

**RESOLUTION 2016-57**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
SAN JUAN BAUTISTA DECLARING THE VESTED TENTATIVE MAP (VTM 2016-01)  
FOR THE COPPERLEAF SUBDIVISION WITH MITIGATION MEASURES,  
MONITORING AND REPORTING PROGRAMS, AND CONDITIONS OF APPROVAL  
APPROVED PURSUANT TO SECTION 66542.4 OF THE SUBDIVISION MAP ACT  
AND SAN JUAN BAUTISTA MUNICIPAL CODE SECTION 10-02-530 AND  
DIRECTING CERTIFICATION BY THE CITY CLERK**

**WHEREAS**, on August 2, 2016, the Planning Commission received the staff report, all written correspondence, oral input and public testimony on the Edenbridge Inc. proposed 45 lot Copperleaf Subdivision to evaluate the project for consistency with the 2025 General Plan and its potential impacts to the environment of the surrounding and immediate area and passed Resolution 2016-31, which approved a Mitigated Negative Declarations (MNG), with General Plan consistency findings for Copperleaf Subdivision and continued the public hearing; and

**WHEREAS**, on September 6, 2016, the Planning Commission reviewed and received public comments on a Vesting Tentative Map for the Copperleaf Subdivision (Map) and continued the hearings so that staff could return with the appropriate documentation and findings; and

**WHEREAS**, on October 4, 2016, the matter returned to the Planning Commission. Edenbridge Inc. attorney, Norman E. Matteoni of the Matteoni, O’Laughlin & Hechtman Law Office presented a letter to the Planning Commission, which declared the Map automatically approved because no action was taken within fifty days from approval of the Environmental Review. (SJB Municipal Code Sec. 10-02-530, Gov’t Code Sec. 66452.4). However, it was noted by the City Attorney that the last day to appeal the approval of a Subdivision Map to the City Council under the San Juan Bautista’s Municipal Code was October 6, 2016 (fifty days plus the fifteen calendar day appeal period provided in SJB Municipal Code Sec. 10-2-540.) If this time limitation was applicable, rather than the ten day time limit for appeals set forth in the Subdivision Map Act at Government Code Section 66452.5(b)(2), then appeal of the automatic approval could be possible. As such, the Planning Commission held a hearing, denied the Map and made detailed oral findings to support the denial of the Map; and

**WHEREAS**, on October 5, 2016, Jolene Cosio appealed the automatic approval of the Map. The appeal was timely under the San Juan Bautista Municipal Code but was not timely under the State Subdivision Map Act; and

**WHEREAS**, the City Council held a closed session on November 1st 2016 to consider the legal issues raised on behalf of Edenbridge Inc. by Norman E. Matteoni of the Matteoni, O’Laughlin & Hechtman Law Office and the legal issues raised on October 18, 2016 by Katharine Oesterreich, on behalf of Edenbridge Inc. which could lead to litigation against the City; and

**WHEREAS**, it was announced out of closed session that the City Council found that the Vesting Tentative Map was legally certified by the failure of the Planning Commission to take final action on the Map and make applicable findings within fifty days of the approval of the Mitigated Negative Declaration and General Plan consistency findings. The City Council found

that it was appropriate and more legally defensible to follow the ten day limit for appeal set forth in the State Subdivision Map Act, rather than the fifteen day limit in the San Juan Bautista Municipal Code for appeal of the decision and therefore the appeal of Jolene Cosio, was not timely and could not be heard. The appeal by Edenbridge Inc. of the Planning Commission action to deny the Map on October 4, 2016, was not appropriate because the Planning Commission decision was made after the date of automatic approval and the decision was *ultra vires*. As such, the appeal would not be heard.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of San Juan Bautista, does hereby approve this Resolution declaring that the Vested Tentative Map (VTM 2016-01) for the Copperleaf Subdivision with conditions of approval, Mitigation Measures and Monitoring and Reporting Programs is approved by law pursuant to Government Code Section 66542.4. and San Juan Municipal Code Section 10-02-530 and directs the City Clerk to certify the Vesting Tentative Map.

