

SAN BENITO LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT

OUT-OF-AGENCY SERVICE AGREEMENT

February 25, 2016 (Agenda)

LAFCO 512: City of Hollister – Del Webb at San Juan Oaks

LOCATION: Approximately 1,994 acres located at southerly end of San Juan Oaks Drive, about three miles south of the City of Hollister.

PURPOSE: Provide wastewater treatment to an approved development.

RECOMMENDATION Approve the City request to provide wastewater treatment service for this property which is outside its boundaries.

GENERAL ANALYSIS:

Project Information

1. Out of Agency Services

In addition to managing local government boundaries LAFCO regulates the extension of services without boundary changes. Government Code §56133 states "A city or district may provide new or extended services by contract or agreement outside of its jurisdictional boundaries only if it first requests and receives written approval from the commission."

The Hollister City Council on December 21, 2015 adopted Resolution No. 2015-232 authorizing the City to provide wastewater treatment services outside of its boundaries and applying to provide these services for the Del Webb project.

2. Land Use, Planning and Zoning – Present and Future

The Board of Supervisors has approved the Del Webb at San Juan Oaks Specific Plan and the City of Hollister as agreed to accept and treat sewage generated by the project.

This is a significant development proposal consisting of more than 1,000 new homes and related urban facilities. Due to its location it is not legally annexable to the City nor is it within the City's General Plan or Sphere of Influence. It is outside of the west boundary of the urban service area.

The 1,994 acres that are the subject of this proposal are located approximately three miles southwest of the City of Hollister. The affected territory contains the San Juan Oaks Golf Club, which is an 18-hole public golf course and related facilities including a clubhouse and maintenance building and adjacent acreage.

The project approved by the County as the "San Juan Oaks Specific Plan" includes an "active-adult" community including 1,017 single family homes and an amenity center consisting of a multi-purpose room for community events, crafts room, locker rooms, administrative space and covered swimming pool. It would also likely have a variety of outdoor uses including a swimming pool, tennis and bocce courts and barbecue areas.

The Specific Plan also includes 67 non-age restricted single-family homes, a 200 room resort hotel, up to 65,000 square feet of neighborhood commercial and office space and an assisted living/skilled nursing/memory care facility with up to 100 beds. The commercial center could include small scale retail and professional services, including a bank, medical offices, restaurant, coffee shop, bakery, small market and other services.

The overall plan includes a substantial amount of parks and open space areas, agricultural preserves and 1,243 acres of permanent wildlife habitat preservation.

The property is not contiguous to the City nor is it within the City's Sphere of Influence and is just outside of the west boundary of the urban service area. The resolution adopted by the Commission on January 22, 2015 confirmed the policy that "for the City of Hollister to provide sewer services outside of its boundaries to a specific territory it must first request and receive written approval from the Commission."

3. Topography, Natural Features and Drainage Basins:

The area where residential and related development will occur is generally level, although portions of the overall 1,994 acres include rolling hills.

4. Population:

There do not appear to be existing homes on the site. Approximately 1,084 homes might be constructed as a result of this proposal.

5. Environmental Impact of the Proposal

The County of San Benito has prepared and certified a Subsequent Environmental Impact Report (September 2015) for the Del Webb at San Juan Oaks Specific Plan. Copies of this document are being made available to the members of the Commission.

Enclosed is Board of Supervisors Resolution No. 2015-82 which certifies the Subsequent EIR and adopts CEQA findings, mitigation measures, a mitigation monitoring and reporting program and statement of overriding considerations.

6: Environmental Justice

The provision of public services will support the fair treatment of people of all races and income and the equitable location of public facilities or services.

ALTERNATIVES FOR COMMISSION ACTION

After consideration of this report and any testimony or additional materials that are submitted the Commission should consider taking one of the following options:

Option 1 APPROVE the request to provide sewer services.

- A. Certify it has reviewed and considered the Subsequent Environmental Impact Report and adopt the findings required of a responsible agency pursuant to the CEQA Guidelines by incorporating by reference the findings and statement of overriding considerations included in Board of Supervisors Resolution No. 2015-82.
- B. Adopt this report and approve the proposal, to be known as the City of Hollister Out-of-Agency Service Agreement – Del Webb at San Juan Oaks, allowing the City to provide wastewater treatment services outside of its boundaries for this potential wastewater service area.

Option 2 DENY the request.

