

3.10

LAND USE AND PLANNING

This section of the Draft EIR describes the existing land uses of the project site, characterizes surrounding land uses and evaluates the consistency of the project with relevant provisions of the San Benito County General Plan and other applicable County plans or policy documents. The discussion of potential impacts focuses on compatibility of the proposed project with adopted land use plans and policies and with surrounding land uses. This analysis is based on the San Benito County General Plan, the San Benito County Code, and project application materials.

3.10.1 ENVIRONMENTAL SETTING

Regional Setting

The project site is located in the northern portion of San Benito County, near the eastern municipal boundaries of the City of Hollister. The County is primarily rural and agricultural in character, with large flatland areas as well as areas of rolling hills. The only urbanized areas within the County are the Cities of Hollister and San Juan Bautista, both of which are surrounded by agricultural row crop farming, orchards, vineyards, and lands used for livestock grazing.

Site Setting and Surrounding Land Uses

The project site is undeveloped land used to cultivate barley and rural in character. It is annually disced and periodically grazed by cattle. The project site is bounded by rural residential uses and grassland along Old Ranch Road to the north, very low density residential uses and grassland as well as an organic herb farm along Harbern Way to the southeast, the approved but undeveloped Gavilan College, San Benito Campus project to the south, and Fairview Road and the Cielo

Vista single-family residential subdivision to the west. The Ridgemark Golf and Country Club, which includes a gated residential community, is located further to the south across Airline Highway. The approved but undeveloped 292-acre Santana Ranch project site is located approximately one mile to the north, on Fairview Road. The area located between the approved Santana Ranch project and the project site is identified by the County as the Central Fairview Study Area. The Award Homes residential subdivision, on the west side of Fairview Road, just north of the Cielo Vista subdivision, has been approved by the City of Hollister, but has not yet been developed.

Population

According to the Association of Monterey Bay Area Governments (AMBAG) 2008 Population, Housing Unit and Employment Forecast (the most recently adopted forecasts by AMBAG), the total population of San Benito County in 2005 was 57,324, as follows: City of Hollister (37,002); City of San Juan Bautista (1,722); and unincorporated San Benito County (18,600). According to the forecast, the overall County population had increased to 62,431 by January 2010. By 2015, the total County population is projected by AMBAG to increase to 68,471, of which 44,613 persons would reside in Hollister, 2,121 persons would reside in San Juan Bautista and the remaining 21,737 persons would reside in the unincorporated areas of the County. By 2020, the overall population of the County is estimated by AMBAG to be 76,140 persons, and by 2025; to be 83,383 persons. Based on these estimates, the overall population of the County is projected by AMBAG to increase by 14,912, or 24 percent, between 2015 and 2025 (AMBAG 2008).

Jobs/Housing Balance

At the present time, there are substantially more employed residents than jobs in San Benito County. The Hollister area has traditionally been an agriculturally-based economy and does not have a substantial manufacturing or office employment base. This results in out-commuting of residents to other counties, particularly Santa Clara County, and has the effect of increasing traffic, air pollutant emissions, and energy consumption. According to projections prepared by the San Benito County Planning Department, this condition is estimated to worsen over time. The "net out-commute" (i.e., out-commute minus in-commute) is projected to increase from 23 percent of the workforce in 1990 to 44 percent of the workforce in 2020.

The jobs/housing imbalance also has an adverse effect on the County budget, since the tax revenue generated by new residential construction does not generally cover the cost of providing County services to those developments. Ideally, new housing construction would be balanced by industrial and commercial development, which generates more jobs and tax revenue than it requires in services, and thus offsets the revenue shortfall resulting from residential development.

3.10.2 REGULATORY SETTING

The purpose of this section is to evaluate the proposed project for land use consistency with relevant adopted plans and policies including the San Benito County General Plan and the San Benito County Code.

San Benito County General Plan

The project site has a General Plan land use designation of “Rural”. The project site is also designated an “Area of Special Study”, described in the General Plan Land Use Element, Land Use Plan as follows:

This designation applies to areas of the County where a combination of the following criteria apply: 1) More concentrated development than is presently allowed may be desirable provided a comprehensive plan for public services and resource conservation is integrated in order of priority into a specific plan, community plan or area plan. 2) As a result of prior, piecemeal subdivisions, a plan for integrated development and coordination of governmental services and/or community facilities is desirable. 3) The County has identified the area as a potential area for commercial, industrial, and/or residential development.

The intent would be to direct development from natural resources and environmentally hazardous areas, to provide for mixed land uses to reduce vehicle emissions, to effectively plan the design, development and financing of services, and to develop open space programs. Increased development density over base density may be awarded based on specified programs. New development will not be allowed within an Area of Special Study until there is full mitigation of public services, infrastructure and facility impacts.

Land Use Element

The following policies from the Land Use Element of the San Benito County General Plan are relevant to the proposed project:

Policy 8. The residential areas of the County shall be developed at densities of up to twenty 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 15. The majority of development with a density of greater than two units per acre shall occur within the Cities of San Juan Bautista, Hollister, the Paicines Ranch Resort project site, and the Santana Ranch 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 32. Specific development sites shall be free from the hazards identified within the Open Space and Conservation Element Maps (i.e., 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 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

The following Open Space and Conservation Element policies are applicable to the project:

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 designated 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 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 shall 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 Spheres of Influence and the 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 those 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 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 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 lands.

Policy 29: Energy Conservation. It will be the County's policy to encourage the use of energy-efficient design in new construction.

Policy 31: Wastewater Treatment. Wastewater treatment systems shall be designed to ensure the long-range 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 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 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 47: Parks master plan. Develop a County-wide parks master plan to identify long-range recreational needs of the County, potential trail corridors, and areas for potential recreational-tourist services/programs.