**PASSED AND ADOPTED** by the City Council of the City of San Juan Bautista on the 1st day of November, 2016 by the following vote.

**AYES:** Lund, West, Martorana, Edge

**NOES:** None

**ABSENT:** Boch

**ABSTAIN:** None

  
\_\_\_\_\_  
Mayor Rick Edge

**ATTEST:**

  
\_\_\_\_\_  
City Clerk Connie Schobert

## EXHIBIT A

### CONDITIONS OF APPROVAL

1. The applicant shall dedicate, improve and guarantee by bond the following streets, roads or cul-de-sac as shown upon the approved vested tentative map labeled Tentative Map for Copperleaf Subdivision, including but not limited to concrete curbs, gutters, sidewalks, aggregate base, asphalt street surfacing, sewer mains and laterals, water mains and water service laterals, underground electrical, telephone, cable TV conforming to City of San Juan Bautista Standard specification.
  - a. Street Copperleaf Lane
  - b. Street Cedar Court
  - c. Street Cypress Lane
2. The applicant shall improve and guarantee by bond the half street improvements along San Juan-Hollister Road including but not limited to concrete curbs, gutters, sidewalk, sewer mains, manhole, water valves, fire hydrants, underground electrical, telephone, cable TV, asphalt surfacing, aggregate base, pavement centerline stripping, bike lane striping, street name signs, architectural fence, low shrubbery landscaping and drip irrigation system. The improvements shall extend from Lot 1 to the easterly end of the curb, gutter and sidewalk of the Hacienda de Leal motel. Provisions shall be made for one 16' wide concrete driveway to lot C.
3. The applicant shall enter into a Subdivision Agreement and post a faithful performance bond, labor and materials bond guaranteeing construction all improvements within the subdivision.
4. The applicant shall submit a grading, erosion control and storm water pollution prevention plan (SWPPP) for all earthwork and grading activities proposed for the subdivision.
5. The applicant shall obtain an encroachment permit for all improvement in the San Juan-Hollister, Road.
6. The applicant shall enter into an indemnification and hold harmless agreement with the City of San Juan Bautista for the approval of the subdivision.
7. The applicant shall submit a geotechnical soils report for the subdivision with recommendations for the structural sections of street improvements, foundation design standards for building and structures and recommendation for field testing, inspections and compaction standards.
8. The applicant shall submit an archaeological report to the City prior to approval of the tentative map.
9. The applicant shall submit a drainage report to the City showing the on-site storm water drainage system, retention capacity and application for the submittal of a Conditional letter of map amendment (CLOMA) to Federal Emergency Management Agency.
10. The applicant shall install fire hydrants within the subdivision. The location shall be determined by the City Engineer.
11. The applicant shall relocate and underground the electrical distribution line running across lots 7, 8, 11 and 12 to a location as determine in the final improvement plans and coordination with the utility company.
12. The applicant shall install an architectural sound wall, similar to the existing sound wall on State Route 156, along the rear lots of 10 through 23 and architectural fence along Open Space Lot "A" for 220 feet. Also a side yard fence along San Juan-Hollister Road

of lots 27, 28, 36, 37, 45, and 1. A fence shall be constructed along the west property line of lot 9, 10 and Lot C.

