

SAN BENITO LOCAL AGENCY FORMATION COMMISSION  
EXECUTIVE OFFICER'S REPORT

September 24, 2015 (Agenda)

LAFCO No. 503: San Juan Cemetery Annexation to City of San Juan Bautista

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

ACREAGE & LOCATION: Approximately three acres located west of and including Monterey Street and Larios Street (65 Monterey Street); San Juan Bautista area.

PURPOSE: Include this portion of the San Juan Bautista Cemetery in the City in order to have the entire cemetery within one jurisdiction.

PROJECT INFORMATION

Project Information

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

This parcel contains a portion of an existing cemetery. No change in land use will result from the annexation.

The County General Plan designates the site as Agriculture Productive.

The City General Plan designates the site and the area is rezoned Public/Quasi Public. The area to be annexed is within the City Sphere of Influence.

Surrounding land uses include the remainder of the cemetery to the east, general commercial to the south and agriculture to the west and north.

3. Topography, Natural Features and Drainage Basins:

The annexation area and surrounding land slope gently to the southwest.

4. Population:

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

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 has been submitted. It indicates the City will provide services to this property similar to other properties within the City.

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

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

7. Assessed Value, Tax Rates and Indebtedness:

The property is within Tax Rate Area 002-000. There is no taxable assessed value.

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.

8. 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).

9. 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.

10. 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.

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 to be categorically exempt.
- B. Adopt this report and approve the proposal known as San Juan Bautista Cemetery 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



LAFCO No. 503

RESOLUTION OF THE SAN BENITO LOCAL AGENCY FORMATION  
COMMISSION MAKING DETERMINATIONS AND APPROVING THE  
SAN JUAN BAUTISTA CEMETERY 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).

(2) The subject proposal is assigned the distinctive short-form designation:  
SAN JUAN BAUTISTA CEMETERY 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 September 24, 2015 and is effective on the date signed by the Chair.

AYES:

NOES:

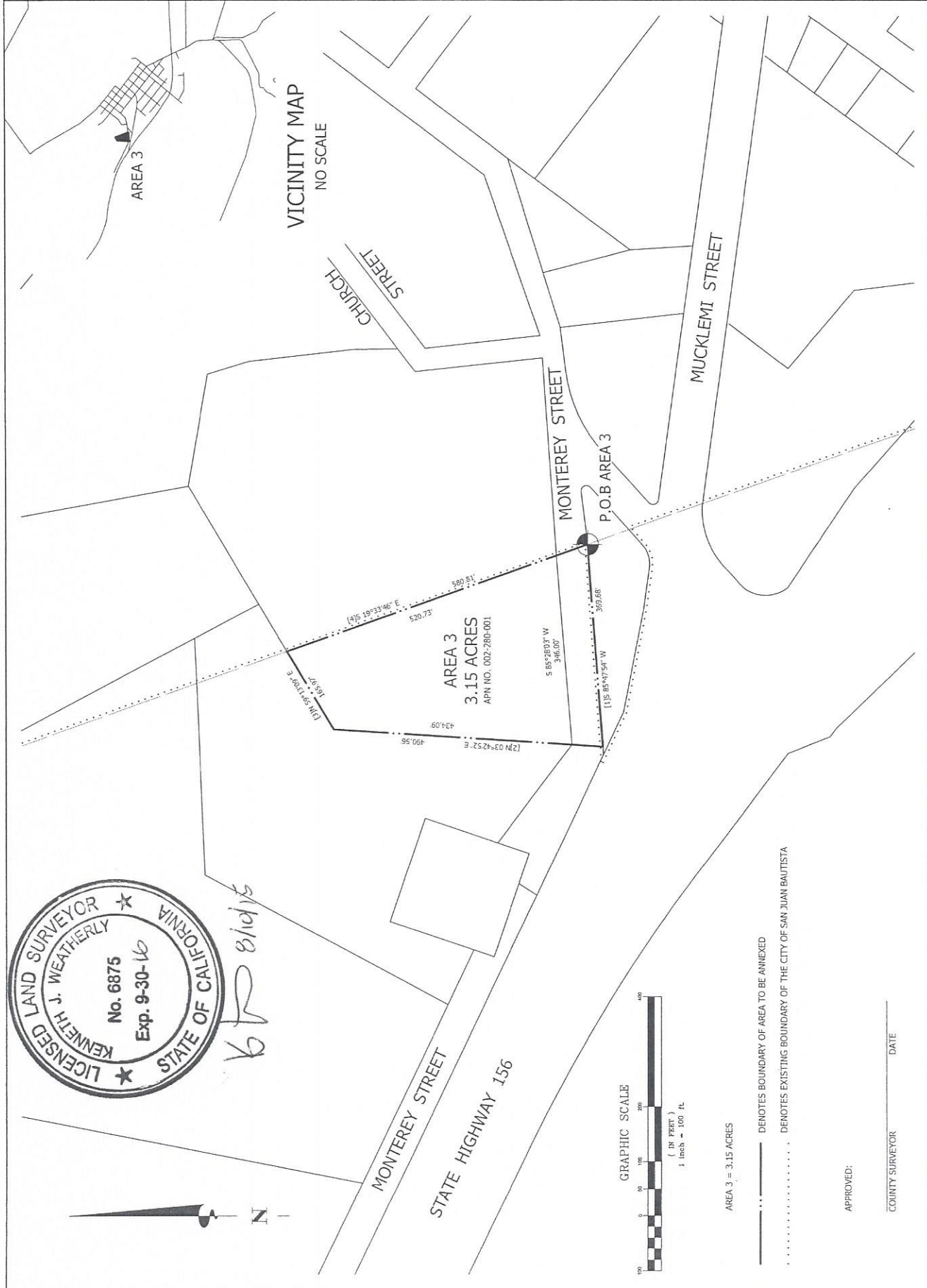
ABSTAINS:

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

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

ATTEST

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



AREA 3 = 3.15 ACRES

————— DENOTES BOUNDARY OF AREA TO BE ANNEXED

..... DENOTES EXISTING BOUNDARY OF THE CITY OF SAN JUAN BAUTISTA

APPROVED:

COUNTY SURVEYOR \_\_\_\_\_ DATE \_\_\_\_\_



✓ R 8/10/15