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 sale 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 2I. The County shall ensure that there is sufficient land zoned for a variety of housing types, residential densities and housing prices that will meet the needs for projected growth while providing flexibility on the identification of housing sites.

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 2Q. The County shall encourage appropriately designed second units as a means of developing small, affordable units.

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.

San Benito County Code

San Benito County Affordable Housing Ordinance (San Benito County Code, Chapter 21.03)

The Board of Supervisors adopted an Inclusionary Housing Ordinance in January, 2004 to facilitate the production of housing stock for very low, low, and moderate income households. In December 2010, the County replaced the Inclusionary Housing Ordinance with an Affordable Housing Ordinance, codified at Chapter 21.03 of the San Benito County Code. As amended, Chapter 21.03 provides for identified density bonuses and other incentives for residential projects that construct a certain level of affordable housing stock on- or off-site and/or donate land to a County-approved housing developer for the construction of such housing stock, rather than mandating inclusionary housing production.

San Benito County Zoning Ordinance (San Benito County Code, Title 25)

The County Zoning Ordinance (San Benito County Code, Title 25) establishes land use and residential zoning designations corresponding with the General Plan. The current “Rural” zoning designation for the project site corresponds with the General Plan designation of Rural, and allows one unit per five acres. The Zoning Ordinance also establishes development standards for the range of allowable uses, including, but not limited to, maximum building heights, lot coverage and floor area ratios, as well as minimum standards for building setbacks.

San Benito County Growth Management Ordinance (San Benito County Code, Chapter 21.07)

The County has adopted a Growth Management Ordinance (GMO) (San Benito County Code, Chapter 21.07), which has the goal, among others, “to encourage a rate of growth which will not exceed the county’s ability to satisfy future demands for such essential services as police and fire protection, roads, schools, water, sewers and the like....” To achieve its stated goals, the GMO restricts the County’s population growth to an annual population increase based on the State of California’s growth rate for the previous year or a one percent growth rate per year, whichever is greater, plus the population growth attributed to exempt projects.

The GMO applies to all new residential development projects within the unincorporated area of the County, except for those projects specifically listed as exempt. In December 2009, the County Board of Supervisors amended the GMO to exempt from the growth restrictions those dwelling units within projects “that are subject to a Housing or Development Agreement that has been approved by the San Benito County Board of Supervisors....” The applicant proposes to enter into a development agreement with the County to establish the terms and conditions under which development will occur. In the event a development agreement is approved and executed, the project would be exempt from the GMO.

3.10.3 STANDARDS OF SIGNIFICANCE

The following thresholds for evaluating the significance of a project’s environmental impacts are based on the State CEQA Guidelines and other significance standards recognized by San Benito County. For purposes of this EIR, impacts related to land use and planning as well as population and housing are considered significant if implementation of the proposed project would:

- 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 effect;

- Physically divide or disrupt an established community;
- Conflict with any applicable habitat conservation plan or natural community conservation plan; or
- Create incompatibility with surrounding uses.

Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (Because the project site is undeveloped, there would be no displacement impacts; therefore, this issue is not evaluated further in this Draft EIR. See Section 5, Effects Found Not to be Significant).

Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (Because the project site is undeveloped, there would be no displacement impacts; therefore, this issue is not evaluated further in this Draft EIR. See Section 5, Effects Found Not to be Significant).

3.10.4 PROJECT IMPACTS AND MITIGATION MEASURES

Consistency with Applicable Land Use Plans, Policies and Regulations

Impact LU-1: The proposed project does 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, and therefore development of the project would have a **less than significant impact**.

San Benito County General Plan

Land Use Element: General Plan Designation. The project site has a General Plan designation of “Rural.” The current “Rural” zoning designation for the project site corresponds with the General Plan designation of Rural, and allows one unit per five acres. The project site is also designated as an “Area of Special Study”, which allows residential development at higher densities subject to the provisions of a comprehensive specific plan (refer to previous discussion).

Consistency: The project site currently is designated under the General Plan as “Rural.” However, the project proposes a change in the designation of the project site to a new General Plan designation of “Fairview Corners-Specific Plan (FVC-SP)” and proposes to develop the site in accordance with the Fairview Corners Residential Specific Plan as envisioned by the Area of Special Study designation. As shown in [Figure 9, Proposed Land Use](#), the specific plan would designate the entire site “FVC-SP.”

The Specific Plan includes the following policies to ensure that development intensity is consistent with the County General Plan.

Policy LU-1.1. Implement County Resolution No. 89-92 and the General Plan Land Use Element by planning appropriate uses for this designated Area of Special Study, including higher density residential uses than are currently allowed by existing zoning.

1. The County’s adoption by resolution of a general plan amendment and the Fairview Corners Residential Specific Plan, and by ordinance: the “Fairview Corners Specific Plan” zoning regulations, which constitute the land use designation and zoning for the Plan Area, will implement Resolution No. 89-92 and the County General Plan Land Use Element and will regulate the future development within the Plan Area.

The Specific Plan is designed to provide a comprehensive, detailed planning and regulatory framework for developing the project. Upon approval of the project, the type of development that would be allowed within the residential areas would include residential (which may include single-family and multi-family), parks and recreational uses (including a trail network and possible par course as shown in [Figure 13, Open Space Diagram](#)), infrastructure and public facilities, in accordance with the Specific Plan’s implementation article, which sets forth the legal and regulatory framework for subsequent entitlements for the project. The proposed project provides for a range of potential residential densities, ranging from one dwelling unit per gross five acres, consistent with the existing land use designation, to approximately 3.6 dwelling units per gross acre, consistent with the increased density allowable in the Area of Special Study. The proposed density range corresponds to a minimum of 12 units or a maximum of 220 dwelling units that would be permitted on the 60-acre project site under the Specific Plan. The maximum allowed overall density would be less than 4.0 dwelling units per gross acre, or approximately 3.6 units per acre ($220 / 60 = 3.6$), consistent with the intended density anticipated in the Area of Special Study.

