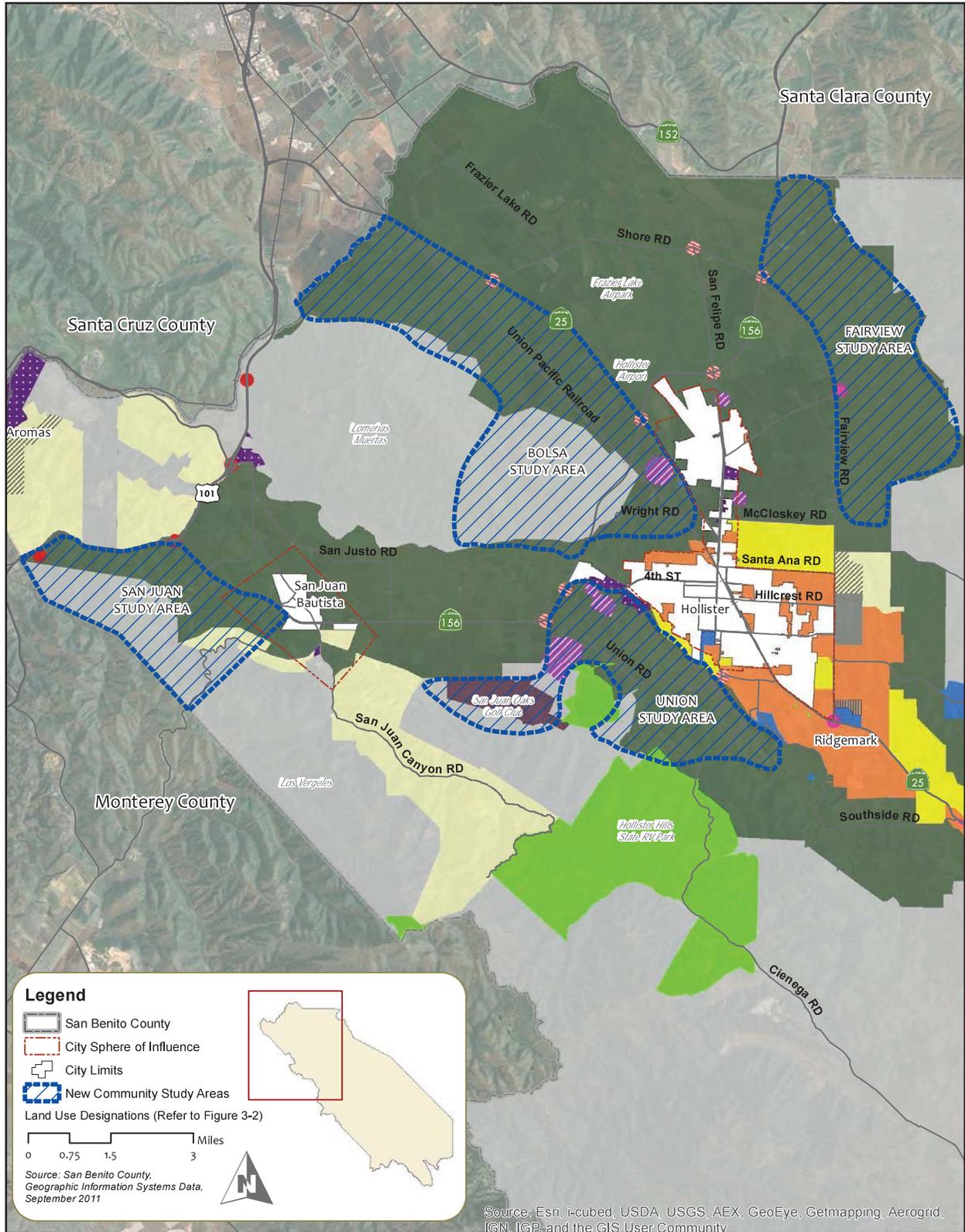
Public Review Draft 2035 General Plan (March 2015) Consistency Assessment. Under the Draft 2035 General Plan Update (March 2015), the Project Site would be designated Planned Development (PD) and Rangeland (RG), as shown in Figure 4.10-2. A very small portion of the southwestern portion of the Project Site would be designated Rural (R).

All of the area within the Project Site proposed for residential and commercial development, as well as the existing golf course and clubhouse, would be designated Planned Development. This designation identifies areas where future development is anticipated to occur through preparation of a Specific Plan. General Plan land use designations would be applied to the area through a General Plan Amendment to incorporate the Specific Plan as a part of the Draft 2035 General Plan Update.

Additionally, the entire Project Site is located within the Union New Community Study Area (see Figure 4.10-3). The purpose of identifying the New Community Study Areas (there are four in total) is to provide the opportunity for San Benito County to accommodate some future growth in new unincorporated communities, while protecting productive agricultural lands, preserving open space, and creating a sustainable land use pattern in the county. As stated in the Land Use Element (page 3-28):

"Land within the New Community Study Areas has been identified as potentially appropriate for more intense development for a variety of reasons, including but not limited to: proximity to existing job centers, good access to existing transportation corridors, opportunities to provide public transit, opportunities for reducing vehicle miles traveled and traffic congestion, fewer impacts to high value agricultural land, opportunities for permanent preservation of open space, and fewer impacts to environmental resources. The definition of a New Community is intentionally flexible in order to allow proposals for a variety of project types that would generally increase development intensity (e.g., dwelling units per acre, jobs per square foot, etc.) above the underlying land use designation. New communities should include a mix of residential, commercial, employment, parks, and open space centered around community cores."





Public Review Draft 2035 General Plan
 Update New Community Study Areas

Figure 4.10-3
 County of San Benito

The proposed Project can be considered consistent with the goals and intent of the Union New Community Study Area, as it would construct a new development that would preserve high value agricultural lands, be located close to an existing transportation corridor (SR 156), provide opportunities for public transit, and establish an approximately 1,243 acre permanent wildlife habitat as open space. Furthermore, the Project proposes a mix of residential, commercial, employment-generating uses as well as parks, recreational facilities and open space centered around community cores, consistent with the policy intent of the 2035 General Plan New Community Study Areas.

As described in Table 4.10-2, the proposed Project would not substantially conflict with the land use designation for the site as described in the Draft 2035 General Plan Update. The proposed Project can also be considered consistent with the relevant policies for each of the eight Draft 2035 General Plan Update elements.

Tables 4.10-1 and 4.10-2 below provide a consistency analysis of the proposed Project for both the current adopted General Plan (1985) and the Draft 2035 General Plan Update, respectively. Consistent with the scope and purpose of this SEIR, the following discussion primarily focuses on those General Plan goals and policies that relate to avoiding or mitigating environmental impacts, and an assessment of whether any inconsistency with these standards creates a significant physical impact on the environment. Only policies relevant and applicable to the proposed Project are included.

It should also be noted that the discussion below is intended to guide policy interpretation, but is not intended to replace or supplant County decision-makers. The final determination of consistency will be made by County decision-makers when they act on the proposed Project. Also, as noted above, the consistency analysis as it relates to the Draft 2035 General Plan Update is being provided for informational purposes only since it is not the operative General Plan as of the writing of this SEIR.

**Table 4.10-1
 Policy Consistency: Current Adopted San Benito County General Plan (1985)**

Current Adopted San Benito County General Plan Policy	Consistency Discussion
Land Use Element	
<p><u>Land Use Designations.</u> The Project Site has a General Plan designation of Rural Transitional (RT)/Planned Unit Development (PUD) Overlay, Commercial Thoroughfare (C-1), Agriculture Productive (AP), Agriculture Rangeland (AR), and Rural (R).</p>	<p><u>Consistency:</u> The proposed Project would not substantially conflict with the current land use designation and zoning designation of the site, which assumed development consistent with the previously approved San Juan Oaks Vesting Tentative Subdivision Map Project (2003). As described in Section 4.10.2 (Previous Environmental Review), the 2003 San Juan Oaks Golf Club project allowed for the development of 156 market rate residential units, 30 affordable units, a resort hotel, a village commercial site, a park, a permanent wildlife habitat/open space, an additional 18-hole golf course, and an additional nine-hole golf course. None of the previously approved uses have been constructed. The proposed Project proposes to increase the previously approved overall building area from approximately 193 acres to approximately 323 acres, increase the total number of residential dwellings from 186 single-family residential dwellings to 1,084 single-family residential dwellings, increase the neighborhood commercial area from approximately seven acres to approximately 14 acres, increase roadway areas from approximately 44 acres to approximately 88 acres, increase the permanent wildlife habitat/open space from approximately 1,163 acres to approximately 1,243 acres, permanently preserve approximately 153 acres of off-site prime agricultural land, and develop an approximately ten-acre amenity center. Thus, the development intensity of the current proposed Project would increase compared to the previously approved project. However, the environmental impacts of the proposed Project have been accounted for throughout this SEIR. Further, with the adoption of the Specific Plan and related re-designation and rezoning of the Project Site, the Project would be considered consistent with the General Plan designations for the site.</p>
<p><u>Goal 1.</u> To maintain the County's rural atmosphere.</p> <p>Objectives</p> <ul style="list-style-type: none"> a) To protect prime agricultural areas in order to preserve them for the present and future agricultural production vital to the County. b) To direct future County growth to areas which are neither environmentally sensitive nor of substantial agricultural importance. c) To protect hillsides and grazing lands with grades over 30%. d) To utilize agricultural and open space lands to help define urban and rural residential areas. 	<p><u>Consistency:</u> As described in Impact AG-1 in Section 4.2, <i>Agricultural Resources</i>, the Project Site contains approximately 48 acres of Important Farmland, most of which would be preserved within an approximately 41-acre Agricultural Preserve. However, 12 acres of Important Farmland would be converted to non-agricultural use through development of community park amenities, and reservation of a two-acre site for the potential future development of a public safety facility. Despite this conversion, the permanent preservation of the approximately 153-acre off-site area for agricultural uses would help to offset the loss of agricultural land on-site. In addition, the Project would preserve approximately 1,243 acres on-site for a permanent wildlife habitat, and has been designed to avoid most productive agricultural areas and sensitive biological resources. Therefore, the Project would be considered consistent with Goal 1.</p>



**Table 4.10-1
 Policy Consistency: Current Adopted San Benito County General Plan (1985)**

Current Adopted San Benito County General Plan Policy	Consistency Discussion
	<p>Furthermore, in 2003, the County of San Benito modified the underlying land use/zoning designations for a large portion of the Project Site to Rural Transitional (RT)/Planned Unit Development (PUD) Overlay, Commercial Thoroughfare (C-1), Agriculture Productive (AP), and Agriculture Rangeland (AR) as part of the previously approved 2003 San Juan Oaks Tentative Subdivision Map project. This change envisioned the conversion of agricultural lands, including those designated as having prime soils, as part of future planned growth. Therefore, the proposed Project would be considered consistent with the referenced goal and objectives.</p> <p>The Project would not involve development on lands with slope gradients over 30 percent.</p>
<p><u>Goal 2.</u> A balance of housing types, locations and a relatively wide range of prices within the County which will accommodate a variety of families from all socio-economic backgrounds.</p> <p>Objectives</p> <ul style="list-style-type: none"> a) To encourage innovative approaches to subdivision planning providing a variety of housing types and densities. b) To encourage an overall rural approach to development, such as large lots or the clustering of home sites to preserve the maximum open space possible. c) To identify areas within existing communities and/or where public services are available that could provide low-income housing. d) To amend existing subdivision and Planned Unit Development Ordinances to provide requirements for low-income housing where services can be provided. 	<p><u>Consistency:</u> The Project would provide market-rate housing for various segments of the community, including active adults (age 55 and over), and would offer a variety of housing types (in both size and densities). An assisted living/skilled nursing/memory care facility with up to 100 beds would also be constructed as part of the Project within the Neighborhood Commercial area.</p> <p>Although no affordable housing is proposed, this mix of housing types would represent a balance of housing types with a range of housing prices. The proposed single-family homes would be located on relatively large lots. The proposed residential development would be clustered on the site, which would allow for the preservation approximately 1,243 acres as permanent wildlife habitat. Therefore, the proposed Project would be considered consistent with the referenced goal and objectives.</p>
<p><u>Goal 3.</u> To allot sufficient area within each type of land use to provide for future needs.</p> <p>Objectives</p> <ul style="list-style-type: none"> a) To establish areas where growth is acceptable and desirable as well as setting those areas aside which are not desirable for development within the planning period. b) To add new land use designations to the land use plan to identify areas for future commercial, industrial, and public/quasi-public land uses. c) To consider the effect on the natural environment in all land use decisions. Development should particularly be controlled in areas that are sensitive or environmentally hazardous. 	<p><u>Consistency:</u> Approval of the proposed Project would result in an amendment to the County of San Benito General Plan and zoning designations for the site as “San Juan Oaks-Specific Plan (SJO-SP), which would allow for a mix of complimentary uses” The Project Site was previously approved for proposed development of the San Juan Oaks Golf Club Project and, therefore, the general area has been previously planned for urban development and has been anticipated by the County for more than a decade to accommodate future growth. This SEIR considers the effect of the Project on the natural environment. The Project has been designed to avoid most productive agricultural areas and sensitive biological resources. Therefore, the Project would be considered consistent with this goal and objectives.</p>



**Table 4.10-1
 Policy Consistency: Current Adopted San Benito County General Plan (1985)**

Current Adopted San Benito County General Plan Policy	Consistency Discussion
<p><u>Goal 4.</u> To provide for commercial developments which are compatible with other land uses and will conveniently and effectively serve the needs of people.</p> <p>Objectives</p> <ul style="list-style-type: none"> a) To allow commercial services that will reduce vehicle trips and vehicle miles traveled, to meet the needs of rural citizens, unincorporated communities, as well as the weekend or recreational user. b) To identify areas along existing and future highway re-alignments for commercial thoroughfare and/or regional commercial services. c) To identify and plan for commercial services near existing federal, state, and regional parks. 	<p><u>Consistency:</u> Neighborhood commercial uses are proposed as a component of Project development. The planned commercial uses would be primarily small scale retail, medical, and professional services meant to serve the daily convenience needs of the Project Site’s residents, thereby reducing vehicle trips and vehicle miles traveled. The specific uses could include, but would not be limited to: a bank, medical offices and out-patient services, a restaurant, a small market, a coffee shop and bakery, professional services (e.g. insurance, financial brokerage, etc.), local use vehicle sales and service, storage including RV storage, and other similar services that would support the community’s needs. However, given the location of the Project Site and the nature of the services likely to be offered, these proposed commercial uses would serve not only residents of the Project Site, but would also serve residents of rural areas in surrounding unincorporated communities to the Project Site. Therefore, the Project would be compatible with other land uses on and adjacent to the Project Site, and would be considered consistent with this goal and objectives.</p>
<p><u>Goal 5.</u> To provide for a diversified economic base for the County.</p> <p>Objectives</p> <ul style="list-style-type: none"> a) To direct the development of industrial uses to areas which are compatible with surrounding land uses and which will be sensitive to the environment except when the industry is site dependent or site related. b) To protect agriculture as a major industry in the County. c) To direct the majority of industrial growth to occur in areas where services are available, near existing transportation systems (e.g. railroads, state route connections) or agricultural operations. d) To consider socio-economic impacts as a prime factor in determining the type of industry to be developed, with emphasis on providing a variety of jobs to meet the needs of the existing residents. e) To investigate the expansion of recreational industry to meet the needs of local and regional visitors to the County. 	<p><u>Consistency:</u> The proposed uses of the Project Site would be located near existing services, including major transportation routes. The proposed uses would provide short and long term local employment opportunities. Short term local employment opportunities would be created through construction of proposed Project components. Long term employment opportunities would be associated with proposed Project commercial uses. Through both short and long-term employment generation, implementation of the proposed Project would provide for a more diversified economic base. In addition, the Project would generate sales tax and other revenue through both the sale of residences and through the addition of new residents to the community. With regard to protection of agriculture, although the Project would convert a relatively small amount of prime soils to permanent urban use, it would also preserve approximately 41 acres on-site in permanent agricultural use and would permanently preserve approximately 153 acres of agricultural land off-site of comparable or higher quality. Furthermore, the Project would provide approximately 1,243 acres of on-site permanent wildlife habitat, which would be available for rangeland. Therefore, the Project would be considered consistent with this goal and objectives.</p>



**Table 4.10-1
 Policy Consistency: Current Adopted San Benito County General Plan (1985)**

Current Adopted San Benito County General Plan Policy	Consistency Discussion
<p><u>Goal 7.</u> To maintain the character and the natural amenities of San Benito County while providing for its growth.</p> <p>Objectives</p> <ul style="list-style-type: none"> a) Preserve the County's historic identity and integrity. b) Provide land use designations to ensure long-term preservation of the County's natural resources including soil, water, ridgeline vistas, and air quality. 	<p><u>Consistency:</u> As described throughout Section 4.5, <i>Cultural Resources</i>, the Project would not impact the County's historic resources. Creation of the approximately 1,243 acre permanent wildlife habitat would help ensure the long-term preservation of County's natural resources including soil, water, ridgeline vistas, and air quality, as well as the preservation of agricultural uses both on- and off-site, within the context of a proposed development that has been planned for more than a decade to accommodate anticipated future growth. In addition, with the implementation of identified Project design features and recommended mitigation measures, impacts to the County's water resources, ridgeline vistas, and air quality as a result of Project implementation related to development and operation of the Project would be less than significant. . Therefore, approval and implementation of the Project would be generally consistent with this goal and objectives.</p>
<p><u>Policy 1.</u> The agriculturally designated areas of the County shall be developed at a low density use (5 acre minimum lot size).</p>	<p><u>Consistency:</u> The Project would amend the County of San Benito General Plan and zoning designations for the Project Site to be "San Juan Oaks-Specific Plan (SJO-SP)." Following Project approval, the Project would be consistent with zoning and land use designations for the site, and therefore the Project would be considered consistent with the referenced policy.</p>
<p><u>Policy 2.</u> The type of uses allowed within the agriculturally designated areas shall be related to the suitability of the soil resources, climate and water supply. The types of uses allowed on most agriculturally designated areas within the County include agriculture, agricultural processing, grazing, land in its natural state, wildlife refuges, and low intensity residential. Uses subject to use permit approval include low intensity recreational facilities, mineral extraction and processing, and also institutional uses and uses, that, by their nature, should be located in undeveloped areas.</p>	<p><u>Consistency:</u> As described in Impact AG-1, the Project Site contains approximately 48 acres of Important Farmland, most of which would be preserved within an approximately 41-acre Agricultural Preserve. However, 12 acres of Important Farmland would be converted to non-agricultural use through development of community park amenities, reservation of a two-acre site for potential future development of a public safety facility, or inclusion within a wildlife preserve, which may not allow continued agricultural production. Despite this conversion, the permanent preservation of the approximately 153-acre off-site area for agricultural uses would help to offset the loss of agricultural land on-site. Therefore, Project impacts to agricultural resources would be less than significant.</p> <p>The approximately 1,994-acre Project Site represents a small percentage (approximately 0.3 percent) of the total agricultural land in the County (672,281 acres, including grazing land, as of the year 2010). In addition, the Project would maintain most of the important Farmland on-site in an agricultural preserve, and would protect approximately 153 acres of off-site agricultural land. The Project also would not involve development on lands with grades over 30 percent. Therefore, the Project would be considered consistent with this policy</p>



**Table 4.10-1
 Policy Consistency: Current Adopted San Benito County General Plan (1985)**

Current Adopted San Benito County General Plan Policy	Consistency Discussion
<p><u>Policy 3.</u> Grade 1 soils as defined in the Soils Survey of San Benito County shall be the highest priority for protection of soil resources.</p>	<p><u>Consistency:</u> The Project Site contains approximately 181 acres of soils with a Capability Class of 1 (refer to Section 4.2, <i>Agricultural Resources</i>, for an explanation of Capability Classes and prime farmland). However, the Project would only develop approximately 25 acres containing these soils. The proposed Project would not substantially affect prime soils that are currently used in a productive agricultural capacity - no irrigated soils are currently located in the proposed development footprint. However, the Project would avoid most Important Farmland on the site, and would preserve approximately 41 on-site acres and 153 off-site acres in permanent agricultural use. Furthermore, in 2003, the County of San Benito modified the underlying land use/zoning designations for a large portion of the Project Site to Rural Transitional (RT)/Planned Unit Development (PUD) Overlay, Commercial Thoroughfare (C-1), Agriculture Productive (AP), and Agriculture Rangeland (AR) as part of the previously approved San Juan Oaks Tentative Subdivision Map project. This change envisioned the conversion of prime soils as part of future growth. Therefore, the proposed Project would be considered consistent with this policy.</p>
<p><u>Policy 4.</u> Development proposals adjacent to Grade 1 agricultural lands and soils suitable for the production of row crops, flowers, or orchards shall be required to mitigate potential land use conflicts with agricultural operations.</p> <p><i>Actions applicable to the Project:</i></p> <ol style="list-style-type: none"> a) Development proposals shall provide a non-development buffer beginning at the property line of the proposed development. b) Development proposals shall not be allowed to increase the volume or velocity of storm water runoff to adjoining agricultural lands. c) Landscaping plans for the non-development buffer areas shall be reviewed to ensure that vegetation will not create intrusive shade, a habitat for pests, or other nuisance to the agricultural operator. 	<p><u>Consistency:</u> The Project includes the retention of approximately 41 acres of existing row crop and orchard farmland for permanent agricultural use in the northeastern portion of the site. Approximately 13 acres of this would be developed as one of the community parks, including trails and sitting/picnic areas. The introduction of recreational use on trails within the on-site Agricultural Preserve could increase the risk of trespassing and vandalism on adjacent orchards. The proposed residential and commercial uses may result in potential conflicts between the existing on- and off-site agricultural operations and new non-agricultural uses. The likelihood of land use conflicts are greater at the northern and western boundaries of the Project Site as proposed residential lots and the commercial areas would be immediately adjacent to agricultural lands. However, implementation of Project design features, including, among others, landscaped buffers and fencing along the north and west sides of the active-adult residential development, and adherence to the County's Right-to-Farm Ordinance would reduce impacts as these relate to potential land use conflicts. Mitigation would be required to reduce potential conflicts within the on-site agricultural preserve to a less than significant level (refer to Impact AG-2 in Section 4.2, <i>Agricultural Resources</i>). In addition, as described in Impact HWQ-2 in Section 4.9, <i>Hydrology and Water Quality</i>, while the Project would increase stormwater runoff due to the increase in impervious surfaces on the Project Site, this runoff would be managed through new on-site storm drains to new on-site detention basins, which would be designed to match post-Project flow rates to pre-Project levels from the 2-, 10-, and 100-year storm events in accordance with applicable standards and requirements. Therefore, the Project would not increase the volume or velocity of stormwater runoff to adjacent agricultural lands. Finally, as required by Mitigation</p>



**Table 4.10-1
 Policy Consistency: Current Adopted San Benito County General Plan (1985)**

Current Adopted San Benito County General Plan Policy	Consistency Discussion
	Measure BIO-7(c) (Native or Adaptive Landscaping) in Section 4.4, <i>Biological Resources</i> , the final landscaping plan would be reviewed and approved by a County-approved biologist to ensure that invasive species are not included. Therefore, the Project would be consistent with this policy.
<p><u>Policy 5.</u> Encourage the private development of participatory recreational facilities, such as riding areas, camping facilities and hunting clubs.</p>	<p><u>Consistency:</u> The proposed Project includes the development of four parks (totaling approximately seven acres), an amenity center offering recreational uses, and an additional approximately 17-acres of public community parks, as well as four private parks and approximately 114 acres of common open space, all of which would be considered private development of participatory recreational facilities. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>Policy 8.</u> The residential areas of the County shall be developed at densities up to 20 dwelling units per acre. For areas within the Sphere of Influence Rural/Urban land use designation, the density of 20 units per acre or the standards of Hollister may be used to allow for affordability, unmet special needs housing, affordable multi-family rental housing.</p>	<p><u>Consistency:</u> As noted in Section 2.0, <i>Project Description</i>, residential areas in the Project Site would have a net density of six dwelling units per acre. This residential density would be within the maximum of eight dwelling units per acre, per Land Use Policy #8. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>Policy 22.</u> To allow commercial areas in the unincorporated areas to develop, a general plan amendment shall be required for the establishment of new commercial areas. In some limited situations, new small scale isolated commercial operations will be allowed as overlay zoning in other land use categories.</p>	<p><u>Consistency:</u> The proposed commercial component of the Project would be located in an unincorporated area. Accordingly, the Project proposes a Specific Plan, general plan amendment and zone change to accommodate proposed Project development. With the implementation of the Specific Plan and the associated general plan amendment and zone change, the Project would be considered consistent with this policy.</p>
<p><u>Policy 25.</u> New neighborhood commercial areas shall be permitted if located within reasonable distance of a community, is centrally located to serve a rural community that is lacking neighborhood commercial services or where the need for expanded neighborhood commercial services can be demonstrated.</p>	<p><u>Consistency:</u> The proposed Project would include approximately 14 acres for Neighborhood Commercial uses, which would serve all future residents within the Project Site as well as the surrounding rural community. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>Policy 29.</u> Expansion or creation of any new commercial land uses shall mitigate incompatibility with adjoining land uses.</p>	<p><u>Consistency:</u> The proposed commercial components of the Project would not affect adjoining land uses, including the nearest residence (located approximately 1,600 feet north of the area of the Project Site), particularly given this distance, in terms of potential land use incompatibilities. As described in Section 4.11, <i>Noise</i>, this existing off-site residence would not experience unacceptable noise levels during construction. Operational noise impacts associated with the proposed commercial uses would be less than those related to construction. Therefore, noise and other incompatibilities would be less than significant and the Project would be considered consistent with this</p>



