

SAN BENITO LOCAL AGENCY FORMATION COMMISSION  
EXECUTIVE OFFICER'S REPORT

October 23, 2014 (Agenda)

- LAFCO No. 490: Infelise Annexation to City of Hollister
- PROPONENT: City Council of the City of Hollister, by resolution.
- ACREAGE & LOCATION: Approximately 22 acres north of Apricot Lane, southerly of Jacqueline Drive and westerly of Cannery Row; Hollister area
- PURPOSE: To provide municipal services for a potential maximum build-out of 173 single family homes.

PROJECT INFORMATION

Project Information

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

The site is vacant except for one single-family home. The area is located within the City Sphere of Influence.

The County General Plan and zoning designates the area as RR (Rural Residential).

The City General Plan designates most of the site as Low Density Residential; a small portion is designated as Open Space. City rezoning is Low Density Residential R1-L/PZ which will allow between one and eight dwelling units per acre and less than an acre is designated Open Space District.

The City General Plan identifies the site as being located within a "priority infill area"

Surrounding land uses are single-family residential to the east, north and south, with the City's industrial wastewater treatment plant to the west.

3. Topography, Natural Features and Drainage Basins:

The site and surrounding areas are generally level, with a slight slope to the west. West of the site is a bluff that drops approximately 15 feet to sewer ponds.

4. Population:

There is one home within the proposal area. Annexation may result in construction of up to 173 single-family homes.

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 produces no commercial agricultural commodities and is unfarmed. The site is not comprised of land that is classified as prime farmland.

7. Assessed Value, Tax Rates and Indebtedness:

The annexation area is within Tax Rate Area 067-003. The 2013-2014 assessed value is \$513,821 (2013-2014 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.

7. Environmental Impact of the Proposal:

The City of Hollister is the lead agency. It has found significant environmental effects may result from the proposal. A Mitigated Negative Declaration titled Apricot Lane Prezone (Prezone No. 2013-1) has been prepared and filed.

A copy is provided along with this staff report.

8. Landowner and Subject Agency Consent:

The property owner involved in this proposal has given written consent to annexation.

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 property is contiguous to the existing 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.

10: 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 it has reviewed and considered the Mitigated Negative Declaration.
- B. Adopt this report and approve the proposal known as Infelise 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 written 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 black ink, appearing to read "Bob Braitman", is written over a horizontal line. The signature is fluid and cursive.

BOB BRAITMAN  
Executive Officer  
LOCAL AGENCY FORMATION COMMISSION

## Plan for Providing Services Within the Affected Territory

### 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.*

*Below is an analysis of the services that will be required for the annexation of the affected property pursuant to the requirements set forth by Section 56653 of the Map Act.*

#### Police Service

*Police service to the affected area upon annexation will be provided by the Hollister Police Department. The affected area is contiguous with 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 increase the population and include roadways that would affect traffic enforcement/collision investigation responsibilities; therefore an incremental increase in staffing levels is needed. This incremental increase in police service will be financed by the imposition of a Mello-Roos Community Facilities public safety tax. The City currently collects a per unit fee for the first year of occupation; the fee is incrementally indexed on a yearly basis in accordance with the methodology used in Engineering News Record. Any incremental increase in capital equipment will be financed thorough the imposition of police impact fees collected at the time of building permit issuance or prior to occupancy of the site. The annexation of the project 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 project area upon annexation. The Fire Department provides this service throughout the City and adjoining County areas. The Fire Department currently houses its fire personnel and equipment at two stations within the City limits: Station 1 ia located at 110 5<sup>th</sup> Street; Station 2 is located at 1000 Union Road between Valley View Road and Airline Highway.*

*The project area is contiguous with the current City limits (current service area), thus it will not extend the range of fire service currently in effect. Development of the site will not require an increase in staffing levels, infrastructure or capital equipment. Although no additional services or equipment are needed, the project will still be required to pay the appropriate fire impact fees.*

### **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 Governmental services. Development of the site, if annexed, will cause a minor incremental increase in General Government service 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 will be subject to 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 project will generate domestic wastewater that will require collection, treatment and disposal in accordance with state regulations. The proposed 21.84-acre residential development is estimated to produce the following wastewater flows at project build-out per factors from the City of Hollister Engineering Design Standards, Section 5.03:  
102 Single Family Residential Lots @ 290gpd/DU = 29,780 gpd

The project is within the City of Hollister General Plan area and is accounted for in the City's Long-Term Wastewater Management Program. Therefore, it is proposed that wastewater generated onsite be collected and conveyed to the City of Hollister Domestic Wastewater Treatment Plant (DWTP) for treatment and disposal.

The following existing City sanitary sewer mains are located adjacent to the project:

- 8 inch within Apricot Lane
- 8 inch within Steinbeck Drive
- 8 inch within Robert Drive

A sewer impact fee will be assessed at the time of building permit issuance for use in future sanitary sewer capital improvement projects.