Furthermore, development of the proposed project with the range of densities proposed is otherwise consistent with the intent of the Area of Special Study designation, as it directs

development away from natural resources and environmentally hazardous areas; provides for a range of housing types as well as pedestrian and bicycle connections to reduce vehicle emissions; and effectively plans the design, development and financing of services through the implementation of the Fairview Corners Residential Specific Plan. Approval of the ultimate site plan for the project would be subject to the County's consistency determination, as set forth in Article 7.0 of the Specific Plan.

Development of the project would represent the orderly expansion of the Hollister Urban Area eastward from its current boundary along Fairview Road, into a currently undeveloped area, consistent with the applicable General Plan designation of the project site as an "Area of Special Study". The proposed project would facilitate efficient, orderly growth in certain areas in the County that are near existing urban uses, utilities and services such as the project site. The proposed residential units would be built in close proximity to domestic water and wastewater facilities provided by Sunnyslope County Water District and the City of Hollister. As such, the project would prevent leapfrog growth.

The project would be developed in compliance with a comprehensive planning framework that provides for resource protection measures, including, among other things, a potential conservation easement to protect natural resources (refer to Section 3.4, Biological Resources), incorporation of a building exclusion zone to avoid potential seismic hazards (Section 3.7, Geology and Soils), provision of parks (Section 3.13, Parks and Recreation), and the provision of infrastructure improvements necessary to mitigate impacts to the extent feasible to the existing circulation network (Section 3.14, Traffic and Circulation). As such, the project would direct development away from natural resources.

While the project proposes greater development density than allowed under the current General Plan and zoning designations, the project includes a change in these designations to ensure consistency and all development on the project site would be subject to the provisions set forth in the approved Specific Plan. Therefore, the proposed project would be consistent with the County's general plan land use designation.

Policy 8. The residential areas of the County shall be developed at densities of up to twenty 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.

Consistency: The proposed project includes potential residential densities ranging from one dwelling unit per five gross acres, consistent with the existing General Plan land use designation, to approximately 3.6 dwelling units per gross acre, consistent with the increased density

anticipated by the County for the Area of Special Study. The proposed project is therefore consistent with Policy 8. As the project site is not located within the sphere of influence of the City of Hollister and is therefore not subject to the policy addressing the use of City of Hollister, the City of Hollister's standards for affordability and unmet special housing needs cannot be used. The project is subject to the San Benito County Affordable Housing Ordinance, and the project proposes to provide affordable housing in accordance with any applicable County requirements. This topic is addressed in later discussion within this section.

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.

Consistency: The project site currently is designated under the General Plan as "Rural" and therefore is subject to Policy 9. However, the project proposes a change in designation to the General Plan category, "Fairview Corners-Specific Plan (FVC-SP)." The Specific Plan is designed to provide a comprehensive, detailed planning and regulatory framework for developing the project. Upon approval of the project, the type of development that would be allowed within the residential areas would include residential (both single-family and multi-family), parks and recreation (including a trail network and possible par course as shown in Figure 13, Open Space Diagram), and public facilities uses. The proposed uses would be constructed in accordance with Article 7.0 (Implementation Plan) of the Specific Plan, as well as other applicable County requirements, which sets forth the legal and regulatory framework for subsequent entitlements for the project. As part of the project, other, minor General Plan amendments also are proposed to ensure consistency between the project and the General Plan. One such amendment is to revise the language in General Plan Policy 9 to reflect that specific plans may be adopted to allow an area to be planned for and developed in a comprehensive fashion to include trails, parks and public facilities, rather than requiring approval of use permits to develop these uses. Upon approval of this amendment, the project is consistent with General Plan Policy 9.

Policy 15. The majority of development with a density of greater than two units per acre shall occur within the Cities of San Juan Bautista, Hollister, the Paicines Ranch Resort project site, and the Santana Ranch 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.

Consistency: The General Plan contains numerous provisions that discuss the goal of preventing inefficient, scattered development of higher density residential areas throughout the County. While the project site does not lie within a city, the Santana Ranch project site, or the Paicines Ranch Resort (a project that was ultimately denied), it is located within a designated Area of Special Study adjacent to the City of Hollister. This County designation is intended to direct development towards areas where urban services and utilities are available for projects with higher densities. Because the project is within an Area of Special Study, and therefore has been planned for higher density, urban development, consistent with a comprehensive specific plan, the project is consistent with Policy 15.

Policy 32. Specific development sites shall be free from the hazards identified within the Open Space and Conservation Element Maps (i.e., faults, landslides, hillsides over 30% slopes, 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, erodible soil, archaeological resources, important plant and animal communities).

Consistency: The project site is not susceptible to landslides (See Section 3.7, Geology and Soils), and is not located in a FEMA flood zone (See Section 3.9, Hydrology and Water Quality). As discussed in those EIR sections, the project has been designed to avoid structural development on areas potentially subject to physical hazards, including areas potentially subject to soil-related hazards and seismic hazards related to the location of the project site within the Alquist-Priolo Earthquake Fault Zone for the Tres Pinos fault (refer to Section 3.7, Geology and Soils, and Section 3.9, Surface Water Hydrology and Water Quality).

