

SAN BENITO LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT

January 28, 2016 (Agenda)

LAFCO No. 509: Muckelemi Street Annexation to City of San Juan Bautista

PROPONENT: City Council of the City of San Juan Bautista, by resolutions.

ACREAGE & LOCATION: Approximately one acre located at the southeast corner of the intersection of Muckelemi Street and Monterey Street; San Juan Bautista area

PURPOSE: Include this property within the City in preparation for future commercial development of this site and adjacent land already within the City.

PROJECT INFORMATION

Project Information

1. Land Use, Planning and Zoning - Present and Future:

This parcel is vacant. This site and adjacent land within the City are under the same ownership and this annexation will allow coordinated commercial development.

The City General Plan and rezoning designates the site as Commercial (C). The area to be annexed is within the City Sphere of Influence.

The County General Plan designates the site as Agriculture Productive.

Surrounding land uses are vacant to the east, west and north and, agricultural to the south.

2. Topography, Natural Features and Drainage Basins:

The annexation area and surrounding land slope is generally level with a minor slope to the west. There are no significant natural features that affect future development.

3. Population:

There are no homes within the proposal area and none are planned.

4. Governmental Services and Controls - Need, Cost, Adequacy and Availability:

The City "Plan for Providing Services Within the Affected Territory" as required by Government Code Section 56653 is attached and made a part of this report.

5. Impact on Prime Agricultural Land, Open Space and Agriculture:

The site does not produce an agricultural crop and is not prime agricultural land.

6. Assessed Value, Tax Rates and Indebtedness:

The property is within Tax Rate Area 079-007. The assessed value is \$28,238.

The proposal is subject to a master property tax exchange agreement that has been approved by the Board of Supervisors and San Juan Bautista City Council. The overall tax rate will not be affected by this change.

7. Environmental Impact of the Proposal:

The City as lead agency found the proposal to be categorically exempt from CEQA (Class 19 – Annexation of Existing Facilities and Lots for Exempt Facilities and Class 3 - New Construction or Conversion of Small Structures.)

8. Landowner and Subject Agency Consent:

Written consent to the annexation has been given by the affected property owner and the City consents to the waiver of conducting authority proceedings.

9. Boundaries, Lines of Assessment and Registered Voters:

The boundaries appear to be definite and certain and there do not appear to be conflicts with lines of assessment or ownership. The site is contiguous to the City boundary.

The map and legal description are being reviewed by the County Surveyor for sufficiency in filing with the State Board of Equalization.

The territory is uninhabited; namely, there are fewer than 12 registered voters.

10. Environmental Justice

Annexation will have no effect with respect to the fair treatment of people of all races and income, or the location of public facilities or services.

ALTERNATIVES FOR COMMISSION CONSIDERATION

After reviewing this report and any testimony or materials that are presented, the Commission can take one of the following actions:

OPTION 1 – APPROVE the proposal as submitted.

- A. Find the proposal to be categorically exempt.
- B. Adopt this report and approve the proposal known as the Muckelemi Street Annexation to the City of San Juan Bautista, subject to the condition that the territory be liable for any existing or authorized taxes, charges, fees or assessments comparable to properties presently within the City.
- C. Find: 1) the subject territory is uninhabited, 2) the affected landowner has given consent to the annexation and 3) the annexing agency has given written consent to the waiver of conducting authority proceedings.
- D. Waive the conducting authority proceedings and direct the staff to complete the proceeding.
- E. Direct the staff not to record the annexation until the map and legal description are found by the County Surveyor to be acceptable.

OPTION 2 - Adopt this report and DENY this proposal.

OPTION 3 - CONTINUE this proposal to a future meeting for additional information.

RECOMMENDED ACTION:

Approve OPTION 1.



