

SAN BENITO LOCAL AGENCY FORMATION COMMISSION  
EXECUTIVE OFFICER'S REPORT

July 23, 2015 (Agenda)

LAFCO No. 496:      Gonzalez Annexation to City of Hollister

PROPONENT:      City Council of the City of Hollister, by resolution.

ACREAGE & LOCATION      Approximately 12 acres located south of and including Buena Vista Road between Carnoble Drive and Brandy Court; Hollister area.

PURPOSE:      To allow the development of up to 53 single-family homes based on the City general plan and pre-zoning for the area.

PROJECT INFORMATION

Project Information

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

The site contains one single family home and an unmaintained/inactive walnut orchard; it is located within the City Sphere of Influence.

The County General Plan designates the area as AP (Agricultural Productive).

The City General Plan designates the site as Low Density Residential (R-1) and the rezoning is Low Density Residential Performance Overlay Zoning (RI L/PZ).

Surrounding land uses are single family residences to the east, west and south, and agriculture to the north.

3.      Topography, Natural Features and Drainage Basins:

The site and surrounding areas are generally level.

4.      Population:

There is one existing home within the proposal area but as many as 53 are anticipated to eventually be developed based on the City general plan designation.

5.      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.

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

The site is prime agricultural land and is an unmaintained/inactive walnut orchard.

7. Assessed Value, Tax Rates and Indebtedness:

The annexation area is within Tax Rate Area 067-003. The assessed value is \$612,100 (2014-2015 roll).

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

8. Environmental Impact of the Proposal:

The City of Hollister as the lead agency has found significant environmental effects may result from the proposal. A Mitigated Negative Declaration has been prepared and filed.

9. Landowner and Subject Agency Consent:

The property owner involved in this proposal has given consent to annexation. The City of Hollister consents to the waiver of conducting authority proceedings.

10. Boundaries, Lines of Assessment and Registered Voters:

The boundaries are definite and certain. The property is contiguous to the existing City boundary. The County Surveyor has found the map and legal description to be sufficient in filing with the State Board of Equalization.

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

11: 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 will not have a significant environmental impact and affirm the Mitigated Negative Declaration.
- B. Adopt this report and approve the proposal known as Gonzalez Annexation to the City of Hollister, 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) all affected landowners have 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.

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.**
- B. Describe the level and range of the proposed services.**
- C. Indicate when the services can feasibly be provided to the proposal area.**  
*Please see below answers for A, B, and C.*

Police Service

*Police service to the affected area upon annexation will be provided by the Hollister Police Department. The Police Department provides this service throughout the City based upon staffing levels set by the City Council of the City of Hollister. The affected area is contiguous to the current City limits (current service area). The annexation will not extend the boundary of police service currently in effect. Upon annexation and upon development, the project will not include roadways that would affect traffic enforcement/collision investigation responsibilities. The annexation of the affected area will not create the need for any police related structures or improvements.*

Fire Service

*The Hollister Fire Department will provide fire service to the affected area upon annexation. The Fire Department provides this service throughout the City and adjoining County areas, via a mutual aide agreement, based upon staffing levels set by the City Council. The Fire Department currently houses its fire personnel and equipment at its stations located at the northwest corner of Fifth and Sally Streets and the north side of Union Road between Valley View Road and Airline Highway. The affected area is part of an unincorporated parcel surrounded by the City limits (current City limits (current service area), thus it will not extend the range of fire service currently in effect. The affected area is within the five minute first engine response time, as set forth in City Fire Protection Master Plan for Fire Station 1. The affected area in its current condition would result in a negligible increase in fire services.*

General Government

*General Government services include the City Council, City Administration (City Manager, City Attorney), City Finance (Payment of Utility Bills), Building, Planning, Engineering, and Animal Control. These services are currently being provided to the City at large. Annexation of the affected area in its current condition will not cause any increase in City General Government services. Development of the site if annexed will cause a negligible incremental increase in General Government services for the City Council, City Administration, City Finance, and Animal Control. These will be financed through an incremental increase in General Fund revenues, such as property and sales taxes. The City is also requiring that all projects requesting annexation enter into an agreement to be fiscally neutral (project will provide all revenues necessary to provide public services). The affected area has entered into an annexation agreement for fiscal neutrality. The incremental increase in services for Building, Planning and Engineering will be financed through permit fees.*