The project site is designated as critical habitat for the California tiger salamander (CTS), and contains suitable foraging habitat for other special-status species, and the analysis acknowledges that project development could result in significant biological resource impacts (refer to Section 3.4, Biological Resources). Finally, the cultural resources assessment prepared for the project did not identify any specific cultural resources on or near the project site, although it acknowledges the potential to significantly impact previously undiscovered cultural resources during construction of the project (refer to Section 3.7, Cultural Resources). Mitigation has been identified in this Draft EIR, however, which will reduce all identified impacts to biological resources, cultural resources, geology and soils, seismic hazards, and hydrology and water quality to a less than significant level. Therefore, the project is consistent with Policy 32.

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).

Consistency: The project site is not susceptible to landslides and is not located within a FEMA flood zone (See Section 3.7, Geology and Soils and Section 3.9, Hydrology and Water Quality). As noted in the discussions of those EIR sections, the project has been designed to avoid structural development on areas potentially subject to physical hazards, including areas potentially subject to soil-related hazards and seismic hazards related to the location of the project site within the Alquist-Priolo Earthquake Fault Zone for the Tres Pinos fault.

The project site is designated as critical habitat for the CTS and contains suitable foraging habitat for other special-status species. The analysis acknowledges that project development could result in significant biological resource impacts (refer to Section 3.4, Biological Resources). Finally, the cultural resources assessment prepared for the project did not identify any specific cultural resources on or near the project site, although it acknowledges the potential to significantly impact previously undiscovered cultural resources during construction of the project (refer to Section 3.7, Cultural Resources). Mitigation has been identified in this Draft EIR, however, which will reduce all identified impacts to biological resources, cultural resources, geology and soils, seismic hazards, and hydrology and water quality to a less than significant level. Therefore, the project is consistent with Policy 33.

Policy 35. The County shall encourage energy and water conservation techniques and energy efficiency in all new building design, orientation and construction.

Consistency: Energy conservation measures would be incorporated into the project in accordance with Title 24 of the California Code of Regulations. The project would be subject to the Specific Plan's numerous sustainability policies, including its Energy Conservation Policies (Policy RM-8.1: Facilitate alternative energy sources); and Water Conservation Policies (Policy RM-5.1: Reduce potable water consumption), which would encourage sustainable building and project design, energy and conservation techniques and efficiency (Refer to Section 3.3, Air Quality and Section 3.5, Climate Change). Therefore, the project is consistent with Policy 35.

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.

Consistency: This Draft EIR evaluates the project's individual and cumulative effects on school facilities, as described more fully in Section 3.13, Public Services and Facilities. The project shall

be required to mitigate for the identified environmental impacts on school facilities to the extent provided under applicable law by payment of school facility mitigation fees. Therefore, the project is consistent with Policy 37.

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.

Consistency: Section 3.4, Biological Resources of this Draft EIR evaluated wildlife habitat impacts of the project and determined that the project site does not contain established or known migratory routes and/or wildlife corridors, and is not located in an area that is proposed for establishment of a wildlife corridor. However, the project site is designated as critical habitat for the CTS, and contains suitable foraging habitat for several other special-status wildlife species. The applicant is currently in the process of preparing a Habitat Conservation Plan in accordance with Section 10 of the federal Endangered Species Act. In addition, the Specific Plan requires adherence to a number of policies designed to promote the conservation of natural resources, such as Policy RM-1.1 (minimize impact to special status species and their habitat in accordance with federal and state regulatory requirements); Policy RM-1.2 (allow potential for localized grading in the on-site habitat conservation area); and Policy RM-1.3 (minimize adverse changes to natural habitats), as well as related implementation measures. In addition, the project would be required to comply with mitigation measures as set forth in Section 3.4 (Biological Resources) to ensure that any project impacts to special-status wildlife species were reduced to a less than significant level. Therefore, the project is consistent with Policy 1.

Policy 2: Maintain corridors for habitat. In rural areas, road and development sites shall be designated 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.

Consistency: Section 3.4, Biological Resources of this Draft EIR evaluated wildlife corridor impacts of the project and determined that the project site does not contain established or known migratory routes and/or wildlife corridors, and is not located in an area that is proposed for

establishment of a wildlife corridor. The applicant is currently in the process of preparing a Habitat Conservation Plan in accordance with Section 10 of the federal Endangered Species Act. In addition, the Specific Plan requires adherence to a number of policies designed to promote the conservation of natural resources, such as Policy RM-1.1 (minimize impact to special status species and their habitat in accordance with federal and state regulatory requirements); Policy RM-1.2 (allow potential for localized grading in the on-site habitat conservation area); and Policy RM-1.3 (minimize adverse changes to natural habitats), as well as related implementation measures. In addition, the project would be required to comply with mitigation measures as set forth in Section 3.4 (Biological Resources) to ensure that any project impacts to special-status wildlife species were reduced to a less than significant level. Therefore, the project is consistent with Policy 2.

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.

Consistency: Section 3.4, Biological Resources, of this Draft EIR evaluated potential impacts of the project on jurisdictional waters, including wetlands. As described more fully in Section 3.4, there are no wetlands or jurisdictional features (either federal or state waters) on the project site. The applicant is currently in the process of preparing a Habitat Conservation Plan in accordance with Section 10 of the federal Endangered Species Act. In addition, the Specific Plan requires adherence to a number of policies designed to promote the conservation of natural resources, such as Policy RM-1.1 (minimize impact to special status species and their habitat in accordance with federal and state regulatory requirements); Policy RM-1.2 (allow potential for localized grading in the on-site habitat conservation area); and Policy RM-1.3 (minimize adverse changes to natural habitats), as well as related implementation measures. In addition, the project would be required to comply with mitigation measures as set forth in Section 3.4 (Biological Resources) to ensure that any project impacts to special-status wildlife species were reduced to a less than significant level. Therefore, the project is consistent with Policy 3.

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.