### **Domestic Water Service**

The project is expected to obtain domestic water service from the City of Hollister. The proposed development is estimated to have the following water demand at project build-out per factors from the 2008 Hollister Urban Area Water and Wastewater Master Plan: 102 Single Family Residential Lots @420 gpd/DU = 42,840 gpd

The following existing City water mains are located adjacent to the project:

- 8 inch within Apricot Lane
- 8 inch within Steinbeck Drive
- 8 inch within Robert Drive
- 8 inch within Summer Drive

*It is not anticipated that development of the project will trigger the need for offsite improvements to the existing distribution system. A water impact fee will be assessed at the time of building permit issuance for use in future water capital improvement projects.*

*The total water supplied within the City of Hollister in 2010 was approximately 2,859 acre-feet per year (ADD=2.6 million gallons per day), which equates to a maximum daily demand of approximately 5.2 million gallons per day, per the 2010 Hollister Urban Area Water Master Plan dated June 14, 2011. According to the 2008 Hollister Urban Area Water and Wastewater Master Plan, the total City average daily water demand is expected to increase to 6.1 million gallons per day by the year 2023. The City is in the process of implementing water supply and treatment improvement projects in order to improve water quality for existing users and provide sufficient supply to accommodate future demands.*

### **Storm Drain**

*The City of Hollister maintains a storm drain system that conveys storm water runoff within the City and some adjoining areas of unincorporated San Benito County to the San Benito River and Santa Ana Creek. The project area is within the San Benito River watershed.*

*The project will collect and convey storm water to treatment and flood control facilities. Excess runoff will be released to the downstream City storm drain system. The following existing City storm drains are located adjacent to the project:*

- 18 inch within Apricot Lane*
- 18 inch within Steinbeck Drive*
- 24 inch within Robert Drive*
- 18 inch within Summer Drive*

*The project will include an onsite detention facility to provide downstream flood protection per City of Hollister storm water ordinances at the time of development, and reduce runoff to pre-development levels. The project will incorporate Low Impact Development strategies and Best Management Practices to reduce storm water runoff, encourage infiltration, and reduce pollutant transmission. A storm water impact fee will be assessed at the time of building permit issuance for use in future storm drain capital improvement projects.*

### **Parks and Recreation**

*No park or recreation facilities currently occupy the affected area. Annexation of the site in its current state will not require any additional park facilities or recreational programs.*

Development of residential projects generally requires an increase in park facilities to serve the new residents based on a standard of five acres per 1,000 persons. The degree to which an increase in park facilities will be required will be determined at the time of review of the development application. The City of Hollister requires that residential projects either dedicate land and/or pay park-in-lieu impact fees for the incremental need for expanded park facilities. At the time of review of the development application, the project's financial contribution for park lands or facilities will be determined.

A conceptual tentative map submitted by the applicant identifies 102 single-family residential detached lots. The plan also reflects a 100-foot wide (0.78 acre) open space buffer zone to be maintained along the west end of the property abutting the industrial wastewater treatment plant and the San Benito River. The open space area includes recreational amenities including a tot lot and a trail. The City will likely enter into an annexation agreement with the owners of the affected area to ensure that the development of the site is fiscally neutral.

#### **Road Construction**

The City of Hollister requires that there be adequate roadways to serve the transportation needs of City residents. The project site is adjacent to Apricot Lane which is located to the south, Steinbeck Drive to the east, and Summer Drive and Robert Drive to the north. Sometime following annexation, the project will be required to fund and install frontage improvements including curb, gutter, and sidewalk on Apricot Lane, Steinbeck Drive, Robert Drive, and Summer Drive to City standards. A traffic impact fee will be assessed at the time of building permit issuance for use in future traffic related capital improvement projects.

#### **Street and Utility Maintenance**

Many existing City streets and utilities currently surround the affected area and annexation of the site in its current state will not require an increase in the need for the funding for street or utility maintenance.

Development of the project site will require the maintenance of area City streets, landscaping and utility facilities that will serve the affected area, as well as streets and utility systems within the development. The area street and maintenance is funded by the City of Hollister state taxes. The City currently collects a per unit fee for the first year of occupation; the fee is incrementally indexed on a yearly basis in accordance to the methodology used in the Engineering News Record for maintenance of landscaping and lighting. City utility systems are currently funded by City user fees.

- 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. Existing water, sewer, and storm drainage will be extended to serve the Robert Infelise subdivision. Connections to existing utilities are available along the parcel's Apricot Lane frontage.



*The project is proposing public streets including the project frontage of Apricot Lane. All interior streets will also be public.*

- 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 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.  
*No alternative mechanisms proposed.*

LAFCO No. 490

RESOLUTION OF THE SAN BENITO LOCAL AGENCY FORMATION COMMISSION  
MAKING DETERMINATIONS AND APPROVING THE INFELISE 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 prepared by the City of Hollister.

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

INFELISE 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.

(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 October 23, 2014 and is effective on the date signed by the Chair.