Section 4.10 Land Use

**Table 4.10-1
Policy Consistency: Current Adopted San Benito County General Plan (1985)**

Current Adopted San Benito County General Plan Policy	Consistency Discussion
	policy.
<p><u>Policy 32.</u> Specific development sites shall be free from the hazards identified within the Open Space and Conservation Element Maps (e.g. faults, landslides, hillsides over 30% slope, flood plains). The site shall also be on soil suitable for building and maintaining well and septic systems (i.e. avoid impervious soils, high percolation or high groundwater areas, set back from creeks). Absent adequate mitigation, development shall not be located on environmentally sensitive lands (wetlands, erodable soil, archaeological resources, important plant and animal communities).</p>	<p><u>Consistency:</u> Through the incorporation of avoidance/protection measures identified in Chapter 7 (Resource Management) of the Specific Plan and/or mitigation measures identified in this SEIR (including Section 4.6, <i>Geology and Soils</i>, Section 4.8, <i>Hazards/Hazardous Materials</i>, and Section 4.9, <i>Hydrology and Water Quality</i>), all hazards identified in Open Space and Conservation Element Maps that exist on site have been avoided or mitigated to a less than significant level, and therefore the Project would be considered consistent with this policy.</p>
<p><u>Policy 33.</u> Specific development sites shall avoid, when possible, locating in an environmentally sensitive area (wetlands, erodable soils, important plant and animal communities, archaeological resources).</p>	<p><u>Consistency:</u> Refer to the Land Use Policy 32 consistency discussion, as well as analysis set forth in Section 4.5, <i>Cultural Resources</i>, Section 4.4, <i>Biological Resources</i>. The Project would be considered consistent with this policy.</p>
<p><u>Policy 35.</u> The County shall encourage energy and water conservation techniques and energy efficiency in all new building design, orientation and construction.</p>	<p><u>Consistency:</u> Refer to Section 5.0, <i>Other CEQA Discussions</i>. The proposed Project includes policies to reduce energy and water use. Further, the proposed Project would be subject to the most recent energy conservation requirements of the Title 24 of the California Code of Regulations, which would also reduce operational energy use. Furthermore, the Specific Plan is based on a land use pattern that would co-locate residential and commercial uses within the Project Site, resulting in a reduction of vehicle trips, thereby reducing fossil fuel use from transportation. Design standards contained in the Specific Plan would additionally promote building design, orientation, and construction that conserves both energy and water, and proposed landscaping would be native and drought-tolerant (refer to Section 2.0, <i>Project Description</i>).</p>
<p><u>Policy 37.</u> The individual and cumulative effects of development proposals that generate population growth shall be evaluated and all available means shall be used to assist full mitigation of school facility impacts.</p>	<p><u>Consistency:</u> The individual and cumulative Project impacts on school facilities are evaluated in Section 4.12, <i>Public Services</i>. As described therein, student generation from the proposed senior housing would be limited and identified Project impacts would be less than significant. Therefore, the Project would be considered consistent with this policy.</p>



**Table 4.10-1
 Policy Consistency: Current Adopted San Benito County General Plan (1985)**

Current Adopted San Benito County General Plan Policy	Consistency Discussion
Transportation Element	
<u>Policy 3.</u> Improvements to road systems needed to accommodate traffic generated by new development shall be funded by that development.	<u>Consistency:</u> The transportation system improvements required as a result of Project impacts on the local circulation system are outlined in Section 4.13, <i>Transportation and Circulation</i> . As described therein, all would be funded entirely by the applicant, or, in some cases, the Project applicant would be required to pay a fair share contribution toward the improvement. Therefore, the Project would be considered consistent with this policy.
<u>Policy 4.</u> A level of service of C shall be used for the accepted minimum standard of operation for intersections and roadways.	<u>Consistency:</u> As described in Section 4.13.3(a) (Methodology and Significance Thresholds) in Section 4.13, <i>Transportation and Circulation</i> , LOC C was utilized to determine Project impacts to study area intersections and roadways. Therefore, the Project would be considered consistent with this policy.
<u>Policy 5.</u> New road development and design (private or public) shall conform to County standards.	<u>Consistency:</u> On-site roadway improvements would include the extension of existing roadways and construction of new roadways within the Project Site. The existing San Juan Oaks Drive would be extended approximately 4,000 feet eastward to provide access to approximately 37 proposed residential lots. New on-site roadways would be constructed to provide access to the neighborhood commercial area and residential lots proposed within and outside of the active-adult community. All new roadways would be required to comply with County standards. Therefore, the Project would be considered consistent with this policy.
<u>Policy 7.</u> To preserve the capacity of existing and future arterials and state highways in the County, access to these major roads shall be limited to collectors, arterials and state highways intersecting the roadways. Exceptions may be allowed only in cases where there is not an existing major road within a quarter mile.	<u>Consistency:</u> The Project does not propose to develop any new arterials; the Project would only construct collector and local roads. Regional access to the Project Site would be provided by U.S. Highway 101 and SR 156, and local access would be provided by Union Road and San Juan Oaks Drive. As described in Section 4.13, <i>Transportation and Circulation</i> , the Project would not significantly impact capacity of existing arterials or highways. Thus, the Project would be considered consistent with this policy.
<u>Policy 8.</u> New subdivisions/development shall be designed to utilize existing roads and minimize the construction of new driveways onto those roads.	<u>Consistency:</u> The proposed facilities would be accessed from Union Road, south of SR 156, via the existing San Juan Oaks Drive access to the Project Site. An existing farm road, located between SR 156 and the northern portion of the Project Site, would be improved to provide secondary access to the site, but would be a gated access limited to emergency use. An existing fire road would also provide emergency access to the hillsides in the southern portion of the site. Therefore, the Project would be considered consistent with this policy.
<u>Policy 15.</u> New development at urban density shall be required to dedicate funding for transit stops and signage and design subdivisions to allow easy access to public transit where service is available.	<u>Consistency:</u> The Project Site is located near the San Benito County Express transit network, including inter-county bus service with access to the cities of Gilroy and San Juan Bautista. Residents in the Project Site would have easy access to these transit options. Therefore, the Project would be considered consistent with this policy.



**Table 4.10-1
 Policy Consistency: Current Adopted San Benito County General Plan (1985)**

Current Adopted San Benito County General Plan Policy	Consistency Discussion
<p><u>Policy 16.</u> All new development proposals/subdivisions shall be considered consistent with and implement policies regarding Transit in the San Benito County Regional Transportation Plan.</p>	<p><u>Consistency:</u> The most recent San Benito County Regional Transportation Plan (RTP) was adopted on June 19, 2014. Under the goal of Access and Mobility, the RTP has the policy objective of providing “convenient, accessible, and reliable travel options while maximizing productivity for all people and goods in the region.” As described in Section 4.13, <i>Transportation and Circulation</i>, the Project Site is located near the San Benito County Express transit network, including inter-county bus service with access to the nearby cities of Gilroy and San Juan Bautista. The Project has been designed such that residents and other visitors to the Project Site would have easy access to these transit options. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>Policy 20.</u> Support the development of mixed land uses to reduce vehicle trips on collectors and arterials.</p>	<p><u>Consistency:</u> The Project includes mixed use residential and commercial development that would reduce vehicle trips when compared to development of each of these land uses in different off-site locations. As described in Section 4.13, <i>Transportation and Circulation</i>, a mixed-use reduction of 13 percent for total daily trips, 15 percent for AM peak hour trips, and 22 percent for PM peak hour trips is applicable to the Project based on the land use mix and proximity to various land uses outside the Project Site. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>Policy 24.</u> Require dedication and construction of walkways for through, safe, pedestrian traffic and internal pedestrian circulation in new large scale developments or within the vicinity of concentrations of population.</p>	<p><u>Consistency:</u> The Project emphasizes pedestrian circulation by providing an interconnected network of sidewalks along internal streets and a series of trails. Pedestrian connections would be provided throughout residential neighborhoods and to parks, the Amenity Center, golf course and clubhouse, resort hotel, and neighborhood commercial areas. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>Policy 32.</u> Require streets and interior circulation systems in new developments to adequately provide for truck delivery and utility services.</p>	<p><u>Consistency:</u> All proposed access roads and driveways would be constructed to meet County approved roadway design standards except as otherwise provided for in the Specific Plan and approved by the County. All Project streets would provide sufficient lane widths for delivery and utility services. Therefore, the Project would be considered consistent with this policy.</p>



**Table 4.10-1
 Policy Consistency: Current Adopted San Benito County General Plan (1985)**

Current Adopted San Benito County General Plan Policy	Consistency Discussion
Open Space and Conservation Element	
<p><u>Goal 1.</u> Preservation of Natural Resources</p> <ol style="list-style-type: none"> 1. To preserve natural wildlife habitats, including environmentally significant areas. 2. The protection and preservation of natural resources in the County, including prime agricultural areas, significant mineral lands, plant and animal life with emphasis on threatened and endangered species, habitat for fish and wildlife, watersheds, wetlands, and rivers. 	<p><u>Consistency:</u> As described more fully in Section 2.0, <i>Project Description</i>, the Project contains various design features to preserve and protect natural resources on the Project Site, including, among others, preservation of agricultural uses both on- and off-site and creation of a significant on-site wildlife habitat preserve area. In addition, measures to reduce Project impacts on natural wildlife habitats and sensitive species are described in detail in Section 4.4, <i>Biological Resources</i>. This includes, but is not limited to: compensatory mitigation [BIO-1(a) and BIO-2(c)], preconstruction survey [BIO-1(c), BIO-4(a), and BIO-4(c)], entrapment prevention [BIO-1(g)], species avoidance and minimization measures [BIO-2(b)], riparian and wetland protection [BIO-5(a)], tree protection [BIO-6(a)], night lighting standards [BIO-7(b)], and native or adaptive landscaping [BIO-7(c)]. With the implementation of these measures, Project impacts on biological resources would be considered less than significant. Therefore, the Project would be considered consistent with this goal.</p>
<p><u>Goal 3.</u> To provide for the conservation, development, and utilization of natural resources, including water and its hydraulic force, water quality, forests, soils, rivers and other waters, fisheries, wildlife, minerals, energy and other natural resources.</p> <ol style="list-style-type: none"> 1. Plan for the preservation of prime agricultural and open space lands while using them to help define the areas of rural residential growth. 2. Preserve the natural wildlife habitats, including environmentally sensitive areas. 3. Prevent land use conflicts within the vicinity of open space, mineral, off-road vehicle, fire hazard areas, and agricultural uses. 4. The protection of prime agricultural areas to preserve them for present and future agricultural production vital to the County. 5. Identify and inventory mineral resources requiring protection. 6. Plan for the protection and managed production of the mineral resources identified by the County and/or the State. 7. To conserve the energy resources of the County and nation wherever possible. 8. To minimize soil erosion in developed and undeveloped areas. 9. To conserve and preserve watershed and natural recharge areas through establishment of groundwater conservation programs. 10. Periodically review general plan buildout in relation to long-term water supply as more information on groundwater basins of the County becomes available. 11. To encourage the efficient use of rivers and other waters in cooperation with conservation agencies. 	<p><u>Consistency:</u> As described more fully in Section 2.0, <i>Project Description</i>, the Project contains various design features to preserve and protect natural resources on the Project Site, including, among others, preservation of agricultural uses both on- and off-site and creation of a significant on-site wildlife habitat preserve area. In addition, measures to reduce Project impacts on natural wildlife habitats and sensitive species are described in detail in Section 4.4, <i>Biological Resources</i>. This includes, but is not limited to: compensatory mitigation [BIO-1(a) and BIO-2(c)], preconstruction survey [BIO-1(c), BIO-4(a), and BIO-4(c)], entrapment prevention [BIO-1(g)], species avoidance and minimization measures [BIO-2(b)], riparian and wetland protection [BIO-5(a)], tree protection [BIO-6(a)], night lighting standards [BIO-7(b)], and native or adaptive landscaping [BIO-7(c)]. With the implementation of these measures, Project impacts on biological resources would be considered less than significant. As described in Section 4.15, <i>Effects Found not to be Significant</i>, there would be no impacts to mineral resources. Energy effects of the Project are addressed in Section 5.0, <i>Other CEQA Discussions</i>. As noted therein, adherence to Specific Plan policies and Title 24 energy conservation requirements would ensure that energy is not used in an inefficient, wasteful, or unnecessary manner.</p> <p>The Project Site does not contain and is not located in the vicinity of known mineral resources or off-road vehicle areas. The County General Plan identifies the Project Site as being located in an area of “High” and “Very High” fire hazard. Implementation of mitigation measures identified in this SEIR and the applicant proposed a fire/vegetation management plan, would reduce this impact to a less than significant level. Implementation of Mitigation Measures HWQ-1(a) through HWQ-1(d) in Section</p>



**Table 4.10-1
 Policy Consistency: Current Adopted San Benito County General Plan (1985)**

Current Adopted San Benito County General Plan Policy	Consistency Discussion
<p>12. To promote water conservation efforts to reduce the rate of groundwater overdraft in the Gilroy-Hollister basin.</p> <p>13. To obtain a more thorough knowledge of the safe-yield of the groundwater basins in the County.</p> <p>14. Establish policies and programs for more efficient water use in the County to ensure adequate long-term water supply in the future and decrease the rate of, or eliminate overdraft.</p> <p>15. To direct land uses that could contribute to the degradation of water quality to alternative locations.</p> <p>16. To prevent significant suburban or urban development around areas of important natural resources.</p> <p>17. To provide for the safe utilization of groundwater resources, mineral deposits, and other natural resources in order to conserve and protect them for future utilization.</p> <p>18. To develop programs for recycling of renewable resources and the conservation of natural resources (water, gas, electricity, fuel, refuse).</p>	<p>4.9, <i>Hydrology and Water Quality</i>; Mitigation Measure AQ-1(a) (Dust Control Measures) in Section 4.3, <i>Air Quality</i>; and Mitigation Measures BIO-1(a) (Pre-Construction Survey and Tree Protection Plan) in Section 4.4, <i>Biological Resources</i>, would reduce potential impacts related to soil erosion. Although the Project would convert a fairly small amount (approximately 12 acres) of Important Farmland to permanent urban use, it would also preserve approximately 41 acres on-site and approximately 153 acres off-site in permanent agricultural use. Therefore, the Project would be considered consistent with this goal.</p>
<p><u>Goal 4.</u> To preserve large forms of open space areas, such as agricultural land and outdoor recreation areas, in order to serve as a means of delineating the urban/rural boundary.</p> <p>1. To establish agricultural areas through a combination of the Williamson Act through the use of County agricultural and zoning districts.</p>	<p><u>Consistency:</u> Although the Project would convert a fairly small amount of Important Farmland (approximately 12 acres) to permanent urban use, it would also preserve approximately 41 acres on-site and approximately 153 acres off-site in permanent agricultural use; in addition, the Project preserves approximately 1,243 acres on-site for a permanent wildlife habitat area. The site is not currently under Williamson Act contract. These preserved areas would serve as a means of demarcating the urban/rural boundary and otherwise preserving large, contiguous amounts of open space areas. Therefore, the Project would be considered consistent with this goal.</p>
<p><u>Goal 5.</u> To protect and preserve the agricultural identity of the County.</p>	<p><u>Consistency:</u> As described in Impact AG-1, the Project Site contains approximately 48 acres of Important Farmland, most of which would be preserved within an approximately 41-acre Agricultural Preserve. However, 12 acres of Important Farmland would be converted to non-agricultural use through development of community park amenities, the reservation of a potential future site for a public safety facility, or inclusion within a wildlife preserve, which may not allow continued agricultural production. Despite this conversion, the permanent preservation of the approximately 153-acre off-site area for agricultural uses would help to offset the loss of agricultural land on-site. Therefore, Project impacts to agricultural resources would be less than significant. Therefore, the Project would be considered consistent with this goal.</p>



**Table 4.10-1
 Policy Consistency: Current Adopted San Benito County General Plan (1985)**

Current Adopted San Benito County General Plan Policy	Consistency Discussion
<p><u>Goal 6.</u> To continue agriculture as an industry in the County and to preserve present agricultural resources for future generations.</p> <ol style="list-style-type: none"> 1. To encourage and protect agriculture as a viable industry in the County. 2. To provide financial incentives to protect the most productive soils resources. 3. Stabilize land values for persons interested in purchasing agricultural land while providing economic incentives to land owners to avoid conversion of row crop and orchard land. 	<p><u>Consistency:</u> Refer to the Open Space and Conservation Element Goal 5 consistency discussion.</p>
<p><u>Goal 7.</u> To discourage development in areas that are environmentally hazardous.</p> <ol style="list-style-type: none"> 1. To develop methods to avoid development in environmentally hazardous areas. 2. Include landfills and areas contaminated by landfills within the environmental hazards overlay district. 3. A response time of five minutes for first-response fire engine in local responsibility areas and a response time of fifteen minutes for first-response fire engine in State responsibility areas. 4. To utilize flood prone areas for open space purposes in order to protect the health and safety of residents and property of the County, to maximize groundwater recharge, and to protect wetland resources. 5. Limit development on slopes 30% or greater or in severe to very severe erosion hazard areas that would increase erosion or jeopardize the safety of structures. 6. Develop standards to reduce erosion resulting from grading or cutting. 7. Recognize landfills, areas contaminated by landfills, existing and abandoned mines as special treatment areas. 8. Pursue funding sources and intergovernmental coordination to reclaim polluted areas. 	<p><u>Consistency:</u> As described throughout this SEIR, implementation of various Project design features, compliance with applicable regulatory framework, and adherence to recommended mitigation measures would ensure that Project impacts related to environmental hazards and public services are less than significant. The Project Site is not located in the immediate vicinity of an existing or proposed landfill. The Project would not involve development within flood prone areas. Although a portion of the Project Site is located in an area subject to dam inundation (as described in Impact HWQ-5 in Section 4.9, <i>Hydrology and Water Quality</i>), the nearby San Justo Dam has been constructed to withstand the maximum credible earthquake, and is inspected regularly by the Bureau of Reclamation. In the unlikely event of dam failure, Mitigation Measures HWQ-5(a) (Hazard Response Plan) and HWQ-5(b) (Dam Inundation Hazard Disclosure) would reduce impacts to a less than significant level. The Project would not involve structural development on slopes in excess of 30 percent. Soils hazards impacts related to erosion and shrink-swell potential would be mitigated to a less than significant level. Therefore, the Project would be considered consistent with this goal.</p>
<p><u>Goal 8.</u> Encourage private development of recreational facilities including, but not limited to, riding stables, golf courses, camping facilities, dude ranches and hunting clubs, and residential parks.</p> <ol style="list-style-type: none"> 1. To provide incentives to individuals who wish to include private recreational facilities in conjunction with residential development and open space areas. 2. To allow for economic return for recreational uses on open space lands. 3. Promote development of recreational facilities, such as riding stables, golf courses, and camping facilities in appropriate private and public Open Space areas. 4. Recognize private recreation as an opportunity to provide jobs and revenues to the County while maintaining the inherent beauty of the area and rural atmosphere. 	<p><u>Consistency:</u> The proposed Project includes four private neighborhood parks (approximately seven acres), approximately 114 acres of open space common areas, and approximately 17 acres of public community passive parks, as well as an amenity center to serve the Project residents and visitors. In addition, the Project incorporates approximately 1,243 acres of open space for permanent wildlife habitat, which may facilitate public access to recreational facilities via trails (subject to resource agency approval) and would further help to maintain the aesthetic resources and rural atmosphere in the area. Therefore, the Project would be considered consistent with this policy.</p>



**Table 4.10-1
 Policy Consistency: Current Adopted San Benito County General Plan (1985)**

Current Adopted San Benito County General Plan Policy	Consistency Discussion
<p><u>Goal 10.</u> To change the quality of life for all citizens of San Benito County by the provision of adequate park and recreation facilities for the leisure needs of all age groups.</p> <ol style="list-style-type: none"> 1. To develop and maintain a comprehensive system of open space uses for both active and passive recreation. 2. Develop a County-wide parks master plan to identify potential areas to provide private and public recreational-tourist services/programs, needed recreation for County residents, and long-range recreational needs of the County. 3. Provide the optimum level of cost-effectiveness and public use level at each park; recognizing that each facility has a different mission and a unique set of operating conditions associated with natural or other resources available. 	<p><u>Consistency:</u> The proposed Project would provide park and recreational facilities for the leisure needs of the on-site senior residents and the general public. The proposed Project includes four private neighborhood parks (approximately seven acres), approximately 114 acres of open space common areas, and approximately 17 acres of public community passive parks, as well as an amenity center to serve the Project residents and visitors. In addition, the Project incorporates approximately 1,243 acres of open space for permanent wildlife habitat, which may facilitate public access to recreational facilities via trails (subject to resource agency approval) and would further help to maintain the aesthetic resources and rural atmosphere in the area. The Project also would include active recreation at the San Juan Oaks Golf Club. With the provision of these parks and recreational facilities, the Project would be considered consistent with this policy.</p>
<p><u>Policy 1.</u> Major subdivisions or intense development shall not be allowed within potential habitat of Federal or State listed rare, threatened, or endangered plant or animal species until said development(s) prepares habitat plans for the species unless an interim measure has been taken to mitigate the effect of development.</p> <p><i>Actions applicable to the Project:</i></p> <ol style="list-style-type: none"> 1. Continue to collect fees for the preparation of a habitat conservation plans through the provisions of Ordinances 532 or 541 or any amendments. 2. Support the development of habitat conservation programs on Bureau of Land Management (BLM) lands and in the BLM Clear Creek Recreation Area for the rare, threatened, or endangered plant and animal species. 	<p><u>Consistency:</u> Project design features incorporated into site planning to protect and enhance biological resources as well as measures to reduce Project impacts on natural wildlife habitats and sensitive species are described in detail in Section 2.0, <i>Project Description</i> and Section 4.4, <i>Biological Resources</i>. This includes, but is not limited to: compensatory mitigation [BIO-1(a) and BIO-2(c)], preconstruction survey [BIO-1(c), BIO-4(a), and BIO-4(c)], entrapment prevention [BIO-1(g)], species avoidance and minimization measures [BIO-2(b)], riparian and wetland protection [BIO-5(a)], tree protection [BIO-6(a)], night lighting standards [BIO-7(b)], and native or adaptive landscaping [BIO-7(c)]. With the implementation of these measures, Project impacts on biological resources would be less than significant. The Project Site is not located on BLM lands or recreation areas. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>Policy 2.</u> Maintain corridors for habitat. In rural areas, road and development sites shall be designed to maintain habitat connectivity with a system of corridors for wildlife or plant species and avoiding fragmentation of open space areas. Measures to maintain the long-term health of the plant and animal communities in the area shall be incorporated into project design such as buffers, consolidation of/or rerouting access, transitional landscaping, linking nearby open space areas, and habitat corridors.</p> <p><i>Action applicable to the Project:</i></p> <ol style="list-style-type: none"> 1. Where mitigation is not feasible off-site mitigation measures shall be developed. 	<p><u>Consistency:</u> Project design features incorporated into site planning to protect and enhance biological resources are described in detail in Section 2.0, <i>Project Description</i>. Measures to reduce Project impacts on wildlife corridors are described in detail in Section 4.4, <i>Biological Resources</i>. Among others, these measures include conservation easements/deed restrictions to permanently set aside an unfragmented section of land that would benefit plant and animal species and to provide suitable habitat corridors. In addition, the Project includes approximately 1,243 acres of permanent wildlife preserve. With the inclusion of wildlife preserve areas and implementation of these measures, Project impacts on biological resources would be considered less than significant and the Project would be considered consistent with this policy.</p>



**Table 4.10-1
 Policy Consistency: Current Adopted San Benito County General Plan (1985)**

Current Adopted San Benito County General Plan Policy	Consistency Discussion
<p><u>Policy 3.</u> Mitigation for wetland development. Development shall be sited to avoid encroachment on wetlands. Mitigation shall be required for any development proposals that have the potential to reduce wetland habitat from primary or secondary effects of the development.</p> <p><i>Action applicable to the Project:</i></p> <ol style="list-style-type: none"> 1. Require development near or within wetlands to be consistent with the California Department of Fish and Game Policy. 	<p><u>Consistency:</u> Refer to the Open Space and Conservation Element Policies 1 and 2 discussion. As described in Section 4.4, <i>Biological Resources</i>, development of the proposed Project would avoid all wetland features not previously permitted for fill, and no impacts to features considered jurisdictional under the CWA would occur from Project development. Thus, development has been sited to avoid encroachment on wetlands. Further, Mitigation Measure BIO-5(a) would require that Project development provide an average 50-foot setback from a delineated wetland. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>Policy 7.</u> Grading, erosion, and native tree removal. It is the policy of the County to minimize erosion resulting from grading and cutting and native tree removal for all development proposals.</p> <p><i>Actions applicable to the Project:</i></p> <ol style="list-style-type: none"> 1. Require all native trees to be illustrated on all site plans, tentative subdivision maps, and final subdivision maps, along with proposed grading plans and location of utilities. 2. Topsoil shall be stockpiled and reapplied after grading to enhance revegetation, and sedimentation shall be retained on-site and outside of water features (including seasonal). 3. Measures shall be taken to reduce erosion of stockpiled topsoil. 4. A revegetation plan shall be submitted with the grading plans detailing the type of plants to be re-established, details of the preparatory measures, and methods of planting and maintenance. The plan shall include provisions for remedial action in the event the revegetation plan fails. 	<p><u>Consistency:</u> As part of the subsequent entitlement process and implementation of applicable mitigation measures, detailed building plans and landscaping plans for the proposed uses would be submitted for review and approval by the County consistent with this and other applicable policies and standards. For example, as described in Section 4.4, <i>Biological Resources</i>, future landscaping plans would be reviewed to ensure that invasive species are not included. In addition, while the Project would remove and/or encroach upon 43 oak trees, this impact would be reduced to a less than significant level with Mitigation Measure BIO-6(a) (pre-construction Survey and Tree Protection Plan) and would otherwise need to comply with the County’s Tree Preservation Ordinance. As noted in Mitigation Measure GEO-4(a), all debris or soft compressible soils would be removed from locations to be graded, from areas to receive fill or structures, or those areas to serve as borrow, for the purpose of minimizing erosion. The implementation of Mitigation Measure GEO-4(b) also would involve the application of erosion control mats or blankets to protect the face of slopes and the lining of runoff channels. Furthermore, compliance with the NPDES program and implementation of Mitigation Measures HWQ-1(a) through HWQ-1(d) in Section 4.9, <i>Hydrology and Water Quality</i>, Mitigation Measure AQ-1(a) (Dust Control Measures) in Section 4.3, <i>Air Quality</i>, and Mitigation Measures BIO-1(a) (Pre-construction Survey and Tree Protection Plan) in Section 4.4, <i>Biological Resources</i>, would reduce potential impacts related to soil erosion to less than significant levels. The proposed Project also would be required to submit an erosion control plan and drainage plan prior to issuance of a grading permit. Therefore, the Project would be considered consistent with this policy and actions.</p>