Consistency: Section 3.4, Biological Resources, of this Draft EIR, evaluates potential impacts on biological resources and identifies Specific Plan Policy RM-1.3 (minimize adverse changes to natural habitats) as well as a mitigation measure (MM BIO-4) that requires the developer to

prepare and implement a landscaping and revegetation plan(s) in order to prevent the spread of invasive non-native plant species. Therefore, the project is consistent with Policy 6.

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.

Consistency: There are no trees on the project site. Section 3.7, Geology and Soils, evaluates potential erosion impacts that could occur as a result of project development. Specifically, grading, removal of vegetation, and other construction-related activities would disturb the soil, which could increase soil erosion rates. The developer would be required to submit erosion control plans, which would include measures to protect drainage courses and the on-site habitat conservation area from eroded soils and debris during construction. Furthermore, the developer would be required to comply with the National Pollutant Discharge Elimination System (NPDES) permit program, in accordance with MM HYD-1a and MM HYD-1b. Specifically, the developer would need to prepare and implement a Storm Water Pollution Prevention Plan (SWPPP), which specifies Best Management Practices (BMPs) that will prevent construction pollutants from contacting stormwater and with the intent of keeping all products of erosion from moving off-site into receiving waters. In addition, the developer would be required to incorporate post-construction stormwater pollution management measures, including, among others, source control measures, to reduce stormwater pollution during operation of the project. Implementation of the identified measures would reduce project impacts associated with grading to a less than significant level. Therefore, the project is consistent with Policy 7.

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.

Consistency: There are no drainage courses or wetlands on the site due to the relatively flat topography. Section 3.9, Hydrology and Water Quality evaluates impacts to drainage patterns and groundwater recharge and identifies Specific Plan Policy RM-4.1 (construct a stormwater collection and disposal system that retains and encourages percolation of stormwater generated within the project site to pre-development levels), Policy RM-4.2 (allows shared retention basins with the adjacent Gavilan San Benito Campus under certain conditions and requires the preparation of formal storm drainage plans in accordance with San Benito County design standards), and Policy RM-4.3 (BMPs and LID designs to minimize surface water quality degradation from discharge of storm drainage) as well as mitigation measures (MM HYD-2a through MM HYD-2c) that require the developer to prepare and implement an approved Grading Master Plan and Storm Drainage Master Plan in conformance with County of San Benito design, performance and construction standards and other applicable requirements.

Implementation of the identified measures would reduce project impacts associated with drainage and groundwater recharge to a less than significant level. Therefore, the proposed project is consistent with Policy 8.

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 shall be the County's policy to review public and private development proposals in light of possible recreational and open space potential.

Consistency: Section 3.3, Air Quality, of this Draft EIR evaluates air quality impacts resulting from project implementation and identifies various land use and transportation controls as set forth in the Specific Plan that are designed to protect air quality and reduce emissions to the extent feasible. The project also includes development of park and recreational facilities for the benefit of project residents and the surrounding community. The proposed project includes the provision of parkland in an amount that meets the County standard for open space and parks, either through on-site development or payment of the applicable fee to facilitate off-site development of parks and open space, or a combination thereof (Refer to Section 3.14, Parks and Recreation). Therefore, the project is consistent with Policy 10.

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 Spheres of Influence and the 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.

Consistency: The project site lies within an area designated as an "Area of Special Study," where urban uses are allowed through application and adoption of a comprehensive specific plan. The proposed project is designed in accordance with a comprehensive specific plan, which has been prepared to guide the development of residential uses on the site. Therefore, the project is consistent with Policy 12.

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 those areas.

Consistency: The project will be developed in accordance with the proposed Specific Plan, which is designed to provide a comprehensive framework for development to ensure a coherent

development pattern for the project site, providing for the potential for a variety of housing types, interconnected with a system of pedestrian/bicycle trails to encourage non-vehicular travel. Therefore, the project is consistent with Policy 13.

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.

Consistency: The project is near the eastern edge of the City of Hollister and existing suburban development and is currently designated under the County General Plan as an “Area of Special Study.” Furthermore, development of the project is otherwise consistent with the intent of the Area of Special Study designation. By developing the project site with a variety of housing, subject to conformance with the policy provisions of the proposed Specific Plan, the project would direct development away from natural resources and prevent leapfrog growth. Therefore, the project is consistent with Policy 16.

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.

Consistency: The project site is near the eastern edge of the City of Hollister and existing suburban development, and is currently designated under the County General Plan as an “Area of Special Study.” Furthermore, development of the project is otherwise consistent with the intent of the Area of Special Study designation because by developing the project site with a variety of housing, the project would direct development away from natural resources and prevent leapfrog growth. The project would be developed in compliance with a comprehensive planning framework that provides for resource protection measures, including a potential conservation easement to protect natural resources. Therefore, the project is consistent with Policy 18.

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 lands.

Consistency: The proposed project site and its surroundings do not contain high grade agricultural soils, prime or unique farmland, or land subject to Williamson Act contracts (refer to Section 3.2, Agricultural Resources). One means by which the County preserves agricultural resources and maintains a rural identity is the adoption and implementation of the Area of Special Study designation. The intent of this designation is to prevent leapfrog growth and to direct development away from key natural resources and the most productive agricultural land and towards areas with available utilities and services. The project would be developed in compliance with the Area of Special Study designation under a comprehensive planning framework that would be required to adhere to a variety of resource protection measures. Therefore, the project is consistent with Policy 25.

Policy 29: Energy Conservation. It will be the County's policy to encourage the use of energy-efficient design in new construction.

