

RESOLUTION NO. 2007-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA APPROVING A NEGATIVE DECLARATION FOR ANNEXATION OF APPROXIMATELY 49.65 ACRES OF UNINCORPORATED TERRITORY TO THE CITY OF SAN JUAN BAUTISTA AND WITHIN THE CITY'S SPHERE OF INFLUENCE ("STEPHENS ANNEXATION")

WHEREAS, on September 29, 1998 the City Council of the City of San Juan Bautista certified the San Juan Bautista San Juan Bautista General Plan Final Environmental Impact Report (City Council Reso. 98-30) and adopted the 1998 General Plan (City Council Reso. 98-31) defining the future growth pattern for the City for an approximately fifteen year period ending in the year 2015 including a recommended Sphere of Influence coincident with the boundary of the land designated for urban development; and

WHEREAS, on the San Benito County Local Agency Formation approved the City's current Sphere of Influence that includes the 49.65 acres proposed to be annexed at this time (San Benito County LAFCO Reso. 97-07); and

WHEREAS, the Assessor's Parcel Number and acreages for each of the properties to be annexed include the following:

Acreage/Lot Size: 49.65 Total Acreage
012-016-017 = 5.00 ac.
012-016-027 = 22.85 ac.
012-016-028 = 5.21 ac.
012-016-029 = 6.58 ac.
012-016-030 = 10.01 ac.

WHEREAS, this annexation request has been evaluated per the requirements of the California Environmental Quality Act and an Initial Study/Negative Declaration was circulated for 20 days from February 16, 2007 to March 7, 2007 and presented in "Exhibit A"; and

WHEREAS, two comment letters were received on the Initial Study/Negative Declaration and were responded to and these comments and responses are incorporated herein by reference and are part of the record; and

WHEREAS, the City Council, at its May 15, 2007 duly noticed public hearing, considered the draft Initial Study/Negative Declaration, considered all public testimony, written and oral, presented at the public hearing, received and considered the written information and recommendation of the staff report; and

WHEREAS, the City notified all property owners within 300 feet of the project site and affected public agencies of the availability of the Initial Study/Negative Declaration and the pending Planning Commission and City Council hearing dates (April 11 and April 17, 2007, respectively); and

WHEREAS, the City Council has independently reviewed the proposed annexation and Initial Study/Negative Declaration for compliance with the California Environmental Quality Act (CEQA); and

WHEREAS, as the “lead” agency, the City of San Juan Bautista is required to certify such environmental documentation (in this case, the Initial Study/Negative Declaration) prior to approving the proposed project at a later date; and

WHEREAS, the Initial Study/Negative Declaration did not identify any impacts and so mitigation measures are not required; and

WHEREAS, the Initial Study/Negative Declaration and other materials constituting the record of proceedings is available at City Hall; and

THEREFORE BE IT HEREBY RESOLVED by the City Council of the City of San Juan Bautista as follows:

1. The City Council has determined through its independent judgment that on the basis of the initial study and comments received there is no substantial evidence that the project will have a significant effect on the environment.
2. All of the recitals set forth above are true and correct to the best of the Council’s knowledge and by this reference are incorporated herein as findings.

PASSED AND ADOPTED by the City Council of the City of San Juan Bautista at a regular meeting duly held on the 15th day of May, 2007 by the following vote:

AYES: **Dias, Edge, Laverone**

NOES: **Hill, Paradise**

ABSENT: **None**

ABSTAIN: **None**

Priscilla J. Hill, Mayor

ATTEST:

Trish Paetz, Deputy City Clerk

Exhibit A
Initial Study/Negative Declaration