**Table 4.10-1
 Policy Consistency: Current Adopted San Benito County General Plan (1985)**

Current Adopted San Benito County General Plan Policy	Consistency Discussion
<p><u>Policy 8.</u> Development in drainage basins. It is the County's policy to minimize development/uses within drainage basins that could alter the path of watercourses and impede groundwater recharge.</p>	<p><u>Consistency:</u> The proposed on-site drainage improvements would capture, treat, and convey drainage in accordance with Chapter 19.17 (Grading, Drainage and Erosion Control Ordinance) of Title 19 (Land Use and Environmental Regulations) of the San Benito County Code of Ordinances, which regulates grading, drainage, and erosion in the County, and other applicable laws and regulations, as described more fully in Section 4.9, <i>Hydrology and Water Quality</i>. This section contains requirements regarding discharge and construction site stormwater runoff control. In addition, Mitigation Measures HWQ-1(a) through HWQ-1(c) contained in Section 4.9, <i>Hydrology and Water Quality</i>, require the preparation of a stormwater pollution prevention plan, formal drainage plans, and establish grading limitations. As stated in the Specific Plan in Appendix B as well as in Section 4.9, <i>Hydrology and Water Quality</i>, while there would be an overall increase in impervious surfaces, thoughtful site planning and landscaping in the Project Site also would reinforce the principles of Low Impact Development for storm drainage, water infiltration, and groundwater recharge.</p> <p>As discussed in the Water Supply Assessment for the Project, the pumping of groundwater from the San Juan Subbasin for Project uses would not be expected to lower groundwater tables during normal and wetter years, and sufficient storage capacity exists in the groundwater basin to provide for dry year demands. Thus, the Project would not impede groundwater recharge, and the Project would be considered consistent with this policy.</p>
<p><u>Policy 10.</u> Air quality. The County recognizes air as a natural resource and will strive to maintain air quality through proper land use planning. It shall be the County's policy to utilize land use and transportation controls for the protection and enhancement of air quality. Finally, it will be the County's policy to review public and private development proposals in light of possible recreational and open space potential.</p> <p><i>Actions applicable to the Project:</i></p> <ol style="list-style-type: none"> 1. The County, by resolution, will establish a policy of urban concentration for the protection of air quality. The resolution should specifically discourage the development of commercial and residential areas outside of urban centers, other than those defined in the Land Use Element, in order to reduce the impacts of air pollution caused by commuting and shopping. 2. Require convenient pedestrian and bicycle access to parks and community facilities and the development of on-site private recreation to serve the needs of unincorporated clusters of population. 3. Develop land use programs to reduce vehicle miles and trips, thereby reducing traffic congestion and protecting and enhancing air quality. 4. Allow clustering and encourage conservation easements to direct population growth from natural resources to areas where services are provided. 	<p><u>Consistency:</u> The Project would not interfere with pedestrian or bicycle access to parks and community facilities. The Project emphasizes pedestrian circulation by providing an interconnected network of sidewalks along internal streets and a series of trails. Pedestrian connections would be provided throughout residential neighborhoods and to parks (including four private neighborhood parks totaling seven acres), approximately 17 acres of public community passive parks, and approximately 114 acres of open space common areas, the approximately 10-acre amenity center, golf course and clubhouse, resort hotel, and neighborhood commercial areas. The Project includes mixed use residential and commercial development that would reduce vehicle trips when compared to development of each of these land uses in different off-site locations. As described in Section 4.3, <i>Air Quality</i>, with the implementation of various Project design features and incorporation of recommended mitigation measures, the Project would result in less than significant impacts on short- and long-term air quality. In addition, the proposed residential development would be clustered on the site, which would allow for the preservation of approximately 1,243 acres as permanent wildlife habitat. Therefore, the Project would be considered consistent with this policy and actions.</p>



**Table 4.10-1
 Policy Consistency: Current Adopted San Benito County General Plan (1985)**

Current Adopted San Benito County General Plan Policy	Consistency Discussion
<p><u>Policy 13.</u> Specific plan requirements. It will be the County's policy to require specific plans for small, large, new, or expanding communities that are not incorporated which would clearly identify centers of urban growth and land uses within these areas.</p> <p><i>Actions applicable to the Project:</i></p> <ol style="list-style-type: none"> 1. The specific plan shall be prepared pursuant to Government Code Section 6545 1 (b). 2. Evidence shall be provided that financing of improvements and programs detailed for action 1 are feasible prior to consideration of the specific plan. 3. Specific plans shall include provisions for a mix of housing types consistent with Programs 1-2, and 3-2 and Policies 2-B, 2-C, 2-D, and 3-D of the Housing Element. 	<p><u>Consistency:</u> The includes the San Juan Oaks Specific Plan, which meets the criteria set forth in Policy 13. For example, the Project includes a mix of housing types and densities which reflect the needs of the active-adult marketplace including dwellings that are designed to be "affordable by design" and provide a mixture of residential unit types appropriate to the projected housing needs as identified in the San Benito County General Plan Housing Element. Therefore, the proposed Project would be considered consistent with the referenced policy.</p>
<p><u>Policy 16.</u> Open space around cities. It is the County's policy to preserve a rural atmosphere by directing population growth and public service extensions to infill development and avoiding leapfrog growth.</p> <p><i>Actions applicable to the Project:</i></p> <ol style="list-style-type: none"> 1. Maintain open space around San Juan Bautista, Hollister, and existing communities. 2. Maintain prime agricultural lands in agricultural uses. 3. The County may, at the appropriate time, develop plans for the unincorporated communities within the County. 	<p><u>Consistency:</u> The Project Site is located between the cities of San Juan Bautista and Hollister. The site also surrounds an existing golf course, which would be considered an urban use, and is located adjacent to existing heavy industrial use east of the site. The proposed changes in the underlying zoning and land use designations would not create an island of urban uses surrounded by agricultural uses. In contrast, the Project Site, which has been planned for urban uses for more than a decade, would serve as a transition between agricultural uses and urban uses by thoughtful site design and providing for the permanent preservation of approximately 41 acres on-site and approximately 153 acres off-site for agricultural uses as well as the preservation of approximately 1,243 acres on-site for a permanent wildlife habitat area and provision of approximately 114 acres of common open space. Therefore, the Project would be considered consistent with this policy and actions.</p>
<p><u>Policy 17.</u> Ridgeline development. To preserve the rural character of the area, new development shall be directed away from the horizon through the use of building envelopes and integration of building architecture into the contour of the horizon.</p>	<p><u>Consistency:</u> The Project would not place development on a ridgeline. Approximately 1,243 acres within the Project Site would be preserved as permanent wildlife habitat in the southern, central, and eastern portions of the site. These parcels would be designated as non-buildable areas through deed restrictions, conservation easements, or another acceptable legal instrument and as approved by applicable resource agencies. In addition, the Project includes the permanent preservation of approximately 41 acres on-site and approximately 153 acres off-site for agricultural uses, and would also provide approximately 114 acres of common open space. Therefore, the Project would be considered consistent with this policy.</p>



**Table 4.10-1
 Policy Consistency: Current Adopted San Benito County General Plan (1985)**

Current Adopted San Benito County General Plan Policy	Consistency Discussion
<p><u>Policy 18.</u> Protect rural atmosphere and natural resources. General Plan Amendments, Specific Plans, Area Plans, and Area of Special Study that result in a net increase in general plan buildout (Table 1 of the Land Use Element), shall include methods to conserve open space for natural resources including agriculture, wildlife habitat, and water (e.g., conservation easements and/or other similar resource protection measures). Proposed development areas shall also include measures to protect resources on-site and contiguous to the project with the use of clustering, conservation easements, and other similar programs.</p>	<p><u>Consistency:</u> As described in Section 4.4, <i>Biological Resources</i>, the Project would maintain a 50-foot setback from riparian and wetland habitat, as required by Mitigation Measure BIO-5(a). In addition, as discussed in the Open Space and Conservation Element Goal 4 consistency discussion, the Project would convert a fairly small amount of Important Farmland (approximately 12 acres) to permanent urban use, but would also preserve approximately 41 acres on-site and approximately 153 acres off-site in permanent agricultural use, as well as approximately 1,243 acres on-site for a permanent wildlife habitat and approximately 114 acres of common open space. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>Policy 23.</u> Avoid land use conflicts. The County policy should be to assign compatible land uses adjacent to agricultural lands and selected mineral resource lands to ensure their protection. The County should encourage the use of the Williamson Act, as well as agricultural zoning and other legislative means to preserve large agricultural open space areas.</p>	<p><u>Consistency:</u> Refer to the Land Use Policy 4 consistency discussion. As described therein, the proposed residential and commercial uses may result in potential conflicts between the existing on- and off-site agricultural operations and new non-agricultural uses. In addition, conflicts could occur between trail users and agriculture uses within the proposed on-site agricultural preserve (13 acres of which would be developed as a community park). However, implementation of Project design features, including, among others, landscaped buffers and fencing along the north and west sides of the active-adult residential development, adherence to the County’s Right-to-Farm Ordinance, and mitigation requiring signage would reduce impacts as these relate to potential land use conflicts to a less than significant level (refer to Impact AG-2 in Section 4.2, <i>Agricultural Resources</i>). The Project would convert a fairly small amount of Important Farmland (approximately 12 acres) to permanent urban use, but would also preserve approximately 41 acres on-site and approximately 153 acres off-site in permanent agricultural use, as well as approximately 1,243 acres on-site for a permanent wildlife habitat. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>Policy 28.</u> Maintain viable sizes for agriculture. It shall be the policy of the County to assure that units of land which are suitable for agricultural purposes are maintained.</p> <p><i>Actions applicable to the Project:</i></p> <ol style="list-style-type: none"> 1. In areas of Agricultural zoning, the County will establish minimum lot sizes appropriate to the land use and the soil resources. 2. Discourage the subdivision of agricultural lands suitable for the production of fruit, nut, and row crops to parcel sizes that are ineligible for inclusion in the Williamson Act contracts. 3. Discourage the formation or revisions to spheres-of-influence on agricultural lands suitable for the production of row, fruit, or nut crops. 	<p><u>Consistency:</u> The proposed Project would be located over areas currently zoned for Agriculture, and would result in subdivision of these lands for urban development. As described in Section 4.2, <i>Agricultural Resources</i>, the Project would preserve approximately 41 acre on-site agricultural preserve. In addition, the Project would preserve an additional 153 acres off-site for agriculture, and would concentrate development in less agriculturally productive portions of the Project Site. The Project would not revise a sphere-of-influence over agricultural land. Therefore, the Project would be considered consistent with this policy and actions.</p>



**Table 4.10-1
 Policy Consistency: Current Adopted San Benito County General Plan (1985)**

Current Adopted San Benito County General Plan Policy	Consistency Discussion
<p><u>Policy 29.</u> Energy conservation. It will be the County's policy to encourage the use of energy-efficient design in new construction.</p>	<p><u>Consistency:</u> Refer to the Housing Element Goal 5 consistency discussion.</p>
<p><u>Policy 30.</u> Water quality from development. It is the policy of the County to require development projects that could contribute to the contamination and/or degradation of groundwater quality to be redesigned to avoid significant impacts.</p> <p><i>Actions applicable to the Project:</i></p> <ol style="list-style-type: none"> 1. Applications for development proposals (e.g. mining, golf course, or industry near watercourses) that could contribute to ground or surface water degradation shall be designed to minimize water quality impacts. 2. Mining operations within and near watersheds shall be monitored and provide mitigating measures to reduce effects of erosion on water quality and riparian habitat. 3. Develop acceptable levels of significance using State standards. The significance of potential impacts shall be evaluated according to State standards. 	<p><u>Consistency:</u> The Project involves residential and commercial use on a site that drains to several on-site ponds. The Project proposes drainage through new on-site storm drains to new on-site detention basins, including golf course water features. All runoff from the site would be captured and detained in these basins with no conveyance to off-site drainage facilities, in accordance with all applicable standards and requirements. As described in Impact HWQ-1 in Section 4.9, <i>Hydrology and Water Quality</i>, during construction on-site, the soil surface would be disrupted and potentially become subject to erosion, with potential sedimentation in on-site drainage courses and features. Implementation of recommended mitigation measures, including construction of temporary berms and basins as necessary, preparation of grading and drainage plans, and limitation of grading to the dry portion of the year would reduce water quality impacts to a less than significant level. Due to the intensification of uses proposed on the Project Site, there is the potential for storm water transport of pollutants, bacteria, and sediment into downstream facilities. Implementation of various Project design features as well as recommended mitigation measures, including pollutant removal techniques and a salt reduction plan, would reduce Project-related long-term water quality impacts to a less than significant level. Therefore, the Project would be considered consistent with this policy and actions.</p>
<p><u>Policy 31.</u> Wastewater treatment. Wastewater treatment systems shall be designed to ensure the long-term protection of groundwater resources in San Benito County. Septic systems shall be limited to areas where sewer services are not available and where it can be demonstrated that septic systems will not contaminate groundwater. Every effort should be made in developing and existing developed areas to reduce the use of septic systems in favor of domestic wastewater treatment. Domestic wastewater treatment systems shall be required to use tertiary wastewater treatment as defined by Title 22.</p>	<p><u>Consistency:</u> As described in Section 4.14, <i>Utilities and Service Systems</i>, wastewater generated from the Project Site would be collected and conveyed through a conventional gravity fed system of pipes located within the new street right-of-ways. This wastewater would be collected at one of two pump stations and then would be conveyed via a sanitary sewer force main approximately 1.6 miles north to the end of San Juan Oaks Drive and 1.3 miles along Union Road and San Juan Hollister Road to the City of Hollister's domestic wastewater treatment plant/water reclamation facility (DWWTP/WRF), located just north of San Juan Road. As described in Impact U-2, proposed Project development would generate approximately 0.16 million gallons per day (mgd) of wastewater. The City of Hollister's DWWTP/WRF has a wastewater treatment capacity of 4.0 mgd and an available capacity of 1.8 mgd, which would be able to accommodate the increase in wastewater which would be supplied at full build-out of the Project Site.</p> <p>In the event that Project wastewater cannot be conveyed to the City of Hollister's DWWTP/WRF for treatment and disposal, the Project applicants propose the construction of an optional on-site wastewater treatment plant (WWTP) within a portion of the neighborhood commercial area, which would treat wastewater to a tertiary level in accordance with Title 22. The Project would not involve the use of septic systems. Therefore, the Project would be considered consistent with this policy.</p>



**Table 4.10-1
 Policy Consistency: Current Adopted San Benito County General Plan (1985)**

Current Adopted San Benito County General Plan Policy	Consistency Discussion
<p><u>Policy 32.</u> Groundwater studies for new development. To prevent overdrafting in San Benito County, a groundwater development plan shall be required for appropriate new development proposals.</p> <p><i>Actions applicable to the Project:</i></p> <ol style="list-style-type: none"> 1. For large-scale development projects, the cumulative effects of development on water quality and quantity shall be evaluated in a geohydrology study that determines the effect of the development on the safe-yield of the applicable groundwater basin. 2. Discourage land uses that will contribute to overdraft. 	<p><u>Consistency:</u> The Project would demand about 442 AFY of water at buildout (2035). The Project would be served by groundwater in the San Juan Valley Subbasin. Historically, the Subbasin quickly refills following single, and multiple year dry periods, and the availability of groundwater is considered stable for continued long-term operation (refer to Section 4.14, <i>Utilities and Service Systems</i>, and Tully & Young, 2014 for details). As shown in Table 4.14-3 in Section 4.14, <i>Utilities and Service Systems</i>, Project demands could increase to as much as 531 AFY (in 2025 under a single dry scenario and year one of a multiple dry scenario), but also decrease to as low as 387 AFY (in 2020 in year three of a multiple dry scenario). Regardless of this variation, groundwater supplies are expected to be pumped as needed, with no identified shortfall between available supplies and projected demands. Based on this analysis, sufficient water would be available under the normal and dry hydrologic conditions in each of the five-year increments through 2035. Because sufficient groundwater is available to the Project, the Project would not contribute to overdraft conditions in the San Juan Sub-basin of the Gilroy-Hollister Basin. Therefore, the Project would be considered consistent with this policy and actions.</p>
<p><u>Policy 33.</u> Water conservation. To ensure more efficient use of groundwater resources it will be the policy of the County to require conservation of water resources in San Benito County and encourage inter-agency conservation to develop policies and programs for the protection and enhancement of habitat for fish on major tributaries to the Pajaro River (San Benito River, Pacheco Creek).</p> <p><i>Actions applicable to the Project:</i></p> <ol style="list-style-type: none"> 1. Implement the San Benito County Water Conservation Plan. 2. Encourage existing water districts to provide public education programs to encourage existing homeowners to adopt water conservation practices for landscaping and interior plumbing. 3. Require the use of reclaimed water irrigation systems wherever possible. 	<p><u>Consistency:</u> Refer to the Open Space and Conservation Element Policy 24 and 26 consistency discussions. As described in Section 4.14, <i>Utilities and Service Systems</i>, the proposed Project includes water conservation measures such as drought tolerant plants and a landscape program that reinforces the principles of Low Impact Development for water infiltration and groundwater recharge for the Project. If available, a portion of the total Project water demand could be met with recycled water. Recycled water could be used to satisfy non-potable irrigation demands, and the Project’s water supply system facilities include on-site “purple pipes” for the distribution of recycled water within the Project Site. However, as noted in Section 4.9, <i>Hydrology and Water Quality</i>, the Project does not include the construction of recycled water infrastructure outside of the Project Site, including a pipeline for the delivery of recycled water from the City of Hollister to the water supplier for the proposed Project for use on the Project Site. Accordingly, recycled water is not currently available to the Project Site and there are no current plans to construct facilities that would enable recycled water to be transported to the Project Site from the City of Hollister. However, because the Project would conserve water and would include purple pipe on-site for potential future recycled water use, it would be generally consistent with this policy and actions.</p>



**Table 4.10-1
 Policy Consistency: Current Adopted San Benito County General Plan (1985)**

Current Adopted San Benito County General Plan Policy	Consistency Discussion
<p><u>Policy 34.</u> Evidence water quality and quantity for development: Approval of new developments shall not be allowed without evidence of adequate water quality and quantity. <i>Actions applicable to the Project:</i></p> <ol style="list-style-type: none"> 1. Water quality tests shall be prepared prior to approval for new development demonstrating whether proposed domestic water supply will meet State primary and secondary drinking water standards. 2. Development applications shall be strongly discouraged if proposed water sources do not meet primary State drinking water standards (with the exception of specific conductance and total dissolved solids (TDS). 3. Well tests for non-agricultural development shall provide evidence that 100% of the water needs may be met without use of San Felipe Water. 	<p><u>Consistency:</u> As described in Section 4.14, <i>Utilities and Service Systems</i>, the proposed Project would generate additional water demand of about 505 AFY in the year 2025 and 442 AFY in the year 2035. The Water Supply Assessment for the Project assumes that the proposed Project would be wholly reliant on groundwater pumping from the San Juan Subbasin to meet its water supply demand. From this groundwater supply, sufficient water would be available to serve the Project under all hydrologic conditions in each of the five-year Project development increments through 2035. Therefore, the Project would be considered consistent with this policy and actions.</p>
<p><u>Policy 37.</u> Development policy for hazardous areas. It will be the policy of the County to limit densities in areas that are environmentally hazardous (fault, landslides/erosion, hillsides over 30% slope, flood plains) to levels that are acceptable for public health and safety for citizens and property. It is the County's policy to apply zoning categories, and scenic easements for the protection of environmentally hazardous or aesthetically valuable resources. <i>Actions applicable to the Project:</i></p> <ol style="list-style-type: none"> 1. The County shall adopt an overlay zoning which establish development standards in areas of special concern, such as the Earthquake Fault Zone maps, flood plains, landslide, severe erosion hazards, slopes 30% or greater, and hazardous fire areas. These development standards would be over and above the standards applicable to basic land uses. 2. The County shall establish an overlay zoning district for environmentally hazardous areas (an "EC" environmental constraints land use designation District) which discourages by development standards development in areas hazardous to the health, safety, and welfare of citizens and community. 3. Prohibit creation of parcels by subdivision that will be wholly located within environmentally hazardous areas and/or where developable areas cannot be safely accessed. 4. Require subdivisions or lot line adjustments with property in an environmentally hazardous area to include a note to advise prospective buyers of the hazard(s). 5. The base density of a proposed development site should be reduced if a combination of environmental hazards (fire, access, fault, flood, 30% slopes) and/or natural resources (habitat, wetlands) are on a particular development site. 	<p><u>Consistency:</u> Refer to the Land Use Policy 32 and Open Space and Conservation Element Goal 7 consistency discussions. The Project Site is not located in an environmental constraints overlay district. For these reasons, the Project would be considered consistent with the referenced policy and action items.</p>



**Table 4.10-1
 Policy Consistency: Current Adopted San Benito County General Plan (1985)**

Current Adopted San Benito County General Plan Policy	Consistency Discussion
<p><u>Policy 38.</u> Restrict creation of new lots in hazardous areas. It is the policy of the County to prohibit new subdivision or lot-line adjustments that will create new lots located entirely within hazardous areas (slopes greater than or equal to 30%, 100-year flood plain, landslide/erosion hazard, fault zone).</p>	<p><u>Consistency:</u> Refer to the Land Use Policy 32 and Open Space and Conservation Element Goal 7 consistency discussions. The Project Site does not contain substantial environmental hazards. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>Policy 41.</u> Fire safety. New development will not be allowed where access is a fire safety risk.</p>	<p><u>Consistency:</u> As described in Section 4.8, <i>Hazards/Hazardous Materials</i>, the Project Site contains a mix of moderate to very high hazard severity designations. An existing farm road, located between SR 156 and the northern portion of the Project Site, would be improved to provide emergency access to the site. An existing fire road would also provide emergency access to the hillsides in the southern portion of the site. As described in Section 4.12, <i>Public Services</i>, the Project would result in less than significant impacts to fire protection services. In addition, primary and emergency access would be adequate for the Project (refer to Section 4.15, <i>Effects Found Not to be Significant</i>). Therefore, the Project would be considered consistent with this policy.</p>
<p><u>Policy 42.</u> Flood hazard. One of the County's prime responsibilities is for the health, safety, and welfare of its citizens and property. Because the County recognizes the inherent dangers of construction or development within a flood prone area, it shall be the County's policy to discourage development within areas identified as potential flood hazard areas. Furthermore, it is the County's policy to protect and preserve the 100-year flood plain on the most recent adopted FEMA maps or other maps as wetland resources, watersheds, and tributaries as natural resources for water supply, groundwater recharge, riparian habitat, and fishes.</p>	<p><u>Consistency:</u> The Project Site is not located within a designated flood hazard area. Although a portion of the Project Site is located in an area subject to dam inundation (as described in Impact HWQ-5 in Section 4.9, <i>Hydrology and Water Quality</i>), the nearby San Justo Dam has been constructed to withstand the maximum credible earthquake, and is inspected regularly by the Bureau of Reclamation. In the unlikely event of dam failure, Mitigation Measures HWQ-5(a) (Hazard Response Plan) and HWQ-5(b) (Dam Inundation Hazard Disclosure) would reduce impacts to a less than significant level. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>Policy 43.</u> Reduce effects of flooding from development. It is the County's policy to take measures to reduce potential effects of flooding from new development and encourage flood control improvements.</p>	<p><u>Consistency:</u> As described in Section 4.9, <i>Hydrology and Water Quality</i>, the Project would introduce paved and roofed areas and thus has the potential to result in increased peak stormwater discharges and volumes of runoff. Increased runoff could impact water quality down-gradient of the Project Site by increasing erosion/sedimentation and the quantity of flood water. Implementation of Mitigation Measures HWQ-1(a) through HWQ-1(c), HWQ-3(a), and HWQ-3(b) require the design of storm water drainage systems design and storm water retention improvements consistent with Chapter 19.17 (Grading, Drainage and Erosion Control Ordinance) of Title 19 (Land Use and Environmental Regulations) of the San Benito County Code of Ordinances, and the use of landscaping and open space preservation where possible. This would reduce impacts related to flooding from stormwater runoff to a less than significant level. Therefore, the Project would be consistent with this policy.</p>



Section 4.10 Land Use

**Table 4.10-1
Policy Consistency: Current Adopted San Benito County General Plan (1985)**

Current Adopted San Benito County General Plan Policy	Consistency Discussion
<p><u>Policy 45.</u> Private recreation facilities. It will be the County’s policy to utilize land use ordinances to encourage land owners to provide private recreational facilities and open space areas. It will also be the County’s policy to allow for an economic return on land while it is being utilized as open space.</p>	<p><u>Consistency:</u> The proposed Project includes four private neighborhood parks (approximately seven acres), approximately 114 acres of open space common areas, approximately 17 acres of community passive parks, as well as an amenity center to serve the Project residents and visitors. This would be considered private development of recreational facilities. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>Policy 52.</u> Native American and archaeological resources. It is the policy of the County to recognize the value of Native American, archaeological, and paleontological resources.</p>	<p><u>Consistency:</u> As described in Section 4.5, <i>Cultural Resources</i>, the SEIR considered potential impacts related to Native American, archaeological and other cultural resources. As described therein, the Project would not result in any significant unmitigated impacts to any known cultural resources. Recommended mitigation measures would reduce potential impacts to a less than significant level related to discovery of previously unidentified cultural resources. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>Policy 55.</u> Recreation and open space provide for recreation. It shall be the County’s policy to acquire, develop, operate, and maintain a comprehensive space system of open space land uses and recreational facilities to provide for the low-intensity trails, picnicking, informal sports, park benches, and active recreational needs (sports fields for youth and adult league play) of the County population.</p> <p><i>Actions applicable to the Project:</i></p> <ol style="list-style-type: none"> 1. The County will use a variety of financing mechanisms to acquire and develop park, recreation, and other open space land uses consistent with growth in County population and the adopted land use policy of the County’s General Plan. 2. Continue to implement Ordinance 540, a park and recreation impact fee, to establish and maintain a source of revenue for the acquisition and development of park and recreation facilities. 	<p><u>Consistency:</u> The proposed Project includes four private neighborhood parks (approximately seven acres), approximately 114 acres of open space common areas, and approximately 17 acres of community passive parks. The 17 acres of community passive parks would include, among other things, pedestrian trails within the existing olive orchards, sitting/picnic areas, a dog park(s), and community gardens. On-going management of these park and opens space facilities would be financed either through the GHAD and/or the HOA or a similar acceptable funding mechanism. Therefore, the Project would be considered consistent with this policy.</p>