Consistency: As discussed more fully in the Specific Plan and Section 3.15, Wet and Dry Utilities and Energy, the project incorporates numerous policies addressing energy efficient design, including building materials and passive solar energy as well as site orientation for solar access. Energy conservation measures would be incorporated into the project in accordance with Title 24 of the California Code of Regulations. The project would be subject to the Specific Plan's numerous sustainability policies, including its Energy Conservation Policies (Policy RM-8.1: Facilitate alternative energy sources); and Water Conservation Policies (Policy RM-5.1: Reduce potable water consumption), which would encourage sustainable building and project design, and energy conservation techniques and efficiency. In addition, a network of bicycle and pedestrian paths may be provided, which would facilitate alternative modes of transportation. These policies and design features would result in the reduction of energy usage within the project. Therefore, the project is consistent with Policy 29.

Policy 31: Wastewater treatment. Wastewater treatment systems shall be designed to ensure the long-range 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 system 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.

Consistency: The applicant proposes to provide wastewater collection and treatment through a connection to the City of Hollister's Domestic Wastewater Treatment Plant in accordance with the Hollister Water/Wastewater Master Plan. However, the Specific Plan also provides for the

potential use of septic systems under certain circumstances in accordance with applicable County standards and other requirements regulating the placement and use of septic systems. Section 3.7 (Geology and Soils), Section 3.9 (Hydrology and Water Quality), and Section 3.15 (Wet and Dry Utilities and Energy) evaluate the project's potential impacts on water quality should septic systems be used. To mitigate potential impacts, a number of mitigation measures are identified, including requirements that the developer demonstrate that all required permits (including RWQCB approval) have been obtained; compliance with any space constraints identified; demonstration of lot-specific soil suitability; and compliance with all applicable laws and regulations including, without limitation, the Hollister Water/Wastewater Master Plan. Implementation of the identified mitigation would reduce impacts to a less than significant level. Therefore, the project is consistent with Policy 31.

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.

Consistency: Section 3.15, Wet and Dry Utilities and Energy, evaluates the adequacy of the available water supply from both a quantity and quality perspective. Specifically, Section 3.15 identifies potentially significant water quality and supply impacts; identifies mitigation that will reduce all impacts to a less than significant level; and concludes there is sufficient, high quality supply to serve the project. In addition, state law as well as the County approval process will require the developer to demonstrate adequate water quality and quantity as part of the subdivision map process for the project.

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.

Consistency: The project would include a series of streets with bicycle lanes and pedestrian walkways, consistent with the County's Bicycle Master Plan. In addition, the proposed project includes an open space trail system in a loop configuration around the perimeter and within the project site, generally as identified in Figure 13, Open Space. This system of open space and parks is anticipated to connect to the adjoining Gavilan College San Benito Campus. Pedestrian circulation routes would be separated from vehicular traffic on all streets, which would contain sidewalks or pedestrian paths. See Figure 18, Bicycle and Pedestrian Connectivity Plan. Further, the City of Hollister Park Facility Master Plan includes goals and implementing actions to provide a network of interconnected trails and bikeways linking parks, schools and scenic open space areas. In the vicinity of the project site, the City plans to establish an off-street (Class I) bike/pedestrian path along Airline Highway from Sunset Drive to the existing off-street bicycle

path connecting to Ridgemark and Tres Pinos. The proposed project would not impair or conflict with the City's identified goals in this regard. Therefore, the project is consistent with Policy 46.

Policy 47: Parks master plan. Develop a County-wide parks master plan to identify long-range recreational needs of the County, potential trail corridors, and areas for potential recreational-tourist services/programs.

Consistency: The County adopted a County-wide Parks Master Plan on July 27, 2010 in accordance with Policy 47. The project would be required to comply with this plan, either through the creation of on-site park and recreational facilities or payment of the applicable in-lieu fee to support the construction of park and recreational facilities in other parts of the County, as contemplated by the County's Parks Master Plan. Therefore, the project would be consistent with Policy 47.

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.

Consistency: The proposed project includes the provision of parkland that meets the County's requirements, either by constructing parks and recreational facilities as part of the project in an amount that satisfies the ratio set forth in Policy 56 or by payment of the applicable in-lieu fee, which could then be used to fund the construction of park and recreational facilities in other locations in the County, or by a combination of both. Therefore, the project is consistent with Policy 56.

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.

Consistency: The project proposes development of various types of housing products (including secondary units), which would likely be available to a wide array of households and designed to address a broad range of community needs. In addition, the Specific Plan contains policies designed to facilitate the construction of affordable housing (*see, e.g.,* Policy LU-2.1, Action #3; requires the master developer to prepare and implement affordable housing program that complies with County's affordable housing requirements). Therefore, the project is consistent with Policy 1B.

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.

Consistency: The project proposes development of various types of housing products (including secondary units), which would likely be available to a wide array of households and designed to address a broad range of community needs, including housing for college students, faculty and their families from the adjoining Gavilan San Benito College Campus. In addition, the Specific Plan contains policies designed to facilitate the construction of affordable housing (*see, e.g.,* Policy LU-2.1, Action #3; requires the master developer to prepare and implement affordable housing program that complies with County's affordable housing requirements). Therefore, the project is consistent with Policy 1I.

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

Consistency: The project proposes development of various types of housing products (including secondary units), which would likely be available to a wide array of households and designed to address a broad range of community needs. In addition, the Specific Plan contains policies designed to facilitate the construction of affordable housing (*see, e.g.,* Policy LU-2.1, Action #3; requires the master developer to prepare and implement affordable housing program that complies with County's affordable housing requirements). Therefore, the project is consistent with Policy 2A.

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

Consistency: The project proposes development of various types of housing products, which would likely be available to a wide array of households and designed to address a broad range of community needs. There would be a range of potential densities with a variety of lot sizes, which would be developed pursuant to a comprehensive planning framework. In addition, the project site has been designated as an Area of Special Study, which is intended to direct development away from sensitive natural resources and the most productive agricultural lands and to facilitate efficient, orderly growth in certain areas in the County that are near existing urban uses, utilities and services such as the project site. Therefore, the project is consistent with Policy 2C.