13. The applicant shall extend the street improvements to the east boundary of the subdivision, provide finish rough grade to lot B and the 28 feet wide maintenance driveway to Lot A. The applicant shall dedicate to the City a 100'x100 lot designated lot B and participate in a fair share portion of the cost to install a domestic well meeting the City Standards together with electrical service, fencing and security night lighting. The applicant shall upon approval from the state and activation of the new well on lot B, remove and the demolition of well no. 2 per state standards.
14. The applicant shall submit improvement plans and construct a storm drainage retention pond for all surface runoff water from the subdivision.  
The storm drainage retention pond shall be designed with multiple elevation levels. The pond shall have a perimeter fence with access gates or entrance which restrict pedestrian and maintenance equipment access during heavy rainy periods.
15. The applicant shall submit a traffic report to the City identifying traffic volumes, patterns, pedestrian traffic, together with mitigations measures to address impacts to the vehicular and pedestrian traffic at the intersection of The Alameda and State highway 156.
16. The applicant shall install street lights within the subdivision that conform to the City adopted dark sky ordinance. Location shall be determined by the City in coordination with the utility company.
17. The applicant shall submit plans to Caltrans for the installation of pedestrian push button signal facilities on existing signal poles situated on the east side of the intersection and install a painted pedestrian cross walk across State Highway 156 on the east side of the intersection from the south side to north side of the Alameda.
18. The applicant shall participate in fair share cost for the construction of a deceleration right turn lane and an east bound right turn overlap signal phase at the intersection of State Highway 156 in accordance with the recommendation of the traffic study report from Hatch Mott McDonald.
19. The applicant shall as part of the Subdivision Agreement, noted in condition 3 above, pay a subdivision improvement plan check fee of 1.5% and improvement plan inspection fee of 2% of the improvements cost identified in the subdivision agreement. The inspection fees shall be use for on-site inspection services to the subdivision during construction.
20. The applicant shall submit to the City a Site and Design Review Permit application for all homes and or secondary units proposed. The application shall consist of a site plan showing all setbacks and property line dimensions, floor plans with square footage calculations, exterior elevation of all four sides, a landscaping and irrigation plan showing the drought resistant plants, turf areas not exceeding 25% of the front yard area and a layout or schematic of the drip irrigation systems.
21. The applicant shall obtain a building permit for each home and pay building permit fee, plan check fee, electrical permit fee, plumbing permit fee, mechanical permit fee, fire sprinkler permit fee, strong motion instrumentation fee, green fee, water connection fee when allowed by the State, sewer connection fee, traffic impact fee, public safety development fee, park development fee, storm drainage development fee, library development fee and public/civic facilities development fees for each dwelling permit issued. The applicant may elect to use four or five base model plans for the building permit plan check fees and the City will establish credit to each subsequent building permit issuing the same floor plans and structural improvements.

22. The applicant shall install a domestic water and fire sprinkler service to each home with a water utility box conforming to the city's standard plan B3-3. A separate ball valve or equal shall be install behind each water service box.
23. The applicant shall form and implement a landscaping and lighting district for the subdivision to maintain the landscaping and electrical costs for the street lights. The internal street light standard shall be similar to those in the down town area.
24. The applicant shall form a Community Maintenance Service District for the continual maintenance, repair of streets, storm drain facilities, park facilities and street sweeping.
25. The applicant shall install all street lighting equipped with LED fixtures within the subdivision. Location shall be determined by the City Engineer in coordination with the utility company.
26. The applicant shall contribute a fair share contribution, not exceeding 15% of the cost of a roundabout improvement project at the intersection of The Alameda and San Juan-Hollister Road.
27. The applicant shall install a small community park with walkways, benches, picnic tables, drought tolerant landscaping, trees, and turf area and irrigation facilities at the northwest quadrant of lot A.
28. Mail service for all resident of the subdivision shall be picked up at the Post Office, located in the Windmill Market complex, unless deemed otherwise by the San Juan Bautista Post Office Manager. If postal service is provided to the subdivision, group cluster drop-off boxes shall be provided at locations throughout the subdivision..
29. The applicant shall construct a school bus stop area within the subdivision within the vicinity of Lot A or as determined by the School District. Bus services will be provided by the Aromas-San Juan School District.
30. The applicant shall submit to the Planning Commission an application for all temporary on-site sales signs and one off- premise sign for marketing and sales purposes.
31. The applicant shall allow construction activities within the subdivision to hours between 7:30 A.M. to 6:00 P.M. Monday through Friday and 8:30 A.M. to 5:30 P.M. on Saturday. No construction shall be allowed on Sundays and Federal or State Holidays.
32. The applicant shall restrict all loud noises, vibratory equipment, trucks backup devices, and gas powered compaction tools to hours between 8:30 A.M. to 4:00 P.M. during the permitted days of the week for construction. No construction on Sundays or Federal or State Holidays unless it is done within a closed building or structure.
33. The applicant shall have the following note placed on all construction drawings and plans. "If prehistoric archaeological resources or human remains are unexpectedly discovered during construction, work shall be halted within 10 meters (25 feet) of the find until it can be evaluated by a qualified professional archeologist. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented."
34. The applicant shall obtain all rights of way and easements required and necessary for the construction and completion of the Copperleaf subdivision.
35. The applicant shall submit to the City and San Benito County Environmental Health a hazardous waste management plan together with emergency contact information.
36. The applicant shall submit to the City a solid waste disposal plan for all solid waste material disposed of from the project site.
37. The applicant shall submit a copy of the permit from the Monterey Bay Area Air Pollution Control District if required.