**Table 4.10-1
 Policy Consistency: Current Adopted San Benito County General Plan (1985)**

Current Adopted San Benito County General Plan Policy	Consistency Discussion
<p><u>Policy 56.</u> Ratio of parks to population. Recreational facilities for existing and new development in the unincorporated areas of the County shall be provided to meet the needs of the population based on a ratio of five acres of park land per 1000 persons.</p> <p><i>Actions applicable to the Project:</i></p> <ol style="list-style-type: none"> 1. Existing communities shall be inventoried to determine the need for recreational facilities. 2. Pursue funding for acquisition and development of needed facilities through alternatives including Mello-Roos Assessment Districts, private contribution of land, improvements from service clubs, and County impact fees pursuant to Ordinance 541. 3. Evaluation of new development within existing communities shall include an analysis of the individual and cumulative effect of the development on the recreational needs of the community and County. 4. Amend Ordinance 541 to provide credit for new development that dedicated lands and constructs on-site recreation facilities. 5. Require new suburban and urban development to include on-site recreation facilities and financing for long-term maintenance. 	<p><u>Consistency:</u> As described in Section 4.12, <i>Public Services</i>, the residential components of the Project would generate new County residents and an associated demand for parkland according to County parkland to population ratios (five acres of parkland per 1,000 residents). Based on the Project’s projected population of 1.67 per household for the active adult community (1,017 units) and 3.51 per household for the conventional housing (67 units) the proposed Project would generate 1,934 residents. The Project’s development would therefore be required to include approximately ten acres of parklands. The proposed Project includes four private neighborhood parks (approximately seven acres) and approximately 17 acres of community passive parks. In total, the Project would include approximately 17 acres of public parkland, which exceed the County standards by approximately 7 acres. Therefore, the Project would be considered consistent with this policy.</p>
<p>Housing Element</p> <p><u>Goal 5.</u> Energy conservation. To establish development and construction standards which encourage energy conservation in residential uses. Promote the use of energy conservation methods in housing for all segments of the community.</p> <p><u>Policy 5A.</u> The County shall require energy-conserving construction, as required by state law.</p> <p><u>Policy 5B.</u> The County shall encourage innovative site designs and orientation techniques, which incorporate passive and active solar designs and natural cooling techniques.</p> <p><u>Policy 5C.</u> The County shall promote a weatherization and retrofit program for existing housing units that fall below current state performance standards for energy efficiency.</p> <p><u>Policy 5D.</u> The County shall promote opportunities for use of solar energy by assuring solar access. The County shall pursue all avenues of solar access and energy conservation currently provided by California law and consider a local ordinance to further promote energy conservation.</p>	<p><u>Consistency:</u> As described in Section 5.4 (Energy Effects) in Section 5.0, <i>Other CEQA Discussions</i>, the Project requires energy-efficient features including roof colors and materials that meet or exceed Energy Star requirements to reduce the heat island effect; energy and water-efficient appliances, fixtures, lighting, and windows that meet or exceed state energy performance standards; high-efficient air conditioners; and Energy Star bath fans in each home. In addition, the Project would encourage the following features:</p> <ul style="list-style-type: none"> • <i>Energy-efficient windows;</i> • <i>Rooftop solar panels, solar films, small-scale wind turbines, and other similar features to generate energy;</i> • <i>Small-scale wind turbines and solar heating and energy production panels and films;</i> • <i>Energy Star qualified (or equivalent rating system) models of mechanical equipment; and</i> • <i>Energy-efficient, low voltage exterior lighting.</i>



**Table 4.10-1
 Policy Consistency: Current Adopted San Benito County General Plan (1985)**

Current Adopted San Benito County General Plan Policy	Consistency Discussion
<p><u>Policy 5E.</u> The County shall promote energy efficient land use planning by incorporating energy conservation as a major criterion for future decision making.</p> <p><u>Policy 5F.</u> The County shall promote energy conservation through education and outreach programs.</p> <p><u>Policy 5G.</u> The County shall require solar access to be considered in environmental review and/or decision-making for all subdivisions.</p>	<p>These Specific Plan components and design guidelines have been incorporated into the GHG emissions inventory for the Project where applicable (refer to Section 4.7, <i>Greenhouse Gas Emissions/Climate Change</i>). Thus, the Project would require certain energy-efficient features and encourage others. Additionally, detailed plans for proposed structures in the Project Site would be reviewed by the County for energy and water conservation techniques once they are prepared to ensure compliance with applicable requirements, and prior to issuance of building permits by the County. Therefore, the Project would be considered consistent with this goal and policy to encourage energy conservation.</p>
<p>Noise Element</p>	
<p><u>Goal 2.</u> To reduce ground transportation related noise impacts.</p> <p><u>Policy 1.</u> To route heavily traveled transportation routes to insure minimum noise encroachment upon residential and other noise sensitive land uses.</p> <p><u>Policy 2.</u> That county vehicles and equipment should be maintained in such condition so as to assure minimum noise emission.</p> <p><u>Policy 3.</u> To provide for the enforcement of existing statewide vehicle noise regulations by local authorities, specifically those sections of the California Vehicle Code which pertain to illegal or faulty exhaust systems, speed laws and operation of vehicles in such a manner as to produce excessive noise.</p> <p><u>Policy 4.</u> To keep the number of truck routes in the County at a minimum and locate said routes in such a manner as to avoid impacts on those areas identified as noise sensitive. Wherever possible, trucks should be routed onto freeways and non-residential arterials, even where such routing is not the shortest distance between points.</p> <p><u>Policy 5.</u> To limit the use of off road recreational motor vehicles to those areas specifically designated for that purpose, (i.e., Clear Creek and Hollister Hills State Vehicular Recreation Area) and to maintain lands surrounding those areas in open space and agricultural use as a means of providing a noise buffer zone.</p> <p><u>Policy 6.</u> To encourage County Roads Department and California Department of Transportation to utilize noise attenuation features in the design of new County roadways.</p>	<p><u>Consistency:</u> As described in Section 4.11, <i>Noise</i>, vehicle traffic generated by the Project would exacerbate existing unacceptable noise levels at existing off-site residences adjacent to Union Road. Mitigation measures would involve the use of berms or other features to attenuate exterior noise at existing off-site residences to acceptable levels. This would be considered a Class I, <i>significant and unavoidable</i> impact, since the recommended mitigation may not be feasible. In conjunction with cumulative development, the Project would generate increased traffic on the roads in the Project vicinity. This would also result in significant and unavoidable impacts on ambient noise levels at existing off-site residences along SR 156 and Union Road.</p> <p>Although the Project would result in Class I, <i>significant and unavoidable</i>, impacts related to vehicle noise, the Project would not alter existing truck routes or heavily traveled transportation routes; involve the use of county vehicles or equipment; involve off-road recreational motor vehicles; alter existing regulations related to exhaust systems, speed laws, or vehicle operation; nor be located near railroads. In addition, the Project would not place new noise-sensitive uses adjacent to freeways, highways, arterials, or railroads that would significantly impact the new receptors, nor would it involve the construction of new County roadways. The applicant would be required to install noise attenuation features at off-site receptors, which would reduce ground transportation related noise impacts to the extent feasible. Therefore, the Project would be considered consistent with the intent of Goal 2 and related policies.</p>



**Table 4.10-1
 Policy Consistency: Current Adopted San Benito County General Plan (1985)**

Current Adopted San Benito County General Plan Policy	Consistency Discussion
<p><u>Policy 7.</u> To require the installation of noise attenuation features when new residential developments are located adjacent to freeways, highways, arterials, railroad right of ways, and other noise generating uses.</p> <p><u>Policy 9.</u> To provide for non-noise sensitive land uses in areas near railroads and encourage compliance with Federal Rail Noise Standards by interstate rail carriers.</p>	
<p><u>Goal 4.</u> To reduce construction related noise impacts.</p> <p><u>Policy 1.</u> It will be the County’s continuing policy to control the operation of construction equipment at specific sound intensities and frequencies during specified hours.</p> <p><u>Policy 2.</u> The County will encourage the use of barriers or enclosures for equipment having high noise emission.</p> <p><u>Policy 3.</u> The County will encourage use of the Environmental Protection Agency Equipment Noise Standards as specifications for the modification of old County equipment and the purchase of new equipment.</p>	<p><u>Consistency:</u> As described in Section 4.11, <i>Noise</i>, construction of the proposed Project would generate noise levels above County thresholds (65 dBA for residential exteriors) for a period greater than 12 months, and would increase the without Project noise level by greater than 5 dBA. This noise increase would not significantly affect sensitive receptors located approximately 1,600 feet from the boundary of the Project Site, but would affect proposed residences located within 1,000 feet of construction activities. Mitigation measures would involve the limiting of construction activities to certain hours, maintenance of construction equipment, limiting of vehicle and equipment idling time to five minutes, distancing of equipment from sensitive receptors, truck routing to avoid sensitive receptors, limiting of workers’ radio noise, preparation of a construction plan, and designation of a “disturbance coordinator”. While these measures would reduce impacts to the extent feasible, these construction impacts would remain Class I, <i>significant and unavoidable</i>. Despite the significant impact, the Project would be required to limit noise from construction equipment, including through the use of barriers or enclosures for equipment having high noise emission, and would thus reduce construction related noise impacts to the extent feasible. Therefore, the Project would be considered consistent with the intent of this goal and related policies.</p>
Safety Element	
<p><u>Policy 1.</u> In general, urban expansion should be directed to areas of less risk from natural and man-made hazards.</p>	<p><u>Consistency:</u> Refer to the Land Use Policy 32 consistency discussion.</p>
<p><u>Policy 3.</u> The diversity of housing types within San Benito County should be evaluated with regard to suitable locations for high density housing. The location of buildings three stories and higher should be carefully examined in relation to ground shaking characteristics, potential for ground failure and other seismic hazards.</p>	<p><u>Consistency:</u> The Project would not involve the construction of high-density housing; however, the Project would allow for the construction of buildings up to 45 feet, or three stories, in height in the proposed Neighborhood Commercial land use designation. As discussed under Safety Element Policy 1, the incorporation of various Project design features, compliance with applicable laws and regulations, and implementation of identified mitigation measures in this SEIR would ensure that impacts related to ground shaking, ground failure, and other seismic hazards are less than significant. Therefore, the Project would be considered consistent with this policy.</p>



**Table 4.10-1
 Policy Consistency: Current Adopted San Benito County General Plan (1985)**

Current Adopted San Benito County General Plan Policy	Consistency Discussion
<p><u>Policy 7.</u> It is the County's policy to maintain a reasonable level of disaster preparedness for the protection of the health, safety and welfare of the citizens of San Benito County.</p>	<p><u>Consistency:</u> As discussed in Section 4.8, <i>Hazards/Hazardous Materials</i>, the Project would improve emergency access to the site and evacuation routes by including new internal roadways and a secondary emergency vehicle access route. Improved access would serve to maintain disaster preparedness in the Project Site. As described in Section 4.12, <i>Public Services</i>, although the Project may affect emergency response times to a certain extent, impacts would be less than significant. Further, as a Project design feature, the applicants have voluntarily agreed to provide as part of the Project a CFD funding mechanism to support the funding of public safety personnel, which could include, in the County's discretion, additional law enforcement, firefighting, or emergency responder staff and equipment. As an additional Project design feature, the applicants have voluntarily agreed to provide the County with a 15-year option for an approximately two-acre site for a potential future public safety facility on the Project Site. Therefore, the Project would be considered consistent with this policy for disaster preparedness.</p>
<p><i>Scenic Roads and Highways</i></p>	
<p><u>Policy 2.</u> Because the County recognizes the valuable resources of soil and the need for the preservation of natural environments and because the County recognizes that grading can have significant adverse impacts within scenic areas, it is the County's policy to carefully review all projects involving grading within Scenic Corridors.</p>	<p><u>Consistency:</u> The potential for the Project to have a significant adverse impact on scenic resources was addressed in Section 4.1, <i>Aesthetics</i>. As discussed therein, SR 156 is eligible for State designation as a scenic highway in the vicinity of the Project Site; however, this roadway has not been officially designated as a scenic highway, and the Scenic Roads and Highways Element does not recognize it as one of three Scenic Corridors in San Benito County. In addition, because the proposed buildings would be constructed approximately 1.5 miles from area viewsheds, Project grading and construction would not have a significant impact on a scenic vista. Because the Project was carefully reviewed in this regard, the Project would be considered consistent with this policy.</p>



**Table 4.10-1
 Policy Consistency: Current Adopted San Benito County General Plan (1985)**

Current Adopted San Benito County General Plan Policy	Consistency Discussion
<p><u>Policy 3.</u> Recognizing that most architectural designs are compatible with scenic areas, but that some can have significant adverse impact on the scenic resource, which the County seeks to preserve, it will be the County's policy to review proposals to insure that the obstruction of views is minimized.</p>	<p><u>Consistency:</u> Impact AES-1 in Section 4.1, <i>Aesthetics</i>, analyzes the Project's impacts on scenic viewsheds from SR 156 and Union Road. Although implementation of the proposed Project would create new development in the vicinity of public viewing locations from these roadways, the Project's distance from these viewsheds and relatively small building sizes compared to the hillsides would minimize impacts on background views. Impacts on foreground views would be reduced due to intervening topography and the distance between the Project Site and existing public view corridors. In addition, the Project's various design features would be in place to help further minimize negative aesthetic impacts, and help ensure development of a thoughtful, cohesive and well-designed community, and to minimize visibility of the Project from a distance to the extent feasible. For example, Specific Plan Chapter 2: Land Use and Development Standards, Specific Plan Chapter 3: Design Guidelines, and Chapter 6: Parks, Open Space, and Landscaping include numerous design standards, goals and guidelines to help ensure the design quality of future development. Specifically, the Specific Plan Design Guidelines describe and illustrate building designs, concepts, and features intended to promote cohesive design and community identity, and to limit the potential for views to be obstructed. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>Policy 5.</u> It will be the County's policy to review each application and to provide mitigation measures which will minimize the visual impact of utility lines on the Scenic Corridor.</p>	<p><u>Consistency:</u> As noted under Scenic Roads and Highways Policy 2, Project grading and construction would not have a significant impact on a scenic vista or scenic corridor. Because the Project was carefully reviewed in this regard, it would be considered consistent with this Policy.</p>
<p><i>Zoning Ordinance (San Benito County Code, Title 25)</i></p>	
<p>The current zoning designation of the Project Site is Rural Transitional (RT)/Planned Unit Development (PUD) Overlay, Commercial Thoroughfare (C-1), Agriculture Productive (AP), Agriculture Rangeland (AR), and Rural (R).</p>	<p><u>Consistency:</u> While the Project is not currently consistent with these designations, if approved, the Project Site would be re-zoned "San Juan Oaks-Specific Plan (SJO-SP)." Land uses proposed within the Project Site would be required to be considered consistent with this new designation, as shown on the Specific Plan Land Use Map. The Specific Plan includes the development standards that will apply to the Project Site. In situations where policies or standards relating to a particular subject are silent in this Specific Plan, the existing regulations of the Zoning Ordinance will continue to apply. In the event that any provision in this Specific Plan conflicts with the Zoning Ordinance, the provisions set forth within the Specific Plan shall prevail. With adoption of the Specific Plan and the related rezoning of the Project Site, the Project would be considered consistent with the Zoning Ordinance.</p>



**Table 4.10-2
 Policy Consistency: Public Review Draft 2035 General Plan Update**

Public Review Draft 2035 General Plan Update Policy	Consistency Discussion
Land Use Element	
<p><u>LU – 1.1 Countywide Development.</u> The County shall focus future development in areas around cities where infrastructure and public services are available, within existing unincorporated communities, and within a limited number of new communities, provided they meet the requirements of goal section LU-7.</p>	<p><u>Consistency:</u> The Project Site is located between the cities of Hollister and San Juan Bautista in the county within an area where infrastructure and public services are available or can be extended to meet the needs of the proposed Project. Furthermore, a Development Agreement between the applicant and county is currently being prepared, and would include measures to ensure infrastructure and public services are sufficient and not adversely impacted by development of the proposed Project. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>LU – 1.2 Sustainable Development Patterns.</u> The County shall promote compact, clustered development patterns that use land efficiently; reduce pollution and the expenditure of energy and other resources; and facilitate walking, bicycling, and transit use; and encourage employment centers and shopping areas to be proximate to residential areas to reduce vehicle trips. Such patterns would apply to infill development, unincorporated communities, and the New Community Study Areas. The County recognizes that the New Community Study Areas comprise locations that can promote such sustainable development.</p>	<p><u>Consistency:</u> The proposed Project is located within the Union New Community Study Area, and therefore the sustainable development patterns would apply to the site. The proposed Project’s land use plan, development standards and design guidelines require clustered development patterns for residential and commercial uses on the Project Site. The clustering of residential and commercial development would allow for the preservation of approximately 1,243 acres of permanent wildlife habitat. Additionally, the planned commercial uses would be primarily small scale retail, medical, and professional services meant to serve the daily convenience needs of the Project Site’s residents, thereby reducing vehicle trips and vehicle miles traveled. As described in Section 4.13, <i>Transportation and Circulation</i>, a mixed-use reduction of 13 percent for total daily trips, 15 percent for AM peak hour trips, and 22 percent for PM peak hour trips is applicable to the Project based on the land use mix and proximity to various land uses outside the Project Site. Lastly, the Project emphasizes pedestrian circulation by providing an interconnected network of sidewalks along internal streets and a series of trails, and the Project Site is located near the San Benito County Express transit network, including inter-county bus service with access to the cities of Gilroy and San Juan Bautista. Residents in the Project Site would have easy access to these transit options. Therefore, the Project would be considered consistent with this policy.</p>



**Table 4.10-2
 Policy Consistency: Public Review Draft 2035 General Plan Update**

Public Review Draft 2035 General Plan Update Policy	Consistency Discussion
<p><u>LU – 1.3 Future Development Timing.</u> The County shall ensure that future development does not outpace the ability of either the County or other public/private service providers to provide adequate services and infrastructure. The County shall review future development proposals for their potential to reduce the level of services provided to existing communities or place economic hardships on existing communities, and the County may deny proposals that are projected to have these effects.</p>	<p><u>Consistent.</u> The proposed Project’s potential impacts to service providers are addressed in Section 4.12, <i>Public Services</i>. As described therein, impacts to police protection, fire protection and ambulance services, schools, parks and recreational facilities, and library services and facilities would be less than significant. Therefore, county services would not be adversely impacted.</p> <p>In addition, as described in Section 4.14, <i>Utilities and Service Systems</i>, and 4.13, <i>Transportation and Circulation</i>, proposed on-site water, wastewater, and circulation infrastructure would be adequate to serve the proposed Project, and adequate wastewater capacity exists at the Hollister Water Reclamation Facility to serve the Project. Similarly, adequate landfill capacity is available to serve the Project. Therefore, Project development would not outpace the ability of service providers to provide adequate services or infrastructure, and the Project would be considered consistent with this policy.</p>
<p><u>LU – 1.6 Hillside Development Restrictions.</u> The County shall prohibit residential and urban development on hillsides with 30 percent or greater slopes.</p>	<p><u>Consistency:</u> The proposed Project does not propose residential or urban development on hillsides with 30 percent or greater slopes. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>LU – 1.8 Site Plan Environmental Content Requirements.</u> The County shall require all submitted site plans, tentative maps, and parcel maps to depict all environmentally sensitive and hazardous areas, including: 100-year floodplains, fault zones, 30 percent or greater slopes, severe erosion hazards, fire hazards, wetlands, and riparian habitats.</p>	<p><u>Consistency:</u> The Vesting Tentative Map and associated application materials submitted to the County as components of the proposed Project application included the fault zones, slopes, erosion hazards, fire hazards, wetlands, and riparian habitats, where relevant. These features are also depicted in Figures 4.6-3 (faults), 4.5-1 (topography/slopes), 4.6-2 (soils, with erosion hazard for each soil listed in Table 4.6-1), 4.4-2 (wetlands), and 4.4-1 (habitat types, including riparian habitats) of the SEIR.</p> <p>Flood zones are not depicted on a map in the SEIR because the Project Site is several miles from the nearest flood zone. Fire hazard severity zones are discussed in Section 4.8, <i>Hazards/Hazardous Materials</i>, and rely on CAL FIRE Fire Hazard Severity Zone Maps (CAL FIRE, November 2007 and October 2007). Therefore, the Project would be considered consistent with this policy.</p>



**Table 4.10-2
 Policy Consistency: Public Review Draft 2035 General Plan Update**

Public Review Draft 2035 General Plan Update Policy	Consistency Discussion
<p><u>LU – 1.10 Development Site Suitability.</u> The County shall encourage specific development sites to avoid natural and manmade hazards, including, but not limited to, active seismic faults, landslides, slopes greater than 30 percent, and floodplains. Development sites shall also be on soil suitable for building and maintaining well and septic systems (i.e., avoid impervious soils, high percolation or high groundwater areas, and provide setbacks from creeks). The County shall require adequate mitigation for any development located on environmentally sensitive lands (e.g., wetlands, erodible soil, archaeological resources, important plant and animal communities).</p>	<p><u>Consistency:</u> The Project Site is considered suitable for the proposed development as considered by the criteria of this policy. Through the incorporation of avoidance/protection measures identified in Chapter 7 (Resource Management) of the Specific Plan (as Project design features) and/or mitigation measures identified in this SEIR (including Section 4.5, <i>Cultural Resources</i>, Section 4.6, <i>Geology and Soils</i>, Section 4.8, <i>Hazards/Hazardous Materials</i>, and Section 4.9, <i>Hydrology and Water Quality</i>), all hazards listed in the policy have been avoided or mitigated to a less than significant level, and therefore the Project would be considered consistent with this policy.</p>
<p><u>LU – 2.1 Sustainable Building Practices.</u> The County shall promote, and where appropriate, require sustainable building practices that incorporate a “whole system” approach to designing and constructing buildings that consume less energy, water, and other resources; facilitate natural ventilation; use daylight efficiently; and are healthy, safe, comfortable, and durable.</p>	<p><u>Consistency:</u> The proposed Project includes sustainable and green building design guidelines as promoted by this policy which would be applied throughout the Project Site. As described in Section 5.4 (Energy Effects) in Section 5.0, <i>Other CEQA Discussions</i>, the Project requires energy-efficient features including roof colors and materials that meet or exceed Energy Star requirements to reduce the heat island effect; energy and water-efficient appliances, fixtures, lighting, and windows that meet or exceed state energy performance standards; high-efficient air conditioners; and Energy Star bath fans in each home. In addition, among others, the Project would encourage the following features:</p> <ul style="list-style-type: none"> • <i>Energy-efficient windows;</i> • <i>Rooftop solar panels, solar films, small-scale wind turbines, and other similar features to generate energy;</i> • <i>Small-scale wind turbines and solar heating and energy production panels and films;</i> • <i>Energy Star qualified (or equivalent rating system) models of mechanical equipment; and</i> • <i>Energy-efficient, low voltage exterior lighting.</i> <p>These Specific Plan components and design guidelines have been incorporated into the GHG emissions inventory for the Project where applicable (refer to Section 4.7, <i>Greenhouse Gas Emissions/Climate Change</i>). Thus, the Project would require certain energy-efficient features and encourage others. Additionally, detailed plans for proposed structures would be reviewed by the county for compliance with energy and water conservation requirements prior to issuance of building permits. Therefore, the Project would be considered consistent with this policy.</p>



**Table 4.10-2
 Policy Consistency: Public Review Draft 2035 General Plan Update**

Public Review Draft 2035 General Plan Update Policy	Consistency Discussion
<p><u>LU – 2.2 Green Sustainable Building Practices.</u> The County shall encourage sustainable building practices that go beyond the minimum requirements of the Title 24 CalGreen Code (i.e., Tier 1 or Tier 2 measures) and to design new buildings to achieve a green building standard such as Leadership in Energy and Environmental Design (LEED).</p>	<p><u>Consistency:</u> Refer to Land Use Policy 2.1 consistency discussion, above.</p>
<p><u>LU – 2.4 Solar Access.</u> The County shall encourage new residential sub-divisions and new commercial, office, industrial, and public buildings to be oriented and landscaped to enhance natural lighting and solar access in order to maximize energy efficiency.</p>	<p><u>Consistency:</u> The Specific Plan design guidelines specify that rooftop solar panels, solar films, small-scale wind turbines, and other similar features may be used to generate electricity. Additionally, the design guidelines state that building design and siting should take advantage of natural ventilation, heating and cooling, sun and wind exposure, and solar energy opportunities. Passive solar orientation and design would be encouraged to capture natural daylight and to use natural cooling techniques. Building siting should also consider solar access for adjacent buildings. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>LU – 2.7. Sustainable Location Factor.</u> The County shall encourage new development in locations that provide connectivity between existing transportation facilities to increase efficiency, reduce congestion, and improve safety.</p>	<p><u>Consistency:</u> The Project Site is located between the cities of San Juan Bautista and Hollister and is accessible from existing transportation facilities. Furthermore, the Project Site is located near the San Benito County Express transit network, including inter-county bus service with access to the nearby cities of Gilroy and San Juan Bautista. Residents in the Project Site would have easy access to these transit options. The Project would be considered consistent with this Policy.</p>
<p><u>LU – 3.1. Agricultural Diversification.</u> The County shall support existing farms, vineyards, and other agricultural operations and encourage the agricultural industry to continue diversification that includes organic, value-added, small-scale, sustainable, and community-supported agricultural practices throughout the county.</p>	<p><u>Consistency:</u> Although the Project would convert a fairly small amount of Important Farmland (approximately 12 acres) to permanent urban use, it would also preserve approximately 41 acres on-site and approximately 153 acres off-site in permanent agricultural use; in addition, the Project preserves approximately 1,243 acres on-site for a permanent wildlife habitat area, which could be used for grazing. The on-site agricultural preserve is comprised of two separate areas; one of the areas is used for olive tree production and the other for row crops. By preserving diverse on- and off-site agricultural uses, the Project would be considered consistent with this policy.</p>
<p><u>LU – 3.8 Urban Residential Buffer Requirement.</u> The County shall encourage the establishment of a buffer, by the residential developer, between new urban density residential development (i.e., greater than two dwelling units per acre) and existing conventional agricultural operations.</p>	<p><u>Consistency:</u> As described in Section 4.2, <i>Agricultural Resources</i>, the proposed Project incorporates a landscaped buffer consisting of trees and shrubs along the eastern and northern edges of the active adult community, adjacent to the existing agricultural operations. Therefore, the Project would be considered consistent with this policy.</p>