Policy 2I. The County shall ensure that there is sufficient land zoned for a variety of housing types, residential densities and housing prices that will meet the needs for projected growth while providing flexibility on the identification of housing sites.

Consistency: The project proposes development of various types of housing products (including secondary units), which would likely be available to a wide array of households and designed to address a broad range of community needs. Therefore, the project is consistent with Policy 2I.

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

Consistency: The project proposes development of various types of housing products, which would likely be available to a wide array of households and designed to address a broad range of community needs. There would be a range of potential densities with a variety of lot sizes, which would be developed pursuant to a comprehensive planning framework as set forth in the Fairview Corners Specific Plan. Therefore, the project is consistent with Policy 2L.

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.

Consistency: The project proposes development of various types of housing products, which would likely be available to a wide array of households and designed to address a broad range of community needs. The proposed residential units would be built in close proximity to domestic water and wastewater facilities provided by Sunnyslope County Water District and the City of Hollister. Therefore, the project is consistent with Policy 2M.

Policy 2Q. The County shall encourage appropriately designed second units as a means of developing small, affordable units.

Consistency: The project proposes development of various types of housing products, which would likely be available to a wide array of households and designed to address a broad range of community needs, including second units. Therefore, the project is consistent with Policy 2Q.

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

Consistency: The project proposes development of various types of housing product, which would likely be available to a wide array of households and designed to address a broad range of community needs. There will be a range of potential densities with a variety of lot sizes, which will be developed pursuant to a comprehensive planning framework. In addition, the project site has been designated as an Area of Special Study, which is intended to direct development away from sensitive natural resources and the most productive agricultural lands and to facilitate efficient, orderly growth in certain areas in the County that are near existing urban uses, utilities and services such as the project site. The project would be subject to the Specific Plan's numerous sustainability policies, including its Energy Conservation Policies (Policy RM-8.1: Facilitate alternative energy sources); and Water Conservation Policies (Policy RM-5.1: Reduce potable water consumption), which would encourage sustainable building and project design, energy and conservation techniques and efficiency. Therefore, the project is consistent with Policy 2R.

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

Consistency: The project proposes development of various types of housing products, which would likely be available to a wide array of households and designed to address a broad range of community needs. There would be a range of potential densities with a variety of lot sizes, which would be developed pursuant to a comprehensive planning framework. In addition, the project site has been designated as an Area of Special Study, which is intended to direct development away from sensitive natural resources and the most productive agricultural lands and to facilitate efficient, orderly growth in certain areas in the County that are near existing urban uses, utilities and services such as the project site. The project would be subject to the Specific Plan's numerous sustainability policies, including its Energy Conservation Policies (Policy RM-8.1: Facilitate alternative energy sources); and Water Conservation Policies (Policy RM-5.1: Reduce potable water consumption), which would encourage sustainable building and project design, energy and conservation techniques and efficiency. Therefore, the project is consistent with Policy 5E.

In summary, the project would be consistent with relevant General Plan policies, and therefore land use impacts in this regard would be **less than significant**.

No mitigation is required.

San Benito County Affordable Housing Ordinance (San Benito County Code, Chapter 21.03)

The Board of Supervisors adopted an Inclusionary Housing Ordinance in January, 2004 to facilitate the production of housing stock for very low, low and moderate income households. In December 2010, the County replaced its Inclusionary Housing Ordinance with a new Affordable Housing Ordinance, codified at Chapter 21.03 of the San Benito County Code. As amended, Chapter 21.03 provides identified density bonuses and other incentives for residential projects that provide a certain level of such housing stock on- or off-site and/or donates land to a County-approved housing developer for the construction of such housing stock, rather than mandating inclusionary housing production. The project is subject to the San Benito County Affordable Housing Ordinance, and the project proposes to provide affordable housing in accordance with the County's requirements.

San Benito County Zoning Ordinance (San Benito County Code, Title 25)

The current zoning designation of the project site is "Rural (R)" with a minimum building site requirement of five acres, consistent with the underlying base General Plan designation of "Rural." While the project is not currently consistent with these designations, if approved, the project site would be re-zoned "Fairview Corners-Specific Plan (FC-SP)." Land uses proposed within the project site would be required to be consistent with this new designation, as shown on the Fairview Corners Specific Plan Land Use Map. With adoption of the Specific Plan and the related rezoning of the project site, the project would be consistent with the relevant provisions of the Zoning Ordinance, and therefore land use impacts in this regard would be **less than significant**.

No mitigation is required.

Effects upon an Established Community

Impact LU-2: The proposed project would not disrupt or divide an established community. **No impact** would occur.

Development of the project would not result in the disruption or division of an established community, but would instead represent the orderly expansion of the Hollister Urban Area eastward from its current boundary along Fairview Road, into a currently undeveloped area, consistent with the applicable General Plan designation of the project site as an "Area of Special Study." Therefore, the project would have no impact in this regard.

No mitigation is required.

Conflict with any Applicable Habitat Conservation Plan

Impact LU-3: The proposed project would not conflict with an established habitat conservation plan or natural community conservation plan. **No impact would occur.**

The project is not located within an established Habitat Conservation Plan area. The applicant is currently in the process of preparing a Habitat Conservation Plan in accordance with Section 10 of the Federal Endangered Species Act. Upon completion and approval by the USFWS, the project would be required to be developed in a manner consistent with the USFWS-approved Habitat Conservation Plan.