38. The applicant shall install a separate water service lateral to each lot for a fire sprinkler system and potable water. The services shall conform to the City standards. Separate water, electrical and telephone services shall be to each secondary unit constructed.
39. A note shall be placed upon all improvement plans for all grading, excavation and embankment during high wind periods shall cease. The City Planning Department or building inspector shall contact the contractor when construction activities shall cease due to high winds.
40. Prior to final occupancy of the residential structures, a final building inspection shall be performed by the City.
41. Prior to issuance of a building permit, school impact fee shall be paid to the Aromas-San Juan school District. Confirmation of the payment shall be submitted to the City.
42. The applicant shall restrict the number of two story structure built on each street frontage to no more than seventy (70%). The roof line shall vary in style, roof pitch, design, color and type of roof material. All structures within the subdivision shall incorporate a drought tolerant landscaping, drip irrigation systems and have a least one street tree within the lot frontage of each house. Turf area shall be minimized to the best practices.
43. The applicant shall submit the final map of the phases to be recorded if applicable together with all the necessary documentation, recording fees, subdivisions guarantees, tax clearance letter and executed subdivision agreement,
44. All residential homes shall be constructed and designed for future solar conversions.
45. The applicant shall submit to the City a copy of the P.G. & E utility underground electrical, telephone, gas and communication plans for the subdivision.
46. The applicant shall provide sound reduction-type windows on the rear of all homes of lots 10 through 23 backing up on State Highway Route 156.
47. The applicant, in accordance with assessment findings in the WSA, Inc. Cultural Resources Assessment Report dated October 2015, shall remove the old barn, cabin and modern outbuilding situated on lot 9.

**EXHIBIT B**

**MITIGATION MONITORING AND REPORTING**

<b>Environmental Topic</b>	<b>Mitigation Measures</b>	<b>Implementation Responsibility</b>
<p align="center"><b>AESTHETICS</b></p> <p><b>AESTHETICS-1: Site Plan and Landscape Plan</b></p>	<p><b>AES-1</b> The applicant shall submit for review a Project site plan that shows design features including a landscape and irrigation plan to the City prior to approval of the Final Map. The site plan and landscaping design shall depict the types of vegetation planned for areas adjacent to driveways, streets, and storm drainage areas, as well as landscaping of the individual residences to complement the planned architectural design and to uphold the visual quality of the site. The landscape plan shall also depict Project sound walls (along State Route 156) per the noise study, plus fences, and other design features. The Project shall meet the City's site plan and design review standards, as outlined in the City's Municipal Code, and General Plan 2035 Conservation Policy that supports use of local native plant species for landscaping, and avoidance of invasive plant species.</p>	<p align="center">Project Site Developer(s)</p>
<p><b>AESTHETICS-2: Lighting Plan</b></p>	<p><b>AES-2</b> The applicant shall submit a lighting plan for the Project conforming to the City's dark sky regulations and standards, with provisions for shields on all lighting fixtures. All light fixtures shall be directed into the Project site.</p>	<p align="center">Project Site Developer(s)</p>
<p align="center"><b>AIR RESOURCES</b></p> <p><b>AIR RESOURCES-1: Limit Exposure to Sources of TAC Emissions</b></p>	<p><b>AIR-1</b> The Project shall include the following measures to minimize long-term TAC exposure for new Project occupants: • Design buildings and site to limit exposure from sources of TAC emissions. The site layout shall locate windows and air intakes as far as possible from Highway 156 traffic lanes, using Figure 6 as a guide. Any modifications to the site design shall incorporate buffers between residences and the freeway. • To the greatest degree possible, plant vegetation</p>	