**Table 4.10-2
 Policy Consistency: Public Review Draft 2035 General Plan Update**

Public Review Draft 2035 General Plan Update Policy	Consistency Discussion
<p><u>LU – 3.9 Right to Farm and Ranch.</u> The County shall protect the rights of operators of productive agricultural properties (as defined in the Glossary) and ranching properties to commence and continue their agricultural and ranching practices (a “right to farm and ranch”) even though established urban uses in the general area may foster complaints against those agricultural and ranching practices. The “right to farm and ranch” shall encompass the processing of agricultural and ranching products and other activities inherent in the definition of productive agriculture and in ranching activities. The County shall require all parcel maps approved for locations in or adjacent to productive agricultural areas and ranching areas to indicate the “right to farm and ranch” policy. The County shall require the program to be disclosed to buyers of property in San Benito County.</p>	<p><u>Consistency:</u> As described in Section 4.2, <i>Agricultural Resources</i>, the proposed Project would be required to be in compliance with the County’s Right-to-Farm Ordinance, which stipulates all future occupants of the Project Site would be informed of agricultural activities within the vicinity of the Project Site. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>LU – 3.10 Agricultural Land Mitigation.</u> If new development permanently converts Prime Farmland that is Class 1 soil to non-agricultural uses, the County shall encourage project applicants to preserve an equal number of acres (i.e. a 1:1 ratio) either on- or off-site. An applicant may pay mitigation fees for some or all of that mitigation as agreed in a development agreement.</p>	<p><u>Consistency:</u> The Project Site contains approximately 48 acres of Important Farmland, including 35 acres of Prime Farmland, as designated by the FMMP (refer to Section 4.2, <i>Agricultural Resources</i>). The Project would convert approximately 12 acres of this Important Farmland to non-agricultural use. However, the designation of a 1,243-acre permanent wildlife habitat (which would also be used as grazing land to the extent permitted by applicable resource agencies), and the permanent preservation of the 153-acre off-site area for agricultural uses would more than offset the on-site loss of the 12 acres of Important Farmland. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>LU – 3.14 Land Trusts and Financial Incentives.</u> The County shall consider land trusts and financial incentives to preserve agricultural soil resources and to protect the integrity of important agricultural areas for future use.</p>	<p><u>Consistency:</u> The Project would preserve approximately 41 acres on-site and approximately 153 acres off-site in permanent agricultural use. The off-site easement would be preserved in perpetuity for agricultural uses. It is anticipated that the agricultural easement would be held by the San Benito Agricultural Land Trust. The Project would therefore be considered consistent with this Policy.</p>
<p><u>LU – 4.1 Housing Stock Diversity.</u> The County shall encourage a balance of housing types, locations, and price ranges within the county to accommodate a variety of families from all socio-economic backgrounds.</p>	<p><u>Consistency:</u> The proposed Project would provide market-rate housing for both active adults and the general public. Housing types would vary in size and densities. An assisted living/skilled nursing/memory care facility with up to 100 beds is also proposed within the Neighborhood Commercial area.</p> <p>As described in the draft Development Agreement, the proposed Project would not be required to provide low-income housing. However, the Applicant has agreed to provide the County with funds toward the County General Fund, which may be used in part to help fund affordable housing. Therefore, the Project would be considered consistent with this policy.</p>



**Table 4.10-2
 Policy Consistency: Public Review Draft 2035 General Plan Update**

Public Review Draft 2035 General Plan Update Policy	Consistency Discussion
<p><u>LU – 4.2 Urban Residential Development.</u> The County shall ensure new urban residential development (e.g., greater than two units per acre) occurs in areas that have, or can provide, adequate public facilities and services to support such uses, and are near existing and future major transportation networks, transit and/or bicycle corridors, pedestrian paths and trails, and employment centers.</p>	<p><u>Consistency:</u> The analysis included in this SEIR concludes that there would be adequate public facilities and services to support the proposed Project, either through existing service providers, Project design features, or mitigation measures (refer to Sections 4.12, <i>Public Services</i>, 4.13, <i>Transportation and Circulation</i>, and 4.14, <i>Utilities and Service Systems</i>). Additionally, the Project Site is located near major transportation networks, transit and bicycle corridors, would include pedestrian paths and trails, and would provide on-site employment opportunities through the neighborhood commercial component of the proposed Project. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>LU – 4.3 Residential Density Reductions.</u> The County shall consider reducing the base density of a proposed residential development project if a combination of environmental hazards (e.g., fire, seismic, flooding, greater than 30 percent slope) and/or natural resources (e.g., sensitive habitat, wetlands) existing on the site, after consideration of the mitigations to be implemented to address those hazards, make higher densities less appropriate.</p>	<p><u>Consistency:</u> Impacts of the proposed Project related to wildland fire hazards are discussed in Section 4.8, <i>Hazards/Hazardous Materials</i>; impacts related to seismicity and slopes are described in Section 4.6, <i>Geology and Soils</i>; impacts related to flooding are discussed in Section 4.9, <i>Hydrology and Water Quality</i>; and impacts related to sensitive habitats and wetlands are discussed in Section 4.4, <i>Biological Resources</i>. As described therein, these potential hazards would not require a reduction in proposed residential site density. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>LU – 4.5 Innovative Site Planning and Residential Design.</u> The County shall encourage new residential developments to use innovative site planning techniques and to incorporate design features that increase the design quality, and energy efficiency, and water conservation of structures and landscapes while protecting the surrounding environment.</p>	<p><u>Consistency:</u> Refer to Land Use Policy 2.1 consistency discussion, above. The Project would be considered consistent with this policy.</p>
<p><u>LU – 4.6 Clustered Residential Program.</u> The County shall continue to encourage the clustering of residential uses and the use of creative site planning techniques to promote preservation of agricultural land and open space areas.</p>	<p><u>Consistency:</u> Refer to Land Use Policy 1.2 consistency analysis, above. The proposed Project includes clustering of residential and commercial development which allows for both agricultural and open space area preservation on the site. Therefore, the Project would be considered consistent with this policy.</p>



**Table 4.10-2
 Policy Consistency: Public Review Draft 2035 General Plan Update**

Public Review Draft 2035 General Plan Update Policy	Consistency Discussion
<p><u>LU – 4.7 Clustered Residential Site Layout.</u> The County shall encourage clustered residential development be designed to respect existing natural features (e.g., rivers and streams, hills and ridge lines, and substantial tree stands) as appropriate to the density and character of the development, and if applicable to use such features to separate clustered parcels from farming areas.</p>	<p><u>Consistency:</u> Refer to Land Use Policy 4.6 consistency discussion. Additionally, measures to reduce impacts on natural features and wildlife habitats are described in detail in Section 4.4, <i>Biological Resources</i>, of the SEIR and the Specific Plan, Chapter 7 – Resource Management. The Project would be considered consistent with this policy.</p>
<p><u>LU – 4.8 Conservation Easements Related to Clustered Residential Development.</u> The County shall encourage new clustered residential development to provide agricultural and/or other appropriate open space easements on farming or open space parcel(s) at the time that the development occurs, or if a multi-phased Planned Development, according to an adopted specific plan.</p>	<p><u>Consistency:</u> Refer to Land Use Policy 4.6 consistency discussion. Additionally, the Project Site includes an on-site 41-acre Agricultural Preserve and an approximately 1,243 acre on-site permanent wildlife habitat area, as well as an off-site 153-acre agricultural easement. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>LU – 4.9 Transfer of Development Credit Program.</u> The County shall maintain and implement the voluntary Transfer of Development Credit (TDC) program as an incentive to protect farmland and focus future develop away from the most productive farmland.</p>	<p><u>Consistency:</u> Refer to Land Use Policy 3.14 consistency discussion. Technically this program would not apply to the Project since the Specific Plan is setting forth the applicable zoning; nevertheless, the nature of the Project proposal including the provision of significant amounts of acreage for purposes of permanent agricultural preservation and wildlife habitat, the Project would be considered consistent with this policy.</p>
<p><u>LU – 5.2 New Commercial Thoroughfare Nodes.</u> The County shall encourage new Commercial Thoroughfare (CT) nodes, as shown on the Land Use Diagram, serving travelers and tourists along state routes. The County shall require these uses to have adequate public services, be compatible with surrounding land uses, and respect the scenic character of the county. Figure 3-5 shows the locations, Table 3-1 describes the land use designation, and Appendix A, Glossary defines “Centralized Commercial Node Development”.</p>	<p><u>Consistency:</u> A CT node is identified on the Land Use Diagram at SR 156 and Union Road. The proposed Project includes a neighborhood commercial center less than one mile away from this location, which would serve local residents and the travelers and tourists along SR 156. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>LU – 5.6 Visitor-Oriented Commercial Uses.</u> The County shall encourage visitor-oriented commercial uses that promote the local history, local economy (e.g., agriculture, wineries, recreation), and market locally-produced agricultural products.</p>	<p><u>Consistency:</u> The proposed Project would provide visitor-oriented commercial uses on the site in the form of a 200 guest room hotel, and would maintain the existing San Juan Oaks Golf Course & Clubhouse. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>LU – 5.7 Mixed-Use Development.</u> The County shall encourage both vertical and horizontal mixed-use development within community centers and near or along transportation and transit corridors, bicycle paths, and pedestrian and trail routes as a means of providing efficient land use, housing, and transportation options for county residents. The County shall ensure that mixed use developments include appropriate transit, bicycle, and pedestrian facilities.</p>	<p><u>Consistency:</u> The proposed Project includes a neighborhood commercial center with development standards that allow for horizontal and vertical mixed-uses. Additionally, the Project includes an extensive pedestrian and bicycle circulation network that is connected to the neighborhood commercial area. Therefore, the Project would be considered consistent with this policy.</p>



**Table 4.10-2
 Policy Consistency: Public Review Draft 2035 General Plan Update**

Public Review Draft 2035 General Plan Update Policy	Consistency Discussion
<p><u>LU – 7.10 New Development Design.</u> The County shall encourage the design of new development to complement its surroundings, including nearby development, nearby open landscapes, and gateways into populated areas, as well as to show coherence within itself, including with regard to architectural style, human-scale development, and street layout.</p>	<p><u>Consistency:</u> The Specific Plan includes design guidelines for site design, architecture, circulation, parking, lighting, signage, and other distinguishing features to promote a high-quality development. As described in Section 4.1, <i>Aesthetics</i>, while the Project would substantially alter the aesthetic character of the site vicinity by changing the area’s character from rural to a more urbanized developed setting, these design features would minimize negative aesthetic impacts to the extent feasible, and help ensure development of a thoughtful, cohesive, and well-designed community. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>LU – 8.1 New Community Purpose.</u> The County shall consider applications for New Communities on a case-by-case basis in order to accommodate future growth in new, balanced communities.</p>	<p><u>Consistency:</u> The entire Project Site is located within the Union New Community Study Area and a Specific Plan, which this SEIR considers, has been prepared. Therefore, the Project is consistent with this policy.</p>
<p><u>LU – 8.2 New Community Threshold.</u> The County shall consider any proposed development project that is a unique, self-contained new development a New Community, and as such, subject to the policies of this goal section. The Director of Planning and Building Inspection Services will have the discretion to determine which projects constitute a New Community, but they would generally be projects that cannot be developed under existing allowed residential densities, even with clustered residential incentives, and contain a variety of proposed uses, including residential, employment, neighborhood retail, as well as an emphasis on pedestrian and bicycle circulation and recreational opportunities. The County would especially like to further the development of any project that would provide significant connection to and expansion of the county and regional trail network.</p>	<p><u>Consistency:</u> The entire Project Site is located within the Union New Community Study Area, as shown in Figure 4.10-3. The purpose of identifying the New Community Study Areas is to provide the opportunity for San Benito County to accommodate some future growth in new unincorporated communities, while protecting productive agricultural lands, preserving open space, and creating a sustainable land use pattern in the county.</p> <p>The Project proposes a mix of residential, commercial, employment, parks, and open space centered around community cores. Residents would be able to live and pursue leisure activities without relying solely on their automobile. The individual neighborhoods would be designed to facilitate pedestrians, bicyclists, and local use vehicle drivers throughout the Project Site.</p> <p>The Project emphasizes pedestrian circulation by providing an interconnected network of sidewalks along internal streets and a series of trails. These pedestrian connections would be provided throughout residential neighborhoods and to neighborhood and community parks, the Amenity Center, golf course and clubhouse, resort hotel, and neighborhood commercial areas.</p> <p>As described in Chapter 7 (Resource Management) of the Specific Plan, the existing natural features of the Project Site would be preserved to the greatest extent feasible. The propose Project would also restore and enhance the natural surface water drainage conditions by designing a system that would protect and enhance the functions and values of aquatic resources on-site (refer to Section 4.4, <i>Biological Resources</i>). These resources would be maintained in perpetuity through the formation of Geologic Hazard Assessment District.</p> <p>Based on the above assessment, the Project would be considered consistent with this policy.</p>



**Table 4.10-2
 Policy Consistency: Public Review Draft 2035 General Plan Update**

Public Review Draft 2035 General Plan Update Policy	Consistency Discussion
<p><u>LU – 8.3 New Community Location Requirements.</u> The County shall only accept applications for the establishment of New Communities if:</p> <ul style="list-style-type: none"> a. They are accessible to existing major transportation routes and corridors, such as State highways, and/or provide opportunities for public transit. b. They are accessible to employment centers. 	<p><u>Consistency:</u> Refer to Land Use Policy 8.2 consistency discussion, above. The Project is located within a New Community Study Area and would be accessible to major transportation routes, provide opportunities for public and active transit, and would provide some on-site employment. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>LU – 8.4 New Community Application Content Requirements.</u> The County shall require all project applicants for New Communities to provide the County with the following information:</p> <ul style="list-style-type: none"> a. A Project Summary that includes: a site history, discussion of the roles of the applicant and County in preparation of the Specific Plan and applicable CEQA environmental review, identification of the anticipated planning issues that will need to be addressed through the application process, and an estimated project schedule. b. Completed General Plan Amendment and Zone Change applications. c. A Specific Plan consistent with State specific plan requirements, including the location and intensity of planned land uses and circulation system. The plan should result in a more dense land use pattern than would normally be allowed under existing General Plan designations and zoning, provide the opportunity for a mix of land uses and densities (e.g., residential, commercial, mixed-use, employment- generating, and public facilities), ensure access and efficient movement by multiple modes of transportation (e.g., car, transit, bicycle, and pedestrians); and provide for energy efficiency and water conservation. d. An Infrastructure Master Plan that identifies public and private infrastructure needs; service district or assessment area formation details; a development phasing plan; and a strategy for the installation, operations, and ongoing maintenance of infrastructure required to support the new community. The Plan should include facility designs and operation techniques that promote energy efficiency and water conservation. The plan shall be consistent with all applicable private, local, regional, State, and Federal infrastructure regulations and programs related to transportation, sewage and wastewater treatment, water quality and quantity, drainage, parks and open space, and any other public facilities, infrastructure, and services. e. A Fiscal Impact Analysis that includes an assessment of projected tax revenues compared to projected County service costs in order to demonstrate that the community will have a fiscally neutral or positive impact on the County and any special districts that provide services to the proposed project. 	<p><u>Consistency:</u> All of the referenced project application information has been submitted to the County and the County has determined that the application is complete.</p>



**Table 4.10-2
 Policy Consistency: Public Review Draft 2035 General Plan Update**

Public Review Draft 2035 General Plan Update Policy	Consistency Discussion
<p>f. A Water Supply Analysis that demonstrates access to adequate existing and future water supply for the proposed project.</p> <p>g. A Public Service Financing Program to ensure that upon buildout the New Community will provide or fund a full range of needed public services, including fire protection, law enforcement, parks, library, community center, and other necessary public services.</p> <p>h. A commitment to enter into a Reimbursement Agreement requiring deposits into a Trust Fund with San Benito County for all, or an agreed upon portion, of the estimated staff costs for processing the application, including the costs for preparing the applicable CEQA environmental review.</p>	
<p><u>LU - 8.5 Sustainable New Communities.</u> The County shall encourage New Communities to be planned and designed to reflect the spirit and intent of sustainable growth strategies, such as providing, as appropriate to the site and scale of the proposed New Community:</p> <p>a. Easy access to major transportation links, transit, and bicycle networks;</p> <p>b. A balance between jobs and housing;</p> <p>c. Good internal connectivity and good connectivity to the community at large;</p> <p>d. A reduced parking footprint; a transportation demand management program;</p> <p>e. Institutions such as schools within walking distance from residences;</p> <p>f. Distinct, compact, walkable neighborhoods, each with a recognizable center;</p> <p>g. Walkable streets with shade trees and side- walks or walking paths;</p> <p>h. Habitat avoidance and conservation plans; and</p> <p>i. Restoration of resources such as riparian corridors; and permanent preservation of open space.</p>	<p><u>Consistency:</u> Refer to Land Use Policy 1.2 and Land Use Policy 8.2 consistency discussions; see also Section 2.0, <i>Project Description</i>, and details of the proposed Project set forth in the Specific Plan. The Project Site is located in a New Community Study Area, and would provide sustainable development patterns, including access to transportation links, transit, and bicycle networks, as well as compact and walkable neighborhoods with good internal connectivity. The Project would provide a mix of land uses, including housing and job opportunities. As described in Section 4.4, <i>Biological Resources</i>, the Project development footprint largely avoids significant biological resources, and impacts to habitat and special status species would be further reduced through required mitigation measures. The Project would preserve an approximately 1,243-acre on-site Permanent Wildlife Habitat area, as well as approximately 114 acres of common open space. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>LU - 8.6 New Community Infrastructure Commitments.</u> The County shall require project applicants for New Communities to study and commit to the County, through a development agreement, that water, wastewater, transportation, and other necessary infrastructure needs can be provided as part of the approval of any New Community.</p>	<p><u>Consistency:</u> Refer to Land Use Policy 8.4 consistency discussion and Sections 4.12, <i>Public Services</i>, 4.13, <i>Transportation and Circulation</i>, and 4.14, <i>Utilities and Service Systems</i>, of the SEIR. A Development Agreement is currently being prepared, and the necessary infrastructure for the Project is either available or would be provided by the Project Applicant. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>LU - 8.7 New Community Public Services Commitments.</u> The County shall require project applicants for New Communities to study and commit to the County, through a development agreement, that necessary long-term public services funding can be provided as part of the approval of any New Community.</p>	<p><u>Consistency:</u> Refer to Land Use Policy 8.4 consistency discussion. A Development Agreement is currently being prepared, and the necessary infrastructure for the Project is either available or would be provided by the Project Applicant. Therefore, the Project would be considered consistent with this policy.</p>



**Table 4.10-2
 Policy Consistency: Public Review Draft 2035 General Plan Update**

Public Review Draft 2035 General Plan Update Policy	Consistency Discussion
<p><u>LU – 8.8 Transportation Efficiency of New Communities.</u> The County shall encourage New Communities to be designed to maximize internal transportation efficiency through designs that minimize trip generation. Design features could include higher density residential uses near employment uses, schools, and neighborhood retail, as well as enhanced pedestrian, bicycling, and transit opportunities.</p>	<p><u>Consistency:</u> The proposed Project’s commercial uses would be primarily small scale retail, medical, and professional services meant to serve the daily convenience needs of the Project Site’s residents, thereby reducing vehicle trips and vehicle miles traveled. As described in Section 4.13, <i>Transportation and Circulation</i>, a mixed-use reduction of 13 percent for total daily trips, 15 percent for AM peak hour trips, and 22 percent for PM peak hour trips is applicable to the Project based on the land use mix and proximity to various land uses outside the Project Site. In addition, the Project emphasizes pedestrian circulation by providing an interconnected network of sidewalks along internal streets and a series of trails, and the Project Site is located near the San Benito County Express transit network, including inter-county bus service with access to the nearby cities of Gilroy and San Juan Bautista. Residents in the Project Site would have easy access to these transit options. Therefore, the Project is consistent with this policy.</p>
<p><u>LU – 8.9 Conservation of Land.</u> The County encourages project applicants for New Communities to use conservation techniques, such as the techniques contained in policies under Goals 3 and 4 of the Land Use Element, as an incentive to protect farmland and focus future development away from the most productive farmland.</p>	<p><u>Consistency:</u> Refer to Land Use Policies 3.9, 3.10, 3.14, and 8.2, consistency discussion. By conserving both on- and off-site agricultural land in perpetuity, the Project would be considered consistent with this policy.</p>
<p><u>LU – 9.7 County General Plan Consistency Report.</u> The County shall monitor and report to the Local Agency Formation Commission (LAFCO) regarding the consistency with the General Plan with any proposed changes in the sphere of influence or other urban boundaries for governmental entities that provide water or sewer services.</p>	<p><u>Consistency:</u> The proposed Project would amend the County of San Benito General Plan and zoning designations for the site as “San Juan Oaks-Specific Plan (SJO-SP).” The proposed Project does not propose a change in the sphere of influence or other urban boundaries for governmental entities that provide water or sewer service. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>LU – 9.8 Sewer and Water Service Commitments.</u> The County shall require new development within the spheres of influence of Hollister or San Juan Bautista to obtain sewer and water service commitments from either the Cities or appropriate special districts prior to project approval.</p>	<p><u>Consistency:</u> The proposed Project is not located within the spheres of influence of either the City of Hollister or San Juan Bautista. The Project would therefore be considered consistent with this policy.</p>
<p><i>Economic Development Element</i></p>	
<p><u>ED – 8.1 Increased Park/Open Space Use and Connection.</u> Create new park space, connect existing and future parks and open space areas/corridors, and encourage public art throughout the County.</p>	<p><u>Consistency:</u> No specific provisions for public art are identified in the Specific Plan. However, the proposed Project includes the establishment four private neighborhood parks (totaling approximately seven acres), an amenity center offering recreational uses, additional approximately 17 acres of public community passive park, approximately 114 acres of open space common areas, and an approximately 1,243-acre permanent wildlife habitat area. The Project would therefore be considered consistent with this policy.</p>



**Table 4.10-2
 Policy Consistency: Public Review Draft 2035 General Plan Update**

Public Review Draft 2035 General Plan Update Policy	Consistency Discussion
<p><u>ED – 8.2 Park and Recreation Maintenance and Establishment.</u> Improve existing parks and recreational facilities, where feasible, in need of repair or upgrading, and acknowledge the positive impact on property values from building and maintaining high quality parks across the County. Establish, where applicable, a range of parks and open spaces, including tot lots, neighborhood parks, community parks, skate parks, sports fields and courts, organized sports complexes, plazas/greens and/or green- ways/parkways within new neighborhoods, business districts and commercial areas.</p>	<p><u>Consistency:</u> Refer to Economic Development Policy 8.1 consistency discussion. The Project would develop a variety of parks and open spaces. In addition, as discussed in Section 4.12, <i>Public Services</i>, the Project would develop adequate parkland to serve Project residents; thus, improvements to existing parks and recreational facilities is not required. The Project would be considered consistent with this policy.</p>
<p><u>ED – 8.3 Park Financing Mechanisms.</u> The County shall use a variety of financing mechanisms to acquire, develop, and maintain park, recreation, and other open space uses consistent with growth in County population and adopted land use policies and shall encourage the establishment of community service districts or other financing mechanisms to finance the maintenance and operation of private and public parks created in conjunction with new development.</p>	<p><u>Consistency:</u> Refer to Economic Development Policy 8.1 consistency discussion. Additionally, all community and neighborhood parks, open space common areas, and the permanent wildlife habitat shall be maintained through the formation of a Geologic Hazard Abatement District (GHAD) and/or Home Owners Association or similar acceptable funding mechanism. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>ED – 8.4 Walking Distance to Parks.</u> Strive to create development patterns such that the majority of residents are within a reasonable walking distance of a park, greenway, public plaza or recreation center.</p>	<p><u>Consistency:</u> Refer to Economic Development Policy 8.1 and Land Use Policy 8.2 consistency discussion. The Project would develop a variety of park and recreation amenities, and the design of the Project Site would be such that residents would be within reasonable walking distance to these facilities. Therefore, the Project would be considered consistent with this policy.</p>
<p><i>Circulation Element</i></p>	
<p><u>C – 1.2 Complete Streets.</u> To promote a road and street network that accommodates cars without requiring car-dependence, the County shall plan for use of roadways by all vehicle types and users, including automobiles, trucks, alternative energy vehicles, agricultural equipment, transit, bicyclists, and pedestrians, when constructing or modifying roadways. Additionally, the County shall plan its road and street network to reflect a context sensitive approach to the design of thoroughfare assemblies, where the allocation of right-of-way and the facilities provided are based on the intended character, whether urban or rural, of a particular location (urban context). Roads and streets within communities shall be designed to support and encourage walkability as a response to their context, whereas roads in open areas of the County shall be designed primarily for vehicular circulation. As such, thoroughfares that serve both open areas and communities in the County shall change as the surrounding urban context varies. This includes:</p> <ul style="list-style-type: none"> a. Encouraging thoroughfare designs that are context sensitive, such as those recommended in <i>Designing Walkable Urban Thoroughfares: A Context Sensitive Approach</i> by the Institute of Transportation Engineers (ITE); 	<p><u>Consistency:</u> The proposed circulation system for the Project is designed as a comprehensive road network to provide a full range of non-automobile and non-gas dependent transportation. Streets would be designed for multiple modes of transportation, including walking, bicycling, or driving a local use vehicle (e.g., golf carts, neighborhood electric vehicles) or automobile. Connections would be designed between and throughout the residential, commercial, and natural areas of the Project Site. Therefore, the Project would be considered consistent with this policy.</p>