### Sewer Service

The property owner will be required to fund the installment of sewer lines from the main transmission line to City standards. To offset the use of the capacity for the transmission facilities, the property owner will be assessed an impact fee at the time of connection of the business. A sewer treatment impact fee will also be assessed to provide funding for additional capacity at the treatment plant. The City of Hollister currently treats its domestic wastewater at the Hollister Domestic Wastewater Treatment Plant (DWTP), which serves the current City limits and portions of unincorporated San Benito County. Domestic wastewater is the waste flows from the City's residential, industrial, commercial, and institutional land uses. Sewage or wastewater flows are transported to the treatment plant via a series of transmission lines. The affected area is near a sanitary sewer transmission line in the right-of-way of Buena Vista Road, and San Lorenzo Drive. This line is part of a system of lines that currently transports wastewater flows to the DWTP and/or IWPT and is designed to serve the affected area. The City currently treats domestic and industrial wastewater at its new regional immersed membrane bioreactor (MBR) wastewater treatment plant located on the west side of the City, on the north side of San Juan Hollister Road. The plant has a design capacity of 5.0 million gallons per day (MGD) and produces effluent that meets Title 22 requirements for disinfected tertiary recycled water. In accordance with the implementation of the Long Term Wastewater Management Plan (LTWMP) filed with the Water Quality Control Board, the City is currently implementing a long-term program of phased improvements for the disposal and reuse of reclaimed wastewater including spray fields, non-potable irrigation for landscaping, and certain agricultural uses. The new facility expands the City's ability to provide wastewater treatment service for the next 10 years, with an additional five years of expansion possible with the expansion of the membrane biological reactor. The City will continue to implement efforts to improve water quality and also to implement the water conservation measures. The development will incrementally utilize capacity at both the treatment plant and within the City sewer transmission line.

### Domestic Water Service

The subject site is within the City of Hollister's adopted service area. All plans for water service will need to be approved the City. The area requested for annexation, will comprise a total of 11.48 acres of vacant land. An existing 12-inch water main is located in the right-of-way of Buena Vista Road along the northern boundary and an existing 8-inch water main is located in the right-of-way of Central Avenue along the southern boundary of the project site. The project proponent will be required to fund the installment of a future water connection to the City of Hollister standards.

### Storm Drain

The City of Hollister maintains a series of transmission lines that convey storm flows within the city and some adjoining areas of unincorporated San Benito County to either the San Benito River or Santa Ana Creek. The affected area is within San Benito River drainage area. Annexation of the property in its current is not expected to alter the capacity of the City storm transmission lines and area wide storm water treatment and recharge facilities.



### Parks and Recreation

*Annexation of the site in its current state will not require any additional park facilities or recreational programs. The City of Hollister maintains a number of park facilities with its jurisdictional limits to serve the needs of City residents and residents of the adjoining unincorporated San Benito County. The City or private developers, or a combination of both has historically constructed these facilities. The amount of parkland required is correlated to population growth that could result from residential development and is set forth by the City General Plan and the City Subdivision Ordinance for residential development. The City of Hollister would require residential land uses to contribute to park impact fee programs.*

*The City of Hollister funds a number of recreation programs to serve the needs of City residents and residents of adjoining unincorporated San Benito County. These programs are funded at a level of 75 percent by user fees. The remaining costs are funded by the City of Hollister General Fund. The City will enter into an annexation agreement with the owners of the affected area to ensure that the development of the site is fiscally neutral, which would include the City portion of the funding required for recreational programs.*

### Road Construction

*The City of Hollister requires that there be adequate roadways to serve the transportation needs of City residents. The City, private developers, or a combination of both will fund roadways.*

### Street and Utility Maintenance

*Annexation of the site in its current state will not require an increase in the need for the funding for street or utility maintenance. The property has existing access to Buena Vista Road to the north and Central Avenue to the south and annexation of the property would not require the addition of new roads, landscape area or utility systems to service the properties.*

- 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.  
*None.*
- E. Identify how these services will be financed. Include both capital improvements and ongoing maintenance and operation.  
*All utilities will be public. The property shall be included within a Community Facilities District to finance the related maintenance costs. The proposed streets are public and will be maintained by the City of Hollister. The street, water, sewer, storm water drainage improvements are developer financed.*
- F. Identify any alternatives for providing the services listed in Section (A) and how these alternatives would affect the cost and adequacy of services.  
*None.*

LAFCO No. 496

RESOLUTION OF THE SAN BENITO LOCAL AGENCY FORMATION  
COMMISSION MAKING DETERMINATIONS AND APPROVING THE  
GONZALEZ ANNEXATION TO THE CITY OF HOLLISTER

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 Commission reviewed and considered the Mitigated Negative Declaration.
- (2) The subject proposal is assigned the distinctive short-form designation:  
GONZALEZ ANNEXATION TO CITY OF HOLLISTER
- (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 formation 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.

This resolution was adopted on July 23, 2015 and is effective on the date signed by the Chair.