	<p>along the Project site boundary with Highway156 and around outdoor use areas. This barrier shall include trees and shrubs that provide a dense vegetative barrier. • Mechanical ventilation shall be installed on an individual unit-by-unit basis, with individual air intake and exhaust ducts ventilating each unit separately in the case of single-family housing. Install air filtration in residential buildings where cancer risk is greater than 10 in one million (see Figure 6). Air filtration devices shall be rated MERV11 or higher. To ensure adequate health protection to sensitive receptors, this ventilation system shall meet the following minimal design standards: o A MERV11 filter or higher rating at receptors shown to exceed 10 in one million (or 1 in 100,000 cancer risk) in Figure 6; o At least one air exchange(s) per hour of fresh outside filtered air; and o At least four air exchange(s) per hour recirculation. • Ensure that the property purchase documents include assurance that new owners are provided information on the ventilation system, including cleaning and maintenance requirements.</p>	<p>Project Site Developer(s)</p>
<p><b>BIOLOGICAL RESOURCES</b></p> <p><b>BIOLOGY-1: Pre-construction Bird Survey</b></p>	<p><b>BIO-1</b> If Project construction-related activities would take place during the nesting season (February through August), preconstruction surveys for nesting passerine birds within the Project site, and the surrounding area of influence of the Project site, should be conducted by a competent biologist prior to the commencement of the tree removal or site grading activities. Nesting bird surveys shall be conducted no more than 30 days prior to any vegetation removal. If any bird listed under the Migratory Bird Treaty Act is found to be nesting within the Project site or within the area of influence, an adequate protective buffer zone should be established by a qualified biologist to protect the nesting site. This buffer shall be a minimum of 75 feet from the Project activities for passerine birds, and a minimum of 200 feet for raptors (birds-of prey). The distance shall be determined by a competent biologist based on the site conditions (topography, if the nest is in a line of sight of the construction and the sensitivity of the birds nesting). The nest site(s) shall be monitored by a competent biologist periodically to see if the birds are stressed by</p>	<p>Project Site Developer(s)</p>



	<p>the construction activities and if the protective buffer needs to be increased. Once the young have fledged and are flying well enough to avoid Project construction zones (typically by August), the Project can proceed without further regard to the nest site.</p>	
<p><b>BIOLOGY-2: Pre-construction Bat Survey</b></p>	<p><b>BIO-2</b> To avoid “take” of special status bats, the following mitigation measures shall be implemented prior to the removal of any existing trees or structures, including the barn, on the Project site: a) A bat habitat assessment shall be conducted by a qualified bat biologist during seasonal periods of bat activity (mid-February through mid-October – ca. Feb. 15 – Apr. 15, and Aug. 15 – October 30), to determine suitability of each existing structure as bat roost habitat. b) Structures found to have no suitable openings can be considered clear for Project activities as long as they are maintained so that new openings do not occur. c) Structures found to provide suitable roosting habitat, but without evidence of use by bats, may be sealed until Project activities occur, as recommended by the bat biologist. Structures with openings and exhibiting evidence of use by bats shall be scheduled for humane bat exclusion and eviction, conducted during appropriate seasons, and under supervision of a qualified bat biologist. d) Bat exclusion and eviction shall only occur between February 15 and April 15, and from August 15 through October 30, in order to avoid take of non-volant (non-flying or inactive, either young, or seasonally torpid) individuals. ORA qualified wildlife biologist experienced in surveying for and identifying bat species should survey the portion of the Project where tree removal is proposed to determine if any special-status bats reside in the trees. Any special-status bats identified should be removed without harm. Bat houses sufficient to shelter the number of bats removed should be erected in open space areas that would not be disturbed by Project development.</p>	<p>Project Site Developer(s)</p>
<p><b>CULTURAL RESOURCES</b></p> <p><b>CULTURAL-1: Historic and Prehistoric Resources</b></p>	<p><b>CULT-1</b> In accordance with CEQA Guideline §15064.5 (f), should any previously unknown historic-period resources, including but not limited to privies, trash deposits or similar debris, be discovered during grading, trenching, or other on-site excavation(s), earthwork within</p>	

