

SAN BENITO LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT

September 24, 2015 (Agenda)

- LAFCO No. 499: Tyler Knoll Annexation to County Service Area No. 9
- PROPONENT: San Benito County Board of Supervisors, by resolution.
- ACREAGE & LOCATION: Approximately five acres south of Airline Highway (State Hwy 25) at the eastern terminus of Ralph's Drive; Hollister area
- PURPOSE: Comply with County conditions of approval for an approved tract of 13 single family homes to provide street lighting, street sweeping and storm drain maintenance.

PROJECT INFORMATION

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

Thirteen single family homes are under construction. The annexation area also includes a parcel owned by the Sunnyslope County Water District as a water well lot.

The County General Plan designates the area as Rural/Urban. Existing zoning is R-1.

Surrounding land uses are residential and a golf course.

3. Topography, Natural Features and Drainage Basins:

The site and surrounding areas slope gently. There are no significant natural features.

4. Population:

There are 13 homes under construction within the proposal area.

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

The County's "Plan for Providing Services Within the Affected Territory" as required by the Government Code is on file in the LAFCO office. Also on file is a Sunnyslope County Water District letter stating it has adequate water capacity to serve this project.

6. Assessed Value, Tax Rates and Indebtedness:

The proposal is within tax rate area 067-022. The 2015 assessed value is \$999,000.

Ongoing maintenance services will be financed by special benefit assessments to be levied against properties by CSA 9.

7. Environmental Impact of the Proposal:

Inasmuch as the homes are presently under construction, the annexation is categorically exempt from CEQA (Class 19) which includes annexations to a special district of areas containing public or private structures developed to the extent allowed by current zoning.

8. Landowner and Subject Agency Consent:

Written consent has been given by all property owners within the proposal.

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

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

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 Tyler Knoll Annexation to County Service Area 9, subject to the condition the territory be liable for any new special benefit assessments to be levied against properties within the District.
- 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.
- 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.

A handwritten signature in blue ink, reading "Bob Braitman", with a long horizontal flourish extending to the right.

BOB BRAITMAN
Executive Officer
LOCAL AGENCY FORMATION COMMISSION

LAFCO No. 499

RESOLUTION OF THE SAN BENITO LOCAL AGENCY FORMATION COMMISSION
MAKING DETERMINATIONS AND APPROVING THE TYLER KNOLL
ANNEXATION TO COUNTY SERVICE AREA NO. 9

WHEREAS, the a 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) to annex territory to County Service Area No. 9; 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 alternative proposal; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony related to the proposal and the alternative 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 proposal is found to be categorically exempt.
- (2) The subject proposal is assigned the distinctive short-form designation:

TYLER KNOLL ANNEXATION TO COUNTY SERVICE AREA NO. 9

- (3) Said territory is found to be inhabited.
- (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 and any terms and conditions specified in this resolution.

(6) 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 September 24, 2015 and is effective on the date signed by the Chair.

AYES:

NOES:

ABSTAINS:

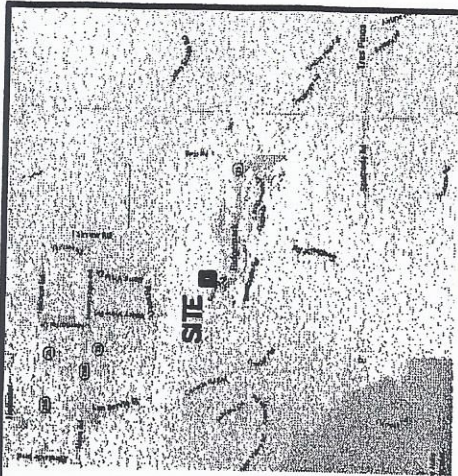
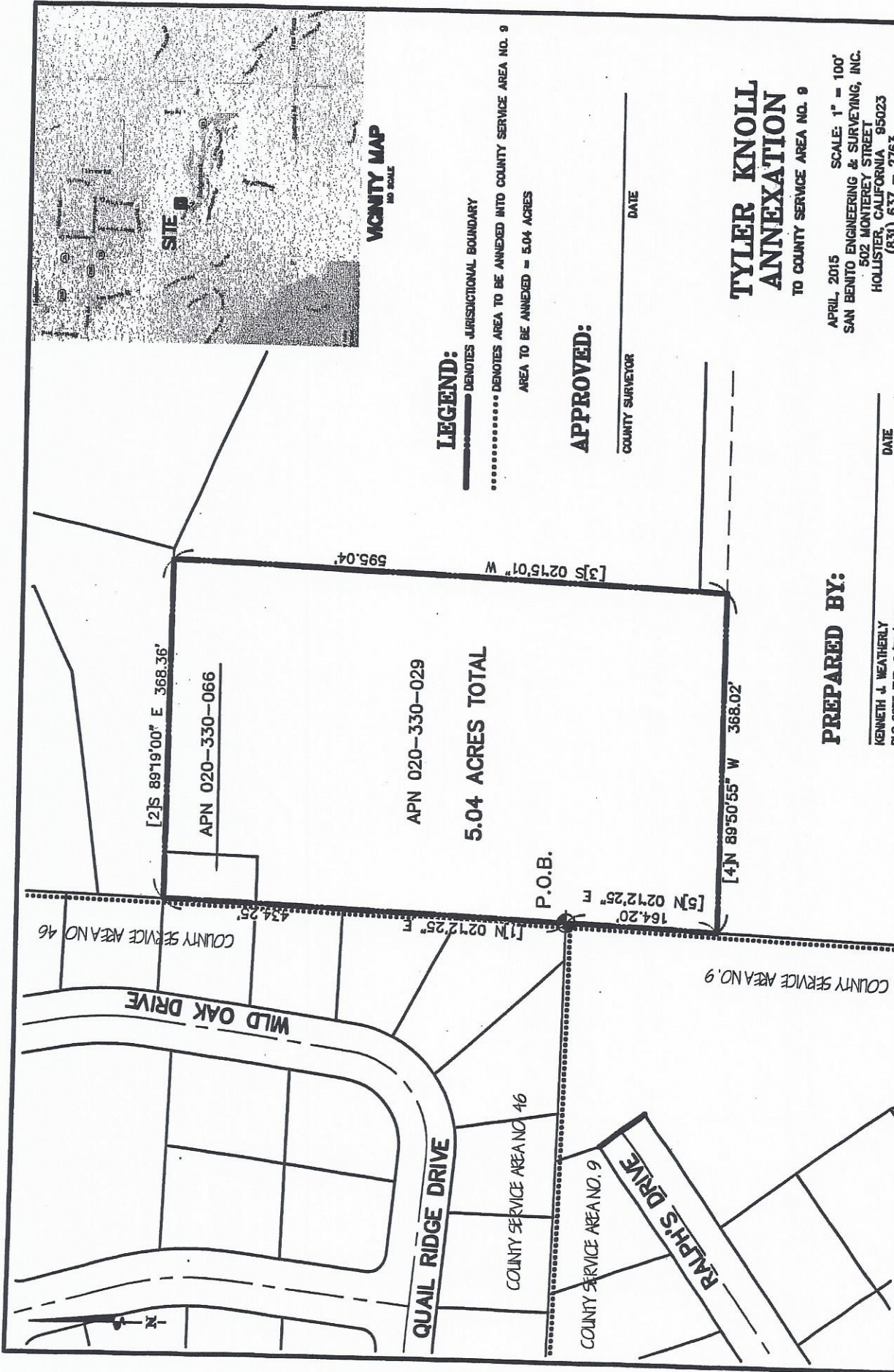
Dated: _____

Chair

San Benito Local Agency Formation Commission

ATTEST

Bob Braitman, Executive Officer
San Benito Local Agency Formation Commission



VICINITY MAP
NO SCALE

LEGEND:
 ————— JURISDICTIONAL BOUNDARY
 DENOTES AREA TO BE ANNEXED INTO COUNTY SERVICE AREA NO. 9
 AREA TO BE ANNEXED = 5.04 ACRES

APPROVED:

 COUNTY SURVEYOR

 DATE

**TYLER KNOLL
ANNEXATION**
 TO COUNTY SERVICE AREA NO. 9

APRIL, 2015 SCALE: 1" = 100'
 SAN BENITO ENGINEERING & SURVEYING, INC.
 502 MONTEREY STREET
 HOLLISTER, CALIFORNIA 95023
 (831) 637 - 2763

PREPARED BY:

KENNETH J. WEATHERLY
 PLS 0875 EXP. 9/30/2016

DATE

JOB NO. 15040
 SHEET 1 OF 1 SHEETS