**Table 4.10-2
 Policy Consistency: Public Review Draft 2035 General Plan Update**

Public Review Draft 2035 General Plan Update Policy	Consistency Discussion
<p>b. Supporting urban design principles that promote walkability within communities to include:</p> <ul style="list-style-type: none"> i. A mix and variety of land uses designed to be relatively compact and in proximity to one another; ii. Buildings that are oriented toward streets, with appropriately narrow setbacks and functional entries directly fronting onto sidewalks; iii. Pedestrian-scaled architecture, landscape, and thoroughfares designed to provide engaging sidewalk views and comfort to pedestrians traveling at slow speeds; and iv. Circulation networks that provide an interconnected system of streets and open spaces with relatively small block lengths; <p>c. Creating multi-modal street connections in order to establish a comprehensive, integrated, and connected transportation network;</p> <p>d. Incorporating pedestrian and bicycle facilities, where appropriate and feasible, that promote safety and maximize access;</p> <p>e. Planting street trees adjacent to curbs and between the street and sidewalk or walking path to provide a buffer between the pedestrian and the automobile, where appropriate;</p> <p>f. Incorporating traffic calming devices such as roundabouts, bulb-outs at intersections, and traffic tables; and</p> <p>g. Coordinating with other agencies and cities to ensure connections are made between jurisdictions.</p>	
<p>C – 1.3 Roadway Improvement Aesthetics. The County shall require roadway improvements to be designed to conform to existing landforms and to include landscaping and/or other treatments to ensure that aesthetics are preserved, including the county’s rural character.</p>	<p>Consistency: The proposed Project includes streetscape and landscaping design standards which would enhance and preserve roadway aesthetics on the Project Site [refer to Chapter 4 (Circulation and Streetscape Design) of the San Juan Oaks Specific Plan]. The existing rural, informal character of San Juan Oaks Drive would be largely retained and new roads design to conform to the exiting land forms (i.e., a substantial amount of grading would not be required to construct proposed new roads). Thus, the Project would be considered consistent with this policy.</p>
<p>C – 1.4 Funding Sources. Prior to approving new development, the County shall identify, develop, and/or maintain a variety of funding sources to implement the improvements on the Circulation Diagram or other improvements deemed necessary to accommodate the new development at applicable levels of service. These funding sources may include County capital funds as available, building and traffic impact fees for new development or designated benefit areas, developer/subdivider improvements, offers of dedication of rights-of-way, assessment/improvement districts, and gas taxes or other measures.</p>	<p>Consistency: All internal roadways would be constructed by the Project Applicant and be owned and maintained by the HOA. As described in Section 4.13, <i>Transportation and Circulation</i>, the Project applicants would be required to pay the applicable Regional Traffic Impact Mitigation Fee (TIMF) to the County of San Benito as a fair share contribution toward all impacted county and Caltrans roadway facilities. The Project applicants would also be required to pay for any direct off-site roadway impacts caused by the proposed Project, as outlined in Section 4.13. Therefore, the Project would be considered consistent with this policy.</p>



**Table 4.10-2
 Policy Consistency: Public Review Draft 2035 General Plan Update**

Public Review Draft 2035 General Plan Update Policy	Consistency Discussion
<p><u>C – 1.5 Mitigating Transportation Impacts.</u> The County shall assess fees on all new development to ensure new development pays its fair share of the costs for new and expanded transportation facilities, as applicable, to County, City, regional and/or State facilities.</p>	<p><u>Consistency:</u> Refer to Circulation Policy 1.4 consistency discussion. The Project would be considered consistent with this policy.</p>
<p><u>C – 1.9 Dedicate Rights-of-Way.</u> The County shall require project applicants with property fronting along planned road improvements, as a condition of project approval, to dedicate right-of-way and/or construct improvements in accordance with the Circulation Diagram when (1) a nexus can be established between the proposed project and the dedication and/or construction; and (2) the dedication and/or construction would be roughly proportional to the proposed project’s impacts.</p>	<p><u>Consistency:</u> Refer to Circulation Policy 1.4 and 1.5 consistency discussions. The Project would be considered consistent with this policy.</p>
<p><u>C – 1.10 Street Network Plans.</u> The County shall require project applicants to prepare a street network plan for any subdivision proposal located near existing, approved, or proposed development (county or city). The plan shall illustrate how adjoining properties will inter-connect over the long-term and how the plan will improve pedestrian and bicycle connectivity. The plan shall include an interim access plan and a long-term plan that consolidates vehicular access onto arterials/collectors (via street network design, or some other method).</p>	<p><u>Consistency:</u> Chapter 4 (Circulation and Streetscape Design) of the San Juan Oaks Specific Plan includes a street network plan and associated pedestrian and bicycle network plans. This plan illustrates interconnectivity, pedestrian and bicycle improvements, and vehicular access to the site. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>C – 1.11 Discourage Cul-de-Sacs.</u> The County shall encourage developers to minimize the use of cul-de-sac streets in new development. Cul-de-sac streets shall not exceed 800 feet in length and no portion of the cul-de-sac street shall be more than 400 feet from an intersecting street or public accessway unless physical constraints make it unfeasible.</p>	<p><u>Consistency:</u> As shown in Chapter 4 (Circulation and Streetscape Design) of the San Juan Oaks Specific Plan, no cul-de-sac would exceed 800 feet in length or more than 400 feet from an intersecting street or public accessway. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>C – 1.12 Level of Service (LOS) Standard.</u> The County shall endeavor to maintain a General Plan target goal of LOS D at all locations. If a transportation facility is already operating at an LOS D or E, the existing LOS should be maintained. Exceptions should be considered where achievement of these levels of service would cause unacceptable impacts to other modes of transportation, the environment, or private property.</p>	<p><u>Consistency:</u> The Traffic Impact Analysis (TIA) for the Project, as summarized in Section 4.13, <i>Transportation and Circulation</i>, includes an analysis of the proposed Project utilizing the LOS D standard. As noted therein, the Project would comply with the LOS D standards pursuant to implementation of mitigation measures outlined in Section 4.13, <i>Transportation and Circulation</i>. However, some of these improvements may not be feasible, and thus impacts would remain significant and unavoidable for the Project. Nevertheless, the Project would endeavor to maintain a target goal of LOS D for all impacted locations, and thus, the Project would be considered consistent with the intent of this policy.</p>
<p><u>C – 1.14 Driveway Siting.</u> The County shall encourage driveways to be located on adjacent collector streets rather than on arterial streets.</p>	<p><u>Consistency:</u> Proposed driveways in residential areas would be located off of neighborhood streets, which connect to on-site collector roads. The Project does not include new arterials, and thus would not locate driveways on arterials. Driveways in non-residential areas would provide sufficient vehicular access while minimizing impacts to the pedestrian and bicycle realms and would be primarily limited to collector streets. Therefore, the Project would be considered consistent with this policy.</p>



**Table 4.10-2
 Policy Consistency: Public Review Draft 2035 General Plan Update**

Public Review Draft 2035 General Plan Update Policy	Consistency Discussion
<p><u>C – 1.15 Street Networks that Enhance Neighborhood Character.</u> The County shall encourage traditional interconnected street networks that provide alternate routes between neighborhoods and other measures that slow neighborhood traffic and enhance neighborhood character, such as those associated with Complete Streets.</p>	<p><u>Consistency:</u> Refer to Circulation Policy 1.2 consistency discussion. The Project would be considered consistent with this policy.</p>
<p><u>C – 1.16 Roads on Hillside.</u> The County shall require that new public and private roads on hillsides minimize visual impact by blending with natural landforms and by following the natural contours of the land as much as possible and that driveway access in hillside areas be consolidated where possible and limited to areas where adequate sight distance is available for all approaches.</p>	<p><u>Consistency:</u> The only roadway proposed on a hillside would be an unimproved service road to a proposed water tank located south and above the proposed Amenity Center. This roadway would be designed to integrate with the existing contours and landform to the extent practical. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>C – 1.17 Grades on Hillside.</u> The County shall require that new roads on hillsides do not exceed a 15 percent grade. The County may allow grades on hillsides of up to 20 percent for distances of up to 400 feet. Grades over 15 percent must have all weather surfaces, such as asphalt or concrete.</p>	<p><u>Consistency:</u> No roadways would be constructed on hillsides that exceed a 15% grade. As described under Circulation Element Policy 1.16 above, the only roadway on a hillside would be an unimproved service road to a proposed water tank located south and above the proposed Amenity Center. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>C – 2.1 Bicycle, Pedestrian, and Equestrian Systems.</u> The County shall encourage complete, safe, and interconnected bicycle, pedestrian, and equestrian systems, as appropriate to the context, that serve both commuter travel and recreational use, and provide access to major destinations in the county.</p>	<p><u>Consistency:</u> Refer to Circulation Policy 1.2 consistency discussion. Proposed streets would be designed for multiple modes of transportation, including walking, bicycling, or driving a local use vehicle (e.g., golf carts, neighborhood electric vehicles) or automobile. Furthermore, an approximately four-foot bike lane has been proposed on either side of San Juan Oaks Drive to provide access to SR 156 and the County’s regional bicycle network. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>C – 2.2 Pedestrian and Bike Path Construction.</u> The County shall plan, design, and construct pedestrian routes and bikeways consistent with the 2009 County Bikeway and Pedestrian Master Plan or its succeeding plan. Priority shall be given to bicycle commuting routes, routes to schools, bike lanes on all new streets classified as arterials or collectors, and bike lanes on or adjacent to existing heavily traveled roads.</p>	<p><u>Consistency:</u> Refer to Circulation Element Policy 2.1 for consistency discussion, above. The Project would be considered consistent with this policy.</p>
<p><u>C – 2.6 Development Along Planned Bikeways.</u> The County shall require project applicants of new developments adjacent to designated bikeways to provide the portion of the planned bikeway within the development, including rights-of-way dedication and/or construction when (1) a nexus can be established between the proposed development and the dedication and/or construction; and (2) the dedication and/or construction would be roughly proportional to the development’s impacts.</p>	<p><u>Consistency:</u> Figure 4-2 of the Specific Plan displays the proposed on-site bicycle circulation network within the Project Site. This network includes dedicated bike lanes, shared bike and local use vehicle lanes, and shared bike and local use vehicle lanes integrated as multi-use paths. The on-site bicycle circulation network would connect to the larger county-wide bicycle circulation network via San Juan Oaks Drive to Union Road and to SR 156. Therefore, the Project would be considered consistent with this policy.</p>



**Table 4.10-2
 Policy Consistency: Public Review Draft 2035 General Plan Update**

Public Review Draft 2035 General Plan Update Policy	Consistency Discussion
<p><u>C – 2.8 Sidewalks or Pedestrian Paths in Subdivisions.</u> The County shall encourage project applicants to provide sidewalks or pedestrian paths, or other safe and convenient accommodations for pedestrians (e.g., shared-space streets) on all new roads or modifications to existing roads, as appropriate to the context, in accordance with County road-way design standards.</p>	<p><u>Consistency:</u> Refer to Circulation Element Policy 1.2 for consistency discussion. The Project would provide sidewalks and pedestrian paths, consistent with this policy.</p>
<p><u>C – 2.10 Paths Through Cul-de-Sacs.</u> The County shall encourage developments at a density of one unit per acre or greater to include paths for bicycle and pedestrian traffic through or near the ends of loop streets and cul-de-sacs over 500 feet in length and to facilitate bicycle and pedestrian travel.</p>	<p><u>Consistency:</u> All proposed cul-de-sacs are less than 500 feet in length. The proposed Project includes a network of common area open space which abuts most cul-de-sacs and includes informal trails/pathways for pedestrian/bicycle circulation. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>C – 2.11 Curb Ramps.</u> The County shall require developments to include curb ramps at new intersections, consistent with ADA requirements.</p>	<p><u>Consistency:</u> Curb ramps would be constructed at new intersections within the Project Site consistent with ADA requirements. Therefore, the Project would be considered consistent with this policy</p>
<p><u>C – 3.1 Transit-Supportive Land Use.</u> The County shall encourage transit lines, stops, and facilities in locations where land uses and density would support transit use.</p>	<p><u>Consistency:</u> At least one public bus stop with a shelter would be provided along San Juan Oaks Drive near the center of the developable portion of the Project Site. The exact location would be identified in coordination with San Benito County Express. Additionally, it is anticipated that two stops with shelters would be provided along San Juan Oaks Drive: one near the intersection with Del Webb Boulevard (serving the active adult community, amenity center, golf course and clubhouse, and resort hotel); and another near the neighborhood commercial area of the Project Site. An on-site bulletin board would be provided for the purposes of posting bus schedules, park-and-ride facility locations, and notices of availability for alternative transportation services (e.g., airport shuttle). Therefore, the Project would be considered consistent with this policy.</p>
<p><u>C – 3.8 Transit in New Development.</u> The County shall require new development at densities of one unit per acre or greater to provide funding for or construct transit stops and signs in appropriate locations and facilitate access to existing or future public transit through project design, consistent with the Local Transportation Authority Transit Design Guidelines.</p>	<p><u>Consistency:</u> Refer to Circulation Element Policy 3.1 for consistency discussion, above. The Project would provide transit stops, consistent with this policy.</p>
<p><u>C – 3.9 Consistency with RTP.</u> The County shall require all new development proposals to be consistent with and implement the San Benito County Regional Transportation Plan transit policies.</p>	<p><u>Consistency:</u> The most recent San Benito County Regional Transportation Plan (RTP) was adopted on June 19, 2014. Under the goal of Access and Mobility, the RTP has the policy objective of providing “convenient, accessible, and reliable travel options while maximizing productivity for all people and goods in the region.” As described in Section 4.13, <i>Transportation and Circulation</i>, the Project Site is located near the San Benito County Express transit network, including inter-county bus service with access to the nearby cities of Gilroy and San Juan Bautista. The Project has been designed such that residents and other visitors to the Project Site would have easy access to these transit options. Therefore, the Project would be considered consistent with this policy</p>



**Table 4.10-2
 Policy Consistency: Public Review Draft 2035 General Plan Update**

Public Review Draft 2035 General Plan Update Policy	Consistency Discussion
<p><u>C – 3.11 Fixed Bus Route Efficiency.</u> The County shall encourage effective location and design of bus stops, transit centers, and complementary roadway projects that maximize the speed, efficiency, and passenger usability of fixed- route buses and are consistent with the Local Transportation Authority Transit Design Guide- lines.</p>	<p><u>Consistency:</u> Refer to Circulation Element Policy 3.1 for consistency discussion. The Project would be considered consistent with this policy.</p>
<p><i>Public Facilities and Services Element</i></p>	
<p><u>PFS – 1.1 Essential Facilities and Services.</u> The County shall ensure that adequate public facilities and services essential for public health and safety are provided to all county residents and businesses and maintained at acceptable service levels. Where public facilities and services are provided by other agencies, the County shall encourage similar service level goals.</p>	<p><u>Consistency:</u> Refer to Land Use Element Policy 1.1 consistency discussion. The Project Site is located between the cities of Hollister and San Juan Bautista in the county within an area where infrastructure and public services are available or can be extended to meet the needs of the proposed Project. Further, as described in Section 4.12, <i>Public Services</i>, Section 4.14, <i>Utilities and Service Systems</i>, and Section 4.13, <i>Transportation and Circulation</i>, adequate public services and facilities would be available to the Project. Additionally, the applicant would enter into a Development Agreement with the county which would require dedication of an area of the Project Site for the potential future construction of a public safety facility. Because adequate public facilities and services essential for public health and safety would be provided, the Project would be considered consistent with this policy.</p>
<p><u>PFS – 1.2 Facilities and Services Deficiencies.</u> The County shall coordinate with other public facility and service providers, such as Cal Fire and water districts, to identify and find solutions to key infrastructure deficiencies in the county.</p>	<p><u>Consistency:</u> The proposed Project would utilize existing groundwater sources on site. An approximately two-acre site has been identified on site that would be reserved for the County’s benefit to accommodate the potential future construction of a public safety facility. It is anticipated that wastewater would be processed at the City of Hollister Wastewater Treatment Plant which has sufficient capacity to serve the site (although there is an optional on-site WWTP that could be constructed, as further described in Section 2.0, <i>Project Description</i>). All other services including law enforcement, schools, libraries, and emergency medical services have adequate capacity to serve the site (refer to Section 4.12, <i>Public Services</i>). Thus, the Project would be considered consistent with this policy.</p>
<p><u>PFS – 1.4 Level of Service.</u> The County shall preserve, improve, and replace public facilities as necessary to maintain adequate levels of service for existing and future development. Where public facilities and services are provided by other agencies, the County shall encourage similar service level goals.</p>	<p><u>Consistency:</u> Refer to Land Use Policy 1.1 and Public Facilities and Services Policy 1.2 consistency discussions. The Project would be considered consistent with this policy.</p>
<p><u>PFS – 1.9 Development Review.</u> The County shall evaluate facility capacity, levels of service, and/or funding needs during the development review process to ensure adequate levels of service and facilities are provided and maintained.</p>	<p><u>Consistency:</u> Refer to Land Use Policy 1.1 and Public Facilities and Services Policy 1.2 consistency discussions. Sections 4.12, <i>Public Services</i>, 4.13, <i>Transportation and Circulation</i>, and 4.14, <i>Utilities and Service Systems</i>, include a review of facility capacity, levels of service, and/or funding needs for provision of public services and facilities to the site, and demonstrate that adequate levels of service would be provided and maintained. The Project would therefore be considered consistent with this policy.</p>



**Table 4.10-2
 Policy Consistency: Public Review Draft 2035 General Plan Update**

Public Review Draft 2035 General Plan Update Policy	Consistency Discussion
<p><u>PFS – 1.10 Maximize Use of Existing Facilities.</u> The County shall require new development projects to be designed and sited to use existing facilities and services to the extent that such a design and site choice would be consistent with good design principles.</p>	<p><u>Consistency:</u> The proposed Project would be constructed around the facilities of an existing golf course, San Juan Oaks Golf Course & Clubhouse, and has been designed to incorporate these existing facilities into the overall Project design as intended by this policy. In addition, it is anticipated that the Project would connect to the City of Hollister’s domestic wastewater treatment plant/water reclamation facility (DWWTP/WRF), an existing facility (although there is an optional on-site WWTP that could be constructed, as further described in Section 2.0, <i>Project Description</i>). Because the Project would utilize existing facilities and services to the extent possible, it would be considered consistent with this policy.</p>
<p><u>PFS – 1.11 Pay Fair Share.</u> The County shall require new development to pay its fair share of public facility and service costs.</p>	<p><u>Consistency:</u> As discussed in Sections 4.12, <i>Public Services</i>, and 4.13, <i>Transportation and Circulation</i>, the proposed Project would be required to pay applicable public facility and service fees. Refer also to Public Facilities and Services Policy 1.2 consistency discussion. Furthermore, a Development Agreement between the applicant and county is currently being prepared, and would include measures to ensure public services are sufficient and not adversely impacted by development of the proposed Project. The Project would be considered consistent with this policy.</p>
<p><u>PFS – 1.12 New Development Requirements.</u> The County shall require new development, in compliance with local, State, and Federal law, to mitigate project impacts associated with public facilities and services, including, but not limited to, fire, law enforcement, water, wastewater, schools, infrastructure, roads, and pedestrian and bicycle facilities through the use of annexation fees, connection fees, facility construction/expansion requirements, or other appropriate methods.</p>	<p><u>Consistency:</u> Refer to Land Use Element Policy 1.3 consistency discussion. As noted therein, impacts to police protection, fire protection and ambulance services, schools, parks and recreational facilities, and library services and facilities would be less than significant pursuant to payment of required fees. In addition, as described in Section 4.14, <i>Utilities and Service Systems</i>, and 4.13, <i>Transportation and Circulation</i>, proposed on-site water, wastewater, and circulation infrastructure would be adequate to serve the proposed Project, and adequate wastewater capacity exists at the Hollister Water Reclamation Facility to serve the Project. Similarly, adequate landfill capacity is available to serve the Project. Therefore, because impacts of the Project to these services would be adequately mitigated with fees and other measures, the Project would be considered consistent with this policy.</p>
<p><u>PFS – 1.13 Service Agency Notification.</u> County shall notify the appropriate agencies (e.g., cities, special districts, school districts, emergency service providers) of new development applications within their service areas early in review process to allow sufficient time to assess impacts on facilities and services.</p>	<p><u>Consistency:</u> Service agencies have been contacted during preparation of this SEIR, and have been notified of the availability of the Draft SEIR public review period. Therefore, the Project would be considered consistent with this policy.</p>



**Table 4.10-2
 Policy Consistency: Public Review Draft 2035 General Plan Update**

Public Review Draft 2035 General Plan Update Policy	Consistency Discussion
<p><u>PFS – 3.1 Water District Support.</u> The County shall support efforts of the San Benito County Water District to ensure that adequate high-quality water supplies are available to support current residents and businesses and future development projects.</p>	<p><u>Consistency:</u> As described in Section 4.14, <i>Utilities and Service Systems</i>, water for the proposed Project would be derived from existing groundwater sources on site and service would be provided by an investor owned utility regulated by the California Public Utilities Commission or through the creation of a mutual water company. Existing entitlements to produce groundwater from the San Juan Subbasin and the projected ground water supply available from the San Juan Subbasin would be adequate to service both the Project’s individual demands as well as the cumulative demand from the Project and other past, present, and reasonably foreseeable future uses in the San Juan Subbasin. Local groundwater contains high concentrations of total dissolved solids (TDS); average concentrations are 1,210 mg/L (Todd Groundwater 2014). Local groundwater also is “hard,” meaning that it contains high relative concentrations of calcium and magnesium. This is not a health issue, but a nuisance that limits soap suds and results in scaling on plumbing and fixtures. The groundwater would be treated to meet applicable standards, as overseen by SBCWD. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>PFS – 3.9 Sufficient Water Supply for New Development.</u> The County shall require new development to prepare a source water sufficiency study and water supply analysis for use in preparing, where required, a Water Supply Assessment per SB 610 and a Source Water Assessment per Title 22. This shall include studying the effect of new development on the water supply of existing users. The County encourages the development of integrated regional water management plans or similar plans.</p>	<p><u>Consistency:</u> A Water Supply Assessment (WSA) was prepared per County requirements for the proposed Project and is included as Appendix J of this SEIR. As summarized in Section 4.14, <i>Utilities and Service Systems</i>, the WSA indicated that sufficient groundwater is available to service both the Project’s individual demands as well as the cumulative demand from the Project and other past, present, and reasonably foreseeable future uses in the San Juan Subbasin. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>PFS – 4.1 Adequate Water Treatment and Delivery Facilities.</u> The County shall ensure, through the development review process, that adequate water supply, treatment and delivery facilities are sufficient to serve new development, and are able to be expanded to meet capacity demands when needed. Such needs shall include capacities necessary to comply with water quality and public safety requirements.</p>	<p><u>Consistency:</u> The WSA (Tully & Young, 2015; refer to Appendix J), as summarized in Section 4.14, <i>Utilities and Service Systems</i>, found that sufficient groundwater is available to service both the Project’s individual demands as well as the cumulative demand from the Project and other past, present, and reasonably foreseeable future uses in the San Juan Subbasin. Water supply to the Project would be treated to applicable standards, and the delivery facilities would be developed to serve the Project, and therefore would have sufficient capacity for the Project. Therefore, because the Project would have adequate water supply, treatment, and delivery facilities, the Project would be considered consistent with this policy.</p>
<p><u>PFS – 4.2 Water Facility Infrastructure Fees.</u> As a condition of approval for discretionary developments, the County shall not issue approval for a final map until verification of adequate water and wastewater services has been provided, which may include verification of payment of fees imposed for water and wastewater infrastructure capacity per the fee payment schedule from the water and wastewater provider.</p>	<p><u>Consistency:</u> County approval for the proposed Project’s final map would not occur until verification of water and wastewater services has been provided, as required by the County. The availability of both water and wastewater services has also been analyzed in Section 4.14, <i>Utilities and Service Systems</i>. As noted therein, adequate water and wastewater capacity is available to serve the Project. Therefore, the Project would be considered consistent with this policy.</p>



**Table 4.10-2
 Policy Consistency: Public Review Draft 2035 General Plan Update**

Public Review Draft 2035 General Plan Update Policy	Consistency Discussion
<p><u>PFS – 4.6 New Community Water Systems.</u> The County shall require any new community water system, in the unincorporated area of the county, serving residential, industrial, or commercial development to be owned and operated by a public or private entity that can demonstrate to the County adequate financial, managerial, and operational resources.</p>	<p><u>Consistency:</u> Refer to Public Facilities and Services Element Policy 3.1 consistency discussion. Water service to the Project would be provided by an investor owned utility regulated by the California Public Utilities Commission or through the creation of a mutual water company. Either entity would meet the requirements of this policy, and thus the Project would be considered consistent with this policy.</p>
<p><u>PFS – 4.7 Fire Protection Standards for New Development.</u> The County, in coordination with public and private water purveyors and fire protection agencies, shall ensure consistent and adequate standards for fire flows and fire protection for new development, with the protection of human life and property as the primary objectives.</p>	<p><u>Consistency:</u> As part of the Project’s design, all road widths and circulation, as well as the placement of fire hydrants and installation of automatic sprinkler systems, would be designed with the guidance of the San Benito County Fire Department. Specifically, the Project’s water system would be designed to maintain a minimum fire flow of 2,500 gallons per minute (GPM) for two hours (or greater) at 20 pounds per square inch (PSI), which would meet Fire Department fire flow standards. In addition, as discussed in Section 4.12, <i>Public Services</i>, the Project would result in less than significant impacts to fire protection services. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>PFS – 5.3 Adequate Water Treatment and Disposal.</u> The County shall ensure through the development review process that wastewater collection, treatment, and disposal facilities are sufficient to serve existing and new development, and are able to be expanded to meet capacity demands when needed.</p>	<p><u>Consistency:</u> As discussed in Section 4.14, <i>Utilities and Service Systems</i>, it is anticipated that wastewater would be processed at the City of Hollister Wastewater Treatment Plant, which has sufficient capacity to serve the site (although there is an optional on-site WWTP that could be constructed, as further described in Section 2.0, <i>Project Description</i>). Therefore, the Project would be considered consistent with this policy.</p>
<p><u>PFS – 5.4 Developer Requirements.</u> The County shall require that new development meet all County requirements for adequate wastewater collection, treatment, and disposal prior to project approval.</p>	<p><u>Consistency:</u> Refer to Public Facilities and Services Element Policy 4.2 and 5.3 consistency discussion. Adequate wastewater collection, treatment, and disposal capacity is available to serve the Project, and County approval for the proposed Project’s final map would not occur until verification of wastewater services has been provided. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>PFS – 6.1 Adequate Stormwater Facilities.</u> The County shall require that stormwater drainage facilities are properly designed, sited, constructed, and maintained to efficiently capture and dispose of runoff and minimize impacts to water quality.</p>	<p><u>Consistency:</u> The proposed Project would implement a multi-tier stormwater management strategy incorporating Best Management Practices (BMPs) specially designed to mitigate any potential hydrologic impacts and to protect and enhance the functions and values of aquatic resources on-site and in downstream areas. Aspects of the overall stormwater management plan would include use of site design features to limited rainfall runoff, efficiently collecting and retaining or detaining runoff, providing water quality treatment, and managing flows leaving the site. As discussed in Section 4.9, <i>Hydrology and Water Quality</i>, these Project design features would minimize flooding and peak stormwater discharges and related stormwater quality impacts. Mitigation Measure HWQ-3(a) would further require that a final drainage plan be prepared to ensure that the design features outlined in the Specific Plan are implemented. Therefore, the Project would be considered consistent with this policy.</p>