AYES:

NOES:

ABSTAINS:

Dated: \_\_\_\_\_

\_\_\_\_\_  
Chair  
San Benito Local Agency Formation Commission

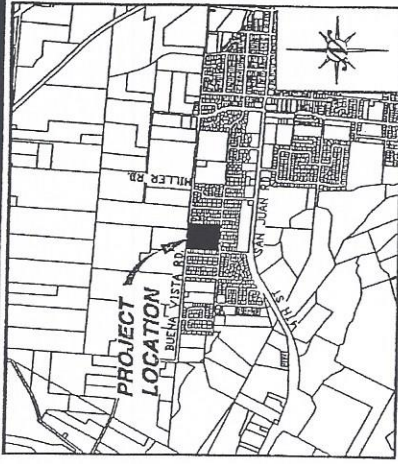
ATTEST

\_\_\_\_\_  
Bob Braitman, Executive Officer  
San Benito Local Agency Formation Commission





COUNTY SURVEYOR:  
ARMAN NAZEMI  
5-28-2015



VICINITY MAP  
NOT TO SCALE

PROJECT INFORMATION

Assessor's Parcel Number: 019-250-001  
COUNTY OF SAN BENITO  
Zoning: AP  
General Plan Designation: Low Density Residential  
Existing Use: Agriculture  
CITY OF HOLLISTER  
Zoning: R-1  
General Plan Designation: Low Density Residential  
Proposed Use: Single Family Homes

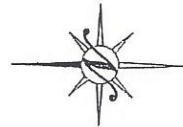
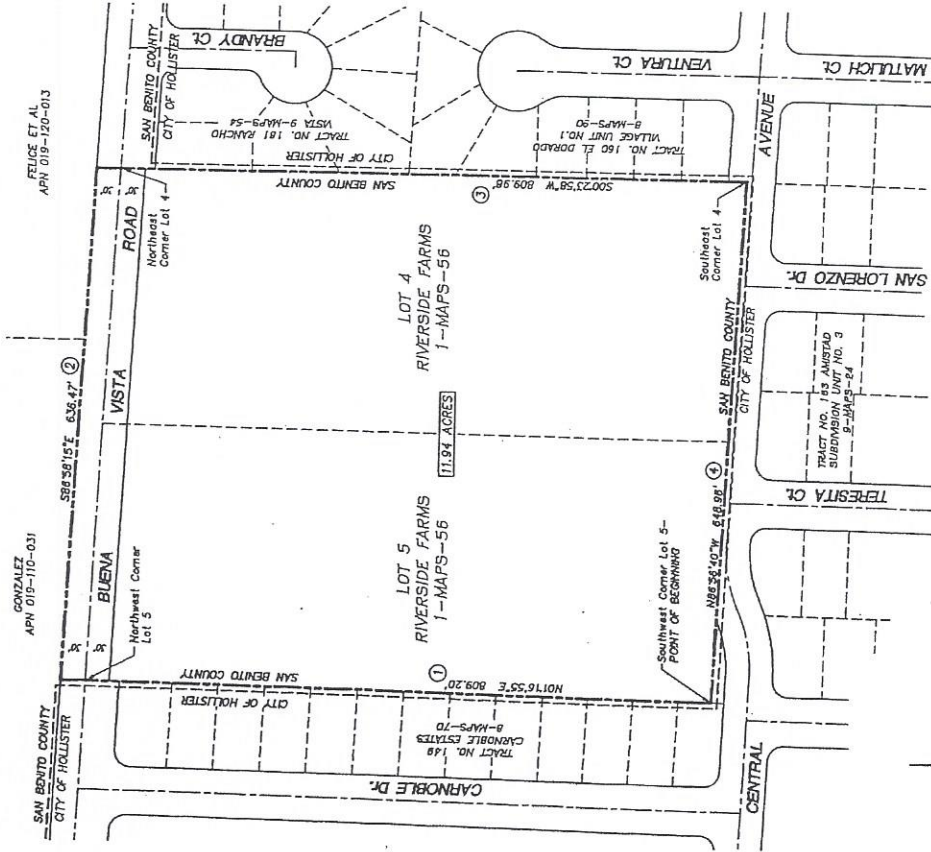
Owner: Fernando Gonzalez  
1260 San Juan Road  
Hollister, CA 95023  
Applicant: City of Hollister  
375 Fifth Street  
Hollister, CA 95023  
Engineer: NorthStar Engineering Group, Inc.  
820 12th Street  
Modesto, CA 95354  
(209) 524-3525

Hazard Zones: There are no known seismic hazard zones on this property and the property is located outside of any flood hazard zones.  
Water District: This project is within the service area of the City of Hollister.  
Adjacent Property uses: Single Family Residential to the East, South and West; Agricultural to the North.  
Required Setbacks: Front = 18' Residence/20' Garage  
Side = 5' Interior 10'/10' corner lot  
Back = 15'-20'

MAP SCALE: 1" = 30'



*Rlen Greenwood*  
Rlen Greenwood P.L.S. 6946  
Date: 4/15/15



GONZALEZ ANNEXATION

THIS SPACE RESERVED FOR THE APPROVAL OF THE COUNTY SURVEYOR

LAFCO 496