BOB BRAITMAN
Executive Officer
LOCAL AGENCY FORMATION COMMISSION

14. Government Services and Controls – Plan for Providing Services (per §56653)

- A. Describe the services to be extended to the affected territory by this proposal.
Standard Services will be provided once the property is annexed to San Juan Bautista. These include but are not limited to land use planning and regulation including zoning, land use permits and building permits and inspections, local law enforcement including traffic law enforcement via a contract with the County Sheriff, fire protection services, water treatment and distribution, sewage collection, treatment and disposal, street maintenance, street lighting and city hall services including representing the community at all levels of government.
- B. Describe the level and range of the proposed services.
San Juan Bautista will provide services to the proposed annexation area in the same manner and level as it provides services elsewhere in the City.
- C. Indicate when the services can feasibly be provided to the proposal area.
Upon annexation of property to the City.
- D. Indicate any improvements or upgrading of structures, roads, sewers or water facilities or other conditions that will be required as a result of the proposal.
Upon development City Standards will be imposed and utilities will be installed into the area if it does not now have such utilities.
- E. Identify how these services will be financed. Include both capital improvements and ongoing maintenance and operation.
Capital improvements will be financed through connection fees, developer contributions, grants, bonds and through San Juan Bautista's Capital Improvement program which is funded by various city revenues. Ongoing maintenance and operations will be financed by property taxes, franchise fees, developer fees, permits, utility fees and business licenses.
- F. Identify any alternatives for providing the services listed in Section (A) and how these alternatives would affect the cost and adequacy of services.
San Benito County may be able to provide some of the needed services but does not have the capital improvements available for water and sewer.

LAFCO No. 509

RESOLUTION OF THE SAN BENITO LOCAL AGENCY FORMATION
COMMISSION MAKING DETERMINATIONS AND APPROVING THE
MUCKELEMI STREET ANNEXATION TO THE CITY OF SAN JUAN BAUTISTA

WHEREAS, the above-referenced proposal has been filed with the Executive Officer of the San Benito Local Agency Formation Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act and the County Service Area Law (Sections 56000 et seq. and Section 25210 et seq. of the Government Code); and

WHEREAS, at the times and in the manner required by law the Executive Officer has given notice of the Commission's consideration of the proposal; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony related to the proposal including, but not limited to, the Executive Officer's report and recommendation, the environmental document or determination, Spheres of Influence and applicable General and Specific Plans; and

WHEREAS, the Local Agency Formation Commission finds the proposal to be in the best interests of the affected area and the total organization of local governmental agencies within San Benito County.

NOW, THEREFORE, BE IT RESOLVED DETERMINED AND ORDERED by the Local Agency Formation Commission of San Benito County as follows:

(1) The City of San Juan Bautista as lead agency has found the proposal to be categorically exempt from CEQA (Class 19 – Existing Facilities and Lots for Exempt Facilities and Class 3 – New Construction or Conversion of Small Structures).

(2) The subject proposal is assigned the distinctive short-form designation:

MUCKELEMI STREET ANNEXATION TO CITY OF SAN JUAN BAUTISTA

(3) Said territory is found to be uninhabited.

(4) The boundaries of the affected territory are found to be definite and certain as approved and set forth in the legal descriptions, attached hereto and made a part hereof.

(5) All proceedings in connection with this annexation shall be conducted only in compliance with the approved boundaries set forth in the attachments

(6) Since the subject territory is uninhabited, all affected landowners have given written consent to the annexation and the annexing agency has given written consent to the waiver of conducting authority proceedings, the conducting authority proceedings are waived and the staff is directed to complete the proceeding.

(7) The territory being annexed shall be liable for any existing or authorized taxes, charges, fees or assessments comparable to properties presently within the City.

(8) Staff is directed not to record the annexation until the map and legal description are found by the County Surveyor to be acceptable.

This resolution was adopted on January 28, 2016 and is effective on the date signed by the Chair.

AYES:

NOES:

ABSTAINS:

Dated: _____

Chair
San Benito Local Agency Formation Commission

ATTEST

Bob Braitman, Executive Officer
San Benito Local Agency Formation Commission