Further, San Benito County Code, Chapter 19.19 mandates the payment of mitigation fees for development of open space in the Hollister area that is considered to be San Joaquin kit fox habitat. The project site lies within this required fee payment area, and the developer would be required to pay the applicable fee. See additional discussion in Section 3.4, Biological Resources. Therefore, the project would have no impact in this regard.

No mitigation is required.

Conflict with Surrounding Land Uses

Impact LU-4: Development of the proposed project may create land use compatibility conflicts with surrounding uses. This is considered a **less than significant** impact.

Residential Density

The proposed development would alter the use of the site from rural open space to a suburban residential community, which represents a substantial change. Although the mix of housing types would be determined in the future based on market demand, the project would be residential in nature. In addition, the project is designed to complement and be supportive of the proposed uses on the adjoining Gavilan San Benito College Campus, both in terms of providing appropriate housing for students and faculty, as well as cooperative infrastructure planning. As such, the project would be compatible with the existing residential subdivisions located in the vicinity.

As discussed above, the proposed project provides for a range of potential residential densities, ranging from one dwelling unit per gross five acres, consistent with the existing land use designation, to approximately 3.6 dwelling units per gross acre, consistent with the increased density allowable in the Area of Special Study. The proposed density range corresponds to a minimum of 12 units or a maximum of 220 dwelling units that would be permitted on the 60-acre project site under the Specific Plan. The maximum allowed overall density would be less than 4.0 dwelling units per acre, consistent with the intended density anticipated in Areas of Special Study.

Furthermore, development of the proposed project within the range of densities proposed is otherwise consistent with the intent of the Area of Special Study designation, by providing for a range of housing types as well as pedestrian and bicycle connections to reduce vehicle emissions; and effectively planning the design, development and financing of services through the implementation of the Fairview Corners Specific Plan. Development of the project would represent the orderly expansion of the Hollister Urban Area eastward from its current boundary along Fairview Road, into a currently undeveloped area, consistent with the applicable General Plan designation of the project site as an “Area of Special Study”. The proposed project would facilitate efficient, orderly growth in certain areas in the County that are near existing urban uses, utilities and services such as the project site. The proposed residential units would be built in close proximity to domestic water and wastewater facilities provided by Sunnyslope County Water District and the City of Hollister.

While the project proposes at least or greater development density than allowed under the current General Plan and zoning designations, the project includes a change in these designations to ensure consistency and all development on the project site would be subject to the provisions set forth in the approved Specific Plan. In summary, the proposed project would not create land use incompatibility based on its residential density with surrounding uses, and the impact **is less than significant**.

No mitigation is required.

Urban Interface Conflicts

As discussed in Section 3.2, Agricultural Resources, during the NOP scoping process, a concern was raised by the operators of the Foxhollow Herb Farm (farm) to the southeast of the project site that development of the project site with residential uses could expose the farm to urban pollutants such as household pesticide and fertilizer residues. The proposed project includes several approaches to reducing urban/agricultural conflicts at buildout. As shown on Figure 13, Open Space Diagram, an open space buffer would be provided at the southeast corner and along the eastern boundary of the project site between proposed residential uses and the fields. The proposed project places low density residential uses in proximity to the southeastern boundary as indicated by the Conceptual Lotting Plans A-C, (refer to Figures 10, 11, and 12) and includes policies that limit the use of pesticides on the site. Implementation of MM AG-1 would reduce impacts to adjacent agricultural uses to less than significant and the project would result in a **less than significant** impact related to land use compatibility with adjacent agricultural uses.

No mitigation is required.

Population and Housing

Impact LU-5: The project would not induce substantial population growth in an area, either directly or indirectly. Therefore, this would be considered a **less than significant impact**.

According to updated Census data provided by AMBAG, the population estimate for unincorporated San Benito County in 2010 was 62,431 persons. The proposed project would result in a population increase of up to approximately 678 persons (based on 3.08 persons per household, Department of Finance 2010). The approved Santana Ranch project (1,092 dwelling units) to the north and Gavilan San Benito College Campus (70 dwelling units) for a combined total of 1,162 dwelling units, would equate to about 3,579 people. These two projects, along with the proposed project, would contribute to a total increase in population of about 4,257 persons over a period of five to 16 years. The AMBAG population forecast for the unincorporated San Benito County for 2020 is an estimated 24,720 persons, and for 2025 is estimated to be 26,671. Over the next 15 years, AMBAG forecasts indicate that the County population should grow by about 7,600 persons. The proposed project's individual and cumulative contribution to population growth is consistent with this forecast. Therefore, the proposed project would not induce substantial population growth in an area. For additional information on potential growth inducing impacts, see Section 5.1, Growth Inducing Impacts.

3.10.5 CUMULATIVE IMPACTS AND MITIGATION MEASURES

Conflicts with the Applicable Land Use Plan, Policy or Regulations

Impact LU-6: The proposed project, combined with other past, present, and reasonably foreseeable probable future projects in San Benito County may result in cumulative land use impacts to the project area. This is considered a **less than significant impact**.

Other past, present, and reasonably foreseeable probable future projects have been and/or will be developed in the County (refer to Section 3.0), which may result in land use impacts. However, as discussed above, the proposed project is consistent with relevant plans, policies and regulations, and would be required to comply with all applicable regulations to ensure consistency and compatibility with surrounding land uses, and would not result in any significant land use impacts. Therefore, the project would not combine with other past, present and reasonably foreseeable probable future projects in the vicinity to result in a cumulative impact on any existing nearby land uses, such as existing residential and small ranch uses, with

regard to land use compatibilities or generation of excessive noise. The proposed project would be subject to design review, which would ensure the proposed project meets the goals and policies of the Specific Plan for high-quality residential development, and would eliminate any land use incompatibilities. Therefore, the cumulative impacts with regard to land use is anticipated to be **less than significant**. No mitigation is required.

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