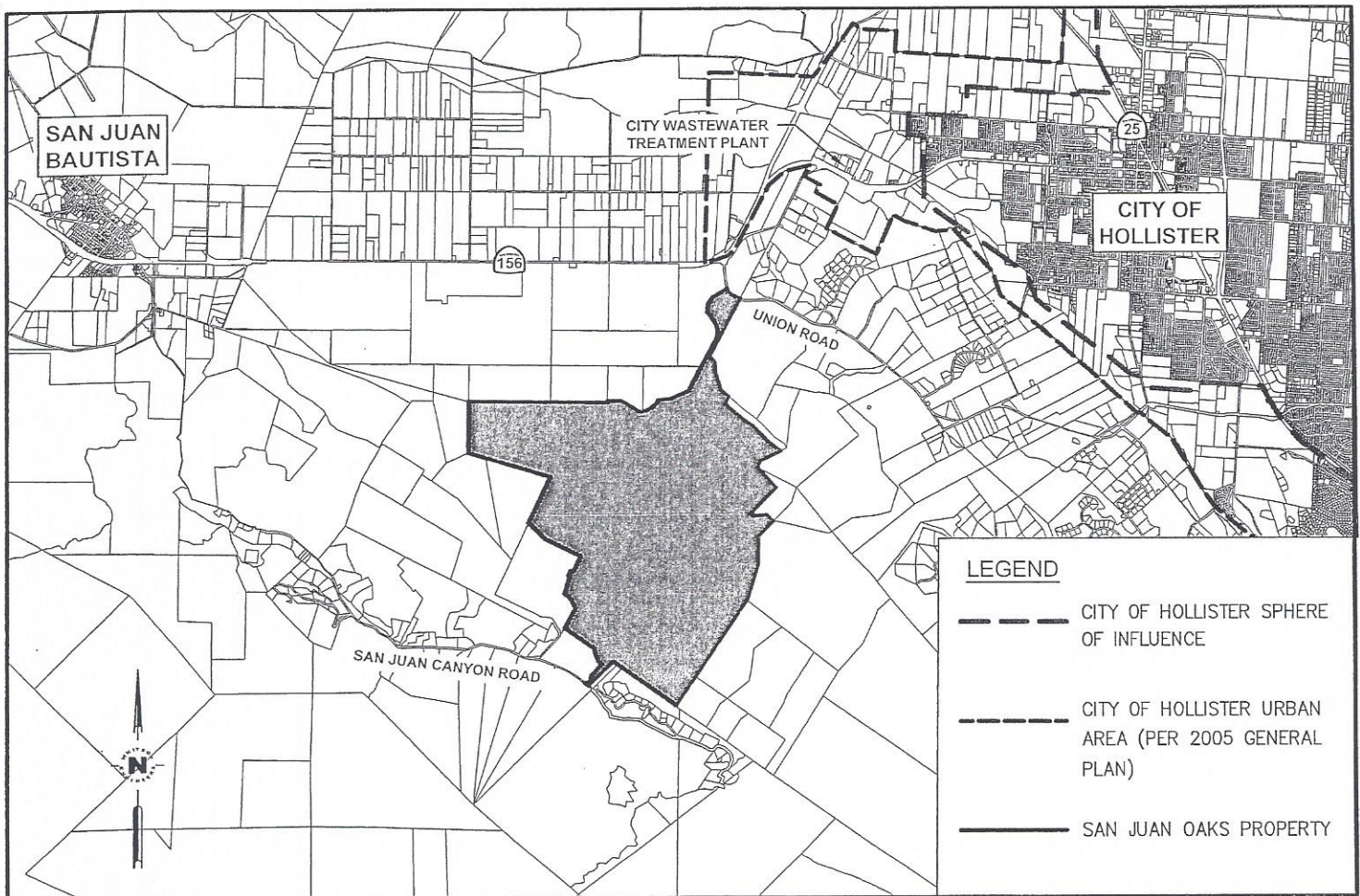
Option 3 CONTINUE the item to obtain additional information.

RECOMMENDED ACTION:

Approve **Option 1**.



BOB BRAITMAN
Executive Officer
LOCAL AGENCY FORMATION COMMISSION



DEL WEBB AT SAN JUAN OAKS

SAN BENITO COUNTY

CALIFORNIA

VICINITY MAP

DRAWING PATH: T:\Monterey Projects\1613\Del Webb\CIVIL\EXHIBITS\vb-Vicinity Map.dwg

DATE: NOV 12, 2015

SCALE: 1" = 5000'

DRAWN: APH

CHECKED: RPW

PROJECT No.: 1613.10

SHEET

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OF 1

WHITSON ENGINEERS - 9699 BLUE LARKSPUR LANE, SUITE 105 - MONTEREY, CALIFORNIA 93940 - TEL (831) 649-5225 - FAX (831) 373-5065 - WWW.WHITSONENGINEERS.COM

LAFCO No. 512

RESOLUTION OF THE SAN BENITO LOCAL AGENCY FORMATION COMMISSION
AUTHORIZING THE CITY OF HOLLISTER TO PROVIDE OUT-OF-AGENCY
WASTEWATER TREATMENT SERVICES FOR THE DEL WEBB
AT SAN JUAN OAKS PROPERTY

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

WHEREAS, Government Code Section 56133 allows a city to provide new or extended services by contract or agreement outside its jurisdictional boundaries only if it first requests and receives written approval from the Commission; and the Commission may authorize a city to provide new or extended services outside its boundaries, and

WHEREAS, on November 3, 2015, the Board of Supervisors adopted Resolution No. 2015-82 certifying the Subsequent Environmental Impact Report for the Del Webb at San Juan Oaks Project, adopting CEQA findings, a Statement of Overriding Consideration, a Mitigation Monitoring and Reporting Plan and approved the Project, said County resolution is incorporated herein by reference; 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 Commission in its role as a responsible agency under CEQA has reviewed and considered the Subsequent Environmental Impact Report prepared by the County of San

Benito and adopts the findings required of a responsible agency pursuant to the CEQA Guidelines by incorporating by reference the findings and statement of overriding considerations included in County Resolution No. 2015-82.