AYES:

NOES:

ABSTAINS:

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

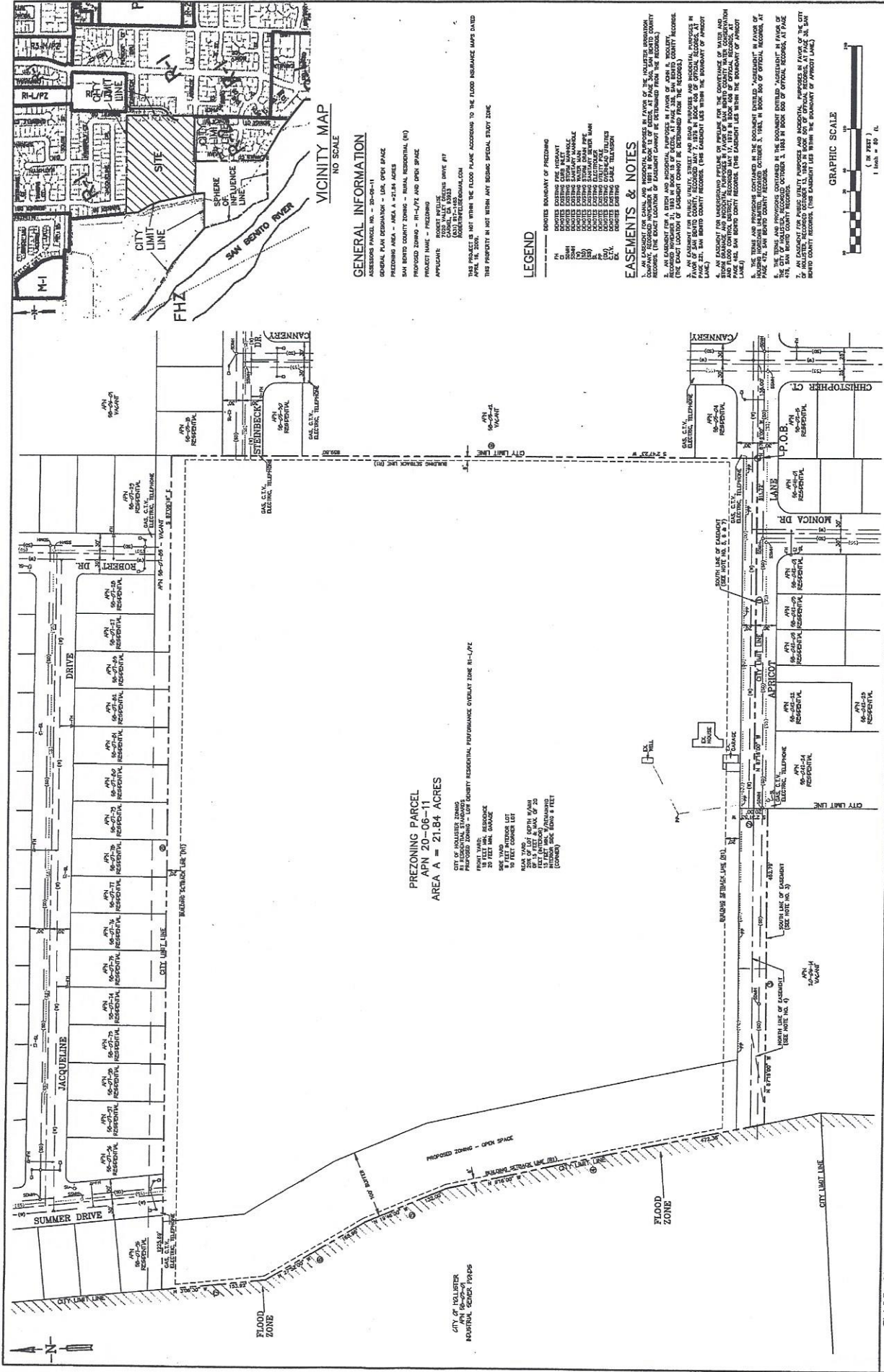
\_\_\_\_\_

Chair

San Benito Local Agency Formation Commission

ATTEST

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



**PRE-ZONING MAP**

**ROBERT INFELISE**  
HORIZONTAL SCALE 1" = 60'

NO.	REVISIONS	DATE

**CITY OF HOLISTER**  
PIN OF HOMESTEAD LOT 31  
OF THE SAN JUSTO RANCHO  
SAN BENITO COUNTY, CALIFORNIA

**SAN BENITO ENGINEERING & SURVEYING, INC.**  
502 Monterey Street  
Holister, California 95023  
(831) 637-2788 FAX (831) 637-6938  
P-MAIL: [rose@sbefinc.com](mailto:rose@sbefinc.com)

**APPROVED:**  
DATE: 23 May 2011 at 1:46pm  
DRAWING: 110202P.dwg

**SHOWN:**  
APN: 20-06-11  
SCALE: AS SHOWN  
JOB NO.: 110202  
DATE: 23 May 2011 at 1:46pm  
DRAWING: 110202P.dwg

**GRAPHIC SCALE**  
1 Inch = 60 Feet