	<p>the immediate vicinity of such discoveries shall be stopped until a qualified professional archaeologist has an opportunity to evaluate the potential significance of the find. If the find is recommended as not significant, excavation will resume. If the find is recommended to be potentially significant, or requires further testing in order to make such a determination, the archaeologist in consultation with the Project sponsor and the lead agency will develop an appropriate plan to mitigate the loss of the resource. Significant resources typically include intact deposits with physical integrity, such as refuse-filled privies, that contain the variety and quantity of artifacts required to answer research questions regarding the historic development of the Project area. Sparse sheet refuse scatters and isolated artifacts are not typically considered significant. Should any previously unknown prehistoric resources, including but not limited to charcoal, obsidian or chert flakes, grinding bowls, shell fragments, bone, or pockets of dark, friable soils be discovered during grading, trenching, or other on-site excavation(s), earthwork within 25 feet of such discoveries shall be stopped until a qualified professional archaeologist has an opportunity to evaluate the potential significance of the find and suggest the appropriate steps to protect the resource.</p>	<p>Project Site Developer(s)</p>
<p><b>CULTURAL-2: Unidentified Human Remains</b></p>	<p><b>CULT-2</b> If human remains are encountered during earth-disturbing activities for the Project, all work in the adjacent area shall stop immediately and the San Benito County Coroner's office shall be notified. If the coroner determines the remains are Native American, the coroner shall contact the NAHC within 24 hours, and the NAHC shall identify the person or persons it believes to be the most likely descendant (MLD) of the deceased Native American. The MLD may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98.</p>	<p>Project Site Developer(s)</p>
<p><b>GEOLOGY AND SOILS</b>  <b>GEOLOGY AND SOILS-1: Geologic Instability</b></p>	<p><b>GEO-1</b> Seismic and other soil and geologic instability shall be addressed by adhering to</p>	

<p><b>GEOLOGY AND SOILS-2: Soil Erosion</b></p> <p><b>GEOLOGY AND SOILS-3: Expansive Soils</b></p>	<p>design recommendations in the Project's geotechnical design report and to the satisfaction of the Project engineer and City staff.</p> <p><b>GEO-2</b> Soil erosion shall be addresses by development and implementation of construction and post-construction erosion control programs in the form of a SWPPP and a SWMP, and otherwise adhering to design recommendations in the Project's geotechnical design report and to the satisfaction of the Project engineer and City staff.</p> <p><b>GEO-3</b> The presence of expansive soils shall be addressed in foundation, infrastructure, and roadway design according to the Project's geotechnical design report and to the satisfaction of the Project engineer and City staff.</p>	<p><b>Project Site Developer(s)</b></p> <p><b>Project Site Developer(s)</b></p> <p><b>Project Site Developer(s)</b></p>
<p><b>HAZARDS AND HAZARDOUS MATERIALS</b></p> <p><b>HAZARDS and HAZARDOUS MATERIALS-1: Soil Hazard</b></p>	<p><b>HAZ-1</b> The potential migration of contaminated soils from Lot C onto the Project site shall be addressed through the construction of a permanent wall along the Project boundary (shown on Attachment 1, Figure 8).</p>	<p><b>Project Site Developer(s)</b></p>
<p><b>HYDROLOGY AND WATER QUALITY</b></p> <p><b>HYDROLOGY-1: Stormwater Pollution</b></p> <p><b>HYDROLOGY-2: Flood Management</b></p>	<p><b>HYD-1</b> The applicant shall retain a qualified SWPPP consultant to prepare and submit a Stormwater Pollution Prevention Plan (SWPPP) to the City of San Juan Bautista that identified specific actions and maps Best Management Practices (BMPs) to prevent stormwater pollution during construction activities.</p> <p><b>HYD-2</b> To comply with FEMA requirements and the San Juan Bautista Municipal Code (section 12-1-400), the lowest floor elevation of each structure in the Zone AO shall be 1 foot above the highest adjacent grade. The final grading of each building in the special flood hazard area shall be at least at the base flood elevation as indicated in Table 5 (Draft IS/MND page 36).</p>	<p><b>Project Site Developer(s)</b></p> <p><b>Project Site Developer(s)</b></p>