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

CITY OF HOLLISTER OUT-OF-AGENCY SERVICES – DEL WEBB AT SAN
JUAN OAKS

- (3) The City of Hollister is hereby authorized to provide wastewater service outside its boundaries and outside its Sphere of Influence for this affected territory.

This resolution was adopted on February 25, 2016 and is effective on the date signed by the Chair.

AYES:

NOES:

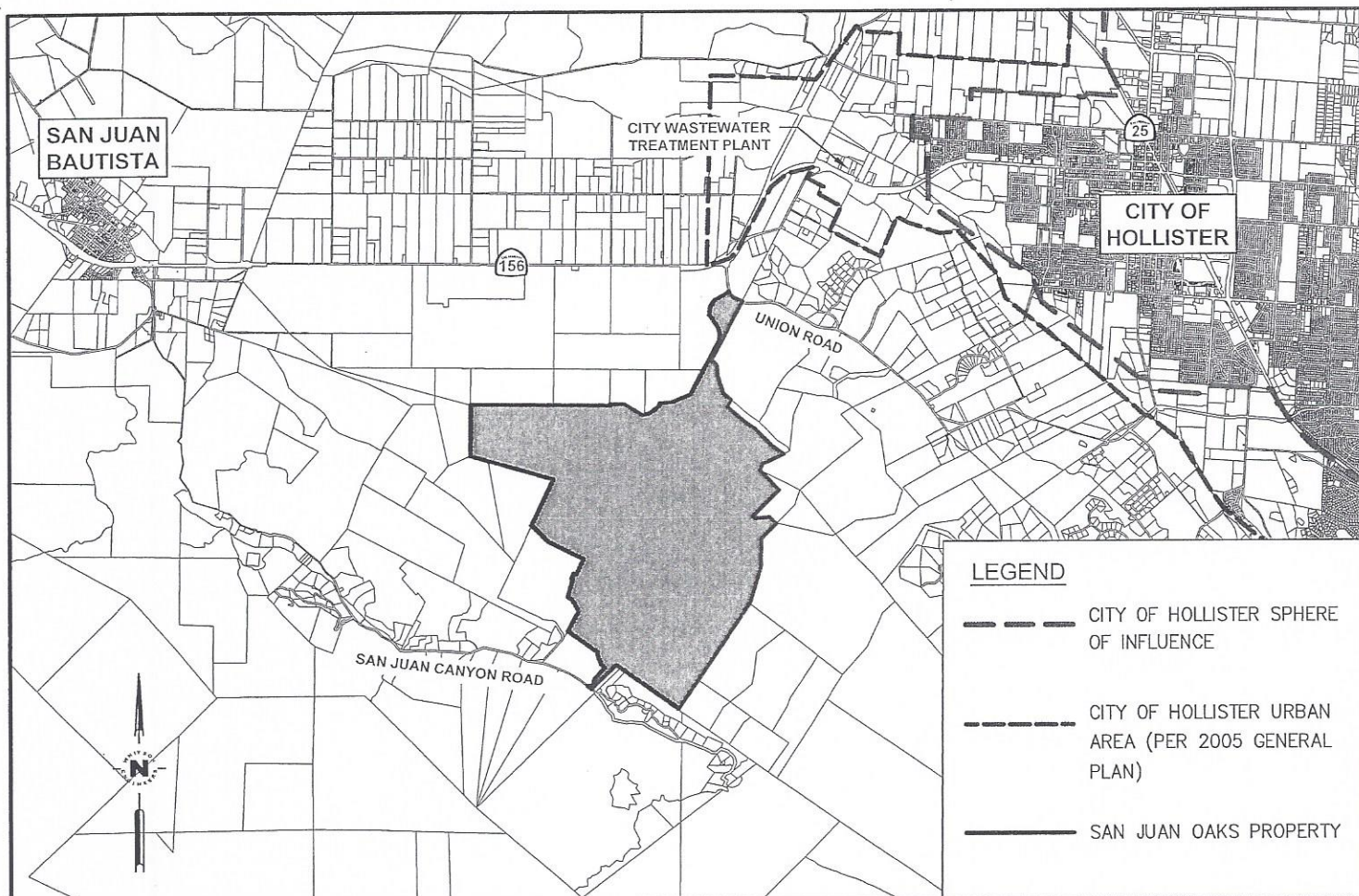
ABSTAINS:

Dated: _____

Chair
San Benito Local Agency Formation Commission

ATTEST

Bob Braitman, Executive Officer
San Benito Local Agency Formation Commission



DEL WEBB AT SAN JUAN OAKS

SAN BENITO COUNTY

CALIFORNIA

VICINITY MAP

DRAWING PATH: T:\Monterey Projects\1613\Del Webb\CIVIL\EXHIBITS\wb-Vicinity Map.dwg

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