**Table 4.10-2
 Policy Consistency: Public Review Draft 2035 General Plan Update**

Public Review Draft 2035 General Plan Update Policy	Consistency Discussion
<p><u>PFS – 6.2 Best Management Practices.</u> The County shall require best management practices in the development, upgrading, and maintenance of stormwater facilities and services to reduce pollutants from entering natural water bodies while allowing stormwater reuse and groundwater recharge.</p>	<p><u>Consistency:</u> Refer to Public Facilities and Services Element Policy 6.1 consistency discussion, above. The Project would be considered consistent with this policy.</p>
<p><u>PFS – 6.3 Natural Drainage Systems.</u> The County shall encourage the use of natural stormwater drainage systems (e.g. swales, streams) to preserve and enhance the environment and facilitate groundwater recharge.</p>	<p><u>Consistency:</u> Refer to Public Facilities and Services Element Policy 6.1 consistency discussion. The Project proposes to manage runoff through new on-site storm drains to new on-site detention basins. Existing on-site drainage channels would also be used to convey runoff to the proposed detention basins. These existing on-site drainage features include natural channels located in the western portions of the site, and an existing man-made channel along the northern property boundary. In addition, 24 separate stormwater basins have been proposed, including 21 within the area to be developed with residential uses west of the golf course, and three basins within the golf course area. Other natural design features such as bioretention basins, in-ground planters, vegetated swales, and wet ponds would also serve to capture and treat runoff. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>PFS – 6.4 Development Requirements.</u> The County shall require project designs that minimize stormwater drainage concentrations and impervious surfaces, complement groundwater recharge, avoid floodplain areas, and use natural watercourses in ways that maintain natural watershed functions and provide wildlife habitat.</p>	<p><u>Consistency:</u> Refer to Public Facilities and Services Element Policy 6.1 and Policy 6.3 consistency discussions. The Project would minimize impervious surfaces by using minimum street widths and minimum driveway widths, and all residential lots would be graded to drain toward the street so that runoff from individual homes is routed through treatment controls. The Project would utilize natural drainage design features. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>PFS – 6.5 Stormwater Detention Facilities.</u> Where necessary, the County shall require on-site detention/retention facilities and/or velocity reducers to maintain pre-development runoff flows and velocities in natural drainage systems.</p>	<p><u>Consistency:</u> As discussed in Section 4.9, <i>Hydrology and Water Quality</i>, the proposed drainage system would match post-Project peak flow rates to pre-Project levels from the 2-, 10- and 100-year storm events at a point of compliance set in the drainage ditch near the northwest corner of the Project Site, in compliance with this policy.</p>
<p><u>PFS – 6.6 Stormwater Detention Basin Design.</u> The County shall require stormwater detention basins be designed to ensure public safety, be visually unobtrusive, provide temporary or permanent wildlife habitat, and where feasible, provide recreation opportunities.</p>	<p><u>Consistency:</u> The Project would include 24 separate stormwater basins, including 21 within the area to be developed with residential uses west of the golf course, and three basins within the golf course area. The basins within the golf course would serve as hazards within the course, and would therefore indirectly provide recreation opportunities. The remaining basins would be designed with native and adaptive plant materials that can withstand occasional flooding and dry periods, and planting aesthetics that would provide a natural and visually pleasing appearance. Thus, the proposed basins would be visually unobtrusive, provide habitat, and provide recreation opportunities, consistent with this policy.</p>



**Table 4.10-2
 Policy Consistency: Public Review Draft 2035 General Plan Update**

Public Review Draft 2035 General Plan Update Policy	Consistency Discussion
<p><u>PFS – 6.7 Runoff Water Quality.</u> The County shall require all drainage systems in new development and redevelopment to comply with applicable State and Federal non-point source pollutant discharge requirements.</p>	<p><u>Consistency:</u> Refer to Public Facilities and Services Element Policy 6.5 consistency discussion. The Project would comply with applicable discharge requirements, and would therefore be considered consistent with this Policy.</p>
<p><u>PFS – 6.8 Reduce Erosion and Sedimentation.</u> The County shall ensure that drainage systems are designed and maintained to minimize soil erosion and sedimentation and maintain natural watershed functions.</p>	<p><u>Consistency:</u> Refer to Public Facilities and Services Element Policy 6.1 consistency discussion. The Project proposes to implement a variety of features that would minimize soil erosion and sedimentation during Project operation, such as bioretention basins, in-ground planters, vegetated swales, and sediment and debris controls. Mitigation Measure HWQ-3(a) would further require that a final drainage plan be prepared to ensure that the design features outlined in the Specific Plan are implemented. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>PFS – 7.1 Adequate Capacity.</u> The County shall ensure that there is adequate capacity within the solid waste system for the collection, transportation, processing, recycling, and disposal of solid waste to meet the needs of existing and projected development.</p>	<p><u>Consistency:</u> Solid waste from the Project Site would be disposed at the John Smith Road Landfill, as Class III landfill with a maximum permitted capacity of 9,354,000 cubic yards. As described in Section 4.14, <i>Utilities and Service Systems</i>, the landfill would have adequate capacity to receive solid waste from the proposed Project. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>PFS – 7.3 Onsite Facilities of Non-Residential Development.</u> The County shall require that all new non-residential development has the necessary onsite facilities for temporary solid waste and recycling storage, handling, and collection prior to issuing building permits.</p>	<p><u>Consistency:</u> All non-residential buildings on the Project Site would have the necessary solid waste storage facilities in place prior to issuing building permits, consistent with this policy.</p>
<p><u>PFS – 7.6 Construction Materials Recycling.</u> The County shall encourage recycling and reuse of construction waste, including recycling materials generated by the demolition of buildings, with the objective of diverting 50 percent to a certified recycling processor. The County shall encourage salvaged and recycled materials for use in new construction.</p>	<p><u>Consistency:</u> To assist in reducing waste, the Specific Plan identifies that construction contractors would be required to provide recycling bins for glass, metals, paper, wood, plastic, green wastes, and cardboard during construction activities on the site. The analysis of solid waste impacts in Section 4.14, <i>Utilities and Service Systems</i>, assumes that the Project would have a 51 percent reduction in solid waste generation for most on-site uses, consistent with the latest reported County of San Benito diversion rate. Therefore, the proposed Project would be considered consistent with this policy.</p>
<p><u>PFS – 8.4 Avoid Conflicts with Agricultural Operations.</u> The County shall encourage utility transmission lines to follow field edges to minimize impacts on agricultural operations.</p>	<p><u>Consistency:</u> On-site utility transmission lines on the Project Site would follow field edges where the site adjoins agricultural areas. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>PFS – 8.5 Undergrounding of Utility Lines.</u> The County shall require utility lines in subdivisions to be placed underground. During roadway construction or as other opportunities are presented, the County shall encourage utility providers to underground existing utility lines.</p>	<p><u>Consistency:</u> All on-site utility lines would be placed underground, consistent with this policy.</p>



**Table 4.10-2
 Policy Consistency: Public Review Draft 2035 General Plan Update**

Public Review Draft 2035 General Plan Update Policy	Consistency Discussion
<p><u>PFS – 9.7 Subdivision Improvement Requirements.</u> The County shall require new residential and commercial development projects to include the facility components necessary to support modern telecommunication technologies, such as conduit space within joint utility trenches.</p>	<p><u>Consistency:</u> Telecommunications services would be provided by AT&T and Charter Communications. These utilities currently serve the existing area and would be expanded to the rest of the area by the applicant commensurate with each phase of the proposed Project. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>PFS – 10.3 New School Location.</u> The County shall encourage school districts to site new schools in locations that are consistent with current and future land uses. The County shall also encourage the siting of new schools near residential areas with safe access for students to walk or bicycle to and from their homes.</p>	<p><u>Consistency:</u> The proposed Project would generate an estimated total of approximately 35 elementary, middle, and high school students (refer to Impact PS-3 in Section 4.12, <i>Public Services</i>). These students would be generated by residents of the 67 non-age restricted residential units, as the age-restricted units generally would not allow any elementary, middle, or high school age children. Children may be permitted within the active adult community under rare circumstances, however, the number of children would be nominal. The estimated 35 students could be accommodated at existing school facilities. Therefore, the Project would not require new schools, and would not conflict with this policy.</p>
<p><u>PFS – 10.5 School Impact Fees.</u> The County shall support the efforts of school districts to obtain necessary funding, including school impact fees.</p>	<p><u>Consistency:</u> The proposed Project developers would be required to pay the applicable SB 50 school impact fee for both residential and commercial development, consistent with this policy.</p>
<p><u>PFS – 11.2 Health Care Services.</u> The County shall support efforts by the private and non-profit organizations to provide expanded health services and access to youth, families, seniors, and special needs groups throughout the county. The County shall provide information on health care services in the area, such as prenatal screening, hospice care, and home health care, through newsletters, special pamphlets, and the County website.</p>	<p><u>Consistency:</u> The proposed Project includes an on-site assisted living/skilled nursing/memory care facility, which would contribute to the county’s overall provision of health care services, including specifically for seniors. Therefore, the Project would be considered consistent with this policy</p>
<p><u>PFS – 11.6 Senior Health Care.</u> The County shall pursue partnerships with local health service providers to provide programs such as health screening, medication monitoring, senior abuse education/prevention, adult day care/support for care givers, and in-home assistance.</p>	<p><u>Consistency:</u> Refer to Public Facilities and Services Element Policy 11.2 consistency discussion. The Project would be considered consistent with this policy.</p>
<p><u>PFS – 11.7 Senior Care Facilities.</u> The County shall encourage the development of Active Adult Communities; continuing care, assisted living, and Alzheimer’s facilities; as well as other appropriate facilities that support seniors in the County.</p>	<p><u>Consistency:</u> Refer to Public Facilities and Services Element Policy 11.2 consistency discussion. Furthermore, a primary component of the proposed Project is the establishment of an active adult community. Thus, the Project would be considered consistent with this policy.</p>



**Table 4.10-2
 Policy Consistency: Public Review Draft 2035 General Plan Update**

Public Review Draft 2035 General Plan Update Policy	Consistency Discussion
<p><u>PFS – 12.2 Sheriff Department Response Time Standards.</u> The County shall strive to achieve and maintain appropriate Sheriff Department response times for all call priority levels to provide adequate law enforcement services for all County residents.</p>	<p><u>Consistency:</u> The San Benito County Sheriff’s Department provides police service for the Project Site. As described in Section 4.12, <i>Public Services</i>, the proposed Project would generate a service population of approximately 2,560, which would require 2-3 additional law enforcement personnel in order to maintain a service ratio of 0.5 service enforcement personnel per 1,000 residents/employees. However, the addition of 2-3 additional personnel would not require additional or expanded facilities. The required payment of public facility fees would help fund additional police vehicles that would help maintain the existing service level with the increase in service population. In addition, the Project proposes to include a funding mechanism which may be used to pay for additional personnel. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>PFS – 12.4 Fair Share.</u> The County shall require new development to pay its fair share of the costs for providing law enforcement service facilities and equipment to new residents.</p>	<p><u>Consistency:</u> Refer to Public Facilities and Services Element Policy 12.2 consistency discussion. The Project would be considered consistent with this policy.</p>
<p><u>PFS – 13.1 Fire Staffing and Response Time Standards.</u> The County shall strive to maintain fire department staffing levels and response times consistent with National Fire Protection Association standards.</p>	<p><u>Consistency:</u> The proposed Project would increase the service population for the City of Hollister Fire Department, who would serve the Project Site, creating a commensurate increase in the demand for fire personnel and equipment. To maintain current response times, the addition of one part-time personnel would be needed. The Project would be required to pay the applicable development impact fee, which would be used to pay for capital expenditures and equipment. In addition, the Project proposes a funding mechanism which may be used to pay for additional personnel. Finally, the Project applicants have incorporated into their proposal an offer of dedication to the County for an approximately two-acre site (consistent with the 2003 project conditions of approval), as a potential future site for an additional fire station or other public safety facility. Thus, the Project would not impact staffing levels or response times, and would be considered consistent with this policy. .</p>
<p><u>PFS – 13.5 Water Service Standards.</u> The County shall require all development within unincorporated communities to have adequate water supply, pressure, and capacity for fire protection.</p>	<p><u>Consistency:</u> Refer to Public Facilities and Services Element Policy 4.7 consistency discussion. As described previously, adequate groundwater is available to serve the Project. In addition, the Project’s water system would be designed to maintain minimum fire flow standards. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>PFS – 13.7 Fire Facility Fees.</u> The County shall require new development to pay its fair share of fees for new fire station facilities, equipment, and staffing necessary to maintain the County’s service standards in that area. New development may also be required to create or join a special assessment district or other funding mechanism, to pay the costs associated with the operation of a fire station.</p>	<p><u>Consistency:</u> Refer to Public Facilities and Services Element Policy 13.1 consistency discussion. The Project would be required to pay the applicable development impact fee, which would be used to pay for capital expenditures and equipment. In addition, the Project proposes a funding mechanism which may be used to pay for additional personnel. Thus, the Project would be considered consistent with this policy.</p>



**Table 4.10-2
 Policy Consistency: Public Review Draft 2035 General Plan Update**

Public Review Draft 2035 General Plan Update Policy	Consistency Discussion
<p><u>PFS – 13.8 Fire Station Locations.</u> The County shall strive to locate new fire stations in areas that ensure the minimum response times to service calls.</p>	<p><u>Consistency:</u> As described in Public Facilities and Services Element Policy 13.1 consistency discussion, the addition of one part-time personnel would be needed to maintain current response times, and the Project proposes a funding mechanism which may be used to pay for additional personnel. In addition, the Project applicant have incorporated into their proposal an offer of dedication to the County for an approximately two-acre site (consistent with the 2003 project conditions of approval), as a potential future site for an additional fire station or other public safety facility.¹ If the County chooses to construct a fire station in this location at a later date, doing so would further reduce response times to the Project Site. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>PFS – 13.9 Fire Safety Compliance.</u> The County shall ensure that all proposed developments are reviewed for compliance with the California Fire Code and other applicable State laws.</p>	<p><u>Consistency:</u> As part of final Project approval, the county would ensure that the proposed Project is compliant with applicable codes and laws per the intent of this policy.</p>
<p><i>Natural and Cultural Resources</i></p>	
<p><u>NCR – 1.1 Integrated Network of Open Space.</u> The County shall maintain an integrated network of open space lands that support natural resources, recreation, tribal resources, wildlife habitat, water management, scenic quality, and other beneficial uses.</p>	<p><u>Consistency:</u> The proposed Project would set aside approximately 1,243 acres of the southern and northeastern portion of the Project Site as a Permanent Wildlife Habitat area. With the exception of associated access roads and trails, this land would be designed as non-buildable through deed restrictions or another similar method. A conservation easement would be placed on these parcels and a Geologic Hazard Abatement District (GHAD), or similar mechanism, would be established by the applicant to fund management activities of the easement in perpetuity. Additionally, the proposed Project would establish an approximately 114-acre common area open space within the residential areas of the site. These open space areas would support natural resources, wildlife habitat, scenic quality, and other benefits. Overall, the Project would be considered consistent with this policy.</p>
<p><u>NCR – 1.2 Conservation Easements.</u> The County shall support and encourage the use of conservation easements to protect open space that contains valuable natural resources.</p>	<p><u>Consistency:</u> Refer to Natural and Cultural Resources Element Policy 1.1 consistency discussion, above. The Project would include approximately 1,243 acres of on-site Permanent Wildlife Habitat, maintained through a conservation easement. Therefore, the Project would be considered consistent with this policy.</p>

¹ To date, the County has no plans or funding for purposes of constructing any such facility, and has the discretion whether or not to accept such offer of dedication and/or pursue construction of these improvements; accordingly, there are no plans for development and thus it would be speculative to evaluate any such facility in this SEIR. In the event the County ultimately decides to accept such offer of dedication and pursues construction of said facility, the County would conduct the required environmental review at that time in accordance with applicable law.



**Table 4.10-2
 Policy Consistency: Public Review Draft 2035 General Plan Update**

Public Review Draft 2035 General Plan Update Policy	Consistency Discussion
<p><u>NCR – 1.3 Open Space Overlay District.</u> The County shall continue to protect and preserve the rural landscape and implement open space policies for: public health, safety, and welfare; continued agricultural uses; scenic viewscape preservation, including scenic highway corridors, park and recreation uses; conservation of significant natural resources; the containment and definition of limits to urbanization; and the preservation of the natural habitat for threatened and/or endangered plant and animal species.</p>	<p><u>Consistency:</u> Refer to Natural and Cultural Resources Element Policy 1.1 consistency discussion. The on-site permanent wildlife habitat, open space areas, and on- and off-site agricultural preserves would protect and preserve the rural landscape, consistent with this policy.</p>
<p><u>NCR – 2.2 Habitat Protection.</u> The County shall require major subdivisions within potential habitat of Federal- or State-listed rare, threatened, or endangered plant or animal species to mitigate the effects of development. Mitigation for impacts to species may be accomplished on land preserved for open space, agricultural, or natural resource protection purposes.</p>	<p><u>Consistency:</u> As discussed in Section 4.4, <i>Biological Resources</i>, all impacts to sensitive habitat and special status species would be mitigated to a less than significant level. Mitigation measures include, but are not limited to, compensatory mitigation. In addition, as described under the Natural and Cultural Resources Element Policy 1.1 consistency discussion, the Project would set aside approximately 1,243 acres of the southern and northeastern portion of the Project Site as a Permanent Wildlife Habitat area. The Project would further set aside approximately 41 acres on-site and approximately 153 acres off-site in permanent agricultural use. Thus, the Project would be considered consistent with this policy.</p>
<p><u>NCR – 2.4 Maintain Corridors for Habitat.</u> The County shall protect and enhance wildlife migration and movement corridors to ensure the health and long-term survival of local animal and plant populations, in particular contiguous habitat areas, in order to increase habitat value and lower and management costs. As part of this effort, the County shall require road and development sites in rural areas to:</p> <ul style="list-style-type: none"> a. Be designed to maintain habitat connectivity with a system of corridors for wildlife or plant species and avoiding fragmentation of open space areas; and b. Incorporate measures to maintain the long-term health of the plant and animal communities in the area, such as buffers, consolidation of/or rerouting access, transitional landscaping, linking nearby open space areas, and habitat corridors. 	<p><u>Consistency:</u> As noted in Section 4.4, <i>Biological Resources</i>, the Project Site is not likely to be an important wildlife movement corridor between the Gabilan Range and the San Benito River to the north of existing agricultural development. However, impacts to wildlife and plant and animal species could occur. These impacts are assessed in Section 4.4, <i>Biological Resources</i>, and all impacts would be reduced to a less than significant level through the implementation of required mitigation measures. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>NCR – 2.5 Mitigation for Wetland Disturbance or Removal.</u> The County shall require development to avoid encroachment on wetlands to the extent practicable and shall require mitigation for any development proposals that have the potential to reduce wetland habitat.</p>	<p><u>Consistency:</u> A seasonal jurisdictional wetland occurs in the northwest corner of the site. Mitigation measures identified in Section 4.4, <i>Biological Resource</i>, for riparian and wetland protection would apply to the proposed Project. Furthermore, the Specific Plan includes design measures which would buffer riparian and wetland habitat from development, including grading, by establishing appropriate setbacks. Therefore, the Project would be considered consistent with this policy.</p>



**Table 4.10-2
 Policy Consistency: Public Review Draft 2035 General Plan Update**

Public Review Draft 2035 General Plan Update Policy	Consistency Discussion
<p><u>NCR – 2.6 Regeneration of Oak Woodland Communities.</u> The County shall promote the restoration, restocking, and protection of oak woodland habitat on public and private lands in the county through a combination of the habitat conservation planning, inter-agency coordination, and update development review or tree preservation procedures.</p>	<p><u>Consistency:</u> The proposed Project includes design features and mitigation measures to avoid and reduce potential impacts to oak woodlands. As described in Section 4.4, <i>Biological Resources</i>, the Project has been designed to incorporate existing oak trees into on-site landscaping, as feasible, and to avoid direct impacts to native trees, where feasible. Nevertheless, the Project would result in impacts to individual oak trees. The Project would be required to comply with the San Benito County Municipal Code Chapter 19.33 – Management and Conservation of Woodlands, and Ordinance No. 757 (Urgency Ordinance Providing for Interim Management and Conservation of Woodlands in San Benito County). In addition, mitigation outlined in Section 4.4, <i>Biological Resources</i>, would reduce impacts to oak trees and the habitat they provide to a less than significant level. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>NCR – 2.7 Mitigation of Oak Woodlands.</u> The County shall encourage development near oak woodlands to be clustered to avoid, where technically or economically practical, the loss of heritage oak trees. The County shall require transitional buffers to help maintain viable ecosystems where appropriate. Where removal of trees cannot be avoided, the County shall require project applicants to prepare a mitigation plan that identifies on- or off-site tree replacement.</p>	<p><u>Consistency:</u> Refer to Natural and Cultural Resources Element Policy 2.6 consistency discussion. The Project would be considered consistent with this policy.</p>
<p><u>NCR – 3.1 Comprehensive Park System.</u> The County shall continue to acquire, develop, operate, and maintain a comprehensive system of parkland and recreational facilities that include active and passive recreation for a wide range of users.</p>	<p><u>Consistency:</u> The proposed Project includes the establishment of four neighborhood parks (seven acres), an approximately 17-acre passive park, approximately 114 acres of open space common areas, and an approximately 1,243-acre permanent wildlife habitat area. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>NCR – 3.2 Park Ratio Standard.</u> The County shall encourage and support the development of recreational facilities to serve unincorporated communities at a ratio of five acres of recreation area per 1,000 persons.</p>	<p><u>Consistency:</u> As described in Section 4.12, <i>Public Services</i>, the residential components of the Project would generate new County residents and an associated demand for parkland according to County parkland to population ratios (five acres of parkland per 1,000 residents). Based on the Project’s projected population of 1.67 per household for the active adult community (1,017 units) and 3.51 per household for the conventional housing (67 units) the proposed Project would generate 1,934 residents. The Project’s development would therefore be required to include approximately ten acres of parklands. The proposed Project includes four neighborhood parks (seven acres) and an approximately 17-acre passive park. In total, the Project would include approximately 24 acres of parkland, which exceed the County standards by approximately 14 acres. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>NCR – 3.6 Optimal Use of Parks.</u> The County shall provide the optimal level of service for each County park, based on its use and cost-effectiveness, recognizing that each individual facility has a different mission and a unique set of operating conditions.</p>	<p><u>Consistency:</u> Refer to Natural and Cultural Resources Policy 3.1 consistency discussion. Each park developed as part of the Project would be designed to provide the optimal level of service for the individual facility, consistent with this policy.</p>



**Table 4.10-2
 Policy Consistency: Public Review Draft 2035 General Plan Update**

Public Review Draft 2035 General Plan Update Policy	Consistency Discussion
<p><u>NCR – 3.7 On-Site Recreation.</u> The County shall require new major subdivisions to include on-site recreation facilities, with design and features appropriate to the size, type, and setting of each subdivision and with financing for long-term maintenance.</p>	<p><u>Consistency:</u> Refer to Natural and Cultural Resources Policy 3.1 consistency discussion. The Project would be considered consistent with this policy.</p>
<p><u>NCR – 3.9 Evaluation of New Development.</u> The County shall require an evaluation of new development within existing communities to include an analysis of the individual and cumulative effect of the development on the recreational needs of the community and county.</p>	<p><u>Consistency:</u> The evaluation of the Project’s individual and cumulative effect on parks and recreation facilities is provided in Section 4.12, <i>Public Services</i>. As noted therein, the Project would provide more than the required parkland acreage to meet County park ratio standards (refer to Natural and Cultural Resources Policy 3.2 consistency discussion). Therefore, the Project would be considered consistent with this policy.</p>
<p><u>NCR – 4.1 Mitigation for Wetland Disturbance or Removal.</u> The County shall consider implementing Regional Water Quality Control Board Basin Plan policies to improve areas of low water quality, maintain water quality on all drainage, and protect and enhance habitat for fish and other wildlife on major tributaries to the Pajaro River (San Benito River, Pacheco Creek) and the Silver Creek watershed.</p>	<p><u>Consistency:</u> As described in Section 4.9, <i>Hydrology and Water Quality</i>, the Project would include new on-site detention basins, storm drains, and other drainage features, which would serve to ensure that the Project does not impair local water quality, consistent with the Basin Plan. Mitigation Measure HWQ-3(a) would require that the amenities described in the Specific Plan are implemented, thus ensuring less than significant impacts, including to water quality in the downstream San Benito River. Further, the Project Site is not located near Pacheco Creek, nor is it within the Silver Creek watershed. Thus, the Project would not result in impacts to these areas. Because the Project would not degrade water quality or impact habitat for fish or other habitat on major tributaries to the Pajaro River and the Silver Creek watershed, the Project would be considered consistent with this policy.</p>
<p><u>NCR – 4.3 Agricultural Water.</u> The County shall require well tests for non-agricultural development to provide evidence that 100 percent of the water needs may be met without connecting to the San Felipe Water System.</p>	<p><u>Consistency:</u> The Project applicant has completed construction of test wells on the site and submitted their findings to the County. In addition, the WSA prepared for the Project (Tully & Young, 2015; refer to Appendix J) determined that sufficient groundwater is available to service both the Project’s individual demands as well as the cumulative demand from the Project and other past, present, and reasonably foreseeable future uses in the San Juan Subbasin. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>NCR – 4.4 Open Space Conservation.</u> The County shall encourage conservation and, where feasible, creation or restoration of open space areas that serve to protect water quality such as riparian corridors, buffer zones, wetlands, undeveloped open space areas, and drainage canals.</p>	<p><u>Consistency:</u> Refer to Natural and Cultural Resources Element Policy 1.1 consistency discussion. The Project would be considered consistent with this policy.</p>
<p><u>NCR – 4.5 Groundwater Recharge.</u> The County shall encourage new development to preserve, where feasible, areas that provide important groundwater recharge and stormwater management benefits such as undeveloped open spaces, natural habitat, riparian corridors, wetlands, and natural drainage areas.</p>	<p><u>Consistency:</u> The pumping of groundwater from the San Juan Subbasin would not be expected to lower groundwater tables during normal and wetter years, and sufficient storage capacity exists for dry year demands [refer to Section 4.14, <i>Utilities and Service Systems</i>, and the WSA (Tully & Young, 2015; Appendix J)]. Additionally, landscaping on the Project Site would reinforce the principles of Low Impact Development for storm drainage, water infiltration, and groundwater recharge. Therefore, the Project would be considered consistent with this policy.</p>



