

SAN BENITO LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT

September 24, 2015 (Agenda)

LAFCO No. 498: Coke-Dominguez-King Annexation to City of San Juan Bautista

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

ACREAGE & LOCATION Approximately 33 acres south of and including San Juan-Hollister Highway, west of and including Mission Vineyard Road (65 Monterey Street); San Juan Bautista area

PURPOSE: To annex territory for a proposed Agricultural Business Park.

PROJECT INFORMATION

Project Information

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

The property is agricultural with one existing single-family home. No other homes are planned. The site is within the City Sphere of Influence and is intended for use as an Agricultural Business Industrial Park.

The County General Plan and zoning designate the site as Agriculture Productive. The City General Plan designation is Agriculture. The property is prezoned Agricultural Business Industrial Zone. The intended use conforms with these designations.

Surrounding land uses are agriculture to east and, west, industrial to the north and rural residential to the south.

2. Topography, Natural Features and Drainage Basins:

The property is gently sloping to the north. A portion of the annexation area is in a flood zone and the San Andreas Fault partly divides the area.

3. 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.

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

The site produces agricultural crops but is not prime agricultural land.

5. Assessed Value, Tax Rates and Indebtedness:

The annexation area is within Tax Rate Area 079-010. The assessed value is \$649,909.

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.

6. Environmental Impact of the Proposal:

The City as lead agency has found no significant adverse environmental impact will result from the proposal and has prepared a Negative Declaration.

7. Landowner and Subject Agency Consent:

The property owners involved in this proposal have given written consent to the annexation and the City consents to the waiver of conducting authority proceedings.

8. Boundaries, Lines of Assessment and Registered Voters:

The boundaries appear to be definite and certain. There do not appear to be conflicts with lines of assessment or ownership. The property is contiguous to the existing City.

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.

9. 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. Certify that your Commission has reviewed and considered the information contained in the Negative Declaration.
- B. Adopt this report and approve the proposal known as Cole-Dominguez-King 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 City services will be provided once the properties get annexed into the city. These services 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 enforcement via contract with the County Sheriff Department, fire protection services, water treatment and distribution, sewage collection, treatment and disposal, street maintenance and street lighting and city hall services including representation of the community at other levels of government.
- B. Describe the level and range of the proposed services. The City of 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. Services will be provided upon annexation of the 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 shall be required and utilities will be put in if area does not have existing 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 the City Capital Improvement program which is funded by various City revenues. Ongoing operation and maintenance will be financed by property taxes, sales taxes, franchise fees, developer fees, permits and utility fees and business license fees.
- F. Identify any alternatives for providing the services listed in Section (A) and how these alternatives would affect the cost and adequacy of services. The County of San Benito can possibly provide the services, however the County lacks in facilities to that may provide some capital improvements such as water and sanitation facilities.

LAFCO No. 498

RESOLUTION OF THE SAN BENITO LOCAL AGENCY FORMATION
COMMISSION MAKING DETERMINATIONS AND APPROVING THE
COLE-DOMINGUEZ-KING 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 Commission reviewed and considered the Negative Declaration prepared by the City of San Juan Bautista.

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