<b>NOISE</b>		
<b>NOISE-1a: Limit Exposure to Noise Sources</b>	<p><b>NOI-1a</b> Ensure that all residents have access to outdoor use areas that achieve the City of San Juan Bautista's exterior noise criteria (Normally Acceptable 60 dBA Ldn for residential uses or Conditionally Acceptable 70 dBA Ldn after noise reduction features are included in the design). Based on the site plan provided, achieving 65 dBA Ldn would be possible for all residential land uses with the construction of a 9-foot high wall along the northern edge of the proposed development. The final barrier limits and heights shall be confirmed during final design, based on the latest site plan and grading plan.</p>	<b>Project Site Developer(s)</b>
<b>NOISE-1b: Limit Exposure to Noise Sources</b>	<p><b>NOI-1b</b> A qualified acoustical consultant shall review the final site plan, building elevations, and floor plans prior to construction and recommend building treatments to reduce interior noise levels to 45 dBA Ldn or lower. Treatments would include, but are not limited to, sound rated windows and doors, sound rated wall and window constructions, acoustical caulking, protected ventilation openings, etc. Results of the analysis, including the description of the necessary noise control treatments, shall be incorporated in the building plans and approved design.</p>	<b>Project Site Developer(s)</b>
	<p><b>NOI-1c</b> Provide a suitable form of forced-air mechanical ventilation, as determined by the local building official, for all residences on the project site, so that windows can be kept closed at the occupant's discretion to control interior noise and achieve the interior noise.</p>	<b>Project Site Developer(s)</b>
	<p><b>NOI-2</b> The construction contractor will implement the following controls in order to reduce construction noise levels emanating from the site, limit construction hours, and minimize disruption and annoyance. With the implementation of these measures, the substantial temporary increase in ambient noise levels would be less-than-significant: • Limit construction activity to weekdays between 7:00 am and 7:00 pm and Saturdays and holidays between 9:00 am and 7:00 pm, with no construction on Sundays; • Locate stationary noise-generating equipment as far as possible from sensitive receptors when sensitive receptors adjoin or are near a construction</p>	<b>Project Site Developer(s)</b>

	<p>project area; • Construct sound walls or other noise reduction measures prior to developing the project site, where feasible;• Equip all internal combustion engine driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment; • Prohibit all unnecessary idling of internal combustion engines; and• Utilize “quiet” models of air compressors and other stationary noise sources where technology exists.</p>	
<p><b>TRANSPORTATION AND TRAFFIC</b></p> <p><b>TRAFFIC-1: Cumulative Project Traffic</b></p>	<p><b>TRAF-1</b> The Project shall contribute (20 % of the cost) toward recommended traffic improvements (i.e. the exclusive eastbound right turn lane and the eastbound right turn overlap signal phase) based upon the percentage of the added traffic. In addition, the Project will be responsible for payment of the San Benito County Transportation Impact Mitigation Fee.</p>	<p><b>Project Site Developer(s)</b></p>