**Table 4.10-2
 Policy Consistency: Public Review Draft 2035 General Plan Update**

Public Review Draft 2035 General Plan Update Policy	Consistency Discussion
<p><u>NCR – 4.6 Groundwater Studies for New Development.</u> To ensure an adequate water supply, large-scale development projects that meet the criteria in California Water Code section 10912 shall prepare an analysis of the sufficiency of the groundwater from the basin or basins from which the proposed project will be supplied to meet the proposed projected water demand associated with the proposed project in accordance with SB 610.</p>	<p><u>Consistency:</u> Refer to Public Facilities and Services Element Policy 3.9 consistency discussion. A Water Supply Assessment (WSA) was prepared in accordance with SB 610 for the proposed Project and is included as Appendix J of this SEIR. The WSA demonstrates that adequate water supply is available for the Project. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>NCR – 4.7 Best Management Practices.</u> The County shall encourage new development to avoid significant water quality impacts and protect the quality of water resources and natural drainage systems through site design, source controls, runoff reduction measures, and best management practices (BMPs).</p>	<p><u>Consistency:</u> Refer to Public Facilities and Services Element Policy 6.1 consistency discussion. As noted therein, the Project would implement a multi-tier stormwater management strategy incorporating Best Management Practices (BMPs) specially designed to mitigate any potential hydrologic impacts and to protect and enhance the functions and values of aquatic resources on-site and in downstream areas, and impacts associated with water quality from the Project would be reduced to a less than significant level with mitigation requiring a final drainage plan to ensure that the design features outlined in the Specific Plan are implemented. Thus, the Project would be considered consistent with this policy.</p>
<p><u>NCR – 4.10 Water Efficient Landscape Ordinance.</u> The County shall develop, maintain, and implement a Water Efficient Landscape Ordinance, consistent with the Model Water Efficient Landscape Ordinance prepared by the California Department of Water Resources, to require greater use of regionally native drought-tolerant vegetation, limitations on the amount of turf in residential development, and other measures as appropriate.</p>	<p><u>Consistency:</u> The proposed Project includes development standards and design guidelines to minimize the use of water for landscaping. This includes the use of drought tolerant plants and a landscape program that reinforces the principles of Low Impact Development for water infiltration and groundwater recharge. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>NCR – 4.11 Reclaimed Water.</u> The County shall require, where feasible, the use of reclaimed water irrigation systems in new development wherever possible.</p>	<p><u>Consistency:</u> While the proposed Project is anticipated to be wholly reliant on groundwater, two potential alternative supplies may be available to serve non-potable uses within the Project in the future, including recycled water. As discussed in Section 2.0, <i>Project Description</i>, Section 4.14, <i>Utilities and Service Systems</i>, and the WSA (Appendix J), if available in the future, recycled water could be used to meet a portion of the proposed Project’s non-potable irrigation demands. Therefore, the proposed Project’s water supply system facilities include on-site “purple pipes” for the distribution of recycled water within the Project (see Figure 2-12a in Section 2.0, <i>Project Description</i>). However, the Project does not include the construction of recycled water infrastructure outside of the Project Site, including a pipeline for the delivery of recycled water from the City of Hollister to the water supplier for the proposed Project for use on the Project Site. Accordingly, recycled water is not currently available to the Project Site and there are no current plans to construct facilities that would enable recycled water to be transported to the Project Site from the City of Hollister. Because use of such water is speculative, assessment of environmental impacts of providing and use of recycled water on the Project Site is not required at this time, and subsequent review under CEQA would be required in</p>



**Table 4.10-2
 Policy Consistency: Public Review Draft 2035 General Plan Update**

Public Review Draft 2035 General Plan Update Policy	Consistency Discussion
	the future if recycled water becomes available and will be used on the Project Site. Nevertheless, because the Project would include on-site purple pipe, and because recycled water may be available to the Project Site in the future, the Project would be considered consistent with this policy. However, if the optional on-site WWTP is built instead, there would be recycled water on-site and thus has been evaluated in Section 4.14, <i>Utilities and Service Systems</i> .
<p><u>NCR – 4.12 Rainwater Catchment.</u> The County shall encourage homeowners to install roof catchment systems and use rainwater for non-potable uses in order to reduce the need for groundwater.</p>	<p><u>Consistency:</u> The Specific Plan includes provisions to educate homeowners about water conservation measures. Although roof catchment systems are not specifically mentioned in the Specific Plan, the installation of roof catchment systems and other similar methods may be included in these education materials, consistent with this policy..</p>
<p><u>NCR – 4.13 Shared Water Systems.</u> The County shall develop, maintain, and implement an ordinance to allow for shared water systems to facilitate the clustering of homes and preservation of agricultural land, where an entity is established to provide maintenance or financing for the maintenance of the water system.</p>	<p><u>Consistency:</u> Refer to Public Facilities and Services Element Policy 3.1 consistency discussion. As described therein, water for the proposed Project would be derived from existing groundwater sources on site and service would be provided by an investor owned utility regulated by the California Public Utilities Commission or through the creation of a mutual water company, consistent with this policy. Further, the proposed residential development would be clustered on the site, which would allow for the preservation of approximately 1,243 acres as permanent wildlife habitat. Thus, the Project would be considered consistent with this policy.</p>
<p><u>NCR – 4.16 Develop in Existing Areas.</u> The County shall encourage development to occur in or near existing developed areas in order to reduce the use of individual septic systems in favor of domestic wastewater treatment in an effort to protect groundwater quality.</p>	<p><u>Consistency:</u> Wastewater generated from the Project Site would be collected and conveyed via a sanitary sewer force main to the City of Hollister’s wastewater treatment plant for processing. An optional on-site WWTP has also been proposed; however, there are no new septic treatment systems proposed as part of the Project. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>NCR – 6.1 Local Renewable Energy.</u> The County shall strive to increase the supply of locally-produced, renewable energy (e.g., solar, wind, geothermal, and biomass) in order to promote energy independence and efficiency.</p>	<p><u>Consistency:</u> The Specific Plan design guidelines (Chapter 3) specify that rooftop solar panels, solar films, small-scale wind turbines, and other similar features may be used to generate electricity. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>NCR – 8.1 Protect Scenic Corridors.</u> The County shall endeavor to protect the visual characteristics of certain transportation corridors that are officially designated as having unique or outstanding scenic qualities.</p>	<p><u>Consistency:</u> The Project Site is not located within a transportation corridor that is officially designated as having unique or outstanding scenic qualities, although SR 156 is considered eligible for state scenic highway designation. As described Section 4.1, <i>Aesthetics</i>, the proposed Project would have a less than significant impact on scenic visits due to the distance of the Project Site from public viewing areas relative to the height of the proposed buildings on the site. Therefore, the Project would be considered consistent with this policy.</p>



**Table 4.10-2
 Policy Consistency: Public Review Draft 2035 General Plan Update**

Public Review Draft 2035 General Plan Update Policy	Consistency Discussion
<p><u>NCR – 8.4 Review Architectural Design.</u> The County shall review development proposals to ensure that the obstruction of views is minimized through architectural building massing and location that is compatible with scenic areas.</p>	<p><u>Consistency:</u> Refer to Natural Resources Conservation Element Policy 8.1 consistency discussion. The Specific Plan includes design guidelines for site design, architecture, circulation, parking, lighting, signage, and other distinguishing features to promote a high-quality development. As described in Section 4.1, <i>Aesthetics</i>, while the Project would substantially alter the aesthetic character of the site vicinity by changing the area’s character from rural to a more urbanized developed setting, these design features would minimize negative aesthetic impacts, and help ensure development of a thoughtful, cohesive, and well-designed community. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>NCR – 8.5 Review Site Planning.</u> The County shall review development proposals to ensure a reasonable and attractive appearance from the highway concurrent with a harmonious relationship with the existing landscape and shall require development that determined not to be in harmonious relationship with the existing landscape to be screened from view through planting or other forms of visual buffers.</p>	<p><u>Consistency:</u> Refer to Natural Resources Conservation Element Policy 8.1 consistency discussion. The Project would not be highly visible from a highway, and design guidelines would promote a thoughtful, cohesive, and well-designed community. The Project would therefore be considered consistent with this policy.</p>
<p><u>NCR – 8.6 Regulate Building Height and Setback.</u> The County shall regulate building height and setbacks to protect the field of vision within an officially designated Scenic Corridor. The County shall not approve building heights that exceed, nor setback requirements that are less, than those of the basic zoning district unless such variance has had the appropriate review and public comment.</p>	<p><u>Consistency:</u> Height and setback requirements for the Project are outlined in Chapter 2 (Land Use and Development Standards) of the Specific Plan. The Project is not located near an officially designated Scenic Corridor. Thus, Project building heights and setback requirements would not obstruct views from a Scenic Corridor, and the Project would be considered consistent with this policy.</p>
<p><u>NCR – 8.9 Hillside Protection.</u> The County shall use design review for development on hillsides and within Scenic Corridors to protect the hillsides and ridgelines that are a unique scenic resources in the county.</p>	<p><u>Consistency:</u> The proposed Project does not propose residential or urban development on hillsides with 30 percent or greater slopes. Therefore, the Project would be considered consistent with this policy.</p>
<p><i>Health and Safety Element</i></p>	
<p><u>HS – 1.11 Road Capacity.</u> The County shall require roads to be of adequate capacity for use in times of emergency.</p>	<p><u>Consistency:</u> Primary access to the Project Site would be via San Juan Oaks Drive. In case of emergency, a secondary emergency vehicle access route would be constructed within an existing 60 to 85 foot wide right-of-way that extends north from the active adult community portion of the site to the south side of the existing SR 156 alignment. As discussed in Section 4.12, <i>Public Services</i>, this secondary emergency access would improve emergency response times to the site. In addition, all on-site roads would be constructed pursuant to Fire Department standards, including adequate width for emergency access. Thus, the Project would be considered consistent with this policy.</p>



**Table 4.10-2
 Policy Consistency: Public Review Draft 2035 General Plan Update**

Public Review Draft 2035 General Plan Update Policy	Consistency Discussion
<p><u>HS – 1.14 Development Restrictions in High Risk Areas.</u> The County shall discourage development in areas that may be more severely impacted by climate change, including areas at high risk of wildfire or flooding, unless proper design mitigation is included in the proposed project.</p>	<p><u>Consistency:</u> As described in Section 4.8, <i>Hazards/Hazardous Materials</i>, development of the Project would be located in a wildland fire hazard area, which could create a potential safety hazard. However, new development located on the Project Site would be required to comply with existing regulations intended to minimize the potential effects associated with wildfires. Required compliance with these regulations would ensure that impacts would be less than significant. As noted in Section 4.9, <i>Hydrology and Water Quality</i>, the Project Site is not located within a 100-year flood hazard area. Thus, the Project would result in no impacts related to flooding. While climate change could potentially affect flood hydrographs (flash floods, rain or snow events, coincidental high tide and high runoff events), and increase the risk of wildfire hazards (refer to Section 4.7, <i>Greenhouse Gas Emissions/Climate Change</i>), these hazards would not be expected to increase to the extent that the Project Site would be significantly impacted. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>HS – 2.1 Minimum Flood Protection.</u> The County shall require a minimum 100-year flood protection for all new development in accordance with local, State, and Federal requirements to avoid or minimize the risk of flood damage.</p>	<p><u>Consistency:</u> The Project Site is not located within a 100-year flood hazard area. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>HS – 2.2 Development in Dam Inundation Areas.</u> The County shall encourage, to the extent feasible, new development located in dam inundation areas to consider and mitigate the risks from dam failure.</p>	<p><u>Consistency:</u> Although a portion of the Project Site is located in an area subject to dam inundation (as described in Impact HWQ-5 in Section 4.9, <i>Hydrology and Water Quality</i>), the nearby San Justo Dam has been constructed to withstand the maximum credible earthquake, and is inspected regularly by the Bureau of Reclamation. In the unlikely event of dam failure, mitigation measures (including preparation and compliance with a hazard response plan and dam inundation hazard disclosure) would reduce impacts to a less than significant level. Because the risks from dam failure have been considered and mitigated, the Project would be considered consistent with this policy.</p>
<p><u>HS – 3.2 Subsidence or Liquefaction.</u> The County shall require that all proposed structures, utilities, or public facilities within recognized near-surface subsidence or liquefaction areas be located and constructed in a manner that minimizes or eliminates potential damage.</p>	<p><u>Consistency:</u> As described in Section 4.6, <i>Geology/Soils</i>, the Project Site is susceptible to subsidence and liquefaction hazards. However, the proposed Project would comply with all applicable County of San Benito, California Building Code, and International Building Code requirements. In addition, mitigation is required to ensure that the Project complies with all recommendations included in preliminary and final geotechnical studies prepared for the proposed Project. Adherence to these requirements would minimize potential damage, consistent with this policy.</p>



**Table 4.10-2
 Policy Consistency: Public Review Draft 2035 General Plan Update**

Public Review Draft 2035 General Plan Update Policy	Consistency Discussion
<p><u>HS – 3.6 Unstable Soils.</u> The County shall require and enforce all standards contained in the current California Building Code related to construction on unstable soils, and shall make a determination as to site suitability of all development projects during the building permit review process. The County shall not approve proposed development sited within areas of known or suspected instability until detailed area studies are completed that evaluate the extent and degree of instability and its impact on the overall development of the area.</p>	<p>Consistency Refer Health and Safety Element Policy 3.2 consistency discussion, above. The Project would be required to meet current California Building Code requirements, and all geologic hazards on the site have been identified and mitigated in Section 4.6, <i>Geology and Soils</i>, in compliance with this policy.</p>
<p><u>HS – 3.7 Setback from Fault Traces.</u> The County shall require setback distances from fault traces to be determined by individual site specific surface rupture investigations.</p>	<p><u>Consistency:</u> Although an active fault surface trace occurs along the southern property line, no other active faults are mapped on the Project Site. The Development Areas are not located in a mapped Alquist-Priolo fault zone and would not be subject to rupture of a known fault. Thus, no setbacks from fault traces are required, and the Project would be considered consistent with this policy.</p>
<p><u>HS – 3.8 Liquefaction Studies.</u> The County shall require proposals for development in areas with high liquefaction potential to include detailed site specific liquefaction studies.</p>	<p><u>Consistency:</u> A liquefaction analysis was conducted as part of the preliminary geotechnical report (ENGEO, August 2013; see Appendix E). This analysis, which is summarized in Section 4.6, <i>Geology and Soils</i>, found that earthquakes could induce approximately 1 inch of total settlement in liquefiable soils, based on existing soils and groundwater levels. Mitigation is required to ensure that the Project complies with all recommendations included in preliminary and final geotechnical studies prepared for the proposed Project. Adherence to these requirements would minimize liquefaction impacts. Because a site specific liquefaction study has been prepared, the Project would be considered consistent with this policy.</p>
<p><u>HS – 3.9 Seismic Safety Evaluations.</u> The County shall require buildings three stories or higher, and locations zoned for multifamily housing, to include in development proposals measures to determine ground shaking characteristics, evaluate potential for ground failure, identify any other geologic hazards that might exist on the site, and mitigate for these hazards.</p>	<p><u>Consistency:</u> The Project does not propose multifamily housing, and all land uses would be limited to two stories with the exception of the neighborhood commercial development, which could developed up to three stories. Detailed geotechnical studies, including a seismic safety analysis, have been conducted on the Project Site to assess potential seismic impacts on the proposed Project (refer to Appendix E). Mitigation measures and design measures have been identified to reduce potential seismic impacts. Thus, the Project would be considered consistent with this policy.</p>
<p><u>HS – 4.2 Fire Protection Water Standard.</u> The County shall develop, maintain, and implement an appropriate fire protection water standard to be applied to all urban and rural development.</p>	<p><u>Consistency:</u> Refer to Public Facilities and Services Element Policy 4.7 consistency discussion. As described previously, adequate groundwater is available to serve the Project. In addition, the Project’s water system would be designed to maintain minimum fire flow standards. Therefore, the Project would be considered consistent with this policy.</p>



**Table 4.10-2
 Policy Consistency: Public Review Draft 2035 General Plan Update**

Public Review Draft 2035 General Plan Update Policy	Consistency Discussion
<p><u>HS – 4.4 Development in Fire Hazard Zones.</u> The County shall require development in high fire-hazard areas to be designed and constructed in a manner that minimizes the risk from fire hazards and meets all applicable State and County fire standards.</p>	<p><u>Consistency:</u> As described in Section 4.8, <i>Hazards/Hazardous Materials</i>, development of the Project would be located in a wildland fire hazard area, which could create a potential safety hazard. However, new development located on the Project Site would be required to comply with existing regulations intended to minimize the potential effects associated with wildfires. In addition, the Project would include several fire protection conditions, including the use of noncombustible materials, compliance with Fire Department road standards, and preparation of a fire/vegetation management plan. Required compliance with these regulations would ensure that development on the Site meets applicable State and County fire standards, consistent with this policy.</p>
<p><u>HS – 4.5 Fire-Resistant Vegetation.</u> The County shall require development in high fire-hazard areas to have fire-resistant vegetation, cleared fire breaks separating communities or clusters of structures from native vegetation, or a long-term comprehensive vegetation and fuel management program consistent with State codes 4290 and 4291 for wildland fire interface and vegetation management.</p>	<p><u>Consistency:</u> Refer to Health and Safety Element Policy 4.4 consistency discussion, above. In addition, the Project Applicant would be required to prepare a fire/vegetation management plan. The Project would comply with applicable fire standards, consistent with this policy.</p>
<p><u>HS – 4.6 Clear Zones.</u> The County shall encourage clear zones and weed abatement around new and existing residential structures in high-fire-hazard areas and assist property owners in identifying how clear zones should be maintained.</p>	<p><u>Consistency:</u> The Specific Plan includes a planting and irrigation program that creates sufficient fire protection setback areas as a buffer to protect development. Specifically, the Project would be required to adhere to a specified planting and irrigation program that would create fire protection/fuel modification setback zones to buffer homes and buildings from dry open hillsides and wooded areas. Thus, the Project would be considered consistent with this policy.</p>
<p><u>HS – 5.1 New Development.</u> The County shall use the CEQA process to ensure development projects incorporate feasible mitigation measures to reduce construction and operational air quality emissions, and consult with the Monterey Bay Unified Air Pollution Control District early in the development review process.</p>	<p><u>Consistency:</u> Mitigation measures have been described in Section 4.3, <i>Air Quality</i>, which would reduce construction and operational air quality emissions associated with the proposed Project to a less than significant level, consistent with this policy.</p>
<p><u>HS – 5.2 Sensitive Land Use Locations.</u> The County shall ensure adequate distances between sensitive land uses and facilities or operations that may produce toxic or hazardous air pollutants or substantial odors.</p>	<p><u>Consistency:</u> As described in Impact AQ-3 in Section 4.3, <i>Air Quality</i>, the Project would not expose sensitive receptors to dust, toxic air contaminants, or naturally occurring asbestos. In addition, the proposed Project would not create objectionable odors that would affect neighboring properties. The Project would therefore be considered consistent with this policy.</p>
<p><u>HS – 5.4 PM₁₀ Emissions from Construction.</u> The County shall require developers to reduce particulate matter emissions from construction (e.g., grading, excavation, and demolition) consistent with standards established by the Monterey Bay Unified Air Pollution Control District.</p>	<p><u>Consistency:</u> As described in Section 4.3, <i>Air Quality</i>, short-term emissions of PM₁₀ during the construction period would not exceed MBUAPCD thresholds. Therefore, the Project would consistent with this policy.</p>



**Table 4.10-2
 Policy Consistency: Public Review Draft 2035 General Plan Update**

Public Review Draft 2035 General Plan Update Policy	Consistency Discussion
<p><u>HS – 5.6 New Construction Mitigation.</u> The County shall work in coordination with the Monterey Bay Unified Air Pollution Control District to minimize air emissions from construction activities associated with proposed development.</p>	<p><u>Consistency:</u> Although construction emissions from the Project would not exceed MBUAPCD thresholds, the MBUAPCD recommends the use of best management practices for the control of short-term construction generated emissions, which are recommended in Section 4.3, <i>Air Quality</i>. Thus, the Project would be considered consistent with this policy.</p>
<p><u>HS – 8.1 Project Design.</u> The County shall require new development to comply with the noise standards shown in Tables 9-1 and 9-2 through proper site and building design, such as building orientation, setbacks, barriers (e.g., earthen berms), and building construction practices. The County shall only consider the use of sound walls after all design-related noise mitigation measures have been evaluated or integrated into the proposed project or found infeasible.</p>	<p><u>Consistency:</u> As described in Section 4.11, <i>Noise</i>, proposed on-site residential, commercial, recreational, and resort uses would not be exposed to excessive noise levels, based on County standards. In addition, the Project street sections call for construction of sound walls on both sides of the Divided Collector Road (Del Webb Boulevard) and Collector Road (Goldeneye Drive), insulating built homes from noise impacts from construction and vehicles. While the Project would result in significant impacts to off-site receptors as a result of increased traffic noise, mitigation would require the applicant to construct a solid berm between existing residences and Union Road (or other method recommended in a noise study) to mitigate exterior noise levels. While this measure was determined to be potentially infeasible, the proposed Project would be required to comply with applicable noise standards and implement mitigation measures to the extent feasible. Thus, the Project would be considered consistent with the intent of this policy.</p>
<p><u>HS – 8.2 Acoustical Analysis.</u> The County shall require an acoustical analysis to be performed prior to development approval where proposed land uses may produce or be exposed to noise levels exceeding the “normally acceptable” criteria (e.g. “conditionally acceptable”, “normally unacceptable”) shown in Table 9-2. Land uses should be prohibited from locating, or required to mitigate, in areas with a noise environment within the “unacceptable” range.</p>	<p><u>Consistency:</u> Refer to Health and Safety Element Policy 8.1 consistency analysis, above, and Section 4.11, <i>Noise</i>. Vehicle traffic generated by the Project would exacerbate existing unacceptable noise levels at existing off-site residences adjacent to Union Road. Mitigation measures would involve the use of berms or other features to attenuate exterior noise at existing off-site residences to acceptable levels. This would be considered a Class I, <i>significant and unavoidable</i> impact, since the recommended mitigation measures may not be feasible. However, an acoustical analysis was performed as part of the SEIR (refer to Section 4.11, <i>Noise</i>), and the Project would not place new sensitive receptors in areas with an existing unacceptable noise environment. Therefore, the Project would be considered consistent with this policy.</p>
<p><u>HS – 8.3 Construction Noise.</u> The County shall control the operation of construction equipment at specific sound intensities and frequencies during day time hours between 7:00 am and 6:00 pm on weekdays and 8:00 am and 5:00 pm on weekends.</p>	<p><u>Consistency:</u> Operation of construction equipment would be limited to weekday and weekend allowable work hours consistent with County regulations, and this policy.</p>



As shown in Tables 4.10-1 and 4.10-2, the proposed Project would be consistent with applicable land use goals, policies and objectives of both the current adopted San Benito County General Plan(1985) and the Draft 2035 General Plan Update (not yet considered and adopted by the Board of Supervisors, as of the writing of this Draft SEIR). As noted previously, the above discussion is intended to guide policy interpretation, but is not intended to replace or supplant County decision-makers. The final determination of consistency will be made by County decision-makers when they act on the proposed Project. Nevertheless, as shown herein, the proposed development would not substantially conflict with the current land use designation and zoning designation of the site, which assumed residential and commercial development and expansion of the previous golf course as part of the previously approved San Juan Oaks Vesting Tentative Subdivision Map Project (2003). With adoption of the Specific Plan and the related redesignation and rezoning of the Project Site, the Project would be considered consistent with the General Plan and Zoning Ordinance.

Mitigation Measures. No mitigation measures are required.

Significance After Mitigation. The Project would result in less than significant impacts related to consistency with applicable land use plan, policies, and regulations of an agency with jurisdiction over the Project adopted for the purpose of avoiding or mitigating an environmental impact.

c. Cumulative Impacts. Land use impacts would be cumulatively considerable if the proposed Project, in conjunction with other existing or reasonably foreseeable projects, would either preclude a permitted land use or create a disturbance that would diminish the function of a particular land use. The majority of San Benito County is made up of agricultural land. Cumulative impacts associated with agricultural lands and uses are addressed in Section 4.2, *Agricultural Resources*, of this SEIR.

At the time of preparation of this analysis, it was not known whether the other cumulative projects would be inconsistent with adopted land use plans and ordinances, including the current adopted San Benito County General Plan(1985), the Draft 2035 General Plan Update, and the Zoning Ordinance. However, as implementation of future projects would require discretionary approval, consistent with the proposed Project's review and approval process, it is reasonably assumed that these projects will be designed or otherwise conditioned to maximize consistency with adopted land use plans and ordinances. As described in Tables 4.10-1 and 4.10-2, the proposed Project would be considered consistent with applicable land use goals, policies and objectives of both the current adopted San Benito County General Plan (1985) and the Draft 2035 General Plan Update. All feasible mitigation measures to address environmental impacts of the Project have been required and are detailed in Sections 4.1 to 4.9 and Sections 4.11 to 4.14 of this SEIR. Given the Project's consistency as well as the potential for other projects in the cumulative impact scenario to be generally consistent with the land use policy framework, overall cumulative land use consistency impacts would be less than significant.

